

**1000 Friends of Maryland \* Chesapeake Bay Foundation  
Cleanwater Linganore \* Clean Water Action  
Coalition for Smarter Growth \* Eastern Shore Land Conservancy  
League of Women Voters of Maryland \* Maryland Conservation Council  
Maryland League of Conservation Voters \* Mason Springs Conservancy  
Mattawoman Watershed Society \* Montgomery Countryside Alliance**

**SB 748 Sustainable Growth and Agricultural Preservation Act – Application  
Education, Health and Environmental Affairs  
March 1, 2016**

**Position: Oppose**

SB 748 extends by 4 years a key “grandfathering” milestone in the Sustainable Growth and Agricultural Preservation Act of 2012 and, in doing so, undermines the Act.

The Sustainable Growth and Agricultural Preservation Act of 2012 was designed to help clean up the Bay and its tributaries by limiting subdivisions on septic systems and encouraging development in areas that have, or will have, public sewer service. Major developments on septic systems pollute local waters and the Bay, fragment agricultural and forest land, undermine agri-business, and burden local governments with disproportionately high costs for providing services.

The Act limits residential development in areas dominated by agriculture and forest to minor subdivisions (as defined by the local government, up to seven lots); however, major subdivisions already in the development review process at the time the law was passed are allowed to proceed, provided certain milestones are met.

July 1, 2012 – the date that the Act took effect – was also the deadline either to apply for percolation testing or, in jurisdictions where applications are not accepted year round, to have a licensed surveyor or engineer prepare a certified plan showing percolation test locations in anticipation of applying. Within 18 months of percolation test approval, the developer was required to submit a preliminary subdivision plan showing the lot layout and road network, among other features. The final milestone is obtaining preliminary subdivision plan approval by October 1, 2016.

October 1, 2016 is a fair milestone. Four years (and 3 months) is more than enough time to complete percolation testing, design a preliminary subdivision plan, and obtain preliminary subdivision plan approval.

**We respectfully urge an unfavorable report on SB 748.**