

**Department of Legislative Services**  
2010 Session

**FISCAL AND POLICY NOTE**

House Bill 1172 (Delegate Walkup)  
Environmental Matters

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**Natural Resources - Oyster Dredging - Cecil, Kent, and Queen Anne's Counties**

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This bill authorizes the harvest of oysters by dredge in all of the waters of Cecil, Kent, and Queen Anne's counties.

The bill takes effect October 1, 2010, and terminates September 30, 2015.

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**Fiscal Summary**

**State Effect:** The bill does not materially affect State operations or finances.

**Local Effect:** None.

**Small Business Effect:** Meaningful.

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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.

**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.

**Small Business Effect:** To the extent small fishing businesses successfully dredge for oysters in the waters of Cecil, Kent, and Queen Anne's counties, the bill has a meaningful impact. However, to the extent the bill contributes to oyster bar degradation and reduced water quality, small businesses dependent on a healthy Chesapeake Bay (*e.g.*, the sport fishing community) may be negatively affected.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Cecil and Kent counties, Department of Natural Resources, Department of Legislative Services

**Fiscal Note History:** First Reader - March 8, 2010  
mpc/lgc

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