

February 7, 2018

MDE's intent to seek a Priority Funding Area (PFA) funding exception for  
11 subdivisions in Talbot County

**Background:** The Bay Restoration (Septic) Fund (BRF) requires MDE to provide an opportunity for Public Comment and/or Public Hearing in cases where there are On-site Sewage Disposal Systems (OSDS)/septic systems are located outside the State Priority Funding Area (PFA) and where BRF grant funding is being proposed for the public sewer connections. After addressing the public comments, if any, MDE intends to seek a PFA funding exception from the Smart Growth Coordinating Committee chaired by the Maryland Department of Planning (MDP).

**Public Comment Period:** Through March 9, 2018. Send e-mail comments to [jerry.warner@maryland.gov](mailto:jerry.warner@maryland.gov).

**Project:** Sewer collection system for 11 subdivisions in Talbot County consisting of a total of 317 existing homes/businesses and a maximum of 43 vacant lots. The sewer will ultimately be conveyed to and treated at the Region II ENR wastewater treatment plant.

**Water Quality & Public Health Issues:** The County Health Department determination is summarized below:

There are 11 subdivisions located in environmentally sensitive areas: Aveley, Doncaster, North Bend, The Rest, Arcadia Shores, Royal Oak Road, Blueberry Acres Road, Deep Water Point Road, Long Haul Road, Yacht Club Road, and Rolles Range Road. More specifically, these subdivisions are located in the Chesapeake Bay Critical Area, which the General Assembly has declared is a natural resource with significant ecological value and a valuable, fragile, and sensitive part of the Chesapeake Bay estuarine system.

There are a total of 360 lots, 317 existing and a maximum of 43 vacant lots. The existing properties are served by individual on-site sewage disposal systems and many, if not most of the on-site sewage disposal systems directly penetrate groundwater. The lack of an available soil treatment zone on these properties precludes the soils from being able to attenuate and treat the wastewater before being discharged into the groundwater. Furthermore, many of these subdivisions were approved years ago without the establishment of approved Sewage Disposal Areas. Between the age of the septic systems and the fact that many property owners have replaced their septic systems multiple times, there is simply no adequate land left on the properties to install additional septic systems. The challenge of finding suitable area for sewage disposal is also impacted by one or more of the following parameters:

- Poorly drained soils;
- High seasonal groundwater tables; and/or
- Inability to comply with the required regulatory setbacks from tidal water, tidal/non-tidal wetlands, drainage ways, and individual water supply wells.

The issuance of sanitary construction permits for septic system replacements in these areas therefore often results in the approval of non-conforming or alternative systems. (Examples include elevated sand lined trench systems, variances granted to encroach on required drinking water supply setbacks, variances granted to encroach on required environmental setbacks, systems designed with less square footage of absorptive area, etc). The continued use of on-site sewage disposal systems in the project area presents a public health concern not only with

regard to the repair and replacement of failing systems, but also with regard to ensuring residents have access to potable drinking water and the degradation of the Chesapeake Bay watershed.

**BRF Funding Eligibility:** Up to \$20,000 per existing home; maximum of \$6.34 million or actual prorated sewer collection system cost, whichever is lower.

**Potential New Growth:** Maximum of 43 future infill homes on existing vacant lots.

**Measures Taken to Mitigate New Growth:** The service area has been narrowly defined with the potential for 34 future infill homes.

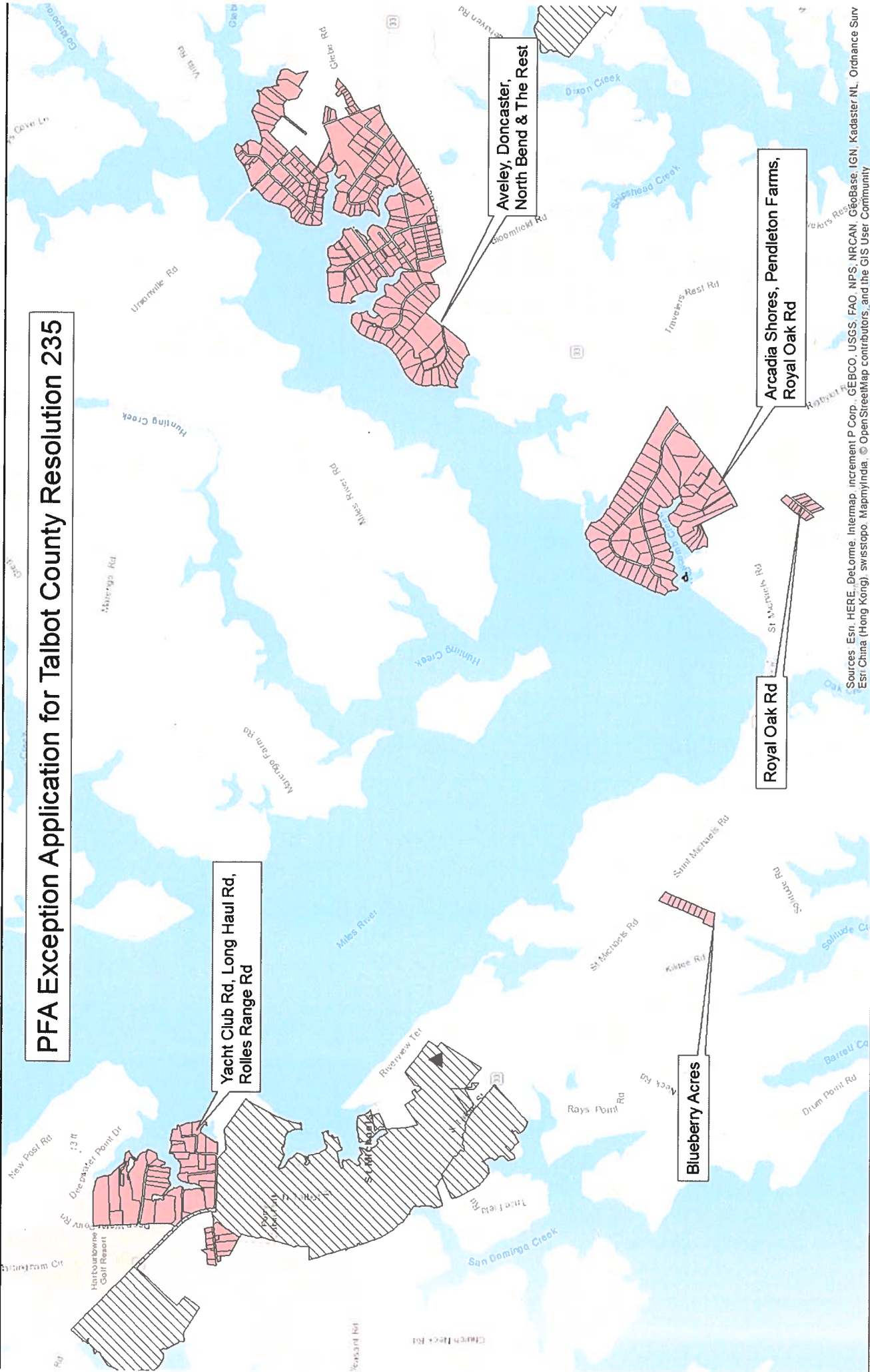
**Potential Nitrogen Reduction:**

	<u>Approx. Total Nitrogen (TN) Discharged (lb/yr)</u>	<u>Total TN Reduced (lb/yr)</u>
No Action	5,884	0
BAT Upgrade	2,967	2,917
ENR Connection	1,097*	4,787*

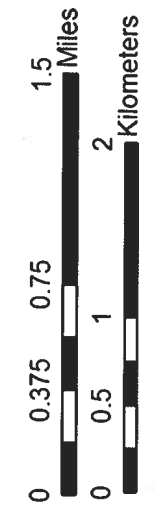
\*Includes nutrient loading from infill development

**Attachment:** Location Map

# PFA Exception Application for Talbot County Resolution 235



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri, China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community



**Data Sources:**  
 WWTP – Maryland Department of Environment  
 Priority Funding Area – Maryland Department of Planning  
 Resolution 235 Parcel – Talbot County Public Works

**WWTP**  
**Priority Funding Area**  
**Resolution 235 Parcels**