

HB_613_FAV_LateTestimony_DNR

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Position: FAV



Wes Moore, Governor
Aruna Miller, Lt. Governor
Josh Kurtz, Secretary
David Goshorn, Deputy Secretary

February 21, 2024

BILL NUMBER: House Bill 613 – First Reader

SHORT TITLE: Natural Resources - Recreational Catching of Oysters or Clams - Requirements

DEPARTMENT’S POSITION: SUPPORT

EXPLANATION OF DEPARTMENT’S POSITION

The Department supports House Bill 613.

Currently, Maryland does not have a recreational oyster license. Because of this, the State is unable to ascertain how much recreational harvest is occurring.

This license would assist the Agency in determining the recreational oyster harvest and how that may or may not impact the overall oyster abundance in the State. This license would allow the department to contact individuals with a recreational oyster license to provide them with the Shellfish Closure Book so that individuals would know where oyster harvesting is not allowed. These areas would include poor water quality areas closed by the Department of the Environment where harvested oysters are unsafe to consume, oyster sanctuaries, areas requested to be closed by the commercial public oyster fishery, and other areas that have been closed to harvesting,

Under the Agency’s current regulatory authority, it can create a free registration but not a license. Other states offer recreational licenses. For example, New Jersey offers a recreational shellfish license of \$10 annually, and the Agency feels this is a fair cost for the amount of harvest a recreational user is allotted. A portion of the license cost will go towards replenishing public fishery oyster bars by planting shell and juvenile oysters, similarly to the \$300 oyster surcharge commercially licensed oyster harvesters are required to purchase annually and is used for replenishment plantings. Recreational users (only Maryland residents may harvest) can catch up to 100 oysters per day. Having such a license will ensure that the Agency has a full understanding of those that partake in this means of harvest, the impact that it has on the resource, and provide information to assist the department when annually setting recreational harvest limits.

BACKGROUND INFORMATION

No similar bills have been proposed previously. Recreational harvest is regulated by season, times, size, and catch limit. No recreational oyster license currently exists.

BILL EXPLANATION

The bill would create a \$10 annual 365 day recreational oystering license for residents who are 16 and older. Individuals under 16 years of age would be exempt from needing a license.

Contact: Dylan Behler, Director, Legislative and Constituent Services
dylan.behler@maryland.gov ♦ 410-260-8113 (office) ♦ 443-924-0891 (cell)

HB 613 2024.pdf

Uploaded by: Robert Brown

Position: FAV

HB613

Natural Resources – Recreational Catching of Oysters or Clams – Requirements

Chairperson Korman and Committee Members

The Maryland Watermen's Association is in favor of HB 613 with the amendment, that license fee should go to the seed and shell program for the Public Oyster Fishery. As that is where they are harvested from.

Very Respectfully,

Robert T. Brown, Sr

President, Maryland Watermen's Association, Inc

1805A Virginia St.

Annapolis, Maryland, 21401

240-925-1596

HB 613 - CBF- FWA.pdf

Uploaded by: Allison Colden

Position: FWA



CHESAPEAKE BAY FOUNDATION

Environmental Protection and Restoration
Environmental Education

House Bill 613

Natural Resources – Recreational Catching of Oysters or Clams – Requirements

Date: February 21, 2024

To: House Environment & Transportation Committee

Position:

From:

Favorable with Amendments

Allison Colden

MD Executive Director

Chesapeake Bay Foundation (CBF) **SUPPORTS HB 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 two amendments which are intended to align the proposed recreational oyster harvest license with other sportfishing licenses issued by DNR and to provide purchasers the option to provide a voluntary contribution to Bay restoration efforts.

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.

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

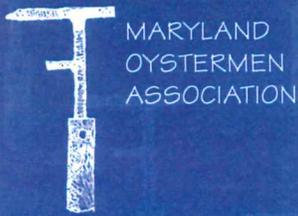
For more information, please contact Matt Stegman, Maryland Staff Attorney, at mstegman@cbf.org.

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hb613support.pdf

Uploaded by: James Mullin

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Date: February 19, 2024

To: Chair Korman, Vice Chair Boyce & Committee Members
Environmental and Transportation Committee
Room 251
House Office Building
Annapolis, MD 21401

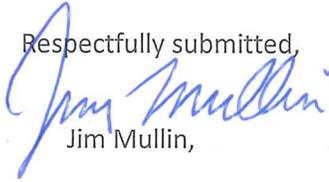
From: Jim Mullin, Executive Director, Maryland Oystermen's Association
Re: Support With an Amendment for HB-613 Recreational Catching of Oysters or Clams Requirements

Dear Chair Korman, Vice Chair Boyce & Committee Members

The Maryland Oystermen Association's wishes to support HB-613 as it provides accountability and transparency in the recreational harvest of oysters and/or clams. We respectfully proposed the following amendment. "That a portion of the proposed application fee be used to replenish the public oyster bar with either oyster shells and/or seed where the recreational harvest may take place".

We feel it's important whomever may engage in the harvest of shellfish in Maryland waters that some form of replenishment take place so as to ensure that the harvest areas remain vibrant and productive through continued support from all harvesters, commercial and recreational.

We respectfully request a favorable recommendation of HB-613 with our proposed amendment. Our association is most appreciative of your leadership, guidance and representation.

Respectfully submitted,

Jim Mullin,

MOA BOD Members

Jim Mullin
Executive Director

Bunky Chance
Jimmy Kline
Jimmy Reihl
Chuckie White
Wayne Wilson

**"The Bay's A Big Place
And There's Room For
Everybody"**