

QUICK REFERENCE CHART for RGL 16-01

APPROVED JDs	PRELIMINARY JDs
<ul style="list-style-type: none"> An AJD is defined in Corps regulations at 33 CFR 331.2. A definitive, official determination that there are, or that there are not, jurisdictional aquatic resources on a parcel and the identification of the geographic limits of jurisdictional aquatic resources on a parcel, can only be made by means of an AJD. 	<ul style="list-style-type: none"> A JD requestor may elect to use a PJD to move ahead expeditiously to obtain a Corps permit authorization, where the requestor determines that it is in his or her best interest to do so. May include the delineation limits of all aquatic resources on a parcel so long as the PJD does not determine the jurisdictional status of such aquatic resources.
<ul style="list-style-type: none"> Will specify what aquatic resources are or are not jurisdictional on a parcel for purposes of computation of impacts, compensatory mitigation requirements, and other resource protection measures. 	<ul style="list-style-type: none"> A requestor may elect to use a PJD even where initial indications are that the aquatic resources on a site may not be jurisdictional, if the requestor makes an informed, voluntary decision that it is in his or her best interest not to request and obtain an AJD. For purposes of computation of impacts, compensatory mitigation requirements, and other resource protection measures, a permit decision made on the basis of a PJD will treat all aquatic resources that would be affected in any way by the permitted activity on the site as jurisdictional aquatic resources. When the Corps provides a PJD, or authorizes an activity based on a PJD, the Corps is making no legally binding determination of any type regarding whether jurisdiction exists over the particular aquatic resource in question.
<ul style="list-style-type: none"> Remains valid for period of five years (subject to certain limited exceptions explained in RGL 05-02). 	<ul style="list-style-type: none"> Do not have expiration dates (see RGL 05-02).
<ul style="list-style-type: none"> Can be administratively appealed through the Corps administrative appeal process set out at 33 CFR Part 331. 	<ul style="list-style-type: none"> A PJD is not an appealable action. A PJD is "preliminary" in the sense that a recipient of a PJD can later request and obtain an AJD if that becomes necessary or appropriate during the permit process or during the administrative appeal process.
<ul style="list-style-type: none"> May be requested through the use of the "Request for Corps JD" included with RGL 16-01 as Appendix 1. Even if the JD requestor or Corps district does not use the "Request for Corps JD", the same information and signature provided in the "Request for Corps JD" should be submitted to the Corps district with each JD request. 	<ul style="list-style-type: none"> May be requested through the use of the "Request for Corps JD" included with RGL 16-01 as Appendix 1. Even if the JD requestor or Corps district does not use the "Request for Corps JD", the same information and signature provided in the "Request for Corps JD" should be submitted to the Corps district with each JD request.

OTHER OPTIONS TO BE CONSIDERED

NO PERMIT REQUIRED	OTHER CIRCUMSTANCES
<ul style="list-style-type: none"> For situations where the proposed activity is not a regulated activity or an activity is exempt under Section 404(f) of the CWA and is not recaptured, preparation of a "no permit required" letter may be appropriate, and no JD is required, so long as that letter makes clear that it is not addressing geographic jurisdiction. 	<ul style="list-style-type: none"> The Corps generally does not issue a JD of any type where no JD has been requested and there are certain circumstances where a JD would not be necessary (such as authorizations by non-reporting nationwide general permits). In some circumstances, including where the Corps verifies general permits or issues letters of permission and/or standard permits, jurisdictional questions may not arise.