

Testimony before the  
House Environment and Transportation Committee  
March 4, 2026

House Bill 1388  
Position: **OPPOSE**

Dear Chair Korman, Vice Chair Guyton, and Members of the Committee:

We, the undersigned organizations and individuals, respectfully **request an unfavorable report** from the House Environment and Transportation Committee on House Bill 1388. This bill would require the Department of Natural Resources (DNR) to create a rotational harvest program in four oyster sanctuaries, including one of Maryland's large-scale restoration sanctuaries, Herring Bay.

Maryland's oyster sanctuaries were put in place in 2010 as part of a comprehensive, three-pronged approach to recover oyster populations. It was clear at the time of their inception that current management strategies were not working, as oyster populations had plummeted to a minute fraction of their historic levels. The recovery of oysters and their many benefits depend on a long-term strategy that will produce tangible gains in reproductive capacity, disease resistance, and habitat regeneration, all of which sanctuaries help achieve.

By protecting these sanctuaries from harvest, oysters grow to a large size, greatly increasing their reproductive output, sending larvae to areas far afield of the sanctuary. When oysters are challenged with disease, the survivors are left to reproduce, conferring the unique qualities that allowed their survival to the next generation. Over time, this natural process can produce genetic resistance to disease, as has been observed in Virginia. No-harvest sanctuaries also help ensure that oyster habitat is protected from destructive harvesting techniques, like power dredging, that damage the structural habitat and level three-dimensional oyster reefs.<sup>1</sup> Directing harvest in these areas, as is required by House Bill 1388, undermines these goals and greatly reduces the probability that this suite of critical ecological benefits could be fully achieved.

Additionally, this bill undermines Maryland's obligation to the Oyster Outcome in the newly-revised Chesapeake Bay Watershed Agreement, which states:

*“By 2040, restore or conserve **at least 2,000 additional acres of oyster reef habitat** concentrated primarily in restoration focus areas **to provide ecosystem service benefits.**” [emphasis added]*

Oyster sanctuaries, by their definition, are areas left untouched by harvest. They serve an important ecological function that simply cannot be achieved when subjected to the continual disturbance, removal of adult oysters, and disruption and degradation of habitat associated with oyster harvest. DNR suggested that at least 20-30% of productive oyster habitat be set aside from harvest in sanctuaries to achieve these ecological goals.<sup>2</sup> Any investigation of the merits of a rotational harvest program can be determined in areas currently open to oyster harvest, allowing Maryland's oyster sanctuaries to continue to provide the critical benefits that harvested areas simply cannot.

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<sup>1</sup> Wade et al. (2026). Effects of harvest on bottom habitat and recruitment of oysters in the Chesapeake Bay, Maryland. *Journal of Shellfish Research* 44:3. 435-463.

<sup>2</sup> Maryland Department of Natural Resources (2010). 20-30% Oyster Sanctuary Rationale. Available [online](#).

**We urge the Committee to provide an unfavorable report on House Bill 1388 and thank you for your consideration.**

Sincerely,

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National Aquarium

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Maryland League of Conservation Voters

Randy Lyon  
Sierra Club Maryland Chapter

Adam Lindquist  
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