



**PUBLIC NOTICE**

Extensions to Tidal Wetlands Licensing and  
Section 401 Water Quality Certification Regulatory Deadlines  
for Certain Activities During the COVID-19 Pandemic

This notice is given by Ben Grumbles, Secretary of the Maryland Department of the Environment (“MDE”), acting pursuant to the Proclamation of Governor Lawrence J. Hogan, Jr. (the “Governor”) dated March 5, 2020 proclaiming a state of emergency and a catastrophic health emergency related to COVID-19, as it may be amended or renewed from time to time, and the Order of the Governor dated March 12, 2020 entitled “Extending Certain Licenses, Permits, Registrations, and Other Governmental Authorizations, and Authorizing Suspension of Legal Time Requirements,” as it may be amended from time to time, after finding that the action(s) described herein will not endanger the public health, welfare, or safety.

The Tidal Wetlands Division of the Wetlands and Waterways Program reviews applications for permits or authorizations to impact tidal wetlands, and the Wetlands and Waterways Program processes requests for water quality certifications under the authority of Section 401 of the federal Clean Water Act. The Tidal Wetlands statute (Title 16 of the Environment Article) and regulations governing the permitting and authorization process contain various process-related requirements and several mandatory timeframes. MDE procedural regulations pertaining to Section 401 water quality certifications also contain certain process-related requirements and a mandatory timeframe. These process-related requirements and mandatory deadlines include:

**Tidal Wetlands**

Deadline/Timeframe

Statutory/Regulatory Citation

Within 45 days of receipt of application, the Department shall notify applicant as to whether application is complete and what additional information is required.

26.24.02.02D / Env’t §16-202(c)

Once the application is complete in accordance with subsection (c) of 16-202, the Department shall grant, deny, or condition a License within 45 days.

Env’t § 16-202(d)

A hearing requested under paragraph (1) of this subsection shall be held within 45 days of the hearing request, unless extenuating circumstances justify an extension time.

Env’t § 16-202(1)(2)



# Maryland

## Department of the Environment

Larry Hogan, Governor  
Boyd K. Rutherford, Lt. Governor

Ben Grumbles, Secretary  
Horacio Tablada, Deputy Secretary

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### Water Quality Certification

#### Deadline/Timeframe

A notice of a public hearing shall be published in the Maryland Register at least 45 days before the hearing.

#### Statutory/Regulatory Citation

26.08.02.10F(d)

The time frames identified in the statutes and regulations referenced above are hereby suspended. This Notice is effective immediately and shall remain in effect until [30 days after] the state of emergency has been terminated and the proclamation of the catastrophic health emergency has been rescinded.

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Ben Grumbles, Secretary