

Committee Meetings & Correspondence

October 1958

MSA S1832-50



JUDGE SOLOMON LISS
CHAIRMAN

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREAS COMMISSION
DEPARTMENT OF NATURAL RESOURCES
TAWES STATE OFFICE BUILDING, D-4
ANNAPOLIS, MARYLAND 21401
974-2418 or 974-2426

SARAH J. TAYLOR, PhD
EXECUTIVE DIRECTOR

September 30, 1988

COMMISSIONERS

- Thomas Osborne
Anne Arundel Co.
- James E. Gutman
Anne Arundel Co.
- Ronald Karasic
Baltimore City
- Albert W. Zahniser
Calvert Co.
- Thomas Jarvis
Caroline Co.
- Kathryn D. Langner
Cecil Co.
- Samuel Y. Bowling
Charles Co.
- G. Steele Phillips
Dorchester Co.
- Victor K. Butanis
Harford Co.
- Wallace D. Miller
Kent Co.
- Parris Glendening
Prince George's Co.
- Robert R. Price, Jr.
Queen Anne's Co.
- J. Frank Raley, Jr.
St. Mary's Co.
- Ronald D. Adkins
Somerset Co.
- Shepard Krech, Jr.
Talbot Co.
- Samuel E. Turner, Sr
Talbot Co.
- William J. Bostian
Wicomico Co.
- Russell Blake
Worcester Co.

Dear Commission Member:

The next meeting of the Chesapeake Bay Critical Area Commission will be on October 5, 1988, at 1:00 p.m., at the Department of Agriculture, 50 Harry S Truman Parkway, Annapolis, Maryland. A copy of the Agenda is enclosed. The Minutes of the Meeting of September 28th will be made available at the Meeting, and we then will provide time for you to read them.

I would like to take some time in the agenda to discuss with the Commission Members, the following three questions that have been posed to the staff. During the development of the growth allocation criteria, the counting of the growth allocation policy, and the criteria for development, I do not believe these situations were considered.

First, is it acceptable, given Health Department approval, to accommodate the sewage from dwelling units outside of the Critical Area, in the Critical Area?

Second, is it acceptable, given Health Department approval, to have a drain field in the Critical Area that is remote to a lot already in the Critical Area, but which was platted and grandfathered some 30 years ago?

Third, is it acceptable, given Health Department approval, to have a drain field outside of the Critical Area that is remote to a lot that is already in the Critical Area? The lot was platted and grandfathered some 30 years ago. The drainpipe would be run through the Critical Area.

CABINET MEMBERS

- Wayne A. Cawley, Jr.
Agriculture
- J. Randall Evans
Employment and Economic Development
- Martin Walsh, Jr.
Environment
- Ardath Cade
Housing and Community Development
- Torrey Brown
Natural Resources
- Constance Lieder
Planning

Your assistance with these questions is appreciated.

Sincerely,

Sol
Solomon Liss
Chairman

SL/jjd

Enclosure

CHESAPEAKE BAY CRITICAL AREA COMMISSION

AGENDA

Department of Agriculture
50 Harry S Truman Parkway
Annapolis, Maryland

October 5, 1988

1:00 - 3:30 p.m.

- | | | |
|-------------|--|---|
| 1:00 - 1:10 | Approval of Minutes of
September 28, 1988 | Solomon Liss
Chairman |
| 1:10 - 1:30 | Vote on Anne Arundel
County Growth Allocation | James Gutman, Panel
Ch./County Officials |
| 1:30 - 2:00 | Presentation of Days
Cove Master Plan, and
Appointment of a Panel | Bill Krebs, Bob
Dannecker, Tolly
Peuleche, Capital
Programs, DNR |
| 2:00 - 2:15 | Vote on Waterway
Improvement Division
Gunpowder River Project | Skip Zahniser, Panel
Chairman |
| 2:15 - 3:00 | Discussion on Septic
Systems and Dwelling Units
Inside and Out of the
Critical Area | Solomon Liss
Chairman |
| 3:00 - 3:30 | Old Business
Cecil Co. Amendments Hearing
Talbot Co. Hearing | |
| | New Business
Dorchester Co. Amendments Hearing
Elkton Meetin | |

Next Meeting: October 19, Blooming Neck Farms, Worton, MD

CHESAPEAKE BAY CRITICAL AREA COMMISSION

Minutes of Meeting Held
September 28, 1988

The Chesapeake Bay Critical Area Commission met at the Department of Natural Resources, Annapolis, Maryland. The meeting was called to order by Chairman Solomon Liss with the following Members in attendance:

James Gutman	Ronald Karasic
Thomas Jarvis	Samuel Bowling
G. Steele Phillips	Victor Butanis
Wallace Miller	Parris Glendening
Robert Price, Jr.	Ronald Adkins
Shepard Krech, Jr.	Samuel Turner, Sr.
J. Frank Raley, Jr.	Russell Blake
Louise Lawrence for Secretary Cawley	Robert Schoeplein of DEED
John Griffin of DNR	Robert Perciasepe of DOE Secretary Lieder of DSP

The Minutes of the Meeting of September 7, 1988, were approved as written.

Chairman Liss asked Mr. Robert Sheesley, Director, Department of Environmental Protection and Resource Management of Baltimore County, to report regarding the development activities of an out-of-state corporation on a site located on the western side of Bear Creek. Mr. Sheesley said that the developer had not obtained the necessary authorization for development from the County authorities, and exhibited a map depicting the area where development is occurring. He said that the site is in an intense development area of Dundalk, and that the owners of the property wished to rebuild on the site. When the developer encroached on the 100-Buffer, the County asked the developer to submit a complete plan for redevelopment of the property; obtain a sediment control and grading permit for any activity that they conducted, once they finished clearing the structures from the area; as well as restore some of the areas inside the 100' Buffer that were impacted by filling.

Mr. Sheesley reported that the corporation has since done as the County had requested and is meeting the requirements of the Critical Area plan.

Mr. Gutman asked if there has been any filling of wetlands? Mr. Sheesley answered negatively.

Chairman Liss asked what the County has the ability to do if someone violates the requirements of the Critical Area Law, or development requirements of the County? Mr. Sheesley answered that the County incorporated an enforcement regulation when it developed its Critical Area Program. He explained that the County took the sediment control and grading regulations, and

revised them to address reforestation, wetlands, and agricultural issues. This enforcement does not solely pertain to the Critical Area, but the entire County.

Chairman Liss then asked Mr. Ed Phillips to report on the Town of Cambridge. Mr. Phillips said that the residential section of the Town is almost completely developed with the exception of two areas, and almost all of the houses penetrate the Buffer. The Town has not only Stormwater Management and Sediment Control regulations in effect, but also additional water quality considerations in its ordinances. Mr. Adkins, Panel Chairman, concurred with Mr. Phillips' description of the Town and its effective water quality control measures and said that the Panel would approve the Town's Program.

Secretary Lieder asked which area is being requested for an exclusion? Mr. Phillips answered the area in IDA.

Secretary Lieder asked if the Commission is bound to approve an exclusion. Mr. Epstein answered that the Commission should approve a request for exclusion, unless the Commission finds the request arbitrary or capricious or not supported by competent and material evidence.

Mr. Gutman asked what the result to the Town would be, should the Commission deny the exclusion? Mr. Phillips answered that the Town would be unable execute the Planned Water Community Development that the Town has initiated. It would require the Town to have a 100' setback, and would limit the residential density in the property, allowed slopes, etc. The problem is that most of the lots along the waterfront are not much more than 100 feet in depth.

Chairman Liss asked the Panel Members if they had any objections to the Program or the request for exclusion? Dr. Krech, Panel Member, answered that he felt the Program to be a good one.

A motion was made and seconded that the Commission accepts the City's Program in lieu of the Commission's own Program for the City, and that the Commission approves the local Critical Area Program for the City of Cambridge, pursuant to the Critical Area Law, Section 8-1809(d), and direct that pursuant to Section 8-1809(e), within 90 days, the City shall adopt the Program together with all relevant ordinance changes. In addition, it is understood that the City shall be required to submit to the Commission for its approval and consent, any ordinances in the event of a subsequent annexation of additional property in Dorchester County, and the annexed property shall be under the

rules and regulations that apply to Dorchester County's Critical Area Law. The vote was 16 in favor with 2 abstentions. The vote included an approval of the exclusion request.

Chairman Liss asked Mr. Phillips to report on the Town of Princess Anne. Mr. Phillips said that the Program had been appropriately changed, and the Panel recommended approval at this time.

A motion was made and seconded that the Commission, pursuant to the Critical Area Law, Section 8-1809(d), approve the Town of Princess Anne's local Critical Area Program, and direct that pursuant to Section 8-1809(e), within 90 days, the Town shall adopt the Program together with all relevant ordinance changes. The vote was 19:0 in favor.

Chairman Liss asked Mr. Sam Bowling, Panel Chairman, to report on the Program for Calvert County. Mr. Bowling reported that all requested changes had been made by the County, and that the Panel was in agreement that the Program be approved.

A motion was made and seconded that the Commission, pursuant to the Critical Area Law, Section 8-1809(d), approve Calvert County's local Critical Area Program, and direct that pursuant to Section 8-1809(e), within 90 days, Calvert County shall adopt the Program together with all relevant ordinance changes. The vote was 18:0 in favor.

Chairman Liss then introduced a discussion on Charles County's growth allocation.

Chairman Liss asked Mr. Lee Epstein to report on the status of the Program for St. Mary's County. He said that the commission staff had completed the text, and that mapping work was on-going and should be ready sometime soon.

Mr. Epstein reported that the Commission had been joined in a lawsuit over Kent County's approval of a subdivision on Langford Farm. The suit argues that the statute allowing extension of the Critical Area line is unconstitutional. Mr. Epstein will keep the Commission informed of progress.

Chairman Liss announced that there is an application to repair and replace the boardwalk in the Merkle Wildlife Sanctuary. The sanctuary would like to also provide handicapped access to the boardwalk. Mr. Randy Harrill, Program Open Space, DNR, was asked to report on the project.

A Panel was chosen to review the project, comprising of Ron Karasic, Sam Bowling, Shepard Krech, and Bob Schoeplein, and Jim Gutman.

Chairman Liss asked Mr. Ron Adkins, and Mr. Tony Bruce, lawyer for Somerset County to discuss grant monies to the County. A discussion ensued between County representatives, Commissioners, Chairman Liss, and Mr. Epstein.

A motion was made and seconded to table the discussion. The vote was 6 in favor, 8 opposed.

A motion was made and seconded to pay Somerset County the amount of \$125,000.00 to implement its Program.

Chairman Liss suggested that there be a short break in order for the Somerset County Panel Members to meet to discuss what could be done to satisfy both the County and the Commission. Chairman Liss appointed Bob Price to stand in for Ron Hickernell as Panel Member.

After the break, it was suggested that the Panel comprising of Bob Price, Shepard Krech, Russell Blake, Bill Bostian, and Ron Karasic meet with the County on October 3rd, in the Princess Anne office.

UNDER OLD BUSINESS

Copies of an executive summary of the Economic Baseline Study were distributed to the Commission.

Mr. Gutman announced that after numerous consultation, a tentative agreement had been reached with Anne Arundel County concerning its growth allocation, and a report will be made at the next Commission Meeting.

UNDER NEW BUSINESS

Mr. Epstein reported on the status of a court suit involving the Stinnett property in Kent County.

There being no further business, the meeting was adjourned.

Chesapeake Bay Critical Areas Criteria
Discussion of Relative Criteria

Title 14: Independent Agencies

Subtitle 19: Chesapeake Bay Critical Area Commission

Chapter 5: State Agency Actions Resulting in Development on State-owned Lands

.01 General Provisions

- A. The proposed development is consistent with the criteria described in Regulations .03-.14 as detailed for appropriate sections below.

.02 Commissions Review

- C. The section of Days Cove Natural Area of Gunpowder Falls State Park included in this Master Plan is located within Baltimore County, Maryland. The County has been advised of the Master Plan and has stated support for the Master Plan.

.03 Development

- B.(1) Intense Development will not occur within the critical area at the Days Cove Natural Area.
- B.(1)(e) Although not an intense development, all applicable State and Federal permits have been applied for:
- Department of the Environment: Water Quality Certification Number 87-0417 issued 9-27-87 - bridge and access road.

- Department of the Environment: Stormwater Management and Sediment and Erosion Control Approval Number 88-SF-0127 issued 11-5-87 (not for entire Master Plan).
- U.S. Army Corps of Engineers 404 Permit
- Board of Public Works Wetlands License

- B.(2)(c) The amount of impermeable surfaces has been minimized. All non-trail permeable area will be vegetated.
- B.(2)(d) Gravel driving trails and interpretive loop foot trails will be established to provide public access to the shoreline.
- B.(2)(g)(ii) The trails, driving and foot, will meander to minimize destruction of forest and woodland vegetation. The forested wetland disturbed to construct the internal connecting road will be replaced on a two-for-one basis as required by the Corps.
- B.(3)(a)(ii) There is no feasible alternative to locating the internal roadway system connecting the Bradshaw and Smuck Areas in an area designated by Baltimore County as a Habitat Protection Area. The system will make the Park safer for visitors, reduce traffic congestion on Route 40 and Days Cove Road, improve Park operations, and allow the Forest, Park and Wildlife Service to limit the number of visitors to the Smuck Area when appropriate. The erosion protection and minimization of negative impacts to

wildlife, aquatic life, and their habitats and maintenance of hydrologic processes and water quality will be addressed through the permitting process. Examples:

- 2:1 replacement of palustrine forested wetlands disturbed.
- bridge construction prohibited from February 28th to June 26th due to anadromous and semi-anadromous fish spawning and nursery activities.
- appropriately sized and spaced culverts to be installed to maintain existing hydrology of floodplain wetlands.
- wetland mitigation site must be from existing uplands.
- replacement wetlands should be located such that they will ecologically interact with a perennial and/or intermittent stream within the watershed.

B.(3)(a)(iii) The bridge and road will have no impact on flood frequency or severity. The major flood hazard in the Gunpowder delta is due to tidal surge. This development will result in a net increase of tree canopy due to the two-to-one replacement requirement.

- B.(3)(b) The existing wildlife corridor will not be significantly impacted.
- B.(3)(d)(i),(ii) All trees greater than three inches DBH removed within the critical area will be replaced on at least a one-for-one basis with an overall net increase in forest coverage.
- B.(4) The Department has received Department of the Environment, Stormwater Management and Sediment and Erosion Control Approval State/Federal Projects for much of the Master Plan and will continue to work with the Department of the Environment when appropriate.
- B.(5) There will be no adverse, off-site impacts on the Baltimore County Critical Area Program.

.04 Water-Dependent Facilities

- B.(1)(a) The two canoe launches are water-dependent facilities as the launches are dependent upon the water by reason of the intrinsic nature of their operation. The boating concession building and pier are also water-dependent facilities but will not be located in the critical area.
- B.(1)(b) The Gunpowder Falls canoe launch area is a popular canoe launch/retrieval area. The construction of a canoe launch at this location will stabilize the area thereby reducing erosion and downstream sedimentation. The Days Cove canoe launch will be used primarily for organized

trips originating from the Environmental Education Center.

- B.(1)(c) Adverse effects on water quality and fish, plant, and wildlife habitat will be minimized at the canoe launches.
- B.(1)(d) The canoe launch parking lots will be located outside of the 100-foot buffer.
- B.(2)(a) The canoe launches will not significantly alter existing water circulation patterns or salinity regimes.
- B.(2)(b) The Gunpowder Falls and Days Cove have adequate flushing characteristics to handle the minimal inputs caused by the canoe launching facilities.
- B.(2)(c) Disturbance to wetlands, submerged aquatic plant beds, or other areas of important aquatic habitats will be minimized. The Gunpowder Falls site contains no wetland vegetation or SAV. The stabilization of this area will be beneficial to downstream aquatic habitats. The Days Cove site was selected because of the sparse vegetation along the shoreline. No SAV beds occur in the area of the launch.
- B.(2)(d) Adverse impacts to water quality, such as non-point source runoff, sewage discharge from land activities or vessels or from boat cleaning and maintenance operations, will not occur or will be minimal.

- B.(2)(e) No shellfish beds will be disturbed or be made subject to discharge that will render them unsuitable for harvesting as a result of these canoe launches.
- B.(2)(f),(g) No dredging will be required for the construction of the canoe launches.
- B.(2)(h) There will be no interference with the natural transport of sand as a result of these canoe launches.
- B.(6)(a) There will be no sanitary facilities directly associated with the canoe launches.
- B.(6)(b) All service facilities associated with the canoe launches will be located outside of the 100-foot buffer.
- B.(6)(c) Since rainfall will run off of and through the Days Cove pier, it is essentially a permeable surface. All trails to the canoe launches will be gravel or wood chips.
- B.(6)(d) As previously stated, disturbance to riparian and aquatic natural vegetation has been minimized by the sites selected.
- B.(7) The canoe launches will be used for passive recreation, such as nature study and education and are, therefore, consistent with this provision.

.05 Shore Erosion Protection Works

The only shore erosion protection planned for the Days Cove Area is the riprap armoring of Gunpowder Falls shoreline adjacent to the wooden bridge. The amount of armoring required has not been determined; the bridge design is scheduled to be completed by December 15, 1988.

B.(1)(c) Applies to this shoreline area.

.06 Forest and Woodland Protection

B. No timber harvesting will be permitted.

.07 Agriculture

B.(1) There will be no creation of new agricultural lands.

B.(3) Best Management Practices for the control of nutrients, animal wastes, pesticides, and sediment runoff will continue to be utilized on the 25 acres of agricultural fields to protect the productivity of the land base and enhance water quality.

B.(6) A Soil Conservation and Water Quality Plan acceptable to the Baltimore County Soil Conservation District will be developed and implemented.

.08 Surface Mining

No surface mining, other than the previously permitted operations, will take place at the Days Cove Area.

.09 Buffer

- B.(1) The majority of Days Cove Natural Area had a 100-foot buffer landward from the mean high water line of tidal waters, tributary streams, and tidal wetlands when acquired by the State.
- B.(2) Development activities within the 100-foot buffer:
- Canoe launches - water-dependent facilities.
 - Internal roadway system - no feasible alternative as discussed previously - the buffer (tidal Gunpowder Falls) bisects the Days Cove Natural Area.
 - Wood chip interpretive loop trails and observation/photography blinds.
- B.(3) Buffer will be maintained in natural vegetation except for items listed above. Planted vegetation, native species, will be used to enhance the shoreline and to expand the buffer where appropriate.
- B.(4) There will be no agricultural activities within the 100-foot buffer.

- B.(5)(a),(b) There will be no commercial harvesting of trees.
- B.(5)(c) All trees greater than 3 inches DBH removed pursuant to this section will be replaced on a one-for-one basis.
- B.(6) The buffer between the Gunpowder Falls and the Gunpowder Falls canoe launch parking lot will be expanded to 100 feet.
- B.(7) The buffer will be expanded beyond 100 feet where appropriate.

.10 Non-Tidal Wetlands

- B.(1) The various roads contained in the Master Plan have been aligned to minimize impacts from these roads on non-tidal wetland as identified on the National Wetlands Inventory Maps. Trail systems will avoid these wetlands or be elevated when crossing them.
- B.(2) The final alignment of the driving trail will be determined based on field evaluation of the non-tidal wetlands and other habitat considerations.

.11 Threatened and Endangered Species and Species in Need of Conservation

- B.(1) Days Cove Natural Area contains two endangered species: *Ericaulon parker*; and *Haliaeetus leucocephalus*; and one highly state-rare species: *Hydrocotyle verticillata*.

- B.(2) Although specific programs for the protection of these species have not been developed, the Master Plan has been modified to provide more protection for the habitats of these species. This issue is also addressed in Days Cove Tract of Gunpowder Falls State Park, Part II: Fish and Wildlife Management Plan, Stotts 1986.

.12 Plant and Wildlife Habitat

- B.(1) For detailed information, please refer to Days Cove Tract of Gunpowder Falls State Park, Part I: Biological Assessment, Stotts 1986.
- B.(1)(a) No colonial water bird nesting sites identified.
- B.(1)(b) Historic waterfowl staging and concentration areas identified.
- B.(1)(c) Existing riparian forests identified.
- B.(1)(d) Forest areas utilized as breeding areas by forest interior dwelling birds and other wildlife species identified.
- B.(1)(e) No other areas which may in the future be identified by State or Federal agencies as important plant or wildlife areas identified.
- B.(1)(f) No Natural Heritage Areas, which have been designated, identified.

B.(2) For detailed information, please refer to Days Cove Tract of Gunpowder Falls State Park, Park II: Fish and Wildlife Management Plan, Stotts 1986. The Department has developed protection measures for the plant and wildlife habitats identified above while meeting the goals and objectives of a "Natural Park." Examples:

- The Department negotiated a modification to the permitted surface mining limits to protect a valuable wetland utilized by wood ducks, black ducks, and other waterfowl.
- The alignment of the internal roadway system has been modified several times to reduce impacts primarily to forested wetlands.
- Approximately 45% of the driving trail will be improvements to existing dirt roads, 100% outside of the 100-foot buffer. The road will meander to avoid wetlands and minimize tree removal. All trees greater than three inches DBH removed will be replaced.
- No power boats allowed at either launch or on any of the created lakes.

.13 Anadromous Fish Propagation Waters

B.(1) The Gunpowder Falls is an anadromous fish spawning stream.

B.(2)(a) Riprap will be installed along the Gunpowder Falls shoreline adjacent to the timber bridge. This riprap

will be installed on the bottom of the Gunpowder only as far as required to provide a base for the river bank stabilization. The bank stabilization will eliminate erosion from the bridge site and that source of sedimentation.

B.(2)(b) There will be no channelization or other physical alterations which may change the course or circulation of a stream.

B.(2)(c) The Days Cove Natural Area Master Plan calls for:

- (i) minimal development;
- (ii) improvement of water quality;
- (iii) minimal discharge of sediments into streams; and
- (iv) increased natural vegetation.

B.(3)(a) There will be no construction or placement of dams or other structures that would interfere with or prevent the movement of spawning fish or larval forms in streams. No barriers exist within the area to remove.

B.(3)(b) The Water Quality Certification, 87-0417, prohibited these activities from February 28th to June 26th.

.14 Natural Parks

B. The stated policy of the Commission is to encourage the creation of opportunities for interaction between people and natural environments without destroying the fragile components

of natural habitats. Days Cove Natural Area meets this policy goal.

- C.(1) The majority of Days Cove Natural Area lies within the critical area. The Department has specifically been committed to the conservation and preservation of the unique delta ecosystem found there.

- C.(2) The Department is aware that all natural terrain has a finite capacity to tolerate human disturbance. Access to Lake #2 will be limited primarily by the lack of an access road and parking lot; walk-in access only. The internal roadway system connecting the Bradshaw and Smuck Areas will allow the Smuck Area to be closed when Park management determines such action to be appropriate. The driving trail will also have gates to restrict access when necessary.

CHESAPEAKE BAY CRITICAL AREA CRITERIA

DISCUSSION

OF

RELATIVE CRITERIA

GUNPOWDER FALLS STATE PARK

DAYS COVE SECTION

MASTER PLAN

October 4, 1988

**Prepared by: Capital Programs Administration
Department of Natural Resources
2012 Industrial Drive
Annapolis, Maryland 21401**

DAYS COVE MASTER PLAN
GUNPOWDER FALLS STATE PARK

INTRODUCTION

The following report represents a revised chapter of the 1981 Gunpowder Falls State Park Master Plan. The section that will be discussed is Days Cove. At the time of the original planning document, the land east of Route 40 had little chance of being purchased in the foreseeable future, and, due to ongoing sand and gravel mining, its ultimate configuration was unknown.

Fortunately, the Department of Natural Resources (DNR) was able to work with the mining companies to reach an agreement whereby the land could be acquired while mining continued under certain guidelines.

This agreement has meant that the proposed phases of implementation for the entire Park have to be revised to accommodate the new situation. Since private enterprise is in the process of creating park amenities as mining proceeds, DNR must step up its development schedule to assure that the Days Cove Section can become an operational unit sooner than previously anticipated.

GENERAL INFORMATION

The "Days Cove" Section is the name being used in this Plan for all the land within the proposed acquisition lines southeast of Route 40 (Pulaski Highway) as far as the Bird River to the south and Joppatown on the north. It encompasses approximately 2,500 acres, of which 2,000+ have been acquired. Much of the still unacquired acreage is marsh.

This Section, at the confluence of the Big and Little Gunpowder Falls, is very important because of its size and diversity of habitats. Included are extensive marshes, both tidal and nontidal, floodplain woods, and open fields. Over 1,200 acres of the Gunpowder Delta are designated as a State Critical Area, providing "a natural setting unsurpassed on the western shore of the Chesapeake Bay" (The Maryland Department of State Planning, Areas of Critical State Concern: Designation Report, Jan. 1981).

There are also several known prehistoric sites (disturbed by mining) located in the Days Cove Section. In addition, Old Joppa, an early Maryland port, was situated on the Little Gunpowder in this area. These historic features, combined with abundant wildlife and numerous plant associations, make the area rich in interpretive potential.

At present, the land's most important attributes are its sand and gravel resources. Mining has been ongoing for many years, changing the appearance of large areas by leaving lakes and new surface contours. The Department of Natural Resources has acquired both of the major tracts on which sand and gravel mining is occurring. As conditions of the option agreements, the private mining enterprises are now helping to shape the Park as explained in the Detailed Information.

The Days Cove Section will contain two designated use areas:

(Area A-7) - Bradshaw Area - day use recreation and nature appreciation.

(Area B-7) - Smuck Area - nature interpretation and environmental education.

A-7 Bradshaw Area

This area encompasses all the land between the Big and Little Gunpowder Falls to the east of Route 40. With the exception of two small as yet unacquired parcels, the area is entirely State owned. Due to successful negotiations, more land was acquired than originally shown in the 1982 project boundary line maps so that Days Cove's western boundary is now directly adjacent to Route 40. The mining company, from whom most of the land was purchased, has agreed to a number of items that will help DNR create an interesting and varied day use and nature appreciation area.

Two lakes will result from mining. The first lake (Lake #1 - up to 50 acres) will be completely mined in approximately four years. Its main uses will be for fishing, boating, and lakeside picnicking. Edges of the lake will be left shallow with scattered boulders and peripheral landscaping. A boat concession building for canoe and rowboat rental will be constructed by the mining company using DNR plans and specifications. The building will include space for some displays about the mining and reclamation processes and the geology of the Gunpowder Delta. Picnic shelters and rest room facilities are proposed for one side of the lake. The entrance road and parking areas will be rough-graded and graveled by the mining company.

Along Route 40, berms will be constructed by the mining company in order to screen the Park from the major traffic corridor and nearby commercial and industrial zoning. Three of these earthen berms were built during the first four-year phase of mining operations; the others will be completed later. Landscaping of these berms was accomplished by DNR using native tree and shrub species.

North of Lake #1 will be Lake #2, to be started only after the first phase has been successfully completed. This second area will ultimately be designated primarily for wildlife habitat management and passive low density uses such as hiking and bird watching. As part of the original agreement with the mining company, a valuable fresh water wetland was taken out of the mining permit area because of its high wildlife habitat values. In return, an equal amount of adjacent upland field can be mined if the material warrants. However, the land must be reclaimed as specified by DNR - in this case, returned to upland fields. The entire mining operation will be completed within twelve years.

To the east of the lakes is a large crescent shaped expanse of partly wooded wetlands. Waterfowl, particularly wood ducks and some geese, are known to nest in this area. In the autumn and winter, a great variety of waterfowl use the marsh to feed in and rest. This area will remain as free from human intrusion as possible.

The main entrance to the entire Days Cove Section is proposed to be off Route 40 at Jones Road. Previously located at this intersection was a truck stop known as "Belgian Village" which contained several buildings and other improvements such as gas and fuel oil tanks. The buildings, originally planned for renovation, have been found to be unsuitable for Park uses and, therefore, are in the process of being razed. The parking lot, gas and fuel tanks, etc., have also been removed from the area, and a berm is being constructed with the remainder of the area to be planted in grass and trees. The entrance gate is to be constructed with native stone donated by the mining company. This entrance will be situated between the two berms, one recently constructed and one under construction. It will lead past the truck stop site and will then fork: one spur will lead to the boating

area including boat concession building, parking, rest rooms, and surrounding family picnicking; the second option will pass the two proposed group picnicking shelters, parking and rest rooms; the third will lead toward the other use area of the Days Cove Section - the Smuck Area.

The road will connect the two areas by crossing Slough Creek and the Big Gunpowder while skirting the marsh area that separates them. The necessary road and bridge will be designed to fit into the wooded natural area as unobtrusively as possible. Located at the site of the Slough crossing is a large dump which is currently being removed with the assistance of the mining company. There will be one last spur road between the Gunpowder and the Slough that will lead in a southwesterly direction to a canoe landing on the Big Gunpowder. Canoers presently take out along Route 40, which is quite dangerous. In the future, some people may use the landing as a put-in, since going downstream to Days Cove would also be an interesting trip and there is a canoe landing proposed in the Cove in the Smuck Area that can serve as a take-out spot.

B-7 The Smuck Area

This area is an irregularly shaped parcel bounded by the Big Gunpowder Falls on the west, Days Cove on the north, Bird River on the east, and Baltimore County's Eastern Sanitary Landfill on the south. Only one small parcel remains to be purchased. Similar to the Bradshaw Area, there is private enterprise activity occurring in the Smuck Area. Sand and gravel mining will continue in the Big Gunpowder floodplain for approximately three years. This will result in another lake (60 acres), referred to henceforth as Lake #3. The other non-Park activity is a rubble landfill on about 30 acres, scheduled to be filled

within six years. (Rubble means construction and land-clearing debris, no garbage.) This area of the Park will be partly open to the public during the mining and rubble filling.

The main entrance road from the Bradshaw Area will wind between the edge of the woods and Lake #3 and then go around the rubble fill until it reaches the parking lot for the environmental education center. The center will be created by converting a large residence to accommodate displays, an office, and several meeting rooms. Also available will be handicap parking and access to the center. The building sits in a prime location that overlooks both Lake #3 and the central part of Days Cove itself. The operators of the rubble fill (Enviro-gro) will create extensive landscaped berms that will buffer the incoming visitors from the active filling operation.

When the rubble fill is complete, the land will be returned to approximate original grade and planted with a combination of wildlife food plots and hedgerows. One additional feature will be a trail and an overlook mound that will permit viewing in all directions from the highest spot in Days Cove. Other trails will start from the nature center and will touch upon many of the different nearby natural features. Two other facilities of the environmental education center area will be an outdoor classroom and a canoe landing.

Interpretive ideas for the center abound, and it is hoped that many of the programs will fit in with the County school system's science and environmentally oriented curricula. A short (2.5 mile) one-way loop gravel driving trail will begin at the center, proceeding east and south through various habitats, then returning to the main entrance road. Vehicle pull-off areas will be created along the drive with spur loop trails leading from them. In this way, people can

easily choose an area of particular interest through which to hike. One area of special note is the Duck Creek Marsh. One of the spur trails will lead around part of this Marsh and include an observation/photography blind. The varied wetlands vegetation and relatively undisturbed nature of this system will add greatly to the interest of this self-guiding trail.

There will be an emergency and park maintenance access that connects to Days Cove Road to the west of the rubble fill area. The public is not being directed this way for safety and aesthetic reasons. Days Cove Road serves as the access to the County landfill, the rubble fill, and the floodplain mining; the competition between Park users and heavy trucks would be unwise.

SCOPE OF WORK

The items included in this Master Plan are as follows:

1. Lake #1
2. Boat Concession Building and Pier
3. Lake #2
4. Access to Smuck Area
5. Slough Crossing
6. Roadway
7. Gunpowder Falls Bridge
8. Gunpowder Falls Canoe Launch Access Road
9. Gunpowder Falls Canoe Launch Parking Lot
10. Gunpowder Falls Canoe Launch
11. Lake #3
12. Environmental Education Center Parking Lot
13. Wildlife Food Plots and Other Habitat Improvements

14. Environmental Education Center Garden
15. Gunpowder Valley Fern Trail
16. Nature Driving Trail
17. Agricultural Fields
18. Days Cove Canoe Launch Parking Lot
19. Days Cove Canoe Launch
20. Nature Interpretive Loop Trails

(1) Lake #1

- permitted mining operation with an approved reclamation plan
- approximately 50 acres when complete
- 3:1 maximum side slope to increase fish habitat and colonization of wetland vegetation
- 2 acres shallow water habitat created
- to be stocked with fish according to Tidewater Administration recommendations
- boating concession - non-power boats
- scattered plantings of floodplain tree species along shoreline

(2) Boat Concession Building and Pier

- to be constructed on Lake #1 as part of the reclamation of the site
- all runoff to Lake #1, no impact on tidal waters
- water-dependent facility, not in critical area
- pier primarily for handicapped accessibility
- canoe and rowboat rentals
- will include space for educational displays

(3) Lake #2

- Permitted mining operation
- mining not to begin until Lake #1 complete
- approximately 20 acres
- wildlife habitat enhancements similar to Lakes #1 and #3 required
- passive low-density uses

(4) Access to Smuck Area

To provide access to the Smuck Area, including the Environmental Education Center, an internal roadway system will be constructed to cross the Gunpowder Falls, the Slough, and the floodplain between them. The construction of this roadway system is necessary for Park security and public safety and to enable the Forest, Park, and Wildlife Service to limit the number of visitors to this environmentally sensitive section of the Park when appropriate.

(5) Slough Crossing

- 7-foot, 1 inch by 5-foot CMP arch culvert

(6) Roadway

- bituminous concrete surface
- appropriately sized and spaced culverts will be installed to maintain existing hydrology of floodplain wetlands
- 22 feet wide

- approximately 1/2 of the 3,100-foot roadway between the Slough and Gunpowder to be improvement of existing dirt road
- approximately 1.4 acres of palustrine forested wetland to be disturbed - wetland replacement acreage will be on a 2:1 basis, as required by the Corps, and will be located such that the created wetland will ecologically interact with the Gunpowder - plan is under review
- all trees greater than 3 inches DBH cut for the construction of the roadway within the critical area will be replaced on a one-for-one basis

(7) Gunpowder Falls Bridge

- glue-laminated timber bridge
- 22-foot wide roadway, 2-way traffic
- 4-foot wide walkway on the downstream side
- 3 span, pilings required
- 110 feet in length
- may require an asphalt wearing surface
- no U.S. Coast Guard permit required, non-navigable waterway
- Department of the Environment Water Quality Certification Number 87-0417 issued 9-27-87 - construction prohibited February 28th to June 26th
- Wetlands License will be required
- Waterway Construction Permit not required
- U.S. Army Corps of Engineers 404 Permit applied for spring 1987

(8) Gunpowder Falls Canoe Launch Access Road

- gravel surface
- 12 feet wide
- 400 feet long
- through existing floodplain agricultural field
- no clearing required

(9) Gunpowder Falls Canoe Launch Parking Lot

- located in existing agricultural field east of Route 40
- no clearing required
- located outside of the 100-foot buffer
- gravel surface
- 8- to 10-car capacity
- will eliminate existing safety hazard created by canoeists parking along Route 40

(10) Gunpowder Falls Canoe Launch

- located 100 feet downstream of Route 40
- site currently used by canoeists
- construction of launch will stabilize the area thereby reducing erosion and downstream sedimentation
- no impact on existing water circulation patterns or salinity regimes

(11) Lake #3

- permitted mining operation with an approved reclamation plan
- approximately 60 acres when complete

- 1-acre island created for protected habitat area; existing forest vegetation to remain
- 3:1 maximum side slope to increase fish habitat and colonization of wetland vegetation
- stocked with 1,000 largemouth bass fingerlings, other species to be added as recommended by the Tidewater Administration
- 1/2 acre wetland to be created with depths ranging from 2 feet to 6 inches, to be planted with appropriate native species
- photography/observation blind to be constructed at the northern end
- scattered plantings of floodplain tree species along shoreline

(12) Environmental Education Center Parking Lot

- bituminous concrete surface
- 50-vehicle capacity
- gravel pull-off area to accommodate two buses
- stabilized turf area for overflow parking
- runoff will drain to stormwater basin 900 feet from tidal waters
- included as part of the rubble fill reclamation plan

(13) Wildlife Food Plots and Other Habitat Improvements

- north of the Environmental Education Center, one acre each of sunflower, millet, and buckwheat already in place
- west of the Center, 10 acres of assorted wildlife plots, 3 acres of managed meadow, 3 acres of hedgerows, and 5 acres of trees as part of the reclamation of the rubble fill
- 20 bird houses have been installed for bluebirds, martins, wrens, etc.

- old log snags have been retained
- Belgian Village, former truck stop, recently acquired and razed, thereby eliminating the source of oil which was polluting the Slough

(14) Environmental Education Center Garden

- existing scrub vegetation had to be cleared to remove abandoned equipment and debris
- approximately 1 acre
- to be replanted as native species garden

(15) Gunpowder Valley Fern Trail

- 1/2 mile long
- 6 feet wide
- woodchip surface
- native ferns, shrubs, and trees have been planted along trail; further plantings are planned
- 6-foot wide, 50-foot long boardwalk will be used to cross shrub/scrub marsh
- trail leads to a photography/observation blind overlooking the 1/2-acre wetland constructed in Lake #3

(16) Nature Driving Trail

- gravel surface
- 2.5 miles long
- 12 feet wide, one-way traffic
- 3 gravel pull-off areas to be used for nature interpretive loop trail parking, capacity 6 to 8 vehicles per area

- existing logging roads will be used where possible, approximately 45% of trail
- proximity to large mast-bearing trees will be avoided
- trees greater than 3 inches DBH removed will be replaced on a one-for-one basis

(17) Agricultural Fields

- 2 fields south of Environmental Education Center
- 25 acres cropped
- no expansion of agricultural acreage anticipated
- Best Management Practices utilized
- Soil Conservation and Water Quality Plan acceptable to Baltimore County Soil Conservation District to be developed and implemented

(18) Days Cove Canoe Launch Parking Lot

- located at the edge of the southern most agricultural field along existing dirt road
- no clearing required
- located beyond the 100-foot buffer
- gravel surface
- 8- to 10-car capacity
- will also be used for Days Cove Nature Interpretive Loop Trail

(19) Days Cove Canoe Launch

- located on south shore of Days Cove
- medium grain sandy shoreline

- 6-foot wide gravel or mulch foot trail from parking lot to pier, underbrush must be cleared, no trees greater than 2" DBH to be removed
- 30-foot pier required due to shallow water and mucky bottom, preferable alternative to dredging, will also make it easier to load gear
- no impact on existing water circulation patterns or salinity regimes
- site selection factors: few wetland plants along shoreline, no clearing required for parking area, moderate slope for path, dissimilar substrate from that required by locally occurring endangered species, no submerged aquatic vegetation

(20) Nature Interpretive Loop Trails

- 4 walking trails
- accessible from the Nature Driving Trail
- 6 feet wide
- woodchip surface
- total length approximately 8 miles
- snaking through the trees
- Duck Creek and Days Cove trails will include a photography blind/observation platform

October 4, 1988



JUDGE SOLOMON LISS
CHAIRMAN

STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREAS COMMISSION
DEPARTMENT OF NATURAL RESOURCES
TAWES STATE OFFICE BUILDING, D-4
ANNAPOLIS, MARYLAND 21401
974-2418 or 974-2426

SARAH J. TAYLOR, PhD
EXECUTIVE DIRECTOR

COMMISSIONERS

October 13, 1988

Thomas Osborne
Anne Arundel Co.

James E. Gutman
Anne Arundel Co.

Ronald Karasic
Baltimore City

Albert W. Zahniser
Calvert Co.

Thomas Jarvis
Caroline Co.

Kathryn D. Langner
Cecil Co.

Samuel Y. Bowling
Charles Co.

G. Steele Phillips
Dorchester Co.

Victor K. Butanis
Harford Co.

Wallace D. Miller
Kent Co.

Parris Glendening
Prince George's Co.

Robert R. Price, Jr.
Queen Anne's Co.

J. Frank Raley, Jr.
St. Mary's Co.

Ronald D. Adkins
Somerset Co.

Shepard Krech, Jr.
Talbot Co.

Samuel E. Turner, Sr.
Talbot Co.

William J. Bostian
Wicomico Co.

Russell Blake
Worcester Co.

Dear Commission Member:

The next meeting of the Chesapeake Bay Critical Area Commission will be on October 19, 1988, at the "Bay House" of Dolly and Walter Harris in Worton, in Kent County, Maryland. As lunch will be provided by Mr. and Mrs. Harris, the Meeting will begin at Noon. A copy of the Agenda and the Minutes of the Meeting of October 5th are enclosed as well as a copy of a project from Capital Programs entitled Point Lookout State Park Fishing Pier, which will be presented at the Meeting. Also enclosed are directions to the Bay House.

Please telephone Jennifer at 974-2418 by October 17th, if you are unable to join us for lunch.

Sincerely,

Sol
Solomon Liss
Chairman

SL/jjd

Enclosure

CABINET MEMBERS

Wayne A. Cawley, Jr.
Agriculture

J. Randall Evans
Employment and Economic Development

Martin Walsh, Jr.
Environment

Ardath Cade
Housing and Community Development

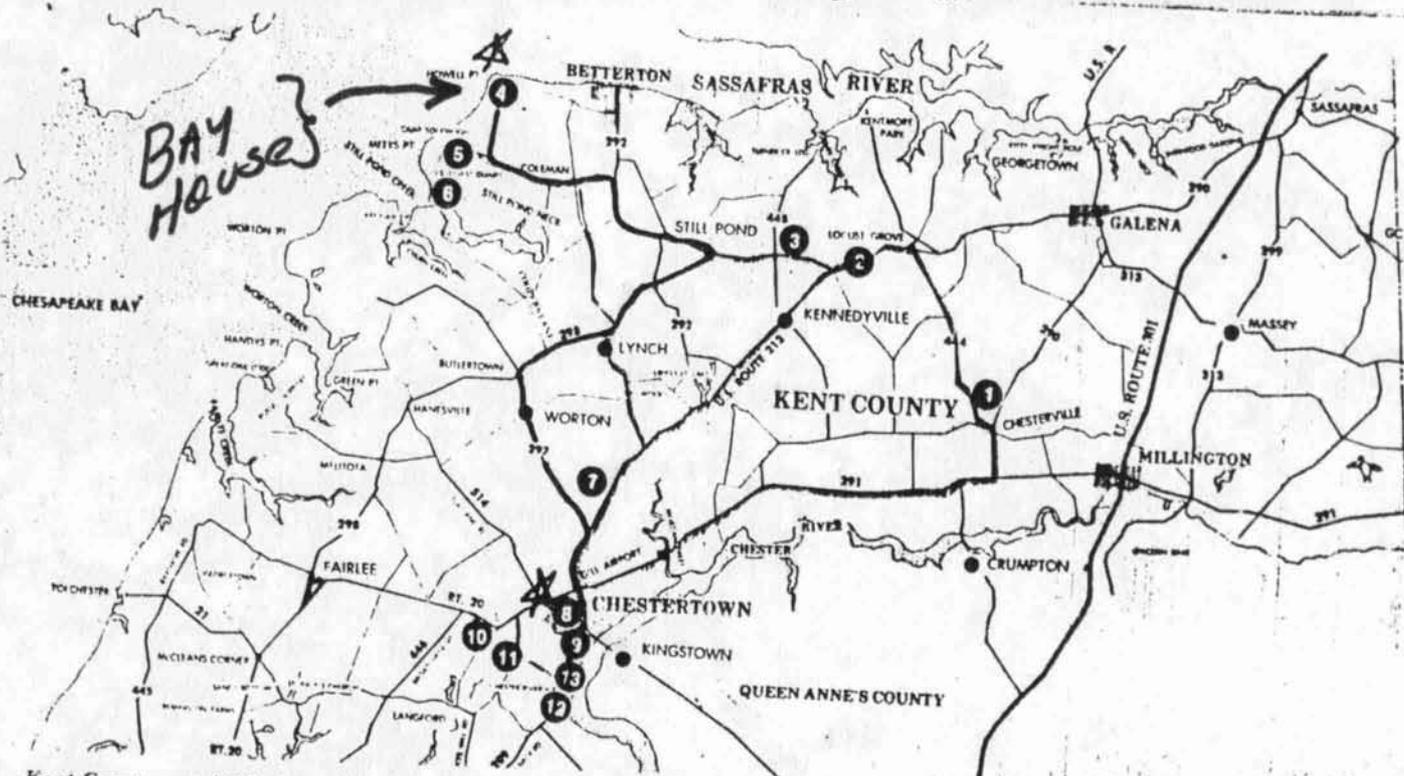
Torrey Brown
Natural Resources

Constance Lieder
Planning

Directions to Bay House on Blooming Neck:

Blooming Neck is located in the Northwest corner of Kent County , where the Sassafras River enters the Chesapeake Bay. Since the Coast Guard Station is just beyond Blooming Neck Road, their signs should be a help in reaching Bay House; however, the Still Pond Creek Bridge project may not be completed by October 19th. In that case, we recommend coming by way of Still Pond village.

Go through Chestertown by Washington College on 213 North.
Pass the Kent Plaza and Ames Stores on the right.
After the small airport, turn left from 213 onto 297.
At the County School complex, turn right onto 298.
Follow sign to Still Pond, then turn left onto 292.
Turn left at the Still Pond (Village) junction.
(Still on Rt 292) follow for about 2 miles.
You will see signs for Coleman and US Coast Guard (where you turn left onto Still Pond Neck Road)
Follow straight for approx. 3 miles.
On the right will be Blooming Neck Road.
You will see the entrance to Blooming Neck Farm, Echo Hill, and Bay House.
Go under the willows and follow the gravel road on the right for 1/3 mile.
After a dip in the road, there is a hidden turn to the left, leading to Bay House.



Kent County, established in 1642, is the second oldest in Maryland. It is one of the smallest in area and population, and is one of the most beautiful on the Eastern Shore.

NO. 4 BAY HOUSE ON BLOOMINGNECK FARM and THE WHIP FROM TOLCHESTER. Bay House — a traditionally styled house built in 1928 by the late Dr. and Mrs. Paul Smith on what is now Coast Guard property was found to be impractical for Coast Guard use and was scheduled for a burning drill in 1969 by the local fire company. With the assistance of the late Rogers C. B. Morton, then the Secretary of the Interior, it was spared the torch and moved three miles to this location by Mr. and Mrs. W. B. Harris, at great effort and risk. The Great Room, with its enormous fireplace reconstructed by Dudley Reed, is indeed a special place for winter meetings. Please note the unique design of the chimney exterior. (The Great Room has another large and wonderful surprise!) An addition nearing completion on the north side will have a 36' porch facing the Bay and will stage many Kent County artifacts.

Please walk across to THE WHIP —

This former Tolchester landmark was designed by the late Ralph McGinnis. Here we have a fine example of "adaptive use" of an old and beautiful structure to a useful purpose in a changing world. The design of the roof is unique to accommodate the attraction which was housed inside and has become one of Echo Hill School's trademarks. The building, moved over 20 miles from the Chesapeake Bay resort, was scheduled for demolition, but the determination of the Harris family to keep some tangible reminders of Tolchester beach and amusement park prevailed. The brick floor was laid this spring. The Whip has been the dining hall for Echo Hill since 1966. Owners: Mr. and Mrs. W. B. Harris.

This page is from our Three centuries of Kent Tour folder for our third annual tour — Saturday, Oct. 8, 1988. presented by Kent County Historical Trust, Inc.

11/13/88

CHESAPEAKE BAY CRITICAL AREA COMMISSION

Minutes of Meeting Held
October 5, 1988

The Chesapeake Bay Critical Area Commission met at the Department of Agriculture, Annapolis, Maryland. The meeting was called to order by Chairman Solomon Liss with the following Members in attendance:

James E. Gutman	Wallace Miller
William Bostian	Parris Glendening
Shepard Krech, Jr.	Thomas Osborne
Victor Butanis	Robert Price, Jr.
Ronald Karasic	Kathryn Langner
Louise Lawrence for Secretary Cawley	Russell Blake
Deputy Secretary Cade of DHCD	Ronald Adkins
	Robert Schoeplein of DECD

The Minutes of the Meeting of September 28, 1988, were approved as written.

Chairman Liss asked Mr. Gutman, Panel Chairman, to report on the Panel's review of the methodology for counting Anne Arundel County's growth allocation. Mr. Gutman suggested that the County first explain to the Commission its methodology, and he would then report on the Panel's findings.

Mr. Joe Elbrecht of the Anne Arundel County Planning and Zoning Office, explained the procedure the County is using for calculating growth allocation. He explained that grandfathered subdivisions approved after December 1, 1985, were counted against the growth allocation, if they did not comply with specific Critical Area criteria. Five subdivisions in that category were not counted against the growth allocation because of compliance with the interim findings and specific criteria. A portion of a 6th subdivision was counted because it had not completely met the criteria. Subdivisions that met the criteria and which planned for open space were not counted.

Ms. Eileen Fogarty of City of Annapolis, spoke to the Commission of the City's request to receive 11 acres of growth allocation from the County.

Mr. Gutman then advised the Commission that the staff and panel have carefully reviewed the methodology used by the County, and that the Panel recommends approval.

A motion was made and seconded that the Commission approve Anne Arundel County's remaining growth allocation, being 58 acres of RCA for future LDA designation, 102 acres of LDA for future IDA designation, and in addition, 11 acres designated for the City of Annapolis as growth allocation. The vote was 15:0 in favor.

Chairman Liss introduced Mr. Bill Krebs and Ms. Tolly Peuleche, of Program Open Space, DNR, to present the Days Cove Master Plan at Gunpowder Falls State Park. Ms. Peuleche distributed a discussion of relative criteria concerning the project, explained what the project will contain, and what development changes will take place.

A Panel was chosen to review the Master Plan comprising of Tom Osborne, Chairman, Ardath Cade, Victor Butanis, James Gutman, and Bob Schoeplein with Dr. Taylor as staff member.

Chairman Liss asked Dr. Taylor to report on the Department of Natural Resources, Waterway Improvement Division, DNR, Gunpowder River project. Dr. Taylor reported that the Panel had met to review the project, and that it recommends tentative approval subject to three conditions to be accommodated: 1) the walkway around the fish cleaning station should be of pervious material, 2) the existing ramp should be structured to divert stormwater from entering neighboring streams, and 3) that landscaping be located in the Buffer.

Mr. Miller asked if plants used in landscaping are indigenous to the area? Dr. Taylor answered affirmatively.

A motion was made and seconded that the Gunpowder River Project be approved subject to the incorporation of the three recommendations of the Panel. The vote was 15:0 in favor.

Chairman Liss then reported on the meeting with the Commissioners of Elkton, concerning the property owned by the Arundel Corporation. The Town has been assured of some growth allocation allotment from Cecil County, which may permit the Town to use the Arundel Corporation property for development. The Town is redrafting its maps, and will resubmit them to the Commission with a complete Program reproposal. When this is done, a Panel meeting will take place.

Chairman Liss asked Mr. Price, Panel Chairman, to report on the meeting with Somerset County. Mr. Price reported that the Panel had met with the County representatives and planning staff to review the Program and discuss funding. He reiterated that the County had requested funding to employ staff to implement its Program.

Mr. Price said that in reviewing the County's Program, the main issue appeared to be the growth allocation, but there were mapping issues and other items that needed to be resolved. He said that on assurances made by the County, the Panel will negotiate in good faith with the Commission to resolve those

issues, and that any proposed amendments, and the Program in its entirety, will be resubmitted to the Commission for approval. The Panel recommended that the County be granted its request of \$90,000.00.

Mr. Bostian, Panel member, concurred that the County's Program, by and large, meets the criteria, and that the matter concerning its growth allocation is a small one, as the County has not had a substantial amount of development occur in the last 20 years, and will not in the future.

Mr. Gutman asked if the full amount of \$90,000 was needed now as opposed to possibly halving that sum? Mr. Price answered affirmatively, and that it was the compromised amount that the Panel had agreed to. Chairman Liss added that if an agreement on the issues can be reached, the amount of monies requested doesn't matter.

A motion was made and seconded that the Commission allow \$90,000 out of the allotment that had been set aside for Sommerset County with the understanding that good faith efforts will continue to prepare a Program that is acceptable to the Commission, and that when the Program is completed, it will be submitted to the Commission for approval. When the Program is approved, the balance will then be paid to the County. Included in the motion was that Somerset County be able to use these funds and extend their use through a no-cost extension.

UNDER NEW BUSINESS

The following questions were raised by Chairman Liss for discussion: 1) is it acceptable, given Health Department approval, to accommodate the sewage from dwelling units outside of the Critical Area, in the Critical Area; 2) is it acceptable, given Health Department approval, to have a drain field in the Critical Area that is remote to a lot already in the Critical Area, but which was platted and grandfathered some 30 years ago; and 3) is it acceptable, given Health Department approval, to have a drain field outside of the Critical Area that is remote to a lot that is already in the Critical Area.

It was suggested that a subcommittee be appointed to consider and recommend how the problems should be addressed. The subcommittee was chosen to comprise Parris Glendening, Chairman, Kay Langner, Jim Gutman, Bill Bostian, Shepard Krech, Bob Perciasepe, Wayne Cawley, and Judge Liss, with Dr. Taylor as staff.

Critical Area Commission
Minutes - 10/5/88
Page Four

UNDER OLD BUSINESS

Dr. Taylor announced the Panel hearing for Talbot County on October 11th at 7:00 p.m. Panel members are: Jim Gutman, Chairman, Shepard Krech, Bob Price, Wally Miller, and Ron Karasic. Cecil County Panel hearing is October 20th, at 7:00 p.m. Panel members are Connie Lieder, Chairman, Judge Liss, Ron Adkins, Louise Lawrence, Victor Butanis, and Jim Gutman as a standby. Dorchester Co. Panel hearing is October 27th at 6:30. Panel members are Shepard Krech, Chairman, Bob Schoeplein, Bob Price, and Judge Liss.

There being no further business, the Meeting was adjourned.

CHESAPEAKE BAY CRITICAL AREA CRITERIA

DISCUSSION

OF

RELATIVE CRITERIA

GUNPOWDER FALLS STATE PARK

DAYS COVE SECTION

MASTER PLAN

October 4, 1988

Prepared by: Capital Programs Administration
Department of Natural Resources
2012 Industrial Drive
Annapolis, Maryland 21401

DAYS COVE MASTER PLAN
GUNPOWDER FALLS STATE PARK

INTRODUCTION

The following report represents a revised chapter of the 1981 Gunpowder Falls State Park Master Plan. The section that will be discussed is Days Cove. At the time of the original planning document, the land east of Route 40 had little chance of being purchased in the foreseeable future, and, due to ongoing sand and gravel mining, its ultimate configuration was unknown.

Fortunately, the Department of Natural Resources (DNR) was able to work with the mining companies to reach an agreement whereby the land could be acquired while mining continued under certain guidelines.

This agreement has meant that the proposed phases of implementation for the entire Park have to be revised to accommodate the new situation. Since private enterprise is in the process of creating park amenities as mining proceeds, DNR must step up its development schedule to assure that the Days Cove Section can become an operational unit sooner than previously anticipated.

GENERAL INFORMATION

The "Days Cove" Section is the name being used in this Plan for all the land within the proposed acquisition lines southeast of Route 40 (Pulaski Highway) as far as the Bird River to the south and Joppatown on the north. It encompasses approximately 2,500 acres, of which 2,000+ have been acquired. Much of the still unacquired acreage is marsh.

This Section, at the confluence of the Big and Little Gunpowder Falls, is very important because of its size and diversity of habitats. Included are extensive marshes, both tidal and nontidal, floodplain woods, and open fields. Over 1,200 acres of the Gunpowder Delta are designated as a State Critical Area, providing "a natural setting unsurpassed on the western shore of the Chesapeake Bay" (The Maryland Department of State Planning, Areas of Critical State Concern: Designation Report, Jan. 1981).

There are also several known prehistoric sites (disturbed by mining) located in the Days Cove Section. In addition, Old Joppa, an early Maryland port, was situated on the Little Gunpowder in this area. These historic features, combined with abundant wildlife and numerous plant associations, make the area rich in interpretive potential.

At present, the land's most important attributes are its sand and gravel resources. Mining has been ongoing for many years, changing the appearance of large areas by leaving lakes and new surface contours. The Department of Natural Resources has acquired both of the major tracts on which sand and gravel mining is occurring. As conditions of the option agreements, the private mining enterprises are now helping to shape the Park as explained in the Detailed Information.

The Days Cove Section will contain two designated use areas:

(Area A-7) - Bradshaw Area - day use recreation and nature appreciation.

(Area B-7) - Smuck Area - nature interpretation and environmental education.

A-7 Bradshaw Area

This area encompasses all the land between the Big and Little Gunpowder Falls to the east of Route 40. With the exception of two small as yet unacquired parcels, the area is entirely State owned. Due to successful negotiations, more land was acquired than originally shown in the 1982 project boundary line maps so that Days Cove's western boundary is now directly adjacent to Route 40. The mining company, from whom most of the land was purchased, has agreed to a number of items that will help DNR create an interesting and varied day use and nature appreciation area.

Two lakes will result from mining. The first lake (Lake #1 - up to 50 acres) will be completely mined in approximately four years. Its main uses will be for fishing, boating, and lakeside picnicking. Edges of the lake will be left shallow with scattered boulders and peripheral landscaping. A boat concession building for canoe and rowboat rental will be constructed by the mining company using DNR plans and specifications. The building will include space for some displays about the mining and reclamation processes and the geology of the Gunpowder Delta. Picnic shelters and rest room facilities are proposed for one side of the lake. The entrance road and parking areas will be rough-graded and graveled by the mining company.

Along Route 40, berms will be constructed by the mining company in order to screen the Park from the major traffic corridor and nearby commercial and industrial zoning. Three of these earthen berms were built during the first four-year phase of mining operations; the others will be completed later. Landscaping of these berms was accomplished by DNR using native tree and shrub species.

DAYS COVE MASTER PLAN-GUNPOWDER FALLS STATE PARK

October 4, 1988

Page 4

North of Lake #1 will be Lake #2, to be started only after the first phase has been successfully completed. This second area will ultimately be designated primarily for wildlife habitat management and passive low density uses such as hiking and bird watching. As part of the original agreement with the mining company, a valuable fresh water wetland was taken out of the mining permit area because of its high wildlife habitat values. In return, an equal amount of adjacent upland field can be mined if the material warrants. However, the land must be reclaimed as specified by DNR - in this case, returned to upland fields. The entire mining operation will be completed within twelve years.

To the east of the lakes is a large crescent shaped expanse of partly wooded wetlands. Waterfowl, particularly wood ducks and some geese, are known to nest in this area. In the autumn and winter, a great variety of waterfowl use the marsh to feed in and rest. This area will remain as free from human intrusion as possible.

The main entrance to the entire Days Cove Section is proposed to be off Route 40 at Jones Road. Previously located at this intersection was a truck stop known as "Belgian Village" which contained several buildings and other improvements such as gas and fuel oil tanks. The buildings, originally planned for renovation, have been found to be unsuitable for Park uses and, therefore, are in the process of being razed. The parking lot, gas and fuel tanks, etc., have also been removed from the area, and a berm is being constructed with the remainder of the area to be planted in grass and trees. The entrance gate is to be constructed with native stone donated by the mining company. This entrance will be situated between the two berms, one recently constructed and one under construction. It will lead past the truck stop site and will then fork: one spur will lead to the boating

area including boat concession building, parking, rest rooms, and surrounding family picnicking; the second option will pass the two proposed group picnicking shelters, parking and rest rooms; the third will lead toward the other use area of the Days Cove Section - the Smuck Area.

The road will connect the two areas by crossing Slough Creek and the Big Gunpowder while skirting the marsh area that separates them. The necessary road and bridge will be designed to fit into the wooded natural area as unobtrusively as possible. Located at the site of the Slough crossing is a large dump which is currently being removed with the assistance of the mining company. There will be one last spur road between the Gunpowder and the Slough that will lead in a southwesterly direction to a canoe landing on the Big Gunpowder. Canoers presently take out along Route 40, which is quite dangerous. In the future, some people may use the landing as a put-in, since going downstream to Days Cove would also be an interesting trip and there is a canoe landing proposed in the Cove in the Smuck Area that can serve as a take-out spot.

B-7 The Smuck Area

This area is an irregularly shaped parcel bounded by the Big Gunpowder Falls on the west, Days Cove on the north, Bird River on the east, and Baltimore County's Eastern Sanitary Landfill on the south. Only one small parcel remains to be purchased. Similar to the Bradshaw Area, there is private enterprise activity occurring in the Smuck Area. Sand and gravel mining will continue in the Big Gunpowder floodplain for approximately three years. This will result in another lake (60 acres), referred to henceforth as Lake #3. The other non-Park activity is a rubble landfill on about 30 acres, scheduled to be filled

within six years. (Rubble means construction and land-clearing debris, no garbage.) This area of the Park will be partly open to the public during the mining and rubble filling.

The main entrance road from the Bradshaw Area will wind between the edge of the woods and Lake #3 and then go around the rubble fill until it reaches the parking lot for the environmental education center. The center will be created by converting a large residence to accommodate displays, an office, and several meeting rooms. Also available will be handicap parking and access to the center. The building sits in a prime location that overlooks both Lake #3 and the central part of Days Cove itself. The operators of the rubble fill (Enviro-gro) will create extensive landscaped berms that will buffer the incoming visitors from the active filling operation.

When the rubble fill is complete, the land will be returned to approximate original grade and planted with a combination of wildlife food plots and hedgerows. One additional feature will be a trail and an overlook mound that will permit viewing in all directions from the highest spot in Days Cove. Other trails will start from the nature center and will touch upon many of the different nearby natural features. Two other facilities of the environmental education center area will be an outdoor classroom and a canoe landing.

Interpretive ideas for the center abound, and it is hoped that many of the programs will fit in with the County school system's science and environmentally oriented curricula. A short (2.5 mile) one-way loop gravel driving trail will begin at the center, proceeding east and south through various habitats, then returning to the main entrance road. Vehicle pull-off areas will be created along the drive with spur loop trails leading from them. In this way, people can

easily choose an area of particular interest through which to hike. One area of special note is the Duck Creek Marsh. One of the spur trails will lead around part of this Marsh and include an observation/photography blind. The varied wetlands vegetation and relatively undisturbed nature of this system will add greatly to the interest of this self-guiding trail.

There will be an emergency and park maintenance access that connects to Days Cove Road to the west of the rubble fill area. The public is not being directed this way for safety and aesthetic reasons. Days Cove Road serves as the access to the County landfill, the rubble fill, and the floodplain mining; the competition between Park users and heavy trucks would be unwise.

SCOPE OF WORK

The items included in this Master Plan are as follows:

1. Lake #1
2. Boat Concession Building and Pier
3. Lake #2
4. Access to Smuck Area
5. Slough Crossing
6. Roadway
7. Gunpowder Falls Bridge
8. Gunpowder Falls Canoe Launch Access Road
9. Gunpowder Falls Canoe Launch Parking Lot
10. Gunpowder Falls Canoe Launch
11. Lake #3
12. Environmental Education Center Parking Lot
13. Wildlife Food Plots and Other Habitat Improvements

14. Environmental Education Center Garden
15. Gunpowder Valley Fern Trail
16. Nature Driving Trail
17. Agricultural Fields
18. Days Cove Canoe Launch Parking Lot
19. Days Cove Canoe Launch
20. Nature Interpretive Loop Trails

(1) Lake #1

- permitted mining operation with an approved reclamation plan
- approximately 50 acres when complete
- 3:1 maximum side slope to increase fish habitat and colonization of wetland vegetation
- 2 acres shallow water habitat created
- to be stocked with fish according to Tidewater Administration recommendations
- boating concession - non-power boats
- scattered plantings of floodplain tree species along shoreline

(2) Boat Concession Building and Pier

- to be constructed on Lake #1 as part of the reclamation of the site
- all runoff to Lake #1, no impact on tidal waters
- water-dependent facility, not in critical area
- pier primarily for handicapped accessibility
- canoe and rowboat rentals
- will include space for educational displays

(3) Lake #2

- Permitted mining operation
- mining not to begin until Lake #1 complete
- approximately 20 acres
- wildlife habitat enhancements similar to Lakes #1 and #3 required
- passive low-density uses

(4) Access to Smuck Area

To provide access to the Smuck Area, including the Environmental Education Center, an internal roadway system will be constructed to cross the Gunpowder Falls, the Slough, and the floodplain between them. The construction of this roadway system is necessary for Park security and public safety and to enable the Forest, Park, and Wildlife Service to limit the number of visitors to this environmentally sensitive section of the Park when appropriate.

(5) Slough Crossing

- 7-foot, 1 inch by 5-foot CMP arch culvert

(6) Roadway

- bituminous concrete surface
- appropriately sized and spaced culverts will be installed to maintain existing hydrology of floodplain wetlands
- 22 feet wide

- approximately 1/2 of the 3,100-foot roadway between the Slough and Gunpowder to be improvement of existing dirt road
- approximately 1.4 acres of palustrine forested wetland to be disturbed - wetland replacement acreage will be on a 2:1 basis, as required by the Corps, and will be located such that the created wetland will ecologically interact with the Gunpowder - plan is under review
- all trees greater than 3 inches DBH cut for the construction of the roadway within the critical area will be replaced on a one-for-one basis

(7) Gunpowder Falls Bridge

- glue-laminated timber bridge
- 22-foot wide roadway, 2-way traffic
- 4-foot wide walkway on the downstream side
- 3 span, pilings required
- 110 feet in length
- may require an asphalt wearing surface
- no U.S. Coast Guard permit required, non-navigable waterway
- Department of the Environment Water Quality Certification Number 87-0417 issued 9-27-87 - construction prohibited February 28th to June 26th
- Wetlands License will be required
- Waterway Construction Permit not required
- U.S. Army Corps of Engineers 404 Permit applied for spring 1987

(8) Gunpowder Falls Canoe Launch Access Road

- gravel surface
- 12 feet wide
- 400 feet long
- through existing floodplain agricultural field
- no clearing required

(9) Gunpowder Falls Canoe Launch Parking Lot

- located in existing agricultural field east of Route 40
- no clearing required
- located outside of the 100-foot buffer
- gravel surface
- 8- to 10-car capacity
- will eliminate existing safety hazard created by canoeists parking along Route 40

(10) Gunpowder Falls Canoe Launch

- located 100 feet downstream of Route 40
- site currently used by canoeists
- construction of launch will stabilize the area thereby reducing erosion and downstream sedimentation
- no impact on existing water circulation patterns or salinity regimes

(11) Lake #3

- permitted mining operation with an approved reclamation plan
- approximately 60 acres when complete

- 1-acre island created for protected habitat area; existing forest vegetation to remain
- 3:1 maximum side slope to increase fish habitat and colonization of wetland vegetation
- stocked with 1,000 largemouth bass fingerlings, other species to be added as recommended by the Tidewater Administration
- 1/2 acre wetland to be created with depths ranging from 2 feet to 6 inches, to be planted with appropriate native species
- photography/observation blind to be constructed at the northern end
- scattered plantings of floodplain tree species along shoreline

(12) Environmental Education Center Parking Lot

- bituminous concrete surface
- 50-vehicle capacity
- gravel pull-off area to accommodate two buses
- stabilized turf area for overflow parking
- runoff will drain to stormwater basin 900 feet from tidal waters
- included as part of the rubble fill reclamation plan

(13) Wildlife Food Plots and Other Habitat Improvements

- north of the Environmental Education Center, one acre each of sunflower, millet, and buckwheat already in place
- west of the Center, 10 acres of assorted wildlife plots, 3 acres of managed meadow, 3 acres of hedgerows, and 5 acres of trees as part of the reclamation of the rubble fill
- 20 bird houses have been installed for bluebirds, martins, wrens, etc.

- old log snags have been retained
- Belgian Village, former truck stop, recently acquired and razed, thereby eliminating the source of oil which was polluting the Slough

(14) Environmental Education Center Garden

- existing scrub vegetation had to be cleared to remove abandoned equipment and debris
- approximately 1 acre
- to be replanted as native species garden

(15) Gunpowder Valley Fern Trail

- 1/2 mile long
- 6 feet wide
- woodchip surface
- native ferns, shrubs, and trees have been planted along trail; further plantings are planned
- 6-foot wide, 50-foot long boardwalk will be used to cross shrub/scrub marsh
- trail leads to a photography/observation blind overlooking the 1/2-acre wetland constructed in Lake #3

(16) Nature Driving Trail

- gravel surface
- 2.5 miles long
- 12 feet wide, one-way traffic
- 3 gravel pull-off areas to be used for nature interpretive loop trail parking, capacity 6 to 8 vehicles per area

- existing logging roads will be used where possible, approximately 45% of trail
- proximity to large mast-bearing trees will be avoided
- trees greater than 3 inches DBH removed will be replaced on a one-for-one basis

(17) Agricultural Fields

- 2 fields south of Environmental Education Center
- 25 acres cropped
- no expansion of agricultural acreage anticipated
- Best Management Practices utilized
- Soil Conservation and Water Quality Plan acceptable to Baltimore County Soil Conservation District to be developed and implemented

(18) Days Cove Canoe Launch Parking Lot

- located at the edge of the southern most agricultural field along existing dirt road
- no clearing required
- located beyond the 100-foot buffer
- gravel surface
- 8- to 10-car capacity
- will also be used for Days Cove Nature Interpretive Loop Trail

(19) Days Cove Canoe Launch

- located on south shore of Days Cove
- medium grain sandy shoreline

- 6-foot wide gravel or mulch foot trail from parking lot to pier, underbrush must be cleared, no trees greater than 2" DBH to be removed
- 30-foot pier required due to shallow water and mucky bottom, preferable alternative to dredging, will also make it easier to load gear
- no impact on existing water circulation patterns or salinity regimes
- site selection factors: few wetland plants along shoreline, no clearing required for parking area, moderate slope for path, dissimilar substrate from that required by locally occurring endangered species, no submerged aquatic vegetation

(20) Nature Interpretive Loop Trails

- 4 walking trails
- accessible from the Nature Driving Trail
- 6 feet wide
- woodchip surface
- total length approximately 8 miles
- snaking through the trees
- Duck Creek and Days Cove trails will include a photography blind/observation platform

Chesapeake Bay Critical Areas Criteria
Discussion of Relative Criteria

Title 14: Independent Agencies

Subtitle 19: Chesapeake Bay Critical Area Commission

Chapter 5: State Agency Actions Resulting in Development on State-owned Lands

.01 General Provisions

- A. The proposed development is consistent with the criteria described in Regulations .03-.14 as detailed for appropriate sections below.

.02 Commissions Review

- C. The section of Days Cove Natural Area of Gunpowder Falls State Park included in this Master Plan is located within Baltimore County, Maryland. The County has been advised of the Master Plan and has stated support for the Master Plan.

.03 Development

- B.(1) Intense Development will not occur within the critical area at the Days Cove Natural Area.

- B.(1)(e) Although not an intense development, all applicable State and Federal permits have been applied for:

- Department of the Environment: Water Quality Certification Number 87-0417 issued 9-27-87 - bridge and access road.

- Department of the Environment: Stormwater Management and Sediment and Erosion Control Approval Number 88-SF-0127 issued 11-5-87 (not for entire Master Plan).
- U.S. Army Corps of Engineers 404 Permit
- Board of Public Works Wetlands License

B.(2)(c) The amount of impermeable surfaces has been minimized. All non-trail permeable area will be vegetated.

B.(2)(d) Gravel driving trails and interpretive loop foot trails will be established to provide public access to the shoreline.

B.(2)(g)(ii) The trails, driving and foot, will meander to minimize destruction of forest and woodland vegetation. The forested wetland disturbed to construct the internal connecting road will be replaced on a two-for-one basis as required by the Corps.

B.(3)(a)(ii) There is no feasible alternative to locating the internal roadway system connecting the Bradshaw and Smuck Areas in an area designated by Baltimore County as a Habitat Protection Area. The system will make the Park safer for visitors, reduce traffic congestion on Route 40 and Days Cove Road, improve Park operations, and allow the Forest, Park and Wildlife Service to limit the number of visitors to the Smuck Area when appropriate. The erosion protection and minimization of negative impacts to

wildlife, aquatic life, and their habitats and maintenance of hydrologic processes and water quality will be addressed through the permitting process. Examples:

- 2:1 replacement of palustrine forested wetlands disturbed.
- bridge construction prohibited from February 28th to June 26th due to anadromous and semi-anadromous fish spawning and nursery activities.
- appropriately sized and spaced culverts to be installed to maintain existing hydrology of floodplain wetlands.
- wetland mitigation site must be from existing uplands.
- replacement wetlands should be located such that they will ecologically interact with a perennial and/or intermittent stream within the watershed.

B.(3)(a)(iii) The bridge and road will have no impact on flood frequency or severity. The major flood hazard in the Gunpowder delta is due to tidal surge. This development will result in a net increase of tree canopy due to the two-to-one replacement requirement.

- B.(3)(b) The existing wildlife corridor will not be significantly impacted.
- B.(3)(d)(i),(ii) All trees greater than three inches DBH removed within the critical area will be replaced on at least a one-for-one basis with an overall net increase in forest coverage.
- B.(4) The Department has received Department of the Environment, Stormwater Management and Sediment and Erosion Control Approval State/Federal Projects for much of the Master Plan and will continue to work with the Department of the Environment when appropriate.
- B.(5) There will be no adverse, off-site impacts on the Baltimore County Critical Area Program.

.04 Water-Dependent Facilities

- B.(1)(a) The two canoe launches are water-dependent facilities as the launches are dependent upon the water by reason of the intrinsic nature of their operation. The boating concession building and pier are also water-dependent facilities but will not be located in the critical area.
- B.(1)(b) The Gunpowder Falls canoe launch area is a popular canoe launch/retrieval area. The construction of a canoe launch at this location will stabilize the area thereby reducing erosion and downstream sedimentation. The Days Cove canoe launch will be used primarily for organized

trips originating from the Environmental Education Center.

- B.(1)(c) Adverse effects on water quality and fish, plant, and wildlife habitat will be minimized at the canoe launches.
- B.(1)(d) The canoe launch parking lots will be located outside of the 100-foot buffer.
- B.(2)(a) The canoe launches will not significantly alter existing water circulation patterns or salinity regimes.
- B.(2)(b) The Gunpowder Falls and Days Cove have adequate flushing characteristics to handle the minimal inputs caused by the canoe launching facilities.
- B.(2)(c) Disturbance to wetlands, submerged aquatic plant beds, or other areas of important aquatic habitats will be minimized. The Gunpowder Falls site contains no wetland vegetation or SAV. The stabilization of this area will be beneficial to downstream aquatic habitats. The Days Cove site was selected because of the sparse vegetation along the shoreline. No SAV beds occur in the area of the launch.
- B.(2)(d) Adverse impacts to water quality, such as non-point source runoff, sewage discharge from land activities or vessels or from boat cleaning and maintenance operations, will not occur or will be minimal.

- B.(2)(e) No shellfish beds will be disturbed or be made subject to discharge that will render them unsuitable for harvesting as a result of these canoe launches.
- B.(2)(f),(g) No dredging will be required for the construction of the canoe launches.
- B.(2)(h) There will be no interference with the natural transport of sand as a result of these canoe launches.
- B.(6)(a) There will be no sanitary facilities directly associated with the canoe launches.
- B.(6)(b) All service facilities associated with the canoe launches will be located outside of the 100-foot buffer.
- B.(6)(c) Since rainfall will run off of and through the Days Cove pier, it is essentially a permeable surface. All trails to the canoe launches will be gravel or wood chips.
- B.(6)(d) As previously stated, disturbance to riparian and aquatic natural vegetation has been minimized by the sites selected.
- B.(7) The canoe launches will be used for passive recreation, such as nature study and education and are, therefore, consistent with this provision.

.05 Shore Erosion Protection Works

The only shore erosion protection planned for the Days Cove Area is the riprap armoring of Gunpowder Falls shoreline adjacent to the wooden bridge. The amount of armoring required has not been determined; the bridge design is scheduled to be completed by December 15, 1988.

B.(1)(c) Applies to this shoreline area.

.06 Forest and Woodland Protection

B. No timber harvesting will be permitted.

.07 Agriculture

B.(1) There will be no creation of new agricultural lands.

B.(3) Best Management Practices for the control of nutrients, animal wastes, pesticides, and sediment runoff will continue to be utilized on the 25 acres of agricultural fields to protect the productivity of the land base and enhance water quality.

B.(6) A Soil Conservation and Water Quality Plan acceptable to the Baltimore County Soil Conservation District will be developed and implemented.

.08 Surface Mining

No surface mining, other than the previously permitted operations, will take place at the Days Cove Area.

.09 Buffer

- B.(1) The majority of Days Cove Natural Area had a 100-foot buffer landward from the mean high water line of tidal waters, tributary streams, and tidal wetlands when acquired by the State.
- B.(2) Development activities within the 100-foot buffer:
- Canoe launches - water-dependent facilities.
 - Internal roadway system - no feasible alternative as discussed previously - the buffer (tidal Gunpowder Falls) bisects the Days Cove Natural Area.
 - Wood chip interpretive loop trails and observation/photography blinds.
- B.(3) Buffer will be maintained in natural vegetation except for items listed above. Planted vegetation, native species, will be used to enhance the shoreline and to expand the buffer where appropriate.
- B.(4) There will be no agricultural activities within the 100-foot buffer.

- B.(5)(a),(b) There will be no commercial harvesting of trees.
- B.(5)(c) All trees greater than 3 inches DBH removed pursuant to this section will be replaced on a one-for-one basis.
- B.(6) The buffer between the Gunpowder Falls and the Gunpowder Falls canoe launch parking lot will be expanded to 100 feet.
- B.(7) The buffer will be expanded beyond 100 feet where appropriate.

.10 Non-Tidal Wetlands

- B.(1) The various roads contained in the Master Plan have been aligned to minimize impacts from these roads on non-tidal wetland as identified on the National Wetlands Inventory Maps. Trail systems will avoid these wetlands or be elevated when crossing them.
- B.(2) The final alignment of the driving trail will be determined based on field evaluation of the non-tidal wetlands and other habitat considerations.

.11 Threatened and Endangered Species and Species in Need of Conservation

- B.(1) Days Cove Natural Area contains two endangered species: *Ericaulon parker*; and *Haliaeetus leucocephalus*; and one highly state-rare species: *Hydrocotyle verticillata*.

- B.(2) Although specific programs for the protection of these species have not been developed, the Master Plan has been modified to provide more protection for the habitats of these species. This issue is also addressed in Days Cove Tract of Gunpowder Falls State Park, Part II: Fish and Wildlife Management Plan, Stotts 1986.

.12 Plant and Wildlife Habitat

- B.(1) For detailed information, please refer to Days Cove Tract of Gunpowder Falls State Park, Part I: Biological Assessment, Stotts 1986.
- B.(1)(a) No colonial water bird nesting sites identified.
- B.(1)(b) Historic waterfowl staging and concentration areas identified.
- B.(1)(c) Existing riparian forests identified.
- B.(1)(d) Forest areas utilized as breeding areas by forest interior dwelling birds and other wildlife species identified.
- B.(1)(e) No other areas which may in the future be identified by State or Federal agencies as important plant or wildlife areas identified.
- B.(1)(f) No Natural Heritage Areas, which have been designated, identified.

B.(2) For detailed information, please refer to Days Cove Tract of Gunpowder Falls State Park, Park II: Fish and Wildlife Management Plan, Stotts 1986. The Department has developed protection measures for the plant and wildlife habitats identified above while meeting the goals and objectives of a "Natural Park." Examples:

- The Department negotiated a modification to the permitted surface mining limits to protect a valuable wetland utilized by wood ducks, black ducks, and other waterfowl.
- The alignment of the internal roadway system has been modified several times to reduce impacts primarily to forested wetlands.
- Approximately 45% of the driving trail will be improvements to existing dirt roads, 100% outside of the 100-foot buffer. The road will meander to avoid wetlands and minimize tree removal. All trees greater than three inches DBH removed will be replaced.
- No power boats allowed at either launch or on any of the created lakes.

.13 Anadromous Fish Propagation Waters

B.(1) The Gunpowder Falls is an anadromous fish spawning stream.

B.(2)(a) Riprap will be installed along the Gunpowder Falls shoreline adjacent to the timber bridge. This riprap

will be installed on the bottom of the Gunpowder only as far as required to provide a base for the river bank stabilization. The bank stabilization will eliminate erosion from the bridge site and that source of sedimentation.

B.(2)(b) There will be no channelization or other physical alterations which may change the course or circulation of a stream.

B.(2)(c) The Days Cove Natural Area Master Plan calls for:

- (i) minimal development;
- (ii) improvement of water quality;
- (iii) minimal discharge of sediments into streams; and
- (iv) increased natural vegetation.

B.(3)(a) There will be no construction or placement of dams or other structures that would interfere with or prevent the movement of spawning fish or larval forms in streams. No barriers exist within the area to remove.

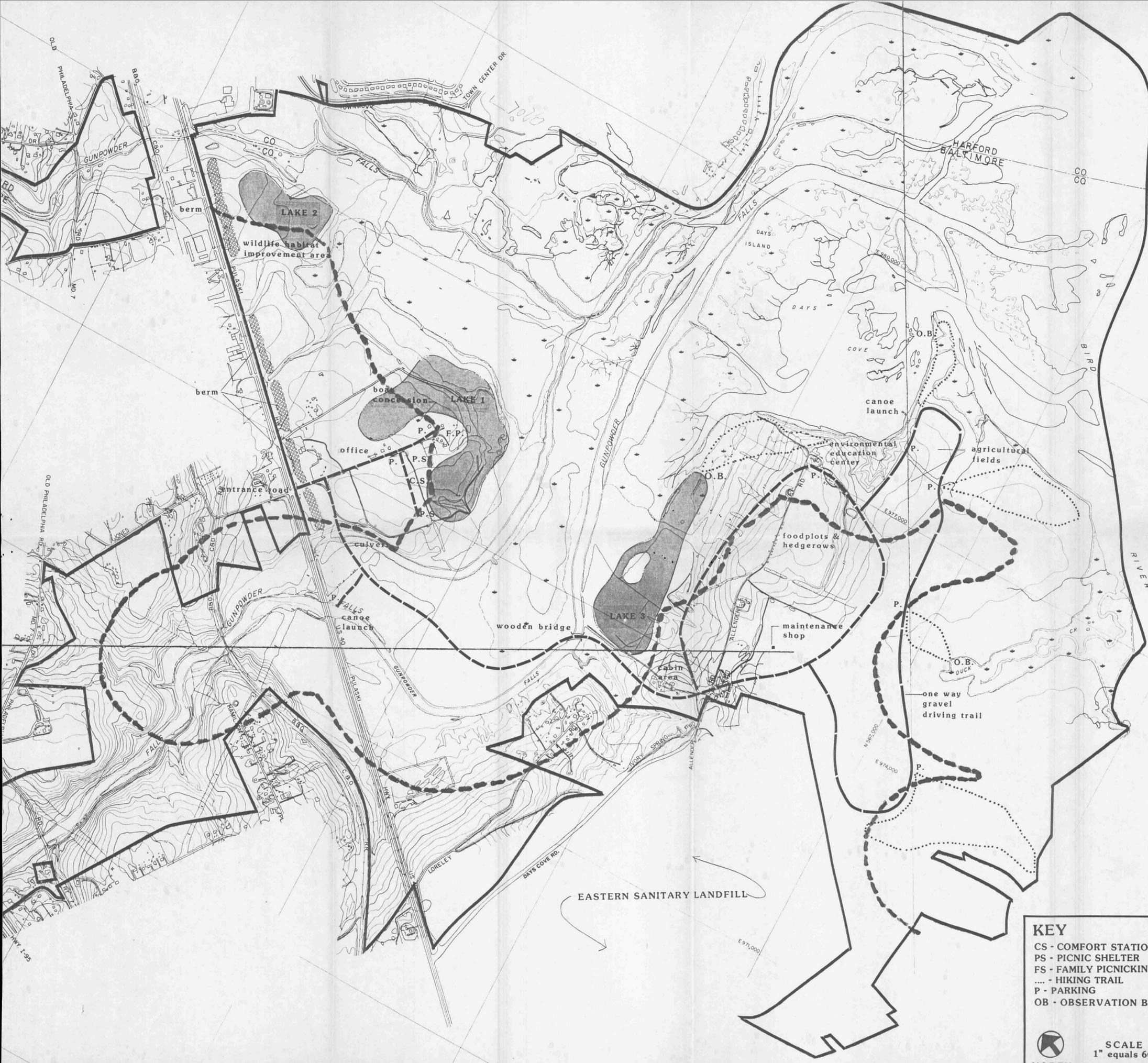
B.(3)(b) The Water Quality Certification, 87-0417, prohibited these activities from February 28th to June 26th.

.14 Natural Parks

B. The stated policy of the Commission is to encourage the creation of opportunities for interaction between people and natural environments without destroying the fragile components

of natural habitats. Days Cove Natural Area meets this policy goal.

- C.(1) The majority of Days Cove Natural Area lies within the critical area. The Department has specifically been committed to the conservation and preservation of the unique delta ecosystem found there.
- C.(2) The Department is aware that all natural terrain has a finite capacity to tolerate human disturbance. Access to Lake #2 will be limited primarily by the lack of an access road and parking lot; walk-in access only. The internal roadway system connecting the Bradshaw and Smuck Areas will allow the Smuck Area to be closed when Park management determines such action to be appropriate. The driving trail will also have gates to restrict access when necessary.



- KEY**
- CS - COMFORT STATION
 - PS - PICNIC SHELTER
 - FS - FAMILY PICNICKING
 - - HIKING TRAIL
 - P - PARKING
 - OB - OBSERVATION BLIND

**GUNPOWDER FALLS
STATE PARK
DAYS COVE SECTION
MASTER PLAN**

 **NORTH**

SCALE
1" equals 600'