



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

May 21, 2020

Regulatory Division
SAS-2019-00891

Mr. Russell Guyett
1223 Curtis Road
Hinesville, Georgia 31313

Dear Mr. Guyett

I refer to a letter dated December 27, 2019, requesting an Approved Jurisdictional Determination (JD) for your site located off Highway 196, in Hinesville, Liberty County, Georgia (Latitude 31.8210, Longitude -81.6365). This project has been assigned number SAS-2019-00891 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. We determined that the review area as depicted as upland on the enclosed exhibit entitled "SAS-2019-00891 Guyett Road Tract", dated May 21, 2020 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. Wetlands were delineated in accordance with the 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 AJD Form," which details how we determined that there are no wetlands in 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) 652-5048.

Sincerely,

SPATZER.SARAH.FITZ
GERALD.1289753059

Digitally signed by
SPATZER.SARAH.FITZGERALD.1289
753059
Date: 2020.05.21 09:49:57 -04'00'

Sarah F. Spatzer
Regulatory Specialist, Coastal Branch

Enclosures

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

Applicant: Mr. Russell Guyett		File Number: SAS-2019-00891	Date: May 21, 2020
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 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. Sarah F. Spatzer
US Army Corps of Engineers, Savannah District
100 West Oglethorpe Avenue
Savannah, Georgia 31401-3604

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): 5/21/20

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Savannah District, Guyett Road Tract, SAS-2019-

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Georgia County/parish/borough: Liberty City: Hinesville

Center coordinates of site (lat/long in degree decimal format): Lat. 31.821080 °, Long. .636570 °

Universal Transverse Mercator:

Name of nearest waterbody: Mill Creek

Name of watershed or Hydrologic Unit Code (HUC): 030602030506



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: 5/21/20



Field Determination. Date(s): 12/19/19

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: SAS-2019-00891



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: Guyett Property



USGS NHD data.



USGS 8 and 12 digit HUC maps.



U.S. Geological Survey map(s). Cite scale & quad name:



USDA Natural Resources Conservation Service Soil Survey. Citation: Guyett Soil Survey



National wetlands inventory map(s). Cite name: Guyett Wetlands Map



State/Local wetland inventory map(s):



FEMA/FIRM maps: Guyett FEMA Map



100-year Floodplain Elevation is: National Geodetic Vertical Datum of 1929



Photographs: Aerial (Name & Date): Guyett Photos Site Inspections.



or Other (Name & Date):



Previous determination(s). File no. and date of response letter:



Applicable/supporting case law:



Applicable/supporting scientific literature:



Other information (please specify):

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND: [Click here to enter text.](#)

Based on site conditions, this project is lacking hydrology and hydric soils, and is therefore comprised of upland/dry land. See exhibit.

Ms. Sarah F. Spatzer

SPATZER.SARAH.
FITZGERALD.1289
753059

Digitally signed by
SPATZER.SARAH.FITZGERALD
.1289753059
Date: 2020.05.21 09:42:30 -04'00'

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.

SAS-2019-00891 Guyett Road Tract



5/21/2020, 9:27:58 AM

RG Collector - Delineation Point

Point of Interest

RG Collector - Delineation Polygon

Project Boundary

Upland

Wetland

1:2,257

0 0.02 0.04 0.07 0.15 km

0 0.02 0.04 0.07 0.15 mi

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