

Memorandum

TO: Hart-Miller Island Citizens Oversight Committee

FROM: Rebecca Kreatschman – MES

DATE: November 17, 2020

SUBJECT: Next meeting – November 17, 2020

The next meeting of the Hart-Miller Island Citizens Oversight Committee (HMI COC) will be held virtually on Tuesday, November 17, 2020 at 6:30 pm via Microsoft Teams. A link and call-in number for meeting access will be sent out prior to the date.

Attached for your review is a copy of the minutes from the September 15, 2020 meeting.

**HART-MILLER ISLAND
CITIZENS OVERSIGHT COMMITTEE MEETING**
Virtual Meeting
September 15, 2020-6:30PM

ATTENDEES:

Paul Brylske	Seventh District
Fran Taylor	NPPCCC
Sam Weaver	Sports Fishermen
Karen Wynn	Sixth District
Holly Miller	MDOT MPA
Amanda Peñafiel	MDOT MPA
Dave Bibo	MDOT MPA
Dave Blazer	MDOT MPA
Kristen Fidler	MDOT MPA
Katrina Jones	MDOT MPA
Lien Vu	MES
Lincoln Tracy	MES
Rebecca Kraitschman	MES
Kenna Oseroff	MES
Robin Reed	DNR
George Banville	Citizen
Devin Crum	The Peake

ACTION ITEMS

- MES will distribute the HMI Exterior Monitoring Report ahead of the November HMI COC meeting.
- MES and DNR will provide photos presented at the September meeting to the HMI Friends Group- *Photos from the site tour presentation can be found here:* https://itservicesmenv-my.sharepoint.com/:f/g/personal/1vu_menv_com/EpqmXWenUARPje6NlcKtxhsByft1VZlyAybtUsLkZGlp_w?e=aBpwLs
- MES will provide an update about MES operations to progress the North Cell Design using existing funds.
- Once completed, MDOT MPA will distribute the HMI IGA.
- DNR will provide an update on the 2021 budget and if visitor access will be impacted.
- DNR will provide an update on an Emergency Response Plan.
- DNR will provide an update on the long-term plan for Hawk Cove.
- MDOT MPA will provide information on the Baltimore County Consolidated Transportation Program (CTP) fall tour- *Information about the CTP can be found here:* <http://www.mdot.maryland.gov/MDOT/Planning/CTP/index.html>. *Tour information including how to join virtually can be found here:* http://www.mdot.maryland.gov/newMDOT/Planning/CTP/CTP_Tour/Final_CTP_Tour_Fall2020.pdf
- HMI COC Members will review the action items and approve the January 2020 Meeting Summary.

1. OPENING REMARKS

Paul Brylske-Chairman

- Mr. Brylske welcomed back members and expressed his appreciation for everyone joining the meeting.

2. HARBOR DEVELOPMENT UPDATE

Kristen Fidler-MDOT MPA

- Ms. Fidler explained how the global pandemic has impacted the economy and how it will influence the North Cell Habitat Development plans at HMI. The Transportation Trust Fund, which provides funds for MDOT MPA and its projects, has been reduced over the last six months. This is due to a decrease in activities such as buying gas and cars that provides the funding to the Transportation Trust Fund. The decrease may continue over the coming months and years due to the projected revenue loss caused by these changes.
- MDOT MPA released the draft of the Consolidated Transportation Plan (CTP) which includes a six-year forecast for all major projects within MDOT including MPA, the Maryland Transportation Administration (MDTA), State Highway Association (SHA), and the Maryland Aviation Administration (MAA). The draft of this year's CTP was reduced by \$2.9 billion in comparison to the 2019 CTP. Ms. Fidler stated MDOT MPA fared as well as could be expected. Dredge material management is a critical part of the success of the Port's functions including maintaining the 50-foot channel and Port accessibility which have been completed successfully.
- Annually, MDOT meets with each County in the State, along with Baltimore City to present the draft CTP through a fall CTP tour. The CTP tour includes the Secretary of MDOT and the Directors of each agency under MDOT and highlights projects within the area. Ms. Fidler provided links and information about the CTP and tour.

- Due to the decrease in funding, the Design with Dredge North Cell Pilot Project will not move forward. However, the effort and work that contributed to the project will be used as lessons learned in future habitat development plans for the North Cell.
- MDOT MPA and MES are continuing essential operations at HMI despite budget cuts. MDOT MPA's commitment to HMI has not changed.
- Mr. Brylske asked if the \$2.9 billion is spread throughout the six-year budget. Ms. Fidler confirmed that the \$2.9 billion is spread throughout the six-year budget and that it is distributed among all projects within the Transportation Business Units that fall under the MDOT funding umbrella. Mr. Brylske followed up asking how this would impact HMI directly. Ms. Fidler explained that MDOT MPA will continue to advocate for funding for projects when it is available, but activities may be delayed. Day to day operations will continue and not be affected. MDOT MPA and MES will continue to work closely with the engineering consultant, Century Engineering, and closely with DNR to identify and secure a design for the North Cell. However, funding must be secured to move forward with construction. North Cell development continues to be priority; however, Ms. Fidler reminded the group that it is competing with other priorities across the agency.
- Mr. Taylor asked will 2021 visitor access to the park be impacted by the budget cuts. Ms. Fidler explained that DNR runs the State Park and is responsible for visitor access to the South Cell. Ms. Reed stated that DNR is currently meeting the needs of visitors for the State Park including the South Cell. Mr. Brylske added that he would like the group to be notified if operations or public access are impacted in the future. DNR will provide an update regarding the 2021 budget and if visitor access and park operations will be impacted.
- Mr. Taylor suggested that the HMI COC send a letter with comments on the budget cuts to the Secretary of MDOT or appropriate person to share their concerns. Mr. Brylske agreed, and volunteered to work with Mr. Taylor to draft the letter.
- Mr. Weaver wanted to share that although budgets are being cut, plenty of businesses in recreation are having successes with booming business including marine services and outdoor retailers. Mr. Brylske added having a place like HMI is important, especially in times like this, since it is a source of recreation. Mr. Weaver also shared that a group of Boy Scouts visited HMI and enjoyed their time. Ms. Fidler thanked Mr. Weaver for sharing his positive experiences in this difficult time.

3. NORTH CELL UPDATES

Operations-Lincoln Tracy-MES

- A virtual site tour was presented.
- MES Operations is onsite daily and taking all appropriate safety precautions for COVID-19. Masks are required, social distancing is enforced, and surfaces and shared areas are disinfected frequently. MES operations is continuing water treatment and spillway management for discharge.
- Currently tours are not available to maintain the safety and health of employees and visitors.
- MES is continuing to work towards the North Cell target pond elevation of 37.5 feet, which is equivalent to approximately 156 million gallons of water. Current elevation is 38.3 feet, which is equivalent to approximately 773 million gallons of water.
- Mr. Brylske asked how the new discharge permit will affect discharge operations. Mr. Tracy explained that the new permit allows for more flexibility for daily discharge, as the new permit allows for a discharge of 2 million gallons per day annual average. Ms. Vu explained the changes of the new permit also include the removal of the South Cell monitoring requirements. For the North Cell, decreasing metal monitoring from quarterly to monthly monitoring and removal of Selenium from the permit. The pH requirements remain the same for the North Cell.

North Cell Habitat Development- Amanda Peñafiel–MDOT MPA

- Ms. Peñafiel shared an update on the North Cell Development and Restoration Design. Ms. Peñafiel reviewed the past design options and the changes that will be made to the current design. In 2015, Century Engineering was contracted by MDOT MPA to develop a hydrological study to create a design focused on no pumping and sustained by rainfall alone. The design was primarily upland habitat and included two new spillways, one to move water from the North Cell to South Cell and one to move water from the South Cell to the Bay. The design also included a deep pond where the East Pit is currently located, which would be graded and have a depth of 8 feet, with a bottom elevation of 25.5 feet, and cover 14 acres. The lower outer dike would be reduced to 44 feet from 48 feet. The South Cell design included a deep pool to support aquatic life during drought conditions and the inner dike would be raised to 23 feet to sustain more water.
- DNR expressed concerns about the upland design to MDOT MPA in 2018 and suggested a range of habitat types with open water, wetland, and upland areas to provide optimal ecological benefits and a unique and engaging park experience. A conceptual drawing was submitted by DNR. DNR and MDOT MPA met in 2018 to discuss a new design for the North Cell. The main goals included creating equal parts water, uplands, and transitional habitat, a focus on migratory birds, minimal pumping, minimal long-term operations and maintenance cost, and providing an engaging park experience. MDOT MPA funded a new hydrological study with Century Engineering to come up with options for the North Cell design that met these goals. Two new options (Options B and C) were developed and presented to DNR.
- Option D was developed based on DNR's comments and combined aspects of both Option B and Option C designs. DNR preferred the deeper water and greater resistance to drought and preferred not to have a pump system installed. However, suggested the design include a designated location for a pump, should one be needed in the future. Option D includes 202 acres of pond area, 68 acres of transitional area, and 500 acres of upland area and would have a depth of 2.8 feet. Although the final design is not one third transitional as initially proposed, DNR agreed with the reduction of transitional area in order to reduce the future need for *Phragmites* control. In order to prevent events of Avian Botulism, deep water areas are preferred over shallow water. Shoreline complexity will be maximized to encourage wildlife viewing and nesting opportunities. Grading for the North Cell large pond would require approximately 930,000 cubic yards of material to be dredged.
- Estimated costs for Option D were presented for both the North and South Cell. The estimated overall cost for the North Cell is approximately \$47 million and the South Cell is estimated to be about \$10.7 million. Both include 25% contingency.
- Due to economic constraints, the North Cell Development project is currently on hold. However, MES is currently looking for ways to implement the design aspects under the approved Operations budget and utilize available staff and equipment.
- Ms. Peñafiel compared aerial imagery taken recently to Option D design and explained that current conditions appear similar to the chosen design, apart from the water depths as the North Cell is more shallow than the approved concept.
- Mr. Taylor asked if MES could excavate the cell without dredging and how long that would take. Mr. Tracy explained that it would take many years, but small areas around the perimeter could be possible.
- Mr. Taylor asked if untreated water would be transferred to the South Cell from the North Cell and then discharged from the South Cell, since the new permit has no requirements for the South Cell discharge. Ms. Peñafiel explained that no discharge is allowed from the North Cell to the South Cell. The plan to have a North Cell to South Cell spillway would be when the discharge permit is removed from the facility and the North Cell has achieved good water quality.

4. HMI IGA DISCUSSION

Dave Blazer-MDOT MPA

- MDOT MPA, MES, and DNR entered an Intergovernmental Agreement (IGA) five years ago to open the South Cell for public access. The current IGA expires this year and will be extended with a new IGA which will outline and memorialize responsibilities for each agency moving forward and the approved Option D concept for the North Cell. The new IGA is drafted and the goal is to have it finalized and signed by the Executive Director of MDOT MPA, the Secretary of DNR and the Director of MES by the end of 2020. Due to the budget concerns, this will be a long-term agreement. The goal of the IGA is to continue to work towards shifting HMI from DMCF management to park management. A transition from a Citizen's Oversight Committee to a Friends group is also included in the IGA.
- Mr. Brylske asked how this new IGA will differ from the previous one. Mr. Blazer explained that this IGA will be more specific and memorialize the agreed-upon North Cell design and a list of goals for HMI. The new IGA will use lessons learned from the past five years of public access. Ms. Peñafiel added that the previous IGA was a pilot project to bring access to the South Cell and allow DNR to operate the area as part of the State Park. The new agreement will include the roles and responsibilities of the agencies with regards to operation and maintenance of the South Cell public access and add roles and responsibilities for the North Cell.
- Mr. Brylske asked where the public involvement part of the process begins. Mr. Blazer explained there will be a public engagement process with MDOT MPA and DNR to obtain feedback when the North Cell design enters the final stages of development. The new IGA will be available to the public once it is finalized later this year.

5. DNR UPDATE

Robin Reed-DNR

- Ms. Reed shared that many State Parks have seen an increase in visitation this season. More out of town visitors have visited HMI and many visitors leave positive comments with staff.
- Hawk Cove has experienced issues caused by erosion and DNR staff is beginning to move campsites to the main part of the park closer to the HMI beach. Three campsites will be placed to the right of the ranger station and will allow for better access to clean water, restrooms, and electricity. This new location also provides staff with better access to the campers to interact and collect camping fees.
- Biking and hiking were popular among visitors this season. Visitors provided positive feedback about the amenities and overall experience.
- DNR staff performed building maintenance while the ranger station was closed due to social distancing requirements. One area will be converted into a concessions room, the hallway will be converted into a nature center, and another area was converted into a first aid station. Other tasks completed by DNR staff include new picnic table installation at campsites, new bench installation near restrooms, weekly beach maintenance, and improvements of the exterior appearance of the ranger station.
- Mr. Taylor asked if DNR could work towards drafting an emergency response plan for the HMI State Park. Ms. Reed stated she will follow up with Mr. Dean Hughes from DNR about the emergency response plan.
- Mr. Banville asked if DNR had a long-term plan to help solve the issue of erosion at the campsites and beach areas at the State Park, specifically Hawk Cove. Ms. Reed explained that DNR staff is working to introduce new picnic tables on the main beach area and in the Hawk Cove area. Ms. Reed did not know of any current long-term plans to combat these issues but will work with DNR upper management to provide an answer.

6. HMI FRIENDS GROUP

Paul Brylske-Chairman

- The March meeting of the HMI Friends group was cancelled due to mandated Stay at Home orders issued by the Governor. Since then Mr. Brylske has reached out to Maryland Nonprofit to move forward with the process of obtaining 501(c)(3) status for the HMI Friends group.
- Mr. Brylske explained how the COVID-19 situation has impacted the efforts of the HMI Friends group by delaying meetings and events, but suggested using virtual outreach to gain momentum and encourage progress in the group. He also suggested providing support for DNR's efforts, and work through expected changes due to the COVID-19 situation with the HMI Friends group support. Mr. Brylske hopes the January 2021 meeting of the Friends group can bring more clarity to the group's path moving forward.
- Mr. Brylske invited Mr. Banville to join the HMI Friends group and to future meetings.
- Mr. Taylor asked Ms. Reed to share photos from activities at the HMI State Park to be posted to the HMI Friends group Facebook page.

7. FINAL REMARKS

Dave Bibo – MDOT MPA

- The Dredged Material Management Plan Annual Meeting will take place virtually on November 6, 2020. All are invited to join and encouraged to participate.
- Ms. Peñafiel discussed the mosquito spray conducted by Maryland Department of Agriculture (MDA) that occurred on HMI on September 1, 2020 after staff noted high populations. MES staff set traps baited with dry ice in the North and South Cells. Between the two traps over 30,000 mosquitoes were caught in a 24-hour period, warranting the spray. A complaint was received by a local boater that the spray occurred too close to the boats on and around the shoreline. MDA, MDOT MPA and MES are working with the U.S. Coast Guard to issue a broadcast to local mariners in advance for future mosquito sprays that occur at HMI.
- The next meeting of the HMI COC is November 17, 2020. The Exterior Monitoring Report will be presented by the Principle Investigators.
- 2021 meetings are as follows:
 - January 19, 2021
 - April 20, 2021
 - May 18, 2021: Site Tour (Tentative)
 - July 20, 2021
 - September 21, 2021: Site Tour (Tentative)
 - October 19, 2021

Meeting adjourned-8:30pm