

Public Hearings - Charles County - Proposed Amendments to Critical Area Plan 1991 MSA\_51B30-92

BEFORE A PANEL OF THE CRITICAL AREAS COMMISSION

1  
2 -----  
COMMISSION MEMBERS:

3 MICHAEL WHITSON - CHAIRMAN  
4 LOUISE LAWRENCE  
5 JAMES E. GUTMAN  
-----

6 Monday, October 28, 1991

7 Pursuant to Notice, the above-entitled  
8 hearing was held before the Critical Areas Commission at  
9 the Charles County Government Building, La Plata,  
10 Maryland 20646, commencing at 7:30 p.m., there being  
11 present:

12 STAFF MEMBERS:

13 REN SEREY, CAC  
14 KIP REYNOLDS, Charles County  
15 THERESA CORLESS, CAC

16 REPORTED BY: SUSAN DILLEY, NOTARY PUBLIC  
17  
18  
19  
20  
21



*Court Reporting and Litigation Support  
Serving Baltimore, Washington and Annapolis*  
301 766-HUNT (4868)  
800 950-DEPO

## P R O C E E D I N G S

1  
2 CHAIRMAN WHITSON: I officially call this  
3 meeting to order. This is a panel hearing of the  
4 Chesapeake Bay Critical Areas Commission, and this is a  
5 panel appointed by the full commission to hear some  
6 proposed amendments to the Charles County Critical Areas  
7 Plan. I am Michael Whitson, the chair, from St., Mary's  
8 County. I'd like for the other two members of the  
9 commission to introduce themselves, please.

10 MR. GUTMAN: Ladies, first.

11 MS. LAWRENCE: Louise Lawrence. I work for  
12 the Maryland Department of Agriculture.

13 MR. GUTMAN: James E. Gutman, Anne Arundel  
14 County.

15 CHAIRMAN WHITSON: From the staff of the  
16 Critical Areas Commission?

17 MR. SEREY: Ren Serey.

18 MS. CORLESS: Theresa Corless.

19 CHAIRMAN WHITSON: From Charles County?

20 MR. REYNOLDS: Kip Reynolds.

21 CHAIRMAN WHITSON: This hearing as I mentioned



*Court Reporting and Litigation Support  
Serving Baltimore, Washington and Annapolis*

301 766-HUNT (4868)  
800 950-DEPO

1 has been advertised. It comes before this panel  
2 pursuant to changes proposed by Charles County which  
3 were changes proposed by its planning commission then  
4 given to its Board of County Commissioners, and after  
5 public hearing, the commissioners adopted these proposed  
6 changes and sent them to the commission for our  
7 consideration.

8 This evening we will hear a presentation by  
9 the staff from Charles County, and there will be  
10 opportunity for comments of anyone and comments or  
11 questions from members of the panel and from the staff.  
12 At the conclusion of this hearing, we will hold open the  
13 public record until the 4th of November if that is  
14 agreeable to everyone for any additional comments or  
15 information which somebody may wish to submit.

16 Is there anything else I've neglected to say  
17 at this point? If not, without objection then, we will  
18 turn over this meeting to Ms. Reynolds from the County  
19 Planning and Growth Management Department.

20 MS. REYNOLDS: The staff of the county is  
21 proposing three amendments: one to the habitat



*Court Reporting and Litigation Support*  
*Serving Baltimore, Washington and Annapolis*  
301 766-HUNT (4868)  
800 950-DEPO

1 protection element of the Charles County Critical Area  
2 Plan that deals with the bald eagle habitat protection  
3 areas and the impervious surface amendment pursuant to  
4 state law, plus the county is amending another section  
5 of that ordinance dealing with impervious surfaces and  
6 amendments to the subdivision regulations pursuant to  
7 the state law changing the impervious surface limit.

8 The first amendment is dealing with the bald  
9 eagle habitat protection areas. What the county is  
10 proposing to do is to adopt a generic bald eagle  
11 management plan for every site in the county until  
12 development is proposed. At which time, when  
13 development is proposed, the county is proposing that a  
14 negotiated management agreement between the land owner,  
15 the county, and DNR be negotiated to deal with the  
16 development proposal and the bald eagle guidelines.

17 The standards for the generic bald eagle  
18 habitat protection plan -- the county worked with Bill  
19 Gates, the bay wildlife biologist at DNR, in formulating  
20 those guidelines. What we did was we took the  
21 guidelines established in the Bald Eagles in the



*Court Reporting and Litigation Support*  
*Serving Baltimore, Washington and Annapolis*  
301 766-HUNT (4868)  
800 950-DEPO

1 Chesapeake Bay Management Guide for Land Owners done by  
2 the National Wildlife Federation and we adopted their  
3 standard of a quarter mile protection zone with three  
4 protection zones within that quarter mile. I think --  
5 have we got our -- the sample is that -- we lost our  
6 easel today! (Laughter.)

7           Within each protection zone, there are  
8 recommended guidelines. Activities that you can and  
9 cannot do during certain times of the year. You have  
10 Protection Zone Number One, which is 330 feet radius  
11 from the nest, and that has recommendations for year-  
12 round activities, and then activities during December to  
13 June and June to December. They mainly deal with  
14 activities regulating land clearing, harvesting, timber  
15 cutting, hunting, fishing.

16           Those same guidelines are carried out through  
17 the other two zones. Zone Two is 660 feet from the  
18 nest, and Zone Three is the quarter mile radius. The  
19 county has proposed generic guidelines to apply for  
20 every nest in the county. One reason the county has  
21 proposed to do that is at this point we have over 30



*Court Reporting and Litigation Support  
Serving Baltimore, Washington and Annapolis*  
301 766-HUNT (4868)  
800 950-DEPO

1 bald eagle nests in the county, and a lot of these are  
2 in areas that right now development is not proposed and  
3 is unlikely in the future. Mainly, they are in the  
4 rural parts of the county, in the agricultural  
5 protection areas, and we feel we can protect these -- to  
6 negotiate an agreement now for an activity that's not  
7 proposed, we don't feel we have the staff or the time to  
8 just say that, "Well, you'll do this and you won't do  
9 that," not knowing what activity.

10 If the purpose is to protect the bald eagle,  
11 when an activity comes in, we feel we can best do that  
12 by adopting generic guidelines, and then when an  
13 activity is proposed either through building permit,  
14 subdivision, or site plan is when we kick in and  
15 negotiate a management plan.

16 Those are examples of the bald eagle nest  
17 sites that are given to us by DNR. The nest is  
18 identified by the USGS quad and the red dot and the  
19 circle is the protection zone. General guidelines.

20 MS. LAWRENCE: Are they currently located in  
21 agricultural areas?



*Court Reporting and Litigation Support*  
*Serving Baltimore, Washington and Annapolis*  
301 766-HUNT (4868)  
800 950-DEPO

1 MS. REYNOLDS: Some are. We did change a  
2 little bit about how they were dealt with as farming.  
3 We added a phrase in the generic plan. If an activity  
4 is existing when the bald eagle comes, it can continue  
5 as long as any new activity that you propose doesn't  
6 disturb the nest. We have a lot of nest sites that are  
7 in ag areas or in the golf course down in Swan Point.  
8 The eagles came in after the activity had already been  
9 established. We felt and we talked with Bill Gates  
10 about this in that if they, you know, could deal with  
11 the surrounding area and they had actually chosen that  
12 site, then the disturbance would be okay as long as any  
13 new activity you propose, you wouldn't, you know, break  
14 those guidelines.

15 MR. SEREY: Kip, did Bill Gates feel that that  
16 was an appropriate position?

17 MS. REYNOLDS: Yes. We talked to Bill about  
18 adding that phrase, and he's the one who actually gave  
19 us the language how to deal with existing activities.  
20 Because we did have one comment from the farm community  
21 about, "What about existing farms? We have bald eagles



*Court Reporting and Litigation Support  
Serving Baltimore, Washington and Annapolis*

301 766-HUNT (4868)  
800 950-DEPO

1 that have been there for so long. How do we handle  
2 that?" That's when we added the language for existing  
3 nest sites. Currently, we have about 30 nests in the  
4 county.

5 The plan right now -- we have -- in our plan  
6 right now, we have some general guidelines that are  
7 taken from this management guide, but we've gone and  
8 adopted the whole three zones and the different  
9 guidelines in each. We have worked out procedures for  
10 how the plans would be negotiated. There would be a  
11 public hearing and things like that.

12 CHAIRMAN WHITSON: Jim, do you have any  
13 questions?

14 MS. REYNOLDS: Questions on bald eagles?

15 MR. GUTMAN: Well, I guess the only one -- so  
16 far as public controversy without anybody being here, I  
17 can only ask, are you aware of any controversy of a  
18 segment of the public. Not just simply one or two  
19 individuals or someone, but does any of this cause any  
20 associations or public parties to make any negative  
21 comments on the scheme?



*Court Reporting and Litigation Support  
Serving Baltimore, Washington and Annapolis*

301 766-HUNT (4868)  
800 950-DEPO

1 MS. REYNOLDS: No. The one comment we did  
2 have was from a representative who is -- he has a lot of  
3 contact with the farm community and was a farmer at one  
4 time, and he brought up the question about existing uses  
5 at the public hearing. So, then, we went back after the  
6 county commissioner public hearing and tried to find  
7 language dealing with existing uses, but specifically  
8 farming, and that's when we got in contact with Bill  
9 Gates to kind of fine-tune that language to recognize  
10 existing uses.

11 MR. GUTMAN: But beyond that?

12 MS. REYNOLDS: Beyond that, we haven't really  
13 heard from anyone during the two public hearings that we  
14 held.

15 MR. GUTMAN: All right. Well, as I say, I ask  
16 the question because of the absence of the public  
17 tonight.

18 CHAIRMAN WHITSON: Louise?

19 MS. LAWRENCE: No questions.

20 CHAIRMAN WHITSON: Ren? Theresa? Does the  
21 staff have any questions or comments about this



*Court Reporting and Litigation Support  
Serving Baltimore, Washington and Annapolis*

301 766-HUNT (4868)  
800 950-DEPO

1 submission?

2 MR. SEREY: One comment. Liz Zucker, the  
3 commission's science advisor, has reviewed the plan and  
4 has indicated that she has some relatively minor  
5 comments. I think they're in the nature of requesting  
6 clarification on a couple of issues, but she said she  
7 had no specific significant objections.

8 Bill Gates is looking at it once again for  
9 final comment and we have not heard back from him, but I  
10 do not believe we'll have any significant comments from  
11 him either since he has reviewed it a couple of times  
12 already.

13 CHAIRMAN WHITSON: In this particular matter,  
14 then, we might assume we will probably have those  
15 comments from them by the time the commission meets  
16 again.

17 MR. SEREY: Yes.

18 CHAIRMAN WHITSON: I believe that the clock on  
19 this issue is that it needs to be voted on by the full  
20 commission on November the 6th or by November the 6th,  
21 and I assume that we would have the benefit of those



*Court Reporting and Litigation Support  
Serving Baltimore, Washington and Annapolis*  
301 766-HUNT (4868)  
800 950-DEPO

1 comments then.

2 MR. SEREY: That's correct. We will have the  
3 comments by November 6th.

4 CHAIRMAN WHITSON: Theresa?

5 MR. SEREY: As a matter of fact, we will have  
6 them by the close of the record.

7 CHAIRMAN WHITSON: Good.

8 MS. REYNOLDS: The next change is in the  
9 buffered -- the guidelines for the buffering exemption  
10 areas in lots less than 200 feet deep. We are amending  
11 these sections along with the other section, the one  
12 that's pursuant to the state law allowing residential  
13 lots less than a half acre or less to increase their  
14 impervious surface to 25 percent in the gross site area,  
15 and for nonresidential a quarter acre or less.

16 The language in our buffer exemption areas and  
17 for lots less than 200 feet deep is the exact language  
18 as used in both sections. What the county is proposing  
19 to repeal is a section that says that an addition to an  
20 existing structure may not be greater than 25 percent of  
21 the existing impervious surface. So, if you have a



*Court Reporting and Litigation Support*  
*Serving Baltimore, Washington and Annapolis*  
301 766-HUNT (4868)  
800 950-DEPO

1 house that is 500 square feet, the addition can only be  
2 25 percent of 500 and that is not a -- the county does  
3 not view that as a one time only. It's just at -- when  
4 you come in for that one permit, your addition is  
5 limited to 25 percent of the existing impervious  
6 surface.

7 In order not to have two standards, one  
8 standard limiting total lot area to 25 percent and then  
9 another standard limiting the size of the addition to 25  
10 percent of the existing impervious surface, the county  
11 is proposing to repeal that section limiting the size of  
12 additions.

13 We're proposing to go with the state standard  
14 that limits impervious surface to 25 percent of the lot  
15 area. I know the commission staff had some concerns  
16 about eliminating that segment of the requirement. I  
17 know the commission viewed it as a one time only  
18 addition or, you know, one time only deal; however, the  
19 county does not view it as such. It's not one time only  
20 and we have no way of tracking it as a one time only.

21 If Mr. "X" comes in for a permit one year, we



*Court Reporting and Litigation Support*  
*Serving Baltimore, Washington and Annapolis*  
301 766-HUNT (4868)  
800 950-DEPO

1 have no way really of knowing five years down the road  
2 that he already had his addition, 25 percent addition.  
3 The records are not cross-referenced, and if you sell  
4 the house, permits are done in the name of the owner or  
5 the contractor.

6 So, we feel that it's better to go with the  
7 new state standard limiting impervious surface to 25  
8 percent of the gross site area, and those changes are  
9 reflected in the amendments. That is, you know,  
10 basically under the impervious surface, that's what  
11 we're proposing, and mainly we're going to eliminate  
12 that one section that has two -- so we don't have two  
13 standards in the ordinance. I know that you had some  
14 questions about that.

15 MR. SEREY: I don't have any questions about  
16 it now. I believe that if I had known of the county  
17 policy interpreting the ordinance the way that you do  
18 earlier, I probably would have raised questions at that  
19 time 'cause I think it would have been the county's  
20 responsibility to develop a tracking method; however,  
21 now, that you intend to raise those limits to the state



*Court Reporting and Litigation Support*  
*Serving Baltimore, Washington and Annapolis*  
301 766-HUNT (4868)  
800 950-DEPO

1 standards anyway, I don't believe that it's a  
2 significant problem for either the buffer exemption  
3 areas or the 200 foot lots. I think that those  
4 standards probably are sufficient in those areas.

5 MS. REYNOLDS: Okay.

6 CHAIRMAN WHITSON: Jim? Louise? Jim? Any  
7 questions?

8 MR. GUTMAN: In the absence of this record  
9 keeping you speak of, couldn't the applicant have to  
10 sign a statement when applying for any additions that he  
11 has not previously made use of this allowance, and if he  
12 signed falsely, it would be a matter of being able to  
13 take him to court for perjury or falsification of  
14 records or whatever.

15 MS. REYNOLDS: I guess it would be a  
16 possibility, but it wouldn't prevent a new owner from  
17 coming in. From what I understood from the commission,  
18 they first viewed it as a one time only. That was it.  
19 If I made the addition, that was it. A subsequent  
20 homeowner could not make an addition. Realistically,  
21 the county does not have -- you know, the records are



*Court Reporting and Litigation Support*  
*Serving Baltimore, Washington and Annapolis*  
301 766-HUNT (4868)  
800 950-DEPO

1 not computerized for cross-reference.

2 MR. GUTMAN: Is anything coming down the line?  
3 No intention to do that in the future?

4 MS. REYNOLDS: Not -- at this stage, there's  
5 no cross-referencing of building permits proposed. In  
6 the future, I think it would be, but right now, we don't  
7 have the staff time or the equipment and we're not --  
8 the computer systems aren't integrating. We don't have  
9 one system for the whole county so that's not in the  
10 future. It's not likely. With the new state standard,  
11 we thought we'll go with -- you know, everyone will have  
12 the same standard. You know, each lot will have the  
13 same opportunity.

14 Another reason is that we have -- our buffer  
15 exemption areas, a majority of them are down on Cobb  
16 Island, and these are lots that are maybe 50 feet wide  
17 by 100 feet long, and there's three of them together.  
18 It may be one person might own three or four lots, and  
19 their house may be on three of those lots. It penalized  
20 homeowners -- our existing ordinance penalizes  
21 homeowners who did not build large houses in the



*Court Reporting and Litigation Support*  
*Serving Baltimore, Washington and Annapolis*  
301 766-HUNT (4868)  
800 950-DEPO

1 beginning.

2 If you had a large house in a buffer exemption  
3 area, that meant you could build a bigger addition  
4 'cause you had more impervious surface on your lot, but  
5 if you had a small house -- a lot of them are small on  
6 Cobb Island -- then you couldn't build a big addition  
7 because you exceed the 25 percent limit, and the only  
8 way you could build a big addition was to get a variance  
9 from that regulation.

10 So, it penalized people who didn't in the  
11 beginning build a big house, and now going to a uniform  
12 standard, I think it's, you know, kind of equal  
13 opportunity. I mean, 25 percent of your gross site  
14 area.

15 CHAIRMAN WHITSON: Theresa?

16 MS. CORLESS: No.

17 MR. SEREY: This discussion is regarding both  
18 the buffer exemption area and the 200 foot lot. Is that  
19 correct?

20 MS. REYNOLDS: Right. It's the exact same  
21 language in each provision. Third, I think -- we're



*Court Reporting and Litigation Support*  
*Serving Baltimore, Washington and Annapolis*  
301 766-HUNT (4868)  
800 950-DEPO

1 also amending the other sections of the ordinance to  
2 reflect the new language. We're taking the exact  
3 language as in the law and adding that into our sections  
4 dealing with LDA and resource conservation areas  
5 limiting impervious surface to 15 percent, and then  
6 we're adding the law as three subsections of that to  
7 reflect on non-residential, residential. We're also  
8 amending subdivision regs to reflect the new state law.

9 MR. SEREY: Those last changes that Kip  
10 described are ones that for most jurisdictions we handle  
11 as refinements, and I think at almost every meeting,  
12 we've covered one or two jurisdictions. In this case,  
13 there were a couple of reasons for putting them together  
14 in this package. One was that the commission was coming  
15 down here anyway to hold a public hearing and --

16 CHAIRMAN WHITSON: We needed something to do!

17 MR. SEREY: The nature of the changes was  
18 similar to that that we were going to have the public  
19 hearing for, and the second reason is that these  
20 changes, even though they are consistent with state law,  
21 are separated and are part of the actual county



*Court Reporting and Litigation Support*  
*Serving Baltimore, Washington and Annapolis*  
301 766-HUNT (4868)  
800 950-DEPO

1 resolutions that were submitted to us. We felt it just  
2 would have been more difficult to separate those, treat  
3 part of the resolution as a refinement and save the  
4 other part as an amendment, and I think this package  
5 just becomes a neater package then.

6 CHAIRMAN WHITSON: Certainly. Much tighter.  
7 Well, are there any other questions about those last  
8 proposed amendments? Comments from the staff or  
9 questions from Jim or Louise?

10 MR. GUTMAN: Just going back to the bald eagle  
11 proposed changes. Just for Ren, what about other  
12 jurisdictions? Have they put in place anything similar  
13 to this? What kind of uniformity does the bald eagle  
14 have around the critical area?

15 MR. SEREY: I think most county programs have  
16 language already that is very similar to what Charles  
17 County is proposing. I don't believe that there are  
18 many -- maybe just one other jurisdiction that does not  
19 have a full habitat protection program for bald eagles.  
20 This one, not only updates the county listing, but also  
21 completes the original program. So, this is a necessary



*Court Reporting and Litigation Support*  
*Serving Baltimore, Washington and Annapolis*  
301 766-HUNT (4868)  
800 950-DEPO

1 amendment in those respects.

2 CHAIRMAN WHITSON: Kip, what prompted the  
3 county to turn its attention to this at this particular  
4 time?

5 MS. REYNOLDS: The bald eagles?

6 CHAIRMAN WHITSON: Yes.

7 MS. REYNOLDS: Well, to be honest, we were  
8 coming up near our deadline to have -- originally, our  
9 program required every bald eagle nest site to have its  
10 own individual management plan, and after talking with  
11 Bill Gates, he suggested if we could go to a generic  
12 process because until activity -- a development activity  
13 is proposed, you're not going to have anything to  
14 negotiate, and that it would be best suited for everyone  
15 instead of doing 30 individual plans that basically said  
16 the same thing that we go to a generic plan and add  
17 language stating that once a development activity is  
18 proposed, that you go in.

19 Timber harvesting is -- through the Timber  
20 Harvesting Board, DNR sees those. If there's a bald  
21 eagle nest site in the vicinity of a timber harvest,



*Court Reporting and Litigation Support  
Serving Baltimore, Washington and Annapolis*  
301 766-HUNT (4868)  
800 950-DEPO

1 those are sent to DNR. So, they're incorporated into  
2 the timber harvesting plans and we get copies of those.  
3 So, the bald eagle is protected through DNR and the  
4 Timber Harvesting.

5 CHAIRMAN WHITSON: Well, I think the approach  
6 makes a lot of sense. There's a lot more flexibility  
7 for the applicant and for the county.

8 Well, are there any other comments or  
9 questions about any of these proposed amendments?

10 MR. GUTMAN: Well, I guess at this time, I  
11 just inquire about process here since it's desirable to  
12 have a position taken by the full commission in its  
13 November meeting. Assuming that there is some further  
14 information provided before the comment period ends,  
15 should some arrangement be made whereby we'll have a  
16 panel meeting before the full commission meets on  
17 Wednesday?

18 CHAIRMAN WHITSON: I think that makes sense. I  
19 suspect that the comments will be fairly minimal. Would  
20 it be possible for the three of us to meet briefly that  
21 morning if we have all other subcommittee meetings. If



*Court Reporting and Litigation Support*  
*Serving Baltimore, Washington and Annapolis*  
301 766-HUNT (4868)  
800 950-DEPO

1 we could find 10 or 15 minutes --

2 MR. GUTMAN: I wonder if we could arbitrarily  
3 say right now 12:30?

4 CHAIRMAN WHITSON: That's fine with me.  
5 Louise, is that fine with you?

6 MS. LAWRENCE: Yes.

7 CHAIRMAN WHITSON: Okay.

8 MR. GUTMAN: We would receive from Ren any  
9 additional comments or clarification and I would assume  
10 though I haven't heard from either of the other two  
11 panel members, but I would assume that there's really no  
12 other business we have to address at that time since it  
13 has been pretty clearly stated what's desired, and it  
14 appears to be noncontroversial.

15 CHAIRMAN WHITSON: Well, that's fine, and  
16 without any further objection, that's what we'll do.  
17 We'll meet at 12:30 on the 6th, the day of the  
18 commission meeting and we will review those comments and  
19 formulate our opinion and transmit to the commission.

20 MR. SEREY: The only other item would be  
21 keeping the record open.



*Court Reporting and Litigation Support*  
*Serving Baltimore, Washington and Annapolis*  
301 766-HUNT (4868)  
800 950-DEPO

1           CHAIRMAN WHITSON: As I mentioned before, yes,  
2 we will -- the public record will remain open until the  
3 4th of November if the county or anyone else wishes to  
4 submit any other information. One other matter in a way  
5 of housekeeping. I did neglect to say at the beginning  
6 of the hearing that this meeting was advertised  
7 publicly. It was held pursuant to a public notice. As  
8 such, if there are no further questions or comments, we  
9 will be adjourned. Good night.

10                           (Whereupon, at 7:55 p.m., the above-  
11 entitled hearing was adjourned.)  
12 .  
13 .  
14 .  
15 .  
16 .  
17 .  
18 .  
19 .  
20 .  
21 .



*Court Reporting and Litigation Support*  
*Serving Baltimore, Washington and Annapolis*  
301 766-HUNT (4868)  
800 950-DEPO

C O N T E N T S

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21

<u>COMMENTS</u>	<u>PAGE</u>
OPENING REMARKS	2
PROPOSAL BY MS. REYNOLDS	3
QUESTIONS BY PANEL MEMBERS AND STAFF MEMBERS	6
PROPOSAL BY MS. REYNOLDS	11
QUESTIONS BY PANEL MEMBERS AND STAFF MEMBERS	13

E X H I B I T S

(None)

---



*Court Reporting and Litigation Support  
Serving Baltimore, Washington and Annapolis*  
301 766-HUNT (4868)  
800 950-DEPO

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
CERTIFICATE OF NOTARY

I, SUSAN DILLEY, the officer before whom the foregoing testimony was taken, do hereby certify that the witness whose testimony appears in the foregoing transcript was duly sworn by me; that the testimony of said witness was taken by me by magnetic tape and thereafter reduced to typewriting by me or under my direction; that said testimony is a true record of the testimony given by said witness; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this testimony is taken; and, further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of the action.

*Susan Dilley*  
\_\_\_\_\_  
SUSAN DILLEY  
Notary Public in and for  
the State of Maryland

My Commission Expires:

*September 14, 1993*



*Court Reporting and Litigation Support  
Serving Baltimore, Washington and Annapolis*  
301 766-HUNT (4868)  
800 950-DEPO