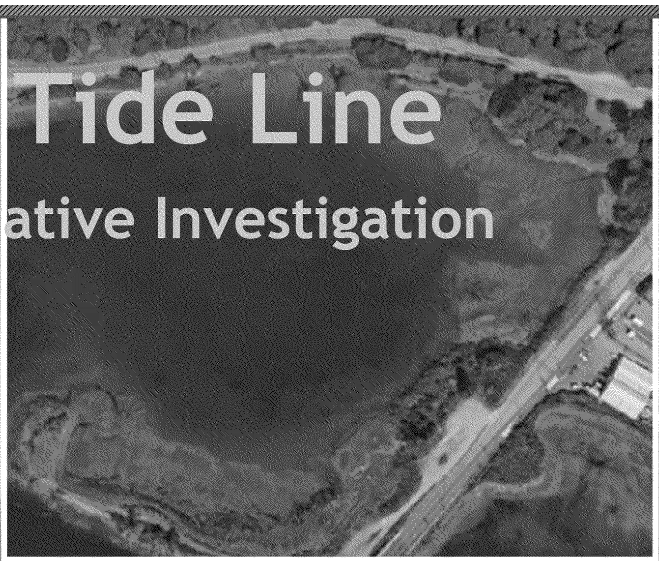
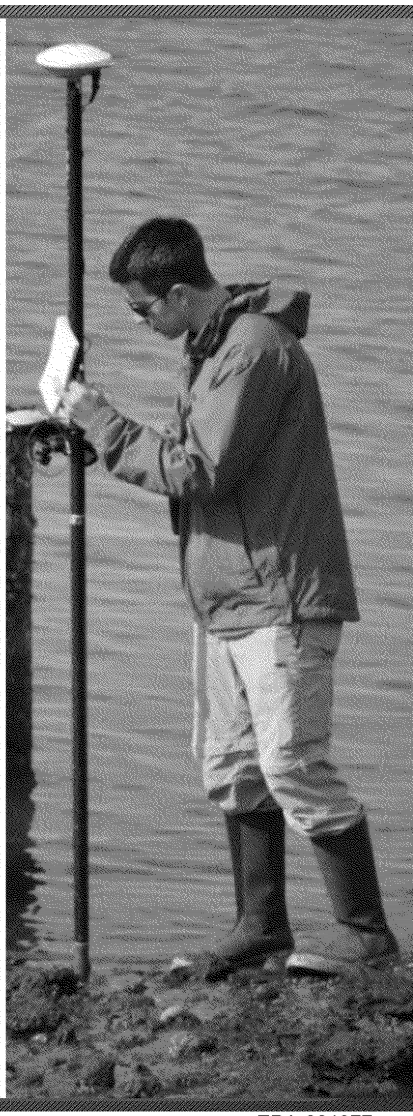
High Tide Line

A Collaborative Investigation





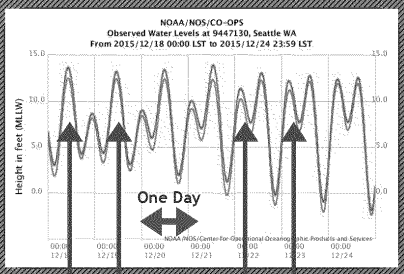
High Tide Line (HTL)

- Added to Corps' Regs in 1977 Not in EPA's regs!
- Landward Extent of Clean Water Act Jurisdiction in Tidally Influenced Waters of the United States
- Defined as:
  - Maximum height reached by a rising tide
  - Encompasses
    - Spring high tides &
    - Other high tides that occur with periodic frequency,
  - But *not* storm surges in which there is "a departure from the normal or predicted reach of the tide"
- Intent (from Preamble):
  - Many types of aquatic areas along the coast are above the mean higher high mark (MHHW)
  - HTL includes those "inundated with sufficient frequency & regularity to be included as part of the aquatic resource"

Not tied to a specific tidal datum

FANTASTIC TIDAL DATUMS

Daily (Mixed Semi-diurnal)



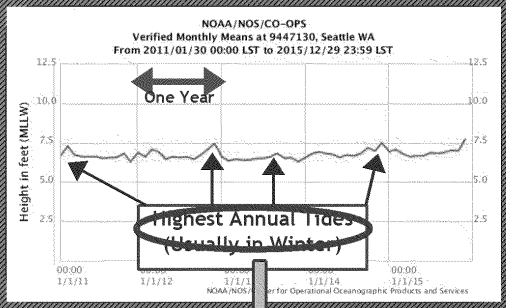
Higher Daily Highs

Lower Daily Highs

Mean Higher High Water (MHHW)

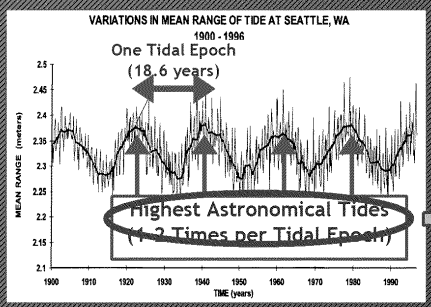
Mean High Water (MHW)

Annual



Mean Highest Annual Tide (MHAT)

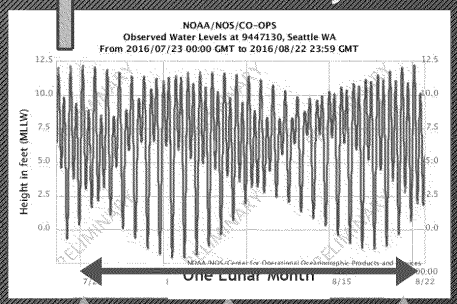
Epochal



(HAT
)

Mean Highest Monthly Tide (MHMT)

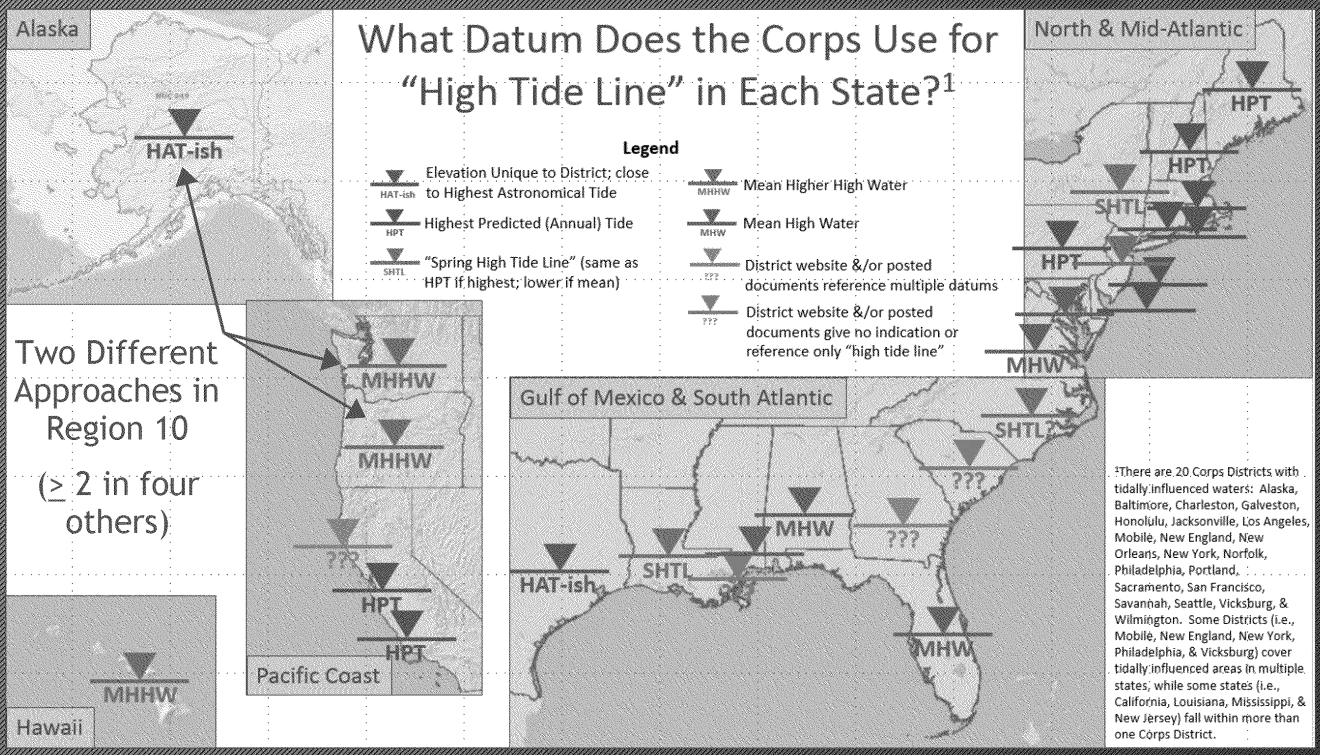
Bi-monthly



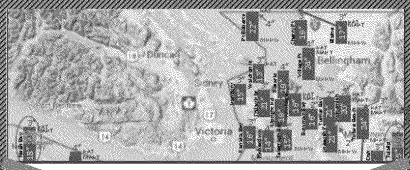
Spring Tides
(Twice per Lunar Month)

Mean Spring High Tide

Which has led to…
at least six different interpretations

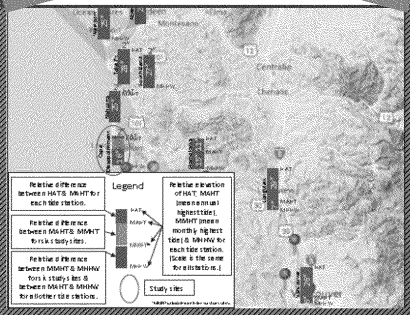


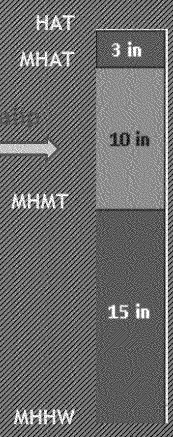
Is there a problem with MHHW?

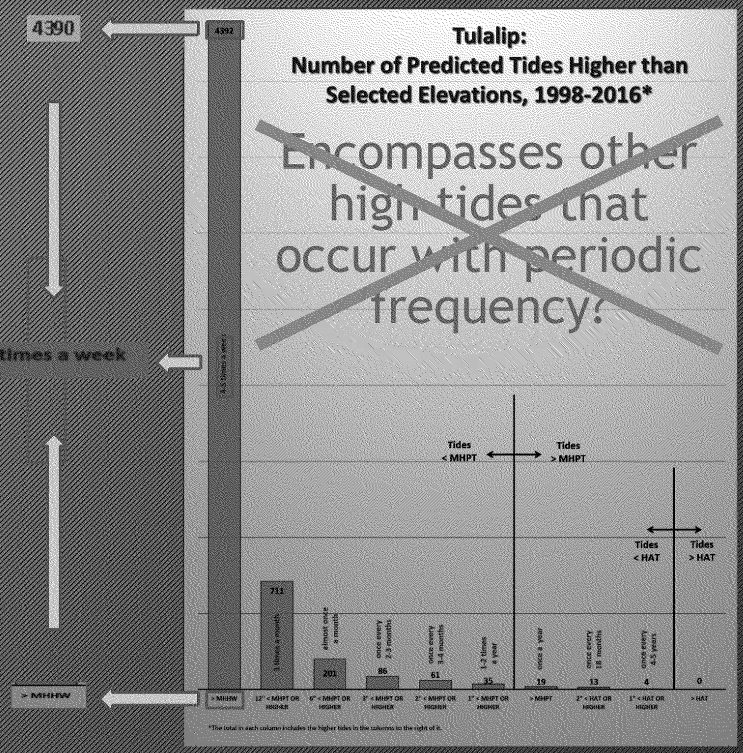


~~Maximum height reached by a rising tide?~~

~~Encompasses spring high tides?~~

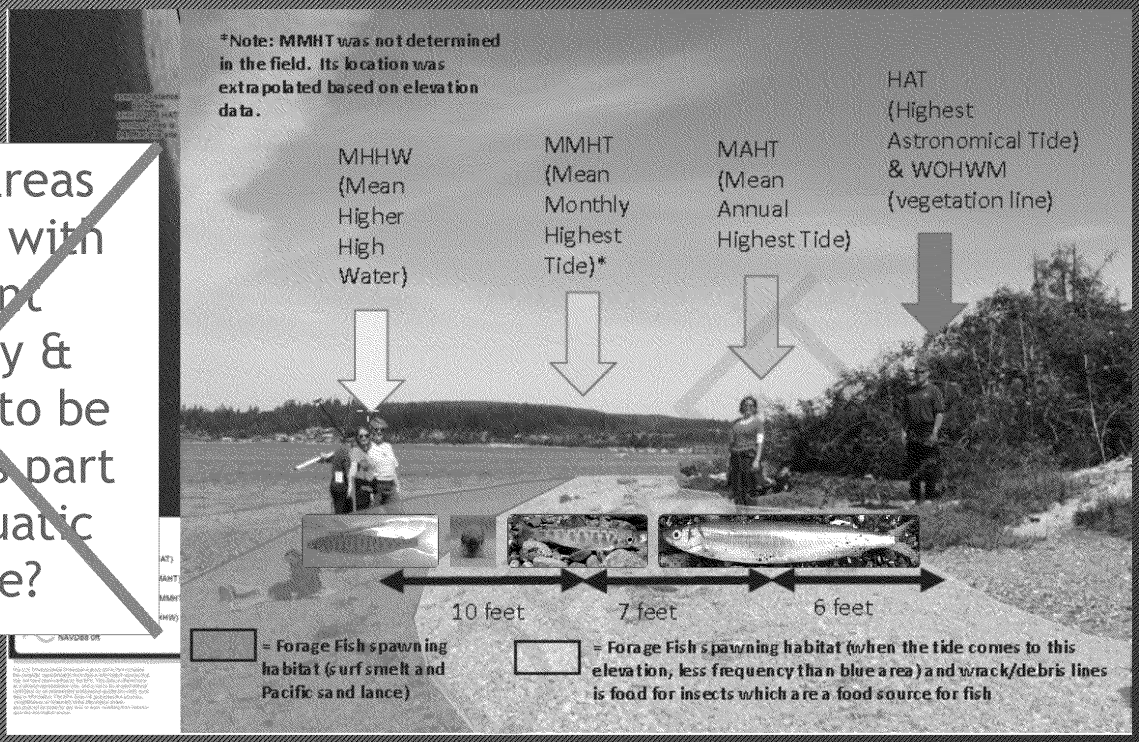




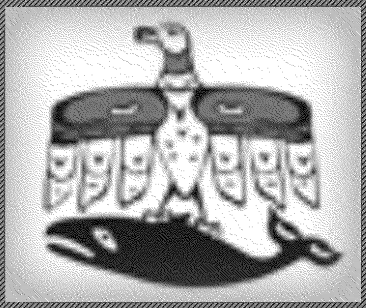


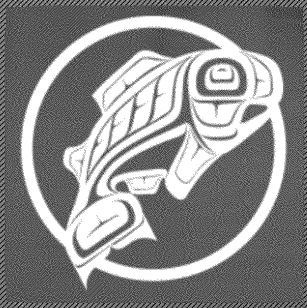
Any others?

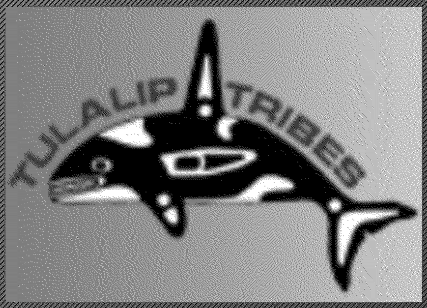
~~Includes areas inundated with sufficient frequency & regularity to be included as part of the aquatic resource?~~



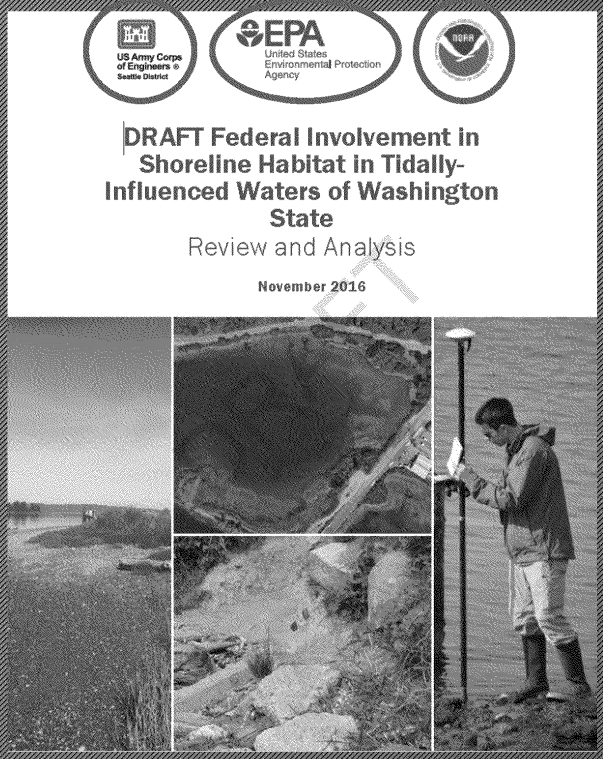
Which brought us to the game changer







Which led to the interagency workgroup



Ex. 5 - Deliberative Process

Questions?