

**HB0512\_DNR\_SUP\_ENT\_2-16-24.pdf**

Uploaded by: Kristen Fidler

Position: FAV



Wes Moore, Governor  
Aruna Miller, Lt. Governor  
Josh Kurtz, Secretary  
David Goshorn, Deputy Secretary

February 16, 2024

**BILL NUMBER: House Bill 512 – First Reader**

**SHORT TITLE: Natural Resources - Fish and Fisheries - Reporting Requirements**

**DEPARTMENT’S POSITION: SUPPORT**

**EXPLANATION OF DEPARTMENT’S POSITION**

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The Department supports this legislation. This legislation will give the Department the authority to transition to electronic reporting on a fishery-wide basis. Since 2012, the Department has piloted programs in coordination with watermen to test electronic reporting through a system called FACTS. Since 2012, the agency continues to add additional electronic reporting pilot programs for various fisheries and at this time believes this method of reporting is effective and should begin to be incorporated fishery wide. This law change would not immediately require commercial fishing operations to use electronic reporting. It would enable DNR to expand the current system beyond the initial pilot programs, establishing them through the regulatory process, which would include multiple opportunities for affected parties to participate in the development of those rules.

DNR started piloting the FACTS electronic reporting system in 2012 for blue crab harvesters, but has since expanded to include finfish harvesters (including striped bass), charter captains, and shellfish harvesters. The software enables commercial fishermen to report their harvest in real-time online or over the phone through a 24-hour call center. This system provides an accountable harvest reporting system that benefits both fisheries managers and the industry. From January - December 2023 there were a total of 35,442 trips reported by FACTS participants.

Accountable harvest reporting enables DNR scientists and fisheries managers to more accurately evaluate fishing patterns to better understand overall fishing effort; an important variable, along with mortality and population, involved in making sustainable fisheries management decisions. This critical information helps the Department to make more timely and informed management decisions based on a more complete picture of harvest data.

Incomplete reports and the absence of information limits the Department’s ability to manage fisheries for maximum sustainable harvest. This ultimately hurts the commercial fishery as agency managers subsequently must err on the side of conservation, when instead there may be instances that warrant additional harvest in a sustainable manner; however, without complete data, fisheries managers are unable to confirm the impacts of that action.

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**BACKGROUND INFORMATION**

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No similar bills have been proposed previously.

**BILL EXPLANATION**

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The bill would add regulatory authority for the agency related to commercial reporting.

**HB 512 - CBF - FAV.pdf**

Uploaded by: Matt Stegman

Position: FAV



# CHESAPEAKE BAY FOUNDATION

Environmental Protection and Restoration  
Environmental Education

## House Bill 512

Natural Resources – Fish and Fisheries – Reporting Requirements

Date: February 16, 2024

To: House Environment & Transportation Committee

Position: **Favorable**

From: Allison Colden

MD Executive Director

Chesapeake Bay Foundation (CBF) **SUPPORTS** House Bill 512 which provides the Department of Natural Resources the flexibility to require harvest reporting for fish and fisheries according to regulations developed by DNR, rather than via paper forms. This commonsense legislation continues recent efforts to modernize and streamline agency processes while providing multiple options for fishery participants to comply with reporting regulations.

Timely and accurate data is critical to the responsible and sustainable management of Maryland's natural resources, particularly its fisheries. Fisheries-dependent data, including harvest reports, dealer buy tickets, and daily trip logs, are a crucial component of fisheries stock assessments at the state level and those conducted by other management bodies, including the Atlantic States Marine Fisheries Commission.

Currently, many fisheries report via paper forms which are mailed to the Department or turned in at service centers throughout the state. These paper forms must then be entered manually into databases, which can often take months to complete and require close quality control checks to ensure data is entered correctly. Lost or missing paper reports further lengthen the timeline. Paper reporting also limits the management approaches the Department can employ, as in-season changes based on harvest data are not possible, limiting DNR's flexibility and adaptability during the fishing season.

DNR does not have any mandatory requirements for electronic harvest reporting. However, the IT infrastructure for electronic reporting does already exist as voluntary electronic reporting programs that included greater flexibility, higher catch limits or other inducements have been in place for several years. Comments from watermen and charter boat captains at various public meetings have indicated strong support for more flexible reporting approaches from those who have used these systems.

HB 512 would provide DNR the ability to explore options for harvest reporting and provide flexibility to watermen and fishermen who prefer alternatives to paper reporting. It also can provide more accurate and timely data with fewer opportunities for human error and is a critical next step in updating and modernizing Maryland's fisheries management.

**CBF urges the Committee's FAVORABLE report on HB 512.**

For more information, please contact Matt Stegman, Maryland Staff Attorney, at [mstegman@cbf.org](mailto:mstegman@cbf.org).

Maryland Office • Philip Merrill Environmental Center • 6 Herndon Avenue • Annapolis • Maryland • 21403

# **HB512\_Unfavorable-Lacking Transparency 2023.pdf**

Uploaded by: Rachel Dean

Position: UNF

HB 512

Environment and Transportation Committee

My name is Rachel Dean. I serve as the Secretary for the Calvert County Watermen's Association, and I own Patuxent River Seafood. We are harvesters and dealers of seafood.

House Bill 512 is not transparent; it does not allow for full consideration. The bill gives the Department of Natural Resources the authority to mandate that seafood dealers, packers, and harvesters submit reports electronically, but it never uses the words electronic reporting. Consider the language of the bill. It removes the word "forms" (paper copies) and replaces it with "in accordance with regulations adopted by the Secretary." Why remove the word "form" in the law? Why is the change necessary? It is not, and the intention of "in accordance with the regulations adopted by the Secretary" is not clear. I can only assume its intention is to give the Department of Natural Resources the authority to mandate electronic reporting while circumventing the opportunity for stakeholders to weigh in.

Reporting electronically is cumbersome for harvesters who are not connected to electronic devices throughout the course of their workday. Harvester's jobs do not put them behind a computer. Water and electronics do not mix. Further, cellular service is spotty at best in most areas of the lower Bay and even areas near Baltimore. Harvesters will be unfairly penalized if they are cited for not electronically reporting.

If the Department wants 100% reporting compliance—a lofty goal in any profession—electronic reporting mandates will not accomplish that "goal." It *will* make the Department's job easier (no data entry)—while putting an unneeded burden on packers, dealers, and harvesters. Even the IRS still accepts paper filings.

Please give an unfavorable report on this bill—citing lack of transparency in the language of the bill that would allow for full consideration of the possible hardships for dealers, packers, and harvesters.