

Corker's Creek - NTW Public Informational Hearing (2023-02-21 19:00 GMT-5) - Transcript

Attendees

+1 302-***-**38, Amanda Sigillito -MDE-, Bruce Wootten, Colette Outten, Curtis Dale -DNR-, Deborah Hinkle -MDE-, Gabby R, Gary Adelhardt, Kelly Wright -DNR-, Kelly Wright -DNR-'s Presentation, Marc Heim -DNR-, Mary Phipps-Dickerson -MDE-, Mike Wychulis, Trent Swanson, William Seiger -MDE-

Transcript

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Amanda Sigillito -MDE-: Okay, I've started the recording. Good Evening. Welcome to the Maryland Department of the Environment's, Nontidal Wetlands Division's, Public informational Hearing. My name is Amanda Sigillito, and I am the chief of the Nontidal Wetlands Division at the Maryland Department of the Environment, the department from here on out. Also, in attendance with me, from the Nontidal Wetlands Division are Ace Atkins, who is the Eastern Region Chief of the Nontidal Wetlands Division and Debbie Hinkle project manager for the Nontidal Wetlands Division Bill Seiger, Chief of the Waterway Construction Division is also in attendance with us this evening.

Amanda Sigillito -MDE-: It is the responsibility of my office to evaluate applications that propose impacts to nontidal wetlands. The Department's authority is found in subtitles, five and nine of the Environment Article. Each application received through our regulatory program has specific and unique issues and impacts that must be considered in relationship to weighing the potential benefits and detriments of the project. The Department is neither a proponent nor opponent of any project. The logistics for this evening's hearing are as follows. I will make a few opening remarks about the purpose of the hearing and briefly list the project impacts. I will then call on the applicants representative for the applicant statement regarding their project. After these required presentations, the Department will take formal statements on the project.

Amanda Sigillito -MDE-: We will first call on any elected officials or their representatives to make a statement. I will then call on those of you who indicate that you would like to speak. It is not necessary to read a statement to make it part of the official record. Written comments will also be accepted and received the same consideration as any oral statement. In fact, for accuracy, if you have a letter to read into the record, I suggest you also provide us with a copy of the letter via email or mail. The public information hearing is being recorded. Although the recording will not be transcribed, it will be used to facilitate the final permit decision. Anyone who would like to request a transcript must pay the cost of the transcription. At this time, I would like to acknowledge any elected officials who may be present with us this evening. If you are, please unmute yourself. And let us know who you are.

Amanda Sigillito -MDE-: Okay. Continuing on, the Department is conducting this evening's public informational hearing pursuant to subsection 5 - 204 of the Environment Article and Code Maryland Regulations 26.23.02.02. The purpose of this public informational hearing is for the applicant, the Maryland Department of Natural Resources to present an analysis of impacts to regulated resources that

may be associated with the proposed activity. I would like to emphasize that the purpose of this public informational hearing is to consider the application pending before the Department. There may be several additional concerns related to issues that are beyond the scope of this hearing. I would like to have this hearing remain focused on the issues, associated with a proposed resource impacts as included in the nontidal wetlands application,

Amanda Sigillito -MDE-: The Maryland Department of Natural Resources has applied to construct an elevated walkway, and bridge to provide a public access trail boardwalk, and prefabricated bridge to link a network of hiking trails over Corker's Creek. This activity was previously authorized by the Nontidal Wetlands and Waterways Permit Number 19-NT-2160/201962020. In order to correct, the administrative record, the permit was suspended on January 17, 2023. Previously a request to modify the permit was received on May 12, 2022. A public hearing informational hearing on the modification and the tidal wetlands portion of the project was held on November 28, 2022. A final decision on the modification is still pending.

Amanda Sigillito -MDE-: This public information hearing is for both the suspended nontidal wetlands permit and the proposed modification, As submitted by the Maryland Department of Natural Resources. The impacts included on the suspended permit are permanent impacts of 32 square feet of tidally influenced forested nontidal wetlands for a culvert crossing, trail boardwalk and piers; 1,836 square feet of the 25 foot nontidal wetland buffer for a trail boardwalk helical piers, and temporary impacts of 73 square feet of tidally influence, forested nontidal wetlands for a trail boardwalk and a sectional bridge, and 3,132 square feet of the 25 foot nontidal wetland buffer for trail and boardwalk. The modification proposes, a change in construction method from being built incrementally from a top completed sections of the boardwalk to being constructed from temporary mats on support beams. Additional modifications, include shortening, and lowering the bridge. Lengthening the boardwalk, repositioning a bump out platform from the southside, to the northside of the boardwalk and adding three new sets of helical piles, This modification will increase total temporary, impacts to tidally influenced nontidal wetlands to 1,620 square feet and 4,889 square feet of the 25 foot nontidal wetland buffer due to the use of the proposed construction matting. The purpose of this project is to provide a public access trail boardwalk, and a prefabricated bridge to link a network of hiking trails over Corker's Creek. The project is located off Corker's Creek in the Pocomoke, State Park at 3461 Wooster County Highway in Snow Hill, Maryland.

Amanda Sigillito -MDE-: I will now ask the representative for the applicants to make a presentation. Will the first speaker introduce yourself.

Mike Wychulis: My name is Mike Wychulis, I am a civil engineer. I'm the project manager on this job for A. Morton Thomas engineers and we are the lead designer for this project. We can go to the next slide, Kelly. So, I'm just going to give a brief overview of the project. I'll echo a little bit of what Amanda just went through. Although we'll have some graphics in front of us. The trail is proposed to be approximately 1,450 linear feet. We are connecting an existing surface trail on the east side of Corker's Creek, running that 1450 length into Pocomoke River State Park and ending with a surface connection. In one of the camping loops in the park, along the way for that trail, we are proposing approximately 900 feet of a five-foot wide crushed, stone surface trail, 500 feet of a timber boardwalk, that'll be six feet wide and a 60 foot fabricated fiberglass bridge crossing the free portion in the center of the trail. You can see on the graphic, where the darker green is that is the nontidal wetlands. We are going through 200 feet, roughly 200 linear feet of nontidal wetlands with the boardwalk. We can go to the next slide now.

Mike Wychulis: This is an elevation view of and it's very condensed, but it's of the entire boardwalk and bridge portion. It's probably hard to see with the slope slight label there, but the entirety of the boardwalk and the bridge will be ADA accessible with accessible slopes throughout and within the nontidal portion, which is more. So, on the right side of the graphic, you can see a little red square, it's in that general region, the top decking of the boardwalk is proposed to sit anywhere between three and four feet above existing grade. As you go through, you can see as it approaches the center where the bridge is, where we cross the creek we slope up a little bit and we get a little higher. Um, can go to the next slide.

Mike Wychulis: These are some sample photos of the three different materials we're going to be instituting into the trail, on the left side, you can see the crushed stone trail. which would be the more than half of the entire length of the trail. We have a timber boardwalk example on the upper right hand side. That's pretty similar to what's going to go out there. I think that the picture is probably a little wider than the one we are proposing. And then on the bottom, the picture on the bottom is of a fiberglass pedestrian bridge. We are proposing a 60-foot-long length of that crossing the creek. And go to the last slide.

Mike Wychulis: So, the last slide illustrates the changing construction method that sort of drove this whole revision to the permit. Our contractor has requested, and we agree, to request to use the wooden timber matting approach to put the mats down on the surface throughout the trail. So, they can use some heavier equipment than we had initially thought to drill the piles, the helical piles. And what they will do is put those mats down starting at the very edge of the creek. Put down the first couple piles as close to the creek and as they will back their way out - back toward Dryer Land and toward the surface trail. As they back out and put more piles in those mats will come up immediately. So, some of them will only be on the ground for a day. Some won't be on the ground for as long as it takes to drill the piles, which should be a couple of weeks, but I'm not an expert on that time frame.

Mike Wychulis: I would note on this illustration on this slide, the illustrations of the equipment, the yellow equipment there that is a little larger than what we're dealing with. Those were just images that we that we happen to find online. Where it is only a six foot wide boardwalk, we're not talking about very large equipment but it is larger than what the boardwalk itself is going to be able to handle in the instance of drilling those piles, which is why we want to do it from the ground. So that's the change in direction for us.

Mike Wychulis: And I think that's really it. It's only four slides is the same size we presented previously so I think that's it. And Amanda I'll turn it back over to you. Thanks.

Amanda Sigillito -MDE-: All right, thank you very much. If you could go to the first slide, which was the yes, that slide. All right, before we take formal statements, I'd like to see if there are any clarifying questions on the presentation or the application.

Amanda Sigillito -MDE-: All right, if there are no questions, then we'll move to taking formal statements. I had asked before if there were any elected officials or their representatives and it doesn't look like anyone has joined our hearing, but I will ask one more time. Are there any elected officials or the representatives present here?

Amanda Sigillito -MDE-: Okay. All right. If anyone on the call would like to make a statement about the application I'm going to invite you to do so. Now I would ask that you start your comments by stating your name. And spelling your first and last name too. Please. And if you could limit your comments to three minutes, that would be appreciated. Would anyone like to make a statement tonight?

Amanda Sigillito -MDE-: All right, Trent Swanson.

Trent Swanson: Yes, good afternoon. My name is Trent Swanson. That's Trent Swanson

Amanda Sigillito -MDE-: Thank you.

Trent Swanson: I represent Algonquin Ultras which is a trail running community. We have a mission to expand to improve and to promote trails on Delmarva. We have over half dozen trail events throughout Delmarva. We have a large event that occurs in February. In the Pocomoke, State Forest in the Millburn Landing section that brings in around 250 runners. And support and family and friends from 27 different states across the country, and from over 46 different towns and cities across Maryland. We also have a sister agency called the Ablades 10 miles that has over 125, runners that come throughout more of a, the reason why this Project, this bridge is so appealing to us is because we believe the more you use trails and the more that you advocate the use of trails, the more people come to appreciate it. And the best way to enjoy nature is to have people use it, whether they're coming to run, whether they're coming to watch. A walk, whether they're doing, we get a lot of photographers and bird watchers, and we are just really excited about this opportunity we see it to connect what exists as far as the trails over by Blades Road to the rest of Shetland into the park system. We have a lot of runners that really enjoy it. And the reason that the runners are excited about it is because it gives them an opportunity to get outside to exercise to build community. It brings people together, makes an excited and it's healthy. It's something that we work closely with the equestrian groups on down. More of we work closely with the bird watchers, the mountain bikers and we're really excited to see these trails get connected. And we think it's a great opportunity for Delmarva to bring in more tourism but more importantly to really highlight what Delmarva does for the people that live here themselves. I appreciate the time and I look forward to any questions that you all have may have for me.

Amanda Sigillito -MDE-: Thank you. Would anyone else like to make a statement?

William Seiger -MDE-: There is a question in the chat Amanda. I don't know whether you've seen it. From Gabby R about asking how high the bridge is going to be above mean, high water.

Amanda Sigillito -MDE-: I did see that. Mike, can you answer Gabby's question?

Mike Wychulis: The bottom of the superstructure of the bridge is proposed to be four feet above the high tide elevation, which is it is one foot down from the original approval.

Amanda Sigillito -MDE-: Okay.

Mike Wychulis: This is again, due to construction capabilities, but it was that reduction was accepted by the Coast Guard.

Amanda Sigillito -MDE-: Thank you. Gabby, did you have any follow-up?

Amanda Sigillito -MDE-: Okay, thank you.

Amanda Sigillito -MDE-: Would anyone else like to make a statement this evening?

Amanda Sigillito -MDE-: Mr. Wooten, if you could unmute yourself, I think you were. We can't hear you.

Amanda Sigillito -MDE-: Yeah, we can't hear you.

Amanda Sigillito -MDE-: You'll need to unmute yourself. Now, we can hear you fine now.

Bruce Wootten: How about now? I had a question for Mr. Trent Swanson. And that's okay, that's permitted. He seems to be a very excited about the project. And I wanted to know, if he realized there was a trail like this around Stevenson's Pond and Pocomoke. And just wondering if he was aware of that and how little it is used, it's a very nice trail. That goes all the way around, Stevenson's Pon and Pocomoke. And I fish in that pond a lot and I hardly ever see anybody on that trail and I think this trail will be the same way. I think it'll be a big waste of taxpayers money. And I'm the only licensed fishing guide on the Pocomoke River of operated business for 30 years. Corker's Creek is one of my main channels that I fish because the water is cold there, it's a lot colder than the main river.

Bruce Wootten: In July and August. That's a good place for me to fish because a fish will find that colder water. With four feet that would limit me from going up that channel.

Bruce Wootten: I need five feet clearance. And the Pocomoke main high tide, they have freak tides all the time that are much harder. Onan and Northeaster The tide is at least a foot and a half higher than a normal high tide because the water backs up in the Pocomoke sun and it backs water all the way up the river and that's when you have the water across, Route 12 and Snow Hill and up in Bird Park. And I don't think that's been taken into consideration. When they talk about the Coast Guard are proven four feet, I've never seen a Coast Guard boat in the last 30 years, in Corker's Creek, even know where it is. But four foot clearance would not let my boat access it any at all. And I don't know where they come up with this four foot number, right? Most boats with a big mercury motors on them they will need more than four foot to get underneath there. So, it would block my access to that creek all together.

Bruce Wootten: I'm very much against it. I'd like to go on record at saying that. And I thank you for allowing me to make a comment.

Amanda Sigillito -MDE-: Okay.

Amanda Sigillito -MDE-: Thank you. Thank you. Your comments have been recorded. You'd posed a question for Mr. Swanson and we usually don't have back and forth, but for my own clarification, the pond, you were mentioning at the beginning of your comments, where is that located, how close is that in proximity to [Corker's Creek]?

Bruce Wootten: It's about six miles south of Corker's Creek. On the open operator, man-made canal that leads into a golf course pond. Beautiful pond and...

Amanda Sigillito -MDE-: Okay.

Bruce Wootten: it's got a walkway that's been constructed all the way around the pond. Beautiful walkway. And if I had a helicopter come in and lower a bridge, to go across the entrance way to the pond, And it's it's very much underused. It's just not used at all.

Amanda Sigillito -MDE-: Okay, all right. Thank you, Mr. Wooten for your comments. Would anyone else like to make a statement this evening?

Amanda Sigillito -MDE-: Then I'll remind everyone. You don't have to make a statement this evening at the hearing you can send in your comments. You have until next Tuesday. All right, we do have a hand

raised. Gary Adelhardt. I'm sure I mispronounced your last name, but if you can unmute yourself, please. There go.

Gary Adelhardt: Yes, from here.

Amanda Sigillito -MDE-: If you'd like to make a statement.

Gary Adelhardt: Yeah, my name is Gary Adelhardt. Actually, I probably worked on this project more than anybody else on this phone right now. I was the former manager of Pocomoke River State Park for 18 years. This bridge has been on the plans since the park original design. It was reauthorized under a land use plan, which I believe is the land last land use plan. Which was reauthorized under John Griffin. When you look at the trail access from there and you're opening up, 20 miles of trail, um, compared to what Mr. Wooten's distance of Creek that he might lose, it's insignificant by comparison. I paddle that creek, many times, you can't get above the 113 Bridge.

Gary Adelhardt: There's generally trees and that sort of thing, they're not going to let a major outboard, get up the creek, you might get up there ways with a trolling motor. But what I'm looking at, you know, from the perspective of years and years and years of trying to get people direct access from the park to those trails because otherwise, they have to leave the park and they have to get off the highway onto roads that have no deceleration lanes. They're not really marked very well. The only true access that's easy is off Blades Road, which is halfway through the entire operation over there. So, you know, I was part of getting the original design through I haven't been a part since they decided to change that design.

Gary Adelhardt: We worked very hard to get to the design that was acceptable to everybody. I really am hoping that they've explored those other options thoroughly. Because when we looked at it, it was doable from smaller equipment. And if it's the contractor hasn't done significant research, just doesn't want to change his equipment that may be a problem, we may be it, you should be able to consider that original design. So with that said, that's what I have to offer to you at this point in time. If you have any other questions for me from the years of working down there, I'll be happy to take them.

Amanda Sigillito -MDE-: Thank you for your comments. We have another person who's indicated that they would like to make a comment Colette Outten. If you haven't, can you please unmute yourself?

Colette Outten: Hi, good evening. I am Colette Outten C, o L E T T E. Last name. Outten O u T. T. E n. Thank you.

Amanda Sigillito -MDE-: Thank you.

Colette Outten: Thanks for this opportunity. I live in Pocomoke and I work alongside Trent Swanson. In helping to bring awareness to the trails and the outside environment around Pocomoke, the Pocomoke, Forest, and the river that surrounds that areas are amazing resource for everyone who wants to be outside, including people who want to fish and ride their bikes and hunt and walk and explore ride their horses. It's an amazing opportunity. And I think this bridge connecting the park and the trail system is going to be very powerful in so many ways.

Colette Outten: Part of my experience is, I help organize a trail race. That is based there at the new campsites at Blades Road. And since the time that we've brought awareness to that trail network, the Hudson Tar tract, there have been so many more people coming out to explore the trails and likewise with the trail system that was mentioned previously. I believe that is near the golf course there on Winter

Quarters Drive and I believe it connects over to the Cypress Trail. There by Cypress Park downtown. I was not aware of the trail that goes around the pond. I just know that there's a trail that connects Cypress Park to that pond. So part of it is just increasing the awareness of the trails but I know the Cypress Park Trail does get used.

Colette Outten: There's more awareness happening in this area for the trails, but back to the Corker's Creek Bridge. I think that's going to be very powerful because it's a safe way for the people in the campground to then connect over to those miles of trails that's already been mentioned and we who put on this race would then be able to have an opportunity to hopefully work with the Park Service, a little more closely and use the park as a venue to have a safe start and finish area for the race. And connect over to those trails and I believe it's going to help enhance the revenue for the state and the Park Service in that more campers will come into the area and more people will come into the area for the races that we hold. And it's just going to help bring more awareness and revenue and resources to the area. And I'm getting nervous. So I'm starting to repeat myself, sorry.

Amanda Sigillito -MDE-: Thank you for your comments. Would anyone else like to make a statement to this evening?

Colette Outten: Thank you.

Amanda Sigillito -MDE-: All right. Well again, comments can be sent in by next Tuesday, 5 pm. And you can email your comments to Deborah. D-e-b-o-r-a-h Hinkle H-i n-k-l-e at Maryland. Maryland is spelled out.gov, deborah.hinkle@maryland.gov. Before I move to close the hearing, we just want to ask one more time, anyone else want to make a statement this evening?

Amanda Sigillito -MDE-: All right. Well, as I said, the formal hearing record will remain open until 5 pm on Tuesday, February 28, 2023.

Amanda Sigillito -MDE-: The Department's final decision and accompanying information will be sent to the interested person's list as well as to the applicant. The Department's decision will be a final agency. Determination. There will be no further opportunity for administrative review. Any person withstanding, who is either the applicant or who participated in the public participation process through the submission of written or oral comments may petition for judicial review in the Circuit Court in Worcester County. The petition for judicial review must be filed within 30 days of the publication of the permit decision. We appreciate your interest in this project and thank you for attending the hearing this evening. The hearing is now adjourned. I will just say before we all get off the line, if you have not provided us with either your mailing address or your email address, if you could contact Deborah Hinkle.

Amanda Sigillito -MDE-: Thank you. I appreciate everyone's attendance and the hearing is now adjourned.