

## Fisheries Regulatory Scoping January 2017

Please review the following possible regulatory changes. DNR is looking for your advice on how to proceed with scoping (i.e. open houses, web feedback only, etc.).

### **Out of State Fish Supplier Permit**

The Department would like to establish a permit for an out-of-state fish supplier.

Discussion: Currently, out of state suppliers are required to register with the Department. Once registered, the supplier is required to follow certain criteria. Establishing a permit in regulation and including the requirements will make expectations clear. The criteria are established to ensure the health of Maryland's wild stocks of fish and include: certification that finfish are free of disease; requirements for labeling of product (origin, date of sale, supplier information, species and amount); permits for stocking in Maryland waters; and reasons for revoking a permit. The permit would be valid for the calendar year and is free.

Scoping Recommendation: Scope on the Department's website, with the Aquaculture Coordinating Council, Constant Contact, Facebook and Twitter.

### **Spiny Dogfish — Commercial**

Reduce the minimum landing requirement for permit eligibility and change the declaration period.

1) The Spiny Dogfish Workgroup requested that the Department consider a change in the eligibility criteria.

Discussion: The Spiny Dogfish Workgroup met on Friday, August 19, 2016 to discuss the performance of the commercial spiny dogfish fishery. During that meeting, the workgroup discussed eligibility. As a result, the Spiny Dogfish Workgroup requested that the Department consider a change in the eligibility criteria in regulation.

The harvesters did not realize that the harvest requirement was annual after the first three seasons and feel that it is too restrictive. Instead of having the requirement to land a minimum of 15,000 pounds of spiny dogfish within 3 years of the current season, the workgroup is recommending only needing to qualify for the permit one time. An individual will need to harvest 15,000 pounds within the first three seasons of possessing a permit in order to keep the permit. If the permittee qualifies within the first three seasons, the permittee will no longer have a minimum landing requirement. The permittee will still have to declare their intent to fish for spiny dogfish to keep the permit. The change will provide the industry flexibility in how they manage business expenses (fuel, deckhands, etc.).

This is the first year where the eligibility requirement was in effect and five people lost permits for failing to harvest 15,000 lbs in three seasons. Making this change may reduce the potential for new entrants to enter the fishery because there will be less turnover, since only new permittees will need to qualify. However, the reduced potential for new entrants after the first 3 years was likely anyway since everyone who qualified was able to show that they are actively participating in the fishery. We assume that most permit holders will continue to participate annually. New participants can obtain a spiny dogfish permit through a permanent business transfer in addition to relinquished permits from a harvester failing to declare.

2) Change the declaration requirement from 2 years to 1 year.

Discussion: Since changing the eligibility criteria may reduce the potential for new entrants into the fishery, the Department is also recommending a change to the declaration eligibility requirement. The Department is considering changing the declaration requirement to be yearly. Currently, a permittee must declare their intent to fish for spiny dogfish every two years. The permittee would not lose their permit until they fail to declare for two consecutive years.

Requiring a permittee to declare every year will help maintain an active fishery.

Scoping Recommendation: Scope on the Department's website, Spiny Dogfish Workgroup, Coastal Commercial Fisheries Forum, Constant Contact, Facebook and Twitter.