



10.0 SPECIAL PROGRAMMATIC CONDITIONS

10.1 CHESAPEAKE BAY AGREEMENT (C2K)

Frederick County continues to work toward meeting the Chesapeake Bay 2000 Agreement and updates. The Chesapeake Bay Program's Local Government Advisory Committee recognized Frederick County in 2004 as a Gold Chesapeake Bay Partner Community. NPDES Program Manager Shannon Moore received a Governor's Citation on March 13, 2004 in recognition of her commitment to the Upper Potomac Tributary Team and for the County's efforts to support the Chesapeake Bay Program. In 2006, Frederick County continued the efforts that earned it recognition in the past. Additionally, the County conducted the following activities.

- Continued to attend Tributary Team meetings and the annual meeting. Presented program information at Tributary Team meetings and sponsored several meetings. Staff coordinated an October 2, 2006 workshop with the Tributary Teams to review the implementation plan with County management.
- Conducted watershed restoration activities in support of Chesapeake Bay 2000 Agreement goals as documented in Section 7.
- Conducted outreach in support of Chesapeake Bay 2000 Agreement goals as documented in Section 6.
- Helped sponsor the Potomac Roundtable and spoke at conference on March 2, 2006.
- Participated in the Alice Ferguson Foundation's Trash Free Potomac Initiative, including presenting information to the Board of County Commissioners on January 26, 2006; organizing a press conference with Volunteer Frederick and Alice Ferguson Foundation on February 23, 2006, and attending the Trash Summit on March 16, 2006.
- Participated in the Schoolyard Habitats program.
- Coordinated with the Eastern Brook Trout Joint Venture through the Maryland Brook Trout Alliance and the Catoctin, Antietam and Monocacy Brookie Initiative. Served as steering committee member and Secretary Treasurer of MBTA in its first year.
- Developed capacity for stormwater wetland projects through the Bennett Creek Urban Wetland Pilot Project.
- Gave a presentation with Comprehensive Planning Division on Land Use and the Environment to Leadership Frederick on April 21, 2006.
- Attended the One Millionth Tree Planting event on April 21, 2006.
- Developed a "House Calls" GIS tool to take to citizens that have an interest in voluntary conservation programs.
- Spoke at Mid-Atlantic Highlands Action Program (HAP) meeting on 8/1/06 about how the program can benefit counties.
- Facilitated the Monocacy & Catoctin Watershed Alliance to protect and restore these watersheds.
- Cooperated with a US General Accounting Office Audit on NPDES MS4 program costs.

10.2 TOTAL MAXIMUM DAILY LOAD (TMDL) REQUIREMENTS

Within Frederick County, there are currently TMDLs for Lake Linganore for sediment and phosphorus. These TMDLs do not include specific waste load allocations (WLA) to the NPDES MS4 permit. The Interstate Commission on the Potomac River Basin (ICPRB) is currently preparing TMDLs for the nontidal Potomac River, and it is expected that there will be several more draft TMDLs for waterbodies in Frederick County by 2007. These TMDLs will most likely include WLAs. Future NPDES MS4 permits are likely to include language that relates to TMDL implementation; to this effect, Frederick County has been working diligently to address pollutant loads in the Linganore TMDL. The following activities work toward achieving the Linganore sediment and phosphorus TMDLs (with an understanding that the allocations within the TMDL for nonpoint sources do not explicitly mention the MS4 permit) and to plan for future TMDLs:

- Frederick County completed a Watershed Assessment of Lower Linganore Creek in June 2002.
- Frederick County focused on the Upper and Lower Linganore Watersheds as part of its Lower Monocacy Watershed Restoration Action Strategy. The strategy, completed in May 2004, included Stream Corridor Assessments (SCA) for several stream reaches in Upper Linganore.
- The County hired DNR to have the remainder of Upper Linganore and all of Lower Linganore walked using the SCA protocol in 2004. These watersheds are complete and the reports became available in 2005.
- County staff led a process facilitated by the Environmental Finance Center to create a Task Force Report on Source Water Protection in Linganore; this report was completed in 2004 and accepted by the Board of County Commissioners.
- Frederick County Commissioners requested an Action Plan to present implementation scenarios to reduce nutrient and sediment pollution in Lake Linganore and Linganore Creek. This was adopted in 2006.
- In 2006, Frederick County completed a study and report on Assessment of Stormwater Management Retrofit and Stream Restoration Opportunities for Linganore Creek Watershed.
- Frederick County created a Capital Budget for Restoration projects in the Linganore Watershed, with design beginning in 2006.
- Frederick County worked to obtain outside funding for the TMDL area to conduct outreach and restoration projects in the area. Funding includes \$25K from the Chesapeake Bay Trust for rain gardens and riparian reforestation in Libertytown, \$40K from the National Fish and Wildlife Foundation for outreach, and \$216K from EPA's 319(h) Incremental program for urban demonstration projects.
- Staff received a grant in 2006 from EPA's 319(h) Incremental program to establish and Urban Wetlands pilot in the Bennett Creek Watershed and address impairments from the 303(d) list.
- Staff installed watershed signage for Linganore to encourage stewardship and protect water quality in 2006.
- Staff from the WMS has been coordinating with Jim George of MDE's TARSA group. Staff has participated in a working group to create guidance for local

- government implementation of TMDLs. Staff met with Jim George from MDE on May 16, 2006 to review recent developments in TMDL guidance for local governments and wrote a short description of TMDL efforts in Linganore for TARSA. A guidance document has since been released for local governments.
- Staff developed a scenario builder with BMP effectiveness ranges that allows the County to quickly, and on demand, model pollutant load reductions and costs by drainage basin. The model provides an opportunity to maximize reductions for minimal cost. The model, which uses Simple Method-type calculations, is scalable to an individual landowner's property and is part of an outreach tool for the County's "House Calls" program that targets large landowners and homeowner's associations.
 - Comprehensive Planning reviewed rezoning applications for proposed developments in Linganore TMDL watershed and made recommendations based on TMDL limits.
 - Staff wrote articles for the "LakeTalk" Newspaper for residents of the Linganore Watershed about the TMDL and homeowner practices.
 - Staff coordinated a meeting on October 2, 2006 with the Upper Potomac Tributary Team to review TMDL regulations and their intersection with the Tributary Strategies program.
 - Staff coordinated a meeting between MDE and ICPRB on 9/19/06 to discuss the development of TMDLs for nutrients in the Monocacy River. Other TMDLs for sediment, biological impairments, and bacteria are under development.

Evaluation: Frederick County has excelled in the past year by meeting its many and varied commitments under Special Programmatic Conditions. Staff has actively coordinated support for initiatives designed to meet the Chesapeake Bay 2000 Agreement and has taken a leadership role to meet its own TMDL requirements and to help other local governments.