

Ch Robey - E-mail / not getting it!

Request
Amplification
for
Crownville
Meeting

Chesapeake Bay Critical Area Commission
Department of Housing and Community Development
Peoples Resource Center
Crownsville, Maryland
April 3, 2002

Q: Do
Johnson
name plate
again
Mary
Lusby
Parker

AGENDA

1:00 p.m. - 1:05 p.m. Approval of Minutes for March 6, 2002 John C. North, II
Chairman

PROJECTS

1:05 p.m. - 1:20 p.m. VOTE: Queen Anne's County: Thompson
Creek Landing Improvements LeeAnne Chandler
Conditional Approval to Exceed Impervious
Surface Limits

1:20 p.m. - 1:30 p.m. VOTE: Queen Anne's County: Cross Island
Trail Connection LeeAnne Chandler
Conditional Approval to Exceed Impervious
Surface Limits

1:30 p.m. - 1:40 p.m. VOTE: DNR: Gunpowder Falls State Park
(Baltimore County) - Day Use Improvements Wanda Cole

PROGRAMS

1:40 p.m. - 1:50 p.m. Refinement: Anne Arundel County
Bog Protection Bill Lisa Hoerger

1:50 p.m. - 2:00 p.m. Refinement: Dorchester County Growth
Allocation Wanda Cole
Hoopers Island Volunteer Fire Department

OLD BUSINESS

2:00 p.m. - 2:10 p.m. Legislative Update Ren Serey

2:10 p.m. - 2:20 p.m. Legal Update Marianne Mason,
Esq.

NEW BUSINESS

2:20 p.m. - 2:25 p.m. John C. North, II
Chairman

2:25 p.m. Adjourn

Ch. 100 - 1000

1. The Commission shall have the honor to receive the following documents from the Secretary of the State of New York:

1. The Commission shall have the honor to receive the following documents from the Secretary of the State of New York:

AGENDA

1. Approval of minutes for meeting of 10/15/10

PROJECTS

1. The Commission shall have the honor to receive the following documents from the Secretary of the State of New York:

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PROGRAM

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DAY BUSINESS

1. The Commission shall have the honor to receive the following documents from the Secretary of the State of New York:

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Chesapeake Bay Critical Area Commission
Department of Housing and Community Development
Peoples Resource Center
Crownsville, Maryland
April 3, 2002


AGENDA

- | | | |
|-----------------------|---|-------------------------------|
| 1:00 p.m. – 1:05 p.m. | Approval of Minutes for March 6, 2002
<i>Introduce: Douglas Stephens, Wi. Co.</i> | John C. North, II
Chairman |
| PROJECTS | <i>(Balt. Co.) Q. Johnson formerly of Wi. Co. / now ESMAL</i> | |
| 1:05 p.m. – 1:20 p.m. | <i>* REN - Legislative Update</i>
VOTE: Queen Anne's County: Thompson
Creek Landing Improvements
Conditional Approval to Exceed Impervious
Surface Limits | LeeAnne Chandler |
| 1:20 p.m. – 1:30 p.m. | VOTE: Queen Anne's County: Cross Island
Trail Connection
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Surface Limits | LeeAnne Chandler |
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(Baltimore County) - Day Use Improvements | Wanda Cole |

PROGRAMS

- | | | |
|-----------------------|--|--------------|
| 1:40 p.m. – 1:50 p.m. | Refinement: Anne Arundel County
Bog Protection Bill | Lisa Hoerger |
| 1:50 p.m. – 2:00 p.m. | Refinement: Dorchester County Growth
Allocation
Hoopers Island Volunteer Fire Department | Wanda Cole |

OLD BUSINESS

- | | | |
|--|--------------------|-------------------------|
|  2:00 p.m. – 2:10 p.m. | Legislative Update | Ren Serey |
| 2:10 p.m. – 2:20 p.m. | Legal Update | Marianne Mason,
Esq. |

NEW BUSINESS

- | | | |
|-----------------------|---|-------------------------------|
| 2:20 p.m. – 2:25 p.m. | | John C. North, II
Chairman |
| 2:25 p.m. | Adjourn <i>MHC: o.c. Conf. Center</i>
July 10th | |

(NOT Confirmed yet) ASKING for MD. INDEPENDENCE on June 18th
(NOT Available in April)

Chongosajay Community Development
Regional Health Center
Cruz del Sur
June 1982

AGENDA

- 10:00 am - 10:30 am: Registration
- 10:30 am - 11:00 am: Welcome
- 11:00 am - 11:30 am: Presentation by Dr. [Name]
- 11:30 am - 12:00 pm: Lunch
- 12:00 pm - 1:00 pm: Presentation by [Name]
- 1:00 pm - 2:00 pm: Presentation by [Name]
- 2:00 pm - 3:00 pm: Presentation by [Name]
- 3:00 pm - 4:00 pm: Presentation by [Name]
- 4:00 pm - 5:00 pm: Presentation by [Name]
- 5:00 pm - 6:00 pm: Presentation by [Name]
- 6:00 pm - 7:00 pm: Presentation by [Name]
- 7:00 pm - 8:00 pm: Presentation by [Name]
- 8:00 pm - 9:00 pm: Presentation by [Name]
- 9:00 pm - 10:00 pm: Presentation by [Name]
- 10:00 pm - 11:00 pm: Presentation by [Name]
- 11:00 pm - 12:00 am: Presentation by [Name]

OLD BUSINESS

10:00 am - 10:30 am: [Text]

10:30 am - 11:00 am: [Text]

11:00 am - 11:30 am: [Text]

11:30 am - 12:00 pm: [Text]

12:00 pm - 1:00 pm: [Text]

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9:00 pm - 10:00 pm: [Text]

10:00 pm - 11:00 pm: [Text]

11:00 pm - 12:00 am: [Text]

(Not available in [Text])

(Confirmed for [Text])

for M.D. [Text]

July 10th

Conf. Center

Chesapeake Bay Critical Area Commission
People's Resource Center
Department of Housing and Community Development
Annapolis, Maryland 21410
March 6, 2002

Approved

The meeting was called to order by Chairman John C. North, II with the following **Members in attendance**:

Philip Barker, Harford County
Bourdon, Dave, Calvert County
Cooksey, David, Charles County
Evans, Judith, Western Shore Member at Large
Dr. Foor, James C., Q.A. County
Graves, Charles, Baltimore County
Jackson, Joseph A. Worcester County
Johnson, Samuel Q., Wicomico County
Jones, Paul, Talbot County
Myers, Andrew, Caroline County
Rice, William J., Somerset County
Samorajczyk, Barbara D., Anne Arundel Co.
Witten, Jack, St. Mary's Co.
Wynkoop, Sam, Prince George's County
Setzer, Gary, Md. Department of Environment
McLean, James, Md. Department of Business and Economic Development
Lawrence, Louise, Dept. of Agriculture
Goodman, Robert, DHCD
Andrews, Meg, Md. Department of Transportation
Mike Pugh, Cecil County

Not in Attendance:

Bailey, Margo, Kent County
Duket, Larry, Md. Department of Planning
Wenzel, Lauren, Md. Department of Natural Resources
Giese, Bill, Dorchester County

The Minutes of February 6, 2002 were approved as read.

Lisa Hoerger, Planner, CBCAC presented for VOTE, the proposal by the State Highway Administration (SHA) to repair an existing culvert under MD 214 over Glebe Creek in Anne Arundel County. Ms. Hoerger described the details of the project that will include sealing the culvert construction joints, filling the voids behind the culvert walls and a total area of rip-rap placement of 140 square feet. There are no endangered species and there will be no instream work permitted from March 1st to June 15th. Because this project does not meet the MOU with SHA, a revised MOU with the Department of Transportation will be prepared to address this class of activity. Ms. Hoerger said that there will be no disturbance to the culvert bank, buffer or vegetation and no additional impervious surface associated with the proposed repairs. All Critical Area disturbances have been minimized and the project is in compliance with COMAR 27.02.05 as well as other State and federal regulations. Bob Goodman moved to approve the proposal by SHA to repair the culvert over Glebe Creek in Anne Arundel County with the following conditions: 1. Immediately following project completion, the Critical Area staff will inspect the site with SHA staff to ensure no clearing occurred. If clearing occurs as a result of the

Handwritten scribble or signature in the top left corner.

2. The applicant will subsequently initiate a Plantings Agreement with Critical Area staff. The motion was seconded by Dave Cooksey and carried unanimously.

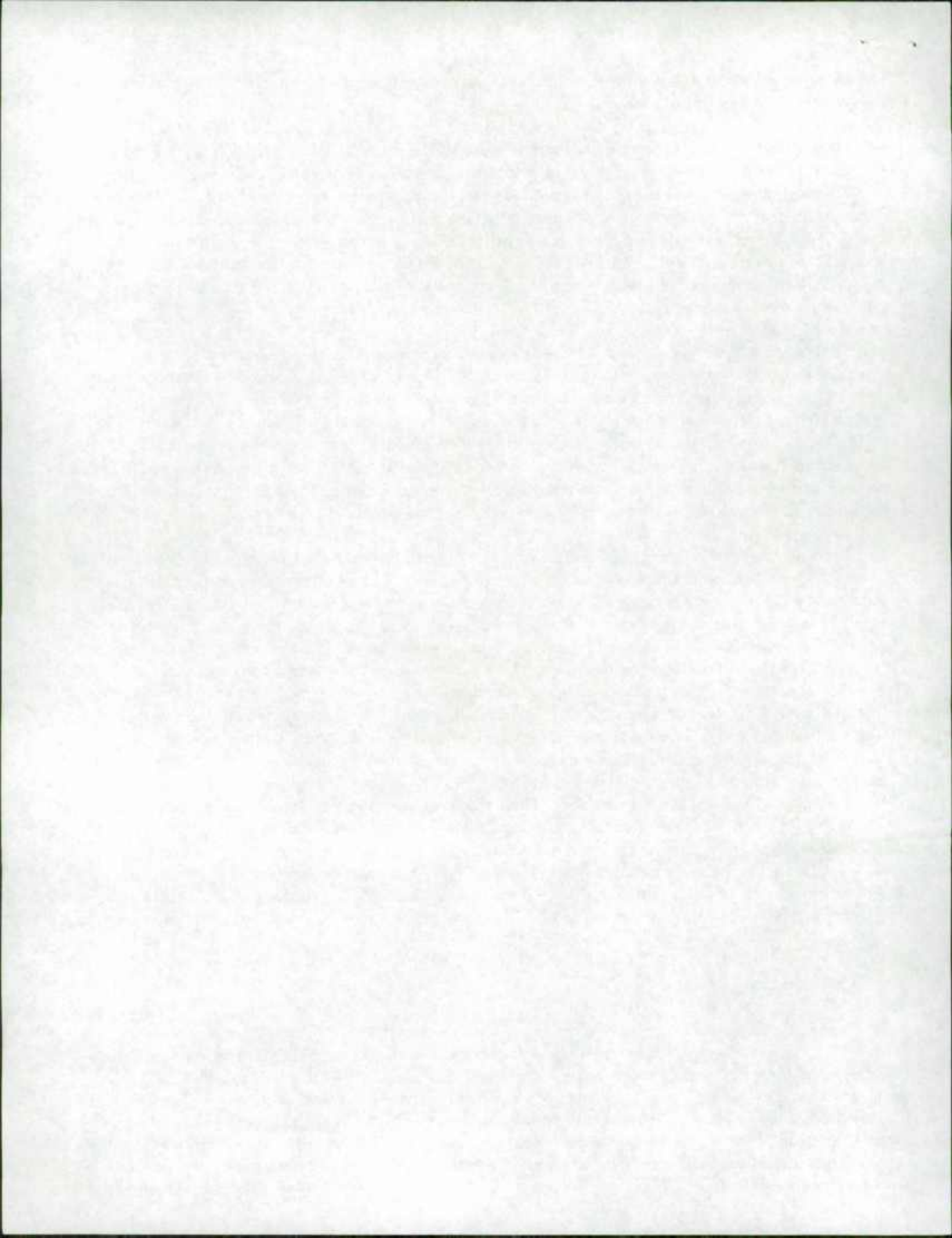
Mary Owens, Program Chief, CBCAC presented for VOTE the proposal by St. Mary's College to install a prefabricated 12" x 16" temporary storage shed at the existing boathouse in order to provide equipment storage for the Windsurfing Team. This shed will be removed when the new boathouse is constructed in 2004. She said that the project does not involve any forest clearing and there are no known threatened or endangered plant or animal species affected by this project. There are no tidal or nontidal wetland impacts associated with the project. The project is consistent with COMAR 27.02.05 and the Commission's regulations for State projects on State lands. Bob Goodman moved to approve the project as presented. The motion was seconded by Dave Cooksey and carried unanimously.

Claudia Jones, Scientific Advisor, CBCAC presented for concurrence with the Chairman's determination of Refinement, Somerset County's request for 2.87 acres of growth allocation to change a portion of an RCA parcel to LDA to create a development envelope for a single family residence. The entire parcel of 36.10 acres is located within the Critical Area. Of the two lots being created, lot 2 includes 29.32 acres as well as the 2.87 acres. All of the new development activities will be included within this development envelope. A 15% afforestation for the newly created parcel is proposed to be placed adjacent to the existing forested Buffer to boost water quality and wildlife value with a resultant 0.44 acres of tree planting adjacent to the existing forest in the Buffer. The Commission supported the Chairman's determination of Refinement.

LeeAnne Chandler, Planner, CBCAC presented for concurrence with the Chairman's determination of Refinement, Queen Anne's County's request for approval of the use of 25.73 acres of growth allocation to change the Critical Area overlay designation on a portion of a parcel from Resource Conservation Area to Intensely Developed Area. Of the total parcel acreage of 89.775 acres, 54 acres are within the Critical Area. The proposed use for the property is a residential development which provides for a 300-foot setback along the Thompson Creek shoreline. No forest clearing will be necessary and with the exception of the Buffer, no Habitat Protection Areas exist on the site. The 10% pollutant reduction requirement will be addressed during the subdivision review process. The project will be served by public water and sewer if approved. With the exception of adjacency, the project is consistent with the Commission's policy on Growth Allocation. Because there is more than 30 acres of contiguous open space to the project, this development is considered by the County to be a cluster development and therefore, Queen Anne's County will be allowed to use more than 50% of its growth allocation in the RCA if necessary. There was much discussion among the Commission members regarding this Refinement because Queen Anne's County has been requested to change their growth allocation process and at this time the amendment has not been approved. However, it was noted that the County is working in good faith on changing the process and they are operating on an approved Program which this project meets. Because of opposition to this Refinement, the Chair called the question to concur in the determination of Refinement. The motion carried 17 in favor, with two in opposition (Barbara Samorajczyk and Jack Witten).

Old Business

Ren Serey, Executive Director, CBCAC gave a legislative update to the Commission. He said that Senate Bill #326, which would restore the Critical Area Variance standards to where they were before the Court of Appeals cases, has been approved by the Senate with a vote of 38 – 7 in favor of the Bill. It was amended but it is essentially like last year's bill. This year's bill included a definition of "unwarranted hardship." The same definition was taken out last year with the substitution "that the Board of Appeals must look at an entire property in order to determine whether there are alternatives". That language was substituted again this year, and on amendment the Senate approved the Bill without the definition of "unwarranted hardship" but with the substituted language. The House has not voted yet. The Bill was amended in the Senate to decouple



Plan. The bill calls for a change to a six-year review in the local jurisdiction instead of a four-year review. There are no known amendments to the House Bill at this time.

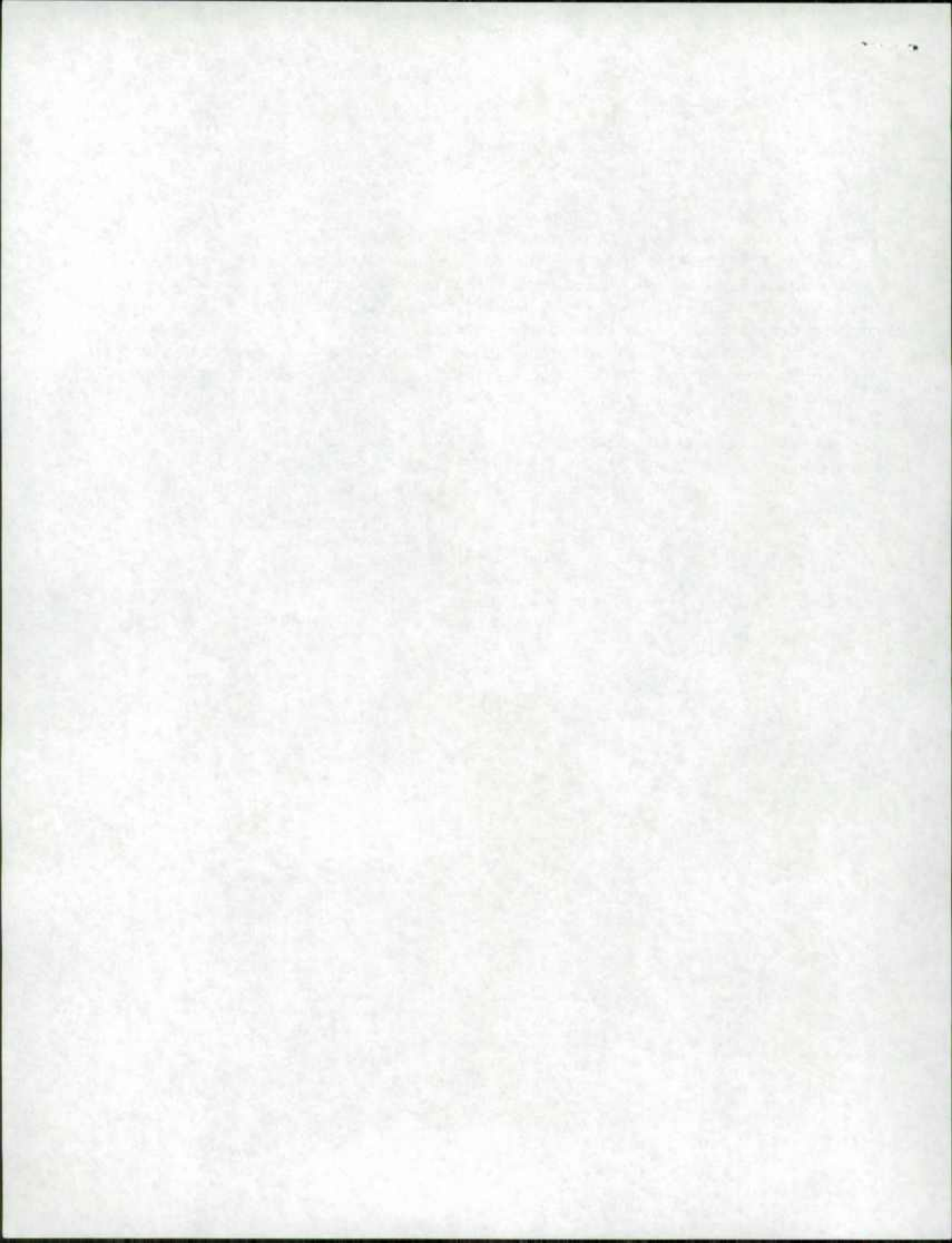
Senate Bill #715 introduced by Senator Colburn would also change the comprehensive review from a four year to a six year review. There is no companion House Bill to this Senate Bill.

Senate Bill #247 - the Administration's Coastal Bays Bill - is being examined by the Senate subcommittee for some amendments. There are two bills in the House, the Administration's Coastal Bays Bill which does what the Senate Bill does; and, House Bill #1183, Delegate Bozman's Coastal Bays Bill which encompasses the entire coastal bays watershed without a 1000' line and has several exemptions of concern. Senate Bill #709, Senator Colburn's proposed bill, tries to address the differences between MDE regulations on the number of slips that can be provided in a community facility and the number provided for in Critical Area Criteria. The bill would require MDE to adopt regulations to meet the Critical Area Commission's Criteria on community piers versus marinas. There are amendments in this Bill which the Senator supports, including requiring pump-outs at community marinas.

Commission Counsel Marianne Mason, Esquire gave a legal update to the Commission. She said that in Harford County, she, Ren Serey and Claudia Jones of the Commission, attended hearings on the Old Trails subdivision request for a variance for 56 houses involving wetlands and buffers. Ren testified and Claudia is scheduled to testify.

There being no further business, the meeting adjourned.

Minutes submitted by: Peggy Mickler, Commission Coordinator



Chesapeake Bay Critical Area Commission

STAFF REPORT

April 3, 2002

APPLICANT: Queen Anne's County Department of Parks and Recreation

PROPOSAL: Thompson Creek Landing Improvements

COMMISSION ACTION: Vote

STAFF RECOMMENDATION: Conditional Approval

STAFF: LeeAnne Chandler

**APPLICABLE LAW/
REGULATIONS:** COMAR 27.02.06 Conditional Approval of State or Local Agency Programs in the Critical Area

DISCUSSION:

The Queen Anne's County Department of Parks and Recreation is seeking approval to expand existing facilities at Thompson Creek Landing by constructing a new canoe/kayak launching facility, parking lot and picnic area to attract a wider range of users. The site has been a county owned and operated water access feature dating to the early 1900's and is located south of US 50/301 on Thompson Creek Road in Stevensville, Maryland. Traditionally used by watermen, the demand on the facility has expanded with the popularity of recreational boating. In addition to the pressure from the recreational boaters, new housing developments in the immediate vicinity of the landing have increased the burden of providing greater public access to this facility. In December 1998, the County purchased a lot next to the existing boat launching facilities with the intention of expanding and improving the launch facilities and enhancing the landing to attract a broader range of users.

The proposed enhancements at Thompson Creek Landing will include construction of a new car top canoe/kayak launching facility, grading and native landscaping, creation of additional parking spaces and a picnic area, installation of a walkway to connect the existing parking area with the new parking area, and improvements of an existing pier via the additional timber planters and benches. As a project funded in part by a Federal Coastal Zone Management grant, all specific site plans and design documents will incorporate and comply with the Uniform Federal Accessibility Standards. Rip rap and bulkhead improvements will also be undertaken by the County and will be used as a source of matching contributions.

The site is 0.52 acres in size and is currently vacant except for a short driveway. Surrounding land uses are primarily residential except for the existing launch area and a sewage pumping station. It is designated Limited Development Area (LDA) and is Buffer Exempt. The proposed improvements will create 0.15 acres of impervious surface, covering approximately 29% of the site. Because the site is designated LDA, this project requires conditional approval to exceed the 15% impervious surface limit.

With the exception of the Buffer, there are no Habitat Protection Areas on this site. The site is Buffer Exempt. Under the County's Critical Area Program and County Code, non-residential development in a BEA is subject to a minimum 50-foot setback from tidal waters. The proposed parking lot and loading/unloading area intrude into this setback. While the County views the proposed project as a public water-dependent facility where non-water dependent structures are required to be outside the Buffer "to the extent possible," the equivalent State project would likely require a conditional approval for the Buffer intrusion. The Commission's new BEA policy would require a minimum 50-foot Buffer for this project. Therefore, a second conditional approval is required for the Buffer intrusion.

Conditional Approval Process

In order to qualify for consideration by the Commission for conditional approval, the proposing local agency must show that the project or program has the following characteristics:

(1) That there exist special features of a site or there are other special circumstances such that the literal enforcement of these regulations would prevent a project or program from being implemented;

There exists both special features and special circumstances on this site that preclude the Queen Anne's County Department of Parks and Recreation from providing the proposed enhancements without exceeding the impervious surface limits. The lot acquired for this purpose is relatively small in size and acquiring additional land is not feasible. With regard to the Buffer intrusion, the project was designed to accommodate the proposed use and provide an acceptable vegetated setback for the adjacent property owner. Also, if the parking lot were shifted back towards Thompson Creek Road, several existing trees would have to be removed. Locating the project adjacent to the existing public facility allows the County to concentrate its resources and allows improvement to the existing facility along with construction of the new features. Without allowing the County to use the acquired lot as proposed, development of a stand alone launching facility for non-motorized boats would not be possible in the foreseeable future.

(2) That the project or program otherwise provides substantial public benefits to the Chesapeake Bay Critical Area Program;

The enhancements to the Thompson Creek Landing facilities will transform a very utilitarian public boat landing and launch facility into a community accessible water-

oriented park-like feature. The improvements will enhance the quality of life for the members of the community and all recreational users of the facility (especially those using non-motorized boats). The intensive native landscaping will also offer educational opportunities for visitors to experience and recognize native plant material and its uses. The park setting will act as a community builder, drawing not only boaters and watermen, but also local residents looking for a relaxing and safe public location.

(3) That the project or program is otherwise in conformance with this subtitle.

Except for the excess impervious cover and Buffer intrusion, the project is otherwise in conformance with COMAR 27.02. The Queen Anne's County Department of Public Works has approved the use of grass channels to meet water quality requirements in accordance with MDE's new stormwater regulations and the County's new stormwater ordinance. Substantial plantings, some of which will replace invading phragmites, are also proposed.

The Commission must find that the conditional approval request contains the following:

(1) That a literal enforcement of the provision of this subtitle would prevent the conduct of an authorized State or local agency program or project;

A literal enforcement would prevent Queen Anne's County Department of Parks and Recreation from providing additional recreational public access opportunities that are encouraged by the Critical Area Program. It would also prevent the County from utilizing available Federal funding for this project.

(2) There is a process by which the program or project could be so conducted as to conform, insofar as possible, with the approved local Critical Area program or, if the development is to occur on State-owned lands, with the criteria set forth in COMAR 27.02.05; and

Generally, stormwater management is used to address the impact caused by impervious surfaces. In this case, the excess impervious cover will be offset by the water quality benefits provided by the proposed grassed swales and native plantings associated with the project. Also, since much of the planting will occur within the 100-foot Buffer, some habitat enhancement will occur as well.

(3) Measures proposed to mitigate any adverse effects of the project or program on an approved local Critical Area program or, if on State-owned lands, on the criteria set forth in COMAR 27.02.05.

The proposed grassed swales and native plantings will result in increased water quality benefits and improved habitat on this previously residential site. In addition to the plantings provided on the property containing the new facilities, substantial native plantings are also proposed on the adjacent existing launch facility and the property containing the sewage pumping station. Also, by installing facilities meant for a different

range of users, the project will provide public access and recreational benefits to a larger cross section of the County's population.

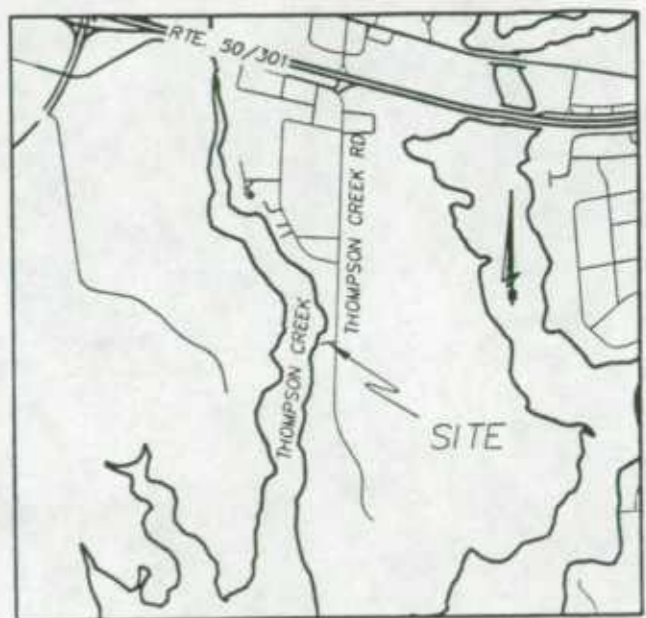
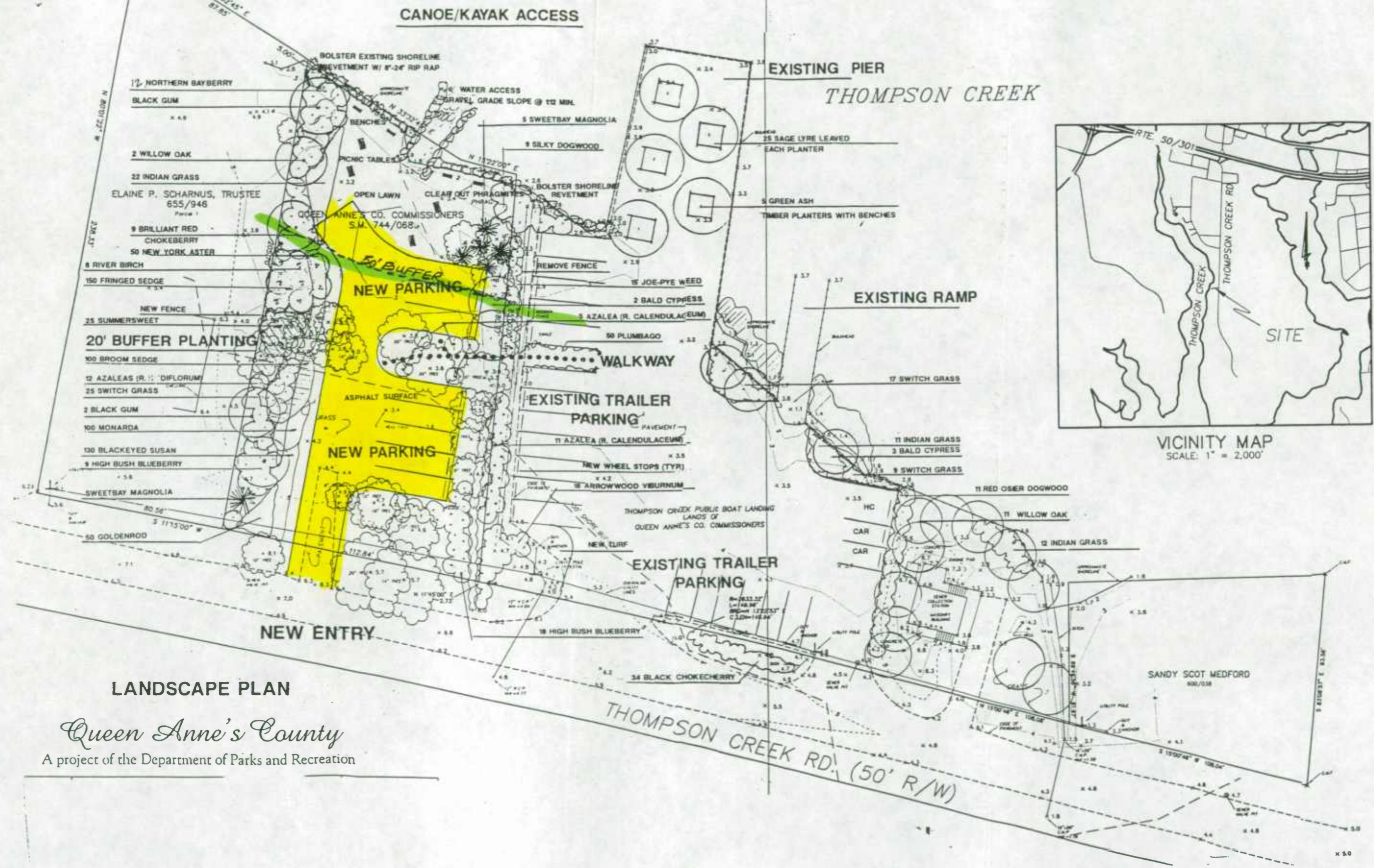
Based on a review of the information submitted, it appears that this conditional approval request is consistent with COMAR 27.02.06, the Commission's regulations for Conditional Approval of State or Local Agency Programs in the Critical Area.

Please contact me with any questions or concerns at (410) 260-3477 or via email (lchandler@dnr.state.md.us).

REC-1
APR 18 2002
CHESAPEAKE BAY
NATURAL AREA COMMISSION

RECEIVED
MAY 18 2002
CHESAPEAKE BAY
NATURAL AREA COMMISSION

THOMPSON CREEK LANDING IMPROVEMENTS



LANDSCAPE PLAN

Queen Anne's County
A project of the Department of Parks and Recreation

Chesapeake Bay Critical Area Commission

STAFF REPORT

April 3, 2002

APPLICANT: Queen Anne's County Department of Parks and Recreation

PROPOSAL: Cross Island Trail Connector

COMMISSION ACTION: Vote

STAFF RECOMMENDATION: Conditional Approval

STAFF: LeeAnne Chandler

**APPLICABLE LAW/
REGULATIONS:** COMAR 27.02.06 Conditional Approval of State or Local Agency Programs in the Critical Area

DISCUSSION:

The Queen Anne's County Department of Parks and Recreation is seeking approval to construct a trail connection between the existing Cross Island Trail and the Kent Island Public Library. The connection will act as a spur from the Cross Island Trail to the Bayside Elementary School, Kent Island Elementary School and the Kent Island Library. The site is located north of US 50/301 and MD 18 in Stevensville, Maryland. Since the completion of the Cross Island Trail's east-west route, the trail has generated increased use and great popularity. The purpose of the connector is to provide an additional safe, non-vehicular avenue of transportation for the public library patrons and parents, students, and staff of the elementary schools. Through expanded use, the connector will decrease the number of vehicular trips through this area. The County Department of Parks and Recreation has been awarded a National Recreational Trails grant to construct this connector.

In total, the connector will be 1300 feet long by eight feet in paved width. A portion of the connector (approximately 165 linear feet) will be located on the parcel occupied by the public library. This parcel is designated LDA and currently has 15% impervious coverage. With the additional 1320 square feet of impervious coverage, the impervious surface limit will be exceeded.

There are no Habitat Protection Areas that will be affected by this project.

Conditional Approval Process

In order to qualify for consideration by the Commission for conditional approval, the proposing local agency must show that the project or program has the following characteristics:

(1) That there exist special features of a site or there are other special circumstances such that the literal enforcement of these regulations would prevent a project or program from being implemented;

There exists both special features and special circumstances in regard to this project that preclude the Queen Anne's County Department of Parks and Recreation from constructing the proposed enhancements without exceeding the impervious surface limits. The library property is already at its maximum impervious area and additional safe pedestrian access to the library could not be accomplished without adding a reasonable amount of impervious area. The adjacent property, owned by the Board of Education, is not available to the Department of Parks and Recreation for the trail. The popularity of the Cross Island Trail and the availability of a Federal grant are also factors to be considered. The project could not be implemented without conditional approval.

(2) That the project or program otherwise provides substantial public benefits to the Chesapeake Bay Critical Area Program;

The Cross Island Trail has provided recreational public access in many previously inaccessible areas along its entire route. This connector will add to the benefits of the existing trail by decreasing the number of vehicular trips through the Stevensville area. It will provide safe, non-vehicular transportation and will subsequently reduce air and water pollutants associated with motorized vehicles.

(3) That the project or program is otherwise in conformance with this subtitle.

Except for the excess impervious cover, the project is otherwise in conformance with the Queen Anne's County Critical Area Program. There are no impacts to any Habitat Protection Areas or other resources. The Queen Anne's County Department of Public Works has approved the project, allowing a credit for run-off disconnection to provide water quality benefits. Also, mitigation for the connector will be provided by planting 90 willow oaks along the length of the trail.

The Commission must find that the conditional approval request contains the following:

(1) That a literal enforcement of the provision of this subtitle would prevent the conduct of an authorized State or local agency program or project;

A literal enforcement would prevent Queen Anne's County Department of Parks and Recreation from providing non-vehicular access to the public library and elementary

schools. It would also prevent the County from utilizing available Federal funding for this project.

(2) There is a process by which the program or project could be so conducted as to conform, insofar as possible, with the approved local Critical Area program or, if the development is to occur on State-owned lands, with the criteria set forth in COMAR 27.02.05; and

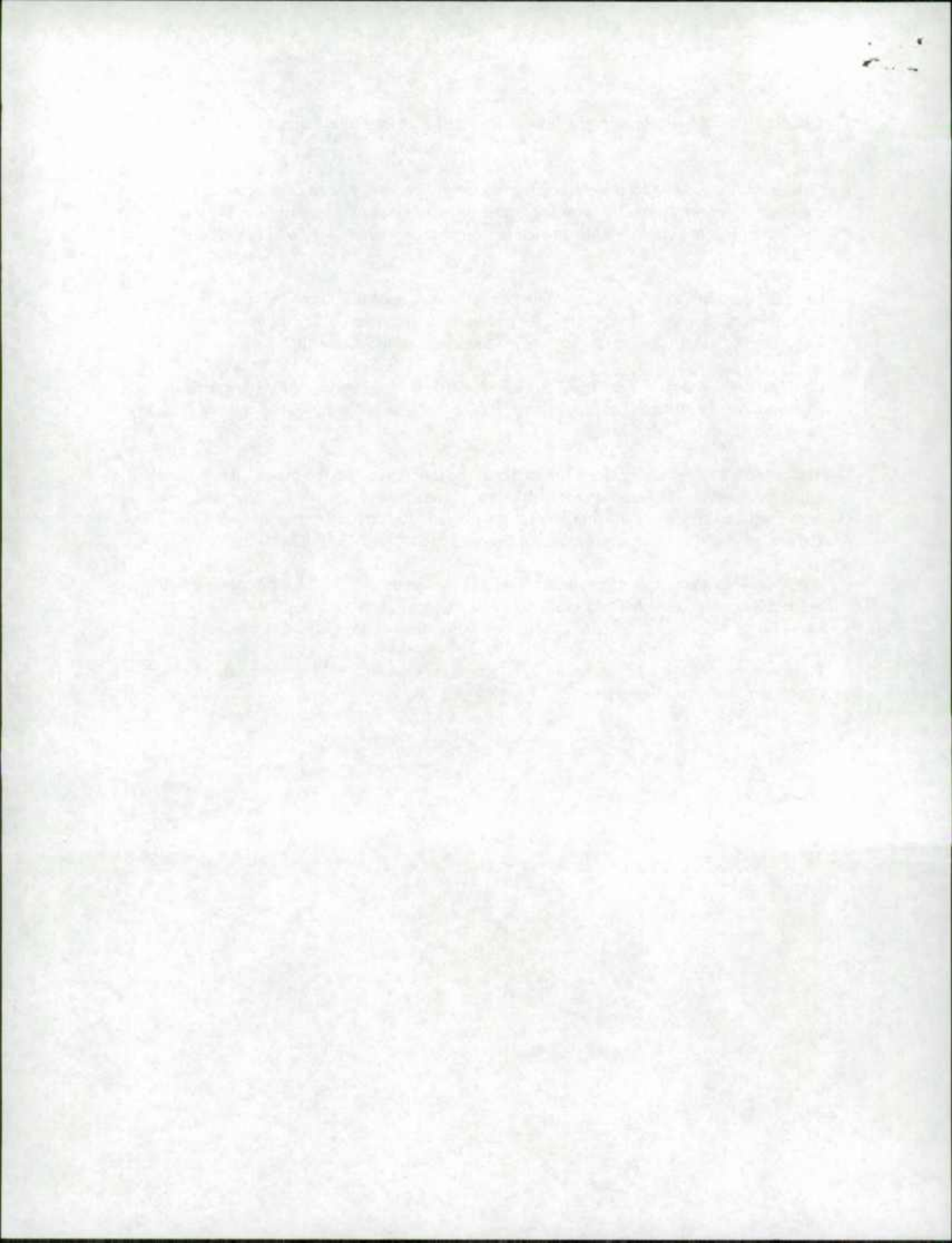
Generally, stormwater management or other offsets are used to address the impact caused by impervious surfaces. In this case, the additional impervious cover will be offset by the water quality benefits of tree planting along the length of the connector.

(3) Measures proposed to mitigate any adverse effects of the project or program on an approved local Critical Area program or, if on State-owned lands, on the criteria set forth in COMAR 27.02.05.

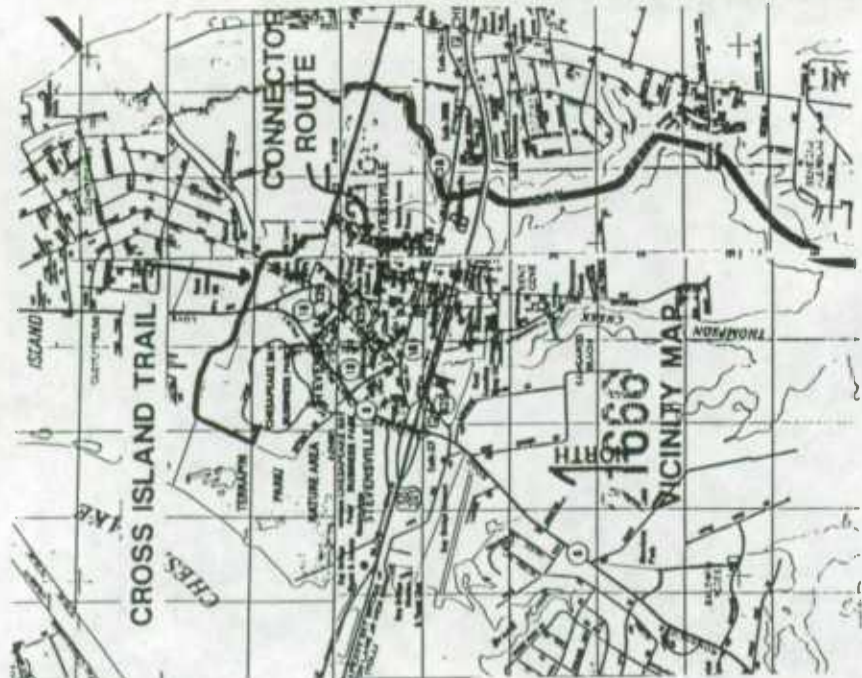
The proposed tree planting along the length of the trail will offset the proposed additional impervious cover. The amount and size of trees proposed (90 2" to 2 1/2" balled and burlapped Oaks) exceeds the mitigation typically required on State projects. Also, the project itself will have an environmental benefit by reducing use of motorized vehicles.

Based on a review of the information submitted, it appears that this conditional approval request is consistent with COMAR 27.02.06, the Commission's regulations for Conditional Approval of State or Local Agency Programs in the Critical Area.

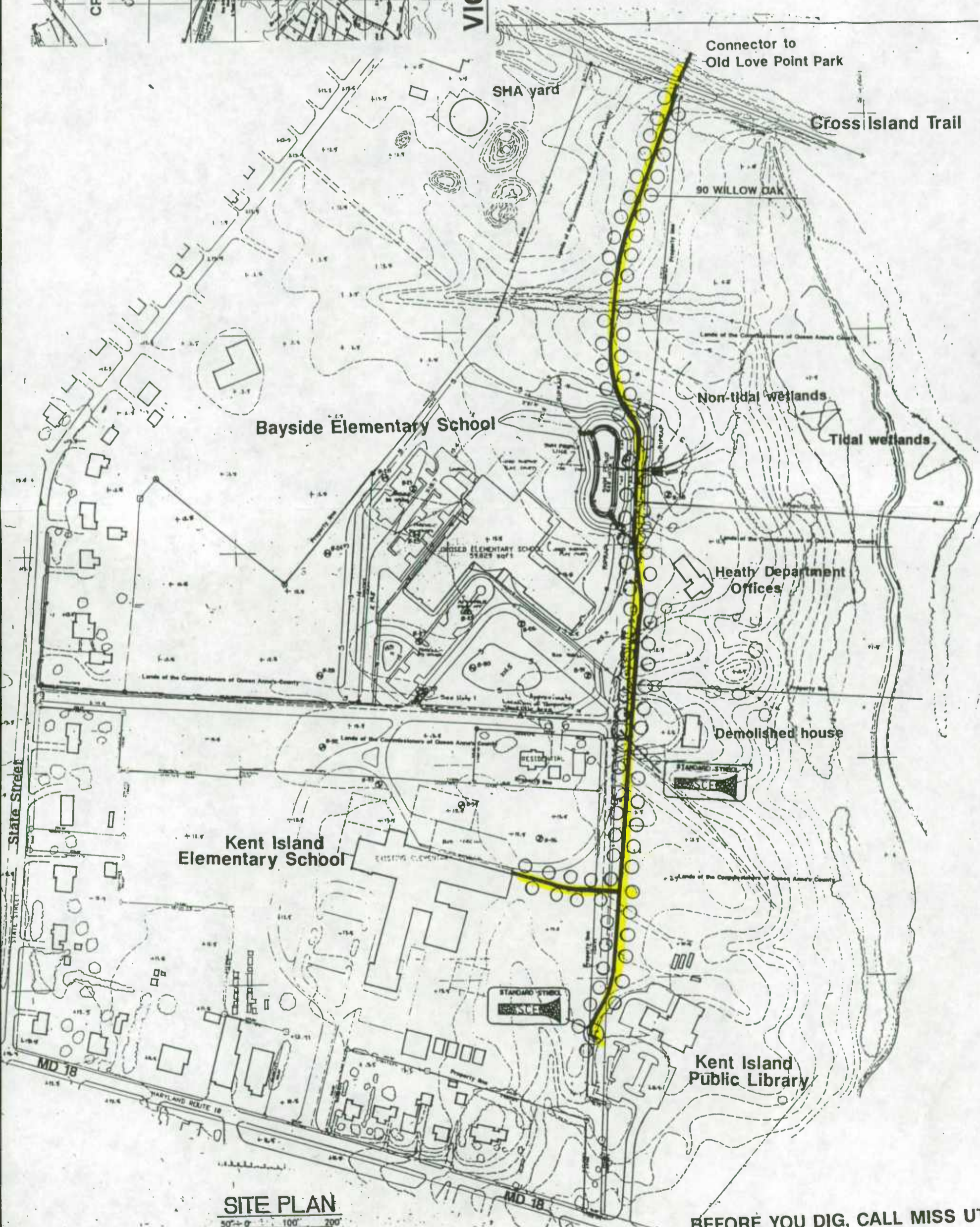
Please contact me with any questions or concerns at (410) 260-3477 or via email (lchandler@dnr.state.md.us).



CROSS ISLAND TRAIL CONNECTION



VICINITY MAP



SITE PLAN
SCALE: 1" = 100'

BEFORE YOU DIG, CALL MISS UTI

Note: The design for this project has incorporated facilities for the elderly and handicapped in compliance with state and federal legislation.

Chesapeake Bay Critical Area Commission

STAFF REPORT

April 3, 2002

APPLICANT: Maryland Department of Natural Resources
Gunpowder Falls State Park- Hammerman Area

PROPOSAL: Pavilions, Playgrounds, and Basketball Court

JURISDICTION: Baltimore County

COMMISSION ACTION: Vote

STAFF RECOMMENDATION: Approve

STAFF: Wanda Cole

**APPLICABLE LAW/
REGULATIONS:** COMAR 27.02.05 State Agency Actions Resulting in
Development on State-Owned Lands

DISCUSSION:

The Public Lands unit of Maryland Dept of Natural Resources (DNR) is requesting approval of two 250-person pavilions, three "tot-lot" playgrounds, and one full-size basketball court at the Hammerman area of Gunpowder Falls State Park. In addition, paved pathways between these facilities and nearby comfort stations and parking lots will be necessary. These facilities will be located in the grassy areas of the existing day use area, where similar facilities are already in place. (Please see attached site map.) The entire Hammerman Area lies within the Critical Area, however, none of the proposed activities occur within the 100-foot Critical Area Buffer of Gunpowder River or its tidal tributaries. The project site is not an intensely developed area.

The two pavilions will each measure 1800 square feet and will be built on concrete slabs measuring 1,920 square feet. The three playgrounds will each measure 1100 square feet and the surface will consist of rubber surfacing and mulch over gravel. The basketball court will be full-size with an asphalt surface that will measure 4,700 square feet.

The pathways will be 4' wide. Their combined lengths will equal 400 linear feet for a total of 1,600 square feet. Pathways are necessary to control the movement of pedestrian travel between parking and comfort facilities. Paved surfaces are necessary due to the amount of pedestrian traffic expected, which would soon wear a grassed or mulched surface down to bare earth. Mulching these high-use areas would be a continual maintenance item as the mulch would be kicked, blown or washed out of the pathway.

The combined project areas would result in a total of 10,140 square feet, or 0.23 acres, of new impervious surfaces. Runoff from these areas will be maintained as sheet flow across the large expanses of grassed areas that surround each facility. A letter from MDE has noted that the pavilion project qualifies for a waiver of quantitative stormwater management based on Section 3.3 (B)(3).

The pavilions will be placed at the top of the slope and are sited within a comfortable walking distance from parking and comfort station facilities. The pavilions are deliberately not grouped closely together in order to allow a "personal space" or buffer between different user groups. This is a preferred practice when accommodating mixed interests in one area.

The playgrounds are located convenient to each core of day use facilities. This allows children to play within sight of adult supervision as their parents pursue adult group activities. The basketball court is intended for pickup games.

No Habitat Protection Areas will be affected. One of the pavilions will displace a small afforestation area that is less than one-year old and whose trees measure less than one-inch dbh. DNR will need to move these plantings to another area or replace them at a 1:1 ratio. The 1:1 mitigation (or relocation) will need to be sited in an area where park staff will not be prevented from monitoring the activities of park users. Plantings will be placed immediately adjacent to existing groves of trees that are located within swales or border the shoreline. This will not only provide more appropriate, contiguous wildlife habitat, but will improve the water quality of runoff moving through the swales.

The only Maryland Department of the Environment (MDE) approval needed is for sediment and erosion control.

RECOMMENDATION: Approve with the following requirements: (a) the mitigation or relocation area is to be approved by Commission staff prior to planting, and (b) a five-year Planting Agreement be implemented for the mitigation area. A five-year agreement will increase the probability that the plantings will survive deer browse and/or short-term drought cycles.

cc: 40-01

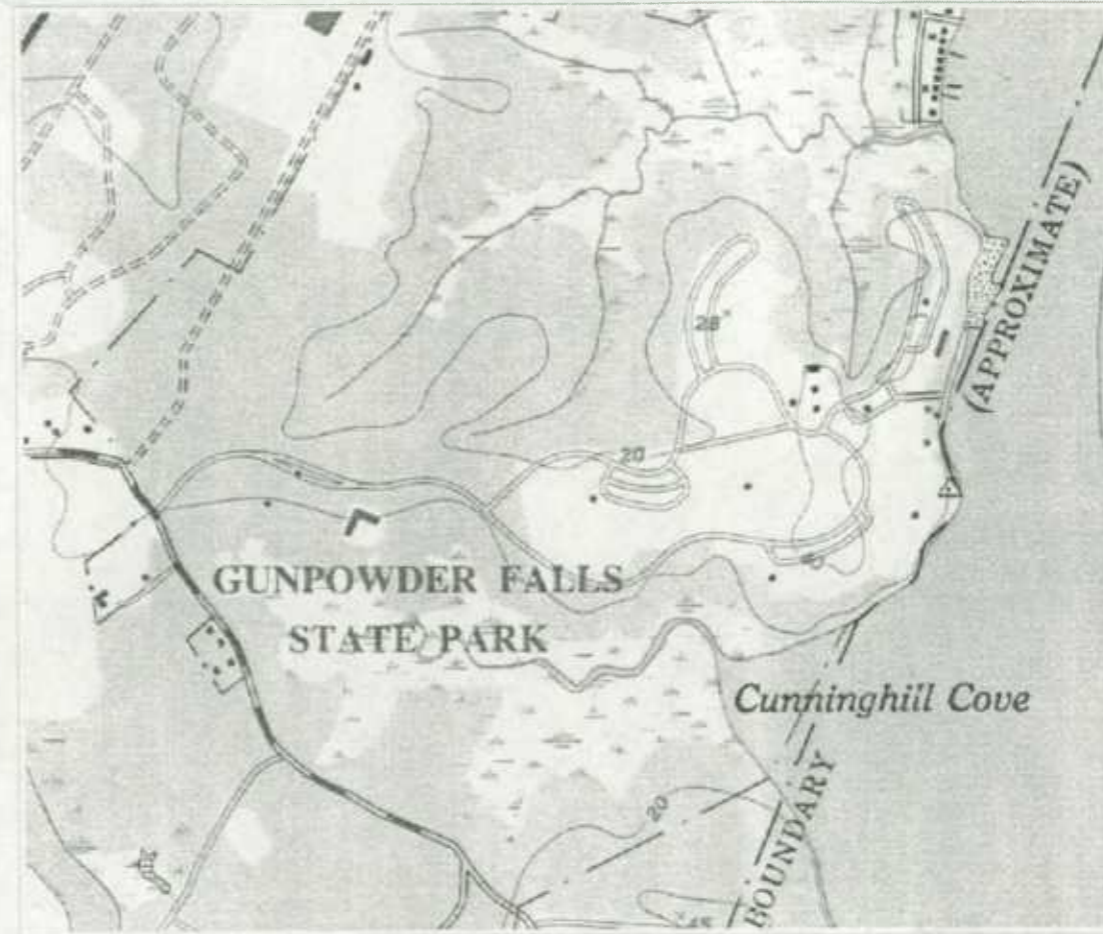
MERLIN Online Map - Gunpowder Falls SP- Hammerman Area Day Use Improvements

Base Maps

3.75' Quarter Quad Grid



Gunpowder Neck Quad 7.5' Topo



N 188380.46m E 456128.75m



Coordinates at center of image in Maryland State Plane, NAD 1983 meters

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LEGEND:

FAMILY PICNICKING AREA



PLAYGROUND



PICNIC SHELTERS WITH GRILL SHELTER



25 People

150 People

250 People

COMFORT STATION



MULTIUSE COURT



Day Use - Hammerman Area
Gunpowder Falls State Park
Maryland Department of Natural Resources

*Concur
Support*

Chesapeake Bay Critical Area Commission

STAFF REPORT

April 3, 2002

APPLICANT: Anne Arundel County

PROPOSAL: Refinement – County Council Bill 105-02
Bog Protection Program

COMMISSION ACTION: Concurrence

STAFF RECOMMENDATION: Concur with Chairman's Determination

STAFF: Lisa Hoerger

**APPLICABLE LAW/
REGULATIONS:** Natural Resources Article §8-1809(p) Adoption of proposed
refinement

DISCUSSION:

Anne Arundel County has submitted a proposed program refinement to Chairman North for consideration. Last month the Anne Arundel County Council passed Bill 105-02, titled the Bog Protection Program. This legislation establishes Bog Protection Areas and a Bog Protection Program by amending several of the County's Ordinances to provide additional measures to ensure the preservation and protection of these resources above those required by the Maryland Department of the Environment (MDE).

In January 2001, at the request of the Anne Arundel County delegation, MDE had emergency regulations adopted to include recently discovered bogs on the Mountain Road peninsula to their list of Nontidal Wetlands of Special State Concern (NTWSSC). The MDE regulations also included required best management practices around bogs when new development activities are proposed. When these emergency regulations were adopted the County was in the process of drafting Bill #105-02.

The Bog Task Force Committee was instrumental in developing the Bog Protection Program and they meet regularly to address issues including land acquisition, restoration, and field surveying. This committee consists of local, state, and federal agencies, local and State officials, not-for-profits and private citizens. Bill 105-02 is a result of this group's efforts. This committee continues to meet to discuss implementation and mitigation issues.

The attached map serves as the County's current working map until ground-truthing of the bogs is completed. The County has requested that the text amendment be approved as a refinement with the understanding that the final maps will come to the Commission later for approval. The interim map is attached.

Support
Contract

Contract No. 100-100000-0000

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Outline of the Bog Protection Program

The County has amended the following ordinances in order to incorporate the new bog protections: Article 3, Title 2 Board of Appeals, Zoning Appeals; Article 21 Floodplain Management, Sediment Control and Stormwater Management; Article 26 Subdivisions; Article 28 Zoning. Title 10, Bog Protection Program was added to Article 28, Zoning. The following sections highlight substantive amendments and summarize the significant provisions of the Bill. If you would like to review the Bill itself, please call Lisa Hoerger at (410) 260-3478. (CAPITALS indicate new matter added to existing law, [brackets] indicate matter stricken from existing law, underlining indicates amendments to bill, and ~~strikeover~~ indicates matter stricken from bill by amendment)

Article 3, Title 2 Board of Appeals, Zoning Appeals - The changes to the Zoning Appeals simply inserted the language, "Bog Protection Program" and "Bog Protection Area" into the County's variance standards. The variance standards remain unchanged.

Article 21 Floodplain Management, Sediment Control and Stormwater Management – This article has several changes and amendments.

Section 2-101. Definitions This section has new definitions. They include the following:

"BOG" MEANS AN AREA SHOWN ON THE BOG PROTECTION AREA GUIDANCE MAP THAT CONTAINS:

- (I) AN ECOSYSTEM CONSISTING OF: 1. PEATLAND CHARACTERIZED BY SPHAGNOUS MAT, ORGANIC SOILS, OR ACCUMULATED PEAT; AND 2. SOILS SATURATED TO THE SURFACE THROUGHOUT THE YEAR WITH MINIMAL FLUCTUATION IN WATER LEVEL; AND
- (II) NONTIDAL WETLANDS THAT ARE CONTIGUOUS TO THE ECOSYSTEM DESCRIBED IN SUBPARAGRAPH (I) OF THIS SUBSECTION.

"BOG PROTECTION AREAS" MEANS AN AREA THAT:

- (I) IS SHOWN ON THE BOG PROTECTION AREA GUIDANCE MAP;
- (II) IS LISTED IN ARTICLE 28 § 1D-103 OF THIS CODE; AND
- (III) CONTAINS A BOG, CONTRIBUTING STREAMS, A ONE-HUNDRED FOOT UPLAND BUFFER, A LIMITED ACTIVITY AREA, AND A CONTRIBUTING DRAINAGE AREA.

"BOG PROTECTION PLAN" MEANS A DETAILED PLAN FOR A SITE THAT:

- (I) DELINEATES THE BOG, CONTRIBUTING STREAMS, THE ONE-HUNDRED FOOT UPLAND BUFFER, THE LIMITED ACTIVITY AREA, AND THE CONTRIBUTING DRAINAGE AREA;
- (II) IDENTIFIES ENVIRONMENTAL AND NATURAL FEATURES INCLUDING RARE, THREATENED, AND ENDANGERED SPECIES; AND
- (III) CONTAINS A PLAN SHOWING HOW A PROPOSED DEVELOPMENT THAT WILL DISTURB 5,000 FEET OR MORE WILL COMPLY WITH THE REQUIREMENTS OF THIS ARTICLE AND ARTICLES 26 AND 28 OF THIS CODE.

THE HISTORY OF THE UNITED STATES

The history of the United States is a story of growth and change. From the first settlers to the present day, the nation has evolved through various stages of development. The early years were marked by exploration and the establishment of colonies. The American Revolution led to the birth of a new nation, and the subsequent years saw the expansion of territory and the growth of industry and commerce. The Civil War was a pivotal moment in the nation's history, leading to the abolition of slavery and the strengthening of the federal government. The 20th century brought significant social and political changes, including the rise of the Progressive Era, the Great Depression, and the Second World War. Today, the United States continues to be a leading power in the world, facing new challenges and opportunities.

The American Revolution was a turning point in the nation's history. It led to the adoption of the Constitution and the establishment of a new form of government. The war was fought between the thirteen original states and Great Britain, and it resulted in the independence of the United States. The Constitution provided a framework for the government, and the Bill of Rights guaranteed the rights of the citizens. The new nation faced many challenges, but it emerged as a powerful and independent country.

The American Civil War was a conflict between the Northern states and the Southern states. It was fought from 1861 to 1865, and it resulted in the abolition of slavery. The war was a result of the growing divide between the North and the South over the issue of slavery. The Union emerged victorious, and the nation was reunited.

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"BOG PROTECTION WORK SHEET" MEANS A PLAN FOR A SITE THAT:

- (I) DELINEATES THE BOG, THE CONTRIBUTING STREAMS, THE ONE-HUNDRED FOOT UPLAND BUFFER, THE LIMITED ACTIVITY AREA, AND THE CONTRIBUTING DRAINAGE AREA;
- (II) IDENTIFIES ENVIRONMENTAL AND NATURAL FEATURES, INCLUDING RARE, THREATENED, AND ENDANGERED SPECIES; AND
- (III) CONTAINS A DRAWING OR SKETCH, WITH EXPLANATIONS, THAT SHOW HOW A PROPOSED DEVELOPMENT THAT WILL DISTURB LESS THAN 5,000 SQUARE FEET WILL COMPLY WITH THE REQUIREMENTS OF THIS ARTICLE AND ARTICLES 26 AND 28 OF THIS CODE.

"CONTRIBUTING DRAINAGE AREA" MEANS AN AREA SHOWN ON THE BOG PROTECTION AREA GUIDANCE MAP THAT DRAINS TO THE BOG AND CONTRIBUTING STREAMS.

"CONTRIBUTING STREAMS" MEANS AREAS SHOWN ON THE BOG PROTECTION AREA GUIDANCE AREA MAP AS WATERCOURSES OR STREAMS THAT DRAIN INTO THE BOG.

- (13A) (I) "Disturbance" means cutting or removing vegetation or grading or filling activities.
(II) DISTURBANCE DOES NOT INCLUDE LAWN MOWING, GARDENING, OR ROUTINE YARD MAINTENANCE.

"LIMITED ACTIVITY AREA" MEANS AN AREA SHOWN ON THE BOG PROTECTION AREA GUIDANCE MAP AS THE THREE HUNDRED FOOT AREA SURROUNDING THE OUTER EDGE OF A BOG.

"ONE HUNDRED FOOT UPLAND BUFFER" MEANS AN AREA SHOWN ON THE BOG PROTECTION AREA GUIDANCE MAP AS THE ONE HUNDRED FOOT AREA SURROUNDING THE OUTER EDGE OF A BOG AND CONTRIBUTING STREAMS.

"Sensitive area" means:

- (i) a shoreline, or a perennial streams, creek, river, bay, pond, lake, or similar body of water, excluding intermittent bodies of water, as shown on the United States Coast and Geodetic Survey 7.5 minute quadrangle maps; [and]
- (ii) wetlands, INCLUDING BOGS; AND
- (iii) A BOG PROTECTION AREA.

Section 2-201. Permit Required; exceptions. This section adds the following:

2. IN A BOG PROTECTION AREA, DEVELOPMENT THAT DOES NOT DISTURB MORE THAN 5,000 SQUARE FEET AND THAT HAS NOT PREVIOUSLY BEEN GIVEN AN EXEMPTION UNDER THIS SECTION;

2-305. Sensitive Area Criteria.

This section adds language that allows for a 5,000 square foot exemption to a sensitive area study so that applicants that are doing small projects are not required to prepare a study. It also requires an

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AND OF THE LANDS WHICH THEY INHABIT.

applicant that is subject to the sensitive area criteria to submit an outfall survey, a topographical survey, a description of existing vegetation photographic or video documentation and a soils study 500 to 700 feet downstream from the outfall. New language to these requirements is as follows:

2-322. Bog Protection Areas Development Criteria.

This section adds language that exempts the following activities from meeting the Bog Protection Areas Development Criteria:

(B) THIS TITLE DOES NOT APPLY TO:

- (1) STRUCTURES, FACILITIES, OR ACTIVITIES IN A BOG PROTECTION AREA ON LAND OWNED OR CONTROLLED BY A GOVERNMENTAL ENTITY;
- (2) UTILITY LINES THAT ARE INSTALLED, WITH PERMISSION, ON LAND IN A BOG PROTECTION AREA THAT IS OWNED OR CONTROLLED BY A GOVERNMENT ENTITY; OR
- (3) WORK UNDERTAKEN BY A PUBLIC UTILITY TO UTILIZE, MAINTAIN, OR PROTECT EXISTING ELECTRIC AND GAS TRANSMISSION AND DISTRIBUTION LINES, CORRIDORS, OR FACILITIES IN A BOG PROTECTION AREA, PROVIDED BEST MANAGEMENT PRACTICES ARE USED FOR PROTECTION OF THE BOG PROTECTION AREA.

This section also prohibits disturbance of any kind in a bog or the contributing stream and states that within the 100-foot upland buffer there can be no new disturbance without a variance. Decks no larger than 288 square feet are permitted and one shed per lot is permitted if the shed is no larger than 144 square feet. The applicant must demonstrate that the distance between each structure and the bog is maximized.

This section also includes provisions that only nonstructural stormwater management techniques are permitted unless they are not feasible, and that all runoff cannot directly discharge into a bog, contributing stream, or 100-foot buffer.

This section includes impervious surface standards that mimic the County's Critical Area impervious surface standards but extends them to its Bog Protection Areas. For parcels or lots that are in a Bog Protection Area outside of the Critical Area, the grandfathering date is December 3, 2001. This section is more restrictive for new subdivisions in Bog Protection Areas by limiting impervious surfaces to only 10% of the site. The impervious surface language also allows an applicant to increase impervious areas just as the County's Critical Area requirements allow an applicant to increase impervious surfaces on their lot or parcel subject to certain limitations.

Forest retention and clearing also mimics the County's Critical Area requirements and requires that reforestation that cannot be located on a site be located on an alternative off-site location within a Bog Protection Area.

A Bog Protection Plan or Worksheet is required for submittal with all affected projects, and must include all appropriate sediment controls. This section also requires that all composting or yard waste be disposed of outside the 100-foot upland buffer

1. The first part of the report deals with the general situation of the country and the progress of the work done during the year.

2. The second part of the report deals with the work done in the various departments and the progress of the work done during the year.

3. The third part of the report deals with the work done in the various departments and the progress of the work done during the year.

4. The fourth part of the report deals with the work done in the various departments and the progress of the work done during the year.

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8. The eighth part of the report deals with the work done in the various departments and the progress of the work done during the year.

9. The ninth part of the report deals with the work done in the various departments and the progress of the work done during the year.

Article 26 Subdivisions

1-101. Definitions. The same definitions as listed above are incorporated into the Subdivision Ordinance.

1-111. Variances and modifications. This section is amended to add language that the Planning and Zoning Officer must find that if a variance or modification is requested, it is consistent with the spirit and intent of the Bog Protection Program and will not adversely affect water quality or existing hydrology or adversely impact fish, wildlife, or plant habitat.

Title 2. Plat Submission and Approval Procedures 2-303. Application requirements. This section outlines the information required from the applicant which include Bog Protection Plans or Worksheets, and describes what information should be included on these plans. This section also requires certain items to appear on the final plat.

Article 28 Zoning Title 1. General Provisions

The definitions are included in this section and the Bog Protection Program is included here. The bogs are identified by name and listed in this section. This section allows the Planning Officer to amend the maps, and includes those activities that are exempt. It also includes the language that appears in the Floodplain Ordinance.

Chairman North has determined these text changes to be a refinement to the County's Critical Area Program and seeks your concurrence.

1. The first part of the document discusses the importance of maintaining accurate records.

2. It is essential to ensure that all data is entered correctly and consistently.

3. Regular audits should be conducted to verify the accuracy of the information.

4. The second section covers the various methods used for data collection and analysis.

5. These methods include surveys, interviews, and focus groups.

CONTRIBUTING DRAINAGE AREA

- New subdivision limited to 10% impervious.
- Use non-structural stormwater management to the extent possible
- Impervious surface requirements are similar to Critical Area.
- Forest requirements are the same as Critical Area.
- Bog Protection Plan or worksheet required. Similar to CA.
- Sediment control and native species required.

LIMITED ACTIVITY AREA

- No creation of new lots.

100 FOOT UPLAND BUFFER

- No vegetative waste stored
Except compost & recycling.
- No stormwater discharge.
- Only construct one shed ≤ 144 s/f or
pervious decks ≤ 288 s/f,
in areas without trees.
Add native vegetation.
- Natural vegetation shall be maintained, as in the
Critical Area.

BOG and STREAM

- No activity.
- No stormwater discharge.

Anne Arundel County

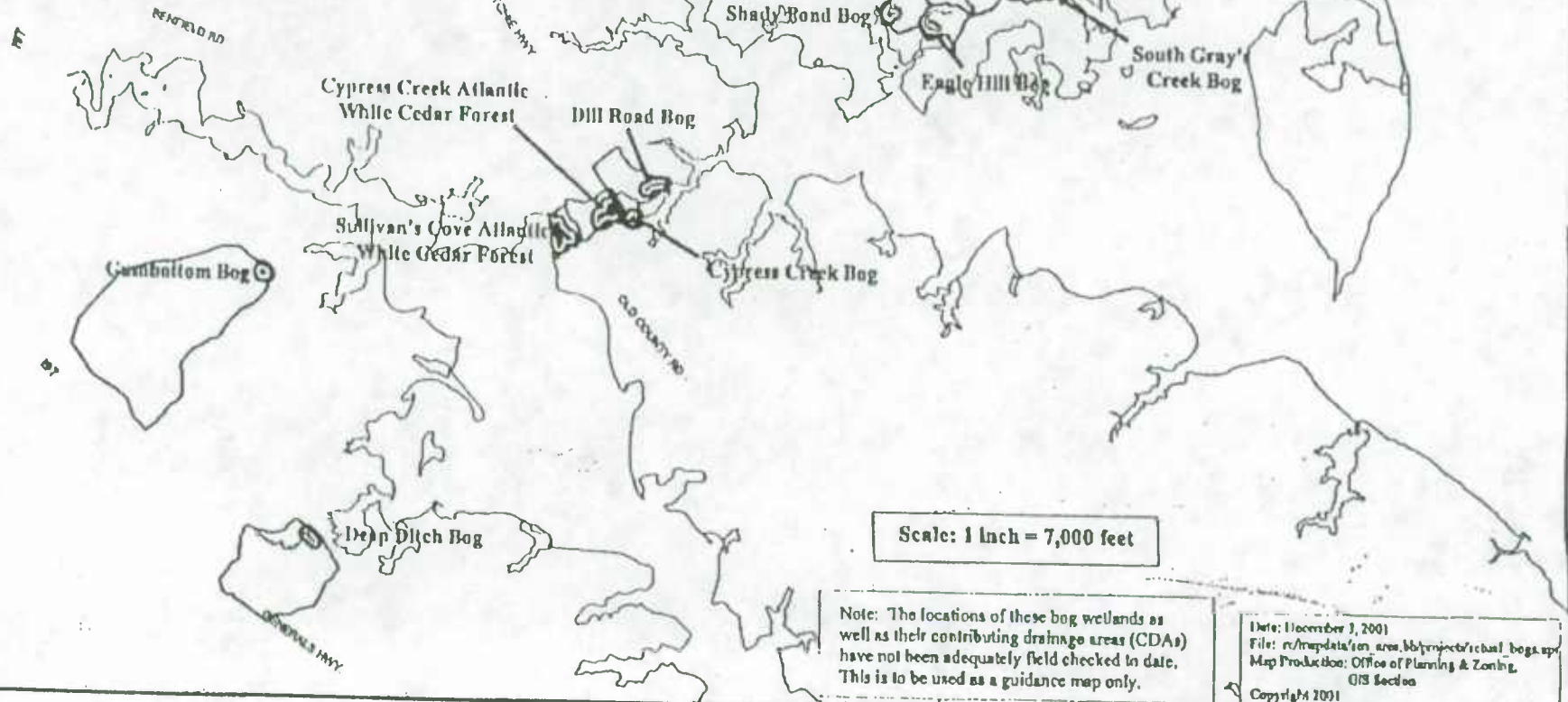
Bog Protection Area Guidance Map

Bill No. 105-01
Attachment No. 1



LEGEND

- Contributing Stream
- Bog Wetland
- 100 Foot Buffer of Bogs and Contributing Streams
- 300 Foot Limited Activity Area
- Contributing Drainage Area



Note: The locations of these bog wetlands as well as their contributing drainage areas (CDAs) have not been adequately field checked in date. This is to be used as a guidance map only.

Date: December 1, 2001
File: c:\mapdata\en_area\bjprojects\cbal_bogs.apr
Map Production: Office of Planning & Zoning, GIS Section
Copyright 2001

Chesapeake Bay Critical Area Commission

STAFF REPORT

April 3, 2002

Support

APPLICANT: Dorchester County

PROPOSAL: Refinement- Hooper's Island VFD Growth Allocation

COMMISSION ACTION: Concurrence with Chairman's Determination

STAFF RECOMMENDATION: Approval

STAFF: Wanda Cole

**APPLICABLE LAW/
REGULATIONS:** COMAR 27.01.02.06 Location and Extent of Future Intensely Developed and Limited Development Areas

DISCUSSION:

Dorchester County Commissioners have requested 0.44 acres of growth allocation to change the Critical Area designation on a Hooper's Island Volunteer Fire Department (VFD) property from LDA to IDA for the purpose of constructing a gravel parking lot. The growth allocation is needed because the construction of the parking lot will create 35.1% in impervious surfaces, exceeding the maximum 31.25% impervious surface limits for grandfathered parcels of this size in the LDA.

The entire property lies within the LDA of Tar Bay and Long Cove. It is currently undeveloped, except for a gravel driveway, and had been maintained as lawn prior to purchase of the parcel by the VFD. The existing wooded portion contains nontidal wetlands and will remain undisturbed. Neither the 100-foot Buffer nor state tidal wetlands occur on the property. No other Habitat Protection Areas are located on the property.

As IDA, the project must comply with the 10% Rule for pollutant reduction. Flat-bottomed, vegetated wet swales are proposed along the perimeter of the parking lot and will meet the removal requirement of 0.14 pounds. The swales will be established and maintained in nontidal wetland vegetation, resulting in the creation of 3,420 square feet of nontidal wetlands.

The County finds that this growth allocation will provide a public benefit through the creation of additional parking that will accommodate special events sponsored by the VFD, such as fundraisers and training programs.

Department of Cultural Services Commission

Handwritten signature or initials

DATE: _____
TIME: _____

MEMORANDUM FOR THE COMMISSION
SUBJECT: _____
DATE: _____
BY: _____

1. The Commission has received a report from the _____
regarding the _____
The report indicates that _____
and that _____

2. It is recommended that the Commission _____
in order to _____
The Commission should _____

3. The Commission should also _____
to ensure that _____
and that _____

Respectfully,

Chairman

The site is 0.52 acres in size and is currently vacant except for a short driveway. Surrounding land uses are primarily residential except for the existing launch area and a sewage pumping station. It is designated Limited Development Area (LDA) and is Buffer Exempt. The proposed improvements will create 0.15 acres of impervious surface, covering approximately 29% of the site. Because the site is designated LDA, this project requires conditional approval to exceed the 15% impervious surface limit.

With the exception of the Buffer, there are no Habitat Protection Areas on this site. The site is Buffer Exempt. Under the County's Critical Area Program and County Code, non-residential development in a BEA is subject to a minimum 50-foot setback from tidal waters. The proposed parking lot and loading/unloading area intrude into this setback. While the County views the proposed project as a public water-dependent facility where non-water dependent structures are required to be outside the Buffer "to the extent possible," the equivalent State project would likely require a conditional approval for the Buffer intrusion. The Commission's new BEA policy would require a minimum 50-foot Buffer for this project. Therefore, a second conditional approval is required for the Buffer intrusion.

Conditional Approval Process

In order to qualify for consideration by the Commission for conditional approval, the proposing local agency must show that the project or program has the following characteristics:

(1) That there exist special features of a site or there are other special circumstances such that the literal enforcement of these regulations would prevent a project or program from being implemented;

There exists both special features and special circumstances on this site that preclude the Queen Anne's County Department of Parks and Recreation from providing the proposed enhancements without exceeding the impervious surface limits. The lot acquired for this purpose is relatively small in size and acquiring additional land is not feasible. With regard to the Buffer intrusion, the project was designed to accommodate the proposed use and provide an acceptable vegetated setback for the adjacent property owner. Also, if the parking lot were shifted back towards Thompson Creek Road, several existing trees would have to be removed. Locating the project adjacent to the existing public facility allows the County to concentrate its resources and allows improvement to the existing facility along with construction of the new features. Without allowing the County to use the acquired lot as proposed, development of a stand alone launching facility for non-motorized boats would not be possible in the foreseeable future.

(2) That the project or program otherwise provides substantial public benefits to the Chesapeake Bay Critical Area Program;

The enhancements to the Thompson Creek Landing facilities will transform a very utilitarian public boat landing and launch facility into a community accessible water-

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that proper record-keeping is essential for the success of any business and for the protection of the interests of all parties involved. The text also mentions the need for regular audits and the importance of having a clear system in place for handling disputes.

In the second part, the author discusses the various methods used to collect and analyze data. This section covers the importance of choosing the right data sources and the need for a systematic approach to data collection. It also touches upon the challenges of data analysis and the importance of using appropriate statistical techniques to draw meaningful conclusions from the data.

The third part of the document focuses on the practical aspects of data management. It provides a detailed overview of the different types of data storage systems and the factors that should be considered when choosing a system. The text also discusses the importance of data security and the need for regular backups to prevent data loss.

In the fourth part, the author discusses the role of data in decision-making. It explains how data can be used to identify trends and patterns in business performance and how this information can be used to make more informed decisions. The text also mentions the importance of communicating data effectively to other stakeholders in the organization.

The fifth part of the document discusses the future of data and the impact of emerging technologies. It highlights the growing importance of big data and the need for organizations to invest in the right tools and talent to handle this data. The text also mentions the potential of artificial intelligence and machine learning in data analysis and the importance of staying up-to-date with the latest developments in the field.

In the final part, the author provides a summary of the key points discussed in the document. It reiterates the importance of data in business and the need for a comprehensive data strategy. The text also offers some final thoughts on the future of data and the role of organizations in shaping it. The document concludes with a call to action for organizations to take a proactive approach to data management and to embrace the opportunities that data offers.

The document is intended for a wide range of readers, including business owners, managers, and anyone interested in data and its applications in business. It provides a comprehensive overview of the field and offers practical advice on how to get the most out of your data.

oriented park-like feature. The improvements will enhance the quality of life for the members of the community and all recreational users of the facility (especially those using non-motorized boats). The intensive native landscaping will also offer educational opportunities for visitors to experience and recognize native plant material and its uses. The park setting will act as a community builder, drawing not only boaters and watermen, but also local residents looking for a relaxing and safe public location.

(3) That the project or program is otherwise in conformance with this subtitle.

Except for the excess impervious cover and Buffer intrusion, the project is otherwise in conformance with COMAR 27.02. The Queen Anne's County Department of Public Works has approved the use of grass channels to meet water quality requirements in accordance with MDE's new stormwater regulations and the County's new stormwater ordinance. Substantial plantings, some of which will replace invading phragmites, are also proposed.

The Commission must find that the conditional approval request contains the following:

(1) That a literal enforcement of the provision of this subtitle would prevent the conduct of an authorized State or local agency program or project;

A literal enforcement would prevent Queen Anne's County Department of Parks and Recreation from providing additional recreational public access opportunities that are encouraged by the Critical Area Program. It would also prevent the County from utilizing available Federal funding for this project.

(2) There is a process by which the program or project could be so conducted as to conform, insofar as possible, with the approved local Critical Area program or, if the development is to occur on State-owned lands, with the criteria set forth in COMAR 27.02.05; and

Generally, stormwater management is used to address the impact caused by impervious surfaces. In this case, the excess impervious cover will be offset by the water quality benefits provided by the proposed grassed swales and native plantings associated with the project. Also, since much of the planting will occur within the 100-foot Buffer, some habitat enhancement will occur as well.

(3) Measures proposed to mitigate any adverse effects of the project or program on an approved local Critical Area program or, if on State-owned lands, on the criteria set forth in COMAR 27.02.05.

The proposed grassed swales and native plantings will result in increased water quality benefits and improved habitat on this previously residential site. In addition to the plantings provided on the property containing the new facilities, substantial native plantings are also proposed on the adjacent existing launch facility and the property containing the sewage pumping station. Also, by installing facilities meant for a different

The first part of the report deals with the general situation in the country. It is a very interesting and detailed study of the country's economic and social conditions. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country.

The second part of the report deals with the country's political situation. It is a very interesting and detailed study of the country's political conditions. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country.

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The sixth part of the report deals with the country's social situation. It is a very interesting and detailed study of the country's social conditions. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country.

The seventh part of the report deals with the country's economic situation. It is a very interesting and detailed study of the country's economic conditions. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country.

range of users, the project will provide public access and recreational benefits to a larger cross section of the County's population.

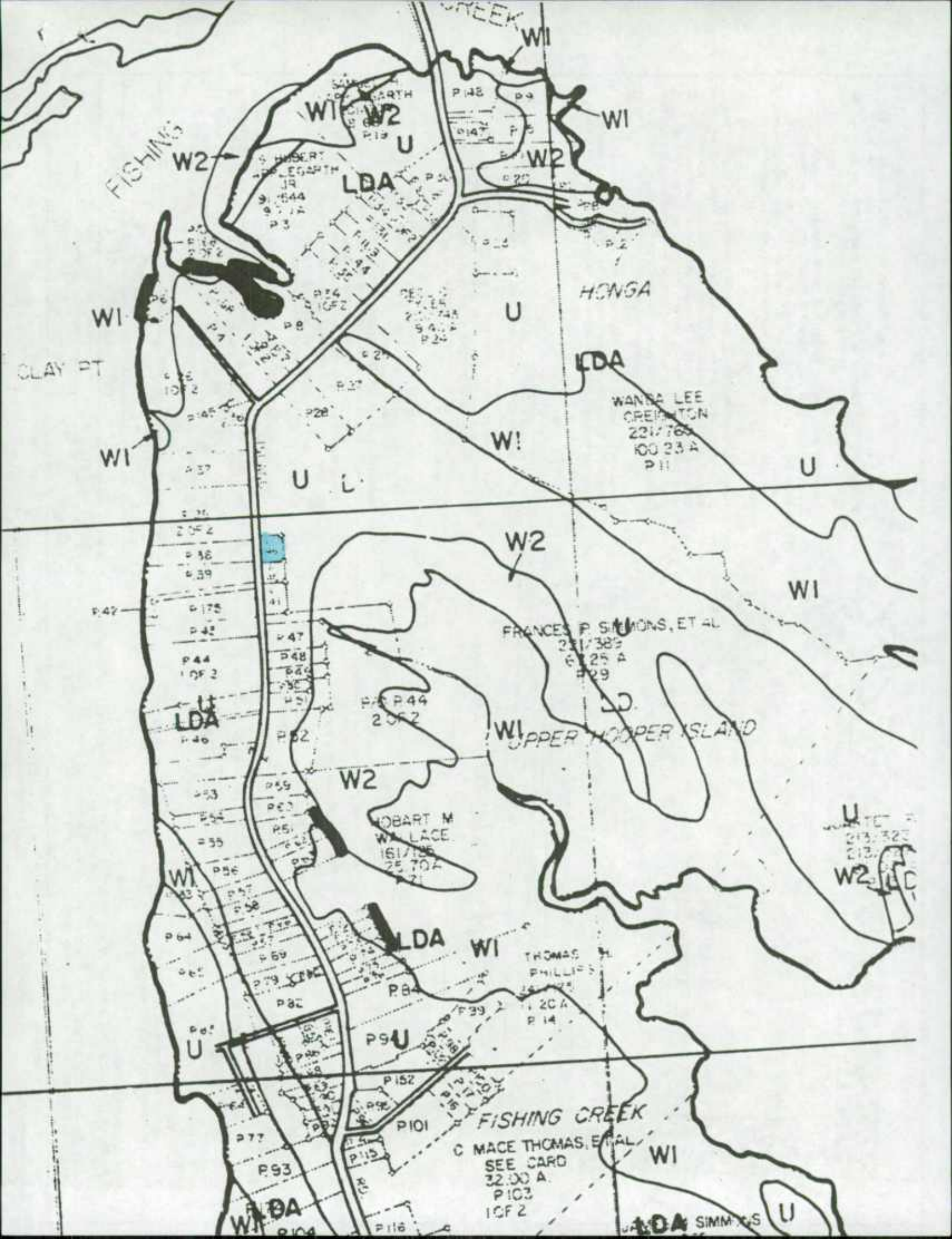
Based on a review of the information submitted, it appears that this conditional approval request is consistent with COMAR 27.02.06, the Commission's regulations for Conditional Approval of State or Local Agency Programs in the Critical Area.

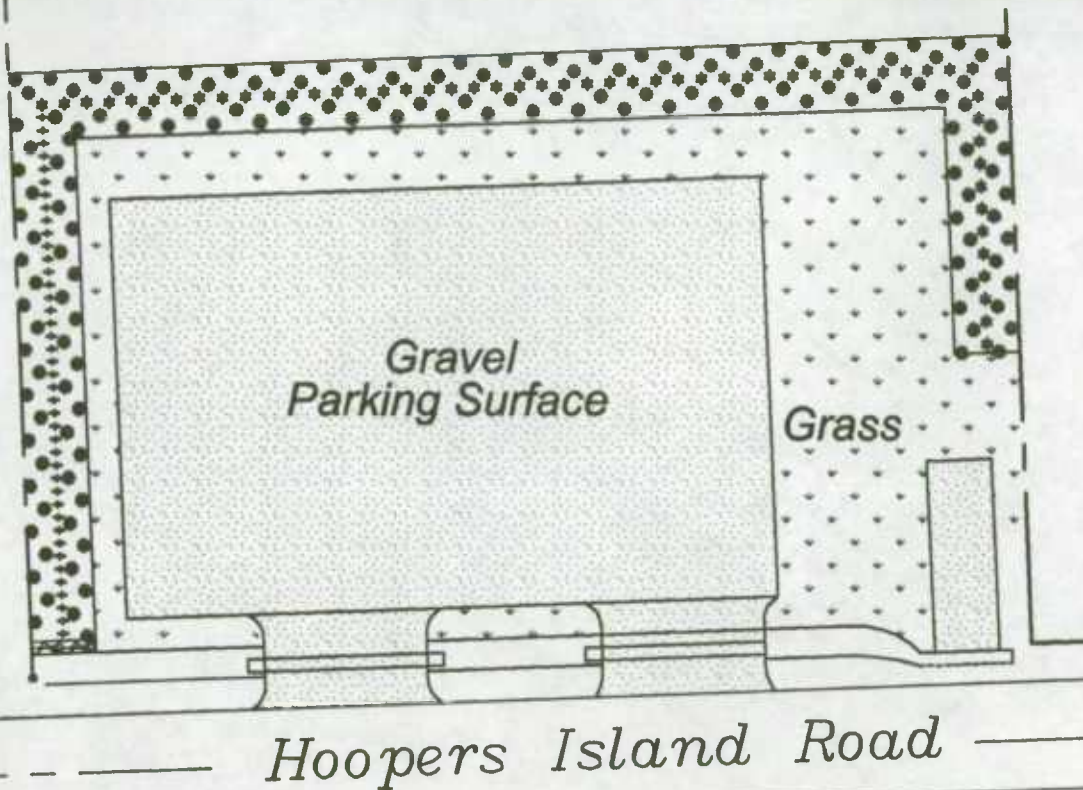
Please contact me with any questions or concerns at (410) 260-3477 or via email (lchandler@dnr.state.md.us).

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VEGETATION MANAGEMENT:

Regulatory approval of this parking area is conditional upon the site meeting water quality standards. These standards are met, in part, through the establishment and continued maintenance of wetland (i.e., hydrophytic) vegetation within the grass swale.

Suggested plant species to establish within the swale include rush (*Juncus* spp.), sweet flag (*Acorus calamus*), and switchgrass (*Panicum virgatum*). These species are suggested because they are readily available from local nurseries, are easily established, can withstand fluctuating water levels, and can tolerate occasional salt-water inundation.

Vegetation within swale shall be carefully monitored during the first year following establishment and additional plant stock shall be supplied as needed. Maintenance of these species is relatively trouble-free since the major management concern is preventing unwanted and highly invasive species from becoming established. Examples of unwanted vegetation include honeysuckle and phragmites. Monitoring should be conducted frequently and unwanted vegetation should be removed or killed when found.

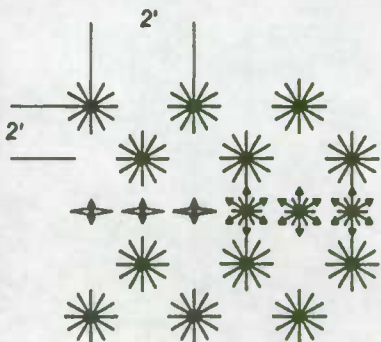
In order to maintain water flow within the swale to prevent stagnation, it may be necessary to periodically remove accumulated vegetative matter. This can be easily accomplished through mowing but should be done so very infrequently (e.g., once per year) as needed.




PARKING RESTRICTIONS:

Regulatory approval of this parking area is conditional upon the site meeting water quality standards. This is accomplished, in part, by limiting the amount of impervious surface area on-site. Therefore, not all areas of the parking area have a gravel surfacing. The gravelled areas will, through time, become heavily compacted and cause increase run-off during storms. To meet the permissible quantity of allowable run-off, a portion of the parking area is to remain in natural cover (e.g., grass).

The grass portion of the parking area is not intended for regular use. Frequent and regular use of the grass area will cause soil compaction, thereby increasing stormwater run-off beyond allowable thresholds. Therefore, use of the grass area for vehicular parking is limited to special occasions when overflow parking is necessary, such as during emergency situations or fundraising events. The frequency of this special use is anticipated to be approximately 10 to 12 times per year. At all other times when the gravel portion of the parking is being used, the grass area shall be specially marked (with traffic cones or signs) to prevent unintended use.

It may be necessary to periodically re-establish the permeability of the grass area. It is suggested that a light disking of the surface be performed to accomplish this. Indications of when this maintenance is necessary includes the emergence of bare, unvegetated areas or signs of concentrated surface flow. Following this disking, a stand of grass or other permanent vegetation shall be re-established immediately.



-  Switch grass (*Panicum virgatum*)
-  Sweet flag (*Acorus calamus*)
-  Rush (*Juncus* spp.)

PLANT MATERIALS STOCKING TABLE					
Species	Common Name	Size	Qty.	Price ea.	Total Price
<i>Juncus</i> spp.	Rush	Plug	200	\$0.40	\$80.00
<i>Acorus calamus</i>	Sweet flag	Plug	80	\$0.40	\$32.00
<i>Panicum virgatum</i>	Switch grass	Plug	1,100	\$0.40	\$440.00
			1,380		\$552.00

PLANTING PLAN:

Planting should be accomplished during dormant period (i.e., late fall, early spring). Protect planting stock from direct sun and wind; keep roots moist until planted.

Plant *A. calamus* and *Juncus* spp. in center of ditch on 1' spacings.
Plant *P. virgatum* on 2' x 2' spacings offset from ditch centerline.

A. calamus should be planted nearest stone check-dam. When supply of *A. calamus* is depleted, then use *Juncus* spp. for remainder of ditch centerline.

Parking Lot - Management Plan

Hoopers Island V.F.D.

Dorchester County Highway Department

Scale: 1" = 30'

Rev. Feb. 25, 2002

DRR