

Chapter 381

(House Bill 1200)

AN ACT concerning

Aquaculture – Leases – Submerged Aquatic Vegetation

FOR the purpose of requiring the Department of Natural Resources, in consultation with interested stakeholders, to ~~study review~~ certain conflicts that arise related to aquaculture and submerged aquatic vegetation, develop certain solutions to these conflicts, and report its findings and recommendations to the Governor and the General Assembly on or before a certain date; requiring the Department of Natural Resources, notwithstanding certain provisions of law, to adopt regulations that establish standards and a process under which the Department may assess and evaluate certain aquaculture leases in order to make certain determinations; making this Act an emergency measure; providing for the termination of this Act; and generally relating to aquaculture leases and submerged aquatic vegetation.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Department of Natural Resources, in consultation with interested stakeholders, shall:

(1) ~~study review~~ the conflicts that arise when implementing its policies of protecting submerged aquatic vegetation and promoting aquaculture in the State;

(2) develop solutions to these conflicts that take into account the benefits provided by both submerged aquatic vegetation and aquaculture; and

(3) report its findings and recommendations, including any proposed legislation, to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly on or before December 1, 2017.

SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding the provisions of Title 4 of the Natural Resources Article, the Department of Natural Resources may adopt regulations that establish standards and a process under which the Department may assess and evaluate an aquaculture lease on which submerged aquatic vegetation has encroached to determine if aquaculture activity on the lease shall be restricted or prohibited due to the circumstances of the encroachment.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted. It shall remain effective through May 31, 2018, and, at the end of May 31, 2018, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

Approved by the Governor, May 4, 2017.