

Montgomery County Water Quality Advisory Group
 Meeting Minutes for January 11, 2016

Member and affiliation	Present	Others in attendance and affiliation	
	Yes	No	
Keith Brooks, public-at-large	X		Katherine Nelson, M-NCPPC
Mary Campbell, public-at-large	X		Laura Miller, DEP
Dan Dozier, public-at-large	X		
Nate Engle, academic/scientific	X		
Beth Forbes, co-chair, public-at-large			
Philip Kibak, public-at-large	X		
Paul Hlavinka, public-at-large	X		
Andrew Garfinkel, business	X		
Christopher Meaney, academic/scientific	X		
Annette Rosenblum, academic/scientific	X		
Scott Roser, business	X		
Linda Silversmith, public-at-large	X		
Phil Wagner, business	X		
Paul Billingsley, WSSC	X		
Pam Parker, DEP	X		
Mark Symborski, MNCPPC	X		
Agenda Item	Major Points		
7:05 pm Meeting convened by Paul Hlavinka	Andy Garfinkel took minutes Dan Dozier will take minutes for February.		
Update on M-NCPPC's role in forest	<p>Katherine Nelson rejoined the WQAG to discuss the County Forest Conservation Program. Katherine provided a PowerPoint presentation that included a long-term perspective on the County's forestry program, an air photo perspective and a space-by-space perspective. She reported the following information:</p> <p>Forest coverage in the county has changed little from 1951-2008, increasing from 28% to 29% during this period. In the early 1900's, less than 10% of the county was covered by forest resulting from the lumber industry. At the time, there were no buffers and abandoned farms in the lower part of the county. Following re-growth of the forests, post-World War II development also cut back forest cover. However, new conservation efforts were put in place to protect stream valleys and stream valley lands.</p> <p>Streams and water quality are closely connected in the</p>		

	<p>county. The Forest Conservation Group and M-NCPPC want to increase forestry and green infrastructure in the county.</p> <p>Forest Conservation is part of the master plan, including forest restoration and forest preservation. Restoration fills gaps. Preservation conserves buffers and reduces development on these sites.</p> <p>The Master Plan looks at not just condition of forest, but the type of forest. Forest conservation law is intended to minimize loss of forest. It is not a “no-net-loss” program.</p> <p>There are nearly 1300 forest conservation plans under consideration in the county, mostly submitted by developers. Many of these development plans include mitigation through planting. Some are in approval process, some are in the post-approval process. Developers have to submit a 2-5 year plan to keep forests alive after they plant new trees.</p> <p>Chris Meaney asked about definition of a forest. Katherine’s response: the state defines a forest as no narrower than 50 feet wide, at least 10,000 sf in acreage, 100 trees per acre, and with taller trees in areas greater than 2.5 acres.</p> <p>Dan Dozier asked if tree work by utilities is covered by forest plans. Katherine’s response: trimming around power lines is not covered by plans and trimming for construction is covered by local jurisdictions. Homeowners and developers can cut down individual trees, but bulldozing requires a conservation plan.</p> <p>Paul Hlavinka asked about how federal forests are covered in the county. Katherine’s response: the county keeps track of where forests are, but does not have jurisdiction over protection or reforestation of these lands.</p> <p>The county identifies high priority forest retention areas. These are forested areas and areas with trees in environmentally sensitive areas such as stream buffers, wetlands and flood plains. Protecting contiguous forest area is a priority for the county.</p> <p>Katherine showed aerial views of examples of best practices and forest conservation plans. Conservation is</p>
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	<p>not always successful, but some projects are highly successful.</p> <p>Katherine discussed the county's strategy for protecting forests over the long-term, which is done primarily through easements. M-NCPPC holds several categories of easements. Category 1 easements include Conservation Easements, Retention, and Restoration. Category 2 easements are for individual trees.</p> <p>Currently, 10,300 acres of land in the county are covered by easements and permanently protected forests. M-NCPPC has information on protected land on its website and allows reports of activity that contradict easement, such as mowing.</p> <p>Nathan asked if agriculture lands seek easements. Katherine responded that farms can't "double-dip" on easements – by claiming both agricultural and forest easements. They can choose one or the other.</p> <p>Easement compliance is high – 79% of easements remain in place, and 13% of easements are in process of conservation. 8% required inspections for non-compliance.</p> <p>More forest is cleared each year, but many acres are conserved. Developers are saving more forest than is required for their site. Easements are provided for newly added conservation land.</p> <p>Katherine provided comparison of forests cleared and forests retained from 1994 - 2012. Germantown, Olney, Potomac are making significant strides in reforestation.</p> <p>Katherine discussed offsite reforestation priorities. These include unforested priority areas, particularly within the same watershed and then anywhere in the county. Other priorities include protecting existing forest areas, landscapes, streetscapes, and mitigation banks for developers. The county also relies on fees in lieu of conservation from developers. Forest banking programs have been heavily used. Only 7 forest banks remain. Some developers create banks for their own projects. Mature forests are being protected, or replanting occurs.</p> <p>Tree canopy can be forest, but it can also be trees that co-</p>
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	<p>exist with the built environment. As an example, a tree in a parking area or a canopy in a yard can be seen from the air and viewed as forest. Canopies are important for a healthy environment. The county has 50% canopy coverage compared to forestry of only 29%. Katherine showed 1994 compared to 2009 canopy coverage.</p> <p>The county offers discounts on trees from approved nurseries. The county will plant shade trees purchased by individuals. Wheaton and Bethesda are high priorities for street trees and other canopy trees. Funds are also used to plant trees in stream valleys. Public utility sites are also being reforested, along with conservation ponds.</p> <p>A question was asked about beaver activity that takes down trees. Katherine said that beavers are part of the hydrology of the area, but the problem is that stream valleys are very narrow. If beavers take down trees, natural forestation is difficult. Developers have reported that beavers take down trees in conservation areas, which can flood out stream valleys.</p> <p>Paul asked about a Master Plan for parks. Mark Symborski reported that there is a parks, recreation and open space plan (the pros plan) plan on M-NCPPC website that requires a revision since the last version was in 2012. Land preservation is part of the parks plan.</p> <p>A green infrastructure mapping strategy is under development that will look at connected and potentially connectible parks and gaps between park areas. It will provide a county-wide look at what is connected and what is potentially connectible, through the county's regular parks and planning activities. The mapping strategy looks at park acquisition, developmental guidelines and tree conservation. Volunteers who want to plant trees can review maps and determine where to plant/conserves. This feeds into existing processes. Montgomery County has very little green field left for reforestation.</p>
<p>Update on DEP's role in forest conservation</p>	<p>Laura Miller, DEP's Forest Conservation Coordinator acts as a liaison between the County Executive, the County Council, the Planning Department and citizens about trees. She represents DEP and serves on the Forest Conservation Advisory Committee.</p>

	<p>Laura addressed the County's:</p> <ul style="list-style-type: none">- Tree Canopy Law- Impact of forests on water quality- The water quality mission of Greenscapes- Trees for buffers- Reforestation and mature forest <p>The Forest Conservation Advisory Committee is currently concerned with the following issues:</p> <ul style="list-style-type: none">- Damage caused to trees by the emerald ash borer- The lack of greenfields in the county- Forestry <p>During the last 8 years, DEP has been working on the tree canopy laws, particularly because of the lack of greenfields in the county.</p> <p>The Tree Canopy Law is intended to encourage the protection of trees during development and to provide funds to replace some of the tree canopy lost as a result of development. Laura provided examples of lost canopy and discussed the importance of trees in protecting stream valleys, particularly during redevelopment of lots by developers. This has been a major concern in the county with increased development, particularly between 2002 – 2011.</p> <p>DEP is paying attention to this increased development, which prompted the new Tree Canopy Law. The county requires a sediment control permit for all development, but development may also be subject to the Tree Canopy Law. The law does not require double mitigation, e.g. for utility work and agricultural activities. The sediment permit is required if the development is greater than 5,000 sf of tree removal.</p> <p>The Tree Canopy Law works entirely within the sediment application, review, inspection and enforcement of a sediment control permit. You can remove canopy within the "Limit of Disturbance" (LOD). You cannot remove canopy outside of limit area. Laura explained requirements concern LOD and the in-lieu cost structure.</p> <p>DEP determined that shade trees are critical and determined that 400 sf of open surface area needs to be protected to grow large shade/canopy trees. Trees can be planted on site, or developers can pay an in-lieu fee to pay</p>
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for new trees.

Laura remarked on developing a comprehensive tree planting and awareness program following passage of the Tree Canopy Law. DEP has built a program including a website to care for trees, and a map of tree planting. The website includes simple ways to sign-up for new shade trees, details about planting programs, information on planting and long-term care for trees, data and maps. DEP has developed a list of tasks related to the law on its website.

In-lieu resources can be used to plant trees on single family, multi-family and parking lots and potentially schools and parks. DEP has contracted with tree experts to provide help to ensure that plantings meet the planting zone and area requirements. Parking lots are exceptions for the types of trees that can be planted. Tree experts ensure tree can survive in any given environment. The trees are tracked for 2 years, including pruning, re-mulching, watering, and deer protection. DEP provides warranties for purchased trees for between 1-2 years. Trees that are not thriving are replaced. 480 trees have been planted through the in-lieu program to date. The resources come from development for sediment control or are provided by developers. DEP has collected \$905,000 for planting and establishing shade trees through the in-lieu program. There are currently 1200 applications for planting trees. 300 applications have been approved. About 525 trees were planted in the fall. Very few people who request them are turned down for trees. Silver Spring, Wheaton and Bethesda are priorities – more than 50% of the requested trees are in those communities. The objective is to plant where there is little or no canopy. Postcards and lawn signs are sent out to advertise the program.

Chris Meaney asked if the focus is on native trees. Laura responded that the focus is on natives, but the goal is diversity. The current plan is: 30% in a Family (mostly native), 20% in a Genus, and 10% in a Species to diversify plantings.

Paul asked about whether the budget matches how many trees are available by watershed. Laura responded that the budget isn't necessarily matched to watershed.

Dan asked if the choices of the types of trees are listed. Laura says as long as the tree is at an approved nursery, they'll consider allowing it to be planted with Tree Canopy funds.

Nathan asked about trees competing against solar. Is it a problem? Laura responded that there is always going to be competition with these resources. No strings are attached for individual homeowners if they have to remove the tree in 5 years because it covers their solar panels.

Laura discussed roadside tree protection. The Roadside Tree Law passed along with the Tree Canopy Law. A tree growing all or in part in a right of way maintained by the county are covered by the law. The goal is to protect street trees during development activity and to provide funds to replace roadside trees removed as a result of development. This applies to any activity that requires a permit for a right-of-way, sediment, or building permit.

ROW permits are not required if a tree is severely damaged. Hazardous conditions caused by trees are also an exemption for tree removal.

Developers must have a Roadside Tree Permit from MD DNR, and DPS reviews tree protection. If a roadside tree is removed, the developer has to replace at least 1 on site and pay for 2 more. If a tree cannot be planted on site, the developer has to pay for 3 trees.

In-lieu of funds can only be used to plant roadside trees. The plantings are largely request based. Anyone can call 311 and ask for a tree planting on a roadside right of way. The State requires planting largest category tree that will fit a site. Large spaces require large trees.

Paul Billingsley asked whether they check with utilities when they plant trees. Laura provided Paul with information about tree roots impacting underground sewer infrastructure, which is a problem in older communities. This issue is being mitigated with new construction and development plans. DEP has had to take down many trees to protect utilities. However, developers are getting better at bundling utilities to prevent this damage.

Chris asked about planning trees to prevent them all dying

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	<p>at same time. Laura responded that the goal is to diversify the tree canopy and to take into account what is around the area and that will live the longest.</p> <p>Katherine discussed that M-NCPPC is focused primarily on downtown areas. They plant wherever they can find space and they are not limited to planting larger species as under the Tree Canopy Law and Roadside Tree Law.</p> <p>Paul asked about whether there are things the Water Quality Advisory Group can do to protect water quality as it relates to reforestation, tree canopy or roadside trees. Katherine recommended that WQAG advocate for green infrastructure, such as resculpting landscapes to prevent development that contributes to run-off, e.g. sloping landscapes. Laura said DEP is under pressure is reduce the required area per tree of 400 sf and that this may impact water quality.</p>
WQAG Candidates	Paul H. asked for the status of the WQAG appointment process. Pam said that candidates have been interviewed.
Certificate of Appreciation	Paul H. presented a certificate of appreciate to Scott from the County Executive for service on the advisory group
Meeting adjourned, 9:00 pm	

Action Items

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**Minutes, Montgomery County Water Quality Advisory Group
February 8, 2016**

Member and affiliation	Present	Others in attendance and affiliation	
	Yes	No	
Keith Brooks, public-at-large	X		
Jonathan Breul, public-at-large	X		
Philip Browne, public-at-large	X		
Mary Campbell, public-at-large	X		
Dan Dozier, public-at-large	X		
Korkud Egrican, public-at-large		X	
Nate Engle, academic/scientific	X		
Andy Garfinkel, business	X		
Philip Kibak, public-at-large	X		
Paul Hlavinka, co-chair, public-at-large	X		
Christopher Meaney, academic/scientific	X		
Annette Rosenblum, academic/scientific			
Linda Silversmith, public-at-large	X		
Tawana Spencer, environmental	X		
Phil Wagner, business	X		
Paul Billingsley, WSSC		X	
Pam Parker, DEP	X		
Mark Symborski, MNCPPC	X		
Agenda Item	Major Points		
7:05 pm Meeting convened by Paul Hlavinka	<p>Dan Dozier took minutes.</p> <p>Keith Brooks will take minutes in March and Jonathan Breul agreed to take minutes at the April meeting.</p> <p>Members introduced themselves as three new members joined us: Phillip Browne, Jonathan Breul and Tawana Spencer.</p> <p>Members discussed the draft January minutes. Linda Silversmith suggested several small changes in the January minutes and Mark Symbroski suggested other changes. Members approved the suggested changes (see the attached minutes as approved).</p>		
Open Forum among WQAG members	<p>Members discussed whether the WQAG should make any recommend policy or program changes based on information about salt use on County roads. Members discussed asking DOT to meet with us to discuss the County's policy on salt application in the County. We will follow up with DOT on this issue and on green streets and pervious paving.</p>		

Members discussed stream restoration and 'naturalization' programs in the County. Dan, Linda and Phil will put together a letter/statement asking DEP to advise WQAG about information the County has about costs/benefits of stream restoration and 'naturalization.'

We discussed the forest conservation program presentation. One question is whether non-native trees, especially given global warming, are appropriate to plan as part of the program.

Members discussed ideas for future meetings. We discussed the list of issues held for future meetings and agreed to remove carbon sequestration from the list. Fracking was seen as a longer-term issue for consideration.

Members agreed to place the WSSC drinking water issue that was in litigation on the agenda for March. Philip Browne agreed to find out how/when/ we could tour the Blue Plains waste water treatment plant and report back to the WQAG in March.

The State is undertaking efforts to develop nutrient trading between and among sources of nutrients including agriculture, and other non-point sources. A member asked to what extent and how is Maryland and Montgomery County working with the District of Columbia on non-point sources and nutrient trading issues? Pam Parker informed the WQAG about how the local jurisdictions share information and work on these issues through the Washington Council of Governments (COG).

MDE and MDA have established a Water Quality Trading Advisory Committee to develop policies to enable TMDL trading in Maryland. This group may or may not address smart growth issues.

The 10 year water supply and sewage plan is being drafted/updated by DEP staff and is due this fall.

New topics may include: DEP priorities and how WQAG can plan ahead to see if WQAG activities can be coordinated with DEP. There is no overarching single set of DEP priorities; each section of DEP develops its own priorities.

Mark Symborski spoke about the Planning Department priorities and plans, which relate largely to the master and sector planning process and development review.

Chris Meaney suggested that we may wish to express our views about budget items under consideration.

The group asked if DEP could provide us with a briefing about the water related items in the budget (both operating and CIP) at the next meeting, in March.

We should follow up with the SWAC about a joint meeting. We agreed to keep emerging contaminants on our list of issues.

As we have discussed, Triclosan and other antibiotic substances are of concern in both surface and drinking water.

A member suggested that we should look at lead contamination in drinking water and the impact of drinking water on lead containing pipes and disaster recovery for chemistry change that impacts on lead pipes.

It was also suggested that we ask WSSC or the ICPRB to brief us on risk assessment, resiliency and disaster recovery plans.

Keith will keep track of the blue-green algae issue in local ponds which will, as recently been the case, become an issue this summer.

Jonathan suggested that we begin to first obtain information about how MoCo obtains and uses quantitative information to measure progress on stormwater management and control.

<p>Meeting with County Executive Paul Hlavinka</p>	<p>We need to prepare an annual report for the County Executive. Mary Campbell offered to prepare a first draft or a report about our activities over the past year.</p>
<p>The Meeting adjourned, 9:00 pm</p>	

Montgomery County Water Quality Advisory Group
Meeting Minutes for April 11, 2016

Member and affiliation	Present		Others in attendance and affiliation
	Yes	No	
Keith Brooks, public-at-large	x		Dr. L. J. Ingram, PhD, PE, Silver Spring, MD Bob Buglass, WSSC
Jonathan Breul, public-at-large	x		
Philip Browne, public-at-large	x		
Mary Campbell, public-at-large	x		
Dan Dozier, public-at-large	x		
Korkud Egrican, public-at-large		x	
Nate Engle, academic/scientific	x		
Andy Garfinkel, business	x		
Philip Kibak, public-at-large		x	
Paul Hlavinka, co-chair, public-at-large	x		
Christopher Meaney, academic/scientific	x		
Annette Rosenblum, academic/scientific	x		
Linda Silversmith, public-at-large	x		
Tawana Spencer, environmental		x	
Phil Wagner, business	x		
Paul Billingsley, WSSC	x		
Pam Parker, DEP	x		
Mark Symborski, MNCPPC	x		
Agenda Item	Major Points		
The meeting was called to order at 7:02 pm by co-chair Paul Hlavinka.	The February minutes were approved with the addition of four minor edits. Keith Brooks took minutes at March meeting, but we did not have a quorum. Jonathan Breul took April minutes. Korkud Egrican will take the May minutes.		
WSSC briefing	Bob Buglass from WSSC Technical Service Group gave an overview on water and wastewater plant issues. He began with a description of WSSC's Seneca, Damascus and Hyattstown wastewater treatment plants. Advanced wastewater treatment plants that are designed to meet low N and P limits. The plants met all BOD, TSS, TP, TN, TKN, Ammonia, <i>E.coli</i> , DO and pH NPDES permit limits in FY 2015. WSSC is on track to do the same again in FY 2016. Next, he briefed on clean water and the Potomac Water Filtration Plant. He then discussed "lead" in drinking water, including what happened in Flint, MI. He explained that the operational risk that it could happen at WSSC is extremely small. We were told that WSSC has the resources, experience, and expertise for effective and timely risk prevention and management. Following this, he discussed triclosan, triclocarban, and other CECs which are removed in wastewater treatment plants. He concluded with a discussion of resiliency and recovery of the WSSC source water and tap water protection.		
Potential Blue Plains visit	Dan Dozier will send out an updated doodle poll for Member to pick a date for a site visit.		
WQAG member Nathan Engle	Nathan Engle will be leaving the group this month. Pam Parker will work to get a vacancy announcement drafted and posted.		

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WQAG co-chair Paul Hlavinka	Paul Hlavinka will step down as co-chair next month, but remain with the group. All members of the WQAG should consider assisting Dan Dozier by becoming the second co-chair.
Water quality signage for urban streams	Dr. Ingram came before the WQAG to propose that Montgomery County should post water quality caution signs wherever the public has direct water access, to keep people safer and find out what they can do about the quality of the water. Given the late hour, discussion of action on this issue was postponed until next month.
The meeting adjourned at 9:02 pm.	

Montgomery County Water Quality Advisory Group
Meeting Minutes for May 3, 2016

Member and affiliation	Present		Others in attendance and affiliation
	Yes	No	
Keith Brooks, public-at-large	X		
Jonathan Breul, public-at-large	X		
Philip Browne, public-at-large	X		
Mary Campbell, public-at-large	X		
Dan Dozier, public-at-large	X		
Korkud Egrican, public-at-large		X	
Andy Garfinkel, business	X		
Philip Kibak, public-at-large	X		
Paul Hlavinka, co-chair, public-at-large	X		
Christopher Meaney, academic/scientific	X		
Annette Rosenblum, academic/scientific	X		
Linda Silversmith, public-at-large	X		
Tawana Spencer, environmental	X		
Phil Wagner, business		X	
Paul Billingsley, WSSC	X		
Pam Parker, DEP	X		
Mark Symborski, MNCPPC	X		
Agenda Item	Major Points		
7:02 PM Meeting convened by Dan Dozier	Andy Garfinkel took minutes. Dan opened meeting by discussing vacancies. Pam requested vacancy posting.		
Dan Dozier begins new role as WQAG Chair	Dan reminded group members about rules on attendance. Dan discussed Leventhal letter regarding Bill 37-15 allowing Boards, Committees and Commissions to advocate policy positions if the advocacy is approved by the Office of Intergovernmental Relations (OIR). Dan wants to coordinate stream restoration efforts with County Planning. Pam recommended bringing OIR to June meeting to explain rules.		
Discussion of Blue Plains visit	Dan will circulate poll for dates for Blue Plains visit. Tours are only available during regular business hours, which may be difficult for group members.		
Greenfest	Mary Campbell discussed well-attended Greenfest in Takoma Park.		
Salt Barn	The State Highway Administration (SHA) is seeking to build a salt barn off Kensington Parkway. Neighbors are concerned about runoff. Dan will invite SHA and neighborhood stakeholders to a future meeting.		
Stream warning signs	Group discussed follow up on Dr. LJ Ingram's recommendation to put water quality warning signs up on streams to protect children and pets. Phil K expressed concerns about where to post them and how many as well as cost. Chris concerned about messaging and asked when and where do children learn about water quality issues. Led to discussion about environmental education strategy in the schools. Paul asked about watershed education. Group discussed inviting school officials and "Director of science" from the schools for future		

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	WQAG discussion. Chris volunteered to identify possible speaker from schools for June. Phil B asked who is responsible for stream monitoring in county. County government is not responsible, but there is a state exposure standard and biological contamination is monitored
St. Mary's	Jonathan Breul discussed conference on water quality in St. Mary's with a focus on TMDL's, stream bank erosion and stream restoration. Led to discussion on water quality trading. Pam advised that the MD. Dept. of Agriculture and MDE are currently facilitating a workgroup to develop a Water Quality Trading Policy, and the topic could be a future agenda item. Trading has been tried before and didn't work. There was a draft guidance to trade within a basin.
WQAG Co-Chair	Annette Rosenblum agreed to serve as WQAG Co-Chair.
The meeting adjourned at 8:20 pm.	