

FLORIDA CHAPTER  
THE WILDLIFE SOCIETY



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Avon Park AFR, FL 33825-5000

October 10, 1991

Mr. Gregory Peck, Chief  
Wetland and Aquatic Resources  
Regulatory Branch  
Mail Code (A-104F)  
U.S. Environmental Protection Agency  
401 M Street, SW  
Washington, D.C. 20460

RE: Proposed revisions to the 1989 Federal  
Wetlands Manual

Dear Mr. Peck:

The Florida Chapter of The Wildlife Society represents a diverse group of environmental professionals that share a common interest in the protection of Florida's wildlife resources. A key to the protection of these resources is state and federal regulatory programs that have been established to control the loss of critical wetland habitats. According to U.S. Fish and Wildlife data, from the mid-1970's to the mid-1980's Florida has lost an average of 26,000 acres of wetlands per year. Virtually all of the net loss is attributable to conversion of wetlands to agriculture or to urban expansion. It is also worth noting that as a result of past habitat destruction in the state, Florida has officially listed 110 species of fish, amphibians, reptiles, birds, and mammals as endangered, threatened, or species of special concern. Approximately, 65% of these species have life history elements that are dependent upon wetland communities.

We are deeply concerned over the proposed revisions to the 1989 Federal Wetlands Manual and the subsequent impact of these changes on our state's wildlife populations. Specifically, the proposed revisions contain certain elements that will significantly reduce federal jurisdiction over tens of thousands of acres of Florida wetlands. Under the proposed revisions, and despite evidence of hydrophytic vegetation and hydric soils, a wetland may not be considered jurisdictional unless it is inundated for 15 consecutive days, or saturated for 21 consecutive days, with the burden of proof for demonstrating inundation/saturation placed on the regulatory agency.

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We strongly suspect that the hydrologic evidence required to establish the presence of wetland hydrology will be lacking in most cases. Only in a very small number of cases will the necessary hydrologic records, aerial photography, or hydrologic indicators be available for an agency to claim jurisdiction. Additionally, the requirement of 15 consecutive days of flooding or 21 consecutive days of saturation is too long a duration for many Florida wetlands, and the criteria do not account for the role of frequency of flooding as a determining factor of wetland hydrology.

We recommend against the adoption of the proposed revisions to the federal manual. Additionally, we recommend retaining the provision in the 1989 manual that presumes that wetland hydrology is present if wetland vegetation and soils are present.

If we may be of any additional assistance in the review of this document, please do not hesitate to contact me.

Sincerely,



Donald R. Progulsk, Jr.  
President

cc: Executive Board  
Mr. Tom Franklin

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