



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

March 24, 2026

BILL NUMBER: HOUSE BILL 784 - THIRD READER

SHORT TITLE: AQUACULTURE - PLACEMENT OF SHELLFISH, BAGS, NETS, AND STRUCTURES ON SUBMERGED AQUATIC VEGETATION - EXTENSION

DEPARTMENT'S POSITION: SUPPORT

EXPLANATION OF DEPARTMENT'S POSITION

The Department supports HB 784 and its goal of extending the sunset for certain allowances regarding aquaculture leases that have overlap with Submerged Aquatic Vegetation (SAV) beds. These policies allow the department greater flexibility when issuing aquaculture leases.

To date, the agency has granted only three leases under this law. These three water column leases were granted authorization to place gear covering 10% of the impacted area without having to request it, which is the agency's standard practice under this law. None of the three leases had sought approval to place gear that exceeded the 10%, until recently. This means this is the first time the agency has had the opportunity to see the impacts of authorizing more than the "at least 10%" – and the Department welcomes the opportunity to continue to examine the impact prior to the sunset.

BACKGROUND INFORMATION

The provision was originally passed under Chapter 238 (2019) and was extended under Chapter 113 (2024). Current law states that the Department "shall authorize for water column leases the placement of shellfish, bags, nets, or structures in at least 10% of the area where submerged aquatic vegetation is present." Anything over that 10% threshold, the leaseholder would have to explicitly ask for permission from DNR.

BILL EXPLANATION

This bill, as amended, would change the sunset from Chapter 113 (2024) of Maryland law. The sunset is currently June 30, 2027. That chapter added provisions under Natural Resources Article, Section 4-11A-10, which included providing the department with the authority to grant permission to the holder of a shellfish aquaculture lease, where their aquaculture activities do not harm SAV, to continue planting and harvesting shellfish within the area of their lease where SAV exists. The bill would amend that to June 30, 2030.

Contact: Lydia McPherson, Director, Legislative and Constituent Services
lydia.mcpherson1@maryland.gov ♦ 410-260-8113 (office) ♦ 443-875-7785 (cell)