

MDEStat Meeting

July 18, 2011



Robert M. Summers, Secretary

Sue Battle-McDonald, Stat Director

Table 1: Wetlands PEPs Due 12/31/10; 7/5/11 Status

Unit	Mid-Cycle PEPs		End-Cycle PEPs		Percent Overdue
	Completed	Overdue	Completed	Overdue	
Administration Direction	8	1	3	0	8%
Water Resources Planning Unit	1	0	1	0	0%
Wetlands & Waterways	25	6	18	11	28%
Operational Services & Adm	7	0	2	0	0%
Water Supply	24	0	19	0	0%
Compliance	38	0	26	0	0%
Wastewater Permits	24	0	14	0	0%
SSDS	12	0	15	0	0%

Table 2: Pending Wetlands Applications as of 7/11/11

	As of 03/07/11			As of 05/25/11			As of 07/11/11		
	Total Pending	Number Overdue*	% Overdue**	Total Pending	Number Over-Due*	% Overdue**	Total Pending	Number Overdue*	% Overdue**
Nontidal	561	256	46%	564	226	40%	527	210	40%
Tidal	434	226	52%	433	196	45%	376	142	38%
TOTAL	995	482	48%	997	422	42%	903	352	39%

MDEStat/general notes:

“Inactive” applications are to be counted among those pending and overdue until they can be identified and counted separately.

* “Overdue” means pending longer than the standard turnaround time.

** This is the percentage of all pending applications that are overdue. WMA’s targets are 25% by June 30th and 10% by September 30th.

WMA note: *Based on the direction provided at the June 6th MDEStat Meeting, the Program has updated information reported on 05/25/11 and added information as of 07/11/11. This chart includes the full universe of pending applications.*

Table 3: Authorizations Issued 10/1/10-7/11/11

Tidal 90 Applications	ISSUED	OVER TURNAROUND TIME		WITHIN TURNAROUND TIME	
	509	11	2.2%	498	97.8%
Tidal 90 Applications	PENDING	OVER TURNAROUND TIME		WITHIN TURNAROUND TIME	
	151	2	1%	149	99%

Table 4: Schedule for Workgroup Report
Uncodified Language in HB 1056 *Continued on next slide*

DATE	TASK
07/01/11	Proposed Membership List for Wetlands and Waterways Funding Workgroup Submitted to Office of the Secretary for Review and Approval
	Contact Speaker of the House and President of the Senate for Appointments to the Workgroup
	Approval of Membership List by President, Speaker and Secretary's Office
	Mail / Email Invitations to Workgroup
	Meeting #1: Review Legislation and Accomplishments.
	Meeting #2: Review Fee Schedule, Implementation Challenges and Solutions. Discuss Potential Amendments to Improve Fee Schedule



Table 4: Schedule for Workgroup Report Uncodified Language in HB 1056

DATE	TASK
	Meeting #3: Review/Revise Draft Legislation
	Meeting #4: Review Final Legislation Package
10/31/11	Draft Report of Workgroup Findings and Recommendations Submitted to Secretary for Review
11/15/11	Draft Report Submitted to Governor's Office for Review
12/01/11	Final Report Submitted to Legislature

**Table 5: Wetlands-Related Regulations
Under Development** *(Continue on next slide)*

Purpose	Relevant State/Fed Stat./Reg. Deadline(s)	Target Date for Submission to OS	Target Effective Date	Status
Implement Living Shoreline Protection Act of 2008	None	08/16/11	12/12/11	<p>The Program met with the Critical Area Commission (Commission) on June 14th to discuss the current draft of the regulations. Based on that meeting, additional changes are necessary for both the Program and the CAC. On June 27th, the Commission staff submitted a revised draft, which is being review by the Program and the Office of the Attorney General (OAG). On July 6th, Program and CAC Staff presented the draft regulations to the full Commission. Program and CAC staff are also scheduled to present the draft regulations to the Environmental Community on July 20th and to local Critical Area Planners on July 21st.</p> <p>As a result of the additional coordination, the Program has updated the regulation's timetable as follows:</p> <ul style="list-style-type: none"> •08/16/11 – To Office of the Secretary •08/31/11 – To AELR Committee •09/19/11 – To Division of State Documents •10/07/11 – Published Proposed in Maryland Register •12/02/11 – Published Final in Maryland Register •12/12/11 – Effective Date

**Table 5: Wetlands-Related Regulations
Under Development**

Purpose	Relevant State/Fed Stat./Reg. Deadline(s)	Target Date for Submission to OS	Target Effective Date	Status
Installation of Small Energy Generation Devices on Piers	None	8/18/11	12/26/11	Workgroup on Small Energy Generating Devices on Piers met on May 2, 2011. Draft minutes from the meeting were distributed on May 16 th for review and comment. The meeting tentatively scheduled for June 15 th was postponed to provide additional time for Program/CAC staff coordination. Meeting with CAC staff is schedule for July 19 th to continue development of a strawman to present to the workgroup. Scheduled completion date for regulation package, if necessary, is August 18 th .

Table 6: Long Term Projects – Draft Definition

- a. Highway: new road/ highway projects, expansion of existing roads/highways
- b. Utility – new utility line projects
- c. Other

Table 7: Inactive Projects – Draft Definition

- a. Technical Processing Issues – SAV survey, flushing study, hydraulic analysis/floodplain study, flooding easement/agreement, additional technical information required, final plans.
- b. Attorney General Coordination – projects in which the Attorney General’s office is involved.
- c. Compliance – projects that are under review by the MDE Compliance Program.
- d. Legal – court actions, law suits, legal actions that do not directly involve MDE.
- e. State – projects that have outstanding issues involving other MDE programs/divisions or other State agencies (MHT, DNR, SHA, etc.)
- f. Federal – projects that have outstanding issues involving federal agencies (e.g., the Army Corps of Engineers, Housing and Urban Development)
- g. Local – projects that have outstanding County/municipality issues.
- h. Other