

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

September 6, 2023

Project Implementation Subcommittee Minutes

***Attendees:** Conway (Chair), , R. Hance, McCarthy, Patel, Roberson, Theo Williams (for Glanz), Roche, Ellen Bast (for Palma)*

***Not Present:** Glanz, Grant, Marion, Young*

Item 1. Approval of August minutes.

Commissioner Roberson moved to approve the August minutes. Commissioner R. Hance seconded the motion. All voted in favor. **Motion passed unanimously, with one abstention (Williams).**

Item 2. DNR – Somers Cove Marina Bulkhead and Utility Line Replacement (Somerset County)

Presented by Kate Durant.

Commissioner Conway began by asking about whether there was a possible conflict of interest with CAC being asked for approval of a DNR project. Ms. Vainieri explained that there is a distinction between DNR and CAC. Even though it is technically part of DNR it is autonomous under the Critical Area statute. This relationship is also outlined in an MOU with the Department.

Presentation followed. The Maryland Department of Natural Resources (DNR) and the Somers Cove Marina Commission propose to renovate the Somers Cove Marina facility, located at 715 Broadway in Crisfield. Somers Cove Marina is on Somers Cove off of Daugherty Creek, which is a tributary of Tangier Sound. The Marina is the largest state-owned marina in Maryland. The site is entirely located on lands designated as Intensely Developed Area (IDA). Maryland DNR proposes to demolish and replace the following elements: bulkheads, fixed piers, floating piers, catwalk decking, storm drains, boat ramp with launching piers, and underground utility lines at the Somers Cove Marina. Specifically, most of the existing fixed piers will be replaced with floating piers, and the existing deteriorated wooden bulkhead will be replaced with a new vinyl composite bulkhead.

Discussion:

Commissioner Roberson noted that the stated impacts from the bulkhead seemed rather high – are the numbers correct? Ms. Durant responded that the numbers were based on the LOD in the plans, which include tie backs that need to be replaced. Mr. Williams asked for a definition of ‘water dependent’ and Ms. Durant explained that a boat ramp is deemed to be water dependent because it can’t exist any other place except at the shoreline in the Buffer. Commissioner Hance asked if most disturbances are for replacement and not expansion, and Ms. Durant confirmed. Commissioner Roche asked about forever chemicals and the plan to use plastic for replacement bulkhead, and Commissioner Roberson replied that there is no

restriction on using the material. Flooding is a concern. Following was a discussion of mitigation requirements, need for upgrade of outdated marina, and permit approval.

Motion: Commissioner Roberson motioned to approve. Commissioner Patel seconded motion. **Motion passed unanimously.**

Item 3. DNR – North Point State Park – Todd’s Inheritance Trail

Presented by Susan Makhlof.

The Maryland Department of Natural Resources (DNR) Engineering and Construction Unit and the Department of General Services (DGS) are seeking approval to construct a new trail, parking lot, and stormwater management (SWM) facilities within North Point State Park in Baltimore County. The proposed 1.5-mile trail will loop around existing agricultural fields and includes a spur to the Todd’s Inheritance Historic Site. The proposed parking lot is located adjacent to Todd’s Inheritance and will serve both trail users and visitors to the historic site. The 9.21-acre project site is located entirely within the Critical Area on land designated as Resource Conservation Area (RCA).

Discussion: LeeAnne Chandler was available to answer questions. Commissioner Hance asked about the parking area plans, and how much will be ADA compliant. Ms. Chandler answered that the new trail will be ADA accessible, as will access to the historic site. Commissioner Hance asked about planting plans for the stormwater management area, and Ms. Chandler responded that the plan is for it to be aesthetically pleasing as well as simply functional.

Motion: Theo Williams motioned to approve. Commissioner Hance seconded the motion. **Motion passed unanimously.**

Item 4. MHT – Jefferson Patterson Park and Museum - Archaeological Conservation Laboratory (MAC Lab) Extension (Calvert County)

Presented by Mike Grassmann

Jefferson Patterson Park and Museum (JPPM), on behalf of Maryland Historical Trust (MHT) seeks Commission approval of a renovation and addition to the Maryland Archaeological Conservation Laboratory (MAC Lab) located in Calvert County, MD. The proposed improvements include the construction of a building addition at the north end of the existing MAC Lab building, the installation of a new underground storage tank on the east side of the building, and the installation of a manual lift gate at the existing loading area and a chiller pad and chiller on the south side of the building. The state-owned property encompasses land area, infrastructure, utilities, and facilities located within Maryland’s Critical Area on lands designated Resource Conservation Area (RCA). The limit of disturbance (LOD) is 0.39 acres and is entirely located in the RCA.

Discussion: None.

Motion: Commissioner Hance motioned to approve. Commissioner Patel seconded motion.
Motion passed unanimously.

**Item 5. WSSC – Western Branch Water Resources Recovery Facility (WRRF)
Warehouse (Prince George’s County)**

Presented by Mike Grassmann

The Washington Suburban Sanitation Commission (WSSC) is proposing the decommissioning of Substation 6 and the construction of a 4,000 square foot (sf) warehouse at the WSSC’s Western Branch Water Resource Recovery Facility (WRRF), with an associated access driveway, stormwater management (SWM), and landscaping. The project is located at 6600 Crain Highway, Upper Marlboro, MD, and is located entirely within the Critical Area on lands designated Resource Conservation Area (RCA).

Discussion: Commissioner Roberson noted that due to the size of the project, there is another permit that will be needed, so the staff report should be revised to show the updated conditions for approval. Commissioner Hance asked for clarification about what was being replaced – decommissioned as opposed to torn down. Cost of demolishing structure is prohibitively high, plus contaminants are stable as they stand now. Commissioner Roche expressed concern about decommissioning and leaving it for someone else to deal with at a future time.

Commissioner Conway asked to see on a map where the structure is, and where the replacement building will go. WSSC staff complied and answered follow-up questions. Commissioner Hance asked about non-rooftop disconnects.

Motion: Mr. Williams motioned to add NPDES approval to recommendation. Commissioner Patel seconded. Commissioner Hance abstained from voting. Commissioner Roche voted Nay. Commissioners Patel, Conway, Roberson, Theo Williams, and Ellen Bast voted to approve. **Motion passed.**