

CAMDEN PRESERVE
PLANNED DEVELOPMENT DISTRICT

EXHIBIT J

PRELIMINARY TRAFFIC ANALYSIS/GDOT
CORRESPONDENCE

INTRODUCTION

Camden Preserve is planned to include approximately 5,600 residential units and a community village center. Adjacent to the future I-95 interchange, a 250,000 square foot commercial area is planned. Approximately 3,000 of the 5,600 residential units are planned as town-homes or multi-family units.

ROADWAY CONDITIONS

A future interchange is planned near the property at the intersection of Horse Stamp Road and Interstate 95. It is anticipated that the interchange will be complete by 2011.

Primary access to Camden Preserve will be on Horse Stamp Road, three main access points are planned. Horse Stamp Road is a two lane roadway connecting the property to Waverly and US 17.

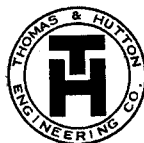
Spring Bluff Road is a two lane road connecting Horse Stamp Road to US 17 near the Interstate 95 exit 26. Many of the vehicles associated with Camden Preserve will use Spring Bluff Road to travel to Interstate 95.

INITIAL DEVELOPMENT SCHEDULE

Camden Preserve is anticipated to grow over a twenty year period, and will likely begin construction prior to completion of the I-95 interchange.

In the initial stages of development, site traffic will likely split between Horse Stamp Road and Spring Bluff Road. Vehicles headed south or to Waverly will use Horse Stamp Road; most vehicles headed north will likely use Spring Bluff Road to access US 17 and I-95. For initial estimates, site traffic is assumed to split evenly between the two roadways.

The development schedule for Camden Preserve will depend on numerous economic factors. For initial estimates, it is assumed Camden Preserve will build 100 to 175 units per year, beginning in 2007 (see assumed schedule in the following table). By 2011, Camden Preserve could contain approximately 700 residential units. It is assumed that the retail area will not open until the interchange is built.



Rough estimates of the number of occupied homes (for the initial stages of development), along with the amount of traffic generated, are shown in the table below.

YEAR	TOTAL OCCUPIED UNITS (assume 50% townhouses, 50% single family detached)	ADDITIONAL TRAFFIC ON HORSE STAMP ROAD (vehicles per day)	ADDITIONAL TRAFFIC ON SPRING BLUFF ROAD (vehicles per day)
2006	0	Construction traffic only	Construction traffic only
2007	100	450	450
2008	225	950	950
2009	375	1500	1500
2010	525	2000	2000
2011	700	2600	2600

With a mix of townhouses and single family homes, the estimated 700 units built before the interchange completion could generate approximately 2,600 vehicle trips per day on both Horse Stamp Road and Spring Bluff Road. Afternoon peak hour volumes would be roughly 250 vehicles per hour. Traffic along both roads would follow typical residential patterns, with most of the traffic headed toward US 17 in the morning (exiting the development) and returning in the afternoon.

DEVELOPMENT AFTER INTERCHANGE CONSTRUCTION

Once the new interchange is constructed, the majority of the site traffic will likely shift to the Interstate. A smaller portion will continue to use Horse Branch Road to travel to and from Waverly. With interstate access, through traffic using Spring Bluff Road (in the absence of other development along Spring Bluff Road) should be negligible.

Trips for the overall development at complete build out are estimated in the table below. The commercial area near the interchange should capture a significant amount of the residential traffic (and vice versa), especially if other shopping areas are not located in the immediate area.



Trip Generation – Camden Preserve

WEEKDAY RATES						
LAND USE CODE	LAND USE	24 HOUR	AM PEAK IN OUT		PM PEAK IN OUT	
210	2,600 Single Family Detached Units	20,831	457	1,372	1,268	744
230	3,000 Town-houses / Multi-Family Units	11,561	133	651	655	323
820	250,000 Square Foot Shopping Center	12,320	165	106	550	596
TOTAL		44,712	755	2,129	2,473	1,663

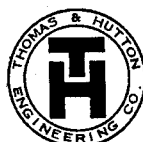
Source: Institute of Transportation Engineers, Trip Generation, 7th Edition, 2003

Construction of an interchange and access to I-95 at Horse Branch Road will have a significant effect on the nature of the surrounding properties. The amount of traffic on all of the surrounding roadways (at build out of Camden Preserve) will depend mostly on what other developments and what other roadway projects are implemented as a result of the interchange construction.

To determine the amount of traffic ultimately using sections of Horse Stamp Road, the following assumptions are made:

- A general rate of 15% is applied to the residential and commercial uses to account for internal capture within the development
- All of the shopping center trips are associated with either the Camden Preserve development or Interstate 95
- 90% of the external traffic from the residential areas is associated with Interstate 95
- 10% of the external traffic from the residential areas is associated with Horse Stamp Road toward Waverly

Given the assumptions above, Camden Preserve is estimated to ultimately generate approximately 3,000 to 4,000 new trips along Horse Stamp Road between the development and Waverly. Trips generated by Camden Preserve near the Interstate and around the new Interchange may be as high as 35,000 vehicles per day.



INTERNAL NETWORK AND ACCESS POINTS

The development plan and the roadways within Camden Preserve disperse site traffic among the three access points relatively evenly. Separate entrances for the shopping center will be provided along Horse Stamp Road. Shopping center access should be envisioned as the design of the Interchange progresses.

Future plans for the Interchange and for Horse Stamp Road should incorporate turn lane additions at each Camden Preserve access point. More detailed traffic analysis should occur as the property develops and roadway improvements are planned.



FILE COPY



Department of Transportation

HAROLD E. LINNENKOHL
COMMISSIONER
(404) 656-5205

DAVID E. STUDSTILL, JR., P.E.
CHIEF ENGINEER
(404) 656-5277

State of Georgia
#2 Capitol Square, S.W.
Atlanta, Georgia 30334-1002

LARRY E. DENT
DEPUTY COMMISSIONER
(404) 656-5212

EARL L. MAHFUZ
TREASURER
(404) 656-5224

May 18, 2005

The Honorable David L. Rainer
Camden County Board of Commissioners Chairman
P.O. Box 99
Woodbine, GA 31569-0099

Subject: Proposed interchange on I-95 @ Horse Stamp Church Road
GDOT Project NH-95-1(167), P.I. 511430

Dear Chairman Rainer:

The Federal Highway Administration (FHWA) has recently completed their review of the revised final Interchange Justification Report submitted by Camden County's consultant (Moreland Altobelli Assoc.) for a new I-95 interchange at Horse Stamp Church Road. As noted on their enclosed letter, FHWA has determined that the report now demonstrates that the proposed project meets the necessary criteria required to gain their approval for new access on to the Interstate System. Consequently, FHWA has approved the new access break and the Department can proceed with the project.

Please note that FHWA's approval is conditional on paving/reconstructing Ella Park Church Road from east of I-95 to Dover Bluff road. In addition, they also request that adequate access control is provided on the east side of I-95, which is an issue that should be addressed during the project's design phase. Final approval will be given by FHWA once the "environmental document" is submitted and approved for this project.

If you have any questions please contact Tom McQueen in the Office of Planning at (404) 657-6697.

Sincerely,

A handwritten signature in dark ink, appearing to read "Joseph P. Palladi".

Joseph P. Palladi, P.E.
State Transportation Planning Administrator

JFP:tem

cc: Pat Smeeton, Moreland Altobelli Assoc.
David Studstill, GDOT Chief Engineer
Gerald Ross, GDOT Div. of Trans. Planning, Data & Intermodal Development
Andy Casey, GDOT Office of Road & Airport Design



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

Georgia Division

61 Forsyth Street, S.W., Suite 17T100

Atlanta, Georgia 30303

May 10, 2005

IN REPLY REFER TO:
HTM-GA

Mr. Harold Linnenkohl
Commissioner
Georgia Department of Transportation
No. 2 Capitol Square, S.W.
Atlanta, Georgia 30334-1002

Subject: Interchange Justification Report I 95 at Horro Stamp Church Road Project No.
NH-95-1(167), Camden County

Dear Mr. Linnenkohl:

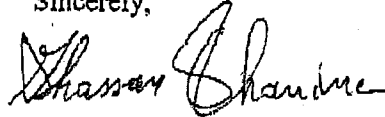
We have reviewed the subject Interchange Justification Report (IJR) that was submitted by your April 7, 2005 letter. Based on our review, we hereby grant approval of the IJR. This approval pertains to the engineering and operational analysis only, and final approval of this new interchange will be conditional upon completion of the Concept, environmental process, and review of final design plans before this project is let to construction.

During our field review of this proposal, we noted that the crossroad (Ella Park Church Road) east of I-95 is an unpaved roadway. Please note that the Federal criteria require that crossroads (and other streets) must have the ability to collect and distribute traffic to and from the new interchange. Since an unpaved facility cannot provide such access, provisions to reconstruct Ella Park Church Road from the new interchange to Dover Bluff Road must be made.

Also, it appears from the graphics included with the report that adequate access control is proposed west of I-95, particularly since the Spring Bluff Road intersection with Horse Stamp Church Road will be relocated. However, it was difficult to determine from the graphics whether the required access is being achieved on the east side. This issue should be addressed during the design phase of the project.

If you have any questions, please contact Floyd Moore at (404) 562-3654.

Sincerely,



For: Robert M. Callan, P.E.
Division Administrator

cc: Mr. Tom McQueen, GDOT Office of Planning

Your DRI ID NUMBER for this submission is: 884
 Use this number when filling out a DRI REVIEW REQUEST.
 Submitted on: 7/28/2005 4:25:54 PM

DEVELOPMENT OF REGIONAL IMPACT Camden County Initial DRI Information (Form1d)

This form is intended for use by local governments within the Non-Metropolitan Region Tier. The form is to be completed by the city or county government for submission to your Regional Development Center (RDC). This form provides basic project information that will allow the RDC to determine if the project appears to meet or exceed applicable DRI thresholds. Local governments should refer to both the Rules for the DRI Process 110-12-3 and the DRI Tiers and Thresholds established by DCA.

Local Government Information

Submitting Local Government:	Camden County
*Individual completing form and Mailing Address:	Robin-Aimee Zatkovich Camden County Planning & Building Department 107 Gross Road North, Suite 3 Kingsland, Georgia 31548
Telephone:	912-729-5603
Fax:	912-729-5543
E-mail (only one):	rzatkovich@co.camden.ga.us

*Note: The local government representative completing this form is responsible for the accuracy of the information contained herein. If a project is to be located in more than one jurisdiction and, in total, the project meets or exceeds a DRI threshold, the local government in which the largest portion of the project is to be located is responsible for initiating the DRI review process.

Proposed Project Information

Name of Proposed Project: THE LANDINGS AT WHITE OAK CREEK		
Development Type	Description of Project	Thresholds
Mixed Use	5998 residential units on 3016+/- acres with amenities commercial area and on-site facilities.	View Thresholds
Developer / Applicant and Mailing Address:		Harlan Forest, LLC Bickley Forest Investments, LLC Bickley Coastal Investments, LLC Ryker Investments, LLC 292 E. Cherry Street, Suite 5 Jesup, GA 31546
Telephone:		912-427-4022
Fax:		912-427-8882
Email:		thecartergrp@bellsouth.net
Name of property owner(s) if different from developer/applicant:		
Provide Land-Lot-District Number:		
What are the principal streets or roads providing vehicular access to the site?		Horse Stamp Church Road
Provide name of nearest street(s) or intersection:		Horse Stamp Church Road/ I-95
Provide geographic coordinates (latitude/longitude) of the center of the proposed project (optional):		31d 03'36" N / 81d 39'37" W
If available, provide a link to a website providing a general location map of the proposed project (optional). (http://www.mapquest.com or http://www.mapblast.com are helpful sites to use.):		
Is the proposed project entirely located within your local government's jurisdiction?		Y
If yes, how close is the boundary of the nearest other local government?		3.5 miles north to Glynn County line
If no, provide the following information:		
In what additional jurisdictions is the project located?		
In which jurisdiction is the majority of the project located? (give percent of project)		Name: (NOTE: This local government is responsible for initiating the DRI review process.)
		Percent of Project:

Is the current proposal a continuation or expansion of a previous DRI?	N
If yes, provide the following information (where applicable):	Name:
	Project ID:
	App #:
The initial action being requested of the local government by the applicant is:	Rezoning
What is the name of the water supplier for this site?	Not Determined
What is the name of the wastewater treatment supplier for this site?	Not Determined
Is this project a phase or part of a larger overall project?	N
If yes, what percent of the overall project does this project/phase represent?	
Estimated Completion Dates:	This project/phase: Overall project: 2021

Local Government Comprehensive Plan	
Is the development consistent with the local government's comprehensive plan, including the Future Land Use Map?	N
If no, does the local government intend to amend the plan/map to account for this development?	Y
If amendments are needed, when will the plan/map be amended?	Not Determined

Service Delivery Strategy	
Is all local service provision consistent with the countywide Service Delivery Strategy?	N
If no, when will required amendments to the countywide Service Delivery Strategy be complete?	Not Determined

Land Transportation Improvements	
Are land transportation or access improvements planned or needed to support the proposed project?	Y
If yes, how have these improvements been identified:	
Included in local government Comprehensive Plan or Short Term Work Program?	Y
Included in other local government plans (e.g. SPLOST/LOST Projects, etc.)?	N
Included in an official Transportation Improvement Plan (TIP)?	Y
Developer/Applicant has identified needed improvements?	N
Other (Please Describe): GA DOT #NH-95-1 (167)	Y

FILE COPY

*Department of Transportation*

HAROLD E. LINNENKOHL
COMMISSIONER
(404) 656-6206

DAVID E. STUDSTILL, JR., P.E.
CHIEF ENGINEER
(404) 656-6277

*State of Georgia
#2 Capitol Square, S.W.
Atlanta, Georgia 30334-1002*

May 18, 2005

LARRY E. DENT
DEPUTY COMMISSIONER
(404) 656-6212

EARL L. MAHFUZ
TREASURER
(404) 656-6224

The Honorable David L. Rainer
Camden County Board of Commissioners Chairman
P.O. Box 99
Woodbine, GA 31569-0099

Subject: Proposed interchange on I-95 @ Horse Stamp Church Road
GDOT Project NH-95-1(167), P.I. 511430

Dear Chairman Rainer:

The Federal Highway Administration (FHWA) has recently completed their review of the revised final Interchange Justification Report submitted by Camden County's consultant (Moreland Altobelli Assoc.) for a new I-95 interchange at Horse Stamp Church Road. As noted on their enclosed letter, FHWA has determined that the report now demonstrates that the proposed project meets the necessary criteria required to gain their approval for new access on to the Interstate System. Consequently, FHWA has approved the new access break and the Department can proceed with the project.

Please note that FHWA's approval is conditional on paving/reconstructing Ella Park Church Road from east of I-95 to Dover Bluff road. In addition, they also request that adequate access control is provided on the east side of I-95, which is an issue that should be addressed during the project's design phase. Final approval will be given by FHWA once the "environmental document" is submitted and approved for this project.

If you have any questions please contact Tom McQueen in the Office of Planning at (404) 657-6697.

Sincerely,

A handwritten signature in cursive script, reading "Joseph P. Palladi".

Joseph P. Palladi, P.E.

State Transportation Planning Administrator

JPP:tem

cc: Pat Smeeton, Moreland Altobelli Assoc.
David Studstill, GDOT Chief Engineer
Gerald Ross, GDOT Div. of Trans. Planning, Data & Intermodal Development
Andy Casey, GDOT Office of Road & Airport Design



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

Georgia Division

61 Forsyth Street, S.W., Suite 17F100

Atlanta, Georgia 30303

May 10, 2005

IN REPLY REFER TO:
HTM-GA

Mr. Harold Linnenkohl
Commissioner
Georgia Department of Transportation
No. 2 Capitol Square, S.W.
Atlanta, Georgia 30334-1002

Subject: Interchange Justification Report I 95 at Horse Stamp Church Road Project No. NH-95-1(167), Camden County

Dear Mr. Linnenkohl:

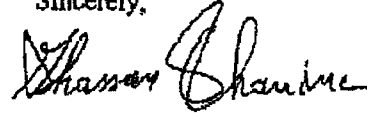
We have reviewed the subject Interchange Justification Report (IJR) that was submitted by your April 7, 2005 letter. Based on our review, we hereby grant approval of the IJR. This approval pertains to the engineering and operational analysis only, and final approval of this new interchange will be conditional upon completion of the Concept, environmental process, and review of final design plans before this project is let to construction.

During our field review of this proposal, we noted that the crossroad (Ella Park Church Road) east of I-95 is an unpaved roadway. Please note that the Federal criteria require that crossroads (and other streets) must have the ability to collect and distribute traffic to and from the new interchange. Since an unpaved facility cannot provide such access, provisions to reconstruct Ella Park Church Road from the new interchange to Dover Bluff Road must be made.

Also, it appears from the graphics included with the report that adequate access control is proposed west of I-95, particularly since the Spring Bluff Road intersection with Horse Stamp Church Road will be relocated. However, it was difficult to determine from the graphics whether the required access is being achieved on the east side. This issue should be addressed during the design phase of the project.

If you have any questions, please contact Floyd Moore at (404) 562-3654.

Sincerely,



For: Robert M. Callan, P.E.
Division Administrator

cc: Mr. Tom McQueen, GDOT Office of Planning



ENVIRONMENTAL SERVICES, INC.
204 WEST ST. JULIAN STREET
THIRD FLOOR
SAVANNAH, GEORGIA 31401
(912) 236-4711 • FAX (912) 236-3668
www.esinc.cc

17 May 2005

Hull Island, LLC
Attn: Mr. Ryker Carter
9409 Homesville Road
Odum, Georgia 31555

RE: Hull Island / 3,000-Acres
Horse Stamp Church Road, Camden County, Georgia
Reg. Branch Number 200500395

ESI #: ES04056.02

Dear Mr. Carter:

Attached is a copy of the preliminary verification letter from the U.S. Army Corps of Engineers (CE), dated 16 May 2005, regarding the above-referenced property located in Camden County, Georgia.

The verification letter states that the CE agrees with the vast majority of the delineation performed by Environmental Services, Inc., (ESI) and the jurisdictional wetland boundaries are approximately correct as identified on ESI's sketches titled "*Approximate Salt Marsh and Wetland Sketch, Hull Island (Sections 1-3, 5 & 8)*" and "*Approximate Wetland Sketch, Hull Island (Sections 4, 6, & 7)*." The five areas where the CE letter requests delineation revisions have already been completed by ESI. The results of this effort have been coordinated with you and your surveyors via revised Section drawings and a flagging memo. Disturbance to jurisdictional wetland areas would require prior authorization from CE pursuant to Section 404 of the Clean Water Act. This delineation once a final signed and sealed survey of the delineation has been submitted and approved in writing by the CE will remain valid for a period of five (5) years, unless new information warrants revision prior to that date. Once ESI receives and comments on the final survey from Cumberland Land Surveyors, ESI will facilitate the receipt of a final Jurisdictional Determination from the CE.

Should you have any questions or wish to discuss this information further, please do not hesitate to contact us at the number listed above.

Sincerely yours,

ENVIRONMENTAL SERVICES, INC.



Brandon F. Smith
Senior Scientist III

BS/lb
ES04056.02/Client_PrelimVerifLtr
(May 2005)

xc: Thomas McCook, Coastal Forest Investments
Andrew Zuckerman, The Zuckerman Group
Gary Howalt, ESI Corporate



DEPARTMENT OF THE ARMY
SAVANNAH DISTRICT, CORPS OF ENGINEERS
P.O. BOX 889
SAVANNAH, GEORGIA 31402-0889

REPLY TO
ATTENTION OF:

MAY 16 2005

Regulatory Branch
200500395

RECEIVED
MAY 17 2005

Hull Island, LLC
Attention: Ryker Carter
9409 Homesville Road
Odum, Georgia 31555

Dear Mr. Carter:

I refer to the letter of February 28, 2005, sent on your behalf by Environmental Services, requesting that we verify the delineation of the wetlands on your property. The site is located south of and adjacent to Horse Stamp Church Road, west of and adjacent to Interstate 95, Camden County, Georgia. I also refer to the March 30, 2005, site visit by Mr. Terry Kobs of the Regulatory Branch and Mr. Brandon Smith of Environmental Services. This project has been assigned number 200500395 and it is important that you refer to this number in all communication concerning this matter.

As stipulated in the January 9, 2001, United States Supreme Court decision on *Solid Waste Agency of Northern Cook County v. United States Army Corps of Engineers*, the US Army Corps of Engineers cannot assert Clean Water Act jurisdiction over isolated, non-navigable, intrastate waters based solely on their use as habitat for migratory birds. In light of this decision, your consultant provided the opinion that several wetlands located on the subject tract are non-jurisdictional.

I have reviewed your submittal and determined that the wetlands on the property had generally been delineated in accordance with the 1987 "Corps of Engineers Wetland Delineation Manual." During the above mentioned site visit several previously unidentified wetlands were found and Mr. Smith was informed these areas would need to be flagged and surveyed. I request that you have the area in section 5, east of wetland "5FD 1-8/5BC 1-6", the area in section 7 north of "7GF-1 = 7BC-1" and south of wetland "7GE-1 = 7BB-1", and the two areas in section 8 north of the wetland line "8FC-1-164" along with all other jurisdictional wetland boundary lines, as depicted on the drawings titled, "Approximate Salt Marsh and Wetland Sketch, Hull Island/Section 1", "Section 2", "Section 3", "Section 5", and "Section 8" as well as "Approximate Wetland Sketch, Hull Island/Section 4", "Section 6", and "Section 7", surveyed and superimposed on the final plat for the property. We have determined that the wetland areas labeled as "Potentially Isolated Wetlands" are isolated except for wetlands "3GA 1-15", "3GB 1-12", and "8CS 1-13" which are located within the 100 year flood plain. All wetlands labeled as "Potentially Isolated Wetlands" and not located within the 100 year flood plain are non-jurisdictional, and Department of the Army authorization, pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344), is not required for dredge and/or fill activities in these areas.

All non-isolated wetland and other waters of the United States shown on the above referenced survey are subject to our jurisdiction pursuant to Section 404 of the Clean Water Act (CWA) (33 U.S.C. 1344) and/or Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C 403). The placements of dredged or fill material into any waterways and/or their adjacent wetlands or mechanized land clearing of those wetlands would require prior Department of the Army authorization pursuant to Section 404 and/or Section 10.

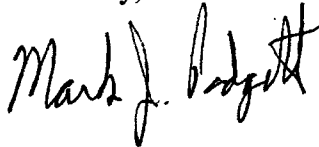
In order to avoid violation of the Interstate Land Sales Full Disclosure Act and/or Section 404 of the Clean Water Act, I recommend that you place a statement on the plat to the effect that **"JURISDICTIONAL WETLANDS SHOWN ON THIS PLAN ARE UNDER THE JURISDICTION OF THE US ARMY CORPS OF ENGINEERS. OWNERS MAY BE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE TO THESE JURISDICTIONAL WETLAND AREAS WITHOUT PROPER AUTHORIZATION." Please be advised that in our evaluation of any future permit application to impact jurisdictional wetlands at this site, we would have to consider any existing or proposed impacts to non-jurisdictional wetlands and mitigation requirements in our cumulative impacts assessment.** If we have not received this requested survey or notification of your intent to provide this survey within 90 days of the date of this letter, your request will be cancelled.

This delineation/determination has been conducted to identify the limits of the US Army Corps of Engineers' Clean Water Act jurisdiction for the particular site identified in this request. This delineation/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 US Department of Agriculture (USDA) program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service prior to starting work.

We have enclosed a form, which explains your right to appeal this decision in accordance with Title 33, Code of Federal Regulations, Part 331, published in the March 28, 2000, Federal Register, Vol. 65, No. 60, Pages 16486-16503. We have also enclosed documents titled, "Jurisdictional Determination."

Should you have any questions concerning this matter, you may call Mr. Terry Kobs, of the Regulatory Branch at (912) 652-5893.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark J. Padgett". The signature is fluid and cursive, with the first name "Mark" being the most prominent.

Mark J Padgett
Project Manager, Southern Section

Enclosures

Copies Furnished:

Environmental Services
Attention: Brandon Smith
204 West St. Julian Street, Third Floor
Savannah, Georgia 31401

US Department of the Interior
Fish and Wildlife Service
North Georgia Field Office
Attention: Sandra S. Tucker, Field Supervisor
105 Westpark Drive, Suite D
Athens, Georgia 30606

US Environmental Protection Agency
Attention: Mr. Ron Mikulak, Chief
Sam Nunn Atlanta Federal Center
61 Forsyth Street, Southwest
Atlanta, Georgia 30303

Department of Housing and Urban
Development, Regional Office
Environmental Branch
40 Marietta Street, 4th Floor
Atlanta, Georgia 30303

Copies Furnished Continued:

NOAA, National Marine Fisheries
Attention: Kay Davy
Post Office Box 12559
Charleston, South Carolina 29422-2559

JURISDICTIONAL DETERMINATION
U.S. Army Corps of Engineers

Revised 8/13/04

DISTRICT OFFICE: Savannah
FILE NUMBER: 200500395 Saltmarsh

PROJECT LOCATION INFORMATION:

State: Georgia
County: Camden
Center coordinates of site (latitude/longitude): 31° 3' 22.15" N 81° 39' 26.64" W
Approximate size of area (parcel) reviewed, including uplands: 3000 acres.
Name of nearest waterway: White Oak Creek
Name of watershed: Satilla

JURISDICTIONAL DETERMINATION

Completed: Desktop determination
Site visit(s)



Date:
Date(s): March 30, 2005

Jurisdictional Determination (JD):

- ☒ Preliminary JD - Based on available information, ☒ there appear to be (or) ☐ there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).
- ☒ Approved JD - An approved JD is an appealable action (Reference 33 CFR part 331).
Check all that apply:
- ☒ There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:
- ☒ There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:
- ☒ There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area.
☒ Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.

BASIS OF JURISDICTIONAL DETERMINATION:

A. Waters defined under 33 CFR part 329 as "navigable waters of the United States":

- ☒ The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.

B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States":

- ☒ (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.
- ☒ (2) The presence of interstate waters including interstate wetlands¹.
- ☒ (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply):
- ☐ (i) which are or could be used by interstate or foreign travelers for recreational or other purposes.
- ☐ (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
- ☐ (iii) which are or could be used for industrial purposes by industries in interstate commerce.
- ☒ (4) Impoundments of waters otherwise defined as waters of the US.
- ☒ (5) The presence of a tributary to a water identified in (1) - (4) above.
- ☒ (6) The presence of territorial seas.
- ☒ (7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). *If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination:*

We reviewed the information provided by the applicant's consultant and all other information available regarding the site and determined that the wetlands on the property had generally been delineated in accordance with the 1987 "Corps of Engineers Wetland Delineation Manual." Wetland areas labeled as Saltmarsh on the drawings titled, "Approximate Salt Marsh and Wetland Sketch, Hull Island/Section 1", "Section 2", "Section 3", "Section 5", and "Section 8" would be subject to our jurisdiction pursuant to Section 404 of the Clean Water Act (CWA) (33 U.S.C. 1344) and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) since they are subject to the ebb and flow of the tides. Impacts to the wetlands on the site would have the potential to affect interstate or foreign commerce since these waters eventually flow into a navigable water of the US.

Lateral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329)

- ☒ Ordinary High Water Mark indicated by:
- ☐ clear, natural line impressed on the bank
 - ☐ the presence of litter and debris
 - ☐ changes in the character of soil
 - ☐ destruction of terrestrial vegetation
 - ☐ shelving
 - ☐ other:
- ☒ High Tide Line indicated by:
- ☐ oil or scum line along shore objects
 - ☐ fine shell or debris deposits (foreshore)
 - ☒ physical markings/characteristics
 - ☐ tidal gages
 - ☐ other:
- ☒ Mean High Water Mark indicated by:
- ☐ survey to available datum; ☐ physical markings; ☒ vegetation lines/changes in vegetation types.

- ☒ Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by: Environmental Services

Basis For Not Asserting Jurisdiction:

- ☒ The reviewed area consists entirely of uplands.
- ☒ Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7).
- ☒ Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3).
- ☒ The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States:
- ☐ Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.
 - ☐ Artificially irrigated areas, which would revert to upland if the irrigation ceased.
 - ☐ Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing.
 - ☐ Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.
 - ☐ Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).
 - ☐ Isolated, intrastate wetland with no nexus to interstate commerce.
 - ☐ Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
 - ☐ Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:
 - ☐ Other (explain):

DATA REVIEWED FOR JURISDICTIONAL DETERMINATION (mark all that apply):

- ☒ Maps, plans, plots or plat submitted by or on behalf of the applicant.
- ☒ Data sheets prepared/submitted by or on behalf of the applicant.
- ☒ This office concurs with the delineation report, dated February 28, 2005, prepared by (company): Environmental Services
- ☐ This office does not concur with the delineation report, dated _____, prepared by (company):
- ☒ Data sheets prepared by the Corps.
- ☒ Corps' navigable waters' studies:
- ☒ U.S. Geological Survey Hydrologic Atlas:
- ☒ U.S. Geological Survey 7.5 Minute Topographic maps:
- ☒ U.S. Geological Survey 7.5 Minute Historic quadrangles:
- ☒ U.S. Geological Survey 15 Minute Historic quadrangles:
- ☒ USDA Natural Resources Conservation Service Soil Survey:
- ☒ National wetlands inventory maps:
- ☒ State/Local wetland inventory maps:
- ☒ FEMA/FIRM maps (Map Name & Date):
- ☒ 100-year Floodplain Elevation is: _____ (NGVD)
- ☒ Aerial Photographs (Name & Date):
- ☒ Other photographs (Date):
- ☒ Advanced Identification Wetland maps:
- ☒ Site visit/determination conducted on: March 30, 2005
- ☒ Applicable/supporting case law:
- ☒ Other information (please specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

JURISDICTIONAL DETERMINATION
U.S. Army Corps of Engineers

Revised 8/13/04

DISTRICT OFFICE: Savannah

FILE NUMBER: 200500395 Jurisdictional Wetlands

PROJECT LOCATION INFORMATION:

State: Georgia

County: Camden

Center coordinates of site (latitude/longitude): 31° 3' 22.15" N 81° 39' 26.64" W

Approximate size of area (parcel) reviewed, including uplands: 3000 acres.

Name of nearest waterway: White Oak Creek

Name of watershed: Satilla

JURISDICTIONAL DETERMINATION

Completed: Desktop determination

Site visit(s)



Date:

Date(s): March 30, 2005

Jurisdictional Determination (JD):

☒ Preliminary JD - Based on available information, ☒ *there appear to be* (or) ☐ *there appear to be no* "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).

☒ Approved JD - An approved JD is an appealable action (Reference 33 CFR part 331).
Check all that apply:

☒ *There are* "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:

☒ *There are* "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:

☒ *There are* "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area.

☒ Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.

BASIS OF JURISDICTIONAL DETERMINATION:

A. Waters defined under 33 CFR part 329 as "navigable waters of the United States":

☒ The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.

B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States":

☒ (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.

☒ (2) The presence of interstate waters including interstate wetlands¹.

☒ (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply):

☐ (i) which are or could be used by interstate or foreign travelers for recreational or other purposes.

☐ (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.

☐ (iii) which are or could be used for industrial purposes by industries in interstate commerce.

☒ (4) Impoundments of waters otherwise defined as waters of the US.

☒ (5) The presence of a tributary to a water identified in (1) - (4) above.

☒ (6) The presence of territorial seas.

☒ (7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). *If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination:*

We reviewed the information provided by the applicant's consultant and all other information available regarding the site and determined that the wetlands on the property had generally been delineated in accordance with the 1987 "Corps of Engineers Wetland Delineation Manual." Wetland areas labeled as jurisdictional wetlands on the drawings titled, "Approximate Salt Marsh and Wetland Sketch, Hull Island/Section 1", "Section 2", "Section 3", "Section 5", and "Section 8" as well as "Approximate Wetland Sketch, Hull Island/Section 4", "Section 6", and "Section 7", would be subject to our jurisdiction pursuant to Section 404 of the Clean Water Act since they are adjacent to and/or have a surface connection to a tributary to White Oak Creek. The wetland areas identified as "3GA 1-15", "3GB 1-12", and "8CS 1-13" would also be jurisdictional because they are located within the 100 year flood plain and considered continues with White Oak Creek. Impacts to the jurisdictional wetlands on the site would have the potential to affect interstate or foreign commerce since these waters eventually flow into a navigable water of the US.

Lateral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329)

- ☒ Ordinary High Water Mark indicated by:
- ☐ clear, natural line impressed on the bank
 - ☐ the presence of litter and debris
 - ☐ changes in the character of soil
 - ☐ destruction of terrestrial vegetation
 - ☐ shelving
 - ☐ other:
- ☒ High Tide Line indicated by:
- ☐ oil or scum line along shore objects
 - ☐ fine shell or debris deposits (foreshore)
 - ☐ physical markings/characteristics
 - ☐ tidal gages
 - ☐ other:
- ☒ Mean High Water Mark indicated by:
- ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.

- ☒ Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by: Environmental Services

Basis For Not Asserting Jurisdiction:

- ☒ The reviewed area consists entirely of uplands.
- ☒ Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7).
- ☒ Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3).
- ☒ The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States:
- ☐ Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.
 - ☐ Artificially irrigated areas, which would revert to upland if the irrigation ceased.
 - ☐ Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing.
 - ☐ Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.
 - ☐ Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).
 - ☐ Isolated, intrastate wetland with no nexus to interstate commerce.
 - ☐ Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
 - ☐ Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:
 - ☐ Other (explain):

DATA REVIEWED FOR JURISDICTIONAL DETERMINATION (mark all that apply):

- ☒ Maps, plans, plots or plat submitted by or on behalf of the applicant.
- ☒ Data sheets prepared/submitted by or on behalf of the applicant.
- ☐ This office concurs with the delineation report, dated _____, prepared by (company):
- ☒ This office does not concur with the delineation report, dated February 28, 2005, prepared by (company):

Environmental Services

- ☒ Data sheets prepared by the Corps.
- ☒ Corps' navigable waters' studies:
- ☒ U.S. Geological Survey Hydrologic Atlas:
- ☒ U.S. Geological Survey 7.5 Minute Topographic maps:
- ☒ U.S. Geological Survey 7.5 Minute Historic quadrangles:
- ☒ U.S. Geological Survey 15 Minute Historic quadrangles:
- ☒ USDA Natural Resources Conservation Service Soil Survey:
- ☒ National wetlands inventory maps:
- ☒ State/Local wetland inventory maps:
- ☒ FEMA/FIRM maps (Map Name & Date):
- ☒ 100-year Floodplain Elevation is: _____ (NGVD)
- ☒ Aerial Photographs (Name & Date):
- ☒ Other photographs (Date):
- ☒ Advanced Identification Wetland maps:
- ☒ Site visit/determination conducted on: March 30, 2005
- ☒ Application/permitting status:

 Other information (please specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

JURISDICTIONAL DETERMINATION
U.S. Army Corps of Engineers

Revised 8/13/04

DISTRICT OFFICE: Savannah

FILE NUMBER: 200500395 Isolated Wetlands

PROJECT LOCATION INFORMATION:

State: Georgia

County: Camden

Center coordinates of site (latitude/longitude): 31° 3' 22.15" N 81° 39' 26.64" W

Approximate size of area (parcel) reviewed, including uplands: 3000 acres.

Name of nearest waterway: White Oak Creek

Name of watershed: Satilla

JURISDICTIONAL DETERMINATION

Completed: Desktop determination



Date:

Site visit(s)



Date(s): March 30, 2005

Jurisdictional Determination (JD):

☒ Preliminary JD - Based on available information, ☐ there appear to be (or) ☒ there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).

☒ Approved JD - An approved JD is an appealable action (Reference 33 CFR part 331).
Check all that apply:

☒ There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:

☒ There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:

☒ There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area.

☒ Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.

BASIS OF JURISDICTIONAL DETERMINATION:

A. Waters defined under 33 CFR part 329 as "navigable waters of the United States":

☒ The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.

B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States":

☒ (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.

☒ (2) The presence of interstate waters including interstate wetlands¹.

☒ (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply):

☐ (i) which are or could be used by interstate or foreign travelers for recreational or other purposes.

☐ (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.

☐ (iii) which are or could be used for industrial purposes by industries in interstate commerce.

☒ (4) Impoundments of waters otherwise defined as waters of the US.

☒ (5) The presence of a tributary to a water identified in (1) - (4) above.

☒ (6) The presence of territorial seas.

☒ (7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above). *If the jurisdictional water or wetland is not itself a navigable water of the United States, describe connection(s) to the downstream navigable waters. If B(1) or B(3) is used as the Basis of Jurisdiction, document navigability and/or interstate commerce connection (i.e., discuss site conditions, including why the waterbody is navigable and/or how the destruction of the waterbody could affect interstate or foreign commerce). If B(2, 4, 5 or 6) is used as the Basis of Jurisdiction, document the rationale used to make the determination. If B(7) is used as the Basis of Jurisdiction, document the rationale used to make adjacency determination:*

We reviewed the information provided by the applicant's consultant and all other information available regarding the site and determined that the wetlands on the property had generally been delineated in accordance with the 1987 "Corps of Engineers Wetland Delineation Manual." Based on this review, as well as the March 30, 2005, site visit by Mr. Terry Kobs, Regulatory Branch, a review of aerial photographs, soils maps, etc, we determined that the wetland areas labeled as "Potentially Isolated Wetlands", as shown on the drawings titled, "Approximate Salt Marsh and Wetland Sketch, Hull Island/Section 1", "Section 2", "Section 3", "Section 5", and "Section 8" as well as "Approximate Wetland Sketch, Hull Island/Section 4", "Section 6", and "Section 7", are isolated and have no surface connection to any other water of the United States except for wetlands "3GA 1-15", "3GB 1-12", and "8CS 1-13" which are located within the 100 year flood plain and considered continues with White Oak Creek. We then reviewed the isolated areas in accordance with 33 CFR 328.3 to determine if the site is subject to our jurisdiction under Section 404 of the Clean Water Act. Based on this

review, we determined that the isolated wetlands are non-jurisdictional since impacts to the site would not affect interstate or foreign commerce.

Lateral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329)

- ☒ Ordinary High Water Mark indicated by:
- ☐ clear, natural line impressed on the bank
 - ☐ the presence of litter and debris
 - ☐ changes in the character of soil
 - ☐ destruction of terrestrial vegetation
 - ☐ shelving
 - ☐ other:
- ☒ High Tide Line indicated by:
- ☐ oil or scum line along shore objects
 - ☐ fine shell or debris deposits (foreshore)
 - ☐ physical markings/characteristics
 - ☐ tidal gages
 - ☐ other:
- ☒ Mean High Water Mark indicated by:
- ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
- ☒ Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:

Basis For Not Asserting Jurisdiction:

- ☒ The reviewed area consists entirely of uplands.
- ☒ Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7).
- ☒ Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3).
- ☒ The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States:
- ☐ Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.
 - ☐ Artificially irrigated areas, which would revert to upland if the irrigation ceased.
 - ☐ Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing.
 - ☐ Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons.
 - ☐ Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a).
 - ☒ Isolated, intrastate wetland with no nexus to interstate commerce.
 - ☐ Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
 - ☐ Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:
 - ☐ Other (explain):

DATA REVIEWED FOR JURISDICTIONAL DETERMINATION (mark all that apply):

- ☒ Maps, plans, plots or plat submitted by or on behalf of the applicant.
- ☒ Data sheets prepared/submitted by or on behalf of the applicant.
- ☐ This office concurs with the delineation report, dated _____, prepared by (company):
- ☒ This office does not concur with the delineation report, dated February 28, 2005, prepared by (company):

Environmental Services

- ☒ Data sheets prepared by the Corps.
- ☒ Corps' navigable waters' studies:
- ☒ U.S. Geological Survey Hydrologic Atlas:
- ☒ U.S. Geological Survey 7.5 Minute Topographic maps:
- ☒ U.S. Geological Survey 7.5 Minute Historic quadrangles:
- ☒ U.S. Geological Survey 15 Minute Historic quadrangles:
- ☒ USDA Natural Resources Conservation Service Soil Survey:
- ☒ National wetlands inventory maps:
- ☒ State/Local wetland inventory maps:
- ☒ FEMA/FIRM maps (Map Name & Date):
- ☒ 100-year Floodplain Elevation is: _____ (NGVD)
- ☒ Aerial Photographs (Name & Date):
- ☒ Other photographs (Date):

- ☒ Advanced Identification Wetland maps:
- ☒ Site visit/determination conducted on: March 30, 2005
- ☒ Applicable/supporting case law:
- ☒ Other information (please specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

**NOTICE OF CHOICE OF ADMINISTRATIVE APPEAL OF DECISIONS AND PROCEEDINGS
PREFORMED BY AN ADVISOR**

Applicant: Hull Island, LLC		File Number: 200500395	Date: 05/11/05
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	
	APPROVED JURISDICTIONAL DETERMINATION	D	
X	PRELIMINARY JURISDICTIONAL DETERMINATION	E	

SECTION II: The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://usace.army.mil/eng/attractions/cw/ccwo/reg> 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. This form must be received by the division engineer 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: Terry Kobs at (912) 652-5893
Department of the Army
U.S. Army Corps of Engineers, Savannah District
Attention: Terry Kobs
P.O. Box 889
Savannah Georgia 31402

If you only have questions regarding the appeal process you may also contact:
Mr. Michael F. Bell, Administrative Appeal Review Officer
CESAD-ET-CO-R
U.S. Army Corps of Engineers, South Atlantic Division
60 Forsyth Street, Room 9M15
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:

DIVISION ENGINEER:

Commander

US Army Engineer Division, South Atlantic

60 Forsyth Street, Room 9M15

Atlanta, Georgia 30303-3490