

.12 Publication of Commission Status.

The Office of the Secretary of State may choose to publish information relating to the status of the commission of a notary public or former notary public, including the date of commencement and expiration of any suspension, nonrenewal, or revocation of the commission. Disclosure of information under this regulation is deemed compliant with General Provisions Article, §4-332(b)(4), Annotated Code of Maryland.

JOHN C. WOBENSMITH
Secretary of State

Title 08
DEPARTMENT OF NATURAL
RESOURCES

Subtitle 02 FISHERIES SERVICE

08.02.03 Crabs

Authority: Natural Resources Article, §§4-215 and 4-803, Annotated Code of Maryland

Notice of Proposed Action

[20-132-P]

The Secretary of Natural Resources proposes to amend Regulation **.07** under **COMAR 08.02.03 Crabs**.

Statement of Purpose

The purpose of this action is to relocate the crab pot line at the mouth of Eastern Bay. Currently, the crab pot line at the mouth of Eastern Bay extends from "...Lowe's Point; thence in a straight line in a northwesterly direction to Bloody Point." The proposed action relocates the line to a point on the eastern side of Harbor Cove so that crab pots may be used in the area. This action opens approximately 600 acres to crab pots.

This action is being taken to mitigate the negative impact crab potters have experienced due to the expanded Poplar Island restoration footprint. The Poplar Island restoration project began in 2001 with the goal of restoring 1,140 acres of habitat lost to erosion throughout the early 1900s. The underwater habitat provided by the eroding island is desirable habitat for crabs, making this area very productive for crab potting. In 2007, Congress authorized an expansion of the acreage to 1,715 acres with a 110-acre open water embayment. Due to the restoration and expansion of the island, commercial crabbers have not been able to work roughly 1,825 acres of bottom in this area. During the summer when hypoxia is common in deeper waters, the area where crab potting is suitable becomes condensed closer to the shore line, squeezing crab pot effort into a smaller area, which results in gear interactions. Opening an additional area for crab pots was discussed with crab harvesters. Since the entire area is desirable for use by many crabbers, they recommended moving the line to the point near Harbor Cove. This will allow crabbers to spread out and reduce gear interactions. The proposed action does not expand use of the gear into the tributaries delineated in COMAR 08.02.01.06.

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 has a potential positive economic impact for commercial crab harvesters who use crab pots.

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 (+)	Magnitude
	Cost (-)	
D. On regulated industries or trade groups:		
(1) Commercial harvesters using crab pots	(+)	Indeterminable
(2) Commercial harvesters using other gear	(-)	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 area being opened is small, approximately 600 acres. It is a productive area for blue crabs so the action has the potential to positively impact commercial harvesters who are authorized to use crab pots. Commercial crabbers in the area will be able to spread out and reduce gear interactions. Crab harvest is reported by NOAA code. The area being opened overlaps the middle bay and eastern bay NOAA codes so harvest for the specific area cannot be teased out. It is unknown how many harvesters will work the area or if it will change the amount of total harvest. For these reasons the actual impact is indeterminable.

D(2). The proposed action opens an area to use by harvesters using crab pots that is currently open to use by harvesters using trotlines. Opening the area to additional gear may have a negative impact on harvesters using trotlines because they will be competing for space. Since crab harvesters from this area worked together to recommend the location of the crab pot line, the impact is likely minimal.

Economic Impact on Small Businesses

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

The proposed action has the potential to benefit commercial crab harvesters, which are considered small businesses. Please see the assumptions in the Estimate of Economic Impact statement above.

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 complete the comment form at https://dnr.maryland.gov/fisheries/Pages/regulations/changes.aspx#bc_rabspop. Comments will be accepted through August 31, 2020. A webinar to discuss the details of the proposed action will be held at 2 p.m. on August 11, 2020. An agenda and details on how to participate in the webinar will be announced on the Department's website.

Interested persons are invited to participate and express their views. Anyone needing special accommodations under Title II of the Americans with Disabilities Act of 1990, as amended, or under Title VI of the Civil Rights Act of 1964, should contact the Department of Natural Resources Office of Fair Practices at 410-260-8058 or at richard.allen@maryland.gov, at least 3 working days (72 hours) prior to the scheduled public hearing.

.07 Crab Pots.

- A.—D. (text unchanged)
- E. Crab Pot Line for the Chesapeake Bay and Potomac River.
 - (1)—(2) (text unchanged)

(3) The following lines mark the headlands of the rivers, bay, creeks, sounds, coves, and inlets beginning on the western side of Chesapeake Bay at Locust Point on Spesutie Island; then southwesterly along the shore to Bear Point; thence to Black Point; thence southwesterly along shore to Abbey Point; thence to Lego Point; thence along the shore to Ford Point; thence along the shore to Robbins Point; thence along the shore to southwestern tip of Rickett Point; thence in a northwesterly direction to the point of Carroll Island at Lat. 39°18'52.29" N., Long. 76°19'42.11" W. to Weir Point to Lower Point; thence to the northeasterly point of Millers Island; thence southerly along southeasterly shores of Millers Island, Hart Island, and Patapsco River Neck to the southernmost tip of North Point; thence southwesterly along a line to Buoy R "6" to within 200 yards of the Brewerton channel; thence in a southeasterly direction to intersect a point along a line from North Point to Bodkin Point 200 yards north of the Brewerton channel; thence to Bodkin Point; thence southerly along shore to Mountain Point; thence to Persimmon Point; thence along shores to Sandy Point to Hackett Point; thence to Greenbury Point; thence to Tolly Point; thence along shore to Thomas Point; thence to Saunders Point; thence along shore to Dutchman Point; thence to Curtis Point; thence along shore to point on north side of entrance into Parkers Creek; thence to Holland Point; thence southerly along shore to Plum Point and to Cove Point and to Drum Point; thence to Hog Point; thence along shores to Cedar Point to Point No Point and to Point Lookout; thence southeasterly across the Potomac River to Smith Point; thence northeasterly along State line to intersection with westerly shore of Smith Island, crossing Big Thorofare at points marking its western entrance and continuing northward along shore to Fog Point; thence to southwesternmost point of land on Pry Island; thence to southernmost point of Holland Island; thence along western shores of Holland Island, Adam Island, Billys Island, and Bloodsworth Island to tip of shore on southwesterly side of entrance into Okahanikan Cove; thence to Navy-maintained tower; thence to nun Buoy N "2", thence to Honga River Light Fl. 4 § 16 ft. 4M; thence to Billy's Point at Lat. 38°14.52' N., Long. 76°07.58' W. on lower Hoopers Island; thence westerly along shore of Hoopers Island to Pons Point; thence to southernmost point of Barren Island; thence northerly along the western shore of Barren Island crossing Tar Bay at points marking its northwestern entrances, and continuing northerly along west shores of Meekins Neck, Taylors Island, and James Island to James Point; thence to Hills Point; thence to Black Walnut Bar Bell buoy; thence to Black Walnut Point; thence northerly along west shore of Tilghman Island to point on northerly side of Paw Cove; thence northerly along shore to [Lowe's Point] *a point on the eastern side of Harbor Cove defined by Lat. 38°46'43.98" N., Long. 76°19'23.38" W.*; thence in a straight line in a northwesterly direction to Bloody Point; thence northerly along west shore to Kent Island to Love Point; thence to northwest point of Eastern Neck Island; thence northerly along west shore of Eastern Neck to Huntingfield Point; thence to Swan Point; thence northerly along shore to point on south side of Fairlee Creek marking its entrance; thence along shore to Worton Point; thence along shore to Plum Point; thence along shore to include area known as Still Pond

to Meeks Point; thence along shore to Howell Point; thence to Grove Point; thence along the shore to Pearce Creek; thence westerly to Buoy R 6 Fl. R 4 § thence to Turkey Point; thence northerly along the western shore of Elk Neck to Rocky Point; thence westerly across the Bay to Locust Point, the point of beginning.

F.—H. (text unchanged)

JEANNIE HADDAWAY-RICCIO
Secretary of Natural Resources

Subtitle 02 FISHERIES SERVICE

08.02.04 Oysters

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

Notice of Proposed Action

[20-133-P]

The Secretary of Natural Resources proposes to amend Regulation **.01** under **COMAR 08.02.04 Oysters**.

Statement of Purpose

The purpose of this action is to revise the patent tong line in the Patuxent River. Specifically, the proposed action adds approximately 8 acres to the existing patent tong area. The Department received a request to change the patent tong line in the lower third of the Patuxent River to include a small area of oyster bottom. The area being added is currently open to harvest by hand tong and by diving. After evaluation, the Department concluded to proceed with the request because other gears are allowed in the area and patent tonging occurs broadly over the entire surrounding area. The boundaries of Neal Addition Sanctuary, surrounded by the patent tong area, are not changing.

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 has the potential to positively impact commercial harvesters who use patent tongs.

II. Types of Economic Impact.	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
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:		
Harvesters	(+)	Indeterminable
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:	NONE	