

THE SECRETARY OF NATURAL RESOURCES IS DIRECTED TO ADOPT CRITERIA AND PROCEDURES TO BE USED BY THE COUNTIES AND THE LOCAL SOIL CONSERVATION DISTRICTS TO IMPLEMENT SOIL AND SHORE EROSION CONTROL PROGRAMS. SUCH PROCEDURES MAY PROVIDE FOR THE REVIEW AND APPROVAL OF MAJOR GRADING, SEDIMENT AND EROSION CONTROL PLANS BY THE DEPARTMENT OF NATURAL RESOURCES.

106.

(A) *Before land is cleared, graded, transported, or otherwise disturbed for purposes including, but not limited to the construction of buildings, the mining of minerals, the development of golf courses, and the construction of roads and streets by any private person, partnership, or corporation, MUNICIPAL CORPORATION, COUNTY OR STATE AGENCY within the State of Maryland, the proposed earth change shall first be SUBMITTED TO AND approved by the appropriate soil conservation district and by the Department of Natural Resources in those cases where the Secretary of Natural Resources by regulations provides for approval by said Department. Before land is cleared, graded, transported or otherwise disturbed for the construction of highways, roads, streets, dams, and related structures by agencies of the State of Maryland or of any local government thereof, the proposed earth changes shall first be approved by the Department of Natural Resources. The LAND clearing, soil movement and construction shall be done CARRIED OUT in accordance with the written recommendations of the said soil conservation districts regarding the control of erosion and siltation and the elimination of pollution. Such recommendations shall be made in accordance with regulations promulgated by the Department of Natural Resources. The Department of Natural Resources shall cooperate with and assist the said soil conservation districts in the performance of their responsibilities pursuant to this subtitle.*

(B) IN PRINCE GEORGE'S AND MONTGOMERY COUNTIES, THE WASHINGTON SUBURBAN SANITARY COMMISSION SHALL, AFTER CONSULTATION WITH AND ADVICE OF THE SOIL CONSERVATION DISTRICTS OF THE TWO COUNTIES AND THE DEPARTMENT OF NATURAL RESOURCES, PREPARE AND ADOPT REGULATIONS FOR EROSION AND SILTATION CONTROL REQUIREMENTS FOR UTILITY CONSTRUCTION, WITH THE REGULATIONS TO BE ADOPTED AND ENFORCED AS ARE OTHER REGULATIONS OF THE COMMISSION PURSUANT TO THE AUTHORITY CONFERRED UPON IT BY OTHER LAWS. THE PROVISIONS OF THIS SUBSECTION SHALL NOT APPLY UNTIL EROSION AND SILTATION CONTROL REQUIREMENTS FOR UTILITY CONSTRUCTION HAVE BEEN APPROVED BY THE SOIL CONSERVATION DISTRICTS OF EACH COUNTY.

(C) THE DEPARTMENT OF NATURAL RESOURCES SHALL ASSIST THE SOIL CONSERVATION DISTRICTS IN THE PREPARATION OF A UNIFIED SEDIMENT CONTROL PROGRAM AND IN THE IMPLEMENTATION OF SAID PROGRAM PURSUANT TO THIS SUBTITLE. FURTHERMORE, NOTHING IN THIS SUBTITLE SHALL AFFECT THE RESPONSIBILITIES OF THE DEPARTMENT OF WATER RESOURCES