

U.S. Army Corps
of Engineers
Baltimore District

Public Notice

In Reply to Application Number:
CENAB-OP-RMN (AA DPW/Quiet Waters Park/
Living Shoreline) 2013-60809-M18

PN 14-08

Comment Period: January 29, 2014 to February 28, 2014

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: Mr. Richard Osborn
Anne Arundel County Department of Public Works
2662 Riva Road
Annapolis, Maryland 21401

LOCATION AND WATERWAY: In the South River at the Anne Arundel County Quiet Waters Park in Anne Arundel County, Annapolis.

WORK: To install two stone groins extending a maximum of 70-foot channelward of the approximate mean high water shoreline; install a 160-foot long stone sill with two, 20 foot wide tidal vents and two, 20-foot long stone vent protective structures extending a maximum distance of 35 feet channelward of the approximate mean high water shoreline. Backfill landward of the stone sill with approximately 365 cubic yards of sand and install *Spartina* plants along an approximately 2,590 square foot shoreline area. The purpose of the project is to facilitate tidal marsh creation and beach nourishment for the purpose of shoreline erosion control and to prevent future sediment transport into the adjacent tidal Loden Pond. The project is located in the South River at the Anne Arundel County Quiet Waters Park in Anne Arundel County, Annapolis.

All work is to be completed in accordance with the enclosed revised plans dated October 2013. If you have any questions concerning this matter, please contact Mr. Richard Kibby at 410-962-0694 or at richard.kibby@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 impact of the work described above on the public interest will include application of the Clean Water Act Section 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. Richard Kibby, CENAB-OP-RMN], P.O. Box 1715, Baltimore, Maryland, 21203-1715 or richard.kibby@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 is adjacent to EFH as described under MSFCMA for windowpane flounder (*Scopthalmus 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 site lies within EFH for juvenile life stages of bluefish and juvenile and adult life stages of summer flounder. 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.

SECTION 401 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 Maryland Department of the Environment, Tidal Wetlands Division, Wetlands and Waterways Program, 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: Where applicable, 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. Public comments relating to consistency must be received by the Maryland Department of the Environment, Tidal Wetlands Division, Montgomery Park Business Center, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland 21230-1708 within the comment period as specified above to receive consideration. MDE has a statutory limit of 6 months to concur or object to the applicant's 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.

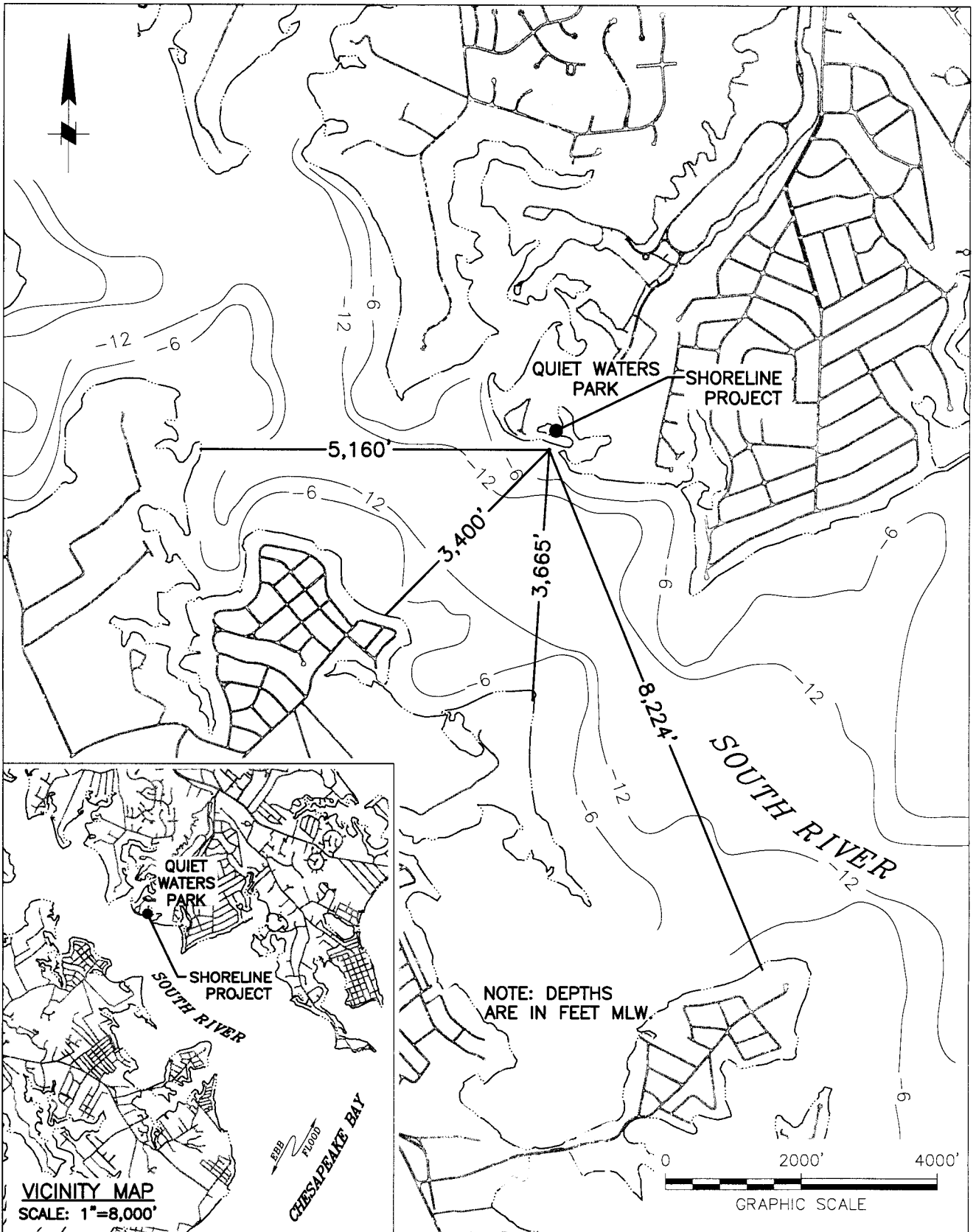
Review of the latest published version of the National Register of Historic Places indicates that no registered properties listed as eligible for inclusion, therein, are located at the site of the proposed work. Currently unknown archeological, scientific, prehistoric, or historical data may be lost 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. Richard Kibby, CENAB-OP-RMN], P.O. Box 1715, Baltimore, Maryland 21203-1715, 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.

FOR THE DISTRICT ENGINEER:

Joseph P. DaVia
Chief, Maryland Section Northern



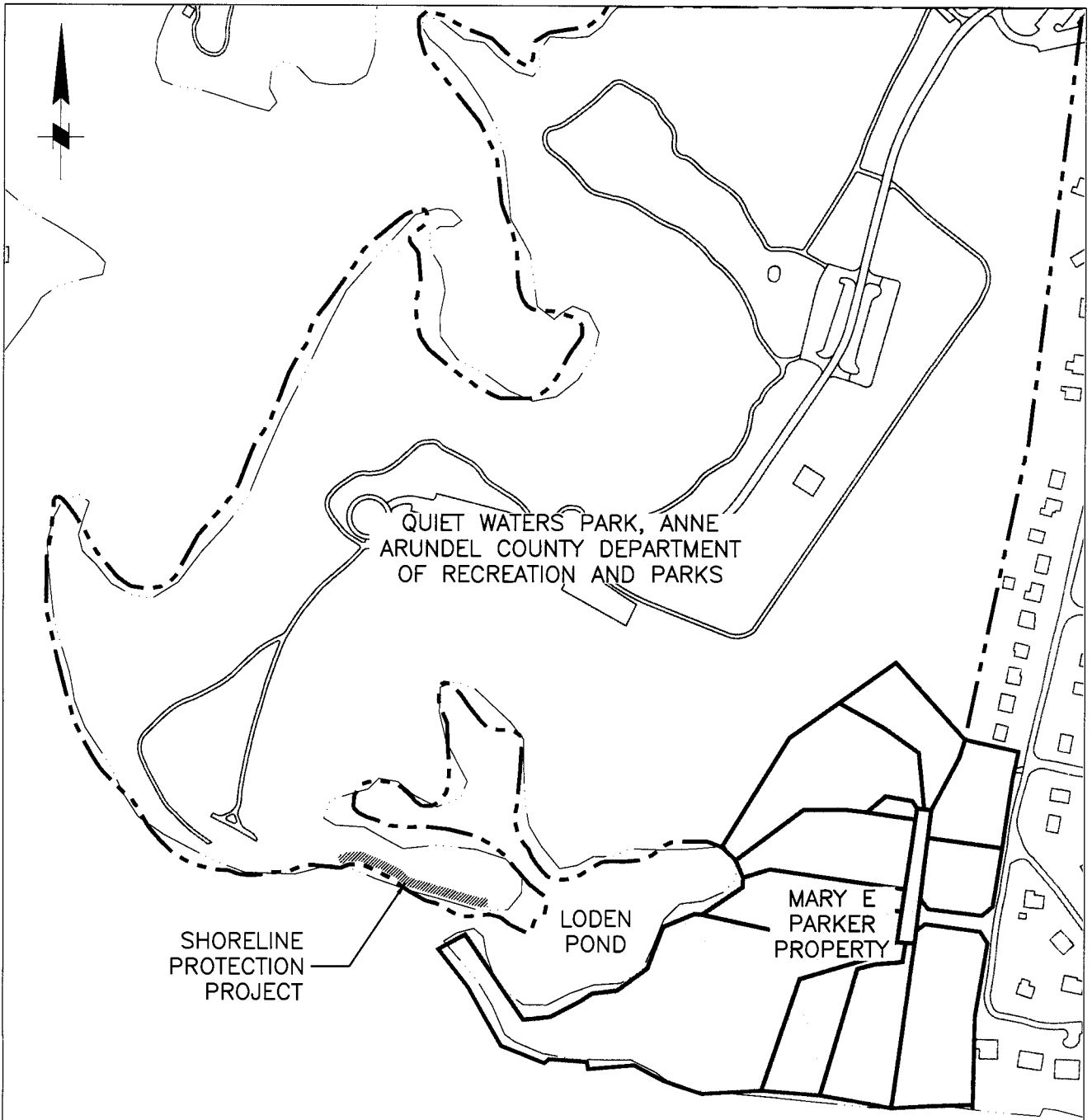
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MD. DEPARTMENT OF THE ENVIRONMENT
REVISED
 DATE: AUGUST 2013
 DATUM: MEAN LOW WATER (MLW)
 SCALE: AS SHOWN
 DRAWN BY: GAHAGAN & BRYANT

FETCH LENGTHS &
 VICINITY MAP
 ANNE ARUNDEL QUIET WATERS
 PARK SHORELINE PROTECTION
 ANNE ARUNDEL COUNTY, MD

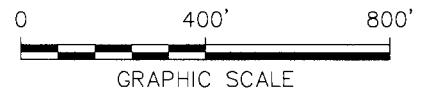
PARK SHORELINE PROTECTION
 IN: QUIET WATERS PARK
 AT: ANNE ARUNDEL COUNTY
 APPLICATION BY: ANNE ARUNDEL
 DEPT. OF PUBLIC WORKS
 1 OF 6

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LEGEND

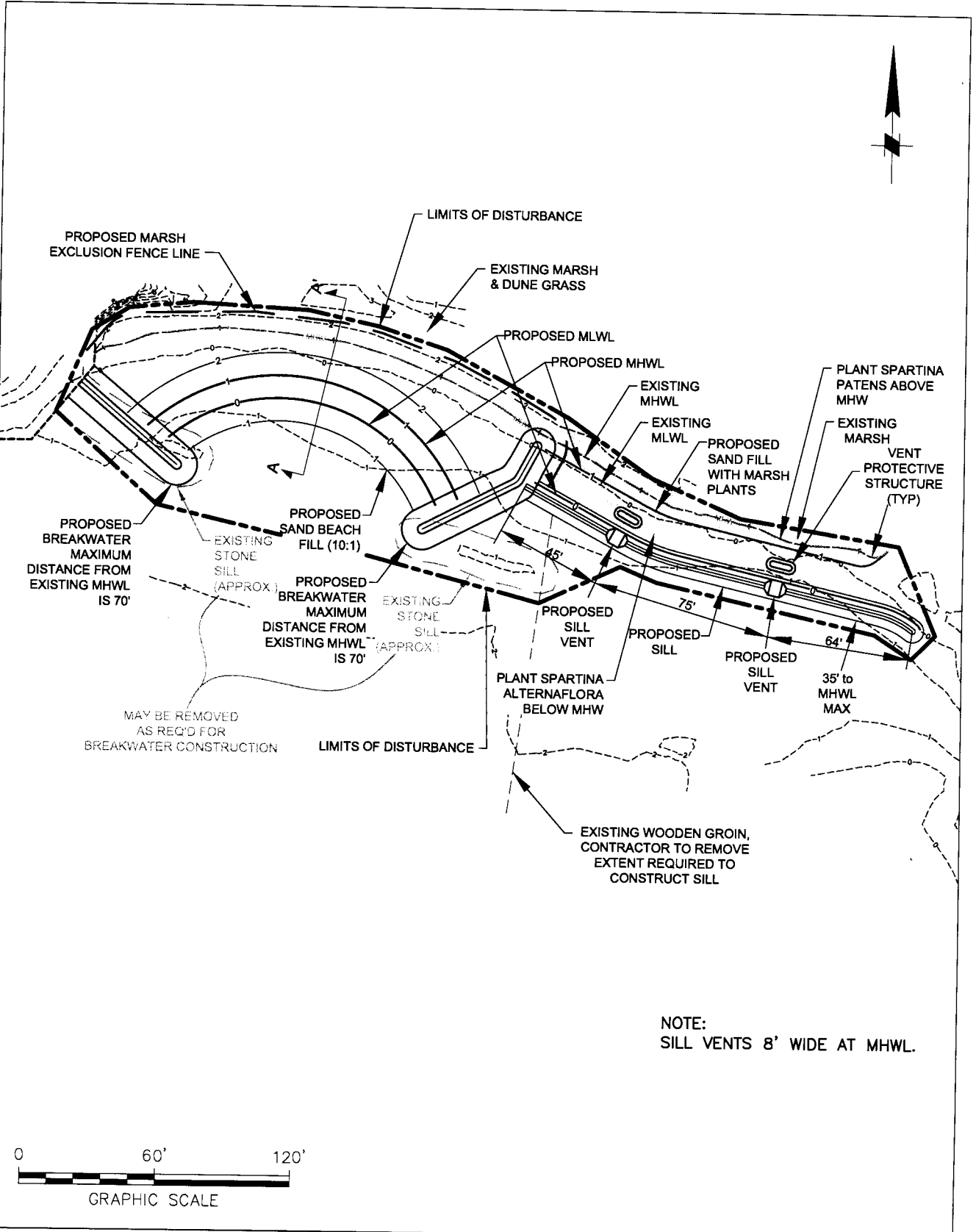
- MARY E PARKER PROPERTY LINE
- - - - QUIET WATERS PARK BOUNDARY LINE
- ▨▨▨▨ SHORELINE PROTECTION PROJECT
- SHORELINE



MD. DEPARTMENT OF THE ENVIRONMENT
 WATER MANAGEMENT ADMINISTRATION
 DATE: APRIL 2013
 DATUM: MEAN LOW WATER (MLW)
 SCALE: 1"=400'
 DRAWN BY: GAHAGAN & BRYANT

PROPERTY LINES
 ANNE ARUNDEL QUIET WATERS
 PARK SHORELINE PROTECTION
 ANNE ARUNDEL COUNTY, MD

PARK SHORELINE PROTECTION
 IN: QUIET WATERS PARK
 AT: ANNE ARUNDEL COUNTY
 APPLICATION BY: GAHAGAN &
 BRYANT ASSOCIATES



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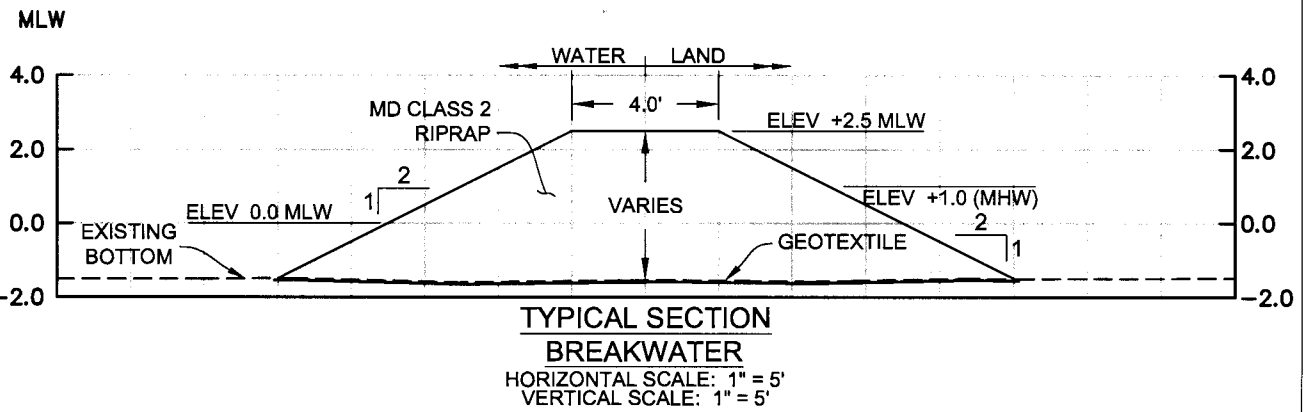
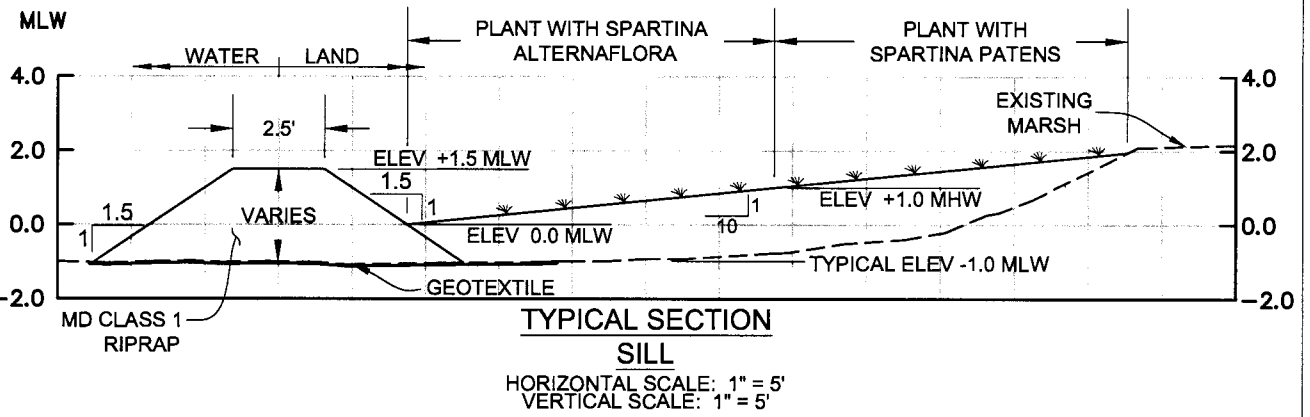
NOTE:
SILL VENTS 8' WIDE AT MHWL.

MD. DEPARTMENT OF THE ENVIRONMENT
REVISED
 DATE: OCTOBER 2013
 DATUM: MEAN LOW WATER (MLW)
 SCALE: 1"=60'
 DRAWN BY: GAHAGAN & BRYANT

**BREAKWATER &
 SAND FILL PLAN**
 ANNE ARUNDEL QUIET WATERS
 PARK SHORELINE PROTECTION
 ANNE ARUNDEL COUNTY, MD

PARK SHORELINE PROTECTION
 IN: QUIET WATERS PARK
 AT: ANNE ARUNDEL COUNTY
 APPLICATION BY: ANNE ARUNDEL
 DEPT. OF PUBLIC WORKS
 3 OF 6

NOTE: MHW = +1' MLW



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MD. DEPARTMENT OF THE ENVIRONMENT
 REVISED
 DATE: AUGUST 2013
 DATUM: MEAN LOW WATER (MLW)
 SCALE: AS SHOWN
 DRAWN BY: GAHAGAN & BRYANT

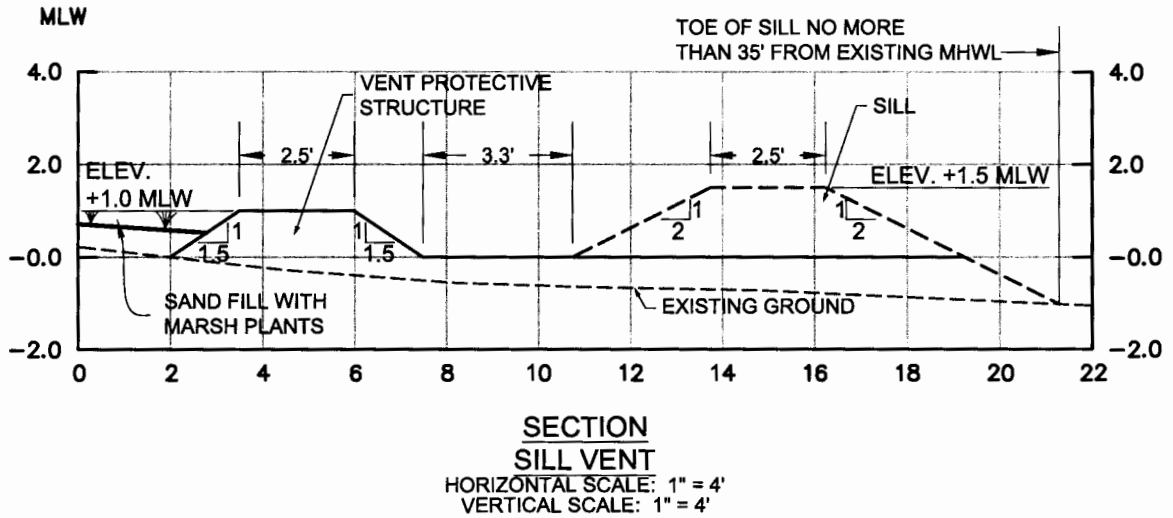
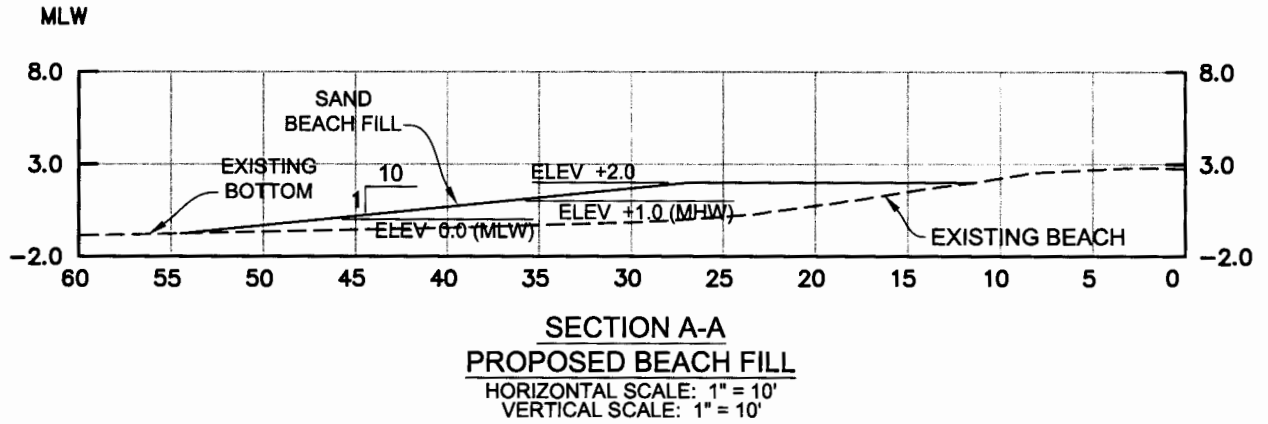
CROSS SECTIONS

ANNE ARUNDEL QUIET WATERS
 PARK SHORELINE PROTECTION
 ANNE ARUNDEL COUNTY, MD

PARK SHORELINE PROTECTION

IN: QUIET WATERS PARK
 AT: ANNE ARUNDEL COUNTY
 APPLICATION BY: ANNE ARUNDEL
 DEPT. OF PUBLIC WORKS

NOTE: MHW = +1' MLW



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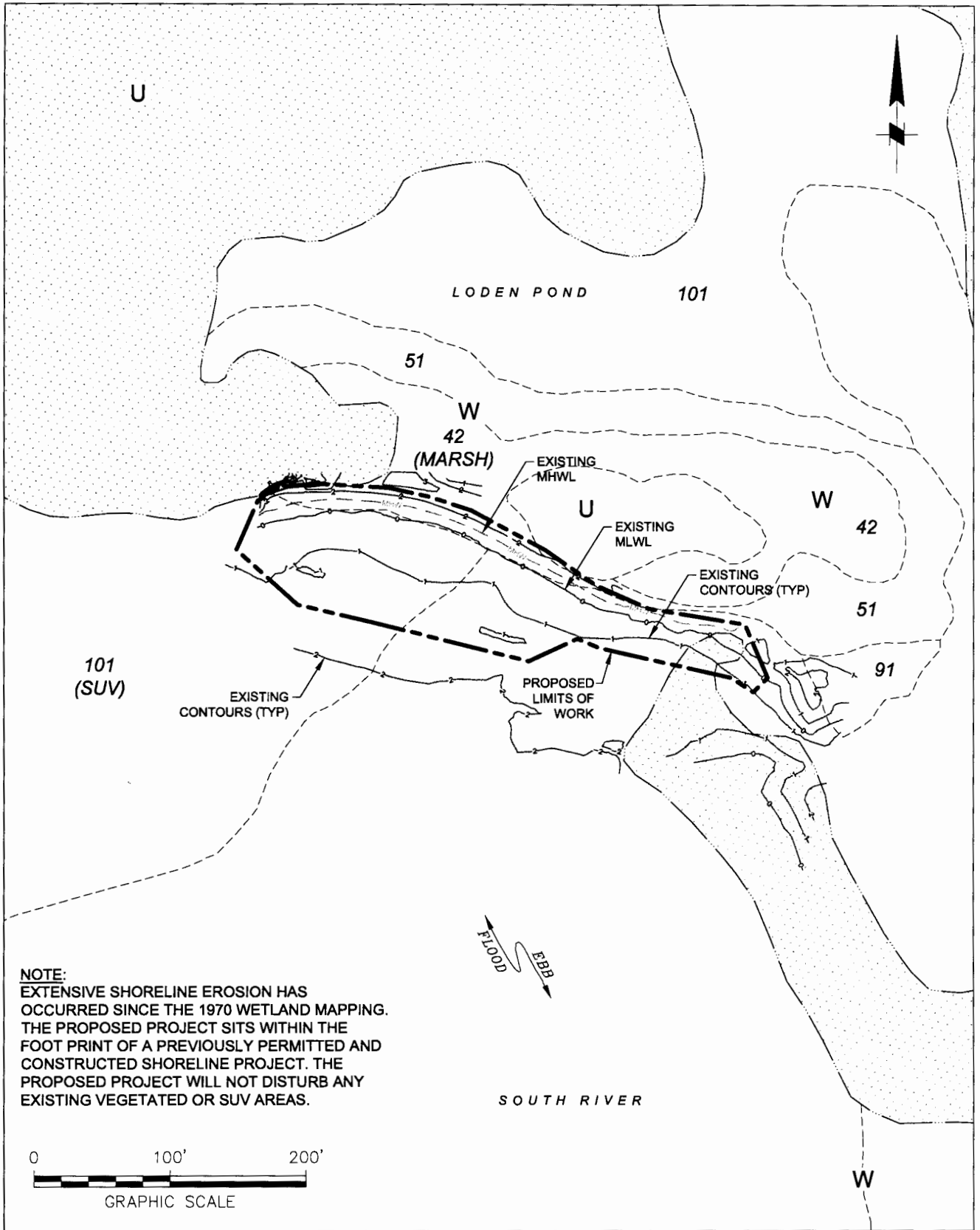
MD. DEPARTMENT OF THE ENVIRONMENT
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CROSS SECTIONS

ANNE ARUNDEL QUIET WATERS
 PARK SHORELINE PROTECTION
 ANNE ARUNDEL COUNTY, MD

PARK SHORELINE PROTECTION

IN: QUIET WATERS PARK
 AT: ANNE ARUNDEL COUNTY
 APPLICATION BY: ANNE ARUNDEL
 DEPT. OF PUBLIC WORKS



NOTE:
 EXTENSIVE SHORELINE EROSION HAS OCCURRED SINCE THE 1970 WETLAND MAPPING. THE PROPOSED PROJECT SITS WITHIN THE FOOT PRINT OF A PREVIOUSLY PERMITTED AND CONSTRUCTED SHORELINE PROJECT. THE PROPOSED PROJECT WILL NOT DISTURB ANY EXISTING VEGETATED OR SUV AREAS.

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<p>MD. DEPARTMENT OF THE ENVIRONMENT REVISED DATE: OCTOBER 2013 DATUM: MEAN LOW WATER (MLW) SCALE: 1"=100' DRAWN BY: GAHAGAN & BRYANT</p>	<p>1970 STATE OF MARYLAND WETLAND MAPPING ANNE ARUNDEL QUIET WATERS PARK SHORELINE PROTECTION ANNE ARUNDEL COUNTY, MD</p>	<p>PARK SHORELINE PROTECTION IN: QUIET WATERS PARK AT: ANNE ARUNDEL COUNTY APPLICATION BY: ANNE ARUNDEL DEPT. OF PUBLIC WORKS 6 OF 6</p>
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