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DNR-FS-2023-12

SMALL BUSINESS COMPLIANCE GUIDE

Amendment to Subtitle 02 Fisheries Service

Regarding the Department's Regulations for Fees for Blue Crabs – Containers and Limits

COMAR 08.02.03.01, .10, .12, .13, and .14

Released October 13, 2023

Updated January 12, 2024

Updated March 26, 2024

This Guide is prepared in accordance with the requirements of State Government Article, §10-110, Annotated Code of Maryland. It is intended to help small businesses comply with the revised rules adopted in the above-referenced sections of the Code of Maryland Regulations. This Guide is not intended to replace or supersede these rules, but to facilitate compliance with the rules. Although we have attempted to cover all parts of the rules that might be especially important to small businesses, the coverage may not be exhaustive. This Guide cannot anticipate all situations in which the rules apply.

The Department will clarify or update the text of the Guide as an idea moves through the regulatory process. Direct your comments and recommendations, or calls for further assistance, to Fishing and Boating Services Regulatory Division:

410-260-8300

410-260-8DNR; toll free in Maryland 877-620-8DNR; TTY Users Call via the Maryland Relay

SUMMARY & FAQs

What has been proposed?

The Department has proposed the following container definitions utilizing inside dimensions for a bushel (recreational and commercial use), a lug (commercial use only), and a barrel (commercial use only).

1. Bushel:
 1. Circular: 18” top diameter x 12” height x 13.5” bottom diameter
 2. Rectangular: 11” height x 19.5” length x 12.5” width
2. Lug: 22-7/8” top length x 14-7/8” top width x 21” bottom length x 13” bottom width x 12-3/8” height
3. Barrel: 20.5” top diameter x 27.5” height x 18” bottom diameter

The Department has proposed requiring all commercial hard crab harvest to be held in a defined container, be separated by sex, and prohibit container mixing onboard a vessel. Daily hard crab catch limits by container and license type for commercial crabbers in the Chesapeake Bay and its tributaries will be established by public notice as needed.

The Department as also proposed adding commercial daily hard crab catch limits in alternative containers for those limits which are currently defined in regulation only in bushels. The bushel limits will not change and the limits in the alternative containers will be roughly equivalent to the bushels. The daily commercial catch limit for Worcester County will be specified as 25 bushels, 16 lugs, or 10 barrels, and daily hard male crab catch limits for crabs caught from commercial finfish gear will be specified as 2 bushels or 1 lug. Daily hard female catch limits for commercial finfish gear will remain restricted to the daily maximum number of female crabs allowed by the individual's license type as established by public notice.

Why is this change necessary?

Clearly identifying containers will promote compliance and enforceability of daily catch limits, which are used to ensure blue crab harvest from the Chesapeake Bay does not exceed the exploitation fraction thresholds established in Amendment 2 to the Chesapeake Bay Blue Crab Fishery Management Plan. These changes will also provide greater consistency for how male and female crabs are regulated and help simplify the blue crab regulations.

Who will this affect?

Commercial and recreational crabbers in Maryland waters.

Has this change been discussed with stakeholders?

This was discussed with the Tidal Fisheries Advisory Commission and Sportfish Fisheries Advisory Commission at their October 2023 meetings.

What is the specific regulatory action?

Amend Regulation .01, .10, .12, .13, and .14 under COMAR 08.02.03 Blue Crabs.

II. RECORDKEEPING AND REPORTING REQUIREMENTS

This action will not create new recordkeeping or reporting requirements.

III. IMPLEMENTATION DATE

This regulation change is effective April 1, 2024.