

**CONSERVATION GROUP OPPOSES SEWER PLAN  
ADDING HUNDREDS OF HOUSES ON KENT ISLAND**

*Background: Legislation (House Bill 11), passed in the recently-concluded session of the Maryland General Assembly, for the first time authorized use of the Chesapeake Bay Restoration Fund (BRF) to correct failing septic systems located outside of a Priority Funding Area (PFA). Utilizing BRF and other funds, Queen Anne's County proposes to connect to its northern Kent Island wastewater treatment plant (1) all 1518 existing homes in nine non-PFA communities on Southern Kent Island and (2) 560 - 658 new housing units in these communities to be built on lots unable to develop on septic. (The details of this sewer proposal are set forth on the County website, [www.qactv.com](http://www.qactv.com), click on "News: Southern Kent Island Sanitary Project".)*

*A public hearing on the sewer proposal is set for May 1. Queen Anne's Conservation Association, the oldest conservation organization on the Eastern Shore (see [www.qaca.org](http://www.qaca.org)), has now taken a formal position in opposition to the sewer proposal and will enter the following statement into the record at the hearing.*

**STATEMENT OF QUEEN ANNE'S CONSERVATION ASSOCIATION  
ON PROPOSED SOUTHERN KENT ISLAND SEWER SERVICE**

For more than a decade, beginning with the Four Seasons development, Queen Anne's Conservation Association (QACA) has actively opposed further major residential development on Kent Island. Our early concerns were traffic congestion, stormwater run-off from impervious or disturbed surfaces, noise and light pollution, and over-burdening of infrastructure such as schools. More recently, we have become concerned by the growing threat that storm surge, under conditions of sea-level rise

and subsidence, presents to the safety of persons and structures on this low-lying island.

As a conservation organization devoted to the well-being of the County now being shaped for future generations, we firmly believe that Kent Island is not a place where large-scale residential development should occur -- just as we believe, equally firmly, that it should not occur on the County's irreplaceable farmlands.

The current proposal for sewer service to southern Kent Island (SKI) guarantees -- indeed, as it is structured, depends upon -- the addition of 560-658 new residential structures on the island. Those who support the proposal argue that the need for sewer service outweighs the disadvantages, now widely recognized, of the further major residential development on the island that the proposal ensures.

We find that argument entirely unpersuasive, for the following principal reasons:

i. There has never been adequate specification, going beyond "estimates", of the number and locations of actually failing onsite septic systems among the 1518 existing homes. Accordingly, the seriousness, in terms of disease potential and environmental damage (no doubt quite variable) of however many failures there may be, remains unspecified as well.

ii. There has been no serious consideration of the benefits achievable -- chiefly, reduced nitrogen loads and further reduction of what have historically been low to negligible health risks -- by a range of available onsite remedies, including upgrades or replacements of existing systems. The failure to consider alternatives is an especially glaring omission in light of the newer onsite technologies now being evaluated and approved by other jurisdictions for use in similar high water-table situations.

iii. Absent baseline data as to failures of existing systems, and absent consideration of achievable benefits from onsite alternatives, there is no basis for concluding either (a) that onsite alternatives for existing homes cannot achieve reductions in pathogens and in nitrogen loads equivalent to or greater than the net reductions achieved by the sewer proposal with its

resultant further residential development, or (b) that the high total costs of the sewer service proposal are justified as compared to the lower total costs of the onsite remedies.

We further believe that the windfall profit expectations of investors who made highly speculative investments in vacant lots, the vast majority purchased at nominal prices, should not drive the decision on the current sewer service proposal. This is particularly true when those profits would be subsidized by imposing large additional costs on SKI homeowners and County taxpayers.

To help make Kent Island, in the words of the Comprehensive Plan, “a good neighbor for the Bay”, all these vacant SKI lots could be acquired by eminent domain at their fair market values for Bay-friendly public purposes such as improved stormwater management and forestation. This could be done for a fraction of the \$53 million cost of the sewer service proposal, much less the future costs for roads, schools and other infrastructure improvements required by the additional residential development. The result would be an exemplary step forward in protecting the Bay.

QACA urges, as we long have urged, that a firm policy commitment should be made at both the State and County levels to prevent further major residential development on Kent Island. Such a commitment is long overdue and would have many benefits. If that commitment had been in place during the past year, the SKI sewer proposal would never have gotten off the ground, and other solutions would have been sought to a “failing septic” problem that would have been more responsibly defined.

The SKI sewer proposal is not in the public interest and should be rejected.

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**ADDITIONAL STATEMENT OF JAY FALSTAD, QACA EXECUTIVE DIRECTOR:** “Concerned County citizens have, over a period of years, established – and shared their information with the County -- that there are

less costly alternative site modifications, upgrades, and newer onsite wastewater treatment technologies that can address SKI septic system failures. It is irresponsible for the County never to have investigated and evaluated those alternatives before committing to a costly project that will bring major new residential development to a place where it is widely agreed that it should not occur.

“The SKI sewer proposal has always been driven mainly by external considerations that should not be controlling – such as the unwise construction of an over-sized KNSG wastewater treatment plant or the ten-fold profit expectations of a group of politically-connected speculators in vacant lots. Our ongoing research, so far limited to five of the nine SKI communities, shows that speculators own many hundreds of vacant lots in batches of anywhere from two to two hundred. We will have more to report on this in the future.”