



2023-2024 General Assembly

SENATE BILL 607: Regulatory Reform Act of 2024, Sec. 16.1: Exclude Aquaculture from the Definition of "Development" for Purposes of CAMA and Limit the Authority of the Marine Fisheries Commission to Adopt Rules Regulating Aquaculture Equipment

Committee:	Date:	August 14, 2024
Introduced by:	Prepared by:	Kyle Evans Staff Attorney
Analysis of:	Sec. 16.1 of S.L. 2024-45	

OVERVIEW: *Section 16.1(a) of S.L. 2024-45 provides that "development" does not include placement of a floating structure used primarily for aquaculture and associated with an active shellfish cultivation lease area or franchise. This section also clarifies that the use of any land for purposes related to aquaculture and aquaculture facilities associated with an active shellfish cultivation lease area or franchise is also excluded from the definition of "development."*

The Department of Environmental Quality (DEQ) is directed to submit to the United States National Oceanic and Atmospheric Administration (NOAA) for approval these proposed changes. This subsection becomes effective on the later of:

- *October 1, 2024.*
- *The first day of a month that is 60 days after the Secretary of Environmental Quality certifies to the Revisor of Statutes that NOAA has approved the changes.*

Section 16.1(b) of S.L. 2024-45 provides that the Marine Fisheries Commission does not have the authority to adopt rules regulating cages, poles, anchoring systems, or any above-water frames or structural supports used to suspend or hold in place equipment or floating structures used for aquaculture.

This section became effective July 9, 2024.

Chris Saunders, Legislative Analysis Division, substantially contributed to this summary.

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