



Maryland DEPARTMENT OF PLANNING

March 10, 2021

Wayne G. Magoon, Chair
Charles County Planning Commission
200 Baltimore Street
La Plata, MD 20646

Dear Mr. Magoon:

Thank you for the opportunity to comment on the draft 2021 Charles County comprehensive plan amendment (CPA) of the Maryland Airport, and for your participation in the state agency plan review process. The Maryland Department of Planning (Planning) believes that good planning is important for efficient and responsible development that successfully addresses resource protection, adequate public facilities, community character, and economic development.

The CPA proposes a land use change for 558 acres adjacent to the recently purchased and expanded Maryland Airport. Planning and other state agencies are providing the county with specific comments regarding this amendment to assist the county as it moves forward with consideration and adoption of the CPA. To date, we have received additional comments from the Department of Natural Resources, Department of the Environment, Department of Transportation, and Department of Housing and Community Development, which are attached at the end of Planning's review comments. Any plan review comments received after the date of this letter will be forwarded upon receipt.

Please consider that Planning's attached review comments reflect the agency's recommendations and observations on ways to strengthen the CPA, as well as satisfy the requirements and intent of the Land Use Article. Planning respectfully requests that this letter and accompanying review comments be made part of the town's public hearing record. Upon adoption of any plan amendments, please submit an electronic copy of the updated Charles County Comprehensive Plan to Planning.

If you have any questions, please feel free to contact Sarah Lipkin Sularz, CC-P, Regional Planner, at Sarah.LipkinSularz@maryland.gov.

Sincerely,

Charles W. Boyd, AICP
Director, Planning Coordination

cc: James B Campbell, Director, Charles County Planning & Growth Management
Joseph Griffiths, AICP, Local Assistance and Training Manager
Sarah Lipkin Sularz, CC-P, Planning



Maryland DEPARTMENT OF PLANNING

Maryland Department of Planning Review Comments March 10, 2021

Draft Amendment to the Adopted Charles County Comprehensive Plan (2016)

The Maryland Department of Planning (Planning) has reviewed the draft Amendment to the Charles County Comprehensive Plan (CPA) and offers the following comments for your consideration. These comments are offered as suggestions to improve the draft CPA as it relates to the adopted comprehensive plan (Plan) and better address the statutory requirements of the Land Use Article. Other state agencies as noted have contributed comments. Still others may have comments submitted under separate cover. If comments from other agencies are subsequently received by Planning, they will be forwarded to the county in a timely manner.

Summary of the Draft Comprehensive Plan Amendment (CPA)

The CPA is limited to the proposal to change the land use designation for approximately 558 acres of land surrounding the Maryland Airport from Water Conservation District (WCD) to Employment and Industrial Park District (EID). This amendment is proposed to ensure that surrounding land use designations will be consistent with future planned rezoning of these properties, to support the general aviation use.

The Maryland Airport is located at 3900 Livingston Road (Parcel 0158) and consists of approximately 220 acres of land. The airport is currently shown on the Approved Land Use Map as EID and is split-zoned IG (General Industrial) and BP (Business Park). The specific land area included in the proposed expansion area is clearly identified on the *Maryland Airport Proposed Employment & Industrial Park District Expansion Map* (dated October 2020) and generally includes properties south and west of MD 227, bound on the southwest of Pomfret Road, northeast of Bumpy Oak Road and northwest of the Mattawoman Creek.

The impetus for expanded development at the airport and in its environs is the sale of the airport in 2019. According to the proposed revisions to the Economic Development element of Charles County's Plan, the new owner intends to accommodate larger planes by expanding the runway from 3,750 feet to 4,300 feet. There has been an increasing demand for the airport due to the opening of the MGM Nation Harbor Resort just 17 miles away and MGM's "interest in establishing a corporate hangar at Maryland Airport to service their most valued customers" (pages 7-7 and 7-8). Other aviation and related businesses are anticipated as well; the plan notes that "domestic and foreign investors are keenly interest in the area around Maryland Airport," although no specific proposals are named or in production. The plan recommends that future zoning allow the following facilities (quoted from the plan):

Aviation related:

- Flight schools: domestic and international
- Aircraft maintenance
- Avionics

Non-Aviation Related

- Office/flex
- Research and Development
- Light manufacturing with storage & distribution
- Hospitality, food & beverage

Minimum State Law Requirements for Charter Counties

Maryland’s Land Use Article sections [§ 1-406 through § 1-412](#) set forth the required components of a local comprehensive plan for local governments, such as Charter County, but does not mandate a specific format. As such, local governments have addressed these required elements in a manner that fits the needs of their community and the resources available to respond to the issues explored during the planning process. This amendment includes limited changes to the 2016 Comprehensive Plan (Plan) including Chapter 3 “Land Use”, Chapter 7 “Economic Development”, Chapter 8 “Transportation”, and Chapter 12 “Implementation”.

General Comments

Planning recognizes that Charles County proposes to alter and expand the Maryland Airport and change the land use (and ultimately the zoning) of 558 acres from WCD to EID to facilitate economic development. At the same time, it is noted that much of the land area proposed for the change in land use is identified by the Maryland Department of Natural Resources (DNR) as a Targeted Ecological Area, defined as “lands and watersheds of high ecological value that have been identified as conservation priorities.” Portions of the area are also within protected easements. There is no question that the expanded EID land use would require increased amounts of impervious surface for a larger runway, new taxiways, larger hangers and aprons, parking, industrial park roofs and parking lots, roads, etc. In addition to generating more stormwater runoff, airports require chemicals for clearing runways, de-icing and servicing planes, firefighting, etc., not to mention increased road salting for the complementary development. Further, it appears that the property is also located within the county’s Priority Preservation Area (PPA), which preserves agricultural lands. Therefore, the proposed plan amendments may have a significant impact on Charles County’s resource conversation/water quality protection efforts.

Planning recognizes that the adopted Charles County Comprehensive Plan (2016) changed the designated Industrial and Employment based land uses around the Maryland Airport to the WCD to protect water quality and the Mattawoman Creek. This CPA reverses that (see crossed out item on page 3-6 of CPA) for 558 acres and reverts to the land uses previously shown for the area prior to the 2016 Plan, also consistent with the Bryans Road-Indian Head Sub-area Plan (2001).

The proposed change from WCD to EID, which will encourage development of properties around the airport, will impact the water quality of the Mattawoman Creek. Planning recommends the county evaluate the impact of increased impervious cover under the proposed expansion scenario to gain a clear understanding of the possible effects on the Mattawoman Creek and its watershed. For example, the WCD allows for only eight percent (8%) of the land area to be impervious, and up to 25% on small parcels. The county may want to consider limiting the amount of impervious cover within the subject area to ensure that the proposed land use and eventual zoning change does not conflict with the policies and actions of Chapters 4 (pages 4-36 – 4-37) and 5 (pages 5-21 – 5-23) of the Plan.

The area proposed for redesignation as EID (outside the current airport property) is located within Tier IV of the county's growth tier map adopted July 2016. The Plan indicates that EID areas "have or could have access to sewer" (page 3-7) and highlights the importance of sewer service for attracting new businesses and industrial investment (page 7-6). Additionally, Planning's GIS records indicate portions of the redesignation area (outside the current airport property) are planned for sewer service in the county's water and sewer plan. Although the growth tier maps only affect residential subdivisions, the county may wish to amend its tier map to clarify its intended sewer policy for the proposed redesignation area. Planning notes that the proposed redesignation area falls within the PPA shown on page 11-4 of the Plan. If the county intends to retain this area within its PPA when it applies for initial certification of its agricultural land preservation program (see below), a Tier IV designation must remain for any portions of the PPA not planned for sewer service.

The purpose of the Water Resources Element (WRE), which is not being amended with this submission but still applies, is to ensure that the proposed land use plan can be supported given water resource constraints. As part of the proposed CPA, Charles County should first determine whether the water and sewer demand and pollution and/or natural resource impact analysis, as well as strategies and recommendations, found in the county's 2016 WRE are still valid and adequately represent the impacts and needs of the amended land use plan. If the county determines that the WRE does not adequately represent the impacts of the CPA and/or the needed strategies and recommendations to address environmental impacts and needs, then Chapter 4 "Water Resources" (the WRE) should be updated concurrently. If a comparative analysis of the proposed changes to the land use plan and the existing determinations in the WRE demonstrates that water resources will constrain the ability of the county to implement the proposed land use plan, then the county should revise the strategies in the WRE to adequately address those constraints (i.e., expanding wastewater treatment plant (WWTP) capacity, minimizing future nonpoint source pollution, etc.) and/or should revise its land use plan to limit future impacts and demand. Planning recommends that the proposed comprehensive plan amendment not be adopted before the above review has been completed, which would mean a thorough analysis of Chapter 4 is appropriate at this time.

If this CPA is ultimately adopted, the service category maps in the county's Comprehensive Water and Sewer Plan (WSP) should be updated to reflect the changes. The lands proposed for redesignation are categorized in the WSP as W6 (WCD)/S6 (WCD) (No Planned Service; Outside Designated Service Areas – No Planned Service Within Watershed Conservation District) and W6E (WCD)/S6E (WCD) (the "E" indicates areas with existing problems as designated by the Maryland State Department of Health) (WSP, Water Facilities Maps and

Sewer Facilities Maps 5 and 9). The proposed land use/zoning changes may also affect the Maryland Agricultural Land Preservation Foundation's (MALPF) and Planning's certification of Charles County's agricultural land preservation program. Charles County is not certified at present—it was certified between FYs 1997-2011 and, from what Planning can reconstruct from our files, certification lapsed because the county did not adopt a PPA at that time. The county adopted a PPA as part of its 2016 comprehensive plan, which is central to the certification of a county's overall land preservation program. As of July 30, 2020, the county reported its intention to submit a new application for certification. According to Maryland's Agriculture Article - §2-518, a PPA shall:

- (1) (i) Contain productive agricultural or forest soils; or
- (ii) Be capable of supporting profitable agricultural and forestry enterprises where productive soils are lacking;
- (2) Be governed by local policies, ordinances, regulations, and procedures that:
 - (i) Stabilize the agricultural and forest land base so that development does not convert or compromise agricultural or forest resources; and
 - (ii) Support the ability of working farms in the priority preservation area to engage in normal agricultural activities; and
- (3) Be large enough to support normal agricultural and forestry activities in conjunction with the amount of development permitted by the county in the priority preservation area, as represented in its adopted comprehensive plan.

The law also requires Planning and MALPF to review changes to the size of and zoning in the PPA of certified counties and to evaluate their impact on the effectiveness of certified programs. The changes of land use and zoning in Charles County's PPA to accommodate intensified use of the areas surrounding the airport may not support Charles County's PPA or larger agricultural land preservation efforts. However, it is recognized that there are inherent land use and safety conflicts that exist between airport operations and adjacent agriculture activities. On the other hand, it is not clear that land use and zoning changes would preclude the certification of Charles County program, because the changes affect only 558 of the 134,168 acres in the county's PPA as adopted in the 2016 Plan. If the county did achieve initial PPA certification, continued certification would depend upon how limited new development is and how rapidly land is preserved.

Maryland Historical Trust (MHT) previously reviewed and commented on the 2016 Charles County Comprehensive Plan in a letter to Planning dated March 17, 2015. The change in land use designation and future rezoning proposed in this CPA potentially impact the following historic resources within the 558-acre area, identified in the Maryland Historic Sites Inventory:

- CH-117 Irvine House
- CH-251 St. John's Chapel
- CH-589 Crawford House
- CH-590 Van Scoder House
- CH-591 Marshall House
- CH-593 Brown House

- CH-594 Viars House
- CH-596 Murray House
- CH-597 Maryland Airport
- CH-772 Tubman Cemetery

Detailed descriptions of these properties can be found in MEDUSA, the state's inventory of historic properties, at https://mht.maryland.gov/research_medusa2.shtml. (See MHT's review letter

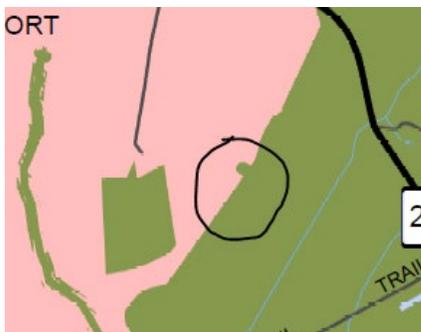
Planning notes that changing the land use plan to indicate these historic resources as Employment and Industrial Park uses may not support their preservation and/or adaptive reuse, as the proposed uses may not be compatible with efforts to retain the historic structures and their associated environmental settings, except for the airport.

Suggested Technical Edits/Suggestions

A portion of the proposed EID boundary, as shown in the submitted the *Maryland Airport Proposed Employment & Industrial Park District Expansion Map* contains protected land which follows a residential property boundary (see circled below).



However, the map named *2020 Land Use Plan Map Airport Revision for Clearinghouse 1-12-21*, also submitted with this CPA, does not show that area included in the new district boundary (see circled below).



The amended Chapter 3's *Figure 3-1 Land Use Map*, appears to match the map shown to the left. Planning asks the county to confirm the boundary and resolve the conflicting information.



This map (left) from the Maryland Protected Lands Dashboard indicates more protected lands than is shown on the exhibit labeled Airport Land Use Map Revision in the amendment, including lands identified as Forest Conservation Act Easements. The dashboard is available at <https://maryland.maps.arcgis.com/apps/opsdashboard/index.html#/0f3ffd3350b24b17bd3b8e1705af3df5>. The county should revise the exhibit to indicate the extent of the protected lands and may want to contact the Department of Natural Resources for more information relating to protected lands.

Detailed Element Review Comments

Chapter 3 Land Use

- The county should include a strategy or action plan in the amendment to address the need to minimize the environmental impact of developing the land surrounding the Airport on the Mattawoman watershed. The maps submitted with the CPA appear to indicate that the proposed land use changes will affect Charles County's Mattawoman Creek Stream Valley and PPA.
- Land use action #14 on page 3-31 states new zoning will be developed to facilitate development of compatible commercial and employment uses. However, there are also several historic properties located within the proposed EID around Maryland Airport. How will the land use and zoning of these properties be affected or revised by the new designation?
- Page 3-12 in the submitted CPA documents defines the WCD further, and it is noted that areas designated as WCD are mostly undevelopable due to topography and natural resources. Figure 5.5 indicates the Mattawoman steam valley and the associated tributaries, some of which appear to impact the subject site, as of the 2007 DNR and Army Corps of Engineers analysis. Planning has analyzed the existing natural features of the 558 acres included in this CPA and determines that much of the area appears to be developable or has been developed, due to changes in the landscape that occurred in the last ten years. According to the [Maryland Environmental Resource and Land Information Network \(MERLIN\)](#), and the National Agricultural Imagery Program (NAIP) maps and aerials, it appears that between 2011 and 2013, major landscape changes occurred on the Maryland Airport parcel to reconfigure and reconstruct the alignment of the airport runway. In the process, significant impacts to sensitive environmental features occurred.

Planning suggests that the county consider proposed land uses and zoning amendments that do not further degrade the sensitive environmental features of the area within the 558 acres, if possible. The county may want to also consider amending the text on page 3-12 noting exceptions for the 558 acres included in this CPA, and for the approximately 220 acres of the existing Maryland Airport property.

- On page 3-15 Rural Conservation District (RC), the comprehensive plans states that parts of the WCD are also within the Rural Legacy Area and that this designation is voluntary. Planning suggests that the county determine if the lands associated with this revision to the land use map are also within the Rural Legacy Area and if any modifications to that area are necessary.

Chapter 4 Water Resources

- The note at the end of Section 4.2 on page 4-8 states that the County Commissioners, in 2016, placed 37,455 acres into the WCD, which was expected to reduce impacts on pollution loads. This note is repeated on page 4-35. The proposed land use change will remove 558 acres from the WCD. Chapter 4 may need to be updated to describe how the change in the land use in the vicinity of the Maryland Airport may affect pollution loads.

Chapter 7 Economic Development

- The CPA adds a new Maryland Airport section to Chapter 7, Economic Development (page 7-7). The additions describe how improvement of the airport is a recommendation of the county's five-year strategic plan. The additions also note that the airport's proximity to the DC Metro market, the MGM National Harbor Resort, and the Naval Surface Warfare Center Indian Head Division provide a unique opportunity for the county to capitalize on regional economic development assets. While the Charles County Economic Development Department was actively marketing the airport to potential buyers, stakeholders expressed investment interests near an expanded airport. Planning understands that airports are vital economic assets for any community, particularly one with the supportive regional economic assets described above.
- The CPA adds Action 8 to the Economic Development Chapter (page 7-13), which promotes the adoption of "zoning changes to facilitate development of complementary commercial and employment uses on lands in the vicinity of the airport." This strategy is reiterated throughout the amendments included in this CPA. Planning suggests that the county, when pursuing such zoning changes, evaluate and consider how they may impact objectives to preserve the natural resources of the area, and how any new zoning changes may be designed to mitigate an increase in pollutant loads to the county's waterways. It should be noted there are various zoning techniques that could be used to enable airport and complementary nonresidential adjacent uses to be permitted by right, while also providing environmental protection to the Mattawomen watershed. Planning offers its services if there is an interest in exploring less traditional zoning techniques.

Chapter 12 Implementation

- The CPA adds text to Multi-Modal Transportation implementation schedule item 8.9 indicating that the county supports the expansion of the airport and land use and zoning changes on surrounding lands to support commercial and economic development. The county should consider if any modifications to the Natural Resource Policies and Action Items - starting on page 7 of the implementation schedule - are needed to reflect the change to 8.9; particularly policies 5.1 (watershed management), 5.2 (enhanced conservation and preservation), 5.10 (forest conservation), and actions 1 (zoning in Mattawoman Stream Valley), 2 (stream valley protection), and 5 (limit forest fragmentation).

Conclusion

Planning requests that the county consider the attached agency comments as part of the CPA review process and when any possible future zoning changes are considered. If the amendment is approved, and public water and sewer are designated for the area, the county may want to consider designating the final configured EID area associated with the Maryland Airport as a Priority Funding Area (PFA) to facilitate access to state funding for future economic development in the area. Please refer to this Planning Legislation webpage for more information on PFA: <https://planning.maryland.gov/Pages/OurProducts/pfamap.aspx>.

END MARYLAND DEPARTMENT OF PLANNING COMMENTS

**Maryland Department of Planning Review Comments March 4, 2021
2021 Draft Amendment to the Charles County Comprehensive Plan**

STATE AGENCY COMMENTS

The following pages contain comments from other State agencies in support of the Maryland Department of Planning review of the 2021 Draft Amendment to the Charles County Comprehensive Plan as part of the standard 60-day review period for municipalities and non-charter counties. Comments not included here may be submitted under separate cover, or via the State Clearinghouse. If comments from other agencies are received by Planning, they will be forwarded to the County in a timely manner.

Attachments:

Page 10	Department of Natural Resources
Page 12	Department of the Environment
Page 28	Department of Transportation
Page 30	Department of Housing and Community Development
Page 31	Maryland Historic Trust

Sandi Olek -DNR

February 16, 2021

11:37 AM

via email

Please find DNR comments on the Charles County Comp Plan amendment below. Thank you for the opportunity to provide input.

The Maryland Department of Natural Resources has been in full support of the Watershed Conservation District (WCD), recognizing it as an innovative use of planning overlays to conserve high-quality habitat and keep its watershed from passing a nearby ecological tipping point associated with significant losses of natural resources and their economic value to the County. We believe these actions were implemented partly in response to recommendations to conserve the ecological integrity described in "The Case for Protection of the Watershed Resources of Mattawoman Creek". This documented the full suite of unique resources found in the watershed, including high quality terrestrial and aquatic habitat such as:

- contiguous forests that provide water quality benefits and habitat for forest interior dwelling birds,
- wetlands of special state concern, a stronghold watershed, a MBSS sentinel site which is important in tracking long term changes in stream habitat, anadromous fish spawning habitat, and habitat that supports recreational and commercial fish and their fisheries.

In recognition of these valuable natural resources, the state developed recommendations to conserve the ecological integrity that promotes healthy habitats. We viewed the designation of the WCD as the County's application of these recommendations and deemed it a sound management approach to conserve these resources.

The main motivation in assigning the WCD was to limit increased impervious cover in the watershed. Sound zoning was applied by the county as a safeguard to prevent cluster development that would increase impervious cover to a level that could push the watershed into a state that no longer supports the valuable natural resources described above.

This is especially important as the watershed hangs in a delicate balance and remains in need of sound management to assure the unique ecological condition and the attendant ecosystem services remain intact. We acknowledge the County's awareness of the fragility of the watershed and applaud the management efforts they are making to restore streams in order to reduce nutrient and sediment

inputs in support of meeting the TMDL. However, we are concerned that rezoning to remove part of the watershed from the WCD could negate these efforts, while adding an additional burden on the County to address additional loads associated with the proposed development.

We encourage the county to evaluate the potential impact from increasing the impervious footprint of the proposed airport expansion and industrial park. The WCD low-density zoning was applied to achieve a 10% cap in impervious cover for the watershed. A quick evaluation of statewide data showed a mean of 6% impervious cover for airports, while industrial parks have a mean of 55% impervious cover. (Note, there is a large range in these estimates based on the context of the asset.) This level of impervious cover represents a significant footprint in the impervious cover of the small watershed where the proposed development is located. It is unclear how the proposed development will affect this cap.

Numerous studies have documented local and large-scale negative impacts of development on watersheds and attendant biological resources, and Mattawoman Creek specifically. Attempts to mitigate damage through best management practices can successfully address some issues, but rarely offset enough damage to keep watersheds functioning naturally. Given this uncertainty, we consider maintaining the WCD as the best management approach to assure the watershed remains functional and its ecological services remain viable.

Furthermore, we encourage the county to explore alternative options for increasing the runway extension, while providing job growth in previously designated development districts. We also recommend the County evaluate the impact of increased impervious cover under all expansion scenarios you are considering, so you have a clear understanding of how each scenario will affect your ability to conserve the Mattawoman Creek and its watershed.

We would be happy to offer any assistance needed in assessing the resources in the areas and evaluating the potential impacts of the proposed development.

dnr.maryland.gov,
Sandi Olek (she/her)
Chesapeake & Coastal Services Department of Natural Resources
E-2, Tawes State Office Building
Annapolis, MD 21401
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sandra.olek@maryland.gov

DRAFT – Charles County – 2021 Comprehensive Water and Sewer Plan

MDE Comments

Date: February 2, 2021

DISCLAIMER: Below are MDE's Comments on the DRAFT – Charles County – 2021 Comprehensive Water and Sewer Plan, additional comments may be sent under a separate cover.

- Does the Plan incorporate subsidiary plans? Please include a statement explaining if this Plan incorporates subsidiary plans or not.
- Please include a statement that the governing body gave notice to subsidiary entities and provided an opportunity to be heard.
- Page 1-5: Please give more information regarding this Potable Water Treatment Plant - b) The County will construct a Potable Water Treatment Plant as an alternative source of potable water supply to conserve groundwater.
- On Page 1-7, please change the existing text to the text that was amended in Resolution No. 2010-89 and approved by MDE on April 28, 2011.
- Page 1-10: Please give more information as to why the County is focusing on this Water and Sewer Service Area - u) The County will evaluate the sewer and water alternatives to provide capacity to comprehensively serve the service area identified for development in the draft 2021 Comprehensive plan on the south side of Billingsley Road west of the White Plains Sewer Service Area as shown on Sewer Map numbers 6 and 10.
- On Page 1-11, please change the existing text to the text that was amended in Resolution No. 2008-119 and approved by MDE on March 3, 2009.
- On Page 1-21, please change the existing text to the text that was amended in Resolution No. 2008-119 and approved by MDE on March 3, 2009.
- In Chapter I, please provide charts of the organization of the county government as it relates to the management of water supply and sewerage facilities.
- In Chapter II, please include maps showing aquifers, soil drainage characteristics, topography, ground water and surface water patterns.
- In Chapter II, please include general maps showing present and projected population distribution and density.
- In Chapter II, if it is possible in Table 2-1 on page 2-9 can the county expand the projections to 2050 for it to be three decades in ten years intervals (2020, 2030, 2040, and 2050).
- In Chapter II, if it is possible in Table 2-2 on page 2-12 can the county expand the projections to 2050 for it to be three decades in ten years intervals (2020, 2030, 2040, and 2050).
- In Chapter II, please include maps showing existing land use, zoning, and the adopted comprehensive development plan for the county.
- In Chapter II, in Table 2-3 page 2-19, please add a column for % Total Acreage in the table.
- In Chapter II, please include a map showing existing and proposed major public institutions, such as schools, hospitals, correction facilities, and government complexes.
- In Chapter II, please include a table showing the approximate populations of the facilities mentioned in the comment above.
- In Chapter III, please include in every water service area text or in a table (some are missing):
 - Operating agency.
 - Rated and actual production.
 - Type of treatment.
 - Location.
 - Operation and maintenance cost, if possible
 - Proposed means of financing improvements.

- For any proposed new water source: A summary of the environmental impact of its development.
 - For any proposed new water supply source: Outline efforts to reduce demands.
- In Chapter III, please include in Table 3-8, 3-9, 3-10, and 3-11:
 - Total Population.
 - Served Population.
 - GPCD (gallons per capita day).
 - Demands and Planned Capacity over three decades in ten years intervals (2020, 2030, 2040, and 2050).
- In Chapter III, if present please add a table called “Inventory of Existing Impounded Supplies” which includes:
 - List of Owners, grouped in Municipal, Industrial, and Private Community Categories.
 - Crest Elevation (above sea level).
 - Total Length of Dam.
 - Flooded Area of Crest Elevation.
 - Length of Shore Line at Crest Elevation.
 - Area of Land Owned.
 - Water Overflowed Crest for First Time.
 - Capacity of Reservoir.
 - Safe Yield (MGD).
 - Average Daily Withdrawal (MGD).
- In Chapter III, if present please add a table with an Inventory of other surface water supplies showing initial and planned withdrawals (MGD).
- In Chapter III, please add to the Tables in the document or include a table called “Inventory of Existing Water Treatment Facilities” which includes:
 - List of Owners, grouped by Municipal (public), Industrial, and Private Community / Industrial categories.
 - Water Source.
 - Type Treatment.
 - Plant Coordinate Location.
 - Rated Plant Capacity (MGD).
 - Average Production (MGD).
 - Max. Peak Flow (MGD).
 - Storage Capacity (MGD).
 - Planned Expansion MDG/Dates.
 - Method of Sludge Disposal.
 - Operating Agency.
- In Chapter III, if present please add a table called “Inventory of Water Problem Areas Service areas” which includes:
 - Location.
 - Population – Served, Unserved, Total.
 - Nature of Problem.

- Please include the 31 water service area maps sent by Alicia Afroilan via email on January 21, 2021, to MDE after the map on Page 3-18.
- Please confirm that there are three elevated water storage towers on the Naval Support Facility, Department of the Navy.
- What is the latest update regarding the Heritage Green development project? Please include text regarding this in Chapter III and how the County will ensure the availability of adequate supply for this community of 3,200 homes/1,100 acres. On Page 4-27, please look at what was amended in Resolution 2010-89 and approved by MDE on April 28, 2011, and revise the sewer section of Clifton-on-the-Potomac if it is needed.
- In Chapter IV, Table 4-2 Mattawoman Effluent Flow Projection to River (MGD), if possible, please extend projections to 2050 (three decades).
- In Chapter IV, for the possible new Benedict WWTP system, any new WWTP or increase in loads from a WWTP may need to acquire additional nutrient credits through trading or offset activities.
- In Chapter IV, for the possible new Hughesville WWTP system, any new WWTP or increase in loads from a WWTP may need to acquire additional nutrient credits through trading or offset activities.
- In Chapter IV, Table 4-6 (A) County-wide Wastewater Production, if possible, please extend projections to 2050 (three decades).
- In Chapter IV, Table 4-6 (B) Development District Wastewater Production, if possible, please extend projections to 2050 (three decades).
- In Chapter IV, Table 4-7 Existing Central Wastewater Facilities Compared to Projected Service Demands, if possible, please extend projections to 2050 (three decades).
- In Chapter IV or an Appendix, please add a table called “Water Quality Problems due to Storm Drainage Outfalls and to Non-point Sources”
 - Service Area.
 - Problem Description.
 - Location.
 - Reach Affected.
- In Chapter IV, for every service area and community system, the following should be included (some are missing):
 - Operating agency.
 - Design average and peak flows.
 - Whether combined or separate collection systems.
 - Level and type of treatment given.
 - Sludge disposal plans.
 - Condition of treatment and transmission facilities.
 - Operation and maintenance costs.
 - Proposed means of financing improvements.

- In Chapter IV or an Appendix, please add a table called “Inventory of Problem Marinas” and include basic planning concepts for sanitary facilities at marinas.
- In Chapter IV or an Appendix , please add a table called “Flow Data – Wastewater Treatment Plants” which includes:
 - Name or service area.
 - Design - Hydraulic (MGD).
 - Design - Organic (ppm).
 - Flow - Avg. Day (MGD).
 - Flow - Max. Day and Date.
 - Development Occupancy Units – Existing.
 - Development Occupancy Units - Anticipated - Under Const.
 - Development Occupancy Units - Anticipated - Not Under Const.
 - Building Permits for Unexpired PWAs.
- In Chapter IV or an Appendix, please add a table called “Flow Data – Collector Sewers, Interceptors, Pumping Stations and Force Mains Sewer” which includes:
 - Name or type.
 - Diameter.
 - Flow - Avg. Day.
 - Flow – Design.
 - Number of Pumps.
 - Pumping Station.
 - Capacity of Each Pump.
 - Normal Pumping Capacity.
 - Avg. Day Pumpage.
 - Force Main.
 - Max. Day Pumpage and Date.
 - Diameter.
 - Design Flow.
- In Chapter IV or an Appendix, please add a table called “Inventory of Sewer Problem Areas” which includes:
 - Service Area.
 - Problem Description.
 - Location.
 - Population.
 - Acres.
 - Treatment Capacity.
 - Treatment Demand.
 - Planned Correction.
- Please include the 31 sewer service area maps sent by Alicia Afroilan via email on January 21, 2021 to MDE after the map on Page 4-26.

- Please include these following items for the “Financial Management of Public Sewerage Systems” in Chapter V:
 - Contents of financial management plan:
 - Description of financial roles and relationships.
 - Completed Schedule FS.
 - Before issuance of a State permit for a new public sewerage system:
 - Financial management plan must be adopted as part of the county plan and approved by the Department.
 - The proposed system has been described in a plan amendment adopted by the governing body and approved by the Department.
 - Each plan is required to treat each public sewerage system as a separate entity.
 - Timing of financial management plan submittals.
 - Requirement to send instructions for Schedule FS to county contacts.
 - Additional information, if required:
 - Inventory of plant and equipment.
 - Documentation that rates are sufficient to meet O&M costs.
 - Billing procedures.
 - Bad debt.
 - Planned projects and anticipated financing.
 - Plant replacement and anticipated financing.
 - Escrow accounts.
 - Balance sheet.
- In Appendices, Appendix 2A MSSA Household and Population Projections, if possible, please extend projections to 2050 (three decades).
- In Appendices, Appendix 2B Wastewater Demand Projections for Commercial and Government Users (MSSA) – Waldorf, if possible, please extend projections to 2050 (three decades).
- In Appendices, Appendix 2B Wastewater Demand Projections for Commercial and Government Users (MSSA) – Bryans Road, if possible, please extend projections to 2050 (three decades).
- In Appendices, Appendix 2C Waldorf Water, if possible, please extend projections to 2050 (three decades).
- In Appendices, Appendix 2C Bryans Road Water, if possible, please extend projections to 2050 (three decades).
- In Appendices, Appendix 3A Water Supply Demand and Planned Capacity for Private Communities, if possible, please extend projections to 2050 (three decades) and in intervals of ten-years (2020, 2030, 2040, and 2050).
- In Appendices, Appendix 3B Water Supply Demand and Planned Capacity for Public Municipalities, there may be a typo in row 5 Bryans Road in the column year 2040. It states Population Total 3423 (it is also less than the 2019 value) and Population Served 8416. Please revise.

- In Appendices, Appendix 3B Water Supply Demand and Planned Capacity for Public Municipalities, if possible, please extend projections to 2050 (three decades) and in intervals of ten-years (2020, 2030, 2040, and 2050).
- In Appendices, Appendix 3C Water Supply Demand and Planned Capacity for Institutional / Government, if possible, please extend projections to 2050 (three decades) and in intervals of ten-years (2020, 2030, 2040, and 2050).
- When comparing the Chapter 3 Tables and Appendices in the 2006 Plan to the 2021 Plan, several of them appear to be missing. While some of the information may have been incorporated into the body of the Plan, others were not.
 - 3G Inventory of Existing Water Treatment Facilities Private/Community
 - 3H Inventory of Existing Water Treatment Facilities Public/Municipal
 - 3I Inventory of Existing Water Treatment Facilities Institutional/Government
 - 3J Inventory of Water Problem Areas Private/Community
 - 3K Inventory of Water Problem Areas Public/Municipal
- In Appendices, Appendix 4B Inventory of Existing and Planned Sewage Treatment Plants, please modify this table to include this information:
 - Owner.
 - Treatment Type.
 - Coordinates.
 - Occupied Acres.
 - Vacant Acres.
 - Point of Discharge.
 - Max. Capacity Secondary.
 - Max. Capacity Advanced.
 - Existing Capacity.
 - Average Flow.
 - Peak Flow.
 - Abandonment Date.
 - Operating Agency.
- When comparing the Chapter 4 Tables and Appendices in the 2006 Plan to the 2021 Plan, several of them appear to be missing. While some of the information may have been incorporated into the body of the Plan, others were not. This includes but not limited to:
 - 4B Marina Sanitary Survey
 - 4L Flow Monitoring Data - Collection Sewer, Interceptors, Pumping Stations and Force Mains Public/Municipal
 - 4M Septic Tank Failure Areas
 - 4P, 4Q, 4R, 4S Inventory of Sewage Problem Areas
 - 4T, 4U, 4V, 4W Projected Sewerage Supply Demand and Planned Capacity Private/Community

DRAFT – Charles County – 2021 Comprehensive Water and Sewer Plan

MDE Comments

Date: February 2, 2021

- In a previous request sent in to MDE, WSA, Wastewater Permits Program, it was noted by MDE, WSA, IWPP that several pumping stations that were on the maps, new stations or updates to pump stations should be considered for inclusion in to the Plan or confirm their existence. This table (Appendix 4D Pump Station Capacity) was not included in the Draft Plan. When including the Table with pump stations:
 - Please include St. Charles 3B Pump Station if it is still in use
 - Add Pump Station 925-B to the list of stations, next to pump station 925-C
 - Please include Pump Station Route 925C if it is still in use
 - Please update the capacity of the Thomas Stone Pump Station to 240 GPM / .288 MGD as indicated on the Thomas Stone Pump Station Replacement construction permit application that was received by MDE on May 21, 2019.
- For the Water and Sewer Maps, the County should consider greater symbolic differentiation between Category 5 and Category 6. Adding a color or lines to Category 5 could help to distinguish between the two.
- Please include text for “Compliance with Maryland Water Conservation Plumbing Fixtures Act Documentation” which includes:
 - County agency responsible for enforcement.
 - Summary of county programs:
 - Procedures concerning certificate of occupancy;
 - Actions concerning sale of fixtures; and
 - Procedures for record plats and permits.
 - Description of changes to achieve compliance with MWCPFA.
- Please see the attached Maryland Department of Planning’s comments.



Maryland

DEPARTMENT OF PLANNING

January 11, 2021

Ms. Dinorah Dalmasy, Manager, Integrated Water Planning Program
Maryland Department of the Environment
Water and Science Administration
1800 Washington Boulevard
Baltimore, MD 21230

**Re: Comprehensive Water and Sewer Plan for Charles County
Draft 2021 Charles County Water and Sewer Plan and Category Maps Update**

Dear Ms. Dalmasy:

The Maryland Department of Planning (Planning) has reviewed the above-referenced adopted water and sewerage plan update pursuant to our mandate to advise the Maryland Department of the Environment (Environment) on local comprehensive plan consistency and other appropriate matters as required by Environment Article Section 9-507 (b)(2).

This is a comprehensive Water and Sewer Plan (WSP) update. The previous comprehensive update to the Charles County WSP was adopted October 2006. Planning offers the following comments for your consideration.

Previous amendments received, reviewed, and found consistent are as follows:

- County Resolution: 2011-78 (1/9/2012)
- Spring Cycle: Amendment 2012-61 (3/7/2013)
- County Resolution: Amendment 2013-56 (11/20/2013)
- Fall Cycle: Bland Property Amendment 2014 (8/20/14); and Resolution 2014-31 (1/23/2015)

Planning's General Comments

Given that Planning has not received an amendment since 2015, and because the county adopted a new Comprehensive Plan in 2016, a listing of properties and amendments receiving water or sewer service category changes should be submitted for review including the parcel, lot, tax map, and addresses, as appropriate.

The Clean Water Act (CWA) requires that states review their water quality standards every three years (Triennial Review) and revise the standards as necessary (CWA: Section 303(c)). Therefore, Maryland State requires that all counties and Baltimore City update the Water and Sewerage Plan at least once on a three-year basis ([Section 9-503](#)).

While the county's WSP states that mapping category changes can be done on a biennial basis, Planning notes that we have not received amendments since 2015. If and when these category changes occur, Planning requests shapefile submission from the county of the alterations. As part of the final review of an adopted plan at the local level, Planning is requesting that the shapefiles be submitted with the adopted version of this WSP to Environment for transmittal to this office.

The county's general WSP policies provide for the systematic extension of water and sewer services; however, these policies do not address special circumstances such as community service for properties abutting community system mains, exclusions for certain uses, single vs. multiple hook-ups, etc. Planning recommends that the county consider providing an appendix that is inclusive of all these exceptions, as a tool for use in consideration of category changes where extensions or hook-up are logical, economical and provide environmental protection. Analyzing these policies is important to ensure they are consistent with the county comprehensive plan.

Summary and Analysis of Amendment

The draft WSP update included revised inclusionary language to the Charles County Government Mission Statement. Charles County's 2021 WSP text includes the following revisions from the 2006 WSP, pertaining to connection policies, land use, infrastructure development, water resources, and environmental preservation:

Changes to the Water and Sewer Plan

1) New county policies and implementation strategies related to land use, including:

- a. Creation of the Watershed Conservation District (WCD) as part of the implementation of the adopted 2016 Comprehensive Plan led to the need for mapping changes.
- b. Addition of the EPA's pollution diet; Environment's Watershed Implementation Plans (WIP); and a description of its three phases p. 1-3.
 - i. The text provides detail of their progress with Phase II which it completed in 2013 and is currently evaluating its Phase II strategy in consideration of the 2018 Maryland Water Trading Program.
 - ii. Phase III guides Chesapeake Bay restoration through 2025, and the county lists their investments and strategies.
- c. Adoption of a Water and Sewer Allocation Policy.

2) Section 1.2 Objectives and General Policies

- a. 1.2.1 Water Quality and Supply Objectives – incorporating encouragement of reclaimed wastewater, planning for the construction of a potable water treatment plan, and a new stream protection strategy.
- b. Section 1.2.2 Growth Management Objectives (p.1-5)
 - i. Coordinate extensions of the public water and sewer, as well as capacity enhancements, to Development Districts to accomplish density goals stated in the Charles County Comprehensive Plan 2016 (CCCCP).
 - ii. Included a new goal to replace or upgrade Enhanced Nutrient Removal facilities.
 - iii. Included a new general policy to maximize efficacy of existing infrastructure by limiting proliferation (expansion) of new discharges to sensitive resources county wide. Mattawoman Sewer Treatment Facility will continue to be the primary regional facility serving undeveloped areas of unincorporated Charles County.
 - iv. The 2021 draft WSP removed objective 1.2.2-(b)(iii) and j, p.1-7 and 1-8:
 1. This objective stated that the County Commissioners could use their discretion to circumvent the “no satellite facility goal,” if development was within a Planned Employment Zone AND serving as low-income housing.
 2. 1.2.2.j Fund for corrections of failing septic was removed or not incorporated into

this draft (p.1-8).

- v. 1.2.2.k was added to strengthen the tie between land use and water and sewer tier classifications to be more supportive to their intended use for infrastructure improvements.

3) Section 1.2.3 Public Facilities and Service Objectives (p.1-8)

- a. Added a goal to include a sewer capacity model and a water capacity model.
- b. Included a new area for comprehensive analysis, as follows: "The County will evaluate the sewer and water alternatives to provide capacity to comprehensively serve the service area identified for development in the draft 2021 Comprehensive Plan on the south side of Billingsley Road west of the White Plains Sewer Service Area as shown on Sewer Maps 6 and 10."

4) Section 1.2.4 Individual Water Supply and Sewer Systems Objectives (p.1-11, 1-12)

- a. Included 3 new policy exemptions regarding (e, g, & h); all related to failing septic and water supplies outside of the Development Districts and Mattawoman Facility Treatment Area. This information is somewhat confusing. For instance, newly added policy **e)** states that no new independent community water and/or sewer systems will be permitted with the County, except those systems in need of fixing a failed system. Contrarily, objective **3)** encourages all residents to connect to community water supplies if in need of fixing a failing system.

5) The Water Plan Chapter 3:

There are a considerable number of changes in this chapter. Planning highlights the most pertinent below.

- a. P. 3-2, Charles County now primarily relies on groundwater, although not exclusively, to meet potable water supply needs.
- b. P. 3-2, the Charles County Department of Public Works operates 17 of the 47 community water systems. In 2006, it did not state the number.
- c. P. 3-4, the Magothy aquifer is currently under study for accurate millions of gallons per day (MGD).
- d. Pages 3-4 through 3-6 have new descriptive text for the Magothy, Lower Patapsco, and Upper Patapsco Aquifers.
- e. P. 3-8, "The County is presently investigating viable options to construct a surface water treatment plant to use surface water resources as a potable water supply for Charles County." This additional text implementation action is consistent with all goals and policies set forth by the county in this plan to secure water supply and meet demands.
- f. P. 3-16, the WSP water consumption use is revised from 100 gpd to 66 gpd. Planning commends this revision and inquires if this alteration comes from a documented source confirming this use pattern.
- g. Pages 3-20 through 3-29, all "Private/Community Systems" data quantities and gpd use have been updated.
- h. P. 3-31, the section previously called "Failing Wells/Low Production Wells" was changed to be called "Groundwater Capacity Limitations." Subsections within this newly labeled portion of the WSP are "Declining Aquifers", and "Alternative Water Sources." Text and data included in this section are drastically different from the previous content. This section focuses on the county's identified issues and collaborative efforts with the county's Department of Public Works to rectify the issues. The issues outlined, such as "Insufficient system capacity has been identified for the 10-year planning horizon (through the year 2030)", also have solution-based actions already in place and included throughout the text.
- i. P. 3-44, Section 3.5.2.2 Water Conservation Factors discusses the reality of short supply and high demand for the county. Programs outlined in the CCCP and 2021 WSP align to enable a probable reduction of use by 20%, which is not unreasonable. Planning hopes that the county will continue pursuing these water efficiency programs and educate their water

users to meet this goal.

- j. P. 3-54 is the last numbered page. Planning recommends continuation of the numbering of pages throughout the plan until the last actual page which would make referring to these pages and information possible.
- k. The last page of this plan had a review sheet with a legend of all edits and colors of changes. Planning suggests that this page be separated for the sake of this review, which would have allowed the reviewer to better understand the demarcations of the edits before starting the review. This could have been labeled on its own as a separate sheet or within the table of contents.

6) The Sewer Plan Chapter 4

- a. P. 4-43 of the WSP states "The County's WIP strategy gives consideration for projects outside of the Development District. The county has identified a number of potential projects to connect septic systems to WWTPs both inside and outside the Development District. (See Figure 4-2) showing Potential Septic System Project Areas.) However, Planning was unable to find Figure 4-2 in the submitted materials.
- b. Mattawoman Waste Water Treatment Plant (WWTP) (pg. 4-32)
 - i. The facility has been expanded from 5.0mgd to 15.0mgd in accordance with the 201 Facilities Plan, and to comply with the Maryland Potomac Strategy Committee Policy on discharge to the Potomac Estuary. Planning requests the county review the title of this plan and make necessary corrections in the final version.
- c. Wastewater Reuse (4.2.11)
 - i. This section is a completely new addition to the WSP. The county plans to maximize savings by reusing and treating wastewater for agriculture, commercial, and industrial uses.
- d. Corrective Measures (4.5.3)
 - i. This section has been extensively revised to show the three ways failing septic can be corrected. The WSP includes policies that incorporate WIP strategies and best management practices for reducing potential environmental and safety hazards. Planning commends the county on the strong and well thought out addition to the WSP.

7) Mapping Updates

- a. Maps have been updated with GIS data for a more accurate level of detail, which Planning commends. Planning would appreciate the GIS shapefiles for records and analysis as soon as possible, but no later than the submission of the adopted plan for the final analysis by MDP.
- b. Maps are now at 1"=1,000' with 31 maps for sewer and 31 maps for water service. This is seen as an improvement to the 2014 maps which were 1"=2,000' for water and sewer service analysis.
- c. Statuses of the White Plains Sewerage areas are now located on Comprehensive Water and Sewer System Maps 6 and 10.

8) General Policy Updates

- a. As stated in Chapter 1, the county's policy is to direct 75 percent of the new growth to the Development District. The Development District closely corresponds to the Mattawoman Sewer Service Area (MSSA) as delineated on the Comprehensive Water and Sewer Plan maps. The MSSA will ultimately be served by the Mattawoman Wastewater Treatment Plant (WWTP). Thus, it is the county's ultimate objective to provide a community system level of service to all residences within the Development District.
- b. Added goal to reduce pollution and limit demands on groundwater. (p.1-4)
- c. All new community water and wastewater systems will be publicly owned and will be designed to county specifications. Part V Water and Sewer Ordinance (Section 1.3.3, p.1-17)
- d. Section 1.3.4 Rebate Policy added text referring to the official policy resolution 92-91 and the Sewer and Water Ordinance, Section 5-7 (p.1-18).
- e. Section 1.3.7 added: "The applicant obtains a water/sewer allocation for the intended use of

property", in order to meet criteria for new single lot properties.

- i. Pisgah Well Reimbursement Program Policy: The changes stated are as follows: The applicant must now contact the Department of Planning and Growth Management to verify qualifications met and receive their procedural guide. Property applicants must be deemed qualified by the county, and follow all guidelines, before reimbursement.

Comprehensive Plan Consistency

The CCCP was adopted by the Board of Commissioners July of 2016, and in that process, the CCCP adopted by reference the 2006 WSP. The following four chapters of the CCCP relate to this update to the WSP and warrant discussion:

1) Chapter 1, Introduction

The CCCP lists the Maryland State Visions in the Introduction and states:

"The Charles County Comprehensive Planning Program meets the requirements for local government planning in Maryland pursuant to State enabling legislation and requirements contained in the Land Use Article formerly known as Article 66-B of the Annotated Code of Maryland."

Number five of the State Visioning list directly relates to water and sewer infrastructure, and the CCCP:

"5) Infrastructure: growth areas have the water resources and infrastructure to accommodate population and business expansion in an orderly, efficient, and environmentally sustainable manner;"

According to the 2021 WSP, the purpose of the Comprehensive Water and Sewer Plan is to provide for:

- an understanding of the county's goals, objectives, and policies in relation to water supply and sewer planning;
- orderly expansion of water and sewer service;
- adequate water supply and sewer treatment capacity to meet present and future needs;
- protection of public health through adequate wastewater treatment; and
- capital programming in order to provide water and sewer service.

This statement is consistent with the Goals and Objectives of the Water Resource's Element contained within CCCP on page 4-3. Furthermore, WSP Section I.3; Relation of Plan to Other County Plans and Programs, directly adopts the previously adopted WSP plan by reference and that of the two municipalities (La Plata, Indian Head) into the WSP (2021 WSP, p. I-2). It is understood that amendments to the WSP are also by reference adopted as part of the CCCP, establishing the interconnections of the land use plan and the water and sewage system's planning.

2) Chapter 3: Land Use and Chapter 10: Community Development

The following policies and actions in the CCCP relate to the WSP update.

Development Districts (p. 3-6):

- "The major advantage of the Development District concept is to map in advance those areas where 75 percent of the County's residential growth will occur and the County will provide infrastructure to support growth, including water and sewer, schools and roads."

Employment and Industrial Districts (p. 3-7):

- "Provide a variety of districts in locations near collector and arterial highways and which have or could have access to water and sewer."

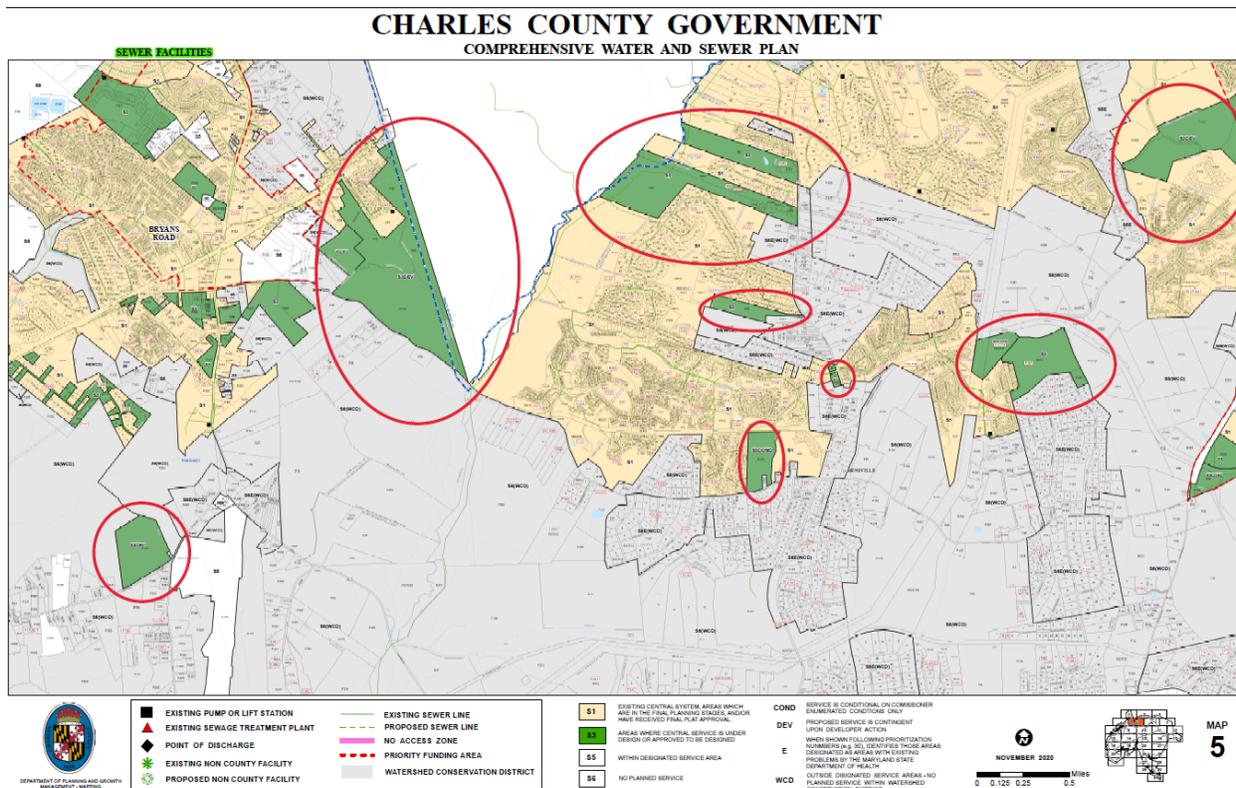
Watershed Conservation District (p. 3-10):

- “This plan recognizes that there are existing development projects on sewer and water located within the WCD land use area which will be legal non-conforming uses once the zoning is enacted to implement the new land use district.”

Rural Villages (p. 10-10):

- Statement indicating “The need for public water and sewer is currently anticipated in three villages only; Hughesville, Benedict and Cobb Island. To assure the continued small size of the villages, any central water or sewer system which is eventually provided to correct failing septic systems in other villages should be built to serve land area and development only within the immediate physical confines of the village itself and not extend to adjacent non-village areas.”

These districts, as well as the Villages, are displayed in Figure 3-1: Land Use Map. However, there are multiple areas planned for water and/or sewer service in the submitted draft WSP materials that are not located within a Development District, an Employment and Industrial District, or one of the three Villages stated as needing service. Specifically, Planning noticed this for properties proposed for service (S3/W3) in WSP sewer and water Maps 2, 5, 9, 20, 27, and 31. Planning considers the statement regarding “existing development projects on sewer and water located in the WCD land use area” (p. 3-10) unclear; unsure if it references *only* those projects that have been completed, or also includes projects currently under development. For example, the image below includes areas designated S3, but which are not in a Development District, Employment and Industrial District, nor one of the three Villages. However, they are in the WCD. If, as the legend on Map 5 states, the service is “under design or approved to be designed”, then these properties do not appear to meet the requirements for service in a WCD as explained on p 3-10 of the CCCP and are therefore inconsistent with the CCCP.



Two areas where Planning advises revisions to give clarity to water and sewer designations are as follows:

- Planning suggests the county consider water and sewer service policies that more clearly delineate the criteria for a “W/S 5 planned service designation,” and how they can be

represented on the category maps to differentiate against a "W/S 6". Planning offers to assist the county if it desires to do so.

- Planning is interpreting a differing time frame aligned with W5 and S5, although neither are specified with time frames. Planning asks the county to clarify their language somewhere on this issue; in mapping, or in an explanatory language within the descriptions of designations.

Policies and actions that could assist the WSP and associated Category Maps meet these recommendations are (P. 3-24):

- 3.1 Coordinate the use of the Land Use Plan Map, the zoning map, the subdivision regulations, the capital improvements plan, and the Comprehensive Water and Sewer Plan with one another in terms of districts, locations, planned expansions and coordination with the Public School System Capital Improvements Plan (CIP) to assure growth management efforts are consistent. Under state law, zoning and development policies and actions must be consistent with the Comprehensive Plan (Land Use Article, Section 1-303).
 - Planning finds this statement consistent with the WSP 2021 update plans and implementation strategies.

Actions (P. 3-25):

- 9. Examine opportunities to transfer the Priority Funding Area (PFA) designations for the small sites located within the Cobb Neck Area to the larger Newburg-Cliffton Aqualand Sub-Area Plan as needed once the plan has been adopted.
 - Planning does not see any mention of this action in the WSP update. The only mention of PFA revisions is a broad dialogue in section "2.4.3.1 Priority Funding Areas and Water and Sewer Service Areas" (p. 2-18, WSP).
- 10. Rezone vacant residential properties that were removed from the Development District in this plan to a lower density in order to limit sprawl development and protect water resources.
 - Planning notes that this has been an ongoing effort and is consistent with the WSP's goals and policies for limiting future development and PFA expansion in rural areas (p. 2-17 and 2-18, WSP).
- 12. Rezone major stream valleys to one unit per ten acres (1:10).
- 13. Rezone the Watershed Conservation District lands to one unit per twenty acres (1:20).

General Comments:

- P. 3-14, Planning commends the county on prioritizing waterfront development only in those areas most appropriate. The 180 miles of waterfront should be protected from unnecessary development.
- The targeted areas for development are as follows: Upper Potomac River shorefront, Mattawoman Creek/Sweden Point, Wades Bay/Mallows Bay Corridor, Port Tobacco, Potomac River, 301 Corridor Crossing, Lower Potomac Area, and the Village of Benedict. Planning is interested in better understanding if these areas are being targeted for development as specified within the CCCP. Water and sewer infrastructure, PFA updated areas, and best management practices in terms of stormwater management, flooding prevention, shoreline erosion precautions, and water capacity.
- This information would be preferably analyzed with geospatial parcel data. If the county can send parcel data for review, Planning would be appreciative.

3) Chapter 4: Water Resources (p. 4-1)

- P. 4-17 addresses issues with a large portion of the population's well water supply in Charles County. In the 2021 WSP Chapter 3: The Water Plan (p. 3-30) effectively addresses these issues and more in depth. Planning commends the county's ability to address issues with supply, saltwater intrusion, and possible hazards within the plan, and to adequately address the future needs of their population.

- P. 4-20 states that the Mattawoman Waste Water Treatment Plant has adequate capacity to support demand through approximately 2040. Planning finds this statement consistent as this is supported in the 2021 WSP on p. 1-5.
- P. 4-36 directs the county to “consider extending public sewer service to existing communities identified as failing septic areas in the County’s Comprehensive Water and Sewer Plan, to septic systems in the Chesapeake Bay Critical Area, and to septic systems identified by Charles County Watershed Implementation Plan.” The WSP identifies septic problem areas by including an “E” after the designation on the sewer facilities map, for example, S6E. Page 4-13 of Chapter 4 (Section 4.2.3.4) describes the county’s priority factors for correcting problem septic systems using Bay Restoration Funding in the Critical Area.

Overall, Planning notes some inconsistencies between WSP service designations and county land use policies outlined in the CCCP (see Chapter 3 discussion above), while the remainder of the draft appears to be generally consistent. With the inclusion of additional information in an adopted version of this WSP, such as shapefiles and policy clarification for service in the WCD, Planning will revisit the apparent conflicts.

Other Planning Matters

Planning received Annexation 467-2020 from the Town of La Plata on December 22, 2020 relating to Parcel 0492, located on the east side of Crain Highway, approximately 500 feet south of the intersection of Rosewick Road and Crain Highway. This property is currently categorized as S-6 and W-6, and no change is proposed in the current version of the WSP update. For the Town of La Plata to extend water and sewer services to Parcel 0492, and to ensure eligibility and future designation as a Priority Funding Area, the service category should be upgraded to an appropriate category (W-3/S-3) in which service would be provided in the short term. Planning suggests that the county collaborate with the Town of La Plata to determine if Parcel 0492 category should be upgraded.

Priority Funding Area Review

Pursuant to Title 5, Subtitle 7B of the State Finance and Procurement Article, local jurisdictions are eligible to receive State financial assistance for growth related projects located in a Priority Funding Area (PFA). It should be noted that the 2021 Plan includes a reference to the PFAs in Section 2.4.2 State Law as follows:

“The designation of the Smart Growth Priority Funding Areas is required to evaluate the availability of existing or planned water and sewer service and the development density. MDE has redirected most of its capital programs to facilitate development and redevelopment in accordance with the Smart Growth legislation.”

Planning has requested that our GIS team review the changes in mapping category; however, this process requires the submission of shapefiles. Once the county can provide the shapefile data for new category assignments, Planning may be able to more accurately review the parcels which are eligible for PFA. Planning encourages Charles County to designate land areas qualifying as PFA to be eligible for future funding.

In a Charles County letter submitted to Planning on September 10, 2020, the county committed to updating the service categories for property ID# 906023495 from W6E/S6 (No Planned Service) to W3E/S3 (Planned Service). However, this property is designated as S5 (Future Planned Service) on Sewer Map 10 and W5E (Water Service Areas or water Interconnection Zones) on Water Map 10 in the submitted draft WSP materials. Planning accepted the September 10 commitment letter in good faith as documentation for designating this property as Municipal PFA in response to a PFA certification request from La Plata, and that property is currently designated as PFA in our PFA

map. As this property is still planned for service in the draft materials, Planning's concurrence with La Plata's PFA certification is maintained. However, Planning requests that the county explain the reasoning why the designation to which it committed in the September 10 letter is not reflected in this draft WSP. Planning suggests the county revisit the water and sewer service planning for the property based on the inconsistencies between the September 10 letter and the draft WSP.

Growth Tier

Any amendments to the 2021 WSP affecting the water or sewer category of specific land areas as shown on the 2021 WSP Water Category and Sewer Category Maps may impact the Charles County growth tier map as adopted in 2016 and shown on Figure 3-7 of the CCCP. If this is the case, and the category changes are approved by MDE, then Planning recommends that the county amend its tier map accordingly.

If you have any questions regarding these comments, please contact Sarah Lipkin Sularz or Sylvia Mosser at Planning.

Sincerely,



Charles W. Boyd, AICP
Director of Planning Coordination

cc: Robin Pellicano; Nicholai Francis-Lau; Steve Alfaro; and Hannah C. Benzion, Environment
Tony Redman, DNR
Dwight Dotterer, MDA
Jason Dubow; Joe Griffiths; Susan Llareus; Sylvia Mosser; and Cassandra Malloy, Planning

February 12, 2021

Ms. Sarah Lipkin Sularz
Maryland Department of Planning
301 West Preston Street
Suite 1101
Baltimore MD 21201

Ms. Sularz:

Thank you for the opportunity to comment on the Charles County Comprehensive Plan Amendment for the Maryland Airport (MD20210113-0020). The Maryland Department of Transportation (MDOT) has reviewed the plan amendment and determined it be classified as R1. It is generally consistent with our plans, programs, and objectives, but the qualifying comment is submitted for consideration.

The Maryland Department of Transportation State Highway Administration (MDOT SHA) offers the following comment:

- The Maryland Airport, the surrounding Employment and Industrial Park District, and the extent of the expansion of the Employment and Industrial Park District are bound on the north by MD 224 (Livingston Road) and MD 227 (Pomfret Road), both MDOT SHA highways. Currently, there are no planned or programmed MDOT SHA projects that might be impacted by the expansion of the Employment and Industrial Park District and the future development within the district. However, the future commercial and light industrial development planned for the Employment and Industrial Park District could pose impacts to MD 224 and MD 227, both of which are two-lane opens section roadways. As development is proposed within the Employment and Industrial Park District, it should be coordinated with Charles County and MDOT SHA, specifically with Mr. Erich Florence, MDOT SHA District 5 Assistant District Engineer-Project Development, at 410-841-1044 or via email at eflorence@mdot.maryland.gov and with Michelle Vrikkis, P.E., MDOT SHA District 5 Assistant District Engineer-Traffic, at 410-841-1000 or via email at mvrikkis@mdot.maryland.gov.

Ms. Sarah Lipkin Sularz
Page Two

Thank you again for the opportunity to review the Plan. If you have any questions or concerns, please do not hesitate to contact Ms. Kari Snyder, Regional Planner, MDOT Office of Planning and Capital Programming (OPCP) at 410-865-1305, toll free at 888-713-1414, or via email at ksnyder3@mdot.maryland.gov. She will be happy to assist you.

Sincerely,

A handwritten signature in black ink that reads "Heather Murphy". The signature is written in a cursive, flowing style.

Heather Murphy
Director, OPCP, MDOT

cc: Ms. Kari Snyder, Regional Planner, OPCP, MDOT

February 9, 2021

Mr. Joseph Griffiths
Manager of Local Assistance and Training
Maryland Department of Planning
301 West Preston Street, 11th floor
Baltimore, MD 21201

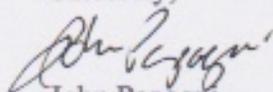
Dear Mr. Griffiths:

Thank you for the opportunity to review the Comprehensive Plan Amendment for the Maryland Airport (the Plan). The comments below are based on a review of the plan by staff in the Maryland Department of Housing and Community Development (DHCD) Division of Neighborhood Revitalization. The following comments and questions apply to specific elements of the Plan:

- Overall the Maryland Department of Housing and Community Development, supports the continued operation and expansion of Maryland Airport through the enhancements of its assets and marketability.
- The Department defers to the Maryland Department of Environment for comments on the deletion of "Revises the previously designated Industrial and Employment based land uses around the Maryland Airport and for the Indian Head Science and Technology Park to Watershed Conservation District in order to further protect water quality and the Mattawoman Creek." (Chapter 3, Page 3-6) regarding what impacts it would have on water quality of the Mattawomen Creek.
- The enhancements of the Maryland Airport would support the Department's investments (SDF FY19, and FY20) in the Velocity Center at Indian Head, operated by the College of Southern Maryland. It would also support other job hubs such as the Maryland Technology Center.

Again, thank you for the opportunity to comment on the Plan. If you have any questions regarding our comments, please email me at john.papagni@maryland.gov or call me at 410-209-5807.

Sincerely,



John Papagni
Program Officer
Division of Neighborhood Revitalization

Cc: Ashlee Green, DHCD Division of Neighborhood Revitalization



Maryland
DEPARTMENT OF PLANNING
MARYLAND HISTORICAL TRUST

February 9, 2021

Ms. Sarah Lipkin Sularz
Southern Maryland Regional Planner
Maryland Department of Planning
301 West Preston Street, 11th Floor
Baltimore, MD 21201

Dear Ms. Lipkin Sularz:

Thank you for the opportunity to review the Charles County Comprehensive Plan Amendment for the Maryland Airport and submit comments on behalf of the Maryland Historical Trust.

We note that MHT previously reviewed and commented on the 2016 Charles County Comprehensive Plan in a letter to MDP dated March 17, 2015. This amendment proposes a change in use of certain lands in the Watershed Conservation District around the Maryland Airport to an Employment and Industrial Park District to facilitate commercial and economic development for the airport. Such a change in land use designation and future rezoning potentially impacts the following historic resources within the 558-acre area, identified in the Maryland Historic Sites Inventory:

CH-117 Irvine House
CH-251 St. John's Chapel
CH-589 Crawford House
CH-590 Van Scoder House
CH-591 Marshall House
CH-593 Brown House
CH-594 Viars House
CH-596 Murray House
CH-597 Maryland Airport
CH-772 Tubman Cemetery

Detailed descriptions of these properties can be found in MEDUSA, the State's inventory of historic properties. https://mht.maryland.gov/research_medusa2.shtml

We urge the County to consider these resources as part of the development review process if the new use designation is adopted.

Thank you again for the opportunity to comment on the plan. If you have any questions, please contact me at (410) 697-9561 or by email at steven.allan@maryland.gov

Sincerely,

A handwritten signature in black ink, appearing to read 'Steven H. Allan', with a stylized flourish at the end.

Steven H. Allan, AICP
Local Assistance and Training Planner
Office of Planning, Education and Outreach

Cc Nell Ziehl, Chief, Office of Planning, Education and Outreach
Joseph Griffiths, MDP
Rita Pritchett, MDP