

(3) "ECOSYSTEM" MEANS A SYSTEM OF LIVING ORGANISMS AND THEIR ENVIRONMENT, EACH INFLUENCING THE LIFE OF THE OTHER AND NECESSARY FOR THE MAINTENANCE OF LIFE.

(4) "INTRODUCTION INTO STATE WATERS" INCLUDES USE OF AN ORGANISM AS BAIT IN THE WATERS OF THE STATE.

(5) "NATIVE" MEANS HAVING HISTORICALLY LIVED, GROWN, AND REPRODUCED IN STATE WATERS.

(6) "NATURALIZED" MEANS DOCUMENTED AS HAVING LIVED, GROWN, AND REPRODUCED IN STATE WATERS FOR MORE THAN 10 YEARS WITHOUT KNOWN HARM TO THE ECOSYSTEM.

(7) "NONNATIVE" MEANS OTHER THAN NATIVE OR NATURALIZED.

(8) "NUISANCE ORGANISM" MEANS A NONNATIVE AQUATIC ORGANISM THAT WILL FORESEEABLY THREATENS TO ALTER ALTER AND THREATEN TO HARM THE ECOSYSTEM OR THE ABUNDANCE AND DIVERSITY OF NATIVE OR NATURALIZED FISH AND OTHER ORGANISMS.

(9) ~~"ORGANISM" MEANS A FAMILY OR LOWER TAXA OF FISH OR ANIMAL.~~

~~(10)~~ "STATE OF NUISANCE" MEANS A CONDITION IN WHICH A NUISANCE ORGANISM WILL FORESEEABLY THREATENS TO ALTER ALTER AND THREATEN TO HARM THE ECOSYSTEM OR THE ABUNDANCE AND DIVERSITY OF NATIVE OR NATURALIZED FISH AND OTHER ORGANISMS.

(B) (1) EXCEPT AS PROVIDED UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE SECRETARY MAY ADOPT REGULATIONS TO PROHIBIT THE IMPORTATION, POSSESSION, OR INTRODUCTION INTO STATE WATERS OF A NONNATIVE AQUATIC ORGANISM IN ORDER TO PREVENT AN ADVERSE IMPACT ON AN AQUATIC ECOSYSTEM OR THE PRODUCTIVITY OF STATE WATERS.

(2) THE PROVISIONS OF THIS SECTION DO NOT APPLY TO:

(I) AN AQUACULTURE OPERATION FOR WHICH THE DEPARTMENT HAS ISSUED A PERMIT UNDER SUBTITLE 11A OF THIS TITLE; OR

(II) THE POSSESSION, IMPORTATION, OR TRANSPORT OF A NONNATIVE AQUATIC ORGANISM FOR PURPOSES RELATED TO A PERMITTED AQUACULTURE OPERATION.

(C) (1) (I) SUBJECT TO THE REQUIREMENT UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE DEPARTMENT MAY ENTER AND INSPECT A PROPERTY TO DETERMINE WHETHER A STATE OF NUISANCE EXISTS.

(II) THE DEPARTMENT SHALL GIVE REASONABLE NOTICE OF AN INTENT TO ENTER THE PROPERTY OF A LANDOWNER, OCCUPANT, OR TENANT OR ANY OTHER PERSON REASONABLY BELIEVED TO BE IN POSSESSION OF A NUISANCE ORGANISM.