

# **SB784 Testimony**

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Position: FAV

**Tuesday, March 24, 2026**

**TO:** Senator Brian Feldman, Chair of the Senate Education, Energy, and the Environment Committee, and Committee Members

**FROM:** Michelle Dietz, Director of Government Relations, The Nature Conservancy; Amy Jacobs, Chesapeake Bay Program Director, The Nature Conservancy

**POSITION:** Support HB784 Aquaculture - Placement of Shellfish, Bags, Nets, and Structures on Submerged Aquatic Vegetation - Extension

The Nature Conservancy (TNC) supports HB 784 offered by Delegate Jones. TNC's mission is to conserve the lands and waters on which all life depends. We work in more than 70 countries and all 50 states in the United States. With the support of more than one million members globally, TNC has been working to conserve, protect, and restore ecosystems and species for nearly 75 years around the world. In Maryland, our work focuses on delivering solutions that secure clean water, air, and healthy, resilient living environments.

HB 784 strengthens the shared goals of restoring submerged aquatic vegetation (SAV) and supporting oyster aquaculture—two foundational components of a healthy Chesapeake Bay ecosystem. The bill extends the Department of Natural Resources' (DNR) discretion to allow aquaculture gear in areas where SAV has begun to encroach on an existing aquaculture lease, and it prolongs the current sunset provision through June 30, 2030. The continued expansion of SAV is one of the clearest indicators of improving Bay health. Because SAV thrives in clearer, cleaner water, its recovery reflects decades of progress reducing nutrient and sediment pollution under the Chesapeake Bay Blueprint. These underwater grasses provide essential habitat for fish and crabs, stabilize sediments, and generate oxygen, making them a cornerstone of ecological recovery.

Oysters—and oyster aquaculture—play an equally important role. As natural filter feeders, oysters remove excess nutrients from the water, improving clarity and complementing the conditions that allow SAV to flourish. A 2018 study found that oyster aquaculture operations in the Chesapeake Bay can remove between 21–372 pounds of nitrogen and 3–49 pounds of phosphorus per farm each year, contributing directly to better water quality.

By allowing DNR to adaptively manage overlapping areas of SAV and aquaculture, HB 784 recognizes that both resources are vital to restoring the Bay. With thoughtful coordination, expanding SAV beds and sustainable oyster farming can coexist—each strengthening the ecological foundation on which long-term Chesapeake Bay recovery depends.

The provisions within HB 784 allows DNR to permit placement of aquaculture gear in areas of active leases where SAV has encroached after lease issuance. It includes important safeguards that limit the potential impact to SAV, like prohibiting harvest by dredging and limiting placement of gear to not

more than 10% of SAV area. This bill also gives oyster farmers harvesting flexibility while remaining protective of SAV.

TNC has been proud to support and invest in oyster restoration, and the state's oyster industry along with many others over the last two decades. We have a history of working across sectors to leverage private, state and federal funding for its benefit. We also recognize that food production and restoration efforts must be balanced in order to realize the many benefits oysters and SAV provide to the Chesapeake Bay, including improving the Bay's health, strengthening our state and local economies, and enhancing Maryland's culture.

The Nature Conservancy commends Delegate Jones on introducing HB 784, which balances ecological and economic goals for the Chesapeake Bay. **Therefore, we urge a favorable report on HB 784.**

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Wes Moore, Governor  
Aruna Miller, Lt. Governor  
Josh Kurtz, Secretary  
David Goshorn, Deputy Secretary

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March 24, 2026

**BILL NUMBER: HOUSE BILL 784 - THIRD READER**

**SHORT TITLE: AQUACULTURE - PLACEMENT OF SHELLFISH, BAGS, NETS, AND STRUCTURES ON SUBMERGED AQUATIC VEGETATION - EXTENSION**

**DEPARTMENT'S POSITION: SUPPORT**

### **EXPLANATION OF DEPARTMENT'S POSITION**

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The Department supports HB 784 and its goal of extending the sunset for certain allowances regarding aquaculture leases that have overlap with Submerged Aquatic Vegetation (SAV) beds. These policies allow the department greater flexibility when issuing aquaculture leases.

To date, the agency has granted only three leases under this law. These three water column leases were granted authorization to place gear covering 10% of the impacted area without having to request it, which is the agency's standard practice under this law. None of the three leases had sought approval to place gear that exceeded the 10%, until recently. This means this is the first time the agency has had the opportunity to see the impacts of authorizing more than the "at least 10%" – and the Department welcomes the opportunity to continue to examine the impact prior to the sunset.

### **BACKGROUND INFORMATION**

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The provision was originally passed under Chapter 238 (2019) and was extended under Chapter 113 (2024). Current law states that the Department "shall authorize for water column leases the placement of shellfish, bags, nets, or structures in at least 10% of the area where submerged aquatic vegetation is present." Anything over that 10% threshold, the leaseholder would have to explicitly ask for permission from DNR.

### **BILL EXPLANATION**

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This bill, as amended, would change the sunset from Chapter 113 (2024) of Maryland law. The sunset is currently June 30, 2027. That chapter added provisions under Natural Resources Article, Section 4-11A-10, which included providing the department with the authority to grant permission to the holder of a shellfish aquaculture lease, where their aquaculture activities do not harm SAV, to continue planting and harvesting shellfish within the area of their lease where SAV exists. The bill would amend that to June 30, 2030.

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**HB 784 - CBF - FAV - EEE.pdf**

Uploaded by: Matt Stegman

Position: FAV



# CHESAPEAKE BAY FOUNDATION

## House Bill 784

### Aquaculture – Placement of Shellfish, Bags, Nets, and Structures on Submerged Aquatic Vegetation - Extension

**Date:** March 24, 2026

**To:** Education, Energy, & the Environment Committee

**Position:** **FAVORABLE**

**From:** Dr. Allison Colden,  
MD Executive Director

The Chesapeake Bay Foundation (CBF) **SUPPORTS House Bill 784** which extends the Department of Natural Resources' (DNR) authority to, at their discretion, allow the placement of aquaculture gear in areas where submerged aquatic vegetation (SAV) has encroached on an aquaculture lease. The bill extends the current sunset provision for three years to June 30, 2030.

Gains in SAV have been among the few positive signs of Chesapeake Bay recovery tied to Maryland's efforts to reduce nutrient and sediment pollution under the Bay Blueprint. SAV beds respond to long-term improvements in water clarity and are therefore an excellent indicator of the bay's health. Though recent years have shown mixed SAV results, long-term trends continue to show resilience following weather-driven losses.

Maryland's oyster aquaculture industry has also been growing in recent years, from less than 4,000 bushels harvested in 2012 to more than 80,000 bushels harvested in 2024 (Figure 1). In many places, oyster aquaculture leases co-occur in areas that are conducive to SAV growth and as water quality conditions have improved, the number of leases where SAV is encroaching is increasing.

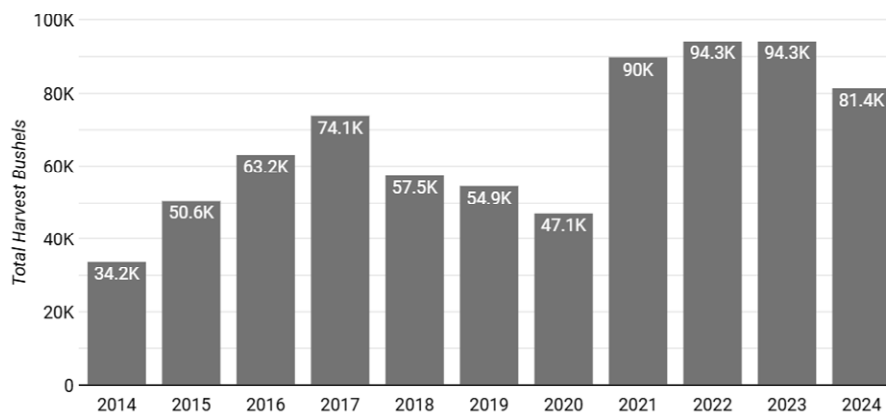


Figure 1: Total number of aquaculture oysters harvested in bushels annually. Source: UMD Extension

Existing statute allows DNR to permit placement of aquaculture gear in areas of active leases where SAV has encroached after lease issuance. It includes important safeguards that limit the potential impact to SAV, like prohibiting harvest by dredging and limiting placement of gear to not more than 10% of SAV area. While the ideal solution would be to develop a scientifically backed suite of best practices, research to do so is still

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The Chesapeake Bay Foundation (CBF) is a non-profit environmental education and advocacy organization dedicated to the restoration and protection of the Chesapeake Bay. With over 200,000 members and e-subscribers, including 71,000 in Maryland alone, CBF works to educate the public and to protect the interest of the Chesapeake and its resources.

lacking. Therefore, HB 784 is a practical solution that provides oyster farmers some flexibility while remaining protective of SAV until more specific management approaches can be developed.

**CBF urges the Committee's FAVORABLE report on HB 784.**

For more information, please contact Matt Stegman, Maryland Staff Attorney, at [mstegman@cbf.org](mailto:mstegman@cbf.org).