

## Forest Conservation Advisory Committee

### Minutes

September 28, 2010

Prepared by: Dan Snyder

#### ATTENDEES

##### Members

Mark Buscaino  
Andrew Der  
Ken Ferebee  
Dan Landry  
Caren Madsen  
Norman Mease  
Laura Miller (DEP), ex officio  
Mark Pfefferle (M-NCPPC), ex officio  
David Plummer (MSCD), ex officio  
David Post  
Linda Silversmith  
Dan Snyder  
Bryan Straathof  
Clark Wagner

##### Absent members

Paul Allen (WSSC), ex officio  
Ginny Barnes  
Rick Brush, (DPS) ex officio  
Don Galloway  
Brett Linkletter (DPWT), ex officio  
Jeff Schwartz  
Kevin Smith

##### Others attending

Daphne Pee, MC-WQAC

#### MINUTES

- I. **Minutes of June 22, 2010 meeting:** reviewed and approved
- II. **Agenda for September 28, 2010 meeting:** reviewed and approved
- III. **Briefing by Montgomery County Water Quality Advisory Committee by Daphne Pee, MC-WQAC member**

The Montgomery County Water Quality Board was formed in order to advise/assist the Montgomery County Executive's Office in addressing the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit Program.

##### Background of MS4 Permit Program

The MS4 permit program is an EPA regulatory program administered in Maryland by the Maryland Department of the Environment. The program is intended to reduce and eliminate pollution from rainfall runoff, which flows through storm drain systems to local streams, ponds, and other waterways. Specifically, the goal of the MS4 Permit program is to restore and maintain the chemical, physical, and biological integrity of the nation's

waters, as defined in the Clean Water Act, by controlling previously uncontrolled sources of pollution across the landscape that are transported by rainfall runoff or stormwater.

The Water Quality Advisory Committee (WQAC) is comprised of representatives from a variety of backgrounds and professions including business, development, engineering, citizen groups, environmental groups, general citizens as well as non-voting members from DEP, Park and Planning and WSSC.

The WQAC members had three primary areas of expertise/interest. The Committee elected to form three subcommittees to address the various water quality issues related to these primary areas of interest/expertise. They include the:

- 1) Environmental Site Design Subcommittee
- 2) Pollution Reduction Subcommittee
- 3) Emerging Issues Subcommittee

#### Environmental Site Design Subcommittee

- Primarily reviews issues related to stormwater management ESD practices and techniques, reviews and comments on proposed regulatory/code changes, reviews coordination issues between agencies/departments relating to ESD practices.

#### Pollution Reduction Subcommittee

- Primarily reviews existing storm water pollution sources and investigates techniques/ideas to reduce these sources with an emphasis on the predominant stormwater pollutant contributors: existing development built without stormwater management and agriculture.

#### Emerging Issues Subcommittee

- Primarily reviews/investigates new or emerging issues related to stormwater management and pollution. One of the primary emerging issues is the increased amount of pharmaceutical products being discharged into the waterways. Current wastewater treatment practices do not remove these chemicals from the effluent. Although current pharmaceutical levels are below regulatory health standards, there is significant concern regarding the effect of long term exposure to these increased levels.

### **IV. Updates on Other FCAC Related Issues**

- a. FCL Bill Progress: DEP Staff reported that a comprehensive draft is complete, has incorporated the various stakeholder comments and will be introduced shortly.

- b. Operating Procedures for FCAC Committee: Operating procedure for the FCAC committee are still under review by the Executive's office.
- c. Update on expirations of FCAC members:

As of December 31, 2010 the following positions are expiring:

Ginny Barnes, Citizen Group Member. First Term.  
Daniel Landry, Public Utility Company. First Term.  
Caren Madsen, Public. First Term.  
Clark Wagner, Person Directly Involved in Building Industry. First Term.

These members have the option to apply for the position again and be re-appointed to a three year term ending in December 2013.

## **V. New Business**

- a. A member discussed an upcoming Soil Fertility Seminar.
- b. There was discussion among the members regarding potential seminars/workshops that would increase public awareness regarding forest related issues and benefits including Community Tree Identification Walks, Common Homeowner Violations Seminar, and the Woods in Your Backyard program.
- c. A member gave a brief overview of the District of Columbia's Tree Ordinance:
  - Intent (of DC Tree Ordinance) was to protect the older trees
  - 50% of the canopy is made up of trees 18" DBH or larger
  - If a tree larger than 18" DBH is removed, a permit is necessary and replacement planting and /or contribution to a tree fund is required
  - Program administered by DC Department of Transportation
  - Since 2002 approximately 9,000 trees have been planted but their current status is not known (current program does not monitor trees after planting)
  - Proposed Changes to DC Tree Law: Lower permit threshold to a DBH of 10" or greater; track status of trees planted; prevent tree fund contributions from being diverted to other programs
- d. A member gave a brief overview of Takoma Park's Tree Ordinance:
  - A permit is required to cut a tree larger than 6" DBH
  - An arborist reviews permit application and tree and makes a determination if tree should be removed. The application is then forwarded to tree commission for the final decision. If the tree commission grants approval of the tree removal, the applicant is required to replant and/or pay a fee per the Ordinance.

- In general tree ordinances are hard to enforce but do raise awareness and promote education regarding the value of trees/forests
- e. There was discussion among members regarding the potential need for an individual tree ordinance in Montgomery County.

**VI. Meeting was Adjourned**