

FINAL REPORT

ENDANGERED SPECIES REPORT I-40 SITE CITY OF WEST MEMPHIS, AR



June 2018



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Introduction

AECOM was contracted by the City of West Memphis to conduct an environmental screening assessment of a tract of land located north of the City of West Memphis, Arkansas in an area proposed for an Industrial Park – The I-40 Site. The screening assessment included:

- Endangered Species Database Review and Site Habitat Review;
- Wetlands Delineation and Floodplain Mapping;
- Phase I Environmental Site Assessment (ESA), and
- Screening Level Cultural Resources Assessment.

The tract is located northwest of the City of West Memphis (Figure 1) and occupies approximately 1,800 acres. The property is bordered in the east side by Kuhn Road; to the west by State Highway 147; to the south by an access road then I-40 and to the north by agricultural property on the west and Hino Manufacturing Company on the east. Drainage on the property flows to the south via two engineered ditches, Ditch 11 on the west and Ditch 10 of the east. Ditch 11 was historically Garant Bayou. Drainage flows south to Ditch 15 also known as Fifteen Mile Bayou. The 100-year flood elevation is 210 feet above mean sea level (ft msl), Figure 2. Elevation on the site ranges from 197 (in the bottom of ditches) to 217 msl. None of the property is designated in the floodplain.

Regulatory databases, topographic mapping, aerial survey, soils, geology, and other information were reviewed as part of the screening process. Following review of the available literature, field investigations were conducted to confirm information provided in the literature.

The potential for wetlands on the property was reviewed by viewing the United States Fish and Wildlife Service (USFWS) Wetland Inventory Map (NWI) as shown on Figure 3. No wetlands were indicated on the property by the NWI. The National Resource Conservation Service (NRCS) website was utilized to determine the soil types present on the site as a potential indicator of hydric soils and wetlands, Figure 4.

Following review of these data a site study was conducted on April 17 and 18, 2018 by Mr. James R. Orr, biologist and certified wetland delineator with AECOM. Mr. James Orr served as senior biologist for the delineation and has over 25 years of experience with wetlands delineation, endangered species and site assessment.

The historic use of the property was reviewed to determine the potential for past activities to have influenced site conditions. The property has been in agricultural use for decades. These data plus the site inspection were utilized to make the determination of the environmental screening of the site.

Endangered Species

Endangered species were reviewed by accessing the United States Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) database online <https://ecos.fws.gov/ipac/location/index>. The site was outlined on the website and a list of endangered species and migratory birds was generated for the project area. A total of six endangered species and 13 migratory birds were listed in the database as potentially present in the project area. The endangered species are listed in Table 1. Endangered species were reviewed for the project site. In addition, the USFWS was contacted for a review of their most current data base. The IPaC database is included in Attachment 1. The database indicated that six protected species are known to occur in the area. These species include:

Least Tern (*Sternula antillarum athalassos*), Piping Plover (*Charadrius melodus*), pallid sturgeon (*Scaphyrhynchus albus*), pondberry (*Lindera melissifolia*), scaleshell (*Leptodea leptodon*), and fat pockbook (*Potamilus capax*). In additon, bald eagle (*Haliaeetus leucocephalus*) are know in the area.

During the site inspection, none of these species or their habitat were observed at or near the project site.

Table 1. Endangered Species Potentially Present at the I-40 Site.

Common Name	Scientific Name	Federal Status	Habitat	Potential Presence on Site
Piping Plover	<i>Charadrius melodus</i>	T	shorebird that nests and feeds along coastal sand and gravel beaches	Not Likely
Pallid Sturgeon	<i>Scaphirhynchus albus</i>	E	Found in the MS River	No
Fat Pocketbook	<i>Potamilus capax</i>	E	Found in the MS River	No
Rabbitsfoot	<i>Quadrula cylindrica cylindrica</i>	T	Medium size rivers, not found in Crittendon Co.	No
Scaleshell mussel	<i>Leptodea leptodon</i>	E	medium-sized and large rivers with stable channels	No
Pondberry	<i>Lindera melissifolia</i>	E	Seasonally flooded habitat	Not Likely

T: threatened
E: endangered

In addition to the endangered species, 13 bird species were listed as potentially in the area. These include:

1. American Golden-plover, *Pluvialis dominica* – breeds elsewhere –not likely to be impacted;
2. Bald Eagle, *Haliaeetus leucocephalus*, - nesting and resting sites not available – not likely to be impacted;
3. Cerulean Warbler, *Dendroica cerulean*, - no connected habitat, not likely to be impacted;
4. Golden Eagle, *Aquila chrysaetos*, - breeds elsewhere, not likely to be impacted;
5. Kentucky Warbler, *Oporornis formosus*, - no connected habitat, not likely to be impacted;
6. Le Conte's Sparrow, *Ammodramus leconteii*, - breeds elsewhere, not likely to be impacted;
7. Lesser Yellowlegs, *Tringa flavipes*, - breeds elsewhere, not likely to be impacted;
8. Prothonotary Warbler, *Protonotaria citrea*, - no connected habitat, not likely to be impacted;
9. Red-headed Woodpecker, *Melanerpes erythrocephalus*, - very limited preferred habitat present, not likely to be impacted;
10. Rusty Blackbird, *Euphagus carolinus*, - breeds elsewhere, not likely to be impacted;
11. Semipalmated Sandpiper, *Calidris pusilla*, - breeds elsewhere, not likely to be impacted;
12. Wood Thrush, *Hylocichla mustelina*, - no preferred habitat, not likely to be impacted;
13. Yellow Rail, *Coturnicops noveboracensis*, - breeds elsewhere, not likely to be impacted;

Based on the review of the migratory birds in the IPaC database, there does not appear to be habitat present to support breeding areas for these species. In addition, there is only a limited area for foraging or resting of some of the bird species which might travel through the area. The proposed development of the site is not likely to negatively impact migratory birds.

The Arkansas Natural Heritage Commission (ANHC) website was reviewed for state listed species in Crittendon County. A total of 30 records were found, see Attachment 1. Of these, 13 are freshwater mussels, two beetles, three fish, three bats, two birds (previously mentioned) one salamander and three plants. The water bodies on the site are not likely to support any of the 16 aquatic species as most are listed in Crittendon County as residents of the Mississippi River. With most of the project area in agricultural use and disturbed for many years, most of the other species are not likely to be present or would find far more preferable habitat elsewhere.



AECOM has reviewed the FWS (IPaC) and Arkansas Game and Fish Commission websites. Federally threatened or endangered species listed for Crittendon County, Arkansas and on the FWS IPaC database are included below. All work is proposed to the west of, and will not impact the Mississippi River and the drainages on the property appeared to be too small to support any of the aquatic species. Therefore, aquatic species will not be directly impacted. The current land use in the area is agricultural. Critical habitat for other species is not expected to be impacted.

Bald Eagle (<i>Haliaeetus leucocephalus</i>)	BGEPA
Piping Plover (<i>Charadrius melodus</i>)	LE
Pallid Sturgeon (<i>Scaphirhynchus albus</i>)	LE
Fat Pocketbook (<i>Potamilus capax</i>)	LE
Scaleshell Mussel (<i>Leptodea leptodon</i>)	LE
Rabbitsfoot <i>Quadrula cylindrica cylindrica</i>	
Pondberry (<i>Lindera melissifolia</i>)	LE

In addition to the federally listed species, a number of migratory birds are listed on the IPaC database that may utilize the area. A number of these species may forage in habitat common to the project site (agricultural fields) on a temporary basis; however, nest habitat is limited on the site and the site is routinely disturbed through agricultural practices and is close to high traffic use on I-40 and state highway 147. Crittendon County is a very agricultural county with thousands of acres of high quality agricultural land. Any migratory birds that might utilize the project site would have nearly unlimited similar habitat in the surrounding area. Based on the lack of nesting habitat and unlimited similar foraging and resting habitat of the area, impacts to migratory birds are not anticipated.

We greatly appreciate your assistance with this project, your review and comments.

Regards,
AECOM

James R. Orr
Sr. Consulting Scientist

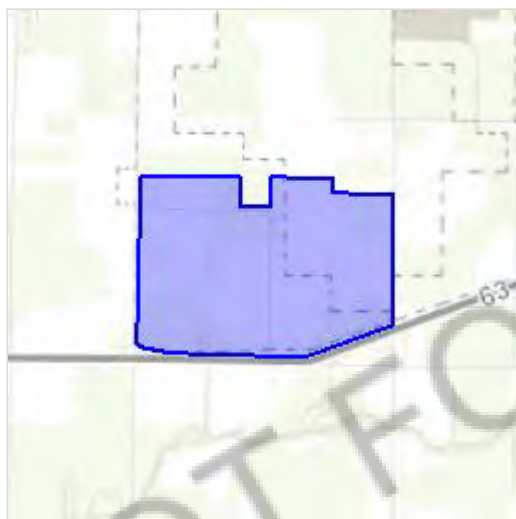
IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Location

Crittenden County, Arkansas



Local office

Arkansas Ecological Services Field Office

☎ (501) 513-4470

📅 (501) 513-4480

110 South Amity Suite 300

Conway, AR 72032-8975

<http://www.fws.gov/arkansas-es>

NOT FOR CONSULTATION

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population, even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species¹ and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries²).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

1. Species listed under the Endangered Species Act are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information.
2. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

Birds

NAME	STATUS
Piping Plover <i>Charadrius melodus</i> There is final critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/6039	Threatened

Fishes

NAME	STATUS
Pallid Sturgeon <i>Scaphirhynchus albus</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/7162	Endangered

Clams

NAME	STATUS
Fat Pocketbook <i>Potamilus capax</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/2780	Endangered
Rabbitsfoot <i>Quadrula cylindrica cylindrica</i> There is final critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/5165	Threatened

Scaleshell Mussel Leptodea leptodon

Endangered

No critical habitat has been designated for this species.

<https://ecos.fws.gov/ecp/species/5881>

Flowering Plants

NAME

STATUS

Pondberry Lindera melissifolia

Endangered

No critical habitat has been designated for this species.

<https://ecos.fws.gov/ecp/species/1279>

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

THERE ARE NO CRITICAL HABITATS AT THIS LOCATION.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern <http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- Measures for avoiding and minimizing impacts to birds <http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- Nationwide conservation measures for birds <http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf>

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern](#) (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME

BREEDING SEASON (IF A BREEDING SEASON IS INDICATED FOR A BIRD ON YOUR LIST, THE BIRD MAY BREED IN YOUR PROJECT AREA SOMETIME WITHIN THE TIMEFRAME SPECIFIED, WHICH IS A VERY LIBERAL ESTIMATE OF THE DATES INSIDE WHICH THE BIRD BREEDS ACROSS ITS ENTIRE RANGE. "BREEDS ELSEWHERE" INDICATES THAT THE BIRD DOES NOT LIKELY BREED IN YOUR PROJECT AREA.)

Yellow Rail *Coturnicops noveboracensis*

Breeds elsewhere

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/9476>

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (I)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

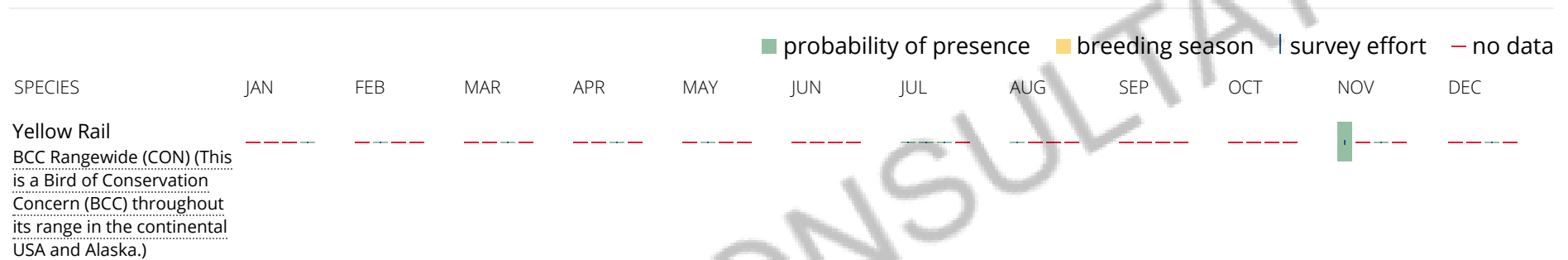
To see a bar's survey effort range, simply hover your mouse cursor over the bar.

No Data (-)

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) and/or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [E-bird Explore Data Tool](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

Facilities

Wildlife refuges and fish hatcheries

REFUGE AND FISH HATCHERY INFORMATION IS NOT AVAILABLE AT THIS TIME

Wetlands in the National Wetlands Inventory

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

This location overlaps the following wetlands:

FRESHWATER FORESTED/SHRUB WETLAND

[PFO1A](#)

[PSS1A](#)

FRESHWATER POND

[PUBFh](#)

RIVERINE

[R2UBH](#)

[R5UBFx](#)

[R4SBC](#)

A full description for each wetland code can be found at the [National Wetlands Inventory website](#)

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.