

## GEAR — Hooks for Live-Lining

### What is being considered?

The Department is considering three options to modify its hook restrictions in tidal waters, specifically the requirement to use a circle hook while live-lining. “Live-lining” is defined as using a live finfish on a hook for the purpose of catching other fish with: (a) Hook and line; (b) Rod and reel; or (c) Handlines. This includes everything from using a live spot as bait for striped bass, to minnows as bait for yellow perch or Northern snakeheads, also known as Chesapeake Channa, to eels for cobia. The Department has required circle hooks while live-lining since 2019. The main intention of the rule was to minimize release mortality when targeting striped bass, but the rule was written broadly in order to ensure its enforceability by the Natural Resources Police. Over time, the Department has heard concerns from anglers regarding the ability to target certain species in traditional manners, such as using minnows to target perch in the spring, and is considering a number of options. The Department is scoping these options to determine how much, if at all, any of these changes address the concerns raised by the various user groups.

If any of these modifications were adopted, anglers would be allowed to use either circle hooks or J hooks under the described circumstances. The Department is not considering allowing the use of treble hooks while live-lining.

### Option 1

The Department is considering an exemption to the requirement that a circle hook be used while live-lining in the case of when an angler is using a minnow. A “minnow” would be defined as any of the finfish species listed in the Department’s bait regulations at COMAR 08.02.20.02:

- (1) Mummichog (*Fundulus heteroclitus*);
- (2) Striped killifish (*Fundulus majalis*);
- (3) Banded killifish (*Fundulus diaphanus*);
- (4) Spottail shiner (*Notropis hudsonius*);
- (5) Golden shiner (*Notemigonus crysoleucas*);
- (6) Rough silverside (*Membras martinica*);
- (7) Silverside (*Menidia* species);
- (8) Anchovy (*Anchoa* species); and
- (9) Silvery minnow (*Hybognathus nuchalis*).

A benefit to this approach would be to consistently use the same list of species that a commercial bait harvester is allowed to harvest, so the Department would not have different lists of “bait” in different places in regulation. These species are also not commonly used to target striped bass in the Chesapeake Bay and its tidal tributaries, so it is unlikely to result in increased release mortality on striped bass. A downside to this approach would be to require all individuals involved (bait dealers, anglers, Natural Resources Police) to positively identify the species of fish which is being used as bait. This is especially challenging when taking local names for fish species into account, such as “bull minnow” for mummichogs. This approach also would not legalize using J hooks while live-lining any non-listed species, such as “black salties” (a variety of goldfish).

### Option 2

The Department is considering an exemption to the requirement that a circle hook be used while live-lining in the case of an angler using a live finfish below a certain size, perhaps with the exception of certain species. An example of this approach would be to not require circle hooks when using finfish under a certain size (possibly 3 or 4 inches in length), except circle hooks would still be required if using spot or white perch for bait. A benefit of this approach would be to lessen the amount of identification any one individual would be required to perform, while allowing a larger number of species to be used as bait while live-lining without a circle hook. By still requiring circle hooks to be used when using spot or white perch as bait (the most common species used when targeting striped bass), the Department would maintain the majority of the protections for striped bass. A downside to this approach would be the additional complexity of having to identify certain fish species and ensuring that the bait you use is the appropriate size.

### Option 3

The Department is considering an exemption to the requirement that a circle hook be used while live-lining based on the time of year. A significant amount of concern has been raised regarding the ability to live-line for yellow perch during the spring run. The Department is considering allowing anglers to use a circle hook or a J hook while live-lining from February 1 through March 31. The main benefit to this approach would be its simplicity. For two months of the year, anglers would be able to use either a circle hook or a J hook while live-lining; the rest of the year they would be required to use a circle hook while live-lining. The cutoff would coincide with the closure of the “pre-season” striped bass catch-and-release season. At that time, circle hooks would be required in order to minimize negative outcomes in the case of accidental interactions with striped bass. A downside to this approach would be that the considered time period likely would not account for the entirety of the spring perch run, nor would it address concerns raised by anglers who use minnows to target Northern snakehead, also known as Chesapeake Channa.

### **Why is this change necessary?**

This change is necessary to address concerns raised by various angler groups regarding the use and effectiveness of circle hooks when targeting species other than striped bass.

### **Who will this affect?**

Recreational and Charter anglers

### **When would this be effective?**

The Department projects that this change could be effective in the winter of 2024-2025. However, the exact date cannot be determined. The Department will follow our normal proposal procedures if this concept moves forward.

### **Additional Information**

“Circle hook” means a non-offset hook with the point turned perpendicularly back to the shank.

“J hook” means a hook having a point parallel to the hook shank.

“Live-lining” means using a live finfish on a hook for the purpose of catching other fish with:

- (a) Hook and line;
- (b) Rod and reel; or
- (c) Handlines.

**Has this change been discussed with advisory bodies?**

This idea was scoped with the Sport Fisheries Advisory Commission and the Tidal Fisheries Advisory Commission at their meetings in July 2024.