
By: **Delegate Weir**

Introduced and read first time: February 5, 2004

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources - Scenic and Wild Rivers Program**

3 FOR the purpose of adding Back River to the list of rivers included in the Scenic and
4 Wild Rivers Program; clarifying a certain definition; and generally relating to
5 the Scenic and Wild Rivers Program.

6 BY repealing and reenacting, with amendments,
7 Article - Natural Resources
8 Section 8-402
9 Annotated Code of Maryland
10 (2000 Replacement Volume and 2003 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 8-402.

15 (a) There is a Scenic and Wild Rivers Program. The following rivers, including
16 their tributaries, are included in the Program:

- 17 (1) Anacostia;
- 18 (2) Deer Creek;
- 19 (3) Monocacy;
- 20 (4) Patuxent;
- 21 (5) Pocomoke;
- 22 (6) Potomac (in Montgomery and Frederick counties);
- 23 (7) Severn;

1 (8) Wicomico in Charles County; [and]

2 (9) Youghiogheny; AND

3 (10) BACK.

4 (b) The Secretary shall administer the provisions of this subtitle. The
5 Secretary shall formulate and implement a program to carry out the policy under §
6 8-401 of this subtitle for each designated river including any other river designated
7 subsequently as part of the system. The Program shall provide for the preparation of
8 a plan and for the wise management of resources according to the policy under §
9 8-401 of this subtitle. Activities such as fishing, hunting, hiking, horseback riding,
10 natural and geological interpretation, scenic appreciation, and other programs by
11 which the general public can appreciate and enjoy the value of these areas as scenic
12 and wild rivers in a setting of natural solitude shall be featured in a management
13 plan to the extent these activities are practicable in the scenic or wild river.

14 (c) The Secretary shall prepare a study and plan for the use and development
15 of the water and related land resources of Deer Creek in Harford County. The study
16 and plan shall evaluate Deer Creek as a water, agricultural, and scenic resource, and
17 evaluate its shoreline and related land in terms of zoning, parks, and recreational
18 areas, public and private use. The study and plan shall be made in consultation and
19 cooperation with every affected unit of Harford County. Upon completion, the
20 Secretary shall file the study and plan with appropriate recommendations with the
21 Harford County Planning Commission, the Harford County executive, and the
22 Harford County Council for inclusion and implementation in the county's land use
23 planning and zoning as the county deems appropriate. The original plan for Deer
24 Creek in Harford County as approved under this section may be changed or restudied
25 only if the Deer Creek local Scenic and Wild River Advisory Board and the Harford
26 County Council approve.

27 (d) (1) In this subtitle the following words have the meanings indicated.

28 (2) "Scenic river" means a free-flowing river whose shoreline and related
29 land are predominantly forested, agricultural, grassland, marshland, or swampland
30 with a minimum of development for at least 2 CUMULATIVE miles of the river length.

31 (3) "Wild river" means a free-flowing river whose shoreline and related
32 land are:

33 (i) Undeveloped;

34 (ii) Inaccessible except by trail; or

35 (iii) Predominantly primitive in a natural state for at least 4 miles
36 of the river length.

37 (e) Upon completion of the plan, the Secretary shall submit the plan, with any
38 appropriate recommendations, to the governing body of every county where the
39 affected river is located, for their approval and recommendations.

1 (f) By July 1, 1990 the Secretary shall inventory and study every other river
2 and shoreline and related land in the State and identify the rivers and their related
3 shorelines or portions of them that are eligible for inclusion into the Scenic and Wild
4 Rivers Program as either a scenic or wild river. Upon completion of each inventory
5 and study, the Secretary shall submit the inventory and study, with any
6 recommendations for additions to the scenic and wild rivers system, to:

7 (1) The governing body of every county where the river is located, for
8 their approval and recommendations; and

9 (2) The next regular session of the General Assembly.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2004.