



PATUXENT RIVER COMMISSION

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☀ Please call Daniel Rosen at MDP 410-767-4577 if you have any questions or comments.

Larry Hogan, Governor
Councilman Michael Leszcz, Chairman
Councilwoman Mary Kay Sigaty Vice Chairman

We, the Patuxent River Commission, envision a Patuxent River ecosystem as vital and productive in 2050 as it was in the 1950s. We therefore commit to be stewards and advocates for the Patuxent River and to lead and inspire actions to protect, enhance, and restore living resources and the natural, cultural, economic, and recreational values of the Patuxent River and its watershed.

MEETING SUMMARY

March 8, 2017

Maryland Department of Agriculture

Annapolis, MD

4:00 p.m. - 6:00 p.m.

Members: Michael Leszcz (Chair), Mary Kay Sigaty (Vice Chair), Alison Armocida, David Brownlee, Martin Chandler, Steve Darcey, Andrew Der, Luis Dieguez, Jason Dubow, Jim George, Jack Fringer, Erica Hahn, Sandy Hertz, Scott Knoche (for Kelton Clark), John McCoy, Mark Mendelsohn, Byron Petrauskas, Katina Shoulers, Barbara Sollner-Webb, Mark Symborski, Sandy Spencer, Al Tucker, Fred Tutman

MDP Staff: Jason Dubow and Daniel Rosen

Visitors: Mitch Keilor (Ft. Meade); Greg Busch, Tony Allred and Leonard Schugam (MDE); Steve Gerwin (Howard County Department of Public Works)

Approval of Minutes

The minutes from the meeting of February 8, 2016, were adopted unanimously with minor edits made by Mark Symborski and Jack Fringer.

Informational Briefing: Draft TMDL of PCBs for the Patuxent River Mesohaline, Oligohaline and Tidal Fresh Chesapeake Bay Segments

The informational briefing on PCBs in the Patuxent River was provided in a PowerPoint presentation by two representatives of MDE's TMDL Development Program: Tony Allred (Outreach Coordination) and Leonard Schugam (Technical Development).

The Commission learned that polychlorinated biphenyls (PCBs) are a class of compounds that are relatively inert, non-conductive, and have the capacity to withstand high heat. They were manufactured for many industrial/commercial products (e.g., transformers, capacitors, hydraulic fluids, sealants). They were banned in the U.S. in 1979. PCBs are persistent and accumulate in animal tissues; the consumption of fish contaminated by PCBs poses a potential cancer risk to humans. PCBs continue to be released into the environment because equipment containing PCBs is still in use, and through improper dumping and their presence in hazardous waste sites.

The TMDL study area comprises the tidal segments areas of the Patuxent River: Mesohaline waters (a salinity of 5 to 18 parts per thousand, due to ocean-derived salts), Oligohaline (brackish water with a

salinity of 0.5 to 3.0 (or 5.0) parts per thousand from ocean-derived salts), and Tidal Fresh. The model incorporates several environmental processes that deliver PCBs:

- Watershed loadings
- Exchanges with atmosphere (Deposition & Volatilization)
- Exchanges with bottom sediments (Diffusion, Resuspension & Settling)
- Burial of PCBs in sediment.

The TMDL Analysis Framework projects the following outcomes:

- Reduction of 99.5% to the Patuxent Tidal Fresh watershed load in order to achieve the TMDL
- No load reductions required for Patuxent Mesohaline and Oligohaline
- TMDL endpoints will be met in 57 years (Patuxent Tidal Fresh) and 12 years (Patuxent Mesohaline and Oligohaline) following implementation
- TMDL endpoints met in Mesohaline following implementation.

Mike Leszcz, speaking from his experience in the U.S. Navy, said that radar and sonar instruments on ships contained a lot of PCBs; sometimes they would burst. He asked where the PCBs that go through waste water treatment plants come from today. The answer is, from the sediment in the river. Mr. Leszcz asked if the remaining transformers containing PCBs are being replaced. The answer is yes, but when the PCBs instead of the transformers themselves are replaced, a residue remains. Jason Dubow asked if the implementation for the PCB TMDL involves a process and deadline like the Bay TMDL. A discussion of pluses, minuses, and responsibilities for implementation ensued.

Mark Symborski asked about PCBs in transformer substations and the possibility of PCB pollution on farmland from the use of old transformers there. The presenters replied that some PCB-cooled transformers probably do still exist at substations. Retired transformers must be handled by a licensed hazardous waste disposer. As for agricultural soils, some may be contaminated but MDE has not conducted an assessment. Fred Tutman asked what the state is doing proactively, in addition to retiring PCBs, to reduce or eliminate PCBs in the state's waters and public health. No cleanup strategy has been established yet; a voluntary phase-out of transformers and similar equipment might be possible. The key is to tackle the sources of the PCBs versus remediating PCB-contaminated sediments. Checking for PCBs in the state's waters is expensive: about \$1,000 per test. Barbara Sollner-Webb asked if the approximate amount of pounds of PCBs in the watershed was known, including the percentage within transformers and within the soils; this information is not known. Anything with a capacitor, not just transformers, can have PCBs. Mr. Tutman asked if WWTPs are allowed to discharge PCBs and was told that PCBs are not addressed in discharge permits. The Commission also learned that no inventory of PCB sources has been conducted and that if all sources were eliminated, it would take 57 years to reach a safe level in the state's waters. Mike Leszcz said that dredging rivers and the Susquehanna behind Conowingo Dam would release PCBs that have settled to the bottom. Steve Gerwin, Howard County Department of Public Works, reported that the county removed its transformers to address PCBs.

Patuxent River Announcements

Mike Leszcz noted that two cleanups would be held in Laurel on April 1st cleanup day. Commissioners were asked to send information on cleanups to MDP staff. Mr. Leszcz also noted that the Army Corps of Engineers revised the 100-year floodplain for Laurel. Some houses are coming out, and the town

received permission for contouring Route 1 to help with stagnant water and its potential for breeding mosquitoes. Regarding another project affecting the Patuxent, Mr. Leszcz said that on the Howard County side of Route 216, a developer bought a house, tore it down, and built five houses on the site. Their yards drop down to the river. Mr. Leszcz said it was unclear how the stormwater on site will be handled.

In response to a question, Jason Dubow informed the Commission that the Patuxent Wade-in will be held on June 11.

Legislative Bills of Interest to the Commission

Daniel Rosen circulated an updated table of bills to the Commission.

Workgroup Updates

Sewage Overflow Work Group

Barbara Sollner-Webb reported that she called county officials to learn their protocols for notifying the public about sewage overflows and for posting and lifting postings on the river. Howard and Anne Arundel County work closely together on notification and on sampling. For a sewage spill they close the river for swimming but for boating they only post a notice. They take samples of river water after the spill and the test results come back in two days. They then send another sample, the results of which come back four days since the end of the spill. If the results show that the samples have returned to a safe level of bacteria, they reopen the river and lift the postings.

Prince George's County does not notify downstream jurisdictions of a spill. The WSSC, through an agreement with MDE, posts river closings for 30 days, though it does not rule out interim testing. Ms. Sollnar-Webb said she would like to send a letter from the PRC Chair and Vice-Chair that encourages MDE to encourage the counties to follow COMAR requirements to notify downstream counties about sewage spills and to conduct water sampling; there was no concern with doing so. Fred Tutman asked if anything came of the meeting last fall among the secretaries of Planning and the Environment, the PRC Chairs, and other stakeholders. Jim George said it led to the effort to survey the Patuxent Counties for best practices. Mr. Tutman pointed out that the same effort had not been made for other rivers in the state; Ms. Sollnar-Webb replied that the decisions on the Patuxent will serve as a model for other rivers.

Tourism Workgroup

Dan Rosen reported on his discussion with Lisa Gutierrez at DNR regarding the Tourism Workgroup's concerns about the state's proposed signage plan. Fred Tutman expressed concern over DNR's signage on the state's rivers, which could conflict with the signage that already exists on the Patuxent. Alison Armocida, who had consulted with Lisa Gutierrez at DNR, reported that the DNR Public Access and Water Trails Program provides technical assistance to design water access sites and develop water trails statewide. Technical Assistance is available to local government entities who submit an application for assistance and projects are selected following an established selection process. Currently, DNR is working with Calvert County to develop a water trail. The project is ongoing, includes sites and routes along the Patuxent River, and includes promotion of the Patuxent Riverkeeper and Water Trail.



In 2016, DNR launched a pilot project to identify soft access sites with some simple signage. This project is very small and is focused on installing signs at established access sites along established water trails (starting with areas on the Lower Eastern Shore). The signs are post-mounted, 11" x 17" and are intended to direct paddlers to specific put and take areas. Identifying these sites, which are often located in natural areas, will help keep user impacts in certain areas, and help to prevent trespassing on private properties. Since this project is still in an experimental phase, and fewer than 12 signs have been installed, no public presentations on the effort are being made at this time.

If DNR feels the pilot signage project is beneficial at the testing sites, then the project may move forward. Entities that operate and maintain non-motorized public water access sites will be notified if the pilot project is expanded.

Mike Leszcz said that local governments and the Patuxent Riverkeeper should coordinate with DNR to ensure a cohesive approach that supports the Patuxent Water Trail effort. Alison Armocida said she would discuss this with DNR.

Jason Dubow said that the Workgroup was considering a Facebook page to support its efforts to increase visits to the river and neighboring shops and restaurants, to advertise the Patuxent Wade-in, etc. The workgroup would like the PRC to add its logo to such a site. Mike Leszcz asked who would monitor the site if the public uploads items to it; the site needs to conform to Planning's standards. Katina Shoulers replied that the submissions can be approved before they appear on the site. Jason Dubow said he would find out and report back. Mary Kay Sigaty said that a Web site is a good idea.

Preservation & Restoration Workgroup—Update on Patuxent Waters Conservation Area Plan

Sandy Spencer told the Commission that the Patuxent Research Reserve would like to expand its boundaries, because the refuge cannot be just an island in a developed landscape. The Refuge would partner with other land preservation groups in the watershed, with preservation anticipated to consist of 60% easements and 40% in-fee purchase. The Fish and Wildlife Service (FWS) has limited preservation funds, and Ms. Spencer said that when briefing the FWS regional office about the project, she needs to explain more about why it's necessary. She needs to show how it helps certain wildlife populations, and provide information from the counties on why they want the expansion to happen. Jason Dubow suggested that staff could provide a few sentences to demonstrate the importance of the project to share with the Commission for review, which after any revisions could be sent to the Reserve.

Draft PRC Action Plan

To develop the draft 2017 Patuxent River Commission Annual Action Plan, Jason Dubow reported that he had received information from the Preservation & Restoration Workgroup and the Tourism Workgroup, while he suggested edits to the Advocacy section. The goal for the Preservation and Restoration Workgroup is to write the Army Corps of Engineers with its findings on how to expedite local TMDL projects. The Workgroup would also like to start addressing fish blockages caused by misaligned culverts and the like.

The Commission approved the Action Plan. Mike Leszcz recommended sending the Action Plan to the Patuxent counties—county executives, county commissioners, chairs of county commissioners—with a letter saying the Commission looks forward to working with them. Mark Symborski

suggested that the document note that some actions will roll over from one year to the next. Sandy Hertz asked for a minor change on page 1, which was made.

Open Floor

Fred Tutman encouraged the Commission to get active and to paddle the river now that spring will soon arrive.