

The CLUE

Calendar of Events

Tuesday, April 13, at 1 pm

Board of County Commissioners (County Admin Building) *Adoption of new Comprehensive Plan*

Thursday, April 15, at 6:30 pm

Joint Democrat-Republican forum on the Charter Government proposal (County Admin Building) *Open to everyone*

Monday, April 19, noon and 7 pm

Planning Commission (County Admin Building)

Tuesday, April 20, at 6 pm

Public Information Meeting on the draft Charter Government proposal (Cecilton Fire Hall)

Tuesday, April 20, at 7 pm

CLUA Board (Perryville library) *Discussion of agricultural land preservation with Bill Kilby; all invited*

Tuesday, April 20, at 7 pm

Board of County Commissioners (North East Town Hall)

Thursday, May 6, at 6 pm

Public Information Meeting on the draft Charter Government proposal (Bohemia Manor High School)

Tuesday, May 11, at 6 pm

Public Information Meeting on the draft Charter Government proposal (Rising Sun library)

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CLUA Charter Government Committee Report

Meeting Notes: 4/6/10, 6:45, North East Library

Topic: Review questions re Charter and Charter process with Charter Board Members

Chris Ann Szep and Dan Schneckenburger of the Charter Board joined George Kaplan, Julia Belknap, Stephen French (by phone) and Nancy Valentine. The discussion centered on the questions provided by the committee and provided context of the Charter Board's decisions and some estimate of areas where there is still some potential for change.

Charter topics:

- Executive
 - Elimination of two term limit which CLUA committee favored. *Charter Board made the elimination on a narrow margin. The prevailing argument was that the ballot box was the appropriate way to limit terms.*
 - Committee would like some controls on the role of the County Administrator in the case that the elected Executive cannot perform duties for more than thirty days. *Chris and Dan agreed there was some need for clarification but that might be handled through procedural rules developed by County Council. May be brought up to Dr. Tervala and Charter Board*
- County Council
 - Committee preference for At-Large election to foster a county-wide focus in the Council while still having a council member residing in each of the districts.
The County Charter Board discussed this at great length. The argument that led to by-district election seems to be that this supports local control and the theme of "people's charter". Polls at the forums are showing a preference for district election. Committee noted that the question on the forum feedback sheet might imply that there would be no district residency requirement in an at-large election.
 - Committee offered suggestion that there should be a process to remove an appointed person in the Executive administration for cause when the Executive fails to do so. *The Charter Board is intent on having clear separation of legislative and executive functions. Belief is that the election process would take care of failure of the County Executive to manage the administration of the county with integrity.*
- Redistricting
 - Committee felt that there was a lack of clarity on how the County Council would change the submitted plan of the appointed Redistricting Commission. The committee would like to see the plan approved on a straight up/down vote. If voted down, the plan would be returned to the Redistricting Commission with comments. *Chris and Dan suggested that this might be worth discussion and clarification.*
- Charter finalization before election
 - Committee wanted to better understand who finalizes and when. *The Charter Board continues to own the process until it turns the document over to the election board in early August. The Charter Board continues to meet monthly. Next meeting is Monday 4/12 at 6pm in the Perryville Room of the*

County Administration Building. CLUA will have members attend these meetings.

The CLUA Charter committee will encourage CLUA members and friends to attend the April 15 Charter Forum to hear the proposed Charter discussed along with the Republican and Democratic organizations.

The committee will also propose a general meeting to secure approval of a CLUA position on Charter. The timing for this general meeting and discussion may depend on continuing activity of the Charter Board.

— Nancy Valentine, chair

CLUA Needs Your Membership

We hesitate to again make this plea because it feels like a public radio membership drive. Plenty of CLUA's friends regularly receive our newsletter and we are glad that we provide information you can use.

CLUA is an open organization welcoming all to meetings regardless of membership status. But membership is only \$10.00 per year. Since this is an election year, there is even more relevance to increasing our membership and our available funds for sharing information and extending our reach. We are a stronger force for preservation and open government when we represent a hundred paid members across Cecil County.

We hope that you will join us by sending your membership check to:

Cecil Land Use Alliance
P.O. Box 215
Colora, MD 21921

And feel free to add a donation to your base membership if you are able.

Light Pollution Results

In response to the articles in the February and March newsletters, three people reported their observations of stars in the constellation of Orion. The results were: Just east of Port Deposit: 4.5; Colora: 4.5; Middle of Fair Hill: 3.5. The numbers refer to the magnitude of the faintest stars seen in Orion, with fainter stars having higher numbers. (The magnitude scale is logarithmic, and the brightest stars we see typically are of magnitude 0 or 1; the stars in the Big Dipper are magnitude 2, and the faintest stars visible to the naked eye in very dark skies are about magnitude 6.) These numbers indicate that about twice as many stars were visible in Orion when viewed from the western part of the

county than from Fair Hill. This may seem somewhat surprising, but Fair Hill probably suffers from the lights of Elkton and Newark. Also, the Fair Hill observation was later, when Orion was in a more westerly direction (and lower in the sky), and lights from Rising Sun may have been a factor for it.

Generally, the darkness of the night sky is not uniform, and is highly influenced by nearby towns and cities or large shopping malls. The Colora observation was mine, and my night sky is darker overhead and to the west and north than it is to the south, where Orion was. To give you some perspective, I can see the Milky Way — barely! — from my house when it is overhead in the evenings of late summer and fall (on good nights). Unfortunately, that is a sight that fewer and fewer people in Cecil County are able to enjoy, and it may disappear from my sky, too, as development around Port Deposit and the new slots facility increases.

As the February article noted, a carefully crafted lighting ordinance would go a long way to reducing the impact of further growth on the night sky while still providing for safety and reasonable commercial signage at night. We need not re-invent the wheel — such ordinances have been successfully used elsewhere, with noticeable results. Let me know if you are interested in helping to investigate this possibility.

— George Kaplan

Cecil Watershed Watch

April 2010

Rupert Rossetti
(RupertRossetti@aol.com)

Upcoming Events:

- **Building Green 101:** The first in a series of 4 overview presentations by Cecil College and Frederick Ward Associates about the basics of green.

April 16, 2010, 8:00 a.m: Cecil College, Elkton Station. \$10 per person. RSVP required. Continental breakfast included. RSVP to Lee Dougherty, 410-392-3366 or ldougherty@cecil.edu

Future dates / topics:

April 30: LEED, Building Mandate for Change: A discussion of the LEED scoring system and green regulations required by states, cities and counties for schools and government buildings.

May 14: Storm Water Management - How it Affects the Bay

- New Castle County Chamber of Commerce to Host **Green Networking Event** on **April 20th from 4:30PM - 8:00PM** at the DoubleTree Hotel on Concord Pike! This event is sponsored by former CLUA Board Member Paul Hughes. For more information, contact Paul at pyui@aol.com

Mark your calendars:

1. Cecil Wade-In

Sat 10th July at North Bay Environmental Education Center

2. Sassafest (including Wade-In)

Sat 17th July at Betterton Beach, on the Sassafras, organized by the Sassafras River Association.

Local Watershed Activities:

Farewell to Kascie Herron, the Sassafras RIVERKEEPER: Kascie Herron is heading to Alaska, leaving big shoes to fill at SRA. Kascie's been a real asset to the Sassafras and has also been an invaluable ally in the pursuit of clean water at the head of the Bay. She will be sorely missed! Please join me in thanking Kascie for all her work over the past three years and in wishing her well in her new adventure! Meanwhile, the SRA is seeking a new RIVERKEEPER. If you know of anyone who might be interested, please let them know. For more information about the SRA, follow this link: www.sassafrasriver.org/whatwedo/2010_03_sassafrasupdate.pdf

Stone Run Watershed Assessment: Fieldwork is complete and we await the completion of the "Implementation Memo", which will document, classify and prioritize the various projects. The next step will be to go after funding to get the projects in the ground.

Streamwaders Field Work: If you'd like to get your feet wet and your hands a little dirty, we will be out collecting macro-invertebrates in the Octoraro and Mill Creek watersheds later this month. We collect samples from the streambed and send them to the DNR labs for analysis. The lab looks at the type and number of aquatic invertebrates, such as mayflies, caddisflies, stoneflies and dragonflies, in each sample. These little critters are very good indicators of stream health. They vary in their sensitivity to water quality and since some of them live for over a year, and don't move around much, they can tell us a good bit about the quality of the stream over time. Please email me if you are interested in learning more!

State Legislative Session. There are at least two pieces of pending legislation of significance to Cecil County:

Stormwater Management: This has turned into a contentious session for Stormwater, with some "last minute" changes being proposed to the Stormwater

Management Act of 2007. "Last Minute" because the regulations that implemented the Act were due to be implemented on May 4th. During this legislative session, a powerful combination of lobbyists for developers and municipalities has successfully pressed to modify the regulations, relaxing the requirements for infill projects in Priority Funding Areas, and increasing the number of projects still in the design phase that can be grandfathered under the old regulations. The changes sought by the lobbyists also include a significant increase in the number of redevelopment projects eligible for off-site waivers. The sum total of these changes are to weaken the impact of the Stormwater Management Act by increasing the number of projects exempted from Environmental Site Design requirements. At time of writing, **HB 1125** has been passed by the House and is in the Senate. This would modify the legislation passed in 2007. Simultaneously, much the same wording has been written as a set of emergency regulations, which, if approved by the joint House-Senate "Administrative, Executive, and Legislative Review Committee", would remove the need for the legislation. Given the fact that Stormwater from development is the one area in which pollution loads to the Bay are increasing, neither of these is an attractive option. If either takes effect, we will have to be extra vigilant at the local level to ensure that our local ordinance is not "gutted" and that waivers and exemptions are kept to a minimum.

"Update - Emergency Stormwater Regulations approved by the Joint Committee on Administrative, Executive and Legislative Review on April 6, 2010." Let's be vigilant!

"Fly Ash": The General Assembly has passed and sent to the Governor **HB 1508**, submitted by Delegate David Rudolph, which succinctly states that *"The department may not issue a permit under this title to install a new refuse disposal system that would accept coal combustion by-products for disposal **or for new non-coal mine reclamation using coal combustion by-products** if the refuse disposal system or noncoal mine reclamation would be located in ~~or adjacent to~~ a critical area, as defined under § 8-1802 of the natural resources article."* With the amendments shown in blue and strike-through, this passed the House 138-0, the Senate Education Health and Environmental Affairs Committee 9-0, and the full Senate 47-0. For more information, follow this link: <http://mlis.state.md.us/2010rs/billfile/HB1508.htm>.

Federal Legislation:

The Chesapeake Clean Water and Ecosystem Restoration Act of 2009 [S. 1816 / H.R. 3852]

The Chesapeake Clean Water and Ecosystem Restoration Act of 2009 was introduced in the Senate as S. 1816 and in the House as H.R. 3852. Both bills were introduced on October 20, 2009. S. 1816 was sponsored by Senator Ben Cardin and referred to the Senate Committee on Environment and Public Works and the Subcommittee on Water and Wildlife. Hearings were held on November 9, 2009. H.R. 3852 was introduced by Rep. Elijah Cummings. The bill has 16 cosponsors and has been referred to the subcommittee on Water Resources and Environment.

CCWERA requires the EPA and the Bay States to put in place the mechanisms necessary to restore the Chesapeake Bay by 2025. Some of the most important components of the bill include a legal requirement to finalize the Chesapeake Bay-wide TMDL, the adoption of Watershed Implementation Plans, expanded permitting authority for the EPA, and significant funding for grants that will be key to making it all work.

I will be asking the CLUA Board to write a letter in support of the Act, and hope that you will join me in thanking Senator Cardin & Congressman Cummings.

Let us hear from you! The CLUE belongs to you. We'd like to know what you have to say. What are your concerns and interests regarding Cecil Land Use? Tell us about your pet peeves, your ideas for improvement, people you'd like to praise, process suggestions, new problems identified, new opportunities arisen, or new challenges to face. Speak up, and share with us. Write to the editor at gkaplan@zoominternet.net.

The Cecil Land Use Alliance newsletter is published periodically under the auspices of the Board of Directors. It is provided to all members, directors and available to the public at large. Suggestions and articles are welcome. They should be submitted to the editor by e-mail to gkaplan@zoominternet.net, or by mail to P.O. Box 215, Colora MD 21917. We encourage our readers to visit our website at <http://cecillanduse.org>