

Subtitle 02 FISHERIES SERVICE

08.02.25 Gear

Authority: Natural Resources Article, §4-221, Annotated Code of Maryland

Notice of Proposed Action

[24-216-P]

The Secretary of Natural Resources proposes to amend Regulation .03 under **COMAR 08.02.25 Gear**.

Statement of Purpose

The purpose of this action is to modify 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. The proposed action modifies the hook rules to allow anglers to use either circle hooks or J hooks under the described circumstances.

The proposed action establishes an exemption to the requirement that a circle hook be used while live-lining when an angler is using a finfish species listed in the Department’s bait regulations codified at COMAR 08.02.20.02. The benefit to this exemption is 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.

The proposed action also establishes an exemption to the requirement that a circle hook be used while live-lining when an angler is using a finfish, except spot and white perch, which measures 4 inches or less in length. Circle hooks will still be required if using spot or white perch for bait. The benefit of this exemption is that it lessens the amount of identification needed, while allowing a larger number of species to be used as bait while live-lining. 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.

By adding these flexibilities, the proposed action addresses concerns raised by various angler groups regarding the use and effectiveness of circle hooks when targeting species other than striped bass. The proposed action makes it clear that these new exceptions are in addition to current hook requirements when using certain types of bait, maintaining protections already in place.

Estimate of Economic Impact

I. Summary of Economic Impact. The proposed action may have a positive economic impact for charter captains, fishing guides, and bait and tackle stores.

II. Types of Economic Impact.

Impacted Entity	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:	NONE	
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+) Cost (-)	Magnitude
D. On regulated industries or trade groups:		
(1) Recreational Anglers	(+)	Indeterminable
(2) Charter Captains and Fishing Guides	(+)	Indeterminable
E. On other industries or trade groups:		
Bait and Tackle Stores	(+)	Indeterminable
F. Direct and indirect effects on public:	NONE	

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

D(1). While this action may not economically impact recreational anglers, it does provide some flexibility for fishing. 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. By adding these flexibilities, the proposed action addresses concerns raised by various angler groups regarding the use and effectiveness of circle hooks when targeting species other than striped bass. It is indeterminable how much this action will impact anglers’ actions.

D(2). The proposed action addresses concerns raised by various angler groups regarding the use and effectiveness of circle hooks when targeting species other than striped bass. Having additional hook flexibility may allow business owners to book additional trips and it may allow their guests to be more successful. The actual impact is indeterminable because we cannot anticipate if or how many anglers will change their actions.

E. The proposed action addresses concerns raised by various angler groups regarding the use and effectiveness of circle hooks when targeting species other than striped bass. The additional hook flexibility may encourage anglers to fish more which may benefit bait and tackle stores. The actual impact is indeterminable because we cannot anticipate if or how many anglers will change their current actions.

Economic Impact on Small Businesses

The proposed action has a meaningful economic impact on small businesses. An analysis of this economic impact follows:

This action may have a positive economic impact for charter fishing and fishing guide businesses as well as bait and tackle stores. Having additional hook flexibility may allow business owners to book additional trips and it may allow their guests to be more successful. The additional flexibility may encourage anglers to fish more which may benefit bait and tackle stores. See sections D and E for additional detail.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Gear - Hook Rules, Regulatory Staff, Maryland Department of Natural Resources Fishing and Boating Services, 580 Taylor Ave., E-4 Annapolis, MD 21401, or call 410-260-8300, or email to send comment at: <https://dnr.maryland.gov/fisheries/pages/regulations/changes.aspx#hooks>. Comments will be accepted through February 10, 2025. A public hearing has not been scheduled.

.03 Recreational Gear — Tidal Waters.

A. (text unchanged)

B. Hook Requirements — Chesapeake Bay and Its Tidal Tributaries.

(1) *Chumming and Live-Lining.*

(a) When chumming [or live-lining], a person recreationally angling in the Chesapeake Bay or its tidal tributaries shall only use a circle hook.

(b) *Except as provided in §§B(1)(c) and (d), when live-lining, a person recreationally angling in the Chesapeake Bay or its tidal tributaries shall only use a circle hook.*

(c) *When live-lining with a species of finfish listed in COMAR 08.02.20.02C, a person recreationally angling in the Chesapeake Bay or its tidal tributaries shall only use a:*

(i) Circle hook; or

(ii) "J" hook.

(d) *Except when using spot or white perch, when live-lining with a finfish that is 4 inches or less in length, a person recreationally angling in the Chesapeake Bay or its tidal tributaries shall only use a:*

(i) Circle hook; or

(ii) "J" hook.

(2) (text unchanged)

(3) During the period March 1 through March 31, a person recreationally angling in the Chesapeake Bay or its tidal tributaries:

(a)—(b) (text unchanged)

(c) [Except as required by] *In addition to the requirements in §§B(1) and (2) of this regulation, when using fish, crabs, or worms as bait, or processed bait, shall only use a:*

(i)—(ii) (text unchanged)

(4) During the period April 1 through May 15, a person recreationally angling in the Chesapeake Bay or its tidal tributaries:

(a) (text unchanged)

(b) [Except as required by] *In addition to the requirements in §§B(1) and (2) of this regulation, when using fish, crabs, or worms as bait, or processed bait, shall only use a:*

(i)—(ii) (text unchanged)

(5) During the period May 16 through December 31, [except as required by] *in addition to the requirements in §§B(1) and (2) of this regulation, when using fish, crabs, or worms as bait, or processed bait, a person recreationally angling in the Chesapeake Bay or its tidal tributaries shall only use a:*

(a)—(b) (text unchanged)

C.—I. (text unchanged)

JOSH KURTZ
Secretary of Natural Resources

**Subtitle 18 BOATING—SPEED LIMITS
AND OPERATION OF VESSELS**

08.18.18 Ocean City—Back Bay Areas

Authority: Natural Resources Article, §§8-703 and 8-704, Annotated Code of Maryland

Notice of Proposed Action

[24-193-P]

The Secretary of Natural Resources proposes to amend Regulation **.01** under **COMAR 08.18.18 Back Bay Areas**.

Statement of Purpose

The purpose of this action is to expand and amend the existing Fenwick Ditch speed zone area.

The proposed action expands a portion of the Fenwick Ditch speed zone to include waters approximately 0.2 miles west of the current line toward Montego Bay. The proposed expansion will also modify a small portion of the current Ocean City Canals and Inlets regulated area. The purpose of the expansion of the Fenwick Ditch area and modification of the Ocean City Canals and Inlets area is to more clearly delineate those areas in a way that will be understandable to waterway users. Currently, both the Ocean City Canals and Inlets, and the Fenwick Ditch regulated speed areas have a 6-knot speed limit.

The proposed action also amends the Fenwick Ditch area to include a minimum wake zone near the marsh in the southern portion of the area. This will mitigate destructive wake damage to marshes, mitigate safety concerns to both life and property, and promote safe vessel operations.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Ocean City—Back Bay Areas Regulations, Regulatory Staff, Department of Natural Resources (Fishing and Boating Services), 580 Taylor Avenue, E-4, Annapolis, Maryland 21401, or call 410-260-8300, or email to boatingregspubcomment.dnr@maryland.gov. Comments will be accepted through February 10, 2025. A public hearing has not been scheduled.

.01 Canals and Inlets.

A. Ocean City [canals] *Canals* and [inlets] *Inlets*.

(1) *Areas.*

(a) [encompass] *All of the waters of Assawoman and Isle of Wight Bays, east of a line beginning at First Street at or near Lat. 38° 20.043' N., Long. 75° 5.347' W., then running 26° [(JTrue)] to a point, at or near Lat. 38° 20.057' N., Long. 75° 5.338' W., then running northerly along the shore to 10th Street, at or near Lat. 38° 20.518' N., Long. 75° 5.083' W., then running 344° [(JTrue)] to a point, at or near Lat. 38° 20.612' N., Long. 75° 5.117' W., then running northerly along the shore to 14th Street, at or near Lat. 38° 20.782' N., Long. 75° 5.123' W., then running 2° [(JTrue)] to a point, at or near Lat. 38° 20.858' N.,*