

**Department of Legislative Services**

Maryland General Assembly

2007 Session

**FISCAL AND POLICY NOTE**

**Revised**

Senate Bill 702

(Senator Dyson)

Education, Health, and Environmental Affairs

Environmental Matters

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**Yellow Perch Conservation and Sustainability Act**

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This bill requires the Department of Natural Resources (DNR) to adopt regulations by January 1, 2008, that • provide a management strategy for yellow perch migration to historical spawning rivers and streams before spawning; and • equitably allocate harvests of yellow perch between recreational and commercial harvesters.

The bill takes effect June 1, 2007.

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**Fiscal Summary**

**State Effect:** The bill's requirements could be handled with existing resources.

**Local Effect:** None.

**Small Business Effect:** Potential meaningful.

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**Analysis**

**Bill Summary:** The management strategy adopted by DNR must be based on objectives and management measures developed in consultation with stakeholder organizations and specified advisory commissions. The objectives and management measures developed must be incorporated into the yellow perch fishery management plan.

DNR must also, in consultation with interested stakeholders, analyze and develop findings regarding new funding mechanisms • to help underwrite the cost of researching, developing, managing, and enforcing the State's fishery policies; and • to help promote

the economic interests of the State's commercial fishing industry. DNR must report the findings to the House Environmental Matters Committee and the Senate Education, Health, and Environmental Affairs Committee on or before November 1, 2007.

**Current Law:** DNR is required to prepare a fishery management plan for yellow perch and establish the open season for catching yellow perch each year. DNR regulations prohibit a person from taking or selling yellow perch from State waters during the month of February, except if using a hook and line for recreational purposes. Taking yellow perch from specified watersheds designated as spawning areas and taking yellow perch from other specified watersheds for commercial purposes at any time is also prohibited. Daily catch limits and size limits in tidal waters for yellow perch are specified in the regulations.

**Background:** The yellow perch population in Maryland declined during the late 1970s and early 1980s. Regulations were adopted in the late 1980s restricting the size of yellow perch that could be caught by the commercial and recreational fisheries. Various watersheds were also closed to commercial fishing and some, designated as spawning areas, were closed to recreational fishing as well, with certain exceptions. The populations of yellow perch vary among different tributaries, and DNR estimates there could be as many as 25 tributary-specific populations of yellow perch in Maryland, causing stock assessment to be logistically difficult.

Yellow perch spend most of their life cycle in estuarine waters but move upstream to tidal and nontidal freshwater to spawn during the late winter/early spring period. Commercial harvesting is generally conducted during the spawning period, using fyke nets to catch the yellow perch as they congregate and migrate during the spawning process.

**Small Business Effect:** DNR regulations adopted in accordance with the bill may restrict commercial fishing activity in various river systems during the yellow perch spawning period, which could impact the harvest of yellow perch as well as other species. During the months of January, February, and March (which include the yellow perch spawning period), between 1997 and 2006, an average of 78,502 pounds of yellow perch with an average value of \$116,343 was reported harvested. More recently, between 2003 and 2006, an average of 43,033 pounds of yellow perch with an average value of \$55,150 was reported harvested during those three months. In 2006, 23,752 pounds of yellow perch with a value of \$39,666 were reported harvested during January, February, and March.

## **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

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

**Fiscal Note History:** First Reader - March 13, 2007  
mll/ljm Revised - Senate Third Reader - April 5, 2007

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