

Tuesday, March 11, 2025

TO: Marc Korman, Chair of the House Environment and Transportation Committee, and Committee Members

FROM: Michelle Dietz, The Nature Conservancy, Director of Government Relations; Cait Kerr, The Nature Conservancy, State Policy Manager

POSITION: Oppose HB 1263 Natural Resources - Public Clam Fishery Area - Establishment

The Nature Conservancy (TNC) opposes HB 1263 offered by Delegates Adams, Hutchinson, Jacobs and Otto. For the past two decades, the world has looked to the Chesapeake Bay to learn what's possible in shellfish 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 shellfish restoration along with many others during this time.

HB 1263 would establish a public clam fishery area within the Chesapeake Bay, based on recent commercial harvesting activity, surveys conducted by the Department of Natural Resources (DNR), and other quantitative data known or made available to DNR. It prohibits shellfish aquaculture within this fishery area and allows for clams to be caught in both newly designated clam areas and existing public fishery areas, except for in areas where doing so would be prohibited by law.

TNC supports the shellfish 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 shellfish provide to the Chesapeake Bay, including improving the Bay's health, strengthening our state and local economies, and enhancing Maryland's culture. TNC supports opportunities for aquaculture in Maryland and understands the responsibility an aquaculture lease holder carries in their harvest and stewardship behavior relative to future harvest potential to support their livelihoods. If enacted, HB 1263 eliminates other potential use categorizations and would restrict opportunities for aquaculture in the future.

TNC respectfully requests that DNR undertakes a study to better understand how we can accommodate the needs and interests of ecosystems, aquaculture, and the clam fishery prior to passing this legislation. The study could identify what types of data sources would be used for defining future fisheries areas, outline where these areas could be established, and define best use and multi-use valuations for these proposed areas, among other items of interest. This study could then be used to create future legislation backed by science and public input.

Shellfish provide critical ecosystem services across the Chesapeake Bay, ranging from cleaning water to enhancing fish populations to producing and exporting shellfish larvae to help support commercial harvests across the Bay. Formally designating this harvest area to exclude aquaculture limits the opportunities to increase the restorative aspects of aquaculture, whether it be for clam or oysters. The Nature Conservancy opposes HB 1263 and recommends further study by DNR.

Therefore, we urge an unfavorable report on HB 1263.