



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

June 12, 2026

Regulatory Division
SAS-2026-00140

Dallas Margeson
DALBLOC LLC
P.O. Box 1548
Albany, Georgia 31702

Dear Mr. Margeson:

I refer to a letter received February 13, 2026, submitted on your behalf by Matthew Willis, Resource and Land Consultants, requesting an Approved Jurisdictional Determination (AJD) for a 16.40-acre site located south of E. Oglethorpe Highway approximately 0.17-mile west of Interstate 95, in Midway, Liberty County, Georgia (Latitude 31.778766, Longitude -81.383883). This project has been assigned number SAS-2026-00140 and it is important that you refer to this number in all communication concerning this matter.

We have completed an AJD 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.

"Wetlands A, B, C, and D" and "Pond" as depicted on the enclosed exhibit, entitled "Aquatic Resource GPS Delineation Exhibit" dated April 21, 2026, are not waters of the United States and are therefore not within the jurisdiction of Section 404 of the Clean Water Act (33 United States Code § 1344). 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 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 me by telephone at 912-652-5651 or by email at crystal.k.joyce@usace.army.mil.

Sincerely,

A handwritten signature in blue ink that reads "Crystal Joyce". The signature is written in a cursive, flowing style.

Crystal Joyce, CEP, CPESC
Regulatory Specialist, Coastal Branch

Copy Furnished: Matthew Willis, RLC
Enclosures

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

Applicant: Dallas Margeson, DALBLOC LLC	File Number: SAS-2026-00140	Date: June 12, 2026
Attached is:		See Section below
<input type="checkbox"/>	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
<input type="checkbox"/>	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
<input type="checkbox"/>	PERMIT DENIAL	C
<input checked="" type="checkbox"/>	APPROVED JURISDICTIONAL DETERMINATION	D
<input type="checkbox"/>	PRELIMINARY JURISDICTIONAL DETERMINATION	E

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

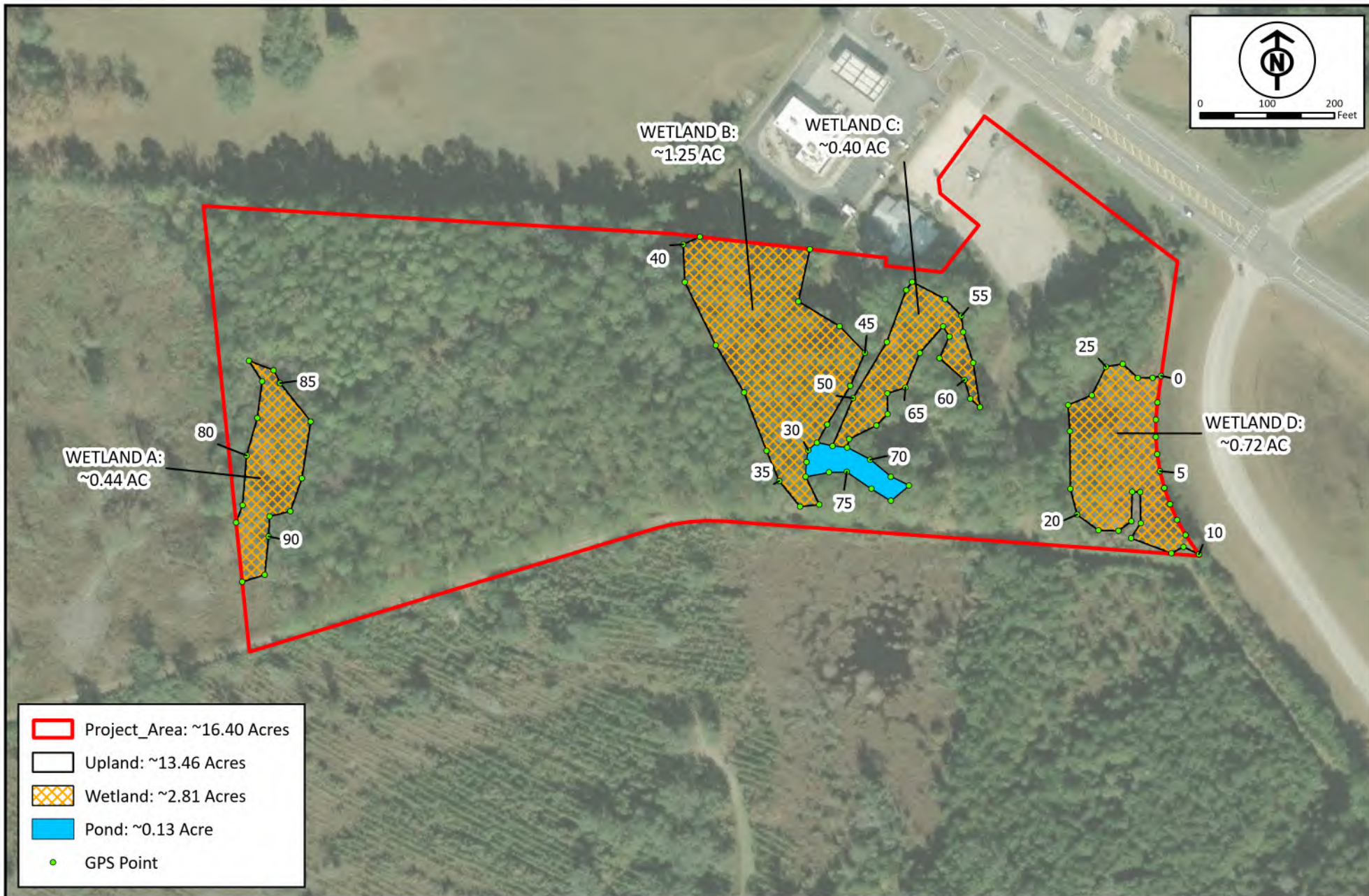
ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant 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:

<p>If you have questions regarding this decision and/or the appeal process you may contact:</p> <p>Crystal Joyce, CEP, CPESC U.S. Army Corps of Engineers, Savannah District 100 W. Oglethorpe Avenue, Savannah, Georgia 31401</p> <p>Phone: (912) 652-5651 Email: crystal.k.joyce@usace.army.mil</p>	<p>If you only have questions regarding the appeal process you may also contact:</p> <p>Jason Steele CESAS-PDS-O 60 Forsyth Street, Room 10M15 Atlanta, Georgia 30303-8803</p> <p>Phone: (404) 562-5137 Email: jason.w.steele@usace.army.mil</p>
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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:
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RLC Project No.: 25-468
 Figure No.: 8
 Prepared By: MW
 Sketch Date: 4/21/2026
 Map Scale : 1 inch = 200 ft

DALBLOC Tracts
 Liberty County, Georgia

**Aquatic Resource GPS
 Delineation Exhibit**
 Prepared for: DALBLOC LLC

**RESOURCE+LAND
 CONSULTANTS**
 41 Park of Commerce Way, Ste 101
 Savannah, GA 31405
 tel 912.443.5896 fax 912.443.5898

Label	Latitude	Longitude
0	31.778777	-81.381629
1	31.778669	-81.381648
2	31.778598	-81.381656
3	31.778528	-81.381657
4	31.778457	-81.381651
5	31.778387	-81.381638
6	31.778318	-81.381618
7	31.778252	-81.381591
8	31.778187	-81.381558
9	31.778125	-81.381518
10	31.778046	-81.381454
11	31.778076	-81.381528
12	31.778051	-81.381586
13	31.778114	-81.381779
14	31.778175	-81.381732
15	31.778302	-81.381734
16	31.778303	-81.381772
17	31.778183	-81.381778
18	31.778144	-81.381840
19	31.778147	-81.381936
20	31.778212	-81.382038
21	31.778318	-81.382069
22	31.778554	-81.382069
23	31.778661	-81.382076
24	31.778700	-81.381963
25	31.778816	-81.381894
26	31.778827	-81.381813
27	31.778769	-81.381742
28	31.778770	-81.381670
29	31.778514	-81.383283
30	31.778483	-81.383325
31	31.778435	-81.383333
32	31.778375	-81.383338
33	31.778260	-81.383274
34	31.778253	-81.383366
35	31.778358	-81.383465
36	31.778482	-81.383525
37	31.778722	-81.383630
38	31.778916	-81.383764
39	31.779176	-81.383911
40	31.779330	-81.383917
41	31.779361	-81.383837
42	31.779307	-81.383311
43	31.779093	-81.383367
44	31.778990	-81.383171
45	31.778881	-81.383050

Label	Latitude	Longitude
46	31.778746	-81.383121
47	31.778588	-81.383233
48	31.778493	-81.383138
49	31.778500	-81.383208
50	31.778696	-81.383108
51	31.778924	-81.382944
52	31.779137	-81.382849
53	31.779170	-81.382821
54	31.779098	-81.382663
55	31.779029	-81.382585
56	31.778963	-81.382578
57	31.778837	-81.382531
58	31.778655	-81.382500
59	31.778689	-81.382545
60	31.778767	-81.382573
61	31.778857	-81.382692
62	31.778945	-81.382644
63	31.778987	-81.382674
64	31.778879	-81.382787
65	31.778737	-81.382857
66	31.778714	-81.382944
67	31.778629	-81.382943
68	31.778583	-81.382997
69	31.778528	-81.383128
70	31.778443	-81.383028
71	31.778372	-81.382930
72	31.778335	-81.382843
73	31.778274	-81.382930
74	31.778324	-81.383023
75	31.778394	-81.383141
76	31.778392	-81.383226
77	31.777961	-81.386044
78	31.778204	-81.386072
79	31.778275	-81.386040
80	31.778478	-81.386019
81	31.778632	-81.385966
82	31.778782	-81.385942
83	31.778866	-81.386005
84	31.778826	-81.385887
85	31.778774	-81.385856
86	31.778615	-81.385711
87	31.778383	-81.385755
88	31.778248	-81.385811
89	31.778228	-81.385911
90	31.778146	-81.385916
91	31.777989	-81.385936



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

SAS-RD-C

12 June 2026

MEMORANDUM FOR RECORD

SUBJECT: US Army Corps of Engineers (Corps) Pre-2015 Regulatory Regime Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023),¹ SAS-2026-00140

BACKGROUND. An Approved Jurisdictional Determination (AJD) is a Corps document stating the presence or absence of waters of the United States on a parcel or a written statement and map identifying the limits of waters of the United States on a parcel. AJDs are clearly designated appealable actions and will include a basis of JD with the document.² AJDs are case-specific and are typically made in response to a request. AJDs are valid for a period of five years unless new information warrants revision of the determination before the expiration date or a District Engineer has identified, after public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re-verification on a more frequent basis.³ For the purposes of this AJD, we have relied on section 10 of the Rivers and Harbors Act of 1899 (RHA),⁴ the Clean Water Act (CWA) implementing regulations published by the Department of the Army in 1986 and amended in 1993 (references 2.a. and 2.b. respectively), the 2008 *Rapanos-Carabell* guidance (reference 2.c.), and other applicable guidance, relevant case law and longstanding practice, (collectively the pre-2015 regulatory regime), and the *Sackett* decision (reference 2.d.) in evaluating jurisdiction.

This Memorandum for Record (MFR) constitutes the basis of jurisdiction for a Corps AJD as defined in 33 CFR §331.2. The features addressed in this AJD were evaluated consistent with the definition of “waters of the United States” found in the pre-2015 regulatory regime and consistent with the Supreme Court’s decision in *Sackett*. This AJD did not rely on the 2023 “Revised Definition of ‘Waters of the United States,’” as amended on 8 September 2023 (Amended 2023 Rule) because, as of the date of this decision, the Amended 2023 Rule is not applicable in the state of Georgia due to litigation.

¹ While the Supreme Court’s decision in *Sackett* had no effect on some categories of waters covered under the CWA, and no effect on any waters covered under RHA, all categories are included in this Memorandum for Record for efficiency.

² 33 CFR 331.2.

³ Regulatory Guidance Letter 05-02.

⁴ USACE has authority under both Section 9 and Section 10 of the Rivers and Harbors Act of 1899 but for convenience, in this MFR, jurisdiction under RHA will be referred to as Section 10.

SAS-OD-RC

SUBJECT: Pre-2015 Regulatory Regime Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), SAS-2026-00140

1. SUMMARY OF CONCLUSIONS.

- a. Provide a list of each individual feature within the review area and the jurisdictional status of each one (i.e., identify whether each feature is/is not a water of the United States and/or a navigable water of the United States).

Name of Aquatic Resource	JD or Non-JD	Section 404/Section 10
Wetland A	Non-JD	NA
Wetland B	Non-JD	NA
Wetland C	Non-JD	NA
Wetland D	Non-JD	NA
Pond	Non-JD	NA

2. REFERENCES.

- a. Final Rule for Regulatory Programs of the Corps of Engineers, 51 FR 41206 (13 November 1986).
- b. Clean Water Act Regulatory Programs, 58 FR 45008 (25 August 1993).
- c. U.S. EPA & U.S. Army Corps of Engineers, Clean Water Act Jurisdiction Following the U.S. Supreme Court’s Decision in *Rapanos v. United States & Carabell v. United States* (2 December 2008)
- d. *Sackett v. EPA*, 598 U.S. 651, 143 S. Ct. 1322 (2023)
- e. Memorandum from Benita Best-Wong, U.S. EPA Deputy Assistant Director for the Assistant Administrator for Water and Robyn Colosimo, U.S. Department of the Army Senior Official for the Assistant Secretary of the Army (Civil Works) “Memorandum to the Field Between the U.S. Department of the Army, U.S. Army Corps of Engineers and the U.S. Environmental Protection Agency Concerning the Proper Implementation of “Continuous Surface Connection” Under the Definition of “Waters of the United States” Under the Clean Water Act (12 March 2025).

3. REVIEW AREA.

- a. Project Area Size (in acres): 16.40 acres
- b. AJD Review Area Size (in acres, if different): same
- c. Center Coordinates of the Project Area (in decimal degrees):
Latitude: 31.778766 Longitude: -81.383883
- d. Nearest City or Town: Midway
- e. County: Liberty
- f. State: Georgia

SAS-OD-RC

SUBJECT: Pre-2015 Regulatory Regime Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), SAS-2026-00140

g. Other associated Jurisdictional Determinations (including outcomes):

Regulatory File No.	Type	Outcome
SAS-2013-00409	PJD	Evaluated 1.9-acre project site immediately adjacent on the north side of the current review area evaluated under this MFR (SAS-2026-00140). A total of 0.22 acres of wetland was determined jurisdictional under the PJD. This wetland area is directly north of Wetland B evaluated under this MFR and extends to a roadside ditch along E Oglethorpe Highway (non-RPW). Verification for the adjacent 1.9-acre project area was issued on 18 July 2013 in conjunction with a NWP 39 authorization for a proposed McDonalds/Marathon Gas Station, and has since expired.

h. Any additional, relevant site-specific information: This project site has consisted of untouched forested woodlands based on aerial imagery available between 1985 and 2026. A dirt access road was constructed prior to 1985 (as seen on available historic aerials) and transects the eastern side of the review area from north-to-south. Evidence is not present for significant manipulation of the site over an extended period of time beyond the silviculture practices conducted within the review area.

A Standard Permit (SP) was authorized under SAS-2024-00996 (authorized 4 June 2025) for 24.98 acres located immediately adjacent to and north of the review area under this MFR (SAS-2026-00140). A total of 1.95 acres of wetland and 0.339 acres of ditch were delineated for the site of which the SP authorized fill to 0.96 acres of wetlands and 0.34-acre of ditch for the construction of a travel center for fueling, retail, fast food, hotel facilities, and associated infrastructure. The SP was authorized on 4 June 2025 and remains valid at the time this MFR was prepared. The wetland impact map associated with authorization under SAS-2024-00996 identifies all uplands located north of Wetland B evaluated under this MFR (SAS-2026-00140) where the wetland extends north offsite.

4. NEAREST TRADITIONAL NAVIGABLE WATER (TNW), INTERSTATE WATER, OR THE TERRITORIAL SEAS TO WHICH THE AQUATIC RESOURCE IS CONNECTED.

- a. Name of nearest downstream TNW, Territorial Sea or interstate water: N/A, no resources within the review area are connected to a TNW.
- b. Determination based on: This determination was made based on a review of desktop data resources listed in Section 9 of this memorandum.

SAS-OD-RC

SUBJECT: Pre-2015 Regulatory Regime Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), SAS-2026-00140

5. FLOWPATH FROM THE SUBJECT AQUATIC RESOURCES TO A TNW, INTERSTATE WATER, OR THE TERRITORIAL SEAS

The wetlands evaluated in this MFR meet the hydrophytic vegetation, wetland hydrology, and hydric soil criteria of the 1987 Corps of Engineers Wetland Delineation Manual and the Atlantic and Gulf Coastal Plain Region Supplement. Wetlands A, B, and D extend offsite beyond the review area. Wetland A extends offsite to the west and review of LiDAR imagery indicates this wetland is a depressional feature and entirely surrounded by uplands within and immediately outside of the review area. Wetland B extends offsite to the north to adjacent review areas under SAS-2013-00409 and SAS-2024-00996 and is not contiguous with a requisite water offsite. Wetland C is entirely contained within the review area and abuts to the Pond. Wetland D extends offsite to the east to a roadside drainage ditch, a non-RPW. Wetlands A, B, C, and D are not contiguous with requisite waters (i.e., a jurisdictional wetland or relatively permanent water [RPW]). The pond evaluated in this MFR exhibits an Ordinary High Water Mark (OHWM) as indicated by the following physical characteristics: standing water, water staining, and change in vegetation density. The Pond is man-made and presents a depressional feature that abuts Wetland B and Wetland C within the review area. Therefore, the wetlands and pond onsite are not contiguous with a requisite water and thereby are not jurisdictional under current regulations and guidance.

6. SECTION 10 JURISDICTIONAL WATERS⁵: Describe aquatic resources or other features within the review area determined to be jurisdictional in accordance with Section 10 of the Rivers and Harbors Act of 1899. Include the size of each aquatic resource or other feature within the review area and how it was determined to be jurisdictional in accordance with Section 10.⁶
N/A.

⁵ 33 CFR 329.9(a) A waterbody which was navigable in its natural or improved state, or which was susceptible of reasonable improvement (as discussed in § 329.8(b) of this part) retains its character as “navigable in law” even though it is not presently used for commerce, or is presently incapable of such use because of changed conditions or the presence of obstructions.

⁶ This MFR is not to be used to make a report of findings to support a determination that the water is a navigable water of the United States. The district must follow the procedures outlined in 33 CFR part 329.14 to make a determination that water is a navigable water of the United States subject to Section 10 of the RHA.

SAS-OD-RC

SUBJECT: Pre-2015 Regulatory Regime Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), SAS-2026-00140

7. SECTION 404 JURISDICTIONAL WATERS: Describe the aquatic resources within the review area that were found to meet the definition of waters of the United States in accordance with the pre-2015 regulatory regime and consistent with the Supreme Court's decision in *Sackett*. List each aquatic resource separately, by name, consistent with the naming convention used in section 1, above. Include a rationale for each aquatic resource, supporting that the aquatic resource meets the relevant category of "waters of the United States" in the pre-2015 regulatory regime. The rationale should also include a written description of, or reference to a map in the administrative record that shows, the lateral limits of jurisdiction for each aquatic resource, including how that limit was determined, and incorporate relevant references used. Include the size of each aquatic resource in acres or linear feet and attach and reference related figures as needed.

- a. TNWs (a)(1): N/A.
- b. Interstate Waters (a)(2): N/A.
- c. Other Waters (a)(3): N/A.
- d. Impoundments (a)(4): N/A.
- e. Tributaries (a)(5): N/A.
- f. The territorial seas (a)(6): N/A.
- g. Adjacent wetlands (a)(7): N/A.

8. NON-JURISDICTIONAL AQUATIC RESOURCES AND FEATURES

- a. Describe aquatic resources and other features within the review area identified as "generally non-jurisdictional" in the preamble to the 1986 regulations (referred to as "preamble waters").⁷ Include size of the aquatic resource or feature within the review area and describe how it was determined to be non-jurisdictional under the CWA as a preamble water.
N/A.
- b. Describe aquatic resources and features within the review area identified as "generally not jurisdictional" in the *Rapanos* guidance. Include size of the aquatic resource or feature within the review area and describe how it was determined to be non-jurisdictional under the CWA based on the criteria listed in the guidance.
N/A.

⁷ 51 FR 41217, November 13, 1986.

- c. Describe aquatic resources and features identified within the review area as waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of CWA. Include the size of the waste treatment system within the review area and describe how it was determined to be a waste treatment system.
N/A.
- d. Describe aquatic resources and features within the review area determined to be prior converted cropland in accordance with the 1993 regulations (reference 2.b.). Include the size of the aquatic resource or feature within the review area and describe how it was determined to be prior converted cropland.
N/A.
- e. Describe aquatic resources (i.e. lakes and ponds) within the review area, which do not have a nexus to interstate or foreign commerce, and prior to the January 2001 Supreme Court decision in “*SWANCC*,” would have been jurisdictional based solely on the “Migratory Bird Rule.” Include the size of the aquatic resource or feature, and how it was determined to be an “isolated water” in accordance with *SWANCC*.

Name of excluded feature	Size (in acres)	Type of resource generally not jurisdictional
Pond	0.13	Does not meet provisions under a(3)(i) through (iii)

- f. Describe aquatic resources and features within the review area that were determined to be non-jurisdictional because they do not meet one or more categories of waters of the United States under the pre-2015 regulatory regime consistent with the Supreme Court’s decision in *Sackett* (e.g., tributaries that are non-relatively permanent waters; non-tidal wetlands that do not have a continuous surface connection to a jurisdictional water).

Name of excluded feature	Size (in acres)	Type of resource generally not jurisdictional
Wetland A	0.44	Wetland A is surrounded by uplands within the review area but extends offsite to the west. Review of LiDAR imagery indicates the wetland is surrounded by uplands outside of the review area to the west. As such, Wetland A is depressional and surrounded by uplands. Wetland A lacks a continuous surface connection to a requisite water of the US under current regulations and guidance.

Name of excluded feature	Size (in acres)	Type of resource generally not jurisdictional
Wetland B	1.25	Wetland B abuts the Pond which also abuts Wetland C within the review area. Together these three aquatic features are surrounded by uplands within the review area, however Wetland B extends offsite to the north. Review of adjacent delineation data for parcel located immediately north of the review area (under SAS-2013-00409 and SAS-2024-00996) and LiDAR imagery indicates the wetland extends offsite to a linear drainage feature along the Marathon Gas Station to a roadside ditch along East Oglethorpe Highway, the drainage feature and roadside ditch (in this area) are non-RPWs. As such, Wetland B lacks a continuous surface connection to a requisite water of the US under current regulations and guidance.
Wetland C	0.40	Wetland C is a depressional feature that abuts the Pond within the review area which also abuts Wetland B. Together these three aquatic features are surrounded by uplands within the review area, however Wetland B extends offsite to the north. Based on the information presented for Wetland B (above) the wetland lacks a continuous surface connection to a requisite water of the US offsite under current regulations and guidance. As such, Wetland C also lacks a continuous surface connection to a requisite water of the US.
Wetland D	0.72	Wetland D is depressional within the review area but extends offsite to the east to a roadside ditch along the Interstate Highway 95 on-ramp. The roadside ditch (in this area) is a non-RPW. As such, Wetland D lacks a continuous surface connection to a requisite water of the US under current regulations and guidance.

9. DATA SOURCES. List sources of data/information used in making determination. Include titles and dates of sources used and ensure that information referenced is available in the administrative record.

- a. 1. Date of Office (desktop review): April 2026 and June 2026
- 2. Date(s) of Field Review (if applicable): N/A, field verification was not required following application and desktop review.
- b. Data sources used to support this determination (included in the administrative record).
 - Aquatic Resources delineation submitted by, or on behalf of, the applicant: Aquatic Resources GPS Delineation Exhibit, dated 21 April 2026 (Figure No. 8), prepared by Resource and Land Consultants (RLC).
 - Wetland field data sheets submitted by, or on behalf of, the applicant: dated 21 January 2026 prepared by RLC.
 - OHWM data sheets submitted by, or on behalf of, the applicant: dated 21 January 2026 prepared by RLC.

SAS-OD-RC

SUBJECT: Pre-2015 Regulatory Regime Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), SAS-2026-00140

- Previous JDs (AJD or PJD) addressing the same (or portions of the same) review area: USACE No. SAS-2013-00409 dated 18 July 2013; and USACE No. SAS-2024-00996 dated 4 June 2025.
- Photographs: N/A.
- Aerial Imagery provided by, or on behalf of, applicant: Ortho Imagery, dated 11 February 2026 (Figure No. 5) prepared by RLC; and Google Earth Aerial Imagery 2024 Airbus and Historical Aerial Imagery between 1985 and 2025.
- LIDAR provided by, or on behalf of, applicant: NOAA Topographic Lidar, dated 11 February 2026 (Figure No. 7) prepared by RLC; and NOAA Lidar Elevation and Hillshade data, maps prepared from the National Regulatory Viewer (Georgia).
- USDA NRCS Soil Survey provided by, or on behalf of, applicant: NRCS Soil Survey, dated 11 February 2026 (Figure No. 3) prepared by RLC.
- USFWS NWI maps provided by, or on behalf of, applicant: National Wetlands Inventory, dated 11 February 2026 (Figure No. 4) prepared by RLC.
- USGS topographic maps provided by, or on behalf of, applicant: USGS Topographic Survey, dated 11 February 2026 (Figure No. 2) prepared by RLC.
- USGS NHD data/maps: NHD-TNW data provided on the National Regulatory Viewer (Georgia).
- Section 10 resources used: N/A.
- Antecedent Precipitation Tool Analysis: Processed data for the 21 January 2025 survey.
- Other sources of Information: N/A.

10. OTHER SUPPORTING INFORMATION. N/A.

11. NOTE: The structure and format of this MFR were developed in coordination with the EPA and Department of the Army. The MFR's structure and format may be subject to future modification or may be rescinded as needed to implement additional guidance from the agencies; however, the approved jurisdictional determination described herein is a final agency action.