US Army Corps of Engineers®
St. Paul District

Minnesota Board of Water & Soil Resources

Public Notice

PUBLIC NOTICE DATE: May 9, 2008

Great Plains Interim Regional Supplement to the Corps of Engineers Wetlands Delineation Manual (1987 Manual)

The U.S. Army Corps of Engineers, St. Paul District, and the Minnesota Board of Water and Soil Resources (BWSR), announce the publication and one-year trial implementation period of the Great Plains Interim Regional Supplement (Supplement) to the Corps of Engineers Wetlands Delineation Manual (1987 Manual). This Supplement was developed by wetland delineation experts from state and Federal agencies and academia with experience within the Great Plains. It has been peer-reviewed by an independent panel of Great Plains scientists and practitioners and made available for 90-day public comment period. This interim document will be tested for one year prior to finalization; the one year period will be effective 30 days from the date of this public notice. The Supplement will be field tested by interagency teams of state and Federal scientists to assess its clarity and ease of use, and to determine whether its use will result in any spatial changes in wetland delineation for Clean Water Act purposes. Comments on this supplement should be submitted to Katherine Trott (CECW-CO), U.S. Army Corps of Engineers, 441 G Street, NW, Washington DC 20314-1000 or by email to: 1987Manual@usace.army.mil.

The 1987 Manual, this Supplement, including data forms, and field evaluation questionnaire, as well as the independent peer review report and response document, the environmental assessment/FONSI prepared under NEPA, and copies of public comments, are available on the Regulatory Homepage Website at: http://www.usace.army.mil/inet/functions/cw/cecwo/reg/reg_supp.htm

The BWSR has posted a PDF version of the Great Plains Supplement, boundary map, and the new data form, on its website: http://www.bwsr.state.mn.us/

As noted on the BWSR website, the Great Plains Supplement is the first of three to be implemented in Minnesota. Though wetland boundaries are not likely to differ between two supplements in transitional areas, or between supplements, one supplement may provide more detailed treatment of certain problem situations encountered on a site. The lists of wetland indicators presented in these regional supplements may also differ between adjoining regions or sub-regions. Climatic conditions and the physical and biological characteristics of landscapes do not change abruptly at the boundaries. In reality, regions and sub-regions often grade into one another in broad transitions zones that may be tens or hundreds of miles wide. Nevertheless, for administrative convenience, the St. Paul District has coordinated with the BWSR to develop a map of the Minnesota portion of the Great Plains that relies on township boundaries as

opposed to the irregular land resource region boundaries (Attachment A). For additional guidance, contact Steve Eggers at the St. Paul District (contact information is below) or BWSR wetland specialist. Contact information for BWSR is available on its website listed above.

Given their involvement in the implementation of the Minnesota Wetland Conservation Act, the local Soil and Water Conservation District should also be contacted for questions specific to individual projects.

Effective 30 days from the date of this public notice, the Supplement data forms and indicators must be used for any data collection for wetland delineations performed for the Clean Water Act (404) and the Minnesota Wetland Conservation Act (WCA). Field data collected for wetland delineations using the 1987 Manual prior to the effective date of this notice, but not yet submitted to the appropriate Corps District and WCA local government unit (LGU) for review and formal approval, will be grandfathered. Documentation must be submitted to the St. Paul District and WCA LGU that clearly shows that the field data was collected prior to 30 days from the date of this notice in order to qualify for this grandfather provision. Once this documentation and the field data have been reviewed and approved by the St. Paul District and WCA LGU, a written jurisdictional determination and/or wetland determination will be issued.

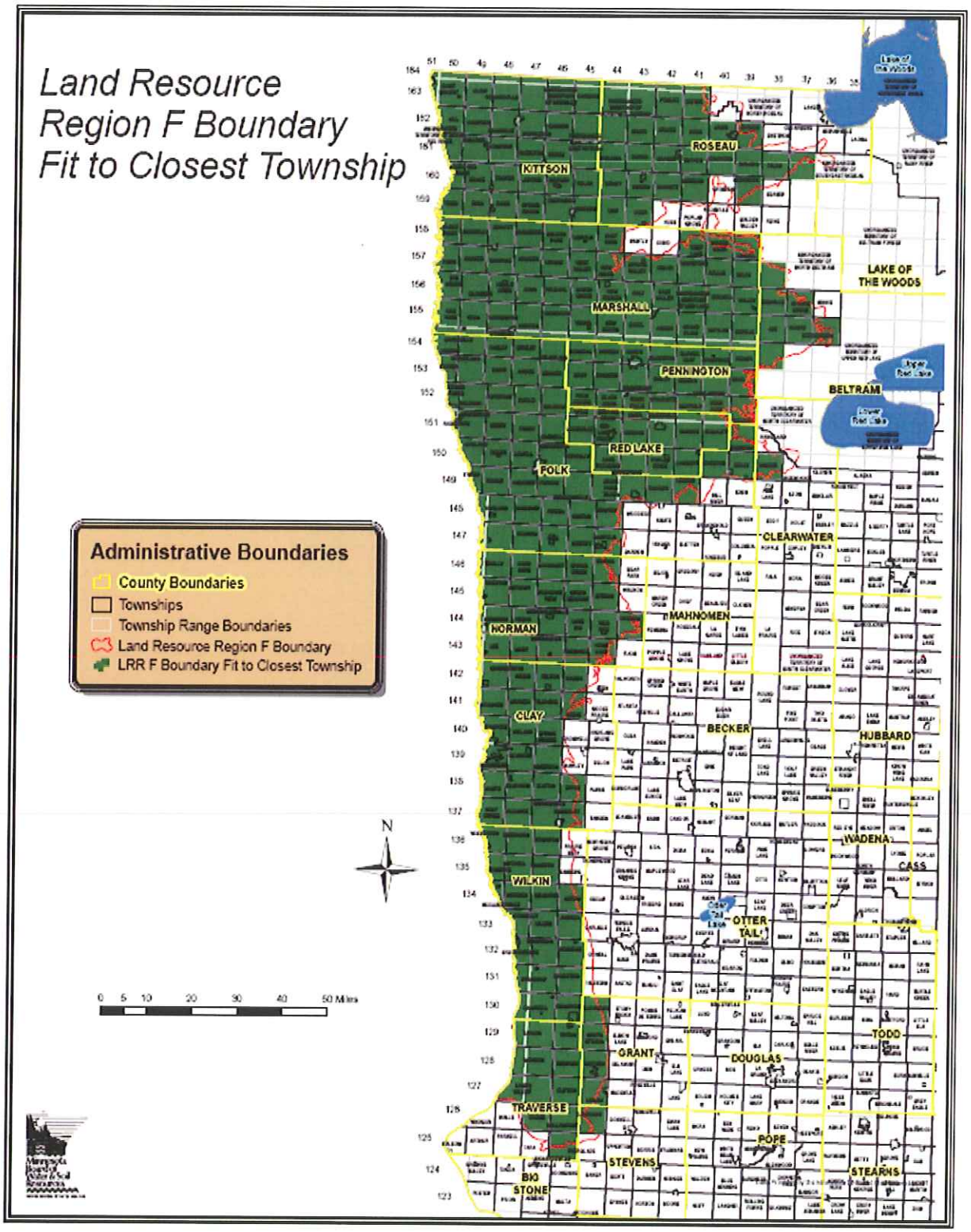
While we are confident the Supplement will improve the accuracy of wetland delineation in the Great Plains, anyone performing a wetland delineation during this interim period using the Supplement who believes it has resulted in a significantly different boundary line than the 1987 Manual may also complete the delineation using the 1987 Manual and submit both delineations. Enough points to adequately describe the representative plant communities, soils, and hydrology of the site(s) and to clearly document the difference in boundaries between the two methods must be included. Data recorded on both the existing 1992 version of the 1987 Manual data forms and the new Supplement data forms, maps indicating the location of the field site and data collection points (upland and wetland), and a completed field evaluation questionnaire (Attachment B) for each delineation, must be submitted as part of the request to the St. Paul District. The St. Paul District, in consultation with the BWSR, will make the final determination based on analysis of all the submitted information. This information will also be used in evaluation and potential modification of the Supplement. Note: The field questionnaire is not to be used for day-to-day use. It is only to be used for comparing wetland boundaries determined by the Supplement versus the pre-Supplement 1987 Manual approach.

The St. Paul District contact for the regional supplements is Steve Eggers, Senior Ecologist, Regulatory Branch, (651) 290-5371 or steve.d.eggers@usace.army.mil . The BWSR contact is Greg Larson, State Soils Specialist, (651) 297-7029 or greg.a.larson@state.mn.us .

John Jaschke
Executive Director, BWSR

Robert J. Whiting
Chief, Regulatory Branch

Attachments



ATTACHMENT A

Modified Boundaries of the Great Plains Region in Minnesota Using Township Boundaries

Attachment B

WETLAND DELINEATION FIELD EVALUATION QUESTIONNAIRE

--This form only to be used for Supplement evaluation; not routine use --

This questionnaire should be completed for each boundary delineation performed. The assumption is that two communities were evaluated, one wetland (= "lower community") and one upland (= "upper community") so that a boundary between them could be identified. Fill in the blanks or check spaces as appropriate. Attach copies of the completed field data forms.

Site Name or Location_____ **Date**_____
Evaluator(s)_____ **Affiliation(s)**_____
_____ _____
_____ _____

General Site Characteristics

Is the site ___typical or ___problematic? *If problematic, explain*:_____
_____
_____

Wetland (lower community)

Ecological System: ___Saline Tidal ___Fresh Tidal ___Fresh Nontidal ___Saline Nontidal
Wetland Type: ___Forested ___Shrub ___Emergent ___Moss/Lichen ___Farmed (hay or crop)
___Other (specify_____)
HGM Class: ___Depression ___Riverine ___Fringe ___Slope ___Flat
Vegetative Cover: ___Dense ___Evenly Mixed w/Nonvegetated ___Sparse

Nonwetland (upper community)

Habitat Type: ___Forest ___ Shrub ___Meadow/Prairie ___Moss/Lichen ___Farmed
___Other (specify:_____)

1. Was there a marked difference in the two plant communities? ___Yes ___No
2. Was there a gradual change in vegetation between the two communities creating a significant "transition zone" between? ___Yes ___No. If so, how wide was this transition zone? _____feet
3. Was there an abrupt topographic change between the two communities? ___Yes ___No

Boundary Determination

Compare results from the two methods: (1) current practice using the 1987 Manual and guidance memos with current local interpretation, and (2) 1987 Manual with the draft Regional Supplement.

1. The wetland boundary was: ___the same or ___ different.
2. If different, which method produced the boundary higher on the landscape?
   ___Manual with current guidance or ___Manual with Regional Supplement
3. What was the linear distance between the two boundaries? _____feet
4. What type of indicator(s) were responsible for the difference in the boundaries?
   ___Hydrophytic vegetation ___Hydric soil ___Wetland hydrology (*check all that apply*)

Assessment of the Indicators

Hydrophytic Vegetation

1. Did the lower community pass the current basic test for hydrophytic vegetation (i.e., >50% of the dominants had an indicator status of FAC or wetter, *excluding FAC-*)? ___Yes ___No
2. Would the lower community have passed the dominance test if "+" and "-" modifiers on indicator status ratings were not considered (i.e., if FAC- were considered to be FAC)?
___Yes ___No

3. What other indicators of hydrophytic vegetation were observed in the lower community?

a) List those from the Manual with current guidance: _____

_____

_____

_____

b) List those from the Regional Supplement: _____

_____

_____

_____

4. Was the vegetation in the lower community a problematic wetland community type?
___Yes ___No. *If so, briefly describe and explain how the problem was handled*_____

_____

_____

_____

_____

_____

5. Did the upper community pass the current basic test for hydrophytic vegetation (i.e., >50% of the dominants had an indicator status of FAC or wetter, *excluding FAC-*)? ___Yes ___No
6. Would the upper community have passed the dominance test if "+" and "-" modifiers on indicator status ratings were not considered (i.e., if FAC- were considered to be FAC)?
___Yes ___No
7. What other indicators of hydrophytic vegetation were observed in the upper community?

a) List those from the Manual with current guidance: _____

_____

_____

_____

b) List those from the Regional Supplement: _____

_____

_____

_____

8. Did both methods reach the same conclusion regarding the presence of hydrophytic vegetation for the upper community? ___Yes ___No. *If not, briefly explain*_____

_____

_____

_____

_____

9. Were the hydrophytic vegetation indicators in the Regional Supplement clearly described and easy to apply? ___Yes ___No. *If not, briefly explain*_____

_____

_____

_____

_____

Hydric Soil

1. Did both methods find indicators of hydric soil in the lower community? ___Yes ___No
   a) List those from the Manual with current guidance: _____
   _____
   _____
   _____
   b) List those from the Regional Supplement: _____
   _____
   _____
   _____
2. Did the lower community contain a problematic hydric soil (i.e., one that lacked indicators)?
   ___Yes ___No. *If so, briefly describe the problem and explain how it was handled:* _____
   _____
   _____
   _____
3. Did both methods reach the same conclusion regarding the presence of hydric soil in the upper community? ___Yes ___No. *If not, briefly explain*_____
   _____
   a) List indicators from the Manual with current guidance: _____
   _____
   _____
   _____
   b) List indicators from the Regional Supplement: _____
   _____
   _____
   _____
4. Were the hydric soil indicators in the Regional Supplement clearly described and easy to apply?
   ___Yes ___No. *If not, briefly explain*_____
   _____
   _____
   _____
   _____
   _____

Wetland Hydrology

1. Did both methods determine that wetland hydrology was present in the lower community? (Requires 1 primary indicator or 2 secondary indicators.) ___Yes ___No
   a) List indicators from the Manual with current guidance:
   Primary:_____ Secondary:_____
   _____ _____
   _____ _____
   _____ _____
   b) List indicators from the Regional Supplement:
   Primary:_____ Secondary:_____
   _____ _____
   _____ _____
   _____ _____

2. Did the lower community contain a problematic wetland hydrology situation (i.e., one that lacked indicators)?

___Yes ___No. *If so, briefly describe the problem and explain how it was handled:* _____

3. Did both methods reach the same conclusion regarding wetland hydrology for the upper community?
___Yes ___No. *If not, briefly explain*_____

a) List indicators from the Manual with current guidance:
Primary:_____ Secondary:_____

b) List indicators from the Regional Supplement:
Primary:_____ Secondary:_____

4. Were the wetland hydrology indicators in the Regional Supplement clearly described and easy to apply? ___Yes ___No. *If not, briefly explain*_____

General Comments on the Regional Supplement

1. Were the indicators and procedures in the Supplement clear and easy to apply?
___Yes ___No. *If not, how could they be improved?*_____

2. In your opinion, did the Regional Supplement make this wetland determination more defensible?
___Yes ____No. *Briefly explain*_____

3. Based on your testing, do you want to recommend other indicators that should be considered for further evaluation? ___Yes ___No. *List by indicator type:*_____

4. Was the Regional Supplement's field data form complete, understandable, and easy to fill out? ___Yes ___No. *If not, how could it be improved?* _____

5. Any additional comments or suggestions? _____