

4.01 RELAYING OYSTERS FOR COMMERCIAL HARVEST OFF-BOTTOM AQUACULTURE

- ❑ **Question:** *What are the requirements for Off-Bottom Oyster Aquaculture to Relay Shellstock from Polluted Waters for the Purpose of Natural Cleansing*

Why do I need this approval?

Oysters, clams, or mussels transplanted from a polluted to a clean environment will cleanse themselves of the polluting bacteria or viruses. This cleansing ability is a phenomenon of the shellfish feeding process. The time required for this cleansing is influenced by many factors, including the original level of pollution, water temperature, salinity, and presence of chemicals inhibitory to physiological activity of shellfish. To protect public health and to make good use of a valuable natural resource, approval from Maryland Department of the Environment, the Department, is required.

What laws or regulations give MDE the legal authority to issue this approval?

STATE: Natural Resources Article, Title 4, Subtitle 1006

What is the process to get this approval?

The applicant shall request in writing to the Department for permission to relay shellfish from polluted water to approved waters for the purpose of natural cleaning.

The letter of application shall specify:

Name, address, phone number, Tidal Wetlands license number, and aquaculture permit # (for the site or origin) for each applicant;

The number of oyster bags or containers to be relayed and the approximate beginning and ending date of the relay operation;

A letter from a licensed shellstock shipper agreeing to sell the relayed product and a letter of permission to use the approved site for relay. The letter shall include the aquaculture permit number of the site the oysters are going to and the receiving dealer's Shellstock Shipper license/certification number issued by Department of Health & Mental Hygiene (DHMH).

This written procedure shall be included in the shipper/dealers records. The letter shall also include the information that will be used on the shipping tag to identify the product when it is offered for sale; and Evidence that all licenses, permits, and approvals have been obtained.

3) The Department reviews water quality data, and approves or denies the request.

Is this approval directly related or contingent on other approvals?

This activity can only occur when oyster season is closed as determined by the Department of Natural Resources. The applicant must verify that he or she has:

Tidal Wetlands License from the Department for both the growing and relay sites

Water a Column Lease from Board of Public Works

Aquaculture Permit issued by the Maryland

Department of Natural Resources

Shellstock Shippers License from DHMH

Are there any other requirements?

Arrangements must be made by the applicant with the Department of Natural Resources, Maryland Natural Resources Police (MNRP) to determine if sufficient officers are available to patrol the area.

The entire relay operation is to be carried out under the supervision of MNRP or DHMH or other personnel approved by those agencies. Staff from DHMH will oversee the removal and overland transport by truck from the restricted areas to the transplant site. The DNR will oversee any transportation by water, and MNRP may patrol the receiving transplant area.

How long should I expect it to take to get this approval once I submit a complete application?

3- 7 days

Once I get this approval, how long will it last?

Approval is good only for the one relay activity and the time it takes to complete the relay activity requested. A minimum of two weeks natural cleansing is required.

How much will this approval cost?

No fee.

Do I need to know any additional information?

Additional information can be found on MDE's website:

<http://www.mde.state.md.us/assets/document/factsheets/shellstock.pdf>

Who do I contact with additional questions?

Shellfish Certification Section

Public Health Division

Water and Science Administration

(410) 537-3906