

Department of Legislative Services  
Maryland General Assembly  
2013 Session

FISCAL AND POLICY NOTE

Senate Bill 1032

(Senator Colburn)

Education, Health, and Environmental Affairs

Environmental Matters

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Oysters - Power Dredging - Time Period

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This bill increases the maximum number of days, from two to three, per week during which a dredge boat may operate under the power of an auxiliary yawl boat while dredging for oysters.

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Fiscal Summary

**State Effect:** The bill is not anticipated to materially affect State finances.

**Local Effect:** None.

**Small Business Effect:** Minimal.

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Analysis

**Current Law:** The Department of Natural Resources (DNR) regulates oyster harvesting in State waters. Any person who owns or is responsible for operating any dredge boat must have a license to catch oysters by dredge boat.

Current law specifies areas in which a person may not catch oysters by dredge, including the Atlantic Coastal Bays and areas of the Chesapeake Bay – specifically all the area lying within one-fourth mile of the western shore of Poplar Island; all the area within one-half mile of Plum Point; all the area within one and one-half miles of Sandy Point, Hackett Point, Tolly Point, and Thomas Point within Anne Arundel County waters; and specified oyster bars as defined by the charts of the Oyster Survey of 1906 to 1912 and its amendments. Another provision of law prohibits the harvest of oysters by dredge, except in specified waters located in Dorchester, Somerset, and Talbot counties.

DNR is authorized to designate by rule or in regulation (1) a period of time not to exceed two days per week during which specified dredge boats may be propelled by means of an auxiliary yawl boat carried on the dredge boat and (2) the maximum daily limit on any day. Current regulations stipulate that, for dredge boats propelled by means of an auxiliary yawl boat, the season for catching oysters for commercial purposes is from November 1 through March 31. Also, for such vessels, the commercial harvest season is limited to up to two days from Monday through Friday and from sunrise to sunset.

**Background:** A variety of approaches are used to gather oysters. Rakes are used in shallow waters and long-handled rakes or oyster tongs are used in deeper water. Patent tongs can be lowered on a line to reach beds which are too deep to reach directly. In all cases the manner of operation is the same; individuals scrape together a small pile of oysters and gather them with a rake or tongs. In specified areas a dredge may be used. A dredge is a toothed bar attached to a chain bag that picks up oysters as it is towed by a boat through an oyster bed. While dredges collect oysters quickly, their use is strictly limited due to the damage they may cause to oyster beds.

The bill impacts sailboats (*e.g.* skipjacks) that have small motorboats (auxiliary yawls), equipped with dredge equipment, that propel the sailboat as oyster harvesting occurs. DNR advises that sail dredgers currently operate on approximately 32 of the 48 days they are authorized to use. DNR further advises that while the bill may result in sail dredgers operating on additional days and harvesting additional oysters, it is likely that the same oysters would have been harvested using a different gear type.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** HB 1505 (Delegate Jacobs, *et al.*) – Environmental Matters.

**Information Source(s):** Department of Natural Resources, Department of Legislative Services

**Fiscal Note History:** First Reader - March 13, 2013  
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