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SMALL BUSINESS COMPLIANCE GUIDE

Amendment to Subtitle 02 Fisheries Service

Regarding the Department's Regulations for Blue Crabs — Coastal Bays Commercial Crab Pot Limits

COMAR 08.02.03.07D(6).

Released August 1, 2022

Updated January 12, 2024

Updated March 26, 2024

This Guide is prepared in accordance with the requirements of State Government Article, §10-110, Annotated Code of Maryland. It is intended to help small businesses comply with the revised rules adopted in the above-referenced sections of the Code of Maryland Regulations. This Guide is not intended to replace or supersede these rules, but to facilitate compliance with the rules. Although we have attempted to cover all parts of the rules that might be especially important to small businesses, the coverage may not be exhaustive. This Guide cannot anticipate all situations in which the rules apply.

The Department will clarify or update the text of the Guide as an idea moves through the regulatory process. Direct your comments and recommendations, or calls for further assistance, to Fishing and Boating Services Regulatory Division:

410-260-8300

410-260-8DNR; toll free in Maryland 877-620-8DNR; TTY Users Call via the Maryland Relay

I. SUMMARY & FAQs

What has been proposed?

The Department proposed clarifying the 300-crab pot limit in Maryland's Coastal Bays COMAR 08.02.03.07D(6). Currently, the regulation states not more than 300 pots per day may be set or fished. The Department also proposed to remove "per day" from this statement, to be clear that the total number of pots a license holder should have in the water in this region at any time is 300 pots.

Why is this change necessary?

The intention of the regulation was to limit pots in Maryland's coastal bays of the Atlantic Ocean and their tidal tributaries, given the size of the water bodies, to avoid gear saturation and overharvesting of the resource. The higher pot limits (i.e., 600 and 900 pot permits were intended to be utilized in the Chesapeake Bay and its tributaries; the higher limits were not intended to be used in the Atlantic Ocean and the coastal bays. Allowing crabbers to maximize the gear permitted by their license in Maryland's coastal bays of the Atlantic Ocean and their tidal tributaries would likely lead to gear saturation and overharvesting in these waters.

Who will this affect?

This change will impact commercial crabbers who crab in Maryland's coastal bays of the Atlantic Ocean and their tidal tributaries.

Has this change been discussed with advisory commissions?

This change was discussed with the Sport Fisheries Advisory Commission and Tidal Fisheries Advisory Commission at their July 2022 meeting. The commissions recommended moving forward with scoping.

What is the specific regulatory action?

Amend Regulation COMAR 08.02.03.07D(6).

II. RECORDKEEPING AND REPORTING REQUIREMENTS

This action will not create new permit, recordkeeping or reporting requirements.

III. IMPLEMENTATION DATE

This regulation change is effective April 1, 2024.