§ 34-0109. Administration; applications for permits.

1. Applicability. (a) Where the commissioner has, pursuant to subdivision one of section 34-0107 of this article, issued regulations which apply the minimum standards promulgated pursuant to section 34-0108 of this article to activities or development within any erosion hazard area, any person proposing to undertake activities or development subject to such regulations shall obtain a permit as provided in this section.

(b) A proposed activity or development in an erosion hazard area shall be deemed an action that is likely to require the preparation of an environmental impact statement pursuant to subparagraph (i) of paragraph (c) of subdivision two of section 8-0113 of this chapter.

2. Applications for permits. (a) An application for a permit shall be submitted in such form and manner as the commissioner may prescribe, and shall contain a detailed description of the proposed development which is sufficient to enable the commissioner to make the findings and determinations required by this section.

(b) Review by the commissioner of applications for permits pursuant to this section shall be governed by the provisions of article seventy of this chapter.

3. Decision. (a) No permit shall be granted pursuant to this section unless the commissioner shall find that the proposed activity complies with the minimum standards promulgated pursuant to section 34-0108 of this article as such standards are applied to the affected erosion hazard area by the regulations issued by the commissioner pursuant to section 34-0107 of this article.

(b) In granting a permit, the commissioner may limit such permit or impose reasonable conditions or limitations designed to carry out the public policy set forth in this article. Upon a finding that the applicant has a record of non-compliance with the terms and conditions of permits, the commissioner may require a bond or other form of financial security in amount and with surety and conditions satisfactory to him to secure compliance with the terms, conditions and limitations set forth in the permit. The commissioner may suspend or revoke a permit

if he finds that the applicant has not complied with any of the terms, conditions or limitations set forth in the permit.