

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

October 5, 2022

Project Implementation Subcommittee

***Attendees:** Hertz (Chair), Beulah, Eames, Mahoney, McCall, McCarthy, McDowell, Parker, Roberson, Varney-Alvarado*

***Guests:** Paul Nevenglosky (consultant for MPA), Abby Coplin (consultant for MPA), Bill Buszinski (MES), Skip (MES), Thomas Brewer (SMCM), Shawn (consultant for MES)*

Item 1. September Project Subcommittee Minutes.

Commissioner Hertz asked for a motion to approve the Project Subcommittee meeting minutes from the September 7 meeting. Commissioner Mahoney so moved. Commissioner Varney-Alvarado asked for the minutes to be change to show that her designee attended in her place. Commissioner Varney-Alvarado seconded. **Motion passed unanimously.**

Item 2. Maryland Department of Transportation Maryland Port Administration – Masonville Dredged Material Containment Facility (Baltimore City)

Presented by Jen Esposito

The Maryland Department of Transportation Maryland Port Administration (MDOT MPA) is proposing to raise the perimeter dike of the Masonville Dredge Material Containment Facility (DMCF) from an elevation of +18 feet above Mean Lower Low Water (MLLW) to an elevation of + 30 feet above MLLW in order to provide additional capacity for dredge material from the Baltimore Harbor.

Discussion: Commissioner Eames asked if the project would affect the trail or the eagle habitat at Masonville Cove, and Jen responded that it will not, as it is located across the cove. Commissioner Roberson asked a question about the fee-in-lieu funds that would go to the Chesapeake Bay Trust and the use of the money for specific purposes. Jen responded that the use is based on the MOU in place between CBT, MPA, and CAC. Commissioner Hertz asked if on page 2 of the staff report, in the first sentence where it says “18 feet above MMLW” should that be MHLW? Jen confirmed that it should be MHLW.

Commissioner Mahoney made a motion to approve the project as proposed. Commissioner McCall seconded. **Motion passed unanimously.**

Item 3. Department of Natural Resources – Elk Neck State Park Wastewater Treatment Plant (Cecil County)

Presented by Charlotte Shearin

The Maryland Department of Natural Resources (DNR) and Maryland Environmental Service (MES) are proposing to construct a new wastewater treatment plant (WWTP) in Elk Neck State Park on Thackery Point Road. The park is centrally located in Cecil County and surrounded by the North East River, Elk River and Chesapeake Bay. The majority of the park is designated as Resource Conservation Area (RCA), however the areas containing existing development related to necessary infrastructure, including the site for this project, are designated Limited Development Area (LDA). The new WWTP is needed to accommodate demand within the park, as well as meet current wastewater treatment regulations.

Discussion: Commissioner Roberson asked whether MES incorporated the increase in capacity and flow. MES stated that those were not considerations in the design. Commissioner Mahoney asked about CS-CRAB from the staff report – stands for Coast Smart – Climate Resilience Action Boundary. Commissioner Hertz asked about increased impervious surface and whether there will be increased stormwater management practice requirements. The MES consulting team stated that the gravel and wetland stormwater practices would treat this new impervious surface. Commissioner McCall asked if MES can expand on the remaining infrastructures. The MES team stated that the site will be used partly as a digester and as a shellfish protection pond.

Commissioner McCall moved to approve the proposed improvements as outlined in the staff report. Commissioner Beulah seconded the motion. All voted in favor. **Motion passed unanimously.**

St. Mary's College of Maryland – General Approval of Memorandum of Understanding Updates (St. Mary's County)

Presented by Susan Makhoul

St. Mary's College of Maryland (SMCM) proposes to update the existing Memorandum of Understanding (MOU) between SMCM and the Critical Area Commission. The purpose of the MOU is to provide a streamlined process for the review of specific maintenance and redevelopment actions by allowing Critical Area Commission (CAC) staff to conduct necessary project review and approvals in lieu of a Commission vote.

Discussion: Commissioner Hertz asked for clarification of a reference on page 9 of the staff report, about the maintenance of 'natural surface trails' with "minor filling/rerouting." Ms. Charbonneau replied that the trails are not paved and that the Commission is updating guidance on trails, so those types of topics will be fully address there. Commissioner Hertz also noted that updates to the existing MOU will make it more consistent with other MOUs that have been updated recently.

Commissioner Varney-Alvarado moved to approve the proposed changes to the MOU. Commissioner Beulah seconded the motion. **Motion passed unanimously.**