

Commission Meetings & Corresp.

Feb 1989

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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

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Anne Arundel Co.
- Ronald Karasic  
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January 23, 1989

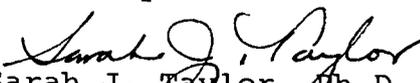
Dear Commission Member:

The next Meeting of the Chesapeake Bay Critical Area Commission is scheduled for February 1st, 1989, at the Commission Office on West Street. The address is 275 West Street, West Garrett Place, Suite 320, Annapolis. We will begin promptly at 3:00 p.m.

A copy of the Minutes from the January 18th Meeting and the Agenda for the February 1st Meeting and Panel meetings, are enclosed. Also enclosed is a 3-volume set of the concluded Economic Baseline Study from Rutgers University.

As there are several votes to be taken at the Meeting, I hope you will be able to attend.

Sincerely,

  
Sarah J. Taylor, Ph.D.  
Executive Director

SJT/jjd

Enclosures

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

CHESAPEAKE BAY CRITICAL AREA COMMISSION

AGENDA

275 West Street  
West Garrett Place  
Suite 320  
Annapolis, Maryland

- February 1, 1989 3:00 - 6:00 p.m.
- 3:00 - 3:10 Approval of Minutes of January 18, 1989 Ronald Karasic, Acting Vice-Chairman
- 3:10 - 3:30 Vote on Centreville Program Charles Davis/  
Panel
- 3:30 - 3:45 Vote on North Beach Program Ren Serey/  
Panel
- 3:45 - 4:00 Vote on Hallowing Point State Project Albert Zahniser/  
Abi Rome/Panel
- 4:00 - 4:45 Positions on Legislation Malkus Bill - Expanding Critical Area Lee Epstein
- Arnick/Simpson Bills - Cutting of Trees
- Della/Arnick Bills - Construction of Condos on Piers
- 4:45 - 5:15 Vote on Queen Anne's Co. Program Amendment Charles Davis/  
Panel *Catherine Stevenson or someone from WRA.*
- 5:15 - 5:30 Vote on Cecil Co. Program Amendment Anne Hairston/  
Panel
- 5:30 - 6:00 Closed Executive Session Legal Matters Lee Epstein
- 6:00 - 6:20 Old Business Ronald Karasic Acting Vice-Chairman  
Update:  
Septic Panel  
Process and Procedures  
Forestry General Approvals

New Business  
Commission Retreat

*March 1st + 2nd*

Next Meeting of the Commission: *Lowest Springs* February 15th, 1989

*Tom Yentze*

PANEL MEETINGS

Queen Anne Panel

12:30

Charlie Davis - John Griffin, Ch./Sam Bowling/Torrey Brown/  
Louise/Lawrence/Shepard Krech/Bob Price

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Mosquito Panel

1:30

~~Sarah Taylor~~ - Connie Lieder/Torrey Brown/G. Steele  
*Abi Rome* Phillips/Wayne Cawley/Louise Lawrence

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Cecil County Panel

2:00

Anne Hairston - Jim Gutman/Kay Langner/Louise Lawrence/  
Victor Butanis Ronald Karasic

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Queen Anne Panel

12:30

Charlie Davis - John Griffin, Ch./Sam Bowling/Torrey Brown/  
Louise/Lawrence/Shepard Krech/Bob Price

---

Mosquito Panel

1:30

Sarah Taylor - Connie Lieder/Torrey Brown/G. Steele  
Phillips/Wayne Cawley/Louise Lawrence

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Cecil County Panel

12:00

Anne Hairston - Jim Gutman/Kay Langner/Louise Lawrence/  
Victor Butanis ~~Ronald Karasic~~  
*Connie Lieder/Ron Adkins*

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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6600 Kenilworth Avenue • Riverdale, Maryland 20737-0707

January 18, 1989

Sarah J. Taylor, Ph.D.  
Executive Director  
Chesapeake Bay Critical Area  
Commission  
275 West Street, Suite 320  
Annapolis, Maryland 21401

Re: Canoe Launch Area at 4-H Center  
Patuxent River Park

Dear Dr. Taylor:

We are pleased to submit for the Chesapeake Critical Area Commission's review, the Development Plan for the Canoe Launch Area at the 4-H Center. The proposed upgrade of the existing canoe launch will provide improved and safer public access to a section of the Patuxent River which currently has very limited access.

This project is consistent with the Chesapeake Bay Critical Area Commission: Subtitle 19, Regulations for Development in the Critical Area Resulting from State and Local Agency Programs (April, 1988), Chapter 5, Regulations .03-.14.

If you need any supplemental information or have any questions, please contact Stephen Lotspeich of my staff at 699-2438.

Sincerely,



Robert M. Arciprete, Chief  
Park Planning and Development  
Division

RMA/SHL:jbk

Attachments

cc: Richard J. Dolesh

## DEVELOPMENT PLAN

### CANOE LAUNCH AREA AT 4-H CENTER

### PATUXENT RIVER PARK

#### DESCRIPTION OF PROJECT:

The Canoe Launch Area is located at the 4-H Center in Patuxent River Park. The 4-H Center is located south of State Route 214 on Queen Anne Road, in Prince George's County (see attached location map). The site is owned by the Maryland-National Capital Park and Planning Commission, which is a regional planning and park agency established by the Maryland General Assembly, as per the Annotated Code of Maryland, Article 28. The project is located within the Critical Area for the Chesapeake Bay. The site is designated within the Resource Conservation Overlay Zone in Prince George's County.

The purpose of this project is to upgrade the existing Canoe Launch Area, in order to increase and ensure access by the general public to this section of the Patuxent River for canoeing, fishing and nature study. The project will help to meet the goals of the Patuxent River Watershed Park Master Plan, and the Critical Areas Legislation for the Chesapeake Bay, through improved access to the river and reduced soil erosion.

The project is funded by an approved Federal Grant from the Resource Management Improvement Grants Program, Section 306A of the Coastal Zone Management Act. The Federal Grant amount is \$50,000 with a \$12,500 local match. The Federal grant funds are being administered through the Maryland Department of Natural Resources, Program Open Space.

The Project consists of the following elements:

1. The existing canoe launch at the edge of the river, which is eroding bare ground, will be regraded as needed, and stabilized with gravel and rip-rap. The section of access road which descends the slope adjacent to the river will be regraded to reduce the steepness of the grade and prevent erosion. The turnaround area at the bottom of the slope will be enlarged to provide adequate space for vehicles to maneuver. Gravel and rip-rap will be used to stabilize all these areas to prevent future soil erosion. A short section of concrete boat ramp will be installed to facilitate launching canoes and stabilize the shoreline. A wooden dock, 20' long and approximately 4' wide, will be installed parallel to the shoreline to provide a loading area for the canoes. (See Attached Site Grading Plan).
2. A small gravel parking area will be constructed at the top of the slope near the river to accommodate approximately ten vehicles. Construction of the parking area will involve minimal grading. The lot will be in an existing field, therefore, no clearing of trees will be required.
3. Stormwater Management (SWM) for the site development is required by the Prince George's County Department of Environmental Resource (see attached SWM Concept Approval). The following water quality controls are proposed:
  - a. An infiltration trench is planned to handle the runoff from the parking area, and upper section of the access road. If the soils are not suitable for infiltration, a small water quality pond will be constructed in the same location.

- b. The runoff from the road down to the edge of the river and the turnaround at the bottom will be treated by grass swales with check dams, since infiltration is not feasible in these areas.
4. Reforestation and afforestation will be provided as shown on the Landscape Plan. Further discussion of these mitigation measures follows in the discussion of Development Impacts and Proposed Mitigation.

Stormwater Management, Sediment and Erosion Control, and Grading Permits, will be required before any construction occurs on the site. A State Waterway Construction Permit, and/or U. S. Army Corps of Engineers 404 Permit, may be required because the project includes new structures at the edge of the water.

#### **EXISTING CONDITIONS:**

The attached Existing Conditions Plan shows the major features in the project area. The existing canoe launch is available to the public on a permitted basis. Public use is limited due to the steepness of the access road, inadequacy of the launch at the river's edge, and lack of a stabilized parking area. A detailed discussion of the existing conditions follows:

#### **A. Physical Conditions**

##### **1. Topography**

The site is characterized by steep (20% -40%) slopes along the river from the edge of the water to an elevation of 18'±. Beyond this bank is an open field and woods with gentle slopes (5-10%). The existing canoe launch at the rivers edge is moderately sloping (10%-15%).

##### **2. Floodplain**

The 100 year floodplain elevation on the site is approximately 24', and the 10 year elevation is approximately 17.5'. This places the proposed parking area between the 10 and 100 year floodplain elevations.

##### **3. Soils**

According to the Soil Survey of Prince George's County (1967), there are two bands of soils which will be impacted by the development (see attached descriptions). There is a 100'± wide band of Mixed Alluvial Land ((MW) adjacent to the river. The areas within this strip which will be regraded are not hydric due in part to the moderate to steep well drained slopes. Adjacent to this band is an 80'± wide strip of Sandy Land, Steep (SaE) which is not steep in the site area, but does appear to be very sandy and well drained. Beyond these two bands is a large area of Galestown Gravelly Loamy Sand, 0 to 8 percent slopes (GaB) which will not be impacted by the proposed development.

4. Wetlands

There are no tidal or non-tidal wetlands impacted by the proposed development. There are large areas of Palustrine Forested (non-tidal) Wetlands north and south of the project site in low lying areas adjacent to the river (see attached Site Context Plan).

5. Vegetation

The wooded areas in the project site are part of a mature riparian forest which follows the river's edge. The section of forest impacted by the project is a mix of upland and lowland species including American Sycamore, Common Hackberry, Red Maple, Common Hackberry, Red Maple, River Birch, Black Cherry, Red Oak, Willow Oak and white Dogwood. The open field contains a variety of upland grasses and is mowed periodically.

6. Wildlife Habitat

The riparian forest is habitat for a variety of animals such as raccoon, fox and deer, and many bird species, including interior dwelling species. Concerning water related species, there are no known colonial water bird nesting sites in the project area. There are also no known historic waterfowl staging and concentration areas in the adjacent river. There are no Natural Heritage Areas designated, or other natural areas anticipated for Federal or State special designation, within this project area.

The river is habitat for anadromous species of fish. The proposed development will not adversely impact the fish habitat and spawning areas.

7. Rare and Endangered Species

There are no known rare or endangered species in the vicinity of the proposed project.

B. Cultural Conditions

1. Archeological Sites

There are no known or anticipated archeological sites impacted by the proposed project.

2. Historic Sites

The "Hazelwood" mansion is located approximately 3/4 mile north of the project site. The oldest portion of the house dates back to the late 18th century. The house is owned by M-NCPPC and is currently being stabilized and renovated. The historic town site of Queen Anne, now called Hardesty, and the historic Queen Anne Bridge are located immediately north of Hazelwood.

**DEVELOPMENT IMPACTS:**

The site is located on a section of Patuxent River Park which is called the Hardesty Unit, and is approximately 284 acres in size. In relation to this large site

a relatively small area will be disturbed. In regard to the existing condition, approximately 1200 sq. ft. is in an eroding condition. Most of this area is the steep section of road which descends to the river. A total of approximately 34,000 sq. ft. (0.78 acres) will be disturbed and graded based on the proposed plan. Approximately 6700 sq. ft (.15 ac.) of existing forested area, all within the 100' buffer, will be removed to regrade the access road, expand the turn around, and install the required SWM water quality facilities. Approximately 12,000 sq. ft. (.28 acres) of gravel access road and gravel parking area will be created. The only impervious surface to be added is the small concrete boat launch and concrete walk along the dock.

**PROPOSED MITIGATION:**

The proposed mitigation measures consist of afforestation, reforestation and stormwater management practices. In order to compensate for the 6700 sq. ft. (.15 ac.) of forested area removed, a total of 13,000 sq. ft. (.30 ac.) will be replanted with this entire replanting area within the 100' buffer. 8500 sq. ft. (0.20 ac.) will be afforestation in the existing open field and 4500 sq. ft. (0.10 ac.) will be reforestation which will occur primarily on the new roadside slopes.

In order to improve water quality a minimum of 10%, an infiltration trench (or small water quality basin) and grass swales with check dams will be constructed as described above.

**CONCLUSION:**

The proposed project will provide improved and safer public access to a section of the Patuxent which has very limited access, especially for boating. The project will also correct existing erosion and sedimentation problems, and prevent future sedimentation of the river from this location. The proposed development has been designed to minimize adverse impacts to the Critical Area, especially the 100' Buffer. The proposed mitigation is intended to exceed the minimum requirements for forest replacement and stormwater management.

20716

Honey

Branch

PATUXENT RIVER

PATUXENT RIVER



CENTRAL

DAVIDSONVILLE WOODS

KING MANOR

214

HARDESTY

PATUXENT

Mt

Nebo

ROAD

20776

QUEEN ANNE ESTATES

Miles

Canoe Launch Area at 4-H Center

Branch

PATUXENT RIVER

DAVIDSONVILLE GARDENS

DAVIDSONVILLE GARDENS

F G H V K

20772

1

2

3

20776

4

5

6

GEORGES PATUXENT RIVER PARK

RIVER COUNTY ARUNDEL



NORTH

MARYLAND MANOR TRAILER PARK

BERKLEY CT FLANDERS LA CARMODY CT



# THE PRINCE GEORGE'S COUNTY GOVERNMENT

DEPARTMENT OF ENVIRONMENTAL RESOURCES  
DIVISION OF ENVIRONMENTAL PLANNING  
WATERSHED PROTECTION BRANCH  
Phair Office Park  
8103 Sandy Spring Road  
Laurel, Maryland 20707  
(301) 441-4300

APPROVAL NO. CSD 89209-00

Approval has been given for the stormwater concept plan for:

Development Name: Patuxent River Park: Canoe Launch Area at 4-H Center

Applicant's Name: MNCPPC

Engineer/Architect/Surveyor: MNCPPC

- Public storm drainage/stormwater management construction required
- Private storm drainage/stormwater management construction required
- Watershed Protection Branch (WPB) design approval required
- Surface drainage/floodplain easement required
- Water quality control measures required:
  - Infiltration of first inch of rainfall *and*
  - Other grassed swales with check dams
- Stormwater management measures required:
  - Attenuation of peak runoff for    2 Yr.    10 Yr. Storm
  - Improvements to existing downgrade conveyance system
  - Other \_\_\_\_\_
- Flood control measures required
- A stormwater management fee of \$ 907.00 must be paid (in lieu of providing on-site attenuation/quality control measures) when application for building permit or stormwater permit is made.
- Conditions of Approval: 1. Floodplain approval required from DER. 2. If infiltration is infeasible a water quality pond is to be provided in same location as proposed infiltration trench.

*Maura C. McMullen*  
 Approved by: Maura C. McMullen  
 Approval date: 12-9-88  
 Expiration date: 12-9-91

PINK - Applicant  
 CANARY - Submit w/SCD Sediment Control Application  
 WHITE - Watershed Protection Branch  
 GOLD - Submit w/Building Permit Application

P.G.C. FORM #3693 (6/87)

Areas of this complex have been filled for the construction of streets, buildings, parking lots, and playgrounds. (Drainage group 7-B; capability unit, irrigation group, and woodland group not assigned)

### Galestown Series

The Galestown series consists of very deep, very sandy, somewhat excessively drained to excessively drained soils that developed in very sandy materials. These soils probably have been reworked by wind and by water. They have a highly colored, normally strong-brown subsoil. These level to steep soils commonly are near but well above streams and drainageways.

Profile of Galestown loamy sand (in an area of Virginia pine, near the end of Mill Branch Road):

- A1—0 to 2 inches, very dark grayish-brown (10YR 3/2) loamy sand; weak, fine, granular structure; loose, nonplastic and nonsticky; roots abundant; very strongly acid; abrupt, smooth boundary. 2 to 3 inches thick.
- A2—2 to 8 inches, dark yellowish-brown (10YR 3/4) loamy sand; weak, fine, granular structure; loose, nonplastic and nonsticky; roots common; very strongly acid; clear, smooth boundary. 6 to 9 inches thick.
- B2t—8 to 33 inches, strong-brown (7.5YR 5/6) loamy sand; weak, medium, granular to very weak, fine, blocky structure; very friable, nonplastic but slightly sticky; roots fairly common; sand grains coated with and partly bridged by clay; content of clay significantly greater than that in A and C horizons; very strongly acid; clear, smooth boundary. 22 to 28 inches thick.
- IIB3—33 to 43 inches, brown or dark-brown (7.5YR 4/4) gravelly loamy sand; weak, fine, granular structure; loose, nonplastic and nonsticky; very few roots; fine smooth gravel about 20 percent by volume; sand and gravel are very weakly and irregularly coated with clay; very strongly acid; clear, irregular to broken boundary. 0 to 12 inches thick.
- IIIC—43 to 120 inches +, yellowish-brown (10YR 5/4) stratified sandy fine gravel; very strongly acid and extremely acid.

In Prince Georges County, most of the Galestown soils have developed in three kinds of contrasting materials, as in the profile described. The three kinds are (1) loamy sand or sand, in which the A1, A2, and B2 horizons have developed; (2) gravelly loamy sand, in which the IIB3 horizon has developed; and (3) stratified gravel, which is the IIIC horizon. In places the solum, or A and B horizons, and the C horizon to a depth of 5 feet or more, have developed in the first kind of contrasting materials. In other places the entire profile has developed in materials of the second kind. In most places the IIB3 horizon is lacking or is discontinuous; it may or may not be gravelly, and may be part of the first or second kind of contrasting materials.

The plow layer is dark grayish brown (10YR 4/2) in most places but is less gray and more distinctly brown in eroded areas. The B2 horizon has a hue that grades toward 10YR and 5YR. The value of the B2 horizon ranges from 4 to 6, and chroma ranges from 6 to 8. The C horizon is yellow and paler than the B horizon. Galestown soils do not show any evidence of wetness.

The Galestown soils developed on the same kinds of sandy material as the Evesboro soils, the moderately well drained Klej, the poorly drained Plummer, and the very poorly drained Rutlege soils. Galestown soils are not so yellow as the Evesboro soils, which are dunelike in places.

The Galestown soils are not extensive in this county. Most areas are adjacent to the larger streams and rivers. These soils are suited to most crops, but they tend to be droughty. Crops on them benefit greatly from irrigation. Special fertility and management practices may be needed in residential areas to establish and maintain lawns and ornamental plants of high quality. The native

vegetation consists of scrub hardwoods in stands that Virginia pine has strongly invaded.

**Galestown loamy sand, 0 to 8 percent slopes (GdB).**—This is the soil described for the Galestown series. The underlying material is practically free of gravel in some places and contains varying amounts of gravel in others. Included in mapping were a few areas that have greensand, or glauconitic material, in the profile.

This coarse, loose, and droughty soil is severely limited for farming. It is suited to deep-rooted crops, but irrigation is required if shallow-rooted crops are grown. The surface needs to be protected by plants at all times so as to prevent washing and blowing. (Capability unit IVs-1; irrigation group 1; woodland group 5; drainage group not assigned)

**Galestown loamy sand, 8 to 15 percent slopes (GdC).**—Except that it is somewhat steeper, this soil is like Galestown loamy sand, 0 to 8 percent slopes. Included in mapping were small areas that have some silvery mica flakes or greensand in the profile. Also included were areas where shallow gullies have formed.

This soil is not well suited to cultivation. It is suited to trees, to limited grazing, or as wildlife habitats. (Capability unit VIIs-1; woodland group 5; irrigation group and drainage group not assigned)

**Galestown gravelly loamy sand, 0 to 8 percent slopes (GaB).**—This soil is typical of Galestown soils that occur in areas where 15 to 20 percent or more of the soil mass is fine, smooth, rounded pieces of gravel. In most places the underlying material is extremely gravelly. Included in mapping were a few places where shallow gullies have formed.

This soil is coarse, loose, droughty, and severely limited for farming. It is suited to deep-rooted crops, but irrigation is required if shallow-rooted crops are grown. The surface needs to be protected by plants at all times so as to prevent both washing and blowing. (Capability unit IVs-1; irrigation group 1; woodland group 5; drainage group not assigned)

**Galestown gravelly loamy sand, 8 to 15 percent slopes (GaC).**—Except that it is somewhat steeper, this soil is like Galestown gravelly loamy sand, 0 to 8 percent slopes. Included in mapping were places where gullies have formed. Some of the gullies are fairly deep.

This soil is not well suited to cultivation. It is better suited to trees, to limited grazing, or as wildlife habitats. Many areas of this soil provide a source of gravel. (Capability unit VIIs-1; woodland group 5; irrigation group and drainage group not assigned)

**Galestown-Evesboro loamy sands, 0 to 8 percent slopes (GeB).**—This complex consists of areas of Galestown soils and Evesboro soils that are so intricately intermingled that it is not practical to separate the soils on a map of the scale used. Each soil is like the one described for its respective series. Included in mapping were a few spots that are gravelly and areas where a few shallow gullies have formed.

These coarse, loose, droughty soils are severely limited for farming. The surface should be protected by plants at all times so as to prevent washing and blowing. (Capability unit IVs-1; irrigation group 1; woodland group 5; drainage group not assigned)

**Galestown-Evesboro loamy sands, 8 to 15 percent slopes (GeC).**—Except for steeper slopes, this complex is like

roots; almost continuous, dark yellowish-brown (10YR 4/4) clay coats; very strongly acid; abrupt, smooth boundary. 15 to 25 inches thick.

**IIB22t**—30 to 36 inches, strong-brown (7.5YR 5/6) fine sandy clay loam; few, medium, distinct mottles of light gray (2.5Y 7/2) and common, medium, faint mottles of yellowish red (5YR 4/8) and brownish yellow (10YR 6/6); very weak, thin, platy and weak, medium, sub-angular blocky structure; hard, firm, sticky and plastic; some patchy clay coats; very strongly acid; clear, smooth boundary. 0 to 9 inches thick.

**IIC**—36 to 48 inches +, brownish-yellow (10YR 6/6) light fine sandy loam; common, coarse, distinct mottles of light gray (2.5Y 7/2) and dark yellowish brown (10YR 4/4); stratified, becoming coarser and sandier with increasing depth; includes very thin strata of clay or fine silt; very friable, nonsticky and nonplastic; strongly acid.

In Prince Georges County, the A horizon of Mattapex soils is silt loam or fine sandy loam. The B21t horizon developed in the silty mantle and ranges from heavy silt loam to silty clay loam. In many areas a B22t horizon also has developed in this silty mantle. In places a IIBt horizon has developed in nonconforming, coarser material and has sandy clay loam or heavy sandy loam texture. The C horizon is generally of nonconforming material. It ranges from loamy sand to heavy sandy loam or light sandy clay loam in texture and, in places, contains a considerable amount of fine, rounded gravel. The solum ranges from about 30 to more than 40 inches in thickness.

In wooded areas the A1 horizon is thin and dark, but there is a somewhat thicker A2 horizon. Profiles range from dominantly brown, like the one described for the series, to a distinctly yellow color. The B2t horizon frequently is light olive brown and has a hue of 10YR or 2.5Y. In the Bt horizon, value ranges from 4 to 6 and chroma from 4 to 8, but chroma is always less than 6 in some part of this horizon. Mottles with chroma of 2 or less always occur in the upper 20 inches of the Bt horizon. In places the lower few inches of the Bt horizon is firm, but in most places this horizon is more uniformly friable.

The Mattapex soils are on the same kinds of material as the well-drained Matapeake soils and the poorly drained Othello soils. The Mattapex are not so thick as the Butlertown soils and are underlain by older, sandier materials. The Mattapex soils are more silty than the coarser textured Woodstown soils or the finer textured Keyport soils.

Mattapex soils are suited to all crops grown in the county, but slope, erosion hazard, and to some degree, wetness and impeded drainage limit use. Planting dates may be delayed in spring, and some frost heaving may occur in winter when the soils are wet. Seasonal wetness limits the Mattapex soils for use in community development.

**Mattapex fine sandy loam, 0 to 2 percent slopes (MtA).**—This is the soil described for the Mattapex series. It is moderately well drained but is suitable for most crops after drainage is improved. Drainage can be improved by using open ditches or tile. The sandy surface layer is easily cultivated. Under good management, this soil produces favorable yields. (Capability unit IIw-5; drainage group 2-A; irrigation group 9; and woodland group 11)

**Mattapex fine sandy loam, 2 to 5 percent slopes, moderately eroded (MtB2).**—Except that surface water drains away more readily, this soil is like Mattapex fine sandy loam, 0 to 2 percent slopes. Some areas are uneroded, and a few are severely eroded. Included in mapping were a few places where shallow gullies have formed.

Drainage may be needed for only a few crops on this moderately well drained soil, but protection by graded rows or alternate graded strips of row crops and close-

growing crops is needed for safe regular cultivation. (Capability unit IIe-36; drainage group 2-A; irrigation group 9; and woodland group 11)

**Mattapex silt loam, 0 to 2 percent slopes (MuA).**—This nearly level soil is typical of Mattapex soils that occur in areas that have a silt loam surface layer. The surface soil, when dry, feels soft and floury, but it contains some fine gritty material in places.

Impeded drainage limits use of this moderately well drained soil for some crops. Planting is usually delayed in spring, and the soil is difficult to work when it is wet. Open ditches are needed to improve drainage. Tile may be used to intercept seepage and to drain wet spots. (Capability unit IIw-1; drainage group 2-A; irrigation group 13; and woodland group 11)

**Mattapex silt loam, 2 to 5 percent slopes, moderately eroded (MuB2).**—The surface layer of this silty soil generally feels soft and floury when it is dry, but in some places it contains coarse material and feels slightly gritty. Included in mapping were a few uneroded and severely eroded places. Shallow gullies have formed in some places, and a few small areas are somewhat steeper than 5 percent.

Controlling erosion is the most important problem of management on this soil, but drainage probably is needed if some crops are grown. Seepage or wet spots can be drained with tile, and excess runoff can be controlled by farming in graded strips. All natural waterways should be kept in sod. This soil holds a good supply of moisture available for plants. (Capability unit IIe-16; drainage group 2-A; irrigation group 13; and woodland group 11)

**Mattapex-Urban land complex, 0 to 5 percent slopes (MvB).**—This complex consists of areas of Mattapex soils and disturbed land that is mainly of Mattapex soil material. These areas are used for community developments. About 20 percent of the areas mapped as this complex consists of typical Mattapex soils that have a fine sandy loam or silt loam surface layer. About 50 percent consists of original Mattapex soils that have been covered with as much as 18 inches of soil material, or has had as much as two-thirds of the original soil profile removed. The rest consists of Mattapex soils that have been covered to a depth of 18 inches or more or have had nearly all their profile cut away. The fill material has variable texture. (Drainage group 2-A; capability unit, irrigation group, and woodland group not assigned)

### Mixed Alluvial Land

Mixed alluvial land is a miscellaneous land type that occurs on flood plains and consists of soil materials ranging from sand to clay. These materials have been washed from many different kinds of soils on uplands. At many sites the soil could be placed in an established soil series, but the soil characteristics change so rapidly within short distances that it is impractical to map soils of a specified texture.

**Mixed alluvial land (Mw).**—This land type consists of deposits on flood plains that range from sand to clay. Most areas are poorly drained. They are wet during wet periods and moderately wet in drier periods. In most areas this land is likely to be flooded frequently. Fairly large areas contain a significant amount of glauconite, or greensand.

Generally, the land is not suited to cultivated crops, but pasture and some hay crops can be grown if drainage and floods are reasonably controlled. Natural fertility varies a great deal. (Capability unit VIw-1; drainage group 12; woodland group 2; irrigation group not assigned)

### Monmouth Series

The Monmouth series consists of deep, well-drained soils that developed in old deposits of clayey and sandy materials that contain a fairly large amount of greensand. The Monmouth soils are on nearly level to rolling or strongly sloping uplands, mainly in the central part of the county.

Profile of Monmouth fine sandy loam (in a woodland of oak and poplar on Church Road, about six-tenths of a mile north of St. Barnabas Church, near Leeland):

- A1—0 to 1 inch, dark grayish-brown (10YR 4/2) fine sandy loam; weak, fine, granular structure; soft, loose, non-sticky and nonplastic; roots abundant; strongly acid; clear, smooth boundary. 1 to 2 inches thick.
- A2—1 to 7 inches, light olive-brown (2.5Y 5/4) fine sandy loam; weak, medium, granular structure; soft, very friable, nonsticky and nonplastic; roots plentiful; strongly acid; clear, wavy boundary. 5 to 8 inches thick.
- B1—7 to 11 inches, olive-brown (2.5Y 4/4) sandy clay loam; moderate, coarse, subangular blocky structure; hard, friable to firm, slightly sticky and moderately plastic; roots common; strongly acid; clear, wavy boundary. 3 to 6 inches thick.
- B2t—11 to 19 inches, olive-brown (2.5Y 4/4) sandy clay; strong, coarse, blocky and subangular blocky structure; very hard, very firm, very sticky and plastic; few roots; distinct, almost continuous olive-gray (5Y 4/2) clay coatings; fine, strong-brown (7.5YR 5/8), very soft to moderately hard concretions; very strongly acid; gradual, smooth boundary. 8 to 12 inches thick.
- B2bt—19 to 33 inches, olive-brown (2.5Y 4/4) sandy clay; moderate, coarse, blocky and subangular blocky structure; hard, firm, sticky and plastic; few roots in upper part; thin but distinct, almost continuous clay coatings; very strongly acid; gradual, smooth boundary. 12 to 16 inches thick.
- B2bt—33 to 48 inches, olive-brown (2.5Y 4/4) light sandy clay; weak, very coarse, blocky structure; hard, friable to firm, sticky and slightly plastic; prominent but discontinuous accumulations of olive-gray (5Y 4/2) clay; very strongly acid; gradual, irregular boundary. 10 to 20 inches thick.
- C—48 to 60 inches +, (5Y 4/3) sandy clay loam to light sandy clay; massive; slightly hard, friable, slightly sticky and slightly plastic; tends to slake and become loose and less sticky when air dried; very strongly acid.

The plow layer of Monmouth soils generally is grayish brown (2.5Y 5/2) or olive gray (5Y 5/2 or 4/2). In severely eroded areas this layer ranges from heavy loam to clay loam in texture and from light olive brown (2.5Y 5/4) to olive (5Y 4/4) or olive brown (2.5Y 4/4) in color. The B1 horizon may be very thin or lacking. The B2 horizon generally is sandy clay or fine sandy clay, but in places it is heavy sandy clay loam, heavy clay loam, or clay. The chroma and value in the B horizon most commonly are 3, but they may be 4 where the horizon has a hue of 2.5Y. The B horizon most commonly has a hue of 2.5Y, but hue includes 5Y if a B1 horizon is present, and it grades toward 5GY in the B2 horizon. A rubbed smear of the B2 material is greener than the surface or the interior of aggregates. A rubbed smear of the C horizon is also more green, though this horizon is dark olive gray (5Y 3/2) to black (5Y 2/2). The C horizon ranges from heavy sandy loam to sandy clay in texture.

The Monmouth soils are on the same kinds of material as the moderately well drained Donlonton soils and the

poorly drained Colemantown soils. The Monmouth soils are somewhat similar to Collington soils, which are less olive in color, less sticky, and developed on materials that have a lower content of greensand. They are also similar to the Howell soils, which are brighter colored, more silty, and developed in materials containing little or no greensand.

The Monmouth soils are of only moderate extent in Prince Georges County. They are productive and locally are important for farming, as well as for community development. The native vegetation is mixed upland hardwoods, mainly oak.

**Monmouth clay loam, 5 to 10 percent slopes, severely eroded (MxC3).**—This soil has lost most of the original sandy surface layer through erosion, and its surface layer now is clay loam. This layer, particularly when worked or plowed, is olive colored, firm, and sticky. It generally is in poor tilth. In a few places, the surface layer is sandy clay or sandy clay loam. Complex conservation practices that are intensively applied are needed to check excessive soil loss. (Capability unit IVE-3; irrigation group 14; woodland group 13; drainage group not assigned)

**Monmouth clay loam, 10 to 30 percent slopes, severely eroded (MxD3).**—This soil is so susceptible to erosion that it is not suited to cultivated crops, even though conservation practices are used. A protective cover of plants is needed at all times, but under good management, some areas may provide grazing. (Capability unit VIe-2; woodland group 13; drainage group and irrigation group not assigned)

**Monmouth fine sandy loam, 0 to 2 percent slopes (MyA).**—This is the soil described for the Monmouth series. It is suitable for most uses and has few, if any, restrictions. (Capability unit I-28; irrigation group 5; woodland group 7; drainage group not assigned)

**Monmouth fine sandy loam, 2 to 5 percent slopes, moderately eroded (MyB2).**—This soil is the most extensive Monmouth soil in Prince Georges County and the most important one in farming. Because erosion is a hazard, moderate conservation practices are needed for regular cultivation. Included in mapping were a few small areas that have a somewhat silty surface layer and some small areas where the sand is coarser throughout the profile than it is in the soil described for the series. (Capability unit IIe-28; irrigation group 5; woodland group 7; drainage group not assigned)

**Monmouth fine sandy loam, 5 to 10 percent slopes, moderately eroded (MyC2).**—On this sloping, readily eroded soil, special conservation measures that are intensively applied are needed for safe cultivation. In a few small areas, this soil is somewhat more silty or more sandy than the typical Monmouth soils. (Capability unit IIIe-28; irrigation group 5; woodland group 8; drainage group not assigned)

**Monmouth fine sandy loam, 10 to 15 percent slopes, moderately eroded (MyD2).**—Even where special conservation measures are intensely applied, this soil is suitable for only occasional cultivation. A clean-tilled crop can be produced about 1 year in 5 if conservation practices and good management are used. Included in mapping were some small areas that have a thicker and sandier surface layer than the typical Monmouth soils. (Capability unit IVE-5; irrigation group 5; woodland group 8; drainage group not assigned)

(Capability unit IIs-4; irrigation group 3; woodland group 7; drainage group not assigned)

**Rumford-Evesboro loamy sands, 6 to 12 percent slopes (ReC).**—This complex is steeper than Rumford-Evesboro loamy sands, 2 to 6 percent slopes. Much of the original surface soil has been removed through erosion, and in many places material from the subsoil of the thinner Rumford soil has been mixed with the surface soil in plowing and cultivating. A freshly cultivated field has a spotted appearance. In areas of the deep Evesboro soil, where the subsoil material has not been turned up in plowing, the field is light colored, but it is distinctly brownish or reddish in areas where the subsoil material of the more shallow Rumford soil has been turned up or exposed. Included in mapping were some areas that are uneroded.

The soils of this complex are suited to most of the general farm crops and to deep-rooted crops. If management is good, yields are favorable. The tobacco produced is generally of very high quality. Ways to conserve soil and water are farming on the contour and keeping a cover of permanent plants on the soils much of the time. Supplemental irrigation should be available if truck crops, tobacco, and other crops of high value are grown. (Capability unit IIIe-33; irrigation group 3; woodland group 8; drainage group not assigned)

**Rumford-Evesboro loamy sands, 12 to 20 percent slopes (ReD).**—Except that it is moderately sloping to steep, this mapping unit is like Rumford-Evesboro loamy sands, 2 to 6 percent slopes. Much of the original surface soil has been removed through erosion, and in many places material from the subsoil of the Rumford soil has been mixed with the surface soil in plowing and cultivation. A freshly cultivated field has a spotted appearance. In areas of the deep Evesboro soil, where the subsoil material has not been turned up, the field is light colored, but it is distinctly brownish or reddish in areas where the subsoil material of the more shallow Rumford soil has been turned up or exposed. Included in mapping were some areas that are uneroded and a few places where shallow gullies have formed.

Adapted cultivated crops can be grown safely in a rotation lasting 5 years or more, if the soils are kept under a cover of protective plants most of the time, and if strong supporting conservation measures are used. (Capability unit IVe-5; irrigation group 3; woodland group 8; drainage group not assigned)

### Rutlege Series

The Rutlege series consists of deep, very poorly drained, very sandy soils that have a thick, dark surface layer. These soils developed in thick beds of sandy materials that were saturated with water for long periods. The Rutlege soils occupy sandy upland depressions on the Coastal Plain, mostly in the northern part of the county. In Prince Georges County, Rutlege soils are mapped only in an undifferentiated group with Plummer soils.

Profile of Rutlege loamy sand (in a wooded area about 3 miles west of Bowie):

A1—0 to 12 inches, black (5Y 2/1) loamy sand, high in organic-matter content; very weak, medium, granular

structure; loose to very friable; roots abundant; somewhat mucky on surface; very strongly acid and extremely acid; clear to abrupt, smooth boundary. 10 to 12 inches thick.

Clg—12 to 30 inches, gray (5Y 5/1) light loamy sand; single grain; loose; streaked, splotched, and mottled with pale yellow (2.5Y 8/4) and light yellowish brown (2.5Y 6/4); roots common in upper part, few in lower part; extremely acid; gradual, irregular boundary. 10 to 20 inches thick.

C2g—30 to 52 inches, light-gray (N 7/0) sand or fine sand; abundantly streaked and splotched with yellowish brown (10YR 5/4); single grain; loose; sand tends to shift or flow; extremely acid; abrupt, smooth boundary. 15 to 25 inches thick.

IIC3g—52 to 60 inches +, light-gray (5Y 7/1) heavy sandy loam; common, coarse, prominent mottles of yellowish brown (10YR 5/6); massive; friable, sticky and slightly plastic; extremely acid.

In drained and cultivated areas, the plow layer may be dark or very dark gray instead of black; white grains of sand show distinctly against the darker background. In places a dark or very dark gray A12 horizon occurs and extends to a depth of as much as 20 inches or more. The IIC3g horizon may not occur within a 6-foot depth. Where it does occur, it ranges from sandy loam to sandy clay. Its color is almost any shade of gray, and mottling is varicolored.

The Rutlege soils are on the same kinds of sandy material as the somewhat excessively drained to excessively drained Evesboro and Galestown soils, the moderately well drained Klej soils, and the poorly drained Plummer soils. In Prince Georges County, the Rutlege and the Plummer soils are so difficult to separate on the soil map that they are shown together. The Rutlege soils are similar to the Johnston and Hyde soils in color and drainage, but those soils contain more silt and clay and less sand.

The Rutlege soils are inextensive in the county and of little importance for farming. They occur only in small, rather widely scattered areas. If they are drained, these soils can be used for truck crops, corn, or soybeans, and they are especially suited to home gardens. The native vegetation is mainly wetland hardwoods and some pond pine.

### Sandy Land

Sandy land is a miscellaneous land type that consists of sandy Coastal Plain sediments exposed mainly on the steep slopes along ravines and stream valleys. It is mostly in the southern part of the county, but some areas are in other parts. This land type is made up mostly of the same kind of sandy material that underlies the Evesboro, Galestown, Sassafras, Westphalia, and other soils in the county.

**Sandy land, steep (SaE).**—In some parts of this land type, the sand is mostly fine, and there is no gravelly material. In other parts there is a considerable amount of smooth, mostly fine gravel. Locally, there is some development in the subsoil and some accumulation of clay at a moderate depth.

A large acreage of this mapping unit has been severely eroded, but erosion affects present use very little. Large areas have reverted to trees, some are in brush, and others have never been cleared. This land is not well suited to any farm use. (Capability unit VIIIs-1; woodland group 6; drainage group and irrigation group not assigned)



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6600 Kenilworth Avenue • Riverdale, Maryland 20737-0707

January 18, 1989

Sarah J. Taylor, Ph.D.  
Executive Director  
Chesapeake Bay Critical Area  
Commission  
275 West Street, Suite 320  
Annapolis, Maryland 21401

Re: Queen Anne Bridge Fishing Area  
Patuxent River Park

Dear Dr. Taylor:

We are pleased to submit for the Chesapeake Critical Area Commission's review, the Development Plan for the Queen Anne Bridge Fishing Area. The proposed parking area and associated picnic facilities will help provide safe public access to a very popular fishing area on the Patuxent River.

This project is consistent with the Chesapeake Bay Critical Area Commission: Subtitle 19, Regulations for Development in the Critical Area Resulting from State and Local Agency Programs (April, 1988), Chapter 5, Regulations .03-.14.

If you need any supplemental information or have any questions, please contact Stephen Lotspeich of my staff at 699-2438.

Sincerely,

Robert M. Arciprete, Chief  
Park Planning and Development  
Division

RMA/SHL:jbk

Attachments

cc: Richard C. Stevenson  
Richard J. Dolesh

## DEVELOPMENT PLAN

### QUEEN ANNE BRIDGE FISHING AREA

### PATUXENT RIVER PARK

#### DESCRIPTION OF PROJECT:

The Queen Anne Bridge Fishing Area is located south of State Route 214 on Queen Anne Bridge Road in Prince George's County (see attached location map). The site is owned by the Maryland-National Capital Park and Planning Commission, which is a regional planning and park agency which was established by the Maryland General Assembly, as per the Maryland Annotated Code, Article 28. The project is located within the Critical Area for the Chesapeake Bay. The site is designated within the Resource Conservation Overlay Zone for Prince George's County.

The purpose of this project is to provide parking for fishermen who use the abandoned Queen Anne Bridge, and its vicinity, on the Patuxent River. Currently people park along a steep section of Queen Anne Bridge Road which descends to the river, creating a very unsafe situation. This project was requested by the Queen Anne Civic Association, which is the local citizens organization.

The project consists of the following elements:

1. A gravel surface parking area will be constructed with ten parking spaces, including one handicap space. The proposed parking area will be located in an existing small field which is relatively level. This will minimize the clearing and grading required for construction.
2. A small picnic area will be constructed in the remaining portion of the field.
3. A woodchip surface path will be constructed from the parking area down the slope to the river. This will help correct an existing erosion problem created by numerous small paths which have been made down to the river.
4. Stormwater Management for the site development will be required by Prince George's County Department of Environmental Resources. Preliminary discussions with County staff have indicated that treatment for water quality will be required. An infiltration trench will be provided if the soils are suitable. If not, a small water quality basin will be constructed in the same location.
5. Landscaping for the project will consist of replacing the existing trees which will be removed to construct the parking area. The new trees will be located primarily in the proposed picnic area.

Stormwater Management, Sediment and Erosion Control, and Grading Permits, will be required before any construction takes place on the site.

## EXISTING CONDITIONS:

The attached Existing Conditions Plan shows the major features of the project site. Queen Anne Bridge is a popular fishing area for both Prince George's and Anne Arundel County residents. Ultimately, the collapsed section of the bridge will be reconstructed for pedestrian use, linking the two counties.

### A. Physical Conditions

1. The site is 0.7 acres in size and is characterized by steep to severe slopes (30%-50%) with the exception of where the parking area, and picnic area are proposed, which is almost level (see Existing Conditions Plan). The steep slopes descend directly to the edge of the river on the east and Queen Anne Bridge Road on the west.

2. Floodplain

The 100-year floodplain elevation on the site is approximately 25.5'. Since the proposed parking lot is at approximately 40' elevation, it will not be impacted by the floodplain.

3. Soils

According to the Soil Survey of Prince George's County (1967) there are two soil types on the site. The eastern half is Bibb sandy loam (Bn) and the western half is Galestown loamy sand, 0-8 percent slopes (GdB) (see attached descriptions). There is no evidence of hydric soil in the area impacted by the development.

4. Wetlands

There are no tidal or non-tidal wetlands impacted by the proposed development.

5. Vegetation

The wooded areas in the project site are part of a riparian forest which follows the river's edge. The woods are a mixture of small second growth and scattered large trees. The site has a mix of primarily upland species such as Common Mulberry, Box Elder, Red Maple, Red Oak, Willow Oak and Dogwood. The open field contains a mix of upland grasses.

6. Wildlife Habitat

The riparian forest is habitat for a variety of animals such as raccoon, fox, and deer, and many bird species, including interior dwelling species. Concerning water related species, there are no known colonial water bird nesting sites in the project area. There are also no known historic waterfowl staging and concentration areas in the adjacent river. There are no Natural Heritage Areas designated, or other natural areas anticipated for Federal or State special designation, within the project area.

The river is habitat for anadromous species of fish. The proposed development will not adversely impact the fish habitat and spawning areas.

7. Rare and Endangered Species

There are no known rare or endangered species in the vicinity of the proposed project.

B. Cultural Conditions

1. Archeological Sites

There are no known or anticipated archeological sites impacted by the proposed project.

2. Historic Sites

The "Hazelwood" mansion is located approximately 3/4 mile north of the project site. The oldest portion of the house dates back to the late 18th century. The house is owned by M-NCPPC and is currently being stabilized and renovated. The colonial town site of Queen Anne, now called Hardesty, and the historic Queen Anne Bridge are located immediately north of Hazelwood.

**DEVELOPMENT IMPACTS:**

The site is located adjacent to a section of Patuxent River Park which is called the Hardesty Unit. Even though the project site is small 0.7 acres, it is part of a group of properties which are several hundred acres in size. The area of disturbance for the proposed construction is approximately 8,000 sq. ft. (0.18 ac.), which is small relative to the surrounding undisturbed parkland. 1,200 sq. ft. (0.03 ac.) is within the 100' Buffer for the Critical Area. The proposed gravel parking area will be approximately 4500 sq. ft. (0.10 ac.) in size, with 850 sq. ft. (0.02 ac.) within the Buffer. In order to provide ten parking spaces and avoid impacting steep slopes outside of the Buffer, this 850 sq. ft. impact is unavoidable. There are no impervious areas proposed as part of the development.

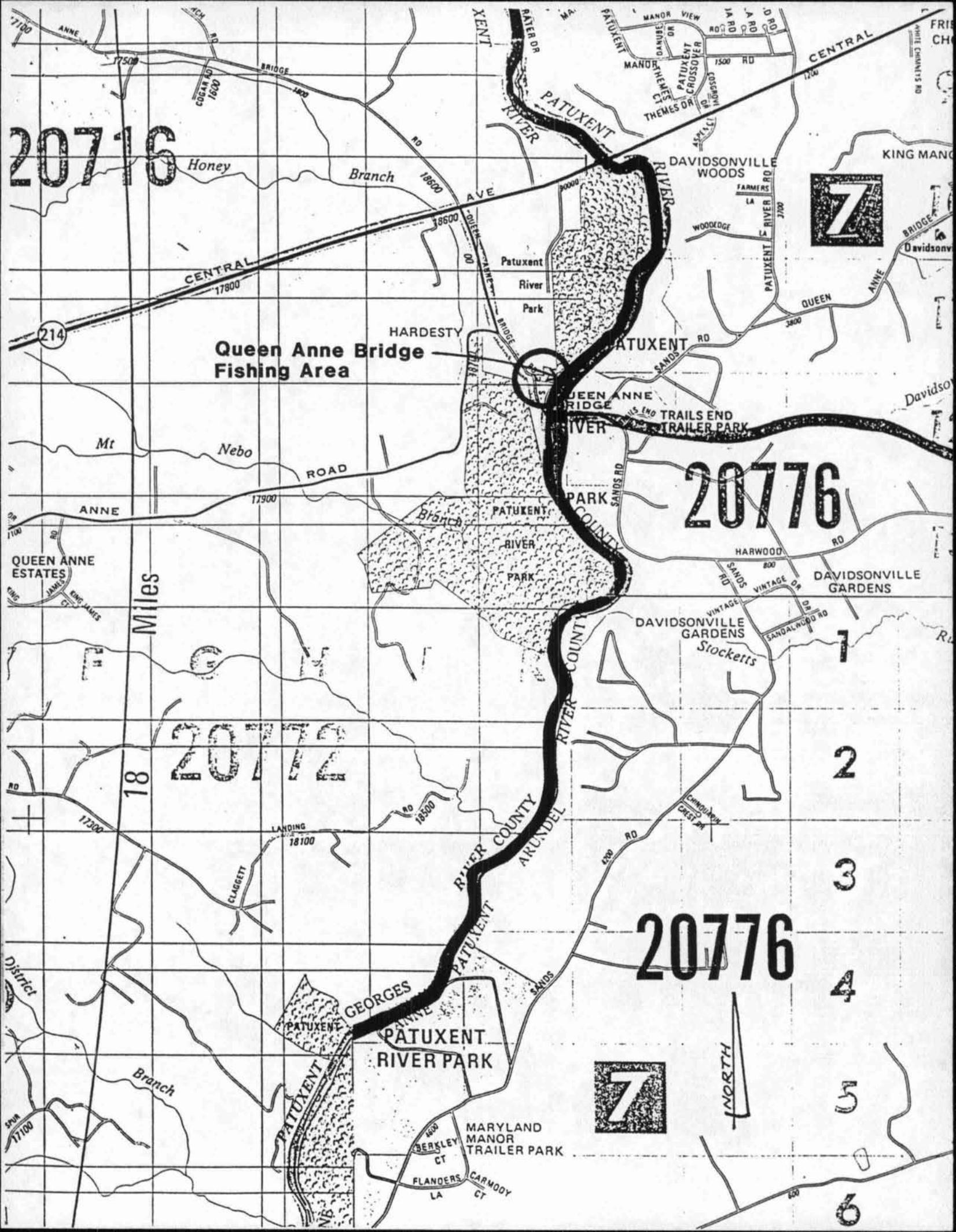
**PROPOSED MITIGATION**

The proposed mitigation measures consist of reforestation and stormwater management practices. In order to compensate for the six trees which will be cleared for the proposed parking area, a minimum of eight trees will be planted in the open areas on the site (see attached Landscape Plan).

In order to improve water quality a minimum of 10%, an infiltration trench or small water quality basin will be constructed to treat all the runoff from the proposed gravel parking area.

**CONCLUSION:**

The proposed project will provide a safe parking area for the numerous people who fish in the vicinity of Queen Anne Bridge. The project will help correct existing erosion problems associated with cars parking along the road and the trails which have developed down the steep banks. The project has been designed to minimize adverse impacts to the Critical Area, including the 100' Buffer. The proposed mitigation is intended to exceed the minimum requirements for tree replacement and stormwater management.



Profile of Bibb silt loam (on the wooded flood plain of Mattawoman Creek, about 1 mile south of Bealle):

- A11—0 to 4 inches, dark grayish-brown (2.5Y 4/2) silt loam; weak, fine, granular structure; soft, very friable, non-sticky and nonplastic; roots abundant; very strongly acid; clear, smooth boundary. 3 to 4 inches thick.
- A12—4 to 10 inches, dark grayish-brown (2.5Y 4/2) silt loam; few, medium, distinct mottles of dark brown (7.5YR 4/2); very weak, medium, subangular blocky and weak, fine, granular structure; soft, friable, slightly sticky but nonplastic; many roots; very strongly acid; clear, smooth boundary. 5 to 8 inches thick.
- B21g—10 to 26 inches, dark-gray (5Y 4/1) silt loam; few, medium, distinct mottles of dark brown (7.5YR 4/2); very weak, coarse, blocky structure; slightly hard, friable, slightly sticky but nonplastic; few roots; very strongly acid; clear, smooth boundary. 12 to 18 inches thick.
- B22g—26 to 36 inches, gray or light-gray (5Y 6/1) loam; common, medium, distinct mottles of dark yellowish brown (10YR 4/4); very weak, very coarse, blocky structure; slightly hard, friable, nonsticky and nonplastic; very few roots; very strongly acid and extremely acid; abrupt, smooth boundary. 8 to 12 inches thick.
- IICg—36 to 54 inches +, gray or light-gray (5Y 6/1) silty clay; common, medium, distinct mottles of brown or dark brown (7.5YR 4/4); massive (structureless); hard, firm, sticky and plastic; some coarse sand and fine water-worn gravel; extremely acid.

In Prince Georges County the A and the B horizons of Bibb soils are silt in most places, but in many areas they are sandy loam. In some places where the A horizon is sandy loam the B horizon is somewhat finer, generally silt loam. The C horizon may be almost any texture and commonly is unconforming. The solum ranges from about 30 to more than 40 inches in thickness.

In cultivated areas the plow layer of Bibb soils is usually grayish brown or light olive brown (2.5Y 5/2 or 2.5Y 5/4). In places the B horizon is thicker than described, for the C horizon occurs at a depth of more than 4 feet. In the B horizon the matrix has a hue of 2.5Y or 5Y in most places. The chroma of this matrix is 2 or less and value is 4 to 6. In some areas where Bibb soils have been influenced by glauconite, their hue is greenish. Mottling has a hue of 10YR or 7.5YR in most places, but it is near 5YR in areas influenced by glauconite. The mottling has a value of 4 to 6 and a chroma of 4 to 8. The C horizon varies in color and is gleyed.

In wet periods the water table in Bibb soils is at or near the surface, but in long dry periods it is usually in the IIC horizon. These soils are subject to flooding.

The Bibb soils are on the same general kinds of material as the well drained Ochlockonee soils, the moderately well drained Iuka soils, and the very poorly drained Johnston soils. They are, in many respects, similar to the Hatboro soils, the material of which washed from areas of weathered acid crystalline rock and commonly contains much fine mica. Locally, the Bibb soils contain fine greensand.

The Bibb soils are extensive in Prince Georges County. They are used little for farming, but some areas produce corn, hay, and pasture. Most areas are subject to flooding. Residential use is limited by flooding and poor drainage. Some areas have been made into parks and playgrounds, and other areas are suitable for these uses. Most areas of this soil are in forest consisting of maple, gum, oak, and other hardwoods that tolerate wetness.

**Bibb sandy loam (Bn).**—This soil has a sandy loam surface layer about 3 feet thick but in other respects is similar to the soil described for the series. It is nearly level in most places but is gently sloping in a few.

This poorly drained soil on flood plains is wet for long periods. Because the soil is sandy, it is fairly easy to drain and to work and manage after it is drained. It can be drained best by tile if outlets are adequate. In

frequently flooded areas, use is limited to grazing, woodland, wildlife habitat, and recreation. (Capability unit IIIw-6; drainage group 11-B, irrigation group 10A; and woodland group 2)

**Bibb silt loam (Bo).**—Except for the silt loam surface layer about 3 feet thick, this soil is like the one described for the Bibb series. It is one of the most extensive mapping units in Prince Georges County. It feels floury when dry and is somewhat sticky when wet. In a few areas the surface layer contains medium-sized sand and feels gritty. Most areas of this soil are nearly level, though a few small areas are gently sloping.

This poorly drained soil is wet for long periods. It is somewhat more difficult to drain and to work than the Bibb sandy loam. Either ditches or tile can be used for drainage if outlets are adequate. These soils are not susceptible to erosion. They can be planted to row crops continuously for several years if cover crops are used after the row crops are harvested and the land is allowed to remain fallow every few years. In areas where this soil is subject to frequent flooding, use is limited mostly to grazing, woodland, wildlife, or recreation. (Capability unit IIIw-7; drainage group 11-A; irrigation group 10; and woodland group 2)

**Bibb-Urban land complex (Br).**—About 25 percent of this complex is Bibb soils that have a sandy loam or silt loam surface layer; about 55 percent has been covered with various kinds of soil material to a depth of 6 to 18 inches; and the remaining 20 percent consists of Bibb soils that have been covered with 18 inches or more of soil material of varied texture. Most areas are nearly level, but in a few places they are slightly more sloping.

This mapping unit has been filled so that it can be used for streets, buildings, parking lots, playgrounds, and home gardens, but in most areas the fills have only slightly reduced the hazard of flooding. (Drainage group 11-A; capability unit, irrigation group, and woodland group not assigned)

## Butlertown Series

The Butlertown series consists of deep, moderately well drained soils that are a little better drained than most moderately well drained soils but that are seasonally a little too wet to be well drained.

The Butlertown soils occur on the uplands of the Coastal Plain, where they developed in a thick mantle of acid silt and very fine sand that probably was deposited by wind. These soils are nearly level and gently sloping.

Profile of Butlertown silt loam (in a nearly level cultivated field near Queen Anne Road, just south of Central Avenue and west of Hardesty):

- A<sub>p</sub>—0 to 9 inches, brown (10YR 5/3) silt loam; weak, fine, granular structure; soft, friable, slightly sticky but nonplastic; roots plentiful; many fine pores; strongly acid; abrupt, smooth boundary. 9 to 10 inches thick.
- B21t—9 to 18 inches, yellowish-brown (10YR 5/6) heavy silt loam; weak, medium, blocky structure; slightly hard, friable, slightly sticky and slightly plastic; roots common; weak, discontinuous clay films; strongly acid; clear, smooth boundary. 8 to 10 inches thick.
- B22t—18 to 32 inches, strong-brown (7.5YR 5/6) light silty clay loam; moderate, medium, blocky structure; hard, friable to firm, sticky and plastic; few roots but many root channels and pores; distinct, thin but continuous clay coatings; very strongly acid; clear, smooth boundary. 12 to 18 inches thick.

Areas of this complex have been filled for the construction of streets, buildings, parking lots, and playgrounds. (Drainage group 7-B; capability unit, irrigation group, and woodland group not assigned)

### Galestown Series

The Galestown series consists of very deep, very sandy, somewhat excessively drained to excessively drained soils that developed in very sandy materials. These soils probably have been reworked by wind and by water. They have a highly colored, normally strong-brown subsoil. These level to steep soils commonly are near but well above streams and drainageways.

Profile of Galestown loamy sand (in an area of Virginia pine, near the end of Mill Branch Road):

- A1—0 to 2 inches, very dark grayish-brown (10YR 3/2) loamy sand; weak, fine, granular structure; loose, nonplastic and nonsticky; roots abundant; very strongly acid; abrupt, smooth boundary. 2 to 3 inches thick.
- A2—2 to 8 inches, dark yellowish-brown (10YR 3/4) loamy sand; weak, fine, granular structure; loose, nonplastic and nonsticky; roots common; very strongly acid; clear, smooth boundary. 6 to 9 inches thick.
- B2t—8 to 33 inches, strong-brown (7.5YR 5/6) loamy sand; weak, medium, granular to very weak, fine, blocky structure; very friable, nonplastic but slightly sticky; roots fairly common; sand grains coated with and partly bridged by clay; content of clay significantly greater than that in A and C horizons; very strongly acid; clear, smooth boundary. 22 to 28 inches thick.
- IIB3—33 to 43 inches, brown or dark-brown (7.5YR 4/4) gravelly loamy sand; weak, fine, granular structure; loose, nonplastic and nonsticky; very few roots; fine smooth gravel about 20 percent by volume; sand and gravel are very weakly and irregularly coated with clay; very strongly acid; clear, irregular to broken boundary. 0 to 12 inches thick.
- IIIC—43 to 120 inches +, yellowish-brown (10YR 5/4) stratified sandy fine gravel; very strongly acid and extremely acid.

In Prince Georges County, most of the Galestown soils have developed in three kinds of contrasting materials, as in the profile described. The three kinds are (1) loamy sand or sand, in which the A1, A2, and B2 horizons have developed; (2) gravelly loamy sand, in which the IIB3 horizon has developed; and (3) stratified gravel, which is the IIIC horizon. In places the solum, or A and B horizons, and the C horizon to a depth of 5 feet or more, have developed in the first kind of contrasting materials. In other places the entire profile has developed in materials of the second kind. In most places the IIB3 horizon is lacking or is discontinuous; it may or may not be gravelly, and may be part of the first or second kind of contrasting materials.

The plow layer is dark grayish brown (10YR 4/2) in most places but is less gray and more distinctly brown in eroded areas. The B2 horizon has a hue that grades toward 10YR and 5YR. The value of the B2 horizon ranges from 4 to 6, and chroma ranges from 6 to 8. The C horizon is yellower and paler than the B horizon. Galestown soils do not show any evidence of wetness.

The Galestown soils developed on the same kinds of sandy material as the Evesboro soils, the moderately well drained Klej, the poorly drained Plummer, and the very poorly drained Rutlege soils. Galestown soils are not so yellow as the Evesboro soils, which are dunelike in places.

The Galestown soils are not extensive in this county. Most areas are adjacent to the larger streams and rivers. These soils are suited to most crops, but they tend to be droughty. Crops on them benefit greatly from irrigation. Special fertility and management practices may be needed in residential areas to establish and maintain lawns and ornamental plants of high quality. The native

vegetation consists of scrub hardwoods in stands that Virginia pine has strongly invaded.

**Galestown loamy sand, 0 to 8 percent slopes (GdB).**—This is the soil described for the Galestown series. The underlying material is practically free of gravel in some places and contains varying amounts of gravel in others. Included in mapping were a few areas that have greensand, or glauconitic material, in the profile.

This coarse, loose, and droughty soil is severely limited for farming. It is suited to deep-rooted crops, but irrigation is required if shallow-rooted crops are grown. The surface needs to be protected by plants at all times so as to prevent washing and blowing. (Capability unit IVs-1; irrigation group 1; woodland group 5; drainage group not assigned)

**Galestown loamy sand, 8 to 15 percent slopes (GdC).**—Except that it is somewhat steeper, this soil is like Galestown loamy sand, 0 to 8 percent slopes. Included in mapping were small areas that have some silvery mica flakes or greensand in the profile. Also included were areas where shallow gullies have formed.

This soil is not well suited to cultivation. It is suited to trees, to limited grazing, or as wildlife habitats. (Capability unit VIIs-1; woodland group 5; irrigation group and drainage group not assigned)

**Galestown gravelly loamy sand, 0 to 8 percent slopes (GaB).**—This soil is typical of Galestown soils that occur in areas where 15 to 20 percent or more of the soil mass is fine, smooth, rounded pieces of gravel. In most places the underlying material is extremely gravelly. Included in mapping were a few places where shallow gullies have formed.

This soil is coarse, loose, droughty, and severely limited for farming. It is suited to deep-rooted crops, but irrigation is required if shallow-rooted crops are grown. The surface needs to be protected by plants at all times so as to prevent both washing and blowing. (Capability unit IVs-1; irrigation group 1; woodland group 5; drainage group not assigned)

**Galestown gravelly loamy sand, 8 to 15 percent slopes (GaC).**—Except that it is somewhat steeper, this soil is like Galestown gravelly loamy sand, 0 to 8 percent slopes. Included in mapping were places where gullies have formed. Some of the gullies are fairly deep.

This soil is not well suited to cultivation. It is better suited to trees, to limited grazing, or as wildlife habitats. Many areas of this soil provide a source of gravel. (Capability unit VIIs-1; woodland group 5; irrigation group and drainage group not assigned)

**Galestown-Evesboro loamy sands, 0 to 8 percent slopes (GeB).**—This complex consists of areas of Galestown soils and Evesboro soils that are so intricately intermingled that it is not practical to separate the soils on a map of the scale used. Each soil is like the one described for its respective series. Included in mapping were a few spots that are gravelly and areas where a few shallow gullies have formed.

These coarse, loose, droughty soils are severely limited for farming. The surface should be protected by plants at all times so as to prevent washing and blowing. (Capability unit IVs-1; irrigation group 1; woodland group 5; drainage group not assigned)

**Galestown-Evesboro loamy sands, 8 to 15 percent slopes (GeC).**—Except for steeper slopes, this complex is like

layer is a mixture of the original silty surface soil and some of the finer subsoil material. In some areas this soil is uneroded or only slightly eroded, and in a few areas it is severely eroded. In these severely eroded areas, the fragipan is near the surface. Gullies, some of them deep, have formed in places. Included in the mapping were areas where the surface layer contains a considerable amount of sandy material. Also included were some spots that are gravelly and a few places where the subsoil is redder than normal.

Runoff is rapid because this soil has a dense subsoil, imperfect drainage, and gentle slopes. Contour strips, supported by diversion terraces and sod waterways, help to control runoff and erosion. This soil is suited to corn, soybeans, hay crops except alfalfa, and pasture. (Capability unit IIe-13; drainage group 6-1A; irrigation group 11; and woodland group 12)

**Beltsville silt loam, 5 to 10 percent slopes, moderately eroded (BIC2).**—Except for steeper slopes, this soil is like Beltsville silt loam, 2 to 5 percent slopes, moderately eroded. Protecting the soil from erosion is a greater problem of management than drainage. The surface layer is a mixture of the original silty surface soil and some of the sticky subsoil material. In some places this soil is uneroded or only slightly eroded. A few shallow gullies have formed in some areas. Included in the mapping were a few spots that are wetter than normal and a few areas that have a reddish subsoil. Also included were small areas that have fine sand or gravel in the surface layer.

This soil is suited to most general crops, but its use is limited by a thin root zone and slow internal drainage. If row crops are grown on this soil, contour strips and diversion terraces are needed to prevent rapid runoff and excessive erosion. (Capability unit IIIe-13; drainage group 6-1A; irrigation group 11; and woodland group 16)

**Beltsville silt loam, 5 to 10 percent slopes, severely eroded (BIC3).**—This soil is so severely eroded that continued farming is marginal at best. The yellowish-brown surface layer is thin and consists of mixed silt and clay that is very hard when dry and sticky when wet. This soil is very shallow to the underlying fragipan, and in some places yellow and brown flakes of fragipan material are mixed with the surface layer. In many areas gullies, some of them deep, have formed. Included in the mapping were a few areas in which the surface layer contains more sand or is redder than normal. Also included were small acreages in which the profile contains greensand, or glauconite, and does not have a dense hard subsoil.

This soil is best suited to hay crops, except alfalfa, and to pasture. Corn and other tilled crops should be planted no more than 1 year in 5, and hay, small grain, pasture, or other close-growing crops should be grown the rest of the time. Practices that control runoff and erosion are needed. (Capability unit IVe-9; drainage group 6-1A; irrigation group 11; and woodland group 17)

**Beltsville silt loam, 10 to 15 percent slopes, severely eroded (BID3).**—This soil is thin or shallow to the underlying dense fragipan. The surface layer is a mixture of the original surface layer and the finer textured subsoil material. In many places shallow and deep gullies have formed. In some areas this soil is uneroded or only slightly eroded. Included in mapping were a few areas that have a

sandy or gravelly surface layer. Also included were a few spots that are wetter than normal and a few areas that have a reddish subsoil.

Because of the steep slopes and severe erosion, this soil is suitable for cultivation only at long intervals. If a good sod is maintained, however, this soil produces good pasture or forage. (Capability unit VIe-2; drainage group 6-1A; and woodland group 17; irrigation group not assigned)

**Beltsville-Urban land complex, 0 to 5 percent slopes (BmB).**—This complex consists of Beltsville soils and disturbed land that is mainly of Beltsville soil material. These areas are used for community development. They have been rearranged into complex patterns on the landscape. Although the single soils can be recognized, mapping them separately is impractical. About 25 percent of each area mapped as this complex consists of Beltsville soils similar to the soil described as typical of the series. The remainder of the acreage consists of Beltsville soils that have been severely disturbed or altered by man.

On about 60 percent of each area, the Beltsville soils are covered with as much as 18 inches of soil material or have had as much as two-thirds of the original soil profile removed. The surface layer of these severely disturbed areas has variable texture and may be fine sandy loam, silt loam, or a mixture of sand, silt, and clay in any proportion.

About 15 percent of this unit consists of land fills, 18 inches or more in depth, or places where most of the Beltsville soil profile has been cut away. The surface layer here is either a mixture of sand, silt, and clay in various proportions, or it is a dense hardpan of silty and clayey materials. (Drainage group 6-1A; capability unit, irrigation group, and woodland group not assigned)

**Beltsville-Urban land complex, 5 to 15 percent slopes (BmC).**—This mapping unit is like Beltsville-Urban land complex, 0 to 5 percent slopes, but it is on steeper slopes and more of it is Made land.

About 15 percent of each area mapped as this complex consists of Beltsville soils like the soils described as typical of the Beltsville series; the rest is Beltsville soils that have been severely disturbed or altered by man.

About 50 percent of the acreage of this complex consists of severely disturbed Beltsville soils that are covered with as much as 18 inches of soil material, or that have had as much as two-thirds of the original soil profile removed. The surface layer in these severely disturbed areas has variable texture and may be fine sandy loam, silt loam, or a mixture of sand, silt, and clay in any proportion.

About 35 percent of the acreage of this unit consists of land fills, 18 inches or more in depth, or places where most of the Beltsville soil profile has been cut away. The surface layer here is either a mixture of sand, silt, and clay in various proportions, or it is a dense hardpan of silty and clayey materials. (Drainage group 6-1A; capability unit, irrigation group, and woodland group not assigned)

## Bibb Series

The Bibb series consists of deep, level or nearly level, poorly drained soils on flood plains along streams of the Coastal Plain. These soils are made up of materials that were washed from silty and sandy uplands and recently deposited along many of the major streams and drainage ways in the county.

- o Begin clearing, grubbing, and rough grading in preparation for the construction of the interstate ramps within the Parkland Tract.

C. **Preservation Plan**

PortAmerica is planned as an intensely developed community of residential, offices and retail land uses. The designation of the Mixed-Use Transportation Oriented (M-X-T) Base Zone and the imminent ammendment to the Intense Development Overlay (I-D-O) zone to this project reflects Prince George's County's intent to implement a major activity area at this location. Because of the intensity of the development and the absence of significant areas requiring protection, preservation of existing natural woodland is limited primarily to the perimeter of the Waterfront Tract, Rosalie Island and certain areas of the Parkland Tract which are not disturbed due to highway construction (see Sheet CP 6 of 8).

Due to the provision of the bulkhead and the severe space constructions of the site, construction activities would eliminate the Buffer. The bulkhead is necessary to stabilize a presently severely eroding shoreline and to support the proposed water dependent facilities (i.e., two marinas and a water transportation pier). Construction of the bulkhead from the landward side is ecologically preferable to construction from the more sensitive water side. A cobble beach will be established at the base of the bulkhead creating an intertidal habitat zone.

In lieu of a preserved vegetated Buffer, the applicant will provide over 2.5 acres of on-site urban forest within the Buffer. Additional off-site Buffer plantings will be provided on public lands within the Prince George's County CBCA. Water quality measures such as infiltration trenches and oil and grit chambers will be provided within the Buffer. All runoff from impervious surfaces, including the public Promenade, will be treated prior to its release.

The applicant will also provide \$800,000.00 for the construction and long term maintenance of a fish ladder at Little Falls of the Potomac River as the preferred mitigation measure. The ladder will make an additional eight miles of the Potomac River available for fish spawning. If the Little Falls fish ladder proves to be infeasible, an alternative project at Pierce Mill will be constructed.

The Parkland Tract is under the public ownership of MNCPPC. The J.T.L. owned portion of Rosalie Island will be dedicated to MNCPPC for use as additional parkland. The public parkland status of the undisturbed land areas constitutes its management option for preservation.

#### D. Mitigation Plan

A majority of the existing area of forest cover within the subject property will be removed due to the construction process of PortAmerica. The loss of forest cover will be compensated by an equal amount by providing 1.) On-site urban forest plantings, 2.) Off-site afforestation/reforestation within the Chesapeake Bay Critical Area (CBCA), and/or 3.) Fee-in-lieu of forest plantings. A schedule of the mitigation required and the corresponding method of compensation can be found in Tables CP-1 and CP-2 for both the Parkland and the properties owned by J.T.L.

As indicated in Table CP-2, none of the required area of reforestation/afforestation will be provided at this phase of the construction process for PortAmerica. The primary source of quantitative mitigation will be providing off-site afforestation/reforestation within the Prince George's County Critical Area on public lands. The remaining plantings required will be provided by means of street trees, urban parks, etc. as the PortAmerica development process continues (approximately 32± acres of on-site "urban forest"). The extent of the future plantings will be defined during preparations of the Detailed Site Plans and corresponding Amendments to this Conservation Plan. Until the plantings are defined, the applicants will provide a financial guarantee to Prince George's County in the amount indicated in Table CP-2 (\$0.40 per S.F. of mitigation required). The rate of mitigation required reflects the criteria of the LDO zone for the Parkland Tract and the IDO zone for the Waterfront Tract. The guarantee will be reduced by appropriate amounts as the additional plantings are provided. Prince George's County will retain the guarantee for one year after completion of the replantings. All reforestation/afforestation will occur under the advice

and guidance of the Maryland Forest Park and Wildlife Service, Bay Watershed Forester.

The perimeter of the area to be cleared will include measures to protect the adjacent trees to be retained. The limit of disturbance will be delineated with flagging located by field survey. The protection measures as identified on the Mitigation Plan (see Sheet CP 7 of 8) will then be installed along this perimeter.

**FOREST MITIGATION REQUIREMENT SCHEDULE**

TABLE CP-1

	Waterfront Tract	Parkland Tract
Gross tract area		
Land	113.31 ac.	35.43 ac.
Water	<u>241.35 ac.</u>	<u>18.86 ac.</u>
Total	354.66 ac.	54.29 ac.
Tract area within CBCA		
Land	89.36 ac.	34.47 ac.
Water	<u>241.35 ac.</u>	<u>18.86 ac.</u>
Total	330.61 ac.	53.33 ac.
Forested area within CBCA	76.09 ac.	34.02 ac.
Forested area within CBCA to be cleared	76.09 ac.	16.46 ac.
Percent of forested area within CBCA to be cleared	100 %	48 %
Ratio of Mitigation under overlay zone criteria	1:1	3:1
<b>Mitigation area required</b>	<b>76.09 ac.</b>	<b>49.38 ac.</b>

**REFORESTATION/AFFORESTATION MITIGATION SCHEDULE**

TABLE CP-2

	<b>Waterfront Tract</b>	<b>Parkland Tract</b>
<b>On-site</b>		
On-site reforestation/afforestation provided	0.00 ac.	0.00 ac.
<b>Off-site</b>		
Off-site reforestation/afforestation provided	0.00 ac.	0.00 ac.
<b>Total reforestation/afforestation provided</b>	<b>0.00 ac.</b>	<b>0.00 ac.</b>
Additional reforestation/afforestation required (from Table CP-1)	76.09 ac.	49.38 ac.
Fee-in-lieu rate per square foot	<u>\$ 0.40</u>	<u>\$ 0.40</u>
<b>Financial guarantee required</b>	<b>\$1,325,792.16</b>	<b>\$860,397.12</b>

In order to assure compliance with the CBCA Conservation Plan and other environmental protection measures, the Applicant will provide for the position of a Site Inspector for the appropriate phases of construction. The Inspector will be an employee of Prince George's County Department of Environmental Resources. The Inspector's duties will begin at the initiation of any clearing within the subject property. He will remain responsible for reviewing all on-going construction activities which are subject to this Conservation Plan.

#### **E. Stormwater Management Concept Plan**

Because of the limited nature of this Conservation Plan (i.e. rough grading only) stormwater management is addressed by interim water quality control measures. These measures include silt fencing and temporary sediment control basins for land-based construction and suspended filter screen for water-based construction. Further discussion of these best management practices can be found in Section II.F. - Erosion and Sediment Control Plan - of this report (see also Sheet CP 8 of 8).

These interim water quality practices are temporary and are intended for the rough grading phase of construction only. During continued development of PortAmerica, permanent best management practices will be implemented. The Stormwater Management Concept Plan which reflects a fully developed PortAmerica includes the permanent structures and any necessary offset plans which will result in the required reduction in pollutant loadings by at least 10% below pre-development levels. Inspection of the permanent Stormwater Management Plan is available upon request.

The Applicant has received approval of a Conceptual Stormwater Management Plan from the Prince George's County Department of Environmental Resources Watershed Protection Branch (see Section III.C. of this document).

**F. Erosion and Sediment Control Plan**

The PortAmerica Concept Plan includes the bulkhead along the shoreline to stabilize any further shoreline recession. This bulkhead is of sheet pile construction and of varying height depending on the proposed associated land use. This type of bulkhead requires relatively little disturbance during construction and provides the most effective shoreline stabilization method for the intense development.

Best management practices will be employed during construction to control runoff. As can be seen on the conceptual sediment control plan (Sheet CP 8 of 8), construction will require sediment control for both land-based and water-based construction. On land, earth dikes will be coordinated with sediment traps (stone/rip rap types) to provide localized protection. Additionally, silt fencing will be provided "along the contour" in areas where sheet flow occurs to a minor degree. As can be seen on the conceptual sediment control plan, temporary, stabilized swales will be used to divert upland runoff around disturbed areas. At the proposed dry pond location, a temporary sediment trap will be installed to allow for the construction of the road as well as the pond. Exposed soil will be protected with mulch, temporary vegetation (grass), or netting.

During construction of the portions of the bulkhead that are water-based, a filter screen will be provided, which extends vertically from the river bottom to an elevation above the water surface; driven stakes will be utilized to assure the consistency and proper functioning of the screen as it collects and promotes the coagulation of sediments.

A Sediment Control Plan application to the Prince George's Count Soil Conservation District is pending approval.

CHESAPEAKE BAY CRITICAL AREA COMMISSION

AGENDA

275 West Street  
West Garrett Place  
Suite 320  
Annapolis, Maryland

February 1, 1989

3:00 - 6:00 p.m.

- |             |   |   |
|-------------|---|---|
| 3:00 - 3:10 | Approval of Minutes of<br>January 18, 1989  | Ronald Karasic,<br>Acting Vice-Chairman |
| 3:10 - 3:30 | Vote on Centreville Program   | Charles Davis/<br>Panel                 |
| 3:30 - 3:45 | Vote on North Beach<br>Program  | Ren Serey/<br>Panel                     |
| 3:45 - 4:00 | Vote on Hallowing Point<br>State Project  | Albert Zahniser/<br>Abi Rome/Panel      |
| 4:00 - 4:45 | Positions on Legislation<br>Malkus Bill - Expanding<br>Critical Area                            | Lee Epstein                             |
|             | Arnick/Simpson Bills - Cutting<br>of Trees  |   |
|             | Della/Arnick Bills -<br>Construction of Condos on<br>Piers                                      |   |
| 4:45 - 5:15 | Vote on Queen Anne's Co.<br>Program Amendment   | Charles Davis/<br>Panel                 |
| 5:15 - 5:30 | Vote on Cecil Co.<br>Program Amendment  | Anne Hairston/<br>Panel                 |
| 5:30 - 6:00 | Closed Executive Session<br>Legal Matters   | Lee Epstein                             |
| 6:00 - 6:20 | Old Business<br>Update:<br>Septic Panel<br>Process and Procedures<br>Forestry General Approvals | Ronald Karasic<br>Acting Vice-Chairman  |
|             | New Business<br>Commission Retreat  |   |

Next Meeting of the Commission: February 15th, 1989

PANEL MEETINGS

Queen Anne Panel

12:30

Charlie Davis - John Griffin, Ch./Sam Bowling/Torrey Brown/  
Louise/Lawrence/Shepard Krech/Bob Price

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Mosquito Panel

1:30

Sarah Taylor - Connie Lieder/Torrey Brown/G. Steele  
Phillips/Wayne Cawley/Louise Lawrence

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Cecil County Panel

2:00

Anne Hairston - Jim Gutman/Kay Langner/Louise Lawrence/  
Victor Butanis Ronald Karasic

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CHESAPEAKE BAY CRITICAL AREA COMMISSION

Minutes of Meeting Held  
January 18, 1989

The Chesapeake Bay Critical Area Commission met at the Chesapeake Bay Critical Area Commission Office, 275 West Street, Annapolis, Maryland. The meeting was called to order by Vice-Chairman Price with the following Members in attendance:

Albert Zahniser	Samuel Bowling
Kathryn Langner	Ronald Adkins
Shepard Krech, Jr.	James E. Gutman
G. Steele Phillips	William Bostian
Victor Butanis	Wallace Miller
Russell Blake	Ronald Karasic
Thomas Osborne	Parris Glendening
Deputy Secretary Cade of DHCD	William Corkran
Louise Lawrence for	Robert Perciasepe of DOE
Secretary Cawley	John Griffin for
Robert Schoeplein of DEED	Secretary Brown

The Minutes of the Meeting of January 4, 1989 were approved as written.

Vice-Chairman Price asked Dr. Taylor to report on the status of the local Programs. Dr. Taylor reported the jurisdictions and the percentage of completion as follows:

Charles Co. - 98% completed. The County needs to schedule two public hearings and will not be able to do so until the first part of February. No remaining major issues.

Caroline Co. - 95% completed. All changes have been made. The County needs to hold a hearing, but has not responded to the Commission's telephone calls or the letter of December 23rd.

Queen Anne's Co. - 95% completed. The County had made substantial revision to the Program. The Commission will be voting on those changes on February 1st.

Church Hill - 95% completed. All requested changes have been made. The Town has scheduled a hearing.

Talbot Co. - 80% completed. The County is making the requested changes to its Program and has scheduled a hearing.

North Beach - 100%. The Town has scheduled a hearing and the Commission can approve the Program on February 1st.

Salisbury - 98% completed. The Town has asked for 10 more days to make the last revisions and submit the Program to the Commission. They have scheduled a hearing.

Worcester Co. - 65% completed. The County requested that the portions of the Commission's generic program that it will need to complete its Program, be sent to it.

Somerset Co. -90% completed. Key issues need to be resolved such as growth allocation and how it is to be counted. Textual and minor issues have been agreed upon.

Wicomico Co. - The extent of completeness unknown. The Commission has yet to receive maps from the County.

Mardela Springs - The extent of completeness unknown. Needs to hold a hearing. The Commission hasn't received a revised Program.

Sharptown - The extent of completeness unknown. Needs to hold a hearing. The Commission hasn't received a revised Program.

Snow Hill - 75% completed. Program has yet to be voted on by the Commission, and changes need to be made.

Mr. Bowling asked the status of St. Mary's County's Program. Dr. Taylor answered that the Commission had voted to take over its Program which is approximately 75% completed.

Mr. Schoepflein asked what the time frame was for the revisions that need to be made to the Somerset Program? Vice-Chairman Price answered that at the last Panel meeting he attended, it was agreed that the mapping issues would first be resolved, and the other issues would follow. To date, the mapping issues are still to be resolved, with no specific time frame established by the Panel or staff.

Dr. Taylor asked Mr. Adkins if he knew when the Program issues would be completed and resolved. Mr. Adkins answered that the issues of non-tidal wetlands, specifically, hydric soils, the County's extension of the Buffer, and how the County is to use its growth allocation could possibly be resolved in the next few meetings with the Commission staff and Panel.

A motion was made and seconded that the Commission pursue the action that was voted upon and agreed to at the December 21st Meeting, that the Commission would take action to take over these Programs.

Mr. Bostian said that he thought a separate agreement had been made between the Commission and Somerset County, and the situation was different than those of the remaining jurisdictions.

Mr. Epstein said that all jurisdictions need to be treated individually.

Deputy Secretary Cade asked why Counsel was encouraging the Commission to take the action of the December 21st Meeting?

Mr. Epstein answered that these Programs need to be acted upon because they were to be in effect throughout the Critical Area, and the Commission was mandated by Law to implement those Programs that are not implemented by June 11th, 1988.

Mr. Gutman said that he would withdraw the motion.

Vice-Chairman Price said that the Commission would take separate action upon each jurisdiction and begin with Charles County.

Mr. Adkins asked what is left in the Program to be completed by the County? Dr. Taylor answered that the County needs to hold its hearing.

Mr. Epstein explained that the County is not certain that it needs to hold another public hearing before submitting its final Program to the Commission. He said he thought the County should hold a hearing, but if they wished, they could submit the Program without an additional hearing, and take their chances.

Mr. Bowling said that he thought the County intends to hold a hearing, although it does not feel that it is necessary.

Deputy Cade said that the Commission should move forward with the action decided at the December 21st Meeting, in order to keep within the mandate of the Law.

Mr. Griffin concurred that the Law states Programs must be in place and to allow the jurisdictions any more time would be in opposition to the Law.

Mr. Bowling said that although he could agree with Mr. Griffin, he feels it is important to move carefully with those jurisdictions whose Programs will be completed within a month or two, so as to not alienate these jurisdictions.

Mr. Gutman asked if it would aid the situation to propose a letter to these jurisdictions that clearly explains the needed actions which have to be taken by the jurisdictions, and to further state that if those actions are taken and done within a stated time frame, the jurisdiction's Program will be put into effect before the generic program of the Commission would be.

Mr. Griffin said that he thought it would help these jurisdictions to give them a deadline, but to also inform them that the Commission would be pleased to rescind its action, if the jurisdictions can implement their Programs before the Commission needs to implement a Program for them, and that the Commission would prefer to not have to take this action.

Mr. Blake said his understanding was that the Commission would only be substituting those necessary portions of the Commission's generic Program. In the case of Charles County, if there are no issues, what would the Commission be adopting?

Mr. Epstein said that it would be the County's Program.

Mr. Osborne suggested that if the process of taking over these Programs does not involve an infinite amount of time and can be done by the staff, the Commission should move forward with the procedure to take them over, and then stop when the jurisdiction adopts its Program. He asked Dr. Taylor how many jurisdictions would be able to implement their Programs before the Commission could take them over?

Dr. Taylor answered approximately half of them.

Mr. Adkins asked what is actually involved in the process of promulgating a Program? Dr. Taylor answered that in half of the cases, the Commission has one set of the maps and one document. The Commission would be making two additional copies of the document and two additional copies of the sets of maps. The Commission would have to advertise that it is adopting the local jurisdiction's Program for that jurisdiction. The Commission, after announcing this action in the Maryland Register, must hold two hearing ten days apart, in the affected jurisdiction. The record of the hearing must be kept open for a period of time, then the Commission must address the comments that are raised with respect to those Programs. Then the Program would have to be placed in the Maryland Register in revised form, then wait 46 days before the Program is ready for final promulgation, then at least another 46 days after placement in the Maryland Register.

Mr. Epstein said that it would most likely take at least 120 days from the first day of notice in the Maryland Register.

A motion was made and seconded that pursuant to the action taken by the Commission at its December 21st Meeting, the Commission will notify Charles County that the Commission will put in place the Program submitted by the County with any missing parts, using the generic Program of the Commission. The Commission urges the County to continue working on Charles County's Program for submittal and approval, because as soon as the County's Program can be approved and implemented, the Commission's adoption process can stop. The vote was 15 in favor with 2 opposed.

A motion was made and seconded that pursuant to the action taken by the Commission at its December 21st Meeting, the Commission will notify Caroline County that the Commission will put in place the Program submitted by the County with any missing parts, using the generic Program of the Commission. The Commission urges the County to continue working on Caroline County's Program for submittal and approval, because as soon as the County's Program can be approved and implemented, the Commission's adoption process can stop. The vote was 15 in favor with 2 opposed.

A motion was made and seconded that pursuant to the action taken by the Commission at its December 21st Meeting, the Commission will notify Queen Anne's County that the Commission will put in place the Program submitted by the County with any missing parts, using the generic Program of the Commission. The Commission urges the County to continue working on Queen Anne's County's Program for implementation, and as soon as the Program becomes approved and implemented, the Commission's adoption process can stop. The vote was 15 in favor with 2 abstentions.

A motion was made and seconded that pursuant to the action taken by the Commission at its December 21st Meeting, the Commission will notify the Town of Church Hill that the Commission will put in place the Program submitted by the Town with any missing parts, using the generic Program of the Commission. The Commission urges the Town to continue working on the Town's Program for submittal and approval, because as soon as the Town's Program can be approved and implemented, the Commission's adoption process can stop. The vote was 14 in favor with 3 opposed.

A motion was made and seconded that pursuant to the action taken by the Commission at its December 21st Meeting, the Commission will notify the Town of North Beach that the Commission will put in place the Program submitted by the Town with any missing parts, using the generic Program of the Commission. The Commission urges the Town to continue working on the Town's Program for submittal and approval, because as soon as the Town's Program can be approved and implemented, the Commission's adoption process can stop. The vote was 11 in favor with 6 opposed.

A motion was made and seconded that pursuant to the action taken by the Commission at its December 21st Meeting, the Commission will notify the Town of Salisbury that the Commission will put in place the Program submitted by the Town with any missing parts, using the generic Program of the Commission. The Commission urges the Town to continue working on the Town's Program for submittal and approval, because as soon as the Town's Program can be approved and implemented, the Commission's adoption process can stop. In addition, a letter to them shall state that the Commission is pleased that the Town will complete its Program soon. The vote was 13 in favor with 4 opposed.

A motion was made and seconded that pursuant to the action taken by the Commission at its December 21st Meeting, the Commission will notify Worcester County that the Commission will put in place the Program submitted by the County with any missing parts, using the generic Program of the Commission. The Commission urges the County to continue working on Worcester County's Program for submittal and approval, because as soon as the County's Program can be approved and implemented, the Commission's adoption process can stop. The vote was 13 in favor with 4 opposed.

A motion was made and seconded that pursuant to the action taken by the Commission at its December 21st Meeting, the Commission will notify Wicomico County that the Commission will put in place the Program submitted by the County with any missing parts, using the generic Program of the Commission. The Commission urges the County to continue working on Wicomico County's Program for submittal and approval, because as soon as the County's Program can be approved and implemented, the Commission's adoption process can stop. The vote was 13 in favor with 4 opposed.

A motion was made and seconded that pursuant to the action taken by the Commission at its December 21st Meeting, the Commission will notify the Town of Mardela Springs that the Commission will put in place the Program submitted by the Town with any missing parts, using the generic Program of the Commission. The Commission urges the Town to continue working on the Town's Program for submittal and approval, because as soon as the Town's Program can be approved and implemented, the Commission's adoption process can stop. The vote was 13 in favor with 4 opposed.

A motion was made and seconded that pursuant to the action taken by the Commission at its December 21st Meeting, the Commission will notify the Town of Sharptown that the Commission will put in place the Program submitted by the Town with any missing parts, using the generic Program of the Commission. The Commission urges the Town to continue working on the Town's Program for submittal and approval, because as soon as the County's Program can be approved and implemented, the Commission's adoption process can stop. The vote was 13 in favor with 4 opposed.

Dr. Taylor reported on Snow Hill: The Town had submitted its original Program to the Commission in December, 1988. The Commission staff reviewed the Program, and found that minor changes need to be made.

Mr. Epstein asked if the Program had be returned to Snow Hill for the 40-day period? Dr. Taylor answered negatively, that this submittal is the first, by the Town.

Mr. Epstein said that because the Town is in a different situation from the other jurisdictions, a different motion needs to be made.

It was suggested that the Commission table the discussion of the Town, and continue with Somerset County.

Dr. Taylor reported that the Commission gave final approval to the Program for the Town of Annapolis on June 8, 1988, and the Town has scheduled its hearing to enact its Program on January 23, 1989. Dr. Taylor reported that the Program for the Town of Greensboro was approved by the Commission January 6, 1988, and has scheduled the hearing to enact its Program on January 19, 1989.

It was asked why these Towns had not received the letter of December 23rd? Dr. Taylor answered that the intent of that letter was to inform the jurisdictions that if the Commission did not receive their Programs for final approval, the Commission would be taking over the adoption of their Programs. In the case of the Towns of Annapolis and Greensboro, the Commission had given final approval to their Programs, but the 90-day period for adoption has expired.

A motion was made and seconded to send the appropriately modified letter of December 23, 1988, to the Town of Annapolis. The vote was 12 in favor with 4 opposed.

A motion was made and seconded to send the appropriately modified letter of December 23, 1988, to the Town of Greensboro. The vote was 12 in favor with 4 opposed.

A motion was made and seconded to send the appropriately modified letter of December 23, 1988, to the Town of Snow Hill. The vote was 13 in favor with 4 opposed.

It was suggested that it would be helpful to refer to the Minutes of the Meeting whereby the Commission decided upon the action to take in regard to the Somerset County's Program and to table the discussion for County until this could be done.

Vice-Chairman Price then reported on Dorchester County's Program Amendments. He said that the Panel had met and held a public hearing, the purpose of which was to consider the proposed text amendments by the County Commissioners to its adopted Program. He said that there are three sections to the amendments, and discussed each one as follows:

1) To include the page 39 language that would "grandfather" 19 subdivisions; not included in the Program or approved by the Commission.

2) To award growth allocation to 5 of the 19 subdivisions converting them from RCA to LDA. They are Heron Harbor, McKiel Point, Bromwells Adventure, Ruxton Landing, and Fitzhughs/Whitely. The Panel recommends approval of the award of growth allocation for conversion of those 5 subdivisions.

3) 27 subdivisions approved by the County and recorded from December 1, 1985 to August 23, 1988. The Panel approves that 774 acres of growth allocation would be deducted from the County's approximate total 2900 acres.

In summary, Vice-Chairman Price said that the Panel recommends the Amendment to the page 39 language which allows approval of these subdivisions that were grandfathered, provided the entirety is counted against the growth allocation, and confirms the growth allowcation used during the interim period.

Mr. Epstein asked if there was anything to add concerning the Habitat Protection issue that the Panel had noted earlier with regard to the five subdivisions.

Dr. Krech answered that the developer met with Glen Therese of DNR to site visit the property. DNR has recommended restrictions for site planning which the developer has agreed to incorporate in the subdivision design.

A motion was made and seconded that the Commission approved the amendments as put forth by Dorchester County, subject to all of the conditions of the letter of January 4th from DNR to the County concerning McKiel Point, being agreed to by the developer. The vote was approved 17:0.

Vice-Chairman Price then read the motion of the Minutes of the Meeting of August 17, 1988, concerning the tentative approval by the Commission of the Program for Somerset County, and the intent of the County and the Commission to work together to resolve the 7 remaining issues requiring staff/County's discussion.

Mr. Adkins reported that the larger remaining issues are growth allocation and the how the County is dealing with thresholds of development. Mr. Ed Phillips had not reviewed all of the maps. The County needs to hire an agriculture and an environmental planner. He said that although there are logistical problems, the Program has been implemented by the County.

Mr. Epstein said that although the County feels it has a Program, the Commission does not, and it may just be a matter of semantics in order to proceed toward resolution of the problem quickly.

Mr. Griffin pointed out that the Commission stated at its December 21st Meeting, that development processes must come to a conclusion, and Programs need to be implemented or be taken over by the Commission.

Mr. Bostian asked if the Cosmmission adopted a Program for the County, what would be the difference in that Program and the County's Program?

Mr. Adkins answered growth allocation, and how the County dealt with Buffer modifications and thresholds.

Mr. Karasic said that the Panel was formed to negotiate with the County, and that these negotiations should be on-going, but that he agreed with Mr. Griffin that there has to be a conclusion to this process and a finite time placed upon it.

Mr. Gutman asked what the time-frame was for Program completion? Mr. Adkins answered that in regard to the growth allocation issue, which is the larger of the remaining issues, the County might be willing to listen to some sense of modification to the policy that it has now, and this could be done in two or three further meetings. In other words, if the County had two or three meetings in the next 30 days with the Panel and staff, the County could finish all of the discussions concerning Program changes, but the County and Panel may not come to an agreement.

Mr. Gutman asked Mr. Ventre how much time would be needed in order for the Panel to make a presentation with its recommendations, to the Commission? Mr. Ventre answered approximately 60 days.

Mr. Gutman asked if this means a 60-day extension to the decision made by the Commission at the December 21st Meeting?

Mr. Adkins answered that the difference is that during the 60-day extension, unlike the other jurisdictions, the County would have a Program in effect.

A motion was made and seconded to continue to negotiate with the County, and the Panel to report the continued progress to the Commission at every Commission Meeting. The vote was approved 15:2

Vice-Chairman Price asked Ms. Abi Rome to report on the three St. Mary's County State projects, and Sandy Point Fuel Tank Storage project. She reported that the Panel had a site visit and reviewed the projects. The Panel approves the development of a pier to provide deeper water access on St. Clements Island,

A motion was made and seconded to approve the State project on St. Clements Island. The vote was 15:0 in favor.

Ms. Rome said that the Point Lookout/Tanners Creek project to provide emergency access to Point Lookout State Park was reviewed and approved by the Panel.

A motion was made and seconded to approve the Point Lookout/Tanners Creek Project. The Vote was 15:0 in favor.

Ms. Rome noted that the Fuel Storage Building project at Sandy Point State Park was reviewed by the Panel and the following is recommended:

- 1) the building should be protected against collision from cars by installing curbs and/or concrete posts;
- 2) it should be designed to be explosion-proof and should be well ventilated;
- 3) in case of fuel spillage, a 10 gallon non-draining sump should be installed and absorbent material should be provided;
- 4) all cans should be stored on racks.

A motion was made and seconded to approve the proposed project for a fuel storage building in Sandy Point State Park with the Panel-recommended conditions. The vote was approved 15:0.

Vice-Chairman Price asked Mr. Bob Ellsworth to present the Hallowing Point Boat Ramp plan. Mr. Ellsworth reported that this was an existing boat ramp facility that DNR had built two years ago, on the Patuxent River in Calvert County. The project would entail installation of a timber sheathing, and an extension of the culvert pipe from where it empties at the bulkhead, under the catwalk. The northern catwalk would be extended an additional 15 feet, and the southern catwalk would be removed to construct a seven-foot wide timber pier to house the storm pipe. The project is within the 100-foot buffer.

The Panel to review this project was chosen to comprise of Skip Zahniser, Ardath Cade, Bob Schoeplein, and Sam Bowling.

Vice-Chairman Price then asked Mr. Stephen Lotspeich of the Maryland- National Capital Park and Planning Commission to present four projects for Commission review: Development plans for Queen Anne Bridge Fishing Area in the Patuxent River Park; a Canoe Launch Area at the 4-H Center at Patuxent River Park; and the development plan for Queen Anne's Park on the Potomac River in Prince George's County that will adjoin the PortAmerica project along Smoot Bay. Mr. Lotspeich explained the proposals and distributed site and grading plans for those projects.

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Page Twelve

He said that the proposed plan for the Queen Anne Bridge Fishing Area includes a parking area and associated picnic facilities to help provide safe public access to a popular fishing area on the Patuxent River.

He reported that the project for the Canoe Launch Area will be an upgrading of the existing canoe launch and will provide improved and safer public access to a section of the Patuxent River which currently has very limited access.

Mr. Lotspeich said that the project for Queen Anne's Park on the Patuxent River will provide access to the river via a new section of the Potomac Heritage Trail. The park property will also include access roads, ramps, and part of the stormwater management facility for the PortAmerica development.

A Panel to review these projects was chosen comprising of Kay Langner, Chairman, Torrey Brown, Ardath Cade, Skip Zahniser, and Bob Shoephein.

There being no further business, the meeting was adjourned.

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6600 Kenilworth Avenue • Riverdale, Maryland 20737-0707



January 18, 1989

Sarah J. Taylor, Ph.D.  
Executive Director  
Chesapeake Bay Critical Area Commission  
275 West Street, Suite 320  
Annapolis, Maryland 21401

Re: Queen Anne's Park

Dear Dr. Taylor:

We are pleased to submit for the Chesapeake Bay Critical Area Commission's review and conditional approval, the Development Plan for Queen Anne's Park on the Potomac River in Prince George's County. This park will adjoin the PortAmerica project along Smoot Bay, providing access to the river via a new section of the Potomac Heritage Trail. The park property will also include access roads, ramps, and part of the stormwater management facility for the PortAmerica development.

The findings for the proposed project, as they relate to the Chesapeake Bay Critical Area Commission: Subtitle 19, Regulations for Development in the Critical Area Resulting from State and Local Agency Programs (April, 1988), will follow in a separate letter within approximately two weeks.

If you have any questions or need additional information, please contact Stephen Lotspeich of my staff at 699-2438.

Sincerely yours,

  
Robert M. Arciprete, Chief  
Park Planning and Development  
Division

RMA/SHL:jbk

Attachments

cc: Richard C. Stevenson



PORTAMERICA

Conservation Plan

KPA0518.001

## PREFACE

The attached document is provided in support of the Proposed Queen Anne's Park Development Plan submitted by the Maryland National Capital Park and Planning Commission for approval by the Chesapeake Bay Critical Area Commission.

This document includes information pertaining to the PortAmerica project adjacent to the subject park property. This portion of the document is for informational purposes only. PortAmerica has received prior review and approval by the Critical Area Commission, Prince George's County, and the Maryland National Capital Park and Planning Commission. This application pertains only to Queen Anne's Park which is on property owned by, or to be conveyed to, the Maryland National Capital Park and Planning Commission. This document also refers to attachments that are not included which primarily apply to the PortAmerica project. The attachments are available upon request.

CONSERVATION PLAN

PORTAMERICA

Prince George's County, Maryland

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Date: September 30, 1988

Revised: December 20, 1988

FSI File No.: 298-PPW i

KPA0518.001

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I. INTRODUCTION

#### **A. The Basis of the Conservation Plan**

The PortAmerica site is located on the shores of the Potomac River in Prince George's County. As such, the relationship of this project to the tidal tributary of the Chesapeake Bay requires compliance with the criteria of the Prince George's County Chesapeake Bay Critical Area (CBCA) Program. This text, together with the attached documents, constitutes the Conservation Plan as described in the Conservation Manual for Prince George's County, Maryland, for the PortAmerica development.

The majority of the PortAmerica site is currently designated as within the Intense Development Overlay (IDO) zone. The scope of work which is the subject of this Conservation Plan (i.e. rough grading and construction of the bulkhead) is in conformance with that zone. Also, the Applicant has applied for a Variance from the provisions of the Prince George's County Conservation Manual. The pending Variance provides the opportunity to construct a structural erosion control measure (i.e., bulkhead) along the shoreline and to provide water quality control devices and urban vegetation to replace the functions of the 100 foot primary Buffer (see section III.D. of this document).

## B. Project Description

PortAmerica is a waterfront development proposed for a site on the Potomac River seven miles south of the Mall area of Washington, D.C. The PortAmerica site, because of its size and location adjacent to several major transportation arteries, was zoned M-X-T (Mixed-Use Transportation-oriented) consistent with the County's Master Plan. To the immediate north is the Capital Beltway (I-95), including the Woodrow Wilson Bridge and the interchange with the Anacostia Freeway (I-295). To the east is Oxon Hill Road (MD 414). Approximately three-quarters of a mile east of the site is Indian Head Highway (MD 210). A direct connection between MD 210 and I-295, the S-curve, is currently under construction.

The PortAmerica site encompasses two distinct development areas connected by a "spine roadway", the Grande Boulevard. The Beltway Parcel, the upper area adjacent to I-95 and Oxon Hill Road, comprises 82 acres and features the proposed 22-story World Trade Center (WTC) tower. Development will commence with this symbolic focus of the site. The WTC height, 472 feet above mean sea level (AMSL), has met with preliminary approval by the Federal Aviation Administration. The lower Waterfront Parcel has over a mile of frontage on the Potomac River and encompasses 364 acres (including 241 acres of submerged land). The shoreline was excavated by the previous owners, creating a protected, distinctive, crescent-shaped bay which greatly influenced the proposed design for the Waterfront. The following description summarizes the proposed development program for the PortAmerica site:

### Beltway Parcel

1,800,000 GFA	Office space
800 room	Hotel
450 dwelling units	Multi-family residential units
83,000 GLA	Retail area 30,000 GLA Health Club
200,000 GLA	Trade Mart or storage
12,000 GLA	WTC Club - Internal Use Only

Waterfront Parcel

500 slips	Two marinas
174,500 GLA	Harbor Retail
25,500 GFA	Marina Services Building
30,000 GLA	Floating Retail
20,000 GLA	State of Maryland Visitor Center and Museum
350 room	Hotel
1100 Units	Residential Units: (120 Luxury Townhouses (TH) 120 Marina Retail TH, 400 Midrise Condos and 460 Standard TH)
20,000 GLA	Community Center
24,000 GLA	Community Retail
10,000 GLA	Restaurant
75 room	Hotel

GLA-gross leasable area/GFA-gross floor area as defined by Prince George's County Zoning Ordinance.

Prior to the creation and implementation of the M-X-T (Mixed Use-Transportation-Oriented) zone, which was adopted in 1983, a former owner of the property had submitted and received approval for a preliminary subdivision plat for the site in May, 1980. Subsequent to this decision, however, the County Planning Board requested an abeyance on its decision on the basis that a revised County General Plan and new M-X-T zone would soon be considered for adoption.

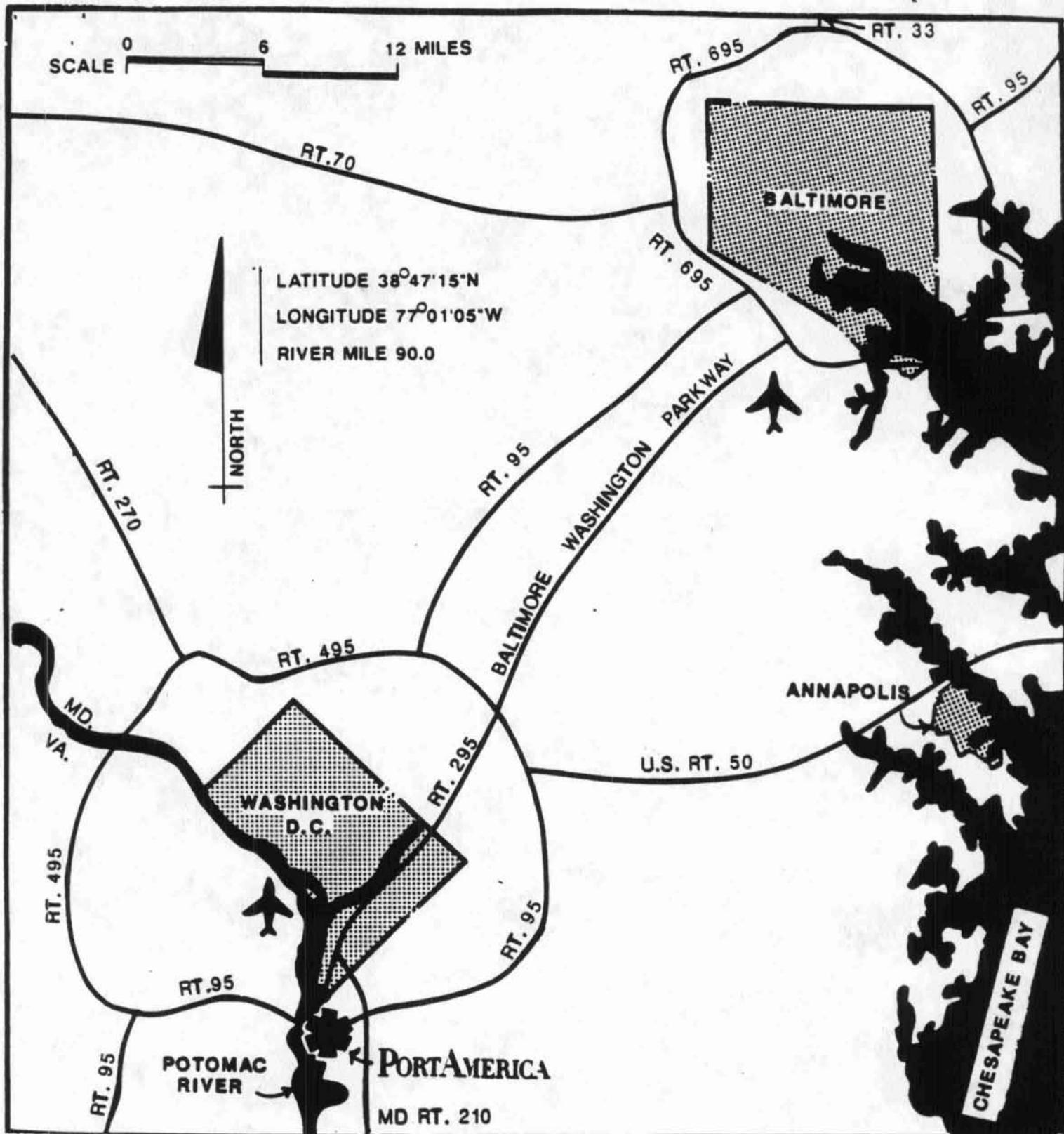
Both of these measures and an updated Master Plan for the area were approved and adopted in 1983. During this period ownership of the property, as well as plans for the site, changed. The first Concept Plan received approval on July 12, 1983. A revised Conceptual Site Plan was approved by the District Council on July 11, 1988.

The intent of the applicant is to provide for a development that meets or exceeds the County desires for the area, and that also fulfill other State and Federal requirements and concerns. PortAmerica has been planned and designed to be in total  
KPA0518.001

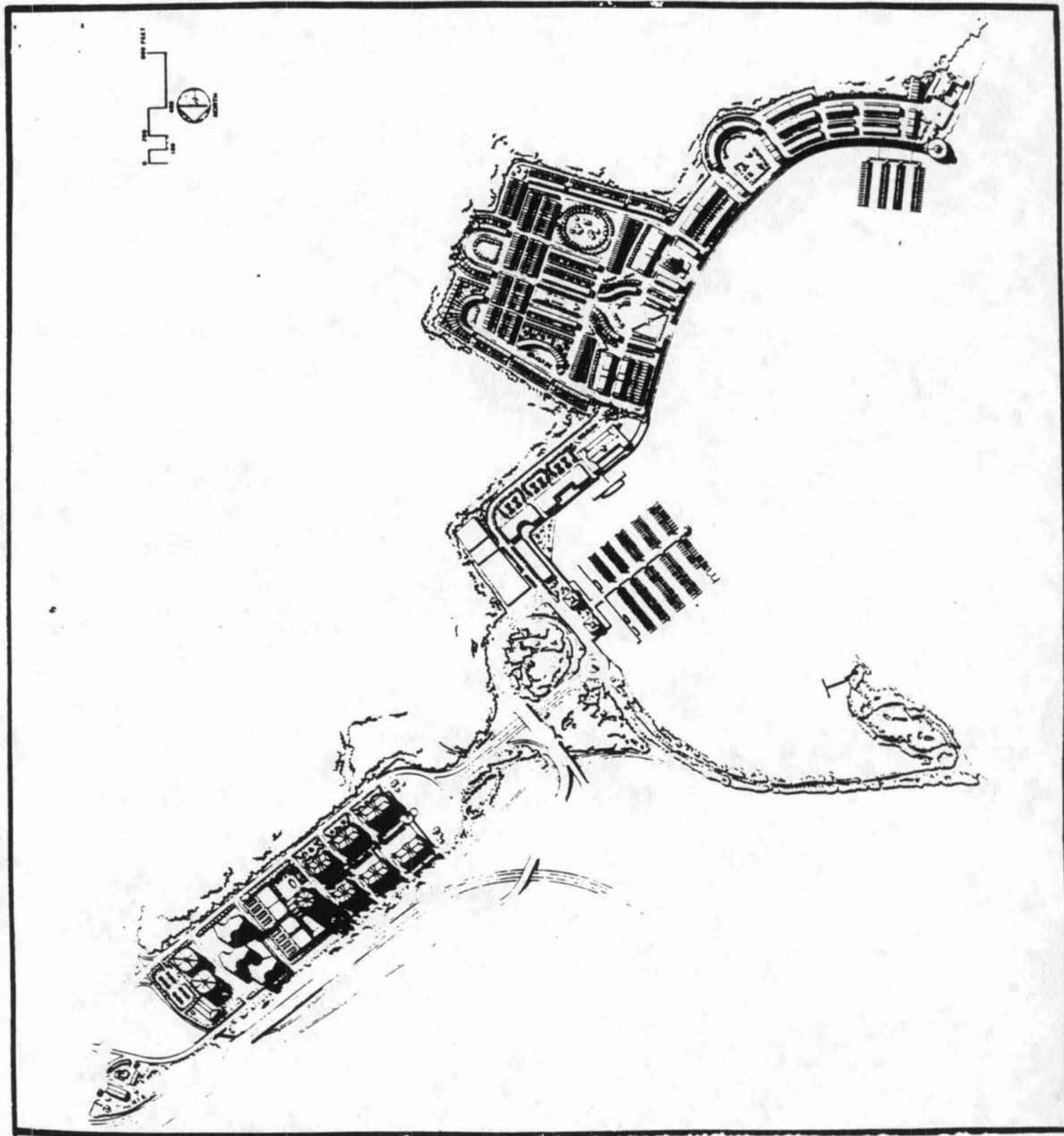
conformance with the goals which have been outlined in Prince George's County's General and Master Plans for the subject area.

In accordance with the recommendations of the General Plan, PortAmerica will be developed as a mixed use center, and is estimated to employ a minimum of 9752 persons. Furthermore, the plans for PortAmerica are designed to fully utilize the beauty and recreational amenities provided by the river. A State Visitors Center is planned which will further aid the community in becoming a "fitting gateway" to Prince George's County and Maryland.

In accordance with the recommendations of the Master Plan, PortAmerica is planned to have a specific mix of complementary land use types and quantities. In addition, PortAmerica should provide for increased public access to the waterfront, and provide for economic development in Prince George's County and in the Washington Metropolitan Area. Finally, PortAmerica should serve as a comprehensively planned, designed, and constructed mixed-use waterfront development of the highest quality of materials, workmanship, and overall character in order to create the Washington area's premier community for living, working, shopping, and recreation.



VICINITY MAP



ILLUSTRATIVE PLAN

### C. Description of Proposed Activity

As mentioned earlier, the PortAmerica property is a composite of individual parcels. The parcels which have at least a portion of their area within the CBCA are the subject of this Conservation Plan. For the purpose of clarity and ease of discussion, the parcels can be combined into two parts as follows:

#### o The Waterfront Tract

This area is comprised of the Smoot Parcel (298.14 acres, zoned M-X-T of which 241.35 acres is submerged and 56.79 acres is fastland) the Lower Gudelski Parcel (54.08 acres, zoned M-X-T), the Sunnyside Corporation Parcel (2.10 acres, zoned R-R) and Lot 7, Block G, of the North Potomac Vista Subdivision (0.34 acres, zoned R-R). The total area equals 354.66 acres.

#### o The Parkland Tract

This area consists of the former National Park Service property (54.29 acres, zoned O-S, of which 18.86 acres is submerged and 35.43 acres is fastland) has been transferred by an act of Congress to MNCPPC.

Because of separate ownership of these two tracts, it will be necessary at times to refer to the separate tract names. However, when referred to as a whole, it will be called the "subject property" (408.95 total acres).

Please note that the areas relating to the Waterfront and Parkland Tracts reflect the assumption that the currently JTL owned portion of Rosalie Island (zoned M-X-T) is part of the Parkland Tract. This 9.10 acre parcel will be dedicated to MNCPPC during an early phase of the PortAmerica development process. The parcel also will remain in the LDO zone consistent

with the Parkland Tract and not be subject to the amendment to the IDO zone with the remainder of the Waterfront Tract.

A graphic delineation of these parcels can be found on Sheet CP 1 of 8.

The purpose of this Conservation Plan is to achieve a separate Conservation Agreement for each of the two applicants. The Agreements will reflect the necessary terms of permitting the construction of the bulkhead and the clearing and rough grading of the subject property. More detailed descriptions of the proposed development will be provided as Amendments to this Conservation Plan as the plans become further defined. Any future work encroaching upon areas not disturbed by this plan would also require an amendment to this Conservation Plan. Also, after construction of the entire project is completed, any future work or redevelopment within the Critical Area will require a new Conservation Plan.

II. SUPPORTING TEXT FOR CONSERVATION PLAN DOCUMENTS

**A. Site Inventory**

**1. Physical Characteristics**

**a. Topography**

The topography indicated on each of the accompanying documents was obtained by aerial photogrammetric methods. The photographs were taken in November of 1985. Datum (zero elevation) is Mean Sea Level (MSL). The topo is indicated at a scale of 1" = 200' and at a two foot contour interval.

**b. Mean High Tide Line**

The Mean High Tide (MHT) line for Smoot Bay has been identified as 1.9 feet MSL by FSI Design Group field verification. The Maryland Department of Natural Resources (DNR) Maps have been referenced for MHT delineation.

**c. Tidal Wetlands**

Representatives from Dames and Moore have identified the tidal wetlands as indicated by means of field observations. The DNR maps indicate no additional tidal wetlands on site other than the Potomac River itself. The Submerged Aquatic Vegetation (SAV) beds within Smoot Bay are considered tidal wetland vegetation.

**d. Tributary Streams**

There are no tributary streams identified on the United States Geologic Survey 7-1/2 minute quadrangle map (Alexandria, VA. -

D.C. - MD) within the subject property other than the Potomac River itself.

e. Slopes

For the purposes of the Conservation Plan, two ranges of slope over significant area are important. These two categories are steep (15 to 25 percent), and extreme (more than 25 percent). See Sheet CP 2 of 8 for the delineation of the two categories.

f. Non-Tidal Wetlands

Representatives of Dames and Moore have identified the non-tidal wetlands as indicated by means of field observations. Field observations by representatives of Dames and Moore have not identified any additional non-tidal wetlands within the subject property. Additional information regarding the wetland characteristics of Rosalie Island can be found in the Woodland Stand section of this report (see Section II.A.3.).

g. Cultural Features

The Waterfront Tract of PortAmerica contains an easement for the Washington Suburban Sanitary Commission (WSSC) trunk line which roughly parallels the Smoot Bay shoreline. A number of other storm drain and access easements exist as indicated on the Physical Characteristics Map (see Sheet CP 2 of 8).

2. Soils

The Soils Map (see Sheet CP-3 of 8) delineates the types and location of the soils as identified in the Prince George's County Soils Survey.

Because of the extensive grading to occur on the site, this report will not give particular attention to the individual soil types and their characteristics. Additional soils information can be found in the County Soil Survey. More detailed reports are also available for inspection from the Applicant.

### 3. Woodland Stands

The Woodland Stand Delineation map\* (Sheet CP4 of 8) prepared by representatives from Dames and Moore was developed from stereoscopic interpretation of color and false-color infrared aerial photography of the site flown on April 11 and May 16, 1987, respectively. Ground truthing of the vegetation map was provided by detailed field reconnaissance surveys of the site on July 1 and 2, and August 5, 1987.

A separate vegetation survey was conducted to determine whether rare plant species that the Maryland Natural Heritage Program listed (Maryland Natural Heritage Program, 1985) as potentially occurring on the PortAmerica site were present. These species are pumpkin ash (Fraxinus profunda), heart-leaved plaintain (Plantago cordata), and racemed milkwort (Polygala polygama). Field searches were undertaken in June and October, 1986, in habitats most likely supporting these species -- the shoreline of the Potomac River and Smoot Bay, which would support pumpkin ash and heart-leaved plaintain, and upland areas of Gales-town loamy sand, which would support racemed milkwort. None of these species were identified on the PortAmerica property as a result of this survey.

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\*This map supersedes the vegetation map presented in the February 11, 1987, Environmental Background Document, which was based on at least four previous investigations, three by FSI Design Group in the summer of 1985 and one by Dames & Moore in the fall of 1985

In addition to the Woodland Stand Delineation, Mr. John Markovich, a Professional Forester with the Forest, Park and Wildlife Division of DNR, has differentiated areas of forest verses non-forest by means of photo interpretation and field observations. Mr. Markovich has determined the areas of the Waterfront Tract and Parkland Tract containing forest within the CBCA. The area quantities can be found in the Mitigation Plan section of this report (see Section II.D., Table CP-3).

#### 4. Habitat Areas

Few direct observations of wildlife have been made during field reconnaissances of the PortAmerica site. Gray squirrels, woodchucks, box turtles, and snakes have been observed at the site. Deer tracks were noted. Evidence suggests that gray squirrels are relatively abundant. Interviews with people familiar with the site and interpreters at Oxon Hill Farm indicate that white-tailed deer, red and gray foxes, and cottontail rabbits occupy the area. The presence of other wildlife common to this type of habitat in the Maryland Coastal Plain would also be expected, including raccoons, chipmunks, skunks, opossum, turtles, and frogs.

Birds are probably the most noticeable and most common wildlife. Members of the Maryland Ornithological Society, who routinely survey birds at Oxon Hill Farm, spotted 96 bird species in 1985 as of September. The farm and the PortAmerica site, which are just across the Beltway from each other, have similar habitats except for the farm's more numerous open fields. The wooded PortAmerica site provides suitable habitat for migrating songbirds, such as warblers. The submerged aquatic vegetation and the sheltered nature of the norther portion of Smoot Bay provide appropriate habitat for waterfowl, both resident and migratory.

A bird monitoring program, specifically planned for the PortAmerica project, has been designed to assess the usage of the PortAmerica site by birds during the various seasons of the year; particular attention is being paid to the use of Smoot Bay by waterfowl. During the first two months of the study, June and July 1987, which was considered representative of the breeding season, many birds were sighted on the PortAmerica property, including hawks, doves, woodpeckers, flycatchers, wrens, vireos, warblers, orioles, winter finches, and sparrows. On Smoot Bay, the waterfowl and some of the herons were observed to be feeding

in the hydrilla beds just offshore. Many other species were seen feeding along the shoreline, including herons, sandpipers, crows, blackbirds, and rock doves. The kingfishers and rough-winged swallows were almost certainly breeding in holes in the banks along the shoreline, although no direct evidence (i.e., an actual nest) was found.

The ospreys and bald eagles observed hunting over Smoot Bay did not breed on the PortAmerica site itself; the eagles almost certainly belong to the pair that nested across the Capital Beltway on Oxon Hill Farm in 1987. The ospreys apparently nested elsewhere along the Potomac River.

Among all aquatic biota in the upper Potomac estuary, finfish are the most important to man in terms of economic and recreational value. As with other aquatic organisms, salinity is a major determinant of species distribution. Smoot Bay, at the boundary between the nontidal and tidal portions of the Potomac River, supports fish species with three different types of life history requirements: freshwater species, such as minnows, carps, catfishes, and sunfishes; estuarine species, including killifishes and silversides, which live and spawn in tidal waters, although the larvae tend to move upstream to nursery areas with lower salinities; and diadromous fish, which spawn in a completely different salinity regime than that in which they spend their adult life. These include anadromous fish, such as the herrings and shad, which live in coastal oceanic water as adults but ascend rivers to spawn; semi-anadromous species such as striped bass, white perch, and yellow perch, which live as adults in the lower estuary but move upstream to spawn; and catadromous fish such as the American eel, which live in freshwater as adults but move out to sea to spawn.

Few fish surveys have been performed in the vicinity of Smoot Bay. The State of Maryland Department of Natural Resources

(Maryland DNR) performed a limited fish sampling effort in Smoot Bay on April 7 and 8, 1986, and the District of Columbia Department of Consumer and Regulatory Affairs, Environmental Control Division, has been sampling fish in the Potomac and Anacostia Rivers in Washington D.C., as well as Smoot Bay in Maryland, since 1984. Diversity of species was relatively low during all sampling episodes mainly due to the dominance of banded killifish, white perch, pumpkinseed, herrings, and channel catfish.

To provide site-specific information on species presence and relative abundance, Dames & Moore performed a limited fish sampling effort in Smoot Bay in 1985 and has instituted a fish sampling program for 1987. Twenty-one species of fish and two species of invertebrates were captured during the 1985 sampling effort using all methods. Pumpkinseed was the dominant shallow-water shore-zone species. Blueback herring and alewife, which are both commercially and recreationally important, were caught in deeper water. Other commercially and recreationally important fish caught during this survey were the brown bullhead, white perch, largemouth bass, black crappie, and yellow perch.

The 1987 fish sampling program was designed to determine the use of Smoot Bay by fish during all life stages. Sampling was scheduled to ensure collection of species that hatch throughout the spring and summer and to coincide with the emergence, growth, and senescence of SAV. Because a quantitative fish population survey is problematic in the Smoot Bay environment, a multiple-gear sampling design was implemented.

Interim results of the 1987 fish sampling program indicate that the shore-zone community at Smoot Bay is dominated by the occurrence of banded killifish. Other species of importance include the white perch, spottail shiner, and a number of sunfishes. Both adults and juveniles are utilizing the shore-zone.

Gill net collections in Smoot Bay were dominated by gizzard shad, although numerous specimens of white perch, herrings (both alewife and blueback herring), largemouth bass and other sunfishes, catfishes, striped bass, and spottail shiners were commonly collected. All of the striped bass collected in April were adults; however, the gizzard shad and the white perch were mixed in size classes indicating the presence of several age groups in Smoot Bay.

Larvae of American eels, white perch, and yellow perch were taken during ichthyoplankton tows in Smoot Bay as part of the fish sampling program in April; in addition, larvae of the herring family were present throughout the sampling period, April through June, with the largest numbers in late April. These larval densities are among the highest reported for herrings in the Potomac River. No ichthyoplankton were found in the samples collected at all stations on September 13, 1987, in Smoot Bay.

Total lengths and life stage observations of fish taken in Smoot Bay as part of the 1985 and 1987 fish sampling programs indicate that the bay is a very productive habitat for a diverse assemblage of anadromous and freshwater species of sport and forage fish, and is used by fish during several life stages.

## B. Development Concept

As described in the Introduction of this report, PortAmerica is a mixed-use waterfront development involving an intense network of roads, buildings and riparian structures. However, the intent of this Conservation Plan is to reflect only an initial phase of development: specifically the construction of the bulkhead and the clearing and rough grading of the subject property's development areas. More detailed illustrations of the proposed development will be provided as Addenda to this Conservation Plan as the plans become further refined.

The sequence of construction will generally proceed as follows:

- o Clearing and construction of a construction access road from the Beltway Tract, across the Parkland Tract and to the Waterfront Tract.
- o Clearing the appropriate areas of the Waterfront Tract utilizing the more salable trees for their timber value.
- o Initiate construction of the bulkhead at its northern end and proceeding southward to its end at Rosier Point.
- o Grub and rough grade the cleared areas of the Waterfront Tract.
- o Construct public water and sanitary sewer lines.



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

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.

February 7, 1989

Dear Commission Member:

The next Meeting of the Chesapeake Bay Critical Area Commission is scheduled for February 15th, 1989, at the Commission Office on West Street. The address is 275 West Street, West Garrett Place, Suite 320, Annapolis. We will begin promptly at 1:00 p.m. I urge you to attend the meeting because we lacked a quorum on February 1st, and could not vote on several important matters. Please telephone and let Tera Harnish know if you are unable to attend.

A copy of the Minutes from the February 1st Meeting, Senate bill 515 Compensation for Prohibition Against Tree Harvesting in the Critical Area, and the Agenda for the February 15th Meeting with the Panel meetings schedule, are enclosed. A copy of the Department of Natural Resources Annual Report, and a status of the Chesapeake Bay Restoration programs, are in your packet as well for your information.

Sincerely,

  
Sarah J. Taylor, Ph.D.  
Executive Director

CABINET MEMBERS SJT/jjd

Wayne A. Cawley, Jr.  
Agriculture

Enclosures

J. Randall Evans  
Employment and Economic Development

Martin Walsh, Jr.  
Environment

Ardath Cade  
Housing and Community Development

Torrey Brown  
Natural Resources

Constance Lieder  
Planning

CHESAPEAKE BAY CRITICAL AREA COMMISSION

AGENDA

275 West Street  
Suite 320  
Annapolis, Maryland

February 15, 1989

1:00 - 5:00 p.m.

- 1:00 - 1:10 Approval of Minutes of February 15, 1989 Ronald Karasic, Acting Vice-Chairman
- 1:10 - 1:20 Vote on Centreville Program ✓ Charles Davis/  
Panel
- 1:20 - 1:30 Vote on North Beach Program *NO vote* Ren Serey/  
Panel
- 1:30 - 1:40 Vote on Hallowing Point State Project ✓ Albert Zahniser/  
Abi Rome/Panel
- 1:40 - 2:15 Vote on Arnick/Simpson - Cutting of Trees in the Critical Area ✓ Lee Epstein/  
Panel
- Vote on Malkus Bill - Expanding Critical Area *opposed*
- Vote on SB 515 - State Compensation for Prohibition Against the Harvesting of Trees *opposed*
- break*
- 2:15 - 2:30 Vote on Cecil Co. Program Amendment ✓ Anne Hairston/  
Panel
- Harford Co.*
- 2:30 - 2:45 Discussion and Possible Vote on Queens Anne's Co. Program Amendments ✓ Charles Davis/  
Panel
- approved w a change*
- 2:45 - 3:00 Update: Indian Queen South Development - Bald Eagle Protection ✓ Parris Glendening
- 3:00 - 3:30 Presentation of Sandy Point State Park South ✓ Pat Plocek, Capital Programs, DNR/  
RBA Group
- Presentation of Point Lookout Fishing Pier ✓

Agenda 2/15/89  
Page Two

3:30 - 4:30 Presentation - Oil & Gas Dr. Ken Schwartz &  
Activities in the Chesapeake Dr. Ken Weaver,  
Bay - A Basis of Information Maryland Geological  
for the Regulations that the Survey  
Commission Must Develop by  
January 1990.

4:30 - 5:00 Old Business Ronald Karasic  
New Business Acting Vice-Chairman

*Weems Creek ✓*

Next Meeting of the Commission: March 1st & 2nd, 1989  
Retreat at Aspen Institute

CHEESAPEAKE BAY CRITICAL AREA COMMISSION

Minutes of Meeting Held  
February 1, 1989

The Chesapeake Bay Critical Area Commission met at the Chesapeake Bay Critical Area Commission Office, 275 West Street, Annapolis, Maryland. The meeting was called to order by Acting Vice-Chairman Osborne with the following Members in attendance:

Ronald Hickernell  
Kathryn Langner  
James E. Gutman  
William Corkran  
Robert Shoeplein of DEED  
Victor Butanis  
Carolyn Watson For  
Parris Glendening

Albert Zahniser  
Samuel Bowling  
Shepard Krech, Jr.  
Ronald Adkins  
Torrey Brown of DNR  
Connie Lieder of DSP  
Louise Lawrence for  
Secretary Cawley

Acting Vice-Chairman Osborne asked Mr. Ren Serey to report on the status of the Program for North Beach. Mr. Serey reported that the Town had held its final public hearing before submittal of the changed Program to the Commission. The Town had decided to review the Program again, and will possibly be reorganizing the ordinance language. Mr. Serey said that a vote will be able to be taken on the Program at the next Commission Meeting.

Acting Vice-Chairman Osborne asked Mr. Charles Davis to report on the Town of Centreville's Program. Mr. Davis said that the Commission had given tentative approval to the Town's Program, and advised that the Town needs to hold a public hearing. The Town has done so, but an official letter had not yet been sent to the Commission stating that the Program, as tentatively approved, had been revised and submitted reflecting adoption of the changes. Mr. Davis said that he has contacted the Town, and had been informed that the Commission should be receiving the transmittal at any day. Mr. Davis said that the Commission will be able to vote on the Program at the next Commission Meeting.

UNDER OLD BUSINESS

Acting Vice-Chairman Osborne asked Mr. Gutman to report on the Panel meeting on Forestry General Approvals. Mr. Gutman reported that a meeting was held in Dorchester County, and the Panel was made aware of the problems of the process of having forest management plans developed and approved.

He said that because of the number of problems the Panel witnessed, the Panel believes it is premature to address the specific issue of the general approval proposal at this time. The Panel will be sorting out and identifying some of the issues brought before them by the people in Dorchester County, and meet with them to discuss possible solutions.

Critical Area Commission  
Minutes - 2/1/89  
Page Two

Dr. Krech, Panel member, concurred with Mr. Gutman. He said that the Panel visited four sites, and each site had problems with projects pertaining to location within and without the Critical Area.

Mr. Epstein asked if those projects were developed under Critical Area guidelines?

Mr. Gutman answered that only one of the projects needed to address Critical Area criteria.

Dr. Krech said that according to the Bay foresters in Dorchester County, the non-tidal wetlands maps are not accurate in certain locations.

Mr. Gutman said that a procedure must be developed in the event of discovering a map that is in error.

Mr. Adkins suggested that when considering the maps, the Panel should separate the tidal wetlands base maps from any of the other non-tidal or other resource maps that do not have regulatory status to them.

Mr. Gutman said that there are problems with a number of types of maps.

Mr. Bowling suggested that perhaps what was needed was a law that would allow a designated State body to make a site visit to make a determination.

Mr. Gutman said that the people in Dorchester County were very upset that they were not able to get on-site attention.

Mr. Zahniser suggested that the Commission needs to put pressure on the rest of the State agencies, and DNR, to act efficiently in this matter, but that he did not feel it was under the Commission's jurisdiction to change the maps.

Mr. Epstein suggested that discussion of this matter should be tabled until it can be discussed with either Secretary Brown or Deputy Secretary Griffin.

Mr. Gutman said that before that can be done, the Panel really needs to glean more information than it has received to date.

Acting Vice-Chairman Osborne said that the inaccuracy of maps is something that is state-wide, and something that Anne Arundel County faces daily. A method needs to be developed that allows some discretion for minor inaccuracies, and a process for dealing with changing of the maps, and the question of whether the jurisdiction needs to change its Program whenever a factual error is found.

Dr. Taylor reported that Commission staff had received a letter from Don McLauchlan of DNR, Forest Park and Wildlife Service, granting a 60-day extension to further examine their application for general approval.

Acting Vice-Chairman Osborne then asked Dr. Taylor to report on the Septic Panel findings. Dr. Taylor reported that there were three situations dealing with the treatment of waste in the Critical Area. Situation #1 involved a lot that perced and a lot that didn't perc; both in the Critical Area. The Panel agreed to allow the percable lot to be used under certain named conditions to treat the wastes of the non-percable lot. Situation #2 was a non-percing lot in the Critical Area and a percable lot outside of the Critical Area. The Panel agreed that a lot outside of the Critical Area was out of the Panel's purview and under the Department of Environment's jurisdiction. Situation #3 was, if there was non-percable property outside of the Critical Area and perkable property in the Critical Area, could the waste from the dwelling units outside of the Critical Area, be treated inside the Critical Area. The Panel agreed that this condition was acceptable, but it would count against the jurisdiction's growth allocation, and all the conditions that applied to Situation #1 should be applied. She said that these findings will be sent to the Department of the Environment for a legal review by that Department.

Mr. Zahniser asked if these lots are approved lots. Dr. Taylor answered that they are lots approved as of December 1, 1985.

Mr. Adkins remarked that in Somerset County, the local health department approves septic systems even in the 100-year floodplain, and that there should not be a criterion to deter the location of a septic system in the floodplain.

Acting Vice-Chairman Osborne suggested that Mr. Adkins compose a letter stating this to give to the Panel to consider.

UNDER NEW BUSINESS

Dr. Taylor reported that the Commission retreat is scheduled for March 1st and 2nd, at Aspen Institute, contingent upon the appointment of a Chairman by that date.

Acting Vice-Chairman Osborne asked Mr. Tom Ventre to report on Somerset Springs, the development proposal in Somerset County. Mr. Ventre reported that there is a request to the Commission, by the County Commissioners, to review a growth allocation application.

Somerset Springs is a proposal for a mixed-use development on Hall Creek off the Big Annessex River. The proposed site is approximately 1,150 acres in size. The proposal would include residential structures in various configurations, a golf course, hunting facilities, marinas, etc.

He reported that a joint hearing before the County Commissioners and the Planning and Zoning Commission was held on December 27, 1988 in Princess Anne, to consider the developer's request to grant a portion of the County's growth allocation for Somerset Springs. The County Commissioners have voted to conditionally approve the request. The County Commissioners are now seeking Commission review and approval of the growth allocation award.

Mr. Ventre noted that there is insufficient information in hand for Commission review. A letter will be sent to the County Commissioners indicating the need for more specific and detailed information concerning the project, before the Commission can proceed with its review.

Mr. Epstein asked if the Commission's 90-day review period began when the Commission received the County's letter?

Mr. Ventre answered his belief was that the sequence began with the Commission's receipt of the letter from the County Commissioners.

Mr. Epstein asked if there was anything to review at that time? Mr. Ventre answered negatively, and that part of his response was a request for additional information. Mr. Epstein asked if there was any information? Mr. Ventre answered that there was one item that contained general information about the project and parcels involved, acreage figures, etc.

Mr. Epstein noted that this situation brings out the Commission's original concern as to whether or not the Commission can review a Program or Program amendment, until that Program amendment is complete, and the Commission has enough information to begin the review process.

Secretary Brown said that in similarity with the Talbot County discussion, the question arose as to whether or not the Commission would begin the review process of anything that came from other than the County and was not a completed application. There is no point in starting unless the County says yes and then asks us to review a complete application.

Mr. Adkins said that the County is asking concurrence for its action in allotting growth allocation.

Secretary Brown said that the Commission should not concur with the County until it knows what the project is.

Mr. Adkins answered that the County cannot ask the developer to spend all of the money and time that is required to develop the site plans for this project, until it has some concurrence that the development can be placed where the County is suggesting it be placed.

Mr. Gutman said that the Commission had agreed to not take a position on a project until all necessary information was received, and until then, the 90-day review period would not begin. He suggested a letter be sent to the County from the Commission staff, explaining that the information received is not considered complete and cannot be considered by the full Commission, per the request of the County, until additional material is submitted.

Mr. Adkins reminded the Commission that it has the ability to intervene if it finds it later objects to a project.

Dr. Krech asked if the Commission can act on this project before approval of the County's Program? Mr. Epstein answered that if the County believes the 90-day review period is in effect, his recommendation to the Commission would be that if the Commission does not feel it has enough information concerning the project, to disapprove it. Then, at least, a decision is made, and the Commission can change its decision when the information does come forth.

Ms. Watson said that Mr. Glendening agrees with Mr. Adkins in that he does not believe that the Commission should approve or disapprove the site detail of where a local jurisdiction chooses to use its growth allocation. The projects that will take place where growth allocation is being used, should be a separate issue.

Mr. Epstein said that the question is whether the County is meeting the criteria in the statute for the application of growth allocation, and whether it is meeting the criteria itself, and the criteria in its own Program.

Mr. Hickernell suggested that the Commission should make known to the County, exactly what is further needed to make the application complete.

Acting Vice-Chairman Osborne suggested that Mr. Ventre meet with the Somerset County Panel, and Mr. Adkins, and propose a recommendation to the Commission at the next Commission Meeting.

Acting Vice-Chairman Osborne asked Mr. Davis to report on the status of the Program for Queen Anne's County. Mr. Davis reported that the Program for the County had been approved by the Commission. The County had not implemented its Program within the 90-day time frame. He was concerned that the Commission might have to respond within the 30-day time-frame, to the County's request for changes, and that absent a voting quorum today, it could not so respond.

Mr. Epstein said that there are two points to consider. One is that the 30-day review requirement is contained in , and is an integral part of, the section of the Law wherein the County is supposed to implement within 90 days of the passage of the Program by the Commission. Since the County did not meet its requirement, he is not certain that the Commission needs to meet the other requirement of that section. The other point is that the Commission acted to formally take over the preparation of the Program for the County at its January 18th meeting. Once this action is made, an argument can be formulated that the time-frames of §8-1809(e) no longer apply.

Acting Vice-Chairman Osborne suggested that the staff forward comments to the County and state that there was not a full Commission vote, but to make the County aware of the staff's concerns and to suggest to the County Commissioners that the Commission panel and Commissioners meet to discuss the changes.

Acting Vice-Chairman Osborne reported that there were several representatives of community organizations who wanted to speak to the Commission concerning Senator Della's Bill 191, and asked Dr. Taylor to give the Commission an overview of that Bill.

Dr. Taylor said that the jurisdiction where the attention is focussed is Baltimore City. There are a number of piers in the City that are no longer being used for commercial waterfront activities. The City is drafting a policy to provide for the development of condominiums on existing piers. Senator Della and Delegate Arnick have introduced companion Bills in the General Assembly to prohibit the construction of condominiums on piers.

The Board of Public Works has the authority over the disposition of State wetlands and does not have a policy concerning projects of this nature.

Dr. Taylor said that the Bill focusses on two issues: 1) to prohibit construction of dwelling units on piers, giving authority to the Maryland Dept. of Transportation to examine the issue and to review and develop criteria for this prohibition, and 2) to remove the decision-making power of the Board of Public Works over the disposition of State wetlands.

Mr. Zahniser asked if this Bill is specific to Baltimore City? Dr. Taylor answered that it applies to the entire State.

Mr. Hickernell asked if the Bill concerned only the construction of condos? Dr. Taylor answered that the Bill refers to the construction of dwelling units.

Mr. Steve Bunker, President of Owners, Rentors and Resident's Association, then spoke to the Commission expressing the Association's support regarding the Bill. Mr. Bunker said that the Association would like the Bill to be expanded to include non-marine-related and non-water-dependent facilities.

Mr. Adkins asked what the size of the intended piers is, and how many dwelling units have there been applications for thus far. Mr. Bunker answered that the piers would be 60 feet wide and larger, and at least 12 units have been applied for.

Acting Vice-Chairman Osborne asked if current proposals are directed at re-use of existing piers. Mr. Bunker answered affirmatively, and that many piers are in poor condition.

Ms. Sandy Sales, a representative of the East Pratt Street Association for the Waterfront Coalition, and Ms. Ameka Davis of the Baltimore Environmental Center working with the Coalition, expressed their support for the Bill.

Senator Della, Bill sponsor, then spoke of the necessity for support of the Bill.

Mr. Gutman asked Senator Della whether there could be a modification of the Bill to incorporate non-water-dependent facilities. Senator Della answered that he anticipates offering an amendment at the time the Bill is heard, to include this.

Acting Vice-Chairman Osborne introduced Mr. David Burke, Chief of Non-tidal Wetlands Division, DNR, to report on the Nontidal Wetlands Protection Bill. Mr. Burke said that there is no existing, explicit program at the State level, that protects non-tidal wetlands. The intent of the Bill is to give the State the authority to help in relieving the backlog of Army Corps of Engineer permits that provide more intensive environmental reviews concerning non-tidal wetlands and to establish a Statewide program for the conservation, enhancement, and regulation of non-tidal wetlands in this State.

Mr. Burke noted that this subtitle does not apply to agricultural, forestry, or regulated activities located within the Critical Area.

Acting Vice-Chairman Osborne asked Mr. Burke if he knew how the Bill will be received in the Legislature? Mr. Burke answered that he felt that the Bill will be more favorably received by the Senate. On the Eastern Shore, the Bill is causing more agricultural concern and fear that it will be burdensome, and not allow development, and so the House is less favorable towards it.

Mr. Hickernell asked that since the Bill is excluding the Critical Area, is the Commission to make any comment on it? Dr. Taylor answered that there may be amendments that occur that might expand the Bill to include the Critical Area.

Dr. Krech asked why the the Bill does not provide for incentives? Mr. Burke answered that under the new wetlands policy of the Chesapeake Bay Agreement, there are measures for private sector incentives, but at this time, this Bill is only to be looked at as a regulatory component.

Mr. Bowling noted that until now, there has been very little effort to protect non-tidal wetlands, and that it has shown to be beyond the power of the Corps of Engineers to control.

Critical Area Commission  
Minutes - 2/1/89  
Page Nine

Mr. Burke concurred that this burden is indeed, too much for the Corps to handle by itself, and feels that this Bill will do much to aid the Corps and further non-tidal wetlands protection.

A discussion ensued on the importance of the required attendance of Commission members, and what the solution could be to ensure a quorum.

Dr. Taylor introduced a new staff member, Ms. Pat Pudelkewicz, who will be working with Ren Serey on Project Evaluation.

There being no further business, the Meeting was adjourned.

PANEL MEETINGS

Amendments, Process, Procedures Panel 10:00 a.m.  
(Sarah Taylor's Office)

Ren Serey - Victor Butanis, Ch./Parris Glendening/John  
Griffin/Sam Bowling/Wally Miller/Ron Adkins

---

Forest Management Panel 11:00 a.m.

Anne Hairston - G. Steele Phillips, Ch./Bill Bostian/  
Jim Gutman/Shepard Krech/Bob Perciasepe

---

Pt. Lookout State Park Panel 12:00 a.m.

Abi Rome - Skip Zahniser, Ch./Jim Gutman/Frank Raley/  
Sam Bowling/Ardath Cade/Bill Corkran

-----  
By: Senator Malkus  
Introduced and read first time: January 31, 1989  
Assigned to: Economic and Environmental Affairs  
-----

A BILL ENTITLED

1 AN ACT concerning

2 Chesapeake Bay Critical Area -  
3 State Compensation for Prohibitions  
4 Against the Harvesting of Trees

5 FOR the purpose of requiring the State to compensate certain  
6 persons for the financial loss resulting from certain  
7 prohibitions against the cutting or commercial harvesting of  
8 trees in the Chesapeake Bay Critical Area; providing for a  
9 method to determine the amount of financial loss; providing  
10 for the application of this Act; and generally relating to  
11 compensation provided to certain landowners in the Critical  
12 Area who are prohibited by certain laws or regulations from  
13 cutting or commercially harvesting certain trees.

14 BY adding to

15 Article - Natural Resources  
16 Section 8-1817  
17 Annotated Code of Maryland  
18 (1983 Replacement Volume and 1988 Supplement)

19 Preamble

20 WHEREAS, Certain provisions of the criteria adopted by the  
21 Chesapeake Bay Critical Area Commission and approved by the  
22 General Assembly prohibit a landowner from cutting or harvesting  
23 trees in the buffer area of the Chesapeake Bay Critical Area; and

24 WHEREAS, Many landowners have relied on the harvesting of  
25 their trees to provide them with a source of income that is  
26 fairly steady because of the regrowth of the trees after  
27 harvesting; and

28 WHEREAS, Even though there may be a valid policy reason for  
29 the criteria and its prohibitions against cutting or harvesting  
30 trees, in this case it does amount to an appropriation of private  
31 property by the State without just, fair, or any compensation;  
32 now, therefore,

-----  
EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter deleted from existing law.

1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
2 MARYLAND, That the Laws of Maryland read as follows:

3 Article - Natural Resources

4 8-1817..

5 (A) THE COMPENSATION PROVIDED FOR UNDER THIS SECTION  
6 APPLIES TO ANY PERSON WHO OWNS REAL PROPERTY IN THE CRITICAL AREA  
7 AND HAS A CURRENT CONTRACT TO HARVEST TREES FROM THE REAL  
8 PROPERTY ON WHICH THE CUTTING OR COMMERCIAL HARVESTING OF TREES  
9 IS PROHIBITED BY:

10 (1) THE CRITERIA ADOPTED BY THE COMMISSION; OR

11 (2) THE LOCAL JURISDICTION WHERE THE REAL PROPERTY IS  
12 LOCATED.

13 (B) ON A DETERMINATION OF THE AMOUNT OF FINANCIAL LOSS  
14 UNDER SUBSECTION (C) OF THIS SECTION, THE STATE SHALL COMPENSATE  
15 THE OWNER OF REAL PROPERTY FOR THE VALUE OF THE TREES THAT ARE  
16 PROHIBITED FROM BEING CUT OR HARVESTED COMMERCIALY IN THE  
17 CRITICAL AREA.

18 (C) THE AMOUNT OF FINANCIAL LOSS SUFFERED BY A PERSON UNDER  
19 THIS SECTION SHALL BE:

20 (1) BASED ON THE VALUE OF THE TREES AT THE TIME THE  
21 SALE WAS TO OCCUR AND THE AMOUNT OF PROFIT LOST BY THE PERSON ON  
22 A CURRENT CONTRACT TO HARVEST THE TREES; AND

23 (2) DETERMINED:

24 (I) BY THE AGREEMENT OF A CERTIFIED APPRAISER  
25 FOR THE STATE AND 2 INDEPENDENT CERTIFIED APPRAISERS; OR

26 (II) IF THERE IS NO AGREEMENT UNDER ITEM (1) OF  
27 THIS SUBSECTION, BY A COURT OF COMPETENT JURISDICTION.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall  
29 take effect July 1, 1989.



**Maryland Department of Natural Resources**

William Donald Schaefer  
*Governor*

Tawes State Office Building  
Annapolis, Maryland 21401

Torrey C. Brown, M.D.  
*Secretary*

John R. Griffin  
*Deputy Secretary*

January 30, 1989

MEMORANDUM

TO: Chesapeake Bay Critical Area Commission Members  
FROM: Verna E. Harrison, <sup>VEH</sup> Assistant Secretary  
Chesapeake Bay Restoration  
SUBJECT: Summary Chart

The Governors' signing of the 1987 Chesapeake Bay Agreement has given the States new direction and an ambitious set of goals to meet to move forward with our Bay restoration efforts.

Attached is a short summary of the new programs that are included in Governor Schaefer's FY 90 Chesapeake Bay budget. I would be happy to provide additional information at your request.

VEH:phb

Enclosure

cc: Sarah Taylor

Telephone: (301) 974-2255

DNR TTY for the Deaf: 301-974-3683

**SUMMARY**

**FY 90 BUDGET**

**CHESAPEAKE BAY ENHANCEMENTS**

MARYLAND'S CHESAPEAKE BAY RESTORATION  
 FY 90 PROGRAM ENHANCEMENTS  
 APPROVED BUDGET

COMMITMENT/ENHANCEMENT PROGRAM	AGENCY	APPROVED FUNDING LEVEL
<b>LIVING RESOURCES</b>		
Non-Structural Erosion Control	DNR	<sup>1</sup> 250,000
Fish Passage	DNR	<sup>2</sup> 270,838
Bay Waterbirds	DNR	78,693
Non-Tidal Wetlands	DNR	677,000
Greenshores - Private Land Targeting	DNR	<sup>3</sup> 240,166
Data Management	DNR	192,000
Oyster Monitoring	DNR	73,527
Stock Assessment	DNR	18,261
Cumulative Impact Assessment	DNR	120,169
Citizen Monitoring	DNR	91,239
Fisheries Toxic Biomonitoring	DNR	75,000
Digital Topographic Maps	DNR	142,138
		256,000
<b>WATER QUALITY</b>		
Bay Sediment & Stormwater Management Information System of Bay Projects	MDE	352,205
Monitoring for Toxics in the Bay	MDE	210,180
Monitoring Impacts of Acid Rain	MDE	631,801
Reduction of Toxics in Drinking Water	MDE	348,119
Agricultural Non-Point Control	MDE	257,530
Nutrient Management	MDA	55,612
Integrated Crop Management	MDA	176,000
		161,181
<b>POPULATION GROWTH AND DEVELOPMENT</b>		
Local Government Advisory Panel	DSP	63,000
Growth Management Panel Recommendations	DSP	77,000
Local Development Guidelines	DSP	40,000
Critical Area Conformance	DNR	93,000
<b>PUBLIC INFORMATION, EDUCATION AND PARTICIPATION</b>		
Clean-Up Recognition Program	DSP	150,000
Agricultural Education Programs	MDA	94,789
Chesapeake Bay Public Education	MDE	503,517
Skip Jack	DNR	68,271
State Parks	DNR	25,000
	TOTAL	\$5,792,236
	(TOTAL LESS PAY GO	\$5,282,236)

NOTES:

- <sup>1</sup> PAY GO \$250,000
- <sup>2</sup> PAY GO 60,000
- <sup>3</sup> PAY GO 200,000

GOVERNOR WILLIAM DONALD SCHAEFER  
FY 90 CHESAPEAKE BAY ENHANCEMENTS

LIVING RESOURCES

Non-Structural Shore Erosion (\$250,000) DNR

- continue the successful existing program assisting landowners with planting grasses to stabilize highly eroding shoreline.

Fish Passage (\$270,838) DNR

- remove blockages and provide passage of anadromous fish to restore spawning populations to areas currently blocked by dams, road culverts and other obstructions.

Bay Waterbirds (\$78,693) DNR

- begin to monitor and protect birds such as egrets and herons before we lose them.

Non-Tidal Wetlands (\$677,000) DNR

- provide protection for non-tidal wetlands through mapping, education and regulation.

Greenshores - Private Land (\$240,166) DNR

- cost share assistance to private landholders for planting of trees to provide forested buffers.

Targeting (\$192,000) DNR

- concentrate efforts to implement pollution control programs in selected areas to better demonstrate the impact on water quality and living resources.

Data Management (\$73,527) DNR

- begin to implement the 1987 Bay Agreement's Monitoring Plan by collecting and entering fish and wildlife data into the Bay central computer.

Oyster Monitoring (\$18,261) DNR

- expand from the Choptank to the lower Patuxent River intensive oyster mortality and habitat monitoring.

Stock Assessment (\$120,169) DNR

- enhance collection of information on the abundance, age, sex, health of fish stocks to meet Bay-wide Plan commitments.

Cumulative Impact Assessment (\$91,239) DNR

- develop a system to evaluate the cumulative impact of individual development projects.

Citizen Monitoring (\$75,000) DNR

- enhance the Department's pilot citizen monitoring program. It will expand the State's ability to obtain necessary information in a cost effective manner.

Fisheries Toxic Biomonitoring (\$142,138) DNR

- develop programs to identify indicator species, biomonitoring techniques and assays to evaluate the presence and impact of toxics on fish.

Digital Topographic Maps (\$256,000) DNR

- provide consistent, up to date, mapping which is essential for the Critical Area Program and the entire Bay clean up effort.

WATER QUALITY

Bay Sediment and Stormwater Management (\$352,205) MDE

- increase inspections of construction sites to ensure compliance with sediment controls from 775 to 1,250.

Information System of Bay Projects (\$210,180) MDE

- an integrated department-wide data processing/office automation system to access information in summary format for use in policy decision making.

Environmental Monitoring for Toxics (\$631,801) MDE

- protect Maryland citizenry and Chesapeake Bay resources from harmful impacts resulting from toxic discharges by measuring toxicity at Maryland's 35 major sewage treatment plants; interpret biomonitoring results; and purchase specialized equipment to be installed in the State Laboratory.

Acid Rain (\$348,119) MDE

- determine the extent and magnitude of change in sensitive streams quality due to acid rain.

Toxics Elimination in Drinking Water (\$257,530) MDE

- protect citizens from the potential presence of certain toxic substances associated with community water systems, non-transient and non-community water systems throughout the State by increasing routine, investigative surveillance and monitoring capabilities.

Agricultural Non-Point Source Control Planning and Evaluation (\$55,612) MDA

- provide staff for planning, evaluating and reporting program activities related to Bay Commitments to enable MDA to develop agricultural strategies in cooperation with other agencies and to respond to needs of related resource protection programs.

Nutrient Reduction (\$176,000) MDA

- eight farm consultants to work directly with farmers to promote proper storage, use and application of fertilizer and animal waste.

Integrated Crop Management (\$161,181) MDA

- development of a pilot project to demonstrate the effectiveness of an intensive crop management program, combining low-input strategies for use of nutrients and pesticides and the use of integrated pest management techniques.

POPULATION GROWTH & DEVELOPMENT

Local Government Advisory Panel (\$63,000) DSP

- assist local governments in carrying out the Chesapeake Bay Local Government Advisory Committee's strategy to formalize and strengthen the participation of local governments in achieving Bay policies and programs.

Growth Management (\$77,000) DSP

- evaluate and begin to implement the recommendations of the Population Growth & Development (2020) Panel relating to the need for more State, regional and local planning direction and management of growth and resource protection to restore the Bay.

Development Policies & Guidelines (\$40,000) DSP

- work with representatives of the private sector, local governments, professional organizations and State agencies to implement the recently adopted policies and guidelines for the location, design and construction of development to protect the Bay.

Critical Area Conformance (\$93,000) DSP

- review the required submissions by local jurisdictions of rezonings, special exceptions or conditional use permits.

PUBLIC INFORMATION, EDUCATION & PARTICIPATION

Clean-up Campaign & Recognition (\$150,000) DSP

- continue to involve citizen groups in activities designed to create a cleaner, healthier Bay.

Agricultural Education Programs (\$94,789) MDA

- enhance information programs to promote increased farmer cooperation in reducing agriculture's contribution to Bay pollution and inform the public about State sponsored efforts to address agricultural non-point sources of pollution.

Chesapeake Bay Public Education (\$503,517) MDE

- staff to provide citizens of Maryland with the information needed to understand Chesapeake Bay problems and to develop a "Bay Van" to be used to circulate exhibits and publications State-wide.

Skip Jack (\$68,271) DNR

- staff and equip the State's Skip Jack as a traveling exhibit and education forum.

Bay Parks (\$25,000) DNR

- begin to construct exhibits at our Bayside State Parks related to the Bay's problems and solutions (2,508,000 citizens visit our Bayside Parks annually).

**CHESAPEAKE BAY PROGRAM**

**1988 ACCOMPLISHMENTS**

CHESAPEAKE BAY PROGRAM ACCOMPLISHMENTS  
HIGHLIGHTS OF WATER QUALITY ACTIVITY IN 1988

- Over 84% of my pollution control budget is working to clean the Bay.
  - We are already seeing improvement:
    - \* improved aquatic vegetation in the Potomac
    - \* improved and reviving life at the floor of the Baltimore Harbor
- (Over 90% of zinc, lead, chromium, arsenic, phenols, and cyanide removed from permitted facilities over last 10 years)
- To achieve these improvements and accelerate our commitment to the Bay, Maryland has been active:

- \* We accelerated our capital programs. We have over \$350 million under construction now and have allocated more federal funding this year, for the new projects, than anytime in the last 8 years (\$92 million).
- \* We have started a new Maryland Water Quality Revolving Fund and are working with EPA and local governments. This fund will help accelerate improvements.
- \* We have initiated a capital assistance program to accelerate nitrogen removal from waste water treatment plants. This 50/50 cost-share program will see improvement at the following plants:

- Back River - In design
- Western Branch - Under Construction
- Parkway - In Design
- Patuxent - On Line
- Little Patuxent - Preliminary Design
- Annapolis - Preliminary Design
- Sod Run - Preliminary Design
- Piscataway - Preliminary Design
- Chesapeake Beach - Under Construction

(These projects along with ongoing non-point source programs will help Maryland achieve a 20% reduction in nitrogen and put us well on our way to a 40% reduction by 2000.)

- The 1990 Maryland budget will continue this emphasis.

- \* Capital appropriations are proposed to be almost 40% greater than FY 1989 for Bay improvements. Approximately \$36.5 million includes:
  - Cost Share for Nitrogen Removal - 8.225 million
  - Agricultural - 5.0 million
  - Urban Storm Water - 2.5 million
  - Waste Water - 11.0 million

- Revolving Fund - 5.0 million
- Supplemental Assistance - 3.5 million
- Septic Restoration - 0.25 million
- Small Creek & Estuary - 1.0 million

\* Operating Budget Emphasis Includes:

- Improved Public Education
- Water Toxics Over \$1 Million
- Increased and Improved Enforcement of Hazardous Waste and Sediment Control Enforcement.

AGRICULTURAL NONPOINT SOURCE CONTROL PROGRAMS

Technical assistance has been provided to over 12,000 landowners applying BMPs on farms since beginning of 1985.

Soil Conservation and Water Quality Plans have been completed or updated on about 4,500 farms in last 4 years.

Conservation planning was done for approximately 400,000 acres in 1988 representing a 200% increase of number of acres planned per year compared to 1984.

Under the Maryland Agricultural Water Quality Cost-Share Program (MACS), over 4,500 BMPs have been funded with approximately \$19.5 million of State and Federal funds and matching commitments by farmers of approximately \$2.8 million.

Over 3,700 BMPs have been completed with MACS funds of \$15 million.

First sign-up for State Conservation Reserve Program resulted in 75 farmers establishing permanent vegetative cover on over 1,300 acres along streams or on highly erodible fields in the Critical Area for a 10 year period.

Public Drainage Association systems have developed approved operation and maintenance plans for approximately 300 miles of channel, bringing about 1/3 of total PDA channel mileage into compliance with requirements mandated by August 1991.

CHESAPEAKE BAY RESTORATION PROGRAMS  
MARYLAND DEPARTMENT OF NATURAL RESOURCES

1988 ACCOMPLISHMENTS

NON-POINT SOURCE CONTROL PROGRAMS

- \* 24 structural shoreline erosion projects have been constructed.
- \* 13 non-structural shoreline erosion projects have been completed. These projects have covered 3,675 linear ft. of shoreline.
- \* 44,305 square ft. of wetlands have been created.

RESOURCE RESTORATION PROGRAMS

- \* 42 projects of SAV transplanting were done and 5 nursery ponds have been established.
- \* 162,450 bu. of fresh oyster shell and 5,588,336 bu. of dredged oyster shell have been planted along with 918,792 bu. of seed.
- \* Produced 500,000 disease resistant oysters from New Jersey strain; planted and monitored their growth at 25 Bay sites. Initiated a cooperative Bay-wide monitoring program with VIMS.
- \* 800,000 striped bass fingerlings were produced and stocked Bay-wide. Initiated an experimental yellow perch hatching and stocking program which yielded 415,000 fingerlings.

LAND RESOURCE PROTECTION PROGRAMS

- \* All local Critical Areas Programs have been received and most have been approved.
- \* DNR staff coordinated the development of State wetlands policy intended to achieve a goal of "net gain" in wetland acreage and conducted over 100 environmental reviews.
- \* Wetlands staff have also presented 7 education and training workshops for State and local government personnel as well as developers to educate them on the identification and importance of the State's wetlands.
- \* 17 new conservation easements were agreed to this year. These easements cover 3,650 acres.

- \* 17,017 acres of private forest lands have been preserved by the development of 159 new management plans. There have also been 738 acres of trees planted along 12,000 ft. of Bay shoreline.
- \* 5 urban forestry grants totaling \$100,000 have been awarded to Millersville, Solomons, Baltimore City, Harford Co. and Crisfield.
- \* 60 Habitat Protection Areas along with 23 Natural Heritage Areas and 11 Locally Significant Habitat Areas have been identified.
- \* The Greenshores Program was initiated with two demonstration projects; one at Sandy Point State Park, the other along Herring Run in Baltimore City.
- \* 300 Boy Scouts, leaders, and parents planted 800 trees (provided by the State) helping to stabilize 2.5 acres of highly erodible soil at Tuckahoe State Park.
- \* 192 development sites were inspected by Bay foresters protecting 11,387 acres.

#### RESOURCE MANAGEMENT PROGRAMS

- \* Funds from the sport fishing license provided the operation of the Choptank public fishing pier, the design and site preparation of fish passage structures and additional public fishing piers and funded 22 youth clinics as well as the 1st Annual Governor's Cup Fishing Tournament.
- \* There were 49 crews State wide doing 54 projects as part of the Youth Conservation Corps. 465 youth between the ages of 14 and 21 were employed along with 75 adult leaders for the summer program of environmental education and Bay restoration.
- \* Fishery Management Plans for blue crab, oysters and shad/herring are progressing on schedule and are nearly complete.
- \* Sites around the State have been inventoried and included in a draft of the guide to Bay access.
- \* Nearly \$11 million have been spent to provide over 2,600 acres of Bay access in 12 projects.
- \* Freshwater conservation retrofit programs were established in several towns around the Bay.
- \* Frederick City was the first to pass legislation supporting freshwater conservation.

## DATA &amp; MONITORING AND RESEARCH PROGRAMS

- \* As part of the State's participation in the Regional Data Center, data from monitoring programs and special studies are formatted and entered into the Bay wide data base.
- \* Completed the development of data entry protocol for all resource monitoring data and established policy for submission of data to Data Center.
- \* Continued monitoring fish spawning areas and oyster habitats.
- \* Evaluated the effects of toxics on fishery resources.
- \* Produced the Chesapeake Bay Living Resources Monitoring Plan.
- \* \$133,000 from the sport fish license were provided for fisheries related research.