

FISHING IN NONTIDAL WATERS — Cut Bait

What is being considered?

The department is considering allowing the possession and use of cut bait in nontidal waters statewide with the following restrictions:

1. Only fish with no minimum size restrictions can be used as cut bait.
2. An angler may possess no more than two pounds of cut bait at any time.

Why is this change necessary?

Invasive flathead catfish (*Pylodictis olivaris*) and blue catfish (*Ictalurus furcatus*) have become widely established in tidal waters of Chesapeake Bay and their distributions in nontidal waters are continuing to expand. Because of their large size, fighting ability, and palatability, these species have become popular with the catfishing community. Cut bait is a popular method of catching blue and flathead catfish as well as the noninvasive, naturalized channel catfish (*Ictalurus punctatus*). The department has actively advocated for the catch, harvest, and removal of invasive fishes. Although cut bait is widely used and accepted as a method of catching catfish, current regulations prohibit its use in nontidal waters. Permitting the use of cut bait will allow catfish anglers to more effectively target noninvasive and invasive catfish species and help the department achieve its management objectives.

This regulatory idea would only allow the use of cut bait for species with no minimum size. This idea augments the department's interest to prohibit the use of largemouth bass, smallmouth bass, walleye, muskellunge and trout species to be used as live or cut bait. Permitting an angler to possess up to two pounds of cut bait allows a reasonable amount of bait to be prepared ahead of time, but does not allow an angler to possess a large quantity of fish potentially unidentifiable by law enforcement.

Code of Maryland Regulations (COMAR) 08.02.11.04

J. Possession of Fish Whose Physical Condition has been Altered.

- (1) While at the fishing location, a person may not remove the head and tail of fish in possession.
- (2) The head and tail shall remain attached in such a manner as to permit identification of fish species and total length.
- (3) This provision does not apply to the capture of snakehead fish, under §N of this regulation.

Who will this affect?

This action will affect recreational anglers fishing in nontidal waters.

When will this be effective?

The department would like this change to be effective in 2021, however the exact date cannot be determined. The department will follow our normal scoping and proposal procedures.

Has this change been discussed with advisory groups?

Scoped with the Sport Fisheries Advisory Commission and the Tidal Fisheries Advisory Commission at their meetings in January 2021. Commissioners recommended moving forward with the normal scoping process.