

**Issue:** Unlicensed Individuals' Use of Crabbing Gear in License Free Fishing Areas

**Background:** The statutory authority for the Department's License Free Fishing Areas (LFFAs) allows the Department to designate areas where individuals may recreationally finfish without first obtaining a license from the Department (Natural Resources Article, §4-214, Annotated Code of Maryland). However, in the recreational crabbing license regulations, the Department has exempted individuals crabbing in LFFAs from the recreational crabbing license requirement (COMAR 08.02.03.09E). This exemption existed prior to the recent regulation change that requires an individual to obtain a crabbing license in order to use collapsible crab traps and net rings. Previous to that change, an unlicensed crabber was allowed to use up to 10 collapsible crab traps and net rings. Therefore, an individual in an LFFA was able to use up to 10 collapsible crab traps and net rings without first obtaining a recreational crabbing license. However, it is unclear to a crabber if the exemption language now means that a person can use collapsible crab traps and net rings (up to 30) in an LFFA without a license.

In regards to the catch limit, crab regulation is clear that regardless where you are, if you are an unlicensed crabber (or otherwise exempt from the crab license) you can only have the catch limit for an unlicensed crabber.

**Question:** A regulation is needed to clarify the crabbing license requirements in a LFFA. Allowing thirty collapsible crab traps and/or net rings in a LFFA without a license will compete for space for anglers. Should the Department place a smaller limit on the number of collapsible crab traps and/or net rings an unlicensed person may use in an LFFA, recognizing that these areas are generally intended as areas in which to introduce young or new anglers to the sport of fishing? Or should the regulation clarify that the only gear you can use as an unlicensed crabber at a LFFA be gear (handline) that is permitted elsewhere without a crabbing license?