

Critical Area Commission

STAFF REPORT

July 6, 2022

APPLICANT:	Maryland Department Natural Resources
JURISDICTION:	St. Mary's County
PROPOSAL:	Point Lookout State Park Water and Sewer System Rehabilitation
COMMISSION ACTION:	Vote
STAFF RECOMMENDATION:	Approval
STAFF:	Annie Sekerak
APPLICABLE LAW/ REGULATIONS:	COMAR 27.02.05 State Agency Actions Resulting in Development on State-Owned Lands

DISCUSSION

The Maryland Department of Natural Resources (DNR) is proposing improvements to the water and sewer network for the north and south systems within Point Lookout State Park located on the southern tip of St. Mary's County. The proposed work involves the replacement and relocation of linear utilities including water mains, gravity sewer mains, and sewer force mains; and tertiary improvements to existing infrastructure including wastewater pump stations, a hydropneumatics tank, maintenance building, and sewer manholes. The campground at Point Lookout State Park is currently closed to the public as a result of the existing deteriorating infrastructure and recurrent main breaks. Work is proposed to commence this summer and is anticipated to be completed in the Fall 2023.

Given the entire limit of disturbance (LOD) is located within the Critical Area Buffer and given the overall scope of the proposed improvements, this project exceeds the parameters of the Memorandum of Understanding (MOU) between DNR and the Critical Area Commission. Therefore, review and approval by the Critical Area Commission is required. A site plan is attached to this staff report.

Project Impacts and Mitigation

The total LOD for the project is 14.65 acres, the majority of which is temporary disturbance and/or within existing structures. No new lot coverage is proposed. For the most part, underground linear utilities will be replaced in kind; however, select segments will be relocated adjacent to existing roadways for easier maintenance and access as well as to reduce potential

impacts to environmentally sensitive areas in the future.

Impacts to Buffer and other Habitat Protection Areas and Tree Clearing

The entire LOD is located within the Buffer, which has been expanded for nontidal wetlands. In addition, Forest Interior Dwelling Bird Species (FIDS) habitat has been identified onsite. Per COMAR 27.02.05.03.E(2), a State agency may locate a utility within a Habitat Protection Area provided no practicable alternative exists and the utility is designed and maintained so as to provide maximum protection from erosion; avoid or minimize negative impacts to plant and wildlife habitat; and maintain hydrologic processes and water quality.

A total of 7,739 square feet of permanent canopy removal is proposed and 32,574 square feet of understory clearing, in which the canopy will be maintained or allowed to naturally regenerate, is proposed. Canopy and understory clearing is required in order to access existing water and sewer lines. Utility access will be maintained after in-kind replacement and applicable utility lines will be relocated adjacent to existing roadways in order to minimize negative impacts to habitat and water quality during future maintenance and repair. Given onsite constraints and to maintain utility access, mitigation will be fulfilled offsite with the planting of 40,382 square feet of ¾-inch caliper native trees at Newtowne Neck State Park in St. Mary's County. The proposed mitigation planting is adjacent to existing FIDS habitat and will increase the width of contiguous forest along Breton Bay.

Stormwater Management

Due to the nature of the project, Maryland Department of the Environment (MDE) stormwater management and Critical Area 10% pollutant reduction are not required.

Tidal and Nontidal Wetlands

The proposed improvements will result in the conversion of 1,946 square feet of forested wetlands to emergent wetlands as well as temporary impacts to 7,005 square feet of forested wetlands and 72,179 square feet of the 25-foot nontidal wetland buffer. No impacts to tidal wetlands are proposed.

Permits and Review by Other Agencies

Maryland Department of the Environment (MDE)

A Letter of Authorization for impacts to nontidal wetlands and their buffers was received by MDE on May 25, 2022.

Maryland Department of Natural Resources (DNR)

The Department's Wildlife and Heritage Service (WHS) identified time of year restrictions (TOYR) for a Great Blue Heron colony located onsite. Herony buffers have been delineated on the site plans and TOYR for construction work will be observed. WHS also identified FIDS habitat onsite, as discussed above.

Maryland Historical Trust (MHT)

Per comments dated October 25, 2021 and March 4, 2022, MHT determined this project will have no adverse effects on historic properties.

Climate Resiliency

The entirety of Point Lookout State Park, located at the junction of the Potomac River and the Chesapeake Bay, is vulnerable to sea level rise and storm surges. Based on desktop analysis, much of the Park is within the 0 to 2-foot sea level rise inundation zone. The majority of the Park is within the 100-year floodplain and is susceptible to storm surges from a Category 1 hurricane. In addition, wetland adaptation areas have been identified within the Park.

The Park's facilities and campgrounds already exist, and the purpose of the project is to replace failing water and wastewater utilities that service the existing park areas. Where possible, the existing utilities are being replaced in their current location. Where same trench replacement is not feasible or practical, the utilities are being relocated out of wetland and forested areas to be adjacent to existing roadways. No new structures are being built, instead the utilities are being relocated, as applicable, to allow the existing facilities to continue to be used while minimizing maintenance and repair in the future. Proposed improvements include raising the height of targeted sewer manholes in locations prone to flooding and equipping some of the existing pump stations with flood-proofing measures to account for impacts from extreme weather and flooding events.

Impacts to mapped wetland adaptation areas are unavoidable due to the location of existing infrastructure and the nature of the proposed project (i.e., repairing utilities servicing existing facilities). The work is underground and will not create new structures above ground that could prevent the natural migration of wetlands in the future.

The Park's marshland ecosystem supports a diversity of native and migratory wildlife species. Lake Conoy and Point Lookout Creek comprise a brackish 300-acre tributary of the Potomac River, surrounded by 240 acres of marshland and extensive areas of submerged aquatic vegetation and native marsh grasses. Marsh, shrub-scrub, and forest areas provide habitat for a variety of upland mammals and birds. The park is mostly forested, which stabilizes the soils and provides important riparian buffer benefits, such as nutrient removal, habitat, and carbon sequestration. Restoration of the habitat in and around Lake Conoy is a major goal of the recently published Point Lookout Strategic Management Plan, specifically Goal #4: "Improve underwater habitat and water quality in Lake Conoy through restoration of oyster beds, re-establishing submerged aquatic vegetation and restoring native marsh vegetation." In addition, Park staff has initiated a dune grass planting effort all along the beach areas in order to reduce erosion and "soften" the edges between the beach and the existing grassed picnic areas.

In accordance with COMAR 27.02.05.03.C, DNR Maryland Park Service is making every effort to minimize any new impacts to wetland migration areas and keep development at Point Lookout

State Park within the areas that are already developed. All ground disturbance will be temporary, replacing in kind or, where that is not possible, adjacent to an existing road. By pursuing the Strategic Management Plan goal described above and keeping disturbance within already developed areas, protection of the natural features onsite, including wetland adaptation areas, will be maximized.

Public Notice

In accordance with the provisions of COMAR 27.03.01.03, signage was posted at the project site and notice of the project was posted in the *Southern Maryland* newspaper on June 10, 2022. As of the writing of this staff report, no public comments in opposition to this project have been received. Any additional comments received will be noted at the Commission meeting.

STAFF RECOMMENDATION

Staff recommends approval of the project as proposed.

MARYLAND ENVIRONMENTAL SERVICE

Scotland, Maryland

POINT LOOKOUT STATE PARK SEWAGE

COLLECTION AND WATER DISTRIBUTION

SYSTEM REHABILITATION

ENVIRONMENTAL FEATURES PLAN

NOTES:

THE FOLLOWING ARE SHOWN IN THE MAPS:

- LIVING RESOURCES/HABITAT PROTECTION AREAS
- SENSITIVE SPECIES PROJECT REVIEW AREAS
- WATERFOWL AREAS
- FOREST INTERIOR DWELLING
- FLOODPLAIN LAYER (UNLESS OTHERWISE NOTED, ALL THE MAPPED AREA IS VULNERABLE TO 100 YEAR FLOODPLAIN)
- SEA LEVEL RISE VULNERABILITY
- STORM SURGE (UNLESS OTHERWISE NOTED, ALL THE MAPPED AREA IS VULNERABLE TO CATEGORY I)

TOTAL IMPACT AREA (LOD): 641,733 SF

TOTAL NET CHANGE IN LOT COVERAGE: 0 SF

PERMANENT CANOPY REMOVAL: 7,739 SF

UNDER-STORY IMPACT: 32,574 SF (CANOPY ALLOWED TO NATURALLY REGENERATE)

TOTAL FOREST IMPACT: 40,313 SF

BUFFER IMPACTS: YES

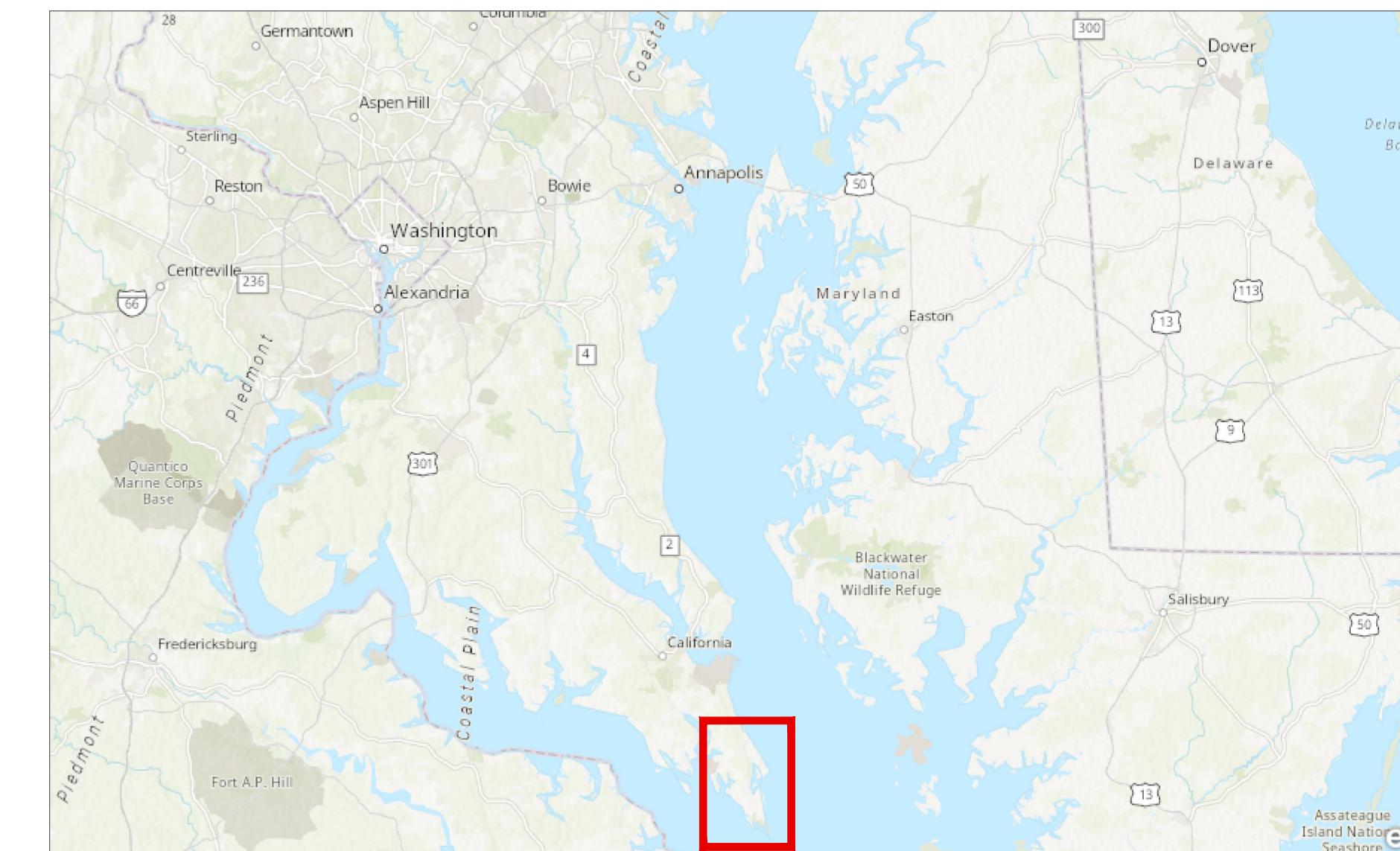
HABITAT PROTECTION AREA IMPACTS: YES

WETLAND IMPACTS: YES

NOTES:

THE FOLLOWING ARE NOT FOUND IN THE VICINITY OF THE PROJECT AREA:

- LIVING RESOURCES/HABITAT PROTECTION AREAS
- NATURAL HERITAGE AREAS
- SHORELINE CHANGES/EROSION
- HIGH EROSION TRANSECTS
- MEDIUM EROSION TRANSECTS



VICINITY MAP

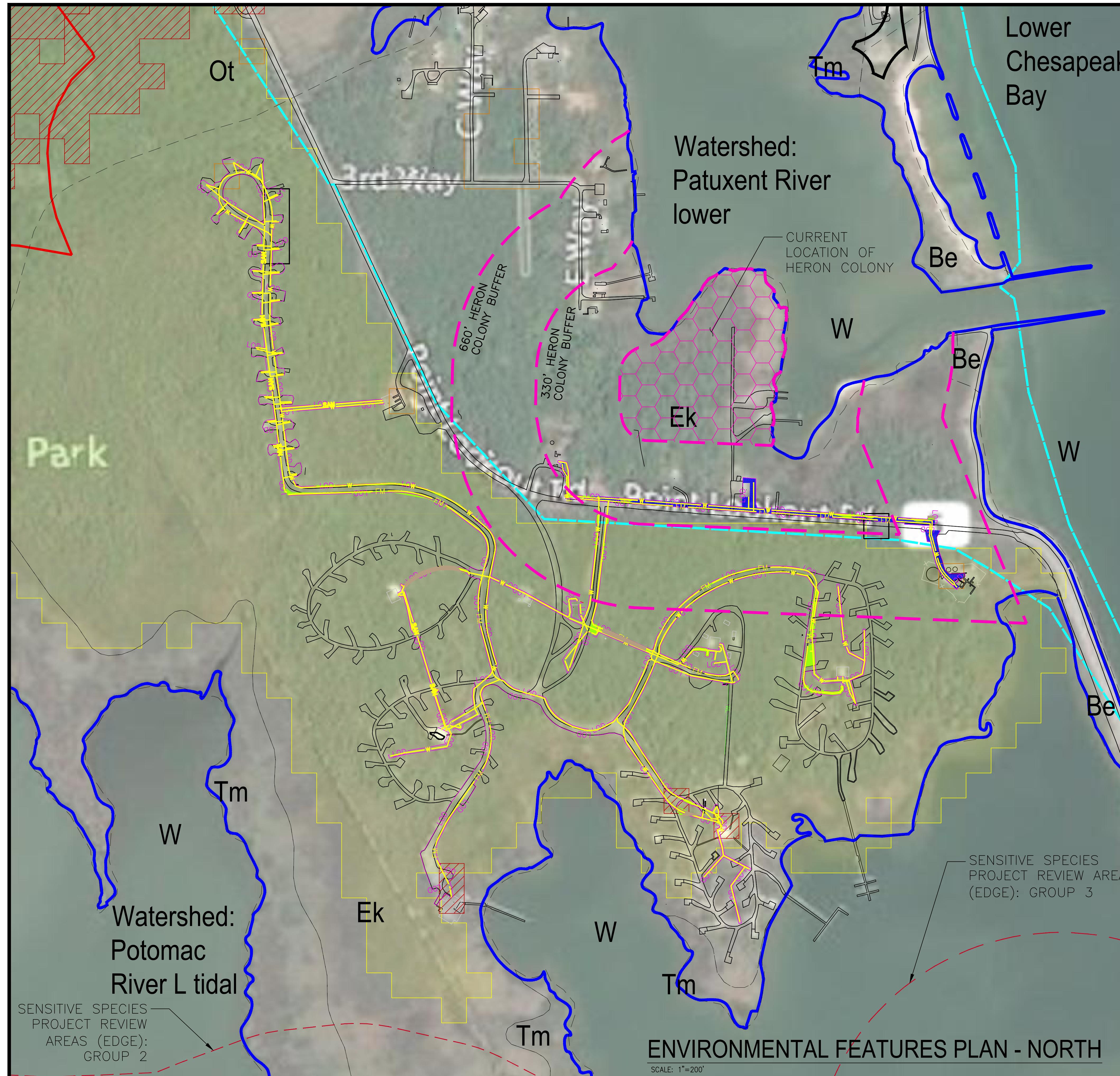


LOCATION MAP

SCALE: 1" = 1 MILE

Impact Description											
Impact Number	Impact Area Sq. Ft.	Vol. of Fill Cu. Ft.	Wetland Number	Total Wetland Acres	Water Replacement or New	Water Utility Length through Impact Area Ft.	Sewer/FM Replacement or New	Sewer/PW Utility Length through Impact Area Ft.	Buffer Impact Sq. Ft.	Impact Type	Jurisdictional Activity
C03-1-1	10	0	1	47.89	Replacement	10	Replacement	10	0	Maintenance	0) 1,2,3
C03-1-2	511	480	1	47.89	Replacement	40	Replacement	40	0	Maintenance	0) 1,2,3
C03-1-3	400	600	1	47.89	Replacement	18	Replacement	32	0	Maintenance	0) 1,2,3
C03-1-4	176	204	1	47.89	Replacement	17	Replacement	17	0	Maintenance	0) 1,2,3
C04-1	76	0	1	47.89	Replacement	175	Replacement	175	0	Maintenance	0) 1,2,3
C04-1-2	2717	1902	1	47.89	Replacement	134	Replacement	132	0	Maintenance	0) 1,2,3
C05-1-1	2460	4224	1	47.89	Replacement	37	Replacement	56	0	Maintenance	0) 1,2,3
C05-1-1	369	444	1	47.89	Replacement	175	Replacement	177	0	Maintenance	0) 1,2,3
C05-1-2	402	5052	8	1.2	New	255	Replacement	205	0	Maintenance	0) 1,2,3
C06-1-2	372	4336	4	47.89	Replacement	185	Replacement	193	0	Maintenance	0) 1,2,3
C07-1-1	40	36	1	47.89	Replacement	3	Replacement	3	0	Maintenance	0) 1,2,3
C07-1-2	7	0	1	47.89	Replacement	186	Replacement	186	0	Maintenance	0) 1,2,3
C09-1-1	1948	2322	1	47.89	New	186	Replacement	186	0	Maintenance	0) 1,2,3
C09-1-2	579	684	1	47.89	Replacement	57	Replacement	57	0	Maintenance	0) 1,2,3
C09-1-3	815	732	1	47.89	Replacement	61	Replacement	61	0	Maintenance	0) 1,2,3
C09-1-4	1964	2322	1	47.89	Replacement	186	Replacement	186	0	Maintenance	0) 1,2,3
C10-8-1	4202	5052	8	1.2	New	216	New	205	0	Maintenance	0) 1,2,3
C10-8-2	33	0	8	1.2	Replacement	190	Replacement	190	0	Maintenance	0) 1,2,3
C10-8-3	1893	2280	8	1.2	Replacement	160	Replacement	160	0	Maintenance	0) 1,2,3
C10-8-4	1962	1920	8	1.2	Replacement	120	Replacement	120	0	Maintenance	0) 1,2,3
C10-8-5	132	1296	8	1.2	Replacement	108	Replacement	108	0	Maintenance	0) 1,2,3
C11-23-1	846	852	23	0.04	Replacement	71	Replacement	71	0	Maintenance	0) 1,2,3
C11-23-2	239	120	7	2.01	Replacement	10	Replacement	10	0	Maintenance	0) 1,2,3
C11-8-1	1860	2016	9	1.26	Replacement	168	Replacement	168	0	Maintenance	0) 1,2,3
C11-8-2	531	370	9	1.26	Replacement	85	Replacement	85	0	Maintenance	0) 1,2,3
C11-8-3	213	408	9	1.26	Replacement	17	Replacement	17	0	Maintenance	0) 1,2,3
C13-8-1	374	348	9	1.26	Replacement	29	Replacement	29	0	Maintenance	0) 1,2,3
C13-8-2	414	492	9	1.26	Replacement	41	Replacement	41	0	Maintenance	0) 1,2,3
C13-8-3	82	96	9	1.26	Replacement	6	Replacement	6	0	Maintenance	0) 1,2,3
C13-8-4	239	0	11	2.38	Replacement	230	Replacement	230	0	Maintenance	0) 1,2,3
C13-8-5	11	12	2	0.55	Replacement	11	Replacement	11	0	Maintenance	0) 1,2,3
C13-8-6	12	22	6	0.65	Replacement	12	Replacement	12	0	Maintenance	0) 1,2,3
C15-12-2	216	628	12	8.65	New	69	Temporary Direct	4) 1,2	0	Maintenance	0) 1,2,3
C15-15-1	1546	2136	15	13.69	Replacement	178	Replacement	178	0	Maintenance	0) 1,2,3
C15-16-2	1887	3120	15	13.69	Replacement	280	Replacement	280	0	Maintenance	0) 1,2,3
C15-16-3	19	7224	15	13.69	Replacement	602	Replacement	602	0	Maintenance	0) 1,2,3
C20-15-1	2386	2316	15	13.69	Replacement	188	Replacement	188	0	Maintenance	0) 1,2,3
C21-14-1	562	1044	14	3.18	Replacement	45	Replacement	42	0	Maintenance	0) 1,2,3
C21-14-2	258	492	14	3.18	Replacement	28	Replacement	13	0	Maintenance	0) 1,2,3
C21-14-3	398	4212	14	3.18	Replacement	174	Replacement	177	0	Maintenance	0) 1,2,3
C21-15-1	322	372	15	13.69	Replacement	31	Replacement	31	0	Maintenance	0) 1,2,3
C21-15-2	149	5556	15	13.69	Replacement	158	Replacement	158	0	Maintenance	0) 1,2,3
C21-15-3	371	216	15	13.69	Replacement	196	Replacement	196	0	Maintenance	0) 1,2,3
C21-15-4	518	664	15	13.69	Replacement	36	Replacement	36	0	Maintenance	0) 1,2,3
C21-15-5	1268	15	13.69	Replacement	114	Replacement	114	0	Maintenance	0) 1,2,3	
C22-15-1	503	612	15	13.69	Replacement	51	Replacement	51	0	Maintenance	0) 1,2,3
C22-15-2	532	564	15	13.69	Replacement	47	Replacement	47	0	Maintenance	0) 1,2,3
C22-15-3	658	652	15	13.69	Replacement	71	Replacement	71	0	Maintenance	0) 1,2,3
C22-15-4	991	1008	15	13.69	Replacement	84	Replacement	84	0	Maintenance	0) 1,2,3
C22-15-5	1028	695	15	13.69	Replacement	58	Replacement	58	0	Maintenance	0) 1,2,3
C22-15-6	239	1596	15	13.69	Replacement	133	Replacement	133	0	Maintenance	0) 1,2,3
C22-15-7	324	245	15	13.69	Replacement	20	Replacement	20	0	Maintenance	0) 1,2,3
C22-21-1	309	396	22	7.47	Replacement	33	Replacement	33	0	Maintenance	0) 1,2,3
C22-22-1	161	576	22	7.47	Replacement	48	Replacement	48	0	Maintenance	0) 1,2,3
C22-21-1	831	1020	22	7.47	Replacement	85	Replacement	85	0	Maintenance	0) 1,2,3
C22-22-2	1613	1932	22	7.47	Replacement	161	Replacement	161	0	Maintenance	0) 1,2,3

Impact Breakdown Summary Table	Quantity	Units	Jurisdictional Activities
Total Impact Area per Wetland Number:	58057	Sq. Ft.	
Wetland 1 Impacts	17101	Sq. Ft.	(i) Elevation
Wetland 4 Impacts	5926	Sq. Ft.	(ii) Woody/grabbing



Point Lookout State Park Sewage Collection and Water Distribution System Rehabilitation Environmental Features Plan - North

M
MOTT
MACDONALD

225 International Circle Suite 202
Hunt Valley, MD 21030
Phone: 866-363-1471



215 SCHILLING CIRCLE
SUITE 102
HUNT VALLEY, MD 21031
410-785-7423 PHONE 410-771-1313 FAX

DESIGNED EAN
DETAILED EAN
CHECKED CMS
APPROVED JAC
DATE 3-9-2022



MARYLAND ENVIRONMENTAL SERVICE
MARYLAND ENVIRONMENTAL SERVICE
259 NAJOLES RD
MILLERSVILLE MD 21108
410-729-8200 FAX: 410-729-8220

MARYLAND ENVIRONMENTAL SERVICE
WATER AND WASTEWATER
ROY C. McGRATH
DIRECTOR/CEO
ELLEN FRKETIC
CHIEF OF ENGINEERING
C. JASON GILLESPIE
MANAGING DIRECTOR, ENVIRONMENTAL SERVICES
EZGI KURDOGLU
PROJECT MANAGER

NO. DATE BY CK

POINT LOOKOUT STATE PARK SEWAGE COLLECTION AND WATER DISTRIBUTION SYSTEM REHABILITATION
ENVIRONMENTAL FEATURES PLAN - NORTH
SCALE: AS NOTED

MES PROJECT ID NO.
1-20-2-04-3
MM PROJECT NO.
SHEET
2 OF 3
DRAWING NO.
EFP-2

Lower Chesapeake Bay

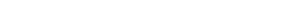


Watershed Patuxent River lower

Watershed: Potomac River tidal

– SENSITIVE SPECIES PROJECT REVIEW ARFAS: GROUP

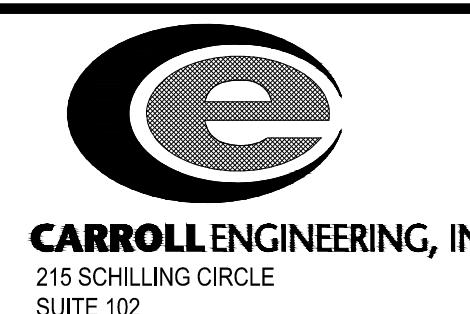
 LOD	LIMIT OF DISTURBANCE
 PROPOSED UTILITIES	PROPOSED UTILITIES
 CRITICAL AREA LIMIT	CRITICAL AREA LIMIT
 WATERSHED DIVIDE	WATERSHED DIVIDE
 SHORELINE	SHORELINE
 SOIL TYPE	SOIL TYPE
 FOREST INTERIOR DWELLING SPECIES	FOREST INTERIOR DWELLING SPECIES
 UNDERSTORY FOREST IMPACT	UNDERSTORY FOREST IMPACT
 WETLAND ADAPTATION AREAS·MEDIUM PRIORITY	WETLAND ADAPTATION AREAS·MEDIUM PRIORITY

-  WETLAND ADAPTATION AREAS: HIGH PRIORITY
-  HERON COLONY
-  HERON COLONY BUFFER
-  FOREST EDGE
-  500-YR FLOODPLAIN

ENVIRONMENTAL FEATURES PLAN - SOUTH

SCALE: 1" =

A horizontal scale bar diagram. It features five segments: a black segment on the left labeled '200'' above it, a white segment next to it labeled '100'' above it, a black segment in the center labeled '0' above it, a white segment to the right labeled '200'' above it, and a black segment on the far right labeled '400'' above it. Below the scale bar, the text 'SCALE: 1"=200'' is centered.



DESIGNED	EAN
DETAILED	EAN
CHECKED	CMS
APPROVED	JAC
DATE	3-9-2022

1

MARYLAND ENVIRONMENTAL SERVICE WATER AND WASTEWATER

MES PROJECT ID NO.
1-20-2-04-3

MM PROJECT NO.

SHEET

3 OF 3

DRAWING NO.

3