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DEPARTMENT OF THE ARMY
NEW ENGLAND DIVISION, CORPS OF ENGINEERS
424 TRAPELO ROAD
WALTHAM, MASSACHUSETTS 02254-9149

REPLY TO
ATTENTION OF
CENED-OD-R (1145-2-303B)

16 May 1991

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Revised Guidance --Adjacent Wetlands in New England

1. References:

a. Memorandum, CENED-OD-R (Sheehan), 8 Mar 91, subject: Staff Guidance -- Adjacent Wetlands in New England

b. Memorandum, CENED-OD-R (Sheehan), 9 May 91, subject: Home ranges and migration distances for some animals that use both riparian and palustrine habitats in New England.

2. Many members of our staff have offered constructive criticism for the improvement of the referenced memoranda. It is important to remember that these memoranda do not constitute the official policy of New England's Regulatory Division; instead, they are an assemblage of concepts that may be useful to project managers as they confront the issue of "adjacency."

3. The following summarizes the changes and improvements that are have been made on the three enclosed charts:

a. Enclosure 1: Adjacent Wetlands in New England -- Rules of Thumb

(1) In tidal waters the terms "High Tide Line" should be substituted for Ordinary High Water Mark (OHWM) in the concepts for bordering, contiguous or neighboring.

(2) The language relating to neighboring proximity has been softened to make it clear that there may be a judgmental element in this determination. The quoted 500 foot distance is based upon a review of 54 reptiles, amphibians and mammals that use both freshwater waters and wetlands in New England. While this distance may serve as a useful screening tool, its appropriateness depends upon resource-specific physical, chemical or biological conditions.

(3) The terms "active alluvial plain" created some problems, particularly when man's activities in the alluvial plain can confuse the issue. Substitution of the term "natural" is intended to include areas that have been artificially removed from the alluvial plain by man's intervention. In spite of this, when floodplain data is available, the 100-year flood may be a useful screening tool.

(4) The concept of a discontinuity should include abrupt changes in average rates of flow, such as occurs at the confluence of streams; so "hydrology" has been added to the list of abrupt changes.

b. Enclosure 2: Adjacent Wetlands: Some Examples. This plan view illustrates some possible interpretations using the concepts of bordering, contiguous and neighboring. These concepts have been discussed in detail in the referenced memoranda.

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c. Enclosure 3: Palustrine/Riparian Reptiles, Amphibians, and Mammals Known to occur in New England. This chart has been modified to facilitate black and white photocopying. Additionally, it has been upgraded to illustrate the common names of the species associated with their bar graphs. The details and data are available in the referenced memorandum dated 9 May 91.

4. If you or your staff have any questions or comments, I will receive them enthusiastically.

3 Encls

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/S/

MICHAEL J. SHEEHAN

Senior Wetland Scientist

Environmental Resource Unit

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CHIEF OF PERMIT PROCESSING BRANCH A

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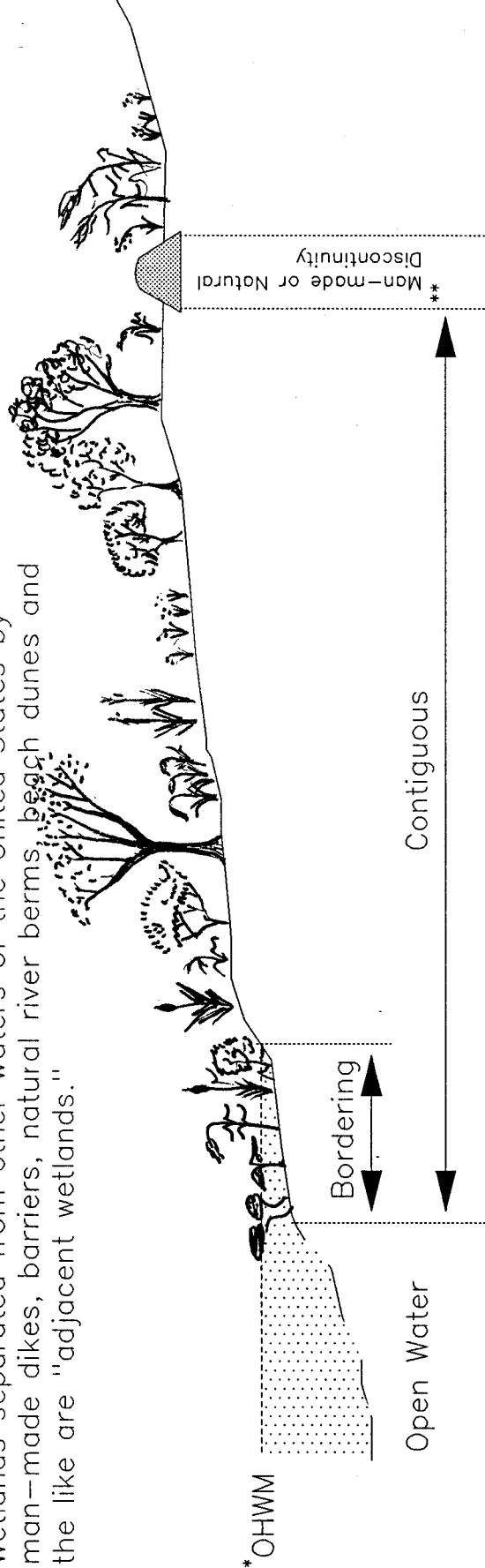
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ADJACENT WETLANDS IN NEW ENGLAND -- Rules of Thumb

The term "adjacent" means bordering, contiguous or neighboring. Wetlands separated from other waters of the United States by man-made dikes, barriers, natural river berms, beach dunes and the like are "adjacent wetlands."



Commonly within 500 feet, but actual distance is a function of the physical, chemical and biological relationship between the waterbody and wetland.

OR

Within the natural alluvial plain

* In tidal waters the High Tide Line is used

** Discontinuities include dikes, barriers, river berms, beach dunes and, in New England, abrupt changes in hydrology, slope or soil materials.

ADJACENT WETLANDS: SOME EXAMPLES

LEGEND:



Ordinary High Water Mark

[B] = Bordering

[C] = Contiguous

[N] = Neighboring

Average Annual Flow:

4 cfs for Creek 1 above its confluence with Creek 2

3 cfs for Creek 2 at confluence with Creek 1

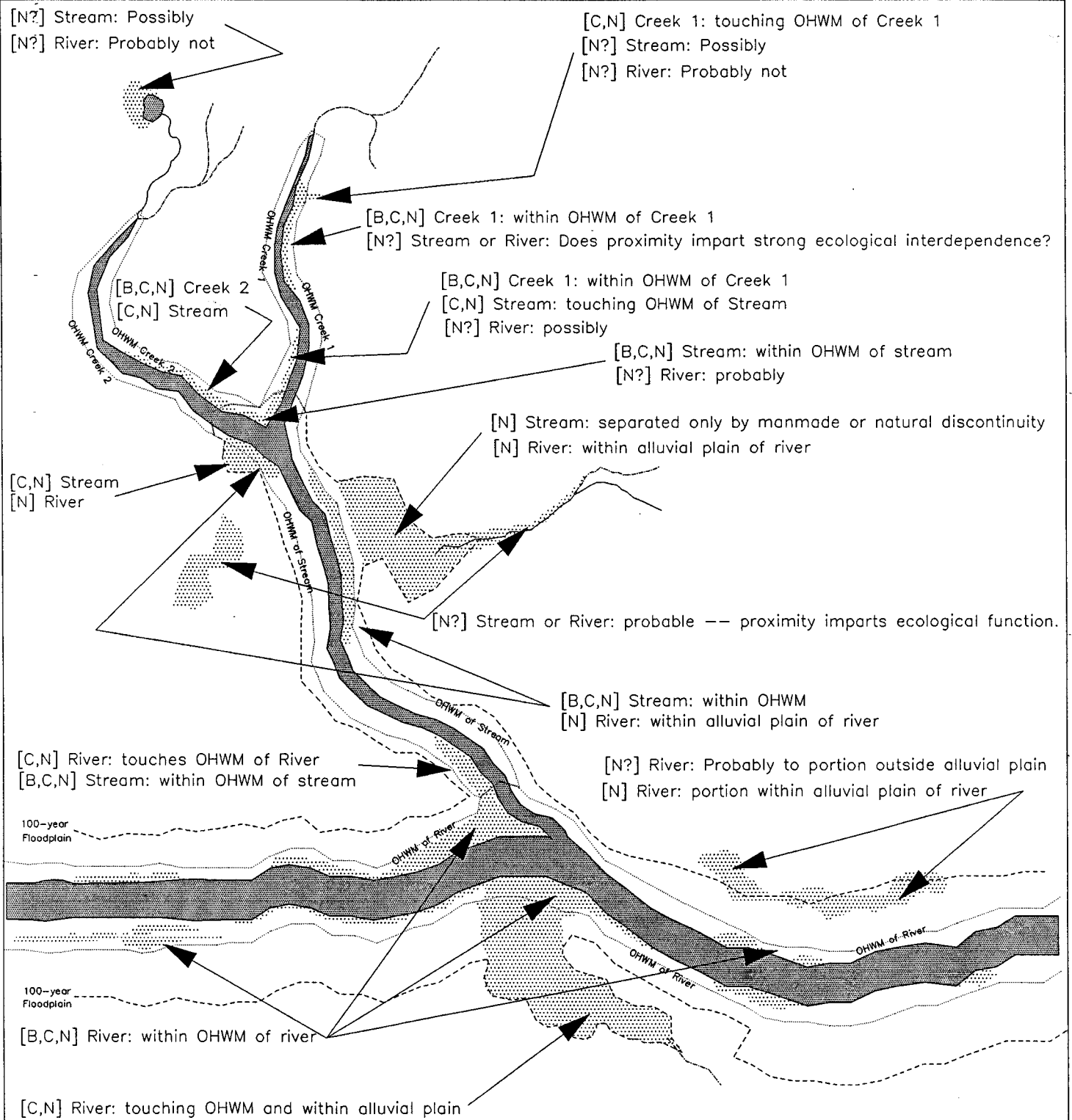
7 cfs for Stream above its confluence with River

43 cfs below its confluence with Stream

SCALE:



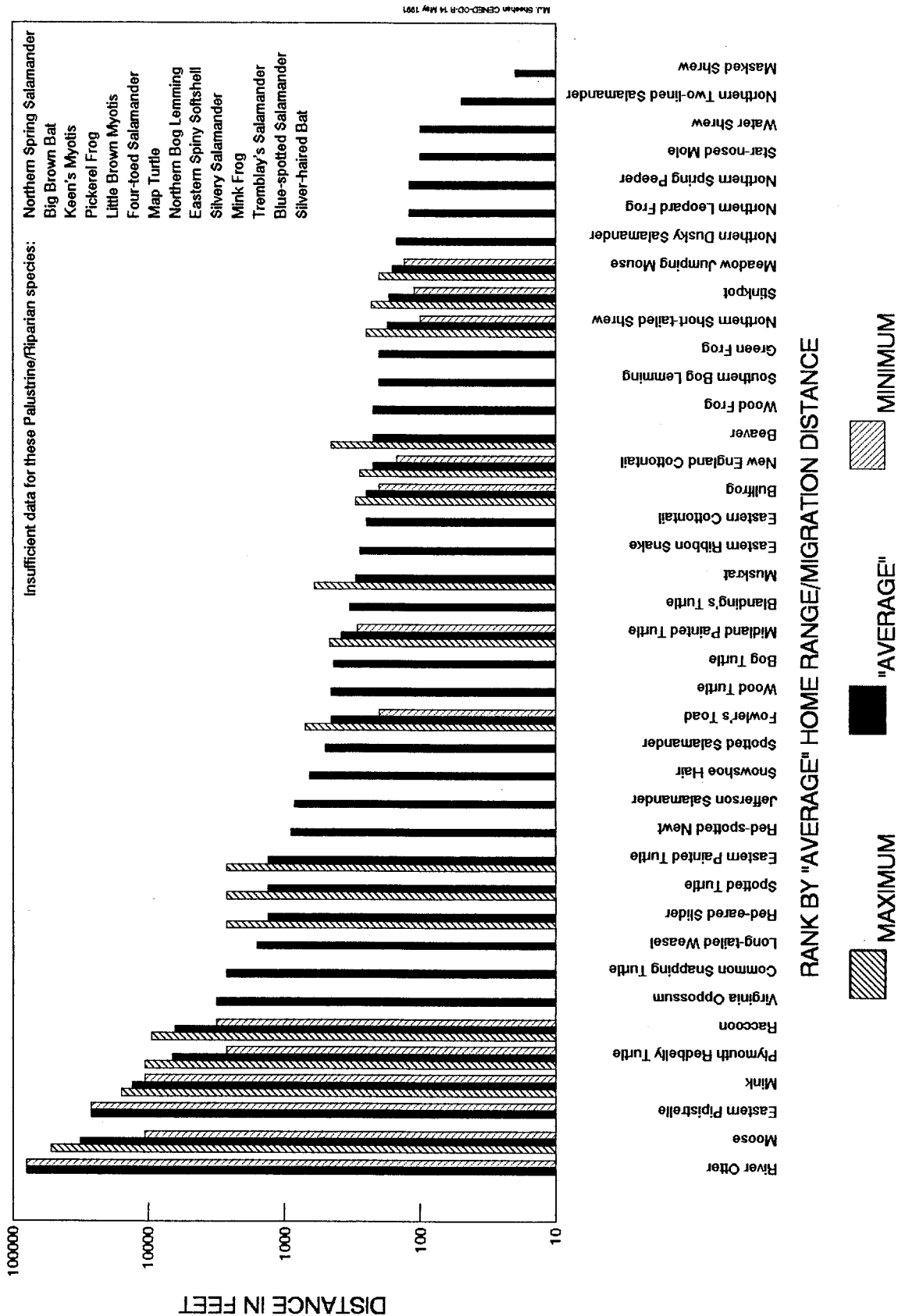
M.J. Sheenan CENED-00-R 16May91



Encl 2

PALUSTRINE/RIPARIAN REPTILES, AMPHIBIANS AND MAMMALS

KNOWN TO OCCUR IN NEW ENGLAND



Note: This is an electronic facsimile of the original attachment. The reference for the source of this data was inadvertently omitted from the May 16, 1991 revision; however, this graph is based on data published in: DeGraaf, Richard M. and Deborah D. Rudis. New England Wildlife: Habitat, Natural History, and Distribution. Gen. Tech Rep. NE-108. USDA, Northeast Forest Experiment Station. 1986. 491p.