HOUSE BILL 1284

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By: Delegates Stein, Frush, Healey, Holmes, and Lafferty

Introduced and read first time: February 10, 2017 Assigned to: Environment and Transportation

A BILL ENTITLED

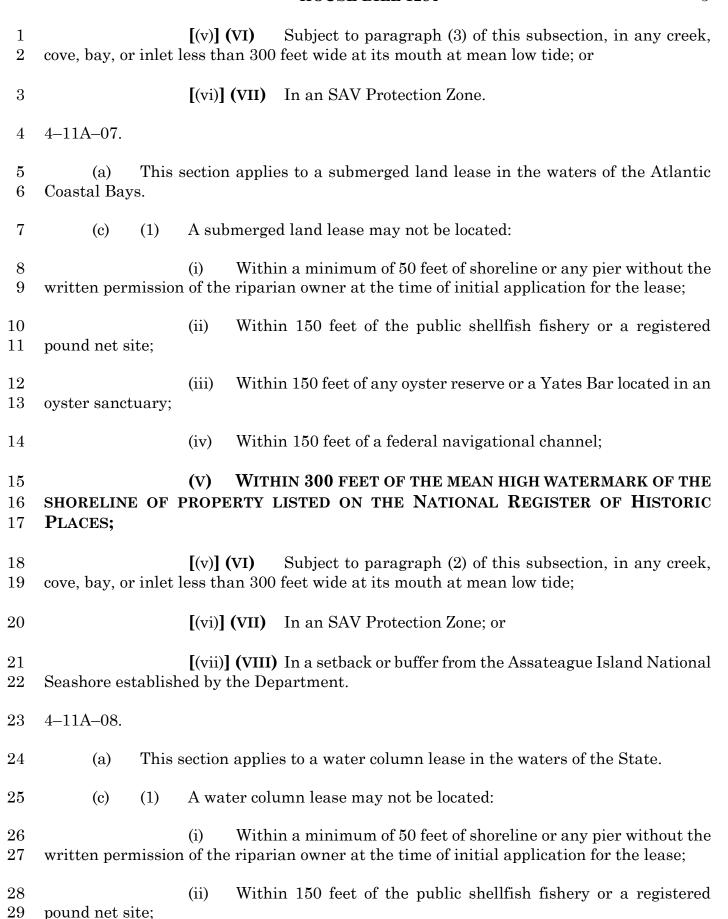
- 1 AN ACT concerning
- 2 Natural Resources Aquaculture Leases National Register of Historic Places
- 3 FOR the purpose of prohibiting an Aquaculture Enterprise Zone and certain aquaculture
- 4 leases from being located within a certain distance of the shoreline of certain
- 5 property listed on the National Register of Historic Places; requiring, instead of
- 6 authorizing, the Department of Natural Resources to take certain actions to protect
- 7 the public health, safety, and welfare; and generally relating to aquaculture leases.
- 8 BY repealing and reenacting, without amendments,
- 9 Article Natural Resources
- 10 Section 4–11A–05(a), 4–11A–06(a), 4–11A–07(a), 4–11A–08(a), and 4–11A–11(a)
- 11 Annotated Code of Maryland
- 12 (2012 Replacement Volume and 2016 Supplement)
- 13 BY repealing and reenacting, with amendments,
- 14 Article Natural Resources
- Section 4-11A-05(b)(2), 4-11A-06(b)(2), 4-11A-07(c)(1), 4-11A-08(c)(1),
- 16 4–11A–09(d), and 4–11A–11(d)
- 17 Annotated Code of Maryland
- 18 (2012 Replacement Volume and 2016 Supplement)
- 19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 20 That the Laws of Maryland read as follows:
- 21 Article Natural Resources
- 22 4-11A-05.
- 23 (a) This section applies to leasing in an Aquaculture Enterprise Zone in the
- 24 Chesapeake Bay.

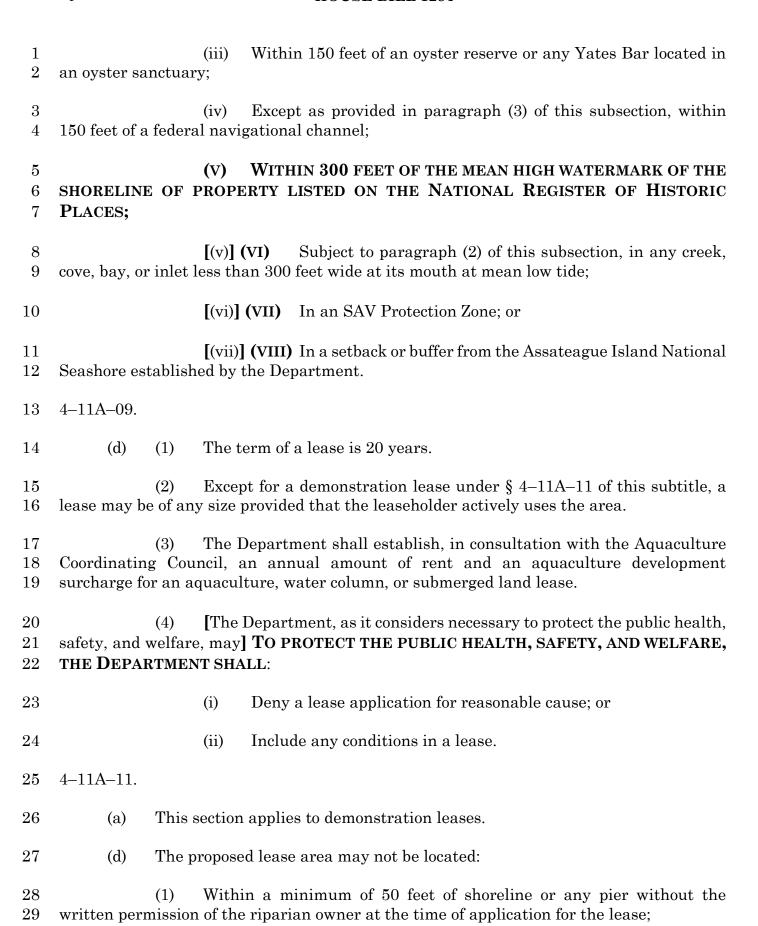


PLACES:

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1 (b) An Aquaculture Enterprise Zone may not be located: (2) 2 Within a minimum of 50 feet of shoreline or any pier without the written permission of the riparian owner at the time of designation of the Aquaculture 3 Enterprise Zone: 4 Within 150 feet of the public shellfish fishery or a registered 5 (ii) 6 pound net site; 7 Within 150 feet of an oyster reserve or any Yates Bar located in (iii) 8 an oyster sanctuary; 9 Within 150 feet of a federal navigational channel; (iv) 10 WITHIN 300 FEET OF THE MEAN HIGH WATERMARK OF THE (V) SHORELINE OF PROPERTY LISTED ON THE NATIONAL REGISTER OF HISTORIC 11 12 PLACES: 13 [(v)] **(VI)** In any creek, cove, bay, or inlet less than 300 feet wide at 14 its mouth at mean low tide; or (vi) (VII) In an SAV Protection Zone. 15 16 4–11A–06. 17 This section applies to a submerged land lease in the Chesapeake Bay that is 18 not in an Aquaculture Enterprise Zone. A submerged land lease may not be located: 19 (b) (2) 20 Within a minimum of 50 feet of shoreline or any pier without the (i) written permission of the riparian owner at the time of initial application for the lease; 2122 Within 150 feet of the public shellfish fishery or a registered (ii) 23 pound net site; 24Within 150 feet of an oyster reserve or any Yates Bar located in (iii) 25 an oyster sanctuary; 26 (iv) Except as provided in paragraph (4) of this subsection, within 27 150 feet of a federal navigational channel; 28 (V) WITHIN 300 FEET OF THE MEAN HIGH WATERMARK OF THE SHORELINE OF PROPERTY LISTED ON THE NATIONAL REGISTER OF HISTORIC 29





(2) Within 150 feet of the public shellfish fishery or a registered pound net 1 2 site; 3 (3) Within 150 feet of an oyster reserve or any Yates Bar located in an 4 oyster sanctuary; Within 150 feet of a federal navigational channel; 5 **(4)** WITHIN 300 FEET OF THE MEAN HIGH WATERMARK OF THE 6 **(5)** 7 SHORELINE OF PROPERTY LISTED ON THE NATIONAL REGISTER OF HISTORIC PLACES; 8 9 [(5)] **(6)** In any creek, cove, bay, or inlet less than 300 feet wide at its mouth at mean low tide; 10 In an SAV Protection Zone; or 11 [(6)] **(7)** 12 [(7)] **(8)** In a setback or buffer from the Assateague Island National Seashore established by the Department. 13 14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect

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October 1, 2017.