

Proposed Action on Regulations

For information concerning citizen participation in the regulation-making process, see inside front cover.

Symbol Key

- Roman type indicates existing text of regulation.
- *Italic type* indicates proposed new text.
- [Single brackets] indicate text proposed for deletion.

Promulgation of Regulations

An agency wishing to adopt, amend, or repeal regulations must first publish in the Maryland Register a notice of proposed action, a statement of purpose, a comparison to federal standards, an estimate of economic impact, an economic impact on small businesses, a notice giving the public an opportunity to comment on the proposal, and the text of the proposed regulations. The opportunity for public comment must be held open for at least 30 days after the proposal is published in the Maryland Register.

Following publication of the proposal in the Maryland Register, 45 days must pass before the agency may take final action on the proposal. When final action is taken, the agency must publish a notice in the Maryland Register. Final action takes effect 10 days after the notice is published, unless the agency specifies a later date. An agency may make changes in the text of a proposal. If the changes are not substantive, these changes are included in the notice of final action and published in the Maryland Register. If the changes are substantive, the agency must repropose the regulations, showing the changes that were made to the originally proposed text.

Proposed action on regulations may be withdrawn by the proposing agency any time before final action is taken. When an agency proposes action on regulations, but does not take final action within 1 year, the proposal is automatically withdrawn by operation of law, and a notice of withdrawal is published in the Maryland Register.

Title 08

DEPARTMENT OF NATURAL RESOURCES

Subtitle 02 FISHERIES SERVICE

08.02.01 General

Authority: Natural Resources Article, §4-1006.1, Annotated Code of Maryland

Notice of Proposed Action

[20-197-P]

The Secretary of Natural Resources proposes to amend Regulation .12 under **COMAR 08.02.01 General**.

Statement of Purpose

The purpose of this action is to make corrections in submerged aquatic vegetation protection zones. Amendments to the zones became effective June 2020, and maps of each area were created so that users have a visual description of each area rather than just the coordinates. During the mapping process, errors or points needing clarification were found within the text.

The proposed action 1) modifies a direction between points, corrects the name of an island, removes duplicate text, and corrects a coordinate in Somerset County; 2) corrects coordinates in Dorchester County; 3) modifies directions between points, corrects coordinates, adds missing text needed to describe an area properly, and corrects the name of a creek in Talbot County; 4) corrects the coordinates of a point in Saint Mary's County; and 5) corrects descriptions of defined points and better describes the water bodies included in the zones in Kent County.

This is a housekeeping action that is necessary to make the regulation clear for all users. There is no change in the amount of protected area.

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 SAV Regulations, Regulatory Staff, Maryland Department of Natural Resources Fishing and Boating Services, 580 Taylor Avenue, B-2, Annapolis, MD 21401, or call 410-260-8300, or complete the form at <https://dnr.maryland.gov/fisheries/Pages/regulations/changes.aspx#savhkp>. Comments will be accepted through January 4, 2021. A public hearing has not been scheduled.

.12 Submerged Aquatic Vegetation (SAV) Protection Zones.

A. (text unchanged)

B. Submerged Aquatic Vegetation (SAV) Protection Zones.

(1) Somerset County.

(a) All of the waters of Fishing Creek, Manokin River, Broad Creek, and Geanquakin Creek enclosed by a line beginning at a point at or near the shore at the west side of Fishing Creek defined by Lat. 38°08.280' N, Long. 75°54.370' W; then running approximately 121° True to a point defined by Lat. 38°08.233' N, Long. 75°54.272' W; then running approximately 50° True to a point defined by Lat. 38°08.485' N, Long. 75°53.879' W; then running approximately 352° True to a point defined by Lat. 38°08.692' N, Long. 75°53.914' W; then running approximately 76° True to a point defined by Lat. 38°08.846' N, Long. 75°53.082' W; then running approximately 180° True to a point defined by Lat. 38°08.634' N, Long. 75°53.085' W; then running approximately 258° True to a point defined by Lat. 38°08.567' N, Long. 75°53.506' W; then running approximately 208° True to a point defined by Lat. 38°08.385' N, Long. 75°53.633' W; then running approximately 110° True to a point defined by Lat. 38°07.974' N, Long. 75°52.278' W; then running approximately 80° True to a point defined by Lat. 38°08.069' N, Long. 75°51.574' W; then running approximately 23°

True to a point defined by Lat. 38°08.205' N, Long. 75°51.499' W; then running approximately 67° True to a point defined by Lat. 38°08.269' N, Long. 75°51.300' W; then running approximately 28° True to a point defined by Lat. 38°08.429' N, Long. 75°51.187' W; then running approximately 11° True to a point defined by Lat. 38°08.624' N, Long. 75°51.136' W; then running approximately 90° True to a point defined by Lat. 38°08.618' N, Long. 75°50.342' W; then running approximately 28° True to a point defined by Lat. 38°08.975' N, Long. 75°50.091' W; then running approximately 110° True to a point defined by Lat. 38°08.765' N, Long. 75°49.382' W; then running approximately 86° True to a point defined by Lat. 38°08.770' N, Long. 75°49.277' W; then running approximately 62° True to a point defined by Lat. 38°08.837' N, Long. 75°49.114' W; then running approximately 335° True to a point at or near the western shore of Saint Peter's Creek defined by Lat. 38°08.854' N, Long. 75°49.123' W; then running [southeasterly] *westerly* along the shore to the point of beginning.

(b)—(f) (text unchanged)

(g) All of the waters of Rock Hole, Thru Creek, Ward Creek, West Creek, Daugherty Creek, and Rock Pond east of a line beginning at a point at or near the shore of [James] *Janes* Island south of Rock Hole defined by Lat. 38°01.060' N, Long. 75°52.257' W; then running approximately 342° True to a point defined by Lat. 38°01.603' N, Long. 75°52.467' W; then running approximately 45° True to a point near the shore of Lawson's Marsh south of Flatcap Point defined by Lat. 38°01.638' N, Long. 75°52.421' W; then running along the shore to a point at or near the north shore of Ward Creek defined by Lat. 38°00.677' N, Long. 75°51.579' W; then running approximately 204° to a point at or near the south shore of Ward Creek defined by Lat. 38°00.653' N, Long. 75°51.593' W; then running easterly along shore to the point of beginning.

(h)—(k) (text unchanged)

(l) All of the waters of Broad Creek, Manokin River, Fishing Creek, and Geanquakin Creek enclosed by a line beginning at a point at or near the shore at the west side of Fishing Creek defined by Lat. 38°08.280' N, Long. 75°54.370' W; then running approximately 121° True to a point defined by Lat. 38°08.233' N, Long. 75°54.272' W; then running approximately 50° True to a point defined by Lat. 38°08.485' N, Long. 75°53.879' W; then running approximately 352° True to a point defined by Lat. 38°08.692' N, Long. 75°53.914' W; then running approximately 76° True to a point defined by Lat. 38°08.846' N, Long. 75°53.082' W; then running approximately 180° True to a point defined by Lat. 38°08.634' N, Long. 75°53.085' W; then running approximately 258° True to a point defined by Lat. 38°08.567' N, Long. 75°53.506' W; then running approximately 208° True to a point defined by Lat. 38°08.385' N, Long. 75°53.633' W; then running approximately 110° True to a point defined by Lat. 38°07.974' N, Long. 75°52.278' W; then running approximately 80° True to a point defined by Lat. 38°08.069' N, Long. 75°51.574' W; then running approximately 23° True to a point defined by Lat. 38°08.205' N, Long. 75°51.499' W; then running approximately 67° True to a point defined by Lat. 38°08.269' N, Long. 75°51.300' W; then running approximately 28° True to a point defined by Lat. 38°08.429' N, Long. 75°51.187' W; then running approximately 11° True to a point defined by Lat. 38°08.624' N, Long. 75°51.136' W; then running approximately 90° True to a point defined by Lat. 38°08.618' N, Long. 75°50.342' W; then running approximately 28° True to a point defined by Lat. 38°08.975' N, Long. 75°50.091' W; then running approximately 110° True to a point defined by Lat. 38°08.765' N, Long. 75°49.382' W; then running approximately 86° True to a point defined by Lat. 38°08.770' N, Long. 75°49.277' W; then running approximately 62° True to a point defined by Lat. 38°08.837' N, Long. 75°49.114' W; then running approximately 335° True to a point at or near the western shore of Saint Peter's Creek defined by Lat. 38°08.854' N,

Long. 75°49.123' W; then running southeasterly along the shore to the point of beginning.]

[(m)] (l) — [(p)] (o) (text unchanged)

[(q)] (p) All of the waters of Sheepshead Harbor, Goose Creek, and Pry Cove enclosed by a line beginning at a point at or near the eastern shore of Sheepshead Harbor defined by Lat. 38°04.376' N, Long. 76°00.906' W; then running approximately 252° True to a point defined by Lat. 38°04.318' N, Long. 76° 01.134' W; then running approximately 285° True to a point defined by Lat. 38° 04.500' N, Long. 76° 01.929' W; then running approximately 341° True to a point at or near the western shore of Sheepshead Harbor defined by Lat. 38°04.584' N, Long. 76°01.964' W[.]; then running along the shore to a point at or near the shore on the south side of Pry Cove defined by Lat. [38°06.483'] 38°05.492' N, Long. [76°03.221'] 76°03.337' W; then running approximately 22° True to a point defined by Lat. 38°06.482' N, Long. 76°02.859' W; then running easterly along the north shore of Pry Cove into Sheepshead Harbor along the shore to the point of beginning.

[(r)] (q) — [(hh)] (gg) (text unchanged)

(2) Dorchester County.

(a) All of the waters of Northeast Cove, Muddy Creek, Swan Pond, Swan Pond Creek, Long Creek, Okahanikan Cove, Pone Cove, Holland Straits, Hooper Strait, and Chesapeake Bay enclosed by a line beginning at a point at or near the shore of Cove Point defined by Lat. 38°08.883' N, Long. 76°03.073' W; then running approximately 274° True to a point on the shore of Northeast Island defined by Lat. 38°08.956' N, Long. 76°04.219' W; then running approximately 199° True to a point defined by Lat. 38°7.826' N, Long. 76°04.742' W; then running approximately 323° True to a point defined by Lat. 38°07.966' N, Long. 76°04.875' W; then running approximately 290° True to a point defined by Lat. 38°08.142' N, Long. 76°05.471' W; then running approximately 359° True to a point defined by Lat. 38°09.151' N, Long. 76°05.473' W; then running approximately 0° True to a point defined by Lat. 38°09.652' N, Long. 76°05.462' W; then running approximately 0° True to a point defined by Lat. 38°10.307' N, Long. 76°05.454' W; then running approximately 3° True to a point defined by Lat. 38°11.596' N, Long. 76°05.365' W; then running approximately 60° True to a point at or near the shore of Kits Point defined by Lat. 38°12.171' N, Long. [76°03.527'] 76°04.088' W; then running southerly along the shore to the point of beginning.

(b) (text unchanged)

(c) All of the waters of Trippe Bay, Brannock Bay, and Covey Creek enclosed by a line beginning at a point at or near Mills Point defined by Lat. 38°34.476' N, Long. 76°18.111' W; then running approximately 342° True to a point defined by Lat. 38°34.782' N, Long. 76°18.239' W; then running approximately 39° True to a point defined by Lat. 38°35.329' N, Long. 76°17.688' W; then running approximately 64° True to a point defined by Lat. 38°35.405' N, Long. 76°17.489' W; then running approximately 136° True to a point defined by Lat. [38°35.208'] 38°35.280' N, Long. 76°17.330' W; then running approximately 60° True to a point defined by Lat. 38°35.386' N, Long. 76°17.095' W; then running approximately 332° True to a point defined by Lat. 38°35.559' N, Long. 76°17.214' W; then running approximately 12° True to a point defined by Lat. 38°35.840' N, Long. 76°17.139' W; then running approximately 23° True to a point defined by Lat. 38°36.303' N, Long. 76°16.890' W; then running approximately 328° True to a point defined by Lat. 38°36.551' N, Long. 76°17.091' W; then running approximately 356° True to a point defined by Lat. 38°37.138' N, Long. 76°17.151' W; then running approximately 35° True to a point at or near the south side of Cook's Point defined by Lat. 38°37.389' N, Long. 76°16.925' W; then running southerly along the shore to the point of beginning.

(d)—(e) (text unchanged)

(3) Talbot County.

(a) (text unchanged)

(b) All of the waters of the Harris Creek and Choptank River enclosed by a line beginning at a point at or near the shore at Lower Bar Neck Point defined by Lat. 38°40.839' N, Long. 76°19.406' W; then running approximately 61° True to a point defined by Lat. 38°40.909' N, Long. 76°19.244' W; then running approximately [0°] 1° True to a point defined by Lat. 38°41.622' N, Long. 76°19.239' W; then running approximately 309° True to a point at or near the shore of Dogwood Harbor defined by Lat. 38°42.062' N, Long. 76°19.926' W; then running southerly along the shore to the point of beginning.

(c)—(d) (text unchanged)

(e) All of the waters of Miles River and Porter Creek enclosed by a line beginning at a point on the western shore of Hambleton Point defined by Lat. 38°49.215' N, Long. 76°14.103' W; then running approximately 343° True to a point defined by Lat. 38°49.254' N, Long. 76°14.119' W; then running approximately 298° True to a point defined by Lat. [38 49.271'] 38°49.271' N, Long. [76°14.128'] 76°14.158' W; then running approximately 277° True to a point defined by Lat. 38°49.286' N, Long. 76°14.331' W; then running approximately 248° True to a point defined by Lat. 38°49.248' N, Long. 76°14.448' W; then running approximately 201° True to a point defined by Lat. 38°49.197' N, Long. 76°14.474' W; then running approximately 157° True to a point defined by Lat. 38°49.158' N, Long. 76°14.453' W; then running approximately 134° True to a point defined by Lat. 38°49.055' N, Long. 76°14.317' W; then running approximately 163° True to a point defined by Lat. 38°48.988' N, Long. 76°14.290' W; then running approximately 183° True to a point defined by Lat. 38°48.958' N, Long. 76°14.292' W; then running approximately 209° True to a point defined by Lat. 38°48.933' N, Long. 76°14.308' W; then running approximately 321° True to a point defined by Lat. 38°49.042' N, Long. 76°14.419' W; then running approximately 256° True to a point defined by Lat. 38°49.033' N, Long. 76°14.462' W; then running approximately 150° True to a point defined by Lat. 38°48.900' N, Long. 76°14.363' W; then running approximately 263° True to a point defined by Lat. 38°48.893' N, Long. 76°14.435' W; then running approximately 174° True to a point at or near the shore defined by Lat. [38°14.868'] 38°48.868' N, Long. 76°14.431' W; then running northeasterly along the shore to the point of beginning.

(f) All of the waters of Miles River, Tilghman Creek, and Porter Creek enclosed by a line beginning at a point defined by Lat. 38°49.056' N, Long. 76°14.734' W; then running approximately 141° True to a point defined by Lat. 38°49.011' N, Long. 76°14.684' W; then running approximately 64° True to a point defined by Lat. 38°49.070' N, Long. 76°14.533' W; then running approximately 351° True to a point defined by Lat. 38°49.164' N, Long. 76°14.553' W; then running approximately 333° True to a point defined by Lat. [39°49.244'] 38°49.244' N, Long. 76°14.606' W; then running approximately 56° True to a point defined by Lat. 38°49.298' N, Long. 76°14.506' W; then running approximately 12° True to a point defined by Lat. 38°49.371' N, Long. 76°14.486' W; then running approximately 318° True to a point defined by Lat. 38°49.416' N, Long. 76°14.538' W; then running approximately 266° True to a point defined by Lat. 38°49.408' N, Long. 76°14.676' W; then running approximately 313° True to a point defined by Lat. 38°49.620' N, Long. 76°14.970' W; then running approximately 58° True to a point defined by Lat. [38°49.620'] 38°49.667' N, Long. [76°14.970'] 76°14.875' W; then running approximately 329° True to a point defined by Lat. 38°49.779' N, Long. 76°14.962' W; then running approximately 338° True to a point defined by Lat. 38°49.927' N, Long. 76°15.040' W; then running approximately 297° True to a point defined by Lat. 38°49.958' N, Long. 76°15.116' W; then running approximately 344° True to a point defined by Lat.

38°50.150' N, Long. 76°15.188' W; then running approximately 21° True to a point defined by Lat. 38°50.278' N, Long. 76°15.126' W; then running approximately 293° True to a point at or near the shore southeast of Seth Point defined by Lat. 38°50.380' N, Long. 76°15.427' W; then running southeasterly along the shore to the point of beginning.

(g) All of the waters of Miles River, Woodland Creek, and Leeds Creek enclosed by a line beginning at a point defined by Lat. 38°48.151' N, Long. 76°11.986' W; then running approximately 332° True to a point defined by Lat. 38°48.455' N, Long. 76°12.185' W; then running approximately 16° True to a point defined by Lat. [38°48.137'] 38°49.137' N, Long. 76°11.945' W; then running approximately 31° True to a point defined by Lat. 38°49.319' N, Long. 76°11.809' W; then running approximately 10° True to a point defined by Lat. 38°49.594' N, Long. 76°11.750' W; then running approximately 55° True to a point defined by Lat. 38°49.834' N, Long. 76°11.700' W; then running approximately 358° True to a point defined by Lat. 38°50.013' N, Long. 76°11.584' W; then running approximately 72° True to a point at or near the eastern shore of the mouth of Woodland Creek defined by Lat. 38°50.057' N, Long. 76°11.408' W; then running southerly along the shore to the point of beginning.

(h) (text unchanged)

(i) All of the waters of Leeds Creek enclosed by a line beginning at a point on the northern shore of Leeds Creek defined by Lat. 38°48.430' N, Long. 76°11.778' W; then running approximately 130° True to a point defined by Lat. 38°48.353' N, Long. 76°11.667' W; then running approximately 105° True to a point defined by Lat. 38°48.324' N, Long. 76°11.538' W; then running approximately 54° True to a point defined by Lat. 38°48.457' N, Long. 76°11.297' W; then running approximately 47° True to a point defined by Lat. [38°48.324'] 38°48.620' N, Long. [76°11.538'] 76°11.072' W; then running approximately 318° True to a point at or near the northern shore of Leeds Creek defined by Lat. [38°48.430'] 38°48.643' N, Long. [76°11.778'] 76°11.098' W; then running southeasterly along the shore to the point of beginning.

(j)—(l) (text unchanged)

(m) All of the waters of Ferry Cove, Cabin Cove, and Eastern Bay enclosed by a line beginning at or near a point on the shore of Punch Point defined by Lat. 38°45.650' N, Long. 76°20.181' W; then running approximately 40° True to a point defined by Lat. 38°45.725' N, Long. 76°20.138' W; then running approximately 56° True to a point defined by Lat. 38°45.874' N, Long. 76°19.980' W; then running approximately 296° True to a point defined by Lat. 38°45.947' N, Long. 76°19.842' W; then running approximately 296° True to a point defined by Lat. 38°46.016' N, Long. 76°20.027' W; then running approximately [356°] 297° True to a point defined by Lat. 38°46.113' N, Long. 76°20.277' W; then running approximately 356° True to a point defined by Lat. 38°46.271' N, Long. 76°20.294' W; then running approximately 81° True to a point at or near the shore of the southern tip of Lowes Point defined by Lat. [38°45.274'] 38°46.312' N, Long. [76°20.294'] 76°19.980' W; then running southerly along the shore to the point of beginning.

(n) All of the waters of Harbor Cove and Eastern Bay enclosed by a line beginning at or near a point on the shore of Lowes Point defined by Lat. [38°46.271'] 38°46.485' N, Long. [76°20.294'] 76°19.945' W; then running approximately 352° True to a point defined by Lat. 38°46.708' N, Long. [76°20.986'] 76°19.986' W; then running approximately 38° True to a point defined by Lat. 38°47.378' N, Long. 76°19.314' W; then running approximately 20° True to a point defined by Lat. 38°47.530' N, Long. 76°19.247' W; then running approximately 37° True to a point defined by Lat. 38°47.837' N, Long. 76°18.958' W; then running approximately 21° True to a point defined by Lat. 38°48.004' N, Long. 76°18.875' W; then running approximately 14° True to a point defined by Lat.

38°48.383' N, Long. 76°18.754' W; then running approximately 7° True to a point defined by Lat. 38°48.813' N, Long. 76°18.695' W; then running approximately 112° True to a point at or near the shore defined by Lat. 38°48.760' N, Long. 76°18.526' W; then running southerly along the shore to the point of beginning.

(o)—(r) (text unchanged)

(s) All of the waters of Oak Creek and Miles River enclosed by a line beginning at a point at or near the [eastern] *western* shore of Oak Creek defined by Lat. 38°45.212' N, Long. 76°10.426' W; then running approximately 31° True to a point defined by Lat. 38°45.243' N, Long. 76°10.402' W; then running approximately 314° True to a point defined by Lat. 38°45.330' N, Long. 76°10.515' W; then running approximately 265° True to a point at or near the shore defined by Lat. 38°45.320' N, Long. 76°10.701' W; then running southeasterly along the shore to the point of beginning.

(t) All of the waters of [Back] *Oak* Creek enclosed by a line beginning at a point defined by Lat. 38°45.090' N, Long. 76°10.444' W; then running approximately 319° True to a point defined by Lat. 38°45.121' N, Long. 76°10.479' W; then running approximately 51° True to a point at or near the eastern shore of Oak Creek defined by Lat. 38°45.199' N, Long. 76°10.356' W; then running southerly along the shore to the point of beginning.

(u)—(v) (text unchanged)

(4) Saint Mary's County.

(a) (text unchanged)

(b) All of the waters of Saint Mary's River enclosed by a line beginning at a point at or near the shore at Windmill Point defined by Lat. 38°09.500' N, Long. 76°27.099' W; then running approximately 97° True to a point defined by Lat. 38°09.470' N, Long. 76°26.822' W; then running approximately 27° True to a point defined by Lat. 38°09.528' N, Long. 76°26.785' W; then running approximately 320° True to a point defined by Lat. 38°09.642' N, Long. 76°26.906' W; then running approximately 301° True to a point defined by Lat. 38°09.772' N, Long. 76°27.180' W; then running approximately 214° True to a point at or near the shore north of Windmill Point defined by Lat. [38° 09.772'] 38°09.737' N, Long. [76° 27.180'] 76°27.210' W; then running southerly along the shore to the point of beginning.

(c)—(i) (text unchanged)

(5)—(7) (text unchanged)

(8) Kent County.

(a) All of the waters of Huntingfield Creek, Rock Hall Harbor, and Chesapeake Bay enclosed by a line beginning at a point at or near the shore [south of Windmill] *at the northern tip of Huntingfield* Point defined by Lat. 39°07.129' N, Long. 76°14.839' W; then running approximately 355° True to a point at or near the shore [at the northern tip of Huntingfield] *south of Windmill* Point defined by Lat. 39°07.832' N, Long. 76°14.917' W; then running southerly along the shore to the point of beginning.

(b) All of the waters of *Chesapeake Bay, Wilson Pond, and* Chester River enclosed by a line beginning at a point at or near the shore north of Wilson Point defined by Lat. 39°03.358' N, Long. 76°13.719' W; then running approximately 241° True to a point defined by Lat. 39°03.075' N, Long. 76°14.379' W; then running approximately 19° True to a point defined by Lat. 39°03.622' N, Long. 76°14.127' W; then running approximately 7° True to a point at or near the shore at the defined by Lat. 39°04.996' N, Long. 76°13.892' W; then running southerly along the shore to the point of beginning.

(c) All of the waters of Long Cove, [Wilson Pond,] Short Cove, *Eastern Neck Narrows*, and Chester River enclosed by a line beginning at a point at or near the shore on the east side of Wilson Point defined by Lat. 39°03.168' N, Long. 76°13.580' W; then running approximately 79° True to a point defined by Lat. 39°03.174' N, Long. 76°13.543' W; then running approximately 26°

True to a point defined by Lat. 39°03.306' N, Long. 76°13.459' W; then running approximately 71° True to a point at or near the shore north of the Eastern Neck Island Road Bridge defined by Lat. 39°03.341' N, Long. 76°13.322' W; then running northwesterly along the shore to the point of beginning.

(d) All of the waters of *Frying Pan Cove, Eastern Neck Narrows*, and Chester River enclosed by a line beginning at a point at or near the shore at Boxes Point defined by Lat. 39°02.971' N, Long. 76°12.741' W; then running approximately 32° True to a point defined by Lat. 39°03.036' N, Long. 76°12.688' W; then running approximately 295° True to a point defined by Lat. 39°03.056' N, Long. 76°12.742' W; then running approximately 331° True to a point defined by Lat. 39°03.202' N, Long. 76°12.842' W; then running approximately 290° True to a point defined by Lat. 39°03.310' N, Long. 76°13.220' W; then running approximately 271° True to a point defined by Lat. 39°03.312' N, Long. 76°13.329' W; then running approximately 191° True to a point at or near the shore south of the Eastern Neck Island Road Bridge defined by Lat. 39°03.297' N, Long. 76°13.333' W; then running southeasterly along the shore to the point of beginning.

(e) All of the waters of *Calfpasture Cove, Tubby Cove, Eastern Neck Narrows*, and Chester River enclosed by a line beginning at a point at or near the shore on the west side of Ingleside defined by Lat. 39°02.753' N, Long. 76°14.149' W; then running approximately 303° True to a point defined by Lat. 39°02.801' N, Long. 76°14.240' W; then running approximately 48° True to a point defined by Lat. 39°02.999' N, Long. 76°13.954' W; then running approximately 80° True to a point defined by Lat. 39°03.029' N, Long. 76°13.728' W; then running approximately 58° True to a point defined by Lat. 39°03.154' N, Long. 76°13.464' W; then running approximately 19° True to a point defined by Lat. 39°03.285' N, Long. 76°13.406' W; then running approximately 78° True to a point at or near the shore south of the Eastern Neck Island Road Bridge defined by Lat. 39°03.296' N, Long. 76°13.337' W; then running southwesterly along the shore to the point of beginning.

(9) (text unchanged)

JEANNIE HADDAWAY-RICCIO
Secretary of Natural Resources

Subtitle 02 FISHERIES SERVICE

08.02.15 Striped Bass

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

Notice of Proposed Action

[20-194-P]

The Secretary of Natural Resources proposes to amend Regulation **.04** under **COMAR 08.02.15 Striped Bass**.

Statement of Purpose

The purpose of this action is to remove the cap on the amount of striped bass shares that can be permanently transferred within a single year by a permittee registered in a Chesapeake Bay commercial striped bass fishery. Removing the annual transfer cap would allow a permit holder to sell or buy up to that maximum amount in one transaction, rather than having to break it up in multiple transactions over multiple years.

The purpose of the transfer cap implemented in 2015 was to slow down any perceived fishery consolidation. The Department and the industry have both found this cap to be restrictive and unnecessarily burdensome. Removing the cap will allow business flexibility by allowing individuals to more efficiently acquire or dispose of shares in a manner that is more beneficial to their business, as well as reducing the burden of paperwork the industry and the Department