



Wes Moore, Governor  
Aruna Miller, Lt. Governor  
Josh Kurtz, Acting Secretary  
Allan Fisher, Deputy Secretary

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March 2, 2023

**BILL NUMBER: Senate Bill 434 – First Reader**

**SHORT TITLE: Natural Resources – Restorative Aquaculture Pilot Program**

**DEPARTMENT’S POSITION: SUPPORT WITH AMENDMENTS**

**EXPLANATION OF DEPARTMENT’S POSITION:**

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The Department supports Senate Bill 434 with amendments.

The Department suggests amending this bill to first require a task force to study the concept of a restorative aquaculture pilot program, with a report issued by the end of 2023 including concepts for a pilot program that would be created with the metrics and criteria determined by the task force. The Department believes that allowing time for a summer study with appropriate involvement and consultation will result in both good dialogue on this concept as well as assisting in creating the best possible outcome for a restorative aquaculture pilot program.

**BACKGROUND INFORMATION:**

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None.

**BILL EXPLANATION:**

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The bill would create an aquaculture pilot program that focuses on restoration activities.

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BY:

(To be offered in the Education, Energy, and the Environment Committee)

AMENDMENTS TO SENATE BILL 434  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Natural Resources –**” and substitute “**Task Force to Study**”; in the same line, strike “**Pilot Program**”; strike beginning with “requiring” in line 3 down through “Program” in line 8 and substitute “requiring the Aquaculture Coordinating Council to create a Task Force to study restorative aquaculture; and generally relating to shellfish aquaculture”; and strike in their entirety lines 9 through 13, inclusive.

AMENDMENT NO. 2

On page 1, in line 15, strike “the Laws of Maryland read as follows”.

On pages 1 through 3, strike beginning with “**Article – Natural Resources**” in line 16 on page 1 down through “**PROGRAM.**” in line 16 on page 3 and substitute:

“(a) The Aquaculture Coordinating Council established under § 4-11A-03.2 of the Natural Resources Article shall create a Task Force to study restorative aquaculture.

(f) The Task Force shall review and study:

(1) circumstances under which commercial shellfish cultivation within an area leased for aquaculture constitutes a restorative activity that benefits water quality, oyster productivity outside of the leased area, and habitat for organisms other than the commercial aquaculture products in the leased area;

(2) criteria and metrics for identifying when commercial aquaculture is providing the restorative benefits described in paragraph (1) of this subsection; and

(3) ways to incentivize commercial shellfish leaseholders to cultivate shellfish in a manner that meets the criteria and metrics for providing the restorative benefits described in paragraph (1) of this subsection.

(g) On or before December 31, 2023, the Task Force shall submit a final report on its findings, in accordance with § 2-1257 of the State Government Article, to the General Assembly.”.

On page 3, in line 18, strike “October” and substitute “June”; in the same line, strike “6 years” and substitute “7 months”; and strike beginning with “September” in line 18 down through “2029” in line 19 and substitute “January 1, 2024”.