

**Critical Area Commission
Chesapeake and Atlantic Coastal Bays**

September 4, 2024

Project Subcommittee Minutes

Subcommittee Members in Attendance: *Roberson (Co-Chair), Bradford, Grant, R. Hance, Kiernan, Morgan, Palma, Patel, Roche, Young*

Guests: Elisa Deflaux, Bryce Yelton, Jasmine Chen, Amanda Penafiel, Lauren Mentzer, Paul Nevenglosky, William Saffell

1. Call to Order and Quorum Verification

- **Nick Kelly** opened the meeting and confirmed the presence of a quorum. Commissioner Conway was absent, and Commissioner Roberson chaired the meeting in his stead.
- Commissioner Roberson read the standard statement for virtual meetings, noting that the meeting was being streamed live to the public and that captioned minutes would be made available on the Commission's website.

2. Approval of July 24, 2024, Minutes

- **Commissioner Roberson** noted a minor correction in the minutes, changing "Commissioner Hence" to "Commissioner Hance."
- Motion to Approve: **Commissioner Morgan**
- Seconded by: **Commissioner Roche**
- Vote: The minutes were approved unanimously.

3. Presentation for Information Only: Frederick Douglass Park on the Tuckahoe Project

Presenter: Annie Sekerak (DNR)

Talbot County Department of Parks and Recreation is requesting feedback on plans to expand Frederick Douglass Park on the Tuckahoe. The expansion includes public trails, water access (boardwalk, fishing pier, and kayak launch), expansion of existing parking, a picnic pavilion, installation of a permanent restroom facility, and interpretive signage. The project anticipates 2.6 acres of permanent buffer impacts and 0.33 acres of impacts outside the buffer. The Commission's Public Pathways Assistance Guide encourages minimizing buffer impacts, particularly for non-water-dependent structures like the proposed picnic pavilion. The current design proposes significant buffer impacts due to the trail system, which may require conditional approval. Mitigation is required for B Buffer impacts, including at a 3:1 mitigation ratio for the picnic pavilion and 2:1 for paved trails.

Discussion: Following the presentation, Commissioner Roberson led the discussion by suggesting the applicant explore options to relocate the picnic pavilion outside the Buffer and reduce the width of the trails. Mr. Bryce Yelton (Talbot County) indicated that the county is considering moving the picnic pavilion outside the buffer following recommendations from the Planning Commission. Ms. Jasmine Chen (LSG Landscape Architecture) gave an overview of the ADA accessibility requirements, noting that the main trail must be ADA-compliant. The team is considering using natural surfaces where

possible and reducing the trail width in some areas. Commissioner Hance praised the project's thoughtful design and encouraged further efforts to minimize environmental impacts, particularly in the buffer zone. Finally, Mr. William Saffell (ESA) provided a graphic showing the location of the native meadow and how the trail alignment was chosen to avoid disturbing this area. The Subcommittee recommended and the applicant agreed to revisit the design to potentially relocate the picnic pavilion outside the buffer, reduce trail width, and explore alternative materials for the trails. The Commission will await further details on mitigation requirements and project adjustments before taking further action.

4. Presentation for Information Only: Cox Creek Sediment Technology and Reuse Facility (STAR)

Presenters: Jennifer Esposito (CAC), Lauren Mentzer (MPA), and Darren Swift (MPA)

The Maryland Port Administration presented preliminary plans regarding the clearing and redevelopment of its newly proposed STAR facility. The STAR facility is a critical part of the Maryland Port Administration's (MPA) innovative reuse program, designed to manage dredged material from the Baltimore Harbor. The site, located in Anne Arundel County, includes 123 acres of upland property adjacent to the Cox Creek Dredged Material Containment Facility (DMCF). The site was previously used for titanium dioxide pigment production and has been subject to environmental contamination. The site will be remediated in phases over the next ten years, focusing on capping contaminated areas, treating low pH soils, and stabilizing the site. The facility will be used to dry, stockpile, and produce materials from dredged sediments, including bricks, pavers, landfill cover, and shoreline protection devices. Short-term activities include establishing a dewatering area using Geotubes, with water returning to the DMCF. Long-term plans include phased development based on partnerships and demand for the materials produced. Following the presentation by MPA, Ms. Esposito reviewed Critical Area mitigation requirements for tree clearing and described the fee-in-lieu Memorandum of Understanding between MPA, the Critical Area Commission and the Chesapeake Bay Trust.

Discussion: Following the presentation Commissioner Roberson asked about the timeline for the Geotube pilot project and any potential disturbances associated with it. Ms. Lauren Mentzer clarified that the pilot project would take place at the Cox Creek DMCF, with minimal impact on the STAR site. Commissioner Hance expressed concern about the timing of vegetation clearing in relation to remediation activities and emphasized the need to avoid premature clearing. Ms. Mentzer assured that clearing would occur in conjunction with remediation, with no significant delay between the two phases. Based on the discussion, MPA will keep the Commission informed on the progress of remediation and development plans and further details on the remediation impacts and mitigation will be presented to the Commission at a future meeting.

Meeting adjourned 10:30 a.m.