



HB1023 – Landward Boundary of Tidal Wetlands

House Bill 1023 (SB959) seeks to provide the accurate location and mapping of the landward boundary of tidal wetlands within the State when a wetland license is granted by the Department of the Environment for a shoreline stabilization project. Currently, ownership fast land created under a tidal wetland license is retained by the State; however, the state cannot accurately locate or describe that strip of waterfront property.

Mean high water serves as the boundary between State and private ownership for waterfront properties in Maryland. Tidal wetland licenses issued by the Department authorize the applicant to alter the location of mean high water to stabilize the shoreline and prevent further loss of land by erosion. These stabilization projects typically create a strip of “fast land” (i.e. land adjacent to, and higher in elevation than, mean high water) where tidal waters once existed. Ownership of this strip of land is retained by the State. While the application for a shoreline stabilization project requires the plans to show mean high water graphically, there is insufficient information on the plans for a professional land surveyor or property line surveyor to retrace the old boundary, as required when performing a boundary survey on waterfront properties.

This bill will require the plans submitted to the Department to contain accurate data to enable professional land surveyors and property line surveyors to produce subsequent or dependent boundary surveys that both honor the Wetlands Act and satisfy our profession’s standards of practice for accuracy. The bill will have little financial impact on either the licensees or the State, as survey work is already required to produce the necessary Site Plans. We ask that the committee make a favorable recommendation for HB1023.

Respectfully,

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Chairman, Government Affairs Committee
Maryland Society of Surveyors