



WATER QUALITY ADVISORY GROUP

January 9, 2006

The Honorable Douglas M. Duncan
Montgomery County Executive
101 Monroe Street, 2nd Floor
Rockville, Maryland 20850

Dear Mr. Executive:

The Water Quality Advisory Group (WQAG) hereby submits its tenth Annual Report, as outlined under Article 4, Chapter 19 of the Montgomery County Water Quality Discharge Law. The WQAG consists of 15 voting members representing farmers, businesses, environmental organizations, public-at-large and scientific/academic organizations from around the county as well as representatives from the Department of Environmental Protection, Maryland National Capital Park and Planning Commission, and the Washington Suburban Sanitary Commission. Our mission is to recommend to you and the County Council policies, programs, and priorities to protect, maintain, and restore the biological, chemical, and physical integrity of the County's streams, rivers, lakes, wetlands, and groundwater.

During the past year, WGAG made recommendations to you on the following topics:

- Potential water quality impact of the Intercounty Connector and ways to mitigate or off-set the impacts;
- Trash in the County's streams and ways to reduce the trash including consideration of a region-wide bottle bill;
- Enhancement of the Pollution Prevention Program and the Environmental Partners Program; and
- Expedition of the transfer of private stormwater management facilities to the County.

We are currently debating several topics on which we will soon provide recommendations to you. These topics include:

- Citizen involvement in water quality issues and ways to support and promote groups such as the Friends of Sligo Creek;
- Nutrient reduction in urban areas and means of curtailing excess nutrient loading from lawn fertilizer applications. One of our members was a co-convenor of the Urban Nutrient Management Forum "From Our Backyards to the Bay" held in the fall at Montgomery College at which you participated.
- Sediment control practices in the County and specifically in the Special Protection Areas.

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We would like to acknowledge that the WQAG benefits greatly from presentations and background provided by the public agency representatives. We continue to benefit from their participation and knowledge, and are impressed with the dedication and professionalism of these public agency representatives.

We look forward to any input you may have for us and welcome you to any monthly meeting of your choice. Contact me at 301.718.8900 or candrews@sspa.com with any questions or comments you may have.

Sincerely,

Charles B. Andrews
Chair, Water Quality Advisory Group

cc: George Leventhal, Council President
WQAG Members
DEP

Attachment

WATER QUALITY ADVISORY GROUP
ANNUAL REPORT
January 2005-December 2005

I. INTRODUCTION

The Montgomery County Water Quality Advisory Group (WQAG) was established effective November 7, 1994, upon entry into force of Montgomery County's Water Quality Discharge Law (Emergency Bill 25-94). Provisions governing the WQAG are codified in the Montgomery County Code at Chapter 19, Article 4, section 19-49 (B).

Provisions governing WQAG membership are set out in the Code. Members must be appointed by the County Executive, and are subject to confirmation by the County Council. Membership is composed of up to three non-voting representatives of government agencies, and three voting representatives from each of several non-government sectors, namely: the public-at-large, academic and scientific experts, environmental groups, agriculture, and the business community.

The WQAG is charged under the Code with recommending to the County Executive and County Council water quality goals, objectives, policies and programs. The Group's mission statement reflects and enhances this responsibility:

"To recommend policies, programs and priorities that protect, maintain, and/or restore the biological, chemical and physical integrity of County streams, rivers, wetlands, groundwater, lakes and other water resources."

II. WQAG ORGANIZATION

The WQAG holds monthly meetings. An agenda for each meeting is established in advance. Typically the monthly agenda contains short briefings by government or non-government entities about policies, programs, deliberations, activities or concerns that affect or relate to water quality. The agenda is driven by interests of the membership, by current events, and/or timely and sensitive topics which require extensive discussion and examination. We strive to have input on agenda topics from the County Executive and the County Council but have never received such input. A quorum of 51% of the present membership must be obtained prior to conducting official business.

The WQAG generally documents its viewpoint on a particular topic through letters or resolutions intended for the County Executive and/or County Council. Such transmissions are approved by consensus. From time to time, members also make statements for the record, which may appear in the minutes of a meeting, but are not routinely transmitted officially to the County Executive or County Council.

III. RESOLUTIONS AND LETTERS OF SUPPORT

The following resolutions and letters were prepared and submitted to the County Executive and/or County Council:

- Resolution in support of the stormwater management facility transfer program that encouraged DEP to: 1) increase awareness of the program, 2) enhance the program that assists property owners with the legal aspects of stormwater management facility transfers, and 3) establish a goal for the transfer of 75 percent of facilities built after 1974 with stormwater easement to the county by 2010 and a goal for transfer of 25 percent of facilities that require extensive legal assistance by 2010. Resolution dated January 2005.
- Letter to County Executive recommending additional support for the County's Pollution Prevention Program and The Environmental Partners Program. The letter also recommended that some sort of public recognition for private companies in the county that pursue a pollution prevention agenda. Letter dated February 3, 2005.
- Letter to County Executive recommending that one of the County's comments on the Environmental Impact Statement for the Intercounty Connector (ICC) be the adoption by the State Highway Administration of non-degradation of water quality as a fundamental design principle for the ICC. The WQAG advocated that non-degradation be achieved by the use of a variety of innovative stormwater management techniques and environmental stewardship projects. Letter dated February 23, 2005.
- Letter to County Executive stating that the WQAG is concerned that the innovative stormwater management techniques incorporated in the ICC design may not function as intended. The WQAG recommended that a monitoring program be developed and incorporated into the ICC design to determine the effectiveness of the engineering approaches used to protect water quality, and that a process be incorporated into the ICC design to provide a mechanism for additional mitigation measures if post construction monitoring indicates that water quality has been impacted. Letter dated May 3, 2005.
- Letter to Tom Perez, County Council President informing him of the concerns of the WQAG regarding potential water-quality impacts from the ICC and eliciting his support in protecting the County's streams. Letter dated October 10, 2005.
- Letter to County Executive recommending the County build upon the momentum of the Potomac River Watershed Trash Treaty and take the lead in developing and supporting a well-thought out regional bottle bill. Letter dated October 14, 2005.

IV. OTHER ACTIVITIES & TOPICS

The list below represents a highlighted list of topics which WQAG discussed, deliberated, and debated. The Group is aware of its advisory mission and is eager to provide you with timely alerts on issues which arose over the year, such as these:

- WSSC sanitary sewer overflows and Consent Degree with the Federal Government,
- Chesapeake Bay Program and the Chesapeake Bay Club,
- Best management practices for stormwater management,
- Water quality monitoring in the Special Protection Areas,
- State legislative wrap up for 2005 from Melanie Wenger,
- Stream restoration program,
- Citizen directed watershed advocacy groups, and
- Impact of lawn fertilizer use on water quality.

As a follow up to our ongoing discussions on lawn fertilizer use and our struggle to develop appropriate recommendations given a paucity of good data on nutrient runoff from lawns, one of our members, David Plummer, was a co-convenor of the urban nutrient management forum “From Your Backyard to the Bay” held at Montgomery College this autumn. The County Executive gave the opening speech and noted the need to minimize fertilizer runoff from lawns. He was followed by leading scientists, lawn care specialists, and governmental staff from around the county who gave an excellent overview of what is known about nutrient runoff from lawns and what various states and municipalities have done to minimize nutrient runoff.

V. SUMMARY OF WATER-QUALITY ADVISORY GROUP’S RECOMMENDATIONS

The WQAG believes that the County has done a remarkable job of utilizing the limited funds available to address the water quality concerns of Montgomery County, but the WQAG is concerned that the scale of water-quality programs has not been sufficient to reverse the trend of declining water quality in the County. Several presenters at our meeting remarked on the continuing decline in water quality, and the most-memorable comments came from a representative of the Friends of Cabin John Creek and Watershed who noted that citizen volunteers who returned year after year to participate in cleanup activities along the creek noted a continuing decline in the quality of the stream. Another reoccurring theme from presenters was the low priority placed on water quality issues in the planning process with water quality issues often merely an afterthought in the planning process. A result of this lack of priority is extensive reshaping and leveling of the landscape which results in tremendous changes in stream morphology and water quality. The WQAG recommends that additional resources be devoted to the development and implementation of programs to attenuate and reduce storm-water runoff in the older more developed portions of the County.

The WQAG also recommends the following funding and program priorities to improve water-quality in the County:

- Foster an understanding throughout local government that water quality is a critical County priority.
- Alter zoning and planning process to ensure that stormwater management plans are developed early in the development or re-development process. The current practice is to make water quality decisions after transportation, density, and other factors are decided upon. This order of decision making is prejudicial to protection of water quality.

- Adopt a non-degradation standard to guide the stormwater program. At a minimum the County shall manage its stormwater regulatory and restoration programs so as to prevent degradation of existing stream quality. The County shall develop a set of monitoring protocols to determine whether this standard is being met.
- Charge the Planning Board with making decisions that set a priority on maintaining and +enhancing water quality in the County.
- Provide additional support for citizen advocacy groups dedicated to the maintenance and restoration of the major stream courses within the County.
- Establish a goal and funding to achieve restoration of recreational uses of the County's streams in areas where increasing access will not degrade natural environment and establishment of canoe/kayak routes on suitable waterways to give County citizens the opportunity to experience and enjoy the beauty of the County's important waterways.
- Create incentives for the planting of additional trees on private lands, particularly in new developments.

VI. MEMBERSHIP CHANGES & FUTURE DIRECTION

The WQAG gained two new members this year; Kay Fulcomer is an elementary school teacher actively involved in environmental education in the County and Glenn Moglen member is a professor of hydrology at the University of Maryland. These new members complement well the existing members and bring to the group new perspectives from persons actively involved in water-quality issues.

The Group continues to monitor important water quality issues. Important issues that the Group will address during the coming year include:

- Integration of water quality issues into the new planning framework – “Revitalizing Centers...Reshaping Boulevards...Creating Great Public Spaces,”
- Methods to reduce nutrient runoff from residential lots,
- Innovative methods for reducing and controlling stormwater runoff in the older urban portions of the County,
- Evaluation of effectiveness of current stormwater management methods and stream restoration techniques,
- Citizen involvement in water quality issues and ways to support and promote such activities.
- Budget priorities for water-quality programs within the DEP.
- Improvement in methods to build knowledge by County residents concerning County water quality issues and the important role they could be playing.

Our goal is to develop recommendations for you on each of these important topics.

Submitted: Charles B. Andrews, Chair _____
Date