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COASTAL
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MARYLAND

RECREATIONAL ANGLERS FIGHTING FOR MARYLAND'S MARINE RESOURCES

March 4, 2015

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

Re: House Bill 638 Natural Resources - Oysters – Shell Seeding, Shell Replenishment, and
Rotational Harvest
CCA Maryland Position: **Oppose**

CCA Maryland strongly opposes a favorable report from the House Environment and Transportation Committee on House Bill 638.

At its most basic level, this Bill overlooks the basic and critical fact that oysters belong to all of Maryland's citizens and not just the commercial industry that harvests this public resource for private gain and profit. While proponents state the underlying purpose is to enhance oyster populations so they may be used to help reduce the impact of nitrogen, phosphorus and sediment in the Bay and thus reduce the financial and regulatory burden of the Chesapeake Bay TMDL, the hard facts and available data shown that while a worthy goal this legislation would in fact harm water quality. CCA Maryland believes that oysters can and should be a critical part of addressing our Bay's water quality issues and the TMDL- but their wholesale harvest by industry is not how that should or could be accomplished.

As will be discussed in oral testimony this Bill would effectively undue decades of progress, significant investment in science and stewardship practices and would literally turn management of a public resource over to an industry with no accountability. It is CCA Maryland's belief that all of provisions of the Bill are simply untenable, including these key matters:

- The elimination of all oyster sanctuaries except four. These sanctuaries are, in most cases, thriving without the "help" of the commercial industry. Hundreds of thousands of dollars in public and private investment would literally be harvested by the commercial industry in one to two years;

- The transfer of all management authority over oyster harvesting would be shifted to the commercial industry itself, with DNR required to implement regulations as directed by the industry. CCA Maryland isn't certain how these provisions could even pass basic constitutional and legal muster;
- Virtually eliminates all support and opportunities for Maryland's nascent aquaculture industry by eliminating funding and placing management in the hands of the public fishery; and
- The Bill has no basis whatsoever in fisheries science and sound ecological management principals.

Recreational anglers and a healthy ecosystem depend on intact oyster bars with vertical relief rising above the sand and mud bottom of the Bay. Anglers don't fish in random spots on the Bay- they go where the fish are- the intact oyster reefs. Without healthy oyster bars and the vertical relief they provide, Maryland loses the valuable fish habitat that both recreational and commercial anglers depend on, not to mention the critical role oysters play as a foundation of the Bay's ecosystem.

As stated on Page 8 of the Fiscal and Policy Note, this Bill could result in "a short-term increase in oystermen entering the fishery to power dredge and in the amount of oysters harvested, but the increase is expected to not be sustainable beyond two years and to lead to a long-term decline in oyster harvest and associated special fund revenues." That statement clearly sums up what would result should this Bill advance- a "wild west" rush to harvest all oysters that would leave our Bay in a much worse situation than it is now. We can have a Bay that supports sustainable oyster populations and a viable commercial industry; this Bill does not provide that opportunity.

Therefore, CCA Maryland strongly urges you to provide an unfavorable vote on House Bill 638.