

Department of Legislative Services  
Maryland General Assembly  
2007 Session

FISCAL AND POLICY NOTE  
Revised

House Bill 473

(Delegate Elmore, *et al.*)

Environmental Matters

Education, Health, and Environmental Affairs

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Natural Resources - Soft Crabs - Bycatch

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This emergency bill allows a person to possess a bycatch of soft crabs measuring less than three and one-half inches in size. The permissible bycatch may not be greater than one undersized soft crab per dozen soft crabs possessed until regulations are adopted by the Department of Natural Resources (DNR) establishing and governing the permissible bycatch. The regulations must be adopted for soft crabs by October 1, 2007. The regulations may not be more restrictive than the applicable restrictions on the permissible bycatch for hard crabs and peeler crabs.

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Fiscal Summary

**State Effect:** None. The bill's changes would not directly affect State operations or finances.

**Local Effect:** None.

**Small Business Effect:** Meaningful.

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Analysis

**Current Law:** Catching or possessing soft crabs measuring less than three and one-half inches is prohibited.

Under State law, a person may not catch or possess more than 10 hard crabs per bushel or 25 hard crabs per barrel measuring less than five inches in size. A person may possess a bycatch of peeler crabs measuring less than three inches in size of up to 30 per bushel or

60 per float. DNR regulations further specify restrictions on the catching or possessing of hard crabs and peeler crabs of specified sizes.

**Background:** The section of State law being amended by the bill applies to the species commonly known as blue crab. A blue crab can shed its hard shell 18 to 23 times during its three-year life span and increases by one-third of its size during shedding. The crab's soft shell only lasts for a few hours in the water before the crab must be removed to prevent the shell from hardening. The entire crab in the soft shell stage is edible.

The 2006 Bay-wide Blue Crab Winter Dredge Survey showed that the total abundance of blue crabs in the Chesapeake Bay declined in 2006, due in part to lower abundance of juvenile crabs. The lower abundance of juvenile crabs was still among the highest levels since 1997, and the overall blue crab abundance remains stable at low levels of abundance.

**Small Business Effect:** DNR advises the average reported harvest of soft shell crabs from 2004-2006 was 45,000 dozen, with an average dockside value of \$5.89 per pound. Commercial crabbers could benefit from an increased harvest to the extent they are permitted to harvest soft shell crabs less than three and one-half inches in size.

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### Additional Information

**Prior Introductions:** None.

**Cross File:** SB 206 (Senators Stoltzfus and Colburn) – Education, Health, and Environmental Affairs.

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

**Fiscal Note History:** First Reader - February 26, 2007  
ncs/ljm Revised - House Third Reader - March 29, 2007  
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