

ATLANTIC MENHADEN – Recreational Harvest

What is being considered?

The Department is considering clearly allowing the recreational harvest of Atlantic menhaden.

Why is this change necessary?

When the Department originally declared Atlantic menhaden as “In Need of Conservation” and adopted regulations for their commercial harvest, it was overlooked that the authority that was used made it so that harvest was only allowed under rules that explicitly allowed the activity. Typically, fishing activities that are not explicitly prohibited by regulation are allowed (i.e., unlimited harvest of catfish in tidal waters). Because of the authority used for menhaden, the Department must affirmatively allow recreational harvest, or it is not legal. The Department never intended to prohibit this activity and believes that this activity has long occurred even with the current technical prohibition. The Department also believes that the recreational harvest of menhaden (typically as bait for other fisheries) will not have a meaningful impact on the species, as the majority of harvest in Maryland comes from pound nets, and the largest percentage of harvest on the coast comes from the purse seine fishery in Virginia.

Who will this affect?

Recreational anglers.

When will this be effective?

The Department projects that this change could be effective in the spring of 2024. However, the exact date cannot be determined. The Department will follow our normal scoping and proposal procedures if this concept moves forward.

Has this change been discussed with stakeholders?

This issue was recently discovered by the Natural Resources Police and has not yet been discussed with stakeholders.