



To: Jon Laria, Chair, Maryland Sustainable Growth Commission
Maryland Sustainable Growth Commissioners

From: Gerrit Knaap, MSGC PlanMaryland Workgroup Chair

Subject: Report on MSGC PlanMaryland Workgroup Review of PlanMaryland's State Agency's Implementation Strategies

Workgroup Participants: Gerrit Knaap, Rich Hall, Candace Donoho, Les Knapp, Todd Lang, Kimberly Brandt, Matthew Leakan, John Papagni, Kate Sylvester, Jenny King, Joe Tassone, and Chuck Boyd

The Maryland Sustainable Growth Commission (MSGC) PlanMaryland Workgroup met on July 12th to review the draft State Agency Implementation Strategies/Work Plans. Workgroup members felt that a comprehensive review of the draft State Agency Implementation Strategies document could not be accomplished given the compressed review / revision schedule established in the PlanMaryland Executive Order. Therefore, the following comments are the member's initial assessment of the Implementation Strategies:

- Workgroup members noted that very few of the Implementation Strategies were directly associated with specific PlanMaryland Planning Areas. The member indicated that greater alignment and utilization of the Planning Areas should be incorporated into the State agency strategies.
- One member expressed disappointment that the strategies were not specifically designed to promote PlanMaryland activities within appropriately designated areas, such as providing greater flexibility with stormwater management regulations related to small impervious areas such as the installation of a bikeway.
- Two members noted that most of the Implementation Strategies proposed to increase collaboration among state agencies. However, MDE's Implementation Strategies appeared to be very MDE-centric, and several of the proposed several strategies had previously been debated by the General Assembly. It was recommended that these and other agency strategies should be revised to be less unilateral actions by an individual agency and more collaborative – both among state agencies and with local governments.
- Another member suggested that MDE should include a strategy that enables greater flexibility of the Nutrient Policy, allowing trading across sectors, so that counties can achieve their TMDL requirement.
- The Workgroup participants had an active debate on whether additional public review would be necessary before submitting a report to the Governor. Several participants indicated that many of the strategies are not new policies, but rather refinements/restatement of existing state policies or internal policies. They did not believe additional public review was necessary at this time for those types of strategies. Several members expressed interest in having the draft strategies publicly circulated prior to submission to the Governor. One member recommended that once the PlanMaryland Implementation Strategy report is submitted to the Governor and made public, that a public outreach program takes place to explain how these strategies will impact local governments, and why they are needed.

- One of the participants suggested the report to the Governor should emphasize that this is the initial identification of Implementation Strategies and that other strategies will be identified as PlanMaryland continues to be implemented.

Chuck Boyd reported to the Workgroup that the draft compilation of Implementation Strategies from the State agencies is really the beginning of the implementation of PlanMaryland. This compilation of priorities and strategies/work plans reflects the initial assessment of the plans, programs and procedures for each State agency in the Subcabinet. As State agencies begin to implement PlanMaryland through the listed work plans, other priorities and strategies will be identified and subsequently investigated. Additionally, as State agencies work to develop these strategies they will have public review and participation processes consistent with the statutory requirements of the State agency and the nature of the proposed strategy.

As a follow-up to the meeting, Mr. Boyd identified the following excerpts from PlanMaryland that addressed many of the issues discussed on July 12th:

PlanMaryland: Chapter 5 (page 5-15)

Schedule for Implementation Strategies

The implementation of PlanMaryland recognizes that each State agency's program assessment will be a significant undertaking occurring over several years. During the first stage of Implementation Strategy development, the lead State agencies with primary land and infrastructure responsibilities will be asked to report on their initial assessment of major plans, programs and procedures related to PlanMaryland. Preparation of this report by these State Agencies will be submitted to the Smart Growth Subcabinet prior to identifying any Planning Areas. This report will include a listing of all Implementation Strategies anticipated to be prepared prior to a first Round of identifying Planning Areas.

PlanMaryland: Chapter 6 (page 6-4/6)

Implementation Strategies

The Smart Growth Subcabinet will facilitate the evaluation of proposed Implementation Strategies to ensure that the most effective strategies can be pursued to achieve the Plan's Goals and Objectives. Where appropriate, the sponsoring State agencies may reach out to local governments and other stakeholders to determine the impact and effectiveness of the proposed Implementation Strategies. The Smart Growth Subcabinet will take final action to accept the Implementation Strategy, or will request that the proposed Implementation Strategy be returned to the sponsoring State agency for further revisions.

It should be noted that we are working through the draft Implementation Strategies/work plans at this time. None of the draft strategies are complete and ready for submission to the Subcabinet. The report to the Governor, pursuant to the PlanMaryland Executive Order, will provide (1) a status report on the State agency assessments, (2) highlights of those strategies/work plans that have significant potential to further the goals and objectives of PlanMaryland, and (3) an Action Program that lists the Implementation Strategies/Work Plans.

PlanMaryland: Chapter 6 (page 6-4/6)

Ongoing Collaboration and Outreach

A number of public participation techniques will be used based on the subject matter and the potentially impacted community. This includes an ongoing collaboration among the members of the Smart Growth Subcabinet and representatives of counties and municipalities throughout Maryland. Regardless of the approach, the public participation process must be as open and transparent as possible.

Given the diversity of issues that will affect PlanMaryland's success, there is no one outreach approach or public hearing process that can ensure participation by all the stakeholders that should be involved in PlanMaryland's implementation.