



The Association of State Wetland Managers, Inc.

"Dedicated to the Protection and Restoration of the Nation's Wetlands"

Priorities for State Wetland Programs in the New Administration

The Association of State Wetland Managers (ASWM) was established in 1983 to promote and enhance protection and management of wetland resources, to promote application of sound science to wetland management and to provide training and education for our members and the public. Currently thirty-nine states are members of the ASWM and state staffs from all 50 states as well as interested tribes, corporate and consultant interests participate in ASWM information transfer, education, program development, and training activities. The goals of ASWM include:

- Improve the coordination of wetland programs and policies at all levels of government
- Translate wetland science into fair and reasonable government policies
- Help states develop and implement wetland conservation and regulatory programs
- Integrate wetlands into broader landscape and resource management initiatives
- Provide training and capacity building for state wetland programs
- Build conservation and restoration partnerships among states, tribes, local governments, nonprofits, and other interested parties
- Encourage minority participation in wetland protection, restoration and management

A New York Example of Cost Savings from Natural Infrastructure

Numerous case studies have highlighted the cost-savings of natural vs. manmade infrastructure, including the New York Staten Island Bluebelt project where stormwater is controlled using existing natural drainage systems, e.g., streams, ponds, and wetlands. The Bluebelt "now includes about 400 acres of freshwater wetland and riparian stream habitat and almost 11 miles of stream corridor...[and]... it has successfully removed the scourge of regular flooding from southeastern Staten Island, while saving the City \$300 million in costs of constructing storm water sewers."¹

Just over half of the wetlands in the lower 48 states (an estimated 116 million acres) have been lost through conversion to upland or open water since the American Revolution. Currently wetlands make up an estimated 5% of the surface area of the lower 48 states. These remaining wetlands deliver important natural ecosystem services² that benefit all Americans including the ability to maintain and improve water quality, soak up excess stormwater runoff, reduce flood damages, replenish drinking water supplies, buffer damage from storm surges along coastlines, and maintain healthy and abundant fish and wildlife populations. Wetland protection and restoration has been shown to be a viable tool to help reduce harmful algal blooms that are plaguing the nation's waterbodies resulting in lost

¹ Appleton, A. (2012). The Staten Island Bluebelt: A Study in Sustainable Water Management. Retrieved September 9, 2013, from The Cooper Union: <http://cooper.edu/isd/news/waterwatch/statenisland>

² Ecosystem services, also referred to as "natural capital," are the goods and services provided by the natural functions of nature which contribute to human well-being

recreational opportunities and even impacting public drinking water supplies. A 2011 report by Southwick Associates (a market research, statistics, and economics firm specializing in the outdoor recreation markets) estimates that the loss of wetlands in the U.S. since the 1950's has resulted in an economic loss of more than \$81 billion in wetland related ecosystem services.³ The Outdoor Industry Association in its 2012 report estimated annual expenditures of \$91.9 billion in gear- and travel- related sales, \$34.7 billion generated in jobs, and \$12.1 billion in federal, state and local taxes from fishing, hunting, and wildlife viewing alone.⁴ Sustainable fish and wildlife populations to support these industries are heavily dependent on healthy wetlands. The Millennium Ecosystem Assessment gave wetlands world-wide a value of \$15 trillion in 1997.⁵ A report on the impact of wetland restoration on local economies found that every dollar spent on coastal wetland restoration returns \$1.90 in economic activity.⁶

ASWM works closely with states, federal agencies, tribes, the regulated community, consultants, academia and many other partners who share an interest in state wetland programs and the health of water resources. We look forward to working with the new Administration to improve and establish policies and programs to support these goals. We believe that healthy, resilient wetlands and other aquatic resources support many of the goals of the Administration including investing in cost-effective water and environmental infrastructure, safeguarding clean drinking water, and keeping our nation's economies strong and resilient.

ASWM seeks to assist the Administration in achieving results from the following priorities for state wetland programs (both voluntary and regulatory).

1. **Supporting open communications between Federal and State Agencies.** The Clean Water Act and other federal statutes addressing environmental protection as well as natural hazard reduction provide the framework for federal and state government to work together to achieve statutory goals. Changes in federal policy may have impacts or unintended consequences to state programs that may not be anticipated by federal agencies. In addition the public often does not distinguish between federal and state programs and may mistake federal program changes for changes in state programs, which ends up undercutting state authority. Consistent, open communication is therefore very important and we hope the Administration will support the continuation of effective federal-state partnerships. For example the Administration has established eliminating the Clean Water Rule as a priority action. Regardless of the position individual states have taken with respect to the Clean Water Rule, national consistency and

³ Southwick Associates, Fernandina Beach Florida. 2011. *The Economics Associated with Outdoor Recreation, Natural Resources Conservation, and Historic Preservation in the United States*. Prepared for the National Fish and Wildlife Foundation.

⁴ Outdoor Industry Association. 2012. *The Outdoor Recreation Economy*

⁵ Millennium Ecosystem Assessment, 2005. *Ecosystems and Human Well-being: Synthesis*. Island Press, Washington, DC

⁶ *Restoration Returns: The contribution of Partners for Fish and Wildlife Program and Coastal Program Restoration Projects to Local U.S. Economies*. 2013. U.S. Fish and Wildlife Service

clarity on the extent of Clean Water Act jurisdiction is important not only to states who carry out programs through a combination of state regulations and the Clean Water Act but to the public and permit applicants as well. Relying on a case-by-case approach for jurisdictional determinations can cause confusion for states and property owners, leading to longer times for decisions and greater costs, particularly when jurisdiction is interpreted differently by courts throughout the country, such as occurred following the Rapanos/Carabell Supreme Court Decision (2006).

2. **Encouraging state assumption of the Clean Water Act Section 404 Permit Program.** Section 404(g) of the Clean Water Act allows states to assume the Section 404 permit program in lieu of the Army Corps of Engineers. While 46 states implement Section 402 of the Clean Water Act (the point source permitting program) only two states (Michigan and New Jersey) implement the Section 404 permit program. Even though only two states have undertaken Section 404, another twenty-one states issue state permits for dredge and fill activities. There are potentially a significant number of states interested in Section 404 Program assumption if existing barriers are overcome. Over the years thirty states have explored assumption, but rejected pursuing it due to lack of resources, uncertainty over the extent of waters that can be assumed, and the need for significant modifications to existing state statutes and regulations. Most recently these have included states such as Oregon, Alaska, Minnesota, and Virginia. We hope the new Administration will be interested in working with ASWM, states and other state nonprofit organizations to remove the current barriers to state assumption of the Section 404 program.
3. **Fully funding Clean Water Act programs including Wetland Program Development Grants.** The ASWM supports fully funding Clean Water Act grant programs to states and tribes including State and Tribal Assistance Grants, §106 grant funding, and §319 nonpoint source program grants. In particular, the §104(b)(3) Wetland Program Development Grants are very important to states. These program funds support development of state capacity to protect wetlands, water quality and aquatic resources through wetland programs nationwide. Wetland Program Development Grants provide critical resources that benefit not only individual states but water quality nationwide recognizing that water resources often flow across state lines. In addition states have a longstanding interest in expanding the eligible activities under this grant program to include program implementation.
4. **Offering technical support and training to state wetland programs to deliver effective and efficient permitting that ensures compliance with state water quality requirements and other applicable standards.** Delivery of balanced, efficient state wetland regulatory programs is important. Permit applicants desire consistent requirements and the timely issuance of permits. The general public desires clean water and its attendant benefits including recreational opportunities and abundant fish and wildlife, as well as protection from natural hazards such as flooding. Successful wetland programs can achieve all of these objectives by incorporating sound science and legally defensible policies. Often innovation and program improvement is

accomplished through peer to peer sharing, training, and exploration of new scientific findings and technology as well as information about recent court cases and changes in federal programs and policies. In fact, cooperation and consensus-based agreements can sometimes lead to successful environmental outcomes that are less costly than existing regulations—either through improvements in the regulatory program or development of new nonregulatory initiatives. ASWM has a long history of assisting states achieve these goals, and is uniquely positioned to help states learn from each other’s experiences.

- 5. Providing accurate maps of the nation’s aquatic resources.** The lack of ample, clean water is a growing concern across the United States. An important tool in addressing this issue will be up to date and accurate maps of the location of water resources including streams, lakes, rivers, wetlands and groundwater. For many reasons, but primarily due to lack of adequate funding, many existing maps of water resources are not accurate. For example the National Wetlands Inventory, maintained by the U.S. Fish and Wildlife Service, provides critical, detailed information on the abundance, characteristics and distribution of U.S. wetlands, but is based largely on imagery from the 1980’s and urgently needs updating with state-of-the-art mapping tools. Wetlands and other water resources are changeable in size and quality due to changes in land use, weather patterns, and other drivers. Accurate maps of the location and distribution of water resources is essential to sound decision making by both government and developers when rebuilding infrastructure and conserving water for a wide variety of users including business and industry. ASWM has provided leadership and has facilitated the sharing of state-of-the-art wetlands mapping techniques and innovations among states, agencies, academic institutions, consultants, and businesses.

- 6. Leveraging opportunities to reduce pollution and natural hazards, protect drinking water, and reduce costs through natural infrastructure solutions.** Pollution from nonpoint source runoff and streambank erosion continues to be a significant threat to the nation’s water quality and people’s use of our nation’s water resources. Flood damages are also on the increase as are wildfires and droughts. Wetlands, floodplains, stream buffers, living shorelines and other forms of natural infrastructure are widely recognized as natural, cost-effective and sustainable approaches to reduce threats to human health and safety and the environment. For example, groundwater sources provide drinking water for 51% of the total U.S. population and 99% of the rural population and wetlands can provide water to recharge depleted aquifers.

Local benefits from wetlands
Industry-based risk models indicate that coastal wetlands saved more than \$625 million in avoided flood damage from Hurricane Sandy.⁷

⁷ Narayan, S., Beck, M.W., Wilson, P., Thomas, C., Guerrero, A., Shepard, C., Reguero, B.G., Franco, G., Ingram, C.J., Trespalacios, D. 2016. Coastal Wetlands and Flood Damage Reduction: Using Risk Industry-based Models to Assess Natural Defenses in the Northeastern USA. Lloyd’s Tercentenary Research Foundation, London.

Association of State Wetland Managers

States, cities and smaller communities across the country are pursuing a wide variety of natural infrastructure solutions. Quantifying ecosystem services provided by natural resources such as wetlands is an important tool for state and local decision-makers in weighing the initial and long-term costs and benefits of these approaches. Identifying opportunities to support adoption of successful, cost-saving practices provides significant potential for win-win outcomes--safer, healthier communities and a healthier, more resilient environment for less cost.

Conclusion

The Association of State Wetland Managers has a long history of collaborating successfully with states, federal agencies, and a broad cross section of interest groups engaged in shaping wetland and broader water resources policy. Wetlands and other aquatic resources are important to both a healthy economy as well as a healthy environment. We look forward to working with the Administration on the areas of state interest described above as well as areas identified by the Administration. For more information please contact Executive Director Jeanne Christie at (207) 892-3399, jeanne.christie@aswm.org or visit the Association of State Wetland Managers web page at www.aswm.org.