



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

REPLY TO
ATTENTION OF

SEP 01 2011

Operations Division
Surveillance and Enforcement Section

Mr. Roy Holleman
Holleman Companies
Post Office Box 9216
New Iberia, LA 70562-9216

Dear Mr. Holleman:


Reference is made to your request for a U.S. Army Corps of Engineers' (Corps) jurisdictional determination on property located in Section 1, Township 12 South, Range 3 East, Vermilion Parish, Louisiana (enclosed map). Specifically, this property is identified as Deer Park Subdivision at the southeast intersection of Cordell Road and US-167.

Based on review of recent maps, aerial photography, soils data, and the information provided with your request, 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.

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. Brad Guarisco at (504) 862-2274 and reference our Account No. MVN-2011-01959-SB. 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.

Sincerely,


for Pete J. Serio
Chief, Regulatory Branch

Enclosures

USACE

I.H. 8/11/2010

BY: BRAD GUARISCO

FOR: HOLLEMAN

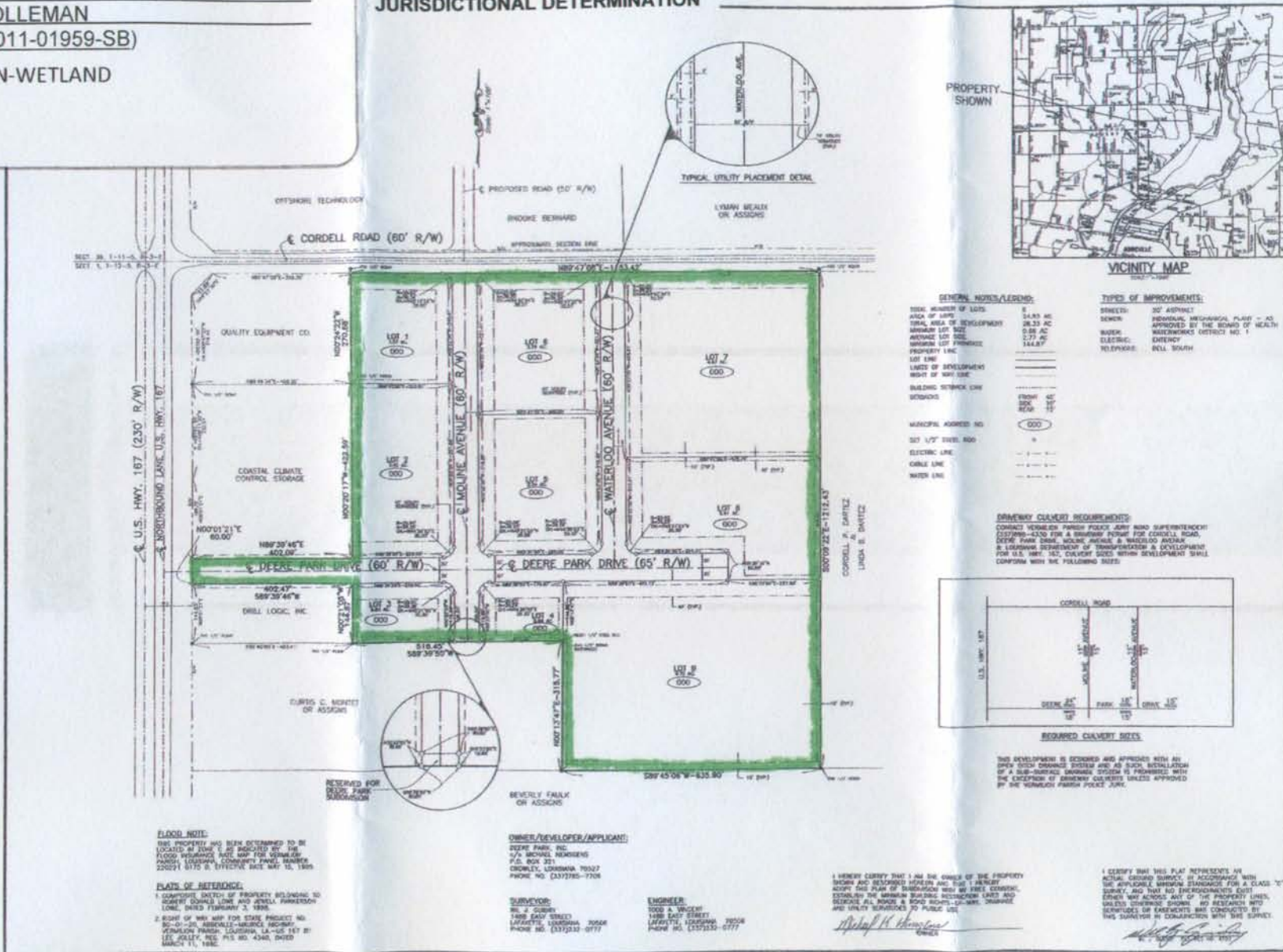
(# MVN-2011-01959-SB)

□ = NON-WETLAND

U.S. ARMY CORPS OF ENGINEERS

APPROVED

JURISDICTIONAL DETERMINATION



GENERAL NOTES/LEGEND:

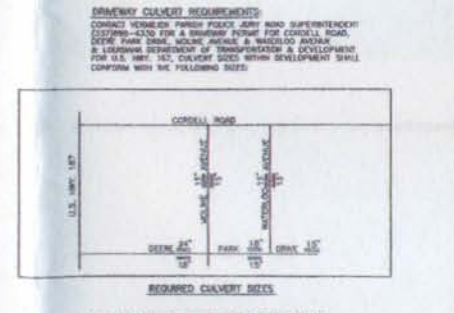
| | |
|---------------------------|-------------------|
| DATE NUMBER OF LOTS | 0 |
| AREA OF LOTS | 24.33 AC |
| TOTAL AREA OF DEVELOPMENT | 28.33 AC |
| MINIMUM LOT SIZE | 0.88 AC |
| AVERAGE LOT SIZE | 2.77 AC |
| MINIMUM LOT FRONTAGE | 144.8' |
| PROPERTY LINE | --- |
| LOT LINE | --- |
| LIMITS OF DEVELOPMENT | --- |
| RIGHT OF WAY LINE | --- |
| BUILDING SETBACK LINE | --- |
| SETBACKS | 4000' 2000' 1000' |
| MUNICIPAL ADDRESS NO. | 000 |
| SD 1/2" DIVE. AND | 0 |
| ELECTRIC LINE | --- |
| CABLE LINE | --- |
| WATER LINE | --- |

TYPICAL UTILITY PLACEMENT DETAIL:

WATER 60" DIA. 10' MIN. COVER
ELECTRIC 4" DIA. 18" MIN. COVER
GAS 8" DIA. 18" MIN. COVER

VICINITY MAP:

PROPERTY SHOWN



THIS DEVELOPMENT IS DESIGNED AND APPROVED WITH AN OPEN DRAINAGE SYSTEM AND AS SUCH, INSTALLATION OF A SUB-SURFACE DRAINAGE SYSTEM IS PERMITTED WITH THE EXCEPTION OF DRAINAGE COLLECTORS UNLESS APPROVED BY THE VERMILION PARISH POLICE JURY.

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREIN AND THAT I HEREBY ACCEPT THIS PLAN OF SUBDIVISION WITH ALL ENCUMBRANCES, EXCEPT THE MINIMUM BUILDING FOOTPRINT LIMITS AND EXCEPT ALL ROADS & ROAD RIGHTS-OF-WAY, DRAINAGE AND UTILITY SERVICES TO PUBLIC USE.

Brad Guarisco
OWNER

I CERTIFY THAT THIS PLAN REPRESENTS AN ACTUAL SURVEY OF THE PROPERTY AND THAT THE SURVEY AND THE PLAN OF SUBDIVISION COMPLY WITH ALL APPLICABLE MINIMUM STANDARDS FOR A CLASS "B" SURVEY AND THAT NO ENCUMBRANCES EXIST UNLESS OTHERWISE SHOWN. NO RESEARCH INTO SERVICES OR ENCUMBRANCES WAS CONDUCTED BY THE SURVEYOR IN CONNECTION WITH THIS SURVEY.

Brad Guarisco
SURVEYOR

FLOOD NOTE:

THIS PROPERTY HAS BEEN DETERMINED TO BE LOCATED IN ZONE X AS INDICATED BY THE FLOOD HAZARD MAP FOR THE VERMILION PARISH LOCAL GOVERNMENT PANEL NUMBER 200241415 & EFFECTIVE DATE MAY 10, 1999.

PLATS OF REFERENCE:

1. COMPLETE INDEX OF PROPERTY BELONGING TO SCARLETT QUINN LANE AND JEWELL PARKERSON LANE, DATED FEBRUARY 3, 1998.
2. EASE OF WAY MAP FOR STATE PROJECT NO. 90-01-20, ARCADIA-MORNING PROMISE VERMILION PARISH, LOUISIANA, LA-HS-187 BY LEE JOLLY, REG. PLS. NO. 4340, DATED MARCH 11, 1998.

OWNER/DEVELOPER/APPLICANT:

DEERE PARK, INC.
174 MICHAEL HENNING
P.O. BOX 351
CHENIERE, LOUISIANA 70027
PHONE NO. (337)885-7708

SURVEYOR:

BRAD GUARISCO
1408 EAST STREET
LAFAYETTE, LOUISIANA 70504
PHONE NO. (337)233-0777

ENGINEER:

TOO & WRIGHT
1000 EAST STREET
LAFAYETTE, LOUISIANA 70508
PHONE NO. (337)233-0777



REVISIONS:

| DATE | BY |
|------|----|
| | |

FINAL PLAT

Saliers & Associates, Inc.
Professional Engineer
Louisiana License No. 10000

DEERE PARK SUBDIVISION
A COMMERCIAL DEVELOPMENT
FOR
DEERE PARK, INC.
LOCATED IN SECTION 1, T-12-S, R-3-E
VERMILION PARISH, LOUISIANA

SURVEYOR
NO. 4792
DRAWN BY
BRAD GUARISCO
DATE
8/11/2010
SCALE
1" = 100'
PROJECT NO.
017-01
FILE NO.
13-PROJ-017-01
ACR-DRW-NO.
13-PROJ-017-01
SHEET
1
OF 1 SHEETS

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): August 11, 2011

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: MVN-2011-01959-SB

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: **Louisiana** County/parish/borough: **Vermilion** City: **Near Abbeville**
Center coordinates of site (lat/long in degree decimal format): Lat. **30.034282° N**, Long. **92.120908° W**.
Universal Transverse Mercator: **15N**

Name of nearest waterbody: **Unnamed canal**

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

Name of watershed or Hydrologic Unit Code (HUC): **08080103 Vermilion**

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: **August 11, 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: **1: 24,000 Milton.**

USDA Natural Resources Conservation Service Soil Survey. Citation: **Soil Survey of Vermilion Parish, Louisiana.**

National wetlands inventory map(s). Cite name:

State/Local wetland inventory map(s):

FEMA/FIRM maps: **Vermilion Panel 225 of 950.**

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

Photographs: Aerial (Name & Date): **ArcMap '98, '04, '08, '10.**

or Other (Name & Date): **Requestor photos.**

Previous determination(s). File no. and date of response letter:

Applicable/supporting case law:

Applicable/supporting scientific literature:

Other information (please specify):

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

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

| | | |
|-------------------------------------|--|--------------------------|
| Applicant: Mr. Roy Holleman | File Number: MVN-2011-01959-SB | Date: SEP 01 2011 |
| Attached is: | | 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://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.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:

Rob Heffner (504-862-1288)
Chief, Surveillance and Enforcement Section
U.S. Army Corps of Engineers
P.O. Box 60627
New Orleans, LA 70160

If you only have questions regarding the appeal process you may also contact:

James B. Wiseman, Jr.
Administrative Appeals Review Officer
USACE – Mississippi Valley Division
P.O. Box 80
Vicksburg, MS 39181-0080
(601) 634-5820

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or agent.

Date: _____

Telephone number: _____