



Maryland

Department of the Environment

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor

Ben Grumbles, Secretary
Horacio Tablada, Deputy Secretary

March 17, 2022

The Honorable Gabe Albornoz
County Council President
Montgomery County Council
Stella Werner Council Office Building
100 Maryland Avenue
Rockville, MD 20850

Dear Council President Albornoz:

The Maryland Department of the Environment (MDE) has completed its review of the Administrative Delegation Action **AD 2021-4 (Amendment)** to the 2018 Montgomery County Comprehensive Water Supply and Sewerage Systems Plan. The Amendment was administratively approved on January 24, 2022 by the Acting Director of the Montgomery County Department of Environmental Protection, under authority granted by the Montgomery County Council. The Amendment includes one (1) service category change request as set forth below and includes replacing the existing single-family detached home (septic) with seven (7) new single-family detached homes that will connect to public water and sewer.

WSCCR 21-TRV-04A: Jaye and Donald Younkens

- **12700 Travilah Road, Lot 1, Parcel P999, Travilah Paris, account 00395404.** The request is to change the water service category from S-6/W-6 to S-3/W-3.

MDP Findings

Maryland Department of Planning (MDP) advised MDE the subject property is located within the approved water and sewer envelope of the Potomac Subregion Master Plan, and the new development will connect with existing water and sewer lines along the frontage of the property (Travilah Road) and is therefore found to be consistent with the master plan. The subject property located at 12700 Travilah Road is within Growth Tier 3. Planning recommends that the growth tier map be changed to show the property within Tier 2 since the category change request has been granted in accordance with this administrative action.

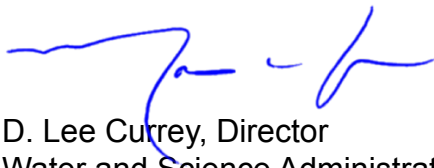
If there are comments or questions regarding MDP's review, MDE encourages the County to contact MDP. See enclosed MDP's comments and contact information.

MDE Action

In accordance with §9-507(a) of the Environment Article, Annotated Code of Maryland, **MDE hereby approves the amendment AD 2021-4** to the 2018 Montgomery County Comprehensive Water Supply and Sewerage Systems Plan (see enclosed Summary Table below).

This action completes MDE's review, as required by §9-507 of the Environment Article, Annotated Code of Maryland. If you need further assistance on these matters, please contact Heather Barthel, Deputy Director, at (410) 537-3512, toll-free at (800) 633-6101, or by e-mail at heather.barthel@maryland.gov.

Sincerely,



D. Lee Currey, Director
Water and Science Administration

Enclosures

cc: Adriana Hochberg, Acting Director, Montgomery County DEP
Patty Bubar, Deputy Director, Montgomery County DEP
Alan Soukup, Montgomery County DEP
George Dizelos, Environmental Planner, Montgomery County DEP
Charles Boyd, Director, Planning Coordination, MDP
Heather Barthel, Deputy Director, WSA, MDE

**Summary of Amendment AD 2021-4 to the 2018 Montgomery County Water Supply
and Sewerage Systems Plan**

Case No.	Applicant	Existing Service Area Categories	Service Area Category Request	Administrative Action	MDE Action
WSSCR 21-TRV-04 A	WSSCR 21-TRV-04A: Jaye and Donald Youngers 12700 Travilah Road, Lot 1, Parcel P999, Travilah Paris, account 00395404	S-6/W-6	S-3/W-3	Approve S-3/W-3	Approve S-3/W-3



MONTGOMERY COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION

Comprehensive Water Supply and Sewerage Systems Plan Amendments
Administrative Delegation Action 2021-4
Water/Sewer Service Area Category Change Requests

CHRONOLOGY

Table with 2 columns: Event and Date. Rows include Interagency Notices of Public Hearing (October 19, 2021), Published Notice of Public Hearing (November 10, 2021), Public Hearing (November 24, 2021), Public Hearing Record Closed (December 1, 2021), and DEP Administrative Approval Action (January 24, 2022).

BACKGROUND

Authority: Under the Annotated Code of Maryland, Section 9-501, et seq., the Maryland Department of the Environment (MDE) has charged the Montgomery County Council, as the governing body for Montgomery County, with adopting and amending a comprehensive plan for the provision of adequate water supply and sewerage systems within the county.

In the adopted CWSP, the County Council has delegated to the Director of the Department of Environmental Protection (DEP), through an administrative process, the authority to approve certain amendments to the Plan, including water and sewer category changes.

Proposed Plan Amendments: DEP staff considered one proposed amendment for approval by the administrative delegation process. The amendment was for a service area category change.

PUBLIC HEARING PROCESS

Public Hearing Notification: In accordance with State regulations, on October 19, 2021, DEP notified the appropriate County and State agencies of an administrative public hearing, scheduled for November 24, 2021, and provided the staff recommendations for the proposed amendment.

Public Hearing Testimony and Interagency Recommendations: DEP staff scheduled a public hearing for the date and time included in the hearing notices. The hearing notices specified that anyone wanting to provide testimony needed to contact DEP staff to receive information on how to do so.

On December 14, 2021, Keith Levchenko, senior legislative analyst on the Council's staff notified DEP that the Councilmembers concurred with the approval recommended for this administrative action.

On November 18, 2021, the Planning Board met to consider M-NCPPC staff recommendations for the amendment included in the AD 2021-4 administrative delegation packet. The Board concurred with the M-NCPPC staff recommendations for the included amendment, which agreed with DEP's staff recommendation.

DEP ADMINISTRATIVE ACTION

The 2018-2027 water/sewer category map update of the *Montgomery County Comprehensive Water Supply and Sewerage Systems Plan* is hereby amended as follows:


Travilah Planning Area

WSSCR 21-TRV-04A: Jaye and Donald Younkens

Property Information and Location Property Development	Applicant's Request: Administrative Action and Policy Justification						
<ul style="list-style-type: none"> 12700 Travilah Rd., Potomac Parcel P999, Travilah Paris ETC (acct. no. 00395404) Map tile: WSSC – 216NW13; MD –ER31 North side of Travilah Rd., opposite the intersection with Bissel Lane RE-2 Zone; 15.24 acres Travilah Planning Area Potomac Subregion Master Plan (2002) Watts Branch/ Muddy Branch Watersheds (MDE Use I) <u>Existing use</u>: Single-Family Home <u>Proposed use</u>: 7 Single-Family Homes 	Service Area Categories: <table border="0"> <tr> <td><u>Existing</u></td> <td><u>Requested</u></td> </tr> <tr> <td>W-6</td> <td>W-3</td> </tr> <tr> <td>S-6</td> <td>S-3</td> </tr> </table> Administrative Action Approve W-3 , Administrative policy V.D.2.a.: Consistent with Existing Plans; and approve S-3 (via the Potomac peripheral sewer service policy), Administrative policy V.D.2.a.: Consistent with Existing Plans. (Mapping on pg. 5 and 6) <i>DEP note: The provision of public sewer service for the residential development proposed for this site may require replacement of a portion of the existing 1.5-inch low-pressure sewer along Travilah Rd. and Bissel Ln. with a larger-diameter low-pressure sewer main.</i>	<u>Existing</u>	<u>Requested</u>	W-6	W-3	S-6	S-3
<u>Existing</u>	<u>Requested</u>						
W-6	W-3						
S-6	S-3						

Now therefore be it resolved by the Director of the Montgomery County Department of Environmental Protection that the amendment described above for inclusion in the County's *Comprehensive Water Supply and Sewerage Systems Plan* is approved. DEP will revise the water and sewer category maps in the County's geographic information system (GIS) database to include this amendment, and they will be shown as part of the next interim or triennial service area map update.

Approved

 1/24/2022
 Adriana Hochberg, Acting Director Date
 Montgomery County Department of Environmental Protection

NOTIFICATION OF DEP ACTION

DEP will submit notification of the Director's action to MDE for that agency's review. MDE has 60 days to either comment on the administrative approvals granted or invoke up to two 45-day review extensions. DEP will also notify each applicant, appropriate county government agencies, and other interested parties of the Director's action, and post this action to DEP's category change requests webpage. A list of agencies that will receive a copy of this summary of action follows:

- Distribution: Interagency
 D. Lee Currey, Director, Water and Science Admin., MDE
 Gabe Alborno, President, Montgomery County Council
 Keith Levchenko, Montgomery County Council
 Mitra Pedoeem, Director, DPS
 Heidi Benham, Well & Septic Section, DPS
 Casey Anderson, Chairman, Planning Board

Patrick Butler and Katherine Nelson, Upper County Planning Team, M-NCPPC
Jason Satori, Functional Planning Division, M-NCPPC
Christina Sorrento, Intake and Regulatory Coord. Division, M-NCPPC
Geoffrey Mason, Parks Planning Division., M-NCPPC
Carla Reid, General Manager, WSSC
Ray Chicca, Tom Gingrich, & Fred Mejias, Development Services Division, WSSC
Luis Tapia, Permit Services Section, WSSC
Eintou Karima, Assessments Group, WSSC

Distribution: Property Owners /Other Interested Parties/Public Interest Groups

WSSCR 21-TRV-04A... Jaye and Donald Younkens
... Dinesh Jain, Classic Homes of Maryland
... Jeff Lewis, Site Solutions, Inc.

Audubon Naturalist Society
Greater Glen Mill Community Association
Greater Glen Hills Coalition LLC
Glen Hills Civic Association
Glen Hills Community Coalition
Glen Preservation Foundation
North Potomac Citizens Association
Montgomery County Civic Federation
Montgomery Coalition to Stop Sewer Sprawl
Potomac Highlands Citizens Association
West Montgomery County Citizens Association

Attachments

Service Area Category Designations (see page 4)
Amendment Service Area Category Mapping (see page 5-6)

GJD:gjd/ R:\Programs\Water_and_Sewer\actions-AD\2021\AD-2021-4\SOA\SOA AD-2021-4.docx

WATER/SEWER SERVICE AREA CATEGORIES INFORMATION

The Montgomery County Ten-Year Comprehensive Water Supply and Sewerage Systems Plan designates water and sewer service area categories for each property within the County. These service area categories determine a property's eligibility to receive public water and/or sewer service and indicate when the County and the sanitary utility (usually the Washington Suburban Sanitary Commission (WSSC)) should program water and sewerage facilities to serve those properties. (Although the actual provision of public service is often dependent on an applicant's own development schedule.) The Water and Sewer Plan is adopted and amended by the County Council; it is administered by the County Executive through the Department of Environmental Protection (DEP).

Water and Sewer Service Area Categories Table

Service Area Categories	Category Definition and General Description	Service Comments
W-1 and S-1	Areas served by community (public) systems which are either existing or under construction. <ul style="list-style-type: none"> This may include properties or areas for which community system mains are not immediately available or which have not yet connected to existing community service. 	Properties designated as categories 1 and 3 are eligible for to receive public water and/or sewer service. New development and properties needing the replacement of existing wells or septic systems are generally required to use public service. Properties with wells or septic systems on interim permits are required to connect to public service within one year of its availability.
W-2 and S-2	<p>Categories W-2 and S-2 are not used in the Montgomery County Water and Sewer Plan. (State's definition: Areas served by extensions of existing community and multi-use systems which are in the final planning stages.)</p>	Where water and/or sewer mains are financed under the front foot benefit system, WSSC will assess front foot benefit charges for mains abutting these properties unless the property has a functioning well and/or septic system. WSSC provides public water and sewer service throughout the county, except where service is provided by systems owned by the City of Rockville or the Town of Poolesville.
W-3 and S-3	Areas where improvements to or construction of new community systems will be given immediate priority and service will generally be provided within two years or as development and requests for community service are planned and scheduled.	WSSC will not serve properties designated as categories 4 or 5, but will work to program water and/or sewer projects needed to serve these areas. Permits for new wells and/or septic systems for category 4 properties will be interim permits. (See above for further information.) MCDEP may require that development proceeding on interim wells and septic systems in category 4 areas also provide dry water and sewer mains and connections.
W-4 and S-4	Areas where improvements to or construction of new community systems will be programmed for the three- through six-year period. <ul style="list-style-type: none"> This includes areas generally requiring the approval of CIP projects before service can be provided. 	Where water and/or sewer mains are financed under the front foot benefit system, WSSC will assess front foot benefit charges for abutting properties designated as category 4 unless the property has a functioning well and/or septic system. WSSC will not assess front foot charges for properties designated as category 5.
W-5 and S-5	Areas where improvements to or construction of new community systems are planned for the seven- through ten-year period. <ul style="list-style-type: none"> This category is frequently used to identify areas where land use plans recommend future service staged beyond the scope of the six-year CIP planning period. 	WSSC will neither provide service to nor assess front foot benefit charges for properties designated as category 6. Development in category 6 areas is expected to use private, on-site systems, such as wells and septic systems.
W-6 and S-6	Areas where there is no planned community service either within the ten-year scope of this plan or beyond that time period. This includes all areas not designated as categories 1 through 5. <ul style="list-style-type: none"> Category 6 includes areas that are planned or staged for community service beyond the scope of the plan's ten-year planning period, and areas that are not ever expected for community service on the basis of adopted plans. 	

Please note that the County does not necessarily assign water and sewer categories in tandem (i.e. W-3 and S-3, or W-5 and S-5), due to differences in water and sewer service policies or to actual water or sewer service availability. Therefore, it is important to know *both* the water *and* sewer service area categories for a property.

