

The CLUE

Calendar of Events

September 3-4 and 6-9, 10 am–8 pm

Early voting for primary election (County Admin Building, Elk Room)

Tuesday, September 7, 7 pm

County Commissioners' meeting (County Admin Building, Senior Center Room, Suite 1700) *Includes possible decision on re-opening new stormwater regulations*

Sunday, September 12, 1-7 pm

"A Day in the Country" to benefit Cecil Land Trust (Kilby Cream, Hopewell Road, 1 mile south of Rising Sun) *Tickets \$10 for adults, kids under 12 free*

Tuesday, September 14, 7 am–8pm

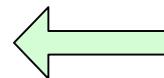
Primary election

Monday, September 20, noon and 7 pm

Planning Commission (County Admin Building)

Thursday, September 23, 7 pm

CLUA general meeting: Discussion of charter government proposal and decision on endorsement (Elkton library)



Thursday, October 21, 6 pm

CLUA general meeting: Guest speaker Richard Klein discusses the new Maryland stormwater regulations and Environmental Site Design (Rising Sun library)

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Join CLUA and the Cecil Land Trust on Sunday, September 12

The [Cecil Land Trust](#) is sponsoring its first "A Day in the Country" celebration on Sunday, September 12, at [Kilby Cream](#) in Rising Sun. The event will begin with a tractor pull scheduled from 1-5 p.m., sponsored by the Cecil Farm Museum. Local businesses and civic organization will be on hand to educate and inform the public. CLUA will have a

booth there. A variety of food and beverages will be available from 2-7 p.m. A live bluegrass band will perform from 5-7. Come enjoy a day in the country!

Tickets are \$10; children under 12 free.

Fun for all and a good time guaranteed. See you there!

Commissioner Candidates Answer Questions on County Growth

Last month, the [Cecil County Patriots](#) held forums for the candidates for Cecil County Commissioner. Separate forums were held for Republican and Democrat candidates. Both forums were held at the North East VFW hall and were quite well attended. The following summaries of the Q&A relevant to the concerns of CLUA were compiled by Jill Burke and Nancy Valentine. The answers from the candidates presented below are not complete verbatim quotations, but are best-effort paraphrases that are intended to fairly reflect the responses. We thank Jill and Nancy for their diligent note-taking — it's not easy in a fast-moving forum setting!

I. Republican Candidates for Commissioner (August 2)

Jill Burke

On Monday, August 2, the Cecil County Patriots held the forum for Republican candidates for county commissioner. Four out of the seven candidates attended the forum. The moderator was a man who was furnished by the Toastmasters organization. I believe he does not live in the county. I believe about 100 people attended the event. The evening was very interesting and informative. Below I have summarized the responses from the candidates for three of the questions that have to do with growth issues or Charter government. I apologize if there are any mistakes — none were intentionally made. Candidates Present: Terri Moore (**TM**), Ted Kolodzey (**TK**), Harry Hepbron (**HH**), Dianna Broomall (**DB**). No Shows: Mike Dunn, Mike Dawson and Chris Zeauskas

Question 1 (paraphrased)

State your position and understanding of the sale of the counties water rights to Artesian Water and what do you think about the county selling services to other providers?

TM – Recounted a history of the issue. She also said, “Unfortunately, it is in a court of law”. She stated that it was a wise decision to sell the water rights to Artesian since it would enable the county to move forward implementing infrastructure.

HH – Had reservations about selling water and sewer systems. He believes that a commercial vendor needs to make a profit. Almost all the plants have now been brought up to standards. He believes that when we sell off our rights we sell off the rights to hold the pricing at low levels. This means the county would have no authority over the company and no authority to stop the development.

TK – The aging facilities would cost the county money to upgrade but private companies have the means to do it on their own. This gives them incentive to develop but still save us

money. He believes it is a good decision because the free market will determine the best way to do something in the end.

DB – She believes a private company has more opportunity to expand the infrastructure. We need to be careful on how to proceed and go in a “controlled manner”. She sees this as a great opportunity for economic development. She hopes that new development will not be all houses.

Question 4 (paraphrased)

How do you think the growth corridor should be developed? What is your proposal to protect rural areas from over development and what is your view on the concept of impact fees?

TM – The plan is a blue print for development of the future. It shows how it takes place and helps us define what our development will look like. Do we want malls next to farms? She would like to put together a task force to put together incentives for development of the infrastructure .

HH – He has been in Agriculture his whole life and it has become economically difficult for the farmers. Farmers need new ways to survive. New niches need to be created. More money should be put into the “Ag program”. Without these things farmers are forced to develop their land.

TK – Most people love the rural atmosphere of the county. The development corridor is good. Overdevelopment is a huge problem and development needs to be looked at on a “case by case basis”. He believes that farmers need to be given a “fair” price for their land. Job growth in the growth corridor would be an excellent thing.

DB – She support s the comprehensive plan to preserve Agriculture. She was on the comprehensive plan committee and a member of CLUA. She believes we need incentives with TDR’s and to restrict growth in the NAR and SAR areas. We need infrastructure implanted in the growth corridor and incentives to build put there. Economic development can occur at the same time. She is impressed with the proposals for the North East and Elkton train stations.

Question 6 (paraphrased)

What is your position and rationale about charter government and do you think that candidates should be elected at large or by district? What do you think of the cost of charter vs. Code Home Rule?

TM – She stated it isn’t Charter vs. Code Home Rule because charter is on the ballot now. She supports at large representation. Be wary of the cost of charter government. If you don’t have good elected officials it doesn’t matter the form of government. The commissioners go week to week putting out fires and there is no formal strategic plan to follow. She will work with whatever form of government we choose.

HH – It is hard to get consensus with 5 commissioners. Charter is what we have to work with . We need change to move forward. Charter is a good thing and we may need to tweak it afterwards.

TK – Charter is not good due to the cost and we should keep our current form of government. The executive has too much power.

DB – As a member of CLUA they researched the issue. Charter didn’t allow for impact fees. The county appointed a board to look into charter that is comprised of mostly Chamber of Commerce members. Charter is more expensive, bigger government with less accountability. Code Home Rule makes better sense. The executive is too powerful and we would need high quality candidates.

II. Democrat Candidates for Commissioner (August 30)

Jill Burke and Nancy Valentine

On Monday, August 30, the Cecil County Patriots held their second forum for commissioner candidates at the North East VFW. The format and the moderator were the same. All the Democrat candidates attended the forum: Carl Roberts, Wayne Tome, Brian Lockhart and Earl Piner. Although there were 7 questions asked, only 3 were relevant to growth issues.

Question 1 (Paraphrased)

If elected commissioner what one thing would you like to accomplish during your turn in office and how would you accomplish it?

EP – Getting the county government and the state delegation to work out a plan on how to work together so that the citizens of Cecil County are heard in Annapolis.

BL – Privatization of the water and sewer lines in the growth corridor. The county was losing \$800,000 on managing these facilities but sold them for \$13,000,000.

WT – Establish infrastructure in the growth corridor. With the Port Deposit hook up to the Seneca Point system, it will jump start the use of Bainbridge. Establish use of large tracts of land for development in that area. Looking for businesses to get taxes and jobs and will get a sustainable community.

CR – Worst economic cycle in most everyone's lives. He would like to change the business structure of the county in relation to property taxes and the piggyback tax from income. Also, he would like to improve education on all levels so our workers are skilled.

Question 4 (paraphrased)

How do you think the growth corridor should be developed? What is your proposal to protect rural areas from over development and what is your view on the concept of impact fees?

EP – Corridor must have necessary access. It will help to bring revenue into the county. Would like to tax all the sand and gravel from county quarries that leave the county.

BL – Commissioners are already trying to run water and sewer down the growth corridor. The county spends a lot of time enticing new businesses here but forgets about the established businesses in the county. We need to protect these businesses so they will stay here. He sees the running of water and sewer lines in the growth corridor as part of this protection.

WT – He supports MALPF purchasing of tracts of land as a way to have preservation... PDR (Purchase of Development Rights) is a good program. The development rights can be sold by property owners in the NAR and SAR districts. It is tough to finance these purchases so we need special taxing districts to put in the comprehensive plan. We need help from the State to fast track putting the infrastructure in the growth corridor.

CR – To maintain our rural character we MUST grow in the growth corridor. We need a strategic plan on how to get the infrastructure in place. Businesses need to be in this corridor to better serve them. If we generate growth in the corridor, then we can maintain current density in rural areas. We need a private/public partnership to develop these areas. The developers need to foot the bill so not to overly burden the individual taxpayers.

Question 5 (Paraphrased)

How can we best use the Bainbridge site considering the rural economic development and to lure employers?

EP – Not familiar with this project but would become familiar with it if elected.

BL – Bainbridge is absolutely gorgeous. It is slated to be a mixed use site with commercial, industrial and residential use areas. Demand for housing will make Bainbridge take off. Some things going on down there that he is not at liberty to discuss.

WT – Bainbridge should be in partnership with the college, schools and libraries [to assure skilled employees are available]. We should keep the same template for a mixed-use area. It is not all cleaned up and when it is developed, it will be put back into the tax base.

CR – Port Deposit is a major player, along with the State in this ongoing project. It won't solve the economic problems that we have now. Need to market this along with that whole area to businesses. The undeveloped areas need to be opened up (Ed. Note: not clear whether this means along I95 or north on MD275)

Update on Artesian Case

Ed Cairns

There's been no decision yet on our Maryland Court of Appeals challenge of Cecil County's proposed sale of sewer and water facilities to Artesian. Carroll Holzer, our attorney, made some excellent arguments in court that sale of county property still in public use is contrary to law, and the court would change the law if they decided in favor of the county. If they do so, it would create a chaotic precedent throughout Maryland. Counties would then be free to sell public service facilities without recourse or restriction. The Court of Appeals is Maryland's highest court so the lawsuit ends with that court's decision, which could happen at any time.

Questions have been raised as to why we are pursuing this action and several Commissioners have blamed us for increasing their legal costs — an unfair accusation, as they chose to hire a new attorney in place of the County Attorney. This news release should clarify our position.

The present proposal is for the county to sell water and sewer facilities to Artesian for their original cost (sans inflation) less depreciation to date. This amounts to approx. \$13 million for some \$20 to \$30 million worth of property. No bids were allowed and an Artesian competitor requesting this opportunity was refused. This isn't how our Commissioners should dispose of County property!! Further, no economic evaluation was conducted — only some benefits were considered and the loss of water and sewer income from residential and commercial users was ignored. A very poor plan was developed by a small number of people; the single commissioner involved was later shown to have had a conflict of interest by the Ethics Board. His support for the plan benefited his employer's commitments to the Aston Pointe developer.

We cannot emphasize too strongly that the biggest control over new development location is where water and sewer facilities are installed or forthcoming. That power would pass to

Artesian, whose incentive is their profits — not preserving our county’s rural character and agricultural industry. Both the MD Dept. of Environment and the MD Dept. of Planning have raised this issue in reviewing the proposed sale.

Maryland Department of Planning Survey

Jill Burke

You can sign up to receive emails from the Maryland state Department of Planning. I did this and receive a monthly email about events and publications. The August email asked that I take a short survey about what I think the issues are in the state regarding planning and land use. Here is the link to take the survey. I urge everyone to spend 2 minutes answering important questions on land use.

<http://research.zarca.com/clients/9934432/survey.aspx?sid=45&lang=0&data=>

It is an August survey but may still be available in September.

There is a new publication that discusses the forums that the department ran last Spring. To read it, click on this link:

http://plan.maryland.gov/getInvolved/pdfweb/pfHearing_pdf.shtml

Click on Forum #10 for information on the forum in Cecil County. Pages 35-39 discuss the next steps in the planning process.

Lastly, there is a reprint of an article that appeared in the Daily Record on August 22 about the forums and the state wide plan which is being created. It is reprinted here:

http://plan.maryland.gov/pdfweb/media/mdDailyRecord20100822_pdf.shtml

Overview of the Cecil County Charter Proposal

Although the best way to inform yourself about the proposed change to charter government is to read the relatively short document at [charter proposal](#), here is a short take on what the proposal is. Our recommendation is below and we will seek member approval of the recommendation at the September 23, General Meeting at 7pm Elkton Library.

In Maryland, the default county government is the commissioner form, an elected committee in charge of legislation and supervision of the activities of county government. Over the years the state legislature found that local (county and municipal) legislation was taking precious time of the legislative session away from statewide issues. Once in 1918, and again in 1966, state law was changed to permit and encourage home rule in the counties. (It was mandatory in municipalities starting in 1954.)

In Cecil County several attempts between 1972 and 1996 failed to secure home rule for the county. But with the help of a strong Charter Board that developed a relatively simple,

straightforward charter and the political theater of the last budget cycle in the County, we have an opportunity in 2010 to establish local control of local issues.

The overriding theme of the Charter Board was to create an easy to understand document and to avoid the pitfalls of prior efforts by focusing on no additional cost to taxpayers and no unnecessary changes. The resulting Charter proposes:

- ✓ an elected County Executive who oversees the county departments and
- ✓ an elected five-member County Council that creates local laws and approves the county budget.

The Charter government statutes in Maryland do not grant new taxing authority to the county. While much local legislation including issuing of bonds and establishment of license or franchise fees become a local decision, creation of new taxes is not a power of the charter government. The statutes do give the county the power to change or amend existing state legislation where the matter is covered in the enumerated powers of charter counties. For detail on the scope of charter county powers see:

http://cecillanduse.org/resources/MD_gov_options.pdf . The Charter proposal includes provisions for citizen referendum on most legislation.

The major change to the cost of government is the addition of the County Executive. That cost is offset by reducing County Commissioners' salaries and benefits. Council members will not have the departmental oversight and county representation roles that are required of county commissioners. The other structural change is the elimination of the elected County Treasurer and addition of a Director of Finance within the executive branch. This reflects the financial education and accounting experience needed to manage a nearly \$165 million annual budget. One other change is the requirement that the County Executive submit a 5 year Strategic Plan to the County Council for approval. This can provide the roadmap for county activity as priorities are agreed on and put into action plans. It can also be used as a measure of success in the next election cycle.

There was considerable discussion on the election method for the County Council. The Charter Board, in a close vote, originally selected by-district election where each council member is elected by only those who reside in his/her district. After considerable citizen input, including this committee, to retain the current practice of at-large election, the Charter Board agreed to propose this at-large election process. There will be a council member who resides in each of the five election districts. All voters vote for all council members. The theme of "make no unnecessary changes" helped achieve this conclusion.

Below is the committee's recommendation to approve the new charter along with our connection of that recommendation to CLUA's goals and policies.

Draft Recommendation to CLUA Board on Charter

The Charter Review Committee for Cecil Land Use Alliance recommends adoption of the Cecil County Charter proposal that will be on the November 2010 ballot.

Our reasons for this recommendation come from the good alignment between the charter design and the government process positions of the Cecil Land Use Alliance.

Charter Design

1. Charter will provide local control for local legislation that currently must be decided by state legislators in Annapolis
2. The Charter focuses on minimizing unnecessary change while providing the benefits of local control.
3. The Charter improves accountability through checks and balances of separate executive and legislative functions.
4. The Charter is designed to provide these changes with no increase in cost to the citizens of Cecil County.
5. The Charter Board actively sought citizen input and responded to changes to the charter based on citizen input.

CLUA Government Goals

1. *Assuring accountability of government is one of the purposes of the CLUA organization.*
An elected executive will be accountable for the functioning of the departments of the government. The County Council will determine the property tax rate based on their action on the budget proposed by the Executive.
2. *Previous CLUA positions have supported local control and a pro-active approach to problem solving regarding growth, the environment, and the financial health of the county.* The Charter brings most local legislation to local decision affording clearer lines of responsibility and accountability.

Prepared by the CLUA Charter Review Committee:

John Bolinski
Steven French
George Kaplan
Ken Wiggins
Wyatt Wallace
Nancy Valentine, Chair

Jim Mullin Outlines County Work on Purchase and Transfer of Development Rights

The good news is that Cecil County has both owners of farm land who are interested in selling their development rights and more than enough land in the designated growth area to accommodate those development rights. The trick is to make it advantageous for developers to buy those development rights and profitably use them for increased density (more homes per acre) in the designated growth corridor. County Commissioner Jim Mullin reported at the August 3, CLUA Board meeting on the work that he, Eric Sennstrom, and Tony DiGiacomo have been working on for nearly two years on both the **Purchase of Development Rights** and **Transfer of Development Rights** as useful tools for preservation and targeted development. Below is a brief summary of Jim's report, including things learned and the next steps.

TDR's (*Transfer of Development Rights*) have been used successfully in Montgomery County and Calvert County Maryland where rapid growth had potential to put large residential developments on beautiful and productive farm acreage. Jim, Eric, and Tony looked at the plans those counties have used and had those patterns in mind as they talked to local landowners and developers to understand their goals.

Their hope was to find what is known as the "buy right" level (the base density for a parcel, which a developer could raise through the purchase of development rights). When that base density is at the right level, it will be profitable to build a more dense development. That will provide an incentive for the developer to buy the rights and preserve agricultural land while providing a well-designed community. The topography of the growth corridor adds complexity to finding the "buy right" level since terrain and streams need to be considered in siting residences that are attractive and help keep stormwater runoff absorbed on site.

The result is that a revised zoning ordinance is needed to allow for a different approach to the Open Space requirement in the development layout. This might include having the open space spread through the development in the form of swales or paths rather than one contiguous open space. It may also require work on the Planned Unit Development (PUD) zoning definition. A good deal of the number crunching has been done with the assistance of an engineer and a financial guy for Clark Turner Co. The Turner organization prides itself on building communities, not developments, and is eager to be the first to use TDR's once zoning supports the mechanism.

PDR's (*Purchase of Development Rights*) may be the simplest preservation technique: the owner sells a permanent agricultural easement in return for payment, usually, from the Maryland Agricultural Land Preservation Fund. To provide more financial flexibility to the county and the person seeking to preserve their land, the county is working with Marbidco, a state agency providing business support to Maryland Ag and Maritime business development. Goals are to develop an Installment Payment Agreement to spread the payment over time. This provides a tax advantage to the seller and allows county funds to preserve more acres in the current year when payments are spread over time. The other issue is development of an ongoing revenue stream. Current fees at settlement go into the general fund so the money for preservation is always a current budget item, not a continuing fund. But the County has been recertified for MALPF funds although comments show that the county needs to keep its efforts in front of the state offices since actual local funding has been low in past two years.

The next steps on TDR's include development of the ordinance to support these concepts, review and recommendation of Planning Commission, and approval by County Commissioners. Sounds like early 2011 for the review process. The intention is to work this in conjunction with any rezoning to support the implementation of the 2010 Comprehensive Plan. It is clear that the county Planning and Zoning department will play a key "sales" role in promoting the TDR process once in place.

Jim also noted that the County had expanded the Rural Legacy Area substantially in the northern part of the county from the Fair Hill area along MD 273 through Calvert to Rising

Sun on the west and down to MD 274 and Warburton Rd on the south. This is based on the soil types and the presence of active farming.

Jim responded that the group is not yet ready to consider either potential exemptions of need to buy TDR's for maximum density for things like workforce housing or use of TDR's to promote commercial/industrial development.

Submitted by Nancy Valentine

Cecil Watershed Watch

September 2010

Rupert Rossetti
(RupertRossetti@aol.com)

EPA's Chesapeake Bay-wide TMDL & MD's Watershed Implementation Plan

These are important times for the Chesapeake Bay, with the EPA in the process of imposing a Total Maximum Daily Load (TMDL) or pollution diet for the entire Bay and the 64,000 square mile watershed. The Bay States are required to respond by putting together detailed Watershed Implementation Plans (WIPs) at the county level.

Two very good recent articles can be found at these links:

- **The devil is in the details of Watershed Implementation Plans**
www.bayjournal.com/article.cfm?article=3881
- **Make the Watershed Implementation Plans Work for Your Farm**
www.marylandgrain.com/PDF%20files/Grain%20Store%2010%20summer.pdf

On September 24, the EPA plans to issue a draft Bay-wide Total Maximum Daily Load (TMDL) and open a 45-day public comment period, including 18 public meetings, three of which will be in Maryland.

The **EPA MD regional public meetings** are:

- October 12th 2 to 4 p.m. in Easton
- October 13th 2 to 4 p.m. in Annapolis
- October 14th 2 to 4 p.m. in Hagerstown

Note: EPA offers side meetings with individual stakeholder groups in each location. For more details, contact them at

www.epa.gov/reg3wapd/tmdl/ChesapeakeBay/contactus.html

In response to the TMDL, the States must prepare Watershed Implementation Plans (WIPs), the first phase of which are due on November 29, and the EPA will establish the final Bay TMDL by December 31.

You can view Maryland's Phase I DRAFT WIP on MDE's website:

www.mde.state.md.us. The draft provides 75 proposed strategies to reduce nitrogen, phosphorus, and sediments from the wastewater, urban runoff, septic, agriculture, and air pollution sectors.

If you have any ideas to reduce **nitrogen, phosphorus, and sediment** pollution to the Bay, there is a "Gap Closer suggestion box" survey which will remain open through June 2011. We've already received some 260 suggestions!

[Follow this link: www.surveymonkey.com/s/NZCWHGZ](http://www.surveymonkey.com/s/NZCWHGZ)

The EPA is hosting a series of webinars, the next one scheduled on Tuesday September 28 - from 10:00 am to 11:30 am EDT. You can register at

<https://www2.gotomeeting.com/register/121163426>

The State agencies will be holding four **Maryland WIP-specific public meetings** on:

- Sept 27th 7-9 PM in Hagerstown
- Sept 30th 6:30 to 8:30 p.m. in Easton
- October 4th 6:30 to 8:30 p.m. in Timonium
- October 6th 6:30 to 8:30 p.m. in Upper Marlboro

Note: there is an additional meeting scheduled at each location for Elected Officials.

For more information about meeting locations, follow this link:

http://www.mde.state.md.us/assets/document/WIP_TMDL_PN_Meetings.pdf

Watershed Activities:

Furnace Bay: On 11th August, Wyatt Wallace (by phone) & Rupert Rossetti met with John Grace, Jason Zhao and Cindy Latham regarding a request for increased withdrawals from Furnace Bay for the Furnace Bay Golf Course. Per Permit CE1995S038/03, water withdrawals would increase from an annual average of 30,000 gpd (max 165,000 gpd) to an annual average of 70,000 gpd (max 240,000 gpd). During our discussion, it became clear that there is no planned increase in withdrawals, but rather an adjustment to the permit to reflect the calculated withdrawals that would be needed for a golf course of this size. (Evidently the original permit volumes were under-estimated). MDE does not see a withdrawal volume issue since Furnace Bay is connected to the Chesapeake Bay, but gave us an

opportunity to do some on-site inspections to ensure that there wasn't any constriction to the flow at low tide / low Principio Creek stream flow. Following some on-site kayak inspections by Wyatt, we've concluded that we don't need an Informational Hearing but have requested some wording in the permit to the effect of "no withdrawals in the event that the intake location becomes disconnected from the Bay at low tide or during periods of drought".

North East River - Central Land Fill Tour - focus on Stormwater

In response to enquiries and communications from several concerned citizens regarding runoff from the landfill, we arranged for a tour, which included a look at all the land fill operations. The field trip took place on Sat July 31st from 9:30 - 11:30 am. Our thanks to our hosts, Scott Flanigan, Director of Public Works & Peter Bieniek, Chief Solid Waste Division who gave us an informative and impressive tour of the Land Fill.

Some highlights:

- The Land Fill area used to be a surface gravel mine, and the underlying rock is a combination of silty clays with some gravel lenses.
- Land Fill is split into a series of cells. Cell 5 is active; Cell 4 is being excavated and will be relined with modern materials. Cell 1 was the first cell filled with waste back in the late 70's and early 80's when the landfill was first opened.
- Current elevation is 250 feet. Final permitted maximum elevation is 460 feet. This should give the county sufficient capacity for the next 40 - 100 years and will have the finest view in the County.
- The Land Fill is ringed by monitoring wells to ensure that there is no leachate leaking into the groundwater, and providing a means of detection, should it do so.
- There are also a series of gas wells in the land fill area itself, extracting (mostly methane) gas which is currently flared.
- There is one permanent stream that flows west from a pond at the entrance drive, through North East, and into the North East River. Some of our "Tourists" live on this creek. Another stream heading the same direction is intermittent, as are two that run off to the east towards the Upper Elk River Watershed.
- There have been problems with Stormwater, one of the reasons being that it is difficult to get anything to grow on the very infertile earth that exists locally, The fines don't settle out in the Stormwater ponds and get washed out into the creek in heavy rains.
- MDE's regulations are unclear and the county looks forward to finalization of the Construction General Discharge Permit, which currently has a numeric limit

of 280 Nephelometric Turbidity Units (ntus) for a two-year storm.

<http://www.referencecenter.com/ref/reference?invocationType=topsearchbox.refcentre&query=Nephelometric+Turbidity+Unit>

The County would prefer to have an objective and measurable standard rather than the current MDE standard which we (the County) regard as too subjective. The proposed EPA turbidity standard would do just that.

- The County is about half-way thru a \$14M project to redevelop Cell 4 of the landfill which, when combined with additional future horizontal expansions, is expected to meet the County's solid waste disposal needs for the next 40-100 years and eliminate the need to site another in-county landfill which would be both very expensive and controversial
- Have spent \$1.5 million on Stormwater Management & Sediment Control.

If you would like the complete report, including images deleted for file size reasons, please contact me at RupertRossetti@aol.com

Ordinances and Regulations:

Stormwater Management Act of 2007:

The County Commissioners approved a new Stormwater Management Ordinance on May 4th with the Environmental Site Design to the Maximum Extent Practicable (ESD to the MEP) language - it went into effect the same day.

Following emergency regulations during this year's legislative session, changes to the ordinance are required to be consistent with revisions from MDE. These revisions mainly addressed grandfathering of projects already in the pipeline, and also requirements for redevelopment. In both cases, the new ordinance is more relaxed than the currently in force May 4th version. There was a public hearing on August 17th and the revisions are scheduled to be voted upon on September 7th. A number of local professional engineers objected to the new wording and asked that the revised ordinance not be put into effect. The thrust of their message was that the Cecil County ordinance goes above and beyond the State's model and will add more costs to development than in neighbouring counties. Listening to their comments, it seems that they would like to review the entire ordinance and the associated check list, not just the changes required by the emergency regulations. The engineers asked for a workshop to work through the "Draft Ordinance" prior to adoption.

There seem to be three issues on the table:

1. Disagreement with the original, already approved, ordinance for which an extensive public and MDE review process was held.
2. Disagreement with the changes proposed as a result of the Emergency Regulations (highlighted in red in the draft ordinance http://www.ccgov.org/public_notice/ORD.2010-07%20REVISIONS%20Stormwater%20Management%20Ordinance.pdf)
3. Process improvements necessary to make the Ordinance work.

There was ample opportunity to address the first issue during the formal process in 2009. There was ample opportunity to address the second during the recent public hearing on Aug 17th, so hopefully any workshop would be confined to process improvements.

You can listen to the hearing at www.ccgov.org/commissioners/MtgMinutes.cfm. Scroll to the bottom and go to minute 32.30 through 56.00 on the tape.

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>