



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

December 10, 2019

Regulatory Branch
SAS-2019-00659

Mr. Chase LeRoux
101 Spaulding Court LLC
101 Spaulding Court
Brunswick, Georgia 31525

Dear Mr. LeRoux:

I refer to a letter dated September 19, 2019, submitted on your behalf by Mr. Daniel Bucey of Resource Land Consultants, requesting an Approved Jurisdictional Determination (JD) for your 2.71 acre site located at 101 Spaulding Court, in the city of Brunswick, Glynn County, Georgia (Latitude 31.2468, Longitude -81.4586). This project has been assigned number SAS-2019-00659 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. The 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 a "Dry Land Approved JD Form," which details that no aquatic resources are located within the review area subject to the jurisdiction of the U.S. Army Corps of Engineers and how the Corps determined jurisdiction.

It has been determined that the review area as depicted on the enclosed survey entitled "101 Spaulding Court, LLC", dated March 28, 2018, and signed by Registered Land Surveyor Gary R. Nevill, does not contain any waters of the United States. Therefore, Department of the Army authorization, pursuant to Section 404 of the Clean Water Act (33 United States Code § 1344), is not required for dredge and/or fill activities within the review area. 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 (C.F.R.) Part 331. Enclosed you will find a Notification of Administrative Appeal Options and Process and Request for Appeal form.

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 C.F.R.).

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. 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 call me at (912) 652-5690.

Sincerely,

Skye H. Stockel
Project Manager, Coastal Branch

Enclosures

Copies Furnished: Mr. Daniel Bucey, Resource Land Consultants

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

Applicant: Mr. Chase LaRoux, 101 Spaulding Court LLC	File Number: SAS-2019-00659	Date: December 10, 2019
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 or Corps regulations at 33 C.F.R. § 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:
Ms. Skye H. Stockel
US Army Corps of Engineers, Savannah District
100 W. Oglethorpe Avenue, Savannah, Georgia 31401
912-652-5690

If you only have questions regarding the appeal process you may also contact:
Administrative Appeal Review Officer
CESAD-PDS-O
US Army Corps of Engineers, South Atlantic Division
60 Forsyth Street, Room 10M15
Atlanta, Georgia 30303-8801

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:

DRY LAND APPROVED JURISDICTIONAL DETERMINATION FORM¹
U.S. Army Corps of Engineers

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): December 9, 2019

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Savannah District, 101 Spaulding Court Tract, SAS-2019-00659

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Georgia County/parish/borough: Glynn City: Brunswick
Center coordinates of site (lat/long in degree decimal format): Lat. 31.2468°, Long. -81.4586 °
Universal Transverse Mercator: NAD83

Name of nearest waterbody: Troup Creek
Name of watershed or Hydrologic Unit Code (HUC): 03070203

- Check if map/diagram of review area is available upon request.
 Check if other sites (e.g., offsite mitigation sites, disposal sites, etc...) are associated with this action and are recorded on a different JD form.

D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

- Office (Desk) Determination. Date: December 9, 2019
 Field Determination. Date(s): November 19, 2019

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION.

There are **no** "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area.

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There are **no** "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area.

SECTION III: DATA SOURCES.

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):

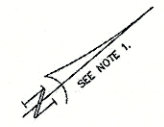
- Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: Location Map
 Data sheets prepared/submitted by or on behalf of the applicant/consultant.
 Office concurs with data sheets/delineation report.
 Office does not concur with data sheets/delineation report.
 Data sheets prepared by the Corps:
 U.S. Geological Survey Hydrologic Atlas:
 USGS NHD data.
 USGS 8 and 12 digit HUC maps.
 U.S. Geological Survey map(s). Cite scale & quad name: 1"=1,000'; Glynn County, GA; Brunswick East, GA NW
 USDA Natural Resources Conservation Service Soil Survey. Citation: 1"=100'; Glynn County, GA
 National wetlands inventory map(s). Cite name: Cite name: 1"=200'; Glynn County, GA
 State/Local wetland inventory map(s): [Click here to enter text.](#)
 FEMA/FIRM maps: 13127C0227H
 100-year Floodplain Elevation is: [Click here to enter text.](#) (National Geodetic Vertical Datum of 1929)
 Photographs: Aerial (Name & Date): Orthoimage & 1999 CIR
 or Other (Name & Date):
 Previous determination(s). File no. and date of response letter:
 Applicable/supporting case law: [Click here to enter text.](#)
 Applicable/supporting scientific literature: [Click here to enter text.](#)
 Other information (please specify): NOAA Topographic LiDAR

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND: Site visit was conducted on November 19, 2019. The lot and datapoint location were reviewed and it was determined that there are no aquatic resources and thus no waters of the U.S. located within the project boundary. No portions of the review area exhibited all three wetland parameters nor was there any evidence of a tributary with an ordinary high water mark present.

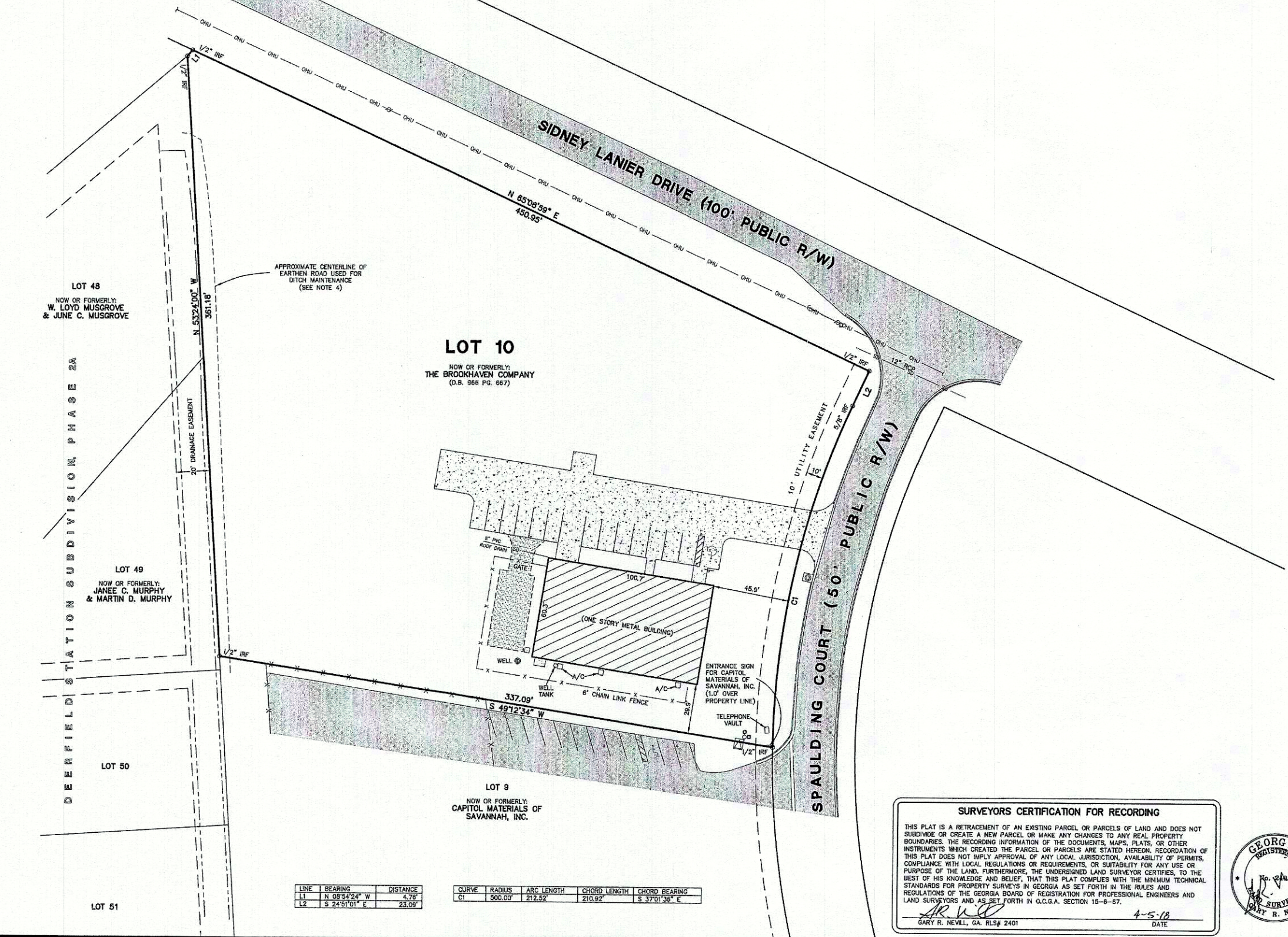
¹ This form is for use only in recording approved JDs involving dry land. It extracts the relevant elements of the longer approved JD form in use since 2007 for aquatic areas and adds no new fields.

BOUNDARY SURVEY OF:
LOT 10, BRUNSWICK - MCBRIDE INDUSTRIAL PARK
 (G.M.D. 26, GLYNN COUNTY, GEORGIA)

(AREA = 2.531 ACRES)

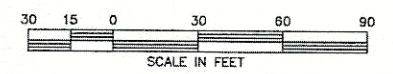


RESERVED FOR CLERK'S FILING INFORMATION



- NOTES:**
- BEARINGS SHOWN ON THIS SURVEY ARE BASED UPON THE RECORDED SUBDIVISION PLAT, SEE NOTE 2.
 - SURVEY REFERENCE:
 - SURVEY BY GEORGE P. UNDERWOOD JR., GA. R.L.S.# 1927, TITLED LOTS 9 & 10 BRUNSWICK - MCBRIDE INDUSTRIAL PARK, DATED 07/24/92.
 - SURVEY BY GARY R. NEVILL, GA. R.L.S.# 2401, TITLED "LOT 10, BRUNSWICK - MCBRIDE INDUSTRIAL PARK, DATED 12/26/95.
 - PER PD ZONING TEXT:
 - A 10' EASEMENT IS RESERVED INSIDE THE FRONT, SIDE AND REAR PROPERTY LINES FOR THE PURPOSE OF CONSTRUCTION AND MAINTAINING OVERHEAD AND UNDERGROUND WATER, SEWER, ELECTRICAL, GAS, TELEPHONE, UTILITY PIPES, CONDUITS, SURFACE AND UNDERGROUND STORM-WATER SYSTEMS, PROVIDED ANY USE OF SAME SHALL NOT INTERFERE WITH PREVIOUSLY INSTALLED UTILITIES.
 - A 35' RAILROAD RIGHT-OF-WAY EASEMENT IS RESERVED INSIDE THE SIDE AND REAR PROPERTY LINES OF EVERY LOT AND PARCEL INCLUDED IN THE PARK. THE AUTHORITY MAY, HOWEVER, ON REQUEST FROM AN OWNER OF ANY SUCH PARCEL, WAIVE THIS RIGHT IN A DOCUMENT SUITABLE FOR RECORDING.
 - ACCESS FOR DITCH MAINTENANCE BASED UPON OBSERVED PHYSICAL EVIDENCE, NO SUPPORTING CREATION/CONVEYANCE DOCUMENTATION FOUND.
 - FIELD EQUIPMENT USED FOR THIS PLAT: LEICA TS12.
 - THIS SURVEY IS BASED ON FIELD WORK COMPLETED ON 03/27/18. SHUPE SURVEYING COMPANY, P.C. IS NOT RESPONSIBLE FOR ANY CHANGES TO THE SITE AFTER THIS DATE.
 - THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS OBTAINED USING EQUIPMENT AND PROCEDURES CONSISTENT WITH RULE 160-7-03. THE CALCULATED POSITIONAL TOLERANCE WAS 0.05 FEET.
 - THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN 1" IN 392,341'.
 - THE ADJOINING LAND OWNERS AND CURRENT OWNERSHIP OF THE SUBJECT PROPERTY SHOWN ON THIS SURVEY WERE TAKEN FROM THE GLYNN COUNTY GIS WEBSITE (WWW.GLYNNCOUNTY.GOV). THE GIS WEBSITE INDICATES THE CURRENT OWNER IS THE BROOKHAVEN COMPANY (B.D. 986 PG. 667).
 - ACCORDING TO F.I.R.M. MAP NO. 13127C, PANEL 0227H, EFFECTIVE DATE 01/05/18, IT IS MY OPINION THAT THE PROPERTY SHOWN ON THIS PLAT FALLS IN A ZONE "X" (UNSHADED) WHICH IS NOT A SPECIAL FLOOD HAZARD AREA.
 ZONE X (UNSHADED) - AREAS OF MINIMAL FLOOD HAZARD.
 - THIS PLAT WAS PRODUCED WITHOUT THE BENEFIT OF A TITLE EXAMINATION.

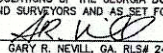
- LEGEND:**
- IRF IRON REBAR FOUND
 - ⊙ WELL
 - ⊕ STORM DRAIN MANHOLE
 - ⊞ POWER TRANSFORMER
 - UTILITY POLE
 - GUY WIRE
 - PHONE BOX
 - ⊕ CABLE TV BOX
 - SIGN
 - ▭ CONCRETE
 - ▨ BUILDING
 - ▨ ASPHALT
 - ▨ GRAVEL
 - X — FENCE
 - SD — STORM DRAIN LINE
 - OHU — OVERHEAD UTILITY LINE



LINE	BEARING	DISTANCE	CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
L1	N 08°54'24" W	4.78	C1	500.00'	212.52'	210.92'	S 37°01'58" E
L2	S 24°51'01" E	23.09'					

SURVEYORS CERTIFICATION FOR RECORDING

THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES, TO THE BEST OF HIS KNOWLEDGE AND BELIEF, THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.


 GARY R. NEVILL, GA. RLS# 2401
 DATE 4-5-18



SURVEY FOR:

101 SPAULDING COURT, LLC & FIRST AMERICAN TITLE INSURANCE COMPANY

LOT 10, BRUNSWICK - MCBRIDE INDUSTRIAL PARK

JOB # 18111	DWG # 18111	DWN BY: NS	SCALE: 1"=30'
FIELD WORK COMPLETED: 03/27/18		PLAT COMPLETED: 03/28/18	

SHUPE SURVEYING COMPANY, P.C.

3837 DARIEN HWY.
 BRUNSWICK, GEORGIA 31525
 912-265-0562
 CERTIFICATION OF AUTHORIZATION NO. LSF 317

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