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## Report On Water Quality Withheld; Montgomery Findings Say Health Faltering

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A report that shows a decline in quality in northern Montgomery County waterways has been held from public release for months by county officials who have delayed the gloomy news while they hunt for new methods to allow more development but keep streams healthy.

The unpublished data on the county's four "special protection areas" show that water quality in northern Montgomery is worse than in previous years and suggest that much of the decline comes from soil disturbed by rapid development in and around Clarksburg, according to several people familiar with the findings. The data suggest that sediment control systems used by builders and required by the county are not working well enough.

The impact of the findings could extend beyond Montgomery's borders. The four designated special protection areas -- Clarksburg, Upper Paint Branch, Piney Branch and Upper Rock Creek -- include streams and creeks that flow into the Potomac River and become part of the region's drinking-water supply. A decline in their condition could affect a wide swath of the metropolitan area, where officials have said that runoff from soil disturbance in new developments is a major cause of declining water quality in the Potomac.

Montgomery's environmental protection director, Bob Hoyt, confirmed that the report on the special protection areas has been held back even though the findings have been known for at least six months. Hoyt said he and other officials in the administration of County Executive Isiah Leggett (D) had been conferring to try to find potential solutions before releasing the data that document problems.

Jennifer Hughes, a top Leggett aide who has been working with Hoyt, said the administration's goal was to release the data and at the same time propose solutions. "It is important that when we do highlight an issue, we have a response to it as well," she said.

Hughes said the administration "is not trying to withhold anything" and now plans to release the report by the end of the week.

Much of the findings are publicly available and can be obtained through federal agency Web sites, because several federal scientists are monitoring conditions around Clarksburg.

"I think there is no question and that everybody understands that there has been degradation to the watershed and it has been adversely impacted," said Hoyt, who has been head of the county's Department of Environmental Protection for about 18 months. He previously served as an assistant secretary of the Maryland Department of the Environment and worked at the Chesapeake Bay Foundation.

Hoyt was referring to Clarksburg, where extensive residential and commercial development has been underway for several years and more is planned. The county in recent years fined developer Newland Communities several times for failing to control sediment that can harm waterways, according to court records.

Scientists look at several indicators to evaluate a stream's health, including the type and number of certain microscopic animals as well as water speed, the condition of stream banks, oxygen levels, pH levels and the presence of unhealthy nutrients.

Of the four special protection areas, the Clarksburg area appears to have suffered the most. The data show that conditions in Paint Branch have improved somewhat. At Rock Creek and Piney Branch, the changes in water quality have been minimal, or else there isn't enough information to draw conclusions. Development in these areas has been less intense than in Clarksburg, where less than half of the planned 12,000 new homes have been built.

Diane Cameron, an environmental engineer and consultant who has been monitoring conditions in Montgomery for several years, said she was concerned that the county had not shared the data with the public.

"Overall, the streams are declining," she said. "This is urgent. . . . The matter should be put before the public eye." She was given an early view of the data in a briefing in the fall for environmental officials, she said.

"If Montgomery is serious, they will seriously grapple with two things: better land-use planning and better transit planning," Cameron said.

Hughes said she, Leggett and Hoyt were not aware that residents and others had been calling for the data.

The county's findings could force it to rethink proposed residential and mixed-use developments in northern Montgomery, as well as a planned county Ride On bus depot in northern Montgomery near Ten Mile Creek. Both are in the Clarksburg protection area.

Although Montgomery was among the first communities in the country to establish its own special protection areas, state and federal agencies in recent years also have told localities to tighten up regulations on runoff.

"One of the reasons it is taking this long is that even though we have had the data, we want to come up with recommendations on how to start the dialogue about protections that could help in the future," Hoyt said. "We want them to be practical and reflective of the economy."

The most recent report issued by the county's environmental department, examining 2006 data, foreshadowed problems. Referring to Clarksburg, the report said that "development activity is having a cumulative impact on stream conditions."

The health of certain water invertebrates indicates "that areas impacted by development had the lowest water quality conditions on average since large scale construction began in 2003," the report says.

Experts say Montgomery is ahead of many other areas in trying to grapple with the problem.

"Montgomery deserves an A for effort," said Taylor Jarnagin, an EPA ecologist who is part of the consortium of scientists studying the impact of development on the area near Clarksburg. "They are trying much harder than any other political jurisdictions in the D.C. metro area to get the answers we need to achieve the results we want."

The special protection areas were established in 1994 by the County Council at

the behest of council member Marilyn Praisner (D-Eastern County), who was particularly concerned about Paint Branch.

Jarnagin said it is not known whether damaged streams can recover and aquatic life can be restored. That data should start to become available this year, he said.

"If we are going to have recovery in the streams, we ought to start seeing it soon," he said.

Jarnagin said the county's concern over the bus depot offered an intriguing case study in the government's need to balance competing environmental concerns.

Getting riders onto buses and out of cars helps reduce air pollution. But the construction of the depot could cause stream pollution. Garaging the buses at the site could result in unintended runoff from oil spills and other material used at the depot.

"There is no free lunch," he said.