

# Title 08 DEPARTMENT OF NATURAL RESOURCES

## Subtitle 02 FISHERIES SERVICE

### 08.02.01 General

Authority: Natural Resources Article, §4-215, Annotated Code of Maryland

#### Notice of Proposed Action

[16-157-P-I]

The Secretary of Natural Resources proposes to amend Regulation .01 under **COMAR 08.02.01 General**.

#### Statement of Purpose

The purpose of this action is to add Amendment 1 to the Chesapeake Bay American Eel Fishery Management Plan and incorporate the amendment by reference.

The action amends the 1991 Chesapeake Bay American Eel Fishery Management Plan (FMP) to include a provision that recognizes the Atlantic States Marine Fisheries Commission's (ASMFC) management measures and ensures flexibility when regulatory requirements change. Amendment 1 includes a provision for the adoption of current and future management requirements established by ASMFC, an update of the current status of the eel resource, and a framework for managing and monitoring the eel fishery. The Fisheries Service's Plan Review Team reviewed the plan in 2014 and recommended that the 1991 American Eel FMP be amended to include a provision that recognizes ASMFC and ensures management flexibility when regulatory requirements change.

#### Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

#### Estimate of Economic Impact

The proposed action has no economic impact.

#### Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

#### Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

#### Opportunity for Public Comment

Comments may be sent to American Eel Fishery Management Plan Amendment, Regulatory Staff, Department of Natural Resources, Fisheries Service, 580 Taylor Ave., B-2, Annapolis, MD 21401, or call 410-260-8300, or email to fisheriespubliccomment.dnr@maryland.gov, or fax to 410-260-8310. Comments will be accepted through July 25, 2016. A public hearing has not been scheduled.

#### Editor's Note on Incorporation by Reference

Pursuant to State Government Article, §7-207, Annotated Code of Maryland, Amendment 1 to the 1991 Chesapeake Bay American Eel Fishery Management Plan has been declared a document generally available to the public and appropriate for incorporation by reference. For this reason, it will not be printed in the Maryland Register or the Code of Maryland Regulations (COMAR). Copies of this document are filed in special public depositories located throughout the State. A list of these depositories was published in 43:1 Md. R. 10 (January 8, 2016), and is available online at [www.dsd.state.md.us](http://www.dsd.state.md.us). The document may also be inspected at the office of the Division of State Documents, 16 Francis Street, Annapolis, Maryland 21401.

### .01 Fishery Management Plans.

A. The following Chesapeake Bay Program Agreement Commitment Reports (Fishery Management Plans) are adopted and incorporated by reference:

(1)—(8) (text unchanged)

(9) Chesapeake Bay American Eel Fishery Management Plan (December 1991) and *Amendment 1 to the 1991 Chesapeake Bay American Eel Fishery Management Plan*;

(10)—(15) (text unchanged)

B.—C. (text unchanged)

MARK J. BELTON

Secretary of Natural Resources

## Subtitle 02 FISHERIES SERVICE

### 08.02.01 General

Authority: Natural Resources Article, §4-701, Annotated Code of Maryland

#### Notice of Proposed Action

[16-158-P]

The Secretary of Natural Resources proposes to amend Regulation .02 under **COMAR 08.02.01 General**.

#### Statement of Purpose

The purpose of this action is to remove the fee for a replacement license and clarify the identification requirements for commercial vessels and vehicles. Specifically, the proposed action removes the replacement license provision. The Department has not charged a replacement license fee for approximately 2 years because the COMPASS licensing system allows any licensee to print a license at any time without additional charges.

In Regulation .02, it is unclear if the rules about the display of identification numbers apply to commercial gear as well as vehicles, vessels, and places of business. The regulation is not intended for gear marking since placing a 4-inch number on most gear is difficult or impossible. Other regulations specify how gear is to be marked. The size requirement should apply only to vessels and vehicles. The proposed action clarifies the display of identification number for commercial vessels and vehicles and changes the minimum height requirement from 4 inches to 3 inches. Three-inch numbers are the standard size sold in stores as well as the standard used by the industry.

#### Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

#### Estimate of Economic Impact

The proposed action has no economic impact.

#### Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

#### Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

#### Opportunity for Public Comment

Comments may be sent to Commercial License Regulations, Regulatory Staff, Department of Natural Resources, Fisheries Service B-2, 580 Taylor Avenue, Annapolis, MD 21401, or call 410-260-8300, or email to [fisheriespubliccomment.dnr@maryland.gov](mailto:fisheriespubliccomment.dnr@maryland.gov), or fax to 410-260-8310. Comments will be accepted through July 25, 2016. A public hearing has not been scheduled.

### .02 General Commercial License Requirements.

A. (text unchanged)