

**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):** September 14, 2022

**B. DISTRICT OFFICE, FILE NAME, AND NUMBER:** Albuquerque District, N3B-Los Alamos/Puye Road Construction, SPA-2022-00352

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

State: NM County/parish/borough: Los Alamos County City:

Center coordinates of site (lat/long in degree decimal format): Lat. 35.8605376268566 °, Long. -106.255127424047°

Universal Transverse Mercator: 386676.64 W, 3969207.42 N, Zone 13

Name of nearest waterbody: Rio Grande

Name of watershed or Hydrologic Unit Code (HUC): Rio Grande-Santa Fe 13020201

- 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:  
September 13, 2022
- Field Determination. Date(s):  
September 1, 2022

**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; Frijoles
- USDA Natural Resources Conservation Service Soil Survey. Citation:
- National wetlands inventory map(s). Cite name: Frijoles
- 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): Applicant submitted photos, 9/1/2022
- 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:**

On September 1, 2022, a site visit was conducted within the review area. While onsite the entirety of the review area was examined. The review area is located within a narrow canyon approximately 900-foot-wide

<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.

with vertical cliff faces on each side. During the examination, an ordinary high-water mark (OHWM) nor bed or banks were observed. The entire review area was composed of upland vegetation with no indications of flow observed. The review area does appear to be a conveyance for potential sheet flow from upstream to a downstream area outside of the review area as a swale feature has formed at this point. Based on the information above, the activity occurs outside of the Corps' geographic jurisdiction.