

Fisheries Regulatory Update

Dates Covered: 5/1/13 to 7/17/13

Public Notices Issued

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

- **Commercial Mature Female Hard Crab Catch Limit and Crew Requirements**
Announced the revision of the commercial mature female hard crab bushel limits and closure periods for 2013 for the Chesapeake Bay and its tidal tributaries pursuant to COMAR 08.02.03.14. Notwithstanding COMAR 08.02.03.11A(5), there are no closure periods for female harvest in 2013. Published in the Baltimore Sun on 5/13/13.
- **Commercial Spiny Dogfish Fishery — Landing Limit Changes**
Federal permit holders or Maryland commercial licensees may land up to 4,000 pounds of spiny dogfish per vessel per day. Published in the Baltimore Sun, Daily Times, and the Fisheries Service website on 5/15/13
- **Shellfish Aquaculture Lease — Jon D. Farrington**
Application for a shellfish aquaculture water column lease by Jon D. Farrington in the Patuxent River, Calvert County, Maryland, south of the mouth of Island Creek and approximately 2,000 feet east of Broomes Island. Published in the Calvert Recorder on 5/17/13 and 5/24/13.
- **Public Information Session on Proposed Aquaculture Lease – Wisner**
A public information session regarding the proposed aquaculture lease of Mr. Eric Wisner in the Nanticoke River, Wicomico County is to be held on May 29, 2013, from 4-7pm. Published in the Daily Times on 5/20/13.
- **2013 Recreational Black Sea Bass Season**
The recreational black sea bass season runs May 19, 2013 – October 14, 2013 and November 1, 2013 – December 31, 2013. On May 19, 2013, the possession limit remained 25 fish per person with a minimum size of 12.5 inches. Beginning May 20, 2013, and for the duration of the open season, the new possession limit is 20 fish per person, with the minimum size remaining 12.5 inches. Published on the Fisheries Service website 5/17/13.
- **Razor Clam Dredging – Wye River in Queen Anne’s and Talbot County**
Opened three areas in the Wye River in Queen Anne’s and Talbot County for the dredging of razor clams with special restrictions including hours, special permits, and dying requirements. Published in the Baltimore Sun on 5/22/13, the Star Democrat on 5/23/2013, and in the Talbot Spy, Chestertown Spy, and Queen Anne Spy e-newspapers for a month beginning 5/23/13.
- **Shellfish Aquaculture Lease — Cooney**
Application for a shellfish aquaculture water column lease by Ted D. Cooney adjacent to his riparian property on the south side of Back Creek where it joins the Honga River, Dorchester County, Maryland. Published in the Daily Banner on 5/24/13 and 5/31/13.

- **2013 Commercial Horseshoe Crab Harvest Modification**
Prohibits the landing of any female horseshoe crabs and sets the annual total allowable landings of male horseshoe crabs for the commercial fishery at 255,980. Published on the Fisheries Service website on 6/5/13.
- **Commercial Striped Bass Hook and Line Season Modification**
Effective June 10, 2013, the daily catch limit is 400 pounds per day with a weekly catch limit of 1,200 pounds per authorized tidal fish licensee. Fishing days will be limited to Monday through Thursday. Published on the Fisheries Service website on 6/7/13 and in the Baltimore Sun on 6/8/13.
- **Commercial Striped Bass Hook and Line Harvest Closure**
Announces the closure of the June, 2013 commercial striped bass hook and line fishery effective Monday, June 17. The hook and line fishery will reopen on July 2, 2013 with a catch limit of 400 lbs/permit/day and 800 lbs/permit/week. Open fishing days will be Tuesdays, Wednesdays, and Thursdays only. Published on the Fisheries Service website on 6/13/13 and in the Baltimore Sun on 6/14/13.
- **Shellfish Aquaculture Lease — Barnette**
Application for a shellfish aquaculture submerged land lease by John and Denise Barnette. in Wicomico River, Wicomico County, Maryland, in Ellis Bay on the northwest side of the navigation channel. Published in the Daily Times on 6/19/13 and 6/26/13.
- **2013 Commercial Horseshoe Crab Daily Landing Limit**
Effective June 24, 2013, through July 12, 2013, and individual in possession of a valid horseshoe crab landing permit may not land more than 150 horseshoe crabs per day. Published on the Fisheries Service website on 6/20/13.
- **2013 Commercial Atlantic Menhaden Regulations**
Announces total allowable landings of Atlantic menhaden for Maryland, as established by the Atlantic States Marine Fisheries Commission is 5.12 million pounds. The unlimited commercial menhaden fishery will close on July 29, 2013, at which time bycatch provisions go into effect. The following catch limits govern the Atlantic menhaden bycatch fishery: for commercial licensees not in possession of an Atlantic Menhaden Bycatch Allowance Landing Permit: 1,500 pounds per vessel per day. For commercial licensees in possession of an Atlantic Menhaden Bycatch Allowance Landing Permit: 6,000 pounds per permittee per day, with a 12,000 pound per vessel per day landing limit. Published on the Fisheries Service website on 6/21/13.
- **2013 Commercial Atlantic Menhaden Regulations Corrected Limits**
Corrects the landing limits for the bycatch fishery. The correct limits are: 1,500 pounds per vessel per day for commercial licensees not in possession of an Atlantic Menhaden Bycatch Allowance Landing Permit; 6,000 pounds per permittee per day for commercial licensees in possession of an Atlantic Menhaden Bycatch Allowance Landing Permit who have not been issued a striped bass pound net permit or have been issued one striped bass pound net permit; 12,000 pounds per permittee per day for commercial licensees who have also been issued two or more striped bass pound net permits. There remains a 12,000 pound per vessel per day landing limit regardless of the number of permits on board. Published on the Fisheries Service website on 6/25/13.

- Shellfish Aquaculture Lease - Meatyard
Application for a shellfish aquaculture water column lease by Frederick A. Meatyard, III and Frederick A. Meatyard, IV in Herring Creek, St. Mary's County, Maryland, northeast of channel marker "5" and southwest of McKay Cove. Published in the Enterprise on 7/5/13 and 7/12/13
- Commercial Striped Bass Hook and Line Harvest Closure
Announces the closure of the July, 2013 commercial striped bass hook and line fishery effective Thursday, July 11, 2013. The hook and line fishery will reopen on August 6, 2013 with a catch limit of 400 lbs/permit/day and 800 lbs/permit/week. Open fishing days will be Tuesdays, Wednesdays, and Thursdays only. Published in the Baltimore Sun and on the Fisheries Service website on 7/8/13.
- Shellfish Aquaculture Lease - Lumpkins
Application for shellfish aquaculture submerged land and water column leases by Robert L. Lumpkins on two sites in St. George's Creek, St. Mary's County, Maryland. Published in the Enterprise on 7/19/13 and 7/26/13

Regulations that became Effective

- Sharks — 08.02.22.02, .04 — Effective 5/27/2013
Adds shark species to the recreational catch card reporting program and updates public notice provision.

Regulations that have been Proposed and are Following the APA Process

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

- Atlantic Menhaden — Proposed and Emergency — 08.02.05.07 and 08.02.12.03
Maryland Register 6/28/13, Comment Period Ends 7/15/13, Effective 6/17/2013
Lists Atlantic menhaden as "In Need of Conservation," establishes regulations for the commercial harvest of menhaden. Provides for the establishment of the yearly quota, season, and harvest limits by public notice, as well as a bycatch fishery upon the closure the open fishery.
- Summer Flounder and Black Sea Bass — Proposed — 08.02.05.12 and .21
Maryland Register 4/19/13, Comment Period Ends 5/20/13, Scheduled Effective 8/5/13
Removes the current regulatory language regarding the specific minimum size, creel limit and season for the recreational fisheries and changes the language to say that the recreational limits will be established by public notice in order to implement the Atlantic States Marine Fisheries Commission's fishery management plans.
- Horseshoe Crabs — Proposed — 08.02.10.01
Maryland Register 5/3/13, Comment Period Ends 6/3/13, Scheduled Effective 8/5/13
Removes the current regulatory language regarding the specific quota, seasons and some catch limits for the horseshoe crab fishery and changes the language to say that the limits will be established by public notice in order to implement the Atlantic States Marine Fisheries Commission's (ASMFC) fishery management plan. The action also adds a prohibition on harvesting females based on a requirement from the ASMFC fishery management plan.

- Shellfish Aquaculture — Proposed — 08.02.23.02, .03 and .04
Maryland Register 5/3/13, Comment Period Ends 6/3/13, Scheduled Effective 7/8/13
Allow water column leaseholders to harvest oysters that are a minimum of 2 inches for sale year round; allow submerged land leaseholder to harvest oysters that are a minimum of 2 inches for sale while the public fishery is closed, create a one inch maximum seed size limit, allow a 5% tolerance limit (same as commercially harvested oysters), add an application fee for water column leases of \$300 (same as submerged land leases), and add an annual rent of \$25 per acre for all water column leases.
- Striped Bass — Proposed — 08.02.15.02, .04, .05, .07, and .12
Maryland Register 5/31/13, Comment Period Ends 7/1/13, Scheduled Effective 8/5/13
The purpose of this action is to achieve compliance with new Atlantic States Marine Fisheries Commission (ASMFC) requirements coupled with industry goals and objectives for flexibility. See statement of purpose on Fisheries proposed regulations page for more information.

Emergency Regulations in Effect

- Aquaculture — Emergency — 08.02.23.02-.04
Effective September 13, 2012 through July 8, 2013
Smaller size limit for aquaculture during closed wild fishery, fees and rent for water column leases; seed oyster size.
- Gear – Emergency – 08.02.05.01 and .02, 08.02.11.04, 08.02.25.01, and .02
Effective July 1, 2013 through December 27, 2013
Creates gear chapter to define and regulate recreational gear use.
- Oysters – Emergency – 08.02.04.04
Effective pending AELR approval
The purpose of this action is to increase oyster tagging flexibility. Harvesters that are also certified by the Maryland Department of Health and Mental Hygiene may use a dealer tag in lieu of a Department-issued harvester tag, meaning that such individuals may print their own tags so long as the tags meet the requirements stipulated in the National Shellfish Sanitation Program Model Ordinance.
- Atlantic Menhaden — Proposed and Emergency — 08.02.05.07 and 08.02.12.03
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