

Proposed 12-15-2011

Table of Contents
State Water Quality Standards
for
Wetlands

Association of State Wetland Managers

Goals for Preparing Draft State Wetland and Water Quality Standards

Goals for drafting state wetland and water quality standards will include the following:

- Build consensus concerning practical and scientifically sound provisions which states might include in their wetland and water quality standards;
- Provide the states with examples of draft standards including:
 - Draft standards for inclusion in broader water quality standards;
 - Draft stand-alone standards.

Basis for Draft Standards

The Association of State Wetland Managers (ASWM) will prepare draft state water quality standards for wetlands over the next three months. We will base these standards upon:

- **A literature search;** web search; and legal statutory and regulatory search of the terms “state water quality standards”; “state wetland water quality standards; “state water quality; tribal water quality; “tribal wetland water quality standards” and variety of other relevant terms;
- **Existing state and tribal water standards.** We have examined the standards adopted by all of the states and tribes which have approved water quality standards;
- A series of **conference calls and Webinars** with the states conducted by ASWM in cooperation with many states in the fall of 2011;
- Discussions with **state staff concerning the content, strengths, and weaknesses of existing water quality standards.**

How the Standards Will Be Prepared

- ASWM staff will **prepare an outline** of draft standards based upon the sources listed in the acknowledgements above.
- States and other interested parties will be asked to **review the outline**.
- **Draft language for the standards will be prepared** based upon the outline. Much of this language will be taken from existing state and tribal statutes and regulations.
- States and other interested parties will be asked to **review the draft language** which will be posted on the Internet. One or more sessions pertaining to state wetland water quality standards will be included in the three one day wetlands and water quality meetings which ASWM will conduct in the spring of 2012. On or more sessions may also be included in the joint EPA/ASWM annual coordination meeting in the spring of 2012.
- After extensive review, the final draft language will be **posted to the Internet**.

Proposed Table of Contents: State Wetland/Water Quality Standards for Wetlands

- Statutory Authority
- Goals
- No net loss of function, value, acreage
- General antidegradation policy
- Definitions
 - Wetlands
 - Regulated waters
 - Regulated activities
- Designated uses
- Classification of wetlands/waters
- Applying general water quality standards to wetlands
- Special policies/standards for individual designated uses
- Grandfathering uses and activities
- Sequencing
- Protection of functions
- “Free froms”
- Restrictive policies applying to special resource waters
- Protection of hydrology
- Protection of biological integrity
- Mitigation and compensation requirements
- Evaluation, monitoring, reporting requirements
- Penalties, cross reference pollution control remedies

Proposed Table of Contents: State Wetland/Water Quality Standards for Wetlands: Essential Provisions?

- Statutory Authority
- Goals
- General antidegradation policy
- Definitions
 - Wetlands and other regulated waters
 - Regulated activities
- Designated uses
- Applying general water quality standards to wetlands
- Protection of functions
 - “Free froms”
- Protection of hydrology
- Protection of biological integrity
- Mitigation and compensation requirements
- Cross reference pollution control remedies

Questions:

- **What is needed in stand alone state wetland water quality standards?**
 - What is not included in the proposed table of content and needs to be added?
 - What , if anything, should be dropped?
- **What is needed in state wetland water quality standards integrated into broader water quality standards?**
 - What is not included in the proposed table of content and needs to be added?
 - What , if anything, should be dropped?

Thanks

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