



*Martin O'Malley, Governor*  
*Anthony G. Brown, Lt. Governor*  
*John R. Griffin, Secretary*  
*Joseph P. Gill, Deputy Secretary*

December 14, 2011

Dear Stakeholder:

Largemouth and smallmouth black bass provide recreational fishing for a great diversity of anglers. At an estimated 3,009,000 fishing days per year, largemouth bass is the most sought after sportfish in Maryland (USFWS 2006). Fishing activity, which could be described as intense in some areas, along with habitat and water quality changes all act to put pressure on bass populations. Poor fishing has sometimes been reported by anglers in contrast to results of annual population surveys performed by the Maryland Department of Natural Resources (MD DNR). Some populations are not surveyed at all due to limitations of our sample gear or manpower and budget restraints. MD DNR biologists value the insight of anglers and want to incorporate that information into population assessments.

Fisheries Service is exploring a regulatory idea that would require black bass tournament directors to register and obtain a free permit for their tournament. This would include a requirement to report results to Fisheries Service after the tournament has been conducted. The catch data from tournaments would be used to assess catch trends, estimate resource usage, and evaluate the worth of black bass fishing to State and local economies. While many tournament directors currently work with MD DNR Fisheries Service, many do not and we have no system in place to ensure future collaboration. A permitting system will also address many other types of issues:

- Collecting tournament data year round from all events provides a more accurate assessment of annual fishing success than do observations at specific periods.
- Trends in tournament catch are used to verify annual DNR survey assessments.
- Directors will need short-notice information, such as area closures near Quantico. This information is not efficiently spread to directors from different states using press releases.
- MD DNR fisheries biologists rely on communication with all tournament (or conservation) directors to discuss best handling procedures, lowering the risk of fish death.
- Directors (and public, in general) often don't know of other concurrent tournament weigh-ins, which can result in heavy car and boat traffic.
- Directors using release boats need an efficient way to obtain their waiver of liability for possessing and transporting more than the legal creel limit.
- Estimates of resource usage can be used to account for catch and release mortality in population models.
- Participation information can be used to steer planning and zoning outcomes toward protection of important watersheds and black bass habitats.
- A registration list of all tournaments will enable MD DNR fisheries staff to improve efficiencies in obtaining tournament information.

FREE permitting is cheap relative to other possible solutions for obtaining angler usage data. Currently, we conduct surveys from a small number of weigh-in areas during a limited time period. As the fishery grows, this survey effort becomes increasingly insufficient. Other solutions like large-scale creel surveys and economic studies can annually cost over \$50,000/year. The proposed solution does not increase cost to MD DNR or to the angler; in fact, it should lower costs by reducing current survey work. Continuing the status quo is costly and limits MD DNR's ability to reliably identify problems and protect populations.

Please read the attached information to identify problems you think this free permit system will cause. Be candid so that we can fully understand potential impacts that this permitting system will cause. Contact Joe Love (jlove@dnr.state.md.us or 410-260-8257) or email comments to mddnrfish@dnr.state.md.us.

Sincerely,

Thomas J. O'Connell (Director, Fisheries Service)

MD DNR Fisheries improves black bass fishing by requiring tournament directors to get a free permit

## **IDEA UNDER CONSIDERATION: *REQUIRE A PERMIT TO HOST LARGEMOUTH and SMALLMOUTH BASS TOURNAMENTS IN MARYLAND***

### FAQs

#### *WHY A PERMIT?*

A permit facilitates the transfer of information between MD DNR and the tournament director; it also enables MD DNR Inland Fisheries to enforce stipulations of release boat waivers; and, it allows MD DNR authority to prevent an organization from hosting a tournament in Maryland if they have demonstrated a willful disregard for accepted handling procedures. Currently, MD DNR manages bass fisheries via creel and size limits. While such regulations are useful for regulating harvest, the fishery for largemouth bass is largely catch-and-release. In some cases, MD DNR's current authority has not been broad enough to protect the resource.

#### *WHO WOULD NEED A PERMIT?*

All black bass tournament directors who host tournaments on tidal and non-tidal waters of Maryland would register their tournament and report results on-line. A black bass tournament is defined as any event that: [a] is advertised to draw anglers for an offer, reward or incentive for catching largemouth or smallmouth bass; [b] is associated with a staged weigh-in area; [c] has director(s); *and* [d] includes at least 5 boats. MD DNR will work with VA, DE, WV and local regional park authorities to obtain broad compliance with the registration procedures.

#### *WHO WOULD BE EXEMPT FROM A PERMIT?*

Tournament directors who [a] hold paper tournaments with no staged weigh-in area, or [b] do not advertise their tournament via the World Wide Web, social networking sites, or other forms of media, would not need a permit. While exemptions are possible, we encourage all tournament directors to participate in black bass management by registering their tournament and reporting their results.

#### *IS THERE A PERMIT FEE?*

**There is no fee for this permit.** Maryland angling groups including some tournament organizations supported an increase in sportfishing license fees in 2007. Through participation in the Fisheries Task Force, these groups identified the need to direct enhanced funding to black bass management. Permitting services will be funded with those license dollars.

#### *What about Enforcement?*

Natural Resources Police will be alerted to areas where black bass tournaments are conducted. There will be a grace period, during which a director who fails to provide a

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permit will be given a single warning; and upon second offense, a citation will be issued. The fine amount of the citation will be recommended by the Sport Fish/ Tidal Fish Advisory Commissions Penalty Workgroup and assigned by the District Court.

Directors (or representatives) will be responsible for ensuring permit criteria are followed. Violations of the criteria will be reported to the Tidal Bass Manager or Natural Resources Police (as appropriate). Permit violations may compromise the ability of the director to obtain future permits.

#### *HOW WOULD DIRECTORS REQUEST A PERMIT?*

- 1) Visit the following website at least 30 – 365 days prior to the tournament:  
<http://dnrweb.dnr.state.md.us/fish/tournament/register2.asp>.
- 2) Complete a short form
- 3) When approved, MD DNR Tidal Bass Manager will electronically send the tournament director a permit within 14 days of receipt of the application. The permit will state criteria of the permit, including release boat criteria (if applicable).
  - a. The MD DNR Tidal Bass Manager will work with MD DNR Park Service (MPS) to assure that a single permit only is required of the tournament director.
  - b. Directors who wish to conduct a tournament at a state park will contact the park directly to schedule their tournament;
  - c. Once a date is scheduled, the director will then be given park information, such as launch or entry fees, in addition to information on requesting a permit from MDDNR;
  - d. It is then the responsibility of the director to request a permit from MDDNR for the day approved by the state park;
  - e. MPS will determine the number of tournaments that are held on a day and retain management authority for their Park.
- 4) Weigh-in dates and times will be set by tournament directors.
  - a. Days may be modified by MPS staff (or other owner of property) to limit the number of tournaments occurring on a day;
  - b. Weigh-in and flight times may be adjusted to avoid congestion if multiple competing events occur in the same area and at the same time;
- 5) The email of all permitted directors may be utilized by the Tidal Bass Manager to send important information related to the tidal bass fishery of Maryland.
- 6) If a permit is denied, the tournament director will immediately receive a letter explaining why the permit was denied. The director may then appeal the denial by conferencing a meeting (by phone or in person) with the Inland Fisheries Assistant Director, and Tidal Bass Manager or Regional Fisheries Manager.

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### *UNDER WHAT CRITERIA A PERMIT WOULD BE DENIED*

The purpose of the criteria is to acquire information and to minimize catch-and-release mortality by ensuring responsible handling of fish brought to the weigh-in. As better handling procedures are identified, then additional criteria may be adopted; but, these procedures will be vetted through the regulation and outreach process to ensure public participation.

A permit may be denied if MD DNR *directly* observes any of the following:

- No annual communication prior to a scheduled tournament;
- Live wells are not in good working order prior to launch;
- Anglers are not cleaning their live wells using generally approved methods and disinfectants;
- Water conditioners for live wells are not being used according to directions specified on their containers;
- Weigh-in bags are not in good working order; they are not capable of holding water with fish or have significant leaks;
- Directors not ensuring black bass spend little time out of water;
- Failure to report catch data at:  
<http://dnrweb.dnr.state.md.us/fish/bass/basstournament.asp>  
or by direct communication with MD DNR Inland fishery biologists;
- Violation of following release boat conditions (if applicable):
  - density of fish in transport tanks shall be no more than 1 lb/gallon;
  - minimum capacity of transport tanks will be 100 gallons of water;
  - transport tank water temperature should be within 5-7° F of water temperature measured in the water body to which fish will be released--use ice as necessary to cool transport tanks;
  - fish are to be kept within well-aerated containers (near or above 100% saturated oxygen) prior to and following the weigh-in (release boat captains should ensure they have a tool for measuring oxygen or arrange with MD DNR to utilize one of theirs);
- Improper disposal of dead black bass. Fish must be disposed of by: a) giving fish to someone who possesses a fishing license (5 bass/angler); b) giving fish to a state or federal agency; and/or c) donating fish to a non-profit group intent on feeding hungry people (*a list will be sent with each permit approval*);
- Failure to follow rules of Maryland State Park (if applicable);
- Failure to report illegal harvest or possession (for example, short fish) to MD Natural Resources Police.

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### *WHAT PROBLEMS WILL PERMITTING SOLVE?*

#### **Permitting would...**

distribute vital information to affected directors quickly and efficiently and provide valuable angler information to MD DNR Inland Fisheries.

#### **Permitting would...**

help avoid concurrent flight and weigh-in times and locations by making directors aware of competing tournaments held on the same day and time. Some of this information is available with a searchable database and on-line at:

<http://dnr.maryland.gov/fisheries/bass/ta.asp>.

#### **Permitting would...**

Avoid the need to issue waivers for release boat captains to carry more than a creel limit of largemouth bass. Release boat captains are currently provided a waiver for possessing more than 5 black bass per person (COMAR 08.02.05.19).

#### **Permitting would...**

improve data collection and management of largemouth bass. The biological data of catch and angler effort are reported by less than half of all known tournaments held in Maryland. Additional data provides MD DNR biologists with better information so that they can rebuild or protect fisheries by incorporating stocking strategies or habitat enhancement strategies.

#### **Permitting would...**

allow estimates of the economic value of the largemouth bass fishery. Assessing the value of the black bass fishery enables MD DNR biologists to justify corrective stocking costs, continue stock assessments, and improve bass habitat and angler access points.

#### **Permitting would...**

help MD DNR improve weigh-in facilities throughout the State. For example, in a recent survey of upper Bay tournament directors, most indicated they would utilize Elk Neck State Park as a weigh-in facility, if safety conditions were addressed and improved.