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National Wetland Plant List: U.S. Army Corps of Engineers Public Notices 2020 Revisions

05/19/2020

The United States Army Corps of Engineers ("Corps") published a May 18th Notice in the Federal Register announcing the availability of the 2020 National Wetland Plant List ("NWPL"). See 85 Fed. Reg. 29689.

The Corps developed a 2020 NWPL as part of an interagency effort with the United States Environmental Protection Agency, United States Fish and Wildlife Service and United States Department of Agriculture, Natural Resources Conservation Service.

The NWPL is used to determine whether the hydrophytic vegetation parameter is met when conducting wetland delineations under the Clean Water Act and Wetland Conservation Provisions of the Food Security Act.

Wetlands are a subset of the Clean Water Act waters of the United States. Three parameters are required to be addressed in the Corps and other agencies' delineation of wetlands:

- Wetland plants (hydrophytic vegetation)
- Wetland soil (hydric soil)
- Adequate water (wetland hydrology)

During a wetland delineation, a project area is surveyed to determine whether the three criteria are present.

The list will become effective on May 18, 2020, and will be used in any wetland delineations performed after this date. Delineations completed prior to that date may still use the 2016 NWPL.

A copy of the Federal Register Notice can be downloaded <u>here</u>.



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