



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, AL 35216

January 8, 2024

North Branch
Regulatory Division

SUBJECT: Department of the Army File Number SAM-2023-01112-MH9, Approved Jurisdictional Determination, Rockford Highway Property, Tallapoosa County, Alabama

[REDACTED]

Transmitted electronically to [REDACTED]

Dear [REDACTED]:

This letter is in response to the December 18, 2023 letter, submitted on your behalf by [REDACTED], regarding a request for an Approved Jurisdictional Determination (AJD). The review area is located just north of AL-22 (Rockford Highway) and west of US 280, in Alexander City, Tallapoosa County, Alabama and situated within Section 5, Township 22 North, Range 21 East, with center coordinates of 32.924244°, -85.987443°.

Based on our desktop review of the information furnished in your letter and our review of the Tallapoosa County Soil Survey, USGS topographic maps, aerial photographs, and National Wetland Inventory maps, it appears that Federally-regulated wetlands or other waters of the United States do not occur within the review area. Therefore, no permit, pursuant to our regulations, is required for the development of this parcel. You should note that this determination is primarily based upon the information submitted by you and/or your consultant, and that you are ultimately responsible for its accuracy.

The review area was reviewed pursuant to Section 404 of the Clean Water Act, which requires that a Department of the Army (DA) permit be obtained for the placement or discharge of dredged and/or fill material into waters of the U.S., including wetlands, prior to conducting the work (33 U.S.C. § 1344). For regulatory purposes, the U.S. Army Corps of Engineers (USACE) defines wetlands as those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

This letter contains an AJD for your subject site. 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 Appeal Process (NAP) fact sheet 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: [REDACTED]

[REDACTED]

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.

Please be advised that this jurisdictional determination reflects current policy and regulation and is valid for a period of 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.

The statements contained herein do not convey any property rights or any exclusive privileges, and do not authorize any injury to property nor shall it be construed as excusing you from compliance with other Federal, State, or local statutes, ordinances, or regulations that may affect proposed work at this site.

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).

Based on our findings regarding the proposed activities, a DA permit pursuant to Section 404 of the Clean Water Act will not be required to implement development of the parcel. If the scope of work or project location changes, you are urged to contact this office for a verification of this determination.

An electronic copy of this letter with attachments is being provided to your consultant, [REDACTED]

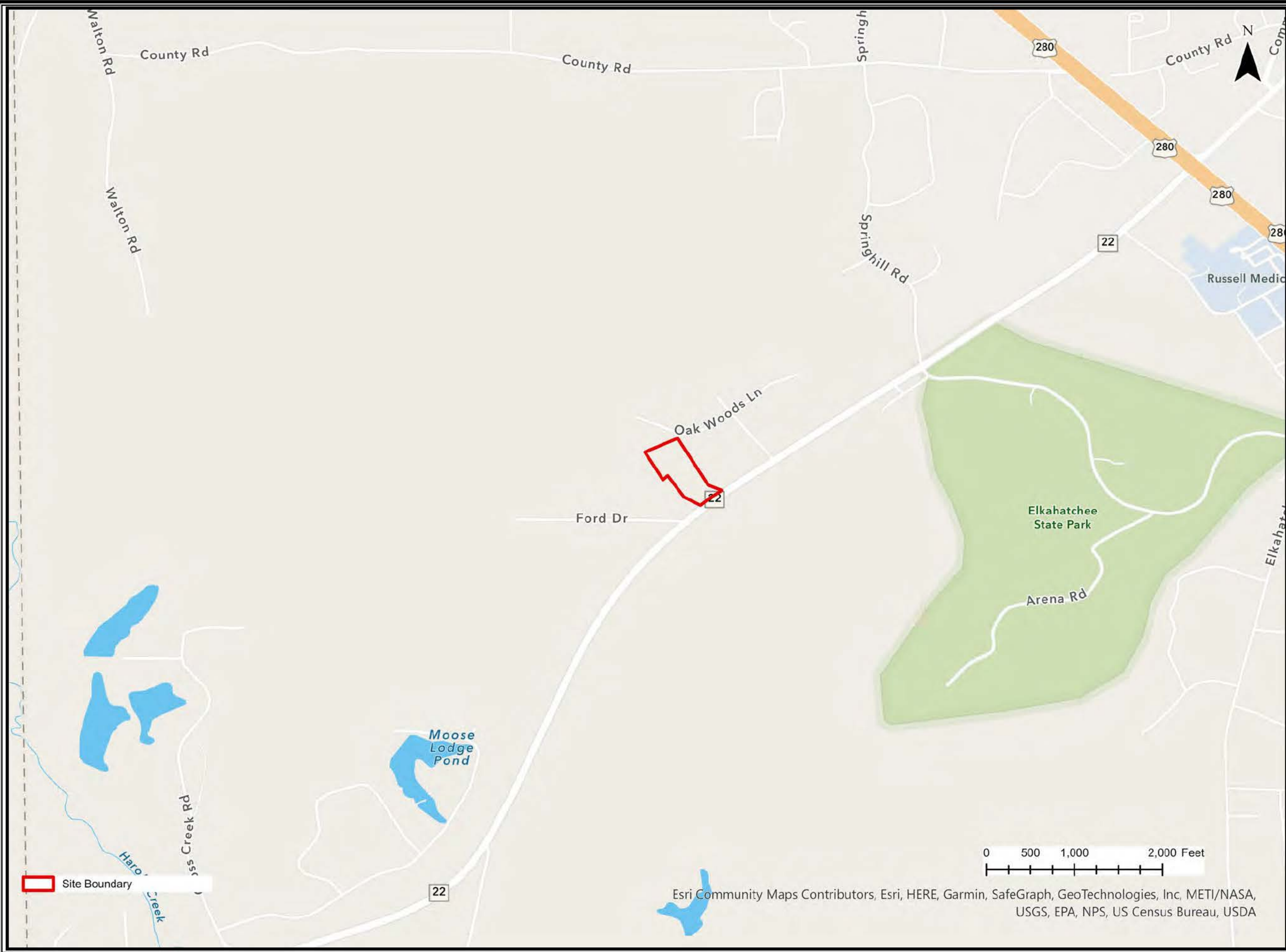
Thank you for your cooperation with our permit program. If you have any questions concerning this matter, please feel free to contact me [REDACTED] or [REDACTED] and refer to file number [REDACTED]

For additional information about our Regulatory Program, visit our web site at <http://www.sam.usace.army.mil/Missions/Regulatory.aspx>. Also, please take a moment to complete our customer satisfaction survey located near the bottom of the webpage. Your responses are appreciated and will allow us to improve our services.

Sincerely,

[REDACTED]

Attachments



TITLE

Figure 1 — Site Location Map
 Jurisdictional Determination
 CAPNA, Inc.
 Rockford Hwy
 Alexander City, Tallapoosa County,
 AL



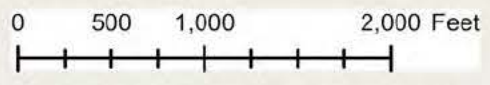
Drawn By:	Client #:
LP	3351
Checked By:	Date:
CB	12/13/2023
Project Mgr.:	Project #:
SF	3351-005-31

Source:

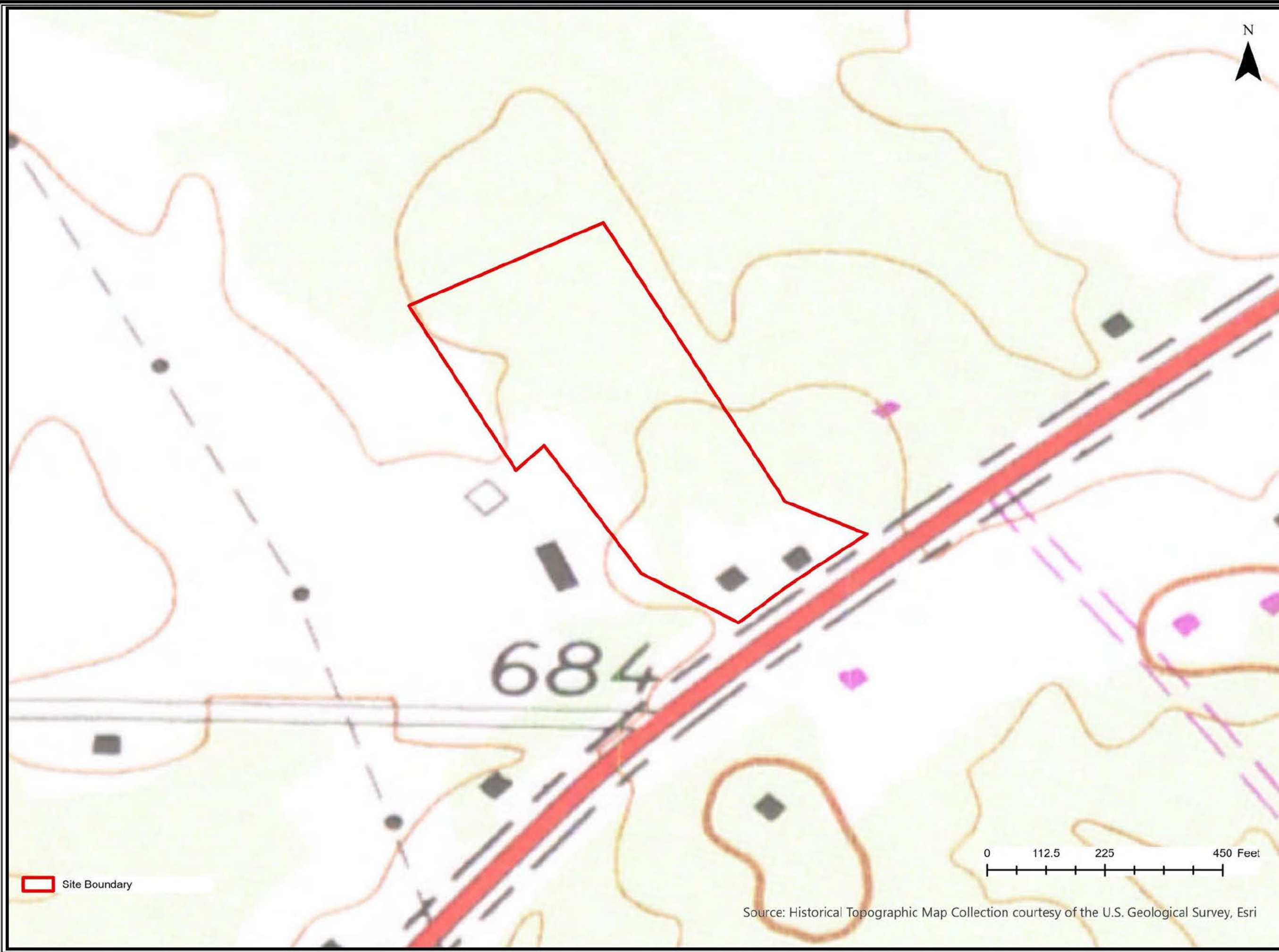
Image courtesy of ESRI.

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Site Boundary



Esri Community Maps Contributors, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA



 Site Boundary

Source: Historical Topographic Map Collection courtesy of the U.S. Geological Survey, Esri

TITLE
Figure 2 — Site Topographic Map
 Jurisdictional Determination
 CAPNA, Inc.
 Rockford Hwy
 Alexander City, Tallapoosa County,
 AL



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SF	3351-005-31

Source:
 Image courtesy of ESRI and USGS
 Alexander City, Alabama 7.5 minute
 quadrangle.

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TITLE

Figure 3 — Site Aerial Map
 Jurisdictional Determination
 CAPNA, Inc.
 Rockford Hwy
 Alexander City, Tallapoosa County,
 AL



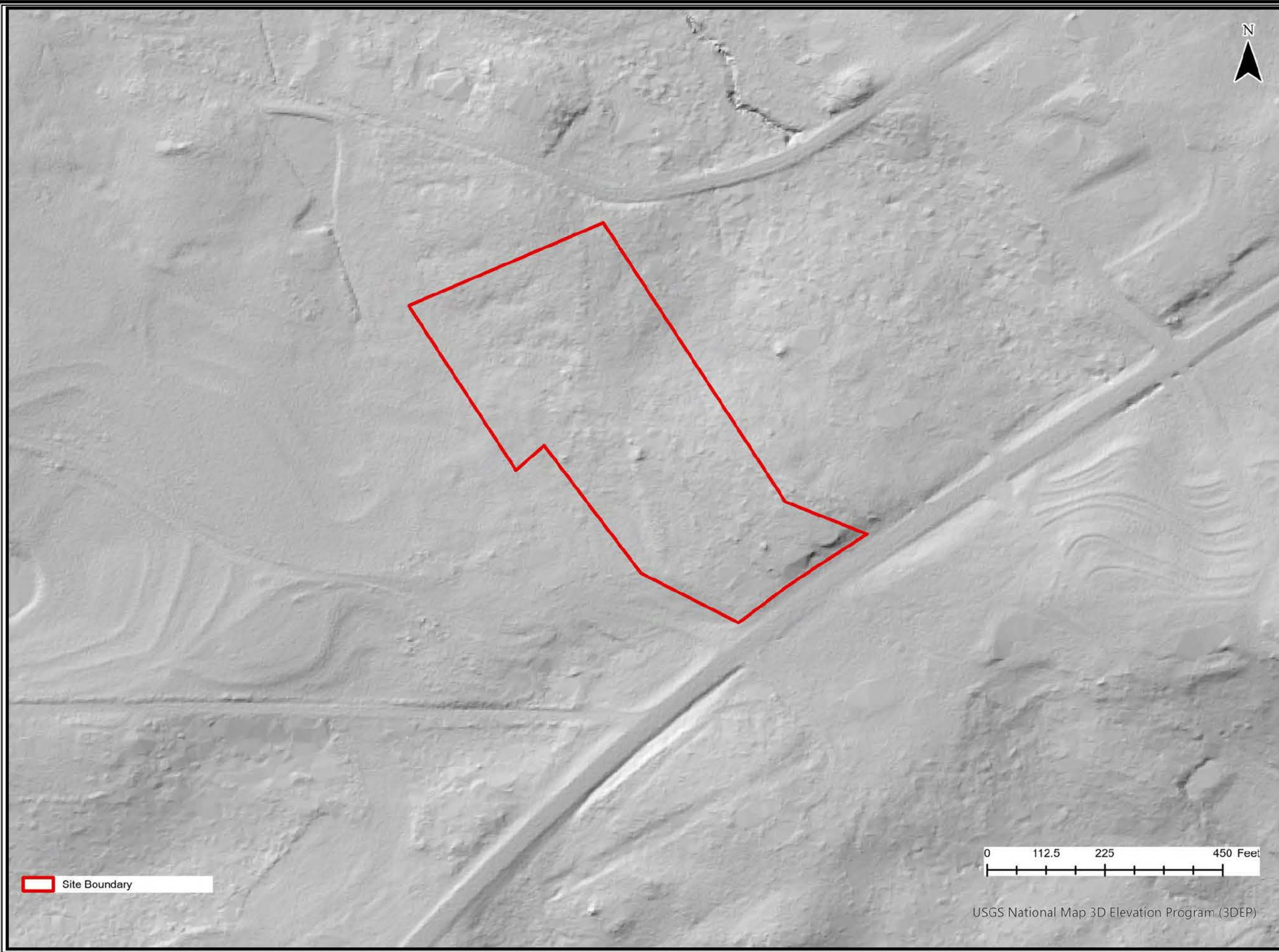
Drawn By:	Client #:
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CB	12/13/2023
Project Mgr.:	Project #:
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TITLE

Figure 4 — Site LiDAR Map
 Jurisdictional Determination
 CAPNA, Inc.
 Rockford Hwy
 Alexander City, Tallapoosa County,
 AL



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Site Boundary

0 112.5 225 450 Feet

USGS National Map 3D Elevation Program (3DEP)



TITLE

Figure 5 — Site NWI Map
 Jurisdictional Determination
 CAPNA, Inc.
 Rockford Hwy
 Alexander City, Tallapoosa County,
 AL



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Image courtesy of ESRI and National Wetland Survey.

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Figure 6 — Site Soils Map
 Jurisdictional Determination
 CAPNA, Inc.
 Rockford Hwy
 Alexander City, Tallapoosa County,
 AL



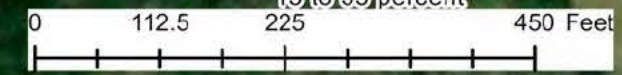
Drawn By:	Client #:
LP	3351
Checked By:	Date:
CB	12/13/2023
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SF	3351-005-31

Source:

 Image courtesy of ESRI and NRCS
 Web Soil Survey.

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Site Boundary
 Soil Map Unit



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TITLE

Figure 7 — Site Geologic Map
 WOTUS Delineation
 CAPNA, Inc.
 Rockford Hwy
 Alexander City, Tallapoosa County,
 AL





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Source:

Image courtesy of ESRI.

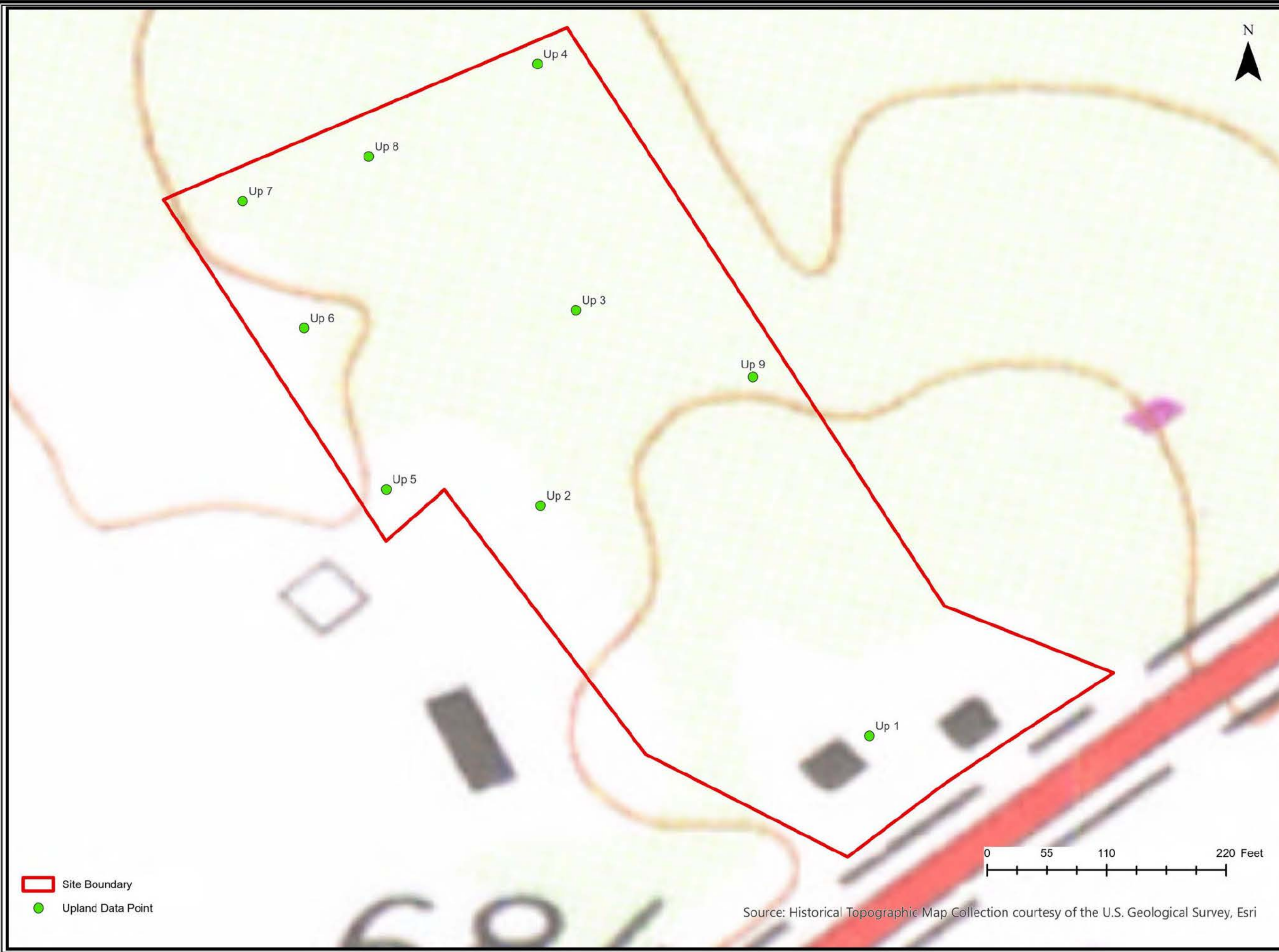
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 Site Boundary

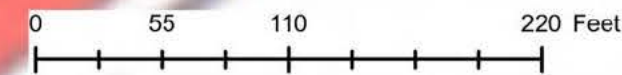
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Site Boundary
● Upland Data Point



Source: Historical Topographic Map Collection courtesy of the U.S. Geological Survey, Esri

TITLE

Figure 8a — Site Delineation Overview
 Jurisdictional Determination
 CAPNA, Inc.
 Rockford Hwy
 Alexander City, Tallapoosa County, AL



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Source:

Image courtesy of ESRI and USGS
 Alexander City, Alabama 7.5 minute quadrangle.

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TITLE

Figure 8b — Site Delineation Overview
 Jurisdictional Determination
 CAPNA, Inc.
 Rockford Hwy
 Alexander City, Tallapoosa County, AL



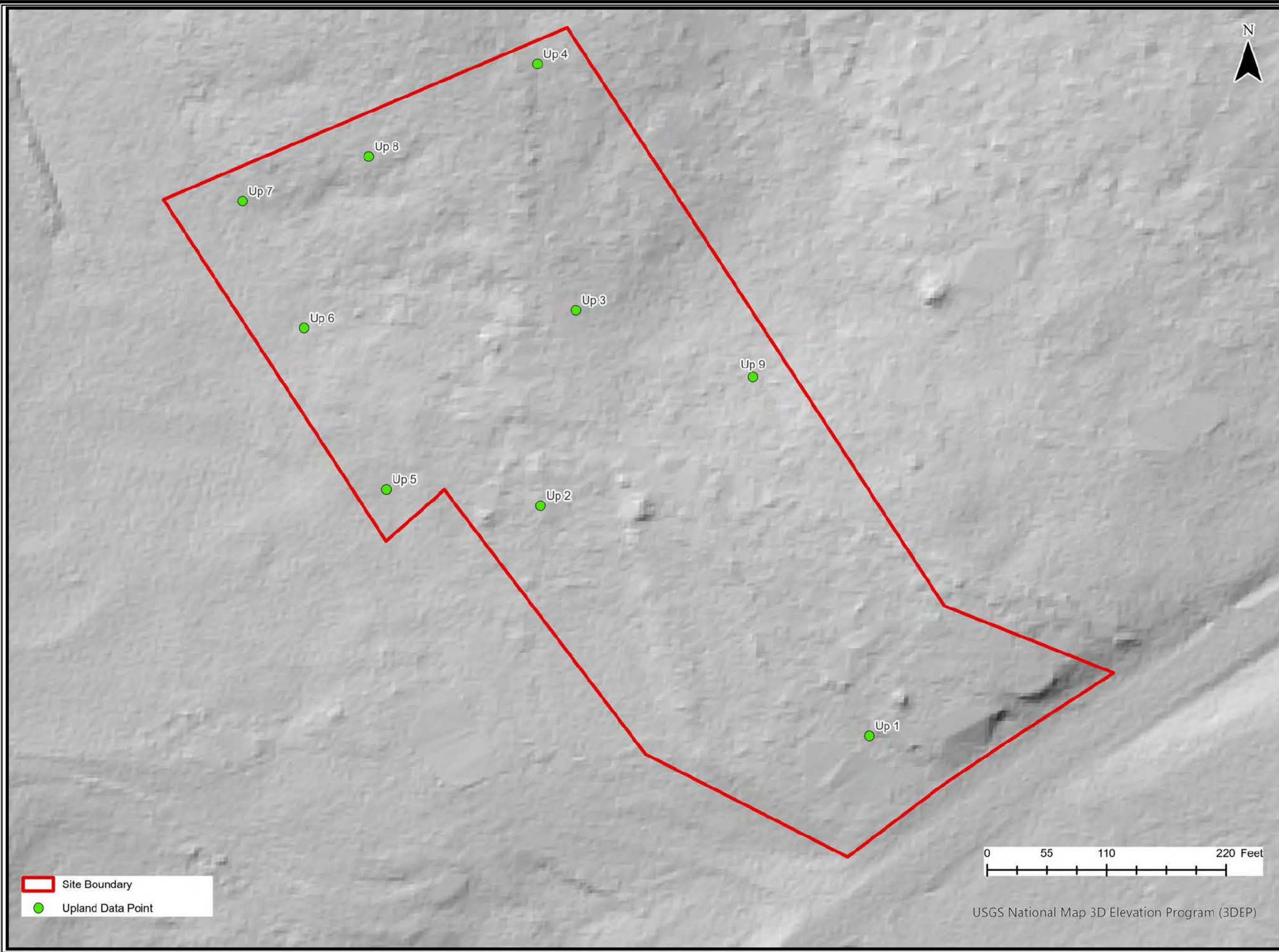
Drawn By:	Client #:
LP	3351
Checked By:	Date:
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Project Mgr.:	Project #:
SF	3351-005-31

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Site Boundary
● Upland Data Point

0 55 110 220 Feet

USGS National Map 3D Elevation Program (3DEP)



TITLE

Figure 8c — Site Delineation Overview
 Jurisdictional Determination
 CAPNA, Inc.
 Rockford Hwy
 Alexander City, Tallapoosa County, AL



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