

(i) The displacement of navigable water by the depositing into State or private wetlands of soil, sand, gravel, shells, or other materials; or

(ii) The artificial alteration of navigable water levels by any physical structure, drainage ditch, or otherwise.

(2) "Filling" includes storm drain projects which flow directly into tidal waters of the State.

(3) "Filling" does not include drainage of agricultural land.

[(h)] (G) "Landward boundary of wetlands" means the common boundary between wetlands as defined in this section and lands not included within the definitions of wetlands appearing in this section.

[(i)] (H) "Person" means any natural person, partnership, joint-stock company, unincorporated association or society, the State, any unit of the State, a political subdivision, or other corporation of any type.

[(j)] (I) "Private wetlands" means any land not considered "State wetland" bordering on or lying beneath tidal waters, which is subject to regular or periodic tidal action and supports aquatic growth. This includes wetlands, transferred by the State by a valid grant, lease, patent, or grant confirmed by Article 5 of the Declaration of Rights of the Constitution, to the extent of the interest transferred.

[(k)] (J) "Regular or periodic tidal action" means the rise and fall of the sea produced by the attraction of the sun and moon uninfluenced by wind or any other circumstance.

[(l)] (K) "Secretary" means THE Secretary of Natural Resources.

[(m)] (L) "State wetlands" means any land under the navigable waters of the State below the mean high tide, affected by the regular rise and fall of the tide. Wetlands of this category which have been transferred by the State by valid grant, lease, patent or grant confirmed by Article 5 of the Declaration of Rights of the Constitution shall be considered "private wetland" to the extent of the interest transferred.

Title 11. Maryland Energy Office.

SUBTITLE 1. IN GENERAL

Article - Real Property

3-4A-01.