



March 13, 2024

The Honorable Paul Clayton Edwards, Chairman  
Board of Commissioners  
Garrett County  
203 South Fourth Street, Room 207  
Oakland, Maryland 21550

Dear Council Chairman Edwards:

The Maryland Department of the Environment (MDE) has completed its review of **Garrett County's Resolution 2023-8 (Amendment) to the 2014 Garrett County Water and Sewerage Master Plan**. The Board of Garrett County Commissioners adopted the Amendment on December 19, 2023. The Amendment includes the addition of a new 1,000,000-gallon water storage tank (Wisp Mountain Water Storage Tank). See attached map below.

### **Maryland Department of Planning Findings**

Maryland Department of Planning (MDP) has reviewed the amendment and has advised MDE the following:

1. MDP finds the text and map amendments to the "Deep Creek Watershed Planned and Recommended Improvements" and "Deep Creek Water Service Area Map" appear to be consistent with the 2022 Garrett County Comprehensive Plan (Comprehensive Plan).
2. All properties in this amendment for the Deep Creek Watershed are currently inside the county Priority Funding Area (PFA).

If there are comments or questions regarding MDP's review, MDE advises the County to contact MDP. See enclosed MDP's comments and contact information.

### **MDE Review and Action**

1. Water Treatment Plant Capacity – This amendment adds a new 1,000,000-gallon water tower, to supplement the existing water tower located in the Deep Creek watershed, within the service area of the Deep Creek Lake community. A new tank is needed to provide sufficient pressure and fire protection. The Deep Creek Lake water treatment plant is at approximately 30% of its potential capacity. The total design capacity is 432,000 gpd.
2. The Department notes that the property located at the corner of Adventure Sports

Way and Wisp Mountain Road is located within the watershed of Hoyes Run 1, identified as a Tier II stream pursuant to COMAR 26.08.02.04-2. Tier II streams are high quality waters that require, under regulation, “that the Department shall review proposed updates or amendments to County Plans for any new or major modifications to discharges to a Tier II watershed”. Any new or expanded discharge to these Tier II watersheds would require an Anti-degradation Review. All possible considerations should be implemented to protect high quality waters from water quality degradation. This primarily consists of rigorous watershed planning, with consideration of the extra provisions necessary to protect high quality waters.

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The Department recommends that the County consider the following measures in an effort to maintain these high-quality waters when approving new growth in the watersheds of these stream segments:

- a. Implement restrictive zoning or ordinances to protect environmental features.
- b. Re-direct planned growth out of the watersheds of these stream segments.
- c. Retrofit existing stormwater infrastructure.
- d. Incorporate environmental site design (ESD) and other low-impact development (LID) practices into the new development.
- e. Maintain and expand existing forest cover.
- f. Provide riparian buffers of 100-230 feet (depending upon soil types and slopes).

The County should be aware that future plans or modifications facilitated by this Amendment may incur an additional Tier II Antidegradation Review including an SEJ at later stages, on a project-by-project basis. For additional information about Maryland’s Tier II high-quality waters please visit:

[https://mde.maryland.gov/programs/water/tmdl/waterqualitystandards/pages/antidegradation\\_policy.aspx](https://mde.maryland.gov/programs/water/tmdl/waterqualitystandards/pages/antidegradation_policy.aspx)

The County is advised to contact Matthew Stover, Standards, Assessment and Antidegradation Section, Watershed Protection, Restoration, and Planning Program, Water and Science Administration (WSA)/MDE, at (410) 537-3611 for additional information regarding the regulatory requirements for Tier II waters.

3. There is an updated Water Resources Element (WRE) guidance. The 2022 updated WRE guidance can be found at the following link:  
<https://planning.maryland.gov/Pages/OurWork/envr-planning/water-resources-mg/2022/2022-guidance-update.aspx>.

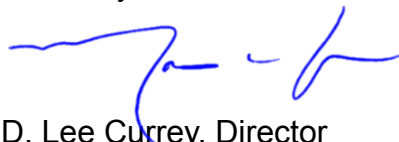
The guidance includes best practices for protecting receiving waters and for integrating climate change and equity considerations into local water resource planning. By updating the WRE, a required element of local comprehensive plans, jurisdictions will identify recommendations and strategies necessary for ensuring community resilience and sustainability, which can inform and be informed by, project and policy needs for county water and sewer plan updates.

4. Please be reminded that the Garrett County Water and Sewerage Master Plan update is overdue. The Code of Maryland Regulations (COMAR) requires that the County provide a copy of the Draft Water and Sewerage Master Plan to MDE with enough time (at least 60 days) prior to County adoption for a thorough review. This action ensures that MDE's comments can be incorporated, as appropriate, in the County's final Plan.

In accordance with §9-507(a) of the Environment Article, Annotated Code of Maryland, **MDE hereby approves the Garrett County Resolution 2023-8 (Amendment) to the 2014 Garrett County Water and Sewerage Master Plan.**

This action completes MDE's review, as required by §9-507 of the Environment Article, Annotated Code of Maryland. If you need further assistance on these matters, please contact Matt Rowe, Deputy Director, at (410) 537-3512, toll-free at (800) 633-6101, or by e-mail at [matthew.rowe@maryland.gov](mailto:matthew.rowe@maryland.gov).

Sincerely,



D. Lee Currey, Director  
Water and Science Administration

Enclosures

cc: Siera Wigfield, Senior Planner, Garrett County  
Charles Boyd, Director, Planning Coordination, MDP  
Matthew Stover, Standards, Assessment, and Antidegradation Section, Watershed Protection, Restoration, and Planning Program, WSA, MDE  
Matthew C. Rowe, CC-P, Deputy Director, WSA, MDE

**Resolution 2023-8: Water Storage Tank Location**

Water & Sewer Amendment 2023-2  
 December 2023

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