

project consists of nonstructural shore erosion control measures, the Department may:

(1) [require] REQUIRE the owner of the benefited property to initially incur some or all of the project costs for nonstructural measures[,]; and

(2) [provide] PROVIDE assistance in the form of reimbursements to the owner.

(b) To be entitled to receive any reimbursements under this section, the owner of the benefited property shall have entered into a project agreement with the Department before incurring any costs. The Department shall estimate the total amount of project costs for nonstructural measures and shall establish in the agreement as the maximum amount of assistance which will be available for the project 50 [percent]% of that estimate. The Department may include in the project agreement conditions under which the owner may be entitled to receive reimbursement, including conditioning the reimbursement upon the successful establishment of any vegetative elements of the project.

(c) The Department may reimburse the owner of a benefited property for 50 [percent]% of the actual project costs or for the maximum available amount established in the project agreement, whichever is less. If the Department, through its employees, agents, or contractors, has designed or installed all or part of the nonstructural measures, [it] THE DEPARTMENT shall include as actual project costs the value of any labor or materials contributed by the State. The value of these items already contributed by the State shall be deducted from the amount to be reimbursed to the owner.

(d) In carrying out this section, the Department may utilize any funds appropriated in the budget for nonstructural shore erosion control. Appropriations and expenditures of funds for the purposes of this section may not be subject to any provision of §§ 8-1005 through 8-1007 of this subtitle.

8-1005.

(a) (1) There is a "Shore Erosion Control Construction Loan Fund." The Department shall administer the Fund solely to provide interest-free loans to persons, municipalities, or counties for design and construction of shore erosion structures. The Fund shall be maintained by:

[(1)] (I) Repayments of principal on loans made from the Fund, with the repayments made through a benefit charge the State levies on privately owned property benefited by shore erosion control projects. The benefit charge shall compensate the State for net project construction cost. The benefit charge shall be levied at a uniform rate over a period not exceeding 25 years; and

[(2)] (II) Annual appropriation of general funds to restore the Fund to a level sufficient to carry out an effective shore erosion control construction loan program during the succeeding year.

(2) A property owner whose project is approved is eligible to receive an interest-free loan covering 100 [percent]% of the first \$60,000 of project construction