

1999 SESSION

INTRODUCED

996307201

HOUSE BILL NO. 1473

Offered January 13, 1999

Prefiled December 7, 1998

A BILL to amend and reenact § 28.2-507 of the Code of Virginia, relating to the opening and closing of public oyster grounds.

Patron—Davis

Referred to Committee on Chesapeake and Its Tributaries

Be it enacted by the General Assembly of Virginia:

1. That § 28.2-507 of the Code of Virginia is amended and reenacted as follows:

§ 28.2-507. Opening and closing public rocks.

The Commission, in order to protect or promote the growth of oysters, may (i) ~~close and open any area or restrict the manner or method of taking oysters in any area of the public rocks, grounds, or shoals,~~ (ii) establish seed beds and plant shells and other culch, or ~~(iii)~~(ii) take any other restorative measures *which do not alter the natural oyster seed beds, rocks or shoals. Oyster reefs which alter the natural beds and cover the natural environment shall not be constructed. Oyster reefs shall not be constructed within the Baylor Survey grounds. The Commission, after having conducted a public hearing, may close any area for an entire season or for a portion of a season. Before closing any such area, an officer shall post notice of the closing for at least five days in two or more public places in the district in which the area is located. In addition, when the Commissioner finds it necessary such an event, the area may* shall be marked by a uniform system of buoys or signs indicating that such area is closed and that oystering by any means is prohibited. ~~Any area which has been closed and reopened at a later time may be closed by the Commission or Commissioner at any time without notice~~ *The authority to open or close any public oyster bed shall reside solely with the Commission and may not be delegated to Commission staff.*

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