



## SENATE OF MARYLAND

ANNAPOLIS, MARYLAND 21401-1991

JOHN A. CADE

DISTRICT 33, ANNE ARUNDEL COUNTY  
ROOM 407 SENATE OFFICE BUILDING  
ANNAPOLIS, MARYLAND 21401-1991  
(410) 841-3568

MINORITY LEADER

COMMITTEES:

LEGISLATIVE POLICY  
BUDGET & TAXATION  
SPENDING AFFORDABILITY  
RULES

June 20, 1996

The Honorable Jane T. Nishida  
Maryland Department of the Environment  
2500 Broening Highway  
2nd Floor Building 30A  
Baltimore, MD 21224-6612

Dear Madame Secretary:

I am writing to request your assistance in the matter of a pending surface mining permit application for Chesapeake Terrace, Inc. There are several issues which have been brought to my attention that should be addressed by the Department prior to making a decision regarding the surface mining permit.

The communities around the proposed surface mine have raised several environmental concerns which deserve exhaustive analysis prior to any Department action. First, a State rare plant, the clustered bluets (*Oldenlandia uniflora*), is located at the Patuxent River Community Ponds which abuts the proposed surface mine property. Second, the proposed surface mine is also adjacent to a stream system which supports the State endangered glassy darter (*Etheostoma vitreum*). The applicant has also proposed using calcium chloride to control dust on the proposed surface mine. It is unclear at this time what effects this chemical may have on the habitat of the sensitive vegetation in the area.

Further, Chesapeake Terrace, Inc. has obtained a Special Exception from Anne Arundel County for the surface mine operation. However, since the Special Exception was issued, the applicant has proposed changes to the operation's access road on two occasions. Under the most recent plan for an access road, trucks would be traveling on Conway Road which is only 18 feet in width and is unaccustomed to the proposed volume of traffic. The latest proposed access road intersects Conway Road within several hundred feet of St. John's AME Church, a historic building that was once used by Frederick Douglas as a part of the Underground Railroad. The Anne Arundel County Office of Land Use contends that the changes in the proposed access road location could result in the County rescinding the Special Exception. However, the County has not yet had an opportunity to reconsider the Special Exception.

*The Honorable Jane T. Nishida*  
*June 20, 1996*  
*Page 2*

I would respectfully suggest that it is appropriate for the Maryland Department of the Environment take the time to consider the public's objections to the project. Further, I would request that the Department delay action on the surface permit until such time that Anne Arundel County can reconsider the Special Exception and until the necessary environmental analyses can be completed.

Thank you in advance for your cooperation in this matter. If you have any further questions, please do not hesitate to contact my office.

Sincerely,



John A. Cade

JAC/bw

cc: The Honorable Bert Rice  
Forks of the Patuxent Improvement Association  
Crofton Civic Association, Inc.