

NEIWPC UPDATES



Alex DuMont

Richard Friesner, Ph.D.

November 12-14, 2024

MAWWG-NEBAWWG
Joint Meeting

Northampton, MA

ABOUT NEIWPCC

Our Work

Our Impact



[NŪ-Ē-PĪK]

NEIWPCC is a regional commission that helps the states of the Northeast preserve and advance water quality.

We engage and convene water quality professionals and other interested parties from New England and New York to collaborate on water, wastewater, and environmental science challenges across shared regions, ecosystems, and areas of expertise.

KEY AREAS OF WORK AND IMPACT

CONNECTIONS



We engage and convene water quality professionals and other stakeholders across the Northeast to collaborate on clean water and environmental science challenges across shared regions, ecosystems, and areas of expertise.

PROTECTION



We conduct research into water-related topics, monitor environmental factors, and fund such work by others. We also implement and fund environmental restoration and other on-the-ground projects.

TRAINING



We develop, coordinate, and conduct training courses that serve water quality professionals regionally and nationwide.

EDUCATION



We fund and/or staff programs that engage the public through events, exhibits, web and print publications, and other outreach activities.

ENGAGEMENT



We actively represent the interests of member states at meetings with federal and state officials and in regional and national water and wastewater associations.

NEIWPCCC

• MISSION •

To advance clean water in the Northeast through collaboration with, and service to, our member states.

• VISION •

Clean and sustainable water throughout the Northeast.

• VALUES •


Leadership • Collaboration • Education • Service • Science

NEBAWWG AND WETLANDS WORK GROUP COORDINATION

Recent and Upcoming Work

CWA 104B(3) COMMENT LETTER

- Increasing WPDG funding
- Supporting the use of WPDG funding for implementation



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04/25/2024

The Honorable Michael Simpson
Chairman of the House Interior and Environment Appropriations Subcommittee
United States House of Representatives
2084 Rayburn HOB
Washington, DC 20515

Subject: Increasing Clean Water Act 104(b)(3) Funding and Flexibility for Tribal Wetland Protection Program Development and Implementation

Dear Representative Simpson,

On behalf of the states of the Northeast,¹ NEIWPCC appreciates the comments regarding the critical need for increased Clean Water Act support state and tribal wetland protection programs. Furthermore, request for expanding usage of CWA 104(b)(3) funds to include implementation programs.

Established by an Act of Congress in 1947, NEIWPCC is a not-for-profit helps the states of the Northeast preserve and advance water quality across New England and New York who are responsible for administering Clean Water Act in five key ways: (1) engaging and convening water other stakeholders; (2) implementing and funding research, environmental restoration, and other on-the-ground projects; (3) training water quality funding and/or staffing programs that engage the public; (5) representing member states at the local, regional and national level.

Section 104(b)(3) of the Clean Water Act authorizes the U.S. Environmental Protection Agency (EPA) to support state and tribal wetland protection programs through competitive Wetland Program Development Grants (WPDGs). NEIWPCC is this funding to develop and sustain wetland activities, including but not limited to assessment, mapping, database improvements, outreach, regulatory partnerships with NGOs and academic institutions. Examples of successful usage are provided.

¹ These comments are made by NEIWPCC on behalf of six NEIWPCC member states. The state of New Jersey also provided comments that were incorporated for the purpose of this letter. Other member states may also provide comment letters with additional noteworthy guidance in these NEIWPCC comments is intended to limit any individual state comments.


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- New York State uses funding to develop wetland assessment protocols and aspects of its wetlands regulatory program.
- The Massachusetts Department of Environmental Protection (MASSDEP) cover the costs of specific and defined projects such as tidal hydraulic development and stakeholder outreach in response to new Land Subject Storm Flowage regulations.
- The Connecticut Department of Energy and Environmental Protection (CTDEEP) funding to update the Wetland Program Development Plan, coordinate Wetland Migration Protection Policy working group, establish and maintain Community Assistance Visit program, conduct tidal marsh setback impact and develop outreach materials.
- The Rhode Island Department of Environmental Management (RIDEM) support seasonal interns, contractual projects, critical wetland monitoring policy and program development and research at partner academic institutions.
- The Vermont Department of Environmental Conservation (VTDEC) uses coordinate voluntary restoration, maintain wetland mapping and monitoring support regulation, database improvements, and outreach.
- The Maine Department of Environmental Protection (MEDEP) uses funding to develop wetlands, develop tools, predictive models, and databases, and support assessment staff and data analyses.
- The New Hampshire Department of Environmental Services (NHDES) use develop tools and models that facilitate wetland planning, conservation, maintain National Wetland Inventory (NWI) statewide mapping efforts outreach, training, and a new mitigation program.

NEIWPCC and its member states recognize the essential function that section 104(b)(3) has had, and will continue to have, in supporting the protection of wetland habitat. The current interpretation of section 104(b)(3) restricts funding to wetland program development excluding implementation funding. In addition, this funding has stagnated at just \$14.5 million for the last ten years, resulting in a 22% reduction over that period accounting for inflation. The combined effect of these two factors limits the ability of states to effectively expand and implement their Wetland Program Plans.

Mapping, monitoring and assessment, and research of freshwater and tidal wetlands are critical to these programs. Wetland permit applicants, conservation government agencies, NGOs, developers, landowners, and the public rely on our accurate and up to date wetland maps and resources. Staffing constraints and limited resources have forced states to triage these wetland activities. Furthermore, the biannual grant cycle makes it difficult to sustain long-term programming and the uncertainty for states when planning for future monitoring and assessment, regulatory and implementation. Increased funding and implementation flexibility would provide states the capacity to provide consistent and high-quality wetland data.




To further emphasize the importance of increasing Clean Water Act Section 104(b)(3) funding and flexibility, a short list is given of expected benefits to NEIWPCC member states:

1. Expanded staffing to develop, maintain, and implement critical wetland program tasks including monitoring and assessment, mapping, outreach and education, collaboration, and regulatory compliance.
2. Improved efficiency and effectiveness of permitting and compliance programs through the use of modern technologies.
3. Increased ability to adapt to ever-changing program needs such as emergency responses, specialized projects, time sensitive outreach and training, reporting, and database development.
4. Increased capacity to sustain and develop valuable partnerships with federal agencies, states, municipalities, NGOs, stakeholders, and the public through tailored training, outreach, and education.

A more flexible funding structure for Section 104(b)(3) should be put into effect to allow our member states the proper means to address the unique challenges and needs of their wetland communities. Congress must clarify that Section 104(b)(3) allows for funding of wetland program implementation. The importance of increasing the funding for state and tribal wetland programs cannot be understated. This is especially true in light of the 2023 *Sackett v. Environmental Protection Agency* ruling that has placed a greater burden of responsibility on state agencies.

Thank you for your consideration of these comments. Please do not hesitate to contact me or Alexander DuMont (adumont@neiwpcc.org; 978-349-2526) of my staff if you have any questions or concerns.

Sincerely,


Susan J. Sullivan
Executive Director

CC: NEIWPCC Executive Committee and Commissioners
Northeast Congressional Delegation

Thank you to our Work Group Members and NAWM for supporting this letter!



VISUALIZING THE NEBAWWG STRATEGIC PLAN

Strategic Objectives and Supporting Activities

CONNECTIONS

Bring together wetlands professionals and land managers, align research initiatives and interstate monitoring activities, and build bridges between wetland science and regulation to foster understanding and increase our combined impact.

Activities

- Host and present at meetings and conferences.
- Provide peer review for key wetlands publications.
- Build and maintain mutually productive partnerships.
- Facilitate Historic Quality Assessment (HQA).
- Pursue region-wide certification for delineation work.
- Explore ways to build consistency across similar ecoregions for interstate monitoring activities.

COLLABORATION

Develop, share, and foster best practices in biological monitoring and assessment of wetlands.

Activities

- Establish and distribute a set of common metrics.
- Implement a Functional Assessment Method across New England.
- Increase NAWM collaboration and develop factsheets highlighting the partnership in the Delaware Model.
- Inform and strengthen the work of wetlands consultants and other external groups.

COMMUNICATION

Provide timely, accurate, and consistent scientific information to regulatory programs, universities, planning agencies, government agencies, and conservation groups.

Activities

- Ensure that each state's Core Elements Plan is shared with key stakeholders.
- Proactively develop and disseminate white papers, position papers, comment letters and fact sheets.
- Participate in efforts to inform the general public about the significance of wetlands protection.



REGIONAL WETLAND MAPPING ASSESSMENT

A WETLANDS PROGRAM DEVELOPMENT GRANT PROJECT

- **Project Scope:**

- Evaluate existing NWI maps with State mapping to increase mapped areas
- Improve regional M&A collaboration

- **Expected Next Steps:**

- Form NEBAWWG sub-committee
- Compile ongoing state mapping efforts
- Compare with NWI to identify strengths, gaps, commonalities
- Identify region-wide EJ and CC concerns
- Coordinate RFP development, contractor procurement, and project management

WHAT IS HAPPENING AT NEIWPCCC?

EVENTS

- 2025 Northeast Aquatic Biologists Conference (February)
- 35th Annual NPS Conference (April)
- Executive Committee & Commissioners Meetings
- 2025 National Tanks Conference (September)
- 2025 National NPS Training Workshop (October)

35th Annual Nonpoint Source Conference
April 9-10, 2025



Call for Abstracts is Open!

[NPS Abstracts](#)

LONG ISLAND SOUND STUDY

- Developing FY25 Workplan and Budget Proposal supporting projects in nutrient bioextraction, habitat restoration, NYS regional coordination
- The 2025 Update to the Comprehensive Conservation and Management Plan is in its public comment period through November 22, 2024.



NEIWPC staff gathered in-person for our 2024 All-Staff Meeting.

Check our website for more information and full event schedule.



For questions, comments, follow-up, please contact:

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