

CRA disappointed over failure of legislative initiatives

Organization says it would like to be part of governor's septic task force

By **JACK SHAUM**
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CHESTERTOWN — The Chester River Association says it is disappointed that several legislative initiatives it supported in Annapolis this year did not win the approval of lawmakers.

At the same time, though, it says it would like to be involved with a task force created by the governor to study septic systems and their role in contributing to pollution.

The CRA's legislative agenda for 2011 urged better septic systems, increased fees for violations within Critical Areas and incentives for the creation of energy from biofuels. None of those bills passed during the session that concluded April 11.

"We're not pleased, but we are encouraged by the creation of the task force," said Riverkeeper David Foster in an interview. "The real issue is how effective is that task force going to be?"

Gov. Martin O'Malley signed an executive order last week creating the task force to look into the septic issue. He did so after an administration bill to ban septic systems in some rural developments failed to pass and was referred to summer study.

"We'd like to be involved with that. We'd like to have people from the Eastern Shore on that task force," Foster said. "If the task force is serious, it can make a difference."

"We've approached them about participating," said CRA Executive Director Bob Parks in the interview.

He said the CRA backed legislation that would have required all new homes in Maryland to have so-called "best available technology" septic systems. These would be Biological Nutrient Removal (BNR) systems capable of removing nitrogen from wastewater.

In 2009, the General Assembly approved a CRA-backed bill requiring all new homes and failing septic systems in Critical Areas near local waters to upgrade to BNR systems. The organization saw this year's legislation as a natural follow-up to that bill.

But, Foster said, the BNR legislation in the 2011 legislative session failed.

Efforts to increase certain fines and permit fees of the Maryland Department of the Environment were not successful either, the riverkeeper said. The revenue from increased fines and permit fees would have gone toward hiring more MDE inspectors to monitor Critical Area violations.

Another initiative that did not succeed in 2011 would have created incentives for farmers to produce electricity using biofuels such as from locally grown switchgrass. A similar bill failed in 2010.

It would have allowed for construction of facilities to convert biofuels into viable energy sources and would have benefited farmers growing such things as switchgrass.

The CRA is pleased that legislation passed that will limit lawn fertilizer pollution in the Bay by helping reduce nitrogen and phosphorus runoff.

"This is a step forward because it helps control phosphates and nutrients," Foster said. "It's another way to persuade not just farmers but homeowners in the Bay watershed as well."