

**April 4, 2021**

**Supplement to  
POTOMAC RIVER FISHERIES COMMISSION BOOK  
OF REGULATIONS**

This supplement should be inserted inside the back cover of the November 12, 2018 edition of the Potomac River Fisheries Commission Regulations and should be consulted before referring to any law to determine whether there are updates or changes.

I hereby certify that the enclosed Regulations were adopted by the Potomac River Fisheries Commission and are effective for the dates shown thereon.

ATTEST:

\_\_\_\_\_  
Martin L. Gary, Executive Secretary

\_\_\_\_\_  
Date

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**Regulation I, Sec. 2(d)(5) Crab Pot ID Tags/Decals Fee and Replacement -**  
*(effective 12.1.2021)*

- i) The fee for crab pot ID tags/decals shall be \$75.00 per crab pot license. The fee shall be paid at the time of Crab Pot License renewal/issue. Any crabber renewing their Crab Pot License after January 31, during the grace period through April 30, shall pay a \$25.00 administrative fee plus the \$75.00 crab pot ID decal fee at least 45 days prior to receiving their ID tags/decals. ID tags/decals will be available for pick up at the Commission office, or can be shipped to the crabber for the established shipping and handling charge.
- ii) Replacement ID tags/decals – The original number of ID tags/decals issued will be the lawful number of pots that can be set plus 5 percent as replacement ID tags/decals. Replacement ID tags/decals in excess of the original number issued may be purchased for \$1.00 each up to an additional 5 percent. Any further request for replacements must be accompanied by an incident report on forms supplied by the Commission. The Commission may, after review of the incident report, either grant or refuse to honor such request.
- iii) In the event of a river wide or defined area weather event, the Commission, by Order, may suspend the crab pot ID tags/decals requirement for such period of time(s) or area(s) as it determines.

**Regulation I, Sec. 2(l)(1) Fish Trot Line -** *(effective 4.4.2021)*

For each natural person using conventional or modified fish trot line(s), a license fee of \$50.00 per fish trot line. Each single fish trot line shall not exceed 1,200 feet in overall length. A conventional fish trot line is hereby defined as a series of hooks (i.e. two or more) connected by means of a single line not exceeding 1,200 feet in overall length, identified with at least one buoy attached to the connecting line. A modified fish trot line is hereby defined as a group of no more than 100 hooks individually buoyed and weighted and set or placed in a close proximity one to the next in a single row. Both the conventional and modified fish trot lines shall be constructed and set in such a manner that the hook(s) shall be suspended at a minimum depth of 10 feet MLW from the surface of the water, and in waters less than 10 feet MLW the hook(s) shall not be suspended above the river bottom.

**Regulation I, Sec. 2(m)(1) License Required -** *(effective 4.4.2021)*

No natural person may take or catch fish, eels, or bait, with fish, eel or bait pot(s) without first obtaining a license therefore. Whenever said pot(s) are being fished, the licensee must be aboard the boat or vessel.

**Regulation I, Sec. 2(m)(2) License Fees - (effective 4.4.2021)**

Any natural person desiring to take or catch:

- (i) fish with fish pot(s), a license fee of \$65.00.
- (ii) eels with eel pot(s), a license fee of \$95.00.
- (iii) bait with bait pot(s), a license fee of \$65.00.

**Regulation I, Sec. 4(a) Notice and Hearing - (effective 4.4.2021)**

The Potomac River Fisheries Commission (Commission) after twenty (20) days' notice to any natural person or person as defined in these regulations holding a license issued by it, may after a hearing, suspend or revoke such license. The Commission may, after a hearing, refuse to issue a license or licenses, or, may suspend or revoke existing license(s) to any natural person or person: (i) who is a violator of the Regulations of the Commission or of the applicable laws regulating the taking, catching, and marketing of seafood on the Potomac River; or (ii) who has failed to file any report required by the Regulations of the Commission; or (iii) who has failed to comply with a seafood catch audit notice; or (iv) who has had any license to commercially take finfish, crabs, oysters, clams, or other shellfish (herein "seafood") either restricted, suspended or revoked in the jurisdictions controlled by the Virginia Marine Resources Commission or the Maryland Department of Natural Resources. The period of ineligibility under Section 4(a)(iv) shall continue until such offender provides adequate proof that the offender's reinstatement to take seafood has been restored by the Maryland Department of Natural Resources and/or by the Virginia Marine Resources Commission or any other foreign jurisdiction who restricted, revoked or suspended the offender's commercial license; and such offender appears before the Potomac River Fisheries Commission and the Commission has made a determination that a new license may be issued, or, a suspended or revoked license may be restored to such person.

**Regulation III, Sec. 10(b) Striped Bass Tagging - (effective 4.4.2021)**

Each commercially caught striped bass must be individually identified with a striped bass identification tag provided by the Potomac River Fisheries Commission. Said tags must be applied as soon as feasible and in no event shall any commercially caught striped bass be removed from the Potomac River or from the boat at the point of landing, whichever occurs first, without said tag being permanently affixed. Except as provided by PRFC Policy – Striped Bass Hook & Line Tag Exchange Program, the tags shall be issued to a licensee and they cannot be transferred or sold, nor otherwise used by anyone except that licensee. In the event the licensee is not a natural person, only the entity's authorized user, who must be a natural person, can use the tags and his name must be on file with the Commission. Subject to the terms of Regulation I, Section 1(e), tags returned with a surrendered license may be reissued with any resultant new license. All unused

tags must be returned to the Commission after each respective fishing season. Each licensee's reports will be audited by staff at the end of the fishing season and a penalty, for unreturned and/or unaccounted striped bass tags, will be applied to the following season's tag allocation on a one-for-one tag basis. In addition, a processing fee of \$25.00 shall be charged for research and/or verification of submitted reports. Audit results may be appealed to the Commission. The words "as soon as feasible" as used herein shall mean for the: i) Commercial Hook and Line Fishery - as soon as the fish is taken and before it is put into the cooler or storage area; ii) Pound Net Fishery - as soon as the fish are taken and before the boat leaves the net site; and iii) Gill Net Fishery - as soon as each separate piece of net is fished and before the boat leaves the net site.

**Regulation III, Section 11(b) Method of Measurement - (effective 4.4.2021)**

Measurement shall be as total length. Total length means the length of a fish measured from the most forward projection of the snout, with the mouth closed, to the tip of the longer lobe of the tail (caudal) fin, (excluding the tail filament of a black sea bass) measured with the tail compressed along the midline, using a straight-line measure, not measured over the curve of the body.

**Regulation III, Sec. 13(d) Individual Striped Bass Allocation Transfer from Gill Net to Commercial Hook and Line - (effective 11.1.2021)**

Any person meeting the qualifying conditions listed below may surrender one gill net license for the purpose of being able to obtain a commercial hook and line license and take his striped bass allocation with that gear. To qualify a person must:

1. Have a valid Potomac River gill net license, with no outstanding harvest reports or outstanding striped bass ID tags;
2. Must declare his/her intent during the gill net license renewal period (Nov. 1 – Jan. 31) and before renewing his/her gill net license;
3. Surrender the gill net license and its associated rights and privileges; and
4. Purchase a commercial hook and line license, valid for the next year, at next year's license fee plus a transfer fee of \$50.00.

Any hook and line license obtained in this manner will carry all rights and privileges associated with such license. Any gill net license surrendered under this option will thereafter remain as a hook and line license; thereby, permanently reallocating striped bass identification tags from the gill net fishery to the hook and line fishery, increasing the hook and line quota and increasing the maximum number of licenses within that limited entry fishery and reducing the gill net quota and the maximum number of gill net licenses available within that limited entry fishery in the Potomac, as provided in the appropriate Commission Order pertaining to commercial hook and line and gill net limited entry.

Any hook and line license obtained from a transfer of a gill net license, that occurred prior to January 31, 2021, will be renewed as a commercial hook and line license at the commercial hook and line license fee.

**Regulation VIII, Sec. 1(a) OMR Program Established** - *(effective 4.4.2021)*

The Commission hereby establishes this Regulation with provisions that are designed for and apply only to the Potomac River Oyster Management Reserve Program . . .

**Regulation VIII, Sec. 1(b) OMR Program Dissolution** - *(effective 4.4.2021)*

The Commission hereby establishes the provisions for dissolution of the OMR Program when at least 90 percent of the eligible OMR participants (those participants who possess a valid OMR License and have paid the Planting Surcharge fee for the current year) vote to do so, and send their recommendation for dissolution to the Commission. The provisions for dissolution include the following:

1. The OMR Areas shall be opened for harvest for 30 days, dates to be set by the Commission, once the Commission has received the recommendation for dissolution from at least 90 percent of the eligible participants;
2. All eligible OMR participants shall be allowed to harvest oysters during those 30 days, and all harvest reports must be submitted and all oyster taxes must be paid;
3. Any unused OMR Area identification tags may be returned by eligible participants for a refund, prior to the distribution of the OMR funds;
4. The Commission will be refunded from the OMR funds, for the OMR Area identification tags that the Commission purchased and were not issued to OMR participants;
5. When the 30-day harvest period is completed, and all of the harvest reports and oyster taxes have been received, any OMR funds in the bank shall be divided equally among the eligible OMR participants (as described above);
6. At the next regularly scheduled Commission meeting, all OMR Areas will no longer be designated as OMR Areas and will be reopened for public harvest during the next oyster harvest season.