



CHESAPEAKE BAY FOUNDATION

Environmental Protection and Restoration
Environmental Education

House Bill 613

Natural Resources – Recreational Catching of Oysters or Clams – Requirements

Date: March 26, 2024
To: Senate Education, Energy, & Environment Committee

Position: **Favorable with Amendments**
From: Allison Colden
MD Executive Director

Chesapeake Bay Foundation (CBF) **SUPPORTS** House Bill 613 **WITH AMENDMENTS**. HB 613 removes from statute specific harvest limits for oyster and clams and makes such harvest limits subject to regulations promulgated by the Department of Natural Resources (DNR). Additionally, the bill establishes a new license requirement for all Maryland residents over the age of 16 to catch oysters recreationally.

CBF fully supports the development of a recreational oyster harvest license and has long advocated for its establishment. Though assumed to be a small proportion of oyster harvest overall, understanding the level of recreational harvest effort is important to Maryland's oyster stock assessment. Information collected annually on license sales can help DNR track the approximate recreational fishing effort over time.

CBF offers for the Committee's consideration three amendments:

Amendment 1: HB 613 explicitly requires that the licensee "physically possess the license while harvesting or attempting to harvest oysters." However, 2023 Md. Laws, Ch. 558 changed that requirement such that other recreational fishing licenses, including the Chesapeake and Coastal Sport Fishing License, must be made available by the Department in a digital or electronic format. This change was intended to accommodate users of DNR's smartphone application and negate the need to carry a paper license while on the water. An amendment to HB 613 that would allow for the presentation of a digital license would better align the recreational oyster harvest license with other licenses.

Amendment 2: Additionally, Nat. Res. Art. §1-403 authorizes DNR to develop and implement an electronic system for the sale and issuance of licenses. Licenses purchased through DNR's online [COMPASS](#) system also allow for voluntary donations to the Chesapeake Bay Trust and/or the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund. These donations at the point of sale are entirely voluntary and provide residents an opportunity to give back to efforts that improve the health of Chesapeake Bay and its fisheries. An amendment to HB 613 that would allow DNR to include the recreational oyster license on its online platform would allow for sales to generate additional funding for Bay restoration activities through donations.

Amendment 3: HB 613 specifies that the Department may use a portion of the license fee collected to replenish public oyster bars, specifically through planting of "shell and juvenile oysters." Unfortunately, oyster shell is becoming an ever scarcer resource, making the requirement to use shell limiting. The Governor's Shell and Substrate Task Force is currently working to develop recommendations on the use of alternative materials for all oyster sectors – restoration, aquaculture, and public fishery areas. Striking "by

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planting shell and juvenile oysters” from HB 613 would ensure DNR has the flexibility to consider whatever substrate may be appropriate for replenishment given its availability, cost, and acceptance by relevant stakeholders.

CBF urges the Committee’s FAVORABLE report with AMENDMENTS on HB 613.

For more information, please contact Matt Stegman, Maryland Staff Attorney, at mstegman@cbf.org.