

SENATE BILL 683

M2

9lr2848

By: **Senators Hershey, Bailey, Carozza, and Eckardt**

Introduced and read first time: February 4, 2019

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Oyster Management Plan – Harvest – Study**

3 FOR the purpose of requiring the Department of Natural Resources, as part of its fishery
4 management plan for oysters, to study the effectiveness of harvesting oysters to
5 facilitate oyster propagation and restoration and review any oyster management
6 actions, including oyster harvesting, taken by the Commonwealth of Virginia to
7 facilitate oyster propagation and restoration; repealing certain obsolete language
8 governing the timing for developing a fishery management plan for oysters; and
9 generally relating to the fishery management plan for oysters.

10 BY repealing and reenacting, without amendments,

11 Article – Natural Resources
12 Section 4–215(b)(6)
13 Annotated Code of Maryland
14 (2018 Replacement Volume)

15 BY repealing and reenacting, with amendments,

16 Article – Natural Resources
17 Section 4–215(e)(4)
18 Annotated Code of Maryland
19 (2018 Replacement Volume)

20 BY adding to

21 Article – Natural Resources
22 Section 4–215(e)(5)
23 Annotated Code of Maryland
24 (2018 Replacement Volume)

25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
26 That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **Article – Natural Resources**

2 4–215.

3 (b) The Department shall prepare fishery management plans for the following
4 species:

5 (6) Oysters;

6 (e) (4) (i) Subject to subparagraph (ii) of this paragraph, the Department
7 may not take any action to reduce or alter the boundaries of the oyster sanctuaries
8 established in “Oyster Sanctuaries of the Chesapeake Bay and its Tidal Tributaries
9 (September 2010)” until the Department has developed a fisheries management plan for
10 the scientific management of the oyster stock [following the completion of its reports in
11 accordance with paragraph (3) of this subsection].12 (ii) This paragraph may not be construed to prevent the Department
13 from:14 1. Selecting the final two tributaries for tributary–scale
15 oyster restoration sanctuary projects in accordance with the 2014 Chesapeake Bay
16 Agreement; or17 2. Establishing, in the discretion of the Department, any
18 dimensions for a tributary–scale oyster restoration sanctuary project.19 **(5) THE DEPARTMENT, AS PART OF THE FISHERY MANAGEMENT**
20 **PLAN FOR OYSTERS, SHALL:**21 **(I) STUDY THE EFFECTIVENESS OF HARVESTING OYSTERS TO**
22 **FACILITATE OYSTER PROPAGATION AND RESTORATION; AND**23 **(II) REVIEW ANY OYSTER MANAGEMENT ACTIONS, INCLUDING**
24 **OYSTER HARVESTING, TAKEN BY THE COMMONWEALTH OF VIRGINIA TO**
25 **FACILITATE OYSTER PROPAGATION AND RESTORATION.**26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
27 1, 2019.