

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): 4 April 2014**

**B. DISTRICT OFFICE, FILE NAME, AND NUMBER: New Orleans, Garon/Toussant, MVN 2014-00406-SE**

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

State: Louisiana County/parish/borough: Livingston City: French Settlement

Center coordinates of site (lat/long in degree decimal format): Lat. 30.326340° N, Long. 90.809554° W.

Universal Transverse Mercator:

Name of nearest waterbody: Amite River, Colyell Creek

Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: Amite River, Colyell Bay

Name of watershed or Hydrologic Unit Code (HUC): 08070202 - Amite. LA. MS.

☒ 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: 4 April 2014

☐ Field Determination. Date(s):

**SECTION II: SUMMARY OF FINDINGS**

**A. RHA SECTION 10 DETERMINATION OF JURISDICTION.**

There **Are no** "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: linear feet: width (ft) and/or acres.

Wetlands: Undetermined (Mixed/Not Delineated) 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: **OFFSITE - Amite River and Colyell Bay.**

Summarize rationale supporting determination: The Amite River and Colyell Bay have historically been used and/or are currently used in the transport of interstate commerce.

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

Summarize rationale supporting conclusion that wetland is "adjacent": The wetland in the project area is part of a larger wetland system that is not separated from the TNW by uplands, a berm, dike, or similar feature.

#### **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, acres.  
☒ Wetlands adjacent to TNWs: Undetermined (Mixed/Not Delineated) 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: Survey provided by applicant.  
☐ 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: 08070202.  
☐ USGS NHD data.  
☒ USGS 8 and 12 digit HUC maps.  
☒ U.S. Geological Survey map(s). Cite scale & quad name: 1:24000 - French Settlement.  
☒ USDA Natural Resources Conservation Service Soil Survey. Citation: WSS [Na, Co, Ch, Dv, BA, Cy, Or].  
☒ National wetlands inventory map(s). Cite name: PFO2/1F.  
☐ State/Local wetland inventory map(s): .  
☐ FEMA/FIRM maps: .  
☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)  
☒ Photographs: ☒ Aerial (Name & Date): 1998, 2004, 2012.  
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, adjacent determination 199901770 (8 April 1999).

**B. ADDITIONAL COMMENTS TO SUPPORT JD:** Site has not been delineated, adjacent determination has wetlands that continue on this property. The wetlands on this site are part of a larger wetland system that is below the OHWM of the Amite River in its lower reaches.