

The CLUE

Calendar of Events

Tuesday, May 11, at 6 pm

Public Information Meeting on the draft Charter Government proposal (Rising Sun library)
Last public information meeting scheduled

Thursday, May 13, at 7 pm

CLUA Board (Elkton library)

Friday, May 14, 8 am

“Storm Water Management — How it Affects the Bay” Third in a series of overview presentations by Cecil College and Frederick Ward Associates. \$10 per person, includes continental breakfast. RSVP to Lee Dougherty, 410-392-3366 or ldougherty@cecil.edu. (Cecil College Elkton Station)

Monday, May 17, noon and 7 pm

Planning Commission (County Admin Building)

Tuesday, May 18, at 7 pm

Board of County Commissioners (Charlestown Fire Hall, 307 Market Street, Charlestown)

Wednesday, May 26, 6-9 pm

PlanMaryland — a public forum by the Maryland Department of Planning to help plan the future of Maryland (Cecil College Tech Center) [Flyer](#)

In This Issue: Ag land preservation (p. 1); Charter government update (p. 3); Rossetti wins conservation award (p. 4); Watershed Watch (p. 5)

Agricultural Land Preservation in Cecil County

Jill Burke and Nancy Valentine

On April 20th, Bill Kilby, of Kilby Cream and President/Chairman of the [Cecil Land Trust](#), spoke to the Board about agricultural land preservation issues in Cecil County.

Using [a Planning and Zoning Map](#) of all permanent preservation easements in the county, Mr. Kilby guided us through the mechanisms of establishing value and seeking

funds for agricultural land preservation and creation of the easement document detail. A key piece of information is that some easements are purchased using sources such as the [Maryland Agricultural Lands Preservation Fund](#) (MALPF). Other easements are made as a charitable contribution which the owner can use to reduce taxes over time if done correctly. Each situation can be a little different to meet the needs of preservation and personal needs of the person putting his/her land in preservation. The key roles of the Cecil Land Trust are in identifying likely preservation candidates, prioritizing the lands for the MALPF purchases, facilitating and negotiating preservation agreements, and monitoring properties in preservation to see that the easement is being adhered to. Currently, there is a backlog of 70 properties in Cecil County. The [Eastern Shore Land Conservancy](#) provides similar services in support of land preservation south of the canal.

Land values have gone down along with the current economic recession so the amount that can be offered is substantially lower in the current economy. To find ways that work to keep land in farming, the Cecil Land Trust is exploring a number of matching sources and working with County Commissioner Jim Mullin to identify those. There are funding sources at the federal level for protection of drinking water as well as agricultural land.

The Cecil Land Trust presented their ideas for continuing land preservation to the county commissioners in a work session on May 4, at about 11 am. These plans include doubling the area of [Fair Hill Rural Legacy](#), moving westward along MD 273 toward Rising Sun and along MD 274 and making the business case that farm preservation provides greater value to the county than residential development. Farming has a cost of \$0.50 for services for every \$1.00 of taxes paid while residential service costs may be as much as \$2.50 for services for every \$1.00 taxes paid. Farming that supports on-site retail and appropriate processing can provide additional income to the farmer and local jobs. When combined with preservation easements that qualify for water quality improvement programs and are matched with federal programs, farm preservation becomes a good county investment in its own future.

Agricultural preservation is a way to preserve the character of the county as well as the agricultural jobs. Mr. Kilby's discussion helped the board to understand how preservation is done and the issues surrounding it.

Follow-Up: CLUA had two members at the May 4, County Commissioners work session where Bill Kilby presented the Cecil Land Trust Plans. He was very clear on the lower cost to the county to serve agricultural lands than for any other type of development. Steven McHenry, Executive Director of the Maryland Agricultural and Resource-Based Industry Development Corporation (MARBIDCO) joined Bill in explaining his organizations supporting role in the financing side. Marbidco arranges and promotes financing of projects that sustain farming, forestry, and seafood industries in Maryland. Steve Cochran, a young local farmer hoping to preserve his 68 acre farm on Blue Ball Road also attended. Commissioner Jim Mullin offered the most support, including references to work going on at the state level, although all the commissioners seemed supportive of the concepts.

Update on Charter Government Proposal

Nancy Valentine

Just a quick note on the monthly meeting of the Charter Board which is reviewing feedback and questions about charter.

There was not a quorum so no decisions made. Participants were Joyce Bowlesby, Barry Montgomery, Henry Burden, and Harland Graef. Vicky Rinkerman provided admin support.

When I walked in they were going over the CLUA committee questions that Chris Ann and Dan had shared with the Charter Board. And discussion kind of slowed down. They agreed that they had spent a long time on most of what we had to say as if there was no need to help people understand why they decided what they had. They are putting great stock in the exit feedback forms that they are getting at the forums and other meetings.

Only redistricting got any discussion and this one they talked about with Vic Tervala, charter consultant, by phone. Our suggestion of an up or down vote and return the proposal to the Redistricting Commission was seen as time-consuming in a time-constrained process. They **do** mean that if the County Council doesn't like the commission's proposal the Council is to arrange the districts by legislation. If they choose not to pass a changed plan as legislation, the plan becomes the new district arrangement.

The issue of at-large vs. by-district voting for county council seats seemed to have the most potential to change. (With "at-large" voting, each County Council member would be resident in a specific district but must be elected by the entire county. With "by-district" voting, only the voters in a district would elect the County Council member from that district.) They expect a lively session at the Thursday forum for the Democratic and Republican political clubs and groups in the County. The exit feedback is coming in at about 80% in favor of by-district. Barry Montgomery asked, as did we, whether it was clear what people meant when they said by-district. Joyce said it was clear because it had just been discussed in the slide presentation. This was one of several areas where they appeared to be willing to go either way a strong preference among citizens develops. The 80% so far is from 194 participants in several meetings.

The question that we and others raised relating to any impact of early voting on the timing of the hand-off of the Charter proposal to the county was clarified by Dr. Tervala. There needs to be enough time from the hand off to allow for publishing the charter two times and have the election within 90 days. The real timing issue seems to be around the framing of the ballot question which belongs to the county attorney. The ballot questions need to be completed by the third week in August. The Charter Board and Dr. Tervala intend to provide suggested language for that.

The question of including reference to the U.S. Constitution was suggested but nixed by Dr. Tervala who reminded the group that the county is a body politic only in relation to state authority. Although the US Constitution and laws are relevant, the state not the federal government grants power to the county.

Next meeting of the Charter Board is May 1 at 6 pm in the Perryville Room of the County Admin Bldg. I get the feeling that if any changes will be made they will be made after the public forums are complete May 11. So maybe the June meeting is the one to focus on.

Sidebar on redistricting: After the 4/15 Charter Forum where Henry Burden presented, a question was raised in a group that "election by-district would need to conform to a tighter population standard than our current election process requires". I contacted Evelyn Bishop at the County Board of Elections to see what current populations by commissioner district are. This information was unavailable in her office, but she did provide the current registered voter information by district. If the tighter standard is 5% allowed variance our current registered voter data shows that four of five commissioner districts might need some changes to meet that standard. Arithmetic mean is 11687 voters/district and the variances range from -6% to +7.2%.

Rupert Rossetti Wins State Water Conservation Award

Rupert Rossetti, one of the founders of CLUA and a current Board member, recently was awarded Maryland's 2009 **Bernie Fowler Award** for his contributions to maintaining stream water quality in the state. The award, also known as the "White Sneaker Award," is named for the former state senator who initiated the annual Patuxent River wade-ins more than 25 years ago to test water turbidity and bring attention to declining water quality. The award is given annually to recognize the outstanding contributions of a member of one of Maryland's tributary teams, who monitor water quality and help to implement pollution prevention measures in the state's ten major watersheds.

"Rupert Rossetti's work is a shining example for Marylanders," said Governor Martin O'Malley. "As we work towards restoring the Bay and our 2-year milestones, the work of our tributary teams is more vital than ever. Rupert and all our tributary team members' dedication inspire others to get involved, while working towards a greener, more sustainable future."

Rupert was also presented a certificate of recognition from the Cecil County Commissioners at their meeting on May 4, for his work on stream quality in Cecil County

The first wade-in in Cecil County will be held on July 10 at the North Bay Environmental Education Center.

Congratulations, Rupert! For more on the Bernie Fowler Award, see the story at <http://www.dnr.state.md.us/dnrnews/pressrelease2010/031210b.asp> .

Upcoming Events:

- **Building Green 101:** The third in a series of overview presentations by Cecil College and Frederick Ward Associates about the basics of green.
Friday May 14, 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. The topic is "**Storm Water Management - How it Affects the Bay**"
- **Wednesday, May 19th at 6 p.m.** Rising Sun Library. A presentation of the findings of the **Stone Run Watershed Assessment**

Mark your calendars:

1. **Cecil Wade-In**
Sat July 10th from 2 - 5 p.m. at North Bay Environmental Education Center
2. **Sassafest** - SRA's first River Awareness Day. Saturday July 17th from 10:30 am - 4pm at Betterton Beach, on the Sassafras, (including Wade-In)

Local Watershed Activities:

Spring Brings Change to the Sassafras River Association

Reprinted from the April edition of the Sassafras Update, which is chock full of news about the SRA. www.sassafrasriver.org/whatwedo/2010_04_sassafrasupdate.pdf

This month SRA says goodbye to the first Sassafras RIVERKEEPER, **Kascie Herron**, Kascie has been an outstanding member of the SRA team, working tirelessly to advance our mission. Kascie possesses a rare combination of energy, commitment, humor, intelligence—and more than a little charm—and she will be sorely missed. Kascie's love of the wilderness will take her to Alaska. We thank Kascie for her incredible effort and wish her great success on this adventure. And although she leaves big shoes to fill, in mid-May SRA will welcome **Jamie Brunkow** as the new Sassafras RIVERKEEPER. Jamie comes to us from Friends of the Rappahannock where he served as Stewardship Coordinator and holds a BS in Biological Sciences from Virginia Tech. Jamie is an avid paddler, runner and outdoor enthusiast and we're thrilled to have him on board. Much more on Jamie in May. SRA also welcomes **Nicole Robinson**, rising Senior at Washington College. Nicole joins the SRA team as an intern for the 2010 sampling season. Nicole will be assisting the RIVERKEEPER with weekly

data collection, data analysis as well as volunteer coordination. Look for Jamie and Nicole on the River in May!

Kim Kohl has announced she will be leaving SRA to join the Sierra Club. Kim will not step off until summer, ensuring a smooth transition for both RIVERKEEPER and Executive Director. SRA has started the search for a new ED. A complete job listing has been posted on the SRA website www.sassafrasriver.org Deadline to apply is May 14th. Congratulations and best wishes to Kim!

Stone Run Watershed Assessment:

After a rather long snow delay, we completed the assessment and are presenting a **review of our findings at the Rising Sun Library on Wednesday, 19th May at 6 p.m.** You are most welcome to attend. The goal of the fieldwork was to assess the state of the streams and to identify up to twenty water quality protection or restoration projects intended to improve conditions. We walked a total of 6.5 miles of streams and have identified at least twenty potential projects including stormwater retrofits, community rain gardens, wetland improvements, stream buffering and trash removal. Now that these projects have been identified, it is our intention to work cooperatively with landowners and private businesses to seek additional funding to implement "in the ground" projects.

Streamwaders Field Work: We sampled two streams this year, both of them in support of ongoing projects. On Tuesday April 20th, Nancy Valentine, Dori Murphy and I sampled three locations in Stone Run intended to fill in some gaps in coverage in this subwatershed. On Wednesday April 28th it was back to the streams with Judy Owen & Wyatt Wallace to conduct a long section sampling on a reach of Mill Creek. This section is of particular interest because it is a Tier II water, meaning that it exceeds water quality standards and is also the area where the Woodlands Perryville "green development" is planned. We hope to take a series of samples over the next few years, as construction proceeds.

If you, too, would like to get your feet wet and your hands a little dirty, we will be out collecting macro-invertebrates again next Spring after a one day training class in March. Please email me if you are interested in learning more!

Furnace Bay / Principio Creek

A proposed expansion to the Belvedere Road Sand and Gravel Quarry is currently under review by the State agencies.

Owner/Operator: York Building Products

Location: Bounded by Belvedere Rd, I-95, Red Toad Rd & the CSX Tracks

Highlights:

- Permit still under State Agency review
- Acreage: 276 acres
- Watersheds: Furnace bay/Principio Creek; North East River
- Current state: Wooded, second growth timber, to be harvested or burned
- Estimated closure Date: 2025
- To be mined in phases, starting with 35 acres cleared and 20 acres stripped and grubbed; ongoing, 15 acres stripped and grubbed ahead of the active mining area.
- No more than 50 - 70 acres to be open at any one time.
- Reclamation to be ongoing. As mining is completed, so that portion will be reclaimed.
- "Road" bridge across I-95 to conceal conveyor belt
- 100 foot vegetated buffers along Belvedere Road, I-95 & the CSX Track; some berms along Belvedere Road.
- Post-mining drainage to mimic pre-mining drainage
- Some buffers to be increased above state minimums
 - MDE's Science Services Administration recommends requiring a minimum 100 foot riparian buffer with wider buffers up to 230 feet based upon soil type and slope
- Slope areas to be reforested

From a "Watershed Watch" perspective, State agencies report that:

- Principio Creek and all its tributaries are Use III waters (non-tidal, coldwater streams), the only such one in the Elk River Basin. This surface mine will be in the headwaters.
- A portion of the Creek immediately downstream is a Tier II water (i.e. a high quality water that should not be allowed to degrade).
- This is a "Green Infrastructure Hub" and high quality "Forest Interior Dwelling bird Species" (FIDS) habitat.
- Macro-invertebrate sampling yielded a significant number of rare species and some perhaps as yet undocumented in MD.
- Floral and faunal surveys yielded a significant number of rare plant species
- The site contains two wetlands that are considered unique and of extreme ecological significance
- The hydrology on which the wetlands depend could be adversely impacted

We trust that the State agencies will responsibly discharge their obligations under COMAR to ensure that the proposed mining operation will not have "an unduly adverse effect on wildlife or freshwater, estuarine or marine fisheries" and that they will ensure that the potential impacts of said operation on the environment and public safety are properly documented. If you are concerned, a letter to the Governor and to Secretaries Wilson (MDE) and Griffin (DNR) would be in order!

From a public hearing perspective, the notice was placed in the Whig on Thursday May 14th, 2009, with a deadline of May 28th 2009 for a request for an informational hearing. We obviously need to do a better job monitoring the Legal Notices section of the newspaper!

CBF Settles with EPA Over Clean Water Act

Breaking news: See <http://www.cbf.org/Page.aspx?pid=1547&srctid=1&erid=3069823>

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>