

ST. MARY'S COUNTY GOVERNMENT
COMMISSION ON THE ENVIRONMENT

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November 5, 2009

Board of County Commissioners for St. Mary's County
P.O Box 653, Governmental Center
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Dear Commissioners:

The Commission on the Environment would like to take this opportunity to formally comment on the County's draft 2009 Comprehensive Plan now under review by your office. Overall the Commission believes that the current draft Comprehensive Plan is a welcome and ambitious improvement over the previous plan, particularly where the need to preserve the County's rich environmental heritage is concerned. We do, however, have several comments and recommendations. Our recommendations and supporting rationale follow and are keyed to the appropriate Plan paragraph:

1. General Comment. We recommend that future Comprehensive Plan updates highlight significant changes or departures from the previous Plan (2002 in this case). An approach similar to that used in updating the County's Zoning Ordinance would improve readability and ensure that it is easy for citizens to identify where the new plan differs from the old and where major changes have been made.
2. Chapter 2, Successes and Challenges. The adoption and implementation of the County's Annual Growth Policy is not mentioned at all except in paragraph 2.2, Vision 2, paragraph C where it states that this Plan must be implemented. We believe that the adoption of this policy is a major accomplishment and its successful implementation should be claimed as a major success. It establishes annual County growth targets, directs 70 percent of new development into developed areas where we wish growth to occur. As importantly, both minor and major housing subdivisions must now be counted towards school overcrowding standards. This important change ended the surge of minor subdivisions in the Rural Preservation District (RPD) that had taken place as a way to avoid valid Adequate Public Facilities limits. As we have stated previously, we still believe that the Commissioners should more formally announce their decision and rationale for their annual growth targets and allow time for public input.
3. Chapter 2, Successes and Challenges. We believe that there is still a State and County problem in planning for new schools. This problem surrounds the degree of student overcrowding that must occur before a new school receives approval for construction. We believe that this issue should be described in detail and included as a Challenge to be overcome.

4. Chapter 3, Vision and Strategy. We believe that the Piney Point Town Center should be downgraded to a Village Center. The Potomac River, St. Georges Creek and Herring Creek bound this narrow strip of environmentally sensitive land. Previous research of County records back as far as 1986 revealed no written rationale for its Town Center designation, though knowledgeable individuals cited a potential bridge to the Virginia shore, and development as a “Solomons” style area as possible reasons. We do not feel that either of these two ideas is feasible. Re-designation as a Village Center would therefore seem to be more consistent with the character of the area, would better protect the surrounding environment and waterways and be more in keeping with its growth potential.
5. Chapter 3, Vision and Strategy. We note that this version of the Plan retains Valley Lee as a Village Center. We believe that the earlier version of the Plan, which re-designated it as a Rural Service Center was much more appropriate. Valley Lee currently contains only a Volunteer Fire Department and Post Office. Additionally, the sewage line which runs through the area limits new hookups. The Environmental Protection Agency (EPA) imposed these limits when it provided funds for its construction. The rationale articulated at the time was that the funding grant was specifically for the purposes of eliminating pollution of the Potomac and Saint Mary’s Rivers and its tributaries by failing septic systems in the environmentally sensitive surrounding area. This rationale is as valid today as it was then. Village Center designation implies that provision of central water and sewer is anticipated. Given the current state of Valley Lee’s development, the sensitive environmental nature of the surrounding area and the fact that the Callaway Village Center, which is served by central water & sewer, is only five miles away, we recommend that the Valley Lee’s designation be returned to the originally proposed Rural Service Center.
6. Chapter 3, Vision and Strategy as well as succeeding Chapters. Nowhere did the Commission see any treatment of the topic of maximum sustainable development. It seems important to us, at least conceptually, to deal with the issue of just how large a population the County can support and what it will look like in that eventual state. Additionally, this seems an appropriate place to also speak to the specific constraints that influence that maximum (adequate water supplies, preservation of rural character, watershed protection) and whether anything can be done to adequately mitigate those constraints.
7. Chapter 4, 5 and 11. We believe that some discussion of “low impact and sustainable development” is warranted. Proven techniques now exist to significantly reduce the impact that buildings and vehicles have on the environment and human health. Use of these techniques reduces energy consumption, improves the environment and supports sustainable population growth.
8. Chapter 5, Sensitive Areas Protection Element. We are delighted with the policy specificity in this chapter and we have only one suggestion. We all know that agricultural runoff significantly increases pollution of our waterways and their tributaries. In paragraph 5.14, we believe that a new paragraph B should be added that deals with plans to actively monitor and mitigate agricultural runoff.
9. Chapter 6, Par 6.2 and Par 6.6.2. Paragraph 6.2 spends considerable time discussing the valuable environmental benefits that trees provide to our County. It also indicates “losses of large blocks of forest can be anticipated”. However, paragraph 6.6.2 sets no goal for the preservation of forested land as is done in the case of farmland. We believe that paragraph 6.6.2 should be strengthened to outline a plan for better identifying forested areas and subsequently setting a definitive acreage preservation goal.

10. Chapter 7, Water Resources Element.

- a. Par 7.4.1.B. We recommend this paragraph be expanded to incorporate the County's current Aquifer and Potable Water Management Plan contained in the recent update of the Comprehensive Water & Sewer Plan (CWSP). This policy, seven years in the making, was approved by the Commissioners and acknowledged as sound by the State. Summarized, it calls for: groundwater withdrawals from the Aquia and Piney Point/Nanjemoy aquifers to be held constant at 2002 levels by MetCom and other major users; states that any new wells required by Metropolitan Commission (MetCom) must be drilled into the deeper Patapsco Aquifer; requires subdivisions in the RPD of 25 or greater units use central water supplied by MetCom and be drawn from the Patapsco Aquifer. These initiatives relieve major stress on the Aquia & Piney Point Aquifers in the highly developed areas of Lexington Park, Leonardtown and Charlotte Hall; continue to allow private homeowners and other small users to use shallower aquifers; and, extend the time period the management levels will be reached well beyond the 2030 time period. We believe this change will further reinforce and publicize this proactive management plan and emphasize the changes just incorporated into the County's CWSP.
- b. Par 7.5.1.B.i.a. This paragraph should be deleted. Earlier in this plan, use of potential impoundment/reservoir sites was ruled not feasible. We believe the paragraph 7.5.1.B.i.b is sufficient.
- c. Par 7.5.1.B.v. We are unaware of any initiative underway to use treated effluent as drinking water. Recommend this paragraph be validated.
- d. Par 7.5.B.vi. We recommend that desalinization technology investigations should not be limited to a specific option. We recommend broadening the investigation beyond the Calvert Cliffs Nuclear Power Plant option.
- e. Par 7.5.B.vii. We recommend a new paragraph be added. This new paragraph should outline the very real possibility that strategically locating wells drilled into the Patapsco Aquifer and distributing the water by pipeline to needy areas might further alleviate future water problems. These wells could really be located anywhere, as residential and non-major users will get their water from shallower aquifers. We believe that this concept might be much more cost-effective than reservoirs, desalinization or exploration of the yet unexplored, much deeper Patuxent Aquifer.
- f. Par 7.5.1.C. We recommend that this paragraph be changed to acknowledge that the Maryland Department of the Environment (MDE) controls appropriation permits. The objective should be changed to include a statement that closer coordination with MDE is required to insure: that appropriate permits for major users other than MetCom are directed to the Patapsco Aquifer; and for major industrial water users, all feasible alternatives are studied before granting permits to use potable aquifer water for industrial/commercial uses.
- g. Par 7.7.1. We recommend clarifying this paragraph. As currently written it implies that development only has to achieve predevelopment runoff characteristics, and that is to be done only "as nearly as possible". This current wording permits a previously poor site to continue to be that way or to be made worse if the clause "as nearly as possible" is used as an argument for not doing more. Additionally, the term new development should be changed to include new development or redevelopment. The thrust here should be to make the new or redeveloped site better than it was. To do less is, to us, unacceptable.

- h. Par 7.7.C. Add a new paragraph that addresses the issue of ensuring that storm water management systems and sediment and erosion control do not end with the projects completion. This paragraph should speak to the issue of inspecting both public and private projects after completion. It does little good to ensure that the project is properly implemented if one is going to ignore its continued maintenance after completion.

Once again the Commission believes that the current plan is a dramatic improvement over the previous plan. We believe our comments reflect this as well and indicate where we believe improvement is needed. We offer one additional observation which, we feel, cannot be overstated. Funds will be required to move from a plan to its execution; otherwise, even the best articulated words become meaningless. We recognize the significant budgetary pressures you are under, but hope a way will be found to persevere to a successful outcome. If we can assist in any way, please do not hesitate to ask us to do so.

Sincerely,



John (Barne) Wheeler

Chairman, Commission on the Environment