

**MEETING MINUTES**  
**Maine Association of Wetland Scientists**  
**Vernal Pool Technical Committee Meeting**

---

Date: Friday, January 28, 2011  
Time: 3:00 p.m.  
Location: Stantec: Topsham, Maine  
Call In: Conference Dial-in Number: 1-866-279-5424  
Access Code: 72934

---

**I. Call to Order**

Rich Jordan called the January 28<sup>th</sup> meeting to order at approximately 3:00 pm.

**II. Roll Call**

**Present:** Brad Agius, Jim Boyle, Tim Forrester, Rich Jordan, Dale Knapp,  
Laura Lapierre, Lauren Leclerc, Jim Logan

**Via Phone:** Roger St. Amand

**III. Discuss Next Logical Steps for Preparing Revisions to MAWS' Interim Vernal Pool Field Survey Protocol**

The meeting was started with a discussion of where the Vernal Pool Technical Committee stands with the MAWS Interim Vernal Pool Field Survey Protocol. This meeting was to be the final wave of edits to the protocol but due to potential upcoming state legislation changes, the committee will hold off on making changes to the state portion of the protocol for now. The federal portions of the protocol are current and can be considered final, however, state portions of the protocol will remain draft.

**IV. Discuss Proposed/Potential Changes to NRPA/SLODA & the Resulting Ramifications for VPTC**

Pressing VP issues:

The group discussed making a gameplan for how the committee intends to address vernal pool changes. Kathleen Miller made a truncated list of proposed vernal pool changes. The group discussed potential changes to NRPA setbacks for vernal pools and strategy to deal with legislature.

Discussion of dry-out dates. Dry-out date not created by MDIF&W. Dry-out date only to be used to throw out a pool as significant if the pool was not assessed in the spring.

Discussion of vernal pool survey work. The protocol will be the same i.e. this is a professional standard for how to conduct surveys. It would be great if we would be allowed to use our expertise/professionalism to make determinations out of season on significance.

Maybe we could formulate a procedure for out of season determinations (i.e. identifying a site has for example no natural vernal pools) and get it codified by rulemaking.

Discussion on what the Vernal Pool Technical Committee would be okay with as far as an alteration to the vernal pool buffer. Are we okay with shrinking the buffers at all? We could discuss setbacks of other state (such as Massachusetts with smaller vernal pool buffers and the effects those buffers have had on the pools).

Potential Legislative Changes:

We need to categorize potential changes and rulemaking and encourage Darryl Brown to talk to MAPSS and MASE. We will want to emphasize that MAWS wants to be involved in steps in legislative changes (in addition to MAPSS and MASE being involved). Rodney Kelshaw invited Darryl Brown to talk to MAWS at the annual meeting and/or write an article for the Obligate. It probably makes sense to have the three groups, MAWS, MAPSS and MASE be organized together. Perhaps the MAWS president should talk to Darryl Brown with the current presidents of MAPSS and MASE. Our collective membership would be approximately 300 people. Should we include The Wildlife Society which includes a lot of state employees?

Can we try to think of where things are going? We can't really tell what we need to address. We should have meetings set up in advance so that we can quickly respond when details come up. We should have different subcommittees (technical, economics, soft science, hard science, etc.). Maybe the science subcommittee can be led by Aram Calhoun and others who first advocated for vernal pool buffers? Each subcommittee should be assigned a Senator and Legislator and this should be done early enough in the legislative process to make a difference.

Do we (and if so, how do we) reach out to Audubon, MEREDA, etc.? Do we reach out to the federal government? Jay Clement may be able to give some clarification on what will happen to the Maine General Permit if certain things in state law go away.

Discussion was had on the political process of legislative changes and whether MAWS should band with MAPSS and MASE while addressing legislature or rally with Audubon or other "interest" groups.

How do we insert MAWS into the process at the MDEP? We should get in contact with people in the know (Mike Mullen). How do we funnel information from the MDEP? We will ask Mike to let us know anytime changes are proposed (critical legislation upcoming will be funneled to the legislative subcommittee).

Discussion of some of Governor LePage's goals. LePage wants to have floor vote (without subcommittee review) on one overarching rule. LePage also wants a state liaison between developers and regulators. But that is what MAWS, MAPSS and MASE already members already do. LePage wants to restrict towns from being more strict than the state and does not want shoreland zoning to be mandated by the state.

## V. ACTION ITEMS

**Action Item A:** Develop a form letter that willing MAWS members can bring to their legislators. It will basically say MAWS want to be involved and we are a large group. Broad-brush bulleted list with talking points will be distributed not just to natural resource committees members but all senators and representatives.

**Responsible Parties:** Rich Jordan

**Action Item B:** Develop a letter to NRCM, Conservation Law Foundation, and other similar groups.

**Responsible Parties:** ?

**Action Item C:** Draft an email to the MAWS membership letting them know we are aware of upcoming legislative changes and we will be forming another ad hoc subcommittee. This is to be done before the next Executive Committee meeting. The email will give a date for a special meeting. The meeting may be interactive or a powerpoint presentation/proposal to the general group then a question, answer and comment session. The meeting should be three hours maximum with two sessions perhaps: presentation (30 minutes) and then questions.

**Responsible Parties:** Dale Knapp, Rod Kelshaw

**Action Item D:** Finalization of vernal pool survey protocol by the annual meeting in March.

**Responsible Parties:** Rich Jordan, subcommittee members designated by Rich

**Action Item E:** Meeting with Mike Mullen and Darryl Brown.

**Responsible Parties:** Dale Knapp

**Action Item F:** Determine local representatives and senators. Regional subcommittee chairs will be designated at some point.

**Responsible Parties:** All subcommittee members.

Meeting ended at 4:53 pm

Comments or questions on these minutes, or requests for additional copies, should be directed to Lauren Leclerc at [lleclerc@boyleassociates.net](mailto:lleclerc@boyleassociates.net).