

(A) THE GENERAL ASSEMBLY FINDS THAT NONTIDAL WETLANDS PLAY IMPORTANT ROLES IN THE PRESERVATION AND PROTECTION OF THE CHESAPEAKE BAY AND OTHER WATERS OF THE STATE. NONTIDAL WETLANDS SERVE IMPORTANT ROLES THROUGH THE REDUCTION OF POLLUTANT LOADINGS INCLUDING EXCESS NUTRIENTS, SEDIMENT, AND TOXICS, THE ATTENUATION OF FLOODWATERS AND STORMWATERS, SHORELINE STABILIZATION AND EROSION CONTROL, WATERFOWL BREEDING AND HABITAT FOR MANY SPECIES OF FISH, GAME AND NONGAME BIRDS, AND MAMMALS INCLUDING RARE AND ENDANGERED SPECIES, FOOD CHAIN SUPPORT, AND TIMBER PRODUCTION. MANY NONTIDAL WETLANDS HAVE ALREADY BEEN LOST OR DEGRADED DUE TO THE COMBINED EFFECTS OF POPULATION GROWTH AND LAND USE. FURTHER DEGRADATION AND LOSSES OF NONTIDAL WETLANDS WILL CONTRIBUTE TO THE DECLINE OF THE CHESAPEAKE BAY AND OTHER WATERS OF THE STATE.

(B) IT IS THE INTENT OF THE GENERAL ASSEMBLY TO PROTECT THE STATE'S WATERS THROUGH A COMPREHENSIVE, STATEWIDE NONTIDAL WETLAND PROGRAM IN COOPERATION WITH FEDERAL AGENCIES, OTHER STATES, AND LOCAL GOVERNMENT. THE GOAL OF THE PROGRAM SHALL BE TO ~~STRIVE-TOWARD~~ ATTAIN NO NET OVERALL LOSS IN NONTIDAL WETLAND ACREAGE AND FUNCTION AND TO STRIVE FOR A NET RESOURCE GAIN IN NONTIDAL WETLAND--ACREAGE--AND--FUNCTION WETLANDS OVER PRESENT CONDITIONS.

(C) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT WATERS OF THE STATE BE PROTECTED, THAT FURTHER DEGRADATION AND LOSSES OF NONTIDAL WETLANDS DUE TO HUMAN ACTIVITY BE PREVENTED WHEREVER POSSIBLE, AND WHERE UNAVOIDABLE LOSSES OR DEGRADATIONS OCCUR AS A RESULT OF PERMITTED HUMAN ACTIVITY, THAT THESE LOSSES OR DEGRADATIONS BE OFFSET WHEREVER PRACTICABLE AND FEASIBLE THROUGH THE DELIBERATE RESTORATION OR CREATION OF NONTIDAL WETLANDS.

8-1203.

(A) (1) THERE IS A STATEWIDE PROGRAM WITHIN THE DEPARTMENT FOR THE CONSERVATION, REGULATION, ENHANCEMENT, CREATION, MONITORING, AND WISE USE OF NONTIDAL WETLANDS.

(2) THIS SUBTITLE DOES NOT APPLY TO AGRICULTURAL, FORESTRY OR REGULATED ACTIVITIES LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.

(B) THE DEPARTMENT SHALL:

(1) COORDINATE WITH OTHER STATE AGENCIES, FEDERAL AGENCIES, OTHER STATES, LOCAL GOVERNMENTS, AND INTERESTED PERSONS IN THE REGULATION OF NONTIDAL WETLANDS;

(2) ASSIST LOCAL GOVERNMENTS IN UNDERTAKING NONTIDAL WETLAND MANAGEMENT PLANNING INCLUDING MAPPING, TECHNICAL ASSISTANCE, AND EXPEDITING THE PERMIT PROCESS;