



Maryland
DEPARTMENT OF PLANNING
MARYLAND HISTORICAL TRUST

HEARING DATE: February 15 at 1:00 PM

BILL NO: SB517

COMMITTEE: Education, Energy and the Environment

POSITION: Letter of Information with Amendments

FOR INFORMATION CONTACT: Kristin Fleckenstein (410) 767-7243

TITLE: Port of Deposit State Historical Park – Included Areas

BILL ANALYSIS:

This bill, like its companion HB1140, deletes (1) the minimal number of acres that must become Port of Deposit State Historical Park, and (2) the mandatory transfer of the historic Tome School to the park. The bill authorizes, rather than requires, the transfer of specified property at the Bainbridge Naval Training Center site to the park by June 2024, rather than June 2023. The bill still requires the establishment of a Port Deposit State Historical Park.

POSITION AND RATIONALE:

MDP supports amendments to the bill that would 1.) clarify that the Department of Natural Resources is required to establish a Port Deposit State Historical Park only if BDC were to transfer property to the Department for that purpose and 2.) extend the date by which BDC may transfer a portion of the Bainbridge Naval Training Center site to the Department to June 1, 2025.

BACKGROUND

The following background information is intended to clarify the ongoing involvement of the Maryland Historical Trust with this property, regardless of its ultimate disposition.

The parcel owned and administered by BDC was formerly owned by the Navy and contains two historic properties that were listed in the National Register of Historic Places in 1984, the Tome

School for Boys Historic District (CE-1285) and the Snow Hill Archeological Site (18CE158)¹. Listing on the National Register alone does not place restrictions on the property owner, nor does it necessarily preserve a property in the future. However, when the Navy transferred the property out of federal ownership to the state/BDC in 2000 for future reuse and redevelopment, the transfer included the provision that a perpetual historic preservation easement held by MHT would be placed on the National Register listed historic district and archeological site once they were conveyed out of state ownership. The easement would ensure the appropriate treatment and long-term preservation of these important historic resources for the benefit of the public. Since state acquisition, BDC and the Trust have handled the property as if it had an easement, though no successful redevelopment options or partners have emerged for the historic property.

Should this property transfer out of state ownership, then MHT would require conveyance of an historic preservation easement on the Snow Hill Archaeological Site. If the Snow Hill Archaeological Site were to transfer to the Department of Natural Resources and be developed as a state park, then MHT would consult with DNR, in the same way as it has consulted with BDC, regarding the treatment of this property as MHT cannot hold an easement on state owned property. In either scenario, the Snow Hill Archaeological Site would continue to be protected.

Due to the deterioration of the Tome School Historic District, conveyance of an historic preservation easement on this component of the property may not be desirable. MHT acknowledges the concerted efforts BDC has made over the last 20 years to stabilize and protect the historic resources, including varying levels of stabilization, fencing, and onsite security - with limited success. Many factors have contributed to the declining state of the district: the property's remote and isolated location, economic challenges in finding a partner for redevelopment of the historic complex, limited presence on the property to oversee security, lack of routine maintenance, and no active historic preservation plan for the district with clearly defined needs, priorities, and budget. The property has experienced numerous acts of vandalism and fire which resulted in substantive destruction of the district's contributing resources.

Transfer of the Tome School property outside of state ownership would require that MHT and BDC consult and develop practicable measures to avoid, satisfactorily reduce, or mitigate the adverse effect of losing state control of the property. These measures would be negotiated between MHT and the BDC, with input from identified stakeholders, called consulting parties, and formalized in a Memorandum of Agreement (MOA). Possible consulting parties may include the Town of Port Deposit, Cecil County, the Lower Susquehanna Heritage Greenway Heritage Area, alumni groups, and other organizations with a defined interest in this historic property. Based on the consultation outcome, BDC and MHT would develop a MOA that stipulates the agreed-upon reasonable and achievable mitigation measures that BDC would commit to fund and implement, with a timeline for implementation.

Should the Tome School Historic District transfer to the Department of Natural Resources and be developed as a state park, then MHT would consult with DNR, in the same way as it has

¹ MHT is unaware of any research suggesting that the Tome School was built on top of the Snow Hill Archeological Site. Both Martenet's Map of 1858 and the 1877 Atlas of Cecil show the community as located on either side of present-day Route 222 (Bainbridge Road).

consulted with BDC, regarding the treatment of this property as MHT cannot hold an easement on state owned property. In either scenario there is a process required by statute which will ensure that historic resources are considered and preserved to the fullest extent possible even if the property is transferred to a non-state entity.

AMENDMENTS TO SENATE BILL 517

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 1, strike “(i) The Department shall” and substitute, “**IF THE BAINBRIDGE DEVELOPMENT CORPORATION TRANSFERS PROPERTY TO THE DEPARTMENT IN ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION, THE DEPARTMENT SHALL: (I)**”; in line 4, strike “slavery.” and substitute “**SLAVERY; AND**”; in line 5, after “(ii)” insert “**HOLD THE**”; in the same line, strike “shall be held by the State”; strike beginning with the second comma in line 9 down through “area” in line 13; and strike beginning with the comma in line 18 down through “area” in line 21.

AMENDMENT NO. 2

On page 2, in line 16, strike “**2024**” and substitute “**2025**”.