

Final Action on Regulations

Symbol Key

- Roman type indicates text already existing at the time of the proposed action.
- *Italic type* indicates new text added at the time of proposed action.
- Single underline, italic indicates new text added at the time of final action.
- Single underline, roman indicates existing text added at the time of final action.
- ~~[[Double brackets]]~~ indicate text deleted at the time of final action.

Title 08 DEPARTMENT OF NATURAL RESOURCES

Subtitle 02 FISHERIES SERVICE

08.02.01 General

Authority: Natural Resources Article, §§4-205.1, 4-602, and 4-11A-02, Annotated Code of Maryland

Notice of Final Action

[20-009-F]

On February 18, 2020, the Secretary of Natural Resources adopted amendments to Regulation .16 under **COMAR 08.02.01 General**. This action, which was proposed for adoption in 47:1 Md. R. 20 (January 3, 2020), has been adopted as proposed.

Effective Date: March 9, 2020.

JEANNIE HADDAWAY-RICCIO
Secretary of Natural Resources

Subtitle 02 FISHERIES SERVICE

Notice of Final Action

[19-273-F]

On February 18, 2020, the Secretary of Natural Resources adopted amendments to:

(1) Regulation .02 under **COMAR 08.02.05 Fish**;

(2) Regulations .01, .03, .08—, .10, and .12 under **COMAR**

08.02.15 Striped Bass; and

(3) Regulation .03 under **COMAR 08.02.25 Gear**.

This action, which was proposed for adoption in 46:26 Md. R. 1171—1174 (December 20, 2019), has been adopted with the nonsubstantive changes shown below.

Effective Date: March 9, 2020.

Attorney General's Certification

In accordance with State Government Article, §10-113, Annotated Code of Maryland, the Attorney General certifies that the following changes do not differ substantively from the proposed text. The nature of the changes and the basis for this conclusion are as follows:

The Department is reducing the length of the spring closure. The reduction is based on comments received during the public comment period and further analysis of the data presented to the Atlantic States Marine Fisheries Commission. It has been determined that it is not necessary to close the fishery until April 1. This change will benefit anglers and local businesses. This change is less restrictive on licensees than the language originally proposed. Additionally, the designation “NW” is being changed to “northwest” to be consistent with similar directional references. For these reasons, the changes are nonsubstantive, and the regulation does not need to be repropose.

08.02.15 Striped Bass

Authority: Natural Resources Article, §§4-215, 4-2A-03, and 4-732, Annotated Code of Maryland

.12 General Restrictions.

A.—H. (proposed text unchanged)

I. Seasonal Restrictions.

(1) Except as provided in §I(2) of this regulation, a person may not catch, harass, harm, pursue, hunt, shoot, wound, or attempt to catch striped bass or striped bass hybrids in the striped bass spawning rivers and areas listed in Regulation .03B of this chapter during the period March 1 through March 31.

(2) During the period March 1 through March 31, inclusive, a person authorized in accordance with Natural Resources Article, §4-745, Annotated Code of Maryland, to recreationally angle for finfish may hook striped bass and shall immediately release the striped bass unharmed to the water from which the striped bass was taken in the following areas:

(a) Susquehanna Flats, upstream of a line from a point at or near Sandy Point, defined by Lat. 39°26.96' N and Long. 76°03.63' W; then running in an easterly direction to a point at or near Turkey Point, defined by Lat. 39°27.13' N and Long. 76°00.70' W and the Susquehanna River downstream from a line connecting a point at or near the Susquehanna State Park boat ramp in Lapidum, defined by Lat. 39°35.86' N and Long. 76°07.67' W; then running in a northeasterly direction to a point at or near Twin Rocks, defined by Lat. 39°36.17' N and Long. 76°07.56' W; then running in a northeasterly direction to a point at or near Tomes Wharf in Port Deposit, defined by Lat. 39°36.23' N and Long. 76°06.99' W;

(b) Northeast River; and

(c) The area of the Chester River on the north side of Kent Narrows and bounded on the southern side by the southernmost edge of the old Route 50 bridge and, on the northern side, by a line beginning at a point (east tip of Ferry Point) defined by Lat. 38°58.820'N and Long. 76°14.627'W; then running approximately 92° True to a point (northwest tip of Long Point) defined by Lat. 38°58.798'N and Long. 76°13.825'W.

~~[[(1)]]~~ (3) During the period ~~[[March 1]]~~ April 1 through April 30, a person may not catch, harass, harm, pursue, hunt, shoot, wound, or attempt to catch striped bass or striped bass hybrids in the Chesapeake Bay or its tidal tributaries.

~~[[(2)]]~~ (4) During the period May 1 through May 31, except as provided in Regulations .08 and .09 of this chapter and ~~[[§I(3)]]~~ §I(5) of this regulation, a person may not catch, harass, harm, pursue, hunt, shoot, wound, or attempt to catch striped bass or striped bass hybrids in the striped bass spawning rivers and areas listed in Regulation .03B of this chapter.

~~[[(3)]]~~ (5) During the period May 1 through May 31, a person authorized in accordance with Natural Resources Article, §4-745, Annotated Code of Maryland, to recreationally angle for finfish may hook striped bass and shall immediately release the striped bass unharmed to the water from which the striped bass was taken in that area of the Chester River on the north side of Kent Narrows and bounded on the southern side by the southernmost edge of the old Route 50 bridge and, on the northern side, by a line beginning at a