

Annotated Code of Maryland
(1974 Volume and 1977 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article - Natural Resources

9-202.

(c) (1) After a hearing in the local subdivision affected, the Board shall decide if issuance of the license is in the best interest of the State, taking into account the varying ecological, economic, developmental, recreational, and aesthetic values each application presents. If the Board decides to issue the license, it shall be for consideration and on terms and conditions the Board determines. Every license shall be in writing.

(2) With respect to an application for a license to fill or construct a shore erosion control structure OTHER THAN RIPRAP on State wetlands, the Board may issue the license without a hearing if the fill area is less than 300 feet in length parallel to the fast land AS CLOSE THEREIC AS STRUCTURALLY FEASIBLE [and] BUT not more than 10 feet channelward of the mean high water line and if AFTER A SITE VISIT the report of the Secretary recommends that the license be granted.

(3) WITH RESPECT TO AN APPLICATION FOR A LICENSE:

(I) TO FILL OR CCNSTRUCT A SHORE EROSION CCNTRCL STRUCTURE CF RIPRAP ON STATE WETLANDS IF THE FILL AREA IS LESS THAN 500 FEET IN LENGTH PARALLEL TO THE FAST LAND AS CLOSE THERETO AS STRUCTURALLY FEASIBLE BUT NOT MORE THAN 10 FEET CHANNELWARD OF THE MEAN HIGH WATER LINE;

(II) TO REPAIR OR REPLACE A BULKHEAD FOR THE PUBPOSE OF SHORE EROSION CONTROL WHERE THE BULKHEAD IS PRESENTLY FUNCTIONAL, BUT IS DETERIORATING OR DAMAGED, PROVIDED THAT THE REPAIR OR REPLACEMENT STRUCTURE DOES NOT EXTEND MORE THAN 18 INCHES CHANNELWARD OF THE EXISTING STRUCTURE; THE BOARD MAY ISSUE THE LICENSE WITHOUT A HEARING IF AFIER A SITE VISIT THE REPORT OF THE SECRETARY RECOMMENDS THAT THE LICENSE BE GRANTED.

(4) WITH RESPECT TO THE MAINTENANCE DREDGING OF PROJECIS IN STATE WETLANDS FOR WHICH A LICENSE IS TO BE ISSUED, THE LICENSE MAY INCLUDE PROVISION FOR PERIODIC MAINTENANCE DREDGING IF RECOMMENDED BY THE REPORT OF THE SECRETAFY PROVIDED THAT THE MAINTENANCE DREDGING BE EFFECTED:

(I) WITHIN THE AREA, DEPTH AND IN CCNFORMITY WITH CTEFF LIMITATIONS CCNTAINED IN THE LICENSE;