



Maryland

Department of the Environment

Wes Moore, Governor
Aruna Miller, Lt. Governor

Serena McIlwain, Secretary
Suzanne E. Dorsey, Deputy Secretary

June 2, 2023

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

Dear Council President Glass:

The Maryland Department of the Environment (MDE) has completed its review of **Montgomery County's AD 2023-2 (Amendment) to the 2022-2031 Comprehensive Water Supply and Sewerage Systems Plan (Plan)**. The Montgomery County Department of Environmental Protection (DEP) administratively approved the Amendment on April 19, 2023. The Amendment included category changes for several properties:

WSCCR 23-DAM-02A: Zoor, LLC.: 9000 Block, Woodfield Rd., Damascus, Parcel P568 (acct. no. 03408515). Requesting one sewer category change from S-6* No Planned Service (*within the planned community sewer envelope) to S-3 Service within 2 years, for 30 town homes.

WSCCR 23-LSN-01G: Maryland National Capital Park and Planning Commission (NCPPC): 14600 Schaeffer Rd. & 17730 Burdette Ln., Germantown. Parcels N536, N543, N593, and N619, Barmakian Property Plat of Reservation and Parcels P436 and P491, Friend in Need (acct. nos. 03598557, 03598546, 03598535, 03598524, 00389152, 00389163). Requesting a water category change from W-6*, No Planned Service (*outside the planned community water envelope) to W-3, Service within 2 years for the irrigation of a cricket field.

WSCCR 23-POT-02A: Florence Richman: 8901 Falls Rd., Potomac, Lot 3, Parcel N875 (acct. no. 00859906). Requesting one sewer category change from S-6*, No Planned Service (*within the planned community sewer envelope) to S-1, Existing service for one single family home.

WSCCR 23-POT-03A: Dallen Russell and Katiana Cokinos: 11010 Rock Run Dr., Potomac. Lot 5, Block 1, Fawsett Farms (acct. no. 00868067). Requesting one sewer category change from S-6*, No Planned Service (*within the planned community sewer envelope) to S-3, Service within 2 years.

Maryland Department of Planning Findings

1. WSCCR 23-DAM-02A: Zoor, LLC

MDP finds the extension of sewer services to the subject property to be consistent with the 2006 Damascus Master Plan because it is within the plan's Existing Sewer Service Envelope (page 109).

2. WSCCR 23-LSN-01G: Maryland National Capital Park and Planning Commission

The subject properties are located within the 1980 Preservation of Agricultural and Rural Open Space Functional Master Plan Area (Plan). The Plan generally does not support service expansion to areas for the purposes of housing or institutional uses; however, it does note "the selective and limited expansion of public water and sewer service will support and help implement the preservation recommendations expressed in this Plan" (pg. 59). As new development is not anticipated, MDP finds the provision of water service to these properties for the purpose of irrigation for cricket fields to be generally consistent as it does not hinder the goals of the Plan.

3. WSCCR 23-POT-02A: Florence Richman

MDP finds the extension of sewer services to the subject property to be consistent with the 2002 Potomac Subregion Master Plan (Master Plan) because it is within the Master Plan's approved Proposed Sewer Service Envelope (Map D- Potomac Sewer Service Envelope 2022).

4. WSCCR 23-POT-03A: Dallen Russell and Katiana Cokinos

MDP finds the extension of sewer services to the subject property to be consistent with the 2002 Potomac Subregion Master Plan (Master Plan) because it is within the Master Plan's approved Proposed Sewer Service Envelope (Map D- Potomac Sewer Service Envelope 2022).

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 Review and Action

1. WSCCR 23-DAM-02A

The Damascus Water Resource Recovery Facility is currently at approximately 55% of its 1.5 million gallons per day (MGD) capacity and can accommodate the additional wastewater flow. The expected additional wastewater flow from the 30 new town homes is approximately 5,310 gallons per day (GPD).

2. WSCCR 23-LSN-01G

The Potomac Water Filtration Plant is currently at approximately 112 MGD of its 288 MGD capacity and can accommodate the additional demand generated by the irrigation of the cricket field. MDE notes that the water category changes for the W-6 properties are located outside of the community service envelope. However, the requested change applies to a public facility to which there is more than sufficient capacity available at the Water Filtration Plant. Page 1-45 in the 2022-2023

Comprehensive Water Supply and Sewerage Systems Plan, Section II.G.6: Community Service for Public Facilities, states that “*For locations outside the planned community service envelopes, DEP may act to approve service area changes for existing and proposed public facilities through the administrative delegation process, Section V.D.2.a: Public Facilities. The provision of community service under this policy shall not be used as justification for the connection of intervening or nearby lots or parcels if they would not otherwise be entitled to connect to community systems*”. As such, the planned category change from W-6 to W-3 is limited to the public facility (cricket field). Future connections for nearby lots are restricted, as defined by Section V.D.2.a. While the exact water demand for irrigation has not been listed in the Amendment, the County should incorporate this additional flow into the water demand numbers in Table 3-T3, in the next update of the Plan.

3. WSCCR 23-POT-02A

The Blue Plains Wastewater Treatment Plant is currently at approximately 140 MGD of its 170 MGD capacity. The addition of 1 EDU (250 GPD) from a single-family home will have a negligible impact on the daily wastewater flow.

4. WSCCR 23-POT-03A

The Blue Plains Wastewater Treatment Plant is currently at approximately 140 MGD of its 170 MGD capacity. The addition of 1 EDU (250 GPD) from a single-family home with an Accessory Dwelling Unit (ADU) will have a negligible impact on the daily wastewater flow.

5. The Department notes that the sewer category change in the vicinity of WSCCR-23 DAM-02A is located within the watershed of the Patuxent River 1. The Patuxent River UT 1 is identified as a Tier II stream pursuant to COMAR 26.08.02.04-1. Tier II streams are high-quality waters that require, under regulation, additional consideration to protect their water quality. Any new or expanded discharge to these Tier II watersheds would require a Tier II Anti-degradation Review. All possible considerations should be implemented to protect high-quality waters from water quality degradation. This primarily consists of rigorous watershed planning, with consideration of the extra provisions necessary to protect high-quality waters.

All possible considerations should be implemented to protect high-quality waters from water quality degradation. This primarily consists of rigorous watershed planning, with consideration of the extra provisions necessary to protect high-quality waters. The Department recommends that the County consider the following measures in an effort to maintain these high-quality waters when approving new growth in the watersheds of these stream segments:

- Implement restrictive zoning or ordinances to protect environmental features.
- Re-direct planned growth out of the watersheds of these stream segments
- Retrofit existing stormwater infrastructure.
- Incorporate environmental site design (ESD) and other low-impact

- development (LID) practices into new development.
- Maintain and expand existing forest cover.
 - Provide riparian buffers of 100-230 feet (depending upon soil types and slopes).

The County should be aware that future plans facilitated by this Amendment may incur an additional Tier II Antidegradation Review including an SEJ at later stages, on a project-by-project basis. For additional information about Maryland's Tier II high quality waters please visit:
https://mde.maryland.gov/programs/water/tmdl/waterqualitystandards/pages/antidegradation_policy.aspx.

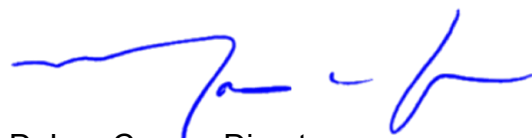
The County is advised to contact Matthew Stover, Water Quality Standards, and Analysis Division, Watershed Protection, Restoration, and Planning Program, WSA/MDE, at (410) 537-3611 for additional information regarding the regulatory requirements for Tier II waters.

In accordance with §9-507(a) of the Environment Article, Annotated Code of Maryland, the Department hereby **approves Montgomery County's AD 2023-2 (Amendment) to the 2022-2023 Comprehensive Water Supply and Sewerage Systems Plan**. See Summary Table below.

The 2022 Water Resources Element (WRE) guidance update can be found at the following link:
<https://planning.maryland.gov/Pages/OurWork/envr-planning/water-resources-mg/2022/2022-guidance-update.aspx>. The guidance includes best practices for protecting receiving waters and for integrating climate change and equity considerations into local water resource planning. By updating the WRE, a required element of local comprehensive plans, jurisdictions will identify recommendations and strategies necessary for ensuring community resilience and sustainability, which can inform and be informed by, project and policy needs for county water and sewer plan updates.

This 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

The Honorable Evan Glass
Page 5

Enclosures

cc: Alan Soukup, Senior Planner, Montgomery County DEP
Charles Boyd, Director, Planning Coordination, MDP
Heather Barthel, Deputy Director, Water and Science Administration, MDE
Matthew Stover, Water Quality Standards and Analysis Division, MDE

Summary of Montgomery County AD 2023-1 to the 2022-2031 Montgomery County Water Supply and Sewerage Systems Plan Amendment

| Amendment | Location | Request | Administrative Action | MDE Action |
|---|--|--|--|---|
| WSSCR 23-DAM-02A : (Zoor, LLC.) | 9000 Block, Woodfield Rd., Damascus, Parcel P568 (acct. no. 03408515) | Category change from S-6* (*within the planned community sewer envelope) to S-3 | Approve S-3 | Approve S-3 |
| WSSCR 23-LSN-01G : (NCPPC) | 14600 Schaeffer Rd. & 17730 Burdette Ln., Germantown. (acct. no. 03598557, 03598546, 03598535, 03598524, 00389152, 00389163) | Category change from W-6* (*outside the planned community water envelope) to W-3 | Approve W-3 (restricted to a public use facility only) | Approve W-3 (restricted to a public use facility only) |
| WSSCR 23-POT-02A: (Florence Richman) | 8901 Falls Rd., Potomac, Lot 3, Parcel N875 (acct. no. 00859906) | Category change from S-6* (*within the planned community sewer envelope) to S-1 | Approve S-1 | Approve S-1 |
| WSSCR 23-POT-03A: (Russell and Cokinos) | 11010 Rock Run Dr., Potomac. Lot 5, Block 1, Fawsett Farms (acct. no. 00868067) | Category change from S-6* (*within the planned community sewer envelope) to S-3 | Approve S-3 | Approve S-3 |

