

Wednesday, March 4, 2026

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

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

POSITION: Oppose HB 1388 Oysters - Rotational Harvest - Pilot Program

The Nature Conservancy (TNC) opposes HB 1388 offered by Delegate Jacobs. HB 1388 seeks to establish a five-year rotational harvest pilot program for oysters to be implemented by the Maryland Department of Natural Resources (DNR) in four oyster sanctuary locations: the lower Choptank River, the main stem of the Chesapeake Bay, Herring Bay and the Lower Chester River. This would open protected areas for rotational harvesting, allowing oyster harvesting on state protected areas.

TNC is a member of the Oyster Advisory Commissions (OAC), an advisory body to DNR that is tasked with several charges, including to “review the best possible science and recommend changes to the framework and strategies for rebuilding and managing the oyster population in the Chesapeake Bay under the Chesapeake Bay Oyster Management Plan.” The best available science recommends protecting 20-30% of productive oyster bottom in sanctuaries to ensure long-term resource sustainability¹. HR 1388 seeks to open state sanctuaries for the proposed rotational harvest pilot, reducing the percentage of sanctuaries available in the Chesapeake Bay. **The Nature Conservancy strongly opposes altering or reducing oyster sanctuary boundaries, which undermines the protections the state has set to preserve and enhance oyster restoration.**

The OAC is currently meeting to discuss ways for DNR to address underperforming and underinvested sanctuaries. Working groups have met over the past several months to provide innovative solutions to these issues and propose ways in which DNR can use current funding to yield more robust oyster populations on state sanctuaries. The OAC’s next meeting is on March 9, 2026, to continue discussing next steps. Advancing HB 1388 without the input and consideration of the OAC circumvents the Commission’s current process to review and advise DNR on how best to adjust strategies managing the state’s oyster population.

Sanctuaries improve recreational and commercial fishing in the Bay by providing persistent habitat for blue crabs, striped bass, white perch and other important finfish species. Oysters within sanctuaries can produce larvae that benefit areas beyond the sanctuary, including adjacent public fishery areas. In this way, oyster restoration work also increases harvest opportunities.

¹ <https://dnr.maryland.gov/fisheries/documents/Sanctuary%2020%2030%20Summary.pdf>

TNC also supports the oyster 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 to realize the many benefits oysters provide to the Chesapeake Bay, including improving the Bay's health, strengthening our state and local economies, and enhancing Maryland's culture.

Opening sanctuary areas for harvesting as proposed in HB 1388 fails to consider the broader habitat and ecosystem health in the Bay and goes against the protections set by the state of Maryland to enhance native oyster populations for their environmental benefits. **Therefore, we urge an unfavorable report on HB 1388.**