

# Implications of The Supreme Court Sackett Ruling and North Carolina's Wetlands

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APNEP Meeting 12/14/2023





# APNEP Wetlands and the Supreme Court's Sackett Decision

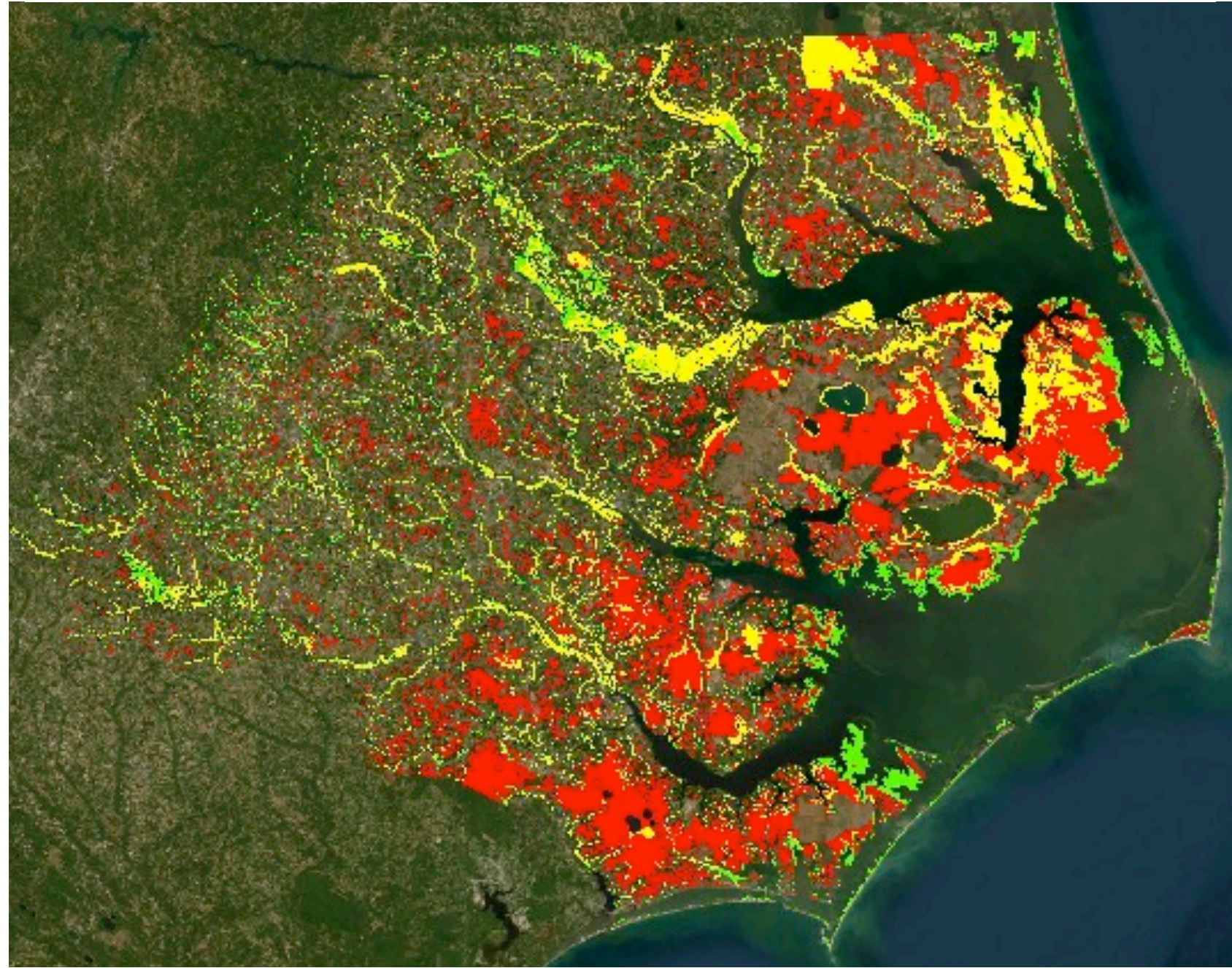
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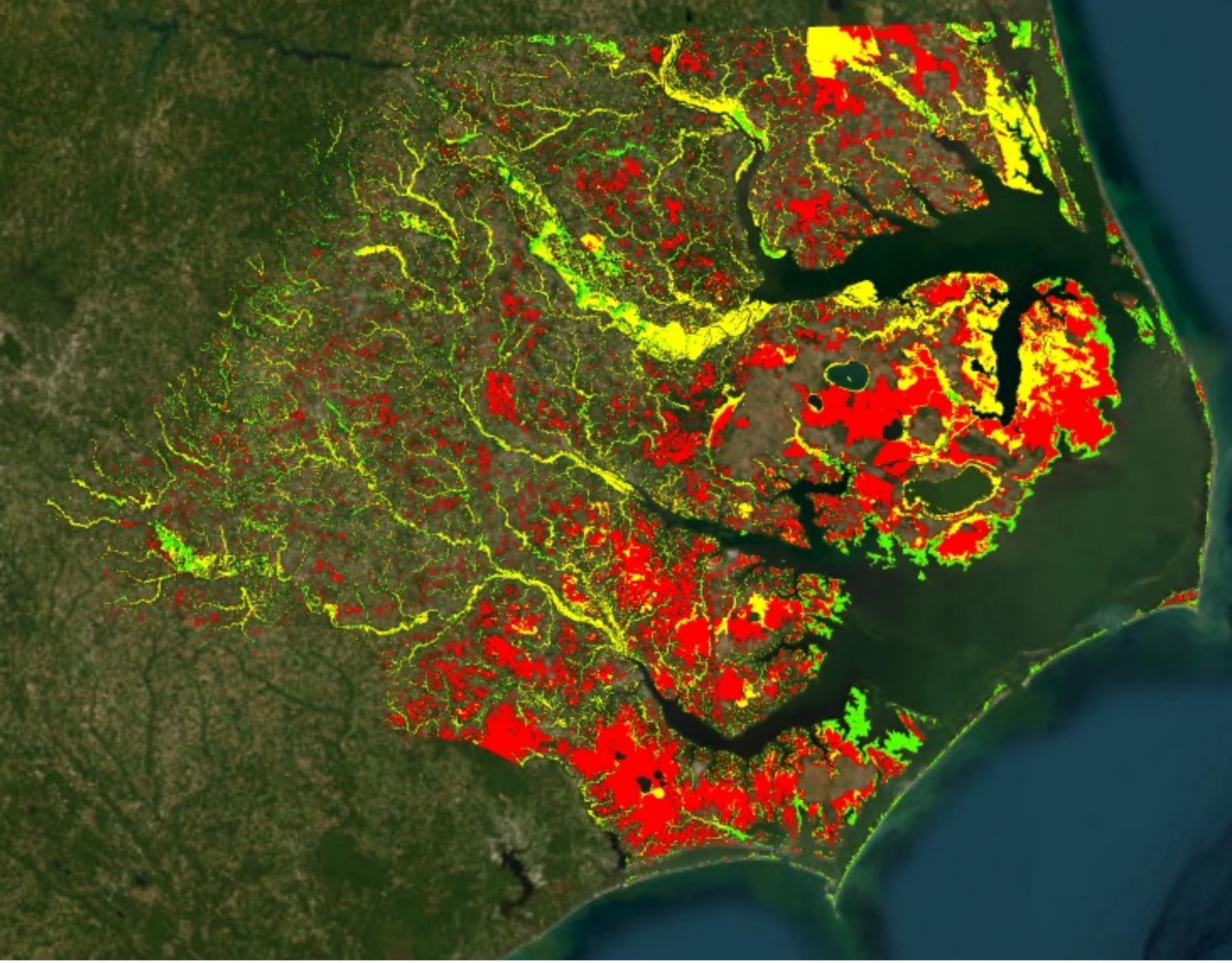
EPA Vs. Sackett: What is a Continuous Surface Connection?



Risk Factor	Total Acres	Percent
Low	402661.6525	14.803031
Medium	904983.65	33.2698706
High	1412484.458	51.9270984
Total	2720129.76	



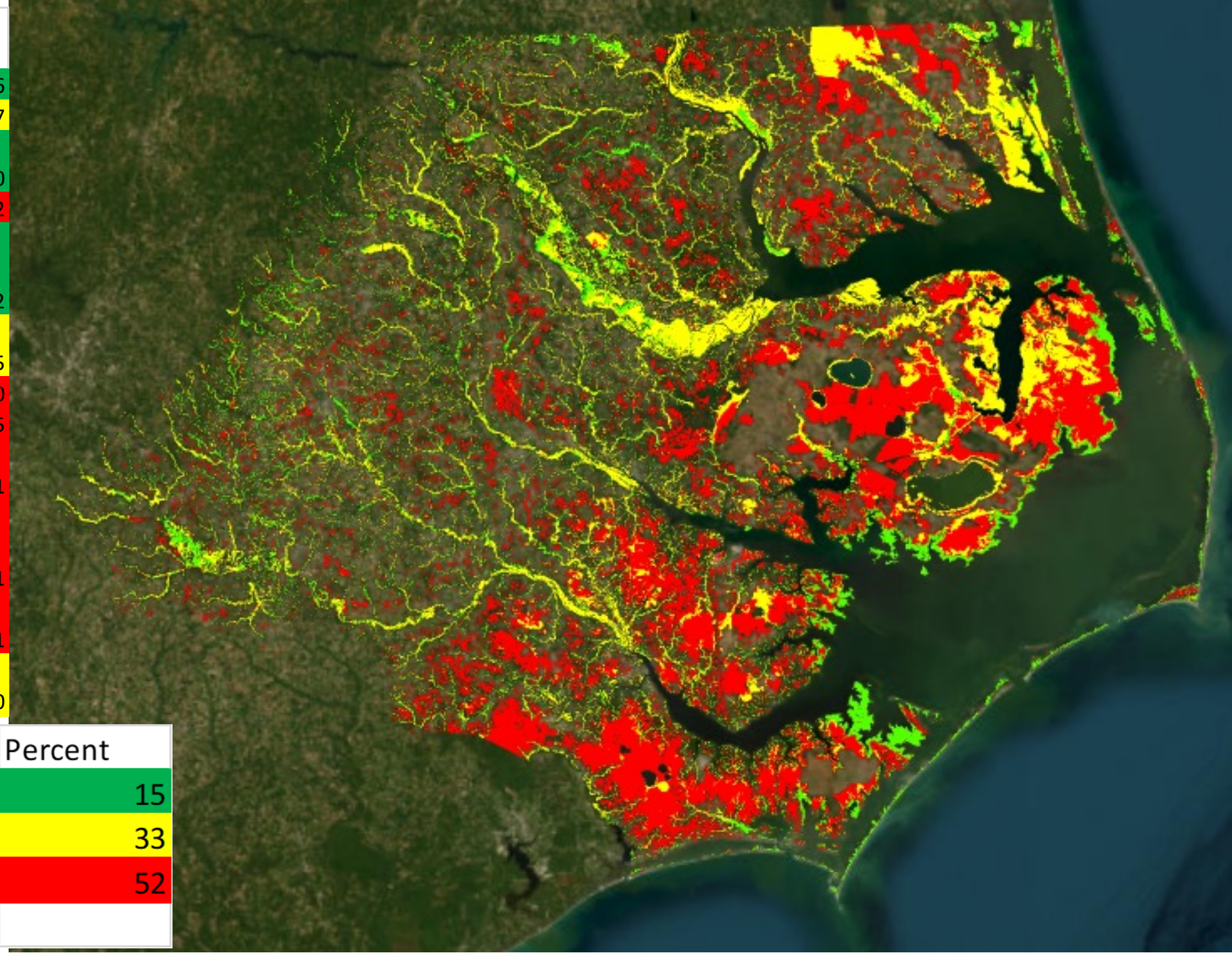
Wetland Type	Impact	Acres	% Total
Salt/Brackish		152127	5.6
Freshwater		17820	0.7
Estuarine Shrub/Scrub		23738	0.9
Pocosin		317227	11.7
Bottomland			
Hardwood/Riverine Swamp		180759	6.6
Depressional Swamp Forest		771130	28.3
Hardwood Flat		116578	4.3
Pine Flats		166444	6.1
Managed Pinelands		573591	21.1
Human Impacted Wetlands		783	0.0
Maritime Forests		3556	0.1
Headwater Swamps		24073	0.9
Salt/Brackish	Drained	27148	1.0
Freshwater	Drained	1395	0.1
Estuarine Shrub/Scrub	Drained	2178	0.1
Pocosin	Drained	65634	2.4
Bottomland			
Hardwood/Riverine Swamp	Drained	11817	0.4
Depressional Swamp Forest	Drained	79405	2.9
Hardwood Flat	Drained	62487	2.3
Pine Flats	Drained	54768	2.0
Human Impacted Wetlands	Drained	20	0.0
Maritime Forests	Drained	17	0.0
Headwater Swamps	Drained	2167	0.1
Human Impacted Wetlands		28728	1.1
Estuarine Shrub/Scrub	Cutover	433	0.0
Pocosin	Cutover	2890	0.1
Bottomland			
Hardwood/Riverine Swamp	Cutover	4462	0.2
Depressional Swamp Forest	Cutover	6762	0.2
Hardwood Flat	Cutover	10799	0.4
Pine Flats	Cutover	8846	0.3
Human Impacted Wetlands	Cutover	3	0.0
Maritime Forests	Cutover	114	0.0
Headwater Swamps	Cutover	2232	0.1





Wetland Type	Wetland Area	
	Combined	% Total
Salt/Brackish	179274	6.6
Freshwater	19215	0.7
Estuarine		
Shrubs/Scrub	26349	1.0
Pocosin	385750	14.2
Bottomland		
Hardwood/Riverine Swamp	197038	7.2
Depressional		
Swamp Forest	857296	31.5
Hardwood Flat	189864	7.0
Pine Flats	230058	8.5
Managed		
Pinelands	573591	21.1
Human		
Impacted		
Wetlands	29534	1.1
Maritime		
Forests	3687	0.1
Headwater		
Swamps	28473	1.0

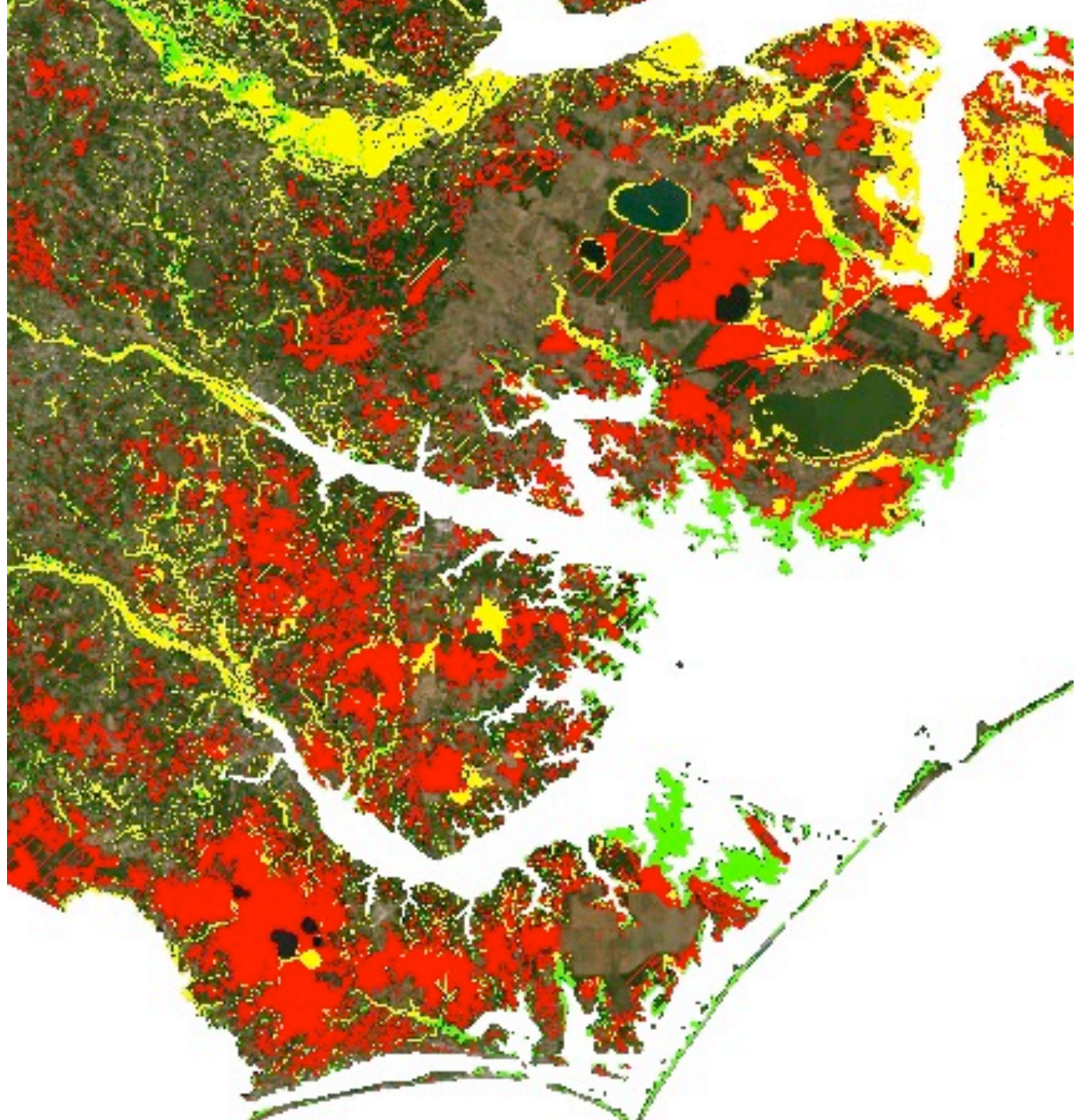
Risk Factor	Total Acres	Percent
Low	402662	15
Medium	904984	33
High	1412484	52
Total	2720130	





# At Risk Wetlands include

- Impacted areas
  - Drained
  - Cutover
- Wetlands that are otherwise protected
  - Particularly NWRs in APNEP
  - Overlay Protected areas
  - Identify small-scale protected areas (Parks, Homeowners, etc)
- NC Crews data can be used to rate wetland function and ecosystem service potential



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# Next Steps

- Hydrology
  - NWI Dataset for hydrologic Setting
  - NHDHydro
- What is a Continuous Surface Connection?

## Upcoming Interest

- Currituck Coalition Meeting 1/9/**2024**
- NOAA SLR grant proposal (I would love your help)

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# Impediments to Sediments: How to Keep the Muck Stuck in Currituck

Sean Charles

