

House Bill 343 – SUPPORT

**House Bill 343 – Environment
House Committee on Environment and Transportation
Cox Creek Citizens Oversight Committee - Membership**

My name is John Garofolo. I live in the community of Stoney Beach – a 62-acre peninsula community in Curtis Bay in Northern Anne Arundel County with 1.2 miles of shoreline bordering the Patapsco River, Stoney Creek, and Cox Creek. I am an Anne Arundel Watershed Steward Academy (WSA) - Master Watershed Steward, a citizen environmentalist, a boater, and I have previously been on the board of directors of my community association. I have been engaging the Maryland Port Administration through their Cox Creek Citizens Oversight Committee for several years since they began constructing their enormous 237-acre diked dredge containment facility that is only 2 miles upriver from our community called the “Cox Creek Dredge Management Containment Facility (CC-DMCF).”

While channel and berth dredging to support the Baltimore Harbor and its shipping industry is critically important to the state economy and workforce, the safety of the disposal of the removed dredge material is crucial to health and safety of the Patapsco and its waterways, the Chesapeake, the tidal ecosystem, and the citizens and especially families with children that live on and use waterways for boating, swimming, watersports, fishing, and crabbing. This is especially important because much of the dredge material removed from the Baltimore Harbor and Patapsco shipping channel is contaminated with highly toxic forever chemicals. This is why MPA must take special precautions in containing and draining/drying it as required by law and regulation.

There have been years of concern about this issue since the original MD Hart-Miller Island diked dredge containment facility in Baltimore County was built and filled between 1981 and 2012, and was shut down before it was completely filled when environmental groups and Baltimore County citizens successfully opposed its completion due to insufficiently researched environmental concerns. MPA then shifted its focus to creating a similar diked dredge containment facility in Brooklyn, MD and another in North Anne Arundel County in Curtis Bay on the Patapsco River between Ft. Armistead and the Brandon Shores Power Generation Station named the “Cox Creek DMCF.”

In order to avert issues like the premature shutdown of Hart-Miller Island, MPA was required by state law to stand up both a general Citizens Advisory Committee and a separate citizen oversight committee for the Cox Creek facility called the “Cox Creek Citizens Oversight Committee” (CCCOC) However, I have several concerns regarding the CCCOC functions and membership. I have participated in a number of CCCOC meetings over the years as a concerned citizen since MPA first publicly announced the construction of the facility.

1. I have observed that the committee has appeared to exclusively serve MPA’s agenda and voice and has not effectively communicated MPA dredge containment plans and activities and potential impacts to the waterfront communities of the outer Patapsco in Anne Arundel County nor truly sought or formally registered citizen feedback. Instead, MPA’s focus has been on marketing their work and the CCCOC has largely served as one of their marketing vehicles.

1. I have observed that the members of the CCCOC have not engaged in substantial inquiry or pushback or independently communicated with the surrounding communities about potential citizen concerns.
2. I have observed a huge delay in MPA communicating their activities and plans and the minutes of CCCOC meetings taking months to make publicly available.
3. There has been deficient material on the MPA website for citizens to understand the plans, research, and operations of MPA at the Cox Creek facility and the Beneficial Reuse and Confined Aquatic Disposal (CAD) of dredge material programs that are run out of that facility. And there's a continuing lack of publicly posted research and planning.
4. There have been long-vacant positions on the committee which have not been addressed. The committee is also deficient in environmental, health, and science perspectives.

An effective balance of citizen needs, environmental needs, and MPA needs depend on true bi-directional citizen engagement. **The citizen's advisory committee membership and approach should be modified according to the proposed legislation in House Bill 343 so that it more effectively performs its required citizen oversight, outreach, and engagement duties.** It is important that the Cox Creek Dredge Containment Management Facility (DMCF) Citizens Oversight Committee contains representation from most impacted waterway communities and is updated to include citizen representation from Stoney Beach and Riviera Beach. **I support House Bill 343 as aligned with Senate Bill 20 to be moved into legislation.**

Sincerely,
John S. Garofolo



Stoney Beach, Curtis Bay, MD