

(3) If, after a site visit, the report of the Secretary recommends that a license be granted, the Board may issue the license without a hearing as to an application for a license:

(i) To fill or construct a shore erosion control structure of riprap on State wetlands if the fill area is less than 500 feet in length parallel to the fast land as close thereto as structurally feasible but not more than 10 feet channelward of the mean high water line; [or]

(ii) To repair or replace a bulkhead for the purpose of shore erosion control where the bulkhead is presently functional, but is deteriorating or damaged, provided that the repair or replacement structure does not extend more than 18 inches channelward of the existing structure. IF THE REPAIR OR REPLACEMENT IS COMPOSED OF MAY INCLUDE RIPRAP PILES PLACED ALONG THE BASE OF THE WALL BULKHEAD, PROVIDED THAT THE RIPRAP SHALL NOT EXTEND MORE THAN 10 FEET CHANNELWARD OF THE BULKHEAD[.]; OR

(III) TO FILL NEARSHORE SHALLOW WATER BOTTOM FOR THE PURPOSE OF SHORE EROSION CONTROL BY VEGETATIVE STABILIZATION INCLUDING WETLAND PLANT ESTABLISHMENT. EXTENDING NO MORE THAN 35 FEET CHANNELWARD OF THE MEAN HIGH WATER LINE PROVIDED THE FILL AREA IS LESS THAN 500 FEET IN LENGTH PARALLEL TO THE FAST LAND FOR THE PURPOSE OF SHORE EROSION CONTROL BY LANDSCAPING AND WETLAND PLANT ESTABLISHMENT.

(4) With respect to the maintenance dredging of projects in State wetlands for which a license is to be issued, the license may include provision for periodic maintenance dredging if recommended by the report of the Secretary provided that the maintenance dredging be effected:

(i) Within the area, depth and in conformity with other limitations contained in the license;

(ii) That no more than 500 cubic yards of material be dredged at each maintenance dredging to restore licensed works;

(iii) That the material from maintenance dredging be deposited upon the designated or other upland site approved by the Secretary;

(iv) That the Secretary be notified and approve of each maintenance dredging operation.

(5) The provisions for periodic maintenance dredging under the aforementioned conditions shall be effective for no more than 6 years beyond the date of issuance of the license.

(6) If the licensee desires to continue maintenance dredging beyond the expiration date authorized in item (5), he must obtain a new license by submitting an application to the