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DNR-FS-2024-3

## SMALL BUSINESS COMPLIANCE GUIDE

Amendment to Subtitle 02 Fisheries Service

Regarding the Department's Regulations for the Snapper Grouper Complex

COMAR 08.02.05.29

Released January 22, 2024

Updated May 20, 2024

Updated July 30, 2024

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

## **I. SUMMARY & FAQs**

### **What has been proposed?**

The Department has proposed to implement:

- 1) A 12 inch recreational minimum size for sheepshead; and
- 2) A combined catch limit of no more than 10 fish for a single species of snapper listed in Code of Maryland Regulations 08.02.05.29. The overall combined catch limit of 20 total fish of the species listed in that regulation would remain the same.

### **Why is this change necessary?**

This change is necessary to allow sheepshead an opportunity to reproduce before being harvested. After their first year, sheepshead in South Carolina average 10 inches, at which less than 50% are sexually mature. Most sheepshead mature at age 2 (12 inches fork length) and all sheepshead are mature by ages 3 to 5 (14 inches fork length). The limit of 10 of any single species of snapper is being taken to address concerns of local depletion of certain species while still maximizing opportunity for harvest across the snapper complex.

### **Who will this affect?**

Recreational anglers who fish for sheepshead or any species in the snapper grouper complex.

### **Has this change been discussed with advisory bodies?**

This idea was discussed with the Sport Fisheries Advisory Commission and Tidal Fisheries Advisory Commission at their January 2024 meetings and at the Coastal Recreational Fisheries and Coastal Commercial Fisheries forums in September 2023.

### **What is the specific regulatory action?**

Amend Regulation .29 under COMAR 08.02.05 Fish.

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

This action will not create new recordkeeping or reporting requirements.

## **III. REGULATORY PROCESS**

The Department followed our normal scoping and proposal procedures.

During the scoping process, the Department gathers suggestions and ideas from stakeholders and others about how to solve a fishery problem or address a need. 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. The idea for this proposal was scoped from January 22 through February 6, 2024.

At the conclusion of the scoping process, the Department determined that 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 was printed by the Division of State Documents in the Maryland Register on May 17, 2024.
- A 30 day public comment period began on the day of publication. The comment period closed at 11:59 p.m. June 17, 2024.
- After review of the comments, the Department decided to adopt the changes as proposed.
- The final action adopting the regulation change was published in the Maryland Register on July 26, 2024.

#### **IV. IMPLEMENTATION DATE**

This regulation change is effective August 5, 2024.