

Critical Area Commission
Chesapeake and Atlantic Coastal Bays
Meeting held via Google Meet

January 14, 2026

Program Implementation Committee Minutes

Committee Members in Attendance: *Bunker (Chair), McCall (Co-Chair), Bland, Burris, Etherton, Herr-Cornwell, Gerthoffer, Gillis, Mulkey, Richards, Wilson*

Guests: Mark Harman, Raghavanderrao (Ragu) Badami, Sue Greer, Michael Burlbaugh, Kelly Krinetz,

1. Welcome and Roll Call:

- Charlotte Shearin called the meeting to order and conducted a roll call to confirm a quorum. Steve Bunker, Committee Chair, welcomed all attendees.
- Ms. Shearin noted that the meeting was streamed live to the public, and captioned minutes would be made available on the Commission's website.

2. Approval of Minutes from December 5, 2025

- Motion to Approve: Commissioner Richards
- Second: Commissioner Gerthoffer
- Abstentions: Commissioner Wilson (not present at last meeting)
- Vote: The minutes were approved unanimously.

3. REFINEMENT – MOTION REQUIRED: Pocomoke City – Comprehensive Review

Presenter: Katie Hayden. Recommend Concurrence with the Chair's determination of refinement; Approval with conditions.

Ms. Hayden presented, in accordance with the staff report, the contents of which are incorporated into and made part of the minutes. The Mayor and Council of Pocomoke City have approved the comprehensive update to the Town's Critical Area program as required by State law. The Town originally updated their Critical Area program in 1988.

Discussion: Commissioner Wilson asked if any representatives from the City were present, and staff stated they were unable to attend.

Motion to concur: Commissioner Etherton moved to concur with the Chair's determination of refinement and to approve with condition.

Second: Commissioner Wilson

Motion passed unanimously.

4. REFINEMENT – MOTION REQUIRED: Pocomoke City – Critical Area Map Update

Presenter: Katie Hayden. Recommend Concurrence with the Chair's determination of refinement; Approval with conditions.

Ms. Hayden presented in accordance with the staff report, the contents of which are incorporated into and made part of the minutes. The Mayor and Council of Pocomoke City have approved the updated Critical Area boundary map as required by State law.

Discussion: None.

Motion for Concurrence: Commissioner Gillis

Second: Commissioner Gerthoffer

Vote: All in favor. Motion passed unanimously.

5. REFINEMENT – MOTION REQUIRED: Anne Arundel County Text Amendment: Habitat Enhancement Plans

Presenter: Jamileh Soueidan. Recommend Concurrence with the Chair's determination of refinement; Approval.

Ms. Soueidan presented in accordance with the staff report, the contents of which are incorporated into and made part of the minutes. The Anne Arundel County Council approved a text amendment to amend the County Code to create a new process for habitat enhancement proposals.

Discussion:

Raghavenderrao Badami (County staff) provided a brief summary of the bill and emphasized that Habitat Enhancement Plans (HEPs) are strictly for voluntary restoration (e.g., invasive species removal) and cannot be used to clear land for development or viewsheds. The HEP removes the need for expensive engineered grading permits for restoration projects, facilitating work by non-profits and homeowners. **Commissioner Wilson** thanked him for this summary, and asked a few follow-up questions about the review process and native planting priorities.

Commissioners Gerthoffer and **McCall** raised concerns regarding consistency with the Forest Conservation Act and coordination with the DNR Forest Service, as the bill references forest conservation easements. **Mr. Badami** replied that the County had coordinated with the county soil conservation district, as well as getting input from MDE.

Chair Fisher asked for clarification between the intent of a Vegetation Management Plan (VMP) versus that of the HEP. Mr. Badami provided an explanation. Ms. Claudia Jones, Commission Science Advisor, also added some clarifying remarks.

Motion – Commissioner Richards offered a motion to accept the recommendations as presented in Ms. Soueidan's presentation.

Second – Commissioner Wilson

- Commissioner Gerthoffer requested to add a condition that the County work with the State Forestry Service
- Consequently, Commissioner Richards withdrew her motion.

Commissioner McCall revisited her concern about the Forest Service, asking if a condition can be drafted to require that the County seek confirmation from the Forest Service this is in compliance with the Forest Conservation Act. Assistant Attorney General Vainieri and Ms. Soueidan crafted a condition that was acceptable.

New Motion: Commissioner McCall offered a motion to accept the recommendation as presented in Ms. Soueidan's updated power point presentation and add the following conditions **(in bold)**:

“Approval with Conditions:

(1) Prior to the January 21, 2026 Critical Area Commission meeting, the County shall contact the DNR Forest Service on the proposed bill to ensure it is in compliance with the Forest Conservation Act.

(2) When the County receives confirmation that the proposed bill is in compliance with the Forest Conservation Act, the County shall forward that confirmation to Commission staff.”

Second – Commissioner Gerthoffer
Vote - Motion passed unanimously.

6. INFORMATION ONLY – Town of Indian Head – Robinson Terminal Growth Allocation

Presenter: Annie Sekerak

Ms. Sekerak presented in accordance with the staff memo, the contents of which are incorporated into and made part of the minutes. The Town of Indian Head would like to provide a second informational update on the revisions made to the concept site plan and growth allocation request based on the Program Committee's feedback from the August 8, 2025 meeting.

Discussion:

Michael Burlbaugh (Vice President, Elm Street Development) and **Sue Greer** provided an update on how the Town has addressed concerns that were raised at the August 8th Program Committee meeting. **Mark Harmon** was also on hand to answer questions.

Commissioner Bunker asked for clarification on the Growth Allocation request, noting the original amount of 9 acres, which then became 5.84 acres (2021), and now 6.7 acres. Mr. Burlbaugh explained that after mapping, the total became 5.84 acres, and that 6.7 acres is what the current project will require.

Chair Fisher asked about the public access point, mentioning that Mr. Burlbaugh had said that the boardwalk that the access would connect to is not currently near the project. He

was wondering about the timeline for the access. Mr. Harmon stated that everything is conceptual right now. Mr. Burlbaugh added some details, noting there is currently a small parking area that serves as a place holder. The finer points will come when the funding is secured and they are able to go ahead with plans. Further, concerning Chair Fisher's question about the planting plan, he said he would like to see 2-caliper inch trees to help with the canopy issue.

Commissioner Wilson asked whether the 8.5 acres of forest clearing was just the total that was cleared in the Critical Area or over the whole project. Mr. Burlbaugh replied that the 8.5 acres was the amount for the Critical Area, and that the total overall would probably be another few acres. He said he would look into it and find a total.

Commissioner Herr-Cornwell asked for information on the approval process, including public input. Additionally, she asked for information about the joint wetland permit application that was submitted.

There was further discussion about the size of the growth allocation, which will be resolved by the time the project is formally submitted. Mr. Burlbaugh thanked the Committee for the feedback and said it is great to learn as much as possible beforehand in order to make the formal submittal approvable in the long run.

Meeting adjourned at 3:10.

Next meeting of the Project Committee will be on February 25, 2026.