

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL NO. 517

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “circumstances;” insert “requiring certain actions in State wildlands by certain units under certain circumstances; providing that the designation of an area as wildlands may not be construed as precluding certain actions pertaining to certain lines; authorizing certain uses of wildland areas subject to the laws, regulations, and administrative policies of the Department of Natural Resources; providing for a contingency for certain portions of this Act; providing for the effective date of this Act;”; and in line 20, strike “5-1203(o) through (bb)” and substitute “5-1203(b-1), (e-1), and (o) through (bb), 5-1212.1, and 5-1213.1”.

AMENDMENT NO. 2

On page 2, after line 18, insert:

“(B-1) PURSUANT TO THE PROVISIONS OF SUBSECTION (A) OF THIS SECTION, THAT PROPERTY IN GARRETT COUNTY CONTAINING APPROXIMATELY 650 ACRES AND DESCRIBED AS FOLLOWS IS A TYPE 1 STATE WILDLAND AND SHALL BE NAMED THE “HIGH ROCK WILDLAND”:

BEGINNING AT A STONE MARKED “BP 129” AND WITNESSED BY A PIPE STAMPED 582, SAID STONE ALSO BEING A CORNER OF THE SAVAGE RIVER STATE FOREST BOUNDARY ON THE WESTERN SLOPE OF BIG SAVAGE MOUNTAIN AND THEN RUNNING NORTH 38 DEGREES 18 MINUTES EAST 3703.31 FEET TO A STONE MARKED “BP 128” AND WITNESSED BY A PIPE STAMPED 581 AND THEN RUNNING NORTH 54 DEGREES 23 MINUTES EAST 5500.00 FEET MORE OR LESS TO A POINT ON THE SOUTHEAST SIDE OF PINE SWAMP ROAD, THEN RUNNING IN A NORTHEASTERLY DIRECTION ALONG THE SOUTHEAST SIDE OF SAID ROAD TO THE SOUTH SIDE OF ITS INTERSECTION WITH WESTERNPORT ROAD, THEN RUNNING WITH THE SOUTHWEST SIDE OF WESTERNPORT ROAD IN A SOUTHEASTERLY DIRECTION 5400.00 FEET MORE

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OR LESS TO A POINT ON THE 2700 FOOT CONTOUR LINE, THEN RUNNING GENERALLY WITH SAID CONTOUR LINE SOUTH 49 DEGREES WEST 3500.00 FEET MORE OR LESS TO A POINT NORTHEAST OF THE HIGH ROCK TOWER ROAD, THEN RUNNING IN A WESTERLY DIRECTION 200 FEET NORTH AND PARALLEL TO SAID ROAD 2100.00 FEET TO A POINT LYING NORTHWEST OF THE HIGH ROCK TOWER SITE, THEN RUNNING SOUTH 40 DEGREES WEST 200.00 FEET MORE OR LESS, THEN RUNNING NORTH 62 DEGREES WEST 1600 FEET MORE OR LESS TO THE BEGINNING.”.

AMENDMENT NO. 3

On page 10, after line 9, insert:

“(E-1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS PART II OF THIS SUBTITLE, THE DESIGNATION OF AN AREA AS A WILDLAND MAY NOT BE CONSTRUED TO PRECLUDE:

(1) THE NORMAL MAINTENANCE OF AN ELECTRICAL TRANSMISSION LINE, DISTRIBUTION LINE, TELEPHONE LINE, NATURAL GAS LINE, OR OTHER ABOVE GROUND OR UNDERGROUND LINE, OR OF ANY EASEMENT HELD IN CONJUNCTION WITH SUCH LINE, IN THE MANNER SUCH LINE OR EASEMENT IS NORMALLY MAINTAINED; OR

(2) THE UPGRADING OR EXPANSION OF ANY ELECTRICAL TRANSMISSION LINE, DISTRIBUTION LINE, TELEPHONE LINE, NATURAL GAS LINE, OR OTHER ABOVE GROUND OR UNDERGROUND LINE IF THE PERSON RESPONSIBLE FOR THE LINE HAD THE RIGHT, SUBJECT TO ANY REQUIRED APPROVAL, TO UPGRADE OR EXPAND THE LINE IN THE DESIGNATED AREA IMMEDIATELY BEFORE THE DESIGNATION OF THE AREA AS WILDLANDS.”.

AMENDMENT NO. 4

On page 14, after line 31, insert:

“EXEMPTING ALL AREAS IN THIS PARCEL 7 DESIGNATED OR LEGALLY USED FOR VEHICLE PARKING AS OF JANUARY 1, 1996.”.

AMENDMENT NO. 5

On page 50, after line 34, insert:

“5-1212.1.

ANY AREA WHICH WAS OPEN TO HUNTING, FISHING, OR TRAPPING PRIOR TO WILDLANDS DESIGNATION SHALL CONTINUE TO BE AVAILABLE FOR THOSE ACTIVITIES SUBJECT TO THE LAWS, REGULATIONS, AND ADMINISTRATIVE POLICIES OF THE DEPARTMENT.

5-1213.1.

IN ADDITION TO ANY MEASURES TAKEN UNDER § 5-1213 OF THIS SUBTITLE, IN ORDER TO PROTECT PRIVATELY OWNED LAND ADJOINING OR LOCATED IN CLOSE PROXIMITY TO A STATE WILDLAND, EACH UNIT ADMINISTERING THE DESIGNATED WILDLAND AREA SHALL:

(1) MAINTAIN FIRE ACCESS ROADS LOCATED WITHIN THE WILDLAND AREA IN A PASSABLE CONDITION AS DETERMINED BY THE DEPARTMENT; AND

(2) TAKE OR ALLOW IMMEDIATE ACTION, AS APPROVED BY THE DEPARTMENT, TO RESPOND TO ANY THREAT RESULTING FROM INSECTS, DISEASE, NOXIOUS WEEDS, OR FIRE.”.

AMENDMENT NO. 6

On page 50, after line 38, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That, subject to Section 4 of this Act, § 5-1203(aa) of the Natural Resources Article, as enacted by Section 1 of this Act, shall take effect July 1, 1998.

SECTION 4. AND BE IT FURTHER ENACTED, That, if the General Assembly enacts

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legislation effective on or before July 1, 1998 or the Governor fails to submit legislation to the General Assembly on or before January 1, 1998 to codify at least an additional 1800 acres of wildland areas in the State, excluding Garrett and Allegany Counties, § 5-1203(aa) of the Natural Resources Article, as enacted by Section 1 of this Act, may not take effect.

SECTION 5. AND BE IT FURTHER ENACTED, That, if § 5-1203(aa) of the Natural Resources Article, as enacted by Section 1 of this Act, becomes effective on July 1, 1998, § 5-1203(b-1) of the Natural Resources Article, as enacted by Section 1 of this Act, shall be abrogated and of no further force and effect.”;

in line 39, strike “3.” and substitute “6.”; and in the same line, after “That” insert “, except as provided in Section 3 of this Act,”.