

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>
	09/04/2020	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 10/9/2020

2. COMAR Codification

**Title Subtitle Chapter Regulation**

08 02 01 13

3. Name of Promulgating Authority

Department of Natural Resources

4. Name of Regulations Coordinator      Telephone Number  
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5. Name of Person to Call About this Document      Telephone No.  
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6. Check applicable items:

- New Regulations
- Amendments to Existing Regulations  
Date when existing text was downloaded from COMAR online: August 24, 2020.
- Repeal of Existing Regulations
- Recodification



## **Notice of Proposed Action**

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The Secretary of Natural Resources proposes to amend Regulation .13 under COMAR 08.02.01 General.

### **Statement of Purpose**

The purpose of this action is to designate Cushwa Hatchery as a fishery management propagation area. The property that contains Cushwa Hatchery was recently acquired by the department and will be managed by Fishing and Boating Services. All state hatcheries are designated as fishery management propagation areas. The Cushwa Hatchery facility needs to attain the same designation as all other state-owned hatcheries.

### **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 Fishery Management Area Regulations, Regulatory Staff, Department of Natural Resources, 580 Taylor Avenue, B-2, Annapolis, MD 21401, or call 410-260-8300, or email to see mailbox comment, or fax to see mailbox comment. Comments will be accepted through November 9, 2020. A public hearing has not been scheduled.

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

- A. Fiscal Year in which regulations will become effective: FY 2021
- B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?

No

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

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

No additional funds are necessary to implement this change. The department has been operating the hatchery for many years but did not own the property. Obtaining ownership of the property and designating the area as a fishery management propagation area does not change the funding for operating the hatchery. The hatchery is operated with federal funds, specifically the Sport Fish Restoration Act Grant F-53.

E. If these regulations have no economic impact under Part A, indicate reason briefly: Public access to any Fishery Management Propagation Area is prohibited except with prior permission of the facility staff or as otherwise posted. The previous owners of the hatchery also limited access, so this action will not negatively affect anyone.

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

This is an existing hatchery facility acquired by the Department. Designating this facility as a fishery propagation area limits public access. The previous owners of the hatchery also limited access, so this action will not negatively affect anyone.

G. Small Business Worksheet:

### Attached Document:

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#### **.13 Fishery Management Areas.**

A. (text unchanged)

B. Fishery Management Propagation Areas.

(1) The following areas are Fishery Management Propagation Areas:

(a)—(d) (text unchanged)

(e) Piney Point Aquaculture Center — St. Mary's County; [and]

(f) Unicorn Lake Hatchery — Queen Anne's County[.]; *and*

(g) *Cushwa Hatchery — Washington County.*

(2) (text unchanged)

C.—D. (text unchanged)

JEANNIE HADDAWAY-RICCIO

Secretary of Natural Resources