

authorizing the Department of Natural Resources to adopt certain regulations; providing certain exceptions for certain utility companies and telecommunications carriers; requiring the Department to submit certain ~~orders--and~~ regulations under this Act; and generally relating to the regulation of certain activities related to submerged aquatic vegetation.

BY adding to

Article - Natural Resources
Section 4-213
Annotated Code of Maryland
(1983 Replacement Volume and 1985 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Natural Resources

4-213.

(A) IN THIS SECTION, "SUBMERGED AQUATIC VEGETATION" MEANS A VASCULAR OR NONVASCULAR HYDROPHYTE, WHICH IS ROOTED OR UNROOTED, THAT LIES ENTIRELY BENEATH THE SURFACE OF THE WATER, EXCEPT FOR FLOWERING PARTS IN SOME SPECIES.

(B) THIS SECTION DOES NOT APPLY TO ACTIVITIES INVOLVED IN:

- (1) THE HARVESTING OF FISH, SHELLFISH, OR CRABS; OR
- (2) THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF AGRICULTURAL DRAINAGE CHANNELS.

(C) EXCEPT AS PROVIDED IN THIS SECTION, BEFORE A PERSON MAY HARVEST, CUT, OR OTHERWISE REMOVE OR ERADICATED SUBMERGED AQUATIC VEGETATION FROM ANY LAND UNDER THE TIDAL WATERS OF THE STATE BELOW THE MEAN HIGH TIDE, THE PERSON SHALL SUBMIT TO THE DEPARTMENT FOR APPROVAL A DESCRIPTION OF:

- (1) WHY THE REMOVAL OF SUBMERGED AQUATIC VEGETATION IS NECESSARY;
- (2) THE PROPOSED METHOD OF REMOVAL;
- (3) A PLAN SHOWING THE SITE AT WHICH THE ACTIVITY IS PROPOSED; AND
- (4) THE EXTENT OF SUBMERGED AQUATIC VEGETATION TO BE REMOVED.

(D) (1) (I) TO ALLOW AMPLE ACCESS TO THEIR PROPERTY FROM A NAVIGABLE CHANNEL, A PERSON WHO OWNS OR RENTS A PIER OR--DOCK, DOCK, OR RAMP ON THE CHESAPEAKE BAY OR ITS TRIBUTARIES MAY