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# Maryland Register

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## IN THIS ISSUE

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Pursuant to State Government Article, §7-206, Annotated Code of Maryland, this issue contains all previously unpublished documents required to be published, and filed on or before May 23, 2016, 5 p.m.

Pursuant to State Government Article, §7-206, Annotated Code of Maryland, I hereby certify that this issue contains all documents required to be codified as of May 23, 2016.

Brian Morris  
Administrator, Division of State Documents  
Office of the Secretary of State





**B. Terms Defined.**

(1) (text unchanged)

(2) "Hunted area" means *Allegany County, Frederick County, Garrett County, and [Allegany] Washington County.*

(3) — (6) (text unchanged)

C. — D. (text unchanged)

E. A subpermittee may *continue to* hunt black bears [only] when the permittee is *not* hunting black bears.

F. — I. (text unchanged)

J. [All black bears shall be field dressed at the kill site.] Proof of sex shall remain attached to [the] *all field-dressed bear [carcass] carcasses.*

K. — O. (text unchanged)

**.22 Cervid Carcass and Part Importation.**

A. In this regulation, the following terms have the meanings indicated.

**B. Terms Defined.**

(1) — (2) (text unchanged)

[(3) Bait.

(a) "Bait" means fruit, vegetables, nuts, hay, corn, wheat, other feed, salt, or other mineral-based attractant placed, exposed, deposited, distributed or scattered so as to constitute an attraction or enticement to forest game birds or mammals.

(b) "Bait" does not include standing crops or where fruit, vegetables, nuts, hay, corn, wheat, other feed, salt or other minerals have been scattered solely as the result of bona fide agricultural operations or procedures such as planting, harvesting or livestock care.

(4) Baited Area.

(a) "Baited area" means any area where fruit, vegetables, nuts, hay, corn, wheat, other feed, salt, or other mineral-based attractant capable of luring, attracting or enticing forest game birds or mammals is directly or indirectly placed, exposed, deposited, distributed or scattered.

(b) "Baited area" does not include areas containing standing crops or where fruit, vegetables, nuts, hay, corn, wheat, other feed, salt or other minerals have been scattered solely as the result of bona fide agricultural operations or procedures such as planting, harvesting or livestock care.]

[(5)] (3) — [(8)](6) (text unchanged)

C. (text unchanged)

D. Importation, Transportation, and Possession Prohibited. Except as provided in §§E [and], G, and H of this regulation, a person may not import, transport, or possess a part of a dead cervid from a CWD positive area or a CWD management area.

E. — G (text unchanged)

H. [Prohibition on Feeding and Baiting Forest Game Birds and Mammals Within a CWD Management Area.] *A person may import and possess any part of a dead cervid from a CWD positive area or CWD management area out of the State, if within 24 hours of entering the State the dead cervid's final disposition is within a Maryland CWD management area or to a Department-approved CWD processor or taxidermist.*

[(1) A person may not place, expose, deposit, distribute, or scatter bait or cause bait to be placed, exposed, deposited, distributed, or scattered within a CWD management area.

(2) A person may not hunt, shoot, kill, or attempt to hunt, shoot or kill forest game birds or mammals by the aid of bait or over a baited area within a CWD management area.]

MARK J. BELTON  
Secretary of Natural Resources

**Subtitle 03 WILDLIFE**

**08.03.10 General Wildlife Hunting Regulations**

Authority: Natural Resources Article, §10-205, Annotated Code of Maryland

**Notice of Proposed Action**  
[16-137-P]

The Secretary of Natural Resources proposes to amend Regulation .02 under COMAR 08.03.10 General Wildlife Hunting Regulations.

**Statement of Purpose**

The purpose of this action is to allow the use of electronic bird or animal calls while a person is hunting striped skunks or fishers during the open hunting season for these species. Allowing this change would not create any biological concern or management issue for these game mammals.

**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 Peter Jayne, Associate Director, Wildlife and Heritage Services, Department of Natural Resources, P.O. Box 68, Wye Mills, MD 21679, or call 410-827-8612, or email to [peter.jayne@maryland.gov](mailto:peter.jayne@maryland.gov), or fax to 410-827-5186. Comments will be accepted through July 11, 2016. A public hearing has not been scheduled.

**.02 Recorded Bird or Animal Calls.**

A. Except as provided in §B of this regulation, an individual, or two or more individuals together, may not hunt or attempt to hunt game birds or mammals, except foxes, coyote, raccoon, opossum, striped skunk, fisher, and crows, with the aid of or possession of:

(1) — (3) (text unchanged)

B. (text unchanged)

MARK J. BELTON  
Secretary of Natural Resources

**Subtitle 07 FORESTS AND PARKS**

**08.07.03 Forest Management Programs**

Authority: Natural Resources Article, §§5-209(a), 5-210, 5-219, and 5-410; Tax Property Article, §8-211(p); Annotated Code of Maryland

**Notice of Proposed Action**  
[16-132-P]

The Department of Natural Resources proposes to amend Regulations .01— .04 under COMAR 08.07.03 Forest Management Programs.

**Statement of Purpose**

The purpose of this action is to update the references to the State agency.

**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 Marian Honecny, Supervisor, Urban & Community Forestry, Maryland Forest Service, 580 Taylor Ave E-1, Annapolis, MD 21401, or call 410-260-8511, or email to marian.honecny@maryland.gov, or fax to 410-260-8595. Comments will be accepted through July 11, 2016. A public hearing has not been scheduled.

**.01 Definitions.**

A. (text unchanged)

B. Terms Defined.

(1) (text unchanged)

(2) "Department" means the Department of Natural Resources — Forest Service.

(2) (3) "Forest Conservation and Management Agreement" means an agreement between the Department [of Natural Resources — Forest Service] and a woodland owner of 5 or more contiguous acres which sets the conditions by which a woodland owner may enter and remain in the management program.

(3) (4) (text unchanged)

(5) "Secretary" means Secretary of the Department of Natural Resources.

**.02 Planting and Sale of Trees and Seedlings at the Maryland Forest Tree Nursery.**

A. Limitation. The Department [of Natural Resources — Forest Service] may sell trees and seedlings produced at the Maryland Forest Tree Nursery only for conservation purposes.

B. Requirements.

(1) A representative of the Department [of Natural Resources — Forest Service] shall develop a tree-planting plan and examine the planting site of trees planted for conservation purposes.

(2) — (3) (text unchanged)

(4) All trees for roadside planting shall be planted on public road rights-of-way or other public lands. A tree-planting plan shall be developed by a representative of the Department [of Natural Resources — Forest Service] before the trees are allocated.

(5) A report of the planting shall be furnished by the planter when requested by the Department [of Natural Resources — Forest Service].

(6) — (7) (text unchanged)

**.03 Charges for Administering the Forest Conservation and Management Program.**

A. — D. (text unchanged)

E. Charges for Inspections. A Forest Conservation and Management Agreement shall contain a provision which requires that inspections to determine compliance with the Agreement shall be made at least once every 5 years by a representative of the Department [of Natural Resources — Forest Service]. Failure to allow an inspection by the Department [of Natural Resources — Forest Service] to be conducted or to reimburse the Department [of Natural Resources — Forest Service] for costs shall invalidate the Agreement, and result in a reassessment.

**.04 Income Tax Treatment of Reforestation and Timber Stand Improvement.**

A. — D. (text unchanged)

E. Initial Certification.

(1) (text unchanged)

(2) Certification shall be recorded on forms supplied by the Department [of Natural Resources] and:

(a) — (b) (text unchanged)

(3) Copies of the initial certification forms shall be distributed as follows:

(a) Department [of Natural Resources] — original;

(b) — (c) (text unchanged)

(4) (text unchanged)

F. Final Certification.

(1) The taxpayer shall request final certification by a representative of the Department [of Natural Resources] within 2 years of initial certification.

(2) — (5) (text unchanged)

(6) Final certification shall:

(a) Be recorded on forms prepared by the Department [of Natural Resources] by a representative of the Department indicating all pertinent information relating to the ownership, practice, completion date, cost, participation in federal cost sharing programs; and

(b) (text unchanged)

(7) Copies of the final certification report forms shall be distributed as follows:

(a) Department [of Natural Resources] — original;

(b) — (c) (text unchanged)

(8) (text unchanged)

G. Decertification.

(1) A practice will be decertified if:

(a) (text unchanged)

(b) The taxpayer fails to submit a plan to the Department [of Natural Resources] for continuation of the project.

(2) — (3) (text unchanged)

(4) Decertification will:

(a) Be recorded on forms provided by the Department [of Natural Resources] by a representative of the Department;

(b) — (c) (text unchanged)

(5) Copies of the decertification report shall be distributed as follows:

(a) Department [of Natural Resources] — original;

(b) — (c) (text unchanged)

(6) (text unchanged)

H. Inspection. The Department [of Natural Resources] shall review those projects receiving final certification at intervals of not more than 5 years, for a period of 15 years after the date of final certification to insure continuation of the project as specified by law.

MARK J. BELTON  
Secretary of Natural Resources