

MDEStat Meeting

October 15, 2012



Robert Summers, Secretary

Sue Battle-McDonald, Stat Director

Table 1: WMA's July Living Shoreline Regulations Promulgation Schedule

DATE	ACTION
08/30/12	Submit proposed regulation package to the Office of the Secretary for 14-day review and approval.
09/14/12 Submitted on 09/06/12	Submit proposed regulations package to Division of State Documents for AELR 15-day review AELR is co-chaired by Senator Pinsky and Delegate Healey. Committee members include Senators Astle, Brinkley, Brochin, Colburn, Forehand, Gladden, Jacobs, Stone, and Zirkin and Delegates Bromwell, Costa, Eckardt, Feldman, Haynes, Ivey, Morhaim, Ross and Smigiel.
10/01/12	Submit proposed regulations package to Division of State Documents
10/19/12	Proposed action on regulations published in the Maryland Register
11/07/12	Public Hearing on proposed regulations package (Tentative)
11/19/12	End of comment period for proposed regulations package
11/20/12 – 12/04/12	Address comments and prepare regulation package for final publication
12/05/12	Submit final regulations package to Division of State Documents
12/14/12	Final action on regulations published in the Maryland Register
12/24/12	Effective date of regulations

Table 2: Mitigation Regulations Promulgation Schedule*

DATE	ACTION
11/16/12	Submit proposed regulation package to the Office of the Secretary for 14-day review and approval.
12/03/12	Submit proposed regulations package to Division of State Documents for AELR 15-day review
12/20/12	Submit proposed regulations package to Division of State Documents
01/11/13	Proposed action on regulations published in the Maryland Register
01/29/13	Public Hearing on proposed regulations package (Tentative)
02/11/13	End of comment period for proposed regulations package
02/11/13 – 02/26/13	Address comments and prepare regulation package for final publication
02/27/13	Submit final regulations package to Division of State Documents
03/08/13	Final action on regulations published in the Maryland Register
03/18/13	Effective date of regulations

** The proposed schedule reflects an attempt to complete the AELR review process and publish the regulations in the Maryland Register prior to the start of the 2013 legislative session. The Program cannot guarantee that the regulation package will be complete in time to accomplish this goal.*

Table 3: Pending Wetlands Applications

	5/25/11		8/17/12		10/1/12					
	Total Pending	Percent Overdue	Total Pending	Percent Overdue	Total Pending	Number Overdue	Percent Overdue	Active Applications Only		
								Pending	Number Overdue	Percent Overdue
Nontidal	564	40%	437	43%	414	179	43%	205	21	10%
Tidal	433	45%	189	13%	194	28	14%	180	18	10%
Totals Reported by WMA	997	42%	626	34%	608*	207	34%	385	39	10%

**Lowest number of pending applications to date*

Table 4: Active, Long-Term and Inactive Pending Wetlands Projects (Continued on next slide)

PROJECT CLASSIFICATION	PENDING PROJECTS		
	NONTIDAL	TIDAL	TOTALS
Active	205	180	385
Long-Term	24	3	27
Inactive	185	11	196
TOTALS	414	194	608
PROJECT CLASSIFICATION			
	PENDING LONG-TERM PROJECTS		
	NONTIDAL	TIDAL	TOTALS
Aquaculture	0	0	0
Highway	3	0	3
Other	6	0	6
Local	1	0	1
Utility-Energy	4	2	6
Technical processing issue	3	1	4
Federal	2	0	2
State	5	0	5
TOTALS	24	3	27

Table 4: Active, Long-Term and Inactive Pending Wetlands Projects

PROJECT CLASSIFICATION	PENDING PROJECTS		
	NONTIDAL	TIDAL	TOTALS
PROJECT CLASSIFICATION	PENDING INACTIVE PROJECTS		
	NONTIDAL	TIDAL	TOTALS
Attorney General Coordination	5	1	6
Compliance	7	0	7
Federal	18	3	21
Legal	0	4	4
Local	17	1	18
Utility-Energy	1	0	1
Other	1	0	1
State	13	0	13
Technical Processing Issues	123	2	125
TOTALS	185	11	196

Table 5: Application Integration, Status as of 10/1/12

A. Application Type	B. Number of Applicants Requiring Notification	C. Number of Applicants Notified	D. Number of Responses Received	E. Number of Applications Reclassified as LT Projects	F. Number of Applications Reclassified as Inactive Projects	G. Number of Applications Denied Due to no Response to the Letter
Tidal	1	1	0			NA
Nontidal ¹	72	63	7	1	0	NA
Waterway Construction ²	71	58	3	0	1	NA
TOTAL	144	121				NA

¹ The Nontidal Wetlands Division also reports that 1 application was withdrawn and 13 applications were issued.

² The Waterway Construction Division also reports that 2 applications were withdrawn.