



## Haul Seine Specific Laws

### COMAR:

#### CHAPTER 05 FISH

#### **08.02.05.02 Definitions and General Fishing Prohibitions.**

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

(12) "Haul seine" means an encircling type of net with wings, brail lines and poles, and a bunt or pocket, and with the following characteristics:

- (a) Made of at least #12 twine;
- (b) Wings not greater than 15 feet in width at the attachment with the brail poles or brail line;
- (c) A width or depth not exceeding 22 feet at the bunt or back; and
- (d) A length of the bunt or back not greater than 100 feet.

B. Prohibitions and Limitations on Fishing in General.

(5) During the period March 1 through May 31, a person may not catch, harass, harm, pursue, hunt, shoot, wound, or attempt to catch striped bass or striped bass hybrids in the striped bass spawning rivers and areas listed in COMAR 08.02.15.03B. However, during the period March 1 through May 3, inclusive, a person authorized in accordance with Natural Resources Article, §4-745, Annotated Code of Maryland, to recreationally angle for finfish may hook striped bass and shall immediately release the striped bass unharmed to the water from which the striped bass was taken in the following areas:

- (a) Susquehanna Flats, upstream of a line from a point at or near Sandy Point, defined by Lat. 39°26.96' N and Long. 76°03.63' W; then running in an easterly direction to a point at or near Turkey Point, defined by Lat. 39°27.13' N and Long. 76°00.70' W and the Susquehanna River downstream from a line connecting a point at or near the Susquehanna State Park boat ramp in Lapidum, defined by Lat. 39°35.86' N and Long. 76°07.67' W; then running in a northeasterly direction to a point at or near Twin Rocks, defined by Lat. 39°36.17' N and Long. 76°07.56' W; then running in a northeasterly direction to a point at or near Tomes Wharf in Port Deposit, defined by Lat. 39°36.23' N and Long. 76°06.99' W; and
- (b) Northeast River.

(8) A commercial tidal fish licensee may not set fishing gear or harvest fish in the waters of the Susquehanna River upstream of a line drawn direct from the northernmost point from the mouth of Deer Creek in Harford County, in a northeasterly direction to the intersection of U.S. Route 222 and Canal Road in Cecil County.

(9) A commercial tidal fish licensee may not catch or possess fish of the species listed in Natural Resources Article, §4-215, Annotated Code of Maryland, except crabs or shellfish, for commercial purposes during a trip for which fishing guide services are provided to a person for compensation from a vessel or shore in Maryland waters.

(10) A commercial tidal fish licensee may not catch or possess fish of the species listed in Natural Resources Article, §4-215, Annotated Code of Maryland, except crabs or shellfish, for commercial purposes and have more than:

- (a) Two crew members assist the licensee with commercial hook and line fishing; or

(b) Four individuals, including no more than two crew members, present on a vessel which is engaged in commercial hook and line fishing.

(12) A haul seine shall be sealed as provided in Natural Resources Article, §4-713, Annotated Code of Maryland, and the seal may not be tampered with or removed.

(14) General Provisions.

(a) The Secretary may close designated areas to hook and release activity by publishing notice in a daily newspaper of general circulation, at least 48 hours in advance of the closure, stating the effective hour and date.

(b) The Secretary shall make a reasonable effort to disseminate public notice through various other media so that an affected person has reasonable opportunity to be informed.

(c) In addition to any other penalty, failure to submit a report as required by law may result in license suspension under Natural Resources Article, §4-701, Annotated Code of Maryland.

#### **08.02.05.13 Weakfish and Spotted Sea Trout.**

A. Minimum Size.

(3) A person licensed to catch fish for commercial purposes may not catch or possess weakfish or spotted sea trout less than 12 inches in total length.

C. Commercial.

(1) Atlantic Ocean, Its Coastal Bays, and Their Tidal Tributaries.

(a) A person may not catch, possess, or land more than 100 pounds of weakfish per day or trip, whichever is longer;

(b) The weight of the weakfish may not exceed the weight of the catch of the other species on board the vessel; and

(c) Harvest of weakfish with hook and line is prohibited.

(2) Chesapeake Bay and Its Tidal Tributaries.

(b) All Other Gears.

(i) A person may not catch, possess, or land more than 50 pounds of weakfish per day or trip, whichever is longer.

(ii) The weight of the weakfish catch may not exceed the weight of the catch of the other species on board the vessel.

#### **08.02.05.19 Black Bass-Largemouth Bass and Smallmouth Bass**

C. Gear Restrictions.

(1) An individual may not catch black bass in any manner in the tidal waters of the State except with rod or hook and line using natural or artificial baits.

(2) An individual shall immediately return unharmed to the water any black bass caught in a net, seine, or other device while engaged in other fishing.

### **CHAPTER 6 TERRAPINS AND SNAPPING TURTLES**

#### **08.02.06.01 Snapping Turtles.**

C. Methods of Taking Snapping Turtles.

(1) A person may not catch a snapping turtle from the waters of the State by the use of a hook and line, trot line, bow and arrow, spear, gig or gig iron, or any other device capable of piercing any part of a turtle.

(2) Nontidal Waters. In addition to the gear prohibited in §C(1) of this regulation, a person may not catch a snapping turtle from nontidal waters of the State by the use of a net, seine, fish pot, trap, or other fishing rig.

Last Updated 4/22/2011. For any recent regulatory changes, please visit  
<http://www.dnr.state.md.us/fisheries/regulations/regindex.html>

## CHAPTER 15 STRIPED BASS

### 08.02.15.04 Tidal Fish Licensee Intent to Fish.

#### A. Registration.

(1) A commercial tidal fish licensee shall register for a striped bass allocation permit to participate in a striped bass season in accordance with §§A(2), A(3), and B(1) or (2)(a) of this regulation, within the time period established in this chapter.

#### (2) Registration Schedule.

(a) A tidal fish licensee shall submit an application to the Department by August 31 of each year.

(b) A tidal fish licensee who has not registered by August 31 of the current year, and who has not registered late in any of the three preceding years, may apply up to September 14 of the current year to the Director of Fisheries Service if the licensee can show good reason why the application should be validated.

(c) An individual that does not register by September 14 of the current year, or the close of business the next business day when September 14 occurs on a weekend, is not eligible to participate in the striped bass fishery for the next calendar year.

(d) An exception to the September 14 deadline will be considered only for an individual who can provide satisfactory documentation of a physical or mental incapacity that prevented that individual from meeting the registration time period established in this subsection.

(e) An individual that has registered to participate in a striped bass season in accordance with §A(2) of this regulation may transfer in accordance with §F of this regulation:

(i) The allocation permit or permits described in §B(1)(a), (b), or (c), or the hook and line portion of §B(1)(d) of this regulation during the period March 1 through March 31; or

(ii) The allocation permit or permits described in §B of this regulation during the period August 1 through August 31.

#### (3) The Department shall:

(a) Make registration applications available to eligible tidal fish license holders at regional licensing centers not later than August 1 of each year; and

(b) Use the registrations received as of September 14 of each year to determine gear and net allocations for the striped bass fishing season.

#### 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.

(3) A fishing guide licensee is not required to register to participate in the striped bass season.

(4) A tidal fish licensee may not receive a permit to be authorized to use gears described in both §B(1) and §B(2) of this regulation for the harvest of striped bass.

#### C. Department-Issued Striped Bass Allocation Permit.

(1) A commercial tidal fish licensee, except a fishing guide licensee, authorized to participate in a striped bass season shall possess a Department-issued striped bass allocation permit while fishing during the appropriate season.

(2) The total number of permits authorizing commercial licensees to fish for striped bass is limited to:

(a) 1,231 for commercial tidal fish licensees; and

(b) 499 for fishing guide licensees.

(3) An individual who is authorized to commercially harvest striped bass in accordance with Natural Resources Article, §4-701, Annotated Code of Maryland, and participated in at least one striped bass fishery during the past 2 years is allowed to register to participate for the next striped bass fishery.

(4) The Department shall accept an application for a striped bass allocation permit authorizing a commercial tidal fish licensee to participate in a commercial striped bass season from any person qualified under Natural Resources Article, §4-701, Annotated Code of Maryland, and maintain separate waiting lists of commercial tidal fish license candidates and fishing guide license candidates to fish for striped bass.

(5) Applicants shall be ranked and maintained in the order that their requests are received for waiting lists.

(6) For each striped bass allocation permit that has been revoked or voluntarily relinquished, a new striped bass allocation permit may be issued to an applicant on the waiting list.

(7) The Department shall issue an available striped bass allocation permit to the first person on the appropriate waiting list to fish for striped bass.

D. A commercial tidal fish licensee who has not registered to catch striped bass in accordance with §A of this regulation or who has not received a transfer of a striped bass allocation permit in accordance with §F or G of this regulation may not catch striped bass for sale or participate during the commercial striped bass season.

#### F. Annual Transfer of Allocation Permit.

- (1) The striped bass allocation permit for each gear type listed in §B of this regulation may only be transferred or sold to a valid commercial tidal fish licensee.
- (2) The striped bass allocation permit may only be transferred or sold within the transfer time period established in §A(2) of this regulation at regional licensing centers.
- (3) A commercial tidal fish licensee may transfer a striped bass allocation permit for the season if:
  - (a) The fee for the authorization has been paid;
  - (b) The transferor makes application to the Department requesting transfer in person or through a notarized transfer form; and
  - (c) The transferee is a valid commercial tidal fish licensee.
- (4) Except as provided in §F(5) of this regulation, a commercial tidal fish licensee may not be assigned more than the following:
  - (a) In the Chesapeake Bay and its tidal tributaries:
    - (iv) One striped bass haul seine allocation permit
- (6) For purposes of the license suspension criteria, if a licensee transfers the striped bass authorization to another licensee for a season, the transferee that committed the violation shall be held responsible.

#### G. Permanent Transfer of Striped Bass Authorization.

- (1) A commercial tidal fish licensee may permanently transfer a striped bass authorization if:
  - (a) The commercial tidal fish licensee makes application to the Department requesting transfer;
  - (b) The transferor was authorized to harvest striped bass in each of the 3 immediately preceding years;
  - (c) The transferee is a valid commercial tidal fish licensee;
  - (d) The fee for the authorization has been paid; and
  - (e) All striped bass allocation permits and associated tags are returned to the Department.
- (2) An authorized representative of a deceased licensee may permanently transfer a striped bass authorization regardless of the number of years the deceased licensee held the striped bass authorization.

#### **08.02.15.07 Commercial Fishery.**

##### A. Chesapeake Bay and its Tidal Tributaries.

- (1) Quota. The annual target harvest for the commercial fishery is 42.5 percent of the overall Maryland quota.
- (2) Size Limits.
  - (a) The minimum legal size for the commercial fishery is 18 inches total length.
  - (b) The maximum legal size for the commercial fishery is 36 inches total length.
- (3) Seasons. The commercial seasons for taking striped bass are as follows:
  - (b) The haul seine season is June 7 through November 30;

G. General.

- (1) A commercial tidal fish licensee may not catch striped bass between 6 p.m. Friday and 5 a.m. Monday, except as provided in §§D, E, and F of this regulation.
- (2) A commercial tidal fish licensee may not catch more than the licensee's catch limit assigned to the allocation permit except as provided by the tolerance allowance in pounds as follows:
  - (a) For a daily catch limit, there is a 50-pound tolerance allowance;
  - (b) For a weekly catch limit, there is a 50-pound tolerance allowance; and
  - (c) For a seasonal catch limit, there is a 50-pound tolerance allowance.
- (3) A commercial tidal fish licensee may catch striped bass using only the striped bass allocation permit assigned to the licensee.

**STATUTES:**

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

**§4-505. Removing fish, nets, or gear of another prohibited.**

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.

**§4-507. Obstruction to fishery; interference with haul seine.**

A person may not sink any obstruction in the berth or haul of any fishery, or deliberately interfere with the operation of a haul seine after it has been set and is being hauled.

**§ 4-704. Finfish Licensing**

A person may not catch or attempt to catch finfish in the tidal waters of the State by the use of any net or other device except hook and line, dip net operated by hand, spear gun, or bow and arrow pursuant to the provisions of this subtitle unless he possesses a valid license to catch finfish issued by the Department.

(b) An applicant for a license to catch finfish shall furnish information the Department requires.

(c) The Department may not grant a license to any person, under the provisions of this subtitle, to set a pound net on the location occupied by any other pound net or within 4,500 feet in the Chesapeake Bay or 1,500 feet in a tributary of the Chesapeake Bay measured at right angles to the line of stakes, unless the other licensee failed to apply for renewal of his license by the expiration date of the year for which it was granted.

**§ 4-708. Operation when license suspended or revoked.**

A person may not set any net during the time his commercial net fishing license is suspended or revoked.

**§ 4-710. Fishing methods**

(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 1/2 inches; haul seine, 1 1/2 inches; gill net, 2 1/2 inches; fyke or hoop net, 1 1/2 inches.

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.

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.

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:

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

May cast a cast net only by hand.

(f) A person may not haul any seine or net more than one third of the distance across the body of water, bay, sound, river, creek, cove, or inlet.

#### **§ 4-712. Riparian owners' rights**

(a) 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) 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) 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) 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)(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.

#### **§ 4-713. Haul seines**

(a) A person who fishes with haul seine equipment shall carry a tidal fish license to catch finfish.

(b) A Natural Resources police officer shall inspect every haul seine prior to its use in any portion of the waters of

the Chesapeake Bay or its tributaries. If the Natural Resources police officer determines that the seine complies with the provisions of this section, he shall affix a seal and number certifying that the haul seine is inspected and in compliance with provisions of this section. Any haul seine without a State seal or with a broken seal is an illegal one, and a person may not operate it.

(c) Haul seines shall be limited to a depth or width of 15 feet graduating to a width of 22 feet at the bunt or back. A haul seine may not have a length of its bunt or back greater than 100 feet, which is a "hung" measure.

(d) A person may not use a seine exceeding 50 feet in length and 5 feet in width to catch minnows in the tidal waters of the State.

(e) If the haul seine is used in the Chesapeake Bay, the length of brail line used on either end of the haul seine may not exceed 1500 feet. If the haul seine is used in the rivers and tributaries of the Chesapeake Bay, the maximum length of brail line may not exceed 750 feet.

(f) A person may not drag or haul any seine with two or more vessels or boats propelled by power, or use any haul seine more than 1800 feet in length. A power winch anchored in a vessel or boat, not propelled by power, may be used if the winch boat is anchored in 4 feet depth of water or less.

(g) A person may not empty a seine on the shore or beach, or in any water less than 12 inches deep so as to leave the small fish to perish. A person always shall empty the seine in waters of sufficient depth to enable the small fish to return to the waters for growth.

(h) A person may not haul any seine in waters covering leased oyster ground unless the permission of the lessee is obtained.

(i)(1) Except as provided in paragraph (2) of this subsection, a person may not fish with a haul seine during the period from Friday midnight until sunrise on Monday in the tidal waters of the State.

(2)(i) In Baltimore County and Harford County, on prior notification to the Department a person may catch carp during the period from Friday midnight until sunrise on Monday, except in areas where it is prohibited by the Department.

(ii) Except in areas where it is prohibited by the Department, a person may set a licensed haul seine at a distance greater than one-third the distance across a river, creek, cove, or inlet in any of the tributary waters of Baltimore County or Harford County only to catch carp and catfish, notwithstanding any other provision of this subtitle regarding the distance across which a haul seine may be set. A person may not set the licensed haul seine 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 licensed haul seine shall return them immediately to the water unharmed. A person always shall attend a licensed haul seine for catching carp or catfish. Any person whose licensed haul seine 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.

(iii) The Department, by regulation:

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

4-714 -730 – county and river area specific laws with haul seine 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.

#### **§ 4-716. Caroline County**

A person may not haul a seine of any description to catch fish in the waters of the Choptank River and its tributaries in Caroline County from May 21 to July 31, both dates inclusive.

#### **§ 4-717. Cecil County**

(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.

(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.

#### **§ 4-722. Kent County**

A person may set a pound net in the waters of Sassafra River and its tributaries lying in Kent County from Luke's Point to the head of this river from August 1 to May 31 following, both dates inclusive. A pound net may not be set so as to obstruct the haul of any seine on any established fishing shore on these waters, unless set by the owners of the fishing shore.

#### **§ 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.

#### **§ 4-724. Somerset County**

A person may not drag or set any haul seine to catch fish in the waters of Monie Bay and its tributaries easterly of a straight line drawn from Long Point to Wingate Point in Somerset County.

#### **§ 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.

#### **§ 4-729. Choptank River**

A person may not set a haul seine of any description in the waters of the Choptank River and its tributaries from May 21 to July 31, both dates 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**

(b) 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) 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 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-19 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.