



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, SAVANNAH DISTRICT
4751 BEST ROAD, SUITE 140
COLLEGE PARK, GEORGIA 30337

January 30, 2024

Regulatory Division
SAS-2023-00785

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

Dear [REDACTED]

I refer to the Pre-Construction Notification dated October 4, 2023, by [REDACTED] requesting an approved Jurisdictional Determination (AJD) for the 25-acre property located north of McFarland Parkway, south of Elmshorn Way, at address 425 McFarland Parkway in Alpharetta, Forsyth County, Georgia (central coordinates located at latitude: 34.1359, longitude: -84.2436). This project has been assigned number SAS-2023-00785, and it is important that you refer to this number in all communication concerning this matter

We have completed an approved JD for this site. Any wetlands on-site 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 "AJD Memorandum for Record," which details whether aquatic resources present on the site are subject to the jurisdiction of the U.S. Army Corps of Engineers and how the Corps determined jurisdiction.

The aquatic resources, as depicted on the enclosed exhibit entitled "Exhibit 3: 425 McFarland Parkway, Delineation of Aquatic Resources Map", dated March 9, 2023, are waters of the United States and are therefore within the jurisdiction of Section 404 of the Clean Water Act (33 United States Code § 1344). The placement of dredged or fill material into Waters of the United States, including mechanized land clearing of jurisdictional wetlands would 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 the 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.

[REDACTED]
[REDACTED]

Thank you in advance for completing our online Customer Survey Form located at <https://regulatory.ops.usace.army.mil/customer-service-survey/>. We value your comments and appreciate your taking the time to complete a survey each time you interact with our office.

If you have any questions, please contact me by telephone at [REDACTED]
[REDACTED]

Sincerely,

[REDACTED]

[REDACTED]

[REDACTED]

Enclosures





PHOTO 1: WETLAND 1



PHOTO 2: INTERMITTENT STREAM 1



PHOTO 3: PERENNIAL STREAM 1



PHOTO 4: INTERMITTENT STREAM 4

SEE PHOTO LOCATIONS ON PREVIOUS EXHIBIT

PHOTOS TAKEN ON 2/21/2023

SITE PHOTOS

**DELINEATION OF AQUATIC RESOURCES
425 MACFARLAND PARKWAY
FORSYTH COUNTY, GEORGIA**

**EXHIBIT 11
PREPARED MARCH 9, 2023 BY:**

[Redacted signature area]

[Redacted signature area]