Appendix E2.

Amendment to

Memorandum of Understanding
Between Maryland Department of Natural Resources and
Maryland-National Capital Park and Planning Commission
Regarding Patuxent River Park and
the Chesapeake Bay National Estuarine Research Reserve in Maryland
Amendment To
MEMORANDUM OF UNDERSTANDING

THIS AMENDMENT TO MEMORANDUM OF UNDERSTANDING ("Amendment") made this 11th day of November, 2007, by and between the MARYLAND DEPARTMENT OF NATURAL RESOURCES ("DNR"), having an address at 580 Taylor Avenue, Tawes State Office Building, Annapolis, MD 21401, and the MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION ("M-NCPPC"), having the address at 6611 Kenilworth Avenue, Riverdale, Maryland 20737.

WHEREAS, DNR and M-NCPPC entered into a Memorandum of Understanding dated July 17, 1990 ("MOU") relating to the inclusion of M-NCPPC’s Patuxent River Park ("PRP") as part of the Jug Bay component of Maryland’s Chesapeake Bay National Estuarine Research Reserve ("the Reserve"); and

WHEREAS, since the MOU was executed, M-NCPPC would add an additional 455 plus or minus acres of PRP to the Jug Bay Component of the Reserve; and

WHEREAS, Article I of the MOU provides that additional property at PRP may be included in the Reserve upon approval of M-NCPPC, DNR and the National Oceanographic and Atmospheric Administration ("NOAA"); and

WHEREAS, NOAA cannot give its approval by the signature on this Amendment of any representative of NOAA (assumed in Article I of the MOU), but rather needs to approve the additional property pursuant to the Coastal Zone Management Act, the National Environmental Policy Act, and other laws and regulations, the approval being effective upon the publication of the final decision in the Federal Register; and

WHEREAS, the parties have agreed to adopt this Amendment to the MOU in order to evidence their approval of the inclusion of additional property at PRP in the Reserve, subject to the approval of NOAA;

NOW, THEREFORE, DNR and M-NCPPC do hereby agree that the MOU is amended to expand the PRP component of the Reserve as provided in this Amendment.

1. The PRP component of the Reserve is expanded to include all of the Properties shown on the map appended to this Amendment as Appendix A, Entitled “Patuxent River Park”, for a total area of 606 acres, plus or minus. The parcels comprising the total acreage are described in documents filed Among the Land Records of Prince George’s County, Maryland, which are Summarized on the sheet appended to this Amendment as Appendix B.
2. The expansion of the PRP component to the Reserve is subject to the Approval of the National Oceanographic and Atmospheric Administration (NOAA), which shall be evidenced by the publication of NOAA’s final decision in the Federal Register.

3. All other terms and conditions of the MOU dated July 17, 1990 not specifically amended herein shall remain full force and effect.

IN WITNESS WHEREOF, DNR and M-NCPPC have hereunto set their hands and seals as of the day and year above written.

Witness:  

Cynthia L. Wosham  

MARYLAND DEPARTMENT OF NATURAL RESOURCES  

John R. Griffin  

Secretary

Witness:  

Patricia Colihan Barney  

MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  

Oscar S. Rodriguez  

Secretary-Treasurer  

Executive Director M-NCPPC
APPENDIX “B”