



MARINE CONTRACTORS LICENSING BOARD
c/o Maryland Department of the Environment

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MARINE CONTRACTORS LICENSING BOARD

Meeting Minutes – May 11, 2026

Location: Virtual via Google Meet

BOARD MEMBERS PRESENT

Milton Rehbein, Chairman, Contractor
 Jon Stewart, MDE Rep
 Kelly Wright, DNR Rep
 Dani Racine, At large Eastern Shore
 Daniel Lorian, Eastern Shore Rep.

OTHERS PRESENT

Matthew Standeven, Board Counsel
 Mike Eisner, Board Administrator
 Brandon Weems, Director/President of the
 MD Marine Contractors Ass. (MMCA)

CALL TO ORDER

The meeting was called to order by the Board Chairman at 10:05 am. Five Board members as well as the Board Counsel, Board Administrator, and Brandon Weems, were in attendance - virtually.

AGENDA REVIEW

The Board reviewed and approved the agenda for the meeting which included: a review and approval of minutes from the Board's November 10, 2025 meeting which included acknowledgements of outgoing Board members Robert Murtha and Tammy Roberson, an introduction to the new MDE Representative Jon Stewart, an on licensing and finances, updates on Board topics including the training manual revision and Board (re)appointments, introduction on proposed addendum to new applications for licensure, and other new business requested by Board members.

REVIEW OF PRIOR MEETING MINUTES

Board Members approved the November 10, 2025 meeting minutes without objection.

OLD BUSINESS

Board Activities

Licensing Activities & Finances

Financial Update: The last fund reconciliation report received by the Board's Admin was January 31, 2026. The Board's Admin shared that the board's finances are good, stating that for the first time in his memory, the ending fund balance for the fiscal year was higher than the beginning balance. The beginning fund balance for State FY26 was \$114,233, and the ending balance as of January was \$133,086.. This increase was primarily due to a significant reduction in legal fees, which were only \$3,700 through the end of January. Past legal fees were incurred during promulgation of the regulations and the ongoing litigation with Gene Benton.

Licensing: Update Since the category regulations were implemented in March 2024, the Board has reviewed and approved category designations for 243 current license holders. This was a significant undertaking for both licensees, the Board Admin and the Board. Currently, the breakdown by license category of these 243 license holders are: 67 in Category 1, 123 in Category 2, 40 in Category 3, and 13 in Category 4

License Renewals: The Board's Admin clarified that once the process is complete of issuing renewal licenses that don't have a category designation, the process will simplify for the Board and more importantly for licensees. The renewal process will return to being handled solely by the Board's Admin. Board review would only be triggered if a licensed contractor seeks a higher category or if substantiated compliance reports from MDE's Compliance Program are received for a contractor working outside their approved license category.

Board (Re)Appointments

The Board's Admin reviewed the Board appointment process, noting that the Board's strong recommendation to reappoint all members were not honored by the Governor's Appointments Office (GAO). With this, Bob Murtha was not reappointed. The GAO's actions left the Board with only six active members. The GAO chose to keep Milton Rehbein as a 'holdover' allowing him to serve until he is replaced. Unfortunately and without explanation, the GAO did not retain Mr. Murtha as a 'holdover.'

The Board acknowledged the work of outgoing MDE Representative Tammy Roberson for her service and formally welcomed Jon E Stewart as the newest member - the Board's new MDE Representative. The Board's Admin provided an overview of Mr. Stewart's background, including his Bachelor of Science from Salisbury, service in the Air Force in aircraft structural maintenance, work with Living Classrooms and an extensive career with MDE since 1998.

Application Addendum

The Board Chairman introduced a draft addendum for Board review for new license applications. The goal of this detailed questionnaire is to standardize contractor background assessments. This was developed in collaboration with the Board's Admin to gather more descriptive information about an applicant's marine contracting experience. The intent is to provide sufficient information to the Board for their review of an applicant for this license. It was suggested this should be run by Board Council for review.

The MMCA President expressed his support for this addendum believing it will lead to better-completed applications for Board review of an applicant's work experience.

Training Manual Update and Online Availability: The update of the Marine Contractors training manual which was done with the help of MES is nearing completion. This is timely because the Board is running out of the expensive-to-ship, large loose-leaf folders that is - the current manual. In addition, with promulgation of the regulations and the creation of new license categories – an update was critical. The Board's Admin noted the updated manual is about 110 pages long and will be going online, with hard copies of the core manual printed for contractors wishing a hard copy rather than online. The Appendices for this manual are hundreds of pages long, and it is yet to be decided if some of these will be printed also for those who don't want to read it online.

MDE Electronic Permit Application Portal: The Board's MDE Rep confirmed that the online portal for Tidal Wetland permit applications is operational, allowing electronic submission and payment, Mr. Lerian stated in this experience that this has sped up the process by about 15 days. A separate challenge remains in making all online documents, including the Marine Contractors list, ADA compatible.

A Board member reported a frustrated call from a licensed marine contractor, who claimed not to have received the email notification about this new electronic submission process. However, the Board's MDE Rep affirmed that the contractor was notified and that the program takes steps to double and triple-up on notifications to ensure everyone receives the information.

Follow-up on Category Guidance

The Board Chairman expressed the opinion that Category 1 status could be related to contractors needing bonding and securities. They confirmed that the Board was originally established primarily for Category 2 contractors and that Category 2 license holders outnumber all other categories.

It was asked if experience in 'living shorelines' was a required criterion for Category 2 contractors. The Board Chairman clarified that the Class 2 requirement is for experience in three different components or areas of marine construction that fall under Category 2. An example could include pier construction, riprap and revetments.

Unlicensed Contractor Complaints: The MMCA President confirmed that they have not recently received any complaints from MMCA members about competing against unlicensed contractors - though they know of some instances. A Board member noted that in their area, unlicensed work such as riprap by landscapers, usually occurs in jobs where a licensed contractor determined a living shoreline was required.

Discussion on Contractor Continuing Education Credits: Participants discussed the need for applicants to receive at least 12 hours of continuing education credits approved by the Board for license renewal. Mr. Lerian noted that there is not much information available for contractors to obtain their hours, finding that some existing training, such as OSHA, is 'over the top' compared to what is really needed for most licensed contractors.

Proposal for Capturing Contractor Wisdom: The Board's Admin proposed capturing the wisdom of long-time experienced contractors, noting that many have decades of experience that could be useful to newer licensees. Licensed contractor knowledge about safety concerns, important practices, and building materials could be shared to assist those who are new to the business. Interest was expressed for this idea. The challenge is having the time and financial resources to do this.

Follow-up on Previous Training Module: The Board's Admin reminded the group that the proposed (at the time) 'Part Two' of a previous training module on Tidal Wetlands Authorizations was never created - noting the subject matter might be dry but critical for those who handle permit applications. The Board Chairman asked how they could proceed with developing such a module. The Board Admin suggested that the Board could work with the Maryland Environmental Service (MES).

The Board's MDE Rep suggested sending an email to licensed contractors to gather ideas for different training modules. The Board could then decide on the top few modules of interest, such as 'Part Two' of the previous module or one on basic business practices, and then approach MES about development. At this time it is not known if this could be supported by The Board's financial resources. In addition, the MDE Rep stated that the Title Wetlands Division could **not** take the lead on development due to staffing shortages.

The Board's Admin asked the MMCA President if it would be worthwhile to survey members of their association to see what training modules would be helpful for them. It was affirmed that this could be done.

Proposal for Barge Safety/Emergency Crash Course: The Board's Chairman proposed developing a crash course focusing on emergency response on a barge before first responders arrive. For example, how to deal with severe injuries such as gunshot wounds, electrocution, or drowning. They noted that the University of Maryland previously offered similar programs before the COVID-19 pandemic. The MMCA President mentioned having recently done a private CPR course and would check if that instructor would be willing to teach a larger group.

Logistical Considerations for Hands-on Safety Training: The Board's Chairman stated that the logistical challenge of hands-on training for an estimated 50 participants requires multiple instructors to run such a class effectively. The Board MDE Rep suggested that given the over 200 licensed contractors, the training should be broken into several smaller groups, perhaps four on the Western Shore and four on the Eastern Shore, with class sizes around 30 people. It was stated that assessing interest among licensed marine contractors would be critical to ensure attendance.

Staffing Shortages in the Title Wetlands Division: The Board's MDE Rep reported that the Title Wetlands Division is experiencing significant staff shortages, noting they have lost three staff members. The staff losses are primarily on the Western Shore, requiring the remaining team to figure out how to divide the workload to maintain progress.

NEW BUSINESS

Discussion on Requiring Marine Contractor Licenses on Permits: The Board's DNR Rep introduced a new business topic concerning the requirement of a marine contractor's license - as a general condition on permits. An example was provided of an elevated trail project in Corkers Creek, where a marine contractor's license was required due to the low elevations delineating the wooded area as tidal waters. The permit required a license even though the contractor needed open means and methods to build a pre-fabricated bridge above mean high water. The contractor did not have a Marine Contractors License and this led to a work stoppage.

The DNR Rep questioned whether the license requirement should be a special condition instead of a general condition of the authorization, since the project was shut down due to a violation of the general condition. The Board MDE Rep confirmed that the marine contractor's license requirement is a general

condition on all licenses - but it can be removed if the Board determines the work does not qualify for a Marine Contractor License. It was explained that while a general condition is not absolute, once a license is issued, it must be modified and can't be simply waived - even if this condition is deemed inapplicable.

The Board's MDE Rep recalled that the Board, including The Board Admin and Board Council had previously weighed in on this specific trail project and determined that a licensed marine contractor was indeed required. Several Board members stated agreement that if the tributary is tidal, a Maryland license should be required. The Board MDE Rep suggested that the DNR Rep put this unique situation on the next Board meeting agenda for discussion to determine if any exceptions to the rule exist.

It was shared that the prime contractor for the project has stopped work and is currently attempting to hire a licensed marine contractor to finish the project. The Board Chairman believes that having a license means they get to work on that water, and the state's procurement issues should not exclude a licensed marine contractor from the job.

The DNR Rep asked the MDE Rep if they could resubmit a permit application to request a waiver of the marine contractor's license. The MDE Rep clarified that while there was an opportunity to request a review of the requirement before the license was issued or before the project was bid out, the Board had already ruled that the work required a licensed contractor. The MDE Rep affirmed that the final decision rests with the Board.

Community Outreach on Work Restrictions: The Board Chairman asked the MDE Rep, if MDE had anybody they send out for community outreach to explain permit conditions, such as the restrictions on working between April 15th and October 15th due to Submerged Aquatic Vegetation (SAV). The MDE Rep confirmed that SAV is a protected resource and that work restrictions are cited in regulations, but MDE does not regularly conduct community outreach. The MDE Rep suggested that they could send an email with the regulatory citations referenced and explained but stated that an in-person meeting would not change the law.

The Board's Chairman opened the floor for any new business. None was raised.

ADJOURNMENT

The Board voted and approved adjournment at 11:17 am. The next monthly Board meeting is scheduled for November 9, 2026 at 10 AM and will be Virtual.