



371114

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/09/2016	.	
	.	
	.	
	.	

---

The Committee on Environmental Preservation and Conservation  
(Dean) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 70 - 101

and insert:

2. "Shellfish" means oysters, clams, mussels, and scallops.

(b) The harvesting of shellfish from a sovereign submerged  
land lease may be authorized pursuant to chapter 253.

(c) The Board of Trustees of the Internal Improvement Trust  
Fund may authorize the use of a dredge or a mechanical  
harvesting device as a special lease condition of a sovereign



371114

11 submerged land lease issued under chapter 253 if:

12 1. The use of the dredge or mechanical harvesting device  
13 does not adversely impact the public health, safety, or welfare  
14 of adjacent natural resources; and

15 2. Aquaculture best management practices have been adopted  
16 pursuant to chapter 120 which:

17 a. Describe the approved size and specifications of the  
18 dredge or mechanical harvesting device to be used.

19 b. Provide conditions for deploying and using an approved  
20 dredge or mechanical harvesting device.

21 c. Specify requirements for monitoring potential impacts  
22 at, and adjacent to, the sovereign submerged land lease site by  
23 the leaseholder.

24 (d) The use of a dredge or mechanical harvesting device for  
25 the harvesting of shellfish from a sovereign submerged land  
26 lease is authorized if such use was previously authorized as an  
27 existing condition of a perpetual shellfish lease issued  
28 pursuant to former chapter 370.

29 (e) Only one dredge or mechanical harvesting device per  
30 lease may be possessed or operated at any time at a lease site.

31 (f) A dredge or mechanical harvesting device authorized by  
32 this subsection may not be used for taking shellfish for any  
33 purpose from public shellfish beds in waters of the state, and  
34 such dredge or mechanical harvesting device may not be possessed  
35 on the waters of the state from 5 p.m. until sunrise.

36 (g) This subsection does not authorize the harvesting of  
37 shellfish from natural reefs.

38  
39 ===== T I T L E A M E N D M E N T =====



371114

40 And the title is amended as follows:  
41       Delete line 15  
42 and insert:  
43       sovereign submerged land leases under certain  
44       circumstances; limiting the number