

## **BAY RESTORATION FUND ADVISORY COMMITTEE**

**Maryland Department of the Environment**

**Thursday, December 12 · 1:00 – 3:00pm**

**Google Meet joining info**

**Video call link: <https://meet.google.com/mbv-hsdy-aht>**

**Or dial: (US) +1 575-395-6396 PIN: 427 130 236#**

**And Remain Muted Unless Speaking**

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### **Meeting Agenda**

- Introduction – Chris Murphy, Committee Chairman
- Approve previous meeting minutes – Chris Murphy, Committee Chairman
- Update on Major and Minor WWTPs ENR Implementation – Walid Saffouri, MDE
- Update on the Annual Report - Walid Saffouri, MDE
- Update on the Whole Watershed Act Implementation - Sarah Lane, DNR
- Update on Cover Crops Activities – Jason Keppler, MDA
- Update on Onsite Sewage Disposal Systems (OSDS) – Jeffrey Fretwell, MDE
- Update on BRF Fee Collection and Budget – Jeffrey Fretwell, MDE
- Next meetings and other administrative issues to be discussed with the committee – Chris Murphy, Committee Chairman
- 2025 Next Pre-Scheduled Meetings: April 10<sup>th</sup>  
July 10<sup>th</sup>  
October 9<sup>th</sup>  
December 11<sup>th</sup>
- ADJOURNMENT

# **BAY RESTORATION FUND ADVISORY COMMITTEE**

**Maryland Department of the Environment**

**Virtual Meeting**

**October 10, 2024**

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## **Meeting Minutes**

### **Welcome/Introduction**

- The meeting was opened by Mr. Murphy, the Chairman of the Bay Restoration Fund Advisory Committee.
- Mr. Murphy welcomed the committee members and other attendees.

### **Review of Meeting Minutes**

- Previous meeting minutes, from the July 11, 2024 meeting, were shared with the committee members for their review and comments. An electronic copy of the meeting minutes was also e-mailed to the committee members prior to the meeting.
- Mr. Murphy asked if anyone had any questions, comments, or a motion to approve. The minutes were approved, and they will be posted on the web.

### **Discussion**

#### **I. Update on the WIP-III and the 2025 Goals:**

- Mr. Sandi provided an update on the WIP-III and the 2025 Goals. He presented the annual progress report on MDE's website. The information that we have from the model is coming out from 2023. Based on the Chesapeake Bay Program, Maryland is 83 percent of the way towards its nitrogen reduction goal for 2025. That means that we still about two million pounds in additional nitrogen reduction to meet the 2025 goals. In the meantime, Maryland has already met its phosphorus and sediment goals for 2025. While this is all great news, we learned that there might have been some changes to the assumptions within the modeling framework and some additional nitrogen loads have occurred based on the new assumptions. However, additional phosphorus reductions have also resulted from the new assumptions. So, it's a mixed bag. These are the results of the overall progress. As for the wastewater sector, Maryland is certainly a leader in the nation in terms of using BRF to upgrade the 67 major municipal wastewater plants and some of the minors as well. The wastewater sector is operating below its 2025 WIP numbers. In addition to meeting the 2025 WIP goals, the wastewater sector was assigned some additional reduction

goals to mitigate the climate change impacts. Also, the maintenance funds under the BRF O&M grants are extremely important to maintain those reductions by keeping the facilities at optimal efficiency.

- Mr. Murphy asked that since the wastewater sector has made so much progress, what would be other uses that are better uses of the BRF funds. Also, are there going to be future goals beyond 2025? Mr. Sandi responded that we could anticipate after 2025 an assessment and revised Bay Partnership goals. In terms of the BRF money uses, the stormwater and septic are the two sectors that grow every year, and we need to focus more on them. Some of the challenges in the stormwater sector are related to data lags. The model assumes new growth, but we don't get data for stormwater implementation until a year or two after something has developed. Also, O&M for the stormwater sector is extremely costly.
- Ms. Lane added that the Whole Watershed Act legislatively will obligate BRF, Clean Water Commerce, and a few other state dollars to that fund, starting FY26. So those funds are not just restricted to the wastewater sector. It would be for the things that we need to focus on such as stormwater, septic, and other uses. Ms. Lane expressed her interest to present this new program to the committee at the next meeting.
- Ms. Maguire asked whether the O&M grants can fund collection systems because we have climate change induced increases in precipitation that is causing high I&I in the collection systems. Mr. Fretwell responded that the Bay Restoration Fund Operation and Maintenance grants are for the performance of the wastewater treatment plants. So, these grants go to the plants that are achieving ENR or better in level of treatment. On the capital projects side, the Bay Restoration Fund itself can pay for sewer rehab type of projects. We have previously funded those projects under the Bay Restoration Fund. However, they are a lower priority than other uses for BRF funding. More funding is provided through State Revolving Fund for sewer rehab.
- Mr. Murphy asked about the status of the Ag sector. Mr. Sandi responded that the Ag side have done a tremendous effort. The laws in Maryland are much more stringent than those in Pennsylvania or Virginia. Also, we have many funding programs in place, such as MACS (Maryland Agricultural Cost-Share) and others to help farmers institute practices on their lands to meet these goals. 38 million pounds of nitrogen have been reduced since 1985, but we are still about two million pounds from meeting our nitrogen reduction goal.
- Mr. Keppler added that we have to be careful in how we define success. It seems like we tend to focus on nutrient reductions that are estimated coming out of the Chesapeake Bay model, which has certainly evolved over time. Through discussion with the counties and other Ag stakeholders, MDA developed Phase III WIP strategy in Maryland and a plan to implement tangible practices on the ground by 2025, and that's how we continue to evaluate success. Mr. Keppler presented a chart showing the progress for each practice being implemented by MDA.

## **II. Update on Major and Minor WWTPs ENR Implementation:**

- Mr. Saffouri provide an update on major and minor WWTPs ENR implementation. There has been no status change for the major or the minor treatment plants since the last meeting. Minor plants that are under construction continue to progress without any major difficulties or problems.

## **III. Update on the Annual Report:**

- Mr. Saffouri advised the committee that MDP, MDE, and MDA are updating the annual report and should send a draft to the committee sometime before Thanksgiving so the committee can review it and hopefully vote on it at the December meeting.

## **IV. Update on Cover Crops Activities:**

- Mr. Keppler provided an update on the Cover Crops Program and presented a slide showing last year results and current year applications. The Bay Restoration Fund pays for about half of the cover crop grants each year, and the other half is coming from the Chesapeake Atlantic Coastal Base Trust Fund. In FY24, the traditional cover crop program, which has been running since the late '90s, had over 1,300 applications with 443,000 acres certified for a total grant payment of about \$29.3 million. This is probably the largest that we've had with the cover crop program. Cover Crop Plus Program is a spinoff of the traditional program. It was developed as a result of recommendations that came out of the Soil Health Advisory Committee to establish more of a long-term type of cover crop program where additional management features are needed to ensure that we have cover throughout the year on fields to help support soil health principles, allows for grazing of livestock, buy different types of species mixes for the cover crop plantings, etc. The FY24 program is the second year for this program, in which we had 16 applications with 3,300 acres citified at approximately \$436,000 of grant payout under the Cover Crop Plus program. So, we had almost \$30 million in combined payments out last year for both programs. We began accepting applications for the current year's program (FY25). Under the traditional program, from late June into early July, we've approved 1,428 applications for 653,000 acres with a total amount \$55.8 million. To compare that to where we were last year, we had about the same number of applications, but the acreage went up a little bit. Also, the requested grant is about \$700,000 more than last year. So, we may have another hugely successful year despite the usual fall off between what people apply for to what is ultimately done.

## **V. Update on Onsite Sewage Disposal Systems (OSDS):**

- Mr. Fretwell provided an update on OSDS upgrades and connections to public sewer as of September 25, 2024. For the final septic upgrade and connection totals for FY24, there were 677 BAT upgrades and 142 sewer connections that were completed. These numbers are a little bit lower than last year's numbers, which were 720 and 173. However, the amount of funding is higher because the unspent and reverted to MDE to go out as a second round of funding for fiscal year '25 was lower than FY24 and 23. This is an indication that the individual upgrades and

connection projects are on average more expensive than they were in the previous years. We're currently in the process of establishing statewide BAT pricing for calendar years 2025 and 2026. It is likely that the bid prices for the BAT systems will continue to increase. The left side of the page being presented are the septic upgrades and connection totals for FY25 through September 25th. Only 24 BAT upgrades and four connections have been funded. Last year through the same date we had 42 BAT upgrades and one connection.

- Mr. Murphy asked whether we have any plans since we'll likely be able to do less and less projects as they get more and more expensive. Also, the BRF fee will go back to \$30 from \$60 in 2030. Mr. Fretwell responded that doing less projects would be one option. Alternatively, at some point in the future we can ask for a rate increase and add more revenue to be able to continue to do the same number of projects. A third option would be not to fund the projects at 100 percent of the cost, or we put some kind of cap on how much we're going to reimburse per project. We have been talking about all these options, but we haven't made any decisions. We will consult with the committee on anything that we're contemplating on doing.
- Mr. Saffouri added that another option would be to move the septic connections funded by the Wastewater Fund up on the priority where they can get funded right after the wastewater treatment plant. Mr. Fretwell agreed that could be an option for this type of projects and free up more money for the BAT systems and individual septic connections funded from the Septic Fund.
- Ms. Moritz (with the St. Mary's County Health Department) advised, as someone who has been administering the grant locally, that since 2009 we've seen a huge increase in the installation of holding tank systems. Also, we are finding that the bids for holding tanks are starting to get higher and higher every year, which is starting to take away substantial amounts of grant money from the BAT upgrades.
- Mr. Hoffman, asked about the holding tank system cost versus a traditional upgrade. Ms. Moritz responded that the average holding tank system is anywhere from \$15,000 to \$20,000, which is higher than the BAT units. Holding tanks are typically just a two-tank system, a 1,500-gallon tank and a 1,000-gallon tank with a high-water alarm, no bells and whistles. We would like to see something change with that because it is eating up our grant funding and how we can spend it.
- Mr. Hoffman asked whether the holding tanks are being used as they should be, and they are only done in situations where the fields don't perk and as the last option. Ms. Moritz responded yes; they're only used in repair situations. We're just seeing a lot more of these situations because we are finding older homes that are on smaller properties, poor soils and high groundwater. Also, for some reason the cost of these tanks is starting to go through the roof.
- Mr. Fretwell added that the state establishes a statewide pricing for BAT systems per system by county. We don't have statewide pricing for holding tanks. So, for all these holding tank projects that are funded, we require a minimum of three bids on the jobs. The higher cost for holding tanks could be because there's not statewide pricing for them. Holding tanks are not very prevalent in a

lot of the counties. With only a few counties where we're seeing a lot of holding tanks, MDE may have to work with these impacted counties at some kind of cost containment measure.

- Mr. Fretwell presented a report on the compliance rates for best available technology septic systems per the last meeting request. The report is from MDE Water and Science Administration database. The report provides totals and compliance rates by county and the statewide. These numbers are run between April and October of every year. About 16,000 of the 19,000 BAT systems statewide have had service within the period that they're supposed to have service, which yields a statewide compliance rate of about 84%. The compliance rate varies between counties with most counties are above 80%. The BRF grant pays for the first two years of service as part of the upgrade grant. After the first two years the homeowner is required to pay for that service unless they qualify for some subsidy under the low-income criteria. The counties are required under House Bill 12 to submit quarterly reports to MDE on their compliance efforts. Also, House Bill 12 of 2014 provides 10 percent of the Bay Restoration Fund septic revenues to the county health departments to oversee BAT systems, including operation and maintenance compliance. All the counties in the state except for Montgomery County are participating in this program. As part of the funding agreement, the counties agree to achieve 80% or more of BAT compliance rate in meeting the O&M maintenance requirements. If the compliance rate in a county fall below 80%, the county is required to submit a comprehensive plan to MDE's for approval. The plan must outline specific changes that the county will implement to achieve an 80% compliance rate.
- Mr. Murphy asked What does compliance mean? Mr. Fretwell responded that compliance is having the required service done by a service provider annually.
- Mr. Murphy asked about how much the service costs per BAT. Mr. Fretwell responded that the cost varies by the type of system, and it's about \$200 to \$300 a year.
- Ms. McGuire asked whether the hurdle to compliance is cost related. Ms. Moritz responded that in St. Mary's the main hurdle is not having enough service providers. Also, many property owners want to use the septic contractor who installed the system, but the contractors are not certified as a service provider.

## **VI. Update on BRF Fee Collection and Budget:**

- Mr. Fretwell provided an update on the BRF fee collection. We received the final BRF fee collection and distribution for FY24, but we have not gotten the most recent report from the Comptroller's office as they continue working through the issues with their new reporting system. FY24 revenues for the Wastewater Fund is about \$103.74. This total is low, but not as low as FY21 when our bonds were downgraded from AA3 to AA2. It should be noted that our bonds rating was recently upgraded by Moody's back up to AA2. They have changed their methodology for entities like us and linked our rating more closely to the state's overall bond rating, which is AAA. The septic fund total for FY24 is about \$30.57 million, \$18.3 million of which is for septic upgrades and \$12.2 for cover crops. These numbers are on the high end of typical.

- Mr. Murphy asked whether there are any concerns about the lag in FY24, or the funds will make their way in and will be on par with what we normally are. Mr. Fretwell responded that we have no reason to believe that the collections themselves are significantly lower or different from what they normally are. It is more of a timing issue than anything else. The Comptroller's office is updating their audit plan in addition to upgrading their reporting system to be 100% electronic reporting, which should help with the timing issue.
- Ms. Allen asked when MDE received the final revenues report for FY24 from the Comptroller's office. Mr. Fretwell responded that it was around August 10<sup>th</sup>. As a point of reference, which is why there could be lag time, we received our last distribution last year around August 28<sup>th</sup>. So, we then had another two weeks of potential revenues coming in as part of that fiscal year. Whereas this year the cutoff was about two weeks earlier than it was last year, the additional revenues we received between August 10<sup>th</sup> and 28<sup>th</sup> will be part of FY25 revenues instead of FY24.
- Mr. Hoffman asked about the status of the Clean Water Commerce Act (CWCA) solicitations. Mr. Fretwell responded that we reopened the solicitation that was done in January because of the changes in the payment schedule options. The new solicitation was completed at the end of August. We're still going through the applications. We should have final review and recommendations soon, after which we'll have an update with the project selections before the next meeting. We will be having another solicitation opening in December for the next round.
- Mr. Hoffman asked whether MDE has received any CWCA applications from the Environmental Justice communities. Mr. Fretwell responded that we have received some applications in this round. We had not received any applications for the environmental justice carve-out during any of the previous solicitations. MDE has done additional outreach targeting specific entities working in certain areas that could be eligible for this carve-out. Also, MDE has been recently looking at an opportunity to try to bring on some additional resources, a person who would work on this issue specifically and provide technical assistance needed for the application process.
- Mr. Hoffman asked whether anyone could provide an update on the implementation of the Whole Watershed Act. Also, he suggested that we add this update to future meeting agendas so it can be provided on a regular basis. Ms. Lane responded that the state management team has been meeting. The RFP went out on October 1<sup>st</sup>. The next step is for each fund source to determine what appropriation request they will have for 2026. DBM is spearheading that along with the agency's secretary.

**VII.** Mr. Murphy reminded the Committee members that the next meeting will be held on December 12<sup>th</sup>.

## **Materials Distributed at the Meeting**

- Meeting Agenda
- Previous Meeting Minutes
- Wastewater Treatment Plants ENR Upgrade Status
- BRF Septic Program Funded Installations
- BAT O&M Compliance Rate
- Distribution of Bay Restoration Fee

## **Attendance**

### **Advisory Committee Members or Designees Attending:**

Chris Murphy, Anne Arundel County DPW, Committee Chairman  
Laura Allen, Maryland Department of Budget and Management  
Jeffrey Fretwell, Maryland Department of the Environment  
Walid Saffouri, Maryland Department of the Environment  
Ellen Mussman, Maryland Department of Planning  
Doug Abbott, Easton Utilities  
Gussie Maguire, Chesapeake Bay Foundation  
Bob Buglass, Washington Suburban Sanitary District  
Jason Keppler, Maryland Department of Agriculture  
Mark Hoffman, Chesapeake Bay Commission  
Sarah Lane, Department of Natural Resources  
Tim Male, Environmental Policy Innovation Center  
John Dinkel, Dinkel Business Development  
Heather Moritz, St. Mary's County Health Department

### **Others in Attendance:**

Joe Sowinski, HDR  
Mary Sheppard, Office of the Attorney General  
Paola Argueta, B&L  
Matthew Klein, Department of Legislative Services  
Rebecca Reske, Office of the Attorney General  
Bailey Roberatory, Department of Natural Resources  
Kurt Fuchs, Easton Utilities

### **Maryland Department of the Environment (MDE) Attendees:**

Kathy Stecker  
Elaine Dietz  
Susan Iaconangelo  
Greg Sandi  
Sunita Boyle



## Wastewater Treatment Plants ENR Upgrade Status

(December 12, 2024)

### Major WWTPs

#### Previous Meeting

66 facilities are in operation  
0 facility is under construction  
1 facility is in planning  
67 total

#### Current

66 facilities are in operation  
0 facility is under construction  
1 facility is in planning  
67 total

#### Status Changes Since Previous Meeting:

- No status change.

### Minor WWTPs

#### Previous Meeting

16 facilities are in operation  
3 facilities are under construction  
8 facilities are in design  
8 facilities are in planning  
35 total

#### Current

16 facilities are in operation  
3 facilities are under construction  
8 facilities are in design  
8 facilities are in planning  
35 total

#### Status Changes Since Previous Meeting:

- No status change.

#### Percentage completion for facilities under construction for ENR Upgrade:

Facility	Previous Meeting Percentage Complete	Current Percentage Complete
Twin Cities	88%	91%
Smith Island	63%	63%
Elk Neck State Park	54%	54%

*Draft*



**Bay Restoration Fund Advisory Committee**

**Christopher P. Murphy, Chairman**

**Annual Status Report  
January 2025 (20<sup>th</sup> Report)**

**Report to:**

**Wes Moore, Governor  
State of Maryland**

**Aruna Miller, Lt. Governor  
State of Maryland**

**Bill Ferguson, Senate President  
Maryland General Assembly**

**Adrienne A. Jones, House Speaker  
Maryland General Assembly**

**Brian J. Feldman, Chair  
Senate Education, Energy, and the Environment Committee**

**Guy Guzzone, Chair  
Senate Budget and Taxation Committee**

**Marc Korman, Chair  
House Environment and Transportation Committee**

**Ben Barnes, Chair  
House Appropriations Committee**

## Bay Restoration Fund Advisory Committee Members

Committee Members	Affiliation
Christopher P. Murphy (Committee Chairman)	Anne Arundel County Department of Public Works
Serena McIlwain	Maryland Department of the Environment
Jeffrey Fretwell	Maryland Department of the Environment – WIFA
Walid Saffouri	Maryland Department of the Environment – WSA
Kevin Atticks	Maryland Department of Agriculture
Jason Keppler	Maryland Department of Agriculture
Rebecca L. Flora	Maryland Department of Planning
Ellen Mussman	Maryland Department of Planning
Josh Kurtz	Maryland Department of Natural Resources
Sarah Lane	Maryland Department of Natural Resources
Helene T. Grady	Maryland Department of Budget and Management
Laura Allen	Maryland Department of Budget and Management
William P. Ball, Ph.D.	Johns Hopkins University
Bob Buglass	Washington Suburban Sanitary Commission (WSSC)
John Dinkel	DBD, LLC
Mark Hoffman	Chesapeake Bay Commission
Gussie Maguire	Chesapeake Bay Foundation
Timothy Male	Environmental Policy Innovation Center
J. Teigen Hall	Nemphos Braue Attorneys at Law
Douglas Abbott	Easton Utilities
Heather Moritz	St. Mary's County Health Department
Natisha Joseph	Prince George's County Health Department
Crystal Faison	Shepherd Design & Construction, LLC

## PURPOSE OF THIS REPORT

Section 1605.2 of the Environment Article, *Annotated Code of Maryland*, requires that, beginning January 2006, and every year thereafter, the Bay Restoration Fund (BRF) Advisory Committee (BRFAC) provide an update to the Governor and the General Assembly on the implementation of the BRF program, and report on its findings and recommendations.

## EXECUTIVE SUMMARY

The BRFAC is pleased to present to Governor Wes Moore and the Maryland General Assembly its 20<sup>th</sup> Annual Legislative Update Report. Great strides have been made in implementing this historic BRF, but many challenges remain as we continue with the multi-year task of upgrading the state's wastewater treatment plants (WWTPs) and onsite sewage disposal systems (OSDSs), and planting cover crops to reduce nitrogen and phosphorus in the Chesapeake Bay.

- As of June 30, 2024, the Comptroller of Maryland (CoM) has deposited approximately, since the 2004 program inception, \$1.751 billion in the Maryland Department of the Environment (MDE) WWTP fund, \$260 million in the MDE Septic Systems Upgrade fund, and \$182 million in the Maryland Department of Agriculture (MDA) Cover Crop Program fund, for a total of \$2.193 billion in BRF fees (wastewater and septic users).
- Enhanced Nutrient Removal (ENR) upgrades of the state's major sewage treatment plants are almost completed with 66 of the 67 major facilities currently in operation. The remaining facility, Princess Anne, Somerset County, is in the planning phase.
- Upgrades are underway for some minor sewage treatment plants (less than 0.5 million gallons per day). To date, 16 minor facilities have completed the ENR upgrade and are in operation. Three more are under construction, and 16 additional plants have signed the funding agreement and have progressed into planning or design. All facilities that pay into the BRF and provide services to residential dwelling units are eligible to receive BRF grants if MDE determines that the ENR upgrade would be cost effective at the selected facility. MDE estimates that potentially a total of 80 minor facilities may meet the cost-effectiveness criteria and could be upgraded if they apply for BRF funding.
- MDE is using BRF to upgrade septic systems with the Best Available Technology (BAT) for nitrogen removal. As of June 30, 2024, the BRF has funded 16,315 BAT upgrades throughout Maryland, of which 9,959 upgrades were completed within Maryland's Critical Areas. In addition, 1,646 homes have been connected to public sewers using BRF.
- During the 2021 legislative session, the Clean Water Commerce Account (CWCA) was established to allow MDE to purchase nitrogen reductions from environmental practices with a life of at least 10 years. Twenty million dollars a year will be transferred from the Wastewater Fund to the Clean Water Commerce Account to be used for these purchases. The first project solicitation (FY23) under the reauthorized program was open during summer 2022 and closed in September 2022. There has been significant interest in the program, with 36 applications received and over \$90 million in funding requested. MDE, MDA and the Environmental Policy

Innovation Center (EPIC) evaluated the submitted applications and selected 16 projects to be funded. Legislation passed during the 2024 legislative session increased the flexibility for payment schedules for projects funded under the program. That payment schedule flexibility is being utilized by a number of projects funded under the FY23 solicitation. Additionally, MDE reopened the FY24 solicitation to allow for utilization of the more flexible payment schedule. MDE is in the process of finalizing scoring and ranking of these projects.

- MDA dedicates its portion of BRF for the implementation of the statewide Cover Crop Program. Now in its second year of implementation, MDA continued to offer a multi-year contract option consistent with recommendations by the state's Soil Health Advisory Committee. This Cover Crop+ Program promotes soil health benefits associated with cover crop implementation. Management practices, such as, requiring at least 50% cereal grains and 25% legumes into the cover crop mix, maintaining year-round soil cover, and allowing livestock grazing on established cover crop fields not only provide water quality benefits but also improve soil health.
- In FY24, Maryland farmers applied to plant over 625,000 acres of cover crops. Typically, they enroll more acreage than they plant. Farmers planted 450,000 acres attaining an estimated nutrient reduction of 3.1 million pounds of nitrogen and 3,600 pounds of phosphorus.
- Cover crops are planted in the fall to prevent excess nitrogen runoff from the soil after crop harvest. It is one of the Best Management Practices (BMPs) within Maryland's Watershed Implementation Plan (WIP) to meet Total Maximum Daily Loads (TMDL) nutrient reductions. The practice is recognized as one of the state's most cost effective BMPs available to prevent nitrogen movement to groundwater and subsequently the Bay. Cover crops also prevent soil erosion and improve soil quality.
- Expenditures for FY24 utilized appropriations of \$14.1 million from BRF, and \$11.1 million from the Chesapeake and Atlantic Coastal Bays Trust Fund (Trust Fund).
- This summer, 653,000 acres were enrolled in next year's (FY25) Cover Crop Program. The program is traditional, meaning the crop recovers unused plant nutrients in the fall then recycles the nutrients for the following spring crop. The traditional planted acres along with commodity acres reported by the U.S. Department of Agriculture (USDA) Farm Service Agency should allow Maryland farmers to reach Chesapeake Bay goals. In addition, since being introduced, MDA has received 30 applications totaling nearly 6,000 acres annually over the next three years for the Cover Crop+ Program.
- MDE and the Maryland Department of Planning (MDP) are continuing their efforts to implement the requirements of Chapter 257 of the 2007 Acts, which requires MDE and MDP, in concert with the BRAC and in consultation with local governments, to report on the growth influences that ENR-upgraded WWTPs may be having in the jurisdiction served. As part of this report, MDP is continuing its analysis, and is reporting on all qualifying WWTPs, grouped by regions, found in Table 1 of this report.
- State-funded ENR upgrades created the possibility for capacity expansion beyond the original design capacity at several WWTPs (Available Capacity table, Chapter 257 Implementation section). Some of those WWTPs that received that capacity expansion opportunity are serving a

relatively low percentage of lots within Priority Funding Areas (PFAs). Although not currently required by law, MDP recommends that all lots receiving service from the new capacity obtained by those WWTPs be within PFAs, with the exception of existing homes previously served by septic systems that were connected to those WWTPs. According to MDP's State Data & Analysis Center, the population is projected to grow by 1 million between 2020 and 2050. Optimizing the use of Maryland's land is critical as we continue to grow in population and strive to minimize the loss of our remaining farmland and forest land. Land that qualifies as a PFA indicates that local planning and zoning support compact development and sustainable growth.

## **Conclusions and Recommendations**

MDE will continue to ensure that BRF-funded projects remain on schedule to assist the state in meeting its final 2025 nutrient reduction targets for the Bay.

### **Programs and Administrative Functions**

#### **Comptroller of Maryland (CoM):**

The role of the CoM is to act as the collection agent for BRF and make distributions to MDE and MDA as required by the law.

In the third year of administering BRF, the CoM began the compliance phase of the fee administration. The law specifies that BRF shall be administered under the same provisions allocable to administering the sales and use tax. Granted that authority, the CoM began the audit process for both filers and non-filers of BRF quarterly reports.

For non-filers, CoM began contacting the billing authorities and users who have failed to file or pay BRF and is obtaining sufficient documentation to make an assessment and begin collection activity. Federal government billing authorities and users have, to date, refused to participate in the BRF process. MDE secured an agreement with the U.S. Department of Defense (DoD) to have WWTPs upgrade their systems over a defined period of time to exempt them from BRF. A copy of the agreement was provided by MDE to CoM, and those BRF accounts were subsequently placed on inactive status.

The CoM is continuing its audits of billing authorities to ensure fees are calculated correctly and are being collected.

#### **MDE:**

Three units within MDE are involved in the implementation of BRF.

1. *Maryland Water Infrastructure Financing Administration:*  
The Maryland Water Infrastructure Financing Administration, established under Title 9, Subtitle 16 of the Maryland Code, has the primary responsibility for the capital budget development, financial management, and fund accounting of the Water Quality Revolving Loan Fund, the Drinking Water Revolving Loan Fund, and BRF. Specifically, for BRF, it is

responsible for the issuance of revenue bonds, payment disbursements, and the overall financial accounting, including audited financial statements.

2. *Engineering and Capital Projects Program:*

The Engineering and Capital Projects Program manages the engineering and project management of federal capital funds consisting of special federal appropriation grants, and state revolving loan funds for water quality and drinking water projects. Also, the Program manages projects funded by state grant programs, including BRF, Special Water Quality/Health, Small Creeks and Estuaries Restoration, Stormwater, Comprehensive Flood Management Grant, and Water Supply Financial Assistance. There may be as many as 250 active capital projects ranging in levels of complexity at any given time. Individual projects range in value from \$10,000 to \$500 million. A single project may involve as many as eight different funding sources, and multiple construction and engineering contracts over a period of three to ten years. The program is responsible for ensuring compliance with the requirements for each funding source while achieving the maximum benefit of funds to the recipient and timely completion of the individual projects.

3. *Wastewater Permits Program:*

The Wastewater Permits Program (WWPP) issues permits for surface and groundwater discharges from municipal and industrial sources and oversees onsite sewage disposal and well construction programs delegated to local approving authorities. Large municipal and industrial discharges to the groundwater are regulated through individual groundwater discharge permits. All surface water discharges are regulated through combined state and federal permits under the National Pollutant Discharge Elimination System. These permits are issued for sewage treatment plants, some water treatment plants, and industrial facilities that discharge to state surface waters. These permits are designed to protect the quality of the body of water receiving the discharge.

Anyone who discharges wastewater (WW) to surface waters needs a surface water discharge permit. Applicants include industrial facilities, municipalities, counties, federal facilities, schools, and commercial water and WWTPs, as well as treatment systems for private residences that discharge to surface waters.

WWPP ensures that the ENR goals and/or limits are included in the discharge permits of facilities upgraded under BRF. To accommodate the implementation of the OSDS portion of BRF, the program has been designated as the lead for the OSDS upgrade program.

**Maryland Department of Agriculture (MDA):**

MDA delivers soil conservation and water quality programs to agricultural landowners and operators using a number of mechanisms to promote and support the implementation of BMPs. Programs include information, outreach, technical assistance, financial assistance, and regulatory programs such as Nutrient Management. Soil Conservation Districts (SCDs) are the local delivery system for many of these programs.

BRF provides a dedicated funding source for the Cover Crop Program. In prior years, funding fluctuated, and program guidelines were modified accordingly to try to get the best return on public investment. For FY24, incentive payments were adjusted based on rising input costs. A maximum payment could have reached \$105/acre for those meeting all of the incentive criteria, which included a \$15/acre spring delayed crop termination incentive.

Now in its third year of implementation, MDA's Cover Crop+ Program offers higher incentive payments and more perks for farmers who plant cover crops to improve soil health. To participate in this program, farmers sign a contract to grow cover crop mixes on the same field for three consecutive years. They also agree to maintain a living root system in enrolled fields throughout the year and manage their cover crop to achieve maximum soil health and water quality benefits.

The FY24 base payment for this premium incentive program was raised to \$125/acre per year. Optional add-on practices, such as cover crops following commodity grains, livestock integration, and pre-sidedress soil nitrate testing can increase the reimbursement rate to \$155/acre. To qualify for payment, optional add-ons must be new practices (not used in the previous three years) for an enrolled field.

MDA is projected to receive \$14.2 million in BRF support in FY25. It is projected that BRF will provide financial assistance for approximately 230,000 acres of cover crops.

Over the past nine years, the Cover Crop Program has been co-funded by the BRF and Trust Fund and has worked to support the increased level of farmer participation.

MDA's outreach for the program included news releases, print ads, direct mail, posters, outdoor banners at commercial grain facilities and equipment dealer facilities, cover crop field signs, seed testing bags, bumper stickers, and educational displays targeted toward farmers.

MDA administers the Cover Crop Program through the Conservation Grants Program, which offers several incentive programs and provides financial assistance to farm operators to help them implement more than 40 BMPs. Cover crops are one of the most cost-effective methods for sequestering residual nutrients from the soil following the fall harvest of crops. They minimize nitrogen leaching, prevent soil erosion, and improve soil quality.

### **Maryland Department of Planning (MDP):**

Maryland Department of Planning is a statutory member of the BRFACT. Chapter 80 of the Acts of 2014 allows for the use of BRF monies for the remediation of failing septic systems, outside of the Priority Funding Area (PFA), connecting to the qualified WWTPs. Such cases must meet certain conditions and gain approval from the Smart Growth Coordinating Committee prior to using BRF. Planning works with local governments to ensure that land use plans maintain consistency with both local development goals and state growth policies, in light of these external PFA sewer extensions to remediate failing septic systems.

Specific functions that MDP carries out that relate directly or indirectly to BRF are summarized below. House Bill 893 enacted in 2007, added an additional BRF reporting responsibility, which is discussed later in this report.

State Clearinghouse Review:



All state and federal financial assistance applications, including those for BRF funds, are required to be submitted for review through MDP's State Clearinghouse. The Clearinghouse solicits comments on these applications from all relevant state agencies and local jurisdictions. The applicant and funding agency are subsequently notified of any comments received. This review ensures the interests of all reviewing parties are considered before a project is sent forward for final federal or state approval.

#### County Water and Sewerage Plans and Amendments:

MDP assists local governments in the preparation of amendments and revisions to the water and sewer planning document, when requested by the local governments.

Planning is directed by law to advise MDE regarding the consistency of County Water and Sewerage Plans, and amendments with regard to the "local master plan and other appropriate matters" (Environment Article § 9-507 (b) (2)).

The law requires that County Water and Sewerage Plans, and amendments be consistent with the local comprehensive plans. If a plan or amendment is not consistent, it is subject to disapproval, in whole or in part, by MDE.

#### Priority Funding Areas (PFAs):

PFAs are delineated by local governments in accordance with statutory criteria that focus on concentrating high density growth in and near existing communities. If the local PFA designations do not meet the legal requirements in the law, MDP indicates those portions as "comment areas" to indicate that not all requirements of the §5-7B-02 and 03 State Finance and Procurement Article are met. In these areas "growth-related projects" are ineligible for certain state funding until requirements are met or unless an exception is granted by the Maryland Smart Growth Coordinating Committee. The PFA statute lists the specific state financial assistance programs that are required to focus their funding on projects inside the PFA, with certain specified exceptions. BRF was enacted after the PFA law and is not included in the list of state financial programs subject to the PFA funding restrictions but is monitored so as not to negatively affect the efforts of Smart Growth policies, namely support to new development at lower densities, especially outside of designated growth areas. Even though PFA law is not directly applicable to this capacity, as highlighted in Table 1 of this report, it appears that treatment capacity has been consistently used for service connections within the PFA. MDP will continue to monitor this activity, especially in areas where major failing septic systems are increasing in numbers, and other jurisdictions where the remediation of failing septic systems for public health and safety reasons is on the rise. Where BRF septic funds are provided for these types of connections, local governments are guided and advised by MDE and MDP.

#### Local Comprehensive Plan Review and Comment:

Local comprehensive plans must be prepared by every county and municipality, pursuant to the Land Use Article of the Annotated Code. MDP provides comments on draft local comprehensive plans and amendments. Through the Clearinghouse review process, MDP coordinates other state agency comments prior to being adopted by local governing bodies. While these plans are not subject to state approval and comments provided are advisory

only, local governing bodies provide full consideration to the state advisory comments since state funds may later be needed to implement specific recommendations of the local plans. MDP works closely with and provides technical assistance to local governments in the processes leading to the adoption of local comprehensive plans. MDP ensures coordination with state policies, including the plans, policies, and programs of the Governor’s Smart Growth Subcabinet.

### BRF Status

BRF fees collected from WWTP users are identified as “Wastewater” fees, and those collected from users on individual OSDs are identified as “Septic” fees. These fees are collected by the CoM and deposited as follows:

- Wastewater fees (net of local administrative expenses) are deposited into MDE’s “Wastewater Fund.”
- 60% of the Septic fees (net of local administrative expenses) are deposited into MDE’s “Septic Fund.”
- 40% of the Septic fees (net of local administrative expenses) are deposited into MDA’s “Septic Fund.”

The status of the deposits from the CoM to MDE and MDA for each of the sub-funds identified above, as of June 30, 2024, is as follows:

#### **Wastewater Fund (MDE 100% - FY24):**

<u>Sources:</u>	<u>\$ Million</u>	<u>Uses:</u>	<u>\$ Million</u>
Fee Revenue Deposits	\$103.7	Grant Awards	\$37.9
Interest Earnings	\$7.4	Admin. Expense Allowance	\$1.6
Net Bond Proceeds	<u>\$0.0</u>	Bond DS Payments	<u>\$27.2</u>
<b>Total</b>	<b>\$111.1</b>	<b>Total</b>	<b>\$66.7</b>

#### **Wastewater Fund (MDE 100% - cumulative since inception 2004):**

<u>Sources:</u>	<u>\$ Billion</u>	<u>Uses:</u>	<u>\$ Billion</u>
Fee Revenue Deposits	\$1.751	Grant Awards	\$1.749*
Interest Earnings	\$0.048	Admin. Expense Allowance	\$0.027
Net Bond Proceeds	<u>\$0.362</u>	Bond DS Payments	<u>\$0.291</u>
<b>Total</b>	<b>\$2.161</b>	<b>Total</b>	<b>\$2.067</b>

\*Funds are awarded after construction bids have opened (except for planning/design) and payment disbursements are made as expenses are incurred.

As of June 30, 2024, the grants under the Wastewater Fund were awarded as follows:

#### **MAJOR WWTP ENR GRANTS:**

Aberdeen, City of

Aberdeen WWTP ENR Upgrade

14,581,773.00

Allegany Co	Georges Creek ENR Upgrade	9,875,136.00
Allegany Co	Celanese ENR Upgrade	2,333,382.00
Anne Arundel Co.	Annapolis WRF ENR	14,683,515.00
Anne Arundel Co	Broadneck WRF	7,762,678.00
Anne Arundel Co	Broadwater ENR	6,044,053.00
Anne Arundel Co	Cox Creek WRF ENR Upgrade	88,600,000.00
Anne Arundel Co	MD City Facility ENR Upgrade	3,473,000.00
Anne Arundel Co	Mayo WRF BNR ENR Upgade	8,854,528.00
Anne Arundel Co	Patuxent WRF ENR Upgrade	3,713,000.00
Baltimore City	Back River WW ENR Upgr. (SC877)	300,885,432.00
Baltimore City	Back River WW ENR Upgr. (SC882)	46,219,057.00
Baltimore City	Patapsco ENR Upgr. (SC845 & 852)	145,503,477.36
Bowie, City of	Bowie ENR Upgrade	8,668,492.00
Brunswick, City of	WWTP ENR Upgrade	8,263,000.00
Cambridge, City of	Cambridge ENR Upgr.	8,618,255.00
Carroll Co.	Hampstead WWTP ENR Upgrade	9,651,298.00
Cecil Co.	NorhtEast River Adv WWTP ENR Upgr.	10,923,342.00
Chesapeake Beach, Town of	Chesapeake Beach WWTP ENR Upgr.	7,099,652.00
Chestertown, Town of	Chestertown BNR ENR Improvs	1,490,854.14
Crisfield, City of	Crisfield WWTP BNR ENR Upgrade	4,230,766.00
Cumberland, City of	Cumberland WWTP BNR ENR Upgrade	25,654,866.00
Delmar, Town of	Delmar WWTP BNR ENR Upgrade	2,369,464.00
Denton, Town of	Denton WWTP ENR Upgrade	4,405,615.00
Denton, Town of	Denton WWTP ENR Refinement	779,754.00
Easton, Town of	Easton WWTP ENR Upgrade	7,788,021.00
Elkton, Town of	Elkton BNR ENR Upgrade	7,403,154.00
Emmitsburg, Town of	Emmitsburg WWTP ENR Upgrade	5,517,848.00
Federalsburg, Town of	Federalsburg BNR ENR Upgrade	2,900,000.00
Frederick, City of	Gas House Pike WWTP	17,422,090.00
Frederick Co.	Ballenger Creek McKinney WWTP	29,812,509.00
Fruitland, City of	Fruitland WWTP ENR Upgrade	4,700,298.00
Hagerstown, City of	WWTP ENR Upgrade	10,191,836.00
Harford Co.	Joppatown ENR Upgrade	3,399,778.00
Harford Co.	Sod Run ENR Upgrade	36,640,567.00
Havre de Grace, City of	Havre de Grace WWTP ENR	10,474,820.00
Howard County	Little Patuxent WWTP ENR Upgr.	35,493,172.00
Hurlock, Town of	Hurlock WWTP ENR Upgrade	941,147.75
Indian Head, Town of	Indian Head ENR Upgrade	5,822,098.00
LaPlata, Town of	La Plata ENR Upgrade	9,367,610.00
Leonardtown	Leonardtown WWTP ENR Upgrade	8,667,382.00
MD Environmental Svcs	Freedom District WWTP ENR	7,483,475.00
MD Environmental Svcs	MD Correctional Instit. WWTP ENR	6,764,539.00
MD Environmental Svcs	Dorsey Run WWTP ENR	47,986.00
Mt. Airy, Town of	Mt Airy WWTP/ENR	3,354,144.00

Perryville, Town of	Perryville ENR Upgrade	3,888,168.00
Perryville, Town of	Perryville WWTP ENR Refinement	7,975,325.00
Pocomoke, City of	Pocomoke WWTP ENR Upgrade	3,214,878.00
Poolesville, Town of	Poolesville WWTP ENR	223,132.00
Poolesville, Town of	Poolesville WWTP ENR Refinements	8,596,570.00
Queen Anne's County	Kent Island WWTP ENR	6,380,645.09
Salisbury, City of	Salisbury WWTP ENR Upgrade	2,553,876.86
Salisbury, City of	WWTP BNR ENR (Drain Pmp St)	11,362,766.00
Snow Hill, Town of	BNR ENR Upgrade	3,275,455.00
Somerset County	Princess Anne WWTP ENR	23,000.00
St. Mary's County	Marlay Taylor Water Reclam.	9,896,000.00
Talbot County	St Michaels WWTP ENR	1,978,698.78
Taneytown, City of	WWTP ENR Planning /Design	5,381,998.00
Thurmont, Town of	Thurmont WWTP ENR	6,680,679.00
Washington County	Winebrenner WWTP ENR	2,990,607.00
Washington County	Conococheague WWTP ENR	18,725,544.00
Westminster, City of	Westminster WWTP ENR	40,347,789.00
WSSC	Blue Plains WWTP ENR	143,632,166.00
WSSC	Damascus WWTP ENR Upgrade	5,053,399.00
WSSC	Parkway WWTP ENR Upgrade	14,271,803.00
WSSC	Piscataway WWTP ENR Upgrade	6,324,000.00
WSSC	Seneca WWTP ENR Upgrade/Expan.	5,550,048.00
WSSC	Western Branch WWTP ENR Upgr.	37,589,528.00

**MAJOR WWTP ENR GRANT TOTAL**

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1,304,792,939.98

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**MINOR WWTP ENR GRANTS**

Betterton, Town of	Betterton WWTP BNR ENR Upgrade	5,935,956.00
Boonsboro, Town of	Boonsboro WWTP ENR Upgrade	2,000,000.00
Cecil County	Harbour View WWTP ENR Upgrade	5,131,902.00
Cecil County	Port Deposit WWTP Replacement	7,618,421.00
Cecilton, Town of	WWTP ENR	34,908.00
Chesapeake City, Town of	Chesapeake City WWTP ENR	6,868,900.00
College of Southern Maryland	WWTP ENR Upgrade (Charles Co.)	713,571.00
Frederick Co.	Lewistown WWTP ENR Up	2,466,000.00
Galena, Town of	Galena WWTP ENR	1,768,370.00
Garrett Co San Dist	Trout Run Oakland WWTP	1,621,035.00
Grantsville, Town of	WWTP ENR Upgrade	776,526.00
Greensboro, Town of	Greensboro WWTP ENR	2,581,838.00
Hancock, Town of	Hancock WWTP ENR Upgrade	763,208.00
Manchester, Town of	WWTP ENR Upgrade	1,257,067.00
MD Environmental Svc	Elk Neck St Park WWTP ENR	8,219,070.00
MD Environmental Svc	Victor Cullen WWTP ENR Upgrade	5,146,650.00

MD Environmental Svc	Cheltenham Village WWTP ENR	5,993,072.00
MD Environmental Svc	Point Lookout State Park WWTP ENR	53,035.00
Middletown, Town of	Middletown WWTP ENR Upgrade	49,923.00
New Windsor, Town of	New Windsor WWTP ENR Upgrade	30,604.00
Oxford, Town of	Oxford WWTP/ ENR Upgrade	6,999,116.00
Preston, Town of	Preston WWTP ENR Upgrade	9,120,869.00
Queenstown, Town of	Queenstown WWTP BNR ENR	842,895.00
Rising Sun, Town of	Rising Sun WWTP ENR	1,099,268.00
Rock Hall, Town of	Rock Hall WWTP ENR	745,571.00
Secretary, Town of	Twin Cities WWTP ENR Upgrade	17,724,632.00
Somerset County	Smith Island BNR ENR Upgrade	10,012,677.00
Sudlersville, Town of	Sudlersville BNR ENR	2,299,722.00
Talbot Co., Town of	Region V (Tilghman Isl) WWTP ENR Upg.	28,990.00
Trappe, Town of	Trappe WWTP ENR Upgrade	25,975.00
Union Bridge, Town of	WWTP ENR Upgrade	99,800.00
UpperPotomac River Commission	UPRC WWTP ENR Upgrade	100,000.00
Vienna, Town of	Vienna WWTP ENR Upgrade	550,900.00

**Other Expanded Use Projects (Sewer, Septic, Stormwater BMP)**

Allegheny Co.	Bedford Rd San Sew Rehab Ph VI	1,137,072.00
Allegheny Co.	Braddock & Jennings RCS Sewer Conv.	20,381,519.00
Baltimore, City of	Patapsco SSI (SC-903)	19,869,452.00
Baltimore, City of	Herring Run SSI HR07A (SC-937)	5,055,835.00
Baltimore, City of	LowLevel SSI (SC-914)	11,834,981.00
Baltimore, City of	SSI SW SC963 & Maiden Choice	11,977,946.00
Baltimore, City of	Gwynns Falls Sewershed SC921	8,454,271.00
Baltimore, City of	Gwynns Falls Sewershed SC977	5,720,729.00
Baltimore, City of	Herring Run Sewershed II SC910	10,686,000.00
Baltimore, City of	Improvs to SS Herring Run SC956	5,882,802.00
Baltimore, City of	Improvs to SanSewer SC965	9,803,428.00
Baltimore, City of	Hydraulic Improvs HL SCS (SC940)	10,601,422.00
Carroll County	SW Mgmnt Rest (Greens of Westminster)	347,340.00
Carroll County	SW Mgmnt Rest (Woodsyde)	779,195.00
Carroll County	SW Mgmnt Rest (East West Pond )	568,973.00
Carroll County	SW Mgmnt Rest (Trevanion Terrace )	607,193.00
Cecil County	Connect Triumph Ind Park to SS	3,550,101.00
Cumberland, City of	CSO Storage Facility Ph I	25,895,569.00
Frostburg, City of	CSO Ph VIII-B	2,130,050.00
Frostburg, City of	CSO Ph IX-A	1,775,478.00
Frostburg, City of	CSO Ph IX-B Stoyer St Corridor	1,918,821.00
Frostburg, City of	CSO Ph IX-C Beall St Corridor	1,211,602.00
Frostburg, City of	CSO Ph X-A Geroqe's Creek	981,313.00
Greensboro, Town of	Goldsboro Reg WW Ph V	2,213,095.00
Howard County	Ashleigh Knolls Sh Sew Disposal Fac	2,881,550.00

I-97 Sewer	Dover Rd Bus Bldg Sew Connection	42,220.00
I-97 Sewer	BWI Commerce Park Sewer Ext.	1,265,568.00
I-97 Sewer	Int Trade Ctr Sew Ext.(St.John's Prop)	1,131,795.00
I-97 Sewer	Business Park Sewer Ext.	842,603.00
LaVale Sanitary Commission	LaVale Manhole Rehab Ph II	714,855.00
Luke, Town of	Landslide Sewer Ln Repair	65,468.00
Queen Anne's Co.	Southern Kent Island Sanitary Proj Ph II	1,918,000.00
Queen Anne's Co.	Southern Kent Island Sanitary Proj Ph III	4,187,500.00
Sudlersville, Town of	Town of Barclay Sanitary Project	1,550,000.00
WSSC	Lower Anacostia Sewer Basin PGC	3,791,375.00
WSSC	Beaverdam Sewer Basin PGC	6,062,000.00
WSSC	NorthWest Sewer Basin PGC	5,831,875.00
WSSC	Parkway Sewer Basin PGC	159,250.00
WSSC	Piscataway Sewer Basin PGC	2,235,311.00
WSSC	NorthEast Sewer Basin PGC	5,362,875.00
WSSC	Broad Creek Sewer Basin PGC	4,550,000.00

**TOTAL MINOR WWTP & EXPANDED USE PROJECT GRANTS**

**314,656,903.00**

**SEWER PROJECTS (PRE FY10)**

Allegany County	Braddock Run Interceptor	499,748.00
Baltimore City	Gwynn's Run Sewer	1,575,000.00
Baltimore City	Greenmount Br Sewer Interceptor	2,300,000.00
Baltimore City	Greenmount Br Sewer Interceptor II	1,000,000.00
Cumberland, City of	CSO Elimination-Evitts Creek	1,319,889.00
Denton, Town of	Lockerman St. Lift Station	100,000.00
Emmitsburg, Town of	South Seton Ave Sewer Line	600,000.00
Federalburg, Town of	Maple Ave Sewer	600,000.00
Frostburg, Town of	Combined Sewer Overflow Ph IV	1,000,000.00
Frostburg, Town of	CSO - Phase V	800,000.00
Frostburg, Town of	CSO - Phase VI Elimination	1,100,000.00
Fruitland, City of	Infiltration & Inflow Sewer	800,000.00
Hagerstown, City of	Collection System Rehab	800,000.00
Havre de Grace, City of	I&I Sewer Reduction	166,500.00
Mountain Lake Park, Town of	Sewer Rehab III	731,884.00
Port Deposit, Town of	Inflow & Infiltration Reduction	178,199.00
Secretary, Town of	Gordon Street Lift Station	150,000.00
Secretary, Town of	Infiltration/Inflow Reduction	172,068.00
St. Mary's METCOM	Evergreen Park Sewer	203,714.00
St. Mary's METCOM	Piney Pt. Sewer Repair	465,559.00
Talbot County	St Michaels Sewer & Upgrade	1,000,000.00
Talbot County	St Michaels Region II Sewer & Upgrade	450,000.00
Taneytown, City of	Baltimore St Water Main	200,000.00
Thurmont, Town of	Sewer Line Rehab	947,000.00
Washington County	Halfway Inflow/Infiltration Reduction	200,000.00
Westernport, Town of	CSO	936,000.00

Westernport, Town of	CSO/ Eilm Philos Ave Area	1,032,519.00
Williamsport, Town of	Inflow & Infiltration Reduction	383,226.00
<b>SEWER GRANT SUBTOTAL (PRE FY10)</b>		<b>19,711,306.00</b>

**Operation & Maintenance**  
**(O&M) Grants**

Aberdeen, City of	Aderdeen WWTP O&M GY24	136,228.00
Allegany County	North Branch WWTP O&M	771,759.00
Allegany County	North Branch WWTP O&M GY24	110,360.00
Allegany County	George's Creek WWTP O&M	284,014.00
Allegany County	George's Creek WWTP O&M GY24	58,415.00
Anne Arundel County	Annapolis WWTP O&M	2,394,750.00
Anne Arundel County	Annapolis WWTP O&M GY24	488,681.00
Anne Arundel County	Broadneck WWTP O&M	1,464,945.00
Anne Arundel County	Broadneck WWTP O&M GY24	242,013.00
Anne Arundel County	Broadwater WWTP O&M	477,448.00
Anne Arundel County	Broadwater WWTP O&M GY24	107,798.00
Anne Arundel County	Cox Creek WWTP O&M	2,033,109.00
Anne Arundel County	Cox Creek WWTP O&M GY24	532,933.00
Anne Arundel County	Maryland City WWTP O&M	674,309.00
Anne Arundel County	Patuxent WWTP O&M	2,052,209.00
Anne Arundel County	Patuxent WWTP O&M GY24	225,000.00
Baltimore, City of	Back River WWTP O&M	425,000.00
Betterton, Town of	Betterton WWTP O&M GY24	20,000.00
Boonsboro, Town of	Boonsboro WWTP O&M	270,521.00
Boonsboro, Town of	Boonsboro WWTP O&M GY24	38,716.00
Bowie, City of	Bowie WWTP O&M	734,825.00
Bowie, City of	Bowie WWTP O&M GY24	126,828.00
Brunswick, City of	Brunswick WWTP O&M	469,317.00
Brunswick, City of	Brunswick WWTP O&M GY24	47,536.00
Cambridge, City of	Cambridge WWTP O&M	1,861,265.00
Cambridge, City of	Cambridge WWTP O&M GY24	264,384.00
Cecil County	Northeast River WWTP O&M	390,627.00
Cecil County	Northeast River WWTP O&M GY24	111,239.00
Cecil County	Harbour View WWTP O&M	30,202.00
Cecil County	Port Deposit WWTP O&M GY24	32,189.00
Charles County	Mattawoman WWTP O&M	816,000.00
Chesap. Beach, Town of	Chesapeake Beach WWTP O&M	71,363.00
Chesap. Beach, Town of	Chesapeake Beach WWTP O&M GY24	69,009.00
Chestertown, Town of	Chestertown WWTP O&M	315,528.00
Crisfield, City of	Crisfield WWTP O&M	118,320.00
Crisfield, City of	Crisfield WWTP O&M GY24	50,329.00
Cumberland, City of	Cumb/John Difonzo WWTP O&M	3,763,971.00
Cumberland, City of	Cumb/John Difonzo WWTP O&M GY24	494,274.00

Delmar, Town of	Delmar WWTP O&M	119,748.00
Delmar, Town of	Delmar WWTP O&M GY24	50,773.00
Denton, Town of	Denton WWTP O&M	232,256.00
Easton Utilities	Easton WWTP O&M	1,604,315.00
Easton Utilities	Easton WWTP O&M GY24	209,426.00
Elkton, Town of	Elkton WWTP O&M	1,181,705.00
Emmitsburg, Town of	Emmitsburg WWTP O&M	137,840.00
Federalburg, Town of	Federalburg WWTP O&M	167,503.00
Federalburg, Town of	Federalburg WWTP O&M GY24	40,662.00
Frederick, City of	Gas House Pike WWTP O&M	632,472.00
Frederick County	Ballenger Creek WWTP O&M	2,334,500.00
Frederick County	Ballenger Creek WWTP O&M GY24	432,232.00
Fruitland, City of	Fruitland WWTP O&M	111,612.00
Greensboro, Town of	Greensboro WWTP O&M	52,500.00
Hagerstown, City of	Hagerstown WWTP O&M	2,909,848.00
Hagerstown, City of	Hagerstown WWTP O&M GY24	319,553.00
Harford County	Aberdeen WWTP O&M	1,087,242.00
Harford County	Joppatowne WWTP O&M	299,590.00
Harford County	Joppatowne WWTP O&M GY24	48,885.00
Harford County	Sod Run WWTP O&M	2,606,058.00
Harford County	Sod Run WWTP O&M GY24	419,825.00
Havre de Grace, City of	Havre de Grace WWTP O&M	809,686.00
Havre de Grace, City of	Havre de Grace WWTP O&M GY24	99,671.00
Howard County	Little Patuxent WWTP O&M	3,011,097.00
Howard County	Little Patuxent WWTP O&M GY24	837,179.00
Hurlock, Town of	Hurlock WWTP O&M	624,879.00
Hurlock, Town of	Hurlock WWTP O&M GY24	77,573.00
Indian Head, Town of	Indian Head WWTP O&M	316,502.00
Indian Head, Town of	Indian Head WWTP O&M GY24	39,165.00
La Plata, Town of	La Plata WWTP O&M	393,556.00
Leonardtown, Town of	Leonardtown WWTP O&M	112,570.00
Leonardtown, Town of	Leonardtown WWTP O&M GY24	46,115.00
MD Environmental Svc	Dorsey Run WWTP O&M	517,876.00
MD Environmental Svc	Dorsey Run WWTP O&M GY24	60,000.00
MD Environmental Svc	Eastern Corr. Inst WWTP O&M	303,461.00
MD Environmental Svc	Eastern Corr. Inst WWTP O&M GY24	54,495.00
MD Environmental Svc	Freedom District WWTP O&M	498,477.00
MD Environmental Svc	Freedom District WWTP O&M GY24	119,108.00
MD Environmental Svc	MD Correctional Inst WWTP O&M	295,056.00
MD Environmental Svc	MD Correctional Inst WWTP O&M GY24	88,080.00
MD Environmental Svc	Rocky Gap WWTP O&M	95,561.00
MD Environmental Svc	Rocky Gap WWTP O&M GY24	32,638.00
MD Environmental Svc	So.MD Pre-Release WWTP O&M	117,827.00
Mount Airy, Town of	Mount Airy WWTP O&M	407,452.00



Mount Airy, Town of	Mount Airy WWTP O&M GY24	59,537.00
Oxford, Town of	Oxford WWTP O&M	25,000.00
Perryville, Town of	Perryville WWTP O&M	350,755.00
Perryville, Town of	Perryville WWTP O&M GY24	60,000.00
Pocomoke City, City of	Pocomoke City WWTP O&M	300,880.00
Poolesville, Town of	Poolesville WWTP O&M	13,500.00
Queen Anne County	Kent Island WWTP O&M	1,016,123.00
Queen Anne County	Kent Island WWTP O&M GY24	142,218.00
Queenstown, Town of	Queenstown WWTP O&M	128,312.00
Rising Sun, Town of	Rising Sun WWTP O&M	114,368.00
Rising Sun, Town of	Rising Sun WWTP O&M GY24	32,287.00
Salisbury, City of	Salisbury WWTP O&M	1,549,742.00
Salisbury, City of	Salisbury WWTP O&M GY24	442,072.00
Snow Hill, Town of	Snow Hill WWTP O&M	251,290.00
St.Mary's County	Marley Taylor WWTP O&M	646,784.00
Talbot County	Talbot Region II WWTP O&M	352,104.00
Talbot County	Talbot Region II WWTP O&M GY24	44,858.00
Thurmont, Town of	Thurmont WWTP O&M	319,190.00
Thurmont, Town of	Thurmont WWTP O&M GY24	41,664.00
Upper Potomac RC	Upper Potomac Rvr Comm WWTP GY24	51,079.00
Washington County	Conococheague WWTP O&M	662,155.00
Washington County	Conococheague WWTP O&M GY24	201,130.00
Washington County	Winebrenner WWTP O&M	159,672.00
Washington County	Winebrenner WWTP O&M GY24	34,302.00
WSSC	Blue Plains WWTP O&M	600,000.00
WSSC	Damascus WWTP O&M	480,171.00
WSSC	Damascus WWTP O&M GY24	73,920.00
WSSC	Parkway WWTP O&M	2,419,125.00
WSSC	Parkway WWTP O&M GY24	470,622.00
WSSC	Piscataway WWTP O&M	2,362,199.00
WSSC	Piscataway WWTP O&M GY24	1,433,375.00
WSSC	Seneca WWTP O&M	2,685,983.00
WSSC	Seneca WWTP O&M GY24	522,366.00
WSSC	Western Branch WWTP O&M	2,911,585.00
WSSC	Western Branch WWTP O&M GY24	1,259,256.00

**O&M GRANT TOTAL**

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68,749,607.00

**CWCA: Nutrient Load Reduction GRANTS**

Anne Arundel Co.DPW	Muni Disch @ Broadneck/Annapolis WRF	8,181,550.00
Anne Arundel Co.DPW	Muni Disch @Cox Creek & Patuxent WRF	9,498,475.00
HGS LLC (RES)	Winters Run Stream Restoration	4,910,825.00
Howard County DPW	Little Pat Water Recl Plant (APICS)	1,818,450.00

Conservation Innovation Fund	Aggrow - Alternative Crop Environmental Practice	1,375,251.00
<b>NUTRIENT LOAD REDUCTION/CWCA TOTAL</b>		<b>25,784,551.00</b>

**TREE SOLUTIONS NOW ACT:**

Chesapeake Bay Trust	Urban Tree Program Conservation Reserve	10,000,000.00
MD Dept of Agriculture	Enhancement Prog Ches. & Atlantic Coastal	2,500,000.00
MD Dept. of Natural Res.	Bays Trust Fund	2,500,000.00
<b>TREE SOLUTIONS NOW ACT- TOTAL</b>		<b>15,000,000.00</b>

<b>TOTAL BRF A0111 Grants</b>	<b>\$1,748,695,306.98</b>
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**Septic Fund (MDE 60% for OSDS upgrades FY24):**

<u>Sources:</u>	<u>\$ Million</u>	<u>Uses:</u>	<u>\$ Million</u>
Fee Revenue Deposits	\$ 18.3	Capital Grant Awards	\$ 15.0
Interest Earnings	\$ 0.5	Admin. Expense Allowance	\$ 1.5
		HB-12 Local Admin Grants	\$ 1.5
<u>Total</u>	<u>\$ 18.8</u>	<u>Total</u>	<u>\$ 18.0</u>

**Septic Fund (MDE 60% for OSDS upgrades except 22.4% in FY10 - cumulative since inception 2004):**

<u>Sources:</u>	<u>\$ Million</u>	<u>Uses:</u>	<u>\$ Million</u>
Fee Revenue Deposits	\$258.1	Capital Grant Awards	\$227.3*
Interest Earnings	\$4.3	Admin. Expense Allowance	\$20.8
		HB-12 Local Admin Grants	\$14.2 **
<u>Total</u>	<u>\$262.4</u>	<u>Total</u>	<u>\$262.3</u>

\*Does not include \$15 million of FY24 grant awarded in June 2024. Payment disbursements are made as BATs, and public sewer connections are installed and expenses are incurred.

\*\* HB12, passed during the 2014 session, allows for up to 10% of the MDE septic fee allocation to be used for grants to local health departments to implement and enforce the septic regulations requiring BAT for nitrogen reduction from septic systems.

As of June 30, 2024, the grants under the Septic Fund were awarded as follows:

	<b>Capital Program Grant Award</b>	<b>HB12 Admin Grant Award</b>
Allegany Co. Hlth Dept	1,178,724.85	270,000.00
Anne Arundel Co. Hlth Dept	40,935,285.15	795,000.00
Baltimore Co. Hlth Dept	7,186,881.16	688,000.00
Calvert Co. Hlth Dept	21,715,194.94	1,160,000.00
Caroline Co. Hlth Dept	5,462,563.46	762,000.00
Carroll Co. Hlth Dept	3,497,376.48	452,000.00
Cecil Co. Hlth Dept	11,464,642.26	504,000.00
Charles Co. Hlth Dept	6,370,797.75	613,000.00
Dorchester Co. Hlth Dept	9,780,794.75	876,500.00
Frederick Co. Hlth Dept	5,218,414.65	664,000.00
Garrett Co. Hlth Dept.	1,551,960.82	385,000.00
Harford Co. Hlth Dept	6,514,984.38	645,000.00
Howard Co. Hlth Dept	2,560,028.75	426,000.00
Kent Co. Hlth Dept.	8,146,483.64	823,000.00
Montgomery Co. Hlth Dept	3,175,657.00	120,000.00
Prince George's Co. Hlth Dept	899,348.16	192,500.00
Queen Anne's Co. Hlth Dept	18,936,249.17	696,000.00
Somerset Co. Hlth Dept.	4,899,677.36	670,000.00
St. Mary's Co. Hlth Dept.	17,403,026.57	1,138,000.00
Talbot Co. Hlth Dept	12,469,480.58	920,000.00
Washington Co. Hlth Dept	4,889,099.30	404,000.00
Wicomico Co. Hlth Dept	9,684,954.50	535,000.00
Worcester Co. Hlth Dept	4,708,347.11	252,000.00
Direct Grant Awards_Individual	17,725,266.58	-
Direct-2nd year O&M_ BAT vendor	1,384,501.25	-
<b>Total BRF SEPTIC Grant Awards</b>	<b>227,759,776.62</b>	<b>13,991,000.00</b>

**Septic Fund (MDA 40% for Cover Crops)**

<u>Sources:</u>		<u>Uses:</u>	
Cash Deposits*	\$169,628,316	Grant Awards	\$166,642,409
		Admin. Expense	<u>\$ 2,985,907</u>
		Total	\$169,628,316

\*Cumulative revenue and expenditures as of June 30, 2024.

Historically, there is attrition between acres enrolled and actual payments for cover crops planted under the Conservation Grants Program. The main cause of reduced acreage is one of time and labor availability in the fall planting of cover crops after harvest. Other causes include delays due to weather and other uncontrolled factors. There is also a smaller reduction in acres planted and those paid due to conversions from traditional to commodity cover crops or removal of acres from the program. The Table below illustrates the “typical” program attrition profile.

**MDA Cover Crop Program 1 – Acres**

<b>Year</b>	<b>Application Acres</b>	<b>Approved Acres</b>	<b>Fall Certification</b>	<b>Paid Acres</b>
2005/2006	210,258	205,268	135,328	126,245
2006/2007	451,467	290,000	243,945	238,674
2007/2008	336,800	303,364	203,497	187,479
2008/2009	398,225	387,022	237,144	238,839
2009/2010	330,469	330,469	206,810	206,810
2010/2011	508,000	492,757	400,311	381,949
2011/2012	570,183	567,154	429,818	400,795
2012/2013	607,433	604,186	415,437	414,558
2013/2014	608,427	602,481	423,212	415,550
2014/2015	631,374	617,714	475,559	473,790
2015/2016	656,173	652,594	501,205	500,022
2016/2017	691,787	689,389	561,344	558,976
2017/2018	636,904	636,904	395,862	359,873
2018/2019	617,269	604,135	362,976	359,702
2019/2020	649,89	620,900	488,214	485,206
2020/2021	640,864	634,739	433,116	429,095
2021/2022	638,226	627,778	435,628	424,616
2022/2023	600,282	582,780	397,066	395,003
2023/2024	625,197	621,609	447,622	446,639
2024/2025	653,200	TBD	TBD	TBD

**Clean Water Commerce Act of 2021:**

During the 2021 legislative session, the CWCA was established to allow MDE to purchase nitrogen reductions from environmental practices with a life of at least ten years. Twenty million dollars a year will be transferred from the Wastewater Fund to this account to be used for these purchases.

In each FY, the purchase must include:

- At least 35% from agricultural practices;
- At least 20% from projects in communities disproportionately burdened by environmental harms or risks; and
- At least 10% from nonagricultural landscape restoration projects.

Any unencumbered funds not used during the FY for the above categories become available in the subsequent FYs for any eligible environmental practice.

The first project solicitation (FY23) under the reauthorized program was open during summer 2022 and closed in September 2022. There were 36 applications received and over \$90 million in funding requested. MDE, MDA and the Environmental Policy Innovation Center (EPIC) evaluated the submitted applications and selected 16 projects to be funded (nine projects by MDE, five by EPIC, and two by MDA). The selected 16 projects have total of \$16 million for the following categories:

Agricultural Practices:	\$14,000,000
Nonagricultural Landscape Restoration Projects:	\$2,000,000

HB1266/SB1144 of 2024 – *Clean Water Commerce – Contracts for the Purchase of Environmental Outcomes* - increased the flexibility for payment schedules for projects funded under the Clean Water Commerce Program. MDE determined that the flexibility can be used for projects selected in the FY23 solicitation that had not yet executed grant agreements, and a number of these projects are utilizing this new payment schedule option.

MDE also reopened our FY24 solicitation that had closed on January 31, 2024 to allow for utilization of the more flexible payment schedule. The majority of applications received during the reopened solicitation have proposed a more flexible payment schedule. MDE is in the process of finalizing scoring and ranking of these projects. MDE received 22 applications requesting more than \$77M in funding. Four of the applications received were for communities disproportionately burdened by environmental harms or risks.

## WWTP Upgrades with Enhanced Nutrient Removal

### Status of Upgrades:

MDE is implementing a strategy and is providing financial assistance to upgrade WWTPs in order to achieve ENR level of treatment. MDE's strategy and BRF set forth annual average nutrient goals of WWTP effluent quality of Total Nitrogen (TN) at 3 mg/l and Total Phosphorus (TP) at 0.3 mg/l, where feasible, for all major WWTPs with a design capacity of 0.5 million gallons per day (MGD) or greater. Other smaller WWTPs are currently being selected by MDE for upgrade on a case-by-case basis, based on the cost effectiveness of the upgrade, environmental benefits, and land use factors. Primarily, Maryland's 67 major sewage treatment facilities were targeted for the initial upgrades.

### Major WWTPs:

ENR upgrades of the state's major sewage treatment plants are almost completed with 66 of the 67 major facilities having been upgraded and in operation. The remaining facility, Princess Anne, Somerset County, is in planning.

### Minor WWTPs:

ENR upgrades are underway for some minor sewage treatment plants (less than 0.5 MGD). MDE and Planning have been assisting local governments in applying for BRF grants, and to date, 16 minor facilities have completed the ENR upgrade and are in operation. Three more are under construction, and 16 additional plants have signed the funding agreement and have progressed into planning or design. All facilities that pay into the BRF and provide services to residential dwelling units are eligible to receive BRF grants if MDE determines that the ENR upgrade would be cost effective at the selected facility. MDE estimates that potentially a total of 80 minor facilities may meet the cost-effectiveness criteria and could be upgraded if they apply for BRF funding.

### ENR Asset Renewal

In 2026, ENR upgrades at major WWTPs will start reaching their expected useful life of 20 years. As a result, there may be significant capital improvements necessary to ensure plants can continue to achieve ENR levels of wastewater treatment. The Department is developing an approach for a needs analysis that will assess the capital, operations and maintenance, and staffing needs for priority WWTPs. Once the needs analysis is complete, a funding strategy will be developed to fund ENR asset renewal at these WWTPs to prevent performance from declining.

The results of this needs analysis can be rolled into a similar State Revolving Fund needs assessment process as one way to allot funding towards WWTP asset renewal. The Department will also work with State legislators to identify needs assessment funding opportunities and gaps. For each WWTP, needs assessments for large WWTPs are estimated to cost up to several hundred thousand dollars, while smaller plants could cost as little as \$50,000. The total cost to assess needs at all the major and minor WWTPs may approach \$20 million.

### DoD and Other Federal WWTPs:

On July 19, 2006, the State of Maryland and DoD signed a Memorandum of Understanding (MOU) to resolve a dispute regarding the applicability of BRF to DoD. The state's legal position is that the

federal government is not exempt from paying the BRF fee; however, the DoD asserts that the BRF fee is a tax and that the state may not tax the federal government. With the advice of counsel, the state chose to settle the matter with DoD rather than to litigate. In the MOU, neither party concedes any legal position with respect to the BRF fee. MDE has agreed to accept DoD's proposal to undertake ENR upgrades at certain DoD-owned WWTPs at its own expense in lieu of paying the fee.

MDE has worked with DoD to complete the ENR upgrade of the targeted facilities as specified in the MOU. Specifically, the following targeted DoD facilities were upgraded to ENR:

<b>DoD Facility</b>	<b>Date of Start Meeting ENR Goals</b>
Aberdeen Proving Ground – Aberdeen	March 2006
Aberdeen Proving Ground – Edgewood	March 2016
Fort Detrick	June 2012
Naval Station – Indian Head	September 2011
Fort Meade	January 2015
Naval Support Activity – Annapolis	April 2021

The following are the upgraded major, minor, and federal facilities with their nitrogen and phosphorus reductions achieved in CY23:

<b>ENR Wastewater Treatment Plant</b>	<b>County</b>	<b>CY 2023 Average Flow (MGD)</b>	<b>TN Reduction (Lbs)</b>	<b>TP Reduction (Lbs)</b>
John J. Difonzo	Allegany	8.871	156,624.42	47,257.37
George's Creek	Allegany	0.756	36,821.43	4,326.52
North Branch	Allegany	1.260	65,204.62	7,287.58
Rocky Gap	Allegany	0.052	2,754.30	307.09
UPRC	Allegany	0.829	41,891.08	4,315.29
Annapolis	Anne Arundel	8.177	139,392.99	48,040.80
Broadneck	Anne Arundel	3.890	75,312.25	22,617.36
Broadwater	Anne Arundel	0.959	19,267.33	5,663.43
Cox Creek	Anne Arundel	9.478	187,537.87	53,953.20
Dorsey Run	Anne Arundel	0.877	43,248.75	4,671.93
Fort Mead	Anne Arundel	1.532	73,217.91	8,720.86
Maryland City	Anne Arundel	1.473	27,800.55	8,519.52
Naval Academy	Anne Arundel	0.066	2,953.39	377.71
Patuxent	Anne Arundel	5.483	88,461.24	31,712.52
Piney Orchard	Anne Arundel	0.560	11,080.52	3,255.97
Back River	Baltimore	120.583	2,018,866.91	33,036.00
Patapsco	Baltimore City	51.779	2,380,068.85	290,021.64
Chesapeake Beach	Calvert	0.774	15,079.25	4,500.21

<b>ENR Wastewater Treatment Plant</b>	<b>County</b>	<b>CY 2023 Average Flow (MGD)</b>	<b>TN Reduction (Lbs)</b>	<b>TP Reduction (Lbs)</b>
Denton	Caroline	0.485	7,381.94	2,627.97
Federalsburg	Caroline	0.277	14,081.70	1,433.47
Greensboro	Caroline	0.167	5,897.03	945.56
Preston	Caroline	0.046	1,372.28	190.44
Freedom District	Carroll	1.965	31,104.61	11,544.60
Hampstead	Carroll	0.276	11,846.42	1,529.11
Mount Airy	Carroll	0.626	12,767.56	3,620.65
Taneytown	Carroll	0.714	9,346.00	3,738.40
Westminster	Carroll	3.741	58,078.69	21,295.52
Chesapeake City	Cecil	0.102	5,216.37	543.37
Elkton	Cecil	1.716	79,399.87	9,193.67
Harbour View	Cecil	0.047	2,103.17	281.85
Northeast River	Cecil	1.166	22,361.35	-
Perryville	Cecil	0.660	30,136.59	3,415.48
Port Deposit	Cecil	0.076	3,817.30	455.76
Rising Sun	Cecil	0.217	9,710.37	1,037.09
Indian Head	Charles	0.433	21,221.33	2,491.20
La Plata	Charles	1.088	14,903.91	5,994.69
Mattawoman	Charles	8.561	333,574.91	1,563.63
Naval Station	Charles	0.321	15,243.64	1,768.65
Swan Point	Charles	0.070	3,025.84	385.69
Cambridge	Dorchester	2.859	46,126.33	15,926.64
Hurlock	Dorchester	1.276	63,313.63	7,574.33
Ballenger Creek	Frederick	6.726	118,752.78	40,334.99
Brunswick	Frederick	0.426	19,970.51	2,450.93
Emmitsburg	Frederick	0.372	17,099.32	1,947.74
Fort Detrick	Frederick	0.810	40,437.82	4,783.50
Frederick	Frederick	5.438	102,633.66	27,479.33
Thurmont	Frederick	0.489	9,229.10	2,843.16
Aberdeen	Harford	1.486	25,331.78	8,232.83
APG-Aberdeen	Harford	0.406	18,414.98	2,397.65
APG-Edgewood	Harford	0.729	31,068.08	4,105.43
Havre de Grace	Harford	1.548	24,975.01	8,717.69
Joppatowne	Harford	0.753	13,982.46	4,125.97
Sod Run	Harford	9.818	176,333.15	54,394.29
Little Patuxent	Howard	17.270	331,201.12	43,108.72
Betterton	Kent	0.061	2,488.25	337.96
Chestertown	Kent	0.642	27,555.80	3,791.37
Galena	Kent	0.023	1,099.22	128.13



<b>ENR Wastewater Treatment Plant</b>	<b>County</b>	<b>CY 2023 Average Flow (MGD)</b>	<b>TN Reduction (Lbs)</b>	<b>TP Reduction (Lbs)</b>
Damascus	Montgomery	0.760	15,037.85	4,465.09
Poolesville	Montgomery	0.479	5,395.06	2,639.20
Seneca	Montgomery	13.317	235,122.02	6,567.20
Bowie	Prince George's	1.342	24,511.09	3,635.81
Parkway	Prince George's	6.032	123,025.48	14,505.99
Piscataway	Prince George's	20.973	446,907.37	7,022.83
Western Branch	Prince George's	21.310	415,166.53	53,193.21
Kent Island	Queen Anne's	2.415	120,564.62	13,894.34
Queenstown	Queen Anne's	0.074	3,829.48	434.76
Sudlersville	Queen Anne's	0.072	3,178.04	394.52
Blue Plains	Regional	124.265	1,664,410.38	30,262.01
Crisfield	Somerset	0.838	37,754.15	4,897.84
ECI	Somerset	0.552	28,565.83	3,209.46
Leonardtown	St. Mary's	0.614	11,401.37	3,439.10
Marlay Taylor	St. Mary's	3.190	50,495.53	16,508.15
Easton	Talbot	2.295	108,286.25	13,832.69
Oxford	Talbot	0.107	4,885.78	625.38
Talbot Region II	Talbot	0.302	15,720.34	1,801.86
Boonsboro	Washington	0.275	13,645.18	1,657.51
Conococheague	Washington	1.991	37,576.98	10,909.45
Hagerstown	Washington	4.998	91,286.47	26,320.93
MCI	Washington	0.692	15,166.92	4,065.58
Winebrenner	Washington	0.141	6,695.80	772.59
Delmar	Wicomico	0.535	27,360.37	3,208.33
Fruitland	Wicomico	0.482	7,483.01	2,714.42
Salisbury	Wicomico	5.207	267,875.63	27,580.09
Pocomoke City	Worcester	0.639	12,838.19	3,715.29
Snow Hill	Worcester	0.378	15,303.91	1,864.09
		<b>Total</b>	<b>10,957,677</b>	<b>1,149,461</b>

**Annual O&M Grants for the Upgraded Facilities:**

Starting in FY10, the law allows up to 10% of the annual fee generated from users of WWTPs to be earmarked for grants for O&M costs of ENR technologies. To ensure that each upgraded facility receives a reasonable and fair amount of grant, MDE, in consultation with BRAC, is allocating the base grants at the following rates:

- Minimum annual allocation per facility (for design capacity ≤ 1 MGD) = \$30,000

- For facility with design capacity between 1 and 10 MGD = \$30,000 per MGD
- Maximum allocation per facility (for design capacity  $\geq$  10 MGD) = \$300,000

In addition to the base grants specified above, on April 19, 2021, MDE adopted a change in the regulations to allow the department to provide additional funding for WWTPs achieving better than ENR. The goal is to allocate the full amount of the authorized annual O&M fund, which is approximately \$11 million per year based on \$110 million in annual revenue. After distributing the base grants based on the above rates, the remaining amount of the authorized fund is allocated to each WWTP achieving beyond ENR based on the additional load reduction achieved beyond ENR.

On August 7, 2024, the BPW approved \$11 million (under FY25 authorization) for facilities that achieved ENR level of treatment during CY23. Also, additional grants were provided for facilities achieving better than ENR level of treatment.

MDE is requesting authorization for \$11 million in FY26. The upgraded facilities will be receiving O&M grants based on the above rates if they continue to achieve ENR level of treatment in CY24.

### **Chesapeake Bay TMDL Implications:**

In November 2009, the U.S. Environmental Protection Agency (EPA) officially transmitted the WIP guidance. EPA, in coordination with the Bay watershed jurisdictions of Maryland, Virginia, Pennsylvania, Delaware, West Virginia, New York, and Washington D.C., developed and, on December 29, 2010, established the TMDL and a nutrient and sediment pollution diet for the Chesapeake Bay, consistent with the Clean Water Act requirements. Current model estimates are that the states' Bay water quality standards can be met at basin-wide loading levels of 200 million pounds of nitrogen per year and 15 million pounds of phosphorus per year. Maryland's current target loads, with climate change allocation, are 45 million pounds of nitrogen per year and 3.68 million pounds of phosphorus per year by 2025. Currently, Maryland's nutrient loads entering Chesapeake Bay are 46.9 million pounds of nitrogen per year and 3.5 million pounds of phosphorus per year.

Continuing to upgrade major and minor WWTPs as described above is essential for Maryland to meet its 2025 target loads. In addition, MDE is providing more incentive through the O&M grants for facilities achieving better than ENR levels of treatment.

## Chapter 257 Implementation

Chapter 257 (HB 893) of 2007 - *Bay Restoration Fund - Wastewater Treatment Facilities Upgrades - Reporting Requirements* requires that “Beginning January 1, 2009, and every year thereafter, MDE and Planning shall jointly report on the impact that a wastewater treatment facility that was upgraded to enhanced nutrient removal during the calendar year before the previous calendar year with funds from the Bay Restoration Fund had on growth within the municipality or county in which the wastewater treatment facility is located.”

As required by this law, Planning and MDE have advised the BRFAC with the best available information and data analysis to address this mandate.

### Available Capacity

This report addresses the following funded facilities that were upgraded to ENR with BRF, and completed prior to January 1, 2023, and operational for one full calendar year:

Facility	County	Design Capacity (MGD)		Flow in CY23 (MGD)
		Original	At Upgrade	
John J. Difonzo	Allegany	15	15	8.871
George’s Creek	Allegany	0.6	0.6	0.756
North Branch	Allegany	2	2	1.26
Annapolis	Anne Arundel	13	13	8.177
Broadneck	Anne Arundel	6	6	3.890
Broadwater	Anne Arundel	2	2	0.959
Cox Creek	Anne Arundel	15	15	9.478
Maryland City	Anne Arundel	2.5	2.5	1.473
Patuxent	Anne Arundel	7.5	7.5	5.483
Back River	Baltimore City	180	180	120.583
Patapsco	Baltimore City	73	81	51.779
Chesapeake Beach	Calvert	1.32	1.5	0.774
Denton	Caroline	0.8	0.8	0.485
Federalburg	Caroline	0.75	0.75	0.277
Greensboro	Caroline	0.28	0.332	0.167
Preston	Caroline	0.115	0.115	0.046
Freedom District	Carroll	3.5	3.5	1.965
Hampstead	Carroll	0.9	0.9	0.276
Mount Airy	Carroll	1.2	1.2	0.626
Taneytown	Carroll	1.1	1.1	0.714
Elkton	Cecil	2.7	3.05	1.716
Harbour View	Cecil	.065	.065	0.047
Northeast River	Cecil	2	2	1.166
Perryville	Cecil	1.65	2	0.66
Port Deposit	Cecil	0.15	0.15	0.076

Facility	County	Design Capacity (MGD)		Flow in CY23 (MGD)
		Original	At Upgrade	
Rising Sun	Cecil	0.275	0.5	0.217
Indian Head	Charles	0.5	0.5	0.433
La Plata	Charles	1.5	1.5	1.088
Cambridge	Dorchester	8.1	8.1	2.859
Hurlock	Dorchester	2	1.65	1.276
Ballenger Creek	Frederick	6	15	6.726
Brunswick	Frederick	0.7	1.4	0.426
Emmitsburg	Frederick	0.75	0.75	0.372
Frederick	Frederick	8	8	5.438
Thurmont	Frederick	1	1	0.489
Aberdeen	Harford	4	4	1.486
Havre De Grace	Harford	1.89	3.03	1.548
Joppatowne	Harford	0.95	0.95	0.753
Sod Run	Harford	20	20	9.818
Little Patuxent	Howard	25	29	17.27
Betterton	Kent	0.2	0.146	0.061
Chestertown	Kent	0.9	0.9	0.642
Galena	Kent	0.08	0.11	0.023
Damascus (WSSC)	Montgomery	1.5	1.5	0.76
Poolesville	Montgomery	0.75	0.75	0.479
Seneca (WSSC)	Montgomery	26	26	13.317
Blue Plains	Regional	169.6	169.6	124.265
Bowie	Princes George's	3.3	3.3	1.342
Parkway (WSSC)	Prince George's	7.5	7.5	6.032
Piscataway (WSSC)	Prince George's	30	30	20.973
Western Branch (WSSC)	Prince George's	30	30	21.31
Kent Narrows	Queen Anne's	2	3	2.415
Queenstown	Queen Anne's	0.085	0.2	0.074
Sudlersville	Queen Anne's	0.20	0.2	0.072
Crisfield	Somerset	1	1	0.838
Leonardtown	St. Mary's	0.68	0.68	0.614
Marlay Taylor	St. Mary's	6	6	3.19
Easton	Talbot	2.35	4	2.295
Oxford	Talbot	0.15	0.15	0.107
Talbot Region II	Talbot	0.5	0.66	0.302
Boonsboro	Washington	0.46	0.53	0.275
Conococheague	Washington	4.1	4.5	1.991
Hagerstown	Washington	8	8	4.998
MCI	Washington	1.6	1.6	0.692
Winebrenner	Washington	1	0.6	0.141
Delmar	Wicomico	0.65	0.85	0.535

Facility	County	Design Capacity (MGD)		Flow in CY23 (MGD)
		Original	At Upgrade	
Fruitland	Wicomico	0.8	0.8	0.482
Salisbury	Wicomico	6.8	8.5	5.207
Pocomoke City	Worcester	1.47	1.47	0.639
Snow Hill	Worcester	0.5	0.5	0.378

## 2024 BRF Analysis Findings

### Methodology

MDP conducts a BRF analysis for each CY as directed by Chapter 257 (HB 893) of 2007 - *Bay Restoration Fund - Wastewater Treatment Facilities Upgrades - Reporting Requirements*. The purpose is to provide the BRAC and legislature with information on the impact that ENR-upgraded WWTPs may have on growth in the municipalities and counties in which the facility is located. Growth is measured before and after ENR upgrades within existing sewer service area boundaries and PFAs using Geographical Information System mapping software. These findings help assess changes in growth patterns, the capacity of the upgraded facility to meet the demands of current, and future users, and possible changes in development patterns that could be influenced by upgrades.

MDP works with every county and many municipalities to maintain and annually update the Statewide Sewer Service Data layer to ensure as accurate a representation as possible. MDP has successfully conducted a BRF analysis each year since 2009 by utilizing the most recently published data from Maryland Property View and MDP's Sewer Service Data layers. It should be noted that data for each of these datasets affects the annual findings. MDP is committed to continuous improvement to its processes, contributing to the overarching goal of restoring water quality in the Chesapeake Bay.

### Available Capacity

An ENR upgrade can create the possibility for capacity expansion beyond the original design capacity. However, the limitations of the WWTP nutrient discharge caps established by Maryland's Point Source Policy for the Bay<sup>1</sup> heavily influence whether that possibility can become reality, notwithstanding new treatment technologies or the use of multiple discharge means or wastewater reuse. As required by state regulations that guide county water and sewer plans, to date, all ENR

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<sup>1</sup> Annual nutrient load caps for major WWTPs were based on an annual average concentration of 3 mg/l total nitrogen and 0.3 mg/l total phosphorus, at the approved design capacity of the plant. Design capacity for major WWTPs met both of the following two conditions: (1) A discharge permit was issued based on the plant capacity, or MDE issued a letter to the jurisdiction with design effluent limits based on the new capacity as of April 30, 2003; (2) Planned capacity was either consistent with the MDE-approved County Water and Sewer Plan as of April 30, 2003, or shown in the locally-adopted Water and Sewer Plan Update or Amendment to the County Water and Sewer Plan, which was under review by MDE as of April 30, 2003 and subsequently approved by MDE.

upgrades and plant expansions have been found to be consistent with locally adopted and approved comprehensive plans. Our analyses show that the nutrient discharge caps following the ENR upgrades have not had any noted compromising effects on development.

## **MDP's Findings**

For this year's reporting period, MDP reviewed development served by 70 major and minor WWTPs with ENR upgrades completed within the timeframe specified in Chapter 257 (HB 893) of 2007 - *Bay Restoration Fund - Wastewater Treatment Facilities Upgrades - Reporting Requirements*. The selection of ENR upgrades to be analyzed in this annual report is based on the following criteria: (1) ENR upgrades completed before January 1, 2023, and (2) have been operational for one calendar year. Three new ENR WWTP upgrades are included in this year's report Hampstead (Carroll County) which is one of the last major WWTPS in the state to achieve ENR and became operational on 4/7/22; and two minor WWTPs, Port Deposit (Cecil County) became operational on 10/14/22, and Preston (Caroline County) became operational on 10/23/22. Table 1 (Attachment 1) summarizes the ENR upgrades that are completed, operational, and meet the criteria.

Table 1 depicts growth activity by the number of connections before and after an ENR upgrade. The starting point for each plant's reporting is the CY prior to the start of ENR funding; the year in which the ENR upgrade was completed and became operational is included. The number of connections before ENR funding, and the current number of connections, which includes connections to new development on sewer as well as connections of existing septic systems to sewer is summarized by WWTP. Existing sewer service area boundaries are depicted as "S1" in Table 1 and are typically defined by counties as areas where a sewer system is existing, the system is under construction, or an area is in the final planning stages and service is intended within two years.

The table compares development in and outside PFAs (see Columns D, G, and K), which are designated by local governments and recognized by the state as areas to concentrate growth and development due to the presence of existing or planned infrastructure. BRF funding is not restricted to PFAs, but PFAs provide a useful geographic frame of reference for reviewing possible effects of BRF upgrades on growth as required by the legislation.

Table 1 distinguishes new ENR upgrades since the last reporting period. Columns J and K in the table show the difference between last year's data and this year's data. This indicates how many improved parcels were connected within each sewershed and how many improved parcels within the PFA had connections in the sewer shed within the last year.

MDP's analysis shows the Blue Plains WWTP has had the largest total increase of connections since conversion to ENR (which was completed in 2015), with an increase of 10,170 connections (see Column I in Table 1). Overall, the Baltimore region had the largest regional total increase of new connections since conversion of WWTPs to ENR with 33,288 connections. Statewide, there was an increase of 2,975 additional improved parcels within "S1" (existing sewer) connected during this year's reporting period. Overall, 69,150 improved parcels have been connected since WWTPs statewide have been upgraded to ENR.

Regarding connections to parcels within PFAs, MDP expresses concern about those WWTPs that have connected relatively few parcels within PFAs since being upgraded to ENR compared to the

majority of WWTPs. These include the Western Branch WWTP in Prince George’s County (only 83.4% of connected parcels within the PFA), Kent Island WWTP in Queen Anne’s County (84.0%), Talbot Region II WWTP in Talbot County (69.1%), Broadwater WWTP in Anne Arundel County (82.9%), and Chesapeake Beach WWTP in Calvert County (81.2%). State funding for WWTP improvements is not as wisely spent when the funding supports lower density growth that consumes more farmland and forest land than higher density growth supported by PFAs. It should be noted that in some cases connected parcels outside of the PFA may qualify with the requirements of the PFA law, but the local government has not formally designated the area as a PFA.

State-funded ENR upgrades created the possibility for capacity expansion beyond the original design capacity at several WWTPs (Available Capacity table, Chapter 257 Implementation section). Some of those WWTPs that received that capacity expansion opportunity are serving a relatively low percentage of lots within Priority Funding Areas (PFAs). Although not currently required by law, MDP recommends that all lots receiving service from the new capacity obtained by those WWTPs be within PFAs, with the exception of existing homes previously served by septic systems that were connected to those WWTPs. According to MDP's State Data & Analysis Center, the population is projected to grow by 1 million between 2020 and 2050. Optimizing the use of Maryland's land is critical as we continue to grow in population and strive to minimize the loss of our remaining farmland and forest land. Land that qualifies as a PFA indicates that local planning and zoning support compact development and sustainable growth.

Although every effort is made to ensure data is current and correct, there may be significant increases or decreases of new connections from year-to-year. For example, the number of total improved parcels with existing sewer (Column F) may appear to decrease from one year to the next. However, the reason for the decrease may not be related to the number of improved parcels no longer having sewer, but rather adjustments in the MDProperty View data, the PFA layer, or the sewer layer. MDP evaluates many factors that play a part in source data and findings, and makes adjustments or corrections, where necessary. This year’s report used May 2024 Statewide Points and Polygons MDProperty View data available on the MDP open data downloads site.

## **OSDS Upgrade Program**

### **Program Implementation**

The BRF Septic System Upgrade Program provides funding for the upgrade of OSDS to the BAT for nitrogen removal and for connecting properties to sewer for conveyance of flows to ENR/BNR WWTPs. The program is managed at the county level with MDE oversight and assistance, with day-to-day management performed mostly by county health departments, but in some counties the county environmental departments or a nonprofit consultant assists in managing the program. The Canaan Valley Institute, a nonprofit corporation based in West Virginia, provides program management for Allegany County, Carroll County, Frederick County, Howard County, Montgomery County, and Washington County.

The BRF statute (Annotated Code of Maryland under 9-1605.2) requires that funding priority for BAT installations be “first given to failing septic systems and holding tanks in the Chesapeake and Atlantic Coastal Bays Critical Areas and then to failing septic systems that the Department (MDE)

determines are a threat to public health or water quality.” Chapter 280 (SB 554) Acts of 2009, requires new and replacement septic systems serving property in the Critical Areas to include the BAT for removing nitrogen. In addition, Code of Maryland Regulation (COMAR) 26.04.02.07 effective Jan. 1, 2013, requires all OSDS installed in the Chesapeake Bay and Coastal Bays watersheds for new construction to include BAT.

All BATs must be inspected and have the necessary operation and maintenance performed by a certified service provider at a minimum of once per year for the life of the system. The regulations also require that both individuals that install BATs and individuals that perform operation and maintenance complete a course of study approved by MDE to maintain professional certification.

On Nov. 14, 2016, MDE finalized a regulatory change to COMAR 26.04.02.07. This regulatory change has reformed the universal requirement that BAT units be installed outside of the Critical Area for all new construction, unless the local jurisdiction enacts a code in order to protect public health or waters of the state, or the system design is 5,000 gallons per day or greater.

Consistent with the above, MDE requires all new grant recipients to prioritize applications for financial assistance based on the following:

1. Failing OSDS or holding tanks in the Critical Areas
2. Failing OSDS or holding tanks not in the Critical Areas
3. Non-Conforming OSDS in the Critical Areas
4. Non-conforming OSDS outside the Critical Areas
5. Other OSDS in the Critical Areas, including new construction
6. Other OSDS outside the Critical Areas, including new construction

The program guidance and other information are available on MDE’s Onsite Disposal Systems website.

The webpage below (under financial Reports) shows BRF funded BAT installations and sewer connections for FY24. During this FY, 720 BAT installations were completed, and 173 septic systems were eliminated by connecting the dwellings to public sewer.

The Septic Stewardship Program was created to:

1. Allow nitrogen reduction from OSDS to be counted in the WIP only if the operation and maintenance of the systems are current;
2. Allow nitrogen reduction from pumping out of OSDS to be counted in the WIP if they are part of a local Septic Stewardship Plan;
3. Allow local jurisdictions to provide financial assistance (not to exceed 10% of their allocated funds) toward the pumping out of OSDS; and
4. Allow MDE to provide financial assistance to local jurisdictions in FY20 and FY21 to develop Septic Stewardship Plans.

The Septic Stewardship Program became effective October 2, 2018, which allows local jurisdictions the availability to develop plans with FY20 and FY21 funds. MDE introduced the program through regional workshops involving the WIP in June 2018. Conceptual septic stewardship plans have been provided to each county health department or local approving authority, acknowledging that each



plan should be customized to address local goals. Despite efforts to promote the program and the availability of funding to develop plans, no counties have elected to participate in this voluntary program.

The BRF continues to promote sewer connection to BNR/ENR WWTPs. This includes working with counties on sewer planning activities, including ensuring adequate local wastewater treatment capacity and PFA compliance for areas where counties are looking to expand their sewer service and perform sewer connections.

## **BAT CLASSIFICATION DEFINITIONS**

Effective on July 1, 2015, there are five different classifications of BAT. Each of these classifications works in conjunction with Regulation 26.04.02 for the reduction of nitrogen through OSDS. This classification is intended only to classify the use of BAT systems on domestic wastewater usage. Domestic wastewater is defined by the BAT Technical Review Committee (TRC) as having a TN influent concentration of 60 mg/L. Supporting documents that clearly and concisely define the methods in which each of these classifications can be used are on MDE's webpage for reference.

**BAT Class I** systems are standalone units that are approved through MDE protocols as BAT units capable of reducing TN to 30 mg/L or less. These units are currently on the approved BAT list and have successfully completed the field verification process. The flow chart for approval of BAT Class I units is available on MDE's website.

**BAT Class II** systems are standalone units that are undergoing field verification for BAT Class I. Upon successful completion of the field verification, they will become BAT Class I. All requirements and guidance for BAT Class I apply to BAT Class II technologies. Technologies that do not reduce the effluent nitrogen to 30 mg/l or less will be either removed from the BAT listing, enter a modified field verification process (contingent on prior approval from BAT TRC), or be classified as BAT Class III at the discretion of the BAT TRC and working with the manufacturer's representative.

**BAT Class III** systems are pretreatment technologies approved by MDE as capable of reducing nitrogen to 48 mg/L effluent. These technologies may only be installed as BAT when paired with a BAT Class IV soil disposal system. BAT Class III technologies must have one of the following certifications: National Sanitation Foundation (NSF) 245, NSF 40 Class I, CAN/BNQ 3680-600, CEN Standard 12566-3 or equivalent. Technologies proposed as BAT Class III, must first apply to MDE for BAT classification using the technology application found on the MDE website. The application needs to be accompanied by the final report of the verification organization. Once submitted to the BAT TRC, analysis of the data and the application will begin. The BAT TRC will analyze the TN reduction capabilities of the unit. If the analysis of data concludes, the unit will not reduce TN to 48 mg/L, the technology will be denied entry into the BAT program.

**BAT Class IV** systems are OSDS that are installed above, at, or just below (12-inch maximum depth) grade and are thus capable of reducing effluent TN by 30%. For inclusion as a BAT in

Maryland, these units are to be paired with a BAT Class III, Class II, or Class I system. No modification of this is authorized unless applied for and approved by MDE on a case-by-case basis.

BAT Class IV systems, installed under the BAT classification, must be maintained on the same frequency as any BAT in accordance with COMAR Regulation 26.04.02.07. Since no specific manufacturer is tied to this type of system, the operation and maintenance provider of the BAT Class III, II, or I unit must successfully complete the MDE-approved course for the Installation and Operation and Maintenance of the specific system.

Sand Mound, At Grade Systems, and Low-Pressure Dosing are addressed in COMAR 26.04.02.05. All practices and criteria listed in this regulation must be applied when installing these as BAT. All installation contractors of sand mounds must be certified by MDE. The MDE Design and Construction Manual for Sand Mound Systems and the Construction Manual for At Grade systems is to be utilized for the latest and best installation practices for these systems. Information sheets are available for each system type.

**SAND MOUNDS** – An elevated sand mound system is an OSDS that is elevated above the natural soil surface in a suitable sand fill material. Gravel-filled absorption trenches or beds are constructed in the sand fill, and the effluent is pumped into the absorption area through a pressure distribution network. Pretreatment of sewage occurs either in a septic tank or advanced pretreatment unit, and additional treatment occurs as the effluent moves downward through the sand fill and into the underlying natural soil. The sand mound must be installed over a natural surface, A or B horizon. No BAT credit is given to sand mounds installed over sand or loamy sand soils. Please refer to, “BAT Class IV: Sand Mound,” for exact details as to what is needed to qualify for BAT Classification.

**AT-GRADE SYSTEMS** – The at-grade system is an OSDS that utilizes a raised bed of gravel or stone over the natural soil surface with a pressure distribution system constructed to equally distribute the pre-treated effluent along the length of the gravel bed. The purpose of the design is to overcome site limitations that prohibit the use of conventional trench or seepage pit OSDS. Please refer to, “BAT Class IV: At-Grade Mound Systems,” for exact details as to what is needed to qualify for BAT Classification.

**SHALLOW PLACED LOW-PRESSURE DISTRIBUTION** – Shallow-placed pressure dosing allows for uniform distribution of effluent at a depth not to exceed 12 inches across the entire dispersal field. Dosing allows for the creation of fluctuating aerobic/anoxic environments, which sets up the conditions for nitrification and denitrification to occur. Please refer to, “BAT Class IV: Shallow-Placed Pressure-Dosed Dispersal,” for exact details as to what is needed to qualify for BAT Classification.

**BAT Class V** systems are technologies that mitigate the impact of TN on groundwater, but do not fit into any of the above BAT classifications. As systems are identified that will apply for classification as BAT Class V, the BAT TRC will develop a concise plan for the unit to enter the BAT classification. Examples include, but are not limited to, waterless toilets, and individually engineered peat systems.

## Cover Crop Activities

### Recent Program Streamlining and Targeting to Achieve Maximum Nutrient Reduction:

In FY24, MDA continued to implement a targeting strategy to maximize nutrient reduction effectiveness of cover crops. The 2024 program included incentives to:

1. Plant aerially into standing corn;
2. Plant cover crops as early as possible in the fall;
3. Use planting methods that maximize seed to soil contact to assure germination and early growth; and
4. Delay termination of the cover crop until May 1, 2024.

MDA has applied these criteria by structuring the incentive payments to reward farmers who adhered to one or more of these priorities. They are based both on historical surveys (Schaefer Center of Public Policy at the University of Baltimore) of farm operators' opinions to streamline and adapt the program to be responsive to participants while maximizing water quality benefits.

In addition, MDA continued to offer a multi-year contract option consistent with recommendations by the state's Soil Health Advisory Committee. This Cover Crop+ Program promotes soil health benefits associated with cover crop implementation. Management practices, such as, requiring at least 50% cereal grains and 25% legumes into the cover crop mix, maintaining year-round soil cover, and allowing livestock grazing on established cover crop fields, not only provide water quality benefits, but also improve soil health.

### Status of Implementation of BRF for Cover Crop Activities:

MDA's cumulative portion of BRF is \$169,628,316 as of June 30, 2024. In FY24, \$14.1 million from BRF was supplemented by an additional \$11.1 million from the Trust Fund to fund the Cover Crops Program.

Similar to last year, planting extensions were not given due to weather. Rather, MDA allowed farmers to plant cover crops between November 6 and November 15 at a reduced (\$45/acre) payment rate. However, farmers were not eligible for incentives and those acres must have been planted using one of the approved incorporated planting methods and were limited to certain cover crop species.

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*It is with great pleasure that the BRFAC acknowledges the steadfast, commitment, and unwavering service of the professionals who have contributed their time, energy, and efforts toward the production of this report, annually. Thank you!*

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Table 1: Connections to Wastewater Treatment Facilities Upgraded to ENR

			Connections Before ENR Funding					Total Connections Upgraded since Conversion to ENR				Upgraded Connections Since Last Reporting Period	
ENR WWTP	County	ENR Upgrade Completed and Operational (Month-Year)	Column A: Reporting Year before ENR Funding	Column B: Number of Improved Parcels in the Sewer-shed	Column C: Number of Improved Parcels in Existing Service Area ("S1")	Column D: Number of Improved Parcels in "S1" within PFA	Column E: % of Connections Located in "S1" & PFA (Column D ÷ C)	Column F: Total Improved Parcels in S1	Column G: Total Improved Parcels in S1 & PFA	Column H: % Total Improved Parcels Located in "S1" within PFA (Column G ÷ F)	Column I: Total Increase Improved Parcels in S1 (Total Number New Connections)	Column J: Difference in Improved Parcels in S1	Column K: Difference in Improved Parcels in S1 & PFA
<b>Western Region</b>													
North Branch	ALLE	Nov-06	2005	1,913	1,801	1,794	99.6%	1,849	1,832	99.1%	48	16	16
Boonsboro	WASH	Oct-09	2008	1,350	1,139	1,137	99.8%	1,174	1,172	99.8%	35	1	1
George's Creek	ALLE	Nov-10	2009	2,069	1,938	1,876	96.8%	2,009	1,949	97.0%	71	1	1
City of Cumberland	ALLE	Feb-11	2010	17,656	16,412	16,243	99.0%	16,842	16,686	99.1%	430	89	88
City of Hagerstown	WASH	Dec-10	2009	21,975	18,825	17,769	94.4%	20,890	20,614	98.7%	2,065	92	92
Winebrenner	FRED/ WASH	Feb-17	2016	455	455	446	98.0%	456	447	98.0%	1	-9	-9
Conococheague	WASH	Mar-18	2017	6,550	5,980	5,980	100.0%	6,410	6,410	100.0%	430	106	106
<b>Western Region Total</b>				<b>51,968</b>	<b>46,550</b>	<b>45,245</b>	<b>97%</b>	<b>49,630</b>	<b>49,110</b>	<b>99.0%</b>	<b>3,080</b>	<b>296</b>	<b>295</b>
<b>Washington Region</b>													
City of Brunswick	FRED	Sep-08	2007	2,446	1,957	1,957	100.0%	2,288	2,288	100.0%	331	-2	-2
Town of Thurmont	FRED	Apr-13	2012	2,385	2,345	2,204	94.0%	2,397	2,270	94.7%	52	-2	14

			Connections Before ENR Funding					Total Connections Upgraded since Conversion to ENR				Upgraded Connections Since Last Reporting Period	
ENR WWTP	County	ENR Upgrade Completed and Operational (Month-Year)	Column A: Reporting Year before ENR Funding	Column B: Number of Improved Parcels in the Sewer-shed	Column C: Number of Improved Parcels in Existing Service Area ("S1")	Column D: Number of Improved Parcels in "S1" within PFA	Column E: % of Connections Located in "S1" & PFA (Column D ÷ C)	Column F: Total Improved Parcels in S1	Column G: Total Improved Parcels in S1 & PFA	Column H: % Total Improved Parcels Located in "S1" within PFA (Column G ÷ F)	Column I: Total Increase Improved Parcels in S1 (Total Number New Connections)	Column J: Difference in Improved Parcels in S1	Column K: Difference in Improved Parcels in S1 & PFA
Town of Poolesville	MONT	Jul-10	2009	1,742	1,719	1,651	96.0%	2,029	1,958	96.5%	310	-15	-17
Damascus	MONT	Feb-13	2012	3,997	3,793	3,437	90.6%	3,823	3,462	90.6%	30	-80	-78
City of Bowie	PRIN	Feb-11	2010	20,712	20,559	20,269	98.6%	20,895	20,659	98.9%	336	44	43
Parkway	PRIN	Jul-13	2012	15,470	15,394	15,383	99.9%	15,959	15,876	99.5%	565	56	57
Piscataway	PRIN	May-13	2012	56,296	55,007	51,954	94.4%	58,881	53,907	91.6%	3,874	130	91
Western Branch (WSSC)	PRIN	Apr-16	2015	45,533	43,438	38,554	88.8%	48,412	40,382	83.4%	4,974	117	5
Blue Plains	PRIN/MONT	Apr-16	2015	330,121	327,437	319,529	97.6%	337,607	328,784	97.4%	10,170	153	372
Seneca (WSSC)	MONT	Apr-16	2015	60,161	57,387	56,911	99.2%	61,288	60,625	98.9%	3,901	118	119
Ballenger Creek	FRED	Apr-16	2015	21,554	17,110	17,105	100.0%	17,572	17,567	100.0%	462	7	518
Town of Emmitsburg	FRED	Mar-16	2015	927	824	791	96.0%	864	831	96.2%	40	2	2
Frederick	FRED	Jun-18	2017	24,627	22,666	22,666	100.0%	23,072	23,072	100.0%	406	16	18
<b>Washington Region Total</b>				<b>585,971</b>	<b>569,636</b>	<b>552,411</b>	<b>97%</b>	<b>595,087</b>	<b>571,681</b>	<b>96.1%</b>	<b>25,451</b>	<b>544</b>	<b>1,142</b>

			Connections Before ENR Funding					Total Connections Upgraded since Conversion to ENR				Upgraded Connections Since Last Reporting Period	
ENR WWTP	County	ENR Upgrade Completed and Operational (Month-Year)	Column A: Reporting Year before ENR Funding	Column B: Number of Improved Parcels in the Sewer-shed	Column C: Number of Improved Parcels in Existing Service Area ("S1")	Column D: Number of Improved Parcels in "S1" within PFA	Column E: % of Connections Located in "S1" & PFA (Column D ÷ C)	Column F: Total Improved Parcels in S1	Column G: Total Improved Parcels in S1 & PFA	Column H: % Total Improved Parcels Located in "S1" within PFA (Column G ÷ F)	Column I: Total Increase Improved Parcels in S1 (Total Number New Connections)	Column J: Difference in Improved Parcels in S1	Column K: Difference in Improved Parcels in S1 & PFA
<b>Upper Eastern Shore Region</b>													
Town of Elkton	CECI	Dec-09	2008	6,000	4,926	4,925	100%	5,171	5,168	99.9%	245	1	1
Town of Perryville	CECI	Dec-10	2009	1,704	1,508	1,508	100%	1,569	1,568	99.9%	61	4	4
Rising Sun	CECI	Apr-16	2015	1,052	856	846	98.8%	869	862	99.2%	13	0	0
Town of Chestertown	KENT	Jun-08	2007	1,772	1,742	1,562	89.7%	1,952	1,739	89.1%	210	-25	-10
Kent Island (KNSG)	QUEE	Aug-07	2006	6,590	6,401	5,974	93.3%	8,527	7,163	84.0%	2,126	157	110
Town of Denton	CARO	May-12	2011	1,508	1,097	1,095	99.8%	1,597	1,590	99.6%	500	7	7
Town of Federalsburg	CARO	Aug-10	2009	881	827	817	98.8%	863	853	98.8%	36	34	34
Town of Easton	TALB	Jun-07	2006	5,810	5,831	5,822	99.8%	6,197	6,140	99.1%	366	-526	-526
Talbot Region II	TALB	Oct-08	2007	2,289	2,214	1,981	89.5%	3,161	2,183	69.1%	947	-35	-31
Centreville	QUEE	Jul-13	2012	1,643	1,641	1,310	79.8%	1,836	1,836	100.0%	195	2	2
Northeast River	CECI	Oct-16	2015	5,714	4,459	3,931	88.2%	4,873	4,786	98.2%	414	72	71

			Connections Before ENR Funding					Total Connections Upgraded since Conversion to ENR				Upgraded Connections Since Last Reporting Period	
ENR WWTP	County	ENR Upgrade Completed and Operational (Month-Year)	Column A: Reporting Year before ENR Funding	Column B: Number of Improved Parcels in the Sewer-shed	Column C: Number of Improved Parcels in Existing Service Area ("S1")	Column D: Number of Improved Parcels in "S1" within PFA	Column E: % of Connections Located in "S1" & PFA (Column D ÷ C)	Column F: Total Improved Parcels in S1	Column G: Total Improved Parcels in S1 & PFA	Column H: % Total Improved Parcels Located in "S1" within PFA (Column G ÷ F)	Column I: Total Increase Improved Parcels in S1 (Total Number New Connections)	Column J: Difference in Improved Parcels in S1	Column K: Difference in Improved Parcels in S1 & PFA
Town of Queenstown	QUEE	Oct-16	2015	333	300	299	99.7%	334	334	100.0%	34	0	0
Greensboro	CARO	Jun-17	2016	727	687	687	100%	834	805	96.5%	147	18	8
Sudlersville	QUEE	Mar-18	2017	187	186	186	100%	189	189	100.0%	3	0	0
Galena	KENT	Dec-18	2017	374	296	274	92.6%	308	275	89.3%	12	-36	-37
Oxford WWTP	TALB	Mar-21	2020	581	579	579	100%	576	576	100.0%	-3	-3	-3
Betterton	KENT	Mar-21	2020	258	258	256	99.2%	266	253	95.1%	8	-3	-3
Preston (new)	CARO	Oct-22	2021	383	321	311	96.9%	375	366	97.6%	54	N/A	N/A
Port Deposit (new)	CECI	Oct-22	2021	579	321	321	100.0%	331	331	100.0%	10	N/A	N/A
<b>Upper Eastern Shore Total</b>				<b>38,385</b>	<b>34,450</b>	<b>32,684</b>	<b>95%</b>	<b>39,122</b>	<b>36,320</b>	<b>93%</b>	<b>4,672</b>	<b>-333</b>	<b>-373</b>
<b>Lower Eastern Shore Region</b>													
City of Cambridge	DORC	Dec-13	2012	5,861	5,418	5,293	97.7%	5,591	5,572	99.7%	173	61	61
Town of Hurlock	DORC	May-06	2005	769	703	703	100%	805	803	99.8%	102	-4	-4

			Connections Before ENR Funding					Total Connections Upgraded since Conversion to ENR				Upgraded Connections Since Last Reporting Period	
ENR WWTP	County	ENR Upgrade Completed and Operational (Month-Year)	Column A: Reporting Year before ENR Funding	Column B: Number of Improved Parcels in the Sewer-shed	Column C: Number of Improved Parcels in Existing Service Area ("S1")	Column D: Number of Improved Parcels in "S1" within PFA	Column E: % of Connections Located in "S1" & PFA (Column D ÷ C)	Column F: Total Improved Parcels in S1	Column G: Total Improved Parcels in S1 & PFA	Column H: % Total Improved Parcels Located in "S1" within PFA (Column G ÷ F)	Column I: Total Increase Improved Parcels in S1 (Total Number New Connections)	Column J: Difference in Improved Parcels in S1	Column K: Difference in Improved Parcels in S1 & PFA
Town of Delmar	WICO	Sep-11	2010	1,107	932	824	88.4%	1,073	955	89.0%	141	27	28
City of Pocomoke	WORC	Oct-11	2010	1,893	1,607	1,585	98.6%	1,650	1,630	98.8%	43	-3	-3
City of Crisfield	SOME	Aug-10	2009	2,495	2,044	1,735	84.9%	2,087	1,978	94.8%	43	1	0
Town of Snow Hill	WORC	Jun-14	2013	900	930	882	94.8%	976	933	95.6%	46	0	0
City of Fruitland	WICO	Nov-16	2015	2,237	1,847	1,788	96.8%	2,083	1,934	92.8%	236	17	2
Salisbury	WICO	Jan-18	2017	10,794	10,705	10,500	98.1%	11,144	10,933	98.1%	439	81	79
<b>Lower Eastern Shore Total</b>				<b>26,056</b>	<b>24,186</b>	<b>23,310</b>	<b>96%</b>	<b>25,409</b>	<b>24,738</b>	<b>97.4%</b>	<b>1,223</b>	<b>180</b>	<b>163</b>
<b>Baltimore Region</b>													
Town of Mount Airy	CARR/FRED	Nov-10	2009	3,336	3,145	3,145	100%	3,428	3,426	99.9%	283	-5	-5
Joppatowne/Sod Run	HARF	Nov-13	2012	51,174	48,459	48,195	99.5%	52,396	52,023	99.3%	3,937	40	46
City of Havre De Grace	HARF	May-10	2009	5,098	4,898	4,782	97.6%	5,865	5,862	99.9%	967	4	4



			Connections Before ENR Funding					Total Connections Upgraded since Conversion to ENR				Upgraded Connections Since Last Reporting Period	
ENR WWTP	County	ENR Upgrade Completed and Operational (Month-Year)	Column A: Reporting Year before ENR Funding	Column B: Number of Improved Parcels in the Sewer-shed	Column C: Number of Improved Parcels in Existing Service Area ("S1")	Column D: Number of Improved Parcels in "S1" within PFA	Column E: % of Connections Located in "S1" & PFA (Column D ÷ C)	Column F: Total Improved Parcels in S1	Column G: Total Improved Parcels in S1 & PFA	Column H: % Total Improved Parcels Located in "S1" within PFA (Column G ÷ F)	Column I: Total Increase Improved Parcels in S1 (Total Number New Connections)	Column J: Difference in Improved Parcels in S1	Column K: Difference in Improved Parcels in S1 & PFA
Little Patuxent	HOWA	Sep-12	2011	56,997	50,848	50,833	100%	59,404	59,330	99.9%	8,556	47	46
City of Aberdeen	HARF	Mar-15	2014	5,098	4,524	4,443	98.2%	4,960	4,879	98.4%	436	7	7
Broadneck	ANNE	May-15	2014	30,847	21,172	20,454	96.6%	22,959	21,916	95.5%	1,787	-43	-41
Maryland City	ANNE	Mar-15	2014	4,522	4,394	4,376	99.6%	4,827	4,802	99.5%	433	-131	-131
Patuxent	ANNE	Mar-15	2014	24,037	22,886	22,440	98.1%	28,370	27,626	97.4%	5,484	-273	-274
City of Annapolis	ANNE	Apr-16	2015	31,823	28,384	27,466	96.8%	29,216	28,334	97.0%	832	0	0
Broadwater	ANNE	Apr-16	2015	4,919	4,694	3,902	83.1%	4,799	3,980	82.9%	105	38	36
City of Taneytown	CARR	Jul-16	2015	2,647	2,486	2,485	100%	2,656	2,653	99.9%	170	2	2
Back River	BACI/BACO	Sep-17	2016	313,624	311,468	309,249	99%	319,949	317,812	99.3%	8,481	2,191	2,181
Mayo	ANNE	Oct-17	2016	3,410	3,316	3,066	92%	3,446	3,142	91.2%	130	6	4
Cox Creek	ANNE	Jan-18	2017	48,105	42,688	41,792	98%	45,303	44,184	97.5%	2,615	-28	-30

			Connections Before ENR Funding					Total Connections Upgraded since Conversion to ENR				Upgraded Connections Since Last Reporting Period	
ENR WWTP	County	ENR Upgrade Completed and Operational (Month-Year)	Column A: Reporting Year before ENR Funding	Column B: Number of Improved Parcels in the Sewer-shed	Column C: Number of Improved Parcels in Existing Service Area ("S1")	Column D: Number of Improved Parcels in "S1" within PFA	Column E: % of Connections Located in "S1" & PFA (Column D ÷ C)	Column F: Total Improved Parcels in S1	Column G: Total Improved Parcels in S1 & PFA	Column H: % Total Improved Parcels Located in "S1" within PFA (Column G ÷ F)	Column I: Total Increase Improved Parcels in S1 (Total Number New Connections)	Column J: Difference in Improved Parcels in S1	Column K: Difference in Improved Parcels in S1 & PFA
Freedom District	CARR	Mar-18	2017	8,535	7,336	7,336	100%	7,595	7,575	99.7%	259	21	21
Patapsco	BACI/BACO	Jan-20	2019	152,850	148,409	147,691	100%	149,549	148,685	99.4%	1,140	915	791
Hampstead (new)	CARR	Apr-2022	2021	2,585	2,525	2,143	85%	2,529	2,519	99.6%	4	N/A	N/A
<b>Baltimore Region Total</b>				<b>749,607</b>	<b>711,632</b>	<b>703,798</b>	<b>99%</b>	<b>744,920</b>	<b>736,449</b>	<b>98.9%</b>	<b>33,288</b>	<b>2,053</b>	<b>2,065</b>
<b>Southern Maryland Region</b>													
Town of Indian Head	CHAR	Jan-09	2008	1,409	1,317	1,317	100%	1,561	1,561	100.0%	244	40	40
Town of La Plata	CHAR	Dec-14	2013	3,164	3,213	3,132	97.5%	3,837	3,836	100.0%	624	6	6
Marlay Taylor	STMA	Aug-16	2015	12,420	7,996	7,984	99.8%	8,524	8,512	99.9%	528	185	185
Chesapeake Beach	CALV	Nov-17	2016	4,041	3,320	2,694	81.1%	3,348	2,718	81.2%	28	6	5
Leonardtown	STMA	Aug-17	2016	1,640	1,089	936	86.0%	1,101	947	86.0%	11	-2	-2
<b>Southern Maryland Total</b>				<b>22,674</b>	<b>16,935</b>	<b>16,063</b>	<b>95%</b>	<b>18,371</b>	<b>17,574</b>	<b>95.7%</b>	<b>1,436</b>	<b>235</b>	<b>234</b>
<b>Statewide</b>													

			Connections Before ENR Funding					Total Connections Upgraded since Conversion to ENR				Upgraded Connections Since Last Reporting Period	
ENR WWTP	County	ENR Upgrade Completed and Operational (Month-Year)	Column A: Reporting Year before ENR Funding	Column B: Number of Improved Parcels in the Sewer-shed	Column C: Number of Improved Parcels in Existing Service Area ("S1")	Column D: Number of Improved Parcels in "S1" within PFA	Column E: % of Connections Located in "S1" & PFA (Column D ÷ C)	Column F: Total Improved Parcels in S1	Column G: Total Improved Parcels in S1 & PFA	Column H: % Total Improved Parcels Located in "S1" within PFA (Column G ÷ F)	Column I: Total Increase Improved Parcels in S1 (Total Number New Connections)	Column J: Difference in Improved Parcels in S1	Column K: Difference in Improved Parcels in S1 & PFA
New Facilities Upgraded During Reporting Period			N/A	3,547	3,167	2,775	88.0%	3,235	3,213	99.4%	68	N/A	N/A
<b>Statewide Totals</b>				<b>1,474,661</b>	<b>1,430,389</b>	<b>1,373,511</b>	<b>98%</b>	<b>1,472,539</b>	<b>1,435,872</b>	<b>97.5%</b>	<b>69,150</b>	<b>2,975</b>	<b>3,526</b>

Notes:  
(new) = Facilities upgraded to ENR during the reporting period.  
There are a few instances since reporting began in 2009 where the total number of improved parcels in Column C varied slightly due to service boundary discrepancies. MDP has worked diligently to resolve this issue.

**BRF Septic Program**  
**Funded Installations FY24 to Date**  
**July 1, 2024- Dec 12, 2024**

<b>Total approvals from Fiscal Year 25 Grant</b>		
From 7/1/24-12/12/24		
<b>County</b>	<b># Septic Systems funded FY 25</b>	<b># Sewer Connections funded FY 25</b>
Allegany (CVI)	0	0
Anne Arundel	35	0
Baltimore	9	3
Calvert	15	0
Caroline	4	0
Carroll (CVI)	0	0
Cecil	4	0
Charles	0	0
Dorchester	17	1
Frederick (CVI)	0	0
Garrett	1	0
Harford	0	0
Howard (CVI)	0	0
Kent	3	3
Montgomery (CVI)	0	0
Prince George's	0	0
Queen Anne's	9	0
Somerset	1	0
St. Mary's	10	1
Talbot	8	1
Washington (CVI)	0	0
Wicomoco	0	0
Worcester	0	0
<b>Totals</b>	<b>116</b>	<b>9</b>

**Comptroller of Maryland  
Distribution of Bay Restoration Fee  
Fiscal Year 2024**

MD Dept of Environment	
<u>Line 1:</u>	
4/05 - 6/05:	
Total Fiscal Year 2005	\$ 7,022,667.18
Total Fiscal Year 2006	\$ 57,686,674.75
Total Fiscal Year 2007	\$ 69,141,379.76
Total Fiscal Year 2008	\$ 54,695,910.00
Total Fiscal Year 2009	\$ 53,339,463.89
Total Fiscal Year 2010	\$ 54,398,088.37
Total Fiscal Year 2011	\$ 55,461,809.59
Total Fiscal Year 2012	\$ 55,971,051.91
Total Fiscal Year 2013	\$ 102,145,356.32
Total Fiscal Year 2014	\$ 110,688,785.91
Total Fiscal Year 2015	\$ 109,796,411.58
Total Fiscal Year 2016	\$ 124,301,135.01
Total Fiscal Year 2017	\$ 115,989,051.47
Total Fiscal Year 2018	\$ 115,308,016.48
Total Fiscal Year 2019	\$ 107,545,498.54
Total Fiscal Year 2020	\$ 121,185,706.78
Total Fiscal Year 2021	\$ 98,087,149.34
Total Fiscal Year 2022	\$ 119,371,455.88
Total Fiscal Year 2023	\$ 114,847,299.86
Total Fiscal Year 2024	\$ 103,736,978.66
Total Fiscal Year 2025	\$ 30,020,844.67
Total Fiscal Year 2026	
August 2023	\$ -
September	
October	30,020,844.67
November	
December	
January 2024	
February	
March	
April	
May	
FM13	
FM13	
Total FY 2024	\$ 30,020,844.67
<b>Program Grand Total</b>	<b>\$ 1,780,740,735.95</b>

<u>Line 2:</u>	<u>MD Dept of Environment</u>	<u>MD Dept of Agriculture</u>	<u>Total Line 2</u>
4/05 - 6/05			
Total Fiscal Year 2005 60% MDE 40% MDA	\$ 156,580.00	\$ 104,386.66	\$ 260,966.66
Total Fiscal Year 2006 60% MDE 40% MDA	\$ 4,782,770.15	\$ 3,188,513.44	\$ 7,971,283.59
Total Fiscal Year 2007 60% MDE 40% MDA	\$ 8,094,089.27	\$ 5,396,059.51	\$ 13,490,148.78
Total Fiscal Year 2008 60% MDE 40% MDA	\$ 8,489,069.61	\$ 5,659,379.72	\$ 14,148,449.33
Total Fiscal Year 2009 60% MDE 40% MDA	\$ 9,484,117.74	\$ 6,322,745.15	\$ 15,806,862.89
Total Fiscal Year 2010 22.4% MDE 11.0% MDA	\$ 3,118,419.66	\$ 10,803,096.68	\$ 13,921,516.34
Total Fiscal Year 2011 60% MDE 40% MDA	\$ 8,173,632.20	\$ 5,449,088.14	\$ 13,622,720.34
Total Fiscal Year 2012 60% MDE 40% MDA	\$ 8,271,087.10	\$ 5,514,058.08	\$ 13,785,145.18
Total Fiscal Year 2013 60% MDE 40% MDA	\$ 15,992,799.08	\$ 10,661,866.06	\$ 26,654,665.14
Total Fiscal Year 2014 60% MDE 40% MDA	\$ 16,801,348.71	\$ 11,200,899.10	\$ 28,002,247.81
Total Fiscal Year 2015 60% MDE 40% MDA	\$ 17,456,798.39	\$ 11,637,865.59	\$ 29,094,663.98
Total Fiscal Year 2016 60% MDE 40% MDA	\$ 17,311,866.76	\$ 11,541,244.49	\$ 28,853,111.25
Total Fiscal Year 2017 60% MDE 40% MDA	\$ 17,113,840.66	\$ 11,409,227.10	\$ 28,523,067.76
Total Fiscal Year 2018 60% MDE 40% MDA	\$ 17,811,270.90	\$ 11,874,180.60	\$ 29,685,451.50
Total Fiscal Year 2019 60% MDE 40% MDA	\$ 16,883,720.52	\$ 11,255,813.67	\$ 28,139,534.19
Total Fiscal Year 2020 60% MDE 40% MDA	\$ 17,397,453.75	\$ 11,598,302.51	\$ 28,995,756.26
Total Fiscal Year 2021 60% MDE 40% MDA	\$ 16,989,802.10	\$ 11,326,534.72	\$ 28,316,336.82
Total Fiscal Year 2022	\$ 18,553,175.61	\$ 12,368,783.78	\$ 30,921,959.39
Total Fiscal Year 2023 60% MDE 40% MDA	\$ 16,949,975.95	\$ 11,299,984.02	\$ 28,249,959.97
Total Fiscal Year 2024 60% MDE 40% MDA	\$ 18,341,974.14	\$ 12,227,982.76	\$ 30,569,956.90
Total Fiscal Year 2025 60% MDE 40% MDA	\$ 7,605,518.44	\$ 5,070,345.63	\$ 12,675,864.07
<b>Fiscal Year 2025</b>	<b>60%</b>	<b>40%</b>	<b>Total</b>
August 2025	\$ -	\$ -	\$ -
September	-	-	\$ -
October	7,605,518.44	\$ 5,070,345.63	\$ 12,675,864.07
November			\$ -
December			
January 2026			\$ -
February			
March			
April			
May			
FM13			
FM13			
FM13			
<b>Total FY 2025</b>	<b>\$ 7,605,518.44</b>	<b>\$ 5,070,345.63</b>	<b>\$ 12,675,864.07</b>

<b>Program Grand Total</b>	<b>\$</b>	<b>265,779,310.74</b>	<b>\$</b>	<b>185,910,357.41</b>	<b>\$</b>	<b>451,689,668.14</b>
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# Whole Watershed Program

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[wholewatershed.dnr@maryland.gov](mailto:wholewatershed.dnr@maryland.gov)

December 12, 2024





# Whole Watershed Act

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The Whole Watershed Act (SB 969/HB1165) establishes a highly collaborative, science-based approach to watershed restoration. The Act will utilize existing state funds to create a new Whole Watershed Fund supporting a five-year pilot program targeting five Maryland watersheds.

Selected projects will be overseen by a State Management Team, made up of agency experts, to find efficiencies in project permitting and funding, and to measure project results.

# Watershed Criteria

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The State Management Team will evaluate proposals based on whether the project is **located in a watershed in which habitat restoration and pollution reduction will:**

1. result in the greatest improvements to shallow water habitat and living resources
2. achieve rapid de-listing of impaired streams identified under § 303(d) of the federal clean water act and published in the Department of the Environment's triennial review of water quality standards; or
3. generate rapidly-improving conditions in the local ecosystem



# Watershed Criteria

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Must address at least 5 of the following 7 benefits :

1. creation or restoration of wildlife habitat, riparian buffers, and wetland restoration
2. restoration of aquatic resources, such as fresh water mussels, fish passage, or oyster reefs
3. carbon sequestration
4. climate change mitigation, adaptation or resilience
5. local employment opportunities
6. improving and protecting public health
7. recreational opportunities and public access to waterways and natural habitats



## Funding Programs

```
graph LR; FP[Funding Programs] --- TF[Trust Fund]; FP --- BRF[Bay Restoration Fund]; FP --- CWA[Clean Water Commerce Account]; FP --- MALPF[Maryland Agricultural Land Preservation Fund]; FP --- MACSP[Maryland Agricultural Cost-Share Program]; FP --- WIF[Waterway Improvement Fund];
```

Trust Fund

Bay Restoration  
Fund

Clean Water  
Commerce  
Account

Maryland  
Agricultural Land  
Preservation Fund

Maryland  
Agricultural  
Cost-Share Program

Waterway  
Improvement Fund

# WHOLE WATERSHED Fund

Award up to 50% of State implementation funds for total project costs (**requires 1:1 match**)

Specific Fund criteria is still applicable in the Whole Watershed Fund (i.e. MACS regulations apply).

**State Management Team (DNR chair)**

Department of Natural Resources

Chief Resilience Officer

Department of Agriculture

Department of the Environment

Critical Area Commission

Department of Planning

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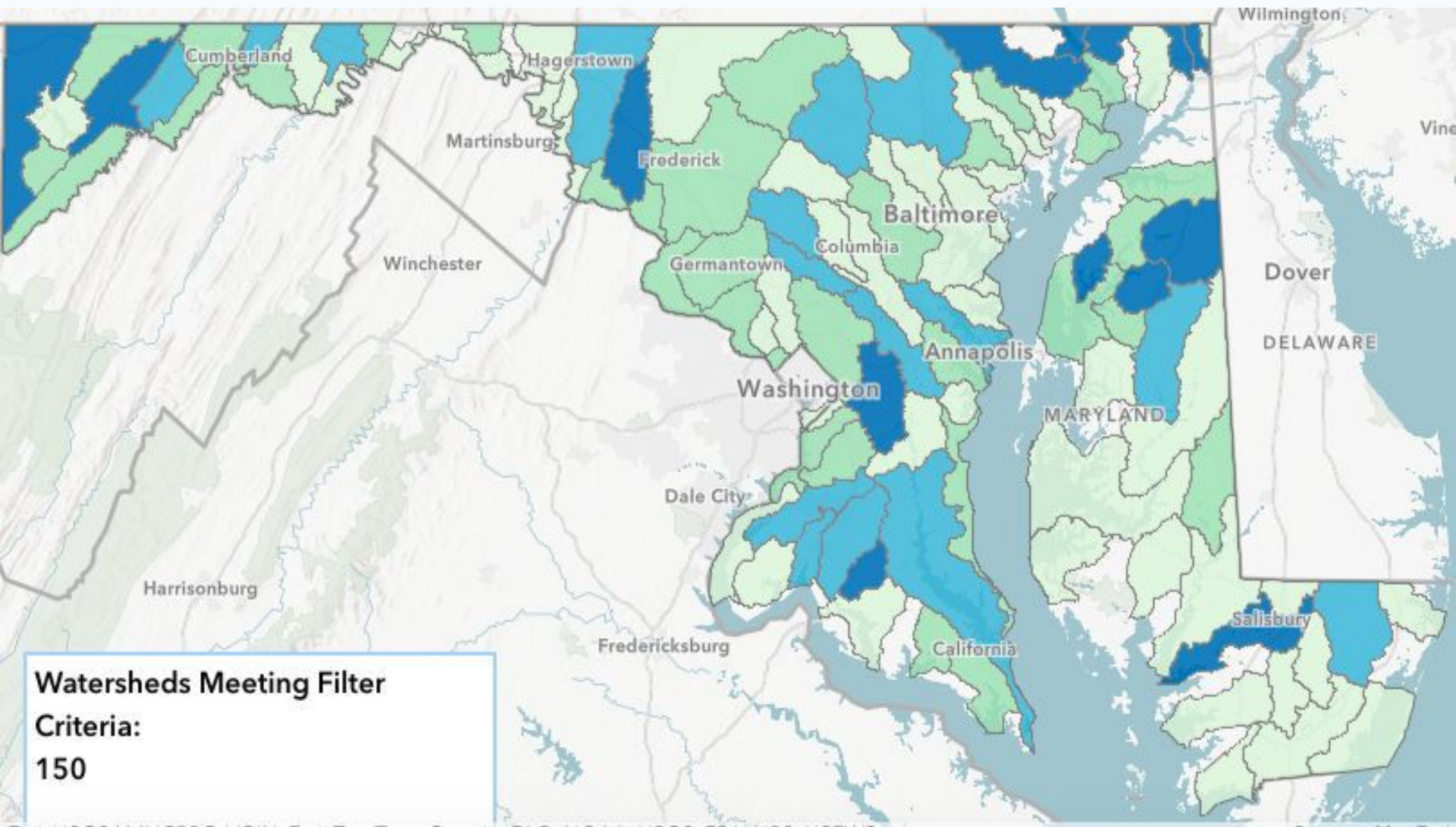
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# Up to Five Watersheds Selected

Urban  
Suburban  
Two Agricultural  
Adjoining State



At least two projects located in and provide benefits to an overburdened or underserved community

# Timeline & Milestones

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**Jul 1, 2024:** Publish watershed criteria for local implementation to begin assembling; overlay with MD 8-digit watersheds

**COMPLETE**

**Oct 1, 2024:** Release RFP **COMPLETE**

<https://dnr.maryland.gov/ccs/Documents/RFP-FINAL.pdf>

**Dec 3, 2024:** Proposals Due **COMPLETE - 9 applications received**

**Dec 4, 2025 - Feb 28, 2025:** State Management Team Review  
**CURRENT**

**March 2025:** Announce selected watersheds

**Mar 1, 2025 - Jun 30, 2025:** State Management Team works with watershed sponsors to develop financial and implementation plans

**Jul 1, 2025:** Funding period begins

# Application Watersheds

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Upper Choptank

Newport Bay

Prettyboy Reservoir

Lower Patuxent

Langford Creek

Baltimore Harbor

Severn River

Anacostia River

Antietam Creek

Septic  
Connections

Septic Upgrades -  
BAT

Cover Crops