

MARYLAND REGISTER

Proposed Action on Regulations

Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations	Date Filed with AELR Committee	TO BE COMPLETED BY DSD
	06/30/2015	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 8/7/2015

2. COMAR Codification

Title Subtitle Chapter Regulation

08 03 04 05

3. Name of Promulgating Authority

Department of Natural Resources

4. Name of Regulations Coordinator

Lisa A Eutsler

Telephone Number

410-260-8107

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

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5. Name of Person to Call About this Document

Glenn D. Therres

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410-260-8572

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glenn.therres@maryland.gov

6. Check applicable items:

- New Regulations
 - Amendments to Existing Regulations
 - Date when existing text was downloaded from COMAR online: 06/22/2015.
 - 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

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 June 25, 2015. A written copy of the approval is on file at this agency.

Name of Authorized Officer

Mark J. Belton

Title

Secretary

Telephone No.

410-260-8100

Date

June 29, 2015

Title 08
DEPARTMENT OF NATURAL RESOURCES

Subtitle 03 WILDLIFE

08.03.04 Forest Wildlife

Authority: Natural Resources Article, §10-408, Annotated Code of Maryland

Notice of Proposed Action

[]

The Secretary of Natural Resources proposes to amend Regulation .05 under COMAR 08.03.04 Forest Wildlife.

Statement of Purpose

The purpose of this action is to revise the zone in which the use of breech loading rifles for deer hunting is prohibited in Frederick County in response to a request from Frederick County elected officials. The current hunting zone where rifles are prohibited does not include the majority of the Frederick City limits or the adjacent suburbs. The proposed regulation change will revise the deer hunting zones to prohibit the use of rifles in the more developed portions of the county while allowing rifles in more rural areas.

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 410-827-5186. Comments will be accepted through September 8, 2015. A public hearing has not been scheduled.

Economic Impact Statement Part C

A. Fiscal Year in which regulations will become effective: FY 16

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:

These regulations will have minimal impact to the Department. We do not anticipate any increase in operational costs associated with this amendment.

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

These regulations will have minimal impact on small businesses. We do not anticipate any increase in the sale of guns or ammunition as a result of this amendment.

G. Small Business Worksheet:

Attached Document:

Title 08 DEPARTMENT OF NATURAL RESOURCES

Subtitle 03 WILDLIFE

.04 Forest Wildlife.

Authority: Natural Resources Article, §10-408, Annotated Code of Maryland

.05 Devices for Hunting Deer and Black Bear.

A. – C. (text unchanged)

D. In that portion of Frederick County located [south of a line beginning at the Washington-Frederick County line at U.S. Route 40 and continuing on U.S. Route 40 east to Harmony Road, proceeding south on Harmony Road to Interstate 70, and following Interstate 70 east through Frederick County,] *west of the Monocacy River beginning where Fingerboard Road crosses the river, then by and with the west side of the Monocacy River to the crossing by Biggs Ford Road, then by and with the south side of Biggs Ford Road to the junction with Route 15, then by and with the west side of Route 15 to the junction with Sundays Lane, then by and with the south side of Sundays Lane to the junction with Bloomfield Road, then by and with the east side of Bloomfield Road to the junction with Opossumtown Pike, then by and with the south side of Opossumtown Pike to the junction with Walter Martz Road, then by and with the east side of Walter Martz Road to the junction with Christopher's Crossing, then by and with the south side of Christopher's Crossing to the junction with Walter Martz Road, then by and with the south side of Walter Martz Road to the junction*

with Rocky Springs Road, then by and with the south and east side of Rocky Springs Road to the junction with Kemp Lane, then by and with the east side of Kemp Lane to the junction with Shookstown Road, then by and with the north side of Shookstown Road to the junction with Bowers Road, then by and with the east side of Bowers Road to the junction West Patrick Street, then by and with the north side of West Patrick Street to the junction with Blentlinger Road, then by and with the east side of Blentlinger Road to the junction with Old National Pike, then by and with the south side of Old National Pike to the junction with Maryland Interstate 70, then by and with the north side of Maryland Interstate 70 to the junction with Route 15, then by and with the east side of Route 15 to the junction with Mt. Zion Road, then by and with the north side of Mt. Zion Road to the junction with Elmer Derr Road, and then by and with the north side of Elmer Derr Road to the junction with New Design Road, then by and with the east side of New Design Road to the junction with Manor Woods Road, then by and with the north side of Manor Woods Road to the junction with Buckystown Pike, then by and with the east side of Buckystown Pike to the junction with Fingerboard Road, and then by and with the north side of Fingerboard Road to the crossing over the Monocacy River, an individual may not hunt deer with a rifle, although a handgun, a shotgun, a muzzle loading rifle, a muzzle loading shotgun, a muzzle loading handgun, or a muzzle loading revolver may be used.

E. – F. (text unchanged)