

December 18, 2015

Dear Mr. Dixon,

Thank you for your leadership of the Citizens Advisory Committee on the Ten Mile Creek sewer study. Throughout the process, you and your colleagues at WSSC graciously listened and responded to comments and questions from the community. You allowed industry representatives to present information on low pressure sewers with grinder pumps as an alternative to gravity sewer systems. As we learned, low pressure sewer systems have been used successfully worldwide for the last 45 years to protect sensitive environmental features in hilly terrain like that of Ten Mile Creek. They are also used throughout Montgomery County to service homes below the grade of gravity sewers.

We appreciate, too, WSSC's willingness to design alternative approaches beyond those shown to the community last December in order to reduce the impact of future sewer service on Ten Mile Creek. By our last meeting, we were heartened that Alternative 9, and subsequently Alternative 10, met the requirements of the Montgomery County Council's charge in the Comprehensive Water/Sewer Map Amendment (Council Resolution No. 18-66):

The Ten Mile Creek Limited Master Plan recommends that sewer main alignments and pumping stations be located so as to "minimize, as feasible, disturbance of environmental buffers and forested areas." . . . Sewer infrastructure should avoid Ten Mile Creek, its tributaries, and other water resources unless it is technologically infeasible to do so. Disturbance to all environmentally sensitive areas should be minimized. Only capital projects that satisfy the Master Plan's recommendation for service and minimize environmental impacts to Ten Mile Creek will be approved by the Council.

Alternatives 9 and 10 fulfill the Council's charge to WSSC by locating sewer infrastructure outside of Ten Mile Creek's protected buffers. The only stream crossings are under existing roadways or the planned Observation Drive bypass. We were dismayed to find that WSSC has now proposed two additional alternatives in the Working Draft Report – Preferred Approaches A and B – that are a step backward from Alternatives 9 and 10 in that they allow an unnecessary intrusion into one of Ten Mile Creek's most sensitive and high quality tributaries and its protected buffer.

Our comments on WSSC's "Working Draft Report" are as follows:

1. Objection to Preferred Approaches A and B

We strongly object to WSSC's new Preferred Approaches which allow gravity sewers to be built through the headwaters of LSTM 111 on the Pulte property and its protected environmental buffer. The Preferred Approaches would also require an extra pump station on the Pulte property right next to the buffer. Because of this, both Preferred Approaches now violate the Council's charge in the Master Plan Amendment and the Comprehensive Water/Sewer Map Amendment to minimize disturbance of environmental buffers and avoid the tributaries of Ten Mile Creek.

The changes that WSSC is proposing on the Pulte Property in their Preferred Approaches are a grave disappointment. Alternatives 9 and 10 were adopted to address DEP's specific environmental concerns, including a recommendation to seek an alternative sewer alignment outside LSTM 111 and its buffer. These alternatives demonstrate that it is technically feasible to avoid stream crossings, intrusions into buffers and forests, and construction of a pump station on the Pulte property by using low pressure sewers with grinder pumps.

The WSSC plan should strictly adhere to the Council's policy in the Comprehensive Water/Sewer Map Amendment for protecting Ten Mile Creek. *Given the particularly sensitive nature of this part of the watershed and the fact that the Council tasked WSSC with finding the most environmentally sensitive, technically feasible means of providing sewer service, the low-pressure sewer/grinder pump solution should be the only recommended approach for this area.*

That said, we are pleased that WSSC's Preferred Approaches not only keep the design of Alternatives 9 and 10 for the east side of I-270, but also will allow low pressure sewers on the northern part of the Egan property, thereby eliminating a pump station.

2. Erroneous designation of the "buildable area" on the Pulte property

All of WSSC's maps of the watershed show, by blue lines, green lines, and darker green shading, the location of the protected streams and their environmental buffers, where construction is not to occur. Yet starting with the June 25, 2015, CAC meeting, maps of all of the alternatives, including the Preferred Approaches, now contain purple lines purporting to designate the buildable areas on the Pulte property that clearly disregard the buffers adopted by the Council and approved by the Planning Board. Shockingly, these "buildable areas" are shown to include four segments of the most sensitive tributaries in the watershed and their protected buffers.

These lines were supplied by Pulte without review or approval by any agency. They have no business being included in an official document like this. Their presence sets a dangerous precedent by suggesting that they have been approved. Perhaps this is why WSSC felt free to allow a sewer to intrude into LSTM 111 and its protected buffer. Similar “limits of disturbance” lines on the Egan and Miles-Coppola properties do not include the protected buffers within their buildable areas. *The limits of disturbance boundaries on the Pulte property should be redrawn on all maps of Alternatives 1-10 and the Preferred Approaches (Figures 3-1 through 3-10 and Figures 4-3 and 4-4) to accurately show full avoidance of all streams and protected buffers.*

3. Inaccuracies and omissions in the evaluation of alternatives

Vast differences exist between the impacts of each of the alternatives, but WSSC minimized them by

- failing to consider as “environmental impacts” intrusions into the protected environmental buffers, as well as into water resources such as intermittent and ephemeral streams, seeps, springs, and wetlands;
- undercounting the length of gravity sewers and force mains in the protected environmental buffers, at least for Alternatives 5-8 and possibly others;
- undercounting the number of stream crossings in most if not all alternatives; and
- lumping together all costs, whether public or private, so that it is not clear how much is anticipated to be borne by each source.

a) As DEP clearly showed in its presentation on August 20, 2015, environmental impacts are serious for Alternatives 6, 7, and 8. For example, DEP found 16 separate severe impacts to streams, groundwater resources, and protected buffers in Alternative 6; 15 severe impacts in Alternative 7; and 10 severe impacts in Alternative 8. Alternative 5 has even more impacts. None of these alternatives could be considered to have a minor, low, or even moderate environmental impact.

Not until Alternatives 9 and 10 were introduced were environmental impacts reduced to acceptable levels under the Master Plan Amendment. Although both Alternatives 9 and 10 include stream crossings, WSSC showed they are unavoidable to provide sewer service to properties east of I-270. The impact of these sewers is minimized, however, by routing them under roadways.

Tables 4-10 and 4-11 should be revised to accurately show that environmental impacts in Alternatives 5, 6, 7, and 8 will be severe, i.e., ranked “3” in Table 4-10, and have a “high impact on the environment” in Table 4-11.

b) We were surprised to see that Table 3-1 shows only 780 linear feet of gravity sewers and 150 linear feet of force mains in the buffers for Alternatives 5, 6, and 7, and no sewers at all in the buffers for Alternatives 8 or both Preferred Approaches! These figures clearly under-represent the length of gravity sewers and force mains in the protected environmental buffers.

In WSSC’s presentation at the March 25, 2015, CAC meeting, we learned that Alternatives 6 and 7 would have 720 feet of gravity sewers and 700 feet of force mains in the buffers between the Egan and Miles Coppola properties near Frederick Road. In addition, a gravity sewer would traverse a buffer near Clarksburg Road by the Liberty gas station (length unknown), and another intrude into the LSTM 111 buffer on the Pulte property (presumed to be at least 100 feet). In Alternative 8, WSSC did remove the gravity sewer and force main in the buffer near Frederick Road, but Alternative 8 still includes the buffer crossing near Clarksburg Road and the one on the Pulte property. The buffer crossing on the Pulte property is also included in Preferred Approaches A and B. These sewer lengths have been omitted from Table 3-1.

Table 3-1 and its accompanying column chart should be revised to show an accurate count of gravity sewer and force main lengths in the protected buffers.

c) WSSC also undercounts the number of stream crossings for most, if not all, of the alternatives. Table 3-1 omits a column for stream crossings on the Pulte property, but we know that in Alternatives 3-8, as well as in both Preferred Approaches, a gravity sewer will cross the headwaters of tributary LSTM 111. The column for a stream crossing on Clarksburg Road is blank for all alternatives, as well as the Preferred Approaches, but we know a gravity sewer will have to cross a tributary near the Liberty gas station. Stream crossings under the bypass alignment were also omitted, but alternatives following the bypass will cross four ephemeral streams. Ephemeral streams are protected by the Master Plan Amendment.

WSSC should revise Table 3-1 to accurately show the number of stream crossings for each alternative. Tables 4-1 through 4-9 should be revised to show the costs for all stream crossings.

d) At the March 25, 2015, CAC meeting, we learned that capital costs and expenses for ongoing operation and maintenance are borne, to varying degrees, by developers, WSSC and ratepayers, the System Development Charge Fund, and property owners. Tables 4-1 through 4-9 lump together cost estimates for all sources. It is impossible to tell what costs are expected to be borne by the

public, by developers, and by private property owners. *A breakdown by each source would make the costs more understandable.*

What comprises long-term operating and maintenance costs is also a puzzle. In each of the tables, they exceed the public costs of operating and maintaining the pump stations (each @ \$35,000/year) as well as private homeowners' costs for operating grinder pumps (estimated to be \$46/year for each home by Mark Wheland of Freemire Associates, provider of grinder pumps to WSSC, a sum considerably smaller than WSSC's \$200/year estimate). *How did WSSC arrive at the substantial figures for long-term operating and maintenance costs?*

4. Other inaccuracies in the Working Draft

a) In Sections 1 and 2, WSSC's document refers to the "draft" Limited Amendment. The Ten Mile Creek Master Plan Amendment was approved by the Council and adopted by the Planning Board in 2014. *The word "draft" should be deleted in Sections 1.5 (twice); 1.5.1; 1.5.2; 1.5.3.1; 1.5.3.2; 1.5.3.3; 1.5.3.4; 1.5.3.5; 1.5.3.6 (three times); 1.6; and 2.1.*

b) Figures 1-4 and 1-5 are also inaccurate. They refer to zoning under the 1994 Clarksburg Master Plan, which was superseded by the 2014 amendment. Figure 1-4, "Stage 4 – Existing Zoning Map", shows the previous zoning, which no longer exists. Likewise, Figure 1-5 includes captions with "Ext Zone . . ." referring to zones that no longer apply. *Figure 1-4, as well as references in Figure 1-5 to "Ext Zone . . .," should be removed.*

5. Remaining sewer issues

a) WSSC developed Alternative 10 after the last CAC meeting. In this alternative as well as in Preferred Approach B, deep gravity sewers are proposed for the Egan property, presumably to accept flows from the Historic District if sewers cannot be routed along the bypass. More detail is needed about the anticipated depth of these sewers and how they will affect the nearby mainstem of Ten Mile Creek. *That said, we endorse the geotechnical monitoring program that WSSC proposes in Section 4.4.3.*

b) In Section 4.4.2, WSSC discusses its emergency response plan for sanitary sewer overflows from force main failures. WSSC is in the process of developing site-specific emergency response plans throughout its system and envisions developing emergency response plans for the Ten Mile Creek watershed "at a later time after the facilities are built." *We urge WSSC to develop specific site and location-based emergency response plans before the facilities in Ten Mile Creek are completed so that WSSC is prepared to respond to an emergency from*

day one. In addition, we strongly urge that redundant force mains be used to minimize the impact of any overflows that may occur and recommend the adoption of other safety measures, such as hydrogen sulfide corrosion mitigation measures.

Furthermore, WSSC should immediately develop a site-specific emergency response plan for the existing pump station at the Correctional Facility and force main connecting it to sewers on Gateway Center Drive if one does not already exist. A spill from this pump station or force main, which crosses the mainstem of Ten Mile Creek, could pose a huge threat to the creek.

c) On the maps for each of the alternatives, sewers in the southern part of the Pulte property appear to stop abruptly. We understand that they will connect to planned sewers in the Cabin Branch watershed that have not yet been built. *A notation of this planned connection would be helpful on Figures 1-2, 3-1 through 3-10, 4-3, and 4-4.*

d) In Figure 1-3, WSSC shows anticipated bottlenecks in the gravity sewers along Gateway Center Drive. What are the plans to alleviate them?

Thank you for this opportunity to comment on the Working Draft Report. We have been honored to serve on the Citizens Advisory Committee.

Best regards,
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Members of the Citizens Advisory Committee