

**MINUTES OF THE ELMS ADVISORY COMMITTEE MEETING  
ELMS ENVIRONMENTAL EDUCATION CENTER \* LEXINGTON PARK,  
MARYLAND**

**Monday, October 23, 2006**

Members present were Denis Canavan, Chair; Amber Guy; Cindy Koestner, Recording Secretary (St. Mary's County Department of Land Use and Growth Management); J. Bradley Clements; Margarita Rochow (St. Mary's County Public Schools); Phil Rollins (St. Mary's County Department of Recreation and Parks); Dr. Peter Dunbar; Bryan King; Gayle Moreland; Mark Muir; Sandra Patty (Maryland Department of Natural Resources); and Dr. Robert Paul (St. Mary's College). Jim Bennett and David Gailey (Maryland Department of Natural Resources) were excused.

Mr. Canavan opened the meeting at 11:15 a.m.

**COMMITTEE UPDATES**

Mr. Canavan welcomed Margarita Rochow to the Committee. Ms. Rochow took the place of Marianne Chapman as the representative for the Elms Environmental Education Center (the Center). Ms. Chapman recently retired from the St. Mary's County Public Schools.

Mr. Canavan announced there are four individuals who have expressed an interest in joining the Elms Advisory Committee (the Committee) as citizen members: Craig Buist, Kyle Rambo, Cindi Thomas and Marianne Chapman. He asked for discussion on creating additional seats for citizen members. Ms. Patty explained two seats for citizen members have served the Committee well in the past and she feels the current composition of the Committee is effective. Mr. Canavan noted the Committee must keep an odd number of total seats in order to have a voting majority. The members agreed to leave the number of citizen seats at two. Both citizen member seats are currently vacant.

Mr. Canavan explained the Committee needs to select citizens for membership who have a vested interest in the property. He suggested citizens be selected from the following areas: individuals who reside on neighboring properties, individuals who have an environmental interest in the property, and individuals who represent the group of citizens interested in hunting on the property. Ms. Patty agreed those three areas are a good fit for the Committee. Mr. Rollins asked for backgrounds on the four interested citizens. Mr. Canavan explained Mr. Buist is a St. Mary's County resident and local hunter, Mr. Rambo is a local hunter who also has extensive environmental expertise and who serves as the Director of Conservation at the Patuxent Naval Air Station property, Ms. Thomas is a neighboring property owner, and Ms. Chapman was a former committee member and has expertise in the area of environmental education. He noted the members received letters of interest in the handouts for Mr. Buist,

Mr. Rambo and Ms. Thomas. He explained he asked Ms. Chapman to send her letter of interest, which he will forward to the members. Mr. Canavan asked the members to review the letters of interest and he stated the decision on who will fill the two vacant citizen member seats will be made at the next meeting.

## **LEASE OVERVIEW AND RESPONSIBILITY FOR MAINTENANCE OF PROPERTY**

Mr. Canavan stated the tenant is responsible for building and structure maintenance, grounds maintenance and security according to the current 25-year property lease between the County and the State. He explained there are two major maintenance issues related to recent storm damage of the property: erosion and protection of the well. He asked Ms. Rochow if the Center uses bottled water for drinking water. Ms. Rochow replied yes, they have been using bottled water for a few years. She pointed out the section of the lease that states DNR is to oversee shoreline erosion issues in consultation with the Committee. Mr. Clements explained the Department of Education incurred the cost of installing a rock wall after hurricane Isabel. Mr. Canavan explained the Committee needs to look at preventative measures for protection from future erosion, such as revetments, more rock walls, and grass plantings. Ms. Moreland explained Jeff Sheckles, of St. Mary's County Public Schools, has been gathering costs for tree removal, well relocation, grass plantings and replacement of sand on the beach. Mr. Rollins suggested installing rock structures in the water perpendicular to the shoreline to slow the wave impact during storms. Mr. Paul added similar structures are common in the St. Mary's River.

Mr. Dunbar mentioned the Department of Natural Resources (DNR) originally planned to use the Elms property as a demonstration site and they tried to obtain federal funding for the demonstration programs, but nothing came of it. He explained DNR prepared reports on the cost of fixing shoreline erosion versus spending money to build shore structures and those reports are still available. Mr. Canavan suggested the Committee seek advice from the Soil Conservation District and he noted the Elms property should not have to undergo County permit review because it is State property. He asked if the well was currently used for any of the Center's water supply. Ms. Rochow replied the water is used for the bathrooms, but it does not always work during a storm. Mr. Rollins asked if drilling a new well is a landlord issue or a tenant issue. Mr. Canavan explained no running water is a limitation on the building use, but improvements to the premises are made by the tenant, so it should be a shared responsibility. He concluded the Committee needs to protect the current well and also determine the costs to dig a new well. Ms. Patty inquired about the process if the well is lost completely. Mr. Clements replied the Center will keep bringing in bottled water in that event; but, in order to keep the Center running, the new well needs to be completed before the old well is lost. Mr. Canavan inquired about the location of a septic reserve. Mr. Clements replied he is not sure the property

even has a reserve. Mr. Canavan explained the Health Department will need to be contacted to check on the location of any septic reserve before a new well can be dug.

Ms. Patty concluded the Committee needs to look at three separate issues: removal of the fallen trees, relocation of the well, and measures to deal with the shoreline erosion. Mr. King suggested adding the issue of the threatened well to the request for shoreline erosion funding in order to get the funding from the State quicker. Mr. Canavan asked who the letter for funding of the new well should be directed to. Mr. Clements responded the letter should go to Mr. Dunbar. Mr. Rollins noted the Board of County Commissioners (BOCC) needs to receive a copy of the letter. He suggested sending a memo to the BOCC asking them to send a letter to the governor to get funding for the shoreline erosion. Ms. Patty explained the memo to the BOCC needs to list programs that can be used to secure funding for the well project along with a suggested plan of action. She noted she is willing to work with the Committee to put this list together. Mr. Dunbar explained the State needs specific thoughts from the Department of Education on their desired specifications for the well.

### **USER UPDATES**

Ms. Rochow communicated environmental education is a requirement for elementary school students, but the Center hosts middle school and high school students as well. She added the Center usually does not hold any activities from mid-December to mid-January, depending on the weather.

Mr. Rollins announced the Elms property contains two tidal ponds that were closed off due to recent storm activity. Recreation and Parks (R&P) plans to reopen the ponds in the near future. Mr. Dunbar interjected it is not unusual for these so called “cutoff ponds” to close after storm activity and they usually will reopen naturally with time. Mr. Rollins asked if R&P should not reopen the ponds. Mr. Dunbar replied DNR needs to examine the ponds to ensure opening them will not cause any environmental harm. He explained these types of ponds may need to be reopened if they are closed because of catastrophic damage. Mr. Rollins responded R&P will wait for direction from DNR before doing anything with the ponds. Mr. Canavan asked if the pond wildlife will perish if the ponds are left to reopen naturally. Mr. Dunbar replied yes, but this is a natural phenomenon associated with these ponds, which generally only close off for a season.

Mr. Muir and Mr. King explained there are no updates from Forestry or Wildlife.

Mr. Canavan asked for any additional discussion. Cindi Thomas, a resident near the Center who owns horses, explained she enjoys horseback riding on the Elms property and she has observed other people who use the

property for things like jogging and cycling. She explained there is a sign on the gate stating trespassers will be prosecuted; but many people bypass the gate on foot and do not realize they are trespassing. Ms. Thomas requested the public to be allowed to access the area. Mr. Canavan explained opening this portion of the Elms property to the general public may cause some security concerns. Ms. Moreland explained the Center has had trouble with vandalism and kids partying on the property in the past; therefore, the area was closed to the public. Mr. Clements expressed concern the area should not be accessed by the general public when schoolchildren are present. Ms. Thomas replied she understands blocking off the area utilized by the students. She noted there is a half mile area that is not maintained that cannot possibly be used for schoolchildren; therefore, area residents should be allowed to use it. Mr. Rollins noted it may be a good idea to develop trails but the public will not be able to use them when students are on the property. Mr. King expressed concern area hunters will be upset if people are allowed to ride or hike in the area when hunting was banned from the same area.

Ms. Thomas explained there are several vacant houses and trailers where illegal activities are occurring and people who are allowed recreational use of the property can help police the area. Mr. Canavan inquired about the demolition of the vacant homes. Ms. Moreland explained the vacant buildings been assessed by DNR and the cost to update them is more than the cost to demolish them. Because of this, they have been listed for demolition, but there is no timetable set for when this will occur. Mr. Dunbar noted there are two buildings that can be utilized by the school if possible. Ms. Thomas inquired about an abandoned trailer where illegal activity is occurring. Ms. Moreland replied electricity and water have been cut off; however, because the trailer itself is not owned by the State, they cannot do anything with it. She explained they have been trying to get the owner to move it but he is never there when they show up. Mr. Canavan explained the Department of Land Use and Growth Management may be able to take action on this.

The Committee took a break for lunch at 12:40 p.m. and reconvened at 1:10 p.m.

### **LAND AREA FOR HUNTING**

Mr. Craig Buist requested the safety zone area between the first and second gates be changed to an archery-only hunting zone. He explained this area is currently overgrown and impassible for the school children and the nearby homes are all abandoned. Mr. Steve Thomas, area resident, noted people used to be allowed to hunt in this area and the red safety zone signs were only put up last year. Ms. Thomas explained she has several hunters in close proximity to her property each year and she has not had any incidents with her horses. Ms. Rochow reminded everyone the schoolchildren are not always confined to the Center and the cleared areas. Mr. Thomas suggested putting up

signs to set certain hunting times and dates. Mr. Buist and Mr. Kyle Rambo noted the deer in the area are reaching their carrying capacity because they have no natural predators. Mr. Steve Riley explained the overpopulation of deer is a menace to the habitat and to the cars on nearby roads. Mr. King explained DNR manages populations on several properties by allowing hunting with reservations, which allows DNR to count the number of animals taken.

Mr. Riley noted the hunters do not want to use the land the same time as students; they just want to move the safety zone back to permit archery hunting. He commented archery hunting allows a range up to 40 feet, which is considerably reduced when shooting from a tree stand. Mr. Thomas explained the land is already being used for illegal hunting activities. Ms. Thomas added legal hunters will report the illegal activity and help with land management. Mr. Buist noted the illegal hunters are going to use the land regardless. Mr. Dunbar explained even one incident with the students will cause the Center to be shut down. Mr. Clements added even a hunter walking up on students can be considered an incident. Mr. Dunbar noted the views of the parents must be taken into account and they are probably more comfortable with a larger safety buffer between any hunting activities and their children. Ms. Patty explained this argument has come up in the past and it was already decided County-leased land is not to be used for hunting purposes. Mr. Riley noted the lease lines were changed through a vote of the Board of Education and neither R&P nor local hunters were allowed any input.

Mr. Buist noted he will change signs at his own expense. Ms. Moreland pointed out the lease is between the State and the BOCC, so the Committee has no authority to make this decision. Mr. Canavan explained the Committee can form a recommendation and bring it before the BOCC. Mr. Rollins explained R&P is still planning to formulate a park master plan and he expressed concern the property cannot support other types or recreational activities in conjunction with hunting. Mr. Buist explained these activities successfully coexist at other parks.

Ms. Rochow pointed out the Center hosts students most of the 180 days of the school year. Mr. Riley responded no one is proposing hunting use when students are present. Ms. Thomas suggested the property be opened to hunting on weekends. Mr. Rollins inquired about the length of the archery season. Mr. Buist replied archery season lasts from September 15th through January 1st. Mr. Rollins noted DNR has said in the past they cannot manage hunting on the area of the property that is leased by the County. Mr. King explained DNR will manage the property as best they can if the Committee decides they want to allow hunting. He added it may be too labor intensive to constantly change the signs to account for different times and dates hunting would be allowed. Mr. King pointed out students are more likely to encounter a poacher in the area than a legal hunter and, in addition, all of the numbers support hunting in this area. Mr. Clements explained archery has never before been proposed as the exclusive

form of hunting. He added the BOCC will ultimately make the decision whether or not to amend the lease agreement. He pointed out the parents' perception of their childrens' safety will weigh in on this issue. Mr. Thomas explained hunting took place in this area before with no objections raised by parents. Mr. King told the citizens they can help their cause if they offer to assist with cleaning up the area. Mr. Buist inquired about a time frame to obtain a decision. Mr. Canavan replied the Committee will meet again in December and formulate a recommendation, which will go before the BOCC at a future meeting.

### **NEXT MEETING**

The next meeting is scheduled for Monday, December 4, 2006 at 10:00 a.m. at the Board of Education site in Loveville, Maryland. The following issues will be on the agenda:

- Selection of individuals to fill the two vacant citizen seats
- Recommendation to approve or deny the request to move the safety zone line and allow archery hunting in the lease area

### **ADJOURNMENT**

The meeting adjourned at 2:30 p.m.