



# ANACOSTIA WATERSHED CITIZENS ADVISORY COMMITTEE

*Dedicated to the protection and restoration of the Anacostia River and its tributaries*

November 3, 2009

The Honorable Phil Andrews  
President, Montgomery County Council  
100 Maryland Avenue  
Rockville, MD 20850

Dear Councilmember Andrews,

The Anacostia Watershed Citizen's Advisory Committee understands that the Maryland Stormwater Act of 2007 requires Montgomery County to file proposed changes to its stormwater codes to the State before November 11<sup>th</sup>. Because it is critical that these codes be as strong as possible if our streams and waterways are ever going to be restored, we would like the County's proposed changes to include several features.

Transparency to the general public should be the operating rule for any proposed development. The County should post on its web sites or in other major public venues notices of filing of concept plans, site development plans and final plans as well as decisions made on each of these plans. It should also publish an annual report listing all development plans filed and whether or not Environmental Site Design (ESD) was fully applied in each. By ESD is meant the use of small-scale stormwater management practices, nonstructural techniques and better site planning to mimic natural hydrologic runoff characteristics and minimize the impact of land development on water resources.

Developers should be required to state at the site development plan phase and final plan phase how Environmental Site Design (ESD) will be used to prevent erosion and control stormwater volumes. All concept and site development plans which fail to fully apply ESD should be automatically rejected. For both new development and redevelopment, at least the first inch of any rain on every site should be managed by ESD.

The County should commit to integrating the most recent sediment control practices with local ESD codes and plan review procedures including requirements for phasing; buffer and natural area set-aside protections and enforcement; turbidity controls; and rapid and complete soil stabilization. Full stabilization of the site should be achieved within 72 hours of the completion of grubbing. If sites cannot meet the volume reduction or sediment control goals by ESD, a mitigation fee structure should be established to fund ESD retrofits on other sites in the same watershed.

Including these features are necessary to reverse the decline in the County's waterways. Please include them in the County's submission to the State. Thank you for your consideration.

Mr. Michael R. Smith, 2009 - 2010 AWCAC Chair  
c/o Metropolitan Washington Council of Governments  
777 North Capitol Street, NE, Suite 300  
Washington DC 20002-4329