

## SFAC/TFAC Penalty Workgroup Meeting Minutes 6-2-16

Attendees:

Sarah Widman  
Jacob Holtz  
Sgt. Bowman  
Christian Dabb  
Cynthia Goshorn  
Roger Trageser  
Richard Young  
Bill Scerbo

Sarah Widman, DNR Fisheries, gave an overview of some recent penalty items.

The Interstate Wildlife Violators Compact which Maryland is a signatory of will be going into full effect soon. Maryland had to wait for the e-license system to be changed in order to be able to suspend all individuals listed under this compact. Those changes are being made and more public outreach will occur as the system goes into effect.

The NRP will be moving towards an e-ticketing system similar to the MSP. This is scheduled to be phased in over the next year or so. In order to have this system, all violations (subsections of law) must be listed out in the fine schedule. The fine schedule has been redrafted to break it out into each individual subsection of law. Because of these changes, Sarah asked that commissioners bring forward only those fines they would like to see changed. There was a discussion of herring fines and ultimately it was suggested that no changes be made.

It was also discussed that because e-tickets will look different and each subsection of law is listed, the penalty schedule or fine schedule may need to be changed in order for the two systems to correctly correspond to each other. Commissioners suggested perhaps making separate fine tiers for 1,2,3 fish and then continuing on with the rest 4-6, 7-10, etc. This will be the case for any violation that is enumerated (number of gear, distance or number of fish).

The group also discussed adding criminal theft related activities to the fine schedule so that regardless of whether someone is charged with criminal theft of fishing gear or fish or something under natural resources law, they will be suspended.

The group then discussed the penalty schedules.

### **Recreational and Fishing Guides**

08.02.13.05

E(5) – currently no tolerance for over rec crab catch limit

Recommended Change: under one bushel – leave on 90 day over a bushel add to 180 day

E (6) – currently no tolerance for outside recreational catch time

Recommended Change: To more than 30 minutes outside catch time

E(37-39, 43) Daily catch limits for striped bass

Recommended Change: change tier in fine schedule to match penalty schedule

E(52) season violations 1-5 fish

Recommended Change: change tier in fine schedule to match penalty schedule

F(45) targeting striped bass in a closed area

Recommended Change: Move to 365 days

G(55) housekeeping – re-spell possess

Recommended Change: as suggested above

G(72) Delayed Harvest wrong gear

Recommended Change: change to add fly only areas with a wrong gear same as delayed harvest

New addition: Add using a barbed hook during preseason for striped bass – 180 day suspension

## **Commercial**

08.02.15.03

C(2) untagged oyster containers –

Recommended Change: Having 2-3 bushels on the 5 points no suspension tier, and keeping 4-5 bushels on the 15 points tier

C(14) shipping/selling hard clams without a license

Recommended Change: add to same tier as unlicensed commercial activity

C(15) Worcester County – taking hard clams without a license

Recommended Change: add to same tier as unlicensed commercial activity

C(16) Operating a hydraulic clam dredge without a license

Recommended Change: add to same tier as unlicensed commercial activity

C(21) Unlawfully selling soft-shell clams

Recommended Change: add to same tier as unlicensed commercial activity

C(41) Commercial harvesting snapping turtles without a license

Recommended Change: add to same tier as unlicensed commercial activity

C(68) Haul seine sealing requirement

Recommended Change: Remove – requirement was removed during session

D(1) – failing to sell oysters to a buy station

Recommended Change: No change

E(5) untagged oyster containers 3-5

Recommended Change: No change

E(8) – harvesting oysters from certain closed areas

Need to change to starting at 51 feet not 50 feet in order to match the lower tier violation.

E(25) – possessing 1-10 river herring

Recommended Change: Move to 5 points for 6-10 fish

F(2) untagged oysters 6-9

Recommended Change: No change

F(12) river herring possession – 11-20

Recommended Change: No change

H(9) River herring possession – 21 or more fish

Recommended Change: No change

New addition: Add failure to refrigerate soft shell clams to 25 point tier

### **Seafood Dealers**

If we alter tiers/tolerances for oyster tagging for harvesters, do we alter any of the tiers on this schedule? They are start at 1-5 containers untagged is 5 pts no suspension.

Recommended Change: None