

Department of Legislative Services
Maryland General Assembly
2016 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 122

(Delegate Stein)(Chair, Joint Committee on the
Chesapeake and Atlantic Coastal Bays Critical Areas)

Environment and Transportation

Education, Health, and Environmental Affairs

**Critical Area Commission for the Chesapeake and Atlantic Coastal Bays -
Membership From Ocean City**

This bill authorizes the Mayor of Ocean City to appoint a designee to serve, in place of the Mayor, as a member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays. The Mayor of Ocean City, or the mayor's designee, is not subject to the advice and consent of the Senate.

The bill takes effect June 1, 2016.

Fiscal Summary

State Effect: The bill does not directly affect State finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: The Critical Area Commission for the Chesapeake and Atlantic Coastal Bays consists of 29 voting members appointed by the Governor. The members include the Secretaries of Agriculture, Commerce, Housing and Community Development, the Environment, Transportation, Natural Resources, and Planning, ex officio, or their designees. The remaining members are appointed with the advice and consent of the Senate and consist of elected or appointed officials of jurisdictions affected by the Critical Area law and representatives of affected interest groups. The Mayor of Ocean City is

specifically identified as one of the local officials who must be a member of the commission.

Background: Chapter 794 of 1984 established the Chesapeake Bay Critical Area Protection Program in order to minimize damage to water quality and wildlife habitat by fostering more sensitive development activity along the shoreline areas of the Chesapeake Bay and its tributaries. The goals of the program include the protection of water quality, the conservation of habitat, and the accommodation of future growth and development without adverse environmental impacts.

Chapter 794 identified the Critical Area as all land within 1,000 feet of the mean high water line of tidal waters or the landward edge of tidal wetlands and all waters of and lands under the Chesapeake Bay and its tributaries. In 2002, the affected area was expanded to include the State's coastal bays.

The 1984 legislation also created a statewide Chesapeake Bay Critical Area Commission (now called the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays) that oversees the development and implementation of local land use programs dealing with the Critical Area. Each local jurisdiction is charged with the primary responsibility for development and implementation of its own local program; that local authority, however, is subject to commission review and approval.

Additional Information

Prior Introductions: None.

Cross File: SB 132 (Senator Mathias)(Chair, Joint Committee on the Chesapeake and Atlantic Coastal Bays Critical Areas) - Education, Health, and Environmental Affairs.

Information Source(s): Department of Natural Resources, Department of Legislative Services

Fiscal Note History: First Reader - January 28, 2016
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