



HOWARD COUNTY DEPARTMENT OF PUBLIC WORKS

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**Ellicott City Safe and Sound Flood Mitigation Project
Consulting Party Meeting
November 9, 2020
2:00-4:25 PM
Virtual via Webex**

Attendees

Agencies

Donald Bole, United States Army Corps of Engineers
Katie Wainwright, United States Army Corps of Engineers
Amanda Apple, Maryland Historical Trust
Beth Cole, Maryland Historical Trust
Dixie Henry, Maryland Historical Trust
Collin Ingraham, Maryland Historical Trust
Beth Burgess, Howard County Department of Planning and Zoning
Mark DeLuca, Howard County Department of Public Works
Shaina Hernandez, Howard County Office of County Executive Calvin Ball
Robert Hollenbeck, Howard County Department of Public Works
Samantha Holmes, Howard County Department of Planning and Zoning
Mark Richmond, Howard County Department of Public Works
Lewis Taylor, Howard County Office of Law
Debra Correia, Maryland Department of the Environment
William Seiger, Maryland Department of the Environment
Steven Barry, McCormick Taylor, Inc.
Allison Brewer, McCormick Taylor, Inc.
Chris Brooks, McCormick Taylor, Inc.
Andy Mclean, McCormick Taylor, Inc.
Charles Richmond, McCormick Taylor, Inc.

Consulting Parties

Susan Anderson
Kristine Copeman
Amanda Hof, Howard County Tourism Council
Kimberly Kepnes, Kimberly Homes
Gayle Killen
Grace Kubofcik, Patapsco Heritage Greenway
Elizabeth Larney
Autumn Lewis
LaJoy Mosby, Central Maryland Chapter, Afro-American Historical and Genealogical Society
Ron Peters, Ellicott City Partnership
Wendy Pidel
Christopher Pineda, Ellicott City Partnership
Drew Roth, Howard County Historic Preservation Commission
Aaron Shapiro, Patapsco Heritage Greenway
Tara Simpson, Preservation Howard County
Stephanie Sperling, Council for Maryland Archeology

Bruce Taylor, Historic Ellicott Properties
Rich Taylor, Nora Enterprises LLC
Eileen Tennor, Howard County Historic Preservation Commission
Liz Walsh, Howard County Council
Lisa Wingate, Patapsco Heritage Greenway
Erica Zoren, Howard County Historic Preservation Commission

A. Introduction, background, and purpose

Mark Richmond, Howard County Department of Public Works Environmental Services, provided an introduction and reviewed the rules and procedures for the meeting. Mr. M. Richmond stated that the purpose of this meeting was to gather ideas to avoid, minimize, and mitigate impacts to historic properties associated with the construction of the proposed Ellicott City Safe and Sound Flood Mitigation Projects, located in Ellicott City, Howard County, MD. These ideas will be considered when drafting a Programmatic Agreement (PA) which will detail the agency's (USCAE) applicant's (Howard County) Section 106 requirements and responsibilities before, during, and after construction.

Donald Bole, United States Army Corps of Engineers (USACE), and Beth Cole, Maryland Historical Trust (MHT), were unable to provide opening remarks due to technical difficulties. Ms. Cole and Mr. Bole stated that the meeting should proceed without their opening remarks.

Mr. M. Richmond began with a review of the process, initial submission, and revisions / progress to date. He provided a background history of the flood history in Ellicott City and discussed the watershed. The Joint Permit Application (JPA) was provided to the Maryland Department of the Environment and USACE and presented the preliminary concepts. Since the JPA was submitted, efforts have been undertaken to limit/reduce impacts. In August 2018, a flood mitigation plan was presented to the public. The plan called for the removal of ten buildings in the lower Main Street area, within the Ellicott City Historic District. A revised flood mitigation plan was subsequently developed that expanded the project and reduced the impacts to the lower Main Street area. This plan was presented in the JPA presented as part of the September Public Hearing.

Charles Richmond, historian with McCormick Taylor, Inc. (MT), provided an overview of the Section 106 process. He noted the National Historic Preservation Act and the National Register of Historic Places and their relation to the Section 106 review process. Key terminology related to the Section 106 process was shared. A brief overview of the key steps associated with the Section 106 review process were presented, including discussion of the Area of Potential Effects (APE), historic properties, project effect findings, and resolution of adverse effects. Mr. C. Richmond noted the historic properties eligible for or listed in the National Register that are located in or immediately adjacent to the APE of the project, which included the Ellicott City Historic District (HO-78), Baltimore & Ohio Railway Ellicott City Station (also a National Historic Landmark) (HO-71), US Route 40 milestone (HO-591), and Tiber Alley Bridge over Tiber River (HO-669).

B. 8777 Frederick Road Culvert Project

Mark Richmond provided a description of the project activities which consists of the introduction of a replacement culvert along with flood zone grading to improve stream conveyance. Charles Richmond highlighted the APE and historic properties that are present. The house at 8777

Frederick Road, also known as Earlougher's Tavern (HO-364), has been determined to be potentially eligible for the National Register. In addition, the Frederick Road Survey District (HO-899) has also been determined to be potentially eligible for the National Register. The project would require the demolition of Earlougher's Tavern, which would be an Adverse Effect.

Liz Walsh questioned how the project was developed and the need to demolish 8777 Frederick Road; as when considering/comparing each property in the area, this property seems to be the most historic significance. Mark Richmond responded that the site was the best potential location for a second culvert from a hydraulic standpoint. He noted that the project team will investigate other alternatives as the project advances to final design.

Grace Kubofcik (Patapsco Heritage Greenway) questioned if it was possible to consider relocation of the building to avoid an adverse effect. Mark Richmond stated that he had received the Patapsco Heritage Greenway comments regarding the Section 106 review. He noted that the potential to relocate the building will be explored as potential mitigation.

Tara Simpson (President of Preservation of Howard County) expressed concern with potential impacts to St. Paul's cemetery. Mark Richmond stated that any potential impacts to the cemetery will be investigated and efforts to scale back will be part of the final design.

Elizabeth Larney, a member of the Cemetery Preservation Advisory Board of Howard County, noted that Hudson Branch had a significant impact on erosion in the area of the St. Paul's cemetery. She questioned what the impact of the flow of water on the cemetery would be and if the proposed designs would mitigate further erosion. Mark Richmond stated that impacts and mitigation will be defined by the Final Design. Elizabeth Larney mentioned that there are descriptions of the cemetery in deed references from 1841 and 1857. She will provide the deed information to Mr. M. Richmond. **Response:** *Consulting parties will be notified of the findings of any investigations related to potential impacts to the cemetery.*

The APE for the project was questioned. Mark Richmond said that it is expected that the APE to the east side would be needed due mostly to construction access.

Stephanie Sperling (incoming President of the Council for Maryland Archeology) noted that she is aware of 2017 archaeological investigations in the Ellicott City area. She questioned if there will be archeology work done on this property. Mark Richmond indicated that once designs are more fully developed all appropriate studies will be undertaken. **Response:** *Archaeological investigations will be included as a stipulation in the Programmatic Agreement. The need and methodology for any future archaeological investigations will be determined in consultation between all signatories, and consulting parties will have opportunity to comment.*

Drew Roth (Howard County Historic Preservation Commission) asked what measures have been taken to mitigate impacts to 8777 Frederick Road. Mark Richmond stated that efforts will be made to seek ways to avoid 8777 Frederick Road.

Dixie Henry (Maryland Historical Trust) stated that the main purpose of the consulting party meeting was for a discussion of impacts early in the design process. She also noted that a purpose was to generate good and creative mitigation ideas.

C. 8600 Frederick Road High Flow Bypass Project

Mark Richmond provided a description of the project. He noted that the project included the introduction of four 66' bypass culverts and was intended to keep water off the road and improve stream conveyance.

Charles Richmond stated that the APE is completely within the boundary for the National Register listed Ellicott City Historic District and Frederick Road Survey District. A total of four buildings are proposed for demolition: 8601 and 8611 Frederick Road and 8578 and 8590 Main Street. These buildings are contributing elements of the historic district. The properties at 8629 and 8637 Frederick Road were originally noted as potential demolitions as part of the project, as shown on the JPA plans for the September Public Hearing, but the project design and plans have been modified to avoid these two buildings.

Gayle Killen, owner of the 'Catherine Kuhn House' (HO-482), had questions about the project. Ms. Killen noted that, in her opinion, the project appears to accelerate flow through the community and adds to the flow by adding a collective 115" of piping. She also questioned if there were calculations for alternatives to moving water. Ms. Killian also asked if it would be possible to create a detention area. Mark Richmond responded that he has received Ms. Killen's comments that were submitted in response to the JPA and that the comments will be responded to. He noted that as opportunities to discuss the project had previously occurred during the public comment period this was not the venue to discuss a re-design of the project. This meeting is intended to address concerns related to historic properties and offer potential mitigation measures.

Liz Walsh (Howard County Council) asked what analysis can be done to try and avoid demolition of other properties and are there opportunities to move water in different areas that would potentially reduce the impact to historic properties. Ms. Walsh asked how the project was changed to avoid demolition of the houses at 8629 Frederick Road and 8637-8639 Frederick Road. Mr. M. Richmond stated that the channel grading was able to be redesigned to avoid taking the buildings. He also noted that in other cases we may not be able to avoid direct impacts.

Drew Roth (Howard County Historic Preservation Commission) asked if it would it be reasonable to consider the stream channel as an historic resource and/or a contributing element of the Ellicott City Historic District. **Response:** *According to National Register guidance, natural waterways or bodies of water are generally excluded from being considered as historic elements of a property. Based on that understanding, stream channels are not considered as potential contributing elements of an historic resource, unless they possess historic significance on their own merits.*

Mark Richmond reported that the new pipes for the 8600 Frederick Road High Flow Bypass Project are not replacing the stream but are part of a bypass. He indicated that there will be grading upstream and downstream.

Tara Simpson (Preservation Howard County) encouraged the consideration of efforts to reduce the total number of demolitions. She also questioned if efforts are being made to salvage elements of buildings that may be demolished and, if so, who would be responsible for cataloguing those elements. Zach Hollenbeck (Howard County) noted that Lidar scans can be prepared that will produce 360° representations of any building that is impacted by the project. He provided a review of the documentation procedures and the current efforts of the County's Survey Department and the County's Architectural Historian. Charles Richmond indicated that salvage of architectural elements could be incorporated as a mitigation measure and the details of the salvage process

would be defined as part of the Programmatic Agreement. (Salvage of architectural elements would be a potential mitigation measure that could be applied to any of the seven individual projects that comprise the overall Safe and Sound Flood Mitigation Projects and is not specific the 8600 Frederick Road High Flow Bypass Project). Ms. Simpson also stressed the importance of the historic streetscape as an element of the historic setting and the overall Ellicott City Safe and Sound Flood Mitigation Project's impact to the setting should be considered.

Elly Cowan (Preservation Maryland) encouraged documentation of buildings, including the use of Lidar scans or HABS-equivalent documentation, prior to their demolition. She also suggested that the inclusion of interpretative signage would be valuable as a potential mitigation measure. Ms. Cowan also suggested the creation of a mitigation fund that could support preservation of the remainder of the historic district.

D. 8552-8534 Frederick Road Flood Berm / High-Flow Bypass Project

Mark Richmond provided a brief project description. The properties within the APE for this project are all located within the Ellicott City Historic District. The plans shown in the JPA Public Hearing in September called for the demolition of three residential buildings and two garages, but the design has been revised. The project will now result in the demolition of only the garages found at 8500 and 8512 Main Street.

Gayle Killen had concerns about the project's impacts. She questioned the impact of accelerating the flow through the community and had concerns about moving the outfall closer to her home. Ms. Killen asked the project team to take into consideration that four 66" culverts occupy space that mitigate and slow the flow of water around her home. She had concerns about how the project would impact the additional flow. She also noted that the proposed new culverts would have a 2' drop in slope and was concerned with the impacts of the change.

Mark Richmond indicated that the 100-year flood plain, velocity, shear stress, and other factors were taken into account during the design process. Mr. M. Richmond stated that Ms. Killen's comments will be addressed and taken into account during design.

Ms. Killen asked to see modeling and projections to justify the finding of no impact on her property.
Response: *The purpose of the Section 106 review is to assess if an undertaking has the potential to affect historic properties. In this case, the proposed project would be an intrusion within the Ellicott City Historic District, but the activities do not have the potential to detract from the qualities that make 8600 Frederick Road a contributing element of the Ellicott City Historic District. This does not mean that the project activities do not have other, non-Section 106 impacts.*

Susan Anderson was identified as having comments, but these were not heard due to technical difficulties with the Webex audio.

E. North Tunnel Project

Mark Richmond provided a description of the North Tunnel project and noted that the final alignment has not been selected at this time. The APE for the North Tunnel project is completely within the Ellicott City Historic District. The APE for the North Tunnel project has been drawn to include the extent of all the alignments being considered and takes into account potential noise and vibration impacts that have the potential to affect contributing elements of the Ellicott City Historic District. Once a final alignment has been selected, it is expected that the APE will be

revised and reduced. At this time, no impacts can be assessed. The tables and photographs note that the effects for the project are still to be determined. Once an option is selected, further coordination with consulting parties will be undertaken.

Ron Peters (Property owner and representative for Ellicott City Partnership) had several questions about the tunnel, including the exact location of the tunnel entrance in Lot F and exit, the impact on granite bedrock, structural impacts to adjacent properties, when a final design will be determined, and the size of the tunnel in relation to construction equipment needed to build the tunnel. Mr. Peters had concerns that vibrations throughout the bedrock could cause structural issues for historic buildings. Mr. Peters also expressed concern with the potential flow of water backing up at the Main Street bridge over the Patapsco River. Mr. Peters also asked if dredging was planned. He also had concerns about water elevation differences between intersecting waterways. He suggested dredging could be done to reduce the upstream effect on buildings. Mr. Peters questioned if any studies related to sediment were being considered.

Mark Richmond stated that the tunnel is intended to generally be approximately 100' below the ground surface for most of the tunnel, except near the entrance and outfall. He indicated the tunnel would have a 15' diameter and there would be a significant vertical downturn to the tunnel almost immediately after the entrance; however, a vertical shaft was not being considered. The County is working with the tunnel consultant to select an alignment option and determine the entrance site. Mr. M. Richmond indicated that no study of dredging is currently in progress for the Patapsco River. He did note that a study is being undertaken in relation to the Tiber/Hudson Branch. Mr. Peters asked if a study had been conducted to ensure that increased water flow from the tunnel outfall would not cause flooding downstream, especially at Main Street. Mark Richmond said this is being looked at as part of the North Tunnel design effort.

Lisa Wingate (Patapsco Heritage Greenway) noted that the project has the potential to impact historic properties across the Patapsco River and questioned if Baltimore County needed to be engaged in the review process. Ms. Wingate noted that on the Baltimore County side there was an historic dam that crossed the river at that location, associated with early Ellicott Brothers industry at the Granite Hill area of Oella. She asked if historians can address the outflow and/or dredging might impacts to early dam and early industrial properties. **Response:** *The project team is aware that the NRHP listed Ellicott City Historic District extends into parts of both Howard County (HO-78) and Baltimore County (BA-2209). The historic district in Baltimore County encompasses additional properties, including the Granite Manufacturing Company (BA-2810). The properties in Baltimore County will be assessed as part of the Section 106 process concurrent with the historic properties in Howard County. In addition, Baltimore County's Department of Planning and the property owners within the APE in Baltimore County have been invited to participate in the Section 106 review as consulting parties.*

Lisa Wingate (Patapsco Heritage Greenway) asked how the consulting parties will be kept informed of the project's progress as individual projects move closer to final design. Don Bole, USACE, stated that the project team will continue to reach out to the consulting parties to keep them informed of investigations into impacts and project design. Dixie Henry and Beth Cole, Maryland Historical Trust, both added that a Programmatic Agreement will be developed that will establish procedures for how the overall project will advance. **Response:** *The Programmatic Agreement, to be developed in consultation between the USACE, MHT, and Howard County, will establish a process for resolving the Section 106 review. This process will include the procedures/methods of conveying project related updates and information with consulting parties.*

Bruce Taylor (Historic Ellicott Properties, Inc.) stated that he thought the tunnel was an exciting project that offered potential for flood mitigation. He expressed concern over the impact to the Patapsco River and its potential to be overwhelmed by increased flow. Mr. Taylor also questioned where the spoils from construction (specifically from the North Tunnel Project) would go as they could be used in town. Mr. Peters also asked if there were any thoughts concerning the creation of additional storage reservoirs or tunnels.

F. Lower Main Street Channel Constriction Project

Mark Richmond provided a description of the project activities, which include the removal of the rear of five buildings and part of one building. Charles Richmond stated that all of the buildings are contributing elements of the Ellicott City Historic District. This will result in an Adverse Effect.

Bruce Taylor (Historic Ellicott Properties, Inc.) raised concerns about the timing of the projects, their initiation, and their completion. Mr. Taylor expressed concerns for the completion of upstream projects before the downstream projects, which would convey/channel additional water through the downstream/downtown area. Mr. Taylor is concerned that obstructions over the Tiber River will remain an issue before the completion of the project.

Beth Cole (MHT) requested an explanation of how the partial demolitions will affect/change the use of the buildings. Zach Hollenbeck stated that the remaining portion of each of the buildings will have some useable area/usable square footage. These will include approximately 20-25' deep floor plates (between Main Street and the northern edge of the stream channel beyond) and will be occupiable, multi-story spaces. The buildings will remain in the County domain until the completion of the flood mitigation projects. The County is planning a programming effort to determine the uses in the near future which will include community involvement. The programming of the buildings and minimization efforts by retaining a portion of the buildings will be discussed in the Programmatic Agreement.

G. Lower Main Street Terraced Floodplain and Maryland Avenue Culvert

Mark Richmond provided a brief description of the Lower Main Street Terraced Floodplain Project and Maryland Avenue Culvert Project. He noted that the Maryland Avenue Culvert would consist of a large box culvert under Maryland Avenue, B&O Railway Ellicott City Station, and the CSX line. Charles Richmond noted the Terraced Floodplain project will require the demolition of four properties – 8049, 8055, 8059 and 8069 Main Street. These are contributing elements of the Ellicott City Historic District and would result in an Adverse Effect finding. The project will also require the demolition of the Tiber Alley Bridge, which is individually eligible for the National Register. The Maryland Avenue Culvert will extend under the National Register listed B&O Railway Ellicott City Station, which is also a National Historic Landmark and a contributing element of the Ellicott City Historic District. The culvert will pass beneath the turntable, but will not extend directly under any buildings. At this time, it is anticipated that the project will have a No Adverse Effect finding on the B&O Railway Ellicott City Station. It is anticipated that additional studies will need to be conducted in order to confirm any impacts.

Ron Peters (Ellicott City Partnership) noted that the Maryland Avenue Culvert Project had changed from two 10' diameter pipes to a box culvert. Mark Richmond stated that a box culvert was a better solution for hydraulic capacity and could be placed beneath the B&O Railway Ellicott City Station (and turntable) and CSX line. He said that there would be no constructability issues with a box culvert in comparison with a pipe. Mark Richmond indicated that it was hoped that the

downstream projects would be completed first and that the culvert would be a safety valve for excess flood water during major storm occurrences.

Lisa Wingate (Patapsco Heritage Greenway) (via Chat) questioned the elevation of the box culvert to grade. Mark Richmond did not have that information, but indicated he would follow up.

Tara Simpson (Preservation of Howard County) suggested salvage of elements of buildings as mitigation. She noted in particular, concerns for the retention of the Easton Sons façade (8059 Main Street) and the fireplace at the Phoenix Emporium (8049 Main Street). Ms. Simpson also asked several procedural questions, including the involvement/coordination with CSX, the project order and timeline, and the potential for project-specific Consulting Party meetings.

Don Bole (USACE) stated that the Section 106 review was a living process and it should be expected that changes will occur and the applicant (Howard County) will continue to progress designs. A timeline for the completion of the review process would be difficult to provide due to the nature of the undertaking and the fact that comments will drive the process. Mr. Bole stated the project team will be considering comments provided and will work towards completing the Programmatic Agreement. He noted that there could be future consulting party meetings.

Mark Richmond stated that the County has been in contact with CSX for many months and that they supported the project. The County is waiting on technical comments from CSX.

H. General Comments

The meeting was opened up to general comments and/or the revisiting of any individual project.

Drew Roth (Howard County Historic Preservation Commission) questioned the potential impact to the B&O Turntable and why it wasn't colored purple on the project slide. Mark Richmond noted that the station would include a semi-circular portion of the structure as well. **Response:** *The Section 106 review will consider any potential impacts to the B&O Railway Ellicott City Station, which includes all related buildings and structures within the resource's boundary, which would include the turntable.*

Drew Roth (Howard County Historic Preservation Commission) had a number of questions about water levels and the need for the culvert. He would like data to be made available regarding water levels and incremental benefit of the project for the Historic Preservation Commission. Mark Richmond indicated that additional information will be presented to the Historic Preservation Commission at the December meeting in response to Commission advisory comments from a previous Commission meeting. Mr. Roth asked about the South Tunnel Project. Mr. M. Richmond said that the South Tunnel option had constructability and hydraulic issues that contributed to the decision to not advance the project.

Elizabeth Larney mentioned that there were issues related to a wall collapse associated with a project approximately ten years ago near the Maryland Avenue Culvert project. She suggested that if the Maryland Avenue Culvert project proceeds, efforts should be made to monitor vibration impacts to buildings in the vicinity. She added that the former Patapsco National Bank, at the intersection of St. Paul Street and Mulligan Hill Lane, had no foundation and may be susceptible to vibration impacts. The County will investigate the potential for vibration impacts.

Grace Kubofcik (Patapsco Heritage Greenway) asked for a description of the structure at the end of the Maryland Avenue box culvert and rip-rap design east of the railroad. She also noted that previous floods had impacted the Heritage Area parking lot in Oella. Mr. M. Richmond indicated that the outfall design would be in accordance with the design standards; in order to minimize erosion the rip rap stone would likely be Class 3 (approx. 4-foot diameter). The purpose of the rip rap is energy dissipation and erosion minimization; the top of the rip rap area would be designed to be flush with the ground.

Lisa Wingate (Patapsco Heritage Greenway) asked how the effects of backwatering will be dealt with as part of the project as well as different types of floods. She also questioned how objects/debris would be prevented from entering the structure from the west (backwatering) scenario. Mr. M. Richmond noted that currently backflow prevention was not being incorporated into the design. He said that, at this time, the inclusion of a one-way valve or grating was not part of the preliminary project designs. He did say that efforts would be made to ensure the safety of the culvert as part of the final design.

Gayle Killen had concerns about the North Tunnel Project related to tunnel discharge and the effects of the tunnel on the Patapsco River. Mr. M. Richmond stated that the North Tunnel was not anticipated to have backwatering impacts. Ms. Killen questioned the potential for discharge from the North Tunnel on bottom-up flooding (Patapsco River surges). Mr. M. Richmond stated that the North Tunnel was not anticipated to have impacts based on the proposed tunnel slope and the hydraulic analysis. Ms. Killen asked if project-specific hydraulic analysis/impact models were available from Howard County's DPW. Mark Richmond stated that each of the seven projects had its own hydraulic analysis. The analysis will be submitted to the USACE and MDE as part of the JPA.

Don Bole (USACE) had to leave the meeting at 4:00 PM. He reiterated that consulting parties could submit written comments to him until November 23rd, 2020. Don did request that comments be directed to topics related to avoiding or mitigating impacts to historic properties.

Elly Cowan (Preservation Maryland) reiterated what had been brought up earlier regarding potential mitigation measures. She noted that mitigation could include documentation of structures, interpretative signage, and salvage of architectural elements. Ms. Cowan questioned if the final mitigation measures would be the result of the comments to be received by November 23rd, 2020 or at some later time. Mark Richmond indicated that the mitigation measures would be defined/developed in coordination as part of the Programmatic Agreement.

The project team will review all comments received as part of the consulting party coordination and this information will be considered as part of the process of developing the Programmatic Agreement.

Mark Richmond concluded the meeting at approximately 4:25PM. Mr. M. Richmond noted that consulting parties will have until November 23rd, 2020 to provide additional comments. The comments should be submitted to Don Bole, at Donald.R.Bole@usace.army.mil