

JURISDICTIONAL DELINEATION OF WATERS OF THE U.S., INCLUDING WETLANDS ON THE CALIFORNIA COAST: LEGAL AND ECOLOGICAL PROTOCOLS FOR DIVERSE AND CHANGING LANDSCAPES

PRELIMINARY AGENDA

Day #1 (Moss Landing Marine Laboratories)

- 7:00 – 8:00 Registration at Elkhorn Slough Registration Desk
Coffee, tea & light refreshments
- 8:00 ***Introduction***
A. Welcome (Lee, Elkhorn Slough NERR, EPA, & Others)
B. Introduction to Texts & Materials
C. Introduction of Instructors & Class
D. Objectives & Goals
E. Procedures & Guidelines of Instruction
F. Health & Safety
9:00 – 10:00
- Lecture #1: Clean Water Act Part I.*** (Lee)
A. History of The Clean Water Act and other pertinent wetland protection statutes
B. Definition of Waters of the U.S., including Wetlands
C. Introduction to the logic of the three parameter approach and to the 1987 Federal Method for identifying and delineating jurisdictional wetlands
- Break
- Lecture #1: Clean Water Act Part II.*** (Lee & Others) *Continue historical overviews, definitions and introduction to wetland identification and delineation*
- D. The National Food Security Act Manual, & Introduction to the jurisdictional delineation on agricultural lands MOA
E. Agency Responsibilities under the Memorandum of Agreement
F. Discussion of "normal circumstances", the extent of reach of waters of the U.S., adjacent & isolated wetlands, differences between Individual 404 and Nationwide Permits, Pertinent Memoranda of Agreement, etc.
G. California Coastal Act
- 11:30 pm Lunch
- 12:30 pm Review of the status of the National Academy of Sciences Committee Recommendations (Lee)

Lecture #2: Hydrology Detailed explanation of parameters used for Jurisdictional Delineation: Wetland Hydrology (Curry)

Break

Continue detailed explanation of parameters used for Jurisdictional Delineation: Hydrology (Curry)

Lecture #3: Regulatory Updates Recent Developments & Guidance affecting Delineation of Waters/Wetlands (Lee)

A. SWANCC Decision

B. Rapanos Decision

C. Nationwides

Questions on Day #1; Introduction to Day #2

6:30 pm & After Dinner (on your own), Review of handout materials and suggested reading

Day #2 (Moss Landing Marine Laboratories & Field)

7:00 – 7:30 am Coffee, tea & light refreshments

7:30 Review of assigned reading, questions and answers

Lecture #4: Soils. Detailed explanation of parameters used for Jurisdictional Delineation, Wetland Soils. Emphasis on Introduction to Soils, Hydric Soil Criteria, Field Indicators, Soil Color, Soil Taxonomy (Harley, Lee)

Break

Lecture #5: Vegetation Part I. Vegetation and Wetland Plants of the Central Coast (Hayes)

A. Overview of Wetland Plants and Plant Communities of the California

B. Plant adaptations to life in inundated and saturated soil conditions

Lecture #5: Vegetation Part II (Fiedler)

A. Introduction to 1987 Criteria for Identification of Hydrophytic Vegetation

B. Introduction to The National List of Plant Species that Occur in Wetlands for California (Region 10)

C. Sampling Vegetation (and filling out forms) in a regulatory context (50:20 rule; absolute & relative dominance)

12:00 Lunch

12:30 Load buses; travel to field site #1

Field Site #1: Kirby Park

Field topics include: types of wetlands (estuarine fringe wetland/navigable water in fact); Rivers & Harbors Act 10/CWA 404; types of waters, special

aquatic sites (mudflats), mean higher high water and transition to ordinary high water call; adjacent pocket wetland; navigable waters in fact.

Field Site #2: Tom's Strawberry Field

Field topics include: Estuarine Fringe Wetlands; CWA routine jurisdictional delineation; how to take data; field indicators & what to look for; California Coastal Commission jurisdiction; issues of landscape scale; cartography

6:00 pm Load buses and travel back to Moss Landing Marine Laboratories

6:30 pm & After Dinner on your own; Review of handout materials and suggested reading

Day #3 Field Delineations

7:00 – 8:00 am **Lecture #6: One Parameter in the Coastal Zone** Dr. John Dixon

8:00 am Load bus; Travel to Field Site #3

Field Site #3: Toro Creek

Field topics include: Riverine Wetlands; ordinary high water (OHW) calls; indicator status of plants; presentation of stage data; issues of seasonal/intermittent/ephemeral hydrology; what constitutes a significant nexus and how to document; Riverine hydrogeomorphic (HGM) ecosystem (HGM) functions; buffers and buffer ordinances; endangered species.

12:00 Lunch

1:15 **Field Site #4: Ostracod Pond at Fort Ord**

Field topics include: Closed depression wetlands; isolated wetlands (federal); California Coastal Commission jurisdiction; other state jurisdictions; soil characteristics, HGM ecosystem functions, including current depression HGM models; endangered species; effects of development within watersheds/cumulative impacts

5:30 PM Load bus and travel back to Elkhorn Slough NERR

Day #4 Field Delineations & Conclusion

7:00 am Load bus; Travel to Field Site #5

7:30 Review Take home Quiz/Homework

Field Site #5: Boy Scout Flat, Watsonville

Field topics include: Flat Wetland, Fill and types of, atypical circumstances, using hydrology to meet soils criteria; field identification problems with

mollisols; California Coastal Commission jurisdiction; jurisdiction of industrial waters/wetlands features

11:30 Travel to Field Site #6

12:00 Lunch

12:30 **Field Site #6: Harkins Slough Slope Wetland**

Field topics include: Slope wetlands; field sites complicated by disturbance history, especially sediment transport due to farming; seasonal/intermittent/ephemeral hydrology; mapping flow vectors to determine connection to navigable waters in fact.

Field Site #7: Watsonville Slough Ecological Reserve – FINAL EXAM

Course conclusion; hand out certificates

6:00 pm Travel back to Elkhorn Slough NERR