

Brinkley opposes most task force recommendations

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While it will be up to Gov. Martin O'Malley to implement the recommendations given by the Task Force on Sustainable Growth and Wastewater Disposal, one local state representative opposes many of the proposals.

Sen. David Brinkley, R-District 4, opposed 11 of 33 recommendations made by the task force because he considers them assaults on rural areas, farming communities and property owners. The task force's final report, Brinkley said, is a broad-stroke approach to hurt western Maryland counties.

Brinkley, who represents Carroll and Frederick counties, voted against streamlining the state building code, increasing the Chesapeake Bay Restoration Fund revenue and the comprehensive plan tier approach that the task force recommends local jurisdictions use for designating areas.

Erik Fisher, a land use planner for the Chesapeake Bay Foundation and task force member, said the report is an important step forward for the state in terms of how it plans to grow, use its land and protect the bay. The recommendations create a road map of what the state needs to do in the future, he said.

Brinkley said the biggest concern he had with the final report was its recommendations for septic systems. The task force recommended that septic systems of new construction in Chesapeake and Coastal Bays watersheds and certain impaired watersheds, and replacement systems in critical areas, include best available technology.

Fisher said the goal of the recommendation is to minimize the need for septic systems. When septic systems are the only option, Fisher said the task force recommended that people use the best available technology, which removes nitrogen.

Nitrogen, when leaked by septic systems, makes its way into local waterways and then into the bay. High nitrogen in the bay fosters algae growth which blocks sunlight from getting to underwater grasses that provide food, shelter and breeding areas for fish, Fisher said. When those algae blooms die, they remove critical oxygen

needed to support the ecosystems of fish, crabs and oysters, he said.

If the septic recommendation is implemented, Brinkley said people could be spending around \$500 a year to operate the best available technology. The cost comes from the electricity used to operate the system and yearly inspections.

"It's overkill," he said.

Best available technology for nitrogen removal would not be required for replacement of an existing septic system outside of the critical areas except to accommodate new construction, according to the report.

Having to use the more expensive technology for waste disposal, Brinkley said, adds to the cost of housing in Maryland.

"You now create another disparity where housing in Pennsylvania is more affordable, therefore encouraging people to cross the state line and still commute through Maryland," Brinkley said.

O'Malley created the task force through an executive order in April. The task force was charged to recommend regulatory, statutory or other actions to address the impacts of major developments on septic systems and their effects on nutrient pollution, land preservation, agribusiness and smart growth.