

Quick Reference to Waters of the US Rule Applicability

Waters of the US (abbreviated non-regulatory terms in italics)	As Defined in the Final Rule	Applicability (unless an exclusion applies)
<i>Core Waters</i>	Traditional Navigable Water (TNW), Territorial Seas, and Interstate Waters	Jurisdictional as a matter of rule
<i>Core-Plus Waters</i>	TNW, Territorial Seas, Interstate Waters PLUS Impoundments of Water and Tributaries	Jurisdictional as a matter of rule
Adjacent Waters	<p>All waters adjacent to a Core-Plus Water including:</p> <p>A) All waters, wholly or partially, located within 100 feet of ordinary high water mark (OHWM) of a Core-Plus Water</p> <p>B) All waters, wholly or partially, within a 100-year floodplain of a Core-Plus Water and not more than 1,500 feet from OHWM of such water</p> <p>C) All waters, wholly or partially, located within 1,500 feet of the high tide line (HTL) of a Core Water or within 1,500 feet of the OHWM of the Great Lakes</p>	Jurisdictional as a matter of rule
<i>Special Wetlands</i>	All non-adjacent waters in Upper Midwest Prairie Potholes, Caroline Bay/Delmarva Bays, Pocosins, Western Vernal Pools, or Texas Coastal Prairie Wetlands	Case-by-Case – Jurisdictional if Significant Nexus found to Core Waters
<i>Special Isolated Waters 1</i>	All non-adjacent waters, wholly or partially, within a 100-year flood plain of Core Waters	Case-by-Case – Jurisdictional if there is Significant Nexus to Core Waters
<i>Special Isolated Waters 2</i>	All non-adjacent waters, wholly or partially, within 4,000 feet of HTL or OHWM of Core-Plus Waters	Case-by-Case – Jurisdictional if there is Significant Nexus to Core-Plus Waters