



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**

November 28, 2023

North Branch  
Regulatory Division

SUBJECT: Department of the Army File Number SAM-2023-0506-CMS, Warrior Sports Complex, Tuscaloosa County, Alabama

[REDACTED]

[REDACTED]

Dear [REDACTED]:

This is in response to your request, submitted on your behalf by your agent [REDACTED], for a Department of the Army (DA) Approved Jurisdictional Determination (AJD) on a 183-acre parcel in Northport, Tuscaloosa County, Alabama. More specifically, the site is located in Sections 16, 17, 20, and 21, Township 21 South, Range 10 West and is centered at Latitude 33.21356, Longitude -87.59433 as depicted on the attached figures.

Based on information obtained during our site visits on September 1 and October 6, 2023, our review of the information and wetland determination data forms your agent furnished, and other desktop information available to our office, we have completed an 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 Black Warrior River, D-2, S-1, S10i, S-11, S-13i, S-2i, S-7i, S-8i, WO, WP, WQ, WR, WS, WT, WU, WV, and WW, as depicted on the attached exhibit entitled "Aquatic Resources Delineation Map", are waters of the United States and therefore are subject to DA jurisdiction. The features identified as D-1, S-10e, S-12, S-13e, S-14, S-2e, S-3, S-4, S-5, S-6, S-7e, S-8e, S-9, WI, WJ, WX, WY, and WZ, as depicted on the attached exhibit entitled "Aquatic Resources Delineation Map", are not waters of the United States and therefore are not subject to DA jurisdiction. The attached AJD MFR further describes these areas. 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 and Section 10 of the Rivers and Harbors Act of 1899. 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 streams and wetlands, prior to conducting the work (33 U.S.C. 1344). Section 10 of the Rivers and Harbors Act of 1899 requires that a DA permit be obtained prior to conducting any work that would affect the navigable capacity of a waterway as a result of work occurring in, over, or under navigable waters of the U.S. (33 U.S. C. 403). For regulatory purposes, the 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. Please be advised that land clearing operations involving removal of vegetation with mechanized equipment such as front-end loaders, backhoes, or bulldozers with sheer blades, rakes, or discs; windrowing vegetation; land leveling; or other soil disturbance in areas subject to USACE jurisdiction are considered a discharge of dredged and/or fill material under our permitting jurisdiction. If future work proposed at this site includes a discharge or placement of dredged and/or fill material into waters of the U.S. or work in, over, or under a Section 10 water, 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 for to the USACE, South Atlantic Division Office at the following mailing address and e-mail address: Krista Sabin, Acting Regulatory Review Officer, 60 Forsyth Street Southwest, Floor M9, Atlanta, Georgia 30303; 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 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.

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).

An electronic copy of this letter with attachments is being provided to your agent,



We appreciate your cooperation with the Corps of Engineers' Regulatory Program. Please refer to file number **SAM-2023-0506-CMS** in all future correspondence regarding this project or if you have any questions concerning this determination.

Please contact me by telephone at (205) 381-8108 or by e-mail at [courtney.m.shea@usace.army.mil](mailto:courtney.m.shea@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 satisfaction survey located under the menu header on the right side of the webpage. Your responses are appreciated and will allow us to improve our services.

Sincerely,

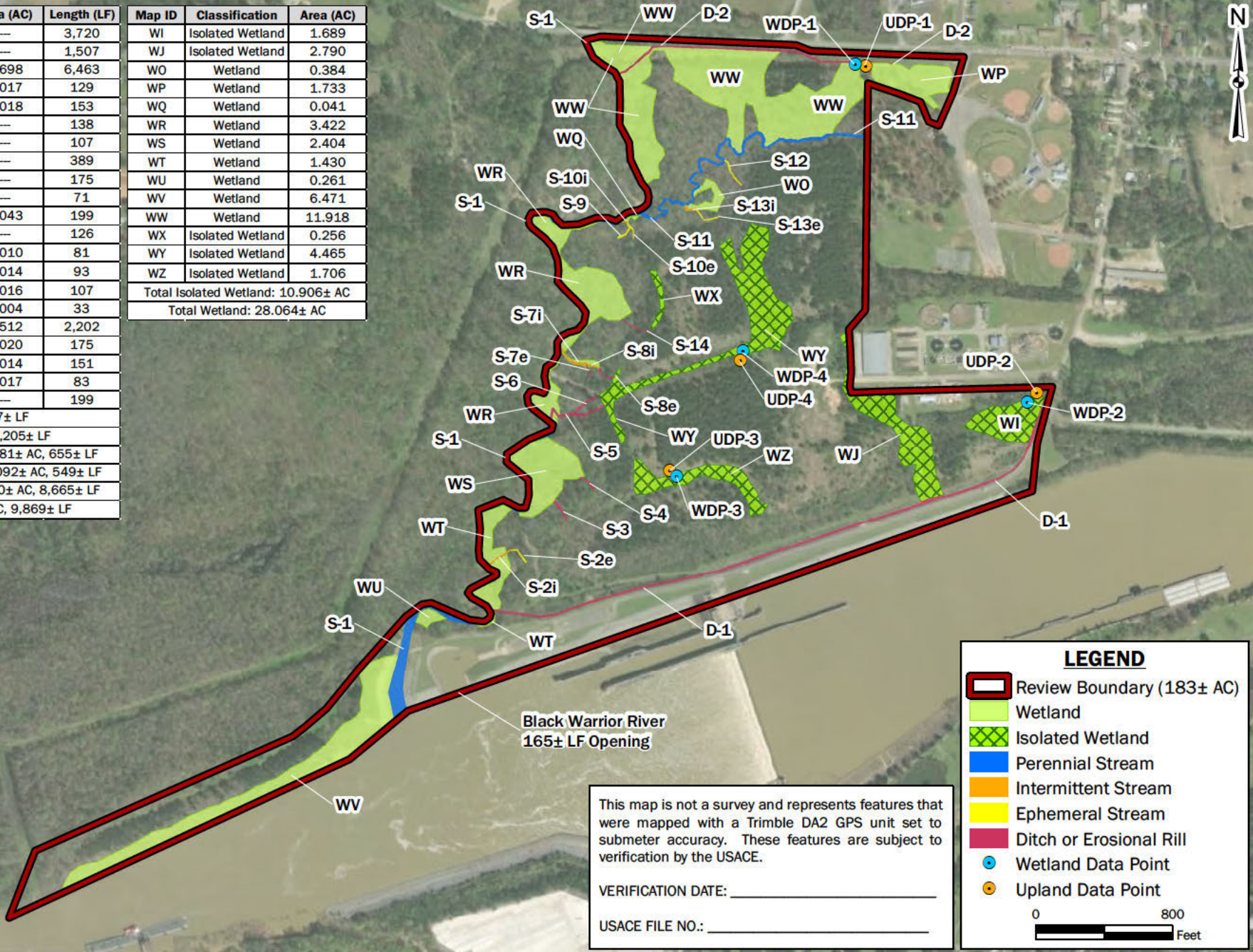
Courtney Shea  
Team Leader

Attachments



Map ID	Classification	Area (AC)	Length (LF)
D-1	Ditch	—	3,720
D-2	Ditch	—	1,507
S-1	Perennial	3,698	6,463
S-2e	Ephemeral	0.017	129
S-2i	Intermittent	0.018	153
S-3	Erosional Rill	—	138
S-4	Erosional Rill	—	107
S-5	Erosional Rill	—	389
S-6	Erosional Rill	—	175
S-7e	Erosional Rill	—	71
S-7i	Intermittent	0.043	199
S-8e	Erosional Rill	—	126
S-8i	Intermittent	0.010	81
S-9	Ephemeral	0.014	93
S-10e	Ephemeral	0.016	107
S-10i	Intermittent	0.004	33
S-11	Perennial	0.512	2,202
S-12	Ephemeral	0.020	175
S-13e	Ephemeral	0.014	151
S-13i	Intermittent	0.017	83
S-14	Erosional Rill	—	199
Total Ditch: 5,227± LF			
Total Erosional Rill: 1,205± LF			
Total Ephemeral Stream: 0.081± AC, 655± LF			
Total Intermittent Stream: 0.092± AC, 549± LF			
Total Perennial Stream: 4.210± AC, 8,665± LF			
Total Stream: 4.383± AC, 9,869± LF			

Map ID	Classification	Area (AC)
WI	Isolated Wetland	1.689
WJ	Isolated Wetland	2.790
WO	Wetland	0.384
WP	Wetland	1.733
WQ	Wetland	0.041
WR	Wetland	3.422
WS	Wetland	2.404
WT	Wetland	1.430
WU	Wetland	0.261
WV	Wetland	6.471
WW	Wetland	11.918
WX	Isolated Wetland	0.256
WY	Isolated Wetland	4.465
WZ	Isolated Wetland	1.706
Total Isolated Wetland:		10.906± AC
Total Wetland:		28.064± AC



This map is not a survey and represents features that were mapped with a Trimble DA2 GPS unit set to submeter accuracy. These features are subject to verification by the USACE.

VERIFICATION DATE: \_\_\_\_\_

USACE FILE NO.: \_\_\_\_\_

### FIGURE 7: AQUATIC RESOURCES DELINEATION MAP

AQUATIC RESOURCES DELINEATION  
 NORTHPORT, TUSCALOOSA COUNTY, ALABAMA  
 BASEMAP: Maxar Technologies, Vivid Imagery, 3/28/2022 (0.5 m Resolution).

DRAWN BY: DEK
CHECKED BY: CGT
DRAWING DATE: 5/30/2023
REVISION DATE: 10/9/2023
TTL JOB NO.: 21-10-03212.00
APPROX. SCALE: 1 in = 800 ft