

Department of Legislative Services
Maryland General Assembly
2020 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 95

(Anne Arundel County Delegation)

Environment and Transportation

Education, Health, and Environmental Affairs

Anne Arundel County - Natural Resources - Fishing With a Haul Seine

This bill repeals a prohibition against a person setting a haul seine exceeding 50 feet in length in specified waters of Anne Arundel County and, subject to certain limitations, authorizes a person to fish with a haul seine in the Severn River or any creek, cove, tributary, or inlet of the river.

Fiscal Summary

State Effect: The bill does not materially affect State operations or finances.

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

Small Business Effect: Potential meaningful.

Analysis

Bill Summary: The bill repeals a prohibition against a person setting a haul seine exceeding 50 feet in length in the following waters:

- Herring Bay from a line drawn from the extreme projection of Parker’s Island Point into the Chesapeake Bay to the extreme point of Holland Point;
- South River, Rhode River, and West River;
- from a line drawn from the extreme projection from Thomas Point into the Chesapeake Bay to the extreme point of Curtis Point;
- within the headlands of Whitehall Creek; and
- within the headlands of Meredith Creek and Lake Ogleton.

The bill repeals a criminal penalty applicable to a violation of that prohibition.

The bill also authorizes a person to fish with a haul seine in the waters of the Severn River or any creek, cove, tributary, or inlet of the Severn River. That authorization, however, is subject to an existing prohibition against a person catching fish by any means, during February, March, and April, in the waters of the Severn River or Severn Run from the dividing line between tidal and nontidal waters to a point 2,400 feet downstream.

Subject to other fishing restrictions in Anne Arundel County, and general provisions governing the use of haul seines, the bill authorizes a person to use a haul seine to fish in the waters of Anne Arundel County.

Current Law: In Anne Arundel County, a person may not set a haul seine exceeding 50 feet in length in the following waters:

- Herring Bay from a line drawn from the extreme projection of Parker’s Island Point into the Chesapeake Bay to the extreme point of Holland Point;
- South River, Rhode River, and West River;
- from a line drawn from the extreme projection from Thomas Point into the Chesapeake Bay to the extreme point of Curtis Point;
- within the headlands of Whitehall Creek; and
- within the headlands of Meredith Creek and Lake Ogleton.

A person who violates that prohibition is guilty of a misdemeanor and subject to a fine of up to \$2,500 with costs imposed in the discretion of the court.

Various general provisions governing the measurements and use of haul seines are established in statute, including a prohibition on fishing with a haul seine on weekends subject to specified exceptions in Baltimore, Harford, and Kent counties. Provisions specific to fishing in general in Anne Arundel County establish various, primarily gear-related restrictions for specific waters in the county. Among those restrictions, a person may fish only with a rod, or hook and line in the waters of the Severn River or any creek, cove, tributary, or inlet of the Severn River. During February, March, and April, a person may not catch fish by any means in the waters of the Severn River or Severn Run from the dividing line between tidal and nontidal waters to a point 2,400 feet downstream.

Small Business Effect: The bill’s removal of haul seine restrictions in the specified waters of Anne Arundel County may have a meaningful impact on small business finfish harvesters. The Department of Natural Resources indicates that the reported harvest by individuals reporting haul seine use in 2017, 2018, and 2019, in “National Oceanic and Atmospheric Administration (NOAA) codes” that *overlap* with Anne Arundel County waters, had a value of \$334,136, \$124,601, and \$140,174, respectively. It is unclear,

however, how much of that harvest is strictly from within the waters of Anne Arundel County. NOAA codes are statistical reporting areas created for the purpose of reporting fishery harvest.

Additional Information

Prior Introductions: None.

Designated Cross File: SB 162 (Senator Elfreth, *et al.*) - Education, Health, and Environmental Affairs.

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

Fiscal Note History: First Reader - January 30, 2020
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