

Commission Meetings & Correspondence June 1985 MSA - J1932-10

## CHESAPEAKE BAY CRITICAL AREA COMMISSION

Minutes of Meeting Held  
May 15, 1985

The Chesapeake Bay Critical Area Commission met at the Newton White Mansion in Prince George's County, after having toured a number of areas in the County during the day. The meeting was called to order by Chairman Solomon Liss with the following Commission Members in attendance:

Clarence "Du" Burns  
Florence Beck Kurdle  
Harry T. Stine  
Shepard Krech, Jr.  
Robert Price  
John Luthy, Jr.  
Wayne Cawley, Jr.  
Torrey Brown  
William Eichbaum

Parris Glendening  
J. Frank Raley, Jr.  
Albert Zhaniser  
Barbara O'Neill  
Samuel Turner  
Lloyd Tyler, III  
Ardath Cade  
Constance Lieder

Chairman Liss opened the meeting with several announcements. He stated that he had received a letter from Donald Hutchinson, Baltimore County, requesting resignation and replacement on the Committee. The Legislative Oversight Committee met the day before to review criteria that had been prepared by the Commission. Chairman Liss said that many of the members of the Oversight Committee had not favored the Critical Area Act when it was passed and had not supported the intent of what the Critical Area Commission has been trying to accomplish. He said that the Commission had tried to address the comments which had been made previously by the Oversight Committee on the criteria, and indicated to the Commission that it should try to accommodate their objections or concerns as long as they did not undermine the purpose and focus of the Commission.

The criteria need to be submitted to the Maryland Register by May 22 in order to meet a June 7, 1985 publication, and at that time, a listing of the public hearings would also be published. He announced that the following dates have been scheduled for public hearings: June 27, July 1, 8, 11, 15, and 18. It was agreed that a similar format would be used as in the previous meetings, with a brief presentation followed by opportunity for people to speak. Chairman Liss then spoke briefly about the responsibilities of the Commission members in discussing the criteria with their local legislative representative. He encouraged them to enlist the assistance of citizens who support the criteria and said that it was the task of the Commission to make the public aware of what criteria are being proposed, as well as why they are being proposed.

In a presentation on local government incentives, Marcus Pollock, Commission staff member, indicated that incentives will

be a separate portion of the criteria publication in the Register. He briefly summarized a matrix indicating the range of incentives which might be available to local governments. He also distributed to the members a copy of the Citizen's Program for the Chesapeake Bay Citizen Directory. Mr. Pollock encouraged the local governments to utilize the assistance of many of the organizations listed in the Directory for support in working with both incentives and the program. He stated that the incentives will help local governments encourage development away from the Critical Area. Chairman Liss said that one of the questions asked by the Legislative Oversight Committee was whether the State was going to finance the cost of local governments carrying out their tasks. He indicated that conversations with the Governor's Office indicate that they are aware of this problem, and as yet, no answers are forthcoming. The Governor's Office is studying the matter and it is hoped that the State will be able to prepare some sort of package of incentives or arrangements to work with the local governments when it is time for them to begin implementation of programs.

The balance of the meeting was spent reviewing specific sections of the criteria which had not been previously reviewed or had formal votes. The Water-Dependent Activities Section, the Non-Tidal Wetlands Section, the Rare, and Endangered Species Section, and the Standards for Local Programs were then reviewed with a range of amendments supported. It was indicated that the issue of "grandfathering" would need more work by the Commission over the summer, as might other elements, such as criteria relating to the extent of increase allowed for Intensely Developed Areas, standards for piers and dock structures, etc.

The Commission agreed to meet on Tuesday morning, May 21 at 9:00 a.m. at the Department of Natural Resources in order to review the complete package of criteria prior to its publication.

There being not further business, the meeting was adjourned.

These minutes were prepared by Helene Tenner

/jjd



*He*

TORREY C. BROWN, M.D.  
SECRETARY

JOHN R. GRIFFIN  
DEPUTY SECRETARY

STATE OF MARYLAND  
DEPARTMENT OF NATURAL RESOURCES  
**TIDEWATER ADMINISTRATION**  
TAWES STATE OFFICE BUILDING  
ANNAPOLIS 21401

June 17, 1985

MEMO TO: Torrey C. Brown, M.D.  
FROM: Helene Tenner *Helene*  
SUBJECT: Briefing for CAC - June 21st

Attached is some information which I prepared last week for Ellen Fraites to use in the preparation of a speech for the Governor. There are a number of specifics about DNR's initiatives which you might want to use in your presentation on Friday morning.

Showing this group the large map which you used at the Executive Council meeting will also be helpful.

Since the group will be small (about 10), you, Wayne and Bill can be fairly informal, but I do think specifics on accomplished projects will be helpful.

In addition, they'll want to know your perspective on any upcoming trends, problems or areas in which they can be helpful to you. I'm sure Bette Bauereis will not be shy in asking questions.

If you want any other assistance from me on this meeting please let me know.

Attached is a list of the Maryland members of the Citizen Advisory Committee who have been invited in addition to David Maney, CRAC Chairman, and Jim Gutman, SWQAC Chairman. Mitch Nathanson will not be present and Mayor Elbourn is sending Jim Gyory in his place.

HT: ah

attachment

CHESAPEAKE EXECUTIVE COUNCIL

CITIZEN ADVISORY COMMITTEE

APPOINTED NOVEMBER 1984

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The Tidal Fisheries Division is responsible for five of Maryland's Chesapeake Bay Program Initiatives. The following is a status report on the implementation of those initiatives since they were funded in July 1985.

A. Increase Anadromous Fish Brood Stock

This initiative will help perpetuate anadromous finfish stocks so that natural reproduction can occur once habitat and environmental conditions of the Bay are corrected. An intercept hatchery is planned to provide a modern fisheries management tool that is not presently available to the Maryland resource agencies.

The hatchery feasibility study has been completed with the assistance of the Emergency Striped Bass Study Planning and Coordinating Committee. Money has now been released to begin the evaluation of six potential hatchery sites. Once a site has been selected this initiative will focus on developing and refining the technical aspects of striped bass culture to assure future production of juvenile striped bass. A contract has been let to a consultant firm to select and evaluate potential hatchery sites.

This past spring the Department of Natural Resources Fisheries Division staff operated a striped bass hatchery in the Cedarville facilities. Collections of brood stock were made throughout rivers of the Bay system and over 11,000,000 fry were shipped to Fish and Wildlife Service hatcheries throughout the United States so that they could be reared and returned to the Bay in the fall of 1985. This program was operated this year by verbal agreement between Fish and Wildlife Service and the State of Maryland. A formal five year written agreement will be signed on the 21st of July and this program will continue until the intercept hatchery is on line and can assume the role of producing fingerlings for the Bay. The overall intent of this program is to maintain the genetic integrity of the fish that return to specific rivers to spawn. The objective is striped bass restoration and once this species is returned to former levels of abundance the intercept hatchery program has the capability of directing its attention to other stocks such as American shad and sturgeon that once abounded the Chesapeake

B. Oyster Repletions and Technology Transfer

This initiative is designed to enhance the Maryland oyster industry through an aggressive program of oyster repletion, implementation of new oyster culture technology, and a program of information transfer to the industry in order to increase and stabilize harvest at approximately 2½ million bushels annually.

Shell Planting and Seeding

Funding has enabled the Department to increase dredged shell plantings from 150,000 cubic yards. *to over 300,000 cu. yds. of shell* A total of 845 acres of oyster bars were planted, and the cost of the dredge shell program was \$942,611.81.

As part of the oyster repletion initiative a site at Deal Island was renovated and a new hatchery building is being constructed by the Department of Natural Resources personnel. This facility will first concentrate on the production of eyed larvae to be released on natural oyster bars. Millions of larvae can be transported in a five gallon bucket and one individual in an outboard could potentially place as many oysters in the upper Bay bars as the entire oyster fleet would be capable of transporting from seed areas in a two month period. It is obvious that if this technique is successful there would be a tremendous savings in cost and labor that would be expended by the Oyster Repletion Program. Additional studies by the oyster hatchery will concentrate on developing genetic strains that are resistant to MSX and more tolerant to the low salinity environment in the upper Bay. Refinement of oyster hatching and setting techniques will also add to the efficiency of the hatchery but may assist in the development of private oyster hatcheries throughout the Chesapeake Bay region.

### C. Recreational Fishing

As of this date approximately \$700,000 of new revenues have been generated by the Chesapeake Bay saltwater sportfishing license. As summer progresses it is anticipated that even more sales will be realized.

Funds will be used for the following:

- \* Research and monitoring of sportfish to determine why stocks are decreasing and to use new techniques for enhancement.
- \* Acquisition and maintenance of fishing piers to increase fishing access.
- \* Increased production of sportfish in hatcheries for research papers.
- \* Construction and placement of sportfish habitat reefs to increase estuarine fish nursery areas.

### D. Fisheries Management Program

The purpose of this initiative is to develop fisheries management plans for specific Bay species. The State has hired three technically trained fisheries biologists who have extensive experience in preparation of fisheries management plans. To date their activities have included a review of all the interstate management plans for fish species that live in the Bay and have devised a format for the preparation of Maryland's fisheries management plans. This format coordinates the components found in plans of other states and in the federal plans for the management of estuarine fishes. We released a contract to have Martin Marietta Corporation review all the current data and write a fisheries management plan for the American shad, hickory shad, and herring. As the group should know the American shad has been placed in a status of in need of conservation and there is a moratorium on the taking of the species because the stocks are so low. The American shad, the hickory shad, and the river herring have had over a decade of depressed reproduction with virtually no reproduction being recorded for the American shad or the hickory shad. Stocks of these two species are at an all time low. The management plan will provide some insight on how to approach them in the future. The group has prepared a list of completion

# of decisions based on free piers (not)

list of which / when

dates for the management plans of various species. ~~UNCLASSIFIED~~ The first plan to be prepared is already in a draft and in a review process. This will be a fisheries management plan for the American eel. Many watermen around the Bay use the eel as crab pot bait and there was a thriving export market until just about three years ago when the species became over fished.

## STATUS OF INITIATIVES

### MARYLAND DEPARTMENT OF NATURAL RESOURCES

The Maryland Department of Natural Resources is making great progress in carrying out the initiatives which are under its jurisdiction. Of prime importance are the initiatives which relate to resource restoration which ultimately be the key to measuring the Bay cleanup. The activities of the State at this point are designed to enhance the natural resources of the Bay. In the program for submerged aquatic vegetation, six sites off of the Choptank River have been planted. The grasses that were planted last fall on the Susquehanna Flats have survived the winter and are thriving.

(This is the space to insert fisheries material from George Krantz)

One of the more important ways of controlling pollution into the Bay is through the use of shoreline erosion programs. The Non-Structural Shoreline Program, which uses the planting of Bay grasses as a measure of stabilization of the shoreline, has selected five sites on State property for demonstration projects. On Wye Island the grass planting from the fall has been completed and that project has also survived the winter and has served as a model example of the kind of project that can be done. The Wye Project also turned out to be extremely cost effective with costs of \$54 a foot for the grass planting as opposed to \$200 a foot for stone revetment.

*Sub list* { Other projects which are progressing include those which will enhance the shoreline. The Board of Public Works approved \$1.99M in projects for the coming year for the Shoreline Improvement Loan Program. Fifteen projects have been selected and they include waterfront revitalization projects for North Beach, Salisbury, Choptank Marsh Walk in Denton, and improvements for Terrapin Beach in Queen Annes County as well as others.

{ Another program which was instrumental in stabilizing the shoreline was the use of the Youth Conservation Corps. Last summer 726 youths at over 80 locations and their tasks included clearing debris in ponds, soil erosion control projects in Western Maryland as well as numerous shoreline Bay cleanup efforts.

In the area of stormwater management, the State has dispersed grant monies to the local jurisdictions so that they can implement their stormwater management programs.

In the area of sediment control, the State has hired a number of sediment and erosion control inspectors and they are pursuing enforcement in the counties in which the State has responsibility. Nine of the counties are undertaking their own sediment control enforcement and the State is currently working with the balance of them and enforcing the State Sediment Control Regulations.

*Sub about* { In the area of forest protection, twenty-eight forest management plans have been written for a total of 2,881 acres within the Critical Area adjacent to the Bay. Forested buffers have been established on 27 acres of the Critical Area.