

GENERAL — Tidal/Nontidal Dividing Lines (Swan Creek, Harford County)

What is being considered?

The Department would like to establish a tidal/nontidal dividing line in Swan Creek in Harford County. The line would be at Old Post Road. Upstream of Old Post Road would be designated as nontidal waters, while downstream would be designated as tidal waters.

Dividing lines delineate those areas in which nontidal fishing licenses or Chesapeake Bay and coastal sport fishing licenses are required and nontidal or tidal fishing regulations apply.

Why is this change necessary?

The Department recently discovered that Swan Creek in Harford County does not currently have a tidal/nontidal dividing line. Generally when a water body that connects to the Chesapeake Bay, as Swan Creek does, does not have a designated tidal/nontidal dividing line, the entire water body is considered tidal. In many cases this is true; however, it is not true for Swan Creek which extends northwest past Interstate 95. The Department typically uses a clearly observed structure to delineate the dividing line to make it easy for the public to know where a nontidal fishing license or a tidal fishing license is required. For Swan Creek, Old Post Road is the nearest bridge over the creek to where the waters of the creek cease being affected by the ebb and flow of the tide.

Who will this affect?

Recreational anglers.

When would this be effective?

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

Has this change been discussed with advisory commissions?

This idea was scoped at the April meetings of the Tidal Fisheries Advisory Commission and Sport Fisheries Advisory Commission. Commissioners did not have any comments about the idea.