

PATUXENT RESERVOIRS WATERSHED PROTECTION GROUP



Supplementary Documentation
In Support of the Patuxent Reservoirs
Technical Advisory Committee's
2013 Annual Report

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Introduction

This year's Annual Report Supplement contains additional information on activities discussed in the *2013 Annual Report of the Technical Advisory Committee*.

Supplemental information includes the following material:

- Photos of community outreach initiatives,
- Policy Board correspondence during 2013,
- Technical Advisory Committee (TAC) meeting agendas and summaries,
- Patuxent Reservoirs Watershed Protection Group founding documents, and
- List of TAC members and interested parties.

Community Outreach Initiatives

Several successful community outreach events were held in 2013. The annual Family Campfire was held at WSSC's headquarters in Laurel on September 28th, and the Fishing Derby was held at the Triadelphia Recreation Area on May 18th.



Many other outreach events occurred in 2013 organized by the Izaak Walton League of America – Wildlife Achievement Chapter in Damascus; the M-NCPPC, Montgomery County Planning Department; and WSSC’s Communications and Community Relations Office. Photos from these events include a tree planting held at the Scott’s Cove Recreation Area in September, two work days for deer exclusion and invasives maintenance at the Reddy Branch reforestation site in May, and numerous trash removal events held throughout the watershed.



Appendix A: Policy Board Correspondence



Policy Board

Robert G. Hoyt, Chair *Montgomery County*
William E. Barnes *Howard Soil Conservation District*
Françoise M. Carrier, Esq. *MD-National Capital Park and Planning Commission*
Joshua D. Feldmark *Howard County*
Jerry N. Johnson *Washington Suburban Sanitary Commission*
George E. Lechluder *Montgomery Soil Conservation District*
Adam Ortiz *Prince George's County*

March 8, 2013

Dear Policy Board Member:

The Patuxent Reservoirs Watershed Protection Group's Technical Advisory Committee (TAC) has completed its workplan for 2013. The TAC held a conference call during January to begin the next steps in developing the TMDL implementation Plan. This includes hiring the staff member or consultant agreed to at the Policy Board's annual meeting in December and developing a generalized strategy for working between meetings using ad-hoc work groups and conference calls to make progress on specific work programs or objectives. The first TAC meeting of 2013 was held on February 5.

What follows are highlights from the TAC meeting for your information.

- The TAC selected four goals to pursue in 2013 in the following priority order:
 - Goal 1: Hire and manage a staff member or consultant for the assessment and data tracking phase of TMDL implementation;
 - Goal 2: Modify the Patuxent Agricultural Cost-Share Program to remove constraints that will enable more effective use of funds by both soil conservation districts;
 - Goal 3: Renew a partnership with the MDE for developing a TMDL Implementation Plan (IP) for the Patuxent Reservoirs; and
 - Goal 4: Create a list of data sets relevant to the reservoir TMDLs to prepare for eventual requests by the staff member or consultant conducting the work under Goal 1.
- The TAC agreed to form two subcommittees to address the goals for 2013.
 1. Hire and manage the staff member or consultant (Goal 1) - TAC members from the four agencies that will fund the position comprise this subcommittee and have discussed initial steps to accomplish this goal.
 - The subcommittee has drafted a framework for creating an eventual scope of work.
 - WSSC has agreed to manage the contract and provide work space for the person or contractor hired.
 2. Patuxent Agricultural Cost-Share Program (Goal 2) – TAC members and participants have yet to form this subcommittee. Members would include at least the five agencies that have provided funding previously.
- The TAC welcomed Jason Zhao as the MDE representative on the TAC. Mr. Zhao is a Permitting Project Manager from the MDE's Water Supply Program.

Technical Advisory Committee

Bert Nixon, HCDH *Susan Overstreet, HCDP&Z*.....*Howard Saltzman, HCDPW*
Kristal McCormick, HSCD *Byron Petrauskas, MDA**Jason Zhao, MDE*
Vacant, MDNR *Mark Symborski, M-NCPPC* *Meosotis Curtis, MCDEP, Chair*
Vacant, MCDPS *David Plummer, MSCD*..... *Ken Clare, PGCDH*
Jerry Maldonado, PGCDER *Martin Chandler, WSSC, Vice Chair*.....


- TAC members were encouraged to publicize and participate in outreach events planned for this spring including:
 - Saturday April 6. The Upper Patuxent Watershed Clean sponsored by the Wildlife Achievement Chapter-IWLA in Damascus
 - Saturday April 13. The WSSC reservoirs property clean up; and
 - Week following Earth Day April 20. Tree planting with Sherwood High School at Montgomery County's Oaks Landfill .

Thank you for your continued support of the TAC. The next meeting of the TAC is planned for April 2, 2013 at 1:30pm.

Sincerely,



Meosotis Curtis, Chair
Technical Advisory Committee


Technical Advisory Committee

<i>Bert Nixon, HCDH</i>	<i>Susan Overstreet, HCDP&Z</i>	<i>Howard Saltzman, HCDPW</i>
<i>Kristal McCormick, HSCD</i>	<i>Byron Petrauskas, MDA</i>	<i>Vacant, MDE</i>
<i>Vacant, MDNR</i>	<i>Mark Symborski, M-NCPPC</i>	<i>Meosotis Curtis, MCDEP</i>
<i>Vacant, MCDPS</i>	<i>David Plummer, MSCD</i>	<i>Ken Clare, PGCDH</i>
<i>Jerry Maldonado, PGCDER</i>	<i>Martin Chandler, WSSC</i>	



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Jerry N. Johnson *Washington Suburban Sanitary Commission*
George E. Lechliden *Montgomery Soil Conservation District*
Adam Ortiz*Prince George's County*

May 31, 2013

Dear Policy Board Member:

The Patuxent Reservoirs Watershed Protection Group's Technical Advisory Committee (TAC) has formed work groups to address two of its goals for this year. A TMDL work group is drafting a MOU among the funding agencies to formalize the \$70,000 in contributions and their administration by the WSSC. The work group is also currently drafting the scope of work for that cost-share effort. An agricultural work group has identified the limitations of the current Patuxent Reservoirs' Agricultural Cost-Share Program's MOU and land-owner contract and is drafting proposed revisions to the MOU.

The second TAC meeting of 2013 was held on April 2. Highlights include:

- The WSSC presented a briefing on a recent sanitary sewer overflow into Reddy Branch including the timeline, causes, effects and restoration.
 - Reddy Branch is a tributary to the Hawlings River in Montgomery County, which eventually flows into Rocky Gorge Reservoir.
 - About two million gallons of untreated wastewater flowed from a wastewater pumping station into Reddy Branch from March 4-9, 2013.
- The WSSC also illustrated the locations of 13 waste water pumping stations in the Patuxent Reservoirs Watershed.
 - Eight of these facilities are in close proximity to the drinking water intake at Duckett Dam.
 - From a limited field inspection, most of the 13 facilities have auxiliary power sources and overflow response plans.
- The TAC identified possible follow up discussions to assess interagency communications on both sides of the reservoirs and to evaluate the potential impacts from future overflows to both reservoir and tributary stream quality.

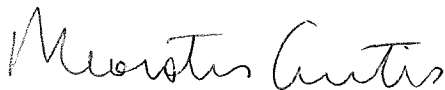
Technical Advisory Committee

Bert Nixon, HCDH *Susan Overstreet, HCDP&Z* *Howard Saltzman, HCDPW*
Kristal McCormick, HSCD *Byron Petrauskas, MDA* *Christine Nagle, MDE*
Vacant, MDNR *Mark Symborski, M-NCPPC* *Meosotis Curtis, MCDEP, Chair*
Vacant, MCDPS *David Plummer, MSCD* *Ken Clare, PGCDH*
Jerry Maldonado, PGCDER *Martin Chandler, WSSC, Vice Chair*.....

- The TAC members were encouraged to publicize and participate in outreach events planned for the 2013 spring including:
 - Patuxent Watershed Clean up events (April 6)
 - WSSC property clean up at six sites as part of the Patuxent River Clean up (April 13)
 - Tree plantings on WSSC property surrounding the reservoirs (April 21 and 27)
 - Damascus Waste Water Treatment Plant tour (April 27)
 - Fishing Derby with Bass Pro representatives providing instruction (May 18)

Thank you for your continued support of the TAC. The next meeting of the TAC is planned for June 2, 2013 at 1:30pm.

Sincerely,



Meosotis Curtis, Chair
Technical Advisory Committee

Technical Advisory Committee

<i>Bert Nixon, HCDH</i>	<i>Susan Overstreet, HCDP&Z</i>	<i>Howard Saltzman, HCDPW</i>
<i>Kristal McCormick, HSCD</i>	<i>Byron Petrauskas, MDA</i>	<i>Christine Nagle, MDE</i>
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<i>Vacant, MCDPS</i>	<i>David Plummer, MSCD</i>	<i>Ken Clare, PGCDH</i>
<i>Jerry Maldonado, PGCDER</i>	<i>Martin Chandler, WSSC</i>	



Policy Board

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William E. Barnes *Howard Soil Conservation District*
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Joshua D. Feldmark..... *Howard County*
Jerry N. Johnson..... *Washington Suburban Sanitary Commission*
George E. Lechlider..... *Montgomery Soil Conservation District*
Adam Ortiz..... *Prince George's County*

November 5, 2013

Dear Policy Board Member:

The Patuxent Reservoirs Watershed Protection Group's Technical Advisory Committee (TAC) continues to make progress on the Policy Board's two directives from its December 2012 meeting. These include (i) hire a consultant for the assessment and data tracking phase of TMDL implementation, and (ii) revise the Patuxent Agricultural Cost-Share Program to remove constraints that will enable more effective use of funds by both soil conservation districts (SCDs).

The progress on these tasks has not been as rapid as anticipated. As a result the TAC recommends postponement of the next meeting with the Policy Board until early 2014 to allow sufficient time for meaningful progress to be reported.

The third TAC meeting of 2013 was held on September 24. Highlights include:

- Relative to TMDL implementation progress, each funding agency has completed its legal review of the draft memorandum of understanding (MOU) for cost-sharing the \$70,000 in contributions and for their administration by the WSSC. The document is now in final review before being forwarded for signature among the funding agencies. The funding agencies include WSSC, Montgomery County, Prince George's County, and the Maryland-National Capital Park and Planning Commission.
 - The WSSC has agreed to set up a dedicated fund to receive money from the funding agencies to be disbursed to the consultant.
 - The TAC funding agencies will select a consultant from a list of existing, qualified vendors to expedite the hiring process.
- Relative to the Agricultural Cost-Share Program, the agricultural work group drafted a new MOU for this program and has distributed the draft among workgroup members for legal review. This workgroup includes Howard County, Howard SCD, Montgomery County, Montgomery SCD, MDA and the WSSC.

Technical Advisory Committee

Bert Nixon, HCDH *Susan Overstreet, HCDP&Z* *Christine Smith, HCDPW*
Kristal McCormick, HSCD *Byron Petrauskas, MDA* *Christine Nagle, MDE*
Vacant, MDNR *Mark Symborski, M-NCPPC* *Meosotis Curtis, MCDEP, Chair*
Vacant, MCDPS..... *David Plummer, MSCD* *Ken Clare, PGCDH*
Jerry Maldonado, PGCDER..... *Martin Chandler, WSSC, Vice Chair*.....

- The new MOU removes the restriction that eligible cost share practices be located near a stream, expands the list of eligible cost share practices, and increases the per property cap from \$5,000 to \$10,000.
- The new MOU will replace the original MOU, but allow for the Montgomery SCD to spend remaining funds from the original MOU.
- On August 28, the TAC held a joint meeting with the Baltimore Reservoir Technical Group, which functions similarly to the TAC. The focus of the meeting was on reservoir and tributary monitoring and included presentations by staff from the U.S. Geological Survey.
 - The two groups agreed to continue to meet periodically on topic(s) of mutual interest to foster information exchange and discussion.
- The annual Family Campfire and Watershed Fair was held on September 28 at the WSSC’s main office building. Adam Ortiz served as the master of ceremonies. Over 500 youngsters and adults attended this event.

The next meeting of the TAC is planned for December 10, 2013 at 1:30pm. Thank you for your continued support of the TAC. Once a date for the Policy Board meeting in 2014 has been established, you will receive an invitation.

Sincerely,

Meosotis Curtis, Chair
Technical Advisory Committee

Technical Advisory Committee

<i>Bert Nixon, HCDH</i>	<i>Susan Overstreet, HCDP&Z</i>	<i>Christine Smith, HCDPW</i>
<i>Kristal McCormick, HSCD</i>	<i>Byron Petrauskas, MDA</i>	<i>Christine Nagle, MDE</i>
<i>Vacant, MDNR</i>	<i>Mark Symborski, M-NCPPC</i>	<i>Meosotis Curtis, MCDEP</i>
<i>Vacant, MCDPS</i>	<i>David Plummer, MSCD</i>	<i>Ken Clare, PGCDH</i>
<i>Jerry Maldonado, PGCDER</i>	<i>Martin Chandler, WSSC</i>	

Appendix B: Technical Advisory Committee Meeting Agendas and Summaries



Patuxent Reservoirs Watershed Protection Group
Technical Advisory Committee Meeting

WSSC - (Chesapeake Room) Room 6104

February 5, 2013

1:30 p.m. – 3:30 p.m.

AGENDA

Call To Order/Opening Remarks

Jerry Maldonado, Chair

Administrative Business

(20 minutes)

1. Remarks from outgoing TAC Chair
2. Transfer of TAC Chair from Prince George's County to Montgomery County & transfer of Vice Chair from Montgomery County to WSSC
3. Approve September 2012 TAC Meeting Summary
4. Status of Annual Report and Technical Supplement
5. Action Items accomplished between meetings/conference calls

Jerry Maldonado

Meo Curtis, Chair

Steve Nelson

Steve Nelson

On-Going & New Business

1. Review TAC General Strategy and Schedule approved on January 14
2. Select TAC goals for 2013
 - Determine if subcommittees are needed to accomplish goals
3. Status of progress towards hiring TMDL consultant support
 - Draft framework for eventual scope of work
 - MOU preparation
 - Availability of county rider contracts
4. HSCD response to WSSC request for accounting/budget of PRW Ag Cost Share spending
5. Status of WSSC's revised regulations for its land surrounding reservoirs
6. Action Items to accomplish prior to our next meeting

All (10 minutes)

All (30 minutes)

All (15 minutes)

Steve Nelson (5 minutes)

Martin Chandler (5 minutes)

All (5 minutes)

Work Program Updates

1. Patuxent Watershed Clean up (April 6) and WSSC property clean up (April 13)
2. H2O Summit (March 16) in Gaithersburg

Meo Curtis/WSSC

Sandy August, Kim Knox

Adjournment

Meo Curtis



Patuxent Reservoirs Watershed Protection Group **Technical Advisory Committee**

Meeting Summary

February 5, 2013

Members Present*

Ken Clare (PGDH), Meo Curtis (MCDEP), Mohammad Habibian (WSSC), Bert Nixon (HCDH), Susan Overstreet (HCDPZ), Byron Petrauskas (MDA), David Plummer (MSCD), Howard Saltzman (HCDPW), Mark Symborski (MNCPPC), Debbie Weller (PGDER), Jason Zhao (MDE)

*Sufficient number present needed for a quorum to achieve a consensus

Participants

Sandy August (WSSC), Kim Knox (WSSC), Angela Morales (HCDPW), Steve Nelson (WSSC), Mike Powell (EA Engineering)

The meeting was called to order at about 1:50 pm by Debbie Weller for Jerry Maldonado.

The TAC welcomed Jason Zhao from the Maryland Department of the Environment. Jason is a Permitting Project Manager from the MDE's Water Supply Program.

Administrative Business

1. The TAC Chair was transferred from Prince George's County to Montgomery County. Meo Curtis accepted the role as TAC Chair. [Note the role of the TAC Vice Chair will be filled by Martin Chandler, WSSC, for 2013.]
2. No corrections to the revised September 2012 TAC meeting summary were offered, and paper copies were not available during the meeting; consequently, TAC members will have two weeks from the meeting date to submit any corrections to Steve Nelson before the summary is considered as final.
3. Steve mentioned that a draft of the 2012 TAC Annual Report is almost complete and will be sent to the TAC soon after this TAC meeting. The 2012 Technical Supplement will be completed after the Annual Report.
4. Steve provided an update to the action items from the last meeting and conference call.
 - The 2011 Summary of Reservoir Water Quality Conditions was sent to the TAC.
 - A draft framework for an eventual scope of work to hire a part-time consultant was created and revised for the TAC.
 - The 2013 TAC meeting dates were established as the first Tuesday of February, April and June, and the second Tuesday of September (delayed due to Labor Day holiday).
 - A list of potential 2013 goals was sent to the TAC for prioritization.

On-Going & New Business

1. Review TAC General Strategy and Schedule approved on January 14
 - The General Strategy was approved by the agencies present; however, the TAC Chair asked that both SCDs (not present) be contacted to ensure that those TAC members agreed with the approved strategy. David Plummer arrived later and indicated that he had no problems with the strategy as approved. [Note no response was received from the HSCD.]
 - The TAC discussed how to make the best use of subcommittees including when to meet (e.g. during TAC meetings or separately through conference calls).
 - The TAC decided to set aside a time during the periodic 2013 TAC meetings for subcommittees to report progress. Additionally, subcommittees may meet before/after the TAC meeting (if needed). Two revisions were made to the approved General Strategy and Schedule.
 - Delete the last two bullet points in February that relate to breakout sessions
 - Add one bullet to April, June and September to include: "Subcommittee meetings (if deemed necessary)"
2. The TAC selected four goals to pursue in 2013 in the following priority order:
 - Goal 1: Hire and manage a part-time consultant for the assessment and data tracking phase of TMDL implementation;
 - Goal 2: Modify the Patuxent Agricultural Cost-Share Program to remove constraints that will enable more effective use of funds by both soil conservation districts;
 - Goal 3: Renew a partnership with the MDE for developing a TMDL Implementation Plan (IP) for the Patuxent Reservoirs, including interim data tracking and assessment in order to evaluate the need for and the optimal timing of a TMDL IP; and
 - Goal 4: Create a list of data sets relevant to the reservoir TMDLs to prepare for an eventual request by the part-time TMDL consultant.
- Two subcommittees were suggested to address the goals for 2013:
 - 1) Hire and manage the part-time TMDL consulting staff (Goal 1) - TAC members from the four agencies that will fund the part-time staff position comprise this subcommittee and have discussed initial steps to accomplish this goal such as drafting the framework for an eventual scope of work.
 - 2) Patuxent Agricultural Cost-Share Program (Goal 2) – TAC members (and participants) have yet to form this subcommittee. Members would include at least the five agencies that have provided funding previously.
 - There was additional discussion about the approach to modify this cost-share program.
 - Susan thought that all agencies should be involved when topics of changing the scope of the program, such as expanding the program beyond a stream side best management practice cost share program, are considered. Changes to funding do not need an amendment to the MOU, as stated in the first amendment to the original MOU. Alternatively, a new MOU could be developed between Howard County,

WSSC and the HSCD to address changes to the program scope and funding.

- David expressed his desire to simplify the terms of the cost-share agreement to increase its usefulness. His goal was to have a more general MOU refer to the more technical cost-share agreement crafted by the soil conservation districts.

ACTION ITEM: Form a subcommittee to modify the cost-share program.

ACTION ITEM: Steve will send the history of this cost-share program to the subcommittee members including the MOU and subsequent amendments.

3. Status of progress towards hiring TMDL consultant support

- a. Steve summarized the work accomplished to draft a framework for an eventual scope of work and hire the consultant.
 - Meo said that input is needed from the TAC to ensure success.
 - After looking briefly at the framework (distributed during the meeting), TAC members raised some initial concerns and offered suggestions for revisions.

ACTION ITEM - provide comments to the draft framework within two weeks from when the TAC receives it via email.

- The TAC also discussed what it could do prior to hiring a consultant (July 2013 or later). The discussion focused on compiling a list of data sets that pertain to the TMDL tracking task likely to be requested by the consultant.

ACTION ITEM - compile a list of information likely to be used by the consultant to assess our progress towards complying with the TMDLs. A similar request was made of MDE to determine the current land use/land cover data layer used.

- b. MOU preparation for funding the part-time TMDL consultant
 - A timely goal for the TAC is to approve the MOU language before May 2013.
 - Of the four funding agencies, only Prince George's County requires that funds must be allocated prior to signing the MOU.
 - Martin recently sent a pre-draft MOU to the WSSC's Office of General Counsel for comments.
- c. Availability of County 'Rider' Contracts
 - Habib distributed the WSSC rider contract regulations, policies and procedures.
 - Habib mentioned that he received general approval from the WSSC management to look into the possibility of riding on a proper contract that other partners may have.
 - Habib asked the TAC to supply consulting contracts that could be bridged by the WSSC.
 - Meo mentioned that Montgomery County DEP currently has bridgeable contracts with the Center for Watershed Protection and Biohabitats to do

similar types of analyses. Howard mentioned that Howard County DPW has a contract with Versar.

ACTION ITEM – each agency will supply a list of contracts that can be bridged by the WSSC.

4. Steve briefly commented that the Howard Soil Conservation District did submit an accounting for past expenditures and a proposed budget for the Patuxent Agricultural Cost-Share Program as requested by the WSSC during the recent Annual meeting. No response has been provided to date from the WSSC management.
5. Kim provided a status of the revised regulations for the WSSC-owned land surrounding the Patuxent Reservoirs.
 - Written comments received during the public comment period are currently being reviewed.
 - The final version of the regulations should be posted on the WSSC website by February 22, 2013.
 - Kim briefly reviewed some of the new regulations including two new permits required for adjacent landowners wishing to access WSSC property and for those horseback riders who access the trails from nearby stables/horse boarding businesses.
6. Action Items to accomplish prior to our next meeting.
 - Action Item 1:** Send TAC draft 2012 Annual Report for TAC review (Steve).
 - Action Item 2:** Send the history of the Patuxent Agricultural Cost-Share Program to the subcommittee members including the MOU and subsequent amendments (Steve).
 - Action Item 3:** Provide comments to the draft framework for an eventual scope of work with a two week deadline from when document is sent (Steve, TAC).
 - Action Item 4:** Form the subcommittee to modify the Patuxent Agricultural Cost-Share Program. Report progress at April TAC meeting.
 - Action Item 5:** Compile a list of information (type, format, last update, contact information, etc.) pertinent to eventual TMDL implementation tracking request by consultant (TAC). Also, determine the current land use/land cover data layer used by the MDE (Jason).
 - Action Item 6:** Send the WSSC a list of contracts that can be bridged for the TMDL consultant contract (TAC).

Work Program Updates

1. Patuxent Watershed Clean up (April 6) and WSSC property clean up (April 13)
 - Meo mentioned that a clean-up event on April 6 will begin in Damascus near the Patuxent River State Park land and will include road-side trash removal. Meo will send the link for this event.
 - Kim mentioned that service learning hours are available for both spring events.
 - Regional clean-up events planned for April 13 will occur in the Patuxent and the Potomac watersheds.

2. Other events scheduled for 2013 include:
 - o Another tree planting is planned at the Oaks Landfill. Sherwood High School students will mainly be planting trees at this location during Earth Week. There remains substantial acreage for tree planting at this location; Montgomery County's DEP is planning to work with DNR to coordinate other tree plantings at this landfill.

Adjournment

Meo adjourned the meeting at about 3:50 pm.

This summary was prepared by Steve Nelson.



Patuxent Reservoirs Watershed Protection Group
Technical Advisory Committee Meeting

WSSC - (Chesapeake Room) Room 6104

April 2, 2013

1:30 p.m. – 3:30 p.m.

AGENDA

Call to Order/Opening Remarks

Meo Curtis, Chair

Administrative Business

(15 minutes)

- | | |
|---|-------------------|
| 1. Approve January 2013 TAC Meeting Summary | Meo Curtis, Chair |
| 2. Review Action Items accomplished between meetings/conference calls | Steve Nelson |
| 3. Status of TAC Annual Report and Technical Supplement | Steve Nelson |
| 4. TAC e-mail correspondence when reviewing large documents | Meo Curtis |

On-Going & New Business

- | | |
|---|------------------------------|
| 1. Report from TMDL Consultant Subcommittee | Martin Chandler (20 minutes) |
| • MOU preparation | |
| • Draft framework for eventual scope of work | |
| 2. Report from Patuxent Ag Cost-Share Subcommittee | David Plummer (20 minutes) |
| 3. Summary of sanitary sewer overflow into Reddy Branch | Martin Chandler (15 minutes) |
| 4. Survey of wastewater pumping stations and their vulnerability to impact the water supply | Martin Chandler (15 minutes) |
| 5. Action Items to accomplish prior to our next meeting | All (5 minutes) |

Work Program Updates

- | | |
|--|-----------------|
| 1. Patuxent Watershed Clean-up (April 6) and WSSC property clean up (April 13) | |
| | Meo Curtis/WSSC |

Adjournment

Meo Curtis



Patuxent Reservoirs Watershed Protection Group Technical Advisory Committee

Meeting Summary

April 2, 2013

Members Present*

Ken Clare (PGDH), Martin Chandler (WSSC), Meo Curtis (MCDEP), Kristal McCormick (HSCD), Christine Nagle (MDE), Susan Overstreet (HCDPZ), Byron Petrauskas (MDA), David Plummer (MSCD), Howard Saltzman (HCDPW), Mark Symborski (MNCPPC), Debbie Weller (PGDER)

*Sufficient number present needed for a quorum to achieve a consensus

Participants

Sandy August (WSSC), Kim Knox (WSSC), Steve Nelson (WSSC)

The meeting was called to order at about 1:40 pm by Chair Meo Curtis.

The TAC welcomed Christine Nagle as the MDE's representative on the TAC. Christine (Chris) is with the MDE's Source Protection and Appropriation Division.

Administrative Business

1. No corrections to the revised February 2013 TAC meeting summary were given; consequently, it was considered as final.
2. Steve Nelson provided an update to the six action items from the last meeting and conference call.
 - The draft 2012 TAC Annual Report was sent for review.
 - A subcommittee had been formed to modify the Patuxent Agricultural Cost-Share Program, and a history of the Patuxent Agricultural Cost-Share Program sent to the subcommittee members.
 - Comments were received from the TMDL subcommittee and incorporated into a revised draft framework for an eventual scope of work for the TMDL project.

ACTION ITEM – Steve will distribute the revised draft framework to the TMDL subcommittee.

- For the action item 5, a list of pertinent information likely to be used by an eventual TMDL consultant was received from Howard and Montgomery Counties. The lists from the jurisdictions will likely be compiled and compared to determine what information is common among the jurisdictions as there may be some data sets not available in all jurisdictions.

ACTION ITEM – Steve will distribute the list of data sets received to the TAC as examples.

- For the action item 6, several contracts were sent to the WSSC to determine if the contracts could be bridged.

ACTION ITEM – Chris Nagle will contact Jim George at MDE to determine what land use layer was used during the development of the TMDLs for the reservoirs (1997?) and what is being used currently for the purposes of reporting information to the Bay model.

ACTION ITEM – Meo Curtis will contact the MDE with questions regarding land use data used for TMDL development and then determine if a conference call is warranted with other jurisdictions.

3. Steve reported that the final version of the 2012 TAC Annual Report is almost completed. It should be posted to the website in early April. The 2012 Technical Supplement will be completed afterwards.
4. Meo commented that circulating large e-mails around the TAC, especially with multiple review versions closes her County email box. An alternative approach to use WSSC's FTP capabilities was suggested rather than sending large files via e-mail.

ACTION ITEM – Steve will investigate the potential of using WSSC's FTP capabilities to distribute large files for review.

On-Going and New Business

1. Martin Chandler reported on progress towards hiring TMDL consultant support
 - MOU Preparation
 - A draft MOU has been reviewed and approved by the WSSC General Counsel's office and circulated among the other three agencies that agreed to contribute to funding the TMDL consultant.
 - He suggested that the review could be done sequentially rather than concurrently to minimize recurring changes.
 - Draft framework for an eventual scope of work
 - The last round of comments have been incorporated, but not redistributed.
 - Martin suggested that the framework should not be too detailed, but should leave room for the consultant's ideas and inputs, and that the eventual scope of work should contain reasonable goals to achieve considering the available funds.
 - Meo expressed interest to be directly involved in the selection of the consultant, and all agreed that it would be appropriate for all four agencies to be involved in review and selection of the consultant.

ACTION ITEM – Steve will distribute the revised draft framework to the TMDL Subcommittee.

- Martin also discussed the current options for agency contracts that allow WSSC to use (as a rider) to hire the TMDL consultant
 - It would be difficult to create a new contract in a reasonable time considering the lengthy time anticipated with WSSC's current procurement process.

- Currently there are five known contract options
 - WSSC (2) – one is under the management of the Environmental Group with EA Engineering, Science and Technology; the second is a staff augmentation contract with Louis Berger Water Services.
 - Montgomery County (1) – able to ride the DEP’s contract with Brown and Caldwell and Biohabitats joint venture. Biohabitats completed the County’s Implementation Strategy including an implementation plan for the Patuxent Reservoirs Watershed in the County addressing stormwater.
 - Prince George’s County (1) information is still needed from DER’s contact to determine if their call contract would be acceptable.
 - Howard County (1) their contract would not be allowed since it did not contain the needed language to allow WSSC to ride onto it.
- 2. David Plummer reported on progress of the subcommittee revising the Patuxent Agriculture Cost-Share Program. The primary goals of the planned revisions are to: 1) expand the program beyond its stream-side focus to include additional best management practices (BMPs) that would be beneficial considering the types of agriculture prevalent in the watershed; and 2) resolve the MSCD’s historical inability to use the program.
 - Increasing the funding cap from \$5,000 to \$10,000 is needed considering inflating labor and material costs since the program was established (1998).
 - BMPs proposed to be added with proven water quality benefits include: heavy use area management, manure storage structures, and roof runoff diversions.
 - Current restrictions that should be removed [from both the landowner agreement/contract and the existing, amended MOU] to expand the program’s usefulness include the requirements that BMPs be located within 300’ of a stream and that a stream be located on the property.
 - Rather than amending the existing MOU, it is proposed that the existing one be allowed to expire and a new MOU prepared. Michael Calkins (MDA Equine Planner stationed at the HSCD) will draft a new MOU for subcommittee review.
 - Remaining questions include:
 - A legal review may be needed to determine if anything official is required to make the old MOU void; Susan thought that it may be as simple as adding a statement in the recitals to the new MOU that would abolish the old MOU and transfer the remaining funds to the new MOU.
 - Most likely Montgomery County will still need to be signatories to a new MOU since MSCD is still participating in the program and has remaining funds to spend.

ACTION ITEM – Steve will distribute the meeting summary from the initial meeting of the subcommittee to the TAC once all committee members have reviewed them.

Martin presented a summary of the recent sanitary sewer overflow (SSO) into Reddy Branch as well as a survey of waste water pumping stations (WWPSs) in the Patuxent Reservoirs Watershed.

Recent SSO in the Reddy Branch, Rocky Gorge Watershed

- The presentation included the timeline, causes, effects and restoration associated with the two million gallon SSO that occurred from March 4-9, 2013.

- Reddy Branch is a tributary to the Hawlings River, which flows into the Patuxent River between the Patuxent Reservoirs.
- David suggested that this topic be included in this year's presentation to the Policy Board.
- David asked if and where SSO events are accounted for in the Bay Model for tracking purposes.

NOTE: Since the meeting, Chris Nagle provided the following response regarding how SSO events are accounted for in the Bay Model: *"SSO is not being considered as part of the waste load coming from point sources (WWTP) in the Bay TMDL and there is no allocation reserved for it. Whenever it happens, these pollutants will get picked by the in-stream monitoring station and counted as part of NPS load which will be a combination of forest, agricultural and urban load."*

Survey of WWPS in the Patuxent Reservoirs Watershed

- There have been six historic SSO discharges involving small quantities of sewage from WSSC's wastewater collection system; most were overflowing manholes in the Olney area due to blockages of debris or grease in the sewer
- There are 13 WWPSs within the Patuxent Reservoirs Watershed including eight (seven in Howard County) in close proximity to the intake at Duckett Dam.
 - From a limited field inspection, most of the 13 WWPSs have auxiliary power sources in case of a power failure and a written SSO response plans. Further investigation into these issues is needed to adequately assess the risks from future SSOs.
- Potential risk factors associated with the operation and maintenance of the WWPSs include:
 - Distances from Duckett intake
 - Travel times / response times
 - Dilution / dispersion / attenuation
 - WWPS average / peak flows
 - WWPS power supply, reliability, redundancy
 - WWPS overflow response plans
 - Interagency communications
- Currently there is not a group within WSSC that has assessed the potential impacts from the WWPS; the TAC may be able to provide coordination or awareness of the potential risks.
- Martin suggested that the focus of this assessment should be on interagency communications and the hydrodynamics of the reservoir system to determine the potential impacts to reservoir water quality. Meo added that impacts to the biological habitat in tributaries of the reservoirs should also be assessed.
- Meo suggested that Howard Saltzman and Martin work together to draft a list of questions for the Howard County DPW regarding their WWPSs.
- Other questions raised included:
 - Gathering information to determine if common features of past pipe breaks exist (e.g. age, type, etc.) [as potential predictors of future breaks]
 - Potential impacts to stream systems from water main breaks.

3. Action Items to accomplish prior to our next meeting.

Action Item 1: Send the revised draft framework to the TMDL subcommittee (Steve, TMDL subcommittee).

Action Item 2: Send the list of data sets received to date for the eventual TMDL consultant to the TAC as examples (Steve).

- Action Item 3:** Contact Jim George to determine what land use layer was used during the development of the TMDLs for the reservoirs and what is being used currently for the purposes of reporting information to the Bay model (Chris).
- Action Item 4:** Contact MDE with questions regarding land use data used and then determine if a conference call is warranted with other jurisdictions (Meo)
- Action Item 5:** Send the meeting summary from the initial meeting of the Agriculture subcommittee to the TAC once all committee members have reviewed them (Ag Subcommittee, Steve).

Work Program Updates

1. Kim and Sandy informed the TAC of the many outreach events scheduled for the spring including:
 - Patuxent Watershed Clean up events including IWLA clean-up in Damascus (April 6)
 - WSSC property clean up at six sites as part of the Patuxent River Clean up (April 13)
 - Tree plantings on WSSC property surrounding the reservoirs (April 21 and 27)
 - Fishing Derby with Bass Pro representatives providing instruction (May 18)
 - Damascus Waste Water Treatment Plant will provide tours of the plant from 10am-2pm (April 27)

Adjournment

Meo adjourned the meeting at about 3:50 pm.

This summary was prepared by Steve Nelson.

**Joint Meeting of
Baltimore's Reservoir Technical Group (RTG) and
Patuxent Reservoirs Watershed's Technical Advisory Committee (TAC)**

**Howard County Government, Gateway Building, Room 401
6751 Columbia Gateway Drive, Columbia MD 21046**

**August 28, 2013
1:30 p.m. – 3:30 p.m.**

AGENDA

Welcome and introductions (5 minutes)

Summary of progress since last meeting - 2001 (20 minutes)

- | | |
|---|-------------------|
| 1. Major Baltimore reservoirs watershed initiatives | Jim Slater (10) |
| 2. Major Patuxent reservoirs watershed initiatives | Steve Nelson (10) |

Reservoir and watershed monitoring (50 minutes)

- | | |
|---|----------------------------|
| 3. Recommendations from an evaluation of Baltimore's reservoir monitoring program that would serve as minimum requirements for expanded monitoring programs in the future | Matt Pajerowski, USGS (20) |
| 4. Process to implement recommendations from USGS evaluation | Jim Slater (15) |
| 5. Use of watershed and reservoir data collected to determine progress in loads reduction to meet reservoir TMDLs | Discussion (15) |

New approach for estimating pollutant loads (40 minutes)

- | | |
|---|--------------------------|
| 6. Using continuous stream monitoring and lab results to estimate nutrient and sediment concentrations and yields | Cherie Miller, USGS (20) |
| 7. Application of this approach for tracking TMDL load reductions | Discussion (20) |

Wrap-up and concluding thoughts (5 minutes)

- | | |
|--|------------|
| 8. Worthwhile to continue meeting? If so, how often? | Discussion |
|--|------------|



Patuxent Reservoirs Watershed Protection Group
Technical Advisory Committee Meeting

WSSC - (Chesapeake Room) Room 6104
September 24, 2013
1:30 p.m. – 3:30 p.m.

AGENDA

Call to Order/Opening Remarks

Meo Curtis, Chair

Administrative Business

1. Status of Annual Report Steve Nelson (5 minutes)
2. Upcoming Policy Board Meeting All (15 min)
 - Discuss possible agenda items

On-Going & New Business

1. Discuss recent Joint Meeting with Baltimore's RTG All (10 min)
2. Report from TMDL Consultant Subcommittee Martin Chandler (20 min)
 - MOU preparation
 - Draft framework for eventual scope of work
3. Report from Patuxent Ag Cost-Share Subcommittee Susan Overstreet (20 min)
 - MOU preparation
4. Summary of Howard County's recent comprehensive zoning effort Susan Overstreet (15 min)
5. Status of other 2013 TAC Goals Meo Curtis (5 min)
6. Status of the Montgomery County on-going watershed assessments Meo Curtis (10 min)
7. Action items to accomplish prior to our next meeting All (5 min)

Work Program Updates

1. Upcoming education and outreach events (10 min)
Kim Knox, Sandy August

Adjournment

Meo Curtis



Patuxent Reservoirs Watershed Protection Group **Technical Advisory Committee**

Meeting Summary

September 24, 2013

Members Present*

Martin Chandler (WSSC), Meo Curtis (MCDEP), Kristal McCormick (HSCD), Jerry Maldonado (PGDER), Christine Nagle (MDE), Bert Nixon (HCHD), Susan Overstreet (HCDPZ), Byron Petrauskas (MDA), David Plummer (MSCD), Christine Smith (HCDPW)

*Sufficient number present needed for a quorum to achieve a consensus.

Participants

Sandy August (WSSC), Kim Knox (WSSC), Steve Nelson (WSSC)

The meeting was called to order at about 1:45 pm by Chair Meo Curtis.

The TAC welcomed Christine Smith as Howard County's Department of Public Works representative on the TAC. Christine is with the County's Stormwater Management Division.

Administrative Business

1. Steve Nelson reported on progress towards completing the TAC's Annual Report draft.
 - Three of nine report contributors have submitted sections to the draft report.
 - The deadline for submitting sections of the report is September 27th.
2. The TAC discussed the upcoming Policy Board meeting.
 - Although the Patuxent Agreement stipulates at least one meeting of the Policy Board each year, it was decided by consensus to postpone the meeting from this fall. The TAC wanted to allow time for progress on the Policy Board directives from the 2012 meeting: the MOUs on the agricultural BMP program and on the scoping study for the TMDL implementation plan.
 - It was suggested not to schedule a meeting with the Policy Board until both MOUs have been signed and implementation has begun, which may not occur until early in 2014.
 - Meo added that planning of the postponed Policy Board meeting should consider TAC agency budget cycles. For instance, the Montgomery County FY15 budget cycle will be approved by Council in May 2014 so funding requests must be submitted well before then..

On-Going and New Business

1. The TAC discussed the recent joint meeting with Baltimore's Reservoir Technical Group.
 - The TAC agreed that future meetings would be beneficial and that the groups should continue to meet periodically with a relevant topic(s) chosen to foster discussion.
 - Lessons learned from last month's meeting include allowing more time for discussion and less time for presentations.
 - Possible topics for future meetings include: 1) Forest Management and Conservation Studies completed by the MD DNR for the land area surrounding both reservoir systems; 2) evaluation of monitoring data to detect trends using statistical techniques.
2. Martin Chandler reported on progress towards hiring TMDL consultant support.
 - MOU Preparation

- The legal review process is about 90% completed. Montgomery and Prince George's Counties, and WSSC, have all finished their reviews. Once the legal review from M-NCPPC is completed, the MOU could be distributed to the four agencies for signature.
 - The WSSC has agreed to set up a dedicated fund to receive money from the other agencies to disburse to the consultant.
 - It is likely the TAC funding agencies will select a consultant from a list of existing and qualified vendors to expedite the hiring process.
 - Once the MOU is signed, it is likely to take two months to hire a consultant (still within FY14).
 - The current MOU is very specific in scope; therefore, next steps in the TMDL development process will most likely require a new MOU.
 - Funding
 - A possible funding shortage was discovered recently with M-NCPPC's Prince George's contribution. Only \$7,000 was requested leaving a \$3,000 shortfall. [Note: each county originally agreed to contribute \$10,000 for a total of \$20,000.]
 - Considering the amount of proposed funding, it is likely that one person from a consulting firm will be based at the WSSC full-time or part-time under a staff augmentation basis.
 - If the consultant's work extends beyond FY14, it will be important for the funding agencies to encumber remaining funds prior to FY15 or the funds will not be available to complete the work.
3. Susan Overstreet reported on progress of the subcommittee revising the Patuxent Agriculture Cost-Share Program.
- MOU Preparation
 - A preliminary legal review of the draft MOU was conducted by Howard County legal staff.
 - A second review was completed by the TAC's Ag Work Group on September 16.
 - References to "annual contribution" to the cost-share program generated a lot of concern and were subsequently removed.
 - The new MOU will extinguish the original MOU; however, the new MOU will include a provision for the Montgomery Soil Conservation District (MSCD) to spend remaining funds from the original.
 - Meo asked if eligible BMPs for the Patuxent Cost-Share program will also satisfy Bay TMDL requirements. This item was discussed in the Ag Work Group, and it will be addressed when the Work Group reviews the cost-share agreement.
 - Meo commented that the MSCD is working with DEP about possible funding from the County's Water Quality Protection Fee to cost-share BMPs throughout the Ag Reserve. If this occurs, then the County would not have separate funding for agricultural BMPs through the Patuxent Cost-Share Program.
4. Susan provided a summary of Howard County's recent Comprehensive Zoning Plan process, which implemented key policy recommendations in the county's Comprehensive Plan called *PlanHoward 2030*. This process included rezoning parcels, creating new zoning districts, and changing on-going regulations. A full summary will be included in the 2013 Annual Report of the TAC.
- The majority of the reservoirs watershed is outside the Planned Service Area (PSA) for public water and sewer service, and is zoned Rural Residential (RR), for low density residential development, and Rural Conservation (RC), for farming and low density, clustered residential development. A small portion of the reservoirs watershed is within the PSA and is zoned for more dense residential development.

- A large parcel (just over 91 acres) in Fulton, known as Maple Lawn South, was rezoned from RR to Residential-Environmental Development with a Mixed Use Development overlay district. This parcel was designated in *PlanHoward 2030* to be included in an expansion of the PSA, because it is close to MD 29 and the MTA commuter bus service/park and ride lot, as well as immediately adjoining the approved Maple Lawn Mixed Use Development, which was designated as a mixed use growth area in the 1990 General Plan.
 - A new zoning district, Business Rural Crossroads (BRX), was created and applied to four existing commercial centers at Highland, Dayton, Lisbon and Glenwood. This is an overlay district that allows a property that adjoins an existing commercial use to request a BRX designation, which permits a number of commercial uses.
 - A number of regulatory changes were made to provide flexibility in the regulations and accommodate modern farming:
 - The definition of farming was expanded to clarify currently permitted uses and accommodate modern farming operations.
 - The definition of a farm was changed from a parcel that is principally used for farming to a parcel of 3 acres or larger that is used for farming. There is no limit on the number of livestock a farm may have, and this change could potentially increase the number of parcels in the watershed that are considered farms from a zoning perspective.
 - Residential properties of less than 3 acres are now limited to 1,000 pounds of livestock for every acre. (A horse is equivalent to 1,000 pounds of livestock.)
5. Meo provided a status of other 2013 TAC goals.
- The TAC, through subcommittees, has been focused on accomplishing the first two goals of the year: 1) hiring a part-time consultant for the assessment and data tracking phase of TMDL implementation, and 2) modifying the Patuxent Agricultural Cost-Share Program to remove constraints that will enable more effective use of funds by both soil conservation districts.
 - For goal 3, renewing a partnership with the MDE for developing a TMDL Implementation Plan for the Patuxent Reservoirs, Chris Nagle has already assisted the TAC by coordinating with the MDE's TMDL section.
 - For goal 4, creating a list of data sets relevant to the reservoir TMDLs to prepare for an eventual request by the TMDL consultant, a list was compiled by Howard and Montgomery County and sent to the TAC earlier this year.
 - Martin commented that the data should not be sent to the WSSC until a consultant is hired.
 - Christine Smith recommended that the TAC use the same data sent to the MDE for use in the Bay Model.
6. Meo provided a status of on-going watershed assessments for restoration projects in Montgomery County. When completed, Meo offered to share with the TAC the screening process used to rank projects.
- The county has completed assessments for almost all of the urban watersheds during the last two five-year MS4 permit cycles. Now it is focusing on rural watersheds including the Patuxent Reservoirs Watershed (PRW).
 - To date, only the Hawlings River Watershed was assessed; the ongoing assessments in the PRW are throughout both reservoirs watersheds. Large-lot residential and agriculture are the dominant land uses in the still unassessed portion of the County's PRW region.
 - Assessments will evaluate opportunities including: 1) potential for new urban BMP installation, 2) pervious area reforestation, 3) neighborhood assessments for on-lot practices like those used in the RainScapes Program.
 - Thus far assessments have yielded the following potential projects:

- 52 new BMP opportunities
- 10 areas for reforestation
- ~1,700 lots identified for neighborhood assessments (mainly in Olney area)

The next step in the assessment process is ranking potential projects (due date: Dec. 2013).

7. Action Items to accomplish prior to our next meeting.

Action Item 1: Arrange for one more TAC meeting of the year likely in early December (Steve).

Action Item 2: Complete agency legal reviews for both MOUs (TAC subcommittees).

Action Item 3: Complete annual report by the end of 2013 (TAC).

Work Program Updates

1. Sandy August distributed an informational flyer about the upcoming Family Campfire and Watershed Fair scheduled for Saturday, September 28, 2013 held at the WSSC's main office building.
 - Twenty educational presenters are planned using a passport booklet style format to encourage participation.
 - Highlights include the musician Billy B. to engage audience with the "Ways of the Bay".
 - Adam Ortiz (Prince George's County DER) will serve as the master of ceremonies.
 - Kim Knox mentioned that Sandy plans to retire from the WSSC in early 2014, and the TAC recognized Sandy's many years of service to the TAC.
2. Other program updates:
 - *Clean-Up/Green-Up* event to occur at WSSC's Supplee Lane boat ramp and recreation area.
 - Another tree planting was completed near Rocky Gorge Reservoir with help from 35 volunteers including students from Reservoir High School.
 - Prince George's County will kick off their *Rain Check* rebate program funded by the County's Stormwater Utility Fee.
 - Actual implementation of projects should begin in 2014.
 - Eligible BMPs include: rain gardens, rain barrels, and urban tree canopy among others.

Adjournment

Meo adjourned the meeting at about 3:45 pm.

This summary was prepared by Steve Nelson.

Appendix C: Patuxent Reservoirs Watershed Protection Agreement

PATUXENT RESERVOIRS WATERSHED PROTECTION AGREEMENT

This agreement is effective this 29th day of October, 1996, by and among Howard County, Montgomery County, Prince George's County (a body corporate and politic), the Howard Soil Conservation District (HSCD), the Montgomery Soil Conservation District (MSCD), the Maryland National Capital Park and Planning Commission (M-NCPPC), and the Washington Suburban Sanitary Commission (WSSC)

WHEREAS, the parties agree that the Patuxent Reservoirs Watershed includes the Triadelphia and T Howard Duckett (Rocky Gorge) reservoirs, the contributing Patuxent River and its tributary streams and associated groundwater resources,

WHEREAS, the parties to the agreement recognize the importance of protecting the long-term biological, physical, and chemical integrity of the Patuxent Reservoirs Watershed;

WHEREAS, the parties recognize the work of the Patuxent Reservoirs Protection Group (PRPG) as valid and recognize that an interjurisdictional partnership is needed to promote reservoir watershed protection strategies.

WHEREAS the parties desire to develop and implement a multi-barrier watershed management approach to assure the integrity of a continued supply of high quality potable water at reasonable cost.

WHEREAS, the parties acknowledge the importance of integrating a Patuxent Reservoir Protection Strategy with the Patuxent Tributary Strategy to address the goals of the 1987 Chesapeake Bay Agreement; and

WHEREAS, the parties desire that the benefits of and responsibilities for necessary actions be shared equitably by all parties.

NOW, THEREFORE, BE IT RESOLVED, that in consideration of the covenants and agreements set forth hereinafter, it is mutually covenanted and agreed as follows:

ARTICLE I - ESTABLISHMENT OF A PATUXENT RESERVOIR PROTECTION STRATEGY

The need for establishing a protection strategy as outlined in the interim report Developing a Patuxent Reservoir Protection Strategy (March 1995) is hereby recognized by the parties. The parties hereby agree to cooperate with each other regarding initiatives that will help fulfill recommendations of the "Interim Action Plan for Reservoir Protection" and to the "Development of a Long-Term Reservoir Protection Program" as outlined in that report.

ARTICLE II - POLICY BOARD

A Members

The Policy Board ("Board") shall be composed of the County Executives for Howard County, Montgomery County, and Prince George's County; the Chairpersons for the Howard Soil Conservation District (HSCD) and the Montgomery Soil Conservation District (MSCD) Boards, the Executive Director for the Maryland-National Capital Park and Planning Commission (M-NCPPC); and the General Manager of the Washington Suburban Sanitary Commission. Any Board member may designate an alternate by written notification to other Board members.

The Policy Board may change its membership by consensus among existing members.

B Functions

The Board shall meet yearly to receive the Technical Advisory Committee's annual report and to review ongoing activities and the results of studies targeted toward protecting the reservoirs and their resources. The Board may meet more frequently to consider issues and make recommendations as necessary. The Board shall encourage cooperative arrangements to ensure that all parties participate actively in programs and policies that maintain and improve water quality and habitat throughout the reservoirs watershed.

The Board shall consider:

- 1 Review and evaluation of information from the Technical Advisory Committee;
- 2 Strategies to address present or anticipated problems;
- 3 Work activities among parties for the coming year; and
- 4 Other matters found necessary or desirable for reservoir watershed protection.

The Board will agree by consensus on all recommendations, determinations, and proposals. The Board's decisions shall be advisory only, and shall not be binding on any political subdivision or agency participating in this agreement. An annual summary of the Board's decisions shall be prepared and made available to the public.

C Chairpersons

The County Executives of Howard County, Montgomery County, and Prince George's County will serve successive terms as the Chairperson. The Chairperson will serve from July 1st of one year to June 30th of the following year. The County Executives will agree upon the order of the succession.

ARTICLE III - TECHNICAL ADVISORY COMMITTEE

A Members

The Technical Advisory Committee ("Committee") consists of representatives from: (1) Howard County: Department of Health; Department of Planning and Zoning; and Department of Public Works; (2) Montgomery County: Department of Environmental Protection and Department of Permitting Services; (3) Prince George's County: Department of Environmental Resources and Department of Health; (4) the M-NCPPC, (5) the HSCD, (6) the MSCD, (7) State of Maryland: Department of Agriculture; Department of the Environment; and Department of Natural Resources; and (8) the WSSC.

The Committee will meet at least once per year to review the results of that year's work efforts, to recommend a work plan for the next year, and to prepare the annual report to the Board. The Committee will meet more frequently as needed to review, evaluate, and make recommendations on reservoir-related concerns.

The Committee may propose standing subcommittees or ad hoc workgroups as needed to evaluate specific reservoir protection issues. The subcommittees and workgroups may request representatives from agencies or groups that are not permanent members of the Committee to participate.

B Functions

1. The Committee or designated workgroups shall meet as necessary to periodically review and evaluate existing problems and proposed actions which may affect the reservoirs and the watersheds, including the following functions:
 - a. Providing sources of high quality raw water as a regional water supply system;
 - b. Providing habitats to support high quality aquatic and riparian communities;
 - c. Providing desirable places for environmental enhancement and wildlife habitat; and
 - d. Providing aesthetic, recreational, and other beneficial uses.

2. The Committee or designated workgroups will work cooperatively to expeditiously recommend balanced pollution control strategies and management measures to
 - a. Control sediment loadings to the reservoirs;
 - b. Minimize the levels of nutrients and pollutants entering the reservoirs and the tributary streams;
 - c. Prevent degradation of the high quality, interconnected surface and groundwater resources of the tributary streams and throughout the watershed; and
 - d. Encourage stewardship of the reservoirs watershed and resources
3. The Committee may develop and formulate public education and outreach initiatives, urban forestry, and agricultural best management practices; innovative site designs; alternative on-site disposal systems, natural resource management strategies; stream restoration projects; and any other measures that protect and enhance water quality or habitat throughout the watershed.

Whenever major reservoir water quality problems must be addressed, the Committee shall evaluate alternative solutions and the cost-effectiveness of these measures in making recommendations for reservoir resource protection.
4. The Committee shall prepare a written report to submit to the Board for its annual meeting. *The Annual Report shall include:*
 - a. Results of reviews and evaluations on reservoir protection issues;
 - b. Progress on programs and practices being implemented by the parties to protect the reservoirs and their resources;
 - c. Recommendations on strategies to encourage reservoir resource protection; and
 - d. A recommended work plan for the coming year.

C Chairpersons of Committee and Workgroups

The Committee and its workgroups shall agree by consensus on the method of selection and terms for Chairpersons to lead all meetings.

ARTICLE IV - MODIFICATIONS AND AMENDMENTS

A Membership of the Policy Board

Any changes in Policy Board membership, except designation of an alternate, shall initiate the process for modification of this agreement. The modified agreement must indicate the change(s) in Policy Board composition and shall become effective after being signed by all members of the modified Policy Board.

B Modification or Amendment of the Agreement

This agreement may be modified or amended by consensus of the Policy Board members. The Policy Board shall consider changes in membership or any other modifications and amendments of this agreement at its annual meeting.

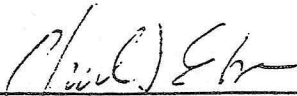
Changes based on consensus among Policy Board members will initiate the process for agreement modification. The modified or amended agreement will not become effective until signed by all members of the Policy Board as defined in the modified or amended agreement.

ARTICLE V - RIGHTS OF PARTIES NOT TO BE ABROGATED

A. Nothing in this agreement shall limit or abrogate any right or rights delegated to any of the governments or agencies which are parties to this Agreement by acts of the General Assembly of the State of Maryland.

B. Each party hereto agrees that participation by any party to the agreement may be terminated by that party with three months written notice to the other parties of the agreement.


PATUXENT RESERVOIRS WATERSHED PROTECTION AGREEMENT



Charles I. Ecker
County Executive
Howard County

10/29/96

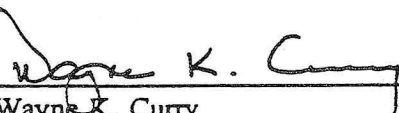
Date



Douglas M. Duncan
County Executive
Montgomery County

11/6/96


Date



Wayne K. Curry
County Executive
Prince George's County

10/29/96

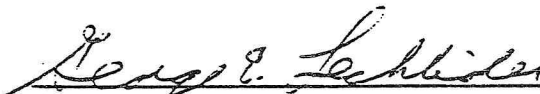
Date



William E. Barnes
Chairman
Howard Soil Conservation District
Board of Supervisors

10/29/96

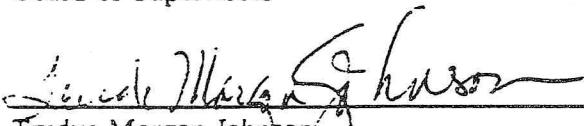
Date



George E. Lechliden
Chairman
Montgomery Soil Conservation District
Board of Supervisors

10-29-96


Date



Trudye Morgan Johnson
Executive Director
Maryland-National Capital
Park and Planning Commission

October 29, 1996

Date



Cortez A. White
General Manager
Washington Suburban Sanitary Commission

10/29/96

Date

Appendix D: Patuxent Reservoirs Protection Strategy
Agricultural MOU and Amendments

Patuxent Reservoir Protection Strategy
Memorandum of Understanding

This memorandum is effective this 1st day of October, 1998, by and among Howard County (HC), Montgomery County (MC), Prince George's County (PGC, a body corporate and politic), the Howard Soil Conservation District (HSCD), the Montgomery Soil Conservation District (MSCD), Maryland-National Capital Park and Planning Commission (M-NCPPC) and the Washington Suburban Sanitary Commission (WSSC).

Whereas, on October 29, 1996, the parties signed the Patuxent Reservoir's Watershed Protection Agreement which recognizes the importance of protecting the long term biological, physical and chemical integrity of the Patuxent Reservoir's Watersheds;

Whereas, the parties desire to develop and implement a multi-barrier watershed management approach to assure the integrity of a continued supply of high quality potable water at reasonable cost;

Whereas, the parties recognize the economic benefit of agriculture within the reservoir's watersheds;

Whereas, on October 6, 1997, the parties adopted the 1997 Annual Report and Action Plan which established two agricultural initiatives;

Whereas, the first initiative will accelerate the volunteer agricultural conservation planning outreach through the two soil conservation districts, and the second initiative is the development of a local cost-share program for the installation of stream-side best management practices;

Now, Therefore, subject to available funding and future appropriations and in consideration of the covenants and agreements set forth hereinafter, the parties mutually covenant and agree as follows:

Article I - Funding

A. General

An amount not to exceed \$100,000, will be provided by equal contributions of \$33,333 from WSSC, Howard and Montgomery Counties for the initial year of the program. Funding thereafter is contingent upon the success of the program as determined by WSSC, Howard and Montgomery Counties and their respective budgetary constraints. The amounts required by HSCD and MSCD will be equally divided within their respective districts between the planner position initiative and the stream-side best management practices initiative. Any surplus funds will be either: 1) redirected to the funding account for the other initiative; 2) equally disbursed to WSSC, Howard and Montgomery Counties; or 3) rolled over into the next fiscal year as determined by

consensus of the Technical Advisory Committee as established in the Patuxent Reservoir's Watershed Protection Agreement.

The initial contribution of \$100,000 is to be made on July 1, 1998, (or thereafter), with payment of \$75,000 to MSCD and \$25,000 to HSCD.

B. Stream-Side Cost-Share Program

The need for development of stream-side cost-share programs will be funded through an annual \$50,000 contribution (subject to future appropriations) equally in the amount of \$16,666 from the WSSC, Howard and Montgomery Counties, respectively. This annual \$50,000 appropriation will be divided between the two districts as mutually agreed upon by a vote of the two district boards (HSCD and MSCD, majority vote of combined board members). Howard and Montgomery Counties' funding shall be spent within their respective county boundaries.

C. Conservation Planner Position

The need for accelerated volunteer conservation planning assistance to those agricultural operations within the reservoir watersheds will be funded through an annual \$50,000 contribution (subject to future appropriations) equally in the amount of \$16,666 from WSSC, Howard and Montgomery Counties, respectively.

Article II - Conservation Planner

A. Administration

The \$50,000 annual contribution for the planner position will be paid to MSCD. MSCD will in turn hire a contractual conservation planner in consultation with the HSCD. MSCD will administer the position. The position will be limited to serving the agricultural community as defined by the HSCD's and MSCD's respective Agricultural Unit Inventory within the reservoir watersheds. The planner will contact landowners on the importance of soil conservation and water quality plans. The planner will also prepare conservation plans for the landowners in the HSCD and MSCD respectively and assist with the five-year implementation of those plans which are to be based upon volunteer participation and public outreach efforts. The planner will answer administratively to the MSCD Board of Supervisors or their designee, except that when the planner is working within the HSCD, the supervision of the planner's workload priorities will be provided by the HSCD Board of Supervisors or their designee.

B. Work Plans

The accelerated conservation planning assistance will support the respective five-year work plans for the landowners of the two districts. In working with an anticipated customer base that consists of farmettes and horse operations as well as the remaining traditional agricultural operations, extensive public education will be a top priority in selling the importance of conservation plans.

Direct mailings, personal visits, community meetings, tour and brochures are examples of those educational tools that may be used.

Every landowner within the reservoir watersheds that has been identified by the HSCD and MSCD as needing to be educated will be contacted. Over the five years the goal is to contact 471 landowners. These contacts will be opportunities to educate landowners on how practicing conservation will aid in improving water quality within the two reservoirs. It's estimated that this outreach effort will result in the following number of five-year work plans:

<u>Fiscal Year</u>	<u>Landowners Contacted</u>	<u>Plans Prepared</u>	<u>Acreage of Plans Prepared</u>
1999	40	24	1368
2000	90	54	3078
2001	114	68	3876
2002	114	68	3876
2003	<u>113</u>	<u>67</u>	<u>3819</u>
	471	281	16017

Article III - Cost-Share Program

HSCD and MSCD will each develop a local stream-side cost-share program that will supplement the current state and federal agricultural cost-share programs that currently pay up to 87-1/2% of installation costs of stream-side best management practices. The programs to be developed by HSCD and MSCD are intended to reimburse applicants for up to 12-1/2% of their out-of-pocket costs for the installation of stream-side best management practices. The combined cost-share between the current federal and state programs and the program to be developed by HSCD and MSCD are not to exceed 100% of the installation costs. The amount of the applicants' reimbursement will be based upon the HSCD and MSCD respective adopted cost-share flat rates. All eligible applicants will be required to install their best management practices in accordance with USDA Natural Resources Conservation Service standards and specifications.

Article IV - Accomplishments

The HSCD and MSCD shall prepare a joint report of annual accomplishments documenting the progress of the two agricultural initiatives and provide an accounting of appropriations/expenditures.

The report will be forwarded to the Patuxent Technical Advisory Committee for inclusion in their Annual Report.

The report will be prepared on a July 1 - June 30 fiscal year cycle. The report shall be submitted to the Technical Advisory Committee by September 1 of each year.

In addition, the HSCD and MSCD will present updates during the periodic Technical Advisory Group meetings. The updates will focus upon landowner contacts, plans prepared and best management practices installed.

Article V - Termination

Each party hereto agrees that participation by any party to this agreement may be terminated by that party upon thirty (30) days written notice to the other parties to this agreement.

In the event of termination all applications received for payment prior to the termination date will be processed for payment subject to eligibility requirement and built according to HSCD and MSCD respective approval. No applications will be accepted on or after the termination date. Any remaining funding after eligibility payments will be disbursed equally to WSSC, Howard and Montgomery Counties.



Charles I. Ecker
County Executive
Howard County

11-20-98

Date

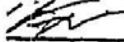


Douglas M. Duncan
County Executive
Montgomery County

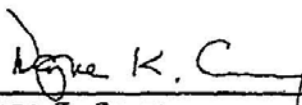
11/8/98

Date

AS TO FORM AND LEGALITY
COUNTY ATTORNEY



11/24/98



Wayne K. Curry
County Executive
Prince George's County

11/24/98

Date

Cortez A. White

Cortez A. White
General Manager
Washington Suburban Sanitary
Commission

11/13/98
Date

William E Barnes

William Barnes
Chairman
Howard Soil Conservation
District

11/14/98
Date

George Lechlides

George Lechlides
Chairman
Montgomery Soil Conservation
District

10-1-98
Date

Trudy Morgan Johnson

Trudy Morgan Johnson
Executive Director
Maryland-National Capital
Park & Planning Commission

11/9/98
Date

Attest: A. E. Nowak

Secretary-Treasurer

Patuxent Reservoir Protection Strategy
Memorandum of Understanding

Amendment #1

This amendment is by and among the following parties: Howard County, Maryland (HC) a body corporate and politic; Montgomery County, Maryland (MC) a body corporate and politic; Prince George's County, Maryland (PGC) a body corporate and politic; the Howard Soil Conservation District (HSCD), the Montgomery Soil Conservation District (MSCD), Maryland-National Capital Park and Planning Commission (M-NCPPC), and the Washington Suburban Sanitary Commission (WSSC), and is effective this 30th day of November, 2000.

The parties entered into a Memorandum of Understanding (MOU) effective October 1, 1998. The purpose of this amendment is: 1) to delete the provisions for the hiring of a Conservation Planner position; 2) to modify the stream-side cost-share program in Article III of the MOU; and 3) to add provisions for amending the MOU.

Under Article III of the MOU, the Howard Soil Conservation District (HSCD) and the Montgomery Soil Conservation District (MSCD) would utilize funding provided via the MOU to reimburse owners of agricultural-zoned property for up to 12-1/2% of their out-of-pocket cost for installation of stream-side best management practices. This reimbursement would supplement state and federal cost-share programs that presently pay up to 87-1/2% of installation costs of stream-side best management practices (BMP's). The Technical Advisory Committee (TAC) decided that cost-share funds from this MOU instead should be spent on implementing stream-side best management practices for non-agricultural zoned property owners (who are not presently eligible for the state and federal cost-share programs). This new incentive program will provide reimbursement payments to non-agricultural zoned property owners for installation of approved stream-side best management practices, such as the creation of riparian buffers, the fencing of streams, and similar approved BMP's.

Changes

- 1) On page 1, the sixth paragraph is revised to read as follows: "Whereas, the first initiative will focus upon the volunteer agricultural conservation planning outreach efforts of the two soil conservation districts, and the second initiative is the development of a local cost-share program for the installation of stream-side best management practices;"
- 2) Article I - Funding, A. General is revised as follows:
 - a. The third sentence is revised to read as follows: "The amounts required by HSCD and MSCD will be approved within their respective districts for the stream-side best management practices initiative."
 - b. The fourth sentence is revised to delete number 1, and numbers 2 and 3 are respectively renumbered as 1 and 2.
 - c. Article I - Funding, C. Conservation Planner Position. The entire section is deleted.
- 3) Article II - Conservation Planner, A. Administration is deleted and the following is inserted instead: "The Howard and Montgomery Soil Conservation Districts will provide existing resource staff toward the development of soil conservation and water quality plans. This staff will be serving the agricultural community as defined by the respective district's Agricultural Unit Inventory within the Patuxent reservoir watersheds. This staff will contact landowners on the importance of soil conservation and water quality plans. Staff will prepare conservation plans for the landowners and assist with the implementation of those plans. Those efforts will be based upon the volunteer participation of landowners and district public outreach efforts."
- 4) Article II - Conservation Planner, B. Work Plans. The word "accelerated" is deleted from the first sentence.

5) Article III - Cost Share Program, is deleted and the following is inserted instead:
"HSCD and MSCD will jointly develop and approve a local stream-side cost-share/incentives program and payment schedule that will encourage landowners of non-agricultural zoned property to install best management practices that protect and improve water quality in the Patuxent Reservoirs Watershed. The program will provide cost share up to 80% of the approved program costs or incentive payment schedule (to be approved and distributed by the two soil conservation districts), not to exceed \$5,000 per property owner, regardless of the number of projects to be implemented by the property owner or the number of non-agricultural zoned properties owned. All eligible applicants will be required to install their best management practices in accordance with USDA Natural Resources Conservation Service standards and specifications."

6) A new Article V, is added to read as follows:

Article V - Amendments

This agreement may be amended at any time by written agreement of the parties. The Technical Advisory Committee (TAC) may initiate action to amend this agreement and propose terms for the amendment. The TAC will employ the following process for obtaining consensus regarding review and approval of any proposed amendments:

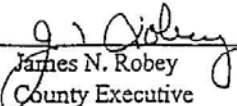
1) Any amendment pertaining to the appropriation, allocation or expenditure of funds may be adopted by the written agreement of the following three entities providing funds: Montgomery County, Howard County and the WSSC. This adoption will be evidenced by an amendment document executed by the official representatives of the respective three entities.

2) Amendments of a non-funding nature shall require the written approval of all parties.

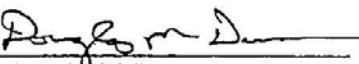
7) The old Article V - Terminations becomes Article VI

8) All provisions of the Memorandum of Understanding remain in effect unless specifically changed by this amendment.

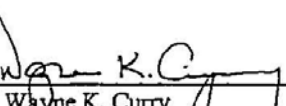
Signature Page


James N. Robey
County Executive
Howard County, Maryland

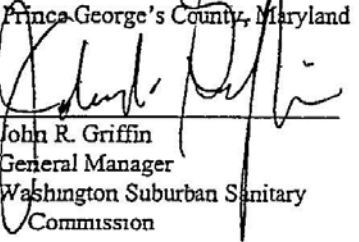
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Date


Douglas M. Duncan
County Executive
Montgomery County, Maryland

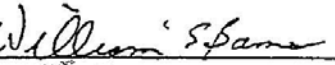
8/6/2000
Date


Wayne K. Curry
County Executive
Prince George's County, Maryland


10/12/00
Date


John R. Griffin
General Manager
Washington Suburban Sanitary
Commission

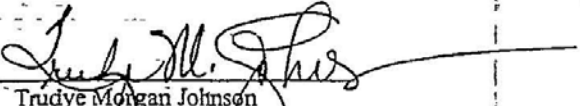
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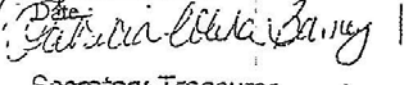

William Barnes
Chairman
Howard Soil Conservation District

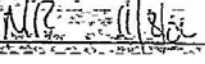
7/19/00
Date



George Lechlider
Chairman
Montgomery Soil Conservation District

5/31/2000
Date


Trudye Morgan Johnson
Executive Director
Maryland National Capital Park &
Planning Commission

11/30/02
Date
attest: 
Secretary-Treasurer

APPROVED AS TO LEGAL SUFFICIENCY


APPROVED AS TO FORM AND LEGALITY.


Patuxent Reservoir Protection Strategy

Memorandum of Understanding

Amendment #2

This amendment is by and among the following parties: Howard County, Maryland (HC) a body corporate and politic, Montgomery County, Maryland (MC) a body corporate and politic, the Howard Soil Conservation District (HSCD), the Montgomery Soil Conservation District (MSCD), and the Washington Suburban Sanitary Commission (WSSC) and is effective this 7th day of June 2004.

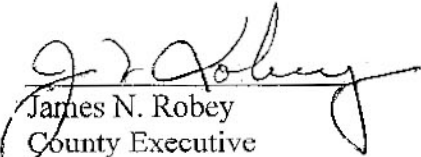
Background

The parties entered into a Memorandum of Understanding (MOU) October 1, 1998 to develop a program for encouraging and supporting streamside best management practices in the Patuxent Reservoir watershed.

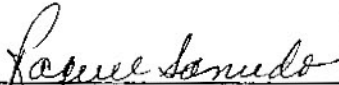
The Technical Advisory Committee (TAC) during its deliberation in the year 2000 recommended that the cost-share funds from this MOU should be spent on implementing streamside best management practices for non-agricultural zoned property-owners who are not eligible for the state and federal cost-share programs. This recommendation was approved on November 30, 2000 via Amendment #1. In light of the fact that no non-agricultural applicants have been interested in this cost share program in Montgomery County, Amendment #2 is developed to modify Art. III regarding the eligible streamside properties for the cost-share program. Modifications include 1) replacing "land owners of non-agricultural zoned properties" in line 3 of Art. III with "property owners", and 2) removing "non-agricultural zoned" in the 8th line of Art. III. The modifications read as follows:

- 1) Article III: The Howard Soil Conservation District (HSCD) and the Montgomery Soil Conservation District (MSCD) will jointly develop and approve a local stream-side cost-share/incentives program and payment schedule that will encourage property owners to install best management practices that protect and improve water quality in the Patuxent Reservoirs Watershed. The program will provide cost share up to 80% of the approved program costs or incentive payment schedule (to be approved and distributed by the two soil conservation districts), not to exceed \$5,000 per property owner, regardless of the number of projects to be implemented by the property owner or the number of properties owned. All eligible applicants will be required to install their best management practices in accordance with USDA Natural Resources Conservation Service standards and specifications.
- 2) All provisions of the Memorandum of Understanding and Amendment #1 remain in effect unless specifically changed by this Amendment.

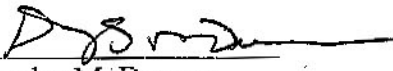
Signature Page

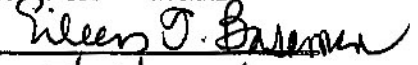

James N. Robey
County Executive
Howard County, Maryland

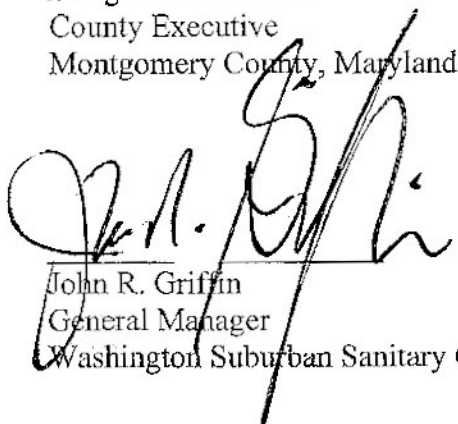
ATTEST:


Raquel Sanudo
Chief Administrative Officer

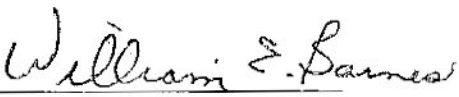
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Douglas M. Duncan
County Executive
Montgomery County, Maryland

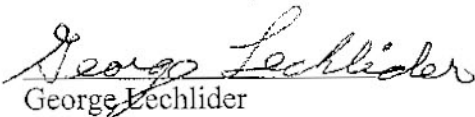
5/23/04
Date APPROVED AS TO FORM AND LEGALITY
OFFICE OF COUNTY ATTORNEY
BY 
DATE 5/21/2004


John R. Griffin
General Manager
Washington Suburban Sanitary Commission

6/7/04
Date


William Barnes
Chairman
Howard Soil Conservation District

2/26/04
Date


George Lechluder
Chairman
Montgomery Soil Conservation District

3/12/04
Date

Approved as to Legal Sufficiency
this 4th day of May 2004

Barbara M. Cook
Barbara M. Cook
Howard County Legal Department

Date

Approved as to Legal Sufficiency

Wiles J. Swamer
Montgomery County Legal Department

5/21/2004
Date

Approved as to Legal Sufficiency

Claudia Koenig
Washington Suburban Sanitary Commission
General Counsel's Office

5-26-04
Date

Appendix E: Technical Advisory Committee Members
and Interested Parties

Members and Alternates

	Agency	Name	Alternate
1	Howard County Department of Health	Bert Nixon bnixon@howardcountymd.gov 410.313.1771	
2	Howard County Department of Planning & Zoning	Susan Overstreet soverstreet@howardcountymd.gov 410.313.4345	
3	Howard County Department of Public Works Stormwater Management Division	Christine Smith cssmith@howardcountymd.gov 410.313.0522	Mark Richmond msrichmond@howardcountymd.gov
4	Howard Soil Conservation District	Kristal McCormick KMcCormick@howardcountymd.gov 410.489.7987	
5	Maryland Department of Agriculture Office of Resource Conservation	Byron Petrauskas PetrauBJ@mda.state.md.us 410.841.5952	
6	Maryland Department of the Environment	Christine Nagle cnagle@mde.state.md.us 410.537.3584	
7	Maryland Department of Natural Resources	VACANT	
8	Maryland-National Capital Park & Planning Commission	Mark Symborski Mark.Symborski@montgomeryplanning.org 301.495.4636	Katherine Nelson Katherine.Nelson@montgomeryplanning.org 410.495.4622
9	Montgomery County Department of Environmental Protection	Meo Curtis meosotis.curtis@montgomerycountymd.gov 240.777.7711	
10	Montgomery County Department of Permitting Services	VACANT	
11	Montgomery Soil Conservation District	David Plummer david.plummer@montgomerycountymd.gov 301.590.2855	
12	Prince George's County Department of Environmental Protection	Mary Conway mhconway@co.pg.md.us 301.590.2855	
13	Prince George's County Department of Health Division of Environmental Health	Ken Clare kaclare@co.pg.md.us 301.883.7689	
14	Washington Suburban Sanitary Commission (WSSC), Environmental Group	Martin Chandler mChandl@wsscwater.com 301.206.8052	Mohammad Habibian mHabibi@wsscwater.com 301.206.8083

Interested Parties

	Agency	Name
1	Howard Soil Conservation District	Bob Ensor REnsor@howardcountymd.gov 410.489.7987
2	Montgomery County Department of Environmental Protection	Ryan Zerbe Ryan.Zerbe@montgomerycountymd.gov 240.777.7744
3	Prince George's County Department of Environmental Resources	Carole Ann Barth cabarth@co.pg.md.us 301.883.3264
4	Prince George's Soil Conservation District	Eileen Beard Eileen.Bear@md.nacdnet.net 301.574.5162
5	Prince George's Soil Conservation District	Steve Darcy Steve.Darcey@md.nacdnet.net 301.574.5162
6	WSSC, Office of Communications & Community Relations	Susan Dorsey sDorsey@wsscwater.com 301.206.8240
7	WSSC, Office of Communications & Community Relations	Kim Knox kKnox@wsscwater.com 301.206.8233
8	WSSC, Environmental Group, TAC Coordinator	Steve Nelson sNelson@wsscwater.com 301.206.8072