

Hershey introduces Pearce Creek bill to require water plan

By Jacob Owens jowens@cecilwhig.com | Posted: Wednesday, March 12, 2014 4:00 am

ANNAPOLIS — State Sen. Steve Hershey (R-Upper Shore) recently introduced a bill in the General Assembly to require the Maryland Port Authority to file a complete water remediation plan for the residents of the Earleville communities surrounding the Pearce Creek Dredge Material Containment Area before it could resume disposing of spoils at the site.

Three communities — Bay View Estates, West View Shores and Sunset Pointe — along with homes along Pond Neck Road have been contending with degraded water quality for years due to the nearby dumping of dredge spoils by the U.S. Army Corps of Engineers. The dredging is necessary to clear shipping channels in and around the C&D Canal heading toward the Port of Baltimore.

Since a U.S. Geological Survey report released in January 2013 confirmed that local groundwater contamination was caused by the Corps' dredge disposal, officials from the Corps, MPA, state, county and the town of Cecilton have worked toward finding a solution for the affected residents. All residents in the area rely on residential wells in the affected aquifers for home use.

Senate Bill 1096 would not require the MPA to have a solution in the ground by the time it would look to reutilize the dredge site at Pearce Creek — as well as Courthouse Point south of Chesapeake City — but it would require officials to submit a detailed action plan for remediation with its water quality certificate application to the Maryland Department of the Environment.

A companion bill, House Bill 1539, was filed by the Cecil County Delegation — albeit late, requiring a unanimous House vote to allow it to be heard this session.

Hershey said Tuesday that he has called a series of meetings in Annapolis this legislative session with the Cecil County Delegation, MPA, MDE, Cecil County Executive Tari Moore, Cecil County Councilman Alan McCarthy and Cecilton Mayor Joseph Zang to monitor, expedite and resolve the issues surrounding the site.

“Tremendous progress has been made and to make sure that this work is not interrupted next year by a change in administrations, I thought it was necessary to introduce Senate Bill 1096,” he said in the announcement of the bill.

Hershey said coalition of legislators have a “good relationship” with the MPA and Corps of Engineers, but the bill was intended to “hold their feet to the fire a bit.”

“I’ve discussed the particulars of the bill with officials from both and they are supportive of what we are requesting,” he said. “I even hope they come to testify in support of the bill. What we don’t want, however, is for spoil disposal to restart long before we see the water solution underway.”

The port authority is under pressure to identify somewhere to place new dredge spoils after inland space around the state dwindles — notably the Pooles Island site was closed in 2010 after nearly two decades of dumping. Prior to 1992, both Pearce Creek and Courthouse Point were used by the Corps, by community concerns about water quality persuaded officials to take spoils elsewhere while studies could be conducted. The Earleville site has about 25 years of capacity remaining, according to officials.

With dredging now needed again, the Corps is looking to move soil as early as October 2015. Hershey concurred that the bill would not prevent it from doing so, but would put pressure on the Corps and MPA to have their action plan underway in order to receive a required water quality certificate.

MDE officials have previously reported that the department will not issue a certificate until the Corps can assure it that no further ground water contamination will occur. Currently, the Corps is working on plans to place a liner across the entire 260-acre site.

Hershey said this new legislation aims to tack on the responsibilities of providing clean drinking water for residents as a condition to resume dredge disposal.

“Passage of this legislation will assure us that the drinking water solution is resolved prior to dredge spoils being placed at the site. The number one objective is for the residents of Bay View Estates, West View Shores and their affected neighbors to have clean drinking water as quickly as possible,” he said.

Senate Bill 1096 has a scheduled first hearing on March 19 in the Senate Finance Committee.



Pearce Creek

Federal, state and local officials are working to seal the Pearce Creek Dredge Material Containment Area in Earleville, seen here, and provide public water to nearby residents.