

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 1231

(Delegate Adams, *et al.*)

Environment and Transportation

Education, Energy, and the Environment

Natural Resources - Fisheries - Oyster Management

This bill repeals a prohibition against the Department of Natural Resources (DNR) taking any action to reduce or alter the boundaries of specified oyster sanctuaries until the department has developed a specified updated fisheries management plan for the scientific management of the oyster stock (see Current Law, below). **The bill takes effect July 1, 2024.**

Fiscal Summary

State Effect: None. The bill does not directly affect State finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Chapters 5 and 9 of 2020 (as amended by Chapters 597 and 598 of 2020) prohibit DNR from taking any action to reduce or alter the boundaries of the oyster sanctuaries established in “Oyster Sanctuaries of the Chesapeake Bay and its Tidal Tributaries (September 2010)” until the department has developed an updated fisheries management plan for the scientific management of the oyster stock based on management strategies and measurements recommended by the Oyster Advisory Commission (OAC) and determined by the department in consultation with the University of Maryland Center for Environmental Science (UMCES).

Chapters 5 and 9 (amended by Chapters 597 and 598) required DNR and OAC, in coordination with UMCES, to develop a package of consensus recommendations for enhancing and implementing the fishery management plan for oysters. The consensus recommendations were required to:

- be developed through a facilitated consensus solutions process, based on a 75% majority agreement level for each recommendation;
- recommend management actions or combinations of management actions to achieve the targets identified in the oyster stock assessment with the goal of increasing oyster abundance; and
- be informed by a collaboratively developed, science-based modeling tool to quantify the long-term impacts of identified management actions and possible combinations of management actions on (1) oyster abundance; (2) oyster habitat; (3) oyster harvest; (4) oyster harvest revenue; and (5) nitrogen removal.

DNR was required to submit a final report, including an implementation schedule for the consensus recommendations, by December 1, 2021.

(The [final report](#) was submitted December 1, 2021. DNR adopted Amendment 1 to the 2019 Maryland Chesapeake Bay Oyster Management Plan on December 18, 2023, and is in the process of promulgating regulations that will incorporate the amendment by reference in DNR regulations.)

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: SB 922 (Senators Mautz and Bailey) - Education, Energy, and the Environment.

Information Source(s): Queen Anne’s County; University System of Maryland; Department of Natural Resources; Department of Legislative Services

Fiscal Note History: First Reader - February 25, 2024
rh/lgc Third Reader - March 19, 2024
Revised - Amendment(s) - March 19, 2024

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