

SUMMARY OF THE COX CREEK  
CITIZENS OVERSIGHT COMMITTEE MEETING  
November 30, 2022 - 5:30 PM  
Cox Creek Operations and Maintenance Complex  
1000 Kembo Road, Curtis Bay, MD 21226  
Hybrid Meeting

*Attendees:*

*Anne Arundel County Water Access Committee:* Lisa Arrasmith  
*Cox Creek Citizens Oversight Committee (COC) Facilitator:* Angie Ashley  
*Maryland Department of Transportation Maryland Port Administration (MDOT MPA):*  
Bertrand Djiki, Danielle Fisher, Margie Hamby, Holly Miller, Oge Nwafor, Amanda Peñafiel, Joseph Ross, Darren Swift  
*Maryland Environmental Service (MES):* Dallas Henson, Mackenzie Miller, Robert Natarian  
*North County Land Trust (NCLT):* Edson Beall, Rebecca Kolberg  
*Pasadena Sportfishing Group:* Robert Schmidt  
*Resident of Legislative District 31 & Chairman of the Cox Creek COC:* Gary Gakenheimer  
*Restore Rock Creek:* John Paul Jendrek  
*Stoney Beach Resident:* John Garofolo

Action Items:

1. Ms. Jones will reach out to Mr. Garofolo regarding MDOT MPA presenting at a monthly Stoney Beach association meeting. *Response pending*
2. MDOT MPA will meet with Mr. Garofolo to discuss CAD and his interest in the beneficial use of dredged material. *Complete*
3. MDOT MPA will investigate locations of CAD placement sites to continue to gather a comprehensive understanding of how communities and residential areas could potentially be impacted. *Ongoing*
4. Ms. Ashley will send the DMMP Annual meeting invitation with Mr. Schmidt to share with his community. *Complete*

**1.0 Welcome & Introductions**

**Gary Gakenheimer**

Ms. Ashley convened the hybrid meeting and the attendees introduced themselves. Mr. Gakenheimer requested comments or questions on the May 25, 2022, Cox Creek COC meeting summary. Mr. Gakenheimer inquired as to what positions on the CC COC are currently vacant? Ms. Ashley responded that Maryland Saltwater Sportfishing Association, Inc. has gone defunct and that the Anne Arundel County Waterman's Association has been vacant because there are no waterman working in Northern AA Co. interested in joining the committee. There are a few other groups that have vacant positions: Greater Pasadena Council, South Baltimore Business Alliance, and Pasadena Business Association. After questions were addressed, Mr. Gakenheimer motioned to approve the May 25, 2022, meeting summary and Mr. Jendrek seconded. The meeting summary was approved.

**2.0 Cox Creek Expansion**

**Bertrand Djiki, MDOT MPA**  
**Amanda Peñafiel, MDOT MPA**

Construction

Mr. Djiki provided a construction progress update on the Cox Creek Dredged Material Containment Facility (DMCF) expansion project. As expansion progresses, the Cox Creek DMCF is continuing

to receive inflow. In place of two spillways that were decommissioned due to the expansion construction, a new innovative floating weir system is being utilized as a cost-effective, mobile, long-term solution for water management. Upland demolition began in 2015. Twenty-six-year-old industrial buildings were demolished and approximately 124,000 tons of material was recycled. After demolition, remediation took place which resulted in 100% asphalt recycled, 88% steel recycled, and 77% concrete recycled. The remediation activities included upland soil remediation and removal of 82,000 tons of PCB waste from a formerly used industrial compound.

The dike expansion includes raising the current dike elevation to +60' MLLW and expansion of the DMCF into the upland portion of the property. The initial height of the dike was +36' MLLW with a capacity of 6.2 million cubic yards (mcy). The base dike widening was completed in 2020. The dike raising project began construction in August 2021, is five months ahead of schedule and is estimated to be complete by January 2024. The total material excavated and placed to date is approximately 956,000 compacted cubic yards (CCY) of material.

Installation of the slurry wall, a barrier built to prevent material from seeping through the dikes, began in mid-November. The slurry wall are permanent to which Mr. Djiki replied in the affirmative. Ms. Kolberg asked whether or not there was going to be monitoring on the mobile spillway system. Mr. Djiki confirmed that the system has its own monitoring system. Ms. Peñafiel added that all aspects associated with the monitoring of the discharge permit have remained the same. Mr. Garofolo asked whether the terminology +60' meant 60 feet above river level or above a previous level. Ms. Miller clarified that +60' is referring to MLLW. Mr. Garofolo also asked if +80' MLLW was still the end goal, and Ms. Miller clarified that +80' MLLW is still the plan, but the focus is currently on the +60' MLLW dike raising.

### Mitigation

Ms. Peñafiel stated that the Cox Creek DMCF +60' MLLW expansion impacted 1.61 acres of nontidal wetlands. To mitigate this impact, MDOT MPA is undertaking a project at Genesee Valley Outdoor Learning Center (GVOLC). The 100% design was submitted to regulators in June 2022 and requested revisions were resubmitted in December 2022. The MDE waterways permit was received on September 2, 2022; MDE sediment and erosion control permit is still pending. There is ongoing communication between MDOT MPA and USACE to respond to and resolve outstanding comments on the Conservation Easement. Additionally, there is ongoing coordination with DNR on a Forest Conservation Plan (FCP) at GVOLC, which will require its own easement. Once the Conservation Easement is drafted, it will be sent to the Board of Public Works (BPW) for approval and signature. The target date for BPW submittal is the first quarter of 2023.

As a part of the GVOLC project, wetlands are being created and enhanced. From the wetland restoration and enhancement efforts at GVOLC there will be a total of 2.1 acres of wetland credit. From this, the 1.16 acres associated with the wetland impacts at Cox Creek is removed leaving approximately one acre of advanced mitigation credit to be used for future nontidal wetland impacts in other current or potential MDOT MPA projects.

### **3.0 Outreach and Education**

**Danielle Fisher, MDOT MPA**

#### Open House Debrief

Ms. Fisher provided a recap of the 2022 Cox Creek Open House to be held on Saturday, October 15<sup>th</sup>. This was an opportunity for the community to see progress associated with the expansion project and to learn more about the Dredged Material Management Program (DMMP). There were

15 different educational stations. Out of the 120 participants at the event, 35 specifically participated in birding tours, 54 specifically participated in the stations, 44 were first time visitors, 30 were returning visitors, and 10 were returning visitors from last year's open house.

#### Local Outreach

Ms. Fisher stated that as part of the community outreach effort, a presentation was made at the Bar Harbor Community Meeting where information about the DMMP and Cox Creek Expansion was shared. Additionally, a similar presentation was made to the Arundel Gardens Community Association in early November 2022. MDOT MPA is always looking for opportunities to engage with communities about the DMMP and Cox Creek.

Ms. Fisher reminded attendees that the 2022 DMMP Annual Meeting will be held at Medstar Harbor Hospital on Friday, December 9, 2022. Those who are interested in attending are encouraged to register online. The meeting will be a great opportunity to network and learn more about the DMMP efforts and innovative ideas. Mr. Schmidt requested that paper copies of the invite be sent to him for distribution to his community.

#### **4.0 Swan Creek Nature Trail**

**Joseph Ross, MDOT MPA**

The Swan Creek Nature Trail is approximately a two-mile loop that will contain three boardwalks, one bridge, and four outdoor classroom spaces. The FY22 Recreational Trails Program (RTP) Grant of \$83,000 was awarded in September 2021 and will be used to help cover the construction of a specific segment of trail. The FY23 RTP Grant of \$95,825 was awarded in October 2022 and will fund one boardwalk, an additional segment of the trail, and signage throughout the trail system. The trail is still undergoing final alignment based on data from recent tree surveys.

As the design phase continues, environmental coordination is in progress. The Joint Permit Application (JPA), Critical Area coordination, and Forest Conservation Act coordination has been initiated. In place of a boardwalk, a prefabricated pedestrian bridge will be included in the design to allow for crossing over the rock swale that is currently being used to drain stormwater from Cox Creek DMCF. The prefabricated pedestrian bridge structure is being used in place of a boardwalk as not to disturb the swale and is the most cost effective and least impactful alternative. Mr. Ross presented draft trail signage concepts and provided examples of trailhead signage, interpretative signage, and wayfinding signage. There is an ongoing discussion with MDOT MPA on allowable uses for the trail and other MDOT MPA trails for consistency. In addition to draft signage, outdoor classroom renderings were presented. These outdoor classroom renderings included natural tree stump seating, and a platform to look out on the water or bird watching.

The trail schedule is approaching 60% design and the goal is to achieve this by December 2022. Additionally, 90% design of the trail is scheduled to be achieved in March 2023 with design completion in June of 2023. Construction is slated to begin in the fall of 2023. Ms. Arrasmith asked about the expected completion of the project, to which Mr. Ross answered that the entire trail is anticipated to be complete in 2024. Mr. Schmidt inquired about the maintenance of the trail. Ms. Miller confirmed that MDOT MPA will oversee trail maintenance. Mr. Beall asked if the alignment presented was the final alignment, to which Mr. Ross stated that the final alignment will not be confirmed until the most recent tree survey data is considered.

## **5.0 Innovative Reuse and Beneficial Use**

**Darren Swift, MDOT MPA**

Mr. Swift announced that there are currently seven contracts that have been awarded under the Research and Development Request for Proposals. Belden-Eco Products proposed using bricks made from Cox Creek dredged material in combination with other materials as paver bricks or construction bricks. The bricks were compared to Maryland Department of the Environment (MDE) Innovative Reuse and Beneficial Use Guidance Document and other Maryland standards. There were six mixes created and from those six, two mix combinations were determined to be superior. One mix contained 100% dredge material, and the second mix was 60% dredge material, 20% shale, and 20% flyash. Salt levels in the dredge material were high and altered the brick color, and therefore the salt levels were reduced to improve the brick color. Based on their findings, Belden-Eco Products determined that the dredge material is a suitable material and could be heated at lower temperatures during their creation, therefore, reducing associated exhaust. Mr. Garofolo asked if the bricks are going to be used as permeable pavers, to which Ms. Miller confirmed.

Northgate Environmental proposed using dredged material for two different workstreams: traditional concrete products like barriers and parking stops, and 3D printing of shoreline protection structures. The shoreline protection structures had successful trials. Mr. Gakenheimer stated that in a previous meeting it was said that the shoreline structures only use 5% dredged material. This is not ideal as it is more desirable to use large quantities of dredged materials in innovative reuse projects. The traditional concrete products underwent testing for properties, strength, and leachability. The mixes that were experimented with were not able to meet strength requirements and support the original project plan. However, these products may be able to be used in a different project or situation.

Regarding updates for other projects under the RFP, Fastrak Express is investigating dredged material as a growing medium for sod and has indicated positive growth rates and strong promise based on the last progress meeting. Hartford Industrial Products hopes to make lightweight aggregate utilizing dredged material. This project is particularly promising as this area does not have a local source of lightweight aggregate. Suscon Products is working to develop concrete products and results thus far are positive. The CSI Environmental project which includes dewatering Masonville dredged material in geotextile tubes and utilizing the material to create vegetated berms at the BGE spring gardens site is currently on hold pending the next inflow. The University of Maryland is working to complete a lab-based study to develop earth berms using dredged material and other materials to examine leachability from the berm.

Mr. Swift also reviewed a new opportunity for the use of dredged material. Insulator Drive, part of a development in Baltimore, City, proposes to utilize blended dredged material as fill. Currently, MDOT MPA is working to identify enough material for the project needs. Ms. Kolberg questioned if the development team is going to remove the current buildings on the property at Insulator Drive to which Mr. Swift confirmed that the property will be redeveloped.

## **6.0 Harbor Development Update**

**Holly Miller, MDOT MPA**

Ms. Miller stated that the Mid-Chesapeake Bay Island Ecosystem Restoration (Mid-Bay) Project received \$84 million dollars in federal funding to proceed to the construction phase. The MDOT MPA and U.S. Army Corps of Engineers (USACE) signed the Project Partnership Agreement to implement the project in August 2022. The first construction contract for the Barren Island portion of the project was awarded in September 2022. Construction is projected to begin in early 2023.

Ms. Miller added that the Masonville DMCF has ongoing base widening activities that began in

January 2022 and is expected to be completed in March of 2023. This will support the ultimate elevation of 42' MLLW by 2029. The total projected capacity for the site is 10.4 mcy. Design plans and specifications for the +30' MLLW dike raising are being finalized, and the procurement process is anticipated to begin this winter to start construction in the Summer of 2023. MDOT MPA has entered approximately 47 acres of Masonville Cove into a conservation easement with Maryland Environmental Trust and Baltimore Green Space. Funding of \$1.5 million was received from the Federal Highway Administration (FHA) and U.S. Fish and Wildlife Service (USFWS) to build the Masonville Cove Connector, which will improve safe and equitable access to the site and connect local communities to the land and water. Masonville Cove was also the host to the first Youth Birding Week held this past summer. Ten youth from the Baltimore area were able to learn about diverse habitat and birding at all DMCF sites. Mr. Gakenheimer asked if Vulcan Industries is on board with the connector project. Ms. Miller stated that they have expressed concern about their drivers and safety of the trails, and that MDOT MPA is working diligently to come to a mutual understanding.

The Paul S. Sarbanes Ecosystem Restoration Project at Poplar Island (Poplar Island) works annually with the town of Easton to collect used Christmas trees and place them in the wetlands on Poplar Island to provide additional habitat and nesting areas. This program has helped bring a total of 3,000 Christmas trees to Poplar Island so far in the program's history. In addition, Barn Owls were spotted for the first time in June 2022 on the site and six eggs were confirmed on July 5, 2022 with nestlings being first observed on July 26, 2022. There were five nestlings by August 12, 2022. The adults were banded and have been seen flying around the island. As of November 15, 2022, fledglings have been observed around Poplar Island which are continuously monitored.

Ms. Miller provided additional updates about the different DMCF sites. A wide variety of bird species can be found in the Swan Creek Wetlands adjacent to the Cox Creek DMCF. During the 2022 Open House, birding participants spotted a Franklin's Gull for the first time in the area. There is an official bird census conducted twice a month at Cox Creek. In addition, the Board of Public Works approved MDOT MPA's acquisition of the property adjacent to Cox Creek DMCF on October 26, 2022. The acquisition of the property is critical to the innovative reuse program and implementing large scale capacity recovery. Site development will include phased remediation of the property. There was a Hart Miller Island five-mile run held by MDOT MPA, Maryland DNR, Friends of HMI, and Charm City Run on October 22, 2022. Over one hundred runners participated in the race.

#### Confined Aquatic Disposal (CAD)

Ms. Miller provided a brief review of CAD. CAD was a recommendation from the 2011 Harbor Team report as an alternative to material placement in DMCFs. CAD is a depression excavated in the river bottom where the sand layer is removed and used, and the depression is then filled with dredged material. The pilot CAD project included removing primarily sand material and placing the sand material in the Masonville Kurt Iron Slip. Maintenance dredged material was placed in the CAD cell in February 2017, and throughout the following years extensive monitoring was completed. This project was a success largely in part to proper planning and oversight. There was low water turbidity observed, and water quality was comparable with baseline data. Goals for the next CAD project include observing a project with a larger capacity and utilizing differing conditions.

In 2018, there was a Harbor Desktop Study performed to find potential future CAD sites. Between 2019 and 2020, there were further evaluations to narrow down site selections. Environmental impacts and hydrodynamic conditions that could potentially impact the site were assessed, and a geotechnical investigation was completed to determine sand location and depth for support of reuse of the

materials. After these assessments, two optimal sites were selected. One site is the anchorages off the Dundalk Marine Terminal and the other site is the open water region southeast of Cox Creek DMCF. Additional assessments were performed on the two sites, and it was confirmed that the Cox Creek site was the more suitable of the two, mainly due to the deeper deposit of sand. Ms. Kolberg asked about the dimensions of the site, to which Ms. Miller stated the potential area is approximately 220 acres, however, this does not mean the CAD cell will be that large. Data was collected to help calibrate a dynamic model of the Cox Creek CAD cell site to get a more well-rounded understanding of the site.

Mr. Garofolo stated that his community is directly adjacent to the proposed site and expressed an interest in further discussing the project with Ms. Miller and additional members of his community. Ms. Miller encouraged the meeting and offered to present CAD project information to the community. Ms. Kolberg asked who owns the area where the CAD cell could potentially be located. Ms. Miller stated that the proposed location is in Anne Arundel County but the state of Maryland owns the river bottom. She then clarified MDE's involvement, to which Ms. Miller confirmed that MDE is involved in the permitting process. Mr. Schmidt asked about the impact and timeline to which Ms. Miller presented the project's conceptual timeline. The schedule is conceptual based on funding and permits. Dredging could take between four and five months, and filling will take an additional one to two months. Ms. Kolberg expressed some concerns regarding the CAD cell being placed so close to residential areas. Visual impacts will be temporary and occur due to the use of dredging equipment. Ms. Kolberg and Mr. Garofolo expressed concerns regarding the noise, equipment, and fumes associated with the construction of the CAD site. Ms. Miller stated that MDOT MPA will work to address potential noise and lighting impacts to adjacent communities. Ms. Kolberg asked about locations of past CAD sites and their placement in reference to residential areas. Ms. Miller stated that she would investigate the different areas where CAD sites were located. Mr. Gakenheimer asked where the dredge material to fill the CAD cell would come from. Ms. Miller stated that the material would likely come from maintenance dredging projects. Ms. Arrasmith asked if the material would be dewatered to which Ms. Miller responded that the material would not be dewatered. Ms. Kolberg asked about topographic changes to which Ms. Miller explained based on the Masonville pilot project the topography would stay the same. Design for the CAD footprint is ongoing to get more specific details regarding the potential site location. There will be focused outreach efforts to local community groups based on the cell's potential proximity to residential areas.

## **7.0 Roundtable Remarks & Open Discussion**

**Members**

No remarks were made at this time.

## **8.0 Upcoming Meetings and Adjournment**

**Angie Ashley**

Ms. Ashley stated that the next DMMP meeting and last meeting of the calendar year is the 2022 DMMP Annual Meeting being held on December 9 at the Medstar Harbor Hospital. It is a hybrid meeting and those who are interested can register through the DMMP website. The meeting was adjourned.