

FISHING IN NONTIDAL WATERS — Definitions

What is being considered?

The department would like to create definitions for creel limit, possession limit, and bait fish in nontidal waters.

Some individuals have expressed confusion with regards to the differences between the creel limit and possession limit for certain species, and what that means for possession while fishing. The department would like to clarify by 1) defining “daily creel limit” as the total number of fish of a species that can be harvested or in an individual's possession while afield or on the water between midnight and 11:59 p.m.; and 2) defining “possession limit” as the maximum number of a particular species allowed in an angler's possession, including the daily creel limit and any fish stored in another location which were caught on a previous day.

There has been additional confusion with regards to the term “bait fish” and what species that term applies to in nontidal waters. The department would like to define the term “bait fish” as: bait fish include any species of fish which are legally permitted to be put on a hook for the purpose of catching a fish which do not otherwise have a catch or possession limit. The total number of bait fish, in aggregate, while afield or on the water must not exceed 35 per individual.

Why is this change necessary?

This change is necessary to provide clarity for and ensure compliance with the harvest limits the department has set in order to protect the fish populations in nontidal waters while providing adequate recreational opportunities.

Who will this affect?

Recreational anglers in nontidal waters.

When will this be effective?

This change could be effective in winter 2021-2022, however, at this time, the department cannot determine if the change will be adopted nor the exact date that it could be effective. The department will follow our normal scoping and proposal procedures.

Has this change been discussed with advisory commissions?

Sport Fisheries Advisory Commission and Tidal Fisheries Advisory Commission, July 2021

What is the specific regulatory action?

Amend Regulation .04 under COMAR 08.02.11 Fishing in Nontidal Waters.