



MISSOURI

Original Wetland Acreage	Remaining Wetland Acreage	Acreage Lost	% Lost
4,844,000	643,000	4,201,000	-87%

Missouri Wetlands: Palustrine forested wetlands (swamps and other forested wetlands), Palustrine emergent wetlands (marshes and fens), and palustrine scrub-sjrub wetlands (shrub swamps) constitute most of the wetland acreage in Missouri. Most of the State’s wetlands are associated with rivers and streams.

Summary	Individual Features	Regulation	Water Quality Standards	Monitoring	Monitoring and Assessment	Restoration	Public/Private Partnerships
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SUMMARY

Overall Program

The state has not adopted a wetland protection statute although some measure of protection is being provided through the Missouri clean water law and the Section 401 certification program.

Innovative Features and New Programs/Initiatives

The development of a state wetland conservation plan was undertaken in 1990 by the Missouri Department of Natural Resources (DNR). The Missouri Wetland Advisory Council was established to participate in the planning process and is composed of representatives from business, agriculture, environment, and conservation organizations as well as state and federal agencies. Through a consensus building process, state wetland goals and recommendations have been drafted.

State Wetland Conservation Plan

Products of the planning process include a comprehensive report on the status of the wetland resources, a state policy document, and numerous educational outreach materials.

No Net Loss Goal/New Gain Goal

The Missouri Wetland Advisory Council, in the document entitled “Wetland Goals and Recommendations for the State of Missouri”, advocate the short-term goal to, “Achieve no overall net loss of the state’s remaining wetland resource base by the year 1995.” The long-term goal is to, “Increase the quantity and quality of Missouri’s wetland resource base considering acreage, functions and values by the year 2000.”

INDIVIDUAL FEATURES:

Regulation

Wetland Regulatory Statutes and Administrative Rules

Missouri regulation of wetlands rests solely with 401 certifications and the state's general water quality standards. At present, the state has no established use designations.

None.

Wetland Definition and/or Delineation; Comparability With Federal Definition

Wetlands are included in the definition of waters of the state, which included "waters of the United States within the state of Missouri." Current revisions to the state water quality standards recommend the inclusion of the specific definition used by, and consistent with, the administration of the Section 404 Program (33) CFR 328.3(b).

Evaluation Methodology

Missouri uses the Aquatic Resource Mitigation Guidelines, which were developed with the help of federal and state resource agencies, to derive mitigation ratios based on Cowardin's wetland classification system.

Regulated and Exempted Activities

Regulated activities by the state through the clean water law and the Section 401 Program include the discharge of water contaminants, including fill, and restrictions on changes that have detrimental effects on beneficial uses. Wetlands constructed solely for the purpose of treating wastewater are exempt. Any activities conducted by the Missouri Department of Transportation (MoDOT) and authorized under a nationwide permit are exempt.

Special Provisions for Agriculture and Forestry

None.

Penalties and Enforcement

State clean water law provides for both judicial and administrative penalties.

Permit Tracking

The state currently has a database of all 404 permits issued within the state. This data is searchable by applicant, Corps permit #, affected waterbody, county, and several other parameters. Mitigation is not tracked in the database, but plans are required for certification, and hard-copies are in our files.

State General Permit (PGP or SPGP) for 404

None.

Assumption of Section 404 Powers

Assumption of Section 404 powers was explored and found to be unfeasible due to lack of funding.

Joint Permitting

No, but DNR reviews Section 404 permits and processes Section 401 certifications.

Special Area Management Plans and Advanced Identification Plans

There are presently no existing Special Area Management Plans (SAMPS). A SAMP for the Howard Bend Levee District area is presently being considered in a Draft Environmental Impact Statement.

Role of Local Governments

None.

Staffing

Two full-time employees.

Water Quality Standards

Wetlands and Water Quality Standards

The state has a 401 program (10CSR 20 6.060); state applies an anti-degradation policy to wetlands. In 1990 Missouri Water Quality Standard revisions specified wetlands as a water of the state and created a new “beneficial use” category for wetlands. The next revision in 1993 included more specific criteria on water quality for wetlands.

Wetland Definition

Missouri’s statutes refer to “Waters of the U.S.” in the definition of “Waters of the State”, and therefore the state’s wetlands definition mirrors the federal definition from 40CFR 232.2(r).

Designated Uses

None.

Narrative and/or Numeric Criteria

(From 10 CSR 20-7.031):

(D) Waters shall be free from substances or conditions in sufficient amounts to result in toxicity to human, animal or aquatic life;

(E) There shall be no significant human health hazard from incidental contact with the water;

(F) There shall be no acute toxicity to livestock or wildlife watering;

(G) Waters shall be free from physical, chemical or hydrologic changes that would impair the natural biological community; and

(H) Waters shall be free from used tires, car bodies, appliances, demolition debris, used vehicles or equipment and solid waste as defined in Missouri’s Solid Waste Law, section 260.200, RSMo, except as the use of such materials is specifically permitted pursuant to section 260.200–260.247.

Antidegradation Policy

The state’s antidegradation policy is often cited when denying wetland fill projects that do not propose mitigation for impacts.

Other

None indicated.

Staffing

2 full time employees of the 401 staff.

Mitigation

Mitigation Policy

The state's Aquatic Resource Mitigation Guidelines are in the beginning of the process of becoming rules. They establish the hierarchy of avoidance, minimization, and mitigation, as well as mitigation ratios for wetland impacts.

Mitigation Banks

There are at least 6 wetland banks that are currently in operation. All are privately owned except one administered by the MoDOT. Mitigation banks must be approved by a mitigation bank review team, composed of state and federal resource agencies.

In Lieu Fee Program

The Missouri Conservation Heritage Foundation administers the in-lieu fee program for stream impacts only. Approximately 20 acres of impacts have been administered in this program.

Ad Hoc Arrangements

None.

Mitigation Database

None.

Staffing

2 full time employees of the 401 staff.

Monitoring and Assessment

Mapping/ Inventory

None.

Wetland Classifications and Assessment

None.

Overall Wetland Gain and Loss Tracking System

None. The state does not allow less than 1:1 mitigation for impacts, so the state is not at a net loss for permitted direct impacts.

Staffing

None.

Restoration**Program Description**

None.

Restoration Program Goals

None.

Eligibility Criteria

None.

Restoration Database

None

Staffing

None.

Public/Private Partnerships**Acquisition Program**

Wetland creation and restoration are encouraged through the technical and financial assistance provided through the Clean Lakes Program and the Nonpoint Source Pollution Control Program.

Public Outreach/Education

None.

Tax Incentives

None.

Technical Assistance

None.

Other

None.

Nonregulatory Incentives for Private Landowners

The Wetlands Reserve Program is administered through the NRCS, and provides funds for wetland restoration projects.

Wetland Training and Education

None.

Watershed Planning

The 319 Grants program allows for monies to be used for watershed rehabilitation, including wetland creation projects.

Special Problems

Creation of levees around cities in Missouri threatens to cut off floodplain wetlands from the state's big rivers (primarily Missouri River).

Coordination

None.

Contact Person(s)

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Contact Points

401 Certification website: <http://www.dnr.mo.gov/wpscd/wpcd/401/wpcp-401.htm>

General e-mail: wpsc401cert@dnr.mo.gov

Guidebooks, Brochures, Websites, Other Educational Materials

Missouri Wetland Information Hotline 1-800-334-6946.

Missouri Wetland Information List.

Missouri Wetlands: A Vanishing Resource?

Missouri Wetlands (automated slide show).

Wetland Goals and Recommendations for the State of Missouri.