



December 20, 2024

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

Dear Council President Stewart:

The Maryland Department of the Environment (MDE) has completed its review of **Montgomery County's AD 2024-4 (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 October 31, 2024. The Amendment includes three (3) category changes for several properties:

- WSCCR 24-PVL-01A:** Gary J & J L Hartz: Fisher Avenue, 19000 Block, Poolesville, P915, Pt Friendship Aix La Chapelle, Account Number: 00036344. Requesting a water category change from W-6 (No Planned Service) to W-3 (Immediate Priority), and a sewer category change from S-6 (No Planned Service) to S-3 (Immediate Priority), for a residential subdivision of eight (8), 2+-acre lots with public water and sewer (preliminary plan conditionally approved).
- WSCCR 24-OLN-02A:** Calix Mario Antonio & Sanchez Dora Garcia: 2649 Norbeck Road, Silver Spring, P525, Bradfords Rest, Account Number: 00703350. Requesting a water category change from W-6 (No Planned Service) to W-1 (Existing Service or Under Construction), and a sewer category change from S-6 (No Planned Service) to S-1 (Existing Service or Under Construction), to provide public water and sewer for the existing single-family home.
- WSCCR 24-TRV-05A:** Rima Saliba and Ralph Chami: 12704 Travilah Road, Potomac, Parcel N110, Lot 1, Travilah Hills, Account Number: 00401938. Requesting a water category change from W-6 (No Planned Service) to W-1 (Existing Service or Under Construction), and a sewer category change from S-6 (No Planned Service) to S-1 (Existing Service or Under Construction), to provide public water and sewer for the existing single-family home.

Maryland Department of Planning (MDP) Findings

The Maryland Department of Planning (MDP) has reviewed the water and sewerage amendment pursuant to our mandate to advise the Maryland Department of the Environment (MDE) on local comprehensive plan consistency and other appropriate matters as required by Environment Article Section 9-507 (b)(2) and the Land Use Article Section 1-303 and 1-304.

The final approval action on the subject amendments includes three category changes (WSCCR 24-PVL- 01A: Gary J & J L Hartz, 24-OLN-02A: Calix Mario Antonio & Sanchez Dora Garcia, and 24-TRV-05A: Rima Saliba and Ralph Chami) to the water/sewer category map update of the Water and Sewerage Systems Plan, all of which are **consistent** with the respective governing master plans. MDE should contact MDP if it needs additional comprehensive plan consistency analysis for any of the amendments.

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. Water and Wastewater Capacity

a. 24-PVL-01A: Gary Hartz

- i. Water: These eight (8) new residential lots will add approximately 2,000 gallons per day (GPD) to the Town of Poolesville's Water Treatment Plant (WTP) increasing the plant's flow to 71.6% capacity. There is sufficient capacity at the Town of Poolesville's WTP for this Amendment.
- ii. Wastewater: An email received from D. Wade Yost, Town Manager of the Town of Poolesville, on December 16, 2024, confirms that the Town of Poolesville has granted water and sewer allocation to the Hartz (8-lot) subdivision as evidenced in the Capacity Plan and Annual Sewage flow reports. The WWTP is currently at 0.56 million gallons per day (MGD), with a design capacity of 0.75 MGD, the WWTP has adequate capacity for this development.

b. 24-OLN-02A: Calix Mario Antonio & Sanchez Dora Garcia

- i. Water: This single-family home will add approximately 250 GPD to the Potomac Filtration Plant increasing the plant's flow to 54.2% capacity. There is sufficient capacity at the Potomac Filtration Plant for this Amendment.
- ii. Wastewater: This single-family home will add approximately 250 GPD to the Blue Plains Wastewater Treatment Plant (WWTP) increasing the

plant's flow to 81.5% capacity. There is sufficient capacity at the Blue Plains WWTP for this Amendment.

c. 24-TRV-05A: Rima Saiba and Ralph Chami

- i. Water: This single-family home will add approximately 250 GPD to the Potomac Filtration Plant increasing the plant's flow to 54.2% capacity. There is sufficient capacity at the Potomac Filtration Plant for this Amendment.
- ii. Wastewater: This single-family home will add approximately 250 GPD to the Blue Plains WWTP increasing the plant's flow to 81.5% capacity. There is sufficient capacity at the Blue Plains WWTP for this Amendment.

2. MDE's Wetlands and Waterways Protection Program (WWPP) Comments
Regarding 24-PVL-01A: Gary Hartz:

Map resources from the Watershed Resources Registry do not indicate the presence of nontidal wetlands or waterways for this amendment. However, the submittal suggests that there is a stream on the property. If this is the case and there are waterway/wetland resources onsite, then the following comments apply to this proposed amendment:

1. The amendment mentions new extensions for water and sewer lines, storage facilities, and/or treatment plants. Where practicable, locations of the utility lines and facilities should support protection measures from future development in wetlands, waterways, or floodplains, as well as avoiding and minimizing impacts from the line, treatment facility, and supporting utility infrastructure. Suggested for consideration include:
 - a. A prohibition on new subdivision lots in wetlands;
 - b. Avoidance and minimization requirements;
 - c. Site plan considerations over multiple parcels that provide for contiguous wetland and stream corridors to be maintained, with minimum fragmentation from roads, buildings, or other structures; and
 - d. Location of new or replacement lines in existing utility or road rights-of-way.
2. The WWPP encourages a site design which avoids, or if avoidance is not practicable, minimization of impacts from activities in regulated stream or wetland resources.

Please see enclosed WWPP comments and contact information.

3. Climate Resiliency

Please be advised that based on MDE's Digital Flood Insurance Rate Maps, 24-PVL-01A (Gary Hartz) is located in Flood Zone A (100-year) with Special Flood Hazard Area T to the South of the parcel. The property owners should follow local floodplain ordinances and Federal Emergency Management Agency's guidelines and standards.

It is advised that the county consider climate resiliency for this property, which could include but not limited to the following steps (<https://toolkit.climate.gov/>):

- Explore Hazards: Identify climate and non-climate stressors, threats, and hazards and how they could affect assets (people and infrastructure).
- Assess vulnerability and risks: Evaluate assets vulnerability and estimate the risk to each asset.
- Investigate options: Consider possible solutions for your highest risks, check how others have responded to similar issues, and reduce your list to feasible actions.
- Prioritize and plan: Evaluate costs, benefits, and capacity to accomplish each action integrating the highest value actions into a stepwise plan.
- Take action: Move forward with your plan and check to see if your actions are increasing your resilience with monitoring.

The County is advised to contact Dave Guignet, State National Flood Insurance Program Coordinator (NFIP), of MDE's Stormwater, Dam Safety, and Flood Management Program, at (410) 537-3775 for additional information regarding the regulatory requirements for Floodplains and Storm Surges.

The County is advised to contact Matthew C. Rowe, Deputy Director of MDE's Water and Science Administration (WSA), at (410) 537-3512 for additional information regarding Climate Change and Resiliency.

4. Water Resources Element Guidance Update

There is an updated Water Resources Element (WRE) guidance. The 2022 update WRE guidance can be found at the following link:

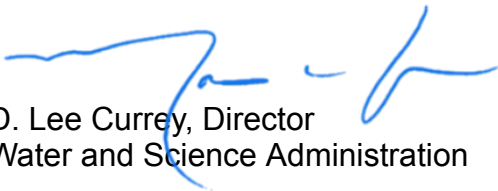
<https://planning.maryland.gov/Pages/OurWork/RRP/envr-planning/water-resources-mg/2022/2022-guidance-update.aspx>

The 2022 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.

In accordance with §9-507(a) of the Environment Article, Annotated Code of Maryland, the Department hereby **approves Montgomery County's AD 2024-4 (Amendment)** to the 2022-2031 Comprehensive Water Supply and Sewerage Systems Plan. See the enclosed table and maps below.

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 Matthew Rowe, Deputy Director, at (410) 537-3578, toll-free at (800) 633-6101, or by e-mail at matthew.rowe@maryland.gov.

Sincerely,



D. Lee Currey, Director
Water and Science Administration

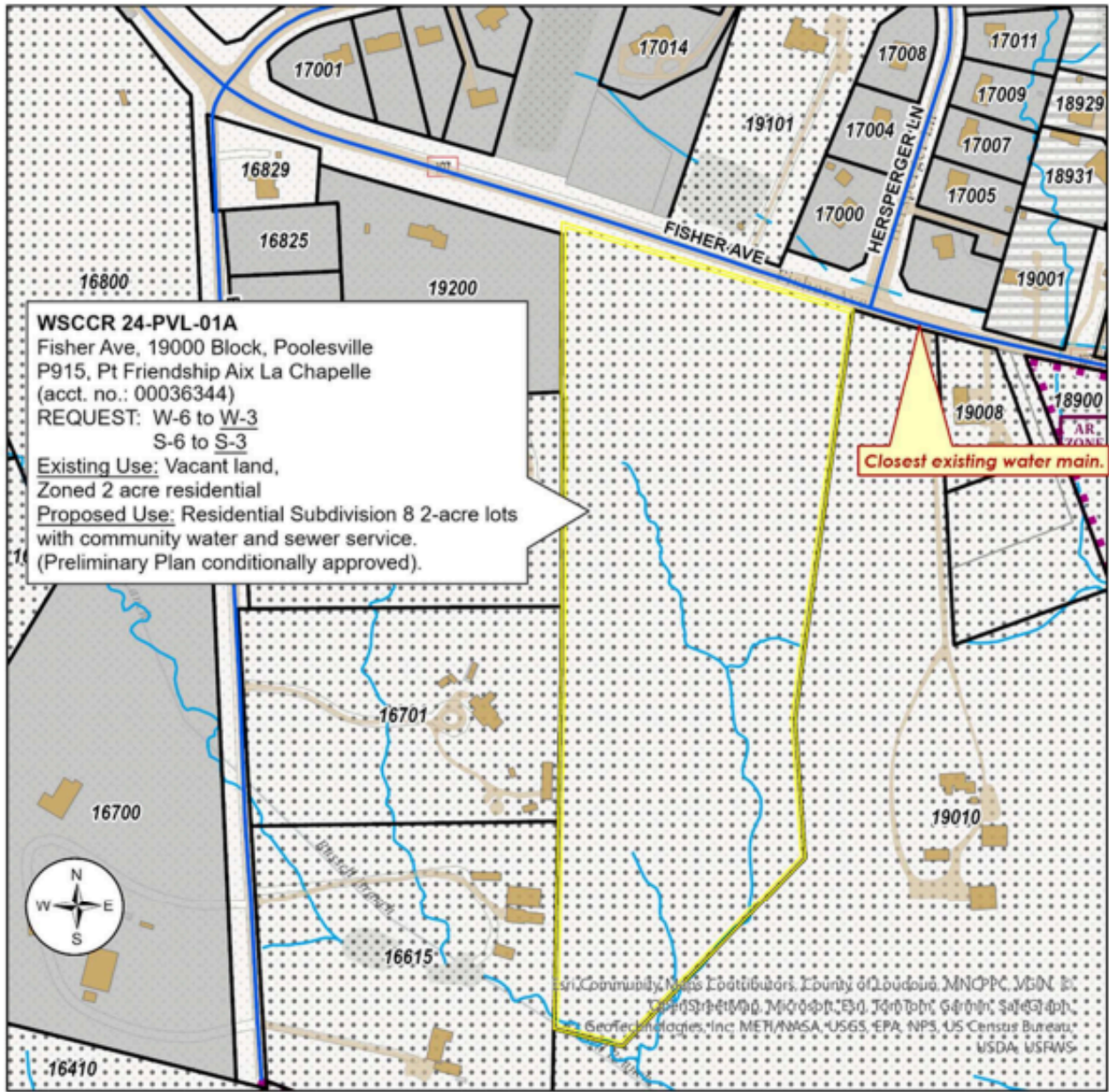
Enclosures

cc: Alan Soukup, Senior Planner, Montgomery County Department of Environmental Protection (DEP)
Timothy Williamson, Planning Specialist III, Montgomery County DEP
Kimberly Morris, Senior Executive Administrative Assistant, Montgomery County DEP
Vicky Wan, Division Chief, Montgomery County DEP
Jason Dubow, Director, Research, Review and Policy Division, MDP
Matthew C. Rowe, CC-P, Deputy Director, WSA, MDE
Dave Guignet, State NFIP Coordinator, Stormwater, Dam Safety, and Flood Management Program, WSA, MDE

**Summary of Montgomery County AD 2024-4 Amendment to the 2022-2031
Montgomery County Water Supply and Sewerage Systems Plan**

Amendment	Location	Request	Administrative Action	MDE Action
WSCCR 24-PVL-01A: Gary J & J L Hartz	Fisher Avenue, 19000 Block, Poolesville, P915, Pt Friendship Aix La Chapelle, Account Number: 00036344	W-6/S-6 (No Planned Service) to W-3/S-3 (Immediate Priority)	Approve W-3/S-3 (Immediate Priority). Administrative policy V.D.2.a: Consistent with Existing Plans	Approve W-3/S-3 (Immediate Priority)
WSCCR 24-OLN-02A: Calix Mario Antonio & Sanchez Dora Garcia	2649 Norbeck Road, Silver Spring, P525, Bradford's Rest, Account Number: 00703350	W-6/S-6 (No Planned Service) to W-1/S-1 (Existing Service or Under Construction)	Approve W-1/S-1 (Existing Service or Under Construction), restricted to single water and sewer service connections only. Administrative policy II.G.3.: community service for properties abutting mains	Approve W-1/S-1 (Existing Service or Under Construction)
WSCCR 24-TRV-05A: Rima Saliba and Ralph Chami	12704 Travilah Road, Potomac, Parcel N110, Lot 1, Travilah Hills, Account Number: 00401938	W-6/S-6 (No Planned Service) to W-1/S-1 (Existing Service or Under Construction)	Approve W-1/S-1 (Existing Service or Under Construction). Administrative policy II.G.3.: community service for properties abutting mains and Potomac Peripheral Sewer Policy (II.M.: Potomac Area RE-1 and RE-2-Zone Properties)	Approve W-1/S-1 (Existing Service or Under Construction)

WSSCR 24-PVL-01A (Gary Hartz) -Town of Poolesville
Requested Service Area Category Map Amendment: Water Plan Map



Town of Poolesville

Russel Branch Watershed (Dry Seneca Cr. Watershed)

Legend

- Subject Property
- County Zoning
- Poolesville_Water_Mains_2
- Property Lines

Water Categories (2021)

- W-1
- W-5
- W-6



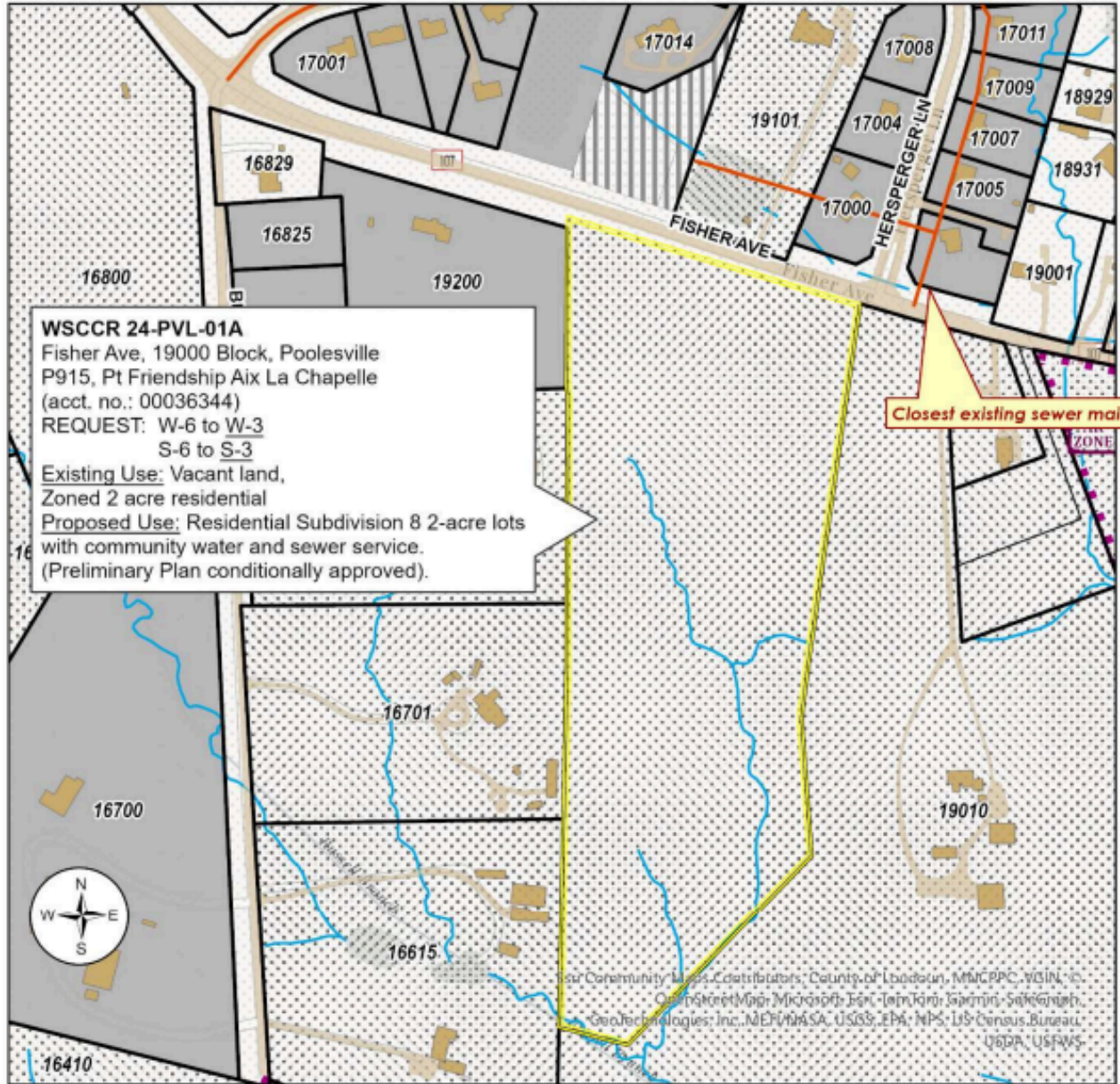
Montgomery County, Maryland
 2022 Comprehensive Water Supply
 and Sewerage Systems Plan



WATERSHED RESTORATION DIVISION
 WATER SUPPLY & WASTEWATER UNIT

8/30/2024

**WSSCR 24-PVL-01A (Gary Hartz) -Town of Poolesville
 Requested Service Area Category Map Amendment: Sewer Plan Map**



WSSCR 24-PVL-01A
 Fisher Ave, 19000 Block, Poolesville
 P915, Pt Friendship Aix La Chapelle
 (acct. no.: 00036344)
 REQUEST: W-6 to W-3
 S-6 to S-3
 Existing Use: Vacant land,
 Zoned 2 acre residential
 Proposed Use: Residential Subdivision 8 2-acre lots
 with community water and sewer service.
 (Preliminary Plan conditionally approved).

Closest existing sewer main.



Map Community Maps Contributors: County of Loudoun, MDCPPC, WGIN, Inc.,
 OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph,
 GeoTechnologies, Inc., MEF/ANSA, USGS, EPA, NPS, US Census Bureau,
 USDA, USFWS

Town of Poolesville

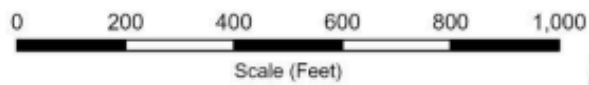
Russel Branch Watershed (Dry Seneca Cr. Watershed)

Legend

- Subject Property
- County Zoning
- Poolesville Sewer Mains (2021)
- Property Lines

Sewer Categories (2021)

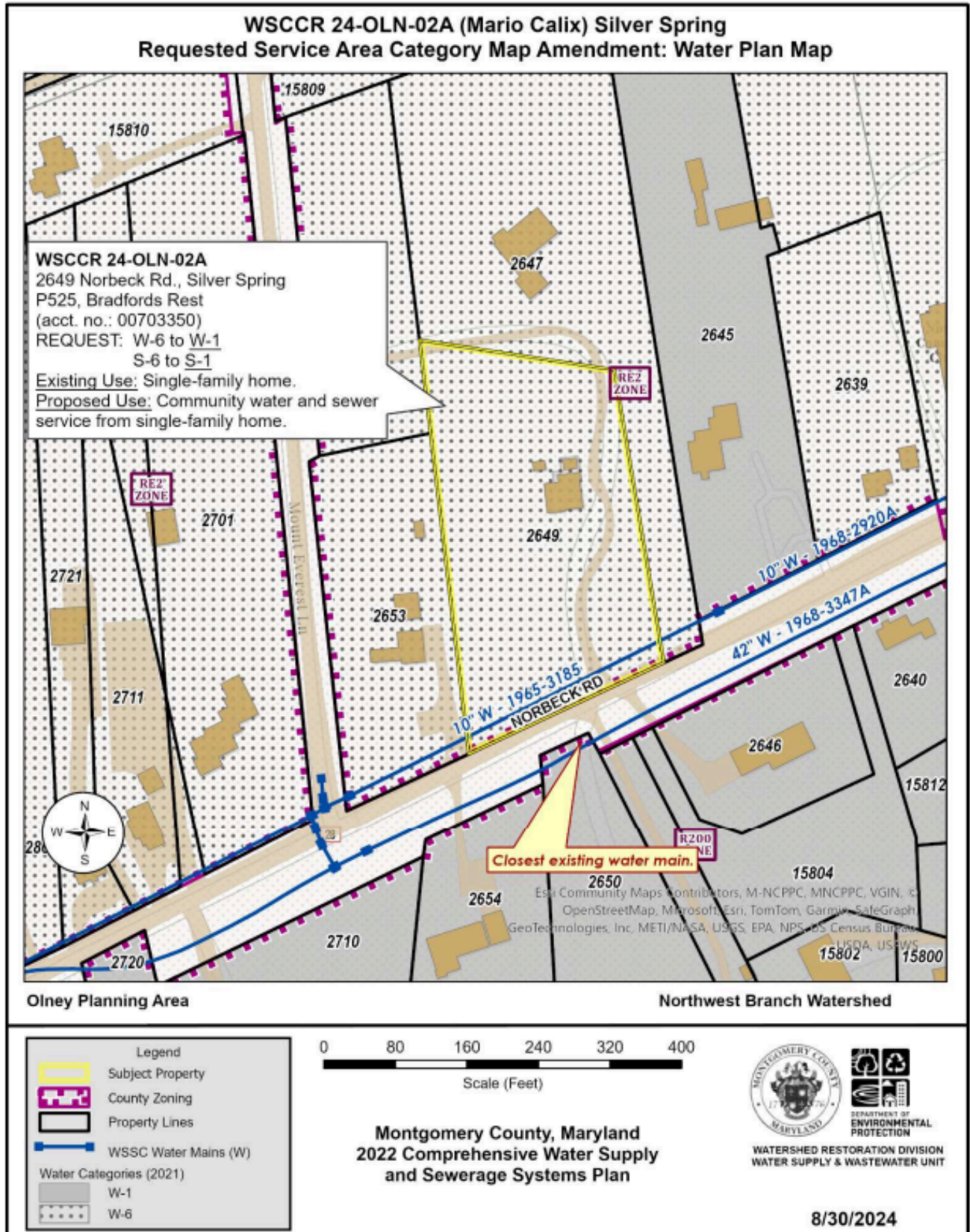
- S-1
- S-3
- S-6

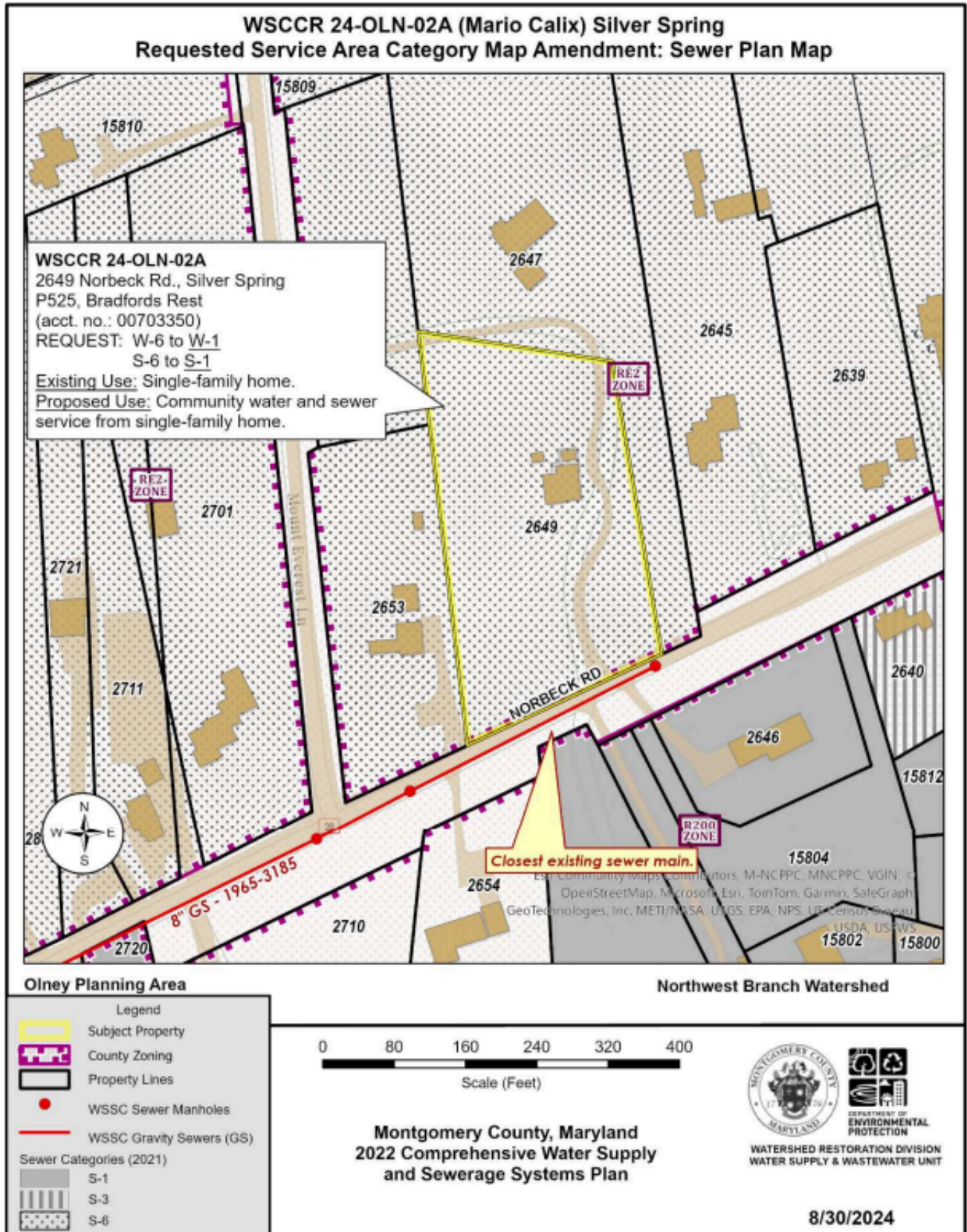


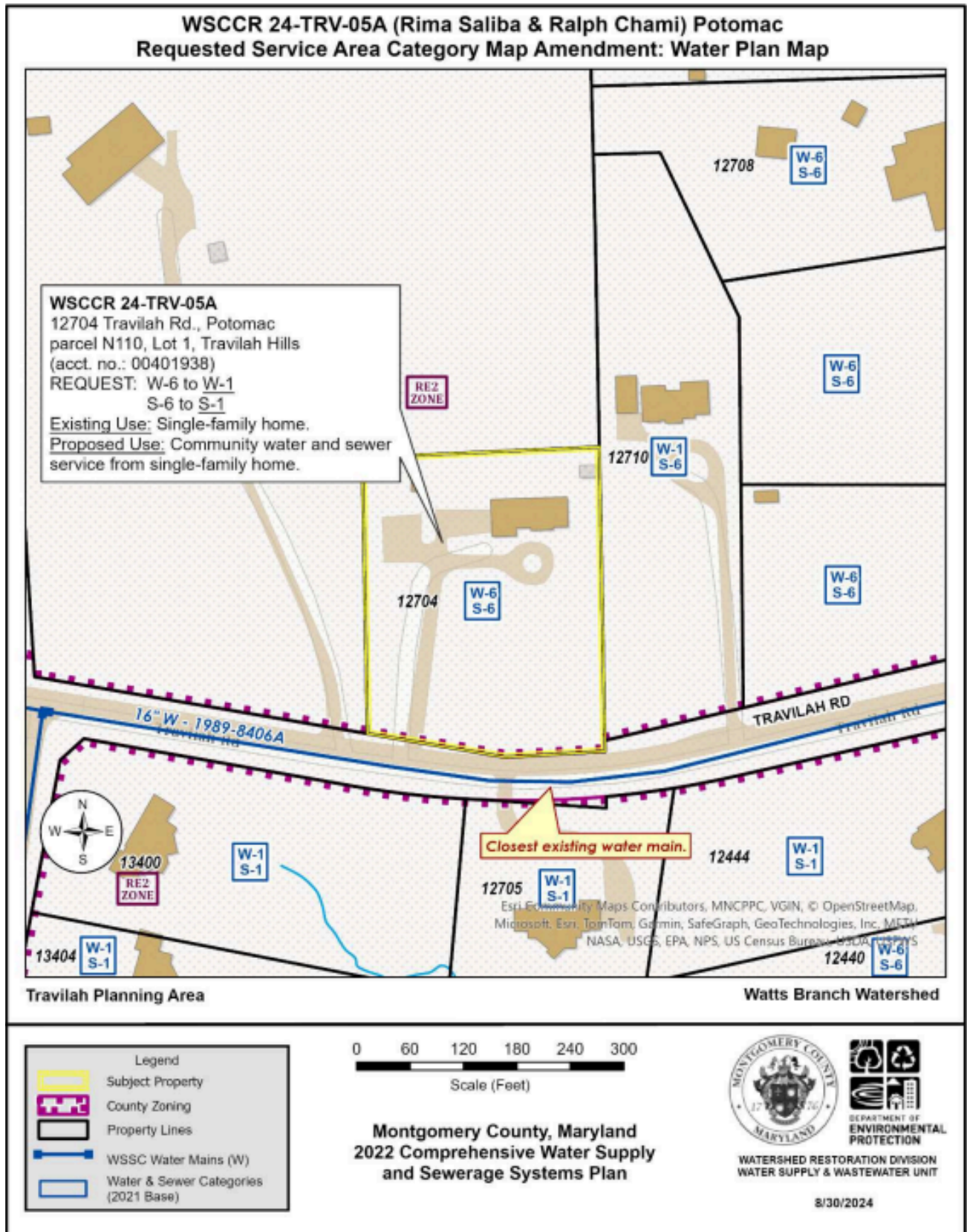
Montgomery County, Maryland
 DEPARTMENT OF ENVIRONMENTAL PROTECTION
 WATERSHED RESTORATION DIVISION
 WATER SUPPLY & WASTEWATER UNIT

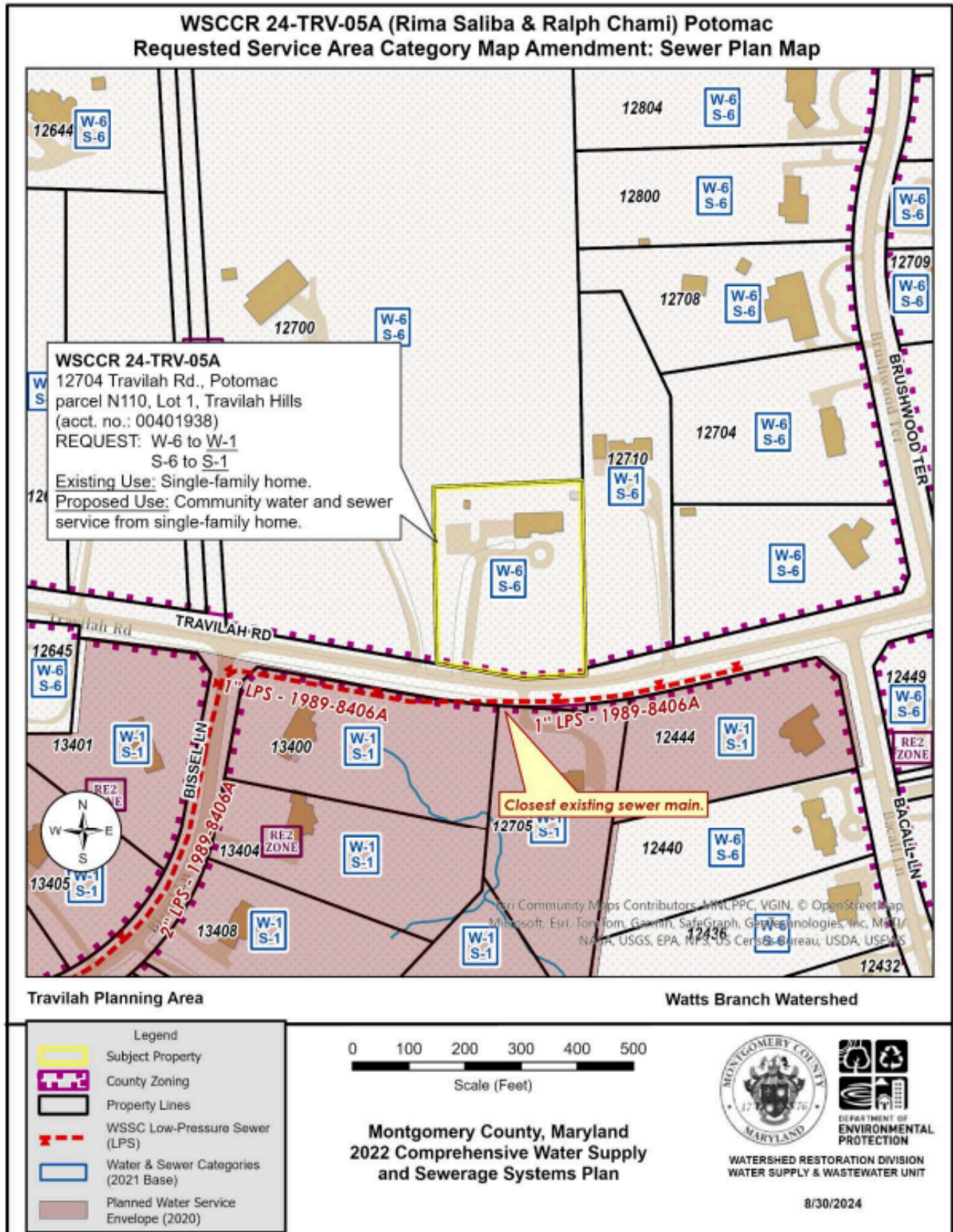
**Montgomery County, Maryland
 2022 Comprehensive Water Supply
 and Sewerage Systems Plan**

8/30/2024









DATE: December 9, 2024

TO: Steve Alfaro, Watershed Protection, Restoration, and Planning Program

FR: Denise Clearwater, Wetlands and Waterways Protection Program

RE: Water and Sewer Plan Amendment – ADOPTED - AD 2024-4 Q4 Amendment to the 2022-2031 Ten-Year Comprehensive Water Supply and Sewerage Systems Plan submitted by Montgomery County.

Wetlands provide important socio-economic benefits and ecosystem services such as storing and conveying flood waters, recharging groundwater, improving water quality by filtering and storing nutrients, and providing shoreline protection and critical habitat for a multitude of plant and animal species. The Maryland Department of the Environment’s Wetlands and Waterways Program protects Maryland wetlands and waterways from loss and degradation. This protection is achieved through the regulation of the draining, dredging and filling of tidal and nontidal wetlands, the nontidal wetland buffer and waterways, including the nontidal 100-year floodplain through a permitting or authorization process implemented in close coordination with the federal government (specifically, the Army Corps of Engineers).

Persons proposing activities in tidal wetlands, nontidal wetlands and their 25- or 100-foot buffers, or nontidal waterways and their 100-year floodplain must submit a Joint Permit Application and supporting information to the Wetlands and Waterways Program. Early coordination with the Program is encouraged to discuss regulatory requirements and minimization of adverse impacts to the regulated resources.

Contact: Wetlands and Waterways Protection Program Office (410) 537-3837
Regulatory Services Section / Application Processing (410) 537-3752

Tidal Wetlands. Activities in tidal wetlands to construct or reconstruct structures, or to dredge or fill a State or private tidal wetland, shall obtain a license from the Board of Public Works or a permit from Maryland Department of the Environment. The construction, reconstruction, alteration, or addition to any conduit, cable, pipeline, intake or discharge pipe, trestle, or other similar device, structure, or apparatus, over, on, in, or under tidal wetlands or waters of the State requires an applicant to submit a Joint Permit Application and supporting information to MDE’s Wetlands and Waterways Program. The Program will review the application and supporting information to make a determination which will be provided in a Report and Recommendation to the Board for their use in making a decision to grant or deny a license for proposed work over, on, in, or under **State tidal wetlands**. The Program will review the application and supporting information to make a determination to issue or deny a permit for proposed work over, on, in, or under **private tidal wetlands**.

A person submitting a Joint Permit Application to obtain a license or permit shall be the riparian landowner of upland adjoining the affected area of State or private tidal wetlands, an agent of the riparian landowner, the State, any unit of the State, a public service company, a municipality, or a political subdivision.

Contact: Tidal Wetlands Division (410) 537-3571

Nontidal Wetlands. MDE regulates the following activities in nontidal wetlands and their 25-foot or expanded 100-foot buffers: (i) Removal, excavation, or dredging of soil, sand, gravel, minerals, organic matter, or materials of any kind; (ii) Changing existing drainage characteristics, sedimentation patterns, flow patterns, or flood retention characteristics; (iii) Disturbance of the water level or water table by drainage, impoundment, or other means; (iv) Dumping, discharging of material, or filling with material, including the driving of piles, and placing of obstructions; (v) Grading or removal of material that would alter existing topography, and (vi) Destruction or removal of plant life that would alter the character of a nontidal wetland.

Contact: Nontidal Wetlands Division (410) 537-3837

Nontidal Waterways and 100-year Floodplain. MDE regulates construction, reconstruction, repair, or alteration of a dam, reservoir, or waterway obstruction or any change of the course, current, or cross section of a stream or body of water within the State including any changes to the 100-year frequency floodplain of free-flowing waters.

Contact: Waterway Construction Division (410) 537-3837

Dam Safety Permits Division (410) 537-3552

Climate Change Resiliency and Flooding. In addition, consideration of measures to address climate change are highly encouraged. This may include designing stormwater management facilities to treat storm events beyond generating more than 1” of runoff in 24 hours, and instead treat more frequent, higher intensity, shorter duration events. Roads crossings over waters may need to be designed to different standards to pass storm flows without infrastructure damage or discharges to aquatic life. Retention or re-establishment of forests is also highly desirable.

The County or applicant is advised to contact Dave Guignet, State NFIP Coordinator, of MDE’s Stormwater, Dam Safety, and Flood Management Program, at (410) 537-3775 for additional information regarding the regulatory requirements for Floodplains and Storm Surges.

The County or applicant is advised to contact Matthew C. Rowe, CC-P, Assistant Director of MDE’s Water and Science Administration, at (410) 537-3578 for additional information regarding Climate Change and Resiliency

I have reviewed the proposed amendment for the Wetlands and Waterways Protection Program and have the following comments:

- 1) There are mapped/wetlands hydric soils or streams and 100-year floodplains in the vicinity of the properties in the plan. The applicant is encouraged to consult with the Wetlands and Waterways Protection Program to verify the presence of wetlands, their buffers, stream and its 100-year floodplain in relation to any activities which are planned for the property. Activities in these water resources

may be subject to regulatory requirements from the MDE's Wetlands and Waterways Program.

- 2) Early coordination with the Wetlands and Waterways Protection Program for new major or replacement lines is recommended in advance of submitting applications and to discuss any new requirements related to restoration of wetlands after temporary impacts.

How will the applicant address the coordination and restoration of wetlands/waters after temporary impacts?

- 3) Early coordination with the Program during planning stages for the project is strongly encouraged to avoid or minimize adverse impacts from regulated activities. If there are activities proposed for new sewer or water projects in regulated resources, the County is encouraged to contact the Wetlands and Waterways Program.

How will the applicant address the coordination and early planning to avoid or minimize impacts to regulated resources?

- 4) The plan mentions new extensions for water and sewer lines, storage facilities, and/or treatment plants. Where practicable, locations of the utility lines and facilities should support protection measures from future development in wetlands, waterways, or floodplains, as well as avoiding and minimizing impacts from the line, treatment facility, and supporting utility infrastructure. Suggested for consideration include:
 - a) a prohibition on new subdivision lots in wetlands;
 - b) avoidance and minimization requirements;
 - c) site plan considerations over multiple parcels that provide for contiguous wetland and stream corridors to be maintained, with minimum fragmentation from roads, buildings, or other structures; and
 - d) location of new or replacement lines in existing utility or road rights-of-way.

What protection measures will the applicant use to avoid and minimize impacts to regulated resources?

- 5) Compensatory mitigation may be required for permanent wetland losses, including conversion of forested wetlands to other wetland types and permanent access roads, and other structures.

- 6) Wetland estimates in the county should use estimates from the National Wetlands Inventory and DNR Wetlands layers. Sensitive resources may be preliminarily identified using the Watershed Resources Registry at:
<https://watershedresourcesregistry.org/states/maryland.html>.

- 7) An evaluation of the site and its vicinity using the Watershed Resources Registry shows the presence of sensitive resources. These may include: sensitive species project review areas, Targeted Ecological Areas, Biodiversity Conservation Network, Nontidal Wetlands of Special State Concern, Tier II watershed, Stronghold Watershed, and/or Forest Interior Species. Contact MDE or the Maryland Department of Natural Resources for recommendations or requirements to avoid or minimize adverse impacts to these resources.

What action has the applicant taken to further identify and minimize adverse impacts to sensitive resources?

- 8) There may be wetland or waterway impacts associated with the project. Impacts will be reviewed by MDE during application review. Pre-application meetings are also available to discuss avoidance, minimization, and restoration after temporary impacts.

- 9) The Wetlands and Waterways Protection Program (Program) encourages a site design which avoids, or if avoidance is not practicable, minimization of impacts from activities in regulated stream or wetland resources.

How has or will the applicant consider a site design which will avoid or minimize impacts to wetland or water resources?

- 10) The Program also supports a cluster design for this project to conserve remaining forest land on site and avoid and/or minimize activities in the stream or potential wetlands.

Has or will the applicant consider use of a cluster design to conserve forest land and avoid or minimize impacts to wetlands, stream, or floodplains?

- 11) The plan/project includes activities in Tier II watershed(s). Tier II streams are high-quality waters that require, under regulation, additional consideration to protect their water quality. Water quality and their associated aquatic resources in Tier II streams require healthy contributing watersheds and riparian areas, including adjacent floodplains and wetlands. Tier II waters may also be associated with other sensitive species and nontidal wetlands of special State concern.

All possible considerations should be implemented to protect high-quality waters and their associated wetlands and floodplains from activities which may result in water quality degradation. This primarily consists of rigorous watershed planning, with consideration of the extra provisions necessary to protect high-quality waters; site design, and construction practices; and compensatory offsets for adverse impacts.

What actions are being considered to protect high quality waters and associated wetlands and floodplains in this Tier II watershed?

12) No comments

13) Additional specific comments

Comments were previously provided on August 12, 2024.

There are no comments for 24-POT-02A... Luke Hendrix; 24-OLN-02A... Mario Calix; and 24-TRV-05A... Rima Saliba & Ralph Chami

Map resources from the Watershed Resources Registry do not indicate the presence of nontidal wetlands or waterways for 24-PVL-01A... Gary J & J L Hartz. However, the submittal for suggests that there is a stream on the property. If this is the case and there are waterway/wetland resources onsite, then comments #4 and #9 apply to this amendment.



Maryland DEPARTMENT OF PLANNING

December 12, 2024

Jeff White, Deputy Program Manager, Watershed Protection, Restoration and Planning Program
Maryland Department of the Environment
Water and Science Administration
1800 Washington Boulevard
Baltimore, Maryland 21230

RE: Revised - Montgomery County Comprehensive Water Supply and Sewerage Systems Plan
Administrative Delegation Action AD 2024-4
Three Water and Sewer Service Area Category Amendments

Dear Mr. White:

The Maryland Department of Planning (MDP) has reviewed the above-referenced water and sewerage amendment pursuant to our mandate to advise the Maryland Department of the Environment (MDE) on local comprehensive plan consistency and other appropriate matters as required by Environment Article Section 9-507 (b)(2) and the Land Use Article Section 1-303 and 1-304. Montgomery County's Department of Environmental Protection (DEP) Director Jon Monger administratively approved Administrative Delegation Action AD 2024-4 on November 7, 2024. MDP offers the following comments for your consideration.

Amendments and Comprehensive Plan Consistency

The final approval action on the subject amendments includes three category changes (WSCCR 24-PVL-01A: Gary J & J L Hartz, 24-OLN-02A: Calix Mario Antonio & Sanchez Dora Garcia, and 24-TRV-05A: Rima Saliba and Ralph Chami) to the 2018-2027 water/sewer category map update of the Water and Sewerage Systems Plan (WSP), all of which are **consistent** with the respective governing master plans. MDE should contact MDP if it needs additional comprehensive plan consistency analysis for any of the amendments.

If you have any questions regarding this review, please contact Susan Llareus at susan.llareus@maryland.gov.

Sincerely,

Jason Dubow, CC-P, Director
Research, Review and Policy Division

Mr. Jeff White
Montgomery Co. WSP Amendment
Administrative Delegation Action AD 2024-04

December 12, 2024
Page 2

cc: Dinorah Dalmasy; Robin Pellicano; Nicholai Francis-Lau; and Steve Alfaro, Maryland Department of the Environment
Tony Redman, Maryland Department of Natural Resources
Dwight Dotterer, Maryland Department of Agriculture
Jason Dubow; Susan Llareus; and Cassandra Malloy, Maryland Department of Planning