



**Living Shoreline Waiver Request**  
*Maryland Department of the Environment*  
*Water Management Administration*



The Living Shoreline Protection Act of 2008 requires that improvements to protect a person’s property against shoreline erosion consist of marsh creation or other nonstructural shoreline stabilization measures (i.e. Living Shorelines) that preserve the natural environment unless:

- A) The project shoreline is mapped by the Maryland Department of the Environment (MDE) as an area appropriate for structural shoreline stabilization measures, or
- B) The applicant can demonstrate to MDE’s satisfaction that nonstructural measures are not feasible due to excessive erosion, severe high energy conditions, or the fact that the waterway is too narrow for effective use of nonstructural shoreline stabilization measures.

A person meeting any of these conditions should provide the information requested below, which will help to demonstrate that nonstructural shoreline stabilization measures are not feasible for the project site and provide the basis for the issuance of a waiver by MDE exempting the property owner them from the requirement to construct a living shoreline.

- 1. Name of Property Owner: \_\_\_\_\_
- 2. Address of Property Owner: \_\_\_\_\_  
 \_\_\_\_\_
- 3. Address of Project Site: \_\_\_\_\_  
 \_\_\_\_\_
- 4. Previous MDE permit number (*if known*): \_\_\_\_\_

Please refer to the Living Shoreline Waiver Diagram on Page 3 and the Living Shoreline Waiver Flowchart on Page 4 when you answer the questions in the following table.

NUMBER	CATEGORY	QUESTION	ANSWER
1	<b>Navigation</b>	Distance in feet from the Mean High Water Line to the edge of the closest mapped or unmapped navigable channel.	
2	<b>Width of Waterway</b>	Distance in feet from edge of worksite shoreline perpendicular across the waterway to the opposite shoreline.	
3	<b>Depth at Toe of Bank</b>	Depth of the water in feet from the Mean Low Water Line to the bottom or toe of the shoreline bank.	

NUMBER	CATEGORY	QUESTION	ANSWER	
4	<b>Depth of Waterway</b>	Depth of water in feet relative to the Mean Low Water Line at the channelward extent of the proposed <b>nonstructural</b> shoreline erosion control measure.		
5	<b>Fetch</b>	Distance in feet from the edge of the worksite shoreline across the closest waterway in the direction of prevailing summer/winter winds to the opposite shoreline.		
6	<b>Bank Orientation</b>	Provide a compass direction perpendicular to the line of the worksite shoreline. Direction can be given as NE, SW, etc. or as a compass heading (i.e., 45°, 225°).		
7	<b>Bottom Substrate</b>	Firmness of bottom material or substrate?	Hard	Soft
		Describe the composition of the bottom material or substrate (i.e., sand, mud, silt, clay, gravel)? <i>Explain:</i> _____ _____ _____		
8	<b>Sensitive Species</b>	Will project construction adversely impact fish, plant, or wildlife habitat? If unknown, leave this section blank. MDE will coordinate with the Maryland Department of Natural Resources to determine if there are any potential impacts to sensitive species.	Yes	No
		How will a structural shore erosion control project minimize impacts to fish, plant and wildlife habitat? <i>Explain:</i> _____ _____ _____		
9	<b>Site Access</b>	Is access to the work site via <u>water</u> impractical?	Yes	No
		How will the worksite be accessed to facilitate construction of the project? <i>Explain:</i> _____ _____ _____		