

**2014 – Local Legislators
Clean Water Action Candidate Questionnaire**

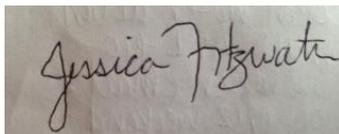
Clean Water Action thanks you for taking time out of your busy campaign schedule to complete this questionnaire. The following questions represent key water and other environmental issues you would likely need to consider during your term as a local elected official.

A completed questionnaire is **required** under our organization's endorsement process. Your answers will only be shared with the CWA endorsement committee and will not be shared in whole or part outside of the established confidential endorsement process. **However, Clean Water Action reserves the right to make public specific portions of this document should any candidate's stated position directly contradict submitted answers.**

To be considered for endorsement return your questionnaire as soon as possible. Please submit your questions about our process or completed questionnaire with an electronic signature, or if necessary, mail a hard copy with the candidate's signature to:

Clean Water Action, Attn: Andy Galli, 1120 N. Charles St., Suite 415, Balt. Baltimore MD 21201
443-631-0355 agalli@cleanwater.org

Candidate's Name: Jessica Fitzwater **District Number:** 4
Office Sought: Frederick County Council **Party Affiliation:** Democrat **Incumbent:** Yes ___ No X
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Candidate's Signature: _____ **Date:** 9/24/14

Personal Commitment

1. Briefly describe a few environmental issues that are important to you.

I grew up in a 110-year-old home on 26 acres of woods in Smithsburg, MD just off of the Appalachian Trail. Appreciating the outdoors has always been a part of my life and I want that to continue as I build my family here in Frederick County. We must preserve our green spaces including farmland, wooded areas, and park and recreation spaces. Using land preservation strategies outlined in our 2010 Comprehensive Plan and strengthening our Adequate Public Facilities Ordinance are a step in the right direction.

I am also concerned about our water quality here in Frederick County. The recent study commissioned by the county gave 11 of our 20 watershed poor ratings and 56% of our stream banks were moderately or severely eroded. We need to reinstate our previous stream buffer requirements, work to mitigate stormwater runoff, and continue to support our Office of Environmental Sustainability.

2. What examples of environmental engagement and/or leadership can you cite from your experience? Either way, can you describe examples you would like to emulate? Please be as specific as possible.

My husband and I do our best to make environmentally-friendly decisions regarding our own home. From regular recycling to purchasing energy star appliances, to installing energy-efficient windows and participating in community supported agriculture through a local farm we know that each of these small decisions can make an impact. While much of my volunteerism and advocacy has focused on education and the arts, I make it a point to learn as much as I can about environmental issues by attending forums sponsored by local groups and reading reports and articles on environmental issues.

3. If elected what three environmental priorities would you like to accomplish during your term?

Strengthen our Adequate Public Facilities Ordinance: Revisit topics such as stream buffers, moderately-priced dwelling units, and school mitigation fees.

Responsibly adhere to the Watershed Protection and Restoration Act: Find or raise the funds to implement our MS4 phase I pollution reduction requirements and find a fair way to assess the stormwater management utility fee.

Improve public transportation options: Work with our state delegation to increase service and ridership on the MARC train and increase Transit options as a step to alleviate traffic congestion.

Clean Water

The Chesapeake Bay is a national treasure, but the health of the Bay remains in peril and the entire Bay was recently declared as “impaired” and created a TMDL, or “Chesapeake Bay Restoration Blueprint” which sets pollution limits for all states. Restoring the Bay requires a partnership between federal, state, and local governments.

1. Will you support, defend, and if necessary strengthen local regulations to achieve Frederick County's responsibilities as required by the state's Watershed Implementation Plan to reach our TMDL responsibilities? **Yes** **No**
2. In 2012 the state legislature passed the Watershed Protection and Restoration Act. The Act made all MS4 Phase I jurisdictions create and implement a stormwater management utility, a protected and segregated account to raise the necessary funds to address the backlog in stormwater infrastructure repairs. Do you support the act and will you support programs that help Frederick County adhere to the spirit of law and creates a mechanism based on impervious surface for raising the necessary and required funding to implement the County's MS4 Phase I pollution reduction requirements? **Yes** **No**
3. Riparian buffers are important for good water quality by preventing sediment, nitrogen, phosphorus, pesticides and other pollutants from reaching a stream. In 2013 the Board of Commissioners reduced the riparian buffer distance from many streams and rivers in the county. Would you support restoring that previous buffers, or even consider increasing the distance to improve water quality? **Yes** **No**
4. What other policies or ideas do you have for improving the water quality of streams, rivers and lakes in Frederick County?

Water quality of our streams, rivers and lakes is proportional to the health of the watershed and the introduction of pollutants as the waterways head to the Chesapeake Bay and on to the Atlantic Ocean. Pollution enters our streams from air, land, and manufacturing and processing facilities. Airborne toxins are generated by incineration of municipal solid waste, coal fired power plants, and burning of automobile tires as tire-derived fuel. Surface toxins enter our streams from ineffective and antiquated storm water management practices and additional nutrient stressors come from runoff of fertilizer used on lawns and farms. We can improve the quality of our rivers and streams by following some simple rules, such as:

- 1) Adopt land use policies that ensure adequate buffers on all stream banks.*
- 2) Adopt storm water management practices that prevent, to the extent possible, direct runoff of surface water.*
- 3) Use alternatives to incineration for solid waste disposal.*
- 4) Eliminate or reduce the use of tire-derived fuel.*
- 5) Ensure industrial pretreatment of waste, to the extent possible, before discharge into the storm water and sewer systems.*
- 6) Employ best management practices to eliminate raw sewage discharge into rivers and streams.*

Although these actions are not cheap and cannot be accomplished quickly, we need to start developing an action plan now to address the water quality of our streams and rivers for years to come.

In terms of the storm water management fee, I would like to see Frederick County investigate using a similar approach to Howard County with two rate structures for the storm water fee: a tiered, flat-rate system for residential properties and an individually-tailored fee based on square footage of impervious surfaces for non-residential properties. We should also make sure businesses are aware of the many credits and rebates available to business owners if they make improvements to their properties that help mitigate polluted runoff.

Land Use, Planning and Development

Land use planning and development affects virtually everything in Frederick County, including the shape our communities, transportation and traffic, schools and parks, public safety, affordable housing, the environment and more. Similarly, it affects county government, and the cost of public infrastructure and public services.

1. Please describe your general philosophy or perspective on the role of county government in planning, land use and development?

I believe that we need to get serious about smart growth development. The term is often abused by developers and elected officials alike when, in reality, only one or two smart growth principles are in place. True smart growth is a complex mindset that requires broad-based planning and action.

I would suggest that Frederick County make growth decisions using the EPA Smart Growth Network principles that were developed by looking at the experiences and successes of communities around the nation that have used smart growth approaches to create and maintain great neighborhoods. The principles are as follows:

- 1) Mix land uses*
- 2) Take advantage of compact building design*
- 3) Create a range of housing opportunities and choices*
- 4) Create walkable neighborhoods*
- 5) Foster distinctive, attractive communities with a strong sense of place*
- 6) Preserve open space, farmland, natural beauty, and critical environmental areas*
- 7) Strengthen and direct development towards existing communities*
- 8) Provide a variety of transportation choices*
- 9) Make development decisions predictable, fair, and cost effective*
- 10) Encourage community and stakeholder collaboration in development decisions*

This is not an isolated set of policies, but rather an approach to growth that directly and substantially overlaps with other important issues such as economically efficient services, affordable housing, and appropriate school construction.

Frederick County should especially work with its municipalities to look at revitalization of downtown areas and rundown commercial areas as potential growth sites. Revitalization of these areas can help prevent the “suburban sprawl” we are already starting to see and provide more homes near our existing jobs, shopping areas, and public transportation.

2. What do you see as the top goals and priorities for the new charter government with regard to planning and development?

I have several priorities in regards to planning and development. They include, but are not limited to:

- *Revisiting our 2010 Comprehensive Plan and the corresponding map that was modified in 2012 by the current Board of County Commissioners:*
 - *The 2010 CP was the result of multiple years of discussions, focus groups, and planning, with a great number of stakeholders involved. It provides a long-term vision for Frederick County and meets our future needs even based on current population projections by the state. The BOCC changed the map to make it incompatible with the goals and principles of the CP, which must be addressed.*

- *We currently have at least 12,000 more dwelling units in our housing pipeline than we need based on current population projections. The new zoning and homes approved by this BOCC will add hundreds of acres of sprawl at the expense of our forests and farms. If development is approved based on who asks for rezoning (or gives to campaigns for that matter) it's not good planning.*
- *Strengthening our Adequate Public Facilities Ordinance so that developers are truly meeting the right standard before developments are improved:*
 - *Re-visiting the "School Mitigation Fee" to evaluate its success (or lack thereof) in creating adequate funding for school construction. I do not believe that we should be approving developments in areas with 100% school capacity or more without a detailed plan as to how we will handle the influx of students projected with that development. The fees now paid do not come close to the cost needed to build a new school nor is there any guarantee that the funds will go to school construction in that particular area of the county.*
 - *Go back to our requirement of Moderately Priced Dwelling Units (previously 12.5% of dwelling units in each approved development). The in lieu of fee now allowed in our APFO goes to the Frederick County Land Trust which provides funding for home construction and renovation and allows homes to be sold to low-income families without the cost of the land included. This is a novel idea that should continue in some fashion, but not at the expense of building affordable housing.*

3. What can the county do to ensure productive agricultural areas and working farms are protected from the pressure of encroaching development?

Protecting farmland from development and encroachment is addressed in the 2010 Comprehensive Plan. State planners, recognizing the nature of farming dictates a buffer between farming operations and residential development, established a requirement for counties to create a "Priority Preservation Plan". Frederick has a plan that would protect and enhance our agricultural heritage. We need to incorporate it into our planning and development review process. Expanding programs such as the "Rural Legacy Program" could also preserve more farmland.

Land Preservation

Supporting and taking advantage of land conservation programs (such as Program Open Space) for the acquisition of farm and forests plays an extremely important role in preserving and restoring water resources such as filtering water and desynchronizing flows to local streams and drinking water sources.

1. Will you support land conservation programs to the fullest extent possible? Yes No
2. What other programs or policies ideas do you have to preserve and protect Frederick County's open space?

Protecting and expanding our open space in addition to preserving our farmland contributes to the overall quality of life we enjoy here in Frederick. Although I have no specific programs and policies in mind I will support the goals and policy articulated in the "Environmental Protection Resource Conservation" element, and the "Farm Land Protection" element of the 2010 Comprehensive Plan.

Transit Oriented Development

Driven by demographic shifts, changing preferences, economic consideration and many other factors, much of the growth in the coming decades will be more mixed-use development, in and around existing communities and infrastructure, with easy access to mass transit.

1. What policies would you support to create the type of transformation we need in our development patterns? What will you do to support transit-oriented development?

Tied to the effort to increase public transportation is planning growth in a way that complements our existing and growing public transportation options. That means using smart growth principles, developing walkable communities, and building mixed use development that supports economically viable public transit options.

2. What ideas or policies do you have or support for increasing public transportation within Frederick County.

Because public transportation is a daily necessity for many Frederick County residents, we need to keep it widely available and affordable. At the same time, an integrated public transportation system should be a key component of the County's overall environmental sustainability plan. As bus equipment ages out, we need to invest in replacement vehicles that burn clean fuel. Transit recently received funding for three totally electric, full-size buses which is a step in the right direction.

With approximately 40% of Frederick County residents commuting out of the county each day, public transportation for commuter services should be a specific focus area. We have already made the investment to bring MARC commuter rail service to Frederick, but we need to investigate express service that will shorten commuting time to D.C., advertise MARC service more effectively, and have an on-going dialogue with commuters to improve the service and build more significant ridership. The county government should work with the City of Frederick, which currently operates the fee lot at the downtown station, so that more commuters will board there. This is one of the only fee lots in the MARC system. I would also like to look into whether expanding Meet-the-MARC shuttle bus service to cover more areas of the county might help build MARC ridership.

The MTA bus service to Shady Grove is very popular, and we should investigate its expansion, both to Shady Grove and possibly other locations in the metropolitan area that might warrant service.

I am also following the proposal of two circulators in Frederick City (Rt. 40 and Downtown) and would like to see if there are ways the county and city can partner to make this project, and other public transportation improvements than mutually benefit city and county residents, a reality.

3. What improvements do you believe could be made to the MARC system?

Many MARC commuters emphasize the need for reliability (on-time schedules) and flexibility (more departure times in the morning and evening). That means investing in up-to-date equipment and expanding ridership with express service to and from Frederick. More ridership will permit us to expand service, for example, offering mid-day service. We also need to draw drivers off the road by providing adequate free parking, especially at the downtown Frederick station.

4. What is your position on the Corridor Cities Transitway?

Although its initial components are based in Montgomery County, many Frederick County commuters who work in the I-270 corridor will benefit from these improvements. In addition, the Corridor Cities Transitway is a component recommended by a larger study that also lays out improvements to I-270 and on U.S. 15 all the way to Biggs Ford Road. It is imperative that we make progress on the Montgomery County elements and keep that momentum going north.

In the meantime, we need to strongly support MARC service in order to expand ridership and convince state leaders that these public transportation improvements make sense and are warranted.

Municipal Solid Waste

The proposed Waste to Energy or Incinerator facility has received the necessary air, refuse disposal and wastewater permits from MDE to begin construction, but has not been able to move forward since Carroll County dropped out as the 40% partner.

1. Do you support the immediate rescinding of and/or withdrawal from the contract (to construct and operate the incinerator) between Frederick County and the Northeast Waste Development Authority and Wheelabrator? **Yes** **No**
2. Please describe the process you would like to see as the county works to address the issue of municipal waste? *(answered with question #3 below)*
3. If the county does not build the incinerator, and wants to reduce the amount of waste being put in landfills here and elsewhere, what do you think are the best ways to deal with our municipal waste?

I support expanding our county single-stream recycling program. While implementing single stream to homes was a great step, the county is still at less than 50% recycling, and other communities (in Maryland and across the country) have shown that a county like ours could be a lot more successful in our recycling efforts. I believe the county needs to set specific and ambitious targets, such as exceeding 70% waste diversion and reduction within 10 years, by expanding single-stream collection to multi-family units and non-residential properties, considering the option of volume-based pricing options (pay as you throw) that would reward people and businesses for reducing waste, and examining both commercial and household composting options. We should work to lock in strong long-term contracts and prices for the out-of-county hauling that will continue to be a part of our waste management picture.

I would like us to keep a close eye on Howard County's pilot composting program and look to implement something similar in Frederick County. If we provide the tools and education to our residents, I think we would get substantial buy-in. We are currently throwing tens of thousands of tons of food waste, paper, and yard waste into our landfill- all of which could be composted and become a revenue stream for the county. This will only help us in our efforts to increase our waste diversion and reduction rate.

*We should also seriously investigate the development of a resource recovery park in conjunction with our landfill, recycling, and composting programs. Following Carrol County's lead or perhaps partnering with them may be an option. *

Agriculture

Agriculture is a major source of nutrient pollution in the Chesapeake Bay and our waterways. Maryland's Tributary Strategies rely heavily on implementation of conservation practices on agricultural lands to reduce polluted run-off to the Bay. However, funding for such practices has been minimal.

1. Do you support establishing new standards that will reduce polluted run-off from farmlands?

Yes No

2. What would you do to help farmers implement those standards and other best management practices to reduce polluted run-off?

I would work with representatives of the local farming community and county representatives to ensure that appropriate timelines are put in place and that incentives are offered, when possible, for farmers who meet more rigorous standards for reducing polluted run-off. I would be sure to listen to the experts in this field when making local decisions regarding agricultural run-off.

3. What would you do to maintain productive farmland in Frederick County?

I will support the goals and policy articulated in the "Farmland Protection Plan" element of the 2010 Comprehensive Plan. I will work to return our stream buffers to previous standards and support our farmers with any legislative action I can that stays consistent with our Comprehensive Plan and a well-balanced vision for Frederick County. I will work with appropriate partners to support and grow local farms and guide new generations into agriculture.

Climate Change

Climate change is a global issue. Addressing it substantially must including policy measures at the national level. But there are many ways that state and local governments can and will be an essential part of working to deal with this challenge in time.

1. Do you agree that human activity is driving climate change and that it is an issue of great concern for all of us, and that elected officials at all levels of government can and should work to make a difference? Yes No

2. What are some of the things you think Frederick County government could do to help address this issue locally?

Many of the initiatives discussed in this questionnaire directly demonstrate the important role climate change must play in our decision-making. Smart growth is a climate change policy. Walkable communities and public transit are climate change solutions. Taking steps to enable or incentivize alternative energy is another. Recycling, composting, and other waste reduction efforts are climate change policies. These have not been priorities during the current administration and it is my position that they should be.

Currently, the county government has adopted two of the three state goals required to participate in the Maryland Smart Energy Communities Program. I would like to see the county also undertake the third goal of establishing an electricity consumption baseline and developing a plan with the goal to

reduce per-square foot electricity consumption of county owned buildings by 15% within 5 years of the baseline year. We can reduce our greenhouse gas emissions and encourage the development of renewable energy by purchasing from green power sources such as wind and solar. This is one specific way we can make sure we are doing our part in working to solve global warming.

Frederick County should also be taking a stand against Maryland's current designation of waste-to-energy as a renewable energy source. Converting resources to ash and air emissions is not renewable in any normal application of the term.