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Preserving Our Precious Natural Resources

The 100-foot Buffer

A keystone of the Chesapeake Bay Critical Area Protection Program is the establishment, preservation, and maintenance of a 100-foot, naturally vegetated, forested buffer (the Buffer) landward from the Mean High Water Line of tidal waters or from the edge of tidal wetlands and tributary streams. The Buffer acts as a water quality filter for the removal or reduction of sediment, nutrients, and toxic substances found in runoff. The Buffer also minimizes the adverse impact of human activities on habitat within the Critical Area. No disturbance of the Buffer may be permitted by local jurisdictions unless an applicant can meet the strict provisions for a variance.



Nontidal Wetlands

Nontidal Wetlands are transitional areas between uplands and water that are covered with, or saturated by, water for all or part of the year. Examples of nontidal wetlands are marshes, swamps, bogs and streams that are not influenced by tidal waters. Nontidal wetlands are valuable areas for fish and wildlife habitat, are vital to the maintenance of water quality, and provide flood control benefits. These areas must be protected as an important component of the Chesapeake Bay's ecosystem. The minimum standards established by the State and adopted by the local jurisdictions for the conservation of nontidal wetlands in the Critical Area include: (a) the establishment and maintenance of a vegetated buffer of 25 feet around areas identified as nontidal wetlands; (b) new development must not substantially damage or change the character of nontidal wetlands; (c) only new

development that is intrinsically water-dependent, or of substantial economic benefit to the public, is allowed to disturb nontidal wetlands. In the event of such development, measures must be taken to replace lost nontidal wetlands and to provide for water quality benefits and habitat protection equal to or greater than that provided by the original wetlands.

Threatened and endangered species

All local jurisdictions within the Critical Area have adopted protection programs for all federally and State endangered species and their habitat. The limited distribution of the habitats of these endangered species make them highly susceptible to local land disturbances. The Criteria suggest a variety of measures and approaches for the protection of these threatened and endangered species, including designation of areas of nondisturbance around essential habitat, establishment of conservation easements, and land acquisition.



Significant plant and wildlife habitat

The Critical Area Criteria require that protection be afforded plant and wildlife habitats which are of significance from a state-wide or local perspective because of their rarity. Under the Criteria, habitats identified for protection include colonial water bird (heron, egret, tern, etc.) nesting areas; aquatic areas of historic waterfowl concentration; riparian forests (forested areas of 300 feet in width along streams and the Bay's shoreline); relatively undisturbed, large (100 acres or more) tracts of forest which support breeding populations of forest interior-dwelling birds (vireos, warblers, flycatchers, woodpeckers, etc.); certain plant and animal communities which are the best examples of their kind in Maryland; and, other areas determined to be of local significance. Two approaches to habitat protection suggested by the Criteria have been adopted by the local jurisdictions: designation of areas around significant habitats in which disturbances are prohibited; and, protection programs which employ the acquisition of the habitat, conservation easements, cooperative agreements with landowners, or other similar measures.

Anadromous fish spawning areas

Anadromous fish spawning waters are those tributary streams where rockfish, yellow perch, white perch, shad, or river herring spawn, or where such spawning once occurred. These species of fish migrate from their primary ocean habitat to spawn, or breed, in freshwater areas. Anadromous fish are valuable recreational and commercial species, and also are an important component in the Bay ecosystem. The Criteria protect spawning areas by providing for prohibitions on the construction or placement of dams that would interfere with the movement of spawning fish or their larval forms

and by providing time-of-year restrictions on development activities occurring within or near streams. Channelization or other physical alteration, including the introduction of artificial surfaces (riprap, etc.) are limited.

[Native Trees and Shrubs Recommended for Planting in the Critical Area](#)

Native shrubs and trees are the species indigenous to an area -- occurring prior to European contact. Over the past several hundred years, humans have imported or bred plants to suit their cultural, aesthetic, and environmental needs. A number of species have escaped from cultivated gardens or were planted intentionally into natural areas for wildlife benefit, only to cause havoc in the local ecosystem. While some of these plants do provide benefits to wildlife, the long range results are areas that cannot provide for the year round needs of wildlife and are aesthetically unpleasing.

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