Initial Findings from the
State Wetland Program Status and Trends Report
A Project of the Association of State Wetland Managers

Presented by
Brenda Zollitsch, PhD
Policy Analyst
Association of State
Wetland Managers

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To the Southeast
Wetland Working Group

Fishing Creek Marsh – Cape May, New Jersey
Photo credit: Anthony Bley, U.S. Army Corps of Engineers
Project Background

- Status and trends in state wetland program efforts across the U.S.
- State summaries last updated in 2002
- EPA Wetland Program Grant
- Focus on EPA 4 Core Elements, Climate Change and Integration Work
- Established a national workgroup
- Groundtruthing compiled state summaries
Project Products

• 50 Online State Summaries
• Links and References to Models and Templates
• Status and Trends Report
• Comparative maps

Tijuana River Estuary

Photo Credit: 08OceanBeach_SD
**FOCUS**

- State wetland staff and resources
- Able to document practices from all 10 EPA regions
- Information compiled for 46 state summaries to date

**METHODOLOGY**

- Qualitative approach
- Draft state summaries
- Groundtruthing with state staff
- Revision and analysis
- Review

**LIMITATIONS:**
- A snapshot in time
- Interpretation
- Universe of knowledge
- Not reviewed by all possible sources of information
State Definition of Wetlands

- State definition of wetlands (33 states)
- Designate federal definition (9 states)
- Default to federal definition (3 states)

Not Net Loss/Net Gain Goal

- Formal Net Gain/Increase goal (7 states)
- Formal No Net Loss goal (19 states)
- Informal No Net Loss goal (7 states)
- No formal or informal goal (5 states)
Project Results: EPA-Approved Wetland Program Plans

- 24 States have an EPA-approved state wetland program plan
- 10 States are the process of developing their plan or getting approval
- 11 states have no plans
Project Results:
How are Wetlands Regulated?

Core Element 1: Wetland Regulation

- **State Permitting Program** (16 states)
- **401 Certification + Additional State permitting** (16 states)
- **Rely on 401 Certification** (13 states)

401 Cert + Programs examples:
- Non CWA waters
- Isolated
- Tidal/Coastal
- Admin orders

Note: Did not ask which components states are actively doing (e.g. own enforcement)

EPA documents 22 state permitting programs
Project Results: General and Joint Permits with the Corps

General Permits with the Corps
- Both statewide & regional (7 states)
- Statewide only (9 states) (+7 with both = 16 states)
- Regional only (12 states) (+7 with both = 19 states)
- None (17 states)

Joint Arrangements with the Corps
- Joint permit (14 states)
- Joint public noticing only (9 states)
- Other/No joint processes (15 states)
- None (15 states)
Project Results: The State Regulatory Toolbox

**Wetland Delineation and Evaluation Methods**
- 37 states rely on Corps ‘87 Manual and Regional Supplements
- 8 states have their own state delineation methods
- 25 states indicate that they rely on some formal evaluation method (wide range)

**Mitigation Policies and Procedures**
- Defer to the Corps (16 states)
- **Formal state policies and procedures** (21 states)
- Informal state policies and procedures (6 states)
- Developing formal state policies/procedures (1 state)
- Corps primary, with policies for additional (6 states)
Project Results: State Monitoring and Assessment

Formal M&A Program
- Ongoing formal M&A Program (12 states)
- Program under development (10 states)
- Project-specific M&A only (7 States)
- Part of non-wetland monitoring program only (10 states)
- No wetland monitoring (6 states)

Wetland Assessment Tools
- HGM (resource challenges)
- RAM/WRAP (proliferating)
- IBI
- Other

Important role of universities

Important role of EPA Wetland Program Development Grants
Project Results: Monitoring and Assessment

Many interviewees not sure what the three levels were.
Project Results: National Wetland Condition Assessment

States played various roles in completing the NWCA:
- State staff sampled
- State hired contractors
- Joined federal contractors
- Reviewed data

Participation in 2011 NWCA
- State Intensifications
- Participation in sampling for national assessment

NWCA viewed as a foundation-building/refining tool
Project Results: Wetland Mapping

Types of Maps

- NWI
- NWI Plus
- State Mapping Efforts

Access to Maps

- Public portals (28 states)
- GIS layers
- Roles of universities

Sample of NWI data mapped in Google Earth

Core Element 2: Monitoring & Assessment

- Existing
- Developing
- None
Project Results:
Status of Wetland Water Quality Standards

- **Wetland-specific WQS** (5 states)
- **Developing state WWQS** (10 states)
- **Apply existing WQS to wetlands** (28 states)
- **Do not apply any WQS to wetlands** (2 states)

“Apply existing” really includes three subcategories:
- Want to develop
- Well protected, not planning to develop (AL, CT, FL, WV)
- Not well protected, but not planning to develop
Project Results: Voluntary Wetland Restoration

State Voluntary Wetland Program

- Formal state-run program (13 states)
- Developing a program (2 states)

No state program ≠ No Work

- Formal state-run program (13 states)
- Decentralized state activities (24 states)
- Developing a program (2 states)
- No state involvement in restoration work (2 states)

Whether or not a state has a state-run voluntary restoration program is not a good indicator of whether or not voluntary wetland restoration is happening (or its quality) in the state.
Project Results: Voluntary Wetland Restoration Supports

State-provided Voluntary Wetland Restoration Supports

- Public and Private
- Technical Assistance
- Landowner Guides
- Tax Incentives
- Matching Services
State Wetland Program Development Continuum

- **Early Phase** (No Activity/Discussion Only)
- **Development Phase** (Building tools and policies)
- **Initial Implementation Phase** (Putting into effect/Testing)
- **Mature Phase** (Set in place; Continuous Improvement Efforts)
State Wetland Program Development Continuum

Core Element 1: Regulation

Early Phase (No Activity/Discussion Only)

Development Phase (Building tools and policies)

Initial Implementation Phase (Putting into effect/Testing)

Mature Phase 401 Cert as Primary Regulatory Tool

Mature Phase State Permitting Program

KY identified that they seek to work on state guidance for 401 certification

Split into two categories of regulatory programs
State Wetland Program Development Continuum

Core Element 2: Monitoring and Assessment

- **Early Phase**: (No Activity/Discussion Only)
- **Development Phase**: (Building tools and policies)
- **Initial Implementation Phase**: (Putting into effect/Testing)
- **Mature Phase**: State Permitting Program
State Wetland Program Development Continuum
Core Element 3: Wetland Water Quality Standards

Early Phase
(No Activity/Discussion Only)

Development Phase
(Building tools and policies)

Initial Implementation Phase
(Putting into effect/Testing)

Mature Phase
State Permitting Program

Map of the United States showing the status of wetland water quality standards development by state.
State Wetland Program Development Continuum
Core Element 4: Voluntary Wetland Restoration

Early Phase
(No Activity/Discussion Only)

Development Phase
(Building tools and policies)

Initial Implementation Phase
(Putting into effect/Testing)

Mature Phase
State Permitting Program

Formal Program

Formal Program + Decentralized State Activities

28 (→ 18)
4
0
12 (→ 22)
Project Results:
State Wetland Program Work on Climate Change Issues

Who is Doing Wetland - Climate Change Work?

16 states have formal activities

16 formal + 11 informal = 27 states

The Importance of Language and Politics

In order to predict the impacts of climate change induced sea-level rise on Pacific Northwest coastal habitats, the Sea Level Affecting Marshes Model (SLAMM) was utilized to simulate future coastal habitat configurations under various sea-level rise scenarios at several sites in Washington and Oregon, USA. The model was run for 2025, 2050, 2075, and 2100. Historical or “initial condition” habitat classifications are also available for some sites. Several sites were also modeled with existing dikes removed.

18 state programs are not working/cannot work in this area
Project Results: Other Adaptation Work

Other responses to extreme weather events

- Drought
- Flooding
- Water retention projects
- Sea Level Rise
- Coastal Storms
- Invasive species
- Ski Industry

Where do we look?

- Municipal ordinances, planning, public works
- Watershed planning
- Emergency management
- Water projects
- Environmental nonprofits
- Universities

Trigger Words:
Climate change
Global warming
Adaptation
Resiliency
Sustainability
Sea level rise
Integration between Wetland Programs and Other Programs

Specific Integration Areas

Example: Integration with State Stormwater Management

37 states

Area of future research

Examples:
- Shared permitting
- Joint project review
- Project-based comment letters
- Shared staffing/management chains
- Integration of wetlands into SW BMP manuals
- Physical site Inspections
- Determining buffer, etc.

- Consideration when permitting projects
- Included in SW post-construction requirements
- Connections through restoration activities
- Quarterly joint staff meetings → Informal water cooler chats
Anecdotal Data about Challenges:
Staffing and Resources

Key challenges:
- Economic downturn/budget cuts
- Political barriers/recent elections
- Retirements and job changes
- Restructuring
- Junior staffing
- Need for training
Sharing of Models, Templates and Innovations

- Models and innovations section to showcase state successes
- Policies and guidance documents
- Tested procedures and methods
- Links to examples
- Contact information
An Analysis of Status and Trends

- State Summaries another data point in ASWM series
- Provides ability to identify status and trends (this presentation focused on the current status)
- Look at new issues, such as climate change and integration
- Replicability
- New Program Development Continuum as a new tool in this effort
Next Steps

Review Requests:

• Look at maps and findings

• Are the results accurate/do they reflect your experience?

• What are some possible conclusions/interpretations?

• Are there specific recommendations you think ASWM should consider making?

State summaries posted to web (with hyperlinks) in May 2015

Submission of all project products to EPA by May 31st

Webinar and Feature Article in Wetland News
Feedback, Questions, Ideas:

Brenda Zollitsch
ASWM Policy Analyst
brenda@aswm.org

Association of State Wetland Managers
www.aswm.org  207-892-3399