

## 4.02 RELAYING OYSTERS FOR COMMERCIAL HARVEST PRIVATE OYSTER LEASE HOLDERS

- ❑ *Question: What are the requirements for On-Bottom Private Oyster Lease Holders 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?**

- 1) 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.
- 2) The letter of application shall specify:
  - Name, address and phone number of the applicant.
  - The approximate number of bushels to be relayed and the approximate beginning and ending date of the relaying operation.
  - The type of gear to be used to relay shellstock.
  - The name and address of the private leaseholder owning the leased grounds from which the shellstock is relayed.
  - Department of Natural Resources (DNR) identification number for the private lease from which the shellstock will be relayed.
  - Name, address and phone number of the owner of the leased ground to which the shellstock is relayed.
  - DNR identification number for the private lease to which the shellstock will be relayed.

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.

### **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.

### **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