



Testimony in SUPPORT with AMMENDMENTS of House Bill 131 – Environment - Bay Restoration Fund - Septic System Upgrade Program

Environment and Transportation Committee Hearing
2:00pm – February 5, 2025

2/3/25

To Chair Korman, Vice Chair Boyce, and members of the committee,

Thank you for this opportunity to submit testimony in **SUPPORT with AMMENDMENTS** for **HB 131** on behalf of ShoreRivers. ShoreRivers is a river protection group on Maryland’s Eastern Shore with more than 2,500 members. Our mission is to protect local waterways through science-based advocacy, restoration, education, and engagement.

Our rivers are impaired by nitrogen, phosphorus, sediment, and bacteria. Pollution from septic systems has a great impact on local water quality in rural areas, such as the Eastern Shore. Outdated and failing septic systems leach nitrogen, phosphorus, and harmful bacteria to tidal and non-tidal waterways — causing pollution and human health concerns. Pollution from septic systems now exceeds nitrogen pollution from our wastewater treatment plants in 17 counties, including Kent and Queen Anne’s, which make up the Chester River watershed. As the Chester Riverkeeper, I research and collect water quality data including nitrogen, phosphorus, and fecal enterococci bacteria levels and communicate my findings to communities within my watershed. On the Chester, of the 13 sites I monitor for fecal enterococci pollution, four failed to meet the threshold for safe water contact more than half of the times they were tested. **Additionally, recent studies from the University of Maryland Environmental Finance Center state that “properties with septic systems make up 46 percent of all properties in Maryland that are exposed to a 100-year coastal flood event,” making it vital for the Department of the Environment to include resiliency considerations when funding and siting septic projects.** These regions are the most likely to be impacted by sea level rise and flood inundation. As such, this is an opportunity for the state to ensure that septic systems within these areas are the most efficient and functional to lessen human health and environmental impacts in the face of climate change.

While we believe HB131 will improve the funding scope of the Bay Restoration Fund (BRF) to accelerate septic and drain field upgrades in both the Critical Area and non-tidal waterways, we offer the following friendly amendments:

- Include “frequency of required pump out and repair frequency cost” when ranking best available technology (BAT) systems
- Specify watershed size for “failing systems that are located within the watershed of a nitrogen -impaired body of water” to reference Maryland 8 digit HUC that has a local TMDL
- Include failing septic systems in the 500-year floodplain in the priority funding list within the Bay Restoration Fund

ShoreRivers is a strong proponent for policies that help to address pollution coming from septic systems. For these reasons, **we urge a favorable report, with amendments, from this committee for HB131.**

Sincerely,
Annie Richards, Chester Riverkeeper on behalf of:

ShoreRivers

Isabel Hardesty, Executive Director

Annie Richards, Chester Riverkeeper | Matt Pluta, Choptank Riverkeeper
Ben Ford, Miles Wye Riverkeeper | Zack Kelleher, Sassafras Riverkeeper