

# HOUSE BILL 93

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HB 713/04 – ENV

8lr0925

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By: **Delegates Weir, Aumann, Boteler, Bromwell, DeBoy, Impallaria, Jennings, Minnick, Olszewski, and Stein**

Introduced and read first time: January 14, 2008

Assigned to: Environmental Matters

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## 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 (2007 Replacement Volume)

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,  
16 including their tributaries, are included in the Program:

17 (1) Anacostia;

18 (2) **BACK;**

19 [(2)] (3) Deer Creek;

20 [(3)] (4) Monocacy;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1            [(4)] (5)     Patuxent;
- 2            [(5)] (6)     Pocomoke;
- 3            [(6)] (7)     Potomac (in Montgomery and Frederick counties);
- 4            [(7)] (8)     Severn;
- 5            [(8)] (9)     Wicomico in Charles County; and
- 6            [(9)] (10)    Youghiogheny.

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

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

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

31                    (2)    “Scenic river” means a free-flowing river whose shoreline and  
32 related land are predominantly forested, agricultural, grassland, marshland, or  
33 swampland with a minimum of development for at least 2 **CUMULATIVE** miles of the  
34 river length.

35                    (3)    “Wild river” means a free-flowing river whose shoreline and  
36 related land are:

- 1 (i) Undeveloped;
- 2 (ii) Inaccessible except by trail; or
- 3 (iii) Predominantly primitive in a natural state for at least 4
- 4 miles of the river length.

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

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

- 14 (1) The governing body of every county where the river is located, for
- 15 their approval and recommendations; and
- 16 (2) The next regular session of the General Assembly.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18 October 1, 2008.