



REPLY TO  
ATTENTION OF

Operations Division  
Surveillance and Enforcement Section

DEPARTMENT OF THE ARMY  
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS  
P.O. BOX 60267  
NEW ORLEANS, LOUISIANA 70160-0267

APR 28 2011

EXHIBIT T  
WETLANDS  
DELINEATION

RECEIVED

MAY 02 2011

PORT OF SOUTH LA

Mr. Joel T. Chaisson  
Port of South Louisiana  
Post Office Box 909  
LaPlace, Louisiana 70069

Dear Mr. Chaisson:

Reference is made to your request for a U.S. Army Corps of Engineers' (Corps) jurisdictional determination on property located in Sections 33, 34, 35, 36, and 37, Township 11 South, Range 6 East, St. John the Baptist Parish, Louisiana (enclosed map). Specifically, this property is identified as approximately 130 acres on and west of West 10<sup>th</sup> Street.

Based on review of recent maps, aerial photography, and soils data, we have determined that this property is not in a wetland subject to Corps' jurisdiction. A Department of the Army permit under Section 404 of the Clean Water Act will not be required for the deposition or redistribution of dredged or fill material on this site. However, jurisdictional waters have been identified in the immediate vicinity of this property. Any expansion will require a revised determination.

Please be advised that this property is in the Louisiana Coastal Zone. For additional information regarding coastal use permit requirements, contact Ms. Christine Charrier, Coastal Management Division, Louisiana Department of Natural Resources at (225) 342-7953.

This determination has been conducted to identify the limits of the Corps Clean Water Act jurisdiction for the particular site identified in your request. This determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985, as amended. If the property owner or tenant is a USDA farm participant, or anticipates participation in USDA programs, a certified wetland determination should be requested from the local office of the Natural Resources Conservation Service prior to starting work.

You are advised that this approved jurisdictional determination is valid for a period of 5 years from the date of this letter unless new information warrants revision prior to the expiration date or the District Commander has identified, after public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re-verification on a more frequent basis.

Should there be any questions concerning these matters, please contact Mr. Furcy Zeringue at (504) 862-2099 and reference our Account No. MVN 2011-00512-SZ. The New Orleans District Regulatory Branch is committed to providing quality and timely service to our customers. In an effort to improve customer service, please complete and return the enclosed Customer Service Survey or complete the survey on our web site at <http://per2.nwp.usace.army.mil/survey.html>.

Sincerely,



Pete J. Serio  
Chief, Regulatory Branch

Enclosures



USACE

9JZII

In-House



Non-Wetland

21 Apr. 2011

CHAISSON

MVN 2011-00512-SZ

U.S. ARMY CORPS OF ENGINEERS

**APPROVED**

JURISDICTIONAL DETERMINATION

Data: SIO, NOAA, U.S. Navy, NGA, GEBCO

Image: USDA Farm Service Agency

Image: U.S. Geological Survey



# NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

<b>Applicant:</b> Mr. Joel T. Chaisson	<b>File No.:</b> MVN-2011-00512-SZ	<b>Date:</b> APR 28 2011
<b>Attached is:</b>		See Section below
<input type="checkbox"/>	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
<input type="checkbox"/>	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
<input type="checkbox"/>	PERMIT DENIAL	C
<input checked="" type="checkbox"/>	APPROVED JURISDICTIONAL DETERMINATION	D
<input type="checkbox"/>	PRELIMINARY JURISDICTIONAL DETERMINATION	E

**SECTION I -** The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://usace.army.mil/inet/functions/cw/cecwo/reg> or Corps regulations at 33 CFR Part 331.

**A: INITIAL PROFFERED PERMIT:** You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

**B: PROFFERED PERMIT:** You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**C: PERMIT DENIAL:** You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**D: APPROVED JURISDICTIONAL DETERMINATION:** You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**E: PRELIMINARY JURISDICTIONAL DETERMINATION:** You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

(over)



## 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): 21 April 2011

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: MVN 2011-00512-SZ

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Louisiana County/parish/borough: St. John the Baptist Parish City: Reserve

Center coordinates of site (lat/long in degree decimal format): Lat. 30.068658° N, Long. 90.568708° W.

Universal Transverse Mercator:

Name of nearest waterbody: unnamed canal

Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: tidal waters tributary to Lake Maurepas

Name of watershed or Hydrologic Unit Code (HUC): 08070204: Lake Maurepas, Louisiana

☒ 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: 21 April 2011

☒ 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]

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There are no "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area. [Required]

SECTION III: CWA ANALYSIS. Not Applicable

### 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: Reserve 7.5 min. topo.

☒ USDA Natural Resources Conservation Service Soil Survey. Citation: Soil Survey of St. John the Baptist Parish, Louisiana.

☒ National wetlands inventory map(s). Cite name: Reserve Quad.

☒ State/Local wetland inventory map(s):

☒ FEMA/FIRM maps:

☒ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)

☒ Photographs: ☒ Aerial (Name & Date): 2010, 2009, 2008, 2006, 2005, 2004, 1998.

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.

B. ADDITIONAL COMMENTS TO SUPPORT JD: The entire project site consist of uplands.