

Wetland Regulations

Developers may not like how regulations protecting wetlands get in the way of their plans but it is undeniable that wetlands provide beneficial functions worth protecting.

Perhaps the most important reason for protecting wetlands is how they minimize flooding and erosion by storing stormwater. However, equally important is the fact they provide valuable wildlife habitat for not only migratory birds but native mammals, amphibians and insects. They also play a role in cleaning water through biofiltration and other means. These are only some of the many beneficial functions wetlands provide.

The best way to protect wetlands is to avoid impacting them to the fullest extent possible by limiting where development can occur. Another tool used to protect wetlands is by establishing a buffer around them. Buffer widths can vary from 40-225 feet depending on the quality of the wetland.

When impacting the wetland is unavoidable developers are required to compensate for those impacts by creating new wetland area, adding buffer area, and/or restoring the plant community by removing invasive species and planting appropriate native species in the wetland and buffer.

Sometimes wetlands are obvious but sometimes they are not. Three factors must be present for an area to be a wetland. There must be evidence of soils low in oxygen (because of the time they spend saturated in water); there must be hydrophytic plants present (plants that thrive in low oxygen soil); and there must be evidence of wetland hydrology.

Wetland hydrology is frequently misunderstood. An area does not have to be wet year round to have the necessary hydrology. Evidence of wetland hydrology is when there are indicators that soil within the rooting zone of plants has been saturated for at least two consecutive weeks during the growing season.