Edward F. Poolos
Director

Jeffery W. Kitchens
Deputy Director

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

Kay Ivey
Governor

CATEGORICAL EXCLUSION FROM ENVIRONMENTAL REVIEW

City of Good Hope
Cullman County

SRF Project No. CS011043-02

November 25, 2026

The Alabama Department of Environmental Management has made financial assistance available to the **City of Good Hope.** In accordance with State and Federal regulations that govern the 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 City of Good Hope proposes upgrades to the existing wastewater treatment plant with an estimated total project cost of **$1,000,000.00**. Planned improvements consist of replacing existing headworks and construction of a new influent screen and dual sequencing batch reactor basin. The proposed project will enhance capacity and ensure future compliance.

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 identified in Attachment 1 (attached). 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. Chavon Jones, SRF Branch, Permits and Services Division, Alabama Department of Environmental Management, Post Office Box 301463, Montgomery, Alabama 36130-1463, by 5:00 PM on Monday, December 28, 2026. 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,

Edward F. Poolos
Director

EFP/ADC/CRJ/lbb

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)

Attachment 1
City of Good Hope
SRF# CS011043-02

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

1. The following clean water projects are eligible for categorical exclusions.

    a. *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;*

    b. Actions which do not affect the degree of treatment or capacity of the existing facility including, but not limited to, infiltration and inflow corrections, replacement of existing mechanical equipment or structures, and the construction of small structures on existing sites;

    c. Actions which are for minor upgrading and minor expansion of existing treatment works in sewered communities with a population less than 10,000;

    d. Actions where on-site technologies are proposed in unsewered communities of less than 10,000;

    e. Construction of new wastewater collection systems for existing communities, only if ancillary or appurtenant to existing facilities;

    f. Projects where funding is being provided for planning and/or engineering costs only (in which case the requirements of IV.B.1 a-f do not apply)

2. In order to determine if a clean water project is eligible for a CE, all of the following conditions must not apply:

    a. The action is known or expected to have a significant effect on the quality of the human environment, either individually, cumulatively over time, or in conjunction with other federal, State, local, tribal or private actions

    b. The action is known or expected to adversely impact:
        1. Cultural resources areas such as archaeological and historical sites,
        2. Endangered or threatened species and their critical habitats,
        3. Environmentally important natural resources areas such as floodplains, wetlands, important farmlands, or aquifer recharging zones.

    c. This action is known or expected not to be cost-effective or to cause significant public controversy.

    d. The facilities to be provided will
        1. Create a new, or
        2. Significantly relocate an existing discharge to surface or ground waters.

e. The facilities will result in more than 30% increases in the volume of discharge or the loading of pollutants from an existing source or from new facilities to receiving waters.

f. The facilities would provide capacity to serve a population 30% higher than the anticipated design population.

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

March 21, 2023

Chuck Chitwood
Canyon Engineering LLC
404 1st Street
Fort Payne, AL 35967

Re: AHC 23-0612
Good Hope Wastewater Treatment Plant Expansion
Cullman Counties

Dear Mr. Chitwood:

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 Wofford

Lee Anne Wofford
Deputy State Historic Preservation Officer

LAW/EDS/law

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Alabama Ecological Services Field Office
1208 B Main Street
Daphne, AL 36526-4419
Phone: (251) 441-5181 Fax: (251) 441-6222
Email Address: alabama@fws.gov

In Reply Refer To:
Project code: 2023-0054906
Project Name: Good Hope Wastewater Treatment Plant Expansion
IPaC Record Locator: 827-123519119

March 13, 2023

Please provide this document to the Federal agency or their designee with your loan/grant application.

Subject: Consistency letter for the project named 'Good Hope Wastewater Treatment Plant Expansion' for specified threatened and endangered species that may occur in your proposed project location, pursuant to the IPaC determination key titled 'Clearance to Proceed with Federally-Insured Loan and Grant Project Requests'.

To whom it may concern:

On March 13, 2023, James Chitwood used the IPaC determination key 'Clearance to Proceed with Federally-Insured Loan and Grant Project Requests'; dated August 12, 2022, in the U.S. Fish and Wildlife Service's online IPaC tool to evaluate potential impacts to listed species from a project named 'Good Hope Wastewater Treatment Plant Expansion' in Cullman County, Alabama (shown below):

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@34.0955362,-86.8828001133702,14z



The following description was provided for the project 'Good Hope Wastewater Treatment Plant Expansion':

> The project will consist of the removal of the existing headworks screen, construction of a new drum screen, a dual train Sequencing Batch Reactor (SBR), equalization basin, sludge removal and related appurtenances. All work will be confined to the existing treatment plant property and no additional property acquisition is required.

Based on your answers provided, the proposed project is unlikely to have any detrimental effects to federally-listed species or critical habitat. Therefore, per this guidance, James Chitwood has determined that Good Hope Wastewater Treatment Plant Expansion will have No Effect on the species listed below.

This letter serves as documentation of your consideration of endangered species, bald eagles, and migratory birds. No further coordination with the Service is necessary.

Please be advised that, if later modifications are made to the project that do not meet the criteria described above, if additional information involving potential effects to listed species becomes available, or if a new species is listed, reinitiation of consultation may be necessary.

AMPHIBIANS

- Black Warrior (=sipsey Fork) Waterdog *Necturus alabamensis* Endangered

FISHES

- Rush Darter *Etheostoma phytophilum* Endangered

INSECTS

- Monarch Butterfly *Danaus plexippus* Candidate

MAMMALS

- Indiana Bat *Myotis sodalis* Endangered
- Northern Long-eared Bat *Myotis septentrionalis* Threatened

REPTILES

- Alligator Snapping Turtle *Macrochelys temminckii* Proposed Threatened
- Flattened Musk Turtle *Sternotherus depressus* Threatened

ADDITIONAL CONSIDERATIONS FOR NON-FEDERALLY LISTED SPECIES

- **Bald Eagle Nest Issues.** If any of the above-referenced activities (rehabilitation, demolition, or rebuilding) are proposed to occur **within 660 feet** of an active or alternate bald eagle (*Haliaeetus leucocephalus*) nest during the nesting season (October 1 through May 15), we recommend the applicant or their designated agent coordinate with the agency responsible for managing wildlife in their state. For additional information, please visit the Service's regional web page: https://www.fws.gov/service/3-200-71-eagle-take-associated-not-purpose-activity-incidental-take.
- **Migratory Bird Issues.** If any native birds are using the structures for nesting then actions should be taken so as not to disturb the adults, nests, eggs, or chicks as this could lead to a potential violation of the Migratory Bird Treaty Act. If nests are present or any birds are using the structures regularly for roosting purposes, we recommend the applicant or their designated agent coordinate with the appropriate Service's Field Office and visit the Service's Migratory Bird Program website at https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds for recommendations on how impacts can be avoided and minimized.

James Chitwood answered the determination key questions for this project as follows:

1. Does the project intersect Monroe County, FL?

   Automatically answered
   No

2. Is the project exclusively a Federal loan transfer, where the original lending or mortgage institutions for existing project are no longer holding the loan and the property is being transferred via a federally-backed loan?

   *No, this is **not** a Federal loan transfer as described above, or includes activities in addition to a Federal loan transfer.*

3. Does the project include a federally-insured loan or federal grant funding?

   Yes, the project includes a federally-insured loan or federal grant funding.

4. Is the entire site currently developed/hard-surfaced (i.e., the site consists entirely of existing roads, sidewalks, buildings, driveways, etc., and does not contain any undeveloped and/or vegetated areas)?

   Yes, the entire site is already developed/hard-surfaced.

5. Is the federally-insured loan or federal grant funding being used for demolition, rehabilitation, renovation, and/or rebuilding of one or more existing facilities (*e.g.*, residential, commercial and industrial sites, or utilities)?

   Yes, the project includes Federal funding for work on existing facilities.

6. Will the project significantly alter the present capacity of an existing structure?

   No, this project will not alter the present capacity of any existing structure.

7. Does your project involve structures that are being used by any federally endangered or threatened species (*e.g.*, roosting bonneted bats, denning indigo snakes, etc.) or are there known reports of species using the site?

   *No, the site and/or structure(s) are **not** being used by any federally listed species.*

Attachments:

- Project questionnaire
- Standard manatee construction conditions
- Determination key description: Clearance to Proceed with Federally-Insured Loan and Grant Project Requests
- U.S. Fish & Wildlife Service contact list

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, MOBILE DISTRICT
600 VESTAVIA PARKWAY, SUITE 203
VESTAVIA HILLS, AL 35216

REPLY TO
ATTENTION OF

March 30, 2023

North Branch
Regulatory Division

SUBJECT: Department of the Army, Jurisdictional Determination - Project Number SAM-2023-00244-LET, City of Good Hope – wastewater treatment plant expansion, Cullman County, Alabama

City of Good Hope
% Canyon Engineering, Inc.
Attention: Mr. James G. Chitwood
404 First Street
Fort Payne, Alabama 35967

Transmitted electronically to chuck@canyonengineeringllc.com

Dear Mr. Chitwood:

This letter is in response to the March 13, 2023, submittal, on behalf of the City of Good Hope, concerning wastewater treatment plant capacity expansion from 0.225 million gallons per day (MGD) to 0.45 MGD. The construction of new and expanded infrastructure necessary to expand the plant capacity would occur within the existing fenced wastewater treatment plant grounds at 301 Day Gap Road, Latitude N34.095681, Longitude W86.882922 in Good Hope, Cullman County, Alabama. This project has been assigned file number **SAM-2023-00244-LET**, which should be referred to in all future correspondence regarding this project.

Based on our review of the project information submitted and mapping resources available to our office, we have determined that the 0.24-acre tract of land within the existing treatment plant grounds, on which the expanded wastewater treatment infrastructure would be constructed, consists of non-jurisdictional upland or dry land areas that are not subject to Clean Water Act jurisdiction. Be advised, this desktop determination is based primarily on information provided by you on behalf of the City of Good Hope, regarding the specific project location, scope of work, and environmental setting.

The proposed project was 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 a 0.24-acre project review area. 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:

Administrative Appeal Review Officer
Attention: Mr. Philip Shannin
CESAD-PDS-O
60 Forsyth Street Southwest, Floor M9
Atlanta, Georgia 30303-8803
Telephone: (404) 562-5136, Fax: (404) 562-5138
Philip.A.Shannin@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 May 30, 2023**. 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 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 they 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 determination 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 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).

Based on our findings regarding the proposed wastewater treatment plant expansion activities, a DA permit pursuant to Section 404 of the Clean Water Act **will not be required** to implement the expansion as proposed in the evaluated documents.

We appreciate your cooperation with the USACE Regulatory Program. If the project location or scope of work changes, you are urged to contact this office for a verification of this determination.

You may contact me at (205) 213-9623 (cell), (205) 824-2740 (desk), or leslie.e.turney@usace.army.mil, 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 on the right side of the webpage. Your responses are appreciated and will help us improve our services.

Sincerely,

Leslie E. Turney

Digitally signed by Leslie E. Turney
Date: 2023.03.30 06:38:42 -05'00'

Leslie E. Turney
Chief, North Branch
Regulatory Division

Enclosures

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: City of Good Hope, AL	File Number: SAM-2023-00244-LET	Date: 3/30/2023
Attached is:		See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
	PERMIT DENIAL	C
X	APPROVED JURISDICTIONAL DETERMINATION	D
	PRELIMINARY JURISDICTIONAL DETERMINATION	E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at http://www.usace.army.mil/CECW/Pages/reg_materials.aspx or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- OBJECT: If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- APPEAL: If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- APPEAL: If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:

USACE Mobile District – Birmingham Field Office
600 Vestavia Parkway, Suite 203
The Shelby Building
Vestavia Hills, Alabama 35216
205-213-9623; Leslie.E.Turney@usace.army.mil

If you only have questions regarding the appeal process you may also contact:
Philip A. Shannin
Administrative Appeal Review Officer
CESAD-PDS-O
60 Forsyth Street Southwest, Floor M9
Atlanta, GA 30303-8803
404-562-5136; Philip.A.Shannin@usace.army.mil

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

	Date:	Telephone number:
_____ Signature of appellant or agent.		

US ARMY CORPS OF ENGINEERS (USACE)
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
2023 RULE

OMB Control Number: 0710-0024
Expiration Date: 09/30/2023

AGENCY DISCLOSURE NOTICE

The public reporting burden for this collection of information, 0710-0024, is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

I. ADMINISTRATIVE INFORMATION

Completion Date of Approved Jurisdictional Determination (AJD): 3/30/2023
ORM Project Name: City of Good Hope - Wastewater Treatment Plant Expansion
ORM Identification Number: SAM-2023-00244-LET
☐ Other sites (e.g., offsite mitigation sites, disposal sites or other review areas, etc.) are associated with this action and are recorded on a different jurisdictional determination (JD) form(s).
Associated JD Names and Numbers: N/A
Review Area Location: State/Territory: Alabama City: Good Hope
County/Parish/Borough: Cullman
Center Coordinates of Review Area: Latitude: 34.095681°N, Longitude: -86.882922°W
Limits of review area: A 0.24-acre WWTP expansion area within an existing approximately 0.75-acre treatment plant facility yard at 301 Day Gap Road, Cullman, AL. Reference attached maps/drawings

II. SUMMARY[2]

Check all that apply. At least one box from the following list MUST be selected. Complete the corresponding tables in Section III., summarize data sources in Section IV., and attach completed Appendices A and/or B when specified.

☒ The review area is comprised entirely of dry land (i.e., there are no waters such as streams, rivers, wetlands, lakes, ponds, tidal waters, ditches, and the like in the entire review area). Rationale: Based on review of information provided by the City of Good Hope's agent, Canyon Engineering, LLC, and other available desktop resources including Web Soil Survey mapping, FEMA FIRM mapping, USFWS National Wetland Inventory mapping, USGS topographic and NHD mapping, and aerial photography, the 0.24-acre JD review area consists entirely of upland/non-wetland, dry lands located within an existing fenced wastewater treatment plant facility yard. The 0.24-acre review area lacks any wetlands, tributaries or drainage features, natural ponds, or impoundments of jurisdictional waters.

☐ There are "navigable waters of the United States" within Rivers and Harbors Act jurisdiction within the review area (complete the table in Section III.A.).

☐ There are "waters of the United States" within Clean Water Act jurisdiction within the review area (complete appropriate tables in Section III.B. and complete and attach appendices as appropriate).

☐ Potentially jurisdictional waters and/or features were assessed within the review area and determined to be non-jurisdictional (complete appropriate tables in Section III.C. and complete and attach appendices as appropriate).

---

[1] The final rule "Revised Definition of 'Waters of the United States'" (2023 Rule) was published in the *Federal Register* on 18 January 2023 and the effective date is 20 March 2023. See https://www.federalregister.gov/documents/2023/01/18/2022-28595/revised-definition-of-waters-of-the-united-states.

[2] Map(s)/figure(s) or descriptions of the review area and any jurisdictional waters are attached to the AJD provided to the requestor.

US ARMY CORPS OF ENGINEERS (USACE)
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
2023 RULE

III. FINDINGS IN THE REVIEW AREA

A. Jurisdictional under the Rivers and Harbors Act of 1899[3] (Section 10)[4]

Section 10 Waters			
Section 10 water name	Section 10 size in review area		Type of Section 10 water
N/A	N/A	N/A	N/A.
Rationale for determination: N/A			

B. Jurisdictional under the Clean Water Act

Paragraph (a)(1) waters:[5] Waters which are: (i) Currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (Traditional Navigable Waters); (ii) The territorial seas; or (iii) Interstate waters, including interstate wetlands			
(a)(1) water name	(a)(1) size in review area		Type of paragraph (a)(1) water
N/A	N/A	N/A	N/A.
Rationale for determination: N/A			

Paragraph (a)(2) waters: Impoundments of waters otherwise defined as waters of the United States under this definition, other than impoundments of waters identified under paragraph (a)(5)			
(a)(2) water name	(a)(2) size in review area		Type of paragraph (a)(2) water
N/A	N/A	N/A	N/A.
Rationale for determination: N/A			

[3] If the navigable water of the United States is not subject to the ebb and flow of the tide and not included on the district's list of Rivers and Harbors Act (RHA) Section 10 navigable waters of the United States list do NOT use this form to make a report of findings to support a determination that the water is a navigable water of the United States. The district must follow the procedure outlined in 33 CFR part 329.14 to make a determination that water is a navigable water of the United States subject to Section 10 of the Rivers and Harbors Act.

[4] USACE has authority under both Section 9 and Section 10 of the Rivers and Harbors Act of 1899 but for convenience, in this AJD form, jurisdiction under RHA will be referred to as Section 10.

[5] A stand-alone TNW determination for a water that is not subject to Section 9 or 10 of RHA is completed independently of a request for an AJD. A stand-alone TNW determination is conducted for a specific segment of river or stream or other type of waterbody, such as a lake, where upstream or downstream limits or lake borders are established. A stand-alone TNW determination should be completed following applicable guidance and should NOT be documented on the AJD Form.

US ARMY CORPS OF ENGINEERS (USACE)
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
2023 RULE

Paragraph (a)(3) waters: Tributaries of waters identified in paragraph (a)(1) or (2): (i) That are relatively permanent, standing or continuously flowing bodies of water; or (ii) That either alone or in combination with similarly situated waters in the region, significantly affect the chemical, physical, or biological integrity of waters identified in paragraph (a)(1)			
(a)(3) water name	(a)(3) size in review area		Type of paragraph (a)(3) water
N/A	N/A	N/A	N/A.
Rationale for determination: N/A			

Paragraph (a)(4) waters: Wetlands adjacent to the following waters: (i) Waters identified in paragraph (a)(1); or (ii) Relatively permanent, standing or continuously flowing bodies of water identified in paragraph (a)(2) or (a)(3)(i) and with a continuous surface connection to those waters; or (iii) Waters identified in paragraph (a)(2) or (3) when the wetlands either alone or in combination with similarly situated waters in the region, significantly affect the chemical, physical, or biological integrity of waters identified in paragraph (a)(1)			
(a)(4) water name	(a)(4) size in review area		Adjacency criteria
N/A	N/A	N/A	N/A
Type of paragraph (a)(4) water	N/A		
Rationale for determination: N/A			

Paragraph (a)(5) waters: Intrastate lakes and ponds, streams, or wetlands not identified in paragraphs (a)(1) through (4): (i) That are relatively permanent, standing or continuously flowing bodies of water with a continuous surface connection to the waters identified in paragraph (a)(1) or (a)(3)(i); or (ii) That either alone or in combination with similarly situated waters in the region, significantly affect the chemical, physical, or biological integrity of waters identified in paragraph (a)(1).[6]			
(a)(5) water name	(a)(5) size in review area		Type of paragraph (a)(5) water
N/A	N/A.	N/A	N/A
Rationale for determination: N/A			

[6] In implementing the significant nexus standard, the agencies generally intend to analyze waters under paragraph (a)(5) individually to determine if they significantly affect the chemical, physical, or biological integrity of a paragraph (a)(1) water.

US ARMY CORPS OF ENGINEERS (USACE)
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
2023 RULE

C. Waters or features that are not jurisdictional under the Clean Water Act

Waters analyzed under paragraph (a)(3)(ii), (a)(4)(iii), or (a)(5)(ii) and determined non-jurisdictional: Tributaries of waters identified in paragraph (a)(1) or (2); and/or wetlands adjacent to waters identified in paragraph (a)(2) or (3); and/or intrastate lakes and ponds, streams, or wetlands not identified as (a)(1) through (4) waters; that either alone or in combination with similarly situated waters in the region, do not significantly affect the chemical, physical, or biological integrity of waters identified in paragraph (a)(1).			
Water name	Water size in review area		Type of water for which significant nexus was not met:
N/A	N/A	N/A	N/A
Rationale for determination: N/A			

(b)(1) – (b)(8) Excluded Features[7]			
Excluded feature name	Excluded feature size in review area		Exclusion[8]
N/A	N/A	N/A	N/A
Rationale for determination: N/A			

IV. SUPPORTING INFORMATION

A. Paragraph (a)(1) water that is outside the review area:

a. Provide the name of the paragraph (a)(1) water: N/A or Name of (a)(1) Water.
b. Type of paragraph (a)(1) water: N/A.
c. Provide the rationale for jurisdiction of the paragraph (a)(1) water: N/A or Provide Additional Discussion as Appropriate.

B. Significant nexus analyses

☐ Appendix A is attached and includes the significant nexus analysis for any waters in the review area that were evaluated under paragraph (a)(3)(ii) and/or paragraph (a)(4)(iii).
☐ Appendix B is attached and includes the significant nexus analyses for any waters in the review area that were evaluated under paragraph (a)(5)(ii).
☒ There are no waters in the review area that require evaluation under the significant nexus standard. Therefore, neither Appendix A nor Appendix B are included with this form

[7] Transient features on the landscape that are difficult to document due to their non-permanent nature, such as rills and gullies, may not be specifically identified on the AJD form unless a requestor specifically asks a USACE district to do so. USACE districts may, in case-by-case instances, elect to document any such feature on a case-by-case basis, such as when the feature is relevant to analysis of the jurisdictional status of another water.

[8] Note the full text of the exclusions for (b)(1)-(6) and (b)(8) are included in the dropdown list, while the text for the (b)(7) exclusion is truncated due to space limitations. The full text of the (b)(7) exclusion is as follows: (b)(7) Waterfilled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States

C. Data, models, and other relevant methods Select/enter all resources that were used to support this determination and include data/maps and/or references/citations in the administrative record, as appropriate.

☐ Aquatic resources delineation submitted by, or on behalf of, the requestor: Title(s) and Date(s)
The aquatic resources delineation submitted by or on behalf of the requestor is sufficient for purposes of this AJD Select
Rationale: N/A or Describe why Information is Partially or Wholly Insufficient for Purposes of this AJD
☐ Aquatic resources delineation prepared by the USACE: Title(s) and Date(s)
☐ Wetland field data sheets prepared by the USACE: Title(s) and Date(s)
☐ OHWM data sheets prepared by the USACE: Title(s) and Date(s)
☐ USACE site visit: Date(s) of site visit(s): Date(s) of Site Visit(s), Title(s) and Date(s) of Site Visit Summary Document(s)
☐ Previous Jurisdictional Determinations (AJDs or PJDs) addressing the same (or portions of the same) review area: ORM Number(s) and Date(s)
☐ Photographs: Source(s), Title(s) and Date(s)
☒ Aerial Imagery: http://alabamamaps.ua.edu/aerials/Counties/Cullman/Cullman.html 1949, 1954, 1958, 1964, 1967, 1971; Google Earth Pro, 1997, 2010, 2012, 2013, 2019, and 2022 aerial photographs
☐ LiDAR: Source(s), Title(s) and Date(s)
☒ USDA NRCS Soil Survey: Soil Survey Staff, Natural Resources Conservation Service, United States Department of Agriculture. Web Soil Survey. Version 14 Sept. 14, 2022, Cullman County, AL: Available online at the following link: http://websoilsurvey.sc.egov.usda.gov/
☒ USFWS NWI maps: https://www.fws.gov/wetlands/Data/Mapper.html accessed 3/29/2023
☒ USGS topographic maps: 1:24,000 Trimble, AL topographic quadrangle
☒ USGS NHD data/maps: https://apps.nationalmap.gov/viewer/ accessed 3/29/2023
☐ USGS Dynamic Surface Water Extent: Title(s) and Date(s)
☐ Section 10 navigability resource used: Title(s) and Date(s)

Other data sources or models used to aid in this determination:

Data source or model (Select)	Name, date, and other relevant information
USGS Sources	N/A
USEPA Sources	N/A
USDA Sources[9]	N/A
NOAA Sources	N/A
USACE Sources	N/A
State/Local/Tribal Sources	N/A
FEMA/FIRM maps	Map No. 01043C0332E effective date 5/24/2011; FIRMette downloaded from https://msc.fema.gov/portal/search

D. Additional comments to support AJD: N/A

[9] Including Certified Wetland Determination from the NRCS.

NARCOG
POSITIVELY IMPACTING
PEOPLE AND COMMUNITIES

March 15, 2023

Canyon Engineering, LLC
ATTN: Chuck Chitwood, President
404 First Street
Fort Payne, AL 35967

RE: Letter of Concurrence
ADEM CWSRF – Wastewater Treatment Plant Expansion Project
Good Hope, Alabama

Dear Mr. Chitwood:

The North Central Alabama Regional Council of Governments (NARCOG) has reviewed the information and maps supplied for the proposed project referenced above located in Good Hope, Alabama, and we offer our concurrence for this project. NARCOG understands that the proposed project will address the expansion of the existing Good Hope Wastewater Treatment Plant to increase treatment capacity to .45 MGD by completing the following:

- Removal of the existing headworks screen
- Construction of a new drum screen, dual trail Sequencing Batch Reactor (SBR), equalization basin, sludge removal and related appurtenances

In conclusion, NARCOG finds the proposed project to be consistent and compatible with local, state, and regional plans. Should you need any further assistance, please do not hesitate to call me at (256) 355-4515.

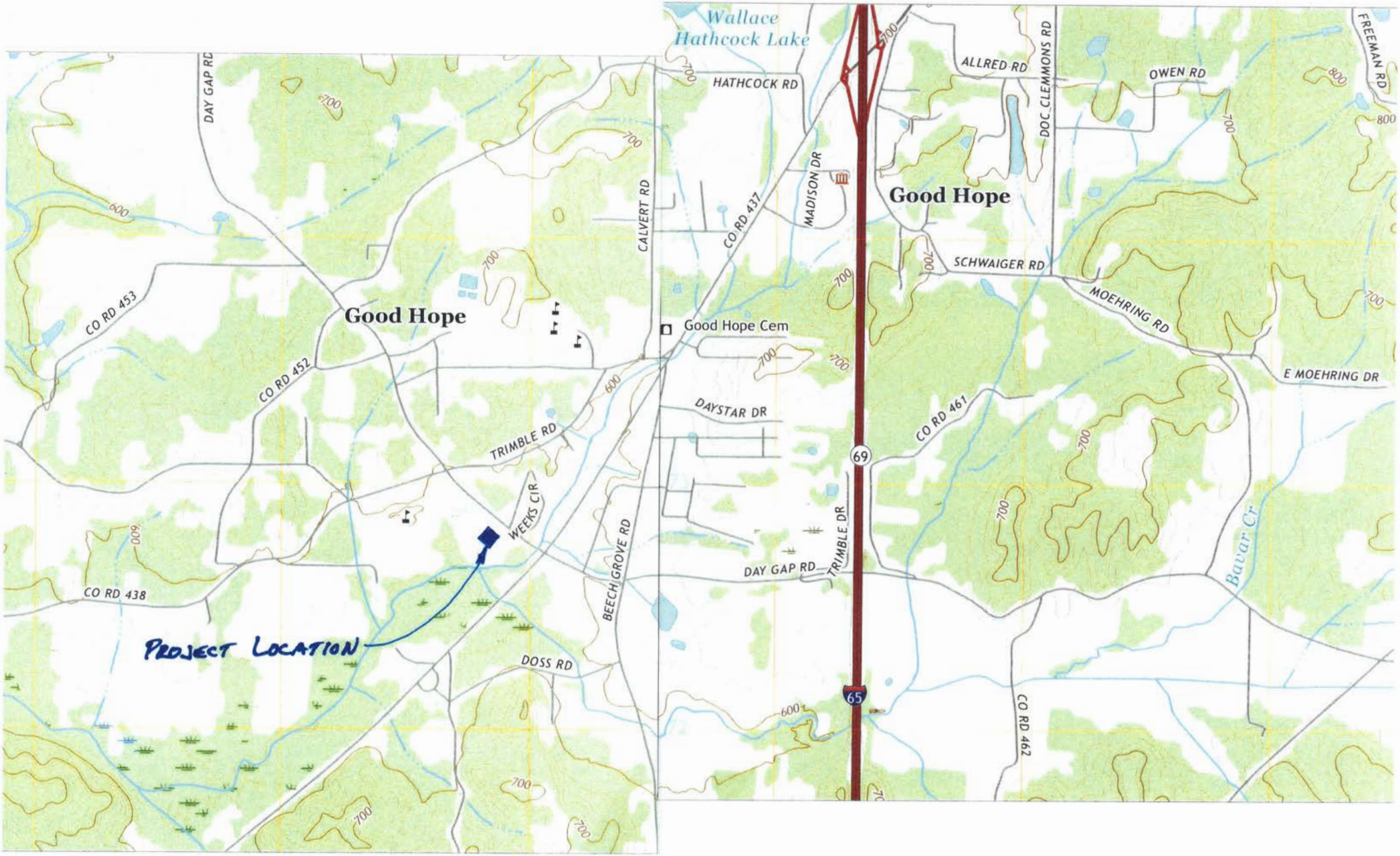
Sincerely,

Joseph F. Hester, AICP
Director of Planning and Development

cc: Robby Cantrell, Executive Director
File

North Central Alabama Regional Council of Governments
216 Jackson Street SE • Post Office Box C • Decatur, Alabama 35602
256.355.4515 • Fax 256.351.1380 • www.narcog.org

I. Maps

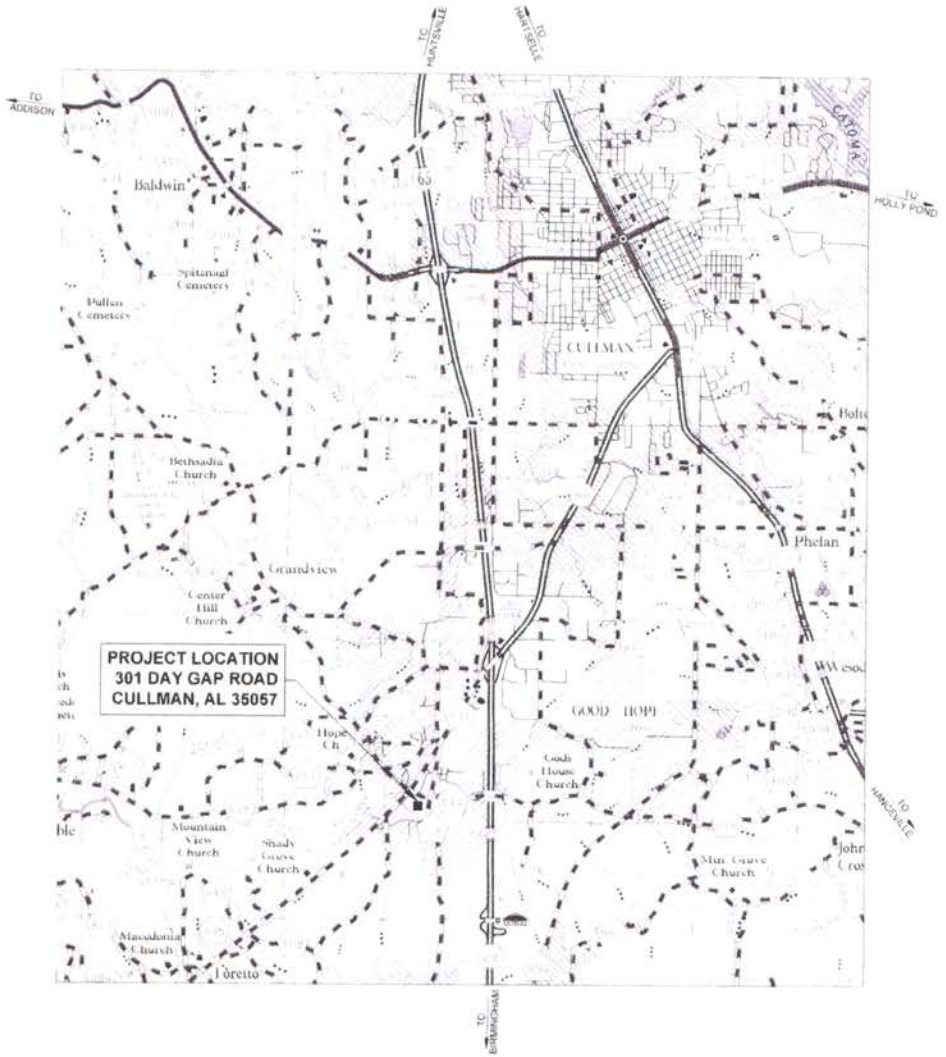


Good Hope WWTP

Trimble USGS Map – 2022
Hanceville USGS Map - 2020

LEGEND

- EXISTING IRON/MONUMENT FOUND AND TYPE
- EXISTING IRON/MONUMENT FOUND AND TYPE
- EXISTING POINT OF COMMENCEMENT
- EXISTING POINT OF BEGINNING
- EXISTING RECORD (BEARING, DISTANCE, ANGLE, OR DESCRIPTION)
- EXISTING OVERHEAD ELECTRIC, TELEPHONE, AND/OR CABLE(TV)
- EXISTING WIRE FENCE
- EXISTING CHAIN-LINK FENCE
- EXISTING WOOD FENCE
- LINE NOT TO SCALE
- EXISTING RIGHT-OF-WAY
- EXISTING UTILITY POLE
- EXISTING PROPERTY LINE
- EXISTING MAJOR CONTOUR LINE
- EXISTING MINOR CONTOUR LINE
- EXISTING BURIED ELECTRICAL
- EXISTING OVERHEAD ELECTRICAL
- EXISTING OVERHEAD UTILITY
- EXISTING BURIED TELEPHONE
- EXISTING OVERHEAD TELEPHONE
- EXISTING GAS MAIN
- EXISTING SEWER FORCE MAIN
- EXISTING GRAVITY SEWER
- EXISTING SEWER MANHOLE
- EXISTING WATER VALVE
- EXISTING WATER METER
- PROPOSED 1/2" DIA. REBAR SET
- PROPOSED BENCHMARK
- PROPOSED SILT FENCE
- PROPOSED WIRE FENCE
- PROPOSED CHAIN-LINK FENCE
- PROPOSED WOOD FENCE
- PROPOSED UTILITY POLE
- PROPOSED MAJOR CONTOUR LINE
- PROPOSED MINOR CONTOUR LINE
- PROPOSED BURIED ELECTRICAL
- PROPOSED OVERHEAD ELECTRICAL
- PROPOSED OVERHEAD UTILITY
- PROPOSED BURIED TELEPHONE
- PROPOSED OVERHEAD TELEPHONE
- PROPOSED GAS MAIN
- PROPOSED SEWER FORCE MAIN
- PROPOSED GRAVITY SEWER
- PROPOSED SEWER MANHOLE
- PROPOSED WATER VALVE
- PROPOSED WATER METER



PROJECT LOCATION MAP
SCALE 1" = 3000'

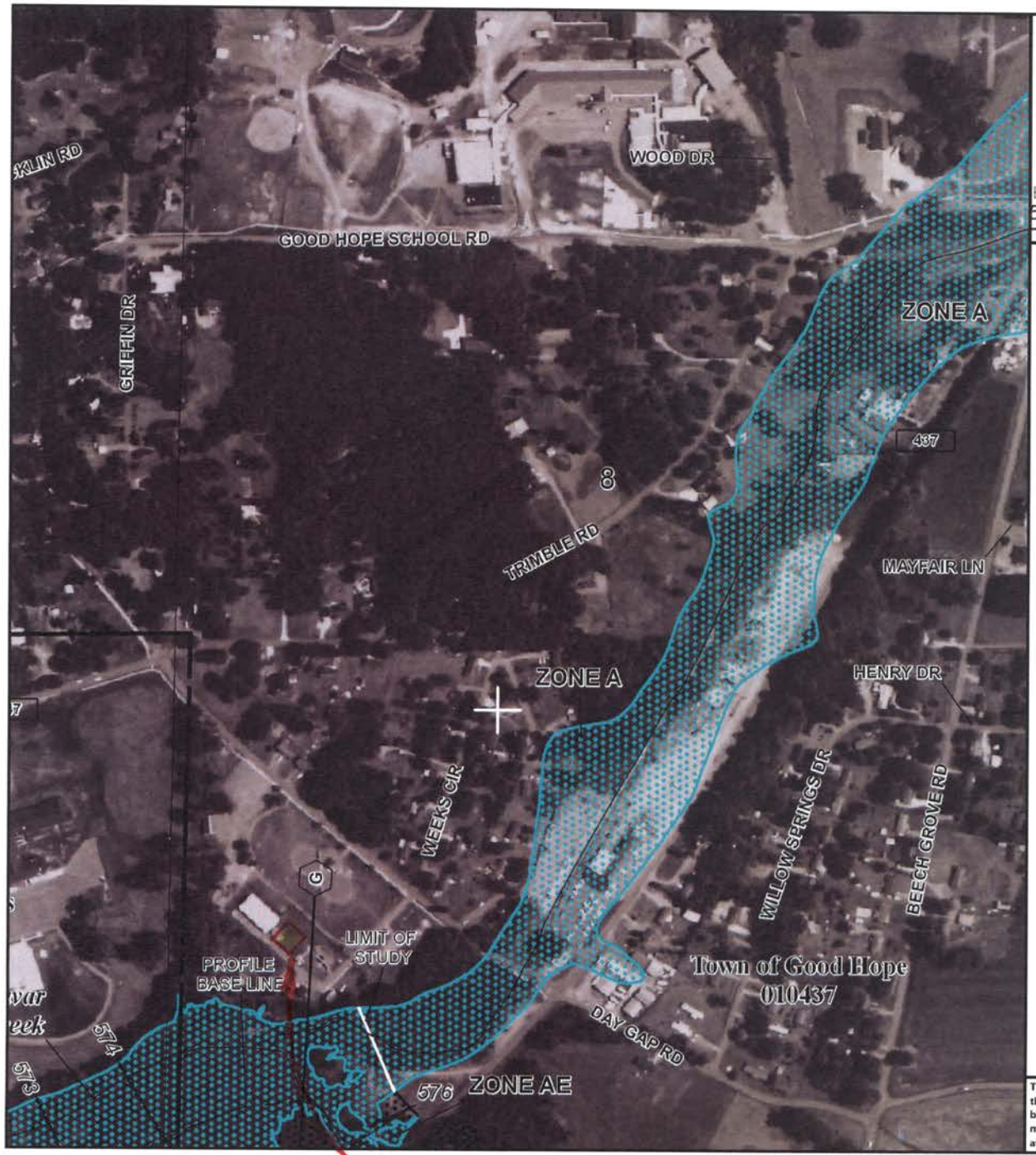
CANYON ENGINEERING

WASTEWATER TREATMENT PLANT EXPANSION
CITY OF GOOD HOPE
GOOD HOPE ALABAMA

SCALE	NOTED
DATE	MAR. 2023
PROJ. NO.	220301
DRAWN BY	ERH
SHEET TITLE	LEGEND AND PROJECT LOCATION
SHEET NO.	C-001

C:\CDOS Master\Work\08_Canyon\02_Projects\2203_GOOD HOPE\220301_GOOD HOPE WWTP EXPANSION\02_PLAN SET\C-001_PROJECT-LOCATION-LEGEND.dwg
2023-02-08

SCALE : 1 = 20
LEGEND
PROPOSED CONSTRUCTION
NOTE
TOPOGRAPHIC SURVEY FOR
CANYON ENGINEERING - GOOD HOPE WWTP
CULLMAN COUNTY, ALABAMA
ALLEN LAND SURVEYING, LLC
202 COUNTY ROAD 1859 ARAB, AL. 35016
1-256-640-3516
ALABAMA LICENSED
No. 31820
PROFESSIONAL
LAND
SURVEYOR
BRANDON L. ALLEN



PROJECT LOCATION

MAP SCALE 1" = 500'

250 0 500 1000 FEET

50 0 150 300 ME

NFIP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0332E

FIRM

FLOOD INSURANCE RATE MAP

CULLMAN COUNTY, ALABAMA AND INCORPORATED AREAS

PANEL 332 OF 585

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

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
CULLMAN COUNTY	010247	0332	E
GOOD HOPE, TOWN OF	010437	0332	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	MAP NUMBER
MAY 24, 2011	01043C0332E

State of Alabama
Federal Emergency Management Agency

This is an official FIRMette showing a portion of the above-referenced flood map created from the MSC FIRMette Web tool. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For additional information about how to make sure the map is current, please see the Flood Hazard Mapping Updates Overview Fact Sheet available on the FEMA Flood Map Service Center home page at https://msc.fema.gov.