

THE DEPARTMENT, WITH THE APPROVAL OF THE BOARD OF PUBLIC WORKS, SHALL ADOPT REGULATIONS IN ACCORDANCE WITH TITLE 10, SUBTITLE 1 OF THE STATE GOVERNMENT ARTICLE TO IMPLEMENT THE PROCEDURES OF THE ~~BOARD OF PUBLIC WORKS~~ DEPARTMENT FOR SHORE EROSION CONTROL CAPITAL AND LOAN PROJECTS UNDER §§ 8-1005, 8-1006, AND 8-1007 OF THIS SUBTITLE.

8-1105.1.

(b) (1) For the purposes of maintaining the Atlantic Coast beaches of the State and the Beach Erosion Control District, the integrity and continuity of the dunal system and assuring adequate maintenance thereof, to provide for shore erosion and sediment control and storm protection, and to minimize structural interference with the littoral drift of sand and any anchoring vegetation, any land clearing, construction activity, or the construction or placement of permanent structures within the Beach Erosion Control District is prohibited. This prohibition does not apply to any project or activity approved by the Department of Natural Resources and the appropriate soil conservation district specifically for storm control; beach erosion and sediment control; maintenance projects designed to benefit the Beach Erosion Control District; and a planned public utility pipeline carrying treated sewage effluent from a unit not exceeding 14 million gallons per day, if, in addition to the approvals required by all other applicable federal and local laws and regulations, it is approved by the Board of Public Works as essential to the public health, safety, and welfare of the citizens of Worcester County, after having received the permission of the Secretaries of Health and Mental Hygiene, Natural Resources, and State Planning, including a guarantee that in any contract under this provision a person will not make any significant permanent environmental disruption to the area, and the construction area for the purpose of laying a single pipe with a diameter not exceeding 36 inches is limited to a single 100 foot wide area perpendicular eastward from the west crest of the natural dune line on Assateague Island and in Ocean City and if the Secretaries of Health and Mental Hygiene, Natural Resources, and State Planning find that there is no economically and environmentally feasible alternative and that there is insufficient capacity at the existing Ocean City wastewater treatment facility and discharge pipe.

~~(2) THE BOARD OF PUBLIC WORKS SHALL ADOPT REGULATIONS~~

(2) THE SECRETARY OF HEALTH AND MENTAL HYGIENE, THE SECRETARY OF NATURAL RESOURCES, AND THE SECRETARY OF STATE PLANNING, WITH THE APPROVAL OF THE BOARD OF PUBLIC WORKS, SHALL JOINTLY ADOPT REGULATIONS IN ACCORDANCE WITH TITLE 10, SUBTITLE 1 OF THE STATE GOVERNMENT ARTICLE FOR THE PURPOSE OF IMPLEMENTING THE PROVISIONS OF THIS SUBSECTION.

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