



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE**

I. ADMINISTRATIVE INFORMATION

Completion Date of Approved Jurisdictional Determination (AJD): 1/29/2021

ORM Number: SWT-2020-00597

Associated JDs: N/A

Review Area Location¹: State/Territory: Texas City: Wichita Falls County/Parish/Borough: Wichita

Center Coordinates of Review Area: Latitude 33.879586 Longitude -98.472961

II. FINDINGS

A. Summary: Check all that apply. At least one box from the following list MUST be selected. Complete the corresponding sections/tables and summarize data sources.

- The review area is comprised entirely of dry land (i.e., there are no waters or water features, including wetlands, of any kind in the entire review area). Rationale: N/A or describe rationale.
- There are “navigable waters of the United States” within Rivers and Harbors Act jurisdiction within the review area (complete table in Section II.B).
- There are “waters of the United States” within Clean Water Act jurisdiction within the review area (complete appropriate tables in Section II.C).
- There are waters or water features excluded from Clean Water Act jurisdiction within the review area (complete table in Section II.D).

B. Rivers and Harbors Act of 1899 Section 10 (§ 10)²

| § 10 Name | § 10 Size | § 10 Criteria | Rationale for § 10 Determination |
|-----------|-----------|---------------|----------------------------------|
| N/A. | N/A. | N/A. | N/A. |

C. Clean Water Act Section 404

| Territorial Seas and Traditional Navigable Waters ((a)(1) waters): ³ | | | |
|---|-------------|-----------------|------------------------------------|
| (a)(1) Name | (a)(1) Size | (a)(1) Criteria | Rationale for (a)(1) Determination |
| N/A. | N/A. | N/A. | N/A. |

| Tributaries ((a)(2) waters): | | | |
|------------------------------|--------------------|---|--|
| (a)(2) Name | (a)(2) Size | (a)(2) Criteria | Rationale for (a)(2) Determination |
| Stream 1 (S1) | 800 linear feet | (a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year. | Stream 1 is mapped as an intermittent stream on USGS topographic map. Stream 1 is also mapped on NWI and aerial photographs. Stream 1 exhibited water in all years of aerial photographs. Stream 1 flows directly into Holliday Creek, which flows into the Wichita River, which flows into the Red River, an a(1) water. Therefore, it has been determined that the portion of Stream 1 within the review area exhibits no less than intermittent flow. |

¹ Map(s)/figure(s) are attached to the AJD provided to the requestor.

² If the navigable water is not subject to the ebb and flow of the tide or included on the District's list of Rivers and Harbors Act Section 10 navigable waters list, do NOT use this document to make the determination. The District must continue to follow the procedure outlined in 33 CFR part 329.14 to make a Rivers and Harbors Act Section 10 navigability determination.

³ A stand-alone TNW determination is completed independently of a request for an AJD. A stand-alone TNW determination is conducted for a specific segment of river or stream or other type of waterbody, such as a lake, where upstream or downstream limits or lake borders are established. A stand-alone TNW determination should be completed following applicable guidance and should NOT be documented on the AJD Form.



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| | | | | |
|---|-------------|------|-----------------|------------------------------------|
| Lakes and ponds, and impoundments of jurisdictional waters ((a)(3) waters): | | | | |
| (a)(3) Name | (a)(3) Size | | (a)(3) Criteria | Rationale for (a)(3) Determination |
| N/A. | N/A. | N/A. | N/A. | N/A. |

| | | | | |
|------------------------------------|-------------|------|-----------------|------------------------------------|
| Adjacent wetlands ((a)(4) waters): | | | | |
| (a)(4) Name | (a)(4) Size | | (a)(4) Criteria | Rationale for (a)(4) Determination |
| N/A. | N/A. | N/A. | N/A. | N/A. |

D. Excluded Waters or Features

| Excluded waters ((b)(1) – (b)(12)): ⁴ | | | | |
|--|----------------|-------------|---|---|
| Exclusion Name | Exclusion Size | | Exclusion ⁵ | Rationale for Exclusion Determination |
| Stream 2 (S2) | 120 | linear feet | (b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool. | Stream 2 is not mapped on USGS topographic map, NWI map, and is not evident on aerial imagery. Therefore, Stream 2 has been determined to be an ephemeral erosional feature. |
| Stream 3 (S3) | 45 | linear feet | (b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool. | Stream 3 is not mapped on USGS topographic map, NWI map, and is not evident on aerial imagery. Therefore, Stream 3 has been determined to be an ephemeral erosional feature. |
| Pond 1 (P1) | 0.79 | acre(s) | (b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year. | Pond 1 is not mapped on USGS topographic map. Pond 1 is located 2,000 linear feet from the nearest jurisdictional water and channelized connectivity from the pond to downstream waters was not identified on USGS topographic map, NWI map, or aerial photographs. Therefore, Pond 1 was not found to contribute surface water flow either directly or indirectly into an a(1) water. |
| Pond 2 (P2) | 0.37 | acre(s) | (b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year. | Pond 2 is not mapped on USGS topographic map or NWI map. Additionally, Pond 2 is located 1,400 linear feet from the nearest jurisdictional water and channelized connectivity from the pond to downstream waters was not identified on USGS topographic map, NWI map, or aerial photographs. Therefore, Pond 2 was not found to contribute surface water flow either directly or indirectly into an a(1) water. |

⁴ Some excluded waters, such as (b)(2) and (b)(4), may not be specifically identified on the AJD form unless a requestor specifically asks a Corps district to do so. Corps districts may, in case-by-case instances, choose to identify some or all of these waters within the review area.

⁵ Because of the broad nature of the (b)(1) exclusion and in an effort to collect data on specific types of waters that would be covered by the (b)(1) exclusion, four sub-categories of (b)(1) exclusions were administratively created for the purposes of the AJD Form. These four sub-categories are not new exclusions, but are simply administrative distinctions and remain (b)(1) exclusions as defined by the NWPR.



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| Excluded waters ((b)(1) – (b)(12)): ⁴ | | | |
|--|----------------|---|---|
| Exclusion Name | Exclusion Size | Exclusion ⁵ | Rationale for Exclusion Determination |
| Pond 3 (P3) | 0.48 acre(s) | (b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year. | Pond 3 is not mapped on USGS topographic map or NWI map. Additionally, Pond 3 is located 630 linear feet from the nearest jurisdictional water and channelized connectivity from the pond to downstream waters was not identified on USGS topographic map, NWI map, or aerial photographs. Therefore, Pond 3 was not found to contribute surface water flow either directly or indirectly into an a(1) water. |
| Pond 4 (P1) | 1.28 acre(s) | (b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year. | Pond 4 is not mapped on USGS topographic map or NWI map. Additionally, Pond 4 is located 1,765 linear feet from the nearest jurisdictional water and channelized connectivity from the pond to downstream waters was not identified on USGS topographic map, NWI map, or aerial photographs. Therefore, Pond 4 was not found to contribute surface water flow either directly or indirectly into an a(1) water. |
| Wetland 1 (W1) | 0.61 acre(s) | (b)(1) Non-adjacent wetland. | Wetland 1 is located 500 linear feet from a jurisdictional water. Therefore, Wetland 1 has been determined not to meet the definition of adjacent. |
| Wetland 2 (W2) | 0.06 acre(s) | (b)(1) Non-adjacent wetland. | Wetland 2 is located 900 linear feet from a jurisdictional water. Therefore, Wetland 2 has been determined not to meet the definition of adjacent. |
| Wetland 3 (W3) | 0.01 acre(s) | (b)(1) Non-adjacent wetland. | Wetland 3 is located 1,100 linear feet from a jurisdictional water. Therefore, Wetland 3 has been determined not to meet the definition of adjacent. |
| Wetland 4 (W4) | 0.001 acre(s) | (b)(1) Non-adjacent wetland. | Wetland 4 is located 1,200 linear feet from a jurisdictional water. Therefore, Wetland 4 has been determined not to meet the definition of adjacent. |
| Wetland 5 (W5) | 0.02 acre(s) | (b)(1) Non-adjacent wetland. | Wetland 5 is located 1,300 linear feet from a jurisdictional water. Therefore, Wetland 5 has been determined not to meet the definition of adjacent. |
| Wetland 6 (W6) | 0.02 acre(s) | (b)(1) Non-adjacent wetland. | Wetland 6 is located 1,400 linear feet from a jurisdictional water. Therefore, Wetland 6 has been determined not to meet the definition of adjacent. |



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| Excluded waters ((b)(1) – (b)(12)): ⁴ | | | | |
|--|----------------|-------------|--|---|
| Exclusion Name | Exclusion Size | | Exclusion ⁵ | Rationale for Exclusion Determination |
| Ditch 1 (D1) | 400 | linear feet | (b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an (a)(4) water that do not satisfy the conditions of (c)(1). | Ditch 1 does not meet the definition of an a(1) or an a(2) water and was not found to have been excavated out of an a(4) water. Therefore, Ditch 1 has been determined to be a b(5) water |

III. SUPPORTING INFORMATION

A. Select/enter all resources that were used to aid in this determination and attach data/maps to this document and/or references/citations in the administrative record, as appropriate.

Information submitted by, or on behalf of, the applicant/consultant: [“Wichita Falls High School West-Approved Jurisdictional Determination Request”](#), dated October 15, 2020

This information is sufficient for purposes of this AJD.

Rationale: [N/A](#)

Data sheets prepared by the Corps: [Title\(s\) and/or date\(s\)](#).

Photographs: [Aerial: Title\(s\) and/or date\(s\)](#).

Corps site visit(s) conducted on: [Date\(s\)](#).

Previous Jurisdictional Determinations (AJDs or PJDs): [ORM Number\(s\) and date\(s\)](#).

Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)

USDA NRCS Soil Survey: [Title\(s\) and/or date\(s\)](#).

USFWS NWI maps: [ORM II](#)

USGS topographic maps: [ORM II](#)

Other data sources used to aid in this determination:

| Data Source (select) | Name and/or date and other relevant information |
|--|---|
| USGS Sources | N/A. |
| USDA Sources | N/A. |
| NOAA Sources | N/A. |
| USACE Sources | N/A. |
| State/Local/Tribal Sources | N/A. |
| Other Sources | N/A. |

B. Typical year assessment(s): [N/A](#)

C. Additional comments to support AJD: [not mapped within the FEMA 100 year floodplain](#)