



Wetland Ordinances

Introduction

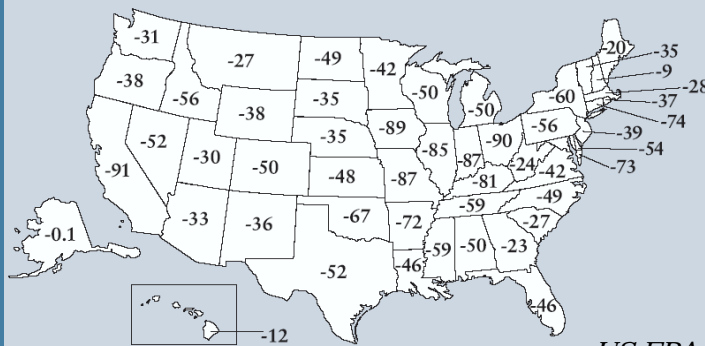
Wetlands are areas where the land is saturated by water either all year or periodically / seasonally. They can be found in almost every state in the country and are extremely complex and diverse ecosystems providing habitat for plants, fish, reptiles, insects and many species of migratory birds.

In addition to providing habitat, wetlands play a vital role in water quality and floodplain management.

Wetlands serve as both a filter of pollutants and runoff, and a sponge during large rain events. Also, coastal wetlands provide storm and hurricane protection that can be extremely costly to communities.

A recent study has shown that US coastal wetlands provide \$23 billion a year in coastal storm protection (Gund Institute). Unfortunately, many of the wetlands in our country have been lost to farmland and development. The US EPA estimates that we lose approximately 60,000 of acres of wetlands per year in the United States.

Percentage of Wetlands Acreage Lost, 1780s–1980s



US EPA.

“U.S. coastal wetlands provide \$23 billion a year in coastal storm protection.”

What can be done?

Restoration and land conservation efforts are essential to protecting wetlands, but we also need to insure that no more existing wetlands are lost. One way to help do that is to work with your community to create wetland laws and ordinances. Regulations that protect wetlands through zoning codes, development restrictions and buffer requirements can be added to any existing set of ordinances and help protect a community’s natural resources and water quality.

Where do you start?

There are several model ordinances to help in drafting a code or ordinance that best suits your community. On the back of this sheet are samples of actual ordinances communities have already adopted.

Local Ordinance to Protect Wetland Function

Center for Watershed Protection

www.cwp.org/Resource_Library/Center_Docs/special/wetlands/articles/WetlandsArticle4.pdf

Model Coastal Riparian Buffer Ordinances

UGA River Basin Center

www.rivercenter.uga.edu/publications

Model Ordinances to Protect Local Resources

US Environmental Protection Agency

www.epa.gov/nps/ordinance/mol1.htm



Photo by Ronnie Bergeron

References & Resources

Alabama Wetlands

www.samford.edu/schools/artsci/biology/wetlands/

Association of State Wetland Managers

Wetland
Regulations Guide
www.aswm.org/propub/18_legal_6_26_06.pdf

Center for Watershed Protection Wetlands & Watersheds

www.cwp.org/Resource_Library/Special_Resource_Management/wetlands.htm

Huron River Watershed Council

Guide to Local
Wetland Protection
www.hrwc.org/pdf/wetland_brochure_faq.pdf

US Army Corps of Engineers Wetland Research Technology Center

el.erdc.usace.army.mil/wetlands

US EPA Office of Wetlands Oceans & Watersheds

www.epa.gov/owow

Value of Coastal Wetlands for Hurricane Protection

Allen Press
www.allenpress.com/pdf/AMBI-37-4-241.pdf

Wetlands Watch

www.wetlandswatch.org

Coastal Wetlands

Darien, GA—Sec. 20-2513

An undisturbed natural vegetative buffer shall be maintained along all coastal marshlands, measured horizontally from the landward edge of the coastal marshlands, as established by the Georgia Department of Natural Resources and along all wetlands, as measured from the inland edge of the wetland, as established by the Army Corp of Engineers. The buffer shall be a variable width buffer with an average width of at least 75 feet, and a minimum width of 50 feet. All land disturbing activity is prohibited within the 75 foot buffer unless a variance is granted in accordance with City of Darien Code.

Classification (Category I) Redmond, WA—Sec. 2D-140-30

Category I wetlands are those wetlands that represent a unique or rare wetland type, are more sensitive to disturbance than most wetlands, are relatively undisturbed and contain ecological attributes that are impossible to replace within a human lifetime, or provide a high level of functions: (i) Wetlands that are identified by scientists of the Washington Natural Heritage Program/DNE as high quality, relatively undisturbed wetlands, or wetlands that support state listed threatened or endangered plants; or (ii) Bogs; or (iii) Mature and old-growth forested wetlands over one acre in size.

Expanded Definition Lake County, IL

Isolated Waters of Lake County: All waters such as lakes, ponds, streams (including intermittent streams), farmed wetlands, and wetlands that are not under U. S. Army Corps of Engineers jurisdiction. The limits of the Isolated Waters of Lake County extend to the ordinary high water mark or the delineated wetland boundary.

Permitting Code of Virginia—Ch 13 of Title 28.2

Any activity that would disturb a tidal wetland area is regulated and permits from the Virginia Marine Resources Commission (VMRC) and the local Wetlands Board are required. According to Virginia's Wetlands Guidelines, tidal wetlands regulatory jurisdiction extends to the mean high tide line where no emergent vegetation exists, and to 1.5 times the mean tide range where marsh is present and were revised in 1982 to include beaches, tidal mudflats and shallow water habitats along with vegetated wetlands as protected areas.

Regulated Activities Boulder, CO—Sec. 9-3-9

(A) Placement, removal, excavation, or dredging of any material; (B) Construction, total reconstruction or replacement, installation, erection, expansion, enlargement, or placement of any obstruction, development, facility, utility, road, surface improvement, public infrastructure, building, or structure; (C) Removal of any existing vegetation or any activity which may cause any damage, deterioration, or loss of vegetation in a wetland; (D) Alteration of the surface and subsurface hydrology, water table, or water quality by any means; and (E) Disturbance of existing surface drainage characteristics, sedimentation patterns, flow patterns, or flood retention characteristics by any means.

