




“Protecting America’s Wetlands:
Strategic Enhancements for EPA’s
Wetlands Program”

Enhancing State and Tribal
Programs (**ESTP**)

ESTP Goals

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- A close-up photograph of a dragonfly with dark brown and white wings, perched on a thin, light-colored reed stem. The background is a soft, out-of-focus green, suggesting a natural wetland environment.
- ❖ Develop and support a *sustained* effort, *guided by collaboration* with states and tribes, to *align EPA's financial, planning and technical resources* to enhance state and tribal wetlands programs.
 - ❖ Accelerate State and Tribal Wetland Program Development
 - Applies to all programs with focus on smaller, developing programs*

* Recommendation of 2007 WPDG program evaluation

ESTP Includes All States and Tribes But Some Need More Focus

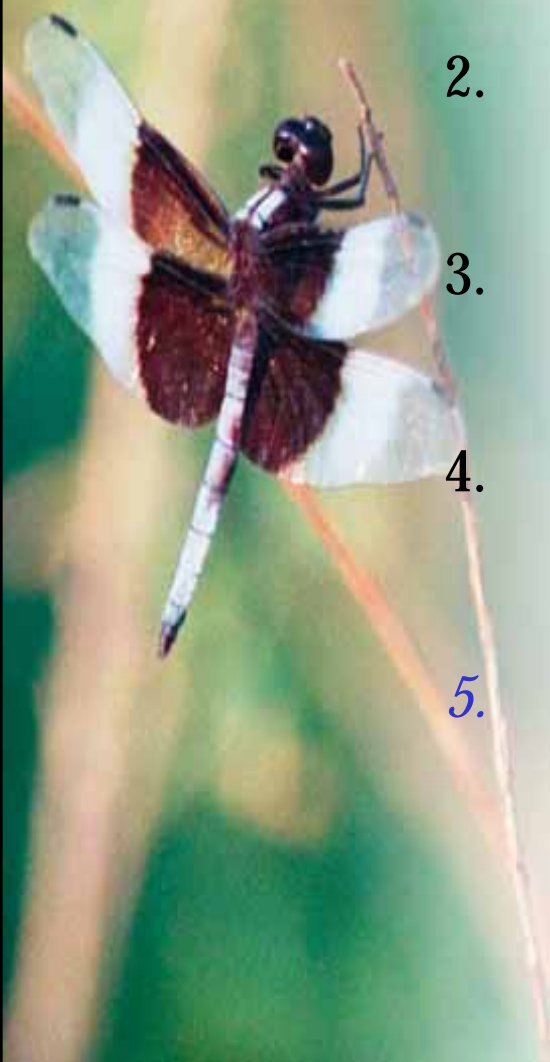
- ❖ Focus is on states and tribes that are working to build smaller wetland programs:
Developing programs
- ❖ Secondly, ESTP can help refine mature S/T programs:
More Developed programs

Core Elements of a State/Tribal Wetlands Program

- ❖ Monitoring and Assessment
 - **Consistent** with Elements of a State Water Monitoring and Assessment Program for Wetlands (EPA, 2006)
- ❖ Regulatory Actions
 - **Jurisdictional** scope, a **method to authorize impacts** to aquatic resources and assess proposed authorizations, and a **method of assuring compliance**.
 - e.g., 401 certification, state/tribal permitting, compliance and enforcement.
- ❖ Voluntary Restoration & Protection
 - **Restoration**: manipulation of a former or degraded wetland's physical, chemical, or biological characteristics to return its natural functions – includes Re-establishment, Rehabilitation
 - **Protection**: removing a threat or preventing the decline of wetland conditions
- ❖ Water Quality Standards for Wetlands
 - Goal: **designating** its highest attainable uses, **setting criteria** that reflect the current and evolving body of scientific information to protect those uses, and **establishing provisions** to protect water bodies from further degradation.

ESTP Key Components

1. *Increased dialogue* between EPA and states/tribes on wetland program development
2. Provide clear articulation of program building goals and activities -- *the Core Elements Framework (CEF)*
3. *Align WPDGs* to reinforce, better support program development
4. Provide targeted *technical assistance* for states and tribes including support for more sustainable financing
5. *Track Progress*



Increased dialogue between EPA and states/tribes on wetland program development

Key Action: Lead and develop a phased-in approach to target state and tribes for enhanced program development

Status:

Region 10 initially began working with [Kalispel Tribe](#) using a Pilot approach.

Soon recognized need to quickly engage other states and Tribes on ESTP process due to [tie to the WPDG program](#).

Identified [key EPA staff members](#) in letter sent to State and Tribal leaders to begin to work on ESTP effort.



Provide clear articulation of program building goals and activities -- the Core Elements Framework (CEF)

Key Action: Develop and promote CEF that Defines Core elements and provides a menu of program-building objectives and activities (tables) for each Core Element

Status:

- EPA State and Tribal [workgroup review and input](#): completed Feb 25, 2009
- Core Elements Framework [finalized](#) and EPA ESTP [website developed](#) and up: March 9, 2009
- <http://www.epa.gov/owow/wetlands/initiative/estp.html>

More on the CEF

- ❖ The Core Elements Framework more clearly *articulates program-building actions* in a way helpful to states still defining their programs
- ❖ Represents years of experience by S/T /regions in wetlands program development
- ❖ Will *assist dialogue* between EPA regions and S/T
 - Where they are now in program development
 - Where they would like to go in 2-5 years, and
 - What assistance would help them get there
- ❖ Assists S/T to *identify key goals and planned activities* (per evaluation findings) with less effort than 1990's Wetlands Conservation Strategies

Align WPDGs to reinforce, better support S/T program development

Key Action: Link Future WPDG funding to ESTP & program-building actions in the CEF

Status:

- EPA HQ/Regional internal workgroup: March 2008 – Dec 2008
- Briefed regional managers and OWOW management on recommendations: April 2009
- FY10 RFP revision : Summer 2009

Provide targeted technical assistance for states and tribes including support for more sustainable financing

Key Action: EPA will invest new/limited resources to targeted technical assistance based on input from S/T and Regional dialogue sessions, focus where quorum of S/T have needs

Status

- **Provide support for Sustainable Finance/Trainings:** Oct 2008 - Ongoing
- **Funding Compendium:** Oct 2008 - Ongoing updates
- **Webinar for state/tribe workgroup - input on technical assistance:** Nov 2008
- **ASWM Survey:** March 2009
- **Wetland National Meeting:** May 2009
- **Initial technical assistance options prioritized:** Summer 2009
- **Implement priority actions:** FY09-10

Technical Assistance Examples

❖ Training


- Regional or web-based trainings, e.g., sustainable finance, 404 basics
- National training webinars on specific issues, e.g., restoration challenges and techniques

❖ Develop and Share Best Practices

- Sponsor peer-to-peer forums on core elements, e.g., NWMAWG for monitoring or issues, e.g., 401 certification best practices
- Approaches for integrating wetlands into watershed planning and other water programs – case examples?
- Ramp-up information sharing on model grant projects (Wetland Grant Database – public read-only access)
- Work with ASWM and others to develop and share more best practices and approaches to program development (e.g., How to Develop SPGPs, Permit Tracking database “template”)

❖ Enhance support for Wetland Program Development

- Increased dialogue with national policy organizations (ECOS, NCSL)
- Develop educational material for State Legislatures and Tribal Leadership



Track Progress through EPA's Performance Measurement System

Key Action: Recraft HQ-Regional PAM on State/Tribal Program Development

Status:

- Complete – Jan 2009
- New FY '10 measures are more objective indicator measures than previous measures
 - **WT-2a Measure:** 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. (This is an annual reporting.)
 - **WT-2b Measure:** Number of core elements (regulation, monitoring and assessment, water quality standards, or restoration and protection) developed and implemented by (number) of States/Tribes.

ESTP Next Steps

- ❖ Sustain and Support Regional Investment in State and Tribal Program Development
- ❖ Implementation of Grant Revisions
- ❖ Implement Technical Assistance Plan
- ❖ Target WD Liaison Activities
- ❖ OWOW/Regional Management Support



ESTP

Core Element Framework

What Are the Core Elements of a State/Tribal Wetland Program?

- ❖ Monitoring and Assessment
- ❖ Regulatory Actions
 - e.g., 401 certification, state/t permitting
- ❖ Voluntary Restoration & Protection
- ❖ Water Quality Standards



Core Elements Framework

- ❖ Contains introduction, chapters and program building objectives and activities (tables) for each Core Element
- ❖ Posted on EPA Wetlands web site:
<http://www.epa.gov/owow/wetlands/initiative/estp.html>

Assumptions - The Core Elements Framework is:

- ❖ A comprehensive reference point for defining the Core Elements of a state and tribal wetlands program
 - A more complete set of suggested program building activities based on state/tribal/EPA experience
- ❖ A menu of actions, not a “must do” checklist
 - States/tribes choose which CEs to pursue based on goals
 - State/tribes choose which program building activities to pursue
 - A basis for discussion within S/T and with EPA: not a stand alone document
- ❖ Identifies incremental steps towards long-term goal of accelerating state/tribal program development
 - Not all steps sequential or required to move ahead

Voluntary Restoration and Protection (example)

- ❖ Objective 1: Clearly and consistently define restoration and protection goals throughout state or tribal territory.
- ❖ Actions
 - Establish goals that are consistent or compatible across relevant agencies
- ❖ Menu of Activities
 - Coordinate with relevant agencies that outline restoration/protection goals and strategies and timeframes
 - Develop multi-agency body to coordinate restoration/protection efforts
 - Gather information on wetland location, class and condition/functions
 - Set restoration goals based on agency objectives and available information .



Example - Regulation

Objective One for Regulation

Clearly Define the Jurisdictional Scope of the Program.



Actions	Steps	Program Categories			
		401 Certification	SPGP/RGP Permits	404 Assumption*	S/T Permit
a. Provide clear and comprehensive jurisdictional coverage of aquatic resources	Adopt definition of waters of the State or Tribe at least as inclusive as CWA (S/T permit program does not need to be as comprehensive as CWA)	X	X	X	X
	Delineate wetlands in a manner that is at least equivalent with the federal program	N/A	X	X	X

Does the ESTP initiative provide additional funds to states and tribes?

- ESTP effort is focused on using the resources we have more strategically.
- EPA will develop and support additional state and tribal peer-to-peer information networks as well as targeting EPA resources to specific training and technical support for program building activities under the core elements framework.
- The EPA Wetlands Program is sponsoring a series of workshops and trainings on sustainable finance. The purpose of these sustainable finance workshops is to help state and tribal wetlands programs develop a stable and appropriate funding model to better meet their goals.



How can state and tribes do all the activities listed in the Core Elements Framework with no additional funding?

- ❖ EPA doesn't expect state and tribes to undertake all the activities
- ❖ Much of the ESTP effort is focused on using both EPA and state and tribal resources for wetland work more strategically.
- ❖ The Core Elements Framework is very broad and states and tribes will find that it is a comprehensive set of program building activities. It is to be viewed as a menu of activities - there is not the expectation that a state or tribe will commit to all of the core elements or all of the activities under one core element. The state/tribes will pick activities that are best suited to help them meet their program goals.
- ❖ EPA has set aside a limited amount of non-grant funds to support technical assistance activities related to ESTP. For example, support for regional/state meetings or training on the technical components of the ESTP.
- ❖ EPA will develop and support additional state and tribal peer-to-peer information sharing networks as well as targeting EPA resources to specific training and technical support to program building activities under the core elements framework.
- ❖ Consideration will also be given to providing more sustained (3-4 years) grant funding when possible.



ESTP

Wetland Program Plans

Wetland Program Plans

- ❖ EPA encouraging Tribes and States to develop Wetland Program Plans
- ❖ Plans would outline goals and actions over the next few (3 to 6) years with a schedule for carrying out the actions
- ❖ Region would like States/Tribes to submit their plan to EPA Region 10 by **September 30, 2010** and received a determination from EPA by **October 29, 2010** whether the Plan contains the minimum components.



Wetland Program Plans - Why Do Them?

- ❖ Program plans assist S/T with program development by encouraging them to think strategically about what they are going to do over a period of several years to build their wetlands program.
- ❖ Program plans allow EPA to be clear on where S/T intend to go with their programs, and how they plan to get there.
- ❖ Program plans allow EPA to be more effective and targeted in providing useful technical assistance.
- ❖ Program plans allow local governments and universities to potentially help the S/T build their wetlands programs.



Wetland Program Plans and EPA's Wetland Grants

- ❖ Tribe or State may apply for Wetland Grant funding to create a plan (FY2010 RFP in February 2010)
- ❖ Starting in FY 2011, Tribes or States with **Wetland Program Plans** will be eligible to receive additional points in the competition process when they propose to carry out actions identified in a WPP

