



**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS, SAVANNAH DISTRICT**  
**100 W. OGLETHORPE AVENUE**  
**SAVANNAH, GEORGIA 31401-3604**

December 22, 2020

Regulatory Division  
SAS-2014-00614

Mr. Ryan Moore  
Brunswick & Glynn County Development Authority  
1505 Richmond Street, 2<sup>nd</sup> Floor  
Brunswick, Georgia 31520

Dear Mr. Moore:

I refer to a letter dated November 10, 2020, submitted on your behalf by Mr. Dan Bucey of Resource and Land Consultants, requesting a Jurisdictional Determination (JD) for a 70.982-acre site located west of Interstate 95 and east of Georgia Highway 99, near the City of Brunswick in Glynn County, Georgia (Latitude 31.2954, Longitude -81.4857). This project has been assigned number SAS-2014-00614 and it is important that you refer to this number in all communication concerning this matter.

We have completed an approved JD for the site. Wetlands were delineated in accordance with criteria contained in the 1987 "Corps of Engineers Wetland Delineation Manual," as amended by the most recent regional supplements to the manual. I have enclosed an "Approved JD Form," which details whether streams, wetlands and/or other waters present on the site are subject to the jurisdiction of the U.S. Army Corps of Engineers and how the Corps determined jurisdiction.

"Wetland A" and "Wetland B" as depicted on the enclosed survey entitled, "U.S. Army Corps of Engineers Wetland Survey For: Tract CR8 – Revised, A Portion of the Golden Isles Gateway Tract", dated 12/4/14, are not waters of the United States and are therefore not within the jurisdiction of Section 404 of the Clean Water Act (33 United States Code § 1344). The placement of dredged or fill material into these wetlands would not require prior Department of the Army authorization pursuant to Section 404.

This approved JD will remain valid for a period of 5-years unless new information warrants revision prior to that date. You may request an administrative appeal for any approved JD under the Corps regulations at 33 Code of Federal Regulations (CFR) Part 331. Enclosed you will find a Notification of Administrative Appeal Options and Process and Request for Appeal form.

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 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 Department of the Army 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 U.S. Army Corps of Engineers (Part 320.3(h) of Title 33 of the CFR).

This communication does not convey any property rights, either in real estate or material, or any exclusive privileges. It does not authorize any injury to property, invasion of rights, or any infringement of federal, state or local laws, or regulations. It does not obviate your requirement to obtain state or local assent required by law for the development of this property. If the information you have submitted, and on which the U.S. Army Corps of Engineers has based its determination is later found to be in error, this decision may be revoked.

Thank you in advance for completing our on-line Customer Survey Form located at [http://corpsmapu.usace.army.mil/cm\\_apex/f?p=regulatory\\_survey](http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey). We value your comments and appreciate your taking the time to complete a survey each time you have interaction with our office.

If you have any questions, please contact me at 912-652-5893 or at [william.m.rutlin@usace.army.mil](mailto:william.m.rutlin@usace.army.mil).

Sincerely,

William M. Rutlin  
Chief, Coastal Branch

Copy Furnished: Mr. Dan Bucey, Resource and Land Consultants

Enclosures

**NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS  
AND REQUEST FOR APPEAL**

Applicant: Mr. Ryan Moore		File Number: SAS-2014-00614	Date: December 22, 2020
Attached is:		See Section below	
<input type="checkbox"/>	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)		A
<input type="checkbox"/>	PROFFERED PERMIT (Standard Permit or Letter of permission)		B
<input type="checkbox"/>	PERMIT DENIAL		C
<input checked="" type="checkbox"/>	APPROVED JURISDICTIONAL DETERMINATION		D
<input type="checkbox"/>	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](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. The division engineer must receive this form 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:  
Mr. William M. Rutlin  
U.S. Army Corps of Engineers, Savannah District  
100 W. Oglethorpe Avenue, Savannah, Georgia 31401

Phone: (912) 652-5893  
Email: [william.m.rutlin@usace.army.mil](mailto:william.m.rutlin@usace.army.mil)

If you only have questions regarding the appeal process you may also contact:

Mr. Philip Shannin  
Administrative Appeal Review Officer  
CESAS-PDS-O  
60 Forsyth Street Southwest, Floor M9  
Atlanta, Georgia 30303-8803

Phone: (404) 562-5136; Fax: (404) 562-5138  
Email: [philip.a.shannin@usace.army.mil](mailto: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.

\_\_\_\_\_  
Signature of appellant or agent.

Date:

Telephone number:





**U.S. ARMY CORPS OF ENGINEERS  
REGULATORY PROGRAM  
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)  
NAVIGABLE WATERS PROTECTION RULE**

**I. ADMINISTRATIVE INFORMATION**

Completion Date of Approved Jurisdictional Determination (AJD): 12/22/2020

ORM Number: SAS-2014-00614

Associated JDs: SAS-2014-00614

Review Area Location<sup>1</sup>: State/Territory: GA City: Brunswick County/Parish/Borough: Glynn

Center Coordinates of Review Area: Latitude 31.295401 Longitude -81.485661

**II. FINDINGS**

**A. Summary:** Check all that apply. At least one box from the following list MUST be selected. Complete the corresponding sections/tables and summarize data sources.

- ☐ The review area is comprised entirely of dry land (i.e., there are no waters or water features, including wetlands, of any kind in the entire review area). Rationale: N/A
- ☐ There are "navigable waters of the United States" within Rivers and Harbors Act jurisdiction within the review area (complete table in Section II.B).
- ☐ There are "waters of the United States" within Clean Water Act jurisdiction within the review area (complete appropriate tables in Section II.C).
- ☒ There are waters or water features excluded from Clean Water Act jurisdiction within the review area (complete table in Section II.D).

**B. Rivers and Harbors Act of 1899 Section 10 (§ 10)<sup>2</sup>**

§ 10 Name	§ 10 Size	§ 10 Criteria	Rationale for § 10 Determination
N/A.	N/A.	N/A.	N/A.

**C. Clean Water Act Section 404**

Territorial Seas and Traditional Navigable Waters ((a)(1) waters): <sup>3</sup>			
(a)(1) Name	(a)(1) Size	(a)(1) Criteria	Rationale for (a)(1) Determination
N/A.	N/A.	N/A.	N/A.

Tributaries ((a)(2) waters):			
(a)(2) Name	(a)(2) Size	(a)(2) Criteria	Rationale for (a)(2) Determination
N/A.	N/A.	N/A.	N/A.

Lakes and ponds, and impoundments of jurisdictional waters ((a)(3) waters):			
(a)(3) Name	(a)(3) Size	(a)(3) Criteria	Rationale for (a)(3) Determination
N/A.	N/A.	N/A.	N/A.

Adjacent wetlands ((a)(4) waters):			
(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
N/A.	N/A.	N/A.	N/A.

<sup>1</sup> Map(s)/figure(s) are attached to the AJD provided to the requestor.

<sup>2</sup> If the navigable water is not subject to the ebb and flow of the tide or included on the District's list of Rivers and Harbors Act Section 10 navigable waters list, do NOT use this document to make the determination. The District must continue to follow the procedure outlined in 33 CFR part 329.14 to make a Rivers and Harbors Act Section 10 navigability determination.

<sup>3</sup> A stand-alone TNW determination 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.



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NAVIGABLE WATERS PROTECTION RULE**

**D. Excluded Waters or Features**

Excluded waters ((b)(1) – (b)(12)): <sup>4</sup>				
Exclusion Name	Exclusion Size		Exclusion <sup>5</sup>	Rationale for Exclusion Determination
Non-Adjacent Wetland A	0.189	acre(s)	(b)(1) Non-adjacent wetland.	Wetland A is not adjacent to any (a)(1)-(a)(3) waters as defined by the NWPR. This wetland does not abut any (a)(1)-(a)(3) waters, is not inundated by any (a)(1)-(a)(3) waters, is physically separated from all (a)(1)-(a)(3) waters and does not have a directed hydrologic surface connection to any (a)(1)-(a)(3) waters in a typical year.
Non-Adjacent Wetland B	0.916	acre(s)	(b)(1) Non-adjacent wetland.	Wetland B is not adjacent to any (a)(1)-(a)(3) waters as defined by the NWPR. This wetland does not abut any (a)(1)-(a)(3) waters, is not inundated by any (a)(1)-(a)(3) waters, is physically separated from all (a)(1)-(a)(3) waters and does not have a directed hydrologic surface connection to any (a)(1)-(a)(3) waters in a typical year. Based on a previous JD, the only potential route of connectivity for this wetland is a roadside ditch associated with Interstate 95. However, this ditch does not meet the definition of a tributary and appears to be upland dug.

**III. SUPPORTING INFORMATION**

**A. Select/enter all resources** that were used to aid in this determination and attach data/maps to this document and/or references/citations in the administrative record, as appropriate.

- ☒ Information submitted by, or on behalf of, the applicant/consultant: [AJD request submitted 11/10/20](#)  
This information [is](#) sufficient for purposes of this AJD.  
Rationale: [N/A](#)
- ☐ Data sheets prepared by the Corps: [Title\(s\) and/or date\(s\)](#).
- ☒ Photographs: [Aerial: Google Earth Imagery dated 1/30/1993 and site photos taken during site visit.](#)
- ☒ Corps site visit(s) conducted on: [September 26, 2014](#)
- ☒ Previous Jurisdictional Determinations (AJDs or PJDs): [SAS-2014-00614 dated 1/29/2016](#)
- ☒ Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)
- ☒ USDA NRCS Soil Survey: [Figure 3](#)
- ☒ USFWS NWI maps: [Figure 4](#)

<sup>4</sup> Some excluded waters, such as (b)(2) and (b)(4), may not be specifically identified on the AJD form unless a requestor specifically asks a Corps district to do so. Corps districts may, in case-by-case instances, choose to identify some or all of these waters within the review area.

<sup>5</sup> Because of the broad nature of the (b)(1) exclusion and in an effort to collect data on specific types of waters that would be covered by the (b)(1) exclusion, four sub-categories of (b)(1) exclusions were administratively created for the purposes of the AJD Form. These four sub-categories are not new exclusions, but are simply administrative distinctions and remain (b)(1) exclusions as defined by the NWPR.



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☒ USGS topographic maps: [Figure 2](#)

**Other data sources used to aid in this determination:**

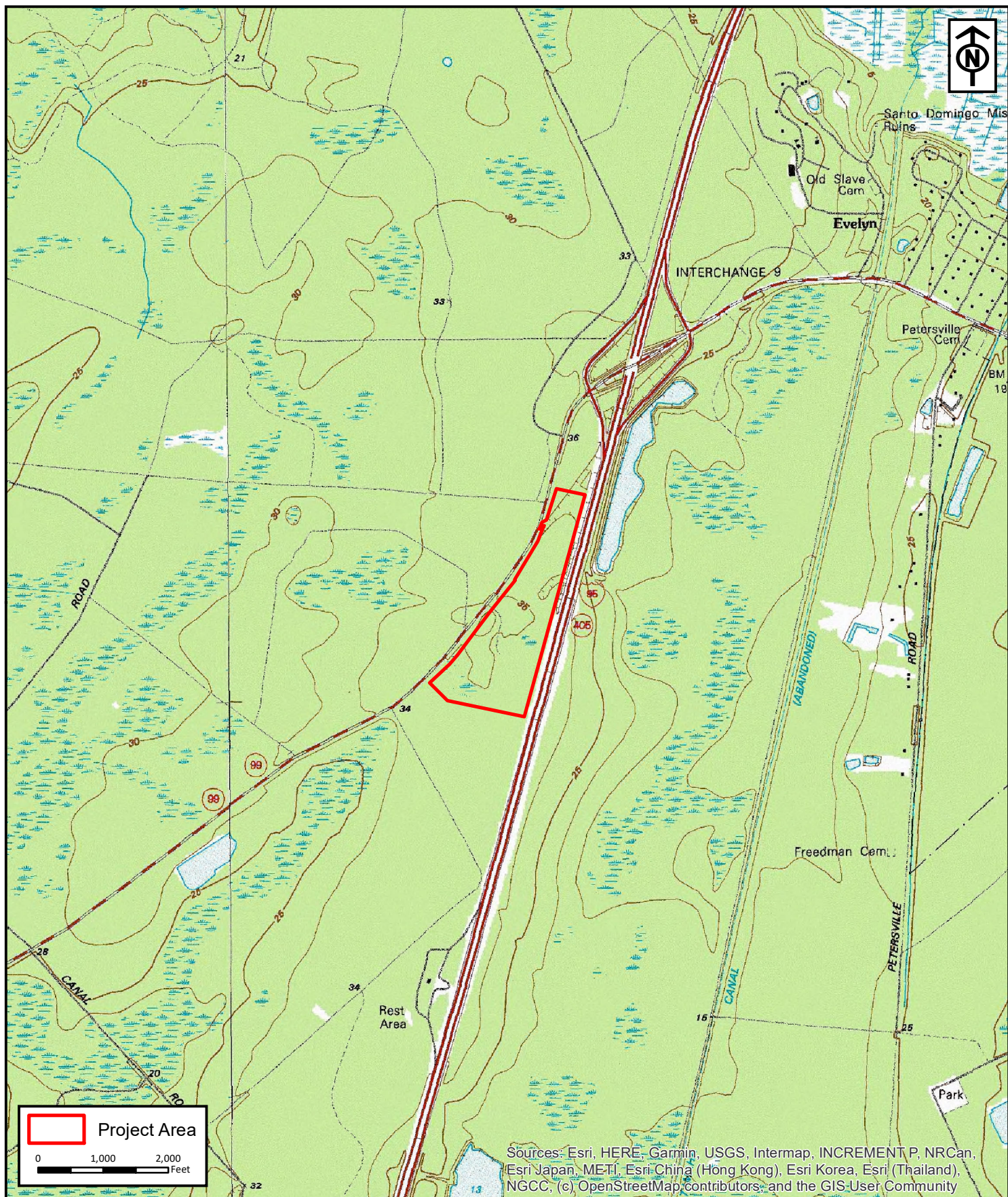
Data Source (select)	Name and/or date and other relevant information
<a href="#">USGS Sources</a>	N/A.
<a href="#">USDA Sources</a>	N/A.
<a href="#">NOAA Sources</a>	N/A.
<a href="#">USACE Sources</a>	N/A.
<a href="#">LiDAR data/maps</a>	<a href="#">USACE generated LiDAR map dated 9/5/2014</a>
<a href="#">FEMA/FIRM maps</a>	N/A

**B. Typical year assessment(s):** [The status of delineated resources jurisdiction was assessed on 21 September, 2020. Using the Atecedent Precipitation Tool Version 1.0, which used rainfall data from the Brunswick weather station, we have determined that normal conditions were present for the nearest weather station during the assessment in 2020. Normal rainfall conditions were present during site visit dated September 26, 2014.](#)

**C. Additional comments to support AJD:** [Non-adjacent Wetland A is surrounded by upland to the north, south, east, and west. Wetland A is located in proximity to a non-jurisdictional upland excavated roadside ditch along Highway 99. There is no direct hydrologic surface connection between Wetland A and any other jurisdictional wetlands. This wetland is greater than ±2.5 mile from the nearest TNW, Altamaha River. Non-adjacent Wetland B is surrounded entirely by upland. There is no direct hydrologic surface connection between Wetland B and any other jurisdictional wetlands. This wetland is greater than ±2.5 mile from the nearest TNW, Altamaha River.](#)







RLC Project No.:	14-057.2
Figure No.:	2
Sketch Date:	11 November 2020
Prepared By:	BS
Map Scale :	1 inch = 2,000 feet

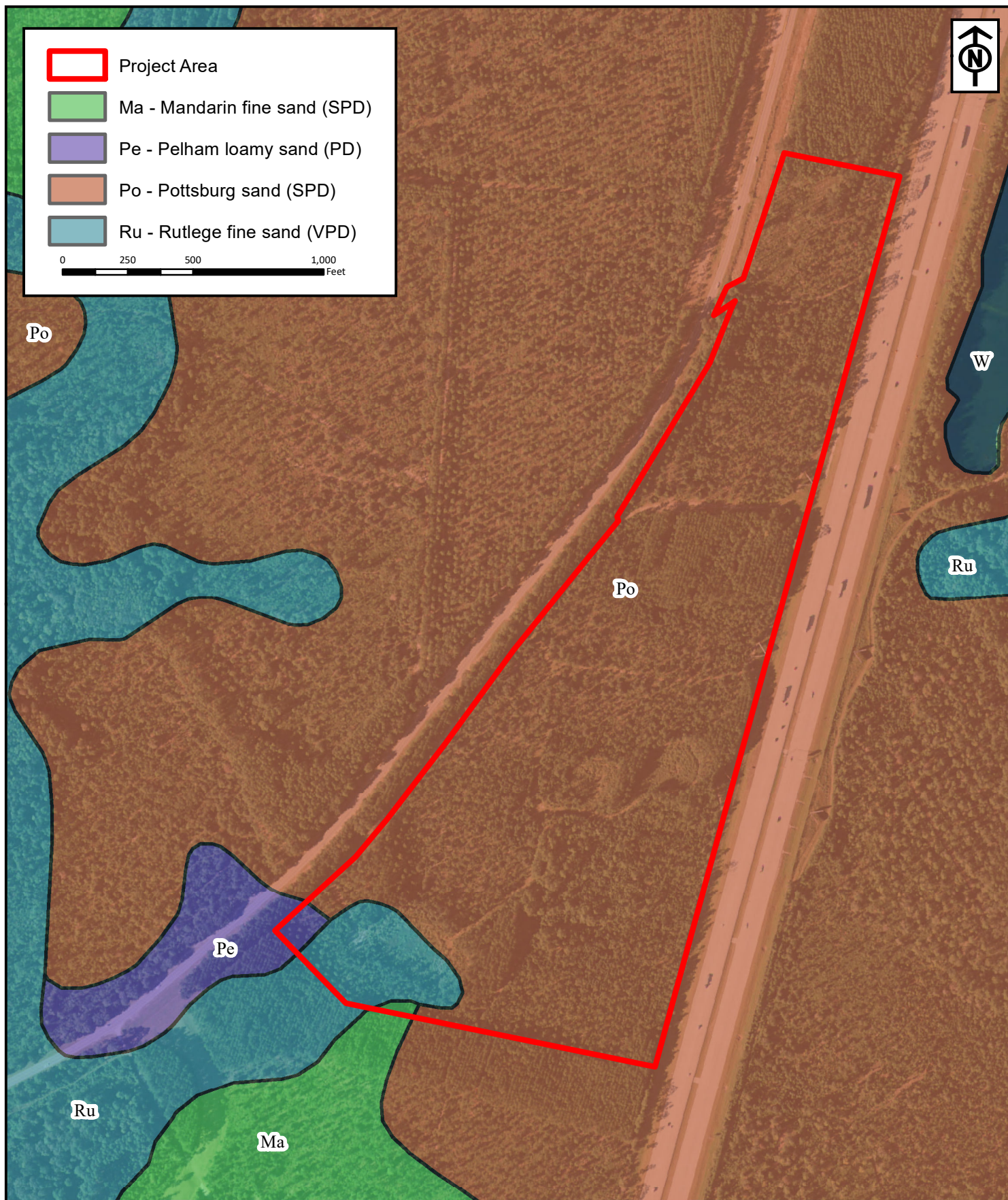
**70 Acre Glynn County Tract**  
Glynn County, Georgia

**USGS Topographic Map**

Prepared For: BGCD

**RLC**  
**RESOURCE+LAND**  
**CONSULTANTS**  
41 Park of Commerce Way, Ste. 303  
Savannah, Georgia 31405  
912.443.5699 www.rlandc.com





RLC Project No.:	14-057.2
Figure No.:	3
Sketch Date:	11 November 2020
Prepared By:	BS
Map Scale :	1 inch = 500 feet

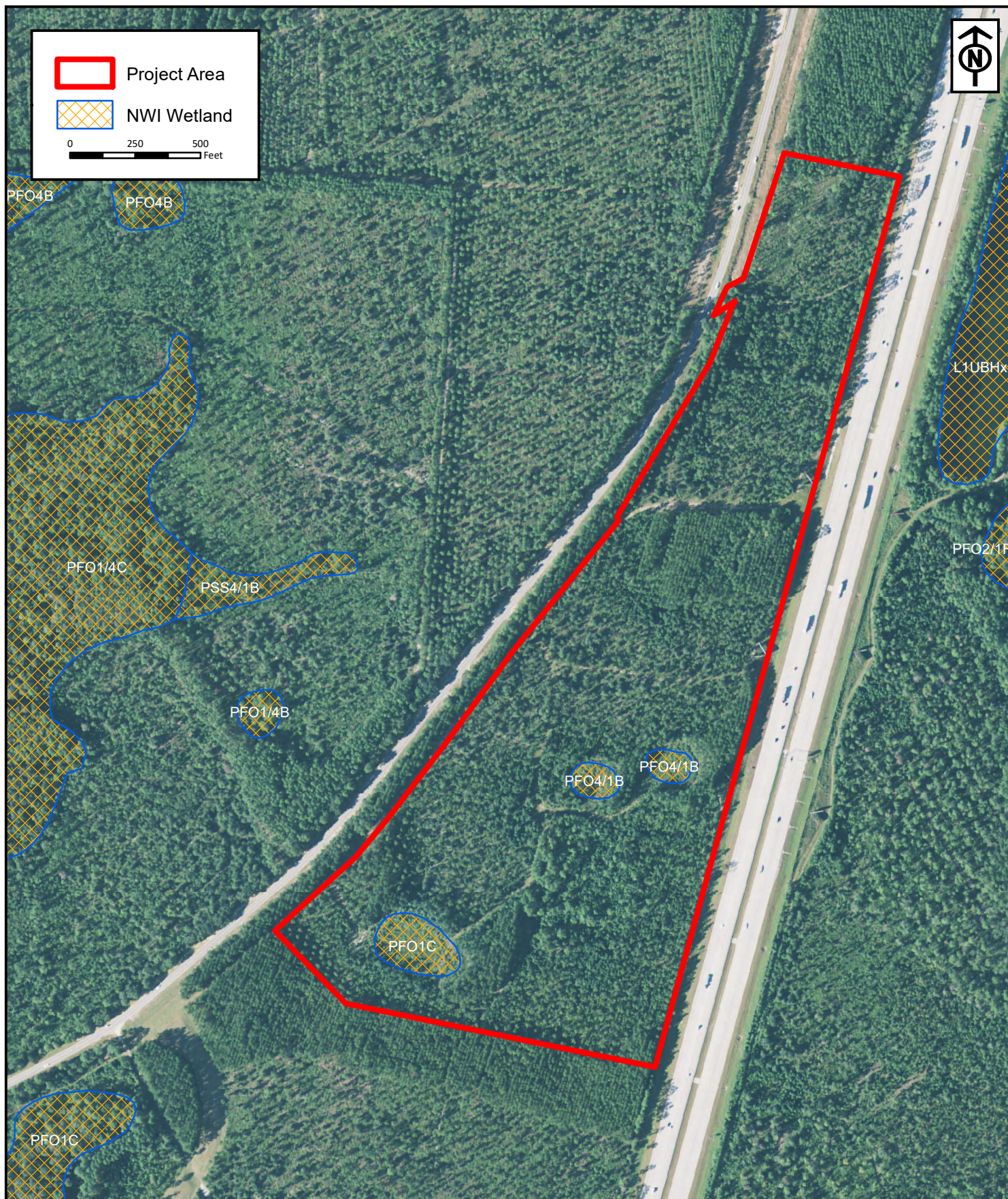
**70 Acre Glynn County Tract**  
Glynn County, Georgia

## NRCS Soil Map

Prepared For: BGCD

<b>RLC</b>
<b>RESOURCE+LAND CONSULTANTS</b>
<small>411 Park of Commerce Way, Ste. 303 Savannah, Georgia 31405 912.443.5696 www.rlandc.com</small>





RLC Project No.:	14-057.2
Figure No.:	4
Sketch Date:	11 November 2020
Prepared By:	BS
Map Scale :	1 inch = 500 feet

## 70 Acre Glynn County Tract

Glynn County, Georgia

## National Wetlands Inventory

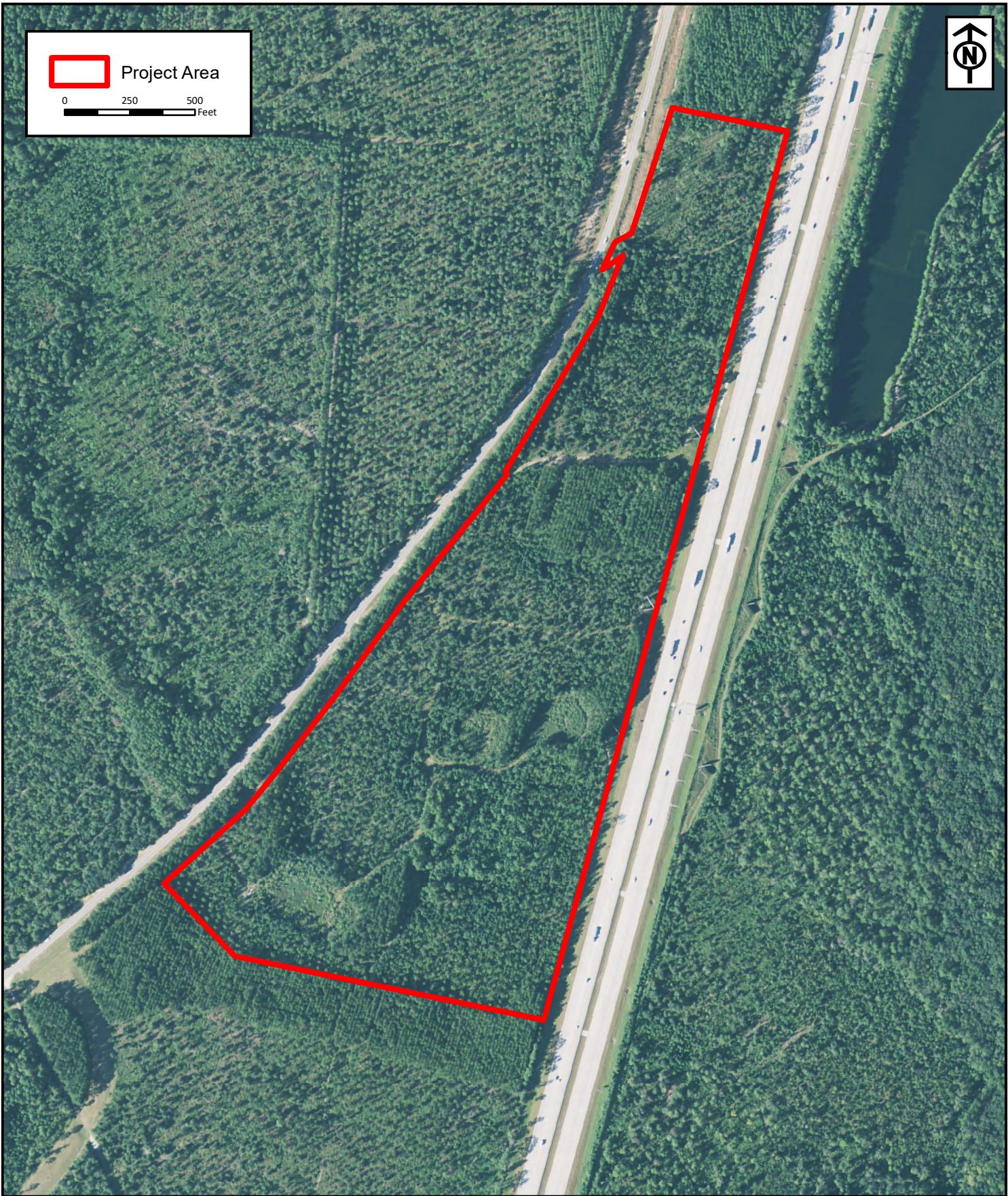
Prepared For: BGCD

**RLC**

**RESOURCE+LAND  
CONSULTANTS**

41 Park of Commerce Way, Ste. 303  
Savannah, Georgia 31405  
912.443.5696 www.rlc.com





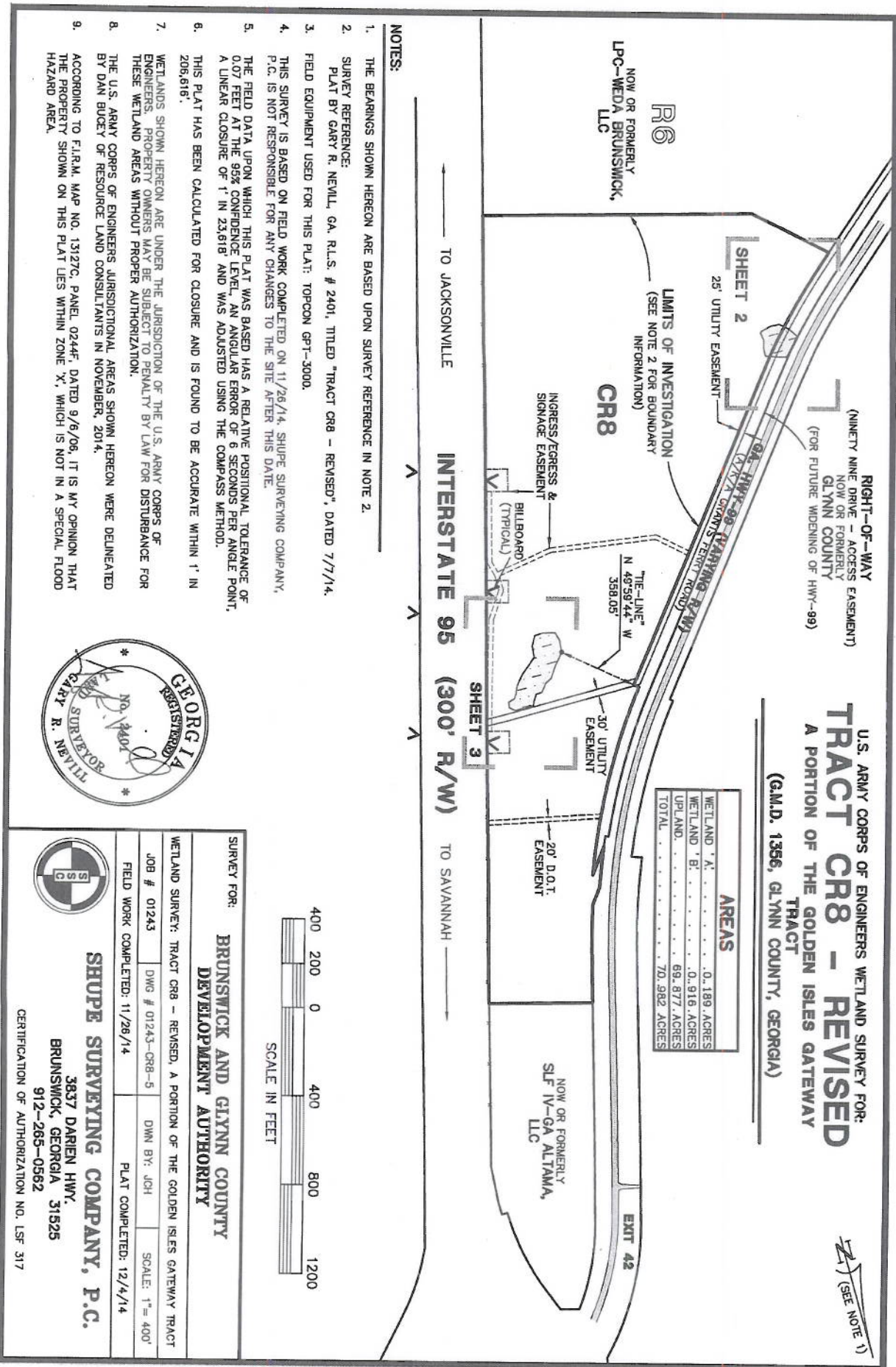
RLC Project No.:	14-057.2
Figure No.:	5
Sketch Date:	11 November 2020
Prepared By:	BS
Map Scale :	1 inch = 500 feet

**70 Acre Glynn County Tract**  
Glynn County, Georgia

**2013 NAIP Ortho Aerial**  
Prepared For: BGCD

<b>RLC</b>
<b>RESOURCE+LAND CONSULTANTS</b>
<small>411 Park of Commerce Way, Ste. 303 Savannah, Georgia 31405 912.443.5696 www.rlandc.com</small>



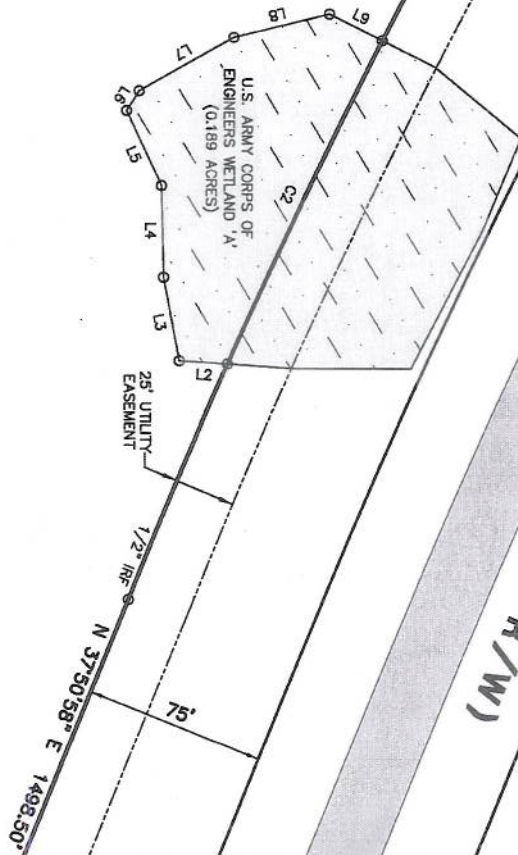
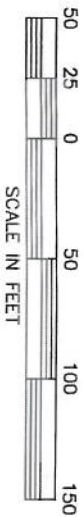


CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	2832.04'	296.15'	296.01'	S 46°00'32" W
C2	2832.04'	148.97'	148.95'	S 41°30'22" W

LINE	BEARING	DISTANCE
L1	N 49°00'16" E	93.03'
L2	S 70°11'48" E	19.92'
L3	S 04°55'53" W	35.17'
L4	S 14°43'30" W	38.17'
L5	S 08°54'31" E	34.49'
L6	S 48°41'24" W	9.71'
L7	S 76°33'33" W	45.17'
L8	N 87°48'26" W	40.87'
L9	N 47°20'02" W	24.48'

NOW OR FORMERLY  
BRUNSWICK AND GLYNN  
COUNTY DEVELOPMENT  
AUTHORITY

CR8





NOW OR FORMERLY  
BRUNSWICK AND GLYNN  
COUNTY DEVELOPMENT  
AUTHORITY

LINE	BEARING	DISTANCE
L10	N 21°46'56" E	18.01'
L11	S 89°31'08" E	23.74'
L12	S 89°07'46" E	61.67'
L13	S 48°45'06" E	29.02'
L14	S 07°38'18" W	24.71'
L15	S 73°06'21" W	30.96'
L16	S 34°16'47" W	24.98'
L17	S 22°24'05" W	34.57'
L18	S 40°16'51" W	58.62'
L19	S 50°23'38" W	48.42'
L20	S 48°00'59" W	43.67'
L21	S 04°54'33" W	51.33'

LINE	BEARING	DISTANCE
L22	S 29°10'49" W	47.20'
L23	S 87°37'44" W	40.16'
L24	N 75°58'21" W	52.65'
L25	N 16°27'26" W	38.46'
L26	N 04°46'52" E	55.21'
L27	N 40°11'44" E	65.20'
L28	N 33°40'56" E	63.96'
L29	N 64°08'30" E	32.23'
L30	N 38°15'47" E	44.61'
L31	N 86°44'27" E	26.89'
L32	N 32°16'02" E	35.62'

U.S. ARMY CORPS OF  
ENGINEERS WETLAND "B"  
(0.916 ACRES)

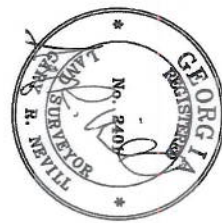
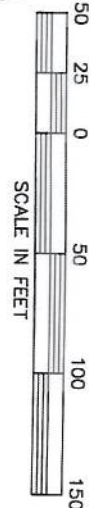
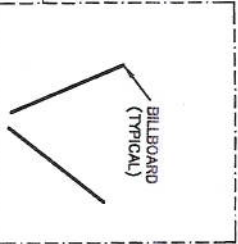
"TIE LINE"  
N 49°59'44" W  
358.05'

30' UTILITY EASEMENT

INTERSTATE 95 (300' R/W)

TO SAVANNAH

INGRESS, EGRESS &  
SIGNAGE EASEMENT  
S 15°04'33" W 3553.22'



NOW OR FORMERLY  
BRUNSWICK AND GLYNN  
COUNTY DEVELOPMENT  
AUTHORITY

SEE NOTE 1