



CHESAPEAKE BAY FOUNDATION

House Bill 247

Chesapeake and Atlantic Coastal Bays Critical Area Protection Program – Variances – Alterations

Date: February 11, 2026

To: House Environment & Transportation Committee

Position: **FAVORABLE**

From: Gussie Maguire,
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The Chesapeake Bay Foundation (CBF) **SUPPORTS House Bill 247**, which clarifies requirements for Chesapeake and Atlantic Coastal Bays Critical Area land use variances. The Critical Area Protection Program minimizes adverse impacts of human activities on water quality and natural habitats and fosters consistent, uniform, and more sensitive development activity within the Critical Area, a ribbon of land within 1000 feet of the tidal influence of the Bay. The Program is implemented through local governments and reviewed by the Critical Area Commission.

The clarifications set forth in the bill will help ensure that local Critical Area Programs continue to be implemented in a way that is consistent with the water quality and habitat goals they are intended to meet. Currently, variances to land use in the Critical Area can be granted under a broad definition of “unwarranted hardship” and “substantial need”; the bill explicates the common-sense interpretation that “convenience, personal preference, or financial advantage” do not constitute substantial need. This and other small clarifications in the bill remove guesswork from variance decision-making at the local level while still remaining relatively flexible and, most importantly, protective of coastal ecosystems.

CBF urges the Committee’s FAVORABLE report on HB 247.

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

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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.