

**Critical Area Commission
Chesapeake and Atlantic Coastal Bays
Meeting at 100 Community Place, Crownsville, Maryland**

February 1, 2023

Project Implementation Subcommittee Minutes

Attendees: Hertz (Chair), Eames, Grant, Laird, Mangum, McCall, Parker, Roberson

Guests: Ankur Patel (consultant), Catherine Skeeter (Somerset County)

Item 1. January Project Subcommittee Minutes.

Commissioner Hertz asked for a motion to approve the Project Subcommittee meeting minutes from the January meeting. Commissioner Laird so moved. Commissioner Grant seconded. **Motion passed unanimously.**

Item 2. Somerset County and Maryland Department of Transportation – State Highway Administration – MD 413 Rails to Trails Multi-Use Path Installation

Presented by Kate Durant

Somerset County is proposing to construct a 10-foot wide multi-use path along MD-413 from north of the Big Annemessex River to South of US-13 (See Attachment #1). The path will be constructed on the bed of the historic Eastern Shore Railroad along the northbound side of MD-413 within State Highway Administrations right-of-way. This project has been divided into multiple phases, and a previous phase was approved as locally consistent under COMAR 27.02.02, in 2018. This phase of the project is approximately 3.2 miles, of which approximately 1,000 linear feet is located in the Critical Area and designated as Resource Conservation Area (RCA). The limits of disturbance (LOD) for this project are 18.96 acres, of which 3.33 acres are located in the Critical Area.

Discussion: Commissioner Eames asked for clarification on mitigation in Buffer, and Ms. Durant explained the difference between the mitigation for canopy versus buffer clearing/disturbance. He also asked about tree failure rates and maintenance requirements, and Ms. Shearin explained that there is a monitoring period for tree plantings, and that the County is responsible for replacement of dead plantings.

Commissioner Laird made a motion to approve the project with conditions as noted in the staff report. Commissioner Roberson seconded. **Motion passed unanimously.**