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Maryland Community News

Published: Thursday, November 8, 2012

Frederick County backs group challenging bay cleanup costs [by Ryan Marshall](#) *Staff writer*

When state officials announced the costs to Maryland counties for efforts to clean up the Chesapeake Bay, the Frederick County Board of Commissioners was one of the first governing bodies to raise concerns about the financial burden the efforts would impose on counties.

Frederick County was also one of the founding members of the Maryland Rural Counties Coalition, formed partly in response to concerns about the costs of bay cleanup and to give the state's less populated areas a voice in Annapolis.

Now, the commissioners have voted to help fund another coalition that could mount a legal challenge to how the cleanup costs are implemented.

The estimated cost for Frederick County to meet the requirements for nitrogen and phosphorous runoff from wastewater, stormwater and septic systems is more than \$1.8 billion by 2025, according to figures provided by the county.

The state plan is part of a larger effort initiated by the U.S. Environmental Protection Agency to clean up the bay by 2025, as required by the federal Clean Water Act.

The Chesapeake Bay watershed covers 64,000 square miles, and cleanup efforts involve six states and Washington, D.C.

The Dorchester County Council has asked a number of Maryland counties to each donate \$25,000 to what has been dubbed the TMDL Coalition.

The abbreviation stands for "total maximum daily load," a calculation of the maximum amount of a pollutant that a body of water can receive and still meet safe water-quality standards.

The Frederick commissioners voted 4-1 at a meeting Thursday to give Dorchester \$25,000 in support of the coalition. Commissioner David Gray (R) opposed the proposal.

The coalition aims to make sure efforts to improve the water quality of the bay are pursued "in a prudent and fiscally responsible manner," according to an Oct. 26 letter sent to the Frederick commissioners and signed by Jay Newcomb, president of the Dorchester council.

Organizers hope to get at least seven other counties to join the coalition, the letter said.

Attorneys from the law firm Funk and Bolton, which has offices in Annapolis, Baltimore and Chestertown, met with the Frederick commissioners on Oct. 12 in a closed session, commissioners' President Blaine R. Young said Thursday.

The lawyers also have met with officials from Caroline and Cecil counties, as well as the rural counties coalition, according to the letter.

Meetings with the lawyers also are scheduled in the coming weeks with officials from Allegany, Carroll, Harford, Kent, Washington and Wicomico counties, and Calvert, Charles, Somerset and Queen Anne's counties have also expressed interest in being part of the TMDL Coalition, the letter said.

Worcester, Talbot and Saint Mary's counties also have been contacted, it said.

The stormwater management legislation is an investment in local water quality, said Alison Prost, Maryland executive director for the Chesapeake Bay Foundation, a nonprofit watchdog group dedicated to advocacy and education about the importance of the bay and keeping it clean.

If the motive of the coalition is to get technical assistance with prioritizing the order of projects or help finding grants or other funding, the foundation is ready and eager to help, Prost said.

But if the motive is to cause delay in cleaning up Maryland's water quality or raise questions about the science behind the regulations, CBF disagrees with that approach, she said.

Newcomb couldn't be reached for comment.

The costs facing the county from the state regulations are so enormous that they have to be addressed, commissioners' Vice President C. Paul Smith (R) said.

But Smith said he doesn't want to see the county get into an open-ended commitment to help fund research that ultimately may not be of much use.

Young said the county has asked for a letter from the coalition's organizers spelling out the group's expected activities in the future.

"It's critical that we work with others to have more impact and more influence on a state level," Smith said.

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