

HB 1218

Department of Legislative Services

Maryland General Assembly

2022 Session

FISCAL AND POLICY NOTE

First Reader

House Bill 1218 (Delegate Howard)
Environment and Transportation

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

This bill (1) repeals a prohibition against a person setting a haul seine exceeding 50 feet in length in specified waters of Anne Arundel County; (2) clarifies and/or establishes/expands prohibitions on setting or use of haul seines in other specified waters in the county; and (3) subject to those prohibitions and other specified provisions, authorizes a person to use a haul seine to fish in the waters of Anne Arundel County. **The bill takes effect July 1, 2022.**

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; and
- 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.

The bill also clarifies and/or establishes/expands prohibitions on setting or use of haul seines in the Severn River, Whitehall Bay, and adjacent waters by:

- expressly prohibiting a person from setting a haul seine in the waters of the Severn River or any creek, cove, tributary or inlet of the river;
- prohibiting a person from using a haul seine in the waters upstream of a line drawn from the southernmost point of Hackett Point to the southernmost point of Greenbury Point to the easternmost point of Tolly Point; and
- prohibiting a person from setting *any* haul seine (as opposed to the existing prohibition on setting of a haul seine exceeding 50 feet in length) within the headlands of Whitehall Creek and the headlands of Meredith Creek and Lake Ogleton.

Subject to those prohibitions, 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 and a specified exception for emptying a haul seine during the weekend if it was set on a Friday. Provisions specific to fishing in general in Anne Arundel County establish various, primarily gear-related, restrictions for specific waters in the county, including a provision that only allows a person to fish with rod, or hook and line, in the waters of the Severn River or any creek, cove, tributary, or inlet of the Severn River.

Small Business Effect: The bill's removal of haul seine restrictions in specified waters of Anne Arundel County may have a meaningful impact on small business finfish harvesters. For context, the Department of Natural Resources indicates that, on a statewide basis, from 2019 through 2021, 1.4 million pounds of gizzard shad, 594,600 pounds of blue catfish, and 133,200 pounds of carp were reported harvested by commercial licensees in the State using haul seine gear. Nine licensees reported using haul seine gear in 2019 and 2020, and five licensees reported using haul seine gear in 2021.

Additional Information

Prior Introductions: HB 843 of 2021, a similar bill, received a hearing in the House Environment and Transportation Committee, but no further action was taken. HB 95 of 2020 passed the House with amendments and was referred to the Senate Education, Health, and Environmental Affairs Committee, but no further action was taken. Its cross file, SB 162, received a hearing in the Senate Education, Health, and Environmental Affairs Committee, but no further action was taken.

Designated Cross File: None.

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

Fiscal Note History: First Reader - March 15, 2022
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