

Montana Wetlands Council Meeting Summary October 22, 2008

*** Next Council meeting will be January 15, 2009 in Helena.**

Welcome

Welcome and introduction by Lynda Saul, MT DEQ Wetland Program Coordinator. Meeting participants introduced themselves. About 60 people attended all or most of the Council meeting, please see sign up list on last page.

Award Ceremony

Lynda announced that the joint Wetlands and Watershed Awards Ceremony will take place May 2009 in the State Capitol and asked people to consider nominations for wetland stewards and also to plan to attend the Award Ceremony and joint meeting of the Wetland Council and the Watershed Coordination Council.

Wetland Grant RFP

Lynda announced that the EPA Region 8 Wetland Grant Request for Proposals (RFP) is expected to be released at the end of November. With the adoption of Montana's Strategic Framework, <http://deq.mt.gov/wqinfo/Wetlands/StrategicPlan08-12.pdf>, State, local government, and non-profit project ideas and pre-proposals will be expected to address priorities identified in the Strategic Framework. Sponsors should start now to develop their project ideas with a Strategic Framework Working Group or the Steering Committee. Please see Lynda or a Working Group Chair for more information. Three page pre-proposals will be due to the Montana Wetland Grant Review Team about three weeks after the RFP is issued and sponsors will be asked to present their pre-proposal to the Grant Review Team. Final proposals will be due to EPA Region 8 three weeks after pre-proposals are due. It's a short timeline, so those interested are encouraged to start working on project ideas now.

Strategic Framework Working Groups

The new Strategic Framework restructured the Council into an action oriented network with five Working Groups to address Strategic Directions. Three of the Working Groups are up and going. An Education and Professional Training Working Group will be added in the coming year. A Local Government Working Group is on hold while we evaluate how best to integrate the many entities working with Local Governments. The Council Steering Committee is composed of Working Group leads and is looking for a few additional participants.

Vulnerable Wetlands and Public Policy Working Group (SD#6 and SD#7)

Lynda Saul, Working Group lead, reported that three ad hoc groups have been working on three issues to address the first year's work plan for this Working Group.

1. Wetlands and Water Rights – projects include: Education and outreach via the new Landowners Guide to Wetland and article in the winter issue of Big Sky Small Acres. DNRC and DEQ agreed that the Bitterroot Change detection report identified that about 70% of the 921 new ponds developed over the last 20 years have water rights, but that an

exact determination is not possible without detailed database and GIS analysis. DNRC has drafted administrative rules for water rights. These will be sent to state agencies next week for internal review, then to outside experts and finally to the general public.

Followed and reported on a Montana Department of Transportation bill request for an exemption from permit requirements for CWA required mitigation to restore a functional wetland. Passed the EQC Water Policy Committee 8-0.

2. Federal Clean Water Act – projects include: Tracking the national issues surrounding the limitation of the Federal Clean Water Act due to recent Supreme Court rulings. DNRC and DEQ drafted a joint position paper for the Governor’s office on potential solutions. DEQ has contract with the Association of State Wetland Managers to conduct a study regarding CWA tools used to protect Montana’s wetland and aquatic resources and possible state approaches.

3. Flood plains – projects include: DEQ received grant funds for a joint mapping project involving floodplains, wetlands, and riparian areas to pilot integrate resource information to assist local governments and communities. Developing wetland training for local floodplain managers and others at the Association of Montana Floodplain Managers annual meeting in Spring 2009.

Mapping, Assessment and Monitoring Working Group (SD#3)

Linda Vance, Working Group lead, reported that four Natural Heritage Program staff members are working on wetland mapping at the MTNHP Montana Wetland and Riparian Mapping Center. Linda presented a mapping status by [USGS quad](#) and showed which maps available through NRIS at: <http://nris.mt.gov/>. NWI maps have to be reviewed for Quality Control by USFWS before they can be published and there is currently a two year back log. They are looking for a way to make them available in PDF format. Those with mapping needs are encouraged talk to Linda or Lynda for ideas about funding partnerships.

Regarding the assessment and monitoring portion of the work group, a rotating basin strategy for monitoring has been proposed and MT NHP has a grant from EPA to develop this. MT NHP will do monitoring assessments in coordination with the Blackfoot Nation on the Milk and Marias as a first basin and enter information in a database. Linda said they discovered that Montana DEQ doesn’t have a water quality monitoring strategy. The state is now working to developing this in order to be eligible for EPA funding. The Working Group and MT NHP would like input to determine where the next focus area for assessment will be and how to incorporate into overall state water assessment program. The Working Group plans to set up an advisory process to ask others to review tools and data storage.

Restoration Working Group (SD#4)

Tom Hinz, Montana Wetland Legacy Partnership Coordinator is the restoration working group lead. This annual work plan is focused on four areas. [Layered Map](#)

1. A map or other prioritization scheme for identification of Conservation Focus Areas to help partners focus restoration and conservation resources in priority areas. The primary product developed to date is a series of GIS layers maintained by FWP that show areas of overlap from several existing prioritization maps from FWP, TNC, Ducks Unlimited,

USFWS Partners Program, and others. In order to meet the intent of this Conservation Focus Area need, this product could be more useful if more detailed than the current datasets at <http://fwp.mt.gov/specieshabitat/strategy/resources.html>

2. The new farm bill is a second emphasis area of the current Restoration Working Group workplan. FWP has contracted with NRCS to enhance partnership development and cooperative delivery of wetland-related programs in the new Farm Bill. Wetland Council members and others met as part of the State Technical Advisory Committee for NRCS back in September. Meetings and cooperation on Farm Bill projects will be continued throughout the year, with special attention being paid to WRP, WREP, and other wetland conservation programs.

3. A few Legacy partners have met to continue discussions about additional mitigation crediting programs, possibly housed in a department of state government. No clear direction on the possibility of doing this has come from any state agency at this time.

4. Finally, the Restoration Work Group, as part of SD#4, is looking for opportunities to evaluate the longterm success and effectiveness of restoration and compensatory mitigation in Montana. A task-based group of restoration partners may be assembled to investigate ways to make progress with this strategy, possibly utilizing some wetland development grant funds.

Council presentations followed including:

Protecting and Conserving Wetlands: Challenges for the States.

Jeanne Christie, Executive Director, Association of State Wetlands Managers.

Ms. Christie shared her depth of experience working on national wetland programs for the last 20 years and supporting states and tribes to develop effective state wetland programs. She explained that while 20 states have some level of state wetland protection regulations, Montana is one of 30 states without specific state regulatory protection and therefore rely on Section 404 of the Federal CWA. She described several states that have developed new programs addressing wetland quality, mapping, regulation, education and other activities. She discussed innovations, trends, challenges and opportunities for states including a focus on Montana. [Protecting and Conserving Wetlands: Challenges for the States, Jeanne Christie](#)

Using GIS Tools to Incorporate Wetland Protection into Watershed Planning – Georgia’s Experience.

Steve Carpenedo, Montana DEQ Wetland Program.

DEQ Wetland Program’s new employee described the GIS watershed based planning tool he developed in Georgia to help Federal, State and Local governments make more informed decisions regarding impacts to wetlands and effectively use mitigation to provide the desired wetland services. Other project experience includes conducting a statewide threat assessment of wetlands, development of a GIS database to track and monitor Section 404 mitigation permits, and inventory of newly created ponds in Georgia for impacts to wetlands. Mr. Carpenedo stressed the importance of working with the intended users of these tools in their development. [Using GIS Tools to Incorporate Wetland Protection into Watershed Planning – Georgia’s Experience, Steve Carpenedo](#)

New Tools for Montana Local Governments for Wetland and Riparian Areas and Case Studies: Working with Local Governments.

Janet Ellis, Program Director, Montana Audubon.

Ms. Ellis described three new reports available to agencies, local government officials, and the general public on the science of protecting streams using vegetative buffers. <http://mtaudubon.org/issues/wetlands/planning.html>. The reports summarize the information of almost 200 scientific studies that focus on the functions and size of vegetated buffers needed to protect water quality, fisheries, wildlife, and wildlife habitat. She also presented case studies of recent and ongoing work with several Montana local governments involving wetland and riparian protection. [New Tools for Montana Local Governments for Wetland and Riparian Areas and Case Studies: Working with Local Govenments, Janet Ellis](#)

Wetland Habitat Suitability for Trumpeter Swans in the Madison Valley.

Meghan Burns and Natalie Byars, Montana Natural Heritage Program.

Ms. Burns and Ms. Byars described a GIS and field-based analyses they conducted in 2008 in the upper Madison Valley and surrounding mountains to identify potential release sites and nesting areas for trumpeter swans. They reported that federal, state, and private partners involved in restoration of the Rocky Mountain population of Trumpeter Swans in MT, WY and ID have identified the Flathead, Blackfoot, and Madison Valleys as having wetlands that are potentially suitable for restoration of breeding trumpeter swans, which were extirpated from all three areas in the 19th century. [Wetland Habitat Suitability for Trumpeter Swans in the Madison Valley, Meghan Burns and Natalie Byars](#)

Wetlands, Climate Change, and Carbon Sequestration.

Lynda Saul, Wetland Program Coordinator, MT Dept of Environmental Quality

Bob Sanders, Manager of Conservation Program in MT, Ducks Unlimited, Inc

Ms. Saul presented USGS and Intergovernmental Panel on Climate Change data documenting changes in climate focusing on Montana during the past century and expected changes based on numerous climate models. She addressed questions such as: How will wetlands be affected by climate change and what will be the likely impacts? What types of wetlands will be most affected and what functions will be altered? What land and water management practices can be adopted to reduce the impacts on wetlands? Mr. Sanders discussed the important role of wetland and grassland restoration and protection in sequestering carbon and Ducks Unlimited Carbon Offset Credit Marketing Project. [Wetlands and Climate Change, Lynda Saul](#) and [Carbon Offset Credit Marketing Project, Bob Sanders](#)

Wetland Updates and Coordination Reports.

The last agenda item requested brief reports from Council participants.

Bonnie Lovelace, DEQ Director's Office talked about the climate change issue and more intense storms. She serves on a national group of water quality regulators and questioned that if we are to manage climate change we may need to handle infrastructure differently.

Design criteria may be changing for infrastructure to pass bigger storms. There is national work being done on this.

Glenn Patrick, Farm Services Agency talked about the farm bill. The 2008 Farm Bill reduced the National CRP acreage allocation from 39.2 million acres to 32 million acres so contracts expiring in 2008 and 2009 will not be offered a chance to re-enroll. Talked about agricultural subsidies and the farm bill. Said the farm bill wetland program is still there and new provisions have improved the program. Approved CRP wetland contracts will receive a Signing Incentive Payment of up to \$100 per acre, a Practice Incentive payment of 40% of the eligible cost of installing the practice which is in addition to the normal cost-share assistance of 50% of the cost of installing the practice and a 20% increase in the Annual Rental Payment. The CRP wetland program has not had much activity. Talked about implementation dates.

Pete Husby, NRCS said hoping for grassland easements funding in the farm bill. Put money into reducing Russian olive in wetlands. Could use funding for biofuels by chipping the trees for other uses such as mulch.

Janet Ellis, Montana Audubon said that on November 14 the Dept of Agriculture's weed committee will decide on a petition to list Russian olive as a Class IV noxious weed. Class IV weeds would prohibit nurseries from selling the plant but would not require landowners to destroy established plants (such as in wind breaks).

Shannon Downey, DEQ Coal Program discussed the potential for offsite wetland mitigation. Would like to talk to anyone who knows about offsite wetland mitigation.

Linda Vance, MT NHP introduced two new staff members, Karen Newlon, ecologist and Tara Luna, restoration specialist, they worked assessment and monitoring and restoration of wetland and upland habitats this summer. Linda said three reports are coming out: detection of change in wetlands in the Flathead, geographically isolated wetlands, wetlands ecological system descriptions and she is looking for help to review documents.

Karen Newlon, MT NHP. We are currently developing and refining wetland assessment procedures. We completed over 240 wetland assessments throughout eastern and southwestern Montana during the summer of 2008 with a focus on herbaceous wetland systems. Wetland assessments will focus on western Montana in 2009.

Robert Ray, DEQ 319 program and reporting for the Montana Watershed Coordination Council, set up to support agencies and conservation districts. Accepting 319 grant proposals until the end of October, \$900,000 available for grants.

Jeff Tiberi, Montana Association of Conservation Districts new Executive Director introduced himself. He thanked Jeanne Christie for her comments about farmers being the on-the-ground experts concerning the building of wetlands. He emphasized Conservation Districts and our willingness to work with others to improve conservation in Montana. Jeff mentioned noxious weeds, specifically the European Water Milfoil and

the danger it presents to wetlands in Montana. It is already introduced in the northwestern part of Montana. Jeff mentioned that the Governor's office is working on legislation to more systematically address invasive species

Hal Harper, Governor's Office, talked about restoration economy importance to the Governor and the state. How important it is for a health economy and plan to direct more dollars to restoration. Carbon sequestration is coming. Will be paying a lot of attention to riparian and wetland protection. Important that these efforts continue to grow. New partnership between land owners and recreation users.

Bob Sanders, Ducks Unlimited, Inc. Discussed his work looking into estate planning for rural communities as a historic land use protection tool in eastern Montana which has had a slow uptake of conservation program. Looking at having meeting with landowners and advisors such as attorneys and realtors. Might be some good techniques to apply to wetland program.

Doris Fischer, MT Dept of Fish Wildlife & Parks, talked about local land use regulations and working with landowners. Tools for local governments to do planning and conservation can be improved. For example, FWP has organized a working group of local planners, field biologists, land use attorneys, and Montana Audubon to recommend fish/wildlife habitat protection standards for the State's Model Subdivision Regulations. The Model Regs get distributed to local governments across the State as a guide. The Model Regs are being updated and will be available as a draft next spring. FWP's recommendations for the Model Regs will include development standards for protecting wetlands and riparian areas.

Larry Urban, Montana Department of Transportation Over the past two years, the COE has been in the process of updating the 1987 Federal Manual for the Delineation of Jurisdictional Wetlands through the development of Regional Supplements. As a result of these efforts, there are now 3 Regional Supplements for delineating wetlands in Montana. These new Regional Supplements are for the Great Plains (GP), Arid West (AW) and Western Mountains and Valleys (WMV) regions of Montana. Currently two of the guides (GP & WMV) are in what they call an "DRAFT Interim Working Condition" for which the Corps are requiring all wetland delineators in these areas to utilize and provide feedback before they are finalized in 2009 (May 09 for the GP and July 09 for the WMV). The Arid West supplement has been finalized and must be utilized for all wetland delineations in a small triangular area of Montana in the Clark's Fork of the Yellowstone River Basin from approximately Rockvale to the Montana-Wyoming border. MDT recently organized and hosted a training by the Wetland Training Institute (WTI) for wetland experts which was held October 15th through 17th concerning the three jurisdictional supplemental guidebooks. These are now in place and the Corps is requiring that they be utilized for all new wetland delineations and for updates to existing wetland delineations approaching 5 years in duration. All consultants and resource agencies should be using them for CWA Section 404 activities. MDT recommends that anybody working in wetlands should obtain copies from the Corps

Headquarters website at http://www.usace.army.mil/cw/cecwo/reg/reg_supp.htm and become familiar with the new methodologies involved in delineating wetlands.

Tom Hinz, Montana Wetlands Legacy Partnership/DFWP, discussed funding partners to research swan habitat in the Madison. He recognized Linda Vance and staff as making this work possible. He also mentioned the Blackfoot Challenge release of swans this spring. The Madison valley is becoming a focus for wetland/riparian conservation. The Legacy Partnership has a state-wide goal of 50,000 acres each year, much of it possible from NAWCA grants.

Janene Lichtenberg, Confederated Salish Kootenai Tribe, talked about mitigation of land from hydroelectric dam for wetland and riparian areas. Working to bring back the leopard frog. Talked about Trumpeter swan reintroduction on the CSKT Reservation: 134 captive birds released since 2002, 6 swan nests this past summer (8 nest in 2007) and 23 fledglings. Have put reflectors on power lines and this has helped protect them.

Rick Northrup MFWP, talked about land projects centered around riparian areas. Listed purchased areas. Migratory bird stamp projects, Tom is involved. Talked about sage brush initiative, about 190,000 acres involved, for sage grouse, will benefit wetlands. Paying for a 30 year commitment to farmers not to plow or burn sage brush.

Joanna Thamke, USGS, working with others (USGS, USFWP, MBMG, Sheridan CD) to develop project for Brine Contamination to Prairie Potholes from Energy Development in the Williston Basin. If other agencies are interested in becoming part of this project, please contact USGS at jothamke@usgs.gov or rsojda@usgs.gov

Alina Niklison, Five Valleys Land Trust, planning on submitting a NAWCA grant for conservation in the greater Bitterroot area and looking for collaborators and assistance.

Lynda thanked all the presenters and those who attended and participated in meeting. Meeting adjourned.

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