

HOW TO REQUEST A WETLAND DETERMINATION

1. **LETTER:** Please use the form on the back of this page, filling it out completely. Alternatively, you may send us a brief, signed letter requesting a wetland determination and including the same information as listed on the form. We require original signatures; faxes are not acceptable.
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. Any other data you can include may help, such as land use or cropping history for the past five years, 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.

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.
- We are not always able to complete wetland determinations within the time constraints of a real-estate transaction, particularly when a site visit is required. If time is of the essence, you may wish to contact our office to discuss hiring a private consultant to furnish us with the field data concerning vegetation, soils, and hydrology, that we require for all jurisdictional decisions.

Mail this information to:

CEMVN-OD-SS
ATTN: Chief, Surveillance & Enforcement
U.S. Army Corps of Engineers
P.O. Box 60267
New Orleans, LA 70160-0267

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: <http://www.mvn.usace.army.mil/ops/regulatory/index.asp>

REQUEST FOR A WETLAND DETERMINATION

To: CEMVN-OD-SS
Chief, Surveillance & Enforcement
U.S. Army Corps of Engineers
P.O. Box 60267
New Orleans, LA 70160-0267

Sir/Madam:

- I am requesting a wetland determination on property described as: _____

(lot or tract #, subdivision name, street, highway, etc)
- Parish: _____ Acreage: _____
- Section: _____ Township: _____ Range: _____
- Latitude: _____ Longitude: _____
- The subject property is: (check as many as applicable)
 cleared wooded pasture agricultural field
- If cleared, for how long? _____ Providing photographs on cleared properties will often speed up the determination process.
- I have attached a survey/plat map of the property and a vicinity map identifying the precise property location.
- Description of proposed activity: (check as many as applicable)
 I currently own this property. I plan to purchase this property.
 I am a Real Estate Agent acting on behalf of Owner or Purchaser.
 I intend to construct a single family residence for personal use.
 I intend to construct a home for resale or develop a subdivision.
 I intend to construct or develop a subdivision.
 The property is to be used for commercial construction or activity.
 The property is to be used for agricultural purposes. If agricultural, are you a USDA Farm Participant?
 Yes No Don't know
 Other: _____
- Type of determination being requested:
 I am requesting an approved jurisdictional determination.
 I am requesting a preliminary jurisdictional determination. (By requesting a preliminary jurisdictional determination I accept the terms of the attached document titled "EXPLANATION OF PRELIMINARY AND APPROVED JURISDICTIONAL DETERMINATIONS".)

*Signature: _____ Date: _____

*THIS SIGNATURE AUTHORIZES A PHYSICAL INSPECTION OF THE SITE.

- Typed or printed name: _____
Company name: _____
Address: _____

Daytime phone no. _____
Email address: _____

EXPLANATION OF PRELIMINARY AND APPROVED JURISDICTIONAL DETERMINATIONS:

1. The Corps of Engineers believes that there may be jurisdictional waters of the United States on the subject site, and the permit applicant or other affected party who requested this preliminary JD is hereby advised of his or her option to request and obtain an approved jurisdictional determination (JD) for that site. Nevertheless, the permit applicant or other person who requested this preliminary JD has declined to exercise the option to obtain an approved JD in this instance and at this time.

2. In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "pre-construction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an approved JD for the activity, the permit applicant is hereby made aware of the following: (1) the permit applicant has elected to seek a permit authorization based on a preliminary JD, which does not make an official determination of jurisdictional waters; (2) that the applicant has the option to request an approved JD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an approved JD could possibly result in less compensatory mitigation being required or different special conditions; (3) that the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) that the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) that undertaking any activity in reliance upon the subject permit authorization without requesting an approved JD constitutes the applicant's acceptance of the use of the preliminary JD, but that either form of JD will be processed as soon as is practicable; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a preliminary JD constitutes agreement that all wetlands and other water bodies on the site affected in any way by that activity are jurisdictional waters of the United States, and precludes any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an approved JD or a preliminary JD, that JD will be processed as soon as is practicable. Further, an approved JD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331, and that in any administrative appeal, jurisdictional issues can be raised (see 33 C.F.R. 331.5(a)(2)). If, during that administrative appeal, it becomes necessary to make an official determination whether CWA jurisdiction exists over a site, or to provide an official delineation of jurisdictional waters on the site, the Corps will provide an approved JD to accomplish that result, as soon as is practicable.