

## **Fisheries Regulatory Update**

**Dates Covered: 9/17/13 to 2/6/14**

### **Public Notices Issued**

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

- Commercial Striped Bass — Hook and Line Closure  
Closed effective at 12:01 a.m. 9/23/13. Reopens 10/1/13 with a catch limit of 400 lbs/permit/week, Tuesdays and Wednesdays only. Published in the Baltimore Sun 9/20/13.
- Shellfish Aquaculture Lease — Kitching and Floros  
Application for a shellfish aquaculture water column lease by J. Mark Kitching & Robert C. Floros in Chesapeake Bay, Somerset, Maryland, in Goose Harbor Cove west of Chaisey Point. Published in the Daily Banner on 10/2/13 and 10/9/13.
- Shellfish Aquaculture Lease — Phillips Foods, Inc.  
Application for two shellfish aquaculture leases (1 submerged land and 1 water column) by Phillips Foods, Inc. in Tangier Sound, Dorchester, Maryland. Published in the Dorchester Star 10/18/13 and 10/25/13.
- Commercial Striped Bass — Hook and Line Harvest Closure  
Closure effective at 12:01 a.m. 10/22/13. Reopens 11/5/13 with a catch limit of 400 lbs/permit/week; Tuesdays and Wednesdays only. Published in the Baltimore Sun 10/19/13.
- Blue Crabs — Public Hearing on Proposed Blue Crab Regulations  
Hearing on 11/5/13 at 6pm in the C-1 Conference Room. Published in the Baltimore Sun 10/25/13 and 11/1/13.
- Shellfish Aquaculture Lease — MD Water Holdings, LLC  
Application for a shellfish aquaculture water column lease by MD Water Holdings, LLC in Calvert Bay, St. Mary's County, Maryland, south and east of Smith Creek and north of Lawson Point. Published in the Enterprise 11/1/13 and 11/8/13.
- Striped Bass — Commercial Hook and Line Harvest Closure  
Fishery closes at 12:01 a.m. on 11/19/13. Published on the Fisheries Service website and in the Maryland Register.
- Striped Bass — Commercial Gill Net Season Modification  
Fishery is closed until 12:01 a.m. on 12/10/13. Open Tuesdays and Wednesdays only from 3 a.m. to 6 p.m. Daily catch limit will be 300 lbs/striped bass harvest permit with a daily vessel limit of 1200 lbs/vessel. Published on the Fisheries Service website and in the Maryland Register.

- Shellfish Aquaculture Lease - Fowler Shellfish, LLC  
Application for a shellfish aquaculture water column lease by Fowler Shellfish, LLC in Chester River, Queen Anne's County, Maryland. Published in the Star Democrat on 11/22/13 and 11/29/13.
- Striped Bass — Commercial Hook and Line Harvest Modification  
Re-opens fishery effective at 12:01 a.m. on 11/26/13 with a catch limit of 300 lbs/permit/day. Fishery closes at 12:01 a.m. on 11/27/13. Published on the Fisheries Service website and in the Maryland Register.
- Public Information Session on Proposed Aquaculture Lease — Lumpkins  
Regarding the proposed aquaculture lease of Mr. Robert L. Lumpkins application #129 in St. George's Creek, St. Mary's County, Maryland. The open-house style information session was held 12/12/13.
- Striped Bass — Commercial Gill Net Season Modification  
Fishery open 12/17/13 and 12/18/13 with a catch limit of 300 pounds/permit/week and a vessel limit of 1200 pounds/day. Closes fishery at 12:01 a.m. on 12/19/13. Published on the Fisheries Service website and in the Maryland Register.
- Striped Bass — Commercial Common Pool Season Opening  
Announces the opening of the 2014 commercial striped bass common pool gill net fishery on 1/1/14 at 3:00 a.m with a catch limit of 300 pounds/permit/week and 1200 lbs/vessel/day. The common pool fishery will close on 1/3/14 at 12:01 a.m. Published on the Fisheries Service website and in the Maryland Register.
- Black Sea Bass — 2014 Recreational Black Sea Bass Fishery  
Announces the season, catch limit, and minimum size for 2014. Includes information for federal waters. Published on the Fisheries Service website and in the Maryland Register.
- Summer Flounder — 2014 Summer Flounder Regulations  
Announces the season, catch limit, and minimum size for 2014. Published on the Fisheries Service website and in the Maryland Register.
- Striped Bass — Commercial Common Pool Gill Net Season Modification  
Re-opens 1/14/14 at 3:00 a.m with a catch limit of 300 pounds/individual/week and 1200 lbs/vessel/day. Fishery closes on 1/16/14 at 12:01 a.m. Published on the Fisheries Service Website and in the Maryland Register.
- Shellfish Aquaculture Lease – Fowlkes and Mumford  
An application for 3 shellfish aquaculture submerged land leases by Hobart V. Fowlkes and George T. Mumford in the Nanticoke River, Wicomico County, Maryland. Published in the Daily Times on 1/15/14 and 1/22/14.
- Striped Bass — Commercial Common Pool Gill Net Season Modification  
Reopens 2/11/14 at 3:00 a.m with a catch limit of 450 lbs/permit/week and 1800 lbs/vessel/day. Fishery will close 2/13/14 at 12:01 a.m. Published on the Fisheries Service Website and in the Maryland Register.

## **Regulations that became Effective**

- Nuisance Species — Asian Horseshoe Crabs — 08.02.19.04, .06 — Effective 10/28/13
- SAV lines — Proposed — 08.02.01.12 — Effective 11/11/13
- Shellfish Aquaculture — Nursery Permits — 08.02.23.08  
Emergency action effective 9/23/13; Proposed action effective 11/25/13
- Gear — Proposed — 08.02.05.01 and .02, 08.02.11.04, and 08.02.25.01 and .02 —  
Effective 12/23/13
- Oysters & Shellfish Aquaculture — Proposed — 08.02.04.04 and 08.02.23.04 —  
Effective 12/23/13
- Leasing in St. Mary's Oyster Sanctuary — Proposed — 08.02.04.15 — Effective  
12/23/13
- Fishing in Nontidal Waters — 08.02.11.01 — Effective 1/1/14
- Crabs — Proposed — 08.02.03.03, .06, .07, .09, .10, .11, and .14 — Effective 1/1/14
- Striped Bass — Proposed — 08.02.15.02, .04, .05, .07, and .12 — Effective 1/1/14
- Oysters — Emergency — 08.02.04.11 — Effective 1/2/14 through 6/30/14  
Raises price paid for a bushel of shell from \$.50 to \$2.
- Shell Recycling Tax Credit — Emergency — 08.02.26.01—.06 — Effective 1/13/14  
through 7/12/14. Creation of an oyster shell recycling credit.

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

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

View Proposed Regulations at

<http://www.dnr.maryland.gov/fisheries/regulations/proposedregulations.asp>

- Spiny Dogfish — Proposed — 08.02.05.24  
Maryland Register 12/2/13, Comment Period Ends 1/2/14, Scheduled Effective 2/17/14  
Creates limited entry system for the commercial fishery
- Sharks — Proposed — 08.02.12.03 and 08.02.22.02,.03,.04  
Maryland Register 12/27/13, Comment Period Ends 1/27/14, Scheduled Effective 3/3/14  
Changes to groupings, recreational minimum sizes; and smoothhound fins.
- Eels — Proposed — 08.02.05.07  
Maryland Register 12/27/13, Comment Period Ends 1/27/14, Scheduled Effective 3/3/14  
Raises the minimum size from 6" to 9"; removes the tolerance of 25 undersized eels;  
closes the season to eels for all gears but spears and baited pots and traps from September  
1 to December 31; removes the allowance for eel pots with mesh smaller than ½"  
beginning January 1, 2017.

- Menhaden — Proposed — 08.02.05.08  
Maryland Register 12/27/13, Comment Period Ends 1/27/14, Scheduled Effective 3/3/14  
Reporting requirements.
- Oysters — Emergency and Proposed — 08.02.04.11  
Emergency — Effective 1/2/14 through 6/30/14  
Proposed — Maryland Register 12/27/13, Comment Period Ends 1/27/14, Scheduled Effective 3/3/14  
Raises price paid for a bushel of shell from \$.50 to \$2.
- Snapping Turtles — Proposed — 08.02.06.01  
Maryland Register 1/10/14, Comment Period Ends 2/10/14, Scheduled Effective 3/17/14  
Establishes a declaration period for the commercial snapping turtle permit; clarifies recreational licensing requirements; and provides a permittee the ability to request a hearing if a permit is denied or suspended.
- Penalties — Proposed — 08.02.13.02, .03, .05, .07, .08  
Maryland Register 1/24/14, Comment Period Ends 2/24/14, Scheduled Effective 3/31/14  
Changes to the Department’s penalty system for violations committed by commercial, recreational, and charter boat licensees.
- Shell Recycling Tax Credit — Emergency and Proposed — 08.02.26.01—.06  
Emergency — Effective 1/13/14 through 7/12/14  
Proposed — Maryland Register 1/24/14, Comment Period Ends 2/24/14, Scheduled Effective 3/31/14  
Implements House Bill 184 (2013), which established the creation of an oyster shell recycling credit.
- Bait Harvester — Proposed — 08.02.20.01, .02  
Maryland Register 2/7/14, Comment Period Ends 3/10/14, Scheduled Effective 4/14/14  
Adds mole crabs and grass shrimp to the list of species; establishes catch limits; and clarifies permit requirements, reporting requirements and penalties.
- Spotted Sea Trout — Proposed — 08.02.05.13  
Maryland Register 2/7/14, Comment Period Ends 3/10/14, Scheduled Effective 4/14/14  
Reduces the recreational creel limit to 4/person; increases the commercial size limit to 14”; and creates a 150 lb commercial catch limit/day or trip, whichever is longer.

### **Emergency Regulations in Effect**

- Oysters — Emergency and Proposed — 08.02.04.11  
Emergency — Effective 1/2/14 through 6/30/14  
Raises price paid for a bushel of shell from \$.50 to \$2.
- Shell Recycling Tax Credit — Emergency and Proposed — 08.02.26.01—.06  
Emergency — Effective 1/13/14 through 7/12/14  
Implements House Bill 184 (2013), which established the creation of an oyster shell recycling credit.