

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 11 2016

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: MVN-2015-02271-SK

C. PROJECT LOCATION AND BACKGROUND INFORMATION: 4.5-acre tract on & north of Lakeshore Drive and on & west of Carrol St.

State: Louisiana County/parish/borough: St. Tammany Parish City: Mandeville

Center coordinates of site (lat/long in degree decimal format): Lat. 30.35616° N, Long. --90.0718° W.

Universal Transverse Mercator: 15N

Name of nearest waterbody: Nearest named is Lake Pontchartrain

Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: onsite tidal waters

Name of watershed or Hydrologic Unit Code (HUC): 08090201

☒ 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): 12/8/15

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:

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 +/-0.04 acres.

Wetlands: +/-0.57 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: **Tidal waters and wetlands.**

Summarize rationale supporting determination: Waters and wetlands are subject to the ebb and flow of the tide.

2. Wetland adjacent to TNW

Summarize rationale supporting conclusion that wetland is "adjacent": A portion of the onsite wetlands are above OHW and contiguous to the Houma Navigational Canal.

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, +/-0.61 acres.
☐ Wetlands adjacent to TNWs: 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:
☒ USDA Natural Resources Conservation Service Soil Survey. Citation: NRCS WSS St. Tammany Parish 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, 2006, 2008, 2010, 2012, 2013 ArcMap.
or ☒ Other (Name & Date): Google Earth Pro.
- ☐ Previous determination(s). File no. and date of response letter:
☐ Applicable/supporting case law:
☐ Applicable/supporting scientific literature:
☒ Other information (please specify): LA LIDAR.

B. ADDITIONAL COMMENTS TO SUPPORT JD: This basis form documents TNWs (on-site wetlands and waters). A portion of the site is mixed (wetland/ nonwetland), not delineated.

U.S. ARMY CORPS OF ENGINEERS
APPROVED
JURISDICTIONAL DETERMINATION

USACE

FSV / IH Date: 12/8/15

Botanist: WINDHAM

Requestor: HENRY

MVN-2015-02271-SK

- ☐ - NON-WETLAND ☒ - MIXED, NOT DELINEATED
☒ - WETLAND (10/404)
☐ - WATERS OF THE US (10/404)

ACRES
LINEAR FEET

MR. BOB WHELAN
~4.5 ACRES
MANDEVILLE, LA
LAKEFRONT AREA

CENTER COORDS:
30.35616, -90.07180

DATUM: LSP



WETLAND DELINEATION

BOB WHELAN
ST. TAMMANY PARISH

FIGURE
4

HF:15688

DATE:101215

HYDRIK
WETLANDS - GIS - FLOOD CONTROL
WWW.HYDRIK.COM
2323 HWY 190 EAST SUITE 2
HAMMOND, LA 70401
985 429 0333

PLEASE NOTE: MAP DATA IS FOR REFERENCE ONLY. THIS IS NOT A
LEGAL SURVEY AND SHOULD NOT BE USED AS SUCH