



Wes Moore, Governor
Aruna Miller, Lt. Governor
Josh Kurtz, Secretary
David Goshorn, Deputy Secretary

January 23, 2024

BILL NUMBER: Senate Bill 301 – First Reader

SHORT TITLE: Aquaculture - Placement of Shellfish, Bags, Nets, and Structures on Submerged Aquatic Vegetation - Extension

DEPARTMENT’S POSITION: SUPPORT

EXPLANATION OF DEPARTMENT’S POSITION

The agency has only had three leases that were granted under this law. Three water column leases were granted authorization to place gear covering 10% of the impacted area without requesting it, which is the agency’s standard practice under this law. (4-11A-10(c-1)(2)) "Shall authorize for water column leases the placement of shellfish, bags, nets, or structures in at least 10% of the area where submerged aquatic vegetation is present"). The 1 lease of the 3 from 2022 was the first, since the original law, to have requested more than the "at least 10%". This means this is the first time the agency has had the opportunity to see the impacts of authorizing more than the "at least 10%" – and the Department would like to opportunity to fully examine the impact prior to the sunset extension.

The agency would like to study this further to determine the best course of action. The agency has an MOU with University of Maryland Center for Environmental Science to study this.

BACKGROUND INFORMATION

The provision was originally passed under Chapter 238 (2019).

BILL EXPLANATION

This bill would change the sunset from Chapter 238 (2019) of Maryland law. The sunset is currently June 30, 2024. That chapter added provisions under Natural Resources Article, Section 4-11A-10, which included providing the department with the authority to grant permission to the holder of a shellfish aquaculture lease, where their aquaculture activities do not harm SAV, to continue planting and harvesting shellfish within the area of their lease where SAV exists. The bill would amend that to June 30, 2027.

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