



# CHESAPEAKE BAY FOUNDATION

Environmental Protection and Restoration  
Environmental Education

## Senate Bill 948

Natural Resources – Commercial Oyster Authorizations - Requirements

**DATE: FEBRUARY 25, 2020**

**POSITION: LETTER OF INFORMATION**

Senate Bill 948 seeks to address the issue of latent effort in the oyster fishery by developing a series of requirements for the maintenance of an authorization to fish commercially for oysters.

Latent effort refers to inactive authorizations that are activated once fishing conditions improve, leading to large, often unexpected, increases in fishing effort. Latent effort makes management of fisheries more unpredictable and can undermine efforts to rebuild overexploited oyster populations.

Currently, the Maryland oyster fishery is managed by a combination of bushel limits, season limits, and limits on the days of the week watermen can work. The Department of Natural Resources (DNR) makes assumptions about the performance of these measures based on an expected level of fishing effort. Between the various license types that authorize harvest of oysters, there are currently 2,839 available authorizations. In recent history, the number of licenses activated has ranged from 310 to 1,320, highlighting the significant uncertainty that can be introduced to management by latent effort.

One management option to address latent effort is limiting entry into the fishery. This recommendation was supported by the OysterFutures workgroup which recommended the following:

*Working together with oyster resource stakeholders, DNR should evaluate a limited entry oyster fishery that can provide access to watermen making the majority of their living from commercial fishing, enables generational succession in the fishery, and should have a way for new participants to gain entry that does not solely rely on having a large amount of capital. (OysterFutures Workgroup, Final Report, May 2018)*

The stakeholders on the workgroup supported addressing latent effort and possibly implementing limited entry as long as it allowed for future participation by family members or new entrants and if it supports those watermen whose primary occupation is working the water.

According to a 2017 analysis of the Maryland oyster industry, 45% of oyster industry participants are “transient,” meaning they fished in only one or two seasons from 2010-2016. Only 23% or 347 individuals were considered “highly dependent” on the fishery, having fished at least 6 out of 7 seasons during the same time frame. The effects of these individuals entering the fishery is particularly apparent after a large oyster reproductive event. In 2010 and 2012, oyster reproduction was the largest in recent history. When those oysters reached market size during the 2013 fishing season, oyster licenses increased from 599 to 1,098 and harvest increased from 116,859 bushels to 431,013 bushels.<sup>1</sup>

Please contact Dr. Allison Colden at [acolden@cbf.org](mailto:acolden@cbf.org) or (443) 482-2160 with any questions.

<sup>1</sup> Oyster Recovery Partnership. 2017. Characterization of Maryland’s Commercial Public Oyster Fishery.

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