Edited APPROVED JURISDICTIONAL DETERMINATION FORM
U.S. Army Corps of Engineers
To view the unedited version of the form go to: http://www.mvn.usace.army.mil/regulatory/finalform.htm.

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): 20 March 2013

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: New Orleans, Babin MVN 2012-01823-1-SE

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Louisiana County/parish/borough: Jefferson City: Grand Isle
Center coordinates of site (lat/long in degree decimal format): Lat. 29.249849° **N**, Long. 89.974994° **W**.
Universal Transverse Mercator:
Name of nearest waterbody: Tidal tributaries of Bayou Rigaud
Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: Tidal tributary of Bayou Rigaud and tidally influenced marsh.
Name of watershed or Hydrologic Unit Code (HUC): 08090301 - East Central Louisiana Coastal. LA.

☒ Check if map/diagram of review area and/or potential jurisdictional areas is/are available upon request.
☐ Check if other sites (e.g., offsite mitigation sites, disposal sites, etc…) are associated with this action and are recorded on a different JD form.

D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

☒ Office (Desk) Determination. Date: 25 Jan 2013
☒ Field Determination. Date(s): 7 Mar 2013

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION.

There **Are** *"navigable waters of the U.S."* within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area. [*Required*]

☒ Waters subject to the ebb and flow of the tide.
☐ Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.
Explain: .

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There **Are** "*waters of the U.S.*" within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area. [*Required*]

1. Waters of the U.S.

a. Indicate presence of waters of U.S. in review area (check all that apply):

☐ TNWs, including territorial seas
☒ Wetlands adjacent to TNWs

b. Identify (estimate) size of waters of the U.S. in the review area:

Non-wetland waters: 2600 linear feet: 8 width (ft) and/or acres.
Wetlands: 13 acres.

c. Limits (boundaries) of jurisdiction based on: **1987 Delineation Manual**
Elevation of established OHWM (if known): .

2. Non-regulated waters/wetlands (check if applicable):

☐ Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional.
Explain: .

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatic resource is a TNW, complete Section III.A.1 and Section III.D.1. only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.

1. TNW
Identify TNW: **Tidal tributaries of of Bayou Rigaud** .

Summarize rationale supporting determination: Tidal flow was observed during multiple field site investigations.

2. Wetland adjacent to TNW
Summarize rationale supporting conclusion that wetland is "adjacent": The wetland is abutting one of the tidal waterways and adjacent to tidal marsh.

Section III B and III C - Not Applicable

D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE (CHECK ALL THAT APPLY):

1. TNWs and Adjacent Wetlands. Check all that apply and provide size estimates in review area:
☒ TNWs: 2600 linear feet 8 width (ft), Or, acres.
☒ Wetlands adjacent to TNWs: 13 acres.

SECTION IV: DATA SOURCES.

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):
☒ Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: Delineaton report and unauthorized fill map provided by consultant.
☒ Data sheets prepared/submitted by or on behalf of the applicant/consultant.
☐ Office concurs with data sheets/delineation report.
☐ Office does not concur with data sheets/delineation report.
☐ Data sheets prepared by the Corps: .
☐ Corps navigable waters' study: .
☒ U.S. Geological Survey Hydrologic Atlas: 08090301 - East Central LA Coastal. LA.
☐ USGS NHD data.
☒ USGS 8 and 12 digit HUC maps.
☒ U.S. Geological Survey map(s). Cite scale & quad name: 1:24000 - Grand Isle, Barataria Pass.
☒ USDA Natural Resources Conservation Service Soil Survey. Citation: WSS [Sc].
☐ National wetlands inventory map(s). Cite name: .
☐ State/Local wetland inventory map(s): .
☐ FEMA/FIRM maps: .
☐ 100-year Floodplain Elevation is: (National Geodectic Vertical Datum of 1929)
☒ Photographs: ☒ Aerial (Name & Date): 1956, 1998, 2004, 2008, 2010.
or ☐ Other (Name & Date): .
☐ Previous determination(s). File no. and date of response letter: .
☐ Applicable/supporting case law: .
☐ Applicable/supporting scientific literature: .
☒ Other information (please specify): LIDAR, Grand Isle LIDAR, Gauge Station: Grand Isle, LA 8761724.

B. ADDITIONAL COMMENTS TO SUPPORT JD: Wetlands and sparsely vegetated waters on site are directly abutting one TNWs and adjacent to the other TNW and tidal wetlands. Above average and wind blown high tides will flow over the road into the wetland. Additionally, stormwater runoff will flow from project are over the low elevation roadway into the TNW and tidal wetlands.