
By: **Delegates Bozman, Conway, and McClenahan**
Introduced and read first time: February 4, 1998
Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Beach Erosion Control District - Boardwalk Widening - Ocean City**

3 FOR the purpose of providing for certain construction in the Beach Erosion Control
4 District of Ocean City; and generally relating to construction in the Beach
5 Erosion Control District.

6 BY repealing and reenacting, with amendments,
7 Article - Natural Resources
8 Section 8-1102
9 Annotated Code of Maryland
10 (1990 Replacement Volume and 1997 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article - Natural Resources**

14 8-1102.

15 (a) (1) For the purposes of maintaining the Atlantic Coast beaches of the
16 State and the Beach Erosion Control District, the integrity and continuity of the
17 dunal system and assuring adequate maintenance of the beaches, Beach Erosion
18 Control District, and dunal system, to provide for shore erosion and sediment control
19 and storm protection, and to minimize structural interference with the littoral drift of
20 sand and any anchoring vegetation, any land clearing, construction activity, or the
21 construction or placement of permanent structures within the Beach Erosion Control
22 District is prohibited.

23 (2) This prohibition does not apply to any project or activity approved by
24 the Department and the appropriate soil conservation district specifically for storm
25 control; beach erosion and sediment control; maintenance projects designed to benefit
26 the Beach Erosion Control District; **THE WIDENING OF THE BOARDWALK IN OCEAN
27 CITY UP TO AN ADDITIONAL 40 FEET TO THE EAST BETWEEN SOUTH SECOND STREET
28 AND THE SOUTH SIDE OF WORCESTER STREET AND FROM THE SOUTH SIDE OF
29 SOMERSET STREET TO THE SOUTHERLY TERMINUS OF THE STEEL AND CONCRETE**

1 BULKHEAD AT 4TH STREET, AND AN ADDITIONAL 80 FEET TO THE EAST BETWEEN
2 THE SOUTH SIDE OF WORCESTER STREET AND THE SOUTH SIDE OF SOMERSET
3 STREET TO INCLUDE ASSOCIATED APPURTENANCES AND CONSTRUCTION OF ONE
4 RESTROOM FACILITY IN AN EASTERLY DIRECTION BETWEEN SOUTH SECOND
5 STREET AND THE SOUTHERLY TERMINUS OF THE STEEL AND CONCRETE BULKHEAD
6 AT 4TH STREET FOR THE PURPOSE OF PUBLIC HEALTH, SAFETY, AND WELFARE; and
7 a planned public utility pipeline carrying treated sewage effluent from a unit not
8 exceeding 14 million gallons per day, if, in addition to the approvals required by all
9 other applicable federal and local laws and regulations, it is approved by the Board of
10 Public Works as essential to the public health, safety, and welfare of the citizens of
11 Worcester County, after having received the permission of the Secretaries of the
12 Environment and Natural Resources, and the Director of Planning, including a
13 guarantee that in any contract under this provision a person will not make any
14 significant permanent environmental disruption to the area, and the construction
15 area for the purpose of laying a single pipe with a diameter not exceeding 36 inches is
16 limited to a single 100 foot wide area perpendicular eastward from the west crest of
17 the natural dune line on Assateague Island and in Ocean City, and if the Secretaries
18 of the Environment and Natural Resources and the Director of Planning find that
19 there is no economically and environmentally feasible alternative, and that there is
20 insufficient capacity at the existing Ocean City wastewater treatment facility and
21 discharge pipe.

22 (b) The Secretary of the Environment, the Secretary of Natural Resources,
23 and the Director of Planning, with the approval of the Board of Public Works, shall
24 jointly adopt regulations in accordance with Title 10, Subtitle 1 of the State
25 Government Article for the purpose of implementing the provisions of this section.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 1998.