

Wetlands & Their Importance

Wetlands are areas that are periodically or permanently inundated or saturated by surface or groundwater and support vegetation adapted for life in saturated soil conditions. Wetlands may include bottomland hardwoods, riparian forests, swamps, marshes, bogs and similar areas.

A significant resource, wetlands support food chain production; habitat, nesting, spawning, rearing and resting sites for aquatic and land species; protection of other areas from wave action and erosion; storage areas for storm and flood waters; natural recharge areas where ground and surface water are interconnected; and natural filtration and purification functions.



The Corps' enforcement program serves to ensure compliance with issued permits, restore jurisdictional sites affected by unauthorized work and deter any future unpermitted or non-compliant activities in Corps jurisdictional areas.



Information Guide



**US Army Corps
of Engineers®**

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REGULATORY PROGRAM

U.S. ARMY CORPS OF ENGINEERS

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The Corps' Regulatory Role

The Corps' regulatory program covers a wide variety of aquatic resources, including wetlands, rivers, streams, creeks, bayous, lakes, tidal waters, coral reefs, shellfish beds and oceans. The thorough permit evaluation process is designed to result in permit decisions that balance the need for proposed development with protection of the nation's aquatic environment. The Corps' evaluation takes into consideration the extent of potential environmental impacts and the aquatic functions and values involved. In accordance with Section 404 of the Clean Water Act, the Corps follows an evaluation process that requires avoiding, minimizing and compensating for unavoidable loss of aquatic functions and values.



When Do I Need a Permit?

There are generally two types of activities which require a permit from the U.S. Army Corps of Engineers. Activities within navigable waters, such as dredging, construction of docks and bulkheads and placing navigation aides, require review under Section 10 of the Rivers and Harbors Act of 1899 to avoid obstructions to navigation. Section 404 of the Clean Water Act regulates the discharge of dredged or fill material (land clearing, filling, leveeing, etc.) into U.S. waters. Waters of the U.S. may include ephemeral, intermittent, and perennial streams, areas of open water (e.g. ponds or lakes), and all types of wetlands. However, not all waters are jurisdictional waters of the U.S. The Corps makes case-by-case jurisdictional determinations in accordance with current policy. In reaching these decisions, the Corps Wetland Delineation Manual and appropriate regional supplements are used. Waters of the U.S. may occur on public or private property since property ownership is not a factor in a jurisdictional determination.

All permit decisions are subject to various other federal and state laws applicable to federal actions, such as compliance with the Endangered Species Act, the National Historic Preservation Act and the Magnuson-Stevens Fishery Conservation and Management Act involving protection of Essential Fish Habitat.



Regulatory Mission Statement

The mission of the Corps of Engineers Regulatory Program is to protect the Nation's aquatic resources, while allowing reasonable development through fair, flexible and balanced permit decisions.