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

February 18, 2016

*Via email only to [abbie.hopkins@usace.army.mil](mailto:abbie.hopkins@usace.army.mil)*

Ms. Abbie Hopkins  
ATTN: CENAB-OPR-M  
Baltimore District, Corps of Engineers  
P.O. Box 1715  
Baltimore, MD 21203-1715

RE: Comment of Coastal Conservation Association Maryland  
MDNR/Fisheries Service/Man O' War Shoal Shell Dredging  
2009-61802-M04  
Maryland Tidal Wetlands License No. 15-WL-0757

Dear Ms. Hopkins:

On behalf of its more than 1,600 members statewide, Coastal Conservation Association Maryland ("CCA Maryland") is pleased to provide this comment adamantly opposing the Maryland Department of Natural Resources' ("DNR") above-referenced application for a permit to dredge Man O' War Shoals.

CCA Maryland is a non-profit, grassroots organization that prides itself on its efforts to promote and advance the conservation and wise-use of Maryland's marine resources and Chesapeake Bay ecosystem for the greater benefit and enjoyment of all of our state's citizens. We are an active and long-time participant in fisheries management discussions in the state, Chesapeake Bay and Atlantic coastal waters and work closely and cooperatively with governmental entities and other stakeholder groups to support science-based conservation and management efforts. Our state organization is part of Coastal Conservation Association ("CCA"), the leading marine recreational fishing advocacy group in the United States. Originally formed in 1977, CCA has grown to represent approximately 130,000 members in nineteen state chapters including Maryland and Virginia.

As you may know, CCA Maryland has been very supportive of efforts designed to conserve and enhance Maryland's oyster population and habitat. We strongly support initiatives to enhance native oyster numbers in sanctuaries such as Harris Creek, the Little Choptank River, and the Tred Avon River. These initiatives are based on and supported by the best available science. This same science has also identified the lack of oyster shell as a limiting factor in oyster restoration initiatives, leading to the recent use of natural alternative substrates and fossil shell from locations such as Florida in recent restoration projects. We also recognize that native shell is best suited for certain oyster

restoration and nursery activities and may not be replaced by alternative materials in certain circumstances.

Regardless, without a clear and achievable purpose for the proposed activity that benefits all of Maryland's citizens, a fiscal plan and binding funding commitment to see that plan through, and a strong demonstration that the greater goal of restoring oyster populations Bay-wide would be served by such severe action, CCA Maryland has not and cannot support or condone any dredging of fossil shell from Man-O-War Shoal or from any other historic bar in Chesapeake Bay.

Specifically, any application for the dredging of Man-O-War Shoal cannot be supported by CCA Maryland and should be rejected by the Corps because:

- The proposed future use of any dredged fossil shell for a “put and take” commercial fishery, whether it be 100% of any shell dredged or 1% of shell dredged, is an unacceptable use of public resources that only benefits a limited user group at the expense of all citizens. As stated by DNR itself in its online narrative describing this application, “[a]t the completion of the 2012 reclamation project [during which DNR dredged 413,000 bushels of previously-deployed shell], *it became clear that options for accessing cost-effective substrate for industry bottom were exhausted.*”<sup>1</sup> It is clear that DNR’s intent for this application is to support the put and take commercial fishery, not the state’s sanctuary program. Right now it’s Man O’ War Shoal, but what’s next on the list if the project were move forward?
- Any economic evaluation of the benefits that may be provided by the use of alternative material and targeted use of natural shell should be thoroughly considered by the Corps and MDE instead of the proposed widespread deployment of fossil shell on bottom. The longevity of alternative materials is much greater compared to fossil shell’s demonstrated four to five year lifespan. Unfortunately, the ecological impact of dredging the Bay’s historic oyster bars lasts far longer than that short period of time. The wise use of available resources, based on sound science rather than political rhetoric and hyperbole, should govern the wise use of our state’s public property.
- DNR has not provided any clear plan for the use of potentially dredged shell other than in general and wide-ranging terms, there is no funding identified for the recovery or use of any such dredged shell. Therefore, it is impossible to clearly evaluate the application and the potential impacts. Including prior opportunities provided to DNR to supplement its application to dredge Man O’ War Shoal, this application represents at least the third attempt by the State to advance its efforts. It is clear there is no well-considered intent for the project other than to satisfy a legislative mandate that promotes failed practices of the past.
- There is simply no funding in place or available to execute the proposed activities in this application. Without a commitment in funding that would help guarantee any potential authorized use of shell from Man-O-War Shoal- let alone the wise use of any such shell for

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<sup>1</sup> Available at <http://dnr2.maryland.gov/fisheries/Pages/oysters/permit-applications.aspx>; last accessed Feb. 18, 2016 (emphasis added).

purposes that would actually benefit oyster populations- the State cannot afford to gamble with its remaining historic oyster bars and the ecosystems they support.


CCA Maryland believes that the proposed activity would not be in the public's best interest. Any benefit (which based on the application cannot be reasonably determined with the required specificity) would be far outweighed by the foreseeable detriments (which are clear). The proposed activity would result in significant adverse ecological effects to Chesapeake Bay, would cause significant impacts to areas regularly utilized and prized by both commercial and recreational anglers for their existing fish habitat (including many of our members), and is being sought for the primary purpose of subsidizing a limited commercial fishing industry at the expense of all of Maryland's citizens. Given the multiple opportunities for DNR to provide a well-reasoned and supported purpose and demonstrated need, this application should therefore be rejected by the Corps of Engineers.

On behalf of our members statewide, we thank you for your consideration. Please do not hesitate to contact us at [frank.bonanno@gmail.com](mailto:frank.bonanno@gmail.com) or [davidsikorski@mac.com](mailto:davidsikorski@mac.com) should you have any questions.

Sincerely,



Frank Bonanno  
Chairman



David Sikorski  
Chair, Government Relations Committee