

Critical Area Commission
Chesapeake and Atlantic Coastal Bays
Meeting held online via Teams

December 13, 2023

Project Implementation Subcommittee Minutes

Subcommittee Members in Attendance: *Roberson (Co-Chair), Adams, Grant, R. Hance, Kiernan, McCarthy, Patel, Theo Williams (for Glanz), Roche, Palma, Young*

Not Present: *Conway, Glanz, Marion*

Guests: *LeeAnne Chandler, Michael Day*

Item 1. Approval of September minutes.

Commissioner R. Hance moved to approve the November minutes. Mr. Williams seconded the motion. All voted in favor. Motion passed unanimously.

Item 2. Washington Suburban Sanitary Commission – Western Branch Water Resources Recovery Facility Main Substation Replacement (Prince George’s County)

Presented by Annie Sekerak

The Washington Suburban Sanitary Commission (WSSC) is proposing to replace equipment at the existing main substation to provide improved capacity to the Western Branch Water Resource Recovery Facility (WRRF). The proposed work includes the replacement of the existing switchgear enclosure with a larger switchgear building; expansion of the existing concrete pad to accommodate the larger switchgear enclosure; installation of two new emergency power generators with associated electrical ductbanks; replacement of the existing transformers; and installation of new walkways and driveways. In addition, the removal of individual electrical facilities at the adjacent Raw Sewage Pumping Station is proposed. The project site is located at 6600 Crain Highway in Upper Marlboro, entirely within the Critical Area on land designated as Resource Conservation Area (RCA).

Discussion: Commissioner R. Hance requested clarification on the types of generators being installed. They are diesel-powered and will be supplemental to already-existing generators. Currently in the case of utility power loss they are unable to treat wastewater. Each generator is able to run for 24 hours.

Commissioner Palma moved to accept the staff recommendation. Commissioner Young seconded the motion. All in favor. Motion passed unanimously.

Item 3. Mauldin Mountain Cabins and Bathhouse Improvements at Elk Neck State Park (Cecil County)

Presented by Susan Makhoul

The Maryland Department of Natural Resources (DNR) Engineering and Construction Unit and the Department of General Services (DGS) are seeking approval to construct

improvements at Elk Neck State Park, including; reconstruction of nine cabins and the associated access road at the Rustic Cabins Loop; new picnic pads and improvements to existing picnic pads, demolition of an existing bathhouse/storage building, and construction of group picnic pavilion at Mauldin Mountain; and improvements to five (5) existing bathhouses including replacement of existing pathways and addition of driveways. The proposed work also includes ADA-compliant parking and pathways, installation of stormwater management (SWM) facilities, and removal/reconfiguration of existing parking and drive loops to decrease the roadway footprint.

Discussion: None. Commissioner Grant motioned to approve the project with conditions as outlined in the staff report. Mr. Williams seconded the motion. All in favor. **Motion passed unanimously.**

Item 4: Information Only – Cape St. Claire Fire Station Replacement and Cape St. Claire Park Parking Lot (Anne Arundel)

Presented by Jennifer Esposito

Commission and County staff are requesting preliminary feedback from the Project Subcommittee regarding the proposed project prior to formal review and vote by the Commission.

The Cape St. Claire Fire Station is the only fire station located on the Broadneck peninsula and services an 11.8 square mile area. The 70-year-old fire station requires significant updating to meet current standards. In order to build the required fire station facility, the County intends to provide 2.58 acres of an adjacent parcel to the Fire Department and perform a 3.0 acre land swap in accordance with Program Open Space land conversion guidelines. The County will then use the remaining 1.96 acres of Parcel 36 to construct a 24-space parking lot for the Cape St. Claire Park. The park parking lot will also serve as ancillary parking for the fire station during construction.

Discussion: Commissioner Roberson asked for information about the existing planting, and using that as a mitigation bank for the project. Michael Day, from the County, responded that the plantings are on a site that used to be agricultural fields, but now are to be planted as a mitigation bank. Commissioner Roberson asked why there was no attempt to do the mitigation onsite or nearby, and Mr. Day responded that due to the development in the county it can be difficult to find suitable land for plantings. The mitigation bank site provides a good location for this. Commissioner R. Hance asked if Sandy Point State Park or any other area parks had been considered for mitigation plantings. Mr. Day replied that he wasn't sure if the park had been considered, partly because it is State property and not County, but also because there is some restoration work already being planned there.

Claudia Jones spoke briefly about the site visit to the mitigation site in question. She said Commission staff spent about four hours there the week before. The site was planted about two years ago and looked healthy. She also mentioned that the plantings could potentially

expand FIDS habitat. Chair Fisher followed up with a question about the funding source for the plantings, and neither County representative knew. Ms. Esposito responded that that information has been requested from the Forestry department but not received yet.

There followed a discussion about the idea of banking mitigation, and claiming credit for plantings. Commissioner Hance said she was uncomfortable with setting a precedent like this, seems like it could be hard to track. Ms. Krinetz returned to the point that Mr. Day was making, about the difficulty of finding areas that are appropriate for large plantings like this, which is where the idea of a mitigation bank comes into play. Certainly, onsite planting would be best, within the Critical Area, but plantings near the Critical Area will still benefit the CA. Ms. Charbonneau mentioned that there are currently MOUs with various jurisdictions for the use of fee-in-lieu money, mitigation banks. Commissioner Roche stated that he shared Commissioner Hance's discomfort with the mitigation banking.

Following more discussion, the County representatives present thanked the Project Subcommittee for all the feedback and said they would keep the concerns in mind when moving forward in the planning stages for this project.