

Public Hearings - Charles County - Joint meeting of Critical Area Commission and
Charles County Commissioners 1988 msh_51830-28

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CHESAPEAKE BAY CRITICAL AREAS COMMISSION

JOINT MEETING OF THE STATE CRITICAL AREAS
COMMISSION AND THE CHARLES COUNTY COMMISSIONERS

February 2, 1988, 7:12 p.m.
Charles County Court House
La Plata, Maryland

COMMISSION PANEL:

- James E. Gutman, Chairman
- Connie Litter, Member
- Albert Zahmiser, Member
- Robert Shepline, Member
- Carolyn Watson, Staff Person

REPORTED BY: Kevin Reppenhagen

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18
19
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21
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I N D E X

PAGE

OPENING REMARKS - Thomas Middleton	3
PRESENTATION BY ENVIRONMENTAL PLANNER - Kevin McJunkin	4
OPENING REMARKS BY PANEL CHAIRMAN - James Gutman	11
REMARKS BY MAYOR OF INDIAN HEAD - Warren Bowie	13
STATEMENTS BY THE PUBLIC:	
JOHN G. HOLT, JR.	17
JAMES STEWART	19
ANDERS BILMANIS	20
BETTY deKEYSER	24
HARRY A. BERGER, Vice President of the State Division of the Isaac Walton League of America	27
LESTER B. MUSSMAN	29
MICHAEL SULLIVAN	29
DR. GEORGE WILMOT, Southern Maryland Audubon Society	34
JAMES RENDER	37
KENNETH HAAPALA, representing owners of R-15 property designated as Parcel 149 on Map #79	37
GEORGE MILLS, Port Tobacco Civic Association	38
LEO SMITH	39
LINDA WINTER, Chesapeake Bay Program Coordinator for the Isaac Walton League of America	42
BENEDETTO QUATTROCIOCCHI	45
STEVE BERBERICK	48
JOSEPH HOFFMAN, Charles County Chapter of the Isaac Walton League of America	51
CLOSING REMARKS - Thomas Middleton	52

1 BY MR. McJUNKIN: Thank you. You all should
2 have received a handout, up front, which is basically a
3 summary of the changes that have been made to the original
4 Draft Critical Area Plan, which was dated August the 17th.

5 Since that time, the Commissioners have had a
6 number of meetings with the staff to review the Plan in
7 detail. I've also had a number of meetings with other
8 people that are interested in the Critical Area Program,
9 and they've reviewed all the written and oral testimony
10 that has come out of all the hearings that we've had.

11 Since we've already had one public information
12 meeting, and I believe this is the third or maybe the
13 fourth public hearing on this Program, plus a couple of
14 work sessions, I'm not going to explain the Program in
15 detail. What I'm going to focus on, just for a few min-
16 utes, is the changes that have been made to the original
17 Draft Program.

18 The; Chapter 3, the Development Program, is a
19 major part of the Plan. The original calculation of 862
20 acres of growth allocation was incorrect, and that has been
21 corrected to 1,130 acres, which Charles County can convert
22 from Resource Conservation to Limited or Intense Development.

1 Regarding future expansion of the County's
2 Critical Area, there have been a number of discussions
3 between the Commissioners and representatives of the Isaac
4 Walton League, and out of that has come a new section in
5 the Draft Plan which discusses the implications of includ-
6 ing the Zekiha within the Critical Area.

7 It also has a section; it also talks about the
8 effect that that would have on the County's growth alloca-
9 tion. This, this is an idea that will be studied through
10 the Scenic Rivers Program, which is just getting started.

11 A sewer extension policy--a new section was
12 added to incorporate the, the new sewer extension policy
13 into the County's Critical Area Plan.

14 Regarding Transfer of Development Rights Pro-
15 gram, it was decided to delete this from the Critical Area
16 Program and to study that as part of the Comprehensive Plan
17 Update, which is, should be completed approximately the end
18 of this summer.

19 In the growth allocation policy, one change was
20 made. The Weir Point portion of the peninsula was given a
21 conditional growth allocation, and that is; it was should
22 it be developed, it was recognized that it would count

1 against the growth allocation, but the Commissioners, under
2 the provisions of the Waterfront Planning Community Agree-
3 ment, agreed that they would get the allocation if they
4 were to develop. That, that constitutes about 60 acres.

5 Another; additional language was added regard-
6 ing the growth allocation as far as the phasing. Fifty
7 percent of the total growth allocation of the county is to
8 be reserved for commercial and industrial uses, in the
9 Draft Plan.

10 The Plan also sets aside a maximum of twenty-
11 five percent of the growth allocation, which is 1,130
12 acres. Twenty-five percent of that is about 275 acres,
13 which may be granted prior to January the 1st, 1990. The
14 remaining twenty-five percent growth allocation may be
15 utilized for residential development, after January the
16 1st, 1990.

17 We also dealt with the issue of how do you
18 compute the use of that growth allocation, what portion of
19 development counts against growth development, and it was
20 decided, or it was proposed, that the required hundred foot
21 buffer areas and any other areas that are under permanent
22 conservation easement, should not count against the growth

1 allocation.

2 An additional change was to set aside an
3 initial allocation of 22 acres of the growth allocation,
4 for the town of Indian Head. This was based upon the
5 town's percentage of the total county population.

6 Chapter 4 changes: Basically, the detailed
7 site specific location and design requirements for water-
8 dependent facilities were moved into appendices. The
9 section about suitability of different areas in the county
10 for water-dependent facilities has been deleted from the
11 Plan. The analysis has been saved and, for use with the
12 Comprehensive Plan.

13 Chapter 5, the Shore Erosion Protection
14 Program: A proposal to provide a development bonus for
15 providing shore erosion control has been deleted from the
16 Plan.

17 The Forest and Wildlife Protection Program was
18 modified to; the Forest Replacement Program, that was
19 modified slightly--the county has established priority
20 areas for reforestation, and the county will not, will not
21 do an offset program. That's a program in which fees are
22 collected instead of providing reforestation. The county

1 will not do that unless it is found, through the implem-
2 entation of the Program, that that is a needed program.

3 The Agricultural Protection Program: once
4 again, the Transfer of Development Rights proposal was
5 dropped from this Plan, but it will be considered as part
6 of the Comprehensive Plan Update. That is a process that
7 needs to be evaluated on a county-wide comprehensive basis.

8 No basic changes to the Surface Mining Program.

9 The two major changes; now, I might just add
10 here that I'm not; I'm just trying to summarize the major
11 changes. There have been a few other minor changes along
12 the way. Two major changes were in the areas of Non-Tidal
13 Wetland Protection Program and a Bald Eagle Protection
14 Program.

15 Regarding Non-Tidal Wetlands--in reviewing the
16 Critical Area criteria, it was found that the process for
17 protecting non-tidal wetlands, in many ways, duplicates the
18 existing process, and so we tried to eliminate that, while
19 still maintaining the twenty-five foot buffer and the
20 requirements for mitigation of wetlands which are filled or
21 otherwise altered.

22 The Bald Eagle Protection Program: the county

1 and the landowner of a bald eagle nesting site will negoti-
2 ate a Bald Eagle Management Plan with assistance from some
3 state agencies, within twelve months of the date of the
4 Critical Area Program, and; or prior to any commercial
5 harvesting or development activities within a quarter mile
6 of the nest.

7 This is, this is a plan that needs to take into
8 account the difference between various nesting sites, and
9 it will actively involve the landowner in the process of
10 developing a management plan.

11 The only change which we made to our land use
12 classification maps--and those are the maps where Resource,
13 Conservation, Intense and Limited Development are mapped--
14 was that the Mattawoman Treatment Plant was designated as
15 an Intense Development Area, and there was a slight revis-
16 ion in the Clifton area, to include those areas which are
17 in the, in the county sewer service area. There was a
18 slight addition to, to Limited Development Area.

19 What happens next is that the county will be
20 developing a legislative package to implement the Critical
21 Area Plan. In the Draft Plan, there is, there is draft
22 legislation for the zoning districts; also, draft standards

1 for water-dependent facilities. We will be incorporating
2 those into county ordinances and submitting them to the
3 Critical Area Commission for review.

4 I guess Mr. Gutman may have a few words to say
5 about the Critical Area Commission Panel, and what they're
6 here; and after he--why they'e here--and after he, he
7 speaks, then we'll open the floor up for statements and
8 questions.

9 MR. MIDDLETON: Before we do that, let me just
10 explain. Some of you all that know how the, this whole
11 process worked, know that once the County Commissioners
12 have had their public hearing, the next step would be to
13 send our Plan up to the state, to the State Commission, and
14 they in turn would hold a public hearing in the jurisdic-
15 tion here in Charles County and, thus, some of you may be
16 wondering, well, why are you having a joint hearing?

17 The State Commission felt that we had made
18 significant changes to our Plan from the time it left the
19 Planning Commission, when they held their public hearing,
20 until; from that time to the time it was finished by the
21 County Commissioners, before we approved it. We had made
22 significant changes and, therefore, the state suggested

1 that we have a joint hearing tonight.

2 Let me just explain what our reason here
3 tonight is for--the purpose of this public hearing before
4 us. We're here tonight to hear your concerns, to answer
5 any questions that you may have, and to listen to any
6 statements, either pro or con, to the changes that we have
7 made in this Program, this Program that we have sent up to
8 the State. So, we will give you a chance, as soon as the
9 State presents its position, states its reasons for the
10 public hearing tonight, to make those statements, answer
11 those questions, or share your concerns.

12 So, at this time, I'll ask Mr. Gutman if he
13 would explain the Commission's position here tonight.

14 OPENING REMARKS BY PANEL CHAIRMAN

15 BY CHAIRMAN GUTMAN: Thank you, Mr. Middleton.
16 Good evening. Let me just introduce those who are with me
17 here at the front, so that you know who some of us are.
18 I'm gonna' start over here on my far right, and I would
19 like Carolyn Watson to stand, who is staff to the Commis-
20 sion. Next, Skip Zahniser, a member of the Commission, is
21 from Calvert County. In addition, tonight, we have,
22 there's Constance Litter, who is the Secretary of the

1 Department of State Planning. My name is James E. Gutman.
2 I am a member of the Commission. I serve at large for the
3 western shore, and tonight will chair the meeting. In
4 addition, we have with us Ms. Betty Gamble, who is court
5 reporter, who will be taking down the testimony provided
6 tonight.

7 I would like to explain how we will proceed,
8 and exactly why it is that we are here. The purpose of
9 this hearing is to have public comment on the local juris-
10 diction's program, as provided under Section 81809 of the
11 Critical Area Law.

12 The decision of whether to accept or reject the
13 county plan must be made in ninety days from the date that
14 the Commission finds the Program has been submitted in its
15 entirety.

16 Tonight we will hear oral comments and accept
17 any written comments. Further, written comments can be
18 provided to the Commission, the record remaining open for
19 one week. If you care to provide any written comments on
20 the Plan or the mapping, you may send those to the Chairman
21 of the Critical Area Commission. That's the Honorable
22 Solomon Liss, Chesapeake Bay Critical Area Commission, 580

1 Taylor Avenue, D-4, Annapolis, Maryland 21401. Let me just
2 repeat that for those who may not be able to write as fast
3 as I spoke. Written statements or additional comments not
4 provided tonight will be accepted for a period of one week;
5 that is, if sent no later to be received than the 9th of
6 February, to Solomon Liss, L-I-S-S, Chesapeake Bay Critical
7 Area Commission, 580 Taylor Avenue, D-4, Annapolis, Mary-
8 land 21401.

9 First, I'd like to inquire if there are any
10 appointed or elected officials, in addition to the
11 Commission members, your County Commissioners, who are
12 behind me? Is there anyone here? Yes; I can't; if you
13 have a statement to make at this time, we'd be pleased to
14 hear from you, or if you wish to speak later, it's your
15 choice.

16 MAYOR BOWIE: It makes no difference to me,
17 sir.

18 CHAIRMAN GUTMAN: Come ahead right now, if you
19 will, and if you don't mind, please give your name and your
20 title.

21 REMARKS BY THE MAYOR OF INDIAN HEAD

22 BY MAYOR BOWIE: I'm Warren Bowie, mayor of the

1 town of Indian Head. Commissioners, members of the Commis-
2 sion, I'd like to offer testimony tonight considering Chap-
3 ter 3 of the Revised Plan that's being discussed, the sec-
4 tion dealing with the coordination with the town of Indian
5 Head.

6 We have forwarded a letter to Judge Solomon
7 Liss. I have the letter here. I won't read it all, but
8 I'd like to enter into the public record those areas that I
9 feel are important, and the Commission should hear tonight.

10 A particular concern to the town of Indian Head
11 is the revision made in Chapter 3 to the section entitled,
12 "Coordination With the Town of Indian Head." The Plan
13 originally stated: "In order to ensure an equitable dis-
14 tribution of the growth allocation between the county and
15 the town of Indian Head, it is recommended that the town
16 and the county set aside a portion of the growth allocation
17 for the town of Indian Head, and a planning area within one
18 mile of the town's boundaries. The growth allocation
19 increment would be established through negotiations between
20 the Town Council of Indian Head and the Charles County
21 Commissioners."

22 However, the revision states, "Revised Plan

1 sets aside an initial allocation of 22 acres, based upon
2 the town's percentage of the total county population."

3 The unilateral allocation by the Charles County
4 Commissioners of the growth allocation of 22 acres cannot
5 be considered to be coordination with the town. Not only
6 did not negotiations occur between the Town Council and the
7 County Commissioners, the Town Council was not even noti-
8 fied of the proposed change in the terms of coordination
9 prior to the transmittal to you of the Draft Plan.

10 We request that the Chesapeake Bay Critical
11 Area Commission not approve the Revised Coordination with
12 the Town of Indian Head section of Charles County Draft
13 Critical Area Plan, until actual negotiations between the
14 Town Council and the Charles County Commissioners occur, to
15 determine that growth allocation.

16 Thank you.

17 CHAIRMAN GUTMAN: Thank you. Additionally, are
18 there any other elected or appointed officials with us
19 tonight? Alright. I would just like to pause a moment and
20 give you a few ground rules of how we will proceed.

21 I will ask that you hold your comments to no
22 more than three minutes, and there will be a limit of five

1 minutes, at which time you must terminate your remarks. We
2 have a number of speakers tonight, and I will have to be
3 rigid in the enforcement of that rule.

4 First; next, I would like to reiterate that the
5 public comment we are seeking tonight is to focus on the
6 local Program. If there are boundary disputes or issues
7 that someone would like to have explored or in some way
8 want to have a change in the classification of their
9 property, these individual problems should be referred to
10 the local Planning official, and not to the Commission.
11 Tonight, no answers to individual problems will be provided
12 by the Panel members. We are not here tonight in any way,
13 shape or form to provide information as a Panel. That is
14 not our function. Our function is solely to hear your
15 comments as to how you view the program that has been put
16 together, how you view the mapping, as an entity; whether
17 or not, in your opinion, it meets the criteria that has
18 been set forth by the Critical Area Commission, with the
19 approval of the General Assembly.

20 I would like just to add, additionally, there
21 may still be, in the minds of some, problems with the
22 Critical Area legislation itself. Again, it is not the

1 purpose of this Panel--only a very small portion of the
2 full Commission--it is not our function to discuss the
3 philosophy that guided the Critical Area Commission law and
4 its passage through the General Assembly.

5 So, if you will, please make your remarks to
6 the point of how you view this Plan in meeting the legisla-
7 tion and the criteria.

8 I will do my best to correctly pronounce your
9 names. Since some are not printed, I have, I will probably
10 make some grievous error in pronunciation. First, Mr.
11 Warren Bowie.

12 MR. MIDDLETON: He spoke.

13 CHAIRMAN GUTMAN: Alright.

14 MAYOR BOWIE: I just spoke.

15 CHAIRMAN GUTMAN: Fine. John G. Holt. And
16 please come forward, identify yourself, where you live, and
17 if you are representing a group, please identify that
18 group.

19 STATEMENTS FROM THE PUBLIC

20 JOHN G. HOLT, JR.

21 BY MR. HOLT: I'm John G. Holt, Jr. I'm
22 representing myself. I live in Chickamuxen (sp.) area of

1 Charles County. I have a approximately 500 acre farm.
2 About half of it falls within the Critical Area, and I am
3 here tonight to just advise the Committee that I will be
4 submitting something in writing, rather than presenting my
5 views. I am opposed to the, the workings of the Critical
6 Area because I believe that it is denying the landowner of
7 unreasonable use of his property, and I will be submitting
8 my answer in writing by the deadline of February 9th.
9 Thank you.

10 CHAIRMAN GUTMAN: Thank you. Mr. Stephen
11 Berberick?

12 MR. MIDDLETON: Berberick.

13 CHAIRMAN GUTMAN: Would you, would you please
14 come forward and speak into the microphone?

15 MR. BERBERICK: Could I, could I take a buy and
16 speak later?

17 CHAIRMAN GUTMAN: Pardon me?

18 MR. BERBERICK: Could I, could I wait till
19 later, until we hear some comments?

20 CHAIRMAN GUTMAN: Well, I'll try to remember.
21 Remind me if I arbitrarily close before you have the
22 chance. Mr. James Stewart?

1 MR. STEWART: I'm James Stewart from Bryantown.

2 I'm here --

3 COURT REPORTER: Will you spell your name,
4 please?

5 MR. STEWART: Spell it?

6 COURT REPORTER: Spell your last name.

7 JAMES STEWART

8 BY MR. STEWART: "Stew-art," just like the
9 movie star, James Stewart, S-T-E-W-A-R-T. Alright? I'm
10 representing myself and my family. I'm here to speak; I
11 want to have the Zekiha Swamp included in the Critical
12 Areas.

13 Recently, they've started development; excuse
14 me. Recently, they've started developing the Zekiha area
15 with the Zekiha Valley. I am a groundskeeper. I know the
16 effect that the fertilizers, herbicides, pesticides, that
17 the average homeowner uses, how they can go into the swamp
18 area and how they'll effect the wildlife, the spawning
19 areas, and I just want this noted and be taken into consid-
20 eration when the; we'd like to see the Zekiha Swamp
21 included into that area; something for my grandkids to look
22 at, fish in, and enjoy. And thank you.

1 CHAIRMAN GUTMAN: I have trouble with the next
2 name. I believe it's a Mr. Milman? Route 1, Box 123A. If
3 you will, please, spell your name in addition so the Court,
4 so the stenographer has no problem, the Court Reporter,
5 with...

6 MR. BILMANIS: Good evening. My name is Anders
7 Bilmanis.

8 CHAIRMAN GUTMAN: Would you spell that, please,
9 for the Court Reporter?

10 ANDERS BILMANIS

11 BY MR. BILMANIS: That's spelled as B-I-L-
12 M-A-N-I-S. I'm representing myself, as a single citizen,
13 living in the Chesapeake Bay Critical Area, directly on the
14 shores of Potomac River.

15 I have prepared a statement to submit to you on
16 the record in writing, which includes comments about four
17 or five points in the Critical, proposed Critical Area
18 Plan. I will take the time, if you'll give me time,
19 quickly to go over them and read it to you.

20 Program Proposals, page 12. Total Critical
21 Area Program will consist of two separate parts: General
22 Plan and Implementation Program; Changes in Amendments to

1 Existing County Ordinances. They both are supplementing
2 each other, through existing county ordinances; no,
3 supplement each other. Proposed actions must be prepared
4 and presented to Commission prior to approval of General
5 Plan.

6 Second, Incentive Program for Resource Conser-
7 vation Overlay Zones, page 14, 15. The required density in
8 Critical Area, using overlay zones, must not exceed
9 requirements to permit one unit per twenty acres, regard-
10 less of existing underlying zone. If development is per-
11 mitted, it must be subject to basic requirement of this law
12 within Critical Area Zone.

13 Compensation must not permit automatic increase
14 in density outside Critical Area Zone. It must be continu-
15 ally governed by existing zoning ordinance.

16 State Critical Area law were not adopted under
17 provisions to compensate for restricted use of land. It is
18 a law (inaudible) to the ordinance, adopted in interests of
19 all citizens of state.

20 No compensation has been considered for prop-
21 erty owners in Limited Development Area, subject to grand-
22 fathering rules. However, management of their properties

1 will be subject to new restricted regulations and ordin-
2 ances to come.

3 Coordinate Master Plan. Coordinate contains
4 13,941 acres in Critical Area Zone from total; in 24,000
5 acres. A few acres give and take. By its unique geo-
6 graphical setting and recognized sensitivity, it requires
7 specific attention. We must safeguard and preserve it
8 because it's environmentally fragile. It has been sug-
9 gested to extend designated Limited Development areas from
10 individual enclaves to total coordinate area, by including
11 it in Critical Area, all coordinates, and be governed by
12 amended ordinances, as they will come.

13 It will protect natural resources that abound
14 in this area. It would be in a context with proposed land
15 use policies, number 3, page 3, and Section 8-1807C in
16 Critical Area law.

17 Growth Allocation Policy. Under this Policy,
18 it is indicated--page 16--the certain area is designated
19 for expanded development located in Weirs Point. From
20 environmental viewpoint, is is unacceptable. It is a
21 threat to most unique natural resource area in lower
22 Potomac. Wetlands and habitat for living resources are

1 threatened. A review of proposal would be highly recom-
2 mended.

3 CHAIRMAN GUTMAN: One additional minute,
4 please. One additional minute, if you please, sir.

5 MR. BILMANIS: Yes. I am finished. Storm
6 Water Management--page 6--existing program is implemented
7 in all new developing areas in county. Such implementation
8 is non-existing in earlier developed areas. Especially
9 disturbing situation exists in Critical Area Zone mostly in
10 Limited Development Area. To avert continual pollution,
11 continued pollution from non-point source, from non-
12 existent storm water controls, I'd like to suggest Critical
13 Area Plan recognizes the situation and a need for correc-
14 tion, emphasizes priority category and develops program to
15 correct the situation. Thank you.

16 CHAIRMAN GUTMAN: Thank you very much.

17 MR. BILMANIS: This is for your records.

18 MS. WATSON: Okay. This will be Exhibit 1.

19 CHAIRMAN GUTMAN: Next, Harry A. Berger.

20 MR. BERGER: As with Mr. Berberick, I would
21 like to defer my remarks till I hear a little more.

22 CHAIRMAN GUTMAN: Alright. Betty deKeffer,

1 deKefler? Please spell your name, since I have --

2 MS. deKEYSER: I certainly will. Most, most
3 folks get it wrong. That's alright. It's d-e, capital
4 K-E-Y-S-E-R.

5 CHAIRMAN GUTMAN: I'm sorry.

6 BETTY deKEYSER

7 BY MS. deKEYSER: You have my mailing address
8 in Pasadena, but I am one of the family that owns about 250
9 acres in the western section of Charles County, along the
10 Potomac River.

11 I have a few comments, and if you have the Plan
12 in front of you, I'll make page references. On page 12
13 there is reference to the Sewer Extension Policy, and the
14 suggestion that development should all be within the Matta-
15 woman watershed area.

16 From what I've been able to learn from publica-
17 tions that indicate the state has checked the adequacy of
18 sewage treatment plants around the state, Mattawoman is not
19 one of the more highly rated plants, and it seems to me to
20 limit development to that area and put all of the affluent
21 into that one plant, means that you're going to get major
22 spills when you have breakdowns, and at the same time, it

1 is restricting development in other areas--part of the
2 western section--other areas where smaller plants could
3 serve small developments and you would have less of a
4 catastrophic spill when you have a breakdown of this one
5 monster, inadequate plant.

6 It seems to me that it's a short-sighted pro-
7 gram to say everything's going to go into Mattawoman, and
8 not allow for some development in other parts of the
9 county.

10 On page 17, you have reference to the growth
11 allocation where 50% will be to commercial and industrial
12 development. This means a substantial amount of commercial
13 and industrial development within this thousand foot Criti-
14 cal Area, and from what I know of commercial and industrial
15 developments; certainly in Anne Arundel County you have an
16 awful lot of spills and contamination and pollution coming
17 from industries. Even though they appear to look alright,
18 suddenly in the sewer system you have chemicals and all
19 sorts of unfortunate things.

20 The idea of putting commercial and industrial
21 development right adjacent to your water seems to me to be
22 an invitation to disaster. Your; just the runoff from the

1 parking lots, and the paved areas in shopping centers and
2 so forth, is gonna' be a problem, and I don't know that,
3 that we should require that our, that so much commercial
4 and industrial development be within this area that we
5 would like to keep pristine and select.

6 And on page 55, there is a, an indication of
7 qualifications for someone to determine what is wetlands.
8 It seems to me that most anybody with 20-20 vision can take
9 a good look and see where it's wet and where it isn't. At
10 an earlier hearing, there had been some discussion about
11 certain regulations that were in the original draft ver-
12 sion, that were giving very specific instructions as to who
13 may and may not do certain things.

14 It seems to me that this section that indicates
15 the, the BS degree and the year experience and so forth is
16 getting pretty restrictive, and it's practically like tell-
17 ing us landowners that "Here is the surveyor you must use.
18 Here is the person who is qualified." I believe that it's
19 possible to make some of those judgments without this super
20 highly-qualified individual being involved.

21 If there's, if there is a situation that is
22 borderline and requires a special investigation, I can see

1 calling in a specific person, but for many, many situa-
2 tions, I think the location of non-tidal wetlands is pretty
3 obvious and shouldn't require this very special highly-
4 qualified--and probably very expensive--individual.

5 That basically covers my complaints with the
6 situation at the moment. Thank you.

7 CHAIRMAN GUTMAN: Thank you. Before I call the
8 next speaker, I'd just like to introduce two additional
9 members of the Critical Area Commission. To my left, a
10 member of this Panel, Mr. Robert Shepline, who represents
11 the Maryland Department of Economic and; the Department of
12 Economic and Employment Development. In addition, from
13 Charles County, Mr. Stan Bowling, I believe, is in the
14 audience. If you'd just; put up his hand or get up so
15 people can see him.

16 MS. LEVY: He waved his hand.

17 CHAIRMAN GUTMAN: He waived? Okay. Great.
18 Thank you. Okay. Mr. Harry Berger?

19 HARRY A. BERGER

20 BY MR. BERGER: My name is Harry A. Berger. I
21 live in Prince George's County. I'm vice president of the
22 State Division of the Isaac Walton League of America, and

1 I'm primarily down here to talk about getting the Zekiha
2 Swamp included in the Critical Area Plan.

3 The Swamp is a sieve. It cleanses the water as
4 it comes down through the area. If you don't recognize
5 what it does, you won't appreciate it. It does cleanse the
6 water to a greater degree than any of the filtration plants
7 or sewage treatment plants we have. If you've ever fished
8 in the Zekiha Swamp; I have. I've stood on the bridge on
9 Route 6. I had a cane pole with a string and a chub minnow
10 on it, and I was able to watch a pickerel twenty feet away
11 from where my fish was lying--the minnow--swim through the
12 water, hit my line, knock the minnow off and hook himself.

13 Now, what I'm trying to say--that's clean
14 water. I haven't seen any water where I could watch a fish
15 strike my line anywhere else in the; and I've been fishing
16 all over the state.

17 So I think that if we have clean water like
18 that flowing into the Potomac, into the Chesapeake Bay,
19 we'd be doing something of worthwhile nature to protect
20 the, to help the Chesapeake Bay come a little cleaner, and
21 so I heartily urge the Commission to bargain whatever they
22 want, the way they; the way this thing reads on page 10,

1 you want more allocation for building, of intensive build-
2 ing elsewhere in the county, then please then give them the
3 more allocation, but please put the Swamp into the Critical
4 Area so that we can save it. It's a very, very important
5 ecological part of our environment. Thank you.

6 CHAIRMAN GUTMAN: Thank you. Lester B.
7 Mussman?

8 LESTER B. MUSSMAN

9 BY MR. MUSSMAN: My name is Lester B. Mussman.
10 I live at Route 1, Box 66, Bryantown, Maryland. I'm here
11 only to recommend that you keep the Zekiha Swamp in the
12 Critical Bay Area, or Critical Area, and also to reduce the
13 amount of allocation or 50% of the industrial growth and
14 commercial growth to at least only 25%. Thank you.

15 CHAIRMAN GUTMAN: Thank you. Mr. Mike Sulli-
16 van?

17 MICHAEL SULLIVAN

18 BY MR. SULLIVAN: Michael Sullivan, 712 Silver
19 Linden Drive, La Plata. I would like to first start with
20 page number 14. In the interim regulations that were
21 adopted, there was a provision on Section 3 that provided
22 for new lots which were not approved as building lots, lots

1 created around existing residences, and adjustments to
2 boundaries, and that was omitted in the actual Plan, and I
3 would like to see that as something that we could do in
4 Charles County.

5 And I'd also like to say that I commend the
6 Commissioners for the tremendous amount of work that
7 they've put in this Plan, and the many changes that they've
8 made. I think it's greatly improved, and I commend you for
9 it.

10 Also, to keep moving, since I know that time is
11 of the essence here, I would like to turn to page 53. On
12 my notes I said that; that's the area where there's a great
13 improvement. The limited view corridor is now something
14 that's reasonable.

15 Going over to page 57, I notice mid-page,
16 Mitigation of Unavoidable Impact, it says that "A project
17 which is deemed substantial economic benefit, at the dis-
18 cretion of the Planning Commission, upon the recommendation
19 of the Planning; recommendation of the Director of
20 Planning"--I would think that would probably better come
21 from the Economic Development Commission, as to what is a
22 substantial economic benefit to the county.

1 And on page 60, the middle of the page, under
2 "Protection Policies and Program Development," it says "In
3 general, a protection area around identified habitats will
4 be designated where disturbances from human activity will
5 be prohibited." I think we need to greater define "human
6 activity." Breathing is a human activity. You know, I
7 think we need to define what is "human activity." In one
8 area, in the former Plan, they said foot traffic was a
9 human activity which would be prohibited. Those words have
10 been dropped, but it doesn't seem to be defined.

11 And on page 61, I have to commend you for the
12 words, "negotiate." It's been substituted for "prohibit,"
13 and I think that's wonderful.

14 And on page 64, at the last paragraph, it says,
15 "Planning Commission concludes, based upon results of the
16 staff;" and I'd also like to see added, "results of the
17 staff review and consultants' reviews of the applicant."

18 And on page 66, I noticed a big improvement on
19 the negotiate, et cetera.

20 Let's see, 69 is also greatly improved. But
21 let me get to those areas that; I think where we have some
22 discussion. On page B3--and in the old book it would be

1 page 115--where it requires, it requires easements, coven-
2 ants and et cetera. If you have a site plan which is being
3 approved by the Planning Commission, in any other area,
4 whether it be Critical Area or not, whatever is approved in
5 that site plan is all that you can do. Your permits for
6 that plan are restricted, et cetera. There's no need to
7 have deed restrictions against property, covenants against
8 property, which explicitly state what you can and cannot
9 do. Anyone knows whatever the plan says you can do, that's
10 what you can do. If you want to do something else, you
11 have to go back and ask. Everyone knows that. But to go
12 as far to have deed restrictions and covenants placed on
13 property is a great burden to a property owner, may cause
14 title problems, et cetera, and I think it's completely
15 unnecessary, and I really wish you'd take a look at that.

16 MS. SEFTON: What --

17 MR. SULLIVAN: That would be page B3, at the
18 top of the page. And there's a couple of other areas that
19 refer to deed restrictions and covenants placed upon
20 property at the time that a plan is approved, and in those
21 areas, I think it just goes a little bit too far, and it
22 could create a lot of problems.

1 REPORTER: One minute.

2 MR. SULLIVAN: And then, getting to the back,
3 on page B7, "Variances and Appeals"--and this will also be
4 noted on page 23--there's a problem. "A" is confusing,
5 where if you want an appeal, or a variance, the Director of
6 Planning will have to certify that you have minimized
7 adverse impact. I don't understand the logic behind that.
8 If a person's an aggrieved party or is asking for a vari-
9 ance, why should they go to someone to certify that that's
10 what they can and can't do. I don't understand the logic.

11 And, secondly, the Draft Plan referred to the
12 Board of Appeals as the area where variances and appeals
13 and special exceptions belong. In this particular Plan,
14 it's been changed to the Planning Commission, and I wonder
15 why, and then I wonder, also, if we're allowed to do that.
16 And it goes on, and also letter "C," where the Planning
17 Commission has usurped the Board of Appeals.

18 CHAIRMAN GUTMAN: Would you please sum up?

19 MR. SULLIVAN: For now, that will conclude it.

20 CHAIRMAN GUTMAN: Thank you.

21 MR. SULLIVAN: Thank you.

22 CHAIRMAN GUTMAN: Next, Dr. George Wilmot.

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DR. GEORGE WILMOT

BY DR. WILMOT: My name is George Wilmot. I'm here tonight representing the Southern Maryland Audubon Society. First of all, we wish to express our strong support for the Charles County Plan, and thank the County Commissioners, the Planning Commission, and the Planning Staff for the hard work they've done to get this Plan in its present shape.

At earlier hearings, we had submitted some detailed comments, and I resubmit those in writing tonight. I would like to summarize, once again, a few of these comments. First of all, I think Charles County, of all the western shore waterfront counties, has a unique asset, which is the Potomac shore, roughly from Indian Head to Port Tobacco Creek, or to Nanjemoy Creek, which is more than twenty miles of nearly uninhabited and almost completely forested shoreline; and in particular, the area from Liverpool Point to Maryland Point has been recognized by the Department of Interior as unique in the mid-Atlantic states for its lack of human habitation and human impact.

I would like to see this outstanding resource highlighted more in the Plan so that the Plan can focus a

1 strong effort on some public ownership and encouragement of
2 protected easements by the present landowners.

3 We have a few quibbles with the Plan. The
4 natural heritage area, number 18 on page, which should be
5 on page 67, the Popes Creek area has for some reason been
6 left out of the Plan, and we feel this is an outstanding
7 natural area, Heritage area, found by the Heritage group in
8 the Department of Natural Resources, and that omission
9 should be corrected.

10 We think some of the mapping, particularly of
11 water fowl concentration areas, is inadequate, and in our
12 own bird surveys, which we have conducted over the past
13 eight years, we find the area between Port Tobacco Creek
14 and Nanjemoy Creek, the Blossom Point area, to be an out-
15 standing water fowl concentration area in the wintertime,
16 and that, for that reason, deserves special attention.

17 We would like, also, to strongly endorse the
18 proposal to make Zekiha Swamp a part of the Critical Area.
19 Once again, here we have an asset which is recognized all
20 over the east as an outstanding natural area. It's a large
21 acreage and, as has been pointed out previously, serves as
22 an excellent shelter for the water entering the Wicomico

1 River and the Potomac and eventually the bay.

2 Some years ago we did a study of storm water
3 sediment during storm events, and of all the streams in
4 southern Maryland, Zekiha Swamp was always the cleanest, so
5 it deserves protection. It's not currently strongly
6 impacted, could use some better management of its natural
7 assets.

8 So, once again, we would like to strongly
9 endorse the present Plan, except for these few quibbles.
10 Thank you.

11 CHAIRMAN GUTMAN: Thank you. I have trouble
12 with the next name. It is a Mr. James--and I can't read
13 the rest--Goose Bay Aggregates, in Maryland. Or maybe
14 that's New Jersey. I'm not quite sure.

15 MR. RENDER: No. That's Maryland.

16 CHAIRMAN GUTMAN: Alright.

17 MR. RENDER: Nanjemoy.

18 CHAIRMAN GUTMAN: Oh. Alright. Will you
19 please spell your last name?

20 MR. RENDER: My name is James Render,
21 R-E-N-D-E-R.

22 CHAIRMAN GUTMAN: And where do you live, sir?

1 identified as Map 79, Parcel 149, about 130 acres. It's
2 zoned R-15. About half of it falls within the Critical
3 Area's boundary line, and it's being proposed for conser-
4 vation.

5 I'm not going to bore you with the detailed
6 comments on the Plan. I'll submit those in a letter, but I
7 just want to go over a couple general observations.

8 One, that the Plan, as proposed, will give;
9 will have a severe economic impact on the owners of the
10 property, and will destroy the reasonably-backed,
11 investment-backed expectations of the owners, and thus will
12 result in a taking without compensation.

13 The proposed regulations, as they apply to the
14 property, are not pertinent in meeting the stated public
15 purpose of the regulations.

16 And, finally, if these regulations are passed
17 as written here, we would be forced to take any and all
18 legal remedies that would be available to us. Thank you.

19 CHAIRMAN GUTMAN: Thank you. Mr. George Mills?

20 GEORGE MILLS

21 BY MR. MILLS: Yes. My name is George Mills.
22 I live at 1139-D Shirley Boulevard, Port Tobacco. I was

1 asked to come tonight to represent Port Tobacco Civic
2 Association.

3 One of our concerns, in Port Tobacco, is storm
4 water runoff, that is addressed in your conservation for
5 Charles County. Our problem in Port Tobacco is poor
6 planning a long time ago. It needs to be dealt with in
7 some fashion so that the problems are solved. Right now
8 there is too numerous to count amounts of contamination
9 going into the rivers, running down over the hills and down
10 across property, bringing in pollutants from gardens and
11 lawns and everything else, and just; the storm water in our
12 area is not managed at all, I think, because of long time
13 ago planning. It needs to be corrected. Thank you.

14 CHAIRMAN GUTMAN: Thank you. Next, Mr. Leo
15 Smitte of Waldorf, Maryland. If you will please, sir,
16 spell your name, since I probably mispronounced it.

17 MR. SMITH: Well, we'll make it real easy on
18 'ya. S-M-I-T-H. Okay?

19 CHAIRMAN GUTMAN: Thank you.

20 LEO SMITH

21 BY MR. SMITH: You're welcome. Okay. I am not
22 an environmentalist. I make no claim to be.

1 MR. MIDDLETON: Thank God!

2 MR. SMITH: Okay. But I am a lover of nature.
3 I love animals. I love the water. I love fish. And I
4 hate to see anything happen to 'em. Now, this county has
5 the Zekiha Swamp, and it should be included, but it also
6 has another swamp, the Kawaya (ph.) Swamp. That drains
7 into the Zekiha. You cannot protect one without the other.
8 They both have to be protected, and I don't see the Kawaya
9 Swamp in there at all, and it should be included, because
10 it drains into the Zekiha. Whatever happens to it happens
11 to the Zekiha.

12 MS. WATSON: What is it again?

13 MR. SMITH: Now, my; ma'am?

14 MR. ZAHNISER: Could you spell the name of that
15 other swamp please?

16 MR. SMITH: I'll have to get it out. I can't
17 say it right, so I'll have to spell it for you. I have
18 K-E-R-I-A. Is that right, Jim? Kerra Swamp. Kerra
19 Swamp. Okay.

20 MR. MIDDLETON: K-E-R-R-I-C-K.

21 MR. SMITH: Alright. Kerrick. Alright. Now,
22 when I was a teenager, I used to go down to my dad's

1 cottage and I would lay on the pier and watch the moon on
2 the water, and I'd put my hand in it and I'd hear the waves
3 slap against the pier. I really did love nature, and
4 that's one of the happiest memories of my life--my teenage
5 life. Of course girls was the other. Now, we have an
6 opportunity here in Charles County to include protection of
7 two of the greatest swamps in the United States.

8 If our Commissioners fight for the inclusion of
9 both of these swamps, you will leave a heritage, not only
10 to your children, but to your grandchildren and your great
11 grandchildren. This is an opportunity to stand up to the
12 developers and the land speculators. We all know the his-
13 tory of this country. The developers, the landscapers; the
14 land developers, they--not all of'em, now; some of them--
15 literally raped this country, and they didn't give a damn
16 about the environment, and it's about time that somebody
17 stood up and said that this has to stop. How long can we
18 go on taking land that's critical to the development of
19 people's minds, the peace of heart, the recreation, and
20 sell it all down the river for money? Thank you.

21 CHAIRMAN GUTMAN: Thank you. Next, I think we
22 have a husband and wife team. I'm not sure who will be the

1 spokesman, and I wouldn't dare presume to make a selection
2 myself, particularly since I'm unable to read the name
3 correctly. A Mr. and Mrs. Harold von; Montrose Farm.

4 MRS. VON BRAMBERT: Thank you very much, but at
5 this time, I'll decline to make a statement, because Mr.
6 Smith said it very well. Thank you.

7 CHAIRMAN GUTMAN: And if I may be so bold, are
8 you speaking for yourself only or do I take it that this is
9 a decision of the family?

10 MRS. VON BRAMBERT: Of the family.

11 CHAIRMAN GUTMAN: Thank you very much. Next,
12 Linda Winter. I haven't seen her in years.

13 LINDA WINTER

14 BY MS. WINTER: Thank you. My name is Linda
15 Winter. I'm Chesapeake Bay Program Coordinator for the
16 Isaac Walton League of America. We've taken interest in
17 the Charles County Critical Area Plan because we are
18 extremely supportive of the Critical Area Commission and
19 its work and the criteria and the law, and we think it's
20 very important.

21 We had noticed that this Plan was taking a
22 little longer than some of the other ones to develop. The

1 Charles County Isaac Walton League Chapter is extremely
2 interested in preserving the Zekiha Swamp and including it
3 into the Critical Area part of Charles County, and so I
4 would like to urge the Commission to include the Zekiha
5 Swamp into the Critical Area.

6 I would like to read--this is a not a new idea,
7 by any means--I have a letter here from the Tri-County
8 Council of Southern Maryland, dated December 3rd, 1985, and
9 I quote:

10 "The Committee feels that it would make sense
11 to include the Zekiha in the Critical Areas Program, and
12 strongly endorses this proposal. The work done in support
13 of the Critical Areas Program would indirectly result in
14 the development of a management plan for the swamp. The
15 inclusion of the swamp in this Program, now, will save
16 vital time and money in the future. We urge you to do
17 that."

18 Thank you very much.

19 MR. MIDDLETON: Ms. Winter, could I ask you a
20 question?

21 MS. WINTER: Sure.

22 MR. MIDDLETON: Do you know whether or not

1 Prince George's County included the portion of the Zekiha
2 that's in Prince George's in their Plan?

3 MS. WINTER: I'm sorry, I do not. I'd be happy
4 to find that out for you.

5 MR. MIDDLETON: Okay.

6 MR. BERGER: The Zekiha Swamp starts in Prince
7 George's County in the Cedarville Forest area.

8 MR. MIDDLETON: Was that included; oh, that's
9 in the; it was not included?

10 MR. BERGER: It's not; I don't think it's
11 included in Prince George's County, because it's only a
12 little stream there, a pond, in Cedarville, and it drops
13 right into Charles County just about, a short distance.

14 MR. MIDDLETON: Thank you.

15 MS. WINTER: Thank you.

16 CHAIRMAN GUTMAN: Before you sit down, would
17 you please state your address as well?

18 MS. WINTER: My home address?

19 CHAIRMAN GUTMAN: Yes.

20 MS. WINTER: Is in Washington Grove, Maryland.

21 CHAIRMAN GUTMAN: And the street address?

22 MS. WINTER: Well, 201 Grove Avenue, P.O. Box 1085.

1 CHAIRMAN GUTMAN: Alright. Thank you. It just
2 wasn't on the sheet, and we need that, of course, --

3 MS. WINTER: Sure.

4 CHAIRMAN GUTMAN: -- for the record. Next, Mr.
5 Jim Dunbar.

6 MR. DUNBAR: I will refrain from speaking.

7 CHAIRMAN GUTMAN: Alright. Thank you. Are
8 there any additional sign-in sheets that I do not have at
9 this time? No more?

10 MR. MIDDLETON: Mr. Berberick hasn't spoken
11 yet.

12 CHAIRMAN GUTMAN: Alright. I have gone through
13 the list of those who signed in and wished to speak. I'll
14 now inquire if there is anyone else who cares to speak on
15 the record before we adjourn, please, if you will, come
16 forward--the gentleman in the middle-- and --

17 MR. QUATTROCIOCCHI: Yes, sir.

18 CHAIRMAN GUTMAN: Please give your name, spell-
19 ing your last name, and likewise, your address, and if you
20 represent any group or organization.

21 BENEDETTO QUATTROCIOCCHI

22 BY MR. QUATTROCIOCCHI: Okay. I signed in, and

1 I have my address there, but for the record, I'll spell it
2 out. It's quite long. My first name's B-E-N-E-D-E-T-T-O.
3 Last name, Q-U-A-T-T-R-O-C-I-O-C-C-H-I. My address is Box
4 1132-A, Port Tobacco, Maryland.

5 I have a problem with the criteria used for
6 classification of Limited Development Areas used by the
7 Planning and Zoning Department. I believe that the cri-
8 teria used by the Planning and Zoning to classify the
9 properties as RCA's and not LDA's is unnecessarily restric-
10 tive, which has resulted in the classification properties
11 as RCA's which qualifies as Limited Development Areas.

12 The criteria at issue is the exclusion of prop-
13 erties of over five acres, with or without residences, that
14 are located adjacent to LDA's, as RCA's. The regulations
15 which define a Limited Development Area are contained in
16 COMAR 14.1502. The pertinent regulatory provision that
17 sets forth the criteria for classification of the LDA is
18 14.1504, which states that "these areas shall have at least
19 one of the following features: housing density ranging
20 from one dwelling unit per five acres up to four dwelling
21 units per acre."

22 Other than the cited provision, there is no

1 criteria in the regulations which defines how and where the
2 LDA boundary lines should be drawn, sets forth the size of
3 the lots that may be included or excluded in the LDA,
4 requires that lots or portions of lots either have or not
5 have dwellings on them, to be included in the LDA, nor
6 requires the lots be surrounded by lots classified as LDA,
7 in order to be classified as LDA.

8 Based on the foregoing, the county, under the
9 regulations, can include in the LDA lots or portions of
10 lots, without regard to size, and whether or not the
11 dwellings are on the lots, so long as the density in the
12 LDA's are not more than four dwelling units per acre, and
13 not less than one dwelling unit per acre.

14 I believe that the county should, from a policy
15 standpoint, consider the desirability of expanding the pres-
16 ent areas designated as LDA's, where the dwelling densities
17 are greater than one dwelling unit for every five acres, by
18 inclusion of additional properties in the LDA currently
19 classified as RCA.

20 This would reduce the present hardships experi-
21 enced by many county property owners having property within
22 one thousand feet of bay tributaries, classified as RCA's,

1 and would be a benefit to the county, if the Commissioners
2 desire to reduce the adverse economic impacts resulting
3 from development constraints imposed by the Critical Bay
4 Area legislation.

5 Also, as a general principle, the Commissioners
6 should also consider classifying all properties that are
7 upland from LDA's within the one thousand feet, foot cri-
8 teria, as LDA's, since environmental control systems are
9 required, or should be in place for the existing develop-
10 ment that is closer to or by the bay tributaries. Thank
11 you.

12 CHAIRMAN GUTMAN: Thank you. And I believe I
13 saw another hand go up in the rear. Yes, sir, would you
14 please come forward? If you will, please, state your name,
15 spelling your last name, and indicate who you represent, if
16 anyone, giving your address.

17 STEVE BERBERICK

18 BY MR. BERBERICK: My name is Steve Berberick.
19 My address is 10 Clayton Road, Waldorf. I would also like
20 to; I thank you for letting me wait. You called me first,
21 but I left my plan home and my--the statements I wanted to
22 make--so I didn't know what I was going to say, and I'd

1 also like to commend the planners for an outstanding effort
2 on the, on the Plan.

3 There should have been more effort, in my
4 opinion, to include the Zekiha Swamp. I think it's an
5 outstanding resource, and it's of national significance. I
6 think the, the effort was quite late in considering the
7 Zekiha. Although it's not tidal waters, it's very, very
8 important to the bay.

9 If the Zekiha was added--it's quite a large
10 area, and if it was added--it would add quite a lot to the
11 resource conservation areas, which would add to the five
12 percent that could be later expanded to the, to be devel-
13 oped, and this would be, I think, if I'm right, up to five
14 hundred and seventy-five acres added. I think it's a good
15 trade-off, and it's worth considering.

16 Another thing is, protecting the swamp would go
17 a long, long way toward properly develop, proper develop-
18 ment of the entire watershed that, that feeds into it, and
19 I'd remind you that there are three million tires sitting
20 in a dump that are on the, the streams that feed into the
21 Zekiha, because not enough care was given to proper
22 planning.

1 In addition, I have a copy of; I've been hear-
2 ing, and in the Plan it says, that there are no endangered
3 species in the Zekiha Swamp. I'm wondering; I have a ques-
4 tion as to when the last systematic biological survey was
5 done, and how this information was, was gathered.

6 I have a copy of the Zekiha Swamp Tributary
7 Flood Plan Management Study by the Soil Conservation
8 Service, where in it they cite that--if I can find the
9 right reference, and I'll be brief; I had my finger on it
10 and took it out--yes, that the wildlife resources do
11 include the bald eagle, a federally-listed endangered
12 species that nests in the swamp; a large number of shore
13 rail, Wilson snipe, wood warblers, et cetera. Mammals like
14 beaver, mink, red fox, raccoon, possum-striped skunk,
15 muskrat, otter, deer, gray squirrel, and cotton-tailed
16 rabbit are also present.

17 Now, the area feeds into the bay. We're all
18 concerned about the bay. The whole nation's concerned
19 about what these states are gonna' do about the bay. In
20 the fisheries area, the Zekiha Swamp, the document states,
21 supports fresh water fish populations of bluegill, large
22 mouth bass, pickerels, catfish, suckers and minnows. The

1 lower reaches of the stream, at Allens Fresh, also supports
2 spawning runs of yellow perch, white perch, awlwith (ph.)
3 herring, herring, and blueback herring.

4 So I would urge the, the Commissioners to, to
5 look into including the Zekiha Swamp. It would be of great
6 benefit to the area. Thank you.

7 CHAIRMAN GUTMAN: Thank you, sir. Are there;
8 is there anyone else who wishes to speak on the record at
9 this time? Has everyone; yes, sir. Please, your name--
10 spell your last name, if you will--and your full address.

11 JOSEPH HOFFMAN

12 BY MR. HOFFMAN: It's Joseph Hoffman, H-O-F-F-
13 M-A-N, and it's Post Office Box 368, Bryantown. I repre-
14 sent the Charles County; the Charles County Chapter of the
15 Isaac Walton League, and we request that the Zekiha Swamp
16 be included into the Critical Area.

17 I spent a few days in reference to; with Kevin
18 and Mr. Levy and Mr. Middleton, in going over the plans for
19 the Critical Area, and I made a comment in reference to
20 trying to get the Zekiha Swamp included in at that time. I
21 noticed that there's been a delay on it, and the question's
22 gonna' be; are these questions that we're asking now--will

1 they be answered at a later time?

2 CHAIRMAN GUTMAN: Do you have anything further
3 to say?

4 MR. HOFFMAN: Then that's it. Thank you.

5 CHAIRMAN GUTMAN: Alright. Is there anyone
6 else who cares to speak tonight on the record? Has every-
7 body signed in on the sign-in sheets, and if not, please do
8 so on your way out. This will; this will conclude the
9 formal portion of our part of the hearing. We will, as I
10 say, keep the record open for written comments, if provided
11 within one week's time.

12 Thank you for coming and sharing your thoughts
13 with the Panel of the Commission. Mr. Middleton, if you
14 wish to continue or add anything, please do.

15 CLOSING REMARKS

16 BY MR. MIDDLETON: We've heard the same
17 people. Before we close, I would like to remind any of
18 those people that are wishing to submit written comments to
19 the Commission, that you'd also carbon copy the County
20 Commissioners, since this is a joint hearing, and that we
21 can take your concerns under consideration that we may
22 include in the Plan before it's finalized by the state. If

1 you wish to address those concerns, just simply address
2 them to the Charles County Board of Commissioners, Charles
3 County Court House, Post Office Box B, La Plata, Maryland,
4 and if; are the sheets available, Jackie? Oh, okay. The
5 sheets are available if you; okay, the addresses that are
6 on the sheet are the Honorable Solomon Liss, who is the
7 Chairperson of the Chesapeake Bay Critical Area Commission,
8 the County Commissioners' address, as well as Kevin
9 McJunkin, the environmental planner, who you; if you have
10 any questions concerning the Plan, you can address those
11 questions to him.

12 We thank you for coming out tonight. Enjoy the
13 evening.

14 (Whereupon, at 8:25 p.m., the hearing was
15 adjourned.)
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C E R T I F I C A T E

This is to certify that the foregoing transcript:
IN THE MATTER OF:
JOINT MEETING OF THE STATE CRITICAL AREA COMMISSION AND THE
CHARLES COUNTY COMMISSIONERS
MEETING DATE: February 2, 1988, 7:12 p.m.
PLACE: Charles County Court House, La Plata, Maryland,
represents the full and complete proceedings of the afore-
mentioned matter on said date, as reported and reduced to
typewriting.

Kevin Reppenhagen

KEVIN REPPENHAGEN
FREE STATE REPORTING, INC.