



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, MEMPHIS DISTRICT
167 NORTH MAIN STREET B-202
MEMPHIS, TENNESSEE 38103-1894

February 13, 2024

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Dear [REDACTED]:

This regards your request for an approved jurisdictional determination (AJD) for an approximately 10.2 acre piece of property located at the northern terminus of Felicia and Morrich Avenues in Brownsville, Haywood County, Tennessee, as shown on the enclosed map. Based on the information submitted to our office it is our AJD that Stream 1, located in the area of proposed impact is considered a water of the United States and therefore is subject to regulation under Section 404 of the Clean Water Act; a Section 404 permit is required for the discharge of dredge or fill material into this feature. It is also our AJD that Wetland 1 is not considered a water of the United States and therefore is not subject to regulation under Section 404 of the Clean Water Act; a Section 404 permit is not required for the discharge of dredge or fill material into this feature.

This determination was in accordance with the pre-2015 Regulatory Regime following the Sackett decision. The basis for our AJD is attached. This AJD is valid for five years from the date of this letter, unless new information warrants a revision of the determination before the expiration date or the District Engineer has identified, after public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re-verification on a more frequent basis.

This letter contains an approved jurisdictional determination for part of your subject site. If you object to this determination, you may request an administrative appeal under Corps of Engineers regulations at 33 CFR Part 331 as described in Section I.D. of the attached Notification of Appeal Process and Process and Request for Appeal (RFA) form. If you request to appeal this determination you must submit a completed RFA form to the Mississippi Valley Division within 60 days of the date of this letter (April 12, 2024) to the Mississippi Valley Division at the following address:

Appeals Review Officer
Mississippi Valley Division
P.O. Box 80
Vicksburg, Mississippi 39181-0080

In order for an RFA to be accepted by the Corps of Engineers, the Administrative Appeals Officer must determine that it was received by the deadline, is complete, and that it meets the criteria for appeal under 33 CFR Part

331.5. Please review and carefully consider this information. 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 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. If you or your tenant are United States Department of Agriculture (USDA) program participants, or anticipate participation in the USDA program, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service, prior to starting work.

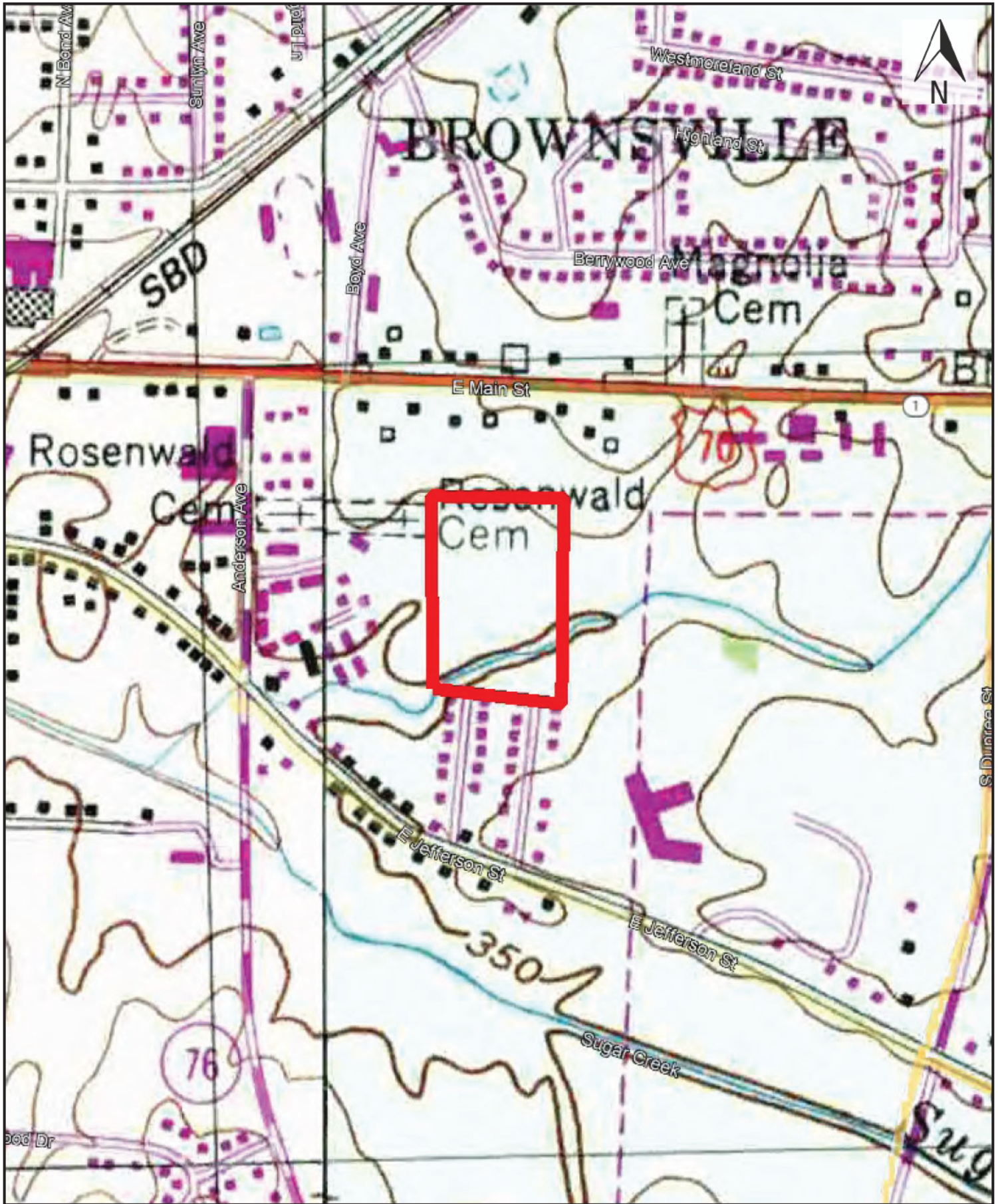
The Memphis District, Regulatory Division is committed to providing quality and timely service to our customers. In an effort to improve customer service, we invite you to complete a Customer Service Survey found at <https://regulatory.ops.usace.army.mil/customer-service-survey/>. Your comments, positive or negative, will not affect any current or future dealings with the Corps of Engineers.

If you have questions, please contact [REDACTED] at ([REDACTED]) and refer to File No. MVM-2023-329.

Sincerely,

[REDACTED]
Deputy Chief
Regulatory Division

Enclosures

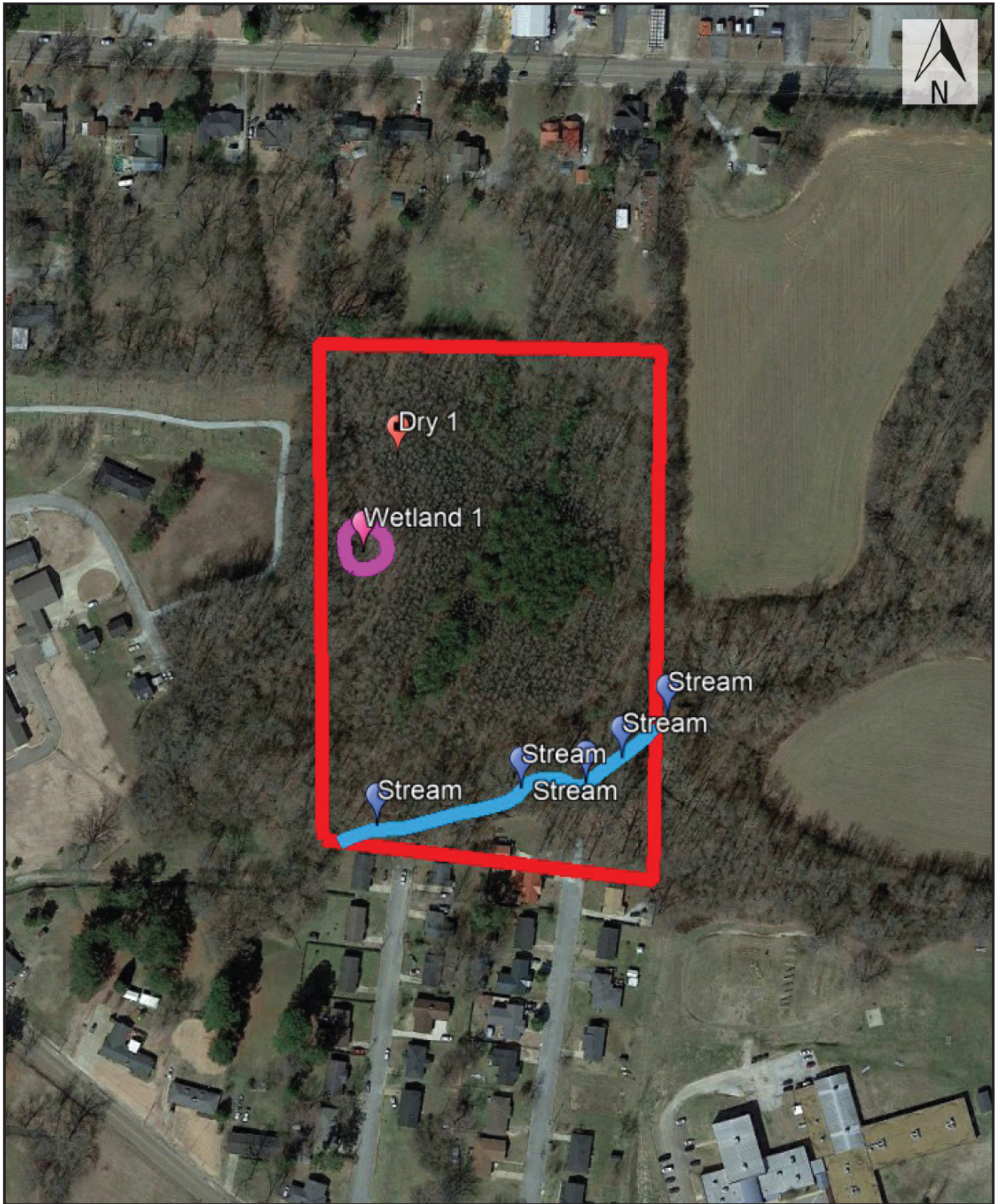


TITLE: [REDACTED] Property
Brownsville, TN
USGS 7.5-minute Quadrangle Map
Sunnyhill, TN (Photorevised 1983)

JOB #: 23003
DATE: 11/01/2023
SCALE: 1" = 500'

FIGURE:

1



TITLE: [Redacted] Property
Brownsville, TN
Wetland & Waters Delineation
Google Earth Aerial Feb. 2022

JOB #: 23003
DATE: 01/05/2024
SCALE: 1" = 200'

FIGURE:
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