

IMPORTANT NOTICE

The Maryland Wildlife Advisory Commission

**Will Meet at 10:30 AM
On Wed., February 16, 2022
Department of Natural Resources
Google Meet**

Meeting Agenda:

Approval for February 16, 2022, Meeting Agenda

Approval for Minutes from January 19, 2022 Meeting

2022-2024 Hunting Regulations Concepts (Associate Director Karina Stonesifer)

2022 Legislative Session Update (Director Paul Peditto and Associate Director Tim Larney)

Natural Resources Police Update (Sergeant Bradley Lowe or Lieutenant Charles Fawley)

Maryland Farm Bureau Update (Colby Ferguson)

Old Business:

New Business:

Public Comment:

Adjourn

NOTE: Free Parking will be available on the Navy Stadium Parking Lot, which is the third entrance on right off of Taylor Avenue.

**The Proposed Schedule for the 2022 meetings
Of the Wildlife Advisory Commission is as follows:**

| | |
|----------------------------------|---|
| January 19th | Google Meet |
| February 16th | Google Meet |
| March 16th | In-Person Meeting at Tawes State Office Building |
| April 20th | Google Meet |
| May 18th | No Meeting |
| June 15th | In-Person Meeting at Tawes State Office Building |
| July 20th | No Meeting |
| August 17th | Google Meet |
| September 21st | TBD - Google Meet or No Meeting or Field Day |
| October 19th | Google Meet |
| November 16th | Google Meet |
| December 22nd | No Meeting |

***PLEASE NOTE THAT MEETING DATES ARE HELD
ON THE THIRD WEDNESDAY OF EACH MONTH***

Note: Unless notified otherwise, all meetings will be held via Google Meeting. When meeting in person, the meetings will be held in the C-1 Conference Room Department of Natural Resources - Tawes State Office Building beginning at 10:30 am. Available parking is located at the Navy Stadium Parking Lot.

NOTE: Free Parking will be available on the Navy Stadium Parking Lot, which is the third entrance on right off of Taylor Avenue.

THE MARYLAND WILDLIFE ADVISORY COMMISSION MINUTES
FEBRUARY 16, 2022

Chairman Lou Compton called the meeting to order at 10:32 a.m. This meeting was held via teleconference and videoconference. Chairman Compton asked for a roll call of individuals on the “call.” Unfortunately, because of the anonymity of Google Meet callers, it was impossible to determine the identity of every participant.

Approval for February 16, 2022, Meeting Agenda

- Motion to Approve the Agenda:
 1. Commissioner Michael moved to accept the Wildlife Advisory Commission February 16, 2022, Meeting Agenda.
 2. Commissioner Gregor seconded.
 3. All in favor. Motion passed.

Approval for Minutes from January 19, 2022, Meeting

- Motion:
 1. Commissioner Gulbrandsen moved to accept the January 19, 2022, Meeting Minutes.
 2. Commissioner Wagner seconded.
 3. All in favor. Motion passed.

Welcoming DNR Legislative Director

- Director Peditto introduced U.S. Department of Agriculture, APHIS-Wildlife Services, Maryland Director Kevin Sullivan.

2022-2024 Hunting Regulation Concepts – Associate Director Karina Stonesifer gave an update.

- Associate Director Stonesifer informed the Commission that the online public comment forum is open to accepting input on the regulation concepts. The period is from February 8 through February 28, 2022.
- Associate Director Stonesifer mentioned that the forum this year is very lively. During the 2020 public comment period, staff received 387 total comments. So far, in the first few days of the 2022 public input period, staff received over 600 comments. In addition, staff received a few comments via telephone and email.
- On March 16, 2022, Associate Director Stonesifer will summarize the comments and provide recommendations for the Commission’s vote.
- Q&A Section:
 1. Commissioner Schroyer asked if staff had given any thought to opening up a pre-comment period for the public. Commissioner Schroyer noticed that the public comment on topics beyond the concepts.
 - a. Establishing a pre-comment forum is something that staff could consider. However, WHS relies on our external stakeholders to help with developing concepts. The external stakeholders go out to your groups and gain interest in new ideas.
 - b. Commissioner Schroyer indicated that he did not have specific comments. However, Commissioner Schroyer added in reading all the comments; he expressed why some of these comments have not come up previously.
 - c. In the past, there was a period when the public could comment on whatever. It was harder for staff to manage all the comments; therefore, the stakeholder model was created with key representatives. Unfortunately, one of the things that occurred during the period of the stakeholder model was the loss of Maryland’s Sportsmen Association (MSA). Without MSA, hunters may not know who to go to unless it is a specific item, such as archery; a hunter would probably know to contact the Maryland Bowhunter’s Society. There is no one to represent the

- average hunter, making it challenging for that hunter to know who is ‘their voice’.
2. Commissioner Michael noted many comments speak well to the online forum model. We want more comments even if the comments are not related to the proposals, which means the process is working.
 3. Commissioner Michael asked if there are one or two salient issues are being identified or responded to by staff for the focus of the Commission.
 - a. The tree stand proposal is receiving the most comments; so far, the majority of the comments received are against the proposal. However, there are still a few weeks before the public comment is closed.
 - b. Expanding Sunday hunting is another one receiving a large number of comments. Unfortunately, DNR does not have the authority to expand Sunday hunting.
 - c. Other proposals are getting comments – including a general lack of support for DCPs.

2022 Legislative Session Update – Associate Director Timothy Larney gave the presentation.

- The February 16, 2022, list of the Summary of 2022 Proposed Legislation Wildlife and Heritage Service was sent to the Commission after the meeting. [ATTACHMENT A]
- Associate Director Timothy Larney summarized new bills that Wildlife and Heritage Service monitors. There were 12 new bills since the last meeting in the attachment. Additionally, 4 bills are not listed on the attachment because the staff just received the bills.
- There is no new information on the bills that were on January 19, 2022, Summary of 2022 Proposed Legislation. The bills from January 19, 2022, report were listed in the February 16, 2022 attachment.
- The four bills that came in after the February 16, 2022 attachment complied are:
 1. HB1279 Sunday Hunting and Archery Hunting Safety Zones – Statewide Authorization and Establishment
 2. HB1298 Natural Resources – Hunting and Fishing Offenses – Expungement
 3. HB1304 Natural Resources – Offshore Blind Sites – Licensing Process
 4. HB1386 Natural Resources – Black Bear Hunting – Permit Requirements
- The Commission members could track the bills online at the Maryland General Assembly website at <https://mgaleg.maryland.gov/mgawebsite/>.
- Q&A Section:
 1. Commissioner Schroyer mentioned HB0884 State Conservation Land – Old Growth Forests – Protection with the inclusion of Wildlife Management Areas. Commissioner Schroyer asked whether that goes against the grain of why Maryland has Wildlife Management Areas (WMAs).
 - a. Not necessarily; WHS supports old growth on WMAs. There are places where timber cuts have been done for habitat management purposes. WHS already has protected old growth across the State on WMAs while allowing for forest management where it’s appropriate.
 2. Commissioner Schroyer asked about HB0784 Department of Natural Resources – Irreplaceable Natural Areas Program – will this restrict habitat projects in areas such as Cunningham Swamp WMA.
 - a. The bill will give us the authority to protect rare, threatened, and endangered plants on State lands. We do not see it as substantially handcuffing our ability to do habitat work on WMA’s since we would avoid RTE species even without the language in this proposed bill.
 3. Commissioner Michael asked about existing policy related to HB0592/SB0497 Deer Management Permit – Hunting on State Land Leased by Permit Holder – Authorization. Commissioner Michael wanted to know on those existing properties that these bills would affect is there recreational hunting offered on the lease or is it a requirement of the lease.
 - a. No, the Department does not require it but we hope that the landowner would make it a primary part of their deer management plan. These are state-owned lands but not DNR owned in most cases - the vast majority are University of Maryland properties. There is no requirement that the University of Maryland allows recreational hunting as a policy or regulation – despite their inclination to allow the use of deer management permits to kill deer.

- b. Commissioner Michael confirmed this would allow additional tenants on state lands that do not allow public recreational hunting to have their seasons 365 days a year.
4. Commissioner Michael requested that the minutes reflect HB0875 that staff expressed that it would cost the Wildlife and Heritage Service (WHS) to lose around \$5 million dollars and a dramatic amount of Pittman-Robertson (PR) money.
5. Commissioner Michael asked if the impact of HB0875 would be outlined in the HB0875 fiscal note.
 - a. The fiscal note will explain the financial impacts of HB0875 for WHS and Fisheries Service.
6. Commissioner Michael asked if the State House would allow the Department to comment on HB0875.
 - a. There will be a written statement from the Department on HB0875. However, the staff does not know if the Department will testify.
7. Commissioner Michael questioned staff on the HB1067 night hunting bill authorizing by statute year-round night hunting on DCPs. Commissioner Michael voiced that this is not his understanding of the bill; it limits the night shooting to two months on DCPs.
 - a. Staff clarified that it is the duration of the current DCP model.
8. Commissioner Wagner asked for an update on SB0160 Natural Resources – Sunday Hunting – Migratory Game Birds.
 - a. The information on the summary is current. WHS has not been asked for additional information for SB0160 and no hearing is set.
9. Commissioner Boyles Griffin asked for clarification on the HB1067 that outlines nighttime shooting that the duration of the permit can be two months at any time of the year. Also, Commissioner Boyles Griffin wanted to know if it is limited to deer or does it include other species.
 - a. It can be any time of the year. However, it is limited to deer.

Natural Resources Police Update – Sergeant Bradley Lowe gave a presentation.

- Sergeant Lowe informed the Commission that Natural Resources Police (NRP) Academy started on February 9, 2022. However, NRP lost two recruits but received two replacement recruits.
- Sergeant Lowe outlined the NRP activity for January. NRP statewide issued 218 citations and 651 warnings. In addition, there were 375 wildlife violations, 99 boating, 129 public lands, and 31 fisheries. Traffic violations total was 233. To further the wildlife breakdown: 235 laws, 145 regulations. In addition, there were 4 spotlighting cases and 10 baiting violations.
- Sergeant Lowe gave the Commission a summary of the West Virginia case that involved poaching, spotlighting, hunting during a closed season, and other charges. Also, this case contains charges from Maryland. There are 223 charges against 8 individuals for killing 27 bucks during this past year. Two of the individuals were West Virginia deputy sheriffs, and one was the Allegany County Department of Emergency Services Chief.

Maryland Farm Bureau Update – Presentation by Maryland Farm Bureau Director of Government & Public Relations Colby Ferguson.

- Mr. Ferguson informed the Commission why Maryland Farm Bureau (MFB) supported a few of the bills.
 1. MFB instigated the HB0592/SB0597 – Deer Management Permit – Hunting on State Land Leased by Permit Holder – Authorization. Mr. Ferguson pointed out that these bills are to clean up the DMP language. Years ago, a bill passed for a Southern Maryland issue created a conundrum where only state-owned lands in Baltimore, Harford, Calvert, St. Mary's, and Charles Counties could allow DMP. It took a couple of years for the Office of General Attorney to decide that the other counties could not allow DMP usage on state-owned lands. MFB is fixing that untended consequences. MFB is not making any new rules, just fixing the law's intent.
 2. MFB instigated the HB0682/SB0427 Baltimore County – Hunting – Nongame Birds and Mammals to be in line with the rest of the State that does not require a hunting license to harvest

these species (namely groundhogs).

3. MFB instigated the SB0582 Natural Resources – Recreation on Private Land – Hunting to address the liability concern based on a court case involving an ATV accident. SB0582 is to address hunting only; it clarifies in the bill that even the invitees carry the liability. HB0956 Natural Resources Recreation on Private Land Hunting has the correct language with or without a charge. SB0582 has the language without a charge. The goal is to offer as a Sponsor’s amendment for SB0582 with the added wording with or without a charge.
 4. Mr. Ferguson explained HB1067 – Natural Resources – Wildlife Management – Nighttime to allow hunting for two months out of the year for DMP. Farmers are ready to petition to forbid hunters from hunting on their lands as a way to fight the hunters who are supporting this bill.
- Q&A Section:
 1. Director Peditto asked Mr. Ferguson about HB0956. Director Peditto read that the problem that came out of the case was that the court said the landowner was not afforded the protection of the law because the landowner did not open his property to the general public. Director Peditto questioned whether HB0956 addresses that issue.
 - a. Mr. Ferguson responded with the MFB’s interpretation. Mr. Ferguson outlined that if you read through that entire statute, there is an implied open to the public, so there is clarification in that section that it was in the existing law that said public access. In addition, there is a new section if a landowner invites with or without charge. The bill drafter told MFB that this language would meet the lower liability standards.
 - b. Director Peditto expressed concerns about HB0956 ability to fix the hunting liability issue because it does not plainly state that the landowner is not required to open his property, in general, to afford the protection of the statute.
 2. Mr. Ferguson asked if the Department would be submitting a letter of information for HB0956.
 - a. The staff submitted a letter accordingly.

Old Business – No Report.

New Business – No Report.

Public Comment

Adjournment

- The meeting adjourned at 11:32 a.m.

The next meeting will be held at 10:30 a.m. on Wednesday, March 16, 2022. The meeting location is 580 Taylor Avenue, Annapolis, MD 21401, in the C-1 Conference Room.

Attendance

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| Members: | L. Compton, T. Gregor, S. Boyles Griffin, E. Gulbrandsen, T.J. Jenkins, S. Keithley, J. Michael, J. Schroyer, and C. Wagner |
| Absent: | |
| Guest: | C. Ferguson and K. Sullivan |
| Staff: | B. Eyler, C. Fawley, B. Harvey, J. Homyack, T. Larney, B. Lowe, J. McKnight, P. Peditto, T. Spencer, H. Spiker, and K. Stonesifer, |

**Revised Summary of 2022 Proposed Legislation
Wildlife and Heritage Service
(as of February 16, 2022)**

| Number/ Chapter (Cross File) Total: 34 | Title | Primary Sponsor | Status | Original House Committee(s) and Hearing Dates | Opposite House Committee(s) and Hearing Dates |
|--|--|---|---|---|--|
| <u>HB0015</u> <u>(SB0007)</u> | Invasive and Native Plants – Classification, Listing, Use, and Sales and Use Tax | <u>Delegate Luedtke</u> | Hearing 1/26 at 1:00 p.m. (Ways and Means) | <u>Ways and Means</u> 1/26/2022 - 1:00 p.m. <u>Environment and Transportation</u> | |
| <u>HB0051</u> <u>(SB0140)</u> | Talbot County – Deer and Turkey Hunting – Sundays | <u>Delegate Mautz</u> | First Reading Environment and Transportation | <u>Environment and Transportation</u> | |
| <u>HB0052</u> <u>(SB0381)</u> | Natural Resources – Wildlife Trafficking Prevention | <u>Delegate Love</u> | Hearing 1/19 at 1:00 p.m. | <u>Environment and Transportation</u> 1/19/2022 - 1:00 p.m. | |
| <u>HB0143</u> <u>(SB0098)</u> | Somerset County - Natural Resources - Sunday Hunting | <u>Delegate Otto</u> | Hearing 2/09 at 1:00 p.m. | <u>Environment and Transportation</u> 2/9/2022 - 1:00 p.m. | |
| <u>HB0170</u> <u>(SB0220)</u> | Calvert County - Sunday Hunting | <u>Delegate Clark</u> | Hearing 2/02 at 1:00 p.m. | <u>Environment and Transportation</u> 2/2/2022 - 1:00 p.m. | |
| <u>HB0221</u> <u>(SB0665)</u> | Natural Resources – Healing Hunting and Fishing Fund – No–Cost Licenses and Stamps | <u>Delegate Thiam</u> | Hearing 2/02 at 1:00 p.m. | <u>Environment and Transportation</u> 2/2/2022 - 1:00 p.m. | |
| <u>HB0485</u> | Montgomery County - Deer Hunting - Sundays MC 25-22 | <u>Montgomery County Delegation</u> | Hearing 2/25 at 1:00 p.m. | <u>Environment and Transportation</u> 2/25/2022 - 1:00 p.m. | |
| <u>HB0514</u> <u>(SB0388)</u> | Charles County - Natural Resources - Sunday Hunting | <u>Charles County Delegation</u> | First Reading Environment and Transportation | <u>Environment and Transportation</u> | |
| <u>HB0556</u> <u>(SB0342)</u> | Queen Anne’s County – Natural Resources – Sunday Hunting | <u>Delegate Arentz</u> | Hearing 2/18 at 11:00 a.m. | <u>Environment and Transportation</u> 2/18/2022 - 11:00 a.m. | |
| <u>HB0592</u> <u>(SB0497)</u> | Deer Management Permit - Hunting on State Land Leased by Permit Holder - Authorization | <u>Delegate Jacobs</u> | Hearing 2/18 at 11:00 a.m. | <u>Environment and Transportation</u> 2/18/2022 - 11:00 a.m. | |
| <u>HB0631</u> | Caroline County – Sunday Hunting – Authorizations | <u>Delegate Ghrist</u> | Unfavorable Report by Environment and Transportation; Withdrawn | <u>Environment and Transportation</u> | |
| <u>HB0672</u> | Worcester County – Turkey Hunting – Sundays | <u>Delegate Otto</u> | First Reading Environment and Transportation | <u>Environment and Transportation</u> | |
| <u>HB0682</u> <u>(SB0427)</u> | Baltimore County - Hunting - Nongame Birds and Mammals | <u>Delegate Brooks</u> | Hearing 2/18 at 11:00 a.m. | <u>Environment and Transportation</u> 2/18/2022 - 11:00 a.m. | |

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|--|---|--|---|--|--|
| <u>HB0784</u> | Department of Natural Resources - Irreplaceable Natural Areas Program - Establishment | <u>Delegate Stein</u> | Hearing 2/23 at 1:00 p.m. | <u>Environment and Transportation</u> 2/23/2022 - 1:00 p.m. | |
| <u>HB0875</u> | Hunting and Fishing - Recreational License Fees - Moratorium | <u>Delegate Cox</u> | Hearing 2/23 at 1:00 p.m. | <u>Environment and Transportation</u> 2/23/2022 - 1:00 p.m. | |
| <u>HB0884</u> | State Conservation Land - Old-Growth Forests - Protection | <u>Delegate Gilchrist</u> | Hearing 2/25 at 1:00 p.m. | <u>Environment and Transportation</u> 2/25/2022 - 1:00 p.m. | |
| <u>HB0956</u> | Natural Resources - Recreation on Private Land - Hunting | <u>Delegate Clark</u> | Hearing 3/02 at 1:00 p.m. | <u>Environment and Transportation</u> 3/2/2022 - 1:00 p.m. | |
| <u>HB1067</u> | Natural Resources - Wildlife Management - Nighttime Hunting | <u>Delegate Stein</u> | Hearing 3/02 at 1:00 p.m. | <u>Environment and Transportation</u> 3/2/2022 - 1:00 p.m. | |
| <u>HB1279</u> | Sunday Hunting and Archery Hunting Safety Zones - Statewide Authorization and Establishment | <u>Delegate Hornberger</u> | Hearing 3/09 at 1:00 p.m. | <u>Environment and Transportation</u> 3/9/2022 - 1:00 p.m. | |
| <u>HB1298</u> | Natural Resources - Hunting and Fishing Offenses - Expungement | <u>Delegate Ghrist</u> | Hearing 3/08 at 1:00 p.m. | <u>Judiciary</u> 3/8/2022 - 1:00 p.m. | |
| <u>HB1304</u> | Natural Resources - Offshore Blind Sites - Licensing Process | <u>Delegate Mautz</u> | Hearing 3/09 at 1:00 p.m. | <u>Environment and Transportation</u> 3/9/2022 - 1:00 p.m. | |
| <u>HB1386</u> | Natural Resources - Black Bear Hunting - Permit Requirements | <u>Delegate Cox</u> | Hearing 3/09 at 1:00 p.m. | <u>Environment and Transportation</u> 3/9/2022 - 1:00 p.m. | |
| <u>SB0007</u> (<u>HB0015</u>) | Invasive and Native Plants - Classification, Listing, Use, and Sales and Use Tax | <u>Senator Elfreth</u> | Hearing 1/25 at 1:30 p.m. (Education, Health, and Environmental Affairs) | <u>Education, Health, and Environmental Affairs</u> 1/25/2022 - 1:30 p.m. <u>Budget and Taxation</u> | |
| <u>SB0042</u> | Natural Resources - Canada Geese - Bag Limits | <u>Senator Bailey</u> | Hearing 3/09 at 1:00 p.m. | <u>Education, Health, and Environmental Affairs</u> 3/9/2022 - 1:00 p.m. | |
| <u>SB0098</u> (<u>HB0143</u>) | Somerset County - Natural Resources - Sunday Hunting | <u>Senator Carozza</u> | Hearing 3/09 at 1:00 p.m. | <u>Education, Health, and Environmental Affairs</u> 3/9/2022 - 1:00 p.m. | |
| <u>SB0140</u> (<u>HB0051</u>) | Talbot County – Deer and Turkey Hunting – Sundays | <u>Senator Eckardt</u> | Hearing 3/09 at 1:00 p.m. | <u>Education, Health, and Environmental</u> | |

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|---|---|---|--|--|--|
| | | | | Affairs 3/9/2022 - 1:00 p.m. | |
| SB0160 | Natural Resources - Sunday Hunting - Migratory Game Birds | Senator Carozza | First Reading Education, Health, and Environmental Affairs | Education, Health, and Environmental Affairs | |
| SB0220 (HB0170) | Calvert County – Sunday Hunting | Calvert County Senators | Hearing 3/09 at 1:00 p.m. | Education, Health, and Environmental Affairs 3/9/2022 - 1:00 p.m. | |
| SB0233 (HB0874) | Prince George’s County – Natural Resources – Sunday Deer Hunting and Archery Hunting Safety Zones | Senator Jackson | Hearing canceled | Education, Health, and Environmental Affairs | |
| SB0342 (HB0556) | Queen Anne's County - Natural Resources - Sunday Hunting | Senator Hershey | Hearing 3/09 at 1:00 p.m. | Education, Health, and Environmental Affairs 3/9/2022 - 1:00 p.m. | |
| SB0388 (HB0514) | Charles County - Natural Resources - Sunday Hunting | Senator Jackson | Hearing 3/09 at 1:00 p.m. | Education, Health, and Environmental Affairs 3/9/2022 - 1:00 p.m. | |
| SB0427 (HB0682) | Baltimore County - Hunting - Nongame Birds and Mammals | Senator West | Hearing 3/09 at 1:00 p.m. | Education, Health, and Environmental Affairs 3/9/2022 - 1:00 p.m. | |
| SB0497 (HB0592) | Deer Management Permit - Hunting on State Land Leased by Permit Holder - Authorization | Senator Gallion | Hearing 3/09 at 1:00 p.m. | Education, Health, and Environmental Affairs 3/9/2022 - 1:00 p.m. | |
| SB0582 | Natural Resources - Recreation on Private Land - Hunting | Senator Bailey | Hearing 3/09 at 1:00 p.m. | Education, Health, and Environmental Affairs 3/9/2022 - 1:00 p.m. | |