



Maryland Division
The Izaak Walton League of America
707 Conservation Lane
Gaithersburg, Maryland 20878-2983

January 8, 2018

Mr. Gary Setzer
Senior Advisor
Maryland Department of the Environment
1800 Washington Blvd.
Baltimore, Maryland 21230

Re: Comments on proposed new regulations
COMAR 26.08.11 Maryland Water Quality Trading Program

Dear Mr. Setzer:

I am submitting these comments on behalf of the more than 4,500 members of the Maryland Division of the Izaak Walton League of America (IWLA). In July, 2017, the IWLA launched the Clean Water Challenge, an ambitious initiative to increase public participation in documenting water quality in our local streams and in advocating for their protection and restoration. The State's water quality trading program has the potential to be an important tool for meeting these goals for our local water bodies as well as the Chesapeake Bay.

We appreciate the significant efforts of Maryland Department of the Environment in leading stakeholder efforts to develop these regulations. We feel that these regulations for the most part provide a balanced approach between environmental concerns for assuring actual water quality improvements and economic concerns for using the most cost-effective restoration practices available. We recommend however that the Department consider the following two changes to further strengthen the anticipated environmental benefits from this program.

1. Under Section .08 Trading Requirements. C. Ratios Applicable to All Trades. (1) Uncertainty Ratio. (a) The uncertainty ratio should be 2:1 for all trades involving credits generated by BMPs from non-point sources, given that the effectiveness of these types of BMPs can vary widely based on site-specific factors and differences in annual weather patterns. A consistent annual pollutant reduction rate cannot be guaranteed.

We support the 1:1 uncertainty ratio for land conservation BMPs that are protected through legal instruments attached to that property deed and recorded with the local Circuit Court and also the 2:1 uncertainty ratio for credits from non-point sources acquired by wastewater point sources.

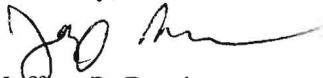
2. Under Section .11 Verification and Reporting Requirements. A. The Department shall require an **annual** report for verification of credits generated from all sources. This will assure that non-point source BMPs are being implemented and maintained as required. Much could happen over three years, including changes in land cover or management practices on the lands where credits were assigned, and this which result in consistently decreased pollutant reduction rates for consecutive years while progress is assumed in modeling for tracking water quality improvement.

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Chartered in 1945, the Maryland Division of the IWLA (www.iwla.org/marylanddivision) includes avid anglers, hunters, and outdoor sports enthusiasts who are committed to education, research, and policies for the wise stewardship of our soil, air, woods, waters, and wildlife.

We look forward to the State's continued strong support for programs that protect and restore our natural resources, especially the Chesapeake Bay and its local tributaries. We believe maintaining a high quality natural environment is the only reasonable approach to assuring economic success for Maryland and throughout the region.

Sincerely,



Jeffrey R. Deschamps
President
Maryland Division-IWLA

cc: Maryland Division contacts list