

Attachment C



Maryland Department of Planning

Audrey E. Scott
Secretary

Robert L. Ehrlich, Jr.
Governor
Michael S. Steele
Lt. Governor



*Maryland Department of Natural
Resources*
C. Ronald Franks
Secretary

August 10, 2005

Ms. Tanya Schmieler
Park Planning Supervisor
Montgomery County Department of Park and Planning
8787 Georgia Avenue
Silver Spring, MD 20910-3760

Dear Ms. Schmieler:

The Departments of Planning and Natural Resources have completed their review of Montgomery County's draft Land Preservation, Parks, and Recreation Plan. The Plan addressed most of the requirements in the guidelines. The main exceptions are the lack of an executive summary, and missing aspects of the evaluation of the Natural Resource Conservation Program requested in the *Guidelines for State and Local Land Preservation, Parks, and Recreation Planning*, issued in October of 2003. Details are noted in the checklist we used to review the Plan, attached to this letter. It includes our comments about required or otherwise important content of the Plan, as well as editorial suggestions.

Comments in the checklist reflect the *Guidelines for State and Local Land Preservation, Parks, and Recreation Planning* and are intended to identify:

- Content or information required under Program Open Space Law that is missing or otherwise lacking, labeled "POS Requirements";
- Other information requested in the Guidelines needed to accurately assess and represent the status of County efforts in the State Plan, labeled "Guidelines Content."
- Editorial and Reviewer comments in the checklist that are recommendations to help improve the readability of the plan.

On the checklist, you will see bulleted and unbulleted paragraphs. Recommendations for revisions or requests for additional information appear in bulleted paragraphs. Please refer to these when revising your draft plan. Unbulleted comments cite instances where the County's planning and/or implementation efforts are especially notable for their originality, insight, or thorough treatment of a subject. These are for your information only and require no further action.

Please note: in responding to bulleted comments, in many cases we are looking for clarification of the status of County efforts to address questions or issues raised in the *Guidelines*. We are not insisting that the County undertake new analyses or planning initiatives. By accurately understanding the status of County efforts, we will be able to evaluate and characterize efforts statewide and by County most accurately in the State Plan.

Ms. Tanya Schmieler
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If you have any questions about the checklist, please feel free to contact Daniel Rosen at (410) 767-4577 or Lisa Gutierrez at (410) 260-8778. We look forward to receiving the Final Plan and working with you to create the best State Plan possible.

Sincerely,



Daniel Rosen, AICP
Maryland Department of Planning

Lisa Gutierrez
Maryland Department of Natural Resources

Enclosures: Review Checklist

cc: Terry Brooks, Montgomery County POS Liaison
Tom Rimrodt, Joe Tassone, MDP
Chip Price, Steve Hershey, Ron Guns, DNR

LPPRP LOCAL PLAN REVIEW CHECKLIST/ COMMENT SHEET FOR STATE PLAN

Jurisdiction Name: MONTGOMERY COUNTY

Agency: (MDP) / ~~(DNR)~~ / MDA (Circle appropriate agency)

Reviewer Name: Lynda Eisenberg, Tim Larney, Daniel Rosen, Kenneth Shanks

Review Date: July 20, 2005

Chapter	Requirement	Guide- lines Page	Local Plan Page
General Information			
	Name of plan preparer		
	Copies of/Statement of/Plan for local Approval		
	Cover letter with submission date		
Exec Summary			
	An executive summary in the plan	8	
Chapter I - Introduction			
I.A	Statement of plan purpose	8	I-1
I.B	Identification of plan preparers	9	I-3
	Identification of POS liaison	9	
	Identification of agencies for each element	9	
	<u>Reviewer Comments:</u> <i>Guidelines Content:</i> <ul style="list-style-type: none"> The final draft should provide an executive summary, per the <i>Guidelines</i>. Contributors to the Plan were identified. Please indicate which agencies worked on each element <i>Editorial:</i> <ul style="list-style-type: none"> Before the acronym "PROS" appears on page I-1, please provide the full name of the plan (Park, Recreation and Open Space Plan). The 8 Visions are ascribed to the Governor's Commission on growth in the Chesapeake Bay Region. They actually appeared first as part of the Economic Growth, Resource Protection, and Planning Act of 1992. 		
<u>Items for use/reference in State Plan:</u>			
I.C	Date of comprehensive plan	9	I-5

	Statement of relation of LPPRP to Comp. Plan	9	I-4
	Schedule for adoption of LPPRP	9	
	<p><u>Reviewer Comments:</u> Perhaps because Montgomery County is the most populous jurisdiction in the state, its planning process is more complex than other jurisdictions', as the following quote demonstrates: "The 1964 General Plan and the 1993 General Plan Refinement of the Goals and Objectives of Montgomery County help guide programs for recreation, parks, and open space. These plans are continually updated by the Area Master Plans for the County's 26 Planning areas that are consistent with these goals. They include goals and policies for growth, development, populations, and communities and are consistent with the eight visions established as State Planning policy" (page I-5).</p> <p>"The LPPRP is a refinement of the overall framework for parks and recreation contained in the County's 1964 <i>General Plan for the Maryland-Washington Regional District Within Montgomery and Prince George's County</i> and in existing park acquisition and development guidelines" (page I-4).</p>		
	<u>Items for use/reference in State Plan:</u>		
ID	Local terms used in plan (if applicable)	9	Appendix 3
	<u>Reviewer Comments:</u>		
	<u>Items for use/reference in State Plan:</u>		

Chapter 2 – Context Chapter			
II.A	Identification of natural features	10	II-1
	Identification of population centers	10	II-2
	Maps of county	10	
	<u>Reviewer Comments:</u>		
	<u>Items for use/reference in State Plan:</u>		
II.B	Presentation of population projections	10	II-3
	Discussion of implications of population	10	II-5
	<u>Reviewer Comments:</u>		
	<u>Guidelines Content:</u> <ul style="list-style-type: none"> • Page II-5 says that population growth influences “the location and type of recreation and resource needs” in an area, but not how. In the final draft, please elaborate, briefly, on this point. 		
	<u>Items for use/reference in State Plan:</u>		
II.C	Description of comp. plan framework – How are 3 elements integrated in comp. plan	10	II-6
	Explanation of county’s general growth strategy	10	I-5, II-7–II-9
	<u>Reviewer Comments:</u>		
	<u>Guidelines Content:</u> <ul style="list-style-type: none"> • Chapter II summarizes the recreation, preservation, and open space objectives of the County’s growth strategy. In the final draft, a paragraph about the strategy of concentrating development in the County’s corridors would be helpful. 		
	<u>Items for use/reference in State Plan:</u>		

Chapter 3 – Parks and Recreation			
III.A.1	Identification of county goals and policies for recreation, parks, and open space	11	III-1
	<p><i>Reviewer Comments:</i></p> <p><i>Guidelines Content:</i> Goals and objectives are clearly outlined in this Plan. Great job addressing guidelines completely especially when relating County park and recreation procedures and how they support State and Local goals.</p>		
	<p><i>Items for use/reference in State Plan:</i> Montgomery County is only 1 of 3 counties in the state of Maryland and 1 of 50 nationwide that is accredited by the Commission for Accreditation of Park and Recreation Agencies.</p>		
III.A.2	Description of county recreation, parks, and open space programs	12	III-4
	Relationship of programs to local and State goals.	12	III-7
	Funding sources for local programs.	12	III-7
	<p><i>Reviewer Comments:</i></p> <p><i>Guidelines Content:</i></p> <p><i>Editorial Content:</i></p> <ul style="list-style-type: none"> • Please review Plan for character errors, such are = for ‘ and @. • Page III-8 1st paragraph “grand total of 140,294” should be “.... \$140,294,000. This is also on page III-36. 		
<p><i>Items for use/reference in State Plan:</i> The majority of funding comes through CIP budget, monies also come from County operating budget and POS.</p>			
III.B.1	MEIRS completion date	13	III-10
	Overview of supply of recreation lands	13	III-10 thru 17
	Provision of County GIS data (if applicable)	13	
	Description of MEIRS update strategy	14	III-10

	<p><u>Reviewer Comments:</u></p> <p><u>Guidelines Content:</u></p> <ul style="list-style-type: none"> • Even though MEIRS is complete to date, the Plan should articulate a strategy for maintaining the data with updates, etc. Yearly updates are expected as per the guidelines on page 14. <p>Very thorough discussion of the County's recreation lands and the various types of parks and the purposes they serve. The table on III-14 and 15 were very helpful.</p> <p><u>Items for use/reference in State Plan:</u></p>		
<p>III.B.2</p>	<p>Description of sources (state and local) used to determine recreational demands</p>	<p>14</p>	<p>III-21</p>
	<p>Description of how local sources supplement state surveys</p>	<p>14</p>	<p>III-21</p>
	<p>Calculation of demand (see Appendix B)</p>	<p>15</p>	<p>Part of supplemental information</p>
	<p><u>Reviewer Comments:</u></p> <p><u>Guidelines Content:</u></p> <ul style="list-style-type: none"> • Is PROS an acronym for this method, if so please describe in more detail. <p><u>Editorial Content:</u></p> <ul style="list-style-type: none"> • Page III-33 mentioned forecast information. Was this from TAZ forecasts? <p><u>Items for use/reference in State Plan:</u></p> <p>County uses 3 different methods for calculate future demand. PROS method developed for Montgomery county by consultants in the 1970s, the State Planning method, and Fairfax County method. Each was employed depending on what information was available to determine further need. The Fairfax County method was only used to determine the need for dog parks, because there were no user surveys done to determine this or tracking of usage.</p>		
<p>III.B.3</p>	<p>Summary of approach to needs analysis</p>	<p>15</p>	<p>III-22 thru 33</p>
	<p>Summary of surpluses and deficiencies</p>	<p>15</p>	<p>N/A</p>
	<p>County priorities for acquisition, development, and rehabilitation</p>	<p>15-16</p>	<p>III-35</p>
	<p>Matrix of county priorities (see Appendix C)</p>	<p>16-17</p>	<p>III-38 A and B</p>

	<p><u>Reviewer Comments:</u> <u>Guidelines Content:</u></p> <ul style="list-style-type: none"> • Please include a discussion summary of surpluses and deficiencies per the <i>Guidelines</i>, and how these translate to County priorities for acquisition and development. Without this, it is hard to evaluate County’s greatest needs. • Table III-38 A and B are a little confusing. Please clarify the meaning of the (-) negative numbers. Is this a deficit or surplus? Also some of the columns totals do not add up. Please review and make necessary changes. <p><u>Editorial Content:</u></p> <ul style="list-style-type: none"> • On page III-35 of the report please change “Maryland Office of Planning” to “Maryland Department of Planning”. 		
	<p><u>Items for use/reference in State Plan:</u></p>		
<p>III.C</p>	<p>Description of approach to setting acreage goal</p>	<p>18</p>	<p>III-39</p>
	<p><u>Reviewer Comments:</u></p> <ul style="list-style-type: none"> • Supporting text to accompany the table referring to the acreage goals would be helpful. It is hard to determine if the County is referring to current or future need in this section. 		
	<p><u>Items for use/reference in State Plan:</u> County is using the default acreage goal of 30/1,000 acres. According to their Plan they are short 1,897 acres to meet the target.</p>		
<p>III.D</p>	<p>Description of public participation in plan</p>	<p>19</p>	<p>I-3 and III-40</p>
	<p><u>Reviewer Comments:</u></p>		
	<p><u>Items for use/reference in State Plan:</u> Various meetings were held and a lot of outreach was done for the Plan. In addition to surveys the county held workshops to consider recreation trends and future needs. Not only did they coordinate within the Co, but also with Prince George’s Park and Planning as well as public hearings for the draft Plan of the LPPRP and PROS.</p>		

Chapter 4 – Agriculture			
IV.A.2	Description of county agricultural land preservation goals	23	IV-4 – IV-5
	Description of status of agricultural acreage goal	23	IV-6
	Description of relation of local goals to state goals	23	
	<i>Reviewer Comments:</i> The <i>General Plan</i> (On Wedges and Corridors) was created in 1964. The <i>Preservation of Agriculture & Rural Open Space Functional Master Plan</i> , creating the Rural Density Transfer zone and TDR program, was adopted in 1980. The Plan does not explicitly discuss how local goals relate to State goals, but it's clear that they do.		
	<i>Items for use/reference in State Plan:</i> “Through FY 2004, Montgomery County has protected 61,032 acres of farmland through the preservation program offered to its residents” (page IV-6). Of that total, 45,042 were protected through TDR. They are on track to meet their 70,000-acre goal by 2010.		
IV.B.2	County Implementation Program for Agricultural Land		
	a.) Description of each element of county’s implementation program	24	IV-7 – IV-16
	b.) Mention of state/federal programs active in county	25	IV-8 – IV-10
	c.) Map of agricultural land preservation implementation program	25	
	d.) Provision of GIS data (if applicable)	25	
	<i>Reviewer Comments:</i> <i>Guidelines Content:</i> <ul style="list-style-type: none"> An agricultural land preservation map was not provided. Please include one in the final draft. 		
	<i>Items for use/reference in State Plan:</i>		
IV.C.2	Evaluation of the County’s Implementation Program		
	a.) Discussion of focus of preservation goals	28	IV-2 – IV-3, IV-5
	b.) Discussion of funding for county preservation activities	28	IV-11 – IV-12
	c.) Discussion of support for preservation through county land management tools	28	IV-2 – IV-3
	d.) Assessment of performance of preservation tools toward reaching goals	28	IV-6 – IV 7
	e.) Assessment of impacts of development on agricultural land preservation	29	IV-6 – IV-7 IV-10 – IV-11

	f.) Description of county agricultural industry and farming assistance programs	29	
<p><u>Reviewer Comments:</u> With so much land preserved already, the remaining unpreserved land becomes even more valuable for development, especially if it is surrounded by preserved land.</p> <p><u>Guidelines Content:</u></p> <ul style="list-style-type: none"> The Plan details future assistance to farming and the agricultural industry, but does not say what means of assistance exist now. Please address this matter briefly in the final draft. 			
<p><u>Items for use/reference in State Plan:</u></p>			
IV.C.3	Summary of Needed Improvements in the Implementation Program		
	Summary of strengths, weaknesses of county's implementation program	29	IV-10 – IV-11
	Identification of improvements to county's implementation program	29	IV-14 – IV-16
<p><u>Reviewer Comments:</u></p>			
<p><u>Items for use/reference in State Plan:</u></p>			
IV.D	Program Development Strategy for Agricultural Land Preservation		
	Description of steps the county will take to overcome weaknesses and achieve preservation goals	29	IV-14 – IV-16
	Recommended changes to state programs	29	IV-14, IV-17
<p><u>Reviewer Comments:</u></p>			
<p><u>Items for use/reference in State Plan:</u></p> <p>“The State should work closely with local government to assess the economic contribution agriculture makes to each jurisdiction’s local economy. By quantitatively assessing this contribution, local government can define the extent, nature and future direction of the agricultural industry” (page IV-14).</p> <p>The State should limit property tax assessments on protected land and not let assessments rise unreasonably just because nearby unpreserved land is increasing in value. “It is our view that since these farms will remain farms and not place demands on County or State for public services, any increases in assessments should be prevented and thereby frozen at the time of the easement settlement date regardless of any infrastructure improvements that are made. This change in law will ensure that historic and significant farm related structures are not demolished because they cost too much to retain” (page IV-17).</p>			

Chapter 5 – Natural Resources			
V.A.2	County Goals for Natural Resource Conservation		
	Description of goals and objectives for natural resource conservation in comp. plan (or others)	32	V-2
	Description of relationship of local goals to state goals	32	None
	<p><i>Reviewer Comments:</i> The County's approaches (goal/objective/strategy and recommendation/strategy) provide a logical framework for management direction.</p> <p><i>Guidelines Content:</i></p> <ul style="list-style-type: none"> This section is thorough and complete, except that the County does not describe the relationship between the County's goals and objectives and the State's. <p>County goals and objectives from the general plan are appropriate and focused on the correct issues. It was good to see a specific objective pertaining to the enhancement of plant and animal diversity. The fact that natural resource conservation recommendations have been tightly integrated into their Park, Recreation, and Open Space Plan is excellent.</p> <p><i>Items for use/reference in State Plan:</i></p>		
V.B.2	Implementation Program for Natural Resource Conservation		
	Discussion of county's implementation program	33-34	V-6
	a.) Map of implementation program (see IV.B.2.c)	34	V-7
	b.) Provision of GIS data (if applicable)	35	V-6
	c.) Presentation of local inventory and assessment of natural resources (if applicable)	35	V-7 to V-11
	d.) Description of county approach to create/maintain green infrastructure	35	V-6, V-19
	e.) Description of green infrastructure's role in county comp. plan	35	V-6
	f.) Status/description of county's forests and forest resource industry strategy	35	V-14
	g.) Status/description of county's watershed management strategy	35	V-14
	h.) Status/description of other regulatory/management programs	36	V-15 – V-17
	i.) Status/description of county's eco-tourism and resource based recreation program	36	V-17

	<p><u>Reviewer Comments:</u> Overall, the County has a well-thought-out framework for implementing natural resource protection. The draft LPPRP tells how new Green Infrastructure work will begin in 2005, but does not describe how the County has already integrated Green Infrastructure into some of its governance. The description of the watershed approach appears to incorporate stream-reach management, which offers some advantages/disadvantages compared to other approaches to watershed management.</p> <p><u>Guidelines Content:</u> Using biodiversity as a criterion for identifying key environmental resources is an excellent approach.</p> <p>Recognizing the impacts of invasive plants, as the Plan does, is important.</p> <p>The stream protection strategy and recognition of a need to focus on a watershed approaches is excellent.</p> <p>Designating Special Protection Areas with redundant stormwater management requirements is an excellent way to address the huge hydrological challenges associated with imperviousness.</p> <ul style="list-style-type: none"> • The map on V-7 is too small a scale to interpret in any meaningful way. Perhaps move it to a separate page and blow it up to 8.5 X 11. • Beginning with an accurate inventory prior to the creation of area master plans is an excellent approach. When that process is being described on the top of page V-8, however, the inventory ranks wetland groups by their potential to serve each of five functions. What are the five functions? They should to be described. • Page V-16, under #5, should recognize existing State laws as well. The Nongame and Endangered Species Conservation Act, and the Wetland Protection Act are two state statutes that help to conserve natural resources in the County. 		
	<p><u>Items for use/reference in State Plan:</u> The County offers several examples of viable frameworks for establishing goals, objectives, and strategies for conserving natural resources and directing implementation efforts. While the County's approach to implementation involves significant investment of resources, the logical frameworks that they have successfully used can be applied in other jurisdictions.</p> <p>The County is working on a GI functional master plan that will evaluate their current goals and consider establishing more comprehensive, measurable goals for natural resource conservation.</p>		
<p>V.C.1</p>	<p>Evaluation of the Natural Resource Conservation Program</p>		
	<p>Presentation of strengths/weaknesses of implementation program</p>	<p>36</p>	<p>V-18</p>
	<p>Discussion of adequacy of existing inventories of natural resource land for planning</p>	<p>36-37</p>	<p>V-16</p>

	Discussion of specificity of goals: can they lead to effective implementation programs?	37	V-16
	<p><u>Reviewer Comments:</u></p> <p><i>Guidelines Content:</i></p> <ul style="list-style-type: none"> The County did not directly address many of the issues and questions raised in the section of the <i>Guidelines</i> for the evaluation, resulting in a corresponding lack of specificity in identifying shortcomings of its programs. The Plan says that the County's attempts at protecting large areas leads to complexity which requires "continued efforts" to improve, but does not specify what those efforts should be. For example, do they need more staff? Do they need streamlined procedures or better maps? The Plan recognized valid points in general, like the importance of finding a balance, but is sparse on details. In the final draft, please discuss the adequacy of the existing inventory of natural resource lands and the ability of the implementation program to achieve established goals. 		
	<u>Items for use/reference in State Plan:</u>		
V.C.2	Summary of Needed Improvements in the Natural Resource Conservation Program		
	Summary of strengths, weaknesses of county's implementation program	37	V-18
	Identification of improvements to county's implementation program	37	V-19
	<p><u>Reviewer Comments:</u></p> <p><i>Guidelines Content:</i></p> <ul style="list-style-type: none"> Because the program evaluation was incomplete, the summary of necessary improvements is probably also incomplete. For example, the five bullets shown in the plan are all related to resource management. If the program has weakness pertaining to administrative issues like staffing, or problems relating to shortcomings in land use authority, the final draft of the Plan should list them. 		
	<u>Items for use/reference in State Plan:</u>		

V.D	Program Development Strategy for Natural Resource Conservation		
	Description of steps the county will take to overcome weaknesses and achieve preservation goals	38	V-19
	<p><u>Reviewer Comments:</u></p> <p><u>Guidelines Content:</u></p> <ul style="list-style-type: none"> The proposed Green Infrastructure Functional Master Plan can serve as the foundation for broader program development and improvement. However, the lack of focus on implementation measures is an important omission and may relate to the fact that the evaluation did not examine these measures, as noted above in Section V.C.1. For example, it states earlier in the Plan that low-density zoning is one of the only ways to protect important upland areas surrounding wetlands. Yet, it is unclear whether or not the County has evaluated existing zoning to see if it should be modified in certain areas. If the County has not yet performed an evaluation of specific implementation measures, the Plan should say so. 		
	<u>Items for use/reference in State Plan:</u>		

ATTACHMENT C-1

SUMMARY OF COMMENTS FROM THE STATE DEPARTMENTS OF PLANNING AND NATURAL RESOURCES AND STAFF RESPONSE

STATE COMMENT	STAFF RESPONSE
Plan lacks an Executive Summary	One will be added to final Plan
Plan needs County maps	A map of Planning Areas and the "Forever Green" map have been added
<p><u>Recreation Chapter needs:</u></p> <ul style="list-style-type: none"> • Statement indicating how recreation and land inventories will be updated annually • discussion of how acquisition goals will be met • Clarify tables showing 2020 needs and future proposals 	<p>Added comment that they will be updated in connection with the annual budget</p> <p>Added-section to Public Hearing Draft</p> <p>Attachment <u>2.3</u></p>
<p><u>Agricultural Chapter needs:</u></p> <ul style="list-style-type: none"> • Map of agricultural land preservation 	<ul style="list-style-type: none"> • Added to Plan
<p><u>Natural Resource Chapter needs:</u></p> <ul style="list-style-type: none"> • Evaluation and analysis of the Natural Resource Conservation Programs 	<ul style="list-style-type: none"> • Substantial amount of material added to this chapter on the relationship to State Goals, Green Infrastructure, evaluation of programs and recommendations for needed improvements