



# WETLANDS FACT SHEET # 15

## Wetlands Categorization

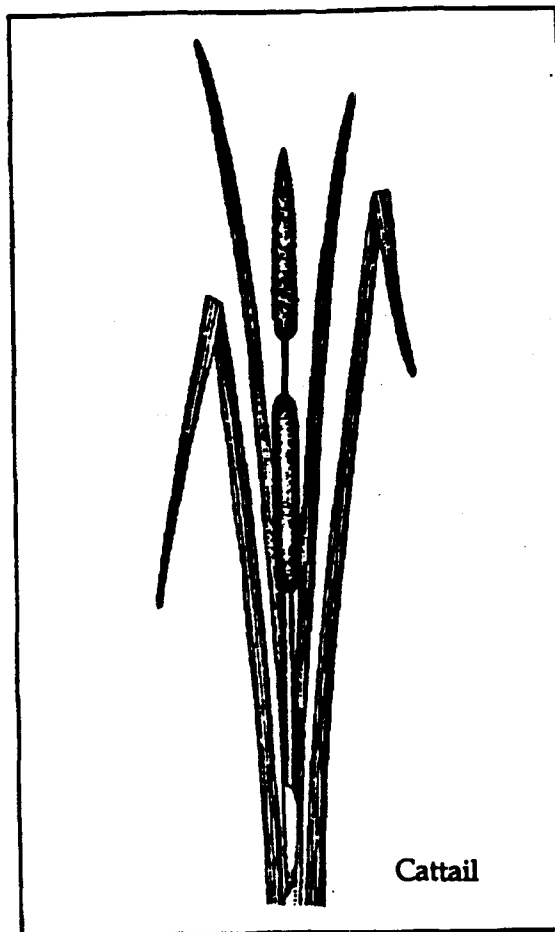
There has been interest over many years in revising the Section 404 regulatory program to base decisions more on the relative values of wetlands as determined in advance based on the type or condition of the wetland. In response, several approaches have been proposed to classify or "categorize" wetlands based on their relative value, with commensurate levels of regulatory protection assigned to each wetland category.

### Issues

Categorization proponents believe wetlands regulation would be improved by focusing agency resources on protection of the most valuable wetlands, by providing greater consistency and predictability in the permit review process, and by reducing regulatory burden for activities in lower value wetlands. However, some have raised concerns that a hierarchical approach to wetlands protection may result in "writing off" low value wetlands and increasing the potential for wetlands "takings" claims for high value wetlands. Additional concerns include the inadequacy of objective methods for identifying and evaluating wetland functions and values, and the increased reliance that some approaches place on mitigation techniques (i.e., wetland restoration and creation), which are still relatively new and unproven. State experience also indicates that categorization programs require substantial time and financial resources to implement.

### Current Status

Wetland values are currently assessed on a case-by-case basis in the Section 404 permit review process. The level of review an individual permit application receives is commensurate with the significance of the environmental impact, considering both the relative value of the wetland and the impacts of the proposed activity. For many in the regulated community, however, such an approach does not provide sufficient predictability and certainty. Efforts in the mid-1980's to categorize wetlands nation-



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ally were abandoned because of scientific uncertainties. A number of States (most notably, New York, Maine, Vermont, and Delaware) have applied or are considering a categorization approach within their wetlands protection programs. Alternatively, some states are establishing wetland categories as they incorporate wetlands into their Water Quality Standards program. Categorization has worked most effectively in the context of local or regional watershed planning initiatives where the relative value of wetlands within the context of a particular watershed can be more accurately assessed.

For more information: call the EPA  
Wetlands Hotline\* at 1-800-832-7828.

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