

CHAPTER 325

(House Bill 1504)

AN ACT concerning

Department of Natural Resources – Shell Dredging – Permit Application

FOR the purpose of requiring the Department of Natural Resources to apply ~~to the United States Army Corps of Engineers~~ for a certain permit to dredge ~~fossil~~ *buried* oyster shells; *requiring the Department to apply for a certain permit on or before a certain date under certain circumstances*; and generally relating to the dredging of ~~fossil~~ *buried* oyster shells.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–1103(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

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

Article – Natural Resources

4–1103.

(a) The Department shall take measures which in its judgment seem best calculated to increase the productivity or utility of any part of the natural oyster bars of the State, including:

(1) Identifying and using effective methods of cleaning diseased oyster bars;

(2) Providing clean shell for the bars; [and]

(3) Using hatchery produced oysters to replant sites; **AND**

(4) APPLYING ~~TO THE UNITED STATES ARMY CORPS OF ENGINEERS~~ FOR A PERMIT TO DREDGE ~~FOSSIL~~ *BURIED* OYSTER SHELLS.

SECTION 2. AND BE IT FURTHER ENACTED, That the Department of Natural Resources shall apply to the Department of the Environment and the United States Army Corps of Engineers for permits to dredge buried oyster shells on or before December 1, 2008, if the Oyster Advisory Committee recommends the application based

on its work, including a review of the findings of the draft *Environmental Impact Statement concerning evaluation of oyster restoration alternatives for the Chesapeake Bay.*

SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2008.

Approved by the Governor, April 24, 2008.