

**DRY LAND APPROVED JURISDICTIONAL DETERMINATION FORM<sup>1</sup>**  
**U.S. Army Corps of Engineers**

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

**SECTION I: BACKGROUND INFORMATION**

**A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD):**

**B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Albuquerque District, Blanca Peak Solar Site, SPA-2019-00222**

**C. PROJECT LOCATION AND BACKGROUND INFORMATION:**

State: CO County/parish/borough: Costilla County City:

Center coordinates of site (lat/long in degree decimal format): Lat. 37.4043 °, Long. -105.4296°

Universal Transverse Mercator: 461979.12 W, 4139810.8 N, Zone 13

Name of nearest waterbody: Sangre de Cristo Creek

Name of watershed or Hydrologic Unit Code (HUC): Alamosa-Trinchera 13010002

- Check if map/diagram of review area is available upon request.
- Check if other sites (e.g., offsite mitigation sites, disposal sites, etc...) are associated with this action and are recorded on a different JD form.

**D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):**

- Office (Desk) Determination. Date: 8/8/2019
- Field Determination. Date(s):

**SECTION II: SUMMARY OF FINDINGS**

**A. RHA SECTION 10 DETERMINATION OF JURISDICTION.**

There are **no** "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area.

**B. CWA SECTION 404 DETERMINATION OF JURISDICTION.**

There are **no** "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area.

**SECTION III: DATA SOURCES.**

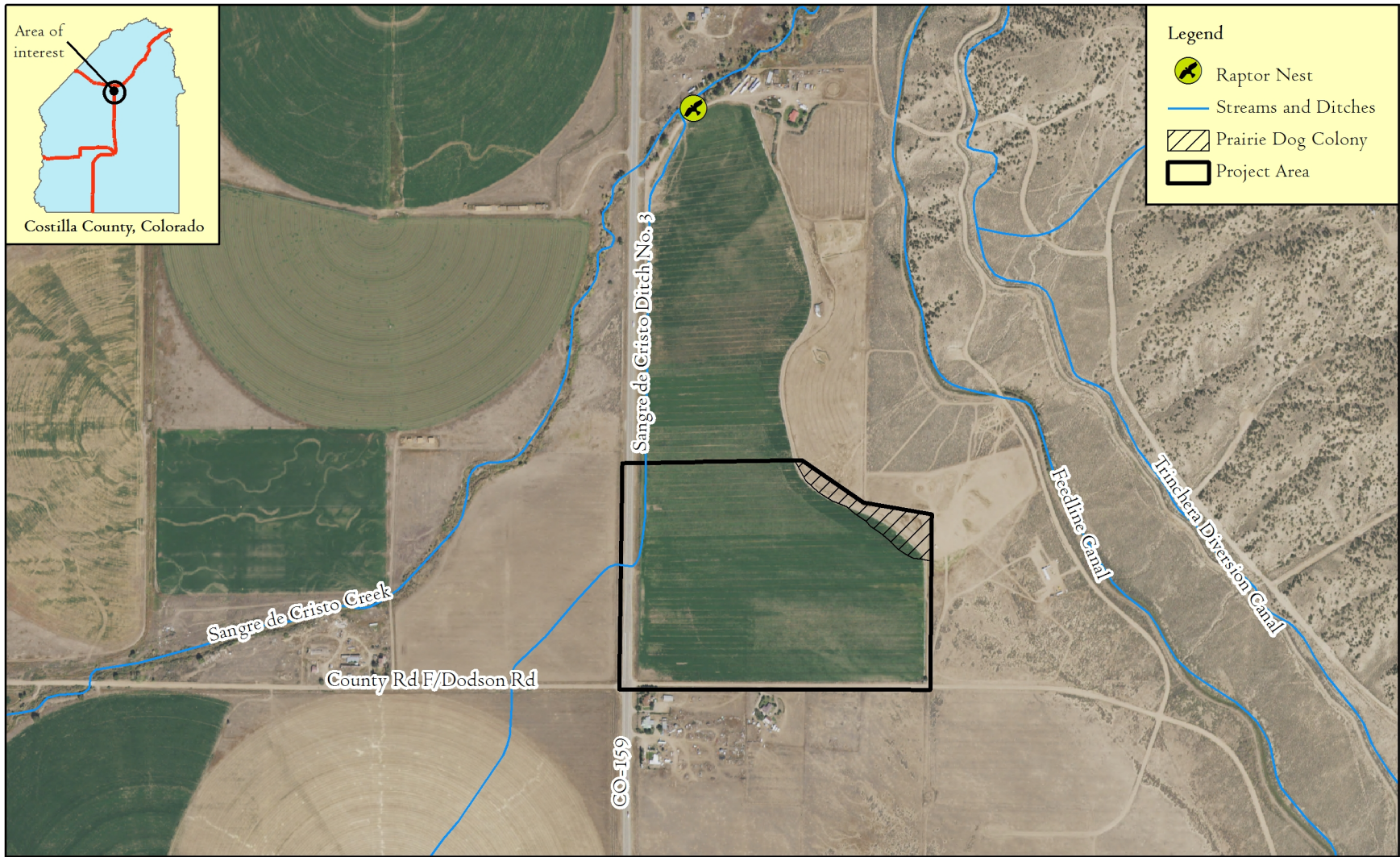
**A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):**

- Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: Ecological Resource Analysis Report 6/16/2017
- Data sheets prepared/submitted by or on behalf of the applicant/consultant.
- Office concurs with data sheets/delineation report.
- Office does not concur with data sheets/delineation report.
- Data sheets prepared by the Corps:
- U.S. Geological Survey Hydrologic Atlas: Rio Grande Region
- USGS NHD data.
- USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite scale & quad name: 1:24K; Fort Garland
- USDA Natural Resources Conservation Service Soil Survey. Citation:
- National wetlands inventory map(s). Cite name: Fort Garland
- State/Local wetland inventory map(s):
- FEMA/FIRM maps:
- 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- Photographs:  Aerial (Name & Date):
- or  Other (Name & Date):
- Previous determination(s). File no. and date of response letter:
- Applicable/supporting case law:
- Applicable/supporting scientific literature:
- Other information (please specify):

**B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND:**

SMITH did not observe any wetland or water features within the Project Area. The Sangre de Cristo Ditch was mapped on the USGS quadrangle within the Project Area, but it could not be located during the field investigation and has apparently been filled or piped underground. The patchy willows that were observed near the mapped ditch alignment may be remnant features, or they may be supported by leaks in the ditch, if it has been piped, or from runoff from CO 159. Regardless of the source of the water, these areas did not meet the criteria for a wetland. Ditches can be considered jurisdictional if they act as a tributary to a known WOTUS. However, because the mapped Sangre de Cristo Ditch is lacking a bed, bank, and OHWM in the Project Area, it would not be considered a WOTUS. Furthermore, the proposed site plan does not show any proposed impacts to this area. SMITH believes there are no aquatic resources that may be impacted by the proposed Project

<sup>1</sup> This form is for use only in recording approved JDs involving dry land. It extracts the relevant elements of the longer approved JD form in use since 2007 for aquatic areas and adds no new fields.



**SMITH ENVIRONMENTAL  
AND ENGINEERING**

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**BLANCA PEAK SOLAR SITE**

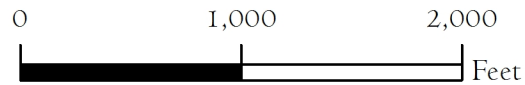


Figure 1  
 Project Area  
 Costilla County  
 June 2017