

Anne Arundel Waterway Restoration Alliance Annual Meeting Minutes

Tuesday 28 September 2010, 7:00 PM, Sothern Police Headquarters, Edgewater, MD

Board Members and Speakers present:

Anne Arundel Waterway Restoration Alliance (AAWRA) Board of Directors: Bob Whitcomb, Paul Rickett, Ed Hausknecht, Jay Phillips, Vern Penner, & Mike Geer

Anne Arundel County DPW: Christopher Phipps, Deputy Director, Department of Public Works (DPW), & Masoud Ghatineh, Dredging Program Manager

BayLand Consultants: Kendra Scheminant & Keith Tate

Bob Whitcomb (AAWRA) brought the meeting to order, welcomed all the attendees and introduced members of AAWRA, AA County Government representatives and the BayLand Consultants representatives, the contractor coordinating the dredging and dredging material placement (DMP) sites. The purpose of the night's meeting was to communicate progress information on the dredging projects currently underway and planned for Anne Arundel County.

Chris Phipps (DPW) gave an overview of current dredging and spoils placement projects. He stated that more dredged materials have been moved in the past two years than ever before. The efficient balance of dredging and spoil placement has also been achieved and demonstrates the success of the program. The projects are funded through a mixture of both state Waterway Improvement Funds (WIF) and county funds. The state WIF are generated from the boating excise tax and distributed thru the Maryland Department of Natural Resources (DNR). The County DPW matches the state funds but in some qualifying cases the projects are entirely funded by the State. While progress has been very good recently the funds available are significantly reduced due to the weak economy and the near future is "not looking good" for a return to strong funding. The best use of the limited funds is to continue to make the various projects "shovel ready" by continuing with the permit process and be ready to move forward with dredging once funds are available. Planning for dredge placement sites will also be critical to the success of the program.

Masoud Ghatineh (DPW) presented the funding budgeted for the dredging projects (Attachment A). The funds for the waterway improvement projects are listed by fiscal year which runs from 1 July to 30 June. The funds requested for FY12 are also listed by project priority. The request for FY12 is expected to be approximately \$3.7 million but only \$600K is anticipated. This continues the trend seen over the last two years (FY10, FY11), receiving only \$510K and \$650K. Prior to those years, (FY08, FY09) funding was at the \$3.5M and \$2.0M level. The drastic reduction is due to the recession. Comments from the audience indicated a concern that the funds from the boat excise tax were not being adequately applied to their intended projects throughout the state. In good years the boat excise tax generates \$30 million and during the current economic times generates \$12 million. Additionally there was an expressed concern that AA County was not receiving its fair share for the Waterway Improvement Funds based on its significant contribution to the fund and the number of boats in the

county. A suggestion was made to also look at the parties responsible for silt generation to see if they can participate in the costs for dredging. The State Highway Administration coordinated their enhancement project with the Whitehall Creek dredging. A question on the problem of farms generating silt runoff in the waterways was asked and Masoud replied that is not regulated by DPW dredging.

Keith Tate (BayLand) had a two part presentation. The first part was an update on the current dredging projects (Attachment B) and the second part was a very informative slide show on the DMP sites of the dewatering process for the dredged material.

The current projects were well funded and moving forward. Additional projects are moving through the permit process and are anticipated to be shovel ready but will most likely encounter delays in execution due to the lack of future funding. Private spurs (dredging from piers to the main channel) are more economical when coordinated with the DNR projects since the \$25/yard tipping fee for dredge material is not incurred. The permits for the spurs connecting to the main dredge channel are still the individual or community's responsibility.

- MDE application fee is \$1.5K made in two payments (\$750 with application & \$750 for permit).
- MD Board of Public Works wetland license fee is \$1K for community spurs and \$50 for residential spurs.
- Army Corp of Engineers (COE) permit fee is \$10. All COE fees are \$10.
- Details on the permitting costs indicate that the total permit fee for a residential spur is \$1,560 and for a community pier spur is \$2,510.

The permits are good for three years and they can be extended at no cost for a total of six years. The delays for the current projects will also delay all subsequent planned projects. The priorities of projects were discussed and it was agreed that the best plan is to proceed according to established priority regardless of project cost and not to leap frog to smaller projects. The projects are prioritized based on benefits to the most people and also engineering consideration (upstream retrofits first, then main channel & spurs). The large projects that are 100% state funded cannot be reallocated to small projects because they would not qualify for the full funding. A typical project was presented and is shown below:

- Project Formulation (1 year)
- Submerged Aquatic Vegetation (SAV) Survey
- Permit application
- Permit acquisition
- Design procurement
- Construction Procurement
- Construction

The concern for the dredging projects was about the availability of funds since progress will be severely delayed (about 2 to 3 years) as the funding is significantly reduced. AAWRA needs to be creative in generating attention to these projects. The construction period for the projects is from October 15th to February 15th, for minimal interruption with the boat traffic. Duvall Creek is getting 100% state funds but most projects get a 50/50 combination of both state and county funds. The county funds are usually a 1 for 1 match; however the state funds need to be there first. Once the money for a project is allocated the priority is secure and cannot be taken away. Based on the current annual funding at low levels, \$500K compared to \$2,200K needed, it will take several years of incremental funding before enough funds accumulate to complete the Duvall Creek project. This delays the remaining projects by an equal time. Recently the funds in the state WIF have been removed and used for general fund purposes in order to obtain a balanced budget as required by Maryland law. The borrowed funds have been replaced with state bonds, rather than taken without any replacement that has happened to WIF in the past. This change in behavior is due to AAWRA continuing to watch the money and speak out during the annual budget processes. AAWRA needs to continue to be active in keeping the state and county legislators aware of our concerns.

The second half of BayLand's presentation dealt with dredged material placement (DMP) sites. The composition of the dredged material is approximately 80 to 90% water and the main activity in dealing with this material is the dewatering process. There have been significant increases in the dewatering efficiencies and this helps by reducing the volume of the dredged material and that in turn increase the capacity of the sites that have been identified for DMP. There were a series of slides that demonstrated the magnitude of this operation, the process of crust management and the final dewatering management steps.

There were additional questions and concerns raised at the conclusion of the meeting. The private and community spurs are most economical when coordinated with the DNR dredging projects. It also seems that the dredging costs are slightly down from a few years ago. Projects that can be managed with hydro dredging and local DMP sites can also reduce costs. However, even with these increases in efficiencies the projects cannot move forward without full funding. The AAWRA needs to continue to step up at this time to lobby for higher levels of funding that are consistent with WIF revenues. The expected growth in AA County will continue the need for better waterway restoration management and will also maintain water privileged real estate values. A meeting for 30 November 2010 has been proposed to come up with the plan to lobby this year for funding waterway restoration in AA County. A number of the AAWRA members have been through this process before and have been successful in getting access to the legislators. The collective knowledge that these AAWRA officers bring along with the energy of the people affected by the delays of future projects can be used to lobby for future funding for waterway restoration.

Questions at the very end:

1. County part of project funds is from general fund money.
2. Recent dredging costs have been \$60/cu yd main channel mechanical dredge & \$5/cu yd main channel hydraulic dredge.

Others attending were:

Stanley J. Mulesky	Lakeland
Hazel J. Heeren	Lakeland
Shirley Irving	Hillsmere
Art & Renee Lilly	Indian Landing
Jay Eichelberger	Indian Landing
Carolyn Jones	Mimosa Cove, Deale
Nuno Peneira	Loch Haven
Rob Muir	Saefern
Dale Legal	Loch Haven
Jerry Karsh	Deale Beach
Mike Hackett	Ben Oaks
David Fisher	Shady Oaks
Lizdee Castillo	South River Park
S. Robert Boardman	Indian Landing
Carlos Lunnuz	Loch Haven
Art Mensch	Shady Oaks
Mike Ostrow	Hillsmere
John Matejko	Shady Oaks
Kenneth Malley	South River Park
Donna O'Neill	PointField
James Grancehau	Upper West River
Guy & Therese MacIntosh	Kitty Creek
Mike Corras	Loch Haven

Attachment A: Waterway Improvement Funding

Waterway Improvement Program Grant Funding Priority Project List FY12			
Priority Number	Project Name	Requested Grant Funding	Total Project Cost
1	Duvall Creek	\$1,526,000.00	\$2,200,000.00
2	Severn River Headwaters	\$1,798,000.00	\$1,940,000.00
3	DMP Site Management	\$150,000.00	\$300,000.00
4	Saltworks Creek	196,500.00	\$427,000.00
5	Pocahontas Creek Headwaters	N/A	\$203,585.00
6	Upper West River	N/A	\$639,125.00
7	Stephens Creek	N/A	\$269,000.00
8	Weems Creek	N/A	\$557,750.00
9	Church Creek	N/A	\$486,350.00
10	Rock creek	N/A	\$885,000.00
11	Rockhold Creek County Channel	N/A	\$1,820,000.00

Waterway Improvement Program Grant Funding Summary

	<u>Requested</u>	<u>Approved</u>
FY2008	\$4,624,500	\$3,482,500
FY2009	\$3,913,500	\$1,990,500
FY2010	\$4,294,200	\$510,000
FY2011	\$3,693,534	\$649,000

Attachment B: Update on Current Dredging Projects

Waterway Improvement Project Dredging Status Summary (September 2010)

Water way	September 2009 Status	Current Status
Broadwater Creek	Partially Completed	Completed
Carrs Creek	On Schedule (FY 2010)	Completed
Mill Creek Headwaters	Delayed One Year (FY 2011)	On Schedule (FY 2011)*
Brady Creek	On Schedule (FY 2010)	Completed
Old Glory Creek	On Schedule (FY 2010)	Completed
Parish Creek Federal Channel	On Schedule (FY 2010)	Completed
Parish Creek County Channel	On Schedule (FY 2011)	On Schedule (FY 2011)**

*Mill Creek Headwaters – Funded by the County Wastewater Fund

**Parish Creek County Channel – Originally funded in FY 2008/2009 with the Parish Creek Federal Channel Project

Permits Anticipated – Fall/Winter 2010 “Shovel Ready”

- Duvall Creek
- Severn River Headwaters
- Saltworks Creek – Permits in-hand
- Upper West River
- Pocahontas Creek
- Stevens Creek
- Plus 70 +/- associated private connecting spur permits