



Missouri
Department of
Natural Resources

Wetlands Technical Subcommittee Workgroup-Meeting Notes

For March 27, 2013, 1:00 pm-4:00 pm

Bill Whipps, TMDL Unit Chief, MDNR, started the meeting with introductions.

John Hoke, Watershed Protection Section Chief, MDNR, began discussion regarding Water Quality Standards, rulemaking – what the current status is, and the timeframe.

Bill Whipps provided an overview of the agenda items, mentioning the additional documents on the department's internet.

Chris Zell, Geosyntec, asked a question regarding EPA's consideration of revising wetland criteria/guidance and how does it mesh with current rulemaking.

Bob Angelo, EPA, recommended the state move forward and not delay their actions waiting for guidance from EPA. He did not have a timeline for EPA to provide a guidance document. He asked Eliodora Chamberlain (attending by conference call) for an update on when the guidance document would be ready.

Eliodora Chamberlain asked for some clarification to Bob Angelo's question, then commented that the wetlands guidance should be all inclusive under surface water.

Chris Zell asked for some additional information on the handbook (guidance).

Eliodora Chamberlain said that the guidance is already out and available.

Bob Angelo will confirm Eliodora's comment and get a copy to Bill Whipps.

John Hoke said the department needs to develop a schedule to move forward.

Bob Angelo commented that the wetlands program development plan has elements that include a timeline for wetlands water quality standards.

John Horton mentioned that the timeline is 2013-2018.

Lorin Crandall asked for clarification, questioning that there would be no standards until 2018.

John Hoke said this is just the overall timeline.

Bill Whipps provided wetland water quality standards core element action item (a) timeline.

John Hoke added additional comments on the schedule. Lorin Crandall asked if it was going to take 4 years of workgroup meetings to develop water quality standards for wetlands.

John Hoke said he hoped it would not take that long.

Loren Crandall responded that numeric criteria for nutrients is the first thing that should happen, then toxics-the sooner the better.

Bill Whipps stated that the next rulemaking will not be in effect until 2015, but we will start now.

There was general discussion at this time between John Hoke, Lorin Crandall, Chris Zell and Bob Angelo.

Bob Angelo mentioned the National Wetland Condition Survey from last year. He said that as new data is analyzed recommendations could be coming out. He said it takes at least 1 year to analyze, but recommendations should be available before 2015.

Steve McIntosh noted that the Missouri Rapid Assessment Method should be incorporated by 2015 and will be underway this year.

Karen Bataille asked Bob Angelo if the work was done in an intensively managed wetland. There was some additional discussion between several parties on this issue.

John Hoke mentioned that the study done in 2011 threw out farm ponds.

Bob Angelo said that there should be a body of data that will be helpful for this process.

Eliodora Chamberlain noted that there are 7 different types of wetlands in the survey, 10-12 sites per state, and it is national not state-specific.

Lorin Crandall asked if MO Department of Conservation (MDC) has data on wetlands.

Karen Bataille responded with information on what MDC has, and mentioned that they manage draw down times to control wildlife and usage.

Lorin Crandall mentioned the MoRAP study, said it assesses wetland characteristics; he has the study if anyone wants to look at it (NWI-expensive). Lorin also mentioned LIDAR as a cost effective way, and stated "In Missouri we tend to do things our own way." He also mentioned Our Missouri Waters , nutrient trading mechanisms, 100 year flood plain, high resolution wetland delineation (should be a priority), and that we need reasonable assurance.

Anna Nowack responded that Minnesota was doing some small areas, and that it was time-consuming.

Bob Angelo posed the question of how Missouri is contemplating addressing the smaller wetland systems, not captured at the NWI scale. He suggested that we may want to consider some encompassing language on wetlands in our WQS.

Bob Angelo asked that in the current rulemaking we not give up on including wetlands definitions.

John Hoke said that was correct, and that there is interest in pulling some wetlands into this rulemaking.

Break-2 pm

Resuming after the break, Bill Whipps and Anna Nowack began with a presentation on prioritizing and applying designated uses and numeric criteria to specific wetlands. Discussion of tables G, classified lakes, and table E, outstanding resource waters (do not have designated uses), were included. Bill mentioned bringing wetlands in as Class W. Anna noted that there is a shapefile with the water bodies, all but 2 are on public lands. She also mentioned that some of the information is hard to understand (example provided of Squaw Creek-national wildlife refuge pool).

After more discussion Davis Shorr asked “How does this hurt?” Bill and Anna discussed the issues and stated that it is not all figured out yet, that’s why it is being brought up for discussion. Anna provided additional clarification for the map of Squaw Creek that was shown as part of the presentation.

Bill Whipps asked the group what criteria do we need to potentially move something from class G to class W.

Mark Osborn noted that lake sizes vary year to year; some literature on class of wetlands by coordinate is available (Cowardin classification system). It has definitions according to depth of water. Some feel it’s the standard to go by.

Davis Shorr commented on water treatment plants, noting that wetland standards are more protective than lakes standards, and this could affect timing and rate bases, they could swing widely from a financial perspective. He asked what the transition period for permittees would be when class designations change-it could cost upwards of \$20 million when more stringent changes occur, there will be push back.

John Hoke said that was a valid point.

Karen Bataille mentioned that wetlands are wetlands regardless of whether they have water or not. She said a simple class determined by water depth might be a good place for Missouri to start.

Lorin Crandall commented on farm ponds. He said we should be filtering some of that out, and asked if there was a way to pull out the big ones and exclude the small stuff.

Bill Whipps clarified that we are not dealing with the small stuff like farm ponds on private lands; we are only addressing the public lands.

Trent Stober asked about what is on the list-noted it would be a good thing to bring out the lakes that should be wetlands.

Anna Nowack indicated they are working on updating the data so the correct information is there.

Karen Bataille responded to comments about lakes turning into wetlands. She said that’s why Anna is running into name/designation issues.

Loren Crandall commented on bacteria fluctuations, bacteria standards, seasonal allowances, and major flyways.

Bob Angelo responded to a question from Trent Stober regarding EPA standards. He noted contingencies on use designation, and that Kansas applies secondary contact to wetlands. He said it would behoove the group to look into bacteriological conditions, reference wetlands.

Bill Whipps asked about having to do a UAA to take a use away, if we move a water body from Class G to Class W.

Lorin Crandall discussed wetlands restoration/reconstruction, how much time it takes, and asked Leslie Holloway what Farm Bureau thinks. Leslie had arrived late and indicated she did not want to weigh in on the issue.

John Ford asked for clarification on what we are trying to do.

Bill Whipps discussed #12-15 under designated uses in the Water Quality Standards.

John Ford then asked if there will be prescriptive designated uses to go along with numeric criteria.

Bill Whipps discussed Nebraska's standards that do not include recreational uses, and that Kansas has secondary uses.

Bob Angelo mentioned that he would discuss with EPA about changing from lakes to wetlands without doing UAAs. He will get back to the group.

Bill Whipps mentioned using Nebraska's wetlands Water Quality Standards as a model for Missouri. There are four designated beneficial uses in Nebraska's plan, and no recreational criteria.

Bob Angelo said that we probably can't remove Missouri's recreational use.

General discussion included comments from Karen Bataille (treatment wetlands), Lorin Crandall (they are excluded), Bob Angelo (example of Great Bend Kansas).

Trent Stober noted that we need to be careful about unintended consequences.

Bill Whipps noted that tiered aquatic life will be discussed at the next meeting. He asked if the group was comfortable in moving waters into different classes (i.e., G to W).

Mark Osborn asked that information to review be sent out prior to the next meeting, that it would help to see some data.

Lorin Crandall wants NRCS and Farm Bureau in the room when we discuss these issues.

Karen Bataille asked that the ecological classes be posted.

Lorin Crandall noted that Eagle Bluffs treatment wetlands could provide a sense as to how these wetlands are doing.

Bill Whipps will provide additional documents and a schedule next week.