

**Martin O'Malley**  
*Governor*  
**Anthony G. Brown**  
*Lt. Governor*



**Margaret G. McHale**  
*Chair*  
**Ren Serey**  
*Executive Director*

**STATE OF MARYLAND**  
**CRITICAL AREA COMMISSION**  
**CHESAPEAKE AND ATLANTIC COASTAL BAYS**  
1804 West Street, Suite 100, Annapolis, Maryland 21401  
(410) 260-3460 Fax: (410) 974-5338  
[www.dnr.state.md.us/criticalarea/](http://www.dnr.state.md.us/criticalarea/)

October 4, 2007

Mr. Chris Phipps, Deputy Director  
Anne Arundel County  
Department of Public Works  
2662 Riva Road  
Annapolis, Maryland 21401

Re: Town Point Dredge Material Containment Facility  
Rehabilitation Project

Dear Mr. Phipps:

At its meeting on October 3, 2007, the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays unanimously approved the Town Point Dredge Material Containment Facility Rehabilitation project with the following conditions:

1. Three months prior to the closure date of June 30, 2011, as outlined in the County Executive's letter dated July 24, 2007, and the Department of Public Works September 19, 2007 memorandum included in the public record, the County will report to the Commission on the progress of the operations, and if the County anticipates not being able to meet the closure date, a strategy for how to finalize operations. This may require the County to come back to the full Commission for approval of any increased time requirements for project completion.
2. Prior to commencement of construction, the County Department of Public Works shall obtain all necessary State and federal permits.

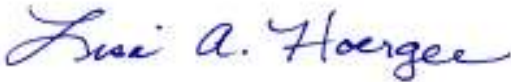
In addition to the conditions listed above, the County committed to 1:1 mitigation for the 4.16 acres of clearing that will be required to properly rehabilitate this site. Therefore, I have attached a Plantings Agreement Form that should be returned to this office within 30 days. Please note a signature and anticipated planting date should be provided at the bottom of this form.

Mr. Phipps  
October 4, 2007  
Page Two

Thank you, your staff and the consultant team for attending the morning panel meeting and afternoon meeting of the full Commission. As stated by Commissioner Vitale and others, the Department of Public Works has worked extremely hard in addressing all of the stakeholders concerns and are to be commended for these efforts. As always, we look forward to working with you and your staff.

If you have any questions, please do not hesitate to contact me at (410) 260-3478.

Sincerely,

A handwritten signature in blue ink that reads "Lisa A. Hoerger". The signature is written in a cursive style.

Lisa A. Hoerger  
Regional Program Chief

Enclosure

cc: The Honorable Edward Reilly  
The Honorable Cathy Vitale  
Mr. Merrill Plait, DPW  
Mr. Massoud Ghatineh, DPW  
Ms. Gabrielle Myers, Bay Lands  
Mr. Keith Tate, Bay Lands  
Mr. Sepehr Baharlou, Bay Lands