

DIRECTING THE DEPARTMENT TO ESTABLISH ZONES OF DEWATERING INFLUENCE AROUND SURFACE MINES IN KARST TERRAIN AND TO ADMINISTER A PROGRAM REQUIRING PERMITTEES TO MITIGATE OR COMPENSATE AFFECTED PROPERTY OWNERS IN THESE COUNTIES.

7-6A-10.2.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "DEWATER" OR "DEWATERING" MEANS TO PUMP WATER OUT OF A PIT.

(3) "KARST TERRAIN" MEANS AN IRREGULAR TOPOGRAPHY THAT IS:

(I) CAUSED BY A SOLUTION OF LIMESTONE AND OTHER CARBONATE ROCK; AND

(II) CHARACTERIZED BY CLOSED DEPRESSIONS, SINKHOLES, CAVERNS, SOLUTION CAVITIES, AND UNDERGROUND CHANNELS THAT, PARTIALLY OR COMPLETELY, MAY CAPTURE SURFACE STREAMS.

(4) "LINEAMENTS" MEANS THE SURFACE MANIFESTATION OF CRACKS, FISSURES, FRACTURES, AND ZONES OF WEAKNESS THAT, GENERALLY, ARE OBSERVABLE ON AERIAL PHOTOGRAPHS AS STRAIGHT OR NEARLY STRAIGHT LINES.

(B) (1) IF A PERMITTEE IS ISSUED A WATER APPROPRIATION PERMIT UNDER § 8-802 OF THIS ARTICLE TO DEWATER A PIT LOCATED IN KARST TERRAIN IN BALTIMORE, CARROLL, FREDERICK, AND WASHINGTON COUNTIES, THE DEPARTMENT SHALL ESTABLISH, AS A CONDITION OF THE PERMITTEE'S SURFACE MINING PERMIT UNDER § 7-6A-09 OF THIS SUBTITLE, A ZONE OF DEWATERING INFLUENCE AROUND THE SURFACE MINE.

(2) THE AREAL EXTENT OF THE ZONE OF DEWATERING INFLUENCE SHALL BE BASED, AS APPROPRIATE, ON LOCAL TOPOGRAPHY, WATERSHEDS, AQUIFER LIMITS, AND OTHER HYDROGEOLOGIC FACTORS, INCLUDING THE OCCURRENCE OF NATURAL FRACTURES, CRACKS, CREVICES, LINEAMENTS, IGNEOUS DIKES, CHANGES IN ROCK TYPE, AND VARIATIONS IN THE WATER-BEARING CHARACTERISTICS OF FORMATIONS.

(C) WITHIN THE ZONE OF DEWATERING INFLUENCE ESTABLISHED UNDER SUBSECTION (B)(1) OF THIS SECTION, THE PERMITTEE SHALL: