



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

November 3, 2022

Regulatory Division
SAS-2022-00667

Brunswick-Glynn County Water and Sewer Commission
Attention: Mr. Todd Kline
1703 Gloucester St.
Brunswick, Georgia 31520

Dear Mr. Kline:

I refer to a letter dated June 22, 2022, submitted on your behalf by Newkirk Environmental Inc., concerning the installation of a utility line utilizing jack and boring methods underneath of two named perennial streams (Burnette Creek and Pepper Creek). The proposed activity is located along Old Jesup Road, in the City of Brunswick, Brunswick County under Burnette Creek and Pepper Creek, Georgia (latitude: 31.2390, longitude: -81.5338). This project has been assigned number SAS-2022-00667, and it is important that you reference this number in all communication concerning this matter.

We understand that the proposed utility line installation would utilize jack and bore methods and that both perennial streams would not be open-cut for installation of the utility line, and that no vegetative clearing or temporary impacts to the adjacent wetlands will occur. In addition, these two perennial streams do not appear to be regulated under Section 10 of the Rivers and Harbors Act in the location of the project. Based on the information provided, the proposed activities would not constitute a discharge of fill subject to the regulatory jurisdiction of the US Army Corps of Engineers (USACE), as depicted within the submitted drawings, entitled, "Brunswick-Glynn JWSC, North Mainland Water Loops Project, Area 2 Proposed Improvements" Drawing C-6 and C-9, dated July 2022. Further, no fill material will be placed below the ordinary high-water mark of the streams or in any other aquatic resources.

Consequently, I have determined that no Department of the Army Permit would be required under Section 404 of the Clean Water Act for the proposed project. In the event changes to this project are contemplated, I recommend that you coordinate with us prior to proceeding with the work. Revisions to your proposal may invalidate this determination.

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 or invasion of rights, or any infringement of federal, state, local laws or regulations. It does

not obviate the requirement to obtain state or local assent required by law for the activity described herein. It does not affect your liability for damages that may be caused by the work, nor does it authorize any interference with any existing or proposed federal project. If this information you have submitted, and on which the USACE has based its determination is later found to be in error, this decision may be revoked.

A copy of this letter is being provided to the following party: Newkirk Environmental Inc., Attention: Mr. Asher Howell, via email at asher@newkirkenv.com.

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 regarding this determination, please do not hesitate to contact me at (678) 422-2729, or Nicole.m.liette@usace.army.mil.

Sincerely,

Nicole Liette
Project Manager, Management Branch

Enclosures