



The Obligate

Maine Association of
Wetland Scientists

c/o Dale Knapp, Stantec, 30 Park
Drive, Topsham, ME 04086

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President's Message

by Lauren T. Stockwell

The last year has been a tumultuous one in terms of energy, politics and the economy. I suspect that the down turn in the economy and housing market may have negatively affected some of you. Other wetland scientists may have found new niches with projects such as wind energy. With proposed federal stimulus packages, some may soon be involved in infrastructure projects. I hope that 2009 finds you all well and prospering despite the difficult times.

The 2008-09 year has been a busy one for MAWS. Along with MAPSS and MASE, MAWS co-hosted Part II of the Natural Resource Identification and Regulation Workshop at Reid State Park in September. This was a well-planned, informative workshop, offered for a second year after the rave reviews of the 2007 workshop. It included visits to both freshwater and coastal wetlands, wetlands of special significance, sand dunes and significant wildlife habitats. Regulatory staff from USACOE, LURC, DEP and MGS were on hand to give presentations and answer questions. Federal and state laws, including both NRPA and Shoreland zoning, were covered.

When it was all said and done, the Vernal Pool workshop on February 6th had approximately 225 attendees. Presentations on the ecology and best management practices were given by Dr. Aram Calhoun of the University of Maine, Dr. Phillip deMaynadier of Maine Department of Inland Fisheries, and Wildlife, respectively. A discussion of regulations and permitting followed, led by Mike Mullen of DEP and Jay Clement of USACOE. In February, March, and April,

workshops on some difficult plant taxonomic groups, grasses and sedges (*Carex* spp.) are planned at the Delta Institute on behalf of MAWS. At these workshops, participants will be given presentations on the taxonomy and then have the opportunity for hands-on keying of pressed specimens. The presentations will be given by two exceptional botanists, Arthur Haines of the New England Wildflower Society, and Matt Arsenault of Stantec.

MAWS is a volunteer-run organization. It continues to amaze me how much we accomplish each year, and the level of dedication of the volunteers. I would like to thank all of the Executive Committee: Alex Finamore - Secretary; Dale Knapp - Treasurer; Danielle Dyer - Membership Chair; Eugenie Francine - Legislative Chair; Lauren LeClerc - Ethics Chair; Jennifer West - Program Chair; and Gil Paquette - President Elect, as well as Kathleen Miller - Past President who has been acting as 'Member at Large' even though that position was absolved in 2001. Many thanks to Rich Jordan, our web-master; Marcia Spencer-Famous, compiler/editor of the Obligate; and Jim Boyle, Chair of the Certification Subcommittee. I would also like to extend a thank you to everyone who has served on the committees or given their time, energy or resources to MAWS.

The upcoming annual meeting on Friday, March 27, 2009 has a packed agenda (attached). From presentations of research by our stipend winners and PhD candidates, to regulatory updates, with topics ranging from salt marshes, soils, aquatic plants to vernal pools and more, there is something for everyone. I look forward to seeing you all at this meeting.

Message from the Ethics Chair

by Lauren Leclerc

As part of our commitment to participating in educational programs, every year MAWS offers one or two wetland research stipends, up to \$1000 total, to actively enrolled students for use on a research project (or projects) relating to Maine wetlands. Each year, an announcement describing the MAWS stipend is circulated to departments of colleges and universities in Maine involved in wetland-related studies. The MAWS Executive Committee reviews the proposals/abstracts, votes on who they think should get the stipend, and awards the stipend(s) to the selected candidate(s). As a condition of receiving the stipend, the student(s) agree to give a presentation on the outcome or progress of their research at the MAWS annual membership meeting. In 2008, MAWS awarded \$500 stipends to two PhD candidates at the University of Maine, Orono.

At the 2008 annual meeting, we heard about Katelyn Michaud's research to determine if variable-leaf watermilfoil (*Myriophyllum heterophyllum*) can reproduce sexually as well as vegetatively. Variable-leaf watermilfoil research was supported again with one of the 2008 MAWS stipends. Jacolyn Bailey, one of the 2008 stipend winners, is researching if watermilfoil is a threat to the ecology of Maine's aquatic resources. As Ms. Bailey states, although watermilfoil is "a nuisance for water recreation, its effects on the natural ecosystem of a lake as perceived by lake-fauna is not documented in the literature." Ms. Bailey's hypothesis is that watermilfoil is not changing the community structure of its invaded habitat because its plant structure is similar to native milfoils. Furthermore, she hypothesizes that control methods used to manage the pest may adversely harm the native aquatic communities (including macroinvertebrates, amphibians, reptiles and small fish) where they are implemented. Ms. Bailey's research will provide information to the State of Maine and Lake Association managers, on the degree of environmental disruption posed by milfoil and the currently preferred plant control methods.

Vernal pools continue to be an interesting and studied natural resource, as evidenced by ongoing research and high attendance at educational workshops, such as the one we hosted in February. Our second stipend winner for 2008, Dan Viorel Popescu, is studying the effects of forestry practices on the dispersal success

of vernal-pool breeding amphibians. Specifically, he "aims at understanding the effects of forest management practices on spatial distribution, movement behavior and orientation, as well as dispersal of vernal pool-breeding amphibians in Central Maine." His specific objectives are: 1.) to quantify differences in habitat permeability to movement between recent clearcuts and mature forests for juvenile wood frogs (*Rana sylvatica*) and spotted salamanders (*Ambystoma maculatum*) movements, and 2) to examine the habitat selection for movement of recently metamorphosed juvenile amphibians. Information that will be gathered from this research includes rates of juvenile amphibian movement, distance moved and habitat choice for movement. This research will, in part, provide information useful to conservation efforts and will help us to understand the potential connectivity between forested vernal pools. Mr. Popescu's research is part of the Land Use Effects on Amphibian Populations (LEAP) project.

Attend the annual meeting to learn more about this exciting research.

Legislative Committee Recap of the 2007-2008 Legislative Session By Eugenie Francine

Compared to previous years, things have been fairly quiet on the legislative front. There have been a couple of amendments to state and federal regulations, and a couple of new bills in this first regular session of the 124th Maine Legislature that will be off interest. In addition, there are some changes still in the works on the federal level.

Federal Mandates

On December 3, 2008, the EPA and the Corps issued revised guidance to the *Rapanos* decision (February 2006). The guidance clarifies the geographic scope of jurisdiction under the Clean Water Act (CWA). Specifically, the revised guidance:

1. Clarifies how to determine the reach of the "Traditional Navigable Waters (TNWs)";
 2. Clarifies the regulatory term "adjacent wetlands";
 3. Refines the concept of "relevant reach".
- The revised guidance makes some changes with respect to assessing flow in tributaries for purposes of determining whether a tributary is "relatively permanent", indicating that where the downstream limit is not representative of the stream reach as a

whole, the flow regime that best characterizes the reach should be used.

- The revised guidance clarifies, consistent with the regulatory definition, that a wetland is adjacent if it has an unbroken hydrological connection to jurisdictional waters, **or**, is separated from those waters by a berm or similar feature, **or**, if it is in reasonably close proximity to a jurisdictional water.

In response to the public comments concerned with processing delays, in June 2008, the Corps issued a Regulatory Guidance Letter (RGL) 08-02. RGL 08-02 clarifies that project proponents may request a preliminary jurisdictional determination (JD) that is based on an “effective presumption of CWA/RHA jurisdiction over all of the wetlands and other water bodies at the site” (see RGL 08-02, paragraph 9a.) Information on the guidance can be found at: <http://www.epa.gov/owow/wetlands/guidance/CWAwaters.html>

Regionalization of the 1987 Corps Wetland Delineation Manual for the Northcentral & Northeast Region.

As of November 2008, the peer review, public comments and field testing results regarding the *Draft Interim Northcentral & Northeast Regional Supplement to the 1987 Wetland Delineation Manual* were being reviewed by the Corps Engineering Research and Development Center (ERDC). According to Paul Minkin (Corps), the draft is still some distance away from becoming the final regional supplement. After all the comments and field testing results are reviewed and addressed, the *Interim Northcentral & Northeast Regional Supplement to the 1987 Wetland Delineation Manual* will be published and will be in effect for one year. During this initial year, there will be additional opportunities for testing and comments. Based on preliminary findings, there will likely be an increase in the number and type of hydrologic indicators and additional ways to calculate hydrophytic vegetation. A more significant change to the manual will be to hydric soil indicators. *Field Indicators for identifying Hydric Soils in New England (Version 3)* will be replaced with the *National Field Indicators of Hydric Soils in the United States*, which can be found at:

ftp://ftp-fc.sc.egov.usda.gov/NSSC/HydricSoils/FieldIndicators_v6_O.pdf

Additional information on the regionalization of the 1987 Manual may be found at:

<http://www.usace.army.mil/inet/funtions/cw/cecwo/reg/>

***Please note – Paul will be presenting information on the Regional Supplement at the MAWS 2009 Annual Meeting.**

The 1988 National List of Plant Species that Occur in Wetlands is also in the process of being updated. In 2007, responsibility for the List transferred from the U.S. Fish and Wildlife Service to the Corps where it was renamed the *National Wetland Plant List*. One of the major goals of the effort is to update the taxonomic nomenclature, which has not been done in 20 years. Peer review and public comments will be solicited. It is anticipated that an updated List will be available sometime in 2010.

The Mitigation Rule

On April 10, 2008, the Corps and EPA published regulations on mitigation in the Federal Register: 33 CFR Part 322 for the Corps and 40 CFR Part 230 for the EPA. These regulations are commonly called the Mitigation Rule (the “Rule”). The Rule incorporates some large and important policy shifts and includes many small changes and clarifications. The Rule went into effect on June 9, 2008, and may be found at: <http://www.usace.army.mil/cw/cecwo/reg/>

Lastly on the federal front, just for a point of interest, On May 22, 2007 Rep. James Oberstar, D-MN, introduced H.R. 2421: Clean Water Restoration Act of 2007 (CWRA-2007) (co-sponsored by former Maine Congressman Tom Allen). There was a Committee hearing on April 16, 2008. The CWRA-2007 sought to amend the CWA by replacing the term “navigable water” throughout the CWA, with the term “waters of the United States,” defined to mean all waters subject to the ebb and flow of the tide, the territorial seas, and all interstate and intrastate waters and their tributaries, including lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, natural ponds, and all impoundments of the foregoing, to the fullest extent that these waters, or activities affecting them, are subject to the legislative power of Congress under the Constitution. CWRA-2007 was in reaction to the perceived loss of wetland protection from the SWANCC (2003) and *Rapanos* (2006) decisions. It did not become law. As it was introduced in a previous session of Congress no more action may occur it can, however, be reintroduced. More information is available by searching “Clean Water Restoration Act”.

Maine Department of Environmental Protection

PL 533 - On February 7, 2008, the MAWS Executive Committee provided comments to the Natural Resource Committee regarding **LD 1952, “An Act to Streamline the Administration of Significant Vernal Pool Habitat Production”**. The EC’s comments are posted on the MAWS web site.

On March 31, 2008, LD 1952 became PL 533. PL 533, Sec. 3 in part reads:

“The following requirements apply to the identification of significant vernal pool habitats and must be employed when implementing significant wildlife habitat rules adopted by the Department of Environmental Protection and the Department of Inland Fisheries and Wildlife pursuant to the Maine Revised Statutes, Title 38, section 480-BB.

- A. When a vernal pool habitat has not previously been determined to be significant and the Department of Environmental Protection or the Department of Inland Fisheries and Wildlife makes a determination concerning whether the vernal pool habitat is significant, either department may determine that the vernal pool habitat is not significant if:
- (1) The vernal pool is located in southern Maine and dries out after spring filling and before July 15th based on winter, spring and early summer precipitation; or
 - (2) The vernal pool is located in northern Maine and dries out after spring filling and before July 31st based on winter, spring and early summer precipitation.
- B. In addition to state threatened and endangered species, for purposes of determining whether a vernal pool habitat is significant, the rare species that must be considered are limited to: Ribbon Snakes, Wood Turtles, Swamp Darner Dragonflies and Comet Darner Dragonflies.
- C. In order to be identified as part of a significant vernal pool habitat, the vernal pool may not have a permanent flowing inlet or outlet.”

The complete text can be viewed on the Maine Legislature Home page: <http://janus.state.me.us/legis>

Chapter 310, Wetlands and Waterbodies Protection – Section 5(A): This Rule was adopted on January 26, 2009 (#2009-32).

The Rule amends Section 5(A) to clarify the provisions concerning wetlands of special significance, and adds three additional categories of activities that may be considered for approval in wetlands of special significance.

- The first category is for activities to restore or enhance the wetlands of special significance.
- The second category concerns activities at least 250 feet from aquatic vegetation, emergent marsh vegetation, or open water that do not unreasonably adversely affect functions and values of the aquatic vegetation, emergent marsh vegetation, or open water, or of the wetlands enhanced or served by those features.
- The third category concerns certain activity on a pier, wharf, dock or other structure in coastal wetlands, when (a) the structure was built before June 30, 1990 and is still in existence on the date of the application, and (b) the Commissioner of DEP has approved an alternative set of Shoreland zoning standards pursuant to 38 MRSA §438-A(2).

Additional information on this rule can be obtained from Hetty Richardson at: Hetty.L.Richardson@maine.gov

Natural Resource Compensation: Methods for Restoring Lost Functions and Values (Revised: June 2008)

A MDEP fact sheet can be downloaded from the MDEP web site. It appears that some new language was added to the rule: ***“Mitigation is a sequential process of avoiding adverse impacts, minimizing impacts that cannot be practicably avoided, and then compensating for some of those impacts that cannot be further minimized.”***

Vernal Pools - Spring 2008 was the first ‘official’ season in which Chapter 355, Section 9, ***“Significant Vernal Pools”*** was applied. The regulation became effective on September 1, 2007.

As of October 1, 2008, 199 field surveys of vernal pools have been conducted by department and MDIF&W staff as well as other qualified individuals. Of the 199 pools surveyed, 59 (29%) were determined to be Significant, 117 (58%) were determined to be Not Significant, and 23 (11.6%) were Significant but no landowner permission was obtained for the survey. Significant pools surveyed without landowner permission will not be regulated as Significant unless and until landowner permission is given. The department has made an effort

to advise all potential pool surveyors that it is imperative to first have landowner permission or else the pool will not be regulated. Information above is cited from a Draft of MDEP report to the Joint Standing Committee on Natural Resources, January 2009.

Maine Land Use Regulation Commission – (LURC)

LURC's Comprehensive Plan is still being drafted. A 'Working Group' has been formed to troubleshoot the plan and will begin meeting early in 2009. Meetings are open to the public. For more information contact Sarah Giffen: sarah.giffen@maine.gov.

The Commission approved release of the **Public Workshop Draft** for review and comment. This can be viewed and downloaded from the LURC website www.maine.gov/doc/lurc.

124th Legislature – 1st Regular Session Convened December 2008

Natural Resource Committee Chairs:

Senator Seth A. Goodall – Sagadahoc
Representative Robert S. Duchesne – Hudson

Inland Fisheries & Wildlife Committee Chairs:

Senator Bruce S. Bryant – Oxford
Representative Herbert E. Clark - Millinocket

Newly Proposed Bills

LD 66 – “An Act to Amend Maine’s Endangered and Threatened Species List by Removing the Bald Eagle.” (Referred to the Inland Fisheries & Wildlife Committee on 1/7/09)

This bill removes the bald eagle from the list of threatened species in the state. As provided in the statute, the MDIFW conducted public hearings regarding the recommendation to remove the bald eagle from the list of state threatened species, having proposed that recommendation. A Public Hearing was held on February 3, 2009.

LD 107 – “An Act to Change the Classification of Man-made Wetlands.”

This bill exempts man-made wetlands from state regulation under the NRPA unless the man-made wetlands were created in connection with a

compensation project. “Man-made wetlands” means wetlands that are created solely as a result of human activity, except that “man-made wetlands” does not include wetlands created in connection with a compensation project pursuant to section 480-Z. A Public hearing was held on February 1, 2009.

*** Please note that the EC submitted comments to the NRC and spoke at the Public Hearing on February 10, 2009. The letter was submitted on behalf of the EC and can be viewed on the MAWS web site.**

MAWS Legislative Subcommittee

A few brave soles answered the call at last year’s annual meeting to volunteer on the newly formed MAWS Legislative Subcommittee. Thank you for stepping up to the plate. To date we have had one meeting. At the meeting a job description for the MAWS Legislative Chair was developed and the roles and responsibilities of the Legislative Subcommittee were discussed. Also discussed was the need for MAWS to interface more with municipalities, to increase our work and interactions with other organizations such as MAPPs, MASE, and MCWS. These are exciting times as we push to interface MAWS with municipalities and take on a more active presence with both state and federal agencies. If you are interested in participating on this committee please contact Eugenie Francine at eug@maine.rr.com.

I encourage members to periodically check out the MAWS web site to see what the latest legislative news is and when public hearings are scheduled.



Make sure you log onto WWW.MAINEWETLANDS.ORG and sign up for or check your status on the **MAWS email list**. You can change your information, see archives, and sign up for other lists via the link from the MAWS’ homepage.

IT IS YOUR RESPONSIBILITY TO MAINTAIN AND MAKE SURE YOUR EMAIL ADDRESS IS CURRENT ON THE MAWS EMAIL LIST!

If you are experiencing difficulty with the list – contact the webmaster via the link at the bottom of any of the MAWS web pages.

**From the Program Committee Chair
By Jennifer West**

In 2009, we have planned an extensive agenda for the Annual Conference and business meeting, as well as a number of workshops this spring. We have put together a conference program that we hope will inform wetland scientists working in habitats ranging from the mountains on wind energy projects, to aquatic ecosystems threatened by invasive species, to the sensitive habitats of the coast. Please see the enclosed agenda for more detail.

A half-day workshop on vernal pools will be offered on February 6th. Dr. Aram Calhoun, UMO, will provide an overview on the ecology of vernal pools and local conservation initiatives. Dr. Phillip deMaynadier, MDIFW, will present a discussion on significant vernal pools: definition, documentation, and best management practices. Mike Mullen, DEP, and Jay Clement, New England District Corps of Engineers will discuss regulations and permitting. Three plant identification workshops have been planned, two introductory half-day workshops on grasses presented by Arthur Haines, Delta Institute. Matt Arsenault, Stantec, is in the process of organizing a workshop on sedges for April. We are also looking into a joint workshop with MAPSS sometime this summer.

The Program Committee needs more help!
Please contact Jennifer West
(jwest@normandeau.com) if you would be interested in helping out with providing ideas for and organizing workshops, or have ideas for topics at the annual conference.

**From the Membership Chair
By Danielle Dyer**

Greetings MAWS members! I was elected at the 2008 annual meeting to replace Rich Jordan as the Membership Chair. It took a short transition for me to figure out the system, but membership is running smoothly on my end. MAWS Membership in 2008 saw the addition of 18 new members! Several folks have asked about when the dues-year begins. Membership is for the calendar year so dues for 2009 were due on January 1, 2009. You can submit dues at any time to the address below.

Several members in the past year asked about group memberships to MAWS to help streamline their organizations dues process. After careful discussion with the executive committee, it was decided that it is not feasible at this point.

I'm trying to streamline the process of requesting dues payments, so if your job changes or you need to update your address, please send me a note. Email is becoming a much easier method for contact; if you have an email address please include that with any updates!

I am also in the process of updating the MAWS membership application to include an option for membership status change. Any affiliate members who have reached 2 years of experience with wetlands-related work and would like to apply for active membership, please re-apply with the application requirements and send it in, with the active membership dues to:

**MAWS - Membership
P.O. Box 361
Augusta, ME 04330**

Missing Members!

If anyone knows the whereabouts of any of these former members, we can't get in touch with them! Send me an email [danielle.dyer@stantec.com] with any information you may have for these folks and we'll bring them back into membership:

*Lucia Allan
Robert Bryan
Jay Clement
Adam Doiron
Stewart Fefer
Ivan Fernandez
Sylvia Michaud
Scott Norman
Kim Payne
Terry Ramborger
Josh Royte
Dave Santillo
Mathew Schweisberg
Rachel Stevens
Danielle Swan
Stephen Walker
Mark Whitehead
Keith Williams
Don Witherell*

MAWS Financial Statement -- F.Y. 2008			
(For period of February 13, 2008 to January 20, 2009)			
<i>Respectfully submitted to MAWS Membership 20 January 2009 - Dale Knapp, Treasurer</i>			
		Balance 02/13/2008	\$4,637.47
		Balance 01/20/2009	\$5,965.19
Income			
	2008 Membership/Annual Meeting		\$4,315.00
	Spring 09 Vernal Pool Workshop		\$1,735.00
		Total Income	\$6,050.00
Expenditures			
	2008 Annual Meeting		-\$2,165.14
	Postage and Copying		-\$249.04
	P.O. Box Rental		-\$72.00
	Non-Profit Registration		-\$35.00
	Student Research Grant(s)		-\$1,000.00
	Other (Envirothon/Eric York Scholarship)		-\$1,200.00
		Total Expenditures	\$4,721.18

Note: Although it applies to FY 2009, the February 6th Vernal Pool workshop added \$3000 to MAWS' account. Expenses included lodge fees of \$1,705 and \$90 for screen rental.

**Maine Association of Wetland Scientists
Business Meeting Agenda**

March 27, 2009
4:15 – 5:00 p.m.

1. Executive Board update

2. Election

Executive Committee: Underlined positions will be elected at the 2009 annual meeting. Nominations will also be accepted from the floor:

- President: Lauren Stockwell (tenure expires in (2009))
- President Elect: Nominated - Dale Knapp (to become President in 2009)
- Secretary: Nominated for a second term - Alex Finamore
- Treasurer: Looking for nominations from the floor
- Ethics – Lauren Leclerc (tenure expires 2010)

- Legislative Chair: Looking for nominations from the floor
- Membership Chair – Danielle Dyer (tenure expires 2010)
- Program Chair – Jennifer West (tenure expires 2010)

3. Update from the Certification Committee:

Jim Boyle; Don Phillips; Johanna Szillery; Sarah Watts; Lauren Stockwell; Chris Dorion; Roger St. Amand; Peter Tischbein; Kathleen Miller; Tim Forrester; Ben McDougal; Doug Stewart; Eugenie Francine

4. Vote on changes to the MAWS Constitution (attached)

Note: Members attending the annual meeting will receive an additional 2CEU's from the NH Joint Board.

Proposed 2008 MAWS Constitutional Amendments

Items in Bold & Underlined text are proposed changes – a vote will be held during the business meeting on these proposed changes.

Article I

Name: The name of this organization shall be the "Maine Association of Wetland Scientists".

Article II

Purposes: To institute a non-profit organization that will promote the profession and understanding of wetland science in Maine and protect the public interest by:

- Establishing a code of ethics and maintaining high professional standards of practice.
- Establishing professional qualifications and certifying those qualifications to the public.
- Implementing and participating in educational programs pertaining to the study of wetlands and the profession of wetland science for the Association membership and the public.
- Supporting and contributing to the expansion of the wetland science research base.
- Promoting policies that contribute to the sound stewardship of wetland resources.

Definitions:

- **Wetland Science** is the study of wetlands.
- **Profession of Wetland Science** refers to the occupation of delineating, classifying, evaluating or studying wetlands by an individual with multidisciplinary expertise in wetland science.
- **Multidisciplinary expertise in wetland science** means education in multiple scientific disciplines such as ecology, biology, zoology, botany, **forestry**, pedology, hydrology, geology, chemistry, and a combination of training and experience in wetland science.

Article III

Membership:

Section A - Active Members

- Item 1. Must have practiced the profession of wetland science for at least 2 years (full time equivalent) **and** must possess a Baccalaureate degree with a minimum of 30 semester hours in multiple scientific disciplines such as ecology, biology, zoology, botany, **forestry**, pedology, hydrology, geology, and chemistry **or** be certified in wetland science at the state or federal level (Amended 3/4/05). All applicants for active membership must be approved by the Membership Committee.
- Item 2. After December 31, 1990, only those members approved by the Membership Committee will be eligible to vote. Prospective members applying for active membership after December 31, 1990 must provide references from two professionals active in the field of

wetland science. (NOTE: these references need not be members of MAWS.)

- Item 3. Active Members have voting privileges.
- Item 4. Only Active Members may serve on the Executive Committee or Chair standing committees.

Section B - Affiliate Members

- Item 1. Open to any person with an interest in wetland science.
- Item 2. Do not have voting privileges.
- Item 3. May be appointed to committees.

Article IV

Section A Executive Committee: The Executive Committee of this Association will consist of the President, President-elect, Secretary, Treasurer, and the Chairpersons of the Standing Committees. ~~and the Member at Large.~~ (As amended 2/28/03)

This Committee shall:

- Item 1. Keep membership informed of activities related to the Association.
- Item 2. **Set policy and guidance for the Association. Assist the President in setting policies and guidance for the Association.**
- Item 3. Establish the time, date, and place of all meetings.
- Item 4. Have authority to approve expenditures exceeding \$250.00.
- Item 5. Decide on matters of appeal in accordance with Article IV, Section K.
- Item 6. Oversee impeachment proceedings of any member of the Executive Committee and/or revocation of membership of any Association member.
- **Item 7. The Executive Committee will authorize a representative of the EC to speak or write on behalf of the organization with the support of a majority vote of the EC. The vote can be taken either by email or during a special meeting of the EC.**
- **Item 8. The organization's newsletter *The Obligate* shall be MAWS document of record and shall contain reports from the President, Treasurer, all Standing Committees and minutes of the prior year's Annual Meeting.**

Section B - Duties of the President

The President shall:

- Item 1. Preside at the meetings of the Association.
- Item 2. Appoint the Chairs of non-standing committees.
- Item 3. Represent the Association both verbally and in writing on issues that affect the field of wetland science under the guidance of the Executive Committee and the membership.
- Item 4. The President is authorized to instruct the treasurer to pay bills of \$250.00 or less.
- **Item 5. In conjunction with the Executive Committee and following the Annual Meeting, establish the annual "agenda" for the organization for the following year.**

Section C - Duties of the President-elect

The President-elect shall:

- Item 1. Preside over meetings in the absence of the President.
- Item 2. Support the President in his/her duties.
- Item 3. In the absence or at the request of the President represent the Association both verbally and in writing on issues that ~~effect~~ **affect** the field of wetland science under the guidance of the Executive Committee and the membership.
- **Item 4. Prepare a President-Elect's message for *The Obligate* that of the year that they become President. This message shall include a proposed agenda and list of action items to be achieved during the proceeding 2-year term as President.**
- **Item 5. Act as the Chair of the Nominating Committee.**

Section D - Duties of the Secretary

The Secretary shall:

- ~~Item 1. -~~ **Keep a written record of each meeting and send copies of the minutes of each meeting to the membership. Keep written and electronic records of all meetings. Send minutes of all meetings electronically to the membership unless specifically requested to be sent via the post office mail. Minutes of all meetings will be posted on the MAWS Web Site and it will be the responsibility of the Secretary to send the minutes to the webmaster.**
- **Item 2. Send minutes of MAWS Executive Committee (EC) meetings to each of the EC members. Be responsible for notifying membership at least 30 days prior to meetings.**
- Item 3. On the instruction of the President and in the absence of the Treasurer, have the authority to pay all bills of the Association of \$250.00 or less on his/her own signature.
- **Item 4. Be responsible for notifying the membership at least 30 days prior to the MAWS Annual meetings and other MAWS meetings scheduled during the year. Notification will be in the form of post cards sent via the mail or will appear in *The Obligate* as well as on the Web Site. Notification for the EC meetings will be sent by e-mail to the EC members and be posted on the Web Site for the membership at large.**

Section E - Duties of the Treasurer

The Treasurer shall:

- Item 1. On the instruction of the President, have the authority to pay all bills of the Association of \$250.00 or less on his/her own signature. **On the instruction of the Executive Committee, pay all bills of the Association of \$250.00 or more on his/her own signature.**
- Item 2. Be responsible to give a written account at every regular meeting of all money received and expended.
- Item 3. Preside over meetings in the absence of the President and President-elect.

- Item 4. Submit an annual report for the past year ~~and a proposed budget for the coming year~~, in writing, to the Association **to be included in *The Obligate*.**
- **Item 5. Be responsible for checking the PO Box at least once per month and maintaining payment for the PO Box rental.**
- **Item 6. Be responsible for filing for Non-Profit Status at the close of each fiscal year.**
- **Item 7. Coordinate with the Membership Chair to update payment records of existing/pending members.**
- **Item 8. Coordinate with Program Chair to track payment of meeting/workshop registrants.**
- **Item 9. Distribute approved donations/scholarships to appropriate recipients on approval of the Executive committee.**
- **Item 10. Reimburse membership for approved organizational expenditures (i.e. postage, printing, etc.)**

- ~~Section F - Duties of the Member at Large~~
(Position removed as amended 2/28/01)

Section F - Elections

- Item 1. The President-elect shall automatically assume the office of President for the following year.
- ~~Item 2.~~ The immediate past President shall automatically assume the office of the Member at Large. (As amended 2/28/01)
- Item 32. The President-elect shall be elected by majority vote of Active Members (IIIA3) ~~annually~~ biennially. The President-elect, President, **and Treasurer**, and Member at Large shall each serve ~~one~~ **two**-year terms. (As amended 2/28/01)
- Item 3. (Point of Record - At the 1997 Annual Meeting, the Membership Committee Chair, and Ethics Committee Chair shall be elected to a **two**-year term, beginning with the 1998 Annual Meeting and thereafter the aforementioned Committee Chairs shall be elected to two-year terms). Beginning with the 1997 Annual Meeting and thereafter, the Secretary, Program Committee Chair, and Legislative Committee Chair shall be elected to two-year terms. No member of the Executive Committee may serve more than two (2) successive terms in the same office.
- Item 4. If during the first round of voting no candidate receives a majority, the two (2) candidates with the highest vote totals will be retained as candidates for as many rounds of voting as necessary to achieve a majority decision.

Section G - Nominating Committee

- Item 1. **An Active Member shall be appointed as Chair to the Nominating Committee by the President at the annual meeting. The President-Elect shall chair the Nominating Committee.** The Chair shall select two other active members to consult in the nomination of up to two candidates for each available position.
- Item 2. The committee shall report its nominations to the Executive Committee before the call of the annual

meeting so that the nominations may be mailed to the membership. Additional nominations will be accepted from the floor at the annual meeting.

Section H - Standing Committees

- Item 1. Executive Committee
- Item 2. Ethics Committee

The Chairperson of the Ethics Committee shall:

- Item 1. Chair and organize the Ethics Subcommittee.
 - Item 2. Act to uphold the MAWS Code of Ethics.
 - Item 3. Announce the MAWS annual wetlands research stipend(s) to the departments of colleges and universities in Maine involved in wetland-related studies.
 - Item 4. Notify the stipend winner(s) and coordinate their attendance and presentations at the annual membership meeting.
- Item 3. Membership Committee

The Chairperson of the Membership Committee shall:

- Item 1. Collect membership applications and make recommendations to the Executive Committee as to the whether or not the applicant has adequate qualifications to meet the membership level for which they are applying.
- Item 2. Contact and inform applicants as to the acceptance or denial of their applications for membership.
- Item 3. Work with the Treasurer to maintain annual dues payment status for all members;
- Item 4. On or by June 01 of each year, contact members to request payment of Annual Dues if not yet received.
- Item 5. Maintain the membership database, including updating the membership level, dues payment status, and contact information for all members.
- Item 6. From time-to-time (but at least annually), provide an updated spreadsheet to the webmaster with all membership and dues payment status for publication on the website.
- Item 7. Maintain the mailing list to include all members, as well as all courtesy recipients, libraries, groups, and other non-members to whom MAWS sends notifications.
- Item 8. Attempt to increase membership and interest in MAWS by notifying colleges, towns and other professional groups of upcoming workshops and MAWS news.
- Item 9. Maintain historical membership records in an orderly and easy to access fashion.
- Item 10. Meet with and provide the successive Membership Chairperson with all necessary and updated electronic and paper file information within 30 days following the Annual Meeting.

- Item 4. Program Committee

The Chairperson of the Program Committee shall:

- Item 1. Chair and organize the Program Committee.
- Item 2. Organize the Annual Meeting with input from Executive Committee.
- Item 3. Organize regular business meetings, as needed, based on input from the Executive Committee.
- Item 4. Organize workshops, conferences and other educational forums pertaining to the study of wetlands and the profession of wetland science for the Association membership and the public.
- Item 5. Prepare and distribute Certificates of Attendance for all educational forums.
- Item 6. Coordinate the determination of continuing education credits (CEU) with relevant state agencies.

- Item 5. Legislative Committee

The Chairperson of the Legislative Committee shall:

- Item 1. Chair and organize the Legislative Subcommittee.
- Item 2. Schedule at least one Legislative Subcommittee meeting per year and as requested by the Executive Committee. The Legislative Chair will be responsible for the setting the agenda and maintaining the minutes of Legislative Subcommittee meetings.
- Item 3. Be responsible for monitoring State and Federal laws and regulations that affect and have a direct bearing on the profession of Wetland Scientists.
- Item 4. Shall notify the Executive Committee of Public Notices, Public Hearings and Call for Public Comments but is not responsible for drafting and/or presenting comments unless requested to do so by the Executive Committee. All written correspondence composed by the Legislative Committee shall be approved by the Executive Committee prior to being sent. The Executive Committee shall decide by majority vote whether correspondence from the Executive Committee of Legislative Subcommittee should be provided to MAWS membership via email and posting on the website prior to formal submission.
- Item 5. Ensure that any proposed new natural resource legislation and changes to existing natural resource legislation will be disseminated to the MAWS membership via the MAWS Web Site and by submitting a Legislative Summary for publication in MAWS' annual newsletter (*The Obligate*).

Section I - Ad hoc Committees

- Item 1. Ad hoc Committees shall be appointed as needed by the Executive Committee.
- Item 2. All ad hoc Committees shall provide the membership a report of the previous year's activities in the "pre-Annual Meeting" issue of *The Obligate*.

Section J – Appeals

- Item 1. The Executive Committee shall establish and oversee a process for appealing decisions of the Standing Committees that are not based upon a vote of the Active Membership (e.g., decisions of the Membership Committee regarding applications for Active Membership).

Article V

Dues:

- Section A - Dues for the following year shall be established for each level of membership at the first meeting of the Association and at the annual meeting of each following year by a majority vote of the Active Members present.
- Section B - Voting members who have not paid their dues to the Treasurer by the annual meeting shall lose their right to vote until such outstanding dues have been paid.

Article VI

Meetings:

- Section A - There will be an annual meeting in ~~February~~ March to elect officers and set dues. Regular meetings **(including workshops)** will be held three times per year. (As amended 2/28/03)
- Section B - The Executive Committee shall meet throughout the year as needed.
- Section C - Notice of all regular and special meetings will be mailed **or emailed** to the membership **and posted on the website** at least 30 days prior to meetings.
- Section D - Robert's Rules of Order shall govern the Association in all cases to which they are applicable, except in those instances where they are inconsistent with other parts of the Constitution of this Association.

Article VII

Code of Ethics:

- ~~Section A - A Code of Ethics shall be developed by the Ethics Committee and approved by two-thirds vote of the active membership at the annual~~

~~meeting or at a special meeting called for that purpose.~~

- ~~Section B - The Code of Ethics must be submitted to the Executive Committee at least 60 days prior to the annual meeting, or special meeting called for that purpose, so that it can be mailed to the membership with the annual meeting notice.~~

~~Section C - The Code of Ethics shall be amended to the Constitution upon approval by the Membership.~~
Code of Ethics (adopted by a vote of Membership on February 27, 1992) (will be inserted here - available online)

Article VIII

Amendments:

- Section A - Amendments to this Constitution can be voted upon only at the annual meetings or at a special meeting called for that purpose.
- Section B - Proposed Amendments must be submitted to the Executive Committee at least 60 days prior to the annual meeting, or special meeting called for that purpose, so that they can be mailed to the membership with the annual meeting notice.
- Section C - Before adoption, any proposed amendment must receive an affirmative vote of no less than two-thirds of the members present.

Article IX

A special election of the Executive Committee will be held within 60 days following the adoption of this Constitution. A Nominating Committee will be appointed for the selection of candidates, immediately upon adoption of the Constitution. In the interim ~~60 day period~~**60-day period**, the Ad hoc Organizing Committee will perform the functions of the Executive Committee.

Constitution submitted: October 24, 1990.

Constitution adopted: October 24, 1990.

Amended: February 26, 1997

Amended: February 28, 2001

Amended: February 28, 2003

Amended: DRAFT / 2009

**Maine Association of Wetland Scientists
Winter Conference & Annual Meeting
Friday, March 27, 2009
Maple Hill Farm B&B, 11 Inn Road,
Hallowell, ME**

The Maine Association of Wetland Scientists will be holding its annual meeting at Maple Hill Farm in Hallowell. For directions go to <http://www.maplebb.com/>. Registration for MAWS members is \$35 (not including annual dues); for non-members, \$40, and for students, \$20. Members, please take this opportunity to continue your support of MAWS by paying your annual dues. **Please complete the attached registration form and return to MAWS no later than March 20th.**

**WETLANDS - FROM THE MOUNTAINS TO THE SEA
AGENDA**

- 8:00 – 8:30 **Registration**
- 8:30 – 8:40 **Welcome, Introduction of Speakers**
- 8:40 – 9:40 **High elevation soils and hydrology**, Dave Rocque, Maine State Soil Scientist
- 9:40 –10:40 **Are Maine's salt marshes drowning? The role of salt pools in driving salt marsh surficial change.**-
Kristin Wilson, Ph.D. candidate, Program in Ecology & Environmental Science, University of
Maine, Orono
- 10:40– 11:05 **Break**
- 11:05-11:25 **Corps Regulatory Update: Rapanos Revisions**, Ruth Ladd, New England District Corps of
Engineers
- 11:25-12:00 **DEP Regulatory update**, Jim Cassida, Maine Department of Environmental Protection
- 12:00 – 1:00 **Lunch**
- 1:00 – 2:00 **Development of the Northcentral-Northeast Regional Supplement to the Corps Manual**, Paul
Minkin, New England District Corps of Engineers.
- 2:00 – 2:30 **Is *Myriophyllum heterophyllum* a threat to the ecology of Maine's aquatic ecosystems?** Jacolyn
Bailey, University of Maine, Orono, MAWS 2008 Stipend Winner.
- 2:30-2:45 **Break**
- 2:45-3:15 **Effects of forestry practices on the dispersal success of vernal pool-breeding amphibians**, Dan
Viorel Popescu, University of Maine, Orono, MAWS 2008 Stipend Winner.
- 3:15-4:15 **Invasive Wetland and Aquatic Species: updates and rules governing control** Gary Fish, BPC and
Bob Stratton, DEP
- 4:15-5:00 **Annual business meeting**- Executive Board update, election, update by certification committee.
Members attending the annual meeting will receive an additional 2CEU's from the NH Joint Board.

If you have any questions, contact MAWS Program Chair, Jennifer West @ (207) 797-7717, or by e-mail jwest@normandeau.com.

**Maine Association of Wetland Scientists
Winter Conference & Annual Meeting
Friday, March 27, 2009
Maple Hill Farm B&B, 11 Inn Road,
Hallowell, ME**

REGISTRATION FOR MAWS ANNUAL MEETING

Please mail registration form and payment to: MAWS c/o Dale Knapp, Stantec, 30 Park Drive
Topsham, ME, 04086. (207) 729-1199 ext. 153, email: dale.knapp@stantec.com.

Registration and check should be received no later than March 20, 2009. Make checks payable to MAWS.

Name: _____ Affiliation: _____

Address: _____ City/State: _____

Telephone and/or e-mail address: _____

Registration fee, which includes food and facility charges:

MAWS member:	\$35***	_____
non-members:	\$40	_____
student:	\$20**	_____

***2009 Dues must be paid in full to receive membership rate for this event.

Membership runs from January 1 to December 31.

** Proof of student status must be provided with registration.

Annual Dues:

MAWS member:	\$25	_____
Affiliate:	\$15	_____
Student:	\$10	_____

Total Payment: _____

The NH Joint Board has awarded **2 CEU** Credits for Wetland Scientists and **1 CEU** credit to Soil Scientists for attendance at the conference. Members attending the annual meeting will receive an additional **2 CEU's**. **Please indicate if you need a certificate of attendance: Yes No**

No Refunds for Cancellations

RETURN TO:
MAWS, c/o DALE KNAPP
STANTEC
30 PARK DRIVE
TOPSHAM, ME 04086

TO: