

*Natural Resources requesting State assistance in the design, construction, and financing of a shore erosion control project for the property. The application shall be in a form, contain information, and be submitted at a time the Department prescribes. Every application form shall contain a notice warning the applicant that he will be responsible for the maintenance of any project after it has been constructed.*

*(b) No project shall be approved unless it lies within a physiographic unit as established by the Department of Natural Resources or within a shore erosion control district as established under Section 161 through 167E, inclusive, of Article 25 of this Code, as amended from time to time, or is of such nature that its inclusion within a physiographic unit or a shore erosion control district is, in the judgment of the Department, neither necessary nor feasible.*

*(c) No physiographic unit project shall be approved unless all property owners within the physiographic unit participate in the planning, construction, and financing of the project, except that the Department of Natural Resources may exclude any property owner within the physiographic unit from participation in the construction and financing of the project if this exclusion will not materially affect the remainder of the project.*

*(d) The Department of Natural Resources shall establish a schedule of priorities for shore erosion control projects, and upon approval of an application, assign a priority to it. The schedule shall take into consideration the rate of erosion, the amount of silt being deposited in the waters involved, the date of approval by the Department of Natural Resources, THE NATURE AND AMOUNT OF PUBLIC BENEFITS TO BE PROVIDED BY THE PROJECTS and such other factors as may be set forth in the regulations promulgated by the Department of Natural Resources. If at any time the cost of an approved project at the top of the priority list exceeds the unobligated balance of the Shore Erosion Control Construction Loan Fund, the Department may proceed with construction of a project or projects of lower priority.*

*(e) Upon the recommendation of the Department of Natural Resources, the Board of Public Works may, by resolution, authorize the establishment of a shore erosion control district. In this event, it shall be mandatory for all property owners within the district to participate in the shore erosion control project.*

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*There shall be included annually in the operating budget of the Department of Natural Resources a general fund appropriation sufficient to provide engineering, technical, and administrative services required to implement Sections 756 and 757 of this article, including but not limited to the review and evaluation of requests for assistance in shore erosion control, the design of shore erosion control structures and projects, supervision of construction of approved projects, and inspection of completed projects to insure adequate maintenance. Costs of the services enumerated in this subsection shall not be considered a part of the construction cost of the project, and shall be borne solely by the State.*