



MARYLAND DEPARTMENT OF THE ENVIRONMENT

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Martin O'Malley
Governor

Robert M. Summers, Ph.D.
Secretary

Anthony G. Brown
Lieutenant Governor

November 14, 2014

The Honorable Philip L. Dumenil
President
Board of County Commissioners of Queen Anne's County
Liberty Building
107 North Liberty Street
Centreville, MD 21617

Dear President Dumenil:

The Maryland Department of the Environment (MDE) has completed its review of **Queen Anne's Water and Sewer Amendment No. 11-05 (Southern Kent Island Sewer Project Amendment)** to the 2011 Queen Anne's County Water and Sewerage Plan. The Board of County Commissioners approved the Amendment on September 23, 2014. The Amendment outlines the County's intended plan for addressing the public health concerns at nine communities in the Southern Kent Island (SKI) area of the County by providing public sewer to these communities. This Amendment allows public sewer to be extended to 1,518 existing homes, eight existing non-residential properties, and a maximum of 632 vacant lots in the SKI area. The Amendment revises the Water and Sewer Plan's Executive Summary, Section 4.5, Section 5.14.3.8, Appendix VI, and Appendix IX. The Amendment also revises three maps: 1) *Chesapeake Estates / Sunny Isle of Kent / Batt's Neck / Kentmorr Sewerage Public Health Areas of Concern*; 2) *Queen Anne Colony and Kentmorr Sewerage Public Health Areas of Concern*; and 3) *Kent Island Estates and Romancoke Sewerage Public Health Areas of Concern* (see enclosed Amendment No. 11-05 and maps submitted by Queen Anne's County).

Previously, by letter dated December 7, 2011, the Department partially approved and partially denied the 2011 Queen Anne's County Water and Sewerage Plan (see enclosed letter). During the Department's review of the 2011 Queen Anne's County Water and Sewerage Plan, several portions of the Plan pertaining to the SKI area were not approved at that time (pages 1-4, 93-94, 107-110, and 223-227). This Amendment resolves the County's planning issues for the SKI area.

During MDE's review of Amendment No. 11-05, the Maryland Department of Planning (MDP) advised the Department that the Amendment is consistent with the Queen Anne's County 2010 Comprehensive Plan (see enclosed comments). The Department hereby approves the **Queen Anne's Water and Sewer Amendment No. 11-05 (Southern Kent Island Sewer Project Amendment)**.

The County is reminded that the Southern Kent Island sewer project must adhere to the conditions set forth by the Smart Growth and Neighborhood Conservation Coordinating Committee (SGCC) in its July 17, 2014 letter to Virginia Kearney, Deputy Director of MDE's Water Management Administration (see enclosed letter).

The Department of Natural Resources (DNR) advised MDE that portions of the proposed service area are within Rare, Threatened, and Endangered (RTE) species areas. RTE areas are places where rare, threatened, or endangered native Maryland flora and fauna occur. Please be advised that special protection of these areas is necessary to ensure the persistence of these imperiled flora and fauna throughout the State. For guidance concerning the protection of RTE areas, please contact Greg Golden of DNR's Project Review Division at 410-260-8331, who will further coordinate with Lori Byrne of the Wildlife and Heritage Service at 410-260-8573.

Please also be advised that portions of the service area are located within the Chesapeake Bay Critical Area Resource Conservation Area (RCA). Any development occurring as a result of the approval of this Amendment must adhere to all Critical Area restrictions associated with the RCA. Please contact the Critical Area Commission at 410-260-3476 concerning Critical Area requirements.

This action completes MDE's review, as required by §9-507 of the Environment Article, Annotated Code of Maryland. If you need further assistance on these matters, please contact Virginia F. Kearney, Deputy Director, at 410-537-3512, toll free at 800-633-6101 or by email at virginia.kearney@maryland.gov.

Sincerely,



Jay Sakai, Director
Water Management Administration

Enclosures

cc: Alan Quimby, P.E., Department of Public Works, Queen Anne's County
John E. Nickerson, Queen Anne's County Health Department
Nick Kelly, Chesapeake Bay Critical Area Commission
Greg Golden, Environmental Review Unit, DNR
Rich Josephson, Director, Planning Services, MDP
La Verne Gray, MDP
Virginia F. Kearney, Deputy Director, WMA, MDE