

Article - Environment

Section 5-1103 and 16-202

Annotated Code of Maryland

(1996 Replacement Volume and 1996 Supplement)

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

Article - Environment

5-1103.

(a) (1) Except for dredge spoil from local dredging projects initiated by Baltimore County in the waters of Baltimore County, the Department may not approve any contained area for the redeposit of spoil within 5 miles of the Hart-Miller-Pleasure Island chain in Baltimore County.

(2) A contained area described in paragraph (1) of this subsection may not exceed the approximately 1,100 acre size provided in the projects U.S. Army Corps of Engineers permit dated November 22, 1976.

(3) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, DREDGE SPOIL MAY NOT BE DEPOSITED IN THE HART-MILLER ISLAND DREDGED MATERIAL CONTAINMENT FACILITY AFTER THE FIRST OF THE FOLLOWING TO OCCUR:

1. THE MAXIMUM HEIGHT OF DREDGE SPOIL DEPOSITED IN THE HART-MILLER ISLAND DREDGED MATERIAL CONTAINMENT FACILITY MAY NOT EXCEED REACHES:

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

± 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.