

Montgomery Coalition to Stop Sewer Sprawl

The Montgomery Coalition to Stop Sewer Sprawl, including representatives of Conservation Montgomery, Montgomery Countryside Alliance, West Montgomery County Citizens Association, and Watts Branch Watershed Alliance, has worked closely with DEP and council staff for the past five months on improvements to the Update to the Ten-Year Water and Sewer Plan. We appreciate staff's time and effort in working with us.

But, as of February 22, 2018, the Water and Sewer Plan needs still work in order to stop sewer sprawl into the Ag Reserve and its residential buffer areas. As now drafted, the septic area surveys, decisions about category changes, and approach to homeowner outreach, will thwart the policy presumption for septic systems in low-density and rural areas.

While we have provided staff with many requested text edits, we have boiled down our "asks" to staff and the Council to the two most crucial, specific changes that are needed, so that this Water and Sewer Plan, and its policy of presumption for septic systems in low-density and rural areas, is science-based; supports our Master Plans; and is in the public interest:

(1) The Water and Sewer Plan Chapter 1 language that guides the septic area surveys and decisions must be based on preventing, documenting, and addressing actual and imminent public health hazards.

(2) The County (DEP + DPS) must begin immediately to do outreach and education to property owners on septic, to support effective long-term maintenance of on-site systems.

Further details on these two demands:

(1) The Water and Sewer Plan Chapter 1 language that guides the septic area surveys and decisions must be based on preventing, documenting, and addressing actual and imminent public health hazards.

The survey process and decision tree must include the following Decision Criteria:

(a) Actual or suspected septic failure must be the sole basis for including a property in a septic area survey.

(b) An ongoing, documented public health hazard or nuisance, following exhaustion of all on-site remedies, replacements or repairs, must be the sole basis for recommending a property for a sewer category change.

(2) The County (DEP + DPS) must begin immediately to do outreach and education to property owners on septic, to support effective long-term maintenance of on-site systems.

Outreach and education to homeowners on septic systems must begin immediately, and not wait until completion of a property database. Top outreach priority must be for properties in potential septic survey areas, before a survey is initiated.

Below, we list the specific recommended text changes to the Water and Sewer Plan to ensure that items (1) (a) and (b); and item (2) are met.

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Specific recommended text changes to the Water and Sewer Plan to ensure that science-based sanitation policy, supporting Master Plans in the public interest, is maintained.

(1) The Water and Sewer Plan Chapter 1 language that guides the septic area surveys and decisions must be based on preventing, documenting, and addressing actual and imminent public health hazards.

(a) Actual or suspected septic failure must be the sole basis for including a property in a septic area survey.

(b) An ongoing, documented public health hazard or nuisance, following exhaustion of all on-site remedies, replacements or repairs, must be the sole basis for recommending a property for a sewer category change.

Specific Text Edits Requested:

In new Section II.G.2.b on page 1-34, we ask staff and the Council to reject the proposed, drastic sea change in sanitation policy that would be triggered by the proposed deletion of the critical term “public health problem” from the section title, and also to reject related proposed changes contained in this section.

Specifically, we request that the term “Public Health Problem” remain in this section’s title. And, we ask staff and the Council to delete the new proposed factors that are not direct indicators of failure - and thus not in themselves indicators of public health hazards. We thus request deletion of the last bullet item on the bottom of page 1-34 regarding system age, and deletion of the first bullet item on the top of page 1-35 regarding “a known limitation regarding future septic system use,” such as the number of future replacement systems.

Basis: we must maintain the intent and the plain language of the current sanitary survey provisions (now contained in the currently-applicable 2003-2012 Approved Water and Sewer Plan), that require a finding of an “existing or anticipated health hazard” or “existing or anticipated public health problem” (2003-2012 Water and Sewer Plan; Chapter 1, Section II.B.5.a on page 1-14 and Section II.E.2. on page 1-20).

(2) The County (DEP + DPS) must begin immediately to do outreach and education to property owners on septic to support effective long-term maintenance of on-site systems."

Specific recommended text changes to the Water and Sewer Plan to ensure that item (2) is met:

The proposed new "Life-Cycle Management System" program for maintaining functioning septic systems is crucial. It must be implemented immediately, with outreach and education to homeowners on septic systems, and not wait until completion of a property database. Priority should be given to bringing the outreach and education to property owners in potential septic survey areas before a survey is initiated. Addressing neighborhood concerns for maintaining on-site systems must include exploration of innovative on-site methods and technologies, consistent with state regulations.

Edits to achieve the above requested approach must be made to the proposed Update for 2017-2026 to the Ten-Year Water and Sewer Plan - specifically, (Text Box on page 1-56) - and the related staff document entitled "2017 Draft CWSP Policy Revisions" (Text Box on page 11).