



**The Maryland Department of the Environment
Secretary Serena McIlwain**

House Bill 976

State and Private Wetlands - Nonwater-Dependent Project - Definition

Position: Informational
Committee: Environment and Transportation
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The Maryland Department of the Environment (MDE) offers the following **INFORMATIONAL** testimony on HB 976.

Bill Summary

House Bill 976 provides that a vessel registered under Title 8, Subtitle 7 of the Natural Resources Article is not considered a "nonwater-dependent project," regardless of how it is used or operated. Under current law, nonwater-dependent projects are subject to strict permitting and licensing requirements when constructed over state or private wetlands.

Key Points

The Maryland Department of Natural Resources (DNR) is responsible for the registration of water vessels, and in order to receive such a registration, the vessel must meet certain requirements (such as having a means of mechanical propulsion, *etc.*). However, once a vessel is registered, it can subsequently be modified into a structure that serves a primary purpose other than a water vehicle, including residential or commercial uses.

House Bill 976 creates a broad exception where structures that would otherwise be classified as a non-water dependent project based on their use or operation would not be subject to environmental or public health safeguards simply by first being registered as a vessel. This could lead to a proliferation of permanently moored or stationary floating businesses or residences, including Airbnb rental units, tiki bars, and floating pools. Beyond environmental and public health concerns, such structures could pose ecological risks and degrade viewsheds.

MDE, the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays, and the Board of Public Works review the existing non-water dependent project exception process. This process is designed to protect water quality and public health while allowing for limited exceptions for a single structure of up to 1,000 square feet per property parcel. Under HB 976, any structure initially registered as a vessel, no matter how it is subsequently modified, could circumvent this longstanding process.

MDE respectfully requests the Committee consider this **INFORMATIONAL** testimony on HB 976.

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