

C. The auditor shall give an agreed-upon procedures report describing the procedures performed and shall make a finding with respect to each of the following items, stating whether anything came to the attention of the auditor which would cause the auditor to have an adverse opinion as to each item:

(1)—(3) (text unchanged)

(4) Whether the [foundation] *organization* is in compliance with agreements between the [foundation] *organization* and its affiliated State agency, particularly as they relate to money due the State agency from the private foundation;

(5) Whether the [foundation's] *organization's* expenditures and activities are in compliance with the Internal Revenue Code, the Maryland Solicitations Act under Business Regulation Article, Title 6, Annotated Code of Maryland, and other federal, State, and local laws governing financial matters;

(6) Whether securities owned by the [foundation] *organization* are in existence and adequately accounted for;

(7)—(10) (text unchanged)

(11) Whether grants by the [foundation] *organization* have been authorized by the governing board and procedures have been established to ascertain whether the grants made have been expended for their intended purposes.

D. (text unchanged)

E. The auditor's written recommendations for corrective action shall be filed by the [foundation] *organization* with its affiliated State agency and with the Secretary of State.

F. (text unchanged)

JOHN C. WOBENSMITH  
Secretary of State

## Title 08 DEPARTMENT OF NATURAL RESOURCES

### Subtitle 02 FISHERIES SERVICE

#### 08.02.01 General

Authority: Natural Resources Article, §4-215, Annotated Code of Maryland

#### Notice of Proposed Action

[22-105-P-I]

The Secretary of Natural Resources proposes to amend Regulation .01 under **COMAR 08.02.01 General**.

#### Statement of Purpose

The purpose of this action is to incorporate the Fishery Management Plan for Tidewater Catfish (December 2021) into regulation by reference. The Fishery Management Plan provides a framework for managing the catfish fishery in tidal waters, including providing authority to conduct pilot programs. The pilot programs will allow us to investigate and evaluate new methods for managing the fishery with a goal toward expanding harvest, particularly for invasive species.

Catfish in the Chesapeake Bay watershed are animals belonging to the Vertebrata and Actinopterygii, or ray-finned fishes. They have been further classified in the Order Siluriformes. Two families of Siluriformes occur in North America, the Ictaluridae and the Ariidae. Of these, only the Ictaluridae are common and year-round residents in Maryland waters; therefore, they are the focus of this fishery management plan. Genetic work to describe relationships among the Ictaluridae has been accomplished by Arce et al. (2016). While clinal

variation in population traits existed for widespread ictalurids, extensive introductions have muddied the genetic patterns.

The Ictaluridae have been grouped by common name into catfish, bullheads, madtoms, stonecats, and blindcats. All of these species lack scales, possess an adipose fin, possess three sharp stiff spines at the forward end of dorsal and each pectoral fin, and possess eight distinct barbels with taste buds; one long barbel from each corner of the mouth, a shorter pair near the nostrils, and four under the chin. In most ictalurid catfish, the integumentary sheaths that cover the spines have cells that produce toxins, which constitute a non-lethal and mild venom that can cause redness and mild pain if it penetrates human skin. The most virulent stings from spines, similar to bee stings, are credited to madtoms (Birkhead 1972).

There are 24 species of Ictaluridae in the United States and Canada. It is the largest freshwater family of fishes entirely indigenous to North America. The tidewater of the Chesapeake Bay watershed contains four genera and eight species of catfish, two of which are considered invasive species. A regional Invasive Catfish Management Strategy to specifically address invasive catfish was adopted by the Chesapeake Bay Program in 2020. The species of Ictaluridae in the Chesapeake Bay include: white catfish (*Ameiurus catus* Linnaeus 1758), brown bullhead (*Ameiurus nebulosus* Lesueur 1819), yellow bullhead (*Ameiurus natalis* Lesueur 1819), channel catfish (*Ictalurus punctatus* Rafinesque 1818), margined madtom (*Noturus insignis* Richardson 1836), tadpole madtom (*Noturus gyrinus* Mitchill 1817), blue catfish (invasive)(*Ictalurus furcatus* Lesueur 1840), and flathead catfish (invasive)(*Pylodictis olivaris* Rafinesque 1818).

Catfish thriving in the Chesapeake Bay watershed support popular recreational and commercial fisheries. Given increasing environmental threats including invasive species, strategies to monitor and manage catfish populations are needed in Maryland's tidewater. Catfish in tidal freshwater areas of Maryland include native catfish, non-native but non-invasive catfish, and invasive catfish. A regional Invasive Catfish Management Strategy to address invasive catfish was adopted by the Chesapeake Bay Program in 2020. Actions related to mitigation and research identified in the strategy are also incorporated into this statewide management plan. The goal of the management plan is to maintain the ecological integrity of Chesapeake Bay ecosystems, ensure recreational and commercial harvests that support fishing and seafood industries, ensure sustainability of native and non-native, non-invasive catfish populations, and deplete invasive catfish populations. Additionally, this plan provides background information on the occurrence and natural histories of catfish inhabiting tidewater in Maryland's Chesapeake Bay, describes current recreational and commercial fisheries for catfish, and identifies existing data sources and gaps for monitoring populations of catfish.

The objectives of the fisheries management plan will be achieved by numerous actions prioritized by the Maryland Department of Natural Resources and other stakeholders in the fishing industry. Strategic actions to be implemented are detailed in a table and reviewed periodically to assess progress. Successful execution of this fishery management plan will be achieved by completing strategic actions that yield productive and profitable recreational and commercial catfish fisheries while keeping invasive catfish populations suppressed.

#### 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 Plans Regulations, Regulatory Staff, Maryland Department of Natural Resources, Fishing and Boating Services, 580 Taylor Avenue, E-4, Annapolis, MD 21401, or call 410-260-8300, or fill out the comment form at <https://dnr.state.md.us/fisheries/Pages/regulations/changes.aspx#fisherymanagementplans>. Comments will be accepted through July 5, 2022. A public hearing has not been scheduled.

Editor’s Note on Incorporation by Reference

Pursuant to State Government Article, §7-207, Annotated Code of Maryland, the Fishery Management Plan for Tidewater Catfish (December 2021) has been declared a document generally available to the public and appropriate for incorporation by reference. For this reason, it will not be printed in the Maryland Register or the Code of Maryland Regulations (COMAR). Copies of this document are filed in special public depositories located throughout the State. A list of these depositories was published in 49:1 Md. R. 9 (January 3, 2022), and is available online at [www.dsd.state.md.us](http://www.dsd.state.md.us). The document may also be inspected at the office of the Division of State Documents, 16 Francis Street, Annapolis, Maryland 21401.

**.01 Fishery Management Plans.**

A. The following Fishery Management Plans are adopted and incorporated by reference:

(1)—(17) (text unchanged)

(18) Maryland Tidewater Yellow Perch Fishery Management Plan (November 2002) and Amendment 1 to the 2002 Maryland Tidewater Yellow Perch Fishery Management Plan (December 2017); [and]

(19) Fishery Management Plan for Largemouth Bass (*Micropterus salmoides*) in Maryland Tidewater (January 2014)[.]; and

(20) *Fishery Management Plan for Tidewater Catfish (December 2021)*.

B. (text unchanged)

JEANNIE HADDAWAY-RICCIO  
Secretary of Natural Resources

**Subtitle 02 FISHERIES SERVICE**

**08.02.01 General**

Authority: Natural Resources Article, §4-215, Annotated Code of Maryland

**Notice of Proposed Action**

[22-106-P]

The Secretary of Natural Resources proposes to amend Regulation **.10** under **COMAR 08.02.01 General**.

**Statement of Purpose**

The purpose of this action is to add catfish to the list of species for which the Department may conduct a pilot program. Pilot programs are projects which demonstrate and evaluate new approaches to managing fisheries under a fishery management plan. In order for the Department to conduct a pilot program, the species must have a fishery management plan, the plan must be incorporated into COMAR 08.02.01.01, and the species must be listed as pilot program eligible in COMAR 08.02.01.10. The Department adopted the

Fishery Management Plan for Tidewater Catfish (December 2021) and is in the process of incorporating it into regulation. This change would give the Department the ability to conduct a pilot program for the commercial catfish fishery.

**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 Pilot Program Regulations, Regulatory Staff, Maryland Department of Natural Resources, Fishing and Boating Services, 580 Taylor Avenue, E-4, Annapolis, MD 21401, or call 410-260-8300, or fill out the comment form at <https://dnr.state.md.us/fisheries/Pages/regulations/changes.aspx#pilotprogram>. Comments will be accepted through July 5, 2022. A public hearing has not been scheduled.

**.10 Pilot Programs.**

A. The Department may conduct pilot projects to demonstrate and evaluate new approaches to managing fisheries under the fishery management plans as incorporated by reference in Regulation .01 of this chapter for the following species:

(1)—(14) (text unchanged)

(15) Alosid; [and]

(16) Croaker and Spot[.]; and

(17) *Catfish*.

B.—D. (text unchanged)

JEANNIE HADDAWAY RICCIO  
Secretary of Natural Resources

**Subtitle 03 WILDLIFE**

**08.03.03 Open Seasons, Bag Limits for Game Birds and Game Animals**

Authority: Natural Resources Article, §§10-205, 10-405, 10-410, and 10-415, Annotated Code of Maryland

**Notice of Proposed Action**

[22-104-P]

The Secretary of Natural Resources proposes to repeal and replace Regulations **.03—, .05, .07, and .08** under **COMAR 08.03.03 Open Seasons, Bag Limits for Game Birds and Game Animals**.

**Statement of Purpose**

The purpose of this action is to establish the season dates and bag limits for the 2022—2023 and 2023—2024 hunting seasons for forest game, upland game, fur-bearing mammals, white-tailed deer, and sika deer. Season dates and bag limits for most species are similar to previous hunting seasons with some exceptions. An additional day of black bear hunting has been added to the established black bear hunting season. One additional day has been added to the Region A antlerless deer firearms season. Ruffed grouse season has been shortened and will now close on December 31. The northern bobwhite quail season in the Eastern Zone will now close on January 15 and hunting will be closed on lands owned or managed by the Department in the area east of the Susquehanna River. Wolf Den Run State Park will become open to public hunting.