REPORTING — Electronic Harvest Reporting with Hailing

What is being considered and why is it necessary?

1. Electronic Harvest Reporting with Hailing - Coastal Blue Crab Flexibilities

   The Department would like to offer harvest flexibilities to commercially licensed individuals harvesting blue crabs in the Atlantic coastal bays that are using daily electronic harvest reporting with hailing to submit their required harvest reports.

   The following two harvest flexibilities are currently only offered in the Chesapeake Bay and not the Atlantic coastal bays. The Department is considering allowing crab potters in the Atlantic coastal bays the same harvest time flexibilities. If this idea moves forward, individuals using the daily electronic harvest reporting with hailing method to submit the required harvest reports for their commercial crabbing activities in the Atlantic coastal bays could choose to:

   - Set crab pots and remove blue crabs from crab pots up to 2 hours before sunrise; and
   - On July 3 and July 4, set crab pots and remove crabs from crab pots up to 3 hours before sunrise.

   Changing this regulation will allow for consistency within the Chesapeake Bay and Atlantic coastal bay crab pot fisheries.

2. Electronic Harvest Reporting with Hailing - End Hail Requirement

   The Department is considering modifying the end hail requirement to require an end hail to be sent prior to 11:59 p.m. on the day the harvest activity trip ends. Currently, participants are required to submit an end hail within 30 minutes of ending their harvest activity and prior to landing. The commercial industry has raised concerns regarding their ability to comply with these requirements due to a variety of factors such as cell service availability, weather complications, the need to also deal with gear and harvested fish on their way in, and the infrequent instances when the system may be down.

   The reason for the end hail requirement is to increase harvest accuracy via daily reporting and to allow for a roving monitor to intercept a commercial fishing trip in order to perform independent third party verification of the reported harvest. The current electronic reporting system procedures require the harvester to submit an estimated landing time at the same time that they submit their start hail, which must be sent prior to conducting harvest activity.

   The estimated landing time in the start hail should be sufficient for roving monitor interception when third party, independent harvest verification is occurring, even if the end hail has not been submitted. It has also been demonstrated that harvesters submitting reports on the day of harvest are more likely to accurately report their catch than harvesters who submit reports days or weeks after, simply due to the reality that a person is more likely to misremember something when there is more time between the event and the recording of the event. The industry has stated giving harvesters a little more time in the afternoon or evening on the day the trip ends to submit their reports, thereby giving

harvesters a little more flexibility in wrapping up their daily operations, will likely result in additional commercial harvesters opting to use electronic reporting with hailing to report harvest activity daily. The Department believes that this will ultimately lead to increased and more accurate reporting from the commercial industry and does not believe that the additional time to submit an end hail will result in a degradation of the accuracy of the reports received.

3. Electronic Harvest Reporting with Hailing - Bait Harvester Permit Report

   The Department would like to give a bait harvester permittee the option to report their catch using the electronic reporting with hailing method.

   A bait harvester permit is required for certain individuals to sell certain species of bait. One of the requirements of the permit is to record their catch on the bait harvester report and submit the report as required by the Department. Currently, the only option for reporting is by submitting a paper report. A permittee would be able to choose how they want to report (paper or electronic) at the time of permit issue or renewal.

   A permittee who would like to use electronic harvest reporting with hailing as their method for reporting harvest would be required to follow the same rules as others who use that reporting method (declaration of the reporting method, hailing, and vessel marking). If a permittee declares this method of reporting they would not be required to report on the days that they do not engage in activities authorized under their permit. If this idea moves forward, permittees would be required to mark their vessels with "EHRB".

   This change would provide reporting flexibility to bait harvester permittees.

Who will this affect?

1. Commercial harvesters who use crab pots in the Atlantic coastal bays.
2. Commercial harvesters who report their catch using the electronic harvest reporting with hailing method.
3. Individuals who have a bait harvester permit.

Additional Information

Regulations can be found in the Code of Maryland Regulations (COMAR)

1. Electronic reporting with hailing regulations - COMAR 08.02.13.06D
2. Bait Harvester Permit regulations - COMAR 08.02.20.02

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

1. The change for crabbers using electronic harvest reporting with hailing to report their catch in the Atlantic coastal bays was requested by industry members at the September 2026 Coastal Commercial Fishery Forum.
2. The change for the electronic harvest reporting with hailing end hail requirements was requested by the commercial industry at the October 2026 Tidal Fisheries Advisory

Commission meeting when the other changes for electronic reporting were being discussed.

3. The ideas for coastal blue crab flexibilities and bait harvester permit reports were discussed with the Sport Fisheries Advisory Commission at their meeting in October 2026. The addition of the end hail time change was noted for the commissioners when the scoping topic was sent to the public.

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 could this be effective?

The Department projects that this change could be effective in the spring of 2027. However, the exact date cannot be determined at this time.