

Memorandum

TO: Hart-Miller Island Citizens Oversight Committee

FROM: Taylor Hoskins – MES

DATE: May 24, 2024

SUBJECT: Next meeting – July 16, 2024

The next meeting of the Hart-Miller Island Citizens Oversight Committee (HMI C O C) will be held ONSITE on Tuesday, July 16, 2024. The boat will pick up attendees at 5:00 pm at Weavers Marina in Essex, MD. Please arrive a few minutes early, as the boat will leave promptly at 5:00 pm. The Maryland Port Administration (MPA) will provide dinner. All attendees must confirm their attendance, number of guests, and mode of transportation to Taylor Hoskins at Thoskins@menv.com by July 10, 2024. There is no call-in option available for this meeting.

Attached for your review is a copy of the March 19, 2024, meeting summary.

FINAL
SUMMARY OF HART-MILLER ISLAND
CITIZENS OVERSIGHT COMMITTEE MEETING

March 19, 2024 – 6:30PM
2200 Broening Highway, Baltimore 21224

Attendees:

Baltimore County Seventh District: Paul Brylske (Chairman)

Maryland Department of Natural Resources: Richard Ortt, Robin Reed, Chris Gleason-Smuck, Ken Miller, William Sade

Maryland Port Administration: David Bibo, Amanda Peñafiel, Danielle Fisher

Maryland Environmental Service: Megan O'Hara, Taylor Hoskins

North Point Peninsula Community Coordinating Council: Fran Taylor

MD Waterways: Sam Weaver

Baltimore Bird Club: Joe Corcoran

Others Present: Charmaine Dahlenburg (National Aquarium and Friend of HMI State Park), Devin Crum (The Peake), Chuck Porcari (Seneca Park LLC)

Action items:

1. Maryland Environmental Service (MES) will continue to provide annual environmental monitoring updates to the Hart-Miller Island Citizens Oversight Committee (HMI C O C).
2. Maryland Port Administration (MPA) and MES will provide updates on North Cell Habitat Development progress.
3. MPA and MES will keep the HMI C O C updated as the HMI Infrastructure Working Group progresses.
4. MPA and MES will provide the Department of Natural Resources (DNR) with the Station 265 pier construction schedule. – *Action item completed: An email sent from MPA and MES on March 20, 2024, explained that no dredging could occur between April 15 and October 15, so all work would take place after the summer season.*
5. MPA will provide Mr. Taylor with the volume of fill material required for the Gahagan & Bryant Associates (GBA) Alternative 2 design. – *Action item completed: An email sent from MPA on March 20, 2024, explained that this answer depends on where the berm to contain the material is built, however the preliminary estimate for the alternative 2 design would require over 1 million cubic yards of fill material.*
6. MPA will follow up with the HMI C O C on the request for more weekend bird tours. – *Action item completed: An email sent from MPA on March 26, 2024, explained that the request was denied due to budget concerns.*
7. MES will provide the HMI 2023 Environmental Monitoring Update presentation slides to the HMI C O C. – *Action item completed: Presentation slides were sent out via email on March 20, 2024. The slides will also be sent with the March 19, 2024, HMI C O C Meeting Summary.*
8. MES will be in contact with DNR and Virginia Institute of Marine Science (VIMS) to share Submerged Aquatic Vegetation (SAV) data from HMI. – *Action item completed: DNR and MES corresponded via email on March 20, 2024. VIMS will accept HMI data to include in an*

ongoing long-term ground observations dataset.

9. MES will provide Mr. Ortt with the HMI Groundwater Monitoring Plan. – *Action item completed: MES provided Mr. Ortt with the HMI Groundwater Monitoring Plan via email on March 20, 2024. MES will compile a longitudinal groundwater analysis for the July meeting.*
10. MPA and Ms. Dahlenburg will provide the HMI C O C with dates of the Baltimore City youth camps and other events taking place at HMI through the National Fish and Wildlife Foundation Chesapeake WILD Grant. – *Action item completed: On April 3, 2024, MPA provided the following dates – On July 30, 2024, the Watershed Wonders summer camp will visit HMI (24 campers, 4-5 staff). On September 28, 2024, the Girl Scouts BioBlitz event will take place at HMI (25 participants, up to 10 staff).*

1.0 Welcome & Opening Remarks

Paul Brylske, Chair

The HMI C O C reviewed action items and approved the July 18, 2023, meeting summary. Mr. Brylske thanked MES, MPA, and DNR for their attendance, leadership, and continued commitment to the HMI partnership. Mr. Brylske is very pleased with the work being done at HMI between the agencies.

2.0 Friends of HMI State Park (HMI Friends Group)

Paul Brylske, Chair

Mr. Brylske reviewed past and future scheduled events for the Friends Group. The Friends Group attended the Boat Show January 19-21, 2024, with partners from MD Waterways, the Coastal Conservation Association, MES, and DNR. DNR is hosting a workday cleanup event at HMI on April 6, 2024, with a rain date of April 7, 2024. Mr. Bibb asked who would be handling transportation for this event and Ms. Reed responded that DNR will oversee transportation of individuals for the cleanup. The HMI Friends Group and MD Waterways will be collaborating at the Key Brewing cleanup on Grays Road on April 13, 2024. A cleanup is also scheduled at North Point State Park, Todds Inheritance, Millers Island Road, Hall Road, and the Battlefield on April 20, 2024. Todds Inheritance will open for the 2024 season on April 27. The HMI Friends Group will have a table at the Maryland Fleet Week and Flyover event June 12-18, 2024. The Friends Group are partnering with North Point State Park for the June 26, 2024, fishing derby. A tentative fundraiser is scheduled for July 20, 2024, at Charly's Restaurant and Bar on Turkey Point Road. The brochure used by the HMI Friends Group at outreach events was translated to Spanish. DNR will be putting out a monthly newsletter for HMI and North Point State Park. Mr. Brylske and Ms. Wynn will give a presentation to the Oregon Ridge Nature Center Council on May 21, 2024. Mr. Brylske acknowledged Ms. Fittig's hard work on website development. Mr. Brylske noted that he had been nominated and approved to serve an additional two-year term as Chairman of the Friends Group. Mr. Brylske mentioned that he appreciated MES' efforts to move sand that had shifted back into place in the DNR beach area.

3.0 Chesapeake WILD Funding

Charmaine Dahlenburg, National Aquarium

Ms. Dahlenburg stated that the National Aquarium has been awarded the National Fish and Wildlife Foundation Chesapeake WILD Grant of \$235,000 for two years. MPA contributed some match funds by providing boat and bus transportation and staff assistance. Ms. Dahlenburg thanked MES

and Ms. Peñafiel for coordinating field trips to HMI for Baltimore City youth camps taking place this summer and next summer, as well as a Girl Scouts of America BioBlitz event on September 26, 2024, both of which are funded by the grant. Funding for HMI includes \$3,500 for bikes, a spotting scope, and other supplies. Ms. Reed noted the largest costs of operating the bike program are replacement tires and tubes due to the gravel trails, as well as replacement bike pedals. Ms. Reed said this funding will help DNR with the program costs this summer.

4.0 Birding

Joe Corcoran, Baltimore Bird Club

Mr. Corcoran was very happy with the 2023 birding program and highlighted the program's success; the group had one visit to HMI per month in the winter, and two trips per month in the spring and summer. Mr. Corcoran said there are approximately 1,000 people currently on the waiting list and noted the desire from the public to tour HMI. Rare sightings included Trumpeter Swans, Roseate Spoonbills, and many other migrating birds. Mr. Corcoran was very appreciative, thanking MPA, DNR, and MES for the efforts toward birding tours. Mr. Corcoran requested more weekend tours, if possible.

5.0 2023 HMI Monitoring Presentation

Taylor Hoskins, MES

Groundwater monitoring occurred in June and December of 2023. The HMI groundwater wells do not discharge to surface waters, and they are not used for drinking water. Most groundwater results from 2023 for trace metals were below EPA drinking water standards. Dissolved Iron and Dissolved Manganese exceeded the EPA Maximum Contaminant Level (MCL) for drinking water in groundwater at all wells in June and December. Iron and Manganese are secondary standards. EPA has Secondary Drinking Water Standards, that are not mandatory, however have set Secondary MCLs, to assist public water systems in managing drinking water for aesthetic considerations such as taste, color, and odor. Dissolved Arsenic exceeded the EPA MCL in June and December at Well 6A and Well 12A for drinking water sourced by groundwater. In 2022, Dissolved Arsenic only exceeded the EPA MCL in December. Mr. Brylske requested a longitudinal report of groundwater data from MES to review trends over time. Mr. Ortt agreed that a time series concentration would be valuable to determine if there is any leaching from the berms. Mr. Ortt noted that the Maryland Geological Survey can provide historical data to MES, if needed.

Exterior monitoring for Submerged Aquatic Vegetation (SAV) was conducted in June and September 2023 along the western side of HMI from the Station 265 pier to the southern point of Miller Island. Species found included wild celery (*Vallisneria americana*), widgeon grass (*Ruppia maritima*), coontail (*Ceratophyllum demersum*), and Eurasian watermilfoil (*Myriophyllum spicatum*). Sampling results from June 2023 showed similar SAV density as the June 2022 sampling results. However, results from September 2023 showed a decrease in density from sampling events in September 2022 and June 2023. MES and MPA hypothesized that high rain totals in July and August 2023 may have hindered grass growth due to excess nutrient and sediment pollution. Mr. Ortt confirmed that DNR SAV coverage showed a decrease in SAV throughout the Chesapeake Bay in 2023, likely due to freshwater input. Mr. Ortt said he would put MES in contact with the DNR SAV experts for the Chesapeake Bay so that the HMI study could be put in perspective with other SAV areas and timelines. Additionally, Baltimore County has their own SAV study so MES may want to compare data with them. Ms. Peñafiel asked if our data was still being shared with Virginia Institute of Marine

Science (VIMS). MES will be in contact with DNR and VIMS to share SAV data from HMI.

Invasive vegetation monitoring and control was conducted from May to September 2023. Invasive species control was conducted for *Phragmites australis*, thistle, mile-a-minute, Japanese honeysuckle, pokeweed, and multiflora rose. Over ten acres of the North and South Cell were controlled for invasive species through ground-spraying. An aerial herbicide spray occurred at HMI on September 27, 2023. A total of 500 acres were sprayed to target *Phragmites australis* in the North Cell and South Cell. In 2024, MES will continue to coordinate with DNR Forest Service and Baltimore County to complete a burn of the North Cell and DNR marshes to target the previously sprayed *Phragmites australis*. To date, high rains have increased the pond elevation, limiting the ability to conduct the burn.

All water discharged from the facility is required to meet requirements set forth by HMI's National Pollutant Discharge Elimination System (NPDES) Permit issued by the Maryland Department of the Environment. In 2023, HMI discharged a total of 96.55 million gallons (MG) from North Cell Spillways 007, 008, and 009. All discharge results were within permit limits for 2023 and there were no non-compliances reported.

Algae sampling in 2023 was conducted monthly from June to October at Spillway 003, Spillway 009, and the South Cell Holding Pond to monitor for harmful algal blooms (HABs). Samples were collected and analyzed for HABs by GreenWater Laboratories. Additional algae sampling was conducted at Spillway 008 in August, September, and October 2023 due to high pH readings, a green coloring of the water, and a strong odor from the area. All algae samples collected in the 2023 season that were found to have potentially toxigenic cyanobacteria and recommended for further testing either had non-detect results or toxin concentrations lower than the World Health Organization (WHO) provisional guidance threshold for recreational water and below the current EPA Recommended Value for Recreational Criteria and Swimming Advisory.

MES provided transportation to and from HMI, offering general and birding tours to community members. In 2023, MES hosted the highest number of tours on record (46), welcoming over 780 guests. The Friends Group and the Baltimore Birders, facilitated by Baltimore Bird Club in conjunction with HMI Friends Group, visited HMI on more than 20 occasions. HMI was listed as the number one hotspot in Maryland on eBird.org for total species observed in 2023. The HMI Christmas Bird Count was held on December 16, 2023. MES resident birder, Tim Carney, completes monthly bird surveys at HMI. Some of his 2023 highlights included third year breeding Trumpeter Swans, a Painted Bunting, a Roseate Spoonbill and King Rails.

HMI State Park and South Cell public access opened on May 1, 2023. Bicycling, hiking, and bird watching were offered to the public in the South Cell as well as boating, swimming, and fishing at the State Park. The Nature Center and snowball concessions were open for the season. A total of 44,516 visitors were welcomed to the HMI State Park and South Cell, including 839 bikers and 66 hikers. South Cell Public Access visitation decreased by 15% in 2023 when compared to 2022. However, fishing, boating, biking, interpretive programs, canoeing and kayaking, and paddleboarding all increased from the previous year. The 5-Miler race scheduled to take place on October 21, 2023, was canceled due to high winds and concern for safe passage of participants.

A new HMI Intergovernmental Agreement (IGA) was established in February 2021, which outlines the roles and responsibilities for MPA, DNR and MES in the partnership for the entire site through December 2025. As part of the HMI IGA, an HMI Infrastructure Working Group was formed to study, evaluate, and develop an asset management plan. The first meeting was held onsite at HMI on June 13, 2022, with representatives from MPA, DNR and MES in attendance. An HMI inventory list and map was drafted, which includes the South Cell holding pond and various items in the operations building compound and provided to the group. The group visited and discussed each of the items on the inventory list.

The second HMI Infrastructure meeting was held onsite on June 1, 2023. Due to changes in leadership at DNR at the time, MPA and MES briefed the new staff. MPA and MES introduced new DNR management staff to the HMI team, updated DNR management on the progress to date, and continued discussions and coordination of the HMI IGA and Infrastructure Working Group. DNR will be in contact with MPA and MES regarding the assets DNR would like to keep onsite. MPA and MES will keep the HMI C O C updated as the HMI Infrastructure Working Group progresses. MPA and MES will schedule the next HMI Infrastructure Working Group meeting with DNR as design plans progress. MPA and MES will continue working with DNR on the HMI Infrastructure Working Group to develop the asset management plan.

6.0 HMI North Cell Habitat Development

Amanda Peñafiel, MPA

Since the closure of the HMI North Cell, there have been multiple habitat development design plans. In 2012, the design consisted of mostly pond, mimicking the South Cell, however, this design option was determined to be too costly, as it would require DNR to maintain the habitat using pumps. In 2015, the design was modified to be primarily upland, with a deeper pool. MES began implementing this design until DNR requested a series of uplands and open water with a mosaic of habitat types in 2017 and 2018. At that time the partners revisited the shared goals for HMI that include the following:

- Provide seasonal habitat diversity
- Provide passive recreation opportunities & amenities in both the North & South Cells
- Maximize pond depth and surface area to the extent practical to reduce invasive species and to control acidic soils
- Maximize use of onsite resources (soils, organic matter, etc.)
- Manage site surface water based on climatology & hydrology, including storm events
- Minimize size of the upland areas to reduce costs
- Be sensitive to capital costs
- Strive to minimize long-term O&M costs

After revisiting the shared goals, DNR explained that the three priorities they have for North Cell development are habitat for migratory birds, no pumping, and visitor experience. Using these goals and objectives, in 2019 and 2020 MPA and MES, and DNR stakeholders agreed upon the Option D design plan. The goals and objectives were memorialized in the 2021 IGA. Option D includes a 202-acre pond and a design depth of 2.8 feet to help deter the growth of *Phragmites australis*. The bottom elevation of the pond is 34 feet, and the surface water is 36.8 feet. The transition area is 68 acres, and the upland

is 500 acres. To obtain the 2.8-foot depth of the pond, the interior pond would need approximately 930,000 cubic yards of dredging. No pumping would be involved, and elevations would be maintained by precipitation alone. There would be three spillways, one from the North Cell to the Chesapeake Bay, a second from the North Cell to the South Cell, and a third from the South Cell to the Chesapeake Bay. The North Cell would feed the South Cell elevation. In 2020, the preliminary cost estimate was \$47 million, including \$15 million to dredge the interior pond, and a \$10 million 25% contingency cost.

Mr. Ortt expressed his concern about the changing leadership in DNR and whether the current Park Service staff has had sufficient briefing on the IGA. Ms. Peñafiel agreed. MPA and DNR acknowledged the change in staff and leadership at DNR in the past few years and agreed upon the importance of informing and including current DNR leaders on the design plan.

Mr. Brylske explained that the Friends Group met with Mr. Terrell, DNR Manager, to discuss long-term planning. It was suggested that a strengths, weaknesses, opportunities, and threats (SWOT) analysis be conducted and it should include DNR, The Friends Group, MES and MPA. Mr. Brylske would like to continue to work toward what is best for the island and determine how we can share the costs and support agencies so strategic movement of the island development can occur. Mr. Brylske would like to see a state-of-the-art nature center at HMI with a classroom like that of Masonville Cove. Mr. Brylske explained that The Hopkins School of Business approached the Friends Group and expressed an interest in offering leadership institutes on the island.

Mr. Ortt asked Ms. Reed to coordinate with MPA to have a new discussion with DNR leadership and DNR engineering to educate and brief them on the current design plans for HMI. Ms. Reed agreed the SWOT analysis would be completed to determine where resources can be utilized. Mr. Brylske acknowledged DNR's commitment.

Ms. Peñafiel explained that the roles and responsibilities outlined in the IGA state that MPA is responsible for developing the North Cell and then handing it over to DNR for use as a state park. Ms. Reed explained that the designs for the island keep changing because the needs are evolving. Ms. Peñafiel agreed that a SWOT analysis could be useful to determine where costs can be reduced and outline goals and objectives to allow development to proceed. Ms. Reed noted that less is more in terms of goals, objectives, and North Cell development.

In 2023, Gahagan & Bryant Associates (GBA) engineering was subcontracted to conduct a value engineering study for the 2020 design. A dredged material sampling and consolidation study was completed along with an engineering review of proposed North Cell habitat construction methods. Concept and cost reviews of Option D were completed, and alternative recommendations were provided. In April and May of 2023, sediment sampling took place; twenty (20) samples were collected from areas in water and nine (9) samples were collected from areas on land. The sampling results identified several areas of granular material that could be used for construction. The results of sediment sampling also allowed MPA and MES to evaluate whether there were areas where MES staff could begin working on the agreed upon design; unfortunately, the sediment sampling did not reveal any areas where MES staff could begin excavation. It was determined that the pond excavation would most likely need to be done using a small dredge, and a berm would need to be constructed around the perimeter of the pond prior to dredging.

May 2023 data was compared to data collected in previous years to determine degree of consolidation and potential future consolidation. It was determined that the final design will need to account for future settlement and continued consolidation, especially in the pond area.

Per GBA, pros of the Option D design include meeting DNR habitat acreage goals for pond, upland, and transition areas, and the 2.8-foot pond depth to deter *Phragmites australis* growth. Cons of the design include high costs, a large amount of cut/fill required for pond depth and the upland areas, a high degree of grading required in the upland areas, and limited ability to incorporate mechanical excavation or grading using MES resources.

GBA suggested three alternative designs. Alternative designs 1 and 2 had a high cost for development and are not viable options. Alternative 2 requires the placement of offsite dredged material, and therefore, is also not viable. In the alternative 3 design, the 2.8-foot minimum pond depth requirement would be reduced to approximately 1.5 feet. To develop the North Cell, there may need to be a compromise on some of the original goals established. Reducing the amount of upland habitat acreage can save costs on placement, grading of material, and planting. Reducing the 2.8-foot pond depth goal can save costs on the total amount of excavation required.

MES has completed a draft construction plan in which MES proposes to mechanically fill approximately 25 acres of the North Cell between station 103 and 133 to begin upland/forest habitat development. Fill volume is estimated to be 125,000 cubic yards and will be sourced from the stockpile located at station 135. Additional fill material may be sourced from the North-South Cross dike (40'). It is assumed that the North Cell Pond elevation will be maintained at 37.5 feet. The Leafgro stockpile on the North Cell Cross Dike (Station 25) may be considered as a topsoil amendment, if necessary. Agricultural lime, of which HMI has an ample supply on site, will be used as a topsoil amendment, if necessary. Once grading is complete, approximately 43 acres will be ready for upland/forest habitat development. The transition zone between 0.5 feet and 2.5 feet above the pond surface will have a temporary vegetative ground cover in the event of flooding in the North Cell. With a surface elevation of 40.0 feet in the upland, future development can occur in the remaining North Cell (including dredging) without impacting the established habitat. This plan is conceptual; further engineering will be required before construction.

Mr. Ortt asked if GBA gave a time analysis of agricultural lime and its impact on pH. Ms. Peñafiel explained that the pH isn't as much of an issue with vegetation as is the salt and noted that a vegetation analysis was completed to determine what would grow best in the upland area of HMI, bearing in mind the site conditions, including salt. Mr. Ortt said that he is more concerned about the discharge. Ms. Peñafiel explained that MPA is responsible for all permit compliance and will be turning the site over to DNR with no permit.

Mr. Taylor had a question on the GBA alternative design 2 plan and asked how much off site material would be needed for this alternative. Ms. Peñafiel said she would get back to him with that answer. Ms. Reed asked if there is ever an option for the island to accept dredged material again, and Ms. Peñafiel said for this to occur, State law would have to change.

7.0 HMI Pier Work

Dave Bibo, MPA

The state of the land base pier is considered a safety issue, and it is an MPA and MES priority for the pier to be replaced in-kind. A pile driving analysis will be completed to determine how far the contractor will need to drive the pilings for the new pier. This is the second time the land base pier will be restored, the first being in the early 1980s for approximately \$50,000. MPA and MES engineers estimated \$300,000 for the pier restoration, and the accepted bid was for \$358,000. MES and MPA have contacted the land base landowner to inform them of the upcoming pier construction and pile driving analysis. Construction will take a few months and is tentatively scheduled to occur from June to August. Weaver's Marine Service, Inc. will be used as an alternate land base during construction. Mr. Weaver said that the location will be convenient for MES staff, as it is only a 5.5-mile boat ride from the marina to the island, and the site has bathrooms and ample parking.

The Station 265 pier needs some repair to the board work and minor dredging. The dredged material is planned for placement at Cox Creek DMCF. MES and MPA submitted the necessary permit applications, no public comments were received, and the permit was issued. DNR asked when the Station 265 pier repairs would occur. Mr. Bibo said he would get back to them.

These projects are planned and funded. The land base pier replacement and Station 265 pier repair will not be completed by the same contractor.

8.0 DNR Update

Robin Reed, DNR

The Sunday Funday interpretive programs continued throughout the summer. The programs were also held in September this year; however, attendance was low compared to that of the summer months due to schools being back in session. As a result, Ms. Reed explained that DNR will focus future Sunday Funday programs to the summer months. Ms. Reed noted that all trail markers and park posts have been brought up to Park Service standards by being painted Soldier's Delight brown. Members of the Maryland Conservation Corps and DNR worked at HMI for 3 days completing trail maintenance on the white, blue, orange, and observation trails, cutting low hanging limbs and invasive species from the trail sides. DNR hosted campers, assisted trail riders, and tended to visitors in the camp store, supplying shirts, hats, drinks, and other convenience items for purchase. DNR assisted two disabled boaters and three jet skiers, towing them back to shore safely. Due to high demand, DNR purchased a larger ice machine to accommodate bagged ice purchases from boaters and snowballs. The flooring replacement in the hallways of the ranger building was completed, along with painting and the installation of glass cases to display taxidermied birds donated by the Baltimore Bird Club. Painting of the exterior continued but it was not completed due to the discovery of rotten wood. The replacement of the decking, railing, fascia boards on the observation tower, as well as the roofing and doors on the bathrooms and ranger station, have been postponed until fall of 2024. DNR completed the construction of a raised pollinator garden. Ms. Reed noted that snowball prices have been increased from one to two dollars due to the price of supplies and said that the increase had no impact on the high demand.

9.0 Administration and Open Discussion

Dave Bibo, MPA

Mr. Bibo expressed the continued commitment of MPA and MES to the HMI C O C to provide continued environmental monitoring at HMI and to fulfill action items. Mr. Bibo expressed that the partner agencies should work together to evaluate North Cell Development options and goals with budget constraints in mind. Mr. Bibo thanked DNR and Mr. Ortt for being in attendance. The next meeting is scheduled for July 16, 2024, onsite at HMI.

Meeting adjourned at 8:30pm.