

## **GOVERNOR O'MALLEY SIGNS NEW LAWS TO PROTECT MARYLAND'S FISHERIES AND ENCOURAGE AQUACULTURE**

**Annapolis, Md.** (May 19, 2011) — Governor Martin O'Malley today signed into law legislation to protect Maryland's fisheries and encourage shellfish aquaculture. The legislation, supported by scientists, watermen, fishing and environmental organizations, is designed to deter harmful fishing activity by increasing penalties for oyster, blue crab, and striped bass poachers; authorizing Natural Resources Police (NRP) officers to inspect commercial fishing business's storage areas; and streamlining penalty imposition processes.

"Through this legislation, we are sending a strong message in the fight to protect some of our most valued natural resources," said Governor O'Malley. "By expanding aquaculture opportunities we are taking an innovative approach towards reviving our native oyster population, while at the same time, protecting oysters and our other fragile resources by punishing those who would wantonly disregard the law."

[Senate Bill 159](#), sponsored by Senator Brian Frosh, and [House Bill 273](#) require the revocation (through an administrative hearing) of an individual's commercial fishing license within 60 days of oyster poaching violations.

"These bills will help Maryland's premier fisheries and the folks who depend on them for their livelihoods. They're a win for everyone—except poachers," said Senator Frosh, a member of the Chesapeake Bay Commission.

Similarly, [Senate Bill 635](#), sponsored by Senator Frosh and [House Bill 1154](#), introduced by Delegate Jim Gilchrist, require the revocation of an individual's commercial fishing license if they are found by an Administrative Law Judge to have knowingly committed an egregious or repeat violation against striped bass or blue crabs including: using illegal gear; harvesting during closed seasons; harvesting from a closed area; violating established harvest, catch or size limits; or violating tagging and reporting requirements.

[Senate Bill 655](#), along with [House Bill 1225](#), increase the penalty for engaging in commercial fishing with a suspended license, a revoked license or without a license, by establishing a fine of up to \$25,000 and imprisonment for up to one year. A higher fine and possible imprisonment will deter future violations resulting from fishing on a suspended commercial license.

"To bring the Chesapeake Bay back to full health, we need to not only clean up the Bay, but ensure that the resources — shellfish and finfish — are not poached and overfished," said Senator Paul G. Pinsky, the bill's sponsor and member of the Senate Education, Health, and Environmental Affairs Committee. "Breaking the law of the water harms the stock, the Bay itself and the people of Maryland. We must send a clear and strong message."

This year, NRP seized 10,825 yards of illegal anchored gill net, with 32,204 pounds of striped bass retrieved from these nets. This was the largest illegal poach seized in Maryland in decades. As a response, the General Assembly passed [House Bill 1252](#), which establishes a new misdemeanor charge for the unlawful capture of over \$20,000 worth of striped bass (as determined by the proceeds of the unlawful capture). The charge carries a penalty of up to than two years imprisonment.

"Coastal Conservation Association Maryland believes this legislation will not only allow more effective law enforcement, but also act as a deterrent for habitual offenders that have become accustomed to a slap on the wrist for their crimes," said Tony Friedrich, Executive Director of Coastal Conservation Association Maryland. "We would like to commend the Governor, the Department and leadership in the General Assembly for their support and advocacy for these bills. CCA Maryland feels these enhanced laws highlight the need for all stakeholder groups and those they represent to do their part to promote the accountable and wise use of Maryland's natural resources."

Governor O'Malley also signed into law today bills that will streamline administrative hearings for natural resource violations and improve the efficiency and effectiveness of law enforcement officers who protect Maryland's natural resources.

[Senate Bill 414](#) and [House Bill 396](#) authorize NRP officers to inspect licensed commercial vessels, vehicles, and premises where Maryland fishery resources may be stored. The new law also helps to modernize fisheries law enforcement by authorizing NRP officers to issue electronic citations, thereby enabling officers to spend a greater portion of their time doing law enforcement instead of administrative work. The law also allows DNR to suspend or revoke a license after providing the opportunity for a hearing, thus preserving the rights of defendants while streamlining administrative enforcement and allowing the NRP to focus on new cases.

The Governor also signed several bills consistent with Maryland's Oyster Restoration and Aquaculture Development Plan to encourage shellfish aquaculture business growth.

"The 2011 Maryland Legislative session has produced three aquaculture bills that will improve the process of issuing water column leases in the State," said John Shockley, waterman and co-owner of Hooper's Island Oyster Aquaculture Company. "The availability of barren bottom within oyster sanctuaries will give watermen and others access to prime leases for water column oyster aquaculture. The passing of these bills will provide opportunities to Maryland watermen, allowing them to once again bring Maryland to the forefront of oyster production."

[Senate Bill 847](#) and [House Bill 1053](#), introduced on behalf of the Governor, will streamline the aquaculture permitting process by consolidating and transferring several important aquaculture functions within one State agency. DNR will now coordinate all aquaculture permitting, issue water column leases, and staff the Aquaculture Coordinating Council and Aquaculture Review Board.

Finally, [House Bill 208](#) allows the Department to lease barren areas located within oyster sanctuaries for aquaculture. This law increases opportunities for new and growing small businesses engaged in oyster aquaculture. The expansion of aquaculture areas along barren submerged land will also increase natural disease resistance in the wild oyster population, create localized water quality improvements, create more oyster shell habitat, and enhance the natural recruitment of baby oysters within sanctuaries.