

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Proposed action on regulations may be withdrawn by the proposing agency any time before final action is taken.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an agency proposes action on regulations, but does not take final action within 1 year, the proposal is automatically withdrawn by operation of law, and a notice of withdrawal is published in the Maryland Register.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

### 08.02.11 Fishing in Nontidal Waters

Authority: Natural Resources Article, §§4-602 and 4-603, Annotated Code of Maryland

#### Notice of Proposed Action

[24-142-P]

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

#### Statement of Purpose

The purpose of this action is to make changes to the Put-and-Take trout stocking program. The changes include modifying the areas managed as Put-and-Take areas, modifying the areas managed as Closure 1 areas, and eliminating the Closure 2 designation. The Department continuously evaluates stocking and management programs to maximize recreational opportunities and experiences for anglers, including adjusting stocking locations and closures. These proposed changes will also reduce the complexity of the Department's regulations by creating a single closure period for those waters that are closed during the spring stocking season.

#### Areas:

The Department has proposed the following changes to the areas managed for Put-and-Take Trout Fishing:

#### Addition:

- Extend the Patapsco River Put-and-Take Trout Fishing Area (Baltimore and Howard County) upstream by approximately 0.61 miles. The additional area is public property with good access for both stocking and anglers. The new area encompasses the stretch of the Patapsco River from the previous site of Bloede Dam upstream to Ilchester Road.

#### Deletions:

- Jones Falls below Lake Roland (Baltimore County) — This area has poor/difficult access for stocking; the available water is limited in size and has not been stocked since the COVID-19 pandemic.
- Beaver Run (Carroll County) — This area is entirely on private property, primarily within the Beaver Run Fish and Game Club property, with little public participation. The stream is very shallow, provides limited holding habitat for trout, and has not been stocked for several years.

#### Closures:

- The Department has proposed simplifying the way it closes certain bodies of water during the spring trout stocking season. To achieve this, the Department proposes modifying the list of areas affected by this closure and eliminating the Closure 2 management option. There would no longer be the potential for confusion about different closures. Many of the Closure 2 areas would be redesignated as Closure 1; the remainder would be designated as Closure 0. Closure 1 areas are closed from the first Sunday after March 4 to the last Saturday in March. Closure 0 areas are not closed but are managed under the Put-and-Take rules (daily creel of 5 fish per person per day, possession limit of 10, no brook trout harvest allowed).

The proposed action removes the following Put-and-Take Trout Fishing Areas from the Closure 2 list and adds them to the Closure 1 list:

- Cotton Cove Pond (Allegany County)
- Farm Museum Pond (Carroll County)
- Hamburg Pond (Frederick County)
- Jennings Run (Allegany County)
- Martin Luther King, Jr. Pond (Montgomery County)
- North Jennings Run Watershed (Allegany County)
- Pine Lake (Montgomery County)
- Rainbow Lake (Frederick County)
- Savage River (Garrett County)
- Whiskey Springs Pond (Frederick County)

The proposed action removes the following Put-and-Take Trout Fishing Areas from the Closure 2 list and adds them to the Closure 0 list:

- Frank Bentz Pond (Frederick County)
- Indian Springs Pond (Washington County)
- Izaak Walton Pond (Montgomery County)
- Northwest Branch (Montgomery County)
- Westminster Pond (Carroll County)

The proposed action also adds a number of areas currently on the Closure 0 list to the Closure 1 list in order to enhance the Youth Trout Fishing Day program. The Youth Trout Fishing Day program occurs in all waters designated as Closure 1 on the Saturday before the traditional Opening Day; by moving these areas from Closure 0 to Closure 1, the Department is increasing opportunities to participate in that program. The proposed action moves the following Put-and-Take Trout Fishing Areas from the Closure 0 list to the Closure 1 list:

- Accident Pond (Garrett County)
- Calvert Cliffs Pond (Calvert County)
- Dans Mountain Pond (Allegany County)
- Hughesville Pond (Charles County)
- Hutchins Pond (Calvert County)
- Warfield Park Pond (Howard County)

**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 Fishing in Nontidal Waters — Trout, Regulatory Staff, Maryland Department of Natural Resources, 580 Taylor Ave E-4, Annapolis MD 21401, or call 410-260-8300, or email to submit comment to:

<https://dnr.maryland.gov/fisheries/pages/regulations/changes.aspx#trout>  
 out. Comments will be accepted through December 16, 2024. A public hearing has not been scheduled.

**.01 Trout Fishing and Management Areas.**

A. (text unchanged)

B. Put-and-Take Trout Fishing Areas.

(1) Open Season. Except as provided in §I of this regulation, put-and-take trout fishing areas are closed to all fishing from 10 p.m. of the first date to 5:30 a.m. of the last date, during the period listed in the following schedule:

(a) Closure 0 — No closure; *and*

(b) Closure 1 — From the first Sunday after March 4 to the last Saturday in March[; and

(c) Closure 2 — From Sunday to Saturday of the last full week of March].

(2) Fishing Hours.

(a)—(b) (text unchanged)

(c) In areas designated as Closure 1 [or Closure 2 areas] in §B(5) of this regulation, the fishing hours on the last Saturday in March are from 6:30 a.m. to 10 p.m.

(3)—(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) Allegany County:	
(i)—(v) (text unchanged)	
(vi) North Jennings Run watershed	[2] 1
(vii) Jennings Run mainstem downstream of the confluence of North Jennings Run	[2] 1
(viii) (text unchanged)	
(ix) Dans Mountain Pond	[0] 1
(x)—(xiv) (text unchanged)	0
(xv) Cotton Cove Pond in Lion's Park Glendening Recreational Complex at Frostburg	[2] 1
(xvi) (text unchanged)	
(b) (text unchanged)	
(c) Baltimore County and Baltimore City:	
(i) Patapsco River mainstem from the B & O Viaduct upstream to [Bloedes Dam] <i>Ilchester Road</i>	1
(ii)—(vi) (text unchanged)	
[(vii) Jones Falls mainstem below Lake Roland]	
[(viii)] <i>(vii)</i> —[(ix)] <i>(viii)</i> (text unchanged)	
(d) Calvert and Charles Counties:	
(i) Calvert Cliffs Pond	[0] 1
(ii) Hughesville Pond	[0] 1
(iii) Hutchins Pond	[0] 1
(iv)—(v) (text unchanged)	
(e) (text unchanged)	
(f) Carroll County:	
[(i) Beaver Run mainstem upstream of Maryland Route 91]	
[(ii)] <i>(i)</i> (text unchanged)	
[(iii)] <i>(ii)</i> Westminster Pond	[2] 0
[(iv)] <i>(iii)</i> Farm Museum Pond	[2] 1
[(v)] <i>(iv)</i> —[(ix)] <i>(viii)</i> (text unchanged)	
(g) (text unchanged)	
(h) Frederick County:	
(i)—(v) (text unchanged)	
(vi) Frank Bentz Pond	[2] 0
(vii) Rainbow Lake	[2] 1
(viii)—(ix) (text unchanged)	
(x) Whiskey Springs Pond	[2] 1
(xi) Hamburg Pond	[2] 1
(xii)—(xiii) (text unchanged)	
(i) Garrett County:	
(i) Savage River mainstem from Savage River Reservoir upstream to Poplar Lick	[2] 1
(ii)—(xi) (text unchanged)	
(xii) Accident Pond	[0] 1
(xiii)—(xvii) (text unchanged)	
(j) (text unchanged)	
(k) Howard County, Montgomery County, and Prince George's County:	

(i) Northwest Branch watershed upstream of Maryland Route 410 to Norwood Road	[2] 0
(ii) Izaak Walton Pond	[2] 0
(iii) Pine Lake	[2] 1
(iv)—(ix) (text unchanged)	
(x) Martin Luther King, Jr. Park Pond	[2] 1
(xi)—(xviii) (text unchanged)	
(xix) Warfield Park Pond	[0] 1
(l) Washington County:	
(i)—(iii) (text unchanged)	
(iv) Indian Springs Pond	[2] 0
(v)—(ix) (text unchanged)	
(m)—(n) (text unchanged)	

C.—H. (text unchanged)

I. Youth Trout Fishing Day.

(1) Youth trout fishing day is the Saturday before the last Saturday in March in areas designated as Closure 1 [or Closure 2] in §B of this regulation.

(2)—(4) (text unchanged)

J. (text unchanged)

JOSH KURTZ  
Secretary of Natural Resources

# Title 10 MARYLAND DEPARTMENT OF HEALTH

## Subtitle 24 MARYLAND HEALTH CARE COMMISSION

### 10.24.01 Procedural Regulations for Health Care Facilities and Services

Authority: Health-General Article, §§19-109(a)(1) and (8), 19-116(b), 19-118(d), 19-120, 19-120.1, 19-120.2 and 19-126, et seq., Annotated Code of Maryland

**Notice of Proposed Action**

[24-155-P]

The Maryland Health Care Commission proposes to amend existing Regulations .01, .03, and .12, adopt new Regulation .21, and recodify existing Regulations .21 and .22 to be Regulations .22 and .23 under **COMAR 10.24.01 Procedural Regulations for Health Care Facilities and Services**. This action was considered by the Commission at an open meeting held on September 19, 2024, notice of which was given through publication in the Maryland Register, under General Provisions Article, §3-302(c), Annotated Code of Maryland.

**Statement of Purpose**

The purpose of this action is to adopt regulations to implement the provisions of legislation passed by the Maryland General Assembly in 2024. The legislation changed the review and approval process for the acquisition of a nursing home. SB1000/HB1122 (Chs. 816 and 817). The legislation requires the Commission to adopt regulations to implement the provisions of the 2024 legislation; thus, amendments

are necessary to COMAR 10.24.01 Procedural Regulations for Health Care Facilities and Services.

**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 Deanna Dunn, Health Facilities Coordinator, Maryland Health Care Commission, 4160 Patterson Avenue, Baltimore, MD 21215, or call 410-764-3276, or email to mhcc\_regs.comment@maryland.gov. Comments will be accepted through December 16, 2024. A public hearing has not been scheduled.

**Open Meeting**

Final action on the proposal will be considered by the Maryland Health Care Commission during a public meeting to be held on January 16, 2025 at 1:00 pm, at 4160 Patterson Avenue, Baltimore, MD 21215.

**.01 Definitions.**

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1)—(16) (text unchanged)

(17) “Comprehensive care facility” means a nursing home as defined at §19-1401, Health-General Article, Annotated Code of Maryland.

[(17)](18) — [(43)](44) (text unchanged)

[(44)] (45) “Merged asset system” means an organization comprised of [one] two or more regulated health care facilities under common ownership or control.

[(45)](46) — [(46)](47) (text unchanged)