

POSSIBLE CHANGES TO REGULATIONS FOR OYSTERS AND SHELLFISH AQUACULTURE — AEZs and PSFAs

The department would like to remove the Aquaculture Enterprise Zones (AEZ) that are located in the Patuxent River, Calvert County. Most of the area will become part of the Public Shellfish Fishery Areas (PSFA).

There are two aquaculture enterprise zones located in the Patuxent River, near Broome's Island that were established by regulation in 2009. Subsequent to the establishment of the aquaculture enterprise zones and the approval of new lease laws, the department implemented a new shellfish aquaculture leasing program that reduced the utility and function of aquaculture enterprise zones. Consequently, a leasing program for the aquaculture enterprise zone areas was never developed. The department, after consultation with the Aquaculture Coordinating Council and the Tidal Fish Advisory Commission would like to remove Jack's Bay and Island Creek Aquaculture Enterprise Zone designations and convert these two areas into Public Shellfish Fishery Areas for use in the public oyster fishery.

The department conducted oyster population surveys of the two areas in April 2018. Survey findings show a mix of oyster size classes within the two areas indicating that recruitment is recurring and growth and survivorship is favorable. These conditions support use by the public fishery that will help to increase the productivity of the sites through future shell and seed plantings.

The aquaculture enterprise zone located in Jack's Bay will become part of PSFA 121. The coordinates of PSFA 121 will be modified to include the entire area. Most of the aquaculture enterprise zone located in Island Creek will become part of PSFA 119. Only the portion of the zone that is on a natural oyster bar will be classified as a public shellfish fishery area. The portion of the zone that is not on a natural oyster bar will not be classified to preserve clamming opportunities.