

## Wetlands and Waterways Buffer Policy Comparison

Characteristic	Sussex Co. Adopted 5.17.22	Sussex Co. Previous	Center for Inland Bays Recommends	Kent Co.	New Castle Co.	State of NJ	State of MD Critical Areas.
Tidal Wetlands & Waters Width	100 ft.	50 ft.	80 - 500 ft.	100 ft.	100 ft.	300 ft.	100 - 200 ft.
Nontidal Wetlands Width	30 ft.	0 ft.	50 - 100 ft.	25 ft.	50 ft.	0 - 150 ft.	25 ft.
Smaller / Intermittent Streams Width	30 ft.	0 ft.	35 - 150 ft.	50 ft.	100 ft.	300 ft.	≥100 ft.
Larger / Perennial Streams Width	50 ft.	0 - 50 ft.*	80 - 150 ft.	100 ft.	100 ft. or 50 ft. from floodplain	300 ft.	≥100 ft.
Variable Width Buffer Allowance	Yes**	No	No	No	No	Yes***	No
Vegetation Type	Forest or meadow****	Natural	Natural/Forest	Natural/Forest	Natural/Forest	Existing Veg. or Natural/Forest	Natural/Forest
Protects Existing Forest	Yes and No	Yes*	Yes	Yes	Yes	Yes	Yes
Replanting of Trees	No	No	Yes	Yes	Yes	Yes	Yes

*Note: Some variation may exist within a jurisdiction due to overlapping regulations and site considerations. Based upon 5/17/22 adopted ordinance.*

*\*Interpreted and enforced irregularly*

*\*\* By right, buffer can be reduced to half its width with equal square footage compensation to twice the width of any other buffered feature.*

*\*\*\* Through a highly conditioned waiver process*

*\*\*\*\* Non-native species allowed*