

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):

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Albuquerque District, Hopslam energy storage project, SPA-2022-00477

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: TX County/parish/borough: Pecos County City: Fortstockton
Center coordinates of site (lat/long in degree decimal format): Lat. 30.883595 °, Long. -102.426339°
Universal Transverse Mercator: 746034.65 W, 3419539.01 N, Zone 13
Name of nearest waterbody: Tunas Creek
Name of watershed or Hydrologic Unit Code (HUC): Tunas 13070009

- 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:12/12/2022
 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; Bootleg Canyon
 USDA Natural Resources Conservation Service Soil Survey. Citation:
 National wetlands inventory map(s). Cite name: Bootleg Canyon
 State/Local wetland inventory map(s):
 FEMA/FIRM maps:
 100-year Floodplain Elevation is: (National Geodectic Vertical Datum of 1929)
 Photographs: Aerial (Name & Date): Satellite Imagery, 10/11/2022
 or Other (Name & Date): Site Photographs, 9/27/2022
 Previous determination(s). File no. and date of response letter:
 Applicable/supporting case law:
 Applicable/supporting scientific literature:
 Other information (please specify): Wetland survey completed (9/27/2022) all wetland delineation forms submitted in AJD request packet

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND:

The 19.17-acre study area designated for the construction of energy storage infrastructure consists entirely of uplands.

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.