

1. THE CONGRESS, UNDER PUBLIC LAW 87-874, AUTHORIZED THE DEVELOPMENT OF THE JENNINGS RANDOLPH LAKE PROJECT FOR THE NORTH BRANCH OF THE POTOMAC RIVER SUBSTANTIALLY IN ACCORDANCE WITH HOUSE DOCUMENT NUMBER 469, 87TH CONGRESS, 2ND SESSION FOR FLOOD CONTROL, WATER SUPPLY, WATER QUALITY, AND RECREATION; AND

2. SECTION 4 OF THE FLOOD CONTROL ACT OF 1944 (CH 665, 58 STAT. 534) PROVIDES THAT THE CHIEF OF ENGINEERS, UNDER THE SUPERVISION OF THE SECRETARY OF WAR (NOW SECRETARY OF THE ARMY), IS AUTHORIZED TO CONSTRUCT, MAINTAIN AND OPERATE PUBLIC PARK AND RECREATIONAL FACILITIES IN RESERVOIR AREAS UNDER CONTROL OF SUCH SECRETARY FOR THE PURPOSE OF BOATING, SWIMMING, BATHING, FISHING, AND OTHER RECREATIONAL PURPOSES, SO LONG AS THE SAME IS NOT INCONSISTENT WITH THE LAWS FOR THE PROTECTION OF FISH AND WILDLIFE OF THE STATE(S) IN WHICH SUCH AREA IS SITUATED; AND

3. PURSUANT TO THE AUTHORITIES CITED ABOVE, THE U.S. ARMY ENGINEER DISTRICT (BALTIMORE), HEREINAFTER "DISTRICT", DID CONSTRUCT AND NOW MAINTAINS AND OPERATES THE JENNINGS RANDOLPH LAKE PROJECT; AND

4. THE NATIONAL ENVIRONMENTAL POLICY ACT OF 1969 (P.L. 91-190) ENCOURAGES PRODUCTIVE AND ENJOYABLE HARMONY BETWEEN MAN AND HIS ENVIRONMENT, PROMOTES EFFORTS WHICH WILL STIMULATE THE HEALTH AND WELFARE OF MAN, AND ENCOURAGES COOPERATION WITH STATE AND LOCAL GOVERNMENTS TO ACHIEVE THESE ENDS; AND

5. THE FISH AND WILDLIFE COORDINATION ACT (16 U.S.C. 661-666C) PROVIDES FOR THE CONSIDERATION AND COORDINATION WITH OTHER FEATURES OF WATER-RESOURCE DEVELOPMENT PROGRAMS THROUGH THE EFFECTUAL AND HARMONIOUS PLANNING, DEVELOPMENT, MAINTENANCE, AND COORDINATION OF WILDLIFE CONSERVATION AND REHABILITATION; AND

6. THE DISTRICT HAS FISHERIES AND WILDLIFE PLANS AS PART OF THE DISTRICT'S PROJECT OPERATIONAL PLAN MANAGEMENT; AND

7. IN THE RESPECTIVE STATES, THE MARYLAND DEPARTMENT OF NATURAL RESOURCES (HEREINAFTER REFERRED TO AS MARYLAND DNR) AND THE WEST VIRGINIA DIVISION OF NATURAL RESOURCES (HEREINAFTER REFERRED TO AS WEST VIRGINIA DNR) ARE PRIMARILY RESPONSIBLE FOR PROVIDING A SYSTEM OF CONTROL, PROPAGATION, MANAGEMENT, PROTECTION, AND REGULATION OF NATURAL RESOURCES AND BOATING IN MARYLAND AND WEST VIRGINIA AND THE ENFORCEMENT OF LAWS AND REGULATIONS PERTAINING TO THOSE RESOURCES AS PROVIDED IN ANNOTATED CODE OF MARYLAND NATURAL RESOURCES ARTICLE AND WEST VIRGINIA CHAPTER 20, RESPECTIVELY, AND THE SUCCESSORS THEREOF; AND