



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

January 30, 2024

North Branch
Regulatory Division

SUBJECT: Department of the Army File Number SAM-2023-01186-AKG, [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[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 an approximate 38-acre linear transportation project located in Jefferson County, Alabama. More specifically, the site is located within Section 14, Township 9 South, Range 4 West. The proposed project is centrally located near Latitude 33.380759° North and Longitude 86.930689° 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 feature identified on the site that is 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 feature identified as S2, as depicted on the attached exhibits, is not a water of the U.S. and is 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-2023-01186-AGK in all future correspondence regarding this project or if you have any questions concerning this determination.

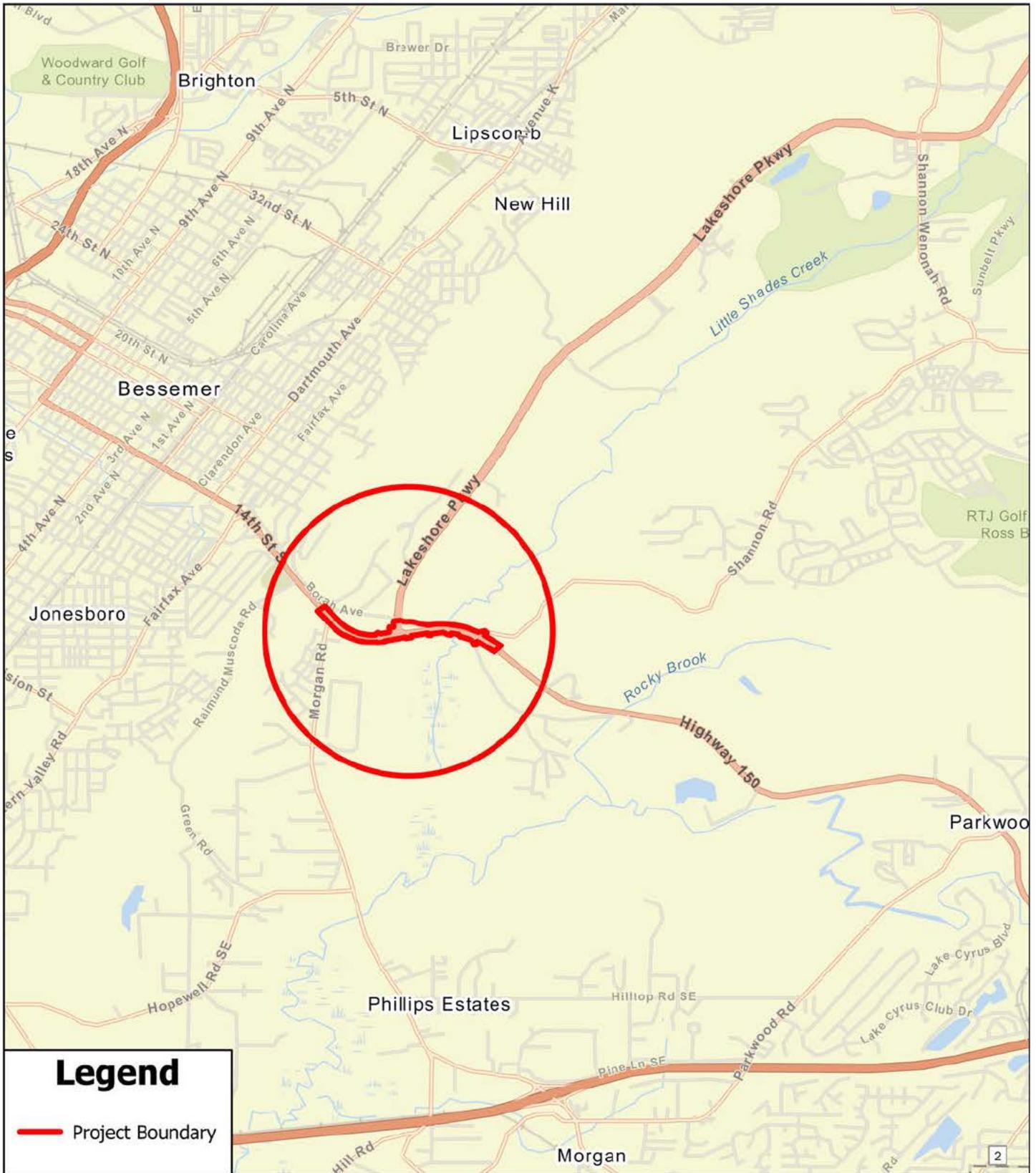
Please contact your Project Manager, Ms. Amy Gavin, by telephone at 334-467-8779 or by e-mail at amy.k.gavin@usace.army.mil should you have any questions. For additional information about our Regulatory Program, visit our web site at <http://www.sam.usace.army.mil/Missions/Regulatory.aspx>. Please take 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



Legend

 Project Boundary

Project Location Map

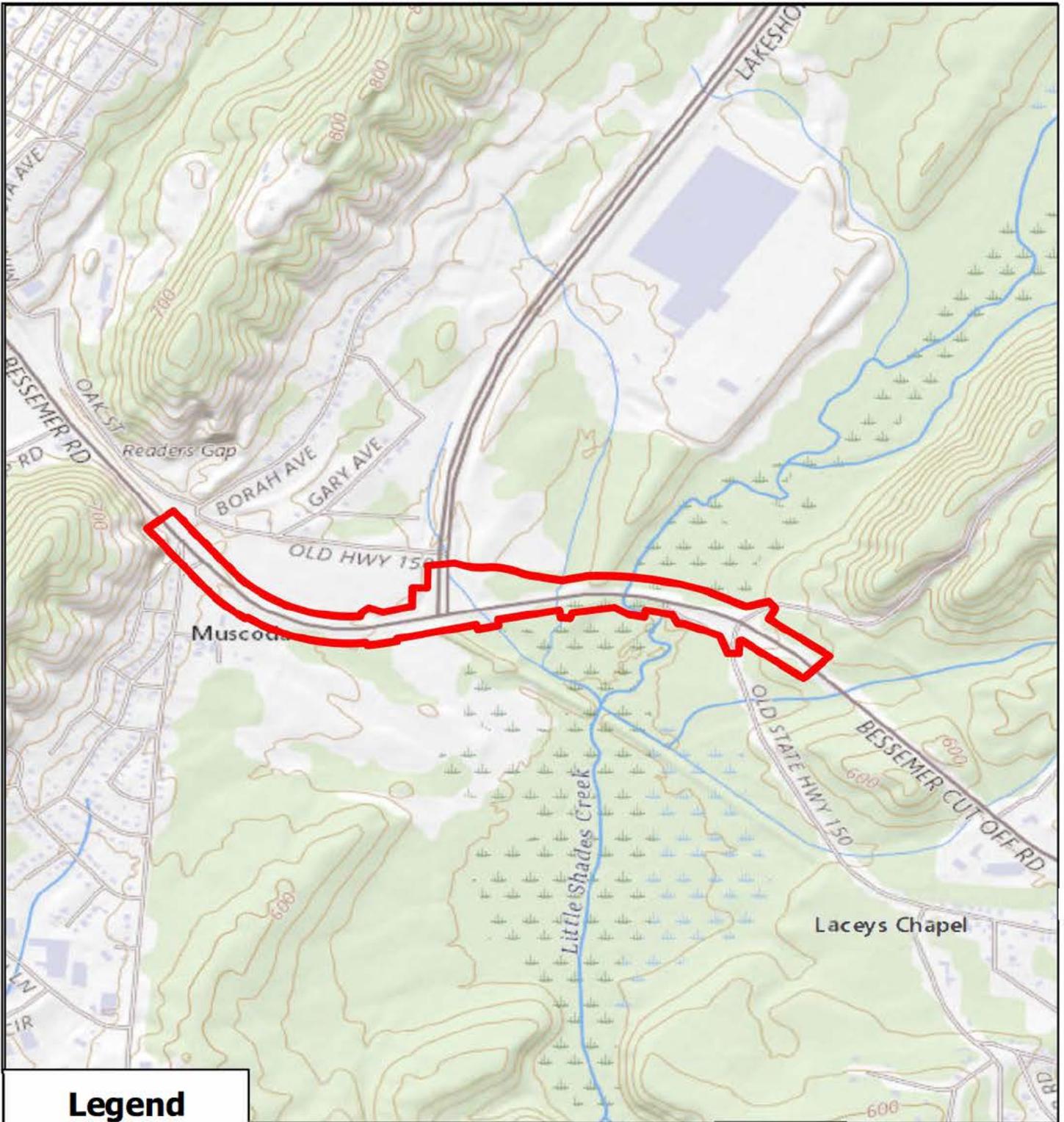
| | |
|--|--------------------------------|
| <p>Bridge Replacement and Widening on SR-150 over Little Shades Creek Jefferson County</p> | <p>Figure No. 1</p> |
|--|--------------------------------|

N



0 2,500 5,000
Feet





Legend

 Project Boundary

USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line data; USFS Road Data; Natural Earth Data; U.S. Department of State Humanitarian Information Unit; and NOAA National Centers for Environmental Information, U.S. Coastal Relief Model. Data refreshed April, 2023.

USGS Topographic Map

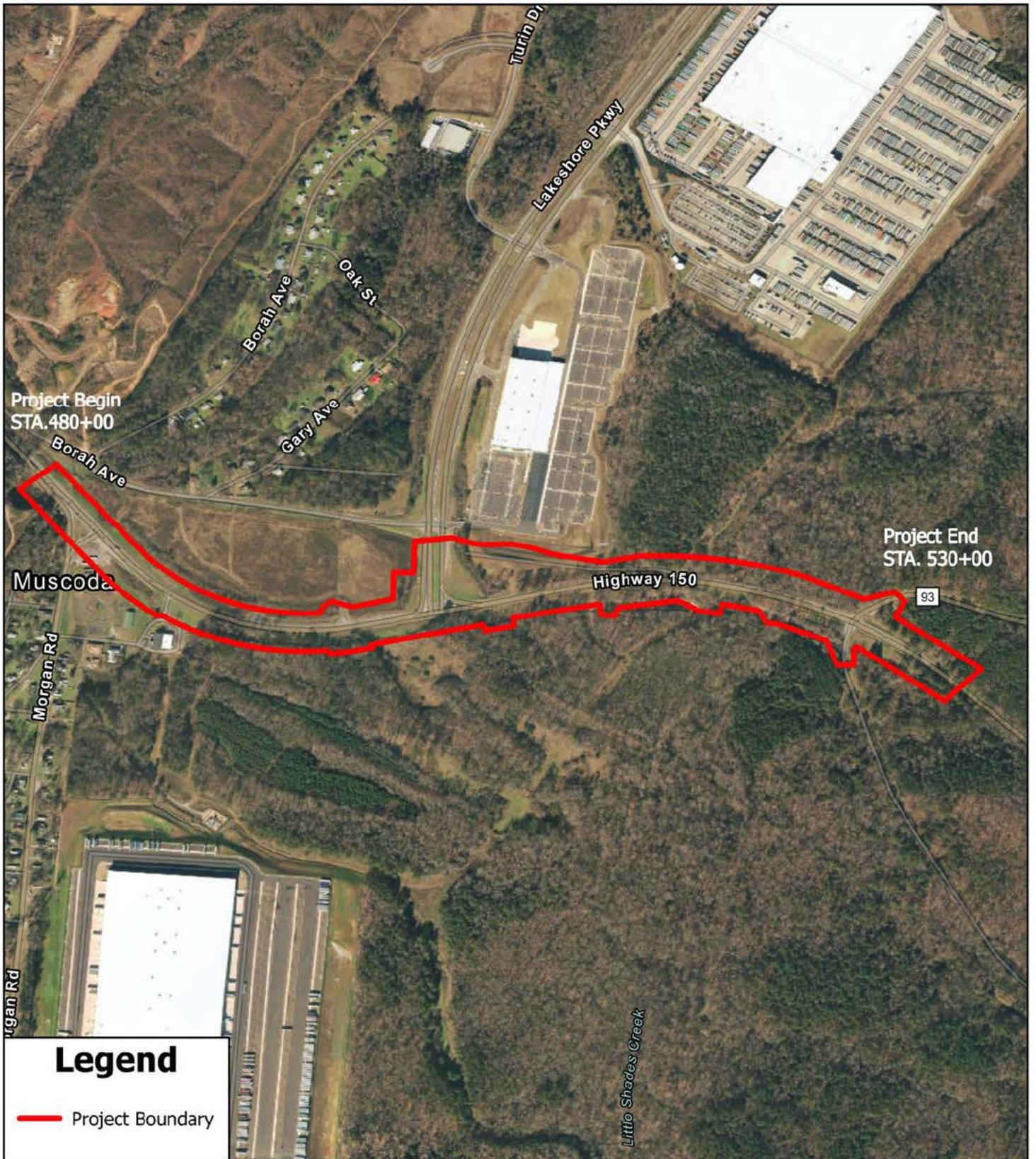
Bridge Replacement and Widening on SR-150 over Little Shades Creek
Jefferson County

Figure No.

1



0 810 1,620 Feet



Legend

— Project Boundary

Project Vicinity Map

Bridge Replacement and Widening on SR-150 over Little Shades Creek
Jefferson County

Figure No.

2

Esri Community Maps Contributors, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, G-Squared LLC, Earthstar Geographics



0 500 1,000
Feet



Legend

Project Boundary

Project Boundary

Soil Map Units

2 (Not Hydric 0%)

24 (Hydric 1 to 32%)

34 (Not Hydric 0%)

39 (Hydric 1 to 32%)

40 (Not Hydric 0%)

8 (Hydric 1 to 32%)

2--Albertville silt loam, 2 to 6 percent slopes

8--Bodine-Birmingham association, steep

24--Holston loam, 2 to 8 percent slopes

34--Nauvoo-Montevallo association, 10 to 40 percent slopes

39--Sullivan-State complex, 0 to 2 percent slopes

40--Townley-Nauvoo complex, 8 to 15 percent slopes

Soil Survey Map

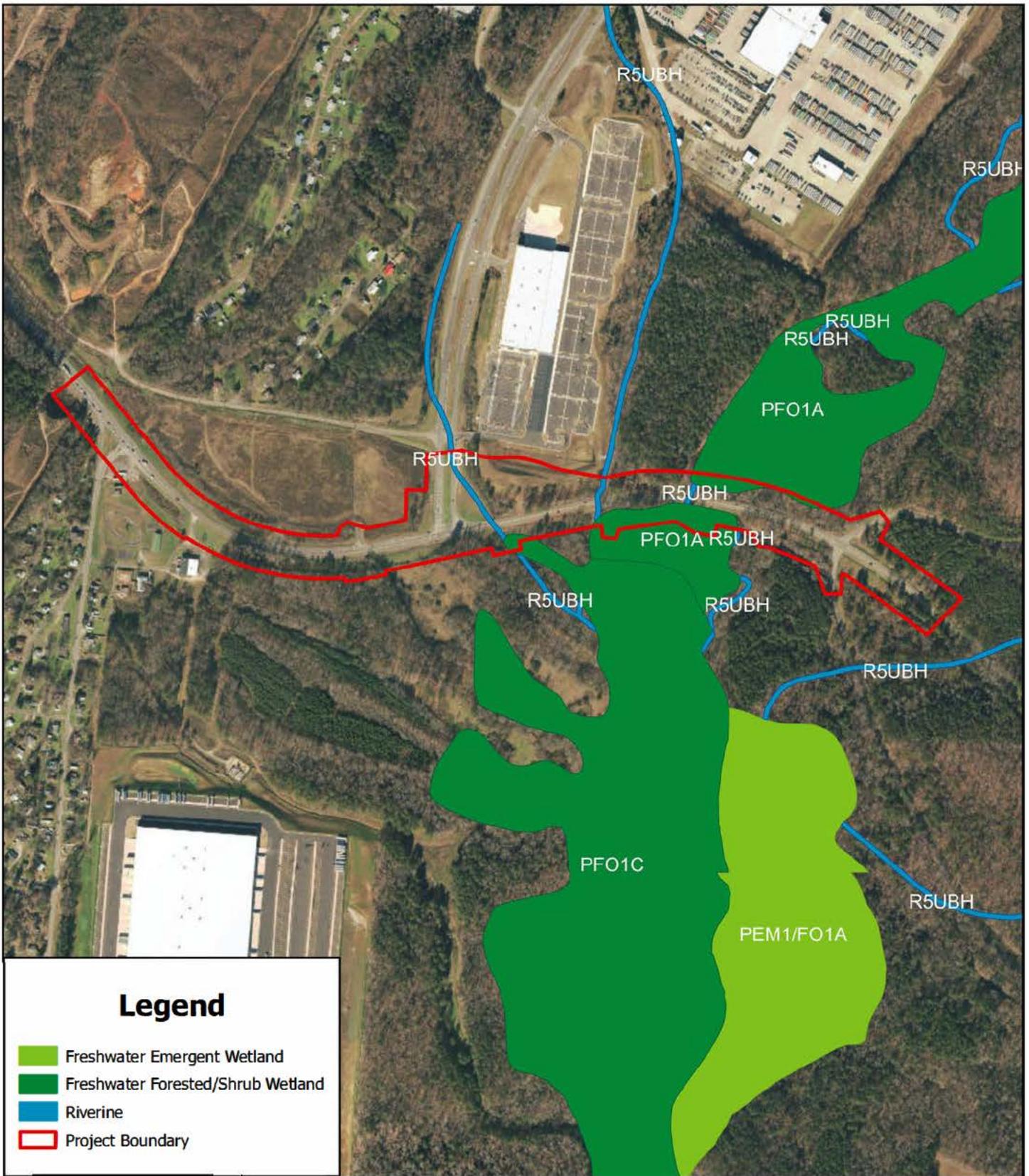
Bridge Replacement and Widening on SR-150 over Little Shades Creek
Jefferson County

Figure No.

3



0 810 1,620 Feet



National Wetland Inventory Map

Bridge Replacement and Widening on SR-150 over Little Shades Creek
Jefferson County

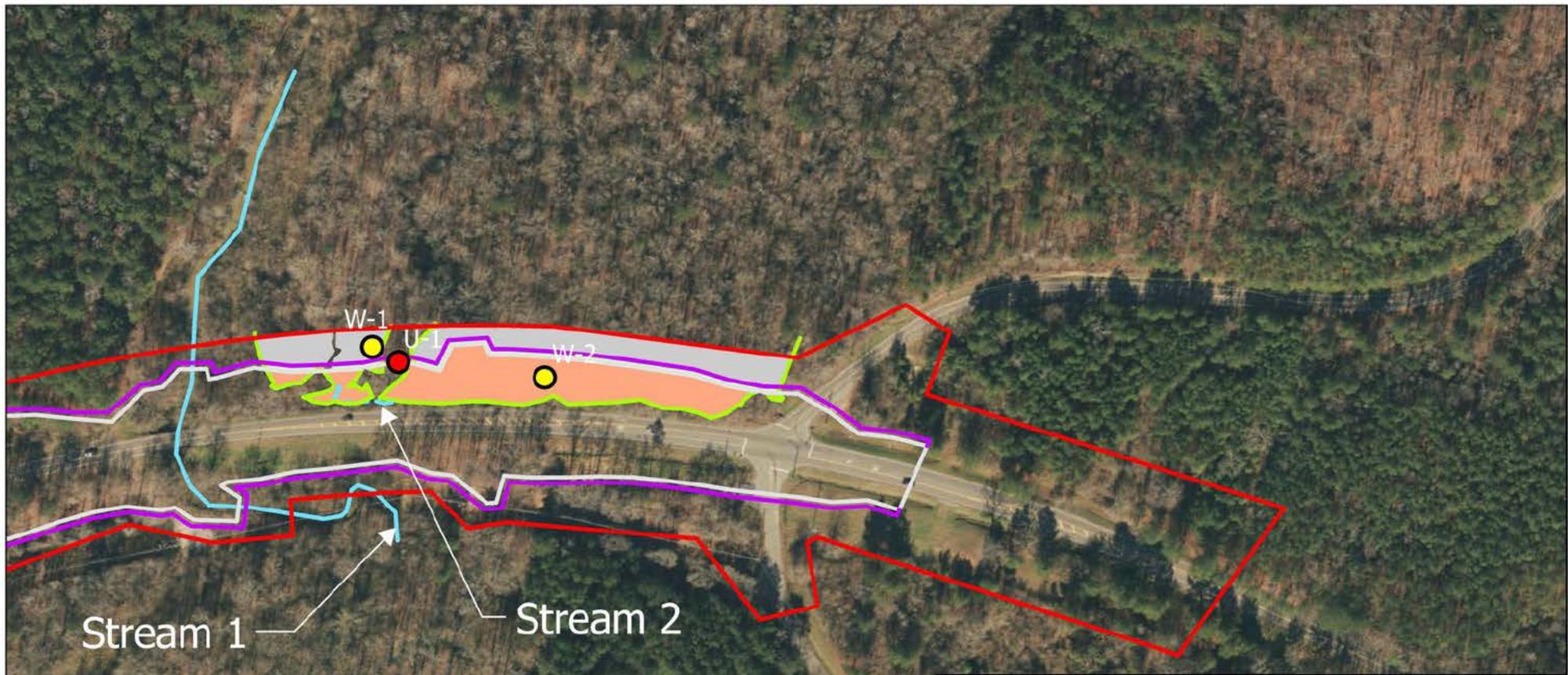
Figure No.

4

G Squared LLC, Earthstar Geographics



0 590 1,180
Feet



Legend

| | |
|---------------------|------------------|
| Project Limits | Stream 2 (NJD) |
| Construction Limits | Filled Wetlands |
| Clearing Limits | Wetland Clearing |
| Upland Point | Avoided Wetlands |
| Wetland Point | Wetland Boundary |
| Stream 1 (Per.) | |

Permanent Fill = 0.77 ac.
 Clearing = 0.16 ac.
 Stream Impacts = 0.058 ac.

Total Impacts = 0.988 ac.

Block 19 Map

Figure No.
5

Bridge Replacement and Widening on SR-150 over Little Shades Creek
 Jefferson County

0 140 280

 Feet

NC Division of Water Quality –Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.11

NC DWQ Stream Identification Form Version 4.11

Stream ID: Stream 2

| | | |
|--|---|-------------------------------|
| Date: 12/13/2023 | Project/Site: SR-150 BR | Latitude: 33.3807492 |
| Evaluator: [REDACTED] | County: Jefferson | Longitude: -86.9283685 |
| Total Points: <i>Stream is at least intermittent if ≥ 19 or perennial if ≥ 30*</i> 13.00 | Stream 8 YHfa jbuHcb. Ephemeral | e.g. Quad Name: |

A. Geomorphology (Subtotal = 8.00 ___)

| | Absent | Weak | Moderate | Strong |
|---|---------------|-------------|-----------------|---------------|
| 1 ^a Continuity of channel bed and bank | 0 | 1 | 2 | 3 ✓ |
| 2. Sinuosity of channel along thalweg | 0 | 1 ✓ | 2 | 3 |
| 3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence | 0 ✓ | 1 | 2 | 3 |
| 4. Particle size of stream substrate | 0 | 1 ✓ | 2 | 3 |
| 5. Active/relict floodplain | 0 | 1 | 2 | 3 ✓ |
| 6. Depositional bars or benches | 0 ✓ | 1 | 2 | 3 |
| 7. Recent alluvial deposits | 0 ✓ | 1 | 2 | 3 |
| 8. Headcuts | 0 ✓ | 1 | 2 | 3 |
| 9. Grade control | 0 ✓ | 0.5 | 1 | 1.5 |
| 10. Natural valley | 0 ✓ | 0.5 | 1 | 1.5 |
| 11. Second or greater order channel | No = 0 ✓ | | Yes = 3 | |

^a artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 0.00 ___)

| | | | | |
|--|----------|-----|---------|-----|
| 12. Presence of Baseflow | 0 ✓ | 1 | 2 | 3 |
| 13. Iron oxidizing bacteria | 0 ✓ | 1 | 2 | 3 |
| 14. Leaf litter | 1.5 | 1 | 0.5 | 0 ✓ |
| 15. Sediment on plants or debris | 0 ✓ | 0.5 | 1 | 1.5 |
| 16. Organic debris lines or piles | 0 ✓ | 0.5 | 1 | 1.5 |
| 17. Soil-based evidence of high water table? | No = 0 ✓ | | Yes = 3 | |

C. Biology (Subtotal = 5.00 ___)

| | | | | |
|---|-------------|-----|-----------|-------------|
| 18. Fibrous roots in streambed | 3 ✓ | 2 | 1 | 0 |
| 19. Rooted upland plants in streambed | 3 | 2 ✓ | 1 | 0 |
| 20. Macroinvertebrates (note diversity and abundance) | 0 | 1 | 2 | 3 |
| 21. Aquatic Mollusks | 0 ✓ | 1 | 2 | 3 |
| 22. Fish | 0 ✓ | 0.5 | 1 | 1.5 |
| 23. Crayfish | 0 ✓ | 0.5 | 1 | 1.5 |
| 24. Amphibians | 0 ✓ | 0.5 | 1 | 1.5 |
| 25. Algae | 0 ✓ | 0.5 | 1 | 1.5 |
| 26. Wetland plants in streambed | FACW = 0.75 | | OBL = 1.5 | Other = 0 ✓ |

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes: See attached photo

Sketch: