

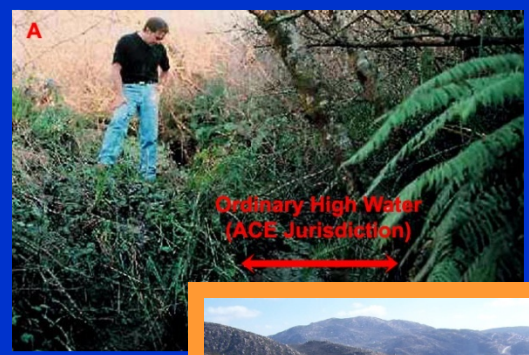
DEVELOPING A POLICY TO PROTECT WETLANDS AND RIPARIAN AREAS *PHASE 1*

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Why We Need a New Policy

- No consistent statewide policy exists
- Water Boards are required to protect ALL “waters of the state”
- Federal protection extends only to “waters of the U.S.,” a shrinking category
- Wetlands developed as compensatory mitigation are losing functionality at an increasing rate

What is at risk without clear policy guidance?



Loss of these vulnerable wetlands / riparian areas and associated benefits



Recent State Board Action

April 15, 2008

Resolution No. 2008-0026 authorizing
3-phase State Board Policy project

Policy Phase 1

- Develop a definition of wetlands for California
- Develop a policy to provide protection from dredge and fill activities
- Design a wetland regulatory mechanism with a watershed focus, based on CWA 404(b)(1) Guidelines
- Design wetland assessment method(s) to monitor wetland protection and program effectiveness

Statewide Wetlands Definition

- Must accomplish mandates of Porter-Cologne and No Net Loss Policy
- Must be broad enough to encompass the state's diverse array of wetlands
- Should be consistent, as far as possible, with other agencies' definitions
- Should use accepted field methods to identify wetland boundaries

Policy Phase 2

- Expand the policy to protect wetlands from “all other activities impacting water quality”
- Develop new or revised definitions of beneficial uses
- Develop water quality objectives to protect beneficial uses
- Design an implementation program to achieve objectives and protect wetland functions

Policy Phase 3

- Extend the policy to protect water quality functions of riparian areas
 - Develop new definitions of beneficial uses
 - Develop water quality objectives
 - Design an implementation program to achieve water quality objectives

Role of California Wetlands Monitoring Workgroup (CWMW)

- Technical Advisory Team (TAT) advises Water Boards on implementing sound science in the Policy.
- CWMW to provide agency review of TAT recommendations.
- CWMW to consider TAT recommendations in developing overall state plan for wetland monitoring, meeting information needs of agencies involved in wetland management and the public.
- As Policy is developed and as TAT recommendations are reviewed for Policy adoption, additional agency guidance will be provided by a Interagency Coordinating Committee convened for this purpose.

