

Comparison of State and Federal Programs (Category I Wetlands – Resource Management)

	State Program (proposed)	Federal Program
Category I (isolated)	Regulated	Not regulated
Category I (not isolated)	Regulated	Regulated
Resource Definition	Predictable	Unpredictable - Affected by EPA, Corps, and Court Decisions
Wetlands Mapped	Yes	No (delineation required)
Resource Management	State Level	None
Local Knowledge	Yes - extensive	Minimal
Incentives Program	Yes	No
Resource Staff in DE	20 + (existing staff from multiple programs)	None

Comparison of State and Federal Programs (Category I Wetlands - Permitting)

	State Program (proposed)	Federal Program
Wetland Definition	Predictable (plant list reviewed every 10 years)	Unpredictable (plant list reviewed every 6 months)
Wetland Delineations	Not required for Category I	Required for all wetlands
Jurisdictional Determinations	Not required for Category I	Required for all wetlands
Isolated Wetland Determinations	Not required for Category I	Required (Washington, D.C.)
Abbreviated Permits and Exemptions	Yes	Yes
In Lieu Fee Program	Yes	No
Permitting Staff in Delaware	9 existing staff	1 existing staff
Responsiveness	Prompt – readily available to make site visits	Not prompt – limited availability to make site visits
Appeal of Decisions	Environmental Appeals Board	No review board