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Louisiana Wetlands News

NONPOINT SOURCE POLLUTION CONTROL GUIDANCE

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The U.S. Environmental Protection Agency (EPA) and the National Oceanic and Atmospheric Administration (NOAA) recently released joint guidance measures pertaining to the reduction of coastal nonpoint source pollution. The Coastal Zone Act Reauthorization Amendments of 1990 require that states with federally approved coastal zone management programs develop a coastal nonpoint control program specific for each state. Coastal nonpoint sources that must be addressed include agriculture, forestry, urban and suburban runoff, construction and development, septic systems, roads and marinas, and hydromodification projects. Nonpoint pollution control measures range from broadly stated goals for water quality improvement to specific recommendations to reduce pollutant loadings, i.e. erosion control, wetlands protection, riparian area protection, vegetated treatment systems and comprehensive watershed planning. States will select the practices appropriate for their local circumstances to achieve each management measure and will also be responsible for assuring that the measure and practices are implemented.

For states to continue receiving federal grant funds under certain NOAA and EPA authorities, their coastal nonpoint pollution control program must be submitted to EPA and NOAA for approval by July 1995.

Management measures must then be fully implemented by January 1999. If a state fails to submit an approvable program, EPA and NOAA are required to reduce the state's Coastal Zone Management Act and Clean Water Act Section 319 funding by 10 percent in 1996, 15 percent in 1997, 20 percent in 1998 and 30 percent in 1999 and each year after.

In the CZM Reauthorization Amendments, Congress defined "management measures" to mean "economically achievable measures...which reflect the greatest degree of pollutant reduction achievable through the application of the best available nonpoint pollution control practices, technologies, processing, siting criteria, operating methods, and other alternatives." EPA has determined that all of the management measures in the guidance are economically achievable and cost-effective. The aggregate annual costs of complying with the management measures are conservatively estimated by EPA to be between \$390 million and 590 million nationally. EPA did not attempt to quantify the environmental benefits of nonpoint source controls.

Factsheets summarizing the coastal nonpoint pollution management measures guidance are available for the following nonpoint sources: 1) marinas and recreational boating, 2) urban runoff, 3) forestry, 4)



hydromodification, 5) wetlands, riparian areas and vegetated treatment systems and 6) agriculture. Copies of these factsheets can be obtained from parish Extension Service offices.

The nonpoint source pollution control program in Louisiana will be jointly developed and implemented by the Department of Environmental Quality (DEQ) and the Department of Natural Resources-Coastal Management Division (DNR-CMD). Interested parties should contact these two agencies to obtain more information pertaining to the development of Louisiana's nonpoint program.

NEW COALITION OF COASTAL PARISHES ORGANIZED

On January 29, 1993, the Coalition of Coastal Parishes was officially created as an organization of the 19 Louisiana coastal parishes dedicated to the preservation of coastal wetlands throughout the state. The Coalition will attempt to better focus the funding needs of coastal parishes through a unified effort. Parishes in the coalition are Assumption, Calcasieu, Cameron, Iberia, Jefferson, Lafourche, Livingston, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. Martin, St. Mary, St. Tammany, St. John the Baptist, Tangipahoa, Terrebonne and Vermilion.

The goals of the Coalition of Coastal Parishes include:

- To provide a data bank of research and implemented projects in the 19 coastal parishes of Louisiana.
- To provide easier communication between state and federal agencies and the coastal parishes of Louisiana.
- To provide both state and federal agencies with a list of the funding of present and planned projects within the 19 coastal parishes of Louisiana.
- To advocate state and federal assistance of wetlands projects through established agencies.
- To provide a unified voice within the state Legislature and Congress for support of coastal wetlands projects.
- To formulate and adopt an orderly emergency

evacuation plan for the 19 coastal parishes.

- To promote public awareness of the effects which coastal erosion has had and is having on the economies of both state and parish governments which depend on these wetlands for revenue.

The meetings of the Coalition of Coastal Parishes will be held quarterly with the site rotating among the 19 parishes. The next meeting will be held in Calcasieu Parish in May 1993.

GULF OF MEXICO PROGRAM PARTNERSHIP FOR ACTION

During the week preceding December 10, 1992, all of the Gulf of Mexico governors and federal agency heads signed a Gulf of Mexico Program Partnership for Action document that outlined actions for protecting, restoring and enhancing the Gulf of Mexico and adjacent lands. This document was signed at the Gulf of Mexico Symposium held in Tarpon Springs, Florida, from December 10-12, 1993. Governors from Alabama, Florida, Louisiana, Mississippi and Texas signed the document together with the heads of EPA, Soil Conservation Service, NOAA, U.S. Fish and Wildlife Service, U.S. Army, National Park Service, U.S. Air Force, Department of the Navy, Food & Drug Administration, NASA and the U.S. Coast Guard.

The Partnership for Action document contained a vision and goal statement, and listed nine specific five-year environmental challenges for the Gulf of Mexico. The vision statement outlines the value of the Gulf and the current environmental problems that must be addressed. The goal of the Gulf of Mexico Program (GMP) is to "protect, restore, and enhance the coastal and marine waters of the Gulf of Mexico and its coastal natural habitats, to sustain living resources, to protect human health and the food supply, and to ensure the recreational use of Gulf shores, beaches and waters--in ways consistent with the economic well being of the region."

The five-year environmental challenges aimed at enhancing efforts to restore and maintain the environmental and economic health of the Gulf include:

- Significantly reduce the rate of loss of coastal wetlands.

- Achieve an increase in Gulf Coast seagrass beds.
- Enhance the sustainability of Gulf commercial and recreational fisheries.
- Protect human health and food supply by reducing input of nutrients, toxic substances and pathogens to the Gulf.
- Increase Gulf shellfish beds available for safe harvesting by 10 percent.
- Ensure that all Gulf beaches are safe for swimming and recreational uses.
- Reduce by at least 10 percent the amount of trash on beaches.
- Improve and expand coastal habitats that support migratory birds, fish and other living resources.
- Expand public education/outreach tailored for each Gulf Coast county or parish.

Actions aimed at addressing these challenges are being developed by the following active GMP subcommittees: 1) Marine Debris, 2) Nutrient Enrichment, 3) Habitat Degradation, 4) Toxics & Pesticides, 5) Coastal & Shoreline Erosion, 6) Public Health and 7) Freshwater Inflow.

Additionally, a special GMP Citizens Advisory Committee (CAC) has been established to address citizen concerns. Louisiana's appointees on the CAC and the industries they represent are listed below:

*Paul Maclean - Agriculture
Houma, LA*

*Michael Mielke - Environment
Baton Rouge, LA*

*Daniel Young - Tourism
Baton Rouge, LA*

*Michael Voisin - Fisheries
Houma, LA*

*Robert Rosene - Business and Industry
Baton Rouge, LA*

Several bills have been recently introduced in Congress that, if passed, will expand GMP funding significantly over the next 3-5 years.

Citizens and user groups with additional interest in the Gulf of Mexico Program should contact the CAC member representing their area of concern or contact the Extension Service office in their respective parishes. Several coastal Louisiana meetings have been planned for 1993 to better familiarize citizens with the Gulf Program and the five-year environmental challenges. As soon as these dates are set, they will be announced in this newsletter.

Copies of the Partnership For Action that was signed by Gulf Coast Governors are available from parish Extension Service offices.

LOUISIANA WETLAND PROTECTION INITIATIVES

Many habitat conservation programs are currently being implemented in Louisiana that have both direct and indirect wetland restoration applications. Listed below are many of the wetland conservation programs administered by agencies within both state and federal government. Annual funding for many of these programs is often determined by the Legislature and/or Congress on a year-to-year basis.

- (1) **LDWF Land Acquisition Program** - This program is administered by the Louisiana Department of Wildlife and Fisheries (LDWF) and is funded primarily by duck stamp and hunting license revenues. Wetlands are given high priority.
- (2) **LDWF Fur and Refuge Division** - Includes almost 200,000 acres of coastal wetlands in four separate refuges. Providing waterfowl habitat is the primary purpose of these wetlands.
- (3) **LDWF Natural Heritage Program** - The primary mission of the Natural Heritage Program is the identification and indexing of unique natural habitats in Louisiana (including many wetlands).
- (4) **La. Natural and Scenic Rivers Program** - This program is administered by the LDWF and provides for a system to protect certain rivers and streams from certain forms of destruction.

- **(5) Statewide Environmental Investigation Program** - This program is administered by the LDWF and allows for mitigating fish and wildlife habitat loss caused by local, state or federal development projects.
- **(6) Coastal Management Division Coastal Use Permitting Program** - This program is administered by the Louisiana Department of Natural Resources-Coastal Management Division (DNR-CMD). This program provides guidelines for the permitting of coastal zone developmental activities in the least environmentally damaging manner. Coastal Use Permits (CUP) are required for any activity in the coastal zone except those specifically exempted by the Legislature.
- **(7) Coastal Management Division Consistency Program** - This program is administered by DNR-CMD and involves the review of all federal activities in the coastal zone to ensure consistency with the Louisiana Coastal Management Program.
- **(8) Coastal Management Division Enforcement Program** - This program allows for the enforcement of conditions placed on activities permitted under the CUP program.
- **(9) Coastal Management Division Local Coastal Programs** - This program interfaces with local parish governments and provides for the development and implementation of local coastal management plans consistent with the state program for management of activities of local concern. Parishes with an approved local program can permit coastal activities of local concern.
- **(10) Coastal Restoration Division of DNR** - This division of DNR is responsible for implementing Louisiana's Coastal Wetlands Conservation and Restoration Plan and Program once approved by the Legislature.
- **(11) Water Quality Certification** - Sections 401, 402 & 404 of the Clean Water Act require that the Louisiana Department of Environmental Quality (DEQ) certify all NPDS and 404 permits. DEQ must certify that these permits meet state water quality standards.
- **(12) Nonpoint Source Pollution Management Program** - EPA and NOAA has mandated that states develop and implement a coastal nonpoint source reduction program by 1995 and 1996, respectively. A statewide nonpoint source program is being developed by DEQ.
- **(13) National Estuary Program** - This program is a five-year multi-agency planning effort that works toward the development of a Comprehensive Coastal Management Plan for specific estuarine systems. The Barataria-Terrebonne Estuary system is enrolled in this program.
- **(14) La. Coastal Wetlands Conservation and Restoration Program** - This is an action program administered by the Governor's Office of Coastal Activities that establishes specific coastal restoration or conservation projects through an annual updated priority plan approved by the Legislature. The program is funded from a portion of the state oil and gas severance taxes placed in a Wetlands Trust Fund.
- **(15) Wetlands Planning, Protection and Restoration Act (Breaux Bill)** - This federal act provides for the funding of coastal wetlands restoration project planning, implementation and monitoring. A state match of 25% is required. The lead agency for this program is the Corps of Engineers. This program provides up to \$35 million per year for Louisiana projects.
- **(16) Coastal Barriers Resources Act** - This federal program prohibits most federal support for the development of natural coastal areas.
- **(17) Section 404 of the Clean Water Act** - This wetland protection program is administered by the U.S. Army Corps of Engineers and provides for the permitting of all dredge and fill activities in wetlands of the United States.
- **(18) National Wetlands Research Center** - The NWRC is a research and development center located in Lafayette, La. that is administered by the U.S. Fish and Wildlife Service. The center conducts studies on migratory birds, wetland ecology and technology development.

- **(19) Endangered Species Act** - This program is administered by the U.S. Fish and Wildlife Service (USFWS) and provides for protection of habitat and endangered fish, wildlife and plant species from encroachment by development and other human activities. Wetland habitats are often important to endangered species.
- **(20) Forestry Stewardship Program** - This program is administered by the Louisiana Department of Forestry and Agriculture-Office of Forestry. It provides financial incentives and/or technical support for farmers to improve habitat, including forested wetlands.
- **(21) Forestry Incentives Program (FIP)** - Under FIP, the Agricultural Stabilization and Conservation Service (ASCS) will provide cost-share assistance to private non-industrial landowners for tree planting, timber stand improvement or site preparation for natural regeneration. Technical assistance is provided by the Louisiana Office of Forestry.
- **(22) Soil Conservation Service Plant Material Program** - The primary objective of the SCS Plant Materials center located in Golden Meadow, La., is the development and introduction of plant species to be used to mitigate coastal erosion.
- **(23) Swampbuster Provisions of the 1985 & 1990 Farm Bills** - These provisions prohibit farm program payments to farmers who convert wetlands into croplands or transform wetlands into a condition that will allow crops to be planted.
- **(24) Conservation Reserve Program (CRP)** - Under CRP, the ASCS will cost-share with landowners to implement an approved soil conservation plan and pay landowners annual rental payments for 10 years to maintain these practices. Specific land eligibility requirements must be met.
- **(25) Agricultural Conservation Program (ACP)** - Under ACP, ASCS provides up to 75% cost-share for certain practices designed to reduce sedimentation and pollution and/or provide wildlife habitat (permanent cover and shallow water) on land presently in agricultural production. Specific land eligibility requirements must also be met.
- **(26) Wetland Reserve Program (WRP)** - Under WRP, landowners are paid by ASCS for long-term or permanent easements on prior converted cropland that is restored both vegetatively and hydrologically into its natural wetland state. ASCS will also cost-share up to 75% of the restoration costs.
- **(27) Water Bank Program** - In Louisiana, this program is used primarily to protect existing wood duck nesting habitat. In coastal parishes, however, the program has been used to restore and protect mottled duck nesting habitat in former marsh pump-outs and abandoned rice fields. Contracts consist of 10-year agreements which require landowners to follow a Conservation Plan. Participating landowners receive rental payments from USDA.
- **(28) Marsh Management/Restoration Technical Assistance** - The Soil Conservation Service provides marsh management and other wetland restoration technical assistance to Louisiana landowners at no cost.
- **(29) Partners for Wildlife** - This program promotes the restoration, enhancement and protection of fish and wildlife habitat on private lands through alliances between the U.S. Fish and Wildlife Service, other organizations and individuals. Both technical and financial assistance can be provided to eligible landowners.
- **(30) Partners for Waterfowl Tomorrow** - This program promotes the development and management of wetlands and waterfowl habitat on private lands. Landowners agree to operate and maintain development projects for 10 or more years. Landowners are provided water control structures, but must install, maintain and operate the structures for 10 years. FWS administers this program.
- **(31) Mini-Refuge Leases** - The FWS has established the Mini-Refuge Leases to provide seasonal waterfowl sanctuaries at strategic locations in southern Louisiana. Property with a potential or history of holding large numbers of ducks, specifically pintails and mallards, in areas subject to heavy hunting pressure are targeted. Tracts must be a minimum of 640 acres and have a mechanism for being flooded. Leases are granted at no cost to the FWS; however, in

