

ST. MARY'S COUNTY GOVERNMENT COMMISSION ON THE ENVIRONMENT

P.O. Box 653 - Governmental Center
Leonardtown, MD 20650
Telephone (301) 475-5621
FAX (301) 475-4489

2005 & 2006 Annual Report

This Annual Report covers the 2005 & 2006 calendar years and is submitted on behalf of the members of the Commission on the Environment (COE). Members present during all or a part of this reporting period are listed below:

Nancy Smith (Chairman, deceased)
Barne Wheeler (Chairman)
Sandy Neville
Bill Shreve
Sue Veith (Dept. LU&GM, exofficio)

Kurt Engel (resigned 2006)
Frank Allen
Marta Kelsey
Susan Blake
Daryl Calvano (SMHD, exofficio)

1. The purpose of the Commission on the Environment is to:
 - 1.1. Promote environmental awareness by research, by information gathering, and by public meetings.
 - 1.2. Involve citizens through a variety of means to effect improved community understanding.
 - 1.3. Serve as County government's official representation in matters related to the environment.
 - 1.4. Serve as liaison with federal, state, and other local governments and with civic organizations and the general public.
 - 1.5. Investigate, analyze, and make recommendations on environmental matters as required by the Board of County Commissioners (BOCC).

2. Introduction:

The Commission on the Environment (COE) wishes to recognize the efforts and long-term support of Nancy Smith, who served as a member of the COE Board for 14 years. Nancy was committed to the COE's mission and goals and led the COE in accomplishing many great things over the years. Nancy was dedicated to preserving the unique environment of St. Mary's County and also in creating community awareness of environmental issues. Her presence in the world will be greatly missed by many.

The mission of the COE is simple. Through community outreach and individual involvement we seek to promote environmental awareness among St. Mary's County residents as well as surrounding regional areas. We also seek to be effective in making sound recommendations to St. Mary's County leadership with the intent of having a positive impact on our surrounding environment.

As a reader of this year's annual report, if you are interested in becoming a COE member (board member or otherwise) please join us on the first Wednesday of every month at 7:00 pm at the St. Mary's County Governmental Center, Room 14, located in Leonardtown. Please visit our website (<http://www.co.saint-marys.md.us/voluntr/page13.asp>) for more information (location, meetings minutes, by laws, hyperlinks, etc.). As space is available, board members are appointed for a period of four years. An application must be submitted to the County's public information office to express interest in a board position. Individuals that are interested in joining as non-voting members are encouraged to attend meetings on a walk-in basis or they can contact the COE through the County's Environmental Planner, Sue Veith, at sue.veith@co.saint-marys.md.us. Non-voting members can be utilized in sub-committees and to assist in keeping the COE board informed of environmental issues and citizen concerns.

3. **Significant Activities and Accomplishments During 2005 & 2006:**

- 3.1. **Managing County Potable Water Supplies.** After 6 long years, our Water Policy Task Force (WPTF) finally had sufficient, reliable information to recommend a plan for managing our County's potable water. This plan was presented to the Planning Commission, as well as to the BOCC. Subsequently, all Commissioners signed a letter outlining the County's intended strategy. This letter was forwarded to MD State Senator Roy Dyson, the Southern Maryland representative on the State Water Resources Management Advisory Board. This letter is included as Enclosure 1, however several important points should be highlighted.
 - 3.1.1. If County growth continues as planned, it is just a matter of time before our aquifers, which now supply all of our drinking water, will no longer be able to meet the demand. This will require that priority be placed on identifying alternative sources.
 - 3.1.2. Steps must be taken now to more completely identify and protect aquifer recharge areas, lest these areas be inadvertently damaged and our water supplies jeopardized.
 - 3.1.3. Exactly what happens when the Management Level in an aquifer is reached must be more clearly delineated. Specifically, what happens when this occurs? And, how large a geographical area is affected? Significant clarification of both issues is required.
- 3.2. **Protecting our Aquifers.** The WPTF was also instrumental in changing our zoning ordinance (Section 70.9) to enhance aquifer protections, in both our Development Districts & Town & Village Centers and in our Rural Preservation District (RPD). This change requires that central water be provided to all new developments in designated growth areas and for housing developments of 25 or more units in the RPD. This change will result in fewer wells being drilled into the Piney Point and Aquia Aquifers and will insure that the ones that are dug use the deeper and less stressed Patapsco Aquifer. The change also enables larger housing developments in the RPD to have fire protection installed in each domicile, thus providing an additional safety benefit.
- 3.3. **Environmental Quality of Development in Growth Areas.** The County Commissioners asked the COE for input on what specific environmental issues should be emphasized when development in Growth Areas is being considered. The COE provided this input in a series of 8 prioritized recommendations in a May 4, 2005 memorandum, which is attached as Enclosure 2. The first three of these, because of their essentiality, are summarized below:
 - 3.3.1. **Limit Impervious Surfaces to 15%.** Whenever more than 15% of a drainage basin is converted to an impervious surface, streams, rivers, wetlands and tidal areas suffer badly, and die when the amount reaches 25%. The County must take vigorous steps to incorporate appropriate changes to the zoning ordinance to insure that impervious surface limits are a major consideration in the development and re-development process.
 - 3.3.2. **Require More Efficient Clustering of Housing Developments.** Current housing developments have no clustering requirement other than protecting at least 50% of each parcel. It has been shown that closer clustering reduces infrastructure costs, impervious surfaces, storm water management and runoff problems and is good for the surrounding wildlife. Again, changes to the zoning ordinance would rectify this situation.
 - 3.3.3. **Strengthen Storm Water Management Requirements.** Current regulations require only modest improvement in water quality above the existing condition, and no limits on runoff quantity. There is ample evidence that the rivers and streams feeding our Bay and the Bay itself are continuing to degrade from an already unacceptable state. Storm water management regulations must be changed to require that designs for all new development or re-development insure that runoff leaving a site matches the runoff quality and quantity of a fully forested condition on the site.

3.4. **Transferable Development Rights (TDR).** The County Commissioners also asked the COE to review the existing County TDR program, similar programs in place in other jurisdictions, and the proposals offered to date by the various interest groups and make recommendations as appropriate. The COE provided a letter to the Commissioners, dated August 18, 2005, which responded to this request with a list of five specific recommendations. This letter is included as Enclosure 3. Three of these recommendations deserve highlighting:

3.4.1. **Insure Sale of TDRs Occurs on Developable Land Too.** Current proposals have TDRs being given for non-developable as well as developable land. Currently, there is nothing to prevent a landowner from selling TDRs only on non-developable acreage, thus retaining the rest of his property for later development. The COE believes this defeats the intent of the TDR program. A way must be found to insure that TDRs on both developable and non-developable land are used in a manner which accomplishes the overall goal of the TDR program.

3.4.2. **Consider Making Certain Land Areas More Important.** The COE believe there is merit in targeting an area of the County specifically for agricultural preservation and to make TDR's in those areas more valuable. Doing so we believe would curtail the proliferation of large developments in those areas designated as crucial for preservation.

3.4.3. **Tie Affordable Housing to the TDR Process.** Affordable housing is crucial to the County's continued viability as a desirable place to live and work. Moderate to lower income families have to have a place to live. The COE is convinced that every effort must be made to find ways to encourage developers to include affordable housing in their developments. If the TDR process can be used to encourage this to happen, it should be strongly considered.

3.5. **Lexington Park Development District (LPDD) Expansion.** The Commission argued against the LPDD boundary expansion at this time, since only a small portion of the area in the District has currently been developed.

3.6. **Sustainable Building Forum.** The COE, in conjunction with the St. Mary's County Public Schools (SMCPS), held a successful Sustainable Building Forum on February 24, 2007. The Forum was held in the Leonardtown High School Tech Center, and consisted of presentations by the SMCPS Superintendent, Green Building Architects working at St. Mary's College and representatives from SMECO and the St. Mary's County Metropolitan Commission, and over 20 separate displays of Sustainable Building products and concepts.

3.7. **Consolidation with the St. Mary's River Watershed Commission.** The Commissioners agreed with the COE recommendation to disestablish this Commission and incorporate its responsibilities within the COE. To handle the increased workload and responsibility, the membership of the COE was increased from 7 to 9.

4. **Future Plans, Goals and Objectives:** The members of the Commission strongly believe, if they are to adequately perform the duties outlined in Paragraph 1 above, a more proactive approach is necessary. To that end, the COE has developed a set of draft goals for the upcoming year and beyond. Beneath each goal are one or more prioritized draft sub-objectives. The goals themselves are not necessarily in priority order. This set of draft goals and objectives will be the work plan of the Commission for the following year, with revisions made as needed based on County Commissioner input and feedback from County residents. Our initial "Draft Goals and Objectives" are listed below. We ask that the County Commissioners review them and provide guidance and direction as necessary.

DRAFT - COE GOALS & OBJECTIVES

The Commission interprets the word “environment” in its broadest terms, encompassing our lifestyle, quality of life and how our actions influence, for good or for bad, the habitat in which we live. The goals of the Commission are as follows, with subordinate objectives listed beneath. Priorities for accomplishment have not, as yet, been finalized.

1. Become the County’s focal point for environmental matters.
 - 1.1. Push for the COE to be formally consulted for environmental input on all zoning and land use changes.
 - 1.2. Solicit citizen environmental concerns, examine and take action as required, provide feedback.
2. Inform County citizens on the environment and enhance their environmental awareness and concern.
 - 2.1. Publish regular letters to the editor in the Enterprise, St. Mary’s Today, County Times.
 - 2.2. Invite speakers on specific subject to present at COE meetings, advertise and televise.
3. Publicize and advertise environmental issues throughout the county.
 - 3.1. Hold at least one Environmental Forum annually.
 - 3.2. Make better use of the COE’s County web page.
 - 3.3. Make better use of the County’s TV capabilities.
4. Establish an active, effective network of environmental, economic, land use, enforcement and social organizations & groups.
 - 4.1. Develop a list of organizations and activities, which should be contacted.
 - 4.2. Contact these organizations to determine their interest, obtain names, addresses, e-mails as appropriate
 - 4.3. Plan to hold regular “environmental summits” where issues, concerns and solutions can be shared among all interested organizations/activities.
5. Undertake environmental studies of important issues and make recommendations to the County Commissioners.
 - 5.1. Investigate how improved septic tank advanced treatment techniques can be effectively used in the County.
 - 5.2. Study how “Green Building” techniques can be effectively integrated into County zoning requirements.
 - 5.3. Investigate methods for assuring Affordable Housing is provided throughout the County.
 - 5.4. Support adoption of TDR proposals that enhance the County’s goal of protecting its rural character.
 - 5.5. Study the feasibility and impact of restricting open-air fires.
 - 5.6. Investigate the process of sub-dividing property or parcels and its impact, if any, on the environment.
6. Study & take positions on the County’s potable water quality & quantity.
 - 6.1. Monitor the effectiveness of the County’s aquifer use and make reports to the BOCC.
 - 6.2. Support and re-emphasize the importance of connecting to central water wherever possible.
 - 6.3. Investigate requiring large industrial/commercial activities to avoid use of aquifers that provide potable water for the County.
7. Study and take positions on the health and cleanup of the Chesapeake Bay, its tributaries and the wildlife these bodies of water support.
 - 7.1. Re-evaluate the Zoning Ordinance relative to the Critical Area, Buffer Zone and related rules governing approval of Variances to determine if environmental objectives are being met.
 - 7.2. Study ways to effectively incorporate impervious surface considerations into County development and re-development plans.
 - 7.3. Investigate the use of TDRs in Critical Area and Buffer Zone areas to enhance protection of streams, tidal wetlands, rivers and the Bay.
 - 7.4. Consider adopting development rules that would insure that new construction in the County would be done so that drainage and storm water runoff would be “substantially” improved for existing structures and “forest equivalent” for new facilities.
 - 7.5. Determine whether allowing small subdivisions in the Rural Areas not to be counted against County adequate public facilities requirements is producing any adverse impacts on our environment or quality of life.

- 7.6. Determine if building construction inspections, staffing to accomplish them and penalties for non-compliance are adequate to insure compliance with plans approved in DLU&GM, and to adequately protect Storm Water Management, Sedimentation & Erosion Control, Critical Area and Buffer Zone requirements.
8. Study and recommend actions the County can take to counter climate change.
 - 8.1. Make information on climate change more available to County residents.
 - 8.2. Investigate high payoff actions the County might take that would produce positive climate change results.

Approved by the following Commission on the Environment voting Members:

Barne Wheeler

Susan Blake

Marta Kelsey

Frank Allen

Bill Shreve

Sandy Neville

Authenticated by: Barne Wheeler, Chairman, COE _____

3 Enclosures:

BOCC Letter to Senator Roy Dyson

COE Memorandum on Improving Environmental Quality of Development in Growth Areas

COE Memorandum on the Transferable Development Rights Program in St. Mary's County