

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 Gear—Projectile Gear in Fishery Management Public Fishing Areas Regulations, Regulatory Staff, Department of Natural Resources, 580 Taylor Ave., E-4, Annapolis, MD 21401, or call 410-260-8300, or email to Submit comment to https://dnr.maryland.gov/fisheries/pages/regulations/changes.aspx#pr oj_fma, no fax. . Comments will be accepted through November 6, 2023. A public hearing has not been scheduled.

.13 Fishery Management Areas.

A.—D. (text unchanged)

E. *Projectile fishing gears, as described in COMAR 08.02.25.02 and .03, are prohibited in all Fishery Management Areas.*

JOSH KURTZ

Secretary of Natural Resources

Subtitle 02 FISHERIES SERVICE

08.02.05 Fish

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

Notice of Proposed Action

[23-209-P]

The Secretary of Natural Resources proposes to amend Regulation **.21** under **COMAR 08.02.05 Fish**.

Statement of Purpose

The purpose of this action is to update the commercial quota information to reflect recent changes made by the Atlantic States Marine Fishery Commission (ASMFC) and the Mid-Atlantic Fishery Management Council (MAFMC). The annual total allowable landings of black sea bass for the commercial fishery is set by the Atlantic States Marine Fisheries Commission and shall be published through a public notice. Due to changes made by ASMFC/MAFMC, the Maryland commercial black sea bass quota is no longer necessarily 11 percent of the coastal quota as currently written in COMAR. The Department will publish the quota as established by those agencies when it is available through a public notice on the Department’s website, as well as sending it out to the Department’s email listserv and social media accounts. More information about the ASMFC/MAFMC action is available here: <https://www.federalregister.gov/documents/2023/03/09/2023-04588/magnuson-stevens-fishery-conservation-and-management-act-provisions-fisheries-of-the-northeastern>.

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Opportunity for Public Comment

Comments may be sent to Black Sea Bass Regulations, Regulatory Staff, Department of Natural Resources, 580 Taylor Ave, E4, Annapolis, MD 21401, or call 410-260-8300, or submit comments to <https://dnr.maryland.gov/fisheries/pages/regulations/changes.aspx#bsb>. Comments will be accepted through November 6, 2023. A public hearing has not been scheduled.

.21 Black Sea Bass.

A. (text unchanged)

B. Commercial.

(1) (text unchanged)

(2) Quotas.

[*(a)* The annual quota for Maryland is 11 percent of the annual Atlantic coast quota determined by the National Marine Fisheries Service.]

(a) Statewide Quota.

(i) The annual total allowable landings of black sea bass for the commercial fishery is set by the Atlantic States Marine Fisheries Commission and shall be published through a public notice issued in accordance with §F of this regulation.

(ii) Any annual overages of the quota will be deducted from the subsequent year’s quota.

(b) (text unchanged)

C.—F. (text unchanged)

JOSH KURTZ

Secretary of Natural Resources

Subtitle 02 FISHERIES SERVICE

Notice of Proposed Action

[23-190-P]

The Secretary of Natural Resources proposes to:

- (1) Adopt new Regulation **.31** under **COMAR 08.02.05 Fish**; and
- (2) Amend Regulation **.03** under **COMAR 08.02.12 Endangered and Threatened Fish Species**.

Statement of Purpose

The purpose of this action is to declare longnose gar as “in need of conservation” and establish a creel limit for the species. Currently, there is no creel or size limit, or season for possession, established for longnose gar in Maryland. This action proposes a creel limit of one longnose gar per person from April 15 through June 30 and a creel limit of five longnose gar per person from July 1 through April 14. This creel limit would apply to both recreational anglers and commercial harvesters. These regulations would mirror the recreational creel limits in Virginia to provide consistency with adjacent jurisdictions and provide heightened protections during the spawning period when gar are more vulnerable to harvest due to their tendency to gather in large groups to spawn.

For a species to be designated as “in need of conservation” in the tidal waters of Maryland, the Department must conduct an investigation and develop information relating to population, distribution, habitat needs, limiting factors, and other biological and ecological data to determine conservation measures necessary for the species’ continued ability to sustain itself successfully. Near the northern edge of its Atlantic coast range, longnose gar is a native species to Maryland. It is one of seven species of an ancient family of fishes that pre-date the dinosaurs and are found only in North America. In Maryland, longnose gar has been reported from southerly tidal freshwaters of the Chesapeake Bay, including the Potomac, Pocomoke, Nanticoke, Wicomico, and Choptank Rivers. Its restricted distribution in Maryland and its life history aspects can make this