September 5, 2020

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

Dear Council President Katz:

The Maryland Department of the Environment (MDE) has completed its review of the Administrative Delegation Action AD 2020-C (Amendment) to the 2018 Montgomery County Comprehensive Water Supply and Sewerage Systems Plan. The Amendment was administratively approved on August 3, 2020 by the Director of the Montgomery County Department of Environmental Protection, under authority granted by the Montgomery County Council. The Amendment includes four (4) requests for sewer and five (5) requests for water service category corrections as set forth below:

WSCCR 20-POT-02C:

- **Alan and Melissa Dye**: 8800 Saunders Ln., Parcel P939, 0.19 acres, Clewerwall Enl (acct. no. 00862813). The request is to correct the existing service category from S-6 to S-1.

- **Edwin Villegas**: 8820 Saunders Ln., John D Smith Lot Parcel P990 & Parcel 991, 2.63 acres, Clewerwall Enl (acct. nos. 00847362 & 00847373). The request is to correct the existing service category from S-6 to S-1.

- **Benjamin & Carolyn Miller**: 8900 Saunders Ln., Parcel P039, 2.93 acres, Clewerwall Enlgd & Magruders (acct. no. 00859985). The request is to correct the existing service category from S-6 to S-1.

- **John Troha**: 9030 Saunders Ln., Parcel P222, 3.30 acres, Clewerwall 2654/179 (acct. no. 00851103). This hookup request was denied by the Montgomery County DEP, noting that “the provision of public sewer service from the existing, unused sewer connection will first require County approval of a category change to S-1”, and therefore was not reviewed by MDE.
WSCCR 20-TRV-12C:

- **Lois Berge Recov Living Tr:** 11608 Lake Potomac Dr. Lot 25, Block A, Lake Potomac, 2.28 acres, (acct. no. 02013721). The request is to correct the existing service category from W-4 to W-1.

- **Dong Chuel & Bon Suk Shim:** 11612 Lake Potomac Dr. Lot 26, Block A, Lake Potomac, 2.00 acres, (acct. no. 02013708). The request is to correct the existing service category from W-4 to W-1.

- **Longwu Chen:** 11616 Lake Potomac Dr. Lot 27, Block A, Lake Potomac, 2.00 acres, (acct. no. 02013710). The request is to correct the existing service category from W-4 to W-1.

- **Ratnavali & Dinesh Kolla:** 11620 Lake Potomac Dr. Lot 28, Block A, Lake Potomac, 2.28 acres, (acct. no. 02013696). The request is to correct the existing service category from W-4 to W-1.

- **Thomas & N H Pinckert:** 11624 Lake Potomac Dr. Lot 29, Block A, Lake Potomac, 2.04 acres, (acct. no. 02013732). The request is to correct the existing service category from W-4 to W-1.

**Maryland Department of Planning Findings**
The Maryland Department of Planning (MDP) advised the MDE that the service category corrections to the properties adjacent to Saunders Lane and Lake Potomac Drive appear to be consistent with the County’s plans and policies, including the (2002) Potomac Subregion Master Plan (see enclosed comments).

**MDE findings and Action**
MDE’s Water Supply Program notes that for the corrective actions associated with WSSCR 20-TRV-12C, the houses must have their individual wells properly abandoned by a well driller at the time of interconnection to WSSC’s water. In accordance with §9-507(a) of the Environment Article, Annotated Code of Maryland, **MDE hereby approves the Administrative Delegation Action AD 2020-C.** See enclosed water and sewer changes 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.
The Honorable Sidney Katz
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Sincerely,

D. Lee Currey, Director
Water and Science Administration

Enclosure

cc:  Adam Ortiz, 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 Administration Delegation Action AD 2020-C, Amendment to the 2018 Montgomery County Water Supply and Sewerage Systems Plan**

<table>
<thead>
<tr>
<th>Case No.</th>
<th>Applicant</th>
<th>Existing Service Area Categories</th>
<th>Service Area Category Request</th>
<th>Administrative Action</th>
<th>MDE Action</th>
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<td>8800 Saunders Ln., Parcel P039, 0.19 acres, Clewerwall Enl (acct. no. 00862813)</td>
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<td>S-6</td>
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<td>Sewer hookup on S-6</td>
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September 30, 2020

Ms. Dilorah Dalmasy, Manager, Integrated Water Planning Program
Maryland Department of the Environment
Water and Science Administration
1800 Washington Boulevard
Baltimore, Maryland 21230

Subject: Montgomery County Comprehensive Water Supply and Sewerage Systems Plan
Administrative Delegation Action AD 2020-C
Water and Sewer Service Area Category Corrections: 20-POT-02C & 20-TRV-12C

Dear Ms. Dalmasy:

The Maryland Department of Planning (Planning) has reviewed the above-referenced water and sewerage plan amendment 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’s Department of Environmental Protection (DEP) Director Adam Ortiz has administratively approved (under the authority delegated by the County Council for corrective amendments) Administrative Delegation Action AD 2020-C on August 3, 2020. We offer the following comments for your consideration.

Summary of Amendment
These correction actions are granted under Chapter 1, section V.F.3a "Water and Sewer Map Corrections, Revisions and Informational Updates" of the Montgomery County Ten-Year Comprehensive Water Supply and Sewerage Systems Plan (WSP), which authorizes the Director of the DEP to amend the WSP’s service area category maps to address documented service and mapping errors. The amendments include eight corrective map changes to the 2018-2027 water/sewer category map update of the WSP associated with the following properties:

WSCCR 20-POT -02C: DEP (for Saunders Lane Property Owners)

8800 Saunders Lane (P939)
8820 Saunders Lane (Parcels P990 and P991)
8900 Saunders Lane (P039)

Denied: 9030 Saunders Lane (P222)

All four of these properties are currently in sewer category S-6 (No planned community service) and abut an existing sewer main located along Saunders Lane. The Washington Suburban Sanitary Commission (WSSC) records indicate active service accounts and due to WSSC’s confirmation of the existing sewer service accounts, the county is seeking correction of the four parcels’ sewer
categories from S-6 to S-1. All three approved properties were established by plat (in 1949 and 1953) prior to the construction of the abutting sewer main in 1993. Approval for category S-1 (Currently served by community systems) is proposed under the consistent with existing plans administrative delegation policy as all four parcels are within the planned public sewer envelopes in both the 2002 Master Plan and the WSP.

Further investigations revealed that the property at 9030 Saunders Lane has an installed sewer connection that must not be used for public sewer service until the county approves a category change request from S-6 to S-1. Montgomery County will maintain the S-6 designation until that time. The submitted amendment materials did not explain why a service change request from S-6 to S-1 for this property could not be approved by administrative action with this amendment.

WSCCR 20-TRV-12C: DEP (for Lake Potomac Drive Property Owners)

11608 Lake Potomac Drive
11612 Lake Potomac Drive
11616 Lake Potomac Drive
11620 Lake Potomac Drive
11624 Lake Potomac Drive

All five properties are currently located in water category W-4 (Areas planned in 3-6 years), which appears to be a mapping error; therefore, the amendment proposes category corrections to W-1 (currently served). The WSSC records indicate active service accounts. All five properties were established by plat (#13107) recorded on September 5, 1980. The plat specifies that all the properties thereon will be served by public water and sewer systems. All five properties are within the county’s planned public water service envelope based on the 2002 master plan and the WSP.

Consistency with the Comprehensive Plan

As provided in Section V.2.D.c of the 2018-2027 Montgomery County WSP, “DEP may amend service area categories as necessary to correct verified service area mapping and other errors.” (page 1-73). The amendment does not indicate any new construction is being proposed, and that the category changes are simply corrections to bring the properties into compliance with previously approved water and sewer connections.

The properties adjacent to Saunders Lane and Lake Potomac Drive are located within the Potomac Subregion Master Plan (2002) planning area and are zoned RE-2. The following language contained within the master plan indicates consistency with the connections:

Pg. 23: “Sewer Service Recommendations: Provide community sewer service in the Subregion generally in conformance with Water and Sewer Plan service policies. This will generally exclude areas zoned for low density development (RE-1, RE-2, and RC) not already approved for service from further extension of community service.”

Pg. 27: “Public Water Supply Recommendation: Continue to address the provision of community water service in the Subregion consistent with Comprehensive Water Supply and Sewerage Systems policies.”
The subject lots were subdivided and connected to public water service before the adoption of the master plan. Therefore, it is unlikely that the water and sewer service connections were established based on the aforementioned language contained within the master plan; however, the intent of this master plan recommendation supports the consistency of the public water and sewer service connection at these properties. Therefore, the amendments appear to be consistent with the applicable master plans as well.

**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).

The subject properties are not located within a PFA and due to the RE-2 zoning density, they would not become PFA-eligible with the service category amendments.

**Growth Tier Map Review**
The growth tier map review is applicable to the three approved properties on Saunders Lane, as they are the only ones being proposed for sewer category corrections. The associated tiers for each property are listed below:

- **8800 Saunders Lane (P939)—Tier 1**
- **8820 Saunders Lane (Parcels P990 and P991)—Tier 1**
- **8900 Saunders Lane (P039)—Tier 1**

Due to the Tier 1 designation, no growth tier map changes appear to be necessary for this amendment.

If you have any questions concerning these comments please contact me at 410-767-1401, or Victoria Olivier at Victoria.Olivier@maryland.gov.

Sincerely,

[Signature]
Charles W. Boyd, AICP
Director of Planning Coordination

cc: Robin Pellicano; Nicholai Francis-Lau; Steve Alfaro; Hannah C. Benzion, Environment Jason Dubow; Joe Griffiths; Susan Llareus; Victoria Olivier; Sylvia Mosser; and Cassandra Malloy, Planning
Tony Redman, DNR
Dwight Dotterer, MDA