

HOW TO REQUEST A JURISDICTIONAL DETERMINATION

1. **FORM:** Please use the form on the back of this page, filling it out completely. Alternatively, you may send us a signed letter requesting a jurisdictional determination and including the same information as listed on the form.
2. **MAP:** We must be able to locate your property. Please accurately identify the property on a vicinity map (city or parish map, soil survey photo, USGS Quad map, etc.). Also, please provide property dimensions and if available, include a copy of your survey plat and a legal description.
3. **OPTIONAL DOCUMENTATION:**
 - On cleared or sparsely wooded properties, photographs can greatly assist in the review process and often make a field visit unnecessary. We must see complete coverage of the property, including the ground cover and vegetation overstory.
 - If the property is to be surveyed, we suggest waiting for the survey to be completed and including a copy with your request. This ensures that we will be able to locate the accurate boundaries of the property.
 - On agricultural fields, farm program participants can demonstrate cropping history by including copies of NRCS form CPA-026 and FSA form 578 (for the last 5 years with matching maps of field numbers for each year) from your local USDA office may help speed up your request.
 - Any other data you can include may help, such as land use or drainage improvements, etc.
4. **PROCEDURE:** We will review all available data within our office and attempt to provide a quick, accurate response to your request. Many determinations require a field site visit, which always takes more time to complete.
5. **WAYS TO SPEED UP YOUR REQUEST**
 - Fill out the request form in its entirety.
 - Be specific in marking the property location on the vicinity map.
 - Request a Preliminary Jurisdictional Determination.
 - Most of the delay on field determinations is due to problems in locating the precise property boundaries. It is important that these boundaries be clearly marked. In your request, identify adjacent landmarks such as existing structures, drainages, fences, or tree lines. If possible, provide precise distances from the nearest street corner. On densely overgrown sites we may ask that property lines be recut.
 - Some activities are exempt from permit requirements, even if they occur in a wetland. Be sure to identify your proposed activity or provide a brief description of the work.
 - Hire a private consultant to furnish us with a wetland delineation report (which contains field data concerning vegetation, soils, and hydrology), especially if time is of the essence or the property is 5 acres or larger. The New Orleans District has a high amount of jurisdictional determination requests; therefore, jurisdictional determination requests submitted with a wetland delineation report will receive higher priority than those requests that rely on us to delineate the wetlands.

NOT PREFERRED Mail this information to:
 U.S. Army Corps of Engineers
 New Orleans District,
 CEMVN-RG-J, Rm 271
 7400 Leake Avenue
 New Orleans, LA 70118-3651

OR

PREFERRED Submit the request by email to:
cemvn.wetland.request@usace.army.mil

or

Submit the request electronically through:
<https://safe.apps.mil> because the message
 and attachment is larger than 20 MB.

If you have questions and would like to speak with a Corps of Engineers representative, please call (504) 862-2270.

Additional information can also be found at: <https://www.mvn.usace.army.mil/Missions/Regulatory/>

REQUEST FOR A JURISDICTIONAL DETERMINATION (JD)

_____ My file is **larger than 20MBs**; therefore, I am submitting through <https://safe.apps.mil>

OR

_____ My file is **larger than 20MBs**; therefore, I am mailing a hard copy CD.

_____ My file is **smaller than 20MBs**; therefore, I am submitting my request by email to: cemvn.wetland.request@usace.army.mil

When submitting a hard copy, you should do so by placing files onto a CD to be mailed in. This will ensure that your request is in-processed in a timely manner.

- I am requesting a JD on property described as: _____

_____ (lot or tract #, subdivision name, street, highway, etc)

- Parish: _____ Section: _____ Township: _____ Range: _____

- Tract size: _____ Acres, Latitude: _____ Longitude: _____

- The subject property is: (check as many as applicable)

____ cleared _____ wooded _____ pasture _____ agricultural field

- _____ I have attached a survey/plat map of the property and a vicinity map identifying the precise property location.

____ I currently own this property. _____ I plan to purchase this property (owner must consent)

____ I am an agent/consultant acting on behalf of the requestor, and:

____ I have enclosed a wetland delineation report.

____ I have NOT enclosed a wetland delineation report.

- Reason for the request: (check as many as applicable)

____ I intend to construct/develop a project on the property for personal use.

____ I intend to construct/develop a project on the property for commercial use.

____ I intend to sell the property and would like a JD

____ The property is to be used for agricultural purposes.

If agricultural, are you a USDA Farm Participant? _____ Yes _____ No

The last commodity crop was harvested approximately _____ years ago.

____ The property is timberland. The last harvest was approximately _____ years ago. The next harvest will be in approximately _____ years.

____ A Corps JD is required in order to obtain my local/state authorization.

____ This JD accompanies a permit application and is to be used in the permitting process.

____ Other: _____

- Type of determination being requested (explanation attached):

____ I am requesting an approved JD.

____ I am requesting a preliminary JD.

*Signature: _____ Date: _____

***THIS SIGNATURE INDICATES YOU HAVE THE AUTHORITY AND/OR LANDOWNER'S PERMISSION TO SUBMIT THIS REQUEST AND AUTHORIZES A PHYSICAL INSPECTION OF THE SITE.**

- Typed or printed name: _____

Company name: _____

Address: _____

Daytime phone: _____

Email address: _____

If different from above, provide the following:

Name of property owner: _____

Owner's Full Mailing Address: _____

Phone: _____ Email address: _____

APPROVED JDs	PRELIMINARY JDs
<ul style="list-style-type: none"> An AJD is defined in Corps regulations at 33 CFR 331.2. A definitive, official determination that there are, or that there are not, jurisdictional aquatic resource on a parcel and the identification of the geographic limits of jurisdictional aquatic resource on a parcel, can only be made by means of an AJD. 	<ul style="list-style-type: none"> A JD requestor may elect to use a PJD to move ahead expeditiously to obtain a Corps permit authorization, where the requestor determines that it is in his or her best interest to do so. May include the delineation limits of all aquatic resources on a parcel so long as the PJD does not determine the jurisdictional status of such aquatic resources.
<ul style="list-style-type: none"> Will specify what aquatic resources are or are not jurisdictional on a parcel for purposes of computation of impacts, compensatory mitigation requirements, and other resource protection measures. 	<ul style="list-style-type: none"> A requestor may elect to use a PJD even where initial indications are that the aquatic resources on a site may not be jurisdictional, if the requestor makes an informed, voluntary decision that it is in his or her best interest not to request and obtain an AJD. For purposes of computation of impacts, compensatory mitigation requirements, and other resource protection measures, a permit decision made on the basis of a PJD will treat all aquatic resources that would be affected in any way by the permitted activity on the site as jurisdictional aquatic resources. When the Corps provides a PJD, or authorizes an activity based on a PJD, the Corps is making no legally binding determination of any type regarding whether jurisdiction exists over the particular aquatic resource in question.
<ul style="list-style-type: none"> Remains valid for period of five years (subject to certain limited exceptions explained in RGL 05-02). 	<ul style="list-style-type: none"> In the New Orleans District, remains valid for period of five years.
<ul style="list-style-type: none"> Can be administratively appealed through the Corps administrative appeal process set out at 33 CFR Part 331. 	<ul style="list-style-type: none"> A PJD is not an appealable action. A PJD is "preliminary" in the sense that a recipient of a PJD can later request and obtain an AJD if that becomes necessary or appropriate during the permit process or during the administrative appeal process.

OTHER OPTIONS TO BE CONSIDERED

NO PERMIT REQUIRED LETTER	OTHER CIRCUMSTANCES
<ul style="list-style-type: none"> For situations where the proposed activity is not a regulated activity or an activity is exempt under Section 404(f) of the CWA and is not recaptured, preparation of a "no permit required" letter may be appropriate, and no JD is required, so long as that letter makes clear that it is not addressing geographic jurisdiction. 	<ul style="list-style-type: none"> The Corps generally does not issue a JD of any type where no JD has been requested and there are certain circumstances where a JD would not be necessary (such as authorizations by non-reporting nationwide general permits). In some circumstances, including where the Corps verifies general permits or issues letters of permission and/or standard permits, jurisdictional questions may not arise.