



Pleasant Plains Community Meeting Minutes January 25, 2023

Nestor Flores - Chief, Traffic Engineering Division, AACO

Eric Tabacek - Area Engineer, Traffic Engineering Division, AACO

Eric Michaelson - Senior Environmental Policy Officer & Deputy Director, Bureau of Watershed Protection and Restoration, AACO

Debbie Russell - DPW Engineering, AACO

Robert Fernandez - DPW Engineering, AACO

David Braun - DPW Engineering, AACO

Pam Scarbro - Councilwoman Amanda Fiedler District 5 Legislative Aide, AACO

Peter Dixon - President, Burley Creek Community Association

Patrica Lynch - President, Broadneck Council

John Joynes - President, Beechwood on the Burley Community Association

Gwenann Manseau - Resident

Thomas Klok - Resident

Nicole Deasey - Resident

Shirley Edwards - Resident

Diane Sizemore - Resident

John Lundaren - Resident

Nestor Flores

- *Signal at 179 and Pleasant Plains* - Right-of-Way negotiations are still ongoing. SHA does have the right to declare eminent domain, however, they are still willing to negotiate. We will do our best to have SHA join us for the February meeting.
- *Kingsberry Sightline Issues* - We have updated the sign message and tested it. We have not heard any issues from the community, but please let us know if the device is not working correctly. With the overcast weather that our area has been experiencing quite a bit of lately, we will continue to monitor how the solar batteries and the solar panel will behave.
- *Alternative 1 Implementation Update* - No updates at this time.
- ***We, as a group, are going to meet on Friday. and our intent is to report back an update on the watershed concerns. While I am sponsoring this project, I rely on the Bureau of Engineering to do a lot of the management of the project and the design. We will take into account your input and your requests at today's meeting and see what can be done. We don't want to create a situation when we address one issue but create another.***

Erik Michelsen

- *Burley Creek Runoff* - We had initially worked with Soil Conservation and the residents that own St. Dixon Farm to do some stabilization, essentially, at the head of the creek where it enters the culvert that goes under Pleasant Plains, to ensure stabilization of the fields. This was not the source of sediment going into Burley Creek.

There is a culvert, which is essentially a pipe. that goes under the road at this location. On the downstream side, owned by William O'Connor who lives in Oklahoma, there is scour (erosion) at the bottom of where the pipe outfalls into the little stream. I attempted and was unsuccessful in getting in contact with the land owner, and was therefore unable to, at that point, obtain permission to be able to go onto the property to do a repair of that outfall area.

Likely what we would end up doing is a series of what are called step pools; basically ways to stabilize the water coming through that system. The landscape has both literally and figuratively changed since then.

We've been able to do a couple of things, including one project through a grant program that's just a Bay trust where we work with nonprofit partners to do water quality projects throughout the County. The Severn Riverkeeper, Sarah Caldez, has built a great relationship with the folks who own the Saint Dixon Farm property. In the last couple of years they completed a project in the vicinity that basically captures runoff and treats sediment before it gets into Rideout Creek to the North. This has become a model project in terms of cooperation with agricultural properties. My understanding is that they continue to work on other efforts, and that there's an interest in the part of the owners of the farm to continue to do environmental enhancements. We have a meeting with Sarah and the rest of the internal team with DPW this Friday to talk about potential opportunities, but all of this is conditioned upon the support of the folks who own that property. We could potentially do some stormwater management, some water quality treatment (not in conflict with this road or infrastructure project) and as well as take another look at that outfall area in terms of the discharge into the top of Burley Creek and see if we can make another try at potentially grouping that in with a larger water quality project.

According to Mr. Joynes, the Oklahoma owner's property may be up for sale so there may be opportunity, if the price was reasonable, for the County to attempt to either ease or acquire those 2 properties as part of a conservation corridor at the top of Burley Creek. We've only just begun those discussions, and as I stated previously, it would be contingent on the value of the parcels.

I have been at arms length in terms of the engineering project, with regards to the road reconstruction and utility burial, but at this point we are hoping to pursue a unified solution that supports traffic safety as well as environmental improvements. A lot of that is contingent upon the engagement of the private property owners. We're committed to trying to figure out a way to integrate into this effort a water quality project that would improve water quality on Burley Creek and make sure that if we can do so that it blends seamlessly with the reconstruction efforts and the associated construction by engineering.

Debbie Russell

- *Ponding/Freezing Cherry Rd Update* - Last meeting, I explained how within the next month our consultant was going to submit for the permit and begin the environmental permitting process. They have made their initial submission to the County's Inspection and Permits Division for a grading permit. We are now waiting for the comments to be returned.
- *Pole Relocation on Pleasant Plains Update* - At the last meeting, we explained that we have submitted the budget request based on community polls that showed that the community favored the burying of the powerlines. It's going through the process now, and we have not heard back yet regarding approval/disapproval. Nestor adds that multiple reviews take place during this budgeting process. There is a DPW-centric review that if passed then moves on to the Office of Finance and the County Executive's office, then finally to the County Council for final approval. If we do not make it through County review, it was decided that we will be moving ahead with overhead pole relocation as we do already have the approval for overhead.

Community Comments

What is a realistic timeline for when we know if the funding for the burying of the lines will be approved?

Nestor will have some internal discussion with David Braun and this information will be added to the meeting minutes.

Are the poles being moved only in the S-Curve or is the scope larger? *Only in the S-Curve at this time. In the future we may be able to expand improvements but due to budget constraints, only the S-Curve.*

When Dudley Dixon acquired the property, he went to Underwood and Associates and worked with them to develop a design to improve his property from an environmental point of view. I believe Mr. Michaelson was involved in splitting the bill for this work. What resulted was a project to drain the area around the Dixon home 15 acres into Rideout Creek via a trench system, possibly using a design developed by Underwood, it went into two holding ponds and then into Rideout Creek (see photo below). Sarah, an associate of Mr. Michaelson, was able to obtain the Anne Arundel County Watershed Restoration Grant among others. Underwood and Associates may have also contributed. It was managed by the Severn Riverkeepers. Below is a photo of the mud running off of the farm into Rideout Creek. We get just as much mud on the Burley Creek side, but we are grading 30 acres instead of 15. It's the same clay, the same fertilizer used for the grass, the same chemicals coming into the creek, which is polluting the bay. Even with all of the sponsors, no work was done on this side. Today I took a ride with Pat Lynch to take a look at some of the work that has been done for Hidden Point @ Pleasant Plains. There are 2 lots that are rather narrow. We have another picture that shows the trenching down the middle of them. At the lower end of the photo, a stream coming off of the Davison Farm joins in, and all of the drainage from both the 2 lots and the Davion Farm and farm goes into Burley Creek. The only thing that's limiting your silting going into Burley Creek are the grasses at the head of the creek. There is no damming or system of steps. Nothing has been done. While I applaud what Nester's been doing with moving the polls and fixing the standing water, all of the above tells me that they are just going to dump it into Burley Creek. When I asked Debbie Russell what the plan was for that, she said other people take care of that. I don't think we should be dumping another thing into Burley Creek until those plans are done and we're implementing some system of controlling the damage we're doing to the creek. I think this is a 3 project effort. I'd like to see the two efforts done for the Dixon Farm done for Burley Creek, a little shaving on the north side of of Pleasant Plains so that the edge of the road isn't so harsh to the point that a mail truck could flip over but I like to see it in a planned fashion that doesn't just dump it into Burley Creek. I have spoken with Weems Duvall recently and they can be approached and are possibly willing to cooperate with County requests to improve Burley Creek. They have 100 ft of waterfront that they want to preserve. On the Dixon side a group of people drained the flooding issue in his yard. They built a dam and a bridge on his road, draining it down into the creek. It was running over freshly touched sod and right into the creek where a new boat slip was located. The County had to pay for more work to be done, which is fine. It helps Rideout. But it is our turn. *That's going to be the topic of conversation when we meet with Sarah on Friday, and certainly something that we're interested in pursuing in conjunction with this broader effort.*



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We've been here 10 years, and we have watched the level of the water at the end of our dock go from 6ft to below 4ft. We have reported that all of the trees have come down, possibly illegally, by the Duvall property. It used to be entirely wooded. They have no bulkhead. All they have done is stripped down trees, as you can see from the picture of the corner there between Hidden Point and Cherry is the Duval Farm. My property has 4 drains that all go into Burley Creek. The property on the corner of Burley Ln and Burley Rd took down more than 18 trees in one weekend illegally and the mud and the silt was unimaginable. Every storm we have we see, from the other side on Hidden Point, the area between the first 2 houses on Burley Creek, that is also without a bulkhead, runoff every single time it rains from the cornfield/Davidsonville farm area into the bottom of the creek. The mud was so thick looking it looked like you could walk on top of it. Now you're talking about this insignificant little corner on Pleasant Plains and Cherry Road that ponds. Where is that going to drain? Into Burley Creek. We don't have fire hydrants. We need a fire boat to come into the creek to pump water if any of these houses are on fire. Can they even make it all the way back at low tide? I doubt it. The Dixon farm only had to mention one thing and got help pouring in from all over. We have been asking for help with this for 10 years and nothing has been done whatsoever. The sod farm owners also agree that the road is falling apart at the intersection of Pleasant Plains and Hidden Point. Where the water is supposed to be going under the road. And we are afraid that again we'd be stuck in our neighborhoods because of something happening with this road and PP, whether it be an accident or the lines going down. When the lines go down on these utility polls it takes a minimum of 8 hrs to get a new utility pole delivered. You're just passing this off as just moving things back, but this is an area affected by storms, accidents. The utility goes out. We're the last ones to get it restored. An accident happens, and we're stuck. That pizza delivery guy was the last accident. It happened at 1 pm in the afternoon, and no one returned to their house until 10:30pm. *Erik responds: For better or for worse. agricultural properties are regulated under a totally different scheme than subdivision or developed activities. The relationship in terms of water impairments is one of trying to cooperate with the landowners. There isn't a regulatory apparatus that exists like it does for sediment and erosion control for new construction. It puts the responsibility on the property owner to cooperate with the County to have the improvements. made. Unfortunately, there is not much recourse the County or the State has, just because of the way the Clean Water Act is written.*

We in Whitehall Creek had our White Hall Creek dredged and the County finally came in after we had waited many years. There were all kinds of justifications for it, but in the years that I spent working with this organization, I have never seen a case that would be more justified in having the County pay for the dredging of Burley Creek than the tour I took with John today. The amount of pollution that is being directed towards Burley Creek. There are folks who are talking about the water height at the piers, and waterfront property is expensive and they can't use their boats anymore because the water is so low. How can we get these people on the list to try and have the County consider trying to help them out and get this creek dredged?

These are my documented photos of what is going on in Burley Creek when it rains. First photo is May 2020. It is the head of Burley Creek. This photo is looking up at the two parcels that are owned by the man in Tulsa. The creek turns into soup and I'm fairly certain that that is not sediment from the side of the road.



This is Rideout Creek. Same storm. Maryann Zaruba shared these images. The sediment is pervasive.



There's been mention of the property at the corner, I believe it's the Duval property. The property that abuts Cherry and PP, and these photos are of that. Not sure if the tree removal was permitted or not, but the containment fences seen in these photos that were supposed to prevent runoff did not prevent it. Time frame for these photos is May 2020. In addition to that, they also have 2 defunct sheds down by the water's edge that have gasoline cans and equipment and paint and oil, and all of this becomes inundated during rainstorms and slowly leeches into our creek.



I represent Hollywood Farm which is the property that is just before the Dixon property. It's 125 acres. We are also working with Underwood and Associates. Sara Caldes and representatives from DPW were just on our property this afternoon and were looking at 2 sites to reduce the gullies that have been created through storm water coming down from the hill from around the Harmony acres area and the Davidson farm area where we've traditionally always had a lot of rain coming from that way. If there is any interest in further conversations with us as to our experience I'd be very happy to share. Dudley has had a good experience with them and we also feel that Rideout Creek is going to be tremendously improved in this way. We have also as of this year fully transitioned away from being a sod farm to become pasture based. Over the last few years we've really reduced the amount of runoff coming from the sod fields. I think that it represents a real change, because I think we are fully really making sure that our creeks are improved. It is absolutely disheartening to see the potential for just encouraging further sediment, being kind of sent into Burley Creek without thought given to the design ahead of time. I am certainly supportive of any kind of work to improve the way that that water is draining into the creeks.

UPDATE AS OF 02/14/23:

*The Department of Public Works included the increased cost for undergrounding in the initial submission for this project to the FY24 CIP process in December. Following the review of the County's CIP Oversight Committee, it was recommended that this increase be deleted from the proposed budget. **Since the underground work is not being funded in the FY24 CIP, we are returning to the original design of relocating the aerial utilities further from the road and proceeding with that design.***