

- (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.

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 Trout Regulations, Regulatory Staff, 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.

.01 Trout Fishing and Management Areas.

A. (text unchanged)

B. Put-and-Take Trout Fishing Areas.

(1)—(4) (text unchanged)

(5) Except as provided in §C(1) of this regulation the following areas are designated as put-and-take trout fishing areas and are subject to the provisions in §B(1)—(3) of this regulation:

	Closure Periods
(a) (text unchanged)	
(b) Anne Arundel County:	
(i)—(ii) (text unchanged)	
(iii) <i>Waterworks Park Pond</i>	0
(c)—(j) (text unchanged)	
(k) Howard County, Montgomery County, and Prince George's County:	
(i)—(xix) (text unchanged)	
(xx) <i>Governor Bridge Pond</i>	0
(l)—(n) (text unchanged)	

C. Catch-and-Return Trout Fishing Areas.

(1)—(2) (text unchanged)

(3) *Savage River.*

(a) *Special provisions in effect on this area.*

(i) *A person may not have any trout in possession while fishing in this area. All trout which are caught shall be released and returned to the water.*

(ii) *A person may fish only with artificial lures, including artificial flies. Treble hooks are prohibited. Each artificial lure is restricted to a single hook with a single hook point.*

(iii) *In this area, a person may not possess or use any natural or live bait, or any device enhanced with a scent and capable of catching fish.*

(iv) *The open season is January 1 through December 31, inclusive.*

(v) *A person may not fish with any barbed hook.*

(b) *The area subject to the provisions of this section is 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).*

[(3)](4) (text unchanged)

[(4)](5) Areas Limited to Artificial Fly Fishing Only.

(a) Special provisions in effect on these areas[.].

(i)—(vi) (text unchanged)

(b) Areas subject to provisions of this section [are:].

(i) Big Hunting Creek, Frederick County. All waters of Big Hunting Creek and its tributaries within Cunningham Falls State Park and Catoctin Mountain Park except Owens Creek, Little Hunting Creek, Cunningham Falls Lake, and Frank Bentz Pond[.].

(ii) Beaver Creek, Washington County. From the confluence with Black Rock Creek downstream to the downstream side of the U.S. Route 40 bridge [; and].

(iii) (text unchanged)

(iv) *Owens Creek, Frederick County. All of the waters of Owens Creek located within the boundaries of Catoctin National Park (U.S. National Park Service).*

(v) *Savage River, Garrett County. The Savage River mainstem from the Savage River Reservoir Dam downstream to the lower suspension bridge (Allegany Bridge).*

[D. Trophy Trout Fishing Areas.

(1) 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 a trophy trout fishing area. The following apply:

(a) Open season — no closed season.

(b) Creel limit all trout species in aggregate — daily: 2, possession: 4.

(c) Minimum size: brook trout — 12 inches; brown trout — 18 inches; all other species of trout — no minimum size.

(d) A person may not have in possession any trout smaller than the minimum size limit in effect for this area.

(e) A person may fish only with artificial lures, including artificial flies. Treble hooks are prohibited. Each artificial lure is restricted to a single hook with a single hook point.

(f) In these areas, a person may not possess or use any natural or live bait, or any device enhanced with a scent and capable of catching fish.

(2) Savage River mainstem from the Savage River Reservoir Dam downstream to the lower suspension bridge (Allegany Bridge) is a trophy trout fishing area. The following apply:

(a) Open season — no closed season

(b) Creel limit all trout species in aggregate — daily: 2, possession: 4.

(c) Minimum size: brook trout — 12 inches; brown trout — 18 inches; all other species of trout — no minimum size.

(d) A person may fish only with artificial flies.

(e) In these areas, a person may not possess or use any natural or live bait, or any device enhanced with a scent and capable of catching fish. Section C(4)(a)(ii)—(iv), of this regulation shall apply to this special trout management area.

(f) A person may not have in possession any trout smaller than the minimum size limit in effect for this area.]

[E.] D.—[J.] I. (text unchanged)

.03 Special Fisheries Management Areas.

A. (text unchanged)

B. Impoundments Limited to Catch-and-Return Fishing.

(1) This section applies to the following areas:

(a)—(b) (text unchanged)

(c) Waterworks Park Pond in Anne Arundel County.

(2) [While] *Except as provided in §B(3) of this regulation, while fishing in the areas set forth in §B(1) of this regulation, a person:*

(a)—(b) (text unchanged)

(3) *A person fishing in Waterworks Park Pond in Anne Arundel County may keep and possess trout in accordance with COMAR 08.02.11.01.*

C. (text unchanged)

JOSH KURTZ

Secretary of Natural Resources