Resolution No.: 20-1249
Introduced: September 15, 2026
Adopted: October 27, 2026

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: County Council

SUBJECT: Ten-Year Comprehensive Water Supply and Sewerage Systems Plan, 2026-2035

Background

1. Section 9-501 et seq. of the Health-Environmental Article of the Maryland Code requires the governing body of each county to adopt and submit to the State Department of the Environment a comprehensive County Plan, and on a triennial basis comprehensively review its Plan.

2. In accordance with the State law on December 30, 1969, by Resolution 6-2563, the County Council adopted a Comprehensive Ten-Year Water Supply and Sewerage Systems Plan, which was approved by the State Department of the Environment.

3. The County Council has from time to time amended the Plan.

4. On August 25, 2026, the County Executive submitted the Recommended Montgomery County 2026-2035 Comprehensive Water Supply and Sewerage Systems Plan.

5. Recommendations on the 2026-2035 Comprehensive Water Supply and Sewerage Systems Plan were solicited from the Maryland-National Capital Park and Planning Commission, Washington Suburban Sanitary Commission staff and affected municipalities.

6. A public hearing was held on September 29, 2026. The County Council notified affected State and local agencies of the public hearing on August 28, 2026. The County Council published a public notice for the hearing in The Daily Record on September 18, 2026.

7. The Transportation and Environment Committee held worksessions on the Recommended Plan on October 5 and October 12, 2026.

8. The County Council held a worksession on October 20, 2026.

Action

The County Council for Montgomery County, Maryland approves the following resolution:

The County Executive's Recommended Montgomery County 2026-2035 Comprehensive Water Supply and Sewerage Systems Plan is approved with the following changes, as shown in the attachments to this resolution.

This is a correct copy of Council action.

Sara R. Tenenbaum
Clerk of the Council

Approved 2026 – 2035 Water and Sewer Plan: Summary Table of Text Revisions

In preparing the final version of the Approved 2026 – 2035 Water and Sewer Plan, the Montgomery County Department of Environmental Protection (DEP) made numerous revisions and updates to the August 2026 draft Plan text, as transmitted by the County Executive. Many of these changes were minor in nature, including editing corrections and minor wording revisions. In addition, DEP updated several of the GIS-generated map appearing throughout the text. The following table provides a summary of the more significant policy and other major revisions to the Executive's draft text.

APPROVED 2026 – 2035 COMPREHENSIVE WATER SUPPLY AND SEWERAGE SYSTEMS PLAN Revisions to the County Executive's Recommended August 2026 Draft Plan		
Section/Figure/Table Revised*	**Initiated By**	**Revision**
EXECUTIVE SUMMARY		
(pgs. ES-1 to ES-5)	DEP	Revised the Executive Summary, as needed, to reflect other changes in the Plan text (as identified below)
CHAPTER 1: OBJECTIVES AND POLICIES		
Section I.E.3.a. Washington Suburban Sanitary Commission (pg. 1-14)	Washington Suburban Sanitary Commission (WSSC Water)	Added new text to clarify WSSC Water's independent statutory authority.
Section II.G.3.b. Technical Feasibility of Service Connections (pg. 1-38)	Washington Suburban Sanitary Commission (WSSC Water)	Replaced text concerning the use of non-abutting connections under the Community Service for Properties Abutting Mains Policy.
Section II.G.3.g.: Transfer of an Abutting Mains Single Service Connection Qualification (pg. 1-42)	Transportation and Environment (T&E) Committee	Added new text under the abutting mains policy that allows, under strictly limited circumstances, the transfer of an abutting mains connection right from one qualifying property to another adjacent, commonly owned, ineligible property.
Section II.G.4.b.: PIF Policy Category Change Application Requirements (pg. 1-45)	M-NCPPC	Added a clarification on the use of concept plans.
Section II.G.5.: Community Service for Commercial Land Uses (pg.1-46)	T&E Committee	Added a new section that addresses the provision of community service for commercial land uses located outside of the planned community water and sewer envelopes.
Section III.A.5.g.: Repair, Replacement and Rehabilitation of Aging Community Systems (pg. 1-57)	Washington Suburban Sanitary Commission (WSSC Water)	Removed text with out-of-date information on WSSC's water main lining and replacement program.
Section IV.A.1.a.: Water Consumption and Sewer Usage Charges (pg. 1-67)	Washington Suburban Sanitary Commission (WSSC Water)	Added new text to reflect how the infrastructure investment fee is applied to a portion of debt service associated with water and sewer pipe reconstruction.
Section IV.A.2.a.: Developer-Built Projects (pg. 1-69)	Washington Suburban Sanitary Commission (WSSC Water)	Added new text that stated how main extensions are subject to engineering feasibility, available system capacity, environmental review, regulatory approval, and funding considerations.
Section IV.A.2.c.: Efforts to Address Underserved and Unserved Communities (pg. 1-71)	M-NCPPC	Added new text that states that DEP will work with the Unserved and Underserved Subgroup of the Bi-County Infrastructure Financing Committee to discuss the need to consider equity issues in prioritizing efforts to address unserved and underserved communities.
Section V.D: Review and Consideration of Plan Amendments (pg 1-77)	M-NCPPC	Added that effects on parklands are included in M-NCPPC reviews of plan amendments.
CHAPTER 2: GENERAL BACKGROUND		
Note: No substantive revisions to the County Executive's draft.		
CHAPTER 3: WATER SUPPLY SYSTEMS		
Note: No substantive revisions to the County Executive's draft.		
CHAPTER 4: SEWERAGE SYSTEMS		

Approved 2026 – 2035 Water and Sewer Plan: Summary Table of Text Revisions

Note: No substantive revisions to the County Executive's draft.		
APPENDIX A: GLOSSARY		
Note: No substantive revisions to the County Executive's draft.		
APPENDIX B: MULITIUSE SYSTEMS		
Note: No substantive revisions to the County Executive's draft.		
APPENDIX C: EXCEPTIONAL SERVICE POLICIES AND RECOMMENDAITONS		
Section II.M. POTOMAC PERIPHERAL SEWER SERVICE POLICY (pgs. C-17, C-18)	T&E Committee	Removed the Palatine of Potomac Neighborhood from exclusion of this policy and added text that justifies the removal based on new information from WSSC Water.
APPENDIX D: AGENCIES		
Bi-County Agencies (pgs. D-1, D-2)	M-NCPPC	Provided updated contact information for M-NCPPC offices.
APPENDIX E: MAJOR FACILITIES AND INSTITUTIONS		
Note: No substantive revisions to the County Executive's draft.		
APPENDIX F: SUMMARY OF CHANGES		
(pgs. F-1 – F-20)	DEP	Revised the appendix, as needed, to reflect other changes in the Plan text (as previously identified)

Substantive Revisions to the Executive Draft Plan
Council- Approved 2026 – 2035 Water and Sewer Plan:
[Bracketed Text] = Approved Deletions Underscored Text = Approved Additions ((Notes))

EXECUTIVE SUMMARY

((The following text revisions were received from WSSC Water and M-NCPPC following the transmittal to the Council of the Executive's draft Plan. The following also includes revisions included in the draft Plan by the T&E Committee at the recommendation of Council staff.))

CHAPTER 1 Section
I.E.3.a. Washington Suburban Sanitary Commission
WSSC Water added text to clarify the commission's independent statutory authority

II.G. Special Policies for Water and Sewer Service
II.G.3.: Community Service for Properties Abutting Community System Mains
II.G.3.b: Technical Feasibility of Service Connections
WSSC Water provided a clarification concerning the use of non-abutting service connections under the abutting mains policy, replacing some existing text.

II.G.3.c.: Transfer of an Abutting Mains Single Service Connection Qualification.
The T&E Committee restored a policy deleted by MDE from the Council-approved 2022 Plan. This policy allowed for the transfer of an abutting mains connection "right" between two commonly owned property under limited conditions. The full text of this subsection is included in Chapter 1 of the approved Plan:

II.G.4.: Community Service for Private Institutional Facilities
II.G.4.b.: PIF Policy Category Change Application Requirements
M-NCPPC provided a clarification of the use of concept plans.

II.G.5.: Community Service for Commercial Land Uses
The T&E Committee restored a policy removed by MDE from the Council-approved 2022 Plan. This policy allowed for the provision of public water and/or sewer service to commercial uses located outside the planned service envelopes, under limited conditions. Many of this policy's requirements parallel those in the private institutional facilities policy. These include limitations on allowed zoning and requirements concerning water and sewer main extension needed for new public service. The full text of this subsection is included in Chapter 1 of the approved Plan:

III.A.5.g.: Repair, Replacement and Rehabilitation of Aging Community Systems
WSSC Water removed text with out-of date information on WSSC's water main lining and replacement program.

IV.A.1.a.: Water Consumption and Sewer Usage Charges
WSSC Water added new text to reflect how the infrastructure investment fee is applied to a portion of debt service associated with water and sewer pipe reconstruction.

IV.A.2.a.: Developer-Built Projects
WSSC Water added new text that stated how main extensions are subject to engineering feasibility, available system capacity, environmental review, regulatory approval, and funding considerations.

IV.A.2.c.: Efforts to Address Underserved and Unserved Communities
M-NCPPC added new text that states that DEP will work with the Unserved and Underserved Subgroup of the Bi-County Infrastructure Financing Committee to discuss the need to consider equity issues in prioritizing efforts to address unserved and underserved communities.

V.D.: Added that effects on parklands are included in MNCPPC reviews of plan amendments.

APPENDIX C
II.M.: POTOMAC PERIPHERAL SEWER SERVICE POLICY
The T&E Committee concurred with a Council staff recommendation to modify the exclusions of the Potomac peripheral sewer service policy. This action removed the Palatine subdivision from those

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areas not included for this policy, based on the results of a WSSC Water study of the existing low-pressure sewerage system serving the neighborhood., These results allowed for some limited number of properties that satisfy the policy's requirements to peruse approval of single water and /or sewer service connections.

APPENDIX D

M-NCPPC provided updated contact information for M-NCPPC offices.

CHAPTER 1

I.E.3.a. Washington Suburban Sanitary Commission

WSSC Water added text to clarify the commission's independent statutory authority
Nevertheless, nothing in this Plan shall be construed to modify or supersede the independent statutory authority of WSSC Water. All determinations regarding water and sewer service availability, capacity, infrastructure acceptance, permitting, and construction approval shall be made in accordance with WSSC Water's adopted regulations, standards, policies, and Capital Improvement Program (CIP), and are subject to staffing, funding, and system capacity constraints.

II.: POLICIES FOR THE PROVISION OF WATER AND SEWERAGE SERVICE
II.G. Special Policies for Water and Sewer Service
II.G.3.: Community Service for Properties Abutting Community System Mains
II.G.3.b: Technical Feasibility of Service Connections (pg. 1-38*)*
((underlined text added))
Non-Abutting Service Connections

A non-abutting water or sewer connection may allow for the provision of community service under this policy. A non-abutting connection is typically located within either a public road right-of-way or a WSSC Water main easement. The associated house service utility must be located on *only* the customer's property receiving new community service. The use of an offsite service house utility in an easement crossing another intervening property is not allowed. Non-abutting service connections require specific approval from WSSC Water.

[Where a property is outside the planned community service envelope, the associated house service utility must be located on only the customer's property receiving new community service. The use of an offsite service house utility in an easement crossing another intervening property is not allowed**.]** – *bracketed text removed.*

II.G.3.c.: Transfer of an Abutting Mains Single Service Connection Qualification. (pg. 1-42)
((underlined text added))
The transfer of an available abutting mains service connection "right" from a qualifying property to another property that does not qualify for a connection right may be considered -under this policy on a case-by-case basis. The approval of such a transfer of a service connection right will require that DEP make the following findings during a category change review process:

- Both properties must abut the related water or sewer main with the donating property confirmed by DEP to be eligible for a single connection via the abutting mains policy.
- Both properties must be contiguous (i.e. share a common property boundary).
- Both properties must be under common ownership.
- If improved, the donating property with the existing abutting mains connection right must have a fully functioning septic system that satisfies all current septic system permitting requirements, including an established septic reserve area, under State and County law as verified by the Department of Permitting Services.
- If the donating property is unimproved, development of the donating property will require approval of a septic system that satisfies current State and County requirements.

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• The property donating the existing abutting mains connection right will no longer be eligible for public service through the abutting mains policy.

• Approval of the connection right transfer will be conditioned upon Planning Board confirmation of the receiving property as a building lot.

• An approved transfer of abutting mains rights can only be changed through a future transfer request through this policy and must meet the same requirements noted above.

• A re-subdivision process involving an improved property and an unimproved property cannot result in the abutting mains rights being transferred from the improved property to the unimproved property unless DEP determines the preceding requirements are satisfied.

Provided that DEP determines that preceding requirements are satisfied, a service area category change may be conditionally approved through the administrative delegation process. Final approval of the category change is only granted once the applicant provides proof to DEP that an instrument has been recorded against the transferring property in the Montgomery County land records. The instrument may be a declaration or deed restriction stating that, with County approval under Chapter 1, Section II.G.3.c of the Plan, the main service connection right was transferred to the receiving property and is no longer held by the transferring property. If either property is sold before final approval, the requirement for common ownership cannot be satisfied and the conditional approval expires.

II.G.4.: Community Service for Private Institutional Facilities
II.G.4.b.: PIF Policy Category Change Application Requirements (pg 1-45)
((underlined text added))
The category change application needs to include a copy of the reviewed concept plan and a copy of the comments for the plan provided by the DRC agencies.

Note that concept plans are not regulatory in nature but provide an opportunity for various agencies to comment and provide feedback on the plan,

II.G.5.: Community Service for Commercial Land Uses (pg 1-46)
((underlined text added))
This policy addresses the provision of community water and sewer service for commercial land uses located outside the planned community service envelopes. This is to help support commercial service (such as grocery and convenience stores, medical offices, and day-care facilities) in lower-density areas of the county where residents may otherwise have to travel many miles to avail themselves of these services.

This policy is consistent with Thrive Montgomery 2050 Complete Communities and 15-Minute Living. Thrive Montgomery 2050 defines 15-Minute Living in the following way:

> "The related concept of 15-minute living has emerged as a way of reimagining existing communities to maximize their attractiveness and efficiency by mixing housing, offices, and retail uses so services, infrastructure, facilities, and amenities to serve the daily needs of people who live or work there are within walking distance. While a literal or rigid application of 15-minute living may not be practical outside of the corridor -focused growth areas and (ii) centers, the concept is

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a useful way to generate concrete recommendations to make communities more complete and help them succeed."

Properties eligible for consideration for community service are zoned for commercial uses as defined in the Montgomery County Zoning Ordinance, or those that have obtained an appropriate conditional use approval.

Zoning Requirements
Neither community water nor sewer service shall be used to support commercial uses within the Agricultural Reserve (AR), Rural (R), and Rural Cluster (RC) Zones.

Council Resolution Requirement
For properties outside the planned service envelopes, category change requests under this policy are not eligible for approval via the Administrative Delegation process and must be submitted for case-by-case consideration by the County Council.

Sites Requiring New Water and/or Sewer Main Extensions
For sites where the provision of community service for a commercial use requires the construction of new water and/or sewer mains, the Council shall apply the following criteria:

♣ For existing commercial uses, service area category amendments may be approved for sites only where required water and/or sewer main extensions do not threaten to open undeveloped land to development contrary to the intent of the relevant local area master plan.

♣ For new or relocating commercial uses, service area category amendments may be approved for sites where required new water and/or sewer main extensions will not make community service available to additional properties that are otherwise not eligible for community service under the general policies of this plan.

WSSC Water policies require that where low-pressure systems provide sewer service to a non residential use, such as a commercial use, that system must be dedicated to only one user and cannot provide service to intervening properties, whether for residential or non-residential uses. This policy will therefore allow a dedicated, low-pressure sewer main extension for a commercial use to abut properties otherwise ineligible for community sewer service.

Care must be taken to ensure that any associated gravity outfall from a low-pressure sewer system satisfies these requirements.

New WSSC Water wastewater pumping facilities are not allowed where their only purpose is to serve commercial uses. (See Section II.G.5.a., following.)

Water and sewer main extensions for these properties are required to stay within public rights of way and avoid sensitive environmental features such as streams and forests.

Consistent with the Limited Access Water and Sewer Mains policy (see Section III.A.1), water and sewer main extensions outside the acknowledged community service envelopes, where required, shall be designated "Limited Access". Where community sewer service for a commercial use will be provided by low-pressure mains, those mains WSSC Water will dedicate the main only to that commercial use and generally make them ineligible for additional service connections. This is consistent with WSSC Water's (iii) policy of requiring that non-residential pump/pressure sewer system users have systems dedicated to only that use. The County and WSSC Water may make limited exceptions to this requirement to allow for the relief of failed septic systems, where such service is technically feasible.

Commercial uses may receive service from limited access water or sewer mains where the Council has specifically approved access to those mains. The provision of community service under this policy shall

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not be used as justification for the connection of intervening or nearby lots or parcels if they would not otherwise be entitled to connect to community systems.

Under its Systems Extension Permit (SEP) process, WSSC Water requires that all commercial and institutional service applicants construct and pay for the community systems main extensions and related facilities needed to serve their projects.

II.G.5.a: Commercial Service Policy Exclusions ‘

The following circumstances restrict the application of the Commercial Services policy in cases where community service is sought.

Commercial Uses Affected by Specific Master Plan Service Policy Recommendations
This policy cannot be used to justify the provision of community service where a local area master plan specifically recommends against the use of community service for commercial uses, or for any use in general.

Commercial Uses Requiring New WSSC Water Pumping Facilities
In cases where more than one commercial use proposes to locate on a site requiring a pump and low pressure main extension, WSSC Water requires that each commercial use have a separate pump and pressure main system. The County and WSSC Water will not support the provision of community sewer service for a commercial use where that service will require a WSSC Water-owned and operated wastewater pumping station that does not also support community sewer service for other non commercial uses consistent with the service policies of this Plan.

II.G.5.b.: Commercial Service Policy Category Change Application Requirements

Applicants seeking category change approvals under this policy need to provide the following information in addition to the category change application form: •

Name of and contact information for the commercial use.

- A concept plan for the site of the proposed commercial use that has first been considered by the M NCPPC Development Review Committee (DRC) under that agency’s concept plan review process. The County Council’s consideration of the reviewed concept plan will focus on impervious area and on water and sewer main extensions. The concept plan needs to include proposed activities and auxiliary uses.
- Proposed building footprints, parking and driveway areas, and other paved surfaces in sufficient detail to provide an estimate of impervious surface area. Imperviousness must be consistent with specific, established imperviousness limitations imposed by County regulations. Concepts for water and/or sewer main extensions, as needed. The category change application needs to include a copy of the reviewed concept plan and a copy of the comments for the plan provided by the DRC agencies. •\
- Properties with residential structures converted or proposed to be converted to a commercial use may be considered for community service with a conditional use approval. Properties that have (iv) submitted category change requests for community service for a commercial use prior to the approval of this policy are not required to submit a concept plan for consideration by the Development Review Committee.

III.A.5.g.: Repair, Replacement and Rehabilitation of Aging Community Systems (pg. 1-57)

WSSC Water has recognized that the age of its community system’s existing mains plays greater role in pipe breaks and failures with each passing year. (See Figure 1-F8, below.) For community water systems, WSSC Water reports that by 2025, an estimated 50 percent of the entire water distribution system will reach or exceed its estimated useful life. There are approximately 2,000 miles of cast iron pipe in the distribution system (pipes less than 16 inches in size), of which, over 85 percent will exceed their estimated useful life by 2025. As an initial step to minimize inconvenience to customers, to reduce

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water losses, and to mitigate potential environmental complications, WSSC Water has established procedures to quickly address water main breaks and leaks when they occur.

[WSSC Water has long maintained a water main lining and replacement program. However, the problem of aging infrastructure needed a more strategic, long-term approach to possible solutions. In response, WSSC Water has implemented an infrastructure investment plan that provides a roadmap to refurbishing and replacing the Commission's systems over time. This program was prepared in cooperation with officials from Montgomery and Prince George's Counties. Priority areas in this program are informed annually by the Asset Management program.**]** – *bracketed text removed.*

IV.A.1.a.: Water Consumption and Sewer Usage Charges (pg. 1-67)
((underlined text added))

These charges are both based on metered water consumption, with the rate charged per 1,000 gallons determined by the customer's Average Daily Consumption (ADC) during the billing period. Under the conservation-oriented four-tier rate structure, customers in the lower ADC tiers pay less per 1,000 gallons than customers with usage in the higher tiers WSSC Water's quarterly bills also include account maintenance and infrastructure investment fees. These are fixed charges, based on the size of the service meter. The account maintenance fee covering the basic cost of maintaining a customer account and includes the cost of purchasing and reading meters; processing meter readings, generating, mailing and collecting bills; and providing customer services. The infrastructure investment fee <u>funds a portion of the debt service associated with water and sewer pipe reconstruction.</u>

IV.A.2.a.: Developer-Built Projects (pg. 1-69)
((underlined text added))
Legislation approved by the Maryland General Assembly in 1998 phased out the traditional front foot benefit assessment financing mechanism (see Section IV.a.2.b, following) for most service projects in the WSSD. This made developers responsible for designing, financing, and constructing all new main extensions serving residential subdivisions of two or more homes, any commercial use, and any institutional facilities. The law provides for exceptions to this requirement for individual homes or properties and to relieve health hazards. The applicant then dedicates the completed mains to WSSC Water for operation and maintenance. WSSC Water refers to this system for providing non-program mains as the System Extension Permit (SEP) process.

Developers typically recoup their costs for new mains by levying a private version of the front foot benefit assessment. Private water/sewer infrastructure assessments are not regulated by either WSSC Water or the County. As with many costs and fees associated with property ownership, there is a requirement for the disclosure of the water/sewer assessment at the time of sale of a new property.

<u>Extensions are subject to engineering feasibility, available system capacity, environmental review, regulatory approval, and funding considerations.</u>

IV.A.2.c.: Efforts to Address Underserved and Unserved Communities (pg. 1-71)
((underlined text added))

<u>DEP will work with the Unserved and Underserved Subgroup of the Bi-County Infrastructure Financing Committee to discuss the need to consider equity issues in prioritizing efforts to address unserved and underserved communities.</u>

V.D: Review and Consideration of Plan Amendments (pg 1-77)
((underlined text added))

For amendments requiring interagency review, DEP collects requests on a quarterly basis, with collection periods closing at the end of September, December, March and June of each fiscal year. DEP transmits packets of requested amendments to the agencies in the month following the close of each

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quarterly group. Agencies typically have 30 days to provide comments back to DEP. The reviewing agencies typically include the following:

- DPS, for issues concerning individual onsite systems and onsite system suitability.
- M-NCPPC, for issues concerning master plans, land use planning, and effects upon parklands.

APPENDIX C

II.M.: POTOMAC PERIPHERAL SEWER SERVICE POLICY

((underlined text added))

Note that the 2002 master plan specifically recommends excluding properties within or at the edge of the following neighborhoods from the use of this policy (see Figure C-13):

- The Piney Branch subwatershed
- **[**The Palatine of Potomac Neighborhood**]** – *bracketed text removed.*
- The Greenbriar Preserve neighborhoods.
- The City of Rockville Community Sewer Service Area"

The 2002 master also recommended the exclusion of the Palatine of Potomac neighborhood for a similar exclusion from the peripheral sewer service policy. This exclusion was based largely on the understanding that the extensive low-pressure sewerage system serving the 141-lot neighborhood would not allow for any additional service connections. A recent study performed by WSSC Water showed that the limited number of properties that could satisfy the peripheral service policy requirements could receive public sewer service without affecting the balance of the neighborhood's low-pressure system or requiring any low-pressure main replacements. Given this updated information, the Palatine of Potomac exclusion from the peripheral sewer service policy is removed.