



**Review Comments from the Maryland Department of Planning
Draft Water Resources Element and
Priority Preservation Area Plan
Talbot County**

Overview

The Maryland Department of Planning (MDP) reviewed the draft Water Resources Element (WRE) and Priority Preservation Area (PPA) Element of the Talbot County Comprehensive Plan dated June 3, 2009. The draft plan was submitted for 60-day review in accordance with Article 66B of the Code of Maryland Regulations and was received by MDP on June 22, 2009. The 60-day review period ended on August 21, 2009. The County has scheduled a public hearing on September 2, 2009 on the draft plan in accordance with §3.07(b)(1) of Article 66B.

Talbot County has done an excellent job to meet the majority of the requirements of House Bill (HB) 1141. The draft WRE as submitted is incomplete; however by making the following additions or addressing the following comments, the WRE will conform to the requirements of HB 1141. Those comments in bold must be adequately addressed for full compliance with State Law and the provisions to re-zone accordingly.

General Comments on the Draft Water Resources Element

- Maps included in the final Plan should be numbered and referenced in the discussions and legends should be revised to be more legible for readers.
- **Please clarify whether the growth areas for the municipalities with completed Municipal Growth Elements (MGE) (Easton, St. Michaels, Trappe) are considerably different than the Town water/sewer service areas as currently listed in the Talbot County water and sewer plan. If these areas are different, the County should revise its Housing Unit Projections by Watershed table (page 4) to reflect the growth areas within the MGEs instead of the water/sewer service areas surrounding the towns.**
 - The WRE notes the use of the most current municipal data available and coordination with municipal MGEs to the extent possible. Please indicate which data is calculated by the County and which is supplied by the Towns. A single data table that extracts the population projections, water and sewer usage and demands, and nutrient loading analyses from the Municipal Plans to contrast that with the information in Tables 2, 4, 5, 8, and 10 would be helpful.

- The final Plan should discuss which water and sewer service areas will be served by municipal systems instead of private community systems in the future.
- SB 276 establishes a statewide goal of increasing the percentage of growth in and decreasing the percentage of growth outside Priority Funding Areas (PFAs). The Bill also requires local governments to develop a percentage goal towards achieving the statewide goal. Although not required until 2011, Talbot County should consider whether its estimates of the percentage of growth to be served by public water and sewer on page 7-2 will be sufficient to achieve an increase in the statewide percentage of 68%: www.mdpagestate.md.us/msdc/PFA/Resid_Growth/by_County/PFA_cnty_index.htm.
- The County should review and refer to relevant sections of its Land Preservation, Parks, and Recreation Plan and identify measures that will implement the WRE.
- The 2002 Talbot County Water and Sewer Plan should be revised and updated with the latest information regarding the infrastructure plans, growth goals and recommendations and all pertinent projection data upon the adoption of this County WRE and the new Municipal Comprehensive Plans. Please contact Mr. John Leocha at (410) 767-5497 with any questions or details regarding this content.

Comments on the Water Demand Analysis

- The draft Plan indicates that approximately 10,500 residential units in Talbot County rely on individual or community wells (page 9). Please note whether there are plans to connect any of these private wells to the public water system and, if so, the approximate capacity needed for connecting wells.
- Clarify whether there will be any additional water demand through the planning period for the Claiborne, Hyde Park, and Martingham systems (pages 7-8).

Comments on the Proposed Methods for Protecting Source Water

- Discuss whether the County or its municipalities have plans to address arsenic levels in drinking water (page 10). Please refer to recommendations in any Source Water Assessments completed for water systems in Talbot County.

Comments on the Sewer Demand Analysis

- Include the system capacity in 2007 for the WWTPs listed in Table 8 (page 14).
- Mention the recent (2009) Maryland law requiring denitrification systems for new septic tanks in the Critical Area (page 20) since this will impact the County's policies and actions regarding septic retrofits (page 24).

Comments on Identifying Suitable Receiving Waters

- **The final Plan must include a discussion of whether the water bodies are suitable receiving waters for expected land use impacts.**
- Note that a TMDL has been established for biological oxygen demand, nitrogen, and phosphorus for Town Creek, into which the Oxford WWTP flows. Adjust Table 10 (page 16) to reflect any TMDL limits on the Oxford WWTP.
- The likely nitrogen cap for the Region V WWTP will be 4,406 lbs/yr of N based on the projected 2020 flow as established by MDE (page 16).

Comments on Transportation

- MDP strongly recommend that the County, in coordination with the State Highway Administration, the Maryland Department of Planning, and Queen Anne's County, develop a corridor plan to address land use and transportation policies, strategies, and regulatory measures (if needed) to protect the Rural Legacy, Priority Preservation, or Multiple Resources Focus Areas along the MD 404 Corridor as the State moves forward the MD 404 Upgrade Project in Talbot and Queen Anne's County.

Priority Preservation Area

- MDP's review of the draft Priority Preservation Area indicates that the submittal meets the requirements established by statute. The County is to be commended again for continued excellence in the preservation of agricultural lands and uses.
- MDP suggests that the PPA include a policy and strategy addressing the protection of agriculture and resources areas along MD 404 and other major highway corridors in Talbot County. We also encourage the County to set a policy to limit roadway improvements in the PPA to only those addressing safety, rehabilitation, and substandard structural concerns.

Local Adoption Comments

- The 2002 Talbot County Water and Sewer Plan should be revised and updated with the latest information regarding the infrastructure plans, growth goals and recommendations, and all pertinent projection data upon the adoption of this County WRE and the new Municipal Comprehensive Plans and Updates. Please contact Mr. John Leocha at 410 767-5497 with any questions or details regarding this content.
- MDP reminds the County that the County Planning Commission is required to review and, if necessary, revise or amend the County's adopted Comprehensive Plan at least once every 6 years in accordance with §3.04(b)(2) of Article 66B.