

## New Spot Regulations and Spot Penning – Clarifications

May 26, 2021

In order to stay compliant with the Atlantic States Marine Fisheries Commission, the Maryland Department of Natural Resources has proposed new spot regulations that will be effective on June 14, 2021.

These regulations establish a 50 fish/person/day possession limit for recreational anglers.

To accommodate the practice of live lining, where spot are used for bait, charter/head/guide vessels may carry spot in a live well, and are allowed 50 fish for each passenger they are licensed to carry. For example, a 6 passenger charter vessel may carry 300 fish in the live well even if only 4 clients are on board.

### **Spot Penning**

The practice of penning spot at a pier for later use on a charter trip is not directly impacted by these regulations but there are some limitations created by the possession limit.

Charter captains who have a commercial license to catch finfish (UTFL, FIN, or HLI) may harvest spot and hold them in pens. They are still subject to the 50-fish possession limit on board their vessel while guiding a party, but they are not limited on the number of spot in the pen.

Fishing guides or other individuals without a commercial license to catch fin fish may pen spot **but these individuals cannot themselves harvest and hold more than the recreational limit of 50 spot per day.** If holding more than the recreational limit, these individuals should have a receipt of purchase from a commercial harvester, or be able to account for the fish on a charter logbook. In other words, a licensed fishing guide, tackle store owner or other unlicensed person may purchase an unlimited number of spot for a pen, but must have a receipt to account for those fish. Or, as an example of logbook documentation, a charter boat captain (licensed for 6 passengers in this example) may begin a trip by fishing for spot to use as bait. The party catches the limit of 300 spot for the live well. These 300 spot must be documented in the charter logbook for that day. If the party only uses 100 fish for bait, the remaining 200 may be placed in the captain's pen at the pier. The logbook will serve as documentation for those fish.

Please note that some in-water structures require a Tidal Wetlands License or Permit from the Maryland Department of Environment. To be sure your pen is legal, we suggest checking on the MDE website at:

<https://mde.maryland.gov/programs/Permits/Documents/2008PermitGuide/wma/3.18.pdf>