

Idaho State Wetland Program Summary



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Section A. Quick View

Description of State's Wetlands

Idaho's wetlands include marshes, swamps, vernal pools, prairie potholes, and peatlands. Although wetlands make up only one to two percent of the land mass in Idaho, they are critical for the survival of 80 to 90 percent of the state's species.

State Definition of Wetlands

The state does not define wetlands separately, although it does include wetlands as "waters of the state". IDFG has adopted criteria based on the U.S. Fish and Wildlife Service's definition of wetlands and other sources to define wetland habitats and animal assemblages for game and non-game management issues. This departmental framework is used to determine how to spend management dollars on habitat protection and restoration.

Historic Wetland Loss/Gain

Original Wetland Acreage	Remaining Wetland Acreage	Acreage Lost	% Lost
877,000	385,700	491,300	56%

(Source: US Fish and Wildlife Service Study – Dahl, 1989)

Primary State Wetlands Webpage

Idaho Department of Environmental Quality – Dredge and Fill Permits Webpage

<http://www.deq.idaho.gov/permitting/water-quality-permitting/dredge-fill.asp>

State Wetland Program Plan

The state does not have an EPA-approved state wetland program plan. However, the state does have an *Idaho Wetland Conservation Prioritization Plan*:

http://fishandgame.idaho.gov/ifwis/idnhp/cdc_pdf/u05hah01idus.pdf

No Net Loss/Net Gain Goal

None.

State Resources for Wetland Work

State Name	Core element #1: Regulation	Core Element #2: Monitoring and Assessment	Core Element #3: Wetland Water Quality Standards	Core Element #4: Voluntary Wetland Restoration
Agency	IDEQ	None	None	Possible funding for Fish & Game
Source(s)	Unknown	(One-time NWCA funding in 2011; EPA grants)		Unknown
Amount	Unknown	(One-time NWCA funding in 2011; Lots of FTE)		Unknown
Staffing	~0.5 FTE administrative support FTE (one point of contact at each of 6 regional offices at <0.10% time) + 0.10 FTE Staff (IRT participation re mitigation)	(One-time NWCA staffing in 2011; Lots of FTE)		Unknown

*For information about one-time NWCA funding, contact Jason Pattani (208) 378-0515

State Permitting Fees

State Permitting Fee	State Name
Yes/No	NO
Amount (range)	N/A
Agency	N/A

Innovative Features

None.

Models and Templates

None.

Section B. Regulation

How are Wetlands Regulated in Idaho?

The state relies primarily on §401 certification under the Clean Water Act (CWA) to regulate impacts to wetlands and has also recently initiated efforts to increase coordination among governmental and non-governmental agencies involved with wetland issues. IDEQ handles regulatory issues regarding

wetlands, including §401 certification, compensatory mitigation, and enforcement. The state conditioned three permits in the 2014.

Wetlands may also be regulated by two additional water-related state laws:

The Idaho Lake Protection Act: Parties that intend to work on or above the lake bed and below the ordinary high water mark must obtain a permit from the Idaho Department of Lands (IDL). Although rare, some areas covered by the Act may include wetlands. IDL staff relies on best professional judgment when reviewing these applications and may require parties to conduct mitigation for impacts to wetlands.

The Idaho Stream Channel Protection Act: Alterations to stream channels below the ordinary high water mark must be approved by the Idaho Department of Water Resources (IDWR). Approximately one to two percent of applications involve impacts to riparian wetlands. IDWR evaluates these wetland applications using the same criteria as it uses for projects impacting streams. These criteria consider the effect of the alteration on water flows, fish and wildlife habitat, aquatic life, water quality, recreation, and aesthetic beauty of the area.

The Idaho Department of Fish and Game (IDFG) leads a statewide initiative to establish coordination on wetland issues among a wide variety of stakeholders, including state agencies. IDFG is also home to the Idaho Conservation Data Center (IDCDC), whose mission is to collect, analyze, maintain, and disseminate scientific information necessary for the management and conservation of Idaho’s biological diversity. The IDCDC has conducted inventory, assessment, and monitoring of many wetlands in the state.

The Idaho Department of Lands (IDL) administers the Lake Protection Act, which may involve wetlands on rare occasions.

Also notable: *Idaho law prohibits any requirements that are more stringent than federal requirements.*

Wetland Delineation

Delineation Guidance	Yes	No	Detail
Use State’s Own Method		X	
Use Corps’ 1987 Manual and Regional Supplement	X		When parties apply to the Corps and to IDEQ for permission under CWA §404 to alter wetlands, IDEQ relies on the Corps to determine whether the impacted area falls under federal and state jurisdiction.
Other (Please describe)		X	

Evaluation Methodology

Idaho defers to the Corps for evaluation.

Exempted Activities

Consistent with federal exemptions. There are BMPs for nonpoint source pollution that are voluntary. When the state conditions a §401 certification, the process must be completed at the regional level, which then reports to the state.

Special Provisions for Agriculture and Forestry

Consistent with federal provisions

Penalties and Enforcement

Idaho's water quality code establishes authority for IDEQ to issue abatement or corrective action orders, injunctions, criminal prosecution proceedings, civil penalties, and criminal penalties. However, the state generally defers to the U.S. Army Corps of Engineers and U.S. Environmental Protection Agency for wetland-related enforcement and compliance.

Permit Tracking

IDEQ keeps records on elements of §401 certifications, including the location of project sites, the result of the application, conditions on certifications, and the primary contact.

State General Permit (statewide vs. regional coverage)

Permit Coverage	Yes	No	Detail (Type of Permit)
Regional General Permit		X	Not for wetlands, but have for streams
Statewide General Permit		X	

Assumption of 404 Powers

Assumption Status	Yes	No	Detail
Assumed		X	
Working Toward Assumption		X	
Explored Assumption		X	Although the state just became a delegated state for §402 NPDES permitting

Joint Permitting

Idaho has a joint permit with the Corps. The Department of Lands and Department of Water Resources have a joint application with the Walla Walla District Office.

Special Area Management Plans and Advanced Identification Plans

None.

Buffer Protections

None.

Mitigation Policy

Mitigation is coordinated by the Corps. Idaho has not adopted guidelines, policies, or legislation regarding wetland mitigation beyond that required under CWA §404. Idaho has taken steps to establish an in-lieu-fee aquatic resource mitigation program for Idaho Transportation Department (ITD) projects.

Mitigation Database

None.

Section C. Monitoring and Assessment

Agency Responsible for Wetland Monitoring and Assessment

Although the wetland program does not have a formal statewide wetland monitoring program, and IDEQ does not monitor wetlands, the Idaho Department of Fish and Game (IDFG) conducts inventory, monitoring, and assessment of wetlands across the state *to identify habitat issues that affect game and non-game species*. Idaho has been working to develop baseline data on wetlands through assessment projects funded by EPA Wetland Program Grants. The state received funds to complement the state's National Wetland Condition Assessment (NWCA) intensification study.

In 2012, the Idaho Conservation Data Center developed a prioritized list of wetland sites in need of acquisition for long-term conservation and management for the wetland conservation component of Idaho Department of Parks and Recreation's State Comprehensive Outdoor Recreation and Tourism Plan. This Idaho Wetland Conservation Prioritization Plan considered three broad types of criteria in the evaluation of 202 candidate wetland sites: 1) wetland types; 2) wetland functions and values; and 3) wetland threats and impairments. This list is intended to be used by both public and private entities for identifying wetlands for protection, management, restoration, and/or enhancement using LWCF appropriations or other means.

Mapping/Inventory

The U.S. Fish and Wildlife Service's National Wetland Inventory and wetland ecological systems maps are commonly used for spatial analyses. The IDFG Conservation Data Center (IDCDC) also conducts field inventories of wetlands. IDCDC has received a series of EPA Wetland Program Development Grants to inventory and assess wetlands throughout the state. IDCDC has covered about 60 percent of the state.

The inventories identify wetlands of relatively high ecological integrity, and hence high conservation value. The conservation and restoration values of inventoried wetlands are prioritized for development of watershed-based Wetland Conservation Strategies. These strategies have been used by groups such as The Nature Conservancy and land trusts to identify priorities for easements and acquisitions. They have also been used by restoration ecologists at IDFG and private consulting firms to identify high quality reference wetlands. Finally, IDFG uses these strategies to improve land management practices in wildlife management areas.

IDFG has developed a GIS model that predicts wetland condition and general function across landscapes. The model serves as a prototype Landscape-scale Wetland Assessment Tool (Level 1) useful for land management and planning. The model was developed using reference wetlands, statistical analysis, and field assessments to validate the final product.

IDCDC maintains several databases with wetland inventory information, including a conservation site database, a plant community occurrence database, a vegetation database, and rare plant and animal occurrence databases.

State Wetland Mapping Public Portal

Idaho Department of Water Resources - Idaho Geographic Information Systems Data
(Wetland Data Category)

http://www.idwr.idaho.gov/GeographicInfo/gisdata/gis_data.htm

Wetland Classification and Assessment

The department usually uses the Montana Department of Transportation's Wetland Assessment Method as a Level II Rapid Assessment Method. However, the department recognizes the need to examine the strengths and weaknesses of this method for Idaho. IDFG, along with the Idaho Soil Conservation Commission (ISCC), also uses an assessment methodology developed by federal agencies for assessing functional condition and monitoring riparian wetlands.

Statewide Wetland Monitoring Plan

None.

Overall Wetland Gain and Loss Tracking System

None.

Wetland Monitoring and Assessment Characteristics

Level	None	Level 1	Level 2	Level 3
<i>Idaho</i>	X			

Type	None	IBI	Condition	Functional
<i>Idaho</i>	X			

Frequency	None	Project Specific	Ongoing
<i>Idaho</i>	X	Only 2011 NWCA effort	

Participation in National Wetland Condition Assessment

NWCA Study Type	Yes	No
National Study	X	
State Intensification Study	X	

Detail: Idaho participated in a state intensification summary which supplied support for the only wetland monitoring and assessment completed in/by the state.

Section D. Water Quality Standards

Wetland and Water Quality Standards

Type	None	Use Existing WQ Standards	In Process	Adopted	Future Direction
Wetland-specific Designated Uses		X Uses are defined; can be applied to wetlands, but are not WL-specific			
Narrative criteria in the standards to protect designated wetland uses		X Wetlands are considered surface waters; state applies surface water criteria that make sense for wetlands			
Numeric criteria in the standards based on wetland type and location to protect the designated uses	X				
Anti-degradation policy includes wetlands	X				

Description: Idaho has not adopted wetland-specific water quality standards. Wetlands are included under the narrative standard for “waters of the state.” Point discharges must obtain certification from EPA (Idaho does not administer NPDES). The §401 certification review process applies the state’s narrative water quality standards. Wetland functions to which the water quality standards and designated uses apply include general aesthetics, wildlife habitat, aquatic life, and water quality/pollution prevention.

Section E. Voluntary Wetland Restoration

Types of Wetland Restoration Work Funded by the State:

Type of Work	YES	NO	Description
Fund Wetland Restoration (may include easement agreements)	X		
Private Land Restoration		X	
Public Land Restoration	X		IDFG conducts restoration on wildlife management areas, which can include wetlands.
Technical Assistance	X		IDFG provides technical support to private landowners specifically for restoration or mitigation.
Tax Incentives		X	
Other		X	IDFG regional and district offices coordinate with various partners working on wetland restoration by providing technical and volunteer support.

Detail: The state does not have a volunteer wetland restoration program, but does fund and support some restoration on public lands and the provision of technical assistance to private landowners, both by the ID Department of Fish and Game (IDFG).

Voluntary Wetland Restoration Program Components

Wetland Restoration Efforts	Nothing in the Works	Planning	In Progress	Mature/ Complete
Program has a set of restoration goals	N/A			
Coordinate with relevant agencies that outline restoration/protection goals and strategies and timeframes	N/A			
Developed multi-agency body to coordinate restoration/ protection efforts	N/A			
Set restoration goals based on agency objectives and available information	N/A			

Goals for Restoration Projects

Goal	Yes	No	Description
No Net Loss	N/A		
Reverse Loss/Net Gain	N/A		
Nonpoint Source Pollution (NPS)/WQ	N/A		

Total Maximum Daily Load (TMDLs)	N/A		
Habitat	N/A		
Coastal Protection	N/A		
Floodwater Protection	N/A		
Groundwater	N/A		
Other (please describe)	N/A		

Landowner Guides and Handbooks to Assist with Voluntary Wetland Restoration Efforts

None.

Section F. Innovative and/or Highly Effective Education and Outreach

Idaho Fish and Game’s outreach and education program has a strong wetland component. The program provides materials for K-12 teachers, maintains adjunct faculty positions at local universities, and conducts presentations and events for the general public, citizen groups, and organizations focusing on the importance of protecting wetland resources. The education and outreach division often conducts market penetration assessments to determine the success of efforts.

Section G. Climate Change and Wetlands

The Idaho Wetland Program does not work on climate change issues. Idaho does not have a state climate change adaptation plan, nor are there currently efforts to address the role of wetlands in helping to reduce the impacts of climate change in the state.

Section H. Integration

Entity/Program Area	Yes/No	Description of the Connection
NPDES/Stormwater	NO	
303(d)	Unknown	
305(b) reporting on wetlands	YES	
Total Maximum Daily Load (TMDLs)	Unknown	
Climate Change/ Resiliency	NO	
Land Use /Watershed planning	Unknown	
Flood/Hazard Mitigation	Unknown	
Coastal Work	N/A	
Wildlife Action Plan	Unknown	Possibly through IDFG
Statewide Comprehensive Outdoor Recreation Plan (SCORP)	Unknown	
Other (Specify)	NO	

State Wetland Program Continuum

Continuum Stage		Core Element 1: Regulation	Core Element 2: Monitoring & Assessment	Core Element 3: Wetland Water Quality Standards	Core Element 4: Voluntary Restoration
Mature Stage	High	401 certification program only			
Initial Implementation Stage	↑				
Development Stage					
Early Stage	Low		X	X	X* (Formal program)

*However, Idaho Fish and Game does extensive habitat restoration work that includes wetlands.

Section I. Contact Information

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Section J. Useful Websites

State Government Programs

1. Department of Environmental Quality
 - a) Water Quality Division
<http://www.deq.idaho.gov/water-quality.aspx>
 - i. Surface Water Program
<http://www.deq.idaho.gov/water-quality/surface-water.aspx>
2. Department of Fish & Game
 - a) Natural Heritage Program

<http://fishandgame.idaho.gov/public/wildlife/nongame/?getPage=25>

- b) Idaho Wetland Conservation Prioritization Plan 2005
https://fishandgame.idaho.gov/ifwis/idnhp/cdc_pdf/u05hah01idus.pdf
- c) Idaho Wetland Conservation Prioritization Plan 2012
http://www.recpro.org/assets/Library/SCORPs/id_scorp_2012-wetland_consv_plan.pdf
- d) The Wetlands of Idaho
<http://fishandgame.idaho.gov/public/wildlife/nongame/leafletWetlands.pdf>

Federal Government Programs

1. USDA Natural Resources Conservation Service
Wetlands Reserve Program
<http://www.id.nrcs.usda.gov/programs/wrp/>