



Wes Moore, Governor
Aruna Miller, Lt. Governor
Josh Kurtz, Secretary
David Goshorn, Deputy Secretary

February 21, 2024

BILL NUMBER: House Bill 807 – First Reader

SHORT TITLE: Natural Resources - Submerged Aquatic Vegetation Surveys

DEPARTMENT’S POSITION: SUPPORT WITH AMENDMENTS

EXPLANATION OF DEPARTMENT’S POSITION

The Department supports the intent of this bill, which suggests modifying the definition of “aerial survey” for surveying submerged aquatic vegetation (SAV) for SAV protection zone delineation. The Department is open to considering alternative survey methods once they have been thoroughly vetted, approved, and made available for management use, given the rapid advancement in survey technologies.

We are offering amendments to lessen the fiscal and operational impact on the Department. These amendments include clarifying the definition of “SAV survey” and ensuring that an SAV survey and updated delineation continue to be mapped and cannot be “observed”.

The Department also supports the study on the potential implications and feasibility of using alternative survey methods to delineate SAV protection zones. The amendments would extend the deadline for the SAV report to June 1, 2025.

BACKGROUND INFORMATION

The Department has contracted the Virginia Institute of Marine Sciences (VIMS) to conduct annual surveys to determine the abundance and distribution of submerged aquatic vegetation (SAV) in Maryland waters of the Chesapeake Bay, its tidal tributaries, and the Atlantic Coastal Bays. Currently, VIMS uses both aerial and satellite imagery in its annual SAV survey. This survey is the oldest and most comprehensive SAV survey in the Chesapeake and Atlantic Coastal Bays and is utilized by the State of Maryland, the Commonwealth of Virginia, and many federal agencies such as the Environmental Protection Agency Chesapeake Bay Program. The survey is used to assess SAV and water clarity criteria assessments, track restoration goals, and assess impacts on SAV habitat. By contracting with VIMS, the Department ensures consistent standard operating procedures and guidelines for the acquisition of aerial and satellite imagery, photo interpretation, SAV bed delineation, bed density estimates, and quality assurance and quality control compliance.

BILL EXPLANATION

The proposed bill aims to modify the definition of "aerial survey" for the purpose of surveying submerged aquatic vegetation (SAV) to include other forms of survey methodologies. Additionally, the bill mandates the Department to conduct a study and submit a report on the feasibility and implications

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of using alternative methods, apart from aerial surveys, to delineate SAV protection zones on or before a certain date.

BY:

(To be offered in the Environment and Transportation Committee)

AMENDMENTS TO HOUSE BILL 807
(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 5, strike “aerial” and substitute “SUBMERGED AQUATIC VEGETATION”; strike beginning with “annual” in line 6 down through “Program” in line 7 and substitute “CHESAPEAKE BAY AND ATLANTIC COASTAL BAYS”; in line 8 strike “USES DATA THAT”; in line 9, strike “PERTAINS TO” and substitute “ENCOMPASSES THE DISTRIBUTION OF”; in the same line, after “IN” insert “THE:”; strike line 10 and substitute:

“A. CHESAPEAKE BAY;

B. ATLANTIC COASTAL BAYS; OR

C. CHESAPEAKE BAY AND ATLANTIC COASTAL BAYS;

AND

2. USES A METHODOLOGY FOR SAV SURVEYS APPROVED BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY CHESAPEAKE BAY PROGRAM; AND”;

and in line 11, strike “2.” and substitute “3.”.

AMENDMENT NO. 2

On page 2, in line 17, and on page 3, in line 25, in each instance, strike “OR OBSERVED”.

AMENDMENT NO. 2

On page 4, in line 14, strike “December 31, 2024” and substitute “JUNE 1, 2025”.