March 11, 2019

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

Dear President Navarro:

The Maryland Department of the Environment (MDE) has completed its review of the Montgomery County Comprehensive Water Supply and Sewerage Systems Plan, 2018-2027 (Plan). The Plan was approved on October 2, 2018 by the Montgomery County Council via Resolution 18-1257.

During MDE’s initial review of the Plan, it was determined that more time was needed for MDE to complete its final review due to the numerous revisions included in the 2018 Plan since the 2003 Plan, as well as the complexity of the revised Service Policies. The initial review period, set to expire on January 25, 2019, was extended by an additional 45 days.

During MDE’s review of the Plan, MDE’s Water Supply Program provided several comments that should be resolved in future revisions to the Plan (see enclosed comments). Also, the Maryland Department of Planning (MDP) advised the Department that the Plan is consistent with the County’s 1993 General Plan (see enclosed comments). In accordance with §9-507(a) of the Environment Article, Annotated Code of Maryland, the Department hereby approves the Montgomery County Comprehensive Water Supply and Sewerage Systems Plan, 2018-2027.

The Department acknowledges that the County Council held five work sessions during 2018 to address the concerns of citizens. The Department encourages the County to continue working with citizens to resolve water and sewer issues.

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 Virginia F. Kearney, Deputy Director, at (410) 537-3512, toll-free at (800) 633-6101, or by e-mail at virginia.kearney@maryland.gov.
The Honorable Nancy Navarro
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Sincerely,

Virginia F. Kearney

D. Lee Currey, Director
Water and Science Administration

Enclosure

cc: Patty Bubar, Acting Director, Montgomery County DEP
    Alan Soukup, Montgomery County DEP
    George Dizelos, Montgomery County DEP
    Heidi Benham, Dept. of Permitting Services, Well and Septic, Montgomery Co.
    Charles Boyd, Director, Planning Coordination, MDP
    Saeid Kasraei, Water Supply Program, WSA, MDE
    John Grace, Water Supply Program, WSA, MDE
    Virginia F. Kearney, Deputy Director, WSA, MDE

1. 2.II.E.5.a: County Water Quality Goals:
   Improvement of Watts Branch should be a goal of the County since it discharges so close to, and has a major influence on, WSSC's Potomac Plant.

2. 3.II.C.4: Potomac Water Filtration Plant Source Water Assessment:
   WSSC has identified Watts Creek was a major source water issue. It should be mentioned in this section as having a major impact on Plant operations and water quality during storm events, especially when road salt is applied.

3. 3.IV. Town of Poolesville:
   There is no mention of the Water Treatment Plant on Budds Road that removes Uranium and Radon from wells 7, 9, and 10. It could also be mentioned that there are plans to build 2 more Treatment Plants to remove radionuclides (for well 11 and wells 4 & 14).

4. Appendix B Table B-T1:
   Monocacy Elementary School treats for Nitrate as well as adding chlorine.
January 4, 2019

Ms. Janice Outen
Water Resources Planning
Maryland Department of the Environment
1800 Washington Boulevard
Baltimore, MD 21230

Subject: Montgomery County Ten-Year Comprehensive Water Supply and Sewerage Systems Plan, 2018-2027 - Resolution No. 18-1257

Dear Ms. Outen:

The Maryland Department of Planning (Planning) has reviewed the above-referenced updated water and sewerage plan pursuant to our mandate to advise the Maryland Department of the Environment (Environment) on local comprehensive plan consistency and other appropriate matters as required by Environment Article Section 9-507 (b)(2).

Montgomery County Executive's Recommended Montgomery County 2017-2026 Comprehensive Water Supply and Sewerage Systems Plan (Recommended Plan) was initially transmitted to the Montgomery County Council on March 13, 2017. Additional recommendations and comments on the updated plan were solicited from the Maryland-National Capital Park and Planning Commission, Washington Suburban Sanitary Commission staff, and affected municipalities. The County Council held a public hearing on June 13, 2017. The County Council's Transportation, Infrastructure, Energy and Environment Committee conducted several meetings in 2017 to deliberate over various amendments to the Recommended Plan, and subsequently recommended these amendments on July 16, 2018. The County Council held five work sessions during the 2018 calendar year on the Recommended Plan and associated amendments. The County Council passed Resolution No. 18-1257 on October 2, 2018 approving the Recommended Plan with the several amendments attached to the resolution.

Planning previously reviewed a draft of the Recommended Plan and submitted a letter to Maryland Department of the Environment on May 10, 2017. In response to the substantive changes made between the draft and current plan, Planning's review comments on the adopted Montgomery County Ten-Year Comprehensive Water Supply and Sewerage Systems Plan, 2018-2027 (WSP) are meant to supplement those previously submitted, and Planning finds that the adopted WSP appears consistent with the County's 1993 General Plan and associated sector and master plans.

Summary of Plan Update:
Resolution No. 18-1257 approves the updating of Montgomery County's Ten-Year Comprehensive Water Supply and Sewerage Systems Plan in its entirety. This was a comprehensive redrafting of the County's 2003 Comprehensive Water and Sewerage Systems Plan to address water supply and
sewage disposal issues and policies for the Montgomery County. Updates to the previous plan were made in every section of the WSP.

The content of the Ten-Year Comprehensive Water Supply and Sewerage Systems Plan is as follows:

- Executive Summary
- Chapter 1: Objectives and Policies provides legal requirements for the Plan; the County's overall objectives for water and sewer service; the policies addressing the provision of water and sewer service from community, multi-use and individual systems; and the procedures by which the Plan is adopted, amended, and administered.
- Chapter 2: General Background provides background information on the county's natural and man-made environment relevant to the provision of water and sewer service by both community and individual systems.
- Chapter 3: Water Supply Systems provides information on the County's existing water supply systems and on planning efforts to ensure that the County and State mid- and long-term water supply needs are satisfied in a manner consistent with public policy and the Plan's objectives. This chapter also addresses regional water supply planning issues, as they relate to the County.
- Chapter 4: Sewerage Systems provides information on the County's existing wastewater disposal systems and on planning efforts to ensure that the County's mid- and long-term wastewater disposal needs are satisfied in a manner consistent with public policy and the plan's objectives. This chapter also addresses regional wastewater planning issues, as they relate to the County.
- Appendix A: Glossary – Definitions of terms used throughout the text of the Plan.
- Appendix B: Multiuse Systems - An inventory of existing and approved large-capacity on-site water supply and wastewater systems.
- Appendix C: Exceptional Service Policies and Recommendations – A listing of policies and recommendations addressed in land use master plans that designate areas that are not consistent with the general service policies of the Plan.
- Appendix D: List of Contacts for Agencies – A listing of local, municipal, State, and regional agencies that have a role in the Plan.
- Appendix E: Major Facilities and Institutions – A listing of the major public facilities and institutions located in the County (specifically requested by the Maryland Department of the Environment).
- Water and Sewer Service Area Categories Maps – Provide the service area categories designated in the Plan for all properties in the County.

The Montgomery County Planning Board held a public hearing on May 11, 2017 to review the Recommended Plan and recommended adoption of the County Executive's Recommended Plan with some technical or clarifying language. As described above, The County Council deliberated on the Recommended Plan throughout 2017 and 2018 and made a series of amendments. The following is a summary of the major changes to the Recommended Plan resulting from the County Council's deliberations:

- **Area-Wide Public Health Problems/Special Sewer Service Areas**: Involved a major text rewrite to clarify current policies within and outside planned water/sewer service envelopes and to add a new requirement that a documented failure with no reasonable on-site remedy is required for the initiation of an on-site systems area survey.
- **Individual Public Health Cases**: Involved a major text rewrite to clarify current policies within and outside planned water/sewer service envelopes and to affirm which cases can be approved administratively by the Department of Environmental Protection (DEP) and which must go through the Council review process.
On-Site Systems Management: Revised recommendation language to focus next efforts on
the creation of a database of on-site systems in the County and initial education and
outreach to property owners, with the intent that startup and ongoing funding for these two
efforts can be considered in the context of future operating budgets.

Procedures for Adopting and Amending the Water and Sewer Plan: Clarified that the
election year prohibition (i.e., no hearing, deliberation, or action after October 31 in a
Council election year) includes comprehensive updates and Interim plan amendments.
Also, clarified the existing processes and removed language providing for administrative
denials. Also, clarified that DEP can provide water and sewer map updates, map
corrections, and revisions, as well as informational updates on a more frequent schedule
than the State’s required triennial comprehensive updates; added a 5-year time limit for a
category change applicant to meet all conditions included in an approval; clarified the text
regarding deferred and tabled amendments and settled on a 90-day time period after which
new notice requirements for deferred amendments are required; and updated MDE’s
review timeframes based on current law.

Dry Public Systems: The Plan Update requires all subdivisions intended to be served on
public water and/or sewer (i.e., W1 or W3 and/or S1 or S3) to utilize community service.
No interim permits for on-site systems (with dry systems then built) would be allowed.

Extension Costs: The Plan Update recommends continued work by the two counties
(Montgomery and Prince George’s) and WSSC to implement the subdistrict concept, as well
as to consider other policies (such as grants and subsidies) to make extension costs
affordable.

Private Institutional Facilities (PIF): Affirmed the current minimum criteria for eligibility
for consideration; added clarifying language that the PIF Policy cannot be considered in
cases where a Master Plan specifically recommends against the use of public water/sewer
for PIF uses or any use; added language recommended by the Executive noting that the
applicant must submit a conceptual development plan; added language clarifying that
reconsideration of a PIF approval by the Council is required if the PIF applicant makes
significant changes to its development plan; provided a five-year deadline for the applicant
to meet the conditions included in the Council approval; and added clarifying language
noting that the Council may condition PIF approvals upon the PIF applicant going through a
subdivision review.

Potomac Subregion Master Plan Peripheral Sewer Policy and Glen Hills: Extended the
peripheral sewer policy into the Glen Hills area (except for those areas within the Piney
Branch subwatershed).

Abutting Mains Policy: added clarifying language to the Plan text supporting current
practice regarding the consideration of non-abutting connections within this policy.

Consistency with the Comprehensive Plan
Montgomery County's Ten-Year Comprehensive Water Supply and Sewerage Systems Plan, 2018-
2027 (WSP) is an extensive revision to the County's 2003 Comprehensive Water Supply and
Sewerage Systems Plan. This plan incorporates all the prior amendments and revises County water
and sewer policies. Given the extensive revisions to the plan, it is not possible to provide a detailed
analysis of consistency with the County 1993 Montgomery County General Plan (1993 General
Plan) and its associated sector and master plans. However, based on Planning's review of the WSP
in comparison with the numerous adopted planning documents and the extensive review and
amendment process the County undertook, it is Planning's determination that Montgomery
County's Ten-Year Comprehensive Water Supply and Sewerage Systems Plan, 2018-2027 appears
to be consistent with and supportive of the 1993 General Plan's stated aim to be "specific enough
to provide clear guidance for realizing its vision, while retaining enough flexibility to respond to
unforeseeable circumstances as they arise" (1993 General Plan, pg. 5).
Priority Funding Area Review
Pursuant to the State Finance and Procurement Article, Section 5-7B-02, local jurisdictions are eligible to receive State financial assistance if the project is located in a Priority Funding Area (PFA).

Growth Tier Map Review
No assessment of consistency with County's Growth Tier Map is applicable for this review.

If you have any questions regarding these comments, please contact me at 410-767-1401 or Sylvia Mosser at 410-767-4487.

Sincerely,

Charles W. Boyd, AICP
Director of Planning Coordination

cc: Tony Redman, DNR
    Dwight Dotterer, MDA
    Jason Dubow, Joseph Griffiths, Sylvia Mosser and Dan Rosen, Planning