

Reassessment Task Force Report on the Chesapeake Bay Wetlands Policy Implementation Plan

Report to the Living Resources Subcommittee

U.S. Environmental Protection Agency
Living Resources Subcommittee
September 1993



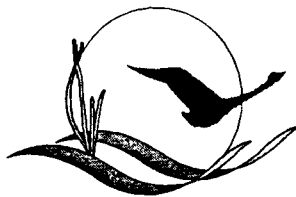
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Report to the Living Resources Subcommittee



U.S. Environmental Protection Agency
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REASSESSMENT TASK FORCE REPORT

ON THE

CHESAPEAKE BAY WETLANDS POLICY IMPLEMENTATION PLAN

INTRODUCTION

The Wetlands Implementation Plan is designed to achieve the wetlands policy goals of the Chesapeake Bay Agreement. The Wetlands Workgroup, assigned to the Living Resources Subcommittee, is responsible for accomplishing the tasks outlined in the Implementation Plan.¹ During the summer of 1992, concerns were raised that certain tasks identified in the Implementation Plan have not been completed and others have not been started. Because the wetlands goals are pivotal to the recovery of the Bay as a whole, a Wetlands Reassessment Task Force was appointed in November, 1992 to conduct an independent review of the progress of the Wetlands Workgroup toward fulfillment of the Implementation Plan.

Chaired by Maryland, the Task Force consisted of policy level members from each of the signatory States and agencies to the Chesapeake Bay Agreement.² The reassessment effort began in the fall of 1992 with several meetings held over a period of nine months. The Task Force was initially charged with assessing progress, identifying priorities, and adjusting timelines. In addition to developing a report card on the specific tasks identified in the Implementation Plan, it soon became clear that a thorough analysis of the effectiveness of Workgroup efforts required an expansion of the Task Force charge. Specifically, the role of the Wetlands Workgroup was never clearly defined in the wetlands management arena.

¹Specific tasks of the Wetlands Workgroup are guided by the Implementation Plan approved by the Principals Staff Committee in December, 1990.

²A list of Task Force members is included as APPENDIX A.

Moreover, some fundamental weaknesses in the Implementation Plan needed to be addressed. Accordingly, the charge of the Task Force was expanded to include the following:

- Provide guidance in defining the role of the Wetlands Workgroup within the Chesapeake Bay watershed and nationally.
- Propose recommendations to restructure the Implementation Plan based on a detailed analysis of existing wetlands management efforts while retaining important components of the existing plan.

This document represents the work of the Wetlands Implementation Plan Reassessment Task Force.

BACKGROUND

The announcement by President Bush of a national "no net loss" wetlands policy was the result of growing public concern about the rapid loss of these important resources. Wetlands provide essential breeding, spawning, nesting, and wintering habitats for a major portion of the region's fish and wildlife. In addition, wetlands function to purify surface water, moderate flood flows, maintain year round stream and river flows, reduce erosion, and support commercial fishery and recreation industries.

Chesapeake Bay watershed wetlands are recognized as some of the most important wetlands in the United States and have received worldwide recognition as "Wetlands of International Importance Especially as Waterfowl Habitat" under the 45 nation Ramsar Convention treaty. Millions of recreationists and students enjoy the richness of Chesapeake Bay wetlands every year in local, state and national parks, forests, and wildlife refuges.

Wetlands lie within the transition areas between better drained, rarely flooded uplands and permanently flooded deep waters such as rivers, ponds, lakes, and coastal embayments. According to U.S. Fish and Wildlife Service studies, tidal and nontidal wetlands occupy about three percent of the Chesapeake Bay watershed or approximately 1.2 million acres (these figures do not include farmed wetland acreage). More than 80 percent of Chesapeake Bay wetlands are nontidal, predominantly forested wetlands. The remaining 20 percent are tidal wetlands consisting largely of tidal marshes and mud flats periodically flooded by salt or brackish water.

The Chesapeake Bay watershed experienced substantial losses of wetlands between the mid 1950s and late 1970s. Annual losses averaged over 2,800 acres. Tidal marshes were reduced by about nine percent, whereas nontidal vegetated wetlands were reduced by six percent. Wetland losses continue due to population growth, development, erosion, and sea level rise in the Bay watershed .

In recognition of the importance of wetlands to the environmental quality and economic productivity of the Bay, the Chesapeake Executive Council adopted the Chesapeake Bay Wetlands Policy in December 1988. The Policy includes a commitment to adopt an Implementation Plan. In response to this commitment, the Living Resources Subcommittee appointed a workgroup of representatives from the public and private sectors to develop the Chesapeake Bay Wetlands Policy Implementation Plan.

The Implementation Plan included a schedule for actions including cooperative, comprehensive mapping of all wetland areas at a time interval of not less than every ten years, a statistically valid status and trends analysis every five years, and a continuing cumulative impact assessment.

In consideration of the varying approaches to wetlands protection in each political

jurisdiction, the Implementation Plan was designed to guide evolving State, federal, and local programs by outlining immediate regional actions and longer term jurisdictional actions that accomplish the goals of the policy.

Early on in the review process, the Reassessment Task Force identified some of the reasons that progress has been slow. The reasons are varied and include the following:

- The Implementation Plan does not provide a clear understanding of how individual tasks are connected to the "no net loss" goal.
- The Implementation Plan does not provide a clear explanation of the interdependence of the identified tasks or a logical progression for completing tasks.
- Tasks which have been completed were easy to do or the Workgroup member assigned lead responsibility had a personal investment in accomplishing the task.
- The Implementation Plan is overly ambitious in light of the current funding and staffing problems at all levels of government. To compound this problem, lead agencies have not applied for and therefore have not utilized available federal funds to assist in completing assigned tasks.
- Tasks have not been effectively targeted towards user groups. For example, the mitigation technical document, due to its technical focus, may be of limited utility to regulators and the general public.

- The Implementation Plan provides limited mechanisms for coordinating wetlands management within the watershed or nationally. Without effective coordination mechanisms, the Implementation Plan may duplicate existing products or work efforts. No effective mechanism currently exists within the watershed to serve as a "clearinghouse" for dissemination of research, policy, and education information.

This document is divided into two parts. Part 1: Implementation Plan Report Card assesses the progress to date by the Wetlands Workgroup. Part 2: Recommendations of the Wetlands Reassessment Task Force discusses the future role and direction of the Wetlands Workgroup.

PART 1: IMPLEMENTATION PLAN REPORT CARD

The progress of the Wetlands Workgroup in completing tasks identified in the existing Implementation Plan is an important first step to assessing and establishing a new course for the Wetlands Workgroup. The evaluation presented below provides a status on assigned tasks and an assessment of why tasks have not been initiated or completed. For those tasks completed, an explanation of the utility of the final product is also included. The report card is organized consistent with the Implementation Plan as summarized in the Task Chart.³

1. DEFINING THE RESOURCE: INVENTORY AND MAPPING

10 Year Mapping & Inventory Program (M1)

The Wetlands Mapping component of the Implementation Plan has been completed and was approved by the Implementation Committee in June 1993. It sets forth a plan of action for tasks related to wetlands mapping in the Bay Watershed. Its purpose is to identify specific directions, resource needs and opportunities for coordination. The principal theme is to ensure coordinated and cost-effective funding and use of wetland map products. Of particular importance is the requirement in the Wetlands Policy Implementation Plan to make wetland mapping products as useful as possible to local governments.

One of the first actions under the Mapping and Inventory Program was the mapping and monitoring workshop held in April 1992, bringing together land use/land cover mapping agencies from all over the Bay Watershed. While it is still too early to determine the success of this plan, the task has been completed.

³The Wetland Implementation Plan Task Chart is attached as APPENDIX B.

Mapping is currently being conducted on several different scales around the watershed. The National Wetlands Inventory (NWI) continues to map and digitize areas where the maps are outdated. Maryland is also mapping wetlands on a larger scale, consistent with the standards outlined in the Wetlands Mapping Implementation Plan, as funding allows. Satellite mapping projects, like the NOAA CCAP and EPA EMAP, are ongoing and currently being assessed through a multi-agency wetlands mapping workgroup of the USGS.

Five-Year Status and Trends Assessment Program (M2)

The two subtasks were 1) to gather existing information into a synthesis report and 2) to conduct a baseline survey (based on late 1980s aerial photography) to be used for subsequent status and trends analyses. The latter task was divided into two phases. The first was to conduct a statistical survey of randomly selected sites across the watershed and its major geographic provinces and the second was to establish the extent and type of all wetlands in approximately 75 USGS quads selected as areas of potentially high development pressure.

Synthesis report notes on topics listed in the Implementation Plan are available, with a draft report due in September 1993. Status and trends work is proceeding on schedule, with final reports also due in September. The technical status and trends report will be developed into a full-color booklet for dissemination to a wider audience in FY 94.

The status and trends reports have missed original deadlines. The synthesis report was begun late due to a lack of staff available for assignment to the project. The status and trends work was delayed due to miscalculations by NWI on time needed for completion, and by delays in funding transfers and contract awards.

Another task under this section is the development of a monitoring and inventory program. A draft prototype monitoring plan was available for dissemination to the Bay Program in June. The plan has received a thorough scientific review. A budget initiative (FY93) to begin implementing the prototype plan was unsuccessful. Further work on this task is contingent on available funding.

Management of Publicly Owned Wetlands (M3)

This task has not been undertaken. Constraints include a lack of information on the boundaries and ownership of lands under public stewardship and a lack of funds needed to identify, digitize and quantify wetlands on these lands in a Geographic Information System. This task may best be accomplished by reducing the scope of the project to a description of how each jurisdiction manages wetlands on its lands and include some case studies of both successful and unsuccessful management practices.

2. PROTECTING EXISTING WETLANDS

Technical Guidelines for Wetlands Protection (P1)

A budget initiative was approved for FY91 money to develop an informational package on wetlands for use by farmers, developers, and local governments. The educational package was to include information on wetland values, threats, protection programs, and techniques. This information would also be used to begin an evaluation of the adequacy, gaps, and linkages among existing regulatory management programs.

The specific tasks in the Wetlands Implementation Plan that should have been completed or partially completed as a result of this project are as follows:

EPAlII	P1.a	Produce wetland protection guidance for landowners, developers, and regulators.
EPAlII	P1.d	Develop a handbook of current wetland protection programs for the public.
VIMS	P2.a	Compile descriptions of existing federal and State programs for managing and protecting wetlands.
PA DER	C2.a	Prepare an inventory of existing and potential incentives for wetland protection.
PA DER	C3.a	Prepare an inventory of existing and potential land acquisition programs for wetlands.
COE Norfolk	E1.b	Expand public education efforts.

The Handbook (P1.d) was to be the overall product and was to include individual chapters with fact sheets on Federal laws and regulations, State laws and regulations for each state, general non-regulatory programs, and specific existing incentive and acquisition programs. This project was never completed because the project lead, the Corps of Engineers, did not receive all information needed to complete the text before the funding received from EPA Region III expired.

All other tasks under this section were based on the completion of this Handbook and have, therefore, not been started, with the exception of the agreement to use the federal delineation manual in all states. This agreement was achieved originally with all jurisdictions using the 1989 Wetlands Delineation Manual. Due to controversy over the 1989 manual, the federal agencies, Virginia, and Maryland have agreed to use the 1987 manual with new guidance as an interim product. Pennsylvania is continuing to use the 1989 Wetlands Delineation Manual.

Wetlands Protection Strategy (P2)

Descriptions of existing federal and State programs were to be completed as part of the above Handbook. Much of this was completed in a draft document but was never circulated. This task must be completed before other protection strategy tasks can be initiated. The Scientific and Technical Advisory Committee (STAC) is currently completing the task of describing existing federal and state programs. An important task that is currently out of sequence in this section, and key to the overall success of the Implementation Plan, is an evaluation of the adequacy, gaps, and linkages among existing regulatory programs. This should be completed immediately after the descriptions of the programs are completed and should also include an evaluation of non-regulatory programs.

The main reason that the protection strategy has not been completed is that the research and analysis involved with both the description of existing programs and the gaps analysis is far too much for one lead State or agency to handle. This task will probably require a year-long effort on the part of the Wetlands Workgroup, with the strong involvement of each State. The focused attention of the Wetlands Workgroup will be required for completion of this section.⁴

Coordinate with Population Growth and Development Subcommittee (P3)

This task has not been started.

Permit Tracking System (P4)

One of the tasks included in the "Protection" section of the Implementation Plan is the requirement to develop, implement, and report annually on the results of a Baywide Permit

⁴The Reassessment Task Force identified the Protection Strategy (P2) as a key building block for the Implementation Plan. However, as currently structured this strategy is a source of confusion.

Tracking System. One of the functions of this task was to monitor the effectiveness of the various protection programs while providing input for the status and trends initiative.

A planning meeting was held at the Virginia Institute of Marine Science in early 1991. During this meeting it became apparent that a number of different and potentially incompatible systems were either currently in use or under development. Consequently, the effort was shifted from a single tracking system to developing a set of common questions that all systems should be capable of answering. However, because this task was not given a high priority by wetland regulatory agencies, work has not proceeded.

Annual and 5-Year Evaluation of Progress (P5)

An annual report was completed for 1991. In lieu of a 1992 annual report, the task of reevaluating the Implementation Plan commenced. No five year reports are due at this point.

3. REHABILITATION, RESTORING AND CREATING WETLANDS

Wetlands Mitigation Program (C1)

Draft criteria for review and approval of mitigation plans have been prepared and reviewed by the Wetlands Workgroup. They are currently being edited for final publication. This project has been delayed based on controversies surrounding wetland regulation, differences between state wetland programs, and an underlying concern about the purpose and audience. The task, as outlined in the Implementation Plan, is not completely addressed. The Wetlands Workgroup decided that a technical document that would allow mitigation plans to be considered in an ecological context was the first step to completing this task.

The overall sequencing of this section needs adjustment. The first task, developing mitigation criteria, is scheduled to be completed before the second task, developing a wetland functional assessment model. The wetland functional assessment model is needed to complete the first task. The functional assessment model was not completed or adopted because the national model "WET" is being revised. The Wetlands Workgroup decided that this revision needed to occur on a national level before the Workgroup agreed to either adopt it or develop another methodology. Despite the concern of the Workgroup, Maryland and Virginia have moved ahead independently in developing assessment methodologies. The last two tasks, investigating fees for less than 1:1 mitigation and public review procedures, were not started.

Formulate and Begin Incentives Program (C2)

Information was collected and compiled for Pennsylvania and requested from Maryland and Virginia. The Handbook being developed under Technical Guidance Programs (P1) was to have incorporated an inventory of existing incentive programs. The handbook was not completed and, therefore, the incentives task is incomplete. Every other task in this section was dependent on the inventory and, therefore, this entire section has not been completed.

Develop Land Acquisition Program (C3)

Information was collected and compiled for Pennsylvania and requested from Maryland and Virginia. The Handbook being developed under Technical Guidance Programs (P1) was to have incorporated an inventory of existing land acquisition programs. The handbook was not completed thus, the land acquisition task is incomplete. Every other task in this section was dependent on the inventory and, therefore, this entire section has not been completed.

5. EDUCATION

Develop Current Information Program (E1)

The U.S. Fish and Wildlife Service developed a questionnaire to collect information on wetlands education programs, training, brochures, films, and videos. Results of the questionnaire indicated that many existing information products are available, but they have not been catalogued. The results of the survey have been collated and, after a brief update, this document will be ready for press. The remaining education tasks were put on hold until the catalog was completed.

Develop Library and Data Base (E2)

The Wetlands Workgroup discussed this task at a meeting in 1992. The Chesapeake Bay Regional Information System data base was to be explored for potential expansion into a system that would provide necessary information to the wetland research and management community. Nothing has been done to explore this option. EPA Headquarters has started a Wetlands Hotline. The information developed for this hotline will be available on a subscription basis so that wetland information can be available as needed. Purchasing a subscription has not been explored by the Wetlands Workgroup. The Wetlands Workgroup has proposed to address this task by identifying and evaluating alternatives within the watershed for developing a "clearinghouse" for research, policy and educational information. A budget proposal was recently submitted to the Living Resources Subcommittee for consideration.

Formulate and Begin Technical Training Program (E3)

Nothing has been initiated by the Wetlands Workgroup. Training programs exist that are sponsored by various members of the Wetlands Workgroup. However, none have been analyzed for adoption by the Wetlands Workgroup on a Baywide scale.

Technical Assistance Program for Local Governments (E4)

With FY91 Chesapeake Bay Program money, the Local Government Advisory Committee (LGAC) developed and completed workshops for local governments. Each workshop provided wetland information through seminars and field trips. The remaining tasks have not been started.

Develop Wetland Curricula (E5)

No new curricula have been developed because the Education Workgroup of the Communications Subcommittee felt that this information already existed. See E1 for details.

6. RESEARCH

Establish Research Process (R1)

A literature synthesis has been completed, using Scientific and Technical Advisory Committee (STAC) funds, on the state of our knowledge of wetland functions. A wetlands research workshop was held in April 1993 between wetlands researchers and state and federal wetland management agencies. Based on the results of this workshop, recommendations are being developed by an ad hoc steering committee. The workshop was designed to allow agency representatives to inform researchers about wetlands management needs. In addition, researchers described present efforts and were able to develop new research ideas to address management needs. After this initial workshop, wetlands research needs will be incorporated into the STAC biennial research needs workshop. STAC is currently completing a research plan which prioritizes wetlands research needs.

Part 2: RECOMMENDATIONS OF THE WETLANDS REASSESSMENT TASK FORCE

Based on the completed reassessment and the status of current and historical efforts by the Wetlands Workgroup to complete tasks identified in the Implementation Plan, the Wetlands Reassessment Task Force recommends that the Wetland Workgroup:

1. Complete selected tasks.
2. Define its role within the Chesapeake Bay watershed and nationally.
3. Initiate and complete a restructuring of the Implementation Plan.

The recommendations should be addressed concurrently recognizing their interdependence.

1. Complete Selected Tasks

The Reassessment Task Force identified the following tasks as the highest priorities of the current implementation plan. The Wetlands Workgroup should move forward and concentrate efforts on completion of the following tasks.

TASKS:

- Five Year Status and Trends Report (M2)
- Synthesis Report (M2)
- Permit Tracking System (P4)
- Mitigation Technical Guidance for Chesapeake Bay (C1)
- Management of Publicly Owned Lands (M3)
- Current Information Program (E1)
- Research Process (R1)

2. Define the Role of the Wetlands Workgroup

The role of the Chesapeake Bay Wetlands Workgroup should be to assist and monitor efforts by signatories of the Chesapeake Bay Agreement in meeting wetlands policy goals. Workgroup activities should be directed to wetlands management issues concerning both tidal and nontidal wetlands. The short-term objectives should be to focus on coordinating with other wetlands management efforts. Restructuring of the Implementation Plan should disclose additional considerations important to defining the role of the Workgroup. Major policy issues, particularly those that are in debate nationally, should not be avoided but must be strategically integrated into the activities of the Workgroup so that they do not create impediments to completion of other tasks.

The Wetlands Workgroup should actively coordinate with other wetlands-related workgroups and Chesapeake Bay Program workgroups to establish a definitive and meaningful role. The outcome should be a clear understanding of how the Wetlands Workgroup should interact within the Chesapeake Bay Program and how its role can compliment other workgroup efforts. The Wetlands Workgroup should not only be able to solicit comments on its own initiatives but comment on the proposals of other workgroups. This will reduce duplication of effort and ensure that the needs of wetlands managers in the Chesapeake Bay region are being fulfilled. A strong network for coordination of wetlands related efforts in the Chesapeake Bay and nationally will result.

The Wetlands Workgroup should also begin developing the framework for a "clearinghouse" for research, policy, and educational information. By establishing an effective clearinghouse, the Workgroup can act as a bridge between the research and management communities. With a clearinghouse mechanism in place, existing information can be

summarized in ways useful to managers, routed to appropriate decision-makers, and research can be targeted to solving real-world management problems. Wetlands Workgroup meetings can augment this function by being issue oriented.

As a starting point for coordination efforts, the Wetlands Reassessment Task Force recommends that the Wetlands Workgroup coordinate with the Habitat Objectives/Restoration Workgroup on the development of a habitat restoration strategy. This strategy should focus heavily on the restoration of wetlands and should rely on the expertise available in the Wetlands Workgroup.

TASKS:

- Review and comment on the draft Habitat Restoration Strategy and hold a joint meeting, if necessary, with the Habitat Objectives/Restoration Workgroup.
- Develop and submit to the Living Resources Subcommittee a scope of work for the "clearinghouse" and submit for FY94 funding.
- Assign a contract or project manager and establish the framework for the clearinghouse.
- Prepare a "Mission" statement for the role of the Wetlands Workgroup consistent with the Implementation Plan restructuring.

3. Restructuring the Implementation Plan

In restructuring the Implementation Plan, the products of the Workgroup must support the ongoing efforts by each of the participants. Further, the plan must proceed along a logical

course with each step building on the previous accomplishment. The Reassessment Task Force spent considerable time in analyzing the current structure of the Implementation Plan. The consensus was that the sequence of the Plan needed adjustment and bridges needed to be built between broad policy goals and detailed tasks. To provide a "road map" for the Workgroup in restructuring the Plan, the Task Force developed a flow chart of our vision of the critical path to meeting the wetlands policy goals.⁵

STEP ONE

A baseline of wetlands acreage from which we can measure the success of our existing and future wetlands management efforts must be developed. This has been accomplished, in part, through the Baywide Wetlands Mapping Strategy and the ongoing Status and Trends Report. However, both the mapping and the status and trends projects only give a broad view of the overall changes in wetland acreages. While the status and trends project can detect how former wetland acreage has changed (e.g. developed land or agriculture), no information on regulatory and nonregulatory effects can be surmised. In order to more accurately evaluate the success of our regulatory efforts, we must develop, update, and maintain permit monitoring programs and mechanisms for measuring non-regulatory gains and losses in each jurisdiction. What kind of tracking system each jurisdiction adopts is not important. What matters is that each jurisdiction can provide the same output data. By developing a methodology for assessing changes in wetlands acreage through a status and trends analysis and an accurate monitoring process, we can assess our collective abilities to meet the "no net loss goal". In the future, efforts must also focus on measuring changes in wetland functions. This will require the development and acceptance of a functional assessment methodology.

⁵The vision is graphically represented in APPENDIX C.

TASKS:

- Coordinate with USGS Wetlands Mapping workgroups.
- Develop a standard set of output data for all permit tracking systems.
- Develop a system for tracking non-regulatory losses and gains.

STEP TWO

The next step in restructuring the Implementation Plan is to evaluate the effectiveness of existing regulatory and non-regulatory programs in achieving the "no net loss goal" through a "gaps analysis". The Wetlands Workgroup has been involved in several unsuccessful efforts to identify gaps, including a matrix circulated by the Reassessment Task Force. The gaps analysis is fundamental to the restructuring process. To overcome past obstacles, the Task Force recommends that the gaps analysis be done by an independent party. Further, a useful gaps analysis should not only identify deficiencies but highlight successes in ongoing programs so that other jurisdictions can benefit from those examples.

TASKS:

- Develop a scope of work for the "gaps analysis" and submit for FY94 funding.
- Assign a contract manager for the "gaps analysis" and complete project by January 1, 1995.

CONCLUSION

The Wetlands Workgroup is a vital entity which can effectively facilitate improvement of wetlands management in the Chesapeake Bay watershed. In order for this to become a reality, all parties represented on the Wetlands Workgroup must renew their commitment by allocating the necessary resources. To date, the level of commitment by the those organizations

represented on the Workgroup has been sporadic and lackluster. As detailed above, many ongoing tasks must be completed and some new directions need to be taken. In restructuring the Implementation Plan, the products of the Workgroup must support the ongoing efforts by each of the participants. With the recommended completion of specific tasks, redefining the role of the Workgroup and restructuring the Implementation Plan, much can be accomplished in ensuring that the "no net loss" and "net resource gain" goals of the Chesapeake Bay wetlands policy are achieved.

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CHESAPEAKE BAY BASINWIDE WETLANDS STRATEGY
Strategy Implementation Action Plan

TITLE	IMPLEMENTATION DATE	LEAD AGENCY	STATUS
MAPPING AND INVENTORY (M)			
<u>10 Year Mapping and Inventory Program (M1)</u>			
M1.a	Developing regional 10 year mapping strategy	MD	Strategy completed, IC review June 1993. Implementation has begun on some pieces prior to approval. Effective in getting consensus on mapping standards in the Bay area.
M1.b	Accomplish mapping strategy developed above as resources permit	MD	USGS workgroup working on mapping accuracy of different data bases (CCAP, NWI, NRI, etc). MD working w/NWI to make sure mapping stds for larger scale mapping are consistent w/NWI.
M1.c	Make hard copy maps available to public	MD	Not completed. No system.
M1.d	Establish clearinghouse of aerial photography with updated inventory	MD	Strategy addresses issue but no clearinghouse in effect. Unclear if this is necessary or if a general list of aerial photos and locations is what is necessary.

CHESAPEAKE BAY BASINWIDE WETLANDS STRATEGY
Strategy Implementation Action Plan

TITLE	IMPLEMENTATION DATE	LEAD AGENCY	STATUS
<u>Five Year Status and Trends Assessment Program (M2)</u>			
M2.a	Define baseline conditions to measure loss or gain 9/90-[9/91]9/92	FWS	2 parts: synthesis of info and baseline survey. Both are late but will be drafted by Sept. Problem w/synthesis was lack of personnel and low priority. Baseline survey late because of delays in funding transfers and miscalculation by NWI on time needed for completion.
M2.b	Design monitoring and inventory program for watershed wetlands 6/90-[9/91]12/91	NOAA	Draft prototype plan available for dissemination to Bay Program in June. Plan received thorough scientific and Wetlands Workgroup review. Budget initiative (FY93) to begin implementing plan unsuccessful. Further work contingent on available funding.
M2.c	Produce status and trends assessment [1995]1997 (every 5 years)	FWS	Deadline not missed.

CHESAPEAKE BAY BASINWIDE WETLANDS STRATEGY
Strategy Implementation Action Plan

TITLE		IMPLEMENTATION DATE	LEAD AGENCY	STATUS
MAPPING AND INVENTORY (M) (CONT)				
<u>Management of Publicly Owned Wetlands (M3)</u>				
M3.a	Identify wetlands on publicly owned land	3/91-3/93	FWS	Not undertaken. Constraints include lack of information on the boundaries and ownership of public lands, a lack of funds to identify, digitize and quantify wetlands on these lands in a GIS, and low priority given to complete this work.
M3.b	Evaluate effectiveness of agencies' stewardship	6/95-12/95 every 5 yrs	FWS	
PROTECTING EXISTING WETLANDS (P)				
<u>Technical Guidelines for Wetlands Protection (P1)</u>				
P1.a	Produce wetland protection guidance for landowners, developers and regulators	9/90-12/91	EPAlII	See P1.d
P1.b	Evaluate proposed projects using guidance document	9/92-ongoing	EPAlII	No guidance document completed, no evaluation can be done
P1.c	Evaluate effectiveness of Guidance document	1995, every 5 yrs	EPAlII	See above

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TITLE		IMPLEMENTATION DATE	LEAD AGENCY	STATUS
PROTECTING EXISTING WETLANDS (P) (CONT)				
P1.d	Develop handbook of current wetland protection programs for public	to be determined	EPAlII	This combined P1.a & b, C2.a, C3.a, E1.b and COE/Balt funded to complete. Never completed because unable to get info from various sources, funding vehicle expired, and unclear who users of product would be.
P1.e	Use Delineation manual in all States	12/90 ongoing	EPAlII	All were using 89 manual until national guidance to go back to 87 manual w/amendments. This issue is still in flux.
<u>Wetlands Protection Strategy (P2)</u>				
P2.a	Compile description of existing federal and state programs for managing and protecting wetlands	9/90-[6/91]12/91	VA	See P1.d
P2.b	Conduct demonstration projects for Wetlands policy implementation	9/90-ongoing	VA	Not completed
P2.c	Develop Bay management strategy based on existing programs and info.	12/91-12/92	VA	Not started

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TITLE	IMPLEMENTATION DATE	LEAD AGENCY	STATUS
<u>PROTECTING EXISTING WETLANDS (P) (CONT)</u>			
P2.d Target resources for wetlands management strategy	92-95	VA	Not started
P2.e Evaluate adequacy, gaps, and linkages among existing regulatory programs	1/92-12/92	VA	Waiting for completion of P1.d
P2.f Revise state and federal programs as part of 5 year evaluation	1995, every 5 years	VA	Not started yet
<u>Coordinate with Population and Growth Development Subcommittee (P3)</u>			
P3.a Identify land use controls for wetlands for incorporation into Subcommittee proposals	9/90-ongoing	LRS	PG&D is not an active Subcommittee to coordinate with.
<u>Permit Tracking System (P4)</u>			
P4.a Investigate existing systems like NMFS, ACE, etc. for usefulness	9/90-12/90	ACE-B	Project behind. To date we have agreed not to use same permit tracking systems but will trade information and develop a list of common questions all systems must answer.

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TITLE	IMPLEMENTATION DATE	LEAD AGENCY	STATUS
PROTECTING EXISTING WETLANDS (P) (CONT)			
P4.b Initiate or refine tracking programs to increase compatibility	1/91-12/91	ACE-B	When (a) is completed, will begin this task
P4.c Produce report of data for annual report	6/92, annually	ACE-B	When (a) is completed, will begin
<u>Annual and 5-Year Evaluation of Progress (P5)</u>			
P5.a Produce annual report of progress in accomplishing policy goals	[12/90]12/91 annually	EPA-CBP	Annual rpt completed for 91, Reassessment began in 92 in lieu of annual report.
P5.b Produce 5 year summary of progress in accomplishing policy goals based on status and trends	[12/95]12/97 every 5 yrs	EPA-CBP	
P5.c Produce report on program evaluations and recommended improvements	[1/92-12/92]1995	EPA-CBP	
<u>REHABILITATION, RESTORING AND CREATING WETLANDS (C)</u>			
<u>Wetlands Mitigation Program (C1)</u>			
C1.a Develop advisory criteria for review and approval of mitigation plan	10/90-12/91	FWS	

Plan is drafted and undergoing technical review. This project has been delayed based on controversies surrounding wetland delineation and regulation and an underlying concern about the purpose and audience of this document.

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TITLE	IMPLEMENTATION DATE	LEAD AGENCY	STATUS	
<u>REHABILITATION, RESTORING AND CREATING WETLANDS (C) (Cont)</u> <u>Wetlands Mitigation Program (C1) (cont)</u>				
C1.b	Develop and adopt wetland assessment model to determine wetland functions affected	10/91-6/92	MD	Project was put on hold while EPA revised WET.
C1.c	Investigate feasibility of fee system for less than 1:1 mitigation	to be determined	FWS	Not started. Seen to follow C1.a.
C1.d	Recommend and adopt improvements to existing public review procedures	1/92-12/92	FWS	Not started. Low priority in Reassessment survey.
<u>Formulate and Begin Incentives Program (C2)</u>				
C2.a	Prepare Inventory of existing and potential incentives for wetland protection	9/90-[9/91]3/92	PA	See P1.d. Information was collected and compiled for PA and requested from MD and VA. Handbook was to incorporate this information.
C2.b	Review existing programs and recommend how to incorporate incentives	[9/91-12/91] 1/92-10/92	PA	Need completion of (a) above to begin on (b)
C2.c	Institute recommendations and make info. available to targeted organizations	to be determined	PA	Need completion of (a) above.

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<u>TITLE</u>	<u>IMPLEMENTATION DATE</u>	<u>LEAD AGENCY</u>	<u>STATUS</u>
REHABILITATION, RESTORING AND CREATING WETLANDS (C) (Cont)			
<u>Develop Land Acquisition Program (C3)</u>			
C3.a Prepare inventory of existing and potential land acquisition programs for wetlands	1/91-12/91	PA	Part of P1.d. Information was collected and compiled for PA and requested from MD and VA. Handbook was to incorporate this information and was never completed.
C3.b Review and recommend improvements to acquisition programs in regard to implementation objectives in P2	1/92-9/92	PA	Need completion of C3.a.
C3.c Institute recommended changes	to be determined	PA	Need completion of C3.a-b.
C3.d Evaluate program effectiveness	to be determined	PA	Need completion of C3.a-c
EDUCATION (E)			
<u>Develop Current Information Program (E1)</u>			
E1.a Develop current info. prog. Produce film and slide show on values of wetlands and importance of land use planning	10/90-9/91	ACE-N	Not completed. Did not receive a high priority from workgroup

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TITLE		IMPLEMENTATION DATE	LEAD AGENCY	STATUS
EDUCATION (E) (Cont)				
E1.b	Expand public education efforts	to be determined	ACE-N	Not started.
E1.c	Facilitate public involvement in task implementation	10/90-ongoing	wrkgrp	not started
<u>Develop Library and Data Base (E2)</u>				
E2.a	Work with wetland data users to identify baywide system	12/90-ongoing	EPA- CBP	Not started
E2.b	Implement recommendations	6/91-ongoing		
<u>Formulate and Begin Technical Training Program (E3)</u>				
E3.a	State designate state wetland training and technical assistance coordinators	10/90-ongoing	EPAlII	Not started
E3.a.1	Identify training and assistance needs	10/90-12/90	EPAlII	Not completed. Training programs already in place in the Region III office, at VIMS, and in MD.

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TITLE	IMPLEMENTATION DATE	LEAD AGENCY	STATUS
EDUCATION (E) (Cont)			
E3.a.2 Develop Training schedules and identify training sites	1/91-3/91	EPAlII	Not started
E3.a.3 Develop recommendations for assistance to local mgmt. efforts	3/91	EPAlII	Not started
E3.a.4 Administer training program	3/91-ongoing	EPAlII	Not started
E3.a.5 Make recommendations on common set of standards for certification for wetland managers in Bay states	to be determined	EPAlII	Not started
E3.b Designate federal agency trainers to assist in production of training programs	3/91, annually	EPAlII	Not started
E3.c Adopt certification standards	not specified	EPAlII	Not started
Develop Technical Assistance Program for Local Governments (E4)			
E4.a Develop and exchange information on local tech. assistance to increase coordination	12/90-ongoing	LGAC	Series of workshops for local govts were funded in FY91.
E4.b Implement recommendations from E3.a.3 and E4.a	to be determined	LGAC	Not started

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TITLE		IMPLEMENTATION DATE	LEAD AGENCY	STATUS
EDUCATION (E) (Cont)				
E4.c	Establish central information sources	9/90-3/91	LGAC	Not started
<u>Develop Wetland Curricula (E5)</u>				
E5.a	Work with public school educators to develop curricula for public schools	3/92-6/92	FWS	After task was presented to Education Workgroup and others, determined that sufficient education materials exist for wetlands and no new curricula needed to be developed. In lieu of development of new curricula, a compendium of curricula and training opportunities was developed and is being updated for print.
E5.b	Develop curricula for institutions of higher learning	3/92-6/92	FWS	
E5.c	Develop packaged curriculum for optional use by schools based on recommendations of E5.a and E5.b	6/92-12/92	FWS	

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TITLE		IMPLEMENTATION DATE	LEAD AGENCY	STATUS
RESEARCH (R)				
<u>Establish Research Process (R1)</u>				
R1.a	Organize research structure	10/90	VA	Workshop was held in April 1993 and recommendations are being developed by an ad hoc steering committee based on the results of this workshop.
R1.b	Inventory ongoing research, wetlands management issues, and research funding programs	9/90-3/91 every 2 years	VA	Workshop addressed these issues
R1.c	Distribute inventories generated in R1.b to participants identified in R1.a. Convene participants to review projects	9/91 every 2 yrs	VA	ad hoc steering committee is currently reviewing minutes from workshop.
R1.d	Develop and implement procedures to ensure availability of information	9/91-ongoing	VA	

Wetlands Implementation Plan Reassessment

Baywide Protection Strategy

Every 5 Years

No Net Loss/
Net Gain

How Do We Measure Success?
Mapping/Monitoring/Status & Trends
Tracking of Regulatory Losses/Gains
Research Functions

Protect Existing Wetlands
To the Extent Possible

Baseline for Late 80's
Trends Baywide (loss and cause)
Summary of Problems

Tiner Report Due October 1993

Summary of Existing Programs
Gaps Analysis
Highlight Successes

Request FY94 funds to complete

Reducing Losses

Sharpen Programs

Coordination
W/Other Groups

Managing Losses

Restoration
Identify locations
Design Criteria

Nonregulatory

Partners in Wildlife

Regulatory

Mitigation

Technical Assistance
Regulatory Changes
Education

Delegation Authority
Regulatory Maps

WETLANDS IMPLEMENTATION PLAN REASSESSMENT BAYWIDE PROTECTION STRATEGY

While the Wetlands Policy and the Wetlands Policy Implementation Plan both set as a goal no net loss with a long term net gain of the wetland resources in the Chesapeake Bay watershed, the implementation plan did not describe the relative importance and critical pathways of the individual tasks. Because of this omission, and because the timeframe of the Implementation Plan was overambitious, the Wetlands Workgroup did not focus on some of the tasks that were pivotal to achieving these goals. Figure 1 is a flow chart of the tasks from the Implementation Plan that will help the Wetlands Workgroup focus on the critical path to achieve the goals.

The goal of the Policy, as stated above, is no net loss with a long term net gain of the wetlands resource. One of the first tasks of the Wetlands Workgroup should be to define this goal. While the Policy describes the goal as no net loss of acreage and function, the way the progress toward this goal is monitored (mapping, monitoring and status and trend tasks) will depend on a more detailed definition. For example, if part of the no net loss goal is the number of acres by type of wetlands in the Bay watershed, a baseline would have to be established. Another consideration would be whether or not a gain in nontidal wetlands in one jurisdiction could offset the loss in another. At the same time, if no net loss of wetland functions is part of the goal, as described in both the Wetlands Policy and the Wetlands Implementation Plan, more research on how to measure function must become a priority.

Because the state of the science of mitigation and restoration is still in relative infancy, restored and created wetlands still do not function as well, overall, as natural wetlands. It should therefore be the priority of the Chesapeake Bay Program to protect the existing wetlands to the extent possible. To ensure protection of existing wetlands, a baseline of existing wetlands by type must be the first task. At the same time, it is important that the workgroup understand the causes of any losses or gains. Funded through the Chesapeake Bay Program, a report will be completed in October, 1993, reporting on a statistical baseline and a description of trends for the overall watershed, as well as more detailed trends of areas under high growth pressure.

With status and trends information completed, the next step along the critical path is a summary of existing regulatory and nonregulatory programs that affect wetland resources. This summary would not only look at each available program for each jurisdiction in the Bay watershed, it would also look at how the programs work together, where there are potential overlaps and where the gaps are occurring. This analysis is critical to the prioritization of other wetlands implementation tasks because the priorities should be focused on decreasing the overlaps and filling the gaps, and it is the recommendation of the Wetlands Implementation Plan Reassessment Taskforce to fund such an analysis in the FY94 Chesapeake Bay Program funding cycle.

After the analysis is complete, the Wetlands Workgroup would be able to focus on two areas, reducing losses and managing losses. Reducing losses would be focused initially on sharpening programs to address the gaps and overlaps identified in the above analysis. Tasks under this area would be focused on protecting the existing wetlands through better programs,

regulatory changes, technical assistance, education and research. Tasks could include looking into areas such as delegation authority to address potential overlaps, or regulatory maps to address potential gaps in information. Another focus in this area could be outreach to local community groups to assist them with the protection of the wetlands in their community.

While reducing losses would be the priority in this flow chart, it is recognized that, with existing programs, some losses will continue to occur. These losses would include those wetland resources that fall through the cracks of existing programs, as well as areas being lost through natural causes such as sea level rise and subsidence. The most effective way to manage these losses is through a restoration program. Restoration occurs both through the regulatory program, through mitigation, and through nonregulatory programs such as Partners in Wildlife through the U.S. Fish and Wildlife Service. This area would also include education and research -- education in the technical field to ensure training in the latest restoration techniques, and research and demonstrations to ensure development of state of the art restoration techniques continues in the watershed.

This flow chart represents a dynamic, rather than a static process. Evaluations would take place, at different levels of review. Regulatory programs could be analyzed annually through the permit tracking process, to ensure that losses that are occurring under the regulatory program are being mitigated. At the same time, every five years, an evaluation of the status, the trends, and the gaps and overlaps should be completed to ensure that the focus remains on protecting existing wetlands, as the information and expertise available to the Wetlands Workgroup increases. It is envisioned that, as the programs get stronger, more wetlands will be protected through reducing losses and fewer losses will need to be managed through restoration.

