



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, MOBILE DISTRICT
600 VESTAVIA PARKWAY, SUITE 203
THE SHELBY BUILDING
VESTAVIA HILLS, ALABAMA 35216

November 27, 2023

North Branch
Regulatory Division

SUBJECT: Department of the Army File Number SAM-2021-00331-JSC, [REDACTED] SR-52 Slocomb to Malvern (RAED 031-052-002) Jurisdictional Determination, Geneva County, Alabama

[REDACTED]

Transmitted electronically to [REDACTED]

Dear [REDACTED]

This is in response to a request, submitted on your behalf by [REDACTED] for a Department of the Army (DA) jurisdictional determination on a 5.45-mile (182.5-acre) linear transportation project located in Geneva County, Alabama. More specifically, the site is located within Sections 14 through 17, 19, 20 and 30, Township 2 North, Range 25 East. The proposed project commences near Latitude 31.107778° North, Longitude 85.586389° West and terminates at Latitude 31.145556° North, Longitude 85.512500° West.

Based on our review of the information and wetland determination data forms your agent furnished, and other desktop information available to our office, we have determined the boundary of waters of the United States (U.S.) to be accurate as shown on the attached delineation boundary figures. Attached is an approved jurisdictional determination (AJD) Memorandum for Record (MFR) that describes the features identified on the site that are and are not subject to jurisdiction of the U.S. Army Corps of Engineers (USACE). Please be advised that this determination reflects current policy and regulation.

Your delineation site was reviewed pursuant to Section 404 of the Clean Water Act. Section 404 of the Clean Water Act requires that a DA permit be obtained for the placement or discharge of dredged and/or fill material into waters of the U.S., including tributaries and wetlands, prior to conducting the work (33 U.S.C. 1344). If future work proposed at this site includes a discharge or placement of dredged and/or fill material into waters of the U.S., a DA permit is required prior to initiating work.

Please be advised that this approved jurisdictional determination is based on current policy and regulation and is valid for a period of five (5) years from the date of this letter.

If after the 5-year period this jurisdictional determination has not been specifically revalidated by the USACE, it shall automatically expire. Moreover, if the information you have submitted, and on which the USACE has based its determination is later found to be in error, this decision may be revoked.

This letter contains an AJD MFR. If you object to this determination, you may request an administrative appeal under USACE regulations at 33 CFR Part 331. Attached you will find a Notification of Administrative Appeal (NAP) Options and Process and Request for Appeal (RFA) form. If you request to appeal this determination, you must submit a completed RFA for to the USACE, South Atlantic Division Office at the following mailing address and e-mail address: Krista D. Sabin, Acting Regulatory Review Officer, South Atlantic Division, 60 Forsyth Street Southwest, Floor M9, Atlanta, Georgia 30303-8801; Krista.D.Sabin@usace.army.mil.

In order for an RFA to be accepted, the USACE must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. It is not necessary to submit an RFA form to the Division Office if you do not object to the determination in this letter.

The delineation included herein has been conducted to identify the location and extent of the aquatic resources for purposes of the Clean Water Act for the particular site identified in this request. This delineation may not be valid for the Wetland Conservation Provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should discuss the applicability of an NRCS Certified Wetland Determination with the local USDA service center, prior to starting work.

If you intend to sell property that is part of a project that requires DA authorization, it may be subject to the Interstate Land Sales Full Disclosure Act. The Property Report, required by Housing and Urban Development Regulation, must state whether or not a permit for the development has been applied for, issued, or denied by the USACE, (Part 320.3(h) of Title 33 of the Code of Federal Regulations).

The statements contained herein do not convey any property rights or any exclusive privileges, and do not authorize any injury to property or obviate the requirements to obtain other local, State, or Federal assent required by law for the activities discussed above. Furthermore, if the scope of work or project location changes, you are urged to contact this office for a verification of this determination.

A copy of this letter with attachments is being provided to your agent, [REDACTED]

We appreciate your cooperation with the USACE Regulatory Program. Please refer to file number SAM-2021-00331-JSC in all future correspondence regarding this project or if you have any questions concerning this determination.

Please contact your Project Manager, Ms. Amy Gavin, by telephone at 334-467-8779 or by e-mail at amy.k.gavin@usace.army.mil should you have any questions. For additional information about our Regulatory Program, visit our web site at <http://www.sam.usace.army.mil/Missions/Regulatory.aspx>. Please take a moment to complete our customer service survey located under the Menu heading on the right side of the webpage. Your responses are appreciated and will allow us to improve our services.

Sincerely,

Leslie E. Turney
Chief, North Branch
Regulatory Division

Attachments

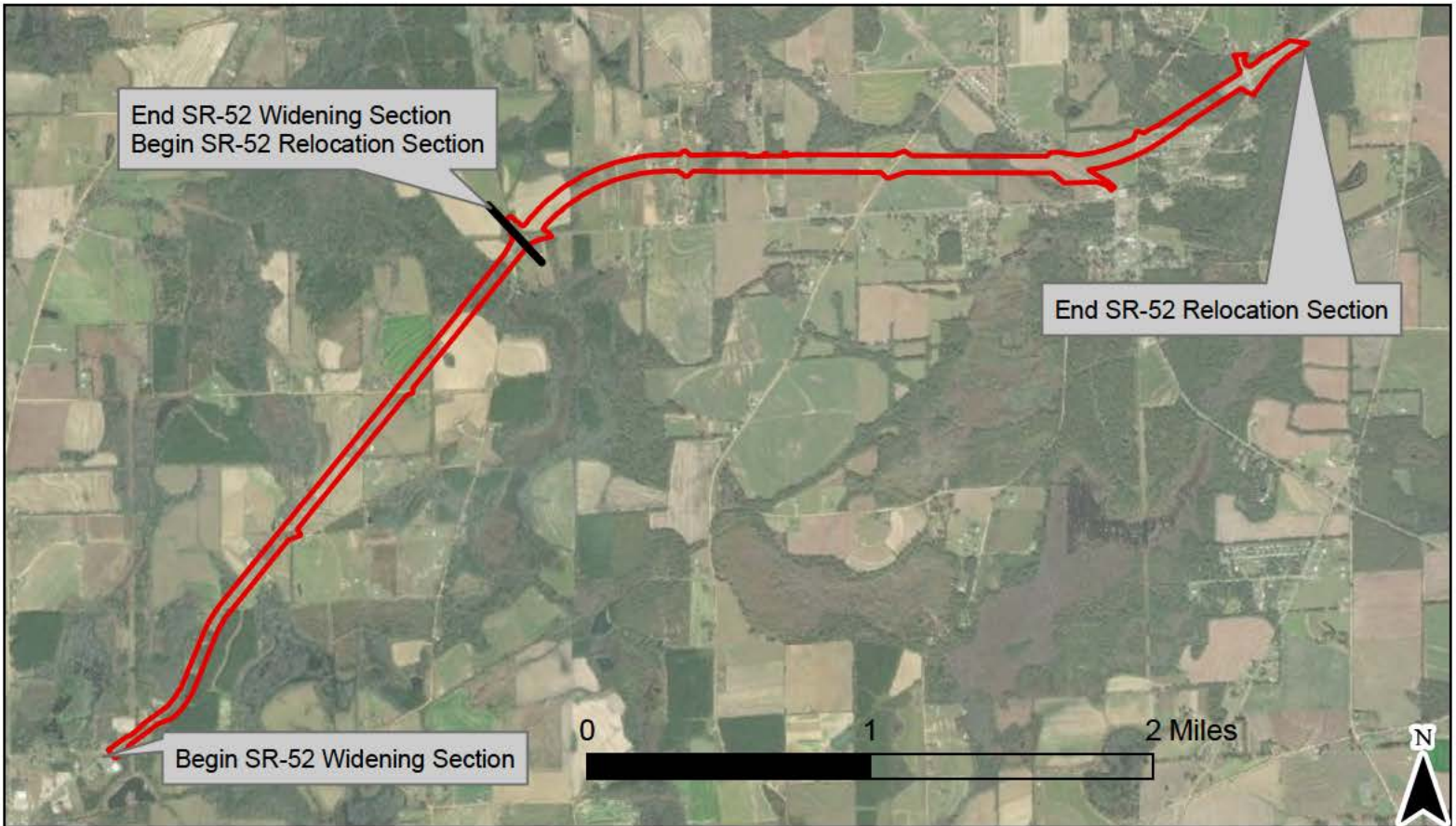
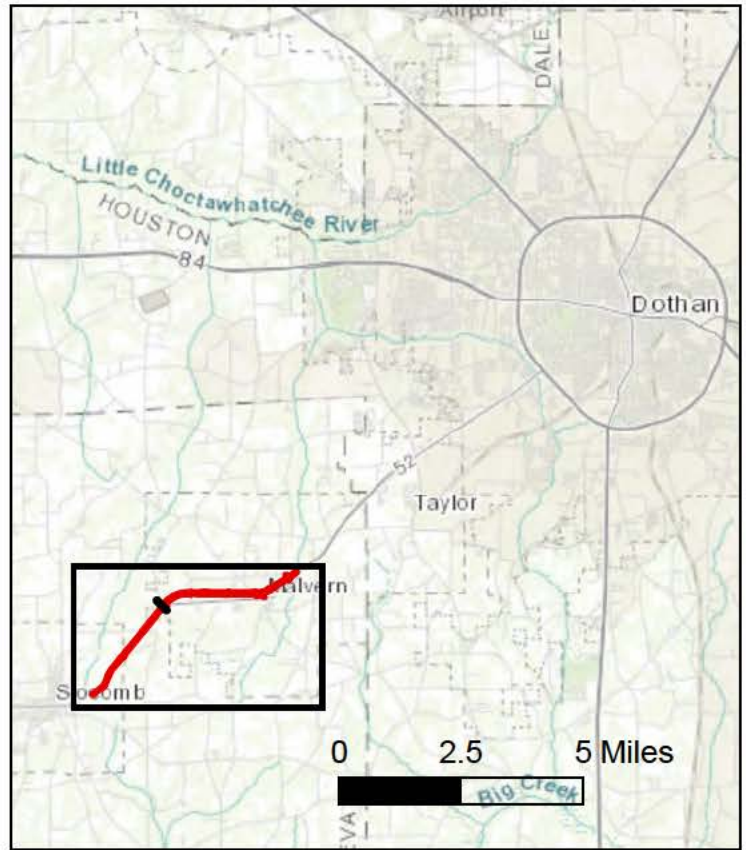
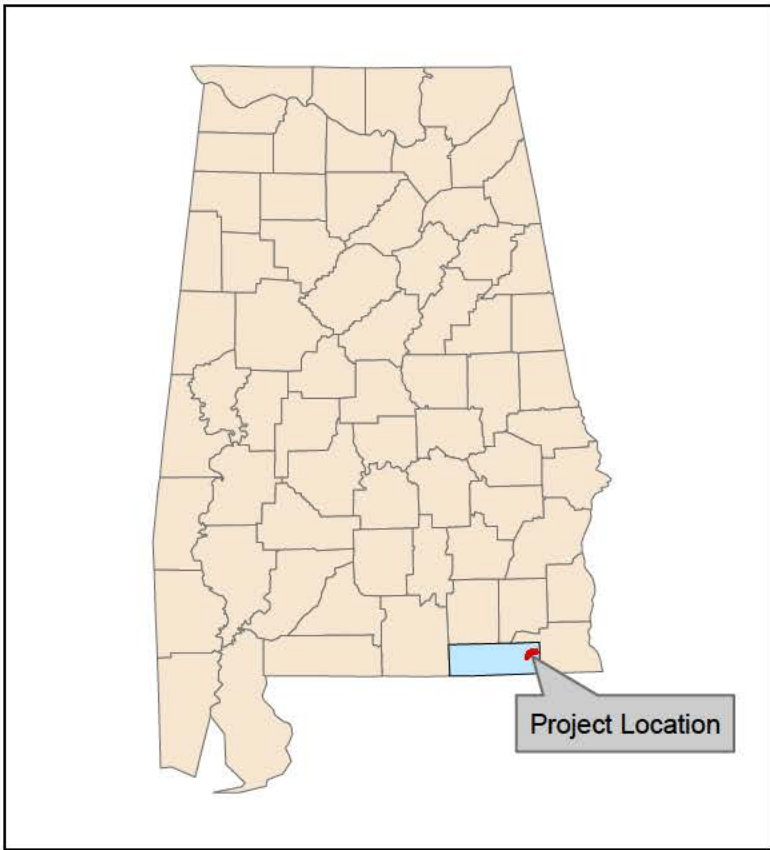
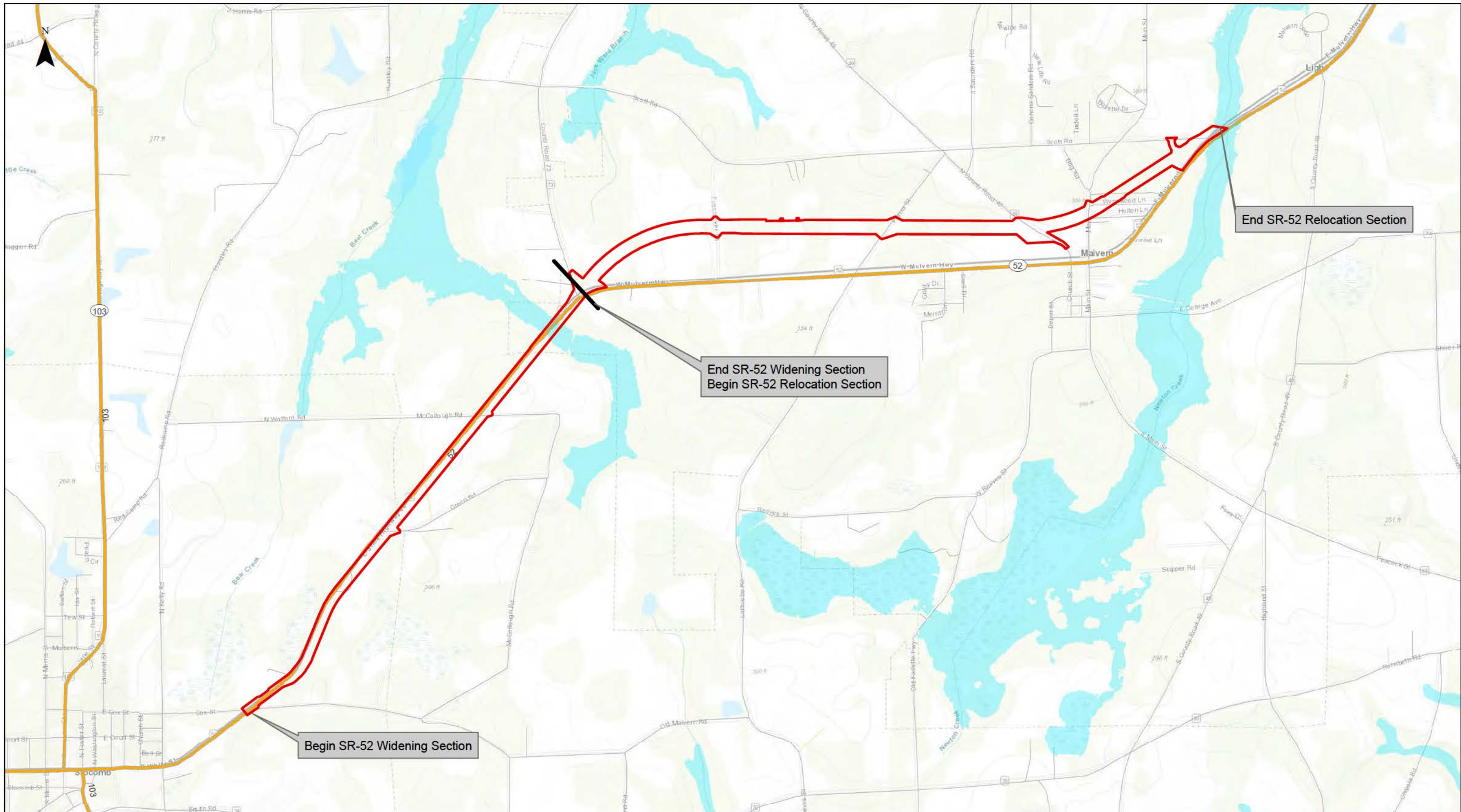


Figure 1: Project Location

RAED-031-052-002
SR-52 Additional Lanes from Slocomb to Malvern
Geneva County



End SR-52 Relocation Section

End SR-52 Widening Section
Begin SR-52 Relocation Section

Begin SR-52 Widening Section



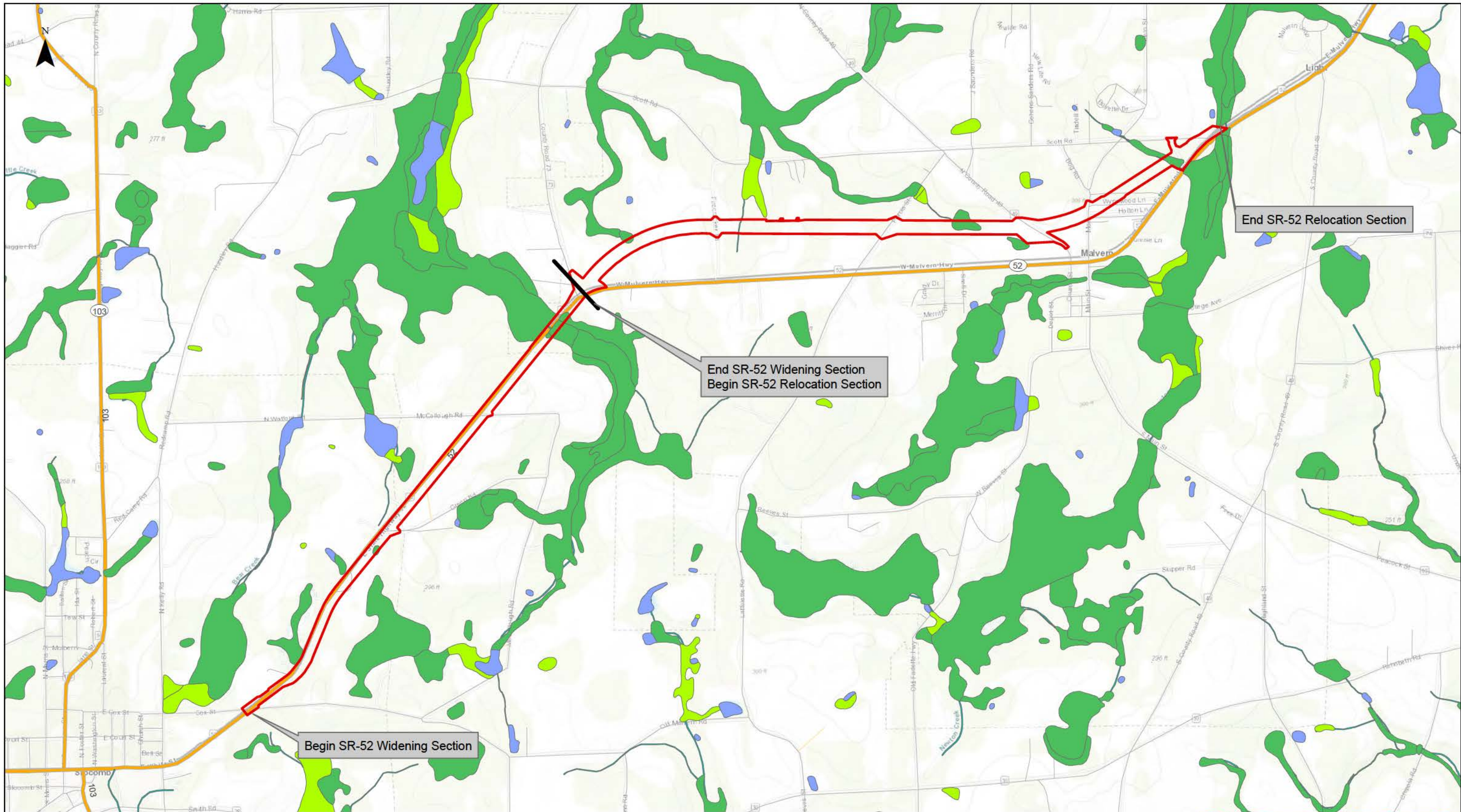
- | | | | |
|--|-------------------------------|---|---|
|  | Section Split Line |  | Area of Undetermined Flood Hazard |
|  | Proposed Alternative |  | 0.2% Annual Chance Flood Hazard |
| Flood Hazard Zones | | | |
|  | 1% Annual Chance Flood Hazard |  | Future Conditions 1% Annual Chance Flood Hazard |
|  | Regulatory Floodway |  | Area with Reduced Risk Due to Levee |
|  | Special Floodway |  | Area with Risk Due to Levee |

Figure 3-2: FEMA Flood Hazard Database Results in the Project Area

RAED-031-052-002
SR-52 Additional Lanes from Slocomb to Malvern
Geneva County

1 inch = 2,000 feet





- Section Split Line
- Proposed Alternative
- NWI Wetlands**
- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

Figure 3-1: NWI Wetland Database Results in the Project Area

RAED-031-052-002
 SR-52 Additional Lanes from Slocomb to Malvern
 Geneva County

1 inch = 2,000 feet



Legend

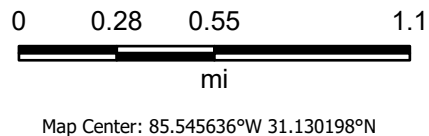
- Delineated Streams
- ▭ Construction Boundary
- ▭ Delineated Wetlands
- ▭ ROW Boundary



Esri, HERE, Garmin, INCREMENT P, Intermap, USGS, METI/NASA, EPA, USDA, Esri, HERE, Garmin, iPC, Maxar



**Project Corridor Overview
SAM-2021-00331 SR-52 Slocomb
to Malvern Pre-2015 / Post Sackett**



Map Created by: AGavin
Date: 9/20/2023
Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere

Legend

- Delineated Streams
- Construction Boundary
- Delineated Wetlands
- ROW Boundary



Wetlands 5 and 6 Non-Jurisdictional



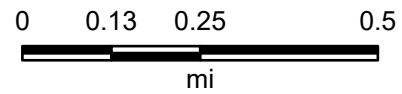
Wetland 1 and 2 Non-Jurisdictional



Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA, USGS TNM – National Hydrography Dataset.
Data Refreshed July, 2023, Esri, HERE, Garmin, IPC, Maxar



**Figure 1a: SAM-2021-00331 SR-52
Slocomb to Malvern Pre-2015 /
Post Sacket NHD Map**



Map Center: 85.570527°W 31.11903°N

Map Created by: AGavin

Date: 9/20/2023

Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere

Legend

- Delineated Streams
- ▭ Construction Boundary
- ▭ Delineated Wetlands
- ▭ ROW Boundary

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine



Wetlands 5 and 6 Non-Jurisdictional

Wetlands 1 and 2 Non-Jurisdictional

Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA, Esri, HERE, Garmin, IPC, Maxar



**Figure 2a: SAM-2021-00331 SR-52
Slocomb to Malvern Pre-2015 / Post
Sackett NWI Map**



Map Center: 85.570527°W 31.11903°N

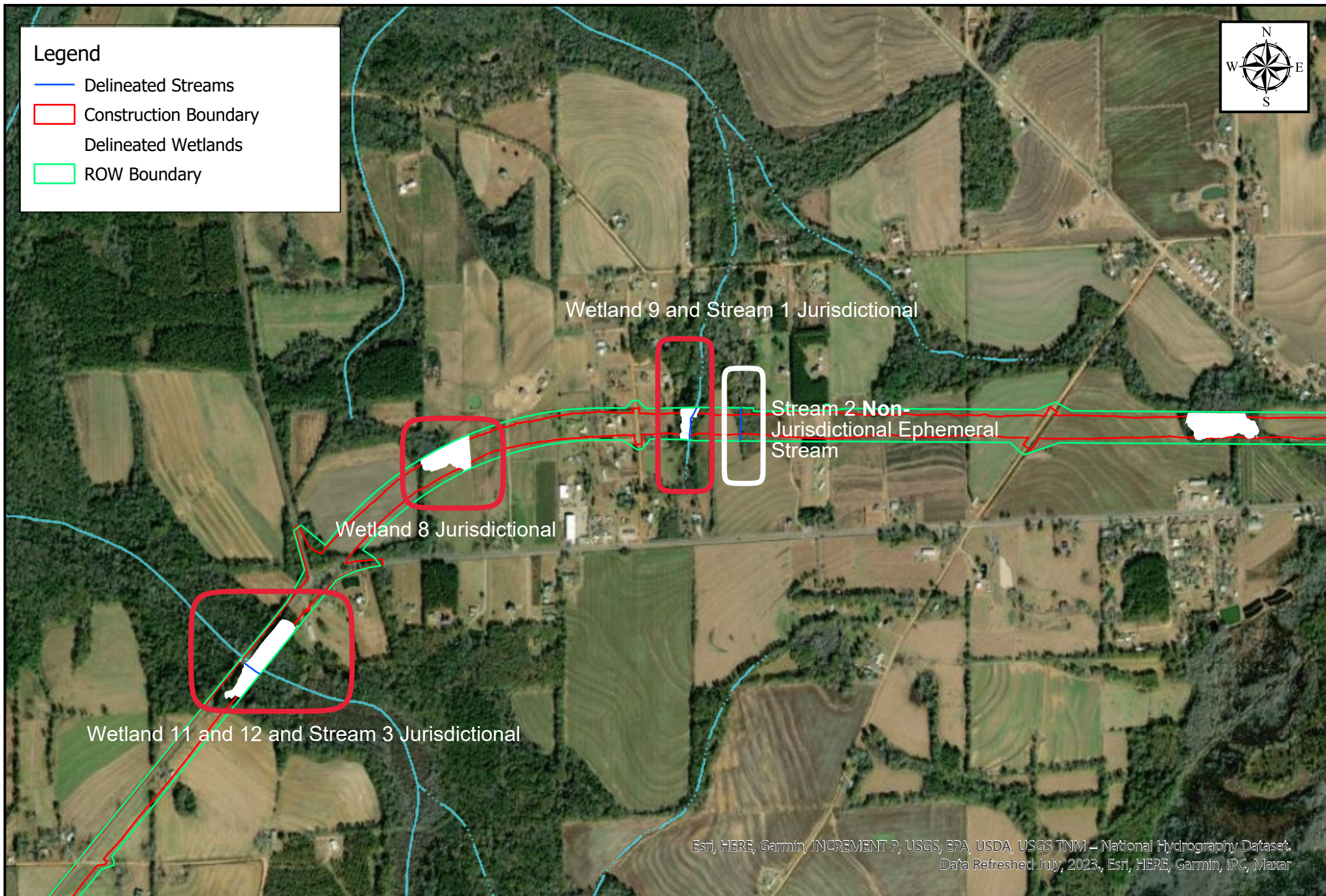
Map Created by: AGavin

Date: 9/20/2023

Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere

Legend

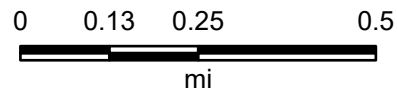
- Delineated Streams
- ▭ Construction Boundary
- ▭ Delineated Wetlands
- ▭ ROW Boundary



Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA, USGS TNM - National Hydrography Dataset. Data Refreshed July, 2023, Esri, HERE, Garmin, IPC, Maxar



**Figure 1b: SAM-2021-00331 SR-52
Slocomb to Malvern
Pre-2015 / Post Sackett NHD Map**







Map Center: 85.545271°W 31.140612°N









Map Created by: AGavin

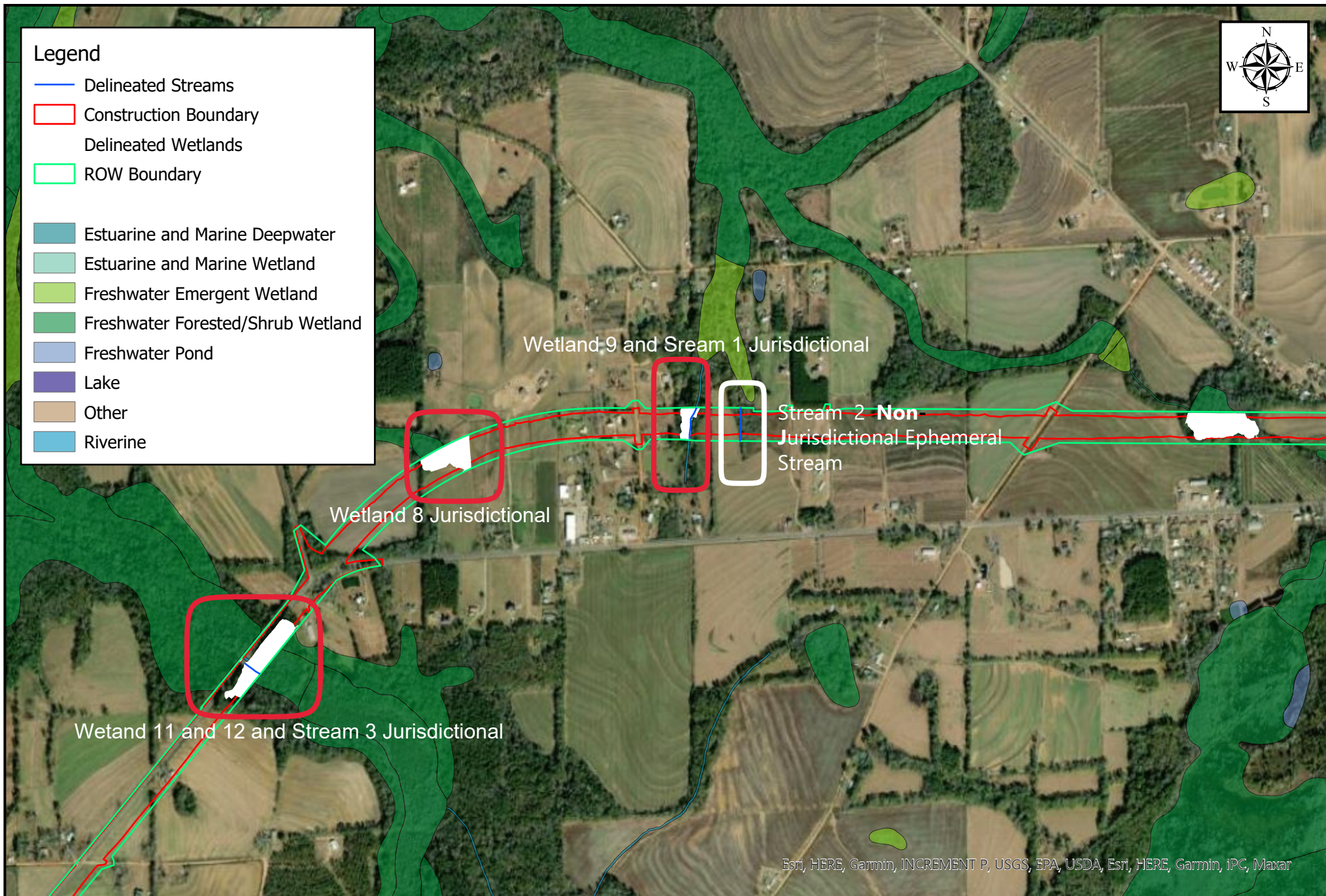
Date: 9/20/2023

Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere

Legend

-  Delineated Streams
-  Construction Boundary
-  Delineated Wetlands
-  ROW Boundary

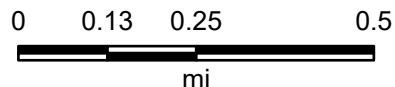
-  Estuarine and Marine Deepwater
-  Estuarine and Marine Wetland
-  Freshwater Emergent Wetland
-  Freshwater Forested/Shrub Wetland
-  Freshwater Pond
-  Lake
-  Other
-  Riverine



Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA, Esri, HERE, Garmin, iPC, Maxar



**Figure 2b: SAM-2021-00331 SR-52
Slocomb to Malvern Pre-2015 /
Post Sackett NWI Map**



Map Center: 85.545271°W 31.140612°N

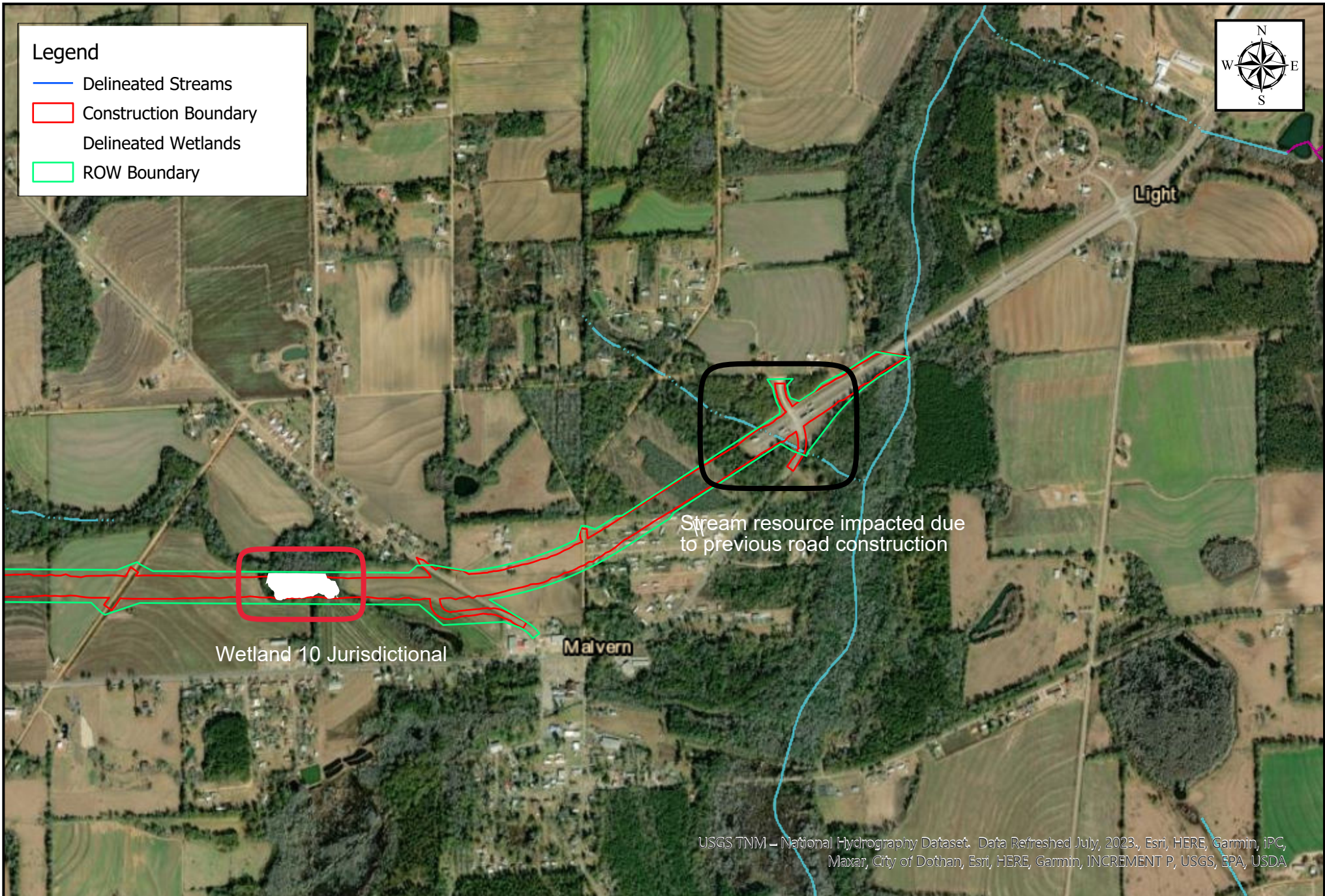
Map Created by: AGavin

Date: 9/20/2023

Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere

Legend

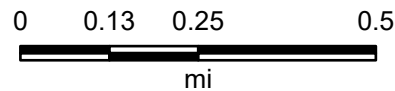
- Delineated Streams
- ▭ Construction Boundary
- ▭ Delineated Wetlands
- ▭ ROW Boundary



USGS TNM – National Hydrography Dataset. Data Refreshed July, 2023, Esri, HERE, Garmin, iPC, Maxar, City of Dothan, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA



**Figure 1c: SAM-2021-00331 SR-52
Slocomb to Malvern Pre-2015 /
Post Sackett NHD Map**















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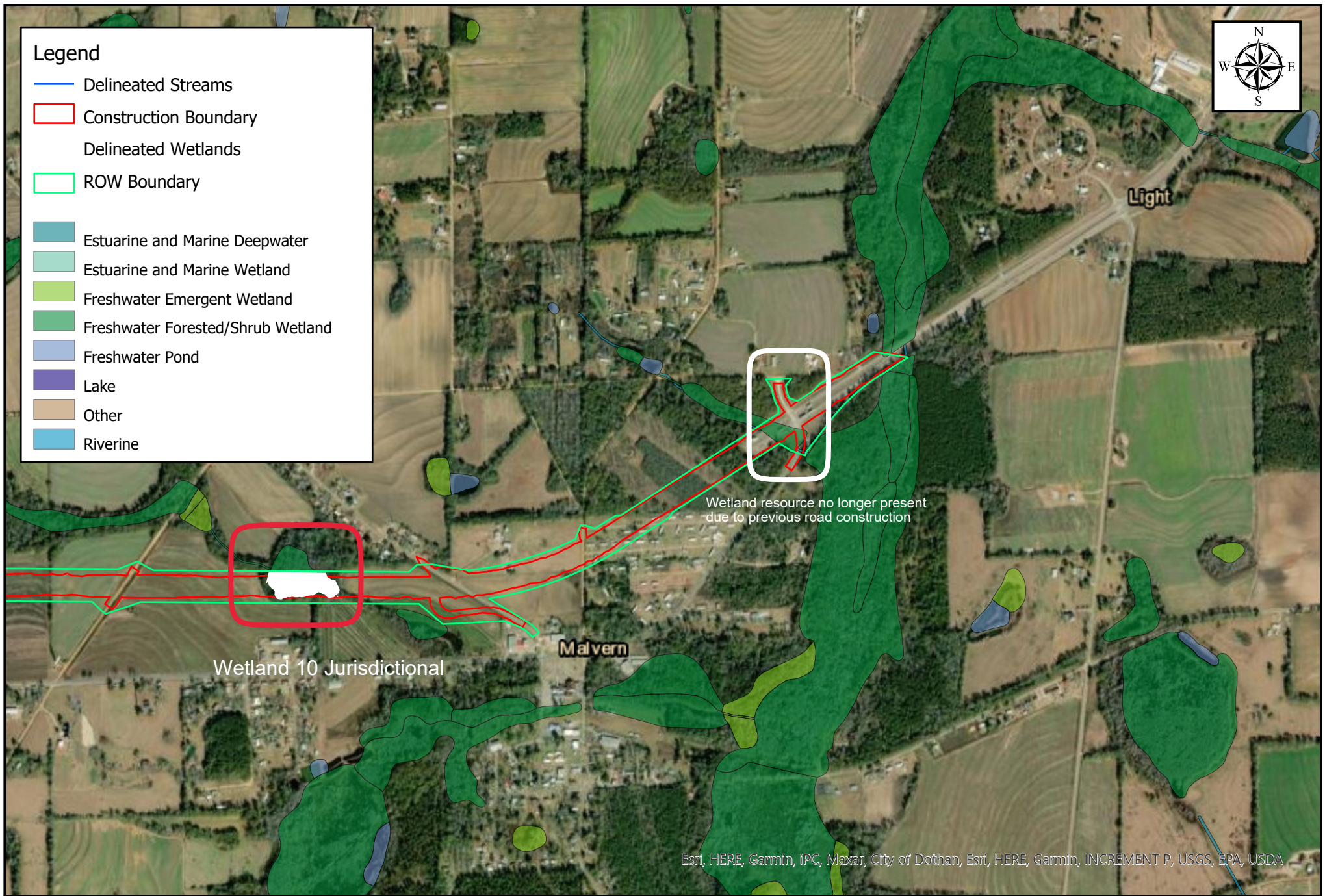
Map Created by: AGavin

Date: 9/20/2023

Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere

Legend

-  Delineated Streams
-  Construction Boundary
-  Delineated Wetlands
-  ROW Boundary
-  Estuarine and Marine Deepwater
-  Estuarine and Marine Wetland
-  Freshwater Emergent Wetland
-  Freshwater Forested/Shrub Wetland
-  Freshwater Pond
-  Lake
-  Other
-  Riverine



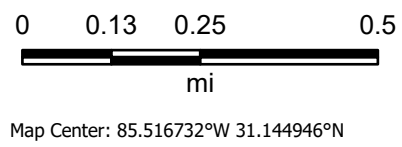
Wetland resource no longer present due to previous road construction

Wetland 10 Jurisdictional

Esri, HERE, Garmin, iPC, Maxar, City of Dothan, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA



**Figure 2c: SAM-2021-00331 SR-52
Slocomb to Malvern Pre-2015 /
Post Sackett NWI Map**



Map Created by: AGavin
Date: 9/20/2023
Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere

SAM-2021-00331-AKG Summary Aquatic Resource Jurisdiction and Impacts

Resource ID	Cowardin Code	Description	Area	Latitude	Longitude	Jurisdictional Determination	Fill Impacts	Pipe Impacts	Riprap Impacts			
W1	PFO	Palustrine Forested	0.415 acre	31.1131	-85.57667	Non-Jurisdictional						
W2	PEM	Palustrine Emergent	0.2505 acre	31.1139	-85.57639	Non-Jurisdictional						
W5	PFO	Palustrine Forested	0.8084 acre	31.1214	-85.57083	Non-Jurisdictional						
W6	PEM	Palustrine Emergent	0.0150 acre	31.1219	-85.57083	Non-Jurisdictional						
W8	PFO	Palustrine Forested	2.4416 acre	31.1406	-85.55194	Jurisdictional				2.4416		
W9	PFO	Palustrine Forested	0.8116 acre	31.1414	-85.54444	Jurisdictional				0.8116		
W10	PFO	Palustrine Forested	3.3861 acre	31.1414	-85.52806	Jurisdictional				3.3861		
W11	PEM	Palustrine Emergent	0.0419 acre	31.1358	-85.5575	Jurisdictional				0.0419		
W12	PFO	Palustrine Forested	3.3564 acre	31.135	-85.55778	Jurisdictional				3.3564		
S1	R4UB	Intermittent / UT Jack Ward Branch / OHWM Width 4 ft	315 lf (0.0289 acre)	31.1414	-85.54444	Jurisdictional					191 lf (0.015 acre)	124 lf (0.010 acre)
S2	R6	Ephemeral / UT Jack Ward Branch / OHWM Width 2 ft	319 lf (0.0146 acre)	31.1414	-85.54278	Non-Jurisdictional						
S3	R3UB	Perennial / UT Bear Creek / OHWM Width 6 ft	181 lf (0.0249 acre)	31.135	-85.55806	Jurisdictional					124 lf (0.017 acre)	57 lf (0.008 acre)