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State Legislation 2021 | A survey of bills of interest in the upcoming session | **P. 23**

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TO PRINT, USE PRINT VERSION

of note

Next MCCF Meeting #919

Monday, January 11, 2021, 7:30 p.m.
online via Zoom. Topic: "A Conversation with Marc Elrich."

| **Join the Zoom Meeting Here**

[See further instructions on page 2. No password is required.]

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Meeting Minutes

December 14 Meeting #918 **P. 25**

Executive Committee Meeting:

DECEMBER 17 P. 29

Membership Application

Join or Renew Now **SEE FORM**

Federation Meeting #919

Monday, January 11, 2021

7:30 p.m.

Online Zoom Meeting

AGENDA

1. Call to Order/Introductions
2. Approval of Agenda
3. Approval of Minutes:
December 14 General
Meeting #918 **P.25**
4. Treasurer's Report
5. Announcements
6. December Program: *A
Conversation with County
Executive Marc Elrich* **P.3**
7. Committee Reports
8. Old Business
9. New Business
10. Adjournment

About MCCF Meetings

All monthly MCCF meetings are open to the public. They are held on the second Monday of each month, September through June, at 7:45 p.m. **So note time change!**

The January meeting will be held online via Zoom (see page 3 for program) at 7:30 p.m.:

■ To be part of the video conference, download the Zoom **Zoom Client for Meetings here.**

■ Meeting Name: "MCCF Monthly Meeting."

■ Date and Time: Monday, January 11, 2021, 7:30 p.m. Eastern Time.

■ To **join the Zoom meeting from your browser, use this link.**

■ To participate by phone (audio only), call 301.715.8592. The meeting ID is 890 5201 1354. No password is required.

We hope you will join us! ■

mccf

The **Montgomery County Civic Federation, Inc.**, is a county-wide nonprofit educational and advocacy organization founded in 1925 to serve the public interest. Monthly MCCF meetings are open to the public (agenda and details at left).

The *Civic Federation News* is published monthly except July and August. It is emailed to delegates, associate members, news media, and local, state, and federal officials. **Recipients are encouraged to forward the *Civic Federation News* to all association members, friends, and neighbors.** Permission is granted to reproduce any article, provided that proper credit is given to the "*Civic Federation News* of the Montgomery County (Md.) Civic Federation."

Civic Federation News

civicednews AT montgomerycivic.org

TO SUBMIT AN ARTICLE, SEE PAGE 31

January Program: A Conversation with Montgomery County Executive Marc Elrich

Montgomery County Executive Marc Elrich will be our guest at the January 11, 2021, meeting of the Montgomery County Civic Federation.

Marc Elrich was elected as Montgomery County Executive on Nov. 6, 2018. He had previously served three terms (12 years) on the Montgomery County Council as an at-large member, being first elected in 2006. He served as a Councilmember on the Takoma Park City Council from 1987–2006. For 17 years, he was a teacher at Rolling Terrace Elementary School in Takoma Park.

As a County Councilmember, he was the chief sponsor of several landmark pieces of legislation and programs. He led the successful effort to increase the Montgomery County minimum wage in coordina-

tion with surrounding jurisdictions to \$11.50 an hour and subsequent legislation that will eventually increase the minimum wage to \$15 an hour. He was the first elected official to propose building a Bus Rapid Transit (BRT) system throughout the County to address Montgomery's transportation and environmental problems. Ground was broken in Fall 2018 for the first BRT line, which runs along Route 29. Service began in October 2020.

Throughout his political career, he has been a champion of improving tenants' rights and for making developers pay for a greater share of the infrastructure cost to build schools and transportation solutions. He was a leader in the fight to preserve Ten Mile Creek in the Clarksburg area by limiting the pro-

posed development that would have threatened the health of Montgomery County's last best stream which flows into the County's backup water reservoir.

Since his election as County Executive, Elrich has focused on several urgent challenges to the Montgomery County Government and the County's residents. First and foremost, he has had to craft an all-government response to the devastating Covid-19 pandemic which, at this writing, has accounted for more than 47,000 infections, and nearly 1,100 deaths in the County. Public schools have been shuttered, businesses have closed, tax revenues have plummeted, unemployment is up, food insecurity has increased and the public health system has been

January Program, cont.

severely challenged. The Government's response to the pandemic has been very aggressive, but has been criticized by some for its broad impacts on schools and businesses, particularly restaurants. Elrich continues to work closely with Maryland Governor Larry Hogan and the County's Public Health Officer, Dr. Travis Gayles, to manage the County's regional contribution to reducing Covid-19 infections and restoring economic activity.

Elrich has also worked to highlight issues of racial equity in Montgomery County. Working with the County Council, he has supported legislation for racial justice and social equity. Key elements of this legislation include establishing a Racial Equity and Social Justice program in the Executive Branch. The new



MARC ELRICH

law will also require each Department and Office to develop a racial equity and social justice action plan. In addition, the bill requires the creation of a structure at the Council to provide oversight of the County's progress in meeting its racial equity and social justice goals.

He nominated Tiffany Ward as the first Chief Equity Officer in the County, responsible for carrying out the County's racial equity and social

justice initiative. Ward was confirmed to this position in February 2020.

County police reform has also been an important focus of Elrich's term. Along with the efforts of the Montgomery County Council, Elrich has established a community task force to Reimagine Public Safety in Montgomery and has hired an external consultant to help with MCPD organizational issues. He appointed Marcus Jones as a new Montgomery County Police Chief, a career County police officer and the the first African American to lead the Department, and is working with him to adapt the County response to the community's needs for health and service services where MCPD is filling the void.

And, along with many other initiatives, Elrich has given high priority to issues of environmen-

January Program, cont.

tal sustainability in the County. In December, Elrich released a Draft Climate Action Plan for public review. The Climate Action Plan is the County's strategic plan to cut greenhouse gas (GHG) emissions by 80 percent by 2027 and by 100 percent by 2035.

The actions and technical analyses presented in the plan build upon the work of more than 200 volunteer members of the Climate Technical Workgroups, community groups, County employees and technical consultants—as well as input from the public. The 87 climate actions outlined in the plan lay the path to meet the County's ambitious climate goals while building a healthy, equitable and resilient community.

The [Draft Climate Action Plan](#) is open for public review and com-

ment through the end of February. The complete list of recommended actions is available at the link above. The plan will be finalized in the spring of 2021.

The Climate Action Plan was spurred by the County Council's Emergency Climate Mobilization Resolution that accelerated the County's communitywide GHG emission reduction goals that were established in 2008. The resolution recognized the existential threat that climate change poses to society and natural ecosystems and called for the County to take a leadership role in modeling strategies to safeguard the planet. The Draft Climate Action Plan details the effects of a changing climate and includes strategies to reduce GHG emissions and climate-related risks to the County's residents, businesses and the built and natural environment. ■

A Message from MCCF President Alan Bowser

I'm writing to remind you to renew your membership in the Montgomery County Civic Federation as we begin our 2020–2021 membership year. Or, if you and your association are not current members of the Civic Fed, we invite you to join us in our work.

As you know, by renewing or joining the Civic Federation, you become part of our County-wide organization in support of our civic associations and homeowner's associations. With your help, we can continue our active advocacy work on behalf of our neighbors and maintain the high level of service we provide to Montgomery County's residents.

We are fortunate to have a great

President's Message, cont.

group of Civic Federation officers who give selflessly of their time to monitor programs, policies and events at the County and State levels, and who work tirelessly to educate our members and advocate for valuable changes in policies.

We invite the participation of you and your organization at our meetings and in the work of our Executive Committee and in our subject-matter committees. And there are many opportunities for your delegates to serve as chairs of Civic Fed committees and to be part of our Executive Committee team.

Why support Montgomery County's Civic Federation?

■ For ninety-five years, the MCCF has been devoted to improving the quality of life in Montgomery County, advocating for improvements in

the infrastructure of the County, and evaluating and discussing issues of concern to its members.

■ We are the only Montgomery County-wide membership organization which addresses critical issues across a wide spectrum, including land use and planning, public safety, environment, education, public finance, health, and community development.

■ We have successfully mobilized community support to make meaningful changes in transportation, environmental, and public accountability issues.

■ With member feedback, communications, resolutions, and testimony are provided to the County government, State government, and bi-County agencies on a regular basis.

For example, recently with help from our members, our efforts to promote good government resulted

in the Maryland State Legislature creating new Inspector General authority for Montgomery County Public Schools, the Maryland-National Capital Parks and Planning Commission, and the Washington Suburban Sanitary Commission.

As we approach the 100th anniversary of the Civic Federation, we seek to expand our membership and to enhance the effectiveness of our education and advocacy mission. We can do that with your membership.

You join the Civic Federation [online here](#) and you can pay via either PayPal or credit card after submitting your application.

We'll be meeting virtually for the foreseeable future due to the coronavirus pandemic, so it will be easier to participate in our regular monthly and special meetings.

Thank you for your time and we hope to see you soon. ■

Community Covid-19 Update

The Covid-19 pandemic has had devastating public health and economic impacts throughout Montgomery County. The County's Covid-19 caseload surpassed 45,0900, at the time of this writing, according to the Maryland Department of Health, and more than 1000 people have died.

Montgomery County, which is home to more than 1 million people, continues to have the highest number of deaths in the state. It also has the second-highest number of confirmed cases, after Prince George's County, which has 53,338, according to the latest figures.

Residents can keep track of the County's pandemic-related health metrics [here](#). The website provides information on news, Covid-19 testing, "reopening" developments, of-



ficial orders and directives, and ways to both get help and get involved.

Information about Covid-19 vaccines locally [can be found here](#).

The Covid-19 vaccine will play a crucial role in helping end the pandemic. Beginning in December, the first doses of Covid-19 vaccine were distributed directly to hospitals. Decisions about who receives the vaccine first are based on guidelines defined by the Centers for Disease Control and Prevention (CDC) and the Advisory Committee on Immunization Practices (ACIP). ■

MCCF Needs Your Help!

The Civic Federation needs help in following and organizing its Countywide portfolio of important community issues. We're looking for volunteers to help us monitor issues in the following areas: Education, Public Safety, Public Finances, Environment, Transportation, Land Use and Planning, and Legislation. If you're interested, please email president@montgomerycivic.org.

Have ideas for MCCF meeting agenda topics? Have ideas for Civic Federation "Community Heroes? Please email president@montgomerycivic.org.

Have ideas about community project ideas to share and neighborhood best practices? Email president@montgomerycivic.org.

Have an article for the newsletter? Email ... [you know who](#). ■

Marc Elrich, Montgomery County Released Draft Climate Action Plan in December

By Tim Willard

On December 14, Montgomery County Executive Marc Elrich released the Draft Climate Action Plan for public review. The Climate Action Plan is the County's strategic plan to cut greenhouse gas (GHG) emissions by 80 percent by 2027 and by 100 percent by 2035.

The actions and technical analyses presented are the results of efforts by more than 200 volunteer members of the Climate Technical Workgroups, community groups, County employees, and technical consultants—as well as input from the public. Eighty-seven climate actions are outlined in the plan, with the hope of meeting the County's ambitious climate goals while building a resilient community.

The Draft Climate Action Plan is open for public review and comment

through the end of February. The complete list of recommended actions is available on the MoCo DEP [Climate Home Page](#). The plan will be finalized in the spring of 2021.

The Draft Climate Action Plan identifies the County's major GHG emissions sectors, including energy supply, buildings, and transportation, and proposes actions to directly reduce GHG emissions in these sectors. The plan also includes actions related to climate adaptation, carbon sequestration, climate governance and public engagement, partnerships, and education.

Recommended actions in the plan include:

BUILDINGS

- Implement code requirements and develop incentives for public

and private buildings related to solar photovoltaic (PV) installations, electrification, net-zero standards, green and cool roofs and extreme weather.

- Implement building energy performance standards for existing commercial, multifamily, and residential buildings.

- Prohibit natural gas in new construction.

CLEAN ENERGY

- Advocate for and develop an Opt-out Community Choice Energy program in which the County would purchase renewable energy on behalf of electricity customers.

TRANSPORTATION

- Expand public transit service, pedestrian and bicycle infrastruc-

Climate Action Plan, cont.

ture, and a shared micro-mobility network.

- ▮ Limit cars in urban areas and implement congestion pricing.
- ▮ Advocate for a local vehicle carbon gas tax.

▮ Support community-wide resident adoption of electric vehicles; electrify public buses, school buses, and the public vehicle fleet; and expand the electric vehicle charging infrastructure network.

▮ Support telework and other transportation demand management strategies.

CARBON SEQUESTRATION

- ▮ Retain and restore forests, meadows, and wetlands and increase tree canopy.
- ▮ Expand regenerative agriculture practices and community gardens.

ADAPTATION

- ▮ Repair and upgrade stormwater drainage and management systems.
- ▮ Enhance temperature and stormwater monitoring and alerts.
- ▮ Update green streetscape and green infrastructure standards.
- ▮ Harden emergency shelters and install resilience hubs (public facilities such as community centers that can island from the grid and provide continuous power during outages).



- ▮ Update floodplain maps.

GOVERNANCE

- ▮ Establish a climate academy for County government staff; identify and train departmental “Climate Ambassadors.”
- ▮ Evaluate and update County government planning, policy, and operations activities to reduce GHGs and account for the risks of climate change impacts while prioritizing the needs of vulnerable residents.
- ▮ Integrate climate considerations into the budgeting process.
- ▮ Create a workgroup to develop financing strategies for implementing climate actions.

PUBLIC ENGAGEMENT, PARTNERSHIPS, AND EDUCATION

- ▮ Conduct a public outreach campaign to empower the public with

Climate Action Plan, cont.

information on how to reduce emissions and adapt to climate change impacts.

- Form a climate change communication coalition to coordinate outreach.
- Form a racial equity and climate change task force to help guide plan implementation.
- Establish a statewide coalition of local governments focused on advancing ambitious state climate policies, such as a 100% Renewable Portfolio Standard.
- Engage County artists through public art installations to raise awareness and spark discussion and action on climate change.
- Develop a standardized climate change curriculum and provide professional development for educators on climate change. ■

Climate Change Shifts National Food Production—to MoCo?

By Bailey Condrey

Landmark new reporting shows regions traditionally reliable for food production, such as the south and west coast, will become increasingly less productive as the climate crisis worsens. Enter the Ag Reserve.

A new exhaustive study from **Pro Publica** has yielded the next in a series of alarming maps about the effects of climate change, especially with respect to crop production. This time, interactive maps and charts show where the threats of climate change will be felt most acutely in the near term—as soon as 2040.

One particular group of maps shows the shift in regional table crop production. Increasing heat and high humidity will progressively make the southern states and California less productive. The trends



**SHELVES IN MARCH
IN THE FIRST WEEKS
OF THE PANDEMIC**

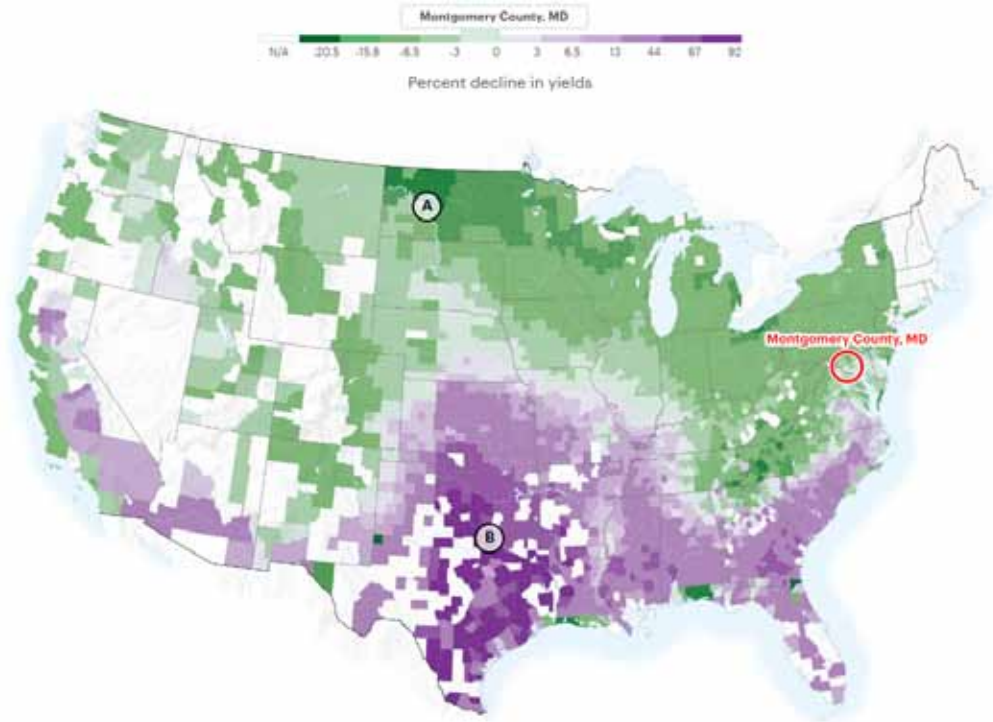
reveal that consumers could become more reliant on areas of the mid-

Food Shift to MoCo, cont.

Atlantic for much of the produce we consume, even during traditionally cold months. The guide to the maps is fairly straightforward, but purple means decline in yields, green means yield increase; the darker the color the higher the decline or gain.

If the flavor, transportation costs, carbon savings, and economic benefits of local food were not enough, climate change is making food trucked in from elsewhere simply unavailable—and we need to be ready.

Montgomery County had the foresight to protect 1/3 of its land mass for agriculture 40 years ago and the fortitude to maintain the primacy of farming in the agricultural zone since then. Montgomery Countryside Alliance has matched new and expanding farmers with



over 500-acres of land in MoCo to grow the next generation of farmers through its [Land Link program](#).

“We need each and every new table crop operation we can get

Food Shift to MoCo, cont.

growing to add to the generations of expertise and production our legacy farmers offer if the Ag Reserve is going to fulfill its promise of bountiful local food production,” said Caroline Taylor, president of the MCA.

Yet, at this time, when the food growing potential (and water quality protection, [more dire projections here](#)) of the Reserve is more important than ever, the singular purpose of the AR is being questioned. ZTA 20-01 would allow three-square-miles of commercial solar arrays with no real protections for forests, productive soils, or water quality. What’s more, the economic impact won’t even be studied as part of this proposal, even though landowners report receiving offers for land 10- to 20-times what farmers are paying and some farmers are reporting the

loss of lease contracts as the result of this ZTA even being proposed. (Sixty percent of Reserve farming is done on leased land).

The AR has a role to play in meeting carbon mitigation goals, including reforestation efforts and scaling up regenerative agriculture practices. But, as the threats of warming become more and more concrete, this area set aside for Agriculture is a strategic investment in just that—growing our food in a rapidly warming world.

These factors must be considered as public comment on the County’s draft Climate Action Plan is underway. ZTA 20-01 must be amended to complement the CAP and the time is now to improve both of these legislative proposals.

[Reprinted Courtesy of Montgomery Countryside Alliance.] ■

CIVIC FED TONIGHT!

SEEKING POSSIBLE SPEAKERS FOR YOUR CIVIC ASSOCIATION MEETINGS?

Members of the MCCF Executive Committee have extensive experience in issues such as transportation, land use and zoning, schools, parks, environmental concerns, taxes, and public spending. Plus, they have a community-oriented perspective on these matters. If you would like an executive committee member to speak at a meeting, contact President Alan Bowser at *president at montgomerycivic dot org*. Include topics/possible dates.

Getting to the Brass Tacks!

Montgomery County's Draft Climate Action Plan: Equity and Communications Challenges

By Bailey Condrey

The Evidence-Based Communications subgroup was comprised of 12 communications professionals and worked for four months to develop a health frame through which all of the CAP's communications and equity tactics would be deployed. The model that the subgroup developed, based on a review of the literature and research, has now gotten the attention of the U.S. EPA and the CDC.

It now falls to those providing comments on the draft CAP to push for the inclusion of critical information that the contractor and DEP staff writing the draft failed to include. In spite of the health frame and equity lens that should overlay the deployment of the CAP's tactics,

only a paragraph mentioning health was included in the draft plan, with no mention of this important strategic approach. Mobilizing and educating the culturally diverse citizens of the county to engage in the tactics recommended in the draft CAP requires a robust and detailed communications strategy. A timeline with deadlines, deliverables, and metrics for measuring engagement in several different languages is just the tip of the iceberg. Citizens need to be informed in their native language how participation in GHG-reduction tactics is personally relevant to them and the health co-benefits of taking action.

For instance, a warming planet means greater moisture in the air and more severe rain events that

increases flooding. The climate crisis makes torrential downpours all the more likely in our region. The county has numerous older communities where increased flooding creates wet basements. Wet basements facilitate the growth of mold. Increased mold within dwellings increases asthma and other health problems. The county has one of the highest asthma rates in the country. The State Department of Health made reducing asthma in Montgomery County one of its highest priorities. The DoH and county Emergency Management were not involved in the development of the draft. Our climate, the environment, and health are all related and a coordinated effort between all relevant agencies is

Climate Plan Equity, cont.

needed.

The draft contains no discussion on how the pandemic will affect the plan. What resources will be brought to bear and what community engagement can be expected when people continue social distancing? The plan as drafted contains nothing on the health framework and very little on equity, even though the county has an Office of Racial Equity and Social Justice to “address issues of racial equity as an ethical obligation.” There is only one paragraph on community engagement.

Evidence-based communications forms the bedrock for community engagement. This builds support for the choices that county leaders must make where buy-in becomes essential. Every choice made must have a health-based benefit for those

participating in making the plan a success. Health co-benefits lead to shifts in behavior, which in turn can make MoCo one of the healthiest places to live in the United States. An equity lens overlying this work means no one gets left in a dead wake and everyone experiences the potential benefits.

If elements of the plan can reduce GHGs now, why not implement them now before the draft is revised?

Resilience and adaptation must be addressed community-to-community. Who needs help based on age, income, and distinct vulnerabilities must be addressed. The best schools in the country are teaching the health frame approach to addressing climate change. These health frames are not one size fits all. They must be adapted to the specific local conditions of where people live. For instance, ServePro could be asked

to adopt different rates for flooding remediation based on the socio-economic conditions of the places affected. It doesn't mean they will, but the question should be asked. Same with insurance companies where rebates or discounts could be given for insured homeowners who remediate before damage occurs. Vulnerability has huge impacts on resiliency and adaptation and the communications outreach of the draft CAP must provide a clear roadmap to achieve this goal.

What economic impacts will the final plan have on business and what funding mechanisms will be deployed to gain the essential buy-in from this important target audience? We have time to address these important challenges, but those receiving input from the public must be given free rein to approach the

Climate Plan Equity, cont.

challenge with open minds. No one should be allowed to place filters on this feedback, especially the critical health frame and equity lens, essential to a successful communications strategy.

NOTES

■ In Maryland, however, there is a higher prevalence of asthma^[i] than the national average in both children and adults. According to *The Maryland Asthma Control Plan 2010–2015*, published by the Maryland Department of Health and Mental Hygiene, Maryland Asthma Control Program, “young children in Maryland carry a disproportionate burden of asthma.”^[ii] When mold spores reach the lungs, they can trigger asthmatic events which may include severe wheezing, coughing, and short-

ness of breath. Especially for children with asthma, mold exposure can be serious and even dangerous. Additionally, children experiencing asthma may need emergency room visits or other medical care that can result in absence from school and missed work for the parent or guardian.

■ In addition to having previous policy precedent to protect public health (i.e., radon remediation), *The Maryland Asthma Control Plan 2010–2015* specifically spoke to this issue. Objective 4.4 asks for the development and implementation of “a policy framework and legal and regulatory recommendations, to facilitate the recognition and elimination of environmental triggers of asthma.” Further, the specific objective states: “4.4.3: Collaborate with state and local agencies and organizations with the authority to enforce building, housing, and health codes

to help address and reduce issues known to exacerbate asthma (e.g., pests, mold, and ventilation).”

CITATIONS

^[i] Centers for Disease Control and Prevention. (2014). National Environmental Public Health Tracking Network. Retrieved from the [Centers for Disease Control and Prevention website](#).

^[ii] *The Maryland Asthma Control Plan: An Action Agenda to Reduce the Burden of Asthma in Maryland 2010–2015* (April 2009). Maryland Department of Health and Mental Hygiene, Maryland Asthma Control Program. Retrieved from the [Maryland Department of Health website](#).

[This article was compiled after speaking to a number of individuals participating in the Climate Action Plan work groups.] ■

Getting to the Brass Tacks II**Montgomery County's Draft Climate Action Plan: Plastics Create Huge Challenges**

By Bailey Condrey

A great many people spent months and contributed thousands of hours of volunteer time to provide the county with meaningful approaches to reduce greenhouse gas emissions to ensure that the county would reach its GHG reduction goals of 85 percent by 2027 and 100 percent by 2035. All of the recommendations from the advisory groups were provided to staff at the county Department of Environmental Protection, and DEP staff worked with an outside contractor to produce the draft report. **Public comments are due to the DEP by February 28, 2021.** The draft plan **can be found here.**

The Montgomery County Civic Federation extends its deep grati-

tude to all of the volunteers who participated in this painstaking process and to the staff at the DEP for overseeing the creation of the draft report. Now comes the period when we examine what has been provided and ask the questions that should be answered before the report is finalized.

In the days and weeks since the draft report was made public, many individuals voiced concerns over what they feel are significant omissions. The *Civic Federation News* has covered numerous issues related to reducing GHGs and environmentally destructive practices in the county for many years. To get any large group of humans, such as the county's roughly 1.1 million citizens, to participate in an exercise that

requires sacrifice, the county government must also demonstrate that it will shoulder this burden equally. However, the draft CAP reveals that political exceptions have been made already.

Back in March of 2020, the *CFN* carried **this article on the mythical plans by Montgomery County Public Schools to “recycle” and replace the defective synthetic turf field at Walter Johnson High School.** The GHG-emitting, micro-plastics belching, old field was supposed to be shipped to Malaysia. That's roughly 10,000-miles from Bethesda and the company slated to receive the toxic plastic turf rolls, PolyPacific, has since closed its doors. Nearly 250 tons of contaminated infill disap-

Climate Plan Plastics, cont.

peared somewhere in North America. MCPS was supposed to provide documents stating that this material was “recycled.” Where are they? WJHS, of course, received a new synthetic turf field, which has been off-gassing methane and ethylene for roughly eight months now. The draft CAP makes no mention of synthetic turf, its harmful effects on the environment and children, or whether MCPS has been encouraged to return to grass athletic fields. Equally important, the draft report makes no mention of how the thousands of tons of toxic plastics waste coming from MCPS and private school fields at end of life will be managed.

One of the groups that has been a stalwart educational and legislative resource on the environmental and health risks of synthetic turf for

more than a decade is Safe Healthy Playing Fields, Inc. One of the founders of SHPF, Dr. Kathy Michels, a neuro-toxicologist, recently presented data at the **Chesapeake Water Environment Association** conference showing that the county’s embrace of syn turf actually violates its municipal separate sanitary storm sewer permits. When speaking of syn turf, Dr. Michels said, “Synthetic turf is a fossil-fuel-intensive product. From the beginning to the end of its lifecycle, synthetic turf contributes to climate change. From the petroleum used to make it, to the heat island effect it creates, to the greenhouse gases it emits when it breaks down—these plastic fields are the opposite of sustainable. The micro-plastics pollution they send to the watershed has begun to have profound effects on both the aquatic and marine environments.”

The following represent **industry figures from the Synthetic Turf Council** on just how addicted American adults have become to covering the soil biomes of the nation with toxic petroleum products and forcing children to use them: *6-25-20: “The total installed value of synthetic turf in North America is \$2.7 billion, with industry growth of 15 percent since 2017. This activity translates into approximately **265 million square feet (24.6 million square meters) of installed turf and 777 million pounds (352 million kilos) of infill.** While the industry is poised to contract slightly in 2020 due to the short-term impact of COVID-19, it will grow 5.7 percent through 2022.”*

According to Turf Reclamation Solutions and others, about 40,000 pounds of plastics are used to manu-

Climate Plan Plastics, cont.

facture the plastics carpeting in each regulation size sports field. **The plastics/rubber/sand infill contributes another 400,000 pounds.**

According to Dr. Sara-Jeanne Royer, “There are ~60,912 blades of plastic grass/square yard. A regulation size football field is 6,400 sq. yards, rendering a field blade count of ~389,836,800.” Dr. Royer adds, “From the moment syn turf carpeting is exposed to the sun, the off-gassing of methane and ethylene begins, and it never stops. It only accelerates with breakdown of the components.”

Activists throughout the county and nation have been telling legislators at all levels of government for years about the micro-plastics pollution these fields dump into watersheds. Locally, this micro-plastics

pollution has been documented in the following video, still in rough-cut, created by Amanda Farber, titled *Playing with Synturf Plastic Pollution*.

Having seen this video, having been on the syn turf fields where it’s glaringly obvious that they are massive point sources of pollution, objective reality forces one to confront the truth. If one believes in objective reality. The video, however, puts the lie to the claims of those who pretend that all of this micro-plastics pollution is somehow contained on the field property. Physics simply doesn’t work this way. **Additional information on plastics’ contribution to the climate crisis can be found here.**

The fact that no mention was made of syn turf fields in the county’s draft CAP report motivated Diana Conway, the president of SHPF

to make a number of requests for modifying the report. These include the following:

▮ Immediately end all funding for synthetic turf and poured-in-place playgrounds. They are hot, toxic, and unsustainable petroleum products. All existing synturfs should be replaced with grass fields as they age out, and all pending contracts should be suspended. PIPs in the District, Prince George’s and Montgomery Counties have recently revealed high lead levels. No amount of exposure to lead is safe for children.

▮ A founding member of SHPF, Inc., Dr. Kathy Michels recently delivered a presentation before the CWEA conference in which she provided proof that syn turf violates MS4 permits. The county has just recently satisfied the consent decree with the state over storm water is-

Climate Plan Plastics, cont.

sues. Why would we now risk this position as we roll out the CAP?

■ Each syn turf field is a potent heat-island. Each renders 60,000- to 80,000-square-feet of soil useless from a climate-modifying perspective as it wipes out the soil biome's carbon sink potential, eliminates the oxygen-producing capacity of the grass, and eliminates the ability of rain to percolate through the soil to recharge ground water.

■ Each square-foot of syn turf contains six- to nine-pounds of infill. The syn turf industry has admitted that each toxic petroleum field loses one to five tons of infill per year. Infill pollution has been identified by the European Chemical Agency as the largest single contributor to micro-plastic pollution across the European Union. ECHA has pro-

posed phasing in a six-year ban on plastic infill on syn turf ([see Reuters article on the EU ban](#)).

■ This does not account for the additional micro-plastic shedding of the grass fibers as the tufts come loose, and from each blade as it breaks off or wears down from age, use and weather. The plastics pollution video shows how excessively these fields shed petroleum grass blades.

■ In addition to the sheer volume of micro-plastics being generated by each field, there is the *toxicity* of syn turf infill and blades. Synturf has been shown by independent third-party laboratories to contain various cocktails of poly-fluoro-alkyl substances, lead, benzene, endocrine disruptors, phthalates, PAHs, VOCs, SVOCs, CNTs, carbon black, biocides, fungicides, flame retardants, and more.

■ Syn turf and PIP continue to receive Program Open Space funds as well as funds from MCPS, MNCP-PC, and apparently the Recreation Department. Montgomery County Parks Department has wisely adopted a policy against installing further syn turf fields.

■ *A county that commits to a climate action plan cannot coherently continue installing syn turf and PIPs.* In addition, there is the opportunity cost: Money going to syn turf and PIPs is money that cannot go to installing and maintaining grass fields that actively restore and protect our climate, soil, water, and children. Syn turf is shown to dramatically increase injuries among users, according to multiple, large studies that are peer-reviewed and published in leading journals. Grass fields are safer, softer, and preferred

Climate Plan Plastics, cont.

by athletes, but, from a climate crisis perspective, *grass sports fields are the only logically sane option*. Any other choice is a statement that the County is not serious about its climate action plan.

■ Syn turf delivers an additional, unseen insult to any climate plan for environmental sustainability: Disposal. There is no regulation on disposal of synturf in Maryland—no tracking, no chain of custody, no accountability. The MCPS effort toward that goal at Walter Johnson HS has apparently been defeated by a piece of paper from PolyPacific in Malaysia (which has since declared itself closed). Prior to witnessing, recording, and reporting on the WJHS syn turf debacle, members of SHPF witnessed and recorded the removal of the syn turf field from



Richard Montgomery High School, which was transported for “re-use” to a paintball site 400 yards from the Bird River in White Marsh, Md. The result is that some 200 tons of Montgomery County’s unsustainable plastics trash was essentially dumped in someone else’s county. It’s still there two years later, leaching and dribbling away into the soil and water. That’s *200 tons of mixed plastics toxic waste* leaching its contaminants and polluting the waters of an estuary feeding the Chesapeake Bay with beads of crumb rubber and

broken petroleum grass blades.

■ Completely unregulated toxic waste from Montgomery County now pollutes places both far and near and it has not been addressed in the county’s CAP. Any judicious and equitable climate action plan should clearly prohibit all entities doing business in the county from dumping their waste in other states or countries.

■ This is not responsible behavior and it is certainly not a rational part of reducing widespread pollution and GHGs. *It has to stop*. Montgomery County must immediately end *all* funding of synthetic turf athletic fields and poured-in-place playgrounds.

The evidence provided by SHPF and others clearly shows that the draft CAP must be amended to address this challenge. The addiction

Climate Plan Plastics, cont.

of adults influencing private schools and MCPS to continue using this toxic product must be confronted with reality. MCPS and private schools don't get to provide higher education to children while they ignore basic science and expose them to heat stroke and toxins. This manmade problem can be fixed, but it requires leadership. Otherwise, complete elimination of GHGs being emitted by Montgomery County by 2035 will not happen. The microplastics pollution poisoning our aquatic and marine environments will continue as these essential food webs begin to collapse. The draft CAP cannot make excuses and exceptions for the status quo, if it actually intends to meet with success. Aggressive goals require more from everyone. ■

Chesapeake Bay Foundation: 'Where Solar Shouldn't Go is as Critical as Where it Should Go'

The Montgomery Countryside Alliance has been productively engaged with farmers, other civic organizations and solar industry representatives in a [work group to amend ZTA 20-01](#). As currently written, this proposal will allow three-square-miles of commercial solar arrays in the Agricultural Reserve with scant protections for productive soils, forests and water quality ([full fact sheet here](#)).

A number of local environmental groups have been engaged to urge that solar array siting in the county take protection of natural resources into account. Adding to the list, the Chesapeake Bay Foundation has weighed in with comments. The most recent

copy of *Bay Journal* has an [illuminating piece from long time land use expert Lee Epstein, the director of Lands programs at CBF](#). It reads in part:

"Clearing forests, wetlands, or prime farmland for solar farms can degrade wildlife habitat and diminish the land's ability to naturally filter and clean water, adding more pollution to rivers and streams. Such actions can also undermine the effort to fight climate change. Forests and wetlands capture and store carbon in their own right, and they provide important buffers against extreme weather."

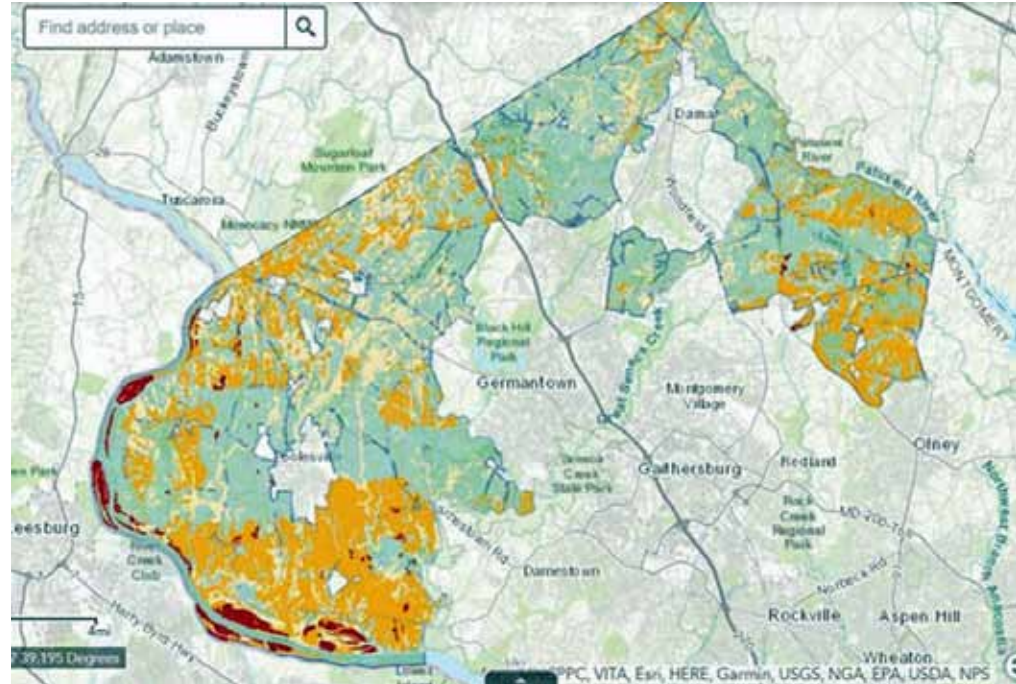
This article is one of many

Where Solar Should, cont.

documents in [the google drive for the solar working group](#). Though only given four meetings by the county council to discuss possible amendments to the ZTA, the work group will continue to meet. In the absence of the County's infrastructure to host this virtual meeting and make it open to the public, MCA has stepped up to do so. Please stay tuned.

[Reprinted with permission by the Montgomery Countryside Alliance.] ■

AS WRITTEN, THE ZTA ONLY PROTECTS CLASS I SOILS (SHOWN IN THE COUNTY MAP AT RIGHT IN RED), MUCH OF WHICH ARE IN THE MIDDLE OF THE RIVER AND NOT CURRENTLY FARMED. ALL AREAS



IN ORANGE AND PEACH (CLASS II AND III SOILS) ARE CONSIDERED PRODUCTIVE SOILS

THAT ARE HOST TO THE 500+ FARMS IN THE AGRICULTURAL RESERVE.

Survey of State Legislation of Interest in the Upcoming 2021 Session

By Peggy Dennis, Legislative Chair

As Chair of the Legislative Committee, I've taken on the job of following bills in Annapolis, a somewhat daunting assignment. As of December 27, there are already 423 bills that have been "pre-filed." I have looked through the list and tried to learn more about some of the bills. My own District 16 Delegate, Marc Korman, helped educate me about my expectations.

I asked him when we could expect the Synopsis and Analysis of each bill to be posted; he replied, "As is the process every year, the legislative text will be posted when the Department of Legislative Services completes their review, which is likely the first week of January. The fiscal notes are posted before the bill hearings, but sometimes not

until the day before."

Could we please be able to read them in "plain English," I asked. His reply: "The fiscal notes have a plain language description." That remains to be seen! But if/when you wish to see these bills (and more to come) [visit the MGA legislation page](#).

There are at least 19 "local bills" because Del. Luedtke just "late-filed" **MC 19-21** concerning emergency licensing for alcoholic beverage licenses. When I asked Marc how to find the list of local (Montgomery County) bills, he explained they could be found on the MoCo Delegation legislation page.

Furthermore, he stated: "After the session starts, these will all be on the General Assembly website under 'Montgomery County Delegation,' but I need to formally introduce them for that to happen, which I have not done yet because I don't have the 'bluebacks' from the bill drafters." The blueback is the official bill for introduction.

The 2021 legislative session begins on January 13th. Scanning through the 423 bills pre-filed as of December 27, there are some I think may interest you and which the Civic Federation should learn about and consider supporting.

Three bills backed by the Sierra Club pertain to the environment and waste limitation:

I HB0036, *Producer Responsibility for Packaging and Paper Products*, sponsored by Del. Lierman. You may sign up for the lunchtime webinar on this bill on

State Legislation, cont.

Wednesday, Jan. 6, [at this link](#).

▮ **HB0021**, *Recycling—Prohibition on the Chemical Conversion of Plastic*, sponsored by Del. Love. [A one-hour webinar on this topic can be seen on YouTube](#).

▮ **HB127**, *Maryland Paint Stewardship Program*, sponsored by Del. Boyce. [A briefing on this bill can be seen here](#).

The following bill, **HB0033**, *Climate Crisis and Education Act*, sponsored by Del. Frazer-Hidalgo, is strongly supported by the Chesapeake Climate Action Network. Two others supported by CCAN—*Climate Solutions Now* and *the Public Service Commission Climate Test*—are either holdovers from the 2020 session or have not yet been filed. Other bills addressing Climate Change are in the work and

should be of interest.

Other bills I find interesting are:
▮ **HB0007** was sponsored by Del. Luedtke to allow income tax credit for expenses related to donating deer/venison in MoCo.

▮ **HB0016**, *Dignity Not Detention Act*, having to do with the detention of immigrants, was sponsored by Del. Stewart.

▮ **HB0066**, *Electric Generation—Transition from Fossil Fuels—Carbon Dioxide Emissions Rate and Transition Plan and Fund*, sponsored by Del. Brooks.

▮ **HB0022**, *PFAS Chemicals—Prohibitions and Requirements*, sponsored by Del. Love.

▮ **HB0030**, *Office of Climate Counsel—Establishment (Climate Council Act)*, sponsored by Del. Korman.

▮ **HB0032**, *Cannabis—Legalization and Regulation*, sponsored by

Del. J. Lewis.

▮ **HB0040**, *Maryland Energy Administration Study on Geothermal Heating and Cooling Systems and Geothermal Energy Workgroup*, sponsored by Del. Charkoudian.

▮ **HB0044**, *Clean Cars Act of 2021*, sponsored by Del. Frazer-Hidalgo.

▮ **HB0067**, *I-495 and I-270 Public-Private Partnership—Partnership Agreement—Requirements (Maryland DOT Promises Act of 2021)*, sponsored by Del. Korman.

▮ **HB0069**, *Environment—Single-Use Plastics—Restrictions*, sponsored by Del. Love.

▮ **HB0080**, *Department of Transportation and the Department of the Environment—Purple Line Tree Replacement Program*, sponsored by Del. Charkoudian.

State Legislation, cont.

■ **HB0099**, *Beverage Container Deposit Program—Establishment and Advisory Commission*, sponsored by Del. Love (a favorite of those of us who Adopt-a-Road and pick up countless drink bottles and cans; it's time Maryland joined the states that have had a bottle deposit law for many decades)!

■ **HB0110**, *Electrical Vehicle Recharging Equipment for Multi-family Units Act*, sponsored by Del. Korman.

■ **HB0116**, *Transportation— I-270 Commuter Bus Route Study*, sponsored by Del. Palakovich-Carr.

■ **HB0158**, *Property Tax—Homeowners' Property Tax Credit—Calculation and Refunds*, sponsored by Del. Carr.

■ **HB0410**, *Congressional Districts—Standards (Anti-Gerryman-*

dering of Maryland's Congressional Districts), sponsored by Del. Malone.

■ **HB0419**, *Economic Development—Advanced Clean Energy and Clean Energy Innovation Investments and Initiatives*, sponsored by Del. Qi.

My list is admittedly heavy on bills sponsored by our own MoCo legislators. I'm not sure whether this reflects the high quality of the work being done by "our people" or my own interests. You be the judge. And if any of these bills (or others, such as the bill to repeal the Maryland state song and hold a competition to replace it, or the bill concerning a "Court Dog Therapy Program") catch your interest, by all means study those bills, become an advocate or opponent, and join us on the Legislative Committee. ■

Minutes of December 14, 2020, MCCF Meeting #918

By Karen Cordry, Recording Secretary

Due to the COVID-19 outbreak, the General Meeting was held via Zoom as a virtual meeting.

Call to Order: President Alan Bowser called the meeting to order at 7:30 p.m. There were approximately 35 participants online over the course of the meeting.

Approval of Agenda: It was moved and seconded that the agenda be approved; so approved by voice vote.

Approval of Minutes: It was moved and seconded that the minutes of the last meeting be approved;

December Minutes, cont.

so approved by voice vote.

Treasurer's Report: Jerry Garson reported that, for the current month, we received \$85 in dues, and had \$100 in expenses. Total dues since July 1 are \$498. The current bank balance is \$9,747.

ANNOUNCEMENTS

■ Bailey Condrey noted that the MoCO Climate Action Resiliency Plan draft had been issued but it did not discuss synthetic turf as a pollutant to be addressed.

■ Alan Bowser announced that a) he had testified on Nov. 19 at the Planning Board hearing on the 2050 Plan Draft and there would be a report on that in the December newsletter; b) on December 11th, he had attended the Committee for Mont-

gomery's (virtual) Legislative Briefing with participation by state, local, and Congressional representatives and COVID experts; c) MCCF Board members had testified on 4 bills.

■ Cary Lamari noted that Al Carr was working on some bills related to landlord/tenant issues, including limiting the bases for evictions.

■ There is also further discussion on putting solar panels in the Ag Reserve.

DECEMBER PROGRAM

Annual Briefing on Upcoming State Legislative Session. Speakers: Senator Craig Zucker (Dist. 14) and Rep. Marc Korman (Dist. 16).

It was noted that MoCo has the largest delegation in the state, with 8 Senators and 24 Representatives, with a significant number of those persons holding leadership positions. The legislative session begins

in mid-January and runs 90 days. At this point, all House meetings are being held virtually; the Senate Committees are smaller so some may be in person. It was noted that the ability to hold virtual meetings has made them more accessible in many ways and that is a silver lining of COVID that may be retained after it is finally under control.

The primary areas to be addressed are economic recovery, health care (including protecting the effects of the Affordable Care Act if the Supreme Court invalidates it in any respect), police reform, and education reform. Both Houses are working on police issues and this is viewed as "must pass" legislation. Recommendations based on the Kirwin Commission report were passed last session, but the Governor vetoed them. Those issues will be revisited

December Minutes, cont.

this session.

Other areas noted included a tax overcharge issue in MoCo since 2005 (work is being done to get that refunded), efforts to crack down on speeding on the ICC, and the need to override a large number of Governor Hogan's vetoes from the prior session. Many programs were passed with large majorities and were fully funded, but the Governor vetoed them and didn't even try to resolve his concerns.

They also discussed the substantial effects on the budget from COVID impacts, including increased spending needs to respond and for entitlements, while a number of revenue sources (including casino revenues) had declined substantially. Federal money in the CARES Act helped close the gap for state, and

also assisted businesses to keep employees on the payroll, but there has been no more since then. Inasmuch as most white collar workers—with higher earning capacity and income tax liabilities—are still doing reasonably well, that source of revenue has not declined significantly. The passage of the sports betting question on the ballot will bring in some added revenue.

In the transportation area, vehicle traffic is down about 15 percent, which has solved congestion issues. Airport, MARC, Metro, and bus traffic are down much more dramatically, causing significant revenue concerns. Comments have been filed on the Draft EIS on the I-495/I-270 project which the Governor is still pushing hard. On the Purple Line, the prior contractor has been bought out with a \$250 million settlement and they are now looking to find a

new builder. The state is doing some continuing work in the meantime.

There have been attempts over the last couple years to reform the P3 contracting process (the one used for the I-495/I-270 project) to impose more oversight, analysis, and control, rather than just allowing just two members of the Board of Public Works to commit the state to huge projects. Substantial opposition at all levels to this project has not changed Hogan's mind, so bills will again be on the table, including proposals to require an affirmative vote on P3 projects above a certain size.

There is a process of "prefiling" bills for the upcoming session so prep work can be done. Usually, there are about 100 bills; this year, close to 1,000 have been submitted. Some topics likely to be addressed

December Minutes, cont.

are changes to liquor/beer/wine sales regulations, public financing of state offices, and further marijuana liberalization beyond just medical use which is allowed now. Finally, it was noted that Governor Hogan is term-limited, making room at the top in 2022.

NEXT MONTH'S PROGRAM

County Executive Marc Elrich will be the speaker, and we will invite Dr. Travis Gayles, the County Health Officer, to be there as well.

OLD BUSINESS

Further discussion of additional members to bring in, as well as the need to fill some Chair and Co-Chair slots, and a database person.

COMMITTEE REPORTS

Transportation

■ Jerry Garson noted that WMATA is proposing substantial service cuts.

Land Use

■ Council Member Will Jawando has proposed a ZTA to allow homeowners in the R-60 zones (single-family areas) near Metro to be able to build at higher density by right. This would tend to preempt the General Plan discussions and is likely to be highly controversial.

Environment

■ Bailey Condrey noted the draft Climate Action Plan does not address synthetic turf although that is a major source of stored heat, microplastic pollution, and offgassing. The plan also needs to do more to address outreach as a way to build

support for the recommendations.

Public Utilities

■ Louis Willen noted that WSSC has been pushing to replace and upgrade to “smart meters” which would save costs over time. To date, that plan has not been approved.

■ MCCF has testified in favor of a County bill requiring WSSC to provide better remote access to meetings.

■ A bill is also pending to have landlords be involved in having WGL replaces mercury regulators on furnaces (which can cause explosions if they fail).

ADJOURN: At 9:25, it was moved and seconded that the meeting adjourn. The motion was approved by voice vote. ■

Minutes from the December 17, 2020, Executive Committee Meeting

By Karen Cordry, MCCF Recording Secretary

In Attendance: Alan Bowser, Peggy Dennis, Jerry Garson, Tim Willard, Sue Schumacher, Jacquie Bokow, Karen Cordry. Meeting opened online at 7 p.m.

Approval of Agenda: Motion made and seconded to approve agenda. Approved on voice vote.

Approval of Minutes: Motion to approve minutes of both the **Oct. 22** and **Nov. 19** ExCom meetings, as set out in the December newsletter, was seconded. Approved on voice vote.

Treasurer's Report: Given by Jerry Garson with same figures as at Monday General Meeting. Re-

port will be attached to minutes.

GENERAL MEETING

The January meeting will be held on the 11th and the featured guest will be County Executive Marc Elrich. The County Public Health Officer, Dr. Gayles, will also give an update on the status of the County's Covid efforts, including the number of cases, status of vaccinations, etc., and will provide information on what associations and others can do to get info out.

Alan will write an article for the newsletter article about the virus and we will send out a news alert before the meeting about the topics to be covered. Alan will speak with Dr. Gayles before the meeting to get information for the newsletter. Elrich will speak about what he's

been doing generally and what new challenges have been arising from the impacts of COVID.

The January meeting announcement will solicit advance questions that can be given to Debbie Spielberg to pass on to Elrich and Dr. Gayles so they can be prepared to answer them.

OLD BUSINESS

Membership Outreach

Alan has reached out to Randolph Hills Civic Association, which had been a member before and is interested in rejoining. He has also reached out to several other up-county associations. They are interested in getting adequate internet service up-county but it is quite expensive due to the low population density.

Dec. ExCom Minutes, cont.

Commercial Solar in the Ag Reserve

■ The Sierra Club has been pushing it but Sugar Loaf Citizens and many farmers don't like it because of concerns about over-commercialization. There is currently a ZTA under discussion in the Counsel about allowing as much as 1,900 acres of commercial solar. Alan suggested competing factions should be asked to do write ups for the newsletter. Discussion about competing possibilities for creating the additional solar capacity and noted that Elrich's Draft Climate Action Plan has many recommendations on getting to Net Zero by 2035. This could be part of Marc's presentation and then have later program in the spring to discuss/debate those steps.

COMMITTEE REPORTS

Communications

■ It was noted that it would be useful to have some more folks to help with press releases and social media.

Legislative

■ The last newsletter listed several bills we are supporting. Peggy noted that information on bills is usually only a very legalistic statement and we should officially request that the County delegation ensure that every bill is accompanied by "plain language" explanation of what it is actually meant to address and cure. Peggy will draft up that position so we can send to delegation and to Speaker of House and Senate leaders. It will be mentioned in newsletter.

■ We should also create an easily findable place on our website to

see all of our positions on bills, their explanations, etc.

Public Utilities

■ Louis Willen has agreed to be Chair and needs to be added to Executive Committee.

Planning and Land Use

■ General Plan/Subdivision Staging Policy has now be renamed as the Growth Policy and the draft has been issued.

■ Will Jawando has proposed new ZTA to allow increased density in single-family neighborhoods that would give any homeowner within one mile of Metro (or Purple Line station) absolute right to tear down single home and build multifamily housing as of right to increase amount of close-in housing. Coalition for Smarter Growth, based

Dec. ExCom Minutes, cont.

in D.C., on the other hand, views single-family housing as not allowing for sufficient diversity, the “missing middle” housing, and want to apply this ZTA even more broadly but many HOAs likely to be unhappy. Dispute over whether proposal will really bring added diversity/affordable housing or just be a way for developers to get more profits. Probably should be a topic for a future meeting.

Transportation

■ Jerry noted that public transit isn't currently in big trouble due to COVID and Congress' refusal to assist state/local governments. Unclear how it will recover as epidemic eventually ebbs. Jerry will do news-

letter article about proposed service cutbacks.

Environmental

■ Tim can write on Elrich's Climate Action Plan for newsletter.

Adjournment: Motion to adjourn made and seconded. Approved by voice vote. Meeting ended at 8:09 p.m. ■

Montgomery County Civic Federation

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Send all address corrections to membership AT montgomerycivic.org.

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