May 22, 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 2020-1 (Amendment) to the 2018-2027 Montgomery County Comprehensive Water Supply and Sewerage Systems Plan. The Amendment was administratively approved on March 12, 2020 by the Director of the Montgomery County Department of Environmental Protection (DEP), under authority granted by the Montgomery County Council. The Amendment includes six (6) service category change requests as set forth below:

**WSCCR 20-OLN-01A:**

- **Jay Jong Sou Lim** (16212 Whitehaven Road, Silver Spring, Lot 55, Block A, Plat 18402 Norbeck Knolls, Account Number 02949963, RE-2 Zone, 2.0 acres). The request is to change the service category from W-6 to W-1.

**WSCCR 20-TRV-01A:**

- **Lynne Bates** (12101 Glen Mill Road, Potomac, Parcel P963, Wickham & Pottinger, Account Number 00864925, RE-1 Zone, 2.02 acres). The request is to change the service category from S-6 to S-1.

**WSCCR 20-TRV-02A:**

- **Atapattu Madawala** (13301 River Road, Potomac, Lot 83, Plat 18638 Beallmount, Account Number 02975197, RE-2 Zone, 2.13 acres). The request is to change the service category from W-6 to W-1.
WSCCR 20-TRV-04A:

- Carol and Garven Hudgins Jr. (10419 Boswell Lane, Potomac, Parcel P635, Wickham and Pottinger, Account Number 00055531, RE-1 Zone, 37,026 square feet). The request is to change the service category from S-6 to S-1.

WSCCR 20-TRV-06A:

- Craig Goodman and Elizabeth Dresing (12801 Spring Drive, Rockville, Lot 9, Block 2, Glen Hills Sec 3, Account Number 00078064, RE-1 Zone, 1.79 acres). The request is to change the service category from S-6 to S-1.

WSCCR 20-TRV-07A:

- Wande Leintu (12007 Piney Meetinghouse Road, Potomac, Lot 35, Piney Glen Farm, Account Number 01814618, RE-2 Zone, 3.02 acres). The request is to change the service category from S-6 to S-1.

Maryland Department of Planning Findings

During MDE’s review of the Amendment, the Maryland Department of Planning (MDP) advised the Department that all six subject properties were developed as single-family homes on large, platted lots. Except for the property located at 16212 Whitehaven Road within the Olney Master Plan, all other lots are located within the Potomac Subregion Master Plan area. Each master plan recognizes the failure or potential failure of septic and the need for potable water in accordance with county policies. Therefore, the amendments are found to be consistent with the applicable master plans (see enclosed comments).

MDE Action

In accordance with §9-507(a) of the Environment Article, Annotated Code of Maryland, the Department hereby approves the Administrative Delegation Action AD 2020-1.

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
Enclosure
cc:    Adam Ortiz, Director, Montgomery County DEP
       Patty Bubar, Deputy Director, Montgomery County DEP
       Alan Soukup, Senior Planner, 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 2020-1 to the 2018-2027 Montgomery County Water Supply and Sewerage Systems Plan Amendment

<table>
<thead>
<tr>
<th>Case No.</th>
<th>Applicant</th>
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May 5, 2020

Ms. Dinorah 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 2020-1
Water and Sewer Service Area Category Amendments:

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 administrative amendments) Administrative Delegation Action AD 2020-1 on March 12, 2020. We offer the following comments for your consideration.

Summary of Amendment
These administrative actions are granted under Chapter 1, Section V.D.2.a “Administrative Delegation Policies” 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. The final approval action on the amendments includes six corrective map changes to the 2018-2027 water/sewer category map update of the WSP associated with the following properties:

WSCCR 20-OLN-OIA for Lim
16212 Whitehaven Road

This property is currently in water category W-6 (No planned community service) and the owner requests approval to change to water category W-1 (community service) and to connect to an existing water main located within Whitehaven Road. The existing well does not meet state potable standards in turbidity according to DEP, and that agency supports the category change. The Maryland-National Capital Park and Planning Commission (M-NCP) has found the property to be within the water service envelope of the 2005 Olney Master Plan and the proposal to be consistent with existing plans. Planning concurs with both agencies’ findings.
WSCCR 20-TRV-01A for Bates
12101 Glen Mill Road

This property is currently in sewer category S-6 (No planned community service), and the owner is requesting to be placed in the S-1 (community service) and to connect to an existing sewer main that traverses the property to the north and east of the existing dwelling. The property is within close proximity to an existing stream and the failure of the septic system threatens the water quality. The existing dwelling was built circa 1957, predating the existing sewer line built in 2007. The property is outside of the sewer envelope, but within the Piney Branch Restricted Community Sewer Service Area, which includes certain conditions in which a property may connect to an existing sewer main, according to Section II.G.11.b. Piney Branch Restricted Sewer Service Area of the WSP. This restricted sewer service area was established in 1991 to minimize the potential effects of sewer-dependent development in the Rural Estate-zoned areas in the lower Piney Branch Watershed. The policy was reexamined and updated in the context of interrelated land use, zoning, and sewer service recommendations in the 2002 Potomac Subregion Master Plan. In order to be eligible for community sewer service, properties within the Piney Branch watershed must satisfy at least one of six conditions related to issues such as sewer service staging, trunk sewer easements, and septic system problems (these conditions are detailed in Appendix C, Section II.L). The 2002 Potomac Subregion Master Plan recognizes the sewer policy within this area, according to the M-NCPPC. Planning concurs with both agencies’ findings.

WSCCR 20-TRV-02A for Madawala
13301 River Road

This property is proposing a new single-family detached dwelling and requests a category change from water category W-6 to W-1 and to connect to an existing water line within River Road. The property is within the area governed by the 2002 Potomac Subregion Master Plan, which recommends service be provided in accordance with the water and sewer policy.

WSCCR 20-TRV-04A for Huggins
10419 Boswell Lane

This property is currently in sewer category S-6, and the owner is requesting to be placed in the S-1 and to connect to an existing water line within Boswell Lane. The existing dwelling was built circa 1953, predating the existing sewer line built in 2016. The property is outside of the sewer envelope, but within the Piney Branch Restricted Community Sewer Service Area, which includes certain conditions (see above) in which a property may connect to an existing sewer main, according to DEP. The 2002 Potomac Subregion Master Plan recognizes the sewer policy within this area, according to the M-NCPPC. Planning concurs with both agencies’ findings.

WSCCR 20-TRV-06A for Dresing
12801 Spring Drive

This property is currently in sewer category S-6, and the owner is requesting to be placed in the S-1 and to connect to an existing sewer main within Spring Drive. The property is outside of the sewer envelope, but within the Piney Branch Restricted Community Sewer Service Area which includes certain conditions (see above) in which a property may connect to an existing sewer main,
according to DEP. The 2002 Potomac Subregion Master Plan recognizes the sewer policy within this area, according to the M-NCPPC. Planning concurs with both agencies’ findings.

WSCCR 20-TRV-07A for Leintu
12007 Piney Meetinghouse Road

This property is currently in sewer category S-6, and the owner is requesting to be placed in the S-1 and to connect to an existing sewer main within Piney Meetinghouse Road. The existing dwelling was built circa 1979, predating the existing sewer line built in 1991. The property is outside of the sewer envelope, but within the Piney Branch Restricted Community Sewer Service Area, which includes certain conditions (see above) in which a property may connect to an existing sewer main, according to DEP. The 2002 Potomac Subregion Master Plan recognizes the sewer policy within this area, according to the M-NCPPC. Planning concurs with both agencies’ findings.

Consistency with the Comprehensive Plan

All six subject properties were developed as single-family homes on large, platted lots. Except for the property located at 16212 Whitehaven Road within the Olney Master Plan, all other lots are located within the Potomac Subregion Master Plan area. Each master plan recognizes the failure or potential failure of septic and the need for potable water in accordance with county policies. Therefore, the amendments are found to be consistent with the applicable master plans.

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.

Growth Tier Map Review
The growth tier map review is applicable to the four properties being proposed for sewer category changes. The associated tiers for each property are listed below:

12101 Glen Mill Road - Tier 3
10419 Boswell Lane - Tier 1
12801 Spring Drive - Tier 3
12007 Piney Meetinghouse Road - Tier 1

Montgomery County may want to consider revisiting its Tier 3 designations for the Glen Mill Road and Spring Drive properties once they are connected, as it is proposing to provide them with sewer service. Since the county will be providing sewer service to these properties that are outside of both the mapped locally designated growth area and the county’s sewer envelope, the county might wish to designate the properties as Tier 1A.
If you have any questions concerning these comments, please contact me at 410-767-1401 or Chuck.boyd@maryland.gov or Susan Llareus at 410-767-6087 or Susan.llareus@maryland.gov

Sincerely,

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; Sylvia Mosser; and Cassandra Malloy, Planning Tony Redman, DNR
Dwight Dotterer, MDA