

The Severn River Log



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Next Meeting: The Board of Directors will meet Tuesday, February 19, at 7:00 p.m. in the Lobby Conference room of the Department of Natural Resources Building, 580 Taylor Avenue, Annapolis. A speaker from the Corps of Engineers will address Baltimore Harbor dredging.

Have You Seen Chessie?

by Steve Carr

What makes a great explorer tick? And why do most folks stick fairly close to home during the course of their lives, while others roam the globe? Is it something in our genes? Is it a product of the way we were raised as children?

And where does Chessie the wandering manatee fit into this equation? Can a 10-foot-long, 1,000-pound sea mammal also feel the urge to explore the planet, like some manatee Magellan? And if not, how does one explain Chessie's bold antics over the last eight years?

Thanks to the tireless work of a federal program started back in the mid-70s, known as the Sirenia Project, we now know a fair amount about the West Indian Manatee. There are about 2,000 manatees, residing primarily in Florida. They are solitary animals for the most part, due primarily to the fact that nothing preys or hunts them — except, of course, sub-humans. Consequently, they have no need for the protection of the herd. Their diet consists of underwater vegetation and they graze the bottom for food, like water-world cows. They propel themselves with their broad paddle-like tails and steer with their two front flippers that look like little hands.

Manatees live anywhere from 40 to 60 years and are pretty promiscuous, mating repeatedly with multiple partners. As usual in the animal kingdom the men are cads, leaving the women to raise the children alone. Manatees have a wide range of vocalizations and speak to one another as they slowly move through the water, coming up for air every four minutes or so.

Manatees are on the Endangered Species List because their numbers have plummeted pretty dramatically over the last two decades. The threats they face are mostly human related,



The loveable manatee has paid enough visits to the Chesapeake Bay to become the fabled monster known as Chessie.

including the usual suspects: pollution and the loss of habitat. Manatees definitely fall into the category of "warm & fuzzy". They exude all the qualities that people find endearing. They are large animals with a face that can melt your heart and leave you gushing like a child.

The usual close encounter with a manatee goes something like this: A large walrus-like animal rises to the surface of the water very slowly, its fuzzy nose protruding above the surface like a periscope. Taking in a deep breath the manatee suddenly notices you. But instead of fleeing, it squints at you through its sleepy little eyes and fixes you with a playful look of

wonder, its baby-face crowned with whiskers and a smile.

This was an animal destined for celebrity status, along with wolves, polar bears, and harp seals. Jimmy Buffet, the Margaritaville balladeer of the Florida Keys, was the first to really put the manatee's plight on our radar screens when he started championing the cause of manatee protection at all of his concerts.

Nature shows on TV quickly followed suit and brought us manatee tales of woe. We were regaled with horror stories of these poor creatures getting critically wounded by the propellers of passing boats. The cameras zoomed in on the scarred backs of these gentle animals, and statistics on mortality were hammered home relentlessly: more than 500 manatees were killed in Florida waters as a direct result of boat collisions between 1976 and 1993.

I vividly remember another documentary that was a cavalcade of manatee misfortune. One bit showed a manatee that had gotten

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A Member Writes ...

Too Much Manna Falling From Heaven

by James Sullivan

"As pure as rainwater," the saying goes. But the rain that falls into the Chesapeake Bay is no longer pure. It carries with it large amounts of nitrogen washed out of the atmosphere.

Nitrogen has been identified as an important contribution to the most serious water quality problem in the Chesapeake: excess nutrients.

Also called eutrophication, this process decreases the clarity of Bay water, shading out beneficial underwater grasses. It contributes to the creation of noxious algae blooms and to low or no-oxygen conditions that can suffocate fish.

Electric power plants are the biggest source of this nitrogen, emitted into the air as oxides of nitrogen from burning coal and oil. Other sources include cars, trucks, boats, other mobile sources and municipal waste combustors. The nitrogen entering the Bay comes from as far away as South Carolina, Michigan, Illinois, and Missouri. More than 14 states contribute to the pollution load.

Officials in jurisdictions surrounding the Chesapeake have agreed that a 40 percent reduction in nitrogen inputs is needed to restore the Bay's health. The latest studies show that 27 percent of nitrogen entering the Bay comes from atmospheric sources, in rain. This number is expected to increase with anticipated growth in popula-

tion and land development and the resultant increase in mobile source and power plant emissions. Estimates are that reducing the nitrogen from air pollution could reduce total nitrogen inputs by 20 to 33 percent.

Reducing nitrogen in the air is much cheaper than reducing inputs from other sources: sewage treatment plants, industry, runoff from farms, lawns, city streets, etc. Estimates of costs for cleaning up the non-air sources range from \$1,000 to more than \$100,000 per ton of nitrogen removed. By comparison, the cost-effectiveness of utility oxide of nitrogen air pollution controls is roughly \$350 per ton of nitrogen removed.

Atmospheric nitrogen is often overlooked in planned Bay cleanup activity. For example, the State is currently developing guidelines for implementing stormwater runoff regulations. Some argue that runoff from roofs should not be included in computing water volumes for infiltration systems. Their thinking is that fertilized lawns and oily streets are the only culprits in contributing polluted runoff to the Bay.

If rain were, in fact, pure, containing no nitrogen, this argument would make sense. If all the rain, even carrying its oxygen load, fell directly onto wooded or grassy areas, both the rain and the nitrogen could be absorbed into the ground before the water percolated into the Bay.

But rain falling on roofs is no different from that falling on streets when it comes to carrying a nitrogen load directly into the Bay. Any accounting of nitrogen loading from runoff necessarily needs to include roof areas, as well as any other impervious surface from which water runs quickly into the Bay or its tributaries.

Bay cleanup will be a lot more difficult if we don't pay more attention to the nitrogen falling from the sky in rainwater.

President's Message

The bog buffer protection legislation was overwhelmingly supported at the Jan. 7 public hearing at County Council chambers. Bill 105-01 represented many months of cooperative effort by individual volunteers, community associations, County, State and Federal land use, environmental and legal staff.

Bogs are fragile areas, requiring unusually careful protection. Maintenance of stable, moist conditions is a basic consideration. Any influx of sediment or reduction of acidity may lead to invasion by common woody plants. Protection of surrounding conditions is essential to preservation of these unique sites.

These words were written 20 years ago and are included in the *Gems of the Severn* publication—20-year-old words recommending a buffer to protect our unique natural treasures. Now at last we will have on paper a carefully crafted document that will put into action those old words, a document that also supports and advances the goals and objectives of the Chesapeake 2000 agreement.

Next step? A Severn River Watershed district (another recommendation of the *Gems* study).

The Amberley Community Association recently prevailed at the Board of Appeals by a vote of 3-1, denying reclassification of 2.5 acres of land at the headwaters of Whitehall Creek. Wright Development Group sought to remove the land from Critical Areas, arguing that the line was drawn incorrectly. The Association argued that the zoning change would allow development at the expense of Whitehall Creek.

The effort to create a paid Executive Director position for the SRA is gaining momentum. The feedback has been positive, especially from other environmental groups that have taken this step. Once the draft changes have been reviewed for legal standing, there will be a mailing of all applicable documents to the Directors, with announcement of a special meeting. Changes to the Constitution require a 2/3 vote from Directors present. (See further discussion and a job description in the newsletter minutes and appendices.)

—David Wallace

The Severn River Log is published by The Severn River Association, Inc. The Association welcomes articles and letters-to-the editor which do not represent official positions of the Association unless otherwise noted. The **March issue deadline is February 25**. Articles, letters and photos for publication should be mailed to:

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Editor's Note: Do you have something to say? *The Log* wants to hear from you.

We hope to run editions of the above feature in periodic issues, presenting the opinions of diverse members on any issues within the SRA's scope.

The length should be 600-650 words and submissions can be made via hard copy or electronically, sent as listed in the publications box at left. Feel free to call to discuss ideas: 410-269-0214.

—Steve McKerrow



Cowhide Branch, a free-flowing feeder stream to Weems Creek before construction of a stone dam at Admiral Drive in 1992, now is a lagoon of still water and dead tree trunks. At left, Anne Arundel Medical Center can be seen at the end of the valley. Above, the view from atop the dam. Photos by Steve McKerrow

News & Updates

Cowhide Branch Project Aims At Stream Restoration

Keith Underwood and Associates have been contracted by Anne Arundel County to design a restoration project covering approximately 1,200 feet of the Cowhide Branch, principal feeder stream of Weems Creek on the western side of the Severn River.

The stream valley has been one focus in the past year of efforts by the Weems Creek Conservancy to reduce sedimentation and other problems at the headwaters of the creek.

The Cowhide Branch stream valley begins below a stormwater retaining pond near Westfield Shoppingtown (Annapolis Mall) and reaches behind the new Anne Arundel Medical Center. County highway engineers are currently designing a crossing of this stream by Medical Parkway, joining Jennifer Road and Bestgate Rad.

The proposed Underwood project, granted \$397,000 by the county, will start at the Admiral Drive double box culvert and extend upstream, to include the main stem and the south fork. Habitat restoration, species recovery and fish passage are the significant objectives of the plan, which

is similar to the recently completed Howards Branch project, located in the Brewer Creek sub-watershed.

The riprap dam now located just upstream from Admiral Drive is on one hand a positive feature, because it has created open water and a sediment impoundment.

However, the dam also impedes the stream's natural rhythm, which includes fish passage. The new design proposes to remove the dam and install a series of stepped weirs, each with one foot of fall. The weirs will function like a short rapids, easily navigable by native fish for upstream spawning.

The project area will also be replanted in native species, including Atlantic white cedar trees, and will have no net loss of wetlands.

"The intent is to maximize biological activity and biodiversity," Keith told *The Baltimore Sun*. "We'll have everything from seepage pools that are ideal for amphibians to breed and grow in, and for tiny fish to hide from bigger fish, and of course we'll have turtles and all the usual suspects present when habitats form for them."

Fish have been unable to swim upstream into the headwaters since the stone dam was built in 1992.

Bush Administration Eases Clinton Wetland Regs

from *The New York Times*, Jan. 15

The Bush administration announced that it would ease some Clinton administration regulations covering wetlands and stream saying the changes would reduce unnecessary paperwork.

John Studt, chief of the regulatory branch of the Army Corps of Engineers, said the revisions "will do a better job of protecting aquatic ecosystems while simplifying some administrative burdens for the regulated public."

The steps outlined by the Army Corps angered environmental advocates, who accused the administration of capitulating to the interests of developers and miners and jeopardizing ecologically sensitive areas.

The new rules would streamline the approval of certain development projects by giving more of them a green light under a general nationwide permit. That permit authorizes a developer to proceed—and avoid levels of scrutiny by the public and federal agencies responsible for resource management—if the project is said to have minimal impact on the environment.

Scott McClellan, a White House spokesman, said the Army Corps, which is completing a five-year updating of its permit criteria, continues to embrace a policy that requires developers to replace or set aside wetlands to offset their projects. The policy that there should be "no net loss" of wetlands was enunciated in 1989 by President George Bush and has been embraced by his son....

"[But] it seems like the folks who are dredging and filling in the wetlands have more friends than they used to," said Howard Fox, the managing attorney of Earthfirst, an environmental law firm.

Julie Sibbing, the wetlands lobbyist for the National Wildlife Federation, said the Army Corps had forsaken the goal of

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Have You Seen Chessie? ...continued from page one

caught in a fish net, where it drowned because it couldn't get back to the surface for air. Another segment featured a manatee that had tried to eat one of those plastic six-pack containers, only to get it wedged between its jaws, where it shredded its lips. The stories were sickening and made it seem like each of us — as members of the human race — was somehow personally responsible for these tragedies. In fact, I would venture to guess that many Americans still feel more pity for the plight of manatees than they do about starving children or the homeless.

After years of this guilt parade, we were all ready for some comedic relief. The time was indeed ripe for a manatee poster child to rise from the ranks and capture America's imagination and love. And that's when Chessie came a'callin'.

I had just returned from living out west and was working at Queenstown Golf course over on the Eastern Shore. The year was 1994, and suddenly the media descended on quiet little Queenstown Creek like a plague of locusts. They were in search of Chessie, a manatee that had made its way up from Florida that summer.

It was a feel-good story that just wouldn't quit. You would have thought that pigs had taken to the sky. Marine scientists held court. There was much concern that with fall soon arriving, water temperatures would spell doom for this gypsy manatee. The experts finally decided they better capture Chessie and airlift him back to the warmer waters of his Banana River home. America followed the relief effort with great interest and joy.

It was the classic knee-jerk reaction. We love to "save" individual animals — the stray whale stranded on a beach, or the errant grizzly bear caught in a trap — while we let the rest of the species be decimated. And I couldn't help but see Chessie laughing as he got a free airplane ride home. I remember thinking at the time, "He'll be back."

Well, sure enough, in 1995 Chessie made his triumphant return. The feds had outfitted Chessie with a breakaway radio transmitter that could monitor his movements within about 500 feet. At the beginning of June, Chessie started heading north toward Jacksonville with a pack of seven

males who were shadowing a female in heat. On June 12, Chessie left the orgy and crossed over into Georgia. Five days later he was hanging out in the salt marshes near



Stories of the difficulties visited upon the manatee made each of us as members of the human race feel personally responsible.

Savannah. By July 4, he was in North Carolina. He was covering about 30 miles a day and worldwide attention began to zoom in on yet another Chessie road trip. At this point, Chessie must have snagged his radio collar on a rock or tree branch and he temporarily gave us all the slip. But in mid-July, Chessie was spotted again in the Chesapeake Bay.

Jim Reid, a biologist with the Sirenia Project, quickly flew north and re-fitted Chessie with a new radio transmitter. And that's where the fun really began. Chessie headed up into Delaware Bay, and then into the salt marshes near Atlantic City. Next, he took a little sight-seeing trip up the East River and did a spin around the Statue of Liberty before heading back up the east coast past Connecticut. On August 16, Chessie arrived at Point Judith, Rhode Island. By now, the water was getting colder and Chessie turned around and began his slow but inexorable 2,000-mile journey back to Florida.

The scientists decided to leave him alone this time because, "He seems to know what he's doing." And by Thanksgiving, Chessie was right back where he had started, near the Kennedy Space Center.

All in all, Chessie had toured 11 states in a little over two months and set several amazing records along the way, including the longest documented seasonal migration for a manatee and also the northernmost journey for a manatee.

What compels Chessie to wander up and down the Atlantic coast of the United States like a vagabond?

Jim Reid, the fellow who has been tracking Chessie for many years now, says, "People have tried to make him into a bizarre case — like Chessie is a crazy manatee — but in fact he's an adult, experienced with migrating along the coast. There is no reason to think that this manatee or others either have not done this in the past or will not do it in the future."

Here! Here! He's a big boy. Let him cruise.

Numerous manatee sightings have followed over the last few years. We even recently had one up on the Magothy, near Pasadena. No one was able to confirm whether it was Chessie or some other wandering manatee on summer vacation.

Chessie did appear again this past August in one of the Great Bridge Locks in Virginia. Like a sailboat making its way down the Intercoastal Waterway, he was waiting patiently for one of the locks to fill so he could continue his journey south. You got to love this guy.

I'm not sure what any of this means. Lots of animals migrate the globe and we think nothing of it. Why should we care so much about Chessie? And before you say that it's only those of us who live around the Chesapeake Bay who care, numerous wire stories on Chessie have appeared as far away as Europe and beyond. Chessie has touched the lives of people who never even heard of the Chesapeake.

I think Chessie captured our imaginations because he's this big, fat, happy critter that looks like he couldn't swim the length of the Severn River, much less from Florida to Rhode Island and back. The whole idea is just plain goofy. And that's why we love to follow his adventures.

And if goofy prevents us from doing harm to other manatees, then I guess Chessie will have not traveled in vain.

I leave you with this final thought to ponder: In a world where a legendary sea monster named Chessie turns out to actually be a meandering manatee from Florida, you have to wonder: What other fine mysteries about the Chesapeake Bay have yet to be revealed?

Bush Eases Wetland Regs

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achieving no net loss of wetlands.

"This arrogant move demonstrates the Corps' complete lack of respect for our country's natural resources and is another example of how this administration is turning its back on protecting our nation's wetlands," she said.

Greenway Plan Maps Are Due From County

Anne Arundel County says that its proposed Greenway plan to connect environmentally sensitive land to green space should be available to the public in February.

The county held hearings in Harwood and Glen Burnie in October to unveil a skeletal map that would create a combination of pathways and open space, such as the Baltimore & Annapolis Trail Park.

Residents are invited to participate in the process by visiting the County website, www.aacounty.org. Click on Hot topics. A questionnaire there offers details on the plan. Additional hearings are due this spring.

Minutes

EDITOR'S NOTE: Due to production delays in The Log, this edition presents compressed minutes of the last three meetings of the Board of Directors, from the most recent to the earliest.

Minutes, January 15

Guest Speaker:

After resolving an apparent conflict with the room reservation—we were not on the security guard's list—President David Wallace called the meeting to order at 7:10 p.m. He immediately introduced guest speaker Peter Bergstrom, of U.S. Fish and Wildlife, for an update on the Naming and Caring For Our Streams Project. Peter provided hard copy handouts of his PowerPoint presentation and displayed maps that showed the most recent naming proposals.

"People do care more about things that have names," he said. He reviewed the two-year development of the project, which he said initially stemmed from his observation that it would be nice to see signs with the names of creeks at road crossings.

He said it took most of two years to find out who was responsible for officially naming things: the U.S. Geological Survey. He also said one of the federal agency's rules requires that no stream can be named



One of the maps that proposes names of creeks and ponds to be added to federal database.

for a person who has not been dead at least five years. Yet his project received at least one such personal request that did not meet the standard.

He said the final list of names accepted will be added to the federal on-line database of place names, but that does not guarantee they will be used on future maps. He noted that local watershed groups, such as the SRA, might be interested in making maps for sale, or at least in lobbying commercial mapmakers to include more names. The problem there, he said, is that many commercial products don't even show creeks, let alone their names.

Peter noted that the Maryland biological Stream Survey of the DNR has launched a volunteer component: Stream Waders. Training sessions are to be scheduled this spring, such as a session Feb. 9 at the Merkle Wildlife Center that will launch a sampling of upper Magothy River streams, "to encourage some stewardship."

Peter led a discussion of the Severn stream suggestions, noting that the project used as its basic resource the publication *Gems of the Severn* by Davison and Rucker (available from the Severn River Land Trust). He said most waterways that did not have names probably were not navigable. The apparently accepted terminology generally assigned the name "Creek" to tidal reaches of streams; "Branch" to non-tidal reaches (resulting in some cases where a stream changes names as you go up it), and "Run" to streams that have, or once had, fish passage.

He said many waterways have road crossings where signs would be appropriate, while other streams are not crossed. He noted that one stream in the upper Severn,

Stevens Creek, has at least three names for a creek along it: Lake Liberty, Lakeland Pond and Lake Litz (for the former owner).

Member: Regarding Cool Spring Branch, I had always heard it called Cold Spring Branch. Is this a casualty of global warming?

Peter: This shows how local usage varies.

David: How will alternatives get boiled down?

Peter: Through community associations. I am making presentations three times this week to watershed groups. It's taking longer than we thought, but they would like it in about a year. I urge anybody to make comments or suggestions at this meeting or to contact us.

EDITOR'S NOTE: Here is appropriate contact information:

Peter: (410) 573-4554;

pbergstrom@toadmail.com

Paula Jasinski: (410) 956-1659;

paula@chesapeakegis.com

Regarding the lower Severn and Whitehall Bay areas, Peter noted several features still need names. As an example, he illustrated a pond on Hackett Point that locals call Moss Pond or Peggy's Pond, but which is also confused by some with Goose Pond.

David: I also know that the creek you call Little Burley is also known as Brewer's Creek.

Jane Sinclair asked if the SRA might put some pressure to name creeks for people who do not meet the five-years-dead requirement, such as notable former SRA members. But Peter said this appears to be a strict rule. David noted "there are always opportunities in the future to make changes."

Treasurer's Report:

Bob Clay stated the December statements were not complete, but the most recent net worth was \$27,000. Dues deposits are due in January.

Nature Walk:

David said the SRA has been offered the use of a greenhouse at the John Colhoun resident in South County, and on Saturday, Jan. 26, we will assemble there at 9 a.m. to plant and pot cuttings from the Atlantic white cedars at Howards Branch. "We want to keep the local gene pool kicking." (Directions: Muddy Creek Road, left at Cumberstone Road, keep going after it becomes dirt, go past barns and greenhouse on left. Phone: (410) 991-4446 if lost.)

Charlotte Lubbert: Can we keep one?

David: Of course. Take two.

The SRLT has a nature walk February 9 at Wallace Manor off Route 2 south; turn in and meet at the blue truck at 1 p.m. David suggested contacting SRLT for details: www.srlt.org.

Crownsville Stormwater:

David noted the project has been extended due to dry conditions and the need to get meaningful water sampling.

Weems Creek:

David announced that the City of Annapolis has awarded a contract to the firm of Morris & Ritchie Associates Inc. for streambed restoration in the Porter Drive outfall. He said Carl Corse and Bob Hoyt had toured the Howards Branch project to see if the concept could be applied and were impressed at the possibility.

There is an issue to be addressed of mature trees of some size that might need to be cleared. "All trees are of value, but some are more valuable than others," he said, suggesting that the endangered Atlantic white cedars could be reintroduced in the restored ravine. Since the species in nature has been fire dependant, it may be desirable to help the process by clearing existing growth while introducing new trees.

Steve McKerrow: The Admiral Heights Improvement Board heard last week from the County highway department regarding a mitigation project for Medical Parkway, and the Porter Drive outfall was one of the two areas being surveyed. Are the County and City projects coordinated, or aware of each other?

Keith Underwood: The County project is an infiltration project on one side of the stream. Frank Dawson of DNR is aware of both projects. These projects should be clarified at the Jan. 16 Weems Creek Watershed Shareholders meeting.

Directors Insurance:

David said he would be asking the treasurer to cut the check for the policy shortly. (See more details in previous meeting Minutes in this newsletter.)

Bog Legislation:

Keith noted that the County Council heard testimony Jan. 7 and praised and thanked all those who had testified on behalf of the legislation. He also praised the County's presentation of the issue.

Executive Director:

David began a lengthy discussion of the year-long effort to move to a paid staff for SRA, and called it "a defensive move" to protect the presidency and increase interest among members who might be discouraged by the current volunteer workload.

Fred Kelly has expressed strong interest in taking the position.

The proposed process would involve minor changes in the SRA Constitution to create the position. David passed out two

copies of the current document and one copy of a proposed language change. Amendments may be made at any Annual Meeting or at a special meeting called for that purpose. Written notice is required at least a month in advance. David indicated a special meeting likely will be sought in advance of the annual meeting in June.

EDITOR'S NOTE: The relevant portion in the Constitution is Article XII, regarding Amendments. When the proposed amendment is finalized, a direct mailing to members is planned. A draft job description may be found in the Appendices section on page 13.

Member: Is the previously discussed salary (\$40,000 annually) contemplated as a part-time salary? It seems light for a full-time job. And does it include benefits?

David: That's a detail we still have to address.

Bob Clay: I spoke with the director of the West Virginia Rivers Coalition. He said he could make more money, but likes the satisfaction of the work and being located where he wants to be.

David: That is the case with Fred Kelly, who has other part-time work. We won't begin paying a salary until there's money, and Fred has said he will work for up to three months without pay to get started.

Duane Wilding: The administration issues and the timing of available money do still need to be worked out.

New Business:

Community Legacy Grant:

Jim Sullivan made a presentation of an SRA proposal seeking a \$100,000 grant from the EPA. He noted the agency has shifted its focus from regional restoration to more focused efforts by locals who live on rivers, and this presents an opportunity.

The SRA has done a number of projects already. The grant idea is to undertake a formal assessment of these efforts, and then to also develop a list of additional projects. This Community Action Plan would rank priorities according to the criteria set forth in the Chesapeake 2000 vision plan.

Official Link Hastings of the EPA said the idea sounds "exactly like what they are looking for."

We also raised the idea with another federal agency, NOAA, but were told they



Fred Kelly (left) explains the jobs that would fall to an Executive Director. David Wallace said creating the position requires a change in the SRA Constitution.

don't fund planning.

We foresee a list of 36 sites with suggested projects, and will work closely with the county's Severn River Watershed management effort. "We see this as a menu or a road map of where the money is needed." Once projects are identified, NOAA could be approached for funding grants. Fred Kelly will be sending letters to various politicians and poobahs seeking letters of support for our application.

Fred Kelly: I understand that Senator Sarbanes has called the Army Corps of Engineers on the carpet, unhappy about the flow of money. This grant targets money that's just sitting there. Discussions with Chris Frenz of the Oyster Recovery Partnership are also planned.

Duane: All these efforts sound really great.

EDITOR'S NOTE: For the text of the draft proposal for this grant, see the Appendices section on page 13.

Severna Park Initiative

Keith Underwood displayed an aerial photograph of the upper Severn and said he is seeking to put together a comprehensive restoration project in the Shipley's Choice Pond area. He said he got excited about this when he took a tour and found sphagnum moss growing in ditches, an "indicator species" for the viability of Atlantic white cedar.

He said 1,000 trees survive in the area, which could support 2,000 more trees. He speculated that the County might want to adopt the cedar as the County tree, if it does not have one. "You could call this area Cedar Neck."



Alice Johnson of Bloomsbury Square shows how State plans will impact public housing development. Residents fear air pollution and College Creek impacts.

College Creek Public Housing:

David introduced Alice Johnson of the Bloomsbury Square public housing units, located off Rowe Boulevard near St. John's College, to discuss a concern about Critical Areas.

Drawing a map, Alice explained how the State has proposed expanding legislative offices and a six-level parking garage onto the site currently occupied by the public housing units. New units would be built closer to the edge of College Creek, and residents would be moved by the State.

However, she said the plans would intrude into the Critical Area zone of the creek, and residents are also concerned about air pollution from the increased parking. She noted that three-quarters of the residents are elderly or handicapped.

A lifelong Maryland resident, she said she is upset that the State "has the audacity to make laws and then exempt itself from them," such as Critical Areas legislation. Residents feel they are being bribed by the promise of better and newer housing, and also believe that the issue involves all Annapolis residents who are concerned about the environmental health of creeks and our air.

David said the SRA certainly shares the environmental concerns, and a MOTION was made and APPROVED to write a letter to the appropriate state officials raising concerns.

Jane Sinclair noted that a Unity Gardens project is currently underway in Bloomsbury Square, which is one of the oldest and most stable public housing areas in Annapolis. This should be tied in to the letter. She said she fears the State will do to this area what it did to Clay Street: "Destroy the community."

David asked Anne Pearson to work on the text of the letter.

Unity Gardens:

Jane Sinclair announced that the new grants are open as of today, and can be accessed on the SRA Web site: www.sra.org. She also congratulated Charlotte Lubbert for her appointment to the Severn River Commission.

Community Grant Application:

Although expressing regret that it might be in conflict with the SRA legacy grant proposal to the EPA, Anne Pearson passed out a Small Watershed Grant Request by the Alliance for Community Education.

The project would address in particular the impact of "colloidal particles" from construction and other sites that currently pass through stormwater and runoff management berms and other devices.

In ensuing discussion, it was suggested the grants should not be viewed as in competition, but as complementary.

Duane suggested the SRA could be added to the Alliance for Education proposal and vice versa.

David entertained a MOTION that the SRA support the Alliance application, and it was APPROVED.

For information, contact Anne:
410-956-1002
aplace@toad.net

Adjournment:

The meeting adjourned at 9:15 p.m.

Attendance:

Alice Johnson, Bloomsbury Square
Terry Nolan, Amberley
Pat Winn, Round Bay
Bob vom Saal, Ben Oaks
Charlotte Lubbert, Herald Harbor
Patrick Urban, Carrollton Manor
Mike Maszczenski, Severn
Jackie Powder, Baltimore Sun
Duane Wilding, Arden/Vice President
Anne Pearson, AEC
David Wallace, President
Peter Bergstrom, Fish and Wildlife
Steve McKerrow, Admiral heights
Jane Sinclair, Past President

Keith Underwood, Epping forest
Jems Sullivan, Burley Creek
Fred Kelly, Member

—Minutes respectfully submitted,
Steve McKerrow

Minutes, December 18

President David Wallace called the meeting to order at 7:05 p.m. and explained that no speaker was scheduled, to allow discussions on the Executive Director position we have been discussing for over a year. At the last meeting Bob Shade expressed concern that we go through the necessary charter modifications to codify the position. Bob Clay has expressed an interest in our articulating what we would have with a permanent staff person.

Margie Whilden said that SRA could gain insight from the people operating the Horsehead waterfowl facility, who have been working to clarify their mission, goals and objectives.

David was asked to summarize the status of the paid staff investigation.

He said Scott Hymes has developed a long list of potential tasks that an ED could perform.

The list is essentially everything that the SRA does or would like to do, if only there was enough time. I have not spent the time that the position requires due to the fact that the last two years have been, professionally, the two busiest years of my life. I know that others before me have felt the stress of keeping up with the issues, the member concerns, legislation, projects and more projects. We have been effective and well received, but the more we do, the more that is expected. The leadership changes every year or two resulting in unevenness in our efforts to improve the quality of the Severn and its watershed. A paid staff would help us even out our output.

Bob Clay: In West Virginia there are at least two umbrella organizations that take on the major environmental issues there: mountaintop mining, rivers and streams. We could expand our impact by joining them, by representing them before the Maryland State Legislation. They have been effective by filing a lawsuit to prevent mountaintop mining. I met their executive director, who seems really dedicated and energetic.

Jim Sullivan: David gets a lot of phone calls from various people who have complaints about what they believe are violations of environmental laws. Most often they are people with complaints about people clearing trees.

Scott: The SRA could have more teeth. This is the reason to put some one into the

Exec Director position who can spend full time on the issues that are of public concern. If they have the fund-raising situation in hand, then you have someone to make the association stronger. We have also talked about the desirability of sharing a "river watch" person with the South River.

David: All of this takes money and at least initially the Director would have the task of raising seed money for the position.

Jim Sullivan: One wonders what would have happened with those four court cases involving variances in critical areas if we were represented on the Critical Area Commission and/or if we had submitted an amicus brief - or were at least represented as one party in a larger group of organizations who submitted an amicus brief.

Bob Clay: Both in court and in developing legislation, you see so many things get through because there is only sporadic testimony to provide the environmental side to counter-act the developers, builders and others who do ecological harm.

Margie: I have asked for the SRA to establish its priorities every year. Sustainable growth does not seem to be a popular concept, but it is vital. We have very good models that tell us that any given forested land can sustain only so many deer per acre because each deer needs a predictable amount territory for food, shelter, roaming, breeding, etc. Likewise, we establish limits for harvesting fish, waterfowl, etc., because we have good models of what the given environment can sustain. The only species that we deliberately seem to ignore is humans. We know the impact they cause, and surely we should be able to set reasonable limits on the number of humans who can be sustained near the land-water interface. Likewise, we know that whatever happens in Ocean City impacts this watershed because Rt. 50 and the traffic volume it carries impacts this watershed dramatically, but we don't have the mechanisms to comment about it, much less, to have any real impact on the decisions in, or about, Ocean City.

Currently, it seems our mission is too broad to have the kind of impact that we could achieve. While we are doing some important things in certain areas, and the larger part of the county is suffering because of the incessant chipping away at the buffer zone. The number of variances applications is huge. Realtors sell wooded property with steep slopes and the buyers go in and demand they be granted the rights to build on what the realtors knew was "unbuildable land."

My main point is we must address, "What do we stand for in this day and age in

2001 and 2002?" If we make it clear that our focus is on maintaining the quality of life, then the other decisions and actions we take are predicated on that focus.

Jim Sullivan: Margie, I support your

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—Margie Whilden

view. Every viable, sustained, and successful environmental organization that I know of, such as the Environmental Defense Fund, CBF, etc., has picked a theme for itself. CBF is not an advocacy group. CBF does education. They take school kids out on the bay and every one loves them. As I see SRA, it seems to have three established capabilities: One of these is doing projects on the ground, such as watershed projects. You have been able to raise the funds and execute the projects, such as Howards Branch, Crownsville Stormwater Management, etc. A second approach is that you have all of the community associations, so SRA is a political organization. The third is one that we don't do a lot because it costs money: This is the advocacy case. What we are able to focus on depends on how much money we can raise. We also need to ask what other similar organizations are doing? B o b

vom Saal: We have spent a lot of time and effort to get 501c3 designation. If we engage in lobbying, won't we lose that status?

Member: The Severn River Land Trust seems to have the right idea: If you want to protect and preserve some land, buy it and do it yourself.

Margie: There is a down side to a lot of privately owned property. I think we should re-evaluate the general ethic on development.

Duane Wilding: We need a mission statement, goals and objectives and a five-year plan. If you ask for money, people ask what are you going to do with it.

Walter Jacobs: At a Magothy River group, we invited Sandy Parks-Trusz and Cliff Andrew [of the Severn River Land Trust] to speak to us. We discussed the possibility of our hiring Sandy and having

her share the duties of all three groups. This creates the possibility that the directors of all three groups would be freed up. So that by combining and uniting, we conserve resources and funds, and increase our impact - and permit the officers of each organization to focus their efforts on the really important tasks of testifying on legislation, attending County Council Work sessions, various community association meetings, etc.

Scott: Once you have some ready grants and someone who has a relationship with certain leaders, they will have to deal with us. There is money, strong people, etc. We will have the clout necessary to protect the environment.

Nature Walk

David: I had some discussions with Cliff Andrew and Sandra Parks-Trusz. On Jan 5, there is a walk, meeting at 1:00 p.m. at the Tidewater Colony Townhouse, tot lot (near the curve where Bestgate becomes Rowe Blvd.).

Weems Creek

David reported Keith has been working to develop a plan just upstream from Admiral Drive. The plan is driven by a mitigation requirement for the Medical Parkway crossing. We will be striving to enhance the restore fish passage. The concept design is nearly complete. (See reort on the project in the News 7 Updates section.)

The Weems Creek Conservancy group is working toward funding for other sub-watershed projects. Evan Belaga has been working to pull together all the stakeholders including the mall, which has shown an interest in parking lot infiltration.

Treasurer's Report:

David noted bob Clay had provided a written report for the newsletter. For the month ending November, 2000:

ASSETS: \$54,817.15

Checking: \$5,237.48

Less Mason Cash Reserve: \$25,592.55

SPDRS: \$11,323.62

Bond Fund: \$12,663.50

LIABILITIES: \$27,392.16

Kudzu Grant: \$5,400

Educational Endowment Fund: \$9,035.38

Community Greening: \$11,653.61

Howards Branch: \$1,336

Stormwater Management: (\$38.75)

Impact Fee Bill:

Walter: Jane Sinclair testified at the County Council last night. She did a wonderful job. She explained that the builders and developers can and should bear the costs related to the developments they build and profit from.

Bog Protection Legislation

David noted County Council dates include first reading on Dec. 3 and a public hearing Jan. 7 and we will email to people to testify.

Keith: We have spent two years with all of the stakeholders. The land use officer has been involved every step of the way and we think the County Exec will support it. Unfortunately there is now an application for a driveway to cross the buffer around Eagle Hill bog. This legislation will not change that but application for the driveway makes it clear that this legislation is needed as soon as possible.

Community Education Alliance

David: I got a note from the Alliance for Community Education. You recall Anne Pearson's summit on sustainable communities. She is still in the red from that summit. She is making an educational video and sometime ago we passed a motion to donate \$100 toward its production. I have asked Bob Clay to draw up that check.

Directors Insurance

David: At the last meeting we talked about the need for directors insurance. The Quote of \$1075/year by Chesapeake Insurance Group was received with some shock, but it is a \$1 million policy.

Keith Underwood made the MOTION that SRA purchase such directors insurance after the exec committee compares policies for the best protection for the money. After discussion, it PASSED by unanimous vote.

Possum Point Marina

Jim Sullivan: A few months ago the SRA voted to oppose the Navy's Possum Point Marina due to the size. I called Capt. Fleming and he said that there would be only 38 slips. Bill Siwak addressed the SRA several meetings ago and has been circulating petitions. He thinks the committee will tell the Navy to work it out with the community, and the community wants them to shift it over to Carrs Creek and put in a floating breakwater to stop the wave action.

Severn River Land Trust

David: We received a nice letter from Cliff Andrews, President, welcoming us to join them on their walks and as partners dedicated to the preservation and enhancement of our watershed. They asked us for a donation of \$500 to the cause.

Margie made a MOTION to donate \$100 It was seconded and approved unanimously.

EPA Grant:

Fred Kelly: National Wildlife is giving away \$100,000 from EPA for the Chesapeake Bay. They might be inclined to give it to us for certain habitat and water quality restoration projects. The head of the Corps of Engineers is under some pressure to see that some of the money is put to work doing what it is intended to accomplish. Senator Sarbanes has expressed some distress that the Corps was sitting on money that they are NOT giving out.

Recognition:

David: Before we break, I would like to recognize new member Tom Newquist and Gail Smith from Mrs. Owens office. Welcome to you both.

Next meeting Jan. 15, 2002 – Peter Bergstrom will be here to discuss the Naming and Caring for our Streams, Project. Please come early and plan to participate.

Refreshments:

The meeting broke for holiday goodies supplied by generous members.

Attendance:

David Wallace - President
Duane Wilding - Arden & VP
Bob vom Saal – Ben Oaks
Keith Underwood - Epping Forest
Bob Clay - Treasurer
Walter Jacobs - Cape St. John
Charlotte Lubbert – Herald Harbor
Tom Newquist - Eastport
Margie Whilden-
Julie Harding - Palisades
Fred Kelly – Epping Forest
Steve McKerrow – Admiral Heights
Scott Hymes – Herald Harbor
Lauretta Martin
Mike Maszczenski
Jim Sullivan – Burley

—Minutes respectfully submitted,
Julie Johnson, Recording Secretary

Minutes, November 20

Guest Speaker:

President David Wallace called the meeting to order at 7:12 p.m. and introduced County Councilwoman Barbara Samorajczyk. Using maps for illustration, she discussed bog protection legislation and other issues of interest to the membership.

"This group knows what a bog is and why they are important," she said, noting the State, led by Delegate Joan Cadden, took the lead and designated these Wetlands of Special State Concern.

The bogs occur naturally where the

Magothy geologic formation (sands) comes to the surface. The sand allows water to seep to the surface. The bogs tend to be located approximately 1,000 feet from the tidal interface, taking them out of the protection of the Critical Areas laws. They are being destroyed because proper buffer protection has not been provided. We need legislation to protect them.

We chose three categories of protection: 1) the contributing drainage area – the bog's sub-watershed, 2) the contributing streams - 100 foot buffer; and 3) the bogs themselves- 300 ft buffer which we call the limited development area.

Uncontrolled stormwater carrying sediment and roadway runoff is one of the most serious threats to the bogs. And impervious surfaces lead to runoff, so the legislation would limit new subdivision in the contributing drainage area to 10 percent impervious surface and a maximum of 30 percent clearing of trees. If development is occurring on land with less than 15 percent forested area, trees are to be added.

The contributing streams are recognized with a 100-foot buffer where no new construction will be allowed and owners are encouraged to limit their activities regarding lawn fertilizer and deposition of yard waste.

In the 300-foot buffer no new lots will be platted and we are looking into the feasibility of purchasing the lots which were platted years ago prior to recognition of the bogs value.

Member: What compromises did you have to make?

Barbara: We agreed to allow decks and sheds on existing residences built in compliance with the Critical Areas requirements. We tried to maintain as much forest cover as possible.

Member: Who else worked on this legislation?

Barbara: The bogs on the Magothy are in Shirley Murphy's district and she is co-sponsoring the legislation.

Member: Do you have issues with ball fields adjacent to bogs?

Barbara: That certainly was the question regarding Arden Bogs. We want to protect those bogs and right now they seem to be doing pretty well. The removal of the stormwater drain pipe seems to have halted damage; now they just have to recover.

Walter: Are bogs mapped, identified and named?

Barbara: Yes. Each bog is named and identified. First the bogs have been delineated in the field and then surveyed and tied to the county map coordinates. Jim Johnson and Judy Cole are seeking volunteers to help with the ground truthing.

Barbara: In the legislation, "bog"

means a bog shown on the particular, official map. The legislation is not intended for general wetlands, but specifically, bogs.

Jane: Why isn't Howards Branch a bog?

David Wallace: Howards Branch was an effort to recreate the natural conditions under which bogs develop. If we are successful there, an organic peat mat will develop along with the natural water filtering and cleaning which accompany. The natural bog systems are already in place, already cleaning and filtering the water. This is why they are such valuable assets, worthy of our protection efforts.

Margie: Mrs. Samorajczyk, it is remarkable that you have come so far on this legislation. Stevie Wilding has found evidence that there was a bog turtle in Arden Bogs. These creatures captivate the public by giving them a living creature to identify the issues with. In the case of Howards Branch, the discovery of the spotted turtle captured and kept the public's imagination that this special and wonderful natural resource is there, right in our communities.

Jim Martin: We took a nature walk to one of these bogs. It would be wonderful if we could extend the protections to other living creatures, such as the trees at Odenton Town Center.

Bob Shade: Will a property owner who is impacted by these bogs be notified in advance? The cranberry bog in Round Bay extends into the property owned by Belvoir Farms, which is our new marina location. The plan in Belvoir involves construction in tidal wetlands to build 18 piers/slips.

Barbara: The restriction would be to limit impervious surfaces. You can discuss this with our attorney, Bob Pollock, and I encourage you to call him to set up an appointment.

Bob Clay: How are violations handled?

Barbara: It is the same as any permit or grading violation.

Bob: Would the county have the burden of proof to answer, "Were the trees cut?" And would the county have to prove that the homeowner did it?

Walter: Someone on the South River cleared away a lot of trees.

Barbara: We increased the fines. Many people are willing to pay the fines and the increase in property values often makes the fines a bargain price to pay. Fines are simply not a deterrent to tree removal.

Barbara turned to the subject of the concept of Developers Interest. The County re-wrote the code in 1970, and while the term, "developers interest," is not in the law books it is used anyway. It means that for any subdivisions created, but not sold by 1971, the lots in that subdivision were all merged into a single lot. In the early 1980s, Maureen Lamb introduced the antiquated lots bill, which refers to sub-standard lots that do not meet code requirements. The law applies to lots that do not have sewer and water. There is a very large problem because there are 77 large tracts of land

scattered through the County where there are a large number of these lots that are too small. If a developer has to merge all of these small lots and then re-sub-divide, then he has to meet the code requirements for new subdivisions, including providing for adequacy of facilities.

Is there any harm to county under the current code? Yes, because of the high value of waterfront property, builders and developers go into these communities and are buying the older homes that straddle sub-standard lots. They tear down the half of the house and rebuild that half. Then they tear down and rebuild the other half. This is changing the character of our communities. Some developers are accumulating some of these small lots. At least one now owns more than 200 lots. As a county we are responsible for providing schools, roads, public safety and health resources. We cannot meet the demands created when these buildouts occur. For example, one developer has submitted plans to build 111 new houses. The schools are inadequate (Ridgeway Elementary), the roads are not adequate to accommodate the increased demands that will accompany 111 new homes and their new residents.

Margie: What if someone sued?

Barbara: The law was challenged; not equal protection under the law. We adopted an adequate facilities criterion, yet we exempt thousands of lots.

Jim: Why isn't Janet [County Executive Janet Owens] willing to deal with this?

Barbara: The building lobby is huge. They are absolutely opposed to this bill because they cannot build the number of houses. Also as things are now, they don't have to pay if adequate facilities are not available. These costs are foisted onto the residents and citizens of the County. In the

long term, the current situation of poorly controlled development is very detrimental to the County.

The balance of government is skewed in favor of the executive branch in Anne Arundel County because of two significant issues: 1) There is no county planning commission. In the state of Maryland, only Harford, Allegheny and AA are without this important organizational step. In order to put the issue on the ballot for a voting referendum and change, 10,000 signatures are required; and, 2) The County Council cannot add to the County Executive's budget. This leaves the councilmen and their districts at the mercy of the executive.

Nature Walk:

In another joint walk with the Severn River Land Trust, Scott Hymes reported that Keith Underwood and Charlie gave us the guided tour of the Howards Branch project. We saw the breakwater and shoreline stabilization project; over a mile of shoreline (Peninsula Stabilization Project; role of Billy Moulden.) We had a group of about 15 people. There was to be some development from Winchester Homes. Charlie showed a part which 20 to 30 years ago it was a tobacco farm. We also iron nodules such as were used to make cannonballs during the Revolutionary War.

Minutes:

It was moved and approved to accept minutes of the last two meetings.

Crownsville Stormwater:

Duane Wilding reported the Crownsville Stormwater Management Project would end this month. He thanked SRA and DNR for funding the project and the support they have given him and the project. We are now working on cost estimates for implementing the project's eight highest priorities. The final report will be along soon and we are planning to put together a small booklet summarizing steps homeowners can take to reduce the amount of stormwater leaving their property. We have a computer and GIS system as a part of the project. The individual residences are mapped along with the drainage features. There has been discussion of expanding the coverage for some of the other communities.

David Wallace: The centerfold of the newsletter shows details of the residential infiltrators.

Ben Oaks Pumping Station:

Bob vom Saal reported: We are meeting with the Department of Public Works at Millersville water control facility. They

In the long term, the current situation of poorly controlled development is very detrimental to the County.

—Barbara Samorajczyk

will present the results of their studies. As a result of the communities' concerns, the force mains may be joined in order to bypass the Ben Oaks station and there-by bypass the proximity to the Severn River.

David Wallace: Bob made a significant contribution to the study of alternatives for this project. His level-headed, technical approach convinced many that the County's needed sewer main needs could be attained in a more environmentally friendly way.

Bob Shade: Why did the County think they needed a pumping station originally?

Bob vom Saal: The Ben Oaks station was built with excess capacity years ago and this project was simply taking advantage of the economics. Now, as a result to the controversy and re-study they may join two force mains and go under Rt. 97 at a different location eliminating the need for the work at Ben Oaks.

Duane: It is not common to join two force mains, from a conservative engineering approach.

Bob Clay: Why is the pumping station necessary? If the pipe is full doesn't the fluid keep flowing?

Bob vom Saal: In practical terms the friction losses are significant. Also settling will occur and you need some force to counter-act these impeding forces, especially when you are dealing with solid human wastes. Also, there are low points in the system where a large pump is required.

Weems Creek:

David reported that Evan Belaga has been working to keep restoration efforts going in the watershed. Keith Underwood reported he has designed a restoration of a several-acre section of the watershed above Admiral Drive. The project includes approximately 1,200 feet of the creek bottom parallel to Jennifer Road and will include fish passage as an integral component. The design will be the next generation of the Howard's Branch concept. David provided an aerial photograph for display purposes.

Walter Jacobs: Regarding access, putting into the water is important so that as many people as possible can enjoy the water. At the Chesapeake Bay Foundation, their attitude and philosophy is that if people can get to the water in these benign forms, it is so much better for all of us.

Summit V, Economics of Place:

As a result of the summit, a leadership group has been formed to facilitate cooperation between the planners, developers environmentalists and residence. The group's goals and objectives are still forming.

Impact Fees:

Jane Sinclair reported: Last year I served on a committee for Janet Owens. A Consultant for the County recommended \$10,000 per unit as an accurate representation of cost. But the committee, which was over represented by the development community, recommended about half that amount (I strongly dissented). Janet Owens has introduced legislation and the County Council public hearing on it will be Dec 17. Impact fees to are supposed to reimburse the county for expenses created by new residences, such as schools, roads, waste management, etc.

Member: Do they include the expenses for stormwater management, increase in the volume of county services that have to be provided, such as public health and safety, government clerical staff, public etc.?

Jane: Stormwater management is not included.

Jane: This is a very good opportunity to have people come out and testify.

Jim Martin: The county has spent impact fees and does not spend it the way it is supposed to. The fees have been spent on portable classrooms, and it was not supposed to be used for this purpose.

Insurance:

David reported that he had received a quote for Employment Practices Liability Insurance. The insurance is intended to protect the officers and board members from suits stemming from activities of the organization. We received a quote from Chesapeake Insurance Group for \$1075.

Mill Creek Marina:

David noted nobody is here from the Hidden Point Community to report on the status of the project. The Navy is involved, which somewhat insulates the project from public scrutiny. Hidden Point group has been recommended to hire an attorney;

New Business:

Herald Harbor:

Scott Hymes reported there are lots in Herald Harbor that are owned by the County – generally through failure of the owners to pay real estate taxes. The County was going to sell them, but now says it will retain them. The real property management office has removed these lots from the files of surplus property, which means they will not be sold into private hands. Grace Bonney is the lady the office of Real Estate Management who helped us protect these lots. Thanks.

Scott: In Herald Harbor there is riparian forestland with steep slopes and particularly erodable soils, which is very close to Valentine Creek. One builder has obtained a number of variances to build new houses on these steep-sloped lots. One variance request and hearing involved a variance to build a home where the builder will have to remove thousands of square feet of forest in order to build this house. Some of us attended this hearing and we are opposed to its being granted.

The Herald Harbor Citizens Association has established a committee to review all of the variance applications for new construction in Herald Harbor. We are looking for help, especially people with expertise to develop guidelines to develop our position on each variance application.

Julie Johnson: There is a constitutional issue on the County's procedure for obtaining these variances. The County ordinance requires that signs be posted within 175 feet of the property where the variance is being sought. With this specific builder, and several others in Herald Harbor, this means the signs are located deep in the woods where few, if any people, see them. Failure to provide due notice to a significant portion of the impacted persons – 200, 500, etc. feet away - is a constitutional issue.

In addition, this builder has used the strategy of applying for two variances, separated by a month or two, then applying for two more, also separated a month or so. On this particular ridge, he has attempted to convert six sites that are located in RLD to R-5. This procedural loophole seems to defeat the zoning ordinances. This procedure also seems to evade the rules about sub-divisions. This developer has created approximately 50 home sites since 1992, all in the same region of Herald Harbor. He has not provided any recreational facilities – not even one tot lot. He has provided only two streetlights. The streets he had constructed are not wide enough for school buses, delivery trucks, etc., to turn around – nor has he provided any “turn-around” points. Consequently, the school bus stop is located nearly a half-mile from the bulk of the homes. Additionally, he is not constrained by any of the issues of adequate facilities – and water pressure and volume to at least one of these homes is not adequate.

Grants:

David said Jane Sinclair has been shepherding the TKE grant, which has been renewed for \$50,000. We also received a grant for \$20,000 as seed money on the Hidden Pond restoration project. That project is now being designed by

Underwood and Associates and is located at the tidal interface of Brewer Creek (downstream from the Howard's Branch Project).

Dredging for Baltimore:

David noted we have been invited to send a representative to bi-monthly meetings on this issue. Walter Jacobs has been a Bay Pilot for many years. Consequently he understands the competing issues – including the need for deep Bay channels. Walter has agreed to represent our group.

Walter: I will do my best to represent SRA, the environment and the port.

Maryland Yellow Perch Plan:

Margie: In my capacity as state employee to work more closely with the fisheries, I saw yellow perch as an ideal species to get into the program. SRA offered a good introduction to working with land-based groups.

On the Severn, the yellow perch fishery has been closed for 18 years. The plans are very nebulous and these refer back to Chesapeake Bay 2000 agreements and deadlines way into the future, not like terrapin habitat. Perhaps we can help them start taking action to set a more realistic time line to actually get help to this species – quickly, economically, and efficiently – in part by engaging public attention to it.

Rob Schneck and Steve Carr were appointed to be the committee to review the report.

Executive Director:

Bob Shade has volunteered to serve on a committee after the first of the year. Bob Clay brought in a newsletter from an organization he belongs to in West Virginia with an article about their hiring a paid staffer, whom they call a senior vice president, to show that the controlling interests in the organization remain in the hands of the volunteers and other members.

Adjournment:

The meeting adjourned at 9:00 p.m.

Attendance:

Barbara Samorajczyk – County Council
Duane Wilding – 2nd VP & Arden
Bob Clay – Treasurer
Bob Shade – Belvoir Farms
Bob vom Saal – Severna
Jim Martin – Past President
Mike Maszczenski – Severn (Dormant – Millersville Landfill Group);
Fred Kelly - member
Scott Hymes – Herald Harbor
Jane Sinclair – past president
Margie Whilden -
Bill Colbath – Saefern (change from Robert

Volland...

Walter Jacobs – Cape St. John

Julie Johnson - Secretary

—Minutes respectfully submitted,
Julie Johnson, Recording Secretary

Development Impact Fees

The following letter was sent by Lina Vlavianos, *Chairman, Severn River Commission, to Anne Arundel County Council Chairman Bill Burlison, on Dec. 12, 2001:*

Correspondence

Dear Mr. Burlison,

The Severn River Commission ("SRC") is an advisory Board to the County, the City of Annapolis, and the State of Maryland. As part of our charge we review legislative initiatives that will impact the Severn River Watershed. At the request of the County Executive, Jane Sinclair represented the SRC on the "Development Impact Fee Committee. In her role as SRC representative, Ms. Sinclair has provided the commission with the Consultant's Technical Report on Impact Fees and the Committee's Report to the County Executive. As a commission, we have reviewed and discussed this information and offer the following comments concerning the proposed Bill 96-01.

- It is imperative for the county to explore the creation of a Stormwater Management Impact Fee or Water Quality Fee assessment. Not only does existing development need to be maintained and in many cases retro-fitted, but the continuous pace of residential growth compounds the problems of sedimentation and erosion in our watershed. This is an issue the Impact Fee Committee felt was out of their scope of work, however the issue of protecting watersheds from the impacts of growth needs to be addressed now. The longer the County waits to address this problem, the more expensive the solutions become.

- In response to the Consultants Technical Report, the Commission accepts the methodology used to develop the fee schedule. However, we find the conclusions to be very conservative since the Consultant's report is limited to impacts of growth on Schools, Roads, Public Safety, Libraries and Parks. These issues totally ignore the short and long term impacts of growth on our environmental resources. We consider this to be a major oversight that leaves proposed Impact Fees at an artificially low level.

After reviewing the Impact Fee Committee Report to the County Executive we strongly oppose the recommendations of the committee and subsequently the proposed Bill 96-01, Development Impact Fees. The recommended increase in Impact Fees to \$4069.00 is but a drop in the bucket when you consider the Consultant's determination that the actual impact is \$10,518.00. We strongly agree with the Consultant's recommendations to raise the Impact fee to a level that reflects the true cost of growth, anything less encourages growth without providing the infrastructure and services to support it. To assess growth at less than half of its true impact will have a tremendous negative impact on the quality of life for residents of Anne Arundel County and it essentially amounts to forcing existing residents to subsidize new growth.

Finally, Bill 96-01 opens with the following:

"7-102 Purpose.

This title is adopted for the purpose of promoting the health, safety, and general welfare of the residents of the County by:

- (1) requiring all new development to pay its proportionate fair share of the costs for land, capital facilities, and other expenses necessary to accommodate development impacts on public school, [and] transportation, AND PUBLIC SAFETY facilities;
- (2) complementing the provisions of Article 26, 2-409 through 2-420 of this Code, "Adequacy of Facilities," by requiring that all new development pay its share of costs for [all] reasonably attributable impacts [on public school and transportation facilities]; and
- (3) helping to implement the General Development Plan to help ensure that adequate public facilities for schools, [and] transportation, AND PUBLIC SAFETY are available in a timely and well planned manner."

It is clear the intent of Development Impact Fee legislation is to protect the quality of life for residents by making new growth pay its way. Charging new growth less than half of what is necessary to offset its impact is irresponsible given the economic climate and the desire of residents to see balanced, managed, "smart growth." How smart is it to pass up a dedicated revenue source when the county is struggling to provide services already under the existing tax cap?

The Commission strongly recommends amending 96-01 to reflect the Consultant's recommended Impact Fee of \$10,518.00.

We thank you for this opportunity to comment and we are available to answer any questions you may have.

Respectfully, Lina Vlavianos

Appendices

Responsibilities of the Executive Director: (Draft, Jan. 7, 2002)

EDITOR'S NOTE: Here is the text of a draft proposal setting forth the prospective duties of an SRA Executive Director:

The Executive Director shall assist the President and Board of Directors by implementing all activities necessary to achieve the Purposes of the Association as stated in the SRA Constitution. These shall include the following:

FUND RAISING: Have primary responsibility in the Association for raising funds necessary to carry out the annual program. He/she shall identify and pursue all appropriate sources of funds for the Association, including federal, state, and local government, foundations, private companies and individuals and SRA member organizations. The Director shall write and coordinate grant proposals and applications.

MEMBERSHIP: Organize and conduct membership drives. Undertake activities to establish relationships with prospective community association members. Assist member organizations in their pursuit of Association objectives.

PROGRAM. Implement education and environmental initiatives to pursue goals and objectives of the Chesapeake 2000 Agreement.

MANAGEMENT: Manage full- and part-time staff of the Association. Coordinate volunteer activities.

REPRESENTATION: Establish and maintain ongoing communication with governmental, civic and other groups and individuals that are stakeholders in the Severn River watershed. Maintain an active public relations program.

REPORTING: Prepare and widely disseminate the Severn River Log and the Associations Annual Report. Maintain all files and records of the Association. Maintain the technical and other information bases of the Association.

Proposal for a Severn River Watershed Management Plan

EDITOR'S NOTE: Here is the text of a draft proposal setting forth the prospective duties of an seeing an EPA grant on behalf of SRA:

A. PROJECT NEED

On August 16, 2001, the Environmental Protection Agency announced that it was shifting its Chesapeake Bay Program from a regional approach to a local one of cleaning up the Bay river by river. Federal, state and local officials all agree that the shift is necessary to aggressively pursue the goals of the "Chesapeake 2000 Agreement".

The Severn River Association (SRA) proposes to assist in this shift by developing a "Severn River Watershed Management Plan" that prioritizes a series of community-based actions and projects that will be necessary to meet the goals of the Chesapeake 2000 Agreement. To complete the Management Plan, the Association is requesting a Community Legacy Grant under the 2002 Chesapeake Bay Small Watershed Grants Program.

The Severn River is more than a major physical element of the northern Chesapeake Bay. The Maryland State Capital lies on its shores. The Severn River is the first and most familiar experience of the Bay for the many who live near or visit the Chesapeake.

The Severn River Association represents more than 60 community associations, virtually every community and community association on the Severn. The SRA has a reputation as a strong and responsible partner with city, county, state and federal government agencies charged with protecting and improving the Chesapeake Bay. The Association has a respected track record of implementing innovative and important habitat restoration and water quality improvement projects on the river. (A sample of these projects is included in Annex A to this proposal.)

While the Severn River Association and its member community organizations have completed these effective restoration and protection projects, no one active in the Severn watershed has compiled and prioritized a series of community-based projects that, together, can achieve the goals of the Chesapeake 2000 Agreement. To meet this

need is the purpose of this Severn River Watershed Management Plan project. The Severn River Association is uniquely positioned to spearhead the local approach that the U.S. Environmental Protection Agency is now pursuing.

B. OBJECTIVES

The Severn River Watershed Management Plan will focus on the water quality and living resource needs of the Severn River ecosystem. It will promote locally based protection and restoration efforts by member community associations.

As a whole, the Management Plan will address the following objectives:

1. Create a prioritized series of model habitat and water quality restoration projects that can be replicated throughout the Severn River Watershed;
2. Based on these projects, develop a road map of follow-on projects that will effectively meet the Chesapeake 2000 Agreement goals and objectives for the Watershed;
3. Raise awareness among Severn River Watershed residents and businesses of the challenges and opportunities presented by the Chesapeake 2000 Agreement;
4. Develop a sense of stewardship and the capability of Severn River Watershed residents and businesses to solve their own habitat and water quality restoration problems.

Sub-projects identified and evaluated in the Management Plan will address the following objectives:

1. Preserve, protect and restore those habitats and natural areas that are vital to the survival and diversity of the living resources of the Severn River;
2. Preserve, protect and restore those habitats and natural areas that are vital to the survival and diversity of the living resources of the Severn River;
3. Improve and maintain the water quality necessary to support the aquatic living resources of the Severn River as well as protecting the human health of those who utilize and live along the shores of the Severn;

4. Promote citizen stewardship and engage our membership that comprises virtually all those living along the Severn River. Also included in initiatives to achieve the goals and commitments of the Chesapeake 2000 Agreement will be the businesses, local governments and schools located within and affecting the watershed;

5. Pinpoint on-the-ground projects that restore coastal and anadromous fish habitat;

6. Outline areas and projects that will enhance watershed health through the conservation, restoration and stewardship of trees and forests as our Howard's Branch Project did for the endangered Atlantic white cedar.

C. OVERALL CONTEXT

1. How the project results address the Chesapeake 2000 Agreement: The Chesapeake 2000 Agreement commits the four jurisdictions surrounding the Bay, the Federal Government and the Chesapeake Bay Commission to five priority goals:

- Living resource Protection and Restoration
- Vital Habitat Protection and Restoration
- Water Quality Protection and Restoration
- Sound Land Use
- Stewardship and Community Engagement

This project will create a replicable model for promoting individual stewardship and assisting individuals, community-based organizations, businesses, local governments and schools to undertake initiatives to achieve the goals and commitments of the Agreement. The objectives of the Management Plan project are, by design, those of the Chesapeake 2000 Agreement.

Each of the sub-projects solicited for inclusion in the Severn River Watershed Management Plan will be evaluated as to their impact on achieving the first four substantive goals of the Agreement. A quantitative assessment of the potential impact of all of the sub-projects in the Management Plan will be included in the Management Plan.

2. How the project relates to local and regional watershed initiatives and plans: The success of this project will depend on close collaboration and coordination with a number of local and regional watershed initiatives and plans:

The Anne Arundel County Severn River Management Plan;

The Weems Creek watershed improvement plan;

TMDL activity

3. This project is both an extension of existing projects and a new project in itself. It extends the work of individual projects listed in Attachment A. It is a new project in that it compiles lessons learned and accomplishments of these past and ongoing projects and identifies the next best steps that can be taken to achieve the goals of the Chesapeake 2000 Agreement. All of this will be included in the proposed Severn River Watershed Management Plan.

B. METHODOLOGY

This project will take 12 months and will follow an eight-step methodology:

1. Analyze Lessons Learned: Compile a list of approximately 24 past and present habitat and water quality restoration projects, hereafter called Severn River Restoration Projects (SRR Projects); analyze lessons learned and options for future work; (a preliminary list of existing projects is included as Attachment A);

2. Set Objectives: Working with the Anne Arundel County Severn River Management Plan team and with State and Federal officials, adopt a set of objectives to be achieved during the years 2002-2004 and that relate to water quality and living resource needs protection and restoration;

3. Solicit Proposals: Based on the above analysis, prepare promotional material for use by SRA member citizen groups to encourage submittal of SRR proposals for 2002-2003 implementation; run workshops with at least 60 SRA member organizations;

4. Establish Evaluation Criteria: With expert assistance (using that available within the SRA when appropriate) and following Chesapeake Bay 2000 guidance, compile criteria for evaluating and ranking citizen generated proposals; (examples of project types which may be solicited is included in attachment B);

5. Identify Funding Sources: Research and compile funding sources to implement proposals selected, including federal, state and local sources;

6. Evaluate Proposals: Work with citizen groups to improve proposals and rank final proposals for funding by sources identified; aim for 10 projects suitable for funding;

7. Assess Impacts: Analyze how projects proposed will individually and cumulatively impact habitat and water quality restoration of the Severn River;

8. Publish Management Plan: Compile the Implementation Management Plan of projects to be initiated in 2002-2003; hold press conference to announce findings and plans.

E. EVALUATION

The strategy for monitoring and evaluating program results, including how success will be defined and measured is as follows. Each sub-project will be evaluated and its impact on overall Chesapeake 2000 Agreement goals will be assessed. Success will be defined and measured as how well the sum of sub-projects accomplishes the goals of the Agreement. Of course, while the SRA will strive for a 100% success rate for each goal, it is beyond human ability to achieve complete success on each goal. (It is unlikely that nature will cooperate fully either.) The Management Plan project is being designed to monitor and evaluate results in such a way as to learn from its own shortcomings and to identify follow-up work that will effectively eliminate those shortcomings.

At its outset, the project will identify and recruit objective observers from each level of government, from academic units involved in studying the Severn River, and from commercial and non-profit environmental organizations with interests in the River. Project results will be vetted with these observers and their reactions will be included in the final Management Plan.

F. DISSEMINATION

The Severn River Association, with its monthly meetings, newsletter and contacts with the media, will pursue active dissemination of project results. The Management Plan will be published and given away to each member community association, sold in local bookstores and tourist shops, and publicized on the Internet. A series of television and newspaper interviews will be held with local and regional media companies. Copies of the Management Plan

will be distributed to appropriate government agencies at every level in both the executive and legislative branches.

G. PARTNER JUSTIFICATION AND COMMUNITY INVOLVEMENT

The strength, qualifications and nature of the contribution of the Severn River Association is described above.

The Severn River Association will work closely with the U.S. Environmental Protection Agency, Maryland Department of Natural Resources, Maryland Department of the Environment, Anne Arundel County, the City of Annapolis and others in developing the Severn River Watershed Management Plan to ensure that the plan is supportive of regional resource protection strategies.

H. WHY THIS PROJECT IS WORTHY OF FUNDING UNDER THE COMMUNITY LEGACY GRANTS INITIATIVE.

This project, because of its innovative design, can serve as a model for other communities around the Chesapeake Bay. The Severn River Association is the oldest environmentally-oriented community association on the Bay and has a unique combination of strong community involvement and a membership with extensive technical ex-

perience in the environmental and other fields necessary to succeed with this project. The additional funding provided under the Community Legacy Grants Initiative will make possible the extensive solicitation of community involvement and in-depth technical review necessary for the project's success.



Join the SRA and Save the River and the Bay!

We are the oldest organization dedicated to the preservation of a river in America. We are Anne Arundel County's largest and oldest civic group. Your support is very important especially because today's problems are tougher to solve and to manage than they have ever been. Your support gives our voice the strength to help protect your community, your watershed and your river, please join and make a difference! Your membership donation is fully tax deductible.

I/we would like to become a:

Regular (couple/individual) at \$20 _____ Benefactor (couple/individual) at \$100 _____

Patron (couple/individual) at \$25 _____ or Community (organization) at \$40 _____

I would like to make an *additional* contribution of: \$ _____

Couples or Individuals or Community's President:

Name: _____

Your Community's Name: _____

Street: _____

City/State/Zip: _____

Phone : _____ E-Mail: _____

Community Associations: (we need both President's info above and Rep's info below)

Name: _____

Street: _____

City/State/Zip: _____

Phone : _____ E-Mail: _____

We begin collecting membership donations in the fall for the following calendar year.

Memberships received after the annual meeting in June apply to the next year.

Checks should be made payable to: The Severn River Association, Inc., P.O. Box 146, Annapolis, Maryland 21404-0146

THE SEVERN RIVER ASSOCIATION, INC.
P.O. BOX 146
ANNAPOLIS, MD 21404



CHANGE SERVICE REQUESTED

