

ATLANTIC MENHADEN, TAUTOG, AND WEAKFISH Collection of Biological Information

What is being considered?

The Department would like to require fish dealers to allow Department biologists access to Atlantic menhaden, tautog, and weakfish landed in Maryland to obtain lengths and weights of these species.

Why is this change necessary?

Atlantic menhaden, tautog, and weakfish have commercial fishery biological sampling requirements by the Atlantic States Marine Fisheries Commission (ASMFC) through each species fishery management plans (FMPs). The sampling for each species is an ASMFC FMP compliance requirement, which if not met could lead to a closure of the affected species fisheries in Maryland waters. The Department has been able to get the required length and weight samples through cooperating commercial fishermen and age samples through purchase of fish at fish dealers when necessary. Cooperating fishermen have been more difficult to find in recent years, in large part because of low species availability. The Department would still purchase fish of these species for age structure removal when needed. The fish measured for length and weight on site would not be physically damaged and therefore marketability would not be reduced.

Who will this affect?

This would apply to any Department-licensed dealer in Maryland who buys or sells Atlantic menhaden, tautog, or weakfish that have been landed in Maryland. Sampling would take place at the dealer's location and would not interfere with normal day-to-day activities. Samples may need to be taken both from dealers in the Chesapeake Bay and its tidal tributaries and the Atlantic Ocean, its coastal bays, and their tributaries.

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

This idea was scoped with the Sport Fisheries Advisory Commission (SFAC) and the Tidal Fisheries Advisory Commission (TFAC) at their meetings in January 2026.

Regulatory Process

Fishing rules in Maryland may be created by either the General Assembly or the Department. When the Department creates a fishing rule, it is called a regulation. When the General Assembly creates a rule, it is called a statute. The Department often has to create a regulation to implement a statute. The regulatory process begins with scoping and the Department follows normal [procedures](#) as concepts move forward.

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.

When would this be effective?

The Department projects that this change could be effective in the fall of 2026. However, the exact date cannot be determined at this time.