

Department of Legislative Services  
Maryland General Assembly  
2016 Session

FISCAL AND POLICY NOTE  
Third Reader - Revised

House Bill 1341

(Delegate McMillan)

Environment and Transportation

Education, Health, and Environmental Affairs

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**State Wetlands License - Temporary Installation of a Boat Canopy - Exemption**

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This bill exempts the temporary installation of a boat canopy, from April 1 through October 1 annually, from the requirement to obtain a license to dredge or fill on State wetlands if the canopy (1) is installed on a boat lift that is attached to a residential pier in water that is at least 6 feet deep at mean low water and (2) is no more than 30 feet in length and 10 feet in width.

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**Fiscal Summary**

**State Effect:** The bill is not anticipated to materially affect State operations or finances.

**Local Effect:** None.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** The Wetlands and Waterways Program within the Maryland Department of the Environment (MDE) administers a statewide program for the management, conservation, and protection of Maryland's tidal wetlands and nontidal wetlands and waterways, including the 100-year floodplain. Permits granted for work in privately owned wetlands are issued by MDE; licenses granted for work in State-owned wetlands are issued by the Board of Public Works.

In general, a person is prohibited from dredging or filling on State wetlands without a license. However, this requirement does not apply to (1) dredging and filling being conducted as of July 1, 1970, under specified circumstances; (2) dredging of seafood

products by a licensed operator, harvesting of seaweed, and approved mosquito control and abatement; (3) approved improvement of wildlife habitat or agricultural drainage ditches; (4) routine maintenance or repair of existing bulkheads, under certain restrictions; or (5) aquaculture activities occurring under a specified lease issued by the Department of Natural Resources.

Under tidal wetlands regulations, the construction of a new boathouse, other than at a commercial marina, in or over State or private wetlands is prohibited. However, a person may conduct routine repair and maintenance of existing boathouses without a license or permit if there is no increase in width, length, height, or channel-ward encroachment.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Maryland Department of the Environment, Board of Public Works, Department of Natural Resources, Department of Legislative Services

**Fiscal Note History:** First Reader - February 29, 2016  
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