

SECTION I: MARYLAND'S STATE WETLAND CONSERVATION PLAN OVERVIEW

Mission Statement

“The mission of the Maryland Wetlands Conservation Plan is to identify and resolve gaps in current wetlands management for statewide conservation and preservation of wetland ecosystems and their functions through consistent federal, State, public, and private participation, while recognizing competing resource needs.”

Executive Summary

Background

The State of Maryland has implemented regulatory programs in tidal wetlands since 1972 and in nontidal wetlands since 1991. The State also has regulatory programs for water use and construction in waterways and floodplains. Despite this regulatory authority and a “no net loss” goal for wetland acreage and function, there has been no comprehensive plan that addresses how all pertinent existing programs, data, and resources can be coordinated and refined to improve wetlands management in Maryland.

Need

Maryland's regulatory programs have greatly reduced losses of wetlands, and have even resulted in net wetland gains through requirements for compensatory mitigation. However, both impacts and mitigation projects are usually small and scattered. This scattering creates difficulties in terms of planning, monitoring, determining functions and values, and tracking cumulative impacts. There are also numerous programs and goals for water quality improvement, habitat restoration, and riparian restoration that are not being coordinated with wetland programs to the greatest beneficial extent. Additionally, insufficient public outreach and encouragement of private wetland stewardship in non-regulatory management approaches also limits effective wetland management. While there have been several watershed plans developed that will improve wetland management in small areas, a Statewide vision and methodology for wetland conservation is needed to achieve the maximum benefits from Maryland's wetland resources.

Purpose

The purpose of Maryland's State Wetlands Conservation Plan (Plan) is to provide an organized and comprehensive document that will guide efforts to collaborate and improve new and existing federal, State, local, and private programs for wetlands conservation and management. The Plan also aims to increase public participation in this process. While the Plan does have extensive information on management program related to wetlands, the intent of this document is not to present a history of wetland management. This document defines specific tasks developed by the Conservation Plan Workgroup, to address the immediate, intermediate, and long-term needs of wetlands resource management.

Philosophy

The Plan was formulated by a Workgroup composed of representatives from federal, State, and local governments, private business, and nonprofit environmental advocate organizations. From the outset, the Plan's aim was to achieve consensus among all represented parties on specific goals, objectives, and tasks that were needed to improve the conservation and management of Maryland's wetland resources. The Workgroup accomplished this aim while accommodating the potential for competing resource needs, social and economic concerns, and the interconnectedness of wetlands with other natural resources. The Conservation Plan was written to be a dynamic document that will be revised over time to accommodate advances in technology and assessment methods, and changes in federal, State and local natural resource policies.

Audience

There are several potential user groups for this document, as different components of the plan pertain to certain interest groups more than others. Users of this document will include federal, State, and local governments, nonprofit organizations, private entities, educational institutions, and the general public. The main audience of this document is professionals involved with regulation, management, or conservation of wetlands on a regular basis. This document is designed to be reader-friendly for all users, but remains somewhat technical to provide the specificity that is of most benefit to key decision makers involved with wetland resources.

Components

The components of the Plan include:

- Section I: **Overview**
The Overview includes the Mission Statement, Executive Summary, Implementation, Development Framework, Workgroup Participants, and a Listing of the Plan's Goals & Objectives
- Section II: **Baseline**
The Baseline contains a state-of-the-science description of the current and historical wetland resources of Maryland
- Section III: **Goals and Objectives**
The goals and objectives were devised by the Workgroup to address current problems in wetlands management, and to pave the way for future innovation. The goals and objectives were written to address four broad areas of focus. These focus areas are; identifying resources and relevant data, developing agreement and guidance on new and emerging issues, implementing new initiatives, and increasing public education. All goals will also strive to create innovative and cooperative solutions.

The individual goals that evolved from the Workgroup's meetings are:

- 1) Develop a wetland baseline.
- 2) Assess current and potential wetland threats and trends.

- 3) Increase efficiency and effectiveness of wetlands regulation and management in Maryland.
- 4) Identify wetlands for priority protection and restoration.
- 5) Increase participation in wetland preservation, restoration, enhancement and stewardship.

Each goal encompasses a broad concern, which is divided into several objectives that address more specific subjects within the same topic. Each objective subsequently has issues, recommendations, and a specific list of tasks that the Workgroup formulated to address the problem.

A priority list follows the goals and objectives, which prioritizes tasks with the greatest utility and highest potential for success, and combines similar tasks into single actions.

Section IV: Bibliography

The bibliography contains a list of the resources referenced in the writing of the Plan, as well as the references used in creating the Plan's goals and objectives.

Appendix I: Priority Actions

This appendix contains a list of the actions considered to have the highest priority. Actions are organized by agency.

Appendix II: Management Framework

The Management Framework is a description of the history and current status of laws and regulations affecting wetlands and related resources in Maryland. The Management Framework includes major federal and state laws and regulations that were specifically enacted for managing wetlands, other water and natural resource laws and regulations that indirectly affect wetland management, and non-regulatory policies and programs that can influence wetlands management.

Implementation

Applications

The answer to the question "How will the Conservation Plan be used?" has a wealth of possibilities. It is the vision of the Workgroup that the Conservation Plan will establish a unified approach to comprehensive wetland management, resource identification, and wetlands conservation statewide. The Plan will be useful to those developing watershed plans, local wetland and natural resource policy, and those involved with education and promoting conservation of wetlands. Since multiple interests and constituents are considered, the Conservation Plan provides a framework for establishing partnerships, resolving conflicts, and disseminating the best available resource information to a wide and varied audience. The

document will serve as a reference for technical information, clarification of wetland policies and regulations, and as a guide to current wetlands conservation efforts in the State of Maryland.

Timeframe

The Conservation Plan defines immediate, intermediate and long-term tasks for the goals and objectives. Prioritized actions are organized into major themes: functional assessment; cumulative and indirect impacts; planning, regulation and management; mitigation; conservation, restoration and preservation initiatives; education and research; and wetlands management and program development. Individual “due dates” for priority actions will be decided upon by the individual groups that are accepting the role of completing the action. Timelines for individual actions may vary according to availability of staff, funding, other resources, and the current state of the science. Given that some tasks must be performed in a specific order, some tasks will also be dependent on the timeline of other actions. Updates to the Conservation Plan will help to clarify timelines, and report on current progress.

Development Framework

Linda Harper, a professional facilitator, lead the Workgroup meetings by moderating discussions, organizing key points and issues and working with MDE staff to develop meeting agendas. Through these facilitated discussions, the objectives, goals and general content of the Plan were developed and incorporated by Workgroup consensus.

A website was created for the Workgroup, to disseminate information efficiently and facilitate communication. Programming and network space for the website was provided by MDE. The Web page contained meeting minutes, agendas, presentations and background documents and information used in the assessment and decision making process for key issues and topics.

Schedule of Workgroup Meeting Dates

February 29, 2000	September 26, 2000
March 28, 2000	October 24, 2000
April 25, 2000	February 27, 2001
May 23, 2000	April 24, 2001
June 27, 2000	May 22, 2001
July 25, 2000	June 26, 2001
	October 16, 2002

Public Comments

The draft Plan was placed on public notice with a comment period of March 15-May 2, 2002. The Plan was posted on the MDE web page with notice of the opportunity to submit comments and attend public meetings. The notice was also sent to a subscription mailing list withf approximately 600 interested persons who receive MDE’s bimonthly list of proposed activities in wetlands and waterways. Copies of the draft plan were also mailed to local jurisdictions. Public

meetings were held on March 18, 2002 in Annapolis, Maryland; March 20, 2002 in Hagerstown, Maryland; March 25, 2002 in Easton, Maryland, and March 27, 2002 in La Plata, Maryland.

Maryland Wetland Conservation Plan Workgroup Participants

Robert Agee Maryland Aggregates Association	Danielle Lucid Maryland Department of Natural Resources
Jenn Aiosa Chesapeake Bay Foundation	Anne Lynn Natural Resources Conservation Service
Pete Alexander Maryland Forest Association	Kathleen McHugh Maryland State Builders Association
Nazir Baig Maryland-National Capital Park and Planning Comm. (Montgomery Co.)	Don Outen Baltimore County Department of Environmental Protection & Resource Management
Tom Benassi Baltimore Gas & Electric	Bob Pennington U.S. Fish and Wildlife Service
Joe Berg BioHabitats Brian Bernstein	Zoe Piendak Department of Business and Economic Devel.
Maryland State Highway Administration	Regina Poeske U.S. Environmental Protection Agency
Keith Bowers BioHabitats	Steve Pugh U.S. Army Corps of Engineers
Steve Bunker The Nature Conservancy	Catherine Rappe Maryland Department of Natural Resources
Lee Anne Chandler Chesapeake Bay Critical Area Commission	Diana Reynolds Maryland Department of Agriculture
Trevor Clark U.S. Fish and Wildlife Service	Barbara Samorajczyk Maryland Association of Counties
Mark Colosimo U.S. Army Corps of Engineers	Ren Serey Chesapeake Bay Critical Area Commission
Bob DeGroot Maryland Alliance for Greenway Improvement and Conservation	Evan Smith Conservation Fund
Mike Fritz U.S. Environmental Protection Agency	Lynn Stemmy State Water Quality Advisory Committee
William Giese MD Association of Soil Conservation Districts	Ed Temple Ducks Unlimited
Tim Goodger National Marine Fisheries	Jeff Trulick U.S. Army Corps of Engineers
Richard Hersey Herring Run Watershed Association	Deborah Weller Maryland Department of Planning
Lynne Hoot Maryland Assoc. of Soil Conservation Districts	George Wilmot Maryland Conservation Council
Suzie Jacobs Maryland State Highway Administration	
William Jenkins Maryland Department of Natural Resources	Maryland Department of the Environment, Wetlands and Waterways Program:
Greg Kappler Coastal Resources Advisory Commission	Gary Setzer, Program Director
Bob Kaufman Maryland Builders Association	Terry Clark, Chief (Ret) Nontidal Wetlands Div. Amanda Sigillito, Chief Nontidal Wetlands Div.

Kevin Kelly Environmental Systems Analysis, Inc . Mildred Kriemelmeyer Maryland Conservation Council Louise Lawrence Maryland Department of Agriculture Larry Liebesman Maryland Builders Association	Rick Ayella, Chief Tidal Wetlands Div. George Beston, Chief, Mitigation Div. Denise Clearwater, Natural Resource Planner Julie LaBranche, Natural Resource Planner Michael McCoy, Natural Resource Planner David Walbeck, Mitigation Division Maryland Wetland Conservation Plan Workgroup Facilitator: Linda Harper
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Goals and Objectives

I. Develop a wetland baseline

- A. Establish current inventory of wetlands
- B. Identify gaps in data, technology and other information for the wetland baseline
- C. Assess the status of determining wetland functions
- D. Establish a consistent methodology and schedule for evaluation and updating of the wetland baseline

II. Assess current and potential wetland threats and trends statewide

- A. Document and evaluate wetland threats and trends
- B. Assess the effects of indirect activities on wetlands
- C. Track wetland losses and conversions to achieve the goal of “no net loss”

III. Increase the efficiency and effectiveness of wetlands regulation and management in Maryland

The objectives below may include both regulatory and nonregulatory components

- A. Identify and assess gaps in wetland and other related regulatory and management programs
- B. Review the MDE and Corps permit process with respect to efficiency and redundancies
- C. Identify inconsistencies between local-level development requirements and development restrictions within the State/federal regulatory permit process
- D. Assess the effectiveness of the current processes of wetland mitigation, restoration, and creation, and whether or not they achieve “no net loss” of wetland acreage and functions
- E. Identify activities for which expedited wetlands, waterways, or floodplain authorizations can be granted
- F. Support training and certification of public and private professionals to ensure accurate delineation of all regulated wetlands
- G. Establish guidelines for integration of wetlands conservation with Smart Growth during the permit process
- H. Adopt methodologies for assessing cumulative wetland impacts and benefits on a watershed basis, and a means for integrating such assessments in wetland permitting, conservation, management and planning

- I. Evaluate issues and make recommendations concerning updating the 1973 tidal wetland maps for improved regulation and management
- J. Identify new ways to promote wetland conservation; encourage development and use of innovative ideas and programs
- K. Explore options for and barriers to wetland mitigation banking and consolidated mitigation in Maryland

IV. Identify wetlands for priority protection and restoration

- A. Conduct watershed-scale identification and prioritization of key wetlands and potential restoration sites; identify mechanisms for preservation and restoration of key wetlands
- B. Identify and address issues relating to local governments and wetland preservation, conservation, management, and watershed planning

V. Increase participation in wetland preservation, restoration, enhancement and stewardship

- A. Increase ecological and economic incentives for all participants of wetlands conservation, preservation, restoration, enhancement and stewardship
- B. Expand public knowledge and appreciation of the ecological and economical functions and values of wetlands through education and outreach
- C. Explore the establishment of provisions to safeguard future property uses for wetlands that have been voluntarily created or restored