

HOUSE BILL 506

M2, M4, M1

(5lr0360)

ENROLLED BILL

— *Environment and Transportation/Education, Energy, and the Environment* —

Introduced by **The Speaker (By Request – Administration) and Delegates Allen, Amprey, Bhandari, Bofo, Cardin, Edelson, Fennell, Foley, Harris, Hornberger, Jackson, D. Jones, Kerr, J. Long, Palakovich Carr, Phillips, Ruff, Simpson, Stein, Taylor, Turner, Vogel, Williams, Woods, ~~and Worman~~ Worman, Behler, Boyce, Guyton, Healey, Lehman, R. Lewis, Ruth, Terrasa, and Ziegler**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Chesapeake Bay Legacy Act**

3 FOR the purpose of establishing the Maryland Leaders in Environmentally Engaged
4 Farming (LEEF) Program; establishing the Maryland Leaders in Environmentally
5 Engaged Farming (LEEF) Program Fund as a special, nonlapsing fund; altering the
6 definition of “healthy soils” for purposes of the Maryland Healthy Soils Program;
7 exempting certain holders of certain fishing licenses from the requirement to obtain
8 a food establishment license from the Maryland Department of Health; establishing
9 the Water Quality Monitoring Program; altering provisions of law regarding
10 fisheries management plans, including the entities required to be consulted,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 circumstances under which a plan may be prepared, authorizing rather than
2 requiring that certain measures be adopted by regulation, and the location of certain
3 public hearings; altering application and public informational meeting requirements
4 and authorizations for certain submerged land or water column leases; altering
5 reporting requirements for the leaseholder of certain aquaculture and submerged
6 land leases; authorizing the Department of Natural Resources to lease certain land
7 to a person implementing practices that support healthy soils and regenerative
8 practices and traditions; establishing a process to develop a plan for permitting and
9 expediting the permitting of certain projects under the Whole Watershed Restoration
10 Partnership; requiring the Department of the Environment, by a certain date, to
11 authorize certain projects to be eligible to generate water quality trading credits and
12 develop a process for certifying the credits; providing that certain provisions of law
13 regarding stream and floodplain restoration projects may not be construed to apply
14 to permit or license applications submitted before a certain date; and generally
15 relating to the Chesapeake and Atlantic Coastal Bays watershed.

16 BY adding to

17 Article – Agriculture

18 Section 2–2401 through 2–2405 to be under the new subtitle “Subtitle 24. Maryland
19 Leaders in Environmentally Engaged Farming (LEEF) Program”

20 Annotated Code of Maryland

21 (2016 Replacement Volume and 2024 Supplement)

22 BY repealing and reenacting, with amendments,

23 Article – Agriculture

24 Section 2–1901(a) ~~and 8–706~~

25 Annotated Code of Maryland

26 (2016 Replacement Volume and 2024 Supplement)

27 BY repealing and reenacting, without amendments,

28 Article – Health – General

29 Section 21–305(a)

30 Annotated Code of Maryland

31 (2023 Replacement Volume and 2024 Supplement)

32 BY repealing and reenacting, with amendments,

33 Article – Health – General

34 Section 21–305(b)

35 Annotated Code of Maryland

36 (2023 Replacement Volume and 2024 Supplement)

37 BY adding to

38 Article – Natural Resources

39 Section 3–1101 to be under the new subtitle “Subtitle 11. Water Quality Monitoring
40 Program”; 4–11A–09(h); and 5–2101 and 5–2102 to be under the new subtitle

41 “Subtitle 21. Agriculture Leases on Department Land”

42 Annotated Code of Maryland

(2023 Replacement Volume and 2024 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–215, 4–11A–09(g), 4–11A–14, and 8–2B–02
Annotated Code of Maryland
(2023 Replacement Volume and 2024 Supplement)

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

Article – Agriculture

**SUBTITLE 24. MARYLAND LEADERS IN ENVIRONMENTALLY ENGAGED FARMING
(LEEF) PROGRAM.**

2–2401.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
INDICATED.

(B) “COMMUNITY BEST PRACTICE” MEANS A FARM’S OR FARMER’S
DEMONSTRATED ENGAGEMENT WITH MARYLAND COMMUNITIES AS IT RELATES TO:

(1) THE PRODUCTION, SALE, OR DISTRIBUTION OF MARYLAND FARM
PRODUCTS; OR

(2) PROVIDING SERVICE TO AN ORGANIZATION WHOSE FOCUS IS
ADVANCING MARYLAND’S AGRICULTURAL INDUSTRY, ENVIRONMENTAL OUTCOMES,
CONSERVATION PRACTICES, OR AGRICULTURAL RESEARCH AND EDUCATION.

(C) “CONSERVATION PRACTICE” MEANS AN AGRICULTURAL PRACTICE
THAT:

(1) PREVENTS OR TREATS PROBLEMS WITH SOIL, WATER, AIR, PLANT,
OR ANIMAL SOURCES OF POLLUTION; AND

(2) HAS A STANDARD METHOD OF CONSTRUCTION OR APPLICATION
THAT IS DEVELOPED BY THE NATURAL RESOURCES CONSERVATION SERVICE AND
LISTED IN THE SERVICE’S MARYLAND FIELD OFFICE TECHNICAL GUIDE.

(D) (1) “FIXED NATURAL BUFFER” MEANS A STRIP OF MAINTAINED,
NATIVE VEGETATION ALONGSIDE A BODY OF WATER.

1 **(2) “FIXED NATURAL BUFFER” INCLUDES THE FOLLOWING FIXED**
2 **NATURAL FILTER PRACTICES:**

3 **(I) THE PLANTING OF RIPARIAN FOREST BUFFERS;**

4 **(II) THE PLANTING OF RIPARIAN HERBACEOUS COVER;**

5 **(III) TREE PLANTINGS THAT ARE ON AGRICULTURAL LAND; AND**

6 **(IV) WETLAND RESTORATION.**

7 **(3) “FIXED NATURAL BUFFER” DOES NOT INCLUDE PASTURE**
8 **MANAGEMENT, AS DESCRIBED UNDER § 8-701(D)(5) OF THIS ARTICLE.**

9 **(E) “100-FOOT TIDAL BUFFER” MEANS ANY LAND WITHIN 100 FEET OF:**

10 **(1) THE MEAN HIGH WATER LINE OF TIDAL WATERS;**

11 **(2) THE EDGE OF EACH BANK OF A TRIBUTARY TIDAL STREAM; OR**

12 **(3) THE LANDWARD BOUNDARY OF A TIDAL WETLAND.**

13 **(F) “PROGRAM” MEANS THE MARYLAND LEADERS IN ENVIRONMENTALLY**
14 **ENGAGED FARMING (LEEF) PROGRAM ESTABLISHED UNDER § 2-2402 OF THIS**
15 **SUBTITLE.**

16 **2-2402.**

17 **(A) THERE IS A MARYLAND LEADERS IN ENVIRONMENTALLY ENGAGED**
18 **FARMING (LEEF) PROGRAM.**

19 **(B) THE PURPOSES OF THE PROGRAM ARE TO:**

20 **(1) INVIGORATE STRATEGIES TO:**

21 **(I) REDUCE NUTRIENTS IN SUPPORT OF CHESAPEAKE BAY**
22 **WATERSHED RESTORATION;**

23 **(II) MITIGATE FARM EMISSIONS AND INCREASE CARBON**
24 **SEQUESTRATION IN ACCORDANCE WITH MARYLAND’S CLIMATE POLLUTION**
25 **REDUCTION PLAN; AND**

26 **(III) ALIGN ENVIRONMENTAL GOALS AND INITIATIVES OF THE**
27 **DEPARTMENT AND THE STATE WHILE ENHANCING FARM PROFITABILITY;**

1 **(2) PROVIDE PRODUCERS WITH GREATER INCENTIVES TO**
2 **VOLUNTARILY PARTICIPATE IN THE ADOPTION OF MULTIPLE CONSERVATION**
3 **PRACTICES AND COMMUNITY BEST PRACTICES WITHIN INDIVIDUAL AGRICULTURAL**
4 **OPERATIONS OR ACROSS MULTIPLE OPERATIONS THAT ARE IN CLOSE PROXIMITY TO**
5 **ONE ANOTHER;**

6 **(3) ESTABLISH TIERS OF RECOGNITION FOR PRODUCERS TO BE**
7 **EVALUATED FOR PROGRAM CERTIFICATION; AND**

8 **(4) PROVIDE STATE FUNDS TO INCENTIVIZE THE COORDINATED**
9 **ADOPTION OF CONSERVATION PRACTICES AND COMMUNITY BEST PRACTICES TO**
10 **ACHIEVE ENVIRONMENTAL, SOCIAL, AND CLIMATE RESILIENCY BENEFITS AND**
11 **NUTRIENT AND SEDIMENT REDUCTION.**

12 **2-2403.**

13 **TO CARRY OUT THE PURPOSES OF THE PROGRAM THE DEPARTMENT SHALL,**
14 **SUBJECT TO THE DISCRETION OF THE SECRETARY:**

15 **(1) ASSIGN A PROGRAM ADMINISTRATOR AND PROVIDE FOR**
16 **ADEQUATE ADMINISTRATIVE SUPPORT;**

17 **(2) IN CONSULTATION WITH MEMBERS OF THE AGRICULTURAL,**
18 **CONSERVATION, ENVIRONMENTAL, AND HIGHER EDUCATION COMMUNITIES,**
19 **DEVELOP AND PROMOTE A SUITE OF CONSERVATION PRACTICES AND COMMUNITY**
20 **BEST PRACTICES ELIGIBLE FOR THE PROGRAM, INCLUDING:**

21 **(I) CONSERVATION TILLAGE;**

22 **(II) NUTRIENT INPUT REDUCTION;**

23 **(III) COVER CROP PLANTINGS;**

24 **(IV) USE OF NATURAL FILTERS;**

25 **(V) CONSERVING AND INCREASING WILDLIFE AND POLLINATOR**
26 **HABITATS;**

27 **(VI) HEALTHY SOILS PRACTICES;**

28 **(VII) FACILITATING WORK EXPERIENCE FOCUSED ON**
29 **AGRICULTURE IN UNDERSERVED COMMUNITIES;**

1 (VIII) PARTNERING WITH OPERATORS TO IMPROVE
 2 CONSERVATION PRACTICES ON LEASED LAND;

3 (IX) LIAISING BETWEEN THE DEPARTMENT AND UNDERSERVED
 4 COMMUNITIES TO FACILITATE OUTREACH AND IDENTIFY BARRIERS TO
 5 DEPARTMENT PROGRAMS REACHING BROADER AUDIENCES;

6 ~~(IX)~~ (X) PARTICIPATING IN THE FARMERS' MARKET
 7 NUTRITION PROGRAM;

8 ~~(X)~~ (XI) PARTNERING WITH FOOD BANKS OR NONPROFIT
 9 ORGANIZATIONS TO ADDRESS FOOD INSECURITY;

10 ~~(XI)~~ (XII) PARTICIPATING IN THE CERTIFIED LOCAL FARM AND
 11 FISH PROGRAM;

12 ~~(XII)~~ (XIII) USING ON-FARM RENEWABLE ENERGY;

13 ~~(XIII)~~ (XIV) MENTORING NEW AND BEGINNING FARMERS; AND

14 ~~(XIV)~~ (XV) PARTNERING WITH AN INSTITUTION OF HIGHER
 15 EDUCATION OR QUALIFIED TECHNICAL SERVICE PROVIDER TO CONDUCT
 16 FIELD-BASED RESEARCH; OR

17 (XVI) INSTALLATION OF A FIXED NATURAL BUFFER, INCLUDING
 18 WITHIN A 100-FOOT TIDAL BUFFER;

19 (3) IN CONSULTATION WITH MEMBERS OF THE AGRICULTURAL,
 20 CONSERVATION, ENVIRONMENTAL, AND HIGHER EDUCATION COMMUNITIES,
 21 DEVELOP CRITERIA AND APPROPRIATE EVALUATION MEASURES TO ESTABLISH THE
 22 TIERS OF RECOGNITION FOR PROGRAM CERTIFICATION THAT INCLUDES
 23 CONSIDERATION OF:

24 (I) PROXIMITY OF A CONSERVATION PRACTICE OR COMMUNITY
 25 BEST PRACTICE TO WATERS OF THE STATE;

26 (II) THE EXTENT TO WHICH A CONSERVATION PRACTICE OR
 27 COMMUNITY BEST PRACTICE PROTECTS OR RESTORES THE CHESAPEAKE AND
 28 ATLANTIC COASTAL BAYS CRITICAL AREA OR OTHER AREA DESIGNATED FOR
 29 REGULATION OR SPECIAL PROTECTION UNDER A FEDERAL OR STATE LAW; AND

30 (III) THE EXTENT TO WHICH A CONSERVATION PRACTICE OR
 31 COMMUNITY BEST PRACTICE ENGAGES WITH AND BENEFITS OVERBURDENED AND
 32 UNDERSERVED COMMUNITIES;

1 (4) EVALUATE APPLICATIONS ON A CONTINUING BASIS AND
2 CONFIRM PARTICIPANT COMPLIANCE WITH PROGRAM CRITERIA; AND

3 (5) COORDINATE WITH THE DEPARTMENT OF NATURAL RESOURCES,
4 THE DEPARTMENT OF THE ENVIRONMENT, AND THE MARYLAND ENERGY
5 ADMINISTRATION, AS APPROPRIATE, TO ESTABLISH INCENTIVES FOR
6 PARTICIPATION IN THE PROGRAM.

7 2-2404.

8 (A) IN THIS SECTION, "FUND" MEANS THE MARYLAND LEADERS IN
9 ENVIRONMENTALLY ENGAGED FARMING (LEEF) PROGRAM FUND.

10 (B) THERE IS A MARYLAND LEADERS IN ENVIRONMENTALLY ENGAGED
11 FARMING (LEEF) PROGRAM FUND IN THE DEPARTMENT.

12 (C) THE DEPARTMENT SHALL ADMINISTER THE FUND.

13 (D) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE
14 COMPTROLLER SHALL ACCOUNT FOR THE FUND.

15 ~~(E) THE FUND, FOR FISCAL YEARS 2026 THROUGH 2031, MAY RECEIVE UP~~
16 ~~TO \$2,000,000 PER YEAR OF THE MONEY THAT:~~

17 ~~(1) IS APPROPRIATED IN THE ANNUAL STATE BUDGET TO FUND TREE~~
18 ~~PLANTING UNDER § 8-706 OF THIS ARTICLE; AND~~

19 ~~(2) THE DEPARTMENT DETERMINES WILL NOT BE ABLE TO BE USED~~
20 ~~FOR THE TREE PLANTINGS.~~

21 (E) FOR FISCAL YEAR 2026 AND EACH FISCAL YEAR THEREAFTER, THE
22 GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF
23 AT LEAST \$900,000 TO THE FUND.

24 (F) (1) THE FUND MAY BE USED ONLY TO:

25 ~~(1)~~ (1) SUPPORT ACTIONS ASSOCIATED WITH FULFILLING THE
26 PROGRAM'S PURPOSE; AND

27 ~~(2)~~ (II) ~~COVER NOT MORE THAN 20% OF~~ SUBJECT TO PARAGRAPH
28 (2) OF THIS SUBSECTION, COVER THE DEPARTMENT'S ADMINISTRATIVE COSTS TO
29 ADMINISTER THE PROGRAM.

1 **(2) IN EACH FISCAL YEAR, NOT MORE THAN 20% OF THE FUND MAY BE**
 2 **USED FOR ADMINISTRATIVE COSTS OF THE DEPARTMENT.**

3 **2-2405.**

4 **THE DEPARTMENT MAY ADOPT REGULATIONS TO CARRY OUT THIS SUBTITLE.**

5 ~~§ 706.~~

6 ~~(a) To maximize participation in the Conservation Reserve Enhancement~~
 7 ~~Program, in fiscal years 2023 through 2031, inclusive, a landowner who enrolls land~~
 8 ~~planted with a forested streamside buffer shall receive a one-time signing bonus of up to~~
 9 ~~\$1,000 per acre of land enrolled.~~

10 ~~(b) Signing bonuses provided under this section shall be funded with:~~

11 ~~(1) Money appropriated under subsection (c) of this section; and~~

12 ~~(2) The amount specified in § 9-1605.2(i)(11)(i) of the Environment Article.~~

13 ~~(c) (1) For fiscal years 2024 through 2031, in each year the Governor shall~~
 14 ~~appropriate \$2,500,000 in the annual State budget to fund [tree];~~

15 ~~(1) TREE planting under this section and other tree planting~~
 16 ~~programs on agricultural land; AND~~

17 ~~(II) THE MARYLAND LEADERS IN ENVIRONMENTALLY~~
 18 ~~ENGAGED FARMING (LEEF) PROGRAM FUND IN ACCORDANCE WITH § 2-2404 OF~~
 19 ~~THIS ARTICLE.~~

20 ~~(2) Money appropriated under this subsection is supplemental to and may~~
 21 ~~not take the place of funding that would otherwise be appropriated for tree plantings under~~
 22 ~~this section and other tree planting programs on agricultural land.~~

23 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
 24 as follows:

25 **Article – Agriculture**

26 **2-1901.**

27 (a) (1) In this subtitle the following words have the meanings indicated.

28 (2) (I) “Healthy soils” means the continuing capacity of soil to:

29 [(i)] 1. Function as a biological system;

1 [(ii)] 2. Increase soil organic matter;

2 [(iii)] 3. Improve soil structure and water and nutrient holding
3 capacity; and

4 [(iv)] 4. Sequester carbon and reduce greenhouse gas emissions.

5 (II) "HEALTHY SOILS" MAY INCLUDE REGENERATIVE
6 PRACTICES AND TRADITIONS.

7 (3) "Program" means the Maryland Healthy Soils Program.

8 (4) (I) "REGENERATIVE PRACTICES AND TRADITIONS" MEANS A
9 FORM OF LAND MANAGEMENT AND STEWARDSHIP APPROACHES AND PRACTICES
10 THAT:

11 1. DRAWS ON TRADITIONS AND INNOVATIONS FROM
12 AFRICAN, INDIGENOUS, AND ORIGINAL LAND STEWARDS;

13 2. PROMOTES CULTURALLY IMPORTANT FOOD AND
14 CLIMATE JUSTICE PROGRAMS AND INITIATIVES; AND

15 3. ENHANCES THE LAND AND ECOSYSTEM THROUGH
16 ADAPTIVE LAND MANAGEMENT PRACTICES THAT IMPROVE SOIL HEALTH AND
17 WATER QUALITY, RESTORE BIODIVERSITY, MITIGATE CLIMATE CHANGE IMPACTS,
18 AND PROVIDE THE GREATEST COMMUNITY BENEFITS.

19 (II) "REGENERATIVE PRACTICES AND TRADITIONS" INCLUDES
20 PRACTICES SUCH AS PRODUCING FOOD IN THE STATE FOR DISTRIBUTION WITHIN
21 THE STATE.

22 Article – Health – General

23 21–305.

24 (a) Except as otherwise provided in this subtitle, a person may not operate a food
25 establishment unless the person is licensed by the Department.

26 (b) (1) A separate license is required for each food establishment that a person
27 owns or operates.

28 (2) Except in Baltimore City, the provisions of this subsection may require
29 a license for each location where vending machines are operated, but may not require a
30 separate license for each individual vending machine.

1 (3) Except in Baltimore City, vending machine locations used exclusively
2 for prepackaged and commercially sealed foods that are not potentially hazardous, as
3 defined by regulation, are not required to be licensed.

4 (4) In Baltimore City, a license may be required for each individual vending
5 machine.

6 (5) (i) An excluded organization may operate a food establishment
7 without a license unless the excluded organization has been issued a license under §
8 21-304(a)(2)(ii) of this subtitle.

9 (ii) If the Department adopts regulations governing excluded
10 organizations serving potentially hazardous foods prepared in a private kitchen, an
11 excluded organization shall meet any requirements in the regulations.

12 (6) A license is not required for a person who:

13 (i) Produces shell eggs;

14 (ii) Sells the shell eggs directly to the public; and

15 (iii) Is registered with or inspected by the Secretary of Agriculture
16 under § 4-310 or § 4-311.1 of the Agriculture Article.

17 (7) **A LICENSE IS NOT REQUIRED FOR A PERSON WHO:**

18 **(I) IS LICENSED BY THE DEPARTMENT OF NATURAL**
19 **RESOURCES UNDER § 4-701 OR § 4-701.1 OF THE NATURAL RESOURCES ARTICLE;**
20 **AND**

21 **(II) HARVESTS AND PROCESSES FINFISH ON A VESSEL BY**
22 **IKEJIME FOR DIRECT SALE TO RESTAURANTS.**

23 **(8)** Except as provided in § 21-304 of this subtitle, nothing in this subtitle
24 shall preempt the right of a county to require a permit under the authority provided by a
25 local law, ordinance, or regulation if this subtitle does not require the food establishment
26 to obtain a State license.

27 **Article – Natural Resources**

28 **SUBTITLE 11. WATER QUALITY MONITORING PROGRAM.**

29 **3-1101.**

1 (A) THERE IS A WATER QUALITY MONITORING PROGRAM WITHIN THE
2 DEPARTMENT.

3 (B) THE PURPOSE OF THE WATER QUALITY MONITORING PROGRAM IS TO:

4 (1) PROVIDE FOR A CONSISTENT STATEWIDE APPROACH FOR
5 IMPROVING WATER QUALITY MONITORING DATA, CONSISTENT WITH THE MOST
6 UP-TO-DATE SCIENTIFIC KNOWLEDGE AND TECHNOLOGIES;

7 (2) CONDUCT LONG-TERM AND TARGETED SHORT-TERM WATER
8 QUALITY MONITORING AND ASSESSMENTS TO DEVELOP AN UNDERSTANDING OF
9 AND GUIDE PROGRAMS DESIGNED TO MEET WATER QUALITY IMPROVEMENT GOALS,
10 IMPROVE AQUATIC LIVING RESOURCES AND HABITAT, ADDRESS CLIMATE CHANGE
11 IMPACTS, AND IMPLEMENT RESILIENCE PLANNING;

12 (3) INTEGRATE WATER QUALITY MONITORING DATA INTO PLANNING
13 PROCESSES TO INFORM POLICY CHOICES ABOUT THE EFFECTIVENESS OF
14 MANAGEMENT ACTIONS; AND

15 (4) PROVIDE THE GENERAL PUBLIC WITH READILY AVAILABLE
16 WATER QUALITY MONITORING DATA TO GUIDE RECREATIONAL AND OTHER PASSIVE
17 USES.

18 (C) THE DEPARTMENT MAY ASSESS AND INCORPORATE WATER QUALITY
19 MONITORING DATA THAT MEETS THE QUALITY ASSURANCE AND USE GOALS OF THE
20 STATE DATA SETS INTO THE WATER QUALITY MONITORING PROGRAM.

21 4-215.

22 (a) (1) In this section the following words have the meanings indicated.

23 (2) “Conservation and management measures” means 1 or more techniques
24 through which the objectives of a fishery management plan are achieved.

25 (3) “Fishery” or “fishery resource” means:

26 (i) One or more stocks of fish which can be treated as a unit for
27 purposes of conservation and management and which are identified on the basis of
28 geographic, scientific, technical, recreational, and economic characteristics; or

29 (ii) The group or industry harvesting those stocks.

30 (4) “Fishery management” means the system used to conserve and allocate
31 the fishery resource, including research and data collection, determination of objectives and

1 management measures, and establishment, enforcement, and periodic evaluation of
2 regulations.

3 (5) "Fishery management plan" means [a document or report that
4 contains] a systematic description of a given fishery **OR FISHERIES** and the objectives and
5 conservation and management measures for the fishery **OR FISHERIES**.

6 (6) **"SUPPLEMENT" MEANS A MARYLAND-SPECIFIC SUPPLEMENT**
7 **PREPARED UNDER SUBSECTION (B) OF THIS SECTION.**

8 (b) (1) ~~¶~~The Department shall prepare fishery management plans for the
9 following species:

- 10 ~~(1)~~ ~~Striped bass or rockfish;~~
- 11 ~~(2)~~ (I) White perch;
- 12 ~~(3)~~ (II) Yellow perch;
- 13 ~~(4)~~ ~~American shad;~~
- 14 ~~(5)~~ ~~Hickory shad;~~
- 15 ~~(6)~~ (III) Oysters;
- 16 ~~(7)~~ (IV) Blue crabs;
- 17 ~~(8)~~ ~~Bluefish;~~
- 18 ~~(9)~~ ~~Herring;~~
- 19 ~~(10)~~ ~~Weakfish;~~
- 20 ~~(11)~~ ~~Croaker;~~
- 21 ~~(12)~~ ~~Spot;~~
- 22 ~~(13)~~ ~~Summer flounder;~~
- 23 ~~(14)~~ ~~American eel;~~
- 24 ~~(15)~~ ~~Red drum;~~
- 25 ~~(16)~~ ~~Black drum;~~
- 26 ~~(17)~~ ~~Spotted sea trout;~~

1 ~~(18)~~ ~~Horseshoe crabs;~~

2 ~~(19)~~ ~~Menhaden;~~

3 ~~(20)~~ ~~Tautog;~~

4 ~~(21)~~ ~~Black sea bass;~~

5 ~~(22)~~ ~~Scup;~~

6 ~~(23)~~ (V) Hard shell clams;

7 ~~(24)~~ (VI) Catfish; and

8 ~~(25)~~ (VII) Cownose ray~~s~~.

9 **(2)** FOR SPECIES OF FISH THAT HAVE AN ATLANTIC STATES MARINE
10 **FISHERIES COMMISSION FISHERY MANAGEMENT PLAN, AS AUTHORIZED UNDER §**
11 **4-301 OF THIS TITLE, OR A FEDERAL REGIONAL FISHERY MANAGEMENT COUNCIL**
12 **FISHERY MANAGEMENT PLAN, THE DEPARTMENT:**

13 ~~(1)~~ **(I)** SHALL MANAGE THOSE SPECIES IN ACCORDANCE WITH
14 **THOSE PLANS AND ANY SUPPLEMENTS TO THOSE PLANS;**

15 ~~(2)~~ **(II)** MAY IMPLEMENT CONSERVATION AND MANAGEMENT
16 **MEASURES IN ACCORDANCE WITH THOSE PLANS;**

17 ~~(3)~~ **(III)** MAY PREPARE A MARYLAND-SPECIFIC SUPPLEMENT TO
18 **THOSE PLANS IF, AFTER CONSULTATION WITH THE TIDAL FISHERIES ADVISORY**
19 **COMMISSION, SPORT FISHERIES ADVISORY COMMISSION, AND ANY OTHER**
20 **APPROPRIATE ADVISORY BODIES CREATED UNDER THIS TITLE, THE DEPARTMENT**
21 **DETERMINES THAT IMPOSING MORE RESTRICTIVE MEASURES IS NECESSARY TO**
22 **CONSERVE THE FISHERY; ~~AND~~**

23 ~~(4)~~ **(IV)** MAY IMPLEMENT CONSERVATION AND MANAGEMENT
24 **MEASURES IN ACCORDANCE WITH A SUPPLEMENT ADOPTED UNDER THIS ~~SECTION.~~**
25 **SECTION; AND**

26 **(V)** **MAY MANAGE THOSE SPECIES IN ACCORDANCE WITH A**
27 **FISHERY MANAGEMENT PLAN PREPARED BY THE DEPARTMENT IN ACCORDANCE**
28 **WITH SUBSECTION (C) OF THIS SECTION.**

29 (c) **(1)** The Department may prepare fishery management plans for any
30 species of fish if, after consultation with the ~~†~~Tidal Fisheries Advisory Commission ~~and~~, the

1 Sport Fisheries Advisory Commission, AND ANY OTHER APPROPRIATE ADVISORY
2 BODIES CREATED UNDER THIS TITLE, the Department determines that the plans are
3 necessary based on:

4 (I) LACK OF MANAGEMENT BY THE ATLANTIC STATES MARINE
5 FISHERIES COMMISSION OR A FEDERAL REGIONAL FISHERY MANAGEMENT
6 COUNCIL;

7 [(1)] (II) The population of the species;

8 [(2)] (III) The distribution of the species;

9 [(3)] (IV) The habitat needs of the species; or

10 [(4)] (V) Other biological, ecological, CLIMATOLOGICAL, or
11 socioeconomic factors concerning the species OR CHESAPEAKE BAY REGION.

12 [(d) (1)] (2) A FISHERY MANAGEMENT PLAN MAY INCLUDE:

13 (I) PROPOSED LIMITATIONS ON THE CATCH OF FISH, BASED ON
14 AREA, SPECIES, SIZE, NUMBER, WEIGHT, SEX, INCIDENTAL CATCH, TOTAL BIOMASS,
15 OR OTHER FACTORS THAT ARE NECESSARY AND APPROPRIATE FOR CONSERVATION
16 AND MANAGEMENT OF A FISHERY;

17 (II) INCORPORATION OF RELEVANT FISHERY CONSERVATION
18 AND MANAGEMENT MEASURES PROPOSED OR ADOPTED BY INTERSTATE BODIES OF
19 WHICH MARYLAND IS A MEMBER; AND

20 (III) OTHER PROPOSED MEASURES, REQUIREMENTS, OR
21 CONDITIONS AND RESTRICTIONS THAT ARE NECESSARY AND APPROPRIATE FOR
22 FISHERY MANAGEMENT.

23 (3) (I) THE DEPARTMENT MAY IMPLEMENT CONSERVATION AND
24 MANAGEMENT MEASURES IN ACCORDANCE WITH A FISHERY MANAGEMENT PLAN
25 ADOPTED UNDER THIS SECTION.

26 (II) Conservation and management measures [adopted]
27 IMPLEMENTED under a fishery management plan, to the extent possible:

28 [(i)] 1. Shall prevent overfishing while attempting to achieve the
29 best and most efficient utilization of the State's fishery resources;

30 [(ii)] 2. Shall be based on the best information available;

1 [(iii)] **3.** May not discriminate unfairly among groups of
 2 **[fishermen] ~~ANGLERS~~ COMMERCIAL AND RECREATIONAL FISHING PARTICIPANTS,**
 3 **INCLUDING INDIVIDUALS LICENSED TO GUIDE FISHING PARTIES AND CHARTER**
 4 **BOAT CAPTAINS,** or have economic allocation as its sole purpose;

5 [(iv)] **4.** Shall take into account and allow for variations among,
 6 and contingencies in, fisheries, fishery resources, and catches; **[and]**

7 [(v)] **5.** Shall avoid duplication of regulatory efforts and
 8 unnecessary costs to the State and to any other person; **AND**

9 **6. SHALL TAKE INTO ACCOUNT CHANGES IN**
 10 **ENVIRONMENTAL FACTORS, INCLUDING CLIMATOLOGICAL FACTORS.**

11 [(2)] **(4)** If it becomes necessary to allocate or assign fishing privileges
 12 among various groups of individuals under paragraph [(1)(iii)] **(3)(II)3** of this subsection,
 13 or under any fishery management plan, that allocation shall be:

14 (i) Fair and equitable to all individuals;

15 (ii) Reasonably calculated to promote conservation; and

16 (iii) Carried out in such a manner that no particular individual,
 17 corporation, or other entity acquires an excessive share of such privileges.

18 [(e) (1)] **(5)** **[Except] SUBJECT TO ANY APPLICABLE SUPPLEMENT AND**
 19 **EXCEPT** as provided in paragraph [(2)] **(6)** of this subsection, a fishery management plan
 20 may apply separately or jointly to the waters of the Chesapeake Bay and its tidal
 21 tributaries, the coastal bays and their tributaries, and the Maryland waters of the Atlantic
 22 Ocean and shall include:

23 (i) The best available estimates of sustainable harvest rates;

24 (ii) Indicators that would trigger any tightening or loosening of
 25 harvest restrictions;

26 (iii) A description of the fishery, including:

27 1. The history of the fishery, and its current condition
 28 relative to historic populations;

29 2. The numbers of potential commercial **FISHING**
 30 **PARTICIPANTS, INCLUDING INDIVIDUALS LICENSED TO GUIDE FISHING PARTIES**
 31 **AND CHARTER BOAT CAPTAINS,** and recreational **[fishermen] ~~ANGLERS~~ FISHING**
 32 **PARTICIPANTS** projected to participate in the fishery;

1 3. The type and quantity of fishing gear used commercially;

2 4. Where practicable, the cost likely to be incurred in the
3 management of the fishery; and

4 5. The actual and potential revenues from the recreational
5 and commercial fishery;

6 (iv) If the Department determines that a fishery has been, or is
7 currently, overfished:

8 1. A species-specific time period for:

9 A. Ending or appropriately addressing overfishing; and

10 B. Rebuilding the stock of the species to a sustainable level;
11 and

12 2. A description of:

13 A. Management strategies that have a high probability of
14 reducing fishing to a target level within a target time period, as determined by the
15 Department; and

16 B. The appropriate assignment or allocation of fishing
17 privileges in accordance with **[subsection (d)(2)] PARAGRAPH (4)** of this **[section]**
18 **SUBSECTION**; and

19 (v) Other pertinent data that will assist the Secretary in
20 determining conservation and management measures reasonably necessary to ensure that
21 the fishery resources will be sustained.

22 **[(2)] (6)** The Department may waive the requirements in paragraph
23 **[(1)(iv)] (5)(IV)** of this subsection for a species of fish if the Department determines that
24 meeting the requirements is not practicable or biologically appropriate based on:

25 (i) The specific biology of the species;

26 (ii) The management of the species under a federal or multi-state
27 fishery management plan;

28 (iii) The designation of the species as a nuisance;

29 (iv) Environmental conditions; or

1 (v) Other ecological factors.

2 **[(3)] (D) (1)** (i) The Department shall:

3 1. In coordination with the University of Maryland Center
4 for Environmental Science and the Oyster Advisory Commission, develop a package of
5 consensus recommendations for enhancing and implementing the fishery management
6 plan for oysters that will be informed by a collaboratively developed, science-based
7 modeling tool to quantify the long-term impacts of identified management actions and
8 possible combinations of management actions on:

9 A. Oyster abundance;

10 B. Oyster habitat;

11 C. Oyster harvest;

12 D. Oyster harvest revenue; and

13 E. Nitrogen removal; and

14 2. Hold public listening sessions throughout the State to
15 identify possible management actions for use in the public oyster fishery.

16 (ii) The Oyster Advisory Commission, with the assistance of external
17 conflict resolution and facilitation specialists, shall:

18 1. Develop a package of consensus recommendations through
19 a facilitated consensus solutions process, based on a 75% majority agreement level for each
20 recommendation;

21 2. Recommend management actions or combinations of
22 management actions to achieve the targets identified in the oyster stock assessment with
23 the goal of increasing oyster abundance; and

24 3. Review model results for each management action or
25 combination of management actions to inform its recommendations.

26 (iii) 1. The Department shall submit interim reports on the
27 development of the package of consensus recommendations by August 1, 2020, December
28 1, 2020, and August 1, 2021, to the Governor and, in accordance with § 2-1257 of the State
29 Government Article, the General Assembly.

30 2. In addition to the requirements under subparagraph 1
31 of this subparagraph, the Department shall include in the interim report submitted by
32 August 1, 2021:

1 A. The status of the development of the science-based
2 modeling tool used to quantify the long-term impacts of identified management actions;
3 and

4 B. A summary of the model results of any actions identified
5 by the Oyster Advisory Commission on or before the date of the interim report.

6 3. The Department shall provide a final report by December
7 1, 2021, which will include an implementation schedule for the consensus
8 recommendations, to the Governor and, in accordance with § 2-1257 of the State
9 Government Article, the General Assembly.

10 (iv) To be responsive to changes in the oyster resource due to
11 environmental conditions, the Department shall:

12 1. Review the status of the stock relative to reference points
13 every 2 years and conduct a benchmark stock assessment every 6 years with consideration
14 of new methods and with external peer review; and

15 2. With the input of interested stakeholders, implement
16 management actions that increase oyster habitat, maintain harvest, and grow the oyster
17 stock.

18 **[(4)] (2)** The fishery management plan developed in accordance with
19 paragraph **[(3)] (1)** of this subsection shall:

20 (i) End the overfishing of oysters in all areas and regions of the
21 Chesapeake Bay and its tributaries where overfishing has occurred according to biological
22 reference points established by the most recent oyster stock assessment while maintaining
23 a harvest in the fishery;

24 (ii) Achieve fishing mortality rates at target levels;

25 (iii) Increase oyster abundance;

26 (iv) Increase oyster habitat; and

27 (v) Facilitate the long-term sustainable harvest of oysters,
28 including the public fishery.

29 **[(f)]** A fishery management plan may include:

30 (1) Proposed limitations on the catch of fish, based on area, species, size,
31 number, weight, sex, incidental catch, total biomass, or other factors, which are necessary
32 and appropriate for conservation and management of a fishery;

1 (2) Incorporation of relevant fishery conservation and management
2 measures proposed or adopted by interstate bodies of which Maryland is a member; and

3 (3) Other proposed measures, requirements, or conditions and restrictions
4 which are necessary and appropriate for fishery management.

5 (g) (E) The Department shall present the management plans AND
6 SUPPLEMENTS under this section in the form of an annual report, subject to § 2-1257 of
7 the State Government Article, to:

8 (1) The Legislative Policy Committee;

9 (2) The Senate Committee on Education, Energy, and the Environment;
10 and

11 (3) The Environment and Transportation Committee.

12 [(h)] (F) (1) (i) The [Secretary shall] DEPARTMENT:

13 1. SHALL adopt [the proposed] BY REGULATION:

14 A. A FISHERY management [plans] PLAN PREPARED BY
15 THE DEPARTMENT UNDER THIS SECTION; AND

16 B. A SUPPLEMENT PREPARED BY THE DEPARTMENT
17 UNDER THIS SECTION; and [any proposed]

18 2. MAY ADOPT conservation and management measures by
19 regulation FOR:

20 A. AN ATLANTIC STATES MARINE FISHERIES
21 COMMISSION FISHERY MANAGEMENT PLAN;

22 B. A FEDERAL REGIONAL FISHERY MANAGEMENT
23 COUNCIL FISHERY MANAGEMENT PLAN;

24 C. A FISHERY MANAGEMENT PLAN PREPARED AND
25 ADOPTED BY THE DEPARTMENT UNDER THIS SECTION; AND

26 D. A SUPPLEMENT PREPARED AND ADOPTED BY THE
27 DEPARTMENT UNDER THIS SECTION.

28 (ii) 1. The Secretary may adopt conservation and management
29 measures in separate proceedings and by separate regulations.

1 **2.** Conservation and management measures adopted
 2 separately may include changes to those proposed or adopted in a fishery management plan
 3 **OR SUPPLEMENT** and any additional measures necessary to carry out the adopted plan
 4 **OR SUPPLEMENT.**

5 (iii) The Secretary may not prohibit the use of pound net sites in the
 6 coastal bays that are registered with the Department as of January 1, 2000.

7 (2) **(I)** The regulations of the Department to implement a fisheries
 8 management plan for the coastal bays may not become effective under this section until the
 9 Department first holds A public [hearings in Worcester County] **HEARING.**

10 **(II) THE PUBLIC HEARING REQUIRED UNDER SUBPARAGRAPH**
 11 **(I) OF THIS PARAGRAPH MAY BE HELD IN PERSON IN WORCESTER COUNTY OR, IN**
 12 **WHOLE OR IN PART, REMOTELY BY ELECTRONIC MEANS.**

13 (3) All notices of public hearings required for the adoption of regulations
 14 under this section shall be printed in the Maryland Register and further publicized so as to
 15 provide reasonable notice to the affected communities **OF COMMERCIAL FISHING**
 16 **PARTICIPANTS, INCLUDING INDIVIDUALS LICENSED TO GUIDE FISHING PARTIES**
 17 **AND CHARTER BOAT CAPTAINS, AND RECREATIONAL FISHING PARTICIPANTS** [of
 18 fishermen] and the public.

19 [(i)] **(G)** Notwithstanding any other provision of this title, except § 4–1002 of
 20 this title, once a fishery management plan **OR SUPPLEMENT** has been adopted by
 21 regulation, the State’s fishery resources shall be harvested in accordance with the
 22 conservation and management measures in the fishery management plan **OR**
 23 **SUPPLEMENT** and any regulations implementing or amending that plan **OR**
 24 **SUPPLEMENT.**

25 [(j)] **(H)** The provisions of this section do not apply to aquaculture activities in
 26 nontidal ponds, lakes, or impoundments in the State.

27 4–11A–09.

28 (g) (1) If an application for a submerged land or water column lease in the
 29 Chesapeake Bay or in the Atlantic Coastal Bays meets the requirements of this subtitle:

30 (i) The applicant for the lease shall mark the **CENTER OF THE**
 31 proposed area with a stake; and

32 (ii) The Department shall:

33 1. **SURVEY THE CORNERS OF THE PROPOSED LEASE**
 34 **AREA;**

1 **2.** Advertise the application on the website of the
2 Department and once a week for 2 weeks in a newspaper published in the county or counties
3 where the proposed lease is to be located;

4 [2.] **3.** Notify the owners of property directly in front of the
5 proposed activity;

6 [3.] **4.** Notify each Chair of an Oyster Committee in the county in
7 which the proposed activity is located; and

8 [4.] **5.** Notify other interested parties that the Department
9 [deems] **CONSIDERS** appropriate.

10 (2) (i) [Within] **ANY PERSON MAY SUBMIT A WRITTEN REQUEST**
11 **FOR A PUBLIC INFORMATIONAL MEETING ON THE ISSUANCE OF A LEASE WITHIN 30**
12 **days [of] AFTER** publication of the last advertisement under paragraph (1) of this
13 subsection[, any].

14 **(II) THE REQUEST FOR A PUBLIC INFORMATIONAL MEETING**
15 **SUBMITTED TO THE DEPARTMENT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH**
16 **MUST CONTAIN THE NAME, MAILING ADDRESS, AND E-MAIL ADDRESS OF THE**
17 **REQUESTOR.**

18 **(III) THE DEPARTMENT SHALL HOLD A PUBLIC INFORMATIONAL**
19 **MEETING ON THE ISSUANCE OF A LEASE ON THE REQUEST OF ANY PERSON.**

20 **(3) (I) ANY** person who has a specific right, duty, privilege, or interest
21 that is different from that held by the general public and may be adversely affected by the
22 proposed lease may file a **WRITTEN** petition with the Department protesting the issuance
23 of the lease:

24 **1. WITHIN 30 DAYS AFTER PUBLICATION OF THE LAST**
25 **ADVERTISEMENT UNDER PARAGRAPH (1) OF THIS SUBSECTION; OR**

26 **2. WITHIN 7 DAYS AFTER A PUBLIC INFORMATIONAL**
27 **MEETING HELD IN ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION.**

28 **(II) A PROTEST FILED WITH THE DEPARTMENT UNDER**
29 **SUBPARAGRAPH (I) OF THIS PARAGRAPH MUST CONTAIN:**

30 **1. THE NAME, MAILING ADDRESS, AND E-MAIL ADDRESS**
31 **OF THE PROTESTANT;**

1 **2. A STATEMENT INDICATING THAT THE PROTESTANT**
 2 **INTENDS TO PROTEST THE LEASE AND THE REASONS FOR THE PROTEST; AND**

3 **3. A STATEMENT DESCRIBING THE PROTESTANT'S**
 4 **SPECIFIC RIGHT, DUTY, PRIVILEGE, OR INTEREST THAT IS DIFFERENT FROM THAT**
 5 **HELD BY THE GENERAL PUBLIC AND MAY BE ADVERSELY AFFECTED BY THE**
 6 **PROPOSED LEASE.**

7 **(III) THE DEPARTMENT MAY REQUIRE MEDIATION BETWEEN**
 8 **THE PROTESTANT, THE APPLICANT, AND THE DEPARTMENT BEFORE TRANSMITTING**
 9 **THE PROTEST TO THE OFFICE OF ADMINISTRATIVE HEARINGS.**

10 **[(ii)] (IV)** The protest shall be heard in accordance with the
 11 requirements of the Administrative Procedure Act under Title 10, Subtitle 2 of the State
 12 Government Article.

13 **[(iii)]** The Department shall hold a public informational meeting on the
 14 issuance of a lease on the request of any person.

15 **(iv)] (V)** Immediately after termination of the period [prescribed]
 16 **SPECIFIED** in subparagraph (i) of this paragraph for filing a petition or after a final
 17 decision dismissing a protest, the Department shall [survey the proposed leased area and]
 18 issue a lease to the applicant.

19 **(H) THE DEPARTMENT, IN CONSULTATION WITH THE AQUACULTURE**
 20 **COORDINATING COUNCIL, MAY CHARGE AN APPLICANT REASONABLE ADVERTISING**
 21 **AND SURVEY FEES.**

22 4-11A-14.

23 (a) (1) Except as provided in paragraph (2) of this subsection, a leaseholder
 24 may cultivate or remove shellfish planted on [his] **THE LEASEHOLDER'S** aquaculture or
 25 submerged land lease area in any manner [he deems] **THE LEASEHOLDER CONSIDERS**
 26 proper.

27 (2) A person may not use a hydraulic escalator dredge to harvest shellfish
 28 in the Atlantic Coastal Bays.

29 (b) **(1)** Each leaseholder shall keep accurate records concerning the seeding
 30 and planting of cultch and [oysters] **SHELLFISH** on[,] and the harvesting[,] and selling of
 31 [oysters] **SHELLFISH** from [his] **THE LEASEHOLDER'S** aquaculture, submerged land, or
 32 demonstration lease area.

33 **(2)** Each leaseholder shall report this information to the Department
 34 **ELECTRONICALLY OR** on forms **SPECIFIED BY** the Department [prescribes].

1 (c) (1) On or before January [1] 31 of each year, a leaseholder shall provide to
2 the Department a report documenting the use of the lease during the prior year.

3 (2) A leaseholder shall provide to the Department any other report that the
4 Department may require.

5 (3) Failure to file a report may result in termination of the lease.

6 (4) Failure to actively use a lease may result in termination of the lease.

7 **SUBTITLE 21. AGRICULTURE LEASES ON DEPARTMENT LAND.**

8 **5-2101.**

9 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
10 INDICATED.

11 (B) "HEALTHY SOILS" HAS THE MEANING STATED IN § 2-1901 OF THE
12 AGRICULTURE ARTICLE.

13 (C) "REGENERATIVE PRACTICES AND TRADITIONS" HAS THE MEANING
14 STATED IN § 2-1901 OF THE AGRICULTURE ARTICLE.

15 **5-2102.**

16 (A) THE DEPARTMENT MAY LEASE LAND OWNED OR MANAGED BY THE
17 DEPARTMENT TO A PERSON IMPLEMENTING PRACTICES THAT SUPPORT HEALTHY
18 SOILS AND REGENERATIVE PRACTICES AND TRADITIONS.

19 (B) (1) THE LEASE TERM MAY BE FOR A MINIMUM OF 10 YEARS.

20 (2) THE LEASE SHALL REQUIRE THE LESSEE TO COMPLY WITH ALL
21 APPLICABLE STATE AND FEDERAL LAWS AND REGULATIONS.

22 (C) THE DEPARTMENT SHALL CONSULT WITH THE DEPARTMENT OF
23 AGRICULTURE ON THE DEVELOPMENT OF A TEMPLATE FOR LEASES ENTERED INTO
24 UNDER THIS SECTION.

25 **8-2B-02.**

26 (a) There is a Whole Watershed Restoration Partnership.

1 (b) The purpose of the Partnership is to accelerate restoration of the Chesapeake
2 and Atlantic Coastal Bays and their watersheds by equitably focusing assistance on actions
3 and areas that are:

4 (1) Cost-effective;

5 (2) Likely to demonstrate a rapid systemic response to restoration activity,
6 including rapid de-listing of impaired streams identified under § 303(d) of the federal Clean
7 Water Act; and

8 (3) Supported by the local government.

9 (c) (1) The Secretary shall establish a State management team to administer
10 the Partnership.

11 (2) The State management team shall include:

12 (i) One representative of the Department, designated by the
13 Secretary;

14 (ii) One representative of the Department of the Environment,
15 designated by the Secretary of the Environment;

16 (iii) One representative of the Department of Agriculture, designated
17 by the Secretary of Agriculture;

18 (iv) One representative of the Department of Planning, designated
19 by the Secretary of Planning;

20 (v) One representative of the Critical Area Commission for the
21 Chesapeake and Atlantic Coastal Bays, designated by the chair of the Commission; and

22 (vi) The Chief Resilience Officer, or the Chief Resilience Officer's
23 designee.

24 (3) The representative of the Department shall chair the State
25 management team.

26 (4) The State management team shall coordinate with other entities,
27 including the U.S. Army Corps of Engineers and the U.S. Environmental Protection
28 Agency, as necessary to carry out its functions and duties under this subtitle.

29 (d) (1) The Partnership shall employ staff in accordance with the State budget.

30 (2) State agencies may provide staff or other assistance to the Partnership.

1 (e) On or before October 1, 2024, and every 5 years thereafter, the State
2 management team shall issue a request for proposals for projects that:

3 (1) Occur within a single Maryland 8-Digit Watershed as identified in the
4 statewide digital watershed file maintained by the Department of Information Technology;

5 (2) Include a strategy describing the partners, actions, and benefits that
6 the project will incorporate over a 5-year period;

7 (3) Provide at least five of the benefits specified under subsection (f)(2)(viii)
8 of this section; and

9 (4) Are endorsed by each county and municipal corporation in which the
10 project will occur.

11 (f) (1) Subject to paragraph (3) of this subsection, on or before March 1, 2025,
12 and every 5 years thereafter, the State management team may approve up to five projects
13 to receive assistance under this section.

14 (2) The State management team shall evaluate a proposed project based
15 on whether the proposed project:

16 (i) Is located in a watershed in which habitat restoration and
17 pollution reduction will:

18 1. Result in the greatest improvements to shallow water
19 habitat and living resources;

20 2. Achieve rapid de-listing of impaired streams identified
21 under § 303(d) of the federal Clean Water Act and published in the Department of the
22 Environment's Triennial Review of Water Quality Standards; or

23 3. Generate rapidly improving conditions in the local
24 ecosystem;

25 (ii) Emphasizes actions that are expected to provide the greatest,
26 most cost-effective, and measurable amount of pollution reduction;

27 (iii) Supports land use policies, conservation programs, and
28 restoration protocols at the local level that will sustain project actions and outcomes;

29 (iv) Has documented interest from a group of affected property
30 owners to allow restoration or conservation actions on their property;

31 (v) Minimizes the loss of trees and other natural habitats;

1 (vi) Demonstrates opportunities to implement actions that reduce
2 environmental disparities experienced by overburdened or underserved communities;

3 (vii) Demonstrates opportunities to foster innovation in restoration
4 science or practices;

5 (viii) In addition to land-based habitat restoration and water quality
6 improvement, anticipates benefits related to:

7 1. The creation or restoration of wildlife habitat, riparian
8 buffers, and wetland restoration;

9 2. The restoration of aquatic resources, such as freshwater
10 mussels, fish passage, or oyster reefs;

11 3. Carbon sequestration;

12 4. Climate change mitigation, adaptation, or resilience;

13 5. Local employment opportunities;

14 6. Improving and protecting public health; and

15 7. Recreational opportunities and public access to waterways
16 and natural habitats; and

17 (ix) Creates partnership opportunities among nonprofit and
18 for-profit organizations, community organizations, all levels of government, and scientists.

19 (3) The State management team shall:

20 (i) Work to ensure that the projects approved include:

21 1. One project located in a predominantly urban area;

22 2. One project located in a predominantly suburban area;

23 3. Two projects primarily focused on reducing pollution in a
24 predominantly agricultural area; and

25 4. One project that incorporates collaborative efforts with an
26 adjoining state; and

27 (ii) Ensure that at least two approved projects are located in and
28 provide benefits to an overburdened or underserved community.

1 (4) The State management team may require siting, design, construction,
2 maintenance, and operation principles and standards for a project that are in addition to
3 those required by law or regulation if the team determines that those principles and
4 standards are necessary to preserve the benefits of the project.

5 **(G) (1) AS SOON AS POSSIBLE AFTER APPROVING A PROJECT UNDER THIS**
6 **SECTION, THE STATE MANAGEMENT TEAM AND THE PROJECT SPONSOR SHALL MEET**
7 **TO DEVELOP A PLAN FOR PERMITTING THE PROJECT, INCLUDING IDENTIFYING ALL:**

8 **(I) REQUIRED STATE AND FEDERAL PERMITS;**

9 **(II) SUPPORTING DOCUMENTATION THAT MUST BE SUBMITTED**
10 **WITH EACH PERMIT APPLICATION;**

11 **(III) TIME FRAMES FOR SUBMITTING THE PERMITS AND**
12 **SUPPORTING DOCUMENTATION; AND**

13 **(IV) POINTS OF CONTACT WITHIN EACH RELEVANT AGENCY FOR**
14 **EACH OF THE PERMITS.**

15 **(2) TO EXPEDITE THE PERMITTING PROCESS TO THE EXTENT**
16 **ALLOWED BY STATE AND FEDERAL LAW, THE STATE MANAGEMENT TEAM AND**
17 **PROJECT SPONSOR SHALL:**

18 **(I) INVITE ALL RELEVANT STATE AND FEDERAL AGENCIES,**
19 **INCLUDING THE U.S. ENVIRONMENTAL PROTECTION AGENCY, THE U.S. ARMY**
20 **CORPS OF ENGINEERS, AND THE NATIONAL MARINE FISHERIES SERVICE, TO THE**
21 **MEETING REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION; AND**

22 **(II) COORDINATE WITH EACH AGENCY TO DEVELOP THE PLAN**
23 **FOR PERMITTING THE PROJECT, INCLUDING TIME FRAMES AND REQUIREMENTS**
24 **FOR EACH APPLICATION.**

25 **[(g)] (H)** For a period of 5 years after approving a project, the State management
26 team shall:

27 (1) Assist the project sponsor in developing an implementation and
28 financing plan, including measurable outcomes, for the duration of the project;

29 (2) Award implementation grants from the Fund and other appropriate
30 State funds and accounts:

31 (i) For up to 50% of project costs;

1 (ii) In accordance with the implementation and financing plan
2 developed under item (1) of this subsection; and

3 (iii) With consideration given to the progress of the project as
4 documented in the report required under subsection [(i)(2)] **(J)(2)** of this section;

5 (3) Award operations grants to the project sponsor for project
6 administration costs in accordance with § 8–2A–02(f)(5) of this title;

7 (4) Provide for coordinated and transparent State permitting to the extent
8 allowed by State and federal law, including the use of the permit tracking dashboard
9 established by the Secretary under subsection [(k)] **(L)** of this section;

10 (5) Provide funding to the project sponsor to support water quality
11 monitoring at the project site; and

12 (6) Meet with the project sponsor and participating local governments at
13 least six times each calendar year to review and facilitate progress on the project.

14 **[(h)] (I)** A project sponsor shall provide opportunities for community
15 engagement for the duration of the project by including:

16 (1) At least four community meetings that include representation from
17 each local government endorsing the project; and

18 (2) An opportunity for public comment on the preliminary design of each
19 major or large-scale action proposed by the project.

20 **[(i)] (J)** (1) A project sponsor shall identify appropriate metrics to track
21 progress on meeting the outcomes identified in the project's implementation and financing
22 plan.

23 (2) (i) A project sponsor shall report on the progress of the project at
24 the intervals and in the format required by the State management team.

25 (ii) A report under this paragraph shall include information on:

- 26 1. Community engagement efforts;
- 27 2. Restoration and conservation actions initiated and
28 completed;
- 29 3. Trees affected and trees at immediate or future risk of
30 impact due to restoration actions;

1 SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect July
2 1, 2025. Section 1 of this Act shall remain effective for a period of 5 years and, at the end of
3 June 30, 2030, Section 1 of this Act, with no further action required by the General
4 Assembly, shall be abrogated and of no further force and effect.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.