

**CECIL COUNTY COMPREHENSIVE PLAN  
WATER RESOURCES SUBCOMMITTEE  
MEETING MINUTES  
4<sup>th</sup> June 2008**

**Attendance**

| Member                 | Present |
|------------------------|---------|
| Eileen Butler (VCh)    | Y       |
| Dan Derr               | Y       |
| Robert Gell            | Y       |
| Randy Hutton           | Y       |
| Ann Jackson            | Y       |
| Phyllis Kilby (Secr.)  | Y       |
| Daniel Polite          | Y       |
| Vic Priapi             | Y       |
| Rupert Rossetti (Ch)   | Y       |
| Henry (Dick) Shaffer   | Y       |
| Chuck Smyser           | Y       |
|                        |         |
| Tony DiGiacomo (Staff) | Y       |
| Ben Sussman            | Y       |

| Other Attendees | Affiliation |
|-----------------|-------------|
| John Leocha     | MDP         |
| John Higby      | ARRO        |
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**Call to Order 18:35, 4<sup>th</sup> June 2008, Cecil College North East - TC214**

**Approval of Minutes**

- Minutes for the past three meetings (March, April & May) were approved.

Review GIS Maps for background info (pdfs attached)

- Dan Polite & Rupert shared a set of GIS-based maps depicting:
  - The 13 eight digit watersheds within Cecil County
  - The community water supply wellhead protection areas (and thereby, the locations of community water supply wells)
  - The locations and approximate permitted flows for the WWTP's permitted to discharge into surface waters

**ERM Update: Ben Sussman**

- Ben reported that he and Maggie will have the Draft Current Conditions ready for our review at the July 2<sup>nd</sup> meeting.
- Ben then reviewed the results of his work on the NPS Spreadsheet, which he has populated at the eight digit watershed level.
- We are concerned that the nitrogen and phosphorus loading rates in the MDE model may be incorrect, and have asked for clarification from MDE.

- On the fly, Ben computed the % impervious surface by watershed. All but three watersheds are currently below 7% at an eight digit watershed scale.

### Impervious Coverage

| Watershed           | Percent Impervious |
|---------------------|--------------------|
| Christina River     | 8.8%               |
| Furnace Bay         | 2.4%               |
| Northeast River     | 4.4%               |
| Lower Elk River     | 1.4%               |
| Upper Elk River     | 7.4%               |
| Big Elk Creek       | 4.4%               |
| Little Elk Creek    | 5.8%               |
| Back Creek          | 2.4%               |
| Bohemia River       | 0.8%               |
| Sassafras River     | 0.9%               |
| Lower Susquehanna   | 7.3%               |
| Conowingo Dam       | 1.5%               |
| Octoraro Creek      | 4.2%               |
| <b>Cecil County</b> | <b>3.6%</b>        |

### Policy Review

- The remainder of the meeting was devoted to the start of a review and upgrade of the boilerplate policies included in the M&G 26 Guideline document.
- Progress was slow, but sure, and we agreed to meet at 5 p.m. on July 2<sup>nd</sup> to process the remainder. Water Supply Policies approved by the subcommittee are in the attached Water Supply Policy Statements "Work in Progress" document.

The meeting adjourned at approx 9:30 p.m.

## Questions for the Subcommittee

## Questions for Staff

### Carry-overs from prior months

#### April:

1. Elk Neck Groundwater wells: Where are the recharge areas? Please ask the consultant to provide them.
  - a. Answer from Scott Flanigan: This is to be determined. The study is in progress and we haven't gotten this info yet.
2. Where is the latest draft of the Source Water Protection ordinance?
  - a. Answer from Dan Derr: The Ag Advisory subcommittee is currently reviewing this document.
  - b. The WRE sub-committee recommends that the County adopt the already-drafted wellhead protection ordinance (to include specific itemization of permitted and prohibited uses).

#### March:

1. Do we need to take a position on sump pump and downspout connection to sewer lines, or is this already covered in the county code?
  - a. Answer from Scott Flanigan: This is already covered. The County Code prohibits connection of such things as sump pumps and gutter downspouts. That's the easy part, of course; enforcement is the difficult part. We're working thru that as part of our ongoing I & I reduction efforts.
2. What is the origin and breakdown of the 9-12 million gals per day WWTP capacity needed in the growth area? Is this county only, or county and municipalities?
  - a. Those figures come from an internal analysis done by Eric Sennstrom, Director of Planning and Zoning. That is County only.
3. What percentage of the county population is on sewer and what percentage on septics? Do these numbers include Municipalities?
  - a. Answer from Scott Flanigan: My very rough estimate is that about 20% of the County population is on public sewer and the remaining 80% are on some type of on-site disposal system, most commonly septics. Those estimates include the municipalities. The way I arrived at that was to start with the number of households in the county per the last census (35,261 households in 2005) and subtract out the number of sewer accounts in the county and municipal sewer systems.
4. Where are the areas of failed septics?
  - a. Answer from Scott Flanigan: Table 12 of the Master Water & Sewer Plan provides an "Inventory of Sewerage Problem Areas". It includes areas such as Carpenters Point, Red Point, Union Church Road, etc.
5. Follow-up questions for Scott & Tim: What is the current split between residential and commercial/industrial WWTP capacity for both "current usage" and for "allocated but as yet unused"? Can you break it down by WWTP?

- a. Answer from Scott Flanigan: The BOCC only created an allocation for "residential" and "commercial/industrial" at Seneca Point WWTP; as best I can determine, that was because that was the only plant that was felt to be at risk of running out of capacity. As you've heard me say multiple times, the actual flows at Seneca Point are about 1 mgd while another 500K gpd is "allocated but as yet unused" as you put it. Of that 500K gpd, over 80% (i.e. 400K gpd) is allocated to residential projects with the balance for commercial/industrial.)

#### **Recommendations/Action Items for Staff and Consultants**

1. See Questions for Staff

#### **Recommendations/Action Items for Oversight Committee**

1. None at present

#### **Adjournment**

**Next meeting:** July 2<sup>nd</sup>, 5:00 pm at the new County Admin Building – Perryville Room.

#### **Rough agenda:**

- Approval of Minutes
- Timeboxed review and approval / disapproval of draft Policies
- Pizza & ice cream @ 6:30
- Review and path forward on the WRE Preliminary Draft – July 2, 2008 – Existing Conditions
- Preparation for July 16<sup>th</sup> presentation to the full Committee
- Agreement on date of next meeting

**Minutes Prepared by: Rupert Rossetti**

**Date: 29<sup>th</sup> June 2008**

## **Water Supply Policy Statements – Work in progress**

### **Sustaining and Protecting Water Supplies:**

1. Require the development and use of a Water Supply Capacity Management Plans (WSCMP) for each community water system to support new allocations or connections to the system and to prevent capacity over allocation.
  - a. Inclusion of policy **approved** by WRE Sub-Committee on 4<sup>th</sup> June 2008 (6-3-1).
  - b. Bold wording captures intent of subcommittee discussion, but may need wordsmithing.
  - c. **Require the development and use of a Water Supply Capacity Management Plan (as defined by MDE) for all community water systems.**

Comments

  - d. Feeds into Water and Sewer Master Plan.
  - e. Those that reach or exceed 80% of their capacity are already required to prepare a WSCMP by MDE.
  - f. Q: Who actually supervises the WSCMP? The County? MDE?
  - g. Recommend that the manager of the system prepare and maintain the WSCMP.
  
2. Deny allocations and/or connections to any system that would cause system capacity to exceed a set percentage of maximum capacity as determined by the CMP.
  - a. Inclusion of policy **approved** by WRE Sub-Committee on 4<sup>th</sup> June 2008 (6-3-1).
  - b. Bold wording captures intent of subcommittee discussion, but may need wordsmithing.
  - c. **Deny allocations and/or connections to any system that would cause system capacity to exceed 95% of maximum capacity as determined by the CMP**
  - d. Need to check what the WSCMPs already do, and adjust the wording / % as necessary
  
3. Establish and require watershed or wellhead protection around existing water supply sources. Review the state model wellhead protection ordinance for applicability to local jurisdictions.
  - a. Inclusion of policy **approved** by WRE Sub-Committee on 4<sup>th</sup> June 2008 (10-0).
  - b. Bold wording captures intent of subcommittee discussion, but may need wordsmithing.
  - c. **Establish and require wellhead protection around all public and community water supply wells.**
  - d. **Establish and require watershed protection upstream of all surface water sources**
  - e. The wellhead protection ordinance has been drafted, but not yet adopted.
  - f. **The WRE subcommittee recommends that the County adopt the already-drafted wellhead protection ordinance (to include specific itemization of permitted and prohibited uses).**

4. Delineate and stage community water service areas in the land use element consistent with the ability of the water resource to support development based on population growth and development capacity analysis.
  - a. Inclusion of policy **rejected** by WRE Sub-Committee on 4<sup>th</sup> June 2008 (10-0).
  - b. This appeared to the subcommittee to be adequately addressed in the first two policies and the MWSP.
  - c. Sounds good, I think! How does this fit in with the Master Water & Sewer Plan?
  - d. How do renewable resource-based industries get accommodated? (Ag, forestry, nurseries, etc.)
  
5. Design and implement open space and land preservation programs in a manner that will best serve water protection requirements. Include water resource protection as a criterion in the Land Preservation, Parks and Recreation Plan (LPPRP) and for individual developments within Forest Conservation Plans.
  - a. Inclusion of policy **approved** by WRE Sub-Committee on 4<sup>th</sup> June 2008 (10-0).
  - b. Bold wording captures intent of subcommittee discussion, but may need wordsmithing.
  - c. **Include water resource protection as a criterion in the Land Preservation, Parks and Recreation Plan (LPPRP) and for individual developments within Forest Conservation Plans.**
  - d. How much is this already incorporated into the LPPRP? Do we need to strengthen the current Forest Conservation Plan verbiage?
  
6. Examine source water protection opportunities and threats to drinking water supplies, including streams and their buffers, from development, runoff, pollution and other causes. Identify private or government actions that can be effective in protecting drinking water supplies.
  - a. Inclusion of policy **approved** by WRE Sub-Committee on 4<sup>th</sup> June 2008 (10-0).
  - b. Bold wording captures intent of subcommittee discussion, but may need wordsmithing.
  - c. **Update and enhance the County's development ordinances to further protect drinking water supplies, through buffering and setback requirements, as well as other appropriate measures.**
  - d. We need identify and protect the up-dip recharge areas for the Coastal Plain aquifers, particularly the confined ones.
  
7. In the land use implementation element, recommend programmatic or management practices such as buffering and setbacks needed to protect water resources from the impacts of development.
  - a. How much of a buffer is enough?
  - b. already included in zoning ordinances?
  - c. **Included in revised #6.**
  
8. Use inter-jurisdictional/regional approaches as necessary and adopt or amend ordinances as necessary to protect water resources.
  - a. Inclusion of policy **approved** by WRE Sub-Committee on 4<sup>th</sup> June 2008 (10-0).
  - b. Bold wording captures intent of subcommittee discussion, but may need wordsmithing.

- c. **Work with the Cecil County COG, neighboring jurisdictions, the Susquehanna River Basin Commission and other regional organizations to address water resources issues related to water supply, wastewater treatment, and nonpoint source pollution.**
9. Create & implement drought management procedures and requirements
    - a. Inclusion of policy **approved** by WRE Sub-Committee on 4<sup>th</sup> June 2008 (10-0).
    - b. Bold wording captures intent of subcommittee discussion, but may need wordsmithing.
    - c. **Create and implement drought management procedures.**
  
  10. Design and implement a rigorous water conservation program, to include routine water audits, water accounting and loss control procedures, water reuse initiatives, conservation rate structures and outreach programs.
    - a. This somewhat depends upon our water resource balance, but projecting out to 2030, I can see that this will be necessary, and now is a good time to start.
    - b. I don't think that Cecil County is that desperate yet. Spend the money on getting water lines to the designated growth areas.
    - c. **Rupert to review based on communication with DPW.**

***Developing new water supplies:***

11. Require new development to pay for the cost of providing water.
  - a. Inclusion of policy **approved** by WRE Sub-Committee on 4<sup>th</sup> June 2008 (10-0).
  - b. Bold wording captures intent of subcommittee discussion, but may need wordsmithing. Need to reconcile two options set out below
  - c. **Require new development to pay for the cost of providing the water it needs.**
  - d. **Design and implement water and wastewater pricing policies that encourage development in desirable locations, as expressed in the Land Use Element.**
  - e. Probably need to restate this to mean "their water and related infrastructure needs"
  - f. yes for housing, and no for desirable commercial and light industry
  - g. Is there an APFO? No. One has been drafted but not adopted
  
12. Insist on rigorous enforcement of existing laws that require zoning, plat approval and development approval be contingent upon a demonstration that water supplies are adequate to meet requested demands.
  - a. We sort of have that now, but the process relies upon a late stage ruling by MDE. Recommend having in-county expertise able to determine the water supply capacity
  
13. In the land use implementation element, reinforce the mandate in Environment Article Title 5, Subtitle 9 that recommends that subdivision regulations or equivalent development ordinances include provisions requiring that site plan/subdivision plat submittals have documentation from an engineer or official notification from the appropriate municipal or county agency(ies) stating that adequate water either presently exists or will exist for all development depicted

- a. Ties into comment immediately above
14. In the land use implementation element, reinforce the mandate in Environment Article Title 5, Subtitle 9 that requires that subdivision regulations or equivalent development ordinances contain language requiring the local approving authority, when reviewing development plans, to determine that sufficient water exists or will exist when needed for all development depicted on site plans/subdivision plats under consideration.
- a. Ties into comments immediately above
15. Establish future reservoir or watershed areas and the appropriate restrictions and/or protections to ensure water supply development can proceed at the designated future time period.
- a. Incorporate the recommendations of the 2006 Groundwater & Surface water studies, including consideration of Stancill's Quarry for near term & Elk Mills Quarry as long term surface reservoirs; Prohibit the construction of dams for large "in-stream" reservoirs in our piedmont streams; Reopen discussions with SRBC for Susquehanna River withdrawals. Investigate and protect potential Spray Irrigation sites from development; Investigate and protect potential WWTP tertiary treatment constructed wetland sites from development
16. Evaluate regional solutions to future water supply capacity planning.
- a. Establish a policy that minimizes the reliance on out of state water for long term supply needs; Establish recharge and reuse policies that minimize external supply
17. Conduct water availability studies for the jurisdiction and/or collaborate on regional or statewide studies of water availability.