



Components of a Complete Waters of the U.S. Delineation Report



February 2017

In Nashville District, wetland delineations submitted to the U.S. Army Corps of Engineers (USACE) shall be conducted in accordance with the 1987 *Corps of Engineers Wetlands Delineation Manual* and the appropriate supplement for the project site, either the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Eastern Mountains and Piedmont Region, Version 2.0 (April 2012)*, or *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region, Version 2.0 (November 2010)*. The applicable Regional Supplements for the Nashville District can be downloaded at:

http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/reg_supp.aspx

Please submit a complete *Nashville District Request for a Jurisdictional Determination Worksheet* (Appendix 1) with the delineation report.

A complete waters of the U.S. delineation report should include:

1. Current property owner contact information, the person(s) who authorized the delineation, and the person(s) who conducted the delineation.
2. The purpose the delineation was conducted (i.e. residential development).
3. Date of the site visit(s) with information on tasks performed on those dates.
4. Recent weather conditions and conditions during the delineation.
5. A vicinity map showing the project location and text identifying the street address, latitude/longitude, and section/township/range (A 7.5-minute USGS Quadrangle basemap is preferred).
6. Wetland Determination Data Forms: The most current wetland determination data forms from the appropriate Regional Supplement should be used.
 - a. At least one paired sampling plot located close enough to either side of the wetland boundary should be prepared for each wetland to substantiate the delineated wetland boundary location.
 - b. If the study area does not contain wetlands, at least one data form should be completed in each of the lowest topographic areas or other locations most likely to contain wetlands to document site conditions.
 - c. Use binomial names of plants (vs. only using common names on the data forms).
7. A site map (both on USGS Quadrangle and aerial imagery) identifying the delineated water boundaries and the locations of all sampling plots (for large and/or complex projects, a large scale [1":400' to 1":100'] with overlays displaying site property and water boundaries is helpful).
 - a. North arrow, title block with date, scale, drawing number, revision dates, roads, and waterway names.
 - b. Survey area boundary and size (e.g. 50 acres) for the delineation should be clearly depicted on the map.
 - c. Each separate water labeled (e.g. Wetland A, Stream 1, etc.) on the map and in the report text.
 - d. Streams should be labeled with transition points; ephemeral/intermittent transition points should be labeled as E/I, intermittent/perennial transition points labeled as I/P. Provide longitude and latitude in decimal degrees (NAD 83) for each stream transition point.
 - e. Clearly show location and extent of all areas potentially meeting the criteria for waters of the U.S., including special aquatic sites (e.g., wetlands, sanctuaries and refuges, mudflats, vegetated shallows, and riffle and pool complexes), and/or navigable waters. Each type of boundary (e.g., ordinary high water mark [OHWM], wetlands or other special aquatic sites) must be clearly annotated and/or symbolized to ensure they are distinct on the map.
8. A completed waters table (see Appendix 2). A table with stream lengths, widths (distances between OHWMs), and acres, wetland acreage, and longitude and latitude in decimal degrees (NAD 83) indicating the center point for wetlands and transition points and the beginning (headwaters point) of jurisdiction for streams, and special aquatic sites. Total stream lengths for each flow regime, ponds/impoundments acreage and names of receiving streams are required.

9. Describe the wetland delineation methodology used (e.g. routine, comprehensive, or atypical), or if “Difficult Wetland Situations” procedures were used and why.
10. Describe the approach used to delineate the streams, special aquatic sites¹, and other waters of the U.S.
 - a. The memorandum “*Clean Water Act Jurisdiction Following the U.S. Supreme Court’s Decision in Rapanos v. United States & Carabell v. United States*”² provides guidance implementing the Supreme Court’s decision in the consolidated cases Rapanos v. United States and Carabell v. United States.
 - b. Regulatory Guidance Letter (RGL) 05-05³ provides a list of physical characteristics which should be considered when making an OHWM determination.
11. Photographs representative of each aquatic resource on-site. Up and down stream photographs should be provided at each flow regime break for streams. More than one photograph should be provided if a wetland is characterized by more than one (1) vegetative community. Photographs should be clearly labeled with captions to include the date, location of photograph, direction of view (i.e. looking upstream/downstream), and precisely what the photograph is intended to depict.
12. A description of the site including mapped and observed vegetation, soils, hydrologic characteristics, and topography. This should include all waterbodies (e.g., ditches, streams, rivers, ponds, lakes, wetlands, etc.)
13. A summary of information used in making the wetland determination. Information sources consulted should be listed in a “References Cited” section of the report. The following are examples of potential sources of information:
 - Aerial photos
 - Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps
 - Local experts
 - Local wetland inventories and soil surveys
 - National Wetland Inventory (NWI) map (see USFWS website: <http://www.fws.gov/wetlands/>)
 - Plant Lists (preferably a wetland plant list with the indicator status)
 - Precipitation records (see WETS table data on the NRSC website: <http://www.wcc.nrcs.usda.gov/>)
 - Previous site documentation and analysis (e.g., environmental checklist, prior delineation, etc.)
 - Scientific literature
 - Stream and tidal gage data
 - USGS land use and land cover maps
 - USGS quadrangle map (or other topographic map of the area)
14. A narrative description of results and conclusions, including characteristics and acreage of each area of wetland and non-wetland waters and the rationale for the wetland boundary line/s.

The following items should be submitted/completed before the field site visit*:

1. Written Permission from the current landowner to access the property for the purpose of making the jurisdictional determination.
2. Flag the beginning and end of each "water" and provide coordinates. For wetlands, the boundaries of the wetland should be flagged and each sample plot point should be flagged.
3. For streams: Flag flow regime transition points and the beginning (headwaters point) of jurisdiction (Must have coordinates of beginning and end of OHWM of each tributary.)
4. Label streams with numbers; unique identifiers. Wetlands should be identified with letters (i.e. wetland A-wetland Z).

*The person(s) who performed the delineation should be available for the field verification.

¹ The definition of special aquatic sites is found in 40 CFR §230.3(q-1) and includes sanctuaries and refuges, wetlands, mud flats, vegetated shallows, coral reefs and riffle pool complexes.

² http://www.usace.army.mil/Portals/2/docs/civilworks/regulatory/cwa_guide/cwa_juris_2dec08.pdf

³ <http://www.usace.army.mil/Portals/2/docs/civilworks/RGLS/rgl05-05.pdf>



Appendix 1

Nashville District Request for a Jurisdictional Determination Worksheet



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If you are interested in requesting a jurisdictional determination, please supply the information requested in Appendix 1 - "Request for Corps Jurisdictional Determination (JD)," and the supporting documents described below. It must be signed by the property owner to be considered a formal request. We require original signatures; faxes are not acceptable. Submitting this request authorizes the U.S. Army Corps of Engineers (USACE) to field inspect the property site, if necessary, to help in the determination process. The USACE may also request a delineation of water resources on a property to be submitted. The printed "Request for Corps jurisdictional determination" worksheet and supporting documents should be mailed to:

U.S. Army Corps of Engineers
Nashville District
Regulatory Division
3701 Bell Road
Nashville, TN 37214
Phone: (615) 369-7500

MAPS: Please provide a map or plat (aerial photo, city or county map, soil survey photo, USGS Quad map, etc.) that accurately identifies the physical boundaries of the property. If the property is farmland, it may be necessary for you to contact the Natural Resources Conservation Service for a wetland delineation before you can request a jurisdictional determination.

If you are considering doing work on the property, please identify on a map or in a separate drawing the footprint, location, type of potential work, and water resources. This information will assist us in the determination process and reduce unnecessary delays of processing subsequent permits, if required.

OPTIONAL DOCUMENTATION: Photographs can greatly assist in the review process and often make a field visit unnecessary. We must see complete coverage of the property and/or the water resource in question, including the grass and trees. If the property and/or the water resource in question are to be surveyed or delineated, we suggest waiting for the survey or delineation to be completed and include a copy with your request. Any other data you can include may help, such as land use or cropping history for the past five years, drainage improvements, etc.

Preliminary Jurisdictional Determinations (PJDs) and Approved Jurisdictional Determinations (AJDs) are tools used by the USACE to help implement Section 404 of the Clean Water Act (CWA) and Sections 9 and 10 of the Rivers and Harbors Act of 1899 (RHA). Both types of JDs specify what geographic areas will be treated as subject to regulation by the USACE under one or both statutes.

Regulatory Guidance Letter (RGL) 16-01⁴ issued October 2016, explains the differences between these two types of JDs and provides guidance to the field and the regulated public on when it may be appropriate to issue a PJD as opposed to an AJD. Simply put, it encourages discussions between USACE districts and parties interested in obtaining the USACE's views on jurisdiction to ensure that all parties have a common understanding of the different options for addressing CWA and RHA geographic jurisdiction so that the most appropriate mechanism for addressing the needs of a person requesting a JD can be identified.

⁴<http://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/Guidance-Letters>



Appendix 2

Waters of the U.S. Delineation Report

Waters Table



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Site number	Latitude (decimal degrees)	Longitude (decimal degrees)	Estimated amount of aquatic resource in review area (acreage and linear feet, if applicable)	Type of aquatic resource (i.e. wetland vs. non-wetland)	Receiving Water	Notes
Stream 1 – Ephemeral	35.61596	- 85.34222	Length: 354 lf Width: 1 foot Acres: 0.008 ac	Non-wetland	UT to Cane Creek	Riverine - Ephemeral; Beginning of jurisdiction
Stream 1- Intermittent	35.61910	- 85.33398	Length: 894 lf Width: 3 foot Acres: 0.06 ac	Non-wetland	UT to Cane Creek	Ephemeral to intermittent transition point
Stream 1- Perennial	35.62252	- 85.32990	Length: 1,261 lf Width: 6 foot Acres: 0.17 ac	Non-wetland	UT to Cane Creek	Intermittent to perennial transition point
Special Aquatic Site; Stream 1- Pool and Riffle Complex	35.62461	- 85.32681	NA	Non-wetland	UT to Cane Creek	Pool and Riffle Complex – 80 lf
Wetland A	35.62384	- 85.31891	NA	Wetland	Cane Creek	Palustrine Forested
Pond / Impoundment A	35.60577	- 85.35458	6.4 ac	Non-wetland	Meadow Creek	Impoundment of Meadow Creek
Special Aquatic Site; Impoundment A - Vegetated Shallows	35.60521	-85.36042	Length: 150 lf Width: 8 foot Acres: 0.02 ac	Non-wetland	Meadow Creek	Vegetated Shallows in Impoundment A