

## Rule Summary:

### **(a) Jurisdictional Waters[33 CFR 328.3(a)]**

- (1) Territorial seas and traditional navigable waters
- (2) Tributaries
- (3) Lakes and ponds, and impoundments of jurisdictional waters
- (4) Adjacent wetlands

### **(b) Waters/Features Excluded from Final WOTUS Definition [33 CFR 328.3(b)]**

- (1) Waters not listed as WOTUS
- (2) Groundwater
- (3) Ephemeral features
- (4) Diffuse stormwater run-off
- (5) Ditches not identified as WOTUS
- (6) Prior converted cropland (PCC)
- (7) Artificially irrigated areas
- (8) Artificial lakes and ponds
- (9) Water-filled depressions incidental to mining or construction activity
- (10) Stormwater control features
- (11) Groundwater recharge, water reuse, and wastewater recycling structures
- (12) Waste treatment systems

### **(c) Definitions: [33 CFR 328.3(c)]**

- (1) Adjacent wetlands
- (2) Ditch
- (3) Ephemeral
- (4) High Tide Line
- (5) Intermittent
- (6) Lakes, Ponds and Impoundments
- (7) Ordinary High Water Mark
- (8) Perennial
- (9) Prior Converted Cropland
- (10) Snowpack
- (11) Tidal Waters and Waters Subject to the Ebb and Flow of the Tide
- (12) Tributary
- (13) Typical Year
- (14) Upland
- (15) Waste Treatment System
- (16) Wetlands