

MARYLAND REGISTER

## Proposed Action on Regulations

<b>Transmittal Sheet</b>  <b>PROPOSED OR REPROPOSED</b>  <b>Actions on Regulations</b>	<b>Date Filed with AELR Committee</b>	<b>TO BE COMPLETED BY DSD</b>
	08/26/2014	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

**1. Desired date of publication in Maryland Register: 10/3/2014**

**2. COMAR Codification**

**Title Subtitle Chapter Regulation**

08 03 03 01

**3. Name of Promulgating Authority**

Department of Natural Resources

**4. Name of Regulations Coordinator Telephone Number**  
Eileen C Mosley 410-260-8107

**Mailing Address**

Tawes State Office Building, 580 Taylor Avenue, C-4

**City State Zip Code**  
Annapolis MD 21401

**Email**  
emosley@dnr.state.md.us

**5. Name of Person to Call About this Document Telephone No.**  
Glenn D. Therres 410-260-8572

**Email Address**  
glenn.therres@maryland.gov

**6. Check applicable items:**

- New Regulations
- Amendments to Existing Regulations  
Date when existing text was downloaded from COMAR online: 08/22/2014.
- Repeal of Existing Regulations
- Recodification
- Incorporation by Reference of Documents Requiring DSD Approval
- Reproposal of Substantively Different Text:  
:  
Md. R  
(vol.) (issue) (page nos) (date)  
Under Maryland Register docket no.: --P.

**7. Is there emergency text which is identical to this proposal:**

- Yes  No

If yes, corresponding proposed text published in:

- same issue
- future issue
- previous issue; it appeared in  
:  
Md. R  
(vol.) (issue) (page no's) (date)  
Under Maryland Register docket no.: --E.

**8. Incorporation by Reference**

Check if applicable: Incorporation by Reference (IBR) approval form(s) attached and 18 copies of documents proposed for incorporation submitted to DSD. (Submit 18 paper copies of IBR document to DSD and one copy to AELR.)

**9. Public Body - Open Meeting**

- OPTIONAL - If promulgating authority is a public body, check to include a sentence in the Notice of Proposed Action that proposed action was considered at an open meeting held pursuant to State Government Article, §10-506(c), Annotated Code of Maryland.
- OPTIONAL - If promulgating authority is a public body, check to include a paragraph that final action will be considered at an open meeting.

**10. Children's Environmental Health and Protection**

Check if the system should send a copy of the proposal to the Children's Environmental Health and Protection Advisory Council.

**11. Certificate of Authorized Officer**

I certify that the attached document is in compliance with the Administrative Procedure Act. I also certify that the attached text has been approved for legality by Shara Mervis Alpert, Assistant Attorney General, (telephone #410-260-8358) on August 26, 2014. A written copy of the approval is on file at this agency.

**Name of Authorized Officer**

Shara Mervis Alpert

**Title**

Assistant Attorney General

**Telephone No.**

410-260-8358

**Date**

August 26, 2014

**Title 08  
DEPARTMENT OF NATURAL RESOURCES**

**Subtitle 03 WILDLIFE**

**08.03.03 Open Seasons, Bag Limits for Game Birds and Game Animals**

Authority: Natural Resources Article, §§10-205 and 10-410, Annotated Code of Maryland

**Notice of Proposed Action**

□

The Secretary of Natural Resources proposes to amend Regulation .01 under COMAR 08.03.03 Open Seasons, Bag Limits for Game Birds and Game Animals.

**Statement of Purpose**

The purpose of this action is to designate the Sundays open for hunting in Allegany, Garrett and Washington counties during the open seasons for all game species except migratory game birds and the Sundays open for deer hunting in Frederick County. This action will also designate the public lands open for Sunday hunting in Allegany, Garrett and Washington counties.

**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 Peter Jayne, Associate Director, Wildlife and Heritage Service, Department of Natural Resources, P.O. Box 68, Wye Mills, MD 21679, or call 410-827-8612, or email to peter.jayne@maryland.gov, or fax to . Comments will be accepted through November 3, 2014. A public hearing has not been scheduled.

### **Economic Impact Statement Part C**

A. Fiscal Year in which regulations will become effective: FY 15

B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?

Yes

C. If 'yes', state whether general, special (exact name), or federal funds will be used:

Special (Wildlife Management and Protection Fund)

D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:

E. If these regulations have no economic impact under Part A, indicate reason briefly:

This proposal will have minimal impact to the Department. We do not anticipate any material increase in hunting license sales or operational costs associated with allowing hunting on these Sundays in these counties.

F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

Small businesses will realize a slight increase in sales as a result of this legislation. Increased hunting opportunities will result in additional revenue for those industries and groups that support hunting, including sporting goods shops, restaurants and motels.

G. Small Business Worksheet:

Attached Document:

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**Title 08 DEPARTMENT OF NATURAL RESOURCES**

## Subtitle 03 WILDLIFE

### .03 Open Seasons, Bag Limits for Game Birds and Game Animals

Authority: Natural Resources Article, §§10-205 and 10-410, Annotated Code of Maryland

#### .01 Bag Limits and Possession Limits.

A. — C. (text unchanged)

D. Hunting on Sunday.

(1) Except as provided in §D(2) of this regulation, an individual may not hunt any game bird or game mammal on Sunday.

(2) An individual may hunt on Sunday, if the individual is:

(a) — (c) (text unchanged)

(d) Hunting white-tailed or sika deer on private property as described in Regulations .07 and .08 of this chapter:

(i) (text unchanged)

(ii) On the last three Sundays in October and the first two Sundays in November during the deer bow season and the first Sunday of the deer firearms season in [Allegany,] Dorchester, [Frederick, Garrett,] Talbot, [Washington,] and Wicomico counties;

(iii) — (iv) (text unchanged)

(v) 16 years of age or younger when participating in the Junior Deer Hunt on private lands only in Anne Arundel, [Allegany,] Calvert, Caroline, Carroll, Cecil, Charles, Dorchester, [Frederick, Garrett,] Harford, Kent, Montgomery, Queen Anne's, Somerset, St. Mary's, Talbot, [Washington,] Wicomico, and Worcester counties;

[(e) Hunting wild turkeys as described in Regulation .03 of this chapter on the last Sunday in April and the first Sunday in May, except Easter Sunday, of the spring season in Allegany and Garrett counties;]

*(e) 16 years of age or younger when participating in the Junior Deer Hunt on private property in Allegany, Frederick, Garrett and Washington counties or a designated Wildlife Management Area listed in §G of this regulation;*

*(f) Hunting deer on private property or a designated Wildlife Management Area listed in §G of this regulation on the last three Sundays in October and the first two Sundays in November during the deer bow season, all Sundays in December and January during the deer muzzleloader season, and all Sundays in the deer firearms season in Allegany, Frederick, Garrett and Washington counties;*

[(f)] (g) Hunting wild turkeys as described in Regulation .03 of this chapter on private property on any Sunday during the Junior Hunt and spring season in Calvert, Caroline, Charles, and St. Mary's counties; [and]

[(g)] (h) Hunting wild turkeys as described in Regulation .03 of this chapter on public or private land on any Sunday during the Junior Hunt and spring season in Dorchester County[.]; *and*

*(i) Hunting any game mammal or any game bird, except deer, migratory game birds or wetland game birds, in Allegany, Garrett and Washington counties on private property or a designated Wildlife Management Area listed in §G of this regulation during the open seasons for those game animals.*

E. — F. (text unchanged)

G. *The Wildlife Management Areas designated for Sunday hunting in accordance with §D of this regulation are as follows:*

(1) *Billmeyer-Belle Grove WMA;*

(2) *Cunningham Swamp WMA;*

(3) *Dan's Mountain WMA;*

(4) *Indian Springs WMA;*

(5) *Mount Nebo WMA;*

(6) *Prather's Neck WMA;*

(7) *Sideling Hill WMA; and*

(8) *Warrior Mountain WMA.*