

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): May 26, 2020

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Albuquerque District, Irwin-McClelland Property/Valverde Commons Subdivision, SPA-2020-00096-ABQ

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: NM County/parish/borough: Taos County City: Taos

Center coordinates of site (lat/long in degree decimal format): Lat. 36.41397, Long. -105.57535

Universal Transverse Mercator: 448416.44 W, 4030020.06 N, Zone 13

Name of nearest waterbody: Pueblo de Taos, Rio

Name of watershed or Hydrologic Unit Code (HUC): Upper Rio Grande 13020101

- ☒ 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: 5/22/2020
- ☐ Field Determination. Date(s):

SECTION II: SUMMARY OF FINDINGS

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; Taos
- ☐ USDA Natural Resources Conservation Service Soil Survey. Citation:
- ☒ National wetlands inventory map(s). Cite name: Taos
- ☐ State/Local wetland inventory map(s):
- ☐ FEMA/FIRM maps:
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Photographs: ☒ Aerial (Name & Date): Google Earth imagery, 10/14/2016
- ☐ or ☒ Other (Name & Date): Photos of site submitted by applicant, taken 5/20/2020
- ☐ 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:

After conducting a level 1 site evaluation via desktop utilizing aerial photography and applicant submitted photographs, I have determined the site does not appear to exhibit hydrophytic vegetation or hydrology. The vegetation appeared to be dominated by grasses and weeds. Due to this fact, the vegetation does not appear to meet the dominance test, as outlined in the “Corps of Engineers Wetland Delineation Manual, 1987”. Additionally, no standing water, soil cracks, nearby streams/rivers, moist soil, or presence of dominate hydrophytic vegetation was observed at the property during the time of the examination. Therefore, the site

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.

does not meet the hydrologic indicator test as outlined in the "Corps of Engineers Wetland Delineation Manual, 1987". A property approximately 650 feet to the northwest was examined (ORM 2019-172) for wetlands and did not exhibit hydric soils or hydrophytic vegetation. Hydrology was exhibited via a nearby acequia. Due to the current site lacking hydrophytic vegetation and hydrology, the project area does not meet the requirements of a U.S. Army Corps of Engineers (Corps) defined wetland, as outlined in the "Corps of Engineers Wetland Delineation Manual, 1987". Therefore, I have determined the property under review does not contain Corps defined wetlands and is entirely composed of dry-land.