

MCP-Chair

From: Susan Andrea <sandrea5@hotmail.com>
Sent: Tuesday, July 28, 2020 5:39 PM
To: MCP-Chair; Dorie.Hightower@montgomerycountymd.gov; Bogdan, Grace; Coleman, Delisa
Cc: County Council; marc.elrich@montgomerycountymd.gov
Subject: Ellsworth abandonment bill

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

This is to register my strenuous opposition to the proposal to "abandon" Ellsworth Drive. **Do not allow this.** Ellsworth should remain public space and as such be subject to uses, rights, and regulations that are determined by the citizens through their elected representatives, not subject to the wishes of a private company whose only interest in the site is profit.

I remember the early days of the Ellsworth area redevelopment when there was an attempt by private security guards to prevent a photographer from taking pictures. We simply cannot have a repeat of that or anything similar that would restrict the public from engaging in any lawful activity that would be permitted on any public street. **Ellsworth is public space and should remain public space.**

Susan Andrea
402 Dale Drive
Silver Spring, MD 20910

MCP-Chair

From: rg steinman <lifeonurth@gmail.com>
Sent: Wednesday, July 29, 2020 11:31 AM
To: MCP-Chair
Subject: MCPB Item No. 05 Date: 07.30.20, Right-of-Way Abandonment, AB-771, Ellsworth Drive
Attachments: Synthetic turf, testimony, June 18, 2020 (rg Steinman).doc

Categories: Tracked To Dynamics 365

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Dear Planning Board Commissioners,
This email is in regards to the Right-of-Way Abandonment, AB-771, Ellsworth Drive, MCPB Item No. 05 Date: 07.30.20. I am also attaching my testimony from June 18, 2020 explaining my opposition to synthetic turf on Ellsworth Drive.

I urge you to not go forward with the abandonment of Ellsworth Drive. Health, safety and welfare are at the heart of the findings required to abandon a right-of-way. (Chapter 49 Findings Section 49-63(c)(1)-(2)).

Synthetic turf is opposed by the environmental community for health and safety reasons, as well as many other reasons. Also, in a July 13th letter to the President of the County, the County's Department of Environmental Protection opposed the installation of synthetic turf due to stormwater considerations and expressed concerns regarding health and safety that have been raised as well.

I urge you once again to oppose the use of synthetic turf on Ellsworth in Downtown Silver Spring.
Thank You,
~ rg Steinman

From: Ms. Rg Steinman

To: Planning Board Chair Anderson and Commissioners Patterson, Fani-Gonzales, Cichy, and Verma; Planning Director Wright; Robert Kronenberg; Grace Bogdan, Stephanie Dickel, Elza HizeL-McCoy

Re: Downtown Silver Spring - Project Plan Amendment 91998005C / Site Plan Amendment 81999002M

Date: June 18, 2020

I support an earth-friendly renovation of Ellsworth Dr., including natural surfaces (wood, stone, pavers) and plants. Synthetic turf is not natural, and it is not earth-friendly. It creates toxic plastic pollution that ends up in our rivers and, our oceans, in fish, birds, mammals, and finally, in us.

Greenwashed Product Contains Toxic Chemicals

The “blades of grass” in this “plastic carpet” contain PFAS (PFAS stands for a broad group of perfluoroalkyl and polyfluoroalkyl substances), which have been associated with multiple health problems, including cancer. And we don’t know the other toxic compounds that are in this product because the manufacturer (SYNLawn.com) considers this proprietary information. But when we don’t have all the information, we really cannot make an informed choice?

Product Is Not Recyclable

Synthetic turf begins breaking down, creating microplastic pollution, from day one, its best day. It has a limited life span – especially when compared to wood, stone, pavers, and trees – and creates a disposal nightmare because no one is recycling synthetic turf. Rather, it is being dumped or shipped to an undisclosed address in Asia.

Product Not Designed For Ellsworth Drive Uses

Furthermore, according to the manufacturer’s website, this product is recommended only for landscape, pets, play, rooftop, and golf. It is not designed for the very heavy foot traffic (pedestrians, farmers markets, etc) or vehicular use (emergency vehicles, delivery trucks and weekly Farmers’ Market trucks) that will occur on Ellsworth Drive.

Maintenance Nightmare

Would you want to walk in a public place paved with Synlawn? Think about it. Urine and waste from people walking their dogs, chewing gum stuck to the “grass” blades, spit, bird poop, food and drink spilled. Would you let your child walk or crawl on this? And on a warm, sunny day, synthetic turf heats up hotter than asphalt. And, given climate change, things will heat up.

A Better Way

Urban development, coupled with climate change, intensifies the urban heat island effect. This calls for resilient solutions to make outdoor spaces more adaptable to environmental conditions and comfortable for people, while improving, not sacrificing, the environment. Shade trees are a key component of such a solution. Trees and other plantings provide beauty, clean air, cooler temperatures, shade, and, importantly, reduce stormwater runoff. Trees, by their very nature, are uplifting and graceful; and when coupled with plant containers, benches, and other shade structures, they create a cooling and inviting public area. Trees and other plantings are the cheapest beneficial infrastructure.

Go with the science. Ditch the Synturf.

Do what’s right for the sake of the planet, and what’s right for the health of us all.

~ rg Steinman
Silver Spring

MCP-Chair

From: Anne Vorce <avorce@hotmail.com>
Sent: Wednesday, July 29, 2020 11:50 AM
To: MCP-Chair; Wright, Gwen
Subject: Written Testimony, July 30 Meeting, Item 5, Ellsworth Drive: Abandonment AB-711
Attachments: PlanningBoard_July 30 2020 Ellsworth Drive AB-711.docx

Categories: Tracked To Dynamics 365

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Dear Planning Board,

Attached is my written testimony submitted for tomorrow's (July 30) hearing, Item 5, Ellsworth Drive. Abandonment AB-711.

Thank you for your consideration.

Sincerely,

Anne Vorce
Silver Spring

July 29, 2020

Dear Chair Anderson, Vice Chair Fani-Gonzalez, Commissioner Cichy, Commissioner Patterson and Commissioner Verma,

I am hereby submitting my written testimony concerning "Ellsworth Drive: Abandonment AB-711", Item 5, scheduled to be considered at your July 30, 2020 meeting.

I am writing to strongly urge you at your July 30 meeting to agree :

1. *To recommend to the County Council that any abandonment of Ellsworth Drive must be conditioned on (1) eliminating the applicant's proposal to install synthetic turf and on either (2) making no change to the surface Of Ellsworth Drive or replacing it with materials that are environmentally-friendly and safe for human beings.*
2. *To highlight to the Council in your recommendation that the top environmental experts for Montgomery County oppose the installation of synthetic turf on scientific grounds, include their correspondence in the public record you send the Council, and highlight to them that these letters are included.*

The public record for your hearing does not to-date include or even refer to the fact that these letters of opposition to the Planning Board exist.

To correct this oversight and to ensure that the public record sent to the County Council is complete, the letters, excerpts from letters of opposition or references to opposition positions taken to the installation of synthetic turf on Ellsworth from the following are attached or noted:

- *The County's Department of Environmental Protection*
- *The Sierra Club Montgomery County*
- *The Stormwater Partners' Network*
- *The Friends of Sligo Creek*
- *The Neighbors of the Northwest Branch*
- *Healthy Safe Playing Fields Coalition. I believe that the testimony in opposition by The Healthy Safe Playing Fields Coalition is a part of your earlier record.*
- *The Department of Permitting Services – ROW. Their memo is part of your DAIC records. (Please note that it is difficult to fully understand what the DPS ROW position is. They oppose synthetic turf, but note their opposition would change with road abandonment. See Point 4 below.)*

These letters are very relevant to the abandonment issue because, as you know, the Planning Board has voted to require that the applicant come up with an alternative to synthetic turf on Ellsworth in case the Council rejects AB-711 because of concern over the effects from the use of synthetic turf.

Most relevant, the mantra of DEP and its enforcement of the Clean Water Act under the MS4 Permit and other clean water laws and regulations is "Nothing But Rain Should Go Into Our

Storm Drains". Please note that synthetic turf runoff and detritus would drain into Sligo Creek, the Northwest Branch, and the Anacostia River, before heading into the Potomac and Chesapeake Bay.

3. To require an amendment of the top line summary of the situation produced by staff and its attachments to reflect that :

- The Planning Board's June 18 approval of the applicant's proposal for Downtown Silver Spring includes the condition that the applicant come up with an alternative to synthetic turf for Ellsworth for its Certified Site Plan. The Planning staff summary as submitted for the July 30 meeting does not describe this condition.
- The top environmental experts of Montgomery County oppose the installation. The reasons should be summarized, so that the Hearing Examiner and Council know that experts in the area do not regard synthetic turf simply as a "nonstandard" paving material. Their letters should be included as attachments to an amended staff summary approved by the Planning Board, to give them the public weight they merit.

The Planning staff summary and public correspondence to-date do not accurately and reasonably reflect these fundamental matters. The hallmark of solid public policy is at the very least to provide an accurate and reasonable record of the situation at hand. Moreover, the findings that the County Council will be required to make will be based on determinations of public health and safety, which the environmental community opposition goes to the heart of.

4. To discuss and direct the Planning staff to produce an overview and guidance on why abandonment of Ellsworth is necessary in the Downtown Silver Spring case and what the implications are for public policy. People need to know.

The Planning Board and applicant have not made the public case for why a public good such as abandonment of Ellsworth should be embraced. While there is general support and enthusiasm for the transformation of DTSS, there is tremendous confusion over the case for abandonment. There is a history of confusion over the public good versus private authority in this very spot.

Along these lines, there is no guidance about the authority of the County government, if abandonment goes ahead, as is proposed. For example, the Department of Permitting Services has stated in its May submission on the proposal (in your record) that it would oppose the synthetic turf unless Ellsworth was abandoned. Why would abandonment change DPS's view – unless it no longer would have authority to register its objections ? I request clarification.

Thank you for your continuing consideration.

Sincerely, Anne Vorce, Silver Spring

See Attached Environmental Community Letters and Letter Excerpts plus DPS Submission to the Planning Board

Attachment A:

DEP Letter in opposition to the installation of synthetic turf on Ellsworth Drive

Excerpt, Letter Adam Ortiz, Director, Department of Environmental Protection (DEP), to Sidney Katz, President, Montgomery County Council, July 13, 2020

“The Department of Environmental Protection (DEP) has received numerous letters from concerned citizens about the proposed use of artificial turf on Ellsworth Avenue and believes that a more environmentally preferable alternative should be utilized.

The proposed application is unusual in that the turf will be applied directly to the underlying pavement. In addition to concerns raised about increased wear and tear on the turf, this proposal misses an opportunity to remove the existing impervious cover and provide treatment of runoff from the impervious surfaces. The preferred option for this site would be to replace the existing impervious surface with pervious alternatives such as permeable pavers. If this option is determined to not be feasible, consideration should be given to eliminating the use of artificial turf on this section of Ellsworth Drive for what appear to be aesthetic considerations.

Although engineered synthetic materials may have some limited appropriate public applications, turf in a high traffic pedestrian area introduces the likelihood of fugitive non-degradable particles into the stormwater envelope, which can end up in local streams and waterways. Consistent with the principles of low impact development, a preference for natural features and permeable hardscape can achieve aesthetic and ecological benefit as well as placemaking”.

ATTACHMENT B:

SIERRA CLUB MONTGOMERY OPPOSES SYNTHETIC TURF ON ELLSWORTH

(Except, Letter to Chair Casey Anderson, from Sierra Club Montgomery Chair Shruti Bhatnagar, June 28, 2020)

“Dear Chair Anderson and Planning Board members –

This letter is to share with you the Sierra Club Montgomery County group position on synthetic turf and our more specific concerns regarding its application by Foulger-Pratt as part of its planned project (No. 91998005C and Site Plan No. 81999002M) on Ellsworth Drive in downtown Silver Spring.

The Sierra Club Montgomery County Group and the Maryland Chapter are opposed to synthetic turf because it poses a threat to both public health and the environment. (1) We share many of the concerns about the proposed installation of synthetic turf in Downtown Silver Spring (DTSS) expressed in greater detail in correspondence from other groups and individuals. These include water pollution from microplastics as it degrades, the composition of the glue used to attach it to the asphalt, the chemicals recommended for its cleaning; an increase in stormwater runoff and whether this is compatible with the existing stormwater management facility; flammability of this petroleum-based product; the large generation of synthetic turf (plastic) waste that must be disposed of every 8 to 10 years; and an increase in the Urban Heat Island Effect. Moreover, we are concerned about the manufacturer’s insufficient and potentially misleading information about the product. Learning that the COVID19 virus can stay on plastic for up to three days only heightens our concern about public health.(2)

With the recognition by the County Council that we are in a Climate Emergency, it is critical that climate considerations, both extreme heat periods and increases in heavy precipitation events, are considered in all development planning and decision-making. We hope you agree that new development projects are one of the best opportunities the county has to increase climate resiliency. The proposed synthetic turf in DTSS would only reduce climate resiliency. We thank the planning board for recommending to the developer that they consider an alternative to the Synthetic turf as an alternate plan. We urge you to consider our request to deny permission to install synthetic turf on Ellsworth Drive in Silver Spring and only allow for better alternatives that would be environmentally friendly and better for the health and safety of our community, as well as increase climate resilience. We appreciate your attention and efforts on this important issue.

Thank you, Shruti Bhatnagar Chair of Sierra Club Montgomery County shruti.bhatnagar@mdsierra.org

Footnotes

1 For more information on the position of the Maryland Chapter and its positions see:

<https://www.sierraclub.org/maryland/syresiliencynthetic-turf>

2 van Doremalen, N., Bushmaker, T., Morris, D. H., Holbrook, M. G., Gamble, A., Williamson, B. N., Tamin, A., Harcourt, J. L., Thornburg, N. J., Gerber, S. I., Lloyd-Smith, J. O., de Wit, E., & Munster, V. J. (2020). Aerosol and Surface Stability of SARS-CoV-2 as Compared with SARS-CoV-1. *New England Journal of Medicine*, 382(16), 1564–1567. <https://doi.org/10.1056/NEJMc2004973>

ATTACHMENT C:

STORMWATER PARTNERS NETWORK (SWPN) OPPOSE SYNTHETIC TURF ON ELLSWORTH DRIVE

(Note: The SWPN is a well-recognized group in the environmental community. It is one of the key partners – perhaps the key partner - actively engaging with DEP and DPS on storm water management policy issues, including the County’s MS4 Permit.)

Montgomery County Planning Board Hearing

Downtown Silver Spring

Project Plan Amendment: 91998005C, Site Plan Amendment: 81999002M

June 18, 2020

Dear Chair Anderson and members of the Planning Board,

We, the Stormwater Partners Network of Montgomery County,¹ hereby submit this targeted testimony regarding the use of synthetic plastic turf carpet (Synturf, and specifically in this case SYNLaw’s SYNTipede 343 product) on the pedestrian plaza of Ellsworth Drive. Overall, we strongly support the idea of continuing to invest in Ellsworth Drive as the heart of a walkable, livable, downtown Silver Spring. The farmers market, festivals, and other neighborhood amenities draw people to this transit-accessible area. **But we oppose glueing synthetic turf to the road surface for the following reasons:**

- We recognize that the SYNTipede product will be used without an underlying layer of padding or crumb rubber bits, which is most commonly seen as the microplastic pollution that comes from turf fields. However, even without the crumb rubber particles, the “blades” of artificial grass themselves will detach, degrade, and flow into the storm drains. While we understand that the Department of Environmental Protection has tested and found that the storm drain settling tanks should capture the majority of large particles, there will no doubt be some that escape into Sligo Creek.
- Additionally, DEP has not conducted any chemical testing to identify degraded microplastic particles smaller than the existing filter sizes nor any dissolved component chemicals, such as from the underlying adhesive, that may flow with the water into the creek.
- We are also concerned about the cleaners that may be used, such as antimicrobials or fabric softener being used. Generating such "non-stormwater discharges" would be a violation of the county MS4 permit, and these types of pollutants would not be trapped

by a particulate settling tank.

¹The Stormwater Partners Network is composed of organizations and individuals who support more effective stormwater policies and management in Montgomery County, MD, with the goal of clean and healthy streams throughout the county. We currently represent 36 organizations active in Montgomery County. A full list of our current membership can be found on our website.

- Any of these particles and constituent chemicals may flow into Sligo Creek, then the Anacostia River, and then the Potomac River and the Chesapeake Bay. Some of them are known, and others are untested, hazards to aquatic life once ingested or absorbed.

Since 2010, Stormwater Partners Network has been concerned about the use of artificial turf products in Montgomery County and at that time issued a resolution requesting a moratorium on the use of artificial turf fields. That moratorium resolution² is attached to this letter and all the concerns described therein still apply.

We support the additional, more detailed testimony delivered by our individual and member organizations on this topic, including Friends of Sligo Creek and Safe Healthy Playing Fields, Inc.

If you have any questions, please contact Jeanne Braha (jbaha@rockcreekconservancy.org) or Eliza Cava (eliza.cava@anshome.org), co-chairs of the Stormwater Partners Network.

Sincerely,

Eliza Cava, Director of Conservation, Audubon Naturalist Society

Jeanne Braha, Executive Director, Rock Creek Conservancy

Co-Chairs, Stormwater Partners Network

ATTACHMENT D:

WATERSHED GROUP FRIENDS OF SLIGO CREEK OPPOSES INSTALLATION OF SYNTHETIC TURF ON ELLSWORTH (dated April 20, 2020)

To: Casey Anderson, Chair, Montgomery County Planning Board
Cc: Natali Fani-Gonzalez, Vice Chair, Montgomery County Planning Board
Gerald R. Clichy, Commissioner, Montgomery County Planning Board
Tina Patterson, Commissioner, Montgomery County Planning Board
Partap Verma, Commissioner, Montgomery County Planning Board

Marc Elrich, County Executive, Montgomery County

Sidney Katz, President, Montgomery County Council
Tom Hucker, Vice President, Montgomery County Council
Gabe Albornoz, Councilmember, Montgomery County Council
Andrew Friedson, Councilmember, Montgomery County Council
Evan Glass, Councilmember, Montgomery County Council
Will Jawando, Councilmember, Montgomery County Council
Nancy Navarro, Councilmember, Montgomery County Council
Craig Rice, Councilmember, Montgomery County Council
Hans Riemer, Councilmember, Montgomery County Council

Reference: Project Plan No. 91998005C and Site Plan No. 81999002M
Foulger Pratt proposal to install plastic carpet on Ellsworth Drive, Downtown Silver Spring, Montgomery County Planning Board hearing, possibly in May

Dear Chair Anderson:

“DO NO HARM”

We are writing on behalf of the Friends of Sligo Creek (FOSC) to state our opposition to the proposal by the developer Foulger Pratt to install plastic carpet on a portion of Ellsworth Drive in Downtown Silver Spring, part of the DTSS project now pending before the Planning Board. The proposal may be before you soon, possibly at a May meeting.

FOSC is the nonprofit organization dedicated to protecting and improving the health, safety and environmental quality of the Sligo Creek Watershed, in partnership with Montgomery and Prince George's County governments and agencies, Montgomery Parks and the people in our communities.

Your decision will affect our water quality.

FOSC urges the Planning Board to reject the proposal to put plastic carpet on Ellsworth Drive. The proposal raises troubling issues concerning its likely effects on the quality of our water, public safety, and watershed health. Simply put, we

expect that Sligo Creek and our watershed would be degraded by installation of the plastic carpet.

Details of our specific concerns are below.

However, we would be remiss if we did not draw your attention to a set of issues that are likely to be front and center on the public policy agenda in the near future. The developer's proposal raises issues that may not be easily addressed under current regulations but are nonetheless critical to the protection of human health and watershed health. Scientists are starting to raise health concerns over the use of the PFAS family of chemicals in synthetic turf, including the "blades" of plastic grass and possibly the turf backing.¹ We have not seen studies of manufacturer SYNLawn's SYNTipede243 product and do not know if any exist, but, ***to protect the public, it is important that the Planning Board and County Executive obtain technical information from the firm about its use of any PFAS in its product.***

We are also very troubled about how limited publicly available information on the product proposed and product testing is, based on project filings on the Planning Board's website and information on the manufacturer's website (SYNLawn.com). Synthetic carpets are known to contain uniquely harmful constituents such as heavy metals in pigments, color stabilizers, UV inhibitors, plasticizers, non-stick chemicals, and flame retardant.

We all need to know what's in this product. To further clarify the risks to Sligo Creek and the watershed, we have requested technical information from the carpet's manufacturer (SYNLawn) and the manufacturer of the storm water management facility now in place under Ellsworth to protect Sligo Creek from Downtown Silver Spring runoff (Contech's StormFilter). We understand that SYNLawn will have proprietary concerns, but to understand public risks, we need better information.

Due diligence to protect Sligo Creek is also a responsibility of government. ***We strongly urge that the Planning Board and County Executive will step up their due diligence with the applicant, carpet manufacturer and DTSS storm water management facility manufacturer so that any decision can be based on sound science and risk assessment.***

In conclusion, we urge Foulger Pratt and the Planning Board to do no harm to our water or watershed. There are healthier and safer solutions for Ellsworth that can be adopted – without the risks involved. Why not choose healthier and safer

¹According to recent studies, the artificial grass "blades" in synthetic turf may contain PFAS chemicals, known as "forever chemicals" (ie, they don't break down). PFAS chemicals are thought to be used to keep the plastic "blades" from sticking to the extrusion machinery. Some industry members have noted that they have no other cost effective process. PFAS chemicals also have been identified in certain products' backing. Researchers have called for firms to identify any PFAS used in the manufacturing of their turf product. For details on the science, see the February 2020 Fact Sheet on Per- and Poly-fluoroalkyl Substances (PFAS) in Artificial Turf Carpet by the well-respected TURI (Toxics Use Reduction Institute) at UMass Lowell; and recent work by PEER (Public Employees for Environmental Responsibility) and The Ecology Center. https://www.turi.org/TURI_Publications/TURI_Chemical_Fact_Sheets/PFAS_in_Artificial_Turf_Carpet; <https://www.peer.org/industry-in-a-dither-about-pfas-in-synthetic-turf/> SYNLawn products have not been tested in publicly available research, as far as we can tell, but until SYNLawn reassures the Planning Board and County, the PFAS question remains open. We should not give SYNLawn the benefit of the doubt.

solutions that protect Sligo Creek – and pose no potential risks and liability for the County?

Healthier and Safer Solutions to Protect Sligo Creek

- ***The best solution to protect Sligo Creek would be to remove the asphalt and replace it with undergrading and permeable pavement (stone or concrete, no synthetics) on Ellsworth - not plastic turf.***

This solution would:

(1) Protect the current Ellsworth storm water maintenance facility in place because it would not be burdened by the new plastics pollution load (it is probably not up to protecting Sligo Creek from the new plastics pollutants);

(2) Lower the temperature of runoff into Sligo Creek (runoff from plastic is hotter; higher water temperatures kill aquatic life); and

(3) Slow down storm water run-off (run off is faster on plastic surfaces; rapid runoff rates are degrading our stream and riparian buffers).

Permeable pavement would be an improvement over the current asphalt.

- ***Another option would be to use a “green streets” concept to channel storm water runoff and then cover the remaining asphalt with durable wood planking. Asphalt could be removed in strategically placed areas on the sides and where utilities are not underneath, which could then serve as multiple mini-water retention and or infiltration sites. The remaining asphalt could be covered with durable wood planking or other stone or concrete paver material strategically designed to help to slow and route storm water run-off to mini-garden areas.***
- ***A distant next best option might well be to leave the asphalt in place.***

Our concerns are set out in detail below.

Our Concerns.

We object to the installation of plastic carpet (and the particular plastic carpet proposed) on Ellsworth Drive on public safety, health, and environmental grounds:

- 1. The plastic grass product proposed is substantially petroleum-based. It is not “environmentally friendly”, contrary to representations by the manufacturer that some input materials are plant-based and the product is “Bio-based Synthetic**

Turf'.² (See Appendix 1 for product details provided by the manufacturer.) Rather, the substantial petroleum content makes the product flammable, as the County's Departments of Permitting Services and Transportation have recognized.³ **Montgomery County should not allow people to use and vehicles to drive on a flammable surface.**

2. Plastic carpets are known to many in the scientific community to contain hazardous chemicals related to higher cancer rates and disruption of human growth regulators, to name just a few very serious concerns. **Runoff containing these toxicants should not be allowed into Sligo Creek.**
3. **According to the manufacturer, the product proposed is not designed or certified for heavy foot traffic or the vehicular use that will occur on Ellsworth, a very busy and complex stretch of Downtown Silver Spring.**

The manufacturer recommends the product only for landscape, pets, play, rooftop, and golf. (See Appendix 2) Foulger Pratt proposes closing off Ellsworth to normal vehicle traffic so that only minimal access is allowed, but emergency vehicles, delivery trucks and weekly Farmers' Market trucks would still be able to drive on it, according to its filings with the Planning Board. Any other option would be better: **plastic carpets are not up to or certified for the type of use proposed.**

4. **Bearing more weight and friction than the carpet was designed for, the plastic blades of grass and their synthetic backing can be expected to degrade even more rapidly than "normal".⁴ By permitting this carpet to be installed, the Planning Board and County make it very likely that the degraded carpet will show up in Sligo Creek, in either particulate or dissolved chemical form.**
5. Storm water management filtration under Ellsworth is the main line of defense protecting Sligo Creek from pollutants coming down from DTSS. Keeping a filter cleared of sediment is critical, so how and how rapidly the carpet will degrade in

² The environmentally friendly features of the product SYNLawns' SYNTipede 243 appear to be exaggerated. According to technical specifications on the product website, the synthetic grass blades are made of polyethylene and the turf backing is made out of polypropylene. Both are petroleum-based. SYNLawns' proprietary coating of the carpet backing (Enviroloc) is described as containing "biobased resources including soybean oil", but a closer look at the manufacturer's description indicates that it, too, is heavily petroleum-based. See Appendix 1.

³ The County's Department of Permitting Services has recognized the flammability hazard in its review of the proposal. See DAIC Document 81999002M-DPS-RPP.pdf. The Department of Transportation also opposes the use of synthetic turf on Ellsworth because it is flammable. See DAIC Document 91998005C. On its website, the manufacturer represents its products as having a Class A Fire Rating, but it is not at all clear how this rating was determined.

⁴ A widely accepted rule of thumb is that 5-10% of a plastic synturf carpet typically disintegrates off the carpet each year. On this basis, have the Planning Board and County Executive estimated the amount of plastic debris to be expected for the quantity of SYNTipede 243 plastic carpeting proposed? Keep in mind, this figure would need to be adjusted to reflect the fact that the product will likely deteriorate faster than "normal" because the product is not designed for the specific usage proposed. Also, because installation is unusual and does not appear to be recommended by the manufacturer (it is proposed to go on top of the asphalt), even more friction is likely to be generated, resulting in faster plastic deterioration.

combination with the design of Contech's StormFilter storm water management facility under Ellsworth are significant.

Because it was not designed for SYNLawn and has been in place since around 2005, we would not expect Contech's system to be up to the job.⁵ We are also concerned that the normal pre-plastic pollution operation of the system itself will likely be degraded by the additional pollution burden. Normal maintenance will not be enough.⁶

Furthermore, we do not know if the storm water runoff flow rate would change and how that would affect current the storm water facility. Typically, the flow rate for synthetic turf would be higher.

An additional critical question: how will Sligo Creek be protected from hotter storm water runoff? Outdoor plastic carpets typically heat up more than most other surfaces despite chemical treatment. Hotter storm water temperatures will kill life in Sligo Creek. Winter issues concerning anti-ice treatment are also important. Have the Planning Board and County determined that this storm water system can handle the new pollutant load in all weather?

We urge the Planning Department, the Department of Permitting Services, the Department of Environmental Protection and Montgomery Parks to investigate our concerns by requesting additional technical details and research from the applicant, SYNLawn and the designers of the current SWM system under Ellsworth.

Key information includes the particulate and chemical filtration capability of the SWM system now in place; the chemical and particulate size properties of how the plastic carpet/synthetic turf typically deteriorates; and the expected temperature of the carpet (average and peak) and how the storm water facility will handle this.

- 6. Prior to a Planning Board decision on this proposal, we request that a thorough review of the storm water management situation be undertaken by the County in light of the concerns we have raised. While we understand that the applicant has represented the particular project would disturb less than 5,000***

⁵ We are also trying to find out from DEP whether any special storm water protection was put in place for the several years that artificial turf was installed on what is now the ice rink area on Veterans' Plaza. It is important to note that the product used at the time was not the same product that is now proposed by the applicant and that the usage proposed did not involve any vehicular or similarly heavy foot traffic, for which the product was not designed. From what we can tell so far, there is no evidence that the StormFilter storm water maintenance facility was designed to handle the artificial turf that was installed at the time.

⁶ To evaluate whether the existing storm water facilities can handle the new pollution load, we have asked SYNLawn for information on how its product deteriorates, whether it degrades in chemical or particulate form and, if in particulate form, what size particles? We have also reached out to the manufacturer of the Ellsworth storm water facilities (Contech's StormFilter), designed to protect Sligo Creek from DTSS runoff, to find out what particulate size and chemicals its facilities are designed to handle. Preliminary guidance from Contech suggests that the product now in place is not what they now suggest to handle storm water runoff from artificial turf. While more frequent maintenance of the facility by DEP would help protect our Creek, it probably would not be enough.

square feet of surface area and therefore is exempt from storm water management requirements, we have not been able to confirm its calculations. ***We request confirmation from the County and Planning Board staff on the dimensions of the proposed carpet area.***

7. **The coronavirus situation raises additional public health questions about our ability to keep this product clean and whether our storm water management system in place under Ellsworth can handle relevant cleaning agents or anti-microbial technology.**⁷ Will the County have to close down part of Ellsworth because it is a health hazard, if we have a situation in the future similar to what we face now? It is important that SYNLawN will provide technical details about sanitization of its product and possible effects on water that can be evaluated by the County.

Conclusion. Plastic carpets used in outdoor public spaces pose major threats to our water and environmental quality. These threats are often unrecognized or unacknowledged, in part because technical product information may be proprietary and may not be available. As is often the case, the only way the public can know enough about the product in order to evaluate it is to buy a sample and have it tested.

Nonetheless, in this case, there is enough information on the product to raise large red flags about the public risks.

What is at stake? Sligo Creek is the focus of many of our communities. As the current quarantine situation clearly illustrates, people cherish Sligo Creek. People rely upon it and are active in improving - not harming – its water quality. Our wildlife depends on it. What goes into Sligo Creek ultimately ends up in the Chesapeake Bay and our drinking water. Our water is not protected from this type of plastic pollution.

We urge the Planning Board, County Executive, County Council and Foulger Pratt to “Do No Harm”. The Planning Board should deny this proposal to install synthetic turf carpeting on Ellsworth.

Please require installation of permeable pavement rather than plastic carpeting/synthetic turf to protect public health and safety, Sligo Creek and the watershed.

Thank you for your consideration.

Additional details documenting our concerns taken directly from the product manufacturer’s website are below.

⁷ According to a recent study published in correspondence to The New England Journal of Medicine, the current COVID19 virus can stay on plastic up to three days.

https://www.nejm.org/doi/full/10.1056/NEJMc2004973?query=featured_home

Sincerely,

Mike Smith, President, Friends of Sligo Creek

**Kit Gage, Director of Advocacy, Friends of Sligo Creek
Advocacy@fosc.org**

**The Water Quality Committee, Friends of Sligo Creek
WaterQuality@fosc.org**

**cc: Adam Ortiz, Department of Environmental Protection
Hadi Mansouri, Acting Director, Department of Permitting Service
Christopher Conklin, Director, MCDOT
Mike Riley, Director, Montgomery Parks**

**Gwen Wright, Planning Director, Montgomery County Planning Board
Robert Kronenburg, Deputy Planning Director, Montgomery County Planning Board
Elza Hisel-McCoy, Chief, Area 1, Montgomery County Planning Board
Stephanie Dickel, Supervisor, Area 1, Montgomery County Planning Board
Grace Bogdan, Plan Coordinator, Area 1 (the reviewer of the proposal),
Montgomery County Planning Board
Steve Shofar, Manager II, Intergovernmental Affairs Division, Department of Environmental Protection
Stan Edwards, Manager II, Energy, Climate and Compliance Division, Department of Environmental Protection
Pamela Parker, Stormwater BMP Maintenance and Inspection Program, Department of Environmental Protection
Mark.Etheridge, Manager, Water Resources Plan Review, Montgomery County, Department of Permitting Services
Atiq Panjshiri, Manager, Right-of-Way Review, Montgomery County Department of Permitting Services
Sam.Farhadi, Plan Reviewer, Right-of-Way Plan Review, Montgomery County, Department of Permitting Services
David Kuykendall, Plan Reviewer, Water Resources Plan Review, Montgomery County, Department of Permitting Services
Tim Cupples, Chief, Division of Transportation Engineering, Montgomery County Department of Transportation
Dan Sheridan, Chief, Transportation Planning and Design Section, Division of Transportation Engineering, Department of Transportation
Bill Hamilton, Supervisor, Natural Resources Stewardship, Montgomery Parks
Matt Harper, Supervisor, Resource Analysis, Montgomery Parks**

APPENDIX 1

The plastic carpet proposed (SYNLawn's SYNTipede 243) is substantially petroleum-based, even though the manufacturer highlights materials described as plant-based and markets the product as "Bio-based Synthetic Turf". Because of the large petroleum content, it is flammable, as the County's Department of Permitting Services and Department of Transportation have recognized.

We have been able to document the petroleum-based content, in the manufacturer's own words.

Screenshots 1 – 3 below are pages from the manufacturer's website that list technical specifications for the plastic carpet proposed for Ellsworth Drive. Screenshots 1 and 2 document in the manufacturer's own words that the product's grass blades (called "yarns") and its primary backing are made of petroleum-based plastics:

- The artificial blades of grass are made of polyethylene (a thermoplastic polymer)
- The primary turf backing is polypropylene-based.

SYNLawn's claim that its plastic carpet is environmentally friendly and bio-based rests solely on the contents of its proprietary Enviroloc turf coating. (See Screenshots 1 and 3.) The company describes Enviroloc as replacing a "large portion of petroleum-based polymers (up to 60%) with bio-based polymers created from sustainable resources including soybean oil."

Taking the converse of SYNLawn's petroleum claim, at least 40% of polymers for the turf backing are petroleum-based. Without additional information, the actual percentage of petroleum-based polymers for coating of the backing is impossible to determine.

Similarly, there is not sufficient information to assess the description of soybean oil and other sustainable resource content. Scientifically, biopolymers are not necessarily benign. Many of these polymers have been designed to be environmentally persistent. Micro or nano particles from a persistent biopolymer may be just as hazardous as those from a synthetic polymer.





We urge the Planning Board and County Executive to request that SYNLawn provide additional technical information in support of its descriptions.



SCREENSHOT 1

Product Specifications for Syntipede 243 From Manufacturer Synlawn's Website:

- The backing and grass blades (referred to as “yarn”) are petroleum-based plastics. See also Screenshot 2.
- The manufacturer claims that the proprietary coating of its backing (Enviroloc) is “plant- based”.
- But more details provided by the manufacturer are not consistent with its plant-based claim. See Screenshot 3 below.

Grass Zone Yarn/Color	PE / Field Green / Apple
Grass Zone Denier	10,000 / 6
Thatch Zone Yarn/Color	PE / Field Green / Beige
Thatch Zone Denier	5,040 / 12
Grass Zone Yarn Shape	Omega
Finished Pile Height	1"
Finished Pile Weight	60 oz.
Backing	15 / 18 PP 2-Part / 20oz. EnviroLoc™
Tuft Gauge	3/8"
Total Weight	86 oz.
Tuft Bind	> 8 lbs.
Permeability	> 300 inches per / SY
Features	Sanitized [®] , EnviroLoc [™] , StatBlock [™] Anti-Static, DualChill [™] IR Reflective, Deluster, UV Stabilizers
Test Data	ASTM F1292, F1951, IPEMA Certified

-  Unmatched Lifetime Warranty
-  EnviroLoc™ Plant-Based Backing
-  Deluster and UV Protection
-  Class A Fire Rating


-  Foot Traffic
-  Softness

SUPER YARN™ TECHNOLOGY

Sanitized[®]
Antimicrobial

DualChill[™]
IR Reflective

StatBlock[™]
Anti-Static





Artificial Grass Fiber
Compacted Aggregate Base
Geotextile Weed Barrier


[Learn more at CADdetails.com](http://CADdetails.com)


N 1 to scale. For illustration only.


RECOMMENDED USES

 LANDSCAPE

 PETS

 PLAY

 ROOFTOP

 GOLF

Source: <https://www.synlawn.com/wp-content/uploads/2019/12/SYNLawn-SYNTipede-243-ST243.pdf>, consulted April 7, 2020.

Screenshot 2: Additional SYNTipede 243 Petroleum-based Specifications from SYNLawn's Website

SYNLAWN® <small>an aspen group company</small>		SYNTipede 243	
Primary Yarn Polymer	Polyethylene	Primary Backing	15/18 PP 2-Part
Yarn Cross Section	Omega	Coating Type	20 oz. EnviroLoc™
Standard Color	Field Green / Apple	PE Yarn Denier / Ends	10,000 / 6
Fabric Construction	Tufted	Texturized Thatch Denier / Ends	5,040 / 12
Second Yarn Polymer Thatch	Polyethylene	Warranty Period	Limited Lifetime
Secondary Yarn Color	Field Green / Beige		

Source: <https://www.synlawn.com/wp-content/uploads/2019/12/SYNLawn-SYNTipede-243-ST243.pdf>, consulted April 7, 2020.

Screenshot 3: How “Truly Green” is SYNTipede 243 ? SYNLawn’s Website Describes its Proprietary Enviroloc Turf Coating

- The manufacturer claims that the proprietary coating of its backing (Enviroloc) is “plant-based”.
- The company describes Enviroloc as replacing a “large portion of petroleum-based polymers (up to 60%) with bio-based polymers created from sustainable resources including soybean oil.”
- Taking the converse of SYNLawn’s petroleum claim, at least 40% of polymers for the turf backing are petroleum-based. Without additional information, the actual content is impossible to evaluate.

Truly 'green' technology.

SYNLawn's exclusive EnviroLoc™ Backing System is an environmentally-friendly, multi-layer component system that “locks” in durable turf fibers, thereby, extending the product’s life cycle. Made in the USA, the EnviroLoc™ Backing System replaces a large portion of *petroleum*-based polymers (up to 60%) with *biobased* polymers created from sustainable resources including soybean oil.

The EnviroLoc™ Backing System uses a durable 2-part woven Polypropylene backing fabric constructed to lock in tufted grass fibers. After tufting, the backing fabric and stitched grass fibers receive a thick layer of SYNLawn’s proprietary biobased EnviroLoc™ coating. Together, these components provide a sturdy anchor for fibers creating less “shedding” as well as create an environmentally responsible approach to synthetic grass.

Source: <https://www.synlawn.com/enviroloc-backing-system/>, consulted April 7, 2020.

APPENDIX 2

Plastic carpet/synthetic turf is the wrong thing to install on Ellsworth Drive. SYN Lawn’s products are not designed for the type of usage that will occur if the proposal goes through.

As Screenshot 4 (below) from the website documents, the manufacturer recommends the product only for landscape, pets, play, rooftop, and golf. It is not designed for the very heavy foot traffic or vehicular use that will occur on Ellsworth Drive.

Foulger Pratt proposes closing off Ellsworth to normal vehicle traffic, but emergency vehicles, delivery trucks and weekly Farmers' Market trucks would still be able to drive on it.

No substitute would be any better: plastic carpets are not up to or certified for the type of use proposed.

Note also that the listed certifications are not relevant for the use proposed.

Screenshot 4: Recommended uses of SYN Lawn’s SYNTipede 243 are for “landscape, pets, play, rooftop and golf”, according to the manufacturer

Grass Zone Yarn/Color	PE / Field Green / Apple	<ul style="list-style-type: none"> Unmatched Lifetime Warranty EnviroLoc™ Plant-Based Backing Deluster and UV Protection Class A Fire Rating 	Foot Traffic Softness
Grass Zone Denier	10,000 / 6		
Thatch Zone Yarn/Color	PE / Field Green / Beige		
Thatch Zone Denier	5,040 / 12		
Grass Zone Yarn Shape	Omega	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> SUPER YARN™ TECHNOLOGY </div> <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;">Sanitized* Antimicrobial</div> <div style="text-align: center;">DualChill™ IR Reflective</div> <div style="text-align: center;">StatBlock™ Anti-Static</div> </div>	
Finished Pile Height	1"		
Finished Pile Weight	60 oz.	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> Learn more at CADdetails.com </div> <small>Not to scale. For illustration only.</small>	
Backing	15 / 18 PP 2-Part / 20oz. EnviroLoc™	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> RECOMMENDED USES </div> <div style="display: flex; justify-content: space-around; text-align: center;"> <div> LANDSCAPE</div> <div> PETS</div> <div> PLAY</div> <div> ROOFTOP</div> <div> GOLF</div> </div>	
Tuft Gauge	3/8"		
Total Weight	86 oz.		
Tuft Bind	> 8 lbs.		
Permeability	> 300 inches per / SY		
Features	Sanitized*, EnviroLoc™, StatBlock™ Anti-Static, DualChill™ IR Reflective, Deluster, UV Stabilizers		
Test Data	ASTM F1292, F1951, IPEMA Certified		

Source: <https://www.synlawn.com/wp-content/uploads/2019/12/SYNLawn-SYNTipede-243-ST243.pdf>, consulted April 7, 2020.

ATTACHMENT E:

**WATERSHED GROUP NEIGHBORS OF THE NORTHWEST BRANCH OPPOSES
INSTALLATION OF SYNTHETIC TURF ON ELLSWORTH.**

**The synthetic turf runoff drains into the Northwest Branch of the Anacostia via
Sligo Creek.**

On Wed, Jun 17, 2020 at 11:16 AM Anne Ambler <anambler@gmail.com> wrote:

Re: Project Plan No. 91998005C and Site Plan No. 81999002M

**Foulger-Pratt proposal to install plastic carpet on Ellsworth Drive, Downtown
Silver Spring, Montgomery County Planning Board hearing, June 18, 2020**

Dear Chairman Anderson:

On behalf of the Neighbors of the Northwest Branch (NNWB), I urge you and the Planning Board not to approve the plan by Foulger-Pratt to carpet Ellsworth Drive with artificial turf. The NNWB, an all-volunteer nonprofit organization with members in Montgomery and Prince George's counties, is dedicated to the ecological restoration of the Northwest Branch of the Anacostia River. Since Sligo Creek is a major tributary of the Northwest Branch, what flows into Sligo Creek makes its way to the Northwest Branch. Plastic pollution, whether large pieces or microplastics, is already a problem in our waterways. New research shows that microplastics are even in the wind (<https://www.scientificamerican.com/article/microplastics-are-blowing-in-the-wind/>) and the rain (<https://earthsky.org/earth/rain-microplastic-rocky-mountains-colorado>). It makes no sense to add to global pollution by coating a street with this substance. We strongly support the arguments in the excellent letter you received from Friends of Sligo Creek dated April 20, 2020 (attached).

Montgomery County claims to be environmentally progressive. Now that we know much more about how widespread and harmful plastic pollution is, this county needs to act responsibly on that information and *reduce, not increase*, sources of environmental plastic contamination.

Thank you for the opportunity to comment.

Anne Ambler
Advocacy Chair

P.O. Box 4314
Silver Spring, MD 20914