

**DRAFT Meeting Summary**  
**Oyster Advisory Commission (OAC) Meeting**  
 Calvary United Methodist Church, Fellowship Hall  
 301 Rowe Blvd, Annapolis, MD  
 (6:00 PM – 10:00 PM)  
 January 9, 2017

**LIST OF ATTENDEES**

**Commissioners Present:**

Scott Eglseder (Co-Chair)	Eglseder Wealth Management Group, Inc.
J.D. Blackwell	38° North Oysters
Don Boesch	University of Maryland Center for Environmental Science (UMCES)
Robert T. Brown	Maryland Watermen's Association
Ron Fithian	Kent County Commissioners
Jeff Harrison	Talbot County Watermen's Association
Bill Kilinski	Charles County Watermen's Association
Doug Legum	Douglas Legum Development Inc.
Ken Lewis	Coastal Conservation Association (CCA)
Ben Parks	Maryland Watermen, Dorchester County
Deborah Rey	State Delegate
Peyton Robertson	National Oceanic and Atmospheric Administration (NOAA) Chesapeake Bay Office
Eric Schott	University of Maryland Center for Environmental Science (UMCES)
Angie Sowers	U.S. Army Corps of Engineers (USACE), Baltimore District
Ann Swanson	Chesapeake Bay Commission

**Commissioners Unable to Attend:**

Kelley Cox (Co-Chair)	Phillips Wharf Environmental Center (PWEC)
Kelton Clark	Morgan State University (MSU)
Bill Goldsborough	Chesapeake Bay Foundation (CBF)
Steve Hershey	State Senator
Jim Mathias	State Senator
Johnny Mautz	State Delegate
Jim Mullin	Maryland Watermen's Association (MOA)
Jason Schmidt	Talbot County Seafood Heritage Association
Aubrey Vincent	Lindy Seafood

**Other Meeting Attendees Present:**

*Asbury-Solomons Retirement Community:* Mr. Brad Andrews, Ms. Ann Houpt, Mr. Dick Hu, Ms. Sue Hu, Mr. Pat O'Neil

*Baltimore Oyster Gardeners:* Ms. Meghan Hazer

*BayWoods of Annapolis:* Mr. Karl Hoke

*Calvert County Watermen's Association:* Ms. Rachel Dean

*Charles County Waterman Association:* Mr. Andrew Eaton, Mr. Eric Robertson

*Chesapeake Bay Foundation (CBF):* Mr. Pat Beare, Ms. Allison Colden, Ms. Nora Jackson, Ms. Anna Mudd, Ms. Emmy Nicklin, Ms. Linda Paez, Mr. John Page Williams, Ms. Peggy Palmer, Mr. Karl Willey

*Chesapeake Bay Savers:* Ms. Marisa Sames

*Chesapeake Riverkeeper Association (CRA):* Ms. Isabel Hardesty, Ms. Emily Harris

*Citizen:* Mr. Charles Dent, Ms. Isabelle Fair, Ms. April Florey, Ms. Marcia Greenberg, Ms. Ann Hancesio, Ms. Jennifer Herzog, Ms. Lani Hummel, Mr. Dan Johannes, Ms. Erica Kern, Mr. Joe Molina, Mr. Doug Myers, Mr. Patrick Murphy, Ms. Diep Nguyen-Van Houtte, Ms. Virginia Reed, Ms. Laurunda Seraten, Mr. Alston Shipley, Mr. Dick Spencer, Mr. David Tana, Ms. Camera Thomas, Ms. Wendy Znaniec

*Congressman Andy Harris' Office:* Ms. Denise Lovelady

*Coastal Conservation Association (CCA):* Mr. Larry Jennings, Mr. Eric Whisenhurt

*Corsica River Conservancy:* Ms. Katherine Schincesi

*Delmarva Fisheries Association Inc.:* Capt. Robert Newberry

*Dorchester County Seafood Harvesters Association:* Mr. Scott Todd

*Dorchester County Council:* Mr. Tom Bradshaw

*The Enterprise:* Ms. Dandan Zou

*Maryland Department of Environment:* Ms. Kathy Brohawn

*Maryland Department of Natural Resources (DNR):* Ms. Jodi Baxter, Secretary Mark Belton, Mr. Dave Blazer, Mr. George O'Donnell, Mr. Chris Judy

*Maryland Environmental Service (MES):* Ms. Maggie Cavey

*Maryland League of Conservation Voters:* Mr. Ben Alexandro

*Maryland Waterman Association (MWA):* Mr. JR Thomas

*Marylanders Grow Oysters:* Mr. Brad Knopf

*Midshore Riverkeeper Conservancy:* Mr. Dan Watson

*Mill Cove Neighbors:* Mr. Robert Willey

*National Wildlife Federation:* Ms. Amy Hedges

*Phillips Wharf Environmental Center (PWEC):* Ms. Carol McCollough

*Potomac Riverkeeper Network:* Mr. Nick Kuttner, Mr. Phillip Misegaas

*Queen Anne's Watermen Association:* Mr. Troy Wilkins

*Senator Steve Hershey's Office:* Ms. Erika Howard

*Severn River Association:* Ms. Lynne Rockenbauch, Mr. Bob Whitcomb

*South River:* Mr. Jesse Iliff

*St. Mary's County Wild Oysterman:* Mr. Richard Riche

*St. Mary's River Watershed Association:* Mr. Joe Anderson, Ms. Lani Clark, Mr. Bill Fry, Mr. John Giusti, Mr. Bob Lewis, Mr. Dave Lewis, Mr. John Parady, Ms. Meghan Webster

*St. Mary's Waterman Association:* Mr. Chip Crowder

*Virginia Institute of Marine Science (VIMS):* Dr. Mark Luckenbach

*West and Rhode Riverkeeper:* Mr. Jeff Holland

*Whitehall Bay Conservation:* Mr. Don Carren, Ms. Lana Keelty

**Handouts:**

- Meeting Agenda
- December 12, 2016 Draft Meeting Summary
- Presentation – Review of the Five Year Oyster Review Report
- Presentation – Environmental Group Proposals: Proposed Changes to the Current Oyster Management Areas
- Proposal – From St. Mary’s Watershed Association (Multiple proposals)
- Proposal – From Asbury Solomons Island Retirement Community
- Proposal – From Midshore Riverkeeper Conservancy
- Proposal – From Friends of Wicomico River
- Proposal – From Mill Cove Neighbors
- Proposal – From Whitehall Bay Conservancy
- Proposal – From Phillips Warf Environmental Center
- Proposal – From Chesapeake Bay Foundation
- Handout – “My Take-Aways” from “Innovative Ideas from Around the Country” Symposium – October 23, 2016
- Table – Oyster Restoration Expenditures

Note: Meeting agendas, handouts and approved meeting summaries will be available on the OAC webpage: <http://dnrweb.dnr.state.md.us/fisheries/management/?com=oac&page=meetings>

### **Action Items:**

- Dr. Luckenbach will provide the Commissioners with the acreage of public fisheries currently managed on as rotational harvest area.
- DNR will provide a hard copy of Dr. Luckenbach's presentation in the Commissioners' meeting packet for the next meeting in February.
- DNR will provide the Commissioners with an explanation on how they estimate oyster biomass from their survey data.
- DNR will provide Ms. Sowers with the criteria that they have used to determine restored sanctuaries.
- DNR will provide Mr. Newberry with the documentation for the foreign clam shell being used in restoration efforts.

### **MEETING SUMMARY:**

#### **Welcome and Meeting Summary Approval**

**(Mr. Scott Eglseder, Co-chair)**

The meeting summary from the December meeting was approved with edits received from Mr. Robertson. Mr. Kilinski made a motion to approve the summary and Mr. Schott seconded the motion.

#### **Man-O-War Shell Dredging Permit Update**

**(Mr. Chris Judy, DNR)**

The Commissioners' packet includes answers to several permitting questions that the Commissioners asked at the last meeting. DNR continues to work on answering a new set of USACE questions contained in a letter they sent December 9, 2017. To date, DNR has updated the extended text and maps in the permit application. Mr. Judy stated that he will provide the Commissioners with another update at the February meeting. The response to USACE is due April 1, 2017.

#### **Virginia Oyster Restoration and Management**

**(Dr. Mark Luckenbach, VIMS)**

*Presentation – Oysters in Virginia: Restoration, Wild fishery & Aquaculture*

Dr. Luckenbach provided a presentation to the Commissioners regarding oyster restoration, the Virginia wild oyster fishery, and the shellfish aquaculture program in Virginia.

- Mr. Eglseder requested that a hard copy of Dr. Luckenbach's presentation be included in the Commissioners packet at the February meeting.
- Delegate Rey asked about the preferred depth of shell used in Virginia as a foundation for the restoration of oyster reefs.
  - Dr. Luckenbach stated that he could not cite a set number of inches of shell that are used to create the best foundation for oyster reefs. He explained that the amount of shell required depends on the surrounding conditions.

- Mr. Fithian asked for clarification regarding whether it is necessary to place more substrate then is being lost to silt and natural degradation.
  - Dr. Luckenbach stated that it is not necessary to place more substrate on the bottom than is currently being lost to sedimentation and natural degradation. He explained that the goal of oyster restoration and the placement of substrate on the bottom is to provide a foundation upon which living oysters will then create and build up oyster reef habitat themselves, until it reaches a level of growth that is self-sustaining.
  
- Delegate Rey asked about the effectiveness of sanctuaries in Virginia that are located in close proximity to public fishery areas. She also asked if it was possible for any of Virginia's sanctuaries to revert back to being public fishery areas.
  - Dr. Luckenbach stated that not all of the sanctuaries that share a border with a public fishery area were established for the purpose of providing natural spat set for the public fishery. Generally sanctuaries are located in areas where they will provide opportunity for restoration of self-sustaining population and they may or may not benefit specific public fishery areas.
  - Virginia state sanctuaries can be re-designated as public oyster fishery areas but oyster sanctuaries with Federal investment cannot be used for harvesting oysters.
  
- Mr. Brown asked Dr. Luckenbach for the acreage in Virginia of areas in rotational harvest.
  - Dr. Luckenbach said that he would ask Mr. Wesson to provide the Commission with the amount of rotational harvest acres.
  
- Mr. Kilinski stated that Dr. Luckenbach's data gave the impression that harvesting or working the bottom is beneficial for growing oysters.
  - Dr. Luckenbach clarified that areas of high sedimentation do benefit from being worked, however; a healthy reef does not need to be worked.
  
- Mr. Boesch noted that the area in Virginia where the oyster disease Dermo is present but where oysters are surviving is of similar salinity to areas in the Maryland portion of the Bay.
  - Dr. Luckenbach agreed that this is correct.
  
- Mr. Harrison asked if it was possible to jump start disease resistance in Maryland by introducing disease resistant oysters from Virginia into the Maryland population.
  - Dr. Luckenbach stated that the difference in salinity would be a concern. He also indicated that he believes that it could possibly require the introduction of a very large number of disease resistant oysters from Virginia in order to achieve the desired result, but that this is unknown.
  
- Mr. Legum asked about the effectiveness of shell placed on top of stone. He also asked about the effectiveness of other shell such as clam shell.
  - Dr. Luckenbach stated that shell layered on top of stone can be effective and that it is important to conserve shell wherever possible. Shell other than oyster shell can

be effective but there can be a problem if the clam shell is small in size. Small sized substrates that compact too much limit areas of refuge within the substrate.

- Mr. Blackwell asked about what gear type was included under the aquaculture harvest data that Dr. Luckenbach had presented.
  - Dr. Luckenbach stated that the data only included cages.
- Mr. Kilinski asked in regards to rotational harvest, if there is a significant problem with available harvest.
  - Dr. Luckenbach stated that rotational harvest is effective for now, but if shell was not available or funding became unavailable in any given year, available harvest would decrease drastically.
- Mr. Kilinski asked what the percentages of bottom in Virginia are designated as sanctuaries and what percentage is designated as public fishery.
  - Dr. Luckenbach stated that the percentage of sanctuaries to public fishery is small and he would be happy to find the exact percentage.
- Mr. Schott asked if modeling is being used in Virginia to determine areas that need to be planted.
  - Dr. Luckenbach explained that Virginia uses a validated model to assist in the identification of areas that need planting.
- Mr. Fithian asked if the Virginia Marine Resources Commission (VMRC) is responsible for monitoring the oyster management projects in Virginia.
  - Dr. Luckenbach explained that Mr. Wesson and his staff at VMRC perform some monitoring, but the Virginia Institute of Marine Science (VIMS) performs most of the monitoring. NOAA provides funding to allow the university to conduct monitoring and some monitoring is done in collaboration with the USACE monitoring program.
- Mr. Fithian asked about a large contract that had recently been awarded by the USACE for monitoring and asked how monitoring can be so expensive.
  - Mr. Luckenbach stated that he is not familiar with this contract.
- Mr. Robertson pointed out that Virginia has a larger oyster aquaculture bottom leasing program than Maryland has. He noted that Virginia's rotational harvest areas are small and it is Virginia's oyster aquaculture industry that is driving their oyster harvest numbers.
  - Ms. Swanson noted that it is difficult to compare Virginia and Maryland, as the conditions for the oyster industry in the two states are very different.
- Mr. Blackwell asked how many leases are currently being worked in Virginia.
  - Mr. Luckenbach stated that Virginia does not have an exact number of leases that are currently being worked.

## **5 Year Oyster Review Report**

**(Ms. Jodi Baxter and Mr. Dave Blazer, DNR)**

### *Presentation – Review of the Five Year Oyster Review Report*

- Mr. Harrison asked what could explain the large oyster biomass spike in the Wye River.
  - Ms. Baxter stated that the spike might be explained by low salinity and low disease, which lead to growth of the oysters that are there.
  
- Mr. Boesch noted that the information provided in the 5 Year Report is rather technical. He asked that DNR confirm that the data in the report shows that the Wye River does not possess the characteristics that would make it likely to become a self-sufficient sanctuary if it was selected.
  - Ms. Baxter agreed that the Wye River has lower levels of salinity and salinity is something to consider when evaluating whether an oyster population will become self-sufficient over time if it is protected. However, she noted that the Wye River might be a better option than some of the other areas that had been suggested.
  
- Mr. Kilinski asked how biomass was determined.
  - Ms. Baxter stated that biomass is calculated using a conversion which DNR would provide to the Commissioners.
  
- Mr. Schott asked if DNR has historical data on oyster broodstock and spat and if this data was considered in the 5 Year Report analyses. He pointed out that one issue with comparing oyster biomass data over time is the decline in overall size of the oysters in the population over time.
  - Ms. Baxter stated that the biomass data that was used in the analysis for the 5 Year Report dates back to the 1990s.
  
- Mr. Harrison had a question on the wording in the 5 Year Report regarding the stabilization or increase of oyster abundance since the creation of the sanctuaries.
  - Mr. Blazer stated that Mr. Harrison's question would be answered later in the presentation.
  
- Mr. Brown asked if the Cedar Point sanctuary was created prior to 2010.
  - Mr. Blazer stated that some but not all of the sanctuary was created prior to 2010.
  
- Mr. Boesch asked if the review of the 5 Year Report by 3 independent experts has been finalized.
  - Secretary Belton stated that the 5 Year Report is final. He explained that it had been left as draft to make some final editorial edits, which are due to be completed.
  
- Secretary Belton stated that now that proposals have been received and the 5 Year Report has been thoroughly reviewed with the Commissioners, DNR staff will work to develop a combined plan to present to the Commissioners at the February meeting.
  
- Mr. Harrison stated that more information regarding disease is need in the 5 Year Report.
  - Ms. Baxter stated that the collection and analysis of data about oyster diseases in oyster populations in Maryland tributaries is ongoing through surveys. Currently



there is more data about oyster disease for some rivers and tributaries than for others.

- Mr. Kilinski asked Secretary Belton to restate the Chesapeake goals that the Commissioners are working to meet.
  - Secretary Belton stated that Maryland has agreed to identify and restore 5 sanctuaries by 2025 and if possible select sanctuaries that would require little to no added investment beyond protection in order to become self-sufficient and meet the criteria for restoration.
- Mr. Robertson noted that when looking at the overall percentages of productive oyster bottom that are designated as public fisheries, aquaculture areas, and sanctuaries, the sanctuaries are a small percent of the total area.
- Ms. Sowers asked how the criteria for restored sanctuaries were determined by DNR and Mr. Blazer stated that he would provide Ms. Sowers with that information.
- Mr. Legum asked if the addition of two new sanctuary tributaries for restoration would continue to be necessary if funding to complete oyster habitat restoration work to meet the 2025 Chesapeake Bay restoration goals is not provided.
  - Secretary Belton stated that the selection of two additional sanctuary tributaries is necessary. He noted that some of the Tier 1 areas could potentially achieve restored status if they were protected from harvest and would ensure Maryland's success in reaching the 2025 Chesapeake goal even if no funding was provided for restoration.
- Mr. Harrison asked about enforcement in the sanctuaries and he asked about the federal radar system, MLEIN (Marine Law Enforcement Information Network).
  - Secretary Belton stated that MLEIN was originally developed by the Department of Homeland Security and can be used to monitor the sanctuary borders.
- Ms. Swanson asked that DNR include the homework assigned to the Commissioners regarding sanctuary selection when they develop a combined plan.
- Mr. Blackwell asked if it was possible to select a Tier 1 area as a sanctuary and have it reach restored status on its own (without the cost of restoration).
  - Secretary Belton stated that Tier 1 areas are ideal for sanctuaries since they can be restored cost effectively. If federal funding is available for restoration work then more restoration work could be done sooner which potentially could result in reaching restored status faster.
  - He asked if the identified 5 sanctuaries could ever be converted back to public fishery if no federal funding was expended in the restoration efforts.
  - Secretary Belton stated that ideally the sanctuaries would remain sanctuaries but the future is unknown and that legislation and needs could change.
- Mr. Boesch added that the identification of the 5 sanctuaries is an interim goal as more innovative options continue to be evaluated.

- Mr. Fithian stated that funding is important to consider when discussing sanctuary development but it is equally if not more important to discuss the use of the appropriate substrate.
- Mr. Brown stated that since it is uncertain what the outcome will be for getting shell from Man-O-War Shoals, other shell dredging permits should be pursued to insure shell for the future.
- Mr. Legum noted that even if the Man-O-War permit were issued, there would not be enough shell for the oyster habitat restoration projects and public oyster harvest projects under consideration. Therefore, alternative substrates (alternatives to using shell) need to be considered for all projects.

### **Environmental Group Proposals**

**(Ms. Jodi Baxter, DNR)**

*Presentation – Environmental Group Proposals: Proposed Changes to the Current Oyster Management Areas including proposals from the following groups:*

- 1) *St. Mary's River Watershed Association*
  - 2) *Asbury Solomons Retirement Community*
  - 3) *Midshore Riverkeeper Conservancy*
  - 4) *Friends of the Wicomico River*
  - 5) *Mill Cove Neighbors*
  - 6) *Whitehall Bay Conservancy*
  - 7) *Phillips Wharf Environmental Center*
  - 8) *Joint proposal (from 29 different environmental groups)*
- Delegate Rey clarified that the 24% goal for the amount of bottom to be designated for oyster sanctuaries is for 24% of total productive oyster bottom to be protected as sanctuary.
    - Ms. Baxter stated that it is 24% of total estimated productive bottom.
  - Mr. Harrison stated that the proposed sanctuary area in the Wicomico River (east) was previously listed as a Maryland Department of Environment restricted harvest area and has recently been relisted as a restricted harvest area.
    - Ms. Baxter noted that as long as this area does not meet State water quality criteria, it serves as a de facto sanctuary due to human health concerns even if it is not included as a designated sanctuary.
  - Delegate Rey asked if rotational harvest is currently being used for oyster harvest management in any of the Maryland public fishery areas.
    - Mr. Kilinski explained that harvest reserves are very similar in concept to rotational harvest areas. The industry is moving away from harvest reserve to the fairly new concept of rotational harvest.
    - Ms. Baxter stated that there are currently 2 harvest reserve areas that are opened and closed to oyster harvest based on biological criteria.

- Delegate Rey asked for clarification regarding the goal to protect 24% of productive oyster bottom as sanctuary. She asked if the Commissioners should be focused on making even swaps (sanctuaries area for public fishery area) in order to continue to meet the goal of 24%.
  - Secretary Belton noted that some of the proposals would have little impact on the 24% goal. He stated that if the Commissioners wish to maintain the current 24% goal then it may be a sound option to make even exchanges (the same amount of sanctuary converted to public fishery area as public fishery area is converted to sanctuary).
  
- Ms. Sowers asked if any of the environmental groups had developed their proposals in conjunction with any of the County Oyster Committees.
  - Secretary Belton stated that he was unsure if any of the proposals had been developed in partnership with a County Oyster Committee.
  
- Mr. Schott noted that the period for submitting proposals was over and none of the proposals had included adding sanctuary in productive oyster bottom areas.
  - Secretary Belton noted that proposals had been submitted by multiple organizations (including a joint proposal submitted by 29 different environmental groups). He pointed out that these proposals had requested that additional productive bottom be included as sanctuary.
  - Secretary Belton stated that the joint proposals would be available on the OAC website for review after the February meeting, and would be included in the Commissioners' packets at the February meeting.
  
- Mr. Robertson suggested that DNR draft an all-encompassing proposal (to include issues that have already been addressed by the OAC) for the Commissioners to consider at the next OAC meeting (in February).
  - Secretary Belton stated that the only item on the February agenda would be the DNR's all-encompassing proposal and related discussion.
  
- Mr. Harrison suggested that DNR consider moving the OAC meetings to a location with a larger meeting room.

### **Public Comment**

- Ms. Meghan Hazer, resident and member of Baltimore Oyster Gardeners, stated that her experience with Baltimore Oyster Gardeners has taught her so much. She stated that she enjoys eating oysters but also understands that sanctuaries are important to solidify the longevity of oysters in the Bay.
  
- Ms. Sue Hu, Asbury-Solomons Retirement Community, stated that the proposal submitted by Asbury-Solomons is small in comparison to many other proposed sanctuary areas. Gaining sanctuary status for the area would allow the small area to be protected and this would have a large impact in her retirement community. She explained that Asbury-Solomons first became a part of MGO in 2010 when they planted oysters on 4 breakwaters. Since 2010, the community has planted 1.3 million oysters. Without sanctuary status, the

residents believe their hard work creating an oyster population area is at risk of being harvested.

- Mr. Brad Andrews, Executive Director of Asbury-Solomons Retirement Community, stated that their organization fully supports the proposal submitted by their residents to seek sanctuary status for their 4 MGO planted breakwaters.
- Ms. Carol McCollough, Phillips Wharf Environmental Center (PWEC), stated that PWEC has been a member of MGO for 6 years in which time they have planted 1/4<sup>th</sup> of an acre in Harris Creek. She explained that PWEC was careful in selecting an area in the Choptank River for future oyster restoration plantings that already has sanctuary status and thus would not impact the public fishery.
- Ms. Rachel Dean, co-owner of Solomons Island Heritage Tour and Patuxent River Seafood, stated that she has had issues with Asbury-Solomons Retirement Community in the past. She indicated that the Commissioners should be aware that even proposals for small areas of new sanctuary area could be the source of conflict with watermen. Ms. Dean urged the Commissioners to remember that there are two sides to every story.
  - Ms. Hu stated that an issue arose between the Asbury-Solomons Community and Ms. Dean's business in the past, which was resolved through DNR facilitated mediation.
- Ms. Diep Nguyen-Van Houtte, Citizen, stated that she is an active member of the Baltimore Oyster Gardeners organization and she personally raises 15-20 cages of oysters each year for use in restoration. She understands the important role that oysters play in improving the Bay and believes that other citizens contributing their own time and money to grow oysters feel the same way.
- Mr. John Parady, St. Mary's River Watershed Association, noted that the sanctuaries not only produce new shell but also produce spat which benefit both sanctuaries and the public fishery areas.
- Mr. Scott Todd, Dorchester County Seafood Harvesters Association, stressed that the waterman are not the enemy and reminded the Commissioners and members of the public that oysters are their livelihood. He voiced his concern for the overwhelming acreage of sanctuary that falls within Dorchester County and suggested that the amount of acreage per county be reevaluated.
- Mr. Robert Willey, Mill Cove Neighbors organization, noted that their group's proposal is not asking for any productive bottom to be sanctioned as a sanctuary. He stated that the Mill Cove Neighbors organization first became involved with oysters through the MGO program as a means to improve their local area.
- Mr. Joe Anderson, St. Mary's River Watershed Association, thanked DNR for hosting the OAC meetings and stated that they have been very informative. St. Mary's River has been a sanctuary for over 5 years and during that time volunteers have contributed thousands of

hours and planted millions of oysters. He encouraged the Commissioners to select the St. Mary's River as one of the 5 sanctuaries.

- Mr. Don Carren, Whitehall Bay Conservancy organization, stated that Whitehall Bay used to have a healthy population oysters. If made a sanctuary, the oyster population in the area and the volunteer efforts would be permitted to flourish. He stated the Whitehall Bay Conservancy has spoken to watermen in the area and they say there is on conflict in Whitehall Bay.
- Mr. Newberry, Delmarva Fisheries Association Inc., stated that he has been working in the industry for 34 years. He understands the importance of sanctuaries but feels a management plan is needed. Shell is important for oyster restoration and Man-O-War Shoal is the best option for supplying shell. He understands that there is some resistance to shell dredging in Man-O-War Shoal by the Baltimore County waterman but Man-O-War Shoal has not been harvested since 2010. He reminded DNR that he had requested that they provide him documentation regarding the foreign clam shell that is being used in restoration efforts. Mr. Newberry also reminded the DNR about his request for a copy of the peer review of the 5 Year Report.
- Ms. April Florey, citizen, ask if any waterman offer incentives to their customers to return the shell after the oysters have been consumed.
  - Mr. Todd explained that waterman do not privately sell their oysters. When oystermen do get any of the shell returned to them they are not permitted to resell the shell. He noted that many watermen have stockpiles of shell at their homes or offices.
- Mr. Patrick Murphy, citizen of St. Mary's, stated that nearly 25% of the restorable bottom is leased to waterman. He stated that he opposed rotational harvest in sanctuaries.
- Mr. Richard Riche, St. Mary's County public oysterman, stated that he is a fifth generation waterman. Watermen want the oysters back more than anyone and they understand the importance of the sanctuaries.
- Ms. Wendy Znaniec, citizen, stated that she supports sanctuaries and does not support opening sanctuaries to rotational harvest.
- Mr. Charles Dent, citizen of Wicomico County, noted that there are numerous aquaculture leases held in the Wicomico River by watermen. He stated that opening the sanctuaries to public harvest would harm waterman currently harvesting from the leased aquaculture areas. He stated that the sanctuaries and aquacultures areas are intertwined and need to be regarded as such.
- Ms. Lani Hummel, citizen, stated that she believes that citizens will stop donating their time and money to MGO if there is a potential for the areas that MGO has restored to be opened to harvest. She stated that she is opposed to opening sanctuaries to public rotational harvest.

- Mr. Tom Bradshaw, Dorchester County Council, noted that the economy of Dorchester County depends on seafood and agriculture. He stressed to the Commissioners that the decisions that they make regarding sanctuaries and a harvest management plan would be very important to Dorchester County.

### **Next Meeting Agenda**

**(Mr. Dave Blazer, DNR)**

The next OAC meeting will be held on February 13<sup>th</sup>, 2017 at 6pm at the Calvary United Methodist Church's Fellowship Hall. Secretary Belton stated that DNR would prepare an all-encompassing proposal to be presented for discussion at the February OAC meeting.

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### **Topics for Discussion for Future Commission Meetings:**

1. Identification of where restoration efforts in oyster sanctuaries would be likely or unlikely to be successful. (DNR has provided Fall Survey data, but additional discussion may be needed)
2. The problem of boats running aground in shallow water created during oyster reef restoration. (DNR has agreed to work with watermen, USACE, and NOAA to set up a field meeting in Harris Creek to investigate and solve the problem of high spots that are causing problems to boaters in Harris Creek)
3. Potential future sources of shell for restoration projects.
4. Recommendations that were made by the OAC in past years.
5. Land use patterns along the Chesapeake Bay shore and how land use affects oyster population and the commercial fishing industry.
6. Economic and cultural issues related to oyster harvests and sanctuaries.
7. Preference of oyster spat for various substrates.
8. The Virginia sanctuary program. (Presentation by Virginia watermen about the Virginia program)
9. Recommendations for future practices (e.g. rotational harvesting).
10. Establishment of shucking houses in Maryland
11. Discussion in regards to the use of capital funds versus other state funds for oyster restoration.
12. Comparisons of the spat sets within the sanctuaries between the years prior to 2010 and more recent years.
13. Review and discussion of proposals submitted by the county commissions.
14. Receive more information regarding the selection of the 4<sup>th</sup> and 5<sup>th</sup> tributaries based on the homework completed by the Commissioners.
15. Review the status of outstanding permits.