

# STORMWATER PARTNERS NETWORK OF MONTGOMERY COUNTY



July 15, 2020

Montgomery County Planning Board

Dear Chair Anderson and Planning Board Members:

We, the Stormwater Partners Network (SWPN) of Montgomery County,<sup>1</sup> submitted a written testimony ahead of the June 25, 2020 Forest Conservation Regulation Amendment hearing and would like to submit additional comments as a response to the testimony provided by the Maryland Building Industry Association during the public hearing.<sup>2</sup>

We support the Planning Staff proposed changes to the Montgomery County Regulation Number COMCOR No, 22A.00.01, Forest Conservation – Trees, Regulations submitted by the Planning Staff to the Montgomery County Planning Board including the current ephemeral channel/streams and buffers definition. We are very concerned, however, that the Association’s proposal, asking the Planning Board to explicitly limit these definitions to ephemeral channels/streams and buffers only the Ten Mile Creek watershed, is unnecessary in this instance, premature, and would set back a good-faith discussion on how best to protect our essential ephemeral streams, no matter where they occur. Instead, we ask that the ephemeral stream provisions slated to be applied to Ten Mile Creek move ahead as planned and that staff and the Planning Board make no effort to preclude applying the definitions and protections to any other ephemeral channels/streams and buffers in Montgomery County, now or in the future. Specifically, we ask the Planning Board to keep the staff’s recommended definitions for Ephemeral Channel Buffers in the “Environmental buffers,”<sup>3</sup> and the Natural Resource Inventory and Forest Standard Delineation (NRI/FSD) requirements<sup>4</sup> section. As with our original testimony, simply stated, it is easier to conserve forest cover and our waterways than to replace or restore them.

If you have questions or comments about our position or concerns, please contact Jeanne Braha ([jbaha@rockcreekconservancy.org](mailto:jbaha@rockcreekconservancy.org)) and Eliza Cava ([eliza.cava@anshome.org](mailto:eliza.cava@anshome.org)), co-chairs of Stormwater Partners Network, or Denisse Guitarra ([denisse.guitarra@anshome.org](mailto:denisse.guitarra@anshome.org)), MD Conservation Advocate at ANS.

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<sup>1</sup> The Stormwater Partners Network is composed of organizations and individuals who support more effective stormwater policies and management in Montgomery County, MD, with the goal of clean and healthy streams throughout the county. We have worked collaboratively with county and state agencies and legislators to modify existing policies and practices so that they foster water infiltration rather than runoff. A full list of our current membership can be found on our website, [www.stormwaterpartnersmoco.net](http://www.stormwaterpartnersmoco.net).

<sup>2</sup> Forest Conservation Public Hearing June 25, 2020 – Additional Correspondence - Available from: <https://montgomeryplanningboard.org/wp-content/uploads/2020/06/Item-4-Correspondence-Staff-Draft-of-Amended-Administrative-Regulations-for-Chapter-22A-Forest-Conservation-Public-Hearing.pdf>

<sup>3</sup> Attachment A: Forest Conservation – Trees, Regulations Proposed Changes – Section 22A.00.01.03 - Definitions – 17-Environmental Buffers. Available from: [https://montgomeryplanningboard.org/wp-content/uploads/2020/06/AttachmentA\\_Chapter-22A.-Forest-Conservation-Trees-Regulations\\_Proposed-Changes-2018\\_2020\\_Attachment-A.pdf](https://montgomeryplanningboard.org/wp-content/uploads/2020/06/AttachmentA_Chapter-22A.-Forest-Conservation-Trees-Regulations_Proposed-Changes-2018_2020_Attachment-A.pdf)

<sup>4</sup> Attachment A: Forest Conservation – Trees, Regulations Proposed Changes – Section 22A.00.01.06 - Natural Resource Inventory and Forest Standard Delineation (NRI/FSD) requirements – section 5. Available from: [https://montgomeryplanningboard.org/wp-content/uploads/2020/06/AttachmentA\\_Chapter-22A.-Forest-Conservation-Trees-Regulations\\_Proposed-Changes-2018\\_2020\\_Attachment-A.pdf](https://montgomeryplanningboard.org/wp-content/uploads/2020/06/AttachmentA_Chapter-22A.-Forest-Conservation-Trees-Regulations_Proposed-Changes-2018_2020_Attachment-A.pdf)

# STORMWATER PARTNERS NETWORK OF MONTGOMERY COUNTY



Sincerely,

## Organizational and individual members of Stormwater Partners Network:

Denisse Guitarra  
MD Conservation Advocate  
Audubon Naturalist Society

Deborah Sarabia  
President  
Seneca Creek Watershed Partners

Emily Ranson  
Maryland Director  
Clean Water Action

Jeanne Braha  
Executive Director  
Rock Creek Conservancy

Ginny Barnes  
Vice-Chair  
Conservation Montgomery

Diane Cameron  
Director  
TAME Coalition  
(Transit Alternatives to Mid-County  
Highway Extended)

David Dunmire  
Board of Directors  
Eyes of Paint Branch

Kenneth Bawer  
Vice President  
Watts Branch Watershed Alliance

Kit Gage  
Advocacy Director  
Friends of Sligo Creek

Anne James  
President  
Friends of Ten Mike Creek

**Individuals:**  
Peggy Dennis  
Pia Iolster  
Karen Metchis  
Dr. Willo Pequegnat  
Frank Sanford

Benjamin Alexandro  
Water Program Director  
Maryland League of Conservation Voters

Kirsten Johnson  
Member of the Board of Directors  
Maryland Native Plant Society

Caroline Taylor  
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Montgomery Countryside Alliance

Emmalee Aman  
Policy Director  
Potomac Conservancy