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Victory for Ten Mile Creek!

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Victory for Ten Mile Creek!

by Kelli Holsendolph

"There's brown trout spawning in Ten Mile Creek!"

That's the message **Caroline Taylor, Executive Director of Montgomery Countryside Alliance (MCA)**, received three years ago from an Audubon Naturalist Society (ANS) water quality monitor of Ten Mile Creek.

"I got over there as soon as I could," Taylor remembers. "There they were – and over a foot long!"

The ANS monitor called Taylor to come and document the trout on video because she lived close by. Of course, as soon as the camera lifted the fish were scared away. But from then on, Taylor testified before many a decision maker that brown trout indeed were present in Ten Mile Creek.

The Early Years

Since 2011, ANS had been partnering with MCA to convince the Montgomery County Planning Board and the Montgomery County Council to prepare a Limited Master Plan Amendment for Ten Mile Creek-Clarksburg Stage 4. Both groups

collected signatures on a petition for it – 1,000 in total. They organized countless meetings and most significantly, they led tours of Ten Mile Creek.

"With ANS, we started doing tours of the creek with decision makers and new policymakers," said Taylor. "We knew this place would be a future center of discussion."

The high quality tributary near the ford on West Old Baltimore Road was the place to show policymakers just how pristine Ten Mile Creek was. ANS and MCA took **Councilmembers Hans Riemer, Marc Elrich and Montgomery County Planning Board Chair Françoise Carrier** there—not knowing at the time just how important these players would become.

On October 9, 2012, the hard work paid off. The County Council unanimously agreed to have the Planning Board prepare the Limited Master Plan Amendment. Ten Mile Creek was going to get its due.

The plan was on the fast-track. It was expected to take 12 to 18 months to complete, including both Planning Board and Council review and

approval. Three large development parcels, owned collectively by Pulte, Peterson and Egan, zoned for more than 1,600 residential units on nearly 800 acres were proposed on both sides of I-270.

Late 2012, **ANS Conservation Director Diane Cameron** and Caroline Taylor met with principals from Peterson on a councilmember's

tip. At that meeting, the developers shared

plans they had for Ten Mile Creek.

Taylor remembers it being clear during the meeting, the Peterson team was expecting ANS and MCA to advocate for green roofs and other green urban design features.

"But, when we left the meeting we just shook our heads," recalled Taylor. "We have got to double down on this."

The Save Ten Mile Creek Campaign was born.

Coalition Building

In May 2013, ANS formed the Save Ten Mile Creek Coalition. Early coalition members included Clean Water Action, Conservation Montgomery, Muddy Branch Alliance, Seneca Watershed Partners, Sierra Club, Stormwater Partners Network, Sugarloaf Citizens Association, and of course, Montgomery Countryside Alliance.

The County Council was going to review and revise this land use plan. Big money was at stake.

"Unless we organize into a Coalition to press for clean water, we are likely to get steamrolled by the influence of developer dollars on our decisionmakers," observed ANS Conservation Director Diane Cameron. "In order to prove an effective counterforce, our Coalition has to be like a powerful river: broad and deep."

This issue was too important and too big for ANS and MCA to go it alone. The fight was to protect the entire DC metro region's emergency drinking water supply at Little Seneca Reservoir by protecting Ten Mile Creek.

To do it, the Coalition first had to contend with the Planning Board.

In June of 2013, the Planning Board was considering several development plans—none of which were sufficient to protect Ten Mile Creek. Over the course of the summer, the Save Ten Mile



ANS Board Member Mike Gravitz with Linda Schade at Ten Mile Creek Celebration. Photo by: Micah Jordan.

Creek Coalition rallied in front of the Planning Board four times to push for the greatest protections. The Planning Board's staff draft was presented on July 25, 2013.

"In their own words, the Planning Board staff states that their plan would significantly degrade the water quality of Ten Mile Creek," said Cameron in a press statement at the time.

The Coalition had more work to do.

By September, the Planning Board was holding its public hearings on the draft Limited Master Plan Amendment. By this time, the Save Ten Mile Creek Coalition had grown to include 16 organizations and once again they rallied in front of the Planning Board. They also organized to provide a broad array of impassioned testimony during those hearings.

"When all is said and done, the reason I am here tonight is because you hold in your hands the fate of the LAST, BEST CREEK in Montgomery County," said **ANS Board Member Mike Gravitz** during his testimony before the Planning Board, September 10, 2013. "And your job as the trusted stewards of our community is to decide the fate of that creek and the quality of our drinking water for decades to come."

On October 24, 2013, the Planning Board voted to approve an option that would jeopardize Ten Mile Creek and threaten the region's drinking water supply by allowing a considerable amount of development in the most fragile part of the watershed.

It was now up to the County Council. The Save Ten Mile Creek Coalition was ready.

First came two nights of County Council public hearings, where nearly 80 (the maximum allowed) provided testimony, the vast majority in favor of protecting Ten Mile Creek. In January and February, the County Council held 7 worksessions on the plan. ANS engaged ace organizer **Linda Schade** who reached out to labor, faith-based and regional leaders beyond Montgomery's borders. With her leadership, the Coalition grew to 31 organizations over the course of the County Council fight. It was a long, cold winter.

Finally, on April 1, 2014, the Montgomery County Council

unanimously approved a Limited Master Plan Amendment for Ten Mile Creek that limited pavement to 6% in the most sensitive areas, mandated that each parcel set aside 80% as open space, provided 200-foot buffers for wetlands, streams and groundwater springs and advanced a 65% forest cover goal for the entire watershed. A victory for Ten Mile Creek!

"While the amendment was fiercely debated, in the end, environmental science prevailed, leading to a master plan amendment that offers protection for the resource through extended buffers around sensitive seeps and streams, retention of steep slopes and forest cover, and caps on impervious surfaces, while still allowing significant opportunities for development in an environmentally sensitive context," said **Councilmember Marc Elrich** in a press statement about the decision.

"I would like to especially acknowledge the hard work of the Countryside Alliance, Livable Clarksburg, the Audubon Naturalist Society, and all the dedicated members of the Save Ten Mile Creek Coalition," Councilmember Elrich added.

Answering the Call

The success of the Save Ten Mile Creek Campaign was only possible because of the Coalition's constituents.

Caroline Taylor commented that one of the best things about the Coalition was, "the absolute tenacity in terms of reaching out to constituents."

Taylor estimates at least 500 MCA constituents responded to some call to action on Ten Mile Creek over the course of the campaign. ANS members and Save Ten Mile Creek supporters delivered more than 1,000 emails to councilmembers on Ten Mile Creek from September to March.

Erin Yeagley, Field Representative/ Organizer of UFCW Local 1994 MCGEO, a Save Ten Mile Creek

Diane Cameron with Claire Iseli, Legislative Aide for Marc Elrich, and Marlene Michaelson at the Ten Mile Creek Celebration. Photo by: Micah Jordan.



Coalition member, said their constituents were the reason their group stepped up to get involved.

"Our union members live all throughout this region, many have lived in Maryland for generations," said Yeagley. "Preserving the quality and beauty of the area is important to them, so as their representative it's important to us."

Both Yeagley and Taylor had high praise for the canvassing work of Clean Water Action during the campaign. **Clean Water Action** under **Andy Fellows'** leadership delivered 2,099 handwritten letters from Montgomery County residents to the County Council to Save Ten Mile Creek.

"Who can beat the door to door effort orchestrated by Andy and Clean Water Action," said Taylor.

Yeagley, who had worked with Clean Water Action in the past, said it was "wonderful to stand with Clean Water Action on this issue. It got me back to my roots."

The Save Ten Mile Creek Campaign was a coalition effort of a magnitude never seen before in Montgomery County. **Marlene Michaelson, Senior Legislative Analyst, County Council**, noted she'd never seen an effort mounted like this.

Taylor summed up the Save Ten Mile Creek Campaign best: "It was an 'It's a Wonderful Life' moment for the environmental community."

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Water Quality Monitoring

Classes are for anyone who would like to become a volunteer stream monitor or who simply has an interest in learning about life in our streams. Classes are free to ANS members. **To register, use the form on page 31.** To learn more about becoming a monitor, contact Cathy Wiss at cathy.wiss@anshome.org or call 301-652-9188 x19.

Macroinvertebrate ID Review & Quiz



Woodend Sanctuary, Chevy Chase, MD
Section D: Tuesday, June 10 (6:30-9 pm)
No fee

Time to separate the stoneflies from the mayflies! Those who wish to be certified to identify macroinvertebrates in the field must demonstrate their ability annually by taking a quiz using preserved specimens. Those who do not take the quiz may still be assigned to a monitoring team to assist with data collection and other field logistics, but only those who have taken and passed the quiz will identify macroinvertebrates for data recording. Registration required. Please use the registration form.

How to Read Your Stream

Woodend Sanctuary, Chevy Chase, MD
Section B: Tuesday, June 17 (7-9:30 pm)
Fee \$12, waived for members and students earning SSL credit



Learn about the influence of land uses on streams, stream character and dynamics, bank erosion, bar formation, substrate composition, different velocity-depth regimes, and the importance of riffles and riparian vegetation. This class is recommended for anyone who plans to participate in the ANS water quality monitoring program and is a good refresher on habitat assessment for experienced monitors. Registration required. Please use the registration form.

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Party Time!

With the victory for Ten Mile Creek in hand, it was time to party!

ANS hosted the Ten Mile Creek Celebration May 15, 2014. Nearly 75 coalition members and advocates attended. The celebration was an opportunity to honor their efforts. See [YouTube.com/user/AudubonNaturalist](https://www.youtube.com/user/AudubonNaturalist) for the presentation, which ran during the party.

During the event ANS thanked those who donated generously to the Save Ten Mile Creek Campaign:

Patagonia, The Cornell Douglas Foundation, Keith Campbell Foundation, Marpat Foundation, and Neal Fitzpatrick Legacy Fund donors.

The program featured a special recognition of ANS Board Member Mike Gravitz's fierce advocacy and tenacious

leadership. Gravitz honored ANS Conservation Director Diane Cameron noting he couldn't think of a better leader for this campaign, which was met with a standing ovation. Cameron thanked Caroline Taylor and Montgomery Countryside Alliance for being a tireless partner. She also saluted **retired ANS Executive Director Neal Fitzpatrick** for leaving the legacy of Ten Mile Creek. Cameron recognized **ANS Water Quality Monitoring Program Coordinator Cathy Wiss** for providing the scientific data to win the day. Wiss and Fitzpatrick honored super-advocate **Tenley Wurglitz** for going all out to Save Ten Mile Creek.

Montgomery County Executive Isiah (Ike) Leggett joined the festivities. He reminded the crowd the victory was theirs for holding their elected officials' "feet to the fire." County Executive Leggett also pointed out the importance of the Ten Mile Creek tour he took. A difference-maker, it allowed him to see firsthand what was at stake.

Councilmembers Berliner, Elrich and Riemer also attended the celebration. **Councilmember Roger Berliner** recalled the Council hearings featured some of the highest caliber public testimony he'd seen in his career.

Montgomery County Department of Environmental Protection Director Bob Hoyt and **DEP Staff Scientist Jennifer St. John** attended. Several, including County Executive Leggett, lauded Hoyt and his staff for their decades of scientific work on the uniquely high quality and fragile Ten Mile Creek. **DEP Biologist Keith Van Ness** too was singled out.

The celebrants applauded the leadership of former **Planning Board Chair Royce Hanson**, former **Councilmember Scott Fosler** and the first **DEP Director John Menke**. The trio crafted a game-changing op ed for *The Washington Post* and testified that Ten Mile Creek was a legacy decision for Montgomery County.

It was a lovely evening, made especially tasty thanks to **Spilled Milk Catering**.

What's Next for Ten Mile Creek?

As Cameron noted, this decision is not only a land use plan, but rightfully a watershed plan as well.

To ensure long-term protection for Ten Mile Creek, the County Council has some more work to do. In applying the science, the imperviousness caps of 15% for new developments East of I-270 and 6% West of I-270 should apply to all properties. No exceptions.

"We don't want this landmark decision chipped away at exemption by exemption," said Cameron.

Taylor noted a Friends of Ten Mile Creek group is in order.

"This creek needs a direct voice, like others have in the county," said Taylor.

Although there is more to do to watchdog the implementation of the plan, we've earned this time to reflect and celebrate: Victory for Ten Mile Creek!