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**RECREATIONAL ANGLERS  
WORKING TO CONSERVE, PROMOTE, AND ENHANCE MARYLAND'S  
MARINE RESOURCES**

February 28, 2018

To: Honorable Kumar P. Barve, Chair  
Honorable Dana Stein, Vice-Chair  
Honorable Members of the House Environment and Transportation Committee

Re: **HB 1174** Natural Resources –Oysters –Tolerance for Seafood Dealers

CCA Maryland Position: **Unfavorable**

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As the DLS Policy Analysis clearly describes, the handling of oysters during their harvest is carefully defined to minimize the negative impact of the harvesting of clumps of oysters and spreading of shell off the bar it was harvested on. This is for the good of the industry that will depend on small oysters growing to market size of 3 inches next year. Moreover, it is a violation to take a single oyster off that bar unless it measures 3” or is under 1” and detaching that fragile seed oyster would likely kill it anyway. Notice there is no allowance in the harvest for a single oyster under 3” to be taken. It simply measures 3” or goes back in the water to grow until it reaches that size.

In January 2014, a high-profile case was made by Natural Resources Police, when a tractor trailer was inspected in the Walmart parking lot in Easton. The truck was transporting oysters. The article posted on the DNR website states\*\*:

*“Officers found that the truck contained 188 bushels of oysters. Working by the light of their vehicle headlights, 17 officers and cadets measured every oyster, an operation that lasted more than six hours.*

*All but one of the bushels contained oysters below the legal minimum of three inches. The percentage of undersized oysters in each bushel ranged from six percent to 46 percent, which is beyond Maryland’s five-percent tolerance level. That made 187 bushels illegal.*

*The tractor-trailer load represents the daily limit of 16 oystermen power dredging and is worth more than \$8,000, according to the Department of Natural Resources Fisheries Service.”*

The poaching of undersized oysters is already a problem in Maryland, that only increases as populations continue to decline. This bill will simply create a loophole which will encourage harvesters to break the law and harvest small oysters as standard practice, and be safe from enforcement once they arrive at a dealer.

**CCA Maryland respectfully requests that you provide an unfavorable report on HB 1174.**

\*\* <http://news.maryland.gov/dnr/2014/01/16/nrp-seizes-va-tractor-trailer-carrying-50-bushels-of-undersized-oysters/>

