



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
WYOMING REGULATORY OFFICE
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CHEYENNE WY 82009-4942

REPLY TO
ATTENTION OF

May 10, 2011

Wyoming Regulatory Office

To Interested Parties:

The Wyoming Regulatory Office (WRO) is providing this letter to update and clarify guidance provided in the November 15, 1996 Letter to Wetland Delineation Consultants, and to improve the quality and consistency of aquatic resource inventories and reporting. Italicized information in this letter specifically updates elements within the 1996 letter.

The attached document, titled "U.S. Army Corps of Engineers Wyoming Regulatory Office Documentation Requirements for an Aquatic Resources Inventory" provides guidance on methods and documentation requirements for delineations of special aquatic sites and other waters of the U.S., hereafter referred to as an *Aquatic Resources Inventory* (ARI). Nationwide permit authorizations require an ARI as a component of any pre-construction notification (PCN) as defined under General Condition 27(b)(4). An ARI is also necessary for processing standard (individual) permit evaluations and most approved jurisdictional determinations.

As many of you are aware, wetland delineations should be conducted according to the U.S. Army Corps of Engineers Wetland Delineation Manual (Manual), dated January 1987, *and its current Regional Supplements*. *The geographic location of the project area within Wyoming determines the appropriate regional supplement: Arid West (available since December 2006), Great Plains (available since March 2008), and Western Mountains, Valleys and Coast (available since April 2008).*

Although, it is not our intent to criticize any individuals or past reports, we feel that it is helpful to identify common deficiencies we have encountered in an effort to improve ARIs and reporting. In addition, by implementing the guidance provided, better ARI documentation will facilitate WRO review and will help expedite permit processing and jurisdictional determinations.

There tends to be an emphasis on delineating wetlands on the project site with some reports lacking documentation on the presence of other potential waters of the U.S. This is especially true concerning playas, ephemeral streams, canals, and ditches. The most serious omissions arise when an individual relies on their own interpretations of jurisdiction to exclude certain aquatic resources. Persons conducting an ARI must identify and document locations and boundaries of all wetlands and other surface waters on the project site without any consideration of jurisdictional status.

The frequency of wetland sampling is often inadequate to accurately characterize and delineate wetland boundaries. This is particularly true for larger wetlands with 1) more than one community type, 2) mosaic characteristics, or 3) diffuse or irregular boundaries. *In these situations, one wetland sample point per polygon is not sufficient.*

Various types of deficiencies and errors in reporting over the last several years have prompted the development of the attached guidance. The WRO continues to receive delineation reports containing old data forms, which are no longer accepted, and incomplete or inaccurate new forms that fail to incorporate methodologies outlined in the regional supplements to the Manual. For example:

1. Plot size is rarely provided. An approximate plot size for visual estimates should be provided to gain an understanding of the area the data form represents.
2. Relative cover (totals to 100) is generally reported instead of absolute cover (actual cover by species may total to more or less than 100). *Absolute cover is recommended by the supplements to accurately apply the Prevalence Index.*
3. *Hydric soil indicators may occur within 20 inches (not 12 or 16 inches). Soil profiled data should be collected to a depth of 20 inches, whenever possible.*
4. Redox Features and Texture information is rarely complete. *Complete documentation of soil redoximorphic features must be documented in order to accurately apply hydric soil indicators.*

Lastly, some maps and summary reports have failed to 1) adequately display all aquatic resource features and data points, 2) provide the area and classification of aquatic resources, and/or 3) link this information with unique identifiers.

Please refer to the attached guidance document for clarification of ARI documentation requirements to address concerns identified above. Thank you for your interest in complying with the U.S. Army Corps of Engineers' Regulatory Program requirements. Please contact me or a member of my staff at (307) 772-2300, if you have any questions.

Sincerely,



Matthew A. Bilodeau
State Program Manager
Wyoming Regulatory Office

Enclosure