

certain delineations; requiring the Department to utilize certain means to mark certain protection zones; requiring the Department to provide certain notice of certain delineations; prohibiting the use of certain gear in certain protection zones; providing certain exceptions; defining certain terms; and generally relating to the protection and restoration of submerged aquatic vegetation.

BY repealing and reenacting, with amendments,

Article - Natural Resources

Section 4-1006.1

Annotated Code of Maryland

(2000 Replacement Volume and 2001 Supplement)

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

Article - Natural Resources

4-1006.1.

(a) ~~(1) [A person may not use a hydraulic clam dredge THE FOLLOWING GEAR in any submerged aquatic vegetation bed:~~

~~(I) A HYDRAULIC CLAM DREDGE;~~

~~(II) A TRADITIONAL BOTTOM DREDGE; OR~~

~~(III) A SHINNECOCK RAKE.~~

~~(2) THE AREAS IN THE VICINITY OF SMITH ISLAND, SOUTH MARSH ISLAND, AND BLOODSWORTH ISLAND THAT WERE CLOSED TO HYDRAULIC CLAM DREDGING IN THE 1999 DELINEATION SHALL BE CLOSED TO THE GEAR SET FORTH UNDER PARAGRAPH (1) OF THIS SUBSECTION AND MAY NOT BE REOPENED.~~

(b) ~~The Department shall:~~

~~(1) Delineate existing submerged aquatic vegetation beds in the waters of the State not currently protected under Part IV of this subtitle by using the most recent aerial surveys as guidance; and~~

~~(2) Update as necessary the delineation required under paragraph (1) of this subsection.]~~

(1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "AERIAL SURVEY" MEANS THE ANNUAL AERIAL SURVEY COMPILED BY THE VIRGINIA INSTITUTE OF MARINE SCIENCES FOR THE ANNUAL BAY-WIDE SUBMERGED AQUATIC VEGETATION MAPPING PROGRAM.

(3) "SAV PROTECTION ZONE" MEANS AN AREA DELINEATED BY THE DEPARTMENT FOR THE PROTECTION FROM UPROOTING AND THE RESTORATION OF SUBMERGED AQUATIC VEGETATION.