

1. A. 44 FEET ABOVE THE MEAN LOW WATER MARK IN THE NORTH CELL; ~~OR AND~~

2. B. 28 FEET ABOVE THE MEAN LOW WATER MARK IN THE SOUTH CELL; ~~OR~~

~~(H) ON OR AFTER JANUARY 1, 2010, DREDGE SPOIL MAY NOT BE DEPOSITED IN THE HART MILLER ISLAND DREDGED MATERIAL CONTAINMENT FACILITY.~~

2. JANUARY 1, 2010.

(II) NEW DREDGE SPOIL DREDGED FROM A CHANNEL MAY NOT BE DEPOSITED IN THE SOUTH CELL.

(b) (1) Except as provided in paragraph (2) of this subsection, only spoil from the excavation or dredging of Baltimore Harbor, its approach channels, and Baltimore County tributary spoil from an approved dredging project in any of the Baltimore County tributaries of the Chesapeake Bay may be redeposited in a contained area described in subsection (a) of this section.

(2) Only dredge spoil from local dredging projects initiated by Baltimore County in the waters of Baltimore County may be redeposited in any additional contained area for the redeposit of spoil authorized under subsection (a)(1) of this section.

16-202.

(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) Upon receipt of a 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, the issuance of the license 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 public notice if the fill area is less than 300 feet in length parallel to the fast land as close to the fast land as structurally feasible but not more than 10 feet channelward of the mean high water line and if after a site visit the report of the Secretary recommends that the license be granted. The Board may issue a license without public notice where an emergency exists caused by act of God, natural disaster, catastrophe, or other similar natural event when the health, safety, or welfare of the citizens of the State would be jeopardized by a delay caused by time requirements for