



## MEMORANDUM

AOT - PROGRAM DEVELOPMENT DIVISION  
ENVIRONMENTAL SECTION

**TO:** Daniel Dutcher, Natural Resource Board  
**COPY:** Distribution listed below  
**FROM:** Glenn Gingras, VTrans Environmental Biologist  
**DATE:** 8/21/06  
**REASON:** VTrans Proposal

VTrans respectfully submits our Proposal to the Workgroup regarding amending the Vermont Wetland Rules. I am not fully aware of what parts will need to go through rulemaking or seek legislative change.

Use Federal definition of a wetland 42 Federal Register 37125-26, 37128-29, July 19, 1977.

Wetlands are *“those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetations typically adapted for life in saturated soils. Wetlands generally include swamps, marshes, bogs, and similar areas.”* This will make the definition the same as the Federal Government, which has been a scientifically proven definition.

NWI maps should not be used as a jurisdictional means to determine significant wetlands. The maps should in turn be used as a tool as are soil maps, ortho-photography, USGS topographical maps, etc. A wetland should be determined significant if based on field conditions it meets the federal criteria of a wetland and certain function and values are determined to exist.

Wetland boundaries should be delineated by a “certified” wetland delineator. The program to certify wetland delineators could be matched from other states that have certification procedures.

A wetland delineator certification program would establish appropriate standards for education, experience, and performance for persons completing delineations.

Significance should be determined by the existing function and values worksheets used in the Conditional Use Determination procedures. If the wetland meets (a too be determined number of function and values) the wetland is significant.

Better mapping is need for planning efforts, but not jurisdictional.

Develop standard procedures for downloading GIS data from delineated wetlands onto ANR wetlands website (yet to be created). Data available will be who delineated the wetlands, classification, functions and values, size, date of delineation, etc. We are currently doing similar work for structures and AOP surveys.

Distribution:

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