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**Testimony in Support of Senate Bill 629 – Natural Resources – Aquatic Habitat Protection  
– (Sen. Kagan)**

February 25, 2020

Dear Chairman Pinsky and Members of the Committee:

Thank you for this opportunity to submit testimony in support of Senate Bill 629 – the ‘Aquatic Habitat Protection Act’ – on behalf of Waterkeepers Chesapeake. Waterkeepers Chesapeake is a coalition of seventeen Waterkeepers, Riverkeepers, and Coastkeepers working to make the waters of the Chesapeake and Coastal Bays swimmable and fishable. Maryland Waterkeepers have an interest ensuring healthy and thriving aquatic habitats across the state.

Senate Bill 629 seeks to reduce negative impacts on Submerged Aquatic Vegetation Protection Zones from hydraulic escalator clam dredges. The bill does this on two distinct fronts. First, Senate Bill 629 ensures that people have access to the widest and most relevant data by updating SAV Protection Zones annually; incorporating any SAV beds mapped within the last 5 years; and providing online maps of SAV Protection Zones. Second, the bill ensures that SAV Protection Zones are actually protected by requiring a 150ft setback on all SAV Protection Zones; removing the requirement of buoys at SAV Protection Zones at the discretion of Natural Resource Police; and prohibiting the use of the hydraulic escalator dredge from April 15-Oct 15 to eliminate environmental damages during peak seasons.

Ensuring the long-term health of the Chesapeake Bay is unmistakably tied to ensuring the success of SAV Protection Zones:

- SAV beds improve water quality in the Bay by trapping loose sediment in their roots and removing pollutants, such as excess nitrogen, from the water column.
- The beds are home to juvenile crabs and spawning fish, including striped bass.
- Waterfowl feed on SAV throughout the year, while SAV seeds and tubers sustain populations of migratory waterfowl during the winter.<sup>1</sup>

SAV beds were once so abundant that their mats of floating vegetation fouled propellers, stopping boats from navigating many of the Bay’s more shallow stretches. As the amount of sediment washing into the Bay and algae blooms grew more severe, SAV began to disappear.

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<sup>1</sup> *Submerged Aquatic Vegetation*, Sea Grant Maryland. Available at: <https://www.mdsg.umd.edu/welcome-and-mission>

Anacostia Riverkeeper  
Assateague Coastkeeper  
Baltimore Harbor Waterkeeper  
Chester Riverkeeper  
Choptank Riverkeeper  
Gunpowder Riverkeeper  
Lower James Riverkeeper

Lower Susquehanna Riverkeeper  
Middle Susquehanna Riverkeeper  
Miles-Wye Riverkeeper  
Potomac Riverkeeper  
Sassafras Riverkeeper  
Severn Riverkeeper

Shenandoah Riverkeeper  
South Riverkeeper  
Upper James Riverkeeper  
Upper Potomac Riverkeeper  
Virginia Eastern Shorekeeper  
West Rhode Riverkeeper





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After decades of dedicated efforts, SAVs are making a precarious comeback in the Bay.

The resurgence of SAV has coincided with the comeback of clams in the Bay. From 2013 to 2016, the number of clamming licenses issued by the state of Maryland elevated drastically.<sup>2</sup> As the clam population has increased, so has the practice of hydraulic dredging to harvest the clams.

Hydraulic dredging causes major damage to the river floor and irreversible damage to SAV by ripping up roots and leaving large sediment pollution plumes in its wake.<sup>3</sup> HB 1306 does not seek to eliminate hydraulic dredging but ensures that the practice is deployed in areas that will be most beneficial for clam harvesters while protecting SAV areas that continue to improve the health of the Chesapeake Bay.

Waterkeepers Chesapeake is a strong proponent of measures that safeguard our waterways, ensure aquatic habitat health, and provide a path for the resurgence of the Chesapeake Bay. For these reasons, the undersigned Waterkeepers, Riverkeepers and Coastkeepers urge the Committee to adopt a favorable report on Senate Bill 629.

Sincerely,

**Betsy Nicholas**  
Executive Director  
Waterkeepers Chesapeake

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<sup>2</sup> Jeffrey Horstman, *Hydraulic Dredging Harms Local Rivers*, ShoreRivers, <https://www.shorerivers.org/news//hydraulic-dredging-harms-local-rivers>.

<sup>3</sup> *Id.*

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