



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

January 5, 2024

[REDACTED]
Jackson, Mississippi 39211

Dear [REDACTED]:

This is in response to your delineation report in which you requested a preliminary jurisdictional determination (PJD) for certain aquatic resources and an approved jurisdictional determination (AJD) for other potential aquatic resources on property located at Cypress Creek Drive in Arlington, Shelby County, Tennessee, as shown on the enclosed map. Based on the information submitted to our office, site visits conducted by our office, and a review of other information available to us, our PJD is that Wetland W-1 may be considered waters of the United States. If you wish to provide additional information concerning these features, you may request an approved jurisdictional determination. It is our AJD that Wetland W-2, Wetland W-3 and the two drainage features identified collectively as "Stormwater Conveyance Feature" on the attached map are not considered waters of the United States. Permit authorization from the Corps of Engineers is not required under Section 404 of the Clean Water Act for the discharge of fill material into features that are not considered waters of the United States.

The PJD is included for concurrence. If you agree with this PJD please sign the form and return it to the address listed above. If the PJD is not returned within 30 days of the date of this letter, we will assume your concurrence. A PJD cannot be appealed. If you object to this PJD, please see Section I.E., of the attached Notification of Administrative Appeal Options and the Process and Request for Appeal Form, on how to proceed or call the Memphis District, Regulatory Division for assistance at the number listed below.

This AJD is valid for five years from the date of this letter, unless new information warrants 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 at the following address within 60 days of the date of this letter March 4, 2024:

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 Corps of Engineers 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 RFA. 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, as amended. If you or your tenant are United States Department of Agriculture (USDA) program participants, or anticipate participation in USDA programs, you should discuss the applicability of an National Recourses Conservation Service Certified Wetland Determination with the local USDA service center, prior to starting work.

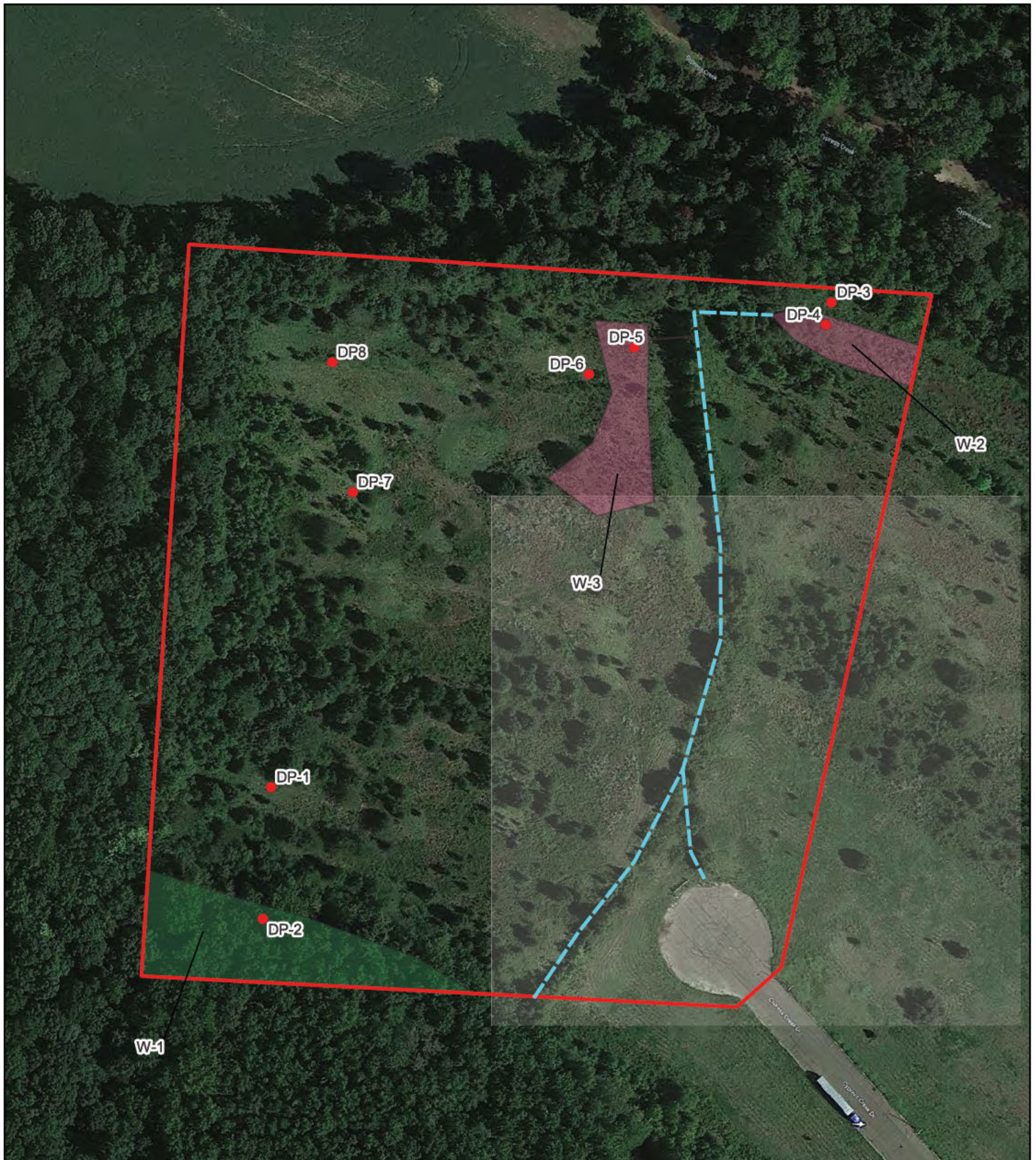
The Memphis District, Regulatory Division is committed to providing quality and timely service to our customers. In an effort to improve customer service, we invite you to complete a Customer Service Survey found on our web site at <https://regulatory.ops.usace.army.mil/customer-service-survey/>. Your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

If you have questions, please contact [REDACTED] at ([REDACTED]) [REDACTED] and refer to File No. MVM-2023-159.

Sincerely,

[REDACTED]
Regulatory Division

Enclosures



Disclaimer
The information contained in this map was generated from GIS data maintained by different sources and agencies. Some limitations may apply based upon restrictions imposed by other sources or agencies providing data directly to Allen Engineering and Science, Inc. (AES) or making data available to download via Internet. Areas depicted by these products are approximate, and are not necessarily accurate to mapping, surveying, or engineering standards. These digital products are for illustration purposes only, are not suitable for site-specific decision making, are subject to constant changes, and may not be complete, accurate or current. Any specific coordinates may be in error by several hundred feet or more. A data layer may have registration errors and not overlay with other data layers correctly.

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LEGEND

- Approx Review Area Boundary (15 Ac. +/-)
- Data Point Identification and Location
- Stormwater Conveyance Feature (1,047.9 LF +/-)

Wetlands

- Forested Wetland (0.60 Ac. +/-)
- Scrub/Shrub Wetland (0.49 Ac. +/-)

Source: Google Satellites 2021

**CYPRES CREEK DRIVE, ARLINGTON
SHELBY COUNTY, TENNESSEE**

Scale: 1" = 150'	DRAWN BY: ██████	DATE: 02/22/23
	CHKD BY: ██████	DATE: 02/22/23
PROJECT NO. 22056	CAD FILE: 22056 FIG04 D ESC 022223	

EXISTING SITE CONDITIONS MAP
**FIGURE
4**