

Oyster Advisory Commission Meeting

December 12, 2016

The meeting, which lasted more than 3 hours, was the most contentious yet and there are clear signs that civility will continue to deteriorate in the coming months. The watermen are becoming more impatient and aggressive. They expected to have the sanctuaries open in time for harvesting this season and that's not going to happen.

The meeting started with a discussion of dredging Man-O War Shoals for shells to be used elsewhere in the bay – in the sanctuaries as well as the public fishing areas. DNR provided an update on the status of the permitting application. The watermen are frustrated with the lengthy process, particularly since the permitting process by the same federal agency in Virginia is significantly shorter. Apparently, each regional office operates differently even though they are all part of the same agency.

Man-O-War Shoals

The watermen challenged every aspect of the process, and they raised some good points. For example, much data regarding the impact of dredging for shells on the ecosystem of Man-O-War Shoals – fish, turtles, birds – must be provided. One waterman asked if those who dredge to improve the shipping channel have to go through the same process. No one in the room knew.

In the meantime, DNR will provide the additional environmental impact information requested by the Federal agencies handling the permitting so that the process can continue*. The deadline for submission is April 1, 2017.

[Some of this information includes: explanation of how dredging locations will be chosen, expected siltation loads, dredging vessel movements, oil spill possibilities and planned response, underwater noise impacts on fish and turtles from dredging vessels, measures to avoid entrapment of fish and turtles, etc.

Next Phase of Restoration in Tred Avon

Next, because the watermen extracted a promise last summer that with any restoration effort not already underway, the OAC would be consulted regarding the use of any substrate other than oyster shells, we had a lengthy discussion regarding the use of rock for 10 acres of sanctuary in the Tred Avon. .

The Corps needed a decision in order to move ahead with their restoration efforts. Dr. Angie Sowers presented a video showing oysters growing in the Tred Avon in abundance and starting to form reefs. She showed slides of oysters growing on oysters as well as on rock. Bill Goldsborough talked about how well the oysters on rock were doing in Harris Creek - much better than expected.

This infuriated the watermen. "I don't care what's on the screen, oysters grow better on shell." This contradicted the actual evidence that had just been presented. Also, one of the commissioners, a scientist from Morgan State, offered to provide copies of his study that concluded oysters grow well on a variety of substrates in the Gulf of Mexico. The watermen responded "that doesn't count because it wasn't done at Horn Point." Besides, "the rock interferes with our trot lines when we are crabbing." (If that's so, then oyster reefs would also interfere with their trot lines.)

What wasn't discussed but has become obvious from statements at this meeting as well as previous meetings is that the watermen oppose rock as a substrate in the sanctuaries because they are assuming that they will have access to those areas in the future and a rock substrate will cause problems for their dredges.

Sustainable Oyster Population and Fishery Act of 2016

In an attempt to develop a science-based oyster management policy, the Maryland legislature passed the Sustainable Oyster Population and Fishery Act of 2016. Pursuant to the Act, DNR has outlined the steps necessary to arrive at such a policy:

- Conduct an oyster stock assessment
- Develop biological reference points to manage the public fishery
- Identify a variety of oyster management strategies that would support a sustainable oyster population and fishery
- Provide opportunities for stakeholder comments

The stock assessment will consist of an estimate of:

- Number of oysters in the population (all oysters will be counted – public fisheries, sanctuaries, aquaculture)
- Number of spawning oysters in the population
- Number of spat entering the population each year
- Number of oysters being removed by fishing and natural mortality
- Trends

Taken together, these data will provide "biological reference points" that can be used to develop a benchmark against which to measure abundance. DNR can then determine:

- Optimum levels of harvesting activity
- A target reference point requiring management intervention
- A point at which harvesting should be restricted

Potential management strategies include:

- Length of season
- Bushel limits

- Oyster size limits
- Rotational harvests

The stock assessment will be conducted by a science team consisting of DNR, the University of Maryland Center for Environmental Sciences (UMCES) and a post doctoral researcher. The results will be reviewed by consultants from the Center for Independent Experts, <http://ciereviews.org/bkg.php>.

The work to support a sustainable oyster population will be conducted in three phases:

- Phase 1 (Nov 2016 – June 2017) – define terms of reference and inventory data
- Phase 2 (June 2017 – June 2018) – build and run assessment
- Phase 3 (June 2018 – Dec 2018) – present results and identify management strategies

DNR is inviting comments on questions they should address as they proceed through each phase.

Public-Private Partnerships (P3) Program

DNR, in conjunction with the Oyster Recovery Partnership and the University of Maryland Environmental Finance Center, is creating the state's first Oyster Co-Op. The goal is to develop a new business model for the oyster fishery that is both economically and environmentally sustainable. With grant funding from the National Fish and Wildlife Foundation and the Chesapeake Bay Trust Fund, the pilot program will focus on increasing the productivity of currently low-density oyster areas.

A partnership of businessmen and watermen, the co-op will be created with formal operating structures and rules, including:

- Who is eligible
- When they can join
- Services offered
- Harvest and planting rules

Piloting the project in Anne Arundel County, a group of watermen will work together to manage an oyster bar. By planting and harvesting oysters on a rotational basis, they will develop a long-term self-sustaining business while increasing the number of oysters in the bay and improving water quality.

The watermen will be responsible for a 40-acre area of bay bottom leased by the state. Each year they will plant about 10 acres that will be harvested two years later. The profits from their harvest will be used to re-seed and re-shell the site so that they will be able to continually harvest oysters.

Grants of \$200,000 will cover 3 years of seed. Areas of the bay's bottom with less than 1 oyster per meter squared qualify for the program.

Interesting program logo:

