

15. *Hearing on Application for Permit for Appropriation, Construction, Etc.*

(a) *Except as hereinafter provided, as soon as convenient after the filing with the Department of any application, the Department shall set a day for a public hearing upon the application for any of the following permits: (1) appropriation or use of any waters of the State; (2) construction or reconstruction of a reservoir, dam, or waterway obstruction; (3) construction in a waterway; and (4) dredging or filling or bulkheading or shore line changes.*

*The applicant shall give notice to the public of the application and hearing, either in the manner prescribed by the Department, or by publication once in each week for two successive weeks prior to the hearing in a daily newspaper published in the city or cities, county or counties, or in a weekly newspaper of general circulation in the city or cities, county or counties, which the Department determines may be directly affected by the proposed appropriation or use, or construction, reconstruction, or repair. The county commissioners of each such county, the mayor or chief executive officials of each such city and the proper officials of any interested agency of the State, or political subdivision thereof shall also be notified by the applicant by registered or certified mail. In the public notice of the application, the date, place, and time fixed by the Department for the public hearing on the application shall be stated, at the public hearing, the applicant and any other interested person shall be given an opportunity to present facts, evidence, and arguments for or against the granting of the application.*

(b) *If a subdivision of the State, acting within its authority and responsibility, holds, or is required to hold, public hearings on matters subject to permit from the Department, the subdivision and the Department may elect to hold a joint hearing, if interested agencies and the public are notified that the hearing is also before the Department, for the purpose of obtaining a permit from the Department, and provided that at the public hearing, the applicant and any other interested person shall be given an opportunity to present facts, evidence, and arguments for or against the granting of the application.*

(c) *The Department may waive holding a public hearing on an application for a permit from the Department, under the following conditions:*

(1) *In case of emergency, or the making of minor repairs, the Department, upon written or oral application, may grant applications to repair any reservoir, dam, or waterway obstruction without notice or hearing; but repairs necessary to save life or property may be made without an application, but notice thereof shall be given promptly to the Department.*

(2) *Filling or bulkheading along a tidal shore line of private, single family properties, if notice is given, in writing, with evidence of being furnished to the Department, to adjacent property owners, interested local agencies, the Department of Game and Inland Fish, and the Department of Chesapeake Bay Affairs, and if the construction is less than 300 feet in length and occupies less than one (1) acre of wetland.*

(3) *State, county or municipal roads, bridges, or culverts, if the roads, bridges, and culverts meet minimum design standards accept-*