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WWW.CLEANCHESAPEAKECOALITION.COM

House Environment and Transportation Committee

Testimony in OPPOSITION of House Bill 500

Dredging on Man-O-War Shoals - Prohibition

February 16, 2022

The Clean Chesapeake Coalition (CCC) urges an unfavorable report on House Bill 500, as such an enactment would indefinitely prohibit the dredging of much-needed natural oyster shell from an area in the upper Chesapeake Bay known as Man O'War Shoals. The Department of Natural Resources, after nearly a decade of study and analysis along with MDE and U.S. Army Corps of Engineers, has applied for the final permit (from the Board of Public Works) to harvest shell to increase the oyster population. HB 500 ignores agency reviews and science, and thwarts the regulatory process for approving such activity.

For all aspects of oyster restoration - aquaculture, sanctuaries, hatcheries and the commercial fishery - natural oyster shell is needed. There is no dispute that natural shell is the absolute best for oyster propagation and growth; and there is an enormous supply of natural shell at Man O'War Shoals and elsewhere in the upper Bay, buried under sediment. Coalition counties have consistently opposed the importation and dumping of rubble waste and other non-indigenous "alternative" materials in the Bay to create hard bottom in the name of growing the oyster population. **Artificial substrate is not the best way forward to bring back the Bay's iconic bivalve in a meaningful way.** Arbitrarily declaring known deposits of natural oyster shells off limits adds costs to restoration efforts and fuels contentions among constituencies in need of shell.

Man O'War Shoals is a relatively isolated natural oyster bar located just to the north of the navigable channel in the Patapsco River in which ships travel to the Ports of Baltimore. The shoal comprises roughly 400 acres and the area to be impacted for the harvesting of shells is approximately 32 acres (around 8%). The vast majority of sediments dislodged during the shell harvesting process will settle out in the navigable channel and be dredged by USACE and the Maryland Port Administration in the course of their channel maintenance program. Man O'War Shoals' isolated and unique location adjacent to the navigable channel make it one of the most ideal natural oyster bars in the Bay from which to harvest natural indigenous oyster shell.

We are on record in support of dredging natural oyster shell from Man O'War Shoals with the understanding that no dredging will occur in the vicinity of the portion of this natural oyster bar where the Baltimore County Watermen's Association has been engaged in restoration efforts. The shoal is large enough to support the efforts of local oystermen in seed planting and cultivation while permitting the harvesting of natural shell for use throughout the Bay.

To a person knowledgeable about the Chesapeake Bay – its history, ecology and seafood industry - there are certain proofs that we should not allow to be clouded or twisted by politics, pseudoscience or agendas premised on the theory that the commercial fishery is to blame for the decline in the oyster population. Among those certainties: (1) oysters in mass quantity are the most cost-effective way to improve Bay water quality; (2) natural indigenous oyster shell is the best substrate to propagate and grow oysters; and (3) given all the modern-day stressors on the Bay, unmanaged oyster bars will become graveyards for the iconic bivalve. The critical issue now is the limited availability of natural indigenous shell in Maryland, which is a self-imposed shortage at the behest of “stakeholders” in 2006 for spurious reasons that today should be questioned.

The final approval for the harvesting of shell from Man O’War Shoals has been pending for longer than can reasonably be justified. Because the lack of shell breeds fierce competition among stakeholders in the oyster fishery, and impedes efforts to maximize the ecological benefits, and inflates the costs due to limited supply, the process to gain access to a proven source of natural shell should be a unifying undertaking – and a priority. HB 500 does just the opposite; and would render useless all the review and analysis of various federal (USACE, NOAA, USFW) and State agencies (DNR and MDE) in recommending such activity in an environmentally sensitive manner to the Board of Public Works.

The mud that will be stirred up during the dredging for shell will be a temporary condition and minor compared to other dredging activities by the USACE in the Upper Bay and the enormous amounts of sediment discharged from above Conowingo Dam during storms. The long-term benefits to the natural environment and overall Bay water quality from well-placed indigenous shell obtained from Man O’War Shoals will eclipse any temporary unsettling of the natural environment caused by the shell dredging process. The resulting increase of oysters in the Bay will have a positive economic impact in local jurisdictions and fishing communities – while a natural oyster bar left alone in the upper Bay will eventually be, if it hasn’t already been, smothered by sedimentation and provide little ecological or economic value.

Oysters are beneficial natural filters of the Bay. Increasing the oyster population throughout the Bay and tributaries will better enable Maryland to meet and exceed its TMDL water quality improvement goals in the most cost-effective way. For their undisputed ecological value and for the positive economic impacts of a prudently managed oyster fishery, we need the General Assembly’s support in expediting Maryland’s access to natural shell – not another obstacle.

For these reasons, the Coalition urges an UNFAVORABLE report on HB 500.

Exhibit: Letter to Board of Public Works (2019) with Maryland Rural Counties Coalition support for dredging Man O’War Shoals.

CONTACT: Chip MacLeod at 410-810-1381 or cmacleod@mlg-lawyers.com





December 6, 2019

Honorable Lawrence J. Hogan, Jr., Governor
Honorable Peter V.R. Franchot, Comptroller
Honorable Nancy K. Kopp, Treasurer
Maryland Board of Public Works
State House
100 State Circle
Annapolis, Maryland 21401-1925

Re: Industry Resolution Requesting Action on DNR Permit Application for Man
O'War Shoal Oyster Shell Dredging (Tidal Wetlands Case No. 15-WL-0757)

Dear Governor Hogan, Comptroller Franchot and Treasurer Kopp:

Enclosed please find a milestone Resolution signed by Maryland seafood industry leaders, participants and allied businesses urging the Board of Public Works to take affirmative action on the pending DNR permit application to dredge buried oyster shell at Man O'War Shoal in northern Chesapeake Bay. The Resolution we hope speaks for itself and reflects solidarity in the commercial seafood industry as evidenced by the unified support of Delmarva Fisheries Association, Maryland Watermen's Association, Maryland Oystermen Association and County Oyster Committee and County Watermen Association leaders.

Moreover, this Resolution supplements the previous letters of support from the Maryland Rural Counties Coalition and the Eastern Shore Delegation of the General Assembly for moving forward with oyster shell dredging at Man O'War Shoal, as well as the prior testimony and written comments provided by our organizations and members in full support of this call for action.

A final decision in this regard is long overdue and critical to the work of so many. Natural oyster shell is desperately needed for all aspects of oyster restoration in Maryland – aquaculture, sanctuaries, hatcheries and the commercial/public fishery. There is no dispute among all stakeholders that natural indigenous shell is the absolute best for oyster propagation and growth; and there is an enormous supply in the upper Bay, buried under sediment – where it does no good. Given all the modern-day stressors on the Bay, unmanaged oyster bars become graveyards for the iconic bivalve. The self-imposed shortage of shell is a significant obstacle to getting more oysters in the Bay – a goal we all embrace.

Knowing that Man O'War Shoal is the largest deposit of oyster shell in the State and well-aware of Maryland's successful shell replenishment program that DNR sponsored in cooperation with the commercial seafood industry for more than four decades (a program now

www.DelmarvaFisheries.org | www.CleanChesapeakeCoalition.org

120 SPEER ROAD, SUITE 1, CHESTERTOWN, MARYLAND 21620

December 6, 2019

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being copied by the Commonwealth of Virginia with much success – and to Maryland’s economic detriment), the reasons we hear from the opposition who would rather declare Man O’War Shoal off limits as a source of natural oyster shell are spurious at best.

We respectfully request that DNR’s pending application be prioritized as an agenda item for action by the Board of Public Works as soon as possible, and with that an opportunity to be heard. Please act now and give our collective efforts for more oysters in the water the key ingredient – shell.

Very Truly Yours,



Ronald H. Fithian
Chairman, CCC
Kent County Commissioner



Capt. Robert Newberry
Chairman, DFA

Enclosures: Seafood Industry Resolution
Eastern Shore Delegation Letter (8/21/19)
MD Rural Counties Coalition Letter (8/26/19)

cc: Jeannie Haddaway-Riccio, Secretary, DNR
Eastern Shore Delegation
Maryland Rural Counties Coalition
Maryland Watermen’s Association
Maryland Oystermen Association
Oyster Advisory Commission

We, the Undersigned, do Hereby Support the Following

RESOLUTION

A Resolution by Members, Allied Businesses and Supporters of the Maryland Seafood Industry urging the Board of Public Works (BPW) to take affirmative action regarding the DNR permit application to dredge buried oyster shell at Man O'War Shoals.

RECITALS

WHEREAS, in 2009 at the request of the Oyster Advisory Commission (OAC), the General Assembly passed HB103 directing DNR to apply for a new shell dredging permit which they did on July 1, 2009 (over a decade ago). From DNR website:

This site was selected because it has the most significant deposit of buried shell (86 to 103 million bushels, Maryland Geological Survey, personal communications) among the other sites considered and does not occur within a striped bass spawning reach as do other shell deposits...In response to stakeholders' concerns about the potential ecological effects of a shell dredging project of this magnitude, the department requested an initial 5-year permit to dredge about 5 million bushels of shell as part of a **comprehensive monitoring project to assess the ecological consequences of removing shell from the shoal** (emphasis added).

WHEREAS, the following agencies, United States Army Corps of Engineers (USACE), National Oceanic & Atmospheric Administration (NOAA), National Marine Fisheries Service (NMFS), the United States Environmental Protection Agency (EPA), United States Coast Guard (USCG), and Maryland Department of the Environment (MDE), have reviewed, commented and signed off on the current version of the pending permit.

WHEREAS, a cornerstone of DNR's recently adopted Fishery Management Plan for Oysters is the availability of natural shell. This shell is required for sanctuaries, aquaculture and the public fishery. Shell from Man O'War will benefit all three. Had the permit been issued last year following the issuance of the provisional permit by USACE, the recent robust natural spatset witnessed in the lower Bay might not have been lost; both recent surveys and watermen's intimate knowledge of Bay waters reveal areas where natural spatset occurs.

WHEREAS, to address environmental concerns, the permit is limited in scope. Year 1 will be devoted to the seasonal collection of baseline environmental data on water quality, oyster populations, and fish and benthic communities. Year 2 will see the removal of approximately 2 million bushels of shell, making four cuts. Years 2 & 3 will include the collection of further seasonal monitoring data on the metrics described above. By the end of Year 4, data will be analyzed and disseminated. **In the event that no significant adverse effects are detected, in Year 5 the remaining 3 million bushels will be dredged. Any further dredging would require a new permit.** The permit allows for the dredging of up to 5 million bushels (of an estimated 86-103 million) over the course of 5 years and includes multiple levels of environmental monitoring. A decade-long delay implanting a proven strategy has had severe adverse impacts on Bay water quality, restoration efforts and the commercial fishery.

OVER →

WHEREAS, both the Eastern Shore Delegation of the Maryland General Assembly and the Maryland Rural Counties Coalition, by way of letters to Comptroller Franchot, do also support the proposed Man O'War Shoals dredging project.

WHEREAS, the timeline for this project has been drawn out to an exceptional degree and allowed for multiple agencies, organizations and individuals to provide input, plans to be revised and environmental concerns addressed. An abridged timeline follows:

2009 General Assembly of Maryland (GAM) Requests DNR Apply for Permit to Dredge Natural Shell

July 1, 2009 DNR Submits Dredging Application

Interim: Per Request from USACE, DNR Explores Alternative Shell and Non-Shell Substrate Alternatives

July 17, 2015 DNR Re-Submits Dredging Application

September 9, 2015 DNR Applies for Tidal Wetlands License

February 18, 2016 Public Comment on Tidal Wetlands License Closes

February 2017 DNR Re-Submits Dredging Application

October 2017 MDE Releases Wetland Report & Recommendation to BPW Recommending Approval of Tidal Wetlands License

November 1-21, 2017 Additional Public Notice re: Tidal Wetlands License

May 17, 2018 USACE Issues Provisional Permit to DNR for Dredging MOW Shoals

2019 Emergency Bills to Prohibit Dredging at MOW Shoals introduced during GAM Session. Did not make it out of committee.

NOW THEREFORE, BE IT RESOLVED BY THE FOLLOWING MEMBERS, ALLIED BUSINESSES AND SUPPORTERS OF THE MARYLAND SEAFOOD INDUSTRY, that that the Signatories do hereby request that the Board of Public Works takes affirmative action regarding the DNR permit application to dredge buried oyster shell at Man O'War Shoals. It is past time that a decade-old mandate by the General Assembly of Maryland, and the subsequent recommendation of the Maryland Department of Natural Resources, be realized and we finally have a definitive answer on the environmental impact of dredging buried shell, as well as a supply of the preferred substrate (i.e. clean, natural shell) to supplement restoration efforts in sanctuaries, on aquaculture bottom leases and in cages, in hatcheries, and in areas of the public fishery with historically robust natural spatset that currently lack clean, adequate, hard bottom.

ADOPTED and effective by those signatories below in September, October and November 2019.

Signatories Appended Below

BE IT RESOLVED BY THE FOLLOWING MEMBERS, ALLIED BUSINESSES AND SUPPORTERS OF THE MARYLAND SEAFOOD INDUSTRY, that that the Signatories do hereby request that the Board of Public Works takes affirmative action regarding the DNR permit application to dredge buried oyster shell at Man O'War Shoals. It is past time that a decade-old mandate by the General Assembly of Maryland, and the subsequent recommendation of the Maryland Department of Natural Resources, be realized and we finally have a definitive answer on the environmental impact of dredging buried shell, as well as a supply of the preferred substrate (i.e. clean, natural shell) to supplement restoration efforts in sanctuaries, on aquaculture bottom leases and in cages, in hatcheries, and in areas of the public fishery with historically robust natural spatset that currently lack clean, adequate, hard bottom.


Chairman, Delmarva Fisheries Association

NEXT PAGE
President, Maryland Watermen's Association


Chairman, Calvert Oyster Committee



Chairman, Dorchester Oyster Committee


Chairman, Kent Oyster Committee


Chairman, Queen Anne's Oyster Committee
& Oyster Advisory Commissioner


Chairman, Somerset Oyster Committee


Chairman, St. Mary's Oyster Committee


Chairman, Talbot Oyster Committee
& Oyster Advisory Commissioner


Chairman, Wicomico Oyster Committee


Ron Fithian, Oyster Advisory Commissioner



Tom Bradshaw, Oyster Advisory Commissioner


Greg Kemp, Talbot Seafood Heritage Assoc.
& Oyster Advisory Commissioner

SUBSEQUENT PAGE
Jim Mullin, Maryland Oystermen Association
& Oyster Advisory Commissioner


Bobby Whaples, Dorchester Seafood Heritage
Association

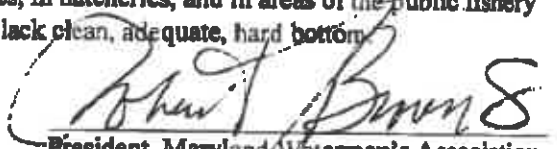
Jack Brooks, Chesapeake Bay Seafood
Industries Association


Chair Anne Arundel Co
Oyster Committee


Charles Conely Oyster Committee

BE IT RESOLVED BY THE FOLLOWING MEMBERS, ALLIED BUSINESSES AND SUPPORTERS OF THE MARYLAND SEAFOOD INDUSTRY, that that the Signatories do hereby request that the Board of Public Works takes affirmative action regarding the DNR permit application to dredge buried oyster shell at Man O'War Shoals. It is past time that a decade-old mandate by the General Assembly of Maryland, and the subsequent recommendation of the Maryland Department of Natural Resources, be realized and we finally have a definitive answer on the environmental impact of dredging buried shell, as well as a supply of the preferred substrate (i.e. clean, natural shell) to supplement restoration efforts in sanctuaries, on aquaculture bottom leases and in cages, in hatcheries, and in areas of the public fishery with historically robust natural spatset that currently lack clean, adequate, hard bottom.

Chairman, Delmarva Fisheries Association



President, Maryland Watermen's Association
& Oyster Advisory Commissioner*

Chairman, Calvert Oyster Committee

Chairman, Dorchester Oyster Committee

Chairman, Kent Oyster Committee

Chairman, Queen Anne's Oyster Committee
& Oyster Advisory Commissioner

Chairman, Somerset Oyster Committee

Chairman, St. Mary's Oyster Committee

Chairman, Talbot Oyster Committee
& Oyster Advisory Commissioner

Chairman, Wicomico Oyster Committee

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& Oyster Advisory Commissioner

Jim Mullin, Maryland Oystermen Association
& Oyster Advisory Commissioner

Bobby Whaples, Dorchester Seafood Heritage
Association

Jack Brooks, Chesapeake Bay Seafood
Industries Association

*Oyster Advisory Commissioner = a member of DNR's Oyster Advisory Commission.

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& Oyster Advisory Commissioner

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Greg Kemp, Talbot Seafood Heritage Assoc.
& Oyster Advisory Commissioner



Jim Mullin, Maryland Oystermen Association
& Oyster Advisory Commissioner

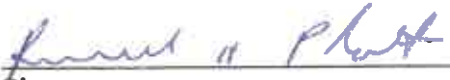
Bobby Whaples, Dorchester Seafood Heritage
Association

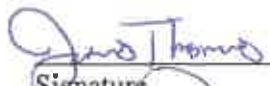
Jack Brooks, Chesapeake Bay Seafood
Industries Association



KENT COUNTY WATERMAN


BE IT RESOLVED BY THE FOLLOWING MEMBERS, ALLIED BUSINESSES AND SUPPORTERS OF THE MARYLAND SEAFOOD INDUSTRY, that that the Signatories do hereby request that the Board of Public Works takes affirmative action regarding the DNR permit application to dredge buried oyster shell at Man O'War Shoals. It is past time that a decade-old mandate by the General Assembly of Maryland, and the subsequent recommendation of the Maryland Department of Natural Resources, be realized and we finally have a definitive answer on the environmental impact of dredging buried shell, as well as a supply of the preferred substrate (i.e. clean, natural shell) to supplement restoration efforts in sanctuaries, on aquaculture bottom leases and in cages, in hatcheries, and in areas of the public fishery with historically robust natural spatset that currently lack clean, adequate, hard bottom.


Signature
Print Name: Christopher M. Kayhoe



Signature
Print Name: KENNETH H. PLATT



Signature
Print Name: James Thomas



Signature
Print Name: GEORGE E. LUONGO



Signature
Print Name: George Thomas


Signature
Print Name: Lenell Jones



Signature
Print Name: ALBERT S. HAMPTON



Signature
Print Name: LEON WASHINGTON


Signature
Print Name: Phil Jewell


Signature
Print Name: W. RONALD SMITH


Signature
Print Name: Michael Rutledge


Signature
Print Name: Edward G. Gionas

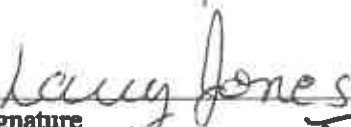

Signature
Print Name: John W. Kettering



Signature
Print Name: Ian Horney

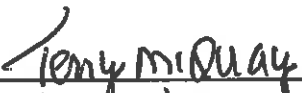
Please return to Delmarva Fisheries Association, 120 Speer Road, Suite 1, Chestertown, MD 21620 by October 4, 2019 so that we may forward in bulk to the Board of Public Works.


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Signature
Print Name: Troy Lee



Signature
Print Name: Larry Jones

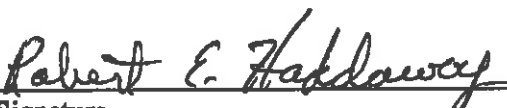

Signature
Print Name: Rodger McQuay



Signature
Print Name: Terry McQuay

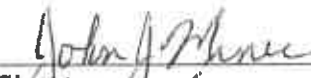

Signature
Print Name: CRAIG BARNHART


Signature
Print Name: Alvin Richardson



Signature
Print Name: William Alvin Richardson

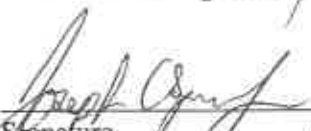

Signature
Print Name: ROBERT E. HADDAWAY


Signature
Print Name: John J. Dodge


Signature
Print Name: JOHN J MINER


Signature
Print Name: Russ Dwyer



Signature
Print Name: Guy Sperry


Signature
Print Name: Joseph C. Sherry Jr.



Signature
Print Name: Ed Crouch


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Signature
Print Name: Brian C. Williams



Signature
Print Name: Peter W. Lubin



Signature
Print Name: Ronald Swartz


Signature
Print Name: MARC VAN PELT


Signature
Print Name: Bruce Lowery


Signature
Print Name: David R. Miller


Signature
Print Name: WILLIAM SKIPPER


Signature
Print Name: Robin G. Harrison


Signature
Print Name: W. Steven Pickens

Signature
Print Name: _____

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Print Name: _____

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Print Name: _____

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Print Name: _____

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Print Name: _____

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SENATORS

MARY BETH CAROZZA
ADDIE C. ECKARDT
JASON C. GALLION
STEPHEN S. HERSHEY, JR.



DELEGATES

STEVEN J. ARENTZ
CHAIR

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CHARLES OTTO
TERESA REILLY
SHEREE SAMPLE-HUGHES

THE MARYLAND GENERAL ASSEMBLY
ANNAPOLIS, MARYLAND 21401
EASTERN SHORE DELEGATION

August 21, 2019

Honorable Peter V.R. Franchot
Comptroller of Maryland
80 Calvert Street
P.O. Box 466
Annapolis, Maryland 21401-0466

Re: Man O'War Shoals Shell Dredging Permit

Dear Comptroller Franchot:

It has come to our attention that the Board of Public Works is revisiting the plan to utilize buried oyster from Man O'War Shoals in various oyster-related efforts in the Chesapeake Bay after the General Assembly failed to move forward with the prohibition despite vigorous efforts on the part of certain special interest groups during the 2019 session. As members of the Eastern Shore Delegation, we are pleased that spurious talking points that ignore recommendations from career scientists at the Maryland Departments of Natural Resources and the Environment, as well as the U.S. Army Corps of Engineers, developed over nearly a decade of study and analysis, failed to exacerbate the self-imposed shell shortage that has affected restoration efforts for many years.

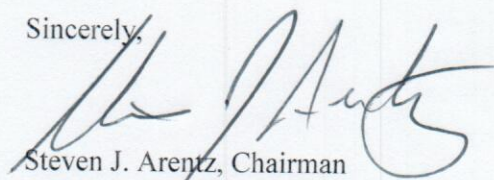
For the following reasons, the Eastern Shore Delegation supports moving forward with dredging at Man O'War Shoals:

1. Horn Point Hatchery suffered a catastrophic failure in generating spatset this year, **producing 200 times less than last year, and 300 times less than the year before**. At the same time, areas in the lower Bay are producing a bumper crop. Had DNR been able to place shell these places with strong recruitment, they could now be moving them around the Bay to suitable bottom both in and out of the sanctuaries.
2. Man O'War Shoals is a relatively isolated natural oyster bar located just to the north of the navigable channel in the Patapsco River in which ships travel to the Port of Baltimore. The shoal comprises more than 400 acres and the area designated for the harvesting of shells is approximately 30 acres (~7%) over the course of several years and incorporates extensive monitoring components.

3. The vast majority of sediments dislodged during the shell harvesting process will settle out in the navigable channel and be dredged by U.S. Army Corps of Engineers (USACE) and the Maryland Port Administration in the course of their shipping channel maintenance program. The proposed dredge site is not close to the site where Baltimore County watermen have planted oysters and the dredging activity will not have a negative impact on these efforts.
4. According to surveys conducted by MDNR over the preceding eight years, the majority of this bar has no live oysters. Additionally, the volume of fresh water that has entered the Bay from the Susquehanna during the record rainfall in 2018 and 2019 has resulted in high oyster mortality. They are not proposing to dredge in a place that would interfere with active, successful oyster growth.
5. The Eastern Shore Delegation represents constituents who rely on the bounty of the Bay and, in many cases, have done so for generations. In addition to those that work in the seafood and related industries, thousands of tourists flock to our districts each year to enjoy our waterways and activities that have their roots in watermen's culture. We support efforts that support the socio-economic success of our residents and honor the rich history that abounds here.
6. Various environmental organizations have repeatedly suggested that construction rubble would serve as a preferable substrate on which baby oysters can grow. Scientific research indicated that Mother Nature's substrate (indigenous shell) is the best for spat and it seems absurd to dump filthy **rubble** into the waters of the Chesapeake Bay in an effort to clean it up when there exists hundreds of millions of buried shell to complete the task at hand.
7. For more than 40 years, the State dredged shell from the upper reaches of the Bay for the oyster replenishment program. This program was terminated in 2006 despite very successful results with oyster reproduction, market production of oysters, and 60 million+ in revenue generated for the State. Since 2006, oysters in the upper reaches of the Bay have almost ceased to exist, other than select areas being planted by watermen's groups. Again, recent oyster surveys corroborate this information. In 2009, the General Assembly passed an emergency bill (HB 103) directing the Maryland Department of Natural Resources (DNR) to apply for the permits to dredge buried shells. It's now 2019 and past time for action.

In closing, we urge you to allow this process to finally move forward so we can get to the important work of increasing the iconic oyster in our waters. The delay threatens residents all over the Bay watershed, not just those on the Eastern Shore.

Sincerely,



Steven J. Arentz, Chairman
Eastern Shore Delegation



August 26, 2019

Honorable Peter V.R. Franchot
Comptroller of Maryland
80 Calvert Street
P.O. Box 466
Annapolis, Maryland 21401-0466

Re: Man O'War Shoals Shell Dredging Permit

Dear Comptroller Franchot:

It has come to our attention that the Board of Public Works is revisiting the permit to utilize buried oyster from Man O'War Shoals in various oyster-related efforts in the Chesapeake Bay after the General Assembly failed to move forward with the prohibition despite vigorous efforts on the part of certain special interest groups during the 2019 session. As members of the Maryland Rural County Coalition, we are pleased that spurious talking points that ignore recommendations from career scientists at the Maryland Departments of Natural Resources and the Environment, as well as the U.S. Army Corps of Engineers, developed over nearly a decade of study and analysis, failed to exacerbate the self-imposed shell shortage that has affected restoration efforts for many years.

For the following reasons, the Maryland Rural County Coalition supports moving forward with shell dredging at Man O'War Shoals:

1. Horn Point Hatchery suffered a catastrophic failure in generating spatset this year, **producing 200 times less than last year, and 300 times less than the year before.** At the same time, areas in the lower Bay are producing a bumper crop. Had DNR been able to place shell these places with strong recruitment, they could now be moving them around the Bay to suitable bottom both in and out of the sanctuaries.
2. Man O'War Shoals is a relatively isolated natural oyster bar located just to the north of the navigable channel in the Patapsco River in which ships travel to the Port of Baltimore. The shoal comprises more than 400 acres and the area designated for the harvesting of shells is approximately 30 acres (~7%) over the course of several years and incorporates extensive monitoring components.
3. The vast majority of sediments dislodged during the shell harvesting process will settle out in the navigable channel and be dredged by U.S. Army Corps of Engineers (USACE) and the Maryland Port Administration in the course of their shipping channel maintenance program. The proposed dredge site is not close to the site where Baltimore County watermen have planted oysters and the dredging activity will not have a negative impact on these efforts.

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4. According to surveys conducted by MDNR over the preceding eight years, the majority of this bar has no live oysters. Additionally, the volume of fresh water that has entered the Bay from the Susquehanna during the record rainfall in 2018 and 2019 has resulted in high oyster mortality. They are not proposing to dredge in a place that would interfere with active, successful oyster growth.
5. The Maryland Rural County Coalition represents constituents who rely on the bounty of the Bay and, in many cases, have done so for generations. In addition to those that work in the seafood and related industries, thousands of tourists flock to our districts each year to enjoy our waterways and activities that have their roots in watermen's culture. We support efforts that support the socio-economic success of our residents and honor the rich history that abounds here.
6. Various environmental organizations have repeatedly suggested that construction rubble would serve as a preferable substrate on which baby oysters can grow. Scientific research indicated that Mother Nature's substrate (indigenous shell) is the best for spat and it seems absurd to dump filthy *rubble* into the waters of the Chesapeake Bay in an effort to clean it up when there exists hundreds of millions of buried shell to complete the task at hand.
7. For more than 40 years, the State dredged shell from the upper reaches of the Bay for the oyster replenishment program. This program was terminated in 2006 despite very successful results with oyster reproduction, market production of oysters, and \$60 million+ in revenue generated for the State. Since 2006, oysters in the upper reaches of the Bay have almost ceased to exist, other than select areas being planted by watermen's groups. Again, recent oyster surveys corroborate this information. In 2009, the General Assembly passed an emergency bill (HB 103) directing the Maryland Department of Natural Resources (DNR) to apply for the permits to dredge buried shells. It's now 2019 and past time for action.

In closing, we urge you to allow this process to finally move forward so we can get to the important work of increasing the iconic oyster in our waters. The delay threatens residents and businesses all over the Bay watershed, not just those in rural counties.

Sincerely,



Jack Wilson, RCC Chairman
Queen Anne's County

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