

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): JAN - 5 2016

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: MVN-2015-01407-SY

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Louisiana County/parish/borough: St. Mary City: Baldwin
Center coordinates of site (lat/long in degree decimal format): Lat. 29.827594° N Long. -91.535995° W.
Universal Transverse Mercator:

Name of nearest waterbody: Bayou Teche

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

Name of watershed or Hydrologic Unit Code (HUC): 08080102 Bayou Teche

- ☒ 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: 12/9/2015
☐ 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: .

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 1.5 acres.
Wetlands: 1.1 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: **Bayou Teche.**

Summarize rationale supporting determination: Above waters are used in the transport of interstate and foreign commerce.

2. Wetland adjacent to TNW

Summarize rationale supporting conclusion that wetland is "adjacent": Contiguous with no barriers.

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, 1.5 acres.
☒ Wetlands adjacent to TNWs: 1.1 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: 1:24,000 Franklin.
☒ USDA Natural Resources Conservation Service Soil Survey. Citation: St. Mary Parish NRCS Web Soil Survey.
☐ National wetlands inventory map(s). Cite name: .
☐ 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, 2008, 2010 DOQQ CIR.
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): Louisiana LIDAR.

B. ADDITIONAL COMMENTS TO SUPPORT JD: This basis form documents a TNW and its adjacent wetlands.

U.S. ARMY CORPS OF ENGINEERS

APPROVED

JURISDICTIONAL DETERMINATION

USACE

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FSV / IH

Date: 12-9-15

Botanist: *bro*

Requestor: LINER

MVN- 2015-01407-SY

□ - NON-WETLAND

▨ - WETLAND - *102404*

▩ - WATERS OF THE US / *102404*

Figure 2

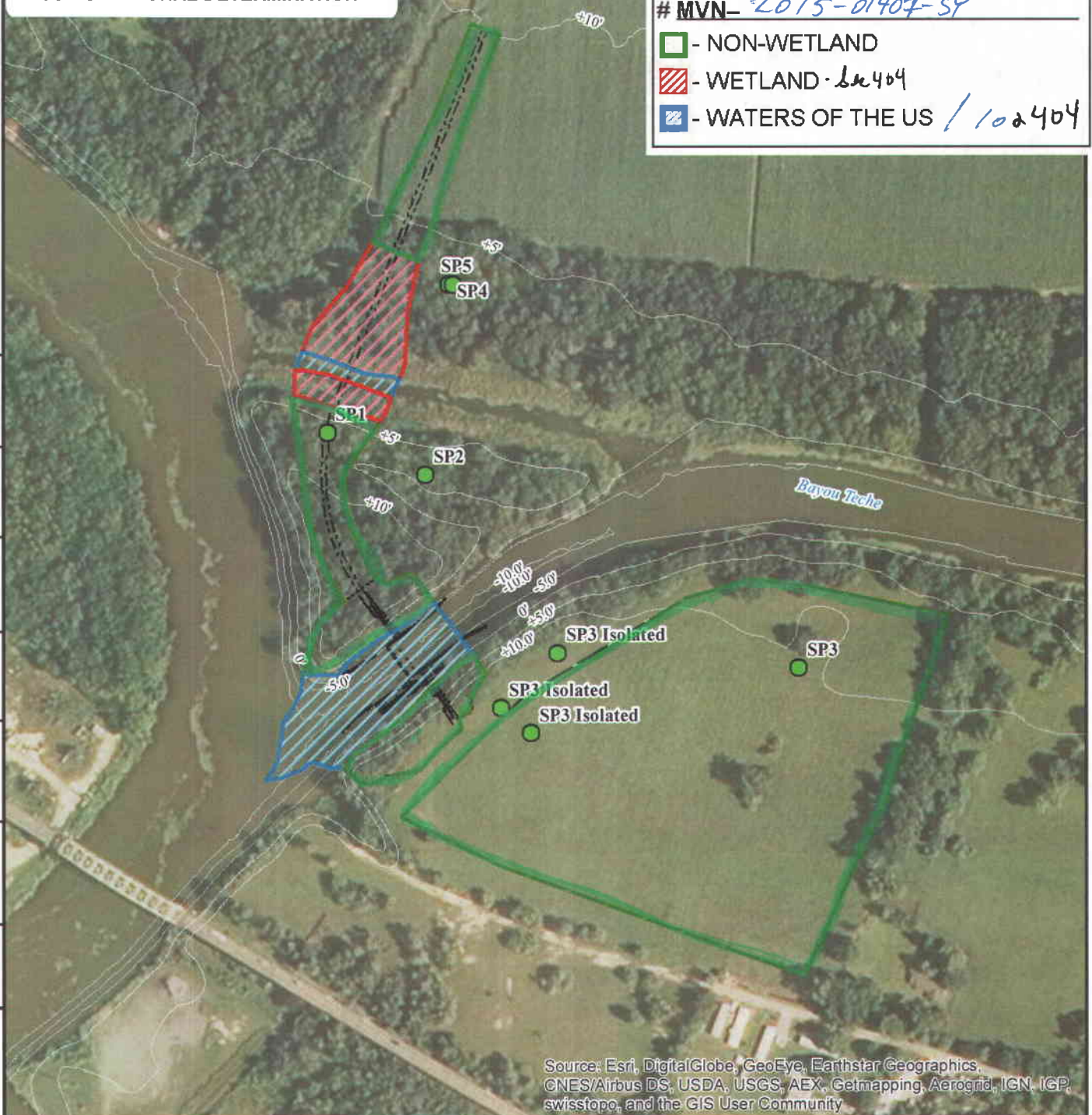
DRAWING
NUMBER

APPROVED BY
XXX
XXX

CHECKED BY
MS
04/30/15

DRAWN BY
CLINER
04/30/15

OFFICE
HOUMA



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

Legend

Delineation Area

- Non-Wet (14.5 acres)
- ▨ Open Water (1.5 acres)
- ▨ Wetland (1.1 acres)
- Delineation Points



300 150 0 300 Feet

REFERENCE:

V:\CAD\147469 Bayou Teche\Permit\Wetland Delineation Figures\Figure 2.mxd; Analyst: ben holt; Date: 5/1/2015 9:42:18 AM

ST. MARY LEVEE DISTRICT
ST. MARY PARISH, LOUISIANA

PROPOSED BAYOU TECHE FLOOD PROTECTION SYSTEM

FIGURE
NUMBER

2

WETLAND DELINEATION



Environmental and Infrastructure
197 Elysian Drive
Houma, LA 70363