

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL NO. 698

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “to” insert “adopt regulations to”; in line 4, strike “by regulation”; in line 5, after the semicolon insert “requiring the Department to establish certain harvest sanctuaries comprising a certain percentage of a certain area;”; in line 6, strike “zone” and substitute “area within certain zones”; in line 7, strike beginning with “a” through “established” and substitute “the application of this Act”; in line 11, after the semicolon insert “requiring the Department to design and implement a certain program;”; and in line 13, after “certain” insert “geographic”.

AMENDMENT NO. 2

On page 1, strike beginning with “DEPARTMENT” in line 26 down through “SECTION” in line 27 and substitute “PROVISIONS OF THIS SECTION DO NOT APPLY”; in line 28, strike “THAT WAS”; in the same line, strike “BY” and substitute “IN”; and in line 29, strike “OR”.

On page 2, in line 2, after “SUBTITLE” insert “; OR”

(3) ANY WATERS CONTIGUOUS TO THE SHORE THAT ARE MORE SHALLOW THAN 6 FEET AT MEAN LOW TIDE WHERE:

(I) A SUBMERGED AQUATIC VEGETATION BED IS LOCATED;

OR

(II) THERE IS HISTORIC EVIDENCE OF THE PRESENCE OF SUBMERGED AQUATIC VEGETATION BEDS”;

in line 3, after “SHALL” insert “ADOPT REGULATIONS TO”; in the same line, strike “BY REGULATION”; in line 6, after “(C)” insert “(1) THE DEPARTMENT SHALL ESTABLISH HARVEST SANCTUARIES IN EACH POWER DREDGE ZONE.”

(Over)

(2) A HARVEST SANCTUARY SHALL BE LOCATED IN AN AREA:

(I) WITH BOTTOM CONDITIONS SUITABLE FOR OYSTER GROWTH; OR

(II) THAT CAN BE READILY REHABILITATED TO BE SUITABLE FOR OYSTER GROWTH.

(3) THE ESTABLISHMENT OF HARVEST SANCTUARIES UNDER THIS SUBSECTION SHALL ENSURE THAT THE TOTAL SANCTUARY AREA IN EACH ZONE IS AT LEAST 10% OF THE AREA THAT HISTORICALLY SUPPORTED OYSTER GROWTH IN THAT ZONE.

(D);

in line 8 and in line 10, in each instance, after “ANY” insert “AREA WITHIN A POWER DREDGE”; in lines 15, 26, and 32, strike “(D)”, “(E)”, and “(F)”, respectively, and substitute “(E)”, “(G)”, and “(H) POWER DREDGE”, respectively; in line 16, after “CLOSE” insert “AN AREA WITHIN”; after line 18, insert:

“(3) SPAT SET HISTORY;”;

in lines 19, 20, 21, 23, and 25, strike “(3)”, “(4)”, “(5)”, “(6)”, and “(7)”, respectively, and substitute “(4)”, “(5)”, “(6)”, “(7)”, and “(8)”, respectively; in line 23, after “BY” insert “:

(I);

in the same line, after “COMMISSION” insert “:

(II) THE SPORT FISH ADVISORY COMMISSION;”;

in line 24, after “AND” insert:

“(III)”;

after line 25, insert:

“(F) THE DEPARTMENT SHALL DESIGN AND IMPLEMENT A PROGRAM FOR SCIENTIFICALLY MONITORING AND ASSESSING THE EFFECT OF POWER DREDGING ON THE CONDITION OF THE BOTTOM AND SUBSEQUENT SPAT SET IN THE POWER DREDGE AREAS AND ZONES.”;

in line 26, after “CLOSING” insert “AN AREA OR”; and in the same line, strike “(C)” and substitute “(D)”.

On page 3, in line 28, strike “(G)” and substitute “(I)”.