

Carroll County Water Resource Coordination Council

Hampstead * Manchester * Mt. Airy * New Windsor
Carroll County Health Department



* Sykesville * Taneytown * Union Bridge * Westminster
Carroll County Government

WRCC/Guidance Team Work Session Summary February 1, 2012

Attendees:

Tom Devilbiss	Brad Plante	Brenda Dinne	Jeff Glass
Rosetta Mann	Jim Wieprecht	Dan Riley	Frank Schaeffer
Matt Candland	Ed Singer	Steve Miller	Jon Richardson
Monika Weierbach	Mark Eisner	Kevin Hann	Marge Wolf
Scott Stranko	Dave Stewart	Hugh Murphy	Joe Barrington
Gale Engles			

The WRCC meeting was called to order at 2:35 by Matt Candland.

Hydro-Ecological Assessment for Fractured Rock Study: First on the agenda was a presentation from Department of Natural Resources (DNR) representative Scott Stranko on the hydro-ecological assessment effort. Scott works for the Maryland Biological Stream Survey (MBSS) section of DNR. MBSS's role is to perform statewide stream surveys through collecting stream data to assess streams' health. This data is used by various State agencies in their decision-making process and is also available on DNR's website under Stream Health.

The Governor set up a committee to look at management and protection of the state's water resources. A report was written in 2008 with the committee's recommendations and plan. As a result of this group report, the Fractured Rock Study and a Coastal Plain Study were initiated. The Fractured Rock Study will be assessing impacts to biological stream communities and water withdrawals (surface and ground water).

Scott gave an overview of MBSS's role in this study. He stated that the sampling locations were selected by Maryland Department of the Environment (MDE). MBSS's role is to collect the data request by MDE, using MDE's methodology. MDE selected the streams that had the largest water withdrawals and if there was any influence on the ecology, because of the withdrawal, it was expected to be apparent at these sites. MBSS has requested that control sites also be sampled, but none have been added. MDE has also requested that the sampling take place at the point of withdrawal, which would represent the worst case scenario. At this point, MBSS will not be analyzing the data; MDE will be doing the analysis.

Three streams in Carroll County were selected for sampling: Copps Branch, Little Pipe Creek, and a tributary to Piney Run.

Concerns were expressed over the design of the research effort related to data collection and the interpretation and analysis of the data. The methodology may not be based on sound, acceptable scientific methods or

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principles. It was suggested that a letter be drafted from the WRCC to Bob Summers stating these concerns. Tom will draft the letter for approval at the March 7th meeting.

Draft Phase II Watershed Implementation Plan (WIP) Update: The State's draft was released for public comment on January 26th. Public comments are due to MDE by March 9th. Brenda will draft a comment letter for discussion at the March 7th meeting. Tom requested that any comments be sent to Brenda before March 7th.

Several Phase II WIP meetings are scheduled throughout the State. Brenda will send information on the meeting location and dates if any is interested in attending.

Open Discussion: Once the Buildable Land Inventory demand data is updated, Brenda will be scheduling a meeting with each municipality to update the capacity management worksheets. She would also like to update the Water Resource Element (WRE) implementation tracking list and discuss the costs associated with Enhanced Nutrient Removal (ENR) upgrades.

Brenda briefed the Council on Senate Bill 240. It proposed to increase the fee for the Bay Restoration Fund, which would be based on the amount of water usage for sewer users. Usage of less than 2,000 gallons/month will result in a decrease in cost, but usage over 3,000 gallons/month will see an increase. Septic users would pay a flat fee, which would be increased from \$2.50/month to \$5.00/month.

A Planning Area Guidelines work session with the municipalities is scheduled for March 17 from 9:00 – 12:00 at Carroll Community College in Room M157. Brenda will be sending out maps and bulleted comments next Friday for everyone to review before the meeting. Chuck Boyd and Melissa Appler from Maryland Department of Planning (MDP) will be there to provide an overview and answer any questions. Tom urged people to attend to ask questions, voice concerns, and follow up with written comments.

The Commissioners approved funding for the first phase of the Union Mills water exploration and for looking at feasibility of the surface water intake, as identified in the Water Resources Element (WRE). Water exploration is planned to begin late spring to early summer.

The meeting was adjourned at 3:50.

The next meeting is scheduled for March 7, 2012 at 2:30 in Room 003.

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WRCC/Guidance Team Work Session Summary March 7, 2012

Attendees:

Rosetta Mann
Matt Candland
Gale Engles
Mike Haufler
Perry Jones

Brad Plante
Jim Wieprecht
Ed Singer
Sheree Lima
Glenn Edwards

Brenda Dinne
Dan Riley
Steve Miller
Hugh Murphy
Jeff Glass

Frank Schaeffer
Jon Richardson
Marge Wolf

The WRCC meeting was called to order at 2:35 by Matt Candland. Minutes from the February 1st WRCC Meeting were approved.

Draft Water Withdrawal Impact Letter – Hugh Murphy

A letter to John Griffin, Secretary, Maryland Department of Natural Resources (DNR) and Robert Summers, Secretary, Maryland Department of Environment (MDE), about the Hydroecological Assessment of Maryland streams for State Fractured Rock Study, was drafted for Matt's signature. Hugh said the letter gave a brief summary of the Water Resource Coordination Councils February 8th meeting with Scott Stranko. The letter voiced some concerns the Council had on the study and requested a response to those concerns. Matt summed it up by saying "we just wanted to make sure that this was being done based on correct science". The WRCC is supportive of the research but want to make sure it is sound before we start basing public policy on it. The letter was approved and signed by Matt Candland, Chair.

Watershed Implementation Plan (WIP) Comments, Draft Letter – Brenda

Brenda drafted a letter to MDE with comments on the draft WIP. She sent a bulleted list of concerns and questions that were voiced in the letter to the WRCC Members for their review and comments. She reviewed the key points in the letter with the Council and briefly discussed each item. Comments are due to MDE by March 9th, MDE will then finalize the draft based on comments they received and send them to EPA by March 30; we will have until July 2nd to send comments to EPA. The letter was approved and signed by Matt Candland, Chair.

Gale said a meeting will be scheduled with the municipalities to discuss possible future shared projects between the municipalities and the County. Gale has requested a copy of the new Phase II NPDES Permit to see what the municipalities' new requirements will be.

NPDES Update – Glenn Edwards

Glenn reported that the storm drain outfall mapping in the municipalities was near completion and the County's NPDES Web page should be completed July 2012. Glenn also reminded everyone of the public information booth that was manned by the Bureau of Resource Management at local functions was in need of assistance. These events are used

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toward the public education and outreach portion of the NPDES Permits. He also requested that the municipalities document anything they do that would qualify for credit in their permit.

Union Mills Update – Hugh Murphy

The Water Resource Element (WRE) had a three step approach to water supply development in Union Mills and the first step was to develop a ground water resource. Hugh is in the process of doing geophysics work to determine the availability of water in Union Mills area and identify favorable drilling sites. He is also looking at contracting someone to identify and evaluate any water quality issues linked to John Owings Landfill. These efforts should be completed by the end of 2012 or the beginning of 2013.

Legislative Update – Brenda Dinne

Various bills on PlanMaryland have been introduced but none have passed thus far.

Septic Bill SB236 – Hearings have been held in both houses with several proposed amendments but so far not been filed.

Two storm water bills are proposed; one that mandates counties to create a storm water utility fee to help pay for retrofits and the other changes inspection process and their frequency. Neither bill has moved through the house.

Maryland Annotated Code Article 66B and 28, land use article, are to be combined. This bill is expected to go through this year.

Open Discussion

Gale Engles said there are new standards for sediment control and the municipalities should have received a letter from MDE stating that the municipalities need to adopt the new codes recent changes. The County is in the process of writing a new code for grading and sediment control. It should be completed and ready for review by the County Attorney's office in the next few weeks; then sent to MDE for their approval. After receiving approval from MDE it will go out for public review, then public hearing and the final approval from the Board of County Commissioners. Municipalities will be required to adopt their own or the County's code and send a letter to MDE stating which they adopt. There is a grandfathering clause for anything prior to January 13, 2012.

In the fall of 2012 MDE will be conducting their bi-annual review for the sediment control program. This year they will be bringing a team for the bi-annual review and adding inspections of the stormwater management and NPDES programs. The sites will be selected by MDE and will include sites in the municipalities so everyone needs to review their sites for potential problems.

The meeting was adjourned at 3:30.

The next meeting is scheduled for May 2, 2012 at 2:30 in Room 003.

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WRCC/Guidance Team Work Session Summary May 2, 2012

Attendees:

Matt Candland
Gale Engles
Kate Heilman
Rosetta Mann

Jim Wieprecht
Sheree Lima
Glenn Edwards
Jeff Glass

Brenda Dinne
Dan Riley
Steve Miller
Michael Swam

Frank Schaeffer
Marge Wolf

The meeting was called to order at 2:30 by Matt Candland. Minutes from the April 7th meeting were approved.

NPDES & EPA Audit Update – Gale Engles

The Environmental Protection Agency (EPA) and Maryland Department of Environment performed an audit of Carroll County's Non Pollutant Discharge Elimination System (NPDES) Permit and the Stormwater Management/Sediment Control program on April 26 & 27. Several weeks before the audit EPA sent a list of requested documents, some to be sent prior to their visit and the remainder given to them during the audit. There were divided into two teams; Team 1 addressed NPDES lead by Tom Devilbiss and Team 2 Stormwater/Sediment Control lead by Gale Engles. At the end of the two day audit a brief summary of their findings was given. They were impressed with the way Carroll County runs their programs and County staff. A few suggestions on things that are not in the permit but, might be helpful were given. The overall feedback was extremely favorable. EPA will send out a draft report in 3 months for our review.

WIP Update – Meeting at MDE – Brenda Dinne

Final Phase II WIP was submitted by MDE to EPA on March 30. A summary of what MDE submitted to EPA for Carroll County for the strategies and practices we would put in place 2017 – 2025 since we did not submit anything was given out. Tom Devilbiss, Brenda Dinne, Brian Seipp and Ed Singer met with MDE on May 1 to get some questions answered; with little success. Any changes we want to make can be to what was submitted can be sent to MDE before July 2. Making changes at this time would only look like we were in agreement with the submittal; this way we could say we didn't submit anything or contribute to the submittal. Our efforts will be focused on changes we need to make in 2015 since the model will not updated until 2017. The most beneficial out come of the meeting was the need track and document what we have so we could get credit when and if the opportunity arises.

Technical Assistance for Offsets Policy – Tracking & Reporting

We have an opportunity to apply for technical assistance grant from the Fish and Wildlife Association (FWA) that requires no matching funds and that FWA would administer. The grant is for technical assistance for offset policy tracking and reporting would be helpful with the Septic Bill, the Watershed Implementation Plan, the Septic Task Force and MDE policy for offsets. Brenda will report back at the next meeting on any progress with the application.

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Stormwater Financing Feasibility Options – Brenda Dinne

This is another grant through the FWA with no matching funds and can be up to \$150,000. There will be in-kind match to be determined by the County. After the announcements are made in August, if selected, we will work closely with Environmental Finance Center to develop a detailed scope of work to have a program in place by July 1 2013. The purpose of this grant is to find out our options and figure out how to structure our fees and program in order to comply with the Stormwater Bill, HP987. Brenda drafted a letter of support from the WRCC for Matt's signature. A motion was made and seconded to support the application and send the letter. Brenda will be presenting the application request to the Board of County Commissioners on May 10 for their approval.

Legislative Summaries – Brenda Dinne

Brenda distributed summary sheets for HP 987/SB 614 Stormwater/Impervious Bill, SB 236/HB445 Septic Bill, and HB446/SB240 Bay Restoration Fund.

HP 987/SB 614 Stormwater/Impervious Bill - This bill requires Phase I jurisdictions (County) to collect a stormwater fee but Phase II jurisdictions (municipalities) are not required but may elect collect a fee. This fee is to be used toward meeting reductions needed to comply with their NPDES Permit. The Phase II permit does not have a requirement for the municipalities to address runoff from impervious surfaces. Gale Engles contacted Brian Clevenger (MDE) to get a copy of the Draft Phase II Permit that is supposed to be issued before the end of the year. Brian told Gale that a draft was not available yet but the new permit would have a requirement to address 20% within 5 years. The municipalities can join in with the County to achieve their needed reductions or can individually address their 20%. Further discussion at the next meeting on what the municipalities want to join with the County.

SB 236/HB445 Septic Bill - Brenda explained the purpose of the bill was to get people on treated systems. The bill is broken down into 4 tiers. Tier I all lots on sewer, Tier II all lots on sewer unless minor on septic, Tier III & IV minors on septic. This bill is to be adopted by December 31, 2012 and any lots to be grandfathered should be submitted to the Health Department and get preliminary plan approval by October 1, 2012. The municipalities are required to adopt Tier I may do II or give an explanation of why we didn't do III. They have to be adopted administratively by the end of the year and put into the next update of your comprehensive plan. The County has to do I, III and IV and may do II or give an explanation of why we didn't do III. There was some doubt that something could be submitted by the end of the year. If nothing is submitted by December 31 minor subdivisions can be approved until a submission is made.

HB446/SB240 Bay Restoration Fund – The current fee being collected will double for properties on public sewer and individual septic systems. This bill includes commercial and industrial users unlike the septic bill. Since the County's system is already set the fee structure will need to be modified. The fee is collected and sent to the State who will distribute the funds. There are numerous stipulations on the way the money is be used, that may be a challenge.

Open Discussion

The meeting was adjourned at 4:00.

The next meeting is scheduled for May 2, 2012 at 2:30 in Room 003.

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WRCC/Guidance Team Work Session Summary June 6, 2012

Attendees:

Matt Candland
Gale Engles
Rosetta Mann
Tom Devilbiss
Brad Plante

Jim Wieprecht
Glenn Edwards
Jeff Glass
Monika Weierbach
Clay Black

Brenda Dinne
Dan Riley
Steve Miller
Michael Swam
Leigh Broderick

Frank Schaeffer
Marge Wolf
Hugh Murphy
Perry Jones

The meeting was called to order at 2:30 by Matt Candland.

Election of New Chair – Matt made a motion that Frank Schaeffer be the new chair of the WRCC. The motion was seconded and approved by the committee. Tom Devilbiss recommended a new vice chair be elected also. Steve Miller was elected as the vice chair.

NPDES Questionnaire: Vehicle & Mobile Power Washing – Glen requested that everyone have their NPDES questionnaire to Rose by the end of the week.

Glenn handed out the following information on vehicle power washing and stormwater pollution and requested display them at their town and city offices to help fulfill the education requirement in their NPDES Phase II permits:

- Vehicle Washing: Keeping it out of our Waters
- MDE Facts About Car Washing Fundraisers
- Make Your Home the Solution to Stormwater Pollution.

A new web page on the County web site called Protecting Carroll County Waters should be ready before the annual report is complete on July 15. The site provides basis information about preventing stormwater runoff pollution along with phone numbers for non-emergency concerns.

Vehicle washing has become an issue that needs to be addressed starting by educating County and municipal staff then the general public. The County's goal is to bring violators into compliance by educating as opposed to issuing a violation; when possible. Glenn is working on educational materials to educate business owners and contractors on power washing. It is the National Pollutant Discharge Elimination System (NPDES) permit holders responsibility to address if it enters or exits the MS4 system. Discharges need to be eliminated or permitted through Maryland Department of the Environment (MDE).

Groundwater Exploration Update – Hugh Murphy – Working on the first phase the geophysics which targets areas for drilling. The contractor is looking at data and a report should be ready by the end of July.

The observation well information can be accessed on the Carroll County web site under Land Use, Planning & Development; Carroll County Maryland Observation Well Network. The observation well program currently has 45

wells that are monitored bi-weekly, 35 quarterly, and 20 that are monitored by probes; altogether there are 100 well monitored throughout the county. Hugh reviewed the information for several wells sites and explained what the data trends indicated for those particular wells.

Sediment & Erosion Control Standards & Specs – Recently MDE adopted the new standards for soil erosion and sediment control. Revisions have been made to Chapter 121; reviewed by the County Attorney and sent to Soil Conservation for their staff's review. Gale went over the substantial changes that would affect the municipalities. The revised Chapter 121 will be sent to MDE before June 9th. MDE's approval or comments should take about a month. Once approval is received from MDE copies will be sent to the municipalities; staff will go to the Board of County Commissioners and request a Public hearing and their concurrence. Chapter 121 needs to be adopted and in place by January 13, 2013. There is a grandfathering clause that requires preliminary approval or a grading permit prior to 2015.

SB236 Septic Bill – Brenda Dinne and Ed Singer drafted a letter on the grandfathering provisions of this bill. The county attorney's office will review the letter before it is sent out to surveyors and engineers and local land use attorneys within the next week. A news release will also be sent out for the general public. The County will accept preliminary plans, prior to the perk test, submitted to Development Review before October 1, 2012. These plans will be exempt from certain sections of this bill as long as preliminary approval by the Planning Commission given by October 1, 2016. The County will do some initial mapping of the tiers for the municipalities. The planners will work with the municipalities to review the preliminary tiers and make adjustments as they see fit. The towns are required to adopt tiers as well by December 31, 2012.

HP 987/SB 614 Stormwater/Impervious Bill - This bill requires the County to collect a stormwater fees; however the municipalities are not required, but may elect to collect the fee. Before any fee can be determined the municipalities need to select one of the following options:

1. Collect no fee at all or
2. Elect to have the County set and collect the fee, or
3. Set and collect your own fee and handle stormwater, or
4. County collect and administer fee and handle stormwater

Tom and Brenda will attend Town Council meetings, to give an overview of the bill, explain the options, and answer any questions they may have, within the next couple months. Rose will contact each municipality for dates and time of their next meeting to get on their agenda. Tom suggested the members of the councils read the legislation before the meetings. Staff can start compiling numbers and looking at what other jurisdictions are doing until the municipalities make a decision.

Brenda reported that the Board of Commissioners (BCC) opted not to pursue an application for \$150,000 grant from the National Fish and Wildlife Foundation for assistance with options for structuring a fee program. The WRCC had signed a letter of support to the National Fish and Wildlife (NFW) for this application. Phil Hager said the BCC felt it was better for the people who live here to generate our own solutions and not be bound by those of an outside group.

WIP Comment Letter re: Current Progress & MDE Submission of Carroll County – MDE submitted their final Phase II WIP to Environmental Protection Agency (EPA) on March 30. MDE submitted strategies for anyone who didn't submit their own. MDE's Phase II Watershed Implementation Plan (WIP) submittal was released at the end of April. After meeting with MDE, the decision was made not to make any changes to our submittal but send comments and concerns on MDE's submittal. Brenda will draft the letter and asked that any comments be sent to her within the next couple weeks. Frank Schaeffer will sign the letter as WRCC Chair. The comments are due to EPA before July 2nd.

Open Discussion

The meeting was adjourned at 4:15

The next meeting is scheduled for September 5, 2012 at 2:30 in Room 003.

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WRCC/Guidance Team Work Session Summary August 1, 2012

Attendees:

Matt Candland
Gale Engles
Rosetta Mann
Tom Devilbiss
Brad Plante

Jim Wieprecht
Glenn Edwards
Jeff Glass
Monika Weierbach
Clay Black

Brenda Dinne
Dan Riley
Steve Miller
Michael Swam
Leigh Broderick

Frank Schaeffer
Marge Wolf
Hugh Murphy
Perry Jones

The meeting was called to order at 2:04 by Frank Schaeffer

Update – Floodplain Map Update – Gale Engles & Jason Stick

Public notification on the Draft Flood Insurance Rate Map revisions was published in the Carroll County Times, Legal Notice section, on July 11, 2012 and July 18, 2012. The County sent out a letter to all property owners with the 100 year floodplain on their property on July 26, 2012 informing them of the map revisions. The 90 day review period for the maps started on July 18, 2012 and any technical appeals need to be sent to Jason Stick, who will transmit to FEMA, before October 10, 2012.

A public meeting will be held on August 28 at 6:00 at Carroll Community College for anyone interested in looking at the maps. Representatives from Maryland Department of the Environment (MDE) along with County staff will be present to answer questions. Anyone who is unable to attend the meeting can come into the County Office Building, Room 204 to view the maps and ask questions or go to the web site given in the letter. Any appeals on the maps are to be sent to the County, who will send to FEMA, by the end of the review period, October 15.

After the 90 day appeal period ends FEMA reviews all the appeals and send out a letter of final determination. The new maps become effective six (6) months after the letter is mailed out. Changes to the County Floodplain Ordinance code will need to be made before the new maps go into effective. Staff will present the changes to the Board of County Commissioners then hold a public hearing before changes are made.

Tom encouraged the municipality's representatives to attend the meeting on August 28; even though the County implements the floodplain management each municipalities are ultimately responsible for their jurisdiction. He felt it would be beneficial for them to hear what FEMA and MDE had to say.

Update – County Groundwater Levels – Hugh Murphy

As of July 16, 2012 the State of Maryland has the central Maryland are under a drought watch based on data from two wells in Carroll County that the United States Geological Survey (USGS) monitors. One well is located in Union Mills and the other in Gillis Falls. Data does not indicate drought conditions, but precipitation is at 75% of the 30 year normal, which presents a deficit for groundwater recharge.

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Groundwater levels in Carroll County are monitored every two weeks and entered into a database to compare to previous years. According to the last levels taken two weeks earlier we don't see the same low levels of groundwater. He stated that we had some rain in the middle of July which may account for the higher levels. The Frederick drought monitor as of July 24, 2012 took central Maryland out of the drought watch. Data from several wells in the municipalities and County were presented.

Update - Union Mills – Hugh Murphy

Collected more geophysical data at the end of June and have received some results back. There are some targets that look interesting but no decisions can be made until the full report is received.

Presentation – Total Maximum Daily Loads of Phosphorus in the Double Pipe Creek Watershed, Frederick and Carroll Counties, Maryland

Maryland Department of the Environment (MDE) held a formal informational briefing on Double Pipe Creek, Upper Monocacy and Lower Monocacy Total Maximum Daily Load (TMDL) for Nutrient (Phosphorus).

The County will be sending comments on the TMDL's. If any municipalities would like their comments to be included with the Counties they need to have them to Tom before the following due dates:

Double Pipe Creek	August 22, 2012
Upper Monocacy	August 24, 2012
Lower Monocacy	August 30, 2012

Open Discussion

Maryland Department of Planning released today a web page with an interactive map for SB236 for tier and their data layers and an updated guidance document. Brenda will send the link to MDP's web page.

Greenhouse Gas Reduction Act passed in 2009 mandated the state to develop a Greenhouse Gas Reduction Plan. That plan was released in the spring and comments are due to MDE by August 17. Brenda suggested everyone at least read plan especially the section on Land Use & Transportation because it has significant impacts. Brenda will send the link to everyone for their review.

The meeting was adjourned at 4:15

The next meeting is scheduled for September 5, 2012 at 2:30 in Room 003.

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WRCC/Guidance Team Work Session Summary September 5, 2012

Attendees:

Gale Engles
Rosetta Mann
Tom Devilbiss
Brad Plante
Daphne Daly

Jim Wieprecht
Jeff Glass
Monika Weierbach
Ed Singer

Brenda Dinne
Dan Riley
Steve Miller
Andrea Gerhard

Frank Schaeffer
Marge Wolf
Hugh Murphy
Perry Jones

The meeting was called to order at 2:32 by Frank Schaeffer.

Minutes from the August 1st meeting were approved.

Update – HB 987 – Stormwater Fee

County staff met with the Board of County Commissioners (BCC) on August 23, 2012, to discuss the stormwater fee and get some direction on how they wanted to proceed. The BCC directed staff to move ahead with identifying options, as well as their pros and cons, and to form an advisory group to assist with recommendations on a fee structure. The BCC also approved using a facilitator with expertise in utility fees to assist in the process.

The advisory group is anticipated to have representatives from the County and municipalities, business, the agricultural community, and financial sector. Brad Plante and Jeff Glass will represent the municipalities on the group. At this time, the discussion is leaning toward having the group meet bi-monthly; one of the meetings could be held at the monthly WRCC meeting. The advisory group would discuss the rate structure first, and then make a recommendation to the BCC. Once the BCC decides how to proceed, the rest of the program could be developed. The law requires that a program be adopted and implemented by July 2013. However, it does not necessarily require that the fee be ready to charge by that time.

Update SB236 Septic Bill (Tier Mapping)

County staff met with the BCC on July 23 to seek direction on the Septic Bill. Staff recommended delaying the tier mapping and doing it as part of the comprehensive plan process so that the placement and impacts of the tiers could be evaluated as part of the larger planning process. The BCC requested a public meeting be scheduled to get input on whether to map by December 31 or to delay until it can be

done with the comprehensive plan. Staff will contact Maryland Department of Planning (MDP) and request a representative to come and explain what the requirements are and answer questions. The end of September would be the earliest the meeting could be scheduled.

Staff recommended the municipalities move ahead with their tier mapping. After December 31, 2012, no major subdivisions may be approved outside the current service areas until tier maps are adopted. County staff will be available to assist the municipalities with their mapping. The tiers are as follows:

Tier I	Areas that are currently served by sewer
Tier II	Planned service areas to be served by sewer
Tier III	Large Lot developments on septic
Tier IV	Preservation and conservation areas

Water & Sewer Master Plan Update

The triennial update of the Water & Sewer Master Plan was adopted by the BCC in December 2011 and sent to MDE for their review. Comments from MDE were received in June 2012. Staff met with MDP and Maryland Department of the Environment (MDE) in July to get clarification on their comments and concerns. Comments were focused on identification of specific projects that would be undertaken involving improvements to sewer systems, when they would occur, and how any shortfalls in capacity that may occur within a 10-year time period would be addressed. Planning staff will be working with municipalities to address the comments. Daphne Daly provided each municipality with tables to be filled out indicating which projects would be completed within the next 10 years, when demand might exceed capacity, and if any of the planned projects would address the capacity shortfall. If projects are not planned, changes to service areas may need to be considered.

Growth Offset Policy

County staff attended a public meeting in Baltimore Co. on July 31st on draft Growth Offset Policy. MDE released a Discussion Draft that will be used to develop a regulation that is expected to be adopted by the end of the year. Staff is reviewing the Discussion Draft and preparing comments that are due by October 1st. The municipalities can send to Brenda any comments that they would like to be included with the County's comment letter.

Carroll County Utilities Advisory Council

Matt Candland has previously represented the Water Resource Coordination Council (WRCC) on the Utilities Advisory Council (UAC) but is no longer available to serve. Steve Miller will be the new representative from the WRCC.

The meeting was adjourned at 3:57

The next meeting is scheduled for October 3, 2012 at 2:30 in Room 003.

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WRCC/Guidance Team Work Session Summary November 7, 2012

Attendees:

Gale Engles
Rosetta Mann
Tom Devilbiss
Brad Plante
Frank Schaeffer

Glenn Edwards
Perry Jones
Daphne Daly
Monika Weierbach
Phil Hager

Brenda Dinne
Dan Riley
Steve Miller
Andrea Gerhard
Byron Madigan

Hugh Murphy
Mike Haufler
Sheree Lima

The meeting was called to order at 2:30 by Frank Schaeffer.

Minutes from the September 5st meeting were approved.

Update Water & Sewer Master Plan

Daphne Daly and Andrea Gerhard gave an update on the Water & Sewer Master Plan (W&S MP). An email was sent out last week to the municipalities about scheduling meetings to address concerns that Maryland Department of Environment (MDE) had with the original W&S MP submittal. MDE would like the county and municipalities to identify areas that will probably be served with water and sewer within the next 10 years. They would like a plan that indicates those areas that can realistically be served within the next ten years. Areas where additional capacity is needed, the projects that will be undertaken to increase capacity need to be shown. If additional capacity cannot be provided within that timeframe, areas need to be taken out of the area planned to be served within the next 10 years so demand does not exceed planned capacity. This is more specific than has been submitted in the past.

Daphne gave out and discussed two (2) tables; Table 2, Projected Water Supply Demands and Planned Capacity and Table 6, Projected Sewerage Demands and Planned Capacity. There were some questions on the numbers in the tables from various municipalities. Daphne asked that anyone different information to get with staff as soon as possible.

Daphne was not sure if the resubmission of the plan would be an appeal or just a revision. She stated that the plan would probably go out for public comment at some point due to changes in the numbers and the map revisions. The objective is to provide a revised plan to MDE by mid-December to get their feedback on the direction we have taken with the revisions prior to going through the official approval and resubmittal process.

Update – HB 987 – Stormwater Fee

At the last meeting Brad Plante and Jeff Glass were selected to represent the municipalities on the HB 987 Advisory Group. Brenda Dinne has been working on identifying the most feasible options for the Advisory Group before the group can get started. Brenda has also been checking into applying for a grant through National Fish & Wildlife Foundation; not the same grant for which a proposal was prepared in May 2012. This grant would fund getting an expert to look at the options we are considering and to identify if there are other factors that need to be considered with each. This expert might also help to facilitate the advisory group.

The legislation states that something should be ready to be implemented by July 1, 2013. It doesn't say that a fee has to be charged at that time. The goal is to get the rate structure recommendations from the Advisory Group to the Board of County Commissioners for a decision on the rate structure before we can move forward with developing the rest of the program.

Update – Watershed Implementation Plan (WIP)

EPA submitted the final Phase II WIP to Environmental Protection Agency (EPA) the end of March. Between the end of March and July 2, MDE was allowing local jurisdictions to make changes to what they submitted before they made their revisions and resubmitted to EPA. As of October 24 the revised submittal is available on MDE web site.

On October 5 Tom and Brenda attended a MACO meeting on the WIP. MDE representatives were there to speak and answer questions. There was a discussion about MAST and the issues that need to be addressed with it. As a result MDE is forming a discussion group to talk about some of these issues. Tom and Brenda agreed to participate in that discussion so they can raise issues we had with MAST and possibly gain a better understanding of it. Since the State is working on updating the data that are going into the State and Bay models for the 2215 and 2017 (two-year milestones), we may have an opportunity to look at data and suggest changes that will more accurately reflect our local jurisdictions.

We need to be working on tracking and monitoring of our projects so there are standard procedures for everyone to follow. Everything should be tracked. Even if no credit is given now, it may be in the future.

Water Appropriation Fees

Tom gave out copies of two MACO handouts; MDE Water Fee Workgroup Fails to Reach Consensus and Stakeholder Workgroup Considers New Water Appropriation Fee. The workgroup met in September and again in October but could not reach a consensus. These handouts are about a stakeholder workgroup that MDE has formed to reassess fees associated with water appropriation permits. Not only will there be a fee for the permit application but a yearly fee as well. Legislation has been introduced and failed for numerous years, including this year, to get the ability to adopt water appropriation fees. MDE decided to form their own workgroup to look at water appropriation fees outside the legislative process. The handouts contain several links to go to for additional information.

Stormwater Discharge Permit

The new General Industrial Permit is more complex and will most likely affect both County and Municipal facilities. It is unclear what level of compliance current facilities (maintenance facilities, shops and or yards, etc.) will be required to address under the new industrial permit. The 100-page new permit is accompanied by a 75-page detailed fact sheet to help explain the permit criteria. Facilities previously "Exempt" or those that may meet "No Exposure" status may now be required to fully comply with the new permit involving Stormwater Pollution

Prevention Plans, Monitoring and Inspections, etc. if they fall within an impaired watershed or water body. A currently exempt facility under the existing permit may or may not be allowed coverage under the permit due to effluent limits under another NPDES permit. Permitted facilities now covered under the General Permit may now be required to file under an Individual stormwater discharge permit. It also appears MDE will be identifying private industrial, commercial and business with this permit that has mandatory application fees and significant 20% impervious surface restoration requirements. Public meetings will be on November 26 at 1:00 and Friday November 30 at 1:00 at MDE. County staff will be attending with an open invitation for municipalities to join them. Municipalities are encouraged to attend and or contact MDE or Tom or Glenn with questions. Glenn will forward MDE's website with the new permit information to the municipalities. Written comments can be submitted MDE until January 4.

Carroll County Utilities Advisory Council

Steve Miller has been approved by the Board of County Commissioners to represent the Water Resource Coordination Council (WRCC) on the Utilities Advisory Council (UAC).

Grading, Erosion & Sediment Control & Sediment Control, Chapter 121

Gale Engles reported that the Grading, Erosion & Sediment Control, Chapter 121 would be going to public hearing on November 29, 2012. She gave copies of a fact sheet with the proposed changes and a copy of Chapter 121 with proposed changes in red. She also went over some of the more significant changes. She stated that the County has to have the amended code in place by January 13, 2013. Municipalities will need to make sure that a proper mechanism is in place to implement the code changes.

SB 236

The Board of County Commissioners had scheduled a public meeting on November 1, 2012 to get input on when to do the tier mapping. In August, staff had recommended the mapping be delayed until it could be done as part of a comprehensive planning process. The public meeting had to be cancelled due to the storm, and Brenda was not sure if it would be rescheduled.

Brenda said they were working on changes to Chapter 103 Development of Subdivision, to allow up to 7 lots on septic as a minor subdivision. Currently minors are up to 3 and majors are 4 and over, and this will not be changed. This will allow up to 7 lots of a major to be on septic. The code changes must be adopted by December 31.

Offset Policy

SB236 required MDE to develop an offset policy for Tier III areas. A policy/discussion draft and a discussion draft regulation were released in July and August. County staff sent comments on September 27 on both drafts. On October 24, the state presented to the Sustainable Growth Commission WIP Workgroup the following changes they are considering:

1. Pulling the Tier III stuff out and doing it separately by the end of the year as legislation requires and waiting until the end of next year to complete the rest.
2. The current draft requires nitrogen to be offset but now are considering including phosphorus.
3. The counties would be responsible for offsets after a period of 30 years.
4. Adding a fee in lieu that would be paid into the Bay Restoration Fund (the state would have discretion on how to use the funds).
5. They are considering allowing developers to subtract out the load that would exist if a property was in natural forest condition from the total nitrogen load on a property before determining the load to be offset. As currently drafted, the entire load would have to be offset.

They are anticipating a draft of the septic portion (Tier III) by November 2012 and submitting it to Maryland Register by the end of the year. The proposed regulations for the entire Accounting for Growth program will be drafted by August 2013 and implemented by December 2013.

National Pollutant Discharge Elimination System (NPDES) Annual Report, July 2012 Submittal

Tom gave out a letter from MDE acknowledging receipt and review of Carroll County's July 2012 NPDES Report. The letter was favorable to the restoration effort and indicated that we were in compliance. The municipalities are scheduled, per MDE, to receive a draft permit by the end of 2012.

Nothing has been received from EPA on the April 2012 audit.

The meeting was adjourned at 3:55

The next meeting is scheduled for January 2, 2012 at 2:30 in Room 003.

Carroll County Water Resource Coordination Council

Hampstead * Manchester * Mt. Airy * New Windsor
Carroll County Health Department



* Sykesville * Taneytown * Union Bridge * Westminster
Carroll County Government

WRCC/Guidance Team Work Session Summary December 5, 2012

Attendees:

Gale Engles	Glenn Edwards	Brad Plante	Mike Haufler
Rosetta Mann	Brenda Dinne	Frank Schaeffer	Sheree Lima
Tom Devilbiss	Dan Riley	Steve Miller	Ed Singer
Jim Wieprecht	Dawn Ashbacher		

The meeting was called to order at 2:37 by Frank Schaeffer.

Minutes from the November 7st meeting were approved.

Update Tier Mapping

County staff met with Board of County Commissioners (BCC) on November 13 to discuss tier mapping and are awaiting their direction.

Several of the municipalities reported their process on adopting tiers.

Hampstead - Challenging Maryland Department of the Environment's (MDE) interpretation of SB236. Tier mapping for SB236 will be presented at the Hampstead Council meeting on December 11. Changes increasing minor subdivisions from 2 to 7 will also be discussed.

Manchester - Pending

Taneytown - Pending

New Windsor - Administratively adopted map.

Sykesville - Should be done by the end of the year.

Tom requested that the Bureau of Development Review be informed of any code changes the municipalities make to their minor subdivision lots.

Ed sent an inquiry to Jay Prager (MDE) about grandfathering under SB 236 of preliminary plans for which approvals have expired under the County Code. There is nothing in SB236 that says how far in advance of October 1, 2012 a preliminary plan could have been submitted. Jay agreed with Ed's interpretation that any preliminary plan submitted prior to October 1, 2012 can be processed and would need final preliminary plan approval by October 1, 2016. However, any property that has received County preliminary plan approval prior to October 1, 2012 could be grandfathered but it would still need to meet all other County requirements and deadlines.

On November 29, the Commissioners held a public hearing on a code change to Chapter 103 to allow up to 7 lots on a property to be approved for septic systems. The Board is holding the record open for 10 business days. The Board is schedule to deliberate on December 11.

Update – HB 987 – Stormwater Fee

A letter has been drafted that will be sent out to recruit potential members for the Stormwater Fee Advisory Group. Brenda is also drafting a report with background information on HB987 which will be given to the Stormwater Fee Advisory Group to use as a basis for its own report to the Board with recommendations and priorities for a rate structure. The goal is to get the group started in January.

Brenda contacted the National Fish & Wildlife Foundation to inquire about availability of and eligibility for the Walk-Up Technical Assistance Grant. The grant would be used to get someone to review our work, see if there are other things we need to look at, and facilitate the Stormwater Fee Advisory Group. She was told no money would be available until March.

Staff drafted language, which may be forwarded to the legislature, to exempt jurisdictions that have financing in place and have no need to create a stormwater fee at this time.

Update NPDES

Glenn will be contacting municipalities about the annual field screening of the outfalls that he will be conducting shortly.

Glenn reported on General Discharge Permit Hearing that he and Tom attended on November 26th. It was very confusing, and everyone had a lot of questions that couldn't be answered. Glenn sent out an email on November 20 with a brief overview, a link to the new permit, and the 75-page detailed Fact Sheet to help explain the permit criteria.

There has been no word yet on the draft Phase II Permit for the municipalities that was originally expected by the end of the year.

Discussion Item: Growth Offset Policy/Regulations

Brenda distributed copies of Accounting for Growth Discussion Draft dated July 12, 2012, Accounting for Growth Discussion Draft dated August 27, 2012, and Accounting for Growth (PowerPoint presentation) and provided an overview of the proposed growth offsets policy and regulation under discussion to give everyone a little better understanding. Brenda said the growth offsets originated with the phase I Watershed Implementation Plan (WIP), where it was discussed as the State's strategy to account for new growth. One of the strategies in the Section 1.28, of the Phase II WIP, was to develop growth offsets for new development.

Brenda is currently working on a web page under the Land Use, Planning & Development web site to provide information on State and federal initiatives – such as Plan Maryland, WIP, Growth Offsets, etc. – for which we have provided comments on or taken some action. There will be links to the State's web sites and any comment letters we have sent.

Steve Miller said the Maryland Department of the Environment (MDE) performed a water distribution inspection for Manchester. He encouraged everyone to have an Emergency Operations Plan for their water supply system before they are inspected.

The meeting was adjourned at 4:00.

The next meeting is scheduled for January 23, 2013 at 2:30 in Room 105.