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**Montgomery County Civic Federation Testimony to County Council on the Limited Amendment to the Clarksburg Master Plan for the Ten Mile Creek Watershed**

Council President Rice, Members of the County Council, good evening.

My name is Alan Bowser of Silver Spring, MD. I am speaking tonight as a Vice President of the Montgomery County Civic Federation, one of the County's oldest community advocacy organizations, and one that strongly believes, among other things, that we must protect the natural environment throughout Montgomery County and have sensible and appropriate land-use planning.

What we would like to emphasize in our brief statement to the Council tonight is the importance of the Montgomery County Planning Staff's July 25<sup>th</sup> Staff Draft on the Clarksburg Limited Master Plan for the Ten Mile Creek (TMC) Watershed that was presented to the Planning Board. This is an enormously important document which needs your very close attention. We would ask each of you to revisit—or visit—those staff recommendations and to act on them, especially those related to the area west of I-270 in the Clarksburg Planning Area.

What many of us don't understand—and for which we have not yet received a credible explanation—is how the sensible, well-argued strong environmental protections for the TMC watershed, which the Planning staff recommended in that document in July, were apparently ignored and substantially watered-down by the Planning Board in November.

The July 25 2013 Staff Draft Clarksburg Limited Master Plan for the Ten Mile Creek Watershed is located at this link  
[http://www.montgomeryplanningboard.org/agenda/2013/documents/20130725Item13\\_000.pdf](http://www.montgomeryplanningboard.org/agenda/2013/documents/20130725Item13_000.pdf)

In the July 25<sup>th</sup> document, the Planning staff highlights the fragility of the natural environment in the Ten Mile Creek watershed and warns the whole Montgomery County community about the deleterious impact of ANY new development in that area. Staff calls for limits on imperviousness, the protection of forest resources, wider buffers to protect pristine streams, and new conservation programs. According to Planning Staff:

“This limited amendment retains the overall vision of the 1994 Plan, but recognizes that additional environmental protection is needed to allow development to move ahead. It emphasizes environmental protection west of I-270 and provides more flexibility in achieving the community building goals east of I-270.

"In the western portion of the Plan area, the presence of significant, sensitive tributaries requires substantially larger conservation areas, with more residential clustering and a greater range of housing types. A large new conservation park will create a focus for a new green neighborhood, connecting Clarksburg residents to this important natural resource and providing opportunities to incorporate substantial community gardens.”

The Planning Staff’s analysis was as clear as the clean water in Ten Mile Creek. The Ten Mile Creek Watershed needs significantly MORE protection than that proposed in the 1994 Clarksburg Master Plan and that ANY new development in that area will degrade Ten Mile Creek and the Little Seneca Reservoir, which is a critical—and increasingly important—part of the regional Washington, DC metro area water supply.

We stand with the residents of Clarksburg, the Montgomery County Planning Staff, thousands of concerned Montgomery County neighbors, and with Royce Hanson, Scott Fosler, and John Menke, who argued in a recent Washington Post op-ed piece, that we need a land-use solution in the Clarksburg Planning Area which protects the Ten Mile Creek watershed, the Little Seneca Reservoir (LSR), and the regional water supply, while completing the development “vision” for the Clarksburg community. The Montgomery County Planning Board’s November recommendations to this Council do not achieve these objectives. According to Hanson, Fosler & Menke:

"...the integrity of that system is now threatened. The development blueprint approved by the county Planning Board in October concedes that development of any scale would degrade Ten Mile Creek; the only questions are by how much and what effect would this have on the reservoir. We don’t know the answers to these questions because no comprehensive study has been carried out. Notably, the Planning Board’s professional staff recommended a level of development well below what the board approved — and even that lower intensity involved significant risk. The board then increased the level of development recommended by its staff by 50 percent east of Interstate 270 and 300 percent west of the highway. No justification for this level of damage is offered in the plan.

"To approve such expanded development without a careful, professional and independent analysis of its impact on this critical water resource would constitute an abandonment of the stewardship responsibilities that the county exercises for the 4.3 million people whose water is drawn from the Potomac.

- *The Washington Post Letter to the Editor about Ten Mile Creek, “Montgomery County Rolls The Dice With The Region’s Water-System”* by By John Menke, Scott Fosler and Royce Hanson, Published: November 15

[http://www.washingtonpost.com/opinions/montgomery-county-rolls-the-dice-with-the-regions-water-system/2013/11/15/e5da68c2-4d64-11e3-9890-a1e0997fb0c0\\_story.html](http://www.washingtonpost.com/opinions/montgomery-county-rolls-the-dice-with-the-regions-water-system/2013/11/15/e5da68c2-4d64-11e3-9890-a1e0997fb0c0_story.html)

The County Council should support appropriate environmentally-friendly residential, commercial and mixed-used development that benefits the residents of Clarksburg and the greater Clarksburg area. The Planning Board's recent decisions on this issue do not achieve these objectives.

We believe that the related land use planning decisions should be based on science, not wishful thinking. And we do not believe that Planning Staff or the Planning Board have undertaken sufficient analysis of either:

(1) the impact of possible/proposed residential/mixed-use development in the TMC or Cabin Branch watersheds on regional water supply and regional water quality issues or; (2) the effectiveness of popular environmental site design measures to address watershed-wide issues and to accommodate storm water surge. Additional research and study is imperative.

We agree, with the Planning staff, that the Pulte proposal is too large and too impactful for the TMC watershed area. The associated amount of impervious surface will degrade TMC and LSR and the regional water supply.

We agree, with the Planning staff, that environmental site design (ESD) cannot effectively protect the water resources. According to those who testified in support of additional environmental protection, ESD has not been proven to be successful on the "watershed scale," and can't mitigate surges for ever-increasingly intense storms.

Councilmembers, we have heard no new evidence that explains or justifies the Planning Board's decision to support significantly increased density and impervious surface from the Planning Staff's original recommendations regarding build-out, density and imperviousness. The reason for the recommended increases has not been adequately and convincingly explained, and is not supported by science, and is *prima facie* suspect. These decisions should be based on science and best practices, not made under threat of litigation.

We believe, with many others, that the TMC watershed, LSR and the regional water supply is best protected by establishing a wide forested buffer around the reservoir, with no new, additional housing units. This No Build Option is the "Gold Standard" for protection of the natural environment and the critical water resources in the Clarksburg/Germantown area. This is the planning approach adopted around many reservoirs throughout the United States, and it is the approach that should be studied and adopted with regard to Little Seneca.

In conclusion, Councilmembers, please Save Ten Mile Creek, protect the Little Seneca Reservoir, protect the regional water supply, and take the Planning Staff's original recommendations to heart. And please do whatever is necessary, to give the residents of Clarksburg the community they deserve. It's the right thing to do. Thank you very much.