

RED DRUM - Recreational Limits and Public Notices

What was proposed?

The Department proposed updates to the rules for red drum. Specifically, the proposed action:

- 1) Increases the recreational catch and possession limit from one to three per person per day.
- 2) Decreases the recreational maximum size limit from 27 inches to 26 inches total length.
- 3) Adds the ability to modify catch limits, size limits, and seasons for red drum to implement the Atlantic States Marine Fisheries Commission Interstate Fishery Management Plan for Red Drum by issuing a public notice on the Fishing and Boating Service's website. The public notice would also be disseminated through various other media (social media, email lists, publishing in the Maryland Register, etc.) so that an affected individual has a reasonable opportunity to be informed.

Why is this change necessary?

All of these changes are necessary to implement the Atlantic States Marine Fisheries Commission (ASMFC) Interstate Fishery Management Plan for Red Drum (FMP). The creel and size limits are specifically required by Addendum II to Amendment 2 to the FMP and adding the public notice provision would allow the Department to make changes in a timely manner if future actions are taken by ASMFC.

In October 2025, the Sciaenids Management Board approved Addendum II to Amendment 2 to the FMP. The Addendum updates red drum management, with the goal of improving efficiency, flexibility, and timeliness in implementation of new regulations and providing assessment advice. In addition, the Addendum aligns red drum recreational regulations in Virginia, Maryland, and the Potomac River Fisheries Commission (PRFC) given their shared water bodies.

The Board agreed to the following recreational measures for Virginia, Maryland and the PRFC: 3 fish bag limit and 18"-26" inch total length slot. These measures, which are currently in place for Virginia, are meant to simplify management and enforcement in the shared waterbodies of the three jurisdictions. Although these measures will raise Maryland's current red drum bag limit from 1 fish to 3 fish, the Board noted that these new regulations will lower the 5-fish bag limit for red drum in the Potomac River to 3 fish, providing some additional protection to red drum within the 18"-26" total length slot.

Who will this affect?

- 1) The change to the size limit and creel limit will affect anyone who recreationally fishes for or catches red drum anywhere in Maryland (Chesapeake Bay, tidal tributaries, and coastal waters).
- 2) The change to the public notice authority may potentially affect anyone who fishes for or catches red drum anywhere in Maryland but does not have an immediate impact.

What is the specific regulatory action?

Amend Regulation .16 under COMAR 08.02.05 Fish.

Additional Information

[ASMFC Red Drum Addendum II](#) - Management Changes to the Southern and Northern Regions

Were these changes discussed with advisory bodies or other interested or impacted individuals?

- The Department, PRFC, and ASMFC held a hybrid hearing to receive comments from the public regarding draft Addendum II on September 18, 2025. There were 2 members from the public at this meeting, one representing the Coastal Conservation Association (CCA) in Maryland and the other representing the American Saltwater Guides Association (ASGA). The member of the CCA voiced support for an 18"-26" size limit with a 3 fish bag limit, and the member from ASGA supported an 18"-26" size limit with a 2 fish bag limit. Of the written comments from Maryland that spoke specifically about regulation changes, one person requested that anglers be allowed to keep one over slot red drum, one person requested that catch and release be implemented in the fishery to the greatest extent possible, and one person supported an 18"-26" size limit with a 2 fish bag limit. Non-Maryland commenters generally supported aligning management across the Chesapeake Bay jurisdictions and were in support of an 18-26" slot limit with a 2-3 fish bag limit.
- 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.

At the conclusion of the scoping process, the Department determined that the action is necessary and appropriate. The rules are being promulgated following the Administrative Procedures Act described in Title 10, Subtitle 1 of the State Government Article Annotated Code of Maryland.

- The General Assembly's Administrative, Executive, and Legislative Review Committee reviews the regulatory proposal for fiscal and legal analysis.
- The proposal was printed by the Division of State Documents in the Maryland Register on May 29, 2026.
- A 30-day public comment period began on the day of publication. The comment period ends June 29, 2026.
- After reviewing the comments, the Department may adopt the changes.
- If the Department adopts the changes, they become effective after a notice is published in the Maryland Register that announces the adoption and effective date.

When could this be effective?

The ASMFC implementation date for all new measures is September 1, 2026. The Department projects that this change could be effective by that date; however, the exact date cannot be determined at this time.