

SENATE BILL 837

M2

5lr3431
CF HB 1022

By: **Senators Mautz, Bailey, and Hershey**

Introduced and read first time: January 28, 2025

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **Oyster Restoration – Use of Federal Funds – Prohibition**

3 FOR the purpose of prohibiting the Department of Natural Resources from using federal
4 funds for oyster restoration projects in State waters during a certain period of time,
5 subject to a certain exception; and generally relating to oyster restoration.

6 BY repealing and reenacting, without amendments,
7 Article – Natural Resources
8 Section 4–1014(a) and (b)
9 Annotated Code of Maryland
10 (2023 Replacement Volume and 2024 Supplement)

11 BY adding to
12 Article – Natural Resources
13 Section 4–1016
14 Annotated Code of Maryland
15 (2023 Replacement Volume and 2024 Supplement)

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

18 **Article – Natural Resources**

19 4–1014.

20 (a) There is established a network of oyster sanctuaries in the five tributaries
21 identified by the Department for large-scale restoration in accordance with the 2014
22 Chesapeake Bay Watershed Agreement.

23 (b) In accordance with subsection (a) of this section:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) There is an oyster sanctuary in Harris Creek that includes all of the
2 waters of Harris Creek enclosed by a line beginning at a point on the east shore of Tilghman
3 Island defined by Latitude 38 degrees 42.241 minutes north, Longitude 76 degrees 19.997
4 minutes west; then running northerly to a point on the south shore of Knapps Narrows,
5 defined by Latitude 38 degrees 42.925 minutes north, Longitude 76 degrees 19.709 minutes
6 west; then running 49 degrees true to a point on the north shore of Knapps Narrows,
7 defined by Latitude 38 degrees 43.035 minutes north, Longitude 76 degrees 19.547 minutes
8 west; then running northerly along the west shore of Harris Creek to its headwaters and
9 then southerly along the east shore of Harris Creek to a point on the shore of Change Point
10 defined by Latitude 38 degrees 43.008 minutes north, Longitude 76 degrees 17.656 minutes
11 west; then running 247 degrees true to the point of beginning;

12 (2) There is an oyster sanctuary in the Little Choptank River that includes
13 all of the waters of the Little Choptank River upstream of a line beginning at a point on the
14 shore of Susquehanna Point defined by Latitude 38 degrees 30.642 minutes north,
15 Longitude 76 degrees 15.492 minutes west; then running 329 degrees true to a point on
16 shore at the south end of Ragged Point Island, defined by Latitude 38 degrees 31.886
17 minutes north, Longitude 76 degrees 16.440 minutes west;

18 (3) There is an oyster sanctuary in the Tred Avon River that includes all of
19 the waters of the Tred Avon River north and east of a line beginning at a point on the shore
20 on the east side of Town Creek, defined by Latitude 38 degrees 41.835 minutes north,
21 Longitude 76 degrees 9.923 minutes west; then running 255 degrees true to a point defined
22 by Latitude 38 degrees 41.823 minutes north, Longitude 76 degrees 9.981 minutes west;
23 then running 0 degrees true to a point on the shore of the east side of Plaindealing Creek,
24 defined by Latitude 38 degrees 42.576 minutes north, Longitude 76 degrees 9.978 minutes
25 west;

26 (4) There is an oyster sanctuary in the St. Mary's River that includes all of
27 the waters of the St. Mary's River beginning at a point on the shore southwest of Deep Point
28 defined by Latitude 38 degrees 11.279 minutes north, Longitude 76 degrees 26.639 minutes
29 west; then running 89 degrees true to a point on the shore at Church Point defined by
30 Latitude 38 degrees 11.286 minutes north, Longitude 76 degrees 26.263 minutes west; and

31 (5) There is an oyster sanctuary in the Manokin River that includes all of
32 the waters of the Manokin River upstream of a line beginning at a point on the shore of
33 Hazard Point defined by Latitude 38 degrees 4.571 minutes north, Longitude 75 degrees
34 52.694 minutes west; then running 306 degrees true to a point on the shore at Pin Point on
35 Little Deal Island, defined by Latitude 38 degrees 6.750 minutes north, Longitude 75
36 degrees 56.552 minutes west; and east of a line beginning at a point on the shore at the
37 north end of Little Deal Island, defined by Latitude 38 degrees 7.695 minutes north,
38 Longitude 75 degrees 56.816 minutes west; then running 209 degrees true to a point on the
39 shore on the west side of Lower Thorofare, defined by Latitude 38 degrees 7.652 minutes
40 north, Longitude 75 degrees 56.847 minutes west; and southeast of a line beginning on the
41 shore on the east side of Laws Thorofare, defined by Latitude 38 degrees 8.904 minutes
42 north, Longitude 75 degrees 55.964 minutes west; then running 251 degrees true to a point

1 on the west side of Laws Thorofare, defined by Latitude 38 degrees 8.873 minutes north,
2 Longitude 75 degrees 56.077 minutes west.

3 **4-1016.**

4 **(A) THIS SECTION DOES NOT APPLY TO AN OYSTER RESTORATION PROJECT**
5 **IN AN OYSTER SANCTUARY IDENTIFIED UNDER § 4-1014 OF THIS SUBTITLE.**

6 **(B) EXCEPT AS PROVIDED IN SUBSECTION (A) OF THIS SECTION, FROM JULY**
7 **1, 2025, TO JUNE 30, 2030, BOTH INCLUSIVE, THE DEPARTMENT MAY NOT USE**
8 **FEDERAL FUNDS FOR OYSTER RESTORATION PROJECTS IN STATE WATERS.**

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
10 1, 2025. It shall remain effective for a period of 5 years and, at the end of June 30, 2030,
11 this Act, with no further action required by the General Assembly, shall be abrogated and
12 of no further force and effect.