

to enforcement of laws controlling sediment and erosion.

BY repealing and reenacting, with amendments,

Article – Environment

Section 4-101 and 4-109

Annotated Code of Maryland

(1987 Replacement Volume and 1989 Supplement)

BY adding to

Article – Environment

Section 4-109 through ~~4-114~~ 4-115

Annotated Code of Maryland

(1987 Replacement Volume and 1989 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Environment

4-101.

The General Assembly determines and finds that lands and waters comprising the watersheds of the State are great natural assets and resources. As a result of erosion and sediment deposit on lands and in waters within the watersheds of the State, these waters are being polluted and despoiled to such a degree that fish, marine life, and recreational use of the waters are being affected adversely. To protect the natural resources of the State, the Secretary of the Environment, in consultation with the Secretary of Natural Resources shall adopt criteria and procedures for the counties and the local soil conservation districts to implement soil erosion control programs. These procedures may provide for departmental review and approval of major grading, sediment, and erosion control plans. These procedures shall provide that the Department of the Environment conduct periodic inspections and review of the implementation by the counties and the local soil conservation districts of these control plans.

BECAUSE OF THE GREAT POTENTIAL FOR HARM TO THE WATERS OF THE STATE IF SOIL EROSION AND SEDIMENT CONTROL MEASURES ARE NOT PROPERLY IMPLEMENTED AND MAINTAINED AND BECAUSE OF THE CUMULATIVE EFFECT ON THE ENVIRONMENT OF VIOLATIONS WHETHER THE PROJECT CREATING THE VIOLATIONS IS LARGE OR SMALL, IT IS NECESSARY FOR THE PROTECTION OF THE WATERS OF THE STATE TO PROVIDE PROCEDURES FOR OBTAINING IMMEDIATE COMPLIANCE WITH THE LAW, WHEN VIOLATIONS OCCUR.

4-109.

(A) THE DEPARTMENT SHALL ISSUE A WRITTEN COMPLAINT IF THE DEPARTMENT HAS REASONABLE GROUNDS TO BELIEVE THAT THE PERSON TO WHOM THE COMPLAINT IS DIRECTED HAS VIOLATED: