



Chesapeake Bay Program

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Wetlands Workgroup Tidal & Nontidal Team Meeting

July 15th, 2025, 10:00 – 12:00 ET

[Click here to access the meeting materials](#)

Beyond 2025 Updates

Presenter: Pam Mason (VIMS retired)

- Revised outcome language presented to the Principal Staff Committee:
 - Restore, create, enhance and protect wetlands to support people and living resources, including waterbirds and fish, provide water quality, flood and erosion protection, recreation and other valuable benefits to people.
 - Tidal Wetlands Target: Restore or create 1,000 acres and enhance 15,000 acres by 2035.
 - Non-tidal Wetlands Target: Restore or create 2,000 acres and enhance 15,000 acres by 2035.
 - Buffer Protection Target: Same as the Protected Lands Outcome and will be tracked under that goal.
 - Waterbirds represent wetlands functioning at its highest level, specific species priorities will be developed over the next 12 to 18 months.
- Public feedback period is July 1 – September 1
 - Everything you need to know can be found at:
<https://www.chesapeakebay.net/what/what-guides-us/planning-for-2025-and-beyond>
 - Feedback can be emailed to comments@chesapeakebay.net.
 - A review team will go over the feedback submitted and may come back to the workgroup if expert input is needed the week of September 8th
- Wetlands Protection Target
 - By 2040, permanently protect a total of _XX_ acres of wetlands focusing on the protection of buffer zones.
 - Plan to work with the Protected Lands Workgroup to identify the number of acres

Discussion

- **Denise Clearwater:** Looking at the waterbird target, it seems to suggest that forested wetlands would be at risk for conversion. Can it be refined so it is looking at other wetland habitats for waterbirds and not just forested wetlands?
 - **Pam Mason:** Expanding to other waterbirds and not just black birds should crosswalk into wetlands with woody structures and not just emergent and herbaceous.
 - **Chris Guy:** The plan is to gather jurisdictional and federal experts to begin the discussion.
 - **Denise Clearwater:** Happy to join in on those discussions.



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- **Jill Whitcomb:** Chris - did you say that the workgroup was going to be applying for STAC funding to conduct a workshop on which waterbirds should be identified as target species/guilds for the outcome?
 - **Chris Guy:** Yes, we think that would be the most efficient manner to gather folks together.
- **Megan Lang:** Can someone point me in the direction of where I could find definitions of terms that are being used in the goal and details on how the goals will be tracked?
 - **Pam Mason:** Later in today's agenda we will focus on higher level term definitions for restoration, creation, and enhancement. For tracking we use the [Habitat Tracker](#).
 - **Jill Whitcomb:** Jurisdictions did not all agree to use the Habitat Tracker for reporting. From a reporting standpoint Pennsylvania has not elected to use the habitat tracker and uses the existing framework through NEIEN.
- **Michelle Henicheck:** Denise - do you track both permitted and voluntary wetlands?
 - **Denise Clearwater:** For the CBP effort, we track voluntary gains. Regulated losses and mitigation aren't part of the CBP tracking, but we can report on this.
- **Pam Mason:** We want to know if there are any existing conversations, plans, targets, or ideas for targets that jurisdictions have and if you have buffers being built into the frameworks that you are already using.
 - **Ben Sagara:** What kind of mechanisms are in place that would count as wetland buffer protection? Are there any easement programs that specifically target wetland buffer or marsh areas? To my knowledge there are not, which would make achieving this goal considerably more difficult.
 - **Pam Mason:** The protected lands workgroup is already tracking protected lands, so if wetland buffers can be called out then it becomes something we can work towards. Identifying buffers as an interest based on the science can lead to programs that can track it.
 - **Ben Sagara:** It sounds like we don't have easement programs targeting marsh migration or wetland buffer areas, but once we set the goal those programs will likely follow considering the success of the protected lands goals.
- **Chris Guy:** Protected lands workgroup is focusing on developing the wetlands protection target first.
- **Su Fanok:** On the nontidal side, is focusing on buffers more important than focusing on the protection of actual wetlands?
 - **Pam Mason:** For nontidal wetlands we don't know whether those wetland systems will be in watersheds that become rainier or drier, so how does a buffer get incorporated into protecting that wetland persistence over time? We don't have an answer to that yet.
- **Chris Spaur:** Literature now seems to show trend of increasing soil moisture in mid-Atlantic/northeast (also increasing temperature and increasing precipitation). Zeppeello and others' paper I think useful on this. (Although I can understand abstract but not



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much else!). My gut sense on climate change impacts for foreseeable future is we don't have to be worried about non-tidal wetlands "drying out." (Longer term though?).

- Zeppetello, L.R., A.M. Trevino, and P. Huybers. 2024. Disentangling contributions to past and future trends in US surface soil moisture. *Nature Water* | Volume 2 | February 2024 | 127–138. <https://doi.org/10.1038/s44221-024-00193-x>.
- **Tess Danielson:** To give a little more context – this wetlands target does not exist alone. It's part of a larger protected lands outcome which will be between 1.5 million and 2 million acres (they are still deciding) that includes targets for forests, agricultural lands, tribal lands, community greenspaces, and watershed health. We can set a % of that 2 million acres for wetlands knowing that some of those forested areas will have forested wetlands in them, so it's all overlapping.
 - **Pam Mason:** Right so multiple targets could be addressed in one acquisition.
- **Adrienne Kotula:** NRCS wetland reserve easements are the main program that would help meet this target. Virginia DCR doesn't have an ag cost-share practice that achieves that same level of protection to my knowledge.
 - **Jill Whitcomb:** Most of nontidal wetlands in PA are done through the FSA NRCS wetland reserve enhancement programs. What we call protected through easements. Mitigation banks are considered permanent. If we can't account for mitigation banks, then we're not going to be able to meet any kind of goal for protection of nontidal wetlands. A little concerned with the use of the word permanent.
 - **Ben Sagara:** I've seen "in perpetuity" is used more than "permanent".
 - **Tess Danielson:** Agreed. Maybe the language was made simpler for the outcome.
 - **Kristen Saacke Blunk:** Investments in wetland protection by funders are far more likely if protected "in perpetuity" (which is easement language for permanent).
- **Jill Whitcomb:** Is the protected lands group knowledgeable about the mitigation banks? Are we going to be allowed to include the wetlands that are protected through mitigation banks?
 - **Pam Mason:** If a banking instrument intentionally added additional acres that weren't going to be sold in exchange for wetland impacts and those additional acres were created for the purposes of new wetlands, then I'm not sure why you wouldn't be able to account for them. We need to make sure that they know when developing that target the conversation can be had.
 - **Kristen Saacke Blunk:** Additional acres? Or 1:1 acres? (RE: mitigation acres)
 - **Jill Whitcomb:** Regardless of if we are making up for it elsewhere, we should be able to account for them.
- **Melanie Davenport:** In VA, we are generally requiring mitigation beyond 1:1. The notion of being able to do this without recognizing mitigation banks – we will never get there. It depends on the wetland type, but it does relate to a net gain in a lot of instances. It's a



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more complete picture to consider them, and I hope that it doesn't get discounted just because it's regulatory.

- **Pam Mason:** We need to make sure we aren't over counting.
- **Michelle Henicheck:** We should be able to account for mitigation banking.
- **Chris Guy:** The issue isn't whether we want to deal with mitigation banks, but *how* we deal with them. We don't have a tracking mechanism fleshed out for the deposit and retrieval of those. We need folks to lead and take this challenge on to figure out how to credit and debit that towards the outcome in a fair way.
- **Jill Whitcomb:** The idea of mitigating banks has been championed before but was unsuccessful. Glad this is open for discussion.
- **Adrienne Kotula:** We need to be really careful when talking about mitigation versus restoration. The ratio VA has is because of the uncertainty we have in the mitigation process. If we aren't building the wetland in the same place the wetland is being impacted, then we want to have that additional acres to make sure we get the same level of pollution reduction in the watershed. I have reservations going down that path.
- **Denise Clearwater:** I can give a little more background on the mitigation questions and the answer was not to include mitigation acres because they were considered an offset of what was loss – considered a wash. But protection is a different matter and I'm more open to discussion on counting protection of mitigation areas.
- **Ben Sagara:** Do mitigation banks protect buffers? Seems like this protection goal is focused on buffers, not wetlands.
- **Chris Guy:** The habitat tracker was developed to track these things including mitigation banking process, but we still need to have guidance developed that would dictate how mitigation banks could be debited and credited.
- **Ben Sagara:** It is tough to get at added functional gains (gains beyond what is being replaced) with mitigation projects...there is temporal loss of function for wetlands lost to development and compensated for through mitigation, especially for forested wetlands, which I've heard is a major reason there is 2:1 for forested wetlands. Voluntary projects are the best way to ensure projects lead to resource gains (because there is wetland no loss associated). Also, if we start to include mitigation wetland gains beyond the 1:1 for what was lost, we may be dis-incentivizing the use of voluntary wetland programs, which are already getting harder to use with less NRCS technical assistance staff.

Wetlands Definitions White Paper

Presenters: Pam Mason (VIMS retired), Nancy Schumm (City of Gaithersburg), Tess Danielson (DOEE), & Dede Lawal (CRC)

- Tracking the Bay Program's progress towards the wetlands outcome is complicated by a lack of a common definition for wetlands and wetland restoration, creation, or enhancement *techniques*
- Synthesized a common wetland definition that best incorporated all the functions identified by the individual Bay Program partners



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- Defined creation, restoration, and enhancement techniques using regulatory, jurisdictional, and peer reviewed published literature definitions
- This paper is a living document and will be updated to reflect new knowledge of wetlands practices and evolving techniques
 - Send feedback/edits/comments to Dede Lawal at lawal.dede@epa.gov

Discussion

- **Pam Mason:** This paper is meant to be used as a framework for us to make sure that we're accounting wetlands properly so that we can say if a wetland is restored from the Bay Program, it means certain things have happened. It is a very high-level document, and we want input and feedback.
- **Melanie Davenport:** I think that trying to find some consistency in our definitions of enhancement, creation, restoration is critical to the success of explaining what this outcome is and how we are going to achieve it, but I do have concerns if anything is altering a state's definition of what is a wetland.
 - **Pam Mason:** The paper is to show what people are already using. Like do Maryland and Virginia both consider thin layer restoration? Do they consider it enhancement? We want to be able to make sure that it gets accounted for in the way that the project proponents had intended.
- **Jill Whitcomb:** Coming from Pennsylvania's wetlands regulatory program, we would like to stress that this is not reinventing the wheel and we're not setting ourselves up to be something different than what is accepted nationally. This white paper has not accounted for the FGDC (Federal Geographic Data Committee) definitions and that is something to be concerned about.
- **Michelle Henicheck:** Virginia DEQ's wetlands program does not see a need to revise existing definitions or implement new definitions, as the state and federal regulatory programs are relatively in sync with each other. Also, we feel it may cause confusion for the public who are engaged in voluntary restoration efforts and who also may be subject to regulatory permitting or compensation processes.
 - **Jill Whitcomb:** Agree with VA DEQ. There are existing federal definitions that are used nationally, as agreed through the FGDC.
 - **Pam Mason:** However, Virginia also has a tidal definition that is in 23.2-1300.
- **Chris Guy:** It's about providing guidance for how we account for the projects that are being done. When you implement a practice, depending on what the intent, what does it mean? I don't think it tries to redefine wetlands in any way, shape or form. It simply looks at what is the common definition that we see across the watershed for these types of activities.
- **Tess Danielson:** Speaking for D.C.'s regulatory agency for wetlands and streams, we have no intention of amending our regulations and our definitions of wetlands. That was not the intention of this paper and it's not an expectation either. The techniques are defined



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and organized under the practices of restoration, creation, and enhancement. I want to reiterate that this is not a comprehensive list and it is a working document, so if there are definitions that are missing we would like to hear that.

- **Michelle Henicheck:** I only saw NGOs and academic wetland definitions in the white paper and not the states definitions. It seems confusing.
- **Jill Whitcomb:** Chesapeake Bay Program guidance documents are then what we are expected to follow.
- **Melanie Davenport:** There's some language in this draft that leads to a different understanding than what Chris and Tess have shared. On page 8 the problem statement says we need a consensus definition for wetlands not that we need a framework for defining enhancement, creation and restoration. As long as that notion is in there, that's not going to go well with regulatory entities and the states. The Bay Program needs to avoid anything that leads the casual reader to believe that we are trying to develop a bay wide definition of wetlands. I think it's a presentation issue.
- **Adrienne Kotula:** If the intent isn't to redefine "wetland" then I would suggest the problem statement in the paper be changed accordingly.
- **Jill Whitcomb:** Pennsylvania's definition is not accurate, for example.
- **Michelle Henicheck:** For example, there is no definition from VA for our wetland enhancement, restoration, and creation that are currently in our regulations.
- **Megan Lang:** The USFWS wetland definition citation is out of date and the definition has since been clarified. (As written in the document - it is easily misinterpreted.) The USFWS biological definition, which was adopted by the Federal Geographic Data Committee and is mandated for all federally funded wetland mapping, was updated in 2013. Happy to help revise.
- **Jill Whitcomb:** We do not have record of any outreach to our wetlands staff in the development of the document.
 - **Tess Danielson:** It was literature based.
- **Jill Whitcomb:** Wetland rehabilitation is in the BMP Verification guidance, Appendix B.
- **Megan Lang:** I have not read the draft white paper yet. But wanted to make sure that we had it on our radar that the federal Interagency Coastal Wetlands Workgroup recommended consistent definitions for tracking restoration etc. in this document (p11):[Interagency Coastal Wetlands Workgroup Recommendations for Reducing Wetland Loss in Coastal Watersheds of the United States](#). I believe the recommendation is to use definitions in this document: [E8-6918.pdf](#).
 - **Pam Mason:** Thanks Megan. I do note that this is a federal document, and we need to add more complexity with all the jurisdictions.
- **Jill Whitcomb:** What was the impetus for this white paper to be developed? Was there a vote held?
 - **Pam Mason:** There was interest from the group find out what others are calling restore, create and enhance and what that means breaking it down into the



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different activities. We realized that there was a lot of variability among our participating partners on how they use those terms.

- **Jill Whitcomb:** What I want to understand is, from a governance process, how this came about, why we are here today and what we are going to be doing moving forward.
- **Ben Sagara:** My primary responsibility is trying to implement voluntary wetland projects across the state, and there was definitely some lack of clarity as to whether or not things like phragmite spraying counts as an enhancement or when you do a shoreline project how to determine the area that was enhanced or restored. We definitely were not trying to alter the definition of wetlands. That seems to be an oversight. I hear that this is an incomplete list, and I've got some thoughts on my own to add different practices, but just figuring out what practices fall under which categories, is one of the things I was hoping to see and happy to see come out of this this white paper.
- **Denise Clearwater:** I'd like to suggest keeping it very, very simple for ourselves and for the public reviewing it when we're sorting these things out. It depends on the outcome or your starting point and if it's not currently a wetland, it's going to be an acreage gain meaning it's reestablishment or establishment if it's existing wetland it's an enhancement.
- **Melanie Davenport:** VA can certainly support defining and putting parameters around restoration and enhancement, but it's going to be a nonstarter if we don't address these bigger issues.
- **Chris Guy:** Hearing that there's a potential for consensus if we modify it based on the discussion. September 1st will be our target deadline for our workgroup chairs to synthesize a new draft for workgroup comment.

Wetlands Work

- The [Wetlands Work website](#) will remain live and hosted by the Chesapeake Bay Program. We are able to make content updates but not design updates.

Announcements

- Chesapeake Progress Update: The Wetlands Outcome is now updated on [Chesapeake Progress](#) with the 2024 data.
- CBP Beyond 2025 Webinar Series: This webinar series walks through the proposed revisions to the Chesapeake Bay Watershed Agreement.
 - **July 24 (12—1PM):** Understanding another revised Watershed Agreement Goal: Healthy Landscapes [Registration Link](#)
 - **July 30 (12—1PM):** Engaged Communities: A Closer Look at the Final Proposed Goal of the Watershed Agreement [Registration Link](#)
- Chesapeake Data Website Launched: The Chesapeake Bay Program has launched [Chesapeake Data](#) - a central point of access for data resources and decision-support tools. Here is the [Wildlife & Habitat](#) page.



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