



Welcome to our Newsletter!

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April 30, 2013

Attend the AEC's Next Meeting!

The Annapolis Environmental Commission's (AEC) meetings are open to the public. We hope you'll join our upcoming discussion about environmental issues facing our city on Wednesday, May 1, 2013 at 7:00 p.m. in the third floor conference room at 145 Gorman Street, Annapolis, MD 21401. AEC meetings are held on the first Wednesday of every month.

Update on the Proposed Crystal Spring Project

The developer has yet to submit an application for development review with the city.

With the permission of the Annapolis Department of Planning and Zoning, Ted Weber and Chris Patrick from the AEC, wetland and forest ecologist Dr. Dennis Whigham, and landscape architect and former planning commissioner Jim Urban toured the proposed site for the Crystal Spring development on Thursday, April 18, 2013. The purpose of the visit was to examine the wetlands, forest, and hydrology on the site.

The group found that the site has several acres of functional wetlands, as mapped in the developer's forest stand delineation (FSD). These provide important ecosystem services, including abatement of stormwater runoff, groundwater recharge, and maintaining water quality in Crab Creek and the South River. In addition to the larger intermittent stream that drains through the center of the property to the south, the group also noted a smaller channel to the west of this stream that provides periodic surface flow from the wetlands in the 80+ year old white oak-dominated stand, and several smaller areas of hydric soils that weren't noted in the FSD. The forested wetlands are likely linked via groundwater flow as well, as most of these soils are permeable sandy loams. Conversion of the contiguous forest to buildings and parking lots will alter the hydrology of most of the wetlands on site, including the perennially flooded wetland at the south edge of the property, and likely scour out the intermittent stream and thereby deliver sediment into the perennially flooded wetland and possibly offsite.

The group also found that the grassy vernal pool in the southwest portion, where we have documented amphibian breeding (e.g., spring peepers), has hydric soils. If not for repeated

mowing (and a large drainage pipe) this would not only be a functional wetland, but a jurisdictional one as well. AEC believes this area should be considered for protection or mitigation.

Given the large extent of wetlands on site, and the connections between them, AEC believes it's imperative that the development not sever those connections nor alter the hydrology of the wetlands. Fortunately, the City has agreed not to permit the alteration of the hydrology of the site. The property provides a number of ecosystem services to the South River watershed and any development project on the site must be carefully planned with preservation of those in mind. It was not clear to the group how the 25 foot buffers in the plan are sufficient to preserve the hydrology of the onsite wetlands and their connections. The group also noted that at present, the Crystal Spring forest is a significant local carbon sink. If converted as planned, it will become a huge carbon source instead, increasing the city's contribution to climate change despite the goals of its sustainability plan.

Update on the Reserve at Quiet Waters

The Annapolis Building Board of Appeals rendered its opinion on April 3rd, 2013. The Board of Appeals had no choice but to dismiss because the Forest Conservation Plan had never been "approved" by the Department of Neighborhood and Environmental Programs (DNEP). Instead, DNEP's April 12, 2012 letter to the developer was merely a recommendation and not a final determination. Accordingly, the Building Board of Appeals has no authority to hear the matter. The attorneys for the Hunt Meadow appellants and others argued that the case should be stayed pending the final determination from DNEP and/or Planning & Zoning, at which time appellants would receive notification of the final determination of the Forest Conservation Plan. Without such stay, there will be no notification to the individuals who have an interest in being heard on either the Forest Stand delineation nor the Forest Conservation Plan.

An Appeal of the Building Board of Appeals decision can be made to the Anne Arundel County Circuit Court by May 3, 2013.

Maryland Legislative Wrap-Up

It was a busy session this year for environmental bills. Here are some winners and losers from the 2013 MD Legislative Session.

Winners -

- Offshore Wind Energy Act of 2013 - After four years of tremendous grassroots campaigning, Maryland will finally get substantial power from clean, renewable wind. The AEC commends Gov. O'Malley, Speaker Busch, President Miller and all the legislators who voted for this important bill.
- Forest Preservation Act of 2013 - This legislation establishes new and expands

existing incentives and reforestation tools to help private landowners, local governments, and the state maintain its current tree canopy, improve water quality, and support community sustainability through forests and trees.

- Budget - Even though the State was facing a very difficult budget season, most environmental funds were protected in the budget. The Chesapeake bay Trust Fund, Hydraulic Fracturing Study, energy efficiency, and Agency Enforcement were all funded. We are disappointed that Program Open Space was only funded at 70% (\$8 million cut).
- Pesticide Information Act - While the original bill was amended, we are glad that this legislation passed and will create a workgroup to evaluate the latest scientific research and make recommendations to the legislature in the future.
- Transportation Infrastructure Investment Act - The legislation will raise transportation funds that support increased transit across the state and provides funds for the Watershed Implementation Plan for transportation projects.
- Ban Toxic Tris - This legislation bans the manufacture, sale, and distribution of consumer products that use chlorinated Tris, which are commonly used flame retardants added to foam in furniture and baby products.
- Sustainable Growth and Agriculture Act Repeal - This bill would have repealed the 2012 legislation that limits the proliferation of major developments served by on-site sewage disposal (septic) systems. It died in committee.

Losers -

- Bag Bill - This bill would have established a five-cent fee for plastic and paper carryout bags with the proceeds going to the counties for environmental cleanup, waterway restoration, and public education. Unfortunately, it died in committee.
- Fracking Moratorium - This bill would have provided for an 18 month period to conduct and review studies of the fracking process, and would have required the adaptation of regulations based on the findings of the studies. It died in committee by only one vote.
- RPS - Qualifying Biomass - This bill would have phased out old facilities from the state's Renewable Portfolio Standard that burn biomass, such as black liquor (paper mill waste water). It died in committee.
- Zero Energy Home Construction - This bill would have established a fund to incentivize the construction of energy-efficient homes. It did not pass.

Local Homeowner goes Green

The AEC would like to share an amazing green accomplishment of local resident Kirsten Chapman. She recently built a LEED Platinum house in Annapolis. She believes her new house is the first of its kind in the city or county. Her "eco-friendly" home was designed from the ground up to be environmentally friendly, energy and water efficient, while using locally sourced, sustainable materials on already disturbed land. Her [excellent website](#)

explains in detail all the research and decisions required to build a fanstatic home.

DNEP proposes new Fee in Lieu language

The Department of Neighborhood and Environmental Programs has asked for a change in the city's code to Clarify the current Ordinance. The proposed ordinance would clarify the fee-in-lieu for trees in development areas by addressing the contraction between Section 17.09.070 (c) of the Annapolis City Code and the fee schedule. The current fee in the fee schedule is \$1,000 while the Code specifies in-ground cost plus twenty percent; proposed ordinance O-15-13 would remove the latter from the code.

AEC Vacancy

Are you interested in becoming a Commissioner on the AEC? We currently have one vacancy and invite any city residents with a sincere interest in the protection and improvement of the environment to apply. Applications and other information are available at <http://www.annapolis.gov/Government/Boards/GenInfo/VolunteerOpportunities.aspx>. Please contact Hilary Raftovich at hraftovich@annapolis.gov for more information. At least two people have applied for the vacancy, but no one has been appointed yet.

AEC Annual Report

The AEC's annual report is now available. You can view it [here](#).

Events Calendar

Ward 5 Town Hall Meeting - Thursday, May 2nd

Ward 5 Alderman Jared Littmann invites you to a Town Hall meeting. This meeting is on Thursday, May 2, at 7 p.m., at the Pip Moyer Recreation Center, in Meeting Rooms 1 & 2. Key City department heads and Alderman Littmann will jointly hold a meeting geared to the issues and concerns of residents in Ward 5 of Annapolis, though anyone is welcome to attend. Ward 5 includes the following communities: The Landings, Annapolis Overlook, Saltaire, North Green of Annapolis, and Hunt Meadow.

Presentations will be made by: Alderman Littmann, City Manager Mike Mallinoff, the Chiefs of Police and Fire, and the Directors of the Departments of Public Works, Neighborhood & Environmental Programs, Planning & Zoning, and Transportation. Alderman Littmann informs us that this is a great opportunity for us you to present concerns and ask questions of him and the City's departmental leaders. This is a free event and no registration is required, although you might want to let Alderman Littmann (jared@annapolisward5.com) know of your attendance.

15th Annual Treasure The Chesapeake Celebration - Friday, May 10th - 7 p.m.

15th Annual Treasure the Chesapeake Celebration is an extraordinary party to raise funds to restore and protect the Chesapeake Bay. Attendees will enjoy food, an open bar, music, casino games, and a silent auction as they overlook the beautiful Chesapeake Bay. Proceeds benefit the Chesapeake Bay Trust. At the Annapolis Marriott Waterfront, Annapolis. 7–10 p.m. \$100. Cbtrust.org.

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Suggestions or Comments? Email us at annapolisenvcom@gmail.com

Attend the AEC's Next Meeting!

May 1, 2013 7:00 p.m.

145 Gorman Street, 3rd floor conference room

The AEC is an independent board consisting of nine City residents who are appointed by the Mayor and confirmed by the Aldermen to be concerned with the protection and improvement of the natural health and welfare of the environment.

The views portrayed by the AEC are not necessarily shared by the City of Annapolis, staff or elected officials.

www.annapolis.gov/environment
Email: environment@annapolis.gov