

DRY LAND APPROVED JURISDICTIONAL DETERMINATION FORM¹
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, Montrose Solar Road Lot 9 , SPA-2022-00356

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

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

Center coordinates of site (lat/long in degree decimal format): Lat. 38.39674 °, Long. -107.86425°

Universal Transverse Mercator: 249863.3 W, 4253720.74 N, Zone 13

Name of nearest waterbody: Horsefly Creek

Name of watershed or Hydrologic Unit Code (HUC): Uncompahgre 14020006

- 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: **October 6, 2022**

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: May 17, 2022, delineation completed by ERO Resources.
- Data sheets prepared/submitted by or on behalf of the applicant/consultant: May 17, 2022, delineation completed by ERO Resources.
- 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: Upper Colorado Region
- USGS NHD data.
- USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite scale & quad name: 1:24K; Montrose East
- USDA Natural Resources Conservation Service Soil Survey. Citation:
- National wetlands inventory map(s). Cite name: Montrose East
- State/Local wetland inventory map(s):
- FEMA/FIRM maps:
- 100-year Floodplain Elevation is: N/A (National Geodetic Vertical Datum of 1929)
- Photographs: Aerial (Name & Date): May 17, 2022, delineation completed by ERO Resources.
- or Other (Name & Date): May 17, 2022, delineation completed by ERO Resources.
- 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:

A delineation of aquatic resources was conducted on August 4, 2021, for the subject area. The investigation found that the 3.24 acre subject area does not exhibit indicators of wetland soils or wetland vegetation for the 2 plots investigated in the subject area. Outlot B, outside of the project area, does appear to have wetlands, however they were not reviewed as part of this AJD.

¹ 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.