

connotation. The only other changes made are in style.

(C) JOINT HEARING PERMISSIBLE.— IF A STATE-POLITICAL SUBDIVISION, ACTING WITHIN ITS AUTHORITY AND RESPONSIBILITY, HOLDS, OR IS REQUIRED TO HOLD, PUBLIC HEARINGS ON MATTERS SUBJECT TO ANY PERMIT THE DEPARTMENT ISSUES UNDER THIS SECTION, THE STATE-POLITICAL SUBDIVISION AND THE DEPARTMENT MAY HOLD A JOINT HEARING. HOWEVER, INTERESTED UNITS AND THE PUBLIC SHALL BE NOTIFIED THAT IT IS ALSO A DEPARTMENT HEARING FOR THE PURPOSE OF OBTAINING A DEPARTMENT PERMIT. AT A JOINT PUBLIC HEARING, THE APPLICANT AND ANY INTERESTED PERSON SHALL BE GIVEN AN OPPORTUNITY TO PRESENT FACTS, EVIDENCE, AND ARGUMENTS FOR OR AGAINST GRANTING THE APPLICATION.

REVISOR'S NOTE: This subsection presently appears as Article 96A, section 15(k) of the Code. The use of the term "shall" has a mandatory connotation. The only other changes made are in style.

(D) WAIVER OF HEARING.—THE DEPARTMENT MAY WAIVE HOLDING A PUBLIC HEARING ON ANY PERMIT APPLICATION UNDER THE FOLLOWING CONDITIONS:

(1) IF THERE IS AN EMERGENCY OR A REQUEST TO MAKE MINOR REPAIRS, THE DEPARTMENT, UPON WRITTEN OR ORAL APPLICATION, MAY GRANT AN APPLICATION TO REPAIR ANY RESERVOIR, DAM, OR WATERWAY OBSTRUCTION WITHOUT NOTICE OR HEARING. ~~[[REPAIRO]]~~ REPAIR NECESSARY TO SAVE LIFE OR PROPERTY MAY BE MADE WITHOUT AN APPLICATION, BUT NOTICE SHALL BE GIVEN PROMPTLY TO THE DEPARTMENT.

(2) TO FILL OR BULKHEAD ALONG A TIDAL SHORELINE OF PRIVATE, SINGLE FAMILY PROPERTIES, IF WRITTEN NOTICE IS GIVEN TO ADJACENT PROPERTY OWNERS, AND INTERESTED LOCAL UNITS, AND CONSTRUCTION IS LESS THAN 300 FEET IN LENGTH AND OCCUPIES LESS THAN ONE ACRE OF WETLAND. THE DEPARTMENT SHALL BE FURNISHED WITH EVIDENCE OF THIS WRITTEN NOTICE.

(3) IF STATE, COUNTY, OR MUNICIPAL ROADS, BRIDGES, OR CULVERTS MEET MINIMUM DESIGN STANDARDS ACCEPTABLE TO THE DEPARTMENT, AND CONSTRUCTION DOES NOT ADVERSELY AFFECT KNOWN WATER RESOURCES PROJECTS.

(4) IF PLANS OF OTHER PROJECTS WHICH CONFORM TO WATER RESOURCES DEVELOPMENT PLANS ACCEPTED