



Maryland
Department of
the Environment

Water Quality Standards Public Hearing - Proposed North Branch Potomac River (Allegany) Existing Use Determination

Hybrid Meeting:
Virtual attendance via GoogleMeets
In-person attendance at Westernport Library (66 Main St, Westernport,
MD 21562)

Please note that this hearing is being recorded.

5:30 pm - 7:30 pm
December 2, 2024
Maryland Department of the Environment

Melinda Cutler and Matthew Stover
Water Quality Standards, Assessment, and Analysis



Housekeeping Items

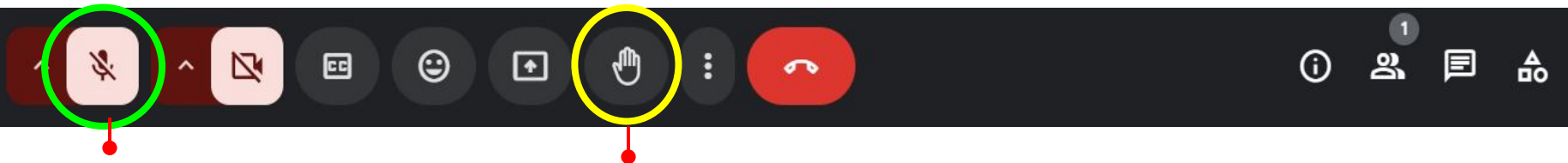
- Recording of today's hearing and this presentation will be available at:

<https://mde.maryland.gov/programs/water/TMDL/WaterQualityStandards/Pages/Existing-Use-Determinations.aspx>



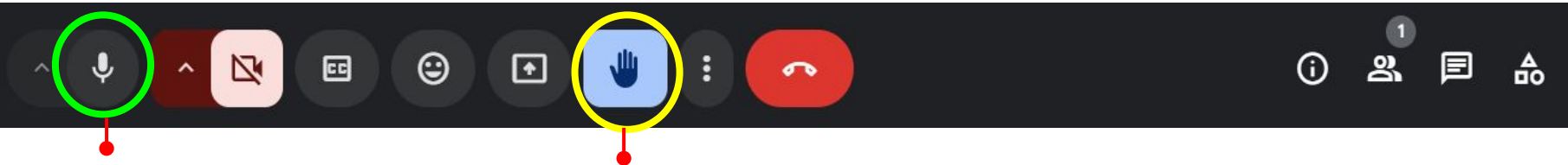
GOOGLE MEET

VIRTUAL ATTENDEE MEETING CONTROLS



Mic off

Hand not raised



Mic on

Hand raised

*Attendees calling in by phone for audio will be prompted to dial *6 to unmute their phones*



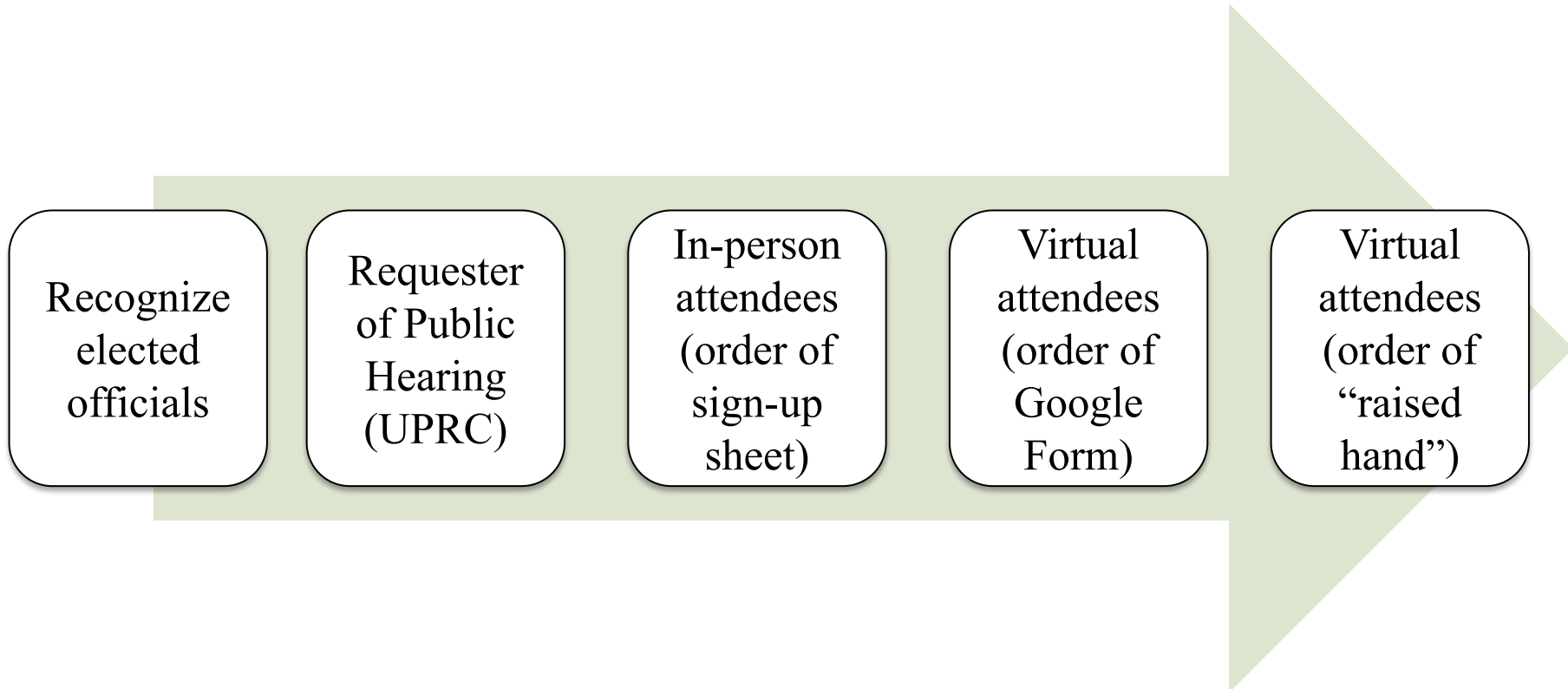
Format of Today's Hearing

Hearing Duration: 5:30 PM – 7:30 PM

1. Powerpoint presentation describing the proposed existing use determination for the North Branch Potomac River (Allegany)
2. Opportunity for Oral Testimony
 - Please hold all questions/comments until the presentation is over.



Oral Testimony: Speaking Order



- Note: All comments, written or provided verbally during this hearing will be given the same consideration.



1. Presentation



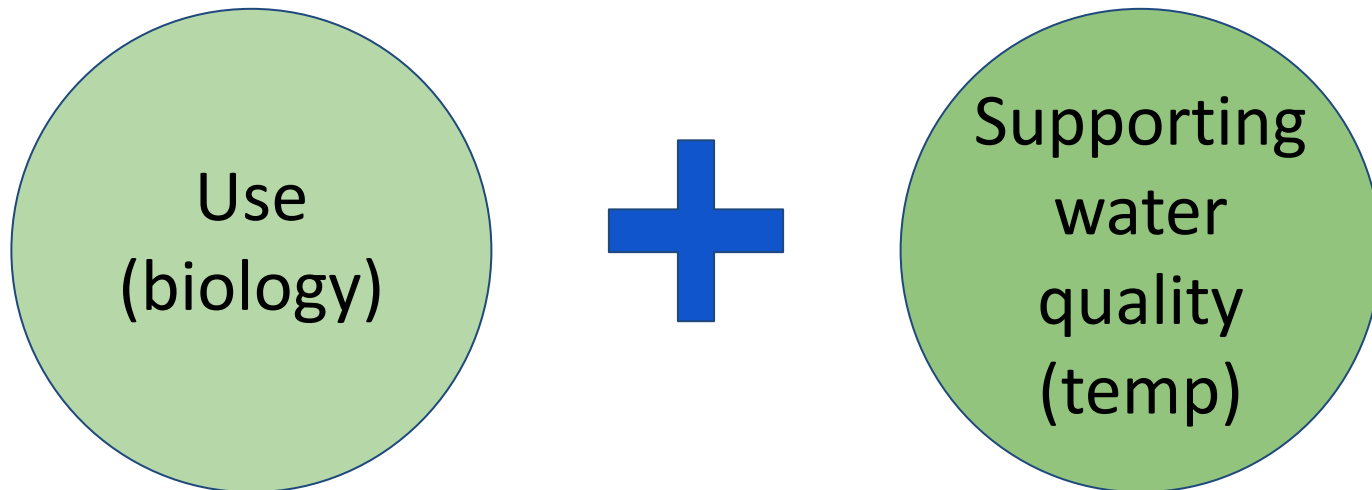
Background: Existing Uses

- **40 CFR § 131.3(e)**
 - Use and water quality necessary to protect the use that has been achieved by a waterbody on or after November 28th 1975, whether or not they are included in water quality standards.
- **COMAR 26.08.02.04 & 26.08.02.04-1**
 - MD Antidegradation regulations - establishes that existing uses & supporting water quality shall be maintained and protected.



Background: Existing Uses

- Existing uses = Baseline or floor of water quality that must be maintained under MD Antidegradation Policy (26.08.02.04 & 26.08.02.04-1)





Designated Uses vs Existing Uses

- Designated uses focus on the attainable condition while existing uses focus on the past or present conditions of a water way.

Use Classification	Description	Water Temperature
I	Warmwater Aquatic Life	90 °F or ambient
II	Estuarine and Marine Aquatic Life including shellfish	90 °F or ambient
III	Nontidal Coldwater	68 °F or ambient
IV	Recreational Trout Waters	75 °F or ambient



Maryland's Standardized Policy & Procedure

- Developed the standardized ["Cold Water Existing Use Determinations: Policy & Procedures"](#) document.
- Codified in [COMAR 26.08.02.04-1](#) in the 2019 Triennial Review.

Cold Water Existing Use Determinations: Policy and Procedures

June 23, 2021



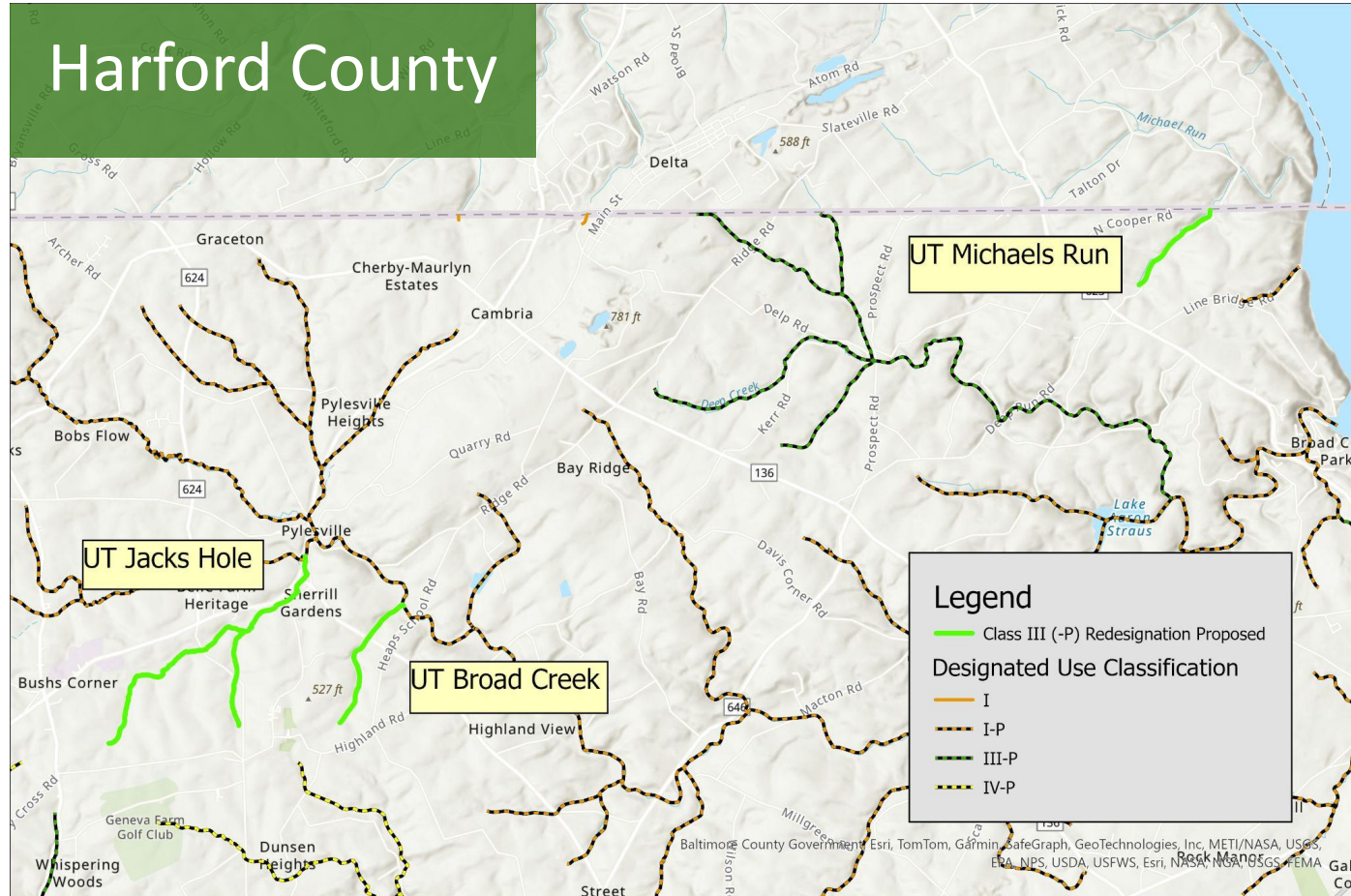
Maryland
Department of
the Environment

Larry Hogan, Governor
Boyd Rutherford, Lt. Governor

Ben Grumbles, Secretary



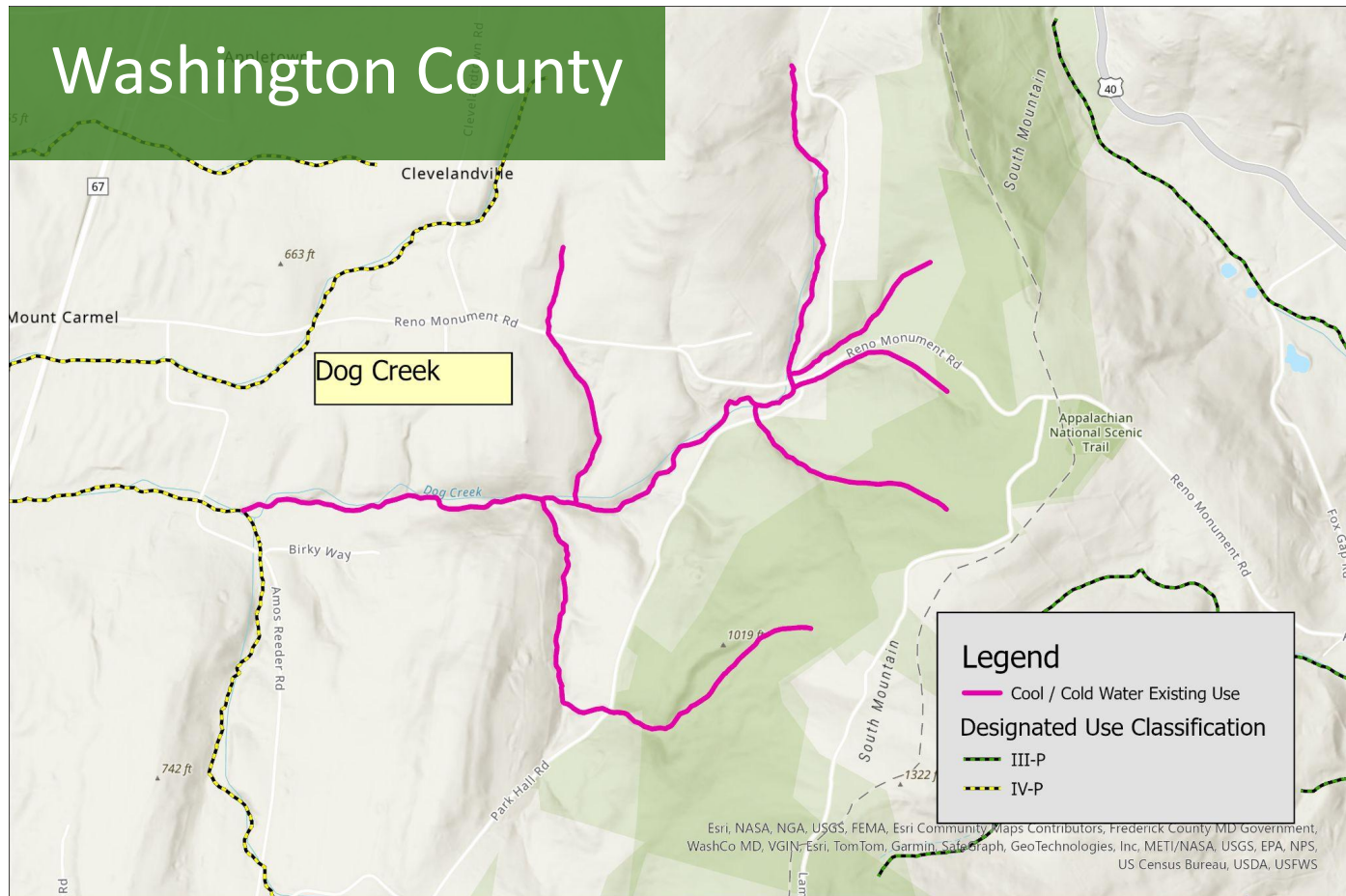
Proposed Existing Use Determinations



0 0.75 1.5 3 Miles



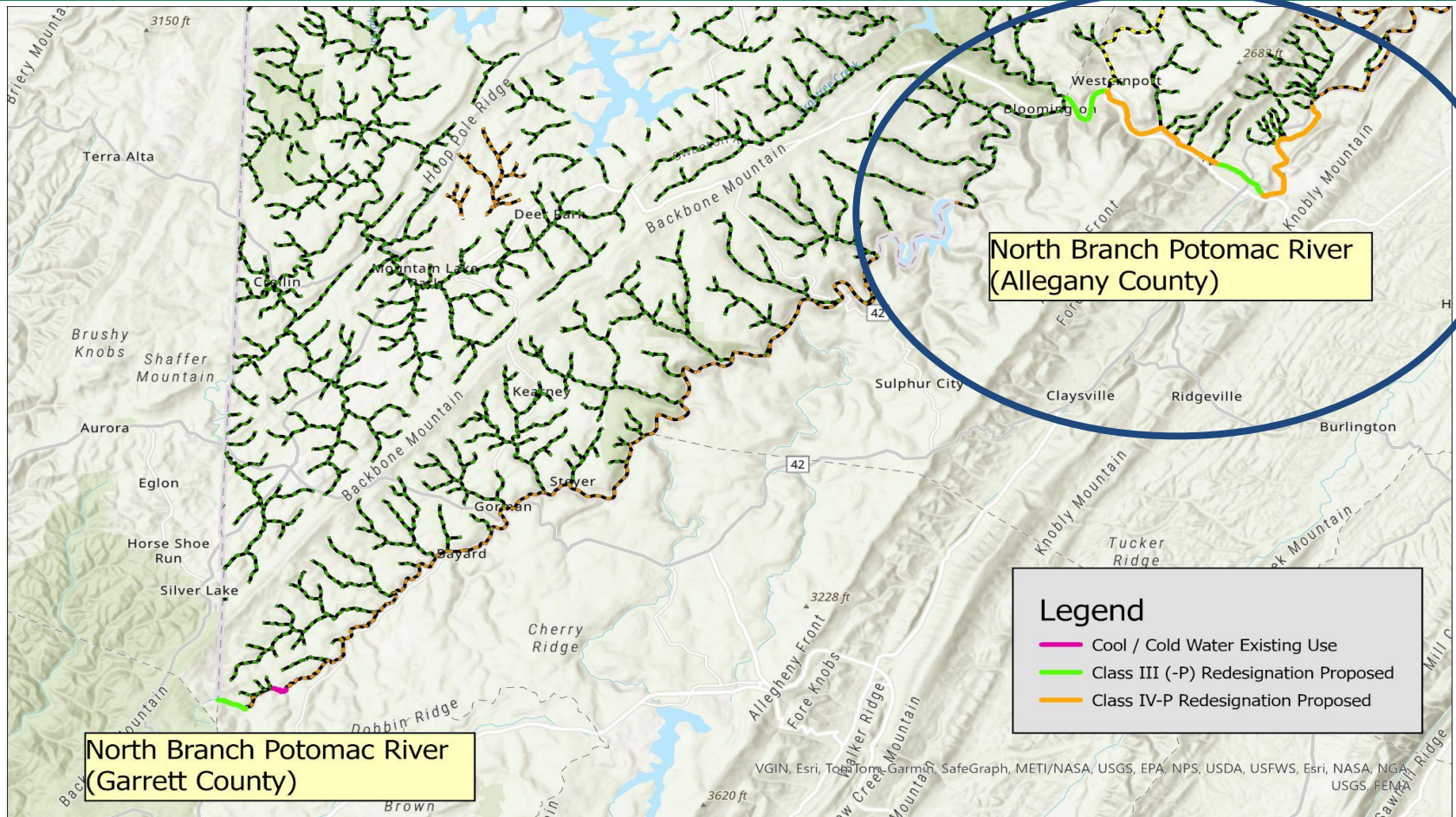
Proposed Existing Use Determinations



0 0.2 0.4 0.8 Miles



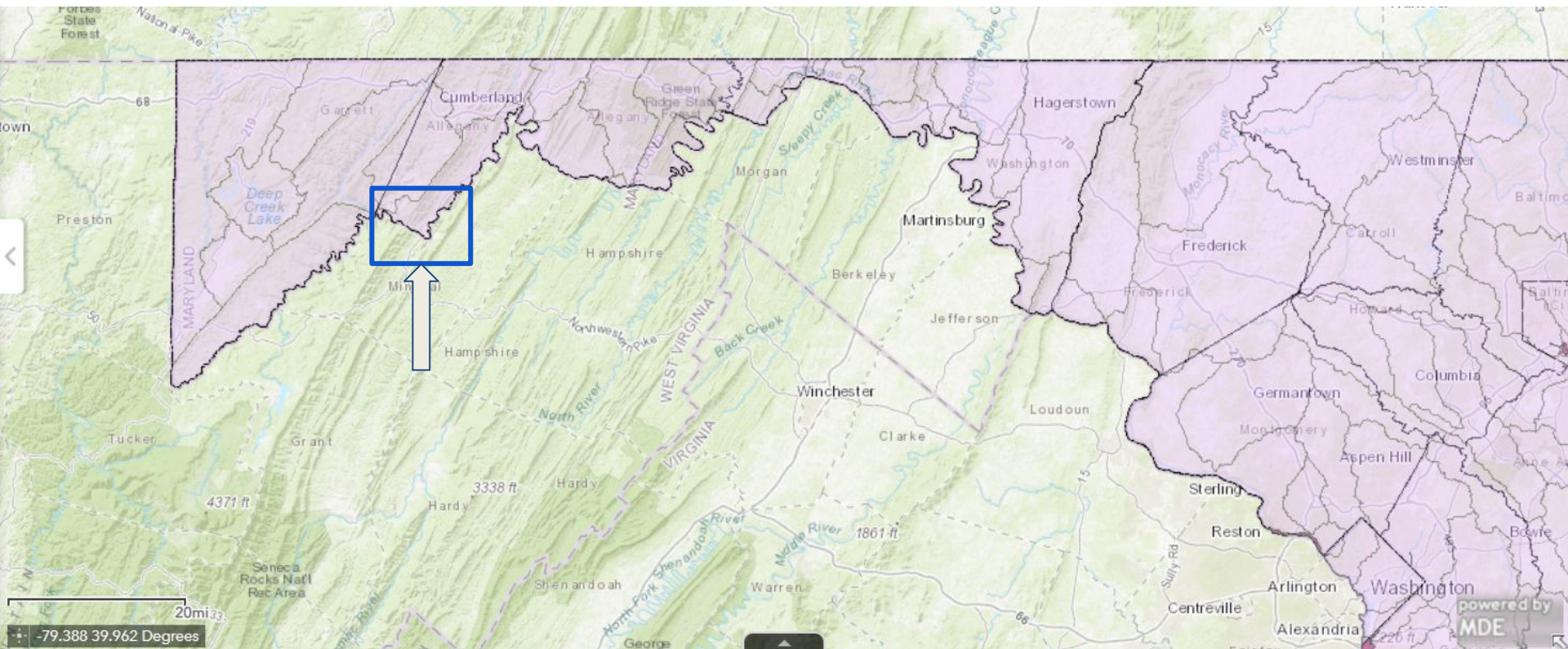
Proposed Existing Use Determinations



0 3 6 12 Miles

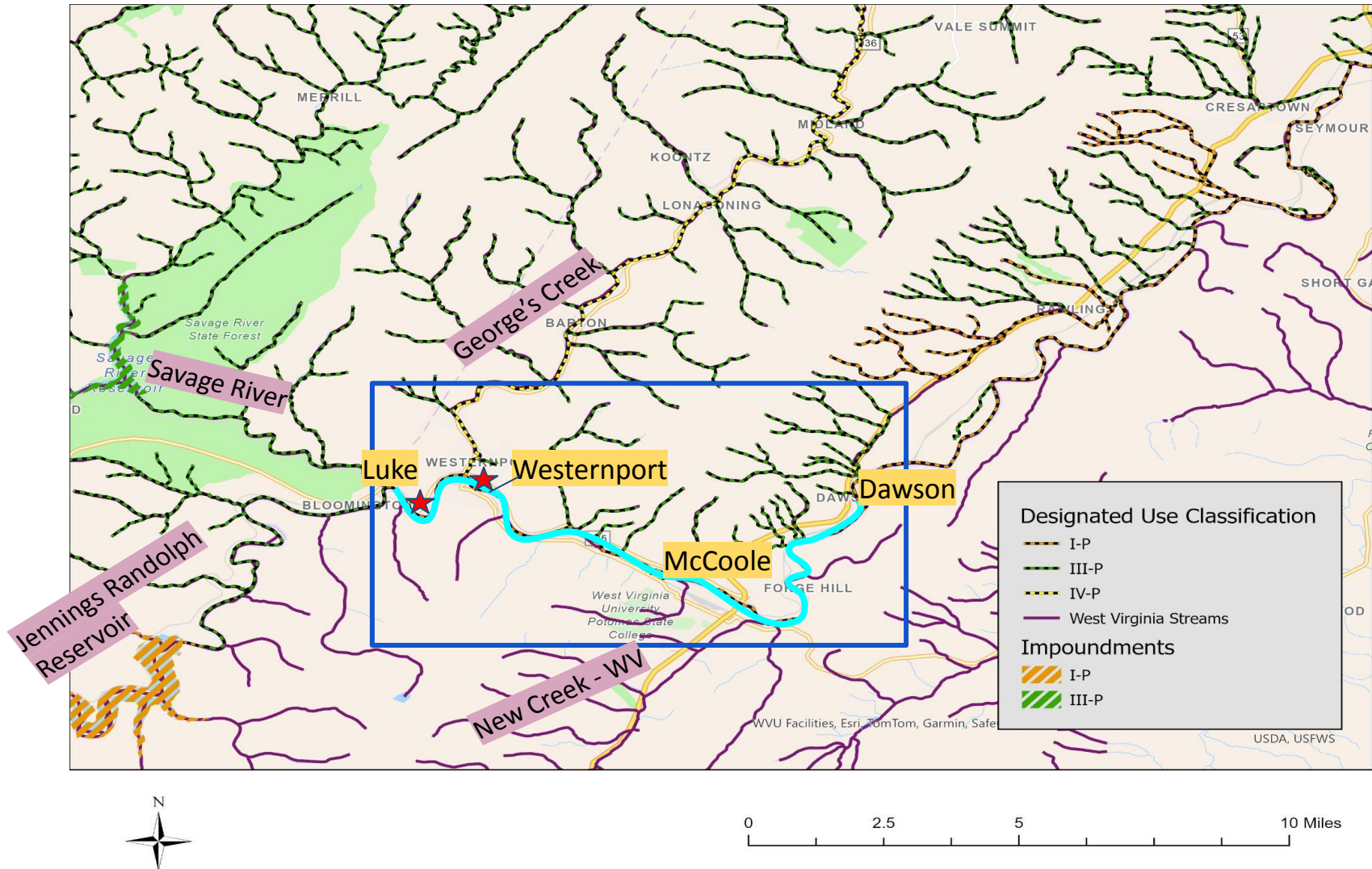


North Branch Potomac River: Context Map





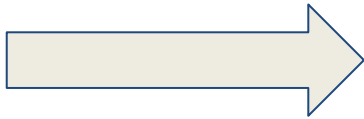
Context Map - Major Tributaries and Features





Temperature Criteria

Current NBPR
designation (I-P)



Proposed NBPR
redesignation
(III-P / IV-P)



Use Classification	Description	Water Temperature
I	Warmwater Aquatic Life	90 °F or ambient
II	Estuarine and Marine Aquatic Life including shellfish	90 °F or ambient
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COMAR 26.08.02.03-3



Definitions - Use Class III (-P) & IV (-P)

(5) **Class III: Nontidal Cold Water.** This class designation includes all uses identified for Class I and waters which have the potential for or are suitable for the growth and propagation of self-sustaining trout populations **and other coldwater obligate species including, but not limited to the stoneflies tallaperla and sweltsa.**

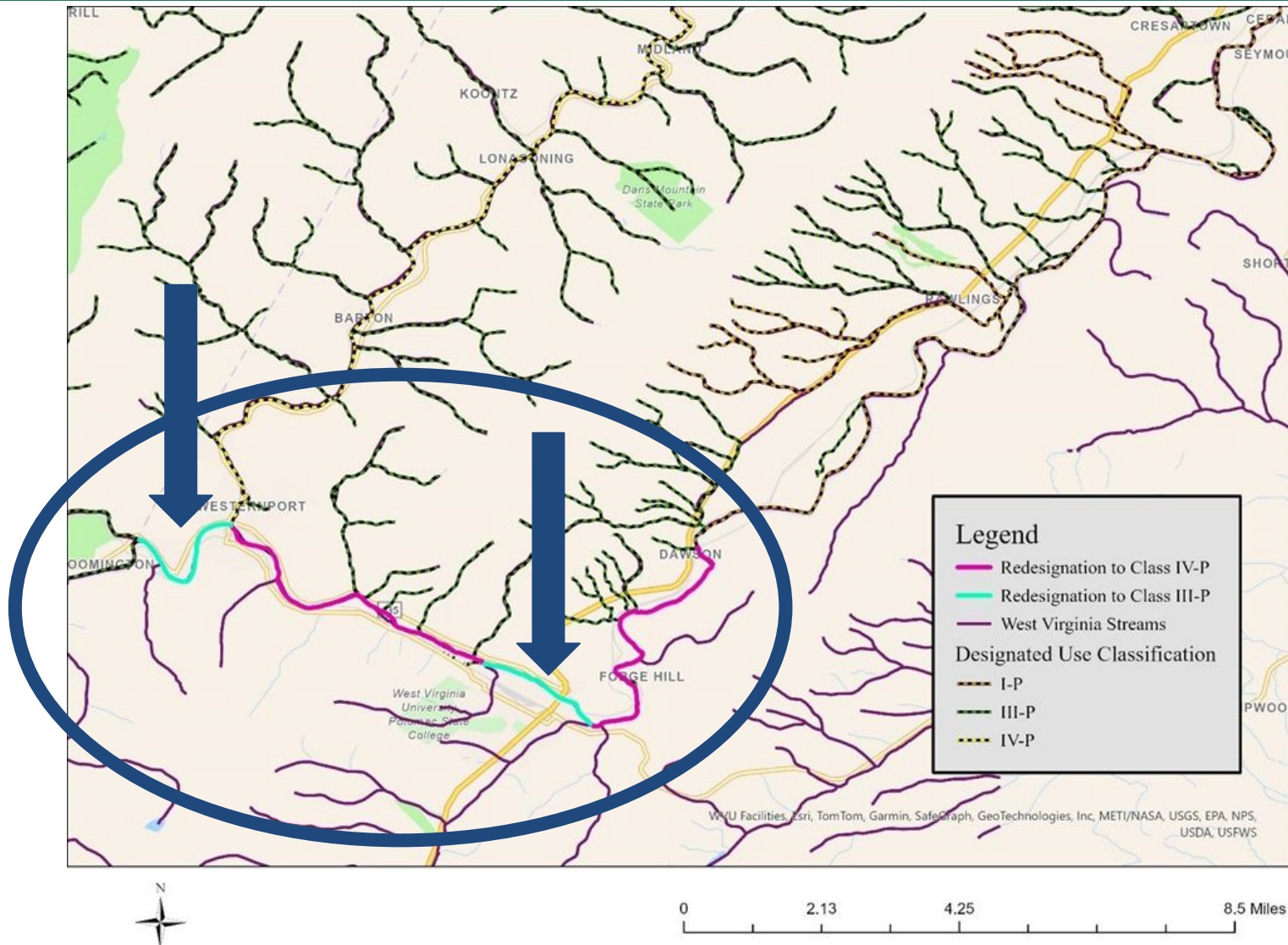
(7) **Class IV: Recreational Trout Waters.** This class designation includes all uses identified for Class I in cold or warm waters that have the potential for or are:

(a) Capable of holding or supporting adult trout for put-and-take fishing; and

(b) Managed as a special fishery by periodic stocking and seasonal catching.



North Branch Potomac River: Proposed Use Changes





Timeline

- Dates: The Public comment period which began on September 6, 2024, will end on December 9, 2024.
- Following the close of the public comment period, the Department will consider and respond to all comments in a written comment response document.
- The comment-response document will be posted to the Department's [Existing Use Determinations](#) webpage
- Depending on comments and MDE's final decision, the existing use determination may be included in the 2025 Triennial Review of Water Quality Standards.



Submitting comments

- Please submit comments by **December 9, 2024** to:

Melinda Cutler

melinda.cutler@maryland.gov

Maryland Department of the Environment

1800 Washington Blvd.

Baltimore, MD 21230

For more information please visit:
our **[Existing Use Determinations webpage](#)**

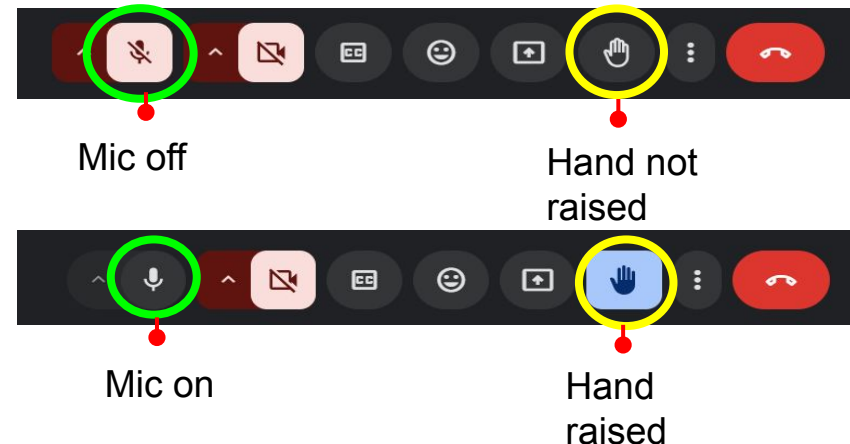


2. Opportunity for Oral Testimony



Opportunity for Oral Testimony

- Order of commenters
 - Elected officials
 - Requesters of Hearing (UPRC)
 - In person attendees (order of sign-up sheet)
 - Virtual attendees (order of Google Form)
 - Virtual attendees (order of “raised hands” queue)
- Please state your name and affiliation.
- Written comments may be sent to melinda.cutler@maryland.gov





Thank you

Contact us:

melinda.cutler@maryland.gov

Maryland Department of the Environment

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Baltimore, MD 21230