

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): FEB 11 2016

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: MVN-2015-01976-SK

C. PROJECT LOCATION AND BACKGROUND INFORMATION: lot LJ-1-A-1-A

State: Louisiana County/parish/borough: West Baton Rouge City: Erwinville

Center coordinates of site (lat/long in degree decimal format): Lat. 30.4823° N, Long. -91.3857° W.

Universal Transverse Mercator: 15N

Name of nearest waterbody: Bayou Chalpin

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

Name of watershed or Hydrologic Unit Code (HUC): 08070300

☒ 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:

☒ Field Determination. Date(s): 12/15/15

**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: Bayou Chalpin is recreationally used as a number of docks and boat launches exist in the area. It historically was used to transport interstate and/or foreign commerce.

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 0.2 acres.

Wetlands: 0.3 acres.

c. Limits (boundaries) of jurisdiction based on: 1987 Delineation Manual

Elevation of established OHWM (if known): not determined.

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: **Bayou Chalpin.**

Summarize rationale supporting determination: Bayou Chalpin is recreationally used as a number of docks and boat launches exist in the area Bayou Chalpin was historically used to transport interstate and/ or foreign commerce.

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

Summarize rationale supporting conclusion that wetland is "adjacent": Wetlands are immediately adjacent to Bayou Chalpin and flow is maintained by a culvert from the onsite wetland to Bayou Chalpin. A manmade spoil area separates the onsite wetland from Bayou Chalpin on the subject property.

**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, 0.2 acres.

☒ Wetlands adjacent to TNWs: 0.3 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: Grosse Tete.
- ☒ USDA Natural Resources Conservation Service Soil Survey. Citation: NRCS WSS WBR Parish.
- ☒ National wetlands inventory map(s). Cite name: ORM (USFWS - PFO1A).
- ☐ 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, 2005, 2006, 2008, 2010, 2013 ArcMap.  
or ☒ Other (Name & Date): Google Earth Pro.
- ☒ Previous determination(s). File no. and date of response letter: 19993138.
- ☐ Applicable/supporting case law:
- ☐ Applicable/supporting scientific literature:
- ☒ Other information (please specify): LIDAR.

#### **B. ADDITIONAL COMMENTS TO SUPPORT JD:** This basis form documents a TNW (Bayou Chalpin) and wetlands adjacent to TNWs.