

Regulation .13 adopted effective August 30, 1993 (20:17 Md. R. 1345)

1993 August	.08.02.05.13 adopted effective August 30, 1993 (20:17 Md. R. 1345) in order to regulate the recreational catch limit to ten weakfish and ten spotted sea trout per day.
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Regulation .13 amended as an emergency provision effective October 19, 1994 (21:23 Md. R. 1929); original emergency text superseded and Regulation .13 amended as an emergency provision effective February 3, 1995 (22:4 Md. R. 231); emergency text superseded and Regulation .13 amended as an emergency provision effective March 31, 1995 (22:8 Md. R. 594); emergency status extended at 22:21 Md. R. 1613

1994 October	.08.02.05.13 amended as an emergency provision effective October 19, 1994 (21:23 Md. R. 1929). original emergency text superseded and Regulation .13 amended as an emergency provision effective February 3, 1995 (22:4 Md. R. 231); emergency text superseded and Regulation.13
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1994 November	.08.02.05.13 amended to differentiate between the open and closed season. The regulation now states that a “commercial tidal licensee may not catch, possess while on the water, or land weakfish or spotted seatrout, except during an open season.”
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Regulation .13 amended as an emergency provision effective October 19, 1994 (21:23 Md. R. 1929); original emergency text superseded and Regulation .13 amended as an emergency provision effective February 3, 1995 (22:4 Md. R. 231); emergency text superseded and Regulation .13 amended as an emergency provision effective March 31, 1995 (22:8 Md. R. 594); emergency status extended at 22:21 Md. R. 1613

1995 February	.08.02.05.13 amended as an emergency provision effective February 3, 1995 (22:4 Md. R. 231), the original emergency text is superseded, to modify the commercial seasons. Except for trawl nets, the open commercial seasons of Maryland’s waters of the Atlantic Ocean for gill nets and other gears is April 1 through April 31 and October 1 through 25; and the open commercial season for trawl nets is October 18 through November 30. Also it amends so that a commercial tidal fish licensee may not catch or possess weakfish using a trawl net from the
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Maryland waters of the Atlantic Ocean on Saturday or Sunday. The amendment removes spotted trout from this same obligation.

NOTE

February 1995 Regulations were Emergency Regulations Instead of Finalized N & C Regulations.

Emergency text superseded and Regulation .13 amended as an emergency provision effective March 31, 1995 (22:8 Md. R. 594); emergency status extended at 22:21 Md. R. 1613

1995 March

.08.02.05.13 is amended to modify the minimum size from 12 inches in total length to 14 inches in total length for a recreational angler and 12 inches in total length for a person licensed to catch fish for commercial purposes. The seasons were also amended to create seasons by gear. The open commercial season for gill nets and other gears in the Maryland waters of the Atlantic Ocean and its tidal tributaries, except for trawl nets, is amended to April 1 through April 30, and October 1 and October 25. The open season for trawl nets in the Maryland waters of the Atlantic Ocean and its tidal tributaries, was amended to October 18 through November 30. For Maryland's waters of the Chesapeake Bay and its tidal tributaries, the open season for all gear types was amended to August 9 through September 30. Also, the prohibitions and limitations on fishing was amended so that *a commercial tidal fish licensee using a trawl net may not catch or possess weakfish from Maryland's waters of the Atlantic Ocean, its coastal bays and their tributaries on Saturday or Sunday.*

NOTE

March 1995 emergency text superseded and Regulation .13 amended as an emergency provision effective March 31, 1995 and expires September 30, 1995. 22:8 Md. 594; the emergency status extended at 22:21 Md. R. 1613.

1995 June

.08.02.05.13 amended to modify the trawl mesh from 3 inches to 3 ¼ inch square or 3 ¾ inch diamond stretch mesh size; as well as modify the gill net from 3 inches of mesh size to 3 1/8 inches. These amendments are necessary to comply with the Atlantic States Marine Fisheries Commission recommendations in order to reduce fishing mortality.

***NOTE

June 1995 Regulations were Emergency Regulations
Instead of Finalized N&C Regulations.

1995 October

.08.02.05.13 amended to modify the open commercial season. For Maryland's waters of the Atlantic Ocean, except for trawl nets, the open season is April 1 through April 31 and October 1 through October 30; and for trawl nets is October 18 through November 30. Also, for all of Maryland's waters of the Chesapeake Bay, for all gear types, the commercial season is August 9 through September 30. Also it was amended so that a commercial tidal fish licensee may not catch or possess weakfish using a trawl net from the Maryland waters of the Atlantic Ocean on Saturday or Sunday. The amendment removes spotted trout from this same obligation.

Regulation .13 amended effective February 26, 1996 (23:4 Md. R. 272)

1996 February

.08.02.05.13C amended to change the size of mesh used by a trawl from 3 inches to 3 3/8 inches square or 3 3/4 inches diamond stretch mesh. Also, it was modified to change the spelling of sea trout from "seatrout" to "sea trout."

.08.02.05.13D amended to modify the seasons.

Seasons. Except during one of the following open seasons, a commercial tidal fish licensee may not catch, possess while on the water, or land weakfish:

(1) For Maryland's waters of the Atlantic Ocean, its coastal bays and their tributaries

- a. Except for trawl nets, the open commercial season for gill nets and other gear is April 1 through April 30 and October 1 through October 25, and*
- b. Except for the limitation in §E of this regulation, the open commercial season for trawl nets is October 18 through November 30;*

(2) For Maryland's waters of the Chesapeake Bay and its tributaries, the open commercial season for all gear types is August 9 through September 30.

.08.02.05.13E was modified to insert prohibitions and limitations on fishing.

E. Prohibitions and Limitations on Fishing. A commercial tidal fish licensee using a trawl net may not catch or possess weakfish from Maryland's waters of the Atlantic Ocean, its coastal bays and their tributaries on Saturday or Sunday.

23:4 Md. R. 272

Regulation .13C amended as an emergency provision effective November 1, 1996 (23:24 Md. R. 1675); emergency status expired January 1, 1997)

1996 November

.08.02.05.13C amended to maintain emergency status, so that a trawl less than 3 ¾ inches diamond stretch mesh at least 75 continuous meshes forward of the terminus of the net is not used; and for nets with cod ends of less than 75 meshes, the minimum size is over 1/3 of the net, measuring from the cod end to the head rope, and excluding any excluder device extension.

Regulation .13B, C, D amended as an emergency provision effective June 6, 1997 (24:13 Md. R. 926); amended permanently effective September 8, 1997 (24:18 Md. R. 1295)

1997 June

.08.02.05.13 amended to allow commercial fisherman to retain up to 150 pounds per day of weakfish caught incidentally in trawls, gill nets, pound nets or haul seines while targeting other species. The size of gill nets with stretch mesh was also reduced to 3 inches from 3 1/8 inches.

.13 Weakfish and Spotted Sea Trout

A. (text unchanged)

B. Catch Limits

(1) *Recreational*. Except for a person licensed to catch finfish for sale, a person may not catch or possess more than ten weakfish and ten spotted sea trout per day.

(2) *Commercial*. Except during an open season specified in §D of this regulation and while using trawls, gill nets, pound nets, or haul seines, a commercial tidal fish licensee may not catch, possess or land more than 150 pounds of weakfish per day.

C. Net Mesh Size Restrictions

(1) (text unchanged)

(2) Gill Nets. A person may not use a gill net with stretch mesh size less than 3 inches to catch weakfish or spotted sea trout.

D. Seasons. Except during one of the following open seasons *or as permitted in §B(2) of this regulation*, a commercial tidal fish licensee may not catch, possess while on the water, or land weakfish.

NOTE

June 1997 Regulations were Emergency Regulations Instead of Finalized N & C regulations. The emergency regulations were made permanent effective September 8, 1997. (24:18 Md. R. 1295).

Regulation .13D, E amended as an emergency provision effective October 10, 1997 (24:22 Md. R. 1549); amended permanently effective April 6, 1998 (25:7 Md. R. 526)

1997 October 24:22 Md. R. 1675

NOTE

October 1997 Regulations were Emergency Regulations Instead of Finalized N & C regulations. The emergency regulations were made permanent effective April 6, 1998.

Regulation .13D, E amended as an emergency provision effective October 10, 1997 (24:22 Md. R. 1549); amended permanently effective April 6, 1998 (25:7 Md. R. 526)

1998 April .08.02.05.13 amended to change the open commercial season for trawl nets from October 18 through November 30 to October 13 to December 10. Also modified to allow the Secretary to modify a season by publishing notice at least 48 hours in advance; and that when doing so, the Secretary will make a reasonable effort to disseminate public notice through various other types of media.

Regulation .13A, B amended as an emergency provision effective June 9, 2003 (30:13 Md. R. 850); amended permanently effective August 18, 2003 (30:16 Md. R. 1073)

2003 June .08.02.05.13(A), (B) amended

NOTE

June 2003 Regulations were Emergency Regulations Instead of Finalized N & C regulations. The emergency regulations were amended permanently effective August 18, 2003. See below.

Regulation .13A, B amended as an emergency provision effective June 9, 2003 (30:13 Md. R. 850); amended permanently effective August 18, 2003 (30:16 Md. R. 1073)

2003 August	.08.02.05.13 amended to change the minimum recreational size from 14 inches to 13 inches. The recreational catch limit was modified from 10 weakfish to 8 weakfish.
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2005 February	.08.02.05.13 amended to change season to “open or close season,” also added the phrase ‘State waters’ to the limitation.
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Regulation .13B amended effective October 8, 2007 (34:20 Md. R. 1736)

2007 October	.08.02.05.13 amended to change the catch/possess limit from 8 to 6 weakfish per day. 34.20 Md. R. 1736.
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Regulation .13 amended as an emergency provision effective April 9, 2010 (37:10 Md. R. 718); amended permanently effective June 28, 2010 (37:13 Md. R. 851)

2010 April	.08.02.05.13 amended
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NOTE

April 2010 Regulations were Emergency Regulations Instead of Finalized N & C regulations. The emergency regulations were amended permanently effective April 10, 2010. 37:10 Md. R. 718.