



Alabama Department of Environmental Management
adem.alabama.gov

1400 Coliseum Blvd. 36110-2400 ■ Post Office Box 301463
Montgomery, Alabama 36130-1463
(334) 271-7700 ■ FAX (334) 271-7950

CATEGORICAL EXCLUSION FROM ENVIRONMENTAL REVIEW

The Water Works and Sewer Board of the City of Anniston
Calhoun County

SRF Project No. FS010239-02

July 30, 2025

The Alabama Department of Environmental Management has made up to **\$27,645,000.00** in financial assistance available to the **Water Works and Sewer Board of the City of Anniston** utilizing funds from the Drinking Water State Revolving Fund (DWSRF) loan program and American Rescue Plan Act (ARPA) grant program. In accordance with State and Federal regulations that govern the DWSRF program, the Alabama Department of Environmental Management has conducted a review to assess the potential impacts upon the environment that may result from implementation of this project.

The Water Works and Sewer Board of the City of Anniston proposes to rehabilitate the Paul B. Krebs Water Treatment Plant including installation of new finished water pump station, construction of new fluoride tank containment area, waterproofing and repair of existing Coldwater Spring retaining wall and concrete valley gutters, repair of existing clearwell/chlorine contact basin, repair of existing air stripping towers, installation of one new air stripping tower, replacement of existing main DFS control panel with latest generation DFS control panel, and electrical and SCADA upgrades including new 3 phase power service and two new generators. The proposed project would address concerns related to the watershed, emergency power, and disinfection system, improving water quality throughout the system and multiple other systems which currently purchase water.

The Alabama Department of Environmental Management has determined that the project qualifies for a Categorical Exclusion (CE) from further environmental study under the guidelines specified by the State Environmental Review Process (SERP) which specifically include actions which are solely directed toward minor rehabilitation of existing facilities, functional replacement of equipment, or towards the construction of new ancillary facilities adjacent or appurtenant to existing facilities. However, this decision may be reconsidered if significant adverse information concerning the potential environmental impacts of the project is discovered.

Comments related to this project should be submitted in writing to Mrs. Kelly Bibb, SRF Section, Permits and Services Division, Alabama Department of Environmental Management, Post Office Box 301463, Montgomery, Alabama 36130-1463, no later than 30 days after the date of this public notice. The Alabama Department of Environmental Management will not take formal action to proceed with the project without carefully evaluating any public comments opposing the project.

Sincerely,

Jeffery W. Kitchens,
Acting Director

JWK/MDM/KMB/kbh



Attachment

Birmingham Office
110 Vulcan Road
Birmingham, AL 35209-4702
(205) 942-6168
(205) 941-1603 (FAX)

Decatur Office
2715 Sandlin Road, S.W.
Decatur, AL 35603-1333
(256) 353-1713
(256) 340-9359 (FAX)

Coastal Office
1615 South Broad Street
Mobile, AL 36605
(251) 450-3400
(251) 479-2593 (FAX)

The Categorical Exclusion is promulgated in the State Environmental Review Process (SERP) in Part IV, Section C: Categorical Exclusions for Drinking Water State Revolving Fund Projects: (Italicized sections apply.)

1. The following drinking water projects are eligible for categorical exclusions:
 - a. *Actions intended solely for minor rehabilitation, functional replacement, or ancillary facilities adjacent or appurtenant to existing facilities.*
 - b. *Minor construction, including:*
 - (1) New wells or replacement wells for water supply purposes if ancillary to the existing system;
 - (2) *Improvements not intended to increase capacity of the system;*
 - (3) Facilities for the disinfection of public water supplies;
 - (4) Facilities such as looping that will result solely in the provision of adequate public water system pressure;
 - (5) Construction of water tanks;
 - (6) Construction of new water lines in previously disturbed areas within one mile of the existing distribution system.
 - c. Projects where funding is being provided for planning and/or engineering costs only (in which case the requirements of IV.C.1.a-d do not apply).
2. In order to determine if a drinking water project is eligible for a CE, all of the following must not apply:
 - a. The action is known or expected to directly or indirectly adversely impact any of the following:
 - (1) Cultural or historical resources;
 - (2) Endangered or Threatened Species and/or their critical habitats;
 - (3) Environmentally important natural resource areas such as floodplains, wetlands, prime agricultural land, or aquifer recharge zones.
 - b. The action is not cost effective.
 - c. The action will cause significant public controversy.
 - d. The action will create a new or expanded surface drinking water source.

This project complies with the above requirements and has been determined to be eligible for a Categorical Exclusion.

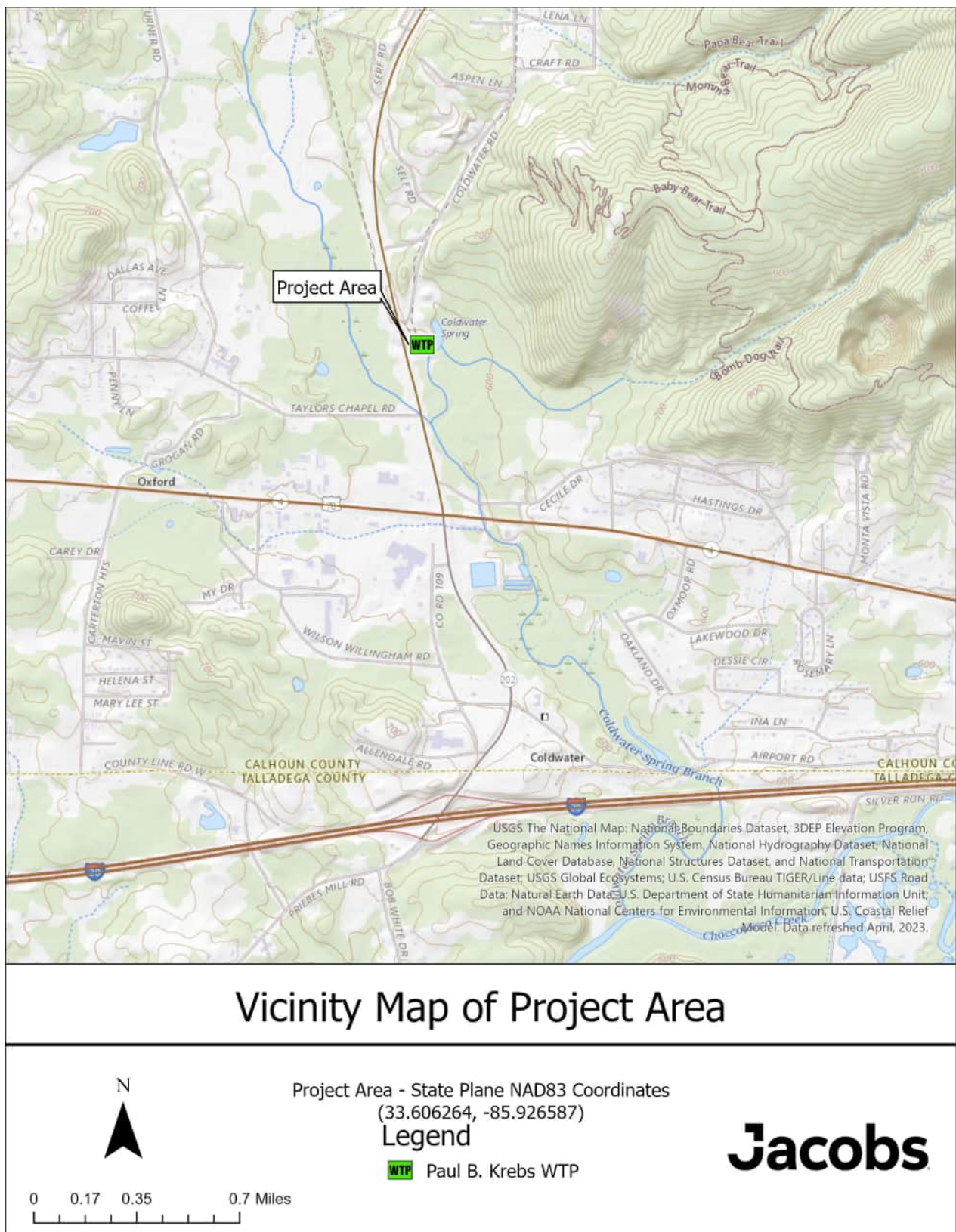


Figure 3 Vicinity Map of Project Area

NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The community map repository should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where **Base Flood Elevations (BFEs)** and/or **floodways** have been determined, users are encouraged to consult the Flood Profiles and Floodway Data and/or Summary of Stillwater Elevations tables contained within the Flood Insurance Study (FIS) report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

Boundaries of the **floodways** were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by **flood control structures**. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study report for information on flood control structures for this jurisdiction.

The **projection** used in the preparation of this map was Universal Transverse Mercator (UTM) Zone 16. **Horizontal datum** was NAD 83, GRS80 spheroid. Differences in datum, spheroid, projection or UTM zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of this FIRM.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same **vertical datum**. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at <http://www.ngs.noaa.gov/> or contact the National Geodetic Survey at the following address:

NGS Information Services
NOAA, NNGS12
National Geodetic Survey
SSMC-3, #6202
1315 East-West Highway
Silver Spring, Maryland 20910-3282
(301) 713-3242

To obtain current elevation, description, and/or location information for **bench marks** shown on this map, please contact the Information Services Branch of the National Geodetic Survey at (301) 713-3242, or visit its website at <http://www.ngs.noaa.gov/>.

Base map information shown on this FIRM was derived from multiple sources, but most of the base map files were provided by Calhoun County, including the digital orthophotography. Stream centerlines were downloaded from the National Hydrography Dataset provided by the US Geological Survey. Users of this FIRM should be aware that minor adjustments may have been made to specific base map features.

Based on updated topographic information, this map reflects more detailed and up-to-date stream channel configurations and floodplain delineations than those shown on the previous FIRM for this jurisdiction. As a result, the Flood Profiles and Floodway Data tables may reflect stream channel distances that differ from what is shown on the map. Also, the road to floodplain relationships for unrevised streams may differ from what is shown on previous maps.

The **"profile base lines"** depicted on this map represent the hydraulic modeling baselines that match flood profiles in the FIS report. As a result of improved topographic data, the "profile base line" in some cases, may deviate significantly from the channel centerline or appear outside the SFHA.

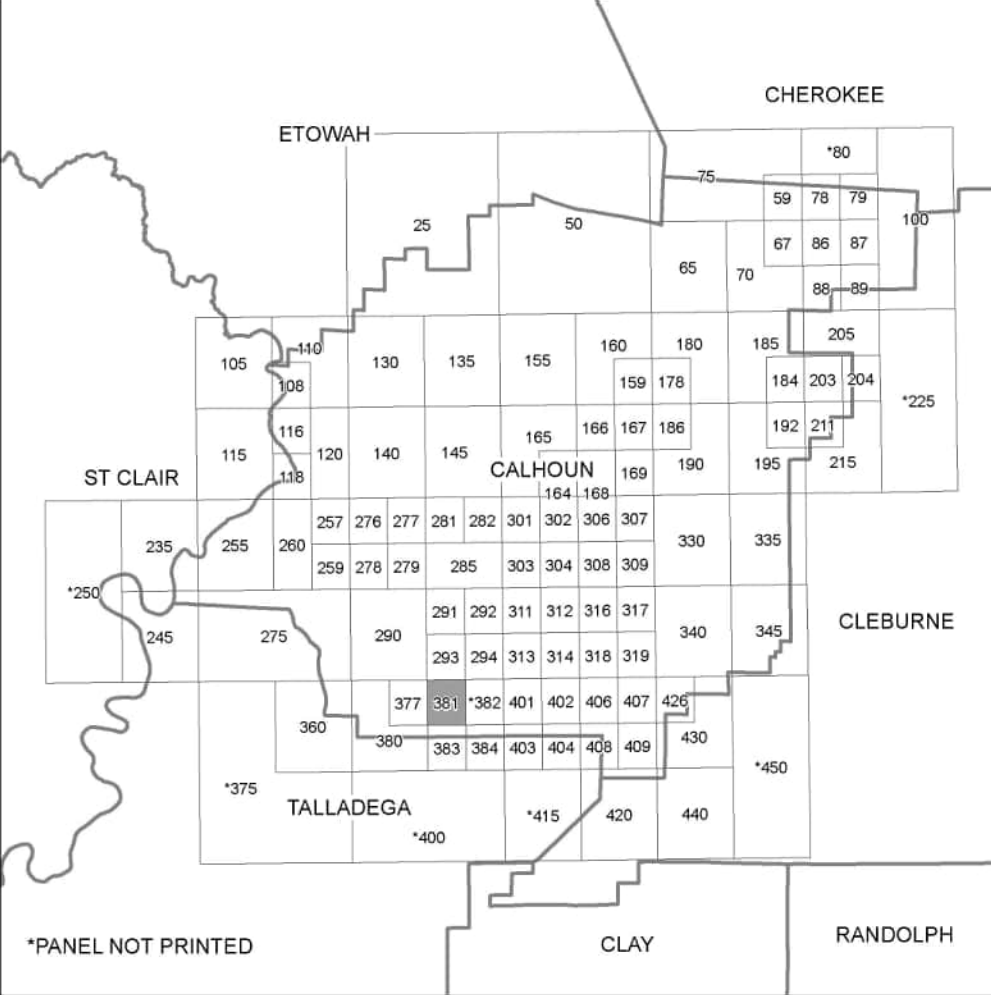
Corporate limits shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed **Map Index** for an overview map of the county showing the layout of map panels; community map repository addresses; and a Listing of Communities table containing National Flood Insurance Program dates for each community as well as a listing of the panels on which each community is located.

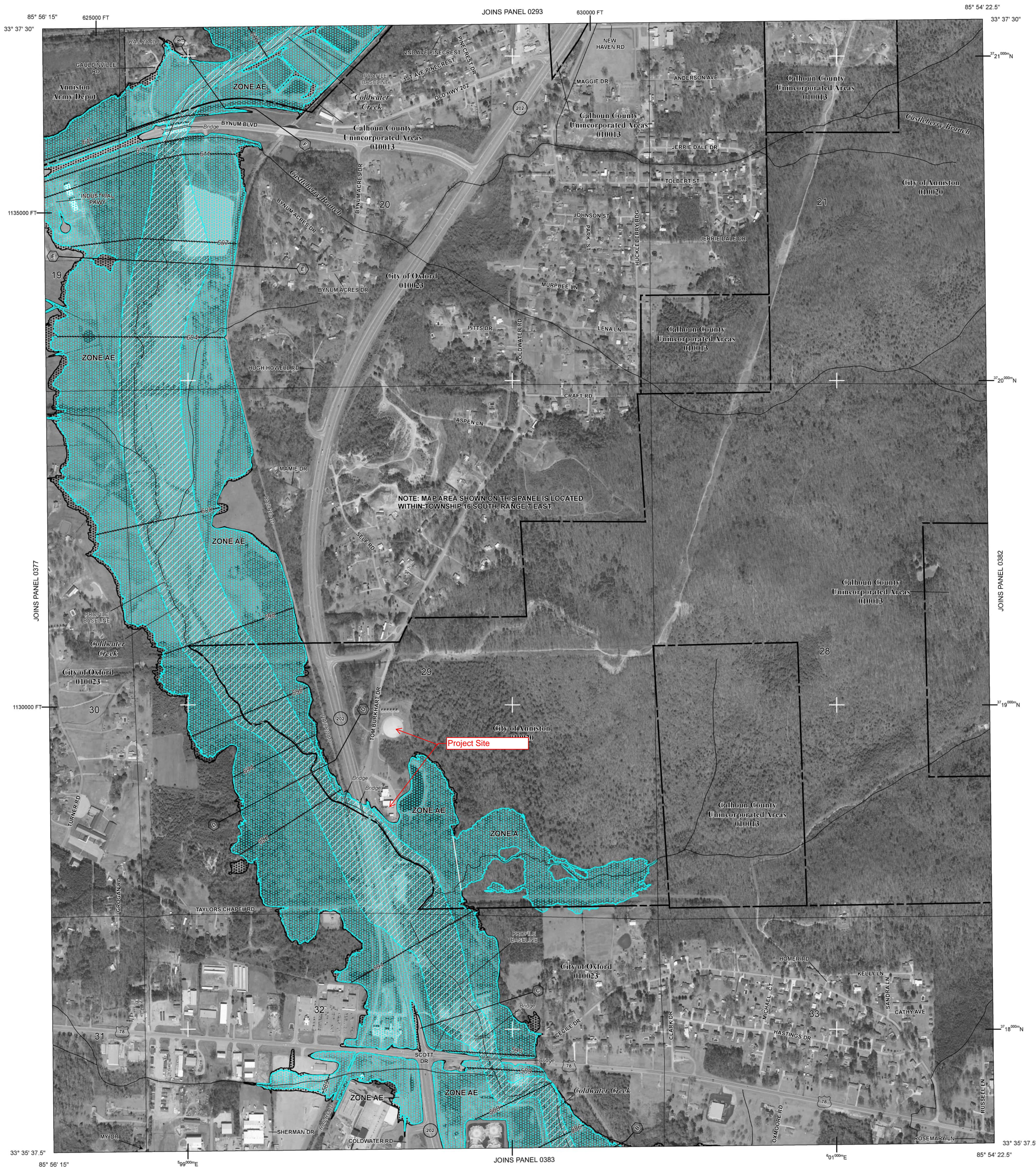
For information on available products associated with this FIRM visit the **FEMA Map Service Center** website at <http://msc.fema.gov>. Available products may include previously issued Letters of Map Change, a Flood Insurance Study Report, and/or digital versions of this map. Many of these products can be ordered or obtained directly from the MSC website.

If you have **questions about this map**, how to order products or the National Flood Insurance Program in general, please call the FEMA Map Information eXchange at 1-877-FEMA-MAP (1-877-336-2827) or visit the FEMA website at <http://www.fema.gov/>.

CALHOUN COUNTY, ALABAMA FIRM PANEL LOCATOR DIAGRAM



In cooperation with the Federal Emergency Management Agency (FEMA) and local communities in Alabama, this Flood Insurance Rate Map was developed by the Alabama Office of Water Resources in a digital statewide format to assist communities in their efforts to minimize the loss of property and life through effectively managing development in flood-prone areas. The State of Alabama has implemented a long term approach to floodplain management to reduce the impacts of flooding. This is demonstrated by the State's commitment to map floodplain areas at the local level. As part of this effort, the Alabama Office of Water Resources is working closely with FEMA as a Cooperating Technical Partner to produce and maintain this digital FIRM.



LEGEND

- SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD**
- The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.
- ZONE A** No Base Flood Elevations determined.
- ZONE AE** Base Flood Elevations determined.
- ZONE AH** Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.
- ZONE AO** Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
- ZONE AR** Special Flood Hazard Area formerly protected from the 1% annual chance flood by a flood control system that was subsequently deserted. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.
- ZONE A99** Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.
- ZONE V** Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.
- ZONE VE** Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.
- FLOODWAY AREAS IN ZONE AE**
- The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.
- OTHER FLOOD AREAS**
- ZONE X** Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.
- OTHER AREAS**
- ZONE X** Areas determined to be outside the 0.2% annual chance floodplain.
- ZONE D** Areas in which flood hazards are undetermined, but possible.
- COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS**
- OTHERWISE PROTECTED AREAS (OPAs)**
- CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.
- 1% annual chance floodplain boundary
- 0.2% annual chance floodplain boundary
- Floodway boundary
- Zone D boundary
- Boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths, or flood velocities.
- CBRS and OPA boundary
- International, State, or County boundary
- Corporate, Extraterritorial Jurisdiction, or Urban Growth boundary
- Area Not Included boundary
- Military Reservation, Native American Lands boundary
- Base Flood Elevation line and value; elevation in feet*
- Base Flood Elevation value where uniform within zone; elevation in feet*
- * Referenced to the North American Vertical Datum of 1988
- Cross section line
- Transect line
- Geographic coordinates referenced to the North American Datum of 1983 (NAD 83)
- 1000-meter Universal Transverse Mercator grid values, zone 16
- 5000-foot grid ticks: Alabama State Plane coordinate system, east zone (FIPS 0101), Lambert Conformal Conic projection
- Bench mark (see explanation in Notes to Users section of this FIRM panel)
- River Mile
- Aqueduct, Culvert, Flume, Plenum, or Storm Sewer
- Road or Railroad Bridge

MAP REPOSITORY
Refer to listing of Map Repositories on Map Index

EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP
SEPTEMBER 28, 2007

EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL
MARCH 16, 2016 - to reflect updated topographic information, to incorporate previously issued Letters of Map Revision, to change Special Flood Hazard Areas, to update map format, to update roads and road names, to incorporate previously issued Letters of Map Amendment, and to update corporate limits.

For community map revision history prior to countywide mapping, refer to the Community Map History table located in the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

MAP SCALE 1" = 500'

250 0 500 1000
FEET

150 0 150 300
METERS

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0381E

FIRM
FLOOD INSURANCE RATE MAP

CALHOUN COUNTY, ALABAMA AND INCORPORATED AREAS

PANEL 381 OF 450
(SEE LOCATOR DIAGRAM OR MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
ANNISTON, CITY OF	010020	0381	E
CALHOUN COUNTY	010013	0381	E
OXFORD, CITY OF	010023	0381	E

Notice to User: The Map Number shown below should be used when placing map orders, the Community Number shown above should be used on insurance applications for the subject community.

MAP REVISED
MARCH 16, 2016

MAP NUMBER
01015C0381E

State of Alabama
Federal Emergency Management Agency



ALABAMA HISTORICAL COMMISSION

468 South Perry Street
Montgomery, Alabama 36130-0900

Lisa D. Jones
Executive Director
State Historic Preservation Officer

Tel: 334-242-3184
Fax: 334-242-1083

June 10, 2024

Sarah Anderson
Jacobs Engineering Group, Inc.
1 Perimeter Park South Suite 315N
Birmingham, AL 35243

Re: AHC 24-0938
Paul B Krebs Water Treatment Plant Improvements Project
Calhoun County

Dear Ms. Anderson:

Upon review of the above referenced project, we concur that project activities will have no effect on cultural resources eligible for or listed on the National Register of Historic Places. Therefore, we concur with the determination of no effect to historic properties.

Consultation with the State Historic Preservation Office does not constitute consultation with Tribal Historic Preservation Offices, other Native American tribes, local governments, or the public. If archaeological materials are encountered during construction, the procedures codified at 36 CFR 800.13(b) will apply. Archaeological materials consist of any items, fifty years old or older, which were made or used by man. These items include but are not limited to, stone projectile points (arrowheads), ceramic sherds, bricks, worked wood, bone and stone, metal, and glass objects. The federal agency or the applicant receiving federal assistance should contact our office immediately. If human remains are encountered, the provisions of the Alabama Burial Act (*Code of Alabama* 1975, §13A-7-23.1, as amended; Alabama Historical Commission Administrative Code Chapter 460-X-10 Burials) should be followed. This stipulation shall be placed on the construction plans to ensure contractors are aware of it.

We appreciate your commitment to helping us preserve Alabama's historic archaeological and architectural resources. Should you have any questions, please contact Eric Sipes at 334.230.2667 or Eric.Sipes@ahc.alabama.gov. Have the AHC tracking number referenced above available and include it with any future correspondence.

Sincerely,

Lee Anne Hewett
Deputy State Historic Preservation Officer

LAH/EDS/lah



EAST ALABAMA

Regional Planning and Development Commission

Friday, May 31, 2024

Sarah Anderson
Jacobs
4121 Carmichael Rd.
Suite #400
Montgomery, AL 36106

RE: Paul B. Krebs Water Treatment Plant Improvements
Project Number: D3698100
Anniston Water Works and Sewer Board
Anniston, Alabama

Dear Ms. Anderson,

The East Alabama Regional Planning and Development Commission is aware that the Anniston Water Works and Sewer Board has requested funding from the Alabama Department of Environmental Management (ADEM) Drinking Water State Revolving Fund (DWSRF) for improvements to the Paul B. Krebs Water Treatment Plant.

We understand that the improvements are required to meet the conditions of the October 1, 2021, Water Supply Permit and acknowledge that the described project will provide efficiency and reliability to the aging infrastructure. Further, we understand that the scope of the project includes decommissioning the existing finish pump station and adding a new finish pump station. The project's scope will also include the addition of emergency generators, repairs to the Coldwater Spring concrete valley gutter system, upgrades to the existing main plant process loads, Clearwell repairs and rehabilitation to replace a collapsed baffle wall and repair cracks in the interior and exterior walls, and general improvements as needed. This project for the Paul B. Krebs Water Treatment Plan will mitigate potential future concerns associated with critical assets failures.

On behalf of the Board of the East Alabama Regional Planning and Development Commission, our planning staff has evaluated the effects of this project and any other planned projects occurring in the project area. We have determined that this project is compatible with the Comprehensive Economic Development Strategy for the East Alabama Region, and we concur with the application for Drinking Water State Revolving Fund funds for the water treatment plant project for the Anniston Water Works and Sewer Board reflected in the documents provided to us.

Good luck with this project.

Sincerely,

Lori Sokol (Jun 8, 2024 16:29 CDT)

Lori Sokol
Executive Director

EAST ALABAMA CALHOUN CHAMBERS CHEROKEE CLAY CLEBURNE COOSA ETOWAH RANDOLPH TALLADEGA TALLAPOOSA
Regional Planning and Development Commission | 1130 Quintard Avenue Suite 300 Quintard Tower P.O. Box 2186 Anniston, AL 36202

Phone (256) 237-6741 | Fax (256) 237-6763 | Email earpdc@earpdc.org | Website www.earpdc.org

CHAIR
RICHARD DEAN
PROBATE JUDGE, COOSA COUNTY

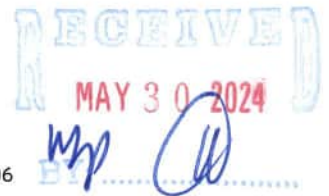
VICE CHAIR
WILLIAM "BILL" BAKER
MAYOR, CITY OF PIEDMONT

SECRETARY
DANA SNYDER
MAYOR, CITY OF SOUTHSIDE

TREASURER
TOBY BENNINGTON
DIRECTOR OF ECONOMIC DEVELOPMENT
& CITY PLANNING



BBJ



4121 Carmichael Rd.
Suite #400
Montgomery, AL 36106

www.jacobs.com

May 22, 2024

Attention: Bill Pearson
U.S. Fish and Wildlife Service
1208-B Main Street
Daphne, Alabama 36526

Project Name: Paul B Krebs Water Treatment Plant Improvements
Project Number: D3698100

Subject: Request for Letter of Concurrence
DWSRF # FS010239-02
Contract No. 1
Anniston, Alabama

Dear Mr. Pearson,

Anniston Water Works and Sewer Board (AWWSB) of the City of Anniston, Alabama is in the process of performing an environmental review pursuant to the requirements of the Drinking Water State Revolving Fund (DWSRF) for the Alabama Department of Environmental Management (ADEM) in order that it may assess the environmental impact of the Paul B. Krebs Water Treatment Plant Improvements project.

The project area is in Anniston, Alabama at the Paul B. Krebs Water Treatment Plant, located at 245 Tom Burkhart Dr, Anniston, AL 36201 (33.606264, -85.926587). The Paul B. Krebs Water Treatment Plant (WTP) Improvements project includes the decommissioning the existing Finish Water pump station and the addition of a new finish water pump station with additional site and plant improvements to allow for continued service to meet the conditions of the October 1, 2021, Water Supply Permit. The updates to the aging infrastructure at Paul B. Krebs Water Treatment Plant help mitigate potential future concerns associated with critical assets failure and provide operational efficiency, redundancy, and reliability. The project will generally include following:

- Finished water pump station and electrical building housing six (6) vertical turbine can pumps, associated piping, pneumatic tank, controls, and miscellaneous appurtenances.
- Emergency Generators
- Existing Air Stripping towers rehabilitation and installation of additional air stripping tower for redundancy, associated piping, and appurtenances
- Repairs to the existing Coldwater Spring concrete valley gutter system
- Clearwell repairs and rehabilitation to include at a minimum replacement of collapsed baffle wall, and repair of cracks in the interior and exterior walls and dome



May 22, 2024

- Upgrades to the existing main plant process loads, replacement of lighting with energy efficient LED light systems, and upgrades to the SCADA with a new RTU in the high service pump station.
- Improvements to site and grading as needed.

Attached are a site location map, a vicinity map of Paul B. Krebs WTP, and a site view of the proposed project.

In accordance with the application, we request your review and a response in writing including comments and concurrence of the project within 30 days of the date of this letter to aid in submitting the application by the appropriate deadline. We also request the assistance of your office in identifying possible floodways, floodplains, and/or wetlands that may be affected by the project. Thank you for your time and consideration. Should you have any questions regarding this request or require any additional information, please feel free to contact Dustin Harris at Dustin.Harris@jacobs.com or me.

Yours sincerely

Sarah Anderson

Sarah Anderson
Project Engineer
Sarah.Boles@jacobs.com

Attachments



U.S. Fish and Wildlife Service
1208-B Main Street – Daphne, Alabama 36526
Phone: 251-441-5181 Fax: 251-441-6222

No federally listed species/critical habitat are known to occur in the project area. As described, the project will have no significant impact on fish and wildlife resources. IF PROJECT DESIGN CHANGES ARE MADE, PLEASE SUBMIT NEW PLANS FOR REVIEW. We recommend use of best management practices specific to your project (See <https://www.fws.gov/project/best-management-practices-alabama>).


William J. Pearson, Field Supervisor

Field Supervisor
Alabama Ecological Services Field Office

Date

JUL 10 2024

#3



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

October 16, 2024

North Branch
Regulatory Division

SUBJECT: Department of the Army Jurisdictional Determination, File Number SAM-2023-00530-LET, Anniston Water Works and Sewer Board – new stripping tower and treatment plant expansion, Anniston, Calhoun County, Alabama

Anniston Water Works and Sewer Board
% Jacobs
Attention: Mrs. Sarah Anderson
Perimeter Park South, Suite 100 N
Birmingham, Alabama 35243

Transmitted electronically to Sarah.Boles@jacobs.com

Dear Mrs. Anderson:

This is in response to the request, submitted on behalf of Anniston Water Works and Sewer Board, for Department of Army (DA), U.S. Army Corps of Engineers (USACE) review of a proposed water treatment plant facilities expansion and maintenance at the Paul B. Krebs Water Treatment Plant in Anniston, Calhoun County, Alabama. More specifically, the facility is located at 245 Tom Burkhardt Drive, Section 29, Township 16 South, Range 7 East, with a 0.30-acre new stripping tower construction area located at Latitude 33.605839, Longitude -85.925720 and an approximately 2.85-acre new finished water pump station, electrical housing, and emergency generator construction area with land grading and access improvements located at Latitude 33.603443, Longitude -85.926490 as depicted on the attached figures.

Based on our review of the information you provided and other publicly available mapping resources, we have determined the two construction areas, totaling 3.15 acres, that would be disturbed to improve and expand water treatment infrastructure consist of non-jurisdictional dry land areas that do not contain federally-regulated wetlands or other waters of the United States (U.S.). Be advised, this desktop determination is based primarily on information provided by you regarding the specific project location and limits.

The two construction areas were reviewed pursuant to Section 404 of the Clean Water Act, which requires that a DA permit be obtained for the placement or discharge of dredged and/or fill material into "waters of the United States", including wetlands, prior to conducting the work (33 U.S.C. 1344). 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.

This letter contains an approved jurisdictional determination (JD) for the stripping tower construction area and for the separate new finished water pump station, land-grading, and access improvement area as specified above. 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 form to the USACE, South Atlantic Division Office at the following address:

Regulatory Review Officer
Attention: Ms. Krista Sabin
CESAD-PDS-O
60 Forsyth Street Southwest, Floor M9
Atlanta, Georgia 30303-8803
Krista.D.Sabin@usace.army.mil

In order for an RFA to be accepted by the USACE, 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. Should you decide to submit an RFA form, it must be received at the above address by **December 16, 2024**. It is not necessary to submit an RFA form to the Division Office if you do not object to the determination in this letter.

This approved JD is based on current policy and regulation and is valid for a period of five (5) years from the date of this letter. If by the end of the five-year period the proposed work has not been implemented and this JD 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. Furthermore, the delineation included herein has been conducted to identify the location and extent of the aquatic resource boundaries and/or the jurisdictional status of aquatic resources for purposes of the Clean Water Act for the particular site identified in this request. This delineation and/or jurisdictional determination may not be valid for the Wetland Conservation Provisions of the Food Security Act of 1985, as amended. If you or your tenant are U.S. Department of Agriculture (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).

In addition to the new stripping tower construction and the expanded land grading associated with the new finished water pump station and improved access construction, proposed WTP facility improvements include the in-place repair of the existing concrete valley gutter system landward of the Coldwater Spring Pond water source and replacement and repairs to mechanical equipment.

Based on our findings regarding the subject project area, a **DA permit pursuant to Section 404 of the Clean Water Act will not be required at this time** to conduct the proposed WTP facility improvement, repair, and rehabilitation activities. If the location or scopes of work change, 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-2023-00530-LET** in all future correspondence regarding this project. You may contact me at leslie.e.turney@usace.army.mil or at (205) 213-9623 if you have questions concerning this matter. For additional information about our Regulatory Program, visit our website at www.sam.usace.army.mil/Missions/Regulatory.aspx. Also, while you are there, please take a moment to complete our regulatory customer survey located along the right side of the webpage. Your responses are appreciated and will help us improve our services.

Sincerely,

Leslie E. Turney
Chief, North Branch
Regulatory Division

Attachments