

SENATE BILL 849

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8lr3482
CF 8lr3476

By: **Senator Mathias**

Introduced and read first time: February 5, 2018

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Beach Erosion Control District – Ocean City Life–Saving Station Museum**

3 FOR the purpose of exempting the construction of additions and alterations to the existing
4 Ocean City Life–Saving Station Museum building from a prohibition on the
5 construction or placement of permanent structures within the Beach Erosion Control
6 District under certain circumstances; making stylistic changes; and generally
7 relating to construction in the Beach Erosion Control District.

8 BY repealing and reenacting, with amendments,
9 Article – Natural Resources
10 Section 8–1102
11 Annotated Code of Maryland
12 (2012 Replacement Volume and 2017 Supplement)

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

15 **Article – Natural Resources**

16 8–1102.

17 (a) (1) Except as otherwise provided in paragraphs (2) and (3) of this
18 subsection, for the purposes of maintaining the Atlantic Coast beaches of the State and the
19 Beach Erosion Control District, the integrity and continuity of the dunal system and
20 assuring adequate maintenance of the beaches, Beach Erosion Control District, and dunal
21 system, to provide for shore erosion and sediment control and storm protection, and to
22 minimize structural interference with the littoral drift of sand and any anchoring
23 vegetation, any land clearing, construction activity, or the construction or placement of
24 permanent structures within the Beach Erosion Control District is prohibited.

25 (2) This prohibition does not apply to any project or activity approved by

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 the Department and the appropriate soil conservation district specifically for [storm]:

2 (I) **STORM** control; [beach]

3 (II) **BEACH** erosion and sediment control; [maintenance]

4 (III) **MAINTENANCE** projects designed to benefit the Beach Erosion
5 Control District; [the]

6 (IV) **THE** widening of the boardwalk in Ocean City up to an additional
7 40 feet to the east between South Second Street and the south side of Worcester Street and
8 from the south side of Somerset Street to the southerly terminus of the steel and concrete
9 bulkhead at 4th Street, and an additional 80 feet to the east between the south side of
10 Worcester Street and the south side of Somerset Street to include associated appurtenances
11 and construction of one restroom facility in an easterly direction between South Second
12 Street and the southerly terminus of the steel and concrete bulkhead at 4th Street for the
13 purpose of public health, safety, and welfare; [and a]

14 (V) **A** planned public utility pipeline carrying treated sewage
15 effluent from a unit not exceeding 14 million gallons per day, if, in addition to the approvals
16 required by all other applicable federal and local laws and regulations, it is approved by
17 the Board of Public Works as essential to the public health, safety, and welfare of the
18 citizens of Worcester County, after having received the permission of the Secretaries of the
19 Environment and Natural Resources, and the Director of Planning, including a guarantee
20 that in any contract under this provision a person will not make any significant permanent
21 environmental disruption to the area, and the construction area for the purpose of laying a
22 single pipe with a diameter not exceeding 36 inches is limited to a single 100 foot wide area
23 perpendicular eastward from the west crest of the natural dune line on Assateague Island
24 and in Ocean City, and if the Secretaries of the Environment and Natural Resources and
25 the Director of Planning find that there is no economically and environmentally feasible
26 alternative, and that there is insufficient capacity at the existing Ocean City wastewater
27 treatment facility and discharge pipe; **AND**

28 (VI) **THE CONSTRUCTION OF ADDITIONS AND ALTERATIONS TO**
29 **THE EXISTING OCEAN CITY LIFE-SAVING STATION MUSEUM BUILDING, IF THE**
30 **BUILDING AND ADDITIONS ARE OWNED BY OCEAN CITY.**

31 (3) (i) Subject to subparagraph (iii) of this paragraph, this prohibition
32 does not apply to the construction and installation of a qualified submerged renewable
33 energy line, as defined in § 7–208 of the Public Utilities Article, if the project does not result
34 in any significant permanent environmental damage to the Beach Erosion Control District,
35 as determined by the Department.

36 (ii) An application for a certificate of public convenience and
37 necessity to construct a qualified submerged renewable energy line, as defined in § 7–208
38 of the Public Utilities Article, is subject to review by the Department and the Department

1 of the Environment, as provided in § 3–306 of this article.

2 (iii) The Public Service Commission may not approve an application
3 for a qualified submerged renewable energy line to be constructed or installed within the
4 Assateague National Seashore Park or the Assateague State Park.

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

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2018.