

Nontidal Wetlands Regulations *and Forestry*



Maryland Department of the Environment

How are forestry activities affected by the regulations ?

Forestry activities do not require a nontidal wetlands permit from the Department of the Environment if the land use remains as forestry. However, the regulations require that best management practices (bmp's) to protect nontidal wetlands be incorporated into the erosion and sediment control plan that is required for forestry activities.

Which forestry activities are exempt from the nontidal wetlands regulations ?

Activities that are exempted from the requirements of the nontidal wetlands regulations include:

- Repair and maintenance of existing structures such as drainage ditches, roads, skid trails, bridges, culverts and firebreaks
- Activities that do not require an erosion and sediment control plan
- Activities authorized under an erosion and sediment control plan approved before January 1, 1991
- Activities on land that has lain fallow due to disease treatment or regeneration schedules



What are best management practices (bmp's)?

Best management practices are conservation measures that:

- Control soil loss
- Reduce water quality degradation
- Minimize adverse impacts to surface and groundwater flow
- Maintain an area as a nontidal wetland after harvesting
- Minimize any adverse impact to the chemical, physical or biological characteristics of nontidal wetlands.

What are forestry activities ?

Forestry activities are the planting, cultivating, thinning, harvesting or any other activity undertaken to use the forest resources or to improve their quality or productivity. Activities that change nontidal wetlands to another land use, including but not limited to agriculture or development, are not forestry

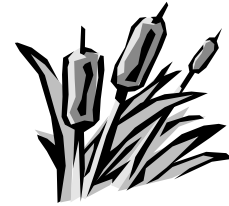
Examples of bmp's include:

- Designing stream crossings to have the shortest distance feasible
- Locating roads and log decks to minimize adverse wetland impacts
- Harvesting with specialized equipment when nontidal wetland soils and hydrology will be adversely affected
- Using mats or similar temporary structures to reduce compaction or rutting

What is the procedure for conducting forestry activities in nontidal wetlands ?

A person conducting a forestry activity that is not exempt must:

1. Submit an erosion and sediment control plan prepared by a registered professional forester to the Soil Conservation District (SCD) that includes a nontidal wetlands delineation and bmp's that comply with the regulations before beginning the harvest. If a nontidal wetland of Special State Concern is present, notify the Nontidal Wetlands & Waterways Division because of special protection criteria and bmp's that must be applied.
2. The SCD identifies or verifies the extent of nontidal wetlands on the erosion and sediment control plan.
3. Receive SCD approval of the erosion and sediment control plan if it complies with the nontidal wetlands regulations.
4. Submit a copy of the approved plan to the Department of the Environment, Regulatory Services Coordination Office.
5. Comply with the requirements of the approved plan.
6. Notify the SCD when site conditions require a change in bmp's.



Brochures and Fact Sheets

The following brochures and information sheets are available, free, from the Water and Science Administration, Nontidal Wetlands & Waterways Division, 1800 Washington Blvd., Baltimore, MD 21230, (410) 537-3768.

- Are There Wetlands On My Farm?
- Are There Wetlands On My Property? - A Guide For The Developer
- How To Recognize a Nontidal Wetland
- Nontidal Wetlands Classifications
- Nontidal Wetlands Documents
- Nontidal Wetlands Guidance Maps
- Nontidal Wetlands of Special State Concern
- Nontidal Wetlands Regulations and Agriculture
- Nontidal Wetlands Regulations and Aquaculture
- Nontidal Wetlands Regulations and Development Activities
- Nontidal Wetlands Regulations and Forestry
- Nontidal Wetlands Regulations and Mitigation
- Nontidal Wetlands Regulations and Mitigation Banks
- Nontidal Wetlands Regulations and Mitigation Bonding
- Nontidal Wetlands Regulations and the Property Owner
- Partners for Wildlife - We Can Help You Restore Wetlands
- The Nontidal Wetlands Protection Program
- The Values of Nontidal Wetlands

