

**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, Prospero II Solar Project,, SPA-2020-00097-LCO**

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

State: TX County/parish/borough: Andrews County City:

Center coordinates of site (lat/long in degree decimal format): Lat. 32.258898503 °, Long. -102.916646773°

Universal Transverse Mercator: 696247.64 W, 3571038.1 N, Zone 13

Name of nearest waterbody: Pecos River

Name of watershed or Hydrologic Unit Code (HUC): Landreth-Monument Draws 13070007

- 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: 3/31/2020
- 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.

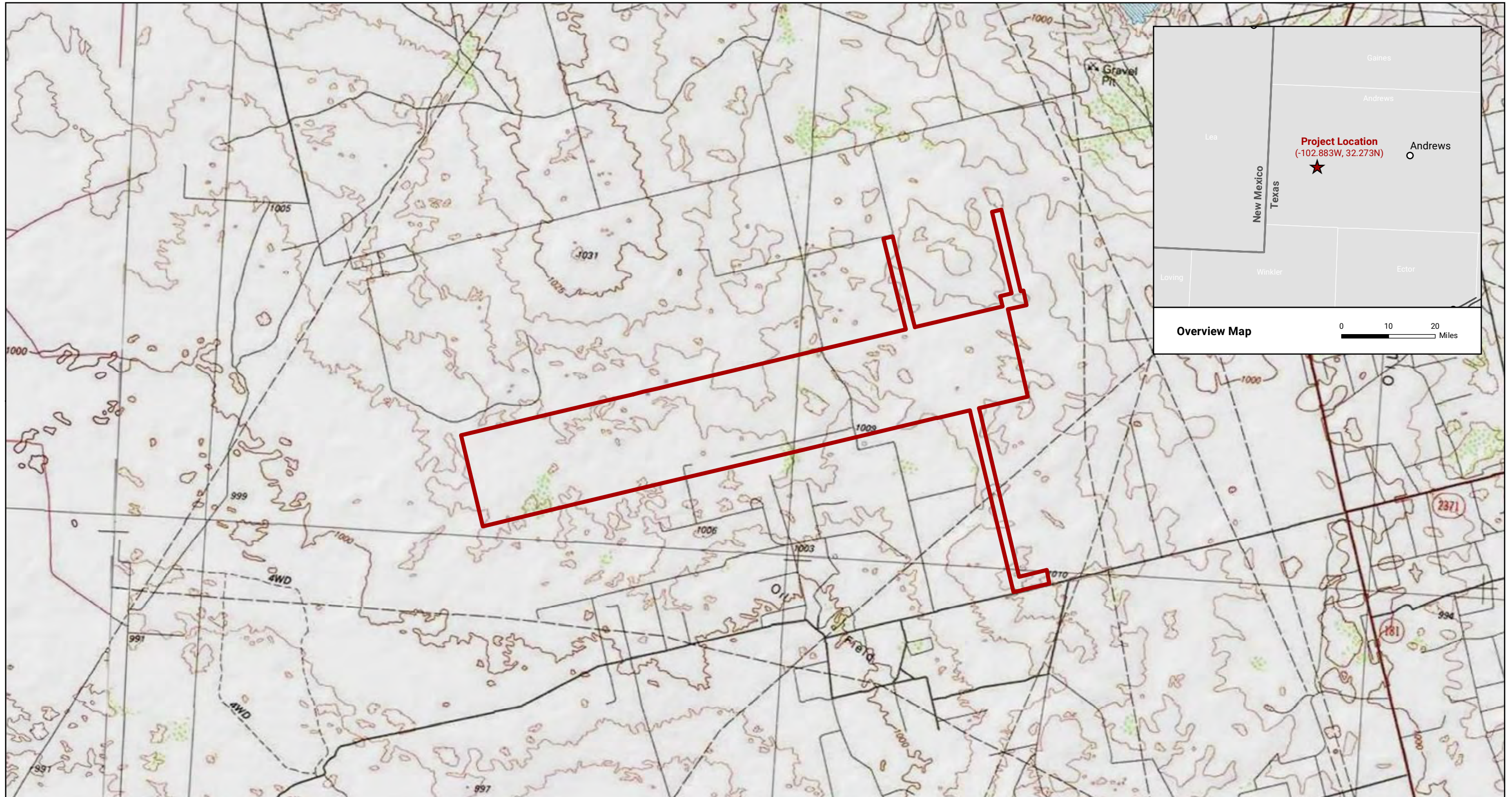
**SECTION III: DATA SOURCES.**

**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:
- 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; Frankel City SW
- USDA Natural Resources Conservation Service Soil Survey. Citation:
- National wetlands inventory map(s). Cite name: Frankel City SW
- 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:** USGS topographic maps and the National Hydrography Database (NHD) do not depict stream features within the Site. Review of the National Wetland Inventory (NWI) database shows 18 wetland features within the Site. Based on the information provided by the applicant, during the field reconnaissance, each NWI-identified wetland feature lacked positive wetland indicators. The project sight is comprised entirely of uplands.

<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.



1221 South MoPac Expressway, Suite 225  
 Austin, Texas 78746 | 512-222-1125  
 www.energyrenewalpartners.com



**LEGEND**

 Project Area (~4,125 acres)

**Longroad Energy Managment, LLC**  
**Prospero II Solar Project**

**Regional Topography**

Andrews and Jal  
 1:100,000-scale USGS Topographic Quadrangles

Project Location: Andrews County, Texas



0 0.5 1 Miles

**FIGURE 1**

Prepared by: L. Kauffman Date: 2020-02-26