

PROPOSED ACTION ON REGULATIONS

64

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

D. Removing the requirement that a vessel take the day off that was declared by the owner of the vessel may give commercial licensees business flexibility. Each licensed crabber is still limited to harvesting six days per week, but the vessel could be used seven days a week if there are multiple licensed commercial crabbers that use the vessel. This means that if one crabber prefers to take Sunday off and the crabber that owns the vessel that they share prefers to take Monday off, both crabbers could now take their preferred day off and still be able to crab all of their six allowable days. Allowing the vessel to be used seven days per week may spread harvest out over the course of the week. The actual impact will vary by licensee and cannot be determined.

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 could have a positive impact on commercial licensees. Please see the assumption in the Estimate of Economic Impact.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Blue Crab Day Off Regulations, Regulatory Staff, Maryland Department of Natural Resources Fishing and Boating Services, 580 Taylor Ave., E-4, Annapolis, MD 21401, or call 410-260-8300, or email to fisheriespubliccomment.dnr@maryland.gov or complete the form at <https://dnr.maryland.gov/fisheries/pages/regulations/changes.aspx#craboff>. Comments will be accepted through February 23, 2026. A public hearing will be held on Monday, February 2, 2026 at 1pm.

.14 General.

A. (text unchanged)

B. Commercial—General.

(1)—(2) (text unchanged)

[3) The vessel of a person licensed to catch crabs for sale may not be used to set or retrieve gear or catch crabs for commercial purposes on the day or days on which the vessel's owner may not set or retrieve gear or catch crabs for commercial purposes.]

[4) (3)—[(15)] (14) (text unchanged)

C. Closed Day Declaration of Intent.

(1) (text unchanged)

[2) Display of Declaration. The letters for the abbreviation of the day off shall be identified and displayed on the vessel and shall be painted or firmly attached to the port side near the stern of the vessel as follows:

(a) The letters shall be positioned in such a manner as to be clearly visible to persons in passing boats;

(b) The letters shall be plain vertical block characters of not less than 3 inches in height and shall contrast with the color of the background;

(c) The letters "SUN" shall be displayed as the abbreviation for Sundays; and

(d) The letters "MON" shall be displayed as the abbreviation for Monday.]

[3) (2) (text unchanged)

D. Alternate Closed Day.

(1) (text unchanged)

[2) An alternate closed day shall be displayed on the vessel in the manner set forth in §C(2) of this regulation using the first three letters of the day of the week.]

[(3)] (2)—[(4)] (3) (text unchanged)
E.—G. (text unchanged)

JOSH KURTZ
Secretary of Natural Resources

Notice of Proposed Action

[25-316-P]

The Secretary of Natural Resources proposes to:

- (1) Amend Regulation .02 under COMAR 08.02.05 Fish;
- (2) Amend Regulations .02, .09, and .12, and repeal existing Regulation .10 under COMAR 08.02.15 Striped Bass; and
- (3) Amend Regulation .03 under COMAR 08.02.25 Gear.

Statement of Purpose

The purpose of this action is to implement the Atlantic States Marine Fisheries Commission's (ASMFC) Addendum III to Amendment 7 to the Interstate Fishery Management Plan for Atlantic Striped Bass. The Addendum implements a standard method of measuring total length for size limit regulations and allows Maryland to change its Chesapeake Bay recreational season baseline. The proposed action:

- (1) Modifies the definition of total length. Addendum III specifies that when measuring total length of a striped bass, it must be a straight-line measurement with the upper and lower forks of the tail squeezed together.
- (2) Reestablishes the catch and release season for April.
- (3) Reestablishes the season from May 1 through May 15 where an individual may harvest one fish per person per day between 19—24 inches total length.
- (4) Removes the July 16 through July 31 no targeting closure and establishes a no targeting closure from August 1 through August 31.
- (5) Changes the end date of the recreational season to December 5 of each year.
- (6) Reorganizes the regulations to simplify the recreational and charter boat seasons making them easier to find and read.
- (7) Adjusts the gear and bait rules to align with the recreational seasons.
- (8) Allows for more access to recreational fishing opportunities without increasing mortality or total number of fish removed.

The ASMFC Striped Bass Management Board approved a stakeholder-developed and Department-sponsored proposal (Baseline Season Adjustment) to modify Maryland's current recreational striped bass season with the goal of addressing the needs of the recreational community in Maryland while focusing on protections for the resident striped bass to reduce mortality and boost their survivability until migration. The Baseline Season Adjustment re-directs the Department's current conservation approach (protection of large females) to one that provides protection to the more vulnerable (juvenile) resident population of striped bass in the Chesapeake Bay.

Atlantic Coast states have taken many steps to protect the large, spawning females through reductions in quotas, recreational size and creel limits, and closed seasons. This has resulted in complicated and segmented recreational fishing regulations. These management actions have resulted in increases in the numbers of large females, but the protection of the older and larger fish has not led to increases in numbers of young striped bass surviving and growing large enough to be caught. The proposed action simplifies striped bass regulations and refocuses management measures on protections to the smaller, resident population of striped bass to provide the best chance of survival to spawning and migration size while also providing anglers opportunities to fish for striped bass.

The proposed action removes the no-targeting restrictions in April and May. The no-targeting closure in April has been in place since 2020. The closure was extended through the first 15 days of May in 2024. The closures were intended to protect the large females in the population (female spawning stock biomass, or "SSB") at a time when

their abundance was low and the best available science at the time determined that this portion of the stock was overfished (SSB abundance was below the threshold reference point). The intent was that by protecting the larger females coming to spawn in the spring, the production of the young fish would also increase. After 5 years, there has been a healthy increase in the number of adult female fish; however, there has not been an increase in the production of young fish.

Concern has been raised about anglers interacting with and catching pre-spawning females during the month of April. Studies indicate that release mortality is low in April due to cool water and air temperatures which greatly increase survival of released fish. The past five years of implementation has demonstrated that there is little to no relationship between the number of large females in the population and a successful spawning event. Reopening the catch and release fishery in April is not expected to change the outcome of the spawn, which is known to be heavily influenced by environmental factors such as water/air temperature, precipitation, and storm events. The current population size of the large females is capable of producing a large year-class. Current scientific understanding is that increasing protection for the young resident fish, which are subject to high release mortality during the summer months, will likely minimize impact to the future spawning stock.

In order to ensure that striped bass caught and released in April and early May have a low release mortality, the proposed action extends the same gear rules that apply in March through May 15. That means stinger hooks are prohibited, there is a limit of 6 rods while trolling, and barbless hooks are required while trolling.

The proposed action removes the 15-day no-targeting closure in July that has been in place for five years, implements a no-targeting closure from August 1 through August 31, and clarifies the definition of “target” to more fully explain the types of behaviors that are prohibited during a no-targeting closure period. During the summer (especially July and August), young resident fish in the population are more vulnerable to mortality given the extreme temperatures and poor water quality that is prevalent during that time of year. As they age, these younger resident fish will leave the Chesapeake Bay to join the migratory spawning stock. A longer closure in August will protect the residents trying to survive, including those fish that would be caught and released. This is especially important since the resident abundance is low due to seven consecutive years of poor juvenile fish production.

The Baseline Season Adjustment reduces regulatory complexity, re-aligns Maryland seasons more closely with Chesapeake Bay jurisdiction neighbors (Virginia and Potomac River Fisheries Commission), and refocuses management efforts where needed given the status of the striped bass population along the coast.

Estimate of Economic Impact

I. Summary of Economic Impact. The changes in the proposed action address the current striped bass fishery challenges for all recreational anglers. The restructuring of the seasons allows for 30 fewer no-targeting days (proposal includes 31 no-targeting days instead of the 61 no-targeting days in the current regulation) and 35 more days of catch and release fishing open to all recreational anglers. While there will be five fewer days to harvest fish, the tradeoff shifts effort to accessing fish when water conditions allow for less release mortality, which adds protection to the younger, resident fish. Bringing fishing opportunities back to the spring will greatly benefit the communities around the Chesapeake Bay who rely on recreational fishing to support their businesses because people will have the ability to pursue one of the most popular fish in the Chesapeake Bay and its tidal tributaries during that time period. Moving the closure from July to August could lessen the impacts to small businesses because there are a number of other species to target in the Bay in August during the proposed month-long no-targeting closure on striped bass.

To improve long-term outcomes for the striped bass fishery, short-term changes could affect some parties more than others. Fishing practices may need to adapt to new seasons, away from traditional models, and reflect new management approaches. The Department believes that overall, the Baseline Season Adjustment will be a long-term benefit for all fishermen, regardless of fishing method or license type, because it offers more opportunities for all anglers to be on the water fishing for striped bass and helps businesses in local communities, like tackle shops, marinas, and restaurants.

II. Types of Economic Impact

Impacted Entity	Revenue (R+/R-)	Expenditure (E+/E-)	Magnitude
A. On issuing agency:	NONE		
B. On other State agencies:	NONE		
C. On local governments:	NONE		
D. On regulated industries or trade groups:			
(1) Fishing Guides/Charters	(-)	Indeterminable	
(2) Fishing Guides/Charters	(+)	Indeterminable	
E. On other industries or trade groups:			
(1) Tackle Shops, Marinas, Hotels, Restaurants	(-)	Indeterminable	
(2) Tackle Shops, Marinas, Hotels, Restaurants	(+)	Indeterminable	
F. Direct and indirect effects on public:	NONE		

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

D(1). August No-Targeting Closure and Season End Date. The prohibition on targeting striped bass from August 1 through August 31 in the Chesapeake Bay and its tidal tributaries and the season ending five days earlier in December may have an indeterminable negative impact on fishing guides and charter captains. The majority of the guided fishing trips that take place in the Chesapeake Bay occur during the summer months, so it is likely that prohibiting targeting striped bass for the entire month of August, rather than 15 days in July, will negatively impact some of the guide/charter operations. However, there is also a greater number of species to target in the Chesapeake Bay during the summer months, especially in August, so it is possible that some of these operations will be able to mitigate the impact of lost striped bass trips by offering trips targeting other species. The exact economic impact is not determinable because it is not possible to know how many trips were strictly for striped bass in August or how many fewer trips will be taken, as fishing guides and charter captains could choose to pursue other species during the striped bass closure.

D(2). Removal of April 1—May 15 No-Targeting Closure. Removing the prohibition on targeting striped bass from April 1 through May 15 in the Chesapeake Bay and its tidal tributaries will likely have an indeterminable positive impact on fishing guide and charter businesses. In 2018 and 2019, the years immediately prior to the initial creation of the closure, charter captains reported an average of slightly more than 200 trips in the months of March and April to the Department. The majority of those trips occurred starting on the third Saturday in April, which is when the spring striped bass fishery opened in previous years. Since the creation of the closure, some charter

PROPOSED ACTION ON REGULATIONS

66

captains reported moving their business out of State for April. Opening April and early May to fishing will likely result in opportunities to book trips. Because it is not possible to know how business models changed over the last five years, it is not possible to determine the actual economic impact of these measures. Additionally, prior to the closure, according to the Marine Recreational Information Program (MRIP) a large number of for-hire trips occurred in the Maryland portion of the Chesapeake Bay during March and April, largely centering around the catch-and-release striped bass fishery. While we cannot determine what proportion of these trips occurred during April, it is likely that there will be substantial positive impacts to individuals whose businesses rely on guiding trips during this time.

E(1). August No-Targeting Closure and Season End Date. Prohibiting the targeting of striped bass in August could have an indeterminable negative impact on tackle shops, marinas, hotels, and restaurants. With less time available to pursue one of the most popular fish in the Chesapeake Bay and its tidal tributaries, anglers may have less need for tackle and may take fewer trips, resulting in less marine fuel being purchased as well as the loss of any other incidental sales that would have resulted from the refueling stop. It is not possible to know how many fewer trips will be taken, as anglers could choose to pursue other species during the striped bass closure, so the total economic impact is not determinable.

E(2). Removal of April 1—May 15 No-Targeting Closure. Bringing fishing opportunities back to the spring will greatly benefit the communities around the Chesapeake Bay who rely on recreational fishing to support their businesses because people will have the ability to pursue one of the most popular fish in the Chesapeake Bay and its tidal tributaries during that time period. With more time available to pursue one of the most popular fish in the Chesapeake Bay and its tidal tributaries, anglers will likely have greater need for tackle and will take additional trips, resulting in more marine fuel being purchased as well as any other incidental sales that will result from the refueling stop. It is not possible to know how many more trips will be taken so while the action is anticipated to result in a positive impact to these businesses, the total economic impact is not determinable.

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 will likely impact small businesses. Please see the assumptions in the estimate of economic impact for analysis.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Striped Bass Regulations, Regulatory Staff, Maryland Department of Natural Resources Fishing and Boating Services, 580 Taylor Avenue, Annapolis, MD 21401, or call 410-260-8300, or email to fisheriespubliccomment.dnr@maryland.gov or complete the comment form at <https://dnr.maryland.gov/fisheries/pages/regulations/changes.aspx#sb> rec. Comments will be accepted through February 23, 2026. A public hearing has not been scheduled.

08.02.05 Fish

Authority: Natural Resources Article, §§4-215, 4-219, and 4-2A-03, Annotated Code of Maryland

.02 General Fishing Prohibitions.

A.—D. (text unchanged)

E. A person may [not] use eels as bait while fishing with hook and line in the tidal waters of the Chesapeake Bay and its tributaries[, except for a recreational, charter, or commercial hook and line fisherman authorized to participate in and fish during summer and fall striped bass seasons established in COMAR 08.02.15] only from:

- (1) May 16 through July 31; and
- (2) September 1 through December 5.

F.—M. (text unchanged)

08.02.15 Striped Bass

Authority: Natural Resources Article, §§4-206, 4-215, 4-221, 4-2A-03, and 4-732, Annotated Code of Maryland

.02 Definitions.

- A. (text unchanged)
- B. Terms Defined.

- (1)—(12) (text unchanged)

(13) "Total length" means the [distance from the tip of the snout to the end of the longest lobe of the extended tail of a fish] *greatest straight line length in inches as measured on a fish laid flat on its side on top of the measuring device with its mouth closed from the anterior-most tip of the jaw or snout to the farthest extremity of the tail with the upper and lower fork of the tail squeezed together.*

- (14)—(15) (text unchanged)

.09 Recreational and Charter Boat [Summer and Fall] Striped Bass Fishery in the Chesapeake Bay and Its Tidal Tributaries.

- A. [Early Season.] Seasons and Areas.

(1) The recreational and charter boat early summer and fall season for taking striped bass is May 16 through May 31.

- (2) Catch Restrictions.

(a) A person may not catch or possess more than one striped bass per day.

(b) A person may not catch or possess striped bass less than 19 inches in total length.

(3) (1) [Open Areas. A] *From May 1 through May 15, a person may [only] catch or possess striped bass [during the recreational and charter boat early summer and fall season] only in the following areas:*

- (a) (text unchanged)

(b) *Between the William Preston Lane Jr. Memorial Bridge northern span and the Maryland-Virginia state line excluding all bays, sounds, tributaries, creeks, and rivers, except Tangier Sound and Pocomoke Sound.*

(c) *All of the Maryland waters of the Potomac River, and its tidal tributaries, downstream of a line beginning at a point at or near the east end of the Nice Memorial Bridge (U.S. 301), defined by Lat. 38°21.55'N and Long. 77°00.90'W; then running approximately 80° True to a point at or near the west end of the Nice Memorial Bridge, defined by Lat. 38°21.81'N and Long. 76°59.00'W; and upstream of a line beginning at a point at or near the shore at the north side of the north jetty at Smith Point, defined by Lat. 37°53.40'N and Long. 76°14.23'W; then running approximately 335° True to a point at or near Point Lookout, defined by Lat. 38°02.25'N and Long. 76°19.34'W.*

(2) *From May 16 through May 31, a person may catch or possess striped bass only in the following areas:*

- (a) *All of the areas listed in Section A(1) of this regulation;*

(b) *[Additional areas open north of the William Preston Lane Jr. Memorial Bridge northern span:*

(i) *All of the waters of the Chesapeake Bay enclosed by a line beginning at a point at or near North Point, defined by Lat. 39°11.71'N and Long. 76°26.53'W; then running approximately 156° True to a point at or near Buoy "2B" at the mouth of the Patapsco River, defined by Lat. 39°10.71'N and Long. 76°25.95'W; then running approximately 111° True to a point at or near Buoy "10", defined by Lat. 39°10.35'N and Long. 76°24.74'W; then running approximately 110° True to a point at or near Buoy "8", defined by Lat. 39°10.00'N and Long. 76°23.51'W; then running approximately 112° True to a point at or near Buoy "6", defined by Lat. 39°09.61'N and Long. 76°22.30'W; then running approximately 111° True to a point at or near Buoy "4", defined by Lat. 39°09.24'N and Long. 76°21.08'W; then running approximately 111° True to a point at or near Buoy*

“2BE”, defined by Lat. 39°08.92'N and Long. 76°19.98'W; then running approximately 90° True to a point at or near Buoy “12”, defined by Lat. 39°08.91'N and Long. 76°19.15'W; then running approximately 91° True to a point at or near Swan Point, defined by Lat. 39°08.88'N and Long. 76°16.69'W, then running northerly along the shore of Kent County to a point at or near the end of Maryland Route 21 at Tolchester, defined by Lat. 39°12.91'N and Long. 76°14.63'W; then running approximately 282° True to a point at or near the south corner of the Hart-Miller Island dike, defined by Lat. 39°14.23'N and Long. 76°22.44'W; then running north and west along the Hart-Miller shoreline to a point at or near the west end of Hart-Miller Island, defined by Lat. 39°14.36'N and Long. 76°23.19'W; then running approximately 206° True to a point at or near the east end of Pleasure Island, defined by Lat. 39°14.23'N and Long. 76°23.27'W; then running southwesterly along the Chesapeake Bay shoreline to a point at or near the West end of Pleasure Island, defined by Lat. 39°13.85'N and Long. 76°23.65'W; then running approximately 245° True to a point at or near the east end of Patapsco River Neck, defined by Lat. 39°13.76'N and Long. 76°23.91'W; then running southwesterly along shore to a point at or near the east entrance of Shallow Creek, defined by Lat. 39°12.25'N and Long. 76°25.95'W; then running approximately 251° True to a point at or near the west entrance of Shallow Creek, defined by Lat. 39°12.19'N and Long. 76°26.20'W; then running southwesterly along shore to the point of beginning, defined by Lat. 39°11.72'N and Long. 76°26.53'W;

[(ii)] (c) (text unchanged)

[(c) Between the William Preston Lane Jr. Memorial Bridge northern span and the Maryland-Virginia state line excluding all bays, sounds, tributaries, creeks, and rivers, except Tangier Sound and Pocomoke Sound and as provided in §A(3)(d)—(f) of this regulation.]

(d)—(e) (text unchanged)

(3) Except for the closure specified in COMAR 08.02.15.12I(5), from June 1 through December 5, a person may catch or possess striped bass in the Chesapeake Bay and its tidal tributaries, including the Maryland tributaries of the Potomac River.

[B. Summer and Fall Season.

(1) Except for the closure specified in Regulation .12I(6) of this chapter, the recreational and charter boat summer and fall season for taking striped bass is June 1 through December 10.

(2) The areas subject to the provisions of §B(1) of this regulation are the Chesapeake Bay and its tidal tributaries except for the tributaries of the Potomac River.]

[(3)] B. Catch Restrictions.

[(a)] (1)—[(b)] (2) (text unchanged)

(3) A person may not catch or possess striped bass greater than 24 inches in total length.

C. (text unchanged)

.12 General Restrictions.

A.—F. (text unchanged)

G. Restrictions for Charter Boats.

(1) [During] Except as provided in COMAR 08.02.13.06, during a chartered fishing trip, the captain or mate may not land or possess striped bass for personal consumption.

(2) A fishing guide licensee may not make more than two [charter] guided fishing trips daily to fish for striped bass.

H. (text unchanged)

I. Seasonal Restrictions for the Recreational and Charter Boat Fishery.

(1) Definition.

(a) (text unchanged)

(b) Term Defined. “Target” means to catch, [or] attempt to catch, *harm, harass, or pursue*.

(2) Except as provided in Regulation .09 of this chapter and in §I(3) and (4) of this regulation, a person may not target 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] May 31.

(3) 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; and

(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.]

[(4) During the period April 1 through May 15, a person may not target striped bass or striped bass hybrids in the Chesapeake Bay or its tidal tributaries.

(5) During the period May 16 through May 31, except as provided in Regulation .09 of this chapter and §I(6) of this regulation, a person may not target striped bass or striped bass hybrids in the striped bass spawning rivers and areas listed in Regulation .03B of this chapter.]

[(6)] (4) During the period [May 16] March 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 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.

[(7)] (5) During the period [July 16 through July 31] August 1 through August 31, a person may not target striped bass or striped bass hybrids in the Chesapeake Bay or its tidal tributaries.

08.02.25 Gear

Authority: Natural Resources Article, §§4-215 and 4-221, Annotated Code of Maryland

.03 Recreational Gear—Tidal Waters.

A. (text unchanged)

B. Hook Requirements—Chesapeake Bay and Its Tidal Tributaries.

(1)—(2) (text unchanged)

(3) During the period March 1 through [March 31] May 15, a person recreationally angling in the Chesapeake Bay or its tidal tributaries:

(a)—(c) (text unchanged)

[(4) During the period April 1 through May 15, a person recreationally angling in the Chesapeake Bay or its tidal tributaries:

(a) May not use stinger hooks; and

PROPOSED ACTION ON REGULATIONS

68

(b) In addition to the requirements in §§B(1) and (2) of this regulation, when using fish, crabs, or worms as bait, or processed bait, shall only use a:

(i) Circle hook; or

(ii) "J" hook with a gap of less than or equal to 1/2 inch between the point and the shank.]

[5)] (4) (text unchanged)

C.—D. (text unchanged)

E. Active Line Fishing Gear.

(1)—(4) (text unchanged)

(5) During the period March 1 through [March 31] *May 15*, no more than six lines, regardless of the number of people on board a vessel, may be used for recreationally angling from a boat when trolling in the Chesapeake Bay or its tidal tributaries.

[6) During the period April 1 through May 15, a person recreationally angling in the Chesapeake Bay or its tidal tributaries may not attempt to catch fish by trolling.]

F.—I. (text unchanged)

JOSH KURTZ

Secretary of Natural Resources

08.02.08 Shellfish—General

Authority: Natural Resources Article, §§4-743 and 4-11A-13, Annotated Code of Maryland

Notice of Proposed Action

[25-278-P]

The Secretary of Natural Resources proposes to amend Regulation .01 under **COMAR 08.02.08 Shellfish-General**.

Statement of Purpose

The purpose of this action is to update the definition of shellfish to reflect a change made by the Maryland General Assembly in the 2024 Legislative Session (2024 Md. Laws, Chap. 114). Specifically, the proposed action removes the list of species and their shells from the definition and replaces the list with the phrase "live bivalves and bivalve shells."

The regulation requires an individual to obtain a permit prior to importing shellfish. Updating the definition to mean live bivalves and bivalve shells ensures that any imported shellfish or shells, regardless of the species, are free of pathogens and will not endanger shellfish in Maryland. It also reduces confusion regarding when an import permit is required.

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 Shellfish-General (Definitions) Regulations, Regulatory Staff, Maryland Department of Natural Resources, Fishing and Boating Services, 580 Taylor Avenue, E-4, Annapolis, MD 21401, or call 410-260-8300, or email to fisheriespubliccomment.dnr@maryland.gov or complete the comment form at <https://dnr.maryland.gov/fisheries/pages/regulations/changes.aspx#shelldef>. Comments will be accepted through February 23, 2026. A public hearing has not been scheduled.

.01 Importation of Shellfish.

A. Definition.

(1) In this regulation, the *following term has the meaning stated* [term "shellfish" includes live oysters, seed oysters, oyster shells, live hard-shell clams, live soft-shell clams, and clam shells].

(2) *Term Defined.* "Shellfish" means live bivalves and bivalve shells.

B. Permit Required. A person may not import or possess within the State shellfish taken from waters outside the waters of the State for planting in the waters of the State, unless [he] *they* first obtains a permit from the Department. The Department shall issue a permit if presented with proof satisfactory to the Department that the shellfish will not be harmful to Maryland shellfish.

C. (text unchanged)

JOSH KURTZ
Secretary of Natural Resources

Subtitle 18 BOATING—SPEED LIMITS AND OPERATION OF VESSELS

08.18.16 Nanticoke River

Authority: Natural Resources Article, §§8-703 and 8-704, Annotated Code of Maryland

Notice of Proposed Action

[25-270-P]

The Secretary of Natural Resources proposes to amend Regulation .02 under **COMAR 08.18.16 Nanticoke River**.

Statement of Purpose

The purpose of this action is to combine two existing speed zones in Marshyhope Creek, a tributary of the Nanticoke River, into one continuous speed zone. Currently, there is a small seasonal (March 1 through June 15) minimum wake speed zone in the lower Marshyhope Creek adjacent to a larger year-round minimum wake speed zone in the upper Marshyhope Creek. The proposed action combines the areas and increases the speed limit for the entire area to 6 knots at all times. The proposed action addresses the need to clarify and simplify the speed zones on Marshyhope Creek.

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 Nanticoke River Boating Regulations, Regulatory Staff, Maryland Department of Natural Resources, Fishing and Boating Services, 580 Taylor Avenue., E-4, Annapolis, MD 21401, or call 410-260-8300, or email to boatingpubliccomment.dnr@maryland.gov, or complete the comment form at https://dnr.maryland.gov/boating/Pages/regulations/changes_boating.aspx#dorchester. Comments will be accepted through February 23, 2026. A public hearing has not been scheduled.

.02 Marshyhope Creek.

A. [Lower Marshyhope Creek encompasses the area] *Area. All of the waters upstream of a line beginning at a point at or near Lat. 38° 39.680' N., Long. 75° 47.815' W., then running 147° [True] to a point[,] at or near Lat. 38° 39.653' N., Long. 75° 47.793' W[,]*, then running 99° (True) to a point, at or near Lat. 38° 39.625' N., Long. 75° 47.570' W., then running 180° (True) to a point, at or near Lat. 38°