

**CECIL COUNTY COMPREHENSIVE PLAN  
WATER RESOURCES SUBCOMMITTEE  
MEETING MINUTES  
1<sup>st</sup> October 2008**

**Attendance**

Member	Present
Eileen Butler (Co Ch)	
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	
Chuck Smyser	Y
Tony DiGiacomo (Staff)	Y
Ben Sussman	
Maggie Cawley	

Other Attendees	Affiliation
Joseph DiNunzio	Artesian
John Higby	ARRO
John Leocha	MDP
Scott Flanigan	DPW
Carl Walbeck	I&T Subcommittee
Will Whiteman	
Will Owens	DPW
Thomas Beauduy	SRBC
Mike Brownell	SRBC
Michael Bayer	ERM

**Call to Order** 18:35 1<sup>st</sup> October 2008, Cecil College TC 208

**Approval of Minutes**

- Minutes for September were approved.

**Joint Meeting with Infrastructure & Transportation Subcommittee**

**Guest Speakers:**

SRBC Deputy Director Tom Beauduy and Chief of Water Resources Management Mike Brownell

**Meeting Purpose:**

- To learn about the role of the Susquehanna River Basin Commission and its potential impact on Cecil County.
- To receive advice from the SRBC regarding our Comprehensive Plan.

**SRBC Origins and Role (from [www.srbc.net](http://www.srbc.net)):**

The Susquehanna River Basin Commission (SRBC) is a Federal / Interstate Compact Commission.

The **Susquehanna River Basin Compact** was signed into law on December 24, 1970 and adopted by the Congress of the United States, and the legislatures of New York State, Pennsylvania and Maryland. It provides the mechanism to guide the conservation, development, and administration of the water resources of the vast (27,510 square miles) river basin.

The Compact established the Susquehanna River Basin Commission (SRBC) as the agency to coordinate the water resources efforts of the three states and the federal government.

Each member is represented by a commissioner who serves as the spokesperson for the government that he or she represents. In the case of the federal government, the commissioner and his alternate are appointed by the President of the United States. For the three states, the commissioners are the governors or their designees. The governors also appoint alternate commissioners.

The mission of the **Susquehanna River Basin Commission (SRBC)**, which is defined in the Compact, is to enhance public welfare through comprehensive planning, water supply allocation, and management of the water resources of the Susquehanna River Basin.

To accomplish this mission, the SRBC works to:

- reduce damages caused by floods
- provide for the reasonable and sustained development and use of surface and ground water for municipal, agricultural, recreational, commercial and industrial purposes
- protect and restore fisheries, wetlands and aquatic habitat
- protect water quality and in stream uses
- ensure future availability of flows to the Chesapeake Bay

The SRBC is uniquely qualified to carry out this mission. As a federal-interstate compact commission, its focus is defined by the natural boundaries of the river basin rather than the political boundaries of the member states. As such, the SRBC serves as a forum to provide coordinated management, promote communication among the members, and resolve water resource issues and controversies within the basin.

For more info on the SRBC Goals & Responsibilities, see Appendix 1.

A few highlights from the presentation:

- The participants in the compact delegated some of their sovereign authority to the Commission
- Manage resources
  - Planning
  - Allocations (approve all groundwater withdrawals > 100,000 gals per day)
  - Consumptive uses
- SRBC manages to/for low flow conditions
- Consumptive uses are those which result in water being lost to the Basin
  - Evaporation

- Manufacturing
- Bottled water that leaves the Basin
- Irrigation
- Diversion of water out of the Basin is a consumptive use
- Consumptive users are required to mitigate for the losses
  - Building storage ponds
  - Shutting down in low flow conditions
  - Paying a fee in lieu (currently 21 cents per 1000 gallons)
  - SRBC manages the fund, which is dedicated to building additional in-basin storage
- Diversion of water out of the Basin is a consumptive use
  - Basin margins are very tightly defined. The boundary is the Amtrak railroad bridge downstream from Garrett Island.
  - Some volumes predate the compact and are grandfathered, e.g. Baltimore.
  - Grandfathering is limited to the original users.
  - Perryville's withdrawals are considered a consumptive use, since the intake is within the Basin and the WWTP outfall discharges into Mill Creek, which is out of the Basin.
  - Some of Perryville's (1 million gpd) allocation is grandfathered (690,000 gpd).
  - The "Cecil Pipeline Project of 1998" highlighted the need for a standard policy and protocol for out of basin consumptive use. (See excerpt from SRBC December 2003 Minutes, pdf file attached) See also the "Out of Basin Diversion Policy" [www.srbc.net/sitemap/diversionpolicy.htm](http://www.srbc.net/sitemap/diversionpolicy.htm).
  - Out of Basin Diversion:
    - Approvals for out of basin diversions have a higher bar set by the Commission. Must demonstrate that
      - you have looked in your basin for available supplies
      - there will be no impact on the Susquehanna River Basin now or in the future
      - there will be no impact on flows to the Bay
    - The burden in Perryville isn't as great as some other diversions (e.g. to New York City) since the water does come back to the Upper Bay.
- There is no permanent pre-allocation (except for the grandfathered withdrawals)
  - There are no "Water Rights" in the East ... ("Eastern Water Law" is very different from "Western Water Law")
  - The lower Basin has 80% of the growth
  - The Commission allocates as requests come in, on a first come / first served basis.
  - When the resource is stressed, i.e. there is no more water available to be allocated, the Commission reviews all allocations and rebalances/reallocates.
  - The Commission allocates by need and reassesses by use.
- Impact on flow
  - Consumptive use is currently in the order of 882 million gpd, and is expected to rise to 1.2 billion gpd

- Biggest consumers have been power plants. Almost all power is generated by steam. Peach Bottom uses 66 million gpd and consumes 30 million gpd.
- Allocations:
  - Groundwater withdrawal,.. allocation is predicated upon one in 10 year drought .. where we draw the line .. when they want more, we have a problem .. in 3 or 5 years, you may have a drought so severe, water won't be there
  - Surface water .. when wet, "take all you want - within your allocation" .. when get into low flow conditions, stresses occur, that's when you look hard at allocations
  - Drought of 1960s .. low flow then opposed to today, river half as low now as it was then because of allocations
- For every acre of impervious surface you put in, you are reducing recharge....
- Cities tend to have a drought-resistant water supply.
- Towns don't, particularly in the Piedmont crystalline rocks
  - E.g. Rising Sun. not enough groundwater to support a town. Need to either store it, filling when streams are high or bring it in!
- **Recommendation to Cecil:**
  - **Bring water in from the River! Either directly or via Chester Water Authority, Artesian or other service provider.**
  - **Depends upon how much growth you want**
  - **Need to look at getting water supplies from outside Cecil County .. just like Gettysburg, you are facing a challenge .... growing faster than carrying capacity of the land to provide water resources. Do you allow them to grow or not? .. we're not in land use business, we look at availability and whether it can be sustained**
- SRBC operates concurrently with MDE.
  - MDE Assistant Secretary (Dr. Bob Summers) is one of the four Commission members.
  - Commissioners are usually deferential to the local Commissioner
  - SRBC regs are different from but complementary to the State regs. Where they are duplicative, SRBC delegates to the State.
- Why is the Federal Gov't involved?
  - The Army Corps of Engineers coordinates the various federal agencies
  - It is an Interstate compact and the The Federal Gov't is interested in making it work.
- Current Projects in Cecil:

Project	GPD
Perryville	1,000,000 surface water
Docket 20061210	1,000,000 consumptive use (out of basin diversion) 690,000 grandfathered
Port Deposit	
Docket 20080308	1,500,000 surface water

Rising Sun Docket 20031009	256,000 ground water <sup>1</sup> (Total System Withdrawal Limit - 30 Day Ave) 90,000 ground water (Well 2001-12)
Rock Springs Docket 20001203	1,800,000 storm water 63,000 ground water 262,000 peak day consumptive  Approved Dec 14, 2000 Modified June 12, 2008
Cecil County Application 19980109	Application to transfer up to 800,000 gpd from Perryville to Cecil county pipeline. Approved Jan 1998. Extension denied, Dec 2003. See excerpt from Minutes.

- Other projects of interest:
  - Other than Chester County, Baltimore City, Town of Perryville, there aren't many large consumptive users.. York Water sends outside basin to serve area in Adams County around Gettysburg .. Balto City is the largest
  - Chester Water Authority
    - Maximum 30,000,000 gpd withdrawal
      - 17 mgpd w. one pump; 30 mgpd w two pumps.
    - Currently withdrawing 15 - 20,000,000 per day.
    - Service area issue. CWA has grown beyond its original service area and some is no longer grandfathered.
  - Baltimore City
    - Well run reservoir system ...
    - Serves 50% of state's water users, all the to Anne Arundel County
    - Only use river in extreme conditions, when it's problematic. Hit river hard during low flow.
    - Went to court with the city, relationship is better now. Court told commission have to back their investment assumptions .. 250 mgd ... except in low flow, not an issue. Conowingo Pond diversion group .. acknowledge facilities that rely on the pool .. we recognize ability to take 250 mgd, restrict when low flow
    - Baltimore City was persuaded to replenish reservoirs with a "high skim" during flood conditions, but this water is turbid.
    - Heavy rains then caused reservoirs to overflow, thus wasting the water they had purchased from Susquehanna.
    - Becomes a Risk Management problem.
  - APG
    - Darlington intake for APG is grandfathered
    - Deer Creek is not a reliable source for public water supply, because low flow conditions would require the withdrawal to be shut off.
  - Delaware Bay:

---

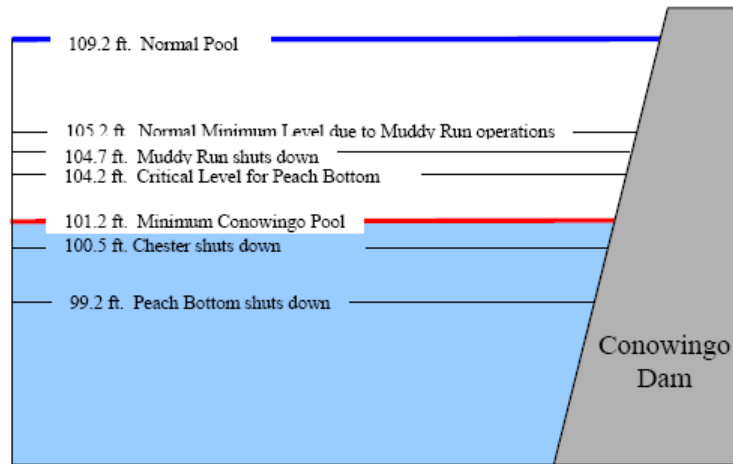
<sup>1</sup> Docket is a little obscure as to the source of all the water ...

- To Delaware Bay: 20,000 gpd
- From Delaware Bay: 0 gpd

Excerpt from [www.srbc.net/programs/docs/ConowingoPoolManagementPlanFeb06.pdf](http://www.srbc.net/programs/docs/ConowingoPoolManagementPlanFeb06.pdf)

**Who relies on water from the Conowingo Pool?** In addition to hydroelectric uses, the water in the Conowingo Pool also is used for municipal water supply (City of Baltimore and Chester Water Authority), industrial cooling water (Peach Bottom Nuclear Power Plant), and recreation. Several species of migratory fish pass through the dam and pool each year.

While the pool is large—it covers 8,650 acres and has a normal pool depth of up to 90 feet in places—during times of drought, users are impacted beginning with as little as a 5 and a half foot drop in pool level, where the Muddy Run Pump Storage facility shuts down.



*This schematic shows the operating ranges for the various users.*

- If we (Cecil County) came to SRBC for a 5 - 10 million gpd withdrawal, how much impact would that have?
  - Can't answer for the Commission but, a withdrawal of that magnitude at the mouth of the Susquehanna (point of maximum flow) would not be a big deal during normal flows.
- Irrigation:
  - Total: 30-40 mgpd consumptive use
  - Regulated: 15.7 mgpd consumptive use
  - States mitigate for the consumptive uses of agriculture
  - Note, the total is minor, and compares to the consumptive use of just one gas turbine power plant

The meeting adjourned at approx 21:00 hrs

**Questions for the Subcommittee**

**Questions for Staff**

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

1. See above

**Recommendations/Action Items for Oversight Committee**

**Adjournment:** ~21:00

**Next meeting:** TBD

## Appendix 1 - SRBC Goals & Responsibilities

The goals of the Susquehanna River Basin Commission are:

- To be responsive to water resource management needs of SRBC's signatory members;
- To provide excellent service to the public;
- To coordinate management of interstate water resources and serve as an effective forum for resolution of water resource issues and controversies within the basin;
- To be a leader in issues concerning the conservation, utilization, allocation, development, and management of water resources within the Susquehanna River Basin;
- To encourage excellence in SRBC staff by affording opportunities for professional growth and development and by providing a stimulating work environment for all Commission employees; and
- To provide public information and education about the water resources of the basin.

### RESPONSIBILITIES OF THE SRBC

Commission staff develops and implements the programs as directed by the commissioners and as found in the Commission's comprehensive plan, *Comprehensive Plan for the Management and Development of the Water Resources of the Susquehanna Basin*. The six major areas of the Comprehensive Plan and specific Commission functions within them are listed below.

#### Flood Plain Management & Protection

- Approves flood control projects.
- Assists in establishing flood warning systems.
- Establishes community self-help flood warning programs.
- Advises individuals, communities, businesses, and industries on flood loss reduction.
- Produces flood plain mapping and other information utilized for flood plain management.

#### Water Supply

- Inventories available water resources.
- Administers and manages interstate water resources.
- Determines the basin's storage needs and allocates water as needed.
- Assists in planning, developing, and financing water resources projects.
- Develops water supply storage and release plans.
- Regulates consumptive water uses.
- Develops data on flow conditions.
- Institutes emergency actions.

#### Water Quality

Monitors water quality programs of signatory members.

- Conducts special surface and groundwater studies.



- Measures the impact of the Susquehanna River on the ecology of the Chesapeake Bay.
- Provides technical assistance to federal, state, and local governments.
- Conducts basinwide monitoring.

#### Watershed Protection & Management

- Promotes protection of wetlands.
- Encourages proper agricultural practices.
- Recommends priorities for suitable uses of certain sensitive land areas.
- Reviews large-scale urban and rural development as it relates to water and wastewater needs.

#### Recreation, Fish, & Wildlife

- Seeks development of water-based recreational resources.
- Encourages inclusion of public recreation programs at water resource projects.
- Promotes migratory fish restoration and propagation of indigenous species.
- Regulates releases of water to protect fishery resource and recreational uses.

#### Cultural, Visual, and Other Amenities

- Assists signatory members in designating and classifying historic and wild and scenic areas.
- Considers the impact of water resource projects on cultural values.