

# 2010 SESSION

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## HOUSE BILL NO. 138

Offered January 13, 2010

Prefiled January 5, 2010

A *BILL to amend and reenact § 28.2-603 of the Code of Virginia, relating to creation of aquaculture opportunity zones.*

Patron—Pollard

Referred to Committee on Agriculture, Chesapeake and Natural Resources

### **Be it enacted by the General Assembly of Virginia:**

#### **1. That § 28.2-603 of the Code of Virginia is amended and reenacted as follows:**

§ 28.2-603. General oyster planting grounds; aquaculture opportunity zones.

A. Waterfront that is not already assigned or reserved for the riparian owners, and the beds of the bays, rivers, and creeks and shores of the sea lying outside the limits of navigation projects adopted and authorized by the Congress and not required for the disposal of materials dredged incident to the maintenance of such projects, and grounds other than public oyster beds, rocks, or shoals, as defined by law and included in the Baylor survey, may be occupied for the purpose of planting or propagating oysters, including the use of temporary protective enclosures in compliance with this chapter and Commission regulations, and may be leased by the Commissioner upon the receipt of a proper application.

B. The Commission shall establish commercial shellfish aquaculture opportunity zones pursuant to § 28.2-603.1. Such zones may be established by regulations. Once established, such zones shall be exempted from the provisions of §§ 28.2-606 through 28.2-608, §§ 28.2-612 through 28.2-615, and § 28.2-617. The Commission may establish a single fee for the application and use of the aquaculture opportunity zones.

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