

What is the EPA SAB

- Science Advisory Board (SAB) Established by Congress in 1978
- Broad Mandate
 - "To advise the Agency (EPA) on technical matters."
 - reviewing the quality and relevance of the scientific and technical information being used or proposed as the basis for Agency regulations
 - reviewing research programs and the technical basis of applied programs
 - reviewing generic approaches to regulatory science, including guidelines governing the use of scientific and technical information in regulatory decisions, and critiquing such analytic methods as mathematical modeling
 - advising the Agency on broad scientific matters in science, technology, social and economic issues, and
 - advising the Agency on emergency and other short-notice programs
- Most preliminary work is done by subcommittees focused on specific topics. Recommendations from subcommittees are send through the full SAB, and then to EPA when appropriate.

Timeline

February 2011 – October 2011:
 Early Drafts of water body connectivity report by EPA ORD, and reviewed by EPA, USACE, and external topic experts

July 2013: Formation of SAB
 Panel for the Review of EPA's
 Water Body Connectivity Report



Panel for the Review of the EPA Water Body Connectivity Report

- July 2013: Formation of SAB Panel for the Review of EPA's Water Body Connectivity Report
 - Charged with providing advice on the scientific soundness of the draft report
 - Composed of 27 members, primarily affiliated with universities



Purpose of the Report

- To summarize the current scientific understanding of broadly applicable ecological relationships that affect the condition or function of downstream aquatic ecosystems.
- Focus on small or temporary streams, wetlands, and open waters.
- Findings in this report will help inform EPA and USACE to clarify what waters are covered by the Clean Water Act (CWA).

Methods



- Review and evaluation of evidence from peer-reviewed sources, published through August 2012.
 - 1,000+ publications
- Case studies



- Chapter 1: Executive Summary
- Chapter 2: Introduction
- Chapter 3: Conceptual Framework

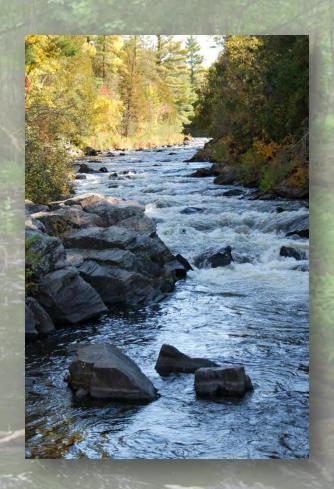


Draft Report

- Chapter 4: Streams:

 Physical, Chemical, and
 Biological Connections to

 Rivers
 - Case Study: Prairie Streams
 - Case Study: Southwestern
 Intermittent and Ephemeral
 Streams



Draft Report

- Chapter 5: Wetlands: Physical, Chemical, and Biological Connections to Rivers
 - Riparian and Floodplain Wetlands
 - Unidirectional Wetlands
 - Case Study: Oxbow Lakes
 - Case Study: Carolina and Delmarva Bays
 - Case Study: Prairie Potholes
 - Case Study: Vernal Pools
- Chapter 6: Conclusions and Discussion

Streams

"The scientific literature demonstrates that streams, individually or cumulatively, exert a strong influence on the character and functioning of downstream waters. All tributary streams, including perennial, intermittent, and ephemeral streams are physically, chemically, and biologically connected to downstream rivers..."

Streams

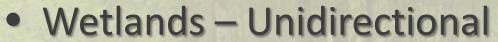
- Channels associated with alluvial deposits where water and other materials are concentrated, mixed, transformed, and transported
- > Headwater streams supply most of the water in rivers
- Dispersal and migration of aquatic and semi-aquatic organisms including fish, amphibians, plants, microorganisms, and invertebrates
- Nutrient spiraling in which stream communities
 assimilate and chemically transform large quantities of
 nitrogen (N) and other nutrients

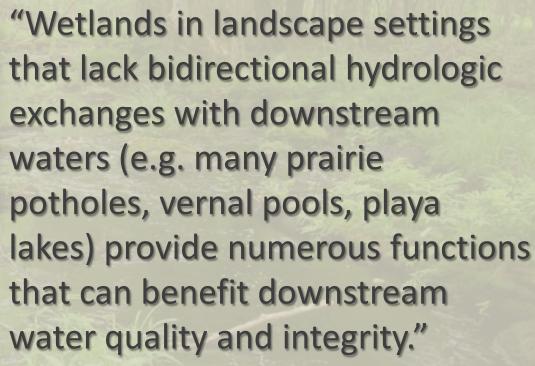
Wetlands and Open Waters –
 Bidirectional/Riparian and Floodplains

"Wetlands and open-waters in landscape settings that have bidirectional hydrologic exchanges with streams or rivers are physically, chemically, and biologically connected with rivers..."



- Wetlands and Open Waters –
 Bidirectional/Riparian and Floodplains
 - Channel-forming sediment and woody debris,
 - Temporary storage of local groundwater that supports baseflow in rivers,
 - Transport of stored organic matter,
 - Nursery habitat for breeding fish,
 - Colonization opportunities for stream invertebrates,
 - Maturation habitat for stream insects.







- Wetlands Unidirectional
 - Storage of floodwater
 - Retention and transformation of nutrients, metals, and pesticides
 - > Recharge of groundwater sources of river baseflow

"Gradient of connectivity"

- Difficult to generalize about their effects on downstream waters,
- > Insufficient information
- Case by Case Analysis of individual or groups of wetlands

Request for Public Comment

- Currently Open for Public
 Comment
 - Comments prior to November 6 will be provided to SAB Panel for consideration in advance of the December 16-18 Meeting
 - Comments still accepted after
 November 6, but not guaranteed
- December 16-18, 2013 Public
 Meeting of the SAB Panel

How Will Comments Be Used

- EPA and USACE have sent a draft rule to clarify jurisdiction of the Clean Water Act to the Office of Management and Budget for interagency review (limited to clarification)
- Any final regulatory action related to jurisdiction of the CWA in a rulemaking will be based on the final version of this report, and will reflect EPA's consideration of the public comments and independent peer review

Michigan

- Section 404 Program Michigan administers the federal Section 404 authority in most of the state
- Clarification of federal CWA jurisdiction will ensure Michigan's administration of this program is consistent with the federal requirements

