M3 3lr2610

By: Senator Mautz

Introduced and read first time: February 6, 2023 Assigned to: Education, Energy, and the Environment

	A BILL ENTITLED
1	AN ACT concerning
2	Private Wetlands - Structural Shoreline Stabilization Measures - Authorization
3 4 5	FOR the purpose of authorizing the installation of a structural shoreline stabilization measure on private wetlands under certain circumstances; and generally relating to private wetlands in the State.
6 7 8 9	BY repealing and reenacting, with amendments, Article – Environment Section 16–304 Annotated Code of Maryland (2014 Replacement Volume and 2022 Supplement)
$\frac{1}{2}$	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:
13	Article – Environment
4	16–304.
15 16	(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.
17 18	(2) (I) "NONSTRUCTURAL SHORELINE STABILIZATION MEASURE" MEANS AN EROSION CONTROL MEASURE THAT IS:
9	1. Dominated by tidal wetland vegetation; and

2.

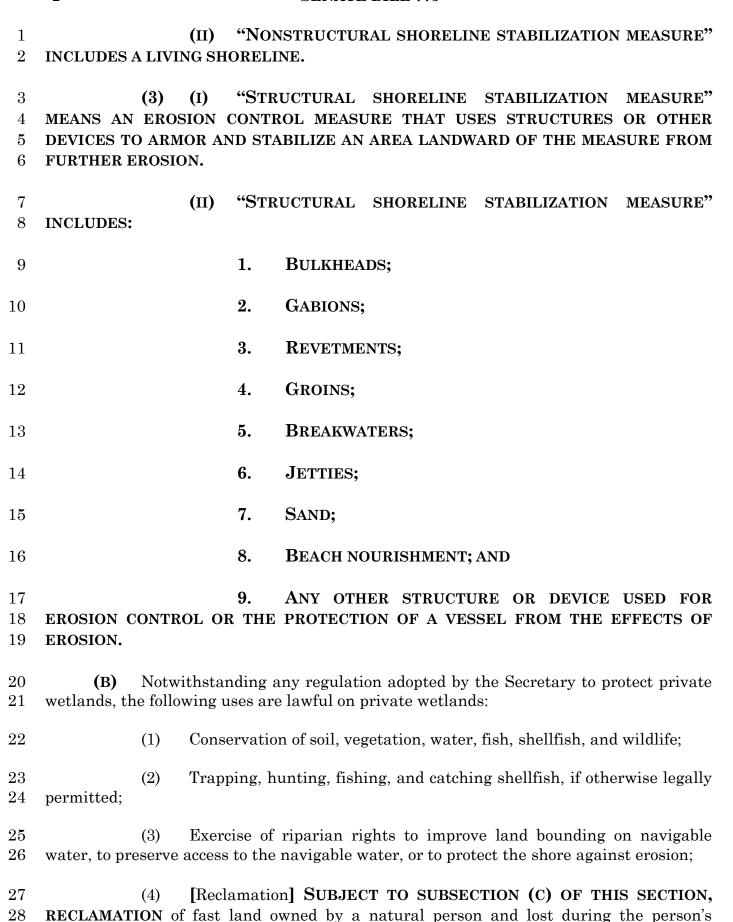
MINIMIZE EROSION, AND ESTABLISH AQUATIC HABITAT.

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DESIGNED TO PRESERVE THE NATURAL SHORELINE,



- 1 ownership of the land by erosion or avulsion to the extent of provable preexisting
- 2 boundaries [. The right to reclaim lost fast land relates only to fast land lost after January
- 3 1, 1972. The burden of proof that the loss occurred after this date is on the owner of the
- 4 land];
- 5 Routine maintenance and repair of existing bulkheads, provided that
- 6 there is no addition or channelward encroachment; [and]
- 7 (6) Installing a pump, a pipe, or any other equipment attached to a pier for
- 8 the cultivation of shellfish seed in a shellfish nursery under a permit issued by the
- 9 Department of Natural Resources under § 4–11A–23 of the Natural Resources Article,
- 10 provided that the pump, pipe, or other equipment does not require increasing the length,
- 11 width, or channelward encroachment of the pier; AND
- 12 (7) Installation of a structural shoreline stabilization
- 13 MEASURE IN CONJUNCTION WITH A NONSTRUCTURAL SHORELINE STABILIZATION
- 14 MEASURE IF THE STRUCTURAL SHORELINE STABILIZATION MEASURE CONSTITUTES
- 15 NOT MORE THAN 10% OF THE TOTAL LINEAR FOOTAGE THAT WILL BE STABILIZED
- 16 BY THE NONSTRUCTURAL SHORELINE STABILIZATION MEASURE.
- 17 (C) (1) THE RIGHT TO RECLAIM LOST FAST LAND RELATES ONLY TO FAST
- 18 LAND LOST AFTER JANUARY 1, 1972.
- 19 (2) THE BURDEN OF PROOF THAT THE LOSS OF FAST LAND
- 20 OCCURRED AFTER JANUARY 1, 1972, IS ON THE OWNER OF THE LAND.
- 21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 22 October 1, 2023.