

**SUMMARY OF THE DREDGED MATERIAL MANAGEMENT PROGRAM
CITIZENS' ADVISORY COMMITTEE MEETING
May 8, 2024, at 5:30 PM – Hybrid Meeting
Middle Branch Fitness and Wellness Center– 201 Reedbird Ave, Baltimore, MD 21225**

Attendees:

Anne Arundel County Community College Environmental Center (AACC EC): Tammy Domanski*
Baltimore County Department of Environmental Protection and Sustainability: David Riter
Blue Water Baltimore: Dan O’Leary
Chesapeake Bay Association: Frank Neighoff
Chesapeake Bay Foundation: Gussie Maguire*
Citizens Advisory Committee (CAC): Angie Ashley (Facilitator), Adam Lindquist (Chair)
Cox Creek Citizens Oversight Committee (C O C): Gary Gakenheimer *
EA Engineering, Science, and Technology (EA): Peggy Derrick
EcoLogix Group, Inc.: Robert Summers
Fort Howard Community Association: Scott Pappas
Hart-Miller Island C O C: Paul Brylske
Kent Conservation and Preservation Alliance: Doug West
Maryland Environmental Service (MES): Claire Spears
Maryland Port Administration (MPA): Danielle Fisher, Rachael Gilde, Holly Miller
Masonville CAC: Anita Kestel *
National Aquarium: Laura Bankey
North Point Peninsula Council: Francis Taylor
Patapsco Back Rivers Tributary Team: Stuart Stainman
Residents: Bill Ball, Chuck Thompson*
Riviera Beach Community: Dawn Hegarty*
Rock Creek Community: Ruth Sliviak*
Stoney Beach Community: John Garofolo*

*Denotes attendees who participated online.

Action Items:

- MPA will gather and share information regarding pleasure boating activities and ancillary channel openings related to the Francis Scott Key Bridge collapse efforts.
- Mr. Brylske will share the Hart-Miller Island C O C letter regarding the legislation amendment with MPA.
- MPA will meet with HMI C O C members prior to the July meeting to discuss concerns surrounding House Bill 343.
- MPA will plan to share the presentation on the Maryland Department of the Environment (MDE) innovative reuse and beneficial use (IRBU) screening process at an upcoming CAC meeting based on committee interest.
- MPA will invite the MDE to present on the Francis Scott Key Bridge collapse cleanup efforts at a future CAC meeting.
- Ms. Ashley will share Ms. Kestel’s contact information with Mr. Brylske to coordinate a visit to Hart-Miller Island.
- Ms. Ashley will distribute the CAC Field Trip location poll for member input.

1.0 Welcome and Roll

Angie Ashley, CAC Facilitator

Meeting materials can be found at the following link: [CAC 2024 - Google Drive](#). Ms. Ashley began the meeting with introductions and stated that the U.S. Army Corps of Engineers (USACE) was unable to attend due to scheduling conflicts but provided resources for attendees to review.

2.0 Opening Remarks

Adam Lindquist, CAC Chair

Mr. Lindquist requested a motion to approve the February 7, 2024, CAC meeting summary. Ms. Bankey motioned, Mr. Neighoff seconded the motion, and the Committee approved the meeting summary without changes. Mr. Lindquist welcomed attendees and commended Mr. Brylske, Hart-Miller Island C O C Chair; Ms. Kestel, Masonville CAC Chair; and Mr. Gakenheimer, Cox Creek C O C Chair, for the hard work they do for their respective DMMP committees. Mr. Lindquist stated that the DMMP leverages a series of stakeholder oversight and advisory committees that assist in implementing the dredged material management program. The CAC is a forum for engagement with Harbor Development staff on all MPA projects and programs. As the Chair of the CAC, Mr. Linquist explained that the role includes representing the CAC on the Management Committee and reporting to the Executive Committee to ensure citizens' concerns are shared.

3.0 Announcements

Holly Miller, MPA

Ms. Miller provided an update on the Francis Scott Key Bridge collapse and expressed appreciation for the public's patience as the Port of Baltimore (POB) continues to work through the unimaginable situation. Governor Moore is leading a collaborative effort involving state, city, and national officials to recover the lost individuals, investigate the collision's cause, and clear the debris to reopen the vital shipping channel. MPA Executive Director, Jonathan Daniels, is spearheading MPA's efforts in close coordination with various partners. The Fort McHenry limited access channel will open on May 8, 2024, at 7:00 PM at a depth of 48 feet for commercially essential vessels. The channel will remain open until May 10, 2024, at 6:00 AM at which time the channel will be closed to allow for critical salvage operations to take place with the goal of reopening the channel on May 14, 2024. Unified Command is committed to and on track to reopen the full 50-foot channel by June 1, 2024, thereby restoring POB access to normal capacity. For ongoing updates on the coordinated response efforts, attendees were directed to visit the [Key Bridge Response 2024](#) website maintained by the Unified Command. Mr. Gakenheimer inquired as to whether there are channels open for pleasure boating. Ms. Miller stated that Unified Command is working diligently to reopen the main channel for commercial traffic and that several ancillary channels have been opened at various stages of the process; however, information regarding pleasure boating would need to be gathered. In response to a question from Ms. Bankey regarding channel opening efforts, Ms. Miller stated that efforts to open ancillary channels and reopen the 50-foot channel thus far have only entailed the removal of debris. However, there may be dredging needs in the future as more debris is extracted. MPA will continue close coordination with Unified Command to determine the placement of the resulting dredged material, which will depend on the amount of debris remaining in the sediment. If the debris can be sifted out and the material meets MPA's sediment quality requirements, then it can potentially be placed at one of MPA's dredged material containment facilities (DMCFs). If the debris is unable to be removed, the material will be taken to an upland landfill in coordination with MDE.

Ms. Miller discussed the legislation introduced during the 2024 session to amend the composition and responsibilities of the Cox Creek C O C to help replace obsolete members and modernize responsibilities. MPA supported this legislation with amendments as an active Cox Creek C O C is a critical component of the DMMP. The legislation passed both chambers and will become effective on July 1, 2024. The legislation details that the appointment of members will be the governor's

responsibility and that the governor will determine membership terms. Additionally, an amendment was added that would reopen Hart-Miller Island to accept a limited amount of dredged material from Baltimore County projects as well as large-scale redevelopment projects such as the proposed Sparrows Point Container Terminal, a joint venture between Tradeport Atlantic (TPA) and Terminal Investment Limited (TIL)). Ms. Miller emphasized that MPA was not involved in or consulted regarding the amendment. MPA supports the Sparrows Point Container Terminal project, helping boost Maryland's economy and generating local jobs; however, MPA has reservations about the amendment as it relates to the DMMP and the amendment process did not include stakeholder engagement. As a result, MPA is reviewing implications internally.

Mr. Brylske expressed concerns with the amendment related to reopening Hart-Miller Island to accepting material and that the amendment has generated numerous questions that have not yet been answered. The amendment removes specificity regarding Hart-Miller Island C O C membership and provides an exception to current legislation preventing the approval for the redeposit of dredged material within five miles of Hart-Miller Island. Ms. Miller echoed Mr. Brylske's concerns and stated that this is not how dredged material management decisions are typically handled within the DMMP. The infrastructure at Hart-Miller is not currently in the proper condition to accept material, and the current permits are not related to active placement since the plan was to move toward habitat development, therefore significant work would need to take place to accommodate placement of dredged material at Hart-Miller Island. Reactivation of Hart-Miller Island has not been MPA's intention. Mr. Taylor and Mr. Brylske recommended, given the recent developments surrounding Hart-Miller Island, that the Hart-Miller Island C O C members meet in June to address the situation in a timely manner. Mr. Pappas expressed concern over the process related to the community benefits agreement and the implications this amendment has in the long term. Mr. Brylske agreed that there needs to be a decision-making process and that the process needs to be transparent and equitable. In addition, the Hart-Miller Island C O C submitted a letter to TPA and elected officials, including a figure regarding criteria, funding opportunities, and community benefits. Ms. Miller requested a copy be shared with MPA so that MPA can understand the stance of the Hart-Miller Island C O C. Mr. Brylske stated that the Hart-Miller Island C O C intends to be as transparent regarding the legislation as possible and expects a fair, transparent, and equitable process.

Ms. Miller discussed the legislation to introduce a Confined Aquatic Disposal (CAD) task force. During the process, MPA coordinated closely with legislative representatives and supported the bill with amendments. Despite support for the bill, it did not pass, however, MPA remains committed to dedicating the necessary resources and funding to implement the intent of the proposed task force through the DMMP Bay Enhancement Working Group (BEWG) to ensure that there is a public participation process. The CAD sub-committee of the BEWG will be open to the public and legislative representatives. MPA is working to organize and add representation to the group as it was identified in the proposed bill. The goal was to initiate this effort in the summer of 2024, however, that timeline has been slightly delayed due to the Francis Scott Key Bridge collapse. Attendees interested in CAD were directed to [DMMP website](#) for more detailed information regarding CAD and to sign up for an email distribution list to receive additional CAD updates. Moving forward, MPA will provide updates regarding CAD and BEWG at CAC meetings. In response to a question from Mr. Taylor regarding the proximity of the proposed CAD pilot cell to the Francis Scott Key Bridge and TPA, Ms. Miller stated that the proposed pilot cell is located outside the five-mile radius of TPA and assured attendees that the new CAD task force will be reassessing site selection.

4.0 Dredged Material Placement Screening

Peggy Derrick, EA

Ms. Derrick, Vice President at EA with over twenty-seven years of experience in environmental assessments, provided an overview of the MPA screening processes for accepting material into Baltimore Harbor DMCFs. Ms. Derrick stated that sediment quality information is essential for the management of MPA's DMCFs. Material can be dredged from federally maintained channels; state-maintained channels and berths; and privately maintained channels and berths. MPA utilizes sediment quality data, consisting of both physical and chemical parameters, with respect to the placement and acceptance of material into MPA facilities.

The Baltimore Harbor includes an intricate series of channels that are maintained by USACE, resulting in material that is placed at either the Cox Creek or Masonville DMCF. Approximately 600,000 cubic yards (cy) of sediment are dredged from the federally maintained Baltimore Harbor channels annually. Federally maintained channel material accounts for approximately 80% of the material that is placed in the DMCFs, while the other 20% comes from state and privately maintained channels and berths. The federally maintained channels are maintained to -50 ft mean lower low water (MLLW) and are dredged every three to four years depending on the rate of shoaling. The USACE has historical data consisting of physical and chemical data for each of the Baltimore Harbor channels dating back to 1995 and they are in the process of gathering a new set of data. MPA has a database with records of the material that has been placed into the facilities since the 1990s. Mr. Brylske asked if the database is available for public access. Ms. Derrick responded that the data is not available on the DMMP website but can be provided by request through MPA. Ms. Bankey requested clarification on what sediment is being sampled and added to the historical dataset. Ms. Derrick stated that the USACE conducts hydrographic surveys to track channel conditions and support dredging operations. Hydrographic surveys are underwater surveys that are used to calculate material volumes. Based on those surveys, sampling locations are identified to accurately represent the material that will be dredged from the channel and placed at MPA facilities.

Ms. Derrick outlined the required Right of Entry (ROE) application process for placement of material at MPA facilities. The first step in the ROE application process is the submission of a request letter to MPA indicating interest in material placement at an MPA facility. The next step includes the preparation and submission of an application form, Sampling and Analysis Plan (SAP), results of dredged material testing, copies of applicable permits, and an operations plan detailing how the material will be placed at the facility. Additionally, pre- and post-dredging hydrographic surveys must be submitted. On average, MPA receives two to three applicants annually. The application process, not including permitting, generally takes three to six months but can last longer depending on the completeness of the application. As a part of the ROE application process, projects must be identified as new work or maintenance dredging. Due to capacity limitations, MPA currently only accepts maintenance dredging projects. Additionally, MPA requires information regarding project location, volume of material, whether the dredging will be hydraulic or mechanical, and the schedule for dredging. The SAP includes where the sampling will take place; how the sampling will be carried out, including sample collection and compositing methods, if the samples will be shallow grab samples or deep core samples, sample preparation and handling methods; and sampling parameters including analytical laboratory testing methods, detection limits, and quality assurance and quality control (QA/QC) procedures. It is essential that the collection of representative samples occurs to accurately reflect the quality of the material being removed from the channel. MPA requires a minimum of two composite samples consisting of material from three sampling locations to be analyzed for each project that is placed at an MPA facility.

Dredged material testing is classified by the analysis of physical and chemical parameters. Most sediment from Baltimore Harbor is 80% water and 20% solids, which requires modifications to laboratory testing methods to account for the moisture content or the detection limits increase. Physical testing includes grain size; Atterberg Limits, which is related to the material's ability to shrink; specific gravity, which is related to water displacement by the sediments; and moisture content. Chemical testing includes metals, volatile organic compounds (VOCs), polychlorinated biphenyls (PCB) congeners, pesticides, polycyclic aromatic hydrocarbons (PAHs), semi-volatile organic compounds (SVOCs), total petroleum hydrocarbons (TPH), nutrients, pH, total organic carbon, ammonia, cyanide, sulfide, tributyltin, and Toxicity Characteristic Leaching Procedure (TCLP). The TCLP procedure is used to determine if the material is classified as hazardous or non-hazardous based on the definition by the Environmental Protection Agency (EPA). If the material does not pass the TCLP, it cannot be accepted at an MPA facility.

MPA conducts a screening process that provides physical and chemical information to evaluate material quality prior to placement at MPA facilities. Data screening provides a record of the quality of material placed in MPA facilities, verifies that the material is non-hazardous, identifies materials with chemical concentrations that differ from those previously placed, allows for implementation of material management practices as appropriate, assists with early identification of materials suitable or not suitable for future IR, and facilitates effluent and discharge management to meet permit limits and requirements. The MPA data screening includes a comparison of chemical concentrations to regulatory limits to determine whether the concentration of the chemical is greater than or less than the regulatory limit or numeric screening value. Additionally, data screening involves a comparison of a chemical concentration to a numeric value or concentration that is representative of the existing facility condition. This Baseline Control Limit (BCL) is used to determine if the material is similar or dissimilar to what has been previously placed in the DMCF. BCLs are statistically derived numbers using historical data and represent an upper concentration for each chemical constituent for which 95% of concentrations would be expected to fall below. If the result/concentration for a specific chemical is higher than the BCL, the analyte concentration is considered dissimilar to the current material that has been placed in the DMCF and must be examined further.

Ms. Derrick reviewed a flow chart detailing the MPA screening process. First, TCLP results are reviewed to determine if the results exceed the regulatory criteria. If the material exceeds the regulatory criteria it cannot go into an MPA DMCF. If the TCLP results meet the regulatory criteria, then all the other data are compared to the BCLs. If laboratory results are less than or equal to the BCLs, then the material is acceptable for placement at a DMCF. If the data exceeds the BCLs, the exceedances are investigated. Rejection of material can occur at MPA's discretion. Ms. Bankey asked for the screening process to be clarified in terms of open-water placement. Ms. Derrick stated that this screening process is specific to the placement of material at MPA facilities and that the screening process for open water placement is much more rigorous due to the lack of capping/containment of the material. Ms. Miller added that MPA's screening process is modeled after the EPA's Inland Testing Manual. Mr. Taylor stated that TPA has provided a land-based and water-based site in the container terminal project proposal to manage the resulting material and inquired if there is a difference in screening requirements between land-based and water-based sites. Ms. Derrick stated that there are different requirements for land-based and water-based placement and additional differences depending on whether the water-based placement is confined or not.

Ms. Derrick outlined the differences in MPA's DMCF screening versus MDE's IR and B U screening. MPA DMCF screening is used to determine material acceptance at MPA DMCFs and for management of MPA facilities. MDE Fill Material and Soil Criteria screening is used to categorize material based on allowable IR or B U of the material. It is important to remember these two screenings are different and that the MDE screening is used to screen materials from many sources, not just material proposed for reuse from MPA DMCFs. MDE established four categories for the management of engineered fill, including dredged material, for IR and B U. Category 1 through 3 are the categories of material that also typically pass the MPA screening process and are acceptable for DMCF placement. Category 4 material is not accepted at MPA facilities.

Mr. Ball asked for clarification regarding the specific EPA leaching test for dredged material. Ms. Derrick stated the leaching test used for dredged material is the same as that which is used for landfilling of material which examines leaching of material at an upland site and the toxicity associated with that leachate. Mr. Ball emphasized the importance of testing for chromium. Ms. Derrick stated testing occurs for chromium and hexavalent chromium and clarified that the material is maintenance dredging material that is actively shoaling. Chromium could be a concern if the material were a result of dredging a location that had never been dredged before and therefore has the potential to contain legacy contamination.

Mr. Pappas asked why material from Baltimore Harbor must be maintained and managed within the Baltimore Harbor if new technologies allow for advanced sediment testing and since the dredged material quality has been consistent. Ms. Miller stated that dredged material from Baltimore Harbor is required by Maryland State Law to be maintained and managed within Baltimore Harbor. Per statute, the Baltimore Harbor is defined as the area westward of Rock Point in Pasadena and North Point in Baltimore County. Ms. Miller added that the law would need to be changed to place Baltimore Harbor dredged material outside of the legally defined Baltimore Harbor. Ms. Derrick stated that Brewerton Channel, the first channel westward of the North Point/Rock Point Line, has been tested for ocean placement which is an extremely rigorous testing program, and it has passed those testing requirements. Mr. Garofolo and Ms. Hagerty, having attended a previous presentation on the MPA screening process provided by EA, requested that the dredged material characterization slides be included in future presentations as the slides were not present in the current version of the presentation. Ms. Miller and Ms. Ashley clarified for attendees that MPA hosted the Stoney Beach Condominium Association on May 1, 2024, during which Ms. Derrick provided the MPA screening process presentation, and Ms. Cythnia Cheatwood of EA provided a detailed presentation on the MDE IRBU screening process. The MDE IRBU screening process can be shared at a future meeting if there is Committee interest. MPA is also open to providing detailed project-related presentations to any interested community.

5.0 DMMP Committee Updates

Committee Chairs, MPA

Ms. Ashley thanked the attendees for their open dialogue and welcomed the various DMMP committee chairs to share updates.

Cox Creek C O C

Mr. Gakenheimer stated that access to the Cox Creek DMCF has been restricted due to the site's proximity to the Francis Scott Key Bridge resulting in public interest. Work has been completed on the cleanup of the bridge and the sixth missing person has been found. Mr. Gakenheimer called out an article detailing USACE's Lieutenant Commander Amanda Faulkner's statements that there is no immediate concern for risk to human or environmental health.

Masonville CAC

Ms. Kestel stated that recent Masonville CAC meetings have been focused on the Masonville Cove Connector (MCC) and encouraged those interested in learning more about the project to attend the May 14, 2024, meeting.

Hart-Miller Island C O C

Mr. Brylske, on behalf of the Hart-Miller Island C O C, stated that the Hart-Miller Island State Park opened for the season on May 1, 2024. The land base pier required repairs, so a few trips were delayed as a result. As a result of the Chesapeake WILD grant, a Bioblitz will be held at Hart-Miller Island on September 28, 2024. Additionally, a Friends of Hart-Miller Island fundraiser will be held on July 20, 2024, at Charly's Waterfront Restaurant and invited all to attend if interested.

6.0 Round Table Remarks & Open Discussion

Committee Members,

MPA

Mr. Lindquist expressed gratitude towards MPA for supporting the Trash Wheels, which removed over one million pounds of trash from Baltimore Harbor in 2023. The birthday party for Mr. Trash Wheel was a sold-out event attended by 450 people. The development of the Baltimore Blueway is progressing, and money is being raised to support the installation of kayak launches around Baltimore Harbor. The annual paddling event will be held on June 8, 2024, at which kayakers are invited to launch from the Canton Waterfront Park and paddle into Baltimore's Inner Harbor. Mr. Lindquist stated there will be a jump in Baltimore Harbor with Mayor Brandon Scott and other VIPs, the date of which is to be determined. Additionally, Ms. Katie Humphrey, a marathon swimmer, presented to the Harbor Safety Committee about plans to swim from Sandy Point to Harborplace, which will take approximately twelve to thirteen hours. The swim was originally planned for May 2024; however, due to the Francis Scott Key Bridge collapse, it has been delayed. Unified Command has been involved in the coordination of the swim and is hopeful it will be able to occur in late June.

Mr. Stainman commended the Unified Command and all government agencies involved in the Francis Scott Key Bridge collapse response efforts for the outstanding work and coordination conducted to reopen the Port of Baltimore and clear the debris from the main channel. Mr. Ball raised concerns regarding possible contamination in the sediment because of the Francis Scott Key Bridge collapse and inquired as to MDE's involvement in the response efforts. Ms. Miller stated that MDE is an integral part of the Unified Command and has been working tirelessly to not only reopen the Port of Baltimore, but to do so in a manner that reduces long-lasting impacts. Mr. Garofolo requested that MDE attend the September CAC meeting after the Francis Scott Key Bridge collapse clean-up efforts are complete, to address environmental concerns.

Ms. Ashley stated that the annual CAC Field Trip will be held on August 16, 2024, with a rain date planned for August 23, 2024. One option for the field trip is to visit the Paul S. Sarbanes Ecosystem Restoration Project at Poplar Island. Another option would be to visit the Cox Creek DMCF in conjunction with the adjacent Cox Creek Sediment Technology and Reuse (STAR) Facility and possibly Hawkins Point. A survey will be distributed for those interested in attending to fill out their preference for the field trip destination. Multiple attendees expressed increased interest in the Cox Creek tour option. Ms. Kestel inquired if there would be an upcoming opportunity to visit Hart-Miller Island. Mr. Brylske requested that Ms. Ashley provide him with Ms. Kestel's contact information to coordinate a visit to Hart-Miller Island.