

Maryland governor vetoes bill to permanently protect oyster sanctuaries from harvest

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Maryland Gov. Larry Hogan vetoed a bill Thursday night that would permanently bar oyster harvesting in five waterways targeted for restoration of the distressed species.

The legislation had the support of environmental groups and was a top priority of House Speaker Michael Busch, its sponsor. It was set to become law without Hogan's signature at midnight Friday.

But Hogan rejected the proposal hours before that, citing pleas from watermen that it would deliver "a crushing blow" to the state's seafood industry.

"This bill is bad policy, is bad for our watermen—and worst of all—is bad for the Chesapeake Bay," the Republican governor wrote in a veto letter.

Busch, a Democrat, called the governor's decision "unfortunate," and counter to Hogan's recent calls for Congress to increase spending on the federal

Chesapeake Bay Program.

"As Governor Hogan loudly lobbies for federal Chesapeake Bay funds, he quietly vetoed legislation that is critical to the health of the Bay," Busch said in a statement.

The General Assembly's Democratic leadership is expected to quickly take up votes to override Hogan's veto. The bill passed overwhelmingly in the House, and by a narrow veto-proof margin in the Senate.

At issue are five Chesapeake tributaries where millions of dollars of federal and state money has been spent to build artificial oyster reefs and seed them with lab-grown larvae. They are Harris Creek, the Little Choptank River, the Tred Avon River, the St. Mary's River and the Manokin River.

Federal law bars harvesting from the first three of those waterways, where federal money has already been spent on [restoration work](#). But amid complaints from watermen, the Hogan administration has chosen to forgo federal money in recent years—keeping open the option that sanctuaries in the St. Mary's and Manokin rivers could one day be open to harvesting.

Watermen say the oyster restoration efforts aren't working. They argue the work would be more successful if they were allowed to periodically dredge the man-made reefs, saying it helps encourage oyster growth and reproduction by removing silt and sediment that can smother the oysters.

But scientists and environmentalists say that isn't true, and have stressed that maintaining a network of oyster sanctuaries is important in helping the species reestablish itself in the bay.

The Chesapeake Bay Foundation criticized the veto as "extremely short sighted," citing growing oyster populations in one waterway that has seen some of the most significant investment, and criticism from watermen.

"There is a thriving oyster population in Harris Creek, delivering improved water quality and essential habitat for crabs and other [aquatic life](#)," Alison Prost, the foundation's Maryland executive director, said in a statement. "Maryland citizens deserved to have their investments permanently protected."

The Chesapeake oyster population is at less than 1 percent of the levels scientists say were present before colonization. A recently completed and long-awaited study found that there are 300 million market-sized oysters in the bay, half as many as in 1999.

Oyster sanctuaries extend across about a quarter of Maryland's 36,000 acres of oyster bars, and are not only limited to the five tributaries that have been targeted for oyster restoration.

But the oyster bars in those five waterways are among the most controversial of sanctuaries.

Maryland and Virginia each agreed to restore [oyster populations](#) in five sanctuaries as part of their obligations under the 2014 Chesapeake Bay Watershed Agreement, a multistate compact that set goals for bay restoration.

As that work has proceeded, the Hogan administration has explored the feasibility of what watermen call "rotational harvesting," when they are permitted occasional access to oyster bars in sanctuaries. Environmentalists and the Democratic leadership of the General Assembly have repeatedly pushed back against the idea.

In his veto letter, Hogan accused them of ignoring input from important stakeholders in the bay during a yearslong process of reviewing state oyster policy.

The bill "circumvents that progress and demonstrates outright contempt for those who were

asked to work together to arrive at a consensus solution over the past four years," Hogan wrote.

Bipartisanship is commonly cited in Annapolis as politicians differentiate themselves from the divisions on Capitol Hill, but both Hogan and Busch lobbied the term in criticisms of each other regarding the [oyster](#) bill.

Hogan accused Democrats of ignoring a bipartisan policy process. Busch noted that the Republican governor vetoed a bill with bipartisan support.

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