

SENATE BILL 462

M3

3lr2323

By: **Senator Simonaire**

Introduced and read first time: January 30, 2013

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Wetlands and Waterways Authorizations – Installation of**
3 **Personal Watercraft Lifts**

4 FOR the purpose of authorizing a person to install a certain number of personal
5 watercraft lifts in addition to a certain number of boat lifts or hoists under a
6 minor wetlands and waterways project authorization from the Department of
7 the Environment; establishing a certain application fee for an authorization to
8 install a personal watercraft lift; and generally relating to wetlands and
9 waterways authorizations.

10 BY repealing and reenacting, without amendments,
11 Article – Environment
12 Section 5–203.1(a)(8)
13 Annotated Code of Maryland
14 (2007 Replacement Volume and 2012 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – Environment
17 Section 5–203.1(b)(4) and (5)
18 Annotated Code of Maryland
19 (2007 Replacement Volume and 2012 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
21 MARYLAND, That the Laws of Maryland read as follows:

22 **Article – Environment**

23 5–203.1.

24 (a) (8) “Minor project” means a project that:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) Proposes to permanently impact less than 5,000 square feet
2 of wetlands or waterways, including the 100-year floodplain; and

3 (ii) Does not meet the definition of a major project.

4 (b) (4) Subject to paragraph (5) of this subsection, an application for the
5 following minor projects shall be accompanied by the following application fees:

6 (i) Installation of one boat [lift, hoist, or personal watercraft
7 lift] **LIFT OR HOIST** at each authorized slip, not exceeding four slips, lifts, or hoists
8 per pier..... \$300;

9 (II) **INSTALLATION OF ONE PERSONAL WATERCRAFT LIFT**
10 **AT EACH AUTHORIZED SLIP, NOT EXCEEDING TWO SLIPS OR PERSONAL**
11 **WATERCRAFT LIFTS PER PIER \$300;**

12 [(ii)] (III) Installation of a maximum of six mooring
13 pilings..... \$300;

14 [(iii)] (IV) In-kind repair and replacement of
15 structures..... \$300;

16 [(iv)] (V) Installation of a fixed or floating platform on an
17 existing pier where the total platform area does not exceed 200 square
18 feet..... \$300;

19 [(v)] (VI) Construction of a nonhabitable structure that
20 permanently impacts less than 1,000 square feet, such as a driveway, deck, pool, shed,
21 or fence..... \$300;

22 [(vi)] (VII) Replacement of an existing bulkhead where the
23 replacement bulkhead does not exceed more than 18 inches channelward of the
24 existing structure..... \$500; and

25 [(vii)] (VIII) In-kind repair and replacement of existing
26 infrastructure..... \$500.

27 (5) The Department may not require an application fee for:

28 (i) The installation of a [boatlift] **BOAT LIFT**, hoist, or personal
29 watercraft lift on existing pilings; or

30 (ii) If the existing structure is functional and there is no
31 increase in the original length, width, height, or channelward encroachment
32 authorized under § 16-202, § 16-302, or § 16-307 of this article, the routine
33 maintenance, repair, or replacement of:

- 1 1. A highway structure;
- 2 2. A pier;
- 3 3. A boathouse;
- 4 4. A structure on a pier;
- 5 5. A bulkhead;
- 6 6. A revetment;
- 7 7. A tidal impoundment dike;
- 8 8. A water control structure;
- 9 9. An aboveground transmission facility;
- 10 10. An agricultural drainage ditch; or
- 11 11. A highway drainage ditch.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 July 1, 2013.