



CHESAPEAKE BAY FOUNDATION

*Environmental Protection and Restoration
Environmental Education*

House Bill 1399

Natural Resources – Commercial Fishing – Use of Haul Seines

DATE: MARCH 4, 2020

POSITION: OPPOSE

The Chesapeake Bay Foundation OPPOSES House Bill 1399. House Bill 1399 would extend the hours during which a commercial fisherman may empty a haul seine net set on a Friday to sunrise the following Monday, raising significant concerns regarding the survival of sensitive species captured as bycatch and creating enforcement issues.

Haul seines are one of the oldest fishing methods in the Chesapeake Bay region. Haul seines were once used extensively to harvest American shad but have greatly decreased in number as shad populations declined. These large nets, up to 1500 feet in length, which is longer than the Empire State Building is tall, are drawn out into the water from near the shoreline and fish are swept into the net as the two ends of the net are brought together in the shallows. This method of fishing is non-selective – it captures everything in the path of the net. In some cases, this could include protected or sensitive species, such as Atlantic sturgeon. In many cases, fish or other organisms that are not the target species can be removed alive from the net when the net is actively fished.

HB 1399 would allow a haul seine fisherman to set the net on Friday and empty the net any time between 12:01 a.m. on Saturday through the following Monday at sunrise. This fundamentally changes the mode of fishing from an actively tended gear to a holding pen, essentially rendering the haul seine equivalent to a shallow-water pound net. This raises significant concerns about the survival of non-targeted fish and other species if the net is left for up to three days after being set. Considering haul seines are a non-selective gear, weekend allowances for haul seine could result in significant losses of non-target species.

The issue of bycatch of non-targeted species in haul seines is already acknowledged in Maryland law pertaining to haul seining of carp and catfish in Baltimore and Harford counties, which states “Any person who catches fish of a variety other than carp or catfish in any haul seine shall return them immediately to the water unharmed.”¹ Similarly, statute currently requires an individual haul seining in these areas to attend the gear at all times. Such protections are not included in HB 1399.

There is still a general prohibition on fishing with a haul seine on the weekends, with the exception of allowances in current law for Baltimore, Harford, and Kent counties with prior notification to the Department of Natural Resources. Currently, this bill includes no such notification requirement, which may make the prohibition on haul seine fishing on the weekends much more difficult to enforce. It will be nearly impossible for Natural Resources Police to determine whether a seine net being emptied on the weekend was set legally on a Friday or illegally on Saturday morning.

For these reasons, the Chesapeake Bay Foundation recommends an UNFAVORABLE report on HB 1399 from the Environment and Transportation Committee. Please contact Dr. Allison Colden at acolden@cbf.org or 443-482-2160 with any questions.

¹ Ann. Code of Maryland. NR §4–713.

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