



July 21, 2011

To: PlanMaryland Workgroup

From: Alan Girard, MSGC WIP Workgroup Chair
Pat Langenfelder, MSGC WIP Workgroup Vice-Chair

Both the EPA mandated Watershed Implementation Plan (WIP) and PlanMaryland have the potential to be effective at prompting sustainable growth. The former is focused on reducing sediment and nutrient inputs to the Bay in order to meet federally mandated water quality goals and prevent any increase in additional growth-related sediment and nutrient impacts. The latter is intended to promote sustainable development by mapping resources and preferred development patterns, coordinating state agency and state-local efforts, and efficiently focusing public expenditures. With efforts to develop PlanMaryland and the WIP underway concurrently, it is the general recommendation of the WIP Workgroup that the State should more closely coordinate the content and implementation of PlanMaryland with the WIP process.

Implementation of both PlanMaryland and the WIP accounting for growth policy can direct new growth to designated growth centers. The WIP is poised to do it by necessity: concentrating growth is the most economical way to limit new pollution loads (which must be offset through the purchase of nutrient credits) and to avoid EPA penalties. PlanMaryland will do it with state funding, incentives, regulation, and State and local collaboration. Both the WIP and PlanMaryland respond to economic and demographic trends that call for more efficient, compact, and low maintenance development.

Unfortunately, directing development to designated areas under PlanMaryland is complicated by factors that limit interest in growth in existing communities, including:

- Lack of adequate infrastructure in some jurisdictions, contributing to highway congestion, insufficient waste water treatment, overcrowded schools, etc;
- High development costs, discouraging interest from investors, bankers, and consumers; and
- Fear of high crime rates, poor performing schools, dense neighborhoods, and other concerns.

Implementing the WIP has similar challenges:

- Finite existing capacity in some jurisdictions for adequate sewage treatment. Reducing water pollution from roads, schools, and other facilities that support growth is also a concern;

- The requirement for new growth to be nutrient-neutral, through a combination of state-of-the-art stormwater management regulations and the purchase of nutrient credits to offset impacts from new septic and any remaining stormwater loads. This may add construction and management costs;
- Concern among banks and investors cautious to invest in mixed-use, smart growth communities, which may be viewed as having unproven market potential; and
- Complex infill development challenges, versus those of greenfield projects. Retrofitting facilities in the built environment requires innovative solutions.

While the challenges of managing development under PlanMaryland and achieving clean water goals under the WIP can be difficult to overcome, both efforts must work together. PlanMaryland should support the efforts of local jurisdictions to reduce pollution by pushing for streamlined processes and focusing state funding to targeted areas. The Plan should acknowledge WIP deadlines and the need for localities to move quickly to achieve nutrient reduction targets. Specifically, PlanMaryland should be revised to include the following:

- PlanMaryland should clearly state up front that:
 - Achieving sustainable growth in Maryland and meeting EPA-mandated water quality goals are in the long-term best economic, social, and environmental interests of State and local jurisdictions;
 - State, county, and municipal governments have clear roles and responsibilities in achieving PlanMaryland and WIP goals; and
 - The goals of PlanMaryland and the WIP cannot be achieved by State, county, or municipal governments alone, but rather only by all three working collaboratively.
- Chapter One should mention the EPA mandate, including the requirement to account for growth, and how it relates to Maryland's Economic Growth, Resource Protection, and Planning policy.
- Chapter Two, section F should be revised to discuss the WIP and the timelines for implementation. Timelines should go out to 2020 and describe what milestones will be achieved along the way.
- Chapter Four, section C4, should list as a policy that all pertinent state agencies will assist local jurisdictions in the upgrades and/or expansions to sewage treatment plants to meet WIP timelines, by obtaining nutrient credits to exceed sewage treatment plant caps, and by exceeding sewage treatment plant caps where nutrient credits are available to do so. The upgrades/expansions should be targeted in areas where growth is most appropriate and meets the definition of a 'sustainable community' per PlanMaryland criteria (which is still under development).
- Chapter Four, section C4, should list as a policy that all pertinent state agencies will assist local jurisdictions in connecting houses with existing septic systems to community or centralized sewer systems, provided the community or centralized sewer connections will help meet WIP load allocations and timelines, the connection will not contribute to sprawl, the system has been upgraded and has adequate capacity consistent with state and local requirements, and the connections have been approved by the local jurisdiction.