

Wetland Program Plan for Nebraska 2019-2023

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Introduction

The U.S. Environmental Protection Agency has encouraged states and tribes to develop Wetland Program Plans to address the four Core Elements identified in the EPA Core Elements Framework. Following is an update to the 2015-2017 Wetland Program Plan. This update was done in a shorter format than the 2015 Plan, but the more detailed plan is available at http://outdoornebraska.gov/wp-content/uploads/2017/01/Wetland-Program-Plan_Nebraska_2015_Final.pdf. The more detailed plan provides a lot more of the historical information and previous work that was used in developing the 2015-2017 plan and this updated plan.

The State of Nebraska plans to continue to implement its wetland program over the next five calendar years (2019-2023) with a goal of continuing to protect, restore, and manage wetlands. The State will use information from the Nebraska Wetland Condition Intensification Study to assess the condition of its wetlands (done in 2011-2013, and again in 2016-2017) to improve our understanding of baseline wetland conditions, and to prioritize wetland restoration and protection activities. Nebraska will continue to work in partnership with landowners, agencies, and organizations to restore and protect wetlands. The priorities for the restoration and protection will be determined by the Nebraska Game and Parks Commission and the local partners. We will also continue the stewardship and management of wetlands in state ownership. To have effective and efficient wetland restoration, protection, and management, we also emphasize that there is an important and ongoing need for improved information and outreach. The State will achieve our goal through implementing the activities identified in this plan. Note that this will be dependent upon obtaining needed funding and the required legislative and/or administrative approvals.

Action Items/Activities related to the Core Elements Framework that were considered completed based on a review by EPA conducted in 2018 are presented in Appendix A. For the actions/activities identified in the 2019-2023 plan, if all of the years in the tables are marked the actions/activities are considered to be ongoing, and for those with only future year(s) marked, they are being planned for future implementation.

The 2015 Plan was sent out for review to 89 individuals, representing 21 different organizations and agencies. This update did not make many substantive changes, so it was just reviewed by the Nebraska Department of Environmental Quality.

Partnership Action Items

Objective: Work in a collaborative manner with at least 20 partner agencies and organizations to ensure that the goal is reached.

Key Partners¹: For this action item, the partners are too numerous to mention, but include landowners and more than 20 agencies (local, state, and federal), colleges and universities, and non-government organizations (NGOs).

Key Funding Sources: For this action item, the funding sources are too numerous to mention, but include private donations, grants from agencies, and funding from organizations. The Nebraska Environmental Trust is a key non-federal funding partner for many of our wetland projects.

Action	Activity	2019	2020	2021	2022	2023
1. Continue to support the existing wetland conservation partnerships in Nebraska and form new partnerships where needed.	a. The Nebraska Game and Parks Commission's Wetland Program is involved to varying degrees in all of these partnerships and will continue to coordinate activities to ensure that wetland conservation is being delivered. In addition, numerous other individuals from the State of Nebraska are involved in these partnerships and will continue their involvement.	X	X	X	X	X

¹ For all of Action Items listed in the plan, the Nebraska Game and Parks Commission will be a key partner and in most cases the Nebraska Department of Environmental Quality will also be a key partner. Other partners may be mentioned, but the list is not meant to be all-inclusive.

Monitoring and Assessment Core Element Action Items

Objective: Increase our understanding of wetland conditions throughout Nebraska.

Key Partners: U.S. Environmental Protection Agency, Natural Resources Conservation Service, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, University of Nebraska, Nebraska Department of Environmental Quality, and the Nebraska Game and Parks Commission.

Key Funding Sources: U.S. Environmental Protection Agency wetland assessment and program development grant funds, with match possibly from the University of Nebraska, Nebraska Department of Environmental Quality, and the Nebraska Game and Parks Commission.

Action	Activity	2019	2020	2021	2022	2023
1. Increase our understanding of wetland conditions in at least 5 wetland complexes/BULs.	a. Complete 2016-2017 Nebraska Wetland Condition Intensification Study.	X				
	b. Use information from the NE Wetland Condition Intensification Study to finalize a RAM for NE's wetlands.			X		
2. Fill in our numerous knowledge gaps about wetland conditions and functions.	a. Implement the monitoring and assessment items listed in the 2015 Wetland Program Plan as updated.	X	X	X	X	X
3. Update Nebraska's wetland inventory.	a. Generate the most up-to-date GIS information to update the state's wetland inventory data. The NWI data for the Sandhills is being updated and should be completed by 2020.	X	X	X	X	X
4. Consider participation in the next National Wetland Condition Assessment survey.	a. Coordinate with the Nebraska Department of Environmental Quality and the University of Nebraska-Lincoln to determine how to best proceed.			X		
5. Sample additional wetland complexes in association with the 2021 NWCA.	a. Seek additional funding to have a UNL graduate student sample additional wetland complexes using the crew conducting the 2021 NWCA. The protocol established in the 2016-17 Intensification Study will be followed.			X	X	
6. Set wetland priorities based on updated inventory and condition assessment information.	a. Within each wetland complex, work with the local partnership to develop or refine priorities for wetland protection, restoration, and management.	X	X	X	X	X

Regulation Core Element Action Items

Objective: Work in collaboration with agencies with wetland regulatory authority to ensure that there is no net loss of wetland acreage.

Key Partners: U.S. Environmental Protection Agency, Natural Resources Conservation Service, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, Nebraska Department of Environmental Quality, and the Nebraska Game and Parks Commission.

Key Funding Sources: Operational funding from the agencies mentioned above.

Action	Activity	2019	2020	2021	2022	2023
1. Nebraska plans to continue with its current set of wetland regulatory activities. Note that this is dependent upon decisions by the state Unicameral and the state regulatory agencies.	a. These include Section 401 certification, State Programmatic General or Regional Permits, Nebraska Statute Title 117, and the state's Nongame and Endangered Species Conservation Act.	X	X	X	X	X
2. Advocate for wetlands	a. Nebraska will continue to play a role in advocating for the importance of wetlands by providing input into federal regulatory actions (e.g., Clean Water Act), federal policies (e.g., the Farm Bill), and local decision making (such as community planning).	X	X	X	X	X
3. Develop and refine more detailed mitigation guidelines.	a. The State (both DEQ and NGPC) will continue to participate on the Interagency Review Team (IRT).	X	X	X	X	X
	b. Work with the IRT to develop and refine guidelines to insure effective mitigation, long-term protection, financial assurances, and establish minimum requirements for a mitigation proposal.			X		
4. Monitor no-net-loss success for permittee responsible, on-site Compensatory Wetland mitigation.	a. Nebraska partners will work to establish a method for obtaining records on permittee responsible wetland mitigation sites, and monitoring the success of these site in achieving a no net loss of wetlands policy.					X

Voluntary Protection and Restoration Core Element Action Items

Objective: Work with our partners to protect and/or restore a minimum of 5,000 acres of wetlands.

Key Partners: For this action item, the partners are too numerous to mention, but include landowners and more than 20 agencies (local, state, and federal), and non-government organizations.

Key Funding Sources: For this action item, the funding sources are too numerous to mention, but include private donations, grants from agencies, and funding from organizations. The Nebraska Environmental Trust is a key non-federal funding partner for many of our wetland projects.

Action	Activity	2019	2020	2021	2022	2023
1. Consider watershed planning, wildlife habitat, water quality, and other objectives when selecting restoration/ protection sites.	a. Identify rare, vulnerable, or important wetlands and prioritize them for restoration/protection, this would include wetlands with rare plant or animal species and/or high quality plant communities. Most of this is being done by the local partnerships that were previously discussed.	X	X	X	X	X
	b. Apply tools (GIS, LiDAR, color-infrared photography, mapping, modeling, water quality data, field inspection of soil, vegetation, and hydrologic conditions) to identify and prioritize restorable wetlands.	X	X	X	X	X
2. Provide clear guidance on appropriate wetland restoration and management techniques and success measures.	a. Wetland restoration and management guides have been developed that are specific to Nebraska's wetlands. These guides will be kept up to date and shared with other partners as requested. An abbreviated version of these guides are provided in Appendix C and D of the 2015 Wetland Program Plan.	X	X	X	X	X
3. Establish and institutionalize long term protection, using mechanisms such as incentives, purchase of land title or easements to protect wetlands.	a. Most wetland protection activities are determined by the local partnerships that were addressed earlier.	X	X	X	X	X
	b. The Nebraska Game and Parks Commission has a wetland acquisition program that is focused on additions to existing areas (often referred to as roundouts), adding new large blocks of habitat that are easier to manage, and/or protecting the highest quality remaining wetlands.	X	X	X	X	X

	c. The Wetland Reserve Easements (WRE) program, administered by the Natural Resources Conservation Service (NRCS), has been a very important program to protect and restore wetlands throughout Nebraska. The state will continue to partner with NRCS to deliver this program, and NGPC has hired a Biologist to help NRCS with management planning for WRE tracts.	X	X	X	X	X
4. Increase wetland acreage through restoration (re-establishment and rehabilitation).	a. Wetlands will be restored on protected lands whenever possible. Much of this will be accomplished by existing local partnerships that have already been discussed.	X	X	X	X	X
	b. The Nebraska Game and Parks Commission will continue to offer its WILD Nebraska program that helps to restore wetlands on private lands.	X	X	X	X	X
	c. The partners will explore ways to better expedite the permitting process for restoring wetlands.	X	X	X	X	X
5. Develop a tracking system for wetland conservation activities.	a. Develop and populate a tracking database for restoration/protection sites. This is being done by the partners for their respective programs.	X	X	X	X	X
	b. Annually obtain an update from the partners to summarize wetland protection accomplishments.	X	X	X	X	X
6. Monitor restoration/protection sites to ensure that they are implemented and managed correctly.	a. Select a subset of indicators (core indicators) to monitor effectiveness of all restoration and protection sites.	X	X	X	X	X
	b. Monitor effectiveness of restoration/protection sites using core indicators.	X	X	X	X	X
	c. Based on ongoing monitoring efforts, information needs will be identified and actions will be taken to address these needs.	X	X	X	X	X
7. Modify restoration/protection techniques as needed.	a. Based on the monitoring work, an adaptive management framework will be used to modify projects as needed.	X	X	X	X	X

Wetland Management Action Items

Objective: Apply appropriate management actions yearly on at least 80% of the wetlands owned by the Nebraska Game and Parks Commission, and work with partners to improve management on at least 50% of their wetland acreage.

Key Partners: Natural Resources Conservation Service, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, Natural Resources Districts, NGOs including Ducks Unlimited, The Nature Conservancy, and Audubon, and the Nebraska Game and Parks Commission.

Key Funding Sources: For this action item, the funding sources are too numerous to mention, but include private donations, grants from agencies, and funding from organizations. The Nebraska Environmental Trust is a key non-federal funding partner for many of our wetland projects.

Action	Activity	2019	2020	2021	2022	2023
1. Identify management needs for wetlands owned by the Nebraska Game and Parks Commission.	a. All of the state's Wildlife Management Areas were to be mapped to identify natural communities, including wetlands. These communities were given a condition grade and then steps to improve the grade will be identified and implemented.	X	X	X	X	X
2. Continue to implement management activities on wetlands owned by the Nebraska Game and Parks Commission.	a. Nebraska Game and Parks Commission land management staff will continue to identify needs and carry out management actions as necessary.	X	X	X	X	X
3. Assist with the management of other publicly owned wetlands and privately owned wetlands as requested.	a. The Nebraska Game and Parks Commission offers technical assistance to managers of other public and private lands. In addition, NGPC offers financial assistance to help with the management of privately owned wetlands.	X	X	X	X	X
	b. Continue to work with NRCS to implement management on properties enrolled in the Wetland Reserve Easements program.	X	X	X	X	X
4. Evaluate the effectiveness of management activities.	a. Based on these evaluation efforts, information needs will be identified and actions will be taken to address these needs. Modify management activities as needed.	X	X	X	X	X

Water Quality Standards Core Element Action Items

Objective: Work with the Nebraska Department of Environmental Quality to ensure that wetland water quality standards are maintained and not degraded.

Key Partners: Nebraska Department of Environmental Quality, U.S. Environmental Protection Agency.

Key Funding Sources: Operational funding from the agencies.

Action	Activity	2019	2020	2021	2022	2023
1. Maintain the water quality standards that have been developed for Nebraska's wetlands by the Nebraska Department of Environmental Quality.	a. Assess the need to make wetland water quality standards revisions as part of the regular triennial review of the State's water quality standards.	X	X	X	X	X
	b. Consider using the information collected through the monitoring and assessment action items to help inform and water quality standard updates.	X	X	X	X	X

Outreach and Education Action Items

Objective: Ensure that materials are available to the public that provide information specific to Nebraska’s wetlands to help raise the awareness of the importance of wetlands and to help change attitudes and behaviors to help support conservation.

Key Partners: For this action item, the partners are too numerous to mention, but include landowners and more than 20 agencies (local, state, and federal), colleges and universities, local schools, nature centers, and non-government organizations.

Key Funding Sources: For this action item, the funding sources are too numerous to mention, but include private donations, grants from agencies, and funding from organizations. The Nebraska Environmental Trust is a key non-federal funding partner for many of our wetland projects.

Action	Activity	2019	2020	2021	2022	2023
1. Continue to provide outreach materials to the public about wetlands.	a. Maintain the Wetlands of Nebraska website (www.NebraskaWetlands.com) and have the approved WPP available on this site.	X	X	X	X	X
	b. Work with the Nebraska Game and Parks Commission’s Communications Division staff to keep the public informed about wetland issues.	X	X	X	X	X
	c. Assess the need to update the <i>Guide to Nebraska’s Wetlands</i> and the <i>Wetlands of Nebraska</i> video.	X	X			
	d. Use social media outlets to help provide information about wetlands.	X	X	X	X	X
	e. Continue the development of wetland apps, such as was done by UNL with EPA grant funding.	X	X	X	X	X
2. Continue to provide support to NGPC and partner agency’s outdoor educators to teach students ranging from grade school through college about Nebraska’s wetland resources.	a. Develop additional educational materials, such as the <i>Wetlands of Nebraska</i> video, for use by educators.	X	X	X	X	X
	b. Continue to lead field trips for students of all ages for hands-on wetland education.	X	X	X	X	X
	c. Deliver presentations to students in classroom settings as requested.	X	X	X	X	X

Information Needs Action Items

Objective: Continue to improve the level of knowledge possessed by NGPC, local partnerships, and the scientific community about Nebraska's wetlands.

Key Partners: For this action item, the partners are too numerous to mention, but include landowners and more than 20 agencies (local, state, and federal), colleges and universities, and non-government organizations.

Key Funding Sources: For this action item, the funding sources are too numerous to mention, but include private donations, grants from agencies, and funding from organizations. The Nebraska Environmental Trust is a key non-federal funding partner for many of our wetland projects.

Action	Activity	2019	2020	2021	2022	2023
1. Develop and maintain a wetland conservation information needs priority list for Nebraska.	a. Work with the local partnerships and the scientific community to obtain input of information needs and priorities.	X	X	X	X	X
2. Address the priority Information Needs.	a. Work with the scientific community to secure funding to address the information needs.	X	X	X	X	X

Appendix A. Action Items/Activities related to the Core Elements Framework that were considered completed based on a review by EPA conducted in 2018.

Tiering of ESTP CEs According to their Objectives and Actions

Definition of “Capacity has been Built”: We felt that a Program’s capacity can be considered “built” when both Tier 1 and 2 have been completed. We felt that when a Program can perform independently and sustainably, then it has been completed. Although Actions under Tier 3 are nice to have, they are not necessarily required in order for a Program to be operational or sustainable.

Definition of Action: An Action is defined by the suggested Activities listed in each CE and/or by the work efforts described in a Wetland Program Plan. We used the listed Activities to help us define what that Action meant. The listed Activities are not meant to be the exclusive definition of that Action. We also used examples of the work that is currently being done with our States and Tribes from their Wetland Program Plans.

Definition of Tier 1: Actions under Tier 1 include activities that develop protocols, criteria, methodologies, techniques that together form the foundation of a Program. It also includes activities to develop strategies, goals, and objectives for a plan. It can also include developing databases for tracking and developing performance standards.

Definition of Tier 2: Actions under Tier 2 include activities to set up systems or processes, and/or monitoring and tracking data. This can also include adaptive management approaches to existing protocols, and incorporating or adopting regulations. It can also include activities that fall under outreach and education.

Definition of Tier 3: Actions under Tier 3 include improvements, expansions or applications to other Programs outside of the Core Element. It can also include policy changes.

Monitoring and Assessment CE

Tier 1	Tier 2	Tier 3
	√Obj 2, Action a Ensure the scientific validity of monitoring and laboratory activities	
√Obj 1, Action d Select a core set of indicators to represent wetland condition or a suite of functions		

Voluntary Restoration and Protection CE

Tier 1	Tier 2	Tier 3
√Obj 1, Action a Establish goals that are consistent or compatible across relevant agencies		√Obj 2, Action a Establish partnerships to leverage additional protection
√Obj 1, Action b Consider watershed planning, wildlife habitat, and other objectives when selecting restoration/protection sites	√Obj 3, Action c Establish partnerships to leverage more restoration	

Wetland Water Quality Standards CE

Tier 1	Tier 2	Tier 3
√Obj 1, Action a Adopt an appropriate definition of wetlands	√Obj 1, Action b Ensure the appropriate wetlands definition is included in WQS	
	√Obj 2, Action b (<i>adopt</i>) ¹ Establish and <i>adopt</i> appropriate wetland-specific designated uses to be achieved and protected	√Obj 3, Action b Use water quality standards as basis for evaluating restoration/protection projects and mitigation/compensation projects
√Obj 2, Action b (<i>establish</i>) ¹ <i>Establish</i> and adopt appropriate wetland-specific designated uses to be achieved and protected	√Obj 2, Action c (<i>adopt</i>) ¹ Establish and <i>adopt</i> narrative criteria that qualitatively describe the condition or suite of functions that must be achieved to support a designated use	
√Obj 2, Action c (<i>establish</i>) ¹ <i>Establish</i> and adopt narrative criteria that qualitatively describe the condition or suite of functions that must be achieved to support a designated use	√Obj 2, Action d (<i>adopt</i>) ¹ Establish and <i>adopt</i> numeric criteria representing wetland specific values for chemical, physical, and biological parameters that may not be exceeded, must be exceeded, or some combination to protect or restore designated uses	
√Obj 2, Action d (<i>establish</i>) ¹ <i>Establish</i> and adopt numeric criteria representing wetland specific values for chemical, physical, and biological parameters that may not be exceeded, must be exceeded, or some combination to protect or restore designated uses		
√Obj 3, Action a Use water quality standards as basis for regulatory decisions		

¹Obj 2, Actions b-d can fall under both Tier 1 & 2 depending on what part of the definition you use. We determined that if a S/T is “establishing” then it would fall under Tier 1. If the S/T is “adopting”, then it would fall under Tier 2. The other 2 options are to: 1) split up the Action(s) between “establishing” and “adopting” into different Actions, or 2) add in the term “and/or” between “establish” and “adopt” to allow for flexibility in committing to Tier 1/2.

Regulatory

Tier 1	Tier 2	Tier 3
✓Obj 2, Action b Develop and operate according to a clear and effective set of criteria for reviewing and responding to applications.		✓Obj 2, Action a Adopt regulations or rules to implement State and/or federal water quality statutes
✓Obj 2, Action c Actively review proposed impacts to waters of the state	✓Obj 2, Action d Adopt and apply comprehensive project review criteria	
✓Obj 3, Action d Incorporate the watershed approach into the regulatory decision-making process		