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DNR-FS-2025-01

SMALL BUSINESS COMPLIANCE GUIDE
Amendment to Subtitle 02 Fisheries Service
Regarding the Department's Regulations for Striped Bass – Shares and Allocations
COMAR 08.02.15
Released July 31, 2025

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. Furthermore, the Department retains the discretion to adopt case-by-case approaches, where appropriate, that may differ from this Guide. Any decisions regarding a particular small business will be based on the statute and any relevant rules and regulations.

In any civil or administrative action against a small business for a violation of rules, the content of the Small Business Compliance Guide may be considered as evidence of the reasonableness or appropriateness of proposed fines, penalties, or damages. Interested parties are free to file comments regarding this Guide and the appropriateness of its application to a particular situation. The Department will then consider whether the recommendations or interpretations in the Guide are appropriate in that situation. The Department may decide to revise this Guide without public notice to reflect changes in the Department's approach to implementing a rule, or it may clarify or update the text of the Guide. Direct your comments and recommendations, or calls for further assistance, to Fishing and Boating Services:

410-260-8300
410-260-8DNR; toll free in Maryland 877-620-8DNR; TTY Users Call via the Maryland Relay
Fax: 410-260-8310

I. SUMMARY

What is being considered?

Due to permit consolidation over time and instances where a permit or quota could not be transferred based on going over the cap, the Striped Bass Industry Advisory Workgroup requested the Department to consider changing:

- a) The allocation cap from 1.5% to either 1.75% or 2% for temporary transfers; and
- b) The share cap from 1% to either 1.25% or 1.5% for permanent transfers.

The Chesapeake Bay Individual Transferrable Quota Fishery currently has maximum caps on the amount of the fishery that any participant may own permanently (share) or temporarily (annual allocation). For temporary transfers, a commercial tidal fish licensee may not receive an allocation transfer when the licensee possesses 1.5% percent or more of the total commercial quota for the Chesapeake Bay fishery for that year. For permanent transfers, a commercial tidal fish licensee may not receive a share in a permanent transfer that would result in the transferee possessing more than 1% of the total commercial quota for the Chesapeake Bay.

Using 2025's quota as an example, this would increase allocation by between 3,300 to 6,700 pounds depending on which percentage was chosen.

Why is this change necessary?

The Striped Bass Industry Advisory Workgroup informed this Department that this change will provide a greater possibility of being able to fish to the annual set quota. It is important to note that this will not increase the annual quota.

Who will this affect?

Commercially licensed harvesters that hold striped bass permits.

Has this change been discussed with advisory bodies or other interested individuals?

This was discussed at the May 2025 Striped Bass Industry Advisory Workgroup meeting. It was also discussed with the Sport Fisheries and Tidal Fisheries Advisory Commissions at their July 2025 meetings.

II. DEFINITIONS

"Allocation" means pounds or numbers of striped bass which a striped bass permittee is provided on an annual basis.

"Individual Transferrable Quota" means the fishery in the Chesapeake Bay and its tidal tributaries that provides exclusive privileges to an individual by assigning a fixed share of the commercial striped bass quota to each individual registered with a striped bass permit.

"Striped bass permit" means a permit issued by the Department which allows a person the privilege to commercially harvest striped bass.

“Share” means a percentage of the quota that is assigned to a specific striped bass permittee.

III. IMPLEMENTATION DATE

The Department expects this change to be effective in the spring of 2026, however the exact date cannot be determined. The Department will follow our normal [procedures](#) if this concept moves forward.

This idea is in the scoping process (July 31—August 17). During the scoping process, the Department gathers suggestions and ideas from stakeholders and others about how to solve a fishery problem or address a need. The goal of scoping is to identify issues, potential impacts, and reasonable alternatives associated with the issues so that management actions can be developed. After the public has had an opportunity to comment on possible management actions during the scoping process, the Department considers these comments and develops an appropriate management strategy.

If the action is necessary and appropriate, the rules will be promulgated following the Administrative Procedures Act described in Title 10, Subtitle 1 of the State Government Article Annotated Code of Maryland.

- The General Assembly’s Administrative, Executive, and Legislative Review Committee reviews the regulatory proposal for fiscal and legal analysis.
- The proposal is printed by the Division of State Documents in the Maryland Register.
- A 30-day public comment period begins on the day of publication.
- After reviewing the comments, the Department may adopt the changes.
- If the Department adopts the changes, they become effective after a notice is published in the Maryland Register that announces approval and the effective date.