

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 1077

(Delegate Beitzel)

Environment and Transportation

Education, Health, and Environmental Affairs

Wetlands and Waterways Program – State-Owned Lakes – Structural Shoreline
Stabilization

This bill limits the application fee charged under the Wetlands and Waterways Program within the Maryland Department of the Environment (MDE) for a shoreline stabilization project that impacts a wetland or waterway of a State-owned lake to a maximum of \$750. The bill also requires MDE, in conjunction with the Department of Natural Resources (DNR), to identify up to three types of structural shoreline stabilization practices that may be implemented on a wetland or waterway of a State-owned lake.

Fiscal Summary

State Effect: Because the bill establishes a maximum fee that is consistent with the fee that is generally charged for these types of projects, the bill has no material impact on special fund revenues. Expenditures are not materially affected.

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

Small Business Effect: Minimal.

Analysis

Current Law: The Wetlands and Waterways Program within MDE administers a statewide program for the management, conservation, and protection of Maryland's tidal wetlands and nontidal wetlands and waterways, including shoreline stabilization projects.

Permit application fees are charged based on the project's square footage of permanent impact on wetlands or waterways in the State. Application fees range from \$250 for minor

modifications to \$7,500 per acre for major projects that affect one acre or more. An application for a minor project or a general permit is \$750. According to MDE, application fees for shoreline stabilization projects are generally \$750. However, nonstructural shoreline stabilization projects, such as vegetative stabilization and stream restoration projects, are exempt from the requirement to pay an application fee.

Background: MDE has shoreline stabilization fact sheets available on its [website](#). According to MDE, erosion and sedimentation (the deposition of sediment) are natural processes, but often are in conflict with our use of the shoreline. The most noticeable problem created by erosion is the loss of waterfront property. There are three primary approaches to shoreline stabilization, including (1) no action; (2) nonstructural methods, including beach nourishment, slope grading and terracing, and marsh creation; and (3) structural practices, including revetments, breakwaters, jetties and groins, and sand containment structures. Determining the appropriate approach depends on individual properties and is based on several factors, including the landowner's goals, the amount of wave energy, and the slope of the bank.

There are 16 State-owned or -operated lakes, with Deep Creek Lake being the largest. MDE advises that the department, in conjunction with DNR, has already standardized the shoreline revetments along Deep Creek Lake to two basic designs.

Additional Information

Prior Introductions: None.

Cross File: SB 1070 (Senator Edwards) - Education, Health, and Environmental Affairs.

Information Source(s): Kent and Worcester counties; City of Westminster; Maryland Department of the Environment; Department of Natural Resources; Department of Legislative Services

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