

**The Association of State Wetland Managers, Inc.**  
**"Dedicated to the Protection and Restoration of the Nation's Wetlands"**

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**FACSIMILE TRANSMITTAL SHEET**

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TO	FROM:
Easements Program Division USDA NRCS Wetlands Reserve Program Comments	Jeanne Christie, Executive Director
COMPANY:	DATE:
	March 13, 2009
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RE:	YOUR REFERENCE NUMBER:

URGENT     FOR REVIEW     PLEASE COMMENT     PLEASE REPLY     PLEASE RECYCLE

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NOTES/COMMENTS

Please see the attached comment letter on the Wetland Reserve Program,  
 Docket Number NRCS-ITR-08013




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"IT IS NOT OUR ABILITIES THAT SHOW WHO IT IS WE ARE: IT IS  
 THE CHOICES WE MAKE"



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March 13, 2009

Easements Program Division  
USDA Natural Resources Conservation Service  
Wetlands Reserve Program Comments  
P.O. Box 2890, Room 6819-S  
Washington, DC 20013

Dear Sir:

RE: Comments on the Wetland Reserve Program, Docket Number NRCS-IFR-08013

The Wetlands Reserve Program delivers significant environmental benefits including wildlife habitat, flood storage, water quality improvement and carbon sequestration on the two million acres that have been enrolled since 1990. The Association of State Wetland Managers (ASWM) supports implementing a program that will continue to build on past success. The importance of this program was clearly recognized by Congress with the reauthorization of the Wetlands Reserve Program in the 2008 Farm Bill. The comments and recommendations below are made in response to the proposed interim rule and reflect actions that we believe will ensure the ongoing success of this very important program.

**New Landowner Eligibility** ASWM opposes the provision in the Interim Final Rule which indicates that if a new landowner acquiring a WRP easement property does not meet eligibility criteria or if the property is transferred to a public agency or other ineligible person/entity then funds can no longer be directed towards the easement. This is counterproductive to the public's interest in ensuring restoration and maintenance of the wetland functions and values are maintained over time. NRCS must use eligibility requirements as identified in the Statute but it is also the responsibility of the Federal Government to ensure the original investment is secured and maintained. We recommend that Section 1467.10 e (1, 2, 3, 4) should be eliminated.

**Riparian Eligibility** The 2008 Farm Bill statute continues to allow riparian areas to be included within the Wetlands Reserve Program when they link protected wetlands. This is an important tool since riparian areas are critical to many species of wildlife. In addition, these areas are corridors that provide for the movement of plants and animals through often otherwise uninhabitable landscapes. The importance of these corridors is increased as native species migrate to new habitats in response to climate change. This is particularly true in the West. However, the WRP Interim Rule places new restrictions on the enrollment of riparian areas. Specifically, Section 1467.4 limits riparian area enrollment to areas where other lands, as specified in Section 1467.4, are included (e.g., farmed wetland or converted wetlands, farmed under natural conditions). ASWM recommends that riparian areas be eligible for enrollment where they meet the statutory criteria of linking protected areas. In addition, the State Conservationist should have the authority to waive this requirement under special circumstances.

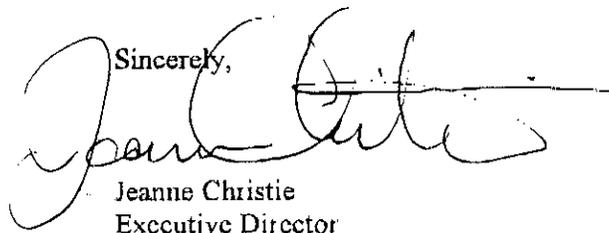
**Grazing on WREP Lands** The statute and Interim Rule provide for a pilot Wetlands Reserve Enhancement Program that allows grazing rights to be reserved to the landowner in return for a reduction in the price of the easement. This will be an important tool in the West to protect and restore areas critical to wildlife that are wetland dependent. Previously the program limited grazing as a compatible use to the discretion of NRCS. This deterred many traditional ranching operations from participating in the program because they would not give up their right to graze. Reserved grazing rights have the potential to greatly extend the opportunities for program enrollment in the West. In addition ASWM recommends working with WREP participants to encourage grazing activities in wetlands during the appropriate seasons and for durations compatible with sustaining healthy wetlands. ASWM supports implementing this pilot program.

**Wetland Enhancement** The statute added enhancement as a program purpose. ASWM supports this addition which can be applied to wetlands that have been dramatically altered by impoundments and drainage systems. In landscapes suitable for enhancement this will help to restore functions and values lost within the greater landscape.

**Ecosystem Services** The proposed rule recognizes that activities funded under the WRP program could provide ecosystem services which may be counted as credits. NRCS should clarify that such credits cannot be applied toward regulatory requirements such as wetland mitigation or nutrient credit trading under state, tribal or federal laws.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jeanne Christie", written in black ink. The signature is fluid and extends across the width of the text block.

Jeanne Christie  
Executive Director