

Date: Fri, 30 Jun 2006 20:51:32 -0400  
From: David Kemp  
To: Chris Phipps  
Cc: Juliet Page ,Tom Dent, Rande Dent ,Vince Wheatley ,  
Pat Strott-Wheatley, Maureen Turner, Lori Kemp, Greg Page, Keith Tate,  
Ron Bowen, Cathy Vitale, Duane Wilding,  
Marjie Campbell  
Subject: Mill Creek restoration decisions

Chris,

I'd like to emphasize and expand on Juliet's question regarding the decision tree you will use when planning a course of action to restore Mill Creek. Bayland and MRA (both sponsored by the county) are doing extensive testing, as is the county health department. If, as seems possible from the data to date, the current and previous sewage spills are not the cause of the current high bacteria counts, we (Divinity Cove and Wexford residents) are still faced with 1) a creek that is closed to human contact, 2) neighborhoods with unsavory environmental reputations, and 3) loss of navigable boating access.

Our goals are to fix these three problems, regardless of whether the December sewage spill is the sole cause, a contributing cause, or a minor/negligible cause of the problems. So the scientific purpose of these studies should be focused more on predicting the effectiveness of remediation measures than on assigning blame for the problems. Rather than waiting for data to be collected and analyzed before thinking about what to do, I strongly urge you to develop alternative restoration plans now, and then use the data to evaluate the effectiveness of the plans in addressing these three problems that are most important to us, as well as other problems (water quality of the Magothy River and the Bay, health of SAV and fisheries, etc.)

One possible restoration plan has two elements. The first is constructing holding ponds at the three major runoff points into Mill Creek (A: east of Ruxshire drive, north of Dauntsey, B: immediately north of the pumping station where the previous stabilization occurred, C: north of Via Dante where the middle school complex dumps into the creek west of MacSherry). These would capture and settle the silt that turns the creek "coffee w/cream brown" and fills it in after every major rainfall, and might allow the non-point-source bacteria to degrade for a few days before trickling into the creek. The second element is to remove the stuff in the creek that has reduced water depth by up to 2 feet since 1999 as documented by the bathymetrics. One doesn't need bathymetrics from 1970, 1980 and 1990 to prove that the creek didn't suddenly start silting in in 1999. I know it was worse in 1999 than when I arrived in 1991, and Andrews Miller has a photograph of the 20 foot powerboat floating at my dock in 1999; that boat is now a derelect sitting high and dry in the mud. There is also no credible possibility that construction of AACC, College Parkway, and the middle schools didn't cause siltation before 1991. If there is sewage (and its associated non-biodegradable items) in the silt, removing the silt would remove the sewage. If there is no scientific proof that there is sewage in the silt, then removing the silt is still necessary to restore boating access, improve SAV habitat, grow oysters off our docks, and improve flushing.

I'd like to see plans and permits for stormwater retention ponds and dredging be developed now, and then use the data collection and analysis to predict whether the creek would be more or less likely to be closed next year and the following years with those remediations in place. If the science shows those plans would harm the creek, then they don't have to be executed. But waiting until data analysis is complete (or until the next election is over) to start the planning, permitting, and execution is unacceptable.

We've requested another community meeting, and I know Bayland is reluctant to host such a meeting

without any hard scientific conclusions. I suggest that instead of presenting sampling analysis, the topic of the next meeting should be a presentation of restoration alternatives. Two of those alternatives are 1) do nothing, and 2) dredging + retention ponds. Additional alternatives are up to you. I urge you to develop and describe to us your alternative plans of action in the near future (July/August), not December or later.

Regards,  
Dave Kemp

Juliet Page wrote:

FYI. I added CCs to Ron Bowen and Cathy Vitale as well. ~J

Date: Fri, 30 Jun 2006 00:24:28 -0400  
To: "Chris Phipps" <cphipps@aacounty.org>, <ktate@baylandinc.com>  
From: Juliet Page <juliet@julietpage.com>  
Subject: Re: Graphics  
Cc: rbowen@aacounty.org, cvitale@aacounty.org

Chris,

Thanks. The meeting went well. Everyone was very interested in the data. The big question still in our minds is regarding the decision tree that lays at the end of

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