

**DLR FORMATTING ONLY I 11Nov20**

**AMENDMENTS TO COUNCIL BILL 20-624  
(1<sup>st</sup> Reader Copy)**

By: Land Use Committee  
{To be offered on the Council Floor}

**Amendment No. 1**

On page 2, strike lines 12 through 26, in their entirety, and substitute:

““BUFFER” MEANS AREA THAT BASED ON CONDITIONS AT THE TIME OF DEVELOPMENT, IS IMMEDIATELY LANDWARD FROM MEAN HIGH WATER OF TIDAL WATERWAYS, THE EDGE OF BANK OF A TRIBUTARY STREAM, OR THE EDGE OF A TIDAL WETLAND; AND THE AREA EXISTS, OR MAY BE ESTABLISHED IN, NATURAL VEGETATION TO PROTECT A STREAM, TIDAL WETLAND, TIDAL WATERS OR TERRESTRIAL ENVIRONMENTS FROM HUMAN DISTURBANCE. THE BUFFER INCLUDES AN AREA OF AT LEAST 100-FEET, EVEN IF THAT AREA WAS PREVIOUSLY DISTURBED BY HUMAN ACTIVITY, AND ALSO INCLUDES ANY EXPANSION FOR CONTIGUOUS AREAS, INCLUDING A STEEP SLOPE, HYDRIC SOIL, HIGHLY ERODIBLE SOIL, NONTIDAL WETLAND, OR A NONTIDAL WETLAND OF SPECIAL STATE CONCERN AS DEFINED IN COMAR 26.23.01.01.”.

**Amendment No. 2**

On page 3, strike lines 4 through 19, in their entirety, and substitute:

““CRITICAL AREA” MEANS ALL LANDS AND WATERS DEFINED IN § 8-1807 OF THE STATE NATURAL RESOURCES ARTICLE. “CRITICAL AREA” INCLUDES:

- (1) ALL WATERS OF AND LANDS UNDER THE CHESAPEAKE BAY AND ATLANTIC COASTAL BAYS AND THEIR TRIBUTARIES TO THE HEAD OF TIDE;
- (2) ALL STATE AND PRIVATE WETLANDS DESIGNATED UNDER TITLE 16 OF THE STATE ENVIRONMENT ARTICLE;
- (3) ALL LAND AND WATER AREAS WITHIN 1,000 FEET BEYOND THE LANDWARD BOUNDARIES OF STATE OR PRIVATE WETLANDS AND THE HEADS OF TIDES DESIGNATED UNDER TITLE 16 OF THE STATE ENVIRONMENT ARTICLE; AND
- (4) MODIFICATION TO THESE AREAS THROUGH INCLUSIONS OR EXCLUSIONS PROPOSED BY LOCAL JURISDICTIONS AND APPROVED BY THE CRITICAL AREA

COMMISSION AS SPECIFIED IN § 8-1807 OF THE STATE NATURAL RESOURCES ARTICLE.”.

### **Amendment No. 3**

On page 3, strike lines 29 through 34, in their entirety, and substitute:

“(1) ALL WATERS OF AND LANDS UNDER THE CHESAPEAKE BAY AND ITS TRIBUTARIES TO THE HEAD OF TIDE, AND ALL STATE AND PRIVATE WETLANDS DESIGNATED UNDER TITLE 16 OF THE STATE ENVIRONMENT ARTICLE; AND

(2) ALL LAND AND WATER AREAS WITHIN 1,000 FEET BEYOND THE LANDWARD BOUNDARIES OF STATE OR PRIVATE WETLANDS AND THE HEADS OF TIDES DESIGNATED UNDER TITLE 16 OF THE STATE ENVIRONMENT ARTICLE.”.

### **Amendment No. 4**

On page 4, strike lines 19 through 28, in their entirety, and substitute:

““BUFFER” MEANS AREA THAT BASED ON CONDITIONS AT THE TIME OF DEVELOPMENT, IS IMMEDIATELY LANDWARD FROM MEAN HIGH WATER OF TIDAL WATERWAYS, THE EDGE OF BANK OF A TRIBUTARY STREAM, OR THE EDGE OF A TIDAL WETLAND; AND THE AREA EXISTS, OR MAY BE ESTABLISHED IN, NATURAL VEGETATION TO PROTECT A STREAM, TIDAL WETLAND, TIDAL WATERS OR TERRESTRIAL ENVIRONMENTS FROM HUMAN DISTURBANCE. THE BUFFER INCLUDES AN AREA OF AT LEAST 100-FEET, EVEN IF THAT AREA WAS PREVIOUSLY DISTURBED BY HUMAN ACTIVITY, AND ALSO INCLUDES ANY EXPANSION FOR CONTIGUOUS AREAS, INCLUDING A STEEP SLOPE, HYDRIC SOIL, HIGHLY ERODIBLE SOIL, NONTIDAL WETLAND, OR A NONTIDAL WETLAND OF SPECIAL STATE CONCERN AS DEFINED IN COMAR 26.23.01.01.”.

### **Amendment No. 5**

On pages 4, strike lines 41 and 42, in their entirety, and on page 5, strike lines 1 through 8, in their entirety, and substitute:

““CRITICAL AREA” MEANS ALL LANDS AND WATERS DEFINED IN § 8-1807 OF THE STATE NATURAL RESOURCES ARTICLE. “CRITICAL AREA” INCLUDES:

(1) ALL WATERS OF AND LANDS UNDER THE CHESAPEAKE BAY AND ATLANTIC COASTAL BAYS AND THEIR TRIBUTARIES TO THE HEAD OF TIDE;

(2) ALL STATE AND PRIVATE WETLANDS DESIGNATED UNDER TITLE 16 OF THE STATE ENVIRONMENT ARTICLE;

- (3) ALL LAND AND WATER AREAS WITHIN 1,000 FEET BEYOND THE LANDWARD BOUNDARIES OF STATE OR PRIVATE WETLANDS AND THE HEADS OF TIDES DESIGNATED UNDER TITLE 16 OF THE STATE ENVIRONMENT ARTICLE; AND
- (4) MODIFICATION TO THESE AREAS THROUGH INCLUSIONS OR EXCLUSIONS PROPOSED BY LOCAL JURISDICTIONS AND APPROVED BY THE CRITICAL AREA COMMISSION AS SPECIFIED IN § 8-1807 OF THE STATE NATURAL RESOURCES ARTICLE.”

