

June 4, 2017

E. Thomas Smith, Jr.
ets@annapolis.gov
Chief of Current Planning
City of Annapolis
Annapolis, MD

Proposed Development at 39 Hudson St, Annapolis 21401

For the past decade, I have worked continuously to preserve, protect, and restore watersheds that my family and neighbors call home, especially the Severn River watershed and its important Weems Creek sub-watershed. I am providing these comments directly to you, having also shared them with residents of the West Annapolis, Admiral Heights, and Germantown-Homewood communities who may be providing their own comments separately.

While this input is mine alone, it is informed by relationships with many wonderful Annapolitans who share my concern for water quality, and by experience as former president and present board member of the Severn River Association, member of the Severn River Commission, former member of the Annapolis Environmental Commission, officer of the West Annapolis Civic Association, and by professional experience as a senior executive in the Environmental Protection agency, Director for Environmental Protection at the Naval Sea Systems Command, Director of Environmental Technology at the Department of the Navy, and Engineering for Professionals faculty member teaching environmental compliance management at the Johns Hopkins University.

Residents of the Weems Creek sub-watershed are all too familiar with its mounting degradation, caused by poor practices accompanying development of Route 50, Anne Arundel Medical Center, Westfield Mall, AA County's Jennifer Road facilities, and much more commercial and residential building.

Weems Creek already has poor water quality, and it is likely the Hudson St. development, as initially proposed, will add significantly to environmental burdens on an already-stressed creek.

Those impacts include siltation from prior development that has reduced water depth for aquatic life and boat use in upper creek areas, and degraded water quality by the addition of suspended solids, nutrients, and other contaminants scoured from the land. Weems Creek has registered among the highest nitrogen, phosphorous, and fecal coliform loadings in the Severn watershed, a tributary classified by EPA as "impaired." I have visited the subject site personally and offer the following recommendations as you consider the proposed development.

Recommendations:

- 1. That the City of Annapolis, at every step in its review and permitting of this project, apply the most modern and rigorous technical and regulatory standards.**

This is a relatively new project that faces updates in both engineering/design standards of practice, and in provisions of the Annapolis City Code such as for stormwater and for forest conservation. We urge that they be applied vigilantly, with intelligence and to achieve positive results.

- 2. Develop and implement a high-performing stormwater management system for this project, to make erosion/silt scouring events highly improbable.**

At this stage of project design there is no indication of measures that would improve upon concentrating all generated stormwater into a single unmanaged outfall. Needed are features that diffuse, retard, and store rainwater from events markedly greater and more frequent than those underlying the old 1" design standard. Larger and more frequent rainfall events are expected, so that old standard is woefully inadequate. This site has vulnerable steep slopes and highly erodible legacy soil deposits. The city has authority to require more rigorous control in this particularly sensitive and vulnerable headwaters location. *

** 17.10.080, Annapolis City Code - Stormwater management criteria.*

A.3. The Director of the Department of Public Works may require more than the minimum control requirements specified in this section if hydrologic or topographic conditions warrant or if flooding, stream channel erosion, or water quality problems exist downstream from a proposed project.

- 3. Find ways to scale back the area of trees and natural vegetation that must be removed for construction and operation of the new facility, and on grading that will create steeper slopes.**

Grading is proposed under initial plans that would exacerbate the erodibility of existing steep slopes. The initial plan calls for removal of about 64% of the tract's present forest, an area now performing valuable service in processing water runoff from adjacent development and in retaining/processing water falling on it. Following are approaches for consideration:

- 4. The project should avail itself of opportunities to consolidate functions and features on the flattest portions of the property.**

Rearrangement is recommended that would reduce the area of forest taken, preserve the larger (>12" dbh) trees, provide space for regeneration and succession of trees, avoid removing trees on slopes, and reduce driveway area.

5. Reduce the impervious area that will be created by new buildings, a new driveway, and a new parking lot.

Are there ways to reduce the buildings area, e.g. with additional floors/basement, to achieve a net usable area with a smaller footprint? Are there ways to reduce parking space impacts on forest with in-building parking, and/or off-site parking? Should the city relax the minimum number of parking spaces required as it has in other places when conditions warrant?

6. Apply the new “No Net Loss” provisions of the Annapolis implementation of the Forest Conservation Act, for 100% mitigation/replanting of trees removed, first priority on-site, second priority in the Weems Creek upper watershed.

Planting, replanting, and careful maintenance to assure long term survival should be provided for to reduce the long environmental impact of this project on Weems Creek.

Sincerely,

A handwritten signature in cursive script that reads "Kurt Riegel".

Kurt Riegel
307A Monterey Ave
Annapolis MD 21401

Kurt.Riegel@gmail.com

410.507.2999