

## **Fisheries Regulatory Update**

**Dates Covered: 7/13/12 to 10/2/12**

### **Public Notices Issued**

View Public Notices at <http://www.dnr.maryland.gov/fisheries/notices/notices.asp>

- Commercial Horseshoe Crab Fishery Closure  
The commercial horseshoe crab fishery will close effective, 12:01 a.m., Friday, August 3, 2012. Published in The Baltimore Sun on Monday, July 30, 2012.
- Application for Shellfish Aquaculture Lease — Ruark, Sr.  
Application for a water column lease by Joseph K. Ruark, Sr. in Tar Bay, Dorchester County, Maryland, located along the eastern shoreline thereof and west of Middle Hooper Island. Published in the Star Democrat on 8/6/12 and 8/12/12.
- Application for Shellfish Aquaculture Lease — Shoemaker, III  
Application for a water column lease by Daniel W. Shoemaker, III. in Tar Bay, Dorchester County, Maryland, located along the eastern shoreline thereof and west of Middle Hooper Island. Published in the Star Democrat on 8/6/12 and 8/12/12.
- Application for Shellfish Aquaculture Lease — Webb, Jr.  
Application for a water column lease by Arthur Webb, Jr. in Tar Bay, Dorchester County, Maryland, located along the eastern shoreline thereof and west of Middle Hooper Island. Published in the Star Democrat on 8/6/12 and 8/12/12.
- Application for Shellfish Aquaculture Lease — Marsh  
Applications for three water column leases by Donald Marsh in Chincoteague Bay, Worcester County, Maryland. The proposed sites are located off South Point and west of the marked Federal channel. Published in the Worcester County Times on 8/9/12 and 8/16/12.
- Shellfish Aquaculture Leases — Gabeler  
Applications for two shellfish aquaculture leases by William Gabeler in Grey's Creek off Assawoman Bay, Worcester County, Maryland. The adjoining sites are located on the south side of the creek. First area is for a submerged land lease, second area is for a water column lease. Published in the Worcester County Times Thursdays, August 23 and August 30, 2012.
- Shellfish Aquaculture Lease — Bay Landing Shellfish Co.  
Application for a water column lease by the Bay Landing Shellfish Company in Chincoteague Bay, Worcester County, Maryland, near George Island Landing. The proposed site is located just off the south end of Parkers Bay Road in Stockton, MD. Published in the Worcester County Times on Thursdays, September 6 and September 13, 2012.

- **Commercial Horseshoe Crab Season**  
Fishery re-opens to permit holders 9/3 through 9/24. Permit holders limited to 100 crabs/permit/day. Remains closed to all non-permit holders. Published in the Baltimore Sun on Friday, August 31, 2012.
- **Shellfish Aquaculture Lease — Robinson & Robinson**  
Application for a water column lease by Timothy Robinson and Susan Robinson in Fishing Bay, Dorchester County, Maryland. The proposed site is located just north of Duck Island Cove. Published in the Dorchester Star on Fridays, September 14 and September 21, 2012.
- **Shellfish Aquaculture Lease — DeSipio & Tull**  
Application for a water column lease by Peter DeSipio and John Tull in Chincoteague Bay, Worcester County, Maryland. The proposed site is located east of the Public Landing boat basin and south of Scarboro Creek. Published in the Worcester County Times on Thursdays, September 13 and September 20, 2012.
- **Commercial Striped Bass Hook and Line Harvest Closure**  
Fishery closes to effective at 12:01 a.m. on Wednesday, September 12, 2012 and will reopen on Monday, October 1, 2012, with a catch limit of 500 lbs/permit/day and 1500 lbs/permit/week unless otherwise changed by public notice. Published in The Baltimore Sun on September 10, 2012.
- **Shellfish Aquaculture Lease — Willey**  
Application for a water column lease by Robert F. Willey in Mill Cove, St. Mary's County, Maryland. The proposed site is located adjacent to Mr. Willey's existing pier and property on the eastern shore of Mill Cove. Published in the Enterprise on Fridays, September 14 and September 21, 2012.
- **Commercial Striped Bass Hook and Line Harvest Modification**  
Fishery reopens on Tuesday, September 18 and Wednesday, September 19, 2012 with a catch limit of 300 lbs/permit/week. The October hook and line fishery will reopen on Tuesday, October 2, 2012 with a catch limit of 400 lbs/permit/day and 800 lbs/permit/week. Open fishing days will be limited to Tuesdays and Wednesdays only.
- **Shellfish Aquaculture Lease — Cox & Simmons**  
Application for a water column lease by Willam A. Cox and Donnie Simmons in Honga River, Dorchester County, Maryland. The proposed site is located south-southwest of Norman Cove inshore of the navigational fairway. Published in the Dorchester Star on Fridays, September 21 and September 28, 2012.

### **Regulations that became Effective**

- **Spanish Mackerel — 08.02.05.14 — Effective 7/23/12**  
Recreational: requires all Spanish mackerel be landed with the head and fins attached.  
Commercial: creel limit of 3500 pounds per vessel, per day/trip.

- Striped Bass — 08.02.15.04 — Effective 7/23/12  
Cap the number of pound net and Atlantic commercial striped bass permits through 2013.
- Free Fishing Areas — Coast — 08.02.01.07 — Effective 8/20/12  
Add Northside Park and the Chicago Avenue bulkhead as free fishing areas.
- Seafood Marketing — True Blue Program — 08.02.24.01 — Effective 8/20/12  
Allow restaurants serving Department-verified Maryland blue crab product to use a special logo in marketing or advertising the product.
- Blue Crab Fishery Management Plan Amendment — 08.02.01.01 — Effective 9/3/12  
Amendment #2 to the 1997 Chesapeake Blue Crab FMP provides the mechanism for formally adopting the new biological reference points and control rule.
- Tautog — 08.02.05.20 — Effective 9/3/12  
Error found in the Tautog stock assessment: season ends November 26 instead of November 15.
- Horseshoe Crabs — 08.02.10.01 — Effective 10/1/12  
Recreational and Commercial fishery changes.
- Oysters — Power Dredge Permit and Lines; Hand Tong Lines — 08.02.04.09, 12 — Effective 10/1/12  
Remove permit requirement; fix lines.
- Oysters — PSFA — 08.02.04.17 — Effective 10/1/12  
Fix lines.

### **Regulations that have been Proposed and are Following the APA Process**

View Maryland Register at <http://www.dsd.state.md.us/MDRegister/mdregister.aspx>

- Summer Flounder — Proposed — 08.02.05.12  
Maryland Register 8/24/12, Comment Period Ends 9/24/12, Scheduled Effective 10/29/12  
Standardize the declaration period, standardize ownership of a federally permitted vessel, clarify the limit of 2 quotas fished from the same vessel, clarify how overages will be deducted, clarify why public notices are issued, cap the permits at 7 (current number) and allow for transfer of 100% of individual's quota, but with cap on amount of quota any one individual may acquire.
- Black Bass Tournament Permit — Proposed — 08.02.01.11  
Maryland Register 8/24/12, Comment Period Ends 9/24/12, Scheduled Effective 10/29/12  
Require largemouth and smallmouth bass tournament directors to obtain a free permit before conducting bass tournaments in Maryland.

- **Black Sea Bass — Proposed — 08.02.05.21**  
Maryland Register 9/7/12, Comment Period Ends 10/9/12, Scheduled Effective 11/12/12  
Standardize the declaration period, standardize text regarding ownership of a federally permitted vessel, clarify the limit of 2 quotas fished from the same vessel, clarify how overages will be deducted, clarify why public notices are issued, cap the permits at 14 (current number) and allow for transfer of 100% of individual's quota, but with cap on amount of quota any one individual may acquire.
- **Nontidal — Proposed — 08.02.11.01, .03**  
Maryland Register 10/19/12, Comment Period Ends 11/19/12, Scheduled Effective 12/24/12  
Allows for night fishing in impoundments larger than 5 acres that are stocked with trout. Places Lion's Park Pond in Allegany County and Avalon Pond (Lost Lake) in Baltimore County on the Put-and-Take Trout Fishing Areas list which will allow anglers of all ages to access the areas for fishing. Makes several clarifications to the put and take trout fishing areas. Changes the Governor's Bridge Natural Area Pond from a catch and return area to a limited harvest area.
- **Shellfish — General — Lobster — Proposed — 08.02.08.10**  
Maryland Register 10/19/12, Comment Period Ends 11/19/12, Scheduled Effective 12/24/12  
ASMFC requires mandatory v-notching of all female lobsters, immediate release of egg-bearing female lobsters, and a season closure to the landing of lobsters from February 1 through March 31. During the February 1-March 31 closure, lobster potters will have a two week period to remove lobster pots from the water and may set lobster pots one week prior to the end of the closed season.
- **Yellow Perch — Proposed — 08.02.21.04**  
Maryland Register 10/19/12, Comment Period Ends 11/19/12, Scheduled Effective 12/24/12  
Open, close or modify a commercial season by putting notice on the reporting phone system and Fisheries Services' website rather than the newspaper.

### **Emergency Regulations in Effect**

- **Fishing in Nontidal Waters — Emergency — 08.02.11.01**  
Effective June 26 through December 20, 2012  
Remove Lion's Park Pond in Allegany County and Avalon Pond (Lost Lake) in Baltimore County from the list of areas limited to individuals under 16 years of age, 65 years of age and older, and Blind Persons. Both areas will be placed on the Put-and-Take Trout Fishing Areas.
- **Aquaculture — Emergency — 08.02.23.02-.04**  
Effective September 13, 2012 through January 15, 2013  
Smaller size limit for aquaculture during closed wild fishery, fees and rent for water column leases; seed oyster size.