

Subtitle 02 FISHERIES SERVICE

08.02.01 General

Authority: Natural Resources Article, §4-214, Annotated Code of Maryland

Notice of Proposed Action

[18-029-P]

The Secretary of Natural Resources proposes to amend Regulation .07 under **COMAR 08.02.01 General**.

Statement of Purpose

The purpose of this action is to add three new areas to a geographically diverse network of license free fishing areas throughout the state in order to promote recreational fishing. License free fishing areas recruit anglers to fishing that may not otherwise try the activity if they had to pay a license fee. This action adds new license free fishing areas with a focus on youth, families and demographic diversity.

During the winter and spring of 2017, three local municipalities submitted requests asking the Department to consider the addition of new license free fishing areas. The submissions were reviewed for potential fishing success, safety considerations (traffic, parking and security), accessibility, cleanliness, amenities and geographical distribution in relation to existing sites. The Sport Fisheries Advisory Commission discussed the areas at their meeting in July and supported the additions because the areas are well-used and provide adequate parking, park areas, and safe, family environments. The proposed action adds license free fishing areas in Cecil County at Ice House Park in Perryville, Somerset County at Crisfield City Dock, and Caroline County at Greensboro Waterfront Park.

An individual fishing in a license free fishing area is required to observe all fishing laws and regulations. A free angler registration is required for anglers fishing without a license in designated tidal license free fishing areas. An individual is exempt from all other license fees and requirements.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. The proposed action may have short-term and long-term effects on the Department and may have an impact on recreational anglers.

II. Types of Economic Impact.	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:		
(1) Short-term effects	(R-)	Indeterminable
(2) Long-term effects	(R+)	Indeterminable
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+)	Magnitude
	Cost (-)	
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(1). It is possible that the Department may see a small drop in license sales due to the fact that new license free fishing areas are being created. If anglers only fish those areas, they will no longer need to purchase a license. It is not known how many anglers fish at the new license free fishing areas exclusively, so it is not possible to determine the possible extent in the decrease in revenue.

A(2). The Department anticipates that by creating new license free fishing areas in better and more diverse locations, individuals with no previous fishing experience may be more likely to try fishing. Assuming those individuals enjoy the experience, the hope is that they will then become license purchasers, increasing Department revenues in the long-term. Because it is not known at this time how many new anglers will visit the new license free fishing areas, or how many of those new anglers will ultimately purchase fishing licenses to be able to go fishing elsewhere, the economic impact is indeterminable.

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 an impact on individuals with disabilities as follows:

The proposed action adds license free fishing areas that provide access to individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to License Free Fishing Area Regulations, Regulatory Staff, Department of Natural Resources Fishing and Boating Services, 580 Taylor Avenue, 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 February 20, 2018. A public hearing has not been scheduled.

.07 Recreational Fishing License and Registration.

A.—C. (text unchanged)

D. Free Fishing Areas in Tidal Waters. An individual fishing in an area described in this section shall be registered in accordance with Natural Resources Article, §4-745, Annotated Code of Maryland, and is exempt from all other license fees and requirements.

(1)—(3) (text unchanged)

(4) Caroline County:

(a) Denton — Pier associated with G. Daniel Crouse Memorial Park on the east side of Choptank River north of Maryland Route 404 Bridge; [and]

(b) Federalsburg Municipal Park — City-owned bulkhead, pier and banks within park boundaries on Marshyhope Creek[.]; and

(c) Greensboro Waterfront Park — Upstream of the Sunset Avenue bridge within park boundaries on the Choptank River.

(5) Cecil County:

(a) Charlestown — Town-owned stone wharf on the Northeast River near the corner of Conestoga and Water Streets and the historic site of Charlestown Wharf; [and]

(b) North East — North East Community Park at mouth of North East Creek[.]; and

(c) Perryville — Within the park boundaries of Ice House Park downstream of the Route 40 bridge on the Susquehanna River.

(6)—(9) (text unchanged)

- (10) Somerset County: [—]
- (a) Janes Island State Park — Bulkhead area on Daugherty Creek within the boundaries of Janes Island State Park[.]; and
- (b) Crisfield City Dock — City dock/depot area at the end of West Main Street.
- (11)—(12) (text unchanged)
- E. (text unchanged)

MARK J. BELTON
Secretary of Natural Resources

Subtitle 02 FISHERIES SERVICE

08.02.03 Crabs

Authority: Natural Resources Article, §§4-803 and 4-810, Annotated Code of Maryland

Notice of Proposed Action
[18-028-P]

The Secretary of Natural Resources proposes to amend Regulations .08 and .14 under **08.02.03 Crabs**.

Statement of Purpose

The purpose of this action is to make changes to the commercial crab fishery. Specifically the proposed action modifies the dates for importing sponge crabs and the size of the letters displayed on vessels.

The industry has been asking the Department for flexibility in the dates that sponge crabs are allowed to be imported to Maryland. The department developed management options for the importation of sponge crabs based on feedback received during the May 11, 2017 crab committee meeting and based on conversations with members of the industry over the past few years. The options were discussed at the Blue Crab Industry Advisory Committee meeting September 28, 2017. The committee supported the expansion of the sponge crab importation time frame from 71 days (April 25 - July 5) to 122 days (April 15 - August 15). However, further discussion at the Tidal Fisheries Advisory Commission meeting October 26, 2017 resulted in the recommendation to keep the time frame to a 71 consecutive day period. The time frame must be between April 10 and July 20, but the specific dates would be adjusted by public notice. This is intended to allow more flexibility for the crab processors in Maryland to acquire the necessary product for their businesses while conserving the resource. The dates would be set by public notice after consultation with the processors and could be modified on an annual basis. The proposed action removes the current dates and establishes the length of the import window, dates that the import window must occur and rules for the public notice.

The proposed action changes the minimum height requirement for the abbreviation of the day off from 4 inches to 3 inches to be consistent with the rest of the commercial marking requirements. The size for the numbers required to mark commercial vessels was changed from 4 inches to 3 inches in 2016. The crab requirement was overlooked at the time. Three inch numbers and letters 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

I. Summary of Economic Impact. The proposed action may benefit the crab processors in Maryland.

II. Types of Economic Impact.	Revenue (R+/R-)	
	Expenditure (E+/E-)	Magnitude
A. On issuing agency:	NONE	
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+) Cost (-)	Magnitude

D. On regulated industries or trade groups:		
(1) Letter Height	NONE	None
(2) Import Time	(+)	Indeterminable
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.)

D(1). The change to the letters is for clarification and does not place any burden on licensees.

D(2). Establishing the import time period by public notice each year provides flexibility for the crab processors in Maryland to acquire the necessary product for their businesses. Processors may also use this information to determine when to hire seasonal workers. The impact is indeterminable as the department does not know what the extent of the impact would be on the affected parties.

Economic Impact on Small Businesses

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

The proposed action may have a positive economic impact for crab processors. Please see the assumptions in the Types of Economic Impact for more information.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Blue Crab Regulations, Regulatory Staff, Department of Natural Resources Fishing and Boating Services, 580 Taylor Avenue, 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 February 20, 2018. The location and time of a public hearing will be determined at a later date.

.08 Egg-Bearing Female Crabs.

A. (text unchanged)