



CHESAPEAKE BAY FOUNDATION

Environmental Protection and Restoration
Environmental Education

House Bill 976

State and Private Wetlands - Nonwater-Dependent Project - Definition

Date: February 26, 2025

To: Environment & Transportation Committee

Position: **UNFAVORABLE**

From: Dr. Allison Colden,
MD Executive Director

Chesapeake Bay Foundation (CBF) **OPPOSES** House Bill 976 which would alter the definition of “nonwater-dependent project” to exclude any “vessel” regardless of how the vessel is used or operated.

Development of nonwater-dependent projects in the tidal wetlands and waterways of the State are generally prohibited unless a permit is issued by the Maryland Department of the Environment (MDE). The purpose of the permitting program is to limit impacts to Maryland’s tidal wetlands and shallow water habitats, including submerged aquatic vegetation (SAV).

Tidal wetlands and SAV are known as “blue carbon” habitats. Blue carbon habitats take up and sequester carbon at rates ten times higher than terrestrial forests¹ and are an important tool in the fight against climate change. They are also critically important habitat to important commercial and recreational fisheries species like blue crabs, bay scallops, and striped bass.²

The 2014 Chesapeake Bay Watershed Agreement set restoration goals for both SAV and tidal wetlands. In 2023, SAV extent was estimated at 82,937 acres, a far reach from the 185,000-acre restoration goal, though steadily improving. The wetlands restoration goal – to restore 85,000 acres of nontidal and tidal wetlands – is one of the Agreement outcomes that is considered “off course” and unlikely to be achieved by 2025.

By excluding all “vessels,” regardless of their use, from the nonwater-dependent definition, HB 976 opens up the possibility for houseboats, barges, and any other stationary vessel to be exempt from the permitting required for other over-water structures. This extremely broad definition could have large-scale, permanent impacts on wetlands and SAV which are already falling behind Chesapeake Bay Program goals.

CBF urges the Committee’s UNFAVORABLE report on HB 976.

For more information, please contact Matt Stegman, Maryland Staff Attorney, at mstegman@cbf.org.

¹ National Oceanic and Atmospheric Administration. 2022. “What is Coastal Blue Carbon?” Available [online](#).

² Atlantic Coastal Fish Habitat Partnership. 2009. Species-Habitat Matrix. Available [online](#).

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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 200,000 members and e-subscribers, including 71,000 in Maryland alone, CBF works to educate the public and to protect the interest of the Chesapeake and its resources.