

be in existence subsequent to July 1, 1973 to July 1, 1978.

9-202.

(c) (1) Upon receipt of a report by the Secretary, 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] THE ISSUANCE OF THE LICENSE 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 public notice if the fill area is less than 300 feet in length parallel to the fast land as close [thereto] TO THE FAST LAND as structurally feasible 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. The Board may issue a license without public notice where an emergency exists caused by act of God, natural disaster, [catastrophe] CATASTROPHE, or other similar natural event when the health, safety, or welfare of the citizens of the State would be jeopardized by a delay caused by time requirements for public notice. However, the license may be granted by the Board only with the concurrence of the Secretary. The Secretary shall provide prompt public notice of the emergency license issuance and the opportunity to submit written comments or to request a hearing to determine whether the emergency license shall be revoked or made permanent. If a hearing is requested, [it] THE HEARING shall be scheduled within 30 days of the emergency issuance of the license.

(3) If the report of the Secretary recommends that a license be granted, the Board may issue the license without public notice:

(i) To fill or construct a shore erosion control structure of riprap on State wetlands if the fill area is less than 500 feet in length parallel to the fast land as close [thereto] TO THE FAST LAND as structurally feasible but not more than 10 feet channelward of the mean high water line;

(4) With respect to the maintenance dredging of projects 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 Secretary provided that the maintenance dredging be effected:

(i) Within the area, [depth] DEPTH, and in conformity with other limitations contained in the license;

(iii) That the material from maintenance dredging be deposited upon the designated or other upland site approved by the Secretary; AND

(5) The provisions for periodic maintenance dredging under the [aforementioned] conditions OF THIS SECTION shall be effective for no more than 6 years beyond the date of issuance of the license.

(d) The provisions of this section do not apply to any operation for: