



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

March 14, 2024

Regulatory Division  
SAS-2022-00739

Mr. Yash Desai  
Stature Investments  
110 Pipemakers Circle, Suite 110  
Pooler, Georgia 31322

Dear Mr. Desai:

I refer to a letter dated September 22, 2023, submitted on your behalf by Mr. Zach Marsh of Resource and Land Consultants, LLC, requesting an Approved Jurisdictional Determination (AJD) for an approximately 24.32-acre site located adjacent to and east of Old Augusta Road, approximately 3.1 miles north of Georgia Highway 21, in Rincon, Effingham County, Georgia (Latitude 32.2561, Longitude -81.1876). This project has been assigned number SAS-2022-00739 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.

"Wetland A" and "Wetland B" as depicted on the enclosed exhibit entitled, "The Trade at Old Augusta Effingham County, Georgia Aquatic Resource GPS Exhibit Prepared For: Stature Investments", dated February 12, 2024, 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.

"Wetland C" and "Wetland D" as depicted on the enclosed exhibit entitled, "The Trade at Old Augusta Effingham County, Georgia Aquatic Resource GPS Exhibit Prepared For: Stature Investments", dated February 12, 2024, are not waters of the United States and are therefore not within the jurisdiction of Section 404 of the Clean Water Act. The placement of dredged or fill material into non-jurisdictional waters would not require prior Department of the Army authorization pursuant to Section 404.

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

The delineation included herein has been conducted to identify the location and extent of the aquatic resource boundaries and/or the jurisdictional status of aquatic resources for purposes of the Clean Water Act for the particular site identified in this request. This delineation and/or jurisdictional determination may not be valid for the Wetland Conservation Provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should discuss the applicability of a certified wetland determination with the local USDA service center, prior to starting work.

If you intend to sell property that is part of a project that requires Department of the Army Authorization, it may be subject to the Interstate Land Sales Full Disclosure Act. The Property Report required by Housing and Urban Development Regulation must state whether, or not a permit for the development has been applied for, issued or denied by the U.S. Army Corps of Engineers (Part 320.3(h) of Title 33 of the CFR).

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

Thank you in advance for completing our on-line Customer Survey Form located at <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 have interaction with our office.

If you have any questions, please contact Shannon Martig, Regulatory Specialist, Coastal Branch, by email at [Shannon.K.Martig@usace.army.mil](mailto:Shannon.K.Martig@usace.army.mil) or by telephone at (912) 652-5421.

Sincerely,

*Shawn R. Gill*

Shawn R. Gill  
Project Manager, Coastal Branch

Copy Furnished: Mr. Zach Marsh

Enclosures

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

Applicant: Yash Desai		File Number: SAS-2022-00739	Date: March 14, 2024
Attached is:		See Section below	
<input type="checkbox"/>	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A	
<input type="checkbox"/>	PROFFERED PERMIT (Standard Permit or Letter of permission)	B	
<input type="checkbox"/>	PERMIT DENIAL	C	
<input checked="" type="checkbox"/>	APPROVED JURISDICTIONAL DETERMINATION	D	
<input type="checkbox"/>	PRELIMINARY JURISDICTIONAL DETERMINATION	E	

**SECTION I -** The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at [http://www.usace.army.mil/CECW/Pages/reg\\_materials.aspx](http://www.usace.army.mil/CECW/Pages/reg_materials.aspx) or Corps regulations at 33 CFR Part 331.

**A: INITIAL PROFFERED PERMIT:** You may accept or object to the permit.

**ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.

**OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

**B: PROFFERED PERMIT:** You may accept or appeal the permit.

**ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.

**APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**C: PERMIT DENIAL:** You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**D: APPROVED JURISDICTIONAL DETERMINATION:** You may accept or appeal the approved JD or provide new information.

**ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.

**APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. The division engineer must receive this form within 60 days of the date of this notice.

**E: PRELIMINARY JURISDICTIONAL DETERMINATION:** You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

**SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT**

**REASONS FOR APPEAL OR OBJECTIONS:** (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

**ADDITIONAL INFORMATION:** The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

**POINT OF CONTACT FOR QUESTIONS OR INFORMATION:**

If you have questions regarding this decision and/or the appeal process, you may contact:  
Shannon Martig  
U.S. Army Corps of Engineers, Savannah District  
100 W. Oglethorpe Avenue, Savannah, Georgia 31401  
  
Phone: (912) 652-5421  
Email: Shannon.K.Martig@usace.army.mil

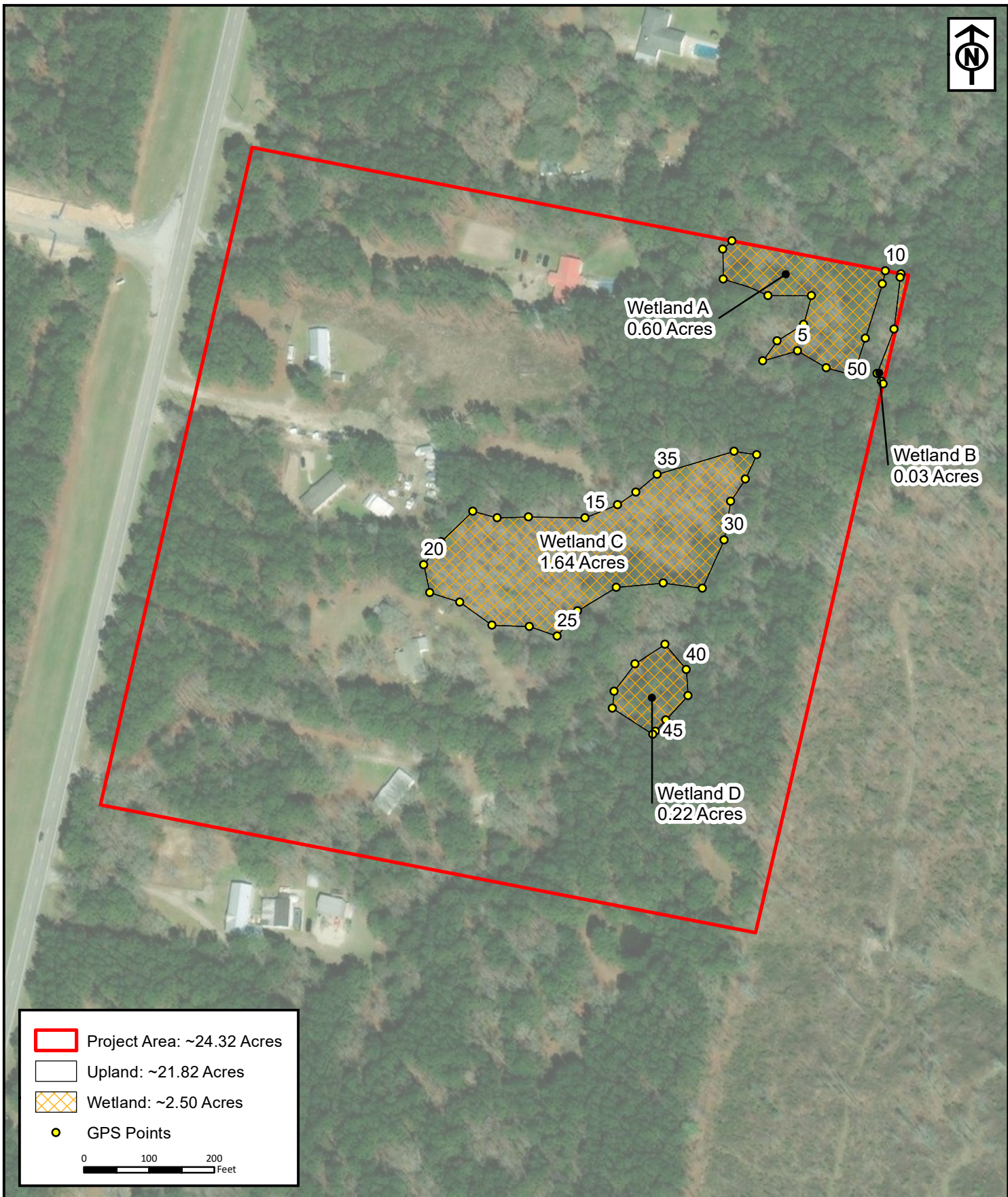
If you only have questions regarding the appeal process, you may also contact:  
Ms. Krista Sabin  
Administrative Appeal Review Officer  
CESAS-PDS-O  
60 Forsyth Street, Room 10M15  
Atlanta, Georgia 30303-8801  
  
Phone: (904) 314-9631  
Email: krista.d.sabin@usace.army.mil

**RIGHT OF ENTRY:** Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15-day notice of any site investigation, and will have the opportunity to participate in all site investigations.

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

Date:

Telephone number:



RLC Project No.:	21-351.6
Figure No.:	8
Prepared By:	ZM
Sketch Date:	2/12/2024
Map Scale :	1 inch = 200 feet

**The Trade at Old Augusta**  
Effingham County, Georgia

**Aquatic Resource  
GPS Exhibit**  
Prepared For: Stature Investments

**RLC**  
**RESOURCE+LAND  
CONSULTANTS**  
41 Park of Commerce Way, Ste. 101  
Savannah, Georgia 31405  
912.443.9396 www.rlc.com

Label	Latitude	Longitude
1	32.257060	-81.186159
2	32.256939	-81.186200
3	32.256871	-81.186332
4	32.256786	-81.186404
5	32.256827	-81.186231
6	32.256754	-81.186090
7	32.256722	-81.185956
8	32.256878	-81.185894
9	32.257105	-81.185807
10	32.257161	-81.185792
11	32.257293	-81.186553
12	32.257258	-81.186598
13	32.257132	-81.186597
14	32.256185	-81.187131
15	32.256132	-81.187292
16	32.256137	-81.187573
17	32.256134	-81.187729
18	32.256163	-81.187849
19	32.256036	-81.188008
20	32.255940	-81.188095
21	32.255822	-81.188066
22	32.255781	-81.187918
23	32.255683	-81.187760
24	32.255676	-81.187574
25	32.255634	-81.187437
26	32.255739	-81.187333
27	32.255836	-81.187142
28	32.255853	-81.186908
29	32.255830	-81.186714
30	32.256032	-81.186604
31	32.256195	-81.186569
32	32.256288	-81.186495
33	32.256390	-81.186439
34	32.256407	-81.186550
35	32.256312	-81.186932
36	32.256239	-81.187041
37	32.255230	-81.186953
38	32.255277	-81.186901
39	32.255377	-81.186791
40	32.255487	-81.186799

Label	Latitude	Longitude
41	32.255595	-81.186902
42	32.255514	-81.187052
43	32.255400	-81.187157
44	32.255328	-81.187167
45	32.255217	-81.186967
46	32.257061	-81.186375
47	32.257147	-81.185715
48	32.257132	-81.185719
49	32.256915	-81.185750
50	32.256729	-81.185838
51	32.256695	-81.185817
52	32.256685	-81.185809