

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): October 30, 2019

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: CESAM-RD-N, Alabama Department of Labor, Abandoned Mine Land Reclamation Office – Nubbin Ridge AML reclamation project, SAM-2019-00767-JDC

C. PROJECT LOCATION AND BACKGROUND INFORMATION: Alabama Department of Labor, Abandoned Mine Land Reclamation Office has identified six sites within 7 acres of land in Carbon Hill that are significant public hazards. The reclamation project consists of two (2) hazardous equipment and facility sites, two (2) portal openings, and two (2) vertical openings.

State: Alabama County/parish/borough: Walker City: Carbon Hill
Center coordinates of site (lat/long in degree decimal format): Lat. 33.884788 °, Long. -87.543660 °
Universal Transverse Mercator: [Click here to enter text.](#)

Name of nearest waterbody: Allen Creek

Name of watershed or Hydrologic Unit Code (HUC): 12-Digit HUC 031601090402

- 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: October 25, 2019
- Field Determination. Date(s): [Click here to enter a date.](#)

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: Maps and works plans submitted by Alabama Department of Labor, Abandoned Mine Land Reclamation Office and received by USACE on 14 AUGUST 2019.
- 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: [Click here to enter text.](#)
- U.S. Geological Survey Hydrologic Atlas: [Click here to enter text.](#)
- USGS NHD data.
- USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite scale & quad name: 1:24,000 Carbon Hill
- USDA Natural Resources Conservation Service Soil Survey. Citation: Soil Survey Staff, Natural Resources Conservation Service, United States Department of Agriculture. Web Soil Survey, National Cooperative Soil Survey Version 13 Sept. 16, 2019, Walker County, Alabama. Available online at <http://websoilsurvey.nrcs.usda.gov/>
- National wetlands inventory map(s). Cite name: NWI map provided by the applicant.
- State/Local wetland inventory map(s): [Click here to enter text.](#)
- FEMA/FIRM maps: [Click here to enter text.](#)
- 100-year Floodplain Elevation is: [Click here to enter text.](#) (National Geodetic Vertical Datum of 1929)
- Photographs: Aerial (Name & Date): Color aerial photographs provided by the applicant.
- or Other (Name & Date): Site specific photographs dated 01/25/17 provided by the applicant.
- Previous determination(s). File no. and date of response letter: [Click here to enter text.](#)
- Applicable/supporting case law: [Click here to enter text.](#)
- Applicable/supporting scientific literature: [Click here to enter text.](#)
- Other information (please specify): [Click here to enter text.](#)

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND: Activities on-site have been designed to minimize land disturbance: two (2) hazardous

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.

equipment and facility sites will be backfilled with stone, one (1) portal opening will be sealed with a pipe and bat gate, and two (2) vertical openings and one (1) collapsing portal will be excavated and backfilled. Based on a review of available desktop resources including Web Soil Survey mapping, USGS topographic mapping, aerial photography, and site specific photos, the project areas consists of upland/non-wetland, dry lands. Evaluated desktop resources and information provided by the Alabama Department of Labor indicate no wetlands, streams, or tributary features in the project areas of the proposed mine land reclamation activities.