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WASHINGTON SUBURBAN SANITARY COMMISSION
MONTGOMERY COUNTY, MARYLAND

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EA'S STUDY OF THE PATUXTENT :
WATERSHED :
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A public hearing was held on June 18, 2012,
commencing at 7:00 p.m. in the Boys and Girls Club, 7601
Montgomery Street, Laurel, Maryland 20707.

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P R O C E E D I N G S

1
2 MS. SMET: We're just after 7 o'clock, so I'd
3 like to go ahead and get started and keep us on time and on
4 track. I think we've added some chairs, so hopefully
5 everyone here has a seat and we'll keep an eye on that as
6 additional folks come in. Again, my name is Jody Smet
7 (phonetic sp.), I'm with EA Engineering Science and
8 Technology. And my role here tonight is meeting manager.
9 So I'm kind of keeper of the agenda, keep us on track as far
10 as time, those sorts of things, call up speakers, those
11 kinds of things. So if you need anything, please let me
12 know.

13 We'd like to welcome here to the Boys and Girls
14 Club, I apologize for the last minute location change, but
15 we had a number of folks who wanted to speak and we wanted
16 to accommodate all those folks. So we appreciate your
17 patience. The move at the last minute was not ideal, but
18 necessary. So it looks like you found us and we're happy
19 that you're here.

20 Just as far as logistics, as you came in the
21 ladies room is down the hall this way and the mens room is
22 down the hall that way. We don't plan any breaks for the
23 next two hours, so please just come and go as you need to.

24 Let me go back. All right, we're here tonight to
25 discuss the Patuxent Reservoir Watershed Protection Study.

1 As I mentioned, I'm with EA Engineering Science and
2 Technology and we are working on behalf of WSSC to conduct
3 the study. We are cooperating with Chesapeake Environmental
4 Management, Inc., to conduct the work.

5 A little bit about the company. We don't want to
6 bore you here, but we want you to know who we are. We're a
7 Maryland based environmental consulting firm, that was
8 founded in 1973. We are headquartered in Hunt Valley,
9 Maryland. We have 21 offices in 13 states and about 450
10 employees right now. Tonight, you have four of those
11 employees with you. Again, my name is Jodi Smet. We also
12 have Bill Rue (phonetic sp.), Mike Powell (phonetic sp.) and
13 Wendy Bley. Each of them will have a role in tonight's
14 meeting and I'll tell you a little bit more about each of
15 them here in a minute.

16 As I mentioned, we have our subcontractor working
17 with us, Chesapeake Environmental Management, and we have
18 Nick Walls (phonetic sp.) here with us tonight. And so
19 again, EA has been asked by WSSC to conduct an independent
20 watershed protection study and provide recommendations to
21 WSSC about polices on the WSSC only and that are adjacent to
22 both the Rocky Gorge and Triadelphia Reservoirs. No
23 worries, we're going to tell you a little bit more in depth
24 about the study here in a minute.

25 Again, in my role as meeting manager, I just

1 wanted to discuss the agenda a little bit with you and the
2 meeting format. The agenda is pretty simple tonight, we're
3 going to do two things. EA is going to describe our work
4 plan, so again, what we're here to do and we hope that this
5 will provide context for discussions but also provide a
6 common level of understanding among all of us about what it
7 is we're attempting to do.

8 And then we hope to hear from you. We want
9 stakeholder's input and we really want to understand how you
10 use these lands adjacent to the reservoirs. Your uses and
11 activities, your interests, how you'd like those lands to be
12 used in the future.

13 Meeting format. We have a two hour meeting format
14 tonight. We're going to try to stay in between the hours of
15 7 and 9, but we do want to give everybody a chance to speak.
16 So we might be here just after 9, if necessary.

17 Because we are limited in time, we are limiting
18 speakers to three minutes, and to kind of keep us on track
19 we're going to give you notice when 30 seconds of your
20 speaking time remain. We don't want to interrupt you and
21 get you off course, so my colleague here, Bill Rue, has got
22 these nice little signs that's going to give you a one
23 minute notice and a 30 second notice. And we just ask that
24 you use those to plan your comments accordingly and wrap up
25 your discussion as quickly as possible thereafter.

1 This meeting is being audio recorded and
2 transcribed. Additionally, my colleague Wendy Bley here is
3 going to be taking notes on the flipcharts, and the primary
4 purpose for that is so that you can see that we're hearing
5 your comments, but we also want to be sure that we're
6 accurately capturing them. So if you see Wendy write
7 something down that might not match the intent of your
8 comment, please just correct us so that we get it corrected.

9 After the meeting we will use the flipchart notes,
10 notes that we're taking ourselves as well as the
11 transcription and prepare a meeting summary. And that will
12 kind of serve as the meeting record, or meeting memory and
13 that will be available electronically. My understanding is
14 on WSSC's website.

15 In addition this meeting and the meeting we're
16 having tomorrow evening, EA is accepting written comments.
17 We've already received many and we invite additional written
18 comments and we just ask that they be submitted to EA no
19 later than July 19th and we're going to have that e-mail
20 address and mailing address as the last slide here, so
21 you'll know where to send those. And many of you are
22 speaking tonight, but have also provided us written comments
23 and we appreciate that.

24 Just a little bit about meeting purpose. We
25 wanted to hear from as many folks and users of these lands

1 as possible, so we sent out 3,500 meeting invitations to a
2 list that WSSC provided to us, plus an additional 350
3 e-mails, and we placed ads in three different newspapers,
4 many news releases and community calendars. So we hope the
5 word got out and you all also helped us by sharing the
6 meeting information with your colleagues and whatnot and we
7 appreciate that. So now that we've got you here, what are
8 we doing to do with you? We're going to listen. We want
9 your comments and suggestions. We want to hear from you how
10 the reservoir is being used, how it's been used, how it's
11 being used currently, how you would like it used in the
12 future. And we want to be able through our study to ensure
13 compatibility with WSSC's primary function and
14 responsibility in managing the two reservoirs, which as a
15 public water supply.

16 While we want to hear from everyone. So I think
17 we've got a good representation of many groups here tonight
18 and I'm going to hear from all of you. There are several
19 folks from the same group or organization that has signed
20 up. So what I'm planning to do is have a representative
21 from each group or organization speak, get through that
22 entire list and if there are repetitive speakers from the
23 same group, then I'll come back to them. But no one should
24 worry, we're going to do our best to hear everyone tonight.
25 And what I'd like to do, I'm going to set up the order

1 probably three at a time, so you know when you're coming up
2 to speak so that you can be prepared.

3 Meeting goals. Just a little bit repetitive, but
4 we want full participation and equal representation. So
5 again, we're going to try to hear from everyone and that's
6 how we've kind of based the speaking order.

7 Expression and understanding of public interests.
8 Really what we, EA Engineering what to leave here tonight is
9 with an understanding of your interests in these lands. Our
10 understanding of WSSC's interest is that they need to
11 protect the water quality of the reservoirs and the storage
12 capacity. So that's their interest, you know, what they're
13 geared at doing as they manage those buffer lands. But we
14 want to hear from you and we want and it's also a good
15 opportunity for you to hear about other's interests, so you
16 can see how everybody wants to use these lands and then we
17 work towards a common level of understanding.

18 Every meeting needs ground rules and we've got a
19 few up here. One speaker at a time. Be concise, under the
20 time limits. We've talked a little bit about those. We
21 have three minutes and again once we work through everybody
22 that has signed up to speak, I'll make sure that there is no
23 one else that wants to speak before we adjourn the meeting.
24 Keep to task and topic. Listen and be respectful.

25 So I'll just take this opportunity are there any

1 rules that anybody thinks I need to add to the list and kind
2 of ask for concurrence that this is a good list. Okay. So
3 Wendy's got the rules for us, she's going to post those on
4 the wall.

5 Key project staff. I've introduced them
6 generally. I would like to take this opportunity to tell
7 you a little bit more about them, but not too much.

8 Mike Powell, here beside me has been with EA and
9 he specializes in water quality and modeling. He is the
10 project manager for this project on behalf of EA. Bill Rue
11 is a water quality scientist. Wendy Bley also specializes
12 in water quality, but she's also a 40-year equestrian. So
13 she loves her horses and is a perfect fit for this project.
14 Myself, I've got a lot of background and experience in
15 recreation, land use and shoreline management. And then we
16 have Nick Walls, with Chesapeake Environmental, and he
17 specializes in urban affairs public policy and he does a lot
18 of the mapping.

19 Okay. So I'm going to turn it over here to Mike
20 Powell and Mike's role here tonight, he's going to present
21 the work plan as EA is conducting the watershed protection
22 study and I'll just ask that everyone hold their comments or
23 questions if you have any until the end of his presentation
24 and we will take them at that time. All right. Mike?

25 MR. POWELL: Thank you, Jody. It's great to see

1 such a large participation. We didn't really expect this
2 when we originally started this project, we thought there
3 may be 12 people there, so that show, but we started in
4 December and rapidly learned that there are concerned
5 stakeholders in this watershed.

6 Just first a brief background of why we're here.
7 In the 85,000 acres of the Patuxent Watershed, WSSC owns and
8 operates two water supply reservoirs. Triadelphia Reservoir
9 was established in 1943 and the Rocky Gorge Reservoir
10 established in 1952. Together these two reservoirs combined
11 supply about one-third of the water supply for WSSC's 1.8
12 million customers. WSSC is responsible for maintaining the
13 long term water quality and storage capacity. For that
14 reason WSSC has contracted EA to conduct an independent
15 Patuxent Reservoir Watershed Protection Study.

16 Let me talk a little bit about that study before
17 we turn over the presentation to you all.

18 WSSC has made it clear to EA that they want us to
19 conduct an independent study and the study's focus is on the
20 5,500 acres of reservoir land that WSSC owns and controls.
21 EA has focused well beyond evaluating the activities the
22 stakeholder activities that are conducted within the
23 reservoir buffer that have the potential to affect water
24 quality and storage capacity of the reservoir.

25 Our study has five major components. First was to

1 develop a work plan in conjunction with WSSC. Next, review
2 existing data and third, conduct a public outreach which
3 we're participating in today, fourth is a field component
4 where we'll make field visits to the various trails and
5 access roads and then evaluate their potential for erosion,
6 their general condition and the signs of whether water
7 quality impacts. And then, fifth, at the conclusion of the
8 study we will provide a report to WSSC that lists our
9 recommendations for how WSSC can better manage their
10 property. And as I said, we're currently participating in
11 the public outreach component of the study. What I'll talk
12 about, the other components here, just real briefly.

13 EA's contract while it was initiated in December,
14 and then some, a few months ago we then worked with WSSC to
15 gain knowledge about the watersheds. WSSC has provided us a
16 lot of digital mapping out of GIS. They had various
17 reports: source water quality reports, forest management
18 reports and watershed reports and we've compiled that sort
19 of information so that we can gain some understanding about
20 the reservoir buffer. And in conjunction with WSSC we have
21 developed a study plan that has major deliverables and a
22 time-line for completion. The major product deliverables
23 will be a series of GIS digital maps and the maps will
24 include the existing trails, the access roads, as well as
25 trails that we discover when we do our field work. But we

1 will submit our field visit reports that document our
2 findings when we're in the field, findings such as areas
3 that are having eroded, or areas that are vulnerable to
4 erosion, or areas that have various rider-[indiscernible]
5 impact. In addition to that, we'll file reports with the
6 WSSC that document our findings and provide recommendations
7 for how they can better manage the buffer property.

8 As to mapping it again, the GIS mapping and
9 analysis residential subtask, the subtask querying the
10 existing GIS data, this is digital mapping data, topographic
11 and soils data that combine, give us an idea which carries
12 in the watershed [indiscernible] the residents, the
13 production of steepness of the trails and the types of soil.
14 In addition to the potential for resident analysis, we'll
15 offer [indiscernible] all kinds of [indiscernible] types and
16 that, the existing location and connecting access route
17 heading down south are locations of a classically sensitive
18 areas. Now, residence [indiscernible] that current,
19 [indiscernible] fundamentally -- and I don't need to recap,
20 and there's other types of residence in [indiscernible]
21 phase in this [indiscernible] fieldwork. The fieldwork can
22 be divided into two components. The first component
23 [indiscernible] reacting, impacts [indiscernible] trails,
24 the different trails. And the [indiscernible] task
25 [indiscernible] to the amount of trails, assess the general

1 condition, [indiscernible] tourism, and I will find things
2 that, you know, wandering around, I will find trash, animal
3 trails that have [indiscernible]. And generally
4 [indiscernible].

5 **(End of Tape One, Side One)**

6 MR. POWELL: -- federal to be, the draft report is
7 likely to be reversed again in of October of this year. And
8 again in that report we will document our findings, the
9 findings on areas that are vulnerable to erosion or have
10 existing erosion. Water quality impacts, both related to
11 WSSC or related to stakeholder activities and we'll be
12 recommending buffer management policies, best management
13 practices and anything else that we feel WSSC can reasonably
14 to do help maintain the long term water quality and storage
15 capacity of the reservoirs.

16 So that's all we have planned to share with you
17 today. The main reason again is that we are here today is
18 to listen to you all. We've been gathering information from
19 WSSC for several months now and it's time to get your all's
20 feedback. So we'll turn the presentation back to Jody.
21 Again, we will be receiving written comments up until July
22 19th and the written comments should be directed to Tracy
23 Eberheart, her contact information is up here on the board
24 and I think we'll leave that here for you to copy down.

25 UNIDENTIFIED PERSON: And receiving comments

1 earlier than that will be very helpful to us.

2 MS. SMET: Okay. Mike just shared a lot of
3 information with you in a very short amount of time about
4 EA's work plan for the Reservoir Protection Study. Any
5 quick questions or points of clarification for Mike? I'm
6 just going to call one on here.

7 UNIDENTIFIED PERSON: [Indiscernible].

8 MS. SMET: Yes, you can hand it to me, I've
9 already started a collection, and I know Bill has collected
10 some as well. So anyone of the four of us will be fine.

11 UNIDENTIFIED PERSON: [Indiscernible].

12 MS. SMET: Yes. She just wanted to ask, she
13 brought a copy of her written statement with her, so she's
14 going to present it orally here tonight, but wanted to
15 provide a copy and she asked who she should provide it to.
16 So any of the four EA staff and I'd be happy to take it.
17 This gentleman right here.

18 UNIDENTIFIED PERSON: [Indiscernible].

19 MS. SMET: So just to repeat the question, again,
20 it's a lot of questions there, but generally it's about the
21 erosion that we're documenting, how do we tell what's
22 causing the erosion, how do we compare it to what it is now
23 to what was it was then. So I'm going to turn that one over
24 to Mike.

25 MR. POWELL: Okay. In general, when we go out in

1 the field, the erosion assessment will be conducted through
2 a series of observations and field measurements. The field
3 measurements are just simply measuring the trail width and
4 trail depth, as well as its overall condition. So the field
5 measurements tell you how badly eroded the trail is. In
6 terms of determining the source, there's obviously if the
7 trail has, and you mentioned equestrians, it has a lot of
8 horse activity, you're going to see signs of that, manure
9 piles, horse tracks, things like that. So there are
10 telltale signs that would alert us to whether or not the
11 erosion is due to horses or to something else. Now you
12 mentioned something about looking at historic data for the
13 trails. We don't have the type of historic trail data,
14 that's something that you have, the stakeholder community
15 possesses, we'd certainly like to see that.

16 MS. SMET: Okay. Lots of hands, I'll try to get
17 them in the order they came. I think this gentleman right
18 here.

19 UNIDENTIFIED PERSON: Yes [indiscernible].

20 MS. SMET: The question, I'm sorry, the question
21 was is there any scientific evidence about water quality
22 worsening.

23 UNIDENTIFIED PERSON: That would be a question
24 probably better directed to WSSC, that has the intimate
25 knowledge of source water quality reports, but the WSSC has

1 that. Water quality monitoring probably is conducted in the
2 reservoir and they have updated the issues. As far as water
3 quality reports, I think there is one out on the sign up
4 table. You might want to look at that.

5 MS. SMET: Okay. Right here.

6 UNIDENTIFIED PERSON: [Indiscernible].

7 MS. SMET: The question again was, Mike stated
8 that we're looking at the WSSC access road, the old Jeep
9 Road, looking at that, but she's asked if we're looking at
10 the trails that were historically used by the equestrians.

11 UNIDENTIFIED PERSON: All right. That's a good
12 question. Those so-called older equestrian trails we're
13 calling the interior trails, it's, I guess, a WSSC term, so,
14 for example, the Terry Ledley trail, and that is absolutely
15 in our scope of work. We will be looking at those. We'll
16 be looking at all trails whether designated currently or
17 anything that we find that it's actively in use.

18 MS. SMET: Okay. The gentleman in the blue shirt
19 here in the isle.

20 UNIDENTIFIED PERSON: [Indiscernible].

21 MS. SMET: Okay. The gentleman is questioning
22 where is the study going to go, how far are we going to take
23 it. Are recommendations going to go as far as to say there
24 shouldn't be equestrian use on these trails, so --

25 UNIDENTIFIED PERSON: [Indiscernible].

1 MS. SMET: -- or boating use, or any of the
2 recreational uses on the reservoir or the adjacent lands.

3 MR. POWELL: I can't tell you what the motivation
4 of the study is, I just know that WSSC has contracted EA
5 to do the study and I can't tell you, well I can tell you
6 that we don't foresee, it's not part of EA's contract to
7 make those kind of recommendations that you mentioned. We
8 are going to conduct our study and present data and some
9 very specific recommendations. Our report is not going to
10 say WSSC should close the trails, it's not going to say WSSC
11 should keep the trails open. It's just going to present our
12 findings.

13 MS. SMET: The gentleman here.

14 MR. POWELL: [Indiscernible].

15 MS. SMET: Okay. The question what in the
16 presentation we used the term culvert and what was meant
17 by the use of that term.

18 MR. POWELL: Culverts are pipes that convey
19 water from a stream crossing underneath a road. There are a
20 number of culverts that convey either tributaries or storm
21 water possibly the fire access roads. And some of them
22 have been badly degraded and are a source of erosion and
23 those are the sorts of things that we are documenting.

24 MS. SMET: Yes, ma'am?

25 UNIDENTIFIED PERSON: [Indiscernible].

1 MS. SMET: The question was what is the date that
2 the study will be finished and how binding are EA's
3 recommendations on WSSC.

4 MR. POWELL: Our contract says that the draft
5 report will be issued to WSSC by the end of October of this
6 year and our findings and recommendations are in no way
7 binding to WSSC. It's just a scientific study, we're
8 presenting facts.

9 MS. SMET: Yes, sir, Dave?

10 MR. ARMSTRONG: I have two comments. One,
11 several weeks ago I [indiscernible].

12 MS. SMET: Okay. Dave's comment, question was two
13 parts. First, he was unable to receive the agenda and
14 presentation minutes of the meeting and he thinks that's
15 deficient on our part. And all I can do is apologize, we
16 have busy field season turned in, to be in the field, and
17 honestly we did not finish the presentation until Friday
18 afternoon. So we will make the presentation available
19 electronically. As far as the agenda, there's not much in
20 the agenda. You saw I had it included in the presentation,
21 it was two part for us to present the work plan and then to
22 hear input from you all. And then the second part of Dave's
23 question was that's in accordance with the WSSC's
24 regulations currently match with the recreational use of
25 the land adjacent to the reservoir is not allowed. And

1 he's asking if the study in that regard is focused on
2 the equestrian effort and what else could we be studying.
3 Please correct me if I don't capture it correctly.

4 UNIDENTIFIED PERSON: [Indiscernible].

5 UNIDENTIFIED PERSON: Well, certainly we have no
6 control over what designates the uses of those trails, and
7 so our study will focus on the trails and their designated
8 uses. And there are also activities in the reservoir that
9 are not designated and that ends up focusing the question
10 and issue is so big that -- we're going to do a study on
11 the trails and the uses of those trails, whether they're
12 designated or not. And so it is what it is.

13 MS. SMET: But I have seen in comments so far
14 that there are things that WSSC, deer management program,
15 are after, fishing, these sorts of things, and these
16 stakeholders that have those kinds of interests in the
17 land and so we want to hear that and to be part of the
18 study as well. Yes, sir?

19 UNIDENTIFIED PERSON: [Indiscernible].

20 MS. SMET: Okay. His question, if I understand
21 it, is this study going to include [indiscernible] after
22 water runoff into the reservoir, are their [indiscernible]
23 sources of water quality impacts inclusion in addition to
24 the equestrian use.

25 MR. POWELL: That's a good question, but looking

1 at the [indiscernible] of magnitudes of sediment and the
2 introduction of sediment from outside the buffer is not part
3 of our studies, expressly not part of our studies. We'll
4 evaluate that in the sense that some of the [indiscernible]
5 conveying water [indiscernible] enough for, to the extent
6 that they are damaged or need repair or [indiscernible]
7 completely [indiscernible], we'll document that. But we
8 won't be looking at relative contributions [indiscernible]
9 numerical estimate.

10 MS. SMET: Yes, in the back?

11 UNIDENTIFIED PERSON: [Indiscernible.]

12 MS. SMET: Yes. Okay. Yes.

13 UNIDENTIFIED PERSON: [Indiscernible.]

14 MS. SMET: Okay. Thank you, it sounds like a
15 similar question to the previous, questioning the focus on
16 the equestrian trails as the only water quality impact, and
17 if it is a water quality impact and asking what
18 consideration you're giving to stored water, other different
19 things, refrigerators, washing machines, other tributary
20 inputs. [Indiscernible.]

21 UNIDENTIFIED PERSON: We are not focusing on the
22 equestrian trails. There are for example, almost 50 miles
23 of WSSC access roads, the two roads combined and the
24 designated equestrian component of that is about a 10 mile
25 section in Montgomery and Prince George's County side of

1 Rocky Gorge and the resident access, resident survey of all,
2 the whole 50 miles of that access road, in addition to all
3 the [indiscernible] trails and all of the interior trails.
4 We're going to evaluate it [indiscernible].

5 MS. SMET: All right. Now the question here, this
6 gentleman. Yes?

7 **(End of Tape One, Side Two)**

8 UNIDENTIFIED PERSON: Can I ask you, in your
9 studies, since we are now forced on the boundary clearing of
10 trails, we're not allowed to use those trails, are you going
11 to do an assessment of the equestrian trails versus what
12 would be the boundaries of the current space?

13 MS. SMET: Okay. Asking if the study is going to
14 have a comparison between the access road, the boundary
15 trails she was referring to versus the historical trails
16 that were used for equestrian use. So I think you're going
17 to look at all of them, but --

18 MR. POWELL: Yes, again, we --

19 UNIDENTIFIED PERSON: Evaluate the difference?

20 MS. SMET: Okay. Well.

21 MR. POWELL: Well, we're going to making
22 measurements of the trail condition in terms of width and
23 depth. And obviously we can compare that to the old
24 equestrian trails, like the Terry Ledley trail, compare the
25 erosion conditions there versus the erosion conditions on

1 the access, where that's currently designated.

2 UNIDENTIFIED PERSON: [Indiscernible].

3 MR. POWELL: Yes, and the other part that I
4 mentioned earlier we'll also be looking at the suitability
5 of the now designated equestrian trail for horseback riding
6 and compare that to the suitability of the interior trails.

7 MS. SMET: Just a couple more remaining questions
8 on the study plan, so we leave 75 minutes for speakers.
9 Yes, sir?

10 UNIDENTIFIED PERSON: You mentioned the
11 possibility of WSSC would have water quality and carrying
12 capacity. I'm wondering whether you are concerned that
13 sediment may be affecting the bottom of the reservoir and
14 compromising the ability to store water.

15 MS. SMET: Yes, the gentleman was restating WSSC's
16 interest in arranging the reservoirs which we stated were
17 water quality and storage capacity and he was asking if it
18 was a concern, sedimentation was a concern of filling the
19 reservoirs. Mike?

20 MR. POWELL: Yes, absolutely. Storage capacity is
21 one of the concerns of WSSC.

22 UNIDENTIFIED PERSON: Are you using, are you
23 looking at it?

24 MR. POWELL: We won't be measuring storage
25 capacity, we'll be looking at factors that lead to erosion

1 that would impair storage capacity.

2 MS. SMET: All right. One last question. Yes,
3 ma'am?

4 UNIDENTIFIED PERSON: [Indiscernible].

5 MS. SMET: She's asking whether the report that EA
6 submits to WSSC at the end of October will be publicly
7 available.

8 MR. POWELL: Whether the report will be made
9 public and available, that will be up to WSSC and we can't
10 speak to that.

11 MS. SMET: All right. I said that was the last
12 question, but I'm feeling generous.

13 UNIDENTIFIED PERSON: The report will be publicly
14 available [indiscernible] make sure that it's publicly
15 available.

16 MS. SMET: Okay. All right. Well, thank you Mike
17 for presenting the study plan and thank you all for your
18 questions. We're going to start the stakeholder input of
19 the meeting now and what I'd like to do is kind of tee up
20 three speakers at a time so you know when you're speaking
21 and I apologize to you, Jim, because you're first and you
22 didn't have any notice. But Jim is going to go first and
23 then Chuck Seldon and then Barbara Sollner-Webb and I just
24 ask when you come up that you introduce yourselves and your
25 affiliation, if you have one for the record and then present

1 and as a reminder, my colleague Bill Rue here, has got the
2 time and he's going to give you a friendly reminder of when
3 you're running out. So, all right, Jim.

4 MR. ROBINSON: I guess this is what happens when
5 you hit that reply all button and don't know what it's
6 about.

7 So thank you for the opportunity to speak at this
8 meeting. I am James Robinson, I am the Vice President of
9 the Potomac Patuxent Chapter of Trout Unlimited. And we
10 want to thank WSSC for providing our membership as well as
11 many recreational fisherman and women with access to both
12 the Triadelphia Reservoir and the Rocky Gorge Reservoir.

13 In addition to the lake fishing opportunities, we
14 want to bring to your attention some of the other activities
15 that we are involved in within the Patuxent River Watershed.
16 Number one is to increase fishing opportunities, we assist
17 the Maryland Department of Natural Resources to stock trout
18 in the Upper Patuxent River between Route 27 and 97, and
19 below Brighton Dam. We also use the reservoirs and
20 watershed to create opportunities for soldiers and the
21 recovery battalion who participate in Project Healing Waters
22 at Fort Meade, and we have started discussions with Project
23 Healing Waters national leaders to create accessible fishing
24 areas for soldiers with mobility impairments.

25 We release rainbow trout into the Patuxent River

1 that are grown by elementary, middle and high school
2 students, who participate in the Trout in the classroom
3 program. We receive permits to do this from DNR and several
4 releases have occurred in the Brighton Dam recreational area
5 just below Brighton Dam.

6 Now we work singly with and with other
7 conservation minor organizations to improve the habitat for
8 trout in the watershed. We want to continue to work
9 cooperatively with WSSC, excuse me, in particular to improve
10 the water temperatures below Brighton Dam, for the trout
11 population in this DNR special regulation area for fly
12 fishing only, catch and release only. And based on
13 preliminary estimates that we have received, we have begun
14 to seek ways to fund the repairs to the lower gates of the
15 Brighton Dam, I'm not sure exactly what the proper term is
16 for those things, that will allow cooler water to be
17 discharged year round and keep the water temperatures below
18 those necessary for the survival of the trout and the trail,
19 and the tail water below the Triadelphia Reservoir and we
20 think that these are all in conjunction or conformance with
21 our mandates to protect, preserve, restore and sustain cold
22 water fisheries for future generations.

23 I have a copy of my statement with my e-mail
24 address and telephone number. Thank you.

25 MS. SMET: Thanks, Jim. All right, Chuck?

1 MR. SELDON: Thank you for the opportunity to read
2 my comments to the crowd.

3 I'm Chuck Seldon, I'm the President of the
4 Gamewell Road Homeowner's Association, I live at 1805
5 Gamewell Road in Silver Spring.

6 The WSSC property is a valuable recreational
7 facility recognized by users as a main source of drinking
8 water locally. The 21 private properties that form the
9 Gamewell Homeowner's Association are just south of Browns
10 Bridge and the Duckett Reservoir with easy access to it via
11 the trails along the streambed that drains our area. I'm
12 the President of the Gamewell Road Homeowner's Association.

13 We laud WSSC in allowing equestrian use in the
14 past and hope this use can be reinstated as soon as
15 possible. We submit a request that access to horse trails
16 be allowed for individuals on foot to allow bird watching,
17 jogging, hiking, walking and running as well as winter
18 cross-country and snowshoeing. We believe many users would
19 pitch in to help with erosion and silt control measures,
20 such as installing silt fencing, laying down mats of straw
21 or construction ecologically compatible hard surfaces at
22 stream crossings such as using paving stones to prevent the
23 [indiscernible] from disturbing the stream bed without using
24 culverts.

25 We submit that the recent curtailment of boating

1 season is poorly reasoned and that the previous season
2 length should be reinstated, March 1st through December 15th
3 and 30 minutes before sunrise to 30 minutes after sunset.
4 Many of us in the association own canoes and kayaks, and I
5 personally own and use rowing shells on the two reservoirs.
6 I've used it every year since 1984. It has become part of
7 my life.

8 I have taught my children to row there and to
9 paddle a canoe and to fish. I have hosted many guests on
10 those pristine waters over the few years and they are
11 thrilled to discover it and appreciate its beauty and calm,
12 clean waters. We take safety precautions such as wearing
13 neoprene wetsuits when the water is cold enough that you
14 rapidly induce incapacitating hypothermia, mostly in early
15 March.

16 I've been reading the e-mail trails that have been
17 flying around and apparently, the WSSC has said that
18 equestrian trail use in the past were closed in the winter
19 because of heavier rainfall in the winter. The Washington
20 Post monthly rainfall records from 1871 to 2011, show that
21 in the winter months there is less than three inches of
22 rainfall, those are the months of December, January and
23 February and that more than three and a half inches of
24 rainfall in May, June, July and September, and I'm including
25 an attachment cut from the newspaper, you can see it any

1 day.

2 That concludes my remarks.

3 MS. SMET: All right. Next up is Barbara
4 Sollner-Webb. And just by way of explanation, Barbara has
5 been asked by a couple of folks to speak on their behalf
6 tonight. So Barbara is also not only speaking for herself,
7 but also Jane Siegler and Ronald McNabb. And so her time
8 will be nine minutes, three minutes for each of those folks
9 she's speaking.

10 MS. SOLLNER-WEBB: Thank you so much. I'm Barbara
11 Sollner-Webb, West Laurel Civic Association Board Member,
12 Johns Hopkins University Professor and a true
13 environmentalist, including the long term member of the
14 State's Patuxent River Commission and the WSSC prior
15 environmental advisory committee.

16 Like most [indiscernible] equestrians, I would not
17 want to ride WSSC's trail if it damages the reservoir at
18 all, as WSSC alleges it dramatically does. But the trail is
19 in excellent shape, as determined by certified trail masters
20 who have been out. The vast majority shows no hints of
21 erosion from its countless decades of use because it's
22 carefully used and diagonally contoured. Most everyone who
23 sees this trail including a county council member, a state
24 senator, two state delegates and a WSSC commissioner have
25 commented on its lack of erosion.

1 WSSC Environmental Advisory Committee members
2 determined that less than one ten-thousandth of the
3 reservoirs sediment comes from the equestrian trail use and
4 less than one-one hundredth thousandth of the reservoirs
5 phosphate comes from such horse use.

6 Yet, last year WSSC closed the trail, based on
7 unsupported claims that its use makes quote, the reservoir
8 water harder to treat and was, quote, the biggest factor, in
9 generating the reservoir sediment. Questioning these
10 assertions are over 1,200 signatures on petitions and in
11 letters being handed in from 2011 and 2012, plus requests
12 from countless, in countless letters and in 43 their own
13 public information act request filed on behalf of 3,500
14 citizens. Although extremely unforthcoming, WSSC eventually
15 released data, some documents with their data. What did I
16 do with it? Oh, it's got to be here. Right. Here, yes.
17 They released some documents including their own data of the
18 water quality showing that it improved as it runs along the
19 length of the equestrian trail, slightly incompatible with
20 the equestrian making it harder to use. WSSC has also moved
21 riding to the access road, claiming that its quote, very
22 flat and very negotiable to the Laurel leader, but you know
23 the USGS supposes some kind of different. They've moved, as
24 we've heard they have banned riding in the winter claiming
25 those are the wettest months of the year, and thank you very

1 much for pulling out the Washington Post data on an MPIA, we
2 got WSSC's own data that confirms that they can also read
3 water measurements and the winter is the driest months.

4 So WSSC's claimed reasons for stopping the
5 equestrian trail use just don't hold water. In fact,
6 equestrians markedly help the reservoir. Okay. WSSC's
7 previous watershed patrol previously called the equestrian
8 their eyes and ears. For instance, we discovered an
9 enormous sediment flow traced it to an uncontrolled highway
10 project and shepherded it through its construction, through
11 its correction along with the Department of Environment who
12 estimated we averted somewhere between 15,000 and 50,000
13 tons of sediment from entering the reservoir because of our
14 visuals and so WSSC was not aware of. Thus equestrians are
15 not damaging, but are helping the reservoir and their use of
16 the sound trail should be retained.

17 And please accept my offer to come out on my
18 wonderful Icelandic's to see the trail for yourself. How
19 am I doing?

20 UNIDENTIFIED PERSON: You're doing fine, four and
21 half minutes.

22 MS. SOLLNER-WEBB: Okay. So now I would like to
23 read, sorry, I didn't see the one, okay, from Jane Siegler,
24 who unfortunately, so many of the equestrians couldn't be
25 here. I know of 10 who couldn't be here, because it's

1 summer vacation now. So Jane Siegler, is Vice President of
2 the Maryland Horse Council. So Vice President of the
3 Maryland Horse Council which is the trade association
4 representing Maryland's equestrian farms businesses
5 interests of associations and enthusiasts. To group it
6 together our membership represents over 30,000 Marylanders,
7 many of whom live, own property and ride the Patuxent
8 Watershed. We are aware of the recent actions taken by WSSC
9 to restrict public access to its reservoirs, to its
10 watershed lands. We are very interested in your study and
11 welcome the opportunity to express our views on its scope
12 and conduct, as well as of the historic importance of the
13 watershed to equestrian users and we would argue on the
14 importance of equestrian users to the watershed.

15 Horseback riders and other recreational users have
16 had access to these lands for generations. They have in
17 many cases taken on the role of volunteer stewards of the
18 land and water and it can be said that their routine
19 presence as eyes and ears on the ground contributed vastly
20 to the security of the water, the land and of the public at
21 large. At this time when citizen's confidence in Government
22 and public institution is at historic lows, it's imperative
23 that the conduct of this study be transparent, objective and
24 grounded in a verifiable facts and provable data.

25 If adverse impacts by recreational users,

1 including horseback riders cannot be proven by clear and
2 verifiable facts, the recently imposed restrictions should
3 not continue respectfully, Jane Siegler.

4 Okay, and now I'd like to read you the statement
5 from Ron McNabb, who was for very many years the President
6 to Trail Riders of Today.

7 UNIDENTIFIED PERSON: You've got three minutes.

8 MS. SOLLNER-WEBB: Okay. Okay. Representing
9 around 700 equestrian families across the state and he
10 continues to be, he's no longer president, but he continues
11 to be their coordinator for this WSSC trails issue.

12 To whom it may concern. As a horseback rider and
13 Trout coordinator from Montgomery County Trails, I look
14 forward to getting the equestrian trail issue resolved. It
15 has been over a year since WSSC changed their policy on
16 horseback riding at Rocky Gorge. Fortunately, they have put
17 enforcement on stay while EA Technology studies this matter.
18 They've told our delegate they have, of course there are
19 written restrictions found extremely punitive.

20 Okay. The Rocky Gorge Equestrian Trail is not
21 heavily used, but it's a very important asset to adjoining
22 property owners and those nearby who trailer in their
23 horses. Citizens have built their homes, stables and
24 fences, confidently knowing that riding will be available.
25 As a customer of WSSC and a consumer of the water, I am very

1 concerned about the quality of drinking water. Now that you
2 have had time to inspect the reservoir you clearly know that
3 the problem with erosion and sediment under from within
4 their 5,000 acres is caused by the access roads on either
5 side of the Rocky Gorge. In most cases there are 10 feet
6 wide with loose rock and barren ground surfaces going
7 straight up and down long hills and highly eroded. If
8 there's fecal matter problem at the Rocky Gorge, it's not
9 from horses. The vast majority of the trail exceeds the 35
10 foot setback recommended by Maryland Department of
11 Agriculture's best management practices recommendations. If
12 there is fecal and nutrient management problems, it's coming
13 from the wildlife that, the life of the reservoir is a
14 source of drinking water and fertilizer runoff from the
15 adjacent fields and homes. Neighbors of the Rocky Gorge and
16 members of Trail Riders of Today have offered to reroute
17 offending areas of equestrian trails with guidance from
18 certified trail planner. We have also offered help in
19 securing a national recreation trail grant to pay for these
20 needed changes.

21 I should mention that the \$30,000 a year that WSSC
22 can get this every year apparently, bridges are estimated to
23 be about \$1,500 to \$2,000 so you can get 15 bridges crossing
24 the stream crossings each year from this grant. WSSC has
25 refused to have any interest in it. Sorry, that was an

1 editorial comment.

2 I appreciate your careful study of this matter and
3 look forward to your conclusions and suggestions.

4 Sincerely, Ron McNabb, Trails Coordinator.

5 That's it.

6 MS. SMET: Thank you, Barbara. All right. Our
7 next three speakers, next up is Brian Eyler with Maryland
8 DNR, after Brian I have Mr. Donald Chamberlain and after Mr.
9 Chamberlain, Stan Hopkins. So Brian, you're up.

10 MR. EYLER: I'm just going to make this very
11 short. I'm the deer project leader for Maryland DNR and I'm
12 surprised, I haven't heard a whole lot here tonight about
13 deer. Most of these meetings I come to that's the focus.
14 So it's nice to not be hearing about deer. But no, short
15 and sweet, WSSC has a very active deer management program
16 and you know as a representative of DNR I commend them for
17 doing that and I strongly encourage that they keep that deer
18 management program going, both to protect that watershed and
19 to minimize human conflicts around the reservoirs as well.
20 So that's it. Thank you.

21 MS. SMET: Thanks, Brian. Donald Chamberlain?

22 MR. CHAMBERLAIN: Good evening, my name is Donald
23 Chamberlain and I'm speaking tonight on behalf of the
24 Patuxent Watershed Protective Association, which was a group
25 formed in 1997 to protect the Montgomery County portion of

1 the Patuxent Watershed. I'm also a long time resident of
2 Burtonsville and my property abuts the Rocky Gorge Reservoir
3 area.

4 I realize the limitations placed by WSSC on this
5 particular study, but I want to make the point that it's
6 important to recognize that protecting this watershed
7 affects not only the very limited property shown in the
8 lighter colors here, but also much of the surrounding green
9 area, the drains to the watershed. In fact, a recognize of
10 this was contained in the recent Maryland National Capital
11 Parks study which for some land in the area just north of
12 Burtonsville, recommended that the impervious coverage
13 allowance be reduced from 10 percent to 8 percent. We'll
14 see where that goes. In any event, it's generally
15 recognized that rule number 1 is protecting the watershed.

16 So that said, very simply I can think of four
17 quick things off the top of my head that could be reasonably
18 allowed with effectively no pollution impact. You've heard
19 a lot about some of them already today so I'm just going to
20 name it. It's, you know, boating or anything canoeing,
21 kayaking that does not involve gasoline powered motors,
22 because that's a pollutant. Fishing from anywhere along the
23 shore or a boat. Picnicking in the established areas. It's
24 really helpful if there are trash and sanitary facilities
25 close by. And finally we've heard a lot about horseback

1 riding. Just put the trails far enough from the water's
2 edge to minimize the risk of equine pollution.

3 So let me just close with three personal
4 observations. Forty years ago before I built my house in
5 Burtonsville, my wife and I lived in an apartment in Laurel.
6 And on Friday nights we used to pack a picnic lunch and go
7 out Scotts Cove and decompress from the very hectic urbanelly
8 dense packed week. And as our children came up, we did more
9 of that. People need that relief. It's a pressure relief
10 valve. Horseback riders maintain their own trails, you have
11 heard plenty about that. And lastly, any development that
12 goes into the area, the green area around here, has to do,
13 have two things, it has to be very low density to protect
14 the environmental quality and it has to be based on the
15 absence of commercial sewage running through the reservoir.
16 There's a reason the Patuxent has the lowest EPA damage
17 rating in the Maryland database. And I would simply say
18 that most people that use the reservoir follow one simple
19 rule, don't do anything in the water you don't want to drink
20 later.

21 Thank you very much.

22 MS. SMET: Stan Hopkins.

23 MR. HOPKINS: Also I'm surprised I haven't met
24 you. I've been up Scotts Cove on the Patuxent for 42 years.
25 So our paths have not crossed. My name is Stan Hopkins and

1 I'm a 42 year resident in the house that I built primarily
2 because of the location to the reservoir. I'm in Scotts
3 Cove. My children and their children have fished the lake
4 and boated on it during all that time.

5 Up to this meeting and the lack of transparency on
6 the report discussed tonight, is not appreciated. I don't
7 think you're looking for an agreement on these
8 recommendations, so we should have had information ahead of
9 time.

10 Perhaps water quality improvements are indicated
11 at the reservoir. If so, what problems have you found and
12 what degradation can you document? Apparently, that will be
13 the subject of the study.

14 Recreational usage rates up substantially now.
15 Apparently not for the equestrians from what I hear from
16 previous testimony. Had your water test at the filtration
17 plant shown unusually high concentration of bacteria, seven
18 months with other problems. If the reason for this possible
19 exclusion of uses of the watershed is financial, show us
20 your incomes and what expenditures you have increased. Is
21 it necessary to increase user fees? I hope to live out my
22 life along this wonderful lake and woodland buffer at Scotts
23 Cove recreational area. I also think that prohibiting uses
24 for recreational purposes would break faith with the groups
25 that have been so instrumental in preserving the watershed.

1 If you look at WSSC website where Scotts Cove Stream Bank
2 Restoration Project, you see that starting and according to
3 them in 2009 various groups have, volunteer groups have been
4 planting and primarily planting persimmon, red bud cherry
5 trees. Of course that helps to relieve erosion. And there
6 is University of Maryland has been very active in doing
7 planting as well. Girl Scout troops, Howard County
8 Community College have also been very active. So I think
9 that you have a volunteer force that can help you maintain
10 the watershed and you should keep faith with them.

11 Thank you very much.

12 MS. SMET: All right. I'd like to ask our next
13 three speakers to be prepared. Melissa Gaston next. Then
14 Clara Gouin, I apologize if I'm butchering your names, I
15 don't like that, and then Annette Ashby Knox. Those three,
16 so do we have Melissa Gaston? No Melissa? Okay. How about
17 Clara Gouin? Okay. Hold on, no we've got Clara.

18 MS. GOUIN: Clara.

19 MS. SMET: How do you pronounce your last name?

20 MS. GOUIN: Gouin.

21 MS. SMET: Hopefully I got one of them.

22 MS. GOUIN: Yes. Hi, my name is Clara Gouin and I
23 am a registered landscape architect. I work as a park and
24 planner for Howard County Department of Recreation and
25 Parks. I'm here to first of all deliver a statement from

1 the Director of our Department. He couldn't be here this
2 evening, he's gone on vacation and I also have a few
3 statements of my own.

4 First, the comments from Mr. John Bird. Dear
5 research team, thank you for providing an opportunity for us
6 to comment about the future management of the Patuxent
7 Reservoirs Watershed. When you look at a map of the
8 Triadelphia and the Rocky Gorge Reservoirs, it is apparent
9 that Howard County borders the entire northern side of both
10 reservoirs. In fact, the County line goes right down the
11 middle of the water. About 200,200 acres of WSSC lands and
12 another 8,000 acres of the water are in Howard County. We
13 are indeed interested stakeholders and we'd like to think
14 we've been good neighbors and good stewards in helping to
15 protect this shared resource. It's a significant piece of
16 the County, and even more importantly it comprises almost 10
17 percent of our protected lands, those areas made up of
18 parkland, open space, state parks, or farmland preservation.
19 Over the years, the WSSC land has provided many
20 opportunities for outdoor recreation. Boating, fishing,
21 hiking and horseback riding. It has the advantage of being
22 a long corridor that lends itself to linear activities.
23 Those that often cannot be done in a smaller park setting.
24 In fact, our planning process always considers opportunities
25 to network the County parkland with WSSC properties to

1 expand the overall greenway system.

2 We urge WSSC to continue providing recreational
3 access to the trails in the watershed. We believe that the
4 system of monitoring users by requiring registration and
5 daily or yearly passes has been successful in regulating and
6 protecting the quality of the water supply. To cut off
7 future access to our natural areas would also diminish our
8 children's and our grandchildren's contact with the natural
9 world. Please consider the valuable recreational component
10 of this watershed in your plans. Thank you, John R. Bird,
11 Director.

12 And I'd like to add a few comments on my own. I
13 lived in College Park for many years and one of our
14 pleasures was to canoe the reservoirs. I have canoed the
15 entire length of both reservoirs over the years and enjoyed
16 them immensely. It's the closest that Marylanders have to
17 natural lakes such as in the state where I grew up, New
18 Hampshire. I also happen to own a horse, although I keep
19 him in Anne Arundel County. I've never actually ridden on
20 the reservoir roads or trails, but I believe that this
21 should be something available to horseback owners, because
22 the places for people to ride all over the state are
23 decreasing so much, there are so many barriers, interstate
24 highways, new building components. So I firmly believe that
25 we should keep these valuable resources open.

1 I'd also like to make a comment because our deer
2 management person in the Department said make sure you speak
3 up for continuing the deer management program and that has
4 been a type of recreation with bow and arrow hunting that is
5 very regulated and the horseback riders has no problem with
6 the managed hunts because they're announced ahead of time,
7 people know the dates they are on and you just don't go
8 riding on those days. And also they are only a few days a
9 year.

10 So my comments would support our directors
11 comments and I think that we just need to keep these natural
12 places available so that our future generations can have
13 hands on experience with our natural world.

14 Thank you.

15 MS. SMET: Thank you.

16 MS. KNOX: Hi, I'm Annette Ashby Knox. My family
17 has lived in Skaggsville dating back to 1867. I'm fifth
18 generation and my grandchildren are seventh generation
19 living by the gorge. Living near the gorge, I see yard
20 waste and other junk dumped on the roadside and in the
21 parking lots. Closing the gorge would cause this area to be
22 even more isolated and would encourage more dumping and
23 illegal activities.

24 My observations when kayaking are litter at Scotts
25 Cove from shore fishing, even in areas that were once

1 undesignated areas to fish from. Do these people hold
2 fishing permits? Are they ever checked? In years past, the
3 rangers were always checking permits and enforcing rules.
4 Other pollutants are brought in from the Little Patuxent and
5 streams feeding into the gorge. After hard rains, lots of
6 litter and debris wash into the gorge, finding its way into
7 the coves and shorelines. I've seen 50 gallon metal and
8 plastic drums, metal buckets, a plastic pool liner, a
9 cardboard business sign, car tires with no rims, a baby doll
10 and a soccer ball. Not to mention things we can't see, yard
11 fertilizers and other chemicals. I also have seen in the
12 past and present erosion and sediment destroying streams and
13 coves from housing developments in the Skaggsville area.
14 Who monitors the runoff? Are the streams ever checked that
15 enter the gorge? I know the areas, walking and kayaking
16 gives me the opportunity to observe the pollutants.

17 Responsible permit holders do not pollute. We
18 enjoy the wildlife, solitude Rocky Gorge has to offer. A
19 true gift I'm sure also kayakers and boaters respect. Being
20 on the water is the last place that holds magic and beauty
21 in Skaggsville. Rocky Gorge is the heartbeat of
22 Skaggsville. It is all I ever have known and hope my
23 grandchildren can enjoy it as well.

24 Land that borders the gorge from Harden Road was
25 once my grandfather's land. The old map show this as Queens

1 Hollow, now it's the property of WSSC. Please WSSC keep the
2 gorge open, let us all work together to clean up the gorge
3 and keep the heartbeat of Skaggsville alive for more
4 generations to enjoy. Thank you.

5 MS. SMET: Thank you. Melissa Gaston signed up to
6 speak on behalf of the West Laurel Civic Association and
7 Barbara has been asked to be given a minute to speak on her
8 behalf in her absence. So we're going to do that real
9 quick.

10 MS. SOLLNER-WEBB: Thank you very much. She's
11 real busy with a crazy job and I'm Vice President of the
12 Civic Association, but she's President speaking, was going
13 to speak for it. I know what she was going to say, which is
14 that in addition to social issue, it's an economic issue
15 keeping the trails open. That we have at least three
16 commercial facilities, horse facilities in the neighborhood
17 who are hurting for business now. They've had long waiting
18 lists before. Now that this is very punitive regulations
19 sounding that people are going to get, you know, shackled
20 and tarred and feathered if they ride there, who is going to
21 go and board at a place like that? So these places are
22 hurting for business, one of them may have to go out of
23 business because of it.

24 In addition, one of our very long term real estate
25 experts in the area, Glen Fagan (phonetic sp.), formerly of

1 Melbourne, Fagan and Hammersmith I think reside over in
2 Laurel and now at Long and Foster has said that he feels
3 this is actually affecting this closing of the trails is
4 affecting property values in West Laurel. Because they
5 always used to advertise that houses are available right
6 next to these wonderful trails, riders come out and use
7 them, fisherman, et cetera. Can't do it anymore. He feels
8 this is affecting property values. So I know that you're
9 not interested directly in economic things, but I think it
10 does affect the whole overall decision.

11 So thank you so much for letting me what I think
12 Melissa would have said. She probably would have said it
13 more eloquently.

14 MS. SMET: All right. Our next few speakers. I
15 have a Mr. Knox, no first name. Dave Armstrong and then
16 Debby Poole. So is there a Mr. Knox? No. Okay, Dave, it
17 looks like you're up.

18 MR. ARMSTRONG: Can I have three minutes?

19 MS. SMET: We'll give you three and see how you
20 do.

21 MR. ARMSTRONG: Thank you so much for the
22 opportunity to speak with this group tonight. My name is
23 Dave Armstrong, I live in Wheaton, Maryland and I'll just
24 read my comments to stay on track.

25 So living in the congested D.C. Metro Area with

1 the press of so many people is stressful. As an avid
2 canoeist, I'm able to seek out a measure of solitude by
3 being out of doors on the water and enjoying the peace and
4 quiet that comes with being in a natural environment. Just
5 20 minutes from my home in Wheaton, Rocky Gorge Reservoir
6 provides a needed nearly daily after work respite from the
7 press of business. It's just me, the water, a canoe and my
8 paddle.

9 In the 25 years I've lived in Maryland, I have
10 visited Rocky Gorge some 2,500 times and spent more than
11 5,000 hours on its water paddling my canoe. Just this year
12 alone I have paddled 39 days on the reservoir.

13 In 25 years at Rocky Gorge I have never witnessed
14 an act of vandalism, never experienced a crime of any kind.
15 Come upon another paddler that needed assistance and I find
16 little evidence of littering.

17 What I have witnessed is the indescribable beauty
18 of the gorge in all of its seasons and conditions. In my
19 opinion, the current use of the reservoirs by the public
20 under the existing WSSC regulations is not an issue. Any
21 threats to the watershed lay primarily outside the
22 watershed. As a matter of fact, recreational users of the
23 gorge are likely more aware of where our drinking water
24 comes from, more aware of the threats to the integrity of
25 the watershed and are just as concerned about water quality

1 as the WSSC.

2 I have no training in water quality management,
3 but it is my subjective assessment that the quality of the
4 water in Rocky Gorge Reservoir has actually improved over
5 the last 25 years, despite the growing threat that comes
6 from more roads, higher traffic volumes and increased land
7 development for housing and commercial use surrounding the
8 watershed. What nature provides is scale and context, a
9 means to self-reflection and discovery. It provides silence
10 and solitude an exceedingly rare commodity in this
11 metropolitan area. The Triadelphia Rocky Gorge Watershed is
12 an urban wilderness in the midst of a teeming mass of
13 people. It is a natural gem that is the crown jewel of a
14 local wild setting for folks like me, canoeist, kayakers,
15 fisherman, equestrians, boaters, nature enthusiast and
16 families who just want to spend some quiet time enjoying
17 nature at its best.

18 As a famous naturalist, John Ewer (phonetic sp.),
19 once said, everybody needs beauty as well as bread, places
20 to play in and pray in, where in nature may heal and give
21 strength to body and soul. I urge the WSSC to embrace
22 multiple use stewardship of the Triadelphia Rocky Gorge
23 Watershed because it is consistent with the maintenance of
24 water quality and at the same time provides the public an
25 opportunity to enjoy a natural setting now and for future

1 generations.

2 Thank you.

3 MS. SMET: Next we have Debby Poole and Debby is
4 speaking on behalf of Debby but also Ms. Terry Ledley, who
5 was unable to attend tonight.

6 MS. POOLE: And Beverly Fox.

7 MS. SMET: Okay, and Beverly Fox.

8 MS. POOLE: Yes. Was she signed up? Okay. First
9 of all I want to thank everybody because I got to scratch
10 through so many of my notes, because so many of you,
11 especially Clara, really have touched on so many of the
12 things I wanted to say. I am Debby Poole, I'm from Belco
13 (phonetic sp.) Horse Farm, Burtonsville, Maryland since
14 1968. I've been asked to speak to you today on behalf of
15 well over 1,000 equestrian, business people and landowners
16 who have expressed a concern about WSSC (1) closing their
17 equestrian trails, (2) moving riding to the unsuitable
18 access road, (3) banning winter riding and (4) closing
19 previously approved individual barn entrances as well as
20 changes to the recreational activities for fishing, boating
21 and picnicking.

22 We're very interested in the progress in resolving
23 any problem areas. We would like to reinforce our desire to
24 work with WSSC and make the equestrian trails and other
25 areas as environmentally sound as possible. In light of

1 that, as previously requested throughout last year, would it
2 be possible to have regular ongoing meetings while the study
3 is being conducted as we are very much looking forward to a
4 continued dialog. May we even today set a date for
5 stakeholders, WSSC and EA meeting on the calendar? I've had
6 an outpouring of e-mails, letters and phone calls as time
7 allows I will present some of the letters, comments and
8 information that I have been asked to present to you. I
9 have printed copies that I also have given them and Barbara.

10 So ways that we would like to help. Several of
11 them have already been mentioned. I'm going to mention a
12 couple.

13 Patrols and rescues. Times are changing,
14 regularly throughout the U.S. riders are asked to volunteer
15 to be trained for rescue and patrol. It's not unusual to
16 see the news, on the news that riders looking for a lost
17 child or adult. Last year, Howard County Police Department
18 volunteer mounted police unit advertised seeking experienced
19 riders to train to patrol their parks. Not to confront, but
20 to observe and report a problem or help in a rescue.
21 Several of our riders are trained for this and offer their
22 help on the watershed.

23 Pre-service. During the interim of the broader
24 watershed study or perhaps to work along with EA, we would
25 like to again offer our free and expert trail assessment and

1 plans for rerouting if necessary by Prince George's County
2 environmental experts from the soil conservation district.
3 These individuals, Steve Darcy and Eileen Geard (phonetic
4 sp.) are certified trail masters, very committed to
5 environmental land use and trusted by the County to prepare
6 a nutrient management plans and perform environmentally
7 assessment of horse farms.

8 They have offered to come out to assess WSSC
9 equestrian trails and access roads in both Prince George's
10 and Montgomery counties, determining where riding is or is
11 not environmentally harmful and how the preferred route
12 could be improved.

13 Some statistics. My children, like Annette's are
14 fifth generation Poole's to ride these trails which have
15 changed very little in all these years. Great-grandpa Poole
16 sold his land at the end of Plum Road to the WSSC. So I
17 would say that we certainly are aware of the original bridal
18 trails and whether they are changing. But in fact, they've
19 remained pretty much the same, whereas the deer population
20 and the impact they have is a serious ever changing problem
21 and I agree the deer, they need to work on them, so I'm
22 happy to hear you're still doing that.

23 Okay. County level data collected from Maryland's
24 2010 Equine Census reveals an industry with assets valued at
25 5.6 billion and expenditures just under 513 million. There

1 are approximately 79,000 equine animals in Maryland that are
2 located in over 16,000 locations around the state. The two
3 largest equine counties are Baltimore, Montgomery and
4 Frederick. Equine operations account for a total of 587,000
5 acres of which 188,000 acres are devoted to equine and
6 88,000 acres are enrolled in land preservation programs.
7 And as I mentioned, I think almost farm has a nutrient plan,
8 so that's why we're interested.

9 One thing I want to say, this is not on my paper.
10 When you were talking about, I am a little concerned that
11 you're not checking the streams coming in because I thought
12 that was part of this. And I know that just between
13 Burtonsville and New Hampshire Avenue there are probably
14 eight streams that run down into the river and when my
15 daughter and I were out one of those days clearing a culvert
16 down there, there was so much oil pooled right there and
17 heading right downstream. We were probably a mile, a half a
18 mile up from the actual river. And so I don't understand,
19 you know like I said, this isn't on here, I don't understand
20 how you can be checking for the trails and stuff and not
21 looking at the impact of what's coming from the roads and
22 you know fertilizers and things.

23 So anyway, and I just want to remind WSSC that
24 companies can amend rulings. So you know if we have to
25 change stuff.

1 In closing, I clearly recognize that it would be
2 perceived that in this matter, WSSC equestrians,
3 recreational users and the stakeholders would have very
4 different interest and objectives. I also agree our
5 obligation and highest priority is the preservation of the
6 watershed and water to protect drinking water today and for
7 the future. But I see no reason why we can't work together
8 to compromise on these issues so we can save and make
9 available the resource for future generations to enjoy.

10 I am so grateful for your time. Thank you very.
11 Debby. How was my time?

12 UNIDENTIFIED PERSON: Five and a half minutes.

13 MS. POOLE: Okay. Well, I'll be quick. Okay.
14 I'm reading from Beverly Fox. I am Beverly Fox, retired art
15 director of the Social Security Administration Headquarters
16 in Woodland, Maryland. Former board member, current member
17 of Trout, and former member of the Iron Bridge Hunt. I have
18 lived on Acheson Lane on the property where Whitney Acheson
19 had his riding stable and where the Iron Bridge Hunt
20 Foxhounds were originally kenneled years ago by the Patuxent
21 Reservoir.

22 Mr. Acheson used his boxhead where the reservoir
23 currently is, the name Iron Bridge, came from the old bridge
24 that used to cross the river at Route 29 before the dam
25 flooded the area. Mr. Acheson was asked by [indiscernible]

1 to start the trail system. The system works like this.
2 There is a loop around the perimeter of the WSSC property,
3 the Jeep Trail and second loop within sight of the lake.
4 These two loops are connected with spokes or links which are
5 named in case of accidents and or need of repair, the
6 location would be easier to find. The spokes of connecting
7 trails and the interloops are in excellent shape. The outer
8 perimeter loop, the Jeep Trail has a huge washout behind the
9 old Dr. Smith, or the new church property. The washout was
10 not caused by horses, and has been there for at least 15
11 years unrepaired. Jeep Trails have not been used by Jeeps
12 in years. These perimeter roads are anything but very flat
13 and very negotiable. In fact, most of the trails are very
14 slow for riding. Over the dam there are few short distances
15 that you can Trout or cantor your horse, one of the
16 perimeter roads is near the washout. Equestrians don't want
17 to mess up their trails or their horses. They don't ride on
18 wet trails, they wait to ride another day. Equestrians have
19 work boots on foot that walk the trails and sees the trash
20 left by others. We love the reservoir when it's clean so we
21 can drink and bath in that water as well.

22 These are just wonderfully beautiful trails with
23 no houses or buildings so that you can ride your horse
24 within an hour from Washington, D.C. or Baltimore and in
25 the spring, the natural lull, and bloom in Laurel,

1 Maryland. Some of the neatest hours of my life have been
2 spent riding those trails. Please let us continue using
3 them and riding. Am I done?

4 MS. SMET: Do you have comments from Terry Ledley?

5 MS. POOLE: I do.

6 MS. SMET: Do you just want to do those?

7 MS. POOLE: Okay. Terry Ledley. Fortunately I'm
8 on vacation with my grandchildren; unfortunately I'm missing
9 this meeting. But my involvement with the watershed and the
10 equestrian trails runs very deep. When I first boarded my
11 horse 35 years ago at Waters Gift on Dustin Road West, I
12 fell in love with the scene, beauty and pristine wilderness
13 of the watershed reservoir and horse trails. Working to
14 clear and maintain them became my constant activity. For 35
15 years rarely a day was gone that I wasn't out on the trails
16 moving branches, picking up trash, and pruning. I've worked
17 with Chief Patrol Officers Paul Hancock and Larry Yeager and
18 police officers Butch Abbott, Tony Fry, Ray Hall, Brad Pitt,
19 and Cary Parrell. Butch, Tony and Ray would once or twice
20 take me out on their four wheel drive, chainsaw the trail
21 obstacles that were beyond my capacity. About once a year,
22 I went out on Patrol Officer Kevin Bode to pick up
23 overflowing trash bags along the side of the washout spots.
24 In 1983 Pat Oliva (phonetic sp.) and I succeeded
25 in getting in an underpass available on the river under

1 Route 29 to connect the east and west trail section. When
2 the WSSC leased the use of the trail horse from Debby
3 Poole's watershed patrol and the patrol officers were novice
4 riders, I was asked to accompany them on their riding
5 patrols. I do believe I added to their safety. Once a year
6 when the WSSC had their picnic at Brighton Dam picnic area,
7 the riders from Trout always brought four or five gentle
8 horses for kids to ride. It was great fun and they loved
9 it.

10 That was 15 years ago, when Waters Gift closed, I
11 moved my horse to near Suplee House (phonetic sp.) and
12 property next to my house. So we now are WSSC neighbors.
13 Thirteen years ago with a till of supplies and a tremendous
14 thrill to have the WSSC commissioners have a formal naming
15 ceremony, named the trail the Terry Ledley Equestrian Trail.
16 I have been very, very proud of that honor. In recent
17 years, since there is no longer a watershed patrol and since
18 I am older and weaker, I've spent several hundred dollars
19 for help in maintaining the trails and even in fire access
20 road. We equestrians have always been the eyes and ears of
21 the watershed. I personally have alerted the officers to a
22 tree hit by lightning and smoldering before spreading to
23 forest fire. Right now my house has caught several
24 teenagers with a fire going on and trash and graffiti all
25 over the place. Ironically, they had started the fire with

1 a school test paper and on one was the name that we could
2 still read. The WSSC --

3 UNIDENTIFIED PERSON: And a D.

4 MS. POOLE: -- oh good you are listening to me --

5 UNIDENTIFIED PERSON: Yes.

6 MS. POOLE: Yeah, a D on the test. Once I
7 discovered a homeless guy living in a tent, another time I
8 discovered a stolen canoe hidden in the woods. Just
9 recently on a point jutting out into the water, I noticed a
10 crudely formed circle made by bamboo poles tied together and
11 tied to trees and moved it. In these times of shrinking
12 budgets, many parks and reservoirs are forming, aha,
13 volunteer patrols. I told you all about that so you don't
14 need that. And she has a lot of my stuff.

15 Okay. I can't possibly express how important
16 these trails have been in my life and how they have enriched
17 it. This is really a little paradise between the dense
18 metropolis, the horse trails are picture postcards of
19 beautiful woods, vast distance of the water at every turn.
20 The WSSC Trout and equestrians have always had a wonderful
21 and neutrally beneficial relationship. I hope this will
22 always continue. Thank you so much, Terry Ledley.

23 MS. SMET: I hope everybody is hanging in there.
24 Our next three speakers, Virginia Henriksen, Sandy Boyd,
25 and Patty Sobel (phonetic sp.). So is Virginia Henriksen?

1 Great.

2 MS. HENRIKSEN: Good evening. Thank you for this
3 opportunity to speak. My name is Virginia Henriksen, I'm a
4 resident of the District of Columbia, I'm a resident of the
5 District of Columbia. For almost three years, I have been
6 leasing a horse in Burtonsville, Maryland, primarily for
7 trail riding. Prior to that I rode at Ready Meade
8 Equestrian Center, which is also located on the watershed.
9 Many people here tonight have spoken eloquently of the
10 beauty of Rocky Gorge and the value of the watershed as a
11 wilderness escape in a densely populated urban area. No one
12 disputes the need to safeguard water quality.

13 I would like to say a few words about the economic
14 benefits of recreation. I live in D.C. but I'm in
15 Burtonsville every weekend and as a result, I buy most of my
16 gas in Burtonsville, I do the majority of my grocery
17 shopping at the Burtonsville Giant. I spend money in many
18 local businesses in Laurel. Prince George's and Montgomery
19 counties get a far larger percent of my paycheck than the
20 District does. I'm sure many recreational users of the
21 watershed travel a distance to ride or boat or picnic and
22 spend their money locally as I do. If the watershed is
23 closed to recreation, those dollars go away.

24 As a result, some farms and small businesses will
25 undoubtedly be lost as Barbara spoke about earlier, further

1 eroding the rural character of the area. And I also wonder
2 what would happen to property values if access to the
3 watershed is closed.

4 I urge WSSC as a result of this to undertake an
5 economic impact assessment of changes to recreation on the
6 watershed. I had two questions, the first one has mostly
7 been answered by your presentation and the subsequent
8 discussion. So I'll skip my first question. But my second
9 question is in 2006 there was a recreational survey that was
10 done by WSSC, and I'm wondering if there are plans to do
11 another? Because 2006 it was quite a while ago and it
12 sounds like recreation has changed and I think that that
13 would be helpful.

14 UNIDENTIFIED PERSON: Not that I'm aware of.

15 MS. HENRIKSEN: Okay.

16 UNIDENTIFIED PERSON: [Indiscernible].

17 MS. HENRIKSEN: Okay. And just in closing, it
18 sounds to me from what I've heard this evening that this
19 study will be able to make statements about the health of
20 the trails. But not fully quantify the impacts of the
21 trails on sedimentation and water quality in the reservoirs.
22 And I would urge you to expand the scope of it to look at
23 runoff from the streams and other contributors of sediment
24 and pollution. So that we really get a complete picture of
25 what's going on in the reservoir. Thank you very much.

1 MS. SMET: Sandy Boyd? No Sandy Boyd. Okay.
2 Patty Sobel?

3 MS. SOBEL: Since everybody has already made
4 every point I was going to and far more eloquently than I
5 could, I would just respectfully request that you have my
6 time passed to Lucy Ertter.

7 MS. SMET: Okay. Lucy come on down.

8 MS. ERTTER: Hi. Good evening. My name is Lucy
9 Ertter (phonetic sp.) and I am a horseback rider and also
10 one of the barn managers at West Laurel Stable, one of the
11 barns that abuts the WSSC property and has been effected by
12 these changes. That's what I want to focus on tonight, the
13 changes that WSSC made last year requiring the riders to use
14 the access road instead of the equestrian trails that we had
15 used for decades. Those changes were based on claims that
16 horseback riding is making the water harder to treat and the
17 biggest factor in causing sediment to accumulate in the
18 reservoir.

19 Well, I can't really address the first claim,
20 because WSSC has yet to tell us exactly how horseback riding
21 is making the water harder to treat or to produce any data
22 backing this assertion.

23 Regarding the second claim, even a casual observer
24 can see the striking difference in the condition of the
25 access road and the equestrian trails or the inner trails.

1 The access road merely follows the WSSC property line, which
2 as steep hills along most of its length. So it is quite
3 susceptible to serious erosion every time it rains, creating
4 a rocky and badly rutted surface. And all the dirt that
5 runs off goes into the creeks that are at the bottom of the
6 hills and from there into the reservoir.

7 In contrast, the equestrian trails were well
8 constructed and they're built properly across the slopes
9 with switchbacks and they show little, if any signs of
10 erosion. The vast majority of these trails are covered with
11 leaf debris year round, which further indicates that they
12 are not being eroded by either the horses or the rain. In
13 the 10 years or so that I have been riding there, I have
14 observed no change to either the depth or width of the
15 trails. For the most part, they are only an inch or two
16 deep, which is due to compaction and lateral movement of the
17 soil, not erosion. And this is evident by the fact that
18 there's actually a lip on the downhill slide of the slope.
19 Okay.

20 From my observations, the biggest source of
21 erosion on the watershed is rainfall. Especially on the
22 access road where there is no vegetation to prevent the soil
23 from running into the creeks that empty into the reservoir.
24 A few of these creeks are already plagued by extensive scour
25 which is large sections of their banks having washed away

1 sending many cubic feet of dirt downstream and into the
2 reservoir.

3 Clogged culverts running under the access road are
4 another problem. One culvert blockage has already resulted
5 in the entire access road being washed away and another
6 appears, at least one other appears to be on the verge of
7 the same disaster. The equestrians have volunteered many
8 hours of their time working on these and related problems,
9 and we are eager to continue as partners in this effort.

10 MS. SMET: Thank you. Next up I have Denise
11 Raynor, Peter Shumacher and Fran Koch (phonetic sp.). So is
12 Denise Raynor here?

13 MS. RAYNOR: Terry Ledley's equestrian trail
14 honoring 20 years of volunteer service, 1998. This is a
15 sign that greets you from my location at the WSSC property
16 that surrounds Rocky Gorge Reservoir in Laurel, Maryland.
17 My name is Denise Raynor and I'm the caregiver of the horses
18 in our neighborhood barn. This has been my job for the past
19 six years. It has no bells or whistles, it has horses. And
20 it had 40 miles of riding trails. That's what drew me to
21 this barn in 1996, 16 years ago. My business has suffered
22 significant loss since WSSC made a change in our use of the
23 trails.

24 When an interested horseback rider inquires about
25 our barn and learns our trails are those associated with

1 WSSC, they're disappointed and say they are looking for a
2 location with use of trails for horseback riding. Having
3 the privilege and the use of the riding trails means
4 everything to me and my business. Without them, I honestly
5 have nothing. WSSC is not interested in me or my business
6 at this time. But once upon a time, I honestly believe they
7 did. WSSC and Terry Ledley worked in unison to protect and
8 preserve the miles of trails between Sutley (phonetic sp.)
9 Boat Ramp and Route 29. She enlisted the help of the
10 equestrian community to work with her in her efforts to
11 comply and respect with what she was determined to make as
12 her personal mission. She was the team leader for the
13 general riding population, encouraging us to always be
14 vigilant with regards to the trails or reservoir and to
15 report any suspicious activity to the various contacts we
16 had at WSSC.

17 In some cases, it might be an individual riding a
18 dirt bike or someone who had started a fire. We should be a
19 great value to WSSC as well as a benefit in the preservation
20 of the reservoir and its surroundings by being visible eyes
21 and ears on horseback, as we've heard many times this
22 evening. One can't help but ask what has changed within
23 WSSC since the time Terry Ledley was honored by WSSC.
24 Nearly 14 additional years have passed and Terry and the
25 riding community has continued to be a great source of aid

1 to the trails and surrounding area of Rocky Gorge reservoir.

2 And the only other additional point I wanted to
3 make is I just found it interesting that prior to September
4 11th, the trails and reservoir were additionally patrolled
5 by WSSC employees on horseback. And you know they were
6 right there with us, shoulder to shoulder with the riding
7 effort. So thank you very much for this time this evening.

8 MS. SMET: Peter?

9 MR. SHUMACHER: Hello, thank you. First off, I
10 appreciate the chance to give some input from EA
11 Engineering, that's something that WSSC has not provided
12 stakeholders a chance to have a say in the changes in the
13 watershed and the watershed access.

14 I live in Laurel, Maryland. I'm a heavy WSSC
15 watershed user. I own a home bordering Rocky Gorge. Until
16 recently I had six boats in my garage, but I'm down to five.
17 I'd like to say that WSSC reservoirs are my sole source of
18 exercise, stress relief and adventure. I don't go to the
19 gym, I don't go jogging, I don't play team sports, I go
20 paddling. I go paddling about 100 times a year.

21 Yesterday, Father's Day, we had three generations
22 of Shumacher's out on Rocky Gorge. Myself, my father and my
23 son, and my dad got his best largemouth ever, 22 inches.
24 But it's a secret spot.

25 I'm gravely concerned with the increasing access

1 restrictions on the people to their water. For the record,
2 in 2002 when I moved in adjacent to the watershed, the hours
3 of access were sunrise until one hour after sunset, and
4 March 1st until December 15th. Since then WSSC has
5 arbitrarily and without stakeholder input reduced the access
6 period by two months, eliminating March and eliminating
7 November 15th to December 15th. They have also during that
8 period reduced the fishing day from one hour after sunset to
9 sunset.

10 You know, we understand reasonable restrictions to
11 access and I think that the community, the fishing community
12 can live with sunrise to sunset, as you know for safety
13 considerations. However, the loss of March and November
14 15th to December 15th, I feel have no scientific basis and
15 have hurt the citizens. As an example of reasonable use, I
16 think we should look to the Baltimore reservoirs like
17 Liberty, which have the same fundamental purpose.

18 Today I went to the web and I looked at the
19 Baltimore reservoirs permitted activities and I'm reading
20 directly from a webpage. Permitted activities. The
21 following recreational activities which have minimal impact
22 on the natural environment are permitted with some
23 restrictions described hereinafter within areas of the water
24 quality management areas open to the public. Biking in
25 approved areas, fishing from watercraft, bank fishing, use

1 of watercraft, picnicking, no fires, hiking, horseback
2 riding, bow and arrow hunting, skeet shooting, bird watching
3 and golf.

4 Moreover, the Baltimore reservoirs are open from
5 March 1st until December 31st of every year, weather
6 permitting.

7 In summary, in the heavily industrialized Route 1
8 corridor, citizens need access to wild spaces for exercise,
9 stress relief and family gatherings and nature enjoyment.
10 I'm gravely concerned that WSSC is headed in the wrong
11 direction in this regard in attempts to further restrict
12 access and in fact, not rolling back the current
13 restrictions, the limitations I just discussed, will meet
14 with vigorous political opposition from fisherman who
15 clearly are the least organized group of stakeholders.
16 Thank you for your time.

17 MS. SMET: Fran? Right in front of me.

18 MS. KOCH: Hi. It's nice to be here tonight. My
19 name is Fran Koch, I live in Silver Spring, Maryland. I am
20 a horseback rider and horse owner. Please help me
21 understand how an issue can be brought up over one year ago
22 without having any documentation to support the issue as it
23 relates to horses and horse trails on the WSSC property. It
24 is not rocket science, it is simply commonsense. First of
25 all, any evidence of an issue that WSSC is concerned with

1 should have been presented prior to and along with the
2 notice to alter slash discontinue the use of the horse
3 trails on WSSC's property. Secondly, the firebreak has not
4 been addressed at all by the WSSC.

5 Many years ago, the firebreak on the WSSC property
6 had been maintained by WSSC. That has not been the case for
7 at least a decade. It should be of the utmost importance to
8 the WSSC that the firebreak be maintained at all times for
9 obvious reasons, in case of fire, it provides a firebreak to
10 prevent the spread of fire, not only to the entire WSSC
11 property, but to houses and properties that exist outside of
12 the WSSC property allows for fire trucks slash equipment and
13 WSSC vehicles to access the WSSC property et cetera.

14 Due to the lack of maintenance, the firebreak has
15 gone over and eroded terribly and in some areas actually
16 imploded. And as a result, there is no longer, there no
17 longer is a recognizable firebreak.

18 Please restore dignity, respect and integrity to
19 the WSSC by addressing the real issue at hand. When and why
20 did the WSSC stop maintaining the firebreak, what were the
21 funds of the maintenance of such use for instead, why are
22 horse trails on WSSC's property being the focus of the
23 erosion and water quality issue and the WSSC has never
24 explained nor brought into focus the condition of the WSSC
25 firebreak, and how that affects the water quality, erosion,

1 et cetera.

2 Evidence to support the WSSC's position needs to
3 be presented prior to any decision to close off slash alter
4 use of horse trails instead of the other way around, which
5 has been to close off slash alter, the use of horse trails
6 and then attempt to find evidence to support the closure by
7 WSSC.

8 Something is very wrong with this approach.
9 Please help me to understand why the WSSC should not be held
10 accountable for the condition of the firebreak and the
11 effects it has on the water quality and erosion as well as
12 providing evidence prior to taking action on claims being
13 made by the WSSC. Thank you.

14 MS. SMET: Our next few speakers, next up James
15 Putman and Dennis Webb and Dana Grabiner (phonetic sp.). So
16 James?

17 MR. PUTMAN: Good evening. I'm James Putman, I'm
18 a long term resident of the watershed. My property borders
19 WSSC property and WSSC has a dedicated access road from the
20 east end of Dustin Road that crosses my property and that of
21 two of my neighbors to get to the fire trail. I've also
22 spent many hours in the last several decades maintaining
23 that fire trail, it's fairly badly eroded next to my
24 property. I've moved lots of fallen [indiscernible] off of
25 the fire trail, so yeah, just like that, no with my tractor

1 with a front bucket so that fire vehicles can hopefully get
2 up and down that trail. But you have listened tonight to a
3 lot of issues that really aren't much of a problem.

4 I would like to address your attention to what the
5 real problems are with the watershed. I guess I think it's
6 vitally important to recognize that the watershed consists
7 of all that acreage which drains to the river, not just the
8 land and the water owned by WSSC. The built on low density
9 agricultural or residential portion of the surrounding land
10 is also pretty well protected from environmental degradation
11 just as the Rocky Gorge, as the WSSC property is. The
12 undeveloped portion of the watershed that goes all the way
13 down to Route 198, that's where the bulk of the risk is.

14 Due to time restrictions, I want to focus just on
15 a couple of narrow issues. I want to talk for a minute
16 about the private institutional facilities, PIF Policy, as
17 amended in 2005 by Montgomery County. The PIF Policy is
18 part of the 2003 to 2012 Comprehensive Water Supply and
19 Sewage Systems Plan. Briefly, the PIF Policy concerns
20 certain exceptions to environmental regulations for the
21 benefit of institutional developers. It was a well-
22 intentioned policy that has unintended consequences with
23 disastrous environmental potential for the water supply.

24 Most PIF applications are either academic or
25 religious in nature. We have no quarrel with academics or

1 religion. I've benefited a lot from both. The developers
2 that are looking for parcels for these kinds of users are
3 looking for large parcels of land which are difficult to
4 find within the existing sewer envelope which is really
5 pretty much south of Route 198, in the Patuxent and Little
6 Patuxent Watershed where there is sewage. In the watershed
7 there are large undeveloped parcels which are very, very
8 attractive. The parcels are generally zoned for single
9 house residential or agriculture use served by well and
10 septic, has stringent impervious coverage and forestation
11 limits. They're zoned that way on purpose to protect the
12 watershed. But PIF developers always want high density
13 usages. They want to run sewer lines through the watershed
14 and want high impervious coverage allowances. Any of these
15 will inevitably pollute the watershed, perpetuating the PIF
16 defeats the whole purpose of the watershed environmental
17 protection. WSSC needs to go on record against PIF usages
18 in the greater Patuxent Watershed.

19 One more brief thing. A law passed in 2000 by the
20 U.S. Congress, the Religious Land Use and An
21 Institutionalized Persons Act. How those two got together,
22 I'll never know. Known as RLUIPA, sought to protect against
23 religious discrimination in land use cases. It's a noble
24 goal, but the authors also specifically stated the generally
25 accepted zoning and environmental restrictions were not

1 impacted by the legislation. None the less, opportunistic
2 organizations have used or attempted to use RLUIPA to evade
3 legitimate environmental protection needs. In a recent very
4 nearby case, a federal judge has ruled that a jurisdiction
5 failed to demonstrate the compelling need for environmental
6 restrictions on Rocky Gorge Reservoir Watershed land. Note
7 that the judge did not find the environmental concerns
8 invalid, just that the supporting evidence was not presented
9 in court. Many of you in this room know the property that I
10 refer to.

11 Any watershed protection plan for this watershed
12 must address the need to update the PIF Policy, and must
13 substantiate the compelling need for environmental
14 protection of our water supply and wasting time on these
15 tiny little usages of boaters, horseback riders, hikers,
16 they help the watershed and protect it. And I've seen them
17 for two decades do that from my own property.
18 Unfortunately, I'm afraid we're wasting our resources
19 solving an non-existence problem when this huge problem of
20 development is staring us in the face.

21 UNIDENTIFIED PERSON: Yep.

22 MR. PUTMAN: Thank you.

23 MS. SMET: Is there a Dennis Webb? Yes.

24 MR. WEBB: Excuse me, my name is Dennis Webb. I'm
25 a resident of West Laurel, and my wife and I own a small

1 private horse farm which abuts the buffer zone of WSSC. I
2 am an equestrian of course and frequent rider on the,
3 especially on the Terry Ledley trails.

4 Tonight, I'll be speaking on more about my
5 activities of the West Laurel Civic Association. WLCA, I'll
6 use that as the abbreviation now, WLCA filed an MPIA request
7 to WSSC asking and I quote, review all data studies and
8 other technical materials underlying changes in WSSC's
9 regulations to ban riding on equestrian trail and move the
10 equestrian use to the access road and secondly to prohibit
11 use of the Patuxent Reservoir Watershed by equestrian and
12 other uses between November 15th and April 1st of each year.

13 And to minimize the overall effort, WSSC asked
14 that the Civic Association just search through documents
15 that were provided earlier for an MPIA and select those that
16 were relevant to the present MPIA and in fact one of the
17 people in the audience, Patty Sobel and I were the ones who
18 were elected to review these documents.

19 The general conclusion was that most of the
20 documents provided little or no information pertaining to
21 this decision to implement the changes on equestrian trails.
22 But there was one in there, again, we felt highly relevant
23 and it's been referred to by one of the previous speakers.
24 And this particular document presented calculations by the
25 now defunct Environmental Advisory Committee, the A.C. to

1 WSSC as to damage to the reservoir caused by the equestrian,
2 and it also included a section critiqued by WSSC on the
3 initial calculations.

4 Using very simple geometrical arguments, in other
5 words, what's the length of the trail, the width of the
6 trail and estimated amount of erosion, the A.C. as mentioned
7 earlier could close this somewhere between maybe .01 percent
8 and .001 percent of the sediment in the reservoir is caused
9 by the, I don't know if I mentioned that, that WSSC actually
10 provided the number for the total sediment in the
11 reservoirs, it's on one of their documents. And to even get
12 the trail to produce 1 percent of the reservoir sediment,
13 you'd have to erosion 10 feet deep. So you know this is
14 clearly nonsense. This is clearly nonsense.

15 The WSSC said that many of these assumptions were
16 erroneous and their response, I'm, I don't recollect,
17 recollect the exact corrections. We actually were prevented
18 from making copies of the documents because of dispute with
19 a previous MPPIA request. But even if we were assume they
20 were 100 percent correct, that conclusion is the same, it's
21 inconsequential contribution by the horses.

22 The A.C. also calculated another, did another
23 calculation of the phosphorus level and that is mentioned
24 earlier, is also negligible, less than one hundred thousands
25 of a total phosphorous and things that have been mentioned

1 earlier. I mean there were deer, there were geese, there
2 are dogs and then all the runoff problems, which really
3 dominate everything weren't mentioned.

4 Again, WSSC disputed some of these assumptions,
5 but the overall conclusion there was a factor of two here
6 and three here, et cetera, et cetera, was the same. It
7 really had no effect on the trail. The other part of the
8 WLCA request relates to closing in the winter months and
9 that's already been addressed adequately before. The fact
10 that the months in the winter are really the least rain in
11 the year. But I'd also add another point. I think this is
12 totally irrelevant because we as horseback riders don't ride
13 when it's wet anyway. We've been cautioned not to and in my
14 observation, most horseback riders do observe this. We
15 don't ride when it's wet.

16 So the bottom line is we have found nothing in the
17 WSSC documents reviewed to justify the WSSC changes to the
18 use of equestrian trails and we're still waiting to hear
19 some of that information. Thank you.

20 MS. SMET: Dana?

21 MS. GRABINER: Hello. Good evening. My name is
22 Dana Grabiner and I'm a horse owner that boards at Debby
23 Poole's barn, and I ride the trails as often as I can.
24 There's several of us who board at Debby's place that are
25 here tonight.

1 I would say good evening to the EA staff, and
2 Council Member Layman, thank you very much for being here
3 personally and fellow trail lovers.

4 Let me say a couple of things about good data and
5 bad data. Thanks to the analytical skills of members within
6 Trout that you heard from tonight, I'm sorry, the data that
7 WSSC staff was relying on to target equestrian activities
8 was found to be wrong. You've heard other people say it
9 more eloquently than I, about this data. It didn't rain
10 mostly in the winter, water quality had not proved to suffer
11 from equestrian use, equestrian use had not degraded the
12 trails. Horse manure is not the risk to the watershed that
13 staff says it is. The data is wrong.

14 For the degradation to occur, the WSSC is blaming
15 horses for, we would have to drag truckloads of manure
16 behind us every time we, we rode. I mean, come on. My
17 horse won't even poop on a trail, I, I don't know she just
18 doesn't. Anyway, you know what the enemy is in all of this.
19 It's bad data.

20 When you said, Mike, that you were going to use
21 WSSC's data, I felt a chill. I, I really did. Because
22 someone is using that data to tell the commission, the WSSC
23 Commissioners, hey, and pardon the pun, if we get rid of
24 these riders, we'll save the watershed from the brink of
25 disaster. Problem solved, right? Well, we had to tell the

1 Commission you're solving a problem that doesn't exist.
2 Good try, it doesn't exist. The data doesn't support it.
3 We were thrilled when a couple of commission members and
4 elected officials came out to look at the trails for
5 themselves, a lot of eyes were opened that day. What I can
6 say is WSSC is a public utility and we are the rate payers.
7 There are WSSC commissioners who provide oversight, there
8 are interested council, County Council members from several
9 different counties that have expressed interest in this, and
10 many of the elected officials that we've contacted agree
11 with us, that we do have a say in this issue.

12 And what I have to say is this recommendation of
13 closing the trails to us, is based on poor data. We've said
14 it over and over again. I ask you to carefully look at the
15 data analysis that one of our speakers tonight, Barbara
16 Sollner-Webb has provided, Barbara has the scientific chops
17 to obtain and interpret this data. Have you seen the
18 woman's resume? I mean she, she can, she can back up what
19 she's saying. Her interpretation is quite different from
20 what WSSC members have been told.

21 So I'm looking for a good faith effort to get good
22 data to share it with us, let us help you with the benefit
23 of a lot of knowledge of the data over many, many years,
24 when you're doing your study. And I do thank EA Engineering
25 for having this meeting tonight. I appreciate your time.

1 MS. SMET: Thank you. It's after nine, so we're
2 running a little long, but I have about six more speakers
3 that I'm aware of. So we're going to allow them their
4 opportunity to speak and then I'll do a check in to see if
5 there are others we've missed and then we can wrap up. So
6 the next three I have, Priscilla Huffman, Maria Schwartz and
7 Laurel Santamarina. So Priscilla?

8 MS. HUFFMAN: Well I believe a good point can't be
9 made too many times. And the trails I'm referring to
10 tonight are the, what we're calling the old equestrian
11 trails, not the trails designated in this booklet.

12 So thank you again for this opportunity to present
13 comments to the Patuxent Reservoir Stakeholder's Meeting.
14 My name is Priscilla Huffman, I do live in Timonium,
15 Maryland which is located in North Baltimore County, but
16 have ridden the Rocky Gorge trails for many years. And I am
17 speaking tonight as a representative of Trail Riders of
18 Today, Trout, it's a trail preservation equestrian group,
19 more than 700 members and we're located in Maryland and the
20 surrounding areas. Trout is fortunate to have members who
21 have extensive training in creating sustainable non-eroding
22 trails, one of them is here tonight, Pat Oliva (phonetic
23 sp.), as well as experienced volunteer park rangers for
24 various Maryland park systems and some avid
25 environmentalists.

1 Trailer Riders of Today has a long history of
2 working with Washington Suburban Sanitary Commission,
3 watershed patrol staff in providing stewardship for the
4 Rocky Gorge Reservoir Trail System. Our relationships were
5 always cordial. WSSC designed much of the original trail
6 system and over the years many work days were scheduled
7 where both equestrians and WSSC watershed patrol staff
8 participated in providing maintenance for various parts of
9 the trail system. We worked well together.

10 Trout and other equestrians have respected and
11 valued this relationship and we've always been keenly aware
12 of how fortunate we are to have access to these
13 magnificently beautiful trails. We've worked hard over the
14 past 25 plus years to ensure that the trail system was
15 sustainable so that we could continue to enjoy along with
16 other user groups our mini wilderness just minutes from
17 Interstate 95. WSSC honored the trail maintenance after one
18 of our founding members, as you've heard tonight, with a
19 plaque designating one of our trails as the Terry Ledley
20 Trail. And I would also like to comment that Barbara and
21 Dennis Webb have one, have also been very significant
22 contributors to trail maintenance.

23 The best testimony to the environmental soundness
24 of the horse trails really is to see them first hand. An
25 onsite inspection of the trails system guided by someone who

1 is thoroughly familiar with the trails will demonstrate that
2 there is little erosion on the old designated horse trails
3 which are the trails we want to continue to ride on, even
4 though they've been ridden for many years. The major
5 erosion that exists is on the perimeter firebreak trail and
6 you've heard a lot about that tonight. That has always been
7 off limits to horses, we were never allowed to ride on those
8 trails, that erosion is not from horses. It's from the
9 trail design.

10 In the few areas where the trails currently exceed
11 the desired distance limit from the reservoir trail, Trout
12 has volunteered to assist to work with WSSC in relocating
13 some of those sections of the trail to higher ground.

14 Water quality is a concern for everyone, whether
15 or not you're a current user of the watershed area. It's
16 important to note that this is not an area of high horse
17 concentrated traffic. There are no places on the trail
18 system where horses stand tied for any length of time.
19 Primarily, the equestrian use is from land owners near the
20 watershed area or small boarding facilities, as you've heard
21 tonight, which have provided much support for the trail
22 maintenance over the years.

23 And another example of our maintenance has been an
24 excellent stewardship that we've done is that one of our
25 Trout members identifying while riding on the trails a large

1 sediment deposit from a highway construction project, you've
2 heard about that and Maryland Department of the Environment
3 was notified and subsequently estimated that a 15 to 50,000
4 tons of sediment was averted from entering the watershed and
5 that was due to our being out there on the trails looking
6 and alerting Maryland Department of Environment to this,
7 WSSC didn't know anything about it.

8 We urge anyone involved with the current ongoing
9 study to personally visit the trail areas and observe the
10 lack of erosion and most importantly to ensure that current
11 and future users can continue to enjoy this most precious
12 and valued resource. Thank you.

13 **(End of Tape Two, Side One)**

14 MS. SCHWARTZ: I'm a trail rider, I don't do
15 anything else except trail ride. I moved to my home in 1986
16 because there I could ride to the trails from my home
17 without having a trailer, because I'm not a rich trail
18 rider, I'm just a, in fact, I'm very poor. You talk about,
19 you know, boats are a hole that you pour your money into, so
20 kind of a horse, but they're worth it.

21 I support the comments of my fellow stakeholders a
22 major of this evening, but their comments underscore my
23 frustration with the meetings that are being held this week
24 to discuss the Triadelphia and Rocky Gorge Watershed Study.
25 I am frustrated that I was unable to participate in these

1 meetings the way that I would like to because of the lack of
2 information on this study.

3 After the announcement that EA would be conducting
4 a study and was looking for stakeholders, I called EA to let
5 them know I would like to participate as a stakeholder. The
6 person that took my call did not know about the study and
7 did not even know to whom in the organization I could talk
8 to about the study. But I was told that someone would call
9 me back. No one did. So two weeks later, I called a second
10 time and spoke with a gentleman and he told me that he
11 couldn't give me any information and suggested that if I
12 wanted any information I would have to get it from the WSSC.
13 To accomplish that I made a very limited request for
14 documents specifically related to the study through a
15 Maryland Public Information Act request. WSSC responded
16 that this was such a huge request that they needed an
17 additional 30 days to work on it. When the WSSC wrote to
18 say that they had completed their document review, they
19 indicated that they were charging me for six and a half
20 hours of time, including other expenses related to their
21 search for a grand total of over \$450 plus. This did not
22 include copying fees. Because this is a great deal of money
23 and I plan to use the documents to share with my fellow
24 equestrians, I requested a waiver of the fee based on the
25 fact that having these documents is necessary to be an

1 informed stakeholder and therefore in the public interest.
2 WSSC e-mailed a response that they were sending my request
3 to their general manager. Rather than next receiving an
4 answer to my request for a waiver, I received a second bill
5 for the WSSC search time. I thought this was just an error
6 and they had sent it out not realizing that I requested a
7 waiver. However, the next time I heard from WSSC, it was
8 again to request payment for their search and inform me that
9 if I didn't pay the fee, they would turn this over to their
10 legal department.

11 What the WSSC action in this situation indicates
12 to me that is that WSSC does not want educated stakeholders.
13 They want to keep us in the dark and this leads me to ask
14 the question why. And in response to that question, I
15 believe that WSSC has a hidden agenda. And it appears that
16 their hidden agenda not only includes equestrians, whose
17 horses supposedly are fouling our drinking water, but also
18 boaters, fishermen, picnickers and all the folks who
19 treasure and generally use watershed resources.

20 While it's not pleasant, but understandable, when
21 an ex-spouse has a hidden agenda, or the person trying to
22 sell you something for more than it's worth has a hidden
23 agenda, it is not okay for county, state or federal
24 representatives to have hidden agendas. In fact, it is
25 contrary to good government. The communication of

1 information is critically important in a health democracy.
2 This means that our representatives must be as transparent
3 as possible in their interactions with the public. My real
4 fear, and the reason I'm here today to speak to this
5 assembly, is that I believe that something is rotten in
6 Denmark.

7 While we are laying off teachers and curtailing
8 other services in Maryland, we are apparently paying EA
9 \$225,000 to scope out a study that no one outside of the
10 WSSC can see a basis for. And neither EA nor WSSC is
11 forthcoming and help us understand the issues at hand.

12 Instead, while statements are made and published
13 in papers, such as The Washington Post, which for people not
14 familiar with the watershed read and respond to with oh my
15 goodness, horses are pooping in our drinking water. The
16 groundless impression that the WSSC is creating is so wrong
17 on so many levels, one might find it hard to figure out
18 where to start. I am honestly not sure of the results of
19 any study that WSSC initiates on this issue will not be
20 skewed to serve the WSSC's own hidden agenda.

21 I believe that when this is all said and done,
22 especially if Phase 1 of the study of the concludes that
23 there is no basis to proceed to Phase 2 of the study, the
24 Office of Legislative Audits should take a serious look at
25 the actions the WSSC has engaged in over the last year and a

1 half. Thank you very much.

2 MS. SMET: Laurel?

3 MS. SANTAMARINA: Hi, already we've heard from
4 sort of everybody. I am Laurel Santamarina, I am an avid
5 equestrian. I also have a degree in engineering with a
6 heavy emphasis on environmental engineering. And also the
7 daughter of a biologist and botanist who is a serious
8 conservationist and environmentalist.

9 So to say that equestrians and just a few horses
10 that ride there per week are polluting the water, is
11 honestly preposterous. You know but we all know that. But
12 with that said, people haven't actually been on the trails,
13 the trails aren't really like a horse trail like you would
14 picture a big horse trail, they're like a beautiful little
15 path through the woods with ferns on either side. My horse,
16 I have an enormously large horse, I have a Friesian, those
17 trails are very technical. When I ride, I have to be on my
18 A game, or I'm going to get my knee taken off. So there's
19 no widening and in the four years that I've been there, they
20 haven't changed. And Terry Ledley and, and many
21 equestrians have been maintaining it what, 35 years at
22 least. But the big deal is in the four years I've been
23 there, I've only seen two patrol officers, and they were
24 only in the parking lot and never got out of their car.
25 There's nobody back there, except for us. We're the only

1 ones watching the area and protecting it. The only ones.
2 Anyone else that's out there, shouldn't be there unless
3 they're a licensed, a licensed holder. And in my opinion
4 they should allow equestrians who are willing to ride and
5 watch it, they don't have to spend money. We'll do it
6 lovingly do it, with grins on our faces. We should be able
7 to ride the entire reservoir, the Howard side too. How come
8 Howard County doesn't have an equestrian trail? What are
9 they some --

10 UNIDENTIFIED PERSON: They used to. They closed
11 them down when I was a [indiscernible].

12 MS. SANTAMARINA: Right. Right. And all of
13 those, all of that stuff that you're finding on that side,
14 that wouldn't be there, if we were riding there. So we
15 should be policing the entire amount. A few more horses on
16 that side, negligible compared to the benefit, the keeping
17 people from doing autocross, setting fires, campers, all of
18 that that shouldn't be there that, that put, and a serious
19 fire risk. And because they're not maintaining the Jeep
20 Trail at all, like at all, like nix, no way, if there is a
21 fire there, the homeowners, there's no way for them really
22 get back there. There's no way that they're going to be
23 able to successfully put out that fire. The homeowners who
24 surround it are kind of, they're in trouble. So they either
25 have to maintain the Jeep Trail and we'll police it. They

1 don't have to spend it, we'll call in everything, gladly.
2 We always ride with our cell phones.

3 So I ask that they please give us our full rights
4 back, riding all year round, even though I'm supposedly not
5 allowed to ride there, I have my horseback riding license,
6 which I bought in good faith, hoping that they will restore
7 our rights. They are the most beautiful trails I have ever
8 in my life had the privilege to ride. Please do not keep
9 people from riding them. It would be just a tragedy, an
10 absolute tragedy. Thank you very much.

11 MS. SMET: I have three more speaker, Alice
12 Ortuzar (phonetic sp.), Thomas Porter and Ravi Khanna. Is
13 Alice here?

14 MS. ORTUZAR: My name is Alice Ortuzar and I've
15 lived in the Ashton and Burkeville area a long time and I
16 really am saddened by this effort to restrict equestrian
17 use, to restrict recreational uses, I'm a watershed steward.
18 I've had to destroy my watershed friendly yard at least four
19 times where people all around me dump these toxic chemicals
20 and intensively mow so all the CO2 and the chemicals are
21 getting into our watersheds because no state or county storm
22 water management regulation includes lawns and yards. Turf
23 grasses is the largest land mass in the Chesapeake Bay
24 Watershed and it contributes the highest amount of
25 pollutants into all of the watersheds and they are totally

1 unregulated.

2 My other concern is additional areas of the
3 hypocrisy regarding development. I can remember fighting a
4 development on the Triadelphia, where they were going to put
5 septic tanks within 500 feet of the reservoir. So you have
6 all of these, these controversial issues and to focus on
7 equestrian uses it really is focusing on the minor issues.
8 I remember in 1993 when the County approved sand mounds for
9 areas that didn't perk. And those are extremely
10 experimental. They are so complicated that it just was, and
11 was also a way to intensify the development. So I would
12 encourage the equestrian community in particular to focus on
13 what is not being addressed that is causing a lot of
14 pollution and a lot of harm in our watershed areas, the
15 inter-county connector destroyed an enormous amount of
16 valuable resources that we need for the bay and traded
17 trees, WSSC trees that were never intended to be destroyed.
18 So it was the completely dishonest trade and everything was
19 lost. And we're still denuding hillsides, we're still clear
20 cutting. Nothing is changing in terms of the practices that
21 are really harming our watersheds and our water sources. So
22 I would encourage you to focus on that and I have to say I'm
23 on the Customer Advisory Board at WSSC. I see an enormous
24 amount of waste, wasted water, watering their parking lots,
25 and their sidewalks. Turf grass where they should have

1 conservation plantings and when they felt that the CAB was
2 paying too close attention to customer complaints and we
3 tried to focus on the problems that WSSC of leakage, of lack
4 of maintenance, they dissolved one of the boards that we
5 were working on to address the customer complaints. And
6 have really completely ignored us as the Customer Advisory
7 Board. So there's a lot of housecleaning that needs to take
8 place on that side. Thank you.

9 MR. PORTER: I'm Thomas Porter, I see the faithful
10 few are still here. I suppose in a way this whole meeting
11 is, we're kind of talking to each other and unfortunately,
12 WSSC, unless I'm mistaken, are not here. But the fact that
13 there is a, there is somebody here, wonderful. I, I suppose
14 that the, the list of things that are put up here will
15 certainly be reflected in the notes because I think we've
16 heard some very valuable things here.

17 Our family has moved back to Maryland, this is my
18 third time in Maryland after about 10 years living away
19 living in, in the Middle East and the Mediterranean, we
20 actually lived on a sailboat on the Chesapeake and sailed
21 all 12 months of the year on the Chesapeake. So I actually
22 would be in favor of, of wondering why the restrictions are
23 for the winter months at all. My interest does not happen
24 to be equestrian, although I certainly appreciate all the
25 people who have spoken to that. But I have very much

1 enjoyed being on the water and walking along the shores and
2 even picking up trash along the way, just to, to try to keep
3 the place clean.

4 It happens to be that this dam was built the same
5 year that I was made, 1952, and that I was born, and as I
6 think back I cannot imagine that anybody thought that this
7 property, the management of this property would somehow be
8 separated from the users. It seems to me that it still
9 belongs to all of the people of the communities and I really
10 suppose that we need to address our real concerns to the
11 Government leadership that manages and makes these rules,
12 and I think several good suggestions have been made this
13 evening. So I hope that some of the restrictions can be
14 eliminated and removed and that we can all continue to enjoy
15 this wonderful treasure.

16 MR. KHANNA: I guess I'm last.

17 UNIDENTIFIED PERSON: But not least.

18 MR. KHANNA: Yeah, I didn't have anything
19 prepared, I wanted to listen and listen to everybody else
20 before I said anything. And my conclusions are this, number
21 one, I agree with Pete that the equestrian lobby is
22 tremendous, fantastic way to go. I wish we were fisherman
23 were anywhere as near as vocal and supportive. But I do
24 believe that we need to go back to the old rules about
25 lengthening the fishing and boating season and I also feel

1 like the crux of the problem is that the charter for the
2 WSSC is focused solely on drinking water. And when you have
3 such a narrow focus on their charter, it doesn't leave any
4 room for the balance that we all see is needed for these
5 public use facilities and land resources. And I think the
6 politicians and the people going through the politicians
7 need to work through that avenue to change that charter to
8 make it so that there's a balanced approach to the land
9 mass, and not just for drinking water.

10 Because they can carefully craft studies and I'm
11 not blaming EA at all, but it's pretty clear that this study
12 is carefully crafted to, to try to pin something on the
13 equestrian use, and I don't, I don't, you know, I don't,
14 they'll be able to use your paper, I'm sure, to support
15 whatever their preconceived agenda was. But with, without
16 that charter changing to say that they have a need to
17 address the greater public concern, they'll just be a
18 little, run roughshod over us. Thank you.

19 MS. SMET: I understand we might have one more
20 speaker. Is it Jane? Okay. It looks like we have two
21 more.

22 UNIDENTIFIED PERSON: [Indiscernible].

23 MS. SMET: Okay. Come on up. And is there
24 anyone else that I missed besides the lady here. So it
25 appears we have two more speakers. So hang in there with

1 us.

2 MS. VAN MALTZAN: Thank you. Just one more voice
3 in this chorus. I'm Jane van Maltzan from Silver Spring.
4 I'm a kayaker, I'm a retired humanities professor from the
5 University of Texas in Arlington, enjoying the eastern
6 watershed. I have an appeal to EA for you to handle this
7 ethically and tell the WSSC that you cannot do a study which
8 every non-scientist can see is looking at insufficient,
9 insignificant and irrelevant data. Suggesting that kayakers
10 who have spent \$1,000 to encase themselves in a dry suit
11 from neck to toe, are polluting the water or picnickers
12 practicing trash in, trash out, or horseback riders who are
13 patrolling as we've heard all evening, preventing illegal
14 dumping, reporting illegal activities, suggesting that they
15 are the culprits and ignoring fertilizer and lawn runoff,
16 polluted culverts, storm runoff, rainwater contamination,
17 how clean is our rainwater falling on that reservoir, as
18 well as rainwater erosion, is threatening the people who are
19 actually patrolling the area. It's like asking if tourists
20 in D.C. chewing gum are actually the major contributors to
21 our Washington, D.C. problems. It's like these terrible
22 medical wastes we have, spending money on studies to see if
23 snake venom or vitamin C will prevent Parkinson's or
24 Multiple Sclerosis. We have to do some of these studies
25 sometimes just to prove that all the idiots out there are

1 wrong. But please be ethical enough to suggest that you
2 need to do a scientific study based on real data. Thank
3 you.

4 MS. OLIVA: Hello, I'm Pat Oliva from Trout.
5 Basically everybody is kind of sneaking out the backdoor.
6 So I'll be real quick. I do have a couple of things that
7 I'd like to bring up that haven't been brought up before.
8 One of them is the underpass under 29. It's called the
9 Olvia (phonetic sp.) Pass. But it borders the water and
10 when you do your study, that has to stay because that's the
11 only place we can cross under 29 to join the reservoir
12 together. The Highway Department and Carl Hancock and Terry
13 Ledley and I really worked to get that high enough so that
14 it is not contaminating the water, but it is only 50-foot
15 pile of rock and it does border the water. And that has to
16 be kept open for the trails to exist, if the trails are
17 going to stay.

18 And another thing I'd like to do in the study, if
19 you all are really doing a consistently study, they have
20 closed all access from private farms, private homes into the
21 reservoir and saying that we have to go to the designated
22 parking areas. Well, on the west side of 29, the only
23 designated parking lot is on Edmore Road and it basically is
24 a little circle parking lot where the school bus turns
25 around.

1 The boaters kind of put their, their little boats,
2 their little trailers and cars along the road, so they can
3 access, but the horse, the horse, you can't do it, you can't
4 kind of park a horse trailer like this along the side of the
5 road. And I'd like you to see, you know, if they're going
6 to close the access, how much pollution are they saving from
7 the horses just walking into the path, compared to them
8 driving their cars, pulling over and parking illegally,
9 they'd have to. Because there's no place to park out west
10 of 29 that's safe. If you get four or five horse trailers
11 in that parking lot, the school bus can't turn around. I
12 mean, it's very simple. So I mean, if you could consider
13 that in your study, I'd appreciate it.

14 Also, I have one other thing. There has been
15 rumor that Trout and Clara said this clearly too, Trout is
16 not against managed deer hunting. I don't know how the
17 rumor started, but we are absolutely have no opposition to
18 managed deer hunting in the WSSC or any place else. That
19 was a misnomer that got kind of trailered in and hit the
20 Department of Natural Resources and got them all upset.
21 It's not true. Okay. Everything else has already been
22 said, so I'll shut up.

23 MS. SMET: Is there anybody else that wishes to
24 speak this evening? We have one more? All right. We're
25 going to call it quits after this one.

1 UNIDENTIFIED PERSON: [Indiscernible].

2 MS. YUSTER: I feel short. I just wanted to run
3 by a couple of really important issues that EA and everybody
4 else needs to be aware of. My name is Elizabeth Yuster
5 (phonetic sp.), I'm an environmental scientist. I've
6 drafted the criteria for the Environmental Protection Agency
7 for all of priority pollutants to protect aquatic life.
8 I've been a member of said DEP, Montgomery County Water
9 Quality Advisory Committee. WSSC's study needs to consider
10 besides several people have been talking about scientific
11 data, real scientific data, not just one sided information,
12 stuff that has protocol, things that are environmentally
13 reproducible as a real study would be.

14 As far as the tributaries that EA needs to look at
15 the tributary, how a couple of horses walking along is
16 nothing compared to, well, actually, the photographs I have
17 are the back of these papers, one includes like a 1936 or
18 so, I don't know, washing machine. Entire tributaries that
19 go right into the reservoir. I live on Vogsden (phonetic
20 sp.) Road, I guess that part of the Rocky Gorge Reservoir is
21 called the Howard T. Duckett (phonetic sp.) Reservoir. I'm
22 in Montgomery County and when I look across the reservoir
23 that's the Howard County line. There was another person who
24 was referring to how Howard County is, can be impacted or
25 implicated. Wonderful pictures I have.

1 And another thing that needs to be, there are
2 several things. First of all, a lot of the riparian area
3 which absolutely positively needs to be preserved in the
4 wake of any kind of construction you're losing habitat. I
5 mean there's a big habitat loss and with that, a loss of
6 biological diversity. Nobody has done anything like, any
7 kind of bio surveys. I was part of the National Bio Grids
8 that happened at the National Arboretum. The Anacostia and
9 I actually found all kinds of aquatic insects. There was
10 another gentleman talking about trout. And what also should
11 be done, there should be some kind of monitoring of the
12 streams for stream benthos, aquatic insects. It's very easy
13 to do because they stay localized, it should be done
14 according to EPA rapid bio assessment protocols which is
15 what I did for the inter-county connector and the northern
16 alignment which would have impacted the watershed that that
17 effects the reservoir. If you want to have trout, you need
18 to have mayflies and certain other taxa so these insects
19 which are aquatic, mayflies, stoneflies, caddis flies,
20 dragonflies, although dragonflies are usually in lentic
21 systems, that means standing water as opposed to flowing
22 water. They spend their larval stage in the water and when
23 you find them then you can tell by a diversity the actual
24 water quality and that's very important and that will also
25 tell you whether or not you can have trout stay alive in

1 water year after year. If you don't have a good water
2 quality in the streams based on the insects then your trout
3 aren't going to live.

4 And also I have a little bit of an issue with
5 catch and release because trout are extremely sensitive and
6 maybe 50 percent of those animals that you release survive.

7 But the forest and wetlands and the vernal pools
8 are very important, I have found lots of frogs, mostly
9 northern pit bull frogs. They are all impacted with what's
10 called red leg disease. Those are big ecological indicators
11 there's no salamanders although I have found one that's out
12 its range. So every time you get silt and erosion, any kind
13 of vernal pools, standing water areas, those are where frogs
14 lay their eggs. That's why the word wetland mitigation is
15 not, it's not a real thing. But there's lots of forest and
16 wetlands down there and those need to be considered and
17 nobody has talked about them. EA needs to look at that.
18 But I have lots of photos of the tributaries. Tributaries
19 being small streams that go directly into, or flow directly
20 into the reservoir.

21 MS. SMET: You're going on six minutes, so I'm
22 going to have to ask you to wrap up your comments.

23 MS. YUSTER: Okay. I was just going to say one of
24 the last things maybe is, I've asked many people how much
25 water, how much fresh water do they think exists on this

1 planet. And most people give me an answer of about 30
2 percent. The actual amount is and it's been the same since
3 the cretaceous period, about 1.2 percent of all the water on
4 this planet is fresh, potable, water. So that needs to be
5 taken into consideration by WSSC and they don't seem to have
6 a very good hold on some really, really important water
7 quality issues that will affect everybody now and in the
8 future and the horses are almost irrelevant when it comes to
9 all the other things that are impacting the reservoir.
10 Thank you.

11 MS. SMET: All right. That concludes our speakers
12 and I apologize, we've run over 45 minutes, but we really
13 did want to hear from everybody who wanted to speak, which
14 is one of the main reasons we changed locations on you,
15 because we would have had to have been out of the library at
16 nine. So we sincerely appreciate everyone's time tonight,
17 your comments, hearing your interests, we really appreciate
18 it. As a follow up, we've said it's been audio recorded so
19 I know there will be a transcript made available. EA is
20 also preparing a meeting summary which will be made
21 available on WSSC's website and per the request this
22 evening, we'll make available the sign in sheets. So I
23 think that adjourns our meeting and thank you again for your
24 time.

25 (Whereupon, the hearing was concluded.)

✓ Digitally signed by Diane Wilson

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DEPOSITION SERVICES, INC., hereby certifies that the attached pages represent an accurate transcript of the electronic sound recording of the proceedings before the Washington Suburban Sanitary Commission in the matter of:

EA's Study of the Patuxent Watershed

By:



Diane Wilson, Transcriber