



Senate Bill 950 – Aquaculture Lease Applications – Notice, Protests, and Meetings -- Alterations

Position: Support

The Maryland REALTORS® supports SB 950 which seeks to provide homeowners with input when granting aquaculture leases off their shoreline.

REALTORS® recognize the benefits that aquaculture provides but believes property owners should have a voice in the granting of leases off their shoreline. Some aquaculture leases, particularly the water column leases, impact the ownership of riparian property. Maneuvering a watercraft through or around some aquaculture operations is difficult and can limit ingress and egress from docks and the waterfront. The operations create noise and disturb the water in front of these properties. In fact, current guidelines permit the operations within 51 feet of a dock or shoreline. This is much less than other guidelines which require three times that distance for these operations to be located next to other fishery activities such as: shellfish fishery; registered pound net site; or an oyster reserve.

An Aquaculture Enterprise Zone directly in front of a property owner can impact the attractiveness of the property to a subsequent buyer as well. A property subject to navigation restrictions, noise and other commercial activities less than 100 feet from their property line is likely to be viewed more negatively than a property not subject to these activities.

SB 950 addresses these concerns by requiring the Department of Natural Resources (DNR) to notify owners property within 500 feet of the proposed aquaculture activity of an application for a lease. Current guidelines only require notice for property owners directly in front of the operation. The bill also directs DNR to work with the both the aquaculture permit seeker and the landowner to mitigate any concerns. Finally, the bill requires DNR to hold a public informational meeting if the person raises significant health, safety or welfare concerns.

SB 950 will help permit seekers and owners design an aquaculture lease operation that results in the least amount of interference with property owner's rights to use and enjoy their property. For these reasons, the REALTORS® encourage a favorable report

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