

**SHOULD FEDERAL PROTECTION OF FRESHWATER WETLANDS BE BASED ON
REGIONAL DELINEATIONS AND WETLAND CLASSIFICATIONS ?
A Case Study of Rhode Island Red Maple Swamps**

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ABSTRACT :

Federal wetlands protection under the Clean Water Act is based first and foremost on the identification of which land is considered "wetlands" under federal jurisdiction. The determination of wetland/upland boundaries is placing an artificial line on an especially dynamic ecosystem, yet even though the boundary is a fuzzy one, all efforts to make it as close to reality as possible should be made. Currently, the Interagency Manual (1989) that is used to delineate wetlands is based on three criteria: hydrology, vegetation, and soils, however, this delineation manual has recently been under attack as being over-inclusive. Two red maple swamps in Rhode Island were examined to determine the specific characteristics unique to this regional class of wetlands; and comparisons of wetland delineation based on the current manual and the regional class determinations were made. The use of a national manual, even with regional components, does not provide the most accurate delineation of jurisdictional wetlands that is currently possible. Regional class manuals that account for variations in hydrology and in vegetative patterns due to climate or geology are necessary, because the current (1989) manual is both over-inclusive and under-inclusive based on this case study. Some implications for complementary changes in the permitting process are examined, such as restricted permitting for the most valued wetlands, and recommended as areas for further research.