

Effective July 1, 2008, all applicants for wetlands and waterways authorizations issued by the Wetlands and Waterways Program of the Maryland Department of the Environment and Tidal Wetlands licenses issued by the Board of Public Works, must pay an application fee.

House Bill 1056 establishes application fees for activities in wetlands and waterways requiring an authorization from the Wetlands and Waterway Program of the Maryland Department of the Environment (MDE); exempts some types of applicants and activities from the application fees; and establishes the Wetlands and Waterways Program Fund.

Application fees go into the Wetlands and Waterways Program Fund. The Fund must be used for activities related to review of applications; the management, conservation, protection and preservation of wetlands and waterway resources; and development of programs associated with the Water Management Administration of MDE. The Fund will be used to improve the level of service to the regulated community and reduce delays and duplication in the wetland and waterway permit process.

The following projects and activities are exempt from the application fee:

- Activities conducted by a State, Municipal, County, or Multi-county agency;
- Agriculture best management practices contained in a Soil Conservation and Water Quality Plan approved by the local Soil Conservation District;
- Forestry best management practices contained in an Erosion and Sediment Control Plan prepared by a registered forester and approved by the local Soil Conservation District; and
- Stream restoration, vegetative shoreline stabilization, wetland creation, or other projects that enhance wetland or water resources.

The following fees apply:

1. For an application for a minor project, general permit .....\$750;
2. For an application for a minor modification .....\$500;
3. For an application for a major project or major modification with a proposed impact of:
  - Less than ¼ acre.....\$1,500;
  - At least ¼ acre, but less than ½ acre .....\$3,000;
  - At least ½ acre, but less than ¾ .....\$4,500;
  - At least ¾ acre, but less than 1 acre.....\$6,000; and,
  - 1 acre or more with the impact area in acres multiplied by \$7,500.

A minor project is a project that proposes to impact less than 5,000 square feet of wetland, waterway, and/or 100-year floodplain, and is not otherwise considered a major project, as defined below. A mining activity undertaken on affected land is also considered a minor project regardless of the size.

A modification can only be issued for an existing, current project.

A major project is a project that:

- Proposes to impact 5,000 square feet or more of wetland, waterway, and/or the 100-year nontidal floodplain; OR
- Is located in an area identified as potentially impacting threatened or endangered species or species in need of conservation; OR
- Is located in an area that has been identified as potentially impacting historical or archeological resources; OR
- Is located in an area identified as potentially impacting a Nontidal Wetland of Special State Concern; OR
- Is adjacent to Use III or IV waters as defined in regulation; OR
- Requires the issuance of a public notice as part of the application review.

At the time of application, an application fee of \$750 along with a copy of the first page of the application must be sent to: Maryland Department of the Environment, P.O. Box 2057, Baltimore, Maryland 21203-2057. Your check should be made payable to MDE with the following numbers noted on the check: 13910/4142. The application package, including all plans and reports, must still be sent to the Maryland Department of the Environment, Water Management Administration, Regulatory Services Coordination Office, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland 21230.

\* Please note that processing of your application will not commence until the \$750 application fee is received. Once the Department has completed its review of the application, you will be notified if there are any additional fees. The Department will not issue a permit until all fees are paid.