

MARYLAND REGISTER

Proposed Action on Regulations

Comparison to Federal Standards Submission and Response

Name: Lisa A Eutsler
Agency: Department of Natural Resources
Tawes State Office
Address: Building, 580 Taylor Avenue, C-4
State: MD
Zip: 21401
Phone: 410-260-8107
Email: lisa.eutsler@maryland.gov

In accordance with Executive Order 01.01.1996.03 and memo dated July 26, 1996, the attached document is submitted to the Department of Business and Economic Development for review.

The Proposed Action is not more restrictive or stringent than corresponding federal standards.

COMAR Codification: 08.03.13.04,
.05

Corresponding Federal Standard:
50 CFR 21.13

Discussion/Justification:

Federal regulation only allows the shooting of an unlimited number of captive-produced mallards within the confines of a regulated shooting area, otherwise the bag limit for wild ducks applies.

TO BE COMPLETED BY DBED

-Agree

-Disagree

Comments:

Name:

Date:

_ -Submit to Governor's Office
Governor's Office Response

Comments:

Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations	Date Filed with AELR Committee	TO BE COMPLETED BY DSD
	05/15/2020	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 6/19/2020

2. COMAR Codification

Title Subtitle Chapter Regulation

08 03 13 04, .05

3. Name of Promulgating Authority

Department of Natural Resources

4. Name of Regulations Coordinator

Lisa A Eutsler

Telephone Number

410-260-8107

Mailing Address

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

City State Zip Code

Annapolis MD 21401

Email

lisa.eutsler@maryland.gov

5. Name of Person to Call About this Document

Glenn D. Therres

Telephone No.

410-260-8572

Email Address

glenn.therres@maryland.gov

6. Check applicable items:

New Regulations

Amendments to Existing Regulations

Subtitle 03 WILDLIFE

08.03.13 Regulated Shooting Areas

Authority: Natural Resources Article, §§10-601.1 and 10-906, Annotated Code of Maryland

Notice of Proposed Action

□

The Secretary of Natural Resources proposes to amend Regulations .04 and .05 under COMAR 08.03.13 Regulated Shooting Areas.

Statement of Purpose

The purpose of this action is to clarify that a regulated shooting area cannot include adjacent waters of the State as part of the private regulated shooting area. The proposed amendments also clarify that hunting from the shoreline of a private regulated shooting area is allowed over waters of the State including placing decoys, retrieving downed birds, and shooting crippled birds on adjacent waters of the State. The person must follow the bag and possession limit for properly marked captive-raised mallards. There is a corresponding federal standard to this proposed action, but the proposed action is not more restrictive or stringent.

Comparison to Federal Standards

There is a corresponding federal standard to this proposed action, but the proposed action is not more restrictive or stringent.

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 Karina Stonesifer, Associate Director, Wildlife and Heritage Service, Department of Natural Resources, 12512 Pleasant Valley Road, Flintstone, MD 21530, or call 301-777-2136, or email to karina.stonesifer@maryland.gov, or fax to 301-777-2029. Comments will be accepted through July 20, 2020. A public hearing has not been scheduled.

Economic Impact Statement Part C

A. Fiscal Year in which regulations will become effective: FY 21

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: Implementation of these regulations will not result in any operational or fiscal changes for the Department of Natural Resources.

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 not result in any change in revenue or expenditures of small businesses.

G. Small Business Worksheet:

Attached Document:

Title 08 DEPARTMENT OF NATURAL RESOURCES

Subtitle 03 WILDLIFE

.13 Regulated Shooting Areas

Authority: Natural Resources Article, §§10-601.1 and 10-906, Annotated Code of Maryland

.04 Area Requirements.

A. Minimum Size. Each regulated shooting area shall be in one tract of land, or land and water combined. A regulated shooting area permit may not be issued for less than 50 acres for hunting flighted mallard ducks, or less than 100 acres for hunting all other species. The regulated shooting area may include areas bisected by roads with easements less than 60 feet wide. *The regulated shooting area acreage cannot include adjacent public waters.*

B. – C. (text unchanged)

.05 Hunting.

A. – F. (text unchanged)

G. *Hunting from Shorelines. A person hunting from a shoreline located within the tract licensed as a regulated shooting area:*

(1) *May place decoys, retrieve downed birds and shoot crippled birds on adjacent public waters; and*

(2) *Must follow the bag and possession limit for properly marked captive-raised mallard ducks consistent with §C of this regulation.*

[G](H). (text unchanged)