

# The Obligate



MAINE  
ASSOCIATION OF  
WETLAND  
SCIENTISTS

P.O. Box 202  
Yarmouth, Maine 04096

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The Newsletter of the Maine Association of Wetland Scientists

Vol. 4 No. 1

## President's Message

Greetings, MAWS members. Black flies are out and feeding well in southern Maine. Wood frog eggs have hatched, spotted salamander eggs are still 1-2 weeks from hatching, and mosquito larvae are abundant and ready to transform to adults. I hope everyone is enjoying their spring.

On April 29, 1994, the Executive Committee met to discuss the proposed federal Wetland Delineator Certification Program, SCS Field Indicators of Saturated-Hydric Soils criteria, the status of the proposed Corps of Engineers State Program General Permit, Maine's Wetland Conservation Plan, the upcoming SWS meeting and field trip to Maine, proposed revisions to the DEP's Site Law, and any other items of interest. Despite the number of topics, the meeting was not too long.

The Executive Committee agreed that we need to keep abreast of the proposed delineator certification program, which is expected to be described in the Federal Register soon. Our understanding of the program to date is that persons wishing to become certified delineators need to successfully complete a 36-hour training session as well as an exam. We are unsure if there are any certified trainers in Maine, or New England, although two organizations in Massachusetts claim to be

certified. Both of these organizations charge about \$1,000.00 (note that there isn't an extra zero) for the course. If the program is instituted, the Executive Committee believes that MAWS, possibly in conjunction with MAPSS and NHAWS, should become certified to teach the class. Our objective would be to teach the classes at cost for our members. We will keep you abreast of this issue as it evolves.

The USDA-SCS, and other federal agencies, are in the process of testing the Field Indicators of Hydric Soils criteria developed by the SCS. The Field Indicators are a tool to help identify hydric soils in the field with a minimum of data collection. Several MAWS members have been involved with the testing process, and we will ask them to provide the membership with their opinion about the Indicators at the next meeting.

I look forward to seeing everyone at the next meeting on June 15. If you have any questions or comments about any wetland-related issues or MAWS, please don't hesitate to call me or anyone else on the Executive Committee.

Respectfully, John Lortie

## Spring Pools

*These pools that, though in forests, still reflect  
The total sky almost without defect,  
And like the flowers beside them, chill and shiver,  
Will like the flowers beside them soon be gone,  
And yet not out by any brook or river,  
But up by roots to bring dark foliage on.*

*The trees that have it in their pent-up buds  
To darken nature and be summer woods—  
Let them think twice before they use their powers  
To blot out and drink up and sweep away  
These flowery waters and these watery flowers  
From snow that melted only yesterday.*

—Robert Frost

### 1994 Executive Committee

John P. Lortie, President  
Colen R. Peters, President-Elect  
David P. Cowan, Secretary and *Obligate* editor  
Alan Burnell, Treasurer  
Wende Rosier, Member-at-Large

### 1994 Standing Committee Chairs

Ethics: Rick Jones  
Legislative: Peter Tischbein  
Membership: Don Phillips  
Program: Sally Rooney

# MAWS News Brief

## January 1994

Thanks to Dave Rocque, John Lortie, Don Phillips, and others. Please forward material to Hugh O. Durgin, P.O. Box 817, Blue Hill, Maine 04614 (374-5840).

### FEDERAL LEGISLATIVE ACTIVITY

#### **H.R. 3948 - Water Quality Act of 1994.**

Clean Water Act reauthorization bill. Contains no wetland provisions at present but wetlands are expected to be added. Introduced 3/3/94.

### FEDERAL REGULATORY UPDATE

The January 1994 issue of THE OBLIGATE noted that the Corps was proposing to reissue, as **modified**, Regional General Permit No. 39. In a Public Notice dated April 12, 1994, the Corps announced that it is **extending the existing** Permit No. 39, dated May 6, 1988, for a one year period (May 7, 1994 - May 7, 1995). The reason stated is that the Corps will be working with the State and Federal resource agencies as the State modifies its wetland regulatory program to make it more consistent with the Federal Program. The proposed new general permit will then be revised to reflect changes to the State program. For further information contact Ms. Michelle J. Abbott at 1-800-343-4789.

### NEW DEP RULES AND PROCEDURES

On April 13, 1994, the Board of Environmental Protection adopted a new application processing rule. Chapter 2 of the new rule will replace Chapters 1 and 50 of the current rule. The new rule takes effect August 1, 1994, as will new fee and processing time schedules. The Board amended the proposed rule to exclude from the 'Significant Project' category wetland fill or dewatering involving less than 1 acre of Class III wetland.

Beginning May 1, 1994, permit by rule notification forms are to be sent to DEP regional offices. The DEP has published a letter and map depicting the districts each office covers. Use of the new permit by rule form becomes mandatory May 1 as well.

### FREE or INEXPENSIVE

New Hampshire Department of Environmental Services publishes a newsletter entitled **NH WETLANDS WATCH**. (603) 271-2147.

The EPA has assembled a package of 32 one-page fact sheets that provide wetlands information. Each sheet covers one topic such as mitigation banking, takings, grants, etc. Free from EPA Wetlands Hotline, 1-800-832-7828.

**WETLANDS: A CELEBRATION OF LIFE**, a 67 page document outlining the current state of wetlands in Canada. Single copies available free from the North American Wetlands Conservation Council, Suite 200, 1750 Courtwood Crescent, Ottawa, Canada K2C 2B5.

Two interesting items from the A.C.O.E.: A nifty and easily constructed 'Quatrefoil' type light trap for collection of larval fishes in wetlands, ask for the WRP Bulletin, Volume 3, Number 4, December 1993, from U.S.A.C.O.E., Waterways Experiment Station, 3909 Halls Ferry Road, Vicksburg, Mississippi 39180-6199; Faced with placing water level control drainage ditches through an environmentally sensitive wetland in the Yazoo National Wildlife Refuge, the Corps found explosives to be more practical, quicker, and less destructive than conventional methods. Ask for **Corps of Engineers Blasts Ditches in Mississippi Wetland** by Karen Magruder (2 page article) same address as above.

### MISC.

In the Winter 1994 issue of the NHAWS newsletter FACTS WET, Sarah Allen briefly describes a grant proposal entitled **A Vernal Pool Identification and Protection Manual for New Hampshire Municipalities**. That brings to mind two things: For those of you who missed the MAWS annual meeting, write MDIF&W, P.O. Box 1298, Bangor, Maine 04402-1298, for a draft copy of Endangered and Threatened Species Profile - Vernal Pools, January, 1993. Also, the University of Maine offers a one day class in grant writing led by Beverly Sauer that is reported to be excellent. For the do-it-yourself crowd, **Environmental Grantmaking Foundations, 1992**, profiles 250 environmental grantmakers, \$40. Call Environmental Data Research Institute, 1-800-724-1857. Or a freebie, Environmental Grantmakers Association Directory, 4th Edition, 1992. List 138 private, public, community, and corporate foundations and grantmakers. Environmental Grantmakers Association, 212-373-4260.

As always, there are many interesting wetland related seminars and workshops at the Eagle Hill Wildlife Research Station, starting May 22. Write for a brochure: P.O. Box 99, Steuben, ME 04680-0099, 207-546-2821.

### EDUCATIONAL

**The Wonders of Wetlands**. 160 pages of activities and project ideas for students in grades K-12. \$12. Environmental Concern Inc., 410-745-9620.



# MAWS Meeting Minutes - February 16, 1994

## Maine State Grange, Augusta, Maine

### Afternoon Presentation

During the afternoon, Marc McCullough, with the Endangered and Threatened Species Group of the Maine Department of Inland Fish and Wildlife (IF&W), gave an excellent slide show on the Department's recent efforts at developing criteria for "Significant Wildlife Habitats" under the provisions of the Natural Resources Protection Act (NRPA). His talk covered the methods by which IF&W identified and mapped High and Moderate Value Waterfowl and Wading Bird Habitats which are Class I wetlands under the NRPA as well as Essential Habitats under the provisions of the 1988 Maine Endangered Species Act. Marc's hour plus presentation closed with an overview of what IF&W's role would be in the regulatory process along with a preview of other, future wetland protection strategies including: herps and reptiles, vernal pools, rare, threatened and endangered species in southern Maine, unusual communities such as silver maple floodplain swamps and a proposed new State endangered species list which is to be the topic of public hearings this spring. MAWS would be fortunate if Marc's slide show were a model of future presentations to the membership.

After bellying up to a dinner of lasagna, the Annual Meeting was held and presided over by the new President, John Lortie.

### Old Business

Treasurers Report: Steve Pelletier reported a balance of \$3,298.98 with an additional \$725 coming in over the course of the evening from which costs of the evening's dinner needed to be deducted.

Legislative Committee Report: Dave Askew reported on an Act to Clarify Permitting Requirements for the Cranberry Industry headed by John Harker. An amendment of the onsite waste disposal rules was announced which would exempt repairs from Permit by Rule. Dave also described the recent reorganization of DEP's Land and Water Bureaus.

Dave Roque summarized a MOA on determination of wetlands under the Food Securities Act. Gary Dobin will be in charge of this in Maine which is anticipated to be a "paperwork" exercise and not a delineation of boundaries in the field.

The Army Corps of Engineers' Public Notice on the proposed State Permit-General Permit for Maine was discussed. To date only one comment had been received from Maine and the comment period, which had been extended, was still open.

Program Committee: Marcia Spencer extended her appreciation to everyone who had assisted with putting together programs for the previous year.

Ethics Committee: Steve Pelletier reported things were nice and quiet with this committee.

Discussion digressed from completion of committee reports to a contemplation of next year's agenda. Pushing back the Annual Meeting toward the end of February was agreed to with the date scheduled for February 22, 1995. Betsy Day will head up the Nominating Committee for next year's Executive Committee.

MAWS's role in the upcoming May 1995 SWS meeting in Boston was discussed. Locations for field trips such as the Saco Heath, Mt. Agamenticus, and other areas in southern Maine were contemplated. Josh Royte and Peter Tischbein will head up this ad hoc committee interfacing with Matt Schweisberg.

Membership Committee: Alan Burnell circulated copies of the MAWS membership directory for people to review and discuss. Heated discussion ensued about who should receive the directory and for how much. Grave concern was expressed that uncontrolled circulation of the directory would place members on unwanted mailing lists.

### New Business

Annual Election Results: 1994 Executive Committee

President .....	John Lortie
Vice President .....	Colen Peters
Secretary .....	Dave Cowan
Treasurer .....	Alan Burnell
Member at Large .....	Wende Rosier

### Committee Chairpersons

Ethics .....	Rick Jones
Legislative .....	Peter Tischbein
Membership .....	Don Phillips
Program .....	Sally Rooney

### Evening Presentation

Another excellent slide show was given by Paul Doss of the Geology Department at Colby College on his research about the Hydrogeologic Setting of the Great Bog in Belgrade. Initially the outgoing Secretary broke into a cold sweat at the mere mention of this study area, but the preliminary results of this scientific research were truly impressive. The study focused on hydrogeologic processes at the upland-wetland margin. Water table measurements documenting daily fluctuations attributed to Evapotranspiration were truly incredible. Lively discussion also ensued about correlations of water table slopes with variations in surficial geology and peat stratigraphy collected from beneath the wetland with a vibrometer. This presentation should also be a model for future programs for the MAWS membership. The presentation concluded for die-hards around 9:30.

*Prepared and submitted by Colen R. Peters, 1993 Secretary*

# Minutes of MAWS Executive Committee Meeting - April 18, 1994

## Office of Timson & Peters, Hallowell

Present: J. Lortie, C. Peters, D. Cowan, A. Burnell, D. Phillips, S. Rooney

J. Lortie called the meeting to order at 6:25 p.m.

First order of discussion was the Army Corps wetland delineator certification program. Concern among members regarding substantial cost of existing training programs (about \$1,000 per person). New England District of the Corps (Mike Sheehan, primarily) continues to be interested in having MAWS establish a training program. Discussion followed on how such a program would be administered. General interest expressed by all Committee members. Several of those present are on the list as potential trainers, and have received the training material from the Corps. John will continue to monitor progress of the Army Corps program, and will investigate costs and mechanisms of administering a program. The latest from Karen Kochenbach, the Corps' national coordinator for the program, is that the program still has a way to go. A public notice with a 60-day comment period may be issued sometime this summer.

Field indicators of hydric soils as proposed by the SCS are in the process of being field tested. The intent is to establish those indicators within each temperature regime (e.g., mesic, frigid, etc.) that all reviewers agree are always positive indicators of hydric soils. This basic list could then be amended to include indicators that are sometimes positive, with conditions for their applicability. Several drafts have been reviewed. The final criteria would replace those in the 1987 federal manual. Copies are available from Norm Kalloch.

Don Phillips reported that SCS is offering copies of the new "Soil Survey Manual" at no charge. Call 202-720-6243.

The State Program General Permit that has been proposed to replace the existing Nationwide Permit program in Maine has been put on hold for "at least a year." The delay will allow DEP to consider assuming the 404 program wholly or in part.

John reported to the Committee on the status of the Maine Wetlands Conservation Plan. The plan, originally published by the State Planning Office in 1988 and authored by Lissa Widoff, is scheduled to be updated. SPO hopes to hire an author from a short list of finalists in the near future.

Josh Royte and Peter Tischbein have been working with Matt Schweisberg to organize a southern Maine field trip for the Annual SWS Meeting to be held in May-June 1995 in Boston.

Colen Peters agreed to prepare a draft comment letter to address proposed revisions to the Site Location of Development Law (SLDL) Rules. The Executive Committee agreed to consider submitting a letter expressing MAWS's position that wetlands should either come under their own section in SLDL, or be removed from SLDL and be handled entirely under NRPA.

Don Phillips discussed some difficulties regarding evaluation of membership applications on his own. The Executive Committee, which includes former members of the Membership Committee, advised that additional members be recruited to serve on the Committee so that applications requiring close interpretation of membership criteria can be reviewed by several individuals. Don suggested that at least one member of the previous year's committee continue to serve to provide continuity from year to year.

Sally Rooney reported on the activities of the Program Committee. She has been assisted by Jill Weber and Marcia Spencer. An overall goal has been to maintain a balance between programs that address current topics and those that are more technical (i.e., for education/professional development). The next program is scheduled for June 15 in Penobscot, and will include an afternoon tour of a mined peatland with field presentations on cranberry culture (by the owner) and peatland restoration (by Marcia Spencer). There will also be an evening presentation on the cranberry industry in Maine by John Harker of the Maine Department of Agriculture.

(See "Calendar of Events" column for details.)

Sally reported that attendance at programs hovers at around 25% of the current membership and rarely includes non-members. The Executive Committee agreed to endeavor to get our programs announced in newsletters of other organizations, e.g., Maine Cranberry News, SWCD's, RC&D's, etc. The newsletter mailing list will be expanded to include these organizations, as well as academic institutions.

Quarterly Membership Meetings and Programs were tentatively scheduled for:

September 21, 1991  
November 16, 1994  
February 22, 1995 (Annual Meeting)

—Dave Cowan, Secretary

Table 2.1 provides a list of all of the permits and approvals that might be required of a cranberry grower that are discussed here. We do not include standard business or labor permits in this Chapter.

**Table 2.1: Permits and Approvals That May Be Required of a Cranberry Project**

ITEM	SOURCE
<b>FEDERAL</b>	
Converted Wetlands Non-Agricultural Plan (Required for <u>any</u> USDA assistance)	Soil Conservation Service
Clean Water Act Section 404 Permits (Construction and development) Nationwide 26 Permit or Cranberry General Permit or Individual Permit	U.S. Army Corp of Engineers (Corp)
Clean Water Act Section 402 Permits (Waste discharge)	Corp
<b>STATE &amp; LOCAL</b>	
<b>Organized Townships</b>	
Natural Resources Protection Act (Construction and development) Permit By Rule, Cranberry General permit or Individual Permit	Maine Department of Environmental Protection (DEP)
Protection and Improvement of Water Law (Waste Discharge)	DEP
Site Location of Development Law (Construction and development)	DEP
Local Shoreland Zoning Ordinance (Construction and development)	Local Planning Office
Other Local Construction Permits May Be Required	Local Planning Office
<b>Unorganized or Deorganized Townships</b>	
Land Use Regulation Law	Land Use Regulation Commission
<p><b>Note:</b> Additional standard business, labor, pesticides applications, etc. licenses, permits and approvals may be required. Some of these will be unnecessary for some projects. Local building codes are not included.</p>	

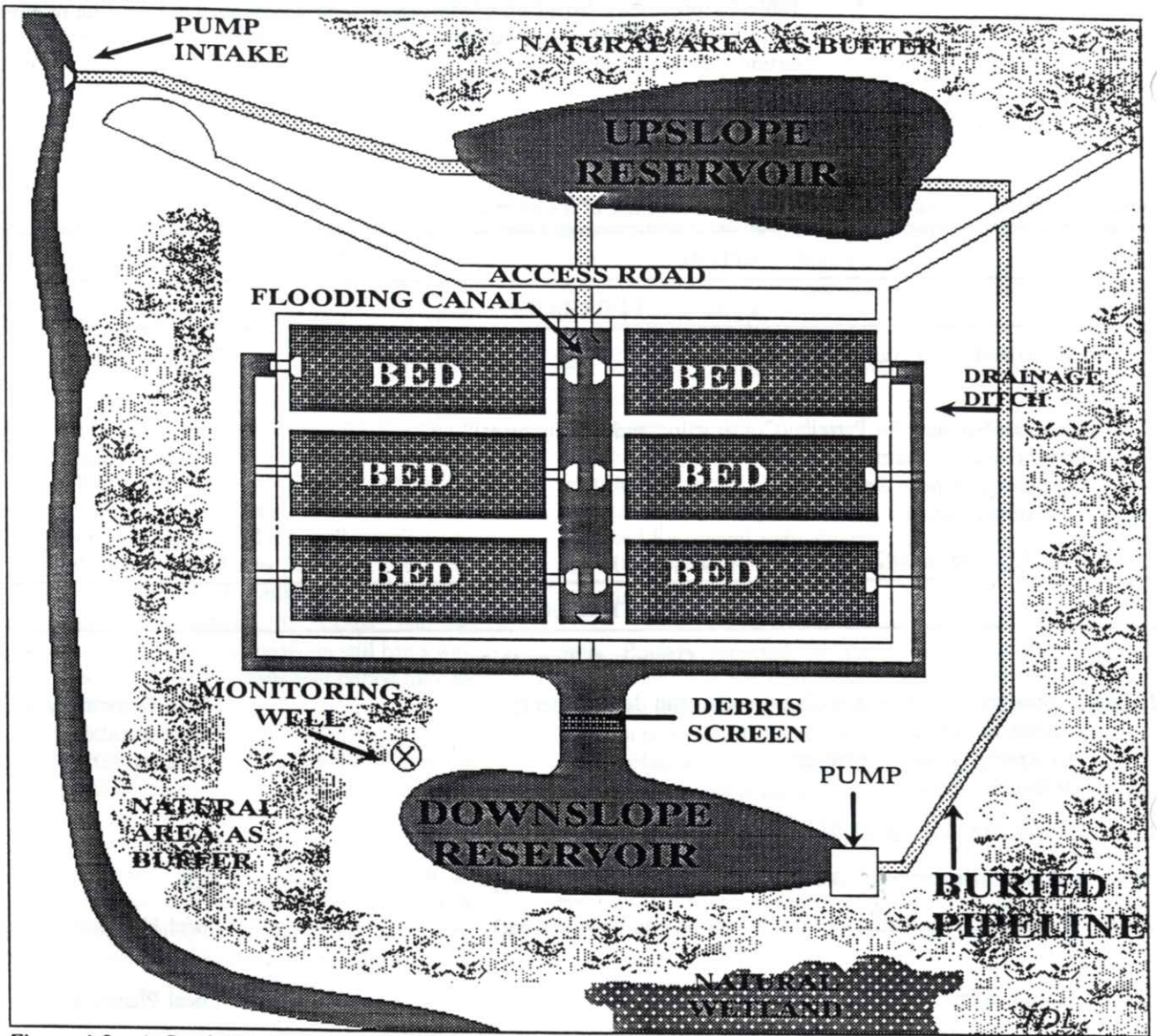
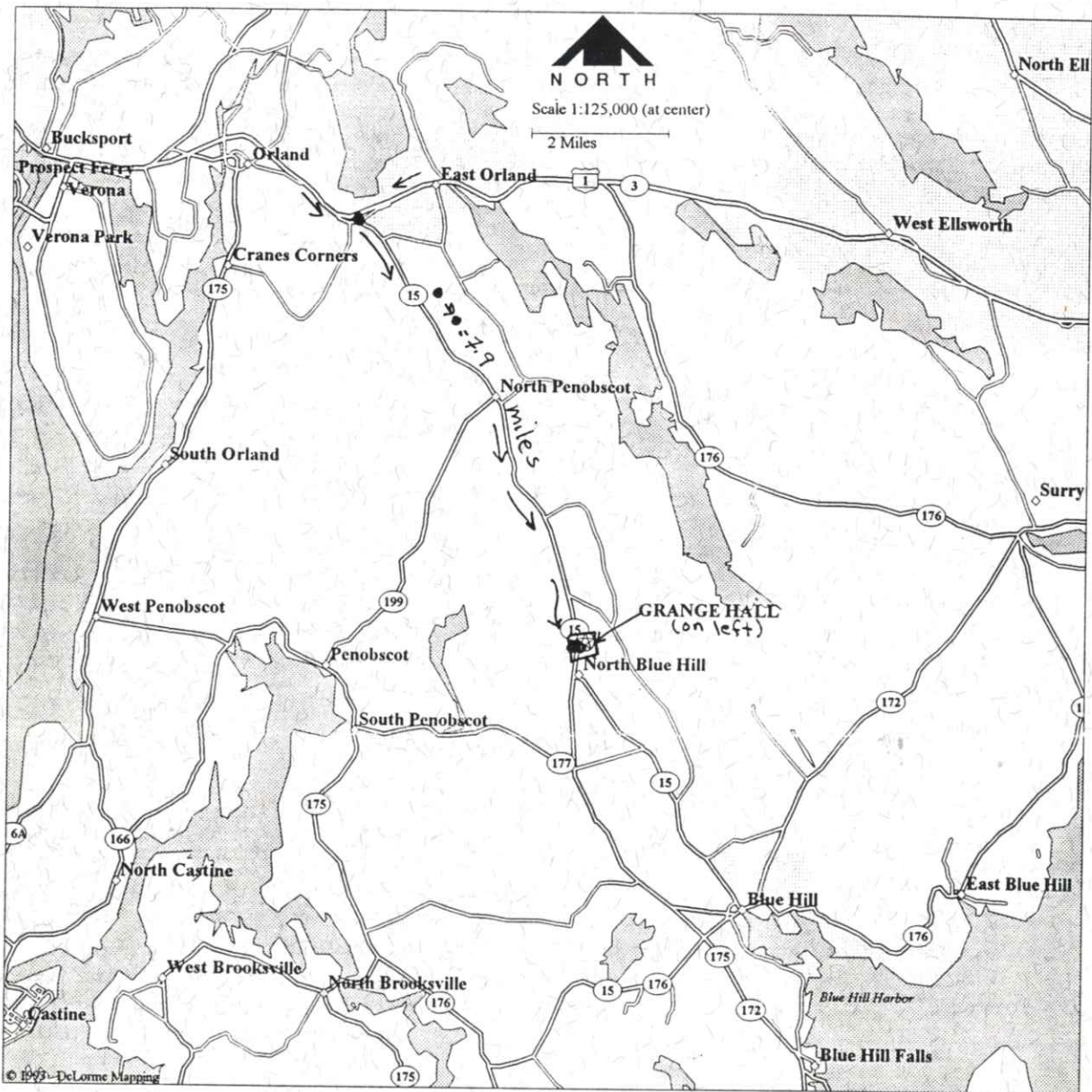


Figure 1.3: A Cranberry Plantation Layout



***Next MAWS Quarterly Meeting and Program (see back cover for details!):  
June 15, 1994, North Blue Hill Grange***

# Calendar of Events

## MAWS

**Next Meeting: June 15, 1994**—North Blue Hill Grange (see map)  
1:00-9:00 p.m.

1:30-4:00 Field trip to a mined peat bog in Penobscot currently being converted for cranberry culture. Tour of site will be co-led by the bog's owner, who will discuss culture techniques and requirements, and Marcia Spencer, who will discuss peatland restoration.

4:00-5:00 Social hour

5:00-6:00 Dinner by the famous NBH Grange Ladies: turkey with all the fixin's, dessert, and coffee for just \$7.00 (before June 8) or \$10.00 after.

6:00-7:00 Business Meeting

7:00-9:00 Evening program on the use of peatlands for cranberry culture by John Harker of the Maine Department of Agriculture.

Send checks to Sally Rooney, RR 2, Box 76, Houlton, ME 04730. Phone 532-2141 for more information.

### Quarterly Meetings/Programs

September 21, 1994 February 22, 1995 (Annual Meeting)  
November 16, 1994

## Regional

**NHAWS** Wetland Bird Habitats - June 21, 1994  
Wetland Ferns and Fern Allies - Sept. 10, 1994  
Wetland Plants and Planning Sources - TBA

For more information about NHAWS programs, contact Richard Cook at (603) 224-9909.

## National

### **Society of Wetland Scientists Annual Meeting**

May 30 - June 4, 1994, Portland, Oregon  
Registration questions only, call 503-223-8633

### **International Symposium on the Ecology and Management of Northern Forested Wetlands**

August 24 - 31, 1994, Cochrane Ontario and Traverse City, Michigan—for information contact: Dr. Peg Gale, School of Forestry and Wood Products, Michigan Technological University, 1400 Townsend Drive, Huntington, MI 49931

## Professional Training Services

Institute for Wetland & Environmental Education & Research (IWEER),  
P.O. Box 331, Sherborne, MA 01770-0331

The State University of New Jersey - Rutgers, Cook College Office of Continuing Professional Education, P.O. Box 231, New Brunswick, NJ 08903-0231

Environmental Concern, Inc., P.O. Box P, St. Michaels, MD 21663,  
(410) 745-9620

Wetland Training Institute, P.O. Box 1022, Poolesville, MD 20737-0099  
(301) 972-8112

National Wetland Science Training Cooperative, 221 First Avenue West,  
Suite 415 Seattle, WA 98119, (206) 283-0673



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