

Memorandum

TO: Hart-Miller Island Citizens Oversight Committee

FROM: Lien Vu – MES

DATE: April 13, 2017

SUBJECT: Next meeting – Tuesday, May 16, 2017

The next meeting of the Hart-Miller Island Citizens Oversight Committee (HMI COC) will be held **ON SITE** on Tuesday, May 16, 2017. **The boat pick up time will be 5:00 pm at the Maryland Environmental Service's (MES) land base at 2024A Riverview Rd in Essex, MD. Please arrive a few minutes early, as the boat will leave promptly at 5:00 pm.** The Department of Transportation's Maryland Port Administration (MPA) will provide dinner. **Please call Ms. Margie Hamby at (410) 385-4419 if you cannot make this meeting.**

Attached for your review is a copy of the minutes from the March 21, 2017 meeting.

**HART-MILLER ISLAND
CITIZENS OVERSIGHT COMMITTEE MEETING**

6:30 PM

March 21, 2017

ATTENDEES:

Paul Brylske	Seventh District
Larry Lee	Essex-Middle River CC
Craig Doyle	Pleasure Boaters
Karen Wynn	Sixth District
David Patro	Greater Dundalk Community Council
Dave Bibo	MPA
Holly Miller	MPA
Chris Correale	MPA
Jill Lemke	MPA
Bill Lear	MPA
Katrina Jones	MPA
Lincoln Tracy	MES
Amanda Peñafiel	MES
Lien Vu	MES
Cassandra Carr	MES
Dallas Henson	MES
Bruce Michael	DNR
Bob Iman	DNR
George Harman	Phoenix Engineering
Sam Weaver	Back River Restoration Committee
Michael Zellers	North Point Community Council
Timothy Shadler	North Point Community Council
Chuck Hecker	Friends of Maryland State Parks
Devin Crum	East County Times

ACTION ITEMS

- The link for the TR 6.2 Survey will be distributed with all future HMI COC meeting minutes.
- The website for Friends of Maryland State Parks will be provided in the March HMI COC meeting minutes.
- The HMI COC will let MPA know how many guests will be attending the next HMI COC meeting onsite.
- Mr. Iman and Mr. Hecker will provide a list of state parks and any associated friends groups to the HMI COC.
- A friends group discussion will be added to the agenda for the next HMI COC meeting in May.

1. OPENING REMARKS

Paul Brylske – Chairman

- Mr. Brylske asked the HMI COC members for approval of the meeting minutes from the January 17, 2017 HMI COC meeting. All members approved.
- Introductions were made.

2. FORM TR 6.2 PUBLIC MEETING SURVEY

Jill Lemke – MPA

- The Accelerator, a performance management system, was started by the Maryland Department of Transportation (MDOT) to track progress of goals using strategies that cross through all the MDOT business units, including MPA. The initiative has ten goals- provide exceptional customer service, use resources wisely, provide a safe and secure transportation infrastructure, deliver transportation solutions and services of great value, provide an efficient, well connected transportation experience, communicate effectively with customers, be fair and reasonable to partners, be a good neighbor, be a good steward of the environment, and facilitate economic opportunities. The overall goal is to evaluate how MDOT is serving the public.
- Each of the goals has a performance measure with trackable data. There are a number of performance measures that focus on customers and neighbors.
- Ms. Lemke oversees, for MPA, the performance measure of the level of satisfaction with educational and civic efforts with MDOT'S neighbors under the goal to be a good neighbor. Neighbors are considered communities that are adjacent or impacted by MDOT's facilities. To evaluate the performance measure, there is a survey community members can fill out. Other state agency partners should not fill out the form unless they reside in communities impacted or adjacent to MDOT's facilities.
- Measure six of the performance measures, which states communicate effectively with customers also has a survey, with three questions similar to the "to be a good neighbor" survey. Ms. Lemke anticipates the two measures will be combined so that there is only one survey.
- Mr. Brylske asked how the HMI COC can best support the efforts of MDOT. Ms. Lemke answered to complete the "to be a good neighbor" survey. Mr. Brylske suggested that the HMI COC members fill out the survey and pass it to Ms. Lemke by the end of the meeting. Currently the "to be a good neighbor" survey is only available as a hard copy. The results from the survey will not be recorded until the 2017 report.
- Ms. Lemke stated that the performance measure is an annual measure, so it is only reported yearly. Ms. Lemke said that MDOT is still growing the performance measures efforts and stated that she is open to ideas on how to quantitatively measure how to be a good neighbor.

- Mr. Brylske asked how often the survey should be completed. Mr. Bibo said that the HMI COC meets six times a year, and asked if the survey should be completed after each meeting. Ms. Lemke stated it is up to the HMI COC, and if members believe the survey is valuable and want to give feedback on the meetings. Mr. Bibo asked if it should be each individual member that fills it out survey, or just one designated member as a representative for the entire Committee. Ms. Lemke stated that would be up to the members.
- At the last meeting, the Form TR 6.2 Public Meeting Survey was distributed to members. Ms. Lemke encouraged members to fill out the TR 6.2 Public Meeting Survey as well because the HMI COC is required to meet under Maryland statute. The link to the TR 6.2 Public Meeting Survey can be found here: <https://surveymonkey.com/r/PublicMeetingsCommunicationFY17Q2>. Additionally, the survey link will be provided to the members when the meeting minutes are distributed.

3. FRIENDS OF MARYLAND STATE PARKS

Chuck Hecker – Friends of Maryland State Parks

- Mr. Brylske recapped the “friends of” discussion from the January meeting. The HMI COC discussed how and if a friends group could be formed for HMI. Mr. Fran Taylor asked Mr. Hecker from the Friends of Maryland State Parks to attend the March HMI COC meeting to discuss how friends groups are formed in other state parks.
- The Friends of Maryland State Parks was started in 1977, as an advocacy group. The group works with state parks around Maryland and is an umbrella for friends groups. It is established as an independent group and does not have an agreement with any particular state park. As a result, they can help out and advocate for any state park in Maryland. The Friends of Maryland State Parks works a lot with the legislature and helps with various tasks including events, volunteering, and coordination. Two years ago, the Friends of Maryland State Parks began a foundation, where they work on fundraising efforts for an endowment program supporting Maryland State Parks on projects that are not funded through the state budget process. In addition, the Friends of Maryland State Parks works with parks that are trying to start a friends group. Mr. Hecker talked about various state parks that have recently begun working on developing a friends group including the Harriet Tubman Underground Railroad State Park. The Friends of Maryland State Parks has 8 active board members, and approximately 150 members. The Friends of Maryland State Parks is currently working on a strategic plan, where they will conduct outreach to friends groups around the state to see how they can support them through guidance. Information for the Friends of Maryland State Parks can be found online here: <http://www.friendsofmdparks.org/>.
- Mr. Brylske asked how many state parks have an associated friends group. Mr. Hecker responded that there are 24 groups; however, only a dozen are active friends group. Mr. Harman suggested distributing a list of the state parks with associated friends groups with close proximity to HMI to the HMI COC.
- The Friends of Maryland State Parks has worked with Mr. Iman through the friends group of North Point State Park, where funds were raised in order to construct the North Point battlefield fence.
- Mr. Brylske asked for recommendations or lessons learned for community groups that are interested in forming a friends group for a state park. Mr. Hecker recommended finding individuals in the community that are interested in taking a leadership role in the friends group. Mr. Michael suggested that the HMI COC work with Mr. Iman to find an individual in the community that can take a leadership role in a friends group for HMI. The HMI COC agreed that finding a core group to lead the friends group is the key to establishing a successful friends group for HMI.
- The Friends of Maryland State Parks is considered a nonprofit 501C3. As a result, the Friends of Maryland State Parks is able to provide support by taking donations to a dedicated fund on behalf of a

friends group that may be just starting. Once the friends group is more established, then they are able to apply to be their own nonprofit 501C3.

- The Maryland Park Service requires an affiliated foundation agreement that a friends group would also have to establish. The Friends of Maryland State Parks can also guide a friends group with establishing the agreement as well.
- An annual meeting in November between friends groups for Maryland State Parks is held at North Point. Mr. Hecker stated that information about the meeting can be passed on to Mr. Iman once the meeting is scheduled.
- Mr. Brylske asked if there are examples of structures of friends groups that the HMI COC can use as a template. Mr. Hecker stated examples of different friends group can be distributed to the HMI COC. Mr. Hecker recommended reaching out to friends group of Gunpowder Falls State Park, who can potentially help with recruiting interested community members with helping out at HMI.
- Mr. Zeller asked what the duties and responsibilities of a friends group would be. When a friends group establishes an affiliated foundation agreement with Maryland Park Service, they outline the responsibilities of the state park and the friends group. The friends group can have responsibilities such as maintain trails, cleaning up trash, events, activities and maintenance. Mr. Iman added that Maryland Park Service usually takes into consideration what the friends group is interesting in helping out with. Mr. Brylske stated as the HMI COC is discussing a friends group, they need to come up with ideas of what they would like the friends group to support at HMI, including fundraising activities and public access. Mr. Bibo added that at Poplar Island there is a volunteer master gardeners group that comes out to help with landscaping around the Murden memorial. One of the issues that arise with the site being an island is access and safety concerns for volunteer groups.

4. INNOVATIVE REUSE

Cassie Carr – MES, Dallas Henson – MES

- Innovative Reuse is reusing dredge material in an upland setting such as material for coverage at landfills, fill, and soil. Beneficial use is reusing dredge material in an aquatic setting such as wetland restoration.
- An Innovative Reuse Committee (IRC) was formed under the recommendation of the Harbor Team, approximately ten years ago, to focus on innovative reuse and giving recommendation of how to use Baltimore Harbor material moving forward. An IRC final report about innovative reuse was submitted to the Dredge Material Management Program Executive Committee stating different potential reuses of Harbor material and how they can be implemented in Maryland.
- In 2014, after reviewing at the lessons learned, MPA revived the overall innovative beneficial reuse strategy. From the 2014 updated strategy, one of the main recommendations was to form an Interagency Regulatory Workgroup comprising of different agencies such as MPA, DNR, Maryland Department of Environment (MDE), Maryland Geological Survey (MGS), and U.S Army Corps of Engineers. The mission of the group is to establish a clear, predictable, transparent regulatory process that facilitates opportunities for innovative and beneficial reuse in Maryland while protecting the environmental and public health. A comprehensive review of 9 states and 2 MDE programs was conducted and a final report was developed outlining seven key finds and five policy recommendations.
- The five policy recommendations are to:
 1. Develop Technical Screening Criteria & Guidance Document
 2. Evaluate Feasibility of Existing MDE Authority (NPDES/WQC) to Facilitate Innovative Reuses.
 3. Call on State Agencies to be a Leader in the Reuse of Dredged Material.

4. Build Public Awareness and Support for Reuse – Develop Tagline, Video, Infographic, Social Media Presence.
 5. Review and Recommend Need for COMAR or Statute changes.
- An overview of the Technical Screening Criteria & Guidance Document was given. The purpose of the guidance document is to guide prospective suppliers or end users of the material and clearly outline steps and/or requirements for MDE approval to reuse dredged material. This includes sampling requirements, environmental and public health standards and long-term management. The focus of the first draft of the document is on priority uses including what end uses are most cost effective for MPA and what were most uncertain or unclear.

The Technical Screening Criteria is risk based and applied to the end-use product. It is calculated using the EPA Regional Screening Level (RSL) Calculator and based on risk of exposure (commercial or residential receptor). There are tiered categories based on testing, the quality of the material, and/or project specific factors.

The document is:

- Rooted in existing MDE statutory/ regulatory authority and standard operating procedures;
- Establishes a framework that is:
 - End-use based
 - Risk-based using EPA Soil Regional Screening Levels (RSLs)
 - Flexible;
- A living document that allows for updates;
- Closes existing regulatory gaps through a policy framework that describes 4 categories of risk-based management options;
- Allows for case-by-case, if needed.

The document is not:

- A new regulation
 - A change in existing statute
 - A substitute for existing regulations or law
 - Does not impose legally binding requirements
- With the existing MDE Regulatory Framework there are already dredging/dredge material management and beneficial use regulations and permits. However, the MDE's new policy and guidance organizes and consolidates information in one place and provides opportunity to implement beneficial use projects inside the Harbor utilizing Baltimore Harbor Channel material subject to sediment characterization. In addition, it provides guidance for innovative reuse including brownfield reclamation, landfill cover, engineered fill and soil, including soil amendment and establishes 4 categories for the management of dredged material as engineered fill or soil (Category 1 – Residential, Unrestricted; Category 2 – Non-Residential, Restricted Use; Category 3 – Restricted Use, Cap Required; Category 4 – Ineligible for Reuse).
 - The following are Interagency Work Group recommendations and what was delivered through the Technical Screening Criteria & Guidance Document:
 - Clarity regarding MDE statutory authority;
 - Definitions of key terms – clear and flexible;
 - Tiered categories: quality of material based on data (determined through sampling and testing) and project specific factors for land uses;
 - EPA Regional Screening Levels = technical risk-based screening criteria;
 - No more force fit into Volunteer Clean-up Program (VCP) non-residential and residential soil standards;

- Screening criteria can be applied either up front or to the blended product (provides flexibility);
- Extensive coordination between and integration among MDE water, land, air, waste, and science administrations;
- Identified points of contact at MDE depending on end use.
- The document is currently a draft, awaiting review and comments from the public. The draft is posted on MDE's website: <http://www.mde.state.md.us/programs/Marylander/Pages/dredging.aspx>.
- Outreach work has also been completed to showcase Innovative and Beneficial Reuse including:
 - A new tagline: Sediment to Solutions: Channeling Innovation
 - Fact Sheets for Innovative and Beneficial Use and Harbor Channel Sediment Quality;
 - An InfoGraphic;
 - A video posted on MPA's GreenPort website and Youtube;
 - Social Media posts to Facebook, Instagram, and Twitter.
- The next steps for the Technical Screening Criteria & Guidance Document are a 60 day public review and comment period. There will be a public forum at MDE Headquarters on April 25, 2017 at 6:00 pm. In May/June 2017, the document will be revised and comments will be addressed. The target to submit the final draft to MDE will be June 2017. The final approval of document from MDE is anticipated Summer 2017. For outreach and education, there will be work to continue building public support for innovative reuse, increasing social media activity, and meeting with elected officials, area organizations, and industries. Sampling and testing will continue and data will be analyzed from new test results. In addition, planning will be ongoing for implementation of demonstration projects.
- Mr. Brylske asked if there is currently dredged material ready for reuse. Ms. Henson answered there is approximately 3,000 cubic feet at Cox Creek Dredge Material Containment Facility (DMCF) that is ready for reuse. Mr. Lee added that in White Marsh there is a site using dredged material for coverage. Ms. Carr stated that with the Technical Screening Criteria & Guidance Document, MPA's main focus is the dredged material from the main Harbor channels; however, it will be used to guide any reuse of dredge material in Maryland.
- Mr. Doyle asked if material from closed and current DMCFs is tested and deemed as valuable, could material be taken out for Innovative Reuse. Ms. Carr answered yes; one of the main focuses of Innovative Reuse is to recycle dredge material in order to maintain capacity at the DMCFs. Mr. Doyle asked if there are specific places that the material is taken out and tested. Ms. Carr answered it will be based on the volume of material, and up to the operational plans of the facilities.
- Mr. Brylske asked what the projection on dredge material capacity is with Innovative Reuse. Ms. Carr answered the annual goal is to use 500,000 cubic yards for Innovative Reuse.

5. NORTH CELL UPDATE

Lincoln Tracy – MES, Lien Vu– MES

- MES is continuing to lime the North Cell sediments. Approximately 170 acres of sediment has been limed at 20 tons/acre, completing approximately 24% of the North Cell. MES is continuing to focus on discharging the water in the North Cell, in order to dry the sediments and allow further liming to occur. MES has discussed potentially applying lime using helicopters and is considering doing a test trial on a small plot. Mr. Doyle asked if the lime will be applied wet or dry with the helicopters. Mr. Tracy answered dry. Mr. Doyle asked how lime is tracked into the sediment. Mr. Tracy answered that the low pressure ground crawlers track the lime into the sediment as it being applied.
- MES is using pelletized quick lime to treat the water in North Cell to elevate the pH in order to decrease metals and ammonia concentrations and discharge from Spillways 007 and 008. MES received approval from MDE to utilize a four-day average to calculate monthly ammonia averages.

Ammonia concentrations will be averaged over the four-day period, and the days during which no discharge occurs are recorded as an ammonia concentration of zero. The highest four day average for ammonia is recorded as the monthly average ammonia concentration.

- Currently the main focus for the staff is liming the North Cell. The South Cell dike raising has been postponed until after the state park and South Cell public access is closed in fall/winter 2017, in order to focus on the North Cell. Mr. Lee asked how high the dike has to be raised in the South Cell. Mr. Tracy answered only a few feet, in order to increase the water holding capacity in times of flooding, and prolong the sustainability of the South Cell. The pipe that is being used for hydrating the South Cell will be removed as well. Mr. Lee asked if the removal of the pipe will be permanent. Mr. Tracy answered yes; the decision to remove the pipe was made because of the maintenance costs. In addition, the future plan is to have the North Cell water flow into the South Cell in order to maintain the elevation, so the hydration system is no longer needed.
- MES has been working on excavating the deep pool in the North Cell. The berm has been placed around the deep pool to prevent water in the North Cell from entering the excavation site. MES has made the first cut of approximately 18 inches down and removed the material. MES anticipates being able to excavate the entire deep pool down to 15-20 feet mechanically.
- Mr. Lee asked if the changes in the North and South Cell have affected the wildlife at HMI. Ms. Peñafiel states that the wildlife is not being officially tracked. Birders typically conduct weekly surveys and the updates are posted on E-bird. HMI remains the #2 hotspot in Maryland, behind Swan Creek. Mr. Bibo noted the tundra swans in the South Cell, which are a native species. Mr. Tracy stated there are also fish in the North Cell trenches as well.
- An HMI North Cell Vegetation Working Group (WG) was established in order to provide technical support and guidance to liming and vegetation plans for the North Cell. The WG comprises University of Maryland Center for Environmental Science, WYE Research and Education Center (WYE), MES and MPA.
- Topics of discussion for the WG include setting up smaller workable grids, liming, tilling, organic matter inputs, suitable vegetation for planting including upland and transitional seed mixes, plugs and woody shrubs, and MES sampling and monitoring.
- In January 2017, sediment sampling was conducted and samples were taken at different depths in un-limed and limed areas in the North Cell to assess sediment conditions. Sediment results were used by the WG to come up with recommended species for the North Cell which includes perennial grasses, shrubs and annual grasses.
- This upcoming spring, test plots will be established and seeded with the recommended species. The tests plots will be monitored by MES and results will help determine what vegetation to move forward with for the planting plan.

6. DNR UPDATES

Bob Iman – DNR

- DNR had a successful waterfowl season. There are no incidents to report. The waterfowl markers have been removed.
- All three of DNR's boats have been sent out for maintenance and to be winterized.
- DNR hired three seasonal staff. The three seasonal staff members are the same staff from last year.
- DNR restocked supplies including medical supplies and flares.
- Insulation was bought and will be installed in the shed.
- On April 8, 2017, a Boy Scout group will come out to help pick up driftwood, trash and get campsites ready for the upcoming season.
- MES, DNR, and MPA will have a South Cell public access meeting to prepare for the upcoming season.

- Mr. Iman confirmed visitation numbers with Mr. Fran Taylor, who had questions about numbers at the January meeting. DNR does its best to track visitors, gather information, and note what activities visitors are engaging in.
- Mr. Brylske asked when the DNR Park will be open this year. Mr. Iman answered the park will open on May 1, 2017. The South Cell will be open mid-May, depending on the weather.
- Mr. Brylske asked if additional amenities will be provided in the South Cell. Mr. Iman answered benches were installed around the South Cell. Some of the benches will be installed after the South Cell raising is completed. Ms. Peñafiel added that the porta-potties will also be available again at a better location with signage, so that visitors know that they can be used.

7. FINAL REMARKS

Dave Bibo – MPA

- The next HMI COC meeting will be onsite at HMI. The boat will be leaving at 5:00 pm from MES' land base. Mr. Bibo requested that HMI COC members let MPA know if they plan to bring any guests.
- Mr. Brylske requested that a Friends Group discussion be added to the HMI COC meeting agenda for May.
- Ms. Jones provided information about the Cox Creek Expanded Public Information Meeting. The meeting will be held on Thursday, April 6, 2017 from 6:30-8:30 pm at the Rivera Beach Volunteer Fire Department Banquet Hall, 8506 Fort Smallwood Rd, Pasadena, MD 21122. On Saturday, April 8, 2017, there will be riding tours at the Cox Creek DMCF, 1000 Kembo Road, starting at 10:00 am with the last tour departing at 1:00 pm. This is an opportunity for the public to see the progress of the demolition, learn more about an active disposal site, and see the footprint of the proposed expansion project.

Meeting adjourned- 7:50 pm