

November 30, 2018

## **Frederick County Division of Planning & Permitting**

### **Staff Report**

#### **ISSUE**

The Monocacy Scenic River Citizens' Advisory Board (River Board) has prepared and recommended a Monocacy Scenic River Management Plan that revises the Plan recommended in August 2017. This revised Plan (completed in October 2018) is being presented to the Frederick County Planning Commission for its review and recommendation to the County Council, matching the process followed by the Planning Commission for the River Board's August 2017 Recommended Plan.

#### **BACKGROUND**

The initial Recommended Plan from the River Board was completed in August 2017 and forwarded to both Carroll and Frederick Counties for review and approval. The Carroll County Commissioners conducted additional public outreach and forwarded comments/revisions back to the River Board in April 2018.

In Frederick County, the August 2017 Plan was transmitted to the County Planning Commission for review and recommendation to the County Council. The Planning Commission was briefed on the Plan in September 2017 and held a public hearing on October 18, 2017. The Planning Commission voted and made recommendations on November 8, 2017, which were transmitted to the County Council.

Most of the Planning Commission recommendations on the August 2017 Plan were incorporated into the River Board's revised October 2018 Recommended Plan.

The County Council conducted a public hearing on February 28, 2018 and subsequently provided specific amendments to the Plan that were sent to the River Board in July 2018.

With the comments from both counties the River Board has prepared a revised Recommended Plan. A summary of the changes made to the 2017 Plan is found later in this Report. The revised Recommended Plan was transmitted to Carroll and Frederick Counties on November 8, 2018, for review and approval.

#### **Monocacy River Planning History**

After the Maryland Scenic and Wild Rivers Act of 1968 was adopted, the first inventory, Scenic Rivers in Maryland, was released in 1970. The Monocacy River was identified as a significant state resource, worthy of immediate study, and as prime candidate for State Scenic River designation. On April 30, 1974, the Monocacy River was added to the Maryland Scenic River System and is one of nine (9) State-designated scenic rivers in Maryland, each with a management plan and an advisory body.

In 1990 the Monocacy Scenic River Local Advisory Board, with technical assistance from DNR, prepared the initial Monocacy Scenic River Study and Management Plan. This Plan was approved by both Carroll County and Frederick County in May 1990. The 1990 Plan reviewed a number of issues and provided recommendations to future River Boards and other entities such as planning commissions and elected officials. The Plan served as a guide for these groups about decisions that may affect the River corridor.

## **Summary of Revisions to the 2017 Recommended Plan**

Noted below is a summary of the revisions made by the River Board to the August 2017 River Board Recommended Plan

### **Executive Summary, Introduction**

- Added multiple references to constitutional property rights and non-support of any regulation
- Included a recommendation that a comprehensive water quality study of the Monocacy River be conducted
- Added the word 'voluntary' to most initiatives
- Removed every occurrence of the word 'corridor' from the Plan, replaced with various synonyms

### **Chapter 3 – Physical Environment**

- Removed several findings and citations from scientific studies regarding ecology, wildlife habitat, and water quality
- Removed every occurrence of the word 'corridor' from the Plan, replaced with various synonyms

### **Chapter 4 – History and Cultural Resources**

- Deleted factual data about archeology in the River corridor
- Removed or abbreviated several recommendations from each chapter for overall river enhancement and protection, and added the word 'voluntary' to most initiatives
- Removed every occurrence of the word 'corridor' from the Plan, replaced with various synonyms

### **Chapter 5 – Ecological Environment**

- Contracted the definition and description of Green Infrastructure
- Removed or abbreviated several recommendations from each chapter for overall river enhancement and protection, and added the word 'voluntary' to most initiatives
- Removed several findings and citations from scientific studies regarding ecology, wildlife habitat, and water quality
- Removed every occurrence of the word 'corridor' from the Plan, replaced with various synonyms

### **Chapter 6 – Land Use Planning & Existing River Protection Measures**

- Shortened the description of the Frederick County Comprehensive Plan
- Removed or abbreviated several recommendations from each chapter for overall river enhancement and protection, and added the word 'voluntary' to most initiatives
- Removed every occurrence of the word 'corridor' from the Plan, replaced with various synonyms

## **Chapter 7 – Agriculture**

- Removed or abbreviated several recommendations from each chapter for overall river enhancement and protection, and added the word ‘voluntary’ to most initiatives
- Removed several findings and citations from scientific studies regarding ecology, wildlife habitat, and water quality
- Removed every occurrence of the word ‘corridor’ from the Plan, replaced with various synonyms

## **Chapter 8 – Recreation, Parkland, and Open Space**

- Eliminated the listing of Frederick County Comprehensive Plan policies for Parkland, Recreation, and Public Open Space
- Removed 1 of the 4 major Parkland and Recreation policies listed for the City of Frederick
- Removed or abbreviated several recommendations from each chapter for overall river enhancement and protection, and added the word ‘voluntary’ to most initiatives
- Removed every occurrence of the word ‘corridor’ from the Plan, replaced with various synonyms

## **Chapter 9 – Water Quality**

- Removed every occurrence of the word ‘corridor’ from the Plan, replaced with various synonyms

## **Appendix**

- Removed every occurrence of the word ‘corridor’ from the Plan, replaced with various synonyms
- Eliminated the following from the Appendix:
  - Description of agriculturally-productive buffers
  - Supporting and background data on Ecologically Significant Areas in the Monocacy River Watershed that the Maryland Department of Natural Resources provided to the River Board
  - Information and data on the Important Birding Areas in the Monocacy River Watershed

## **The August 2017 Recommended Monocacy Scenic River Management Plan**

The August 2017 Recommended Plan retained the same general framework as the 1990 Plan. The 2017 Plan includes the following chapters. Within each chapter are recommendations.

- Chapter 1 – Preface
- Chapter 2 – Introduction
- Chapter 3 – The Physical Environment
- Chapter 4 – History and Cultural Resources
- Chapter 5 – The Ecological Environment

- Chapter 6 – Land Use Planning & Existing River Corridor Protection Measures
- Chapter 7 – Agriculture
- Chapter 8 – Recreation, Parkland, and Open Space
- Chapter 9 – Water Quality
- Appendix

The 2017 Recommended Plan focused on the conservation and enhancement of the River corridor and less on the entire Monocacy River Watershed, as was done in the 1990 Plan. Overall, the 2017 Recommended Plan retained large sections of the *1990 Plan*, but contained updated information and narrative on scientific research about ecology and water quality; land use management policies; best practices for the agricultural sector; and water quality restoration and protection mandates.

## **FREDERICK COUNTY COMPREHENSIVE PLAN**

The 2010 Frederick County Comprehensive Plan addresses the Monocacy River resource in the Conserving our Natural Resources and Green Infrastructure chapter. The chapter outlines a green infrastructure plan element, which is comprised of forest, mountain, stream valley, and parkland/protected land resources. The Monocacy River is also listed as a specific resource in the Sensitive Areas Element, which is a state mandated component of the comprehensive plan to address the protection of environmentally sensitive areas. The County Comprehensive Plan includes the following goals, policies, and action items that address the protection of natural resources in general and the Monocacy River in particular.

### **Goals**

*NR-G-01 Protect natural resources and environmentally sensitive areas in Frederick County*

*NR-G-01 Manage growth and land development in Frederick County in a manner that is in harmony with the conservation and protection of our natural resources.*

### **Policies**

*NR-P-04 Encourage inter-agency and inter-jurisdictional cooperation and coordination of environmental protection plans and actions.*

*NR-P-06: Promote the establishment and protection of forested buffers along streams and the Monocacy River*

*NR-P-10: Support the application of Resource Conservation zoning to steep slopes, forested lands, wetlands, and habitats of threatened and endangered species along the Monocacy River and its tributaries.*

### **Action Items**

*NR-A-05: Target areas along the Monocacy River as Forest Resource Ordinance priority areas (forest plantings and forest banking) in addition to stream in the Agricultural zoning district*

*NR-A-06: Initiate an update of the 1990 Monocacy Scenic River Study and Management Plan, including examination of a Monocacy River Greenway and optional forms it could take.*

*NR-A-07: Establish a new variable-width development setback/buffer, specific to Catoctin Creek and the Monocacy River, which addresses water quality protection, topography and other landscape elements, wildlife habitat, historic and archeological resources, and scenic viewsheds.*

*NR-A-10: Amend the Agricultural Preservation ranking system to grant additional points to farms with frontage along the Monocacy and Potomac Rivers.*

### **Land Use Plan Designations and Zoning**

The Land Use Plan component, as amended in 2012, applies a Natural Resource designation along the entire length of the river within Frederick County. The delineation of this designation primarily follows the extent of the 100-year FEMA floodplain and would also include the majority of contiguous forestland and steep slopes that may extend beyond the floodplain. In addition to highlighting the extent of the natural resources of the Monocacy River corridor this area also provides the basis for applying the Resource Conservation (RC) zoning.

### **RECOMMENDATION**

The Planning Commission is requested to make a recommendation on the October 2018 River Plan to the County Council. The Commission may include specific recommendations to the 2018 Plan in addition to an overall recommendation of approval/denial to the Council.

### **Attachments**

Planning Commission transmittal memo for the 2017 Plan to the County Council  
October 2018 Recommended Plan  
Summary of Recommendation Revisions

## Recommended Monocacy Scenic River Management Plan Summary of Recommendation Revisions

Language from the August 2017 Plan that has been deleted in the October 2018 Plan is shown with a strikethrough. New language in the October 2018 Plan is shown in all CAPITALS.

### Chapter 4 – History and Cultural Resources

~~4-1) Identify and recommend appropriate uses and protective measures for areas in the Monocacy River corridor that include significant archaeological and cultural resources~~

THE MONOCAY RIVER HAS HIGH POTENTIAL FOR ARCHAEOLOGICAL AND CULTURAL SITES AND THEIR IDENTIFICATION SHOULD NOT AFFECT THE RIGHTS OF PROPERTY OWNERS

4-2) *Increase public awareness and education about local cultural history and its relationship to the Monocacy River and its tributaries*

4-3) *Make focused efforts to VOLUNTARILLY preserve remaining mill sites and mill structures ALONG ~~in the~~ Monocacy River ~~corridor~~*

~~4-4) Historic and River viewshed analyses should be considered as part of commercial and industrial development~~

4-4) *Continue to coordinate preservation planning with the Maryland Historical Trust, especially for proposed development that may impact historic and archaeological sites. This includes consideration to VOLUNTARILY protect sites of archaeological and historic significance, and the encouragement of land uses that may protect them*

4-5) *Continue active engagement with the National Park Service and involvement with their plans for the Monocacy National Battlefield. Coordination should address open space and recreational opportunities, future protection of a national historic property, public access to the Monocacy River, and how proposed development may benefit from proximity to important, archaeological and historic resources*

4-6) *When a significant historic site in the River corridor becomes available for sale, the counties should consider purchasing the site for the purposes of historic preservation and education or the promotion of adaptive reuse*

~~4-8) Encourage future county and state sponsored studies to be conducted to locate and identify historic and cultural resources that are within in stream corridors~~

### Chapter 5 – Ecological Environment

5-1) *Frederick and Carroll Counties, the City of Frederick, and the Town of Walkersville should consider identifying the Monocacy River, ~~its floodplain, and corridor~~ as a “High Conservation Value” area and actively support the environmental enhancement of the River’s ~~floodplain and corridor~~ by employing a wide range of economic incentives, financial aid, and technical assistance for landowners to protect, maintain, and restore the habitat and water quality functions of the forestlands and wetlands ALONG ~~in the~~ Monocacy River ~~Corridor~~*

5-2) *The River Board encourages Frederick County landowners ALONG ~~in the~~ Monocacy River ~~corridor~~ to participate in Frederick County’s voluntary “Creek ReLeaf” reforestation program, which pays landowners to plant trees along waters ways for habitat improvement and water quality protection*

- 5-3) Consider establishing the Monocacy River AREA ~~Corridor~~ as a priority area in Frederick County, Carroll County, and the City of Frederick, for Forest Resource Ordinance (FRO) easements. The Town of Walkersville Comprehensive Plan states that required FRO plantings will be directed to the Monocacy River, Glade Creek, and Israel Creek stream valleys
- 5-4) Implement action item NR-A-05 from the Frederick County Comprehensive Plan which states, "Target areas along the Monocacy River as FRO priority areas (forest plantings and banking) in addition to streams in the agricultural zoning district"
- 5-5) Establish a mainstem Monocacy reforestation program by utilizing Frederick County's Fee-in-Lieu FRO funds to purchase easements (existing forest or new tree plantings) within the River's floodplain ~~and corridor~~, with focus on ESAs in the River Corridor
- 5-6) The City of Frederick should undertake an analysis of the River's riparian forest buffer on the Clustered Spires Golf Course with active management of the tree canopy and understory vegetation to enhance the ecology and morphology of the River's floodplain forest. As the Clustered Spires Golf Course is located within the River's floodplain, the City should critically examine the use of conventional fertilizers and pesticides and less toxic alternatives to lessen chemical inputs into the River
- 5-7) Frederick County and Frederick City should lead by example and employ Monocacy Scenic River Best Management Practices (MSR-BMP) to reforest, where feasible opportunities exist, their public land holdings along the Scenic Monocacy River
- 5-8) The River Board should request the Maryland Department of Natural Resources to evaluate the Monocacy River AREA ~~Corridor~~ in its future update of the State Forest Legacy Assessment of Need, and Strategic Forestland Assessment for possible inclusion of the River AREA ~~Corridor~~ in a revised Maryland Forest Legacy Area
- 5-9) Both Counties should continue to provide support and assistance to the efforts of the Maryland Department of Natural Resources' Forest Service in control of forest disease/pests, i.e., Gypsy Moth, Emerald Ash Borer, Hemlock Woolly Adelgid, etc.
- 5-10) Both Counties should continue to provide support and assistance to the efforts of the Maryland Department of Natural Resources' Freshwater Fisheries Program in their study and analysis of the Monocacy River's fish species, as well as stocking for the recreationally and economically important sport fisheries in the watershed
- 5-11) The Counties, the City of Frederick, the Town of Walkersville, and the River Board should support the efforts of environmental organizations, civic groups, and other non-governmental organizations (NGOs) in tree planting projects, wetland enhancements, or environmental education/outreach initiatives
- 5-12) The River Board encourages Carroll and Frederick Counties to incorporate climate change related impacts and risks (to public safety, health, and welfare, and infrastructure, natural resources, structures, etc.) related to Monocacy River flooding in their respective Hazard Mitigation Plans
- 5-13) The River Board encourages both Counties to incorporate the following elements in their respective Hazard Mitigation Plans, in case of a spill of hazardous toxic materials into the Monocacy River:
- Identification of hazardous chemical sites (storage, usage etc.)
  - Spill event detection, including responsible party identification
  - Monitoring of contaminant properties, including health effects
  - Emergency response/clean-up operations
  - Follow-up tracking, including regulatory response
- 5-14) Encourage the Frederick and Carroll County Forestry Boards to expand their responsibilities (and offer additional county resources if needed) to include the review and field check of permit applications for timber harvesting ALONG ~~with~~ the Monocacy River ~~corridor~~ to ensure that sound forestry management

*practices and water quality protections are being employed (Frederick County currently requires forestry board involvement in timber harvesting only for properties zoned Resource Conservation)*

*5-15) The River Board should engage with the Maryland Wood Duck Initiative to implement a project to install nesting boxes ALONG in the River Corridor for waterfowl (e.g. Wood Ducks) and other birds, with possible assistance from the Parks Departments of Frederick County and the City of Frederick*

~~*5-16) The River Board, with assistance from both Counties, should explore the creation of a non-profit organization devoted to River protection and advocacy that will have the authority to seek and obtain grant funds from various governmental entities.*~~

*5-16) Both counties are encouraged to reach out to landowners about voluntary programs and other financial assistance to meet the goals of sustainable land use, best management practices, and activities that protect the River, its corridor, and the Monocacy River Watershed.*

## **Chapter 6 – Land Use, Planning & Existing River Protection Measures**

*6-1) Frederick County and Frederick City should fully support and continue membership in the Potomac River Basin Drinking Water Source Water Protection Partnership and support the work of the Interstate Commission on the Potomac River Basin*

*6-2) The River Corridor jurisdictions should consider the adoption of an official policy of non-support for any future water impoundment on the Monocacy Scenic River*

*6-3) The River Corridor jurisdictions should establish the Monocacy River AREA corridor as a priority area for obtaining land through acquisition, dedication, or donation for public parkland*

~~*6-4) During the future update of Comprehensive Land Use Plans, the River jurisdictions should examine the location and extent of River related resources and attributes, and apply appropriate land use designations and zoning classifications to them*~~

*6-4) When subdivision or development occurs near the River, the River jurisdictions should prioritize the River AREA corridor for on-site reforestation or afforestation through the Forest Conservation Act*

*6-5) The River jurisdictions should consider amendments to ordinances or policies to create incentives for enhanced conservation of the River AREA corridor during the development review and approval process*

*6-6) The River Board supports voluntary efforts of property owners to establish ‘Forest Banking’ easements (areas of new forest or existing forested lands held in reserve) on River front land that can then be sold and used to meet Forest Conservation Act requirements for future development elsewhere*

*6-7) The City of Frederick’s and the Town of Walkersville’s floodplain and flood protection ordinances should be amended to provide greater protection to floodplain and aquatic resources, similar to the Frederick County Floodplain District regulations*

*6-8) The River Board should contact and request that Potomac Edison’s utility line right-of-way vegetation management plans include environmentally-sound riparian vegetation management adjacent to the Monocacy River*

*6-9) The City of Frederick’s Sustainability Plan should be reviewed by the River Board to ensure the Monocacy River receives greater focus, status, and attention, above what’s included in the City’s 2010 Comprehensive Plan*

6-10) *The River Board should establish regular communication with the Adams County Watershed Alliance, including development of a joint action plan*

## **Chapter 7 - Agriculture**

7-1) *Frederick and Carroll Counties should continue to employ a wide range of economic incentives, financial aid, and technical assistance for landowners to VOLUNTARILY protect, maintain, and restore the forestlands ALONG the Monocacy River Corridor.*

7-2) *Consider the establishment of a Monocacy River Land Preservation Initiative involving the Frederick County IPP Program and the Frederick County Forest Easement Fee-in-Lieu Program, whereby a landowner is paid for a permanent protective easement on land along the Monocacy River and its tributaries with the remainder of the farmland enrolling simultaneously in the Frederick County IPP. This would incentivize permanent protection and preservation of both agricultural lands ALONG and the Monocacy River corridor, and grant additional ranking points in the Frederick County IPP to property owners willing to collaborate with these programs. Evaluate the potential for a similar collaborative program involving the MALPF program in Frederick County and the Frederick County Forest Easement Fee-in-Lieu Program.*

7-3) *All River jurisdictions should advocate and educate the community on the benefits of the creation of agricultural buffers along the Monocacy River, consistent with state guidelines, and utilize funding to create these voluntary buffers by utilizing various existing programs (Conservation Reserve Program (CRP), Conservation Reserve Enhancement Program (CREP), Environmental Quality Incentives Program (EQIP), and the Conservation Stewardship Program (CSP).*

7-4) *Both Frederick and Carroll Counties should collaborate with the USDA's Natural Resource Conservation Service (NRCS) and the local Soil Conservation Districts (SCDs) to initiate and help fund a pilot program with a willing landowner to design and implement Agro-forestry systems to increase environmental resilience and protection and maintain productive agricultural operations in the Monocacy River's floodplain*

7-5) *Both Frederick and Carroll Counties should consider partnering with the local SCDs and the USDA's NRCS to engage a farmer in the Agricultural Preservation Program in a pilot project to install the following innovative BMPs along the Monocacy River or within the watershed to reduce nitrogen, phosphorus, and sediment inputs:*

## Saturated Buffers

*Riparian buffers intercept surface water (and some shallow groundwater) when it runs off the land, transforming—denitrifying—nitrate to harmless nitrogen gas, and capturing phosphorus and sediment coming off fields. However, the use of below-grade drainage tiles on agricultural fields bypasses these land practices and can introduce nitrogen and phosphorus directly into streams and the Monocacy River. Water from drain tiles can be diverted to a ‘saturated buffer’ which stays wetter than a typical riparian buffer and operates more like natural wetlands that provides the right environment for microbes to digest (denitrify) much of the nitrate in the drain tile water. The use of saturated buffers was developed at the National Laboratory for Agriculture and the Environment in Ames, Iowa, but has potential for application in the Monocacy River Watershed to help achieve Chesapeake Bay TMDL nutrient and sediment reduction requirements.*

## Bioreactors

*These devices have been successfully used on Maryland’s Eastern Shore in the Choptank River Watershed and in New York’s Upper Susquehanna and Finger Lakes Watersheds to reduce the nitrogen levels of water from agricultural lands. Field water is diverted or pumped to a pit filled with wood chips, which mimic the conditions in a waste water treatment plant, providing the medium for bacteria to convert the nitrate from fertilizers or manure into harmless nitrogen gas. The water then flows out of the pit and has significantly reduced nitrogen content. Bioreactors help to recreate the natural process that would have occurred on land that is more suited to be a fallow wetland, but has been engineered for agriculture.*

- 7-6) *Include in Frederick County’s land preservation program inspection reports a review that determines and monitors whether required soil and water conservation plans on farms along the Monocacy River are being executed and fully implemented. This will help ensure that farms with preservation easements along the Monocacy River and its associated tributaries are implementing the conservation practices recommended to them by local experts and professionals working in the water quality and agricultural arenas.*
- ~~7-7) Request the Natural Resource Conservation Service Soil Conservation District (NRCS/SCD) to consider modifying management of Soil & Water Conservation Plans and Total Farm Resource Plans for River front properties to focus on Monocacy Scenic River Best Management Practices (MSR BMP) that actively restore floodplain function by enhancing woody riparian buffers along the Monocacy River mainstem.~~
- 7-7) *Frederick and Carroll Counties should consider increasing Agricultural Land Preservation programmatic resources for involvement in future Chesapeake Bay TMDL nutrient trading scenarios that occur between the agricultural sector and other land use sectors.*
- 7-8) *Frederick and Carroll Counties should partner with the University of Maryland Cooperative Extension, the University of Maryland’s Department of Agricultural and Resource Economics, the US Forest Service, and the Alliance for the Chesapeake Bay to bring the program, “Family Forest*

*and Agriculture Legacy Planning” to Carroll and Frederick Counties. “Legacy Planning” is a process that involves family members in discussions and decisions about current and future use, management, preservation, and overall goals related to land management, estate transfer, and inheritance.*

*7-9) Promote the CREP permanent easement program through targeted mailing outreach to Monocacy River-front landowners in Frederick County, with initial focus on lands within the MD-DNR’s Ecologically Significant Areas (ESAs).*

*7-10) Establish a premium payment for Monocacy River-front landowners in Frederick County who VOLUNTARILY establish new forest plantings ALONG in the River corridor through the CREP permanent easement program, to further incentivize enrollment in CREP.*

## **Chapter 8 – Recreation, Parkland, and Open Space**

*~~8-1) To create additional opportunities for access to the Scenic Monocacy River, the River Board supports the planning, design, and development of public access points at MD 140 (Bridgeport) and MD 77 (Rocky Ridge) and improved access at Double Pipe Creek Park to serve as a gateway to the Monocacy River~~*

*8-1) The River Board should undertake annual or bi-annual informal inspections of all public River access spots and report problems or issues to the appropriate governing body with operational and maintenance oversight (Frederick County, Frederick City, Maryland Department of Natural Resources, Maryland State Highway Administration, National Park Service)*

*8-2) All Monocacy River jurisdictions should assist the USGS or State of Maryland, if requested, in the financial operation and maintenance of flow gauges on the mainstem of the Monocacy River*

*8-3) Frederick County and the City of Frederick include an ecological resiliency component for climate change adaptation in the management of all public Riverfront parkland and open space... This could include such things as reforestation, wetland enhancements, proper siting of structures, and invasive plant species control*

*8-4) to increase public awareness, appreciation and engagement with the Monocacy River, Frederick County Parks and Recreation should reinstate the public canoe trips offered on the Monocacy River*

*8-5) All Monocacy River jurisdictions promote the Monocacy River ~~Corridor~~ as a priority area for public land acquisition, THAT IS VOLUNTARY AND/OR FROM WILLING SELLERS OR LANDOWNERS, for public open space, river access, passive parkland, habitat and resource protection, and seek sources of funding (federal, state, and local governments, foundations, and NGO’s) for purchases of SUCH land in the River ~~Corridor~~*

*8-6) Frederick County should allocate a portion of the Recordation Tax to fund acquisition FROM WILLING SELLERS of the Monocacy River front property for public parkland open space, and for buffer creation and habitat improvement*

*8-7) The River Board will explore an effort to lobby the local U.S. Congressional delegation for funding from the ‘Rivers of the Chesapeake Initiative’, (part of the Federal Land and Water Conservation Fund, designed to protect large-scale landscapes for wildlife habitat and protection of water quality and*

scenic vistas). The 'Rivers' initiative targets lands for acquisition **THAT IS VOLUNTARY AND/OR FROM WILLING SELLERS OR LANDOWNERS** that are adjacent to areas owned by governmental entities, or adjacent to lands already protected through conservation easements. Collaborate with appropriate local and state agencies and target lands along the River from Pinecliff Park south to the Potomac River for acquisition **THAT IS VOLUNTARY AND/OR FROM WILLING SELLERS OR LANDOWNERS**

- 8-8) Continue the River Board commitment to increasing public awareness about the Monocacy River and its ecological resources, through public relations and educational programs
- 8-9) The River Board should lobby both the Frederick County and Carroll County Boards of Education and offer assistance to develop educational programs for students about the Monocacy River and its rich resources
- 8-10) The River Board should work ~~to strengthen~~ **WITH** the Maryland Wild and Scenic Rivers Act to **PROVIDE** ~~become more effective in providing~~ protection for the Monocacy River.
- 8-11) A stakeholder workgroup comprised of local law enforcement, River-front landowners, representatives from parks departments, and others interested in outdoor recreation and the Monocacy River, should be convened to update the Monocacy Scenic River Access Plan.
- 8-12) Develop signage for the public river access points that includes information regarding responsible use of the river and respect for private property

## **Chapter 9 – Water Quality**

- 9-1) Frederick County, Carroll County, and all NPDES Phase I (populations greater than 100,000) and Phase II (populations less than 100,000) municipalities should continue to implement their programs to address required nutrient and sediment reductions to meet Chesapeake Bay and local TMDL's
- 9-2) The River Board needs to engage more frequently with NPDES stormwater staff in Frederick County, Carroll County, Adams County, PA, and the Phase II municipalities in the Watershed to stay current about Monocacy River Watershed water quality issues
- 9-3) The River Board supports lobbying for an increase to Maryland's Used Tire Clean Up and Recycling Fund to generate additional resources for the clean-up, removal, processing, and reuse of tires dumped in our environment. Frederick County and Carroll County should subsidize and support expansion of the Maryland Farm Bureau's and Maryland Environmental Service's 'Farm tire drop-off day' (see River Board's involvement with tire removal from the River in Chapter 2)
- 9-4) The River Board encourages Frederick County and Carroll County to promote and fund additional hazardous and toxic material 'drop-off' days at the Reich's Ford Road Landfill and the Northern and Hood Mill Landfills to encourage proper disposal of hazardous materials and reduce illegal dumping which pollute ground and surface waters, including the Monocacy River



**FREDERICK COUNTY PLANNING COMMISSION**  
**PLANNING AND PERMITTING DIVISION**  
**FREDERICK COUNTY, MARYLAND**

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## **FcPc Transmittal Memorandum**

**TO:** Frederick County Council

**FROM:** Frederick County Planning Commission

**THROUGH:** Jim Gugel, Planning Director 

**DATE:** November 9, 2017

**RE:** Monocacy Scenic River Management Plan

The Frederick County Planning Commission received a briefing on the Monocacy Scenic River Board's (River Board) 2017 Recommended Monocacy Scenic River Management Plan on September 13, 2017. This was followed by the Planning Commission's public hearing on the Recommended Plan on October 18, 2017, at which time the public record was closed.

At its November 8, 2017 meeting, the Planning Commission reviewed the public testimony and comments received on the River Board's Recommended Plan and discussed changes to the River Board's Recommended Plan for the County Council's consideration.

Mr. White made a motion to recommend the following changes to the River Board's Recommended Plan, as listed below. Mr. Hicks seconded the motion.

- Replicate the following references in the Executive Summary to the list of Goals of the Plan:
  - Advocate for sustainable land uses, best management practices, and activities that respect and protect the River, its corridor and watershed while respecting the property rights of land owners along the River.
  - The implementation of the recommendations should not stop development or impede agricultural activities and other initiatives.
- The removal of Recommendation No. 6-4.
- The addition of the words "voluntary" and/or "from willing sellers or landowners" after "acquisition" in Recommendation Nos. 8-6, 8-7, and 8-8, and including language to this



# FREDERICK COUNTY PLANNING COMMISSION

## PLANNING AND PERMITTING DIVISION

### FREDERICK COUNTY, MARYLAND

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effect generally throughout the Plan where there is mention of access, easements, or acquisition of land.

- The addition of a statement to the Plan that any future legislation or regulation based on the Plan should support the rights of property owners.
- Addition to the Plan of a more detailed description of how land or easements are obtained by the County.
- Removal of the words, "is a preferable future condition for the Scenic Monocacy River" from the sentence that begins at the bottom of page 5-10, continuing to page 5-11.
- Removal of the first sentence in the fourth paragraph of the Executive Summary.

**Vote:** 5-2-0-0  
**For:** 5 – White, Hicks, Suarez, Sepe, Bruscia  
**Against:** 2 – Hopwood, Tressler  
**Absent:** 0  
**Abstain:** 0

Mr. White made a second motion to recommend approval of the River Board's Recommended Plan to the County Council with the changes described in the first motion. Seconded by Ms. Suarez.

**Vote:** 4-3-0-0  
**For:** 4 – White, Hicks, Suarez, Sepe  
**Against:** 3 – Hopwood, Tressler, Bruscia  
**Absent:** 0  
**Abstain:** 0