



DEPARTMENT OF THE ARMY

VICKSBURG DISTRICT, CORPS OF ENGINEERS
4155 CLAY STREET
VICKSBURG, MISSISSIPPI 39183-3435

REPLY TO
ATTENTION OF:

August 7, 2014

Operations Division

SUBJECT: Jurisdictional Determination – Louisiana Economic Development, 273-Acre Tract, Located in Section 8, T17N-R8E, Richland Parish, Louisiana

Mr. William C. "Bill" McAbee
McAbee Wetland Services
655 Meadowbrook Road
Jackson, Mississippi 39206

Dear Mr. McAbee:

This is in response to your inquiry requesting concurrence with a preliminary jurisdictional determination on the subject property. The location of the activity is depicted on the enclosed map (enclosure 1).

Based upon the information provided, it appears there are jurisdictional areas within the project boundary subject to regulation pursuant to Section 404 of the Clean Water Act. The approximate extent of wetlands and other waters of the United States within the boundary of the property described in your letter is depicted on the enclosed preliminary map (enclosure 1). Any work involving the discharge of dredged or fill material (land clearing, ditching, filling, leveeing, etc.) within the limits of the jurisdictional areas identified will require a Department of the Army Section 404 permit prior to beginning work. For your information, I have included a copy of an appeals form (enclosure 2).

For your convenience, an application packet may be obtained at our Regulatory Program webpage: <http://www.mvk.usace.army.mil/Missions/Regulatory.aspx>. An application for work in wetlands or other waters of the United States should be submitted at least 90 to 120 days in advance of the proposed starting date. In order to expedite the evaluation process, please refer to identification no. MVK-2014-128 when submitting the application.

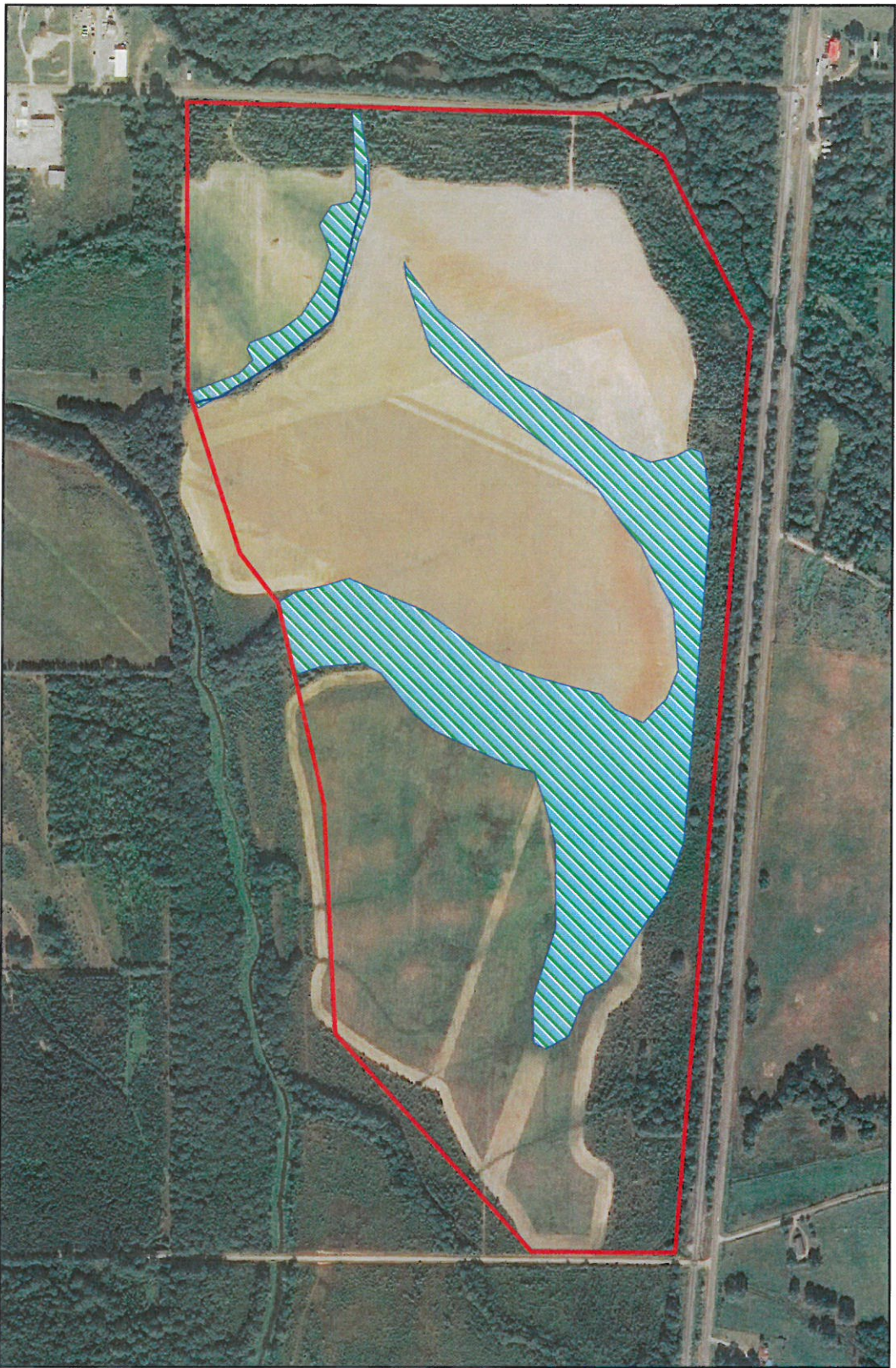
If you have any questions, please contact Mr. Jim Cole of this office, telephone (601) 631-5289, fax (601) 631-5459, or e-mail address: jim.l.cole@usace.army.mil.

Sincerely,

A handwritten signature in cursive script that reads "Charles R. Allred, Jr.".

Charles R. Allred, Jr.
Chief, Enforcement Section
Regulatory Branch

Enclosures

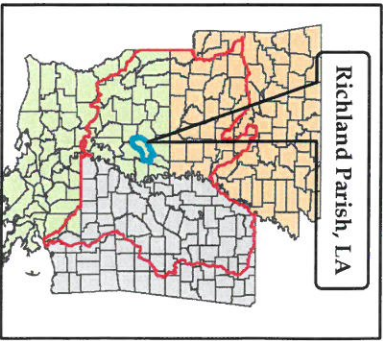
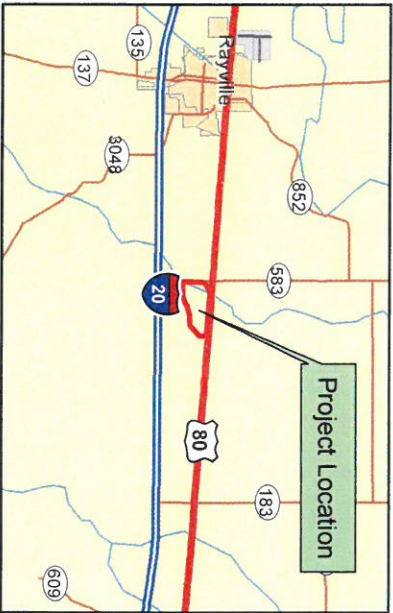


Legend

Bee Bayou Tract (273 Acres)

Wetlands (50.9 Acres)

Intermittent Stream (1724 Linear Feet)



US Army Corps of Engineers®

Regulatory Branch

Enforcement Section

0 500 1,000
Feet

7 August 2014
MVK-2014-128
 Applicant:
 Louisiana Economic Development
 Proposed Work:
 Commercial Construction
 Location:
 Section 8, T17N-R8E
 Bee Bayou, LA Quadrangle
 Richland Parish, Louisiana
 Map Background:
 NAIP Aerial Imagery (2013)
 Prepared by:
 Jim Cole

Preliminary
Jurisdictional Determination

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: Louisiana Economic Development		File Number: MVK-2014-128	Date: 8-7-14
Attached is:			See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A	
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B	
	PERMIT DENIAL	C	
	APPROVED JURISDICTIONAL DETERMINATION	D	
X	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://www.usace.army.mil/cecw/pages/reg_materials.aspx 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.

Enclosure 2