

U.S. Army Corps
of Engineers
Baltimore District

Public Notice



Maryland Department of
the Environment

In Reply to Application Numbers:
Corps Application Number: CENAB-OP-RMN (BC DOT/
Harbor Point Bridge) 2014-61278-M02
Maryland Department of the Environment, Wetlands
Case # 14-WL-0709

PN # 14-53

COMMENT PERIOD: October 20, 2014 – December 22, 2014

THE PURPOSE OF THIS JOINT PUBLIC NOTICE IS TO ANNOUNCE THE SCHEDULING OF A JOINT PUBLIC HEARING, AND TO SOLICIT COMMENTS FROM THE PUBLIC ABOUT THE WORK DESCRIBED BELOW. AT THIS TIME, NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT PERMITS WILL BE ISSUED. THE HEARING WILL BE HELD AT THE FOLLOWING TIME AND LOCATION:

Thursday, November 20, 2014

The Stratford University
210 South Central Avenue
Room 105

Baltimore, Maryland 21202

6:00 p.m.-7:00 p.m. poster session

7:00 p.m. public hearing

Parking is available on the street and campus

The U.S. Army Corps of Engineers, Baltimore District (USACE) and the Maryland Department of the Environment (MDE) joint public hearing provides members of the public the opportunity to present views, opinions, and information which will be considered by the USACE and MDE in evaluating the permit application. The purpose of the hearing is for the USACE and MDE to receive oral or written comments that will enable them to evaluate the impacts of the proposed project on the public interest. All interested parties, including representatives of Federal, State, and local governments and private individuals and organizations, are invited to be present or to be represented. Each will be given an opportunity to express their views regarding the proposed project.

Prior to the public hearing, from 6:00 pm to 7:00 pm, a poster session will be held where the public will have an opportunity to review exhibits and ask general questions of the applicant, Baltimore City, Department of Transportation, and their representatives regarding the permit application. Representatives from the USACE and MDE will also be available during the poster session. Beginning at 7:00 pm, the formal public hearing will begin with agency statements, followed by the applicant's statement and public testimony. Please note that a time limit of three minutes per speaker may be set, depending on the number of speakers, to ensure that all interested parties have an opportunity to voice their views. The public hearing will be recorded and transcribed.

Anyone who is hearing impaired and/or is non-English speaking who wishes to attend the public hearing should notify Mr. Jon Romeo at 410-962-6079 or in writing to his address below. All requests for an oral, sign language, or non- English language interpreter must be received by **November 5, 2014**. To the extent possible and feasible, an interpreter will be provided.

The USACE and MDE have received and are evaluating a joint permit application as described below for Department of the Army authorization pursuant to Section 10 of the River and Harbors Act of 1899 and Section 404 of the Clean Water Act (33 U.S.C. 1344), and State authorization pursuant to the Board of Public Works, Code of Maryland Regulations (COMAR) 23.02.04, MDE, Annotated Code, Environmental Article 16, Wetlands and Riparian Rights and MDE regulations COMAR 26.24, Tidal Wetlands.

APPLICANT: Baltimore City, Department of Transportation
Attn: Mr. Bimal Devkota, P.E.
Chief, TEC Division
417 East Fayette Street
Baltimore, Maryland 21202

LOCATION: Patapsco River, at Central Avenue, Baltimore City, Maryland

WORK: The City of Baltimore Department of Transportation proposes to construct a 260-foot by 70-foot bridge, for vehicular and pedestrian access, and to replace a 1,315 square foot section of the existing Lancaster Street Bridge. Impacts due to construction of the project would be as follows: 19,904 square feet of tidal open waters to be covered/crossed by the bridge, including the filling of approximately 5,667 square feet of tidal open waters due to placement of the bridge piers and stone scour protection; and 32,650 square feet of temporary impacts due to construction activities such as the placement of cofferdams, silt curtains, and work barges.

All work will be completed in accordance with the enclosed plans.

PURPOSE: To extend Central Avenue to provide a second road access to a proposed development at Harbor Point.

WRITTEN COMMENTS: To be included in the official record, written comments and information provided by interested parties must be received by the USACE and MDE by the closing date of this notice's comment period, **December 22, 2014** to receive consideration. The mailing addresses for submission of written comments are:

U.S. Army Corps of Engineers
Baltimore District
Attn: Mr. Jon Romeo, CENAB-OP-RMN
P.O. Box 1715
Baltimore, Maryland 21203-1715

Maryland Department of the Environment
Tidal Wetlands Division
Attn: Mr. Robert Cuthbertson
1800 Washington Blvd., Suite 430
Baltimore, Maryland 21230-1708

If you have any questions concerning this matter, please contact Mr. Jon Romeo, USACE at (410) 962-6079 or by email at jon.romeo@usace.army.mil, and Mr. Robert Cuthbertson, MDE Tidal Wetlands at (410) 537-3845 or by email at robert.cuthbertson@maryland.gov.

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 may reasonably 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 the 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.

Comments are being solicited 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 USACE and MDE to determine whether to issue, modify, condition or deny each agency's 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 Corps Baltimore District, Operations Division, 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 overall public interest of the proposed activity.

ESSENTIAL FISH HABITAT (EFH) ASSESSMENT: The Magnuson-Stevens Fishery Conservation Act (MSFCA), as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires all Federal agencies to consult with the National Marine Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely affect EFH. The EFH designations within the Northeast Region (Maine to Virginia), dated March 1, 1999 include EFH for a number of species in various life stages. This waterway has EFH listed for juvenile and adult windowpane flounder (*Scopthalmus aquosus*), summer flounder (*Paralichthys dentatus*), and bluefish (*Pomatomus saltatrix*); egg, larva, juvenile, and adult life stages of king mackerel (*Scomberomorus cavalla*), Spanish mackerel (*Scomberomorus maculatus*), cobia (*Rachycentron canadum*), and red drum (*Sciaenops ocellatus*). These are managed species under the MSFCA. A preliminary assessment indicates that the proposed work would not have a substantial adverse effect on either managed or prey species. Therefore, no EFH conservation measures have been developed. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

SECTION 401 WATER QUALITY CERTIFICATION: The applicant is required to obtain a Water Quality Certification, (WQC) in accordance with Section 401 of the Clean Water Act from MDE, the Section 401 certifying agency. Any written comments concerning the work described above which relate to the WQC must be received by the Maryland Department of the Environment, Tidal Wetlands Division, Attn: Robert Cuthbertson, 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 one year from the date of this public notice to make its decision.

COASTAL ZONE MANAGEMENT PROGRAM: The applicant has certified in this application that the proposed activities comply with and will be conducted in a manner consistent with Maryland's federally-approved Coastal Zone Management Program (CZMP) as required by Section 307 of the Federal Coastal Zone Management Act of 1972. Public comments relating to consistency must be received by the, Maryland Department of the Environment, Coastal Zone Management Program, ATTN.: Elder Ghigiarelli, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland, 21230-1708, within the comment period as specified above. By this public notice, the USACE is requesting the State concurrence or objection to the applicant's consistency statement. It should be noted that the CZMP has a statutory limit of 6 months to make its consistency determination.

The applicant must obtain any other State and local permits/approvals which are required for the proposed activities.

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.

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



LIMIT OF WORK

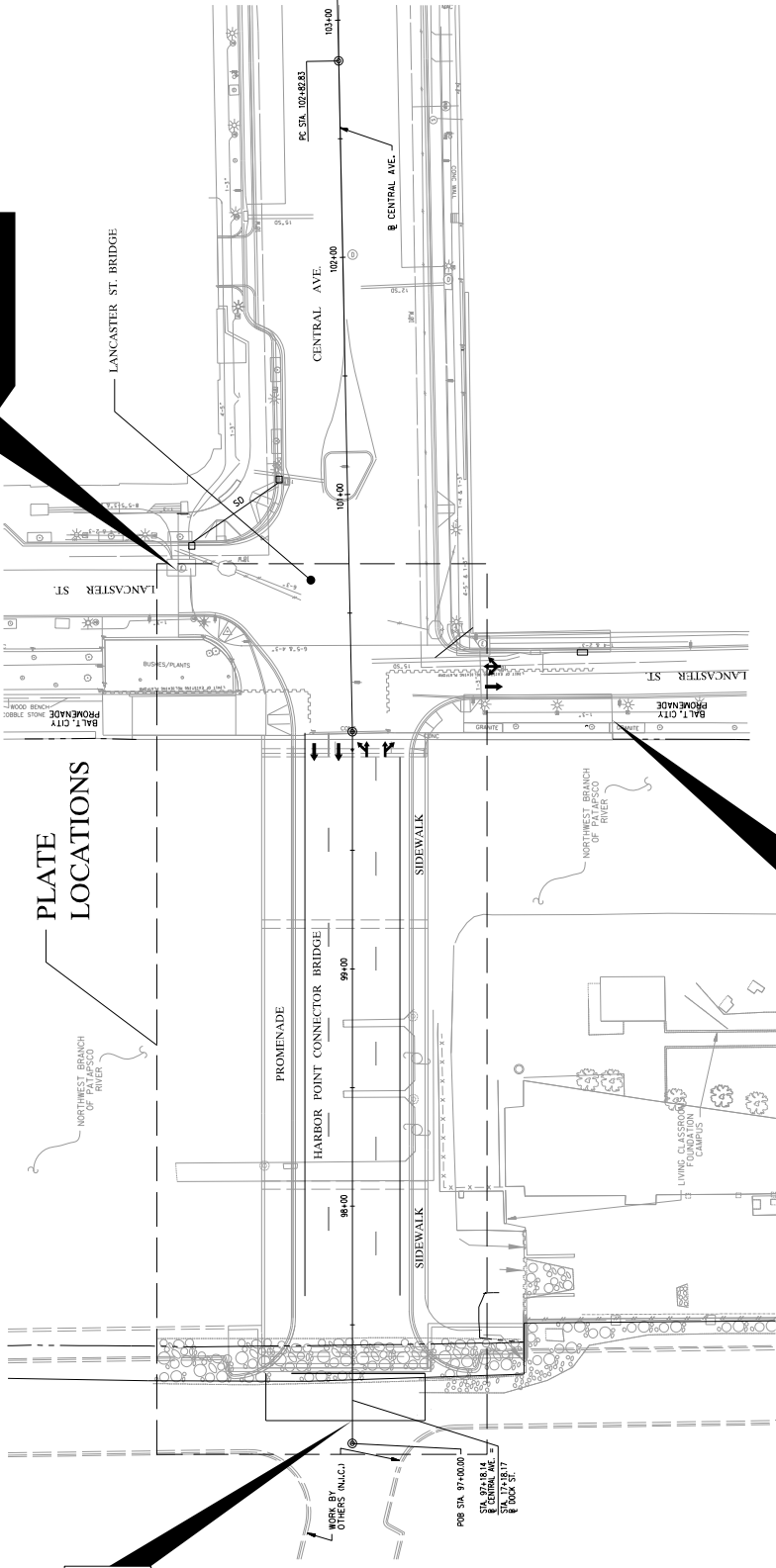


PLATE LOCATIONS

LIMIT OF WORK

LIMIT OF WORK



APPLICANT:
 CITY OF BALTIMORE
 DEPARTMENT OF TRANSPORTATION
 CONTRACT NO. 17-0000000000000000
 CONTRACT TITLE: BRIDGE
 CONTRACT VALUE: \$10,000,000
 CONTRACT DATE: 10/1/2017
 CONTRACT STATUS: PENDING
 CONTRACT TYPE: F.A.P. PENDING



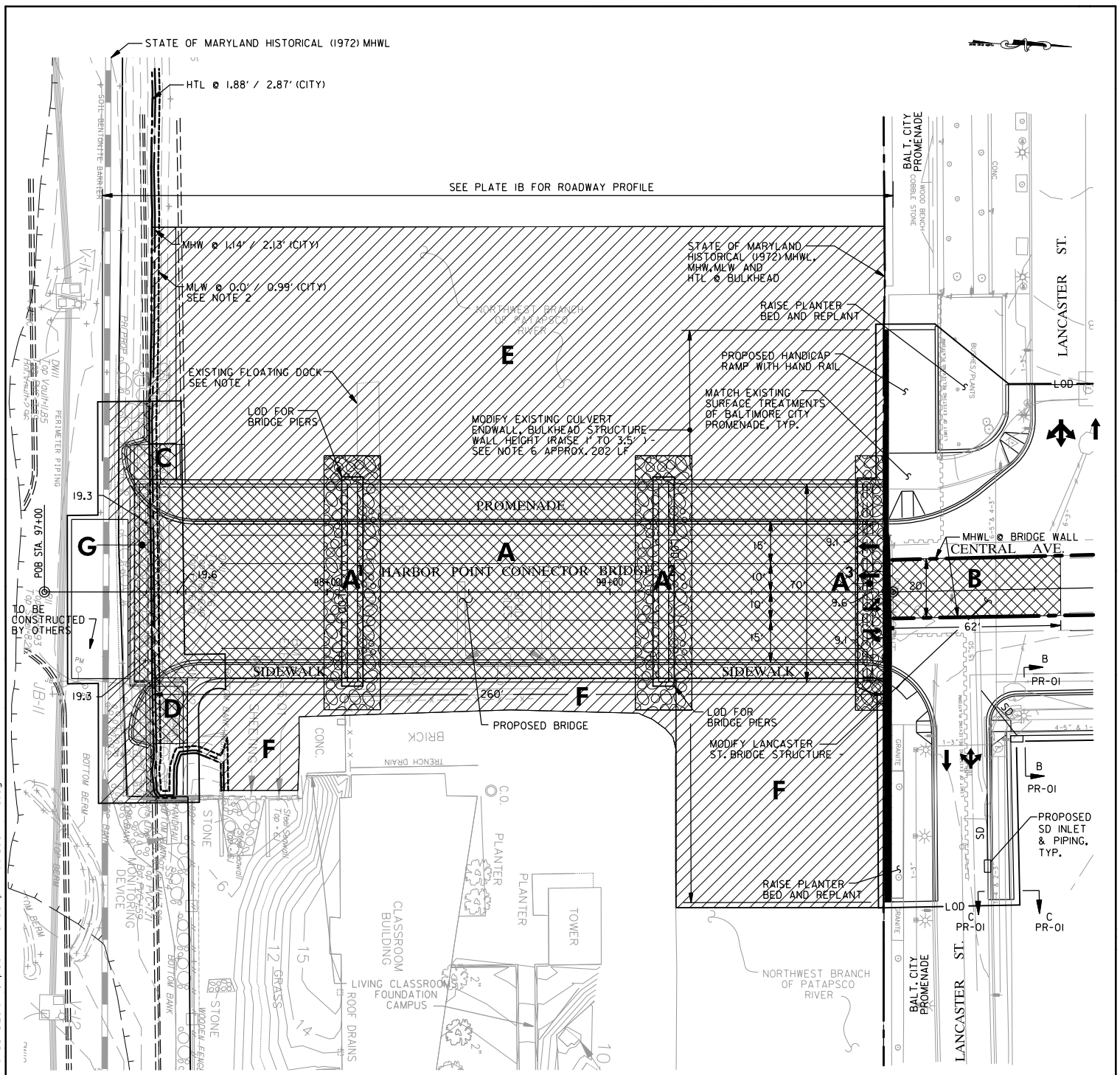
RESPONSIVE PEOPLE • CREATIVE SOLUTIONS
 81 Mosher Street Baltimore, Maryland 21217

**CENTRAL AVENUE EXTENSION /
 HARBOR POINT CONNECTOR BRIDGE
 NORTHWEST BRANCH OF PATAPSCO RIVER /
 NORTHWEST HARBOR**

DATE: JULY 31, 2014

SCALE: NTS

SHEET 1 OF 6

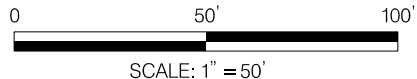


NOTES:

- ① MARINA DOCKS/PILINGS WILL BE REMOVED FROM THE WATERWAY AND NOT REPLACED UNLESS AUTHORIZED.
- ② ALL VERTICAL ELEVATIONS FOR HTL AND MHW ARE REFERENCED TO LOCAL MEAN LOW WATER, AS DETERMINED FROM NOAA PUBLISHED TIDAL BENCHMARK FOR BALTIMORE, FORT MCHENRY, PATAPSCO RIVER
- ③ HORIZONTAL GRID BASED ON BALTIMORE CITY GRID MERIDIAN
- ④ SEE SHEET 6 FOR AREA IMPACT CALCULATIONS
- ⑤ 100 YEAR FLOODPLAIN @ 6.6' PER THE NFIP FLOOD INSURANCE RATE MAP (NAVD 88):
MAP NUMBER: 2400870018F
MAP REVISED: APRIL 2, 2014
- ⑥ EXISTING BULKHEAD STRUCTURE AND CULVERT ENDWALL - DUE TO RAISED GRADES ALONG CENTRAL AVE., LANCASTER STREET AND CITY PROMENADE, THE EXISTING STRUCTURES MUST BE RAISED BY VARYING HEIGHT ALONG THE APPROXIMATE LENGTH NOTED

LEGEND

100-YEAR FLOODPLAIN		TEMPORARY IMPACT	
MEAN HIGH WATER LINE (MHW)		PERMANENT IMPACT	
MEAN LOW WATER LINE (MLW)		SCOUR PROTECTION	
HIGH TIDE LINE (HTL)			



APPLICANT:
CITY OF BALTIMORE
DEPARTMENT OF TRANSPORTATION

CONTRACT NO. TR12317
S.H.A. NO. PENDING
F.A.P. PENDING

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**CENTRAL AVENUE EXTENSION /
HARBOR POINT CONNECTOR BRIDGE
NORTHWEST BRANCH OF PATAPSCO RIVER /
NORTHWEST HARBOR**

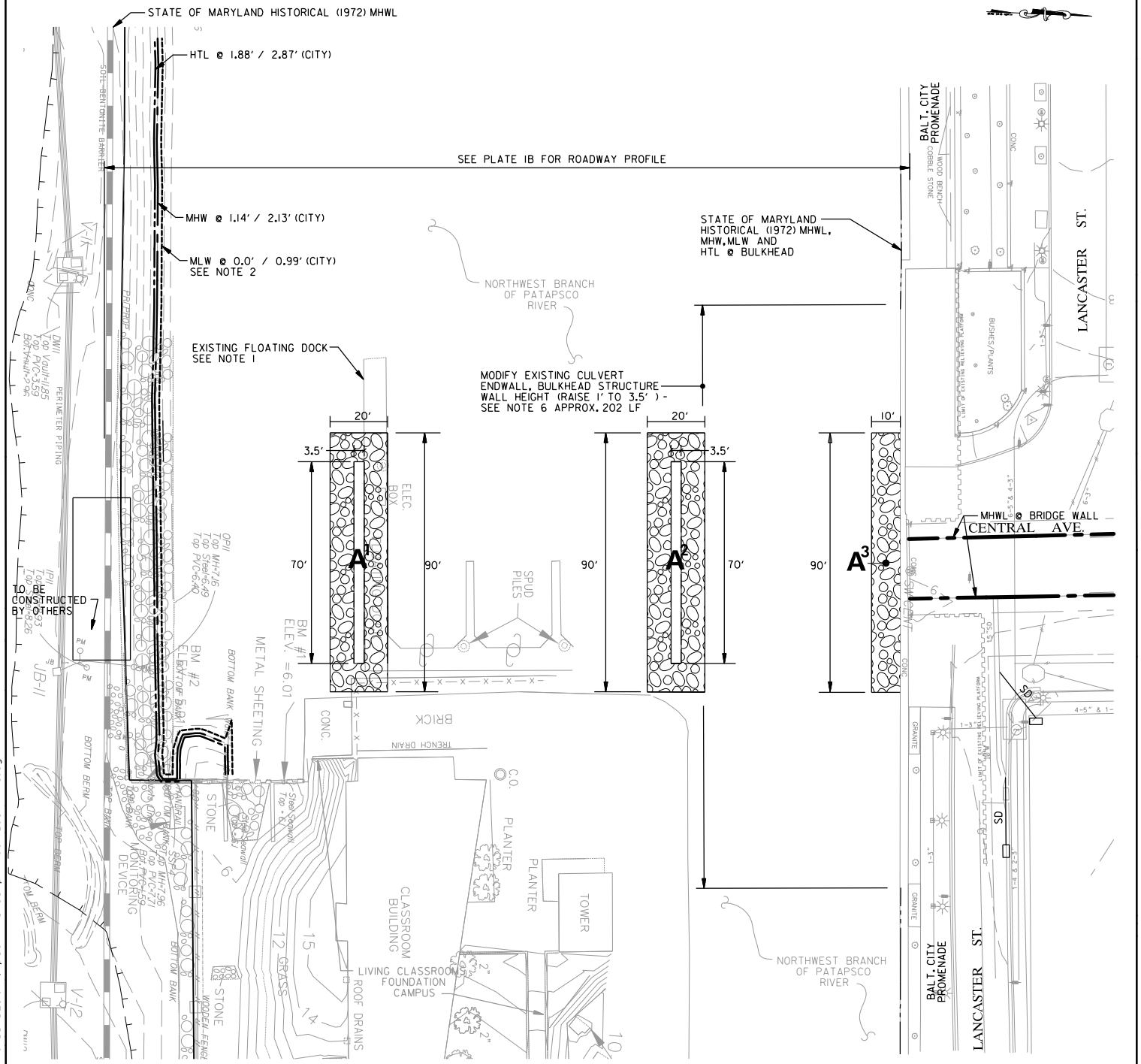
DATE: JULY 31, 2014

SCALE: AS NOTED

SHEET 2 OF 6

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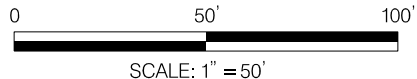




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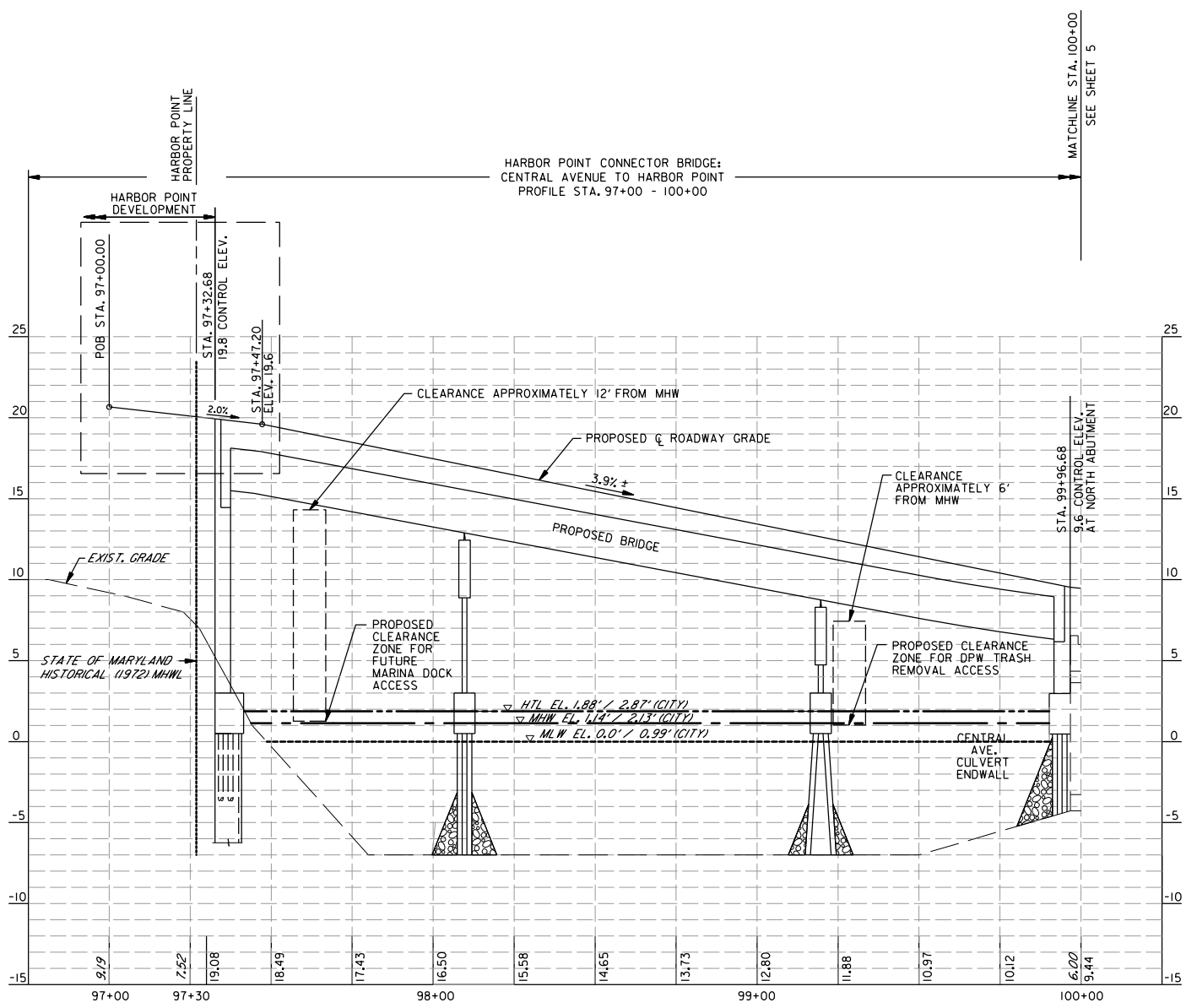
LEGEND

- 100-YEAR FLOODPLAIN
- MEAN HIGH WATER LINE (MHW)
- MEAN LOW WATER LINE (MLW)
- HIGH TIDE LINE (HTL)
- SCOUR PROTECTION



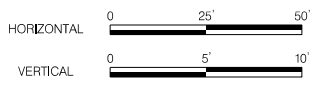
 APPLICANT: CITY OF BALTIMORE DEPARTMENT OF TRANSPORTATION CONTRACT NO. TR12317 S.H.A. NO. PENDING F.A.P. PENDING  RESPONSIVE PEOPLE • CREATIVE SOLUTIONS 81 Mosher Street Baltimore, Maryland 21217	
CENTRAL AVENUE EXTENSION / HARBOR POINT CONNECTOR BRIDGE NORTHWEST BRANCH OF PATAPSCO RIVER / NORTHWEST HARBOR	
DATE: JULY 31, 2014	
SCALE: AS NOTED	SHEET 3 OF 6

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HARBOR POINT CONNECTOR BRIDGE:
CENTRAL AVENUE TO HARBOR POINT
STA. 97+30 - 100+00

SCALE: HORIZ.: 1"=25'
VERT.: 1"=5'



NOTES

- ① ALL VERTICAL ELEVATIONS FOR HTL AND MHW ARE REFERENCED TO LOCAL MEAN LOW WATER AS DETERMINED FROM NOAA PUBLISHED TIDAL BENCHMARK FOR BALTIMORE, FORT MCHENRY, PATAPSCO RIVER
- ② HORIZONTAL GRID BASED ON BALTIMORE CITY GRID MERIDIAN
- ③ CHANNEL DEPTH APPROXIMATED

LEGEND

- MEAN HIGH WATER LINE (MHW)
- MEAN LOW WATER LINE (MLW)
- HIGH TIDE LINE (HTL)
- SCOUR PROTECTION ○ ○ ○ ○

APPLICANT:
CITY OF BALTIMORE
DEPARTMENT OF TRANSPORTATION

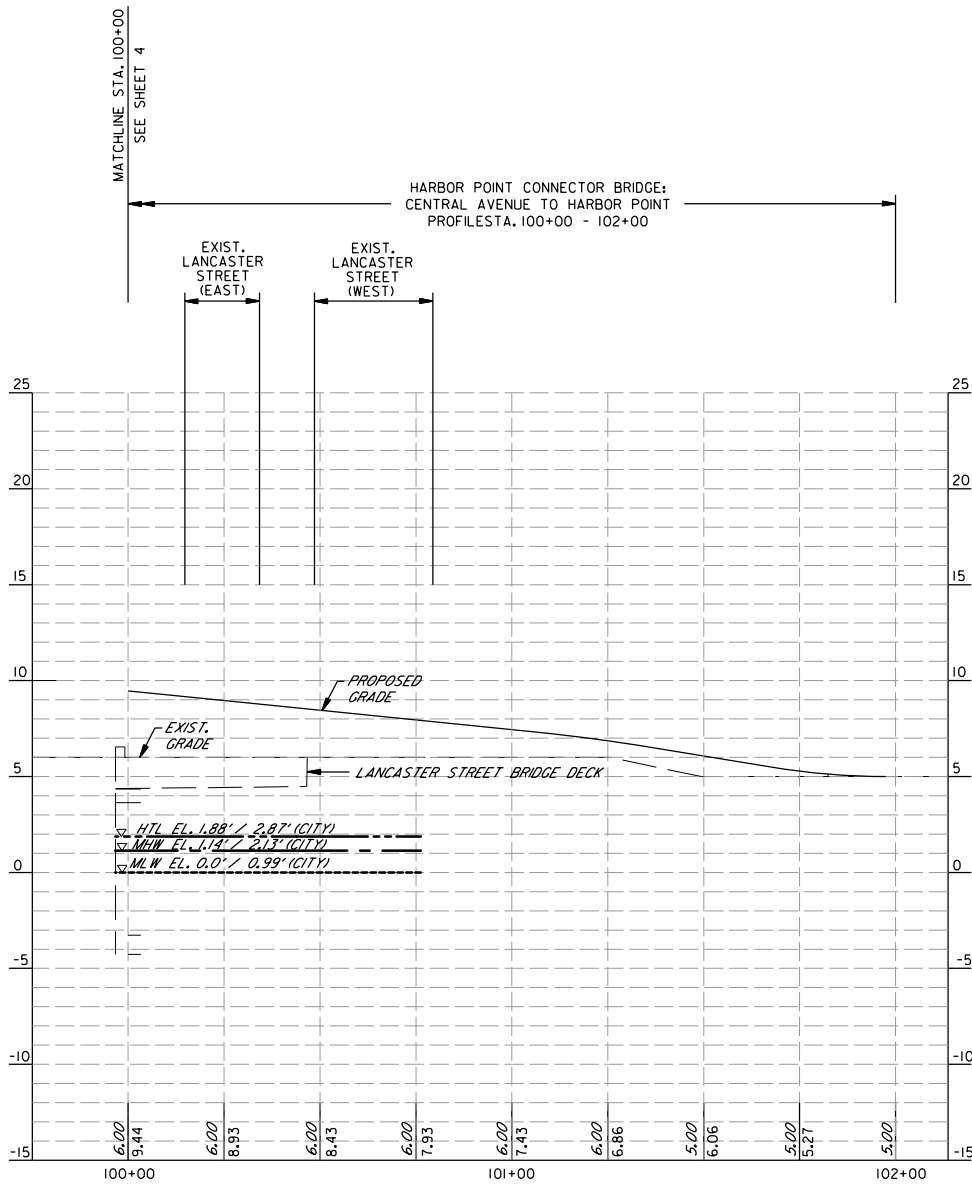
CONTRACT NO. TR12317
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F.A.P. PENDING

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HARBOR POINT CONNECTOR BRIDGE
NORTHWEST BRANCH OF PATAPSCO RIVER /
NORTHWEST HARBOR**

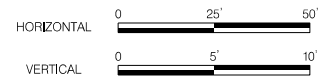
DATE: JULY 31, 2014	
SCALE: AS NOTED	SHEET 4 OF 6

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HARBOR POINT CONNECTOR BRIDGE:
CENTRAL AVENUE TO HARBOR POINT
STA. 100+00 - 102+00

SCALE: HORIZ.: 1"=25'
VERT.: 1"=5'



NOTES

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- ③ CHANNEL DEPTH APPROXIMATED

LEGEND

- MEAN HIGH WATER LINE (MHW) ————
- MEAN LOW WATER LINE (MLW) - - - - -
- HIGH TIDE LINE (HTL) ————

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HARBOR POINT CONNECTOR BRIDGE
NORTHWEST BRANCH OF PATAPSCO RIVER /
NORTHWEST HARBOR**

DATE: JULY 31, 2014	
SCALE: AS NOTED	SHEET 5 OF 6

Zone of Tidal/Navigable Waters Impacted	Regulatory Agency								
	USACE						MDE*		
	Section 10 & 404			Section 404 Alone			Temp [SF(acre)]	Perm [SF(acre)]	
	Temp [SF(acre)]	Perm [SF(acre)]		Temp [SF(acre)]	Perm [SF(acre)]			Temp [SF(acre)]	Perm [SF(acre)]
	Fill	Structure		Fill	Structure		Fill		Structure
A			18,589 (0.43)						18,589 (0.43)
A1**		1,796 (0.04)						1,796 (0.04)	
A2**		1,796 (0.04)						1,796 (0.04)	
A3**		899 (0.02)						899 (0.02)	
B			1,315 (0.03)			1,315 (0.03)			
C		120 (<0.01)						120 (0.01)	
D		285 (<0.01)						285 (0.01)	
E	22,581 (0.52)						22,581 (0.52)		
F	9,078 (0.21)						9,078 (0.21)		
G							991 (0.02)	771 (0.02)	
TOTAL	31,659 *** (0.73)	4,896 *** (0.11)	19,904 *** (0.46)			1,315 *** (0.03)	32,650 *** (0.75)	5,667 *** (0.13)	18,589 *** (0.43)

* MDE Jurisdiction extends to the Maryland 1972 historical MHW elevation; therefore impact quantities for MDE regulated waters are slightly higher than those for the USACE regulated waters.

** The footprint of the bridge structure piers are also reflected in the "Zone A" Structure impact; therefore this area was not included in the sum of impacts to avoid counting these impacts multiple times.

*** Total Acreage is derived from the subtotal of square feet and may not reflect the sum of acres represented in this table due to rounding.



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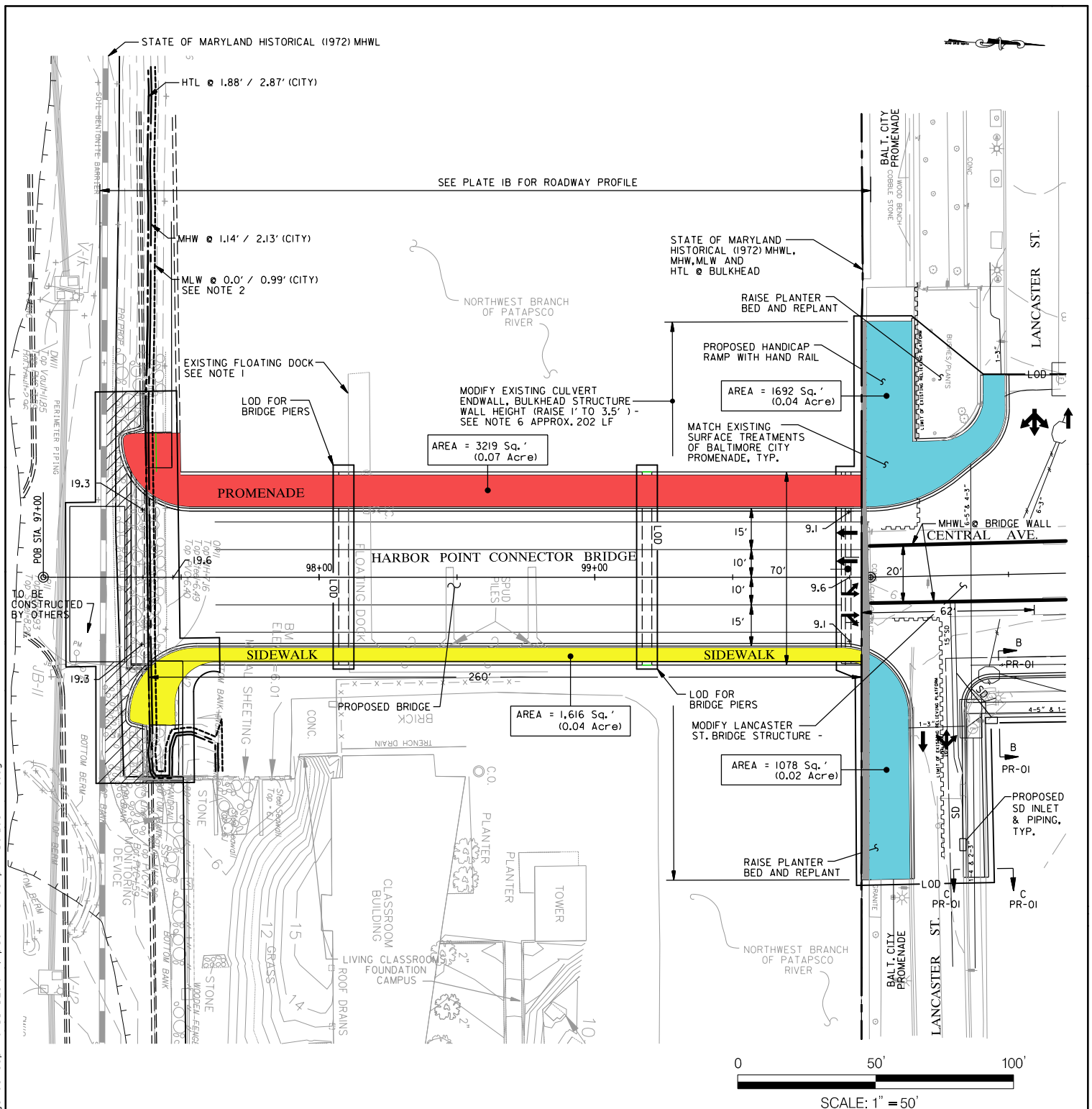
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NORTHWEST HARBOR**

DATE: JULY 31, 2014

SCALE: NA

SHEET 6 OF 6



LEGEND

- PROMENADE
- PROMENADE OVER JURISDICTIONAL WATERS
- SIDEWALK OVER JURISDICTIONAL WATERS

APPLICANT:
CITY OF BALTIMORE
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DATE: JULY 31, 2014

SCALE: AS NOTED

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