



# 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, Co-Chairman**  
**Christopher Perry, 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

**January 9, 2019**

**Maryland Department of Agriculture**

**Annapolis, MD**

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

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- Members:** Michael Leszcz, Chair; Christopher Perry, Vice-Chair; Erik Michelsen, Erica Hahn, Joanna Smith, Mark Symborski, Katina Shoulars, John Hartline, Fred Tutman, Barbara Sollner-Webb, John McCoy, Tom Miller, Udeni Leanage (for Luis Dieguez), Robert Brown, Sr., Matthew Rowe, Alison Santoro, Sandy Hertz, Jason Dubow
- Attendees:** Danielle Conrow, Paul Cucuzzella, Frank Dawson, Bruce Young
- Staff:** Jason Dubow, Deborah Herr Cornwell, Daniel Rosen

### Introductions and Approval of Minutes

Minutes from November 14, 2019 meeting were approved. It was noted that Mary Kay Sigaty had resigned from the Commission since she no longer held an elected position on the Howard County Council due to term limits.

### Ratification of PRC Officer Election

On the advice of counsel (Assistant Attorney General Paul Cucuzzella), noting that the July election was not in compliance with Article IV of the bylaws that required “an affirmative vote of a majority of the entire Commission”, the Commission held an election for the Chair’s position. A total of 16 affirmative votes were cast for Chairman Leszcz, with one abstention (Barbara Sollner-Webb), electing Chairman Leszcz for the remainder of the term. At the time of the meeting, there were 29 appointed Commissioners, which requires 15 affirmative votes to comply with Article IV of the bylaws.

### Council of Government – Bag Bill

Chairman Leszcz noted the Metropolitan Washington Council of Governments is considering a bag bill. This could be dedicated for clean-up of the Patuxent River. He will report back in February.

### **Discussion of Attorney General Letters**

The Commission reviewed and discussed the December 28, 2018 correspondence from the Office of the Attorney General and the January 4, 2019 correspondence from the Office of Counsel to the General Assembly.

Fred Tutman raised an issue as to whether the same counsel should represent both the Maryland Department of Planning and the Patuxent River Commission or whether the Commission should have an alternate counsel. Paul Cucuzzella, MDP Counsel stated that he serves as counsel to both and would recuse himself if he felt there was a conflict.

The Commission discussed how they had historically commented on projects and Barbara Sollner-Webb had summarized previous actions. Mr. Cucuzzella noted that the December 18, 2018 – Opinion of the Attorney General prevails over prior memos.

Mr. Cucuzzella noted that he had prepared draft bylaws for consideration.

Motion was made by John Hartline and seconded by Barbara Sollner-Webb to accept the Attorney General letters (December 28, 2018 correspondence from the Office of the Attorney General and the January 4, 2019 correspondence from the Office of Counsel to the General Assembly) and not to seek further legal guidance.

### **County Development Review Process**

Presentations from St. Mary's Soil Conservation District and Calvert County were provided on their stormwater management and sediment and erosion control review programs.

### **Open Floor**

Sandy Hertz offered that SHA staff are available to provide a presentation on their improved Erosion and Sediment Control delegation. Chairman Leszcz suggested that the Governor host a Commission meeting after the end of the 2019 Legislative Session. John Hartline noted that the decking from the Nice Bridge improvement project is going to be placed around St. Mary's for oyster habitat. Tom Miller requested that a letter be sent to Mary Kay Sigaty thanking her for her service on the Commission.

Barbara Sollner-Webb asked about the Sewage Spill Guidance and Dan Rosen reported on the December conference call with the local Department of Health representatives, noting that the representatives requested that MDE be a clearinghouse for notifications. Matthew Rowe mentioned that MDE is in the process of creating an online reporting system that is three-quarters of the way completed. Robert Brown expressed concern about WWTP overflows and the impacts on oysters. He is interested in the potential for mitigation dollars generated because of the overflows to be targeted for oyster restoration.