

Compensation Fund; defining certain terms; requiring the Department of the Environment to conduct certain reviews and submit certain reports and a certain plan to certain legislative committees by certain dates; altering certain definitions; and generally relating to the Wetlands and Waterways Program.

BY repealing and reenacting, with amendments,
Article – Environment
Section 1-607, 16-101(i), and 16-205
Annotated Code of Maryland
(2007 Replacement Volume and 2007 Supplement)

BY adding to
Article – Environment
Section 5-203.1
Annotated Code of Maryland
(2007 Replacement Volume and 2007 Supplement)

Preamble

WHEREAS, It is essential to the health and vitality of the Chesapeake and Atlantic Coastal Bays that all wetlands and waterways within the State are adequately protected through the permitting and licensing programs administered by the Maryland Department of the Environment; and

WHEREAS, Constraints on the Department's General Fund appropriation have limited the Department's effective protection of the State's water resources and have delayed the processing of permits, which in turn has negatively impacted Maryland business interests; and

WHEREAS, The assessment of application fees will enable the Department to render permit decisions more quickly and efficiently, even though current processing delays are often the result of requirements outside the control of the Department, including review by other governmental agencies, procedures for public participation, and the failure of an applicant to submit complete and timely information to the Department; and

WHEREAS, It is the intent of the General Assembly that the goals of the statewide Nontidal Wetlands Protection Act be furthered and that the joint permitting process with the U.S. Army Corps of Engineers be improved so as to meet the goals and deadlines of the Act more effectively and promptly; and

WHEREAS, It is the intent of the General Assembly that the most equitable way to fund the full and effective administration of a statewide Wetlands and Waterways Program in the Department is through reasonable application fees and General Fund appropriations; now, therefore,