



DEPARTMENT OF THE ARMY
ALBUQUERQUE DISTRICT, CORPS OF ENGINEERS
1970 E 3RD AVENUE, SUITE 109
DURANGO, CO 81301

October 30, 2023

Regulatory Division

SUBJECT: Jurisdictional Determination (SPA-2023-00273)

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Dear [REDACTED]

We are responding to your request for a jurisdictional determination (JD) for aquatic resources for the Silver Stallion Solar project. The 13.6-acre review area is located north of US Highway (Township 18 South, Range 71 West, Section 10), centered at latitude 38.498552, longitude -105.321024, unincorporated Fremont County, Colorado (Enclosure 1).

Based on the information provided, we have determined that the review area is comprised entirely of dry land. Therefore, the review area is not subject to Section 404 of the Clean Water Act permitting.

We are enclosing a copy of the Approved Jurisdictional Determination Memorandum for Record for your review area (Enclosure 2). A copy of this determination is also available at <http://www.spa.usace.army.mil/reg/JD>. This approved jurisdiction determination is valid for 5 years from the date of this letter unless new information warrants revision of the determination before the expiration date. If you intend to conduct work that could result in a discharge of dredged or fill material into waters of the United States, please contact this office for a determination of Department of the Army permit requirement.

The delineation included herein has been conducted to identify the location and extent of the aquatic resources for purposes of the Clean Water Act for the particular site identified in this request. This delineation 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 discuss the applicability of an NRCS Certified Wetland Determination with the local USDA service center, prior to starting work.

You may accept or appeal this approved JD or provide new information in accordance with the attached Notification of Administration Appeal Options and Process and Request for Appeal (Enclosure 3). If you elect to appeal this approved JD, you must

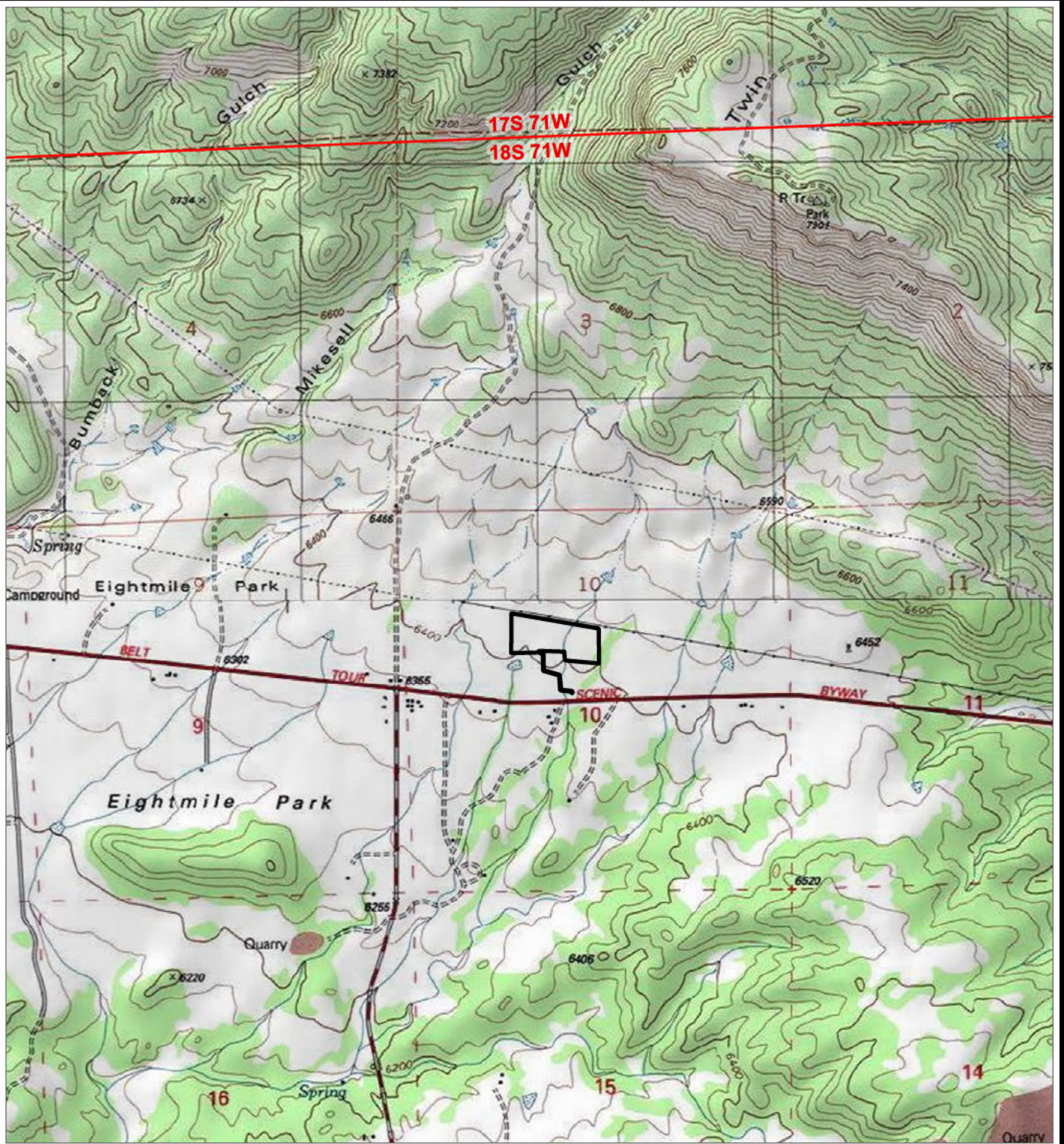
complete Section II of the form and return it to the Army Engineer Division, South Pacific, CESPDPDS-O, Attn: [REDACTED], Administrative Appeal Review Officer, by email at [REDACTED] within 60 days of the date of this notice. Failure to notify the Corps within 60 days of the date of this notice means that you accept the approved JD in its entirety and waive all rights to appeal the approved JD.

Please refer to identification number SPA-2023-00273 in any correspondence concerning this project. If you have any questions, please contact me by email at [REDACTED]


[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Enclosures


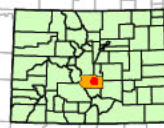
[REDACTED]
[REDACTED]




COORDINATE SYSTEM: NAD 1983 STATEPLANE COLORADO CENTRAL FIPS 6502 FEET, MAP ROTATION: 0
 -- SAVED BY: RBLAKE ON 2/16/2023, 11:36:20 AM, FILE PATH: T:\PROJECTS\COLORADO\APPROX\SILVER STALLION\APPROX_01\SILVER STALLION OVERVIEW.WBT

 SILVER STALLION PROJECT AREA

BASE MAP: USGS 7.5 MINUTE TOPOGRAPHIC QUADRANGLE SER ES RICE MOUNTAIN (1983) AND ROYAL GORGE (1980), COLORADO,
 DATA SOURCES: TRC


 0 1,000 2,000
 FEET
 1:24,000 1" = 2,000'
 COLORADO


PROJECT:	CBEP SOLAR, LLC SILVER STALLION SOLAR PROJECT FREMONT COUNTY, COLORADO
TITLE:	PROJECT OVERVIEW
PROJ. NO.:	500399
FIGURE 1	
	123 N. COLLEGE AVE. SUITE 370 FORT COLLINS, CO 80524 PHONE: 970.484.3263
FILE:	SILVER STALLION