

wetlands in coordination with related State and federal regulatory programs; ~~now, therefore;~~ and

WHEREAS, It is also the intent of this legislation that the nontidal wetlands program be administered so as to protect nontidal wetlands and, at the same time, avoid unnecessary delay and paperwork and provide clear guidance to the regulated community and the public of the responsibilities under this program; now, therefore,

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

Article - Natural Resources

SUBTITLE 12. NONTIDAL WETLANDS

8-1201.

(A) IN THIS SUBTITLE, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "AGRICULTURAL ACTIVITY" MEANS AQUACULTURE AND TRADITIONAL FARMING ACTIVITIES INCLUDING PLOWING, TILLAGE, CROPPING, SEEDING, CULTIVATING, AND HARVESTING FOR THE PRODUCTION OF FOOD AND FIBER PRODUCTS, AND THE GRAZING OF LIVESTOCK.

(C) "BEST MANAGEMENT PRACTICES" MEANS CONSERVATION PRACTICES OR SYSTEMS OF PRACTICES AND MANAGEMENT MEASURES THAT:

(1) CONTROL SOIL LOSS AND REDUCE WATER QUALITY DEGRADATION CAUSED BY NUTRIENTS, ANIMAL WASTE, TOXICS, AND SEDIMENT; AND

(2) MINIMIZE CHANGES ADVERSE IMPACTS TO THE SURFACE WATER AND GROUNDWATER FLOW AND CIRCULATION PATTERNS, AND TO THE CHEMICAL, PHYSICAL, AND BIOLOGICAL CHARACTERISTICS OF A NONTIDAL WETLAND.

(D) "DEPARTMENT" MEANS THE DEPARTMENT OF NATURAL RESOURCES.

(E) "FORESTRY ACTIVITY" MEANS PLANTING, CULTIVATING, THINNING, HARVESTING, OR ANY OTHER ACTIVITY UNDERTAKEN TO USE FOREST RESOURCES OR TO IMPROVE THEIR QUALITY OR PRODUCTIVITY.

(F) "ISOLATED NONTIDAL WETLAND" MEANS A NONTIDAL WETLAND THAT IS NOT WITHIN--OR--CONNECTED--TO--A--100-YEAR--FLOODPLAIN HYDROLOGICALLY CONNECTED, THROUGH SURFACE OR SUBSURFACE FLOW, TO STREAMS, TIDAL OR NONTIDAL WETLANDS, OR TIDAL WATERS.

(G) (1) "NONTIDAL WETLAND" MEANS AN AREA THAT IS INUNDATED OR SATURATED BY SURFACE WATER OR GROUNDWATER AT A FREQUENCY AND