

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): 27 September, 2018

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Albuquerque District, La Luz MDWCA & MSA Water Infrastructure and Rehabilitation Project. , SPA-2018-00275

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: NM County/parish/borough: Otero County City: La Luz
Center coordinates of site (lat/long in degree decimal format): Lat. 32.97787 °, Long. -105.9422°
Universal Transverse Mercator: 411960.01 W, 3649227.66 N, Zone 13
Name of nearest water body: Lost River
Name of watershed or Hydrologic Unit Code (HUC): Tularosa Valley 13050003

- 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: 27 September, 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: J.R. Vanlandingham
 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; Alamogordo North
 USDA Natural Resources Conservation Service Soil Survey. Citation: Regulatory Viewer, 2018
 National wetlands inventory map(s). Cite name: Alamogordo North
 State/Local wetland inventory map(s):
 FEMA/FIRM maps:
 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
 Photographs: Aerial (Name & Date): 9/2018
 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: The project site (the site) is located in the town limits of La Luz, New Mexico in the North central portion of Otero County. The site lies on both MLRA 42 in Land Resource D and in MLRA 70C in Land Resource G. These MLRA have semi- arid climates and have an average annual rain fall of eight to twenty six inches. The surrounding area is situated in generally open terrain that is used for urban development and ranching. These areas supports desert grass-shrub vegetation. Site topography is generally flat with a drop in elevation of approximately 435 feet across the site plane from East to West. Within the site area there are no potential waters of the U.S.

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.

(WOUS). There are no characteristics of a defined bed and bank; no observable high water mark; and no typical wetland flora species. The site is comprised entirely of uplands.