FISHING IN NONTIDAL WATERS - Trout (Lower Savage River)

What was proposed?
The Department proposed changing the designation for the areas of the lower Savage River (Garrett County) that are currently listed as trophy trout fishing areas to catch-and-return trout fishing areas.

1. The action proposes to establish the **Savage River mainstem from the Savage River Reservoir Dam downstream to the lower suspension bridge (Allegany Bridge)** as a catch-and-return trout fishing area that is limited to artificial fly fishing. For this section, the major change is the requirement to return all trout caught. If the changes are adopted, the rules that would apply to this area are:
    a. A person may not have any trout in possession while fishing in these areas. All trout which are caught shall be released and returned to the water.
    b. A person may fish only with artificial flies and streamers constructed in a normal fashion using natural or synthetic materials, or both, which may include feathers, fur, hair, tinsel, thread, fiber, plastic, cork, wire, and rubber, on a single hook with the components wound on or about the hook. A person may not use molded replicas of insects, earthworms, fish eggs, fish, or any invertebrate or vertebrate, either singly or in combination with the other materials, or other lures commonly described as spinners, spoons, or plugs made of metal, plastic, wood, rubber, or a similar substance or a combination of these.
    c. A person may fish only with conventional fly fishing tackle, including fly rods, fly reels, and fly line with a leader or monofilament line attached. Any method of angling when the fly is cast directly from the reel is prohibited. The use of centerpin, spinning, spincast, and casting reels is prohibited.
    d. 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.
    e. The open season is January 1 through December 31, inclusive.
    f. A person may not fish with any barbed hook.

2. The action proposes to establish 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)** 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 about the changes in that area of the river. If the changes are adopted, the rules that would apply to this area are:
    a. A person may not have any trout in possession while fishing in this areas. All trout which are caught shall be released and returned to the water.
    b. 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.
    c. 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.
    d. The open season for artificial lure fishing is January 1 through December 31, inclusive.
    e. A person may not fish with any barbed hook.

Why is this change necessary?
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-release 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.

Who will this affect?
This action will affect nontidal anglers that fish within the affected areas.

What is the specific regulatory action?
Amend Regulation .01 under COMAR 08.02.11 Fishing in Nontidal Waters.

Was this change discussed with advisory bodies or other interested or impacted individuals?
1. This idea was discussed with the Coldwater Fisheries Advisory Committee at their April 2026 meeting and received general support. One committee member noted that the Department needs to consider the economic impact of the fishery to the surrounding area because a change may have an impact on visitation.
2. This idea was presented to the Sport Fisheries Advisory Committee (SFAC) and the Tidal Fisheries Advisory Commission (TFAC) at their April 2026 meetings. Commissioners noted the following: there is a lack of large (trophy size) trout in the area; the current regulation sets unrealistic expectations for being able to catch a trophy sized trout; a change will allow more people to fish; the fishery in the area is economically important; and they are generally not worried about increased pressure on the resources.
3. This idea was scoped with the general public from May 14, 2026, through June 4, 2026.

Regulatory Process
Fishing rules in Maryland may be created by either the General Assembly or the Department. When the Department creates a fishing rule, it is called a regulation. When the General Assembly creates a rule, it is called a statute. The Department often has to create a regulation to implement a statute. The regulatory process begins with scoping and the Department follows normal procedures as concepts move forward.

During the scoping process, the Department gathers suggestions and ideas from stakeholders and others about how to solve a fishery problem or address a need. The goal of scoping is to identify issues, potential impacts, and reasonable alternatives associated with the issues so that management actions can be developed. After the public has had an opportunity to comment on possible management actions during the scoping process, the Department considers these comments and develops an appropriate management strategy.

At the conclusion of the scoping process, the Department determined that the action is necessary and appropriate. The rules are being promulgated following the Administrative Procedures Act described in Title 10, Subtitle 1 of the State Government Article Annotated Code of Maryland.

- The General Assembly's Administrative, Executive, and Legislative Review Committee reviews the regulatory proposal for fiscal and legal analysis.
- The proposal was printed by the Division of State Documents in the Maryland Register on October 2, 2026.
- A 30-day public comment period began on the day of publication. The comment period ends November 2, 2026.
- After reviewing the comments, the Department may adopt the changes.
- If the Department adopts the changes, they become effective after a notice is published in the Maryland Register that announces the adoption and effective date.

When could this be effective?

The Department projects that this change could be effective January 1, 2027. However, the exact date cannot be determined at this time.