

## PROPOSED ACTION ON REGULATIONS

68

(b) In addition to the requirements in §§B(1) and (2) of this regulation, when using fish, crabs, or worms as bait, or processed bait, shall only use a:

(i) Circle hook; or

(ii) "J" hook with a gap of less than or equal to 1/2 inch between the point and the shank.]

[5)] (4) (text unchanged)

C.—D. (text unchanged)

E. Active Line Fishing Gear.

(1)—(4) (text unchanged)

(5) During the period March 1 through [March 31] *May 15*, no more than six lines, regardless of the number of people on board a vessel, may be used for recreationally angling from a boat when trolling in the Chesapeake Bay or its tidal tributaries.

[6) During the period April 1 through May 15, a person recreationally angling in the Chesapeake Bay or its tidal tributaries may not attempt to catch fish by trolling.]

F.—I. (text unchanged)

JOSH KURTZ

Secretary of Natural Resources

### 08.02.08 Shellfish—General

Authority: Natural Resources Article, §§4-743 and 4-11A-13, Annotated Code of Maryland

#### Notice of Proposed Action

[25-278-P]

The Secretary of Natural Resources proposes to amend Regulation .01 under **COMAR 08.02.08 Shellfish-General**.

#### Statement of Purpose

The purpose of this action is to update the definition of shellfish to reflect a change made by the Maryland General Assembly in the 2024 Legislative Session (2024 Md. Laws, Chap. 114). Specifically, the proposed action removes the list of species and their shells from the definition and replaces the list with the phrase "live bivalves and bivalve shells."

The regulation requires an individual to obtain a permit prior to importing shellfish. Updating the definition to mean live bivalves and bivalve shells ensures that any imported shellfish or shells, regardless of the species, are free of pathogens and will not endanger shellfish in Maryland. It also reduces confusion regarding when an import permit is required.

#### 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 Shellfish-General (Definitions) Regulations, Regulatory Staff, Maryland Department of Natural Resources, Fishing and Boating Services, 580 Taylor Avenue, E-4, Annapolis, MD 21401, or call 410-260-8300, or email to [fisheriespubliccomment.dnr@maryland.gov](mailto:fisheriespubliccomment.dnr@maryland.gov) or complete the comment form at <https://dnr.maryland.gov/fisheries/pages/regulations/changes.aspx#shelldef>. Comments will be accepted through February 23, 2026. A public hearing has not been scheduled.

#### .01 Importation of Shellfish.

A. Definition.

(1) In this regulation, the *following term has the meaning stated* [term "shellfish" includes live oysters, seed oysters, oyster shells, live hard-shell clams, live soft-shell clams, and clam shells].

(2) *Term Defined.* "Shellfish" means live bivalves and bivalve shells.

B. Permit Required. A person may not import or possess within the State shellfish taken from waters outside the waters of the State for planting in the waters of the State, unless [he] *they* first obtains a permit from the Department. The Department shall issue a permit if presented with proof satisfactory to the Department that the shellfish will not be harmful to Maryland shellfish.

C. (text unchanged)

JOSH KURTZ  
Secretary of Natural Resources

## Subtitle 18 BOATING—SPEED LIMITS AND OPERATION OF VESSELS

### 08.18.16 Nanticoke River

Authority: Natural Resources Article, §§8-703 and 8-704, Annotated Code of Maryland

#### Notice of Proposed Action

[25-270-P]

The Secretary of Natural Resources proposes to amend Regulation .02 under **COMAR 08.18.16 Nanticoke River**.

#### Statement of Purpose

The purpose of this action is to combine two existing speed zones in Marshyhope Creek, a tributary of the Nanticoke River, into one continuous speed zone. Currently, there is a small seasonal (March 1 through June 15) minimum wake speed zone in the lower Marshyhope Creek adjacent to a larger year-round minimum wake speed zone in the upper Marshyhope Creek. The proposed action combines the areas and increases the speed limit for the entire area to 6 knots at all times. The proposed action addresses the need to clarify and simplify the speed zones on Marshyhope Creek.

#### 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 Nanticoke River Boating Regulations, Regulatory Staff, Maryland Department of Natural Resources, Fishing and Boating Services, 580 Taylor Avenue., E-4, Annapolis, MD 21401, or call 410-260-8300, or email to [boatingpubliccomment.dnr@maryland.gov](mailto:boatingpubliccomment.dnr@maryland.gov), or complete the comment form at [https://dnr.maryland.gov/boating/Pages/regulations/changes\\_boating.aspx#dorchester](https://dnr.maryland.gov/boating/Pages/regulations/changes_boating.aspx#dorchester). Comments will be accepted through February 23, 2026. A public hearing has not been scheduled.

#### .02 Marshyhope Creek.

A. [Lower Marshyhope Creek encompasses the area] *Area. All of the waters upstream of a line beginning at a point at or near Lat. 38° 39.680' N., Long. 75° 47.815' W., then running 147° [True] to a point[,] at or near Lat. 38° 39.653' N., Long. 75° 47.793' W[,]*, then running 99° (True) to a point, at or near Lat. 38° 39.625' N., Long. 75° 47.570' W., then running 180° (True) to a point, at or near Lat. 38°

39.577' N., Long. 75° 47.570' W. This area has a minimum wake zone from March 1 through June 15.]

[B. Upper Marshyhope Creek encompasses the area beginning at a point at or near Lat. 38° 39.625' N., Long. 75° 47.570' W., then running 180° (True) to a point, at or near Lat. 38° 39.577' N., Long. 75° 47.570' W., and running to the head of the creek. This area has a minimum wake zone all year.]

*B. The speed limit for the area described in §A of this regulation is 6 knots all year.*

JOSH KURTZ  
Secretary of Natural Resources

## 08.18.20 Patuxent River

Authority: Natural Resources Article, §§8-703 and 8-704, Annotated Code of Maryland

### Notice of Proposed Action

[25-262-P]

The Secretary of Natural Resources proposes to amend Regulation .03 under COMAR 08.18.20 Patuxent River.

#### Statement of Purpose

The purpose of this action is to create a new speed zone in Cuckold Creek, a tributary of the Patuxent River in the area of Clarks Landing. The new area encompasses the entrance channel of Cuckold Creek. The proposed action creates a speed limit of 6 knots on Saturdays, Sundays, and State holidays during the boating season.

The proposed action slows vessel speeds at a popular area for recreational use and addresses safety concerns as vessels travel between Cuckold Creek and the Patuxent River. Creating a speed zone in the area allows boaters to safely transit the area and use the facilities at a nearby marina.

#### Estimate of Economic Impact

**I. Summary of Economic Impact.** The proposed action has a negative economic impact on the Department.

#### II. Types of Economic Impact.

Impacted Entity	Revenue (R+/R-)	Expenditure (E+/E-)	Magnitude
A. On issuing agency:			
Speed Zone Buoys	(E+)	\$1,950	
B. On other State agencies:	NONE		
C. On local governments:	NONE		
	<b>Benefit (+)</b>		
	<b>Cost (-)</b>		<b>Magnitude</b>
D. On regulated industries or trade groups:	NONE		
E. On other industries or trade groups:	NONE		
F. Direct and indirect effects on public:	NONE		

**III. Assumptions.** (Identified by Impact Letter and Number from Section II.)

A. This action requires the Department to purchase three new buoys to delineate the speed zone. The buoys are approximately \$650 each. The waterway improvement fund has money designated to mark waterways, which includes setting, retrieving, and maintaining buoys. The impact of this regulation is a one-time purchase of three new buoys for marking the area. Staff will set, retrieve, and maintain buoys and

Natural Resources Police officers will enforce the speed limit in the course of their normal duties.

#### Economic Impact on Small Businesses

The proposed action has a meaningful economic impact on small businesses. An analysis of this economic impact follows:

Small businesses in the area will not incur any direct financial cost as a result of this rule change, but the behavior of boaters in the area will be restricted. The benefit of that restriction is increased boater safety. There is a marina with a fuel dock and a restaurant in the affected area that may benefit from slower vessel speeds in the vicinity of their business. However, the actual impact is indeterminable.

#### Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

#### Opportunity for Public Comment

Comments may be sent to Boating Regulations for Cuckold Creek, Regulatory Staff, Maryland Department of Natural Resources Fishing and Boating Services, 580 Taylor Ave., E-4, Annapolis, MD 21401, or call 410-260-8300, or email to boatingpubliccomment.dnr@maryland.gov or complete the comment form at [https://dnr.maryland.gov/boating/Pages/regulations/changes\\_boating.aspx#stmarys](https://dnr.maryland.gov/boating/Pages/regulations/changes_boating.aspx#stmarys). Comments will be accepted through February 23, 2025. A public hearing has not been scheduled.

#### .03 Patuxent River South Shore.

A. (text unchanged)

B. [Cockhold] Cuckold Creek [encompasses the area beginning at a point, at or near Lat. 38° 20.988 N., Long. 76° 30.857 W., then running 344° (True) to a point, at or near Lat. 38° 21.257 N., Long. 76° 30.953 W., and running to the head of the creek, including all tributaries. This area has a 6-knot speed limit Saturdays, Sundays, and State holidays, all year].

##### (1) Areas.

(a) All of the waters upstream of a line beginning at a point at or near Lat. 38° 20.988 N., Long. 76° 30.857 W., then running 344° True to a point at or near Lat. 38° 21.257 N., Long. 76° 30.953 W.

(b) All of the waters enclosed by a line beginning at a point at or near Lat. 38° 20.345' N., Long. 76° 30.118' W., then running 294° True to a point at or near Lat. 38° 20.392' N., Long. 76° 30.252' W., then running along the shore to a point at or near Lat. 38° 20.580' N., Long. 76° 30.200' W., then running 29° True to a point at or near Lat. 38° 20.688' N., Long. 76° 30.125' W., then running along the shore to a point at or near Lat. 38° 20.563' N., Long. 76° 30.020' W., then running 116° True to a point defined by Lat. 38° 20.518' N., Long. 76° 29.905' W., then running 194° True to a point defined by Lat. 38° 20.410' N., Long. 76° 29.940' W., then running 247° True to a point at or near Lat. 38° 20.380' N., Long. 76° 30.028' W., then running along the shore to the point of beginning.

##### (2) Speed Limits.

(a) The speed limit for the area described in §B(1)(a) of this regulation is 6 knots Saturdays, Sundays, and State holidays, all year.

(b) The speed limit for the area described in §B(1)(b) of this regulation is 6 knots Saturdays, Sundays, and State holidays during the boating season.

C.—G. (text unchanged)

JOSH KURTZ  
Secretary of Natural Resources