

Department of Legislative Services
Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE

Senate Bill 403 (Senator Klausmeier)
Education, Health, and Environmental Affairs

Natural Resources - Fishery Management - Shad

This bill repeals provisions governing the angling of shad in tidal waters of the State and requires the Department of Natural Resources (DNR), when the shad fishery is reopened, to designate shad as a hook and line fishery. The bill prohibits a person from angling for shad with more than two single hooks for each rod or line. DNR would be required to allow the recreational and commercial harvest of shad if it determines that the population has increased enough to prevent the harvest of American or hickory shad from qualifying either species as threatened or endangered; DNR must adopt regulations relating to such a harvest. If DNR allows a harvest, it is the intent of the General Assembly that DNR divide the quota as follows: 50% for recreational fishing and 50% for commercial fishing.

Fiscal Summary

State Effect: The bill would not materially affect State operations or finances. Under current regulations, the shad fishery is closed.

Local Effect: The bill would not materially affect local operations or finances.

Small Business Effect: Potential meaningful impact if the fishery is reopened.

Analysis

Current Law: Current regulations specify a closed season for shad, except under specified conditions. Once the fishery is reopened, a person may catch shad in the tidal waters of the State from January 1 to June 5. A person is prohibited from catching,

offering for sale, or possessing any shad freshly caught in the State between June 11 and December 31; however, from June 6 to July 5, a person may catch or possess shad taken with a hook and line. The season for catching shad in the tidal waters must be shortened by five days from the end of each season under specified conditions relating to Virginia's shad season.

Background: Historically, shad was one of the most valuable commercial fisheries in the Chesapeake Bay. By 1980, American shad and hickory shad populations had declined drastically in the Chesapeake Bay due to over-fishing, poor water quality, and stream blockages. In an effort to prevent extinction, a moratorium on the harvest of American shad from Maryland's portion of the Chesapeake Bay and its tributaries was implemented in 1980; a moratorium on the harvest of American shad from Virginia's waters was implemented in 1994. Maryland also placed a moratorium on hickory shad harvest in 1981. According to DNR, based on the current status of the species, it has no plans to reopen the shad fishery.

Small Business Effect: If DNR reopens the shad fishery in the future, commercial watermen would be negatively impacted by the bill's changes regarding the type of gear that may be used and the allocation of the quota between the recreational and commercial fisheries. According to DNR, prior to the closure of the fishery, most commercial harvest occurred from gill nets, haul seines, and pound nets.

Additional Information

Prior Introductions: None.

Cross File: HB 773 (Delegate Rudolph, *et al.*) – Environmental Matters is identified as a cross file although it is not identical.

Information Source(s): Department of Natural Resources, Department of Legislative Services

Fiscal Note History: First Reader - February 19, 2004
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