



News

Shore delegation pushes for delay of oyster plan

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ANNAPOLIS Several members of the General Assembly's Eastern Shore Delegation criticized the state's plan to restore oysters in the Chesapeake Bay on Friday, saying that it would cause significant harm to the livelihood of area watermen.

Among other initiatives, the Oyster Restoration and Aquaculture Development Plan would increase the amount of oyster sanctuaries in the Bay from 9 percent to roughly a quarter of quality oyster habitat. It would also encourage the adoption of aquaculture by increasing leasing areas and streamlining the permitting process.

At their regular Friday meeting, several delegation members, including Del. Jeannie Haddaway, R-37B-Talbot, and Sen. Richard Colburn, R-37-Mid-Shore, had strong words for the oyster sanctuary part of the plan, which would limit the areas where watermen can harvest oysters, while an official from the state's Department of Natural Resources said it is necessary to manage the Bay's oyster population effectively.

"This is a very aggressive and a very egregious plan," Haddaway said.

"This whole thing is just wrong," Colburn said.

The delegation heard testimony from the Chesapeake Bay Commercial Fisherman's Association, a new organization of watermen formed on Jan. 13. Gibby Dean, president of the group, repeatedly emphasized the need to delay implementation of the new regulations during his testimony.

"It is imperative that you do your best to slow this thing down," Dean said. "This thing is being forced on us. We've had little or no input in it, and we've got to get this thing at least slowed down so we can talk about some alternative proposals."

Dean asked the delegation's assistance in supporting watermen.

"We need your help, and we need your help direly," Dean said.

The delegation has already been active on working to delay the plan's implementation. In a letter to Secretary John Griffin of the Department of Natural Resources dated Jan. 14, the delegation requested that "the implementation of these new regulations be delayed until Aug. 31, 2010." Right now, the new regulations are scheduled to be submitted in mid-February, with the plan going into effect May 31.

"This would allow time for all stakeholders to be involved in the process and would provide us an opportunity to work together toward a more balanced approach," the letter said. As of Friday's meeting, the delegation said that Sec. Griffin had not responded.

Tom O'Connell, fisheries service director for the Department of Natural Resources, said that Secretary Griffin and other department officials are currently reviewing public comments about the plan and will not introduce the plan if they feel significant improvements can be made.

As for the delegation's letter, O'Connell said that Sec. Griffin is "still reviewing the letter at this point and time," and wants to see what public comments are before deciding if the implementation schedule should be changed.

But O'Connell also emphasized that the study of how to restore oysters in the Bay has been in the works for six years, producing an environmental impact statement done by Maryland, Virginia and the Army Corps of Engineers. Calling it "the most comprehensive study of oyster restoration ever performed,"

O'Connell said their plan is supported by the findings of 90 scientists involved in the study.

"It should be at no surprise that this is the direction being recommended by the best scientists in the country," O'Connell said.

Beyond the timeline itself, both watermen and delegation members had concerns about specific aspects of the restoration plan, including the location of sanctuaries on prime oyster beds and worries about limiting or banning power dredging, the latter of which O'Connell said was a misconception.

"The Department has not proposed eliminated or limiting power dredging," O'Connell said, saying that power dredging is "an effective harvest tool" in some areas. "That is not the intention of the department."

On the so-called "use it or lose it" provision that requires watermen who lease areas from the state to show that they're actively using the lease, Dean said that they would have to plant a million oysters per acre to do so. If bought from a hatchery, this would cost roughly more than \$10,000 an acre and Sen. J. Lowell Stoltzfus, R-38-Lower Shore, voiced strong concerns with the risk involved in doing that, particularly with the threat of the oyster diseases MSX and dermo.

"That's not even a feasible option," Stoltzfus said.

In response, O'Connell said that provision (which he noted was passed by the General Assembly) is meant to require historic lease holders to demonstrate active use of that lease, and if they cannot, to allow the state to lease the land to someone else. He said that the state had grants and low-interest loans to help watermen do this, and that the state had "some flexibility" in how to define "active use."

"If somebody wants to utilize their lease, we're working with them to do that," O'Connell said.

Looking ahead, Del. D. Page Elmore, R-38A-Wicomico, asked the watermen to consider supporting some sanctuaries as part of a final plan, possibly a compromise of 12 percent of quality habitat instead of 24. But, while saying that state officials would continue reviewing recommended changes to the current plan, O'Connell said that 24 percent was as low as they would go.

"That's the minimum amount of area we need to move the oyster population in a positive direction," O'Connell said.