

FINAL DRAFT
SUMMARY OF THE COX CREEK
CITIZENS OVERSIGHT COMMITTEE MEETING
April 10, 2019 5:45 PM
Riviera Beach Community Library
1130 Duvall Hwy.
Riviera Beach, MD 21122

Attendees:

Anne Arundel County Department of Public Works: Chris Phipps
Anne Arundel County Water Access Commission: Lisa Arrasmith
Cox Creek Citizens Oversight Committee Facilitator: Angie Ashley
Greater Pasadena Council: Allan Straughan
Marine Trades Association: Mike Bonicker
Maryland Department of Transportation Maryland Port Administration (MDOT MPA):
Bertrand Djiki, Kristen Fidler, Katrina Jones, Kristen Keene, Gannon Price
Maryland Environmental Service (MES): Olivia Gullede, Dallas Henson, Robert Natarian
North County Land Trust: Bill Jones, Laura Jones
Pasadena Business Association (PBA): Brian Conrad
Resident of Legislative District 31: Gary Gakenheimer
Resident of Legislative District 46: Diane Ingram
Restore Rock Creek: Paul Jendrek
South Baltimore Business Alliance (SBBA): Jim Matters
Stoney Beach Condominium Association: John Garofolo

Action Items:

- MDOT MPA and MES will update and finalize the Community Enhancement Fact Sheets based on Cox Creek Citizens Oversight Committee (COC) discussions and decisions.
- Ms. Fidler will share the requested information related to the economic benefits of the Seagirt Berth and Loop dredging with the Cox Creek COC.

1.0 Welcome & Introductions

Angie Ashley

Ms. Ashley convened the meeting and welcomed the committee members, asking all in attendance to introduce themselves and the organization they are representing. Ms. Ashley informed the committee that Ms. Chris Correale has retired from her position as Director of Harbor Development for the Maryland Department of Transportation Maryland Port Administration (MDOT MPA) and that Ms. Kristen Fidler is the new Director. Mr. Conrad then asked if the committee members reviewed the February 2019 meeting summary and requested a motion to approve, which was made by Mr. Straughan and approved by the committee.

2.0 Cox Creek Expanded Update

Gannon Price, MDOT MPA

Mr. Price reviewed the current on-site projects occurring in support of the expansion of the Cox Creek Dredged Material Containment Facility (DMCF), which includes: the base dike widening within the interior of the DMCF, the demolition of Building 201, the construction of the Operations

and Maintenance (O&M) Complex, and the continued soil remediation efforts within the Cox Creek Upland.

Base Dike Widening

Mr. Price used an aerial photo of the site to outline the borrow area within the Cox Creek Upland for the committee and explained that this area is being excavated in order to obtain material for the base dike widening project. Currently, material has been placed for Lift 1 in Section A which covers the north end of the existing DMCF and half of Section B, which includes the north-east corner of the DMCF. Once all material for Lift 1 has been placed, prefabricated vertical drains (PVD)/wick drains will be utilized to remove water and compact the material. After the base dike widening is completed, the DMCF dike will be raised and expanded into the upland area from elevation (El.) +36 feet mean lower low water (MLLW) to El.+60 feet MLLW. Aerial photos of work in Lift 1 in Section A and in the sediment basin were shown to the committee.

Demolition of Building 201

Mr. Price updated the committee on the progress of Building 201 demolition. Building 201 was originally utilized as the copper casting facility and legacy activities performed within the building left behind elevated levels of polychlorinated biphenyls (PCBs) and metals within the structural materials. As noted in previous meetings, MDOT MPA has been working with the US Environmental Protection Agency (EPA) to develop an approved Remedial Action Plan for safely remediating and demolishing the building. Demolition of Building 201 began in September 2018 and is expected to be completed by August 2019.

Ms. Keene inquired as to the disposal location of the contaminated material associated with Building 201. Mr. Price responded that contaminated materials are being hauled to EPA-approved disposal facilities in Michigan, Texas, and Pennsylvania depending on each facility's capacity at the time of hauling. Photos of the Building 201 demolition were shown to the committee.

Operations & Maintenance (O&M) Complex

The O&M Complex is currently 75% complete with most of the remaining work occurring within the interior of the building. Currently, 95% of the exterior work has been completed. Features of the complex include a laboratory, office space, conference room, vehicle maintenance garage, and biofiltration stormwater management systems. The complex is expected to be completed by September 2019. Photos of the O&M Complex construction were shown to the committee.

Upland Site Remediation

Phase II of the Cox Creek Upland soil remediation is ongoing. Area B, located in the northwest area of site, was sampled to further delineate for impacted soils. The updated total soil volume to be removed from the site decreased from an estimated 66,000 tons to 3,500 tons based on the delineation results. The Area B soil remediation is expected to begin in late April or early May 2019 and fieldwork is expected to be complete by end of May/early June depending on weather.

3.0 Community Enhancements

Kristen Keene, MDOT MPA

Ms. Keene began the Community Enhancement discussion by asking Mr. Conrad to provide a progress update on the Community Enhancement prioritization list and to review the goal of

tonight's discussion. Mr. Conrad responded that the Cox Creek COC has coordinated over the past year to develop a prioritized Community Enhancement projects list with assistance from stakeholders to benefit the communities surrounding the Cox Creek DMCF. Mr. Conrad thanked the Cox Creek COC members, MDOT MPA, and Maryland Environmental Service (MES) for their assistance in researching the various proposed projects for the Cox Creek COC to develop and prioritize the project list. The goal of this meeting is to finalize and formally recommend the project list to MDOT MPA for consideration and inclusion in the Cox Creek Expanded (CCE) project.

Ms. Keene informed the committee that MDOT MPA updated the Community Enhancement projects factsheets based on the previous committee input and discussion. The first update included dividing the *Public Water Access* project into two separate projects, which are now *Public Water Access: Stoney Creek Park* and *Public Water Access: Solley Cove Park*. Additionally, language and conceptual designs were added to both project factsheets from the Anne Arundel County Boat Launch Facility Feasibility Study prepared by BayLand Consultants & Designers, Incorporated. The second update was to the *Support for Local Youth Fishing Groups* project factsheet. The update provided additional language to clarify that funding would be utilized for media and printing materials, fishing supplies, and prizes to assist with youth fishing events.

In followup to previous meeting discussions, Ms. Arrasmith informed the committee that Mr. Rick Anthony, Director of the Anne Arundel County Department of Recreation and Parks, stated that it is the county's practice to provide O&M funding for projects located on county property. Ms. Laura Jones expressed that projects benefiting the public in the surrounding communities should be prioritized over projects benefiting Anne Arundel County. Mr. Conrad stated that the 'reserving capacity project' would provide cost savings for Anne Arundel County; these savings could then be used for other public projects. Ms. Keene added that, while Anne Arundel County could potentially fund some of the proposed projects, the intent of the proposed project list is to identify potential community enhancements that the committee would like to move forward using MPA funding.

The committee then discussed the Community Enhancement projects list in the previous prioritized order.

1. Reserving Placement Capacity in Cox Creek DMCF for Northern Anne Arundel County Department of Public Works (DPW) Dredging Projects: *The project would involve the MDOT MPA providing 20 years of placement capacity within the Cox Creek DMCF for up to 15,000 cubic yards(CY)/year of Anne Arundel County DPW North County dredging projects. The cost to MDOT MPA was estimated at \$30,000/year based on an estimated dredging and placement need of 15,000 CY and the minimum state-mandated \$2.00/cy tipping fee. O&M costs are not applicable for this project as they will be covered within ongoing annual MDOT MPA Cox Creek DMCF operation costs.*

The committee agreed to keep this project at priority level 1.

2. Creation of Walking Trails and Associated Signs: *This project involves the creation of a walking trail within the existing Cox Creek Forest Conservation Easement Area. The trailhead*

would begin at the new Cox Creek O&M building. It is expected that the trail would be open to the public during site operating hours. The project would also include the installation of interpretive signs to be placed on-site along the pathway, as well as additional signs along the roadway alerting the public to the location of the site. The initial cost of the project was estimated at \$400,000. O&M costs for the project were estimated at \$30,000/year.

The committee agreed to keep this project at priority level 2.

3. Public Water Access: Stoney Creek Park: *This project would include the creation of public water access by providing funding towards a public boat launch or retrofit at Stoney Creek Park. The initial cost for the project was estimated at \$1,400,000. O&M costs were estimated at \$80,000/year.*

Mr. Straughan expressed concerns regarding the environmental impacts associated with the construction of a boat ramp at Stoney Creek Park. Mr. Conrad added that, while the county may typically cover O&M costs for projects located on county property, there is no guarantee at this time, therefore it remains an item of concern. Ms. Arrasmith stated that the county is adequately maintaining the boat ramps at Fort Smallwood Park and Discovery Village. Additionally, county boat ramps are typically accompanied by a fee for use, which will generate funds to potentially offset maintenance costs.

Ms. Arrasmith inquired about the current funding status of this project. Mr. Phipps responded that the Stoney Creek Park boat launch is a proposed project location with no funding allocated by the county at this time.

Ms. Ashley asked if the committee would like to revert this project to its earlier general location status, stipulating that the project would be located within the vicinity of the Cox Creek DMCF. Ms. Laura Jones motioned to revert this project to an unspecified location in the vicinity of the Cox Creek DMCF in Northern Anne Arundel County and to move this project to priority level 10. The committee approved both motions.

The committee agreed to move this project to priority level 10.

4. Public Water Access: Solley Cove Park: *This project would include the creation of public water access by providing funding towards a public boat launch or retrofit at Solley Cove Park. The initial cost for the project was estimated at \$1,400,000. O&M costs were estimated at \$80,000/year.*

Mr. Phipps stated that the Solley Cove Park boat launch is a county funded capital project. The project features renovation of the existing boat launch, and construction of a living shoreline and parking area. Ms. Arrasmith informed the committee that the approved county funding does not include improvements to Carbide Road, which provides access to the area. Mr. Phipps stated that any developments alongside Carbide Road would require road improvements per county standards. Mr. Gakenheimer inquired as to the amount of funding need to improve Carbide Road. Mr. Phipps responded that the Carbide Road improvements would cost approximately \$1 million for hot mix asphalt. Alternatively, a 4-inch layer of crusher run (CR-6) material placed over the

full extent of the road (approximately 3,400 linear feet x 22-foot width) would cost approximately \$125,000.

Ms. Laura Jones asked if public outreach has been performed to determine if the surrounding community approves of the construction of the county proposed boat launches. Mr. Phipps responded that the Water Access Committee under the Anne Arundel County Department of Recreation and Parks has been researching the county's proposed boat launches, which includes holding public outreach meetings. Mr. Phipps stated that he was unsure if a public outreach meeting has been held specifically for the Solley Cove Park boat launch. Ms. Laura Jones asked if funding for this project is currently in the county budget. Mr. Phipps responded in the affirmative. The engineering designs for the project are 60% complete and are expected to be finalized within nine months. Mr. Phipps added that work could not begin until October 2020 due to the permitting window for construction activities near/in Maryland waterways.

After discussion, the committee agreed to update the fact sheet to 'provide funding towards the improvement of Carbide Road' and to move this project to priority level 11.

5. Installation of Navigational Aids in Cox Creek Channels: *The project will include the installation of navigation aids, as necessary, in the tributary known as Cox Creek. The initial cost of the project was estimated at \$3,000. O&M costs for the project were estimated at \$2,000/year.*

The committee agreed to move this project to priority level 3.

6. Artificial Reef Installation: *The project would include the installation of structures to create an artificial reef of approximately 5 acres to enhance fish habitat in the communities near the Cox Creek DMCF. The initial cost of the project was estimated at \$300,000. O&M costs were estimated at \$1,000/year.*

The committee agreed to move this project to priority level 4.

7. Osprey Platform Installations: *This project includes recommendations from the US Fish and Wildlife Service (USFWS) for osprey platform installation locations in the Cox Creek DMCF and Swan Creek mitigation area, in the Fort Smallwood Park area, in the Rock Creek park area, and in the Fort Armistead Park area. The selected location(s) would be near water, with preference given to healthier waterways where ospreys have historically nested and at least a one-mile radius away from any existing eagle nests. The initial cost for the project was estimated at \$100,000 based on the installation of 11 osprey platforms. O&M costs for the project were estimated at \$3,500/year based on 11 platforms.*

The committee agreed to move this project to priority level 5.

8. Fishing Pier Installation: *The project would include the installation of a fishing pier(s) on publicly accessible lands. The initial cost of the project was estimated at \$100,000. O&M costs were estimated at \$25,000/year.*

The committee agreed to move this project to priority level 6.

9. Support for Local Youth Fishing Groups: *This project would include providing assistance and/or enhancements to support local youth fishing groups. Options may include sponsoring a current fishing tournament or league or hosting a youth fishing tournament. The initial cost of the project is to be determined based on the selected method of support and location. O&M costs are not applicable for this project.*

The committee agreed to move this project to priority level 7.

10. Water Quality/Habitat Enhancements in Local Waterways: Low Cost Option: *This project would include the construction and/or installation of a low-cost infrastructure, in local waterways to improve water quality and/or fish habitat. Low cost infrastructures may include Biohuts. A Biohut is an artificial fish nursery meant to be installed on port infrastructures, such as docks, pontoons, or dikes, and provide food and shelter to juvenile fish. These installations require a low level of maintenance. The initial cost of the project was estimated at \$17,000 based on 35 Biohuts. O&M costs for the project were estimated at \$8,000/year.*

The committee agreed to move this project to priority level 8.

11. Biofiltration Installations Outreach: *This project is associated with the algal flow way (AFW) that will be constructed by the MDOT MPA Safety, Environmental and Risk Management (SERM) Office after grading and filling of the Hawkins Point South Cell is complete. Construction is expected to begin in 2020. This site would serve as an educational stop during MDOT MPA tours including those associated with guided tours of the Cox Creek DMCF. The initial cost of this project was estimated at \$40,000. O&M costs were estimated at \$2,500/year.*

The committee agreed to move this project to priority level 9.

The committee finalized and formally recommended the following list of prioritized projects to MDOT MPA for consideration and inclusion in the CCE project:

1. Reserving Placement Capacity in Cox Creek DMCF for Northern Anne Arundel County DPW Dredging Projects
2. Creation of Walking Trails and Associated Signs
3. Installation of Navigational Aids in Cox Creek Channels
4. Artificial Reef Installation
5. Osprey Platform Installations
6. Fishing Pier Installation
7. Support for Local Youth Fishing Groups
8. Water Quality/Habitat Enhancements in Local Waterways: Low Cost Option
9. Biofiltration Outreach
10. Public Water Access within the Vicinity of the Cox Creek DMCF
11. Public Water Access - Carbide Road Improvement

Ms. Keene stated that MDOT MPA will begin enacting the Community Enhancement projects recommended by the COC after (1) MDOT MPA understands the full extent of environmental mitigation that will be required by Maryland Department of the Environment associated with the

CCE project, and (2) is able to quantify the amount of funding that remains once the mitigation requirements are satisfied. MDOT MPA will provide updates regarding the CCE mitigation and Community Enhancement projects at future COC meetings. Mr. Conrad inquired as to the amount of funding MDOT MPA estimates will be available for Community Enhancement projects. Ms. Keene responded that at the February 9, 2019 Cox Creek COC meeting, Ms. Correale informed the committee that MDOT MPA could potentially dedicate between \$1 – 2 million for Community Enhancements.

4.0 Innovative & Beneficial Use

Kristen Keene, MDOT MPA

Demonstration Projects

Ms. Keene provided an overview of the Innovative Reuse (IR) and Beneficial Use program. MDOT MPA is currently working with partners to develop several IR demonstration projects to showcase the ability to reuse dredged material in a variety of applications.

Engineered Fill & Alternative Daily Cover (ADC)

Ms. Keene stated that approximately 10,500 cy of dredged material was excavated (reclaimed), from the Cox Creek DMCF, dewatered, stockpiled, and transported off-site for use in two demonstration projects in coordination with Maryland Department of the Environment (MDE). Approximately 4,500 cy of dried dredged material was reused as engineered fill at Hawkins Point to close and develop the South Cell and 6,000 cy of dried dredged material was utilized as alternative daily cover at the Quarantine Road Landfill in partnership with the Baltimore City Department of Public Works (DPW). Ms. Keene informed the committee that Baltimore City DPW is currently in coordination with MDE to seek approval regarding the use dried dredged material as intermediate landfill cover.

Habitat Development

Ms. Keene reminded the committee of the Hart-Miller Island (HMI) North Cell habitat development pilot project which will create habitat mounds across approximately 23 acres. The project goals include creating a diverse habitat, engaging and educating the public, and minimizing operational and maintenance costs in the HMI North Cell. MDOT MPA is nearing the completion of the design development phase and is expecting construction to begin in fall 2019.

Recent Meetings

Sustainable Materials Management Maryland (SM³)

Ms. Keene reminded the committee of Governor Larry Hogan's June 2017 Waste Reduction and Resource Recovery Executive Order 01.01.2017.13, which recognizes dredged material as a resource with vast opportunities for reuse, calls on state agencies to be leaders in the reuse of dredged material where economically reasonable to do so, and prompted the creation of the Sustainable Materials Management Maryland (SM³) workgroup.

MDOT MPA and Maryland Environmental Service (MES) co-hosted the December 14, 2018 SM³ meeting, which allowed MDOT MPA to discuss dredged material reuse and possible collaborations with other waste streams in Maryland. The three key accomplishments from this meeting were: introducing dredged material into the conversation of waste stream recovery efforts

and raise awareness to the SM³ workgroup regarding dredged material availability and its reuse potential; recognizing dredged material as one piece of a larger solution to improve sustainable materials management in Maryland; and generating interest in dredged material blending demonstration projects in collaboration with MDOT MPA.

HB 171 Organics Study Workgroup

Ms. Keene informed the committee of House Bill (HB) 171 entitled: “Department of the Environment – Yard Waste, Food Residuals, and Other Organic Materials Diversion and Infrastructure Study”, which requires “the Department of the Environment, in consultation with specified persons, to study, review, explore, identify, and make recommendations regarding specified matters that relate to the diversion of yard waste, food residuals, and other organic materials from refuse disposal facilities, including the status of infrastructure in the State”; and requires “the Department to provide a final report of its findings and recommendations to the Governor and the General Assembly by July 1, 2019”.

MDOT MPA presented on the Port’s Innovative Reuse Program at the December 3, 2018 HB 171 Organics Study Workgroup meeting. The Workgroup discussed that dredged material should be included in the recommendations for blending with other waste streams to limit the need for disposal in a containment facility. The Workgroup also expressed interest in blending dredged material with other organic waste products, such as compost, poultry litter, and anaerobic digestate.

Beneficial Use Workshop

Ms. Keene stated that MDOT MPA sponsored a University of Maryland Center for Environmental Science (UMCES) led workshop on January 23 and 24, 2019 to discuss the beneficial use of dredged material to protect low-lying areas of the Chesapeake Bay. The workshop focused on areas of vulnerability in the Bay, dredging and placement activity in the Bay, the state of technology in using dredged material to protect low-lying areas, and understanding impacts, limitations, and opportunities for restoration. Workshop attendees generated multiple recommendations which were assembled into a report that is currently under review by MDOT MPA. UMCES will be presenting these recommendations at the May 28, 2019 Innovative Reuse Committee (IRC) meeting.

Upcoming Meetings

Ms. Keene stated that the next SM³ meeting will be held on April 18, 2019 and will be hosted by the Maryland Department of Agriculture and the next HB 171 meeting will be held on April 23, 2019. The next IRC meeting will be held on May 28, 2019 and will feature presentations from UMCES on recommendations from the ‘Use of Dredged Material to Protect Low-Lying Areas of the Chesapeake Bay Workshop’, and the Maryland Department of Natural Resources on the development of their internal guidance for the beneficial use of dredged material. On May 28 through May 31, 2019, MDOT MPA will be presenting on the Port’s Innovative Reuse Program at the Society of Wetland Scientists Annual Conference.

5.0 Harbor Development Update

Kristen Fidler, MDOT MPA

Ms. Fidler provided updates on Masonville DMCF, the Seagirt Berth and Loop dredging, and the potential second phase of the Cox Creek DMCF expansion.

Masonville DMCF

The Masonville DMCF dike raising is currently underway. Approximately 800,000 cy of dredged material was inflow into Masonville DMCF since the last COC meeting; 600,000 cy were inflow by the United States Army Corps of Engineers from channel maintenance and 200,000 cy were inflow from the TradePoint Atlantic dredging project. Ms. Ashley stated that this inflow event was attended by several citizen committee members including Mr. Gakenheimer. Ms. Fidler informed the committee that there is a pair of nesting Bald Eagles at Masonville Cove. The eagles are a great opportunity to promote the site to the public, however pedestrians must remain 660 feet from the nest for safety reasons. MDOT MPA is partnering with the USFWS to install an eagle camera.

Seagirt Berth & Loop 50-foot Dredging

Ms. Fidler informed the committee that in 2017 the Seagirt Marine Terminal handled 596,000 containers, which broke previous records for the most containers received and was an 11% increase over the 2016 numbers. Therefore, in order to keep the Port of Baltimore efficient and competitive, deepening of the Seagirt Berth 3 and Seagirt Loop are necessary. The US Maritime Administration (MARAD), administrator of the Better Utilizing Investments to Leverage Development (BUILD) grant, visited the site on April 9, 2019. Approximately 450,000 cy of material will be dredged from Berth 3 and inflow at either Masonville or Cox Creek DMCF in 2020.

Mr. Garofolo asked if MDOT MPA expects the Seagirt dredged material to present unplanned environmental challenges at the DMCF due to the potential of dredged material from new work to contain higher quantities of constituents than maintenance material. Ms. Fidler responded that MDOT MPA does not anticipate the Seagirt Berth 3 maintenance or new work material or the Seagirt Loop new work material to contain levels of constituents exceeding MDOT MPA's material screening criteria but that all material will be sampled, tested and screened before placed at Cox Creek or Masonville.

Cox Creek Expanded DMCF Stage II

Ms. Fidler informed the committee that MDOT MPA is actively seeking to purchase the adjacent property to the north of Cox Creek DMCF to increase the Port's terminal space and to implement meaningful large scale innovative reuse demonstration projects.

Outreach

In Ms. Katrina Jones's absence, Ms. Fidler reminded the committee that MDOT MPA can present on topics such as the Port of Baltimore, dredging, innovative reuse, etc. and/or set up booths or tables at community fairs or festivals. If committee members are aware of any community events, MDOT MPA can provide educational materials regarding the Port's environmental initiatives to the public as a part of MDOT MPA's outreach and stakeholder engagement.

Ms. Fidler thanked the Cox Creek COC for their time and effort in developing the list of prioritized Community Enhancement projects.

6.0 Committee Administration & Open Discussion

Angie Ashley

Ms. Ashley reminded the committee members that their Financial Disclosure Statements are due online by April 30, 2019.

7.0 Upcoming Meetings, Open Discussion, and Adjournment

Angie Ashley

Ms. Ashley stated that the next Cox Creek COC will be held on July 10, 2019 at the Orchard Beach Improvement Association (1000 Hilltop Road, Pasadena, Maryland 21122) as the Riviera Beach Community Library will be holding story time. The location of the October 9, 2019 Cox Creek COC meeting is undetermined at this time due to the Riviera Beach Community Library undergoing renovations. The Dredged Material Management Program's Annual meeting will be held on November 8, 2019 at the Sollers Point Multi-Purpose Center.