

[(b)] (4) *Grouper. A commercial licensee may not harvest, possess, or land more than 175 pounds*, regardless of the species, of grouper [listed in §A(2) of this regulation] *per trip.*

[(2)] (5) (text unchanged)  
F. (text unchanged)

JOSEPH P. GILL  
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**  
[15-052-P]

The Secretary of Natural Resources proposes to amend Regulation .07 under COMAR 08.02.15 Striped Bass.

**Statement of Purpose**

The purpose of this action is to remove the numerical quota for the Atlantic Ocean striped bass fishery from regulation and add language to establish the quota for that fishery as the quota set by the Atlantic States Marine Fisheries Commission (ASMFC). The quota is set based on striped bass abundance and fishing mortality. The change is being made so that when ASMFC changes the quota, the Department does not need to change the regulation to ensure the fishery is managed to the correct number. This is how the Department manages the Chesapeake Bay fishery.

**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 Atlantic Ocean Commercial Striped Bass Regulations, Regulatory Staff, Department of Natural Resources, Fisheries Service B-2, 580 Taylor Avenue, Annapolis, MD 21401, or call 410-260-8300, or email to fisheriespubliccomment.dnr@maryland.gov, or fax to 410-260-8310. Comments will be accepted through February 23, 2015. A public hearing has not been scheduled.

**.07 Commercial Fishery.**

- A. (text unchanged)
- B. Atlantic Ocean, its Coastal Bays and Their Tributaries.

(1) Quota. The annual target harvest for the commercial fishery is [126,396 pounds] *the quota set by the Atlantic States Marine Fisheries Commission.*

- (2)—(7) (text unchanged)
- C.—F. (text unchanged)

JOSEPH P. GILL  
Secretary of Natural Resources

**Subtitle 19 FOREST CONSERVATION**  
**08.19.03 Model Forest Conservation Ordinance**

Authority: Natural Resources Article, §§5-1601—5-1613, Annotated Code of Maryland

**Notice of Proposed Action**  
[15-069-P]

The Department of Natural Resources proposes to amend Regulation .01 under COMAR 08.19.03 Model Forest Conservation Ordinance.

**Statement of Purpose**

The purpose of this action is to revise the fee-in-lieu amounts stated in the Model Ordinance to reflect rate of inflation as required by statute.

**Comparison to Federal Standards**

There is no corresponding federal standard to this proposed action.

**Estimate of Economic Impact**

**I. Summary of Economic Impact.** This amendment will require those complying with local government's forest conservation ordinances and cannot plant trees to pay an additional half cent to one cent per square foot of required mitigation prior to obtaining permits.

**II. Types of Economic Impact.**

- A. On issuing agency:
- B. On other State agencies:
- C. On local governments:

| Revenue (R+/R-)     | Magnitude |
|---------------------|-----------|
| Expenditure (E+/E-) |           |

|      |  |
|------|--|
| NONE |  |
| NONE |  |
| NONE |  |

| Benefit (+) | Magnitude |
|-------------|-----------|
| Cost (-)    |           |

- D. On regulated industries or trade groups:
- E. On other industries or trade groups:
- F. Direct and indirect effects on public:

|      |            |
|------|------------|
| (-)  | Negligible |
| (-)  | Negligible |
| NONE |            |

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

- D. Rate increase too small to calculate impact
- E. Rate increase too small to calculate 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 Marian Honeczy, Supervisor, Urban and Community Forestry, Maryland Forest Service, Department of Natural Resources, 580 Taylor Avenue, E-1, or call 410-260-8511, or email to marian.honeczy@maryland.gov, or fax to 410-260-8595. Comments will be accepted through February 23, 2015. A public hearing has not been scheduled.

**.01 Ordinance for Local Program.**

The following Model Ordinance shall be to assist and guide in the development of a local program. This Model Ordinance will further enable each unit of local government with planning and zoning authority to determine the size, location and orientation of forest to be retained, and prioritize tracts of land for reforestation and afforestation. Although it is the intention of the Department that this chapter be liberally construed to accomplish its purpose, a local authority shall demonstrate that the substantive provisions of each article are incorporated in the local program. Some local authorities may be able to adopt this Ordinance with only minor changes appropriate to each jurisdiction. Other local authorities may choose to use elements of this Ordinance to amend existing laws, statutes, or Ordinances.

Model Forest Conservation Ordinance Ordinance Number \_\_\_\_\_

An Ordinance for the purpose of prohibiting certain development projects from cutting or clearing certain forests within the Community of \_\_\_\_\_ unless a forest stand delineation and a forest conservation plan are in effect.

**Article I—Article IX (text unchanged)**

**Article X Payment Instead of Afforestation and Reforestation.**

**10.1 Forest Conservation Fund.**

**A. (text unchanged)**

B. If a person subject to this Ordinance demonstrates to the satisfaction of the Department that requirements for reforestation or afforestation onsite or offsite cannot be reasonably accomplished, the person shall contribute money into the county forest conservation fund:

(1) For a project inside a priority funding area, as defined in Natural Resources Article, §5-1610, Annotated Code of Maryland, at a rate of [30 cents] *30.5 cents* per square foot of the area of required planting [until September 30, 2014, when the amount shall be] *with the amount adjusted [for inflation yearly] by the Department based on the previous year's inflation rate [as determined by the Department annually by regulation]; and*

(2) For a project outside a priority funding area, at a rate of [36 cents] *36.6 cents* per square foot of the area of required planting [until September 30, 2014, when the amount shall be] *20-percent higher than the rate established for a project inside a priority funding area].*

**C.—G. (text unchanged)**

JOSPEH P. GILL  
Secretary of Natural Resources

**Subtitle 19 FOREST CONSERVATION**

**08.19.04 State Forest Conservation Program**

Authority: Natural Resources Article, §§5-1601—5-1612, Annotated Code of Maryland

**Notice of Proposed Action**  
[15-068-P]

The Department of Natural Resources proposes to amend Regulation .09 under COMAR 08.19.04 State Forest Conservation Program.

**Statement of Purpose**

The purpose of this action is to include language stating the revised fee-in-lieu amount in the regulations that reflects the rate of inflation as required by statute.

**Comparison to Federal Standards**

There is no corresponding federal standard to this proposed action.

**Estimate of Economic Impact**

**I. Summary of Economic Impact.** This amendment will require those complying with the state's forest conservation program and cannot plant trees to pay an additional half cent to one cent per square foot of required mitigation prior to obtaining permits.

| II. Types of Economic Impact. | Revenue (R+/R-)     | Magnitude  |
|-------------------------------|---------------------|------------|
|                               | Expenditure (E+/E-) |            |
| A. On issuing agency:         | NONE                |            |
| B. On other State agencies:   | (E+)                | Negligible |
| C. On local governments:      | NONE                |            |
|                               | Benefit (+)         | Magnitude  |
|                               | Cost (-)            |            |

D. On regulated industries or trade groups: (-) Negligible

E. On other industries or trade groups: (-) Negligible

F. Direct and indirect effects on public: NONE

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

B. Rate increase too small to calculate impact

D. Rate increase too small to calculate impact

E. Rate increase too small to calculate 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 Marian Honecny, Supervisor, Urban and Community Forestry, Maryland Forest Service, Department of Natural Resources, 580 Taylor Avenue, E-1, or call 410-260-8511, or email to marian.honecny@maryland.gov, or fax to 410-260-8595. Comments will be accepted through February 23, 2015. A public hearing has not been scheduled.

**.09 State Forest Conservation Fund.**

**A. — C. (text unchanged)**

*D. Payment into the fee-in-lieu fund shall be determined by the Department and the rate amount shall be adjusted yearly for inflation based on the previous year's inflation rates:*

*(1) For a project inside a priority funding area, as defined in Natural Resources Article, §5-1610, Annotated Code of Maryland, at a rate of 30.5 cents per square foot of the area required planting; and*

*(2) For a project outside a priority funding area, at a rate of 36.6 cents per square foot of the area of required planting.*

JOSPEH P. GILL  
Secretary of Natural Resources