

Wednesday, March 1, 2023

TO: Kumar Barve, Chair of House Environment and Transportation Committee and Committee Members
FROM: Mark Bryer, The Nature Conservancy, Chesapeake Bay Program Director; and Michelle Dietz, The Nature Conservancy, Director of Government Relations
POSITION: Oppose HB 932 - Oysters – Rotational Harvest – Pilot Program

The Nature Conservancy (TNC) opposes HB 932 offered by Delegate Jacobs. For the past two decades, the world has looked to the Chesapeake Bay to learn what's possible in oyster restoration. No effort in the world matches the scale of what has been accomplished here, and TNC has been proud to support and invest in oyster restoration along with many others during this time.

HB 932 would require the Maryland Department of Natural Resources (DNR) to create a pilot program to allow rotational harvest in several places across the state, including in the Little Choptank River and the lower mainstem of the Bay. The Little Choptank River is an oyster sanctuary, established to realize and enhance benefits that oysters provide other than harvest. The Little Choptank sanctuary's restoration was completed in 2020 with significant state and federal investments, which carry with them obligations to prohibit harvest; furthermore, the Little Choptank's restoration as a sanctuary is part of Maryland's commitment to restore five tributaries by 2025. DNR already has the authority to institute a rotational harvest program in public fishery areas; however, in oyster sanctuaries, harvesting is prohibited. TNC opposes the prospect of opening these areas for harvest.

TNC supports the oyster industry across the state. We have a history of working across sectors to leverage private, state and federal funding for its benefit. Harvesting and restoration efforts must be balanced in order to realize the many benefits oysters provide to the Chesapeake Bay, including improving the Bay's health, strengthening our state and local economies, and enhancing Maryland's culture. Sanctuaries improve recreational and commercial fishing in the Bay by providing persistent habitat for blue crabs, striped bass, white perch and other important finfish species. Oysters within sanctuaries can produce larvae that benefit areas not only within the sanctuary, but also in public fishery areas adjacent to sanctuaries, which increases harvest opportunities. Opening sanctuaries for harvesting goes against the protections set by the state of Maryland to enhance native oyster populations for their environmental benefits.

The Nature Conservancy strongly opposes opening oyster sanctuaries in the Chesapeake Bay to harvesting, thereby undermining the protections the state has set to preserve and enhance oyster restoration.
Therefore, we urge an unfavorable report on HB 932.