



U.S. Army Corps
of Engineers
Baltimore District

Public Notice

In Reply to Application Number
CENAB-OPR-MN (HARFORD COUNTY PARKS & REC/
FOSTER BRANCH/DREDGING) 2016-61642-M12

PN 17-28

Comment Period: June 6, 2017 – July 6, 2017

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC REGARDING THE WORK DESCRIBED BELOW. NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED AT THIS TIME.

This District has received an application for a Department of the Army permit pursuant to **Section 10 of the Rivers and Harbors Act of 1899 and/or Section 404 of the Clean Water Act (33. U.S.C. 1344)** as described below:

APPLICANT: Harford County Department of Parks & Recreation
Attn: Mr. David Goodwin
702 North Tollgate Road
Bel Air, Maryland 21014

WATERWAY AND LOCATION: The proposed dredging would occur in Foster Branch that is adjacent to Mariner Point Park located in Joppatowne, Harford County, Maryland.

PROPOSED WORK: To hydraulically or mechanically maintenance dredge three segments of Foster Branch to a maximum depth of -5.0 feet at mean low water. Approximately 3,811 cubic yards of dredged material would be from an approximate 68,917 square foot combined area. Dredged materials would be deposited at the approved Mariner Point Park dredged material placement site located at Mariner Point Park in Joppatowne, Harford County, Maryland. The applicant is also requesting authorization for maintenance dredging for a period of 10 years. Foster Branch would be dredged in three segments of various lengths and widths as follows:

- Segment A = 907 feet long by 35 feet wide and -5.0' deep
- Segment B = 718 feet long by 35 feet wide and -5.0' deep
- Segment C = 223 feet long by 54 feet wide and -5.0' deep

Project Purpose: To improve navigable access within Foster Branch.

Avoidance/Minimization of Impacts: Turbidity curtains would be utilized during dredging operations to restrict marine life from entering the areas being dredged and, to reduce/minimize the release of sediment from the project site into adjacent waters.

All work would be completed in accordance with the enclosed plans dated January 2017. If you have any questions concerning this matter, please contact Mr. Steve Elinsky, CENAB-OPR-MN, 10 South Howard Street, Baltimore, Maryland, 21201 or steve.elinsky@usace.army.mil.

The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonable may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economic, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, and consideration of property ownership and in general, the needs and welfare of the people.

The evaluation of the impacts of the work described above on the public interest will include application of the Clean Water Act 404(b)(1) Guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 of the Clean Water Act.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments provided will become part of the public record for this action. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Written comments concerning the work described above related to the factors listed above or other pertinent factors must be received by the District Engineer, U.S. Army Corps of Engineers, Baltimore District, [Attn: Mr. Steve Elinsky, CENAB-OPR-MN], 10 South Howard Street, Baltimore, Maryland, 21201 or steve.elinsky@usace.army.mil within the comment period specified above.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), as amended by the Sustainable Fisheries Act of 1996 (Public Law 04-267), requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely effect Essential Fish Habitat (EFH).

The project site lies in or adjacent to EFH as described under MSFCMA for windowpane flounder (*Scophthalmus aquosus*) juvenile and adult; blue fish (*Pomatomus saltatrix*) juvenile and adult; summer flounder (*Paralichthys dentatus*) juvenile and adult; and egg, larvae, juvenile and adult stages of red drum (*Sciaenops ocellatus*), king mackerel (*Scomberomorus cavalla*), spanish mackerel (*Scomberomorus maculatus*), and cobia (*Rachycentron canadum*), all managed species under the MSFCMA.

The project has the potential to adversely affect EFH or the species of concern by loss of spawning, nursery, forage and/or shelter habitat as described under the MSFCMA for the species and life stages identified above. The Baltimore District has made a preliminary determination that site-specific impacts would not be substantial and an abbreviated consultation will be conducted with NMFS. This determination may be modified if additional information indicates otherwise and would change the preliminary determination.

WATER QUALITY CERTIFICATION: The applicant is required to obtain a water quality certification in accordance with Section 401 of the Clean Water Act from the Maryland Department of the Environment. Any written comments concerning the work described above which relate to water quality certification must be received by the Wetlands and Waterways Program, Maryland Department of the Environment, Montgomery Park Business Center, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland 21230-1708 within the comment period as specified above to receive consideration. The Section 401 certifying agency has a statutory limit of one year from the date of this public notice to make its decision.

COASTAL ZONE MANAGEMENT PROGRAMS: The applicant has certified in this application that the proposed activity complies with and will be conducted in a manner consistent with the approved Coastal Zone Management (CZM) Program. By this public notice, we are requesting the state concurrence or objection to the applicant's consistency statement. It should be noted that the CZM Program has a statutory limit of 6 months to make its consistency determination.

The applicant must obtain any state or local government permits which may be required.

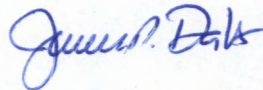
A preliminary review of this application indicates that the proposed work will not affect federal listed threatened or endangered species or their critical habitat, pursuant to Section 7 of the Endangered Species Act, as amended. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

Review of the latest published version of the National Register of Historic Places indicates that no registered properties listed as eligible for inclusion, therein, are located at the site of the proposed work. Currently unknown archeological, scientific,

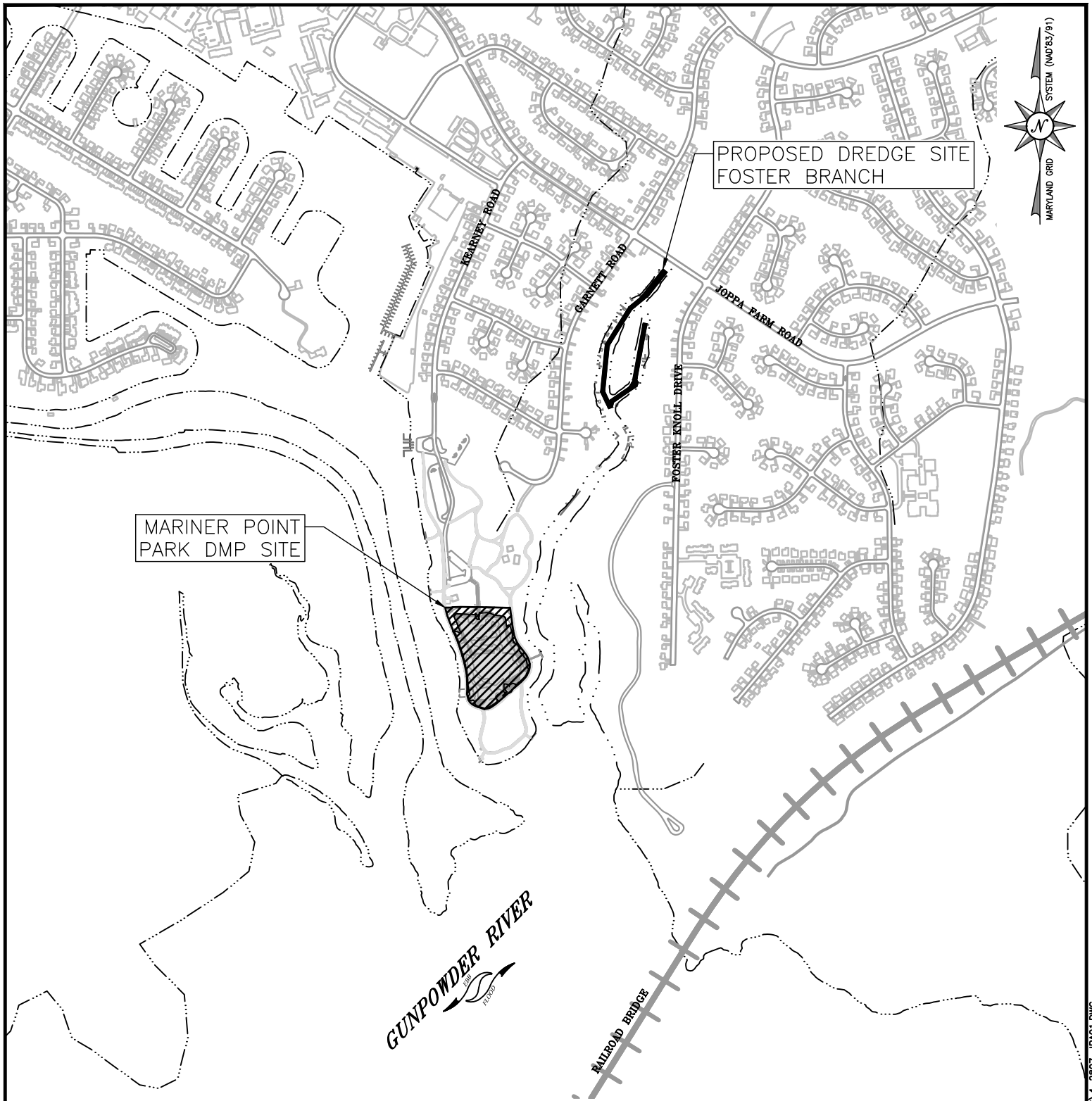
prehistoric, or historical data may be lost or destroyed by the work to be accomplished under the request permit.

Any person who has an interest which may be adversely affected by the issuance of this permit may request a public hearing. The request, which must be in writing, must be received by the District Engineer, U.S. Army Corps of Engineers, Baltimore District, [Attn: Mr. Steve Elinsky, CENAB-OPR-MN], 10 South Howard Street, Baltimore, Maryland 21201, within the comment period as specified above to receive consideration. Also it must clearly set forth the interest which may be adversely affected by this activity and the manner in which the interest may be adversely affected.

It is requested that you communicate this information concerning the proposed work to any persons know by you to be interested and not being known to this office, who did not receive a copy of this notice.



Joseph P. DaVia
Chief, Maryland Section Northern



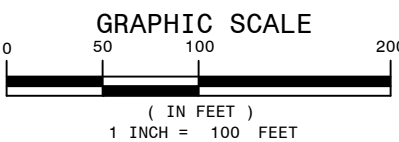
**FOSTER BRANCH
PROPOSED MAINTENANCE DREDGING**

HARFORD COUNTY, MD

APPL. BY: HARFORD COUNTY
DEPARTMENT OF PARKS AND RECREATION

VICINITY MAP

DATE: Revised April 2017 SHEET 1 OF 6



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PROPOSED CHANNEL
SEGMENT "A" 907'x30'
TO -5.0' MLW

PROPOSED CHANNEL
SEGMENT "B" 715'x30'
TO -5.0' MLW

FOSTER BRANCH

APPROX. SHORELINE

PR. TURBIDITY CURTAIN

CHANNEL PREVIOUSLY PERMITTED FOR
DREDGING UNDER WL 10-0806;
CENAB-OP-RMN (HA PARKS &
REC/FOSTER BRANCH/DREDGING)
2010-60552-M06; AND DREDGED IN 2010

FOSTER BRANCH PROPOSED MAINTENANCE DREDGING

HARFORD COUNTY, MD

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DEPARTMENT OF PARKS AND RECREATION

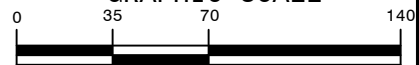
MAIN CHANNEL PLAN

DATE: Revised April 2017 SHEET 2 OF 6

LEGEND

	PROPOSED DREDGED CHANNEL
	EXISTING DREDGED CHANNEL
	SOUNDINGS
	EXISTING SHORELINE
	TURBIDITY CURTAIN

GRAPHIC SCALE

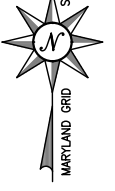


(IN FEET)
1 INCH = 70 FEET

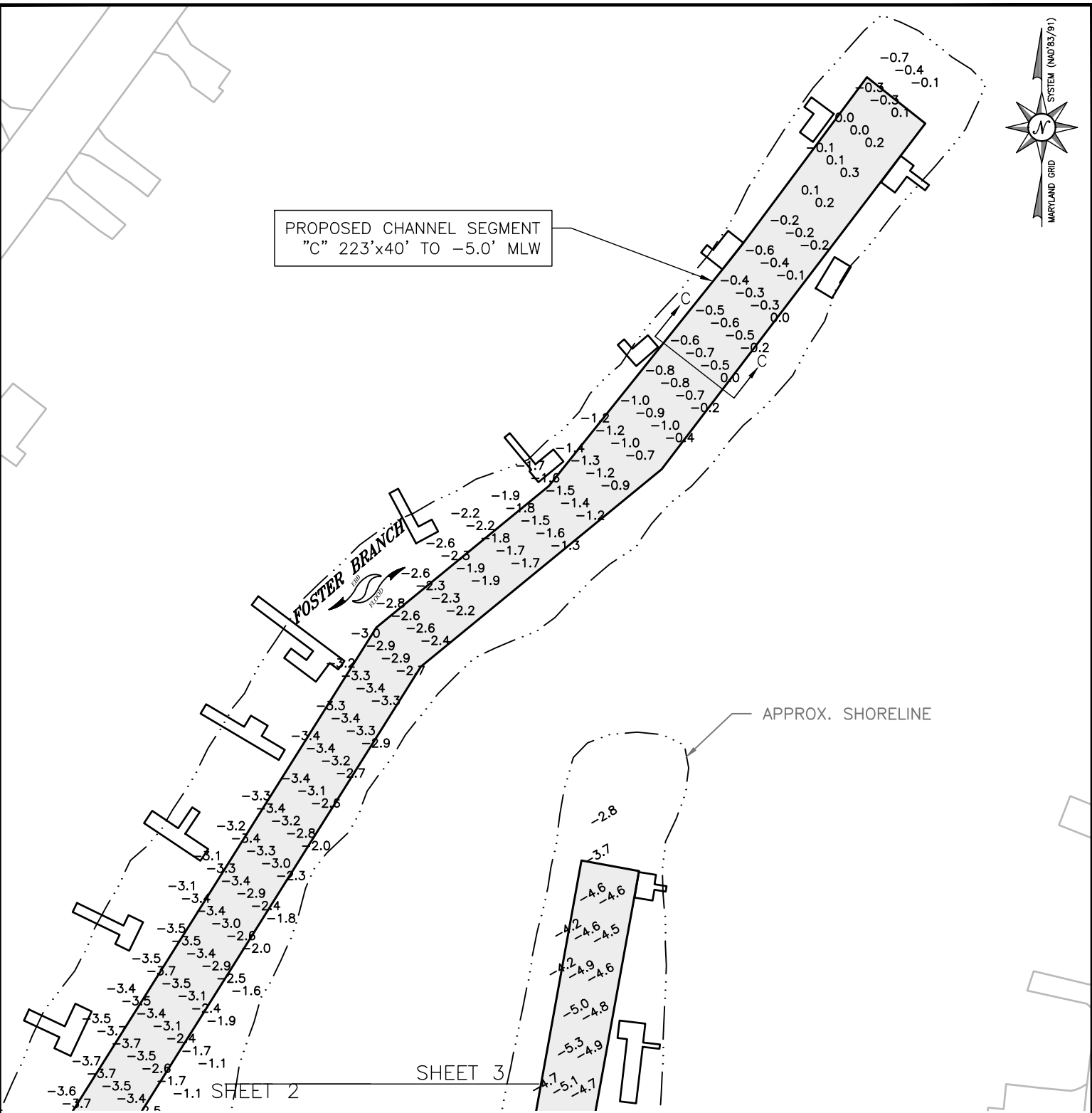
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PROPOSED CHANNEL SEGMENT "C" 223'x40' TO -5.0' MLW



APPROX. SHORELINE

SHEET 3

SHEET 2

FOSTER BRANCH PROPOSED MAINTENANCE DREDGING

HARFORD COUNTY, MD

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DEPARTMENT OF PARKS AND RECREATION

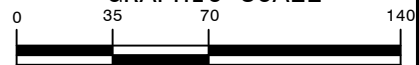
MAIN CHANNEL PLAN

DATE: Revised April 2017 SHEET 3 OF 6

LEGEND

	PROPOSED DREDGED CHANNEL
	EXISTING DREDGED CHANNEL
	SOUNDINGS
	EXISTING SHORELINE
	TURBIDITY CURTAIN

GRAPHIC SCALE



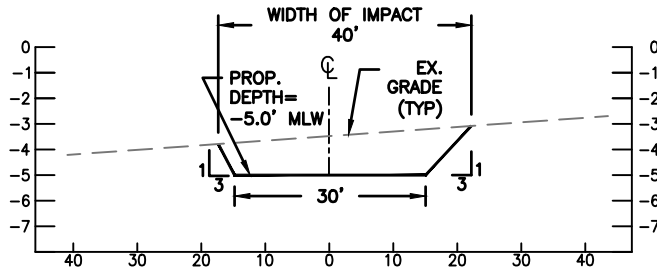
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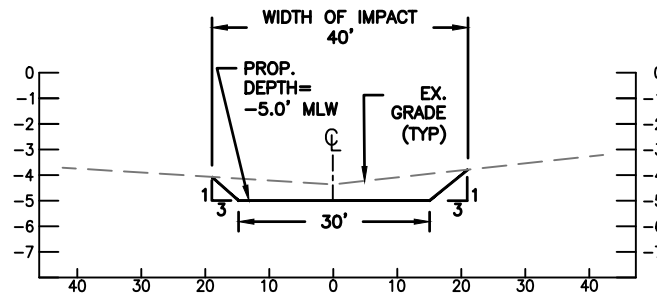
SECTION A-A

NTS



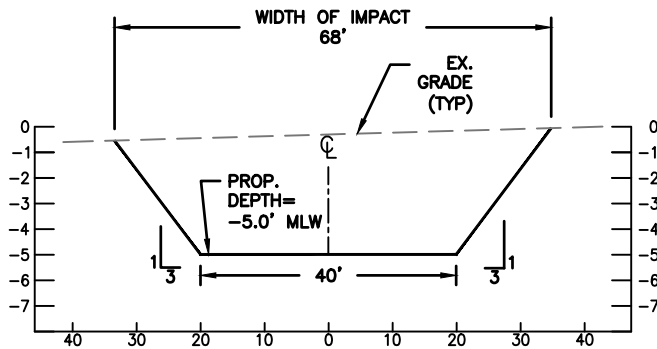
SECTION B-B

NTS



SECTION C-C

NTS



FOSTER BRANCH PROPOSED MAINTENANCE DREDGING

HARFORD COUNTY, MD

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TYPICAL SECTIONS

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MAIN CHANNEL			
CHANNEL	LENGTH (FT)	WIDTH (FT)	DEPTH (FT)
SEGMENT A	907	30	-5.0
SEGMENT B	718	30	-5.0
SEGMENT C	223	40	-5.0
TOTAL MAIN CHANNEL LENGTH		1,873 LF	
TOTAL MAIN CHANNEL VOLUME		6,352 CY	
TOTAL MAIN CHANNEL AREA		59,448 SF	
TOTAL MAIN CHANNEL AREA OF IMPACT		78,648 SF	
TOTAL MAIN CHANNEL AREA OF IMPACT TO 2014 SAV		0 SF	

NOTES:

1. BASEMAP COMPILED FROM HARFORD COUNTY 2016 PLANIMETRICS.
2. SOUNDINGS ARE IN FEET AND REFER TO MEAN LOW WATER.
3. TIDAL RANGE IS 1.25 FEET.
4. SOUNDINGS SHOWN ARE BASED ON SURVEY DATA PROVIDED BY DNR FROM SURVEY CONDUCTED ON 8-23-16.
5. THESE ARE PERMIT DRAWINGS ONLY AND ARE SUBJECT TO CHANGE DURING THE PERMITTING PROCESS. DESIGN DRAWINGS WILL BE PREPARED SEPARATELY.
6. MATERIAL TO BE PLACED AT MARINER POINT PARK DMP.

**FOSTER BRANCH
PROPOSED MAINTENANCE DREDGING**

HARFORD COUNTY, MD

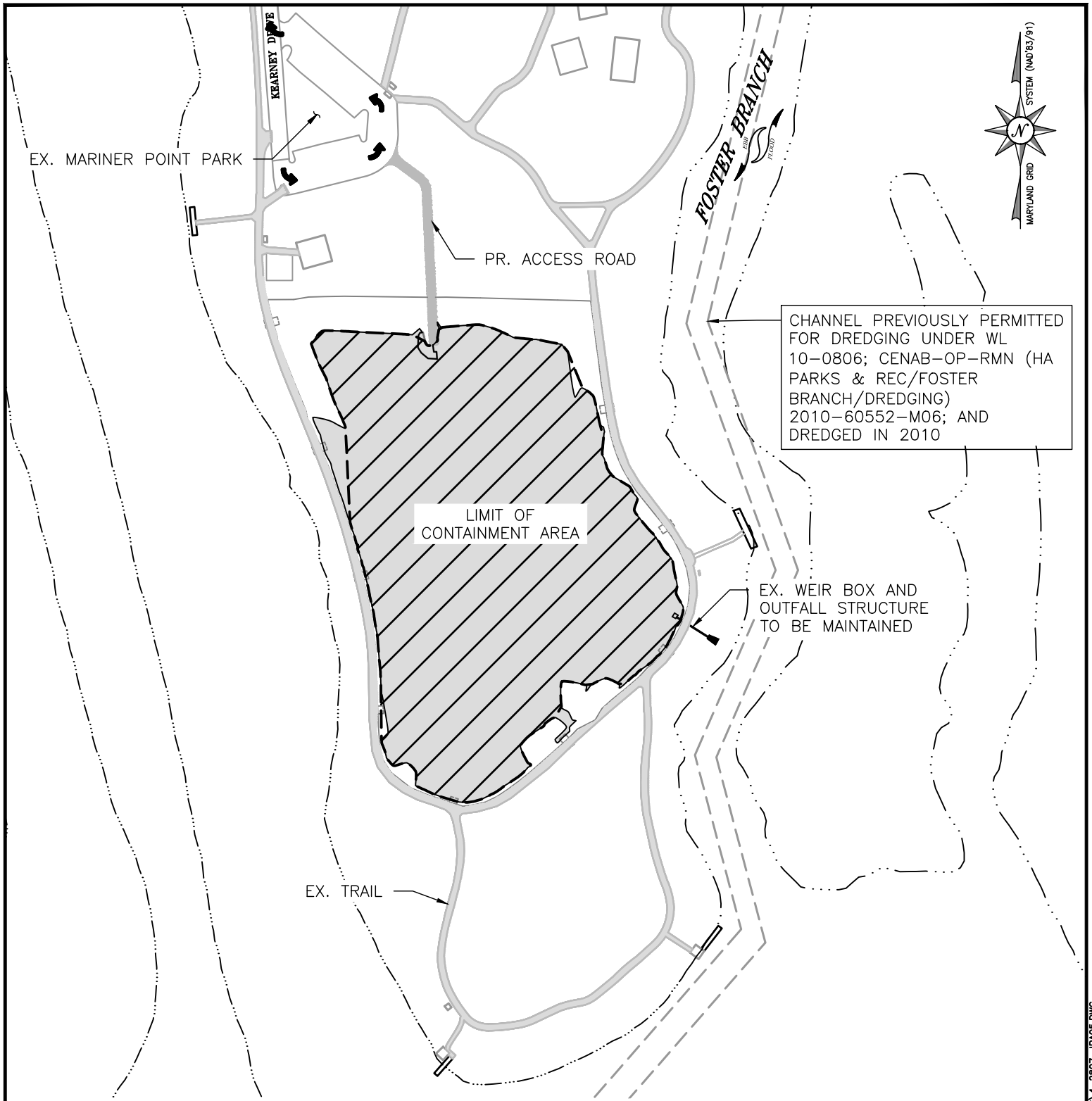
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CHANNEL DETAILS

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FOSTER BRANCH PROPOSED MAINTENANCE DREDGING

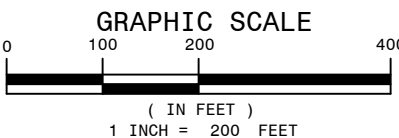
HARFORD COUNTY, MD

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MARINER POINT PARK DMP SITE

DATE: Revised April 2017 SHEET 6 OF 6

- NOTES:
1. THE CURRENT AVAILABLE CAPACITY AT THE SITE IS APPROX. 53,260 CY. BASED ON DECEMBER 2015 SURVEY.



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