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House Environment and Transportation Committee

**Testimony in OPPOSITION of House Bill 1455**

Dredging on Man-O-War Shoals - Prohibition

Wednesday, March 7, 2018

The Clean Chesapeake Coalition (CCC) urges an unfavorable report on House Bill 1455, as such an enactment would indefinitely prohibit the dredging of much-needed natural oyster shell from an area in the upper Chesapeake Bay know as Man O'War Shoal.

For all aspects of oyster restoration - aquaculture, sanctuaries, hatcheries and the commercial fishery - natural oyster shell is needed. There is no dispute among all stakeholders that natural shell is the absolute best for oyster propagation and growth; and there is an enormous supply of natural shell at Man O'War Shoal and elsewhere in the upper Bay, buried under sediment. Coalition counties have consistently opposed the importation and dumping of rubble waste and other non-indigenous "alternative" materials in the Bay to create hard bottom in the name of growing the oyster population. **Artificial is not the best way forward to bring back the Bay's iconic bivalve in a meaningful way.** Arbitrarily declaring known deposits of natural oyster shells off limits adds costs to restoration efforts and fuels contentions among constituencies in need of shell.

We are on record in support of dredging natural oyster shell from Man O'War Shoal with the understanding that no dredging will occur in the vicinity of the portion of this natural oyster bar where the Baltimore County Watermen's Association has been engaged in restoration efforts. The shoal is large enough to support the efforts of local oystermen in seed planting and cultivation while permitting the harvesting of natural shell for use throughout the Bay.

To a person knowledgeable about the Chesapeake Bay – its history, ecology and seafood industry - there are certain proofs that we should not allow to be clouded or twisted by politics, pseudoscience or agendas premised on the theory that the commercial fishery is to blame for the decline in the oyster population. Among those certainties: (1) oysters in mass quantity are the most cost-effective way to improve Bay water quality; (2) natural indigenous oyster shell is the best substrate to propagate and grow oysters; and (3) given all the modern-day stressors on the Bay, unmanaged oyster bars will become graveyards for the iconic bivalve. The critical issue now is the limited availability of natural indigenous shell, which is a self-imposed shortage, at the behest of "stakeholders" about 10 years ago, for spurious reasons that should be questioned.

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The State's permit application to the U.S. Army Corp of Engineers (USACE) for the harvesting of shell from Man O'War Shoal has been pending for longer than can reasonably be justified. Because the lack of shell breeds fierce competition among stakeholders in the oyster fishery; and impedes efforts to maximize the ecological benefits, and the costs due to limited supply are inflated, the process to gain access to a proven source of natural shell should be a unifying undertaking – and a priority. HB1455 does just the opposite; and would render useless all the review and analysis of various State agencies (DNR and MDE) in recommending such activity in an environmentally sensitive manner to the Board of Public Works.

Man O'War Shoal is a relatively isolated natural oyster bar located just to the north of the navigable channel in the Patapsco River in which ships travel to the Ports of Baltimore. The shoal comprises roughly 456 acres and the area to be impacted for the harvesting of shells is approximately 32 acres. The vast majority of sediments dislodged during the shell harvesting process will settle out in the navigable channel and be dredged by USACE and the Maryland Port Administration in the course of their channel maintenance program. Man O'War Shoal's isolated and unique location adjacent to the navigable channel make it one of the ideal natural oyster bars in the Bay from which to harvest natural indigenous oyster shell.

The mud that will be stirred up during the dredging for shell will be a temporary condition and minor compared to other dredging activities by the USACE in the Upper Bay and the sediment discharged from above Conowingo Dam during storms.

The long-term benefits to the natural environment and overall Bay water quality from well-placed indigenous shell obtained from Man O'War Shoal will eclipse any temporary unsettling of the natural environment caused by the shell dredging process. The resulting increase of oysters in the Bay will have a positive economic impact in local jurisdictions and fishing communities – while a natural oyster bar left alone in the upper Bay will eventually be, if it hasn't already been, smothered by sedimentation and be of little ecological or economic value.

Oysters are the best natural filter of the Bay. Increasing the oyster population throughout the Bay and tributaries will better enable Maryland to meet and exceed its TMDL water quality improvement goals in a most cost-effective way. For their undisputed ecological value and for the positive economic impacts of a prudently managed oyster fishery, we need the General Assembly's support in expediting Maryland's access to natural shell – not another obstacle.

For these reasons, the Coalition urges an UNFAVORABLE report on HB1455.

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