



Water and Science Administration - Wetlands and Waterways Protection Program

GUIDANCE AND FORM FOR EMERGENCY REPAIRS FOR DAMAGE RESULTING FROM ANY MAJOR NAMED STORM/HIGH TIDE EVENT

To expedite repair efforts resulting from recently named storms, the Maryland Department of the Environment (“MDE” or “Department”) has issued the following guidance regarding repairs in State or Private Tidal Wetlands. Individuals conducting in-kind emergency repairs must complete an Emergency Notification Form and submit it to the Tidal Wetlands Division. Emergency repairs that will not be conducted in-kind are subject to the emergency licensing procedures located [HERE](#) and should not use this form. Furthermore, applicants should contact the Department to determine if supplementary authorizations, such as a Water Quality Certification, are required. Applicants are also advised to contact the U.S. Army Corps of Engineers to determine if federal authorization is necessary.

Authority: Title 16 of the Environment Article, Annotated Code of Maryland and Code of Maryland Regulations 26.24. and 23.02.04

Authorized Activities:

Activities in State Tidal Wetlands: COMAR 23.02.04.04.E.(2) - Maintenance, repair, or replacement of an existing functional structure when there is only a de minimis increase in the original length, width, height, or channelward encroachment.

Activities in Private Tidal Wetlands: COMAR 26.24.02.01C(5) – Maintenance, repair or replacement of:

- Piers and associated structures (boat lifts, PWC lifts, mooring piles, finger piers, osprey piles, boathouses, etc.)
- Bulkheads, revetments, and living shorelines

Application is not required if the following conditions are met and an Emergency Registration Form is submitted:

1. As of one day prior to the named storm/high tide event, the structure to be repaired or replaced in-kind was (a) functional, which means that the structure was performing at least 85 percent of the action that it was originally designed to perform; (b) authorized by a State tidal wetlands license, or was not authorized because it was considered “Legacy” which means for shoreline erosion structure was constructed prior to July 1, 1970 or for piers was constructed prior to February 14, 1994.
2. The repair or in-kind replacement activities restore the damaged structure to its previously undamaged condition, and do not alter or exceed the size, dimensions, or configuration of the previously undamaged structure, as it existed one day prior to the named storm/high tide event.
3. If the authorized work is not performed by the property owner or is not otherwise exempt from the licensing requirement, all work performed under this Tidal Wetlands License shall be conducted by a marine contractor licensed by the Marine Contractors Licensing Board (MCLB) in accordance with Title 17 of the Environment Article of Annotated Code of Maryland and COMAR 26.30. The licensed marine contractor shall be authorized for the appropriate license category to perform or solicit to perform the activities within this authorization, if applicable. A list of licensed marine contractors and their license category may be obtained by contacting the MCLB at 410-537-3249, by e-mail at MDE.MCLB@maryland.gov, or by accessing the Maryland Department of the Environment, Environmental Boards webpage at <https://mde.maryland.gov/programs/water/WetlandsandWaterways/Pages/marinecontractors.aspx>.
4. All repair work must be completed within one year of the named storm/high tide event. If repair work is not completed by this date, then MDE shall be contacted for further guidance.
5. The repair work shall employ best management practices to make every reasonable effort to perform the repair work in a manner that minimizes adverse impacts on natural resource values, including water quality, plants, wildlife, and plant and wildlife habitat.
6. The property owner must obtain any necessary federal or local authorizations before commencing work.
7. Prior to commencing repair activities, the property owner must notify the Water and Science Administration’s Compliance Program at 410-537-3510 (Western Region) or (410) 901-4020 (Eastern Region).
8. Prior to commencing repair activities, the property owner must notify the local county Critical Area Program.

Please contact the Tidal Wetlands Division’s reviewer in your county if you have additional questions regarding emergency repair work due to the recent storm. A list of contacts can be found at:

<https://mde.maryland.gov/programs/water/WetlandsandWaterways/Pages/WetlandsAndWaterwaysProgramDirectory.aspx>

Emergency Tidal Form, v. May 2026



Maryland Board of Public Works

Water and Science Administration Wetlands and Waterways Protection Program Emergency Notification Form



Maryland
Department of
the Environment

REPAIR OR IN-KIND REPLACEMENT OF STRUCTURES IN TIDAL WETLANDS RESULTING FROM ANY MAJOR NAMED STORM/HIGH TIDE EVENT IN STATE OR PRIVATE TIDAL WETLANDS

Property Owner Name:

Property Owner Address:

Contact Information: Telephone Numbers: Home

Mobile

Email Address:

Marine Contractor's Name:

Marine Contractor's Registration Number:

Project Site Address:

Description of Damage:

(Include dimensions of the previously undamaged structure(s) and attach photographs of the damaged structure(s))

Description of Proposed Work:

(Attach Plan if Available)