



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
SAVANNAH DISTRICT, CORPS OF ENGINEERS
100 W. OGLETHORPE AVENUE
SAVANNAH, GEORGIA 31401-3640

MAY 18 2011

Regulatory Division

PUBLIC NOTICE
Savannah District

In response to the "Draft Guidance on Identifying Waters Protected by the Clean Water Act" published on May 2, 2011, in the Federal Register (Vol. 76. No. 84), the US Army Corps of Engineers, Savannah District, Regulatory Division, is requesting assistance in obtaining pertinent scientific papers to determine the presence or absence of a significant nexus for use in the Jurisdictional Determination process. This literature review would be used in assessing whether waters either alone or in combination with similarly situated waters in the region, significantly affect the chemical, physical, or biological integrity of traditional navigable waters or interstate waters.

These papers should discuss the functions and services waters demonstrate within the three previously identified categories. Examples of ways in which physical (hydrologic) integrity can significantly affect downstream waters include, but are not limited to: transport of water and materials and compounds carried by the water (e.g., suspended materials, dissolved compounds), water retention, as a medium for the movement of aquatic organisms such as fish and invertebrates, and water discharge (e.g., release of retained water to other waters). Effects on the chemical integrity of downstream waters may include: the extent to which the waters have the capacity to carry pollutants (for example, petroleum wastes, toxic wastes, and sediment) or flood waters; the extent to which the waters reduce the amount of pollutants or flood waters; and the extent to which the waters perform physical functions related to the maintenance of downstream water quality such as sediment trapping. Biological functions performed by the waters include: the capacity to transfer nutrients and organic carbon to downstream food webs (for example, macroinvertebrates present in streams convert carbon in leaf litter, making it available to species downstream), and the maintenance of habitat that provides spawning areas for species in downstream waters.

Entries are due by August 1, 2011. All citations should be from article(s) that have been peer reviewed and published. Submittals provided to the Corps should include the following information:

- Point of Contact
- Abstract (if allowable)
- 12 Digit HUC
- Corps Wetland Supplemental Region (Atlantic and Gulf Coastal Plain or Eastern Mountains and Piedmont)
- Formatted in APA 6th Edition

Please note, the proposed guidance does not change any of the existing exemptions under the Clean Water Act (CWA) and describes waters not regulated under the Act, including: certain artificially irrigated areas; many agricultural and roadside ditches; and artificial lakes or ponds, including farm and stock ponds. The draft guidance and supporting materials are available at: <http://usace.army.mil/CECW/Pages/nnpi.aspx> and <http://water.epa.gov/lawsregs/guidance/wetlands/CWAwaters.cfm>. Instructions for providing comments are detailed in the Register. The final guidance will replace previous guidance to reaffirm protection for critical waters under all CWA programs.

Anyone wishing to contribute should submit in writing to the Commander, US Army Corps of Engineers, Savannah District, Regulatory Division, Attention: Forrest B. Vanderbilt, 100 W. Oglethorpe Avenue, Savannah, Georgia 31401-3640.

If you have any further questions concerning this matter, please contact Forrest B. Vanderbilt at 912-652-5018.