

Tidal Wetlands Regulations – Living Shoreline Protection Act of 2008

House Bill 973, entitled the Living Shoreline Protection Act of 2008, was signed into law by Governor O'Malley on April 24, 2008. The Bill focuses on the retention of natural shoreline form, habitat and ecological function and, where shoreline protection is necessary, mandates the use of wetland creation and habitat enhancement projects wherever technologically and ecologically appropriate. The Bill requires the Maryland Department of the Environment to (1) map areas appropriate for structural shoreline stabilization measures; (2) establish a waiver process for individuals that can demonstrate that nonstructural shoreline stabilization is not feasible; and (3) adopt regulations to implement the provisions of the law in cooperation with the Maryland Department of Natural Resources.

REGULATION PROMULGATION SCHEDULE

DATE	ACTION
02/01/09 - 02/11/09	Compile list of stakeholders
03/20/09	Complete coordination with Maryland Department of Natural Resources and the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays
03/23/09	Complete coordination with Office of the Attorney General
03/24/09 – 05/05/09	Complete revisions to proposed regulations
05/08/09	Mail informational package to interested persons announcing a Stakeholders Meeting and transmitting a copy of the draft regulations, mapping protocol and waiver flowchart for review and comment
06/12/09	Stakeholder Meeting at Montgomery Park
06/26/09	Comments due on draft regulations
06/29/09 – 07/13/09	Finalize proposed regulation package
07/13/09	Submit proposed regulations package to Administrative, Executive, and Legislative Review (AELR) Committee for 30-day review
09/09/09	Submit proposed regulations package to Division of State Documents
09/25/09	Proposed action on regulations published in the Maryland Register
10/06/09	Public Hearing on proposed regulations package
10/26/09	End of comment period for proposed regulations package
10/27/09 – 11/10/09	Address comments and prepare regulation package for final publication
11/10/09	Submit final regulations package to Division of State Documents
11/20/09	Final action on regulations published in the Maryland Register
11/30/09	Effective date of regulations