

MARYLAND REGISTER

## Proposed Action on Regulations

### Comparison to Federal Standards Submission and Response

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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:** 08.03.07.10

**Corresponding Federal Standard:**  
50 CFR 21.43

**Discussion/Justification:**

The proposed amendments conform to the recently revised federal regulations with the same dates and conditions for controlling resident Canada geese.

**TO BE COMPLETED BY DBED**

-Agree

-Disagree

**Comments:**

Name:

Date:

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

**Comments:**

<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>
	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 07 10

**3. Name of Promulgating Authority**

Department of Natural Resources

**4. Name of Regulations Coordinator Telephone Number**

Lisa A Eutsler 410-260-8107

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**5. Name of Person to Call About this Document Telephone No.**

Glenn D. Therres 410-260-8572

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**6. Check applicable items:**

New Regulations

Amendments to Existing Regulations

Date when existing text was downloaded from COMAR online: 04/22/2020.



### **08.03.07 Waterfowl**

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

#### **Notice of Proposed Action**

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The Secretary of Natural Resources proposes to amend Regulation .10 under COMAR 08.03.07 Waterfowl.

#### **Statement of Purpose**

The purpose of this action is to amend the Department of Natural Resources regulations regarding control of resident Canada geese such that the state regulations are consistent with recent changes to the federal resident Canada goose depredation order in 50 CFR §21.50. Since resident Canada geese are considered migratory birds, the control of these species is regulated by the U.S. Fish and Wildlife Service. Migratory birds are jointly regulated by the Department of Natural Resources. The proposed amendments will extend the period when a person can lethally control resident Canada geese causing damage to agricultural crops by one month. Another amendment will extend the period when a person may destroy a resident Canada goose nest to any time of year. There is a corresponding federal standard to this proposed action, but the proposed action is no 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](mailto: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:

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## **Title 08 DEPARTMENT OF NATURAL RESOURCES**

### **Subtitle 03 WILDLIFE**

#### **.07 Waterfowl**

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

#### **.10 Resident Canada Goose Depredation Control.**

A. In this regulation, the following terms have the meanings indicated.

B. Terms Defined.

(1) - (2) (text unchanged)

(3) "Resident Canada goose" means a Canada goose that:

(a) Nests within Maryland [during the months of March, April, May, or June]; or

(b) Resides in Maryland during the months of *April, May, June, July, and August.*

(4) (text unchanged)

C. (text unchanged)

D. Resident Canada Goose Nests and Eggs.

(1) - (7) (text unchanged)

(8) Timing of Control.

(a) Authorized agricultural producers and their employees and agents may only conduct management and control activities involving the take of resident Canada geese, under this regulation from [May 1] *April 1* through August 31.

(b) The destruction of the nests and eggs of resident Canada geese may [only] take place [from March 1 through June 30] *at any time of year.*

(9) - (12) (text unchanged)

(13) Banded Geese. Information on [birds] *geese* carrying metal leg bands *or other alpha-numeric markers* shall be submitted to the Bird Banding Laboratory [by means of a toll free telephone number at 1-800-327-BAND (or 2263)]

or through the Bird Banding Laboratory] website at [[www.pwrc.usgs.gov/bbl/homepage/call800.htm](http://www.pwrc.usgs.gov/bbl/homepage/call800.htm)]  
[www.reportband.gov](http://www.reportband.gov).

(14) - (16) (text unchanged)

F. – G. (text unchanged)