

# **HB886 testimony favorable.pdf**

Uploaded by: Alice Volpitta

Position: FAV



February 21, 2024

**Confined Aquatic Disposal Task Force – Established (HB 886)**

**Position: FAVORABLE**

Dear Chair Korman, Vice Chair Boyce, and members of the House Environment and Transportation Committee:

Blue Water Baltimore is a nonprofit organization with a mission to protect and restore the quality of Baltimore's rivers, streams, and Harbor to foster a healthy environment, a strong economy, and thriving communities. **We write today to submit this favorable testimony in support of HB 886.**

Blue Water Baltimore is home to the Baltimore Harbor Waterkeeper, and our licensed jurisdiction through the international Waterkeeper Alliance includes the entirety of the Patapsco and Back River watersheds. This means that we are uniquely positioned among environmental NGOs in the region to focus on the health and prosperity of these waterways, and the people who live, work, and recreate around them. Unfortunately, these are also two of the most polluted tributaries to the Chesapeake Bay, as evidenced from our long-term routine water quality monitoring and assessments from the University of Maryland Center for Environmental Science<sup>1</sup>. **Rather than treating these rivers as dumping grounds, this means we must take extra precautions to protect these vulnerable waterways and the people living within their contributing watersheds because they are most at risk of suffering the compounding effects of even more pollution.**

As a Waterkeeper organization that patrols our local rivers for pollution by boat and recognizes Baltimore's economic value as a thriving port city, Blue Water Baltimore understands the need for maintenance dredging in our deep-water channels. Through community knowledge and our involvement in tracking and monitoring the redevelopment of the contaminated Sparrows Point peninsula, we are also deeply aware of the toxic contaminants that have poisoned our riverbeds after decades of industrial dumping. **While Confined Aquatic Disposal (CAD) cells promise to provide much-needed storage capacity for accumulating dredge spoil, it is important that the technology and process be closely scrutinized by scientists, affected community members, and other stakeholders before any further pilot sites are constructed.** The residents living adjacent to the proposed CAD site in the Patapsco River have spoken, and we write to amplify their concerns about the ecological ramifications, public health impacts, and long-term viability of these disposal sites in our precious, but vulnerable, river.

This legislation will:

- Establish the Confined Aquatic Disposal Task Force to discuss and review the overall concept, viability, and available options associated with the CAD program and the State's requirements and long-term strategies for maintaining functional and thriving ports in Maryland.
- Give community members a seat at the table where decisions are being made about an important issue that has the ability to impact their immediate environment, their health, the value of their homes, and their quality of life.
- Increase accountability and transparency by requiring the Task Force to submit a report of findings and recommendations on or before July 1, 2025 to certain committees of the General Assembly and the Governor.

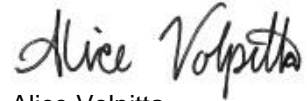
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<sup>1</sup> 2022 Chesapeake Bay Report Card. University of Maryland Center for Environmental Science. <https://ecoreportcard.org/report-cards/chesapeake-bay/watershed-health/>

There is no “downside” to taking a cautious approach in this matter. Once these CAD sites are installed, any potential damage cannot be undone. This practice amounts to stripping the Patapsco River of its high-grade substrate for “innovative reuse” in other areas, while replacing that good-quality sand and rock with low-grade and potentially toxic dredge spoil. Passing this legislation will create a taskforce charged with investigating these practices to ensure that this is truly the best answer for all Marylanders, and that no community is left behind.

**For these reasons, Blue Water Baltimore respectfully requests this committee to issue a favorable report on HB 886.**

Sincerely,

A handwritten signature in black ink that reads "Alice Volpitta". The signature is written in a cursive, flowing style.

Alice Volpitta  
Baltimore Harbor Waterkeeper  
avolpitta@bluewaterbaltimore.org

**HB\_886\_SUPPORT.pdf**

Uploaded by: Allison Bachmann

Position: FAV

Allison Bachmann / awbquilts@yahoo.com

### **House Bill 886 – SUPPORT**

House Bill 886 - Environment – CAD Task Force  
House Committee on Environment and Transportation  
February 23, 2024

My name is Allison Bachmann. My husband and I live in the waterfront community of Orchard Beach in Northern Anne Arundel County. We are minutes from major metropolitan areas but we feel like we live in another time and place. Many of the houses in this community were built as summer homes for city residents to escape the heat and crowds of Baltimore. Almost 100 years later it still has that idyllic vibe. When I came here forty years ago from the Black Hills of South Dakota I wondered how anyone could live without mountains. Before long I couldn't imagine living anywhere but on the water.

House Bill 886, allowing the oversight of an independent CAD task force, one not on the payroll of the MPA, to study the impact of that project on our community must pass. The health of the wild life and residents along the miles of river and tributaries, not to mention the disruption of the peace and beauty that we all enjoy, demands it. I understand the need to "promote the long-term viability of the Port of Baltimore" but surely there are better solutions to deal with the toxic waste of our past ignorance and greed than to dump it on the doorstep of the residents of the beautiful communities downstream.

From our water-view home we can launch our kayaks into Stoney Creek where the kids playing along the shore share the creek with watermen, fishermen, water skiers, jet skiers, motor boats, and sail boats. To the west we can paddle into Nabbs Creek, enjoying the lovely homes along its shores until we reach the shallow headwaters where invariably we see baby crabs and Blue Heron. Sometimes a Bald Eagle soars overhead. To the east we can see the mouth of Stoney Creek where it meets the Patapsco River before it enters the Chesapeake Bay, one system of connected tidal waterways. As we get closer to spring I can hardly wait to get back on the water but in the winter months seeing Canvas Backs, American Coots, and other migrating waterfowl floating together in the creek makes up for the wait. These are the things that we love about living here in our quiet little community. They must be protected before they disappear.

The MPA project just off of the mouth of our creek might disrupt the tranquility of our community *only* for months...or years...but all of the rest of what I describe would be in jeopardy for decades, if not generations, to come. The Confined Aquatic Disposal would not be "confined" in any way. The MPA would have us believe that, uncovered, somehow the toxins and heavy metals of the contaminated dredge material will miraculously remain in the trench they dig in the bottom of the river, in spite of the daily tides, the large tidal surges that take place during every big storm, the hurricanes which pass through with increasing frequency, and the turbidity from the massive cargo and cruise ships passing over it. These dangers will only become worse as the port becomes busier and our climate becomes more volatile.

**It is imperative that the task force proposed in House Bill 886 is moved into legislation. It's crucial that the task force has independent science experts, impacted citizens, and watermen in its membership. It's also important that the task force has meaningful bidirectional interactions with impacted communities in North Anne Arundel County and with our legislative representatives.**

**Thank you.**

Sincerely,  
Allison Bachmann  
Orchard Beach, Maryland

# House Bill 886 – SUPPORT.pdf

Uploaded by: Amy Aronstein

Position: FAV

**Amy Aronstein [amyaronstein@yahoo.com](mailto:amyaronstein@yahoo.com)**

**House Bill 886 – SUPPORT**

**House Bill 886 – Environment - CAD Task Force  
House Committee on Environment and Transportation  
February 23, 2024**

My name is Amy Aronstein. I live in the waterfront community of Nabbs and Stoney Creek in Northern Anne Arundel County. I grew up on the Eastern Shore, raised my family in Tampa, Florida then moved back to Maryland 7 years ago. I love the natural beauty, the abundant seafood, and the joy of the Stoney Creek area. I am the mother of two adult children and by the time you read this, I will be a grandmother. I believe that one of the most important things that we can do for our children and grandchildren is to leave them a beautiful, healthy environment. This written testimony is given in support of HB886 which would lead to the creation of an independent task force to investigate, study and make recommendations about the use of Confined Aquatic Disposal (CAD) of dredge material by the Maryland Port Authority (MPA) in a pilot project creating a CAD site in the Patapsco River near Stoney Creek. This CAD pilot project will begin dumping dredge material (contaminated with heavy metals, petroleum, PFAs, and other toxic forever chemicals) over a 20-acre area off of Stoney Creek within approximately one year. MPA plans include expanding this 20-acre sites to an area up to 220 acres moving towards Fort Smallwood at the mouth of Stoney Creek. The proposed independent task force is a critical tool to get detailed answers about the impact of the CAD project on • water quality in the Patapsco River, Stoney Creek and Rock Creek of scraping the clean sand off the site, dumping the dredge material, and leaving the CAD site uncovered • aquatic plant life that will be devastated by the dredge sediment deposited on the CAD site and the sediment that then drifts throughout the mouth of the Patapsco River, Stoney Creek, Nabbs Creek, Rock Creek and nearby areas of the Chesapeake Bay • marine wildlife (fish, crabs, oysters and other species) living in and around the CAD dump site as well as the recreational and commercial fishing in the area. • the birds, other creatures, and people that feed on the aquatic plant life and marine wildlife that are impacted by the dredge dumping • recreational use and potential health problems due to contact (swimming, boating, water sports, etc.) with contaminated water • noise and disruption to the Patapsco River and Stoney Creek areas related to the dredge disposal operation The Maryland Port Administration (MPA) Dredged Material Management Program Annual Report 2023, page 14, states "Reviewing the Science, Responding to Stakeholders MPA completed monitoring a CAD pilot project in 2019 and worked to evaluate lessons learned and determine next steps for the program. Planning and investigative efforts, including geotechnical investigations and hydrodynamic modeling within Baltimore Harbor, informed a proposed siting of a second CAD pilot call in a location southeast of the Cox Creek DMCF. The area was presented to the Joint Evaluation Committee, a body of state and federal regulatory agencies, in February 2023 for feedback on the project and permitting strategies. Concerns have been raised about the proposed location for the next CAD pilot project, so the project has been paused to ensure there is a thorough education and outreach process. This will include reviewing design alternatives and re-engaging the Bay Enhancement Workgroup. Simultaneously, MPA is developing and implementing a comprehensive outreach and

engagement strategy focused on CAD in Baltimore Harbor and the importance of investigating emerging dredged material management approaches. MPA remains committed to transparency, ensuring the public and regulatory and resource agencies receive accurate and timely information and building confidence that future CAD endeavors will have no adverse effects on the environment or nearby residents." The annual report makes it clear that the work that the MPA plans to do before the CAD pilot project is initiated is mostly education and public relations. The MPA mentions the Innovative Materials Re-Use Project and they discuss it extensively at public meetings. This is a very valid approach and should be aggressively pursued as a more environmentally friendly way to deal with the dredge material. However, the MPA does not address the broad concerns about water quality, aquatic plant life, marine wildlife, and recreational use. The members of the community do not need to just be educated about the value of the CAD project - we need answers to the questions about the impacts of dredge disposal. The independent task force would make it a priority to address the concerns of the community. It is vitally important that House Bill 886 is moved into legislation and that the task force be created. The task force should **include Maryland legislators**, relevant Maryland cabinet officers, MPA officials, CAD experts, **marine biologists**, and representatives of the Army Corps of Engineers, the **Chesapeake Bay Foundation**. Ideally the task force would also include **community members** for community input and transparency.

Sincerely,  
Amy Aronstein  
Nabbs/Stoney Creek  
7613 Turnbrook Drive  
Glen Burnie, Maryland



# **Lombardee Beach community.pdf**

Uploaded by: Ben Doan

Position: FAV

**House Bill 886 – SUPPORT**

**House Bill 886 – Environment - CAD Task Force  
House Committee on Environment and Transportation  
February 23, 2024**

My name is Benjamin Doan I live in the waterfront community of Lombardee Beach community in Northern Anne Arundel County. My wife and I just bought our property on 1018 Nabbs Creek Rd., Glen, Burnie, Maryland. Two years ago which sits right on Nabbs Creek Road. We have been looking to start a family and it's really been looking forward to raising our kids and being able to fish off the pier and have them swim and enjoy time on the boat and really just enjoy the water.

I am terrified by the lack of research, of the long-term and short term impacts on both the environment and the safety of our well beings if this ability to allow dumping and contaminated dredging material put into our waterways is permitted. We owe it to ourselves to do the research to ensure there is no risk to us as people and to the waterways and the water life. If we don't do the research, there's no going back we can't undo this. The repercussions could cost millions to include our property values that will diminish, which will ultimately not only hurt those who are residents of the waterfront like myself, but will also hurt the county as a reduction in our taxes as a result of the property values. Sicknesses of residence and wildlife nearby, etc.

We need an unbiased opinion to come in and do the research to ensure our safety and the safety of the wildlife. As a waterfront property, homeowner I can tell you that the amount of additional restrictions and requirements that we have to meet because we have waterfront properties to protect the water life in fear of doing something that's irreversible it's a lot, but we understand that it's there to protect the wildlife and the waterfront. We should also be holding the MPA to the same standard. The waterways of Maryland are a huge resource not only for restaurants, but people that want to go, fishing charters, crabbing, etc. businesses properties, estates, they plan on these waters, being safe to continue producing a way of living for their families, so we owe it to ourselves as a county and as a state, to ensure that this research that's being conducted by this task force is done by people who are not influenced to allow this dredging to happen.

Describe the importance of the oversight of an independent CAD task force not over-populated with MPA representatives or their contractors to consider the environmental safety, human health, and potential personal concerns and impacts for you in however many paragraphs you need.

**It is important that the task force proposed in House Bill 886 is moved into legislation. It's important the task force has independent science experts, impacted citizens, and watermen in its membership. It's also important that the task force has meaningful bidirectional interactions with impacted communities in North Anne Arundel County and with our legislative representatives.**

Sincerely,

Benjamin Doan

Lombardee Beach community

# House Bill 886.pdf

Uploaded by: Bridget Oppenheimer

Position: FAV



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House Bill 886 – SUPPORT

House Bill 886 – Environment - CAD Task Force

House Committee on Environment and Transportation

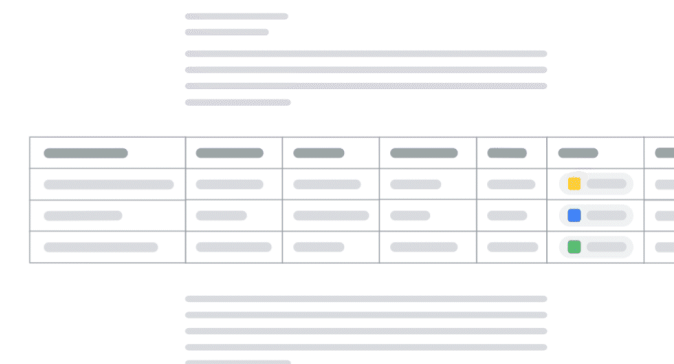
February 23, 2024

It is important to The Oppenheimer family that the task force proposed in House Bill 886 is moved into legislation. It's important the task force has independent science experts, impacted citizens, and watermen in its membership. It's also important that the task force has meaningful bidirectional interactions with impacted communities in North Anne Arundel County and with our legislative representatives.

Sincerely

Bridget Oppenheimer

7619 Turnbrook Dr  
Glen Burnie, MD 21060



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# **CAD written testimony Hurman.pdf**

Uploaded by: Brooke Hurman

Position: FAV

**Brooke Hurman | bbusinsky@gmail.com**

**House Bill 886 – SUPPORT**

**House Bill 886 – Environment - CAD Task Force  
House Committee on Environment and Transportation  
February 23, 2024**

My name is Brooke Hurman, and I live in the waterfront community of Stoney Beach in Northern Anne Arundel County. I have lived in the community with my now-teenage daughter for approximately 4 years, though I have been a resident of Northern Anne Arundel County since before she was born. I'm an active community member, and coach youth soccer, run, and am very involved with volunteer work in the area. Additionally, I serve on the volunteer-run Board of Directors of my community association, and have for several years.

When the issue of CAD dumping of contaminated dredge material was brought to my attention initially, I was concerned, but sought to learn more. I attended the multi-community information meeting, which furthered my concern. The experts brought to the stage could not speak to the safety of the material, the ability for an uncapped hole to contain contaminants, nor any case studies that were similar to the area they were planning for our community. Each of the case studies that they referenced, in fact, either involved far calmer waters or non-residential areas. As someone who kayaks, and someone who has children and dogs who swim in these waters, I had clear reason for concern for all of our safety.

As a representative of our community association, I was approached by several community members with similar concerns. Our community has children, pets, and people who make a living using these waters, all of whom would be impacted if unsafe conditions were to be created as a result of this CAD site. Understanding why this location was chosen and the potential impact on our community's safety was key, and I have not yet been assured in any way that the proposed CAD site is safe for our community. In fact, it seems that dumping contaminated material in an area that is both nearby a residential area and quite turbid is materially unsafe.

Creating a task force comprised of independent members, not MPA representatives and their contractors, seems like a start to ensuring safety. Adding in members who do not hold a financial interest in getting this CAD site completed ensures a balanced and fair approach to the project. Allowing those who have community and resident safety in mind to join will allow a well-rounded evaluation and planning process. Ultimately, I hope that this potential CAD site is abandoned for a more appropriate site that will not impact residential safety, and allowing those who have no financial stake in this matter to be part of the process will ensure that this occurs.

**It is important that the task force proposed in House Bill 886 is moved into legislation. It's important the task force has independent science experts, impacted citizens, and watermen in its membership. It's also important that the task force has meaningful bidirectional**

**interactions with impacted communities in North Anne Arundel County and with our legislative representatives.**

Sincerely,

Brooke Hurman

Stoney Beach



**HB 886 testimony.pdf**

Uploaded by: Carl Treff

Position: FAV

Testimony in support of HB 886

Thank you Delegate Chisolm for sponsoring HB 886 on behalf of your constituents in District 31.

I am here today to testify in favor of HB 886 and the creation of a task force to study any ill effects Confined Aquatic Disposal may have on our waterways.

As a lifelong resident of Pasadena, first growing up in Riviera Beach one block from the Patapsco River, and now living on the Ft. Smallwood Road peninsula, I have seen the worst of times in the 1960's when unchecked Bethlehem Steel pollution washed up on our shores, then throughout the 1990's when illegally discarded incinerator waste such as hypodermic needles washed up on our shores. Knowing what I HAVE seen in the river during my lifetime, it is a scary thought of what we CANNOT see buried in the bottom of the river today, which would be unduly disturbed with CAD. I am happy to say that through bay cleanup efforts my home waters in and near Rock Creek are mostly swimmable. We cannot allow CAD to reverse that.

As the Director and instructor of a kid's summer sail camp that would be within shouting distance of any dredging, I am opposed to the potential dirtying of our waters - waters which our young sailors fall into during inevitable capsize. Our program already closely monitors local rainfall and uses the 48 hour rule after heavy rain events to avoid water contact. My fear is an imbalance of the CAD operation would add undue pollution to the precarious water quality balance we already must monitor.

As the local coordinator for the state-run Marylanders Grow Oysters program covering Rock, Stoney, Nabbs and Furnace Creeks, I am opposed to the potential of siltation from stirred up bottom that could affect the historic Ft. Carroll oyster reef less than two miles away from the dredge site. Our program is in it's 15th year of annually planting about 75,000 adult oysters on the Ft. Carroll reef.

I am a seasoned boater, kayaker, sailor, fisherman, and crabber and these are my home waters that will be affected by CAD. Just last fall the Patapsco was the hottest spot around for striped bass fishing. And the fact that dolphins have visited us numerous times over the last few years is an indication that the river is a healthy food source which we cannot afford to disrupt.

We live in a very unique location - one where we can see heavy industry on many Patapsco shores, but also one that morphs into a residential and very much enjoyed recreational area at the mouth of the river. The residents of northern AA Cnty that do use these local waters would be very much affected should CAD turn out to be an environmental disaster. Until it is proven otherwise, I cannot support the concept of CAD and I support HB 886 which would add transparency and more citizen oversight to future CAD decisions.

Testimony submitted by:  
Carl Treff  
8110 Whites Cove Road  
Pasadena, MD 21122  
410-627-3093

**HB 886.pdf**

Uploaded by: Chuck Thompson

Position: FAV

Charles W. "Chuck" Thompson  
7854 Bodkin View Dr.  
Pasadena, MD 21122-3639

Written Testimony in FAVOR of House Bill – HB 886 – Confined Aquatic Disposal Task Force.

Dear Chair Korman, Vice Chair Boyce, and Honorable Members of the House Environment and Transportation Committee,

My name is Chuck Thompson and a long-time resident of District 31 in Northern Anne Arundel County.

I grew up in Riviera Beach on Rock Creek – a tributary off the Patapsco River. During the 1960s and early 1970s I spent many mornings with a net wading along the shoreline of Rock Creek catching hard and soft crabs. They were everywhere.

But then, within a decade, the water quality took a turn for the worse. At times Rock Creek would smell like rotten eggs. This was not the Rock Creek that I once enjoyed.

I don't know what environmental studies were performed for all the development that took place, but clearly the unintended consequences were not understood and have been devastating to Rock Creek.

The reason for my testimony is I don't want history to repeat itself.

I just retired from a government contractor after 42 years as a budget analyst. During those years I worked on many design and development contracts for next generation systems. Based on my experience, good project management principles are essential for a successful outcome.

This Bill addresses some of these principles. First, the scope – review of CAD alternatives. Never accept a point solution.

Second, since CAD is new for a residential area, a benefits and risks analysis is to be performed. This is an extremely important step. Before any ground is

broken, all stakeholders need to be extremely confident that all risks are identified, and mitigation plans are in place.

Third, the Bill includes a cadre of skeptical stakeholders to ensure robust deliberations. Risks, mitigation costs, impacts, etc., need to be vetted and well understood.

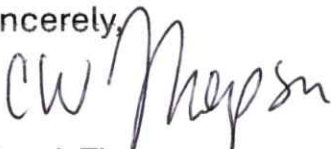
Fourth, some people don't like change. This broad-based membership can provide input to the chair of the Task Force on a proper change management communication plan.

Lastly, affected residents have someone to represent them. Namely a member each from the House and Senate. These members are closest to the people and have the power to push back against the bureaucracy.

I request a FAVORABLE report for HB 886.

Thank you for your time.

Sincerely,

A handwritten signature in black ink that reads "CW Thompson". The initials "CW" are written in a large, stylized font, and "Thompson" is written in a cursive script.

Chuck Thompson

**HOUSE BILL 886 LETTER.pdf**

Uploaded by: Dakota Wendling

Position: FAV

## House Bill 886

### CAD Task Force House Committee on Environment and Transportation 2/23/24

I am writing to express my deep concerns regarding the CAD Program slated for the Patapsco River/Chesapeake Bay and its detrimental impact on the environment. As a passionate advocate for environmental conservation and the preservation of our precious waterways, I cannot stay silent while such damaging practices continue to degrade our natural resources.

The Patapsco River holds immense ecological significance, serving as a vital habitat for diverse species, and providing countless recreational opportunities for local communities. However, the current dredging operations sanctioned by the Maryland Port Authority pose a significant threat to the health and sustainability of this delicate ecosystem.

One of the primary issues with the program is its inadequate consideration of the long-term consequences of dredging on the Patapsco River. While dredging may initially seem like a solution to maintain navigable waterways, it often leads to devastating consequences such as the disruption of sediment habitats, the release of harmful pollutants, and the erosion of riverbanks. These disruptions not only harm aquatic life but also diminish the overall water quality of the river, jeopardizing the well-being of both wildlife and humans who rely on it.

Furthermore, the disposal of dredged materials from the Patapsco River poses a significant environmental threat. The current practices of disposing of dredged sediments in landfills or dumping them offshore can result in contamination of surrounding

land and water bodies, further exacerbating the pollution problem and endangering nearby ecosystems.

Additionally, the CAD Program lacks sufficient transparency and community engagement. Decision-making processes regarding dredging activities often occur without adequate input from local stakeholders, including environmental organizations, scientists, and residents who are directly impacted by these operations. This lack of transparency not only undermines public trust but also hinders the development of sustainable solutions that prioritize the health of the Patapsco River.

In conclusion, the Dredged Material Management Program's approach to managing dredging activities in the Patapsco River is fundamentally flawed and unsustainable. It prioritizes short-term economic interests over the long-term health and vitality of this crucial ecosystem. It is imperative that we advocate for more responsible and environmentally-conscious practices that prioritize the protection and restoration of the Patapsco River for future generations.

Sincerely,  
Rock Creek Resident  
Dakota Wendling



# **DAWN HEGARTY CAD.pdf**

Uploaded by: Dawn Hegarty

Position: FAV

DAWN HEGARTY / [dawnhegarty3@gmail.com](mailto:dawnhegarty3@gmail.com)

HOUSE BILL 886 – SUPPORT

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HOUSE BILL 886 – ENVIRONMENT – CAD Task Force

HOUSE COMMITTEE ON ENVIRONMENT AND TRANSPORTATION

February 23, 2024

My name is Dawn Hegarty. I am a resident of the Riviera Beach waterfront community since 2000 in Northern Anne Arundel County and a certified master watershed steward. In the past 16 years, my family & I have been actively involved in advocating for others and volunteering in our Community Association. RCIA is responsible for our open space of designated and accessible community property known as the “Riviera Walk” bordering our waterfront shoreline of the Patapsco River, Stoney Creek & Rock Creek and home to our designated beach area, boat ramp, and marina, available to all our residents and visitors. We are known for “Where Bay, River & Creek Meet”.

I urge you, along with the House Committee on Environment and Transportation to support House Bill 886. The proposed CAD site will be approximately 1 mile off our shores of Riviera Beach. It raises concerns regarding additional exposures to pollutants and its impact on our health and biodiversity.

Despite Maryland Port Authority’s outreach & educational resources outlined in its very own report. The risks remain alarming, particularly given our area’s existing pollutants and high percent of health issues, including cancers, heart disease, & asthma, in our area alone.

It is disheartening to witness the injustices to our communities and the watersheds wellbeing in the selection of the possible CAD site, considering our area is already inundated with toxin contaminates from the heavy presents of big industries. We deserve better protection under the existing environmental regulations such as the Clean Water Act and the Clean Air Act.

Our Patapsco River is one of Maryland’s ten major Chesapeake Bay tributary basins, and is listed on the MDE’s impaired water list. The House Bill 886 Cad Task Force is imperative to be inclusive in the unbiased entities listed in the bill to independently ensure our continued efforts of safe practices and accountability are extended to the health of all.

Thank you for giving me this opportunity to share my concerns.

Concerned Citizen,

Dawn Hegarty

**HB 886 - CBF - FAV.pdf**

Uploaded by: Doug Myers

Position: FAV



# CHESAPEAKE BAY FOUNDATION

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*Environmental Protection and Restoration  
Environmental Education*

## **House Bill 886**

### Confined Aquatic Disposal Task Force

Date: February 23, 2024

To: Environment & Transportation Committee

Position:

**Favorable**

From:

Doug Myers

Maryland Senior Scientist

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Chesapeake Bay Foundation (CBF) **SUPPORTS** HB 886 which establishes a task force to discuss and review the overall concept, viability, and available options associated with confined aquatic disposal (CAD) of maintenance dredged material from state navigation channels. The task force will make a recommendation on whether the Maryland Port Authority (MPA) should pursue the development of a CAD program or prohibit its use in the State. The Task Force will, if appropriate, develop a list of best practices and legislative or other policy recommendations regarding the authorization and implementation of the program.

Currently, CBF participates in several committees convened by MPA to guide all aspects of dredged material management and a structure already exists within those committee structures to bring stakeholder recommendations to a multi-agency Executive Committee that directs MPA. There is the potential for this legislation to be largely duplicative of those efforts.

However, on the issue of Confined Aquatic Disposal, considerable community opposition has been raised related to various aspects of siting, potential environmental impacts, and quality-of-life impacts a CAD program might create. CBF understands the potential lack of capacity for dredged material management within the harbor, especially as the port modernizes with berths for larger vessel types currently under construction. We also understand the concerns of community members about legacy toxic recontamination potential if CAD is not carefully planned and executed. CAD capacity, siting limitations, and community protective measures must be developed now, whether or not that capacity is actually needed in the future, because the timing required to bring a CAD program online will be several years.

Whether it is within the existing Dredged Material Management Program structure or a task force created by this bill, CBF will continue to participate in the development of CAD program parameters that assure equitable community involvement and strong environmental protections.

**CBF urges the Committee's FAVORABLE report on HB 886.**

For more information, please contact Matt Stegman, Maryland Staff Attorney, at [mstegman@cbf.org](mailto:mstegman@cbf.org).

Maryland Office • Philip Merrill Environmental Center • 6 Herndon Avenue • Annapolis • Maryland • 21403

The Chesapeake Bay Foundation (CBF) is a non-profit environmental education and advocacy organization dedicated to the restoration and protection of the Chesapeake Bay. With over 200,000 members and e-subscribers, including 71,000 in Maryland alone, CBF works to educate the public and to protect the interest of the Chesapeake and its resources.

# **HB Testimony EC.pdf**

Uploaded by: Edwin Cameron

Position: FAV

Edwin Cameron - [Ecam1976@yahoo.com](mailto:Ecam1976@yahoo.com)

**House Bill 886 – Environment – CAD Task Force  
House Committee on Environment and Transportation  
February 23, 2024**

My name is Ed Cameron. My wife, Julie, and I live in the Stoney Creek/Patapsco River waterfront community of Riviera Beach in North Anne Arundel County. We chose to build our home on the water because we enjoy water activities - swimming, boating, fishing and crabbing. I am the president of the Chesapeake Bay Power Boat Association which has some 6,500 Facebook Group Members, and have been on the board for 8 years.

We bought our home on Stoney Creek because the water here is clean, and the creek has never been closed by the AACo health department due to poor water quality to the best of our knowledge. We swim in the Patapsco and local creeks. We boat, paddleboard, fish, crab. As residents in this waterfront community, we are all sensitive to keeping the water clean.

While we understand the importance and needs of the port, we are extremely concerned about the environmental and human safety impact of dredging and dumping of contaminated material back into the water as proposed in the Contained Aquatic Disposal (CAD) plan..

We fear, that without this proposed legislation, the Maryland Port Authority (MPA) will begin dumping dredge material contaminated with heavy metals, petroleum, **PFAS**, and other toxic-forever chemicals in the Patapsco over a 20-acre area off of Stoney Creek and Rock Creek and then expand that up to 220 acres moving east towards Ft. Smallwood. These are areas where many Maryland citizens crab and fish, spend the day in the water and swim with their kids.

We attended a meeting in June 2023. MPA's science was questionable. The people who came could not answer any of our questions and their emphasis seems to have been put on marketing. Even now, they still can't answer detailed questions and they're not prepared to discuss risk assessment and mitigation. What they told us in the meeting is that they had done a pilot test in a ship slip in the harbor and it went well. These conditions aren't even remotely similar to the proposed CAD site – other than they're both in the water. We all know that the open waters of the outer Patapsco are highly turbulent in storms and with boat wakes. We know that the lightweight sediment in the dredge material they dump won't stay put. Furthermore, they don't plan to cap the dumping sites or even use a silt curtain to limit the spread during dumping.

Moreover, we know that this activity will devastate aquatic life in the dumping area and take years, if ever, to be fully restored. What we don't know is what impact it will have on our health or the greater environment. Or to the fish and crabs we catch and eat from the river and our creeks. Or to our families who swim and play in our waterways. And MPA doesn't either. And they don't seem to care. They just seem to care about making you think it's a good thing.

There are many examples where the State of Maryland has historically and proudly stood firm with regard to cleaning up and protecting the environment. Maryland has always leveraged research and relied on science-backing plans to help clean our air and protect our waters, especially the Chesapeake Bay. With the CAD proposals massive amounts of toxic material being disturbed and released into the water column so close to our communities, creating an independent task force to research and study the plan is the next logistical step.

We believe it is imperative the task force not only include subject matter experts and research scientists, it should include delegates and neighborhood representatives from Northern ACo waterfront communities on the Patapsco and connected Creeks/Rivers. There are many more stakeholders, including our local marinas; watermen; fishing charter operators; waterfront restaurants; boat/jet ski rental vendors; and kayak/paddle board rental vendors just to name a few.

The Port is an economic engine for Maryland, and so are the ACo waterfront communities. There are many questions the task force can look into, such as, what is the impact of wind, tide and boat wakes on the drift of sediment, toxins, and how far they will drift? What will be the impact of sediment and toxins on aquatic vegetation and wildlife? What other ways are available to properly and safely dispose of the dredge material on land? Where else has the CAD type process been used and what were the results?

Our boating club and the neighbors in my community share the same concerns regarding the CAD plan. So, my wife and I are joining them to fully support HB 886.

Sincerely,

Edwin & Julie Cameron  
Members, Former Board Members - Riviera Beach Community  
President - Chesapeake Bay Power Boat Association

# Hall HB0886 Written Testimony 2024.pdf

Uploaded by: Emily Hall

Position: FAV



To Whom It May Concern,

I am writing to express my deep concerns regarding the proposed Confined Aquatic Disposal (CAD) of dredge material by the Maryland Port Administration (MPA) in the Patapsco River near Stoney Creek and Rock Creek. As a resident of this community, I am gravely worried about the potential environmental and health impacts of such an undertaking.

The legislation being championed by our state legislators, Senators Simonaire, Chisholm, Munoz, and Kipke, to establish an independent task force to investigate and make recommendations on this matter is crucial. Without this legislation, the MPA may proceed with its plans to dump dredge material contaminated with heavy metals, petroleum, PFAs, and other harmful substances into our waterways.

MPA's track record and approach to this project are deeply troubling. Their emphasis on marketing over sound science, as evidenced by their inability to answer detailed questions and address risk assessment and mitigation concerns, is alarming. It seems their primary concern is cost-effectiveness rather than the well-being of our communities and the environment.

Dumping dredge material without proper containment measures or consideration for the turbulent nature of the Patapsco River poses a significant threat to aquatic life, recreational activities, and public health. The potential long-term consequences of this action on our waterways and the organisms that inhabit them cannot be understated.

In conclusion, I urge our esteemed state delegates to vote in favor of HB 886 and support the establishment of an independent task force to investigate and make recommendations regarding the Confined Aquatic Disposal project. Our community's well-being and the preservation of the Patapsco waterways depend on your decisive action. Thank you for your attention to this critical matter.

Sincerely,

Emily Hall

**CBYCA HB 886.pdf**

Uploaded by: Gene Schenck

Position: FAV



## **Chesapeake Bay Yacht Clubs Association**

4547 Bonnie Branch Road

Ellicott City, MD 21043

February 18, 2024

The Chesapeake Bay Yacht Clubs Association (CBYCA) brings together more than a hundred yacht clubs and partners in a five-state area and DC, including 56 yacht clubs in the state of Maryland. Our Association understands the importance of the Port of Baltimore, and we recognize the need for dredging to keep the port viable. At the same time, we represent recreational boaters who frequently swim, crab, kayak and sail the waters of the Patapsco River as it flows from heavy industry to recreational and residential properties downstream. Confined Aquatic Disposal is new to us, and we urge transparency and considerable expert scrutiny as CAD may be utilized to keep the port channels open.

CBYCA has been encouraged by progress in Bay cleanup and various benchmarks that show better water quality. We are not scientists, so we ask you to defer to those experts who can analyze CAD as it might be used in Baltimore and that all of their ideas are shared with us. For these reasons, we speak in support of HB886 and ask for creation of the Confined Aquatic Disposal Task Force that will explore this new technique so that our concerns are satisfied.

Our members want to make sure any new dredging techniques are thoroughly studied by experts and those who live in the area and enjoy these waters. CBYCA supports HB886 and its purpose of creating a public task force and total transparency of CAD as it may be used in the Patapsco River.

Respectfully,

Robert B. Naylor, Commodore  
Commodore

David Thomas,  
Director of Legislation

# House Bill 886 George Wendling.pdf

Uploaded by: George Wendling

Position: FAV

GEORGE WENDLING EMAIL: Lisawendling6386@gmail.com

## HOUSE BILL 886 – SUPPORT

House Bill 886 – Environment – CAD Task Force  
House Committee on Environment and Transportation  
February 23, 2024

My name is George Wendling, I live on the water on Rock Creek, Northern Anne Arundel County. My wife and I have dreamed of living on the water since 1985. We were finally able to move on the water in Rock Creek 2017. We have enjoyed the water since we were little. We have a beautiful house on the water and enjoy boating, swimming, crabbing off our pier, fishing off our pier, paddle boarding, etc.

My father-in-law, William Polczynski, worked at Bethlehem Steel and the shipyard for over 30 years. He suffered significantly due to the exposure of toxic waste in the water. His medical conditions ranged from Mesothelioma, COPD, Congestive Heart failure and leukemia. All attributed and confirmed to the exposure of toxic elements at the shipyard. This toxic material in the water has been dormant for decades. Disturbing the sea floor will reinstitute the toxic waste into the flowing water that will impact the surrounding residents.

My concerns with the CAD program are the risks associated with the dredge that is highly toxic and contaminated with forever chemicals that are carcinogenic. For decades the water in this area have been contaminated due to sewage overflow. We are finally seeing improvement in the waterways.

It is very important that an independent CAD task force oversee the environmental safety, human health, sea life and the impact on waterman who make a living crabbing and fishing. I do not agree with anyone who is associated with the MPA or their contactors. They will not have the best interest of the people who live on the water and surrounding areas.

It is important that the task force proposed in House Bill 886 is moved into legislation. It's important that the task force have independent science experts, impacted citizens, and watermen in its membership. It's also important that the task force has meaningful bidirectional interactions with impacted communities in North Anne Arundel County and with our legislative representatives.

Sincerely,

George Wendling  
Rock Creek Community

**HB886GSLIVIAK.pdf**

Uploaded by: Gregory Sliviak

Position: FAV

**House Bill 886 – SUPPORT**

**House Bill 886 – Environment - CAD Task Force  
House Committee on Environment and Transportation  
February 23, 2024**

My name is Gregory Sliviak. I live on the waterfront of Rock Creek in Northern Anne Arundel County. We are less than a mile from the proposed CAD project. I am a second-generation iron worker. My career was spent working in downtown Baltimore and surrounding areas. My livelihood also included many hours working in most of the chemical plants (Grace Chemical, Glidden Paint, Olin Chemical and Allied to name a few) and wastewater treatment plants in the area. I personally witnessed pumping into the bay by every plant that used water in their process of making chemicals. These included pool chemicals, octane boosters for gasoline and many other toxic chemicals.

In the 80's I personally witnessed Green Peace come up to the giant pipe from Sparrows Point and hook up to the sludge pipe that spewed toxic sludge 24 hours a day into the bay. They started pumping the sludge onto Bethlehem Blvd to make a statement. The coastguard was called, and the crew was arrested. The wastewater treatment plants I worked in had tanks containing water high in mercury. At the time many waterfowl roosted in the open tanks, they were likely hunted and then eaten. The danger is wide spreading when it comes to all the different exposures. I also worked at the Aberdeen Mustard burning facility. I witnessed PCB barrels being pushed off into the dredged part and pushed off into other waters. The steel mills, chemical plants and other toxic environments I have worked in and around Baltimore and Anne Arundel County have caused many construction workers to die because of the exposure. I have a friend who grew up beside Allied Chemical in Baltimore City, he lost his wife, sister and their baby sister all to cancer. One plant had employees that had actual holes in their noses between their nostrils.

The cove I live in isn't swimmable after any significant rainfall due to fecal matter that is released when the local pumping station can't take it all in. As a waterfront homeowner this is beyond upsetting to realize that there are limits on how many crabs and fish you can eat safely in a month between the toxic exposure.

The bay all the way up to the Susquehanna River is the biggest spawning area of a 300-million-dollar Rockfish industry. Now polluted with canker sores and a variety of Enterobacteriaceae resistant diseases that can cause skin infections, lung and joint problems can be caused by the rockfish. It has even caused amputations in some watermen.

I understand that the Baltimore Harbor and its shipping channel needs to be dredged and that the material needs to be removed. However, that material must be removed in a safe way and placed in a contained area that won't impact our environment negatively. The Port brings in millions of dollars to our area and it comes at a cost but it shouldn't come as a cost to citizens' wellbeing and rightful use of their property. The funds need to be used to come up with a less impactful method of dealing with that material.

The MPA has been extremely negligent in communicating their plans to use the CAD to the citizens of North Anne Arundel County and to our legislative representatives. It is my understanding based on research that there are currently no CAD sites that are located within residential communities and waterways. They are located next to industrial areas where the material was removed to limit the environmental impact.

The Confined Aquatic Disposal (CAD) will destroy an area that has rebounded significantly after years of decline. The project doesn't include a remediation plan in the event there is spillage which I can't imagine there wouldn't be of the "contaminated dredge material" whether in the process or once in place. The "material" that is being removed to be replaced by the contaminated dredged material is needed by the Port Authority so that they use it to "fuel" their reuse program, but it is likened to strip mining. The material that is being dredged out of the shipping channels is contaminated and not able to be used for that purpose in its current state. If the Port Authority continues as planned, they will be dredging wider channels which means a higher concentration of highly contaminated material since it hasn't been dredged before.

It is essential that there is the oversight of an independent CAD task force not over-populated with MPA representatives or their contractors to consider the environmental safety and human health of our community. It is very concerning to me that there was no knowledge of this planned CAD project and that the potential impact on our community was not being considered or protected. It is being presented as a 20-acre site when upon further pressing this would extend to Fort Smallwood State Park. Fort Smallwood has devoted millions of dollars to improving the beach areas and facilities for the community. No one will be able to use the facilities because of potential health safety concerns. We are already flooded with chemical production and pollution, and it appears that the Maryland Port Authority would like to further injure the community.

It is my opinion that Patapsco needs to have the most environmentally sensitive laws not the least! We have all worked so hard to improve our area and to see if destroyed is frightening to say the least. This project has been considered for many years and wasn't brought to light to anyone until the meeting that was organized back in June.

At the last meeting that I attended it was clear that the MPA has no other "Plan" in the event that the CAD project isn't successful, no "Plan" in the event that there is a spillage of the toxic dredged material.

**It is essential that the task force proposed in House Bill 886 is moved into legislation. It's important that the task force has independent science experts, impacted citizens, and watermen in its membership. It's also important that the task force has meaningful bidirectional interactions with impacted communities in North Anne Arundel County and with our legislative representatives.**

Sincerely,

Gregory Sliviak - Rock Creek





# 2024 Testimony HB 886.pdf

Uploaded by: Heather O'Neal

Position: FAV

**House Bill 886 – SUPPORT**

**House Bill 886 – Environment - CAD Task Force  
House Committee on Environment and Transportation  
February 23, 2024**

My name is Heather O'Neal. I live in the waterfront community of Nabbs Creek, in Northern Anne Arundel County. I moved here just to enjoy the beautiful water view and all the activities we are able to enjoy on the water, including boating, fishing, wake surfing, and swimming.

Because I love my family and care for their health more than anything. the risks and impacts of Confined. Aquatic Disposal (CAD) dumping of contaminated dredge material are enough to keep my family out of the water and not being able to enjoy the life that we not only love, but that we paid a good price to enjoy freely and without concern. Not only will these things be directly affected, but also our wonderful well-established eco-system in place and the fish and crabs that depend on the health of it to survive. This not only affects us who live here, but all those who depend on the fish and crabs for food. Why choose a location this close to a well established community of people who enjoy their clean water so much? Why take the chance of taking away what we have here as our livelihood? Would you let your kids and grandkids play here in the water knowing what you had dumped? Would you risk it?

During the meetings I noticed that the CAD staff not only didn't answer questions, but also seemed to not have a plan in order if their so called well thought out plan didn't work. I also got the feeling that they were basically laughing at those representing our community because of our concerns. If this plan does go thru, it is imperative that there is oversight of an independent CAD task force not over-populated with MPA representatives or their contractors to consider the environmental safety, human health. We could never fully trust a task force that worked for the people making the promises.

It is important that the task force proposed in House Bill 886 is moved into legislation. It's important the task force has independent science experts, impacted citizens, and watermen in its membership. It's also important that the task force has meaningful bidirectional interactions with impacted communities in North Anne Arundel County and with our legislative representatives.

Sincerely,

Heather O'Neal

[Heatheronealcc@gmail.com](mailto:Heatheronealcc@gmail.com)

Nabbs Creek

**HB 866.1.pdf**

Uploaded by: Jennifer Smith

Position: FAV

House Bill 886 – SUPPORT

House Bill 886 – Environment - CAD Task Force  
House Committee on Environment and Transportation  
February 23, 2024

My name is Thomas Marston. I live in the waterfront community of Lombardee Beach in Northern Anne Arundel County. I am my community's advocate for the natural world as I am a Master Watershed Steward of Anne Arundel County, and a board member of my community of roughly 200 families that have both waterfront and water access to Chesapeake Bay.

I am submitting the following comments on behalf of the Community Association and with the support of my President, Jennifer Smith, and the Board of Directors

I am concerned that Confined Aquatic Disposal (CAD) dumping of contaminated dredge material could cause great harm to the waters of Patapsco River and nearby creeks if the dredge material escapes the containment cell after disposal or during the installation. I am sure that it can enter our creek because in 2010, Baltimore City accidentally released a few thousand gallons of raw sewage from their processing plant at the headwaters of Patapsco.

As I readied to leave for a sailing weekend, we noticed the fish surfacing to breath and my family found the activity of the fish atypical. Our neighbor told us when we return in two days, many fish will be dead as they are suffering from the sewage release and cannot breathe through their gills. We were unable to draw the conclusion that he predicted as we were not familiar with aquatic life. He foretold the truth as we found many fish dead upon the surface that Sunday afternoon when we returned home.

The injustice of killing so many fish went unpunished because it was determined a mistake by one individual. There would be no retribution by the City. The fish would return, and we could swim in the creeks again once the pollution was flushed away by the rain.

There are laws that prevent me from flushing my head into the bay. I must place it into a holding tank on my boat and pump it to specific tanks on land. DNR can board my boat and inspect that I am complying and be fined when found violating the inland waterway sewage disposal law.

How do we hold MPA responsible if their process is harmful to our local waters? Should this community have the right to know it is safe because we see and understand the process and can predict that tides and winds will not alter the assumption that it is safe. Who will compensate the affected communities for harm that may occur if we get this wrong.

AND who will compensate the natural world that has never been permitted to speak about our treatment of the environment?

Has the committee considered the risk of this action as compared to other options, such as containing all dredged materials on land. If a water disposal system must be tested, is the middle of the river the best location? How do we test the assumptions that CAD is safe and will have the least impact on the waters of the bay and the people who live, work, and play on the Patapsco River?

The citizens of Anne Arundel and Baltimore Counties could not hold Baltimore City responsible for discharging raw sewage into the bay. What chance do we have that MPA will be required to compensate the community for their loss? How do we compensate the environment when we make one more short-sited decision? We can do better when we take time to consider all available information and ensure that many competing opinions have a voice and a vote to decide for the community.

It is important that the task force proposed in House Bill 886 is moved into legislation. It's important the task force has independent science experts, impacted citizens, and watermen in its membership. It's also important that the task force has meaningful bidirectional interactions with impacted communities in North Anne Arundel County and with our legislative representatives.

Sincerely,

Thomas Marston  
986 Nabbs Creek Road  
Glen Burnie, MD 21060  
Board Member

Jennifer Smith  
921 Anne Road  
Glen Burnie, MD 21060  
President

Lombardee Beach Community Association

# **2024 HB 886 Oral Testimony Script - John Garofolo.**

Uploaded by: John Garofolo

Position: FAV

**House Bill 886 – SUPPORT**

*(Oral Testimony)*

**House Bill 886 – Environment - CAD Task Force  
House Committee on Environment and Transportation  
February 23, 2024**

Mr. Chair and Committee members, thank you for the opportunity to testify and support House Bill 886.

I'm John Garofolo and I live in the beautiful waterfront community of Stoney Beach in south Curtis Bay, I'm a scientist, a citizen environmentalist, and a WSA Master Watershed Steward. In April, 2023 I learned of MPA's plans to create an enormous uncapped contaminated CAD site just one mile off our shore. I was concerned about the noise and environmental and health risks and asked MPA important questions. I was also concerned that MPA had not shared their plans with the community.

So, on June 1st, I organized a meeting with 150 citizens representing Anne Arundel Patapsco waterway communities and our legislators to be briefed on MPA's plans and research and give sufficient time and attention to citizen questions and discussion. The citizens passionately expressed their concerns about CAD and asked many science, engineering, and risk questions. Unfortunately, MPA couldn't effectively answer these questions - then or now.

MPA continually states that they only need to "improve their education and outreach". But we don't need more marketing. What we need is sound and open science, transparency and accountability, and environmental justice. The citizens have stated that clearly.

Risks aside, I can't fathom that it's okay to destroy 20-220 acres – 166 football fields - of healthy riverbed in an already highly distressed Chesapeake estuary near already environmentally-distressed residential communities.

Our area in 21226 has too long been the state's dumping ground and is one of the most polluted zip codes in the nation. Our community sits within hundreds of feet of two coal-powered power plants and a sewage treatment plant and multiple polluters upstream.

I strongly Support House Bill 886 and its independent investigatory role, independent scientific expertise, and meaningful citizen and legislator inclusion.

It is of utmost importance that a great environmental injustice is not committed in the name of cost and convenience to the state. Our waterways ARE an important part of the Chesapeake. And they're the lifeblood of our communities.

Thank you for hearing me today.

John Garofolo

Stoney Beach, Curtis Bay, MD

**2024 HB 886 Written Testimony with signature - Joh**

Uploaded by: John Garofolo

Position: FAV



**House Bill 886 – SUPPORT**

**House Bill 886 – Environment - CAD Task Force  
House Committee on Environment and Transportation  
February 23, 2024**

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 a scientist, 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 Authority through their Cox Creek Citizens Oversight Committee off and on for several years since they began constructing the 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).”

Channel, anchorage, and berth dredging are essential to support the Baltimore Harbor and its shipping industry. **However, the safety of the disposal of the removed dredge material is crucial to the health and safety of the Patapsco and its waterways, the Chesapeake Bay, the tidal ecosystem, and the citizens and especially families with children that live on, use, and play in these waterways. 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 from past industrial dumping and runoff – many of which are carcinogenic.** Harbor dredge material frequently contains heavy metals, petroleum, PCBs, PFOAs, and other toxic forever chemicals. This is why MPA must already take special precautions in containing and dewatering it as required by law and regulation. The Patapsco is also environmentally sequestered by law from the rest of the Chesapeake for dredge management because of the known contamination of the riverbed near industrial sites. My understanding is that MPA may currently only dispose of dredge material from the Patapsco in land-based diked containment facilities adjoining the Patapsco.

Due to the projected expansion of Baltimore Harbor/Patapsco shipping and berthing channels and ongoing maintenance requirements, MPA has predicted a shortage of places to “contain” contaminated dredge material in the future. As a result, MPA began to explore an aquatic alternative to land-based facilities for dredge material containment called Confined Aquatic Disposal (CAD). MPA created an initial CAD pilot in a ship berth adjoining their diked containment facility in Brooklyn called “Masonville Cove” in 2016. The pilot was in calm protected water in a ship berth in an already-contaminated industrial area and not reflective of the behavior or impacts of a CAD project in the open turbulent waters of the outer Patapsco near the Bay. MPA created their “Innovative Reuse & Beneficial Use Program (IRBU)” program to promote both CAD and R&D in the potential reuse of dredge material. MPA’s 2019 DMMP annual report<sup>1</sup> indicated that they had initiated a process to identify potential sites for a pilot of an operationally-sized CAD installation in the Patapsco (MPA refers to the entire tidal Patapsco as “the Baltimore Harbor” - including outer Patapsco waters adjoining the Chesapeake and residential Anne Arundel County shorelines.) And MPA has stated that they began their plans to create a CAD program in 2010. MPA has clearly been

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<sup>1</sup> <https://mpa.maryland.gov/greenport/Documents/dmmpannualreview2018.pdf>

working on these plans for years - starting in 2010 - and **MPA has been negligent in sufficiently communicating their plans to use CAD to the citizens of North Anne Arundel County and to our legislative representatives.**

According to MPA, their implementation of CAD involves digging a hole in the riverbed (cell) and removing clean sand from the cell to be used for other beneficial purposes and dumping (contaminated) dredge in its place but not completely filling the cell to the top.<sup>2</sup> MPA does not plan to cap the deposited dredge or use a silt curtain during its dumping to limit dispersion. Enormous amounts of healthy riverbed would be destroyed including all aquatic life in and near the CAD cell. It's unclear how much of the contaminants and turbidity in the dredge would be released into the river during filling or over time and how long it would take the disturbed ecosystem to recover. MPA specifically chose a location one mile off of Stoney Creek/Rock Creek because it was uncontaminated, had appropriate sandy material, and could support any beneficial reuse. **This approach would not contain and control the contaminants the way diked dredge facilities do, and it is unclear how this would affect public health in nearby waterfront communities or the delicate environment of one of the less-contaminated areas of the Patapsco as well as its nearby tidal tributaries.**

In my role of Watershed Steward, I began engaging MPA through their Cox Creek Citizens Oversight Committee (CCCOC) meeting in the Fall of 2022 to ask if they could provide clean ("Category 1"<sup>3</sup> – suitable for residential use) dredge material for a shoreline restoration project in my community. MPA was able to set aside dredge material removed from Cox Creek next to our community for the project. My community is now about to benefit from the MPA IRBU beneficial reuse program<sup>4</sup> for our shoreline and MPA is highlighting it as a success. I strongly support this form of beneficial reuse which doesn't create environmental harm. MPA announced in their Spring 2023 CCCOC meeting that they planned to create a 20-acre outer Patapsco CAD pilot as part of a 220-acre ultimate site plan and this site would contain contaminated "Category 2" dredge material (not suitable for residential use or direct human exposure in a residential setting). Note that the referenced MDE dredge material categorization and use guidance document does not address the re-use of dredge material in the water – only in land-based use. **The enormous MPA CAD site is planned for the Southern side of the outer Patapsco River just 1 mile off Stoney Creek and Rock Creek and very close to my community of Stoney Beach and nearby Riviera Beach. Potential likely extension of the site to its full size would bring it close to Fort Smallwood. It will be as large as 166 football fields!**

**I was so alarmed by this announcement, that I organized a meeting with MPA to meet with citizens and our area legislators on June 1, 2023** and asked MPA to speak about their IRBU program and CAD project and to take an hour of questions. **The meeting had over 150 participants including citizens from many Anne Arundel Patapsco waterway communities as well as all of our legislative representatives.** In that meeting, MPA did a poor job of explaining their plans and research and responding to questions from the citizens. Citizens asked many

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<sup>2</sup> <https://maryland-dmmp.com/innovative-solutions/confined-aquatic-disposal/>

<sup>3</sup> <https://mde.maryland.gov/programs/marylander/pages/dredging.aspx> and [https://mde.maryland.gov/programs/marylander/Documents/Dredging/FINAL\\_IBR\\_GUIDANCE\\_12.05.2019\\_MDE.pdf](https://mde.maryland.gov/programs/marylander/Documents/Dredging/FINAL_IBR_GUIDANCE_12.05.2019_MDE.pdf) (and Appendix 3 - Screening Criteria)

<sup>4</sup> [https://mpa.maryland.gov/greenport/documents/MDOT\\_MPA\\_IBR\\_FACT\\_SHEET%202021%20FINAL.pdf](https://mpa.maryland.gov/greenport/documents/MDOT_MPA_IBR_FACT_SHEET%202021%20FINAL.pdf)

important questions regarding risk assessment, science, engineering, health and safety, environmental concerns, and for technical documentation which MPA could not adequately answer. **Both our citizens and our legislators expressed great concern about the soundness, safety, and transparency of the project. The citizens at the meeting also expressed how important the outer Patapsco and its Anne Arundel residential waterways (including Cox Creek, Stoney Creek, Nabbs Creek, Rock Creek, and Bodkin Creek spanning Pasadena and Curtis Bay and tens of miles of shoreline) are to the way of life for families living on and engaging with these waterways.** On any one nice summer day, you might see dozens of families swimming, boating, skiing, jet skiing, fishing, and crabbing in the cove at the mouth of Stoney Creek and out into the Patapsco. Citizens in my community also fish almost all year and crab from our boardwalk – directly in line with the planned CAD project.

Senator Simonaire and Delegates Chisholm, Munoz, and Kipke quickly met with the MPA shortly after the meeting and published a press release stating that MPA agreed to pause the CAD project while our legislators worked to create legislation to stand up a statewide task force to investigate the use and location of CAD projects in Maryland. MPA held its own citizens outreach meeting and open house several weeks later in July, 2023 in response to the June meeting. However, MPA provided essentially no new information, only took questions at tables outside of the formal part of the meeting, and a MDE environmental expert who spoke at the meeting had obviously not been briefed by MPA on their plans. **MPA asserted in the meeting (and every meeting since) that they were only focused on pausing their CAD project to “improve their education and outreach”, but have stated nothing regarding improving their science, transparency, and substantive citizen engagement.** I asked MPA at that meeting if they would hold a technical briefing for scientists and engineers and interested citizens living near the planned site and they agreed, but never followed through. I just heard from MPA this week with some documentation and an offer to meet with me, but it’s important that all interested citizens have the opportunity to have a technical briefing and discussion with them. This is not a matter of marketing. MPA has been tone deaf to citizen questions. This is a matter of open science and peer and citizen review. I along with other citizens have been stating that clearly over and over. And asking scientific questions about modeling, test and measurement, and health and safety, and risk assessment and mitigation, and getting meaningless fluffy answers. It seems as though MPA needs to be educated and held accountable. That must begin with transparency.

**I am very concerned about the quality and scope of MPA research regarding CAD and its safety, the amount of funding that has been spent on developing CAD plans and pilots without sufficient citizen and legislator interaction and input from impacted communities, the apparent lack of effective coordination with MDE, the lack of independent health, science, and environmental oversight of this project, and the lack of publicly accessible documented research and planning regarding the project.**

For purposes of dredge management, MPA and the state seem to see the Patapsco River as disengaged from the greater Chesapeake. The Patapsco River and its many waterways are an important part of the Chesapeake Bay and its overall health. And the Patapsco is the most at-risk part of the Chesapeake Bay environmentally because of the great harms caused by industrial waste and sewage spills from the last 150+ years. **The Patapsco needs to have the most environmentally sensitive laws, regulation, and oversight - not the least.** And the residential areas of the outer Patapsco in Anne Arundel County have hundreds of waterfront communities

whose families swim, fish, crab, boat, and do water sports in the river and its waterways. **The Patapsco waterways literally are the lifeblood of the communities in Northern Anne Arundel County. It's important for our future that these waterways are kept environmentally safe and that no further environmental damage is done to the Patapsco.**

Risks aside, I can't fathom how it's okay to destroy 20-220 acres – 166 football fields - of healthy riverbed in an already highly distressed Chesapeake estuary near already environmentally-distressed residential communities. **Our area in Zip code 21226 has too long been the state's dumping ground and is one of the most polluted zip codes in the nation.** Our community sits within hundreds of feet of two coal-powered power plants and a sewage treatment plant and is just downstream from the enormous MPA Cox Creek Dredge Containment facility, multiple toxic material dumps, incinerators, and other polluters including a radioactive Superfund site. Moreover, these sources of pollution impact nearby waterway communities in Pasadena and Glen Burnie. The tides, waves, and currents know no bounds. **This CAD project is an environmental injustice to an already over-burdened waterway and over-burdened communities. Environmental justice needs to be carefully balanced with state dredge management needs. Despite the state's regulatory view, our waterways ARE an important part of the Chesapeake Bay and they're extremely important to our communities.**

**I strongly Support House Bill 886 and its independent investigatory role, independent scientific expertise, and meaningful citizen inclusion and legislator participation. It is of utmost importance that a great environmental injustice is not committed in the name of cost and convenience to the state.**

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Garofolo', with a stylized flourish at the end.

John S. Garofolo

Stoney Beach, Curtis Bay, MD

# **HB 886 Testimony.pdf**

Uploaded by: Julie Cameron

Position: FAV

My name is Julie Cameron. My husband, Ed, and I live in the Stoney Creek/Patapsco River waterfront community of Riviera Beach in North Anne Arundel County. We chose to build our home on the water because we enjoy water activities - swimming, boating, fishing, and crabbing. My husband is the president of the Chesapeake Bay Power Boat Association which has some 6,500 Facebook Group Members, and he has been on the board for 8 years.

We bought our home on Stoney Creek because the water here is clean, and the creek has never been closed by the AACo health department due to poor water quality to the best of our knowledge. We swim in the Patapsco and local creeks. We boat, paddleboard, fish, crab. As residents in this waterfront community, we are all sensitive to keeping the water clean.

While we understand the importance and needs of the port, we are extremely concerned about the environmental and human safety impact of dredging and dumping of contaminated material back into the water as proposed in the Contained Aquatic Disposal (CAD) plan.

We fear, that without this proposed legislation, the Maryland Port Authority (MPA) will begin dumping dredge material contaminated with heavy metals, petroleum, Per- and Polyfluoroalkyl Substances (PFAS), and other toxic-forever chemicals in the Patapsco over a 20-acre area off Stoney Creek and Rock Creek and then expand that up to 220 acres moving east towards Ft. Smallwood. These are areas where many Maryland citizens crab and fish, spend the day in the water and swim with their kids.

We attended a meeting in June 2023. MPA's science was questionable. The people who came could not answer any of our questions and their emphasis seems to have been put on marketing. Even now, they still can't answer detailed questions and they're not prepared to discuss risk assessment and mitigation. What they told us in the meeting is that they had done a pilot test in a ship slip in the harbor and it went well. These conditions aren't even remotely similar to the proposed CAD site – other than they're both in the water. We all know that the open waters of the outer Patapsco are highly turbulent in storms and with boat wakes. We know that the lightweight sediment in the dredge material they dump won't stay put. Furthermore, they don't plan to cap the dumping sites or even use a silt curtain to limit the spread during dumping.

Moreover, we know that this activity will devastate aquatic life in the dumping area and take years, if ever, to be fully restored. What we don't know is what impact it will have on our health or the greater environment. Or to the fish and crabs we catch and eat from the river and our creeks. Or to our families who swim and play in our waterways. And MPA doesn't either. And they don't seem to care. They just seem to care about making you think it's a good thing.

There are many examples where the State of Maryland has historically and proudly stood firm with regard to cleaning up and protecting the environment. Maryland has always leveraged research and relied on science-backing plans to help clean our air and protect our waters, especially the Chesapeake Bay. With the CAD proposals massive amounts of toxic material being disturbed and released into the water column so close to our communities, creating an independent task force to research and study the plan is the next logistical step.

We believe it is imperative the task force not only include subject matter experts and research scientists, but it should also include delegates and neighborhood representatives from Northern AACo waterfront communities on the Patapsco and connected Creeks/Rivers. There are many more stakeholders, including our local marinas; watermen; fishing charter operators; waterfront restaurants; boat/jet ski rental vendors; and kayak/paddle board rental vendors just to name a few.

The Port is an economic engine for Maryland, and so are the AACo waterfront communities. There are many questions the task force can investigate, such as, what is the impact of wind, tide, and boat wakes on the drift of sediment, toxins, and how far they will drift? What will be the impact of sediment and toxins on aquatic vegetation and wildlife? What other ways are available to dispose of the dredge material properly and safely on land? Where else has the CAD type process been used and what were the results?

Our boating club and the neighbors in my community share the same concerns regarding the CAD plan. So, my husband and I are joining them to fully support HB 886.

Sincerely,



Julie Cameron

Member, Former Board Members - Riviera Beach Community

Member - Chesapeake Bay Power Boat Association

# 2024 Kelley Testimony HB 886.pdf

Uploaded by: Keith Kelley

Position: FAV



Keith Kelley | scarabexcel@duck.com

**House Bill 886 – SUPPORT**

**House Bill 886 – Environment - CAD Task Force  
House Committee on Environment and Transportation  
February 23, 2024**

My name is Keith Kelley. My wife Debbie and I have been part of the Stoney Creek waterfront community of Pine Haven in North Anne Arundel County for almost 18 years. We have been active members of the Chesapeake Bay Power Boat Association for almost 30 years. Born and raised in Maryland, we have enjoyed swimming, boating, fishing and crabbing here our entire lives.

We bought our home on Stoney Creek because the water here is clean. To the best of our knowledge, the creek has never been closed by the AACo health department due to poor water quality. As residents in this waterfront community, we are sensitive to keeping the water clean.

The Port is an economic engine for Maryland, and so are the AACo waterfront communities. While we understand the importance of dredging the port, we are extremely concerned about the environmental and human safety impact of dredging and dumping of contaminated material back into the water as proposed in the CAD plan.

With such massive amounts of toxic material being disturbed and released into the water column so close to our communities, creating an independent task force to research and study the plan is the next logistical step.

Maryland has created independent task forces for many other important initiatives like this one before, especially those with a potential impact on the environment. There are numerous examples where the State of Maryland has historically stood firm on efforts to protect our environment, and reduce or eliminate pollution. This project should be no different.

My wife and I believe the CAD proposal puts gains we've made to improve water quality and protect the environment at significant risk. Therefore my wife and I support House Bill 886, and we are asking the committee to support it as well.

Best regards,

Keith Kelley  
Pine Haven Community

Keith Kelley | scarabexcel@duck.com

# **CAD testimony.pdf**

Uploaded by: Kelly Spencer

Position: FAV

**House Bill 886 – SUPPORT**

**House Bill 886 – Environment - CAD Task Force  
House Committee on Environment and Transportation  
February 23, 2024**

My name is Kelly Spencer. I live in the waterfront community of Riviera Beach in Northern Anne Arundel County. I grew up visiting my grandparents in Riviera Beach and was blessed to be able to experience waterfront living at their home. I was always interested in biology and my interest grew stronger playing, swimming, fishing, crabbing, jet skiing, paddle boating, boating, digging in the sand and observing jellyfish, grass shrimp, horseshoe crabs, minnows, snakes, ducks, egrets, eagles, cormorants, seagulls, and osprey among others. The educational and enriching exposure to Rock Creek, the Potapsco River and Stoney Creek drew me to move to this unique community. I've now lived in Riviera Beach for the past 16 years and cherish getting to share these same experiences with my coming baby and my 3.5-year-old daughter who adores walking to the community beach areas and playing in the sand and water. My family spends endless hours of quality time walking with our dog along the waterways and community beach. Waterfront living makes our community special, desirable, and invaluable. I have a master's degree in biology from Towson University and have been working in environmental biology for 18 years. I work in the City of Baltimore's Water Facilities Division, Reservoir Natural Resources Section. I am a Pollution Control Analyst and I routinely monitor water quality in the city owned drinking water reservoirs and several of their tributaries. I was immediately interested in hearing more about the Confined Aquatic Disposal (CAD) project. I attended the community meeting in June 2023 and was disturbed at the information presented by the Maryland Port Authority (MPA).

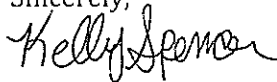
The first red flag was the lack of transparency and outreach on the part of the MPA regarding this project. If there were no concerns, why didn't they promote their project to the surrounding communities? The second red flag was using the pilot study conducted at Masonville Cove as validation for the safety of using CAD. The study was an initial look into using CAD and provided preliminary research at best. The pilot study is not comparable to MPA's chosen CAD site. The length of the study is a mere fraction of the infinite existence of the CAD site. The cove is a small, sheltered space that does not experience the same events as the open MPA site does. The pilot site is not exposed to the same activities such as the high traffic of boaters, fishers, crabbers, and the higher speeds of boaters, adverse weather events and wave mixing action as in the CAD area. The study is a poor representation of the permanent CAD site and gives little insight on possible and likely impacts the CAD project will create. My pressing concerns are that the pilot study results are not useful in determining short-term and long-term effects of CAD. The CAD site will be an unnatural and unmerited disturbance to the ecosystem with an undetermined timeframe, if ever for returning to its natural ecosystem balance. Short-term I worry about the disturbance to residents who will be exposed to the noise of the machinery used to dig the hole. I am concerned about the unnecessary disruption to a healthy, established ecosystem. I fear the negative impact on human health for those that swim in the water and/or consume seafood caught in the affected water. Not only during the construction period but also thereafter for possible disruptions that could agitate the CAD and stir it up enough to release the toxic materials. Long-term I fear that knowledge of an open CAD filled with toxic dredged material will decrease property values. Knowledge of this may drive people away from the area in fear of toxins in the water. How long will it take for toxins to settle into the CAD and how can we be certain they will not be disturbed and released by unforeseen events (e.g. hurricanes, heavy rain)? We already know that heavy rain stirs up bacterial and it is not safe to swim until it settles again. We need to know that heavy rains won't stir up the toxins in the deposited dredged material. Recreation will be impacted and disrupt residential life as

many will not be willing to risk exposure to the contaminated water. I would not feel comfortable letting my children or even my dog swim in water anywhere near toxic materials. I believe no one would feel safe consuming seafood from the area for fear of bioaccumulation (gradual absorption of a contaminant in an organism relative to the environment). People will fear crabs and fish living in contaminated water will absorb the toxins and be unsafe to consume. This would further pose a threat to the aquatic food chain with toxins sickening aquatic wildlife populations and the other wildlife that consume them.

The Potapasco River is a vital, natural resource for residents' quality of living and livelihood as well as habitat for wildlife. We need to protect our waterways from detrimental acts like CAD. Allowing this kind of disruption and toxic exposure will be taking multiple steps backwards in protecting our water, our people, a natural resource, and ecosystem. I understand the need to dredge for shipping, but CAD is not the proper solution and safer alternatives must be explored.

I support the CAD Task Force and believe it is imperative to establish before any further actions are taken regarding CAD. The task force should be comprised of multiple individuals with different backgrounds pertinent to CAD. It needs to be comprised of impacted residents, waterman, scientists, and experts in water quality and aquatic sediment. Independent, science-based experts will be key in maintaining neutral and strictly factual input as they have nothing to gain or lose by participating. Residents and watermen will be those directly affected by CAD and will be able to represent the unique concerns and negative impacts anticipated with CAD in our community. Membership must avoid an abundance of MPA representatives and their contractors as they will ultimately have motive to pursue CAD for profit and business, but they are not the ones living in and being exposed to the disrupted area. The task force must acknowledge and consider environmental safety, human health, and potential personal concerns and impacts that CAD will create.

Sincerely,



Kelly Spencer

Riviera Beach

# **Keller HB0886 Written Testimony 2024.pdf**

Uploaded by: Kevin Keller

Position: FAV

To Whom It May Concern,

I am writing with a sense of urgency and deep concern regarding the proposed Confined Aquatic Disposal (CAD) of dredge material by the Maryland Port Administration (MPA) in the Patapsco River near Stoney Creek and Rock Creek. As a resident of this community, I am alarmed by the potential dire consequences this project may have on our public health and environment.

The legislation advocated by our state legislators, Senators Simonaire, Chisholm, Munoz, and Kipke, to establish an independent task force to thoroughly investigate and provide recommendations on this matter is not merely crucial; it is imperative. Without this legislative action, the MPA may recklessly proceed with dumping dredge material contaminated with heavy metals, petroleum, PFAs, and other toxic substances into our waterways, jeopardizing the health and safety of our communities.

MPA's blatant disregard for sound scientific practices and its prioritization of profit over public health is profoundly troubling. Their failure to address crucial risk assessment and mitigation concerns demonstrates a callous indifference to the well-being of residents who rely on these waterways for recreation and sustenance.

Dumping dredge material without adequate containment measures in place poses an immediate and significant threat to public health. The release of harmful contaminants into our waterways could lead to devastating consequences for aquatic life and human health alike. The potential long-term ramifications of this reckless action cannot be overstated.

In conclusion, I urge our state delegates to take decisive action by voting in favor of HB 886 and supporting the establishment of an independent task force to investigate the Confined Aquatic Disposal project. Our community's health and well-being hang in the balance, and it is imperative that our elected officials prioritize public safety over corporate interests. Thank you for your attention to this urgent matter.

Sincerely,

Kevin Keller

# 2024 Testimony HB 886\_Merkel.pdf

Uploaded by: Kristen Merkel

Position: FAV

**House Bill 886 – SUPPORT**

**House Bill 886 – Environment - CAD Task Force  
House Committee on Environment and Transportation  
February 23, 2024**

My name is Kristen Merkel and I have lived in the waterfront community of Clearwater Beach/Orchard Beach in Northern Anne Arundel County for the past 11 years. I own a waterfront home on Stoney Creek and a boat and we enjoy the Patapsco River and Chesapeake Bay waterways almost daily. We fish and crab from our pier and I am very concerned about the environmental risks and impacts of Confined Aquatic Disposal (CAD) dumping of contaminated dredge material.

Channel and berth dredging are essential to support the Baltimore Harbor and its shipping industry. However, the safety of the disposal of the removed dredge material is crucial to the health and safety of the Patapsco and its waterways, the Chesapeake Bay, the tidal ecosystem, and the citizens and especially families with children that live on, use, and play in these waterways. This is especially important because much of the dredge material removed from the Baltimore Harbor and Patapsco shipping channel is contaminated with toxic chemicals from past industrial dumping and runoff – many of which are carcinogenic. This is why MPA must already take special precautions in containing and dewatering it as required by law and regulation. The Patapsco is also environmentally sequestered by law from the rest of the Chesapeake for dredge management because of the known contamination of the riverbed near industrial sites. My understanding is that MPA may currently only dispose of dredge material from the Patapsco in land-based diked containment facilities adjoining the Patapsco.

Due to the projected expansion of Baltimore Harbor/Patapsco shipping and berthing channels and ongoing maintenance requirements, MPA has predicted a shortage of places to “contain” contaminated dredge material in the future. As a result, MPA began to explore an aquatic alternative to land-based facilities for dredge material containment called Confined Aquatic Disposal (CAD). MPA created an initial CAD pilot in a ship berth adjoining their diked containment facility in Brooklyn called “Masonville Cove” in 2016. The pilot was in calm protected water in an already-contaminated industrial area and not reflective of the behavior or impacts of a CAD project in the open waters of the outer Patapsco near the Bay. MPA created their “Innovative Reuse & Beneficial Use Program (IRBU)” program to promote both CAD and R&D in the potential reuse of dredge material. MPA’s 2019 DMMP annual report<sup>1</sup> indicated that they had initiated a process to identify potential sites for a pilot of an operationally-sized CAD installation in the Patapsco (MPA refers to the entire tidal Patapsco as “the Baltimore Harbor” - including outer Patapsco waters adjoining the Chesapeake and residential Anne Arundel County shorelines.) MPA has clearly been working on these plans for years and MPA has been negligent in sufficiently communicating their plans to use CAD to the citizens of North Anne Arundel County and to our legislative representatives.

According to MPA, their implementation of CAD involves digging a hole in the riverbed (cell) and removing clean sand from the cell to be used for other beneficial purposes and dumping (contaminated) dredge in its place, but not completely filling the cell to the top. This is referred to as “uncapped CAD”. Enormous amounts of healthy riverbed would be destroyed including all aquatic life in and near the CAD cell. It’s unclear how much of the contaminants in the dredge would be released into the river during filling or over time and how long it would take the disturbed ecosystem to recover. MPA specifically chose a location one mile off of Stoney Creek/Rock Creek because it was uncontaminated and could support any beneficial reuse. This approach would not contain and control the contaminants the way



diked dredge facilities do. It is unclear how this would affect public health in nearby waterfront communities or the delicate environment of one of the less-contaminated areas of the Patapsco as well as its nearby tidal tributaries. Existing implementations of CAD such as in the New York Harbor have placed CAD cells next to the industrial areas where the material was removed so as not to increase environmental impact. My understanding is that CAD has not been used next to residential communities and waterways.

I was so alarmed by this announcement, that I attended a meeting where MPA met with citizens on June 1, 2023, to speak about their IRBU program and CAD project. The meeting had over 150 participants including citizens from many Anne Arundel Patapsco waterway communities as well as our legislative representatives. During the meeting, MPA did an inadequate job of explaining their plans and research and responding to questions. The citizens asked many important questions regarding risk assessment, science, engineering, health and safety, and environmental concerns MPA could not adequately answer. I am greatly concerned about the soundness, safety, and transparency of the project.

I am worried about the quality and scope of MPA research regarding CAD and its safety, the amount of funding that has been spent on developing CAD plans and pilots without sufficient citizen and legislator interaction and input from impacted communities, the apparent lack of effective coordination with MDE, the lack of independent health, science, and environmental oversight of this project, and the lack of publicly accessible documented research and planning regarding the project.

The Patapsco needs to have environmentally sensitive laws, regulation, and oversight. The residential areas of the outer Patapsco in Anne Arundel County have hundreds of waterfront communities whose families swim, fish, crab, boat, and do water sports in the river and its waterways. The Patapsco waterways literally are the lifeblood of the communities in Northern Anne Arundel County. It's important for our future that these waterways are kept environmentally safe and that no further environmental damage is done to the Patapsco.

**It is important that the task force proposed in House Bill 886 is moved into legislation. It's important the task force has independent science experts, impacted citizens, and watermen in its membership. It's also important that the task force has meaningful bidirectional interactions with impacted communities in North Anne Arundel County and with our legislative representatives.**

Sincerely,

Kristen Merkel  
Clearwater Beach/Orchard Beach

# 2024 Testimony HB 886 ( Leigh Priest).pdf

Uploaded by: Leigh Whitmore-Priest

Position: FAV

**House Bill 886 – SUPPORT**

**House Bill 886 – Environment - CAD Task Force  
House Committee on Environment and Transportation  
February 23, 2024**

My name is Leigh Whitmore-Priest. I live in the waterfront community of Rockview Beach, and my house is located on Rock Creek in Northern Anne Arundel County. I have grown up on the water and it was my families dream to eventually own waterfront property. When the COVID pandemic devastated my family with the death of my mother and severely disabling my brother we decided it was time to make a change in our lives. In the fall of 2020, we sold our house that we lived in for 23 years and bought a piece of property on Rock Creek. We spent a substantial portion of our savings to rebuild a house on a neglected piece of property. The transformation was profound. Not only did it improve the neighborhood that we lived in it also contributed to preserving the tidal wetlands.

This past fall we spent a significant amount of money to add rip rap to our shoreline to prevent land erosion and water pollution caused by run off. This home improvement project was scrutinized by the Maryland Department of Environment. I spent a significant amount of time and effort to obtain permits and a license to move forward with the work effort. In addition, I had to enter a contractual arrangement with the Maryland Department of Environment that contractually obligated me to protect the tidal wetlands and obtain approval before making any changes. I am perplexed on how the state can enforce such strict requirements on residents but can allow a toxic waste project past through legislation without vetting the initiative with the impacted residents and appropriate state representatives.

In the second quarter of 2023 I attended a town hall meeting in which the CAD project was first presented to the residents as well as the State of Maryland representatives. It was a very emotional meeting as residents feared for the lives of their families, children, neighbors, pets, wildlife, and waterways. It was the first time that anyone was informed of toxic elements being relocated to the water in which they swim, boat, and live. Many questions surfaced around the safety of the project which could not be properly addressed by the Maryland Port Authority and their experts. It was disclosed to the residents during the meeting that most of the permits and project approvals were obtained during COVID and that the purpose of the town hall meeting was to educate the community on the CAD project. The perception of the audience was that the Maryland Port Authority took advantage of a worldwide health matter and secretly obtained approvals during a time when most individuals were fighting for their lives. This is outrageous and unethical.

I have significant concerns with the safety of the CAD project and the wellbeing of my family and friends. We live on the water and eat the crabs as well as fish from our creek. It is no secret that there are carcinogens in the dredged water. My father worked at Bethlehem Steel and the shipyard for over 30 years, He suffered significantly from medical issues due to the exposure of toxic waste in the water. His medical conditions ranged from Mesothelioma, COPD, Congestive Heart failure and Leukemia. All confirmed diagnoses attributed to the exposure of toxic elements at the shipyard. This toxic material in the water has been dormant for decades. Disturbing the sea floor will reinstitute the toxic waste into flowing water that will impact the surrounding residents.

I am genuinely concerned about the quality and the scope of the Maryland Port Authority research regarding the CAD system and its safety. I am also significantly concerned that this project has accelerated through the approval process without collaborating with the Maryland Department of Environment as well as the lack of independent health, science, and environmental oversight of this project.

Due to the misrepresentation, and significant safety concerns it is critically important that the task force proposed House Bill 886 be moved into legislation and enhanced with independent scientific experts in health, environment, and marine environmental engineering and testing as well as an independent expert in CAD. In addition, that the task force has meaningful bidirectional interactions with impacted communities in North Anne Arundel County and with our legislative representatives.

Sincerely,

Leigh Whitmore-Priest

Rockview Beach

# House Bill 886 Lisa Wendling.pdf

Uploaded by: Lisa Wendling

Position: FAV

LISA WENDLING      EMAIL: Designtops@aol.com

## HOUSE BILL 886 – SUPPORT

House Bill 886 – Environment – CAD Task Force  
House Committee on Environment and Transportation  
February 23, 2024

My name is Lisa Wendling, I live on the water on Rock Creek, Northern Anne Arundel County. My husband and I have dreamed of living on the water since 1985. We were finally able to move on the water on Rock Creek 2017. We have enjoyed the water since we were little. We have a beautiful house on the water and enjoy boating, swimming, crabbing off our pier, fishing off our pier, paddle boarding, etc.

My father, William Polczynski, worked at Bethlehem Steel and the shipyard for over 30 years. He suffered significantly due to the exposure of toxic waste in the water. His medical conditions ranged from Mesothelioma, COPD, Congestive Heart failure and leukemia. All attributed and confirmed to the exposure of toxic elements at the shipyard. This toxic material in the water has been dormant for decades. Disturbing the sea floor will reinstitute the toxic waste into the flowing water that will impact the surrounding residents.

My concerns with the CAD program are the risks associated with the dredge that is highly toxic and contaminated with forever chemicals that are carcinogenic. For decades the water in this area have been contaminated due to sewage overflow. We are finally seeing improvement in the waterways.

It is very important that an independent CAD task force oversee the environmental safety, human health, sea life and the impact on waterman who make a living crabbing and fishing. I do not agree with anyone who is associated with the MPA or their contactors. They will not have the best interest of the people who live on the water and surrounding areas.

It is important that the task force proposed in House Bill 886 is moved into legislation. It's important that the task force have independent science experts, impacted citizens, and watermen in its membership. It's also important that the task force has meaningful bidirectional interactions with impacted communities in North Anne Arundel County and with our legislative representatives.

Sincerely,

Lisa Wendling  
Rock Creek Community

# **Support for HB886 - Lisa Wilson.pdf**

Uploaded by: Lisa Wilson

Position: FAV

## House Bill 886 – SUPPORT

### **House Bill 886 – Environment - CAD Task Force House Committee on Environment and Transportation February 23, 2024**

I'm Lisa Wilson, a resident of Lombardee Beach, a waterfront community in Northern Anne Arundel County. Nearly two decades ago, I invested in my waterfront property along Nabbs Creek. As a single mother, I've worked hard to maintain my land, knowing the history of extensive sand and rock harvesting from Nabbs Creek. It's disheartening, to say the least, to learn of their intention to resume such activities in open tidal waters, AND storing the accumulating toxic waste dredged from port traffic in uncapped cells.

The prospect of Maryland Port Authority, storing toxic dredge material in Contaminated Aquatic Dredge cells, in the proposed area between Stoney Creek and Rock Creek, beneath the waterways where I've enjoyed teaching my boys to fish, socialize, swim, crab, jetski, surf, and captain a boat is deeply troubling. It keeps me awake at night. My teenage son has been diligently saving up for a boat of his own. He dreams of captaining a charter boat, fishing and crabbing in the very areas that are being considered for use as a holding tank for toxic forever chemicals. The thought of up to 166 football fields' worth of contamination being stored somewhere safe for all, instead being kept in the waters we strive to keep clean and safe is incredibly distressing.

I strongly believe that House Bill 886 should progress into legislation. At the very minimum, there must be transparency regarding the Maryland Port Authority's plan and how they could contemplate utilizing an area that hasn't undergone thorough testing. The prior testing took place within a three-walled berth, within industrial waters, and failed to consider the effects of tides and waves in the open waters, which are commonplace in our area on a daily basis.

What motivates anyone to bury persistent chemicals or any substances in the seabeds we've tirelessly nurtured to sustain life? Maryland takes great pride in our state, proudly displaying our colors and cherishing our crab population. However, the Maryland Port Authority (MPA) has failed to be forthcoming or transparent about their intentions. The potential impact on marine life is just one of many concerns stemming from this poorly conceived plan.

**It is important that the task force proposed in House Bill 886 is moved into legislation. It's important the task force has independent science experts, impacted citizens, and watermen in its membership. It's also important that the task force has meaningful bidirectional interactions with impacted communities in North Anne Arundel County and with our legislative representatives.**

Sincerely,

Lisa Wilson

Lombardee Beach

(Nabbs/Stoney Creek)



**HB886 Feb 23 2024 .pdf**

Uploaded by: Marguerite Whilden

Position: FAV

Marguerite Whilden  
The Terrapin Institute  
[mwhilden@comcast.net](mailto:mwhilden@comcast.net)  
410 370 9171

FAVORABLE

Testimony in Support of HOUSE BILL 886  
Confined Aquatic Disposal Task Force  
Submitted to the House Environment and Transportation Committee  
February 23, 2024

On behalf of the Terrapin Institute and as a concerned citizen I would be most grateful for the Committee's favorable consideration of HB 886. Due to the possible impact to the Chesapeake Bay, a more thorough and objective examination of the use of Confined Aquatic Disposal (CAD) is essential. Although CAD has been used for dredge spoil in other states, the logic and necessity of using CAD in Maryland is not clearly understood.

Based on the available information, the CAD process is not a delicate, precise, or inexpensive operation and may not be consistent with Maryland's environmental standards. As with other dredge spoil containment methods, such as Poplar Island and James Island (MidBay), CAD is offshore and, for the most part, out of sight and out of mind. CAD and most other dredge spoil projects occur in the public domain with public funds.

The effects of such projects are not limited to the immediate area or jurisdiction. Anyone with an interest in the Chesapeake Bay should be concerned and invited to participate and contribute. Agency outreach efforts and passive open invitations to departmental meetings do not qualify as public engagement or a dedicated Task Force. Mandated and sustained public engagement over the life of these dredging activities should be in the statute.

The Terrapin Institute's interest in dredge spoil containment began with the construction of Poplar Island and the local population of diamondback terrapins. A vast amount of information is available from the various agencies associated with the project. We greatly appreciate the importance of the Maryland Port Administration to the State and its dynamic and complex responsibilities. The role of the agency has expanded significantly beyond the shipping industry and includes environmental and natural resources issues. As such, we believe it is essential for the legislature to secure sustained public engagement and independent expertise in all MPA dredge spoil containment activities. The Committee's favorable review of HB 886 is greatly appreciated.

If I may provide additional information or background materials please let me know.

Marguerite Whilden  
[mwhilden@comcast.net](mailto:mwhilden@comcast.net)  
410 370 9171

# **HB\_886\_FAV\_LateTestimony\_MichaelFox**

Uploaded by: Michael Fox

Position: FAV

Michael Fox. Buzzsaw80@gmail.com

House Bill 886 Support

House Bill 886—Environment—CAD Task Force  
House Committee on Environment and Transportation  
February 23, 2024

Dear Committee Members,

My name is Michael Fox and I live on Stoney Creek on the waterfront, in northern Anne Arundel County. I am a retired military veteran who chose to stay in MD for the rest of my life after retiring. I have lived in many wonderful places, including CA, HI and Japan but love MD because of the high quality of life here. I am a former surfer and always enjoy the beauty and comfort of being near the water.

I am very concerned about the Confined Aquatic Disposal (CAD), which is being proposed by MPA. This issue was first brought to my attention by my wife, who attended a community meeting with MPA present. I am very concerned about the impact about contaminated dredge material being in our area. It does not sound like all of our concerns are being addressed. Also, it doesn't seem that any notice was put out to local residents about this proposed plan. We told several other neighbors who knew nothing about this proposal. There seems to be a danger of toxic material escaping into the Anne Arundel County waterways, where we kayak and swim.

It is critical that you establish an independent CAD task force to evaluate environmental safety, human and animal health impacts and risks and alternatives to the current plan. This task force should be composed of people familiar with our waterways, independent environmental experts, wildlife experts, and local citizens who would be

affected by CAD. The task force should also be mandated to hold meetings with communities that will potentially be affected by CAD, and our legislative representatives, so we have the opportunity to stay abreast of the issue. I appreciate your time and consideration.

Sincerely,  
Michael Fox  
Mount Pleasant Beach  
Anne Arundel County, MD

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V x

**2024 Testimony HB 886\_Smithdocx.pdf**

Uploaded by: Michael Smith

Position: FAV

**House Bill 886 – SUPPORT**

**House Bill 886 – Environment - CAD Task Force  
House Committee on Environment and Transportation  
February 23, 2024**

My name is Michael Smith and I have lived in the waterfront community of Clearwater Beach/Orchard Beach in Northern Anne Arundel County for the past 11 years. I own a waterfront home on Stoney Creek and a boat, and we enjoy the Patapsco River and Chesapeake Bay waterways almost daily. Myself and my sons fish and crab from our pier and I am very concerned about the environmental risks and impacts of Confined Aquatic Disposal (CAD) dumping of contaminated dredge material.

Channel and berth dredging are essential to support the Baltimore Harbor and its shipping industry. However, the safety of the disposal of the removed dredge material is crucial to the health and safety of the Patapsco and its waterways, the Chesapeake Bay, the tidal ecosystem, and the citizens and especially families with children that live on, use, and play in these waterways. This is especially important because much of the dredge material removed from the Baltimore Harbor and Patapsco shipping channel is contaminated with toxic chemicals from past industrial dumping and runoff – many of which are carcinogenic. This is why MPA must already take special precautions in containing and dewatering it as required by law and regulation. The Patapsco is also environmentally sequestered by law from the rest of the Chesapeake for dredge management because of the known contamination of the riverbed near industrial sites. My understanding is that MPA may currently only dispose of dredge material from the Patapsco in land-based diked containment facilities adjoining the Patapsco.

Due to the projected expansion of Baltimore Harbor/Patapsco shipping and berthing channels and ongoing maintenance requirements, MPA has predicted a shortage of places to “contain” contaminated dredge material in the future. As a result, MPA began to explore an aquatic alternative to land-based facilities for dredge material containment called Confined Aquatic Disposal (CAD). MPA created an initial CAD pilot in a ship berth adjoining their diked containment facility in Brooklyn called “Masonville Cove” in 2016. The pilot was in calm protected water in an already-contaminated industrial area and not reflective of the behavior or impacts of a CAD project in the open waters of the outer Patapsco near the Bay. MPA created their “Innovative Reuse & Beneficial Use Program (IRBU)” program to promote both CAD and R&D in the potential reuse of dredge material. MPA’s 2019 DMMP annual report<sup>1</sup> indicated that they had initiated a process to identify potential sites for a pilot of an operationally-sized CAD installation in the Patapsco (MPA refers to the entire tidal Patapsco as “the Baltimore Harbor” - including outer Patapsco waters adjoining the Chesapeake and residential Anne Arundel County shorelines.) MPA has clearly been working on these plans for years and MPA has been negligent in sufficiently communicating their plans to use CAD to the citizens of North Anne Arundel County and to our legislative representatives.

According to MPA, their implementation of CAD involves digging a hole in the riverbed (cell) and removing clean sand from the cell to be used for other beneficial purposes and dumping (contaminated) dredge in its place, but not completely filling the cell to the top. This is referred to as “uncapped CAD”. Enormous amounts of healthy riverbed would be destroyed including all aquatic life in and near the CAD cell. It’s unclear how much of the contaminants in the dredge would be released into the river during filling or over time and how long it would take the disturbed ecosystem to recover. MPA specifically chose a location one mile off of Stoney Creek/Rock Creek because it was uncontaminated and could support any beneficial reuse. This approach would not contain and control the contaminants the way diked dredge facilities do. It is unclear how this would affect public health in nearby waterfront communities or the delicate environment of one of the less-contaminated areas of the Patapsco as well as its nearby tidal tributaries. Existing implementations of CAD such as in the New York Harbor have

placed CAD cells next to the industrial areas where the material was removed so as not to increase environmental impact. My understanding is that CAD has not been used next to residential communities and waterways.

I was so alarmed by this announcement, that I attended a meeting where MPA met with citizens on June 1, 2023, to speak about their IRBU program and CAD project. The meeting had over 150 participants including citizens from many Anne Arundel Patapsco waterway communities as well as our legislative representatives. During the meeting, MPA did an inadequate job of explaining their plans and research and responding to questions. The citizens asked many important questions regarding risk assessment, science, engineering, health and safety, and environmental concerns MPA could not adequately answer. I am greatly concerned about the soundness, safety, and transparency of the project.

I am worried about the quality and scope of MPA research regarding CAD and its safety, the amount of funding that has been spent on developing CAD plans and pilots without sufficient citizen and legislator interaction and input from impacted communities, the apparent lack of effective coordination with MDE, the lack of independent health, science, and environmental oversight of this project, and the lack of publicly accessible documented research and planning regarding the project.

The Patapsco needs to have environmentally sensitive laws, regulation, and oversight. The residential areas of the outer Patapsco in Anne Arundel County have hundreds of waterfront communities whose families swim, fish, crab, boat, and do water sports in the river and its waterways. The Patapsco waterways literally are the lifeblood of the communities in Northern Anne Arundel County. It's important for our future that these waterways are kept environmentally safe and that no further environmental damage is done to the Patapsco.

**It is important that the task force proposed in House Bill 886 is moved into legislation. It's important the task force has independent science experts, impacted citizens, and watermen in its membership. It's also important that the task force has meaningful bidirectional interactions with impacted communities in North Anne Arundel County and with our legislative representatives.**

Sincerely,

Michael Smith  
Clearwater Beach/Orchard Beach



**2024 Testimony HB 886.pdf**

Uploaded by: MICHON WASHINGTON

Position: FAV

**House Bill 886 – SUPPORT**

**House Bill 886 – Environment - CAD Task Force  
House Committee on Environment and Transportation  
February 31, 2024**

My name is Michon Washington. 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 environmental scientist and have been working in the environmental protection for the last 30 years. I boat, fish and enjoy the amenities that the Patapsco River offers.

While I understand that dredging is essential to support the Baltimore Harbor and its shipping industry, I am deeply concerned about the dumping of toxic, contaminated material so close to shore. The safe and proper disposal of the removed dredge material is crucial to the health and safety of the Patapsco and its waterways, the Chesapeake Bay, the tidal ecosystem, and the citizens and especially families with children that live on, use, and play in these waterways. This is especially important because much of the dredge material removed from the Baltimore Harbor and Patapsco shipping channel is contaminated with highly toxic chemicals, that do not degrade and disappear over time, from past industrial dumping and runoff – many of which are carcinogenic. I have already seen the decline of the marine life, contaminated fish and a general degradation of the waterways over the last few years

It is absolutely critical that there be close oversight of an independent CAD task force not over-populated with MPA representatives or their contractors to consider the environmental safety, human health, and potential personal concerns and impacts. I write and review environmental documents for the federal government and its imperative that a detailed environmental impact statement be drafted and published with the concerned community given the opportunity to review and provide comments. It's even more important for those comments to be taken seriously and consideration be given to any counterproposals.

**It is imperative that the task force proposed in House Bill 886 is moved into legislation. It's important the task force has independent science experts, impacted citizens, and watermen in its membership. It's also important that the task force has meaningful bidirectional interactions with impacted communities in North Anne Arundel County and with our legislative representatives.**

Sincerely,

Michon L. Washington  
1351 Riverwood Way  
Stoney Beach, MS 21226

# Rock creek residents house bill 886.pdf

Uploaded by: Nathan Gremba

Position: FAV

House Bill 886

CAD Task Force House Committee on Environment and  
Transportation 2/23/24

I am writing to you with deep concern about the proposed development project, the Patapsco CAD, and its potential devastating effects on our waters and environment. As a resident who deeply cares about the well-being of our community and our natural resources, I feel compelled to voice my opposition to this project.

The Patapsco CAD, as planned by the Maryland Port Authority, poses a significant threat to the health and sustainability of the Patapsco River and the Chesapeake Bay. The construction of this massive facility would involve extensive dredging, land reclamation, and increased industrial activity, leading to a host of environmental problems.

First and foremost, the dredging required to accommodate larger vessels would disrupt delicate ecosystems and habitats that support a diverse array of marine life. The Patapsco River is home to numerous species of fish, shellfish, and other aquatic organisms, many of which are already facing population declines due to pollution and habitat destruction. Further disturbance caused by dredging would only exacerbate these issues, pushing these species closer to the brink of extinction.

Additionally, the increased industrial activity associated with the Patapsco CAD would introduce pollutants and contaminants into the water, further degrading water quality and threatening the health of aquatic life. Runoff from cargo handling operations, fuel spills, and other sources of pollution would introduce harmful

chemicals and toxins into the river, posing risks to both aquatic life and human health.

Furthermore, the construction and operation of the Patapsco CAD would contribute to increased air and noise pollution in the surrounding area, impacting not only the natural environment but also the quality of life for nearby residents. The constant noise of heavy machinery and the emissions from trucks, ships, and other vehicles would disrupt the peace and tranquility of our community, while also posing health risks to residents, particularly those with respiratory conditions.

In conclusion, the Patapsco CAD project represents a grave threat to our waters and environment, and it must be stopped. Instead of prioritizing short-term economic gains, we must prioritize the long-term health and sustainability of our natural resources. I urge you to join me in opposing this destructive project and advocating for alternative solutions that promote environmental conservation and responsible stewardship of our precious waterways.

Thank you for your attention to this urgent matter.

Sincerely,

Rock Creek Residents

# 2024 Testimony HB 886.pdf

Uploaded by: Olivia Saliger

Position: FAV

**House Bill 886 – SUPPORT**

**House Bill 886 – Environment - CAD Task Force  
House Committee on Environment and Transportation  
February 23, 2024**

My name is Olivia Saliger. I live in the waterfront community of Stoney Beach, in Northern Anne Arundel County. I am an aquatic biologist at Maryland Department of Environment's Water & Sciences Administration. I am one of three MDE employees that regularly sample PFAS (aka the new forever chemical) in drinking water supplies. I have also conducted award-winning research on harmful algal blooms in Ocean City's inlet through Maryland Sea Grant and the Chesapeake Research Consortium. In addition, I am a certified Climate Change Professional (CCP), have conducted freshwater fish research, am a competitive swimmer, and an avid fish-keeper. My entire life is centered around water, specifically the Chesapeake Bay and its tributaries.

I am fully aware of the necessity of dredging the Baltimore Harbor to support its crucial shipping industry. However, there must be a set plan that prioritizes the safety of the Patapsco River and Chesapeake Bay ecosystems, with emphasis on public health. Dredged material from the Baltimore Harbor is highly contaminated with toxic metals, PFAS (the new forever chemicals), and a plethora of other hazardous chemicals from the surrounding industrial facilities. There must be additional precautions taken by MPA in containing this material. The Patapsco River is considered one of Maryland's most impaired rivers, so much so that it has different regulations compared to the rest of dredging in the Chesapeake Bay. With such polluted dredge, MPA is struggling to find adequate space for land-based dike containment.

MPA has acknowledged the shortage of available land area to properly store this hazardous dredge material. However, they are looking into a relatively new aquatic storage alternative called Confined Aquatic Disposal (CAD). CAD involves replacing the natural and clean riverbed with contaminated dredge that is not entirely filled/capped. This will allow the carcinogenic chemicals to leak out of the dredge. MPA has created an Innovative Reuse & Beneficial Use Program (IRBU) to promote CAD and its reuse of dredge material. There is not sufficient data or plans on how long it will take the ecosystem to recover, or what quantities residents will be exposed to. Additionally, MPA's research and development process occurred in a cove in Brooklyn, which is a very protected location. This is not at all representative of Patapsco's depth, tidal flows, or open waters. Additionally, MPA has failed to communicate their plans effectively and directly of CAD to the residents of Anne Arundel County.

MPA has chosen 1 mile from Stoney Creek/Rock creek due to its relative health. However, this approach will not contain nor control the seeping pollution. It is unclear how the public's health will be affected, especially with waterfront communities and their recreational beaches that many children access. From what I've gathered, CAD has only been used in pre-polluted industrial sectors, not residential communities.

There needs to be proper oversight of an independent CAD task force, with proper stakeholder engagement in order to consider the environmental safety, public health, and community concerns of the impacts of such a large-scale project. There must be more effort to ensure stakeholders are properly informed. Both Anne Arundel County's citizens and our legislators have expressed great concerns regarding the transparency and safety of this project.

Pollution in the Patapsco River has a long history of environmental injustices. According to Maryland Department of Environment's environmental justice indicator, the location of the proposed CAD dredge ranks in the top percentile of environmental injustices and pollution exposure. Already, there is a coal-fired power plant about 1 football field away from me at Stoney Beach. I cannot fathom the water to be swimmable if the dredge material is also placed within this proximity. But again, MPA has not effectively communicated their plan for containing these chemicals.

Therefore, it is crucial that the task force proposed in Senate Bill 353 is moved into legislation and incorporates non-biased scientific experts, engineers, and legacy watermen. The task force must also have significantly better community outreach. With all the money MPA has placed into CAD, they should be required to have and implement a proper stakeholder engagement plan. Thank you for taking the time to read my concerns.

Sincerely,

Olivia Saliger

Stoney Beach, Curtis Bay, MD



# **HB886 - Support.pdf**

Uploaded by: Paige Pendzick

Position: FAV

Paige Pendzick | peheinly@gmail.com

**House Bill 886 – SUPPORT**

House Bill 886 – Environment – CAD Task Force  
House Committee on Environment and Transportation  
February 23, 2024

My name is Paige Pendzick. I live in the waterfront community of Pine Grove Village on Rock Creek in Northern Anne Arundel County. My husband and I moved to Maryland from Pennsylvania in 2017 so we could live along the jewel of Maryland – the Chesapeake Bay waterways. We enjoy being able to swim, play, and kayak in the waters of Rock Creek. I'd hate to see the waterways we moved over 250 miles to enjoy get contaminated without having the proper research completed.

I understand that the Confined Aquatic Disposal (CAD) program is in place in many harbors, including Boston and Newark Bay.<sup>1</sup> My concern is most people do not live, fish, and swim in harbors, but the proposed site planned for the Southern side of the outer Patapsco River just 1 mile off Stoney Creek and Rock Creek is where many of the residents of the peninsula swim, fish, and play. To move forward with the CAD without understanding the impact that the potentially contaminated soil could have on so many people would be irresponsible and could be dangerous.

Furthermore, we as one of the states in the Chesapeake Bay, should be concerned about how the proposed CAD can and will impact the health of the Bay as a whole. The 2022 State of the Bay score remained unchanged from 2020 at 32, or a D+. The Chesapeake Bay Foundation CEO states that “states are not on track to reduce pollution fast enough to improve and sustain water quality over the long term”<sup>2</sup> and yet we are looking to move forward with depositing dredged material that cannot be used for offsite fill use due to its toxicity, exposure, and properties. The DMMP needs to be addressing how the chosen site for the CAD will affect each of the health index indicators that we use to judge the overall health of our precious resource.

**It is important that the task force proposed in House Bill 886 is moved into legislation. It's important the task force has independent science experts, impacted citizens, and watermen in its membership. It's also important that the task force has meaningful bidirectional interactions with impacted communities in North Anne Arundel County and with our legislative representatives.**

Sincerely,

*Paige Pendzick*

Pine Grove Village Waterfront Community

<sup>1</sup> [https://maryland-dmmp.com/wp-content/uploads/2023/11/CAD\\_FACT\\_SHEET\\_11\\_23.pdf](https://maryland-dmmp.com/wp-content/uploads/2023/11/CAD_FACT_SHEET_11_23.pdf)

<sup>2</sup> [https://maryland-dmmp.com/wp-content/uploads/2023/06/DMMP\\_Mid\\_Year\\_Report\\_2023\\_Final.pdf](https://maryland-dmmp.com/wp-content/uploads/2023/06/DMMP_Mid_Year_Report_2023_Final.pdf)

# House bill886.pdf

Uploaded by: Patricia Hoffman

Position: FAV

02/21/2024

House Bill 886 Environmental CAD Task Force-SUPPORT

I have grave concerns related to the CAD project. It is vitally important to myself, Patricia Hoffman, and my family, Wayne Hoffman Anthony Ferrara and Sara Ferrara, that the task force proposed in House Bill 886 is moved into legislation.

The CAD project raises MANY concerns, both the physical safety of those who utilize the waterways (swimming, fishing, crabbing, boating, tubing, jet ski-as we are likely to come into contact with contaminated water) and for the health of the ecosystem.

I am a Nurse Practitioner and the thought of the potential contamination of our waterways from the waste of the Baltimore Harbor scares me-the medical consequences of this type of exposure has NOT been evaluated. Is the State willing to accept and be responsible for the risk and injury to human like? Besides the risk of direct contact, has the risk of consuming food from the contaminated waterways been studied? We eat crabs and fish caught in these affected waterways.

There has been strong community effort in improving the health of our local waterways. Personally, we have been raising oysters to help build oysters reefs as well as building our own vertical oyster reefs off our dock. Are there studies to PROOVE that the CAD project will not harm the fragile ecosystem? Common sense shows it is going to have a negative affect.

The disruption of the ecosystem also has potentials of financial hardships as there are many in our community support ourselves through water activities. Examples spread far beyond the crabber and fishermen. One example is my husband. He owns a tackle business. If due to disruption/safety concerns in the local waterways, sales will diminish. What about the local charters, crabbers, ski rentals etc.

It is important that the task force has independent science experts, impacted citizens, impacted businessmen and watermen in its memberships. It is also important that the task force has meaningful bidirectional interactions with the impacted communities in North Anne Arundel County and with our legislative representatives.

Sincerely,  
Patricia Hoffman  
7621 Turnbrook Dr. Glen Burnie, 21060

[pathoffman@live.com](mailto:pathoffman@live.com)

## **oral testimony.pdf**

Uploaded by: Patrick Smulsky

Position: FAV

**Patrick Smulsky    patsmulsky@yahoo.com**

**House Bill 886 - SUPPORT**

**House Bill 886 - Environment - CAD Task Force  
House Committee on Environment and Transportation  
February 23, 2024**

My name is Patrick Smulsky and I'm a resident of Stoney Beach, which lies along the shoreline of the Patapsco River. My wife and I have been residents since March of 2020. As avid boaters, we moved to this location to maximize our time on the water. During the boating season, we spend several days per week enjoying our time on the Patapsco River and the many creeks that feed it. Our 2 sons, daughters-in-law and grandsons are regulars as well.

I understand the importance of keeping the shipping lanes open. But I'm troubled by the fact that the MPA cannot or refuses to provide simple answers when asked about the safety of this project. They fail to answer questions with regard to the reasoning behind the choosing of this location. Also, they dance around the subject when asked about alternate locations. Most likely, you've already seen the very brief animated video that shows an overly simplified and unrealistic plan with how this project is to be completed.

The MPA's lack of detail with regard to this matter is rather offensive. I don't feel comfortable with the idea of the MPA carrying out this project without further studies and oversight by an INDEPENDENT group. They have failed to address issues such as environmental safety, human health, and potential personal concerns of anybody affected.

I provide you with this very simple analogy. The current MPA plans call for a very large hole to be dug, then dredge the shipping channel, and finally dump the dredge in the previously dug hole. That's 3 times that the contaminated soil of the Patapsco river would have to be disturbed. Which means, 3 times the amount of toxins are being released into the constantly changing tidal current and spread around to an even larger portion of the river and subsequent tributaries.

It is important that the task force proposed in House Bill 886 is moved into legislation. It's important that this task force consist of independent science

experts, impacted citizens, and watermen in its membership. Thank you for your time.

Sincerely,

Patrick Smulsky

Community of Stoney Beach



# House Bill 866.pdf

Uploaded by: Renee Bear

Position: FAV

RENEE BEAR EMAIL: Therbears@verizon.net

## HOUSE BILL 886 – SUPPORT

House Bill 886 – Environment – CAD Task Force  
House Committee on Environment and Transportation  
February 23, 2024

My name is Renee Bear, I am a life long resident of Anne Arundel County. I have lived in neighborhoods on Rock Creek, a waterfront home on the Patapsco River, and have been a resident of Severna Park for the last 25 years, now living in a waterfront home on the Magothy River. For over 50 years, I have witnessed first hand the effects pollution and toxic materials have had on our waterways. I have swam, fished, crabbed and boated in these waters my entire life. Having to take care not to come in contact with the water, after sewage spills, when it rains, or during the parts of summer, when the water has been deemed not safe to touch. I have witnessed fish kills and other effects on our marine life. My family members, including my children, have been forced to take antibiotics after exposure to the water, or when having cuts that become contaminated. I am very concerned for the future of the bay and the surrounding areas, it's marine life (which many depend on), and the economic effects that this would have on our state, if this toxic waste is allowed to be this widely disturbed, redistributing it into our flowing waters. Our children and the future of this beautiful area that we call home is depending on all of us to make the right choices moving forward.

My concerns with the CAD program are the risks associated with the dredge that is highly toxic and contaminated with forever chemicals that are carcinogenic. For decades the water in this area have been contaminated due to sewage overflow. We are finally seeing improvement in the waterways.

It is very important that an independent CAD task force oversee the environmental safety, human health, marine life and the impact on watermen who make a living crabbing and fishing. I do not agree with the individuals associated with the MPA or their contractors, as they do not have the best interest of the people who live here in mind when making decisions.

It is imperative that the task force proposed in House Bill 886 is moved into legislation. It's important that the task force have independent science experts, impacted citizens, and watermen in its membership. It's also important that the task force has meaningful bidirectional interactions with impacted communities in Anne Arundel County and with our legislative representatives.

Sincerely,  
Renee Bear  
Anne Arundel County Resident

# **CAD Letter Pozgar.pdf**

Uploaded by: Robert Pozgar

Position: FAV

Robert Pozgar | Pozgar@icloud.com

House Bill 886 – SUPPORT

House Bill 886 – Environment - CAD Task Force  
House Committee on Environment and Transportation  
February 23, 2024

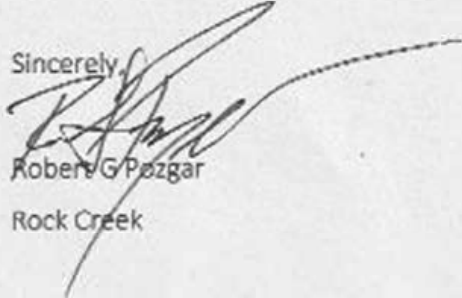
My name is Robert G. Pozgar. I live on Rock Creek in Northern Anne Arundel County. I purchased my property in 2003 and finished building my home in 2005. In early 2006 with the cooperation of Ft Smallwood Park, I used personal funds to remove 38 sunken abandoned boats out of Rock Creek. My main goal in doing this was to stop the contamination avoiding further deterioration of the water. As expected, I have seen positive changes to the water and environment over the past years. Since I have lived in the area I have enjoyed all the beautiful wildlife that has come back into the area including Osprey, Eagles and Hawks.

As we move forward, I am extremely concerned about the risks and impact to the area regarding the Confined Aquatic Disposal (CAD) dumping of contaminated dredge material. When I was building my home, I decided to take my senior managers from my company in Annapolis on a fishing trip on the Patapsco. It was a sad day because every fish that was caught had canker sores and were very unhealthy and certainly not edible. I would hate to see this occur again with the increased contamination that will most certainly occur with this CAD project. The dredged materials that are coming from the shipping channels will have had all sorts of chemicals including forever chemicals that will then be placed in an area that is "clean" with viable sand and rock that is supporting the marine life that has finally made a come back after years of decline.

It is very important that there be an oversight of an independent CAD task force not over-populated with MPA representatives or their contractors to consider the environmental safety, human health, and wildlife in the area.

It is important that the task force proposed in House Bill 886 is moved into legislation. It's important the task force has a mix of independent scientist, impacted citizens, and watermen in its membership. It's also important that the task force has meaningful bidirectional interactions with impacted communities in North Anne Arundel County and with our legislative representatives.

Sincerely,



Robert G Pozgar

Rock Creek

# **CAD Letter Pozgar.pdf**

Uploaded by: Robert Pozgar

Position: FAV

Robert Pozgar | Pozgar@icloud.com

House Bill 886 – SUPPORT

House Bill 886 – Environment - CAD Task Force  
House Committee on Environment and Transportation  
February 23, 2024

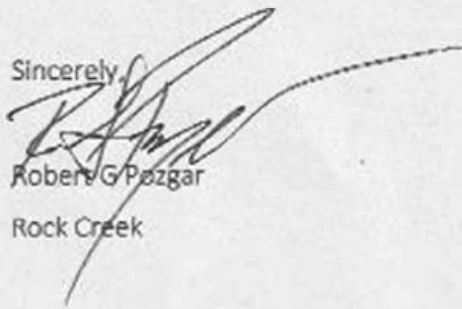
My name is Robert G. Pozgar. I live on Rock Creek in Northern Anne Arundel County. I purchased my property in 2003 and finished building my home in 2005. In early 2006 with the cooperation of Ft Smallwood Park, I used personal funds to remove 38 sunken abandoned boats out of Rock Creek. My main goal in doing this was to stop the contamination avoiding further deterioration of the water. As expected, I have seen positive changes to the water and environment over the past years. Since I have lived in the area I have enjoyed all the beautiful wildlife that has come back into the area including Osprey, Eagles and Hawks.

As we move forward, I am extremely concerned about the risks and impact to the area regarding the Confined Aquatic Disposal (CAD) dumping of contaminated dredge material. When I was building my home, I decided to take my senior managers from my company in Annapolis on a fishing trip on the Patapsco. It was a sad day because every fish that was caught had canker sores and were very unhealthy and certainly not edible. I would hate to see this occur again with the increased contamination that will most certainly occur with this CAD project. The dredged materials that are coming from the shipping channels will have had all sorts of chemicals including forever chemicals that will then be placed in an area that is "clean" with viable sand and rock that is supporting the marine life that has finally made a come back after years of decline.

It is very important that there be an oversight of an independent CAD task force not over-populated with MPA representatives or their contractors to consider the environmental safety, human health, and wildlife in the area.

It is important that the task force proposed in House Bill 886 is moved into legislation. It's important the task force has a mix of independent scientist, impacted citizens, and watermen in its membership. It's also important that the task force has meaningful bidirectional interactions with impacted communities in North Anne Arundel County and with our legislative representatives.

Sincerely,



Robert G Pozgar

Rock Creek

# **CAD Letter Pozgar.pdf**

Uploaded by: Robert Pozgar

Position: FAV

Robert Pozgar | Pozgar@lcloud.com

House Bill 886 – SUPPORT

House Bill 886 – Environment - CAD Task Force  
House Committee on Environment and Transportation  
February 23, 2024

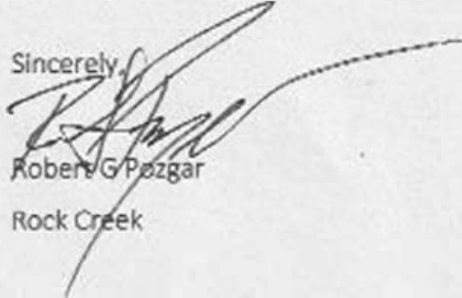
My name is Robert G. Pozgar. I live on Rock Creek in Northern Anne Arundel County. I purchased my property in 2003 and finished building my home in 2005. In early 2006 with the cooperation of Ft Smallwood Park, I used personal funds to remove 38 sunken abandoned boats out of Rock Creek. My main goal in doing this was to stop the contamination avoiding further deterioration of the water. As expected, I have seen positive changes to the water and environment over the past years. Since I have lived in the area I have enjoyed all the beautiful wildlife that has come back into the area including Osprey, Eagles and Hawks.

As we move forward, I am extremely concerned about the risks and impact to the area regarding the Confined Aquatic Disposal (CAD) dumping of contaminated dredge material. When I was building my home, I decided to take my senior managers from my company in Annapolis on a fishing trip on the Patapsco. It was a sad day because every fish that was caught had canker sores and were very unhealthy and certainly not edible. I would hate to see this occur again with the increased contamination that will most certainly occur with this CAD project. The dredged materials that are coming from the shipping channels will have had all sorts of chemicals including forever chemicals that will then be placed in an area that is "clean" with viable sand and rock that is supporting the marine life that has finally made a come back after years of decline.

It is very important that there be an oversight of an independent CAD task force not over-populated with MPA representatives or their contractors to consider the environmental safety, human health, and wildlife in the area.

It is important that the task force proposed in House Bill 886 is moved into legislation. It's important the task force has a mix of independent scientist, impacted citizens, and watermen in its membership. It's also important that the task force has meaningful bidirectional interactions with impacted communities in North Anne Arundel County and with our legislative representatives.

Sincerely,



Robert G Pozgar

Rock Creek



# **CAD Letter Pozgar.pdf**

Uploaded by: Robert Pozgar

Position: FAV

Robert Pozgar | Pozgar@icloud.com

House Bill 886 – SUPPORT

House Bill 886 – Environment - CAD Task Force  
House Committee on Environment and Transportation  
February 23, 2024

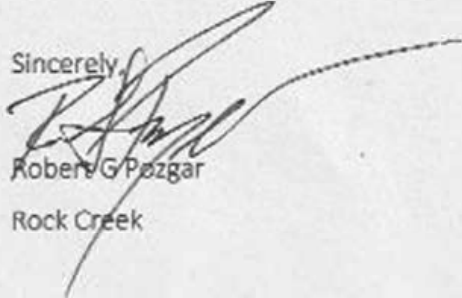
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As we move forward, I am extremely concerned about the risks and impact to the area regarding the Confined Aquatic Disposal (CAD) dumping of contaminated dredge material. When I was building my home, I decided to take my senior managers from my company in Annapolis on a fishing trip on the Patapsco. It was a sad day because every fish that was caught had canker sores and were very unhealthy and certainly not edible. I would hate to see this occur again with the increased contamination that will most certainly occur with this CAD project. The dredged materials that are coming from the shipping channels will have had all sorts of chemicals including forever chemicals that will then be placed in an area that is "clean" with viable sand and rock that is supporting the marine life that has finally made a come back after years of decline.

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Sincerely,



Robert G Pozgar

Rock Creek

# 2024 Testimony HB 886 (Robert Priest).pdf

Uploaded by: Robert Priest

Position: FAV

**House Bill 886 – SUPPORT**

**House Bill 886 – Environment - CAD Task Force  
House Committee on Environment and Transportation  
February 23, 2024**

My name is Robert Priest. I live in the waterfront community of Rockview Beach, and my house is located on Rock Creek in Northern Anne Arundel County. I have grown up on the water and it was my families dream to eventually own waterfront property. When the COVID pandemic devastated my family with the death of my mother-in-law and severely disabling my brother-in-law we decided it was time to make a change in our lives. In the fall of 2020, we sold our house that we lived in for 23 years and bought a piece of property on Rock Creek. We spent a substantial portion of our savings to rebuild a house on a neglected piece of property. The transformation was profound. Not only did it improve the neighborhood that we lived in it also contributed to preserving the tidal wetlands.

This past fall we spent a significant amount of money to add rip rap to our shoreline to prevent land erosion and water pollution caused by run off. This home improvement project was scrutinized by the Maryland Department of Environment. We spent a significant amount of time and effort to obtain permits and a license to move forward with the work effort. In addition, we had to enter a contractual arrangement with the Maryland Department of Environment that contractually obligated us to protect the tidal wetlands and obtain approval before making any changes. It is outrageous that the state can enforce such strict requirements on residents but can allow a toxic waste project past through legislation without vetting the initiative with the impacted residents and appropriate state representatives.

In the second quarter of 2023 my wife and I attended a town hall meeting in which the CAD project was first presented to the residents as well as the State of Maryland representatives. It was a very emotional meeting as residents feared for the lives of their families, children, neighbors, pets, wildlife, and waterways. It was the first time that anyone was informed of toxic elements being relocated to the water in which they swim, boat, and live. Many questions surfaced around the safety of the project which could not be properly addressed by the Maryland Port Authority and their experts. It was disclosed to the residents during the meeting that most of the permits and project approvals were obtained during COVID and that the purpose of the town hall meeting was to educate the community on the CAD project. The perception of the audience was that the Maryland Port Authority took advantage of a worldwide health matter and secretly obtained approvals during a time when most individuals were fighting for their lives. This is outrageous and unethical.

I have significant concerns with the safety of the CAD project and the wellbeing of my family and friends. We live on the water and eat the crabs as well as fish from our creek. It is no secret that there are carcinogens in the dredged water. My father-in-law worked at Bethlehem Steel and the shipyard for over 30 years, He suffered significantly from medical issues due to the exposure of toxic waste in the water. His medical conditions ranged from Mesothelioma, COPD, Congestive Heart failure and Leukemia. All confirmed diagnoses attributed to the exposure of toxic elements at the shipyard. This toxic material in the water has been dormant for decades. Disturbing the sea floor will reinstitute the toxic waste into flowing water that will impact the surrounding residents.

I am genuinely concerned about the quality and the scope of the Maryland Port Authority research regarding the CAD system and its safety. I am also significantly concerned that this project has accelerated through the approval process without collaborating with the Maryland Department of Environment as well as the lack of independent health, science, and environmental oversight of this project.

Due to the misrepresentation, and significant safety concerns it is critically important that the task force proposed House Bill 886 be moved into legislation and enhanced with independent scientific experts in health, environment, and marine environmental engineering and testing as well as an independent expert in CAD. In addition, that the task force has meaningful bidirectional interactions with impacted communities in North Anne Arundel County and with our legislative representatives.

Sincerely,

Robert Priest

Rockview Beach

# House Bill 886.pdf

Uploaded by: Robin Lyate

Position: FAV

## **House Bill 886 - Support**

CAD Task Force House Committee on Environment and Transportation  
February 23, 2024

I live on the Magothy River in Pasadena Maryland and I recently became aware of the CAD program slated for the Patapsco River/Chesapeake Bay and it's detrimental impact on the environment we ultimately live in. How a project in the making for nearly two years could have gone undetected in our community is truly unbelievable. They applied for and were granted permits without so much as a conversation with the community they will be impacting. Unacceptable.

Although I live on the Magothy River and will not be directly impacted by this recent reckless proposition, it is only a matter of time before these harmful impacts make its way to my front door. The front door being the waterways where my family lives, boats, swims, crabs and any other activity that we can do on the water. We live on the water so we can enjoy the benefits of swimming in our own waters, crabbing off our own piers, and fishing in the River we call home as well as the Chesapeake Bay without the uncertainty of slowly being poisoned. We don't live here for free.....we pay the price for this luxury and the CAD program will absolutely disrupt sediment habitats, release toxic pollutants, affect the erosion of the riverbanks, and without a doubt, diminish the value of our waterfront property. Not to mention that my children and grandchildren swim in these waters!

Although I did not attend the town meeting in the second quarter of 2023, I personally know at least 15 people who did attend and it was clear there was no coordination with the Community or County Representatives who did attend. When our County Representatives stand up and say they have no knowledge of this proposal, clearly there is a problem. They were completely unprepared to answer the simplest questions as well as unable to explain the effects on the environment or our health. We need answers.

Due to their irresponsible oversimplified misstatements, it is gravely important that the task force proposed in House Bill 886 be moved into legislation. This task force should be a joint team of independent experts in health, science and environmental impact as well as nonpartisan experts in CAD and their reports should be coordinated with our County

legislators. All results should be presented in a public forum to allow residents who are directly impacted to understand how their findings will affect their health, waterways and ultimately the value of their homes. As a community, we all have to advocate for environmentally conscious practices that protect our cherished waterways and the health and well being of the residents who live here.

Thank you for your consideration.

Sincerely,

Robin Lyate  
Frank Cossitor



**HB886RSLIVIAK.pdf**

Uploaded by: Ruth Sliviak

Position: FAV

**House Bill 886 – SUPPORT**

**House Bill 886 – Environment - CAD Task Force  
House Committee on Environment and Transportation  
February 23, 2024**

My name is Ruth Sliviak. I live on the waterfront of Rock Creek in Northern Anne Arundel County. My husband and I purchased our property over 30 years ago, and built our dream home between Maryland Yacht Club and Fairview Marina 9 years ago. We have been avid boaters, water skiers, kayakers and swimmers for over 40 years. We also enjoy crabbing and fishing in the area. We have seen so many positive changes within the 9 years that we have been living here regarding the water quality. We have 7 grandchildren who they love coming to stay with us so that they can build beautiful childhood memories and play out in nature, safely. It is a common sight and part of our area's long term culture and history, to see families enjoying boating in Stoney Creek, Rock Creek and the Patapsco River. Individual fisherman, charter fisherman, recreational crabbers, and commercial crabbers habitually frequent these waterways.

The negative health and environmental damage that would sweep the area should the CAD project be allowed, would be absolutely devastating to locals' way of life, leisure activities as well as to the natural world. I would no longer feel safe, living, swimming or recreating in our area because of the short term and long term effects of the CAD project. The disruption to the area would be extensive, not only affecting the water, but the surrounding residential areas and woodland habitats of native species of animals. This issue pales in comparison to the concerns of the toxicity of the material and method but is still a concern worthy of attention and consideration. The economic repercussions of instituting this project would be catastrophic to the local business community - specifically the restaurants and marinas in the area. The negative impact of this project would certainly decrease the values of our waterfront homes - affecting families, retirements, and long term financial planning of those of us who chose to live in this community because of its beauty, stability, and safety.

I understand that the Baltimore Harbor and its shipping channel needs to be dredged and that the material needs to be removed. However, that material must be removed in a safe way and placed in a contained area that will not impact our environment negatively. The port generates billions of dollars for our State and the businesses that are here. That does come at a cost but it certainly shouldn't cost us our ability to have a safe environment and hinder us from living and enjoying our property and waterways.

The MPA has been extremely negligent in communicating their plans to use the CAD to the citizens of North Anne Arundel County and to our legislative representatives. It is my understanding based on research that there are currently no CAD sites that are located within residential communities and recreational waterways. They are located next to industrial areas where the material was removed to limit the environmental impact. Where they have put CAD sites or used existing deep holes that had been dredged previously, there were concerns about the issues surrounding Ambient Air PCB's as well.

The Confined Aquatic Disposal (CAD) will destroy an area that has rebounded significantly after years of decline. The project does not include a remediation plan in the event there is spillage whether in the water or in the air which I can't imagine there wouldn't be of the "contaminated dredge material" whether in the process or once in place. The "material" that is being removed to be replaced by the contaminated dredged material is needed by the Port Authority so that they use it to "fuel" their reuse program, but it is likened to strip mining. The material that is being dredged

out of the shipping channels is contaminated and not able to be used for that purpose in its current state. If the Port Authority continues as planned, they will be dredging wider channels which means a higher concentration of highly contaminated material because it has not been dredged before.

It is essential that there is the oversight of an independent CAD task force not over-populated with MPA representatives or their contractors to consider the environmental safety and human health of our community. It is deeply disturbing that there was no knowledge of this planned CAD project and that the potential impact on our community was not being considered or protected. It is being presented as a 20-acre site when upon further pressing this would extend to Fort Smallwood State Park. Fort Smallwood has devoted many thousands, if not millions of dollars to improving the beach areas and facilities for the community that no one will be able to use because of potential safety concerns. Anne Arundel County has stabilized regarding its cancer rate after years of being one of the highest in the State. I would venture to say it has a lot to do with the chemical exposure from this very area. We are already flooded with chemical production and pollution, and it appears that the Maryland Port Authority would like to further injure our area.

It is my opinion that the Patapsco needs to have the most environmentally sensitive laws not the least. We have all worked so hard to improve our area and to see it destroyed is reckless and irrational. This project has been considered for many years and wasn't brought to light to anyone until the meeting that was organized back in June by an informed resident.

It is my understanding that the Maryland Port Authority does not have an established option if the CAD project doesn't move forward or has issues. They have no cohesive plan to be implemented if there is a spillage of the toxic dredged material whether in the air or water. This was specifically brought up at the last meeting with the MPA being very unprepared to respond to the question. The only response was it would depend on the situation however when a specific situation was brought up, they had no response.

**It is paramount that the task force proposed in House Bill 886 is moved into legislation. It's important that the task force has independent science experts, impacted citizens, and watermen in its membership. It's also important that the task force has meaningful bidirectional interactions with impacted communities in North Anne Arundel County and with our legislative representatives.**

Sincerely,



Ruth Sliviak – Rock Creek

# **HB\_886\_FAV\_LateTestimony\_RyanBartkowiak**

Uploaded by: Ryan Bartkowiak

Position: FAV

**House Bill 886 – SUPPORT**

**House Bill 886 – Environment - CAD Task Force  
House Committee on Environment and Transportation  
February 23, 2024**

My name is Ryan Bartkowiak. I live in the waterfront community of Stoney Beach in the Curtis Bay area of Northern Anne Arundel County. I have been a resident of the Pasadena and greater Baltimore area for the entirety of my life. I was raised between Pasadena, Dundalk/Edgemere, and Sunset Beach, just across Stoney Creek from where I currently reside. My family has always enjoyed living near the water, whether it be boating, fishing, or simply swimming off of the pier. I remember learning to swim in Stoney Creek and along the Patapsco River from the numerous times I went out on the water with friends and family. These are memories that are dear to me.

As someone who has lived either on the Patapsco or in the immediate area of the Patapsco for the past 27 years, I can remember the state of these waterways many years ago. I remember swimming anytime past approximately 6pm and every hair on your body turning dark brown. We used to jokingly call this time “root beer float hour” because the shorelines would be covered in a brown-ish foam. We were only kids and had no idea why the water would do that. We didn’t understand that swimming in a river near your house shouldn’t be like that. We didn’t understand that reckless environmental policies both by industries in the area and by the state of Maryland were the reason our creek had been polluted to that state.

Flashforward to now, and I can personally attest that the state of the river has improved much more than I can put into words. When walking on the waterfront portion of my community, I can see the bottom of the Patapsco for the first time in my life. I take my dog swimming in Stoney Creek repeatedly throughout the summer and enjoy my neighborhood’s beach, as do the many families that live here. It brings me joy seeing kids swimming in these waterways and enjoying the summer the same way that I did so many years ago. There is; however, one difference now. The phrase “root beer float hour” is no longer understood. Hair no longer turns that dark shade from swimming. I look at these phrases the same as the phrase “smoking or non-smoking” when you would walk into a restaurant: a distant memory of a time before we worried as much about our actions and the impact of those actions on those around us. A time before we understood that we, and I mean all residents who know and love this area, can make a difference. A time before we understood that we can do better and that we deserve better.

I cannot fairly state that I am an environmental expert; however, it does not take an expert to see issues that could arise if this Confined Aquatic Disposal (CAD) project begins. I’m old enough to remember bad hurricanes in this area and can personally attest to the rise and shift of tides during these storms. Furthermore, I have witnessed the tides in my neighborhood shift dramatically on a daily basis, with added emphasis if it so much as rains. When these tides rise and fall, the sand near the shoreline is disturbed, often removing footprints, driftwood, and (unfortunately) trash. If this much of a shift is happening on the shoreline, where the currents are relatively weak and regular, how much would be happening on the riverbottom in the middle of the channel? If these disposal sites are disturbed and the waste they contain is released into the waterway, what will result? More “root beer float”?

I take pride in my community and find it absolutely ridiculous that we even have to come together to keep this from happening. That is why I am in complete support of House Bill 886.

Any resident who can remember the disgusting state of this river only 20 years ago will share these same feelings. The importance of the oversight of an independent CAD task force, not over-populated with MD Port Administration representatives or their contractors, cannot be overstated. We residents have the right to know the environmental safety and impact, human health effects and risks, and the right to have our personal concerns addressed. The MPA should be ashamed that this CAD project has even made it this far and any resident of this area should be furious. We are owed the facts of this project as residents of this area and a fair chance to deny this project if it will affect our lives. I do not currently have children; however, I, for one, want my future children to be able to enjoy a cleaner Stoney Creek, a cleaner Patapsco, a cleaner Bay, and a cleaner Earth than I ever had. I cannot and will not stand by and watch this future be taken away.

**It is important that the task force proposed in House Bill 886 is moved into legislation. It's important the task force has independent science experts, impacted citizens, and watermen in its membership. It's also important that the task force has meaningful bidirectional interactions with impacted communities in North Anne Arundel County and with our legislative representatives.**

Sincerely,

Ryan F. Bartkowiak  
Stoney Beach

**HB 886 letter Final .pdf**

Uploaded by: Samantha Manos

Position: FAV

February 21, 2024

**Dear Committee:**

My name is Samantha Manos. I live in the waterfront community of Stoney Beach in Northern Anne Arundel County. My husband and I moved to the community in 2016. We have 2 young children and enjoy spending our time outside in the community. We love our views of the Patapsco and watching our children play in the beachy areas and explore our walking path. We have considered moving, but enjoy living in 21226 due to its location in relation to both Baltimore City and Annapolis. We love being minutes from places in South Baltimore like Ft. McHenry, the Science Center, Latrobe Park, or any number of locally owned restaurants. We love having the Chesapeake Arts Center and Filbert Street Garden nearby. And we can be found at Kinder Farm, Down's Park, or the Baltimore Annapolis Trail just about every weekend.

I am concerned about the risks and impacts of the Confined Aquatic Disposal (CAD) dumping of contaminated material. Northern Anne Arundel County and South Baltimore City have historically been a dumping ground for industrial waste and regulatory abuse and neglect. This pattern of dumping dates back to the early twentieth century when Curtis Bay, Fairfield and Wagner's Point were first annexed and zoned for industrial use, which local educator and author Nicole Fabricant details in her 2023 book, *Fighting to Breathe: Race, Toxicity, and the Rise of Youth Activism in Baltimore*. I won't detail the whole history here as it is extensive. However, since moving to the community we have witnessed a number of environmentally concerning events in the 21226 area. Just a few of these events:

- On December 30, 2021 there was a coal explosion that CSX was responsible for
- This past October, Curtis Bay Energy was found guilty of improperly handling toxic medical waste
- Brandon Shores (Talen Energy) will be burning coal through the end of 2025 continuing to release toxic materials into our air

Unfortunately, due to this area historically being a dumping ground, companies continue to violate environmental standards and face minimal repercussions that include fines and donations to the community. However, the environment in which they live and their health are not negatively impacted.



I am worried that without proper independent oversight, this CAD project will contribute to the environmental damage and regulatory abuse and neglect that 21226 has become accustomed to. It is important that the task force proposed in House Bill 886 is moved into legislation. It's important that the task force is independent science-experts, impacted citizens, and watermen in its membership. It's also important that the task force has meaningful bidirectional interaction with impacted communities in Northern Anne Arundel County and with our legislative representatives.

Sincerely,

Samantha Manos  
Stoney Beach Resident  
443-417-0142  
Samantha.wimbley@gmail.com

# 2024 Testimony HB 886.docx.pdf

Uploaded by: Sara Wagoner

Position: FAV

**House Bill 886 – SUPPORT**

**House Bill 886 – Environment - CAD Task Force  
House Committee on Environment and Transportation  
February 23, 2024**

My name is Sara Wagoner. I live in the waterfront community of Glen Oban in Anne Arundel County. I am a mother, educator, and a Watershed Steward for Anne Arundel County. The health of the Chesapeake Bay and the longevity of its surrounding environment are critical for the health and well being for all those who call this watershed home– human and otherwise.

While industry is vital for our economic growth, doing so in a way that is safest and with the least amount of adverse, long term consequences is even more pressing. All of the waterways are connected, and destroying part of the Patapsco without properly disposing of and containing the channel and berth-dredged materials would impair and weaken the whole of the Chesapeake Bay. As I hope you all do, I am concerned about children's health and wellbeing when they are exposed to toxins in their water supply. When forever chemicals and carcinogens are dumped into the waterways and/or the dredged materials are not contained in properly designated and fortified sites, then no amount of familial sustainability practices can combat what has been done to the water my children play in and the water we all drink. The risks and impacts of Confined Aquatic Disposal (CAD) dumping of contaminated dredge material are long lasting and far reaching.

An independent CAD task force composed of elected representatives, scientists, watermen, and citizens would best ensure that all decisions align with the community interest and not with the bottom line. If the task force is run by majority members of the MPA or their contractors, then how can we trust that they are looking out for the best interests of the Chesapeake Bay citizens? Without exaggeration, the Chesapeake Bay's health dictates all of our health.

As a citizen of this state and property owner, I implore my elected officials to protect my children and all those who live here.

**It is important that the task force proposed in House Bill 886 is moved into legislation. It's important the task force has independent science experts, impacted citizens, and watermen in its membership. It's also important that the task force has meaningful bidirectional interactions with impacted communities in North Anne Arundel County and with our legislative representatives.**

Sincerely,

Sara Wagoner

**2024 Testimony HB 886 (Alexis Whitmore).pdf**

Uploaded by: Shane Troyer

Position: FAV

**House Bill 886 – SUPPORT**

**House Bill 886 – Environment - CAD Task Force  
House Committee on Environment and Transportation  
February 23, 2024**

My name is Alexis Whitmore. I live in the waterfront community of Rockview Beach and my house is located on Rock Creek in Northern Anne Arundel County. I have spent my entire life on the water whether it was rafted up at Dutch Ship, relaxing on Skiers Cove or heading to the bay to visit friends in Rock Creek/Stoney Beach, driving down to St. Michael's or spending a warm day in downtown Annapolis, we were always on the water. Living on the water was always a dream of mine and back in 2021 we were able to buy our little shore shack on Rock Creek. We spend our days crabbing, fishing, paddle boarding, swimming or just out on the boat like we always have. It's been incredible, we have family and friends up and down Stoney and Rock Creek now. We plan to build our dream home on this lot, grow our family here and spend many more years here.

The purposed Confined Aquatic Disposal dumping of contaminated dredge materials would completely change the life I currently live and the life I have planned for myself and my future family. The disruption of the areas by Stoney and Rock Creek which will eventually go all the way down Fort Smallwood will put every part of this area at risk. There will be no more swimming, fishing, crabbing, the waters will be contaminated with all the waste that the MPA is purposing to extract and dump into our backyards. The backyards that we cannot even do landscaping in without a permit from the county. The properties that we have to promise to protect and do nothing without the state and counties approval on in order to protect the waterways that we live on. Yet the MPA is going to be allowed to dump dredging materials that contain toxins from years of waste being dumped in the water from the port and Bethlehem Steel right into our backyards. Disturbing the sea floor will reinstitute the toxic waste into flowing water that will impact the surrounding residents. There has been work done on these creeks to ensure that the water is safe for many years. I look directly at the bubbler system in Rock Creek that has helped to keep the waterways safe here, how can we think that dumping this waste into our waters is okay.

I am genuinely concerned about the quality and the scope of the Maryland Port Authority research regarding the CAD system and its safety. I am also significantly concerned that this project has accelerated through the approval process without collaborating with the Maryland Department of Environment as well as the lack of independent health, science, and environmental oversight of this project.

Due to the misrepresentation, and significant safety concerns It is critically important that the task force proposed House Bill 886 be moved into legislation and enhanced with independent scientific experts in health, environment, and marine environmental engineering and testing as well as an independent expert in CAD. In addition, that the task force has meaningful bidirectional interactions with impacted communities in North Anne Arundel County and with our legislative representatives.

Sincerely,

Alexis Whitmore  
Rockview Beach

**HB336Testimony.pdf**

Uploaded by: Susan Greene

Position: FAV

**Susan and Dan Greene, stgreene59@gmail.com**

**House Bill 886 – SUPPORT**

**House Bill 886 – Environment - CAD Task Force  
House Committee on Environment and Transportation  
February 23, 2024**

My name is Susan Greene. My husband, Dan and I live in the waterfront community of Nabbs and Stoney Creek in Northern Anne Arundel County. We moved to Maryland from New Hampshire two years ago and have grown to love the natural beauty, the abundant seafood, and the joy of living in the Stoney Creek area. I am the mother of three adult children and by the time you read this, I will be a grandmother. I believe that one of the most important things that we can do for our children and grandchildren is to leave them a beautiful, healthy environment.

This written testimony is given in support of HB886 which would lead to the creation of an independent task force to investigate, study and make recommendations about the use of Confined Aquatic Disposal (CAD) of dredge material by the Maryland Port Authority (MPA) in a pilot project creating a CAD site in the Patapsco River near Stoney Creek. This CAD pilot project will begin dumping dredge material (contaminated with heavy metals, petroleum, PFAs, and other toxic forever chemicals) over a 20-acre area off of Stoney Creek within approximately one year. MPA plans include expanding this 20-acre sites to an area up to 220 acres moving towards Fort Smallwood at the mouth of Stoney Creek.

The proposed independent task force is a critical tool to get detailed answers about the impact of the CAD project on

- water quality in the Patapsco River, Stoney Creek and Rock Creek of scraping the clean sand off the site, dumping the dredge material, and leaving the CAD site uncovered
- aquatic plant life that will be devastated by the dredge sediment deposited on the CAD site and the sediment that then drifts throughout the mouth of the Patapsco River, Stoney Creek, Nabbs Creek, Rock Creek and nearby areas of the Chesapeake Bay
- marine wildlife (fish, crabs, oysters and other species) living in and around the CAD dump site as well as the recreational and commercial fishing in the area.
- the birds, other creatures, and people that feed on the aquatic plant life and marine wildlife that are impacted by the dredge dumping
- recreational use and potential health problems due to contact (swimming, boating, water sports, etc.) with contaminated water
- noise and disruption to the Patapsco River and Stoney Creek areas related to the dredge disposal operation

The Maryland Port Administration (MPA) Dredged Material Management Program Annual Report 2023, page 14, states

## "Reviewing the Science, Responding to Stakeholders

MPA completed monitoring a CAD pilot project in 2019 and worked to evaluate lessons learned and determine next steps for the program. Planning and investigative efforts, including geotechnical investigations and hydrodynamic modeling within Baltimore Harbor, informed a proposed siting of a second CAD pilot call in a location southeast of the Cox Creek DMCF. The area was presented to the Joint Evaluation Committee, a body of state and federal regulatory agencies, in February 2023 for feedback on the project and permitting strategies.

Concerns have been raised about the proposed location for the next CAD pilot project, so the project has been paused to ensure there is a thorough education and outreach process. This will include reviewing design alternatives and re-engaging the Bay Enhancement Workgroup. Simultaneously, MPA is developing and implementing a comprehensive outreach and engagement strategy focused on CAD in Baltimore Harbor and the importance of investigating emerging dredged material management approaches. MPA remains committed to transparency, ensuring the public and regulatory and resource agencies receive accurate and timely information and building confidence that future CAD endeavors will have no adverse effects on the environment or nearby residents."

The annual report makes it clear that the work that the MPA plans to do before the CAD pilot project is initiated is mostly education and public relations. The MPA mentions the Innovative Materials Re-Use Project and they discuss it extensively at public meetings. This is a very valid approach and should be aggressively pursued as a more environmentally friendly way to deal with the dredge material. However, the MPA does not address the broad concerns about water quality, aquatic plant life, marine wildlife, and recreational use. The members of the community do not need to just be educated about the value of the CAD project - we need answers to the questions about the impacts of dredge disposal. The independent task force would make it a priority to address the concerns of the community.

It is vitally important that House Bill 886 is moved into legislation and that the task force be created. The task force should include Maryland legislators, relevant Maryland cabinet officers, MPA officials, independent science experts (water quality experts, marine biologists, engineers with experience in dredge material handling), the Chesapeake Bay Foundation, commercial and recreational fishermen, and impacted citizens.

Sincerely,  
Susan and Dan Greene  
Nabbs/Stoney Creek  
7623 Turnbrook Drive  
Glen Burnie, MD  
stgreene59@gmail.com



# **Teresa Hechmer Anzalone.pdf**

Uploaded by: Teresa Anzalone

Position: FAV

Teresa Hechmer Anzalone  
[thechmer@yahoo.com](mailto:thechmer@yahoo.com)

House Bill 886 SUPPORT

House Bill 886-Environment- CAD Task Force House Committee on  
Environment and Transportation

February 23, 2024

My name is Teresa Hechmer Anzalone. My family has been associated with the Rock Creek, Pasadena and Baltimore area since the late 1800's. My Grandfather, father and myself spent much of our childhood boating, swimming and crabbing on Rock Creek and the area around the White Rocks and Stony Creek. While I currently live on the Magothy I still sail, fish and crab the waters of Rock Creek as my family continues to reside in our family cottage at the Patapsco Club located on Rock Creek just across from Oak Harbor Marina.

I am in favor of establishing a task force to consider whether using confined aquatic disposal is a good idea for managing materials in Maryland's waters. We need to look at these issues carefully. This is a matter we cannot afford to get wrong. The pollution of the Chesapeake directly affects our daily lives. Already, the Maryland Department of the Environment has issued advisories warning citizens not to consume certain fish in our waters. This includes Rock Creek. Where will this stop? Shouldn't we be doing everything in our powers to keep the Chesapeake safe for recreation and wildlife and for our children and grandchildren to enjoy?

The reason I moved to Maryland after I retired is because I wanted to enjoy the Chesapeake Bay. I suspect that is why many people live here. If the Chesapeake becomes more polluted it could endanger the health of ourselves, our families, and wildlife. At that point who would want to continue to live here? Let's have a closer look at this matter while there's still time. We owe it to ourselves and the State of Maryland.

Teresa Hechmer Anzalone  
942 Barracuda Cove Court  
Annapolis, Maryland 21409



**Fox HB 886.pdf**

Uploaded by: Teresa Fox

Position: FAV

Teresa Fox. [Dreyfus10@hotmail.com](mailto:Dreyfus10@hotmail.com)

House Bill 886 Support

House Bill 886—Environment—CAD Task Force  
House Committee on Environment and Transportation  
February 23, 2024

Dear Committee Members,

My name is Teresa Fox and I live on Stoney Creek on the waterfront, in northern Anne Arundel County. I am a retired military veteran who chose to stay in MD for the rest of my life after retiring. I have lived in many wonderful places, including CA, HI and Japan but love MD because of the high quality of life here. Living on the water is one of the major reasons for staying here. It is so thrilling to be able to kayak Stoney Creek and observe blue cranes and bald eagles in their natural habitat. It is also fun to barbeque on the beach and swim and fish off our pier.

I am very concerned about the Confined Aquatic Disposal (CAD), which is being proposed by MPA. This issue was first brought to my attention by another beach resident and attended a community meeting with MPA present. I was very concerned about the impact of such contaminated dredge material storage in our area and did not feel that the risks were adequately addressed by MPA. As we all know, water erodes everything over time and there is a danger of toxic material escaping into the Anne Arundel County waterways, as a result.

It is critical that you establish an independent CAD task force to evaluate environmental safety, human and animal health impacts and risks and alternatives to the current plan. This task force should be composed of people familiar with our waterways, independent

environmental experts, wildlife experts, and local citizens who would be affected by CAD. The task force should also be mandated to hold meetings with communities that will potentially be affected by CAD, and our legislative representatives, so we have the opportunity to stay abreast of the issue. I appreciate your time and consideration.

Sincerely,

Teresa Fox

Mount Pleasant Beach

Anne Arundel County, MD

**2024 Testimony HB 886 2.pdf**

Uploaded by: Tracey Jessilonis

Position: FAV

**House Bill 886 – SUPPORT**

**House Bill 886 – Environment - CAD Task Force  
House Committee on Environment and Transportation  
February 23, 2024**

My name is Tracey Jessilonis. I live in the waterfront community of Lombardee Beach in Northern Anne Arundel County. My husband and I have lived on the water for many years and enjoy many water activities, especially boating, kayaking, fishing, crabbing, etc.

My concerns about the risks and impacts of Confined Aquatic Disposal (CAD) dumping of contaminated dredge material would be the tremendous and negative impact on our waterways. Clearly the cleanliness, safety, and overall health of the waterways would be severely impacted. What diseases are we at risk of by coming in contact with the water, swimming and skiing in the water, and eating the fish and crabs that come from the water? It can't be good! I want to avoid possible risks of this NOW and in the FUTURE. How many years will it take before we discover the impacts of this on our health?

An oversight of an independent CAD task force not over-populated with MPA representatives or their contractors to consider the environmental safety, human health, and potential personal concerns is EXTREMELY important! This clearly is of huge concern to many of us and it is imperative that the time and research is done to clarify exactly what the impact of this would be and to develop solutions to avoid any negative consequences now or in the future. A temporary bandaid or fix isn't enough.

**It is important that the task force proposed in House Bill 886 is moved into legislation. It's important the task force has independent science experts, impacted citizens, and watermen in its membership. It's also important that the task force has meaningful bidirectional interactions with impacted communities in North Anne Arundel County and with our legislative representatives.**

Sincerely,

Tracey Jessilonis  
Lombardee Beach



# House Bill 886 support.pdf

Uploaded by: Vanessa Feeheley

Position: FAV

## **HOUSE BILL - 886 SUPPORT**

**House Bill 886 – Environment – CAD Task Force  
House Committee on Environment and Transportation  
February 23, 2024**

**My name is Vanessa G Feeheley. I live in the waterfront community of Riviera Beach in Northern Anne Arundel County. I grew up here in Riviera Beach and I have spent many a day swimming and crabbing in our local creeks and the Patapsco River. I took swimming lessons with the American Red Cross each and every summer until my Mom deemed that I was well rehearsed in being safe on the water. I don't believe she ever thought that being safe would include the nasty mess that is being proposed to dump into our recreational waterway.**

**Recently I have been fortunate enough to have my grandchildren move to our area (Sunset Beach) on Stoney Creek. They love being able to canoe, swim and crab on those waters.**

**I fear that if this Confined Aquatic Disposal (CAD) dumping of contaminated dredge material moves forward that our youth will be missing the beauty of one of the largest reasons for being in this area. It is byfar God's Little Acre, as I always to lovingly refer to it.**

**An independent oversight CAD task force that isn't overpopulated with MPA representatives or THEIR contractors is needed to consider the environmental impact on our community as it relates to our human health, the health of our wildlife, our safety and our well being.**

**We very well could lose our ability to utilize our recreational resources as the very air we breath could be impacted due to this contaminated dumping of the whatever nasty material is being dredged up. My mind goes directly to the shipping industry. Where are they dumping grease traps from the ships and other traps on their vessels?**

**It is important that the task force proposed in House Bill 886 is moved into legislation. It's important the task force has independent science experts, impacted citizens, and watermen in its membership. It's also important that the task force has meaningful bi-directional interations with impacted communities in North Anne Arundel County and with our legislative representatives.**

**Sincerely,**

**Vanessa G. Feeheley**

**Riviera Beach, MD**

# **CAD Pilot Proposal Powerpoint.pdf**

Uploaded by: Brian Chisholm

Position: FWA

# HB 886 – CAD

## Dredging

- Two main types of dredge material
  - Non-Baltimore Harbor material, and
  - Baltimore Harbor material
- Non-Baltimore Harbor material is relocated to Bay
- Baltimore Harbor material stored away from Bay
- Dredging needed for commerce and recreation.
- Baltimore harbor materials are primarily sent to the Cox Creek Material Containment Facility located in my district.

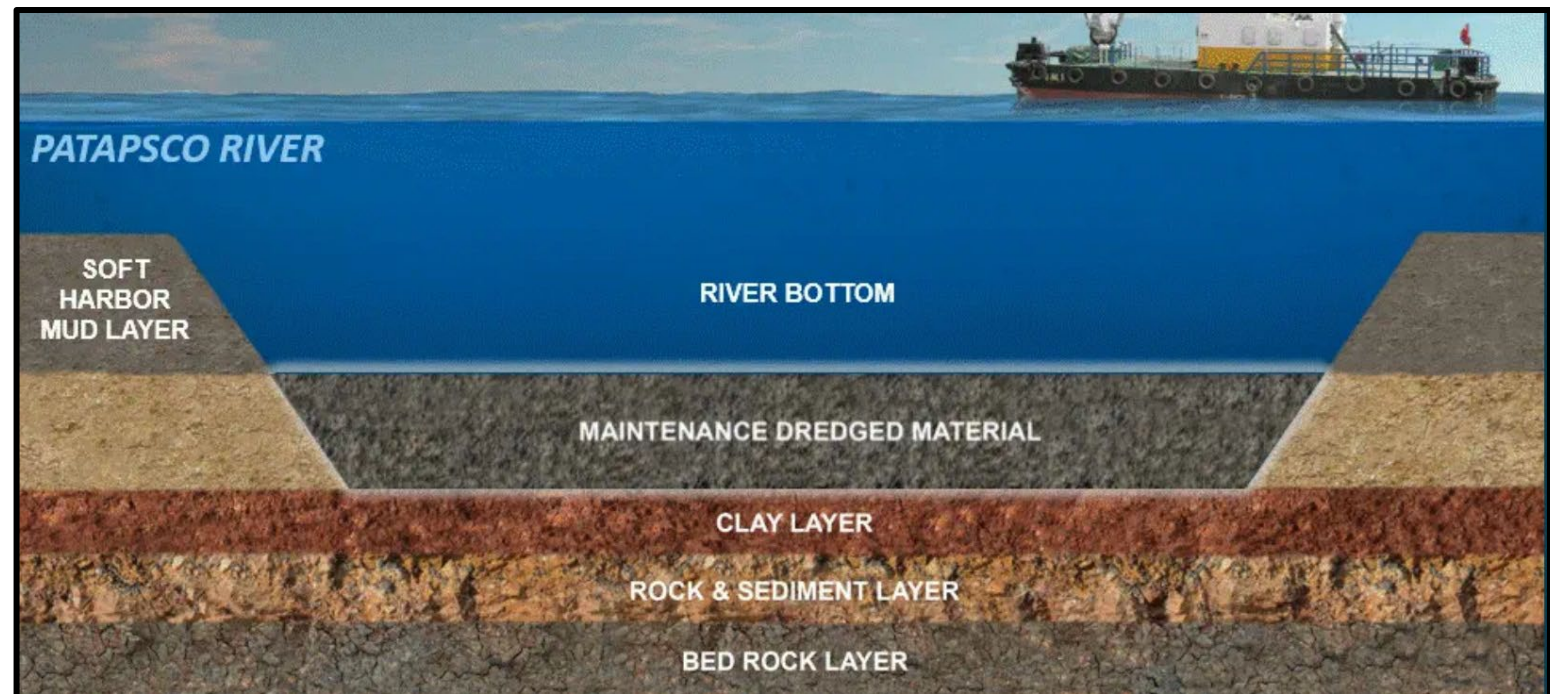


# CAD: Should it be used in Maryland?

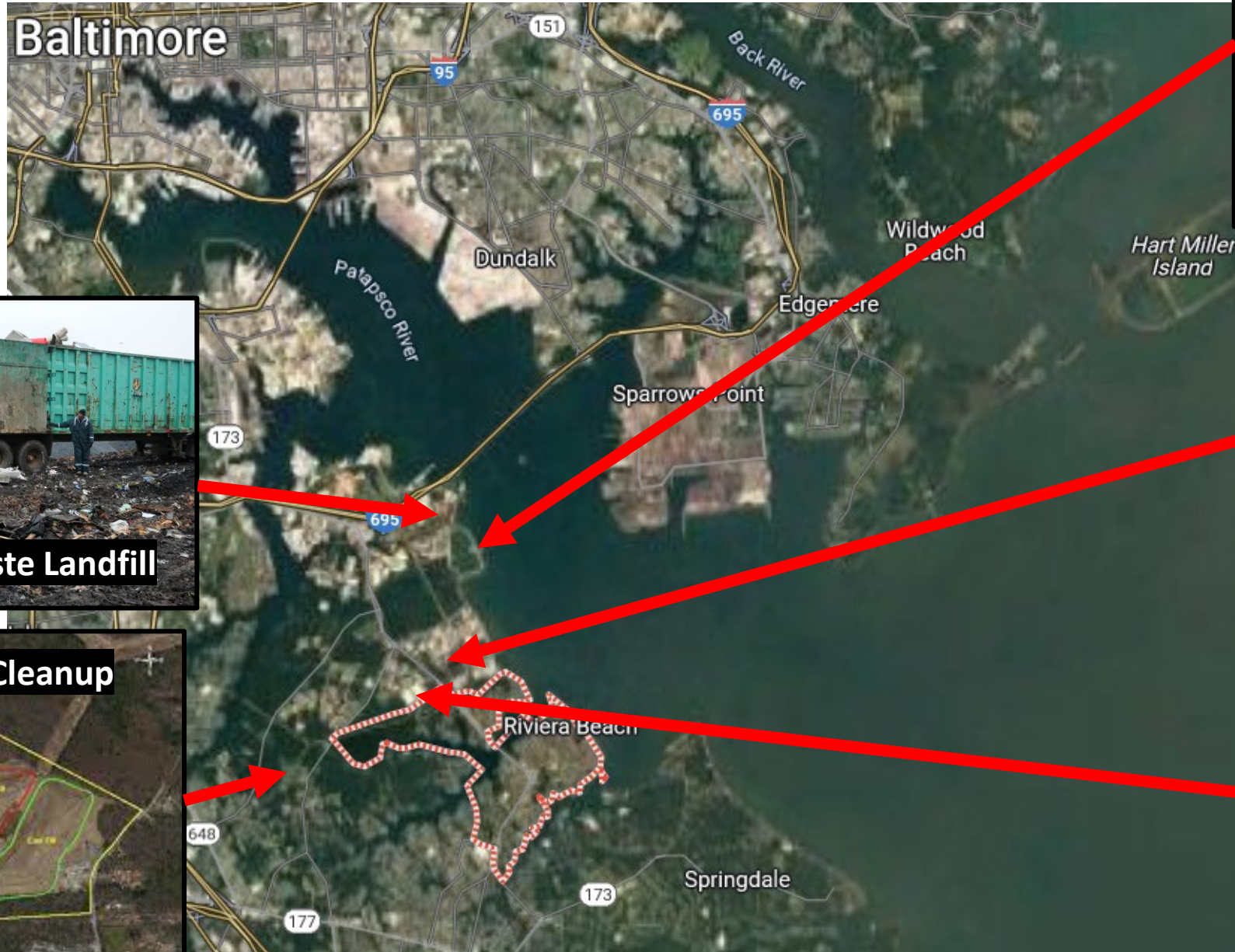
## If so, how?

*“Confined aquatic disposal (CAD) cells used ... for the disposal of dredged material deemed unsuitable (UDM) for unconfined open water disposal. The technique involves placing UDM within cells cut into the seafloor for containment”*

US Army Corps of Engineers



# Unhealthy Dumping Grounds



**Cox Creek Land Dredge Dump**



**Hazardous Waste Landfill**



**Coal Power Plants**



**EPA Hazard Cleanup**

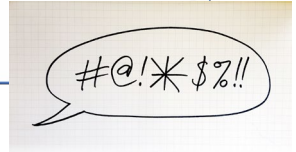


**Sewage Reclamation**

# Timeline

Community Meeting  
w/MPA  
June 1, 2023

• Community passionately voices concerns about CAD



Senator Simonaire &  
Del. Chisholm meet  
w/MPA leadership  
June 7, 2023

• “we look forward to working with you on proposed workgroup legislation for CAD as we take a pause on the pilot project” – Bill Doyle, Executive Director MPA



District 31 Issues  
Press Release  
June 13, 2023

• To alleviate the concerns of the community, MPA commits to pausing CAD pilot project. District 31 reports back to community.

• “I want to thank the representatives for a very productive discussion,” said MPA Executive Director William P. Doyle. “We have good working relationships in our local communities and the MPA looks forward to continuing to work with the District 31 delegation on these important port related matters.”

Open House & Cox  
Creek Citizens  
Oversight  
Committee Meeting  
July 12, 2023

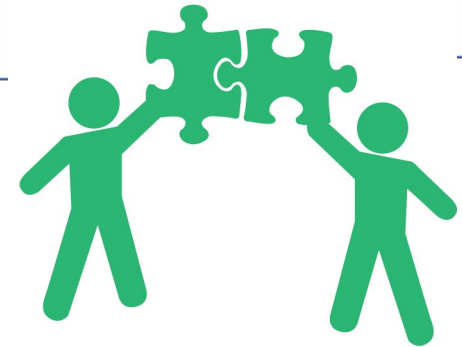
• Del. Chisholm meets with the MPA once again, joined by constituents to learn about Dredge Material & “educate” citizens on plans

Working on  
Legislation  
October 2023-  
Feb 2024

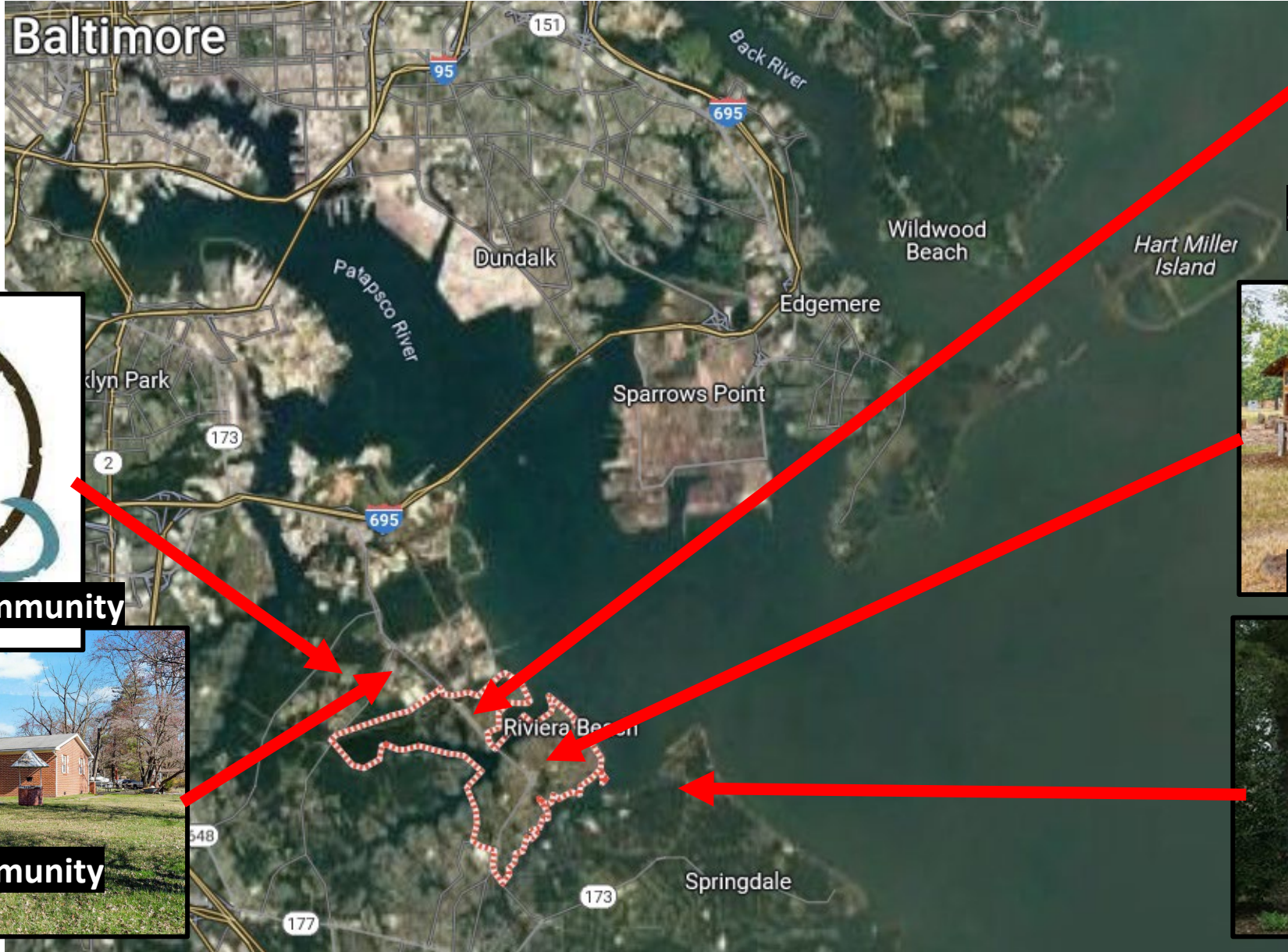
• Bill Drafts shared with MPA. Feedback encouraged

Community  
Stakeholder Meeting

• To discuss HB886 & SB 353



# Northern Anne Arundel County



**Stoney Beach Community**



**Riviera Beach Community**



**Public Park**



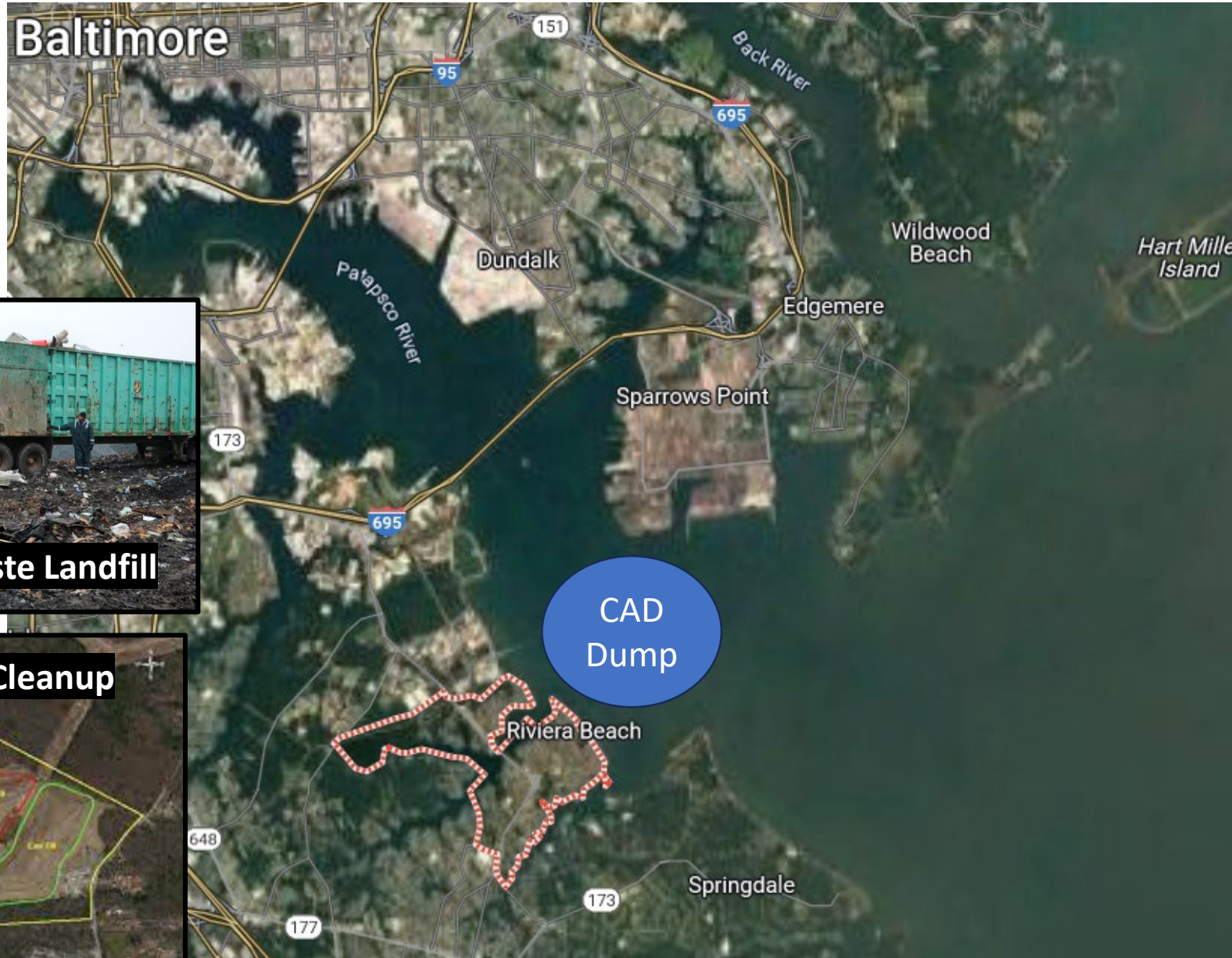
**Tanyard Cove Community**



**Green Acres Community**



# Just 1 more Dumping on



**Cox Creek Land Dredge Dump**



**Hazardous Waste Landfill**



**Coal Power Plants**

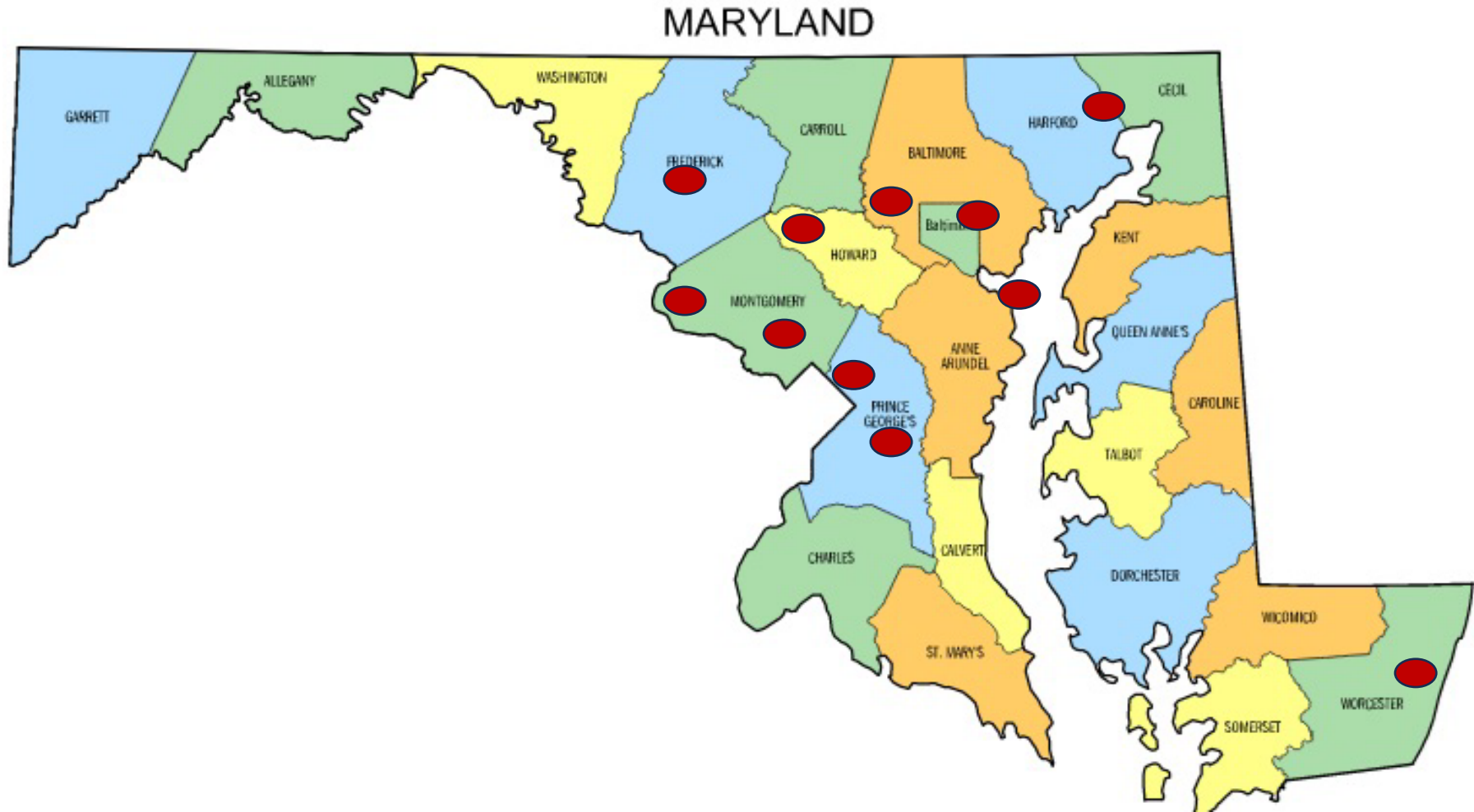


**EPA Hazard Cleanup**



**Sewage Reclamation**

# What would YOU do?



# **HB0886 - MPA - Confined Aquatic Disposal\_LOSWA\_FIN**

Uploaded by: Patricia Westervelt

Position: FWA

February 23, 2024

The Honorable Marc Korman  
Chair, House Environment and Transportation Committee  
251 House Office Building  
Annapolis MD 21401

**Re: Letter of Support with Amendments – House Bill 886 – Confined Aquatic Disposal Task Force**

Dear Chair Korman and Committee Members:

The Maryland Port Administration (MPA) respectfully requests a favorable report on House Bill 886 with amendments. House Bill 886 creates a Task Force under the State of Maryland’s Dredged Material Management Program (DMMP) to study a dredge material management option known as “Confined Aquatic Disposal” (“CAD”) and make recommendations to the DMMP Executive Committee. By placing the Task Force under the existing governance structure, the DMMP will provide the Task Force a comprehensive and broad-based stakeholder process for reviewing, discussing, evaluating, and making recommendations on dredge material management options like CAD.

### **The Need for a Dredge Material Management Program**

Each year, the U.S. Army Corps of Engineers performs maintenance dredging on the over 130 miles of navigational channels connecting the Port of Baltimore to the Atlantic Ocean. This maintenance dredging generates, on average, approximately five million cubic yards of sediment which is enough dredge material to fill up M&T Bank stadium twice. Once this material is dredged, the State of Maryland, through MPA, is responsible for the placement and management of all this material through the DMMP. The DMMP was established by the Maryland General Assembly in 2001 to create a comprehensive process for evaluating and assessing dredged material management options, and for identifying potential new placement sites. *See* Md. Envir. Code, § 5-1104.2(d).

### **DMMP Governance Structure**

To ensure that future dredged material placement options are rigorously evaluated by a broad and representative cross-section of interested parties, the General Assembly created an Executive Committee composed of eight members, the Secretary of Transportation, the Secretary of Natural Resources, the Secretary of the Department of the Environment, the Chesapeake Bay Foundation, a representative of the Management Committee of the DMMP, a citizen representative, and the district engineers for the U.S. Army Corps of Engineers, Baltimore and Philadelphia Districts. *Id.* at § 5-1104. The Executive Committee meets twice annually to review and recommend to the Governor long-term strategic plans for dredged material management, placement sites, and the beneficial use and innovative reuse of dredged material.

The Executive Committee receives a wide range of analysis, input, and recommendations on different dredge material management options from eight oversight and advisory committees that are the foundation of the model engagement program of the DMMP. They include: the Management Committee, Citizens’ Advisory Committee, Innovative Reuse Committee, Hart-Miller Island Citizens Oversight Committee, Cox Creek Citizens Oversight Committee, Masonville Citizens Advisory Committee, Pearce Creek Implementation Committee, and the Bay Enhancement Working Group (BEWG).

These Committees and Workgroups are made up of a broad and inclusive cross-section of partners, including national, state, and local governmental agencies, nonprofit organizations, community groups, citizens, and businesses, all of whom work together to plan for, and manage, dredged material in innovative and sustainable ways that benefit our local communities and the environment. The Committees and Workgroups provide advice, input, and recommendation to the Executive Committee on a wide range of topics, including, but not limited to, the technical viability of a specific dredge material management option, the science associated with that option, the environmental, natural resource, financial impacts of the option, and the impacts to neighboring communities.

### **Confined Aquatic Disposal**

CAD is one dredge material management option that the State is currently investigating through the DMMP. Under this option, Baltimore Harbor dredged material is placed in a confined underwater cell created by excavating material from the waterway bottom. In the U.S., CAD has been used successfully in Boston and Newark Bay.

In 2016, MPA constructed its first CAD Pilot Project in Baltimore Harbor and began an extensive 2-year study of this new approach in Maryland. Dredged material was evaluated prior to placement with monitoring occurring during placement, followed by extensive post-placement monitoring to evaluate the long-term stability of the material within the cell. The first pilot project was demonstrated to be technically feasible and sediment and water quality study results were determined to be within water quality standards and consistent with baseline conditions.

Through continued coordination with DMMP committees, the 2016 CAD Pilot Project identified planning goals to be taken into consideration while exploring a location for a second CAD Pilot Project such as evaluating different natural site conditions. Preliminary site analysis for a second pilot project included an environmental assessment, hydrodynamic modeling, and geotechnical investigations.

Through ongoing coordination with DMMP committees, potential sites were refined and focused for further study, ultimately resulting in a recommended location in the open water region southeast of Cox Creek Dredged Material Containment Facility, approximately one mile off the coast of Anne Arundel County.

### **Citizen Request for Further Study**

In June 2023, MPA attended a community meeting in Anne Arundel County during which community members raised concerns about the proposed location for the second CAD Pilot Project which was being considered one mile off the community's shoreline in the Chesapeake Bay. The meeting revealed there were misconceptions about CAD, and that MPA could improve outreach and collaboration with the citizens and the District 31 delegation to address some of the citizens' concerns. After subsequent conversations with DMMP stakeholders and the District 31 delegation, MPA agreed to pause the second CAD pilot project.

Since then, MPA has been engaged in conversations with the District 31 delegation on how best to further discuss, review, evaluate, and perform community outreach on CAD. With amendments, House Bill 886 would address this matter by setting up the Task Force within the DMMP and reports its recommendations regarding CAD to the Executive Committee.

The Honorable Marc Korman  
Page Three

The MPA firmly believes that review, discussion, feedback, advice, and recommendation on CAD should come from the DMMP committees to the Executive Committee because these committees have the scientific, regulatory, and technical expertise, as well as the diverse stakeholder input needed to address the concerns of citizens regarding CAD. Specifically, MPA believes this process should start with the Bay Enhancement Working Group (BEWG), originally established in 2001 with the enactment of the Dredged Material Management Act of 2001, that serves as the technical advisors on environmental and social issues related to the development and implementation of dredged material placement activities of the Port of Baltimore. The BEWG is composed of broad-based technical personnel with expertise relevant to environmental issues in the Chesapeake Bay region. BEWG participants represent resource management and regulatory agencies at the federal and state levels, local governments, and stakeholder groups, including environmental interest groups, universities, watermen, and communities. The BEWG develops and utilizes tools to assess environmental impacts and/or benefits associated with dredged material management options. Moreover, citizens and legislative representatives are welcome to attend any of the meetings of the BEWG; its meetings are open to the public.

In conclusion, MPA believes the BEWG, within the DMMP, is well equipped to incorporate the Task Force for the fixed term and address the concerns raised by the citizens at the June 2023 meeting regarding CAD.

The Maryland Department of Transportation respectfully requests the Committee grant House Bill 886, with amendments, a favorable report.

Respectfully Submitted,

Bob Munroe  
Deputy Executive Director  
Maryland Port Administration  
410-385-4829

Pilar Helm  
Director of Government Affairs  
Maryland Department of Transportation  
410-865-1090

**SB0353/773125/1**

BY: Senator Simonaire  
(To be offered in the Education, Energy, and the Environment  
Committee)

AMENDMENT TO SENATE BILL 353

(First Reading File Bill)

On page 1, in line 9, after “(1)” insert “the members of the Bay Enhancement Working Group;

(2)”;

in line 11, strike “(2)” and substitute “(3)”; strike line 13 in its entirety; and strike beginning with the first “the” in line 14 down through “designee” in line 15 and substitute “one member from the Anne Arundel County Office of Planning and Zoning”.

On pages 1 and 2, strike beginning with the first “the” in line 16 on page 1 down through “(v)” in line 2 on page 2, inclusive.

On page 2, in line 2, strike “two” and substitute “three”; in the same line, strike “from water privileged communities” and substitute “who represent a waterfront community, one of each”; in line 3, strike “or” and substitute “and”; in line 4, after “Harbor” insert “, appointed by the Governor”; in line 5, strike “Governor” and substitute “majority of the members of the Task Force”; strike beginning with the colon in line 7 down through “(1)” in line 8; strike beginning with the semicolon in line 8 down through “budget” in line 10; in line 14, strike “The” and substitute “Using the procedures and policies governing the Dredged Material Management Program under the Maryland Port Administration, the”; in line 15, strike “discuss” and substitute “study”; in line 17, after “programs” insert “to meet the long-term dredged material placement needs of the State”; strike beginning with “the” in line 18 down through “(iv)” in line 22; in lines 24 and 26, strike “(v)” and “(vi)”, respectively, and substitute “(iii)” and “(iv)”, respectively; and strike in their entirety lines 28 and 29.

On page 3, in lines 1, 3, 4, and 5, strike “1.”, “2.”, “3.”, and “4.”, respectively, and substitute “(v)”, “(vi)”, “(vii)”, and “(viii)”, respectively; after line 6, insert:

“(ix) economic impacts of confined aquatic disposal;”;

in line 7, strike “5.” and substitute “(x)”; in the same line, after “impacts” insert “of confined aquatic disposal”; in the same line, strike “and”; strike line 8 in its entirety; in line 9, strike “(viii)” and substitute “(xi)”; in line 10, after the semicolon, insert “and

“(xii) any other factors the Task Force deems necessary; and”;

strike beginning with “whether” in line 11 down through “necessary” in line 23 and substitute “using confined aquatic disposal as a strategy for meeting the long-term dredged material placement needs of the State”; in line 24, after “shall” insert “submit a”; in the same line, after “report” insert “of”; in line 25, after “to” insert “the Executive Committee created under § 5–1104.2 of the Environment Article.”; and in line 26, strike “the Governor,”.



**HB 886 AMD 2-20-24.pdf**

Uploaded by: Robert Munroe

Position: FWA

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AMENDMENT TO HOUSE BILL 886  
(First Reading File Bill)

On page 1, in line 9, after “(1)” insert “the members of the Bay Enhancement Working Group;

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## **Amendments to HB 886**

### **Page 2 of 2**

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**MPA LOS w AMD HB 886 1-20-24.pdf**

Uploaded by: Robert Munroe

Position: FWA

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February 21, 2024

The Honorable Marc Korman  
Chair, House Environment and Transportation Committee  
Room 251, House Office Building  
Annapolis MD 21401

**Re: Letter of Support with Amendments – House Bill 886 – Confined Aquatic Disposal Task Force**

Dear Chair Korman and Committee Members:

The Maryland Port Administration (MPA) respectfully requests a favorable report on House Bill 886 with amendments, which would create a Task Force under the State of Maryland’s Dredged Material Management Program (DMMP) to study a dredge material management option known as “Confined Aquatic Disposal” (“CAD”) and make recommendations to the DMMP Executive Committee. By placing the Task Force under the existing governance structure, the DMMP will provide the Task Force a comprehensive and broad-based stakeholder process for reviewing, discussing, evaluating, and making recommendations on dredge material management options like CAD.

### **The Need for a Dredge Material Management Program**

Each year, the U.S. Army Corps of Engineers performs maintenance dredging on the over 130 miles of navigational channels connecting the Port of Baltimore to the Atlantic Ocean. This maintenance dredging generates, on average, approximately five million cubic yards of sediment which is enough dredge material to fill up M&T Bank stadium twice. Once this material is dredged, the State of Maryland, through MPA, is responsible for the placement and management of all this material through the DMMP. The DMMP was established by the Maryland General Assembly in 2001 to create a comprehensive process for evaluating and assessing dredged material management options, and for identifying potential new placement sites. *See* Md. Envir. Code, § 5-1104.2(d).

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To ensure that future dredged material placement options are rigorously evaluated by a broad and representative cross-section of interested parties, the General Assembly created an Executive Committee composed of eight members, the Secretary of Transportation, the Secretary of Natural Resources, the Secretary of the Department of the Environment, the Chesapeake Bay Foundation, a representative of the Management Committee of the DMMP, a citizen representative, and the district engineers for the U.S. Army Corps of Engineers, Baltimore and Philadelphia Districts. *Id.* at § 5-1104. The Executive Committee meets twice annually to review and recommend to the Governor long-term strategic plans for dredged material management, placement sites, and the beneficial use and innovative reuse of dredged material.

The Executive Committee receives a wide range of analysis, input, and recommendations on different dredge material management options from eight oversight and advisory committees that are the foundation of the model engagement program of the DMMP. They include: the Management Committee, Citizens’ Advisory Committee, Innovative Reuse Committee, Hart-Miller Island Citizens Oversight Committee, Cox Creek Citizens Oversight Committee, Masonville Citizens Advisory Committee, Pearce Creek Implementation Committee, and the Bay Enhancement Working Group (BEWG).

These Committees and Workgroups are made up of a broad and inclusive cross-section of partners, including national, state, and local governmental agencies, nonprofit organizations, community groups, citizens, and businesses, all of whom work together to plan for, and manage, dredged material in innovative and sustainable ways that benefit our local communities and the environment. The Committees and Workgroups provide advice, input, and recommendation to the Executive Committee on a wide range of topics, including, but not limited to, the technical viability of a specific dredge material management option, the science associated with that option, the environmental, natural resource, financial impacts of the option, and the impacts to neighboring communities.

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Through ongoing coordination with DMMP committees, potential sites were refined and focused for further study, ultimately resulting in a recommended location in the open water region southeast of Cox Creek Dredged Material Containment Facility, approximately one mile off the coast of Anne Arundel County.

### **Citizen Request for Further Study**

In June 2023, MPA attended a community meeting in Anne Arundel County during which community members raised concerns about the proposed location for the second CAD Pilot Project which was being considered one mile off the community's shoreline in the Chesapeake Bay. The meeting revealed there were misconceptions about CAD, and that MPA could improve outreach and collaboration with the citizens and the District 31 delegation to address some of the citizens' concerns. After subsequent conversations with DMMP stakeholders and the District 31 delegation, MPA agreed to pause the second CAD pilot project.

Since then, MPA has been engaged in conversations with the District 31 delegation on how best to further discuss, review, evaluate, and perform community outreach on CAD.

The Honorable Marc Korman  
Page Three

With amendments, House Bill 886 would address this matter by setting up the Task Force within the DMMP and reports its recommendations regarding CAD to the Executive Committee.

The MPA firmly believes that review, discussion, feedback, advice, and recommendation on CAD should come from the DMMP committees to the Executive Committee because these committees have the scientific, regulatory, and technical expertise, as well as the diverse stakeholder input needed to address the concerns of citizens regarding CAD. Specifically, MPA believes this process should start with the Bay Enhancement Working Group (BEWG), originally established in 2001 with the enactment of the Dredged Material Management Act of 2001, that serves as the technical advisors on environmental and social issues related to the development and implementation of dredged material placement activities of the Port of Baltimore. The BEWG is composed of broad-based technical personnel with expertise relevant to environmental issues in the Chesapeake Bay region. BEWG participants represent resource management and regulatory agencies at the federal and state levels, local governments, and stakeholder groups, including environmental interest groups, universities, watermen, and communities. The BEWG develops and utilizes tools to assess environmental impacts and/or benefits associated with dredged material management options. Moreover, citizens and legislative representatives are welcome to attend any of the meetings of the BEWG; its meetings are open to the public.

In conclusion, MPA believes the BEWG, within the DMMP, is well equipped to incorporate the Task Force for the fixed term and address the concerns raised by the citizens at the June 2023 meeting regarding CAD.

The Maryland Port Administration respectfully requests the Committee grant House Bill 886 with amendments a favorable report.

Respectfully Submitted,

Bob Munroe  
Deputy Executive Director  
Maryland Port Administration  
410-385-4829

Pilar Helm  
Director of Government Affairs  
Maryland Department of Transportation  
410-865-1090

# **HB886\_Chisholm\_Amendment**

Uploaded by: Brian Chisholm

Position: INFO





HB0886/463329/1

AMENDMENTS  
PREPARED  
BY THE  
DEPT. OF LEGISLATIVE  
SERVICES

16 FEB 24  
15:34:23

BY: Delegate Chisholm

(To be offered in the Environment and Transportation Committee)

AMENDMENT TO HOUSE BILL 886

(First Reading File Bill)

On page 1, in line 9, after “(1)” insert “the members of the Bay Enhancement Working Group;

(2)”;

in line 11, strike “(2)” and substitute “(3)”; strike line 13 in its entirety; and in line 14, strike “the Secretary of Natural Resources, or the Secretary’s designee;” and substitute “one member from the Anne Arundel County Office of Planning and Zoning; and”.

On pages 1 and 2, strike beginning with the first “the” in line 15 on page 1 down through “3.” in line 6 on page 2, inclusive.

On page 2, in line 6, strike “Maryland Legislative District 46” and substitute “three members who represent a waterfront community, one of each located in Baltimore County, Baltimore City, and Anne Arundel County that are in close proximity to dredged materials from Baltimore Harbor, appointed by the Governor”; in line 7, strike “Governor” and substitute “majority of the members of the Task Force”; strike beginning with the colon in line 9 down through “(1)” in line 10; strike beginning with the semicolon in line 10 down through “budget” in line 12; in line 16, strike “The” and substitute “Using the procedures and policies governing the Dredged Material Management Program under the Maryland Port Administration, the”; in line 17, strike “discuss” and substitute “study”; in line 19, after “programs” insert “to meet the long-term dredged material placement needs of the State”; strike beginning with “the” in line 20 down through “(iv)” in line 24; and in line 26, strike “(v)” and substitute “(iii)”.

On page 3, in line 1, strike “(vi)” and substitute “(iv)”; strike in their entirety lines 3 and 4; in lines 5, 7, 8, and 9, strike “1.”, “2.”, “3.”, and “4.”, respectively, and substitute “(v)”, “(vi)”, “(vii)”, and “(viii)”, respectively; after line 10, insert:

“(ix) economic impacts of confined aquatic disposal;”;

in line 11, strike “5.” and substitute “(x)”; in the same line, after “impacts” insert “of confined aquatic disposal”; in the same line, strike “and”; strike line 12 in its entirety; in line 13, strike “(viii)” and substitute “(xi)”; in line 14, after the semicolon insert “and

“(xii) any other factors the Task Force deems necessary; and”;

strike beginning with “whether” in line 15 down through “necessary” in line 27 and substitute “using confined aquatic disposal as a strategy for meeting the long-term dredged material placement needs of the State”; in line 28, after “shall” insert “submit a”; in the same line, after “report” insert “of”; and in line 29, strike “the Governor” and substitute “the Executive Committee created under § 5-1104.2 of the Environment Article”.

# **HB886\_Chisholm\_Amendment**

Uploaded by: Brian Chisholm

Position: INFO

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HOUSE BILL 886

M3

4lr2649

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By: **Delegates Chisholm, Grammer, Kipke, McComas, Munoz, and Schmidt**

Introduced and read first time: February 2, 2024

Assigned to: Environment and Transportation

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A BILL ENTITLED

1 AN ACT concerning

2 **Confined Aquatic Disposal Task Force - Established**

3 FOR the purpose of establishing the Confined Aquatic Disposal Task Force; and generally  
4 relating to the Confined Aquatic Disposal Task Force.

5 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
6 That:

7 (a) There is a Confined Aquatic Disposal Task Force.

8 (b) The Task Force consists of the following members:

9 (1) the members of the Bay Enhancement Working Group;

10 (2) one member of the Senate of Maryland, appointed by the President of  
the Senate;

11 ~~(2)~~ (3) one member of the House of Delegates, appointed by the Speaker of the  
12 House;

13 ~~(2)~~ ~~the Secretary of the Environment, or the Secretary's designee;~~

14 (4) ~~the Secretary of Natural Resources, or the Secretary's designee;~~ one member from the  
Anne Arundel County Office of Planning and Zoning; and

15 (5) ~~the Executive Director of the Maryland Port Administration, or the~~  
16 ~~Executive Director's designee; and~~

17 ~~(6) the following members, appointed by the Governor:~~

18 (i) ~~one member who is an expert on confined aquatic disposal~~  
19 ~~programs;~~

20 (ii) ~~one representative of a sports fishing organization;~~

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1 ~~(iii) one representative of the Chesapeake Bay Foundation;~~

2 ~~(iv) one representative of the U.S. Army Corps of Engineers; and~~

3 ~~(v) one resident from each of the following legislative districts:~~

4 ~~1. Maryland Legislative District 6;~~

5 ~~2. Maryland Legislative District 31; and~~

6 ~~3. Maryland Legislative District 46~~ three members who represent a waterfront community, one of each located in Baltimore County, Baltimore City, and Anne Arundel County that are in close proximity to dredged materials from Baltimore Harbor, appointed by the Governor.

7 (c) ~~The Governor~~ majority of the members of the Task Force shall designate the chair of the Task Force.

8 (d) The Maryland Port Administration shall provide staff for the Task Force.

9 (e) A member of the Task Force:

10 ~~(1)~~ may not receive compensation as a member of the Task Force; ~~but~~

11 ~~(2)~~ is entitled to reimbursement for expenses under the Standard State  
12 Travel Regulations, as provided in the State budget.

13 (f) (1) The Task Force shall strive for consensus among its members.

14 (2) An affirmative vote of a majority of members is needed for the Task  
15 Force to act.

16 (g) ~~The~~ Using the procedures and policies governing the Dredged Material Management Program  
under the Maryland Port Administration, the Task Force shall:

17 (1) ~~discuss~~ study and review:

18 (i) the overall concept and available options associated with  
19 confined aquatic disposal programs to meet the long-term dredged material placement needs of the State;

20 (ii) ~~the State's requirements and long term strategies for~~  
21 ~~maintaining functional and thriving ports in Maryland;~~

22 ~~(iii) the capacity limitations of the State's dredged material~~  
23 ~~placement sites and the State's needs going forward;~~

24 ~~(iv)~~ the potential benefits and risks associated with confined aquatic  
25 disposal programs;

26 ~~(v)~~ (iii) the categories of dredged materials that should be permitted  
27 within confined aquatic disposal sites;

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1 ~~(vi)~~ (iv) any financial impacts on neighboring communities in close  
2 proximity to confined aquatic disposal sites;

3 ~~(vii) any limitations to be placed on confined aquatic disposal~~  
4 ~~programs with consideration given to the following factors:~~

5 ~~(v)~~ (v) the location of confined aquatic disposal sites, including  
6 the selection of industrial versus residential areas and distance from shore;

7 ~~(vi)~~ (vi) the size of confined aquatic disposal sites;

8 ~~(vii)~~ (vii) noise levels associated with confined aquatic disposal;

9 ~~(viii)~~ (viii) times of day when dredged material may be added to  
10 confined aquatic disposal sites;

(ix) economic impacts of confined aquatic disposal;

11 ~~(x)~~ (x) environmental impacts of confined aquatic disposal; and

12 ~~any other factors the Task Force deems necessary; and~~

13 ~~(xi)~~ (xi) an approach for community outreach for any future confined  
14 aquatic disposal program; and

(xii) any other factors the Task Force deems necessary; and

15 (2) make a recommendation on ~~whether the Maryland Port Authority~~  
16 ~~should pursue the development of a confined aquatic disposal program or prohibit its use~~  
17 ~~in the State; and~~

18 ~~(3) if the Task Force recommends developing a confined aquatic disposal~~  
19 ~~program, develop a list of best practices and legislative or other policy recommendations~~  
20 ~~regarding the authorization or implementation of the program, including:~~

21 ~~(i) selecting locations for confined aquatic disposal sites;~~

22 ~~(ii) the size of confined aquatic disposal sites;~~

23 ~~(iii) specifications on allowable dredged materials;~~

24 ~~(iv) the consideration of impacts to neighboring communities,~~  
25 ~~habitat, and the environment;~~

26 ~~(v) outreach programs; and~~

27 ~~(vi) any other subjects the Task Force deems necessary~~ using confined aquatic  
disposal as a strategy for meeting the long-term dredged material placement needs of the State.

28 (h) On or before July 1, 2025, the Task Force shall submit a report of its findings and  
29 recommendations to the Governor the Executive Committee created under § 5-1104.2 of the Environment  
Article and, in accordance with § 2-1257 of the State

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1 Government Article, the Senate Committee on Education, Energy, and the Environment,  
2 the House Environment and Transportation Committee, and the General Assembly.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
4 1, 2024. It shall remain effective for a period of 1 year and 6 months and, at the end of  
5 December 31, 2025, this Act, with no further action required by the General Assembly, shall  
6 be abrogated and of no further force and effect.