

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	

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

D. The area being opened is very small. There are roughly 9,000—10,000 acres open to patent tonging that surround the proposed area. An average of five harvesters per year, but as many as 29, have reported harvest from the surrounding area since 2009, so the action has the potential to positively impact commercial harvesters who use patent tongs. However, it is unknown how many harvesters will work the new area and adding 8 acres is not likely to have a large impact on the number of oysters that a licensee harvests. Since much of the area is near shore and likely sandy bottom, it is unlikely that there is much oyster habitat or population. For these reasons the impact is likely minimal, but the actual impact is indeterminable.

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 oyster 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 Patent Tong Regulations, Regulatory Staff, Department of Natural Resources Fishing and Boating Services, 580 Taylor Ave., 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#patent>. Comments will be accepted through August 31, 2020. A public hearing has not been scheduled.

.01 Patent Tong Areas.

A. (text unchanged)

B. Exceptions. A person may catch oysters by patent tong in the areas listed in this section.

(1)—(5) (text unchanged)

(6) Patuxent River. All of the waters of the Patuxent River enclosed by a line beginning at a point on the shore at Hog Point defined by Lat. 38°18.586' N, Long. 76°23.993' W; then running westerly along the shore to a point on the shore at Fishing Point defined by Lat. 38°18.285' N, Long. 76°25.355' W; then running 345° True to a point defined by Lat. 38°18.525' N, Long. 76°25.434' W; then running 251° True to a point defined by Lat. 38°18.271' N, Long. 76°26.356' W; then running 196° True to a point on the shore, defined by Lat. 38°17.503' N, Long. 76°26.640' W; [then running northwesterly along the shore to a point defined by Lat. 38°22.412' N, Long. 76°31.504' W; then running 27° True to a point defined by Lat. 38°22.540' N, Long. 76°31.420' W; then running 307° True to a point defined by Lat. 38°22.612' N, Long. 76°31.540' W; then running 208° True to a point on the shore, defined by Lat. 38°22.491' N, Long. 76°31.621' W;] then running northwesterly along the shore to a point on shore at Sotterly Wharf, defined by Lat. 38°22.728' N, Long. 76°32.003' W; then running 77° True to a point near St Leonard's Creek Beacon, defined by Lat. 38°23.065' N, Long. 76°30.177' W; then running 77° True to a point on the shore, defined by Lat. 38°23.128' N, Long. 76°29.826' W; then running southeasterly along the shore to a point defined by Lat. 38°20.631' N, Long. 76°28.241' W; then running 282° True to a point defined by Lat. 38°20.638' N, Long. 76°28.287' W; then running 213° True to a point defined by Lat. 38°20.008' N, Long. 76°28.815' W; then running 132° True to a point on the shore, defined by Lat. 38°19.983' N, Long. 76°28.780' W; then running southeasterly along the shore to a point at the south entrance of Solomon's Harbor, defined by Lat.

38°19.263' N, Long. 76°27.103' W; then running 7° True to a point at the north entrance of Solomon's Harbor, defined by Lat. 38°19.370' N, Long. 76°27.087' W; then running easterly along the shore to Drum Point defined by Lat. 38°19.143' N, Long. 76°25.266' W; then running 119° True to the point of beginning, *excluding the waters of Neal Addition Sanctuary which is defined as: All of the waters of the area enclosed by a line beginning at a point defined by Lat. 38°22.480' N, Long. 76°31.460' W; then running approximately 307° True to a point defined by Lat. 38°22.552' N, Long. 76°31.580' W; then running approximately 28° True to a point defined by Lat. 38°22.612' N, Long. 76°31.540' W; then running approximately 127° True to a point defined by Lat. 38°22.540' N, Long. 76°31.420' W; then running approximately 208° True to the point of beginning.*

JEANNIE HADDAWAY-RICCIO
Secretary of Natural Resources

Subtitle 03 WILDLIFE

08.03.02 Use of Wildlife Areas

Authority: Natural Resources Article, §§10-205 and 10-808, Annotated Code of Maryland

Notice of Proposed Action

[20-131-P]

The Secretary of Natural Resources proposes to amend Regulation **.28** under **COMAR 08.03.02 Uses of Wildlife Areas**.

Statement of Purpose

The purpose of this action is to better manage hunter access on the impoundments at Deal Island and Fairmount Wildlife Management Areas. Currently, a lottery system is used to manage the number of hunters who participate only on opening day of the season. The new proposed regulations will apply the lottery system to each day of the duck hunting season, thereby reducing hunting pressure, providing better management, and improving the experience of the hunters.

The proposed amendments make additional changes to the protocols at the Deal Island Wildlife Management Area and Fairmount Wildlife Management Area impoundments by limiting the number of days that each impoundment will be open during the regular duck hunting season and requiring a permit to hunt. A limited number of permits will be issued on a first-come, first-served basis at no charge. The regular duck hunting season occurs in three segments: one in October, one in November, and one in December through January.

The Wildlife Advisory Commission supported the proposed regulations at their teleconference meeting in April 2020.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

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 Karina Stonesifer, Associate Director, Wildlife Heritage Service, Department of Natural Resources, 12512 Pleasant Valley Road, Flintstone, MD 21530, or call 301-777-2136, or email to karina.stonesifer@maryland.gov, or fax to 301-777-2029.