

Poplar Island project troubles nearby property owner

- By Jessica Campisi Capital News Service
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- Capital News Service photo by Jessica Campisi

A bulldozer sits near the edge of Poplar Island.

SHERWOOD, Md. — From the sandy shores of Lowes Wharf Marina on a sunny spring morning, the view of the Chesapeake Bay couldn't be clearer.

Paul Zelinske, the owner of the marina, watches the boats sailing back and forth in the distance. He's had this view since 1995, when he and his wife, Tracey, bought the marina property, where they live full-time.

Zelinske said he and his wife "fell in love with the place" and bought the marina for the "million-dollar view." Now, tourists and visitors come each year to stay in one of the 10 guest rooms, eat at the restaurant and bar or spend time on the beach and enjoy the dusk.

"Everybody says it, I mean they come out here and take pictures ... it's a spectacular place to watch the sun set," he said. "It's really neat."

But a nearby construction project – the Paul S. Sarbanes Ecosystem Restoration Project at Poplar Island – is taking away what makes his properties special, he said.

In 2001, the Zelinskes paid about \$300,000 to take partial ownership of Jefferson Island, a piece of land just a 10-minute boat ride away from the marina, and about a half-mile from Poplar Island.

A five-bedroom main house and a three-bedroom guest house sit on Jefferson Island, formerly known as the "playground of presidents," where Presidents Franklin D. Roosevelt and Harry S. Truman spent holidays.

Since purchasing Jefferson Island, they've invested about \$1 million in it, Zelinske said, including installing a well for fresh water, a septic system and a generator for electricity. He added that at some point, he'd like to move

permanently to the island, which has all of the necessities as well as the tranquility that drove him to buy it in the first place.

Turning back to the horizon in front of him, he raises his hands, pointing to part of what is now a scenic vista, and breaks the silence: “At least three quarters of my view of that open bay is going to be gone.”

“Having an island is supposed to be what we bought it for: having peace and serenity,” Zelinske said, “and they’re destroying that.”

In 1847, Poplar Island spanned 1,140 acres, according to the Maryland Port Administration. But by 1993, just before the Zelinskes bought Lowes Wharf Marina, years of rising sea levels and land erosion shrunk Poplar to just five acres.

Phases 1 and 2 of the Poplar Island construction project aimed to have federal and state groups use clean dredging materials from Baltimore Harbor tributaries to plant some 40 million cubic yards on the island and grow the land back to its original 1,140-acre size. The Maryland Board of Public Works approved the project in 1996.

The first two phases were completed by 2002, just after the Zelinskes purchased Jefferson Island. In 2005, there was some talk of a third phase, he said, but “everything went to a standstill.”

Then, one day, Zelinske read in a newspaper article that there would be a public hearing at the county library about a Phase 3, which he said was not a part of the original project outline and took him by surprise.

This phase, which called for an additional 575 acres of dredged materials from Baltimore Harbor being added to Poplar Island, was authorized in 2014. And on Feb. 24, the Board of Public Works voted 3-0 to approve a 30-year state tidal wetlands license to allow construction and operation to continue.

“They’re changing the game,” he said. “This island has created some issues. If anyone is affected by this, it’s me.”

One of these issues comes from the 5.6 million cubic yards of dredged material that make up Phase 3, as well as the 30-foot wall that the state plans to construct in front of Jefferson Island, which Zelinske said will block his 4-mile view of the Eastern Bay and affect tourism by blocking the view from his marina. The wall will also block his view from his own island, Zelinske said.

“Three-fourths of the view will be gone,” Zelinske said. “Tourism comes from word of mouth. (The view) is part of the attraction to draw people in ... this (project) is very, very detrimental to the value of Jefferson Island.”

Zelinske said the construction has affected both Jefferson Island and the marina. An increase in sediment to the waters around the marina has kept boats from getting into the fuel dock, making it harder for him to sell fuel and attract visitors, he said.

The construction has also changed the hydrodynamics of the water, he said, speeding up erosion of his 12-acre island, which has now been cut in two.

He added that he planned to hunt on the island but said he has been concerned about eating the ducks, fearing they could be contaminated due to the nearby harbor spoils.

“Every drop of dredging material that we discharge has to meet state standards, and water that is discharged is sometimes tested multiple times a day,” said Justin Callahan, the project’s manager for the Army Corps of Engineers. “There’s routine daily monitoring, and if something doesn’t meet the state standards, we stop.”

In 2009, the Maryland Sea Grant – a part of the University System of Maryland that works to restore the Chesapeake Bay – published a study of the sediment from Baltimore Harbor and concluded that “some sediments in the harbor are contaminated to the point that consideration should be given to leaving them in place.”

The Port of Baltimore must perform sediment testing of these materials every three years to make sure they aren’t polluted. While Zelinske said the spoils have failed pollutant tests in the past, Callahan said they have not seen any negative impacts to Poplar Island’s surrounding environment. Callahan added that all dredged harbor material has been known to be clean.

Although Zelinske said the project has negatively impacted his property, others say it has brought benefits to other parts of the state.

Callahan, who has been working with the island since the 1990s, said there has been overwhelming support from state and federal resource agencies. This includes the Chesapeake Bay Foundation, the organization’s Maryland scientist Doug Myers said.

“Think about the Port of Baltimore and the role this has in regional commerce,” Callahan said. “It creates jobs and helps local businesses ... people can badmouth the project, but those people are losing a sense of the bigger picture.”

According to Maryland Port Administration Executive Director James J. White, jobs linked to the port exceed 127,000 in Maryland, producing almost \$3 billion in salaries and wages and generating \$310 million in state and local taxes.

“This project is seen as a unique and economic and environmental success ... it enables Baltimore Harbor to continue as a successful port (and) provides ecological habitat,” Maryland Wetlands Administrator Bill Morgante said at the Feb. 24 Board of Public Works meeting. “But concerns remain about the impact of the expansion project, particularly the permanent loss of view on nearby property owners.”

Zelinske raised concerns about the expansion with the Maryland Department of the Environment and the Board of Public Works before attending that same board meeting.

“Personally, I’d like to not see it happen, but it’s like ... David against Goliath, you know?” he said. “Everyone’s pretty much like, ‘Sorry for your inconvenience.’”

Regardless of these opposing views, Zelinske said there’s a legal dispute at hand – whether it’s legal to create more acreage on the land than there was originally – that must get sorted out before the project can move forward.

Tim Henderson, who practices environmental law and represents Jefferson Island and its owners, Zelinske and Kevin McMahon, said creating this additional 575 acres of land goes beyond what is allowed under Maryland law.

“In 2001, there was no talk of this third phase, so (the Zelinskes) had no idea that it was in the works,” Henderson said. “It’s a form of island creation, rather than island restoration.”

Callahan said just because there’s an 1847 map outlining the island’s previous size, it doesn’t mean that’s what it looked like before, showing no definitive proof of island creation. He added that numerous sites were considered and a feasibility study was conducted to make sure Poplar Island was the right choice for the project.

Henderson said they might appeal the permit, and Zelinske added that he will take all possible avenues to pursue this issue and “fight it as long as he can.”

While he had planned to move out to Jefferson Island and live there full time, Zelinske said, the project has forced him to reconsider. He added that if he had known about Phase 3, he probably wouldn’t have bought Jefferson Island at all.

“They pretty much said the project outweighs the inconvenience or the setbacks for the other people – myself,” he said. “Maybe we’re going to have a Phase 4, a Phase 5 ... when is it going to stop?”

“I’m going to keep on going – I don’t really have a choice,” Zelinske said. “We put our blood, sweat and tears into this property. After two decades, you get a little attached to it.”