



## Talbot County Comprehensive Water and Sewer Plan Update

Town of St. Michaels CWSP Project Introductory Meeting

Date: September 15, 2022

Time: 2:00 pm

St. Michaels Town Hall  
300 Mill Street  
St. Michaels, Maryland 21663

Introductory Meeting Between Rauch Inc and St. Michaels on the Talbot County CWSP update

### Suggested Attendees:

- President Breimhurst
- Interested Commissioners
- Town Manager
- Town Planner/Planning Consultant
- Representative from Public Works
- Representative from planning Commission
- Town Engineer
- Town Attorney

### AGENDA

#### Introduction

- Introduction of participants
- Project Overview
- Project status and goals

#### Information Discussion

Overview of requested information (See Requested Information Sheet Included)

- Discussion on existing Town Water and Sewer Plan
  - How recent
  - Any Amendments
- Population changes

- Planned Development/annexation
- Land Use – Related to public utilities and service areas
- Water Service
  - W-1 through W-6 Classifications
- Sewer Service
  - S-1 through S-6 Classifications
- Financial
  - Rate Structure
  - Financial Management
- Maintenance and Capital Improvements
  - Maintenance Plan
  - Planned Improvements
- Water conservation or reuse policies
- Agreements with The County or private developments

#### **Meeting Review and Conclusion**

- Open discussion
- Review next steps
  - Additional Meetings
  - Timeline on requested information
  - Anticipated informational review for the Town



# LIST OF MUNICIPAL DOCUMENTS AND INFORMATION REQUESTED FOR TALBOT COUNTY CWSP UPDATE (IF AVAILABLE)

**THIS INFORMATION DOES NOT NEED TO BE COMPILED OR COMPLETE  
PRIOR TO THE INTRODUCTORY MEETING BUT WILL BE DISCUSSED**

- **Town Document List (Most information will be in the Town W&S or Comprehensive Plan)**
  - a) Comprehensive Plan
    - i) Include Recent Amendments
  - b) Comprehensive W&S Plan (If Applicable)
    - i) Include Recent Amendments
  - c) Discharge Permits
  - d) Groundwater Appropriation Permits
    - i) Water quality information/characteristics
  - e) All related maps (If available) – preferably digital
- **Population**
  - a) In town
  - b) Forecast
  - c) Population Served or total Connections
- **Water service Areas**
  - a) Information on size, type, and age of service lines/pipes/equipment
  - b) Well information (Depth, Size, Pumps, Aquifer, Etc...)
  - c) Storage (Towers) – Age, height, Capacity, Maintenance history or program
  - d) Treatment type
  - e) Water Plant information and Design
  - f) Total and Available Capacity
  - g) Average Daily Flow – Water
  - h) Plans for service extension/Service categories (See Table on Page 3)
  - i) Financial Management Plan for publicly owned systems
  - j) Metering information (Method or types of meters)

- **Sewer Service Areas**
  - a) Information on size, type, and age of service lines/pipes/equipment
  - b) Treatment Type
  - c) Effluent discharge type
  - d) Maintenance plans
  - e) Capital assets
  - f) Pump stations – Related assets
  - g) Total and Available Capacity
  - h) Sludge Management Plan
  - i) Average Daily Flow – Sewer
  - j) Sewer plant information and design
  - k) Financial Management Plan for publicly owned systems
  - l) Plans for service extension/Service categories (See Table on Page 3)
  - m) Metering information (Method or types of meters)
- **Planned Development/Annexation/Land Use**
  - a) Anticipated population increase (Per Development/Annexation)
  - b) Anticipated timeframe
  - c) Priority Funding Areas
  - d) Zoning map
  - e) Any future land planning which anticipates water or sewer service extension
- **Any agreements with the County or other for service extension outside of Town Limits**
- **Any future capital asset planning**
  - a) Capital Improvement Programs
  - b) Plans for upgrade
- **Utility rates and structure**
- **Water conservation or reuse policies (If applicable)**
- **Any private developments which have shared water or sanitary facilities**

**Water and Sewer Service Area Categories Comparison Table**

Service Area Categories From 1992 County Plan	Category Definition and General Description (1992 Talbot County Comprehensive Water and Sewerage Plan - Ch. 1, P. 3)	New Service Area Categories For Updated Plan (2022)	Category Definition and General Description of Mapping Classifications as dictated in COMAR Sec. 26.03.01.04 (Verbatim)
W-1 and S-1	Areas served or to be served by community, multi-use, or shared sanitary facilities which are either existing, under construction, or have immediate priority status.	W-1 and S-1	Delineate on the maps areas served by community and multi-use water and sewerage systems which are either existing or are under construction. The actual bounds of areas served by these systems shall be clearly indicated. The areas so delineated in this category shall be as shown in Table 14 and shall be referred to as W-1 for water systems and S-1 for sewerage systems.
W-2 and S-2		W-2 and S-2	Delineate on the maps areas to be served by extensions of existing community and multi-use water supply and sewerage systems which are in the final planning stages. The areas so shown in this category shall be as shown in Table 14 and shall be referred to as W-2 for water systems and S-2 for sewerage systems.
N/A		W-3 and S-3	Delineate on the maps areas where improvements to, or construction of, new community and multi-use water supply and sewerage systems will be given immediate priority. The areas so shown in this category shall be as shown in Table 14 and shall be referred to as W-3 for water systems and S-3 for sewerage systems.
W-3 and S-3		W-4 and S-4	Delineate on the maps areas where improvements to, or construction of, new community and multi-use water supply and sewerage systems will be programmed for the 3 to 5/6 year period. The areas so shown in this category shall be as shown in Table 14 and shall be referred to as W-4 for water systems and S-4 for sewerage systems.
W-2 and S-2	Areas where improvements or extensions to existing or construction of new, community, multi-use, or shared sanitary facilities are programmed for progress to "W-1", "S-1" classification within a THREE TO FIVE YEAR PERIOD.	W-4 and S-4	Delineate on the maps those areas where improvements to, or construction of, new community and multi-use water supply and sewerage systems are programmed for inclusion within the 6/7 through 10-year period. The areas so shown in this category shall be as shown in Table 14 and shall be referred to as W-5 for water systems and S-5 for sewerage systems.
W-3 and S-3		W-5 and S-5	
N/A	N/A	W-6 and S-6	All other areas of the county should be shown as no planned service. The areas so shown in this category shall be as shown in Table 14 and shall be referred to as W-6 for water systems and S-6 for sewerage systems.

**Notes:**

- The Proposed Report of the Review must be consistent with the 2016 Talbot County Comprehensive Plan.
- The Proposed Report of the Review will update the 2002 Report of the Review using the previously adopted Resolutions.
- The referenced "Table 14" can be found in COMAR Sec. 26.03.01.06. and is attached to this document for reference

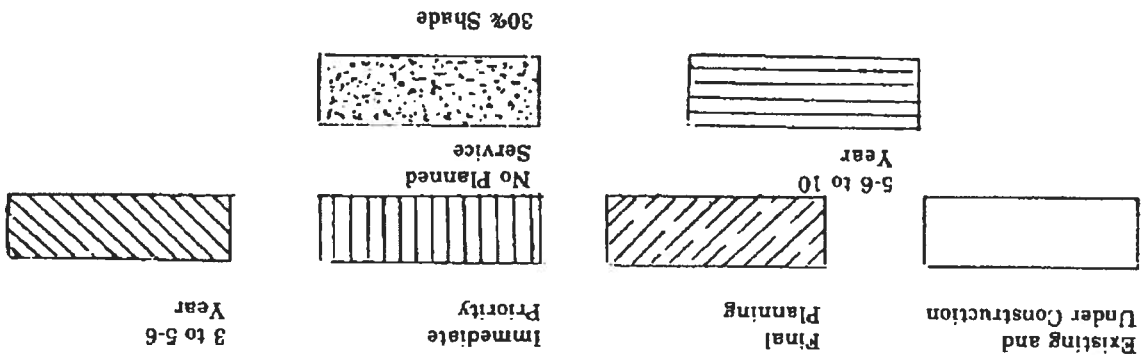
Definitions:		
"Immediate priority"	"Immediate priority" means a work or works of community water supply and community sewerage system for which the beginning of construction is scheduled to start within 2 years following the date of adoption of the plan, its amendments, and its revision COMAR Sec. 26.03.01.01.(j)	
"Under construction"	"Under construction" means a work or works of community water supply and community sewerage systems where actual work is progressing or where a notice to proceed with a contract for this work has been let as of the adoption date of the plan, its amendment or revision. COMAR Sec. 26.03.01.01.(k)	
"Ten-year period"	"Ten-year period" means that period of the 6 or 7 through 10 years following the date of adoption of the plan, its amendment, or its revision by the county. COMAR Sec. 26.03.01.01.(l)	
"Five- or six-year period"	"Five- or six-year period" means that period, depending upon the county's capital improvement program, 5 or 6 years following the date of adoption of the plan, its amendment, or revision by the county. COMAR Sec. 26.03.01.01.(m)	

Table No. 14  
Water and Sewerage Map Symbols



	Existing	Planned
Water or Sewerage Treatment Plants		
Water or Sewerage Pumping Stations		
Water Storage Tanks		
Wells		
Springs		
Reservoirs		
Interceptors, Outfalls Raw and Treated Water Transmission Mains		
Force Mains		
Laterals and Feeder Mains		

Existing and Planned Service Areas



# **Title 26 DEPARTMENT OF THE ENVIRONMENT**

## **Subtitle 03 WATER SUPPLY, SEWERAGE, SOLID WASTE, AND POLLUTION CONTROL PLANNING AND FUNDING**

### **Chapter 01 Planning Water Supply and Sewerage Systems**

Authority: Environment Article, §§9-218, 9-505, 9-506, and 9-510, Annotated Code of Maryland

#### **Preface**

It is the intent of these regulations to require the governing body of each county and Baltimore City to develop water supply and sewerage systems so as to be consistent with county comprehensive planning.

## **.01 Definitions.**

A. "Approving authority" means one or more officials, agents, or agencies of local government designated by the local governing body or specified by other provisions of Environment Article, Title 9, Subtitle 5, to take certain actions as a part of implementing these regulations.

B. "Community sewerage system" means any system, whether publicly or privately owned, serving two or more individual lots, for the collection and disposal of sewerage or industrial wastes of a liquid nature, including various devices for the treatment of the sewage and industrial wastes.

C. "Community water supply system" means a source of water and a distribution system, including treatment and storage facilities, whether publicly or privately owned, serving two or more individual lots.

D. "County plan" means a comprehensive plan for the provision of adequate water supply systems and sewerage systems, whether publicly or privately owned, throughout the county and all amendments and revisions to it.

E. "Department" means the Department of the Environment.

F. "Existing service area" means that area that is currently served.

G. "Final planning stages" means a work or works of community water supply and community sewerage system for which contract plans and specifications have been completed.

H. "Financial management plan" means, for:

(1) Publicly-owned community sewerage systems, a portion of the county water and sewerage plan, as described in Regulation .08B, of this chapter, which demonstrates to the Department's satisfaction that adequate fiscal resources will be available to support the satisfactory operation and maintenance of each system in the county to meet existing and future needs;

(2) Other sewerage systems or extensions, a package of information for each system, as specified in COMAR 26.03.02.02J, which demonstrates to the Department's satisfaction that adequate fiscal resources will be available to support the satisfactory operation and maintenance of the system to meet existing and future needs.

I. "Five- or six-year period" means that period, depending upon the county's capital improvement program, 5 or 6 years following the date of adoption of the plan, its amendment, or revision by the county.

J. "Immediate priority" means a work or works of community water supply and community sewerage system for which the beginning of construction is scheduled to start within 2 years following the date of adoption of the plan, its amendments, and its revision.

K. "Individual sewerage system" means a single system of sewers and piping, treatment tanks or other facilities serving only a single lot and disposing of sewage or individual wastes of a liquid nature, in whole or in part, on or in the soil of the property, into any waters of this State or by other methods.

L. "Individual water supply system" means a single system of piping, pumps, tanks, or other facilities utilizing a source of ground or surface water to supply only a single lot.

M. "Maintenance expense" means those expenses for labor, materials, utilities, and other items necessary to preserve the facility for its designed service life. Equipment or tools under \$200 should be included in this amount.

N. "Marina" means a dock, wharf, or basin providing mooring for boats which contain on-board toilet facilities, operated under public or private ownership, either free or on a fee basis, for the convenience of the public or club membership.

O. "Multi-used sewerage system" means a single system serving a single lot, whether owned or operated by an individual or group of individuals under private or collective ownership and serving a group of individuals for the collection and disposal of sewage or industrial wastes of a liquid nature, including various devices for the treatment of sewage and industrial wastes having a treatment capacity in excess of 5,000 GPD.

P. "Multi-use water supply system" means a single system of piping, pumps, tanks, or other facilities utilizing a source of ground or surface water to supply a group of individuals on a single lot and having a capacity in excess of 1,500 GPD.



Q. "Non-point source" means pollution originating from land run-off where no specific outfall can be identified.

R. "Operation expense" means those expenses such as labor, utilities, supplies, contractual services, training, and insurance, necessary to operate the treatment plant during its designed service life so as to achieve the capacity and performance standards for which it was designed, constructed, and permitted.

S. "Sewerage service area" is that area served, or potentially served, by a system of sanitary sewers connected to a treatment plant, or in a very large system, sub-areas as delineated by the county.

T. "Ten-year period" means that period of the 6 or 7 through 10 years following the date of adoption of the plan, its amendment, or its revision by the county.

U. "Under construction" means a work or works of community water supply and community sewerage systems where actual work is progressing or where a notice to proceed with a contract for this work has been let as of the adoption date of the plan, its amendment or revision.

V. "Water service area" means that area served, or potentially served, by a single distribution system under control of a single utility, or, in a very large system, sub-areas as delineated by the county.

## **.02 General Provisions.**

A. Objective of County Plan. The objective of the county plan is to develop the water supply and sewerage systems in a way consistent with county comprehensive planning. The plan shall be used as a tool to implement the county development policy so that:

(1) An ample supply of water may be collected, treated, and delivered to points of use;

(2) Waste water may be collected and delivered to points best suited for waste treatment and disposal or for re-use;

(3) Waste water can be either treated before any discharge to State waters, in compliance with applicable water quality standards and discharge permit conditions, or disposed of to minimize most effectively adverse effects on legitimate water uses. Consideration shall be given to related aspects of land use, zoning, population estimates, engineering and economic factors, and all governmental, industrial, and other plans for privately owned facilities regarding water and sewerage at any level.

B. County Government Required to Develop Plans. The county governing body is the coordinating agency required to develop county water and sewerage plans. These plans shall incorporate all or part of subsidiary plans of the towns, municipal corporations, sanitary districts, privately owned facilities, and local, State, and federal agencies having existing, planned, or programmed development within the county. The governing body shall give notice to these officials and entities and they shall be provided an opportunity to be heard.

C. Annual Review of Plan. The county plan shall be reviewed by the governing body at least annually. A report of the review, together with amendments to or revisions of the plan as adopted by the governing body, shall be submitted to the Department.

D. Comprehensive Planning Agencies Shall Be Consulted. Every official planning agency having any immediate jurisdiction in a county, including those comprehensive planning agencies with multi-county or regional jurisdiction, shall be consulted by the governing body in connection with the preparation, amendment, or revision of county plans. A statement that the above agencies have been consulted shall be attached.

E. Public Hearings on Amendments Required. A public hearing shall be held on all amendments and revisions to the county water and sewerage plan. The Department shall receive prior written notice of all public hearings on plans, amendments, or revisions.

F. Sanitary Facilities Fund. The planning part of the Sanitary Facilities Fund established under Environment Article, §9-218, Annotated Code of Maryland, shall be available to the Department to finance planning for water and sewerage facilities including the preparation, amendments, and revisions of county plans. The Department is authorized to use funds appropriated in the program of the annual State operating budget, which provides for general local health services for this purpose. When so used, the proportion of State, federal, and local funds, respectively, shall be that specified for each subdivision's financing of minimum health services at basic matching rates. The planning for water and sewerage facilities to be financed in this manner may be financed jointly by, or under the joint authority of, the Department and any county or Baltimore City or the Washington Suburban Sanitary Commission. The funds to be so used shall appear in the local health department's budget for the fiscal year in which their use is anticipated. The percentage contribution may not be affected by any other State or federal funds received by the subdivision for the same planning unless the total grants exceed the actual cost of the plan, in which case the contribution shall be reduced accordingly.

### **.03 Submission of County Plans.**

A. The governing body of each county and Baltimore City shall develop and submit annual amendments or revisions to the county water and sewerage plan as required by Environment Article, §9-511—9-513, Annotated Code of Maryland. The steps listed below shall be followed in sequence:

(1) Submit the plan in preliminary form, with all attachments, to the appropriate multi-county or regional comprehensive planning agency, the Department of State Planning, the Department of Natural Resources, and the Department of the Environment. The preliminary form shall be a rough draft of the entire plan and shall include maps in a complete presentation.

(2) Receive and consider comments from the Department, which will act as the coordinator for comments from the agencies sent a preliminary plan for review according to §A(1), of this regulation.

(3) A public hearing will be held.

(4) The plan shall then be formally adopted.

(5) After adoption, the plan will be prepared in final format as set forth in Regulation .04 of this chapter.

(6) Four copies of the plan will be submitted in final form to the Department for review. One copy shall be forwarded to the Department of Natural Resources and one to the Department of State Planning.

(7) The Department shall, within 6 months after submission, approve, disapprove, or approve in part the finally submitted county plan, its amendments or revisions. When disapproved in whole or part, the governing body of the county, within 6 months from the notification of disapproval, shall have the right to appeal the action of the Department to the Secretary of the Environment.

(8) Following receipt of notification of approval of the county plan, amendments, or revisions, the county shall then have the plan, amendments or revisions reproduced and distributed in accordance with §B, of this regulation.

B. The counties and Baltimore City shall be the distributing agencies for all copies of the county plans or revisions. At least 50 copies of each should be printed to meet the required distribution. Copies are to be automatically distributed to the following agencies:

(1) Four copies to the Department of the Environment;

(2) Four copies to the Department of Natural Resources.

**.04 Requirements Applicable to Adopted County Plans.**

A. All county plans, amendments, or revisions shall be prepared in conformance with this regulation. Each adopted plan shall be arranged with an introduction and a minimum of four chapters as outlined below.

B. Introduction:

- (1) A statement certifying that the plan has been officially adopted by the county governing body;
- (2) A statement certifying that the plan has been submitted to the Department and it meets the requirements of Regulation .02B of this chapter;
- (3) A statement certifying that sections of the plan covering engineering aspects of water and sewerage projects have been prepared and reviewed for adequacy by a registered professional engineer licensed in the State;
- (4) The letter of approval from the Department.

C. Chapter One. This chapter shall contain:

- (1) A statement of the goals of the county consistent with county comprehensive planning;
- (2) A brief discussion, with charts, of the organization of the county government as it relates to the management of water supply and sewerage facilities.

D. Chapter Two. Chapter two shall contain the general background information relevant to the water and sewerage planning. Information shall include the maps, charts, and tables listed below. When a county has previously developed alternative methods for presenting this data, the specific format required in the chapter may be waived by the Department.

(1) Physical.

- (a) General maps showing aquifers, soil drainage characteristics, topography, ground water and surface water patterns.
- (b) A map or table showing water quality criteria in the county.

(2) Population.

- (a) General maps showing present and projected population distribution and density.
- (b) Table No. 1 county population projections.

Table No. 1	Population Projections	
County Projections	State Projections	Others
1970		
1975		
1980		
1990		
2000		

(3) Land Use.

- (a) Maps showing existing land use, zoning, and the adopted comprehensive development plan for the county.
- (b) Table No. 2, reflecting existing and zoned land use in acres.

Table No. 2	Land in County	
Existing Land Use	Zoned Land	County Comprehensive Plan 1980 or Other Horizon

		Date
Acres% Total Acreage	Acres% Total Acreage	Acres% Total Acreage
Land Use		
Residential, Commercial, Light Industry		
Heavy Industry		
Agricultural and Open Space		
Mines and Quarries		
Surface Water		

(c) A map showing existing and proposed major public institutions, such as schools, hospitals, correctional facilities, government complexes; and a table showing the approximate populations of these institutions.

E. Chapter Three. Chapter three shall contain a description of existing, planned, and future requirements for water service areas including tables, maps, charts, graphs, descriptive information, and all other matter regarding these systems. It shall contain a discussion of ground and surface water resources within the county including the quality and potential quantity of these sources. Summaries of existing and projected water demands and existing sources of pollution or contamination relating to water supplies shall be stated or shown. The chapter shall contain a discussion of alternatives and the rationale used in determining the means of providing future water supplies. For every water service area, the following shall be discussed or shown: operating agency, rated and actual productions, type of treatment, location, operation and maintenance costs, and proposed means of financial improvements. For any proposed new water supply source, a summary of the environmental impact of its development shall be given. Efforts to reduce demands (i.e., metering, rate changes, plumbing codes) shall be outlined. Minimum requirements for tables and maps in this chapter are as follows:

(1) Table No. 3, showing population projections and projected water supply demands and planned capacity by water service areas through the year 2000.

(2) Inventories of water sources as follows:

(a) An inventory, Table No. 4, of community system wells;

(b) An inventory, Table No. 5, of impounded supplies;

(c) An inventory of other surface water supplies showing initial and planned withdrawals (MGD).

(3) An inventory, Table No. 6, of existing treatment facilities.

(4) An inventory, Table No. 7, of this regulation, of problem areas such as inadequate portions of community systems (including fire flow inadequacies) and areas where individual systems are experiencing difficulties:

<b>Table No. 7</b>		<b>Inventory of Water Problem Areas</b>				
Service Area	Location	Population	Acres	Nature of Problem	Planned Correction Date (if known)	

(5) Immediate, 5 and 10 year priorities for water development, Table No. 8.

(6) Maps as specified in §G of this regulation.

F. Chapter Four. Chapter four shall contain a description of the existing and planned community and multi-use sewerage systems, including tables, maps, charts, graphs, descriptive information and all other matters regarding these systems. Indicate locations of proposed points of waste discharges. It shall be shown how conformance of existing and programmed sewerage facilities meet or will meet the effluent limitations specified in COMAR 26.08.03.01 of the Department of the Environment. It shall contain a summary of each available point of discharge evaluation, specifically those parts pertaining to protected water uses. It shall discuss the rationale for selecting a planned alternative for any proposed treatment facility, pumping station, or interceptor. For every service area and community system, the following should be discussed: operating agency, design average and peak flows; whether combined or separate

collection systems; level and type of treatment given; sludge disposal plans, condition of treatment and transmission facilities; operation and maintenance costs; and proposed means of financing improvements. Minimum requirements for tables and maps in this chapter shall be as follows:

- (1) Population projections and present and expected demands and capacities by sewerage service area, Table No. 9.
- (2) Inventory of existing sewage treatment plants, Table No. 10.
- (3) Inventory of problem areas, including inadequate portions of community systems and areas where individual systems are experiencing difficulty, Table No. 11.
- (4) When possible, identify by service area water quality problems due to storm drain outfall and to non-point sources, Table No. 12.
- (5) Immediate, 5 and 10 year priorities for sewerage systems development, Table No. 13.
- (6) Maps as outlined in §G of this regulation.
- (7) The county plan shall include an inventory of problem marinas and will include basic planning concepts for sanitary facilities at all marinas.

#### G. Technical Requirements.

- (1) The following physical format shall be required for the submission of county plans.
  - (a) Textual materials, tables, charts, graphs, and other illustrations shall be prepared on 8-1/2 x 11-inch stock or any other size which can be folded for inclusion in the binder. Margins on the left-hand edge shall be punched for a multi-ringed 10 x 11-1/2-inch interchangeable stiff-backed binder with identification on the binder.
  - (b) The Maryland Coordinate Grid System shall be used to determine place locations. The Maryland State Highway System maps use this system with lines spaced at intervals of 50,000 feet bearing due east and due north from the points of origin. Other maps can be used by superimposing a similar grid on any map of Maryland. Referenced to the same point of origin, it then becomes possible to find any place on the map if its coordinates are known. Two numbers define any place location on the map. The first number designates the distance in thousands of feet that the place lies east of the point of origin, and the second number, the distance in thousands of feet that the place lies north of the point of origin.
  - (c) All projections shall be made for decade years except that for the first decade. The mid-period shall also be shown (e.g. 1970, 1975, 1980, 1990, 2000).
  - (d) Two maps of the entire county to a scale of approximately 1 inch equal to 1 mile shall be included showing, in general, areas served or to be served with community facilities. One map shall be for sewerage facilities and the other water supply facilities. These maps shall be folded, inserted into separate pockets marked "water" and "sewerage" and placed into the multiple-ringed stiff-backed binder.
  - (e) Two sets of detailed maps (one for water facilities and the other for sewerage facilities) of each portion of the county shall be prepared on a minimum scale of 1 inch equal to 2,000 feet and in sufficient number so to show actual areas served or to be served as set forth in these regulations. A minimum scale of "1 inch equals 3500 feet" is acceptable in those counties where existing detail mapping is complete or is under preparation. For those counties where detail maps have not been initiated, a scale of "1 inch equals 2000 feet" shall be the minimum requirement. Color coding on the maps is optional.
  - (f) Amendments or revisions to the county plan shall be prepared so that the new or additional material may be inserted in the binder in the appropriate places to provide a continuously updated and current county comprehensive water and sewerage plan. Each sheet of the amendment or revision shall be dated to show when the change became effective.
  - (g) Measurements as specified in this regulation shall be converted to their metric equivalence when applicable.
- (2) As minimum requirements, the water and sewerage maps in the county plan shall be delineated to show for each existing and proposed community and multi-use water supply and sewerage system the following data located by codes and symbols as specified in this regulation.
  - (a) Delineate on the maps, existing or proposed and planned community and multi-use water and sewerage facilities, including wells, reservoirs, intakes, transmission and feeder mains, storage facilities, interceptor and truck sewers, pumping stations, force mains, treatment works, outfall sewers, and service areas. Show on the detailed maps sizes or capacities, or both, where appropriate.

(b) Delineate on the maps areas served by community and multi-use water and sewerage systems which are either existing or are under construction. The actual bounds of areas served by these systems shall be clearly indicated. The areas so delineated in this category shall be as shown in Table 14 and shall be referred to as W-1 for water systems and S-1 for sewerage systems.

(c) Delineate on the maps, areas to be served by extensions of existing community and multi-use water supply and sewerage systems which are in the final planning stages. The areas so shown in this category shall be as shown in Table 14 and shall be referred to as W-2 for water systems and S-2 for sewerage systems.

(d) Delineate on the maps, areas where improvements to, or construction of, new community and multi-use water supply and sewerage systems will be given immediate priority. The areas so shown in this category shall be as shown in Table 14 and shall be referred to as W-3 for water systems and S-3 for sewerage systems.

(e) Delineate on the maps areas where improvements to, or construction of, new community and multi-use water supply and sewerage systems will be programmed for the 3 to 5/6 year period. The areas so shown in this category shall be as shown in Table 14 and shall be referred to as W-4 for water systems and S-4 for sewerage systems.

(f) Delineate on the maps those areas where improvements to, or construction of, new community and multi-use water supply and sewerage systems are programmed for inclusion within the 6/7 through 10-year period. The areas so shown in this category shall be as shown in Table 14 and shall be referred to as W-5 for water systems and S-5 for sewerage systems.

(g) All other areas of the county should be shown as no planned service. The areas so shown in this category shall be as shown in Table 14 and shall be referred to as W-6 for water systems and S-6 for sewerage systems.

(h) Other map symbols shall be as shown in Table 14.

## **.05 Individual Water Supply and Individual Sewerage Systems.**

The installation of individual water supply or individual sewerage systems shall be subject to the following requirements:

A. An individual water supply or individual sewerage system may not be permitted to be installed where an adequate community water or sewerage facility is available. If an existing community water or sewerage facility is inadequate or is not available, an interim individual water and sewerage system may be used as set forth in §B(1), (2), and (3), of this regulation.

B. Interim individual water supply and sewerage systems may be permitted to be installed in any portion of the county, except where otherwise prohibited, where community systems will be programmed for construction within the S-1-2, 3 and 4 and W-1-2, 3 and 4 service categories provided that:

(1) The interim systems are adjudged by the local health department to be adequate, safe, and in compliance with pertinent State and local regulations, including minimum lot ownership as set forth in COMAR 26.04.03.02 and .03;

(2) Permits for the interim systems shall bear a notice regarding the interim nature of the permit and stating that connection to a future community system shall be made within 1 year or less after the system becomes available;

(3) If interim systems are used, provisions shall be made, whenever possible, to locate the systems so as to permit connection to the public facilities in a most economical and convenient manner.

C. Individual water supply or sewerage systems, not of an interim nature, shall be permitted to be installed in any portion of the county designated as S-5 and 6, and W-5 and 6 where community systems are not planned. The installations shall be governed by the regulations under COMAR 26.04.02 and 26.04.03 as minimum requirements.





\*\* If transfer to public ownership is recommended, indicate expected date.

Table No. 11 Problem Areas Inventory - Individual and Community							
Service Area	Problem Description	Location	Population	Acres	Treatment Capacity	Treatment Demand	Planned Correction Date if Known

Table No. 12 Water Quality Problem Due to Storm Drainage Outfalls and to Non-point Sources			
Service Area	Problem Description	Location	Reach Affected

Table No. 13 Immediate 5 and 10 Year Priorities for Sewerage Development									
Fiscal Year and Project Number	County Priority Assigned	Coordinate* Location	Description Total	PL 660 Eligibility	Other Federal Local	Preliminary Plans	Financial Plans	Projected Schedule***	
								Start Construction	Complete Construction
___ Year									
___ Year									

\* Where applicable for both treatment facility and point of discharge location.

\*\* Based on real dollar values

\*\*\* Month and year—for the last 5 years the "Construction Schedule Column" and need not be filled in.

Table No. 14 Water and Sewerage Map Symbols

26.03.01.06

ENVIRONMENT

Table No. 14  
Water and Sewerage Map Symbols



North

	Existing	Planned
Water or Sewage Treatment Plants		
Water or Sewage Pumping Stations		
Water Storage Tanks		
Wells		
Springs		
Reservoirs		
Interceptors, Outfalls Raw and Treated Water Transmission Mains		
Force Mains		
Laterals and Feeder Mains		

## Existing and Planned Service Areas

**Existing and Under Construction**



**Final Planning**



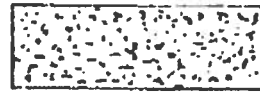
5-6 to 10 Year



**Immediate Priority**



**No Planned Service**



30% Shade

**3 to 5-6 Year**



Design Parameters			Flow			Development Occupancy Units (1)		
Name or Service Area	Hydraulic (mgd)	Organic (ppm)	Avg. Day* (mgd)	Max. Day & (Date)**	Existing*	Anticipated*** BPI	PWA	
		BOD SS				UC	NUC	
Example:						117 R	7 R	830 R
Clear Water	3.5	200 200	3.0	5.5(3-17-76)	6,500	7 C	none	none

\* Per Effective Date of Plan (7-1-76)

\*\* During Previous Fiscal Year

\*\*\* List Residential (R) Separately from Commercial (C) and Industrial (I)

BPI—Building Permits Issued Per Effective Date of Plan

UC—Building Permits Issued Per Effective Date of Plan for Units under Construction

NUC—Building Permits Issued Per Effective Date of Plan for Units not under Construction

PWA—Building Permits for Unexpired Public Works Agreements Per Effective Date of Plan

(1)—Includes Industrial, Commercial and Residential Units

Name or Sewer Type Designation	Sewer				Capability Pumping Station			Force Main		
	Diam. (Inches)	Flow, Avg. Day*	mgd Design	Number of Pumps	Capacity of Each Pump (mgd)	Normal Pumping Capacity (mgd)	Avg. Day Pumpage* (mgd)	Max. Day Pumpage and Mgd (date)**	Diam. (inches)	Design Flow (mgd)
Example: Collector	12	0.5	1.0							
Clear Branch Interceptor	18	3.5	5.0							
Severn Run P.S. and F.M.				2	3.6	3.6	2.5	3.0 (3-1-76)	24	80
Clear Water STP										

\* Per Effective Date of Plan (7-1-76)

\*\* During Previous Fiscal Year

**.07 Compliance with Maryland Water Conservation Plumbing Fixtures Act (MWCPFA).**

A. Each county water and sewerage plan shall contain documentation that compliance with the MWCPFA, as codified in Article 56, §445, Annotated Code of Maryland, is being achieved.

B. The documentation in §A of this regulation shall include:

- (1) Designation of the county agency responsible for the enforcement of MWCPFA;
- (2) A summary of county programs to assure implementation of and compliance with MWCPFA, including a description of:
  - (a) A procedure which assures compliance with MWCPFA before the issuance of a certificate of occupancy;
  - (b) Local actions taken to assure compliance with the prohibition of the sale of non-water-conserving plumbing fixtures;
  - (c) The local procedures used to ensure that agreements between a developer and a builder to assure compliance with MWCPFA are made part of the record plat process or a part of a county building, plumbing, or occupancy permit, or bill of sale.

C. If the county is not currently complying with the MWCPFA, then the county water and sewerage plan shall include a description of proposed changes to the local program which the county intends to implement to achieve compliance with MWCPFA.

## **.08 Financial Management of Public Sewerage Systems Required.**

A. Each county water and sewerage plan ("county plan") may be approved only upon inclusion of a financial management plan which includes all publicly-owned community sewerage systems in the county.

B. Each financial management plan shall contain a:

(1) Countywide organizational narrative which includes a brief countywide description of the financial roles and relationships of all public entities involved with providing sewerage service within the county.

(2) Completed Schedule FS for each self-contained, publicly-owned community sewerage system. The content and format of Schedule FS will be specified by the Department. Each Schedule FS shall demonstrate that adequate fiscal resources are or will be available to support the satisfactory operation, maintenance, and repair of each system to meet existing and future needs.

C. Before issuance of a State permit for the construction of a new, proposed, self-contained, publicly-owned community sewerage system, the following requirements shall be satisfied:

(1) The financial management plan described in §§A and B of this regulation has been adopted as part of the county plan and approved by the Department; and

(2) The proposed system has been described through new narrative text and revised tables and maps in a county plan amendment or update adopted by the county governing body and approved by the Department.

D. Each county plan submitted after the effective date of these regulations, for fiscal purposes, shall treat each publicly-owned community sewerage system as a separate entity within the local operating agency budget.

E. Starting on the effective date of these regulations, each county plan update shall include the complete financial management plan specified in §§A and B, of this regulation. However, a county may not submit its initial financial management plan later than July 1, 1989, regardless of the due date of its next county plan update.

F. The instructions and definitions necessary for completing Schedule FS shall be sent to all county water and sewer plan contacts.

G. In addition to the completed Schedule FS, the Department, after review of subsequent county water and sewer plans, may require and the county shall provide the information listed below. This information shall be submitted only at the Department's request, and it should not be included as part of the county plan or Schedule FS:

(1) An inventory of the plant and equipment;

(2) Documentation that sewer service rates are sufficient to meet operation and maintenance costs;

(3) A description of the customer billing procedures;

(4) A description of the system's "bad debt" situation;

(5) A description of any construction project or plan for expansion anticipated during the next 2 years, as well as the anticipated method of financing the project;

(6) A description of the long-term plans for plant replacement or major renovation, as well as the anticipated method of financing the plans or projects;

(7) A discussion of escrow accounts, existing or contemplated, for construction, maintenance, repair, operation, and emergencies;

(8) The system's balance sheet as of the last day of the most recent fiscal year.

26.03.01.9999

### **Administrative History**

**Effective date: July 1, 1975 (2:3 Md. R. 154)**

Regulations .02A, .03A, .04E, F, .05, .06 amended effective § 24, 1975 (2:29 Md. R. 1735)

Regulation .07 adopted effective January 26, 1987 (14:2 Md. R. 129)

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Chapter recodified from COMAR 10.17.01 to COMAR 26.03.01

Regulation .01 amended effective July 25, 1988 (15:15 Md. R. 1813)

Regulation .08 adopted effective July 25, 1988 (15:15 Md. R. 1813)

# Md. Code, Envir. § 9-501

## Section 9-501 - Definitions

- (a) In this subtitle the following words have the meanings indicated.
- (b) "Community sewerage system" means a publicly or privately owned sewerage system that serves at least 2 lots.
- (c) "Community water supply system" means a water supply system that serves at least 2 lots.
- (d)
- (1) "County plan" means a comprehensive plan for adequately providing throughout the county, including all towns, municipal corporations, and sanitary districts in the county, the following facilities and services by public or private ownership:
    - (i) Water supply systems;
    - (ii) Sewerage systems;
    - (iii) Solid waste disposal systems;
    - (iv) Solid waste acceptance facilities; and
    - (v) Systematic collection and disposal of solid waste, including litter.
  - (2) "County plan" includes a revised or amended county plan.
- (e) "Individual sewerage system" means a sewerage system that serves only 1 lot.
- (f) "Individual water supply system" means a water supply system that supplies water to only 1 lot.
- (g) "Litter" means any:
- (1) Waste material;
  - (2) Refuse;
  - (3) Garbage;
  - (4) Trash;
  - (5) Debris;
  - (6) Dead animal; or
  - (7) Other discarded material.
- (h) "Lot" means a parcel of land, including a part of a subdivision, that:
- (1) Is used or is intended to be used as a building site; and
  - (2) Is not intended to be further subdivided.
- (i) "Multiuse sewerage system" means a sewerage system that:

- (1) Serves only 1 lot;
  - (2) Serves a number of individuals;
  - (3) Has a treatment capacity of more than 5,000 gallons a day; and
  - (4) Is not publicly owned or operated.
- (j) "Multiuse water supply system" means an individual water supply system that:
- (1) Has the capacity to supply more than 5,000 gallons of water a day; and
  - (2) Serves a number of individuals.
- (k)
- (1) "Proposed county plan" means a county plan that:
    - (i) Has been adopted by the county governing body; and
    - (ii) Has not been approved by the Department.
  - (2) "Proposed county plan" includes any proposed amendment or revision of the county plan.
- (l) "Sewage" means any human or animal excretion, street wash, domestic waste, or industrial waste.
- (m)
- (1) "Sewerage system" means:
    - (i) The channels used or intended to be used to collect and dispose of sewage; and
    - (ii) Any structure and appurtenance used or intended to be used to collect or prepare sewage for discharge into the waters of this State.
  - (2) "Sewerage system" includes any sewer of any size.
  - (3) "Sewerage system" does not include the plumbing system inside any building served by the sewerage system.
- (n) "Solid waste acceptance facility" means any sanitary landfill, incinerator, transfer station, or plant whose primary purpose is to dispose of, treat, or process solid waste.
- (o)
- (1) "Solid waste disposal system" means any publicly or privately owned system that:
    - (i) Provides a scheduled or systematic collection of solid waste;
    - (ii) Transports the solid waste to a solid waste acceptance facility; and
    - (iii) Treats or otherwise disposes of the solid waste at the solid waste acceptance facility.
  - (2) "Solid waste disposal system" includes each solid waste acceptance facility that is used in connection with the solid waste disposal system.
- (p)



(1) "Subdivision" means any division of a tract or parcel of land into at least 2 lots, for the purpose of sale or building development.

(2) "Subdivision" includes any change in street lines or lot lines.

(3) Except as provided in paragraph (4) of this subsection, "subdivision" does not include any division of land into parcels of more than 3 acres, if the division:

(i) Is for agricultural purposes; and

(ii) Does not involve any new street or easement of access.

(4) In Carroll County, "subdivision" does not include:

(i) Any division of land into parcels of more than 3 acres, if the division:

1. Is for agricultural purposes; and

2. Does not involve any new street or easement of access; or

(ii) A remainder parcel of land of 25 acres or more that exists as a result of the division of a large parcel into at least 2 smaller parcels, provided that any occupied dwelling on the remainder parcel is serviced by a properly functioning sewerage disposal system and potable water supply.

(q)

(1) "Water supply system" means a publicly or privately owned or operated:

(i) Source and the surrounding area from which water is supplied for drinking or domestic purposes; and

(ii) Structure, channel, or appurtenance used or intended to be used to prepare water for use or to deliver water to a consumer.

(2) "Water supply system" does not include the plumbing system inside any building that is served by the water supply system.

*Md. Code, EN § 9-501*

## Md. Code, Envir. § 9-502

### Section 9-502 - Scope of subtitle

(a) Unless the operation of a water supply system would interfere with a cleanup or remediation action of the Department, this subtitle does not prohibit the installation or operation of a water supply system that is used only to supply water for purposes other than human or animal consumption.

(b) If a county is exempt from the provisions of this subtitle, the county may not receive funds from the sanitary facilities fund.

(c) Any rule or regulation adopted under this subtitle does not limit or supersede any other county, municipal, or State law, rule, or regulation that provides greater protection to the public health, safety, or welfare.

*Md. Code, EN § 9-502*

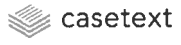
## Md. Code, Envir. § 9-503

Section 9-503 - County plans - Required; review by governing body of county; revision or amendment

- (a) Each county shall have a county plan or a plan with adjoining counties that:
- (1) Is approved by the Department;
  - (2) Covers at least the 10-year period next following adoption by the county governing body; and
  - (3) Deals with:
    - (i) Water supply systems;
    - (ii) Sewerage systems;
    - (iii) Solid waste disposal systems;
    - (iv) Solid waste acceptance facilities; and
    - (v) The systematic collection and disposal of solid waste, including litter.
- (b) Except as provided in § 9-515 of this subtitle, each county governing body shall review its county plan at least once every 3 years in accordance with a schedule set by the Department.
- (c) Each county governing body shall adopt and submit to the Department a revision or amendment to its county plan if:
- (1) The governing body considers a revision or amendment necessary; or
  - (2) The Department requires a revision or amendment.
- (d)
- (1) Before a county governing body adopts any revision or amendment to its county plan or adopts a new county plan, the governing body shall:
    - (i) Conduct a public hearing on the county plan, revision, or amendment that may be conducted jointly with other public hearings or meetings; and
    - (ii) Give the principal elected official of each municipal corporation that is affected notice of the county plan, revision, or amendment at least 14 days before the hearing.
  - (2)
    - (i) Notice of the time and place of the public hearing, together with a summary of the plan, revision, or amendment, shall be published in at least 1 newspaper of general circulation in the county once each week for 2 successive weeks, with the first publication of notice appearing at least 14 days before the hearing.
    - (ii) Notice of the public hearing may be a part of the general notice listing all other items to be considered during the public hearing or meeting.

*Md. Code, EN § 9-503*

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## **Md. Code, Envir. § 9-504**

### Section 9-504 - County plans - Incorporation of subsidiary plans

- (a) To the extent that the incorporation will promote the public health, safety, and welfare, each county plan shall incorporate all or part of the subsidiary plans of each town, municipal corporation, sanitary district, privately owned facility, or local, State, or federal agency that has existing or planned development in that county.
- (b) If the governing body of each county that is affected adopts a subsidiary plan for a multicounty area, the county may incorporate in its county plan all or part of the subsidiary plan.

*Md. Code, EN § 9-504*

## Md. Code, Envir. § 9-505

Section 9-505 - County plans - Contents; recycling reductions; effect of increase in population; regional plans

- (a) In addition to the other requirements of this subtitle, each county plan shall:
- (1) Provide for the orderly expansion and extension of the following systems in a manner consistent with all county and local comprehensive plans prepared under Title 1, Subtitle 4, Title 3, or Title 21 of the Land Use Article and § 10-324 of the Local Government Article:
    - (i) Community water supply systems and multiuse water supply systems;
    - (ii) Community sewerage systems and multiuse sewerage systems; and
    - (iii) Solid waste disposal systems and solid waste acceptance facilities;
  - (2) Provide for the sizing and staging of facilities construction that is consistent with the county plan;
  - (3) Show compliance with items (1) and (2) of this subsection by using graphic and tabular information;
  - (4) Provide:
    - (i) For sewage treatment facilities that are adequate to prevent the discharge of any inadequately treated sewage or other liquid waste into any waters; or
    - (ii) Otherwise for safe and sanitary treatment of sewage and other liquid waste;
  - (5) Provide for facilities that are adequate to treat, recover, or dispose of solid waste in a manner that is consistent with the laws of this State that relate to air pollution, water pollution, and land use;
  - (6) Contain adequate information about:
    - (i) The existing sewage treatment capacity in each drainage basin or sewage treatment plant service area in the county;
    - (ii) The present level of use of sewage treatment plants in each drainage basin; and
    - (iii) Projections for use of sewage treatment plant capacity based on:
      1. Outstanding building permits and subdivision plats if the county has subdivision authority; or
      2. Zoning commitments if the county does not have subdivision authority;
  - (7) Taking into account all relevant planning, zoning, population, engineering, and economic information and all State, regional, municipal, and local plans, describe, with all practical precision, those parts of the county that reasonably may be expected to be served in the next 10 years by any:
    - (i) Community water supply system;

- (ii) Multiuse water supply system;
  - (iii) Community sewerage system;
  - (iv) Multiuse sewerage system;
  - (v) Solid waste disposal system; and
  - (vi) Solid waste acceptance facility;
- (8) Set procedures for identifying and acquiring, on a time schedule that conforms to the time requirement in item (7) of this subsection, any rights-of-way or easements that are necessary for any:
- (i) Community water supply system;
  - (ii) Multiuse water supply system;
  - (iii) Community sewerage system;
  - (iv) Solid waste disposal system; or
  - (v) Solid waste acceptance facility;
- (9) Taking into account all relevant planning, zoning, population, engineering, and economic information and all State, regional, municipal, and local plans, describe, with all practical precision, any parts of the county in which it is not reasonably foreseeable to have service in the next 10 years by any:
- (i) Community water supply system;
  - (ii) Multiuse water supply system;
  - (iii) Community sewerage system;
  - (iv) Multiuse sewerage system;
  - (v) Solid waste disposal system; and
  - (vi) Solid waste acceptance facility;
- (10) Set a time schedule and a proposed method for financing the construction and operation of each planned:
- (i) Community water supply system;
  - (ii) Multiuse water supply system;
  - (iii) Community sewerage system;
  - (iv) Solid waste disposal system; and
  - (v) Solid waste acceptance facility;

**(11)** Set forth the estimated cost of constructing and operating each planned:

- (i)** Community water supply system;
- (ii)** Multiuse water supply system;
- (iii)** Community sewerage system;
- (iv)** Solid waste disposal system; and
- (v)** Solid waste acceptance facility;

**(12)** Indicate:

- (i)** Any source of supply from the waters of this State;
- (ii)** The approximate amount of water to be withdrawn from the waters of this State; and
- (iii)** The quantity and quality of waste to be discharged into the waters of this State;

**(13)** Describe, in accordance with the provisions of this subtitle, each area in the county where:

- (i)** A community water supply system must be provided;
- (ii)** A multiuse water supply system may be installed and used;
- (iii)** An individual water supply system may be installed and used for an interim period until a planned community water supply system is available;
- (iv)** An individual water supply system may be installed and used indefinitely;
- (v)** A community sewerage system must be provided;
- (vi)** A multiuse sewerage system may be installed and used;
- (vii)** Except as provided in § 9-517 of this subtitle, an individual sewerage system may be installed and used for an interim period until a planned community sewerage system is available;
- (viii)** An individual sewerage system may be installed and used indefinitely;
- (ix)** A community solid waste disposal system must be provided; or
- (x)** A community solid waste acceptance facility must be provided for use by residents of the described area during an interim period until a planned community solid waste disposal system is available;

**(14)** Except as provided in § 9-515 of this subtitle, provide for amendment or revision of the county plan at least once every 2 years in accordance with a schedule adopted by the Department;

**(15)** Designate an appropriate agency of the county to be responsible for creating a workable plan:



- (i) To keep the environment of the county free of solid waste, including litter; and
  - (ii) To prevent scenic pollution of both public and private property in the county;
- (16) By July 1, 1987, treat each publicly owned community sewerage system as a separate entity for fiscal purposes within the local operating agency;
- (17) Document compliance with and report on actions taken and plans to enforce §§ 12-605 and 12-606 of the Business Occupations and Professions Article;
- (18) For a county with a population greater than 150,000 according to the latest Department of Planning projections, include a recycling plan by July 1, 2014 that:
- (i) Provides for a reduction through recycling of at least 35% of the county's solid waste stream by weight or submits adequate justification, including economic and other specific factors, as to why the 35% reduction cannot be met;
  - (ii) Provides for recycling of the solid waste stream to the extent practical and economically feasible, but in no event may less than a 15% reduction be submitted; and
  - (iii) Requires full implementation of the recycling plan by December 31, 2015; and
- (19) For a county with a population less than 150,000 according to the latest Department of Planning projections, include a recycling plan by July 1, 2014 that:
- (i) Provides for a reduction through recycling of at least 20% of the county's solid waste stream or submits adequate justification, including economic and other specific factors, as to why the 20% reduction cannot be met;
  - (ii) Provides for recycling of the solid waste stream to the extent practical and economically feasible, but in no event may less than a 10% reduction be submitted; and
  - (iii) Requires full implementation of the recycling plan by December 31, 2015.
- (b) A plan created under subsection (a)(15) of this section may include the use of prisoners from the State correctional system or from county jails or detention centers.
- (c) The recycling reductions of 35% and 20% provided in subsection (a)(18) and (19) of this section are not intended to be the maximum percentage that a county can achieve. A county that can practically and economically achieve a higher rate of recycling is encouraged to submit a recycling plan for a higher percentage.
- (d) If a county with a population less than 150,000 increases to a population of above 150,000, the county shall have 2 years to revise the recycling plan to be consistent with the recycling goals under subsection (a)(18) of this section.
- (e)
- (1) The governing bodies of 2 or more counties may adopt a regional recycling plan to comply with subsection (a)(18) or (19) of this section.
  - (2) A regional recycling plan which otherwise satisfies the requirements of this subtitle for each of the participating counties shall constitute the county recycling plan for each county which participates in the plan.

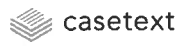
Section 9-505 - County plans ... Md. Code, Envir. § 9-505

*Md. Code, EN § 9-505*

Amended by 2015 Md. Laws, Ch. 22, Sec. 1, eff. 4/14/2015.

Amended by 2013 Md. Laws, Ch. 136, Sec. 1, eff. 10/1/2013.

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## Md. Code, Envir. § 9-506

Section 9-506 - County plans - Review by official planning agencies; progress reports; submitting reports to Department

(a)

(1) Except as provided in paragraphs (2) and (3) of this subsection, before a county governing body may adopt a county plan or a revision or amendment to the county plan:

(i) The county governing body shall submit the county plan, revision, or amendment to each official planning agency that has jurisdiction in the county, including any comprehensive planning agency with areawide jurisdiction, for review and comment within a 30-day period for consistency with planning programs for the area; and

(ii) The county planning agency shall certify that the plan, revision, or amendment is consistent with the county comprehensive plan prepared under Title 1, Subtitle 4 or Title 3 of the Land Use Article or § 10-324 of the Local Government Article.

(2) In Montgomery County and Prince George's County, the review and comments of the Maryland-National Capital Park and Planning Commission in accordance with § 9-516 of this subtitle constitute full compliance with the requirement for review by an official planning agency under this subsection.

(3)

(i) This paragraph applies only in St. Mary's County.

(ii) A new public sewerage system or an expansion of an existing public sewerage system, or a new water supply system or an expansion of an existing water supply system, may not be allowed in St. Mary's County unless the adoption, revision, or amendment to the county plan containing the public sewerage system or water supply system:

1. Is reviewed by the St. Mary's County Planning Commission in conformity with the provisions of this paragraph; and

2. Is approved by the Board of County Commissioners or, subject to subparagraph (v) of this paragraph, the Commissioners' designee.

(iii)

1. The County Commissioners or the Commissioners' designee may not approve the adoption, revision, or amendment of the county plan that contains a new public sewerage system or an expansion of an existing public sewerage system, or a new water supply system or an expansion of an existing water supply system, until the Planning Commission:

A. Conducts a complete review of the county plan; and

B. Holds, or arranges to be held, at least one public hearing on the county plan.

2. The Planning Commission may delegate the responsibility of holding a public hearing under this subparagraph to county staff as directed by the County Commissioners.

(iv) In its review and recommendation to the County Commissioners or the Commissioners' designee, the St. Mary's County Planning Commission shall consider and make specific findings of fact with respect to the following objectives and policies of the county plan that contains a new public sewerage system or an expansion of an existing public sewerage system, or a new water supply system or an expansion of an existing water supply system:

1. Compatibility with the Comprehensive Land Use Plan;
2. Planning and zoning issues;
3. Population estimates;
4. Engineering;
5. Economics;
6. State, regional, and municipal plans; and
7. Comments received from other agencies in the county.

(v) The County Commissioners may only appoint a designee under this subsection for purposes of considering amendments to the county plan containing a public sewerage system or water supply system in growth areas shown on an adopted Comprehensive Land Use Plan.

(b) Each county governing body shall submit to the Department:

(1) Progress reports on the development of its county plan; and

(2) A report of its review conducted at least every 2 years, including any revision or amendment of the county plan that has been adopted.

(c)

(1) If the Secretary determines that a county governing body has failed to submit a timely and adequate report of its review of its county plan or any required revision or amendment of its county plan to the Department, the Secretary shall give the county governing body a written notice of:

(i) The county's failure to submit a report; or

(ii) Any specific inadequacy in the county's plan.

(2) If within 90 days of this notice a county does not submit its report or an adequate revision or amendment of its plan to the Department, the Secretary:

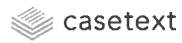
(i) May not issue any permit to install or alter a water supply system, sewerage system, or solid waste disposal system in that county under § 9-204 of this title;

**(ii)** Shall give the county notice of its right to administrative review by the Secretary under this subsection; and

**(iii)** Shall give the county notice of its right to appeal the Secretary's decision to the Board of Review.

*Md. Code, EN § 9-506*

Amended by 2013 Md. Laws, Ch. 136, Sec. 1, eff. 10/1/2013.



## Md. Code, Envir. § 9-507

Section 9-507 - County plans - Approval by Department; use of county plans after approval by county governing body

(a) When a county governing body submits its proposed county plan or a proposed revision or amendment of its county plan to the Department, the Department may:

- (1) Approve the proposal;
- (2) Disapprove the proposal;
- (3) If the part approved includes all of the required elements of a county plan, approve the proposal in part and disapprove it in part; or
- (4) Modify or take other appropriate action on the proposal.

(b) Before the Department approves or disapproves, in whole or in part, a proposed county plan or a proposed revision or amendment of a county plan, the Department shall submit the proposal:

- (1) To the Department of Natural Resources for advice on natural resources matters;
- (2) To the Department of Planning for advice on the consistency of the proposal with the local master plan and other appropriate matters; and
- (3) To the Department of Agriculture for advice on the impact of water and sewerage service and solid waste facilities on productive or potentially productive agricultural land.

(c)

(1) Except as otherwise provided in this subsection, the Department shall approve, disapprove, or partially approve and partially disapprove each proposed county plan or proposed revision or amendment to a county plan within 60 days after the proposal is submitted to the Department.

(2) For good cause and after notice to the county involved, the Department may extend the 60-day review period of paragraph (1) of this subsection for an additional 45 days.

(3)

(i) Subject to subparagraph (ii) of this paragraph, if the Department requires additional time for review beyond what is provided in paragraphs (1) and (2) of this subsection, a supplemental 45-day review period may be added at the expiration of the 45-day extension authorized in paragraph (2) of this subsection.

(ii)

1. If the Department adds the supplemental 45-day review period authorized in subparagraph (i) of this paragraph, they must provide written notice to the affected county, the county delegation members of the General Assembly, and the Governor

not less than 10 days before the expiration of the 45-day extension authorized in paragraph (2) of this subsection.

2. The written notice required by subparagraph 1 of this subparagraph shall include all additional review time requested by the Department, including the reasons for failing to complete the review within the time periods provided in this section.

(d)

(1) If the Department does not disapprove, in whole or in part, a proposed county plan or a proposed revision or amendment of a county plan within the review period provided in subsection (c) of this section, the proposal is approved.

(2) The Department shall provide written notice of approval to the county in the event that a local plan, revision, or amendment receives approval in accordance with paragraph (1) of this subsection.

(e)

(1) Before the Department takes any action under subsection (a) of this section, a county may use its proposed county plan or proposed revision or amendment of its county plan at the county's own risk, if the county governing body has adopted the proposed county plan, revision, or amendment.

(2) After the county governing body adopts the proposed county plan, a person shall follow the provisions of that plan except to the extent that the Department modifies or disapproves that plan.

*Md. Code, EN § 9-507*

Amended by 2017 Md. Laws, Ch. 387, Sec. 1, eff. 10/1/2017.

## **Md. Code, Envir. § 9-508**

Section 9-508 - County plans - Notice of departmental disapproval; reconsideration of disapproval

**(a)** If the Department disapproves, in whole or in part, a proposed county plan or a proposed revision or amendment of a county plan, the Department shall give the county a written notice of disapproval that states the reasons for disapproval.

**(b)** At any time up to 6 months after a county receives the notice of disapproval, the county governing body may ask the Secretary to reconsider the disapproval in accordance with the rules and regulations of the Department.

*Md. Code, EN § 9-508*





## **Md. Code, Envir. § 9-509**

Section 9-509 - County plans - Cost of preparing county plans

As provided in § 9-218 of this title, a county may finance in part the cost of preparing its county plan or any revision or amendment of its county plan.

*Md. Code, EN § 9-509*



## Md. Code, Envir. § 9-510

### Section 9-510 - Miscellaneous powers and duties of Department

(a) In addition to the powers set forth elsewhere in this subtitle, the Department may:

(1) Conduct surveys and research to carry out the provisions of this subtitle; and

(2) Specify the location for any sewage treatment facility discharge point that is included in any county plan.

(b) In addition to the duties set forth elsewhere in this subtitle, the Department shall adopt rules and regulations:

(1) To carry out the provisions of this subtitle;

(2) To control, limit, or prohibit the installation and use of:

(i) Water supply systems; and

(ii) Sewerage systems;

(3) To require that, before installation of individual water supply systems or individual sewerage systems, consideration be given to:

(i) Present and future population density;

(ii) Size of parcels;

(iii) Contour of the land;

(iv) Porosity and absorbency of the soil;

(v) Ground water conditions;

(vi) Availability of water from unpolluted aquifers;

(vii) Type of construction of community water supply systems;

(viii) Type of construction of community sewerage systems;

(ix) Size of the proposed development; and

(x) Any other pertinent factors;

(4) To require that, giving consideration to the factors in item (3) of this subsection, areas be served by community facilities if the Department finds them to be reasonably necessary:

(i) By installation of the community water supply system, community sewerage system, or solid waste disposal system; and

(ii) By connection of all premises to or service to all premises by the community water supply system, community sewerage system, or solid waste disposal system;

(5) To require that community water supply systems, community sewerage systems, and solid waste disposal systems be constructed to allow the connection of those systems to a larger system, if that larger system becomes available;

(6) To allow a person to install an individual water supply system or an individual sewerage system in any area where a community water supply system or a community sewerage system is not available or required to be installed in the area if:

(i) The Department finds that the individual system is adequate and safe for use before a community system is scheduled to be available in the area; and

(ii) The individual system is constructed in the most economical and convenient way to permit connection to a community system in the area, and the person guarantees the connection to a community system:

1. When the county governing body where the area is located sets a time; and

2. In accordance with this subtitle, any rules and regulations adopted under this subtitle, and any other State law or county requirement by:

A. Posting a bond to secure actual construction and installation of the systems with satisfactory surety for the benefit of the county governing body; or

B. Making any other arrangement that the Department considers necessary and adequate to carry out the provisions of this subtitle;

(7) If a solid waste disposal system is not available or required to be installed in any area as provided in item (4) of this subsection, to allow a person to provide a solid waste acceptance facility in the area without a systematic collection and transportation system;

(8) To require that, before issuance of a permit for construction of a community or multiuse sewerage system, a financial management plan sufficient to ensure the dependable and safe operation of the system has been adopted within the county plan and approved by the Department; and

(9) To require that:

(i) Before issuance of a permit for construction of a privately owned community water supply system that will serve 4 or more residential lots or 2 or more other lots, the applicant has proposed a financial management plan sufficient to ensure the dependable and safe operation of the system, and the plan has been approved by the Department; and

(ii) The applicant shall comply with the plan as approved by the Department.

*Md. Code, EN § 9-510*

## Md. Code, Envir. § 9-512

Section 9-512 - Removal of solid waste acceptance facilities - Building permits; subdivision plats

(a) In this section, "building permit" means any permit that allows any building construction and is issued by any State or local authority.

(b)

(1) A State or local authority may not issue a building permit unless:

(i) The water supply system, sewerage system, or solid waste acceptance facility is adequate to serve the proposed construction, taking into account all existing and approved developments in the service area;

(ii) Any water supply system, sewerage system, or solid waste acceptance facility described in the application will not overload any present facility for conveying, pumping, storing, or treating water, sewage, or solid waste;

(iii) Except for essential public services, after January 1, 1992, the county in which the proposed construction is located has an approved recycling plan under § 9-505 of this subtitle and § 9-1703 of this title; and

(iv) Except for essential public services, after January 1, 1994, the county in which the proposed construction is located has met the recycling reductions submitted in an approved recycling plan under § 9-505 of this subtitle and § 9-1703 of this title.

(2) A water supply system, sewerage system, or solid waste acceptance facility referenced in a subdivision plat shall conform to the applicable county plan.

(3) If an allocation of water or wastewater is needed, and before a State or local authority may issue a building permit, the State shall:

(i) Have an allocation of water and wastewater from the county whose facilities are affected by the proposed building construction; or

(ii) Show evidence of being able to provide an acceptable on-site sewage disposal system or well system until an allocation becomes available, or on a permanent basis if the State elects.

(4) The county shall timely review any State request for an allocation of water or wastewater, and report its findings to the State within 45 days from the date of such request.

(5) The Department may grant a waiver from the sanctions of subsection (b)(1)(iii) and (iv) of this section if the county demonstrates to the satisfaction of the Secretary that it cannot achieve the recycling goal due to unforeseen or emergency circumstances beyond the county's control.

(6)

(i) In the event that sanctions are imposed under this subsection, and the county submits an application for removing the sanctions, the Secretary shall promptly approve or deny the application.

(ii) In the event that the Secretary has neither approved nor denied the application within 30 days of its submission, the application shall be deemed approved and the sanctions shall be removed.

(c) To apply for a building permit, an applicant shall:

(1) Submit an application to a State or local authority on the form that the authority requires; and

(2) Provide any information that the authority reasonably requires to comply with subsection (b) of this section.

(d)

(1) A State or local authority may not record or approve a subdivision plat unless any approved facility for conveying, pumping, storing, or treating water, sewage, or solid waste to serve the proposed development would be:

(i) Completed in time to serve the proposed development; and

(ii) Adequate to serve the proposed development, once completed, without overloading any water supply system, sewerage system, or solid waste acceptance facility.

(2) Each water supply system, sewerage system, and solid waste acceptance facility in a subdivision shall:

(i) Conform to the applicable county plan; and

(ii) Take into consideration all present and approved subdivision plats and building permits in the service area.

(3) If an allocation of water or wastewater is needed, and before a State or local authority may record or approve a subdivision plat, the State shall:

(i) Have an allocation of water and wastewater from the county whose facilities are affected by the proposed development; or

(ii) Show evidence of being able to provide an acceptable on-site sewage disposal system or well system until an allocation becomes available, or on a permanent basis if the State elects.

(4) The county shall timely review any State request for an allocation of water or wastewater, and report its findings to the State within 45 days from the date of such request.

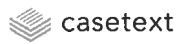
(e) To apply for approval of a subdivision plat, an applicant shall:

(1) Submit an application to the appropriate State or local authority on the form that the authority requires; and

**(2) Provide any information that the authority reasonably requires to comply with subsection (d) of this section.**

*Md. Code, EN § 9-512*

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# Md. Code, Envir. § 9-519

Section 9-519 - Installation of sanitary sewer line

*Md. Code, EN § 9-519*

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## Md. Code, Envir. § 9-521

### Section 9-521 - Penalties

(a) A State or local authority that violates any provisions of § 9-512(b) or (d) of this subtitle is liable for a civil penalty not exceeding \$100 to be collected in a civil action brought by the Department in the circuit court for any county. Each day a violation continues is a separate violation under this section.

(b) A civil penalty imposed under this section does not bar any other applicable relief or penalty.

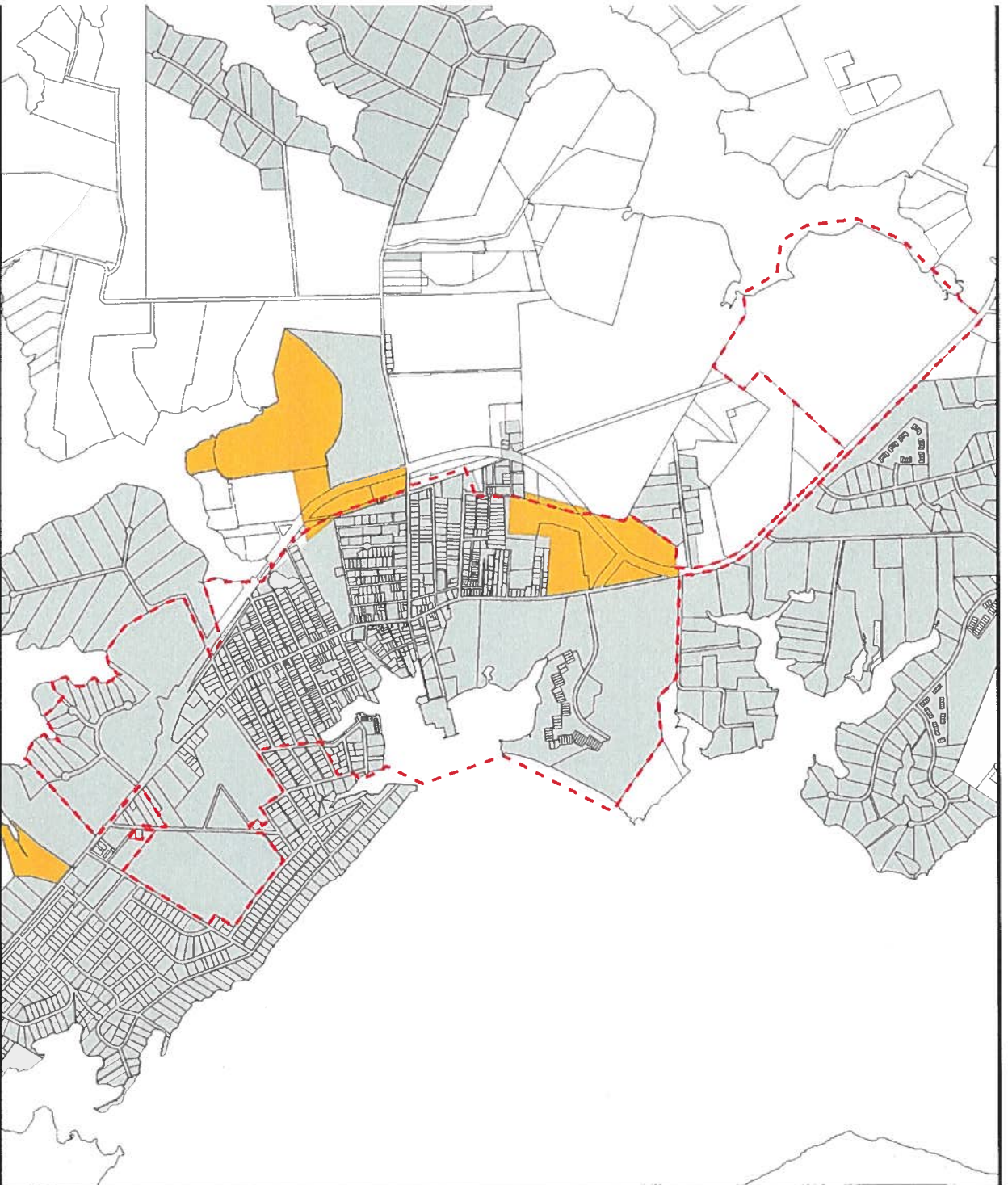
(c)

(1) An applicant who violates § 9-510(b)(9) of this subtitle, or who violates any regulation adopted under § 9-510(b)(9) of this subtitle, is liable for a civil penalty not to exceed \$500 per violation to be collected in a civil action filed by the Department in the circuit court for any county.

(2) Each day a violation continues under this subsection constitutes a separate violation of this subsection.

*Md. Code, EN § 9-521*





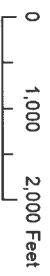
Talbot County  
 Town of St. Michaels  
 Sewer Service Area

**DRAFT**



**Sewer Service Area**  
 TYPE

- S-1
- S-2
- S-3



Talbot County Public Works GIS  
 September 13, 2022






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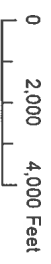
Talbot County  
Town of St. Michaels  
Sewer Service Area

**DRAFT**

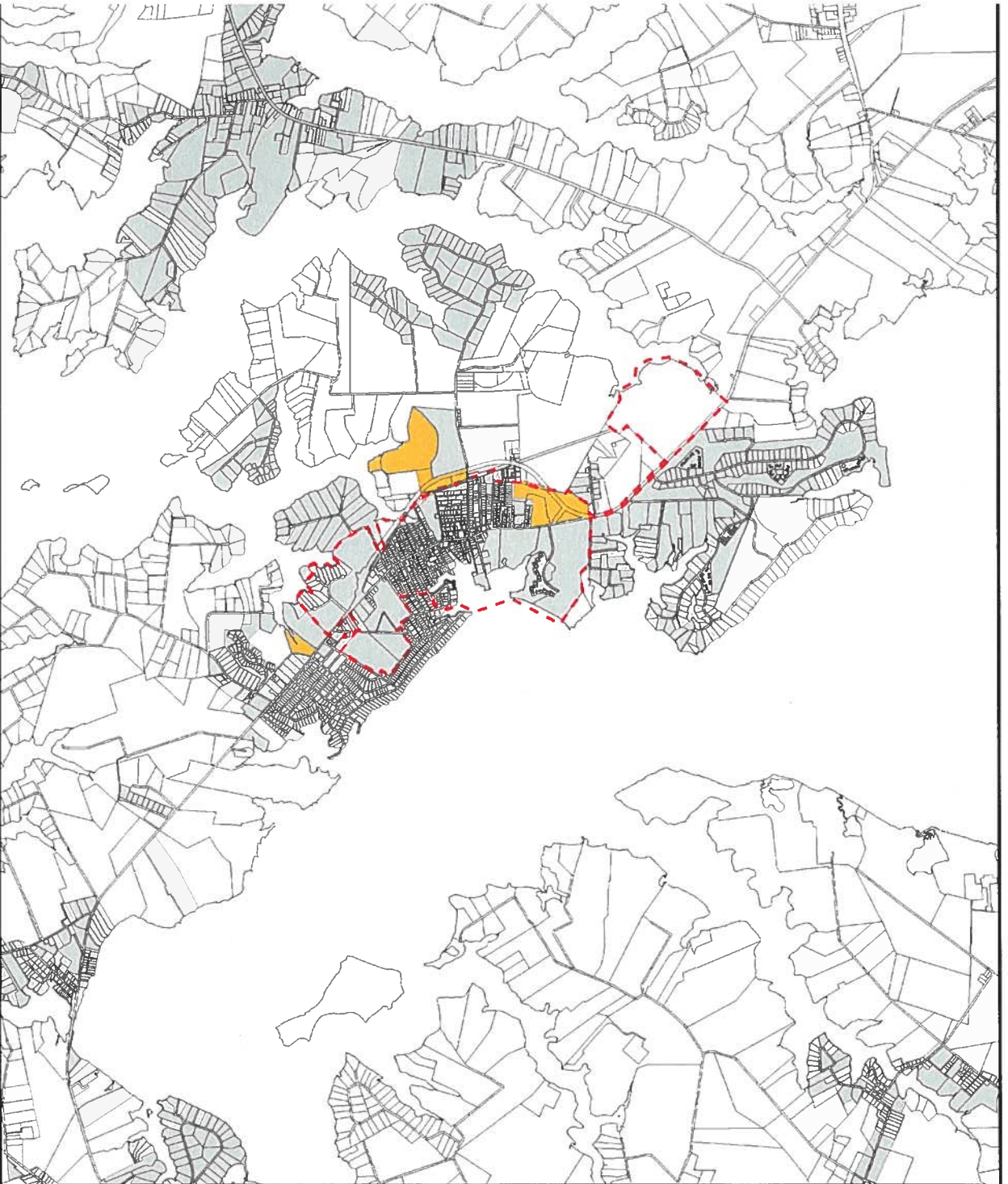


Sewer Service Area  
TYPE

-  S-1
-  S-2
-  S-3



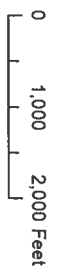
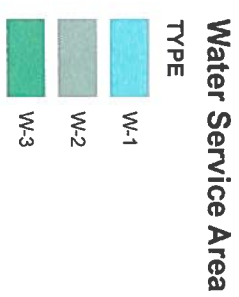
Talbot County Public Works GIS  
September 15, 2022



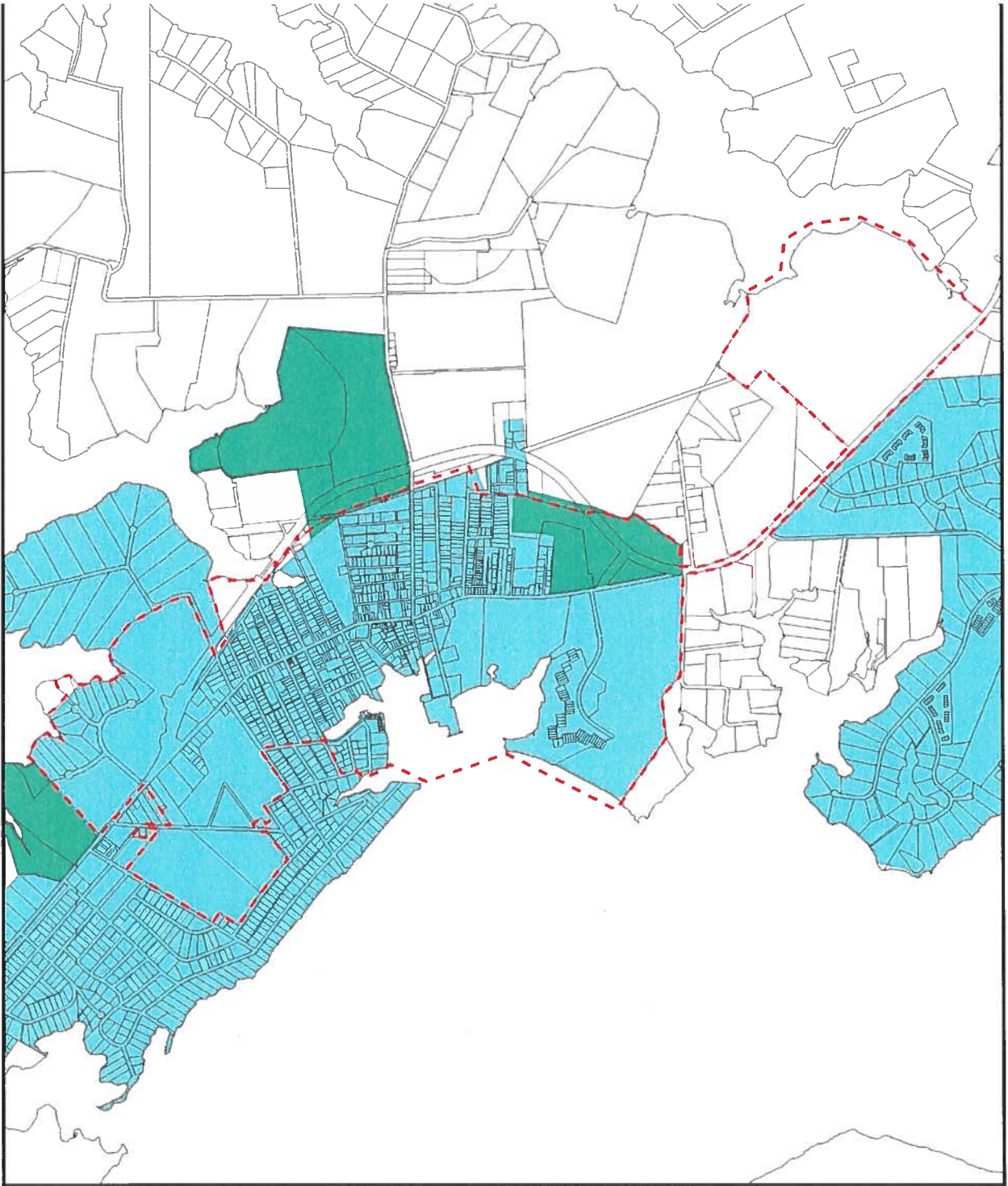


Talbot County  
Town of St. Michaels  
Water Service Area

**DRAFT**



Talbot County Public Works GIS  
September 15, 2022





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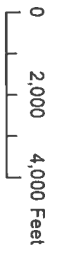
Talbot County  
Town of St. Michaels  
Water Service Area

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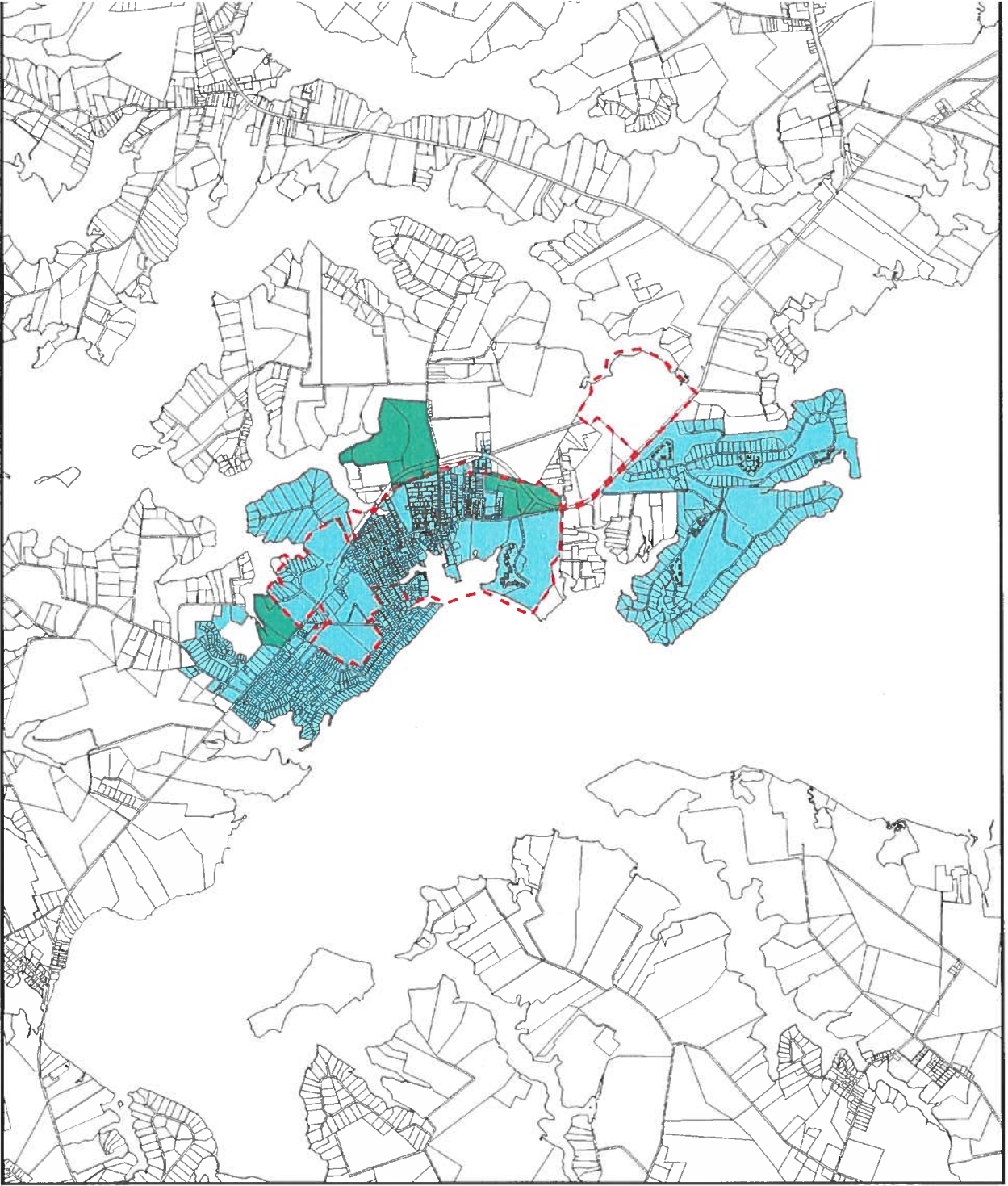


**Water Service Area**

TYPE
W-1
W-2
W-3



Talbot County Public Works GIS  
September 15, 2022







## Chapter 4: Water Resources Element

### Introduction

This Water Resources Element is required by Section 3-106 of the Annotated Code of Maryland (Land Use) as amended in 2012. It requires all counties and municipalities that have planning and zoning authority to incorporate a Water Resources Element into their Comprehensive Plans as it relates to water supply, wastewater services, water quality and stormwater management.

The Town of St. Michaels recognizes our shared water resources with Talbot County are vital to the overall water quality, especially as it relates to the Talbot County Region II Waste Water Treatment Plant (St. Michaels) and the [Comprehensive Water and Sewer Plan](#). Specific flow data, forecasted nutrient loads, equivalent dwelling units (EDU) allocation amounts and full service information are maintained by Talbot County, but should be evaluated by the Town as it relates to future developments, water resource upgrades and associated impacts in the region. The Town has limited growth planned but shall evaluate growth annually as it relates to the State of Maryland Priority Funding Act and Smart Growth policies for water resources.

The purpose of this Water Resources Element is to ensure that any future development plans of the Town of St. Michaels take into account the opportunities and limitations of local water resources. It is required to evaluate both the wastewater generated and the available drinking water supply. This will serve to better protect both state water resources and public health while meeting state smart growth policies.

### Water Resource Element Goals

The goals of the water resource element are to:

- Maintain an adequate water supply for the Town of St. Michaels to serve not only the current water demands but future water needs resulting from population growth and development including both residential and commercial capacity.
- Protect and maintain water quality standards by reducing pollutant loadings, identifying potential pollution sources, and potential impacts of future land development to ensure public health and safety. Strategies to achieve this goal include upgrading all town water distribution lines to PVC pipe; an arsenic removal system on all Town wells to bring the arsenic levels into compliance with Environmental Protection Agency (EPA) standards; and updating the Town water distribution maps to reflect the most current data.
- Monitor nutrient or sediment total maximum daily loads (TMDL) derived from future development, wastewater and stormwater to determine the least impact on receiving waters.

- Provide adequate wastewater and stormwater systems. Costs for new or expanded facilities should be allocated so that they are equitably and proportionally shared by all those who benefit. Technical review of development projects should be coordinated with required County and/or Town departments to ensure that easements are provided. Stormwater issues should be addressed as an element of the street upgrade program.



- Install stormwater management best management practices (BMPs) to treat water flowing from the older parts of the Town that were built before such practices were required. When doing this work, care should be taken to improve, where possible, stormwater drainage from streets and private lots, but certainly not to make existing drainage problems worse or to create new drainage problems. A policy has been established to incorporate in all government construction activity, where possible, added stormwater BMPs with the capacity to treat untreated water coming from surrounding parts of town. BMPs are being retrofitted into the street renovation project that began in FY 2007 and is scheduled to be completed in 2015. Additional BMPs practices were incorporated into the Nature Trail Project that was completed FY 2008 to treat stormwater flowing from the older parts of town into waters that feed the Bay. Incentives should be developed for owners to install individual lot BMPs, such as roof-top disconnects, rain gardens, and French drains. Town support should be lent to construction of tidal-marshes and other programs designed to remove pollutants that continue to enter nearby rivers and streams.

## **Public Utility Services of St. Michaels**

### Water Supply System

According to the Talbot County Comprehensive Water and Sewer Plan, the existing water system consists of two deep wells, 500,000 gallons of elevated storage, and about 11 miles of distribution mains. The Town of St. Michaels water system also serves the Rio Vista area south of Town which includes a population of approximately 400 residents. In 2007, a new wastewater treatment facility located on the same site as the existing plant was constructed to treat up to 660,000 gallons per day (MGD) to serve St. Michaels and surrounding areas. Water bills are sent to 366 accounts in this area which include residents of the Bentley Hay area north of Seymour Avenue and east of Meadow Street. Total water usage ranges from about 0.16 million gpd in the winter to 0.32 million gpd in the summer. Maximum demand for one day has been just over .35 million gallons.

Only two of the three wells utilized in the past are currently in operation. Both wells are about 450 feet deep and draw from the Aquia Aquifer. Well No.1 is an eight-inch diameter well drilled in 1928. A new pump was installed in 1986 to increase capacity to 285 gallons per minute. Well No.2 is a ten-inch well drilled in 1965 with a capacity of 480 gallons per minute. Well No.3 is a 12-inch well completed in 1990 with a capacity of 600 gallons per minute. Following construction of well No.3, well No.1 was taken out of service because of age and excessive amounts of sand passing through the screens. This well has been sealed with concrete and the well pump and motor have been removed. Both wells No.2 and No.3 are in good condition. However, in order to provide redundancy in the system in the case of well failure an additional well and water storage tower will be needed.

Maryland's approval guidelines stipulate that community wells be capable of meeting the maximum daily water demand with all wells in service and be able to meet the average daily demand with the largest well out of service. The Town's system meets these criteria assuming the pumps run an average of 16 hours per day.

The 500,000 gallons of elevated storage is comprised of one 200,000 gallon tank and one 300,000 gallon tank. The 200,000 gallon tank, constructed in 1981, is in good structural condition, but requires periodic painting. The 300,000 gallon elevated storage tank, referred to as the North Tank, located next to Perry Cabin Park has been in operation since 1999. By locating this tank at the opposite end of the water system from the existing tank, head pressure losses in the distribution lines have been minimized and flow rates improved. The Town has installed a new Supervisory Control and Data Acquisition (SCADA) system that controls the on-off operation of the No.2 and No.3 well pumps, as well as monitors the North and South tank levels. This system enables the operations staff to closely monitor the Town's water supply and make necessary adjustments.

The Federal Government passed a law in 2001 requiring public water systems to have an arsenic level of less than 10 parts per billion (ppb), replacing the old standard of 50 ppb. The rule became effective on February 22, 2002. The date by which systems must comply with the new 10 ppb standard was January 23, 2006. The natural arsenic level in the water in St. Michaels is 34 ppb. The town constructed arsenic removal plants at both wells, using an absorption technique with a media that attracts the arsenic to the media particles. This system has been successful for Glory Avenue Well #3, but not at Well #2 on E. Marengo Street. The town is in the process of switching over to a filtration system for arsenic removal at the E. Marengo Street well, the work is scheduled to be complete during 2015.

#### Water Supply Resources

The Maryland Department of the Environment (MDE) is the agency responsible for authorizing use of all waters of the State. MDE issues the required Water Appropriation and Use Permit. The permit authorizes the Town of St. Michaels a water withdrawal limited to a daily average of 325,000 gallons on a yearly basis and a daily average of 450,000 gallons for the month of maximum use. The water withdrawn is to be used for the community water supply for the Town and is drawn from two wells in the Aquia aquifer. The location of the wells are at the Public Works facility located on Glory Avenue, and on the east side of Marengo Street at New Lane.

Growth Assessment

There are currently 711 residences existing in the Town of St. Michaels. To calculate the daily water usage for the Town, it was estimated that the average household size was 2.02 persons and the average water usage was 100 gallons per person per day. Based on the existing 711 residences, each using an estimated 202 gallons per day, a total of 143,622 gallons of water is being used per day.

Based on the build-out analysis completed in Chapter 2 – Municipal Growth Element, there is land available in the Town of St. Michaels to add an additional 154 residences. Applying the estimated average household size and the average water usage, these possible residences could use an additional 31,108 gallons of water per day.

In addition, there are 2 possible annexation areas which are described further in Chapter 2 – Municipal Growth Element. If these areas were annexed, 4 existing residences and up to 21 new residences could be added to the Town and would use an additional 5050 gallons of water per day. These numbers do not include the Rio Vista area which is already on the Town water system. Table 4.1 shows both the existing Town residences and possible annexation residences. Those lands identified as “Areas of Mutual Interest” and identified in Chapter 2 (Municipal Growth Element) have not been included in computations as they are governed by Talbot County and included in their Comprehensive Plan.

**TABLE 4.1  
EXISTING AND POSSIBLE FUTURE WATER USAGE**

Area	# of Existing Dwellings	# of Build-Out Dwellings	Total # of Possible Dwellings	Total potential water usage
<b>Current</b>				
Residences	711	154	865	174,730
<b>Potential Annexation</b>				
Area A	4	013	17	3434
Area B	0	8	8	
<b>TOTAL</b>	<b>715</b>	<b>175</b>	<b>890</b>	<b>179,780</b>

Based on the total water usage from existing residences and the residents of Rio Vista (410 du) who are already on the Town of St. Michaels water system, the Town of St. Michaels is within the limits of their Water Appropriation and Use Permit from the Maryland Department of the Environment. Should the additional in-town build out of 175 residences be constructed, the water usage would increase to 179,780 gallons per day which is still within the limits of the Water Appropriation and Use Permit.

If the Town of St. Michaels were fully built out and the possible annexation area was annexed and fully built out, the total water usage would rise to 179,780, which would still be within the limits of the Water Appropriation and Use Permit.

Sewer Service

In the spring of 2008 Talbot County completed construction of a 660,000 gallons/day (GPD) treatment plant which will include Biological Nutrient Removal technology. The plant discharge concentrations for total nitrogen will be 3.0 mg/l or less with the total phosphorus concentrations of 0.3 mg/l or less.

The latest information available from Talbot County relating to wastewater treatment flow and capacity volume of the Talbot County region II Wastewater treatment Plant allocated for use within the municipal boundaries of St. Michaels indicates the following:

St. Michaels – Existing flows:	133,950 GPD
Future Flows:	109,700 GPD
Reserved Capacity for I&I:	151,600 GPD
<b>Total Flows:</b>	<b>395,250 GPD</b>

The Town of St. Michaels has evaluated flow contributions from potential infill and development projects not fully completed as follows utilizing an average of 125 gpd per dwelling unit:

Marea	2,000 GPD	16 dwelling units
Chesapeake Avenues	875 GPD	7 dwelling units
<u>The Point at Perry Cabin</u>	<u>1,750 GPD</u>	<u>14 dwelling units</u>
<b>Total potential flow of</b>	<b>4,625 GPD</b>	

Based on the potential for build-out in accordance with future land use in the Town of St. Michaels and taking into account the existing proposals enumerated above, an additional 154 units could be built in the existing Town limits. Assuming flow contributions of 125 gallons per unit, the Town could contribute an additional total of 19,250 GPD.

Existing Flow	133,950 GPD
Development Projects not completed as of plan preparation	4,625 GPD
<u>New units under build-out</u>	<u>19,250 GPD</u>
<b>Total future flow contributions</b>	<b>157,825 GPD</b>

As the build-out analysis indicates the potential demand for additional development due to annexation would be 21 units. Assuming that each would contribute 125 gallons per unit additional flows would be 2625 gallons per day. It is clear that full build-out is NOT constrained by sewer capacity.

Additional capacity may be gained by addressing infiltration and inflow (I&I). County policy makes it clear that the Town of St. Michaels does not gain 1 gallon of capacity for every gallon of I&I reduced. Nevertheless any reductions achieved should be documented and the capacity gained incorporated into the flow allocation calculations.

### Capacity Management Plan

Current State regulations require that a wastewater capacity management plan be established to manage new hookups when flow in any system reaches 80 percent of capacity. As the Region II Wastewater Treatment System is owned and operated by Talbot County, the preparation of any such capacity management plan would be the responsibility of the Talbot County Department of Public Works. The Town of St. Michaels would assist in any data and participation necessary for any requirement capacity management.

## **Point and Nonpoint Source Stormwater**

According to Chapter 281 of the Code for the Town of St. Michaels (Town Code), the purpose of proper stormwater management is to minimize damage to public and private property, reduce the effects of development on land and on the quality of water in the Chesapeake Bay and its tributaries, control stream channel erosion, reduce local flooding, and maintain after development, as nearly as possible, the predevelopment runoff characteristics.

The objectives of stormwater management are to:

- Reduce or eliminate water pollution by reducing the amount and nature of impervious cover, increasing groundwater recharge, eliminating sources of contaminants, and removing pollutants from stormwater runoff;
- Design, construct, operate, and maintain stormwater management systems to control runoff from all land developed in accordance with Chapter 281 of the Town Code;
- Design stormwater management systems used for new development to the limit of technology and meet any pollutant removal goals established by the Town for a specific project.
- Ensure the use of decentralized nonstructural stormwater management practices to the maximum extent reasonably practical; and
- In conjunction with a proposed stormwater management system, establish controls and enforcement procedures applicable to the land area to be served by that proposed stormwater management system, to reduce the unnecessary use of pollutants on that land.

Stormwater management practices that control and manage stormwater runoff are to be applied to any land developed for residential, commercial, industrial, or institutional uses in accordance with an approved stormwater management plan. Stormwater management practices should be designed, constructed, and operated in accordance with the standards set forth in the Stormwater Design Manual and Chapter 281 of the Town Code.

A variance can be granted from any requirement of the Stormwater Management Criteria of Chapter 281 of the Town Code by the St. Michaels Board of Zoning Appeals if extenuating circumstances are met. More information on the special circumstances to be met can be found in Section 281-9 of the Town Code.

For any proposed development, the owner shall submit a stormwater management plan or waiver application to the enforcement authority for review and approval.

- Prior to granting approval, the endorsement authority shall review the plan to determine compliance with the requirements of the stormwater management code. The process for the review shall be the same as for applications for subdivisions and shall include a review by the Technical Advisory Committee.
- Major projects shall not be approved earlier than 45 days after a complete application is received by the enforcement authority.
- The approved stormwater management plan shall serve as the basis for all subsequent construction.

Notification of approval or reasons for disapproval or modification shall be given to the owner. If a decision is not made within 90 days, the owner shall be informed of the status of the review process and the anticipated completion date. The stormwater management plan shall not be considered approved without the inclusion on the plan of the dated signature of the enforcement authority.

There is not yet in place a Total Maximum Daily Load (TMDL) strategy which affects St. Michaels, but we are trying to do our part to reduce pollutant loadings by imposing the 10% pollutant reduction standard on those lands which lie within the mapped Chesapeake Bay Critical Area. It should be noted that approximately 75% of the Town lies within that area. In addition, the Town has adopted a no net loss policy for the removal of trees. Any tree removed must be replaced on an equal basis, utilizing the requirement that the tree be 2" in diameter at breast height and be of a native species.

The Town recognizes the impact of lawn-applied fertilizer on the waters quality of our rivers. The State of Maryland is requiring home improvement and similar stores to begin selling non-phosphorous lawn fertilizer. This will hopefully help to reduce the negative water quality impact associated with lawn fertilization in the future.

## **VISION**

The Town of St. Michaels seeks to protect its water resource and control development to allow for the conservation of these resources.

## **OBJECTIVES AND IMPLEMENTATION STRATEGIES**

- 4.1 Ensure that the Town has an adequate safe and sanitary water supply.
  - 4.1.1 Continue to coordinate water system master planning with the Town's Comprehensive Plan and Tier Map.
  - 4.1.2 Construct the capital improvements as required to satisfy the Federal Government's standards for arsenic levels.
- 4.2 Provide adequate wastewater treatment service to the Town.

- 4.2.1 Encourage the County to continue their efforts to reduce infiltration and inflow in the sewer system to create additional capacity.
- 4.2.2 Continue to coordinate sewer planning with the Town's Comprehensive Plan.
- 4.2.3 Continue to work with Talbot County to assure that any modifications to sewer allocations will not diminish the Town's ability to grow in accordance with this plan.
- 4.3 Effectively treat stormwater runoff and reduce pollutant loadings entering St. Michaels' waterways.
  - 4.3.1 Incorporate the latest guidance and requirements as found in the State Stormwater Design Manual following its approval.
  - 4.3.2 Provide educational opportunities focusing on water quality improvement methods which can be implemented by individual property owners.
  - 4.3.3 Consider incentives which may encourage the residents and or businesses to pursue best on-site management practices.
  - 4.3.4 Review the effectiveness of the existing practice of installing silt fences at construction sites. Adopt policies that establish more effective run-off protection and/or ensure more careful monitoring by responsible inspection agencies.
  - 4.3.5 Continue to work cooperatively with Talbot County to obtain grant funding for projects that address water quality to the Miles River and San Domingo Creek.
  - 4.3.6 Continue to Work with Talbot County and the State of Maryland to develop comprehensive projects and strategies to improve the water quality of stormwater runoff.
  - 4.3.7 Consider converting open ditch systems to bioretention systems in an effort to address water quality associated with stormwater.

## **POLICIES**

The Town maintains a policy to continue joint efforts with Talbot County as it relates to future water resources.

It is the policy of St. Michaels that future development plans are evaluated on wastewater generated, available drinking water and stormwater mitigation to protect water resources and public health while meeting State smart growth laws.



## Chapter 5: Community Facilities and Public Services

### INTRODUCTION

Community Facilities (Map 5-1) and public services contribute to the overall quality of life for the residents and visitors to St. Michaels. The conditions of our streets, the purity of our drinking water, the dependability of our emergency services and police department are important factors for the people who live in our town. The goal of this chapter is to assure that our public facilities, infrastructure and emergency services meet the current and futures needs of the St. Michaels citizen.

Hollis Park, which was acquired by utilizing Program Open Space funding, houses the Edgar M. Bosley, Jr. Municipal Building where the administrative offices and the Town meeting room are located. The St. Michaels Department of Public Works is located on Glory Avenue in a building adjacent to well #3 and includes three maintenance bays and an adjacent storage yard.

#### Public Safety

In 2005, the St. Michaels Police Department relocated from Talbot Street to Fremont Street in a newly constructed building which houses the police force and support staff. The police force consists of The Chief of Police, one administrative clerk and seven full time police officers who work on rotating shifts. The police jurisdiction ends at the Town limits. However, backup and special services are provided to the Talbot County Sheriffs Office and the Maryland State Police at their request.



#### Emergency Services

Fire, rescue, ambulance and emergency medical services are provided by the St. Michaels Volunteer Fire Department. These services are funded through multiple sources including State, County, Town, private contributions and fund raising activities. The Fire Department had two full time employees, but the responsibilities of these persons have been assumed by Talbot County. The



membership of the St. Michaels Volunteer Fire Department averages about 80 members with perhaps 20 available for response at a given time. The Fire Department building is located on Route 33 at the southern end of Town three pumper trucks, a ladder truck, a brush unit, a command unit, and a fire and water rescue boat. One of the largest issues facing not only the St. Michaels Fire Department but all Fire Departments in Talbot County is the recruitment and retention of volunteers. A continual impediment in recruiting and retention is the limited availability of work force housing in the Town. This issue will be further discussed in Chapter 10 Housing.

The Talbot County Advanced Life Support Service (ALS) is headquartered at the St. Michaels Volunteer Fire Department and responds to about 1,500 emergencies each year. The majority of funding for Talbot ALS comes from dedicated revenue provided by the Talbot County Council. For medical emergencies and other situations requiring advanced treatment, residents of the Town and surrounding area have access to three hospitals: Memorial Hospital at Easton, Dorchester General in Cambridge, and Peninsula Regional Medical Center in Salisbury.

#### Health Care

Memorial Hospital of Easton has been the primary medical and healthcare provider in Talbot County and the Mid-Shore region for over 100 years. In 2006, Shore Health System merged with the University of Maryland Medical System to enhance clinical programs and facilities and to facilitate physician recruitment. Subsequently Shore Health began to seek a site for a new regional medical facility. While a site was selected within the Town of Easton, and agreements for the construction of the required roads and extension of water and sewer, no construction has begun.

With the recent retirement of the Town's resident physician, medical services are now provided through an existing medical clinic. Their facility, located at the southern end of Town within a professional business complex, provides diagnostic and on site treatment with more intensive medical services directed to the hospital or specialists in their preferred fields. Should expansion of their clinic be considered in the future, available space limitations due to full occupancy of the business complex will become a major factor. The existing clinic provides services not only to the residents of the Town but also serves those communities located in the Bay Hundred area. It is therefore imperative that efforts be made to assure the continuation and expansion of these medical services.

#### Hazard Mitigation

Hazard mitigation planning is the foundation for a long-term strategy to reduce disaster losses and break the cycle of disaster damage, reconstruction and repeated damage. As an incentive for State and local governments to develop plans, the Federal government requires mitigation planning as a condition of eligibility for hazard mitigation project funding. The Town of St. Michaels has added a Chapter 14 Hazard Mitigation to this Comprehensive Plan to raise awareness and provide guidance on the Town's coastal environment and flooding susceptibilities.

The Town of St. Michaels in cooperation with Talbot County has adopted a [Hazard Mitigation Plan](#). The purpose of the plan is to review assess and update areas vulnerable to natural hazards and prepare a long-term strategy to address them. The highest mitigation risks identified in the study were from winter storms, mass power outages, flash floods, tropical storms and shore

erosion. The plan details and prioritizes projects that could be undertaken to mitigate for all of the hazards identified.

### Education

Within the incorporated limits of St. Michaels lies the St. Michaels school complex. Talbot County operates three public schools serving St. Michaels and the surrounding residential communities including the Bay Hundred Area. The Tilghman Elementary School provides academic services to those students living in the Bay Hundred Area. The student population ranges from pre-school through and encompassing the 5<sup>th</sup> grade. Those students entering the 6<sup>th</sup> grade are transported to the St. Michaels Middle School and subsequently attend the St Michaels High School

The St. Michaels Elementary, Middle and High School lie on a fifty-five acre parcel of land south of the Central Business District. The Town's schools have the space to accommodate approximately 320 to 350 more students than are currently enrolled. The current capacity at St. Michaels combined middle and high schools are at 61% following major renovations. The school complex includes the Bay Hundred Community Pool which was opened in 2002. In 2014, grant funding from the State Highway Administration was given to the Town which will allow for the installation of a sidewalk on the grounds of the school from Talbot Street to Radcliff Avenue and adjacent to Seymour Avenue. The new sidewalk and associated ADA ramps and crosswalks will provide a safe pedestrian and bicycle route to and from the school complex for our Town residents and their children. The Critchlow Adkins Children Center, which provides pre-school educational opportunities, is located within the St Michaels School Complex. The facility can accommodate 105 youth with a current attendance of 90.

Within the grounds of the St. Michaels School Complex is the anticipated future home of the St. Michaels YMCA. The YMCA currently has a store front presence in the shopping center which lies just beyond the corporate limits of the Town. This facility will provide a joint benefit to the schools as the students will have access to the facility without the need of leaving the school property and the YMCA can utilize many of the school amenities such as their gymnasium and auditorium to augment their programs.

### Library Services

The St. Michaels Public Library is a branch of the Talbot County Library system and is located on Fremont Street offering approximately 10,000 volumes, including resource information, and a meeting room for community meetings and activities. The 3,000 square foot, handicapped-accessible library is open to the public 37 hours per week and has a yearly attendance



of approximately 41,000 visitors. Based on the ever increasing needs of the public, the Library is considering an expansion of their facility to accommodate additional meeting and educational spaces. The branch participates in the County and State inter-library loan program.

Talbot County libraries are funded 75% by Talbot County and 18% by the State of Maryland. Public funds are spent primarily for staff salaries, acquisitions, supplies and routine maintenance.

### Housing

Providing affordable housing opportunities for middle and low-income families is important to the long term economic and social vitality of the Town. The location of such housing, its proximity to jobs, childcare, stores, services and accessibility by car, public transportation or walking, have a significant impact on the cost of living and therefore affordability. This issue is discussed in greater detail in Chapter 10 Housing of this document.



### Public Streetscapes

The Town has about 50 acres of land devoted to streets, alleys, and public rights of way. Sidewalks line Talbot Street from Seymour Avenue to Dodson Avenue and are found throughout the Historic Area. Some street and sidewalk sections are in deteriorated condition. Many Town streets are lit by sodium vapor lights attached to utility poles; however, West Chestnut Street, St. Mary's Square, and Water Street are lit by pedestrian-scale period lanterns which the town maintains.

The Commissioners of St. Michaels have made it a priority to preserve the historic character of the town while providing improvements to include road upgrades and maintenance, new public restrooms, improved street lighting and enhanced pedestrian walkways which contribute to the beautification of the town. These improvements are linked to the Capital Improvement Plan.

## **VISION**

St. Michaels is a town where public facilities and community services meet the needs of our residents, businesses and visitors.

## **OBJECTIVES AND IMPLEMENTATION STRATEGIES**

### **5.1 Maintain Town streets and sidewalks as necessary.**

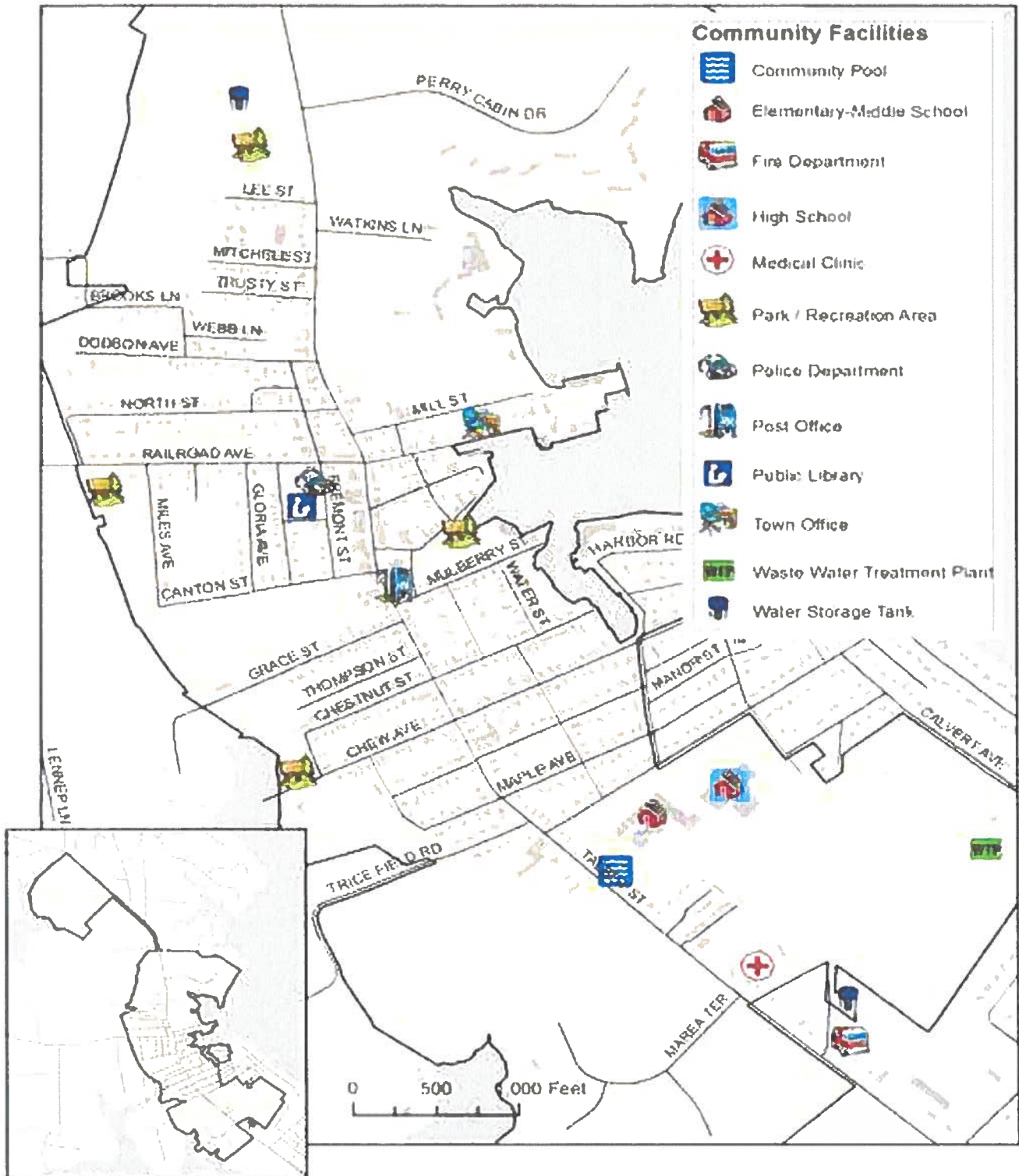
- 5.1.1. Continue to evaluate the conditions and quality of the Town street system and develop a street system improvement program as a component of the Town's Capital Improvement Plan. As of the writing of this element, the Town has completed their evaluation of all streets and began the phased rehabilitation.

- 5.1.2 Prepare and annually update a Capital Improvement Plan that consists of a rolling five year financial plan and budget to orchestrate and schedule improvements to Town streets, sidewalks, and other Town facilities.
  - Maintain and improve streets as necessary.
  - All sidewalks in the business district should be bricked providing a visual indicator of commercial activity. The bricking of these sidewalks should be considered for inclusion in the Town's Capital Improvement Plan.
- 5.2 Provide street lighting in all appropriate areas within the Town.
  - 5.2.1 Continue to evaluate and upgrade streetlights.
  - 5.2.2 Historic lighting options should be considered, whenever street and utility improvements are proposed.
  - 5.2.3 Identify areas which are not adequately lit and develop a priority list of improvements.
  - 5.2.4 Include top priorities for street lighting in the Capital Improvement Plan.
  - 5.2.5 Coordinate with Choptank Electric Cooperative the installation of additional lighting along MD Rt. 33 to assure that each street intersection is adequately lit.
- 5.3 Establish a Town wireless network system to serve St. Michaels.
  - 5.3.1 In addition to providing service to the Town proper, such service should be provided within the Town's parks and harbor allowing for public internet access to residents and visitors within those areas.
  - 5.3.2 Encourage the St. Michaels Business Association to identify "Hot Spots" within their advertising media for distribution.
  - 5.3.3 Recognize the broadband requirements for medical, legal and other community support services and the need to assure that such capacity is available.
- 5.4 Establish and support community resources which serve the residents of St. Michaels and surrounding communities.
  - 5.4.1 Continue to support the St. Michaels Community Center in their efforts to secure a permanent location
  - 5.4.2 Encourage the utilization of the Housing Authority Administrative Building for community based functions and continuing education opportunities.

- 5.4.3 Continue to support the YMCA in their efforts to establish a permanent facility in the Town limits of St. Michaels.
- 5.4.4 Support the St. Michaels branch of the Talbot County Library in their expansion efforts.
- 5.5 Provide for increased demand for medical services within the Town and surrounding areas.
  - 5.5.1 Evaluate the establishment of zoning use classifications which would permit the establishment of a larger community health facility, either free standing or as part of a professional building.
  - 5.5.2 Support the continuation and expansion of medical facilities and services which will support not only the residents of St. Michaels but those persons living in the Bay Hundred area.
- 5.6 Support the needs of the St. Michaels Police Department.
  - 5.6.1 Recognize the rise in drug and alcohol related crimes and provide the tools necessary to curtail such activities in the Town.
  - 5.6.2 Continue to support the number of officers of the Police Department and recognize that during this planning period, additional personnel both administrative and enforcement may be required to assure the safety of the citizens of the Town and our visitors.
  - 5.6.3 The St. Michaels Police Department should continue to work with the State Police and local police departments including the Talbot County Drug Task Force.
  - 5.6.4 Continue to support applications for grant monies which will provide training or equipment.
  - 5.6.5 Continue to support outreach programs targeted to the youth of the Town, with a focus on community responsibility, drug awareness and personal growth.

# St. Michaels Community Facilities

2015 Comprehensive Plan  
St Michaels, Maryland



Map 5 -1

