

CASE

National Wetlands Policy Forum

Challenge:

Wetlands clean the water we drink, nurture marine life, shelter wildlife and control floods. Yet by the mid-1980s half the wetlands in the U.S. had disappeared, while regulating impacts on wetlands created friction between landowners, conservationists and government agencies.

Result:

At the request of the Administrator of the U.S. Environmental Protection Agency, The Conservation Foundation convened the National Wetlands Policy Forum to address major policy concerns about how the nation should protect and manage its valuable wetlands resources. The 20 members of the bi-partisan Forum included three governors; a state legislator and heads of state agencies; a town supervisor; chief executive officers of environmental groups and businesses; farmers and ranchers; and academic experts. Senior officials from the five principal federal agencies involved in wetlands protection and management participated as ex-officio members. The Forum developed a set of consensus recommendations that included a goal of "no net loss" of wetlands, which has guided implementation of wetlands programs ever since.

Participants

FORUM MEMBERS

Thomas H. Kean, Governor, State of New Jersey
Carroll Campbell, Governor, State of South Carolina
Booth Gardner, Governor, State of Washington
Peter A.A. Berle, National Audubon Society
William D. Blair, Jr, The Nature Conservancy
Willard T. Chamberlain, ARCO
John DeGrove, Florida Atlantic University
Nancy R. Elliott, Town of Yorktown Heights, New York
James G. Gosselink, Louisiana State University
Peter Grenell, California Coastal Conservancy
Jay D. Hair, National Wildlife Federation
Dick Hollier, Hollier Farms, Inc.
Dennis Kelso, Alaska Department of Environmental Conservation
Frederic D. Krupp, Environmental Defense Fund
Jack Larsen, Weyerhaeuser Company
Melvin Simon, Melvin Simon and Associates
F. John Taylor, Taylor Grain and Livestock
John Turner, Wyoming Senate
Robert Wetherbee, National Association of Conservation Districts
Shirley McVay Wiseman, National Association of Home Builders

EX-OFFICIO PARTICIPANTS

William P. Horn (succeeded by Susan Recce), Assistant Secretary, U.S. Department of the Interior
J. Curtis Mack II (succeeded by B. Kent Burton), Assistant Secretary, U.S. Department of Commerce
Peter C. Myers, Deputy Secretary, U.S. Department of Agriculture
Robert Page (preceded by John Doyle), Assistant Secretary, Department of the Army
Lee M. Thomas, Administrator, U.S. Environmental Protection Agency

THE CONSERVATION FOUNDATION STAFF

William K. Reilly
Edwin H. Clark II
Gail Bingham*
Michael Mantell
Leah Haygood*
Michele Leslie
[* RESOLVE was a program of The Conservation Foundation at that time.]

Issues

Wetlands are the vegetatics of the natural world. They slow down, capture and cleanse rainwater before releasing it to rivers, oceans, lakes and groundwater. They shelter wildlife and provide breeding and spawning grounds for commercial and recreational fisheries. They store stormwater, releasing it slowly to help prevent floods, and support recreational activities.

Yet for much of our history, wetlands have been underrated, if not reviled. By the mid-1980s half the wetlands in the continental U.S. had disappeared, with losses averaging 500,000

acres per year. Regulations to control wetlands loss existed, but were often slow,unpredictable, expensive and frustrating for land owners.

In the summer 1987, at the request of Lee Thomas, Administrator of the U.S. Environmental Protection Agency, The Conservation Foundation convened the National Wetlands Policy Forum, chaired by Governor Thomas H. Kean of New Jersey, to address major policy concerns about how the nation should protect and manage its valuable wetlands resources.

Process

The 20 members of the bi-partisan Forum included three governors; a state legislator and heads of state agencies; a town supervisor; chief executive officers of environmental groups and businesses; farmers and ranchers; and academic experts. In addition, senior officials from the five principal federal agencies involved in wetlands protection and management participated as ex-officio members.

The goal of the Forum was to develop sound, broadly supported recommendations on how federal, state and local wetlands policy could be improved. The Forum members were assisted in their deliberations by senior representatives they designated, a group of respected policy and technical advisors and the staff of The Conservation Foundation.

Meeting over the course of more than a year, the Forum requested and reviewed white papers on a variety of wetlands issues and negotiated the text of a consensus report. In the spring of 1988, the Forum held public workshops in Louisiana, New Jersey and Washington State to gather further input from interested parties.

In late 1988, the Forum published its final report, a 70-page consensus document that presented approximately 100 recommendations on a variety of issues including promoting private stewardship, improving regulatory programs, establishing government leadership and providing better information. Among the key recommendations was that national policy be guided by a goal of "no overall net loss" of the nation's remaining wetlands and, over the long term, to increase the quantity and quality of the nation's wetlands resources.

Results

The goal of “no net loss” of wetlands was adopted, initially by the U.S. Environmental Protection Agency and the Army Corps of Engineers, and then more broadly across the federal government at the direction of then President George H. W. Bush. This goal has guided national wetlands regulatory and non-regulatory programs and policy ever since.

In the years since the Wetlands Forum, the rate of wetlands loss in the U.S. has slowed dramatically to the point where achieving the goal of “no net loss” may be in sight. (See loss rate chart.) This is truly a remarkable accomplishment.

Private land owners have made a major contribution, in recent years enrolling an average of 200,000 acres per year in the national Wetlands Reserve Program, one of the programs recommended by the Forum. Total acreage in the program now exceeds a million acres.

Federal and state agencies stepped up and provided increased leadership in numerous ways and in every Administration since the Forum’s recommendations, improving regulatory programs and providing better information. Shortly after the Forum’s report, EPA and the Army Corps signed a Memorandum of Understanding to better coordinate regulatory programs, reducing confusion for landowners. A Clean Water Action Plan was prepared by the Clinton Administration, with 15 actions to improve wetlands protection. In December 2002, the Bush Administration issued a Mitigation Action Plan with 17 action items.

One of the most challenging problems that remains is the loss of coastal wetlands in Louisiana, resulting in part from flood control measures along the Mississippi River. Today, the Governor’s Advisory Commission on Coastal Restoration and Conservation is seeking ways to reverse the trend through a new collaborative process. Since 1956 over 1,500 square miles of land have been lost to open water, and the loss continues at a rate of about 24 square miles a year. Restoring and conserving Louisiana’s coastal region will require an unprecedented investment at the state and national level. It also will require innovative—and sometimes controversial—scientific and engineering practices. RESOLVE is helping the Governor’s Commission and other state and federal agencies develop a consensus-based strategy and a comprehensive public involvement plan to support the work of the Commission.

The Army Corps of Engineers, partnering with the State of Louisiana, is working on a crucial component of the coastal restoration effort, the Louisiana Comprehensive Coast-wide Ecosystem Restoration Feasibility Study. The study will determine the feasibility of sustaining a coastal ecosystem that supports and protects the environment, economy, and culture of southern Louisiana and that contributes to the economy and well being of the nation. The main objective of the study is to achieve programmatic authorization for a coast-wide restoration effort. RESOLVE is helping design and facilitate the public meetings associated with the study.

Scientific/Technical Obstacles and Actions	
OBSTACLE	ACTION
Organizations in disputes over wetlands policy and permitting decisions had different levels of expertise on wetlands issues and relied on sometimes competing studies, which often were discounted by one another	The Forum retained four independent science and policy advisors to address questions raised by all members of the Forum. These experts participated “at the table” in all meetings Staff of The Conservation Foundation conducted research and policy analysis at the direction of the Forum to provide a common base of knowledge
A potentially overwhelming number of issues and information	Issues were clustered into key categories The Forum worked from a “single text” and relied on “consent” agendas, resolving issues outside meetings where there was a general convergence of views. Discussion in meetings focused on issues that were both of the highest significance to all members and where the most disagreement existed. Controversial issues of importance only to some members were addressed as time permitted