

**National Wetland Plant List
Question and Answers
May 2012**

Q1: How will the updated list affect future jurisdictional determinations?

A1: We don't expect major changes to wetland delineation boundaries as a result of the changes to the updated plant list. Approximately 12% of the wetland plant indicator statuses (ratings) from the previous 1988 list changed, 4% went wetter, 4% went drier, and 4% of the formerly FAC- species were equally split better a wetter and drier rating. The majority of these changes occurred in plants that occur in wetlands but are not dominant species that influence the outcome of whether the vegetation is determined to be hydrophytic. This determination is made using sampling methods in the Regional Supplements to the 1987 Wetland Delineation Manual.

Q2: How do I get a copy of the updated list?

A2: The 2012 NWPL list is available on the Web at http://wetland_plants.usace.army.mil/. You may download a list by region or state. A website citation is provided temporarily until the list is published with a formal citation during the summer of 2012.

Q3: When do I need to start using the updated list?

A3: You may begin to use the updated list now on wetland delineation forms. Please note on the delineation form which list you are using. For any new delineation performed after June 1, 2012, the updated list shall be used.

Q4: Why does the plant list need updating?

A4: The list was originally published by the U.S. Fish & Wildlife Service (FWS) in 1988. The FWS realized that subsequent editions of the list would be inevitable and an appeal procedure was established for submitting proposed changes to the list (e.g. additions, deletions, and changes in indicator statuses). Since the original publication of the 1988 list, many changes to the taxonomy and nomenclature of wetland plants have been proposed and accepted. Following the original publication of 1988 list, the FWS adopted a revised taxonomic standard, *Synonymized Checklist of the Vascular Flora of the United States, Canada, and Greenland* (Kartesz 1994), as a basis for the names included within the proposed list, *National List of Vascular Plant Species that Occur in Wetlands*. Updated species also needed re-evaluated ratings. Additionally, the 2012 NWPL is regionalized along the same 10 wetland delineation supplement regions to allow for improved wetland ratings. This update broadened professional input, involved the public in the update process during the Federal Register Notice comment period, and the process was externally peer reviewed, resulting in increased transparency in the updating process.

Q5: Where is this list applicable?

A5: The United States and U.S. territories.

Q6: Why is this plant list important to the federal government?

A6: This list describes one component (plants) used in the process of determining federal wetland delineation for purposes of the Clean Water Act, Swampbuster Provision of the Food Security Act, and for application with the National Wetland Inventory. It is also used by many state agencies for their requirements. This national list allows for a consistent identification of wetland plants to be used for these and other purposes.

Q7: Who, outside the four federal agencies, has been involved in developing this updated list?

A7: Besides the external academic botanists (3 for each of the 10 regions for a total of 30), a contract was initiated by the USACE with the Battelle Memorial Institute to provide an independent peer review of the list, as required by the Information Quality Guidelines. As well as reviewing the final draft, this contract required the review and comment on intermediate steps in the process of developing a final draft List, such as how to scientifically determine an indicator status, how to collect and analyze data on plant occurrence, and other technical/scientific questions.

Q8: Didn't the FWS proposed to update the list in 1997?

A8: Yes, the FWS published proposed changes to the 1988 list in the Federal Register (Volume 62, Number 12) on January 17, 1997, in compliance with a 1996 Memorandum of Agreement between the FWS, the U.S. Army Corps of Engineers (USACE), the U.S. Environmental Protection Agency (EPA), and the Natural Resources Conservation Service (NRCS). The interagency National Panel, composed of representatives of all four federal agencies, received comments and, in conjunction with the Regional Panels, reviewed and considered all comments in developing the final draft of list in 1998. For a variety of reasons, the 1998 list was never finalized.

Q9: Why is USACE leading this effort?

A9: In 2006, USACE, along with EPA, FWS, and NRCS, signed a Memorandum of Agreement in which responsibility for updating the National List of Plant Species that Occur in Wetlands, now called the National Wetland Plant List (NWPL), was transferred from the FWS to USACE.

Q10: What are the final steps to finalizing the indicator status of this list?

A10: Public comments received through the Web-based system have been compiled and tracked to provide an administrative record, which will be maintained on the Web site and available for viewing by the public. Regional Panels, in conjunction with the National Panel, reviewed comments from the Tribes, states, and the public and final regional lists have been developed. The ratings were assigned first by majority consensus, next by weighted input made by the professional botanists, and then a series of sequences factoring in weighted sets of data and input. For those remaining species without consensus, the National Panel assigned ratings using specific protocols developed for this purpose. The protocols were reviewed and input was provided by the multi-agency/academic National Technical Committee on Wetland Vegetation. The National Panel then assigned wetland ratings to non-consensus species using literature, limited data, and professional experiences.

The updated NWPL is now available at http://wetland_plants.usace.army.mil. Notice of the updated NWPL has been published in the Federal Register on May 9, 2012 and can be viewed at: <http://www.gpo.gov/fdsys/pkg/FR-2012-05-09/pdf/2012-11176.pdf>. Maintenance and annual reviews and updates of the NWPL will be done using the Web-based system.

Q11: What happened to the (+) and (-) modifiers?

A11: The plus and minus modifiers were dropped, and only five indicator designations (OBL, FACW, FAC, FACU, UPL) will be used in the final published document. The National Panel chose to switch to qualitative written definitions for status indicator ratings and dropped the plus and minus suffixes to improve the overall accuracy of the list. All plants previously assigned these modifiers were automatically merged into their broader indicator category during the review and revision process, with the exception of those plants assigned FAC-. The National and Regional Panels reviewed all species from 1998 list that were assigned FAC- to appropriately categorize their wetland fidelity.

Q12: What are the new qualitative definitions of the plant categories?

A12: In the 1988 list, there were five indicator statuses, or ratings, used to the likelihood for a plant to occur in a wetland versus an upland: Obligate Upland (UPL), Facultative Upland (FACU), Facultative (FAC), Facultative Wetland (FACW), and Obligate Wetland (OBL). These statuses represented the estimated probability of a species occurring in wetlands versus non wetlands in a region. This method was problematic for two reasons: the ratings are not supported by numerical data, and the previous FWS definition of frequency (which was the numerical division of groups that the wetland plant ratings were tied to) did not include a mathematical expression useful for testing the wetland ratings. These

issues have led to misinterpretations of the frequency formula. To address some of these problems, the National Panel modified the definitions for the indicator status categories to increase clarity and to better describe species occurrences. The 2012 list uses the definitions developed by the National Panel for updating the NWPL. They are:

- OBL: Almost always is a hydrophyte, rarely in uplands;
- FACW: Usually is a hydrophyte but occasionally found in uplands;
- FAC: Commonly occurs as either a hydrophyte or non-hydrophyte;
- FACU: Occasionally is a hydrophyte but usually occurs in uplands;
- UPL: Rarely is a hydrophyte, almost always in uplands.

The NWPL will now allow for challenges, which include field sampling and testing. The numerical percentage categories used in the 1988 list were reserved for this purpose. These challenges will represent the only complete and adequate data sets to support wetland ratings.

Q13: How can I view comments received on the draft list?

A13: Response to comments are included on the NWPL Web site, http://wetland_plants.usace.army.mil/ and a summary of the comments are provided in the Federal Register Notice announcing the updated list.

Q14: Now that the list is updated and published, what is the future for the National Wetland Plant List?

A14: Protocols are being developed to ensure that updates to the NWPL will occur annually or as necessary and that updates will follow scientifically acceptable procedures. The updating process will provide guidelines established by the National Panel for testing wetland indicator status ratings for future recommended changes and additions to the NWPL. The process is supported by an interactive Web site where all procedures and supportive information will be posted. Information on this searchable Web site will include the names of all National and Regional Panel members, prior ecological information obtained by the FWS, nomenclature following Kartesz (BONAP) for each species, any input previously made by others that was retained in the FWS database on the NWPL, and links to botanical literature and plant ecology information to support assignment of wetland indicator statuses of all species under consideration.

The Web site will facilitate regular updates as additional information is submitted and nomenclature changes. These changes will be generated through a modification of the Web-based process outlined above. Anyone may petition for a change in indicator status for any species by submitting a request. They will then be instructed as to what form of information and data may be required. This will include a range of information depending on what is known about the species. This may start with literature reviews and input from more professionals to sampling to determine frequency of the in wetlands and uplands in a 12 digit HUC where the change is proposed. If ratings are determined to be incorrect the rating will be changed in the 12 digit HUC with procedures to evaluate its change across a larger part of the region. Such data will be reviewed and evaluated by the appropriate Regional Panel, and any changes they recommend will go through a vetting process similar to the initial NWPL update. The Web site will contain the most recent, currently valid indicator statuses.

Q15: How will the public be notified of any changes or updates to the NWPL?

A15: The NWPL will be maintained annually for both nomenclatural changes and any adjustments to wetland ratings. In future years, as there are changes in wetland ratings, the national list will be adjusted to incorporate the revised ratings and an addendum published to link to the NWPL 2012 publication. These changes will be identified and presented in various categories within the addendum. When enough changes warrant a new publication, the national list of the NWPL will be republished. These all will be released as ERDC/CRREL publications and also posted on the NWPL Web site. In addition, this information will also be provided on USACE Regulatory homepages, referring the public to the latest version of the NWPL.