

(12) [Promulgate rules and] ADOPT regulations to implement this subtitle.

8-1003.

(a) The owner of any property abutting on any body of water in the State may file a written application with the Department requesting State assistance in the design, construction, and financing of a shore erosion control project for the property. The application shall be in a form and contain information the Department prescribes. Each application form shall contain a notice warning that the applicant is responsible for maintenance of any project after [it] THE PROJECT is constructed.

(b) A project may not be approved unless [it] THE PROJECT lies within a physiographic unit established by the Department; is within a shore erosion control district established under Article 25, §§ 161[-] THROUGH 167E, inclusive, of the Code, or is of a nature that [its] THE PROJECT'S inclusion within a physiographic unit or shore erosion control district is neither necessary nor feasible in the Department's judgment.

(d) The Department shall establish a schedule of priorities for shore erosion control projects, and upon approval of an application, assign the project to a priority list number. The schedule shall take into consideration the rate of erosion, amount of silt being deposited in the waters involved, date of Department's approval, nature and amount of public benefits provided by the project, and any other factors set forth in [rules and] regulations the Department [promulgates] ADOPTS. If at any time the cost of an approved project at the top of the priority list exceeds the unobligated balance of the Fund, the Department may proceed with construction of a lower priority project.

8-1004.

(A) The operating budget of the Department shall contain a general fund appropriation sufficient to provide technical and administrative services required to implement §§ 8-1002 and 8-1003 of this subtitle, including but not limited to[,]:

(1) [review] REVIEW and evaluation of requests for assistance in shore erosion control;

(2) [supervision] SUPERVISION over construction of approved projects; and

(3) [inspection] INSPECTION of completed projects to insure adequate maintenance.

(B) Costs of the services enumerated in this section:

(1) [are] ARE not considered part of the construction cost of the project[,]; and

(2) [shall] SHALL be borne solely by the State.

8-1004.1.

(a) Notwithstanding any other provision of this subtitle, to the extent that a