



MAINE  
 ASSOCIATION OF  
 WETLAND  
 SCIENTISTS  
 P.O. BOX 202  
 YARMOUTH, ME 04096

# THE OBLIGATE

January 1994 *The Newsletter of The Maine Association of Wetland Scientists* Vol. 3 No. 4

## PRESIDENT'S MESSAGE

As I was rumaging through my MAWS files, I realized that our third "official" year as an organization is rapidly drawing to a close. The initial flurry of activities in getting MAWS established and in dealing with the proposed revisions to the Federal wetland delineation manual has certainly calmed down, but MAWS is still alive and well.

It's been a relatively quiet year in terms of wetland issues at the state and federal level. There hasn't been much to react to, so MAWS has focused its efforts on educational programs and other internal issues. We are still tossing around the idea of a certification program, and I'm sure that next year's Executive Committee will be deciding where to head with the results of our recent certification survey.

Throughout my tenure as President, I have continually asked myself, my Executive Committee, and the membership for their thoughts on where MAWS has been and where MAWS should be headed. Participation in meetings is down from our early days, but this doesn't necessarily mean that MAWS is doing something wrong. Before I forget, I'd like to extend my deepest thanks to Marcia Spencer-Famous and her program committee for doing a wonderful job in putting together this year's field trips and educational programs. This is the last time you'll have to hear this from me, but I'd still like to hear any thoughts that you folks have on what MAWS should be doing in terms of meetings, projects, certification, or whatever. Or pass your ideas along to John Lortie, our incoming President.

I've very much enjoyed working with this year's Executive Committee, and I'd like to thank them all for their dedication and efforts despite having a million other things to do. Colen Peters deserves special kudos for his great job in publishing *THE OBLIGATE* and Hugh Durgin for having the initiative to compile the "MAWS NEWS BRIEF" in each newsletter. I'm looking forward to working with John and the other members of the 1994 Executive Committee. Issues to keep an eye out for include the ever popular reauthorization of the Clean Water Act, results of the National Academy of Science's study of wetland delineation, and implementation of President Clinton's wetlands plan.

In the meantime, enjoy the snow and hope to see you all in a wetland sometime soon.  
**Wende Rosier**

## ELECTIONS- 2/16/94 Annual Meeting

The annual election of the MAWS Executive Committee will be held on Wednesday 2/16/94 during the business session of the Annual Meeting at the Maine State Grange at 146 State Street in Augusta. The slate of candidates includes:

<b>President</b>	John Lortie	
<b>President Elect</b>	Colen Peters	
<b>Secretary</b>	Dave Cowan	
<b>Treasurer</b>	Alan Burnell	Mike Thompson
<b>Member at Large</b>	Wende Rosier	

### Committee Chairpersons

<b>Ethics</b>	Rick Jones	
<b>Legislative</b>	Peter Tischbein	
<b>Membership Program</b>	Don Phillips	Scott Fletcher
	Sally Rooney	

Nominations for candidates will also be accepted from the floor at the time of the election. Remember, dues must be paid up to be eligible to vote! The distribution mailing list for this issue of *THE OBLIGATE*, reflects MAWS members which are now current with dues. If you didn't receive a copy of this issue or if you're looking over a shoulder reading a copy of someone else's newsletter, your dues may not be paid up! Outgoing Treasurer, Dave Cowan, (775-4495) can let you know whether you're up-to-date.

## Incoming Thoughts

Another year has come and gone, and we find ourselves asking many of the same questions: How will the Clean Water Act Reauthorization affect wetland boundaries and delineation techniques; has the National Academy of Sciences finished their review of the Federal Manual for Identifying Jurisdictional Wetlands; is MAWS planning on doing anything significant this year? Will I ever get rid of this cold?

I hope that we build on the foundation we laid during the last several years, and begin to focus our expertise and energies on current wetland issues in Maine and the northeast. We need to support, and build upon, Hugh Durgin's efforts to disseminate wetland information to the Membership. I have always believed this was an important function of MAWS, particularly with the expected changes in wetland regulations.

Please be prepared to briefly discuss your thoughts at  
 (Continued page 2- Incoming)

(Incoming con't from page 1)

at the annual meeting. Possibilities include:

Should MAWS sponsor a joint wetland conference with NHAWS? What topic(s) should be covered?

Should we sponsor a field trip for the upcoming SWS meeting in Boston? Would the Saco Heath be a good place?

What should we do in regards to certification? Should we form an ad-hoc committee to address the issue? How should we coordinate our efforts with MAPSS?

How can we encourage more participation from our colleagues who work in wetland research at colleges and universities?

I look forward to working with everyone during the upcoming year.

John P. Lortie

### Results of Certified Wetland Scientist Questionnaire

This questionnaire was sent out last summer to MAWS, MAPSS, Maine Landscape Architects, Maine Licensed Engineers and law firms with environmental departments. A total of 92 responses or approximately 20% of the questionnaires sent out were returned. Below is a breakdown of responses. A more detailed analysis of responses is being prepared.

1. How would you best describe your interest/involvement in wetlands?

- |   |     |
|---|-----|
| a. wetland consultant                             | 28% |
| b. engineer, architect, land-use designer/planner | 37% |
| c. regulatory agent or analyst                    | 8%  |
| d. land use legal services                        | 0%  |
| e. land owner/user subject to wetland regulations | 5%  |
| f. academic/research                              | 1%  |
| g. soil scientist                                 | 16% |
| h. other  | 4%  |

2. How would you best describe your knowledge and experience relative to wetland science and/or wetland regulations?

- |  |     |
|--|-----|
| a. little or none                        | 6%  |
| b. 1-2 years education and/or experience | 11% |
| c. 3-5 years                             | 38% |
| d. 5-10 years                            | 22% |
| e. >10 years                             | 23% |

3. Are you a member of the Maine Association of Wetland Scientists?

Yes 44% No 56%

4a. Do you feel there is a need for a certification program in Maine?

Yes 74% No 21% No answer 5%

MAWS: Yes 85% No 10% No answer 5%

4b. If yes, why do you feel there is a need for a certification program?

- |   |     |
|---|-----|
| a. there is a need for consistency among providers of wetland services                        | 24% |
| b. there is a need for a demonstration of qualifications to regulators and the general public | 5%  |
| c. there are unqualified practioners in the field   | 3%  |
| d. all of the above   | 44% |
| e. other  | 2%  |

5a. If you practice wetland science, do you think those you provide services for would prefer that you were certified? No answer 32 Out of 60 Answers:  
Yes 32% No 33%

5b. Have any of your clients questioned whether or not you were certified? Out of 55 answers:  
Yes 38% No 62%

6. If you hire, or otherwise rely on the services of a wetland scientist, would you prefer that they were certified? Out of 68 answers:  
Yes 69% No 31%

7. What format should the certification program take?

- |  |     |
|--|-----|
| a. anyone meeting certain minimum requirements (eg. 2 years experience, basic educational background) could be certified | 23% |
| b. a test should be given  | 8%  |
| c. a written test and field exam should be given   | 58% |
| d. other   | 11% |

8. Should people be certified in different categories: delineation, functional assessment, mitigation design, etc?

Yes 38% No 62%

9. Should the certification be overseen by

- |   |     |
|---|-----|
| a. MAWS- non-legal licensing status, voluntary program                      | 24% |
| b. State Board of Licensing - legal licensing status, non-voluntary program | 53% |
| c. Society of Wetland Scientists - non-legal status, voluntary program      | 14% |
| d. Other  | 8%  |

10. If a certification program is instituted, do you feel that this would be a sufficient means of certification?

Yes 53% No 35% No answer 12%

11. Should the national certification program be incorporated into a State program?

Yes 63% No 37%

12. Would you be willing to pay a reasonable amount for a certification program?

Yes 81% No 19%

# MAWS NEWS BRIEF

January 1994

Thanks to Dave Rocque, John Lortie, Wende Rosier, Peter Tischbein and others. Please forward material to Hugh O. Durgin, P.O. Box 817, Blue Hill, Maine 04614 (374-5840).

## FEDERAL LEGISLATIVE ACTIVITY

### **H.R. 3171 - Department of Agriculture Reorganization Act of 1993**

Combines ASCS, FmHA and FCIC into Farm Services Agency and maintains stand-alone **Natural Resource Conservation Service** to provide technical and cost-share assistance for natural resource management activities. Referred to House Committee on Agriculture, subcommittee on department operations & nutrition has tentatively scheduled mark-up for 2/8/94.

### **H.R. 3465 - Wetlands Protection and Management Act**

Embodies Clinton administration wetlands policy proposal announced in August. Amends section 404 of the CWA to give SCS responsibility for delineating wetlands on agricultural lands; clarify existing exemption for normal farming ranching activities; exempt prior converted cropland; simplify appeals and permitting processes; continues use of the 1987 delineation manual, pending completion of National Academy of Sciences study. Also includes section on state wetlands conservation plans and provides guidelines and authority for EPA to make grants for such programs. Referred to House Committees on Public Works and Transportation, House Merchant Marine and Fisheries, and Agriculture. Bill closely reflects conservation district recommendations.

## STATE LEGISLATIVE ACTIVITY

The Second Regular Session of the 116th Legislature reconvened on January 5, 1994. For a mere \$10 check made out to the Treasurer, State of Maine, and forwarded to the Clerk of the House, State House, Augusta, Maine 04333-0002, you will get the **Weekly Legislative Report** listing all bills printed each week.

**LD 1694 - HP 1267**, An Act to Clarify Permitting Requirements for Cranberry Growing Operations.

## STATE AND FEDERAL REGULATORY UPDATE

The U.S. Army Corps of Engineers is proposing to reissue, **as modified**, its Regional General Permit No. 39 for the State of Maine. **Concurrent with reissuance of GP No. 39, the Corps would revoke all Nationwide Permits in the State of Maine.** The reissued No. 39 would authorize applicants to perform work, subject to specific conditions, without obtaining approval from the Corps for (1) the discharge of dredged or fill material into waters of the U.S. and (2) work or structures in or affecting navigable waters of the U.S. The reissued GP 39 would simplify the application process and allow environmentally sound proposals to proceed quickly without regulatory duplication. Level 1 projects would be non-reporting, Level 2 projects would be reviewed on a case by case basis, Level 3 projects or those found to be ineligible for GP 39 would require an individual permit. The comment period closes February 1, 1994. The reissued GP 39 may go into effect in May of this year. For full details request the Public Notice (File No. 1993-00261C, dated January 4, 1994, 17 pages) from: U.S. Army Corps of Engineers, New England Division, Regulatory Division, 424 Trapelo Road, Waltham, MA 02254 (617-647-8306).

The Maine Department of Inland Fisheries and Wildlife is drafting rules that will address the "significant wildlife habitat" section of the Natural Resources Protection Act. The rules may increase total land area subject to the NRPA and the total amount of Class 1 wetland.

According to an agreement signed by four federal agencies in early January, the Soil Conservation Service will become the lead agency in defining which agricultural lands are wetlands.

## EDUCATIONAL

A 23 minute video entitled **The Wealth in Wetlands** can be borrowed from Mary Thompson, District Conservationist, Knox-Lincoln County SCS, 191 Camden Road, Warren, Maine 04864.

**A World in Our Backyard: A Wetlands Education and Stewardship Program** is two videos in one. The first is background and teaching information for teachers, the second a zany but educational video suitable for middle school students (24 minutes total). Available on loan from Stafford Madison, EPA Region 1, Wetland Protection Section, JFK Federal Building, Boston, Ma 02203

## FREE or INEXPENSIVE

A video and brochure entitled **A Natural Balance - Restoring Native Habitats** illustrating the use of herbicides to remove invasive wetland plants is available from Monsanto Agricultural Co., 800 N. Lindbergh Blvd C2SB, St. Louis, MO 63167 (1-800-323-1421). Brochure is Lit. No. 169-91-01, video is Lit. No. 169-91-02.

**Water Quality Effects and Nonpoint Source Control for Forestry: An Annotated Bibliography.** Cites 900 papers and includes a chapter on wetlands. Write to Nonpoint Source Control Branch (4503), U.S. EPA, 401 M St. SW, Washington, D.C. 20460.

## MAWS Calendar of Upcoming Events

- Next Meeting-**      **2/16/1994**    **Maine State Grange, 146 State Street Augusta 3:00 - 9:00 pm**  
(Across from Municipal Courthouse- Entrance to Parking in  
back between the Grange and the Kennebec Savings Building)
- 3:00 - 4:00**    *Wetland Protection and Maine Wildlife- New Initiatives with Maine's Endangered Species Act and the Natural Resources Protection Act*  
Mark McCollough, Endangered Species Program, Maine Department of Inland Fish and Wildlife.
- 4:00 - 5:00**    Social Hour
- 5:00 - 6:00**    Dinner- Lasagna, Italian Bread, Salad and Desert all for \$6.00!    **Reservations (head count) to Steve Pelletier at 729-1199 by Thursday 10 February 1994 or go hungry!**
- 6:00 - 7:30**    Business Meeting- *Annual Meeting and Election of Officers*  
Candidate slate on front page. Dues must be paid up to vote!
- 7:30 - 9:00-**    *The Hydrogeologic Setting of Great Bog, Belgrade Lakes Region, Maine*  
Paul Doss, Geology Department, Colby College, Waterville.



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