

F. Direct and indirect effects on public:

- (1) Trout anglers (-) Indeterminable
- (2) Trout anglers (+) Indeterminable

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

F(1). Some participants not already using barbless hooks may incur new expenditures, although compliance may also be achieved by mashing the barbs of hooks down with pliers. Anglers who preferred to harvest brown trout in Beaver Creek will no longer have that opportunity, although many other opportunities to harvest brown trout continue to exist throughout the State.

F(2). Participants already using barbless hooks will not incur any additional expenditures. Due to the requirement to use barbless hooks the Department anticipates fewer fish will suffer hooking-related injuries, leading to lower fishing injury-related mortalities. This may lead to a long-term increase in fish populations in the affected areas which are popular with trout anglers. Similarly, prohibiting the possession of brown trout in Beaver Creek will help the population rebuild after a catastrophic die-off event, which will provide additional long-term fishing opportunities.

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, Department of Natural Resources, Fishing and Boating Services, 580 Taylor Ave., E-4, Annapolis, MD 21401, or call 410-260-8300, or complete the comment form at <https://dnr.maryland.gov/fisheries/pages/regulations/changes.aspx#trout-fishing>. Comments will be accepted through December 4, 2023. 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)—(i) (text unchanged)	
(j) Harford County:	
(i)—(ii) (text unchanged)	
(iii) [Forest Hill Pond] <i>Bynum Pond</i>	[2] 0
(k) Howard County, Montgomery County, and Prince George's County:	
(i)—(xviii) (text unchanged)	
(xix) <i>Warfield Park Pond</i>	0
(l)—(n) (text unchanged)	

- C. Catch-and-Return Trout Fishing Areas.
 - (1) Owens Creek.
 - (a) Special provisions in effect on this area:
 - (i) From June 1 through the last day of February, a person may not keep or have any trout in possession while fishing, *or fish with any barbed hook*; and
 - (ii) (text unchanged)
 - (b) (text unchanged)

(2) [Areas with No Special Tackle Restrictions.] *North Branch Potomac River.*

- (a) Special provisions in effect on this area:
 - (i)—(ii) (text unchanged)
 - (iii) [No special tackle restrictions.] *A person may not fish with any barbed hook.*
 - (b) (text unchanged)
- (3) Areas Limited to Use of Artificial Lures Only.
 - (a) Special Provisions in effect on these areas:
 - (i)—(iv) (text unchanged)
 - (v) *A person may not fish with any barbed hook.*
 - (b) (text unchanged)
 - (4) Areas Limited to Artificial Fly Fishing Only
 - (a) Special provisions in effect on these areas:
 - (i)—(ii) (text unchanged)
 - (iii) A person may fish only with conventional fly fishing tackle, including fly rods, fly reels, and fly line with a [maximum of 18 feet of] leader or monofilament line attached. Any method of angling when the fly is cast directly from the reel is prohibited. The use of spinning, spincast, and casting reels is prohibited.
 - (iv)—(v) (text unchanged)
 - (vi) *A person may not fish with any barbed hook.*
 - (b) (text unchanged)

D.—F. (text unchanged)

G. Delayed Harvest Trout Fishing Areas and Requirements.

- (1) Group I Delayed Harvest Trout Fishing Areas and Restrictions.
 - (a)—(b) (text unchanged)
 - (c) Bait Restrictions for Group I Fishing Areas.
 - (i) From June 1 through September 30, *inclusive*, no special bait, lure, or tackle restrictions are in effect.
 - (ii) From October 1 through May 31, *inclusive*, 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.
 - (d) *From October 1 through May 31, inclusive, in these areas, a person may not fish with any barbed hook.*
- (2) Group II Delayed Harvest Trout Fishing Areas and Restrictions.
 - (a)—(c) (text unchanged)
 - (d) *From October 1 through June 15, inclusive, in these areas, a person may not fish with any barbed hook.*

H.—I. (text unchanged)

J. Special Restrictions for Beaver Creek. A person may not have any brown trout in possession while fishing in Beaver Creek, from the confluence with Antietam Creek upstream to the Albert Powell State Trout Hatchery.

JOSH KURTZ
Secretary of Natural Resources

Subtitle 02 FISHERIES SERVICE

08.02.11 Fishing in Nontidal Waters

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

Notice of Proposed Action

[23-231-P]

The Secretary of Natural Resources proposes to amend Regulations **.04** and **.06** under **COMAR 08.02.11 Fishing in Nontidal Waters**.

Statement of Purpose

The purpose of this action is to establish a season and minimum size and creel limits for saugeye consistent with existing Statewide regulations for walleye, establish an 18 — 21-inch protected slot

length limit for walleye in Deep Creek Lake, and make technical corrections to the bass season in the Youghiogheny River Lake.

The Freshwater Fisheries and Hatcheries Division (FFHD) introduced saugeye (*Sander canadensis* x *vitreus*) to Piney Reservoir (Frostburg Reservoir) in Garrett County as a management tool to improve panfish size structure to improve the reproductive success of largemouth bass by reducing the abundance of yellow perch, and to provide anglers with an additional gamefish. Saugeye are a member of the family percidae and are a hybrid cross between a female walleye (*Sander vitreus*) and male sauger (*Sander canadensis*). As a new introduction, no harvest regulations currently exist in Maryland for saugeye. This action would establish a minimum size and creel limits for saugeye consistent with the existing minimum size and creel limits for walleye (15-inch minimum size with a five fish per day creel, ten fish in possession). The regulation would be applicable in all nontidal waters, so, if the Department introduces this species into other water bodies, the management structure is already in place.

The 2016 Maryland Angler Preference Survey identified Deep Creek Lake as a key destination and vacation fishery with more than 60 million dollars of economic value. More than half of the 87,700 trips listed by MAPS indicated that their primary purpose was fishing, with 35 percent specifically targeting walleye. Deep Creek Lake is a four-season fishery and is considered Maryland's premier ice fishing destination, attracting both resident and nonresident anglers.

Independent and dependent fishery surveys of the Deep Creek Lake walleye fishery indicate that harvest is an important component of the fishing experience for many anglers. A tagging study conducted in 2022 found that 72 percent of the legal size (15 inches) walleye reported caught by anglers were kept. Fishery data and tournament results indicate that the average size of the angled and harvested walleye is 17.5 inches, with very few fish exceeding 20 inches.

Several management options were evaluated to improve the walleye size distribution, including no change to the current regulations, increasing the minimum size, and establishing a protected slot length limit. Population modeling conducted by the Freshwater Fisheries and Hatcheries Division suggests that the current minimum size combined with a slot size limit approach with an 18 to 21-inch protected slot (no harvest within this range) would provide the greatest benefit for improving the walleye size distribution while maintaining the opportunity to harvest some of the catch. Under this harvest scheme, 83 percent of the walleye harvest would occur above the minimum size (15 inches) and below the protected slot (18 — 21 inches), with the average size of harvested walleye remaining similar to the current average. Although the total number of estimated walleye harvested would decrease by 16 percent with a 14 percent decrease in yield, over time, the number of walleye reaching 22 inches and 24 inches is expected to increase more than twofold, significantly improving the angling experience. The creel limit would remain at five fish per day. There is strong anecdotal and documented support from anglers for a more restrictive walleye regulation on Deep Creek Lake to improve the fishery's size structure.

This action also amends the season for largemouth bass, smallmouth bass, and spotted bass in the Youghiogheny River Lake. The Youghiogheny River Lake is one of two bodies of water that span the Maryland/Pennsylvania jurisdictional boundary that are jointly managed by Pennsylvania and Maryland. Conowingo Reservoir is the other water body. The joint management agreement calls for Pennsylvania to make management decisions regarding the fish resources in the Youghiogheny River Lake and for Maryland to make the management decisions in the Conowingo Reservoir. When one state changes the rules that apply to the water body for which they are responsible, the other state is obligated to update its rules to mirror that management decision. In this case, Pennsylvania has changed its bass season and Maryland is updating its rules that apply to the Youghiogheny River Lake to reflect that change. This will aid in

proper enforcement of the correct rule by the Maryland Natural Resources Police.

Estimate of Economic Impact

I. Summary of Economic Impact. The proposed action may have an indeterminable positive economic impact by enhancing the walleye fishery in Deep Creek Lake, which is a key destination and vacation fishery in the State.

II. Types of Economic Impact.

Impacted Entity	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:	NONE	
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+) Cost (-)	Magnitude
D. On regulated industries or trade groups:	NONE	
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:		
Walleye anglers	(+)	Indeterminable

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

F. Deep Creek Lake is a top destination fishing location in the State. Anglers have expressed an interest in a more varied size structure in the walleye fishery, to increase the likelihood of encountering larger fish. Establishing a protected slot limit is the preferred management option to achieve that goal. It is not possible to determine the economic impact of this action, but providing a more varied size structure will enhance the desirability of this fishery, potentially leading to increased visitation and/or at minimum a continuance of current visitation levels, maintaining the 60 million dollars in economic value the fishery provides to the State.

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 Saugeye and Walleye Regulations, Regulatory Staff, Department of Natural Resources, Fishing and Boating Services, 580 Taylor Ave., E-4, Annapolis, MD 21401, or call 410-260-8300, or complete the comment form at <https://dnr.maryland.gov/fisheries/pages/regulations/changes.aspx#sizes>. Comments will be accepted through December 4, 2023. A public hearing has not been scheduled.

.04 Statewide General Regulations.

A. Open Seasons, Creel, Possession, and Size Limits on Game and Fresh Water Fish in Nontidal Waters. Except as otherwise provided in this chapter for specific areas, the following apply Statewide:

(1) Open Seasons.

Species	Open Season
(a)—(n) (text unchanged)	
(o) <i>Saugeye</i>	<i>No closed season</i>

(2) Creel and Possession Limits.

	Daily Creel	Possession
(a)—(t) (text unchanged)		
(u) <i>Saugeye</i>	5	10

(3) Minimum Size from Tip of Nose to End of Caudal Fin or Tail

(a) Largemouth bass	12 inches, except as provided in Regulation .03A and E of this chapter.
(b) Smallmouth bass	12 inches, except as provided in Regulation .03A of this chapter.
(c) Walleye	[15 inches, except a 20-inch maximum size, Potomac River mainstem (northwest quadrant boundary lines of the District of Columbia, approximately 0.5 mile upriver from the Chain Bridge upstream to the spillway in Cumberland), from January 1 through April 15.]
(i)	<i>Except as provided in §§A(3)(ii) and A(3)(iii) of this regulation, 15 inches.</i>
(ii)	<i>In the Potomac River mainstem (northwest quadrant boundary lines of the District of Columbia, approximately 0.5 mile upriver from the Chain Bridge upstream to the spillway in Cumberland), from January 1 through April 15, a minimum size of 15 inches and a maximum size of 20 inches.</i>
(iii)	<i>In Deep Creek Lake, a minimum size of 15 inches, except that all fish between 18 and 21 inches, inclusive, shall be released.</i>
(d)—(r) (text unchanged)	
(s) <i>Saugeye</i>	15 inches

B.—P. (text unchanged)

.06 Youghiogheny River Lake.

A. (text unchanged)

B. Bass — Largemouth, Smallmouth, and Spotted.

(1) The following apply from January 1 through the day before the [first Saturday after April 11] *second Saturday in April* and from November 1 through December 31:

(a)—(b) (text unchanged)

(2) The season is closed from 12:01 a.m. the [first Saturday after April 11] *second Saturday in April* through 12:01 a.m. the [first Saturday after June 11] *second Saturday in June*.

(3) The following apply from 12:01 a.m. the [first Saturday after June 11] *second Saturday in June* through October 31:

(a)—(b) (text unchanged)

C.—Q. (text unchanged)

JOSH KURTZ

Secretary of Natural Resources

**Title 09
MARYLAND DEPARTMENT
OF LABOR**

**Subtitle 15 STATE BOARD OF
HEATING, VENTILATION, AIR-
CONDITIONING, AND
REFRIGERATION CONTRACTORS**

09.15.02 General Regulations

Authority: Business Regulation Article, §§9A-205(a)(1) and 9A-302(e) and (f), Annotated Code of Maryland

Notice of Proposed Action

[23-228-P]

The State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors proposes to amend Regulation .07 under **COMAR 09.15.02 General Regulations**. This action was considered at a public meeting of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors held on July 12, 2023, notice of which was provided by posting on the Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors' website pursuant to General Provisions Article, §3-302(c)(3)(ii), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to amend COMAR 09.15.02.07 to comply with a legislative amendment pertaining to journeyman license requirements.

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 John Bull, Executive Director, Mechanical Boards, Maryland Department of Labor, 1100 North Eutaw Street, Fifth Floor, Baltimore, MD 21201, or call 410-230-6160, or email to john.bull1@maryland.gov. Comments will be accepted through December 4, 2023. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors during a public meeting to be held on December 12, 2023, at 10:30 a.m., at the Maryland Department of Labor, 1100 North Eutaw Street, Fifth Floor Conference Room, Baltimore, MD 21201.

.07 Training for HVACR Journeyman.

A. Before an HVACR apprentice may be examined for a license as an HVACR journeyman, the apprentice shall complete at least [1,875] 6,000 hours of training in providing heating, ventilation, air-conditioning, and refrigeration services under the direction and control of a licensed HVACR contractor. The training shall be over a period of at least [3] 4 years, while licensed as a Maryland HVACR apprentice.