

FIELD INVESTIGATION

Methodology and Practices

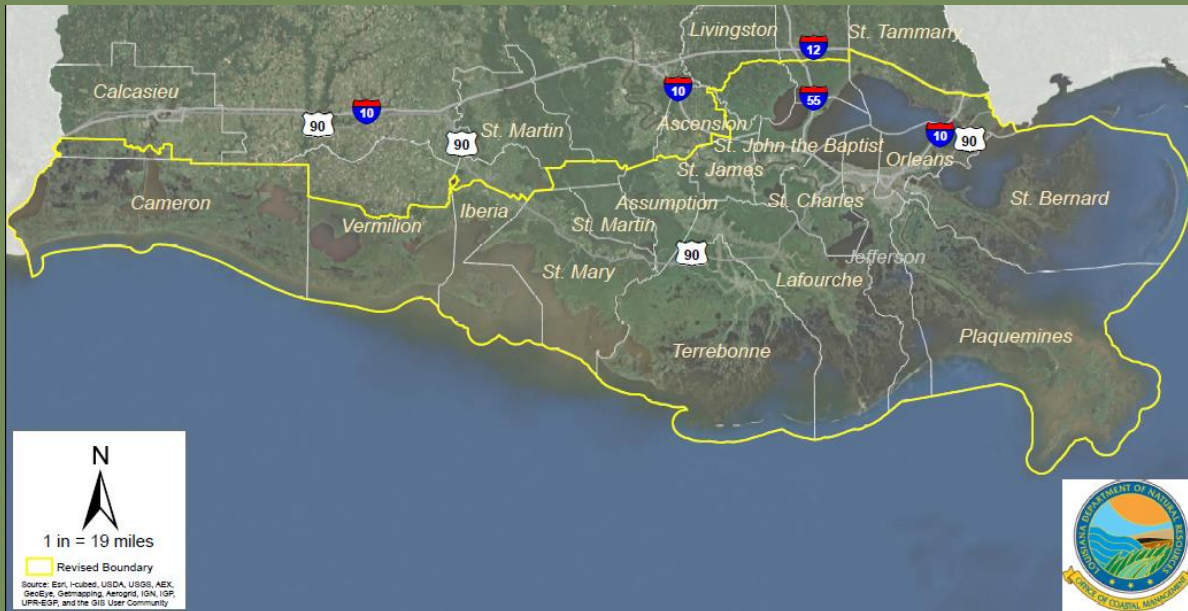
March 7, 2017

Background

- ▣ In response to the Coastal Zone Management Act of 1972, the passage of Act 361 in 1978 known as the Louisiana Coastal Resources Management Act created the Louisiana Coastal Resources Program (LCRP).
- ▣ LAC Title 43:723 Subchapter C contains the rules and procedures for Coastal Use Permits (CUP).

Coastal Zone Boundary

- Louisiana's Coastal Zone Inland boundary was modified in the 2012 Regular Session of the Louisiana Legislature with the passage of [House Bill 656 \(Act 588\)](#); those changes became effective on June 7, 2012 upon signature by the Governor.



What is a Wetland?

“Open water areas or areas that are inundated or saturated by surface groundwater at a frequency and duration sufficient to support, and under normal circumstances, do support a prevalence of vegetation typically adapted for life in saturated soil conditions.”

- ▣ Within the Coastal Zone
- ▣ Below 5 foot in mean elevation/below the 5 foot contour (TOPO Maps).
- ▣ Contains prevalence of hydrophyte species.
- ▣ Exhibit wetland hydrology.

Below 5 foot in mean elevation

- ▣ Sources (most accurate to least)
 1. Elevation Report (site specific)
 2. SONRIS (State's LIDAR Dataset)
 - Certified accurate +/- 6 inches, (standard for FEMA is +/- 2 feet)
 3. Google Earth Imagery
 - Unsure about the time period of the source (typically satellite measurement)
 4. TOPO Quad Maps (likely outdated, imprecise)

Vegetation

▣ Hydrophyte

Three indicator categories that have wetland plants

- Obligate Wetland (OBL) Occurs almost always (99%) under natural conditions in wetlands.
- Facultative Wetland (FACW) Usually occurs in wetlands or non-wetlands (67%-99%)
- Facultative (FAC) Equally likely (34%-66%) to occur in wetlands and non-wetlands. For FAC species identified use the prevalence of surrounding vegetation.

Sources

- ▣ <https://plants.usda.gov>
- ▣ http://wetland-plants.usace.army.mil/nwpl_static/index.html

Vegetation Contd.

https://plants.usda.gov/core/profile?symbol=SANI

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PLANTS Database

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GENERAL IMAGES SYNONYMS CLASSIFICATION WETLAND RELATED LINKS

Salix nigra Marshall
black willow

Interpreting Wetland Status

North America	
Arid West	OBL
Atlantic and Gulf Coastal Plain	OBL
Eastern Mountains and Piedmont	OBL
Great Plains	FACW
Midwest	OBL
Northcentral & Northeast	OBL

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PLANTS Topics

- Alternative Crops
- Characteristics
- Classification
- Cover Crops
- Culturally Significant
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- Wetland Indicator Status

Image Gallery

- 50,000+ Plant Images

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Vegetation Contd.

NWPL - National Wetland Plant List

Please refresh your browser, to make sure you have the latest version.

US Army Corps of Engineers

2016 NWPL v3.3 - Home Page

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- [Voting History \(Rounds/Algos \)](#)

About the NWPL

- [About This Website](#)
- [Acknowledgements](#)
- [Information About Plants](#)

Little Hogweed

Federal Partners

- US Army Corps of Engineers
- U.S. FISH & WILDLIFE SERVICE
- U.S. ENVIRONMENTAL PROTECTION AGENCY
- NRCS

Contact Information

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- [National / Regional Panels](#)
NWPL Panel Member email list

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Hydrology

“inundated or saturated by surface groundwater at a frequency and duration sufficient to support, and under normal circumstances, do support a prevalence of vegetation typically adapted for life in saturated soil conditions”

- ▣ Hydrology can be defined by the presence or lack there of hydrophytes if you can establish that normal conditions exist at the site.
- ▣ Geomorphic positioning of the site is also a contributor. An example of this would be a site located between an upland and an aquatic bed. There is typically a transition zone.
- ▣ USCOE uses soil core samples.

Investigation Requests

- ▣ Biological Field Investigation(BFI): Permit Investigation(pre-project)
- ▣ Follow-up Investigation: compliance investigations (post-project)
- ▣ Potential Violation Investigation: Unauthorized (post-project)

Biological Field Investigation

1. Initiate the review by evaluating the application, plats, and other supporting documentation contained in the application.
2. Gather data using mapping (SONRIS), LIDAR, TOPO, NWI, WebSoil survey, and Google Earth (GE). (GE is not sanctioned by LDNR but the imagery is typically more recent and the resolution is greater.
3. Determine if any other projects in the area had similar impacts nearby that can aid in the determination.
4. Review the adjacent area for mitigation opportunities and mitigation or restoration areas.

Follow-up Investigation

- ▣ Review the authorization
- ▣ Determine if there are any outstanding post-project submittals (as-builts, photos, etc.) due for the project.
- ▣ Check the most up-to-date imagery available to determine if the project or remnants of the project or still visible.

Potential Violation Investigation

- ▣ Determine if there are any permits for the project in the database that may have been plotted incorrectly.
- ▣ Gather all maps and other supporting documentation.
- ▣ A BFI can become a potential violation if the work started prior to permit approval and a follow-up can turn into a potential violation if it is determined that an applicant conducted work that exceeded the permitted footprint.

Using the NWI

- ▣ Good for data gathering and site visit preparation.
- ▣ The NWI is outdated (30+ years). It is likely deficient as a precision tool. However, it has a tremendous benefit as a guide for hydrologic and salinity regimes for areas that are not as dynamic.

Tips for using Google Earth

- ▣ Observe a digital signature of vegetation types. To aid in site preparation. Involves observation and ground truthing.
- ▣ Create an elevation profile with the measure tool. This is useful for seeing how elevation changes throughout the site.
- ▣ Google Earth Pro allows you to import ESRI shapefiles. Useful for larger scale projects.

Measuring DBH

- ▣ At 4.5 feet high

Use a diameter tape
or
measure the
circumference and
divide it by 3.14159.



Exemption for Camps

- ▣ According to LAC Title 43:723.B.5.b, for the construction of a residence or camp, “the exemption shall apply only to the construction of the structure and appurtenances such as septic fields, outbuildings, walk-ways, gazebos, small wharves, landings, boathouses, private driveways, and similar works, but **not** to any bulkheading or **any** dredging or filling activity except for small amounts of fill necessary for the structure itself and for the installation and maintenance of septic or sewerage facilities.”

*Local Coastal Programs have the authority to draft their own laws and regulations, for example the Appendix F in St. Tammany Parish, or adopt the State’s regs but they must be at least as stringent as the state’s law.

Exemption for Camps

Reworded

- ▣ Outbuildings, walk-ways, gazebos, small wharves, landings, boathouses, private driveways, and similar works are exempt from the obtaining a CUP but **NOT** if those activities would require **any** dredging or filling.
- ▣ For example, clearing of trees/vegetation for a private driveway are exempt from the requirement to obtain a CUP, but not if that driveway has any dredge or fill associated with it.

Exemption for Camps Interpretation

- ▣ Regardless of the habitat (swamp, marsh, or BLWD) if it is determined to be within our jurisdiction (<5 foot mean elevation, wetland vegetation, hydrology), the applicant is required to mitigate for the clearing any trees/vegetation for a yard/lawn/parking area irrespective of whether or not fill or dredging is required. Yards/lawns/parking areas are **NOT** included in the exemption for the construction of a residence or camp and must be permitted and mitigated.