

## Terrapin Regulation

Maryland Dept of Natural Resources


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### Questions and Answers about Diamondback Terrapin Management History and the Proposed Regulation

- **What restrictions are currently in place to protect the Diamondback terrapin?**

Natural Resources Article 4-903 Annotated Code of Maryland authorizes the Department to adopt regulations governing the catching of terrapin and conservation of terrapin resources, while taking into consideration the establishment of a season and legal size. Current regulation states that the minimum harvest size is six inches, a person may not possess or destroy eggs, the closed season is May 1 – July 31 and a person is allowed to keep no more than three terrapins as pets. Code of Maryland Regulation 08.02.03.07 requires that all crab pots set for recreational purposes be equipped with a turtle reduction device. Natural Resources Article 4-902 Annotated Code of Maryland requires that a person catching terrapin for sale must have a commercial license.



- **What is the Diamondback Terrapin Taskforce?**

Executive Order 01.01.2001.05 established the Maryland Diamondback Terrapin Taskforce to evaluate data and management practices for Diamondback terrapin and present findings and recommendations to the Secretary of the Department of Natural Resources. The final report was submitted September 20, 2001. The Taskforce report acknowledged that the current population status and general health of the population is unknown. The Taskforce recommended 18 interim management strategies to the State.

- **Are these regulations required because House Bill 980 passed in the 2006 legislative session?**

House Bill 980 modifies Natural Resources Article 4-903 Annotated Code of Maryland to require the Department to adopt regulations consistent with the recommendations of the Maryland Diamondback Terrapin Task Force and to prepare a fishery management plan for terrapins. The bill will not be effective until October 1, 2006, which is during the proposed open harvest season. This proposal is based on the intent of House Bill 980 but is authorized under the existing law. A proposal after the effective date of House Bill 980 would postpone these conservation measures another harvest season. The terrapin management plan is not part of this regulatory proposal, but will be created to guide future management decisions.


- **Why an emergency regulation?**

A proposed (permanent) regulation takes at least 94 days to become effective. An emergency proposal may be effective when the Administrative, Executive, and Legislative Review Committee (AELR) signs the regulation. In this case, the Department has asked AELR to make the regulations effective August 1 to ensure conservation measures begin at the start of the proposed open season. The Department has also submitted a permanent proposal because emergency regulations expire. This proposal is identical to the emergency proposal and should become effective September 25, 2006.

- **Why are there two public comment periods?**

According to law, the official public comment on permanent proposed regulations must be taken for at least 30 days, beginning on the date that the regulations are published in the Maryland Register. A public hearing may be held during this time period, but is not required. For emergency regulations, there is no official public comment period or proscribed hearing time period.

For this terrapin regulation, the Department has opted to have a public meeting and take public comment on the emergency regulation until July 17, 2006. Any comments received during the emergency regulation public comment period will be considered with the proposed permanent regulation as well. The public may also choose to submit comments during the official public comment period for the proposed permanent regulations, which will end on August 12, 2006. By adding the comment period for the emergency regulation, it allows the public an opportunity to comment before the emergency regulation is requested to take effect on August 1, 2006 and provides additional time to the official public comment period on the proposed permanent regulation.



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