



**Testimony in OPPOSITION to SB 841**  
**Natural Resources – Public Clam Fishery Area – Establishment**

Feb 28, 2025

Chairperson Feldman, Vice Chair Kagan, and Members of the Committee,

I am writing to express my **strong opposition to SB841**, which would require the Maryland Department of Natural Resources (DNR) to establish designated clam fishery areas based on past commercial harvesting activity and prohibit oyster aquaculture leasing in those areas. **This legislation threatens the continued growth and success of Maryland's oyster aquaculture industry and could significantly hinder efforts to restore the health of the Chesapeake Bay.**

Over the past several years, Maryland's oyster aquaculture industry has achieved record harvests, with landings exceeding 90,000 bushels per year from 2021 to 2023. This success has come despite existing restrictions on aquaculture, including submerged aquatic vegetation protection zones, natural oyster bars (Yates bars), and other regulatory constraints. **SB841 would impose additional, unnecessary limitations, making it even more difficult for aquaculture businesses to expand and remain viable.**

Unlike oysters, which form stationary reefs, soft-shell and razor clams inhabit shifting sands and sediments, meaning their locations vary from year to year. Establishing fixed "clam fishery areas" is not only impractical but also risks unnecessarily restricting large portions of the Bay from aquaculture use. Furthermore, **Maryland lacks a fishery management plan for either soft-shell or razor clams, and reporting of landings for both species has been sporadic and inconsistent. The absence of reliable data makes it nearly impossible to accurately define historical clamming areas, increasing the likelihood that viable aquaculture grounds will be arbitrarily restricted.**

Beyond its economic benefits, oyster aquaculture provides significant environmental advantages. Farmed oysters improve water quality by filtering pollutants, increasing water clarity, and creating essential habitat for fish and crabs. **The Chesapeake Bay Program recognizes oyster aquaculture as a best management practice for nitrogen and phosphorus removal, making it a crucial tool for achieving the region's water quality goals.**

Moreover, the Eastern Bay Oyster Workgroup that has submitted its findings to the OAC, DNR, and the MGA included watermen, including clammers. **After a year of consensus**

**ShoreRivers**

Isabel Hardesty, Executive Director

Annie Richards, Chester Riverkeeper | Matt Pluta, Choptank Riverkeeper  
Ben Ford, Miles Wye Riverkeeper | Zack Kelleher, Sassafras Riverkeeper

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**building efforts, even with clamming industry representation on that workgroup, no recommendations regarding establishing dedicated clamming areas made it into the final recommendations.** One of the recommendations that did make it into the final package was to support the expansion of oyster aquaculture in Eastern Bay. This concept has not been brought before the Oyster Advisory Commission either.

Restricting the growth of this industry to accommodate a small number of commercial clambers—especially in the absence of a fishery management plan or reliable harvest data—is short-sighted and counterproductive to Maryland’s broader restoration and economic objectives. For these reasons, **I strongly urge you to oppose SB841 and instead support policies that promote both sustainable aquaculture and responsible fisheries management.**

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to be 'BF', with a horizontal line extending to the right.

**Benjamin Ford, Miles-Wye Riverkeeper, on behalf of ShoreRivers**