



*Larry Hogan, Governor*  
*Boyd Rutherford, Lt. Governor*  
*Jeannie Haddaway-Riccio, Secretary*

---

DNR-FS-2020-10

SMALL BUSINESS COMPLIANCE GUIDE  
Amendment to Subtitle 02 Fisheries Service  
Regarding the Department's Regulations for Blue Crabs  
COMAR 08.02.03.07  
Released October 23, 2020

This Guide is prepared in accordance with the requirements of State Government Article, §10-110, Annotated Code of Maryland. It is intended to help small businesses comply with the revised rules adopted in the above-referenced sections of the Code of Maryland Regulations. This Guide is not intended to replace or supersede these rules, but to facilitate compliance with the rules. Although we have attempted to cover all parts of the rules that might be especially important to small businesses, the coverage may not be exhaustive. This Guide cannot anticipate all situations in which the rules apply.

The Department will clarify or update the text of the Guide as an idea moves through the regulatory process. Direct your comments and recommendations, or calls for further assistance, to Fishing and Boating Services Regulatory Division:

410-260-8300  
410-260-8DNR; toll free in Maryland 877-620-8DNR; TTY Users Call via the Maryland Relay  
Fax: 410-260-8310

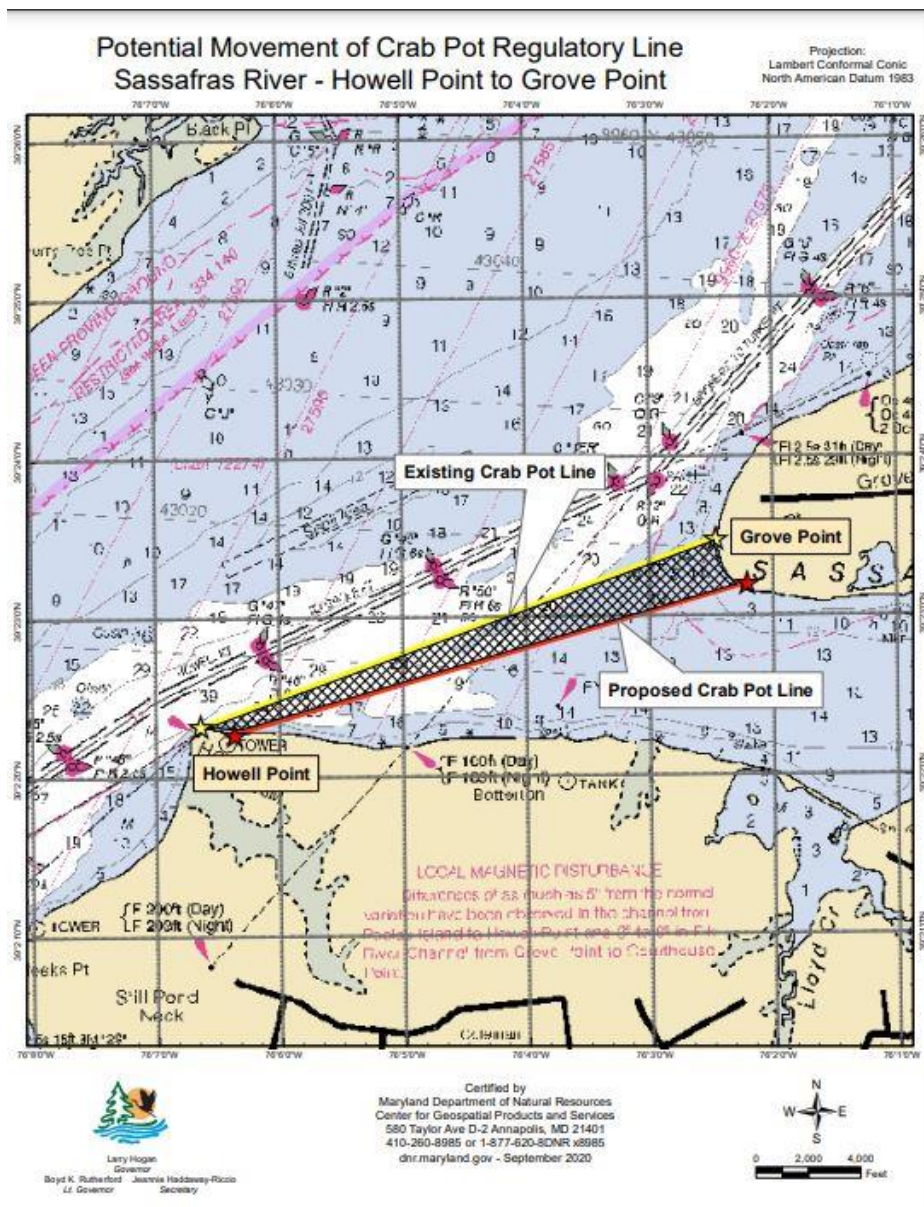
## I. SUMMARY & FAQs

### What is being considered?

The department is considering changing the crab pot line regulations at the mouths of the Sassafras and Elk rivers.

### Sassafras River

Currently in the Code of Maryland Regulations (COMAR) the crab pot line at the mouth of Sassafras River is defined as from Howell Point to Grove Point (yellow line on map). In past years, the buoys marking the crab pot line have been set roughly a quarter mile upstream of the COMAR defined line. Crab pot users have become accustomed to utilizing this area for catching crabs. To allow for continued use of this area the department is considering changing the regulation to reflect the historical placement of the buoys (red line on map).



Currently in COMAR the crab pot line at the mouth of Elk River is defined as extending from Pearce Creek to Buoy R 6 Fl. R 4 § to Turkey Point (yellow line on map). In past years, the buoys marking the crab pot line have been placed in a manner excluding the inclusion of the referenced buoy. To create a simpler more effective crab pot line, the department is considering changing the regulation to remove the reference to the buoy and draw a straight line from the top of the marina on the Pearce Creek side to the most downstream rock jetty on the Turkey Point side, which reflects the historical placement of the buoys (red line on map).



**Why is this change necessary?**

The department received a request to change the crab pot lines after it was discovered that the buoys marking the crab pot line in these areas have been placed off-station for many years.

**Who will this affect?**

This action applies to commercial crabbers who utilize waters in and around the Sassafra and Elk rivers.

**Has this change been discussed with advisory commissions or stakeholders?**

The department conducted focused outreach to commercial crabbers in Harford and Cecil counties who routinely utilize these waters. The Blue Crab Industry Advisory Committee was appraised of the idea by email in October. The idea was scoped with the Sport Fisheries Advisory Commission and Tidal Fisheries Advisory Commission at their October 2020 meetings.

**What is the specific regulatory action?**

Amend Regulation .07 under COMAR 08.02.03 Crabs.

## **II. RECORDKEEPING AND REPORTING REQUIREMENTS**

This action does not create new permit, recordkeeping, or reporting requirements.

## **III. IMPLEMENTATION DATE**

The department expects this change to be effective in the spring of 2021, however the exact date cannot be determined. The department will follow our normal scoping and proposal procedures.

This idea is in the scoping process (October 23—November 7). The goal of scoping is to identify issues, potential impacts, and reasonable alternatives associated with the issues so that management actions can be developed. After the public has had an opportunity to comment on possible management actions during the scoping process, the department considers these comments and develops an appropriate management strategy.

If the action is necessary and appropriate, the rules will be promulgated following the Administrative Procedures Act described in Title 10, Subtitle 1 of the State Government Article Annotated Code of Maryland.

- The General Assembly's Administrative, Executive, and Legislative Review Committee reviews the regulatory proposal for fiscal and legal analysis.
- The proposal is printed by the Division of State Documents in the Maryland Register.
- A 30 day public comment period begins on the day of publication.
- After review of the comments, the department may adopt the changes.
- If the department adopts the changes, they become effective after a notice is published in the Maryland Register that announces approval and the effective date.