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January 24, 2023

Regulatory Division

SPECIAL PUBLIC NOTICE

On January 20, 2023, the U.S. Army Corps of Engineers (USACE), as part of an interagency effort with the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service and the U.S. Department of Agriculture Natural Resources Conservation Service, announced the availability of the draft changes to the 2022 National Wetland Plant List (NWPL) and provided a web address to solicit public comments. The public now has the opportunity to comment on the proposed changes to wetland indicator status ratings for two plant species in the Arid West region. The Federal Register Notice (FRN) for the 2022 NWPL update can be found here: <https://www.federalregister.gov/documents/2023/01/20/2023-01026/national-wetland-plant-list> The public comment period ends on 21 March 2023.

The two species and their draft 2022 wetland ratings by region, as well as the FRN, can also be viewed at the NWPL homepage, <https://wetland-plants.sec.usace.army.mil/>, under "2022 NWPL Update Information." A link to provide general or species-specific comments is also available at this location. Users are encouraged to submit literature citations, herbaria records, experiential references, monitoring data, and other relevant information. Specific knowledge of, or studies related to, individual species are particularly helpful. Commenters should use their regional botanical and ecological expertise, field observations, reviews of the most recent indicator status information, appropriate botanical literature, floras, herbarium specimens with notation of habitat and associated species, habit data, relevant studies, and historic list information. Providing ratings without supporting documentation or information is not recommended. All submitted comments and information will be compiled and sent to the National Panel for their consideration.

USACE is also seeking comments regarding the NWPL update process and a proposed change to update the NWPL every three years, rather than the present every two years. Detailed information on the update process, protocol, and technical issues can be found in the following documents (available on the "NWPL Publications" web page referenced above):

- 1) Lichvar, Robert W. and Minkin, Paul. Concepts and Procedures for Updating the National Wetland Plant List. Sept 2008. ERDC/CRREL TN-08-3

- 2) Lichvar, Robert W. and Gillrich, Jennifer J. Final Protocol for Assigning Wetland Indicator Status Ratings during National Wetland Plant List Update. Sept 2011. ERDC/CRREL TN-11-1

USACE administers the NWPL for the United States and its territories. The NWPL provides plant species indicator status ratings, which are used in determining whether the hydrophytic vegetation factor is met when conducting wetland delineations under the Clean Water Act and wetland determinations under the Wetland Conservation Provisions of the Food Security Act. Other applications of the NWPL include wetland restoration, establishment, and enhancement projects. Additions or deletions to the NWPL represent new records, range extensions, nomenclatural and taxonomic changes, and newly proposed species. The latest review process began in 2022 and included review by Regional Panels and the National Panel.

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