

Meeting Minutes  
Chesapeake Bay Program Wetland Work Group  
May 29, 2013

Participants

Name	Organization
Bernie Marczyk	Ducks Unlimited
Denise Clearwater	MD Dept. of the Environment
Debra Hopkins	USFWS
Rich Mason	USFWS
Chris Spaur	U.S. Army Corps of Engineers
Shelby Reisinger	PA Dept. of Environmental Protection
Ken Yetman	MD Dept. of Natural Resources
Alana Hartman	WV Dept. of Environmental Protection
Sarah Nicholas	The Nature Conservancy (PA)
Sidney Freyermuth	PA Dept. of Environmental Protection

Notifications. The meeting began with an announcement of the U.S. Fish and Wildlife Foundation grant, which offers up to \$750,000 for habitat restoration. Multi-state efforts are favored, but after meetings in VA and MD these States were not ready to submit a proposal for this year. Ducks Unlimited and the Nature Conservancy are preparing a proposal. The deadline for submittal is June 6.

National Wetland Inventory. The Work Group was informed of the National Wetland Inventory map updates in Maryland and the James River watershed in Virginia. These will be NWI+ maps with functional rankings by wetland type. Draft maps are available from Ralph Tiner at NWI/USFWS for review and comment. A status and trends analysis will be performed for 60 quads. Ralph Tiner also requested feedback on the wetland attributes used in the functional assessment, and will consider suggestions for 20 quads in the study area for inclusion in the status and trends analysis. Denise Clearwater will send links to the documents describing the methods in the functional analysis. Comments should be sent to Denise for a coordinated response to Ralph Tiner. The project is scheduled for completion by October 2013.

BMP Verification Protocol. The Work Group held a discussion on the draft protocols for verification of wetlands restored or created as BMPs for nutrient and sediment reduction.

There was concern about the lack of a unique identifier for individual projects, which could protect privacy while avoiding duplication. This topic may be discussed further.

Several meeting attendees noted that current follow up is very basic, and limited records are kept. There was a general consensus that the verification protocol should be

very simple, or it would not be followed. A checklist that could be completed within a few minutes was favored. There would not be a formal wetland determination, but a predominance of wetland vegetation, presence/absence of planned hydrology, and location on hydric soil was considered feasible. A suggestion was made to create an application for a device such as an iPad, that could be uploaded with pictures to a designated site. Denise Clearwater will request that the Chesapeake Bay Program provide support in developing the application.

Long-term monitoring was not considered likely to happen. WRP projects may be an exception.

Denise Clearwater will revise the draft protocol based on the discussion at the meeting and circulate a new draft for comments. Comments are requested by June 21. The final document is due on July 1 to the Chesapeake Bay Program.

Voluntary Restoration Goals. The next topic was on the wetland acreage goals. There are two different stated goals, one for 30,000 acres to be created and/or restored between 2011 and 2025, and another goal based on nutrient reduction targets in the watershed implementation Plan (WIP), for over 500,000 acres to be gained during the period 2000-2025. There are two different reporting requirements. There are over 180,000 acres remaining to achieve the balance of this goal, which includes wetlands created or restored on agricultural land and urban (stormwater) wetlands. In addition, there is another goal for establishing habitat to support 100,000 black ducks. This goal will be expressed as another wetland gain goal. There has been some confusion when the Chesapeake Bay Program reports numbers of wetland gains, as they reflect progress toward the nutrient reduction goal. The Wetland Work Group has been asked by the Habitat Goal Implementation Team to recommend on whether or not there should be: 1) a single goal; 2) retain the current stated goals, one for 30,000 acres of habitat-focused gain plus the urban wetland BMPs; or 3) retain the current WIP goal plus a new habitat-based goal.

Attendees agreed to retain two goals, with one goal focusing on more on habitat-based gains rather than acreage gained through stormwater management (SWM) wetlands, though it is recognized that SWM wetlands do also provide some habitat benefit. The Work Group agreed to wait for and consider the results from the black duck study before recommending a habitat-based wetland goal. The Work Group will also request that the Chesapeake Bay Program clarify that it is reporting on SWM wetlands when reporting wetland gains.

Permitting of Restoration Projects. This was the topic of the October 2012 Habitat Goal Implementation Team meeting. The Chesapeake Bay Program has had some meetings with federal agencies on this topic, though State agencies have not been included in these discussions. There is a recognized need for timely completion of good restoration projects. Practitioners are frustrated with the need for permits, information requirements, and delays. Regulatory agencies are frustrated by poor coordination, incomplete applications, and proposed projects that fail to meet regulatory requirements.

A question was posed about the extent of the issue. In Pennsylvania, there is an expedited process which has worked well on occasion, but it is becoming more difficult to reach consensus. A reduction in voluntary wetland gains may be the result of competition for sites needing wetland mitigation, particularly from impacts in Marcellus shale.

A response prior to the meeting from Virginia indicated that for tidal wetland creation, there are general permits that appear to be working well.

Restoration permitting may be a larger issue in Maryland than other States. Maryland does have an expedited process for certain types of projects. A suggestion was made to make federal Nationwide 27 permit pre-construction notification requirements with Maryland's expedited authorization.

The consensus was that the issue should be resolved within individual States. The role of the Wetland Work Group would be to exchange information on approaches that may help resolve the issue.

Wetland Rehabilitation. These are projects that restore degraded wetlands to their previous condition. Rehabilitation is a common practice but does not currently receive credit in the model for nutrient reduction. The Habitat Goal Implementation Team has requested that the Chesapeake Bay Program form an expert panel to review literature and recommend efficiencies for a new BMP for wetland rehabilitation, as well as revising the efficiencies for existing wetlands.

The Work Group was asked about which project types would be appropriate for the new BMP. Suggestions were to include the plugging of ditches and the opening of levees or dikes, which would restore pre-existing hydrology.

Denise will circulate the draft scope of work for the expert panel.

RAMSAR Designation. The Work Group was forwarded a request from an assistant to Kim Connolly, who is chair of the US National RAMSAR Committee. She is seeking information related to the 1987 designation of the Chesapeake Bay Estuarine Complex; contact information; contact information for those wishing to be included on the RAMSAR email list; and activities held during May for National Wetlands Month. Bernie Marczyk will prepare a response.

## ACTION ITEMS

- 1) For those who are interested, review the methods used in NWI+ functional assessment and send comments to Denise. Interested persons may also recommend quads in the Maryland and Virginia study areas to be part of the status and trends analysis.

- 2) Review latest draft BMP verification protocol and provide comments to Hannah Martin. Deadline: June 21.
- 3) Request Chesapeake Bay Program assistance in developing an application for recording post-construction information.
- 4) Review draft scope of work for expert panel and provide comments to Hannah Martin. Deadline: June 21.
- 5) Bernie will respond to the RAMSAR request.

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