



**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS, TULSA DISTRICT**  
**2488 EAST 81<sup>ST</sup> STREET**  
**TULSA, OKLAHOMA 74137-4290**

October 25, 2023

Regulatory Office



██████████ :

Please reference your correspondence dated March 9, 2023, concerning a request for an Approved Jurisdictional Determination. The proposed project is located at Latitude 35.587205, Longitude -97.742137, in Canadian County, Oklahoma. The area marked in red on the enclosed map denotes the limits of the property examined under this request. We have reviewed the submitted data relative to Section 404 of the Clean Water Act (CWA).

We have examined the property and concluded that the referenced property contains jurisdictional waters of the U.S. and non-jurisdictional waters within the boundary as depicted on the enclosed map. R6SB-1 and R6SB-2, as depicted on the enclosed map in orange, are non-jurisdictional ephemeral streams. PUB-1, as depicted on the enclosed map in yellow, is a non-jurisdictional upland pond. R4SB-1 (unnamed tributary of Spring Creek), as depicted on the enclosed map in blue, is a jurisdictional relatively permanent water. The placement of dredged or fill material into R4SB-1 will require prior authorization from the U.S. Army Corps of Engineers pursuant to Section 404 CWA.

The basis for this determination is that R4SB-1, a jurisdictional relatively permanent water, maintains relatively permanent flow that provides a continuous surface connection to a downstream Traditionally Navigable Water (TNW). That is, R4SB-1 contributes flow to the unnamed tributary of Spring Creek that contributes flow to Spring Creek, Deer Creek, Cottonwood Creek, the Cimarron River, and the Arkansas River, a Section 10 TNW.

We believe this determination to be an accurate assessment of the presence of jurisdictional wetlands and other waters on this site which are subject to Section 404 CWA. This is a final determination of federal jurisdiction on the property pursuant to Section 404 CWA. This determination is valid for 5 years from the date of this letter unless new information warrants revision of the determination before the expiration date.

This determination has been conducted to identify the limits of the Corps CWA jurisdiction for the particular site identified in this request. This determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service prior to starting work.

This final determination constitutes an approved JD subject to the optional Corps Administrative Appeal Process. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed is a copy of the Notification of Administrative Appeal Options and Process (NAP) and Request for Appeal (RFA) form. If you request to appeal this determination you must submit a completed RFA form to the Southwestern Division Office at the following address:

[REDACTED]  
Administrative Appeals Review Office  
U.S. Army Corps of Engineers  
1100 Commerce Street, Suite 831  
Dallas, TX 75242-1317  
[REDACTED]

In order for a RFA form to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit a RFA form, it must be received at the above address by December 24, 2023. It is not necessary to submit a RFA form to the Division Office if you do not object to the determination in this letter.

Your project has been assigned Identification Number SWT-2023-00053. Please refer to this number during future correspondence. If further assistance is required, contact [REDACTED] at [REDACTED].

Sincerely,

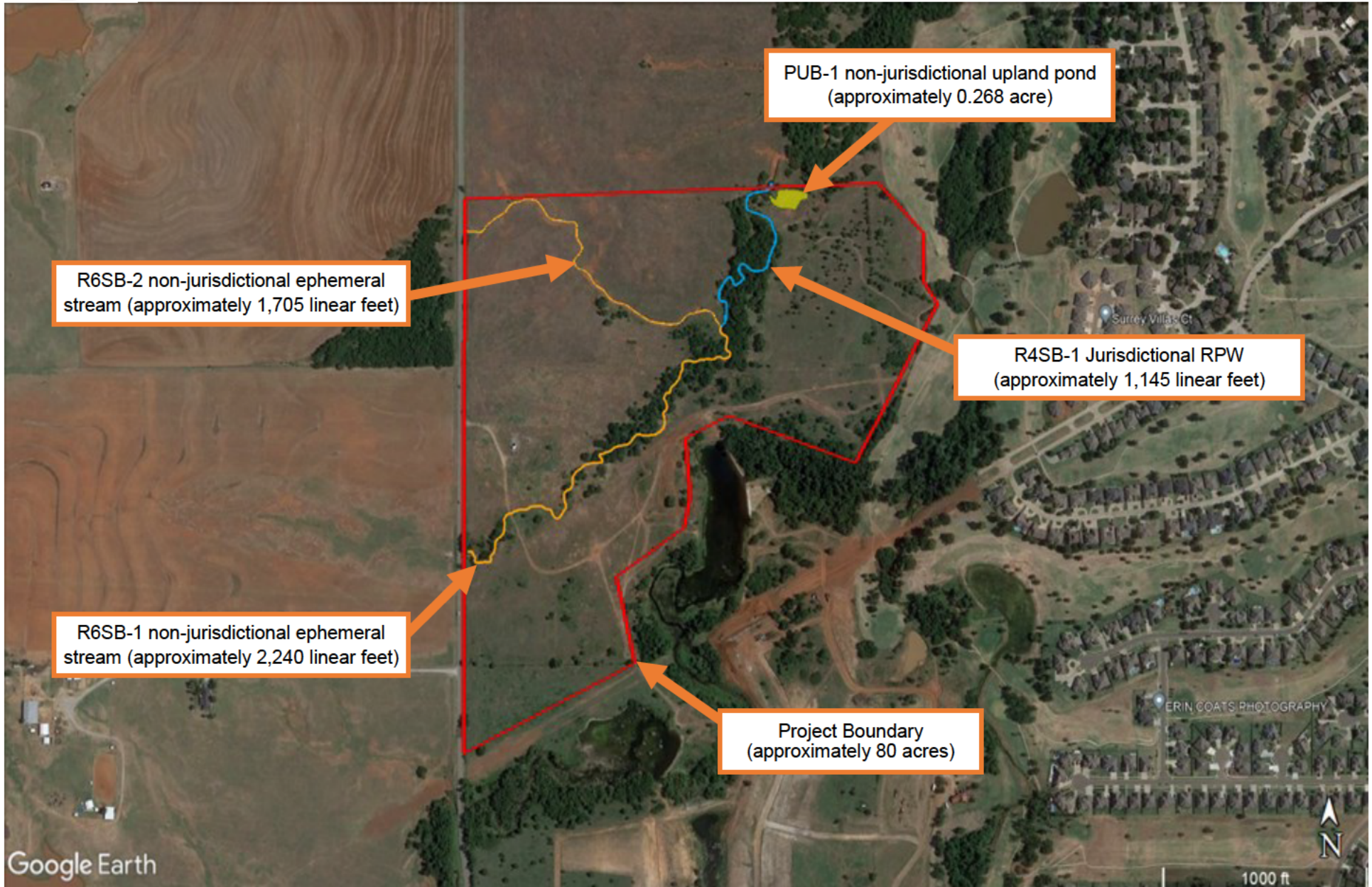
[REDACTED]  
Chief, Regulatory Office

Enclosures





**SWT-2023-00053**  
**Approved Jurisdictional Determination**  
**Greenbrier Residential Development**



R6SB-2 non-jurisdictional ephemeral stream (approximately 1,705 linear feet)

PUB-1 non-jurisdictional upland pond (approximately 0.268 acre)

R4SB-1 Jurisdictional RPW (approximately 1,145 linear feet)

R6SB-1 non-jurisdictional ephemeral stream (approximately 2,240 linear feet)

Project Boundary (approximately 80 acres)

Google Earth

1000 ft