

OYSTER COALITION WORKGROUP
OPTIONS ACCEPTABILITY RANKING EXERCISE WORKSHEET
JULY 31 – AUGUST 1, 2024 – MEETING #4

ACCEPTABILITY RANKING EXERCISE OVERVIEW AND RANKING SCALE

During the meetings, OCW members will be asked to develop and rank options (strategies and actions) using a 4-Point acceptability ranking scale. This is consistent with the Consensus Building Procedures unanimously adopted by the OCW on 2 February 2024. Once ranked for acceptability, options with a ≥ 3.0 average ranking (75%) will be considered preliminary consensus recommendations for inclusion in the package of recommendations for the *Sustainable Oyster Restoration and Management Plan for Eastern Bay, Maryland (Plan)*.

This is an iterative process (the options agreed to at each meeting serve as the starting point for the next, and no recommendation is final until the last meeting), and at any point during the process any option may be re-evaluated and re-ranked at the request of any OCW or ORP Project Team member. The status of a ranked option will not be final until the final OCW meeting, when a vote will be taken on the entire package of consensus-ranked recommendations for submittal to the Oyster Recovery Partnership. The OCW will finalize their recommendations for the *Sustainable Oyster Restoration and Management Plan for Eastern Bay, Maryland* at the December 5, 2024 meeting.

OCW members should be prepared to state their minor and major reservations when asked, and to offer proposed refinements to the option to address their concerns. If an OCW member is not able to offer refinements to make the option acceptable (4) or acceptable with minor reservations (3) they should consider ranking the option with a 1 (not acceptable). The following scale will be utilized for the ranking exercises:

ACCEPTABILITY RANKING SCALE	4 = <i>Acceptable, I agree</i>	3 = <i>Acceptable, I agree with minor reservations</i>	2 = <i>Not Acceptable, I don't agree unless major reservations addressed</i>	1 = <i>Not Acceptable</i>
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CRITERIA TO CONSIDER FOR PROPOSING AND EVALUATING OPTIONS AND RECOMMENDATIONS	
CRITERIA	EXPLANATION
IMPORTANCE	Is this proposed option critically important to achieving the goals of the <i>Restoration and Management Plan</i> ?
TIMELY	Will things get worse if the proposed option is not implemented?
FEASIBLE/ PRACTICAL	Is it likely that the proposed option will be successful in achieving the relevant goals of the <i>Restoration and Management Plan</i> ?
RESOURCES	Are there resources available, or likely to become available for implementing the proposed option? Is implementation cost effective?
COMMITMENT	Is there commitment from the stakeholders and regulators regarding implementation of the proposed option?

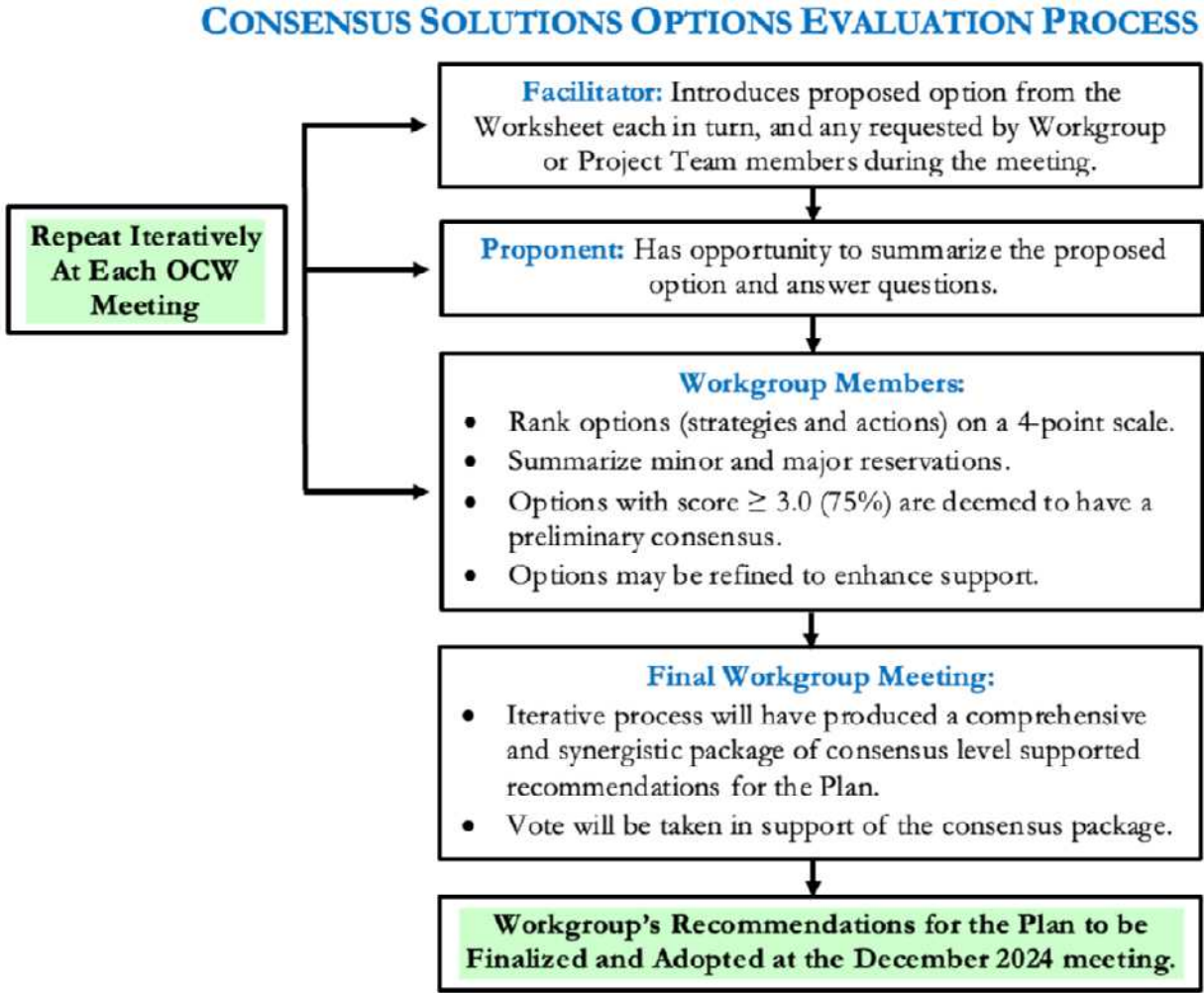
The *Options Acceptability Ranking Exercise Process* and the *Consensus Solutions Process* (Fig. 1) was designed by Jeff Blair of Facilitated Solutions, LLC. Information at: <http://facilitatedsolutions.org>.



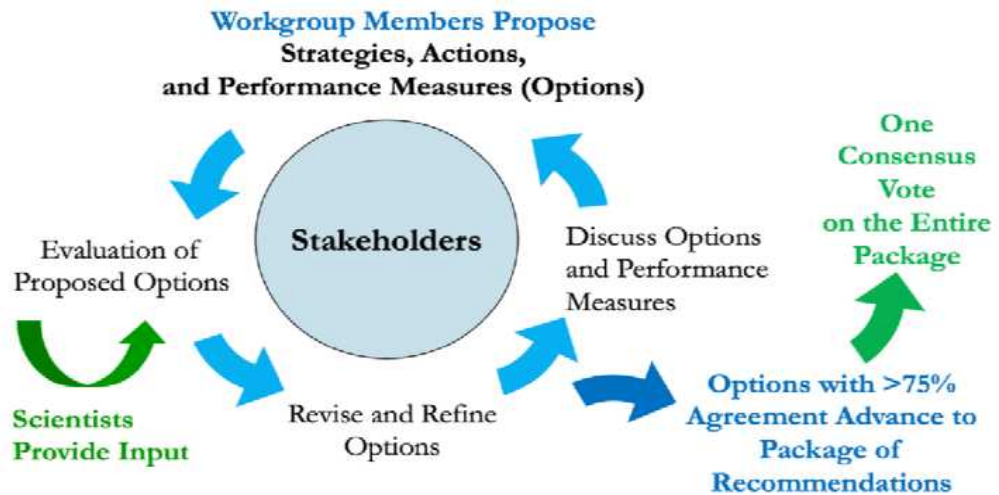
CONSENSUS SOLUTIONS OPTIONS EVALUATION PROCESS

- Facilitator will introduce each option (strategy and action) from the *Plan Framework* in turn.
- Proponent and/or ORP Project Team Member as appropriate, will have an opportunity to provide their rationale for proposing the option.
- OCW members may ask clarifying questions.
- The options will be ranked, each in turn using the 4-Point Acceptability Ranking Scale.
- OCW members may briefly summarize their minor and major reservations.
- Options that achieve a ranking score of ≥ 3.0 (75%) will be deemed to have a preliminary consensus level of support and will be further evaluated as appropriate.
- Options may be refined to enhance support across stakeholder interests.
- This process will be repeated iteratively during each OCW meeting until a comprehensive and synergistic package of recommendations has achieved a consensus level of support.
- The only vote will be taken at the end of the last meeting in support of the consensus package of recommendations. A 75% or greater level of support is required for consensus.
- All ranking results are preliminary until the vote is taken during the final meeting.

Figure 1: Flow Scheme for the Iterative Process of Acceptability Ranking Options.



STAKEHOLDER ARE AT THE CENTER OF THE CONSENSUS SOLUTIONS APPROACH



WE WILL BE SUCCESSFUL

- ✓ When we seek common ground and action;
- ✓ Differences and problems are honored and not “worked;”
- ✓ Listen and participate actively, attentively, and respectfully;
- ✓ Create a shared vision for the Eastern Bay Region of Maryland; and
- ✓ **Are Willing to Reach Consensus.**

WORKSHEET ORGANIZATION BY GOALS AND TOPICAL ISSUES	
SECTION 1 (Page 4)	Options Achieving a Consensus Level of Support (An average of ≥ 3.0 or 75%): are numbered from highest to lowest rank starting with #1 by topical categories, and revised options for ranking.
SECTION 2 (Page 16)	Adopted Plan Framework.
SECTION 3 (Page 17)	Performance Measures.
SECTION 4 (Page 20)	Options Not Achieving a Consensus Level of Support: $< 75\%$ Support, and Options Not Ranked.

KEY DEFINITIONS

STRATEGY: A method, action, plan of action, or policy that can be tested to determine whether it solves a problem and helps to achieve objectives and goals in the context of bringing about a desired future for the Eastern Bay System.

ACTION: The specific steps and activities taken to implement a strategy.

PERFORMANCE MEASURES: The regular measurement of outcomes and results, which generates reliable data on the effectiveness, efficiency, and sustainability of a project’s objectives.

**SECTION 1 – RANKED CONSENSUS OPTIONS: ≥75% SUPPORT
AND REVISED OPTIONS FOR RANKING**

OVERVIEW

The preliminary list of options (strategies and actions) were identified by Workgroup members during Meeting #1 (February 2-3, 2024) as topics for evaluation. The draft strategies and actions for each of the Goals in this Worksheet were drafted by the ORP Project Team based on this initial list of potential options to serve as a framework for discussion, and were not intended to influence the Workgroup’s recommendations. All of the strategies and actions are recommendations from the OCW and will be directed to the appropriate agency, entity, and/ or organization. The strategies and actions acceptability ranking process is intended to ensure that the full range of options for each suggested strategy were evaluated, and to inform the Workgroup’s final consensus package of recommendations for the *Sustainable Oyster Restoration and Management Plan for Eastern Bay, Maryland*. The initial list of strategies and actions were ranked through the consensus process during Meeting #2, revised options were ranked during Meeting #3, and the final package of revised options will be ranked during Meeting #4. The final consensus package of recommendations will be included in the Draft OCW Report and Recommendations for review and refinement during Meeting #5, and for final adoption during Meeting #6 on December 4-5, 2024.

OVERREACHING DIRECTION FOR REVISING STRATEGIES AND ACTIONS

All of the strategies and actions were refined by the ORP Team to clarify meaning and in conformance with the OCW’s intent (from rankings, discussions, and comments during Meeting #3). Duplications and redundancies were eliminated, similar actions combined when possible, and clarifications made to ensure that the specific intent of the strategies and actions are clear and easily understood. In addition, the strategies and actions were re-ordered and re-numbered to reflect a logical sequencing of steps.

NUMBER OF CONSENSUS RANKED STRATEGIES AND ACTIONS		
GOAL	STRATEGIES	ACTIONS
A	6	18
B	4	12
C	3	12
TOTALS	13	42

NUMBER OF REVISED AND/OR NEW STRATEGIES AND ACTIONS FOR RANKING		
GOAL	STRATEGIES	ACTIONS
A	1	9
B	1	7
C	0	0
TOTALS	2	16

Comment for Global Application:

- Clarify the recommendations globally as appropriate, “restoration” means the all-inclusive definition (public fishery, sanctuaries, aquaculture).

I. GOAL A – ENHANCE THE OYSTER RESOURCE IN EASTERN BAY

OPTIONS ACHIEVING A CONSENSUS LEVEL OF SUPPORT: ≥75% SUPPORT

6 STRATEGIES AND 18 ACTIONS

Revised Strategy A-1. Improve oyster habitat and broodstock in Eastern Bay by relying on scientific and industry expertise and integrating stakeholder input into a restoration plan that covers sanctuaries, harvest areas, and aquaculture.

AVERAGE	4= <i>Acceptable</i>	3= <i>Minor Reservations</i>	2= <i>Major Reservations</i>	1= <i>Not Acceptable</i>
<p>Meeting #3 Version: Ranked 4.0 – May 29, 2024 Improve oyster habitat and broodstock in Eastern Bay by relying on scientific and industry expertise and integrating stakeholder input into a restoration plan.</p> <p>Revised To: Improve oyster habitat and broodstock in Eastern Bay by relying on scientific and industry expertise and integrating stakeholder input into a restoration plan <u>that covers sanctuaries, harvest areas, and aquaculture.</u></p> <p>Meeting #3 Comments:</p> <ul style="list-style-type: none"> • Make it clear that “restoration” covers all sectors. 				
Comments				
<ul style="list-style-type: none"> • 				

Action 1.A. Conduct regular habitat mapping to understand the extent and condition of existing oyster habitat and identify priority areas that need enhancement or could be re-delineated for other activities.

Ranked 4.0 – May 29, 2024

Note: *The Workgroup recommended a target range for the frequency of habitat mapping should be established (i.e., every 10 years). A decision should be made either on the number, or on who should establish it.*

Revised Action 1.B. Integrate the use of alternate substrates into Eastern Bay oyster restoration by relying on existing data on the suitability, availability, and effectiveness of different types of substrates that have been approved by DNR and seek any changes to law needed to allow and/or provide for funding.

AVERAGE	4= <i>Acceptable</i>	3= <i>Minor Reservations</i>	2= <i>Major Reservations</i>	1= <i>Not Acceptable</i>
<p>Meeting #3 Version: Ranked 4.0 – May 29, 2024 Integrate the use of alternate substrates into Eastern Bay oyster restoration by relying on existing data on the suitability, availability, and effectiveness of different types of substrates that have been approved by DNR.</p> <p>Revised To: Integrate the use of alternate substrates into Eastern Bay oyster restoration by relying on existing data on the suitability, availability, and effectiveness of different types of substrates that have been approved by DNR <u>and seek any changes to law needed to allow and/or provide for funding.</u></p> <p>Meeting #3 Comments:</p> <ul style="list-style-type: none"> • Eastern Bay sanctuary funding only approved for spat-on-shell (this is in law) • Eastern Bay fishery funding only approved for spat-on-shell and shell (in law) • Need to change the law to include funding for alternate substrates. 				

Comments
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Action 1.C. Identify suitable locations for deploying alternate substrates to improve existing habitat, reduce sedimentation, and improve spat recruitment. **Ranked 4.0 – May 29, 2024**

Revised Action 1.D. Evaluate restoration practices that will improve oyster broodstock, including moving adult oysters from one location in Eastern Bay to another to improve survival and reproduction.

AVERAGE	4= <i>Acceptable</i>	3= <i>Minor Reservations</i>	2= <i>Major Reservations</i>	1= <i>Not Acceptable</i>

Meeting #3 Version: Ranked 4.0 – May 29, 2024

Evaluate restoration practices that will improve oyster broodstock, including moving adult oysters.

Revised To: Evaluate restoration practices that will improve oyster broodstock, including moving adult oysters from one location in Eastern Bay to another to improve survival and reproduction.

Meeting #3 Comments:

- Need to define/clarify what is meant by “moving adult oysters.” Provide examples

Comments
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Action 1.E Evaluate opportunities to involve industry in restoration siting and monitoring and outline how contributions will be integrated. **Ranked 4.0 – May 29, 2024**

Strategy A-2. Evaluate existing practices to increase the availability of oyster shell for habitat enhancement. Ranked 4.0 – May 29, 2024

Action 2.A. Evaluate and implement the existing shell reclamation practices of bar cleaning and dredging from existing fishery areas in Eastern Bay to move shells from unproductive to productive locations. **Ranked 4.0 – May 29, 2024**

Action 2.B. Evaluate the feasibility and sustainability of using shells produced through aquaculture as a potential new source of shell for restoration. **Ranked 4.0 – May 29, 2024**

Revised Action 2.C. Evaluate existing practices and implement programs to increase the amount of shell retained in Maryland from oyster harvest and aquaculture in Eastern Bay.

AVERAGE	4= <i>Acceptable</i>	3= <i>Minor Reservations</i>	2= <i>Major Reservations</i>	1= <i>Not Acceptable</i>

Meeting #3 Version: Ranked 4.0 – May 29, 2024

Evaluate and implement existing practices to increase the amount of shell retained from oyster harvest and aquaculture in Eastern Bay.

Revised To: Evaluate ~~and implement~~ existing practices and implement programs to increase the amount of shell retained from oyster harvest and aquaculture in Eastern Bay.

Meeting #3 Comments:

- Clarify this is to retain shell produced from aquaculture in MD.

Comments
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Action 2.D. Evaluate and acquire other sources of shell within the state of Maryland and from other locations. **Ranked 4.0 – May 29, 2024**

Strategy A-3. Identify opportunities for aquaculture expansion in Eastern Bay that complement existing restoration and fishery practices and consider logistical limitations and habitat requirements, with a focus on areas where shells have been recently removed for bottom enhancement. Ranked 4.0 – May 29, 2024

Action 3.A. Connect oyster harvesters, aquaculture leaseholders, and representatives from other fisheries that depend on a healthy oyster habitat to improve cohesion among ongoing and emerging activities in Eastern Bay. **Ranked 4.0 – May 29, 2024**

Revised Action 3.B. Collectively generate a list of areas acceptable to fishery and aquaculture stakeholders for new aquaculture leases to avoid future conflict.

AVERAGE	4= <i>Acceptable</i>	3= <i>Minor Reservations</i>	2= <i>Major Reservations</i>	1= <i>Not Acceptable</i>
Meeting #3 Version: Ranked 4.0 – May 29, 2024 with revisions				
Collectively generate a list of pre-approved areas acceptable for new aquaculture leases to avoid future conflict.				
Revised To: Collectively generate a list of pre-approved areas acceptable to fishery and aquaculture stakeholders for new aquaculture leases to avoid future conflict.				
Meeting #3 Comments:				
<ul style="list-style-type: none"> Clarify the goal for this action is for stakeholders to support the proposed areas. They will not be preapproved by DNR via permitting. 				
Comments				
•				

Strategy A-4. Develop a long-term monitoring plan to demonstrate whether strategies and actions are working and to allow for adaptive management of the Eastern Bay oyster resource. Ranked 4.0 – May 29, 2024

Strategy A-5. Identify specific roadblocks in the regulatory process or existing regulations at the state, county, and local levels that create challenges for oyster restoration/production. Propose options to overcome these or improve transparency in the process. Ranked 4.0 – May 29, 2024

Action 5.A. Recommend that DNR improve transparency in shell import and alternate substrate approval permitting process for restoration practices. **Ranked 4.0 – May 29, 2024**

Revised Action 5.B. Recommend that DNR evaluate and enhance interagency coordination groups to improve coordination and communication between agencies and stakeholders.

AVERAGE	4= <i>Acceptable</i>	3= <i>Minor Reservations</i>	2= <i>Major Reservations</i>	1= <i>Not Acceptable</i>

Meeting #3 Version: Ranked 4.0 – May 29, 2024 with revisions

Recommend that DNR develop a process to improve coordination and communication between agencies and to stakeholders.

Revised To: Recommend that DNR evaluate and enhance interagency ~~develop a process to improve~~ coordination groups to improve coordination and communication between agencies and to stakeholders.

Meeting #3 Comments:

- This action needs clarification.

Comments

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Action 5.C. DNR should review and update regulations that restrict the expansion of aquaculture on Yates Bars in sanctuaries and near SAV beds. At the very minimum, improve transparency in the existing aquaculture permitting process and regulations. **Ranked 3.9 As Revised – May 29, 2024**

New Action 5.D. DNR should review and update regulations that restrict the expansion of aquaculture on Yates Bars in public fishery areas. At the very minimum, improve transparency in the existing aquaculture permitting process and regulations.

AVERAGE	4= <i>Acceptable</i>	3= <i>Minor Reservations</i>	2= <i>Major Reservations</i>	1= <i>Not Acceptable</i>
Meeting #3 Comments:				
<ul style="list-style-type: none"> • This should be bifurcated into 2 actions: one for the sanctuary area of Yates Bar (5.C.) and one for the public fishery area of Yates Bar (5.D.) 				
Comments				
<ul style="list-style-type: none"> • 				

Strategy A-6. Evaluate the cost of existing and proposed enhancement practices that are recommended by the OCW and identify funding for short- and long-term efforts. Include any available resources/references as an Appendix to the OCW’s Report. **Ranked 4.0 – May 29, 2024**

Revised Action 6.A. Allocate money from recreational oyster license purchases to replenish public fishery oyster bars.

AVERAGE	4= <i>Acceptable</i>	3= <i>Minor Reservations</i>	2= <i>Major Reservations</i>	1= <i>Not Acceptable</i>
Meeting #3 Version: Ranked 4.0 – May 29, 2024 with revisions				
Allocate money from recreational oyster license purchases to oyster restoration in harvest areas.				
Revised To: Allocate money from recreational oyster license purchases to <u>replenish public fishery oyster bars</u> oyster restoration in harvest areas .				
Meeting #3 Comments:				
<ul style="list-style-type: none"> • Change the language to reflect whichever term is in the law. • Already in law. 				
Comments				
<ul style="list-style-type: none"> • 				

Revised Action 6.B. The OCW supports and recommends finalizing the development of a viable implementation framework or plan for nutrient credits which can be used to support oyster enhancement activities that remain within the same watershed.

AVERAGE	4= <i>Acceptable</i>	3= <i>Minor Reservations</i>	2= <i>Major Reservations</i>	1= <i>Not Acceptable</i>
<p>Meeting #3 Version: Ranked 3.9 – May 29, 2024 with revisions The OCW supports and recommends finalizing the development of a viable implementation framework or plan for nutrient credits which can be used to support oyster enhancement activities.</p> <p>Revised To: The OCW supports and recommends finalizing the development of a viable implementation framework or plan for nutrient credits which can be used to support oyster enhancement activities <u>that remain within the same watershed.</u></p> <p>Meeting #3 Comments:</p> <ul style="list-style-type: none"> • Organizationally we are concerned with credits being used to offset impacts (nutrient loads) from other locations. It would be acceptable if the offsets are retained in the same watershed. • The above comment has implications for water quality 				
Comments				
•				

New Action 6.C. Prioritize providing or increasing funding for restoration in sanctuaries that have not yet, or not recently, received restoration.

AVERAGE	4= <i>Acceptable</i>	3= <i>Minor Reservations</i>	2= <i>Major Reservations</i>	1= <i>Not Acceptable</i>
<p>The OCW requested an action with the goal of increasing restoration in sanctuaries that have not received restoration work/funding. This was created May 29, 2024 following discussions about Goal B, Action 1.D.</p>				
Comments				
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II. GOAL B – MANAGE THE OYSTER FISHERY AND AQUACULTURE TO INCREASE AND SUSTAIN HARVEST AND A THRIVING ECONOMY

OPTIONS ACHIEVING A CONSENSUS LEVEL OF SUPPORT: ≥75% SUPPORT

4 STRATEGIES AND 12 ACTIONS

Strategy B-1. Evaluate and enhance the current strategy for sustainable management of Eastern Bay oyster resources. Ranked 4.0 – May 29, 2024

Action 1.A. DNR should define and monitor progress towards targets and thresholds for sustainable harvest levels in Eastern Bay. **Ranked 4.0 – May 29, 2024**

Revised Action 1.B. DNR should implement, or enhance as needed, a process to work collaboratively with stakeholders to develop consensus recommendations for the management of oyster harvest bars based on these thresholds and should implement appropriate changes in a timely manner.

AVERAGE	4= <i>Acceptable</i>	3= <i>Minor Reservations</i>	2= <i>Major Reservations</i>	1= <i>Not Acceptable</i>
Meeting #3 Version: Ranked 3.9 – May 29, 2024				
DNR should implement a joint decision-making process with industry to manage oyster harvest bars based on these thresholds and should implement appropriate changes in a timely manner.				
Revised To: DNR should implement, or enhance as needed, a process to work collaboratively with stakeholders to develop consensus recommendations for the management of a joint decision-making process with industry to manage oyster harvest bars based on these thresholds and should implement appropriate changes in a timely manner.				
Meeting #3 Comments:				
<ul style="list-style-type: none"> • Revise the action to clarify that the goal is to work with stakeholders to develop consensus on recommendations for management. • DNR still makes final decision 				
Comments				
•				

Revised Action 1.C. In the event of adverse impacts from climate change and/or environmental conditions, the appropriate state agencies should adaptively make changes to oyster harvesting regulations as required to maintain public health (e.g., adjustments to season, closures, etc.).

AVERAGE	4= <i>Acceptable</i>	3= <i>Minor Reservations</i>	2= <i>Major Reservations</i>	1= <i>Not Acceptable</i>
Meeting #3 Version: Ranked 4.0 – May 29, 2024 with proposed revisions				
In the event of a shellfish closure or delay in the oyster harvest season due to climate change or poor environmental conditions, the appropriate state agencies should adjust the oyster season and/or implement procedures to mitigate the health risk.				
Revised To: In the event of adverse impacts from climate change a shellfish closure or delay in the oyster harvest season due to and/or environmental conditions, the appropriate state agencies should adaptively				

make changes to oyster harvesting regulations as required to maintain public health (e.g., adjustments to season, closures, etc.) adjust the oyster season and/or implement procedures to mitigate the health risk.

Meeting #3 Comments:

- Revise to reflect the action relates to dealing with adverse conditions and a shellfish closure is not the focus of the recommendation.
- In the event of or climate change or poor environmental conditions impacting public health, should mitigate impacts (provide examples).

Comments

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Revised Action 1.D. Evaluate the feasibility of establishing a rotational harvest framework within specified sanctuaries by allowing watermen to use their funds to restore and harvest bars in specified sanctuaries where no restoration has been done. Establish a pilot project to test this approach, and subsequently consider recategorizing areas in sanctuaries that have not received restoration to serve as the locations selected for potential rotational harvest areas.

AVERAGE	4= <i>Acceptable</i>	3= <i>Minor Reservations</i>	2= <i>Major Reservations</i>	1= <i>Not Acceptable</i>

Meeting #3 Version: Not Ranked

Evaluate the establishment of a rotational harvest framework within sanctuaries by allowing watermen to use their funds to restore and harvest bars in sanctuaries where no restoration has been done. Recategorize areas in sanctuaries that have not received restoration as rotational harvest areas.

Revised To: Evaluate the feasibility of establishing establishment of a rotational harvest framework within specified sanctuaries by allowing watermen to use their funds to restore and harvest bars in specified sanctuaries where no restoration has been done. ~~Recategorize~~ Establish a pilot project to test this approach, and subsequently consider recategorizing areas in sanctuaries that have not received restoration to serve as the locations selected for potential rotational harvest areas.

Meeting #3 Comments:

- This would apply to many sanctuaries in Eastern Bay; many restorations have not been done due to funding.
- Action has many ideas. Perhaps establish a pilot project?
- Evaluate the feasibility of a rotational framework
- Don't limit investment to watermen (watermen & others)
- DNR would find this unacceptable at this time.
- Create 2 actions out of this: one for watermen in sanctuaries, and a second for increased restoration in sanctuaries. – **The second action has been moved to Goal A (Action 6.C)**

Comments

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Action 1.E. Consider and establish a rotational harvest framework in non-productive bottom in fishery areas, incorporating practices such as rotational investment and management of entire oyster bars. **Ranked 4.0 – May 29, 2024**

Revised Action 1.F. Evaluate existing harvest gear regulations and locations in Eastern Bay and consider changes that will promote sustainable oyster harvest (e.g., expanding patent tong or dredge areas) along with a proportional increase in enforcement to ensure compliance.

AVERAGE	4= <i>Acceptable</i>	3= <i>Minor Reservations</i>	2= <i>Major Reservations</i>	1= <i>Not Acceptable</i>
Meeting #3 Version: Ranked 4.0 – May 29, 2024				
Evaluate existing harvest gear regulations and locations in Eastern Bay and consider changes that will promote sustainable oyster harvest (e.g., expanding patent tong or dredge areas).				
Revised To: Evaluate existing harvest gear regulations and locations in Eastern Bay and consider changes that will promote sustainable oyster harvest (e.g., expanding patent tong or dredge areas) <u>along with a proportional increase in enforcement to ensure compliance.</u>				
Meeting #3 Comments:				
<ul style="list-style-type: none"> Enforcement would need to be enhanced proportionally (Strategy B-2) for this to work. 				
Comments				
<ul style="list-style-type: none"> 				

Action 1.G. Evaluate management practices that are implemented successfully in other areas and consider whether they would be appropriate to apply in Eastern Bay. **Ranked 4.0 – May 29, 2024**

Strategy B-2. DNR should enhance enforcement and reporting mechanisms that ensure accurate information on oyster harvesting in Eastern Bay. Ranked 4.0 – May 29, 2024

Action 2.A. Engage with NRP and industry stakeholders to discuss and implement effective solutions to quantify and limit poaching and illegal harvest, with a focus on available technology (e.g., GPS, drones). **Ranked 4.0 – May 29, 2024**

Action 2.B. Develop methods to account for illegal and unreported harvest when assessing the effectiveness of restoration and replenishment. **Ranked 4.0 – May 29, 2024**

Revised Action 2.C. In collaboration with seafood processors, evaluate enhancements to and/or eliminate problems with existing harvest reporting standards.

AVERAGE	4= <i>Acceptable</i>	3= <i>Minor Reservations</i>	2= <i>Major Reservations</i>	1= <i>Not Acceptable</i>
Meeting #3 Version: Ranked 4.0 – May 29, 2024				
Evaluate harvest reporting standards in collaboration with seafood processors.				
Revised To: <u>In collaboration with seafood processors, evaluate enhancements to and/or eliminate problems with existing harvest reporting standards</u> harvest reporting standards in collaboration with seafood processors.				
Meeting #3 Comments:				
<ul style="list-style-type: none"> Needs clarification and should be evaluated by the OCW's buyer/seafood dealer members 				
Comments				
<ul style="list-style-type: none"> 				

Strategy B-3. DNR should support leaseholders to develop and implement experimental aquaculture harvest practices and processes. **Ranked 4.0 – May 29, 2024**

Revised Strategy B-4. Forward any OCW recommendations that have state-wide oyster management impacts to the appropriate advisory groups (e.g., OAC, TFAC) for evaluation.

AVERAGE	4= <i>Acceptable</i>	3= <i>Minor Reservations</i>	2= <i>Major Reservations</i>	1= <i>Not Acceptable</i>
<p>Meeting #3 Version: Ranked 4.0 – May 29, 2024 with proposed revisions Address all statewide oyster management issues by evaluation and forwarding recommendations from the OCW to appropriate entities for consideration.</p> <p>Revised To: <u>Forward any OCW recommendations that have state-wide oyster management impacts to the appropriate advisory groups (e.g., OAC, TFAC) for evaluation</u> Address all statewide oyster management issues by evaluation and forwarding recommendations from the OCW to appropriate entities for consideration.</p> <p>Meeting #3 Comments:</p> <ul style="list-style-type: none"> Clarify the action only applies to the specific OCW recommendations that have state-wide impact. <p>Comments</p> <ul style="list-style-type: none"> 				

Revised Action 4.A. The OCW recommends that OAC and/or TFAC, in collaboration with stakeholder interests, evaluate and establish a comprehensive limited entry program for full-time seafood industry workers, ensuring accessibility for full-time seafood industry workers and their family members.

AVERAGE	4= <i>Acceptable</i>	3= <i>Minor Reservations</i>	2= <i>Major Reservations</i>	1= <i>Not Acceptable</i>
<p>Meeting #3 Version: Ranked 3.9 – May 29, 2024 The OCW recommends that OAC and/or TFAC evaluate and establish a comprehensive limited entry program for full-time seafood industry workers, ensuring accessibility for full-time seafood industry workers and their family members.</p> <p>Revised To: The OCW recommends that OAC and/or TFAC, <u>in collaboration with stakeholder interests,</u> evaluate and establish a comprehensive limited entry program for full-time seafood industry workers, ensuring accessibility for full-time seafood industry workers and their family members.</p> <p>Meeting #3 Comments:</p> <ul style="list-style-type: none"> Working with stakeholders is key How draw the line for “full-time”? e.g., Many only pay oyster surcharge when the season is good. Those that pay every year should not be excluded <p>Comments</p> <ul style="list-style-type: none"> 				

Action 4.B. The OCW recommends the establishment of a state law requiring that all local jurisdictions establish right-to-work laws to protect seafood industry workers and facilitate industry operations. **Ranked 4.0 – May 29, 2024 with the state agencies abstaining.**

III. GOAL C – AN ENGAGED STAKEHOLDER COMMUNITY THAT SUPPORTS SUSTAINABLE OYSTER RESTORATION AND MANAGEMENT

OPTIONS ACHIEVING A CONSENSUS LEVEL OF SUPPORT: ≥75% SUPPORT

3 STRATEGIES AND 12 ACTIONS

Strategy C-1. Establish a coordinated public relations and marketing effort among stakeholders (including Dept of Ag./MD's Best Seafood) to enhance public perception and support for commercial fisheries and aquaculture occurring in Eastern Bay. Ranked 4.0 – May 29, 2024

Action 1.A. Identify strategies to monitor and respond to the spread of misinformation about Chesapeake Bay/Eastern Bay oysters. **Ranked 4.0 – May 29, 2024**

Action 1.B. Market ecosystem services provided by oysters. **Ranked 4.0 – May 29, 2024**

Action 1.C. Develop a process to communicate monitoring results to secure future funding for oyster production in Eastern Bay. **Ranked 4.0 – May 29, 2024**

Strategy C-2. Establish educational opportunities to improve public awareness of Eastern Bay oyster culture. Ranked 4.0 – May 29, 2024

Action 2.A. Create opportunities to engage with local waterman and aquaculture leaseholders to learn about the investment and process for harvesting oysters, with the goal to ensure that industry maintains access to oyster resources and commercial infrastructure. **Ranked 4.0 – May 29, 2024**

Action 2.B. Educate elected officials on challenges and opportunities for the expansion of oyster production in Eastern Bay, including zoning restrictions, right-to-work laws, access to working waterfronts, and opportunities with the oyster BMP. **Ranked 4.0 – May 29, 2024 with DNR Abstaining.**

Action 2.C. Maintain community restoration programs such as Marylander's Grow Oysters that are primarily designed to be educational for the public. **Ranked 4.0 – May 29, 2024**

Action 2.D. Improve the market for local oysters by identifying opportunities to engage stakeholders in the preparation and eating of locally caught oysters. **Ranked 4.0 – May 29, 2024**

Action 2.E. Establish educational programs that are hosted locally (e.g., at CBEC) that focus on watermen, aquaculture, and the history of commercial seafood activity in Eastern Bay. **Ranked 4.0 – May 29, 2024**

Action 2.F. Increase recreational oyster dive charters/hand tong charters to educate the public about oyster reef ecology and the commercial oyster industry. **Ranked 4.0 – May 29, 2024**

Action 2.G. (*previous Action 2.H*) Identify technologies that can be used to educate a broader audience about Eastern Bay oyster habitat and culture. **Ranked 4.0 – May 29, 2024**

Strategy C-3. Evaluate strategies and incentives to retain people in the commercial oyster industry and remove barriers to young entrants. Ranked 4.0 – May 29, 2024

Action 3.A. Develop an apprentice program to train people entering the oyster fishery or aquaculture, including education on the required investment, training using various gear types, connecting them to the community, etc. **Ranked 4.0 – May 29, 2024**

Action 3.B. Establish education programs that introduce young people to aspects of the oyster fishery and inspire them to consider a career on the water. **Ranked 4.0 – May 29, 2024**

SECTION 2 – ADOPTED PLAN FRAMEWORK

EASTERN BAY OYSTER COALITION WORKGROUP PLAN FRAMEWORK FOR THE SUSTAINABLE OYSTER RESTORATION AND MANAGEMENT PLAN FOR EASTERN BAY, MARYLAND ADOPTED UNANIMOUSLY 2 FEBRUARY 2024 REVISED UNANIMOUSLY 30 MAY 2024

GOAL A. ENHANCE THE OYSTER RESOURCE IN EASTERN BAY

Vision Theme A: A healthy, self-sustained Eastern Bay oyster population.

Outcome: By 2034 oyster resources that include natural habitat, public oyster grounds, and privately operated aquaculture leases will be thriving and contributing toward a sustainable population and improvements to the Eastern Bay System.

Goal A Objectives

- A1)** To achieve a healthy and sustainable oyster population in Eastern Bay.
- A2)** To enhance ecosystem services through the restoration of oysters in Eastern Bay.
- A3)** To expand oyster aquaculture in Eastern Bay.

GOAL B. MANAGE THE OYSTER FISHERY AND AQUACULTURE TO INCREASE AND SUSTAIN HARVEST AND A THRIVING ECONOMY

Vision Theme B: A productive oyster population that sustains a vibrant commercial oyster fishery, a thriving aquaculture industry, and recreational and tourism related activities.

Outcome: By 2034 both private and public oyster resources will sustain a vibrant commercial oyster fishery, a thriving aquaculture industry, and recreational and tourism related activities in Eastern Bay.

Goal B Objectives

- B1)** To achieve an increased level of sustainable oyster harvest from Eastern Bay.
- B2)** To improve recreational and other commercial fisheries and tourism activities in Eastern Bay.

GOAL C. AN ENGAGED STAKEHOLDER COMMUNITY THAT SUPPORTS SUSTAINABLE OYSTER RESTORATION AND MANAGEMENT

Vision Theme C: Stakeholders in Eastern Bay are committed to working together to advocate for a sustainably managed oyster habitat and a healthy Eastern Bay ecosystem.

Outcome: By 2034 stakeholders and the public are informed of the importance of sustaining the health of oysters in Eastern Bay, and are engaged and working actively together along with elected and appointed leaders and managers to invest in and implement the Plan.

Goal C Objectives

- C1)** To achieve a broader awareness and understanding of the natural and cultural value of healthy oyster habitat in Eastern Bay.
- C2)** To secure funds for oyster enhancement in Eastern Bay over the long term.

SECTION 3 – PERFORMANCE MEASURES

GOAL A – ENHANCE THE OYSTER RESOURCE IN EASTERN BAY	
OBJECTIVES	RECOMMENDED METRICS
A1) To achieve a healthy and sustainable oyster population in Eastern Bay.	<ul style="list-style-type: none"> • Oyster density (m2) – adults, spat, sub-legal • Oyster biomass (m2) – adults, spat, sub-legal • Annual recruitment rate • Annual volume of cultch (bushels)
A2) To enhance ecosystem services through the restoration of oysters in Eastern Bay.	<ul style="list-style-type: none"> • Area (acres) restored annually • Pounds of nitrogen & phosphorus removed annually from reefs • Water clarity – percent increase in light reaching 2m depth • Area (acres) of SAV in Eastern Bay, assessed annually
A3) To expand oyster aquaculture in Eastern Bay.	<ul style="list-style-type: none"> • Number of aquaculture leases operating in Eastern Bay annually • Acres of active oyster leases in Eastern Bay • Number and volume (bushels) of oysters planted/deployed in leases annually • Annual harvest from leases (bushels)

Ranking of Revised Objectives and Performance Measures for Goal A

Ranked 4.0 – May 30, 2024

Outstanding Comments:

- For Objective A1, need to define spatial scale and goal/target #s.

GOAL B – MANAGE THE OYSTER FISHERY AND AQUACULTURE TO INCREASE AND SUSTAIN HARVEST AND A THRIVING ECONOMY

OBJECTIVES	RECOMMENDED METRICS
<p>B1) To achieve an increased level of sustainable oyster harvest from Eastern Bay.</p>	<ul style="list-style-type: none"> • Annual oyster harvest from Eastern Bay through wild harvest and aquaculture (bushels) • Harvest/fishing rate/CPUE • Number of commercial oyster licenses in Queen Anne and Talbot Counties • Number of oyster trips reported in Eastern Bay • Proportion of dealer buy tickets purchasing seafood from Eastern Bay, annually
<p>B2) To improve recreational and other commercial fisheries and tourism activities in Eastern Bay.</p>	<ul style="list-style-type: none"> • Annual recreational oyster harvest from Eastern Bay • Number of recreational oyster licenses in Queen Anne and Talbot Counties • Number charter trips reported in Eastern Bay annually • Number of harvest trips and harvest (bushels/lbs.) reported for other fisheries in Eastern Bay (clam, finfish, blue crab) annually • Number recreational boating trips in Eastern Bay annually (e.g., # Queen Anne & Talbot County landing permits, annual boater surveys, recreational fishing surveys or CCA data, economic benefit analysis of increased eco-tourism and recreational activities, and other new data collection approaches) • Water clarity – percent increase in light reaching 2m depth • Pounds of nitrogen & phosphorus removed annually through harvest • Pounds of nitrogen & phosphorus removed annually through aquaculture

Ranking of Revised Objectives and Performance Measures for Goal B

Ranked 4.0 – May 30, 2024

Outstanding Comments:

- Need to define “sustainable.”
- For Objective B1, need to define target harvest levels and % variance that is acceptable around this target. Assess based on recruitment, use stock assessment.

GOAL C – AN ENGAGED STAKEHOLDER COMMUNITY THAT SUPPORTS SUSTAINABLE OYSTER RESTORATION AND MANAGEMENT

OBJECTIVES	RECOMMENDED METRICS
<p>C1) To achieve a broader awareness and understanding of the natural and cultural value of healthy oyster habitat in Eastern Bay.</p>	<ul style="list-style-type: none"> • Number people engaged – K-12, adults • Number of Eastern Bay oyster educational materials developed (e.g., signage at local environmental centers, lesson plans, etc.) • Number of businesses participating in outreach • Number of restaurants in Queen Anne’s and Talbot Counties serving local oysters
<p>C2) To secure funds for oyster enhancement in Eastern Bay over the long term.</p>	<ul style="list-style-type: none"> • Funds allocated by Queen Anne’s and Talbot Counties for oyster restoration, annually • Funds allocated by the state for oyster restoration in Eastern Bay, annually • Community funds raised for oyster restoration, annually (e.g., through QA & Talbot Co crab pot Christmas trees, ORP & ShoreRivers Build-A-Reef partnership, etc.)

Ranking of Revised Objectives and Performance Measures for Goal C

Ranked 4.0 – May 30, 2024

SECTION 4 – RANKED OPTIONS NOT ACHIEVING A CONSENSUS LEVEL OF SUPPORT AND OPTIONS NOT RANKED (< 75 SUPPORT)

I. GOAL A – ENHANCE THE OYSTER RESOURCE IN EASTERN BAY

OPTIONS NOT ACHIEVING A CONSENSUS LEVEL OF SUPPORT: < 75% SUPPORT

Initial Action 2.C. Identify sources of substrate that have been approved by DNR for use in Eastern Bay over the long-term, including as a base for planting oysters.

Workgroup Action

- The Workgroup did not rank original action 2-C.
- The Workgroup asked that this be incorporated into one of other existing actions to eliminate duplication.
- Similar actions should be revised and combined as appropriate to eliminate redundancy and reduce the number of actions.
- **This action has been clarified and incorporated into the revised strategies and actions under Goal A**

Initial Action 3.D. Review and evaluate regulatory boundaries that restrict uses of shellfish management area/oyster bars for multiple oyster practices.

Workgroup Action

- The Workgroup did not rank original action 3-D.
- The Workgroup stated it needs clarification regarding what is intended (e.g., gear types, and aquaculture is not allowed in public fishery areas)
- **This action has been clarified and incorporated into the revised strategies and actions under Goal A**

Initial Action 4.E. Evaluate existing shell reclamation practices that may be suitable for enhancing habitat, including bar cleaning and shell relay.

Workgroup Action

- The Workgroup did not rank Initial Action 4-E.
- The Workgroup stated it is redundant, not needed, and part of existing BMPs.

Initial Strategy 6. Evaluate research needs to effectively enhance the oyster resource in Eastern Bay.

- **This strategy was redundant with other strategies/actions in Goal A so has been removed.**

Initial Action 6.B. Evaluate effectiveness of existing or new shell reclamation practices that can be implemented to enhance oyster habitat.

- **This action was redundant with other strategies/actions in Goal A so has been removed.**

Initial Action 6.C. Evaluate effectiveness and cost of other suggested practices/strategies proposed by the OCW.

- This action was redundant with other strategies/actions in Goal A so has been removed.

Meeting #3 Action 2.E. (previous Action 2.D) Evaluate and acquire shells from existing oyster sanctuaries and/or reserve areas that can be used for seed areas and/or public fishery replenishment.

Workgroup Action
<ul style="list-style-type: none"> • Ranked 1.7 – Failed to achieve consensus level of support. • Habitat should remain in sanctuaries

Meeting #3 Action 6.C. (previous Goal B, Action 6.A.) Invest public funds equitably (not necessarily equally) between sanctuaries and public fishery areas.

Workgroup Action
<ul style="list-style-type: none"> • Ranked 2.8 – Failed to achieve consensus level of support. • Major concern with using public funds to support private industry (i.e., fishery is a business). Multiple similar comments. • The requirements of the legislation already provide for this.

II. GOAL B – MANAGE THE OYSTER FISHERY AND AQUACULTURE TO INCREASE AND SUSTAIN HARVEST AND A THRIVING ECONOMY

OPTIONS NOT ACHIEVING A CONSENSUS LEVEL OF SUPPORT: < 75% SUPPORT

Initial Action 1-C. Consider and establish a rotational harvest framework for oyster harvest (in sanctuaries and existing harvest areas), incorporating practices such as rotational investment and management of entire oyster bars.

Workgroup Action
<ul style="list-style-type: none"> • Ranked 1.3 (March 29-30, 2024) – Failed to achieve consensus level of support • Watermen don't want to discuss rotational harvest. They are concerned that once an area is closed it won't be reopened. • We don't have enough bars to work as it is. If a bar(s) is closed that puts more pressure on the remaining open bars. • We could support this if was in areas in sanctuaries where no restoration has been done, watermen could use their funds to do restoration and then harvest, replant, harvest, etc. • Planting shell in mudholes (bad bottom) not worthwhile. • DNR is opposed to harvesting in sanctuaries. • Oysters need to stay in sanctuaries. • Consider a system to pay watermen to plant but not harvest oysters in sanctuaries, • This action has been broken into two more suitable actions which are listed in the rankings above.

Initial Action 1.F. Evaluate the feasibility of and establish an oyster relay program, incorporating market-sized oysters from closed areas managed by MDE.

Workgroup Action

- The Workgroup did not rank Initial Action 1-F.
- Polluted waters area are natural sanctuaries and should remain so.
- This option already exists and a recommendation from the OCW is not needed.

Initial Action 4.E. Evaluate, propose, and enforce best reporting practices (e.g., e-reporting) that should be implemented for tracking and quantifying commercial and recreational oyster harvest from Eastern Bay.

Workgroup Action

- Original Action 4-E is a duplicate of 4-C. Combine this as needed with Action 4-C. This was not ranked as written
- **This action has been incorporated into the revised strategies and actions under Goal B**

Initial Action 8.A. Implement an annual review of the commercial oyster fishery season relative to water temperatures and adjust the season appropriately.

Workgroup Action

- The Workgroup did not rank Initial Action 8-A.
- The OCW drafted a revised Action 8-A.

Comments

- Health risks.
- Adjust to account for early closure.
- State-wide issue.
- TFAC issue.
- Discuss with packers.
- Spawning season is an issue.

Initial Action 8.B. Establish an oyster relay program that will move oysters from temporary or expanded MDE shellfish closure areas to open harvest areas in Eastern Bay to maintain harvest levels.

Workgroup Action

- The Workgroup did not rank Initial Action 8-B.
- Not needed – in place already.

Initial Action 8.C. Expand water quality and disease monitoring to help identify potential human health risks and inform appropriate management/mitigation actions or area closures (e.g., vibrio, wastewater treatment plant spills, septic discharge, lawncare, etc.).

Workgroup Action

- The Workgroup did not rank Initial Action 8-C.
- Action is not needed, this is already being done.

III. GOAL C – AN ENGAGED STAKEHOLDER COMMUNITY THAT SUPPORTS SUSTAINABLE OYSTER RESTORATION AND MANAGEMENT

OPTIONS NOT ACHIEVING A CONSENSUS LEVEL OF SUPPORT: < 75% SUPPORT

Initial Action 1.B. Identify strategies for education surrounding sewage spills.

Workgroup Action

- The Workgroup did not rank Initial Action 1-B.
- Eliminate, this is covered in other actions.

Meeting #3 Action 2.G. Improve education and accountability of recreational harvesters by establishing and enforcing a recreational oyster license.

Workgroup Action

- This has already been implemented and is not needed.