Senate Committee on Environment and Public Works Subcommittee on Fisheries, Water, and Wildlife oversight hearing entitled, "Erosion of Exemptions and Expansion of Federal Control –Implementation of the Definition of Waters of the United States." May 24, 2016

Request for Additional Information: Case Study 6 and Supporting Documents

Case Study 6

1. Project Summary
   5 acre Delineation of WOTUS in an urban setting

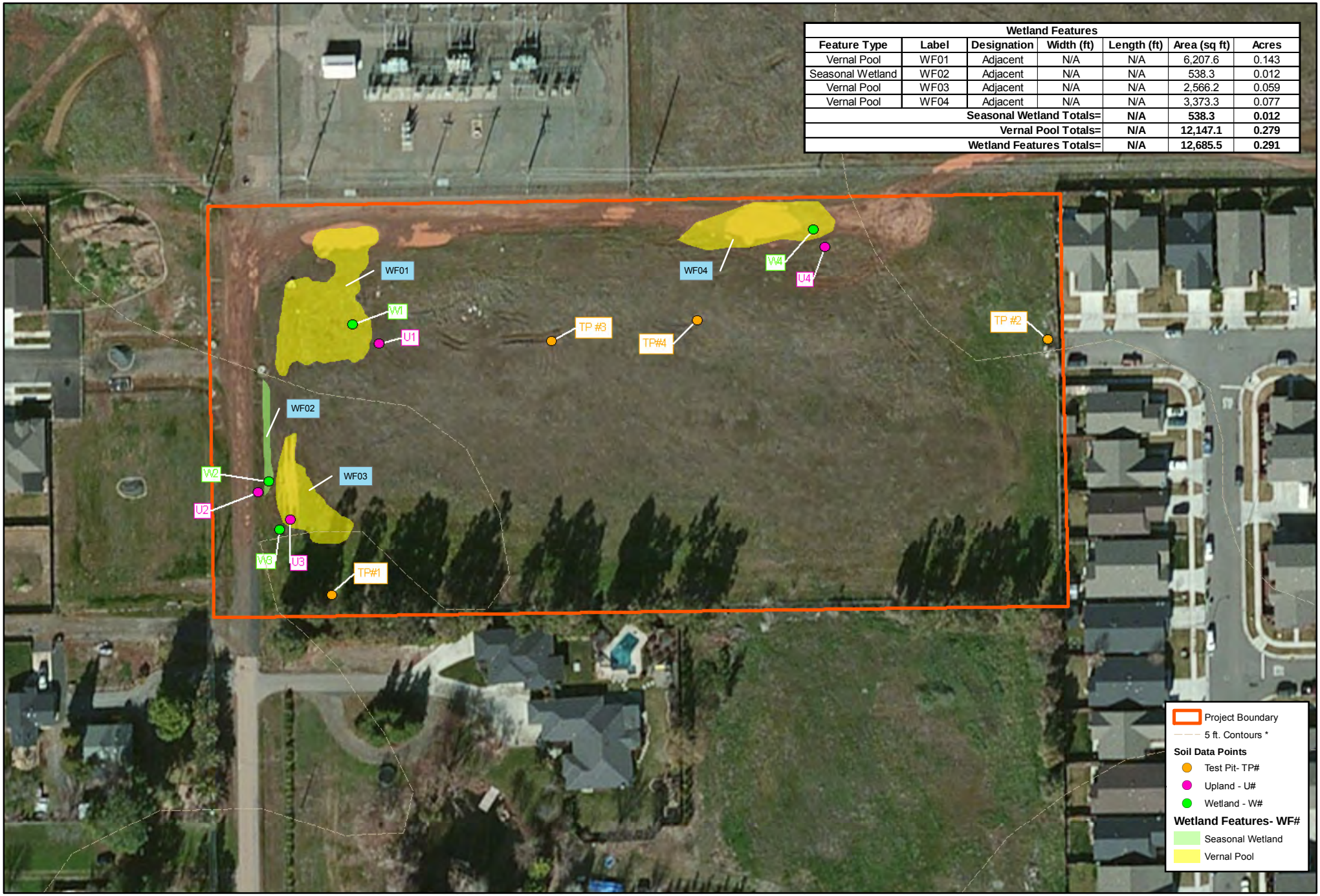
2. Delineation of Waters of the US
   Exhibit A – 2015 Final Delineation map submitted to Corps (entire map provided) (verified[i])

   Exhibit B- Photos of representative wetlands on the site. WF 02 is created entirely by vehicle tire ruts, other wetlands are made larger by off-road activity. WF 04 is a small wetland in the middle of a dirt road. Test pit data is collected to demonstrate that features do not meet the criteria for jurisdiction. The Corps can and does assert jurisdiction despite data to the contrary, especially with issuing a PJD.

3. Jurisdictional Issues – Corps asserts jurisdiction of puddles in dirt roads and within wetlands entirely created by tire ruts. Despite the consultants claim of non-jurisdictional status. Applicant was forced to assume federal jurisdiction or withdraw application.
4. In process.

[i] Verified means that the US Corps of Engineers has conducted a field review and performed a verification or jurisdictional determination, concurring with the extent, location, and type of WOTUS within the project area. PJD issued.

Exhibit A



Wetland Features						
Feature Type	**Label**	**Designation**	**Width (ft)**	**Length (ft)**	**Area (sq ft)**	**Acres**
Vernal Pool	WF01	Adjacent	N/A	N/A	6,207.6	0.143
Seasonal Wetland	WF02	Adjacent	N/A	N/A	538.3	0.012
Vernal Pool	WF03	Adjacent	N/A	N/A	2,566.2	0.059
Vernal Pool	WF04	Adjacent	N/A	N/A	3,373.3	0.077
			Seasonal Wetland Totals=	**N/A**	**538.3**	**0.012**
			Vernal Pool Totals=	**N/A**	**12,147.1**	**0.279**
			Wetland Features Totals=	**N/A**	**12,685.5**	**0.291**

1:1,200

0 50 100 Feet

Exhibit A

Exhibit B

Site Photos



Vernal Pool (WF01)



Seasonal Wetland (WF02)



Vernal Pool (WF03)



Vernal Pool (WF04)



Test Pit 01



Test Pit 03



Test Pit 04