

Department of Legislative Services
Maryland General Assembly
2003 Session

FISCAL AND POLICY NOTE
Revised

House Bill 820

(Delegate Schisler)

Environmental Matters

Education, Health, and Environmental Affairs

Study of the Suminoe Oyster - Findings of the National Academy of Sciences

This bill repeals the requirement that the study of the Suminoe oyster and other nonnative species must proceed in accordance with the findings of the National Academy of Sciences (NAS) review of the Suminoe oyster. Instead, the study must include the findings of the NAS review to the extent possible as the study progresses. In addition, the bill limits the study to the Suminoe oyster, and authorizes the Department of Natural Resources (DNR) to terminate the study if it determines, based on preliminary or final finding of the NAS review, that the study poses an unacceptable risk to the Chesapeake Bay.

The bill takes effect June 1, 2003.

Fiscal Summary

State Effect: The bill's changes would not change the cost of the study.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Chapter 508 of 2002 requires DNR to authorize the study of the Suminoe oyster and other nonnative species by both private and public research institutions with expertise in the field. Proper biosecurity measures must be followed in order to minimize the risk of a de facto introduction of a nonnative species in Maryland waters. The study must proceed in accordance with the findings of the NAS review of the Suminoe oyster.

DNR was required to submit an interim report to the Governor, the House Environmental Matters Committee, and the Senate Education, Health, and Environmental Affairs Committee by December 1, 2002 on the status of ongoing research and findings, including findings to date of the NAS review. The final report is due by December 1, 2004.

Background: The native Chesapeake Bay oyster (*Crassostrea virginica*) plays a vital role in filtering pollutants out of bay water and providing habitat for other marine life. Two deadly parasitic diseases, MSX and Dermo, were responsible for low harvests in the mid-1990s. Although indications were that the population was recovering, recent droughts have increased the bay's salinity, which, in turn, has provided conditions favorable to the growth of disease. DNR advises that the 2003 season is expected to yield less than 50,000 bushels, an all-time low. The record-low harvest was previously 79,000 bushels in 1994.

In an effort to address the native oyster shortage, there has been a growing focus on the feasibility of cultivating a nonnative oyster population, specifically *Crassostrea ariakensis*, also known as the Suminoe oyster. This species looks and tastes like a native oyster and grows more quickly than its native counterpart; early experiments also suggest that it is much more resistant to MSX and Dermo. There is significant concern, though, regarding the unknown impact of this nonnative species on the bay ecosystem. NAS is conducting research on the Suminoe oyster; that research is nearly complete, and the preliminary report is expected in August 2003.

Additional Information

Prior Introductions: None.

Cross File: SB 475 (Senator Colburn) – Education, Health, and Environmental Affairs.

Information Source(s): Department of Natural Resources, Department of Legislative Services

Fiscal Note History: First Reader - February 13, 2003
mam/jr Revised - House Third Reader - March 20, 2003

Analysis by: Lesley Frymier

Direct Inquiries to:
(410) 946-5510
(301) 970-5510