

(5) The provisions for periodic maintenance dredging under paragraph (4) of this subsection shall be effective for no more than 6 years beyond the date of issuance of the license.

(6) If the licensee desires to continue maintenance dredging beyond the expiration date authorized in paragraph (5) of this subsection, the licensee must obtain a new license by submitting an application to the Board for review in accordance with the procedures of this section.

(d) The provisions of this section do not apply to any operation for:

(1) Dredging and filling being conducted as of July 1, 1970, as authorized under the terms of an appropriate permit or license granted under the provisions of existing State and federal law;

(2) Dredging of seafood products by any licensed operator, harvesting of seaweed, or mosquito control and abatement as approved by the Department of Agriculture;

(3) Improvement of wildlife habitat or agricultural drainage ditches as approved by an appropriate unit; or

(4) Routine maintenance or repair of existing bulkheads, provided that there is no addition or channelward encroachment.

(E) (1) THE BOARD MAY NOT APPROVE A LICENSE OR AN AMENDMENT TO A LICENSE AUTHORIZING THE DREDGE MATERIAL DEPOSITED IN THE HART-MILLER ISLAND DREDGED MATERIAL CONTAINMENT FACILITY TO EXCEED AN ELEVATION OF:

(I) 44 FEET ABOVE THE MEAN LOW WATER MARK IN THE NORTH CELL; AND

(II) 28 FEET ABOVE THE MEAN LOW WATER MARK IN THE SOUTH CELL.

(2) ON OR AFTER JANUARY 1, 2010, THE BOARD MAY NOT APPROVE A LICENSE OR AN AMENDMENT TO A LICENSE AUTHORIZING THE DEPOSIT OF DREDGE MATERIAL AT THE HART-MILLER DREDGED MATERIAL CONTAINMENT FACILITY.

[(e)](F) Any person who violates any provision of this section is guilty of a misdemeanor. Upon conviction, the person is subject to a fine not exceeding \$1,000 with costs imposed in the discretion of the court.

SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Department of Transportation and the Department of Natural Resources, in consultation with the Baltimore County government, shall hold at least two public meetings to receive public input on the development of the Hart-Miller Island Dredged Material Containment Facility as a ~~park and recreational facility~~ wildlife habitat and passive recreation area. After the public meetings, the Department of Transportation and the Department of Natural Resources, in consultation with the Baltimore County