

Pearce Creek residents express concerns at public hearing

By Jacob Owens jowens@cecilwhig.com | Posted: Sunday, September 28, 2014 1:15 pm

CECILTON — Residents of the Pearce Creek communities affected by nearby dredging activity voiced concerns during an opportunity to provide testimony in a public hearing at Cecilton Elementary School on Saturday morning.

Dozens attended the hearing, which also served as an informational update to the public water system currently under design. The communities of Westview Shores, Bay View Estates and Sunset Pointe in Earleville have dealt with degraded water quality for decades, and a 2013 U.S. Geological Survey report concluded that the disposal of dredge spoils by the U.S. Army Corps of Engineers at the nearby Pearce Creek Dredge Material Containment Area (DMCA) led to that contamination. Since that report was published, federal, state and local officials have been working to build a public water system to eliminate health concerns, while concurrently sealing the disposal site and beginning reusing the site.

Saturday's hearing was related to the Corps' dredging application for the fall and winter of 2015-16. It needs the Maryland Department of Environment to issue a water quality certificate before dumping can resume.

"I want to be clear that we haven't made a decision, the process is really just beginning," said Jay Sakai, MDE's water management program director, who led Saturday's hearing.

Complainants can request a judicial review of the department's decision once made if they do not agree with it, Sakai noted. The comment period will close on Oct. 27, if residents choose to submit testimony in writing.

Anthony DePasquale, the Corps' Philadelphia district chief of operations, told the audience that the Pearce Creek DMCA has 25 years of capacity remaining, once a liner is placed, which the Corps hopes to utilize annually.

"That's a long time for the dredging world, it would provide a lot of stability for the canal," he added.

DePasquale said that the Corps is limited in potential disposal sites by a federal law that says spoils dredged from above the Sassafras River cannot be dumped at Poplar Island, off Talbot County's shores. He also told citizens that the Corps currently has no plans to use the Courthouse Point site near Chesapeake City.

Tim Kelly, the Corps' C&D Canal project manager, showed the audience an example of the linear low-density polyethylene liner that they will place over the site to prevent future contamination of groundwater. The liner will have a layer of Geotextile fabric on either side of it for additional protection, Kelly said.

"More or less, it would create a bath tub for our groundwater," Kelly said of the \$15-20 million project that will begin next spring. "It would eventually drain out into Pearce Creek or the Elk River."

Kelly said that the plastic liner can stretch 100 times its original size without losing its impermeability. The Corps would continue to monitor groundwater in the Magothy and Upper Patapsco aquifers, however, using 13 wells before, during and after dredging.

"It's a serious investment in this area, but we feel that by protecting the groundwater and the investment, it will be the best situation for everyone," he said.

Maryland Port Administrator Dave Blazer told the crowd that the port administration has received guarantees for Consolidated Transportation Program funding for the public water extension.

"I am 98-percent sure that the money will not be taken from this project," he said.

The MPA previously signed a memorandum-of-understanding with Cecil County and Cecilton to follow through with the project, as well as an intergovernmental agreement to start engineering and design work. He said that MPA is currently working on a grant agreement, which will fund the contract for construction of the water supply system, but is waiting on some planning and estimates to be finished sometime this fall.

Chris Rogers, a senior project manager with Cecilton's contracted engineering firm URS, told the crowd that they currently hope to begin servicing the communities with water by the summer of 2017. The biggest drivers in that timeline are permitting and easement acquisition, he said.

"We have been given clear instructions from all involved to expedite the process as much as possible," Rogers said.

Hook-up to the system will be free to homeowners, but they will pay the same quarterly town base rate of \$63.94 per first 5,000 gallons. A home using 150 gallons a day, would pay approximately \$538 a year or \$398 a year for seasonal residents. Currently, town policy is to increase water rates 2 percent annually. Water meters will be clustered on the street and be read at site with an electronic



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Gary Shetzline, of Westview Shores, asks a question during September's public hearing on the Pearce Creek water quality certificate.

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The pipeline will follow Route 282 to Grove Neck Road to Pond Neck Road to the communities' streets. No booster station was determined to be needed for the pipeline, but chlorine addition stations may be needed.

Among the concerns voiced by homeowners on Saturday were road restoration, well usage, water service installation liability and fire hydrants.

Ed Strauss, URS project engineer, said that they anticipate a lot of road restoration following the installation of water lines. He added that crews would likely cut pavement rather than bore to cross roads, but said that crews do quality work.

Strauss also said that contracting crews would remove a home's water treatment system once public water service was established if the homeowner wanted to do so. Contractors would be liable for any issues with the installation for one year.

Wells will be required to be abandoned once public water is running, though some waivers exist if a resident can prove need for agricultural use, Sakai said.

One of the biggest concerns was the lack of fire hydrants in the service plan, as Blazer said the MPA currently was not proposing to fund that addition. Fire protection would mean the area would need increased water pressure.

Jay Williams, of Sunset Pointe, said that he's measured some Pearce Creek-area homes at 8 miles from the nearest fire company.

"It's a safety issue; you're treating us like second-class citizens," he said. "To run water service without fire hydrants is criminal."

For Gary Shetzline, the water issue is particularly difficult to understand because he has lived at his Westview Shores home every summer since 1942 when he was a boy.

"We drank the water through to the early 1960s, when the dredging became more frequent," he said. "We used to only have to run the water for a minute and it would clear out. Now it never clears out. We can't drink it or wash our clothes without treating it."

Shetzline added that he has invested at least \$8,000 into a water treatment system, with about \$600 in annual maintenance, and still purchases bottled water for drinking. His wife, Roberta Jopling, said that she wanted her neighbors to understand that the future of the public water system is contingent upon the approval of future dredge spoil disposal at Pearce Creek.

"I think it is important for everyone to understand that," she said. "They're holding us hostage."

Both Shetzline and Jopling said that they acknowledged the state's need to keep the Port of Baltimore competitive, with thousands of jobs likely at stake as well, but they say they are frustrated by the tardiness in addressing the issues at the disposal site.

"I'm not against commerce, but we knew in the 1990s that the spoils were degrading water quality. It was those concerns that convinced the state to make the Corps dump elsewhere," Jopling said. "Instead of immediately exploring that problem though, the Corps waited until they weren't allowed to dump anywhere else."

Shetzline said that he doesn't trust that the Corps and port administration will allow the channels to remain at 35 to 38-feet deep, when others in the country are going to 40 feet. That would likely increase the amount of spoils put in Earleville, he noted.

"It's only a matter of time before Baltimore wants the larger ship traffic," he said. "Even despite the water issues here though, it is such a beautiful place. I wouldn't leave."