



## **Vermont Wetlands Program Plan:**

### **Strengthening Core Elements of a Comprehensive Wetlands Program in Vermont**

**2011-2016 (amended)**

#### **Contact Information:**

Laura Lapierre, Wetlands Program Manager [laura.lapierre@state.vt.us](mailto:laura.lapierre@state.vt.us)

802-490-6177

**Vermont Wetlands Program Plan**

The Vermont Wetland Program Plan (“the Plan”) provides a framework and direction over the next six years for the Vermont Department of Environmental Conservation (DEC) and its partners to strengthen and improve the state’s Wetland Program to better protect wetlands and aquatic resources statewide. The Plan should be considered a work in progress that will be revisited and revised as needed. The original approved Plan was for a five year period. This version updates the Plan with an additional year, to allow time for a more through planning process for the next 5 year plan. Updates include the Class I designation work initiated in 2013 to provide greater protection (including increased buffer size) to unique and irreplaceable wetland complexes of high ecological value; and our partnership to increase wetland restoration in floodplains for flood attenuation and stream bank stability for greater climate change resiliency and to aid in the long term restoration of Lake Champlain.

#### **Overview:**

The main objective of this plan is to build and refine the core elements of the Vermont Wetlands Program. A bill passed by the Vermont Legislature and signed by the governor in May 2009 paved the way for **revised Wetland Rules**. The new rules are now in effect (September 15, 2010.) These changes will require a major outreach and education effort to inform the public of revisions that have been made **to Vermont’s Wetland Rules**; and bolster our efforts to educate the public of the benefits of wetlands in general.

In preparation for the **National Wetland Condition Assessment** in 2011, Vermont’s Wetland Program has refined and strengthened its **wetland monitoring and assessment protocols**. The state is also working to better integrate wetlands with other programs and to use the wetland monitoring and assessment data gathered thus far. Related efforts include revisions to the Vermont’s Water Quality Monitoring Strategy and the Statewide Surface Water Management Strategy. Also the **VT Water Quality Standards** and the **Anti-degradation Policy** are being revised. The federal Farm Bill provides Vermont with the continued opportunity to work with partners to increase the

number of restored wetlands. The Center for Clean and Clear is now the Ecological Restoration Program within the Water Quality Division, and the Wetlands Program will again take the lead in coordinating **wetland restoration and conservation** efforts. This long term plan builds directly off Vermont's current EPA-approved Wetlands Program work plan which addresses these core elements.

### **Wetlands Program Mission and Goals:**

Working within the Mission of the Agency of Natural Resources and the Department of Conservation, and under the Agency's guiding principles and comprehensive goals, the Mission of the Wetlands Program within the Water Quality Division is:

*"To identify, inventory, monitor, assess and protect wetlands that provide significant functions and values; to encourage the restoration and enhancement of degraded wetlands; and to provide the citizens of Vermont with information and assistance to allow them to be fully informed of wetland issues and to practice sound wetland stewardship."*

The Goals are:

- To manage the program effectively and efficiently to protect Vermont's significant wetlands;
- To achieve no net loss of wetland functions and values;
- To identify and map all significant wetlands;
- To monitor and assess wetlands at the watershed scale, the landscape scale, and individually (Level 1, 2, and 3); and to use the resulting data to inform regulatory decisions and guide restoration projects;
- To provide a sustained level of outreach and education to the public, targeted consultants, as well as other governmental agencies, regarding the values and functions of wetlands and the programs designed to manage and protect them;

- To promote sound wetland stewardship on both public and private lands; and
- To provide professional development opportunities to the Wetlands Program staff on a continuing and equitable basis.

The Wetlands Program achieves its goals by working within the framework of the Vermont Wetlands Rules and with partner agencies, including: the Departments of Fish and Wildlife, Environmental Conservation, and Forests, Parks and Recreation; the Natural Resources Board and the Act 250 Land Use Permit program; the US Environmental Protection Agency; the US Army Corps of Engineers, the Natural Resources Conservation Service, and the Green Mountain National Forest.

### Core Elements of the Vermont Wetlands Program Plan

The four core elements of a wetland program that have been identified by the U.S. Environmental Protection Agency as part of their Enhancing State and Tribal Wetlands Program (ESTP) Initiative, have been used to organize this plan. The tables that follow list goals, objectives and activities under each element and reflect the work needed in the coming years to meet the goals. Detailed annual work plans will be developed to reflect available staffing resources from year to year.

The four core elements are:

1. Monitoring and Assessment
2. Regulatory
3. Voluntary Restoration and Protection
4. Water Quality Standards for Wetlands

## **CORE ELEMENT #1: MONITORING AND ASSESSMENT**

**Goal:** *To protect and improve the function and condition of Vermont's significant wetlands such that important ecosystem services, including flood attenuation, ground and surface water quality protection, etc., are preserved and maintained to benefit Vermont citizens.*

**Objective:** *Monitor and assess wetlands at the watershed, landscape, and site level scales consistent with EPA's 3 – Level Approach (see Elements of a State Water Monitoring and Assessment Program for Wetlands, April 2001)*

| <b>Action (a): Field Monitoring and Assessing of Vermont Wetlands</b>   |             |             |             |             |             |             |
|---|-------------|-------------|-------------|-------------|-------------|-------------|
| <b>Activity</b>   | <b>2011</b> | <b>2012</b> | <b>2013</b> | <b>2014</b> | <b>2015</b> | <b>2016</b> |
| Participate in the National Wetlands Condition Assessment (NWCA); field sampling of 7-9 sites                       | X           |             |             |             |             | X           |
| Establish criteria for selecting long-term monitoring sites.  |             | X           | X           | X           | X           |             |
| Establish Long-term monitoring sites; monitor and assess  |             | X           | X           | X           | X           |             |
| Rotational Basin Wetlands Assessment; select and assess at minimum 10 wetlands per year as part of basin assessment |             | X           | X           | X           | X           |             |
| Re-fine VT Rapid Assessment Method (VRAM)   | X           | X           | X           | X           | X           |             |

|  |   |   |   |   |   |   |
|--|---|---|---|---|---|---|
| Revise approved (2009) Quality Assurance Project Plan as needed.                             | X | X | X | X | X | X |
| Obtain landowner permission  | X | X | X | X | X | X |
| Conduct sampling and assessments   | X | X | X | X | X | X |
| Compile and analyze data   | X | X | X | X | X | X |
| Complete final report to be included in the Integrated 305(b)/303(d) Report [see Action (b)] |   | X |   | X |   | X |
| Create citizen-scientist VRAM manual and outreach materials                                  |   |   |   |   | X | X |
| Begin 5 year probabilistic rotational basin survey, paired with NARS                         |   |   |   |   |   | X |

| <b>Action (b) Integrate the Wetlands Monitoring &amp; Assessment Program into the Watershed Management Division</b>                   |             |             |             |             |             |             |
|---|-------------|-------------|-------------|-------------|-------------|-------------|
| <b>Activity</b>   | <b>2011</b> | <b>2012</b> | <b>2013</b> | <b>2014</b> | <b>2015</b> | <b>2016</b> |
| Revise Vermont's Water Quality Monitoring Strategy to include updated information on the wetland monitoring and assessment activities | X           |             |             |             |             | X           |

|  |   |   |   |   |   |   |   |   |   |   |
|--|---|---|---|---|---|---|---|---|---|---|
| New or revised sampling design and methods will be decided upon with staff from the Watershed Management Division and NWCA |   | X |   | X |   | X |   | X |   | X |
| Refine VRAM as a tool to help define Tier 2.5 type wetlands in the Water Quality Standards (also below)                    | X |   | X |   | X |   | X |   | X |   |
| Add wetland monitoring data to the Watershed Management database and data portal   |   |   |   |   |   |   |   | X |   | X |

## **CORE ELEMENT #2: REGULATORY**

**Goal:** *To manage the program effectively and efficiently to protect Vermont's significant wetlands and to achieve no net loss of wetland functions and values*

**Objective:** *Make necessary changes in the Wetlands Program to reflect both the new Wetland Rules and the resources available. Ensure the program protects significant wetlands with no net loss of acreage or function.*

| <b>Action (a) Adopt regulations or rules to implement statutes</b>   |             |             |             |             |             |             |
|--|-------------|-------------|-------------|-------------|-------------|-------------|
| <b>Activity</b>  | <b>2011</b> | <b>2012</b> | <b>2013</b> | <b>2014</b> | <b>2015</b> | <b>2016</b> |
| Revise application form and guidance   | X           | X           | X           |             |             | X           |
| Identify and map significant wetlands  | X           | X           | X           | X           | X           | X           |
| Finalize draft wetlands general permit for public review and comment.  | X           |             |             |             |             |             |
| Continue development and refinement of Functions and Values Checklist  | X           | X           | X           | X           | X           | X           |
| Continue development and refinement of Vermont Rapid Assessment Method (VRAM) checklist – latest version ready for 2011 field season | X           | X           | X           | X           | X           |             |
| “LEAN” project management  |             |             |             | X           | X           |             |
| Develop a system or process to ensure regular compliance monitoring of permit conditions and mitigation projects                     |             |             | X           | X           | X           | X           |
| Develop a process for evaluating and designating rule changes to encourage Class I wetland designations and increase buffers         |             |             | X           | X           | X           | X           |



| <b>Action (b): Perform public education and outreach about wetland protection and regulations</b>  |             |             |             |             |             |             |
|--|-------------|-------------|-------------|-------------|-------------|-------------|
| <b>Activity</b>  | <b>2011</b> | <b>2012</b> | <b>2013</b> | <b>2014</b> | <b>2015</b> | <b>2016</b> |
| Develop new guidance for the general public based on the new Wetland Rules, reflecting changes in state regulation: and also regarding wetlands in general (their value, importance, and identification) | X           | X           |             |             |             | X           |
| Revise handouts, pamphlets for the general public  | X           | X           | X           | X           |             | X           |
| Provide ongoing guidance for consultants and the regulated community on the application and review procedures to conform to the new rules  | X           | X           | X           | X           | X           | X           |
| Hold workshop for consultants and the regulated community as needed  | X           | X           | X           | X           | X           | X           |
| Hold a series of regional workshops for interested towns on the new rules  | X           | X           |             |             |             |             |
| Create a public information blitz regarding wetland regulations for Vermont including Public Service Announcements   |             | X           |             |             |             |             |

|  |   |   |   |   |   |   |
|--|---|---|---|---|---|---|
| Update website   | X | X | X | X | X | X |
| Provide clear ongoing guidance to public on how to identify jurisdictional wetlands and activities: site visits, workshops and written materials as noted above. | x | X | X | X | X | X |
| Train appropriate Agency field and regulatory staff to provide more guidance and education to the public about wetland protection and education.                 |   |   |   |   | X | X |

| <b>Action (c): Work cooperatively with federal partners for a unified regulatory approach</b>                               |             |             |             |             |             |             |
|---|-------------|-------------|-------------|-------------|-------------|-------------|
| <b>Activity</b>   | <b>2011</b> | <b>2012</b> | <b>2013</b> | <b>2014</b> | <b>2015</b> | <b>2016</b> |
| In-lieu fee Interagency Review team participation for project approval and site selection                                   | X           | X           | X           | X           | X           | X           |
| Evaluate effectiveness of In-Lieu fee program   |             |             | X           | X           | X           | X           |
| Participate in the VT General Permit discussion for 2012 renewal, advocate for changes that reflect our new anti-deg policy |             | X           |             |             |             |             |

| Action (d): Improve wetland mapping for Vermont   |      |      |      |      |      |      |
|---|------|------|------|------|------|------|
| Activity  | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 |
| Develop standards and methodology for adding to and altering Vermont Significant Wetland Inventory (VSWI) maps        | X    |      |      |      |      |      |
| Develop a means for the public to electronically submit wetland delineation information to improve VSWI maps          |      | X    | X    | X    | X    | X    |
| Integrate permit information into mapping   |      | X    | X    |      |      |      |
| Update VSWI maps based on project reviews, site visits, desktop reviews, and submittal of information from the public | X    | X    | X    | X    | X    | X    |

### **CORE ELEMENT #3: VOLUNTARY RESTORATION AND PROTECTION**

**Goal:** *Increase wetland acreage through restoration and promote sound wetland stewardship on both public and private lands*

**Objective:** *Establish consistent and compatible goals across relevant agencies and establish partnerships to leverage additional restoration and protection*

| <b>Action (a): Interagency Coordination</b>   |             |             |             |             |             |             |
|---|-------------|-------------|-------------|-------------|-------------|-------------|
| <b>Activity</b>   | <b>2011</b> | <b>2012</b> | <b>2013</b> | <b>2014</b> | <b>2015</b> | <b>2016</b> |
| Convene meeting of partners and hold quarterly meetings throughout the grant period   | X           | X           | X           | X           | X           | X           |
| Project identification: <i>working with rivers program and watershed planners, and federal partners, identify opportunities for voluntary restoration</i>                               | X           | X           | X           | X           | X           | X           |
| Add wetland restoration to the Phase I Lake Champlain Total Maximum Daily Load (TMDL) plan  |             |             |             | X           |             |             |
| Implement the Natural Resource Conservation Service's (NRCS) Regional Conservation Partnership Program (RCPP) Wetland Reserve Easement (WRE) supplemental funding and support agreement |             |             |             |             | X           | X           |

| <b>Action (b): Outreach and technical assistance for restoration projects</b>   |             |             |             |             |             |             |
|---|-------------|-------------|-------------|-------------|-------------|-------------|
| <b>Activity</b>   | <b>2011</b> | <b>2012</b> | <b>2013</b> | <b>2014</b> | <b>2015</b> | <b>2016</b> |
| Wetland program staff provide outreach and technical assistance for restoration | X           | X           | X           | X           | X           | X           |

| <b>Action (c): Monitoring for success of voluntary restoration</b>          |             |             |             |             |             |             |
|---|-------------|-------------|-------------|-------------|-------------|-------------|
| <b>Activity</b>   | <b>2011</b> | <b>2012</b> | <b>2013</b> | <b>2014</b> | <b>2015</b> | <b>2016</b> |
| Develop indicators of success checklist                                     |             | X           |             |             |             |             |
| Use monitoring and assessment protocol and indicators, visit selected sites |             |             | X           | X           | X           |             |

#### **CORE ELEMENT #4: WATER QUALITY STANDARDS FOR WETLANDS**

**Goal:** *Understand and address the relationship between wetlands and the Vermont Water Quality Standards*

**Objective:** *Ensure that wetlands are treated as waters within state water quality programs.*

| <b>Action (a): Establish the relationship between wetlands and Water Quality Standards</b>  |             |             |             |             |             |             |
|---|-------------|-------------|-------------|-------------|-------------|-------------|
| <b>Activity</b>   | <b>2011</b> | <b>2012</b> | <b>2013</b> | <b>2014</b> | <b>2015</b> | <b>2016</b> |
| Review existing information to help establish the relationship between wetlands and 1) water quality standards, 2) “waters of the state” and, 3) anti-degradation policies      | X           |             |             |             |             |             |
| Continue participation in Watershed Management Division anti-degradation policy development workgroup   | X           | X           |             |             | X           |             |
| Provide a framework for addressing wetlands in the new anti-degradation policy  | X           | X           |             |             | X           |             |
| Continue discussion with the Natural Resources Board Water Panel and Watershed Management Division staff on the need to address wetlands in the Vermont Water Quality Standards | X           | X           |             | X           | X           | X           |

| <b>Action (b): Effectively Use 401 Certifications in the context of 404 projects</b>                    |             |             |             |             |             |             |
|---|-------------|-------------|-------------|-------------|-------------|-------------|
| <b>Activity</b>   | <b>2011</b> | <b>2012</b> | <b>2013</b> | <b>2014</b> | <b>2015</b> | <b>2016</b> |
| Develop internal Sec. 401 guidance in terms of process and policy                                       | X           | X           |             |             |             |             |
| Work with other Programs in the Watershed Management Division to fill gaps in the 401 review            | X           | X           |             | X           | X           | X           |
| Develop a more transparent application process for a 401 WQ Cert that meets with the Anti-deg procedure | X           | X           |             | X           |             |             |

