

(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 and adopted by the Department were subject to public hearing and the Department's review finds no changed conditions in them since the last public review and comment to justify another hearing.

(5) If temporary structures constructed to provide access across streams during construction operations or to trap sediment or achieve another similar purpose meet minimum design standards the Department establishes, and are removed completely, in a manner acceptable to the Department, within six months after need for the structure is terminated.

(6) IF TEMPORARY-EXCAVATION, FILLING, OR GRADING FOR THE INSTALLATION OF UTILITIES MEETS MINIMUM DESIGN STANDARDS ACCEPTABLE TO THE DEPARTMENT AND THE PRECONSTRUCTION CONTOURS ARE THE REQUESTED WATERWAY CONSTRUCTION PERMIT IS FOR TEMPORARY EXCAVATION, FILLING, OR GRADING FOR THE INSTALLATION OF UTILITIES WHICH MEET MINIMUM DESIGN STANDARDS ACCEPTABLE TO THE DEPARTMENT AND PRECONSTRUCTION CONTOURS WHICH ARE TO BE REESTABLISHED UPON INSTALLATION OF THE UTILITY.

(7) IF CLEARING AND GRADING ACTIVITIES DISTURB LESS THAN 5,000 SQUARE FEET OF LAND AREA AND DISTURB THE REQUESTED WATERWAY CONSTRUCTION PERMIT IS FOR CLEARING AND GRADING ACTIVITIES DISTURBING LESS THAN 5,000 SQUARE FEET OF LAND AREA AND DISTURBING LESS THAN 100 CUBIC YARDS OF EARTH.

[(6)] (8) If the requested appropriation or use of waters of the State is for a quantity of 10,000 gallons or less per day.

(E) THE DEPARTMENT SHALL PROVIDE PERIODIC WRITTEN NOTICE OF APPLICATIONS TO THE DEPARTMENT FOR WATERWAY CONSTRUCTION PERMITS FOR WHICH THE PUBLIC HEARING REQUIREMENT MAY BE WAIVED UNDER SUBSECTION (D) OF THIS SECTION TO ANY INTERESTED PERSON WHO MAY REQUEST THIS NOTICE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1986.

Approved May 13, 1986.