

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): 8/6/2018

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Albuquerque District, City of Bayard 2018 CDBG Street Improvements project. SPA-2018-00213

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: NM County/parish/borough: Grant County City: Bayard

Center coordinates of site (lat/long in degree decimal format): Lat. 32.762561°, Long. -108.130075°

Universal Transverse Mercator: 768859.16 W, 3628610.71 N, Zone 12

Name of nearest water body: Whitewater Creek

Name of watershed or Hydrologic Unit Code (HUC): Mimbres 13030202

- 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:8/7/2018
- 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: Kristina Ortiz
- 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 Bayard
- USDA Natural Resources Conservation Service Soil Survey. Citation: Albuquerque Regulatory Viewer
- National wetlands inventory map(s). Cite name: Fort Bayard
- State/Local wetland inventory map(s):
- FEMA/FIRM maps:
- 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- Photographs: Aerial (Name & Date): 6/2018
 - or Other (Name & Date): 6/2018
- 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:

The project site (the site) is located in the town Limits of Bayard, New Mexico in the North central portion of Grant County. The site is part of the Mogollon transition MLRA- 38 in Land Resource Region D – Western Range and Irrigated Region. This MLRA has a semi-arid climate and an average annual rainfall of

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.

approximately 10 to 37 inches. The surrounding area is situated in generally open terrain that is primarily used for urban development, ranching, and copper mining. The area is vegetated by Forest, desert shrub, and grasslands. Site topography is generally flat with only a drop in elevation of 38 feet across the site plane. No potential Waters of the U.S. (WOUS) are present within the site. There are no characteristics of a defined bed and bank; no observable ordinary high water mark; and no typical wetland flora species. The site is comprised entirely of uplands.