

**SEVERN RIVER COMMISSION**  
**Special Meeting Minutes**  
**December 12, 2016 – 4:00 P.M.**  
**Severn Room, 2664 Riva Road, 4th Floor**

	<b>Attendance Record</b>
<b>Members Present:</b> Charlie Kreter, Chair	10/13
Lex Birney	10/13
Bill Kardash	11/13
Kurt Riegel	10/13
Daniel Roche	9/13
Dick Spencer	11/13
<b>Guests and Staff:</b> Isabel Junkin Hardesty, Chester River Association	
David Barker, Back Creek Conservancy	
Meghan Spencer, ACo. DPW/WPRP	
<b>Members Absent:</b> Sara Phillips, Vice Chair	9/13
Jim Burdick	9/13
Claudia Donegan, MD DNR (Ex Officio)	0/1
Bob Whitcomb	9/13

**CALL TO ORDER**

Chair Kreter called the special meeting of the Severn River Commission (SRC) to order at 4:09 p.m. in the Severn Room, 4<sup>th</sup> Floor, 2664 Riva Road, Annapolis, MD. A quorum was present.

**GUEST SPEAKER**

At the request of Isabel Junkin Hardesty of the Chester River Association (CRA), Kreter explained the role of the SRC in general and with respect to the No Discharge Zone (NDZ). Kreter said that  $\frac{3}{4}$  of Anne Arundel County and the City of Annapolis committees are in agreement on establishing an NDZ for Anne Arundel County and the City of Annapolis waters. Spencer posed questions about which organization would write the NDZ application, and suggested the Watershed Stewards Academy (WSA) as a possible applicant. Spencer invited Suzanne Etgen from the WSA, but she was unable to attend the meeting. Spencer will meet with the WSA later in the week, and feels that the WSA is the right organization to submit the NDZ application if the WSA Board of Directors agrees.

Junkin Hardesty said that the Waterkeeper Alliance is the international organization that houses Riverkeepers & Harbormasters. There are 350 Waterkeepers around the world, and the Chesapeake Region is one of the largest with 20 Riverkeepers. The CRA spent nine (9) months on the NDZ application, and worked with Donna Morrow of the Maryland Department of

Natural Resources (DNR). The CRA conducted studies on how many boats were on the Chester River, compiled data on marinas with pumpouts, gathered information & supporting materials, and submitted a 70+ page NDZ application.

Junkin Hardesty said that DNR wants to see evidence of a public hearing process showing support of the NDZ. Donna Morrow of DNR is willing to work with groups to submit the NDZ application, and recommends reaching out to local riverkeepers. Birney asked about the cost of filing the NDZ application. Junkin Hardesty said that most of the work was done on a volunteer basis.

The CRA submitted the NDZ application in 2014, and it's been working through the Environmental Protection Agency (EPA) for approximately 1.5 years. Riegel asked how to reduce effort in submitting the NDZ application. Junkin Hardesty suggests having one person dedicated to working with DNR and EPA on the application status. Once the application is complete and submitted to the EPA, the Region 3 EPA Administrator needs to sign off on the NDZ application. There is a period of 30 days for open comment on the NDZ application, then there is a 30 day review period for responses to comments and an approval decision, there is another 30 day review period. Once approved at the federal level, the EPA gives the Coast Guard authority to enforce the NDZ on a federal level. The Maryland Department of the Environment (MDE) and DNR are given authority to enforce the NDZ on state and county levels.

Environmental groups are relied upon to provide education to residents about the NDZ. There are fines of up to \$10,000 per day for illegal discharging. Spencer feels the enforcement issue needs to be considered, but would personally like to see the boating community be self-enforcing.

Spencer said if the Chesapeake Bay Yacht Racing Association (CBYRA) initiates a racing rule that NDZ Compliance must be followed by all race participants, and if recreational boating groups enforced NDZ Compliance, then boaters who violate the NDZ will be removed from their respective boating associations.

Junkin Hardesty noted that marina owners are concerned with how the NDZ will affect their businesses. There has been concern expressed over owners of older boats without room to put in a holding tank or have already upgraded to a treatment head, as well as the impact of discharge on the rivers. Junkin Hardesty said that the boating industry and other commercial ventures need to do their part in cleaning up the Chesapeake Bay.

Spencer wants to apply NDZ only to recreational boats less than 65 feet. Kardash and Riegel object. Birney asked Junkin Hardesty about her thoughts and suggestions regarding commercial vessels. Junkin Hardesty said that commercial watermen are minimally affected by the NDZ, and feels that the NDZ should apply to all boaters, rather than making exceptions for certain groups or types of boats.

Kreter asked who offered greater resistance to the NDZ, Junkin Hardesty confirmed that watermen and a few marina owners offered the most NDZ resistance.

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

**ANNOUNCEMENTS / CORRESPONDENCE**

(1) There was no new correspondence.

**NEW BUSINESS**

**PUBLIC INPUT/NEW ITEMS**

There was no public input.

**NO DISCHARGE ZONE RESOLUTION**

Spencer passed out his revisions of the NDZ resolution, stating that he has no issue with the preamble, but doesn't feel that item number four (4) should be included as it doesn't represent the boating community. As public meetings and the NDZ application process moves forward, Spencer feels this should be addressed as part of the application, not part of the NDZ resolution, and that it should apply to all boats navigating county waters, not just boats under 65 feet in length.

Kardash suggests striking the term "recreational" from the resolution, and Birney wants to strike the exemption language. Riegel feels the original wording is a scaled down version of the Anne Arundel County Marine Industry Advisory Board (MIAB) resolution. Spencer researched various solutions to the commercial boating industry issue, and feels that the resolution should be applied to all vessels.

Kreter wants to clarify that the NDZ would include the Magothy, Severn, South, West and Rhode Rivers, but questions the exclusion of the Patapsco River. Spencer wants to include the four (4) creeks in Anne Arundel County: Curtis, Stony, Rock and Bodkin Creeks. Birney suggested using language to state all bodies of water in Anne Arundel County. Kardash brought up naming tributaries to inadvertently avoid excluding them from the resolution. Kreter proposed a rewrite of the resolution, or if item number four (4) should be excluded. Given the length of the process, Kardash suggested listing future enforcement dates.

**MOTION: A MOTION TO APPROVE THE NDZ RESOLUTION WITH RECOMMENDED CHANGES, WAS MADE BY RIEGEL AND SECONDED BY BIRNEY. THE MOTION WAS PASSED BY UNANIMOUS VOTE AND THE RESOLUTION WAS APPROVED AS WRITTEN ONCE AMENDED.**

Kreter suggested involving Fred Kelly in the NDZ resolution, and Riegel suggested involving the Severn River Association. Kardash recommended Doug Smith, the former Chief Administrative Officer of the City of Annapolis under former Mayor Josh Cohen.

Spencer noted that he would be meeting with the Watershed Stewards Academy (WSA) on Tuesday, December 13, 2016, and feels they are an appropriate organization if the board will approve. Suzanne Etgen of the WSA is interested, and the WSA is an acknowledged county-wide organization.

Kardash proposed revising the NDZ resolution and distributing it to the SRC. Riegel suggested sending the letter to County Executive Schuh and Mayor Pantelides after the SRC distribution. Spencer feels the NDZ resolution should go directly to County Executive Schuh and Mayor Pantelides. Birney will meet with County Executive Schuh on Tuesday, December 13, 2016, and will bring the revised NDZ resolution from the SRC and the NDZ resolution from the Maritime Industry Advisory Board (MIAB).

#### **ADJOURNMENT**

The meeting was adjourned at 5:43 p.m. The next regular SRC meeting is scheduled for Thursday, January 12, 2017 at 4:00 p.m. in the Chesapeake Room (2<sup>nd</sup> Floor), 2664 Riva Road, Annapolis, MD.

Respectfully submitted,

Meghan Spencer  
AACounty DPW, Bureau of Engineering  
Watershed Protection & Restoration Program