

**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): 8/6/2018**

**B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Albuquerque District, Oberon Solar Project Located in Ector County, Texas, SPA-2018-00214-LCO**

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

State: TX County/parish/borough: Ector County City: Monahans

Center coordinates of site (lat/long in degree decimal format): Lat. 31.713708 °, Long. -102.695636°

Universal Transverse Mercator: 718359.63 W, 3511012.15 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: 8/6/2018
- ☒ 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: 174 Power Global Corp.
- ☒ 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; Metz
- ☒ USDA Natural Resources Conservation Service Soil Survey. Citation: Albuquerque Regulatory Viewer 2018
- ☒ National wetlands inventory map(s). Cite name: Metz
- ☐ 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 Pro 2017
- ☐ 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 approximately 13 miles northeast of Monahans, Texas in the southwest portion of Ector County. The site is in a transition area between the High Plains and Trans-Pecos ecological regions. The site is in the Southern Desertic Basins, Plains, and Mountains Major Land Resource Area (MLRA) in Land Resource Region D – Western Range and Irrigated Region. This MLRA has an arid to semi-arid climate and an average annual rainfall of

<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.

approximately 8 to 14 inches. The surrounding area is situated in generally open terrain that is primarily used for ranching, oil and gas production, and some gravel mining. The area is vegetated by scrub brush and sparse grasses. Site topography is generally flat with only a 100 feet elevation difference across the site. The field assessment did not identify any potential Waters of the U.S. (WOUS) 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.



