

substance into any waters of the State as will render the waters OF THE STATE harmful, detrimental, or injurious to public health, safety, or welfare, domestic, commercial, industrial, agricultural, recreational, other legitimate beneficial uses, or livestock, wild animals, birds, [fish] FISH, or other aquatic life.

(k) "Waters of the State" includes:

(1) [both] BOTH surface and underground waters within the boundaries of the State subject to its jurisdiction[.];

(2) [including that] THAT portion of the Atlantic Ocean within the boundaries of the State[.];

(3) [the] THE Chesapeake Bay and its tributaries[.];

(4) [and all] ALL ponds, lakes, rivers, streams, public ditches, tax ditches, and public drainage systems within the State, other than those designed and used to collect, convey, or dispose of sanitary sewage[.]; AND

(5) The [flood plain] FLOODPLAIN of free-flowing waters determined by the Department on the basis of the 100-year flood frequency [is included as waters of the State].

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(b) The Secretary appoints the Director of the Administration, who serves at [his] THE SECRETARY'S pleasure. The Director shall have executive ability, experience, and knowledge of the principles of water resource planning, management, conservation, and administration. The Director receives the salary provided in the State budget.

(c) The Director is responsible for the exercise of every power and duty conferred on the Department by the provisions of this title and delegated to [him] THE DIRECTOR by the Secretary.

(d) The Administration shall be adequately staffed and organized to carry out the provisions of this title and at salaries provided in the State budget. The Director appoints and removes the Administration's staff in accordance with the provisions of the Merit System Law, and subject to the Secretary's authority as provided in Title 1 of this article. When the provisions of the Merit System provide for disciplinary or dismissal proceedings against employees to be brought by the appointing authority, the Director is the appointing authority, unless the Secretary determines by written directive that [he] THE SECRETARY is the appointing authority. The Director supervises and controls the staff who perform duties [he] THE DIRECTOR prescribes.

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[(c) Notwithstanding any other provision of this section, a member of the Commission on Chesapeake Bay Affairs and the Water Resources Commission as of June 30, 1972 may serve the remainder of his term as a member of an advisory commission created and continued by law.]