

(1) FOR A FIRST OFFENSE, A FINE NOT EXCEEDING \$25,000 \$10,000 OR IMPRISONMENT NOT TO EXCEED 1 YEAR OR BOTH; OR

(2) IF THE CONVICTION IS FOR A VIOLATION COMMITTED AFTER A FIRST CONVICTION OF THE PERSON UNDER THIS SUBSECTION FOR A SECOND OR SUBSEQUENT OFFENSE, A FINE NOT EXCEEDING \$50,000 \$25,000 FOR EACH DAY OF VIOLATION OR IMPRISONMENT NOT EXCEEDING 2 YEARS 6 MONTHS OR BOTH.

(2) THE COURT MAY ORDER THE PERSON TO RESTORE THE AREA UNLAWFULLY DISTURBED.

8-1211.

THE BOARD OF REVIEW OF THE DEPARTMENT DOES NOT HAVE JURISDICTION OVER ANY PROCEEDINGS ARISING UNDER THIS SUBTITLE, AND SECTIONS ~~1-105 AND 1-106~~ 1-106 AND 1-107 OF THIS ARTICLE ARE NOT APPLICABLE TO DECISIONS OF THE DEPARTMENT RELATING TO NONTIDAL WETLANDS.

SECTION 2. AND BE IT FURTHER ENACTED, That to reduce unnecessary delays and paperwork in the permitting process, the Department of Natural Resources shall work in cooperation with the U.S. Army Corps of Engineers to develop a joint nontidal wetlands permit application and process similar to the joint process already developed for tidal wetland permits. The Department shall report its progress on the development of a joint nontidal wetlands permit application and process to the General Assembly on the first day of the 1990 Session.

SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Department of Natural Resources shall issue a nontidal wetlands permit for the harvesting of peat bogs where this activity is water dependent and there is no practicable alternative for the conduct of this activity except in or within a certain distance from a nontidal wetland. The Department may require, as a condition of the permit, that the permit holder take certain actions during and following the harvesting of peat bogs in accordance with the requirements for regulated activities set forth in this Act.

SECTION -2- 4. AND BE IT FURTHER ENACTED, That on or before between July 1, 1989 and December 31, 1990, the Department of Natural Resources shall apply the standards in § 8-1207 of this Act when issuing waterway construction permits.

SECTION 5. AND BE IT FURTHER ENACTED, That the regulations adopted and the guidance maps prepared by the Department of Natural Resources under this Act shall be presented to the