

The Corp of Engineers will send you a determination letter back that should lay out the parameters of what your request said giving you the permission to get underway with your project. We have included the determination letter sent to GCCDD in May 2002. This is labeled attachment #2 example.

MAY 15 02 07:13a

Lentz Engineering

713 839-9020

p. 2



DEPARTMENT OF THE ARMY
GALVESTON DISTRICT, CORPS OF ENGINEERS
P.O. BOX 1228
GALVESTON, TEXAS 77555-1228

Attachment #2 pg 1
Example

REPLY TO
ATTENTION OF

May 10, 2002

Evaluation Section

SUBJECT: Determination No. D-13248

Mr. Carl Horecky
Galveston County Consolidated
Drainage District
P.O. Box 607
Friendswood, TX 77549-0607

Dear Mr. Horecky:

This letter is in regard to your letter, dated March 25, 2002, inquiring as to Department of the Army permit requirements for selective tree clearing along the banks of Clear Creek. The project would consist of removing dead trees, downed trees that are collecting debris and obstructing flow, and pruning large tree limbs which overhang the creek. Limbs would be pruned above the surface of the water and would include those that obstruct conveyance. Selective live trees that are growing horizontally from the toe of the slope line that block the natural flow of water would also be removed. Thickets that are growing on high water bypasses would be selectively cleared by removing dead trees and noxious species such as Chinese tallowtrees. There would be no mechanized land clearing, to include use of bulldozers. The project is located along the banks of Clear Creek, from the eastern limit of the Galveston County Consolidated Drainage District (Ranch Viejo Subdivision) to the western limit of Brazoria Drainage District No. 4 (Fort Bend County Line), in Galveston County and Brazoria County, Texas.

Based on the information you submitted, we have determined that a Department of the Army permit is not required for your selective tree clearing. The work that you propose is not a jurisdictional activity regulated under Section 10 of the Rivers and Harbors Act of 1899 or Section 404 of the Clean Water Act. No work, including the placement of structures, will be performed in Section 10 waters, and no fill or dredge material will be placed into any jurisdictional waters of the United States, including wetlands.