

Fisheries Regulatory Update, July 2009

New Regulations:

Black Sea Bass – Emergency and Proposed (effective 6/29/09)

- Change in recreational size limit from 12 inches to 12.5 inches to comply with recommendations by the National Marine Fisheries Service

Summer Founder – Emergency and Proposed (effective 7/16/09)

- Continues a split recreational creel and size limit for the state:
 - 16.5 inches in the Bay with a 1 fish creel and 18 inches in the Atlantic with a three fish creel
- Changes the recreational season to April 15 through Sept. 13

Proposed Regulations:

Bay Scallops (comment period begins 6/19/09)

- Adds the bay scallop to the in need of conservation regulation
- Closes harvest of bay scallops

Nuisance Species (comment period begins 6/19/09)

- Adds veined rapa whelk to prohibited species list
- Adds Brazilian elodea and parrot feather to species prohibited from transport list

Crayfish & Snakeheads- Emergency & Proposed (submitted to AELR 6/12/09; comment begins 7/16/09)

- Modifies existing catch, use and possession prohibition on crayfish in the Middle Potomac, Lower Potomac and Susquehanna River basins
- Adds catch, use and possession restrictions on crayfish in the Upper Potomac river basin
- Add provision for the capture of snakeheads

Oysters (submitted to AELR 6/12/09; comment begins 7/16/09)

- Two new harvest reserve areas designated
- Three new sanctuaries listed
- Revises coordinate format so that it is uniform throughout the statutes

Shell Pricing (submitted to AELR 6/12/09; comment begins 7/16/09)

- Establishes procedure for the Department's consultation with advisory groups to discuss the Oyster Shell Purchase Program
- Allows the Department to set annual fair market value for purchase of fresh oyster shells via public notice

Summer Flounder & Black Sea Bass (submitted to AELR 6/12/09; comment begins 7/16/09)

- Will allow the Department to modify size limits via public notice, instead of through regulation

Aquaculture- AEZs (submitted to AELR 6/13/09; comment begins 8/14/09)

- Begins new chapter of regulations, COMAR 08.02.23, pertaining to leasing of submerged lands and water column for shellfish aquaculture

- Creates regulation .01, defining terms relevant to chapter
- Creates regulation .05, establishing two Aquaculture Enterprise Zones, one in the Patuxent River and another in the West and Rhode Rivers, and describing their locations
- Reserves regulations .02, .03, and .04 for future gear, administrative and public shellfish area rules which will be enacted later this year

Upcoming Regulations:

Terrapin

- Removes rules pertaining to the commercial terrapin industry from COMAR 08.02.06.02 to reflect changes in state law

Non-tidal Fishing

- Correct location description of the Put-and-Take Trout Fishing Area on Mill Run in Garrett County
- Clarify and standardize language describing terminal tackle prohibitions in Special Trout Management Areas
- Add season, creel and size limits for Yellow Perch specific to Deep Creek Lake
- Limit the species that can be stocked without a permit to only include “bait fish on a hook for purposes of angling”

Leasing

- Create pricing for leases (application fee, rental fees, etc.)
- Create administrative process for applying for leases
- Create public shellfish areas

Public Notices:

Commercial Crab Female Harvest – 6/11/09

Clarifies the crew member requirement for a harvester to utilize 600 pot (CB6) or 900 pot (CB9) authorization. To fulfill the crew requirement attached to the authorizations, the additional crew members must be on board the vessel at the time of harvesting. If crew members are not on board, the licensee is restricted to the TFL or CB3 bushel limits.

Commercial Horseshoe Crab- 6/26/09

Horseshoe crab fishery open more than one mile off the Maryland Atlantic coast from June 8 through July 10, 2009. Harvesters possessing a Maryland Horseshoe Crab Harvester’s Permit are allowed to harvest and possess 100 crabs per day. All Maryland waters open beginning July 13 through November 30, 2009. Harvesters with a permit shall be allowed to harvest and possess the daily limit of crabs indicated on their permits. Fishermen without a permit are limited to harvesting and possessing a maximum of 25 crabs per day. Fishermen are reminded that they must land in their daily catch at least two male horseshoe crabs for each female horseshoe crab landed.

Commercial Shark – 7/1/09

Commercial fishery for non-sandbar large coastal sharks species group closed effective July 1, 2009. Sharks included in this category are silky, tiger, blacktip, spinner, bull, lemon, nurse, scalloped hammerhead, great hammerhead, and smooth hammerhead.

Commercial Striped Bass Hook & Line- 7/6/09

Modified the daily catch limit to be 500 pounds per day with a weekly catch limit of 1500 pounds per tidal fish licensee.