



Maryland
Department of
the Environment

**“Legacy” Sediment, Riparian Corridors,
and Total Maximum Daily Loads
A Scientific and Technical Advisory
Committee (STAC) Workshop**

April 24-25, 2017

Presentation by:

Wetlands and Waterways Program

Maryland Department of the Environment



MDE's Wetlands and Waterways Program (WWP) implements three main statutes and regulations:

Changes to course, current, and cross sections in nontidal waters and floodplains

Tidal wetlands

Nontidal wetlands



Water Quality

Water Quantity

Habitat/other natural resource values

Economic

Public Need

Recreational

Scenic/Aesthetic

Marine commerce

Navigation

Loss of life or high value property

Increased risk of flooding on other property

Safety

Danger from natural hazards

Cultural resources

Public comments



For Legacy Sediment removal projects, the following issues have arisen:

- Issue of increased flooding on adjacent property**
- Loss of trees due to construction**
- Loss of existing resource benefits**
- Disposing of removed material**

Local Flood Insurance Programs Must Agree to Manage and Maintain All Activities in Floodplains

Notify FEMA and Local Community of Changes and Receive Approval

- Failure to Do This May Result in Local Community Suspension from FEMA Flood Insurance Program and May Not Qualify for Federal Disaster Aid**



WWP is not opposed to Legacy Sediment removal projects

- Design and implement these projects in appropriate areas**



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- **Projects which have been authorized have mostly been in agricultural or open areas**

Generally avoids concern about loss of trees and other resource benefits

To address issue of flooding on adjacent property:

Conduct H&H analysis

Purchase, easement, or signed statement of agreement from affected property owner

Re-design

Notify FEMA and Local Community and Receive Approval



Some sediment should be transported

Too much accumulation may render design ineffective over time

Too little sediment transported downstream could result in:

more degradation from headcuts

degradation to vegetated tidal wetlands



Questions for Theme C:

How to Decide on Combinations and Controls to Reduce Impacts on Chesapeake Bay?

Do not force preferred BMP/design on every site

Select practice and extent based on condition of project reach and causes of degradation

Install practices closer to source of problem where practicable

Consider additional goals for stream health, riparian buffers, and wetlands in addition to modeled credit reductions-pursue crediting for ecological benefits, whether existing or restored

Additional research e.g. CBT funded studies



Questions for Theme C:

- **What Are Costs and Constraints that Influence Ability to Implement Practices?**

Other relevant regulatory requirements

Remaining Functional Benefits/Values at Restoration Site

Improper Design for Site

Increase in Flood Risk



Questions for Theme C:

What Additional Information Do Managers Need to Inform Their Choices?

Understanding of Regulatory Requirements

Early Consultation with Regulatory Agencies

Assessment of Existing Resource Conditions and Reasons for Degradation



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**[http://www.mde.state.md.us/programs/Water/WetlandsandWaterways/
Pages/Programs/WaterPrograms/wetlands_waterways/index.aspx](http://www.mde.state.md.us/programs/Water/WetlandsandWaterways/Pages/Programs/WaterPrograms/wetlands_waterways/index.aspx)**