

~~[(m)]~~(D) The Department shall provide to any interested person a periodic written report of waterway construction permit applications for which the public notice and hearing requirements have been waived under subsections (k) and (l) of this section.]

[(n)](D) The Department shall waive notice requirements and the holding of a public hearing if the requested appropriation or use of waters of the State is for an agricultural use in effect prior to July 1, 1993.

[(o)](E) Notwithstanding any other requirement of this section:

(1) The Department may waive the notice requirements of this section and the holding of a hearing if the requested appropriation or use of waters of the State is for an average annual water use of 10,000 gallons per day or less; and

(2) The Department may waive the holding of a public informational hearing if the requested appropriation or use of waters of the State is greater than an average annual water use of 10,000 gallons per day but less than an average annual water use of 50,000 gallons per day.

8-1206.

(e) After receipt of a complete application, UNDER THE PROCEDURES OF § 8-206(B) THROUGH (E) OF THIS TITLE the Department shall issue public notice of an opportunity to submit written comments or to request a hearing. A hearing shall be held within 45 days if requested, unless extenuating circumstances justify an extension of time. The hearing is not a contested case under the State Government Article.

9-101.

(k) (1) ["Public notice" means the notice that the Department publishes in a newspaper serving the local subdivision affected and in the Maryland Register concerning an application to dredge or fill State or private wetlands. The notice shall include a description of the proposed dredging or filling and its location and shall advise the public of the opportunity to submit written comments or to request a hearing on the application.] "PUBLIC NOTICE" MEANS THE PUBLIC NOTICE AND PUBLIC INFORMATIONAL HEARING PROCEDURES ESTABLISHED IN § 8-206(B) THROUGH (E) OF THIS ARTICLE.

(2) "Public notice" does not mean notice as provided for in § 9-302.1 of this title.

9-306.

(a) Any person proposing to conduct on any wetland an activity not authorized by the regulations adopted under the provisions of § 9-302 of this subtitle shall apply for a permit with the Secretary, on the form the Secretary prescribes. The application shall include a detailed description of the proposed work and a map showing the areas of wetland directly affected, the location of the proposed work, and the names of the owners of record of adjacent land, and every claimant of water rights in or adjacent to the wetland known to the applicant. Within 30 days after receipt of an application, the Secretary shall notify the applicant, in writing, of the extent of State wetlands involved in the proposed activity and indicate the method of compliance with the license