

DRAFT
SUMMARY OF THE DREDGED MATERIAL MANAGEMENT PROGRAM
CITIZENS' ADVISORY COMMITTEE MEETING
September 12, 2012, 6:30 PM
2200 Broening Highway
Baltimore, Maryland

Attendees:

Anne Arundel County: Ron Bowen
Association of Maryland Pilots: Bill Band
Baltimore Maritime Exchange (BME): Dave Stambaugh
Bay View Estates: Ken Cowley, Bill Haines
Citizens' Advisory Committee Facilitator: Fran Flanigan
Coastal Conservation: Bob Fantom
Blue Water Baltimore: Bob Johnson
Dorchester County: Bruce Coulson
EcoLogix Group: Chris Correale, Dan Spack
GEOMatx Surveying and Mapping: Tom McElroy
GP Strategies Corporation: Sarah Coffey
Greater Dundalk Community Council: Thomas Kroen
Lafarge: Sean Frisch
Maryland Conservation Council: Karen Meadow, Norm Meadow
Maryland Environmental Service (MES): Dave Peters
Maryland Geological Survey (MGS): Jeff Halka
Maryland Port Administration (MPA): Frank Hamons, John Vasina, Dave Blazer, Nathaniel Brown, Dave Bibo, Bill Lear, Katrina Jones
North County Land Trust (NCLT): Ed Garcia
North Point Community Council: Francis Taylor
Patapsco/Back River Tributary Team: Stuart Stainman
Phoenix Engineering: George Harman
Turner Station Conservation Teams: Gloria Nelson
U.S. Army Corps of Engineers, Baltimore District: Steven Brown
U.S. Army Corps of Engineers, Philadelphia District: Tim Kelly
West View Shores: Tim Townes, Bruce Hemphill, Dorothy Hemphill

Action Items:

1. None.

Statements for the Record:

1. None.

1.0 Welcome & Introductions

Mr. Fran Taylor

Mr. Taylor, chair of the Citizens' Advisory Committee (CAC), convened the meeting at 6:30 pm and welcomed all of the committee members. Committee members recited the Pledge of Allegiance. Mr. Taylor requested that everyone state their name and whom they represent. The committee members took turns introducing themselves and stating their affiliations. Mr. Taylor requested comments or changes to the April 25, 2012 CAC Meeting summary. No CAC members raised any issues or

concerns with the summary. Ms. Nelson made a motion to accept the meeting summary as written. Mr. Kroen seconded the motion, and the motion unanimously passed.

Mr. Taylor stated that the agenda includes a CAC roundtable discussion to provide updates from individual groups or organizations and an opportunity to discuss issues of concern. Mr. Stambaugh stated that the Baltimore Maritime Exchange (BME) has been busy with a number of activities. The organization is down one employee and is not currently hiring due to a potential International Longshoreman's Association (ILA) strike. The current ILA contract expires at the end of September 2012. Mr. Stambaugh noted that, after the issue is resolved, the BME will likely hire additional staff members. Mr. Stambaugh stated that students from the Naval Post Graduate School will be coming to the Port on September 13 and 14, 2012 to participate in a workshop on information sharing for security purposes. The workshop will involve Federal, State, and local agencies as well as representatives from the private sector.

Mr. Stambaugh stated that a shrimp feast will be held on Wednesday, September 19, 2012 at Vane Brothers. The event is the sole BME fundraiser for 2012. Tickets are available, and currently 388 people are planning to attend the event. Mr. Stambaugh reported that he will be attending the upcoming National Maritime Association meeting to be held in New Orleans. Mr. Stambaugh is the secretary of that organization, which is comprised of 12 maritime agencies from around the country. The group collectively tracks 85 percent of all maritime vessel traffic in the United States.

Ms. Nelson reported that the Turner Station Conservation Teams are looking forward to the upcoming outreach meeting regarding the potential Coke Point project. The meeting is scheduled for Monday, September 17, 2012 at the Dundalk Marine Terminal.

Mr. Stainman stated that he recently attended a Maryland Department of the Environment (MDE) public informational meeting as part of the Total Maximum Daily Load (TMDL) program for the Chesapeake Bay. Mr. Stainman stated that MDE is developing growth offset policies and guidelines that will affect new facilities. The policies and guidelines will not affect existing facilities and services. Any growth or development which generates new nutrient pollution or sediments will require some type of offset. Mr. Stainman encouraged anyone who may be affected by these new guidelines to review the MDE proposed regulations. The MDE will be finalizing development of the policy to present to the legislature in the near future.

Mr. Band apologized for missing the past several CAC meetings, explaining that he has been busy with business activities at the Port of Baltimore. Mr. Band stressed the importance of the CAC, particularly for dredging issues. The Pilots and their business would be severely impacted if there was no dredging. Mr. Band stated that he is a strong proponent for continued maintenance dredging of the channels. Ships are continuing to get larger; many ships have drafts of 47.5 feet in 50-foot channels, leaving little room for error. Mr. Band stressed that, for the future of the Port, it is imperative that answers be found for the outstanding dredging issues. The Port is a huge economic engine, not only for the Pilots, but also for the State of Maryland.

Mr. Steve. Brown asked for the typical draft of container vessels. Mr. Band stated that container ships usually have drafts of 40 to 42 feet. However, the larger container ships that are starting to come to the Port have drafts of 44 feet.

Mr. Coulson reported that the Dorchester County Shoreline Erosion Group continues to be concerned about the Mid-Bay Island (MBI) Project and the possibility of getting the project funded. The citizens are concerned regarding continued erosion of James Island, Barren Island, and surrounding areas. Mr. Coulson stated that James Island is in danger of disappearing if erosion continues and nothing is done to restore the Island.

Mr. Kroen stated that efforts are continuing for monitoring at Hart-Miller Island (HMI). Monitoring is being conducted on the interior and exterior of the island. Dewatering activities are continuing in the interior area of the island. Mr. Kroen stated that efforts are underway regarding visitation, and how to accommodate visitors at the site.

Mr. Fantom stated that hook and line fishermen have reported catching striped bass in the lower Bay, but not in upper Bay areas. Mr. Fantom noted that crabbers indicated that the 2012 crabbing season was not as successful as reported in the media.

Mr. Meadow stated that the primary interest of the Maryland Conservation Council (MCC) with the Port was focused on the potential project involving the use of dredged material to restore wetlands at the Blackwater Wildlife Refuge. The Corps was initially considering the project, but it is no longer moving forward. Mr. Meadow stated that another group that is involved with the MCC owns a salt marsh that is located in close proximity to Blackwater. The MCC believes that the salt marsh area could be used as a pilot test area for the Blackwater restoration project.

Mr. Meadow reported that the MCC has legal control over what the union can do with the Coke Point Liquefied Natural Gas (LNG) facility. The Coke Point facility is now slated to become an export facility for LNG. Mr. Meadow explained that the MCC will be very involved with that process.

Ms. Nelson reported that a public meeting regarding the Southeast Road Reconstruction Program (Broening Highway) is scheduled for 6:30 pm on Tuesday, September 18, 2012 at the Senior Housing Center on Dundalk Avenue. The meeting will also address plans for landscaping of Dundalk Avenue.

2.0 What's Happening? Updates on Current DMMP Activities

Overview of Current DMMP Issues

Mr. Frank Hamons

Mr. Hamons stated that the 50-foot channel was authorized and dug in 1970, and was deepened from 42 feet to 50 feet from 1987 to 1990. The material from that project was placed at HMI. Mr. Hamons explained that when the channel was dug, all channel sections were not widened as far as they were authorized to be widened. At that point the project was divided into two phases; phase one was the original channel creation, deepening and widening; phase two was the widening that was not done originally. The width originally created was suitable for a number of years, but ships are getting increasingly larger and the current channel width is no longer adequate. When the project was started ships had an average length of 970 feet and width of 106 feet. The larger ships that are now coming to the Port have a length of 1,200 feet and a width of 160 feet.

Mr. Hamons stated that a request was submitted to the Corps for completion of phase two of the project; to widen the channels to their authorized width. Two of the three channels in Virginia were originally widened to 800 feet, and the Maryland channels were originally widened to 700 feet. The request for phase two would involve widening the Virginia channels to 1,000 feet and the Maryland channels to 800 feet. Due to the length of time since the original authorization, the Corps has indicated

that the widening project would be considered a new project and would require completion of a full study. Mr. Hamons noted that every seven years projects come up for deauthorization. Each time the original 50-foot channel authorization would come up for deauthorization a letter was submitted to Congress requesting that the original authorization for the channel be maintained. The original authorization was maintained throughout the years, but the new guidance from the Corps indicates that the continued reauthorization does not apply in this case. Mr. Hamons stressed that, just to finish the job that was started in 1987, could take 11 years (to complete the study and get permission to complete the project).

Mr. Hamons recognized Mr. Coulson's concerns regarding the MBI project. The project is still on the MPA's Federal priorities list. However, the project cannot proceed without authorization under a Water Resources Development Act (WRDA). Congress passed a WRDA in 2000 and again in 2007, but no WRDA has been taken up by Congress since that time. Mr. Hamons noted that indications are that some Senators are working to get a WRDA started for 2012. Mr. Hamons stated that Congress no longer passes legislation containing earmarks. Earmarks are legislation that specifies a certain amount of funding for certain projects. A WRDA is an authorization bill that authorizes projects for a certain amount of funding; basically an earmark bill. That issue may be one reason why Congress has not passed a WRDA since 2007. Mr. Hamons stated that WRDA also authorizes expenditure of money on major in-water projects. Congress is not only having trouble passing authorization bills, but is also having difficulty passing appropriations bills.

Mr. Hamons stated that the Corps and MPA have agreed upon a design agreement for the expansion of Poplar Island (PI). Mr. Hamons stated that the agreement has taken a great deal of time to finalize. Without the expansion project, a restriction on capacity would begin as early as 2015. The capacity restrictions will depend largely on what happens with placement sites in the Chesapeake and Delaware (C&D) Canal. If the dredged material from the C&D Canal approach channels has to be placed at PI, the available capacity will be quickly reduced.

Mr. Hamons reported that the phase one remediation of Masonville site has been completed. A grand opening celebration for the facility and Masonville Cove area will be held in the near future. Committee members will be notified when the date of the celebration is finalized. Mr. Hamons noted that 61,000 tons of trash was removed from the site. After the trash was removed, contaminated soils were identified. The MDE issued a consent order prohibiting public access to the site until the contaminated soils were remediated. Mr. Hamons stated that the contaminated soils have been remediated, and MDE has approved the remediation. Mr. Hamons noted that the grand opening celebration will mark the first time in 70 years that the public will have access to the water in the Masonville Cove area.

Mr. Hamons stated that the Corps has an upcoming maintenance dredging contract planned. Material dredged from the Harbor channels will be placed at Cox Creek. This will be the first time the Corps placed material into the facility. A full load of maintenance material will be placed; taking the site almost to capacity for the allowable inflow. The site will be continuously monitored to determine how the facility performs. Monitoring will be conducted for the inflow, effluent, and release waters that will be discharged from the site.

Mr. Band referred to the width of the Maryland channels. While 700 feet may sounds like a wide channel, the width can be limiting when two large ships meet in the channel. Mr. Band explained that

two ships that are 1,000 feet long could have a combined beam exceeding 300 feet, plus the distance from the side of the ship to the shore. The ships end up passing with 150 feet or less to spare, leaving no room for errors. Mr. Hamons agreed, and noted that one of the issues that concern the MPA is that the Corps budget for maintenance of the channels has been flat for some time; which in essence is declining funding. Mr. Hamons noted that, if adequate channel maintenance cannot be completed due to funding restrictions, the channels start shoaling in from the sides, further limiting the width of the channels.

Status of Coke Point Project

Ms. Chris Correale

Ms. Correale stated that during the April 2012 CAC meeting, a presentation was provided discussing the potential options for the Coke Point Dredge Material Containment Facility (DMCF) project, dike elevations, and a future presentation on environmental dredging best management practices (BMPs). Ms. Correale stated that she will provide an update on sediment sampling, community enhancement project development process, a planned presentation on BMPs, and updated visualizations of the proposed design alternatives for Coke Point.

Ms. Correale presented the plan view of the first alternative under consideration for the Coke Point site. The alternative includes an upland DMCF combined with subaqueous capping of the offshore area of contaminated sediments. The footprint was determined based on the risk assessment that was completed at the site. The upland DMCF portion of the alternative would encompass the slag stockpiles and existing DMCF. The existing DMCF at the site has not been used in many years, and when constructed, had a capacity of approximately 800,000 cubic yards (cy). Approximately 200,000 cy of capacity remains in that existing DMCF. Mr. Hamons noted that the existing DMCF was never used by the MPA; it was used by the steel companies, and has not been used for the past 15 to 20 years.

Ms. Correale presented the plan view for the second alternative under consideration for the Coke Point Site. The alternative includes an upland DMCF and offshore DMCF, with a marine terminal end use. The alternative includes a rock dike to facilitate the future use of the site as a terminal. Ms. Correale stated that the Corps requires that the permits be issued for a single and complete project. Therefore, the DMCF project must include the possible future dredging to support a terminal at the site. In order to accommodate a future terminal, approximately 7 million cubic yards (mcy) would have to be removed from the area adjacent to the southeastern side of the site, as well as 1 mcy removed from the area around the rock dike. All of that dredged material would be placed inside of the Coke Point DMCF.

Ms. Correale pointed out a green outline in the offshore area to the southeast of the peninsula on the plan view of the rock dike/terminal alternative. The line indicates an area of higher ecological risks. Ms. Correale stated that discussions with MDE and the Environmental Protection Agency (EPA) resulted in the area being designated as a potential mitigation area. Ms. Correale also noted the yellow line on the plan which indicates the entire area that the MPA is interested in acquiring. The yellow property line encompasses 310 acres, which is slightly larger than originally planned, due to new ownership of the property.

Mr. Taylor stated that the community compiled a list of suggested amenities and community enhancement projects to accompany the DMCF project. Mr. Taylor noted that there was a belief that some of those projects (i.e., shoreline erosion controls, beach restoration) could provide MPA with

mitigation credits. Mr. Taylor asked if the amount of community enhancement projects completed would be reduced if the in-water mitigation area was used as part of the Coke Point project. Ms. Correale explained that, when any organization applies for a permit for a project with associated in-water impacts, compensatory mitigation is required. Ms. Correale explained that the mitigation required will be based on the amount of in-water acreage impacted by the project. The MPA would still be able to do community enhancement projects, but would give preference to projects that qualify for mitigation credit. The regulatory agencies will determine the amount of credits given for any particular community enhancement or mitigation project. Ms. Correale noted that some of the community enhancement projects could get credit for Chesapeake Bay critical area mitigation for offsetting stormwater impacts.

Ms. Correale stated that four reconnaissance sediment samples were collected in the dredging footprint in August 2012. The results from those samples are pending. The results from the reconnaissance sampling will be used in the development of a more robust sediment sampling program for the Coke Point site. A draft sediment sampling plan was prepared and presented to the Bay Enhancement Working Group (BEWG) on August 30, 2012. The BEWG will review the plan and provide comments back to MPA. The plan includes collection of sediment samples from approximately 18 locations at various strata, with samples being analyzed for a complex variety of parameters. The revised draft sediment sampling plan will be presented to the Harbor Team (HT) on September 27, 2012; the HT will have until October 12, 2012 to submit comments. The schedule includes sediment sampling in late fall 2012 with the report of findings completed in late 2012 or early 2013.

Mr. Stainman asked when the results from the preliminary reconnaissance sampling are expected. Ms. Correale stated that the sampling results should be received prior to the September 2012 HT Meeting. Mr. Fantom asked if the CAC members could receive a copy of her presentation. Ms. Correale stated that copies of the presentation could be provided to all committee members.

Mr. Hamons referred to the location of the potential in-water mitigation area, and stressed that the area is not included as part of the DMCF project at Coke Point. However, the regulatory agencies are looking at the area because it is contaminated enough that it requires remediation. Mr. Hamons explained that, because it is not part of the MPA project, if the area were to be remediated, the MPA would want to receive some type of mitigation credits for conducting that remediation.

Mr. Fantom asked how the in-water potential mitigation area would be remediated; specifically if it would be filled or if the contamination would be removed. Ms. Correale stated that the preferred method of remediation for that area has not been identified. The two primary options under consideration for remediation would be capping the contaminated sediments, or dredging the contaminated material and placing it in the DMCF at Coke Point. A great deal of regulatory coordination would have to be completed before a final decision could be reached.

Ms. Correale reported that Dr. Bob Engler from Moffatt and Nichol will be providing a presentation on BMPs for environmental dredging at the October 18, 2012 HT meeting. The presentation will discuss various methods that could be used for dredging contaminated sediments around the Coke Point site.

Ms. Correale presented a map showing the locations of the mitigation and enhancement projects that have been suggested as part of the Coke Point project. Approximately 39 projects have been suggested; categories include remediation, wetlands, shoreline enhancement, trails and access to

waterways, environmental education, boat ramps and piers, waterway cleanups, and fish habitat and park improvements. The original list of enhancements was developed by the 2003 HT; additional projects have been added as the project has moved forward.

Ms. Correale stated that the enhancement process will involve meetings with major communities (Turner Station, Dundalk, North Point) and Baltimore County Department of Environmental Protection and Sustainability (DEPS). Each group will individually place priorities on all projects (high, medium, or low). A joint meeting will then be held with all groups to develop a consensus list. That consensus list will then be presented to the HT for concurrence. If a consensus cannot be reached, the priority spreadsheets from each individual group will be provided to the HT, which will then develop the consensus list. Ms. Correale noted that the consensus list will guide the MPA in identifying the appropriate community enhancement projects to accompany the DMCF project.

Mr. Johnson asked how many community enhancement projects will be implemented. Ms. Correale stated that a specific number of projects has not been identified. The number of projects completed will depend on the priority lists and cost of the projects.

Mr. Garcia noted that the communities involved in the prioritizing of projects include Baltimore City and Baltimore County. Mr. Garcia asked if any communities from Anne Arundel County or other areas on the other side of the Patapsco River will be involved in the process. Ms. Correale stated that the HT recommended that the communities directly affected by the DMCF project be involved in developing the enhancement projects. Therefore, a decision was made to focus the outreach on Baltimore County and the neighborhoods closest to where the DMCF will be located.

Ms. Correale reported that a number of factors will be considered when selecting enhancements. Enhancements should be provided to the communities directly affected by the DMCF, and be designed to protect human health and the environment. The enhancements should add value to the nearby communities, and, wherever possible, emphasize public access to the water. The projects should also be designed to improve water quality and aquatic habitat, and be protected for public use through perpetual conservation easements or similar mechanisms.

Ms. Correale stated that a bankruptcy judge approved the sale of the Sparrows Point property to Hilco Industrial and Environmental Liability Transfer, Inc. on August 15, 2012. The sale is scheduled to close between September 15 and 30, 2012. The MPA has made its interest in the property known to all appropriate parties.

Ms. Correale presented a series of digital simulations of the proposed Coke Point DMCF from a variety of vantage points. The vantage points included Turner Station, Edgemere, Fort Howard, Riviera Beach, and Fort Armistead. The graphics displayed for each vantage point included the existing view, and how the view would change with each of the proposed DMCF alternatives.

Mr. Johnson asked if the MPA has condemnation authority that could be exercised to take ownership of the Coke Point site. Mr. Hamons stated that the MPA does have condemnation authority, but has never implemented the authority. The MPA attorneys are not supportive of such an action. Mr. Hamons noted that the MPA has been coordinating with all Sparrows Point property owners, as far back as Bethlehem Steel, in an attempt to acquire the Coke Point portion of the property.

Mr. Stainman asked, if MPA can acquire the property, how long it will be before remediation starts at the site, and construction of the DMCF begins. Mr. Hamons stated that the most aggressive schedule assumes the site being ready for acceptance of dredged material in 2018. Mr. Hamons stated that a great deal of remediation would have to be completed prior to placement of dredged material into the site; therefore, the goal is for the remediation to be completed within the first few years after the property is acquired. Ms. Correale stated that the DMCF project will require permits from the Corps and MDE. Part of the permit process will be completion of a full blown Environmental Impact Statement (EIS). As the project moves forward there will be many opportunities for public meetings and comments. Mr. Hamons noted that the EPA is involved with the project due to the outstanding consent order that has been placed on the property.

Mr. Stainman stated that Baltimore County is currently working with the Dundalk community to develop a small watershed action plan. Ms. Correale stated that the MPA is aware of the effort, and noted that MPA staff and consultants have attended the small watershed action plan meetings.

Mr. Taylor noted that the Sparrows Point property was recently subdivided. Ms. Correale explained that the entire Sparrows Point property is in excess of 2,000 acres. The Coke Point peninsula that the MPA is interested in is approximately 310 acres. The entire site is zoned industrial. Ms. Correale stated that the MPA asked Baltimore County what steps needed to be taken to subdivide the Coke Point portion of the property in order for the MPA to acquire that smaller parcel. Ms. Correale stated that representatives from Baltimore County brought the issue before the Development Review Committee and a decision was made that the 310-acre parcel can be subdivided out from the Sparrows Point property.

Coke Point Outreach

Ms. Fran Flanigan

Ms. Flanigan stated that the outreach for Sparrows Point project was initiated through the HT process in 2003. Approximately one year ago, the MPA reinitiated outreach to the communities around the Coke Point site. Presentations have been provided to numerous stakeholders such as community groups, neighborhood organizations, business groups, marina owners, and fisherman groups. A PowerPoint presentation and fact sheet was developed to assist with outreach efforts. A copy of the fact sheet was provided to all meeting attendees.

Ms. Flanigan stressed that the MPA is committed to provide informational presentations to any interested group. The presentations provide an opportunity for citizens to ask questions and express concerns regarding a DMCF project at Coke Point. If anyone has suggestions for groups that should be contacted, or would like to request a presentation, they should please contact Ms. Flanigan. Copies of the fact sheets can be provided if needed, or can be printed from the MPA Safe Passage website.

3.0 Looking Forward to Fall

Corps Dredging Schedule and Placement Sites

Mr. Steve Brown

Mr. Steve Brown reported that the contract for annual maintenance dredging in the Maryland channels was awarded on Tuesday, September 11, 2012. The contract will include removal of 491,000 cy (to depth of 51+2 feet) from the Brewerton Angle. The material will be placed at the Cox Creek DMCF. The placement of material will fill the Cox Creek site in a timeframe of approximately two weeks. Mr. S. Brown noted that Ms. Katrina Jones has been conducting outreach in the community to arrange for interested citizens to tour the Cox Creek site during placement of dredged material.

Mr. S. Brown stated that the contract also includes removal of 882,000 cy of material from the Cutoff Angle, 665,000 cy from the Swan Point Channel, and 495,000 cy from the Tolchester Channel. The channels will be dredged to a depth of 36+2 feet. Mr. S. Brown stated that he recently attended the Corps national strategy meeting for navigation. There was a push for Districts to conduct as much advance maintenance dredging as possible with their available funding. Mr. S. Brown noted that the Bay channel dredging will take approximately 100 days to complete; all material will be placed at PI.

Mr. S. Brown stated that the Corps is required to pay a tipping fee when using the Cox Creek DMCF for placement. The tipping fee is based on the material that has already been deposited into Cox Creek. There has been 971,000 cy of material already placed at Cox Creek. Therefore, up to that quantity, the Corps will match that dollar value of approximately \$6 per cubic yard. Mr. S. Brown explained that, calculating based on 491,000 cy of material to be placed, the tipping fee going to the MPA will be approximately \$2.9 million. Mr. Hamons stated that the method of calculation came out of the 1996 WRDA. The tipping fee is a mechanism by which the Corps is required to pay their cost share of the project. When originally renovated, the Cox Creek DMCF was not cost shared, and was paid for entirely by the State. Mr. Hamons noted that the Corps actually calculates the rate of payment for the tipping fee. Mr. S. Brown stated that after dredge surveys will have to be completed to determine the exact quantity of material placed at the site in order to accurately calculate the tipping fee.

Mr. Taylor asked if the Corps can place dredged material at the Masonville DMCF site. Mr. S. Brown stated that the Corps cannot place material at Masonville until a tipping fee agreement for that site is reached between the Corps and MPA. Mr. Hamons stated that the process has been initiated to develop that tipping fee agreement.

Cox Creek and Innovative Reuse

Mr. Bill Lear

Mr. Lear reported that MPA consultants are currently investigating whether MPA can guarantee 500,000 cy of dredged material annually for use in an Innovative Reuse (IR) operation. The results of the study are expected by the end of September 2012. The MPA recently met with the State Highway Administration (SHA) to discuss Schnabel's proposal. The SHA would like MPA to allow Schnabel to complete a pilot study for the IR process.

Mr. Lear stated that the MPA is continuing to review IR proposals as they are received. Many of those received are repeats of projects that have already been considered. The Harbor Rock and Schnabel IR projects are most advanced. The MPA is continuing to investigate the feasibility of acquiring the Millennium property adjacent to Cox Creek and combining the two properties as a potential dredge material placement site.

Mr. Haines noted that the US Coast Guard is applying for a dredging permit at Still Pond; the material is sandy dredged material and will be placed at either Cox Creek or Masonville. Mr. Haines asked if that material would be used for any IR projects. Mr. Hamons stated that the dredged material would just be placed at the site. Mr. Hamons noted that, if the IR projects move forward, sandy material is not ideal for the process. The lightweight aggregate IR projects prefer to have dredged material comprised of silts and clays.

Pearce Creek/Upper Bay Dredging

Mr. Dave Blazer

Mr. Blazer presented a map showing the Upper Bay channel systems including existing, authorized, and potential dredged material placement sites including Courthouse Point, Pearce Creek, PI, and PI expansion. Mr. Blazer reported that the Philadelphia District Corps of Engineers is estimating that 750,000 cy of material will be dredged this fall from the C&D Canal approach channels. The Notice to Proceed is planned to be issued in October 2012, with dredging operations commencing within 30 days. Material from the dredging operations will be placed at the Courthouse Point upland disposal site. The Water Quality Certificate notification was received from MDE for use of the Courthouse Point and Bethel DMCF sites.

Mr. Blazer presented a chart depicting the 20-year plan for the C&D Canal approach channels. The plan for the next several years is to place dredged material at Courthouse Point in anticipation of the Pearce Creek DMCF being reactivated by 2015. Mr. Blazer recognized that there are outstanding issues with the Pearce Creek site, but there is a need for a placement site with an average annual capacity of 1.2 mcy.

Mr. Blazer reported that the Pearce Creek site is approximately 230 acres in size and is owned by the Corps of Engineers. The site has been inactive since 1992 and is currently used as a wildlife management area. The US Geological Survey (USGS) conducted a groundwater study at Pearce Creek, and is preparing its report. The report is currently undergoing internal USGS peer review. Mr. Blazer stated that there are issues with neighboring communities, Bay View Estates and West View Shores, with regard to groundwater quality in their wells. The USGS is looking at the groundwater issues in the area. A decision cannot be made as to how to proceed with the reactivation of Pearce Creek before the completed USGS groundwater study report is received.

Mr. Blazer explained that after the USGS report is received, the Corps can begin to formulate the next necessary steps to reopen the Pearce Creek facility. If the Pearce Creek site cannot be reopened, the material would have to be transported to PI for placement. The cost of taking that material to PI would be approximately \$5 million to \$10 million each year. That increase in cost would tie up a large part of the annual dredging budget. Transporting the material to PI for placement would not be a cost effective option.

Mr. Kelly reported that the USGS report has gone through peer review. The report must now go through USGS editorial review and regional review. Mr. Kelly stated that the dredge material from the planned fall dredging contract will be placed at Courthouse Point. At the request of MDE, lime is placed at the Courthouse Point site between each dredged material placement cycle. The lime slows down the reaction of the dredged material with the atmosphere and reduces the acidity at the site.

Mr. Townes asked if the Corps has applied for any permits or authorizations for the Pearce Creek site. Mr. Kelly explained that no permits or authorizations can be applied for until MDE can review the USGS Report. In addition the Corps will not move forward until a plan is developed and agreed upon by MDE and the public. Mr. Townes referred to the estimate of \$5 million to \$10 million to transport dredged material to PI for placement. Mr. Townes stated that the Boards for Bay View Estates and West View Shores have agreed that if the Corps could find a way to provide the communities with a clean community water system, a lot of opposition to the Pearce Creek reactivation would go away. Mr. Townes speculated that \$5 million to \$10 million would go a long way towards installing a clean water system for the communities.

Mr. Johnson asked about the acidity of the dredged material. Mr. Kelly explained that when the dredged material comes in contact with the atmosphere it becomes acidic through a reaction with sulfates in the material. The lime reduces the reaction and, in turn, reduces the acidity of the material.

Mr. Garcia asked what consideration is being given to the sediment behind the Conowingo Dam. Mr. Blazer stated that the MPA has not looked at the issue, but the Maryland Geological Survey (MGS) has provided presentations discussing the issue. The MGS has meetings planned in the near future to discuss potential options to address the sediment. Mr. Blazer noted that the MGS has contacted the MPA to discuss the IR options that the MPA is involved with, and the possibility of using an IR technology to address the issue. Mr. Halka noted that a planning study is underway. There is an agreement between the Baltimore District Corps and the State of Maryland to investigate the issue and potential options to address the sedimentation. Mr. Halka stressed that the study relies upon modeling exercises to determine what happens to sediments in the entire lower Susquehanna River reaches, including the Conowingo Dam. Mr. Halka stated that there is a website available that includes all information regarding the study; Mr. Halka can provide the website information to anyone interested. Mr. Halka noted that the study is currently funded through September 30, 2012. Currently there are not sufficient funds available to complete the study, but there is an expectation that funds may become available.

Mr. Cowley stated that the citizens of Bay View Estates and West View Shores know there is contamination in the groundwater; they have dealt with it for many years. The groundwater has low pH, and chemicals have been identified. Mr. Cowley stated that the contamination has been documented with the local Health Department. Mr. Cowley stated that the installation of a new water system is a solution to ensure that the residents do not have bad water. Mr. Cowley stressed that it should not be an excuse to continue contaminating the groundwater for future generations. Mr. Cowley stated that the residents of Bay View Estates are not against dredging, but are opposed to placement of dredged material in residential areas where groundwater issues exist.

Mr. Cowley stated that the citizens have submitted letters to MDE opposing the issuance of permits for disposal of dredged material at the Courthouse Point and Bethel sites. Mr. Cowley stated that the citizens believe that the dredged material contaminated their groundwater, and placement of dredged material at the aforementioned sites could result in groundwater contamination in those surrounding areas. Mr. Cowley noted that the residents are focused on remediation, whereas the Corps is focused on placement of dredged material.

Mr. Cowley expressed concern that no one is addressing concerns raised in October 2010 regarding remediation. Mr. Cowley recognized that the Corps is awaiting the results from the USGS groundwater study. Mr. Cowley stated that, in the interim, the citizens believe that the dredged material should not be placed anywhere. Mr. Cowley stated that the main flow for the entire Chesapeake Bay comes from the Susquehanna River. Mr. Cowley stated that the River flows through three Dams, with a huge amount of contaminated sediments behind the Conowingo Dam. Mr. Cowley stated that the upper part of the Bay where the dredging is conducted has a higher contamination load than any other location in the Bay. Mr. Cowley stated that it is a similar issue with the contaminated Delaware River bringing contaminated material into the upper Bay. Mr. Cowley stated that the residents have statistical data about chemical releases and contamination.

Mr. Cowley stressed that the citizens do not believe anyone is paying attention to their issues, and no one is offering any solutions to the citizens. Mr. Blazer recognized the concerns. Mr. Blazer stated that it is difficult to identify a solution to the issue without having the science to back it up. The USGS report will hopefully answer outstanding questions with regard to groundwater issues in the area. After the report is reviewed, the discussions for potential paths forward can begin.

Mr. Haines stated that when the well tests were started, Mr. Mike Koterba of the USGS, asked for a plat map of Bay View Estates as well as a list of all lot owners. Mr. Haines stated that the USGS was supposed to take selective wells at different depths with County records and take water out of the bottom of the wells. Mr. Haines stated that the sampling was never done. Mr. Kelly stated that the wells were sampled. Mr. Haines stated that, instead, primary testing was done; the 200+ samples that were collected at Pearce Creek were not collected from the neighboring communities. Mr. Haines stated that the citizens would like to know when that well testing in Bay View Estates would be completed.

Mr. Haines stated that Mr. James Hill from MGS in his summary basically said that the dredge spoils are the problem of the groundwater situation. That statement was included in the 1993 or 1995 report. Mr. Haines stated that the issue has never been addressed. Mr. Haines stated that the report indicated that ongoing well tests were to be conducted from 1995 through the present, but the tests have not been completed.

Mr. Kelly stated that, as a result of inquiries from the residents of Bay View Estates and West View Shores (following the USGS analysis), the Cecil County Health Department sent out a letter. The letter was sent to approximately 250 residents of Bay View Estates and West View Shores. A total of 36 residents responded to those letters and requested that their wells be tested. Mr. Kelly stressed that the Cecil County Health Department did not tell residents to stop drinking their water. The Health Department provided results of the well sampling results to homeowners. Mr. Kelly stressed that it is the responsibility of the Cecil County Health Department, not the Corps of Engineers, to inform residents if there is a problem with their well water.

Mr. Haines expressed concern over the type of contaminants analyzed for during the well sampling. Mr. Kelly stated that the groundwater well samples were analyzed for the top ten constituents. Mr. Kelly explained that MES has compiled sediment data from the upper Chesapeake Bay channels, including data from MGS. The majority of the sediment samples that were reviewed from numerous reports were found to be below MDE Soil Cleanup Standards.

Mr. Kelly stated that he previously met with Mr. Haines to explain why contaminants from Dragon Run cannot travel through thirty miles of clay and enter into Pearce Creek. At times, water can travel over the Conowingo Dam at over one million cubic feet per second, so there is a dilution of sediment that comes over the dam. Mr. Haines stated that he respectfully disagrees with Mr. Kelly and stressed his belief that Dragon Run is a large issue in Delaware. Mr. Haines stated that contamination from Dragon Run has entered into the Potomac and Columbia aquifers. Mr. Haines suggested that fiber core samples be conducted down to the dredge cut at Pearce Creek to determine if the chemicals are present in the site. Mr. Haines also expressed concern over radiation that came into the Bay over the Conowingo Dam from Peach Bottom and Three Mile Island. Mr. Haines stressed that all of the information and concerns presented by the citizens has been ignored. Mr. Haines stated the July issue of National Fisherman magazine included an article indicating that the Corps was going to spend \$7.85

billion on restoration of oyster beds. Mr. Haines expressed concern that there is funding available for oyster bed restoration but not for dredging.

Mr. Taylor thanked Mr. Haines for sharing his concerns. The discussion will likely continue after the results of the USGS report are received.

4.0 Fall Meeting and Event Schedule

Ms. Katrina Jones

Ms. Jones reiterated that the next HT meeting will be held on September 27, 2012. The HT meeting scheduled for October 18, 2012 will be held at the Sollers Point Multi-Purpose Center in Turner Station. The Annual DMMP Meeting will also be held at the Sollers Point Multi-Purpose Center on November 9, 2012.

Ms. Jones stated that the MPA has been conducting outreach in the Anne Arundel County region to inform citizens about the Cox Creek DMCF project as well as the Coke Point Project. An open house will be scheduled during (or shortly after) placement of dredged material into Cox Creek to provide interested citizens and opportunity to tour the facility. The open house will be scheduled on a Saturday, and will also involve opportunities for citizens to visit wetland areas and the IR demonstration projects. Once the date is set more information will be provided.

Ms. Jones stated that after the Masonville leases go to the Board of Public Works on September 19, 2012, coordination will begin for the grand opening of the Masonville Cove uplands area. An invitation to the grand opening celebration will be extended to the Governor, and all committee members will be invited. More information regarding the event will be forwarded to committee members.

5.0 Adjourn

Mr. Fran Taylor

Mr. Taylor thanked CAC members for their attendance and for expressing their concerns and suggestions. Ms. Flanigan reiterated that the Annual DMMP Meeting will be held on Friday, November 9, 2012. Additional details for the meeting including time and directions will be forwarded to committee members.