



Larry Hogan, Governor
Boyd Rutherford, Lt. Governor
Mark Belton, Secretary
Joanne Throwe, Deputy Secretary

August 15, 2016

John Backus, Program Manager
Maryland Department of the Environment
Environmental Assessments and Standards Program
1800 Washington Blvd
Baltimore, MD 21230

Dear Mr. Backus:

The Sport Fisheries Advisory Commission is concerned about the protection of trout streams in Maryland. Deep Run, the North Branch Patapsco, and tributaries of the West Branch Patapsco are classified under Maryland's regulations as Use IP. They all have reproducing populations of trout and we believe they should be reclassified as Use IIP and afforded the protection necessary to protect the trout populations.

Recent discussions between representatives of Trout Unlimited and the Maryland Department of the Environment have resulted in statements from representatives of MDE to the effect that they do not necessarily agree with the requested reclassification to Use III. Apparently MDE is taking the position that if the temperature standards for USE III are not being met then they don't believe that they should be designated as Use III. The Commission would like official clarification of the current MDE policy for such reclassification requests.

A policy for considering reclassification to Use III which was worked out with DNR in 2012 is attached. We are told it has been withdrawn. As far as we can tell, the policy in effect until its recent withdrawal had no public hearing or opportunity for public input.

I have attached a fact sheet which summarizes the issues over which we are concerned. The Commission would like the opportunity to have a representative who can speak for MDE on these matters brief the Commission and subcommittee of wild trout on MDE's position and procedures that it intends to use when considering the reclassification of waters which have reproducing populations of wild trout.

Sincerely,

William Goldsborough,
Chair, Sport Fisheries Advisory Commission

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