



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

MEMORANDUM

To: Deep Creek Lake Policy & Review Board

From: Department of Natural Resources

Re: Formal procedure for reviewing and submitting recommendations on citizen boating regulation requests for Deep Creek Lake to the Boat Act Advisory Committee/DNR.

Because the Deep Creek Lake (DCL) Policy and Review Board (PRB) has “eyes-on” the lake and is intimately familiar with the issues and character of the lake, it is prudent to rely on the PRB’s recommendation prior to the Boat Act Advisory Committee’s (BAAC) consideration of any requested DCL vessel regulation changes. In addition, it is the BAAC which has the statutory authority to provide advice to the Secretary on the operation of vessels in Maryland waters.

Recognizing the importance of the roles of both the PRB and the BAAC, department staff, in consultation with the department’s Assistant Attorney General, developed the following process for handling DCL vessel regulation requests by the PRB and the BAAC:

1. The Policy and Review Board receives a citizen request for a regulation change related to the operation of vessels at Deep Creek Lake.
2. The PRB convenes a subcommittee to review the request for an established period of time (i.e., for one month, through the boating season, or some relevant other timeframe).
3. During the review period, the PRB subcommittee confers with the Department’s Natural Resources Police and with the Lake Manager.
4. The PRB subcommittee provides an opportunity for public participation on the request through a public meeting, an opinion poll, or some other appropriate public process established by the PRB subcommittee.
5. The PRB subcommittee presents to the full PRB the subcommittee’s recommendation on the request (i.e., accept, modify, or reject the requested regulation change).
6. The full PRB may provide an opportunity for public participation on the subcommittee’s recommendation through a public meeting, an opinion poll, or some other appropriate public process established by the PRB.
7. Based on the PRB’s consideration of the original request, the subcommittee’s recommendation, written and oral comments received during the public participation processes, and any other relevant information, the PRB decides whether to approve the subcommittee’s recommendation. If approved, the PRB transmits its recommendation to the BAAC.
8. Once the PRB’s recommendation is received by the BAAC, the BAAC follows its usual regulatory process including meeting to review the PRB’s recommendation. The BAAC may request testimony from members of the PRB subcommittee. The BAAC forwards its recommendation to the Secretary.

Approved:

June 13, 2016

Mark Belton, Secretary