

FINAL SUMMARY OF THE COX CREEK  
CITIZENS OVERSIGHT COMMITTEE MEETING  
October 11, 2023 - 5:30 PM  
Cox Creek Operations and Maintenance Complex  
1000 Kembo Road, Curtis Bay, MD 21226  
Hybrid Meeting

*Attendees:*

*Anne Arundel Patapsco River Alliance:* Thom Marston  
*Cox Creek Citizens Oversight Committee (COC) Facilitator:* Angie Ashley  
*District 3 County Council:* Councilman Nathan Volke  
*District 31:* Delegate Brian Chisholm, Aysia Rodriguez  
*Greenland Beach Community:* Russell Cardozo  
*Greater Pasadena Council:* Nancy Schrum  
*Maryland Port Administration (MPA):* Danielle Fisher, Rachael Gilde, Holly Miller, Joseph Ross, Darren Swift  
*Maryland Environmental Service (MES):* Dallas Henson, Christopher Heyrend, Mackenzie Miller  
*Nabbs Creek & Stoney Creek Community Members:* Daniel Greene, Patricia Hoffman, Wayne Hoffman, Susan Greene, Dennis Mager, Karen Mager  
*Public Water Access Committee:* Lisa Arrasmith  
*Resident of Legislative District 31 & Chairman of the Cox Creek COC:* Gary Gakenheimer  
*Rock Creek Community:* George Wendling, Lisa Wendling, Leigh Whitmore-Priest, Greg Sliviak, Ruth Sliviak  
*Restore Rock Creek:* John Paul Jendrek  
*Scenic Rivers Land Trust (SRLT):* Evan McGee  
*The Terrapin Institute:* Marguerite Whilden

**Action Items:**

- Ms. Ashley will distribute the 2024 Cox Creek COC meeting dates once finalized. (Complete)

**1.0 Welcome, Roll Call & Introductory Comments** **Gary Gakenheimer, Chair**

Ms. Ashley convened the meeting, requesting attendees introduce themselves. Mr. Gakenheimer led the approval of the July 12, 2023, Cox Creek COC meeting summary. The meeting summary was approved as written.

**2.0 Cox Creek Expansion** **Christopher Heyrend, MES**

**Construction**

Mr. Heyrend provided an update on the Cox Creek Dredged Material Containment Facility (DMCF) expansion project construction. The upland demolition of the site began in 2015 and was completed in 2020. Twenty-six industrial buildings were demolished and approximately 124,000 tons of material was recycled. After the necessary remediation, 100 percent of asphalt, 88 percent of steel, and 77 percent of concrete was recycled as part of the demolition activities.

Following the demolition, base dike widening (BDW) was conducted in preparation for future dike raising. BDW construction began in September 2018 and was completed in late 2020. Approximately 619,000 compacted cubic yards (ccy) of clay material was required for the BDW construction. Once

the BDW construction was complete, the project moved forward to +60' mean lower low water (MLLW) dike raising. The +60' MLLW dike raising construction contract began in August 2021. The waterside dike raising began in February 2022 and was substantially completed in August 2022. Additionally, the upland dike construction began in September 2022 and was completed in June 2023. The major construction related to the project was completed in June 2023, seven months ahead of schedule, and the team is in the process of concluding final efforts related to the dike raising construction. To date, approximately 1.8 million ccy of fill material has been excavated and used in the dike raising construction. The final major effort involved in the expansion of Cox Creek DCMF is the north-south cross dike raising; work began in September 2023 and is anticipated to be completed in October 2023. The expansion into the upland area, along with a +60' MLLW dike raising, will provide a cumulative capacity of approximately 14.7 million cubic yards (mcy) at the Cox Creek DCMF.

### Mitigation

Mr. Heyrend provided an update on the Genesee Valley Outdoor Learning Center (Genesee Valley) mitigation project associated with the Cox Creek DCMF expansion. The Maryland Department of the Environment (MDE) Wetland and Waterways certification for the mitigation project was received in September 2022. After addressing MDE comments on a previous submission, the 100% design was resubmitted to MDE Sediment and Stormwater Plan Review in August 2023 and is now awaiting approval. The Forest Conservation Plan was revised and submitted to the Maryland Department of Natural Resources (DNR) in September 2023 and is also awaiting approval. Additionally, conservation easement coordination is continuing with the U.S. Army Corps of Engineers (USACE) and the MPA legal department. Maryland Board of Public Works (BPW) approval is required for the easement. Pending approvals, construction at Genesee Valley is targeted to begin in the first quarter of 2024.

### **3.0 Swan Creek Nature Trail**

**Joseph Ross, MPA**

Mr. Ross stated that the Swan Creek Nature Trail (SCNT) is a community enhancement project originally recommended by the Cox Creek COC. Once complete, the SCNT will be approximately a two-mile loop, including three boardwalks and one pedestrian bridge. The pedestrian bridge will be placed over a pre-existing rock-lined, stormwater drainage swale. The pedestrian bridge will allow trail users to cross over the swale without impacting its functionality. In addition, the SCNT will have a natural surface and include four outdoor classrooms with specific educational themes created with the natural environment in mind. The SCNT was awarded grants under the FY22 and FY23 Recreational Trails Program (RTP) to fund construction and signage. The SCNT design includes elongated steps at set locations due to the topography of the area. Given this, the SCNT is Americans with Disabilities Act (ADA) accessible as opposed to ADA compliant. One of MPA's goals is to incorporate innovative reuse (IR) dredged material into SCNT project in some capacity. One such possibility is using IR material for grading in some portions of the SCNT, such as on the trail segment leading to the shoreline.

Mr. Ross stated that the permitted uses and restrictions of the SCNT are currently under consideration by MPA and requested feedback from community members to aid in the decision-making process. The goal of the SCNT is to allow trail visitors to enjoy the Swan Creek Wetlands and conservation easement while ensuring that natural processes are not impacted. Certain activities, such as picnicking, could be detrimental as it may result in littering. Ms. Schrum recommended that signage

be used as opposed to trash receptacles to educate trail users on the impact of littering and the ‘pack it in, pack it out’ concept of trash control. In response to inquiries from Ms. Whitmore-Priest, Mr. Ross stated that there are several safety concerns related to bike use on the SCNT, including danger to the bike rider, given that the SCNT design includes stairs and uneven terrain; therefore, bikes are restricted as well as pets. Mr. Ross added that security measures have been a continued discussion among the project team. The need for additional security measures will be further assessed after the SCNT has opened. Ms. Ashley added that the permitted uses and restrictions have been created in consultation with Scenic Rivers Land Trust (SRLT) with a priority of preserving the conservation easement area and that the information will be included on a trailhead kiosk. Mr. McGee stated that the rules of the SCNT are essential in providing a safe and environmentally friendly trail that abides by the conservation easement regulations. SRLT became a co-easement holder with Maryland Environmental Trust (MET) and began annual monitoring of the conservation easement in 2022.

#### **4.0 Local Outreach & Cox Creek Open House Updates** **Danielle Fisher, MPA**

Ms. Fisher stated that the last Cox Creek COC meeting took place on July 12, 2023. The meeting included brief presentations from the MPA Director of Harbor Development, Ms. Holly Miller, and MDE Toxicologist, Mr. Mark Mank. The presentations provided information on MPA’s Dredged Material Management Program (DMMP), the need for capacity planning, and sediment quality and testing. The meeting also featured van tours of the Cox Creek DMCF and informational stations in a mini open house format. This allowed attendees a one-on-one opportunity to speak with MPA project managers about the DMMP, Confined Aquatic Disposal (CAD), IR, and other MPA projects.

Ms. Fisher invited the CC COC to the 2023 Cox Creek Open House at the Cox Creek DMCF on Saturday, October 21, from 10 AM to 2 PM. The family-friendly event includes van tours of the Cox Creek DMCF; self-guided birding of the Swan Creek Wetland; activities for children such as Touch-A-Truck, fishing, and crafts; and stations hosted by the valuable community partners of MPA. A guided bird walk will take place in advance of the Cox Creek Open House at 8 AM. Registration for the guided bird walk is available on the DMMP website.

Ms. Fisher stated that MPA was invited to present at the Chestnut Hill Cove Community Association on MPA’s mission and the DMMP 20-year capacity planning, DMMP operations, local DMCF sites, CAD, and the Innovative Reuse and Beneficial Use (IRBU) Program. Ms. Fisher encouraged those interested in similar presentations or those with questions to reach out to MPA or visit the DMMP website to request a presentation.

#### **5.0 Cox Creek Sediment Technology and Reuse (STAR) Facility** **Darren Swift, MPA**

Mr. Swift presented on the future of IR and related updates, including the status and future of the Cox Creek Sediment Technology and Reuse (STAR) Facility. Located north of the Cox Creek DMCF, the Cox Creek STAR Facility is critical to advancing the IRBU program and implementing large-scale capacity recovery. MPA purchased the approximately 140-acre property in December 2022, with about 120 acres developable for IR operations. The property has a CSX rail line, quick access to major highways, and the possibility of maritime access.

Mr. Swift stated that the previously industrial property was used to manufacture titanium dioxide, therefore, remediation of the site is necessary before IR operations can take place. The required

remediation activities have been divided into five operable units. MPA is working through an administrative consent order with the previous property owner and MDE to guide the remediation, which will be a ten-year phased process. MPA is developing a Remedial Action Plan (RAP) for each of the operable units and will submit them to MDE for approval before moving forward with remediation activities and, ultimately, site development. The first phase of the site to be remediated includes an area for large-scale dewatering operations and stockpiling of dewatered dredged material within the next two years. A second phase of remediation will include a larger dewatering area and could be used for stockpiling dewatered dredged material. The short-term plan for the Cox Creek STAR Facility is to ramp up capacity recovery and IR while MPA continues to remediate the property.

Mr. Swift stated that promising research and development projects have been conducted with dredged material from a Request for Proposals (RFP) that MPA issued in 2019. These projects have led to results that could potentially assist in greater capacity recovery from the Cox Creek DMCF. One such project recently completed at the Cox Creek DMCF utilized geotextile tubes (geotubes) as a method of dewatering to then use the geotubes as sediment and erosion control. The geotubes received hydraulically pumped material and utilized a polymer to separate the solids from the water to dry the material.

Mr. Swift stated that MPA is developing a Master Plan for full site development and is working through different scenarios to determine appropriate contracting options for private development of the Cox Creek STAR Facility. The overarching goal involves reclaiming capacity within the Cox Creek DMCF. MPA has a twenty-year rolling plan to manage dredged material, and large-scale IR will ensure that material is consistently removed from the Cox Creek DMCF.

## **6.0 Harbor Development Update**

**Holly Miller, MPA**

Ms. Miller stated that the Masonville DMCF has continued to actively receive inflow projects while under construction. The BDW at the Masonville DMCF, which serves as a foundation for the dike raising, was completed in June 2023. MPA received bids for the next phase of dike raising to +30' MLLW and anticipates the contract award by the end of October 2023. Construction is expected to start in October or November 2023. It will take about thirty months to raise the dikes to +30' MLLW; therefore, completion is anticipated by Spring 2026. While +30' MLLW dike raising is ongoing, the team will be working on the design of the +42' MLLW dike raising, which will be the final planned dike raising for Masonville DMCF.

MPA has initiated a bird banding project at Masonville Cove in partnership with Birds of Urban Baltimore (B.Ur.B), a local nonprofit that studies bird populations within Baltimore City limits. The project is a collaboration between B.Ur.B, MPA, MES, Living Classrooms Foundation, and U.S. Fish and Wildlife Service. The goal of the study is to learn more about which bird species utilize the restored habitat and which birds are returning to breed or migrate each season and to study long-term population trends. The first season of bird banding was completed in Spring 2023 and captured 571 birds and 53 different species. The second season began in August 2023 and will continue through November 2023. Visitors are welcome to observe bird banding activities when the site is open for public access.

To help fulfill MPA's commitment to the communities surrounding Masonville, MPA continues to work on providing safe, convenient, and equitable access to Masonville Cove through the Masonville

Cove Connector (MCC) project. Once completed, it will link Masonville with the existing Gwynns Falls Trail and the proposed Baybrook Connector for a total of over twenty miles of walking and biking trails and link dozens of communities together. MPA has received two rounds of federal grant funding through the Federal Highways Administration Federal Lands Access Program (FLAP). The project is currently in the 30% design phase, and two traffic studies have been conducted along Frankfur Avenue to help develop a suite of concepts. Next steps in the project include sharing concepts with stakeholders and collecting feedback.

The Paul S. Sarbanes Ecosystem Restoration Project at Poplar Island (Poplar Island) is one of MPA's beneficial use projects located in Talbot County. Chesapeake Bay Channel maintenance dredging inflow was completed in September 2023 and approximately 1.8 mcy was placed at Poplar Island. The next inflow will occur in the Winter of 2023/2024. Poplar Island hosted just under 3,500 people through various outreach activities such as general tours, special interest tours, birding, student group tours, and outreach events in 2023. Ms. Ashely added that the various DMMP committee members were invited to take a field trip to Poplar Island that has been rescheduled from August to October 24, 2023, due to weather. Ms. Miller stated that the Terrapin Education and Research Partnership (TERP) is a research program that collects hatched terrapins from Poplar Island and provides those terrapins to classrooms across the state to be raised, used in student learning, and later released back on Poplar Island. The last of the most recent group of terrapins was released in August 2023, and scheduling has begun for the 2024 TERP partner release dates. The distribution of the new hatchlings to TERP partners has begun.

The Mid-Chesapeake Bay Island Ecosystem Restoration Project (Mid-Bay) is another one of MPA's beneficial use projects that involves the restoration of two islands in Dorchester County. Barren Island construction began in March 2023 and is approximately 35% complete. Barren Island Phase II design is ongoing, and the construction contract is anticipated to be awarded in Spring 2024. The James Island design is ongoing and MPA is anticipating the construction contract to be awarded in the summer of 2025. The supplemental Environmental Assessment for Barren Island for the borrow area is completed and the public review period closed October 9, 2023, however comments are still being accepted. The James Island Supplemental Environmental Impact Statement will be ready for public review in early 2024.

## **7.0 DMMP Annual Meeting Planning**

**Rachael Gilde, MPA**

Ms. Gilde invited the CC COC meeting attendees to the upcoming 2023 DMMP Annual Meeting being held at MedStar Harbor Hospital on December 7, 2023, with a virtual attendance option available. MPA hosts the DMMP Annual Meeting each year in early December to share annual accomplishments, focus on recommendations for the next year, celebrate participation in and dedication to the DMMP, provide an opportunity for networking, and receive feedback from stakeholders. The DMMP Annual Meeting intentionally coincides with the release of MPA's DMMP Annual Report.

The 2022 DMMP Annual Meeting had a total of 133 attendees, 79 of whom attended in person and 54 of whom attended virtually. Ms. Gilde asked the committee to review the groups represented at the 2022 DMMP Annual Meeting to assess whether any important groups were absent. Mr. Marston recommended that the Sierra Club be extended an invitation to the 2023 Annual Meeting. Ms.

Whilden added that the county commissioners and delegates in the areas of the Poplar Island and Mid-Bay projects be extended an invitation as well, as there are no DMMP committees dedicated exclusively to those projects.

Committee attendees were asked for input in the form of a survey regarding recommendations to engage new audiences, meeting time, and which of three topics (listed below) DMMP committee members are most interested in engaging on as a part of a collaborative session at the 2023 DMMP Annual Meeting. Options for topics of discussion include:

- How to increase equitable access to DMMP sites
- How to recruit DMMP committee members that reflect the diversity of the communities adjacent to and impacted by the Port
- The importance of incorporating nature-based and climate solutions into long-term DMMP project planning, design, and operations

Ms. Gilde emphasized that the management of dredged material is complex and impacts different groups of people in and around the communities in which the Port operates. Ongoing engagement with stakeholders such as DMMP committee members, government agencies, local businesses, environmental organizations, and the public makes collaboration possible.

#### **8.0 Roundtable Remarks and Open Discussion**

**All Members**

Mr. Swift stated that an Innovative Reuse Committee (IRC) meeting will be held on October 17, 2023, at 5:30 PM in the Cox Creek Operations and Maintenance Complex conference room.

Community members asked questions about the CAD pilot project. Ms. Miller stated that CAD is an alternative dredged material management strategy that is under consideration. CAD efforts are on pause to focus on outreach and engagement efforts. It is a priority for MPA to gather community feedback and ensure that communities are engaged on what the concept is and the proposed location.

#### **9.0 Upcoming Meeting and Adjournment**

**Angie Ashley, Facilitator**

Ms. Ashley stated that the 2024 CC COC meeting dates will be distributed once finalized. The meeting was adjourned.