



CHESAPEAKE BAY FOUNDATION

*Environmental Protection and Restoration
Environmental Education*

House Bill 149

Wetlands and Waterways – Riparian Rights – Voluntary Registry and Notice

Date: January 19, 2022

Position: **Support**

To: Environment and Transportation Committee

From: Robin Clark, Maryland Staff Attorney

The Chesapeake Bay Foundation (CBF) **SUPPORTS HB 149**. This legislation requires the Department of the Environment to establish and maintain a voluntary registry on the Department's website for property owners who have registered a claim of riparian rights with the Department. It also requires MDE to notify the holder of a covenant for riparian rights of a proposed project in the immediate area at the beginning of the State or local permitting process or other approval process.

Erosion and sea level rise present agencies with special challenges when reviewing waterfront development proposals.

The Chesapeake Bay has gifted Maryland residents with more than 7,700 miles of shoreline. Maryland's state and local environment, natural resource and planning agencies share a critical responsibility to manage development along these sensitive natural edges.

Waterfront development activities including piers and shoreline stabilization may only be authorized when the applicant possesses the riparian right to access and modify the water's edge. Due to natural and human-induced pressures such as sea level rise, land subsidence, sediment transport (littoral drift), and erosion, these edges continually shift – often crossing property lines or the boundaries of an easement for community access. Confusion and disputes can arise when the observed shoreline no longer aligns with these established legal tools.

A voluntary public registry is a reasonable step to protecting sensitive shorelines

Maryland's citizens depend on existing regulatory protections to maintain a balance between human access to the water and to protect existing property rights. Improving access to information about community riparian rights can help maintain public access and stewardship of sensitive shoreline areas.

CBF urges the Committee's FAVORABLE report on HB 149. For more information, please contact Robin Jessica Clark, Maryland Staff Attorney, at 443.995.8753 and rclark@cbf.org.

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The Chesapeake Bay Foundation (CBF) is a non-profit environmental education and advocacy organization dedicated to the restoration and protection of the Chesapeake Bay. With over 300,000 members and e-subscribers, including over 109,000 in Maryland alone, CBF works to educate the public and to protect the interest of the Chesapeake and its resources.