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Memorandum

TO: Sport Fisheries Advisory Commissioners (SFAC)
FROM: Tom O'Connell, Fisheries Service Director
SUBJECT: Policy for Free Fishing Areas
Date: October 4, 2011

Request: Fisheries Service Requests SFAC Advice on Policy for Free Fishing Areas in Maryland. In response to requests to add additional free fishing areas and new federal angler registry requirements, Fisheries Service is evaluating the goals, criteria and current locations of free fishing areas in the State of Maryland. Specifically, DNR requests that SFAC use the background information in this document and provided online resource, and consult with the constituents you represent to provide input on the following questions:

1. Are the current goals/criteria for free fishing areas in Maryland still appropriate?
2. If not, what advice does SFAC have on goals/criteria?
3. Do the current free fishing areas meet these goals/criteria?
4. Should there be criteria on how free fishing areas are geographically distributed?
5. Should the existing areas be retained?
6. Should pending requests for new areas (Perryville/Cecil County (1) & Ocean City (3)) be approved?
7. Should free fishing areas be expanded to Inland (non-tidal) areas?

Using the following background and link to the online map resource, DNR Fisheries would like the Commission to be prepared to discuss and provide advice on the above questions at their October 18, 2011 meeting.

Background

History

In 1985, a saltwater fishing license requirement (Chesapeake Bay Sportfish License) was implemented for sport anglers 16 years of age or older fishing in the Chesapeake Bay and its tidal tributaries. The following year, free fishing areas (17) were established through regulation within the area that required the Chesapeake Bay Sportfish License as defined as Maryland's portion of Chesapeake Bay and its tidal tributaries. Policy for creation of the free fishing areas was driven by discussions with rural legislators who were concerned about the elimination of opportunities for subsistence fishing in economically disadvantaged areas by the fishing license requirement. The original goal was to create a free fishing area for each County bordering the tidal waters of the Chesapeake Bay, where a safe, accessible location was available, and subsistence fishing was indicated to occur. By 1993, 21 free fishing areas had been created by regulation, and those areas still exist today (see Google map link and list provided in Addendum A). No new free fishing areas have been added since 1993.

Status of Existing Free Fishing Areas

A review of 15 of the 21 existing sites was conducted in the spring of 2011 involving site visits, interviews with local bait and tackle stores, fishermen and Natural Resources Police. Several of the existing free fishing areas no longer meet the free fishing area criteria (safe, accessible, and providing fishing opportunities for subsistence in economically disadvantaged areas). At least two of the sites have clear physical safety concerns (Still Pond and Rt. 213 Bridge). The urban locations in Baltimore are providing quality fishing opportunities at times, including opportunities for subsistence fishermen, but there are concerns regarding effective communication of fish consumption advisories to non-English speaking anglers.

In 2010, the sport fishing license requirement for Chesapeake Bay and its tidal tributaries was expanded to include the tidal waters of Maryland's Atlantic coast out three nautical miles, including its coastal bays. This created a comprehensive saltwater fishing license (Chesapeake & Coastal Sport License) for recreational anglers 16 years of age or older fishing in any of Maryland's tidal jurisdictional waters with few exceptions. One license exception is free fishing areas. In these areas, anglers are required to be registered through the DNR website. There is no fee for this registration. It is unknown how well anglers are complying with the registration in these free fishing areas. NRP Officers focused on educating free fishing area anglers on new angler registry requirements. No warnings or citations have been issued. When Fisheries Service interviewed anglers at the free fishing areas, the majority of anglers had licenses and were unaware a license was not required.

Requests for New Free Fishing Areas

In February 2009, DNR Fisheries received a request from the Town of Perryville to add a free fishing area within the Town's boundaries (See Google map link in [Addendum A](#)). No action was taken on this request at the time due to concerns with compliance with the National Saltwater Angler Registry. There is also a concern with need and geographic equity. The Perryville location would give Cecil County 3 free fishing areas, far more than most counties, and inconsistent with the original goal.

In December of 2010, a request was made by the proprietor of an Ocean City tackle shop for MD DNR Fisheries to add two specific free fishing areas in Ocean City (see Google map link in [Addendum A](#)). DNR's Coastal Fisheries Advisory Committee (CFAC) discussed this at its May 3, 2011 meeting and made the following motion: "The recommendation of the CFAC to Fisheries Service is to establish free fishing areas at 1) 2nd, 3rd, 4th street; 2) the Northside Park; and 3) behind the Convention Center. The motion passed." (See Google map link in [Addendum A](#)). No action has been taken on these requests, because they do not meet all of the criteria originally established for free fishing areas (safe, accessible, providing fishing opportunities for subsistence in economically disadvantaged areas). Worcester County currently has 4 free fishing areas. This would provide Worcester County with 7 free fishing areas.

Fisheries Perspective

The majority of areas are not serving subsistence fishermen. If the goal remains as solely an opportunity for subsistence fishermen than removal of these free fishing areas should be considered. Free fishing areas should provide a safe, quality fishing opportunity. Many existing free fishing areas are providing questionable quality fishing opportunities, and some are unsafe.

This issue has provided Fisheries Service the opportunity to evaluate Maryland's free fishing area program. Some questions that we have been discussing internally include:

- Should the current goals/ criteria be modified?

- Can free fishing areas achieve an objective of increasing new participants in Maryland’s recreational fishery – particularly youth/families?
- If family fishing opportunities is a goal of the program, what criteria should be used to identify areas? Some ideas are:
 - 1) Geographic (i.e. limit # per county or establish minimum distance between areas). Ideally, but unsubstantiated, these areas introduce people to fishing and this increases the potential of them getting ‘hooked on fishing’ and later buy a fishing license so they may fish in other locations.
 - 2) Safety – Areas need to be safe.
 - 3) Fishing quality – If a goal is to get people ‘hooked on fishing’ then the areas should provide a quality fishing experience.
 - 4) Opportunity to align with State parks. State parks provide great infrastructure and are family oriented areas. There are tidal and non-tidal opportunities in the parks. Free fishing would not be within all state parks, but could be in specified areas.
 - 5) Opportunity to expand to inland (non-tidal) waters.

Next Steps:

- Obtain input from SFAC on 10/18.
- If the Department decides to modify (expand and/or remove) free fishing areas, a regulatory change is needed. The issue would be scoped, and then a regulatory proposal submitted. Regulatory proposal could be submitted prior to mid-December or after mid-February. Recommend a workgroup be formed consisting of Fisheries Service and SFAC members to develop a strawman regulatory proposal for scoping.

Addendum A.

The following Internet link lists all of the existing free fishing areas, and the four requested new areas. Summaries of each location as they pertain to the established criteria and policy are available in the summary listing on the left hand side of the web page, or by clicking on any of the icons on the map. To best understand the exact location, zoom in by using the scroll wheel on your mouse, or by using the zoom tool in the upper left hand of the map. You can also toggle between map and satellite view. That tool is located in the upper right hand corner of the map. Please click on the following link or copy and paste it into the address bar of your Internet browser:

<http://maps.google.com/maps/ms?msid=214475080476527311487.0004a600b7e47dc023fe9&msa=0&ll=38.336573,-75.087626&spn=0.002365,0.005681>

A simple map of all free fishing areas is provided on the DNR website at:
<http://www.dnr.state.md.us/fisheries/recreational/freefishmap.html>

Existing Free Fishing Areas listed by **Tidal** County

Anne Arundel

- Annapolis--Maryland Route 450 old bridge at the Severn River.

Baltimore County

- Cox's Point on Back River and Deep Creek. Directions: Eastern Blvd. (Rt. 150) to Riverside Drive south.

Baltimore City

- Canton Recreational Pier at Boston Street
- Hull Street Recreational Pier - Directions: Key Highway to Hull Street north.
- Middle Branch Park from fishing pier south of the Hanover--Pottee Street Bridges, to Hanover Street Bridge over Middle Branch.

Caroline County

- Denton--Pier associated with G. Daniel Crouse Memorial Park on the east side of Choptank River north of Maryland Route 404 Bridge.

Cecil County

- Charlestown--Town-owned stone wharf on the Northeast River near the corner of Conestoga and Water Streets and the historic site of Charlestown Wharf.
- North East--North East Community Park at mouth of North East Creek.

Charles County

- Friendship Landing--County-owned pier and property adjacent to the pier off Friendship Landing Road southeast of Ironsides Riverside Road (Rt. 425) on Nanjemoy Creek.

Dorchester County

- Cambridge--Long Wharf from south end of city-owned bulkhead associated with the Municipal Yacht Basin within Cambridge Creek to the end of east breakwater at mouth of the Municipal Yacht Basin.

Harford County

- Havre de Grace--Tydings Memorial Park within designated area, and pier at the end of Congress Street.

Kent County

- Chestertown--Maryland Route 213 Bridge over Chester River.
- Worton--Bridge No. K-004 over Still Pond Creek on Still Pond Creek Road near Chestertown.

Somerset County

- Princess Anne - The Manokin River Park along approximately 350 feet of the south bank of the Manokin River west of the bridge at Somerset Avenue and the west side of that bridge.

Wicomico County

- Sharptown--Pier and town dock off Ferry Street on the Nanticoke River.
- Salisbury--Designated city-owned bulkhead on the Wicomico River between Mill Street and Division Street.
- Tyaskin Park--County-owned park on Wetipquin Creek west of Rt. 349 at Tyaskin.

Worcester County

- Pocomoke City--County-owned dock at Cedar Hall Landing near western terminus of Route 371 on Pocomoke River.
- Pocomoke City--City docks from Laurel Street boat ramp to U.S. Route 13 overpass and Winter Quarter dock on Pocomoke River.
- Snow Hill--County bridge on Porter's Crossing Road west of U.S. Route 113 and east of Route 354 and Pocomoke River.
- Snow Hill--All city-owned riverfront property which includes Byrd Park, Sturgis Park, and city bulkheading adjacent to the municipal parking lot near the Route 12 bridge over the Pocomoke River.

- Tidal counties that do not have a free fishing area: Queen Anne, Prince Georges, Calvert, St. Mary's, and Talbot.

- Non-tidal counties do not have any free fishing areas.

Potential Free Fishing Areas that Fisheries Service has been asked to consider adding by regulation:

Cecil County

1. Perryville Park in Perryville, MD

Worcester County

1. 2nd to 5th Street bulkhead in Ocean City, MD
2. Convention Center bulkhead in Ocean City, MD
3. Northside Park Pier (125th street) in Ocean City, MD