

**MEETING:** Wetlands Workgroup Meeting: Nontidal

**DATE/TIME:** 07/18/2023, 2:00 - 4:00 ET

### **WELCOME AND INTRODUCTIONS**

- Introductions by jurisdiction.

### **JAMBOARD FOLLOW UP**

*Presenter: Nancy Schumm (Workgroup Vice Chair)*

- At our last workgroup meeting we asked a series of questions using a Jamboard to get your input on the Wetlands Outcome and the workgroup as a whole. 5 categories stood out from those responses: wetlands tracking, challenges to wetlands, wetlands promotion, wetlands policy, and wetlands goals.
- Meeting participants voted on the prioritization of the 5 categories above using a Menti. The results were:

1. Wetlands Goals
2. Wetlands Tracking
3. Challenges to Wetlands
4. Wetlands Policy
5. Wetlands Promotion

### **BEYOND 2025**

*Presenter: Bill Jenkins (HGIT Co-Chair)*

- The Beyond 2025 Steering Committee advises the development of recommendations to meet the Chesapeake Executive Council (EC) charge to the Principals' Staff Committee on charting a course beyond 2025.
- Committee co-chairs: Anna Killius (CBC) and Martha Shimkin (EPA)
- How to stay informed:
  - Website: <https://www.chesapeakebay.net/who/group/beyond-2025-steering-committee>
  - Beyond 2025 Steering Committee Meeting Schedule (1:00p – 4:00p.): Jul 27, August 24, September 21, October 26.

### **SACKETT VS. EPA DISCUSSION**

- **Pam Mason:** Writing a basic statement with a couple sentences stating there is concern on what is and isn't considered a wetland in a legal sense, how it differs from the science interpretation, and how that impacts our work towards the goal.
- **Chris Guy:** We're not constrained because we use the scientific definition and not the legal definition. Don't want to tread over any lines when writing the statement. We recognize that wetlands will become more vulnerable to development, so they may need to be protected in other ways than just the CWA.
- **Alison Santoro:** What would be the process for approving this statement?
  - **Chris Guy:** We would want to go through the CBP. This is more for the Bay Program internally and what it means to us in a technical sense. What we draft has a lot of review ahead of it.

## **07/18/2023 - Wetlands Workgroup Meeting: Nontidal**

- **Chris Spaur:** The Bay Agreement references other resources that aren't necessarily legally protected. Are there analogies that can be drawn on from any of that?
- **Jonathan Phinney** (*in chat*): Consider a statement on the effects of Sackett in the CB watershed - e.g., most wetlands in the CB are state managed and enforcement of existing laws may be the most important limited factor to enhance, restore etc. wetlands.
- **Denise Clearwater** (*in chat*): The Sackett decision did not appear to change the wetland definition-what it did change was which wetlands were WOTUS.
  - **Tess Danielson** (*in chat*): True, but I think it limited the definition and downsized the scientific understanding of what wetlands are by excluding wetlands with other hydrology than surface water. I'm concerned that now there is an opening to change the definition.

### **GENERAL ANNOUNCEMENTS & UPDATES**

- A [Coastal Wetlands Plan](#) was created for the York River, Piankatank River, Mobjack River by the York River & Small Coastal Basin Roundtable.
- The [call for abstracts](#) for the [2024 Delaware Wetlands Conference](#) is now open. The deadline for oral presentations is October 17<sup>th</sup> and the deadline for poster presentations is December 19<sup>th</sup>.
- Maryland Department of the Environment (MDE) and the Chesapeake Bay Trust (CBT) seeks proposals for the [Nontidal Wetlands Awards Program](#). The application closes early September. Please reach out to Sarah Koser ([skoser@cbtrust.org](mailto:skoser@cbtrust.org)) if you want to chat about any potential projects (within [Maryland priority watersheds](#)) - there is \$950K available for design, construction, and monitoring+ maintenance of 10 acres of forested wetland restoration and/or creation (or a bit less).

**PARTICIPANTS (24):** Pam Mason (VIMS), Nancy Schumm (CoG), Tess Danielson (DOEE), Chris Guy (USFWS), Dede Lawal (CRC), Bill Jenkins (EPA), Adam Gold (EDF), Amy Jacobs (TNC), Alison Santoro (MDNR), Alison Rogerson (DNREC), Chris Spaur (USACE), Christina Thomas (EPA), Denise Clearwater (MDNR), Jayme Arthurs (NRCS), Jonathan Phinney (USFWS), Kevin McLean (DEQ), Mark Hoffman (CBC), Matthew Robinson (EPA), Matthew Wessel (Rodgers), Mitchell Kleckner (PRIME AE), Sarah Hilderbrand (MDNR), Sarah Koser (CBT), Sarah Roberts (BioHabitats), Su Fanok (TNC)