

## FY 2016 NWPG Wetlands Measure Definitions



Measure Code: WT-SP22

**Measure Language:** In partnership with the U.S. Army Corps of Engineers, states, and tribes, achieve "no net loss" of wetlands each year under the Clean Water Act Section 404 regulatory program. ("No net loss" of wetlands is based on requirements for mitigation in CWA 404 permits and not the actual mitigation attained.)

**Type of Measure:** Target measure; annually reported

**Measure Contact:** Mindy Eisenberg, EPA Office of Wetlands, Oceans, and Watersheds

Eisenberg.Mindy@epa.gov | (202) 566-1290

### Measure Definition

**Terms and phrases:** The *Clean Water Action Section 404 Regulatory Program* was established as a regulatory program for the disposal of dredged or fill materials in the waters and wetlands of the United States. This section is regulated by the U.S. Army Corps of Engineers with EPA oversight.

**Methodology for computation of results:** Since 1989, the goal of the Clean Water Act (CWA) Section 404 program has been no net loss of wetlands. Historically, the U.S. Army Corps of Engineers has collected limited data on wetlands losses and gains in its Regulatory Analysis and Management System (RAMS) permit tracking database. The EPA and the Corps have acknowledged the need for improved 404 tracking. Between 2003–2007, the Corps, with assistance from the EPA, developed a new nationally standardized permit tracking database called ORM2 (Operation and maintenance business information link, Regulatory Module) to replace its existing database (RAMS). By 2008, ORM2 was deployed in all of the Corps' 38 districts.

ORM2 is designed to provide improved tracking regarding: type of impacts (i.e., work type); type, quantity and location of aquatic resources impacted; type, quantity and location of aquatic resource mitigation; type and quantity of mitigation by method (i.e., restoration, creation, enhancement, or preservation) or number of credits purchased at mitigation bank or in-lieu fee mitigation program.

The EPA will track and report on this measure each fiscal year by comparing the total acres of wetland impacts to the total acres or credits of compensatory mitigation. Mitigation may occur as one of three types: 1) acre for acre replacement; 2) functional replacement; and 3) use of a mitigation bank or in-lieu fee program. Beginning with the FY 2009 data, reporting on this measure will proceed as follows: we will have data at end-of-year for the preceding fiscal year, i.e., results for FY 2010 in FY 2011. The Corps begins compiling the data after the close of the fiscal year.

**Units:** Wetland acres

**Universe:** n/a; The measure is based on results from CWA Section 404 permits for new projects and it is not possible to reasonably project the number of new projects.

**Baseline:** n/a; The measure is based on results from CWA Section 404 permits for new projects and it is not possible to reasonably project the number of new projects.

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Measure Code: WT-01

**Measure Language:** Number of acres restored and improved, under the 5–Star, NEP, 319, and great waterbody programs (cumulative).

**Type of Measure:** Target measure; cumulative measure reported annually

**Measure Contact:** Mindy Eisenberg, EPA Office of Wetlands, Oceans, and Watersheds

Eisenberg.Mindy@epa.gov | (202) 566–1290

### Measure Definition

**Terms and phrases:** This measure tracks wetland acres restored (established and re–established) and improved (enhanced and rehabilitated) through EPA programs.

**Methodology for computation of results:** These acres may include those supported by the Wetland Five Star Restoration Grants, the National Estuary Program, Section 319 Nonpoint Source (NPS) Grants, Brownfield grants, or the EPA's Great Waterbody Programs. This does not include enforcement or mitigation acres. This measure is shared with other offices including: EPA Office of Wetlands, Oceans, and Watersheds Divisions, EPA Office of Solid Waste and Emergency Response (OSWER) Brownfields Office, EPA Gulf of Mexico Program Office, EPA Great Lakes National Program Office, and Chesapeake Bay Program Office. Results are reported at a national level and are cumulative.

For the 5–Star Program: The National Fish and Wildlife Foundation (NFWF), the 5–Star grantee, maintains a subgrant outcome tracking system that tracks the acres of wetlands enhanced, established, or re–established, miles of riparian buffer restored, and other information such as number of volunteers engaged in restoration activities. NFWF provides to EPA annual documentation of wetland acreage enhanced, established, or re–established and stream miles buffered and/or restored during the life of the cooperative agreement in accordance with OWOW requirements. For this measure acreage from wetland projects are added together.

For NEPs Program: the EPA has an on–line reporting system the National Estuary Program On–line Reporting Tool (NEPORT) that makes it possible for NEPs and EPA to track habitat projects. The EPA annually aggregates the data provided by each NEP to arrive at a national total for all 28 estuaries in the NEP. For this measure the EPA combines acreage totals from each NEP for all wetlands types for

all projects that are described as establishment, re-establishment, enhancement, and rehabilitation (excluding dune replenishment).

For Section 319 Grants: The Grants Reporting and Tracking System (GRTS) is used by grant recipients (state agencies) to supply information about State NPS Management Programs and annual Section 319 funded work programs, which include wetlands and stream restoration and improvement projects. For this measure the EPA combines acreage totals from each project that either indicates they are restoring or improving wetland acreage and are not predominately considered storm water measures.

The Brownfields Office and Great Waterbody Programs provided minimal acreage at the beginning of the first report for this measure in 2004 and a decision was made to not to include acreage from these programs in subsequent years.

**Units:** Acres of wetlands restored and improved

**Universe:** n/a; There is no methodology for determining the potential number of acres that would become available for protection and restoration.

**Baseline:** Acres of wetland restored and improved through the Five Star Restoration Grants, the National Estuary Program, Section 319 Nonpoint Source Grants, Brownfield Grants, and EPA Great Waterbody Programs in FY 2006.



Measure Code: WT-02 (a)

**Measure Language:** Number of states/tribes that have substantially built or increased capacity in wetland regulation, monitoring and assessment, water quality standards, and/or restoration and protection.

**Type of Measure:** Indicator measures; annually reported

**Measure Contact:** Mindy Eisenberg, EPA Office of Wetlands, Oceans, and Watersheds

Eisenberg.Mindy@epa.gov | (202) 566-1290

### **Measure Definition**

Regions will work with states/tribes (S/T) to identify wetland program goals and assist them in the development and improvement of program capacity in one or more core wetland program area (Core Elements or CE's): regulation, monitoring and assessment, water quality standards, and/or restoration and protection.

Regions will verify and report annually on the substantial progress states/tribes have made toward developing or improving these CE's. Substantially built or increased capacity will be measured by looking at the Core Elements Framework tables which can be found at: <http://water.epa.gov/type/wetlands/estp.cfm>. Substantially built or increased capacity is defined as completing two or more of the actions found in these tables. All the regions have agreed to these measures.

Headquarters is creating a template for ACS that will allow HQ to insert which state/tribe has undertaken capacity/improvement and in which CE area.

**Units:** states and tribes

**Universe:** Total number of states and tribes. Regions will track and report on yearly efforts of states and tribes in their region; it is expected that this number will vary from year to year as it is not cumulative.

**Baseline:** The baseline of states and tribes will be reset to 0 every year as the EPA is measuring efforts in a given calendar year and not measuring cumulative efforts. The EPA will look to this measure to see if nationally states/tribes are continuing to build/improve program capacity from year to year.

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Measure Code: WT-03

**Measure Language:** Percent of Clean Water Act Section 404 standard permits, upon which EPA coordinated with the permitting authority (i.e., Corps or State), where a final permit decision in the current fiscal year documents requirements for greater environmental protection\* than originally proposed.

**Type of Measure:** Indicator measure; annually reported

**Measure Contact:** Mindy Eisenberg, EPA Office of Wetlands, Oceans, and Watersheds

Eisenberg.Mindy@epa.gov | (202) 566-1290

**Measure Definition Terms and phrases:**

- *ORM 2.0:* OMBIL (Operation & maintenance business information link) Regulatory Module. Database used by the U.S. Army Corps of Engineer to track permitting activities under the CWA Section 404 regulatory program.
- *DARTER:* Data & Aquatic Resource Tracking for Effective Regulation. EPA interface for accessing records and commenting on proposed permits in the ORM 2.0 database

**Methodology for computation of results:**Data for reporting under this measure is available in the U.S. Army Corps of Engineers ORM 2.0 Database. EPA regions should use the EPA interface (DARTER) for ORM 2.0 to access this data.

\* For purposes of this measure, "requirements for greater environmental protection" are counted under this measure when EPA can document that its recommendations for improvement provided in one or more of the following issue areas were incorporated into the final permit decision:

1. Demonstration of adequate impact avoidance, including:
  - a. Determination of water dependency
  - b. Characterization of basic project purpose
  - c. Determination of range of practicable alternatives
  - d. Evaluation of direct, secondary and cumulative impacts for practicable alternatives
  - e. Identification of LEDPA (Least Environmentally Damaging Practicable Alternative)
  - f. Compliance with WQS (Water Quality Standards), MPRSA (Marine Protection, Research, and Sanctuaries Act), ESA (Endangered Species Act) and/or toxic effluent standards
  - g. Evaluation of potential for significant degradation;
2. Demonstration of adequate impact minimization;

3. Determination of adequate compensation.

**Units:** Final permit decisions with documented environmental improvements, as defined above.

**Universe:** All final CWA (Clean Water Act) section 404 standard permits in current fiscal year where EPA coordinated with the permitting authority.

**Baseline:** n/a; CWA Section 404 permits and those permits that the EPA reviews changes each year.