



CCA Maryland Guide to Changes in Fisheries Regulations

Date: 10/30/20

Throughout the year, Maryland DNR will propose and change regulations that directly relate to the management of recreational fisheries and/or the resources that relate to the health and future of the Chesapeake Bay. All current and past regulatory actions can be found [HERE](#)

The intent of this document is to guide you through the current proposal, provide additional background, and answer questions we hear from members providing CCA's perspective on the action. This document also includes links to CCA Maryland's official input on each topic. This document is also posted on the CCA Maryland website at:

<https://www.ccamd.org/fall-2020-regulatory-actions/>

Proposed Changes:

Recreational Striped Bass Closure & Targeting Definition : [DNR page](#) & [DNR Summary & Compliance Guide \(FAQ\)](#)

Deadline for public comment: 11/3 11:59pm

Provide input via [this form to DNR](#)

CCA Comments: [Official Comments Link](#)

Background: Striped bass regulations changed in 2020 due to a coast-wide stock assessment that showed that striped bass are being overfished and that their population is below a level managers wish to maintain. This means overfishing is occurring & stock is below it's biomass threshold. The striped bass management board implemented a new management action called Addendum VI for the 2020 fishing season. This changed the regulations in Maryland.

In 2019-2020 for the 2020 fishing seasons Maryland DNR chose to meet the necessary reductions in mortality of striped bass by taking the following actions:

- Closure of April to targeting and harvest of striped bass;
- Closure of August 16-31 to targeting of striped bass;
- Continued mandate of circle hooks for live & dead bait when targeting striped bass.
- 1.8% reduction of commercial quota (not guaranteed reduction in harvest)

- One- fish limit for all private recreational anglers fishing in the Maryland portion of the Chesapeake Bay (personal boat, shoreline, pier, etc.)
- Two-fish limit for clients of charters fishing in the Maryland portion of the Chesapeake Bay that participate in the FACTS electronic reporting system.
- A slot limit for coastal private anglers and charters eliminating the harvest of large striped bass.

In early 2020, CCA Maryland and numerous fishing and boating industry partners opposed different limits for portions of the recreational fishery and using closed seasons to manage striped bass mortality during the previous comment period through [this letter](#).

Comments & Answers to Frequently Asked Questions(FAQ):

Many Anglers did not know that the season closed last year, is a closed season enforceable as a management measure to protect striped bass?

The Law Enforcement Committee of the ASMFC provided the following language in their memo to the Striped Bass Management Board during the addendum VI implementation process:

“In general, voluntary compliance for the casual or infrequent angler (the most common type) is tied to regulatory simplicity; more complex regulations become more difficult to enforce and increases the likelihood of violations.

Absent a definition of “targeting,” including provisions for gear type, tackle and bait) it is impossible to enforce this measure. This may be particularly difficult to define when anglers use the same (or similar) fishing methods to target species other than striped bass (e.g., bluefish). Officers may not prioritize enforcement of certain FMP regulations if they know it is not enforceable and will not stand in court.

When there are multiple closures within a fishing year, fishermen are often caught off guard which can lead to unintentional violations. When establishing season closures, have them in place for several years. If closures change year-to-year, the likelihood of unintentional violations increases. Education takes time to set in.

Enforcement is not an issue, but compliance in closely adjoining states would be greatly enhanced if the regulations are consistent. Different regulations between two neighboring states (e.g., NY and CT) presents special enforcement challenges, and are often confusing to anglers. Inconsistent seasons poses a problem between neighboring states (e.g. NY and NJ), especially when fishermen unintentionally pass into another states waters. Consistency of regulations for shared water bodies is important for enforcement, e.g. consistency within the Chesapeake Bay among the jurisdictions of MD, VA, PRFC and DC would greatly enhance enforceability and compliance.”

CCA Maryland recognizes the value of a closed season in reducing harvest and dead-discard mortality, but shares the concerns presented above. Without broad communications done in

partnership with fishing and boating industry stakeholders and partners, future regulatory closures may continue to fail to meet the on-water conservation goals.

How does DNR determine how many days to close?

DNR uses three main measures to manage the recreational fishery within the mortality boundaries set by ASMFC. These measures are: 1) number of days on the water, 2) creel limit (number of fish kept) and 3) size limits.

There are various ways to combine these three tools. DNR uses data from the Marine Recreational Information Program(MRIP), a survey of recreational catch-and-effort which segments the year into six, two-month periods called a “wave.” Fishery managers can also divide each wave by the number of days to equally spread out the mortality per day throughout the two-month period. This assumption of average mortality does not properly reflect changes in mortality between weekdays and weekends, or when weather keeps anglers off the water.

Managers frequently state MRIP was not designed to be used at a day-by-day resolution. Rather, it was designed to understand recreational catch-and-effort at a coastwide and year-long level.

MRIP data becomes less accurate and less precise when used at this higher level of resolution, and therefore undermines the certainty of on-the-water success and predictability for such management actions. The ASMFC Striped Bass Technical Committee shared these concerns in their Addendum VI memo stating:

“The TC supports the use of closed seasons to reduce effort and dead discards, but stresses that the predicted savings, particularly from a “no targeting” provision, are highly uncertain due to current data limitations and predicting changes in angler behavior.”

CCA Maryland recognizes the impacts of dead discards on the overall striped bass population, yet has concerns over the effectiveness of closed seasons enacted in August of 2020 and the value of the proposed changes for 2021 in providing meaningful and measurable conservation gains.

Besides this proposed 2021 regulation, is Maryland DNR considering longer term strategies to conserve more stripers in future years?

At present, it is CCA Maryland’s understanding that DNR has no plans to enact any other changes for the striped bass fishery in Maryland until ASMFC management action requires such changes. At this time, ASMFC is unlikely to enact any management changes before the 2023 season. The striped bass management board, however, may determine to change this possible schedule at any future meeting.

Is it possible for Maryland’s private anglers and those who fish on charters to have the same size and creel limits?

DNR may enact a one-fish @18" size limit with no seasonal closures and no changes from the 2018 season and remain in compliance with ASMFC Rules. DNR may also craft proposed seasons that allow a two-fish limit and a more reduced season.

While a two-fish limit may be desirable for many anglers, CCA Maryland has concerns about the overall health of the stock, especially due to poor recruitment and harvesting of larger breeders across all sectors. Therefore, CCA Maryland urges DNR to take a more conservative approach to striper management that limits harvest, protects the breeding sized fish, is more effectively enforced, and more easily communicated to the public.

To discuss this document or any matters related to this or any other regulatory action further please contact David Sikorski, Executive Director at davidsikorski@ccamd.org or 443-621-9186.