

STORMWATER PARTNERS NETWORK OF MONTGOMERY COUNTY



July 1, 2021

Written comments from Stormwater Partners Network of Montgomery County on Montgomery County's New General Master Plan - Thrive Montgomery 2050.¹

Dear Montgomery County Council,

We, the Stormwater Partners Network (SWPN) of Montgomery County², provide the following comments and recommendations to the County's New General Master Plan - Thrive Montgomery 2050. The network has historically worked towards implementing stronger regulatory measures to strengthen our stormwater management and infrastructure, increase infiltration of water on site instead and decrease stormwater runoff into our precious local waterways. Flooding is one of the major drivers of habitat and infrastructure degradation in the county, and one of the costliest impacts. With more frequent and heavier rainstorms due to climate change, we highlight the urgent need to take a close look and an immediate action on our stormwater management and infrastructure. We provide the following comments on the Thrive 2050 Plan under these categories: general comments, protection and creation of greenspaces, stormwater infrastructure, stormwater regulations, natural solutions for climate resilience, sustainable urbanism, and the Agricultural Reserve. In addition, we make connections to the Climate Action Plan (CAP) along with our recommendations listed below. We thank the Council for the opportunity to provide comments on Thrive 2050.

General Comments

Overall, while the Plan has a number of strengths, particularly in its emphasis on increasing parks and greenspaces, it lacks a strong emphasis on climate change, stormwater management, and implementation steps. Earlier Thrive 2050 draft Plans contained a much stronger and extensive list of policies and actions specific to the environment and climate change. SWPN asks Council to revise the Plan to bring back the “Health and Sustainable Environment” and the “Implementation” chapters of the Thrive 2050 Draft Plan released in October 2020³ or to call out the specific parts of these cross-cutting elements in the current draft's chapters. These two chapters would put a greater emphasis on the specific policies and actions that policy makers must take into

¹ Thrive Montgomery 2050 (April 2021) Available from: https://montgomeryplanning.org/wp-content/uploads/2021/02/THRIVE-Planning-Board-Draft-2021-Pages_web.pdf

² 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. A full list of our current membership can be found on our website, www.stormwaterpartnersmoco.net.

³ Thrive Montgomery 2050 - Public Hearing Draft Plan. October 2020. Available from: <https://montgomeryplanning.org/wp-content/uploads/2020/10/Public-Hearing-Draft-Plan-Thrive-Montgomery-2050-final-10-5.pdf>

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consideration while planning for a climate resilient county while also creating a stronger commitment with county residents that these policies will be implemented.

It is also critically important that the Thrive 2050 Plan be closely coordinated with the Climate Action Plan and subsequent Sector Plans, as sustainable and equitable land use is closely linked to many of the actions listed in CAP. Enforcement and strengthening existing laws protecting our forests and waterways must also be highlighted in the final Thrive 2050 Plan as approved by Council.

Protection and Creation of Greenspaces

We support the Plan's recommendation of increasing the number and total acreage of parks, protecting our parks as natural solutions for climate resilience, biodiversity, and habitat protection, and fostering healthy communities. We support creating more opportunities and eliminating barriers for underserved communities to enjoy the wonders of our Parks system. In addition, we urge the Council to prioritize Thrive preserving and enhancing the County's more remote, natural Parks-managed areas. Protecting and expanding our currently existing green spaces, forests, and waterways will always be more cost effective for climate change mitigation than to destroy and then replace them elsewhere due to sprawl development.

Stormwater Infrastructure

SWPN have been pushing the county for years to incorporate more Green Streets and green infrastructure for stormwater resilience in particular. However, the county lacks the real policy implementation steps and budget allocation needed for these to become effective and measurable climate change adaptation actions. The Thrive 2050 Plan should direct that any time our stormwater infrastructure is opened up for repairs or reconstructions, it is enhanced or prepared to meet or exceed current stormwater management standards, with green infrastructure (i.e. the addition of bioswales, grass swales, and tree boxes, etc.) taking first priority. Evolution of stormwater designs, maintenance protocols, and funding priorities must follow our experience with current stormwater facilities' functioning during and after storms. In alignment with CAP actions, listed in the Climate Adaptation chapter, we support: 1) investment and repair water infrastructure for climate resilience, 2) repair culverts, 3) set up temperature and monitoring sites in our waterways, 4) increase Green Streets programs across the county, 5) update our floodplain maps, 6) increase protection our water supply areas, and 7) and expand community gardens. A closer cross collaboration between Thrive and CAP on stormwater infrastructure is a much-needed step in both plans.

Stormwater Regulations

The Plan should place an increased emphasis on stormwater management that not only meets but exceeds our current stormwater regulatory requirements, knowing that climate change is already

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increasing the frequency and volume of rainstorms. Within both Thrive 2050 and the CAP plans we now have an opportunity to exceed MS4 permit requirements by enhancing and improving green infrastructure. Local requirements overall should codify stricter stormwater management requirements than those the state has proposed and should be considered as part of the Thrive 2050 Plan. The county needs to revise the process of granting waivers on stormwater requirements for re-development, and we support the recommendation to move towards banning them. According to our research, these are currently granted very frequently but difficult to track due to limitations in DPS' systems. We need to know the volume of water is being waived, and where, in order to accurately address the issue. Another opportunity that Thrive could include would be adding more impervious surface cap overlays to sector and master plans. The General Plan should provide a process for prioritizing and doing.

Natural Solutions for Climate Resilience

When possible, we support the increased protection of forests, waterways, and soils as natural solutions to stormwater management as part of climate change mitigation, adaptation, and resilience. Trees and healthy soils provide countless ecological services such as flood prevention, carbon sequestration, air, and water purification, and reduction of urban heat island effects. None of these services could ever be replaced by built infrastructure, and all County-funded agencies must adopt a “first do no harm to forests” policy, which means that policies and design protocols acknowledge the water management functions of forests, and we locate stormwater and other facilities in already-cleared portions of landscapes. In connection to the CAP, the Thrive Plan should reflect the Carbon Sequestration chapter's Actions, which provide an overview of protections to forests, wetlands, and agricultural lands. We are in strong favor of the actions described in the Sequestration section, as not only would they help reduce the threat of climate change by locking carbon in soils, fields, and forests, those healthy ecosystems are the same ones that protect our water supplies and waterways.

Although these natural solutions to climate resilience are a great start, we need to do more to protect these valuable natural resources. We recommend the addition of ***“a no net loss of forest”*** policy in the Plan as part of updating the county's Forest Conservation Law (FCL). Such a step would also follow other counties around the state which have strengthened their FCLs. The Chesapeake Bay TMDL “pollution diet” rests on a fundamental assumption that Bay wide, and statewide in Maryland, we are maintaining existing forest cover levels and not losing forest. Since the FCL only applies to development projects covered by its calculation requirements, the county can suffer forest and tree canopy loss even if “no net loss” is achieved under the FCL. Therefore, in addition to no net loss under the FCL, we propose a county-wide policy goal to increase total tree canopy cover and total forest cover.

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Sustainable Urbanism

Many of our members take different positions on housing overall - allowable types, densities, affordability metrics, etc. However, to the extent that additional density is allowed in transit-oriented locations, Council and Planning Department should create policies within Thrive 2050 that would allow any new buildings to be built within existing plot sizes and set back requirements while ensuring county agencies fully enforce all existing laws and policies, including for stormwater management and forest conservation, and do not allow waivers of environmental requirements. It is also essential that urban dwellers have access to high-quality parks and greenspaces, which can include stormwater bioretention. We do not need to compromise the environment for density, we can have a balance of both simultaneously if the Plan calls for it and the County enforces it.

Agricultural Reserve

The Plan lacks clear, full-throated support for the continued primacy of farming and forestry in the Ag Reserve. Reserve stakeholders have frequently expressed concerns regarding the absence of specificity in long-term commitments to protect the Reserve in the Thrive 2050 update, and Council in conjunction with the Planning Department should address that need proactively. The Plan should evaluate existing policies, clearly and strongly plan for the future of the Agricultural Reserve and seek to create new policies that find a balance between food accessibility, sustainability, equity, and climate change. The Agricultural Reserve is one of the treasures of Montgomery County, and the Plan should make it crystal clear that it will still be such a treasure in 2050. The Agricultural Reserve, and other low-density parts of the county, represent the other side of the coin to more urban parts of the county - they enable the historic vision of the “wedges and corridors” that has so long shaped the County’s growth. As currently written, there is too much uncertainty to ensure that this is indeed a priority for the County.

SWPN looks forward to working with the County Council and other county agencies in the creation of strong policies and actions around stormwater that will create healthy and resilient communities around the worst effects of climate change while striving to protect our forests, waterways, and wildlife habitats.

Sincerely,

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