

HB1388 JAJ.pdf

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Position: FAV

JAY A. JACOBS
Legislative District 36
Caroline, Cecil, Kent, and
Queen Anne's Counties

Environment and Transportation
Committee

Subcommittees

Motor Vehicle and Transportation

Natural Resources, Agriculture,
and Open Space

Local Government and Bicounty Agencies

Joint Committee on Administrative,
Executive, and Legislative Review



The Maryland House of Delegates
6 Bladen Street, Room 309
Annapolis, Maryland 21401
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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

HB 1388 Oysters- Rotational Harvest-Pilot Program

Chair Korman and members of the Environment and Transportation Committee: This legislation is for the purpose of establishing a 5-year Rotational Harvest Pilot Program for oysters in 4 areas of the Chesapeake Bay and implemented by the Department of Natural Resources as specified. Before opening an area for harvesting under the program, the Department will survey and investigate the area to collect certain baseline data and after closing the area, to continue to monitor the area.

There are 51 sanctuaries in Maryland of which the Big 5 known as Harris Creek, Little Choptank, Tred Avon, St. Mary's and Manokin River are not part of this legislation. The remaining 46 have had little to no investment from the State and this legislation intends to open 4 of these sanctuaries under specific criteria for rotational harvest and investment by the County Oyster Committees. These sanctuaries were established in 2009 with a 5-year time span. It has now been 16 years and most of the 46 sanctuaries have either stayed in the same condition or gotten worse.

The last several years have seen good spat sets in the Chesapeake Bay. In 2023 the spat set was the fifth highest in the last 39 years. Making good investments in the oyster sanctuaries at this time under these conditions may prove to be good for the industry, the water quality and habitat of the Chesapeake Bay and tributaries. **I ask for your favorable vote for HB 1388**

JAY A. JACOBS
Legislative District 36
Caroline, Cecil, Kent, and
Queen Anne's Counties

Environment and Transportation
Committee

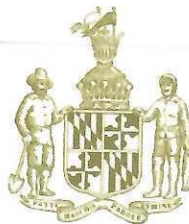
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THE MARYLAND HOUSE OF DELEGATES
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**HB 1400 Shellfish Aquaculture-Penalties-Suspension or
Revocation of Permit or Registration Card**

Chair Korman and members of the Environment & Transportation Committee:

This legislation brings parity between the Public Commercial Oyster Fishery and the Aquaculture Oyster Fishery in terms of suspension or revocation for certain violations listed in the bill.

In 2011 legislation was passed that someone possessing a TFL with an oyster authorization could have a lifetime revocation for certain violations. Last year legislation was passed that changed that law for someone convicted for a first offense could receive a 5-year suspension and for a second offense a lifetime revocation. At no time did the Shellfish Aquaculture Harvesters have a similar penalty provision. This legislation basically puts the 2 fisheries in a similar and fair penalty scheme for the same types of offenses.

I ask for your favorable vote for HB 1400

HB1388 SB875 Rotational Harvest - Pilot Program.pd

Uploaded by: Jeff Harrison

Position: FAV



Talbot Watermen Association, Inc.

P.O. Box 324 • Bozman, MD 21612 • (410) 745-9759 • info@talbotwatermen.org

March 4, 2026

The Honorable Brian Feldman
Chair, Education, Energy, and the Environment Committee
2 West Miller Senate Office Building
11 Bladen Street
Annapolis, MD 21401

The Honorable Marc Korman
Chair, Environment & Transportation Committee
251 Taylor House Office Building
Annapolis, Maryland 21401

Dear Chair Feldman, Chair Korman, and Members of the Committee,

We are writing to express our **support** for **House Bill 1388/Senate Bill 875 - Oysters - Rotational Harvest - Pilot Program**.


This legislation would establish a rotational harvest pilot program for oysters under the Maryland Department of Natural Resources. Rotational harvest is a sustainable harvest method that allows licensed commercial watermen to build and rebuild oyster populations on designated bars where oysters are legally harvested. Rebuilding oyster populations not only helps to ensure economic success, it helps to ensure the long-term health of the Chesapeake Bay.

Maryland's Chesapeake Bay Oyster Management Plan (May 2019) includes a Rotational Harvest Strategy (Strategy 6.3) and a goal of "work toward a more sustainable harvest by managing fishing effort and monitoring oysters on specific bars using Rotational Harvest Areas." We applaud this strategy and goal being included in the Plan, but remained concerned that, to date, no actions have been taken to implement this strategy.

Consumer demand for sustainable food products is strong and growing. Passage of this legislation and implementation of the proposed pilot program would position Maryland's seafood industry to meet that demand by harvesting and producing sustainably caught seafood.

For these reasons, we respectfully request a favorable report for House Bill 1388/Senate Bill 875.

Sincerely,


Herman Jeffrey Harrison
President

Contact:

Jeannie Haddaway-Riccio
R&R Solutions, LLC
(443) 786-2137

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Talbot Watermen Association, Inc. is a component fund of the
Mid-Shore Community Foundation, a 501(c)(3) public charity.

HB 1388 - CBF - UNF.pdf

Uploaded by: Allison Colden

Position: UNF



CHESAPEAKE BAY FOUNDATION

House Bill 1388 Oysters - Rotational Harvest - Pilot Program

Date: March 4, 2026
To: Environment & Transportation Committee

Position: **OPPOSED**
From: Dr. Allison Colden,
Maryland Executive Director

Chesapeake Bay Foundation (CBF) **OPPOSES House Bill 1388** which directs the Department of Natural Resources (DNR) to establish a 'pilot program' to allow harvesting of oysters in 56,401 acres of protected oyster sanctuary. This includes harvest in Herring Bay, one of Maryland's next large-scale oyster restoration sanctuaries, which is slated to receive significant federal and state investment to fulfill Maryland's obligation to restore 1,100 acres of oyster habitat per the revised 2025 Chesapeake Bay Watershed Agreement.¹

Maintaining 20-30% of oyster habitat in sanctuary is critical to oysters' long-term viability.

House Bill 1388 establishes a pilot program for harvesting in four oyster sanctuaries, the Lower Chester River, Lower Choptank River, Herring Bay, and Lower Mainstem. Sanctuaries, by their statutory and regulatory definition, are areas where oyster harvest is not permitted. The reason for establishing these no-harvest areas is the recognition by DNR and the greater scientific community that no-harvest areas are a critical management tool for protecting habitats and reproductive populations in exploited species.² According to DNR, "protection of... productive oyster bottom is in line with recommendations of the best available science and is a prudent step toward ensuring the long-term sustainability of Maryland's oyster resource."³ Further, DNR states the purpose of sanctuaries is to "protect broodstock, enhance natural recruitment, encourage disease tolerance through natural selection, and provide ecological services such as water filtration and habitat for other species."⁴ Similar to Maryland's 30X30 land preservation goals defined by the Maryland the Beautiful Act,⁵ the oyster sanctuary network is designed to protect 20-30% of oyster habitat. HB 1388 would reduce Maryland's sanctuary network from 24% of protected oyster habitat to 15.7%.

Oyster sanctuaries produce dividends for Maryland's oyster fishery.

Since the establishment of Maryland oyster sanctuary network in 2010, the number of adult oysters in Maryland waters has nearly doubled. According to the latest oyster stock assessment, two sanctuaries have seen a fivefold increase in oyster population since oyster restoration efforts began after 2010. In the Little Choptank sanctuary, an estimated 100 million adult oysters pre-restoration increased to 500 million, while a population of 40 million in the Harris Creek sanctuary in 2010 grew to 200 million after restoration was completed. In the Tred Avon River sanctuary, the population increased by about four times, from 40 million to 175 million.

Restored oyster reef habitat is expected to increase blue crab harvest by 160%, resulting in an increase in direct sales of \$10 million annually with an additional \$20 million in induced economic benefits. Restored

¹ Chesapeake Bay Program (2025). Chesapeake Bay Watershed Agreement. Available [online](#).

² World Conservation Union (IUCN) (2004). The Durban Action Plan March 2004. Available [online](#).

³ Maryland Department of Natural Resources. (2016). Rationale for Maryland's Oyster Sanctuary Range of 20-30%. Available [online](#).

⁴ Maryland Department of Natural Resources (2019). Maryland Chesapeake Bay Oyster Management Plan. Available [online](#).

⁵ Maryland Department of Natural Resources (2023). Maryland the Beautiful Act. Available [online](#).

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reefs also remove excess nutrients, an ecosystem service that has been estimated at \$3 million annually in Harris Creek. Since oyster sanctuaries have been established, oyster harvest has reached levels not seen since the 1980s. Thus, economic benefits of oyster sanctuaries extend far beyond the sanctuary boundaries and beyond oysters.

Rotational harvest in sanctuaries is contradictory to Maryland's oyster management plan.

Implementing rotational harvest oyster sanctuaries would directly contradict several provisions of the 2019 Maryland Oyster Management Plan. Neither sanctuary meets the criteria for reduction in size or declassification, as both are functioning sanctuaries that have experienced significant increases in oyster biomass since their designation. Additionally, removing sanctuary protections for these areas would result in a reduction in the number of Maryland's 'best bars' that are included in sanctuaries to less than 50%, undermining a primary objective of the management plan.⁶

DNR has the authority to implement rotational harvest in open harvest areas without legislation.

Meanwhile, 76% of Maryland's oyster bottom is currently open to oyster harvest where such pilot programs could be easily and immediately implemented. Because DNR can open and close harvest bars via public notice, a rotational harvest pilot program like that prescribed by HB 1388 could be initiated in any area currently open to oyster harvest in 48 hours and would be consistent with the goals of the oyster management plan.

CBF urges the Committee's UNFAVORABLE report on HB 1388.

For more information, please contact Matt Stegman, Maryland Staff Attorney, at mstegman@cbf.org.

⁶ Maryland Department of Natural Resources. (2021). Oyster Management Review 2016-2020. Available [online](#).

HB1388 Opposition Testimony.docx (1).pdf

Uploaded by: Benjamin Ford

Position: UNF



Testimony in Opposition to House Bill 1388 - Oysters - Rotational Harvest - Pilot Program

2/25/2026

Dear Chair Korman, Vice-Chair Guyton, and esteemed members of the Committee

Thank you for the opportunity to submit testimony in **OPPOSITION** to HB1388 on behalf of ShoreRivers. ShoreRivers is a Riverkeeper organization focused on protecting water quality on Maryland's Eastern Shore, with more than 2,000 members. Our mission is to protect Maryland's Eastern Shore waterways through science-based advocacy, restoration, education, and engagement.

HB1388 would weaken protections and open specific existing oyster sanctuaries to harvest at a time when the science clearly demonstrates that sanctuaries are working and need additional investment, not rollback.

The Maryland Department of Natural Resources' 2025 stock assessment shows that in areas where restoration has occurred, adult oyster abundance has increased dramatically—by roughly 300–500 percent in several restored sanctuary systems. In fact, the highest number of oysters recorded anywhere in the Chesapeake Bay is currently within a sanctuary in the Little Choptank River. These gains are not theoretical. They are measurable, model-based results grounded in fishery-independent surveys and long-term monitoring.

At the same time, commercial harvest has rebounded to levels not seen since the 1980s, with recent dockside values exceeding \$20 million annually. Importantly, this resurgence has occurred while sanctuaries remain in place. **The data do not support the claim that sanctuaries suppress the fishery. Rather, they suggest that a balanced management portfolio—sanctuaries, public fishery areas, and aquaculture—can rebuild biomass while sustaining harvest.**

Peer-reviewed research also underscores the ecological risk of expanding harvest into protected areas. **Analyses of Maryland data demonstrate that dredging is associated with measurable loss of shell habitat (cultch), and that habitat losses can exceed removals from harvested oysters alone.** Oyster reefs are self-building habitat; when the structural shell is diminished, recruitment suffers and long-term productivity declines. Sanctuaries protect that three-dimensional reef structure and function as broodstock reserves, supplying larvae to the surrounding waters.

ShoreRivers

Scott Budden, Executive Director

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

shorerivers.org | 443.385.0511 | info@shorerivers.org

Most importantly, the Oyster Advisory Commission, on which I serve alongside four members of the Maryland General Assembly, is currently engaged in active discussions about how to address underinvested sanctuaries, particularly those that have not yet received adequate bottom preparation, shell planting, or large-scale seed deployment. The appropriate response to uneven performance is targeted investment and adaptive restoration, not opening these areas to harvest before their ecological potential is realized. **Because work within the OAC is ongoing, this legislation to address the issue is premature.**

Maryland has made significant progress rebuilding its oyster population through a science-based approach. HB1388 would reverse that progress by reducing the integrity of sanctuary protections, just as the stock assessment confirms that restoration works.

Accordingly, ShoreRivers respectfully **urges an unfavorable report on HB1388** and encourages the General Assembly to focus instead on sustained investment in sanctuary restoration to achieve similar gains throughout the Bay.

Thank you for your consideration.

Sincerely,



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

ArundelRiversUNFAVHB1388_oystersanctuaries.pdf

Uploaded by: Elle Bassett

Position: UNF



Testimony in OPPOSITION of House Bill 1388 – Oysters – Rotational Harvest – Pilot Program

Environment & Transportation Committee

March 4, 2026

Dear Chair Korman and Members of the Committee,

Thank you for the opportunity to submit testimony in **OPPOSITION OF HB1388**, on behalf of Arundel Rivers Federation. Deeply rooted in the South, West, and Rhode Rivers, Arundel Rivers Federation heals and protects our waterways and champions clean water across Maryland. Our vision is healthy waterways for all, and we achieve our mission through restoration, education and outreach, and Riverkeeper programs.

House Bill 1388 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 and community-invested sanctuary in Herring Bay.

Maryland established its oyster sanctuaries in 2010 as part of a comprehensive, three-part strategy to rebuild depleted oyster populations. By prohibiting harvest within sanctuary boundaries, oysters are able to grow larger and live longer, significantly increasing their reproductive output. These mature oysters release larvae that can disperse well beyond sanctuary borders, helping to repopulate surrounding waters. When disease affects oyster populations, the individuals that survive are able to reproduce, passing along the traits that enabled their survival. Over time, this natural selection process can foster greater genetic resistance to disease—an outcome already documented in Virginia. Sanctuaries also protect reef structure from destructive harvesting methods, such as power dredging, which can flatten and damage the three-dimensional habitat that oysters and many other species depend on.¹ Opening these areas to harvest, as required under House Bill 1388, would undermine these objectives and substantially diminish the likelihood of achieving these critical ecological benefits.

By definition, oyster sanctuaries are areas permanently protected from harvest. Their ecological value depends on minimizing disturbance, preserving adult breeding populations, and maintaining intact reef habitat—conditions that cannot be sustained under routine harvesting pressure. The Maryland Department of Natural Resources has previously recommended setting aside at least 20–30% of productive oyster habitat as no-harvest sanctuaries to meet ecological targets. It is unclear if by opening these sanctuaries to rotational harvest, other locations will be closed to harvest to maintain our percentage of productive oyster habitat in sanctuary. We recommend the state explore this concept within existing areas already open to the public as opposed to sanctuaries.

As a Commissioner on the Maryland Oyster Advisory Commission, I am respectfully asking you for an unfavorable vote on HB1388. The Commission is tasked with providing the Department with advice on matters related to oysters, reviewing and recommending changes to the management of oysters, and developing a consensus in recommendations for fishery management for oysters in the Bay. This bill directly undermines the efforts of the Commission, which is currently discussing a number of recommendations for how to reinvest in some of these specific sanctuaries.

Sincerely,

 Elle Bassett

South, West, and Rhode Riverkeeper

¹ 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.

HB1388-Unfavorable-AdvocatesForHerringBay.pdf

Uploaded by: Kathleen Gramp

Position: UNF

Testimony of the Advocates for Herring Bay (AHB)ⁱ
Regarding HB 1388—Oysters—Rotational Harvest—Pilot Program
Submitted by Kathleen Gramp, March 2, 2026

Unfavorable

The Advocates for Herring Bay (AHB) oppose provisions in HB 1388 that would allow rotational harvests on the Holland Point Bar in the Herring Bay Oyster Sanctuary. That change would jeopardize DNR’s plans for large-scale restoration in Herring Bay and remove sanctuary protections for community-sponsored projects like AHB’s “Happy Oysters, Healthy Bay” campaign that planted 10 million juvenile oysters in our Sanctuary in 2025. By taking the Holland Point Bar out of Sanctuary status, the bill would:

- stop restoration work on a Yates barⁱⁱ that is key to meeting Maryland’s oyster restoration commitments under the Chesapeake Bay Watershed Agreement (Bay Agreement);
- stifle private donations for oyster restoration by putting community investments at risk and eroding trust in Maryland’s commitment to protect sanctuaries; and
- slow progress toward state goals for revitalizing shallow-water habitats, which benefit from the three-dimensional structure of restored oyster reefs. Those reefs bolster the resilience of Herring Bay’s aquatic species as well as our crabbing and recreational fishing industries.

AHB urges the Committee to give HB 1388 an unfavorable report. The information below provides context for our opposition, including descriptions of past and planned oyster restoration efforts in Herring Bay, the Sanctuary’s role in achieving Maryland’s commitments under the Bay Agreement, and the harm posed by HB 1388 to successful restoration.

Background on Herring Bay

Recent restoration initiatives. Herring Bay is a sub-bay on the western shore of the Chesapeake that has a history of oyster abundance before the onset of overharvesting and disease (see Map 1). It was designated as an Oyster Sanctuary in 2010, but there was no investment in restoration until two local community groups—AHB and the Chesapeake Beach Oyster Cultivation Society—took the initiative to plant spat-on-shell on DNR-approved sites.

After documenting the success of a small test site in 2023,ⁱⁱⁱ community volunteers invested hundreds of hours and tens of thousands of our hard-earned dollars to plant 10 million juvenile oysters on a sanctuary site.^{iv} DNR has planted 86.5 million juvenile oysters in Herring Bay since 2023, about a third of which are on the Holland Point Bar.

Large-scale restoration plans. In 2024, DNR chose Herring Bay as one of three new sites for large-scale oyster restoration.^v That selection reflects Herring Bay’s abundance of hard bottom for reef habitat, relatively low risk of disease, and a location that could supply oyster larvae to other parts of the Bay. Given those features, DNR noted that the scale of restoration in Herring Bay could be larger than at the initial five tributary sites, the largest of which was 455 acres.

DNR is currently in the process of obtaining federal permits and conducting studies to implement the Herring Bay plan. Community groups like AHB will continue to partner with DNR to restore oyster habitat, but only if the state preserves Herring Bay’s status as a protected sanctuary.



Herring Bay's Importance to the Chesapeake Bay Agreement

Oysters. Herring Bay is a linchpin of Maryland's oyster restoration commitments under the 2025 Bay Agreement. That agreement calls for restoring 2,000 acres of oyster reef habitat by 2040,^{vi} with Maryland probably contributing at least half of that multi-state total. Herring Bay itself could provide close to half of Maryland's total if its restoration reaches the scale assumed by DNR.

Reaching the Herring Bay target will depend, in turn, on restoring oysters on the Holland Point Bar. Holland Point is one of the Sanctuary's largest Yates bars and accounted for about two-thirds of DNR's seed plantings in Herring Bay from 1961-2000.^{vii} AHB's own surveys have confirmed the presence of favorable bottom on Holland Point for planting oysters.

Habitat. Herring Bay could play a vital role in meeting the Bay Agreement's qualitative goals for improving "tidal shallow water fish habitat" and providing "ecosystem services benefits."^{viii} It is an ideal candidate for ecological investments for the same reasons it was designated by DNR and EPA as one of the state's first two "No Discharge Zones": its shallow waters and beaches provide important habitat for not only fish and crabs but also shorebirds, waterfowl, horseshoe crabs, and terrapins.^{ix}

Impacts of HB 1388

HB 1388 would override current law to open the Holland Point Bar for harvesting despite its status as a Yates bar in a sanctuary.^x It would establish two cycles for harvesting, one starting in the 2026/2027 oyster season and another in the 2029/2030 season. DNR would be directed to collect data on the area's water quality, habitat conditions, and features like sedimentation before and after the pilot program.

HB 1388 is effectively a stop-work order on DNR's efforts to begin large-scale restoration in Herring Bay. It would force DNR to devise new restoration plans and focus on commercial harvesting instead. Harvesting could continue well beyond 2030 to allow oysters planted in 2029/2030 to mature.

Disrupting the timeline for DNR's large-scale plantings and impeding access to Holland Point would be a major setback not only for oyster restoration but for achieving Maryland's broader environmental goals. For example, it would:

- **Jeopardize Maryland's ability to meet its 2040 acreage commitment.** HB 1388 casts doubt on when—or if—Holland Point could be included in Maryland's plans for 2040. Holland Point alone probably is equivalent in size to some recent tributary projects, which suggests that restoring it or alternative sites would take several years to complete. Uncertainty about where and when restoration can occur in Herring Bay would delay investments and reduce their cost-effectiveness by adding costs for pursuing piecemeal alternatives.
- **Jeopardize private funding for restoration.** Residents and businesses have donated hundreds of thousands of dollars for restoration projects across the Bay, based on their trust in state laws that prohibit harvesting oysters on Yates bars in sanctuaries. If Maryland abruptly revokes an area's sanctuary protections—even temporarily—then the oysters funded by private donations are at risk of being wiped out by unintended harvesting errors or theft by poaching. Donors who have funded restoration will stop if they think their money will be wasted.
- **Jeopardize progress in revitalizing Herring Bay's shallow-water habitat.** Herring Bay's residents and maritime economy rely on the health of its shallow-water habitats. Sanctuary projects give Herring Bay something that harvesting will not: three-dimensional reef structures that promote the growth and diversity of aquatic species.^{xi} That's why neighbors as well as local

marinas and businesses supported AHB’s “Happy Oysters, Healthy Bay” campaign. HB 1388 would do the opposite, thwarting investments in ecologically beneficial oyster restoration on the Holland Point Bar, to the detriment of the Chesapeake Bay and our local communities.

Finally, Herring Bay doesn’t need a pilot program to determine whether oysters will grow there. The 96 million juvenile oysters that have already been planted are sufficient for a study of the oysters’ ecological benefits. If the oyster industry needs pilot projects to study how harvesting affects siltation or sedimentation, we recommend that those studies be done in areas that are already open to commercial harvesting.

In closing, **AHB recommends an unfavorable report for HB 1388.** Thank you for considering our views.

ⁱ The Advocates for Herring Bay (AHB) is a community-based environmental group in Anne Arundel County.

ⁱⁱ See Natural Resources Article §4-11A-01(r). Yates bars were identified in survey conducted from 1906-1912.

ⁱⁱⁱ See [Promising Survey Results, January 2023](#) and [Oyster Cam Results in 2024](#).

^{iv} See [AHB news-June 2025](#), a profile in [Chesapeake Magazine in June 2025](#), and [AHB news-Oct. 2025](#).

^v See [DNR announces next three large scale oyster restoration sanctuaries](#), October 9, 2024.

^{vi} See [2025 Bay Agreement](#), page 10. Based on its share of the previous tributary plan, AHB assumes that Maryland probably would plant at least half of that total.

^{vii} See [Map of historical plantings](#).

^{viii} See 2025 Bay Agreement, page 10.

^{ix} See [Description of Herring Bay No Discharge Zone](#).

^x Natural Resources Article §4-1014 and COMAR 08.02.04.15(B) prohibit the harvesting of wild oysters from sanctuaries. Under Natural Resources Article §4-11A-07, aquaculture leases cannot be within 150 feet of a Yates bar.

^{xi} See [Natural Architecture of Oyster Reefs Maximizes Recruit Survival](#) and [Effects of Harvest on Bottom Habitat and Recruitment of Oysters](#).

HB1388_DNR_OPP_ENT_3-4-26.pdf

Uploaded by: Lydia McPherson

Position: UNF



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

March 4, 2026

BILL NUMBER: **HOUSE BILL 1388 - FIRST READER**

SHORT TITLE: **OYSTERS-ROTATIONAL HARVEST - PILOT PROGRAM**

DEPARTMENT'S POSITION: **OPPOSE**

EXPLANATION OF DEPARTMENT'S POSITION

The Department opposes House Bill 1388.

The bill requires the rotational opening of bars within the lower Choptank River, lower mainstem of the Bay, Herring Bay, and the lower Chester River. These areas are currently designated as oyster sanctuaries and closed to harvest.

General Considerations/Issues

Rotational harvest is a management strategy that allows for a sustainable fishery while maintaining the reef habitat. Generally, there is a three-year rotation following harvesting, which allows spat to reach market size.

There are certain criteria that must be met by a rotational harvest area. For a reef to generate a harvestable stock, there must be consistent recruitment to replace the oysters that have been harvested. Recruitment requires appropriate environmental conditions, particularly sufficient salinity. Adequate substrate (cultch) that is available for the oyster larvae to set on (i.e. clean, hard substrate) is a necessity, as is a concentration of broodstock as a source of larvae.

Virginia, for example, has a successful rotational harvest program. After the harvest season ends, the bar is replenished with shell, after which it remains closed for three years before being reopened. The key to the program is that it is conducted in higher salinity areas with consistent recruitment and plentiful cultch to plant on the harvested locations. On the other hand, spatsets in Maryland are generally inconsistent and unpredictable, due to the lower and more dynamic salinity regimes, especially in the upper regions of the bay. Lacking the above criteria, the proposed areas are generally in poor condition recruitment and habitat-wise and not suitable for a rotational harvest; there would be no benefit to the proposed program.

As written, each harvester is required to plant a bushel of oyster shell on the bar for each bushel of oysters harvested. It is unclear how this provision could be enforced without visual NRP presence for the planting. The department consults with the county oyster committees to determine areas to plant shell or spat on shell on public fishery bars. This work is implemented by the department with funds from the severance tax and bushel tax.

Contact: Lydia McPherson, Director, Legislative and Constituent Services
lydia.mcpherson1@maryland.gov ♦ 410-260-8113 (office) ♦ 443-875-7785 (cell)

One of the compelling arguments for creating larger, multi-bar sanctuaries was to make them easier for compliance and enforcement. Earlier sanctuaries were originally individual bars or parts of bars that were difficult to conserve. The proposal to allow harvesting on individual bars within larger sanctuaries creates holes within the sanctuary that compromises enforcement.

The Department already operates a rotational harvest program in consultation with the county oyster committees which includes planting shell, seed, and spat-on-shell on harvest areas and in some cases periodically closing and opening them to maximize harvest potential, in consultation with the appropriate county committee. It may be difficult to find good bottom in the sanctuaries identified to plant and sustainably harvest that has not already been part of the restoration program and there are certainly good areas already in the public fishery outside of sanctuaries that are being underutilized and would probably be more beneficial areas to consider. For example, planting shell in the Chester River or Chesapeake Bay Mainstem are not likely to result in a positive return on investment in most years and the ability to harvest what oysters may be present would not be replaced in the three year time frame proposed due to the rates of recruitment observed in most years.

The Oyster Advisory Commission (OAC) was created by the General Assembly in 2019 to advise DNR and the Governor on oyster fishery management, aquaculture, and restoration policy. This is to serve as a balanced forum for collaboration of varying interest groups aiming to reduce conflict, rely on science, and coordinate restoration and harvest decisions. The OAC is currently discussing recommendations for sanctuaries that are not performing well as they have not received restoration action and funding to date. This process began in January 2026 and includes rotational harvest for consideration in these specified areas. As the OAC was created for just this purpose- recommendations on issues such as oyster sanctuaries, fishery management plans, and restoration strategies, it is the Department's recommendation that we continue the work at the OAC and not circumvent the established advisory body.

Sanctuary-Specific Issues

Lower Chester River Sanctuary – Hickory Thicket and Huntingfield Bars

These bars are located in a low recruitment area and cannot maintain sustainable harvests. Nearby Swan Point bar, which is a Key Spat Index bar, has a 41-year recruitment average of 0.4 spat/bu. with a median count of 0.0 spat/bu. Over a span of 30 years, spat were observed in only two of those years; the counts ranged from 1 to 2 spat/bu. The 41-year average of Spat Indexes (which includes all 53 Key Spat Index bars) is 42.2 spat/bu.

A study on Swan Point conducted from 2010 to 2015 showed that when an area was opened to power dredging, the natural oyster population was rapidly depleted by the first season. Little harvest took place in season two and none in seasons three through five. Although the rationale for power dredging was to bring up shell out of the bottom, there was no evidence that this occurred, and there was no recruitment to sustain the population. Essentially, the area was abandoned once the oyster population dropped below economic viability for harvesting. The same can be expected for the proposed bars.

Replenishing shell would not be effective because of the lack of recruitment and would be a waste of an increasingly scarce and valuable resource that can be put to better use in higher spatset areas. A pilot project on Strong Bay bar to construct four large shell mounds planted with seed oysters never resulted in improved recruitment. This bar is in the lower Chester sanctuary immediately south of the proposed bars in this bill.

Note that the two Maryland oyster benchmark stock assessments from 2000 and 2005 found that the oyster population in this region was below the minimum abundance threshold reference point and is technically considered to be “overfished” although it is in a sanctuary.

Herring Bay Sanctuary – Holland Point bar

This bar is located in a low recruitment area and cannot maintain sustainable harvests. Holland Point bar, which is a Key Spat Index bar, has a 41-year recruitment average of 1.1 spat/bu. with a median count of 0.0 spat/bu. No spat were observed in 32 of those years. Replenishing shell would not be effective because of the lack of recruitment and would be a waste of an increasingly scarce and valuable resource that can be put to better use in higher spatset areas.

Based on previous surveys, the only areas on this bar with meaningful densities of oysters are those that have received spat-on-shell plantings using Capital Funds. This restricts them from any action for 17 years. Holland Point bar is also a Disease Index bar, which relies on these plantings as a source for obtaining samples for monitoring disease, since the natural population density outside of these plantings is extremely low.

In addition, the Department has prioritized Herring Bay sanctuary as one of the next three areas for large-scale restoration efforts. There already are multiple areas within the sanctuary that have been submitted for restoration construction by the Department.

Maintaining these relatively small plantings would be an enforcement problem that could compromise these restoration efforts and disease monitoring - this is the only such site on the Western Shore for miles.

Lower Choptank Sanctuary – Three bars (TBD)

Recruitment in this region is generally low and inconsistent, and is not sustainable on a rotational basis. Within the adjacent Sandy Hill sanctuary, the Sandy Hill Key Spat Index bar had a 41-year recruitment average of 15.9 spat/bu., with a median count of 2.0 spat/bu. Zero or single digit spat occurred in 80% of the years, which included an uninterrupted span of 23 years.

The proposal to allow harvesting on individual bars within this creates holes within the sanctuary that compromises enforcement. This problem is particularly acute in this sanctuary because of the closely spaced bars in the sanctuary and the adjacent Sandy Hill sanctuary.

Lower Mainstem Bay East Sanctuary – Three bars (TBD)

Located in a higher salinity regime, recruitment in this area can be good and fairly consistent. Recruitment at a site on Northwest Middleground where a shell planting was made in 2002 had a 23-year average of 148.4 spat/bu. with a median count of 92.0 spat/bu. Since 2015, only two years had spat counts under 100 spat/bu. According to a sanctuary-wide survey conducted in 2024, the supplemental disease monitoring site on Northwest Middleground is one of the few locations within this sanctuary where an appreciable were found. This is the only disease sentinel site in the lower bay mainstem east of the channel. As such, it should remain off limits to harvesting. Because it is a deeper site, it also serves as an indicator of low dissolved oxygen incursions from the pool of hypoxic waters that forms in the bay each summer. Although spatset has good potential in this area, the scarcity of harvestable oysters and cultch throughout much of the sanctuary make this area a poor choice for a rotational harvest program.

Located towards the middle of the bay, the remoteness of this sanctuary could be an enforcement issue if part of it was opened to rotational harvesting.

BACKGROUND INFORMATION

Natural Resources Article, Section 4-215 required a consensus process through the Oyster Advisory Commission to examine the Oyster Fishery Management Plan before changes to sanctuaries could be considered. An amendment to the Oyster Fishery Management Plan was adopted in December 2023, following the completion of that process. The agency is currently working through the Oyster Advisory Commission to review various oyster bottom use within the Chesapeake Bay. One goal of the discussions through this process would be to determine areas that would best be used as rotational harvest areas as rotational harvest areas are one of the goals in the plan.

BILL EXPLANATION

This bill charges the Department to establish a 5-year rotational oyster harvest pilot program in selected portions of four existing oyster sanctuary areas. The bill requires baseline and post-harvest monitoring requirements before/after openings of Bay areas for harvest. Harvesters would be required to replace one bushel of shell for every bushel of oysters taken.

HB 1388 - Environmental Advocates - UNF.pdf

Uploaded by: Matt Stegman

Position: UNF

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.¹ 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.² 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.

¹ 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.

² 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,

Maggie Ostdahl
National Aquarium

Liz Curtz
Friends of St. Clements Bay

Marisa Olszewski
Maryland League of Conservation Voters

Brad Knopf
Magothy River Association

Randy Lyon
Sierra Club Maryland Chapter

Marc Imlay
Friends of Ruth B. Swann Park

Adam Lindquist
Waterfront Partnership of Baltimore

Bob Lewis
Lexington Park, Maryland

Nick Iannacone
Living Classrooms Foundation

Lani Hummel
Annapolis, Maryland

David Sikorski
Coastal Conservation Association Maryland

Olivia Fey
Severna Park, Maryland

Jim Brown
Audubon Mid-Atlantic

Andrea Youngk
Annapolis, Maryland

Mark Southerland
Vernal Pool Partners

Jennifer Collins
Ellicott City, Maryland

Peter Alexander
Indivisible HoCoMD

Jacqueline Christie
Annapolis, Maryland

Justin Dwight
Advocates for Herring Bay

Cady Gorsak
Lusby, Maryland

Susan Alexander
Chesapeake Beach Oyster Cultivation Society

Jonal Hessels
Baltimore, Maryland

Elle Bassett
Arundel Rivers Federation

Thomas Straehle
Westminster, Maryland

Emma Ewing
St. Mary's River Watershed Association

Gwynn Dujardin
Annapolis, Maryland

Fred Milhiser
Friends of St. Clements Bay

P. Michael Cunningham
Annapolis, Maryland

Robert Curry
Churchton, Maryland

Vicki Saporta
Annapolis, Maryland

Ruth Auerbach
Columbia, Maryland

David Hutton
St. Michaels, Maryland

Deanna Bauerlein
Bowie, Maryland

Bill Berry
Waldorf, Maryland

Cheryl Duvall
Annapolis, Maryland

Pamela Ficca
Silver Spring, Maryland

Kristy Weight
Arnold, Maryland

Chris Coelho
Arnold, Maryland

John Bahen
Arnold, Maryland

Mark Abruzzo
Arnold, Maryland

Oren Sheinman
Arnold, Maryland

Ed Francia
Severna Park, Maryland

Ron Hartman
Elkton, Maryland

Robert Ferguson
Severna Park, Maryland

Charles Dankmeyer
Arnold, Maryland

Daniel Power
Cape St. Claire, Maryland

James Kneale
Severna Park, Maryland

March K. Bishop
Arnold, Maryland

Susan K. McDonough
Arnold, Maryland

Michale Replogle
Severna Park, Maryland

Ellen Berlinghof
Arnold, Maryland

Rhonda Feuer
Arnold, Maryland

Robert Wilkins
Arnold, Maryland

Laurie Alexander
Arnold, Maryland

Mark Mendelsohn
Arnold, Maryland

Jeffrey Mahler
Arnold, Maryland

Dorothy Birch
Solomons, Maryland

Alex Lynde
College Park, Maryland

Joanie Bradford
Odenton, Maryland

Timothy Delaney

Marcus LaChapelle

Rob Hooper

Chris Hopkinson

Richard Sutton

Doris Garrell

Steven Steimel

HB 1388 - Oyster Gardeners - UNF.pdf

Uploaded by: Matt Stegman

Position: UNF

March 4, 2026

House Environment and Transportation Committee
Room 251
House Office Building
Annapolis, Maryland 21401

RE: House Bill 1388 – Oysters – Rotational Harvest – Pilot Program

Position: **OPPOSE**

Dear Chairman Korman and Members of the Committee:

Thank you for the opportunity to provide testimony on House Bill 1388. We, the undersigned, represent the thousands of oyster gardeners participating in community-based restoration of the Bay's oyster resource each year.

The Chesapeake Bay Foundation's Maryland Oyster Gardening Program and the Department of Natural Resources' (DNR) Marylanders Grow Oysters Program were established to empower local citizens who wanted to make a difference in recovering the Bay's oyster populations. Each year, oyster gardeners receive several thousand oyster spat to grow out in cages hanging from their docks or on their property. Oyster gardeners tend these cages carefully during the growing season, cleaning off excess algae, removing sediment and ensuring the oysters are growing well. This close care and dedication pays off at the end of the season when these oysters are collected and placed in oyster sanctuaries throughout the Bay.

Through these innovative programs, oyster gardeners have planted more than 25 million oysters on sanctuary bars throughout Maryland waters. Because these oysters are grown for a year in a protected environment, they are of larger size when placed on sanctuary reefs. This affords them higher survival, greater reproductive capacity, and higher filtration rates than smaller oysters.

Oysters are the Bay's most prodigious filters and an important keystone in the ecosystem. They provide habitat to other fish and shellfish species, they clean our water, and they reduce nutrient pollution. That is why we dedicate countless hours to the care and husbandry of our oyster 'gardens.'

House Bill 1388 would require DNR to open the Lower Chester, Lower Choptank, Herring Bay, and Lower Mainstem oyster sanctuaries to harvest, which includes areas that have received annual plantings by oyster gardeners. While smaller in scale than state-supported restoration projects, we believe our significant investments of time and effort deserve protection from harvest. Before targeting sanctuaries, which have received significant restoration investment from watershed organizations and oyster gardeners, we urge the state to direct any investigations into the value of rotational harvest to the more than 300,000 acres of Maryland's bay bottom currently open to harvest. Protecting these sanctuaries from harvest would allow the oysters to grow, reproduce, and create self-sustaining populations that are so critical to the oyster's recovery.

We urge the Committee to protect the investments of the hundreds of Maryland citizens contributing to oyster restoration annually, and we respectfully request an unfavorable report on House Bill 1388.

Sincerely,

Kendall Kelly
Baltimore, MD

Julie Kurland
Takoma Park, MD

Marjory Gibson
Annapolis, MD

Allison Dinwoodie
Baltimore, MD

Ryan Butts
Carney, MD

Ben Carroll
Carney, MD

Ralph Montfort
Bethesda, MD

Tim Hucko
Hollywood, MD

Jeannie Hucko
Hollywood, MD

Jon Lawrence
Shady Side, MD

Jill King
Annapolis, MD

Steve Durante
West River, MD

Lizz Durante
West River, MD

Jennifer Welch
Saint Leonard, MD

Jessie Birndorf
Dundalk, MD

Robert Tapbergenov
Halethorpe, MD

Patti Child
Severna Park, MD

Stephen Metzler
Deale, MD

Amber Metzler
Deale, MD

David Smith
Churchton, MD

Ruby Maghoney
Baltimore, MD

Deborah Roderick Stark
Harwood, MD

James Foster
Shady Side, MD

Abigail Thorton
Baltimore, MD

Emma Hester
Baltimore, MD

Raymond Zepka
Baltimore, MD

Jenna Caruso
Baltimore, MD

Allison Dammer
Baltimore, MD

Maeve McNeil
Baltimore, MD

Madison Tina
Baltimore, MD

Katherine Hancin
Baltimore, MD

Kayla Baker
Baltimore, MD

Lauren Tillage
Baltimore, MD

Gabriel Gomez
Baltimore, MD

Andrew Norman
Baltimore, MD

Molly Suplee
Baltimore, MD

Marcia Diehl
Takoma Park, MD

Nancy Cohen
Takoma Park, MD

Roger McGary
Takoma Park, MD

Benjamin Petre
Severna Park, MD

Gregory Wolfe
Severna Park, MD

Gina Friel
Grasonville, MD

Nicole Love
Shady Side, MD

Jeffery Love
Shady Side, MD

Dr. Hiram Larew
Churchton, MD

David Redford
Annapolis, MD

Deirdre McMahon
Shady Side, MD

James Foster
Shady Side, MD

Michael Schaetzle
Baltimore, MD

Thomas Smith
Baltimore, MD

David V. Way
Shady Side, MD

Ruth Sanchez-Way, PhD
Shady Side, MD

Jason Goodman
Lake Shore, MD

Stanley Watkins
Annapolis, MD

Bruce Ogden
West River, MD

Jill Segraves
West River, MD

Robert Potter
Arnold, MD

Chris Moe
Lusby, MD

Don Adams
Reisterstown, MD

David Johnson
Severna Park, MD

Jon Coile
Shady Side, MD

Terese Schlachter
Shady Side, MD

Larry Pendleton
Rockville, MD

Csilla Szabo
Severna Park, MD

Michael Erdos
Severna Park, MD

Mike Krissoff
Annapolis, MD

Tom Sachse
West River, MD

Michael Ryan
Baltimore, MD

Cary Kelly
Baltimore, MD

Dan Bacot
Annapolis, MD

Claus Nicklas
West River, MD

Cate Bower
West River, MD

Cecilia Callahan
Lutherville, MD

Fred Schober
Annapolis, MD

Ray Quinnette
Abell, MD

Jan Goessing
West River, MD

Susanne Goessing
West River, MD

Paul Merena
Westminster, MD

Girl Scout Troop 1348
Central Maryland

Brownlee Kiernan
Grasonville, MD

Johnny Schultz
Baltimore, MD

Andrea Sloan
Rock Hall, MD

Andrew Sloan
Rock Hall, MD

Robert Cardoni
Catonsville, MD

Victoria Cardoni
Catonsville, MD

Henry Smith
Tracys Landing, MD

Mary Kay Page
Baltimore, MD

Maximilian Schneider
Baltimore, MD

Katelyn Brown
Baltimore, MD

HB1388 - Letter on Behalf of Girl Scout Troop 1348

Uploaded by: Matt Stegman

Position: UNF

Dear Honorable Committee Members,

I am writing to respectfully express my deep concerns regarding House Bill 1388 (HB1388) — Oysters – Rotational Harvest – Pilot Program. This bill proposes a five-year rotational harvest pilot program for oysters in several designated areas of the Chesapeake Bay.

While I appreciate the intent to explore new approaches to oyster harvest, I believe HB1388 as written is detrimental to the long-term health and sustainability of the Chesapeake Bay ecosystem and its oyster population.

Scientific research and decades of restoration efforts have shown that oyster sanctuaries and protected reef systems are critical not only for oyster recovery but for overall Bay health. Oysters play a vital ecological role as natural water filters — improving water quality, providing habitat for fish and other aquatic species, and supporting commercial and recreational fishing industries. Disturbing these reefs, even under a rotational harvest pilot, risks undermining the very gains that restoration programs have worked hard to achieve.

Permitting harvest in areas that have historically served as reefs — even cyclically — can disrupt oyster breeding and reef infrastructure, jeopardizing long-term population stability. Moreover, oyster reefs take many years to develop; repeated harvesting cycles could prevent reefs from ever reaching ecological maturity.

On a personal note, my daughter's Girl Scout troop is currently working toward their Bronze Award through oyster gardening in partnership with the Chesapeake Bay Foundation. These young girls are learning firsthand about conservation, stewardship, and the importance of rebuilding oyster populations to improve water quality. HB1388 directly undermines the very goals they are working toward. It is disheartening to see students investing time and effort into restoring the Bay while state policy considers actions that could reverse that progress.

Instead of prioritizing short-term harvest opportunities, Maryland should continue focusing on proven restoration strategies that protect and rebuild oyster habitat, bolster water quality, and support sustainable aquaculture practices. These efforts are essential not only for the Bay's ecological integrity but also for the economic stability of watermen, tourism, and coastal communities that depend on a healthy Chesapeake Bay.

I urge you to carefully consider the environmental implications of HB1388 and to support policies that prioritize oyster restoration, habitat protection, and long-term sustainability over expanded harvest that could weaken the Bay's resilience.

Thank you for your time, consideration, and your service to the people and natural resources of Maryland.

Respectfully,

Paul Merena

OPP to HB1388- Cardoni Family.pdf

Uploaded by: Matt Stegman

Position: UNF

March 1, 2026

House Environment and Transportation Committee
Room 251
House Office Building
Annapolis, Maryland 21401

RE: House Bill 1388 – Oysters – Rotational Harvest – Pilot Program

Position: **OPPOSE**

Dear Chairman Korman and Members of the Committee:

Thank you for the opportunity to provide testimony on House Bill 1388. We, the undersigned, represent the thousands of oyster gardeners participating in community-based restoration of the Bay's oyster resource each year.

The Chesapeake Bay Foundation's Maryland Oyster Gardening Program and the Department of Natural Resources' (DNR) Marylanders Grow Oysters Program were established to empower local citizens who wanted to make a difference in recovering the Bay's oyster populations. Each year, oyster gardeners receive several thousand oyster spat to grow out in cages hanging from their docks or on their property. Oyster gardeners tend these cages carefully during the growing season, cleaning off excess algae, removing sediment and ensuring the oysters are growing well. This close care and dedication pays off at the end of the season when these oysters are collected and placed in oyster sanctuaries throughout the Bay.

Through these innovative programs, oyster gardeners have planted more than 25 million oysters on sanctuary bars throughout Maryland waters. Because these oysters are grown for a year in a protected environment, they are of larger size when placed on sanctuary reefs. This affords them higher survival, greater reproductive capacity, and higher filtration rates than smaller oysters.

Oysters are the Bay's most prodigious filters and an important keystone in the ecosystem. They provide habitat to other fish and shellfish species, they clean our water, and they reduce nutrient pollution. That is why we dedicate countless hours to the care and husbandry of our oyster 'gardens.'

House Bill 1388 would require DNR to open the Lower Chester, Lower Choptank, Herring Bay, and Lower Mainstem oyster sanctuaries to harvest, which includes areas that have received annual plantings by oyster gardeners. While smaller in scale than state-supported restoration projects, we believe our significant investments of time and effort deserve protection from harvest. Before targeting sanctuaries, which have received significant restoration investment from watershed organizations and oyster gardeners, we urge the state to direct any investigations into the value of rotational harvest to the more than 300,000 acres of Maryland's bay bottom currently open to harvest. Protecting these sanctuaries from harvest would allow the oysters to grow, reproduce, and create self-sustaining populations that are so critical to the oyster's recovery.

We urge the Committee to protect the investments of the hundreds of Maryland citizens contributing to oyster restoration annually, and we respectfully request an unfavorable report on House Bill 1388.

Sincerely,
Robert & Victoria Cardoni

Catonsville, Maryland

OPP to HB1388- Gina Friel.pdf

Uploaded by: Matt Stegman

Position: UNF

March 4, 2026

House Environment and Transportation Committee
Room 251
House Office Building
Annapolis, Maryland 21401

RE: House Bill 1388 – Oysters – Rotational Harvest – Pilot Program

Position: **OPPOSE**

Dear Chairman Korman and Members of the Committee:

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We urge the Committee to protect the investments of the hundreds of Maryland citizens contributing to oyster restoration annually, and we respectfully request an unfavorable report on House Bill 1388.

Sincerely, Gina Friel

OPP to HB1388- Jon Lawrence.pdf

Uploaded by: Matt Stegman

Position: UNF

March 4, 2026

House Environment and Transportation Committee
Room 251
House Office Building
Annapolis, Maryland 21401

RE: House Bill 1388 – Oysters – Rotational Harvest – Pilot Program

Position: **OPPOSE**

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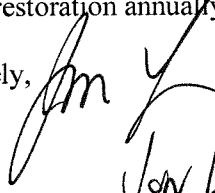
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Sincerely,



Jon Lawrence

1228 Hayes Road, Shady Side MD

OPP to HB1388- Paul Merena.pdf

Uploaded by: Matt Stegman

Position: UNF

March 4, 2026

House Environment and Transportation Committee
Room 251
House Office Building
Annapolis, Maryland 21401

RE: House Bill 1388 – Oysters – Rotational Harvest – Pilot Program

Position: **OPPOSE**

Dear Chairman Korman and Members of the Committee:

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We urge the Committee to protect the investments of the hundreds of Maryland citizens contributing to oyster restoration annually, and we respectfully request an unfavorable report on House Bill 1388.

Sincerely,
Paul Merena
Westminster, Maryland

OPP to HB1388- Robert Potter.pdf

Uploaded by: Matt Stegman

Position: UNF

March 4, 2026

House Environment and Transportation Committee
Room 251
House Office Building
Annapolis, Maryland 21401

RE: House Bill 1388 – Oysters – Rotational Harvest – Pilot Program

Position: **OPPOSE**

Dear Chairman Korman and Members of the Committee:

Thank you for the opportunity to provide testimony on House Bill 1388. We, the undersigned, represent the thousands of oyster gardeners participating in community-based restoration of the Bay's oyster resource each year.

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We urge the Committee to protect the investments of the hundreds of Maryland citizens contributing to oyster restoration annually, and we respectfully request an unfavorable report on House Bill 1388.

Sincerely,
Robert F. Potter

133 Severn Way
Arnold, Maryland 21012

OPP to HB1388- William Whitman.pdf

Uploaded by: Matt Stegman

Position: UNF

March 4, 2026

House Environment and Transportation Committee
Room 251
House Office Building
Annapolis, Maryland 21401
RE: House Bill 1388 – Oysters – Rotational Harvest – Pilot Program

Position: OPPOSE

Dear Chairman Korman and Members of the Committee:

Thank you for the opportunity to provide testimony on House Bill 1388. I am one of the thousands of oyster gardeners participating in community-based restoration of the Bay's oyster resource each year. It is well documented that oysters are *the* keystone species in Chesapeake Bay, on which the entire ecosystem depends. Extensive oyster reefs were the filter of the bay waters, allowing underwater grasses to grow and providing habitat for countless species. Currently only 1 to 2 percent of the original population remains.

House Bill 1388 would require DNR to open the Lower Chester, Lower Choptank, Herring Bay, and Lower Mainstem oyster sanctuaries to harvest, which includes areas that have received annual plantings by oyster gardeners. I feel strongly that our significant investments of time and effort deserve protection from harvest. These protected sanctuaries must be maintained to at least make a start to true oyster recovery.

It is beyond comprehension that we insist on trying to save the Maryland wild harvest at the expense of the recovery of oysters in the Chesapeake. An article that ran in the Baltimore Sun, Capital and other media appeared recently with the following discussion:
Eastern Shore lawmakers say a combination of factors — prolonged freezing weather, weak demand and growing competition from out-of-state oysters — devastated the winter harvest. State Sen. Johnny Mautz, R-Middle Shore, said the normal Thanksgiving-to-Christmas peak selling period largely vanished. That is prime time oyster sales. This year, it just did not exist," Mautz said. "There has not been a demand to buy Maryland oysters."

Why on earth would we think opening sanctuaries to oyster harvest is an answer?

We urge the Committee to protect the investments of the Maryland citizens contributing to oyster restoration annually, and we respectfully request an unfavorable report on House Bill 1388.

Sincerely,

William H. Whitman

HB 1388 Oysters - Rotational Harvest - Pilot Progr

Uploaded by: Michelle Dietz

Position: UNF

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.**