

Department of Legislative Services  
Maryland General Assembly  
2013 Session

FISCAL AND POLICY NOTE  
Revised

Senate Bill 462

(Senator Simonaire)

Education, Health, and Environmental Affairs

Environmental Matters

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Environment - Wetlands and Waterways Authorizations - Installation of Personal  
Watercraft Lifts

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This bill alters the fee schedule applicable to a “minor project” under the Wetlands and Waterways Program within the Maryland Department of the Environment (MDE). Specifically, the bill authorizes an individual to apply to install up to six personal watercraft lifts on a pier, or a combination of boat lifts and personal watercraft lifts, not exceeding four *boat* lifts per pier and six lifts total per pier, upon payment of the \$300 minor project application fee.

The bill takes effect July 1, 2013.

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Fiscal Summary

**State Effect:** Workloads increase minimally for the Wetlands and Waterways Program within MDE related to permit review. Although application fees paid to MDE for certain projects may vary under the bill’s changes, overall, the bill is not anticipated to materially affect State finances.

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

**Small Business Effect:** Minimal.

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Analysis

**Current Law:** Upon payment of the \$300 application fee for a minor project, an individual may apply to install up to four boat lifts, hoists, or personal watercraft lifts on a pier, one per slip.

A “minor project” is a project that proposes to permanently impact less than 5,000 square feet of wetlands and waterways, including the 100-year floodplain, and does not meet the definition of a major project.

**Background:** Chapter 142 of 2008 (HB 1056) established the Wetlands and Waterways Program within MDE as a statewide program for the management, conservation, and protection of Maryland’s tidal wetlands and nontidal wetlands and waterways, including the 100-year floodplain. The goal of the program is to avoid and minimize impacts associated with development and to mitigate impacts that are determined to be necessary and unavoidable. The program is supported by a Wetlands and Waterways Program Fund comprised of application fees for various wetlands and waterways permits and licenses and specified compensation rates for installation of a cable, pipeline, or other structure laid on, in, or under a State wetland.

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. The regulation of nontidal wetlands and waterways affects land development interests; regulated activities in these areas typically affect property owned by private landowners.

Chapter 722 of 2012 (HB 1411) altered the wetlands and waterways application fee schedule by, among other things, reducing the application fee, from \$750 to \$300, for several types of minor projects, including for the installation of one boat lift, hoist, or personal watercraft lift at each authorized slip, for up to four slips, lifts, or hoists per pier. According to MDE’s fee schedule, an individual may apply for multiple categories of minor projects with a single application and payment of \$300, as long as the number of installations in any category of project does not exceed the maximum number allowed in that category.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** HB 994 (Delegate Schuh) – Environmental Matters.

**Information Source(s):** Maryland Department of the Environment, Department of Legislative Services

**Fiscal Note History:** First Reader - February 17, 2013  
mlm/lgc Revised - Senate Third Reader - March 19, 2013

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