

BY repealing and reenacting, with amendments,

Article - Environment  
Section 4-106 and 4-205  
Annotated Code of Maryland  
(1987 Replacement Volume and 1988 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Environment

4-105.

(a) Except as provided in subsection (b) of this section, before any person clears, grades, transports or otherwise disturbs land for any purpose including, but not limited to constructing buildings, mining minerals, developing golf courses, or constructing roads and streets, the appropriate soil conservation district first shall receive, review, and approve the proposed earth change. Land clearing, soil movement, and construction shall be carried out in accordance with the written recommendations of the soil conservation districts regarding control of erosion and siltation and elimination of pollution.

(b) In Montgomery County, notwithstanding the provisions of subsection (c) of this section and § 4-103(a)(1) of this subtitle, the soil conservation district may delegate to the County Department of Environmental Protection, by written agreement between the district and the Department of the Environment, the authority to review and approve or reject any sediment control plans for nonagricultural land-altering activities.

(c) In Prince George's and Montgomery Counties, the Washington Suburban Sanitary Commission, after consultation with and advice of the soil conservation districts of the two counties and the Department of the Environment, shall prepare and adopt rules and regulations for erosion and sediment control requirements for utility construction work. The rules and regulations shall be adopted and enforced as are others of the Commission under authority conferred by other laws. These rules and regulations apply to any utility construction work in Prince George's and Montgomery Counties. The provisions of this subsection do not apply until the soil conservation district in each county approves erosion and sediment control requirements for utility construction work in that county.

4-106.

The provisions of § 4-105 do not apply to any State OR FEDERAL unit. If a State OR FEDERAL unit undertakes any land