



# United States Department of the Interior

## U.S. FISH AND WILDLIFE SERVICE

Patuxent Research Refuge  
10901 Scarlet Tanager Loop  
Laurel, Maryland 20708  
<http://www.fws.gov/refuge/Patuxent>



May 1, 2023

Tyler Abbott  
Director, Land and Materials Administration  
Maryland Department of the Environment  
1800 Washington Boulevard, Suite 610  
Baltimore, Maryland 21230

Re: Permit application for Chesapeake Terrace Rubble Landfill (comments due May 1, 2023)

Dear Mr. Abbott:

This is in response to Maryland Department of the Environment's January 2023 notice provided to the U.S. Fish and Wildlife Service (USFWS) as a neighboring landowner of the proposed Chesapeake Terrace Rubble Landfill (CTRL). This letter presents our concerns regarding potential impacts of the proposed CTRL on fish and wildlife resources at Patuxent Research Refuge (the refuge), a unit of the U.S. Fish and Wildlife Service's National Wildlife Refuge System which sits directly west of the landfill property just across the Amtrak rail. Patuxent is the only one of 567 refuges dedicated to support wildlife research; we manage the biological integrity and health of its ecosystems and habitats for the benefit of the wildlife that depend on them and for the benefit of the American people. Our concerns regarding the landfill include:

- **Bats—Loss of roosting, breeding, and foraging habitat for Northern Long-Eared Bats (NLEB)**, a federally endangered species which has been acoustically detected on the refuge and for which suitable habitat (trees greater than 3 inches diameter at breast height) likely exists on the proposed landfill site. A final rule to reclassify NLEB as endangered was published on November 29, 2022, and became effective on March 31, 2023, and after Corps wetland and waterway authorization was issued and extended, so project proponents should coordinate on Section 7 with the local USFWS Ecological Services Division, the Chesapeake Bay Field Office.<sup>1</sup> We are also concerned about loss of habitat and impacts of landfill operations (noise, light, loss of food supply) on **Tricolored Bats**, which have also been acoustically detected at several locations near the project area. A proposed rule to list Tricolored bats as endangered was published on September 14, 2022.
- **Forest impacts - light/noise pollution and loss of connectivity** directly impacting adjacent refuge forest habitats. The landfill would deforest over 400 acres adjacent to the refuge and result in direct line of sight/sound for the light and noise associated with landfill operations. Light and noise pollution interferes with wildlife foraging and mating behaviors and causes avoidance which has implications for the complex relationships between insects, migratory

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birds, and mammals. Deforestation will result in loss of connectivity between refuge forest and adjacent green infrastructure that extends east of the Amtrak rail across and beyond the landfill property, providing one of the best remaining corridors of forested habitat in the highly urbanized Washington, D.C. – Baltimore, Maryland commuting area.

- **Loss of connectivity between spotted turtle populations**, an at-risk species that has been petitioned for Federal listing, between wetlands that exist on the refuge and wetlands adjacent to the landfill area.
- **Impacts to aquatic species in the Little Patuxent and Patuxent Rivers**—these two rivers are the refuge's major source of freshwater mussels and their native fish hosts. The deforestation required for construction of a landfill on these highly erodible soils may increase sedimentation of the adjacent floodplain wetlands and connected river habitats.
- **Potential groundwater contamination**—although the project proponent may employ highest standards for prevention, the potential for infiltration to groundwater of contaminants such as asbestos or lead contained in old building debris remains a concern. Placement of a landfill over such sandy, gravelly soils close to adjacent wetlands, streams, and seeps that connect to the Patuxent River may indirectly impact refuge riverine habitats and species.

Sincerely,

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Jennifer Greiner  
Refuge Manager  
Patuxent Research Refuge

1. Trevor\_Clark@fws.gov; Chesapeake Bay Field Office, 177 Admiral Cochrane Drive, Annapolis, MD 21401