

WHEREAS, The General Assembly desires to establish a process to govern the complete closure of an area of State waters to all finfishing throughout the year; now, therefore,

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

**Article - Natural Resources**

4-215.1.

(A) THE PROVISIONS OF THIS SECTION DO NOT APPLY IF:

(1) THE DEPARTMENT OF THE ENVIRONMENT HAS DETERMINED THAT IT IS NECESSARY TO CLOSE AN AREA OF STATE WATERS TO FINFISHING FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY;

(2) AN ABATEMENT OR A SUMMARY ABATEMENT OF A STATE OF NUISANCE IS NECESSARY UNDER § 4-205.1 OF THIS SUBTITLE; OR

(3) THE DEPARTMENT CLOSES AN AREA OF STATE WATERS:

(I) FOR THE STOCKING OF COLDWATER TROUT; OR

(II) IN ORDER TO PROVIDE A SECURITY ZONE ADJACENT TO A PRODUCTION HATCHERY.

(B) THE DEPARTMENT MAY ~~NOT~~ COMPLETELY CLOSE AN AREA OF STATE WATERS TO ALL FINFISHING ~~UNLESS IF~~ THE DEPARTMENT:

(1) IN A WRITTEN REPORT MADE AVAILABLE TO THE GENERAL PUBLIC:

(I) FINDS MAKES A FINDING THAT THE CLOSURE IS NECESSARY, AFTER DUE CONSIDERATION OF:

1. THE SCIENTIFIC BASIS FOR THE ~~FINDING~~ CLOSURE;

2. THE PURPOSE OF THE CLOSURE;

3. THE RATIONALE FOR THE SELECTION OF THE SPECIFIC AREA TO BE CLOSED;

4. THE SUFFICIENCY OF THE AREA CLOSED TO GENERATE THE BENEFITS PROJECTED; AND

5. THE LIKELIHOOD THAT THE SAME OBJECTIVE COULD BE EFFECTIVELY ACCOMPLISHED THROUGH THE USE OF ALTERNATIVE MANAGEMENT MEASURES; AND

(II) DEVELOPS PROTOCOLS AND A REPORTING TIMELINE TO MONITOR AND EVALUATE THE EFFECTIVENESS OF THE CLOSURE; AND

(2) HOLDS AT LEAST ONE PUBLIC HEARING IN ACCORDANCE WITH THE REQUIREMENTS UNDER SUBSECTION ~~(C)~~ (D) OF THIS SECTION.