

Comments of the Anne Arundel Group, Sierra Club on the GDP

The Anne Arundel Group, Sierra Club appreciates the attention given to environmental, water quality and smart growth concerns in the final draft of the General Development Plan (GDP). In particular, we found that Chapter 10 - The Water Quality Plan – provides a detailed approach for addressing water quality concerns. Application of the Watershed Management Tool should help to County determine the impacts of land use on water quality and determine effective measures to improve the quality of the Chesapeake Bay, its tributaries and associated natural resources. We support the recommendations for:

- (i) A mandatory nitrogen removal requirement for all new and replacement septic systems,
- (ii) Implementation of environmental site design in all sediment and stormwater management plans,
- (iii) Adoption of a requirement for 50% impervious surface treatment requirements in redevelopment projects, and
- (iv) Inclusion of specifications for Regenerative Coastal Plain Outfall and Wetland Seepage system into the County's Stormwater Design Manual.

However, we believe that there are several areas in which modifications are needed:

(1) We are concerned that the GDP does not emphasize the need to maintain and enhance the County's remaining forest cover. The Chesapeake Bay Program's Forest Conservation Directive notes the numerous values of forested areas for air quality, non-point pollution reduction, flood mitigation, energy conservation, carbon sequestration, stream cooling and critical plant and wildlife habitat. It states the Bay Program's water quality goals are doomed to failure if the amount of forested area in the Bay Watershed is further reduced. Thus, the County should take the following steps to protect and enhance the County's remaining forest resources:

- (a) adopt a no-net-loss of forests policy which emphasizes avoidance of forest removal to the maximum extent possible and mitigation where loss is unavoidable;
- (b), strengthen its forest conservation requirements so that getting the maximum number of residential lots does not take precedence over protecting priority areas and meeting forest conservation thresholds;
- (c) establish a 50 % Urban Forest Canopy goal for its urban and suburban areas (the portion of the County north of Rte 214 that is not zoned RA or in parkland greater than 20 acres).

Language emphasizing the importance of forests and a commitment to the above steps should be included in the Section on Greenways, Open Space, and Forest Conservation in Chapter 5.

We hope that The County will promptly carry out the recommendation to “ evaluate current stream buffer requirements in the Stormwater Design Manual for further expansion either Countywide or in select subwatersheds”. Adoption of expanded stream buffers for non--tidal streams similar to those required for streams in the Chesapeake Bay Critical Area was a major recommendation in many of the Small Area Plans.

We also urge that the County immediately implement the recommendation to “develop a database of properties protected Forest Conservation easements and develop a more comprehensive approach to forest conservation”. Development of such a database has been delayed for several years and is needed to improve the County’s land preservation efforts. It would also show how much forested area has been actually protected, including that associated with development outside priority funding areas.

(2) The relationship between the GDP and the 16 Small Area plans needs to be further clarified. We thus recommend that the following sentence be added at the end of the first paragraph on p.116 “ However, wherever they have not been modified by the new GDP, the goals, objectives, policies, and land use designations of the Small Area Plans remain in effect.”

(3) The issue of antiquated lots needs to be further investigated. On p.31, It is noted that over 5000 of such lots are available for future residential development. However, many of these lots have severe development constraints being largely composed of steep slopes or non-tidal wetlands. Some of these lots have been placed under conservation easements such as the over 150 steep-slope lots located in Herald Harbor, the non-tidal wetland area composed of approximately 300 lots located in southeastern Anne Arundel County along the Calvert County boundary, and the lots protected in North Gray’s Bog on the Lakeshore peninsula. Development of other such lots will likely cause significant adverse environmental impacts. Many of the other antiquated lots will likely have to be combined because they are not serviced by public water and sewer and are too small to contain septic tanks.

There is also no description of how the over 9000 lots noted on p.31 as having redevelopment potential were identified.

(4) There is no discussion of what the future of the Crownsville Hospital should be and the conditions that should be placed on its redevelopment such as maintenance of the non-profit organizations located there, the preservation of the existing open space, the creation of a parking area for the adjacent open space, etc.

(5) With respect to the proposed changes to the Land Use Plan, attention needs be paid to the potential adverse impacts of the proposed developments, especially the proposed Arundel Gateway, and their consistency with other provisions of the GDP, the County’s Capital Improvements Program and the adequacy of transportation, school and water and sewer facilities.

(6) We strongly support the concept of Concurrency Management described in Chapter 11. However, we question some the assumptions behind the conclusion that future development will pay for itself since the underlying analysis assumed economic conditions that existed last summer would continue and that costs would not increase in future years. This question may be moot because the County in any case needs to address the over billion backlog in funding for school and road construction and maintenance and stormwater retrofit costs.

(7) We appreciate the attention given to developing a Green Building Program in Chapter 5 in the Section on Sustainable Development (p.83). However a new policy and associated actions that should be added to this section with wording similar to the following:

“Policy 2: Even in areas designated for growth, ensure the protection of the County’s green infrastructure, non-tidal wetlands and other significant natural areas.

Action:

*In reviewing proposed development in designated growth areas, ensure that sufficient attention is given to protection of the County’s green infrastructure, non-tidal wetlands, and forested areas in order to. For example, there are significant non-tidal areas located in the Odenton Town Center that should be protected.

*Facilitate and support efforts of local land trusts to preserve open space and significant natural areas under development pressure not only in rural areas but also in urban and suburban areas.”

(8)A new section also needs to be added which addresses the issue of Sea Level Rise and incorporates the recommendations in the Background Paper on Sea Level Rise. Those recommendations include the following

“Develop an integrated planning strategy that, at a minimum, addresses potential threats in at-risk areas and proposes strategies for a phased implementation response to achieve avoidance or reduction of impacts, under the following categories:

- * Land use, zoning, and population density regulations to reduce population and investments at risk;
- * Public and market-based incentives/disincentives to reduce property damage and threats to human health;
- * Planning for community infrastructure such as roads, schools, public safety and medical facilities, water and wastewater systems, gas, electrical and communication utilities to ensure public safety; and
- * Maintenance of wildlife habitat, forested areas and agricultural lands to minimize impacts from storm surge.”

This issue is important because of the damage the County suffered during Hurricane Isobel and the fact that some areas zoned Residential already sustain frequent flooding.