



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

December 19, 2023

North Branch
Regulatory Division

SUBJECT: Department of the Army File Number SAM-2023-01014-AKG, [REDACTED] SR-79 Bridge Replacement over Blackburn Fork of the Little Warrior River (BR-0079-500) Jurisdictional Determination, Blount County, Alabama

[REDACTED]

Transmitted electronically to [REDACTED]

Dear [REDACTED]

This is in response to a request, submitted by your agency for a Department of the Army (DA) jurisdictional determination on a 0.90-mile (27-acre) linear transportation project located in Blount County, Alabama. More specifically, the site is located within Sections 11, Township 13 North, Range 1 West. The proposed project is centrally located near Latitude 33.919994° North and Longitude 86.607985° West.

Based on our review of the information and data forms you have furnished, and other desktop information available to our office, we have completed an approved jurisdictional determination (AJD) for the site. Attached is an AJD Memorandum for Record (MFR) that describes the features identified on the site that are and are not subject to the jurisdiction of the U.S. Army Corps of Engineers (USACE). Please be advised that this determination reflects current policy and regulation.

The features identified as S1, S2A, S2B, and S6, as depicted on the attached exhibits, are waters of the U.S. and are subject to DA jurisdiction. The features identified as S3, S4, S7, and S8, as depicted on the attached exhibits, are not waters of the U.S. and are not subject to DA jurisdiction. Please be advised that this AJD MFR 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. 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.

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.

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 to the USACE, South Atlantic Division Office at the following mailing address and e-mail address: Krista D. Sabin, 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 resource 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 a 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.

We appreciate your cooperation with the USACE Regulatory Program. Please refer to file number SAM-2023-01014-AKG 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,

Courtney M. Shea
Team Lead, North Branch
Regulatory Division

Attachments

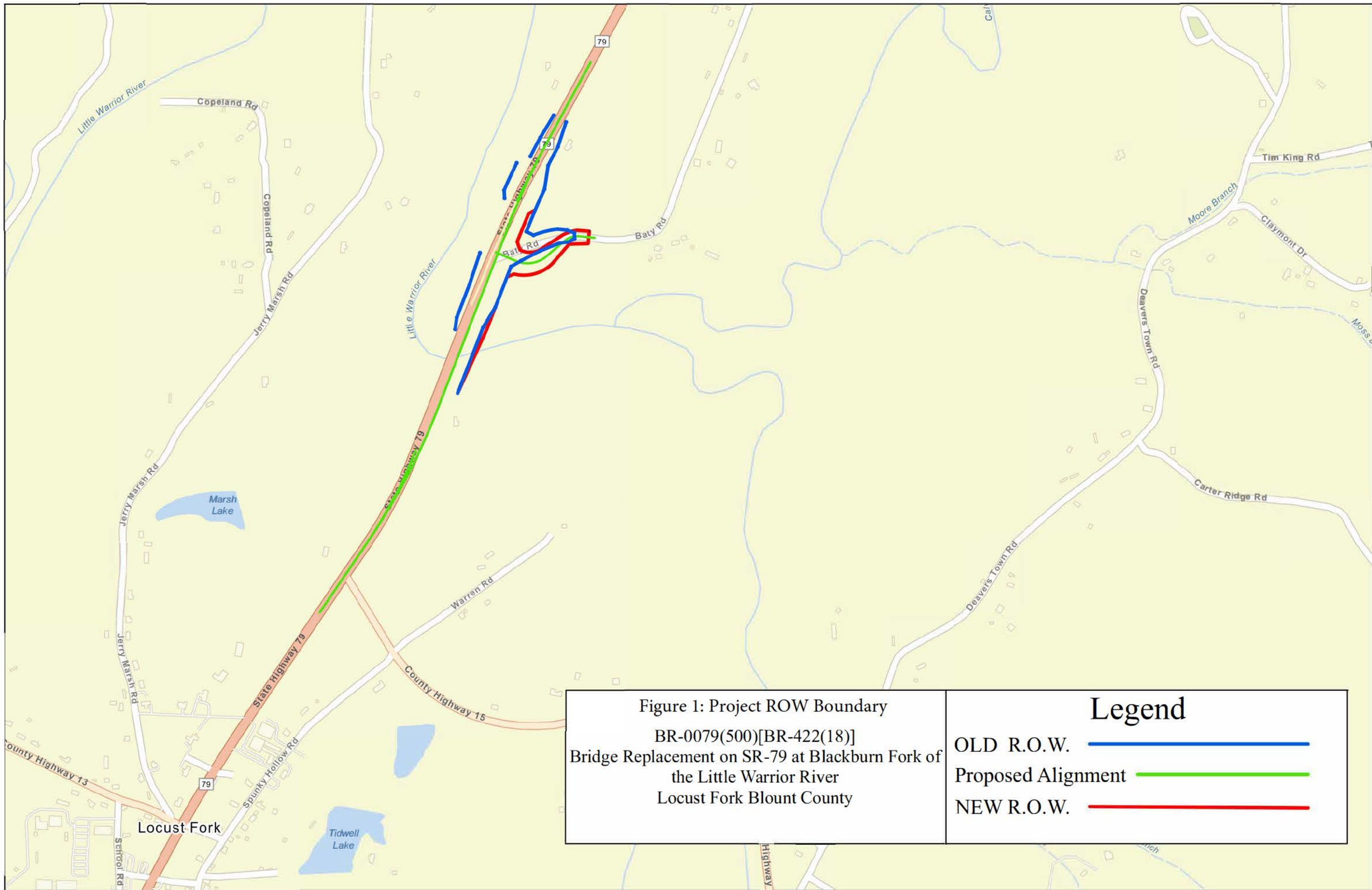



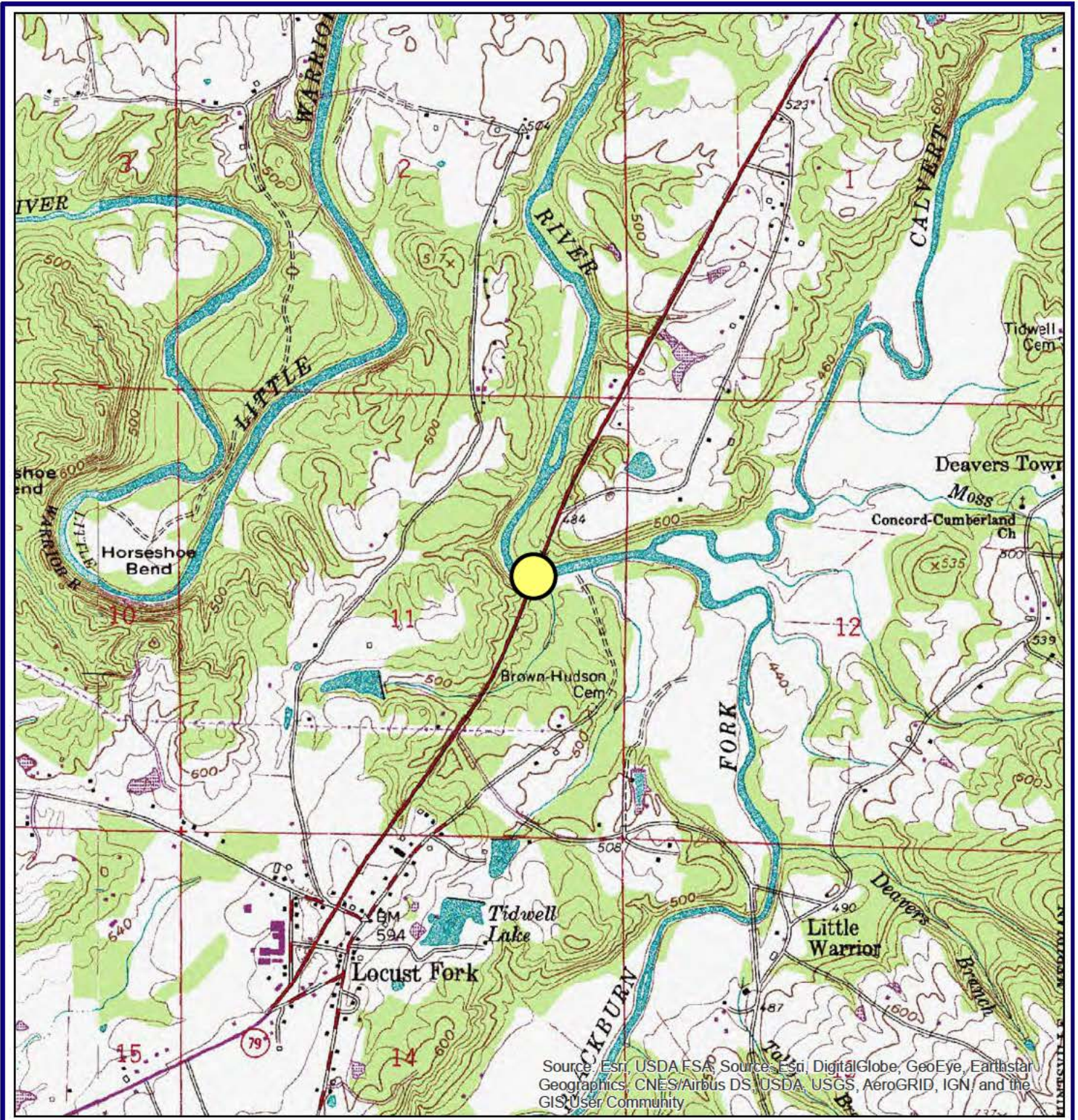


Figure 1: Project ROW Boundary
 BR-0079(500)[BR-422(18)]
 Bridge Replacement on SR-79 at Blackburn Fork of
 the Little Warrior River
 Locust Fork Blount County

Legend	
OLD R.O.W.	
Proposed Alignment	
NEW R.O.W.	



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SCALE = 1 : 24,000

● Survey Location:
Coordinates:
N 33.91991
W -86.60795

Figure 2: Project TOPO

SITE MAP JS23-304
Blackburn Fork, Little Warrior
River - Blount County, AL

Selby Environmental

SOURCE: ESRI, USDA FSA: USA NAIP Imagery and USDA - NRCS DRG Blount County, AL

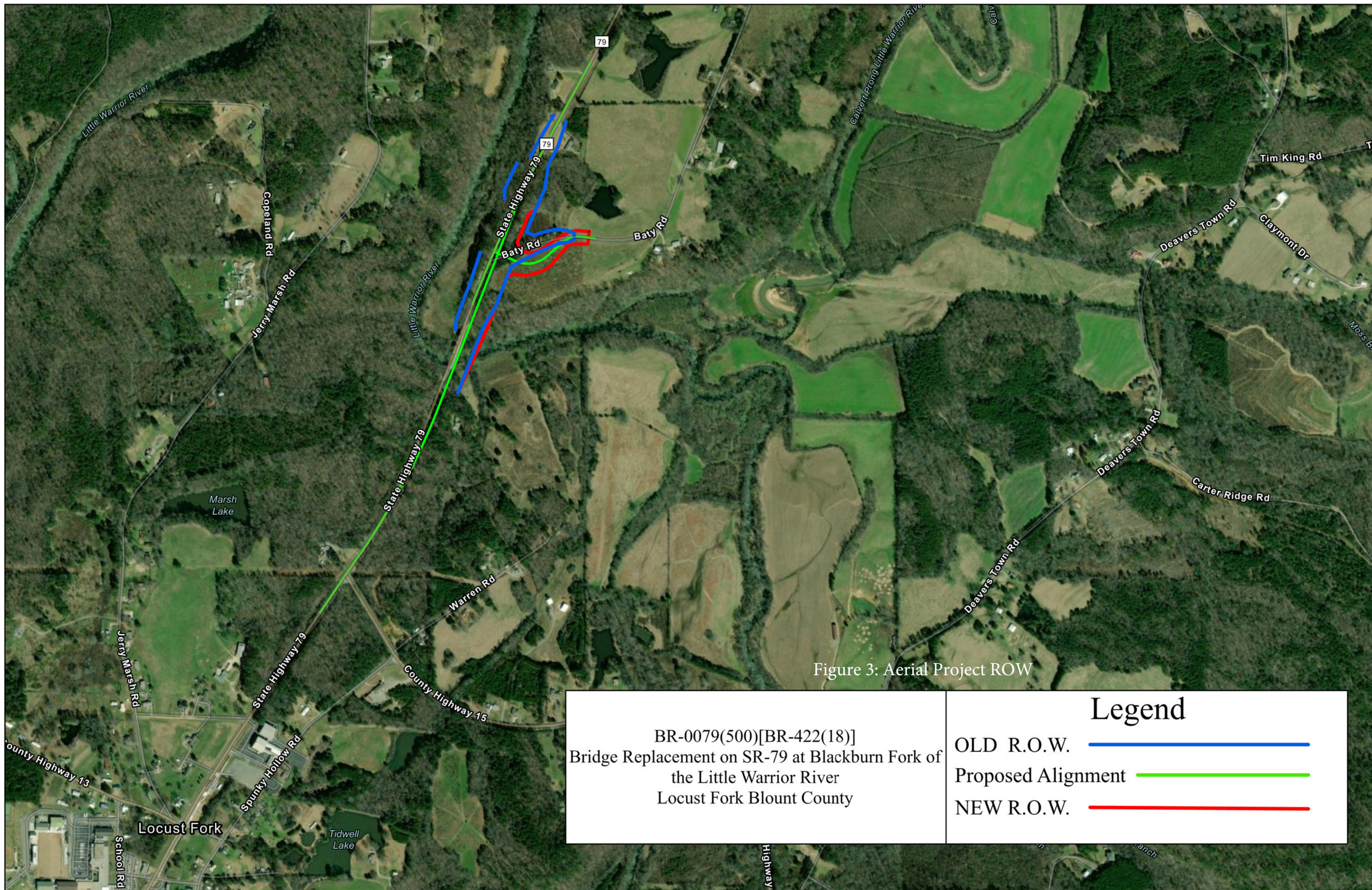





Figure 3: Aerial Project ROW

<p>BR-0079(500)[BR-422(18)] Bridge Replacement on SR-79 at Blackburn Fork of the Little Warrior River Locust Fork Blount County</p>	
<h3>Legend</h3>	
OLD R.O.W.	
Proposed Alignment	
NEW R.O.W.	

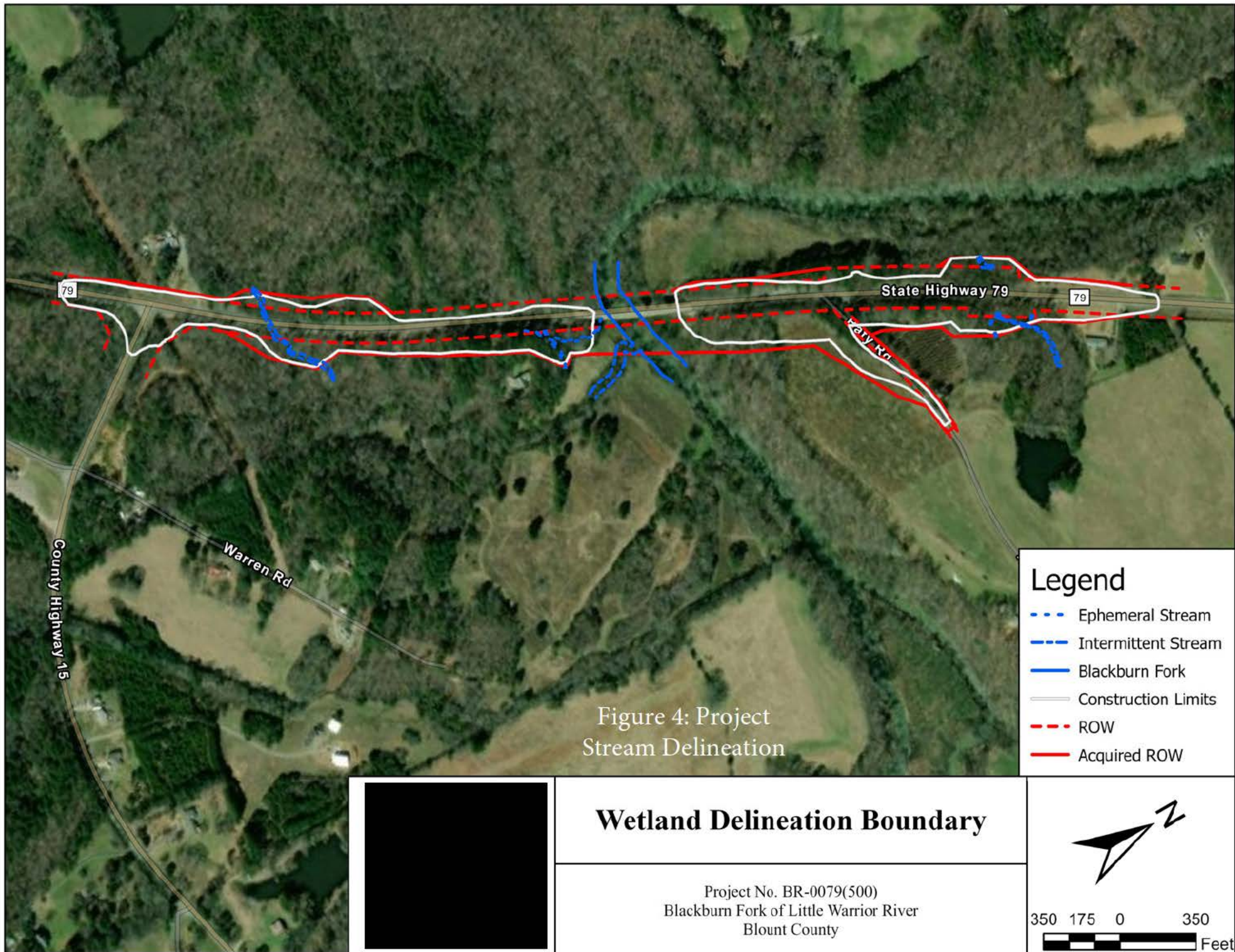
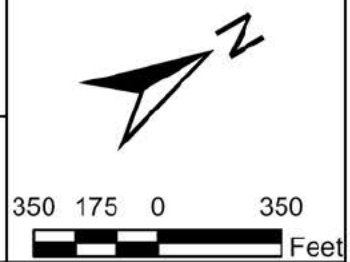


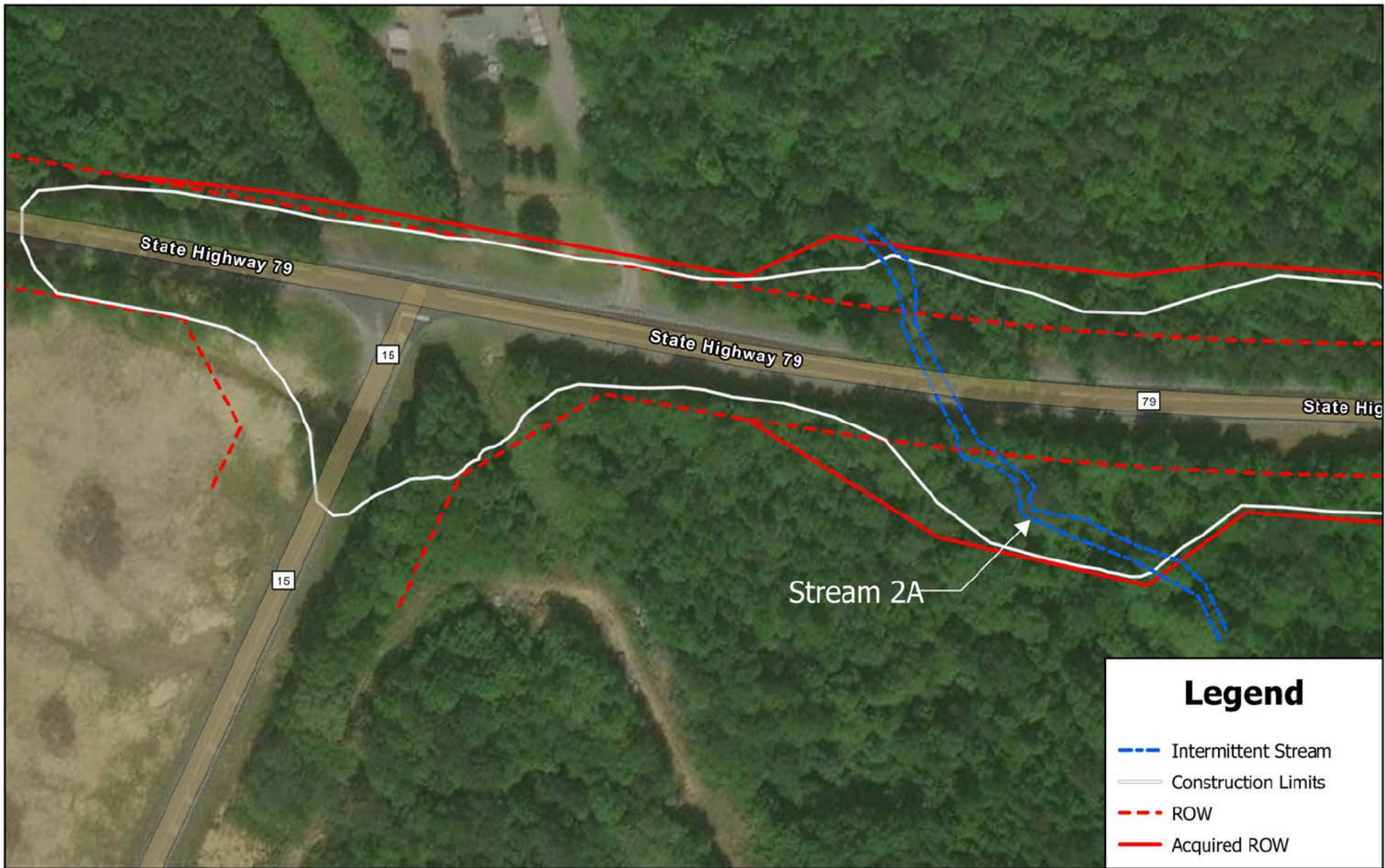
Figure 4: Project Stream Delineation

- Legend**
- - - Ephemeral Stream
 - - - Intermittent Stream
 - Blackburn Fork
 - Construction Limits
 - - - ROW
 - Acquired ROW

Wetland Delineation Boundary

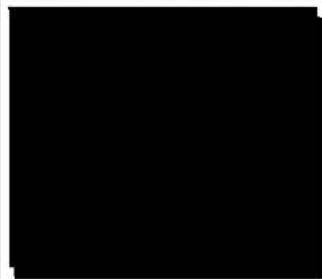
Project No. BR-0079(500)
 Blackburn Fork of Little Warrior River
 Blount County





Stream Impacts = 0.142 acres

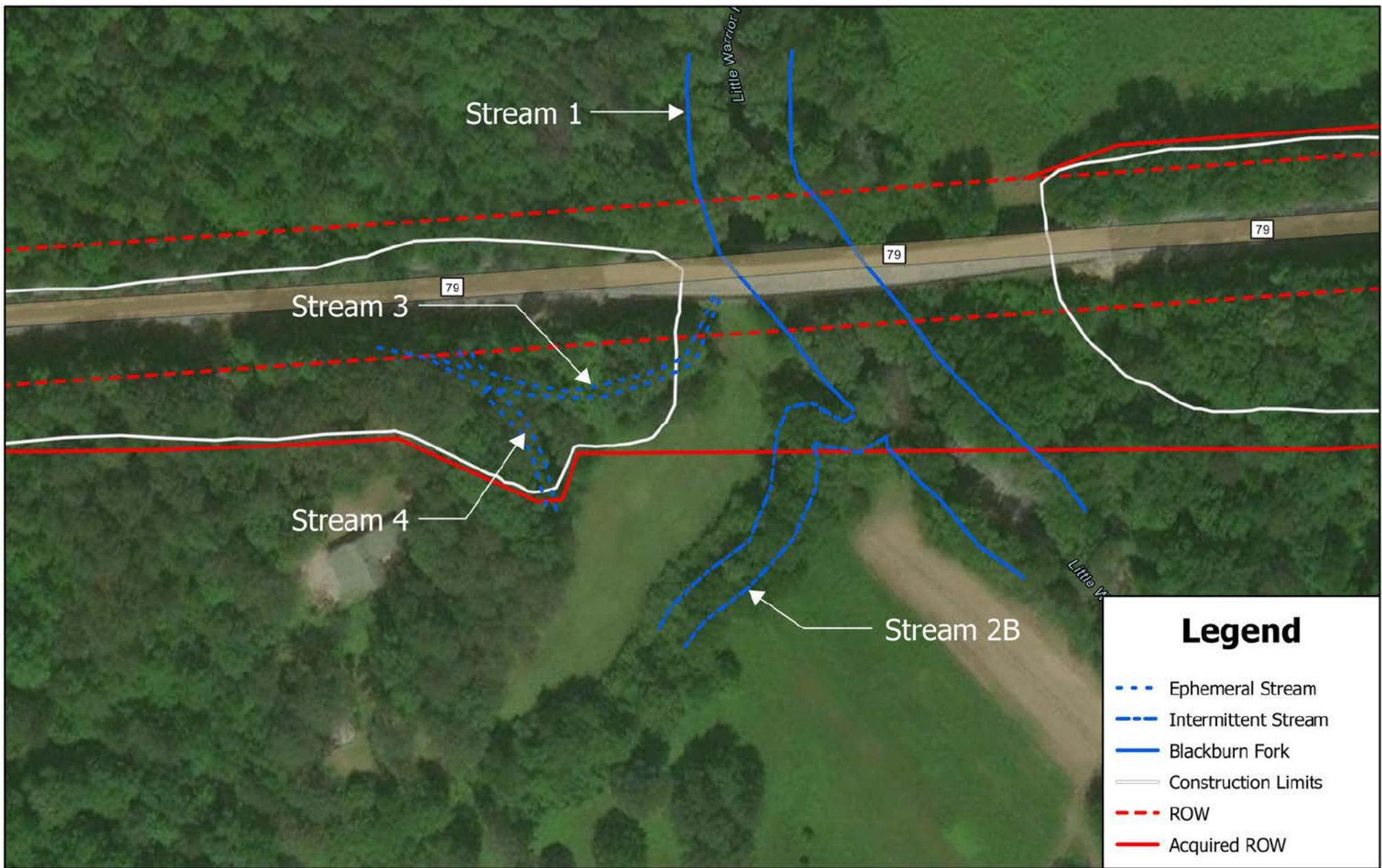
Figure 5: Stream Delineation
West Project Area



Block 19 Map

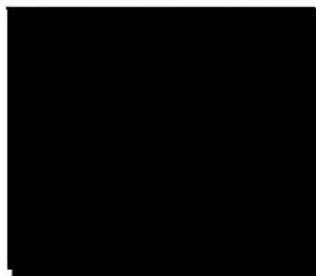
Project No. BR-0079(500)
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Blount County





Stream Impacts = 0.142 acres

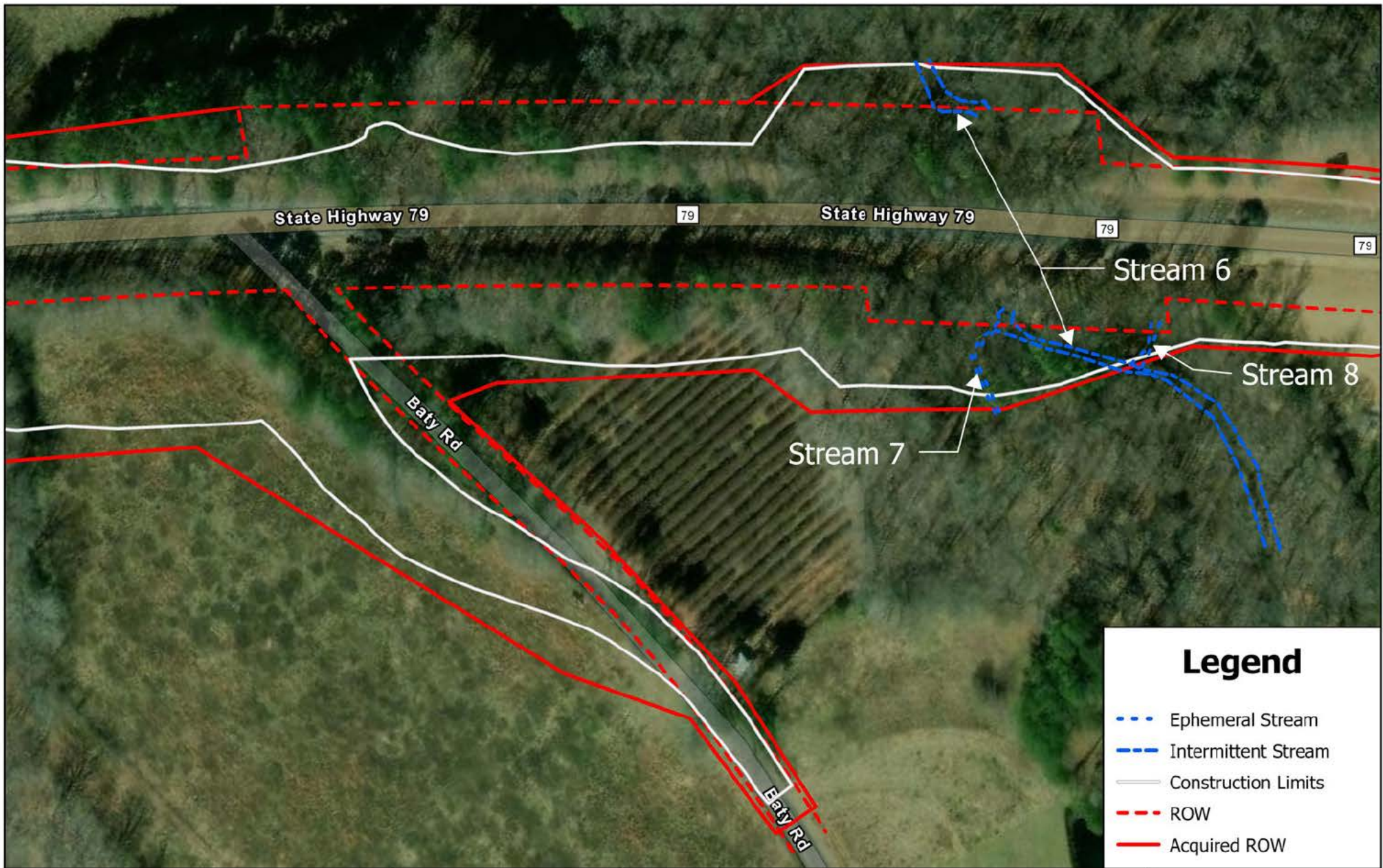
Figure 6: Stream Delineation
Central Project Area



Block 19 Map

Project No. BR-0079(500)
Blackburn Fork of Little Warrior River
Blount County





Stream Impacts = 0.142 acres

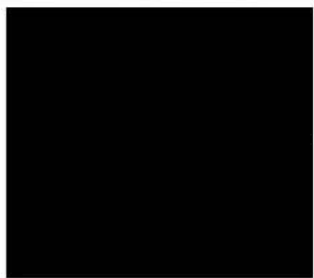


Figure 7: Stream Delineation
East Project Area

Block 19 Map

Project No. BR-0079(500)
Blackburn Fork of Little Warrior River
Blount County

Legend

- - - Ephemeral Stream
- - - Intermittent Stream
- Construction Limits
- - - ROW
- Acquired ROW

