

ESTABLISHED IN § 8-1202 OF THIS TITLE adopt by regulation standards and procedures for THE mitigation of nontidal wetlands losses, including practices for nontidal wetland creation, restoration, enhancement, or monetary compensation.

(c) (4) Funds credited and any interest accrued to the Fund:

(I) [shall] SHALL remain available until expended[,]; and

(II) [may] MAY not be reverted to the General Fund under any other provision of law.

8-1210.

(b) The Department may revoke a permit for [cause] CAUSE, including violation of permit conditions, obtaining a permit by misrepresentation, failing to disclose a relevant or material fact, or change in conditions. The Department shall notify the violator in writing and provide an opportunity for a hearing.

(d) (1) A person who violates any provision of this subtitle or any [rule,] regulation, order, or permit under this subtitle is liable for a penalty not exceeding \$10,000, which may be recovered in a civil action brought by the Department. Each day a violation continues is a separate violation under this subsection.

(e) (1) A person who violates any provision of or fails to perform any duty imposed by this subtitle[,] or by a [rule,] regulation, order, or permit under this subtitle[,] is guilty of a misdemeanor and on conviction is subject to:

(i) For a first offense, a fine not exceeding \$10,000; or

(ii) For a second or subsequent offense, a fine not exceeding \$25,000.

8-1211.

The Board of Review of the Department does not have jurisdiction over any proceedings arising under this subtitle, and [sections] §§ 1-106 and 1-107 of this article are not applicable to decisions of the Department relating to nontidal wetlands.

8-1301.

(b) (1) "Duly designated agency" means any public body corporate, whether exercising local or regional authority, in any of the [aforementioned] counties LISTED IN § 8-1303 OF THIS SUBTITLE, which shall be officially designated by either or any of the counties which executes the programs and purposes of this subtitle within any of the counties.

(2) However, in Montgomery and Prince George's counties, the Maryland-National Capital Park and Planning Commission is the duly designated agency of these counties to carry out the provisions of this subtitle.

8-1302.

The General Assembly declares that flood prevention, conservation, sediment or erosion protection, and prevention of urban development within the Watershed is a