

BLUE CRABS — Crab Pot Line Clarifications

What is being considered?

The department is considering rewriting the crab pot line regulation COMAR 08.02.03.07E—H in a simpler, more effective, and accurate manner. The main objectives are to remove the large mainstem polygon (COMAR 08.02.03.07E(3)) and replace it with individual lines for each tributary, creek, cove, inlet, etc., address lines that are inaccurate, confusing, or of concern for the resource, remove the ambiguity of the phrase "along the shore," provide and update coordinates for all points and references to landmarks in the regulation, and address emerging issues in the canals of the Coastal Bays.

Proposed changes to specific crab pot lines by region are detailed below. Figures of these changes can be found in the Appendix, as referenced below.

Upper Bay: above the Bay Bridge, both eastern and western shores

- Romney Creek – proposed changes to match Aberdeen Proving Ground restricted areas (Appendix: Figure 1)
- Seneca Creek, Middle River, and Hawk Cove – utilizing the northwesterly point of Hart-Miller Island, original regulation was crafted prior to the completion of the restoration of this island (Appendix: Figure 2)
- Back River – utilizing the southwestern tip of Hart-Miller Island, original regulation was crafted prior to the completion of the restoration of this island (Appendix: Figure 3)
- Shallow Creek – providing coordinates at the mouth of the creek to remove the ambiguity of the previous regulatory language of "along the shore" (Figure can be provided upon request)
- Little Magothy River - providing coordinates at the mouth of the creek to remove the ambiguity of the previous regulatory language of "along the shore" (Appendix: Figure 4)
- Podickory Point Marina - providing coordinates at the mouth of the creek to remove the ambiguity of the previous regulatory language of "along the shore" (Appendix: Figure 5)
- Sandy Point Boat Exclusion Zone – incorporating the boat exclusion zone into the crab pot restricted area (Appendix: Figure 5)
- Mezick Pond - providing coordinates at the mouth of the creek to remove the ambiguity of the previous regulatory language of "along the shore" (Appendix: Figure 5)
- Chester River – utilizing the rock jetty on Eastern Neck Island to address erosion issues in the area (Appendix: Figure 6)
- Eastern Neck Narrows - utilizing the rock jetty on Eastern Neck Island to address erosion issues in the area (Appendix: Figure 6)
- Rock Hall Harbor/Swan Creek/Tavern Creek – providing coordinates for Huntingfield point to address erosion issues in the area (Appendix: Figure 7)
- Fairlee and Worton Creeks – utilizing two separate lines to mark the mouths of these creeks (Appendix: Figure 8)
- Still Pond - providing coordinates at the mouth of the creek to remove the ambiguity of the previous regulatory language of "along the shore" (Appendix: Figure 9)
- Pond Creek - providing coordinates at the mouth of the creek to remove the ambiguity of the previous regulatory language of "along the shore" (Appendix: Figure 10)

Lower Western Shore

- Black Walnut Creek - providing coordinates at the mouth of the creek to remove the ambiguity of the previous regulatory language of "along the shore" (Appendix: Figure 11)
- Oyster Creek - providing coordinates at the mouth of the creek to remove the ambiguity of the previous regulatory language of "along the shore" (Appendix: Figure 11)
- Fishing Creek (South River) - providing coordinates at the mouth of the creek to remove the ambiguity of the previous regulatory language of "along the shore" (Appendix: Figure 11)
- Jack Creek - providing coordinates at the mouth of the creek to remove the ambiguity of the previous regulatory language of "along the shore" (Appendix: Figure 12)
- Flag Pond Creek - providing coordinates at the mouth of the creek to remove the ambiguity of the previous regulatory language of "along the shore" (Appendix: Figure 13)
- Deep Creek (Calvert County) - providing coordinates at the mouth of the creek to remove the ambiguity of the previous regulatory language of "along the shore" (Appendix: Figure 13)
- Broadwater Creek - providing coordinates at the mouth of the creek to remove the ambiguity of the previous regulatory language of "along the shore" (Appendix: Figure 13)
- Carrs Creek - providing coordinates at the mouth of the creek to remove the ambiguity of the previous regulatory language of "along the shore" (Appendix: Figure 13)
- Herring Bay – providing coordinates to mark the north side of the entrance into Parkers Creek to address ambiguity in the regulation (Appendix: Figure 14)
- Fishing Creek (Chesapeake Beach) - providing coordinates at the mouth of the creek to remove the ambiguity of the previous regulatory language of "along the shore" (Figure can be provided upon request)
- Plum Point Creek - providing coordinates at the mouth of the creek to remove the ambiguity of the previous regulatory language of "along the shore" (Figure can be provided upon request)
- Parkers Creek (Port Republic) - providing coordinates at the mouth of the creek to remove the ambiguity of the previous regulatory language of "along the shore" (Figure can be provided upon request)
- Long Beach - providing coordinates at the mouth of the creek to remove the ambiguity of the previous regulatory language of "along the shore" (Figure can be provided upon request)
- Calvert Cliffs and LNG Gas Docks - including the power plant restricted areas into the crab pot restricted area (Figure can be provided upon request)
- Goose Creek - providing coordinates at the mouth of the creek to remove the ambiguity of the previous regulatory language of "along the shore" (Figure can be provided upon request)
- Deep Creek/Long Neck Creek (St. Mary's County) - providing coordinates at the mouth of the creek to remove the ambiguity of the previous regulatory language of "along the shore" (Figure can be provided upon request)

- Tanner Creek - providing coordinates at the mouth of the creek to remove the ambiguity of the previous regulatory language of "along the shore" (Figure can be provided upon request)

Potomac River - Maryland Tributaries & Sounds

- St. Clements Bay - providing coordinates at the mouth of Canoe Neck Creek and St. Patrick Creek to remove the ambiguity of the previous regulatory language of "along the shore" (Appendix: Figure 15)
- St. Catherine's Sound - adding a line from Whites Neck Point to the southernmost point of St. Margaret's Island to fully encompass the waters of St. Catherine Sound that are restricted to crab pots (Appendix: Figure 16)
- Little Wicomico - providing coordinates at the mouth of the creek to remove the ambiguity of the previous regulatory language of "along the shore" (Figure can be provided upon request)

Lower Eastern Shore

- Broad Creek - providing coordinates at the mouth of the creek to remove the ambiguity of the previous regulatory language of "along the shore" (Appendix: Figure 17)
- Matapeake - providing coordinates at the mouth of the creek to remove the ambiguity of the previous regulatory language of "along the shore" (Appendix: Figure 17)
- Kentmorr - providing coordinates at the mouth of the creek to remove the ambiguity of the previous regulatory language of "along the shore" (Appendix: Figure 18)
- Price Creek - providing coordinates at the mouth of the creek to remove the ambiguity of the previous regulatory language of "along the shore" (Appendix: Figure 18)
- Tolson Creek - providing coordinates at the mouth of the creek to remove the ambiguity of the previous regulatory language of "along the shore" (Appendix: Figure 18)
- Carter Creek - providing coordinates at the mouth of the creek to remove the ambiguity of the previous regulatory language of "along the shore" (Appendix: Figure 18)
- Little Choptank and James Island – adjusting the crab pot line to encompass changes to James Island associated with the restoration project (Appendix: Figure 19)
- Punch Island Creek & St. Johns - providing coordinates at the mouth of the creek to remove the ambiguity of the previous regulatory language of "along the shore" (Figure can be provided upon request)
- Richland, Cow, & Thorofare Coves - providing coordinates across the three coves to remove the ambiguity of the previous regulatory language of "along the shore" (Figure can be provided upon request)
- Holland Strait/Malkus Line/Marks Northern end of Tangier Sound – addresses the inaccurate coordinates and reference to Tigner House by utilizing Haines Point (Appendix: Figure 20)
- Manokin - changes the crab pot line to match the oyster sanctuary line for consistency (Appendix: Figure 21)
- Pocomoke River - simplifying the mouth of the river to run from Bullbegger Point westward to the northeastern most point of land on Fair Island (Appendix: Figure 22)

Coastal Bays

The department proposes to utilize the 6-knot speed zones in the Coastal Bays (COMAR 8.18.18), excluding the slow speed zone in Herring Creek (COMAR 08.18.18.02), as areas where crab pots cannot be set in Maryland's Coastal Bays and Inlets. Maps of the slow speed zones can be found here:

<https://maryland.maps.arcgis.com/apps/webappviewer/index.html?id=42260be2ce4d4b349c12698a685e7c2d>

Why is this change necessary?

The current regulation does not accurately reflect where many crab pot lines are located. Many lines have changed or shifted over the years as buoys and channel markers were removed, or the area's topography changed. Some, but not all, of the points and references to landmarks have coordinates in the current regulation, and some of the coordinates are no longer accurate. This leaves the precise location up for interpretation. For all these reasons, it has become challenging for the industry, public, and enforcement to know the exact locations of these lines. The ambiguity of the lines among all users has led to conflict in many cases.

Who will this affect?

This directly affects commercial crabbers who utilize crab pots, as it determines where crab pots can legally be set. It indirectly affects commercial crabbers who use other gear types that do not remain in the water (e.g., trotline, scrape, net rings, etc.) as it is a spatial allocation.

When will this be effective?

The department expects this change to be effective in the spring of 2023. However, the exact date cannot be determined. The department will follow our normal scoping and proposal procedures.

Has this change been discussed with advisory commissions?

The broad project was discussed with the Blue Crab Industry Advisory Committee at their February 2, 2022, meeting. Following that discussion, four regional public meetings were held with the industry to get focused feedback on the proposed changes: 1. Upper Bay (Areas above Bay Bridge, both Eastern and Western Shore): February 23, 2022, Online Meeting, 2. Lower Eastern Shore: March 16, 2022, Online Meeting, 3. Lower Western Shore: March 23, 2022, Online Meeting, 4. Coastal Commercial Fisheries Forum: April 1, 2022, at the Worcester County Library - Ocean Pines. The change was also discussed at the July meetings of the Sport Fisheries Advisory Commission and the Tidal Fisheries Advisory Commission. Both commissions recommended moving forward with scoping.

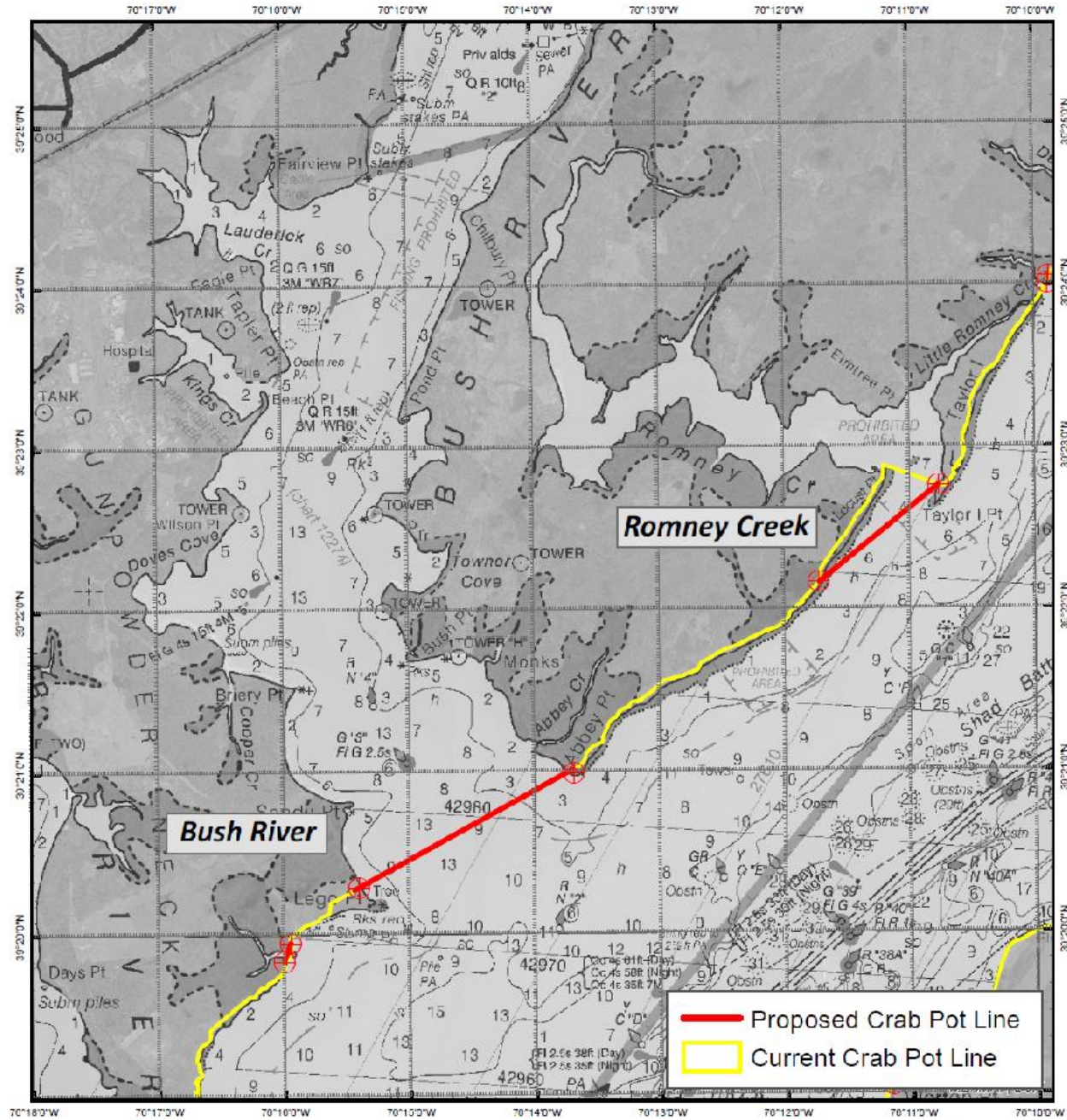
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Figure 1: Romney Creek

Potential Movement of Crab Pot Regulatory Line Bush River and Romney Creek

Projection:
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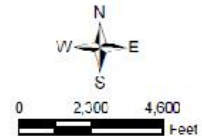


Figure 2: Middle River and Hawk Cove

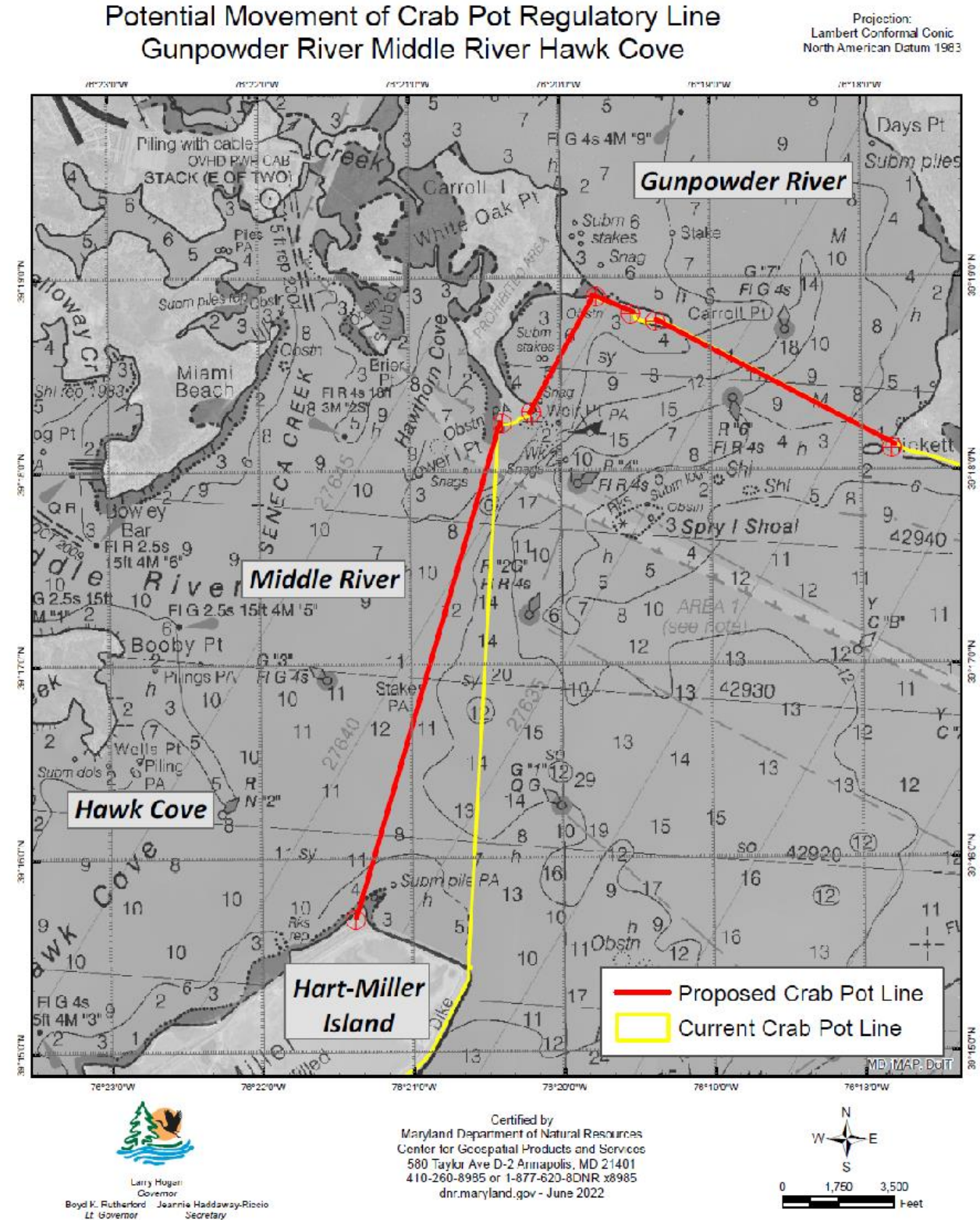
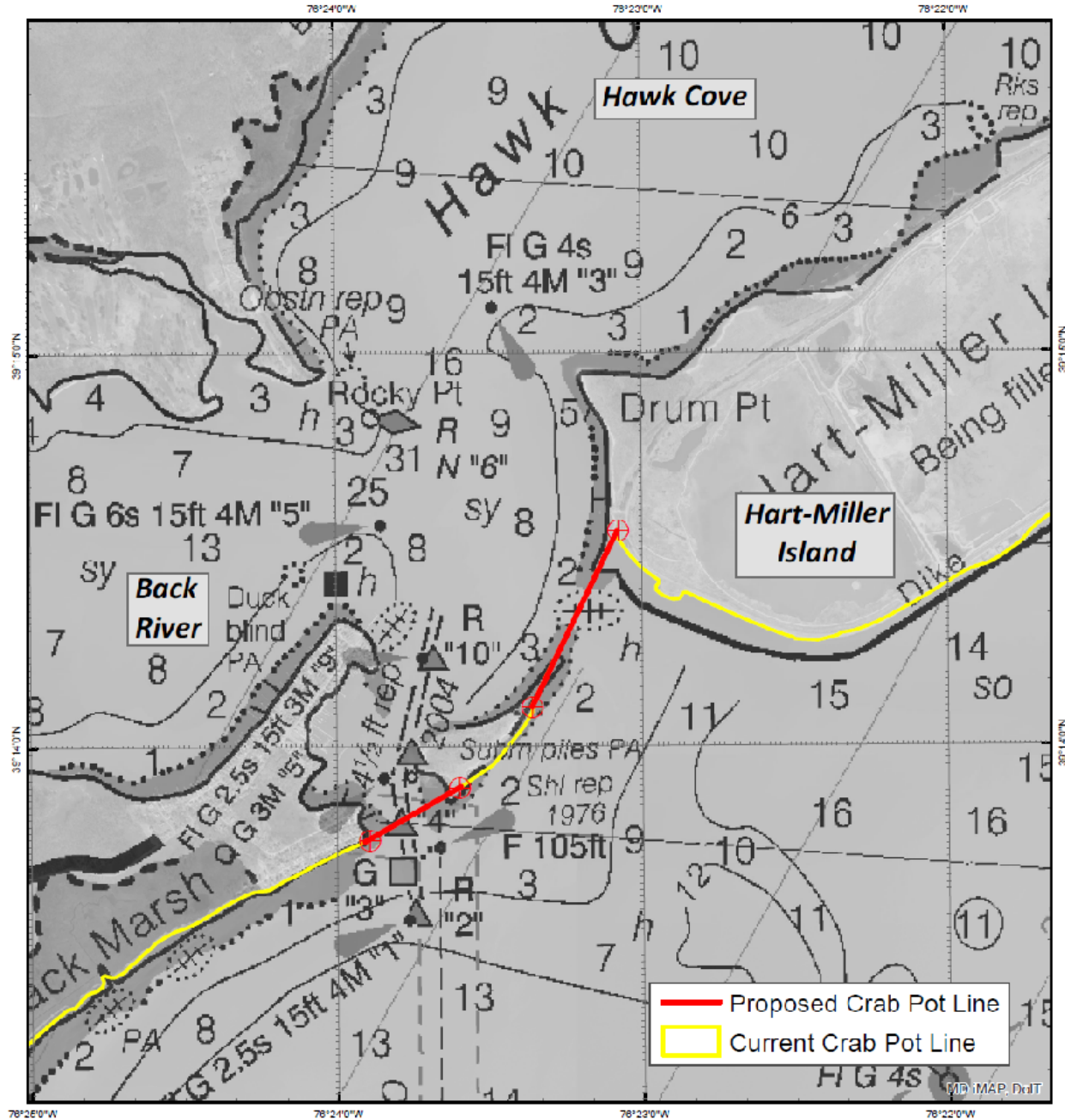


Figure 3: Back River

Potential Movement of Crab Pot Regulatory Line South Hart-Miller Island/Hawk Cove/ Back River

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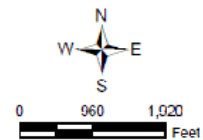


Figure 4: Patapsco River and Shallow Creek

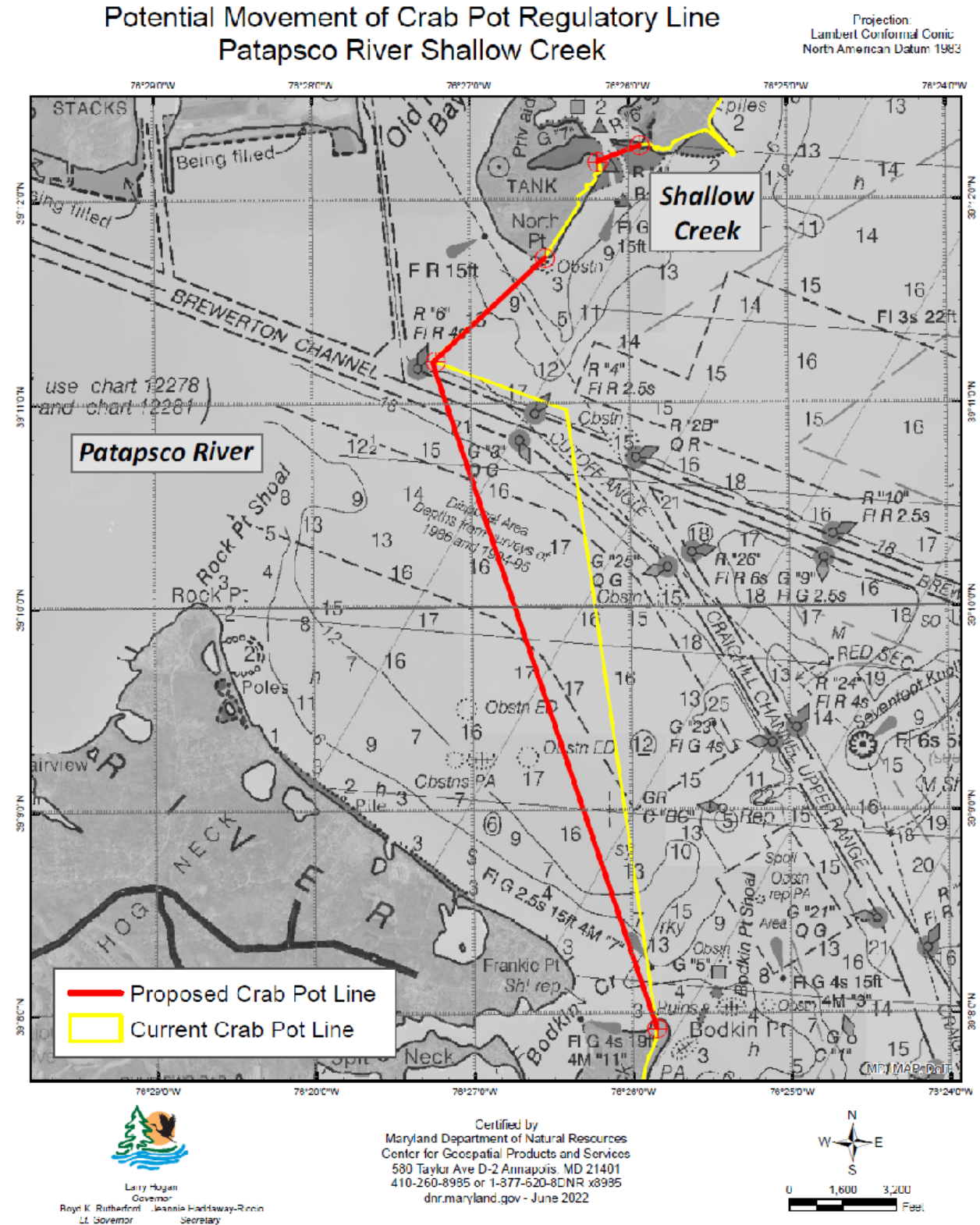


Figure 5: Little Magothy River

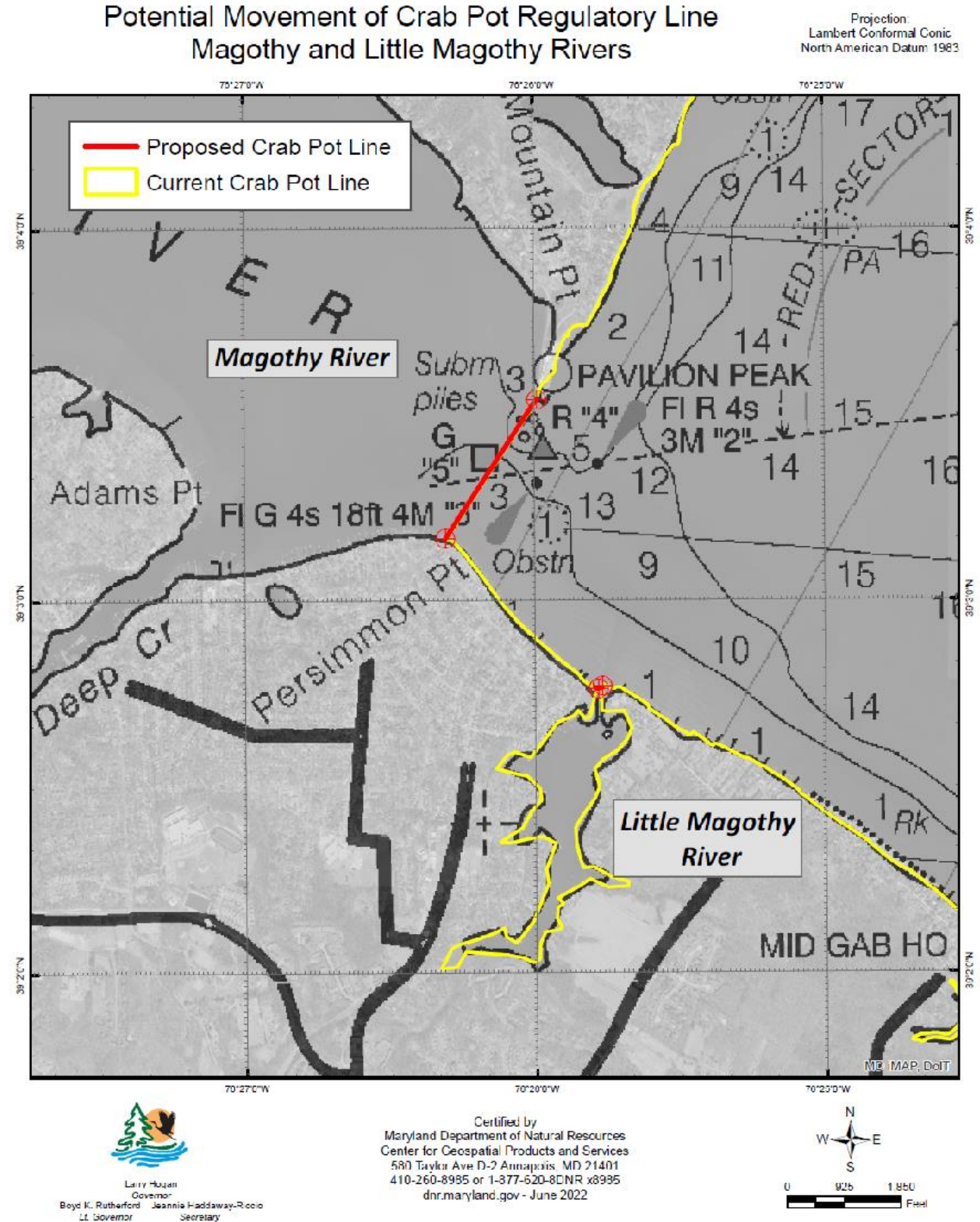


Figure 6: Podickery Creek, Sandy Point and Mezick Ponds

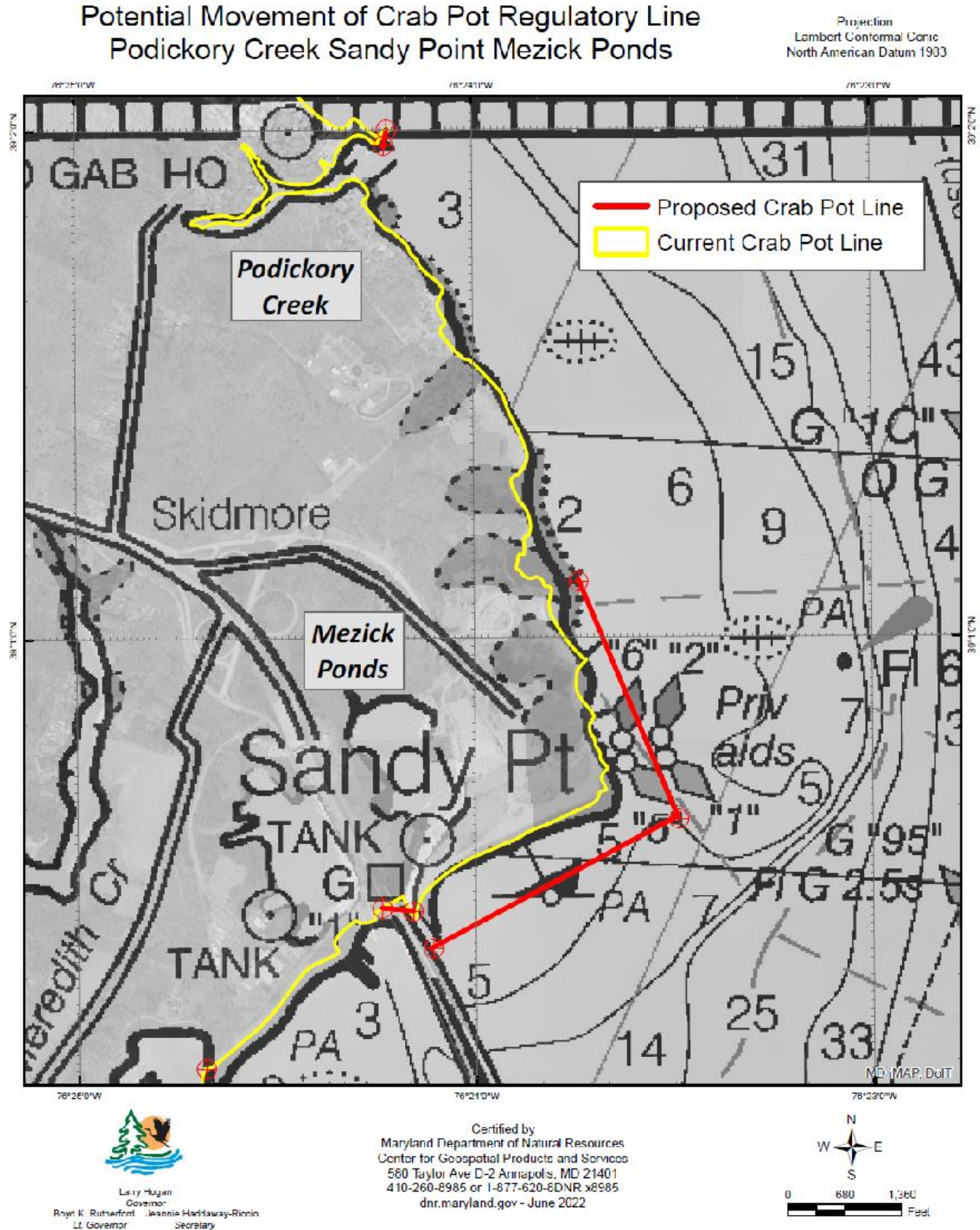


Figure 7: Chester River

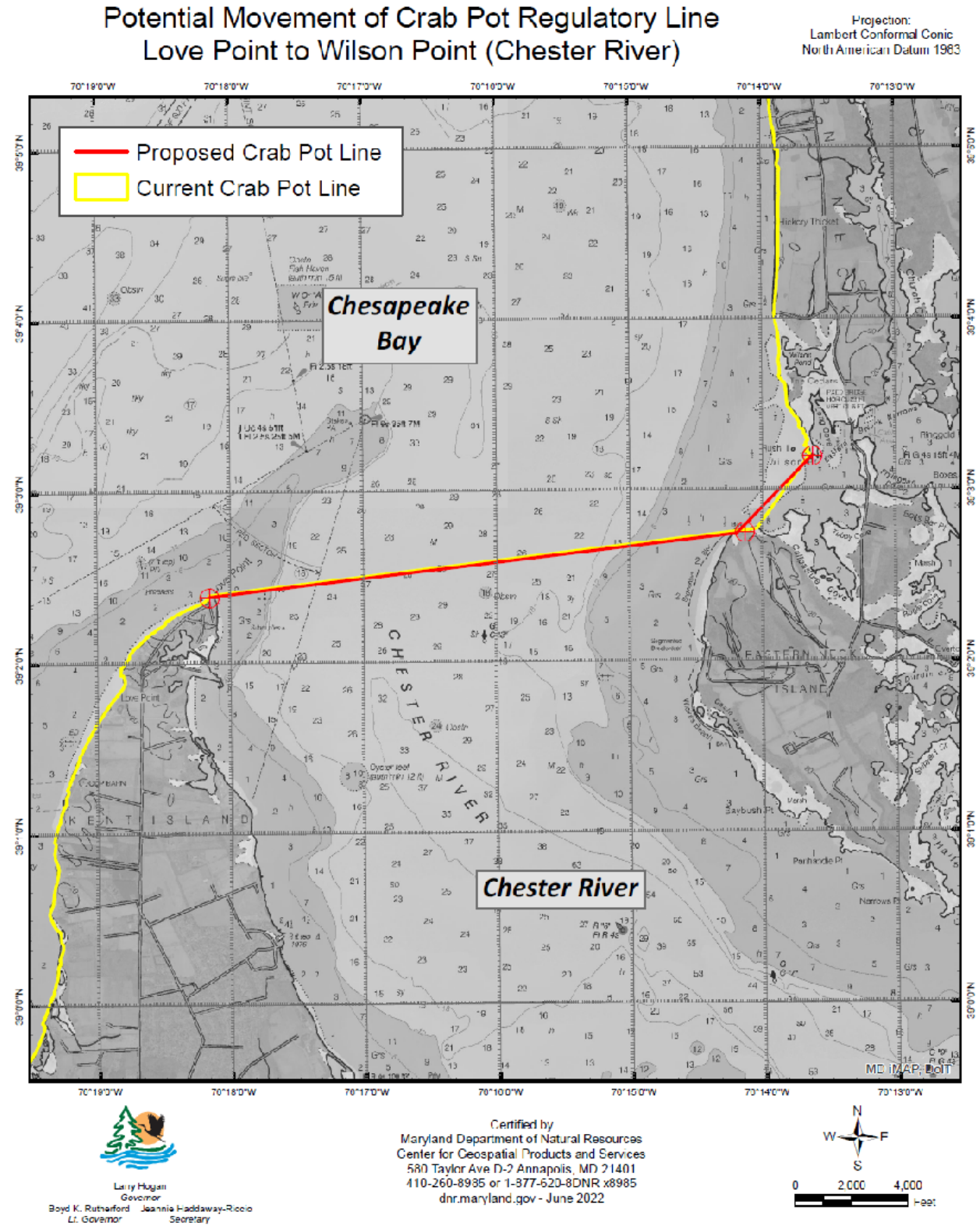


Figure 8: Rock Hall Harbor and Swan and Tavern creeks

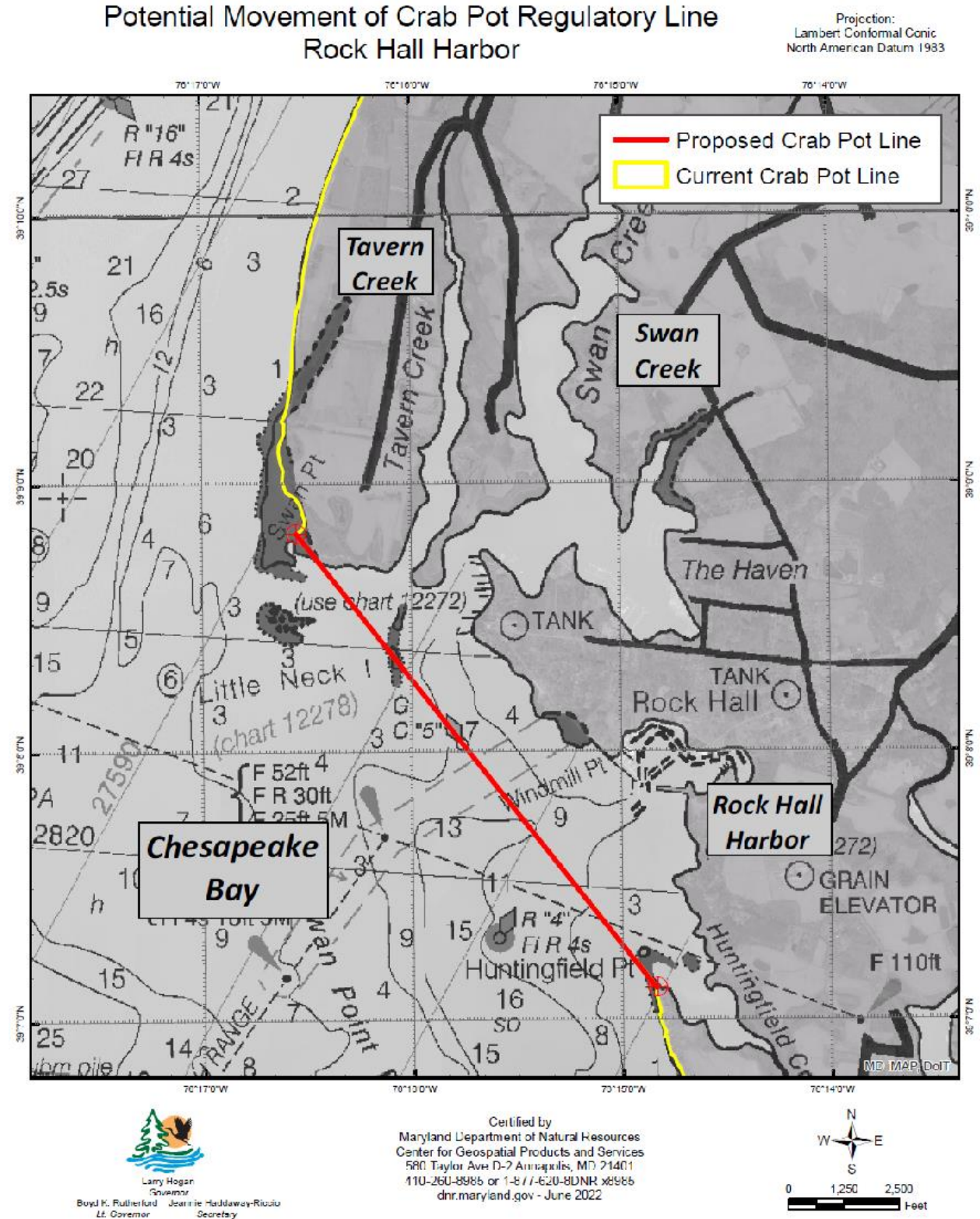


Figure 9: Fairlee and Worton creeks

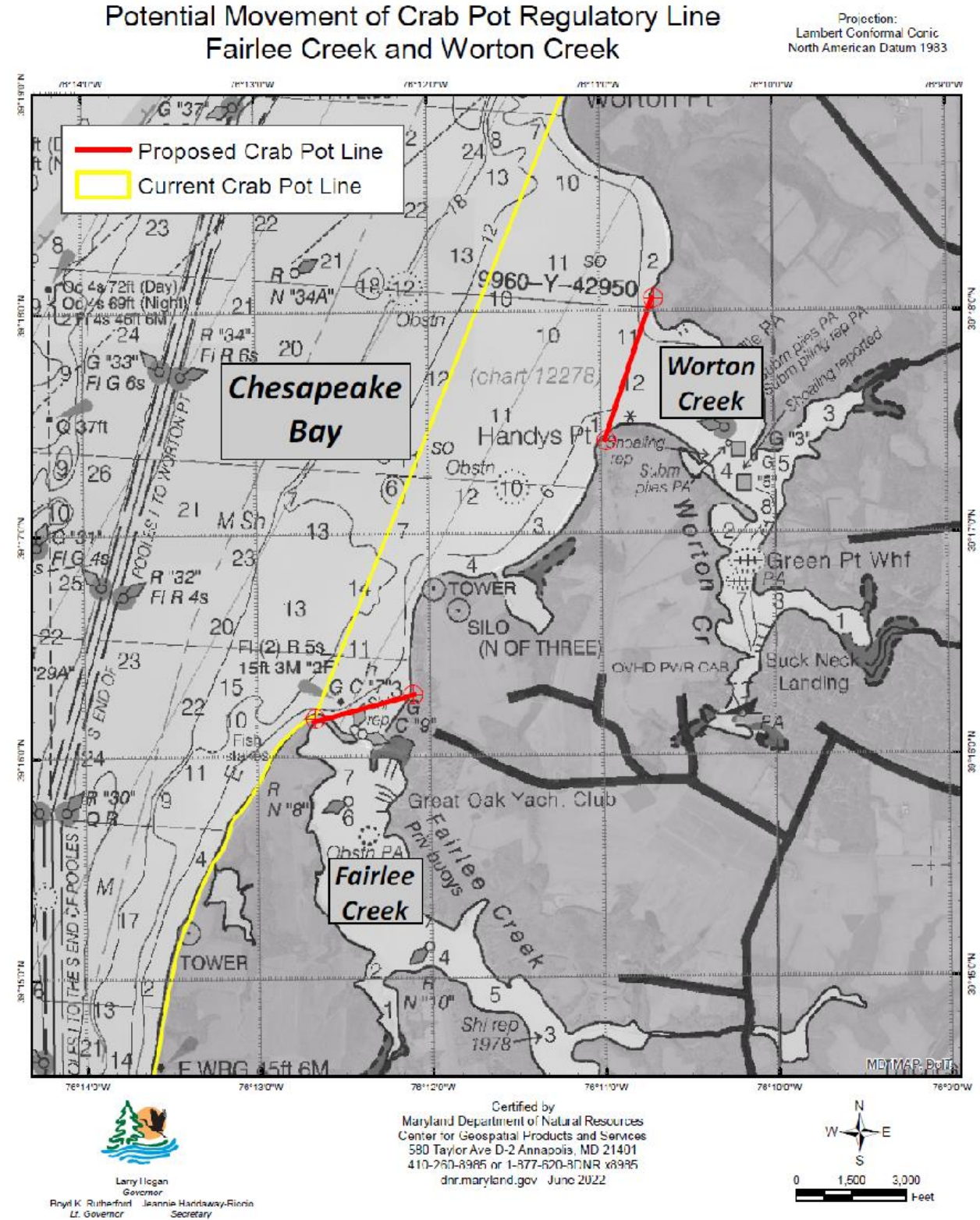


Figure 11: Pond Creek

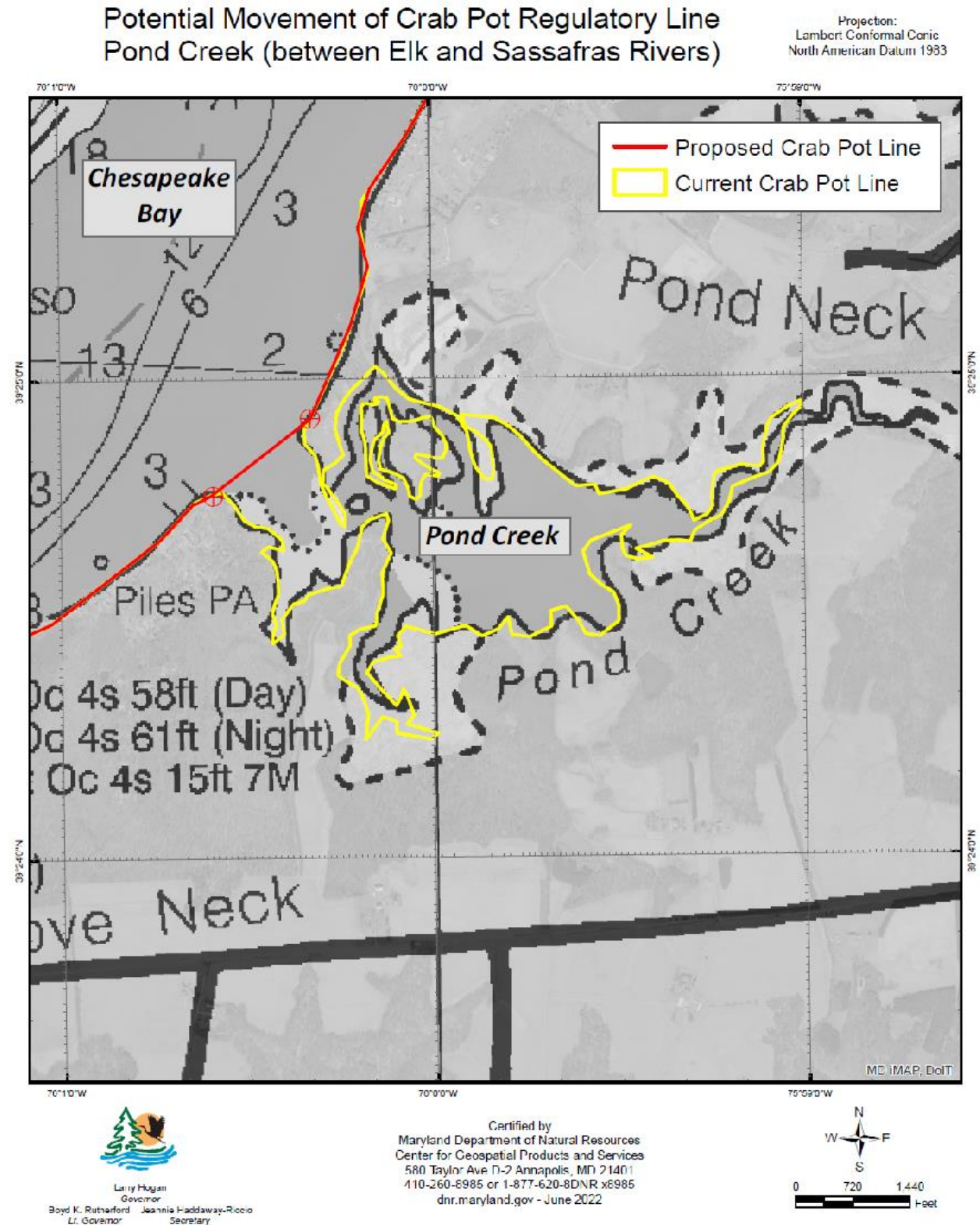
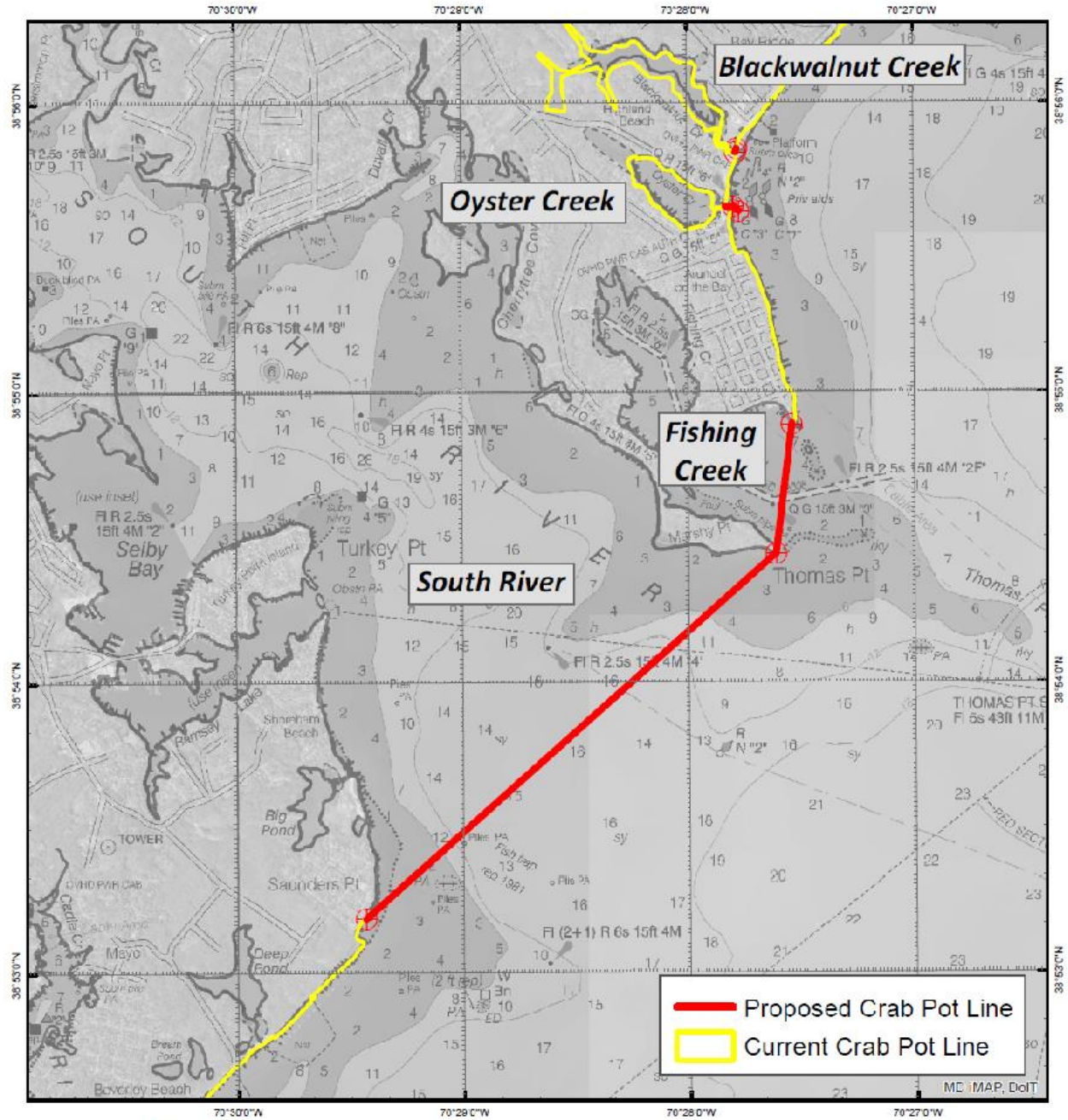


Figure 12: Black Walnut, Oyster and Fishing creeks

Potential Movement of Crab Pot Regulatory Line Black Walnut/Oyster/Fishing Creeks & South River

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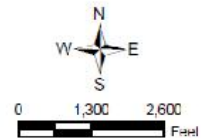


Figure 13: Jack Creek

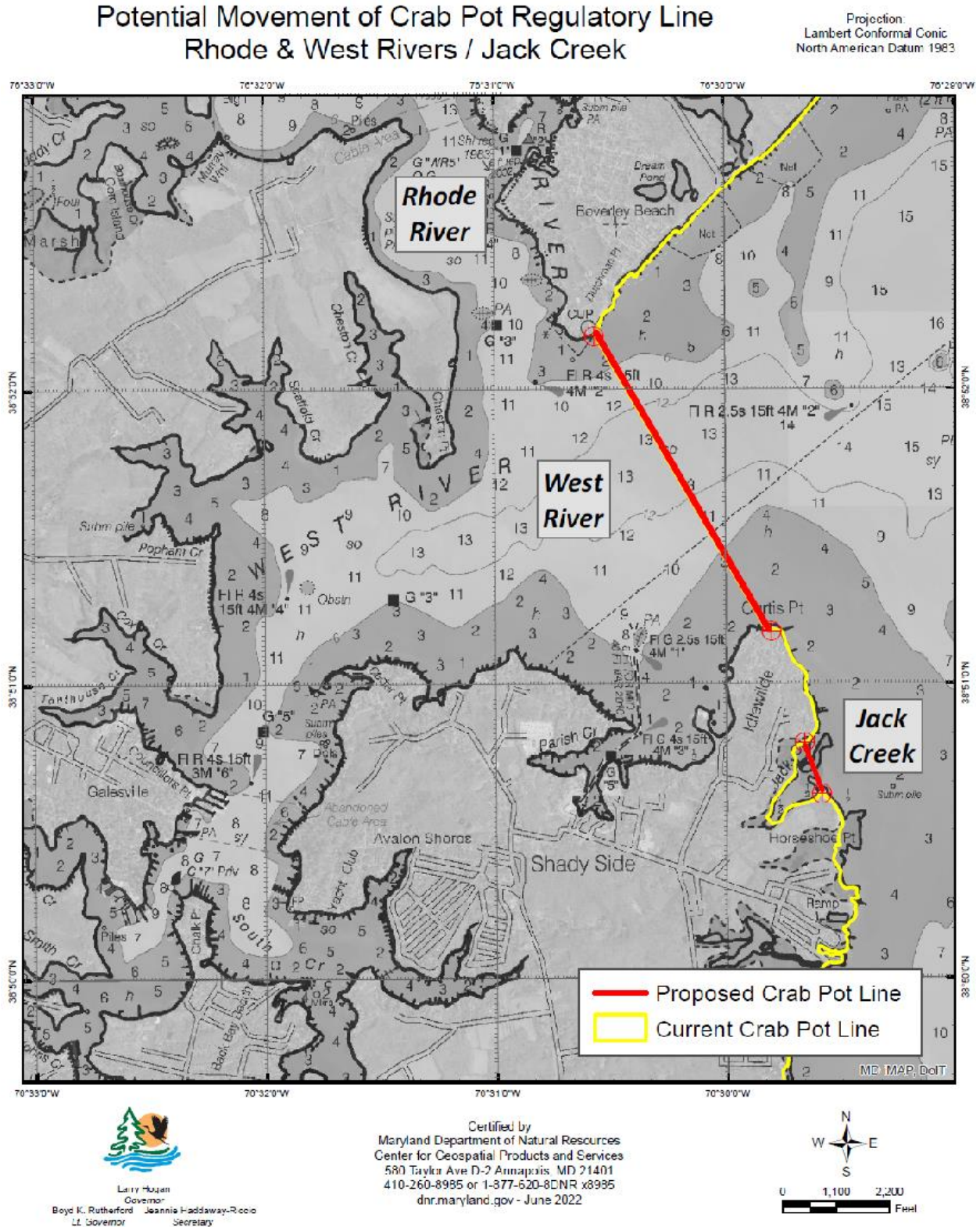
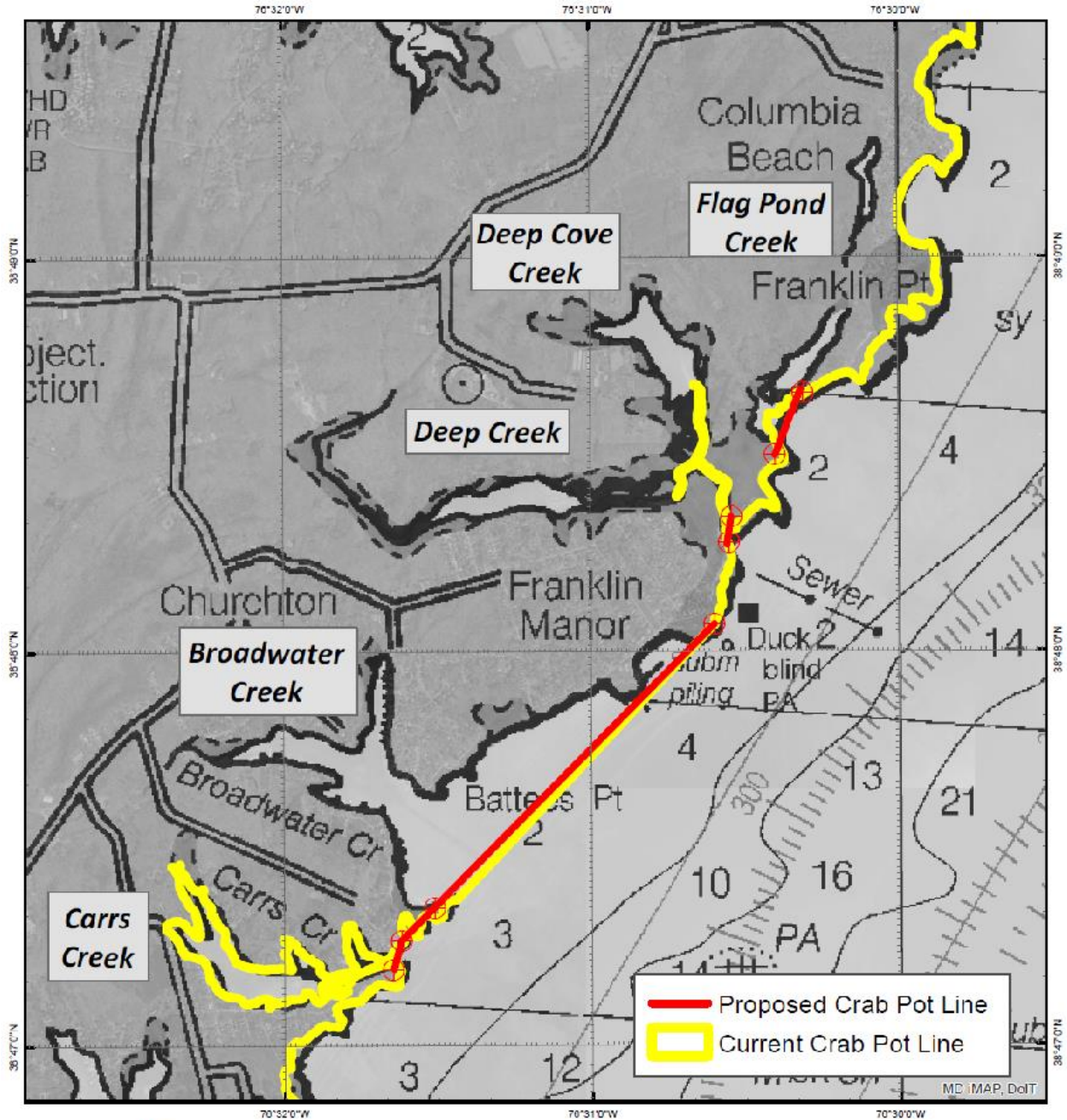


Figure 14: Flag Pond, Deep Cove, Deep, Broadwater and Carrs creeks

Potential Movement of Crab Pot Regulatory Line
 Flag Pond, Deep, Deep Cove, Broadwater & Carrs Creeks

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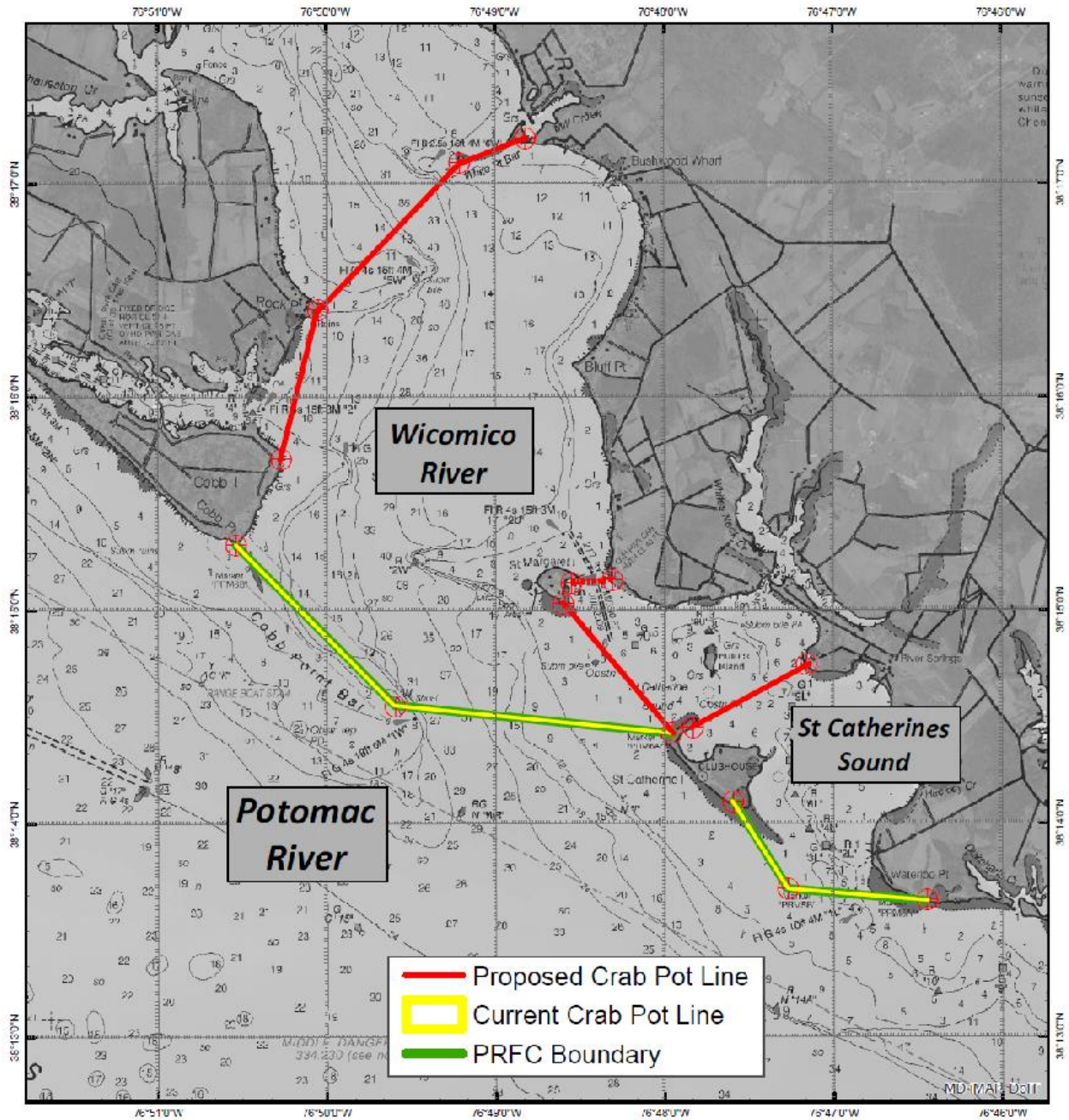

 0 960 1,920
 Feet

Figure 17: Wicomico River and St. Catherine's Sound

Potential Movement of Crab Pot Regulatory Line Wicomico River / St. Catherine's Sound

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0 1,750 3,500
Feet

Figure 18: Broad Creek and Matapeake

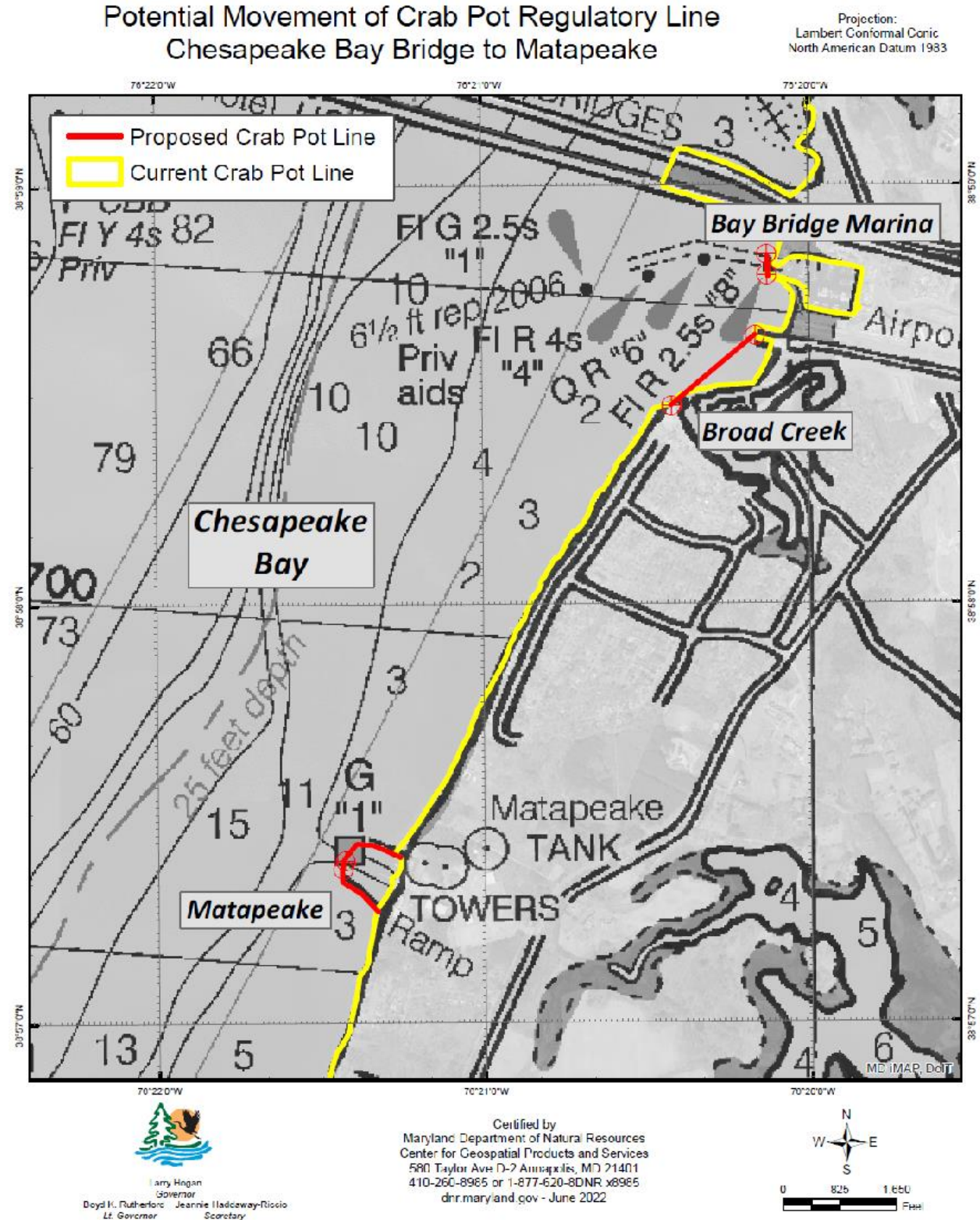


Figure 19: Kentmorr Marina and Price, Tolson and Carter creeks

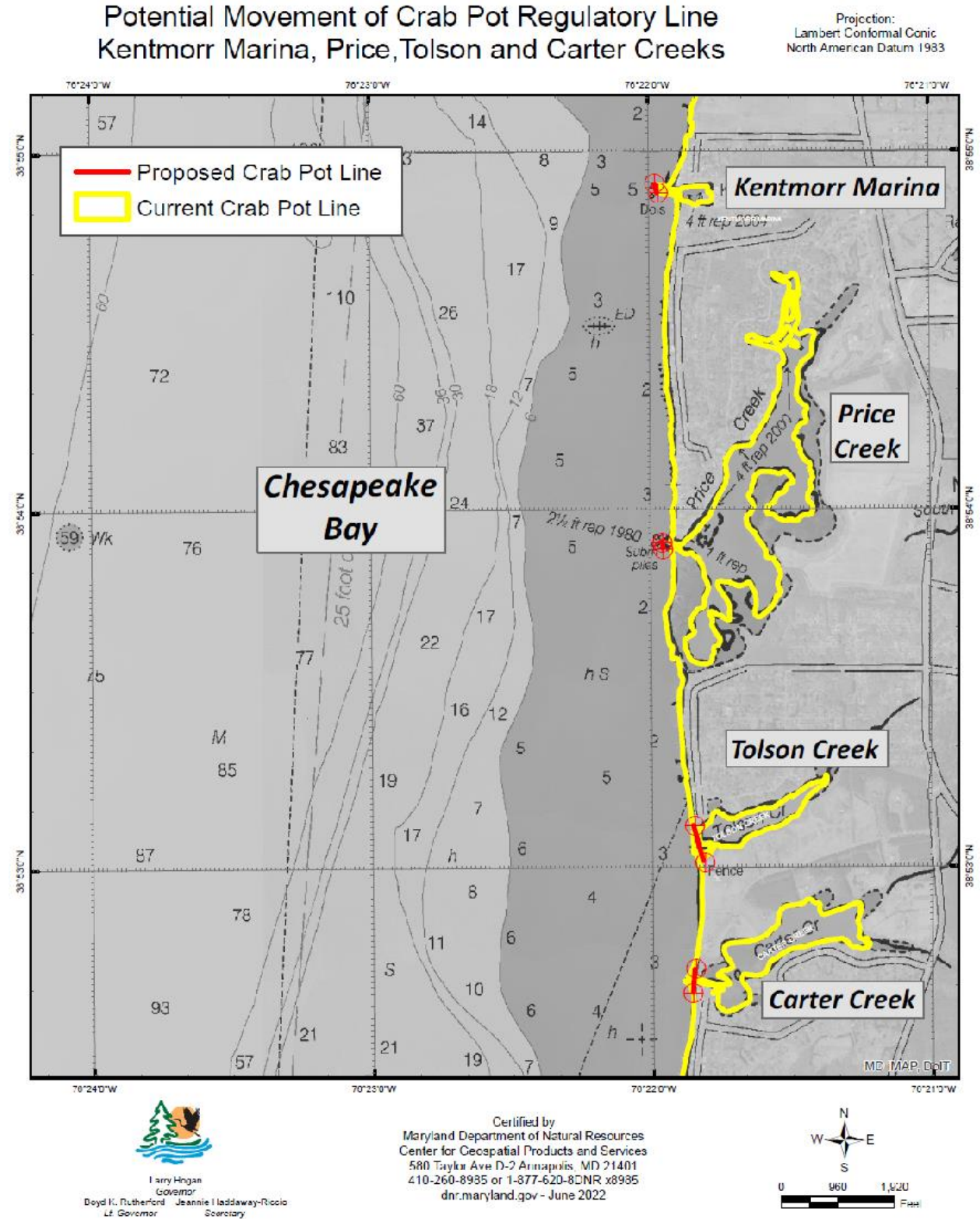
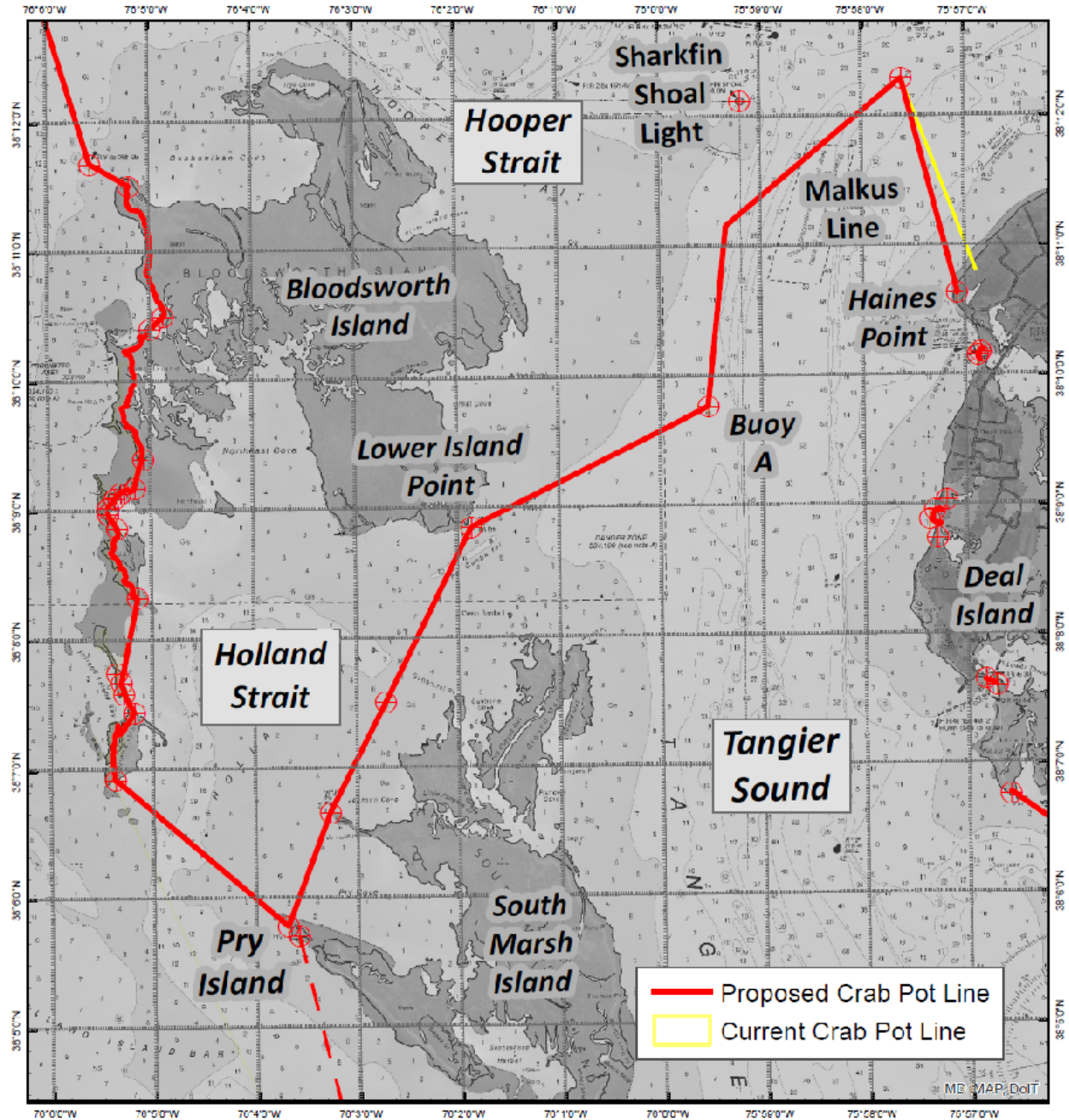


Figure 20: Tangier Sound

Potential Movement of Crab Pot Regulatory Line Holland Strait Hooper Strait & Tangier Sound

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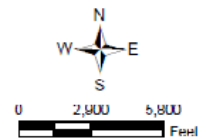


Figure 21: Manokin River

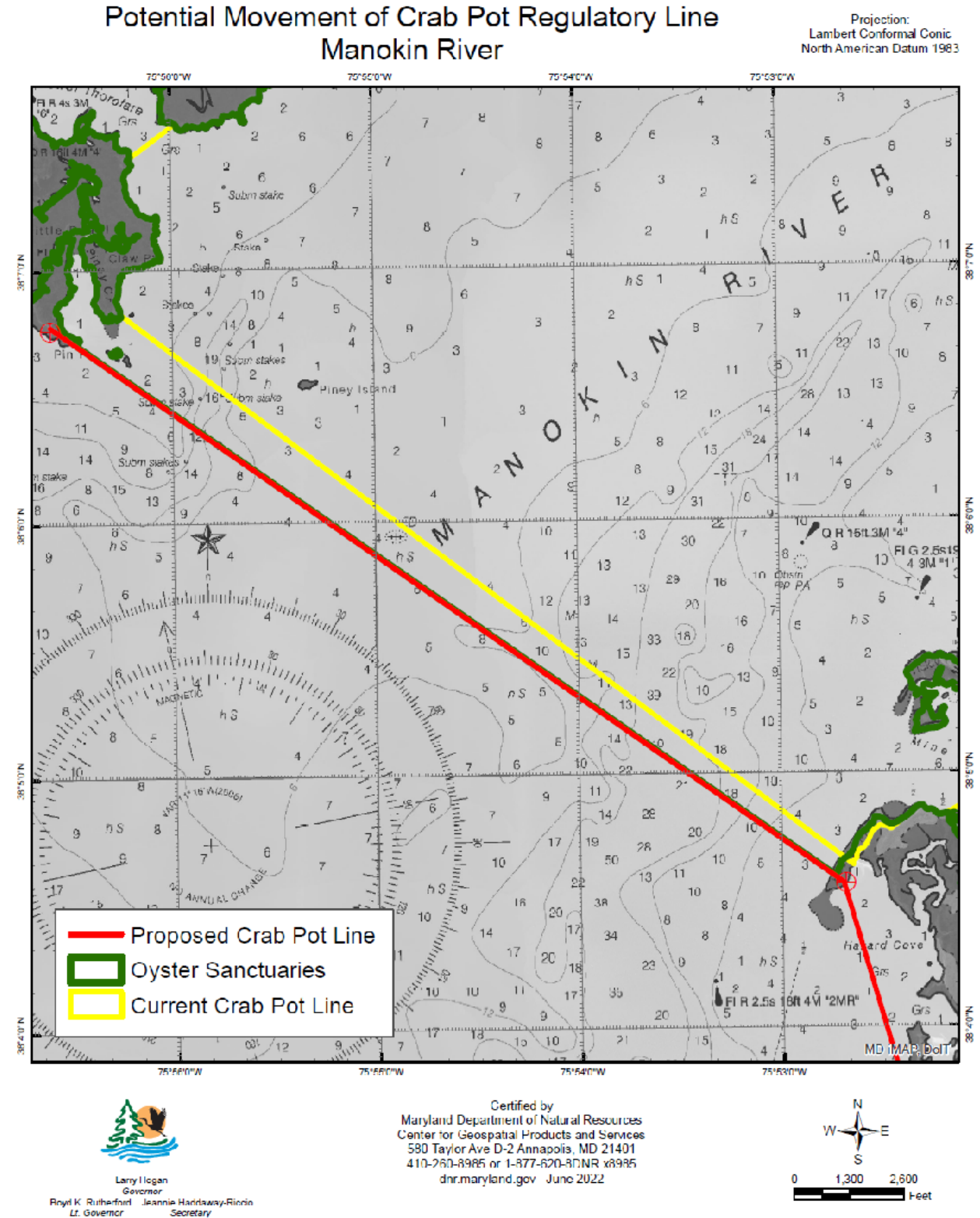


Figure 22: Eastern Pocomoke Sound

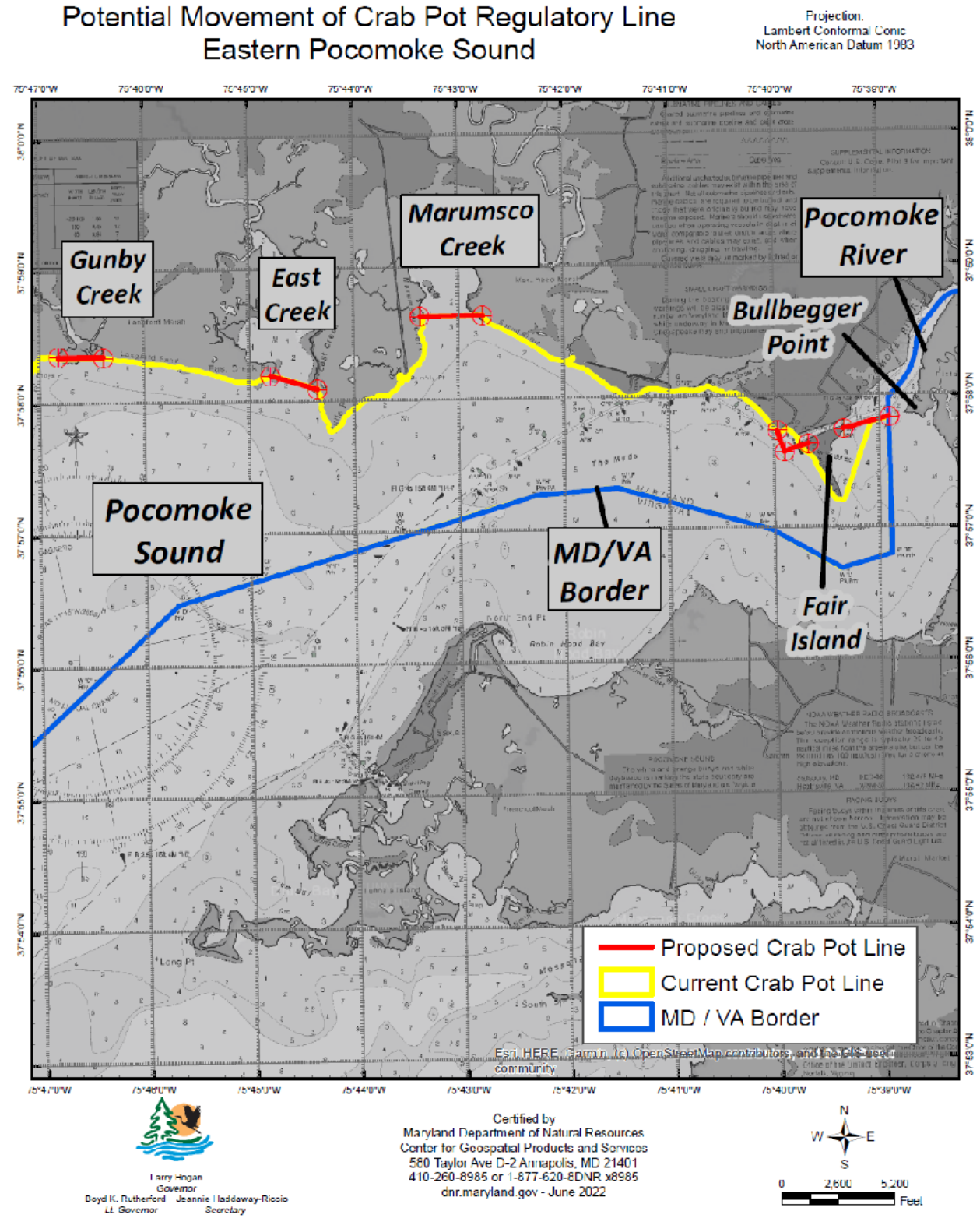


Figure 23: Western Pocomoke Sound

