

Wetland Compliance Manual For Mid-Atlantic Region

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The term "wetland" encompasses a broad array of aquatic systems, many of which are represented within NPS-managed areas. In recent years, recognition of the continuing degradation and outright loss of these valuable resources across the U.S. has led to increased wetland research and the institution of protective measures at all levels of government. Through this process, a number of aquatic habitats not commonly thought of as "wetlands" are now often classified as such. For example, streambeds, mudflats, tidal pools, and portions of riparian areas now join the more commonly recognized wetland types (swamps, bogs, salt- and fresh-water marshes, seasonally-flooded meadows, and so on) as resources singled out for special protection by a number of relatively new laws, regulations, Executive Orders, and NPS policies.

Since its creation, the NPS has been involved in preserving wetlands through the mandates outlined in the NPS Organic Act. More recently, the National Environmental Policy Act, the Clean Water Act (especially Section 404), Executive Order 11990 (Protection of Wetlands), the NPS Floodplain Management and Wetlands Protection Guidelines (hereafter referred to as "NPS Wetland Guidelines"), and other wetlands protection measures have been instituted. Under these and other requirements, NPS managers must protect wetlands from the adverse impacts of both *external actions* (e.g., lowered water tables, upstream diversions or releases, degraded water quality, and introduction of exotic plant or animal species) and *internal actions* (e.g., construction of a park's infrastructure, maintenance operations, resource management operations, and activities associated with inholders or permitted uses).

As a consequence of the changing definitions and classifications of aquatic resources and the complex, interrelated provisions of wetland regulatory requirements, there is considerable confusion amongst NPS planners, resource managers, and other personnel regarding what constitutes a wetland, how they can be recognized, what laws, regulations, and guidelines apply to them, and what tools are available to aid in their identification and

protection. To facilitate wetlands management and compliance in the NPS Mid-Atlantic Region, Chief Scientist John Karish requested that the Water Resources Division (WRD) develop a document that would clarify these issues for field personnel. In response, the WRD has recently published a manual entitled **Wetland Regulatory Compliance: A Guidance Manual for the National Park Service Mid-Atlantic Region**.

The manual is designed to summarize, in a single document, the NPS requirements for complying with Executive Order 11990, the NPS Wetland Guidelines, Section 404 of the Clean Water Act, and other Federal, state or local laws and regulations protecting wetlands. Flow diagrams are used to guide the user through a sequence of steps that facilitates compliance with wetland planning and compliance requirements and consistency with state or local laws. These diagrams refer the user to sections of the text that explain the specific procedures in greater detail. The flow diagrams and text include abbreviated processes applicable under emergency conditions (e.g., situations where rapid action is necessary to protect human life, health, or property).

The final chapter of the manual provides guidance for conducting wetland inventories in NPS units (required by the NPS Wetland Guidelines) and for conducting preliminary wetland evaluations in the field. Field indicators for the soil, hydrology, and vegetation characteristics of wetlands are provided, and information about more definitive wetland delineation is presented. A copy of the NPS Wetland Guidelines and a case study where a completed Clean Water Act Section 404 permit and an Executive Order 11990 "Statement of Findings" were prepared for the Black Bay Development, Voyageurs National Park are presented as appendices.

Although the manual was prepared specifically for the Mid-Atlantic Region, the bulk of the information presented is applicable Servicewide. Copies of the manual can be obtained by contacting the Water Resources Division, 301 South Howes St. - Room 353, Fort Collins, Colorado 80521 or by phone (303-221-8311). Questions regarding the content of the manual should be directed to Joel Wagner (FTS 327-2955 or 303-969-2955).