

Proposed Action on Regulations

For information concerning citizen participation in the regulation-making process, see inside front cover.

Symbol Key

- Roman type indicates existing text of regulation.
- *Italic type* indicates proposed new text.
- [Single brackets] indicate text proposed for deletion.

Promulgation of Regulations

An agency wishing to adopt, amend, or repeal regulations must first publish in the Maryland Register a notice of proposed action, a statement of purpose, an estimate of economic impact, an economic impact on small businesses, a notice giving the public an opportunity to comment on the proposal, and the text of the proposed regulations. The opportunity for public comment must be held open for at least 30 days after the proposal is published in the Maryland Register.

Following publication of the proposal in the Maryland Register, 45 days must pass before the agency may take final action on the proposal. When final action is taken, the agency must publish a notice in the Maryland Register. Final action takes effect 10 days after the notice is published, unless the agency specifies a later date. An agency may make changes in the text of a proposal. If the changes are not substantive, these changes are included in the notice of final action and published in the Maryland Register. If the changes are substantive, the agency must repropose the regulations, showing the changes that were made to the originally proposed text.

Proposed action on regulations may be withdrawn by the proposing agency any time before final action is taken. When an agency proposes action on regulations, but does not take final action within 1 year, the proposal is automatically withdrawn by operation of law, and a notice of withdrawal is published in the Maryland Register.

Title 08 DEPARTMENT OF NATURAL RESOURCES

Subtitle 02 FISHERIES SERVICE

08.02.01 General

Authority: Natural Resources Article, §§4-215, 4-602, and 4-735, Annotated Code of Maryland

Notice of Proposed Action

[26-126-P]

The Secretary of Natural Resources proposes to amend Regulation .11 under **COMAR 08.02.01 General**.

Statement of Purpose

The purpose of this action is to update and clarify the requirements for obtaining a black bass tournament permit. Currently, a permit is only mandatory if a tournament meets three specific criteria: having ten or more boats; having a specific weigh-in or entry location; and providing an offer or reward for catching black bass. The proposed action modifies the criteria and requires non-possession based tournaments with catch-weigh-release or catch-photo-release formats to obtain a permit if the tournament fishing occurs either exclusively in Maryland, or in Maryland and up to two additional jurisdictions (for example, waters under the jurisdiction of Virginia or the Potomac River Fisheries Commission). The proposed action also clarifies that the reward or incentive offered must be specifically for black bass. These changes ensure the Department is capturing relevant tournament information specific to black bass.

The Department continuously evaluates fishing regulations for efficacy based on fishery monitoring efforts. Currently, tournaments that do not meet all of the criteria operate without a permit and, subsequently, do not have mandatory reporting requirements. Modifying the permit requirement allows the Department to gather information from a wider range of organized fishing events. Increased tournament reporting provides critical fishery-dependent data that

helps managers understand fishing pressure and population trends for black bass. Standardizing reporting across possession and non-possession tournaments ensures that management decisions are based on the full scope of tournament activity rather than a smaller subset of competitions.

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 Black Bass Tournament 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 email to fisheriespubliccomment.dnr@maryland.gov or complete the comment form at <https://dnr.maryland.gov/fisheries/pages/regulations/changes.aspx#>. Comments will be accepted through November 2, 2026. A public hearing has not been scheduled.

.11 Black Bass Tournaments.

A.—B. (text unchanged)

C. Black Bass Tournament Permit.

(1) A person shall obtain a black bass tournament permit prior to conducting a fishing tournament [that]:

(a) [Has] *That has* ten or more boats participating;

[(b) Has a specific location where fish are weighed, measured, counted, or otherwise entered into the tournament; and]

(b) *Where fish are weighed, measured, counted or otherwise entered into the tournament:*

(i) *At a specific physical location; or*

(ii) *Through a catch-weigh-release or catch-photo-release format, provided that tournament fishing is restricted to the waters of Maryland and no more than two additional jurisdictions; and*

- (c) [Provides] *That provides* anglers an offer, reward, or incentive *specifically* for catching black bass.
 (2)—(5) (text unchanged)
 D.—G. (text unchanged)

JOSH KURTZ
 Secretary of Natural Resources

08.02.11 Fishing in Nontidal Waters

Authority: Natural Resources Article, §4-602, Annotated Code of Maryland

Notice of Proposed Action

[26-136-P]

The Secretary of Natural Resources proposes to amend Regulations .01 and .03 under **COMAR 08.02.11 Fishing in Nontidal Waters**.

Statement of Purpose

The purpose of this action is to update the rules for trout fishing in Governor Bridge Pond, Waterworks Park Pond, the lower Savage River, and Owens Creek. Since the proposed action makes changes to several different areas for different reasons, the specific actions taken are described below.

Governor Bridge Pond (Prince George's County) - The proposed action adds this area to the list of put-and-take trout fishing areas and establishes a closure of zero, which means that the creel limit is five trout per person per day and the area is open to trout fishing year round. By designating the pond as a put-and-take trout fishing area, law enforcement will be simplified by making the regulations consistent with all other trout-stocked ponds in the region and will give anglers in the urban area an increased opportunity to harvest trout.

Waterworks Park Pond (Anne Arundel County) - Currently, this area is designated as a catch and return area for all species, however, the Department would like to allow the harvest of trout. The proposed action adds this area to the list of put-and-take trout fishing areas and establishes a closure of zero, which means that the creel limit is five trout per person per day and the area is open to trout fishing year round. The proposed action also modifies the catch and return rules for this area to allow an individual to keep their limit of trout, but maintains the rule that all other species must be returned to the pond. By designating the pond as a put-and-take trout fishing area, law enforcement will be simplified by making the regulations consistent with all other trout-stocked ponds in the region and will give anglers in the urban area an increased opportunity to harvest trout.

Lower Savage River (Garrett County) - The proposed action changes the designation for the areas of the lower Savage River that are currently listed as trophy trout fishing areas to catch-and-return trout fishing areas. The Savage River mainstem from the Savage River Reservoir Dam downstream to the lower suspension bridge (Allegany Bridge) is established as a catch-and-return trout fishing area that is limited to artificial fly fishing. The Savage River mainstem from the downstream side of the Route 135 bridge upstream for a distance of approximately 2.7 miles to the lower suspension bridge (Allegany Bridge) is established as a catch-and-return trout fishing area that is limited to the use of artificial lures and also includes a ban for treble hooks. The treble hook ban is a result of public comment received for the changes in that area of the river.

The Department continuously evaluates freshwater fishing regulations for efficacy based on fishery dependent and independent monitoring efforts. Currently, the Savage River tailwater trout fishery is managed under trophy trout harvest restrictions, although fishery-independent data suggests that trout only rarely reach the minimum size for harvest under those restrictions. Additionally, a 2025 creel survey demonstrated that, although a small percentage of anglers intended to harvest trout, the total trout harvest on the river was zero, despite more than 1,800 angler hours per mile expended and each adult trout in the river being caught nearly twice each year on average.

Changing to catch-and-return will better align angler expectations with reality and is necessary to provide adequate protection for this heavily used fishery, in part due to barbless hook restrictions that accompany that designation.

Owens Creek (Frederick County) - The proposed action adds the upper sections of Owens Creek that are located on Catoctin Mountain Park (U.S. National Park Service) property to the list of catch-and-return, artificial fly fishing only areas. This change adds bait and tackle restrictions and requires catch and release for any trout, including brown trout. Declines in brook trout numbers in this upper section of Owens Creek warrant further protection of the population. The catch-and-return, artificial fly fishing only regulations are the most protective angling regulations that can be applied. Adopting this change on sections of Owens Creek on federal property will match the catch-and-return, artificial fly fishing only regulations on the Catoctin Mountain Park and Cunningham Falls State Park sections of Big Hunting Creek.

Estimate of Economic Impact

I. Summary of Economic Impact. The proposed action has the potential to economically impact the Department and recreational anglers.

II. Types of Economic Impact.

Impacted Entity	Revenue (R+/R-) Expenditure (E+/E-)	Magnitude
A. On issuing agency:		
Maryland Department of Natural Resources	(R+)	Indeterminable
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+) Cost (-)	Magnitude
D. On regulated industries or trade groups:		
Recreational Anglers - License & Trout Stamps	(-)	Indeterminable
E. On other industries or trade groups:		
Tackle Shops	(+)	Indeterminable
F. Direct and indirect effects on public:	NONE	

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

A. The proposed action provides increased fishing opportunities. Those opportunities may result in the sale of recreational fishing licenses and trout stamps, but the actual impact is unknown because it is not possible to predict the behavior of anglers.

D. Recreational anglers may need to purchase a license or trout stamp if they do not already have them or if they do not qualify for a license exemption. Since it is not possible to determine how many anglers already fish a particular area, how many anglers would need a license or stamp, and because the cost of a license varies for both resident and nonresidents, the actual cost to an angler is indeterminable.

E. Recreational anglers may need to purchase additional tackle so that they can participate in the proposed changes. The actual impact is indeterminable since the purchasing behavior of anglers is not able to be predicted.