

9-201.

(a) A person who is the owner of land bounding on navigable water is entitled to any natural accretion to his land, to reclaim fast land lost by erosion or avulsion during his ownership of the land to the extent of provable existing boundaries. The person may make improvements into the water in front of the land to preserve that person's access to the navigable water or protect the shore of that person against erosion. After an improvement has been constructed, it is the property of the owner of the land to which it is attached. A right covered in this subtitle does not preclude the owner from developing any other use approved by the Board. The right to reclaim lost fast land relates only to fast land lost ~~after~~ January 1, 1972, ~~WITHIN--2--YEARS--PREVIOUS--TO--THE--DATE--OF--APPLICATION--FOR--A--LICENSE--OR--PERMIT,~~ and the burden of proof that the loss occurred after this date is on the owner of the land.

(b) The rights of any person, as defined in this subtitle, which existed prior to July 1, 1973, in relation to natural accretion of land are deemed to have continued to be in existence subsequent to July 1, 1973 to July 1, 1978.

9-202.

(a) A person may not dredge or fill on State wetlands, without a license.

(b) The Secretary shall assist the Board in determining whether to issue a license to dredge or fill State wetlands. The Secretary shall submit a report indicating whether the license should be granted and, if so, the terms, conditions, and consideration required after consultation with any interested federal, State, and local unit, and after ISSUING PUBLIC NOTICE, holding any REQUESTED hearing, and taking any evidence the Secretary thinks advisable.

(c) (1) [After a hearing in the local subdivision affected,] UPON RECEIPT OF A RECOMMENDATION REPORT BY THE SECRETARY, the Board shall decide if issuance of the license is in the best interest of the State, taking into account the varying ecological, economic, developmental, recreational, and aesthetic values each application presents. If the Board decides to issue the license, it shall be for consideration and on terms and conditions the Board determines. Every license shall be in writing.

(2) With respect to an application for a license to fill or construct a shore erosion control structure other than riprap on State wetlands, the Board may issue the license without [a hearing] PUBLIC NOTICE if the fill area is less than 300 feet in length parallel to the fast land as close thereto as structurally feasible but not more than 10 feet channelward of