



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Mitra Pedoeem
Director

September 3, 2020

Mr. Randall Rentfro
Rodgers Consulting, Inc.
19847 Century Blvd., Suite 225
Germantown, Maryland 20874

Re: **PRELIMINARY WATER QUALITY PLAN**
Request for Creekside at Cabin Branch
Preliminary Plan #: 120200050
SM File #: 285402
Tract Size/Zone: 400.23 acres/RNC
Total Concept Area: 178.64 acres
Lots/Block: N/A
Parcel(s): P600, P900 and P222
Watershed: Ten Mile Creek

Dear Mr. Rentfro:

Based on a review by the Department of Permitting Services Review Staff, the Preliminary Water Quality Plan for the above-mentioned site is **acceptable**. The Preliminary Water Quality Plan proposes to meet the required goals as specified in the pre-application meeting via micro bioretention.

The following **items** will need to be addressed in the Final Water Quality Plan and **prior to** Planning Board approval of the Site Plan:

1. **Prior to Planning Board approval of the Site Plan, this Water Quality Plan must be formally revised to a Final Water Quality Plan and an approved Site Development Plan (SDP) and an Approval letter must be issued by DPS. If the Site Plan will be approved in stages, the Site Development Plan revision submittal must specifically refer to the appropriate phase.**
2. Infiltration testing is required as part of the subdivision process and needs to be done prior to the submission of the Final Water Quality Plan. Additional justification will need to be provided as to why infiltration measures were not used. If infiltration is not feasible two additional feet of stone storage will be required below the proposed micro bioretention facilities to promote groundwater recharge.
3. It appears that the provided ESDv is slightly less than required for study point #2 (south). Full ESD must be provided and even with providing full ESD emphasis should be on providing treatment for the vehicular use areas of which some extended areas were not provided (e.g. Conner Court, Sculpin Lane and Creekside Court). Additionally, although MNCPPC is responsible for approval of impervious cover, DPS endorses strict adherence to the Clarksburg West Environmental Overlay Zone impervious requirements.
4. It was noted that for study point #1 (north) that some of the drainage areas to the proposed micro bioretention structures were marginally over the required 20,000 square foot limit. This is a strict limit that all structures must meet in the final water quality plan.
5. It is noted that there are several retaining walls on site. These will have to be reviewed and permitted by DPS. At the detailed plan stage cross sections will be required in areas where walls



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www.montgomerycountymd.gov/permittingservices

Mr. Randall Rentfro
September 3, 2020
Page 2 of 2

are adjacent to micro bioretention structures (e.g. N-5, N-6, N-7 and S-14) to show that there will be no impact from the wall footings. These walls are typically located near stream valley buffers with associated grading continuing up to the buffer. It is important that enough room is left between the toe of the grading and the buffer to allow for sediment controls.

6. Clear maintenance access must be shown to all off the proposed micro bioretention facilities. Also, maintenance responsibility needs to be determined for the facilities that treat both public and private area runoff.
7. It is noted that several units will require a coordinated roof drain system to drain to the indicated micro bioretention facility. These roof drain systems will need to be shown on the final water quality plan.
8. Multiple outfalls are noted to have level spreaders. It is not exactly clear what the intent is but all outfalls will have to meet DPS requirements for non-erosive velocities and slopes discharges.

This list may not be all-inclusive and may change based on available information at the time.

This Preliminary Water Quality Plan approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate or revised Preliminary Water Quality Plan request shall be required.

If you have any questions regarding these actions, please feel free to contact Leo Galanko at 240-777-6242.

Sincerely,



Mark C. Etheridge, Manager
Water Resources Section
Division of Land Development Services

MCE: lmg

cc: N. Braunstein
SM File # 285402

ESD: Required/Provided 89,392 cf / 97,956 cf
PE: Target/Achieved: 1.0"/1.1"
STRUCTURAL: 0 cf
WAIVED: 0 ac.



**Department of Permitting Services
Fire Department Access and Water Supply Comments**

DATE: 17-Sep-20
TO: William KC Reed
Rodgers Consulting, Inc.
FROM: Marie LaBaw
RE: Creekside at Cabin Branch
120200050

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **04-Sep-20** .Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

***** Architecture with regards to building height for fire department response to be finalized prior to site plan approval. *****

***** Method of access control and surface for emergency vehicle only entrance to the site to be determined prior to site plan approval. *****

***** Parking restrictions including both traffic and fire lane orders to be finalized prior to site plan approval. *****

***** Plans shall be multi-sheet and legible in physical printed format prior to site plan approval.**

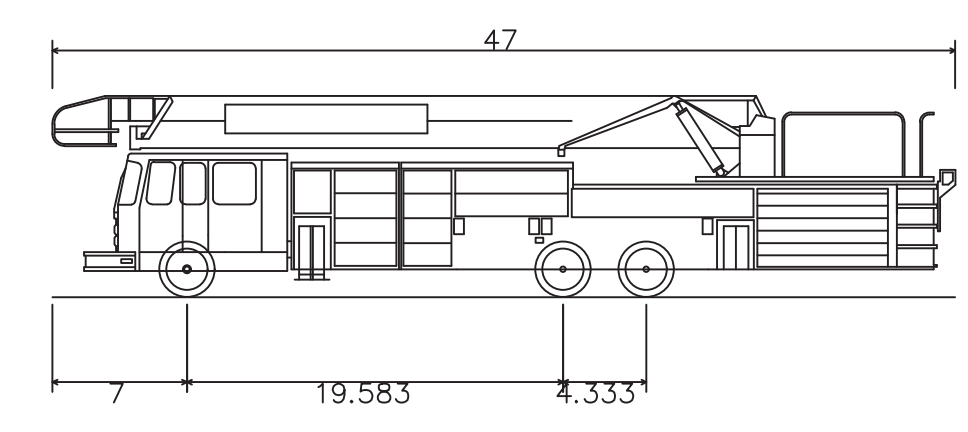
GENERAL NOTES:

- ONE AND TWO-FAMILY DWELLINGS OF THREE (3) STORIES (27' TO HIGHEST SILL, INCLUDING FALSE DORMERS) OR LESS MUST PROVIDE ACCESS TO THE OCCUPIED INTERIOR THROUGH A MAIN, SIDE-HINGE DOOR WITHIN 150 FEET OF A FIRE DEPARTMENT ACCESS ROUTE. FOR UNITS OF THREE (3) STORIES OR MORE, ACCESS MUST BE WITHIN FIFTY (50) FEET OF ACCESS ROUTE.
- ALL ON-SITE PRIVATE STREETS SHALL PROVIDE 22' MINIMUM CLEAR WIDTH.
- ALL ALLEYS DESIGNATED AS A FIRE LANE SHALL PROVIDE 20' MINIMUM CLEAR WIDTH.
- WATER SUPPLY WILL BE THROUGH WSSC PUBLIC WATER LINES.
- FIRE APPARATUS TRUCK: TYPE AT-729.
- EMERGENCY APPARATUS TRUCK: TYPE HORTON 553C TYPE III FORD E-SERIES AMBULANCE.
- POOL CLUBHOUSE GATE TO BE 12' WIDE IN COMPLIANCE WITH EMS ACCESS ROUTE.
- ALL PARALLEL PARKING SPACES ARE 8' WIDE.
- ALL ENTRANCE APRONS TO BE TYPE "B" DFRS MODIFIED SEE DETAIL THIS SHEET.
- THERE ARE 153 UNITS NORTH OF THE CLUBHOUSE CHOKE POINT, AND 172 SOUTH OF THE CHOKE POINT TO BE SERVED BY THE EMERGENCY ACCESS ROAD. TOTAL UNIT COUNT IS 325.

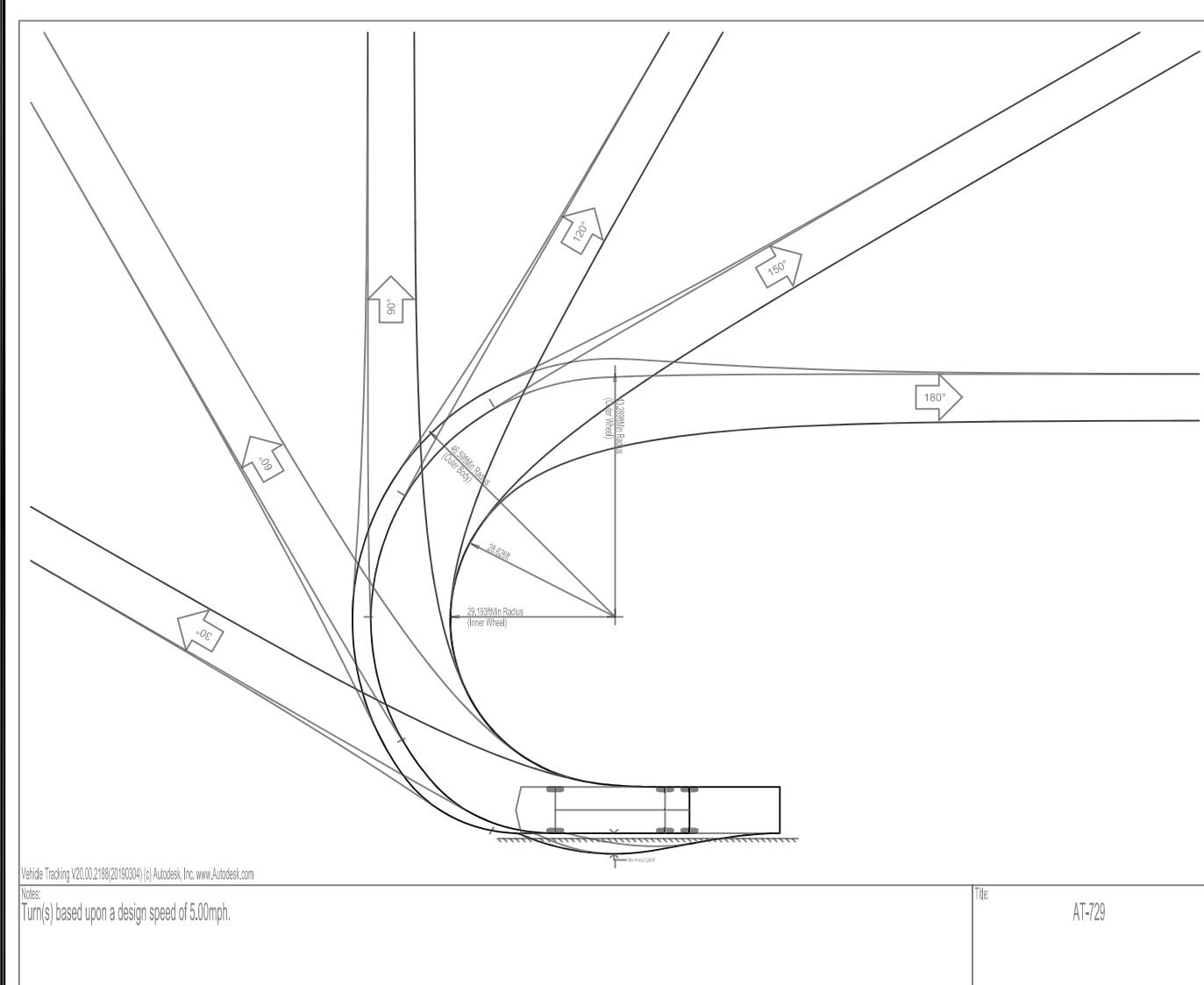
LEGEND

- FIRE LANE
- FRONT ONLY HEIGHT RESTRICTED UNIT
- FULLY HEIGHT RESTRICTED UNIT (SEE GENERAL NOTE 1)
- EMS ACCESS
- FIRE HYDRANT
- MAIN DOOR LOCATION
- SITE LIMITS
- PUBLIC STREET RIGHT OF WAY
- LOT LINES
- PROPOSED SIDEWALKS, PATHS, TRAILS
- SWM/ESD

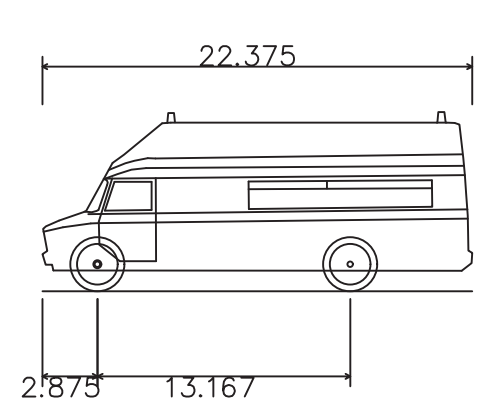
FIRE APPARATUS PROFILE AND TURNING TEMPLATE



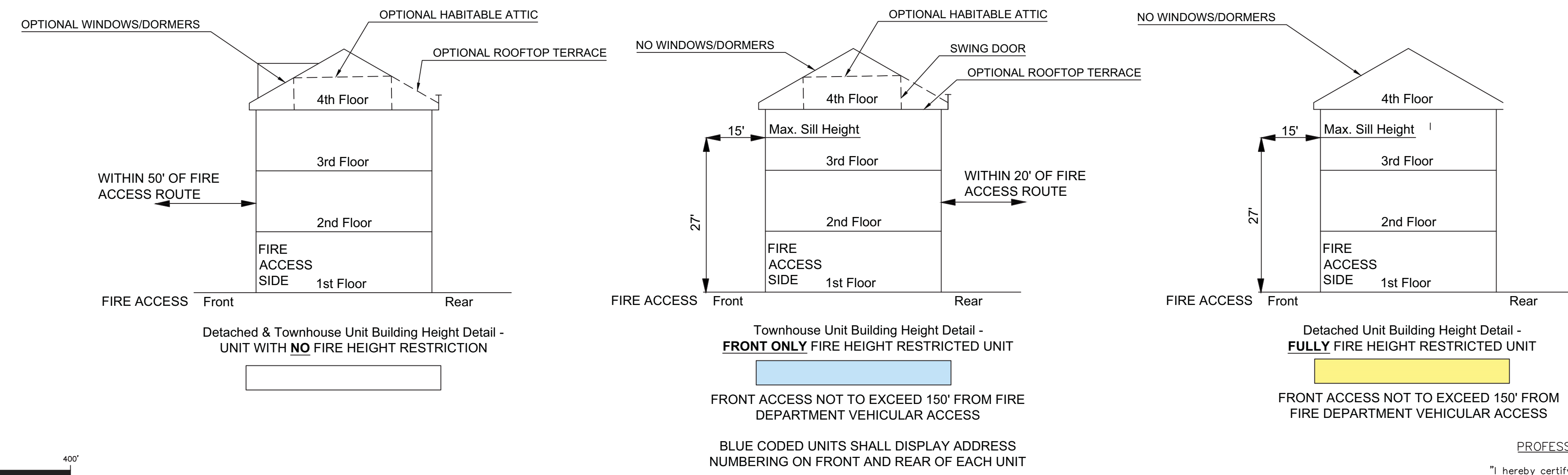
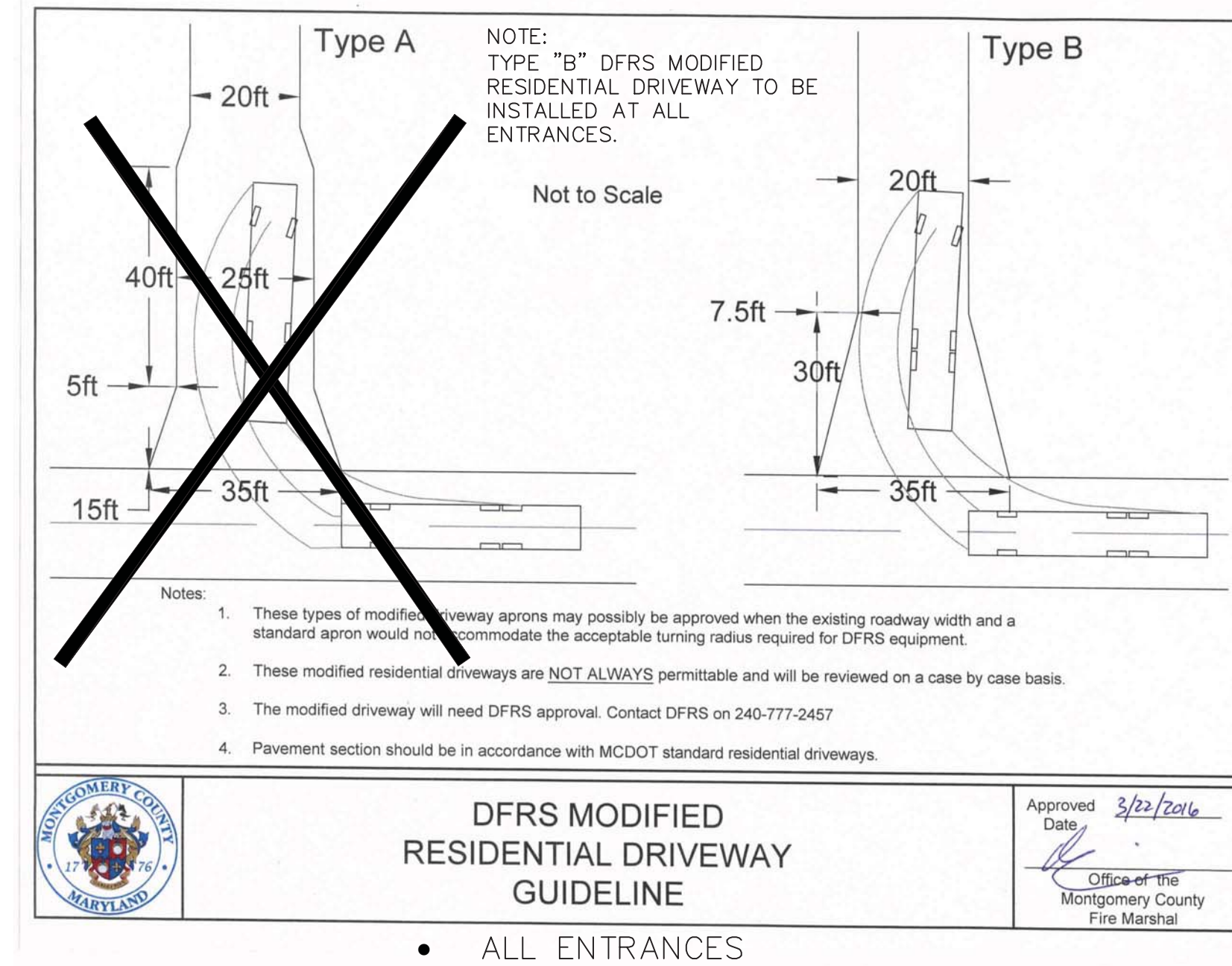
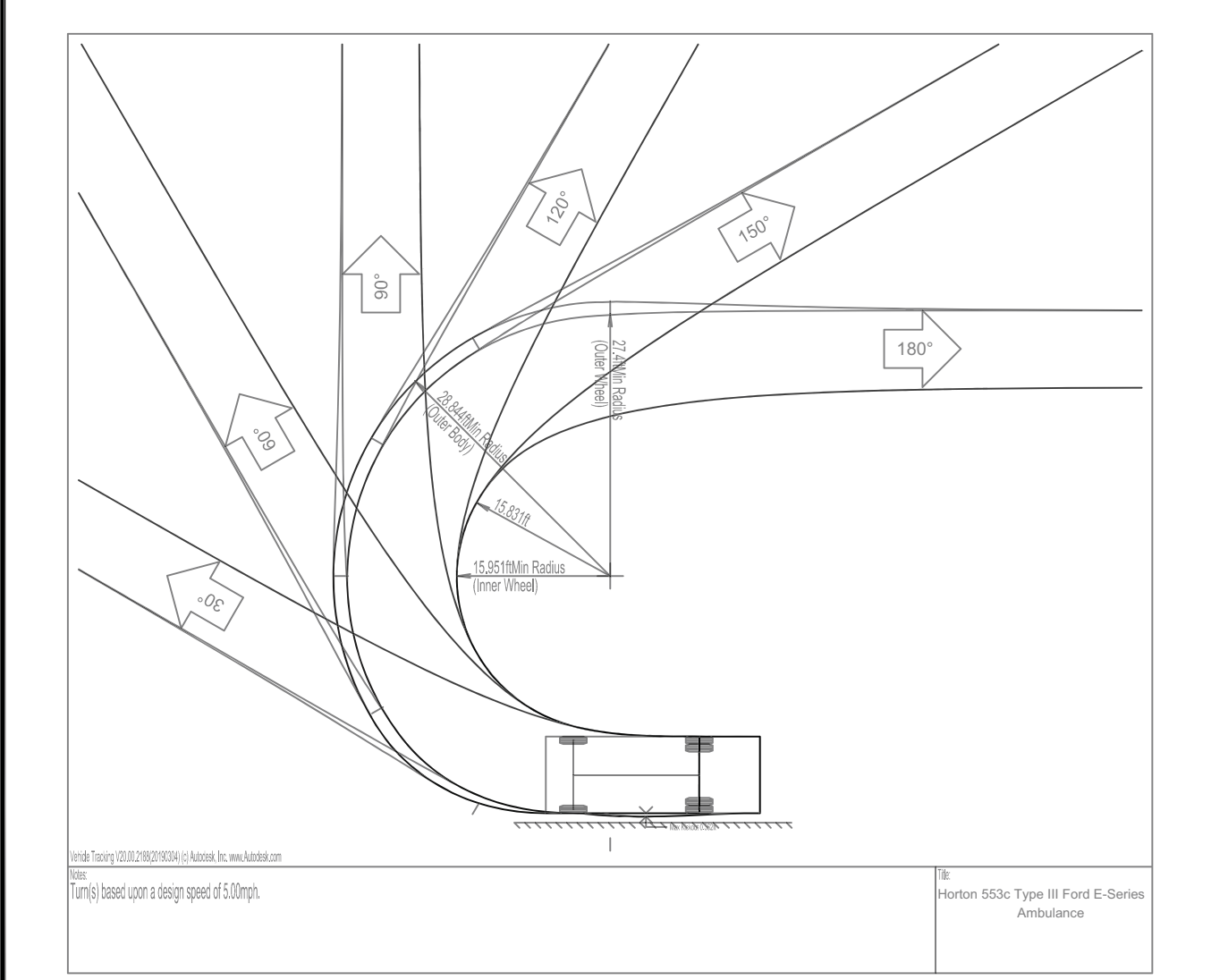
AT-729
 Overall Length 47.000ft
 Overall Width 8.250ft
 Overall Body Height 10.475ft
 Min Body Ground Clearance 0.906ft
 Track Width 8.250ft
 Lock-to-lock time 6.00s
 Max Steering Angle (Virtual) 33.20°



EMS APPARATUS PROFILE AND TURNING TEMPLATE



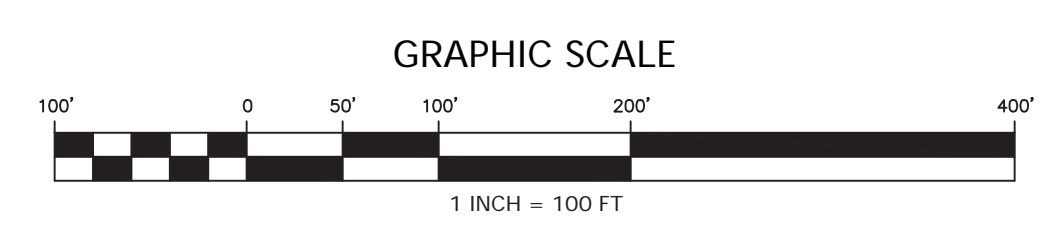
Horton 553c Type III Ford E-Series Ambulance
 Overall Length 22.375ft
 Overall Width 8.021ft
 Overall Body Height 9.333ft
 Min Body Ground Clearance 1.075ft
 Track Width 8.021ft
 Lock-to-lock time 8.00s
 Curb to Curb Turning Radius 27.400ft



FIRE CODE ENFORCEMENT
 Fire Department Access Review
 Review based only upon information contained on this plan. Does not cover unsatisfactory layout resulting from omissions, errors or failure to clearly indicate conditions on this plan. Correction of such unsatisfactory layout to afford required access will be required if found upon inspection after installation.
 BY: SML* PG. 43 DATE: 9/17/2020

*** Architecture with regards to building height for fire department response to be finalized prior to site plan approval. ***
 *** Method of access control and surface for emergency vehicle only entrance to the site to be determined prior to site plan approval. ***
 *** Parking restrictions including both traffic and fire lane orders to be finalized prior to site plan approval. ***
 *** Plans shall be multi-sheet and legible in physical printed format prior to site plan approval. ***

PROFESSIONAL CERTIFICATION
 I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland, License No. 32599, Expiration Date: 1/22/22.



REVISION	DATE	REVISION	DATE	REVISION	DATE

DEVELOPER/APPLICANT:
PULTE HOMES
 10600 ARROWHEAD DRIVE, SUITE 225
 FAIRFAX, VA 22030
 ATTN: DAVID DEMARCO

CREEKSIDE AT CABIN BRANCH
 PARCEL 222, L. 29581 F. 499, PARCEL 900, L. 29581 F. 499
 PARCEL 900, L. 29581 F. 508, & PARCEL 900, L. 29868 F. 544
 ELECTION DISTRICT No. 2
 MONTGOMERY COUNTY, MARYLAND

RODGERS CONSULTING
 19847 Century Boulevard, Suite 200, Germantown, Maryland 20874
 Ph: 301.948.4700 Fx: 301.948.6256 www.rodgers.com

BASE DATA	BY	DATE
DESIGNED		
DRAWN		
REVIEWED		
RODGERS CONTACT:		
RELEASE FOR		
BY: _____	DATE: _____	

FIRE ACCESS PLAN

SCALE: 1" = 100'
 JOB No. 0377AB8
 DATE: AUG. 2020
 SHEET No. 1 OF 1



DEPARTMENT OF TRANSPORTATION

Marc Elrich
County Executive

Christopher Conklin
Director

November 19, 2020

Ms. Angelica Gonzalez, Planner Coordinator
Upcounty Planning Division
The Maryland-National Capital
Park & Planning Commission
2425 Reedie Drive, 13th Floor
Wheaton, MD 20902

RE: Preliminary Plan & Design Exceptions
Preliminary Plan No. 120200050
Creekside at Cabin Branch

Dear Ms. Gonzalez:

We have completed our review of the revised preliminary plan uploaded to eplans on October 6, 2020, and the revised design exceptions dated October 30, 2020. A previous version of this plan and design exceptions were reviewed by the Development Review Committee (DRC) at its meeting on November 26, 2019. We recommend approval of the plan subject to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to the Montgomery County Department of Permitting Services in the package for record plats, storm drain, grading or paving plans, or application for access permit. This letter and all other correspondence from this department should be included in the package.

Design Exceptions

1. A-1 - Modification of Context Sensitive Road Section – Elongated Cul-de-Sac for Creekside Court and Connor Court: The applicant is proposing to modify MCDOT cul-de-sac Standard No. MC-222.01 by elongating the cul-de-sac and increasing the radii. The design includes a public closed section roadway in a 60-foot public right-of-way conforming to MCDOT Secondary Street Standard No. 2002.02. The proposed road ends in an oval shaped cul-de-sac with a green area in the center and a concrete truck apron. This is a modification request to MCDOT Standard MC-222.01. This modification is being requested to provide a cul-de-sac that will meet fire and rescue emergency access requirements by providing the minimum curb radii for emergency access. The radii for the curb at the ends of the oval cul-de-sac are 50-foot outside and 30-foot inside. These radii meet the Department of Fire and Rescue Emergency Access Requirements. The proposed oval cul-de-sac exceeds the minimum curb radii. The road will have 20-foot wide pavement with curb & gutter located within a public right-of-way with a one-way, counterclockwise circulation pattern in the oval

Office of the Director

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www.montgomerycountymd.gov

Located one block west of the Rockville Metro Station

cul-de-sac. The applicant is proposing the following modifications:

- Increasing the island length along the centerline from 30 feet to approximately 167 feet
- Gradually increasing the island radius from 15 feet to 30 feet
- Gradually increasing the cul-de-sac paving radius from 45 feet to 50 feet
- Providing a truck apron to support WB50 turning movements

MCDOT Response: MCDOT **approves** this Design Exception for the following reasons and with the following conditions:

- i. The turning movement for SU-30 provided by the applicant works within the proposed cul-de-sac. The truck apron supports the turning movement for WB-50 vehicles. Based upon DPS Fire and Rescue review, the emergency access requirements are met.
 - ii. The line of sight for the proposed driveways should not be blocked by any proposed obstructions such as proposed trees or traffic signs. At the permit stage, the applicant must coordinate with DPS to make the necessary modifications in order to meet the sight distance requirements for the proposed driveways.
 - iii. The proposed pavement is 20-foot wide with a one-way, counterclockwise traffic circulation. At the permit stage, the applicant shall provide the location of the necessary traffic signs for approval.
2. A-2 - Modification of Context Sensitive Road Section, Monumental Entrance - Creekside Boulevard (Station 0+00 to Station 2+04): The applicant is proposing to modify MCDOT Standard No. MC-224.01, Monumental Entrance, by reducing the right-of-way width at the full, monumental width section and reducing the taper transition length. The applicant is proposing the following street section at the full, monumental width:

- 2-foot maintenance strip
- 6-foot sidewalk
- 10-foot tree panel
- 12-foot travel lane
- 10-foot median
- 12-foot travel lane
- 10-foot tree panel
- 6-foot sidewalk
- 2-foot maintenance strip

MCDOT Response: MCDOT **approves** this Design Exception. The proposed modification provides a smooth transition from the entrance to the 70' width right-of-way for a primary/principal secondary, while also reducing impervious area.

Significant Plan Review Comments

3. Prior to release of the 10th building permit, all conduit necessary to support the eventual signalization of the site entrance at Dowitcher Way and Clarksburg Road (MD 121) must be installed and approved by the Montgomery County Department of Transportation and State Highway

Administration. Plans for the implementation of this conduit shall be provided alongside the application for access permit.

4. Prior to the release of the 217th building permit, and no earlier than after the release of the 200th building permit, the Applicant shall perform a signal warrant analysis of the site entrance at Clarksburg Road and Dowitcher Way. The analysis shall assume completion of all development as approved at the time of the study. This analysis shall be submitted to M-NCPPC Planning Staff, MCDOT and MDSHA for review. If M-NCPPC Planning Staff, MCDOT and MDSHA determine that the signal is warranted, then the applicant will need to submit the detailed/engineered traffic signal plans to MCDOT and MDSHA for review and approval. The signal must be operational prior to issuance of the 240th building permit. No signal shall be required if this signal warrant analysis does not meet required warrants, as determined by MCDOT, MDSHA and Planning Staff.
5. The applicant is proposing 100' centerline radii on secondary streets, Sculpin Lane and Lindsay Drive. MCDOT has reviewed the design for safety and determined that the proposed radii meet AASHTO minimum design standards for 20 mph design speed. MCDOT supports a Planning Board waiver for a reduction in the required 150' radius for a secondary street classification.
6. The Applicant will be required to provide a minimum 40 feet right-of-way dedication as measured from the centerline along the entire frontage of West Old Baltimore Road, which is classified as an exceptional rustic road. The Rustic Roads Advisory Committee has reviewed and approved the proposed plan, which has no impact to existing West Old Baltimore Road, in their letter dated May 6, 2020. Any revisions to the plan that impact West Old Baltimore Road will need to be submitted to the Rustic Roads staff coordinator, Darcy Buckley, for review and approval. Ms. Buckley can be contacted at darcy.buckley@montgomerycountymd.gov or 240-777-7166.
7. The preliminary plan shows townhouses fronting on public streets. Those associated street trees and driveway details, such as depth (from the ROW line to the garage structure), width and spacing will be reviewed and finalized at site plan stage to ensure they meet the MCDPS minimum requirements.
8. MCDOT recommends that all driveways on public streets, for both front-facing townhomes and single-family homes, be a minimum of 20' from the garage door to the right-of-way line.
9. On the certified preliminary plan, provide cross sections for all public and private streets and alleys.

Standard Plan Review Comments

10. Provide full width dedication and construction of all interior public streets.
11. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.

12. The storm drain analysis was reviewed and accepted by MCDOT. No improvements to any downstream, county-maintained facilities are required with this project.
13. Size storm drain easement(s) prior to record plat. No fences will be allowed within the storm drain easement(s) without a revocable permit from the Department of Permitting Services and a recorded Maintenance and Liability Agreement.
14. Grade establishments for all new public streets and/or pedestrian paths must be approved by MCDPS prior to submission of the record plat.
15. Provide a minimum five-foot continuous clear path (no grates) sidewalk along all public streets.
16. Provide on-site handicap access facilities, parking spaces, ramps, etc. in accordance with the Americans with Disabilities Act.
17. Trees in the County rights of way – spacing and species are to be in accordance with the applicable MCDOT standards. Tree planning within the public right of way must be coordinated with DPS Right-of-Way Plan Review Section.
18. Posting of a right-of-way permit bond is a prerequisite to DPS approval of the record plat. The right-of-way permit will include, but not necessarily be limited to, the following improvements:
 - A. Street grading, paving, curbs, gutters, storm drain & appurtenances, sidewalks, handicap ramps, and street trees along all proposed public streets.
 - B. Permanent monuments and property line markers, as required by Section 50-4.3(G) of the Subdivision Regulations.
 - C. Erosion and sediment control measures as required by Montgomery County Code 19-10(02) and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the Department of Permitting Services (DPS) and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the DPS.
 - D. The developer shall provide street lights in accordance with the specifications, requirements, and standards prescribed by the MCDOT Division of Traffic Engineering and Operations.

Ms. Angelica Gonzalez
Preliminary Plan No. 120200050
November 19, 2020
Page 5

Thank you for the opportunity to review this sketch plan. If you have any questions or comments regarding this letter, please contact me at william.whelan@montgomerycountymd.gov or (240) 777-2173.

Sincerely,

William Whelan

William Whelan
Development Review Team
Office of Transportation Policy

cc: Plan letters notebook

cc-e:	David DeMarco	Pulte Homes
	Randall Rentfro	Rodgers Consulting
	Courtney Cason	Rodgers Consulting
	K.C. Reed	Rodgers Consulting
	Chris Van Alstyne	MNCP&PC
	Sam Farhadi	MCDPS RWPR
	Marie LaBaw	MCDPS FRS
	Mark Terry	MCDOT DTEO
	Kutty Menon	MCDOT DTEO
	Darcy Buckley	MCDOT DO
	Kamal Hamud	MCDOT DTEO



Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Gregory Slater
Acting Secretary
Tim Smith, P.E.
Acting Administrator

October 21, 2020

The State Highway Administration (SHA) review of the **Traffic Impact Study (TIS)** prepared by **Wells + Associates, Inc.**, dated **September 26, 2019**, *revised January 23, 2020* for the proposed **Ten Mile Creek** development – **13APMO020XX** located at **MD 121 Clarksburg Road** (Mile Point: **3.00**) in **Montgomery County**, Maryland is complete.

- The proposed land use is up to 328 residential dwelling units (122 single family units and 206 townhomes).
- Site access will be provided by a roadway connecting with MD 121 (Clarksburg Road) across from the planned alignment of Dowitcher Way.
- An additional emergency vehicle access drive will be provided that will connect with Old Clarksburg Road.

The SHA concurs with the report findings for this project as currently proposed and will not require the submission of any additional traffic analyses. An access permit will be required for all construction within the SHA right of way. The Applicant should electronically submit one (1) set of the proposed improvement plans (including a set of hydraulic plans and computations) and all supporting documentation to the Access Management Division using the new online system <https://mdotsha.force.com/accesspermit>. Please reference the SHA tracking number on any future submissions.

If you have any questions, or require additional information, please contact Mr. Kwesi Woodroffe at 301-513-7347, by using our toll free number (in Maryland only) at 1-800-749-0737 (x7347), or via email at kwoodroffe@mdot.maryland.gov or shaamdpermits@mdot.maryland.gov.

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Hi Angelica,

I support your recommendation.

Lisa

Lisa S. Schwartz

Manager, Affordable Housing Programs Section

Montgomery County DHCA

1401 Rockville Pike, 4th Floor

Rockville, MD 20852

Work: 240-777-3786

Fax: 240-777-3691

lisa.schwartz@montgomerycountymd.gov

www.montgomerycountymd.gov/mpdu

From: Gonzalez, Angelica <angelica.gonzalez@montgomeryplanning.org>

Sent: Tuesday, October 20, 2020 10:19 AM

To: Schwartz, Lisa <Lisa.Schwartz@montgomerycountymd.gov>

Subject: RE: Creekside at Cabin Branch, Pulte (Preliminary Plan Application, 1202000050)

Importance: High

[EXTERNAL EMAIL]

Good morning Lisa,

I am reaching out to you on another preliminary plan application that you reviewed in July which is scheduled for Planning Board on Dec. 3.

In July you recommended approval on this application (see correspondence below) but since then the application has changed slightly since it now includes a phasing plan. The preliminary plan includes Phase I limiting 186 units based on the remaining school capacity in Clarksburg. Phase II will include the remainder of the units when school capacity becomes available. Staff is recommending that the applicant provide a pro rata share of MPDUs provided in each phase.

Please confirm if you are supportive of this recommendation at your earliest convenience. Should you have any questions do not hesitate to contact me.

Thank you in advance,
Angelica



Angelica P. Gonzalez
Planner Coordinator
Upcounty Division
Angelica.Gonzalez@montgomeryplanning.org
301.495.4583



WE'VE MOVED!

THE NEW PARK AND PLANNING HEADQUARTERS IS NOW LOCATED AT
2425 REEDIE DRIVE, WHEATON, MD 20902

From: Schwartz, Lisa <Lisa.Schwartz@montgomerycountymd.gov>
Sent: Tuesday, July 21, 2020 11:22 AM
To: Gonzalez, Angelica <angelica.gonzalez@montgomeryplanning.org>
Subject: RE: Creekside at Cabin Branch, Pulte (Preliminary Plan Application, 1202000050)

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Angelica,

Does the preliminary plan cover the same area as the site plan? If so, please use my comments on the site plan for the preliminary plan.

Thanks,

Lisa

Lisa S. Schwartz

Manager, Affordable Housing Programs Section
Montgomery County DHCA
1401 Rockville Pike, 4th Floor
Rockville, MD 20852
Work: 240-777-3786
Fax: 240-777-3691
lisa.schwartz@montgomerycountymd.gov
www.montgomerycountymd.gov/mpdu

From: Gonzalez, Angelica <angelica.gonzalez@montgomeryplanning.org>
Sent: Tuesday, July 21, 2020 11:17 AM
To: Van Alstyne, Chris <chris.vanalstyne@montgomeryplanning.org>; Kishter, Mary Jo <maryjo.kishter@montgomeryplanning.org>; Casey, Jonathan <Jonathan.Casey@montgomeryplanning.org>; Pereira, Sandra <sandra.pereira@montgomeryplanning.org>; Berbert, Benjamin <benjamin.berbert@montgomeryplanning.org>; Ballo, Rebecca <rebeccah.ballo@montgomeryplanning.org>; Quattrocchi, Dominic

<dominic.quattrocchi@montgomeryparks.org>; Farhadi, Sam
<Sam.Farhadi@montgomerycountymd.gov>; LaBaw, Marie
<Marie.LaBaw@montgomerycountymd.gov>; Kwesi Woodroffe <KWoodroffe@mdot.maryland.gov>;
Mortensen, Paul <Paul.Mortensen@montgomeryplanning.org>; Whelan, William
<William.Whelan@montgomerycountymd.gov>; Bradshaw, Laura
<Laura.Bradshaw@montgomerycountymd.gov>; Galanko, Leo
<Leo.Galanko@montgomerycountymd.gov>; Harper, Matthew
<Matthew.Harper@montgomeryparks.org>; Schwartz, Lisa
<Lisa.Schwartz@montgomerycountymd.gov>; Berbert, Benjamin
<benjamin.berbert@montgomeryplanning.org>; Shari.Djourshari@wsscwater.com; Goutos, Melissa
<Melissa.Goutos@montgomerycountymd.gov>; Kuykendall, David
<David.Kuykendall@montgomerycountymd.gov>; Dizelos, George
<George.Dizelos@montgomerycountymd.gov>
Cc: Pereira, Sandra <sandra.pereira@montgomeryplanning.org>
Subject: Creekside at Cabin Branch, Pulte (Preliminary Plan Application, 1202000050)

[EXTERNAL EMAIL]

Thanks everyone for attending and participating in the DRC meeting this morning for the Creekside at Cabin Branch Site Plan application. As discussed, staff comments are due [COB Thursday, July 23](#) for the Preliminary Plan so please remember to close out your ePlans review task and update your comments consistent with the site plan. For your records I have attached the site plan schedule. I will also send out a revised schedule for the preliminary plan once the applicant provides their final submission. We will have a better idea on the schedule of the preliminary plan once a final submission is provided so stay tuned. Feel free to reach out to me with any questions on the Creekside at Cabin Branch applications.

Thanks,
Angelica



Angelica P. Gonzalez

Planner Coordinator

Montgomery County Planning Department
8787 Georgia Avenue, Silver Spring, MD 20910
Angelica.Gonzalez@montgomeryplanning.org
o: 301.495.4583



Let's Plan Our Future. Together.  **THRIVE**
THRIVEMONTGOMERY.COM MONTGOMERY 2050

Take 10 minutes to be counted now – visit: <https://2020census.gov/>

VOTE

For voting related information, visit/Para obtener información relacionada con votar, visite:
www.777vote.org

STAY SAFE

montgomerycountymd.gov/COVID19

The banner features a 'VOTE' button with an American flag design on the left. To its right, text provides voting information in English and Spanish, along with the website www.777vote.org. The right side of the banner is titled 'STAY SAFE' and includes a row of seven icons: a virus with a red prohibition sign, a family in a house, two people with a 2m distance marker, a person wearing a face mask, a hand being washed with soap, a question mark over a smartphone, and a person at a computer. Below these icons is the URL montgomerycountymd.gov/COVID19.

For COVID-19 Information and resources, visit: www.montgomerycountymd.gov/COVID19



HISTORIC PRESERVATION COMMISSION

Marc Elrich
County Executive

Sandra I. Heiler
Chairman

October 29, 2020

Mr. Casey Anderson
Chair, Montgomery County Planning Board
2425 Reedie Drive, 13th Floor
Wheaton, Maryland 20902

**RE: 22200 Clarksburg Road, Boyds (Master Plan Site #13/25, Cephass Summers House);
Reduction of the Environmental Setting Associated with the Pending Preliminary Plan of
Subdivision (Plan Number: 120200050)**

Dear Chairman Anderson and Members of the Planning Board:

On October 28th, the Historic Preservation Commission (HPC) heard a preliminary consultation regarding the reduction of the environmental setting of 22200 Clarksburg Road, Boyds, a historically designated Master Plan Site known as the Cephass Summers House. The HPC supports a recommendation to the Planning Board that the environmental setting be reduced from 66.42 acres to 10.21 acres as part of the Preliminary Plan of Subdivision for the property (Plan Number: 120200050). This recommendation was undertaken at the request of the property owner. It includes the following conditions:

- 1) The Historic Area Work Permit (HAWP) for the comprehensive rehabilitation of the Cephass Summers House, including any new construction or additions as required, must be approved by the HPC prior to the Planning Board's approval of the Site Plan for the first phase of the development; and,
- 2) The building permit associated with said HAWP shall be filed with the Department of Permitting Services prior to the acceptance of any land disturbance permits associated with the new construction approved by the Site Plan.





HISTORIC PRESERVATION COMMISSION

Marc Elrich
County Executive

Sandra I. Heiler
Chairman

With the stipulated conditions, the proposed reduction of the environmental setting conforms with the intent and purpose of the *Ten Mile Creek Area Limited Amendment*. Further, the creation of the 10.21-acre lot and subsequent plans to completely rehabilitate the historic Cephas Summers House conforms with the purpose and goals of the Master Plan for Historic Preservation. The HPC makes this recommendation pursuant to its designated Powers and Duties under Chapter 24A-5 (j).

Very Sincerely,

Sandra I. Heiler, Chairman
Historic Preservation Commission

cc. HPC Members





RUSTIC ROADS ADVISORY COMMITTEE



May 6, 2020

Jonathan Casey
 Montgomery Planning, M-NCPPC
 8787 Georgia Avenue
 Silver Spring, MD 20910

Re: Creekside at Cabin Branch and West Old Baltimore Road (exceptional rustic)
 Preliminary Plan No. 120200050

Dear Mr. Casey:

We are writing in support of preliminary plan 120200050, Creekside at Cabin Branch, because it does not impact nor take access from exceptional rustic West Old Baltimore Road.

If there are revisions to this project that are likely to result in new or different impacts to this rustic road, please submit them to the Rustic Roads staff coordinator, Darcy Buckley, at Darcy.Buckley@montgomerycountymd.gov, and we will review them immediately.

Sincerely,

Robert J. Tworkowski, Chair
 Rustic Roads Advisory Committee

Committee Members: Todd Greenstone, Laura Van Etten, Dan Seamans, Robert Wilbur, Kamran Sadeghi, Lonnie Luther, Leslie Saville (M-NCPPC)

cc: Angelica Gonzalez, M-NCPPC
 Chris Van Alstyne, M-NCPPC
 Dominic Quattrocchi, Montgomery Parks, M-NCPPC
 Rebecca Torma, MCDOT

QUESTIONS FOR TEN MILE CREEK MEETING, 12/5/2019

Impervious cover is the best indicator and predictor of stream degradation. Currently the King Spring (LSTM110) imperviousness is 1.6%. And the Shiloh Tributary (LSTM111) imperviousness is 1.2%. What is the projected impervious percentage for LSTM110 and LSTM111 upon build out of the Pulte development?

LSTM 110, the King Spring tributary, could be threatened by two separate developments – one development on the south side (Pulte) and one on the north side (King). How are you taking the cumulative impacts of imperviousness, soil disturbance and sedimentation on this stream into account, especially if the build out happens over many successive years due to the separate timetables to complete each project?

In the Environmental Analysis Attachment (Appendix 3) of the Master Plan Amendment, DEP noted a slow decline in Ten Mile Creek from 1994-2012. How will you factor in DEP data for the years **2013-2019** regarding IBI, streambank, streambed and overall biological condition for tributaries LSTM110 and LSTM111? How do the trends of the last 7 years compare to the previous 18 years?

MNCPPC needs to require a survey for RTE's on the Pulte and King land, especially in light of the RTE's Mr. Parrish found on parcels that abut Pulte and King properties. (See our RTE Request for Survey letter) In addition, springs and seepages are known to support rare amphipod species. Springs and seeps are abundant in this watershed. Will you be requiring an RTE survey for plants and animals in the Ten Mile Creek watershed?

The Master plan stipulates the importance of minimizing grading, soil disturbance and soil compaction (Master Plan Amendment, p.42). The concern is that soil disturbances perpetuate watershed degradation, including siltation, for years to come. What steps are being taken to minimize grading impacts to the hydrology as a result of the Pulte development? What percentage of each sub-watershed, LSTM110 and LSTM111, would be disturbed by grading and other soil disturbances?

The current forest cover percentage is 19% for LSTM111. What would the projected forest cover percentage be for LSTM111 after build out and following the Pulte afforestation plan?

Lake Frank and Lake Needwood have been plagued with Microcystin toxin for many years. This summer, 2019, Microcystin was detected in Rocky Gorge and Triadelphia, both drinking water reservoirs. Little Seneca Reservoir was identified as early as 1998 as being impaired by nutrients. Has Microcystin toxin ever been detected at Little Seneca Reservoir? Is the lake showing any signs of eutrophication?

Has a study been undertaken to assess the long term health of the Little Seneca Reservoir, as recommended by DEP in the Master Plan? (Master Plan Amendment, P.47)

Who are the environmental staff assigned to review the Pulte Development plan? Will these people be present at the December 5th meeting?

FOLLOW UP FROM TEN MILE CREEK 12/5/2019 MEETING WITH PARK AND PLANNING

IMPERVIOUSNESS

Question: What is the projected impervious percentage for LSTM110 and LSTM111 upon build out of the Pulte development?

Discussion:

Currently the King Spring (LSTM110) imperviousness is 1.6%. And the Shiloh Tributary (LSTM111) imperviousness is 1.2%. A **key recommendation** of the Master Plan west of I-270 is to “in particular, protect existing stream conditions in the high quality headwater subwatersheds LSTM 110 (King Spring) and LSTM 111.” (Master Plan Amendment, p.18-19)

Specifically in regards to LSTM 110 & 111, the Master Plan states: “Even small changes in imperviousness will likely affect these subwatersheds, but if imperviousness is kept as near to five percent as possible, stream conditions can be maintained in good to excellent range based on the majority opinion of environmental experts.” (Master Plan Amendment, p.41) While the goal of keeping imperviousness as near to 5% as possible is a step in the right direction, based on an extensive study of streams in Maryland, “it is now known that substantial degradation and loss of biodiversity begins at much lower levels of impervious cover between 0.5% and 2%.” (King, Baker, Kazyak, Weller, 2011, p.1666, *How Novel is too Novel? Stream Community Thresholds at Exceptionally Low Levels of Catchment Urbanization*. ‘Ecological Applications’ Vol. 21. Cited in Appendix A, Bibliography, p. A-7, Ten Mile Creek Watershed Environmental Analysis For the Clarksburg Master Plan Limited Amendment.)

Our impervious analysis of the data above shows the potential for the imperviousness to be nearly 10% in the King Spring Tributary (LSTM110) and nearly 13% in the Shiloh Tributary (LSTM111). However, until we know what the actual projected imperviousness is for the Pulte development in the King Spring and Shiloh Tributaries, we cannot be sure that we are, in fact, protecting these high quality streams.

If our impervious analysis of the data is an accurate estimate, then it is clear that the Master Plan recommendations cannot be achieved if you allow the development to go forward as proposed.

To repeat, in regard to these high quality subwatersheds, the Master Plan’s recommendation is to “reduce the development footprint and impervious cover.” (Master Plan Amendment, p.18) Pulte’s current development footprint occupies nearly 15% of the King Spring watershed, nearly 30% of the Shiloh watershed, and essentially, 20% of the combined land area of the King Spring (LSTM110) and Shiloh (LSTM111) subwatersheds. We agree that shrinking the development footprint is the way forward to maintain the high quality of these subwatersheds.

According to the Master Plan, “impervious cover continues to be widely accepted as an indicator of the complex impacts that are difficult to model sufficiently” ...”it is also the strongest, most detectable indicator available for the many correlated and contributing factors associated with urbanization.” (Master Plan Amendment, p.16-17)

WATER QUALITY

Question: How will you factor in DEP data for the years 2013-2019 regarding IBI, streambank, streambed and overall biological condition for tributaries LSTM110 and LSTM111? How do the trends of the last 7 years compare to the previous 18 years?

Discussion:

Reliance on water quality data is paramount to understanding the current condition of Ten Mile Creek and its tributaries. However, that data has not been made available. In the Environmental Analysis Attachment (Appendix 3) of the Master Plan Amendment, DEP noted a slow decline in Ten Mile Creek from 1994-2012. The Biohabitats Report noted that “instream physical habitat conditions such as streambed and bank

FOLLOW UP FROM TEN MILE CREEK 12/5/2019 MEETING WITH PARK AND PLANNING

condition show signs of decline since 2007, while the change is subtle over time, these conditions are indicative of a watershed that is sensitive and is responding to various stressors. Evidence of declining habitat conditions include increased embeddedness, (the degree to which coarse bed material is choked by fine sediments) sedimentation, and decreased streambank vegetation.”

RARE, THREATENED, AND ENDANGERED SPECIES

Question: Will you be requiring an RTE survey for plants and animals in the Ten Mile Creek watershed?

Discussion:

The Maryland Department of Natural Resources (DNR) responded, on April 9, 2013, to Biohabitats request for information regarding state rare, threatened and/or endangered species within or near the Ten Mile Creek Watershed. They stated that while there were “no State or Federal records for rare, threatened, or endangered species within the boundaries of the project site as delineated,” that did not mean that such species were not present. Further, DNR said that “If appropriate habitat is available, certain species could be present without documentation because adequate surveys have not been conducted.” (Ten Mile Creek Amendment Appendix 3, pdf. 210)

Similarly, Legacy Open Space (LOS) evaluation of the Ten Mile Creek Watershed noted that the forest “has particular countywide, regional or national significance for its potential ability to support rare, threatened or endangered species, aquatic communities, and its varied habitats” and that “further study is needed to evaluate whether the site may harbor Rare, Threatened or Endangered and Watch-listed plant and animal species.” (Ten Mile Creek Master Plan Limited Amendment, pdf. 48, & Ten Mile Creek Amendment Appendix 7 Department of Parks Analysis and Recommendations, pdf 3)

John Parrish’s limited flora survey on public lands in the Ten Mile Creek watershed that about the Pulte and King properties found a high diversity of native plant species (380), including four RTE species. Mr. Parrish will continue his surveys in the Spring, likely bringing the total native plant species to well over 400, which represents one-third of Montgomery County’s 1,300 native plant species.

Furthermore, springs and seeps, which are abundant in the Ten Mile Creek watershed, are known to support rare amphipod species. It is quite possible that a thorough aquatic survey could reveal the presence of a rare amphipod species. However, no surveys have been performed to detect the presence of uncommon or rare animal species.

In light of DNR’s response, LOS’s evaluation, and John Parrish’s RTE finds, it is clear that M-NCPPC needs to require a survey for RTE’s on the Pulte and King land.

FOREST COVER

Question: What would the projected forest cover percentage be for Shiloh Tributary, LSTM111, after build out and following the Pulte afforestation plan?

Discussion: The current forest cover percentage for Shiloh Tributary, LSTM111, is only 19%.

REQUESTS FOR DATA

- Please provide us Pulte’s **grading/cut and fill** information following their submission of this data.
- Please provide us Pulte’s **impervious** data following their submission of their impervious exhibit.

Projected Impervious Impacts to King Spring and Shiloh Tributaries

PROJECTED IMPERVIOUS IMPACT OF PULTE DEVELOPMENT ON KING SPRING TRIBUTARY – LSTM110 (KING SPRING TRIBUTARY FLOWS ON BOTH PULTE AND KING LAND)

- 211 acres – King Spring watershed (LSTM110) acreage
- 402 acres – Total tract size of Pulte property
- 24 acres – Impervious cover on Pulte property after applying a 6% environmental overlay to Pulte property ($.06 \times 402 = 24$)
- 12 acres – Approximately 50% of the Pulte development would occur in the King Spring watershed (LSTM110) ($.50 \times 24 = 12$)
- **5.7%** – Impervious impact to King Spring (LSTM110) due to Pulte development ($12/211 = 5.7\%$)
- **1.6%** – Pre-existing imperviousness in King Spring (LSTM110)
- **7.3%** – Total impervious impact to King Spring (LSTM110) from Pulte development alone

PROJECTED IMPERVIOUS IMPACT OF DEVELOPMENT OF KING PROPERTY ON KING SPRING TRIBUTARY – LSTM110

- 211 acres – King Spring watershed (LSTM110) acreage
- 130 acres – Total tract size of King property
- 7.8 acres – Impervious cover on King property after applying a 6% environmental overlay to King property ($.06 \times 130 = 7.8$)
- 5.5 acres – Approximately 70% of the King development would occur in the King Spring watershed (LSTM110) ($.70 \times 7.8 = 5.5$)
- **2.6%** – Impervious impact to King Spring (LSTM110) due to King development ($5.5/211 = 2.6\%$)
- **1.6%** – Pre-existing imperviousness in King Spring watershed (LSTM110)
- **4.2%** – Total impervious impact to King Spring (LSTM110) solely from King development

COMBINED IMPERVIOUS IMPACT OF DEVELOPMENT OF PULTE AND KING PROPERTIES ON KING SPRING TRIBUTARY – LSTM110

- **9.9%** – Combined impervious impact to King Spring Tributary (LSTM110) of proposed Pulte and King developments, plus pre-existing imperviousness in the King Spring (LSTM110) watershed ($5.7\% + 2.6\% + 1.6\% = 9.9\%$) –NO DOUBLE COUNTING OF PRE-EXISTING IMPERVIOUSNESS

PROJECTED IMPERVIOUS IMPACT OF PULTE DEVELOPMENT ON SHILOH TRIBUTARY – LSTM111 (SHILOH TRIBUTARY FLOWS ALMOST ENTIRELY ON PULTE LAND)

- 104 acres – Shiloh watershed (LSTM111) acreage
- 402 acres – Total tract size of Pulte property
- 24 acres – Impervious cover on Pulte property after applying a 6% environmental overlay to Pulte property ($.06 \times 402 = 24$)
- 12 acres – Approximately 50% of the Pulte development would occur in the Shiloh watershed (LSTM111) ($.50 \times 24 = 12$)
- **11.5%** – Impervious impact to Shiloh Tributary (LSTM111) due to Pulte development ($12/104 = 11.5\%$)
- **1.2%** – Pre-existing imperviousness in Shiloh Watershed (LSTM111)
- **12.7%** – Total impervious impact to Shiloh Tributary (LSTM111) from Pulte development

PERCENTAGE OF LAND AREA COVERED IN KING SPRING AND SHILOH SUBWATERSHEDS BY PULTE DEVELOPMENT FOOTPRINT

- 211 acres – King Spring Watershed (LSTM110) acreage; 104 acres – Shiloh Watershed (LSTM111) acreage
- 315 acres – Total subwatershed acreage combined, King Spring (LSTM110) + Shiloh (LSTM111)
- 62 acres – Pulte development footprint
- **14.7%** – Percentage of area of King Spring watershed (LSTM110) covered by Pulte Development footprint
- **29.8%** – Percentage of area of Shiloh watershed (LSTM111) covered by Pulte Development footprint
- **19.7%** – Area of combined King and Shiloh subwatersheds occupied by Pulte development footprint

Projected Impervious Impacts to King Spring and Shiloh Tributaries

A key recommendation of the Master Plan west of I-270 is to “in particular, protect existing stream conditions in the high quality headwater subwatersheds LSTM 110 (King Spring) and LSTM 111.” (Master Plan Amendment, p.18-19)

Specifically in regards to LSTM 110 & 111, the Master Plan states: “Even small changes in imperviousness will likely affect these subwatersheds, but if imperviousness is kept as near to five percent as possible, stream conditions can be maintained in good to excellent range based on the majority opinion of environmental experts.” (Master Plan Amendment, p.41) While the goal of keeping imperviousness as near to 5% as possible is a step in the right direction, based on an extensive study of streams in Maryland, “it is now known that substantial degradation and loss of biodiversity begins at much lower levels of impervious cover between 0.5% and 2%.” (King, Baker, Kazyak, Weller, 2011, p.1666, *How Novel is too Novel? Stream Community Thresholds at Exceptionally Low Levels of Catchment Urbanization*. ‘Ecological Applications’ Vol. 21. Cited in Appendix A, Bibliography, p. A-7, [Ten Mile Creek Watershed Environmental Analysis For the Clarksburg Master Plan Limited Amendment](#).)

Our impervious analysis of the data above shows the potential for the imperviousness to be nearly 10% in the King Spring Tributary (LSTM110) and nearly 13% in the Shiloh Tributary (LSTM111). However, until we know what the actual projected imperviousness is for the Pulte development in the King Spring and Shiloh Tributaries, we cannot be sure that we are, in fact, protecting these high quality streams.

If our impervious analysis of the data is an accurate estimate, then it is clear that the Master Plan recommendations cannot be achieved if you allow the development to go forward as proposed.

Again, in regard to these high quality subwatersheds, the Master Plan’s recommendation is to “reduce the development footprint and impervious cover.” (Master Plan Amendment, p.18) Pulte’s current development footprint occupies nearly 15% of the King Spring watershed, nearly 30% of the Shiloh watershed, and essentially, 20% of the combined land area of the King Spring (LSTM110) and Shiloh (LSTM111) subwatersheds. We agree that shrinking the development footprint is the way forward to maintain the high quality of these subwatersheds.

Request for Rare, Threatened & Endangered Species Survey for Ten Mile Creek Watershed

On behalf of The Friends of Ten Mile Creek, we are requesting that Maryland National Capital Park and Planning Commission conduct or request a survey for the Ten Mile Creek Watershed to determine whether rare, threatened and/or endangered plants and animals (RTES) are present within this site. Such a survey is warranted based on the following information.

On April 9, 2013, the Maryland Department of Natural Resources (DNR) responded to Biohabitats, Inc. request for information regarding state rare, threatened and/or endangered species within or near the Ten Mile Creek Watershed in Montgomery County. In their response, DNR stated that they had determined that there are “no State or Federal records for rare, threatened, or endangered species within the boundaries of the project site as delineated.” Adding, “this statement shall not be interpreted however as meaning that rare, threatened, or endangered species are not in fact present.” DNR goes on to say: “If appropriate habitat is available, certain species could be present without documentation because adequate surveys have not been conducted.” (Ten Mile Creek Amendment Appendix 3, pdf. 210)

Furthermore, the Legacy Open Space (LOS) evaluation of the Ten Mile Creek Watershed “concluded that the 600 acres of forested headwaters met six of the eight criteria for inclusion in the Legacy Open Space program.” In particular, the forest “has particular countywide, regional or national significance for its potential ability to support rare, threatened or endangered species, aquatic communities, and its varied habitats.” The LOS study stated that “further study is needed to evaluate whether the site may harbor Rare, Threatened or Endangered and Watch-listed plant and animal species.” (Ten Mile Creek Master Plan Limited Amendment, pdf. 48, & Ten Mile Creek Amendment Appendix 7 Department of Parks Analysis and Recommendations, pdf 3)

John Parrish has been performing a limited flora survey on public lands in the Ten Mile Creek watershed that surround the Pulte and King properties, and he has found a high diversity of native plant species, including RTE species. From August through October 2019, he documented 380 species of native plants, including four RTE species, which are of special interest to the Maryland Department of Natural Resources (DNR). Mr. Parrish will continue his surveys in the Spring, and he will likely document well over 400 native plant species, which represents one-third of Montgomery County’s 1,300 native plant species.

To date, the M-NCPPC’s conservation efforts in the Ten Mile Creek watershed are focused on forest preservation and water quality protection, which is critical as TMC is a large headwater forest area with large areas of interior forest. However, conservation efforts also need to include the importance of protecting habitats such as meadows and other open habitats that support sun loving rare and uncommon plant species. Indeed three of the four State listed plants Mr. Parrish found so far occur in open habitats not forest. These include the Sharp-leaved Goldenrod – *Solidago patula*, Tall Boneset – *Eupatorium altissimum*, and Balsam Ragwort – *Packera paupercula*.

Finding 380 to 400 native plant species in a limited area of the upper Ten Mile Creek watershed, demonstrates that there is a high concentration of native plant species present. Such a finding underscores the importance of conducting a rare, threatened and endangered plant survey in this rural and relatively undisturbed ecology.

In addition, the Ten Mile Creek watershed supports an abundant and diverse population of reptiles, amphibians, fish, birds and mammals. However, no surveys have been performed to detect the presence of uncommon or rare animal species. For example, with the numerous seeps and springs throughout the watershed, it is quite possible that a thorough aquatic survey could reveal the presence of a rare amphipod species.

Submitted by:
John Parrish and rg Steinman

Request for Rare, Threatened & Endangered Species Survey for Ten Mile Creek Watershed

This document is an update and renewal of the RTE Survey request that we sent to M-NCPPC in December, 2019. Since our first RTE Survey request, Mr. Parrish has found three more RTEs, in addition to the four found earlier. All are found in the Ten Mile Creek subwatersheds, west of I-270, surrounding the Pulte and King acreages. We list these species and their habitat in the table below.

We never received a response to our initial request for the RTE Survey, either from M-NCPPC or DNR. We are alarmed that biodiversity and rare species are being ignored. Given that development plans are rapidly moving forward, and no actions have been taken to document these species, on behalf of The Friends of Ten Mile Creek, we are renewing our request for Maryland National Capital Park and Planning Commission to conduct or request a survey for the Ten Mile Creek Watershed to determine whether rare, threatened and/or endangered plants and animals (RTES) are present within this site. Such a survey is warranted based on the findings described in this document.

On April 9, 2013, the Maryland Department of Natural Resources (DNR) responded to Biohabitats, Inc. request for information regarding state rare, threatened and/or endangered species within or near the Ten Mile Creek Watershed in Montgomery County. In their response, DNR stated that they had determined that there are “no State or Federal records for rare, threatened, or endangered species within the boundaries of the project site as delineated.” Adding, “this statement shall not be interpreted however as meaning that rare, threatened, or endangered species are not in fact present.” DNR goes on to say: “If appropriate habitat is available, certain species could be present without documentation because adequate surveys have not been conducted.” (Ten Mile Creek Amendment Appendix 3, pdf. 210)

Furthermore, the Legacy Open Space (LOS) evaluation of the Ten Mile Creek Watershed “concluded that the 600 acres of forested headwaters met six of the eight criteria for inclusion in the Legacy Open Space program.” In particular, the forest “has particular countywide, regional or national significance for its potential ability to support rare, threatened or endangered species, aquatic communities, and its varied habitats.” The LOS study stated that “further study is needed to evaluate whether the site may harbor Rare, Threatened or Endangered and Watch-listed plant and animal species.” (Ten Mile Creek Master Plan Limited Amendment, pdf. 48, & Ten Mile Creek Amendment Appendix 7 Department of Parks Analysis and Recommendations, pdf 3)

John Parrish has been performing a limited flora survey on public lands, in the Ten Mile Creek watershed that surround the Pulte and King properties, west of I-270, and he has found a high diversity of native plant species, including seven RTE species. From August through October 2019, and from March through June 2020, Mr. Parrish has documented over 450 species of native plants, which represents over one-third of Montgomery County’s 1,300 native plant species. This includes seven RTE species, which are of special interest to the Maryland Department of Natural Resources (DNR). They are as follows:

Table of RTE Species in the Ten Mile Creek Subwatersheds

LSTM	Latin Name/Common Name	State Listing S2=State Rare S3=State Watchlist	Habitat F=Forest O=Open Habitats
201	<i>Asclepias purpurascens</i> , Purple Milkweed	S2	O
112	<i>Eupatorium altissimum</i> , Tall Boneset	S3	O
202	<i>Liparis liliifolia</i> , Large Twayblade	S2 S3	F
201, 203, 204	<i>Packera paupercula</i> , Balsam Ragwort	S3	O
206	<i>Solidago patula</i> , Sharp-leaved Goldenrod	S3	O
206	<i>Sparganium eurycarpum</i> , Giant Bur-reed	S3	O
202	<i>Trichophorum planifolium</i> , Bashful Bulrush	S2	F

To date, the M-NCPPC’s conservation efforts in the Ten Mile Creek watershed are focused on forest preservation and water quality protection, which is critical as TMC is a large headwater forest area with large areas of interior forest. However, conservation efforts also need to include the importance of protecting habitats such as meadows

Request for Rare, Threatened & Endangered Species Survey for Ten Mile Creek Watershed

and other open habitats that support sun loving rare and uncommon plant species. Indeed, five of the seven State listed plants Mr. Parrish found so far occur in open habitats not forest. Refer to the table above.

Finding over 450 native plant species in a limited area of the upper Ten Mile Creek watershed, demonstrates that there is a high concentration of native plant species present. Such a finding underscores the importance of conducting a rare, threatened and endangered plant survey in this rural and relatively undisturbed ecology.

In addition, the Ten Mile Creek watershed supports an abundant and diverse population of reptiles, amphibians, fish, birds and mammals. However, no surveys have been performed to detect the presence of uncommon or rare animal species. For example, with the numerous seeps and springs throughout the watershed, it is quite possible that a thorough aquatic survey could reveal the presence of a rare amphipod species.

Submitted by:
John Parrish and rg Steinman



Larry Hogan, Governor
Boyd Rutherford, Lt. Governor
Mark Belton, Secretary
Joanne Throwe, Deputy Secretary

July 27, 2018

Ms. Amanda Neiderer
Rodgers Consulting, Inc.
19847 Century Boulevard
Suite 200
Germantown, MD 20874

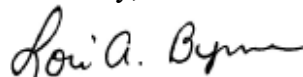
RE: Environmental Review for Ten Mile Creek Property, Clarksburg Road, Boyds, Tax Map EV13, Parcels 900, 600, 290 and 270, Montgomery County, Maryland.

Dear Ms. Neiderer:

The Wildlife and Heritage Service has determined that there are no official State or Federal records for listed plant or animal species within the delineated area shown on the map provided. As a result, we have no specific concerns regarding potential impacts or recommendations for protection measures at this time. We would like to point out, however, that our remote analysis suggests that the forested area on this property contains Forest Interior Dwelling Bird habitat. Populations of many bird species which depend on this type of forested habitat are declining in Maryland and throughout the eastern United States. Interested landowners can contact us for further voluntary guidelines to help conserve this important habitat.

Please be sure to let us know if the limits of proposed disturbance or overall site boundaries change and we will provide you with an updated evaluation. Thank you for allowing us the opportunity to review this project. If you should have any further questions regarding this information, please contact me at (410) 260-8573.

Sincerely,



Lori A. Byrne,
Environmental Review Coordinator
Wildlife and Heritage Service
MD Dept. of Natural Resources

ER# 2018.1070.mo

August 11, 2020

Mr. David Demarco
Pulte Group
9302 Lee Highway, Suite 1000
Fairfax, VA 22031

TNT Project #: 1944

Reference: Rare, Threatened and Endangered Plant Habitat Assessment, Creekside Development, Montgomery County, Maryland

Dear Mr. Demarco,

At the request of Pulte Group, TNT Environmental, Inc. (TNT), in coordination with Apex Companies, LLC (Apex) conducted a rare, threatened and endangered (RTE) plant habitat assessment for the aforementioned project site. A summary of findings is included below. It is our recommendation that the report be read in its entirety.

Based on public comments received and information provided by Mr. Stephen Collins (formerly of Pulte Group), five (5) rare plant species (target species) were observed in the vicinity by others and are known to exist within the Tenmile Creek watershed. These species include:

1. *Eupatorium altissimum* (Tall Boneset)
2. *Liparis liliifolia* (Large Twayblade)
3. *Packera paupercula* (Balsam Ragwort)
4. *Solidago patula* (Sharp-leaved Goldenrod)
5. *Trichophorum planifolium* (Bashful Bulrush)

Prior to the habitat assessment, TNT reviewed the Maryland Department of Natural Resources (MDNR) letter dated July 27, 2018 which concludes that “the Wildlife and Heritage Service has determined that there are no official State or Federal records for listed plant or animal species within the delineated area shown on the map provided. As a result, we have no specific concerns regarding potential impacts or recommendations for protection measures at this time.”

TNT also reviewed the *List of Rare, Threatened, and Endangered Species of Montgomery County* published in July 2019 by MDNR. Based on a review of this publication, the sharp-leaved goldenrod is not listed therein. Additionally, the bashful bulrush, balsam ragwort, large twayblade, and tall boneset are not listed as threatened or endangered.

Site visits were conducted on April 23 and 24, 2020 to assess the presence/absence of potential habitat

for the target species. Habitat assessments were conducted through general ground reconnaissance of vegetative communities within the entire 400.24-acre study area. Each vegetative community was assessed for the presence of each target species' habitat characteristics, based on habitat types described in the aforementioned publication. Vegetative communities were approximately mapped using sub-meter GPS and identified using nomenclature from *The Natural Communities of Maryland 2016 Natural Community Classification Framework* provided by the MDNR.

Based on the site visit and associated observations, potential habitat was encountered for three (3) of the five (5) target species, including large twayblade, sharp-leaved goldenrod, and bashful bulrush.

Based on the "Creekside Combined Preliminary/Final Forest Conservation Plan" (FCP; Sheet 1 of 9, October 2019) for the Creekside Development, areas shown for proposed development (subject to change and final approvals) appear to be outside of the areas of potential habitat identified, and within areas designated in the FCP for forest conservation. Provided these areas are located outside the Creekside Development footprint, no further studies should be warranted for the subject property.

During the Clean Water Act (Section 401/404) permitting process for the County-required stream restoration, if warranted based on the scope and magnitude of the work, detailed presence/absence surveys for the target species may be needed. It is our recommendation that these surveys be conducted at the appropriate time of year for each species (i.e., the months noted by MDNR during which flower and/or fruit morphological structures can be identified) if work will be conducted within areas of potential habitat for the aforementioned species.

We appreciate the opportunity to work with you on this project. If you have any questions, please feel free to contact us at any time at (703) 466-5123.

Sincerely,

TNT ENVIRONMENTAL, INC.



Tara N. Wilkins
Environmental Scientist
Tara@TNTenvironmentalinc.com



Avi M. Sareen, PWS, PWD, ISA-CA
Principal/President
Avi@TNTenvironmentalinc.com

Enclosures:

- List of Rare, Threatened, and Endangered Species of Montgomery County
- MDNR Environmental Review, dated July 27, 2018

List of Rare, Threatened, and Endangered Species of Montgomery County

July 2019



Maryland Wildlife and Heritage Service
Natural Heritage Program



Larry Hogan, Governor
Jeannie Haddaway-Riccio, Secretary

Wildlife & Heritage Service

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ACKNOWLEDGMENTS

The Maryland Department of Natural Resources would like to express sincere appreciation to the many scientists and naturalists who willingly share information and provide their expertise to further our mission of conserving Maryland's natural heritage.

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IMPORTANT NOTES

This list is a subset of the main reports:

[Maryland Natural Heritage Program. 2019. List of Rare, Threatened, and Endangered Plants of Maryland](#) DNR 03-031319-135 and
[Maryland Natural Heritage Program. 2019. Rare, Threatened, and Endangered Plants of Maryland](#) DNR 03-031319-136 and
[Maryland Natural Heritage Program. 2016. List of Rare, Threatened, and Endangered Animals of Maryland](#) DNR 03-1272016-633

Please refer to these for important information including grant, history, purpose, governing laws and regulations, understanding state and federal conservation status ranks and legal statuses, and for additional resources.

This list is derived from an extensive data collection effort and numerous field surveys to determine distribution and abundance of plants and animals native to Maryland. Although based on a large volume of information, this list should not be viewed as complete or definitive. While much is known about some species, very little is known about others. The Maryland Natural Heritage Program welcomes additional information or recommendations regarding any of the taxa listed herein.

HOW YOU CAN HELP

You can take an active part in conserving Maryland's rare species by contacting the Wildlife and Heritage Service with the following types of information:

1. Location details should be included (exact mapped location using GPS is preferred, but not required). Online applications such as Google Earth are invaluable but precise, written directions including driving and walking are acceptable.
2. Documentation that includes a photograph, description of the species, identification source, and habitat description should accompany the report.
3. Information on the ecology and or biology of the species including observed and/or identified pollinators should accompany the report.

**Additional information, including a downloadable PDF of our rare plant reporting form can be found at: dnr.maryland.gov/wildlife/Pages/plants_wildlife/rte_reportinginst.aspx

Definitions of qualifiers used in the county distribution of species.

Distributional Qualifier	Definition
{species} [?]	Record for the county is reported but unverified or may indicate that the record occurs outside of the known range or in atypical habitat.
{species} ^h	Record for the county is based upon a historical collection but no extant population is known.
{species} ^l	Record for the county is the result of an introduction.

SCIENTIFIC NAME	COMMON NAME	STATE RANK	STATE STATUS	FEDERAL STATUS
Animals				
<i>Aeshna verticalis</i>	Green-striped Darner	S2		
<i>Alasmidonta heterodon</i>	Dwarf Wedge Mussel	S1	E	LE
<i>Alasmidonta undulata</i>	Triangle Floater	S1	E	
<i>Alasmidonta varicosa</i>	Brook Floater	S1	E	
<i>Ammodramus henslowii</i>	Henslow's Sparrow	S2B	I	
<i>Ankylocythere tridentata</i>	An Entocytherid Ostracod	SH		
<i>Attheyella spinipes</i>	A Harpacticoid Copepod	SU		
<i>Autochton cellus</i>	Golden-banded Skipper	SH	X	
<i>Bartramia longicauda</i>	Upland Sandpiper	S1B	E	
<i>Botaurus lentiginosus</i>	American Bittern	S1B	T	
<i>Caecidotea pricei</i>	Price's Cave Isopod	S3		
<i>Caecidotea vandeli</i>	Vandel's Cave Isopod	S1	E	
<i>Cambarus acuminatus</i>	Acuminate Crayfish	S2	I	
<i>Circus cyaneus</i>	Northern Harrier	S2B	I	
<i>Cistothorus platensis</i>	Sedge Wren	S1B	E	
<i>Cordulegaster bilineata</i>	Brown Spiketail	S3		
<i>Diacyclops palustris</i>	A Cyclopoid Copepod	SU		
<i>Dryobius sexnotatus</i>	Six-banded Longhorn Beetle	S1	E	
<i>Elliptio lanceolata</i>	Yellow Lance	SU		
<i>Elliptio producta</i>	Atlantic Spike	S2	I	
<i>Empidonax alnorum</i>	Alder Flycatcher	S2B	I	
<i>Epitheca spinosa</i>	Robust Baskettail	S1S2		
<i>Erpetogomphus designatus</i>	Eastern Ringtail	S2		
<i>Etheostoma vitreum</i>	Glassy Darter	S1S2	T	
<i>Farancia erythrogramma</i>	Rainbow Snake	S1	E	
<i>Fontigens bottimeri</i>	Appalachian Spring Snail	S2		
<i>Gallinula galeata</i>	Common Gallinule	S2S3B	I	
<i>Gomphus quadricolor</i>	Rapids Clubtail	S2	I	
<i>Gomphus ventricosus</i>	Skilllet Clubtail	SH	X	
<i>Haliaeetus leucocephalus</i>	Bald Eagle	S3S4		
<i>Lampsilis cariosa</i>	Yellow Lampmussel	SU		
<i>Lampsilis radiata</i>	Eastern Lampmussel	SU		
<i>Lanius ludovicianus</i>	Loggerhead Shrike	S1B	E	
<i>Lasmigona subviridis</i>	Green Floater	S1	E	
<i>Leptodea ochracea</i>	Tidewater Mucket	S1S2		
<i>Lethenteron appendix</i>	American Brook Lamprey	S1S2	T	
<i>Lophodytes cucullatus</i>	Hooded Merganser	S3B		
<i>Mustela nivalis</i>	Least Weasel	S2S3	I	
<i>Myotis leibii</i>	Eastern Small-footed Myotis	S1	E	
<i>Neotoma magister</i>	Allegheny Woodrat	S1	E	
<i>Nyctanassa violacea</i>	Yellow-crowned Night-Heron	S3B		
<i>Ophiogomphus rupinsulensis</i>	Rusty Snaketail	S2		
<i>Papilio cresphontes</i>	Giant Swallowtail	S2	I	

SCIENTIFIC NAME	COMMON NAME	STATE RANK	STATE STATUS	FEDERAL STATUS
<i>Percina bimaculata</i>	Chesapeake Logperch	S1S2	T	
<i>Percopsis omiscomaycus</i>	Trout-perch	SX	X	
<i>Peucaea aestivalis</i>	Bachman's Sparrow	SHB	X	
<i>Phyciodes batesii</i>	Tawny Crescent	SH	X	
<i>Podilymbus podiceps</i>	Pied-billed Grebe	S2S3B		
<i>Sorex hoyi winnemana</i>	Southern Pygmy Shrew	S2		
<i>Sorex longirostris</i>	Southeastern Shrew	S3S4		
<i>Speyeria idalia</i>	Regal Fritillary	SH	X	
<i>Spiza americana</i>	Dickcissel	S3B		
<i>Strophitus undulatus</i>	Creeper	S2	I	
	Rock Creek Groundwater			
<i>Stygobromus kenki</i>	Amphipod	S1	E	
<i>Stygobromus pizzinii</i>	Pizzini's Cave Amphipod	S1		
<i>Stygobromus sp. 14</i>	Roundtop Amphipod	S1		
<i>Stygobromus tenuis potomacus</i>	Potomac Amphipod	S3		
<i>Tachopteryx thoreyi</i>	Gray Petaltail	S3		

Plants

<i>Agalinis auriculata</i>	Earleaf False Foxglove	S1	E	
<i>Agalinis obtusifolia</i> ?	Ten-lobe False Foxglove	SH	X	
<i>Agalinis setacea</i> ^h	Thread-leaved Gerardia	S2	E	
<i>Amelanchier nantucketensis</i>	Nantucket Shadbush	S1	T	
<i>Arabis patens</i>	Spreading Rockcress	S3		
<i>Arabis pycnocarpa</i> var. <i>adpressipilis</i>	Hairy Rockcress	S1S2		
<i>Aralia racemosa</i> ^h	American Spikenard	S2S4		
<i>Aristida lanosa</i> ^h	Woolly Three-awn	S1	E	
<i>Armoracia lacustris</i>	Lake-cress	S1	E	
<i>Arnica acaulis</i> ^h	Leopard's-bane	S1	E	
<i>Arnoglossum reniforme</i> ^h	Great Indian-plantain	SH	X	
<i>Aronia x prunifolia</i>	Purple Chokeberry	S3		
<i>Asclepias purpurascens</i>	Purple Milkweed	S2		
<i>Asclepias verticillata</i>	Whorled Milkweed	S3		
<i>Asplenium pinnatifidum</i>	Lobed Spleenwort	S1	E	
<i>Astragalus canadensis</i>	Canadian Milkvetch	S1	E	
<i>Astragalus distortus</i> ^h	Ozark Milkvetch	S2	T	
<i>Aureolaria flava</i>	Smooth Yellow False Foxglove	S3		
<i>Aureolaria laevigata</i>	Downy Yellow Foxglove	SU		
<i>Baptisia australis</i>	Blue Wild Indigo	S2	T	
<i>Bidens trichosperma</i>	Tickseed Sunflower	S3S4		
<i>Borodinia dentata</i>	Short's Rockcress	S3		
<i>Botrychium matricariifolium</i> ^h	Chamomile Grapefern	S1?		
<i>Botrychium simplex</i> ^h	Least Grapefern	SH	X	
<i>Bouteloua curtipendula</i>	Side-oats Grama	S2		
<i>Bromus latiglumis</i> ^h	Broad-glumed Brome	S1	E	

SCIENTIFIC NAME	COMMON NAME	STATE RANK	STATE STATUS	FEDERAL STATUS
<i>Bromus nottowayanus</i> ^h	Nottoway Brome	S3S4		
<i>Buchnera americana</i> ^h	Bluehearts	SH	X	
<i>Calystegia spithamea</i> ssp. <i>spithamea</i>	Low Bindweed	S2		
<i>Cardamine douglassii</i>	Purple Cress	S3		
<i>Carex albursina</i>	White Bear Sedge	S3		
<i>Carex appalachica</i> ^h	Appalachian Sedge	S1?		
<i>Carex buxbaumii</i>	Buxbaum's Sedge	S2	T	
<i>Carex careyana</i>	Carey's Sedge	S1	E	
<i>Carex cristatella</i>	Crested Sedge	S1?		
<i>Carex davisii</i>	Davis' Sedge	S1	E	
<i>Carex decomposita</i>	Cypress-knee Sedge	S1	E	
<i>Carex digitalis</i> var. <i>macropoda</i>	Southern Slender Woodland Sedge	S1?		
<i>Carex emoryi</i>	Emory's Sedge	S3		
<i>Carex hirtifolia</i>	Pubescent Sedge	S3		
<i>Carex hitchcockiana</i>	Hitchcock's Sedge	S1	E	
<i>Carex hystericina</i>	Porcupine Sedge	S1	E	
<i>Carex laxiculmis</i> var. <i>copulata</i>	Coupled Sedge	S1?		
<i>Carex lupuliformis</i>	False Hop Sedge	S2		
<i>Carex meadii</i>	Mead's Sedge	S1	E	
<i>Carex pellita</i>	Wooly Sedge	S2?		
<i>Carex planispicata</i>	Flat-spiked Sedge	S1S2		
<i>Carex shortiana</i>	Short's Sedge	S3S4	E	
<i>Carex sparganioides</i>	Bur-reed Sedge	S3		
<i>Carex straminea</i>	Eastern Straw Sedge	S1S2		
<i>Carex striatula</i>	Lined Sedge	S3		
<i>Carex venusta</i> ^h	Dark Green Sedge	S3S4		
<i>Carya laciniosa</i>	Big Shellbark Hickory	S1	E	
<i>Castanea dentata</i>	American Chestnut	S2S3		
<i>Ceratophyllum echinatum</i> ^h	Prickly Hornwort	S2?	E	
<i>Chamaelirium luteum</i>	Devil's-bit	S2		
<i>Chimaphila umbellata</i> ^h	Common Wintergreen	S3		
<i>Chrysogonum virginianum</i>	Green-and-gold	S3		
<i>Cirsium horridulum</i>	Yellow Thistle	S3		
<i>Clematis ochroleuca</i> ^h	Curly-heads	SH	X	
<i>Clematis viorna</i>	Vase-vine Leatherflower	S3		
<i>Commelina erecta</i>	Erect Dayflower	S3		
<i>Corallorhiza wisteriana</i> ^h	Spring Coralroot	S1	E	
<i>Coreopsis tripteris</i>	Tall Tickseed	S1	E	
<i>Coreopsis verticillata</i>	Whorled Coreopsis	S3		
<i>Cuscuta coryli</i> ^h	Hazel Dodder	S1	X	
<i>Cuscuta polygonorum</i> ^h	Smartweed Dodder	S1	E	
<i>Cyperus hystricinus</i>	Flatsedge	S2		

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<i>Cyperus lancastricensis</i>	Many-flowered Umbrella-sedge	S2S3		
<i>Cyperus refractus</i>	Reflexed Flatsedge	S2?		
<i>Cyperus retrofractus</i>	Rough Flatsedge	S2		
<i>Cypripedium parviflorum var. pubescens</i>	Large Yellow Lady's-slipper	S3		
<i>Delphinium tricorne</i>	Dwarf Larkspur	S3		
<i>Desmodium cuspidatum</i> ^h	Toothed Tick-trefoil	S1		
<i>Desmodium laevigatum</i> ^h	Smooth Tick-trefoil	S3		
<i>Desmodium nuttallii</i> [?]	Nuttall's Tick-trefoil	S1?		
<i>Desmodium obtusum</i> ^h	Stiff Tick-trefoil	S1	E	
<i>Dicentra eximia</i> ^l	Wild Bleedinghearts	S2	T	
<i>Dichanthelium annulum</i>	Ringed Witchgrass	S1		
<i>Dichanthelium bicknellii</i> ^h	Bicknell's Witchgrass	SU	X	
<i>Dichanthelium laxiflorum</i>	Open-flower Witchgrass	S1?		
<i>Dichanthelium oligosanthes var. scribnerianum</i> ^h	Scribner's Witchgrass	S2		
<i>Dichanthelium ravenelii</i> ^h	Ravenel's Witchgrass	SH		
<i>Dichanthelium scabriusculum</i> ^h	Woolly Witchgrass	S1	E	
<i>Diphasiastrum tristachyum</i>	Deep-root Clubmoss	S3		
<i>Dirca palustris</i>	Eastern Leatherwood	S2	T	
<i>Doellingeria infirma</i>	Cornel-leaf Aster	S3		
<i>Drymocallis arguta</i> ^h	Tall Cinquefoil	SH		
<i>Dryopteris goldiana</i>	Goldie's Fern	S2		
<i>Echinodorus cordifolius</i>	Creeping Burhead, Upright Burhead	S1	E	
<i>Eleocharis compressa</i>	Flat-stem Spikerush	S1	E	
<i>Eleocharis erythropoda</i> ^h	Bald Spikerush	SU		
<i>Erigenia bulbosa</i>	Harbinger-of-spring	S3		
<i>Eriocaulon decangulare</i> ^h	Ten-angle Pipewort	S1		
<i>Eriophorum virginicum</i> ^h	Tawny Cottongrass	S3		
<i>Eryngium yuccifolium</i> ^h	Rattlesnake-master	SH	X	
<i>Erythronium albidum</i>	White Trout Lily	S2	T	
<i>Eupatorium altissimum</i>	Tall Boneset	S3		
<i>Euphorbia spathulata</i> ^h	Warty Spurge, Bluntleaf Spurge	S1	E	
<i>Eurybia radula</i> ^h	Rough Wood Aster	S1	E	
<i>Fimbristylis annua</i> ^h	Annual Fimbry	S3		
<i>Fraxinus nigra</i>	Black Ash	S3		
<i>Galactia volubilis</i>	Downy Milkpea	S3		
<i>Gentiana andrewsii</i>	Fringe-top Bottle Gentian	S2	T	
<i>Gentiana villosa</i>	Striped Gentian	S1	E	
<i>Geum laciniatum</i>	Rough Avens	S3		
<i>Gonolobus suberosus var. suberosus</i>	Angular-fruit Milkvine	S2		
<i>Goodyera tessellata</i> ^h	Checkered Rattlesnake-plantain	SH	X	

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<i>Helianthus occidentalis</i>	McDowell's Sunflower	S1	T	
<i>Heracleum maximum</i>	Cow-parsnip	S3		
<i>Heuchera pubescens</i>	Downy Alumroot	S3		
<i>Hibiscus laevis</i>	Halberd-leaf Rosemallow	S3		
<i>Homalosorus pycnocarpus</i>	Glade Fern	S2	T	
<i>Hottonia inflata</i>	Featherfoil	S1	E	
<i>Houstonia tenuifolia</i>	Slender-leaved Bluets	S1		
<i>Hybanthus concolor</i>	Green Violet	S3		
<i>Hydrastis canadensis</i>	Golden-seal	S2	T	
<i>Ilex decidua</i>	Deciduous Holly	S2		
<i>Iresine rhizomatosa</i>	Eastern Bloodleaf	S1	E	
<i>Iris cristata</i>	Dwarf Crested Iris	S1	E	
<i>Iris virginica</i>	Virginia Blueflag	S3		
<i>Isoëtes engelmannii</i> ^h	Engelmann's Quillwort	S3		
<i>Isotria medeoloides</i> ^h	Small Whorled Pogonia	SH	X	LT
<i>Juglans cinerea</i>	Butternut	S2S3		
<i>Juncus longii</i>	Long's Rush	S1	E	
<i>Krigia dandelion</i>	Potato Dwarf-dandelion	S2S3		
<i>Lactuca hirsuta</i> ^h	Hairy Lettuce	SH	X	
<i>Lathyrus palustris</i> ^h	Vetchling Peavine	S1	E	
<i>Liparis liliifolia</i>	Large Twayblade	S2S3		
<i>Liparis loeselii</i>	Loesel's Twayblade	S1S2		
<i>Lipocarpha micrantha</i>	Dwarf Bulrush	S1	E	
<i>Lithospermum latifolium</i> ^h	American Gromwell	S1	E	
<i>Lithospermum virginianum</i>	Virginia False Gromwell	S1	E	
<i>Ludwigia decurrens</i>	Primrose-willow	S2S3		
<i>Lygodium palmatum</i> ^h	Climbing Fern	S2	T	
<i>Lysimachia hybrida</i>	Lowland Loosestrife	S2	T	
<i>Lysimachia lanceolata</i>	Lanceleaf Loosestrife	S3		
<i>Lythrum alatum</i>	Winged Loosestrife	S1	E	
<i>Maianthemum stellatum</i>	Starflower Solomon's-plume	S2	E	
<i>Malaxis unifolia</i> ^h	Green Adder's-mouth Orchid	S2		
<i>Malus angustifolia</i>	Southern Crabapple	S3		
<i>Matelea carolinensis</i> ^h	Carolina Anglepod	S2S3	E	
<i>Matelea obliqua</i>	Climbing Milkweed	S1S2	E	
<i>Matteuccia struthiopteris</i>	Ostrich Fern	S2S3		
<i>Mecardonia acuminata</i>	Purple Mecardonia	S2	E	
<i>Melica mutica</i>	Narrow Melicgrass	S3		
<i>Monarda clinopodia</i>	Basil Beebalm	S3S4		
<i>Muhlenbergia capillaris</i>	Hair-awn Muhly	S1	E	
<i>Myosotis verna</i>	Spring Forget-me-not	S3		
<i>Orthilia secunda</i> ^h	One-side Wintergreen	SH	X	
<i>Oxydendrum arboreum</i> ^{1?}	Sourwood	S1	E	
<i>Packera paupercula</i>	Balsam Ragwort	S3		

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<i>Panax quinquefolius</i> ^h	American Ginseng	S2S3		
<i>Panicum flexile</i> ^h	Wiry Witch Grass	S1	E	
<i>Panicum philadelphicum</i>	Philadelphia Panicgrass	SU		
<i>Paronychia virginica</i> var. <i>virginica</i>	Yellow Nailwort	S1	E	
<i>Paspalum fluitans</i>	Horse-tail Paspalum	S2	E	
<i>Pellaea glabella</i> ^h	Smooth Cliffbrake	S1	E	
<i>Penstemon laevigatus</i>	Smooth Beardtongue	SU		
<i>Phacelia covillei</i>	Buttercup Scorpionweed	S2	E	
<i>Phacelia purshii</i>	Miami-mist	S3		
<i>Phaseolus polystachios</i>	Wild Kidney Bean	S3		
<i>Phemeranthus teretifolius</i> ^h	Roundleaf Fameflower	S2	T	
<i>Phlox glaberrima</i>	Smooth Phlox	S1	E	
<i>Phlox pilosa</i> ^h	Downy Phlox	S1	E	
<i>Phyllanthus caroliniensis</i>	Carolina Leaf-flower	S3		
<i>Physalis virginiana</i>	Virginia Ground-cherry	S3		
<i>Platanthera flava</i>	Pale Green Orchid	S2S3		
<i>Platanthera peramoena</i>	Purple Fringeless Orchid	S1S2	T	
<i>Platanthera psycodes</i> ^h	Small Purple Fringed Orchid	SH	X	
<i>Podostemum ceratophyllum</i> ^h	Threadfoot	S3		
<i>Polygala incarnata</i>	Pink Milkwort	S2S3		
<i>Polygala polygama</i>	Racemed Milkwort	S1	T	
<i>Polygala senega</i> ^h	Seneca Snakeroot	S2	T	
<i>Potamogeton foliosus</i>	Leafy Pondweed	S2	E	
<i>Potamogeton zosteriformis</i> ^h	Flatstem Pondweed	S1	E	
<i>Primula meadia</i>	Common Shootingstar	S3		
<i>Prunus susquehanae</i> ^h	Susquehanna Sandcherry	SH		
<i>Ptelea trifoliata</i>	Common Hoptree	S3		
<i>Pycnanthemum clinopodioides</i> ^h	Basil Mountainmint	SH		
<i>Pycnanthemum torreyi</i> ^h	Torrey's Mountainmint	S1	E	
<i>Pycnanthemum verticillatum</i> ^h	Whorled Mountainmint	S1	E	
<i>Pycnanthemum virginianum</i> ^h	Virginia Mountainmint	S2		
<i>Pyrola chlorantha</i> ^h	Green-flower Wintergreen	SH	X	
<i>Quercus macrocarpa</i>	Bur Oak	S1S2		
<i>Quercus shumardii</i>	Shumard Oak	S2	T	
<i>Ranunculus ambigens</i>	Water-plantain Spearwort	S1	X	
<i>Ranunculus flabellaris</i>	Yellow Water Crowfoot	S1	E	
<i>Ranunculus pusillus</i>	Pursh's Buttercup	SU		
<i>Rhynchospora recognita</i>	Cymose Beakrush	S2		
<i>Rudbeckia fulgida</i>	Orange Coneflower	S3		
<i>Rudbeckia triloba</i>	Brown-eyed Susan	S3		
<i>Ruellia humilis</i>	Hairy Wild Petunia	S1	E	
<i>Ruellia purshiana</i>	Pursh's Wild Petunia	S1	E	
<i>Ruellia strepens</i>	Limestone Wild Petunia	S2S3		

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<i>Rumex altissimus</i>	Tall Dock	S1	E	
<i>Sagittaria engelmanniana</i> ^h	Engelmann's Arrowhead	S2	T	
<i>Sagittaria rigida</i> ^h	Sessile-fruit Arrowhead	S1	E	
<i>Salix caroliniana</i>	Carolina Willow	S3		
<i>Salix exigua</i> ^h	Narrowleaf Willow	S1	E	
<i>Salix occidentalis</i> ^h	Dwarf Prairie Willow	S2		
<i>Sanguisorba canadensis</i>	Canada Burnet	S2	T	
<i>Schoenoplectus smithii</i> [?]	Smith's Bulrush	S1?	X	
<i>Scleria oligantha</i>	Little-head Nutrush	S1		
<i>Scleria reticularis</i> ^h	Reticulated Nutrush	S2S3		
<i>Scrophularia lanceolata</i>	Hare Figwort	S3		
<i>Scutellaria galericulata</i>	Hooded Skullcap	S2		
<i>Scutellaria incana</i> ^h	Hoary Skullcap	S3		
<i>Scutellaria leonardii</i>	Shale Barren Skullcap	S2	T	
<i>Scutellaria nervosa</i>	Veined Skullcap	S1S2	E	
<i>Scutellaria ovata</i>	Heartleaf Skullcap	S3		
<i>Scutellaria saxatilis</i>	Rock Skullcap	S1	E	
<i>Scutellaria serrata</i>	Showy Skullcap	S3		
<i>Senecio suaveolens</i>	Sweet-scented Indian-plantain	S1	E	
<i>Senna marilandica</i>	Maryland Wild Senna	S3		
<i>Sida hermaphrodita</i>	Virginia Mallow	S1	E	
<i>Silene nivea</i> ^h	Snowy Campion	S1	E	
<i>Silphium asteriscus</i> var. <i>trifoliatum</i>	Threeleaf Rosinweed	S3		
<i>Smilax pseudochina</i>	Long-stalk Greenbrier	S2	T	
<i>Solidago racemosa</i>	Racemose Goldenrod	S1	T	
<i>Solidago rigida</i> ^h	Prairie Goldenrod	S1	X	
<i>Solidago rupestris</i>	Rock Goldenrod	S1	X	
<i>Solidago uliginosa</i>	Bog Goldenrod	S3		
<i>Sparganium androcladum</i> [?]	Branching Bur-reed	SU		
<i>Spermacoce glabra</i>	Smooth False Buttonweed	S1	E	
<i>Sphenopholis pennsylvanica</i>	Swamp Wedgescale	S2	T	
<i>Spiranthes lucida</i> ^h	Shining Ladies'-tresses	S1	E	
<i>Spiranthes ochroleuca</i> ^h	Yellow Nodding Ladies'-tresses	S1	E	
<i>Spiranthes tuberosa</i> ^h	Little Ladies'-tresses	S1?		
<i>Sporobolus clandestinus</i>	Rough Dropseed	S2		
<i>Stachys aspera</i> ^{h?}	Gritty Hedge-nettle	S1	E	
<i>Stachys eplingii</i>	Epling's Hedge-nettle	S1		
<i>Stellaria alsine</i>	Trailing Stitchwort	S1	E	
<i>Stenanthium gramineum</i>	Eastern Featherbells	S1	T	
<i>Symphyotrichum drummondii</i> ^h	Drummond's Aster	S1		
<i>Symphyotrichum shortii</i>	Short's Aster	S3S4		
<i>Thelypteris simulata</i> ^h	Bog Fern	S2	T	
<i>Thyrsanthella difformis</i>	Climbing Dogbane	S1	E	

SCIENTIFIC NAME	COMMON NAME	STATE RANK	STATE STATUS	FEDERAL STATUS
<i>Trautvetteria caroliniensis</i>	Tassel-rue	S3		
<i>Triantha racemosa</i> ^h	Coastal False Asphodel	SX	X	
<i>Trichophorum planifolium</i>	Bashful Bulrush	S2		
<i>Trifolium reflexum</i> ^h	Buffalo Clover	SH	X	
<i>Trillium cernuum</i>	Northern Nodding Trillium	S3		
<i>Triosteum angustifolium</i>	Yellowleaf Tinker's-weed	S1	E	
<i>Triphora trianthophoros</i> ^h	Nodding Pogonia	S1	E	
<i>Utricularia subulata</i> ^h	Zigzag Bladderwort	S3		
<i>Valeriana pauciflora</i>	Valerian	S1	E	
<i>Valerianella chenopodiifolia</i>	Goosefoot Corn-salad	S1	E	
<i>Valerianella umbilicata</i> ^h	Navel-shaped Corn-salad	SH	X	
<i>Veratrum hybridum</i> ^h	Broadleaf Bunchflower	S1	E	
<i>Veronica scutellata</i>	Marsh Speedwell	S1	E	
<i>Vitis rupestris</i>	Rock Grape	S1		
<i>Zanthoxylum americanum</i>	Northern Prickly-ash	S1S2	E	
<i>Zizia aurea</i>	Golden Alexanders	S3		



Larry Hogan, Governor
Boyd Rutherford, Lt. Governor
Mark Belton, Secretary
Joanne Throwe, Deputy Secretary

July 27, 2018

Ms. Amanda Neiderer
Rodgers Consulting, Inc.
19847 Century Boulevard
Suite 200
Germantown, MD 20874

RE: Environmental Review for Ten Mile Creek Property, Clarksburg Road, Boyds, Tax Map EV13, Parcels 900, 600, 290 and 270, Montgomery County, Maryland.

Dear Ms. Neiderer:

The Wildlife and Heritage Service has determined that there are no official State or Federal records for listed plant or animal species within the delineated area shown on the map provided. As a result, we have no specific concerns regarding potential impacts or recommendations for protection measures at this time. We would like to point out, however, that our remote analysis suggests that the forested area on this property contains Forest Interior Dwelling Bird habitat. Populations of many bird species which depend on this type of forested habitat are declining in Maryland and throughout the eastern United States. Interested landowners can contact us for further voluntary guidelines to help conserve this important habitat.

Please be sure to let us know if the limits of proposed disturbance or overall site boundaries change and we will provide you with an updated evaluation. Thank you for allowing us the opportunity to review this project. If you should have any further questions regarding this information, please contact me at (410) 260-8573.

Sincerely,

Lori A. Byrne,
Environmental Review Coordinator
Wildlife and Heritage Service
MD Dept. of Natural Resources

ER# 2018.1070.mo

From: [Chandler, Martin](#)
To: [Kishter, Mary Jo](#)
Cc: [Forte, Robin](#); [Nelson, Steven](#); [Buglass, Bob](#)
Subject: RE: Little Seneca Lake - Montgomery County
Date: Tuesday, January 21, 2020 8:00:50 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

Hello May Jo,

Sorry I missed your call earlier (was on a webinar, but got the VM).

Answers to your questions are:

1. Does WSSC monitor the lake and if so, what are the parameters that are monitored and how often does the monitoring occur?

Answer: Yes, WSSC Water does surveillance monitoring of water quality conditions in the reservoir. M-NCPPC conducted some limited monitoring from 1999-2000, and MDE sampled several times during 2001. WSSC Water's monitoring program began in 2010 and has continued ever since. We sample three times per year (spring, summer, autumn) with the objective of tracking longer-term and seasonal changes in water quality. We monitor for nutrients (nitrogen and phosphorus), chlorophyll, turbidity, and sodium chloride in water samples delivered to WSSC Water's laboratory. In addition, there are depth profiles measured at four locations using a multi-parameter sonde (records depth, temperature, dissolved oxygen, pH, specific conductivity, chlorophyll, phycocyanin, redox (ORP), turbidity, and dissolved organic matter); and water clarity using a secchi disk. In addition, WSSC Water monitors the sedimentation rate by commissioning bathymetric surveys approx. every 10 years (done by Maryland Geological Survey) – the last one was in 2010 and a new one is being planned for this year.

2. Has microcystin toxin ever been detected at Little Seneca Lake?

Answer: Cyanotoxins have not been of much concern (unlike smaller County lakes like Needwood), and to our knowledge only one round of toxin testing (for total microcystins) was conducted in October 2019 at the request of the Black Hill Regional Park Manager. Two rounds of algae sampling (speciation/taxonomy with cyanophyta cell counts) were done in August 2016 and October 2019. Microcystin was not detected in the 2019 samples. Note that EPA's recreational contact guidance value for microcystins is 8 ppb, and that WSSC Water's lab reporting limit is 0.3 ppb.

3. Is Little Seneca Lake showing signs of eutrophication?

Answer: MDE makes determinations about water body impairments, including assessing eutrophication conditions and water quality indicators such as chlorophyll and dissolved oxygen. In 2006 MDE published a Water Quality Analysis of Eutrophication for Little Seneca Reservoir, and concluded that a TMDL for nutrients was not necessary to achieve the impoundment's water quality Designated Use criteria; and it was classified as Category 2 in the latest Integrated Report.

4. Has a study been undertaken to assess the long-term health of the Lake?

Answer: MDE would be the proper agency to make an assessment of long-term "health" assuming this means water quality, eutrophication or impairment. However, WSSC Water's bathymetric surveys can give a long-term picture of "health" in terms of drinking water storage capacity loss, and increasing or decreasing sedimentation rates, as well as locating areas in the reservoir where subsurface erosion and deposition are occurring.

If you all need to see any of our data, we're happy to share it.

Thanks, *Martin*



WSSC Water is the proud provider of safe, seamless and satisfying water services, making the essential possible every day.

MARTIN CHANDLER, PhD, PG

Senior Scientist
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-
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From: Kishter, Mary Jo <maryjo.kishter@montgomeryplanning.org>

Sent: Thursday, January 16, 2020 2:40 PM

To: Chandler, Martin <Martin.Chandler@wsscwater.com>

Subject: Little Seneca Lake - Montgomery County

EXTERNAL EMAIL!

Martin,

I left you a voicemail a few minutes ago and am following up with this email. We have a few development applications pending that are located within the Ten Mile Creek watershed. Some

citizens that are part of the Friends of Ten Mile Creek have expressed some concerns related to those applications and also the status of the water quality in Little Seneca Lake. We are trying to provide answers to these questions, and are hoping that you may be able to assist.

1. Does WSSC monitor the lake and if so, what are the parameters that are monitored and how often does the monitoring occur?
2. Has microcystin toxin ever been detected at Little Seneca Lake?
3. Is Little Seneca Lake showing signs of eutrophication?
4. Has a study been undertaken to assess the long-term health of the Lake?

These are the questions that have been asked, but feel free to provide any additional information that you think might be of interest. Thank you in advance, as we appreciate your time and attention to this. Please feel free to call me if you have any questions.

Thank you,
Mary Jo



Mary Jo Kishter
Environmental Planner Coordinator

Montgomery County Planning Department
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301.495.4701



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