

waterway construction permit for a certain period; making this Act subject to a certain contingency; requiring the Department to present the regulations and guidance maps and a certain progress report to the General Assembly by a certain date; providing that the regulations may not take effect until a certain date; exempting certain persons who have applied for an Army Corps of Engineers permit from the permit provisions of this Act under certain circumstances; and generally relating to the protection of nontidal wetlands.

BY adding to

Article - Natural Resources
 Section 8-1201 through 8-1211 to be under the new subtitle
 "Subtitle 12. Nontidal Wetlands"
 Annotated Code of Maryland
 (1983 Replacement Volume and 1988 Supplement)

Preamble

WHEREAS, According to recent estimates Maryland is losing nontidal wetlands at a rate of 1,600 acres per year; and

WHEREAS, Only 275,000 acres of the State's nontidal wetlands remain; and

WHEREAS, Under the Chesapeake Bay Agreements of 1987, Maryland is committed to work with the federal government and other Bay jurisdictions to protect and preserve the area's remaining nontidal wetlands, and to strive toward a net gain in nontidal wetlands acreage and function; and

WHEREAS, The federal government is already regulating the filling of nontidal wetlands in Maryland under § 404 of the Clean Water Act, but is authorized and willing to delegate its responsibilities to the State; and

WHEREAS, That it is the State's intention to evaluate the feasibility of assuming the permit program under Section 404 of the Clean Water Act after implementation of a statewide permit program for nontidal wetlands; and

WHEREAS, Local governments should have opportunity to assume the responsibilities of protecting nontidal wetlands within their jurisdictions, provided that their programs are as stringent as the State criteria; and

WHEREAS, It is the intent of this legislation that the Department of Natural Resources shall establish prompt and cost-effective procedures for effective protection of nontidal