

08.02.01.05 (10/16/09)

.05 Targets for the Number of Tidal Fish License Authorizations and Apprenticeship Permits.

A. The targets for the number of tidal fish license authorizations issued by the Department are the number of authorizations issued between September 1, 1998, and March 31, 1999, including adjustments made annually according to specifications listed in §B of this regulation, listed by the following categories:

Abbreviation	Authorization	Number
FGR	Fishing Guide Resident	490
FGN	Fishing Guide Nonresident	56
HLI	Finfish—Hook and Line	306
FIN	Unlimited Finfish Harvester	278
LCC	Limited Crab Harvester	[4,032] 3318
CB3	Crab Harvester—300 Pots	259
CLM	Clam Harvester	15
OYH	Oyster Harvester	762
ODB	Oyster Dredge Boat	3
CTL	Conch, Turtles, and Lobster Harvester	10
TFL	Unlimited Tidal Fish	2,110

B. – H. (text unchanged)

I. Limited Crab Harvester. The target for tidal fish authorizations for the limited crab harvester (LCC) may be reduced by the number of LCC authorizations purchased back from license holders by the Department and by the number of licenses frozen as described in COMAR 08.02.03.14F.

08.02.03.10 (8/6/09)

.10 Recreational Crabbing Catch and Possession Limits—Chesapeake Bay and its Tidal Tributaries.

A. — D. (text unchanged)

E. (1) Except as provided in §E(2) of this regulation, [Unless licensed to harvest crabs for commercial purposes,] an individual may not catch or possess female hard crabs or female peelers.

(2) Exceptions.

(a) An individual licensed to harvest crabs for commercial purposes, except those with a frozen or male only crab harvester license as described in COMAR 08.02.03.14F, may catch or possess female hard crabs and female peelers.

(b) An individual may possess female peeler crabs if:

(i) The individual is using the female peeler crabs as bait while finfishing; and

(ii) The female peeler crabs are accompanied by a bill of sale.

(c) An individual recreationally harvesting crabs may not be in possession of female peeler crabs.

F. (text unchanged)

08.02.03.14 (8/6/09)

.14 General Prohibitions.

A. (text unchanged)

B. Commercial—General.

(1) – (6) (text unchanged)

(7) Except as specified in §F(2)(c) of this Regulation, an [An] individual licensed to catch crabs for commercial purposes may not catch or possess in the Chesapeake Bay and its tidal tributaries more than:

(a) Five mature female hard crabs per bushel of male crabs; or

(b) 13 mature female hard crabs per barrel of male crabs.

(8) Beginning in 2010, an individual with a limited crab harvester (LCC) license will be considered as limited crab harvester –frozen license status, as specified in §F(2)(b) of this Regulation, if that license is not designated as a:

(a) Limited Crab Harvester – Active License; or

(b) Limited Crab Harvester – Male Only License.

C. Closed Day Declaration of Intent.

(1) – (4) (text unchanged)

D. – E. (text unchanged)

F. Limited Crab Harvester.

(1) Latent Effort Limited Crab Harvester License.

(a) A limited crab harvester (LCC) authorization of a tidal fish license that has no reported crab harvest between January 1, 2004 and December 15, 2008 on reports submitted to the Department by January 30, 2009 shall be determined to be a latent effort limited crab harvester license, except for those licenses specified in §F(b) of this regulation.

(b) Exceptions to Latent Effort Designation.

(i) A LCC authorization received through the apprenticeship program.

(ii) A LCC authorization received through a permanent license transfer between August 1, 2006 and July 8, 2009.

(iii) A LCC authorization assigned to an individual who provides appropriate documentation of active military service during the period January 1, 2004 and January 30, 2009.

(iv) A LCC assigned to an individual who completed a successful female bushel limit hardship appeal in 2008.

(v) A LCC assigned to an individual who currently resides and has resided for at least 5 years on an island in the State that is at least 3 miles from the mainland.

(2) Latent Effort Limited Crab Harvester Status.

(a) Individuals with licenses that have been determined to be a latent effort license as described in §F(1) of this Regulation shall, through a process as determined by the Department, declare to:

(i) Have their LCC placed in limited crab harvester – frozen status as described in §F(2)(b) of this Regulation; or

(ii) Have their LCC placed in limited crab harvester – male only status as described in §F(2)(c) of this Regulation.

(b) In this Regulation, limited crab harvester – frozen license status means:

(i) The license may not commercially harvest crabs beginning on April 1, 2010;

(ii) The license shall be renewed annually in accordance with the schedule designated for a LCC authorization in Natural Resources Article, §4-701, Annotated Code of Maryland without a fee;

(iii) A harvest report is not required while the license is on frozen status;

(iv) A licensee may only permanently transfer the license through a family transfer, beneficiary, or business transfer, as described in Natural Resources Article, §4-701, Annotated Code of Maryland; and

(v) Upon a determination that the blue crab population meets or exceeds the abundance target for three consecutive years, the Department shall assess the number of limited crab

harvester – frozen licenses that may be restored to full active status for commercial harvest.

(c) In this Regulation, a limited crab harvester – male only license status means:

(i) The license shall only harvest male crabs beginning on April 1, 2010;

(ii) The license shall not be used to harvest females at any time regardless of the blue crab population target level of abundance being achieved for three consecutive years;

(iii) The license shall be renewed annually in accordance with the schedule and fees designated for a LCC authorization in Natural Resources Article, §4-701, Annotated Code of Maryland; and

(iv) The license shall only be permanently transferred through a family or beneficiary transfer as described in Natural Resources Article, §4-701, Annotated Code of Maryland.

(d) Licensees who do not declare their latent effort license status by March 15, 2010 through the Department process shall have their limited crab harvester license placed in limited crab harvester – frozen license status beginning April 1, 2010.

(e) The latent effort license status may not be modified after declaration even if the license has been transferred to a new owner.

[F.] G. Public Notice. (text unchanged)

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