

Subtitle 11. Sediment Control

8-1101. Legislative findings; criteria and procedures to implement control programs.

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. In addition the General Assembly finds and declares that land movement and disturbance activities on Atlantic Coast beaches east of certain natural and physical contours and elevations of the beach endangers the integrity and continuity of the beach system which includes a dunal system, prevents adequate maintenance, shore erosion and sediment control, and storm protection of these and adjacent areas, and results in the imposition of additional financial burdens on the citizens of the State. To protect the natural resources of the State, the Secretary OF HEALTH AND MENTAL HYGIENE shall adopt criteria and procedures for the counties and the local soil conservation districts to implement soil and shore erosion control programs. These procedures may provide for departmental review and approval of major grading, sediment, and erosion control plans.

8-1103. Grading and building permits; grading and sediment control plan; certification by developer; authority and responsibility of Department OF HEALTH AND MENTAL HYGIENE and soil conservation district; grading and building ordinances.

(a) A county or municipality may issue grading and building permits as provided by law. A grading or building permit may not be issued until the developer (1) submits a grading and sediment control plan approved by the appropriate soil conservation district, and (2) certifies that all land clearing, construction, and development will be done under the plan. Criteria for sediment control and the procedure for referring an applicant to the appropriate soil conservation district shall be acceptable to the soil conservation district and the Department OF HEALTH AND MENTAL HYGIENE. The county or municipal unit responsible for on-site inspection and enforcement of the provisions of this subtitle shall make a final inspection and forward its report to the appropriate soil conservation district. Notice of violations of the provisions of this subtitle shall be filed with both the Department OF HEALTH AND MENTAL HYGIENE and the appropriate county unit.

(b) Each county or municipality shall adopt grading and building ordinances necessary to carry out the