

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>
	06/18/2020	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 7/31/2020

2. COMAR Codification

**Title Subtitle Chapter Regulation**

08 03 02 28

3. Name of Promulgating Authority

Department of Natural Resources

**4. Name of Regulations Coordinator Telephone Number**  
Lisa A Eutsler 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 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: 04/22/2020.
- Repeal of Existing Regulations
- Recodification



## **Notice of Proposed Action**

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The Secretary of Natural Resources proposes to amend Regulation .28 under COMAR 08.03.02 Uses of Wildlife Areas.

### **Statement of Purpose**

The purpose of this action is to to better manage hunter access on the impoundments at Deal Island and Fairmount Wildlife Management Areas. Currently, a lottery system is used to manage the number of hunters who participate only on opening day of the season. The new proposed regulations will apply the lottery system to each day of the duck hunting season thereby reducing hunting pressure, providing better management and improving the experience of the hunters.

The proposed amendments make additional changes to the protocols at the Deal Island Wildlife Management Area and Fairmount Wildlife Management Area impoundments by limiting the number of days that each impoundment will be open during the regular duck hunting season and requiring a permit to hunt. A limited number of permits will be issued on a first-come, first-serve basis at no charge. The regular duck hunting season occurs in three segments; one in October, one in November, and the third in December through January.

The Wildlife Advisory Commission supported the proposed regulations at their teleconference meeting in April 2020.

### **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 Karina Stonesifer, Associate Director, Wildlife 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 August 31, 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**

#### **.02 Use of Wildlife Areas**

Authority: Natural Resources Article, §§10-205 and 10-808, Annotated Code of Maryland

#### **.28 Hunting Restrictions on Certain Wildlife Management Areas.**

A. – E (text unchanged)

F. Deal Island and Fairmount WMA Impoundments.

(1) Hunting within the Deal Island WMA impoundment is allowed on the following days [annually]:

(a) *Federally-designated* [Junior] Youth, Veteran and Military Waterfowl [Hunt] Hunting Days;

[(b) Opening day and any Saturday during the October portion of the duck hunting season;

(c) Opening day, any Saturday, and Thanksgiving during the November portion of the duck hunting season;

and

(d) Opening day, any Friday, any Saturday, and Christmas Day, New Year's Day, and Martin Luther King Day during the December-January portion of the duck hunting season.]

(b) Any day during the September Canada goose season;

(c) On any of the following days during the regular duck hunting season, a person may hunt within the managed impoundment of Deal Island WMA, provided that the person first obtains a permit from the Service:

(i) Opening day and any Saturday during the October portion of the regular duck hunting season;

(ii) Opening day, any Saturday, and the Friday following Thanksgiving during the November portion of the regular duck hunting season; and

(iii) Opening day and any Saturday during the December portion of the regular duck hunting season and any Wednesday and Saturday during the January portion of the regular duck hunting season.

(2) Hunting within the Fairmount WMA impoundments is allowed [on the following days annually] as follows:

(a) Any day during the September teal hunting season;

(b) Any day during the September Canada goose season;

[(b)](c) Federally-designated [Junior] Youth, Veteran and Military Waterfowl [Hunt] Hunting Days;

(d) During the following days during the regular duck hunting season, subject to §B(2)(d)(iv) of this regulation:

[(c)](i) Opening day and any Saturday during the October portion of the regular duck hunting season;

[(d)](ii) Opening day, any Saturday, and the Friday following Thanksgiving during the November portion of the regular duck hunting season; and

[(e)](iii) Opening day [, any Friday,] and any Saturday[, and Christmas Day, New Year's Day, and Martin Luther King Day] during the December[-January] portion of the regular duck hunting season and any Wednesday and Saturday during the January portion of the regular duck hunting season.

(iv) On the opening day of each segment of the regular duck hunting season, a person may not hunt within the managed impoundments of Fairmount WMA unless the person first obtains a permit from the Service.

[(f) When Christmas Day and New Year's Day occur on a Sunday, on the Monday immediately following each of the holidays.]

[(3) On the opening day of each segment of the regular duck hunting season, a person may not hunt within the managed impoundments of Deal Island WMA and Fairmount WMA unless the person first obtains a permit from the Service.]

[(4)](3) (text unchanged)

G. – J. (text unchanged).