



CHESAPEAKE BAY FOUNDATION

Environmental Protection and Restoration
Environmental Education

Senate Bill 317

Oysters, Striped Bass, and Crabs – Commercial Authorizations – Suspensions and Revocations

Date: February 27, 2024
To: Education, Energy, and the Environment Committee

Position: **Opposed**
From: Allison Colden
MD Executive Director

Chesapeake Bay Foundation (CBF) **OPPOSES** Senate Bill 317, which would prohibit the Department of Natural Resources (DNR) from revoking an authorization to catch oysters, striped bass, or crabs unless an individual is convicted of a certain crime. These changes would significantly alter the process by which DNR conducts hearings and renders administrative penalties to those who violate fishing laws and regulations.

Though there are strong natural resources laws on the books, lack of enforcement has led to repeat offenses which damage Maryland's natural resources and economy. For example, in a 2018 review of oyster poaching violations dating back to 2013, CBF found that enforcement of laws is uneven across counties, with Somerset County declining to prosecute in one-third of cases while Talbot County dropped poaching charges in only five percent of cases. District Courts also frequently assessed fines on offenders at a fraction of what state laws permit or for court costs only. Due to this uneven record of prosecution and penalties frequently assessed at levels far lower than allowed by current law, CBF supported legislation last year to develop the Environmental and Natural Resources Crimes Unit in the office of the Attorney General ([2023 Md. Laws, Chap. 689](#)).

While Maryland's oyster population has benefitted in recent years from favorable environmental conditions and increased production, striped bass and blue crab populations are struggling. For example, 2023 marked the fifth consecutive year of juvenile striped bass numbers far below average with an index of 1.0 compared to the long-term average of 11.3. Concerns over striped bass reproduction are compounded by overfishing of adult striped bass, which has spurred recent action at both the state and regional levels to reduce recreational and commercial fishing mortality.^{1,2}

Similarly, certain segments of the Bay's blue crab population are showing concerning trends. Juvenile blue crabs have remained below the long-term average for four consecutive years and the number of adult male blue crabs was the lowest ever recorded in 2022. Based on these results, the Chesapeake Bay Stock Assessment Committee, which reviews the annual DNR blue crab winter dredge survey results and provides

¹ Maryland Department of Natural Resources. [Maryland Enacts Striped Bass Emergency Regulations to Increase Protections for the Spawning Population](#). Accessed 16 February 2024.

² Atlantic States Marine Fisheries Commission. [ASMFC Atlantic Striped Bass Board Approves Addendum II Establishes Measures to Continue Progress Towards Stock Rebuilding](#). Accessed 16 February 2024.

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management recommendations, kicked off a new crab stock assessment with the hopes of uncovering some of the underlying causes of blue crab decline and recommending any changes needed to crab management.

Given the opportunity for more consistent and timely handling of natural resources cases by the newly-formed Environmental and Natural Resources Crime Unit and the current poor stock status of both striped bass and blue crabs, now is not the appropriate time to make significant changes to fisheries revocations law. To successfully rebuild our iconic striped bass and blue crab populations, we will need all tools available to ensure compliance with critical regulations meant to reduce mortality and bring these species back to sustainable levels.

CBF urges the Committee's UNFAVORABLE report on SB 317.

For more information, please contact Matt Stegman, Maryland Staff Attorney, at mstegman@cbf.org.