



USACE Proposing to Alter Jurisdictional Area Survey Requirements

The U.S. Army Corps of Engineers (Corps) is proposing to tighten the rules regarding surveyed wetland delineations. The Corps has issued a public notice soliciting comments on a proposal to require a survey of wetland delineations before issuing a State Program General Permit, Category C or Individual Permit. In addition, the Corps is also considering a requirement, on a case by case basis, to force the permittee to submit both a pre- and post-construction delineation of waters of the United States to ensure permit compliance.

While a majority of our clients already survey the wetland boundaries once flagged, the requirement to complete a post-construction delineation could place an additional burden on the regulated public. The intent appears to be to ensure compliance with permitted impacts. However, given the time lag that often occurs between original delineations and project completion, project proponents may end up conducting a second delineation over the entire site following construction.

The public notice is available at the following Corps website:

[Survey Requirements for Wetlands and Waters Delineations and As-Built Conditions for Authorized Work](#) - Comments on this proposal are due by September 22, 2006.

For more information, please contact any one of our WEG offices: Williamsburg (757) 220-6869; Richmond (804) 267-3474; Herndon (703) 437-3096; Fredericksburg (540) 785-5544; or email info@wegnet.com