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Section 404 of the Clean Water Act

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What is a Jurisdictional Delineation under CWA Section 404?

Jurisdictional delineations are performed on a property in order to delineate which waters are Waters of the U.S. and are therefore subject to CWA 404. Most often, a preliminary jurisdictional delineation is submitted to the Army Corps by the permit applicant, which the Corps then verifies. The applicant can decide whether they would like a final approved delineation or would like to proceed with an application with only a verified preliminary delineation, which makes for a shorter process.

How do I delineate a wetland?

Wetland [delineations](https://usace.contentdm.oclc.org/utis/getfile/collection/p16021coll11/id/2309) are conducted in accordance with the 1987 USACE Wetland Delineation Manual [delineations](https://www.lrh.usace.army.mil/portals/38/docs/usace%2087%20wetland%20delineation%20manual.pdf). There are ten regional supplements [issued](http://www.usace.army.mil/missions/civilworks/regulatoryprogramandpermits/reg_supp.aspx) by the USACE which are specific to different regions of the United States. Wetlands must have three specific criteria in order to be classified as a wetland: hydric soils, hydrophytic vegetation, and hydrology. During a wetland delineation, a project area is surveyed to determine whether wetlands with the three criteria are present.

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[EPA Regional Contacts](https://epa.gov/cwa-404/cwa-section-404-epa-regional-contacts)

[Army Corps of Engineers](http://www.usace.army.mil/locations.aspx)

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LAST UPDATED ON APRIL 6, 2023



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