

Georgia State Wetland Program Summary



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Section A. Quick View

Description of State's Wetlands

Georgia has more than 7.7 million acres of wetlands. Georgia's wetlands are diverse, ranging from mountain seepage areas to estuarine tidal flats. This diversity is primarily due to the wide variety of landforms present, each of which can have different geologic and hydrologic characteristics.

The greatest acreages of wetlands are in the coastal plain, where flood-plain wetlands are most extensive and tidal freshwater swamps and estuarine marshes meet. Most of Georgia's wetlands are forested freshwater habitats associated with streams. The Okefenokee Swamp in Georgia, one of the largest freshwater wetlands in the United States, is a mosaic of emergent marshes, aquatic beds, forested and scrub-shrub wetlands, and forested uplands.

The coast of Georgia comprises a vast array of wetlands ranging from freshwater non-tidal and tidal wetlands to estuarine wetlands, or saltmarshes. With approximately 100 linear miles of coastline, Georgia boasts approximately 348,000 acres of estuarine tidal marsh.

State Definition of Wetlands

Wetlands are defined in various state statutes. The Georgia Planning Act uses the federal definition of "freshwater wetlands." In addition, the Georgia Planning Act provides definitions for "non-forested emergent wetlands," "scrub/shrub wetlands," "forested wetlands," and "altered wetlands." Under the Coastal Marshlands Protection Act, definitions for "coastal marshlands," "vegetated marshlands," and "estuarine areas" are given.

Historic Wetland Loss/Gain

Original Wetland Acreage	Remaining Wetland Acreage	Acreage Lost	% Lost
6,843,200	5,298,200	1,545,000	23%

Source: US Fish and Wildlife Service (Dahl, 1989)

Georgia also has NWIPlus study findings(contact the CRD for more information).

Primary State Wetlands Webpage

Georgia Department of Natural Resources - Coastal Resources Division – Marsh and Shore Permits Page
<http://coastalgadnr.org/msp>

Georgia Department of Natural Resources – Coastal Management Division - Wetland Website
<http://coastalgadnr.org/cm/wet>

Army Corps of Engineers – Savannah District
<http://www.sas.usace.army.mil/Missions/Regulatory/RegulatoryProgram.aspx>

State Wetland Program Plan

Georgia EPD Wetland Program (2011-2016)
<http://water.epa.gov/type/wetlands/upload/ga-wpp-2011.pdf>

No Net Loss/Net Gain Goal

Georgia states in its wetland program plan that the state has the goal to achieve results consistent with the national “no net loss” of wetlands goal.

State Resources for Wetland Work (2014)

State Name	Core element #1: Regulation	Core Element #2: Monitoring and Assessment	Core Element #3: Wetland Water Quality Standards	Core Element #4: Voluntary Wetland Restoration
Agency	EPD	CRD	EPD	DNR – Wildlife and Coastal Resources
Sources	Not available	Not available	Additional grant-funded research on WWQS in other states	Not available
Amount	Salary and Benefits	Not available	Not available	Unknown (Grant funds for document to assist local government support voluntary restoration work)
Staffing	Not available	Not available	Not available	Not available
Agency	CRD	EPD		
Sources	Not available	Not available		
Amount	Salary and Benefits	Not available		
Staffing	Not available	Not available		

State Permitting Fees

State Permitting Fee	State Name
Yes/No	No
Amount (range)	N/A
Agency	N/A

Innovative Features

Wetland GIS tools that have been recently developed by the state
<http://arcscripts.esri.com/details.asp?dbid=13550>

Models and Templates

None.

Section B. Regulation

How are Wetlands Regulated in Georgia?

Georgia relies on §401 water quality certification to regulate wetlands statewide, but also has additional laws and regulations governing tidal wetlands protection and planning. Section §401 water quality certification provides protection for both the state’s tidal and non-tidal wetlands. The certification process is administered by the Environmental Protection Division (EPD) of the Georgia Department of Natural Resources (GA DNR). The state is actively working to strengthen its §401 certification program and outlines several of these efforts in its current state wetland program plan. All of the project applications received by EPD are approved for certification, although the division may apply conditions or work with permit applicants to modify projects to meet state requirements. Decision-making is based on a combination of best professional judgment and a quantitative review for consistency with the state’s water quality provisions, local ordinances, Erosion and Sedimentation Act, and other relevant statutes and provisions.

Georgia’s *Coastal Marshlands Protection Act (CMPA)* creates a separate permitting program for tidal wetlands. Under the Act, GA DNR’s Coastal Resources Division (CRD) regulates all dredging, draining, or other alterations to marshlands. These types of activities are prohibited without first obtaining a “Marsh Permit.” In addition, the construction or location of any structure on or over marshlands of the state without a permit is also prohibited. Activities that are water-related and/or dependent on waterfront access must avoid and minimize impacts to the extent practicable. If a non-marshland alternative site is available, or the project can be satisfied by the use of public facilities, a permit is not usually granted. Permit applications are usually approved, but often with modifications.

In cases where the proposed activity involves construction on state-owned tidal wetlands, a “Revocable License” is normally issued by the CRD. A Revocable License grants permission to use publicly-owned lands lying below the ordinary high water mark. The license is required for any activities that would impact tidally influenced waters, salt marshes, intertidal areas, mud flats or tidal waterbottoms in the state’s coastal counties. This includes bank stabilization projects, projects that require a CMPA permit, projects that are specifically exempt from the CMPA, and most activities authorized under the U.S. Army Corps of Engineers’ Nationwide Permits.

On March 26, 2007, Georgia established rules to guide permitting under the Coastal Marshlands Protection Act. The regulations impose marshlands buffer, stormwater management, and impervious cover standards for the upland component of a tidal wetlands project. The new regulations also require the Coastal Marshlands Protection Committee to develop an application checklist list for permit applicants. Activities in the state’s coastal counties also require a determination of federal consistency. In other words, direct federal activities, federal permits and licenses, and federally-assisted projects may not proceed without a determination or certification that the activity complies with the policies of the Georgia Coastal Management Program. Only activities requiring a federal permit necessitate certification of consistency.

The Wildlife Resources Division (WRD) also conducts non-regulatory wetland-related activities. The CRD has been engaged in wetlands work including projects such as marsh dieback, living shoreline implementation, National Wetland Inventory updates, wetland functional assessments, and estuarine wetland condition assessments.

The Comprehensive Planning Act, which focuses on land use planning at the local level, also recognizes the importance of wetlands. At the state level, GA DNR is required to develop minimum standards and procedures for the protection of numerous natural resources, including wetlands. The act also directs the Georgia Department of Community Affairs to incorporate these planning criteria into local government minimum standards and procedures. At a minimum, the state must define, identify, and map open water, non-forested emergent wetlands, scrub/shrub wetlands, forested wetlands, and altered wetlands. The act applies only to freshwater wetlands for the state, as defined under the Clean Water Act. Coastal marshlands defined under the CMPA are not included.

Wetland Delineation

Delineation Guidance	Yes	No	Detail
Use State’s Own Method		X	
Use Corps’ 87 Manual and Regional Supplement	X		
Other (Please describe)		X	

Evaluation Methodology

The state does not have an evaluation methodology. Evaluation is conducted by the Savannah District of the Army Corps of Engineers.

Exempted Activities

Comparable to federal exemptions. Georgia has additional buffer requirements for streams.

Special Provisions for Agriculture and Forestry

Comparable to federal provisions.

Penalties and Enforcement

Enforcement mechanisms under the state’s water quality laws apply to wetlands statewide. Violations to state water quality provisions may result in civil penalties of up to \$50,000 per day of the violation.

Penalties may be doubled for violations from the same party within a one-year period. Violations are typically investigated initially by regional EPD staff, but may proceed to higher levels of investigation depending on the level of compliance.

Under the CMPA, CRD maintains a compliance and enforcement program for the state’s tidal wetlands as well. Monthly or bimonthly over-flights of the Georgia coastline are conducted to find potential violations. Jurisdiction is given to the superior court of the county in which the violation occurs. The CMPA outlines enforcement mechanisms that may be used singularly or in combination. These include cease and desist orders, civil penalties of up to \$10,000 per day of the violation, injunctions, and restoration.

Permit Tracking

Both EPD and CRD maintain basic tracking systems for §401, revocable licenses, and CMPA permits, respectively. The EPD database includes basic data such as location, wetland type, and acreage.

State General Permit (statewide vs. regional coverage)

Permit Coverage	Yes	No	Detail (Type of Permit)
Regional General Permit	X		CRD has regional general permits from the Corps (e.g. dock permitting)
Statewide General Permit		X	

Detail: The state carries out Nationwide Permits on behalf of the Corps and has an active role in implanting the permit.

Assumption of §404 Powers

Assumption Status	Yes	No	Detail
Assumed		X	
Working Toward Assumption		X	
Explored Assumption		X	Consideration of assumption has only been on an informal basis.

Joint permitting

The state has a joint permitting arrangement with the Corps, including a single application form, timeline and joint public notice process.

Special Area Management Plans and Advanced Identification Plans

No information available.

Buffer Protections

Georgia has no buffer requirements for freshwater wetlands. The state’s Coastal Marshlands Protection Act regulations may impose marshlands buffers. Contact CRD for additional information about marshland buffers. Georgia has additional buffer requirements for streams.

Mitigation Policy

Georgia's state laws and regulations do not include wetland or stream mitigation requirements; instead, the state relies on federal requirements for impacts to wetlands and streams. GA DNR has worked with the Georgia Department of Transportation (GA DOT) to identify priority sites for wildlife conservation that may also serve wetland and/or stream mitigation needs. They completed a *Comprehensive Wildlife Conservation Strategy*, which includes a priority to increase coordination with GA DOT both to minimize impacts and to facilitate mitigation.

Mitigation Database

The amount of mitigation required for each compensatory mitigation project is included in EPD's tracking system for §401 permits.

Section C. Monitoring and Assessment

Agency Responsible for Wetland Monitoring and Assessment

The Georgia Environmental Protection Division (EPD) has a wetlands monitoring program. The program is new and is in the process of developing monitoring and assessment activities. EPD also has established stream and lake water quality monitoring programs. The CRD has completed wetland functional assessments and estuarine wetland condition assessments (<http://coastalgadnr.org/cm/wet>).

Mapping/Inventory

- The Georgia Department of Natural Resources (GA DNR) updated the National Wetlands Inventory (NWI) data for the state's six coastal counties.
- Georgia is currently working to integrate wetlands mapping and trend analysis efforts into monitoring and assessment work; create an updated GIS dataset of wetland coverages in the State; establish GIS coverage of wetland monitoring sites; apply monitoring data to calibrate/analyze wetland coverages; establish a data set of various wetland conditions throughout the State of Georgia; utilize wetlands mapping information to select and evaluate potential monitoring sites; and develop a web-based application where the wetland data can be accessed interactively.
- WRD, EPD, and University of Georgia are working together to map high priority wetland habitats in the state for restoration, acquisition, and mitigation purposes.
- The state has developed a Georgia Wetland Conservation Strategy and action plan, which includes wetlands.
- EPD and the University of Georgia (UGA) received a grant to map wetland areas and identify through monitoring and assessment wetlands with high/medium/low restoration potential.
- The state has also utilized NWIPlus data to develop a report entitled, "*Predicting Wetland Functions at the Landscape Level for Coastal Georgia Using NWIPlus Data*," which can be downloaded from: <http://coastalgadnr.org/cm/wet>

State Wetland Mapping Public Portal

Wetland maps are available through the NWIPlus website and the password-protected GeorgiaGIS Clearinghouse website at <https://data.georgiaspatial.org/login.asp?CookieTest=2>

Wetland Classification and Assessment

The state does not have any formal wetland classification and assessment requirements or methods; instead deferring to the Corps for this work, which uses an HGM methodology for wetland assessment. The Corps utilizes the regional supplement to the 1987 delineation manual.

Statewide Wetland Monitoring Plan

The state does not have a formal statewide wetland monitoring plan. However, Georgia’s Environmental Protection Division (EPD) has received a sequence of grants for wetland monitoring and assessment since 2008, which have detailed work plans. For more information on EPD’s planning and development process, see related goals listed in the EPD’s wetland program development plan: <http://water.epa.gov/type/wetlands/upload/ga-wpp-2011.pdf> . For more information about monitoring plans undertaken by the Coastal Resources Division, go to: <http://coastalgadnr.org/cm/wet>.

Overall Wetland Gain and Loss Tracking System

The state does not have an overall wetland gain and loss tracking system at this time.

Wetland Monitoring and Assessment Characteristics

Level	None	Level 1	Level 2	Level 3
<i>Georgia</i>		X	X (Conducted using USRAM)	X (Consists of whole day sampling and includes water quality, soils, frog monitors, and macroinvertebrates)

Type	None	IBI	Condition	Functional
<i>Georgia</i>			X	X

Frequency	None	Project Specific	Ongoing
<i>Georgia</i>		X	X (as part of a grant-funded sequence)

Detail: Contact individual agencies for information about specific monitoring an assessment efforts.

Participation in National Wetland Condition Assessment

NWCA Study Type	Yes	No
National Study	X	

State Intensification Study	X (Regional)	
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Detail: Georgia was included in a regional intensification study conducted by the NWCA Southeast Working Group.

Section D. Water Quality Standards

Wetland and Water Quality Standards

Type	None	Use Existing WQ Standards	In Process	Adopted	Future Direction
<i>Wetland-specific Designated Uses</i>		X			
<i>Narrative criteria in the standards to protect designated wetland uses</i>		X (not wetland-specific; extra)			
<i>Numeric criteria in the standards based on wetland type and location to protect the designated uses</i>	X				
<i>Anti-degradation policy includes wetlands</i>		X			

Description: Georgia does not have water quality standards (WQS) specific to wetlands. Surface water quality criteria are narrative, chemical, and biological. The regulations do not identify designated uses for wetlands, defaulting to open water uses: drinking water; recreation; fishing, propagation of fish, shellfish, game, and other aquatic life; wild river; scenic river; and coastal fishing. The state antidegradation policy also is not specific to wetlands. A higher level of protection is given to waters designated as “outstanding natural resource waters.” In the absence of wetland-specific WQS, decisions pertaining to National Pollutant Discharge Elimination System permits and §401 certifications rely on surface water criteria and standards.

Section E. Voluntary Wetland Restoration

Types of Wetland Restoration Work Funded by the State:

Type of Work	YES	NO	Description
Fund Wetland Restoration (may include easement agreements)	X (Limited)		Limited state investment through some NPS grants that include wetland restoration work and financial incentives to landowners provided through State Wildlife Grants

Private Land Restoration	~	X	Only through State Wildlife Grant Incentive Program
Public Land Restoration	X		The Wildlife Resources Division conducts some restoration-related activities for wetlands, with a focus on habitat preservation, creation, and rehabilitation.
Technical Assistance	X		GA DNR is working with private landowners, particularly private forest landowners through the sustainable forestry certification process
Tax Incentives	X		Conservation Use Valuation Assessment Program – EPD certifies if property contains environmentally-sensitive land (including wetlands); reduction in property tax if property owner protects area (takes land out of use).
Other	X		Financial assistance through State Wildlife Grants
Other	X		GA DNR Sustainable forestry certification process

Description: Georgia does not have a formal wetland restoration plan or program. However, the state does have a number of restoration activities:

- The Wildlife Resources Division conducts some restoration-related activities for wetlands, with a focus on habitat preservation, creation, and rehabilitation.
- GA DNR works with private landowners, particularly private forest landowners through the sustainable forestry certification process, to encourage voluntary protection of high priority habitat, including wetlands. Where possible, financial incentives are provided through State Wildlife Grants, Partners for Fish and Wildlife, and Farm Bill programs.
- The State’s Conservation Use Valuation Assessment Program administered by EPD, certifies if property includes environmentally-sensitive land (wetlands are considered to be environmentally sensitive from this program). Landowners then receive a reduction in taxes for keeping that land out of use.
- EPD, through the implementation of Georgia’s NonPoint Source Program (“NPSP”), provides funds to local governments to assist with the restoration and protection of wetlands impacted or threatened by nonpoint source pollution. Past projects include wetland construction for municipal stormwater management, and supporting the Georgia Forestry Commission with the investigation of complaints of nonpoint source pollution from silviculture activities impacting State waters, including wetlands.

Voluntary Wetland Restoration Program Components

Wetland Restoration Efforts	Nothing in the Works	Planning	In Progress	Mature/ Complete
Program has a set of restoration goals	N/A			
Coordinate with relevant agencies that outline restoration/protection goals and strategies and timeframes	N/A			

Developed multi-agency body to coordinate restoration/ protection efforts	N/A			
Set restoration goals based on agency objectives and available information	N/A			

Goals for Restoration Projects

Goal	Yes	No	Description
No Net Loss			
Reverse Loss/Net Gain			
Nonpoint Source Pollution (NPS)/WQ			
Total Maximum Daily Load (TMDLs)			
Habitat	X		Wildlife Resources Division
Coastal Protection			
Floodwater Protection			
Groundwater			
Other (please describe)			

Landowner Guides and Handbooks to Assist with Voluntary Wetland Restoration Efforts

None.

Section F. Innovative and/or Highly Effective Education and Outreach

Additionally, River of Words (“ROW”) conducts a free statewide poetry and art contest for youth on the theme of watersheds (rivers, streams, wetlands, and lakes). The contest is designed to help youth explore the natural and cultural history of the place they live, and to express, through poetry and art, what they discover. Included in the ROW program is a ROW Teacher's Resource Guide with stimulating activities covering journaling, drawing, and writing for K-12 students.

EPD sponsors EEinGEORGIA.org, a collaboration of environmental educators throughout the state, agencies such as the Department of Community Affairs and Department of Education, and educational organizations such as Environmental Education Alliance of Georgia, Georgia Learning Connections, and the Georgia Parent Teacher Association. Initial funding for the program came from EPA. EEinGEORGIA.org provides lesson plans, a directory of environmental education providers and resources for the state, news, and other information. The organization also provides training on various environmental education topics, including Project WET (Water Education for Teachers).

Section G. Climate Change and Wetlands

The state wetland program does not actively engage in any work related to climate change and wetlands currently. CRD has done some work related to modelling sea level rise. Most work in the state related to climate change has been conducted by universities and nonprofits. The term “climate change” is not used.

Section H. Integration

Entity/Program Area	Yes/No	Description of the Connection
NPDES/NPS/Stormwater	YES	401 review of projects includes looking at all other permitting requirements, including SW; regional offices are general and deal with all areas/make sure all are considered.
303(d)	NO	
305(b) reporting on wetlands	NO	
Total Maximum Daily Load (TMDLs)	NO	
Climate Change/ Resiliency	Very Limited	CRD has done limited work related to sea level rise modeling, etc. EPD has no connection to climate change work
Land Use /Watershed planning	YES	Limited to specific projects (e.g. guidebook for local governments; GIS tool; NWIPlus work). Also wetlands are required to be considered in watershed protection plans, including monitoring activities.
Flood/Hazard Mitigation	NO	Nothing formal, but a consequence of having a floodplain management group more focused on education and technical assistance to local communities.
Coastal Work	YES	Active tidal marshlands protections; EPD and CRD work closely together
Wildlife Action Plan	YES	
Statewide Comprehensive Outdoor Recreation Plan (SCORP)	Unknown	
Other – Transportation	X	GA DOT has begun increasing efforts to integrate environmental considerations into transportation planning in recent years.

State Wetland Program Development Continuum

Continuum Stage		Core Element 1: Regulation	Core Element 2: Monitoring & Assessment	Core Element 3: Wetland Water Quality Standards	Core Element 4: Voluntary Restoration
Mature Stage	High	X 401 Certification + additional tidal wetland permitting program			
Initial Implementation Stage	↑		X (EPD and CRD Jointly)		
Development Stage					
Early Stage	Low			X	X (No formal statewide program)

State Wetland Contacts

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Section J. Useful Websites**State Government Programs**

1. Georgia Department of Natural Resources
<http://www.gadnr.org/>
 - a) Coastal Resources Division Wetland Program
<http://coastalgadnr.org/cm/wet>
 - b) Wildlife Resources Division: Grand Bay Wetland Education Center
<http://www.georgiawildlife.com/Education/GrandBay>
2. Georgia Environmental Protection Division
 - a) Wetland Program Plan
<http://water.epa.gov/type/wetlands/upload/ga-wpp-2011.pdf>
 - b) Water Protection Branch
 - i. Nonpoint Source Program: Georgia Adopt-A-Stream Program
<http://www.georgiaadoptastream.org/db/Default.asp>
 - ii. Wetland Monitoring
<http://www.georgiaadoptastream.org/db/wetlands.asp>
3. Georgia Department of Community Affairs
 - a) Water Resources Technical Assistance
<http://www.dca.state.ga.us/development/PlanningQualityGrowth/programs/WaterResourcesTechnicalAssistance.asp>
 - b) Water Resources Toolkit
<http://www.georgiaplanning.com/watertoolkit/main.asp?PageID=24>

Federal Government Programs

1. USDA Natural Resources Conservation Service
Wetlands Reserve Program
<http://www.nrcs.usda.gov/wps/portal/nrcs/main/ga/programs/easements/wetlands/>

Other Organization Wetland Programs

1. The University of Georgia: Coastal Georgia Adopt a Wetland Program
<http://www.marex.uga.edu/shellfish/wetlandhome.htm>

The Coastal Georgia Adopt-A-Wetland Program is a hands-on education program that promotes wetland conservation through volunteer monitoring. The University of Georgia Marine Extension Service coordinates the program from Skidaway Island, Savannah. The goals are to:

- a) Educate the public on the importance of wetlands
 - b) Increase public awareness of water quality issues
 - c) Train citizens to monitor and protect wetlands
 - d) Collect baseline wetland health data
2. Georgia Land Conservation Center: Georgia Wetlands and Streams Trust Fund

<http://galandcc.com/ga-wetlands-streams/>

In cooperation with the Savannah District of the U.S. Army Corps of Engineers, the Georgia Land Conservation Center manages an in-lieu fee program for the compensatory mitigation for losses of aquatic resources including wetlands and streams as required under Section 404 of the Clean Water Act. Known as the Georgia Wetlands and Streams Trust Fund, the program provides an option for mitigation when wetlands and/or stream credits are not available from eligible mitigation banks.