

MARYLAND DEPARTMENT OF NATURAL RESOURCES OFFSHORE BLIND AND SHORELINE LICENSE APPLICATION FORM



INSTRUCTIONS: See page 2. Questions? Call 410-260-8540.

You must include map showing location of property and blinds (if any).

Application must be postmarked prior to June 1.

License fee is \$60 for three years or \$20 for one year, make check payable to "DNR".

Mail to: Shoreline License Application, Wildlife and Heritage Service, 580 Taylor Ave., E-1, Annapolis, MD 21401.

1. APPLICANT	Name: _____
	Organization (if applicable): _____
Mailing address:	Street: _____
	City: _____ State: _____ Zip Code: _____
	Daytime phone number (if we have a question): _____
	Applying for: Three years (\$60) _____ One year (\$20) _____
I apply to license the offshore blinds and shoreline as indicated on the attached map. I certify under penalty of perjury that the information given is true and correct to the best of my/our knowledge, information and belief.	
X (sign here): _____	

2. Property description: County: _____	Body of Water: _____
3. For all applications, shoreline will be licensed. Indicate if you desire to establish an offshore stationary blind(s) or blind site(s) (check one only):	
I do not wish to establish an offshore blind: _____ ; I do wish to establish an offshore blind(s): _____	
<small>(If you own or have permission for less than 250 yards of shoreline, and desire to establish an offshore blind, your blind will only be licensed if it is at least 125 yards from any licensed shoreline.)</small>	

4. SHORELINE OWNER(S): (write "same as above" if applicable) (complete as many as needed)

List each legally distinct parcel of property.

Property #1 Owner	Name(s): _____
	Organization (if applicable): _____
	Street: _____
	City: _____ State: _____ Zip Code: _____
	Property Account Identifier (if known, see instructions): _____
I/we are the riparian landowners of the shoreline and hereby consent to the issuance of the license as applied for above.	
X (sign here): _____	

(only use if area being licensed consists of multiple properties).

Property #2 Owner	Name(s): _____
	Organization (if applicable): _____
	Street: _____
	City: _____ State: _____ Zip Code: _____
	Property Account Identifier (if known, see instructions): _____
I/we are the riparian landowners of the shoreline and hereby consent to the issuance of the license as applied for above.	
X (sign here): _____	

Property #3 Owner	Name(s): _____
	Organization (if applicable): _____
	Street: _____
	City: _____ State: _____ Zip Code: _____
	Property Account Identifier (if known, see instructions): _____
I/we are the riparian landowners of the shoreline and hereby consent to the issuance of the license as applied for above.	
X (sign here): _____	

(list additional properties, if needed, in same format, with landowners signature on separate page)

INSTRUCTIONS FOR COMPLETING OFFSHORE BLIND AND SHORELINE LICENSE APPLICATION FORM

Please read all information before completing application form. All information must be complete and legible. Incomplete or illegible entries may result in delays or non-issuance of permit. **Applications must be postmarked prior to June 1 to retain preferential treatment for riparian landowners.**

1. Applicant – the person applying for the license.

1. Complete name, organization (if applicable), mailing address (street, city, state, zip code).
2. Indicate if you want to license the offshore blinds or shoreline for three years (\$60) or one year (\$20).
3. Please include daytime phone number. This way we can contact you immediately if we have any questions.
4. Sign form as applicant.

2. Property description: Indicate county and body of water where property is located

3. Establish offshore site? Indicate whether or not you desire to establish an offshore blind(s) (stationary blinds or blind sites). The location of the offshore blind(s) must be indicated on the map you submit, or your blind(s) will not be licensed. In all cases, your shoreline will be licensed.

For landowners with at least 250 yards of shoreline, offshore blinds must also be located at least 125 yards from the property line of adjoining landowners. So for example, if a licensee owned exactly 250 yards of riparian shoreline, a stationary blind or blind site would have to be located midway between the licensee's property lines. In the case of a landowner who does not own or have written permission from adjoining neighbors totaling 250 yards, the blind site must be at least 125 yards from the nearest licensed shoreline. Offshore stationary blinds and blind sites must be at least 250 yards apart from each other. Stationary blinds and blind sites must be at least 150 yards from any dwelling, unless the licensee has the written permission of the owner of the house. Stationary blinds and blind sites must generally be located within 300 yards of the shoreline or one-third the distance to the opposite shore, whichever is less. An exception to the distance from shore rule, is that in the Chesapeake Bay in Anne Arundel and Calvert Counties, and in Prospect Bay in Queen Anne's County, stationary blinds and blind sites may be up to 800 yards from the shoreline.

Property #1 through #3

List the property owner(s) of the shoreline you are licensing. If the shoreline is a single tract of legally described land, you only need to complete the "Property #1" section. If you (the applicant) and the shoreline owner are the same person, write "Same as above" as the name of the property owner.

Property Account Identifier: The Department uses the records of the Department of Assessment and Taxation to track property boundaries and ownership. Please include the "account id" information from your most recent property tax bill to help us identify the property in the tax records. You can lookup your property account through the website of the Department of Assessment and Taxation, at <http://www.dat.state.md.us>. Click on "real property data search". Provide us with the "district", "subdivision" (AA County only) and "Account Identifier" associated with each property included in the license application.

At least one of the owners of each property must sign the form to give permission to license the shoreline. This is not necessary if the applicant and the landowner are the same person. A letter or lease may be included from the landowner in lieu of having them sign the form; write "see attached" on the signature line. If you are applying as a community or homeowners' association, please include names, addresses and signatures from each riparian homeowner. (This information can be included on an attachment). **If there is a break in continuity of properties, then each contiguous segment of shoreline must be applied for and licensed separately.**

Additionally, you must:

1. Include a legible map showing the exact location of the shoreline to be licensed, the entire property boundaries and the exact locations of the proposed offshore stationary blinds or blind sites (mark sites with an "X"), if any. Tax maps are preferred. Remember we do not license blinds on property you own, only in the offshore waters.
2. Remember to include a check made payable to DNR for \$60 (for three years) or \$20.00 (for one year) per application. If you are licensing one continuous piece of shoreline, regardless of the number of stationary blinds or blind sites, or the size of the property, you only have to complete one application and pay one fee. If the shoreline is not continuous, or if it is separated by bodies of water, then you must complete a separate application and enclose the fee for each separate shoreline or property. Please make as many copies of the application form as you need. Property owned and licensed by governmental entities are exempt from the fee requirement.

See the Information on pages 3 and 4 for the laws related to offshore blind and shoreline licensing for riparian landowners.

OFFSHORE BLIND AND SHORELINE LICENSING LAWS FOR RIPARIAN LANDOWNERS

INTRODUCTION

Maryland's history and tradition of waterfowl hunting is as rich as any in the nation. No article on the early days of waterfowling is complete without mention of the Chesapeake region and places such as the Susquehanna Flats. The Maryland General Assembly passed the first state law concerning waterfowl hunting in 1833. Since then, numerous state laws and regulations have been passed to address hunting on the public waters of the state, often referred to as "offshore".

Unfortunately, many of these rules are difficult to interpret or even find, particularly if you are new to the state. The purpose of this summary is to provide a reference for landowners, waterfowl hunters and other interested citizens regarding the laws related to licensing offshore blinds and shoreline. If you have questions, please contact the Wildlife and Heritage Service at 410-260-8540. We also provide references to the specific laws governing these activities in Appendix 1.

We are frequently asked by riparian landowners, not desiring to establish an offshore hunting site, why do I have to license my shoreline to prevent others from establishing an offshore blind site off my property? To briefly explain the purpose of offshore blind and shoreline licensing, it is based on the fact that the "waters of the State", those areas below mean high tide, are owned by the State and not the riparian landowner. State law establishes a series of protocols for the licensing of offshore blinds in the waters of the State. Riparian (i.e. waterfront) property owners are given the first right to license their shoreline and hence, preclude other Maryland residents from establishing blind sites out from their property. Additionally, only riparian landowners (or persons with the permission of riparian landowners) may establish stationary blinds (permanent offshore structures). This system gives riparian landowners the ability to control activity in public waters, a right they lack for any other recreational pursuit. If landowners do not license their shoreline by June 1st each year, any Maryland resident may potentially establish a blind site off their property if certain distance requirements are met. In all cases, hunting may not take place within 150 yards of an occupied dwelling without the permission of the dwelling's occupants.

DEFINITIONS

The following definitions apply to terms used in the text:
Offshore.- "Offshore" means any place on waters of the State below the mean high tide mark on tidal waters or below the mean high water mark on nontidal waters.

Offshore blind.- "Offshore blind" means either an offshore blind site or an offshore stationary blind.

Offshore blind site.- "Offshore blind site" means a specific location in the water where a person may hunt wild waterfowl from a boat that is tied to or anchored at a stake that has been licensed.

Offshore stationary blind.- "Offshore stationary blind" means an offshore structure built on pilings or stakes that has been licensed and used for hunting wild waterfowl.

Riparian landowner – "Riparian landowner" means a person who owns riparian (i.e., waterfront) property, or an assign or lessee of that person.

LICENSING FOR RIPARIAN LANDOWNERS

Any person owning riparian property in Maryland may license their shoreline, regardless of their state of residency. Persons owning property in Virginia that is adjacent to the tidal waters of the Potomac River may also license their shoreline. A riparian landowner may lease or assign their rights to license their riparian shoreline and establish offshore blinds.

Any riparian landowner, regardless of how much shoreline they own, may license their shoreline to prevent the shoreline from being licensed at a later date by someone else. Once a stretch of shoreline is licensed, no other person may receive a license for the same shoreline, whether or not the original licensee establishes a stationary blind or blind site.

Riparian landowners wishing to establish an offshore blind must either own at least 250 yards of continuous shoreline or they must have written permission from adjoining neighbors to total at least 250 yards of continuous shoreline, except that a riparian landowner who does not own or have written permission for shoreline totaling at least 250 yards may still establish a blind site (but not a stationary blind) if no other shoreline is licensed within 125 yards of the blind site. If an applicant submits an application and the location of the blind fails to meet the 125-yard test, the shoreline will still be licensed only. There are some parts of the state in Baltimore and Kent Counties where no licensing may take place (see Appendix 2 for area descriptions).

LICENSE APPLICATION PROCESS

An application and fee of \$60 (for three years) or \$20 (for one year) must be submitted by mail or in person prior to June 1 to the Annapolis office of the DNR-Wildlife and Heritage Service (580 Taylor Ave., E-1, Annapolis, MD, 21401) on a form provided by the Department of Natural Resources. An applicant may include all property with a continuous shoreline on a single application. In addition to the application, a map must be included showing the exact location of the shoreline to be licensed and the exact location of the proposed offshore blinds, if any. Units of government must also apply to license their shoreline, however, they are exempt from the fee. If a landowner misses the June 1 deadline, they may participate in the open licensing process that begins on the first Tuesday of August (see "WHAT IF I MISS THE JUNE 1ST DEADLINE?", below). An application form and instructions are available at www.dnr.maryland.gov (look under Wildlife and Heritage, Permits and Licenses) or by calling 410-260-8540. The license year is 1 July to 30 June. Licenses will be issued for three years (\$60) or one year (\$20). All license applications will be verified to ensure the property requested for licensing is actually owned by the applicant or indicated landowners.

LICENSE RENEWAL PROCESS

In subsequent years, the Department will mail renewal applications to all license holders in the final year of their license. The applicant will have the ability to review and correct the renewal, if needed, and return it to the Department with the \$60 or \$20 fee prior to June 1.

CONFLICT AMONG APPLICANTS

In rare cases, conflicts may occur between applicants, usually because proposed stationary blinds or blind sites are too close. The Department will attempt to resolve such conflicts through negotiation. When they cannot be resolved, the applicant applying first shall prevail. If both applications arrive in the mail on the same day a coin toss shall determine which applicant shall prevail. The applicants may be present for the coin toss.

REQUIREMENTS FOR LANDOWNER'S OFFSHORE BLINDS

DISTANCE BETWEEN OFFSHORE BLINDS

Offshore stationary blinds and blind sites must be at least 250 yards apart from each other. Stationary blinds and blind sites must be at least 150 yards from any dwelling, unless the licensee has the written permission of the owner of the house.

DISTANCE FROM ADJACENT LANDOWNERS

For applicants with at least 250 yards of shoreline, offshore blinds must also be located at least 125 yards from the property line of adjoining landowners. So for example, if a licensee owned exactly 250 yards of riparian shoreline, a stationary blind or blind site would have to be located midway between the licensee's property lines. In the case of a small landowner (one who does not own or have written permission from adjoining neighbors totaling 250 yards), the blind site must be at least 125 yards from the nearest licensed shoreline.

DISTANCE FROM SHORE

Relative to the licensed shoreline, stationary blinds and blind sites must generally be located within 300 yards of the shoreline or one-third the distance to the opposite shore, whichever is less. If, for example, a creek is 600 yards wide, a licensee may not place a stationary blind or blind site more than 200 yards out in the creek from the licensed shoreline. An exception to the distance from shore rule, is that in the Chesapeake Bay in Anne Arundel and Calvert Counties, and in Prospect Bay in Queen Anne's County, stationary blinds and blind sites may be up to 800 yards from the shoreline.

OFFSHORE BLIND MARKING REQUIREMENTS

Both stationary blinds and blind sites must be marked. Offshore stationary blinds must be marked with the licensee's name and license number and marked on each side with at least 100 square inches of clearly visible reflective material attached to the stationary blind at least 3 feet above the high water mark. Offshore blind sites must be marked by a stake showing the licensee's name and license number. The blind site stake must be marked on all sides with reflective material at least 4 inches wide located at least 3 feet above the high water mark. The requirement for reflective material on stationary blinds and blind sites is not in effect while the stationary blind or blind site is actually being used for hunting.

Most hunting from licensed blind sites is done from a boat that is tied or anchored at the stake marking the blind site. However, hunters may also stand on the natural bottom at the stake marking the blind site. A licensee who allows another person to use a licensed stationary blind or blind site should provide the person with a copy of the license.

WHAT IF I MISS THE JUNE 1ST DEADLINE?

Landowners who miss the June 1st deadline for offshore blind and shoreline licensing may participate in the "open" licensing process that begins on the first Tuesday in August (or before, as scheduled by the Department). At this time, any resident of the state may apply in person to license up to 2 blind sites per day, if 250 yards of unlicensed shoreline exists and the site is 250 yards away from any already licensed offshore blinds. Landowners may license their entire shoreline during this time, under one license, if it has not been "divided" by a nonlandowner license. If it has been "divided", each segment will have to be licensed separately.

For the first two days of the licensing period, licenses can be obtained at an office established by the Department in each county. After the first 2 days, licenses must be obtained from the Department of Natural Resources Licensing and Registration Service Center that is handling the county for which you wish to obtain a license. A list of the offices and dates for licensing can be obtained by calling the Department at 410-260-8540. In Kent and Queen Anne's County and on the nontidal waters of the Potomac River and the tributaries to the nontidal portion of the Potomac River, only riparian landowners may license offshore blinds.

APPENDIX 1

Maryland's laws related to shoreline and offshore blind licensing are contained in the Natural Resources Article, Title 10 Wildlife, Subtitle 6 Wildlife Waterfowl, Section §§10-601 through 10-615. These can be obtained at public libraries or online at www.mils.state.md.us (scroll down to "Statute Text", select Department of Natural Resources, then start with section 10-601).

APPENDIX 2

Offshore stationary blinds or blind sites may not be erected, maintained, or licensed in the following waters: (1) Offshore from lands owned or managed by the Department except the Department may locate and construct offshore stationary blinds or blind sites and make the blinds or blind sites available to the public; (2) Where the use of the blinds may present a risk to national security or the health and safety of the hunters as determined by the Department; (3) Where the location of the blinds interferes with the safe operation of an airport; (4) In Baltimore County on: The Middle River and its tributaries, westerly or towards shore from a straight line drawn from the tip of Wilson Point in a southwesterly direction to the northwest corner of Cape May Beach; Frog Mortar Creek from a straight line drawn from the tip of what is known as Strawberry Point in a southeasterly direction across the creek to the tip of what is known as Galloway Point and extending 1,500 yards northeast up the creek to the point where Glenwood Road approaches the creek shoreline; Back River and its tributaries west of the Eastern Avenue bridge; or Bird River and its tributaries extending from the head of tide at Whitmarsh Run and Windlass Run and going generally easterly or towards a line that runs in a northerly direction from the northernmost tip of a peninsula called Stumpfs Marsh to the opposite shoreline, but excluding an area that lies between Stumpfs Marsh and a line 150 yards from the shoreline of Stumpfs Marsh; or (5) In Kent County on: Turner's Creek; or Chester River and its tributaries, except in those waters lying between Durdling's Creek and Deep Point or between the property line of Wickliffe Farm and Cedar Point Farm near the point known as Pine Tree Cove and Graveyard Point in Spencer Hall Farm on Eastern Neck Island and the Chesapeake Bay between the north end of Wilson's Point on Trumpington Farm and the mouth of the Chester River.

DNR, 03/22/05