

**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):** **NOV 16 2015**

**B. DISTRICT OFFICE, FILE NAME, AND NUMBER:** MVN-2013-01263-2-SR

**C. PROJECT LOCATION AND BACKGROUND INFORMATION:**

State: Louisiana County/parish/borough: Cameron City:

Center coordinates of site (lat/long in degree decimal format): Lat. 29.985306° N, Long. 93.341214° W.

Universal Transverse Mercator:

Name of nearest waterbody: Calcasieu Lake

Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: Calcasieu Lake

Name of watershed or Hydrologic Unit Code (HUC): 08080206

☒ 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: 3-31-14, 9-24-15

☐ Field Determination. Date(s):

**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: Calcasieu Lake is bisected by the Calcasieu River Ship Channel, a navigable in-fact waterway, and it is also tidal.

**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: linear feet: width (ft) and/or acres.

Wetlands: 3.02 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: Wetlands below mean high tide of Calcasieu Lake.

Summarize rationale supporting determination: Calcasieu Lake is bisected by the Calcasieu River Ship Channel, a navigable in-fact waterway, and it is also tidal.

##### **2. Wetland adjacent to TNW**

Summarize rationale supporting conclusion that wetland is "adjacent": The wetlands above mean high tide abut the TNW.

#### **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: linear feet width (ft), Or, 0.39 wetland acres.
- ☒ Wetlands adjacent to TNWs: 2.63 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:
- ☒ 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:
  - ☐ USGS NHD data.
  - ☒ USGS 8 and 12 digit HUC maps.
- ☒ U.S. Geological Survey map(s). Cite scale & quad name: Hackberry 1:24000.
- ☒ USDA Natural Resources Conservation Service Soil Survey. Citation: NRCS wss.
- ☒ National wetlands inventory map(s). Cite name: USFWS nwi.
- ☐ State/Local wetland inventory map(s):
- ☒ FEMA/FIRM maps: lidar.
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Photographs: ☒ Aerial (Name & Date): CIR: 98, 04, 08, 10.
  - or ☐ Other (Name & Date):
- ☒ Previous determination(s). File no. and date of response letter: MVN-2007-02263-SC (9-11-07).
- ☐ Applicable/supporting case law:
- ☐ Applicable/supporting scientific literature:
- ☐ Other information (please specify):

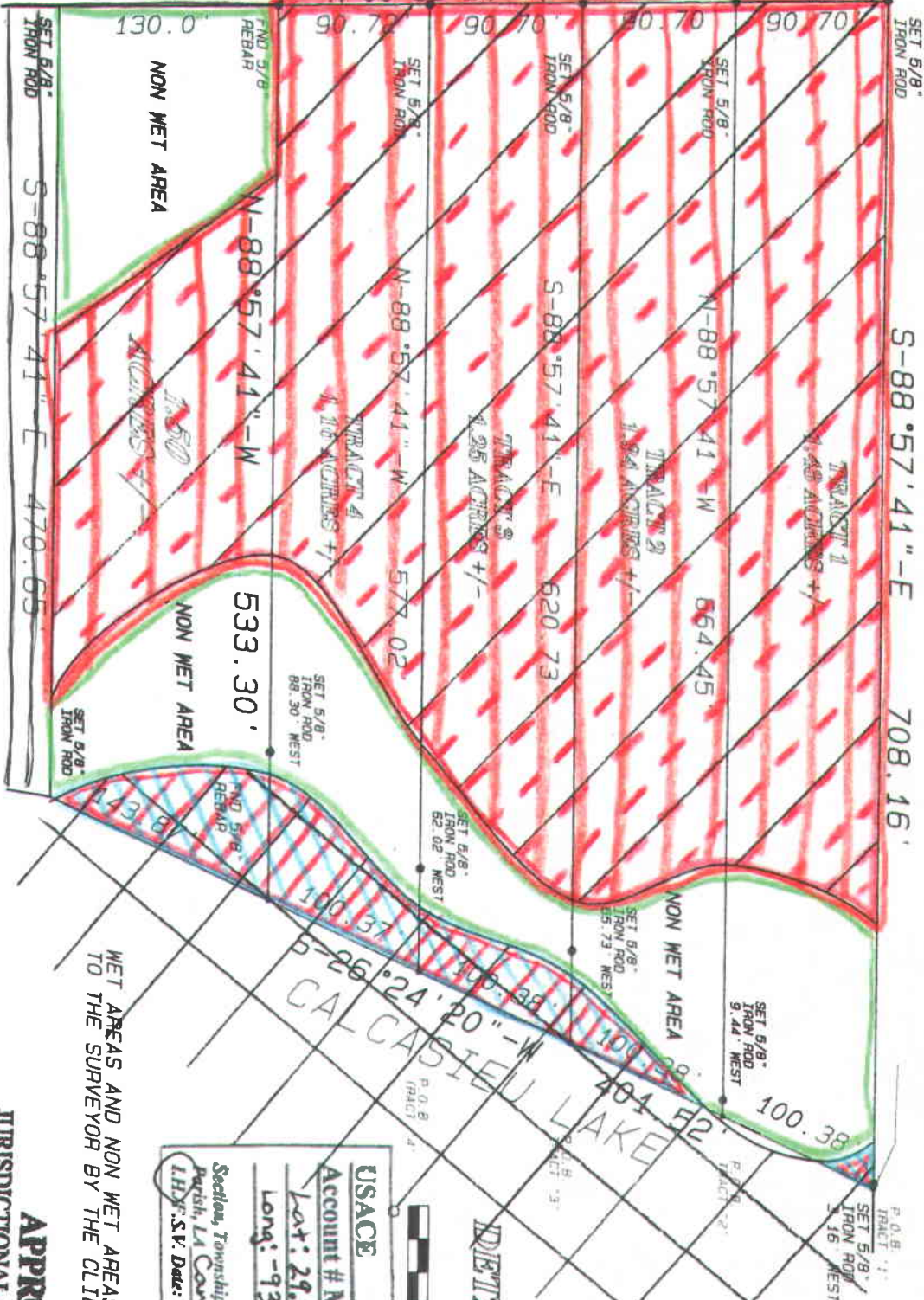
#### **B. ADDITIONAL COMMENTS TO SUPPORT JD:**

See JD: MVN-2013-0245-SR

10' UTILITY EASEMENT

see Permit:

MVN-2012-01042-WJJ



DETAIL SKETCH

SCALE 1"=100'

USACE

Account # MVN-2013-0245-1-SR

Lat: 29.985306

Long: -93.341214

43.44/1125/1100

Section, Township, Range: Parish, LA County: LHM:SV, Date: 3-31-14 ORS

APPROVED

JURISDICTIONAL DETERMINATION 23, 2014

AMERICAN SURVEYORS

210 W. NAPOLEON ST.

SULPHUR LA. 70663

PH. 337-527-0420

FAX. 337-528-0903

DRAWING PREPARED FOR MIKE TROUTH

2.63 wet acres

Restoration in Progress  
Unauthorized activity in  
57% WETLANDS (see WA-2009-01087-SK)

NON WETLAND

100% WETLANDS

