

SEVERN RIVER COMMISSION
Regular Monthly Meeting Minutes
December 5, 2013 – 4:00 P.M.
Chesapeake Room, 2664 Riva Road, 2nd Floor

		Attendance Record
Members Present:	Lina Vlavianos, Chair	10/12
	Sally Hornor, Vice Chair	12/12
	Kurt Riegel	6/12
	Jeff Schomig (via conference call)	11/12
	Dick Spencer	11/12
	Bob Whitcomb	11/12
Guests and Staff:	George Eberle, AACo. I&P	
	Christine Romans, Acting Director, AACo. I&P	
	Bob Winchester, AACo. I&P	
	Brenda Weeks, AACo. DPW/WERS	
Members Absent:	Jim Burdick	2/4
	Michael Robinson	10/12
	Scott Hymes, MD DNR (Ex officio)	7/12

CALL TO ORDER

Chair Vlavianos called the regular monthly meeting of the Severn River Commission (SRC) to order at 4:10 p.m. in the Chesapeake Room, 2nd Floor, 2664 Riva Road, Annapolis, MD. A quorum was present.

GUEST SPEAKER

Ms. Christine Romans, Mr. George Eberle and Mr. Bob Winchester from AACo. Inspections & Permits (I&P), were invited to speak to the Commission on how Critical Area County Council Bills 93-12 and 76-13 are being implemented and what problems may have surfaced since their passage. Mr. Winchester explained whether enforcement is too much or not enough depends on the individual point of view. The two bills are now compatible with state law. They stipulate among other things that clearing and grading is regulated not only in the Critical area buffer and expanded buffer but in all of the 1,000 feet if disturbance is more than 5,000 feet. In the buffer and expanded buffer area trimming of trees, removal of tree branches, removal of groundcover, brush and even noxious growth is considered development which requires a vegetation management plan. Plans are issued for 12 months and even maintenance trimming requires an annual review. Another clarification made through the law is restrictions placed on Intense Development Area clearing which was missing in state and county code. Phragmites eradication also requires permits. Mr. Winchester explained that the law does not

differentiate between noxious vs. non-noxious growth. Maryland Department of the Environment (MDE) permits are required to remove plants and root wads while county permits are required for replanting through vegetation management plans. The county does differentiate between permanent disturbance to the buffer vs. temporary disturbance.

Homeowner associations are treated the same as private property owners for permit application purposes. The education of arborists has been slow. Mr. Winchester further explained that with clearer language written into the law, the County Law Office is more successful in writing up egregious violations. Courts are more interested in abatement of violations rather than collecting fines and judges are understanding the laws better. Overall he said enforcement is easier now than 5 or 10 years ago because the public is more aware of environmental issues and there is more interaction and support between I&P and the County Office of Law.

Leaning Trees – The policy to remove leaning trees is based on slope, size of tree, soils, history of problems and defining a tree to be a hazard. A hazard tree is defined as a tree that cannot be sustained with normal arbor practices. The Critical Area Commission supports that interpretation and has offered no alternative language.

Odenton Town Center - A list of current active approved projects was distributed. Mr. Eberle stated one county inspector is assigned to the projects. Developers also have responsible personnel on the site with daily inspections and keeping of daily logs. Current projects are approved under the old stormwater management regulations but if revisions are sought, the Soil Conservation District requires the plan to be brought up to new stormwater management standards. I&P has 16 grading inspectors and 4 foresters. I&P inspects all development during construction both private and public.

PUBLIC INPUT / AGENDA ITEMS – There was no public input.

MINUTES

The Minutes for the November 7, 2013, regular monthly meeting were presented for approval and were accepted as written.

MOTION: A MOTION TO APPROVE THE NOVEMBER 7, 2013 MINUTES AS WRITTEN, WAS MADE BY WHITCOMB AND SECONDED BY SPENCER. THE MOTION WAS PASSED BY UNANIMOUS VOTE AND THE MINUTES WERE APPROVED.

ANNOUNCEMENTS / CORRESPONDENCE

1. County Boards & Commissions was notified that Whitcomb's and Robinson's terms expire January 31, 2014. Both indicated they wish to be reappointed.
2. Burdick and Robinson were unable to attend this meeting.

3. Ginger Ellis, AACo. DPW, will continue the discussion from November's meeting at the January meeting regarding the Severn River watershed priority areas for funding.
4. The 2014 SRC meetings schedule was distributed.

OLD BUSINESS

Jabez/SHA/Severn Run

Schomig's drafted letter was discussed. Debate continued on the general nature of the draft letter in order to reach a wider audience in addressing the overall problems in not only Jabez 3 but the entire Severn Run watershed.

Spencer wished to go on record opposing sending such a general letter. He feels the letter should address two critical Jabez 3 issues: (1) how will further damage be prevented in Jabez 3, and (2) how to restore the damage already done.

Schomig suggested more would be accomplished sending a general letter first to the appropriate county and state parties expressing SRC's general concern on the deterioration seen in the upper reaches of Severn River through sediment loading coming down Severn Run and then follow up with a more specific letter addressed to the State Highway Administration (SHA) and an invitation to come to the February meeting to explain what is being done, not being done, or reasons in the Jabez 3 subwatershed. The general letter could also be referenced in the future and agencies be put on notice that Severn Run is an area of concern. Spencer argued that there is documentation to be specific about the degradation taking place on Jabez 3 while Severn Run has no specific data. Whitcomb disagreed using the 1980 Severn Run Watershed Management Plan Study as a good source to show it is obvious conditions have seriously changed since the 1980 study was done in comparison to what is seen now.

With further editing of Schomig's draft letter, it was approved for release as amended. Vlavianos will discuss with Schomig who should receive the letter.

MOTION: A MOTION, TO APPROVE THE LETTER FOR RELEASE AS AMENDED IN DISCUSSION, WAS MADE BY SPENCER AND SECONDED BY WHITCOMB. THE MOTION WAS PASSED BY UNANIMOUS VOTE.

Critical Area – There was nothing new to report.

Annapolis/Annapolis Marine Water Quality – There was nothing new to report.

Oyster Restoration Activities – There was nothing new to report.

Website – There was nothing new to report

NEW BUSINESS

1. Spencer suggested SRC hold a retreat to establish goals/objectives for 2014 or longer.
2. Spencer pointed out that the Greenbury Point windmill issue may be surfacing.

PUBLIC INPUT/NEW ITEMS – There was no public input.

ADJOURNMENT

The meeting was adjourned at 6:25 p.m. The next SRC meeting is scheduled for Thursday, January 2, 2014 at 4:00 p.m. in the Severn Room (4th Floor), 2664 Riva Road, Annapolis.