



Kenneth W. Hastings, Jr.

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7/13/2015

The Planning Commission

Department of Planning and Growth Management

200 Baltimore Ave

La Plata MD 20646

Re: draft Maryland Airport Land Use Study Comments

Dear Planning Commission members:

The phrase "Build it and they will come" is derived from the warm fictional story of a farmer who dug up his corn field to build a baseball field for the ghosts of baseball legends to play on. Economic development in Charles County is often based on the same premise with one major difference: The "Field of Dreams" farmer put his own family's future and venture capital at risk while Charles County speculators get to use public money to finance their dreams.

The Maryland Airport Land Use Study Draft Report was funded (with public money) to help promote the Maryland Airport as the economic engine needed to urbanize Western Charles County. If the airport cheerleaders expected this report to elevate their Field of Dreams above a mere fantasy, they have to be disappointed.

The authors studied several general aviation airports in the region in terms of the development induced just by having an airport. They concluded: *"These findings indicate that high levels of aviation activity at a general aviation airport do not correspond directly to its ability to induce development."*

Unlike with baseball fields, "they" won't come just for an airport.

As if to hammer home the futility of this venture, the study goes on to catalog specific reasons why Maryland Airport will be just another rural airport featuring aviation-related services "inside the fence" except that the Washington DC Special Flight Rules Area (SFRA) rules preclude some of the common "Inside the Fence" activities allowed at other airports. The prospects for "Outside the Fence" activities are further dampened by these conclusions:

"From an "outside the fence" perspective, the current expansion program for Maryland Airport does not create enough uniqueness in the metropolitan Washington D.C. market that would generate substantial demand based solely on the Airport operations."

"Most of the employment zoned land is isolated from the airport by natural and man-made barriers."

Maryland Airport is just another general aviation airport – nothing more or less and the Study says it isn't likely to ever be anything else. Instead of arbitrarily replacing forests with un-needed urban infrastructure in pursuit of the "impossible dream," we should be protecting and preserving a quality of life that is becoming rare, even in Charles County.

Sincerely,

A handwritten signature in black ink that reads "Ken Hastings". The signature is written in a cursive, slightly slanted style.

Ken Hastings

Mason Springs Conservancy

39044 Holly Drive

Mechanicsville, MD 20659



July 13, 2015

Re: Airport Land Use Study

I am Hal Delaplaine of La Plata and I am representing the Conservancy for Charles County. We are an all-volunteer, non-profit land trust dedicated to preserving the rural character and natural assets of the county for the benefit of the general public.

According to the draft report of the Airport Land Use Study, about 40 percent of the 6,000-acre study area is permanently protected state-owned natural resource land. Most of the rest is zoned Rural Conservation, RC(D), which is to be rezoned Watershed Conservation District.

Aside from the airport itself and the failed tech park which the public now owns, most of the acreage zoned for industrial and business park use is the triangle lying along the east flank of the airport and bounded by Pomfret Road (Rt 227) and the state's Mattawoman Wildlands. It is mostly undeveloped upland forest and steeply sloped stream valley except along Ray Road which ends in a privately owned forested tract where the Conservancy and the Maryland Environmental Trust jointly hold a conservation easement.

Viewed from satellite, the airport is an opening in the canopy of a Green Infrastructure forest hub that is part of the largest contiguous forest in Maryland east of the Alleghenies. Almost all of the study area is within a DNR-designated Targeted Ecological Area, meaning it is one of the state's most ecologically valuable lands and is a priority for preservation through Program Open Space. Further, it contains two of National Audubon Society's Important Bird Areas and is also a BioNet Tier 1 and Tier 2 landscape, meaning it is Critically or Extremely Significant for biodiversity conservation. U.S. Fish and Wildlife Service includes it in its Chesapeake Rivers National Refuge Complex. These and other special environmental designations mean the land is eligible for federal and state funding for preservation.

Despite all the time and effort that has been put into such schemes as the cross-county connector and tech park, which are still being promoted in this proposal, there is still no coherent economic vision for the western county. The airport lacks a compelling linkage between increased activity "inside the fence" and a need to develop surrounding employment land. Indeed, the Economic and Market Assessment concludes on page 52 of the Airport Land Use

Study, and I quote:

"...there is no market justification to expand the current inventory of employment-land in the study area...[It] is not currently competitive to attract large, stand-alone non-aviation uses. Maryland Airport is well suited to expand 'inside the fence' activity, while also serving as an asset for the County's larger economic development marketing and recruitment strategy." [End quote.]

It would be a poor bargain to trade such an enormously important natural resource for a business venture of such dubious prospects.

A handwritten signature in cursive script that reads "Hal Delaplane". The signature is written in black ink and is centered on the page.

Smarter Growth Alliance for Charles County

P O Box K
Bryans Road, MD 20616

July 13, 2015

Charles County Planning Commission
c/o Theresa Pickerel
200 Baltimore Avenue
La Plata, Maryland 20646

Re: Draft Maryland Airport Land Use Study

Dear Planning Commission members:

The Smarter Growth Alliance for Charles County has long-standing interests in land use issues that could be profoundly affected by development in the area surrounding Maryland Airport. As a coalition of more than 20 local, regional, and state organizations representing approximately 5,000 supporters in Charles County, we welcome this opportunity to comment on the subject Land Use Study (LUS). Our comments endorse parts of the LUS, and also offer suggestions for improving its consistency with the underlying landscape and better curtailing potential conflicts with incompatible land uses.

We agree with the study's finding that residential development is incompatible with airport operations, but suggest that the recommendations for reducing potential conflicts be strengthened. We endorse the recommendation that no new land be zoned for business and industrial parks, especially given the history of the Indian Head Science and Technology Park (tech park). The poor prospects and public risks associated with that project would likely have been revealed if a market study had been conducted prior to forming a public-private partnership, rather than after the project had failed.

Unfortunately, we find key aspects of the draft LUS to be wanting. To a great degree, the study reflects lobbying by development interests to have the revised Comprehensive Plan designate additional land around the airport for commercial purposes. The draft Comprehensive Plan that included a variety of projects and policies designed to urbanize the western county faced overwhelming opposition at the County Commissioners' October 2013 hearing. Nevertheless, the Request for Proposals for the LUS was issued two months later and listed six objectives that, *in toto*, appear biased toward developing and marketing the land around the airport with public subsidies.

Representing over 5000 members in Charles County

*1000 Friends of Maryland • AMP Creeks Council • Audubon MD-DC • Chapman Forest Foundation
Chesapeake Bay Foundation • Citizens for a Better Charles County • Clean Water Action • Coalition for Smarter Growth
Conservancy for Charles County • Maryland Bass Nation • Maryland Conservation Council
Maryland League of Conservation Voters • Maryland Native Plant Society • Mason Springs Conservancy
Mattawoman Watershed Society • Nanjemoy-Potomac Environmental Coalition • Port Tobacco River Conservancy
Potomac River Association • Sierra Club, Maryland Chapter • Sierra Club, Southern Maryland Group • South Hampton HOA
Southern Maryland Audubon Society • St. Mary's River Watershed Association*

Questions about the objectivity of the LUS are raised by many of the recommendations, the voice given to representatives of the development industry, the promotion of failed projects like the tech park and Cross County Connector, and the short shrift given to environmental concerns.

Stronger measures to reduce conflict with incompatible uses are needed

The LUS recognizes the conflict between aircraft operations and residential development. Hence, it recommends maintaining 1:10 zoning in the area via the Watershed Conservation District, which we strongly endorse.

However, the airport inherently poses potential residential conflicts given its close proximity to Bryans Road. The LUS implicitly acknowledges the problem by carving the Guilford tract from the study area (curiously, given that no approvals had been obtained when the study area was demarcated). Especially concerning is the location and size of the Bryans Road “core,” a 700-acre area bisected by Route 210 and zoned to accommodate up to 8000 housing units. The core lies directly beneath the northern flight path and comes within about 0.8 miles of the end of the runway. Most of this core has not materialized, offering an opportunity for the LUS to recommend returning Bryans Road to a mixed-use village, as did two scenarios considered in the Comprehensive Plan revision, Scenario 1 and the compromise Merged Scenario.

In addition, according to p. 4-7 of the Bryans Road Sub-Area Plan,¹ the dense Town Center Core *requires* the Cross Connector, which was denied state and federal permits. By recommending a return of Bryans Road to a mixed-use village north of 210, the LUS would bring consistency between a vision for Bryans Road and permissible transportation options, and honor the consensus of participants in the planning process [see p. 3-5 of footnote¹] and the large group of citizens who repeatedly came out in strong opposition to the sub-area plan.

The LUS limits its safety discussion to height restrictions, thus failing to recognize public perception of safety concerns beneath flight paths. The LUS reports nine accidents have occurred since 1983, or one accident every 3½ years. While accidents to date have been confined near the runway, recommending a return to a mixed-use village north of 210 would to some extent alleviate public concern over safety.

By recommending that Bryans Road be returned to a mixed-use village focused on the north side of 210, the LUS could at once:

- (i) materially lessen conflict with residential development;
- (ii) reduce stress to Mattawoman Creek;
- (iii) ensure a better quality village by not bisecting it with six-lanes of traffic;
- (iv) relieve a potential bottleneck for trucks transporting explosive materials to and from the Naval Support Facility in Indian Head;
- (v) maintain consistency with the denial of permits for the Cross County Connector.

While the LUS accepts FAA regulatory noise standards, it does concede [p. 53] that “noise from aircraft will be heard outside of this contour line and may be perceived as intrusive by some

¹ Bryans Road-Indian Head Sub-Area Plan (2001).

https://www.charlescountymd.gov/sites/default/files/pgm/planning/bry_rd_ih_subarea_plan.pdf

people.” A more sophisticated approach is practiced by the Navy as conveyed in the Joint Land Use Study for the Naval Support Facility in Indian Head. The approach defines contours in terms of likelihood of complaint. The contours extend *miles* beyond the average noise level of 57 dB, a noise level that is already ~6 times smaller in sound intensity than the FAA standard of 65 dB. Noise levels should be examined in a manner similar to the Navy’s approach.

We also question the approach to informing those involved in real estate transactions of their proximity to the airport. The LUS states that the county could require notification as a “more stringent” means of addressing safety and noise [p. 54]. By limiting the zone of such notification to only one mile from the airport, this recommendation falls far short of Montgomery County’s five-mile radius and misses many areas beneath flight paths. While a five-mile radius may prove impractical, a modest two-mile radius is entirely feasible and could be extended to include areas to the north where a concentration of housing continues to be built beneath the flight path.

The discussion of incompatible uses would benefit by adding a map showing all potential flight patterns around the airport.

Conservation recommendations should be strengthened

The LUS recognizes that conservation zoning is an effective means for avoiding incompatible land use. We applaud Recommendation 3 to permanently convert RC(D) zoning to a Watershed Conservation District (WCD) and to retain the current 1:10 zoning; however, the LUS should go further. The attention given to environmental assets, especially given Objective D, “Assess Future Development with Respect to the Mattawoman Creek Watershed,” is so attenuated as to be defective. It is perhaps this inattention that led the LUS to recommend retaining the tech park, the Cross County Connector, and the full complement of BP and IG zoning around the airport.

In particular, the following conclusion² is egregiously misinformed:

A large inventory (approximately 675 acres) of undeveloped, employment-zoned land, relatively free of environmentally sensitive areas, is located around the airport [emphasis added].

The 675 acres evidently refers to the sum of undeveloped acreages in the tech park and undeveloped BP and IG zoned areas. (The report neglects to provide maps identifying the numerous types of acreage it discusses, but Table 4 lists a total of 677 undeveloped acres with BP, IG, and PEP zoning.)

Nearly every available metric that assesses environmental sensitivity applies to much, if not most, of this acreage. Some of these metrics are recognized on p. 31, but many previously communicated to the LUS team are ignored. None are mapped or specifically linked to the 675/677 acres. Had they been, the manifest inconsistency behind the conclusion above and reality would have been self-evident. For example, see the map to the right superposing the Mattawoman stream valley on a zoning map.



² p. 55 (emphasis added).

Consider these attributes associated with the 675/677 acres (tech park, IG, and BP zoning):

- *Targeted Ecological Area*: the vast majority of the area.
- *Bionet Tier 1 and 2 landscapes*: the entire area. These Tiers are “identified as being Critically or Extremely Significant for biodiversity conservation.”³
- *Chesapeake Rivers National Refuge Complex*: entire area. A USFWS initiative to provide funding opportunities for preservation.
- *Stormwater Natural Infrastructure*: the entire area is important.⁴
- *Upland Preservation Opportunity*: nearly the entire area is important.⁴
- *Forest Interior Habitat*: nearly all forested areas.⁴
- *Green Infrastructure forest hub*: a significant fraction, roughly half.
- *Audubon Important Bird Area*: a significant fraction.
- *Mattawoman Stream Valley*: roughly half. The stream valley was singled out for enhanced protection by the Army Corps of Engineers,⁵ and delineated by DNR. The stream valley is shown in Map 8 [p. 32], but various zoning types are not overlaid.
- *Stronghold Watershed*: the entire tech park. “...most important for the protection of Maryland’s aquatic biodiversity.”⁶
- *Wetland of Special State Concern*: Mattawoman tributary flowing through tech park site.

Objective D directs the LUS to consider Mattawoman Creek. The ensuing discussion is disturbingly incomplete. The LUS reports the impervious surface expected on the airport property at buildout is 19% but provides no interpretation [p. 9]. The ACOE states³ “It is generally accepted that if impervious cover exceeds 15%, then impacts can be severe.” A comparably high level of imperviousness can be expected for additional subwatersheds if the LUS recommendations of providing sewer, retaining the tech park, and developing parcels now zoned for business parks and industrial use are implemented. Several tributaries can be expected to be harmed at a time when Mattawoman Creek is at the “tipping point” for irreversible degradation due to impervious cover. The LUS should acknowledge these effects, which justify stronger conservation measures.

The ecological sensitivity of the 675/677 acres, and the importance of maintaining high-quality Mattawoman tributaries, argues strongly for a recommendation to place much of the area under conservation zoning (WCD). The LUS indirectly supports this perspective because it recommends placing the portion of the tech park nearest the airport into the WCD “[i]f the County does opt to rezone the IHSTP for more rapid development.” We urge that a

³ <http://www.arcgis.com/home/item.html?id=e0626c40bcbc4510b6be04534713f7d6>

⁴ Watershed Resources Registry. See interactive online-mapping of various environmental attributes at:

<http://staging.mesgis.com/wrr/index.html>

⁵ *Mattawoman Creek Watershed Management Plan*, U.S. Army Corps of Engineers, Baltimore District (2003).

[http://www.charlescountymd.gov/sites/default/files/pgm/planning/mattawoman management plan.pdf](http://www.charlescountymd.gov/sites/default/files/pgm/planning/mattawoman%20management%20plan.pdf)

⁶ *Stream Ecology Fact Sheet*. <http://www.dnr.state.md.us/streams/pdfs/StrongholdFactSheet.pdf>

recommendation be made to place most of the tech park into the WCD (without qualification), and that a similar recommendation be made for the forested areas in IG and BP zoned areas.

The LUS promotes development of the western county when conservation is more appropriate

The Naval Support Facility (NSF) in Indian Head is the largest single source of technical jobs in the county. The base is susceptible to growth-related encroachment. Its future viability would be strengthened with a revitalized Indian Head which, being at the end of dead-end highway, is vulnerable to public subsidies directed toward competitive enterprises in Bryans Road.

The western county is also the location of “the majority of the County’s limited primary industry sectors,” as reported in the LUS. [p. 41] “Primary industry” is an economic term that the LUS uses to register employment in fishing, hunting, forestry, agriculture, and extraction. It is not clear if the LUS also meant to capture the economic activity generated by tourists, recreationalists, and professional bass anglers drawn to Mattawoman Creek, three state parks, a state forest, Wildlife Management Areas, Malloys Bay and Douglas Point, the Indian Head Rail Trail, and the Potomac River. To maintain and grow nature and heritage tourism, it is key to implement “a community-wide commitment to preserve and expand its natural resources.”⁷

Despite an economic foundation resting on NSF, and on the present and potential tourism that requires preservation of natural resources, the northwestern county has been subject to a long line of failed attempts to pack commercial and residential density into the area, beginning with Riveria in the 1980s. This was followed by Chapman’s Landing, an acknowledged NSF encroachment concern⁸ which spawned the Western Connector proposal (later renamed the Cross County Connector), the Bryans Road Sub-Area Plan, the tech park, and now development around the airport. The LUS needlessly continues this tradition.

The Cross County Connector falls outside the purview of the LUS. Yet the LUS inappropriately promotes it [p. 37], promulgating an oft-heard mischaracterization of the permit denials by disclosing only the state’s denial. The Army Corps of Engineers (ACOE) also denied permits “with prejudice,” concluding the highway “to be contrary to the public interest.” The ACOE identified as a viable alternative Billingsley Road from U.S. 301 to Middletown Road to Route 228, in direct conflict with the LUS statement that “the County lacks good east-west road connections between the US 301 and MD 210 corridors.” [p. 36]

It is contradictory for the LUS to recommend retaining PEP zoning for the tech park, especially considering the LUS grants that its separation from the airport by Route 224 (the LUS mistakenly says Bumpy Oak) is “severely limiting” for airport-related development [p. 48, 49]. The LUS also indirectly concedes the tech park property’s high ecological value by recommending part of it be transferred to the WCD on the condition that its northern portion be developed [p. 56, 57] and reports that the Naval Support Facility has no interest in locating any

⁷ *Nature and Experiential Tourism: Report and Recommendations for Charles County, MD*, Fermata, Inc., Austin TX, October 20, 2000. http://www.fs.fed.us/recreation/programs/tourism/charles_county.pdf

⁸ *Hoyer supports gov.’s plan to preserve Chapman’s*, by Rob Terry, Maryland Independent (July 3, 1998).

operations near the airport [p. 49]. The tech park represents a failed public-private partnership in which taxpayers assumed the risk.

The LUS also takes an unnecessarily narrow view when considering the return on public investment for sewer, presumably in response to the confined objective [p. 58]. It is curious that the LUS reports an estimated upper cost for sewer that is a factor of two smaller than in 2010, when sewer to the tech park was estimated at \$6.5 million (2010 dollars, excluding interest costs).⁹ Not mentioned is that sewer could spawn additional public expenses. For example, sewer properties could be more likely to attract development, about which the LUS states [p. 56]:

The IG and BP-zoned land adjacent to the airport is accessed via two-lane, rural roads that would require improvement to handle any significant increase in employment use.

Similarly, the LUS recommends public expenditure for a terminal, which presumably will require sewer. If new sewer opens the area to development, as is clearly the intent, then the LUS's characterization of sewer as an environmental benefit borders on the facetious. Judging from the ecological value of the area outlined above, the environmental costs of forest clearing alone would be dramatic. The loss of natural stormwater infrastructure¹¹ and other ecosystem services would impart long-term financial costs as well. The services provided by upland forest has been estimated at \$3,400 per acre per year, and riparian forests as high as \$44,000 per acre per year.¹⁰

A comprehensive accounting of the public cost of providing sewer should consider not only the direct cost, but also potential allied costs such as roads widenings, terminal construction, loss of ecosystem services, and loss of ecological integrity.

Summary

The above discussion justifies a LUS that would recommend less development and more conservation to meet the goal of preventing incompatible land uses around the airport. Subsidizing development on the scale outlined in the LUS (e.g., Cross County Connector, tech park, developing all BP and IG zoned land, Bryans Road Town Center Core, attendant road widening of Bumpy Oak and Pomfret Roads, etc.) is inconsistent with preserving the county's natural resources that sustain the county's "primary industry sectors" concentrated in western and northwestern Charles. The related present and future tourism, and the authenticity that underpins all heritage tourism,¹⁰ is also jeopardized. Especially concerning is the additional stress on Mattawoman Creek, now at the tipping point for irreversible degradation.

By narrowly following a set of objectives that assume development as a given, the LUS fails to take a broader and smarter-growth view that sees the importance of removing competitive impediments to revitalizing Indian Head, the consequent benefits of bolstering of viability for the

⁹ Charles County, 2010. Letter to Jim Long, President, Mattawoman Watershed Society, from Edith Patterson, County Commissioner (November 17, 2010).

¹⁰ *Ecosystem services in Cecil County's Green Infrastructure*, Ted Weber, The Conservation Fund. (2007)

http://www.ccgov.org/uploads/PlanningAndZoning/General/CecilCoMD_TechReport%20-%20Ecosystem%20services.pdf

Naval Support Facility, the efficiency of exploiting existing infrastructure along the U.S. 301 corridor, and the preservation of natural resources that make the area unique and compelling.

Sincerely,

Kimberly Brandt
Local Policy Director, 1000 Friends of
Maryland

Marney Bruce
President, Maryland Native Plant Society

Kelly Canavan
President, AMP Creeks Council

Kurt R. Schwarz
Conservation Chair, Maryland Ornithological
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cc: Steve Ball, Director of Planning