



Gill Net Specific Laws

COMAR:

CHAPTER 05 FISH

08.02.05.02

.02 Definitions and General Fishing Prohibitions.

A. Definitions. In this subtitle, the following terms have the meanings indicated:

- (1) "Anchor gill net" means a net that is stationary in the water and secured to the bottom by conventional anchors or heavy weights.
- (2) "Attended gill net" means the licensee remains in the boat within 2 miles of the net while it is in waters of the Chesapeake Bay, or within 1 mile when the net is in waters of the Atlantic Ocean, its coastal bays and their tributaries, or a tributary of the Chesapeake Bay.
- (6) "Drift gill net" means a net not secured to or anchored to the bottom, including a net rigged with up to 20 pounds of weight at each end, in addition to that weight required to achieve negative buoyancy.
- (7) "Eel pot" means an enclosure constructed of wire having:
- (11) "Gill net" means a net which:
 - (a) Is maintained in a vertical position in the water with sinkers or floats, or a combination of sinkers and floats; and
 - (b) Captures fish by means of a mesh too small to permit passage of the body of the fish or withdrawal of the head once the posterior margin of the gill covers has passed through the mesh.
- (22) "Stake gill net" means a net hung from or supported by stakes which are set in a row and driven into the bottom.

B. Prohibitions and Limitations on Fishing in General.

- (1) Except as provided in §B(2) of this regulation, a person may not set or fish gill nets, including but not limited to anchor gill nets, staked gill nets, and drift gill nets, in the Chesapeake Bay and its tidal tributaries.
- (2) A person may set and fish:

- (a) During the period between March 16 through December 31, attended drift gill nets with a stretched mesh size of 2-1/2 to 3-1/2 inches;
- (b) During the period between January 1 through March 15, attended drift gill nets with a stretched mesh of 3-1/8 to 3-1/2 inches;
- (c) Gill nets as permitted in COMAR 08.02.15.
 - (3) Within 1,200 feet of any pier that supports either span of the William Preston Lane Jr. Memorial Bay Bridge, a person may not:
 - (a) Fish with a treble hook that is not an intrinsic part of a floating fish lure; or
 - (b) Set or fish any type of gill net during the period May 1 through October 31.
 - (4) During the period June 1 through October 31, a person may not set or fish any type of gill net in the Chesapeake Bay, excluding tributaries, in the area south of a line drawn from Howell Point to Taylor Island Point in the Upper Bay and north of a line from Kent Point to Curtis Point in the mouth of West River.
- (8) During the period March 1 through June 30, a person may not set or fish any type of gill net:
 - (a) In the striped bass spawning reaches listed in COMAR 08.02.15.03C;
 - (b) In the Susquehanna Flats upstream of a line from Sandy Point to Turkey Point;
 - (c) In the Susquehanna and Northeast Rivers; and
 - (d) From sunset Friday to 1 hour before sunrise Monday in the striped bass spawning rivers and areas set forth in COMAR 08.02.15.03B.

08.02.05.13 Weakfish and Spotted Sea Trout.

D. Net Mesh Size Restrictions.

- (2) Gill Nets. A person may not use a gill net with stretched mesh size less than 3 inches to catch weakfish or spotted sea trout.

CHAPTER 15 STRIPED BASS

08.02.15.04 Tidal Fish Licensee Intent to Fish.

B. Registration Gear Type.

- (1) For the Chesapeake Bay and its tidal tributaries, when registering for a striped bass allocation permit, a commercial tidal fish licensee shall specify and be authorized to use one of the following gear types:

- (a) Pound net;
 - (b) Haul seine;
 - (c) Commercial hook and line; or
 - (d) Gill net and hook and line;
- (2) For the Atlantic Ocean, its coastal bays and their tributaries, when registering for a striped bass allocation permit, a commercial tidal fish licensee shall specify and be authorized to use one of the following gear types:
- (a) Otter and beam trawl; or
 - (b) Gill net.
- (4) Except as provided in §F(5) of this regulation, a commercial tidal fish licensee may not be assigned more than the following:
- (b) In the Atlantic Ocean and its coastal bays and tributaries:
 - (i) Four striped bass Atlantic otter and beam trawl allocation permits; or
 - (ii) Four striped bass Atlantic gill net allocation permits.
- (5) A commercial tidal fish licensee may not possess or be assigned both a striped bass hook and line allocation permit and a striped bass pound net allocation permit.

08.02.15.05 Disposition of Catch.

A. Permits and Tags.

(6) A commercial tidal fish licensee registered with pound net, Atlantic otter and beam trawl, or Atlantic gill net shall receive a fixed number of tags.

08.02.15.07 Commercial Fishery

A. Chesapeake Bay and its Tidal Tributaries.

- (3) Seasons. The commercial seasons for taking striped bass are as follows:
 - (d) The drift gill net season is December 1 through the last day of February.
- (4) The Secretary shall allocate the annual target harvest for the commercial fishery for the following seasons:

- (a) Pound net;
- (b) Haul seine;
- (c) Commercial hook and line; and
- (d) Gill net.

D. Drift Gill Net Fishery Limitations.

(1) The provisions of this section apply to a commercial tidal fish licensee participating in a striped bass gill net season.

(2) In the tidal waters of the Chesapeake Bay and its tributaries:

(a) Only attended drift gill nets, as defined in COMAR 08.02.05.02A(6), with a stretched mesh size, as defined in COMAR 08.02.05.02A(23), of not less than 5 inches or greater than 7 inches are permitted for the taking of striped bass;

(b) The total length of drift gill net aboard a boat may not exceed 3,500 yards and may not be contained in more than ten containers; and

(c) The amount of striped bass on board a vessel may not exceed 2,000 pounds on any day, regardless of the number of licensees with a striped bass allocation permit for gill net on board the vessel.

(3) A person may possess and use other legal fishing equipment to catch other fish species while fishing for striped bass with gear as provided in §D(2)(a) of this regulation.

(4) A drift gill net may not be set before 3 a.m. and shall be retrieved and in the boat by 6 p.m.

(5) Except for the last Saturday and Sunday of the month of February, a drift gill net may not be set on Saturday or Sunday.

(6) Flag Marker—Chesapeake Bay or Atlantic Ocean.

(a) A drift gill net set in the Chesapeake Bay or Atlantic Ocean shall be marked, by the licensee, at one end by a square flag measuring at least 144 square inches, supported by a staff sufficient to maintain the flag bottom at least 3 feet above the surface of the water.

(b) The end of a gill net opposite the flag marker shall be marked by either a triangular flag of at least 144 square inches or a floating marker with a volume of at least 460 cubic inches.

(c) Each flag or floating marker shall be marked with the licensee's commercial tidal fish license number.

(7) Flag Marker—Tributaries. A drift gill net set in tributaries of the Chesapeake Bay or Atlantic coastal bays and their tributaries shall be marked by the licensee at each end with a floating marker with a volume of at least 460 cubic inches, each bearing the licensee's commercial tidal fish license number, or a flag according to §E of this regulation.

08.02.15.12 General Restrictions

H. Season Limitations. The Secretary:

(1) May establish seasons in Regulations .07—.10 of this chapter for tidal waters of the Chesapeake Bay and its tributaries according to the following:

(c) The gill net season is within the period December 1 through the last day of February;

STATUTES:

Natural Resources Code Subtitle 5: Obstructing the Passage of Fish; Interference with Nets and Fishing, and Other Prohibitions Generally

§ 4-505. Disturbance or destruction of fish belonging to others

A person may not molest, disturb, destroy, or catch and carry away fish belonging to another person from any boat, live box, crab pot, trot line, or the pocket or crib of any pound net or enclosed or gilled in any fish net of any kind, or take or carry away any net or gear belonging to another person used in catching fish. This section does not apply directly or indirectly to seine haulers actually engaged in laying and taking up nets when making a haul.

Natural Resources Code Subtitle 6: Licensing, Regulation and Supervision of Fishing and Fisheries in Nontidal Waters

§ 4-618 – Non-residents not allowed nets

A nonresident may not fish in the nontidal waters of the State with nets of any description.

§ 4-619 – Additional equipment prohibitions

Except as provided in § 4-620 of this subtitle, a person may not use or attempt to use a gig, gig iron, net, seine, fish pot, or other fishing rig. If any person is found in possession of the devices prohibited by this section while catching fish, it is prima facie evidence of a violation of this section.

§ 4-620 – Certain exceptions

(a) Under supervision, rule or regulation, and control of the Department, a person may catch carp with bow and arrow and by gig.

(b)(1) Except as provided in paragraph (2) of this subsection, a dip net or seine not more than 6 feet in length nor more than 4 feet in depth may be used to catch bait fish.

(2) A dip net or seine may not be used within 50 yards of the mouth of any river or tributary or the base of any dam.

(c) Fish may not be snagged by means of hooks.

Natural Resources Code Subtitle 7: Licensing, Regulation, and Supervision of Fishing and Fisheries in Tidal Waters

§ 4-710. Prohibitions and restrictions on methods of fishing generally.

(c)(1) A person may not fish with any net whose size of stretched mesh, allowing a reasonable tolerance for shrinkage, is less than the following: pound net, 1 ½ inches; haul seine, 1 ½ inches; gill net, 2 ½ inches; fyke or hoop net, 1 ½ inches.

(2) Any hedging or lead attached to a fish trap, fyke net, or pound net shall be constructed of materials which have meshes having a twine size of #12 or larger.

(3) In the Chesapeake Bay and its tributaries, a person may not set or fish any gill net whose size of stretched mesh is more than 6 inches.

(4) This subsection does not apply to catching eels with a net.

(d)(1) Except as provided in paragraphs (2) and (3) of this subsection, a person may not install, set, operate, or maintain in any tidal water of the Chesapeake Bay or its tributaries any monofilament gill net webbing of any description to catch fish.

(2) A person may use a monofilament cast net or a monofilament throw net to catch baitfish in any tidal water of the Chesapeake Bay or its tributaries.

(3) In casting a monofilament net as provided under paragraph (2) of this subsection, a person:

(i) May not use a cast net that has a radius greater than 10 feet; and

(ii) May cast a cast net only by hand.

(e) A person may not set any anchored gill net or fyke or hoop net or any line of these nets which has a length more than one third the distance across the waters of the bay, sound, river, creek, cove, or inlet where it is set, or is set so that it impedes or obstructs navigation on or blocks in any way the main channel of the bay, sound, river, creek, cove, or inlet. The outer end of the submerged gear of any nets referred to in this subsection shall be marked by means of a paddle, a board, or a buoy or other floating device which shows the name and license number of the net owner.

§ 4-712. Riparian owners' rights

(a) Riparian owner first entitled to set nets; exceptions. -- The owner, tenant, or lessee of any property bordering on tidal waters of the tributaries of the Chesapeake Bay, except the waters of the Great Choptank River, lying in the State, by virtue of his ownership or occupancy, may make first choice of the set or position to place nets or establish a haul seine fishery to catch fish for commercial use in front of the property for which he possesses riparian rights. The section does not permit any riparian owner or anyone acquiring the right of a riparian owner to fish with nets or seine in any manner prohibited by this subtitle.

(b) Other persons authorized to set nets under certain circumstances. -- In any year, any other person may set any net or haul seine in front of the property of a riparian property owner if the owner, tenant, or lessee of the

riparian rights does not exercise the privilege of locating the position where he desires to set his nets or haul seine within 20 days after receiving notice from the other person who desires to locate his nets or fishery in front of the riparian owner's property.

(c) Notice requirements. -- The notice required by this section shall be mailed to the owner, tenant, or lessee of the shore property. If the name and address are unknown, then notice shall be posted for 20 days on a board fastened to a stake driven in the water directly in front of the property and within 300 feet of the shore.

(d) Fishing within 1500 feet of pleasure resort. -- This section does not grant by reason of the notice any right to any fisherman to fish without the permission of the shore owner in water within 1500 feet of any shore used as a resort so as to interfere with bathing or boating.

(e) Exceptions. --

(1) The notice provisions of this section do not apply in the waters of Baltimore, Caroline, Charles, Dorchester, Prince George's, St. Mary's, and Talbot counties where the permission of the shore owner always shall be necessary.

(2) The provisions of this section do not apply to Anne Arundel, Calvert, Queen Anne's, Kent, and Somerset counties.

4-714 -730 – county and river area specific laws with gill net implications:

§ 4-714. Anne Arundel County

(a) A person may only fish with a rod, or hook, and line in the waters of Coxes' Creek, Furnace Branch Creek, or Marley Creek above the B. and O. Bridge.

(b)(1) A person may not catch fish by any means in the headwaters of the Magothy River beginning at the base of Lake Waterford Dam and extending for a distance of 3300 feet downstream during February, March, and April.

(2) A person may fish only with rod, or hook, and line, in the waters of the Little Magothy River and its tributaries and in the Magothy River and its tributaries lying westerly of the mouth of the Magothy River and inside a line drawn 214 degrees true from extreme end of Mountain Point to Persimmon Point, referring to the last edition of the Coast and Geodetic Survey Chart No. 566.

(3) A person may fish only with rod, or hook and line, in the waters of Bodkin Creek and tributaries lying westerly and inside of a line drawn 340 degrees true from extreme end of Cedar Point to Old Landen Point, referring to the latest edition of the Coast and Geodetic Survey Chart No. 549.

(4) In the waters of the Magothy, Little Magothy Rivers, and Bodkin Creek and their tributaries, a person may use an eel pot or minnow trap which does not exceed 30 inches in length, 11 inches in width and 11 inches in height. During February, March, and April, a person may use a "D" bow frame net with handle attached which does not exceed 36 inches in width or 36 inches in height in the waters of the Magothy and Little Magothy Rivers and Bodkin Creek. However, a person may not use a "D" bow frame net as a stationary or set net in the bodies of water named in this subsection.

(c)(1) During February, March, and April, a person may not catch fish by any means in the waters of the Severn River or Severn Run from the dividing line between tidal and nontidal waters to a point 2400 feet downstream.

(2) A person may fish only with rod, or hook and line in the waters of the Severn River or any creek, cove, tributary, or inlet of the Severn River. A line drawn from the extreme projection of Greenberry Point into the Chesapeake Bay to the extreme point of Horn Point, marks the mouth of the Severn River for the purpose of the title.

(d)(1) A person may not set a pound net or other similar device at any time in the waters of South River, or any creek, cove, or inlet of the South River above Saunders Point on the south side and Marsh Point on the north.

(2) A person may not set any net at any time except a gill net or a haul seine in any creek, cove, tributary, or inlet of the South River.

(3) A person may not set any net or equipment during February, March, and April in the headwaters of South River from a line drawn from Howards Point on the west side of the river to Brier Bottom on the east side, and in the headwaters of Beards Creek and in the headwaters of any of the creeks of South River for a distance of 1200 feet from its headwaters.

(e)(1) A person may not set a haul seine exceeding 50 feet in length in the following waters:
Herring Bay from a line drawn from the extreme projection of Parker's Island Point into the Chesapeake Bay to the extreme point of Holland Point;
South River, Rhode River, and West River;
From a line drawn from the extreme projection from Thomas Point into the Chesapeake Bay to the extreme point of Curtis Point;
Within the headlands of Whitehall Creek; and
Within the headlands of Meridith Creek and Lake Ogleton.

(2) Any person who violates this subsection is guilty of a misdemeanor and upon conviction is subject to a fine not exceeding \$2,500 with costs imposed in the discretion of the court.

§ 4-715. Baltimore County

(a) A person may not fish with rod or hook and line from any kind of boat or float, or fish with nets of any kind within 1500 feet of any occupied duck blind for the period beginning two days prior to the open season, as promulgated by the Department of Interior of the United States for hunting wild waterfowl, and ending the day following the closing of the season in the following waters:

Back River, except in the portion lying west of a line drawn from Stansbury's Point on the south shore to Walnut Point on the north shore;

Bird River and its tributaries lying within Baltimore County;

Dark Head Creek, except in the portion lying north of a line drawn from Clark Point on the west shore directly across the creek to Sharp Point on Bull Neck Shore;

Frog Mortar Creek, except in the portion lying northerly of a line drawn from Strawberry Point on the west shore to Weiskettle's Landing on the east shore;

Gunpowder River and its tributaries lying within Baltimore County;

Hogpen Creek, except in the portion lying southwest of natural headlands marking entrance into the creek;

Middle River, except in the portion lying west of a line drawn from Clark Point, also known as Maryland Yacht Club Point, on the north shore to the point of shore directly south of Clark Point;

Norman Creek, except in the portion lying west of a line drawn from Cape May Beach on the south shore to Barren Point on the north shore;

Seneca Creek, except in the portion lying northwest of a line drawn from Gun Point on the north shore directly south to Blackberry or Flying Point on the south shore;

Seneca River; Saltpeter Creek; Dundee Creek and in the waters of their tributaries;

Stansbury's Creek, except in the portion lying northwest of a line drawn from Wilson Point on south shore to Strawberry Point on north shore; and
Sue Creek, except in the portion lying west of a line drawn from the northeasternmost point of Sue's Island to extremity of Rockaway Beach Road at the southern tip of Turkey Point.

(b) A person may not set a pound net or any similar device in the waters of Back River and its tributaries.

(c) A person may not fish with rod, hook and line or a net in the waters of Bird River between November 1 and January 31, both dates inclusive. A person shall remove every net or stake used for taking fish before midnight on October 31.

(d) A person may not fish with a net of any kind in the waters of Dundee Creek west of a line drawn from Levering's Point on the north to Marshy Point on the south.

(e)(1) Except as provided in paragraph (2) of this subsection, a person may not fish in the waters of Gunpowder River lying in Baltimore County, with nets, from May 15 to September 15, both dates inclusive.

(2)(i) Except in areas where it is prohibited by the Department, in the waters of the Gunpowder River lying in Baltimore County or Harford County, on prior notification to the Department a person may catch carp 6 weeks before and during Passover in each year and 4 weeks before and during Rosh Hashanah through Yom Kippur in each year. If a person catches any fish variety other than carp under this paragraph, the person shall return them immediately to the water unharmed.

(ii) The Department, by regulation:

Shall establish procedures for the prior notification required under subparagraph (2)(i) of this subsection; and
May prohibit fishing for carp and catfish in certain areas as provided in subparagraph (2)(i) of this subsection.

(f) A person may not fish with nets or seines of any kind in the waters of Middle River and its tributaries, defined as those waters northeast of a line drawn from Bowley Point southwesterly to the navigation light at the western end of Sue Island, between March 1 and June 1, both dates inclusive.

(g) A person may not fish with seines or nets of any kind in the waters of Sue's Creek west of a line drawn from the northeasternmost point of Sue's Island to extremity of Rockaway Beach Road at the southern tip of Turkey Point.

§ 4-717. Cecil County

(a) A person may not set a pound net or stake net in the waters of the Susquehanna River in Cecil County.

(b) Unless the written consent of the owner is first obtained, a person may not set any pound net opposite the shore of any owner of land bordering on the waters of the Elk, Bohemia or Sassafras rivers and their tributaries, and on the water of the North East River from Turkey Point to the River's Head, or any part of it within the limits of Cecil County. A person, unless he is the owner of the fishing shore, may not set a pound net so that it obstructs the hauling of any seine on an established fishing shore on these waters.

(c) A person may not catch fish by means of hook and line in the tidal waters of the following tributaries of the Chesapeake Bay in Cecil County, Mill Creek, Furnace Bay, North East River, Elk River, or Bohemia River two days prior to and extending until the closing day of the regular ducking season as promulgated by the Department of Interior of the United States. This subsection does not prohibit ice fishing at any time nor

catching fish by means of hook and line from the shore line, docks, or wharves, or fishing by any means on Sundays during the regular ducking season.

(d) A person may not set any net within 200 yards of the beach on the Turkey Point section of Elk Neck State Park. The area that is restricted by this subsection shall be set off with buoys by the Department.

§ 4-718. Charles County

(a) A person may not use a haul seine greater than 960 feet in length in the tributaries of the Potomac River, and not greater than 1800 feet in length in the St. Mary's County waters of the Wicomico River and its tributaries. Any person who possesses a seine greater than these lengths while actively engaging in seining in these waters is guilty of violating this subsection.

(b) A person may set a licensed haul seine and gill net at a distance greater than one third the distance across a river, creek, cove, or inlet in any of the tributary waters of Charles County only to catch carp and catfish, notwithstanding any other section of this subtitle. A person may not set the net to impede or obstruct navigation or block in any way the main channel of the river, creek, cove, or inlet. Any person who catches fish of a variety other than carp or catfish in any net shall return them immediately to the water unharmed. A person always shall attend a net for catching carp or catfish. Any person whose net is found more than one third the distance across the waters where it is set without a person in attendance is guilty of violating this subsection. The provisions of this subsection do not apply from March 1 through April 30 and September 1 through November 30 in each year.

(c) A person may not set a net of any description to catch fish in the Wicomico River proper above Woodland Point House in Charles County.

§ 4-719. Dorchester County

(a) A person may not set a haul seine or seine of any description, or what is commonly called a put net, to catch fish in the following waters of Dorchester County: Transquaking River and Chicamacomico River and their tributaries, Big and Little Blackwater Rivers, White Hall Creek, Hurst's Creek, Shoal Creek, and Jenkins Creek.

(b) A person may not set a patent twine weir, or any other twine weir, a pound net and hauling seine of a length greater than 350 feet in Blackwater River and its tributaries except Little Blackwater River. A person also may not fasten or stick a stake in the part of Blackwater River lying between a line drawn from Grog Point to the opposite side of the river and a line drawn from Berg's Ditch to the opposite side of the river, except in the bends of the river where stake weirs now exist.

(c) A person may not set a gill net in the waters of Fishing Bay or Transquaking River north of a line drawn from Blackwater Point to Irish Creek, up the Transquaking River to Destroys Creek, or set any net whose farther end extends more than 1200 feet from shore or more than one third the breadth of the water at the place where the net is fished, or closer than 600 feet of another net in the Transquaking or Chicamacomico River. A person may not set any net whose farther end extends more than one half the breadth of the water at the place where the net is fished or closer than 600 feet of another net in the waters of the Transquaking River above Decourcey Bridge or placed in or across the channels of these rivers. In the waters of Fishing

Bay south of a line drawn from Blackwater Point to Irish Creek and north of a line drawn from Roasting Ear Point to the northwesterly most point of the entrance to Duck Island Cove, a person may not set any weir more than 1200 feet from shore, or set any gill net or weir closer to each other than 1200 feet, or set any row of gill nets more than 1200 feet in length. A person may not set any weir beyond a depth of 18 feet in the waters of Fishing Bay south of the line from Roasting Ear Point to the northwesterly most point of the entrance to Duck Island Cove.

(d) A person may not place pound nets, weirs, or hedges less than one third of a mile apart in the northwest branch of the Nanticoke River, from Walnut Landing to the place known as Chimney Landing, on the west branch of this stream.

(e) A person may fish only with hook and line, eel pot, or gill net with at least a three-inch mesh in the following waters:

(1) Cabin Creek above a line drawn from the residence of Joseph Era in a northeasterly direction to the residence on the opposite side on what is known as the Travers Farm;

(2) Warwick River above a line drawn from the east end of a sand bar extending from the Hughlett Farm in a northerly direction across the river to the nearest point of marsh on Warwick Manor; and

(3) Goose Creek and Indian Creek.

§ 4-720. Cecil and Harford Counties

A person may not use a haul seine in the water area west of a line from Locust Point to the pumping station at Perry Point. This section does not prohibit catching fish for conservation or scientific purposes under the supervision of the Department, or prohibit catching carp. If 25 or more rockfish are found in a seine or net, there is a violation of this section, and the exception stated does not apply. Any person who violates the provisions of this section is guilty of a misdemeanor and upon conviction is subject to a fine of at least \$100 and not more than \$1,000 with costs imposed in the discretion of the court.

§ 4-721. Harford County

(a) A person may not fish with a hauling seine or stake net in the waters of Swan Creek from July 15 to September 15, both dates inclusive, and in the waters of the Gunpowder River lying in Harford County from May 15 to September 15, both dates inclusive.

(b) A person may not fish at any time with a haul seine in the waters of Bush River or any of its tributaries in Harford County.

(c)(1) A person may not fish a pound net in any part of the Gunpowder and Bush rivers lying in Harford County further than 1,500 feet from the shoreline of the Gunpowder River below Maxwell Point at mean low water tide and 750 feet from the shoreline of the Bush River at mean low water tide.

(2)(i) Except within the boundaries of the Aberdeen Proving Grounds, a person may not set a fyke net in the Bush River within 300 feet of another fyke net or 750 feet of a pound net, measured at right angles to existing nets or line of nets for enforcement purposes.

(ii) An owner, tenant, or lessee of the riparian rights of any property bordering the Bush River may maintain a single fyke net that is closer than 300 feet to another fyke net or pound net set in front of an adjacent property.

(d) A person may not use a pound net or stake net in the waters of the Susquehanna River.

(e)(1) A person may not set or maintain a commercial drift gill net, stake gill net, or anchor gill net so that any portion of the net is closer than 500 feet from any portion of any other commercial drift gill net, stake gill net, or anchor gill net in the designated striped bass spawning area of the Susquehanna River north of Concord Point and Stump Point.

(2) South of the line outlined, in paragraph (1) of this subsection, to Bears Point and Turkey Point, a person may set a commercial drift gill net only as provided in paragraph (1) of this subsection and may set and maintain a stake gill net or anchor gill net only as provided in paragraph (1) of this subsection.

§ 4-723. Saint Mary's County

(a) A person may not fish with any kind of seine or net in the waters of Chaptico Bay and the Wicomico River within the limits of St. Mary's County, within 1500 feet of any established duck blind during the open season for shooting ducks or other wild fowl.

(b) A person may not set a fish trap, net, or haul seine in the waters of St. Catherine's Sound in St. Mary's County. However, a gill net not exceeding a length of 90 yards is permitted.

§ 4-725. Talbot County

In the waters of Talbot County, a person may set only the following types of nets in the areas and during the times prescribed:

(1) Any net at any time in the waters of the Chesapeake Bay bordering Talbot County;

(2) Any net at any time in the waters of the Choptank River southeast of a straight line drawn from Benoni's Point to Chlora's Point;

(3) Gill nets and fyke nets at any time in any of the waters of Talbot County; and

(4) Haul seines in Harris Creek southerly and downstream from a straight line drawn between Station Hawk on the west side and Indian Point on the east side if the mesh in all seines is in bar not less than one and one-half inches.

§ 4-727. Worcester County

(a) A person may not fish with a stationary net extended completely across the middle third of the waters measured in a straight line from the east to west shoreline of Sinepuxent Bay north of South Point, Isle of Wight Bay, Assawoman Bay and St. Martin's River.

(b) A person may not haul or fish with any haul or set seine, or leave or permit to remain setting, any set seine in the waters of Sinepuxent Bay and its tributaries north of South Point, during the period between 6 o'clock p.m. Saturday, and 6 o'clock a.m., of the following Monday.

(c) A person may only fish with a rod, or hook and line in the waters of Herring Creek which lie south of the State Road Bridge.

(d) A person may not fish in the waters of Sinepuxent Bay or its tributaries within the limits of Worcester County with any seine or net of any description having meshes less than one and one-half inches square. However, during the months of July, August, September, and October, a person may fish for fat backs and croakers with any seine or net of this description.

§ 4-728. Chesapeake Bay

(a) Use of nets generally. --

(1) In this subsection, "connected line of nets" means a series of connected nets set in single file.

(2) Except as otherwise provided in this title, a person may not set:

(i) A fish pot, fyke net, or connected line of fyke nets within 500 feet in any direction of any other net or connected line of nets;

(ii) A fyke net or connected line of fyke nets that exceeds 1,500 feet in length, including the net's leaders, hedges, or wings; or

(iii) A fish pot, fyke net, or connected line of fyke nets at a distance greater than one-fourth the distance across the bay, measured from the low water mark.

(3) In the waters in the part of the Chesapeake Bay which lies between a straight line drawn from Drum Point Lighthouse in Calvert County to Hog Point in St. Mary's County, and a straight line drawn from Cove Point Lighthouse in Calvert County to Cedar Point Lighthouse in St. Mary's County, a person may not set any kind of net:

(i) Nearer than 500 yards in every direction from any other net;

(ii) Of a total length of more than 550 yards including the net's leaders, hedges, or wings; or

(iii) At a greater distance than one-fourth the distance across these waters measured from the low water mark on either side.

(b) Use of any pound net or stake net in headwaters. -- A person may not set any pound net or stake net in the headwaters of the Chesapeake Bay, except those areas within 2,400 feet from the natural shoreline in Cecil County, the bay shore of Kent County up to Howell Point, and those areas within 2,400 feet from the shore on the west side of the bay from Pooles Island north to one-half mile north of Spesutie Island. For the purpose of this subsection the headwaters of the Chesapeake Bay are defined as the waters embraced in the area marked by the following line:

Beginning at Concord Point and running in a northeasterly direction, crossing Susquehanna River to Stump Point, then to Carpenter's Point, then to Turkey Point, then to Grove Point, all in Cecil County, then to Howell Point, Kent County, continuing in a straight line from Howell Point in a southwesterly direction across the bay to Abbey Point, the northernmost point at the entrance of Bush River, then northerly by a line following the bay shore of Harford County to Mulberry Point, then to Bear Point, Sandy Point, and to Locust Point on Spesutie Island, then to the southernmost point at the entrance of Swan Creek, and then crossing Swan Creek and continuing in a northerly direction following the bay shore to Concord Point, the place of beginning.

(c) Use of anchored gill nets. --

(1) A person may not set an anchored gill net in the area of Chesapeake Bay bounded on the north by a line drawn from Turkey Point on the eastern shore to Sandy Point in Harford County, and on the south by a line drawn from Abbey Point to channel buoy Number 29, following the channel northward to buoy Number 1, off Grove Point, thence to Grove Point. This paragraph does not apply to the commercial fishing area within the Aberdeen Proving Grounds as specified by the Proving Ground.

(2) A person may not set or fish with any gill net within 1,200 feet of any pier that supports either span of the William Preston Lane, Jr. Memorial Bridge between May 1 and October 31, inclusive.

(3) A person may not set or fish with any gill net in the Chesapeake Bay, excluding its tributaries, south of

a line drawn from Howell Point to Taylor Island Point in the upper bay to a line drawn from Kent Point to Curtis Point in the mouth of West River between June 1 and October 31, inclusive.

§ 4-730. Patuxent River

(a) A person may not set, nor construct any kind or description of net in the Patuxent River from Queen Anne Bridge to the mouth of the river, within 1,500 feet in every direction from any other net, without the permission of the owner of the other net. In addition, a person may not set, nor construct, any net more than 425 feet in length, including the net's leaders, hedges, or wings, below a straight line from Holland's Cliffs across the river to a point on the shore directly opposite Holland's Cliffs, or more than 150 feet in length including the net's leaders, hedges, or wings, above the straight line from Holland's Cliffs. The provisions of this subsection do not apply to floating gill nets or seines.

(b) A person may not set or haul any seine or gill net in any creek, cove or tributary of the Patuxent River if the mouth of the creek or tributary is less than 200 feet wide.

(c) A person may not set or haul any drifting gill net in the Patuxent River south of the Patuxent River Bridge or in any creek, cove, or tributary of the river south of the Patuxent River Bridge at any time.

§ 4-735. Black bass and chain pickerel

(a) Chain pickerel -- Creel limit. -- During the open season, a person may not catch by means of rod, or hook and line, more than ten chain pickerel in any one day.

(b) Chain pickerel -- Closed season; sale or possession prohibited during that time. -- A person may not catch chain pickerel in the tidal waters of the State during the period from March 15 to April 30. A person may not sell, offer to sell, purchase, offer to purchase, or possess any chain pickerel during this period caught in tidal waters of the State.

(c) Chain pickerel -- Manner of catching; use of seines. -- A person may not catch chain pickerel in any manner in the tidal waters of the State except with rod, or hook and line using natural or artificial baits. A person shall return uninjured immediately to the water any chain pickerel caught in any net, seine, or other device legally engaged in other fishing. However, a person may retain no more than one day's legal creel limit of ten chain pickerel for his own private use during the open season.

(d) Chain pickerel -- Transportation into or out of State. -- Chain pickerel may not be transported into or out of the State during April, May, and June. Anglers, however, may possess and transport chain pickerel caught with rod, or hook and line, in accordance with the provisions of this section. This subsection does not prevent shipment in interstate commerce of live chain pickerel for propagating, breeding, or stocking purposes under § 4-11A-21 of this title, nor prevent any person from catching or engaging in catching chain pickerel for propagating or restocking the waters of the State under the direction of the Department under § 4-410 of this title.

(e) Black bass -- Scope of Department's authority generally. -- The Department is authorized to supervise, regulate, and control the harvest of black bass in the tidal waters of the State.

(f) Same -- Regulations. -- The Department shall adopt regulations concerning the fishing for black bass by area, gear, season, size, and catch limits.

(g) Application of section. -- The provisions of this section do not apply to catching, selling, purchasing, or possessing black sea bass.