

(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 government, shall enter into a memorandum of understanding or agree to an amendment to the existing memorandum of understanding concerning Hart-Miller-Pleasure Island by ~~December 30, 1997 on a concept plan for the development of the south cell and the north cell of the Hart-Miller Island Dredged Material Containment Facility as a park and recreational facility. The memorandum of understanding or an amendment to the existing memorandum of understanding shall include concept plans for habitat restoration and recreational facilities, time lines for completion of the concept plans, construction plans and construction, and the State agencies responsible for implementing and funding the plans. The memorandum of understanding or the amendment to the memorandum of understanding shall provide that the development of the south cell will be substantially completed by July 1, 2002 and the development of the north cell will be substantially completed by July 1, 2013.~~ June 30, 1998. The amendment to the existing memorandum of understanding shall include the existing concept plan for the south cell for wildlife habitat restoration and passive recreation, time lines for completion of the construction plans and construction, and the State agencies responsible for implementing and funding the plans for the south cell. The amendment shall include the time line for the completion of the concept plan for the north cell and the State agencies responsible for implementing and