



PATUXENT RIVER COMMISSION

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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.

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

MEETING SUMMARY

May 8, 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, John Swartz, Erica Hahn, Joanna Smith, Martin Chandler, John Hartline, Sandy Spencer, Andrew Der, Barbara Sollner-Webb, John McCoy, Guy Curley, Scott Knoche, Steve Darcey, Luis Dieguez, Robert Brown, Sr., Byron Petrauskas, Alison Santoro, Sandy Hertz, Jason Dubow
- Attendees:** Steve Shofar, Paul Cucuzzella, Udeni Leanlage
- Staff:** Dan Rosen, Debbie Herr Cornwell, Jason Dubow

Introductions and Approval of Minutes

Minutes from March 13, 2019 meeting were approved.

Updates

Commission members were reminded that annual elections for Chair and Vice-Chair would be held at the next meeting in July.

Discussion of Savage Mill Development Issue

Chairman Leszcz presented a draft letter addressed to the Howard County Planning Board, noting the jurisdiction's adoption of the Patuxent River Policy Plan and the Commission's duty to ensure protection of the River's water quality and resources. It also noted that the Commission had been following the development approval process of the Settlement at Savage Mill and encouraged the Planning Commission to consider any potential impacts on the health of the Patuxent River.

Vice-chair Chris Perry developed the letter with Chairman Leszcz; and he added that the generic letter was intended to highlight the role of the Commission and bring it to the attention of Howard County. Barbara Sollner-Webb felt that the letter was too generic and should highlight specific issues. Erik Michelsen suggested an invitation be offered to Howard County to present the project to the Commission. It was noted that an offer had been extended but since no projects were currently under review for the site, the offer had been declined at this time.

After further discussion, the Commission determined that an additional sentence should be included in the letter inviting Howard County to present any project changes of ecological significance and/or issues dealing with Land and Water Conservation Fund lands.

Development Review Protocol

Jason Dubow presented the revised protocol that addressed comments from Commission members. He noted that the detailed Local Government Review was not included in the updated protocol. Discussion of the revised protocol followed. Andrew Der explained his comments, noting that it was important for the Commission to make informed decisions and that any adverse comments would need to be based on technical information. He also reminded the members that the Commission does not have regulatory authority.

Chairman Leszcz noted that the Commission is an advocate for the River and an even-handed approach is needed. John Hartline added that he liked the proposed approach and felt it was needed to provide a reasonable procedure; even though as a rule he was reluctant to add procedural requirements. Erica Hahn expressed concern about knowing of projects early enough in the process to allow appropriate time to gather information, arrange for presentations, review materials and make educated comments.

John McCoy offered information on Howard County's "pre-submission process" which provides public notification of all projects. It requires signing up and email notices are then provided. Barbara Sollner-Webb requested a reference to COMAR included that cited the creation of the Commission, in addition to the Policy Plan. Paul Cucuzzella offered the statement "to effectuate the statutory purpose of the Commission" be added.

Motion was made to proceed with no written protocol, to continue to discuss projects and issues during regular meetings, and to decide on an individual case basis how to respond. Twelve members voted in favor, eight against and one abstention.

HB298/SB448 – Oysters – Tributary Scale Sanctuaries – Protection and Restoration

Robert Brown, Sr. provided a presentation on the recent legislation and designation of the five permanent oyster sanctuaries. The watermen had requested rotational harvesting be included that would have allowed one of four areas to be harvested annually – for a total of four weeks/year – two weeks in November (Thanksgiving) and two weeks in December (Christmas). Rotational harvesting was not

included in the legislation.

Open Floor

Items for future topics include:

- Presentation on the Phase III WIP
- Information on the number of wastewater treatment plants on the Patuxent River and what are the respective gallons per day (GPD) permit limits

It was noted that MDE's sewer overflow website was not working. The Commission voted to send a letter to MDE recognizing the website and the beneficial information it provides; and request the continued support of the website.