



U.S. Army Corps
of Engineers

Public Notice

In Reply to Application Number
CENAB-OP-RMN (Baltimore County Department of Recreation
and Parks / Cox Point Park / Living Shoreline / Breakwater
Structures) – 2016-60656-M18

PN 16-34

Comment Period: May 31, 2016 to June 29, 2016

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. Patrick McDougall
Baltimore County Department of Recreation and Parks
9831 Van Buren Lane
Cockeysville, Maryland 21030

WATERWAY AND LOCATION: The proposed project is located in the Back River, at Cox Point Park, 820 Riverside Drive, Essex, Baltimore County.

PROPOSED WORK: To remove and reconstruct the existing stone breakwater structures and construct two additional stone structures with four 46-foot wide openings between the structures as follows: one 170 linear foot reconstructed breakwater on the south point of the shoreline, three, 96 linear foot breakwaters, one 46 linear foot stone groin connected to a 96 linear foot "T" breakwater, extending a maximum distance of 70 feet channelward from the approximate mean high water shoreline. To remove 6,250 square feet of *Phragmites* along the shoreline and backfill area with clean sand. To remove existing rubble and debris from along 700 linear feet of shoreline. To spread 5,000 cubic yards of clean sand over approximately 2.2 acres of shoreline and plant approximately 1.3 acres with marsh vegetation to create 2,000 linear feet of living shoreline extending a maximum distance of 50 feet channelward of the approximate mean high water shoreline. To construct a new 15-foot long by 6-foot wide timber pier with a 16-foot by 11-foot wide "T" platform extending a maximum distance of 32 feet channelward of the approximate mean high water shoreline and place 35 cubic yards of stone slope protection along 30 linear feet beneath the pier extending a maximum distance of 15 feet channelward of the approximate mean high water shoreline.

The purpose of the project is tidal shoreline erosion control. All work will be completed in accordance with the enclosed plans dated April 8, 2016.

If you have any questions concerning this matter, please contact Mr. Richard Kibby, CENAB-OPR-M, 10 S. Howard St., Baltimore, Maryland, 21201 or 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 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. Richard Kibby, CENAB-OPR-M], 10 South Howard Street, Baltimore, Maryland, 21201 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 lies in or 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 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: 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 (MDE), 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. 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.

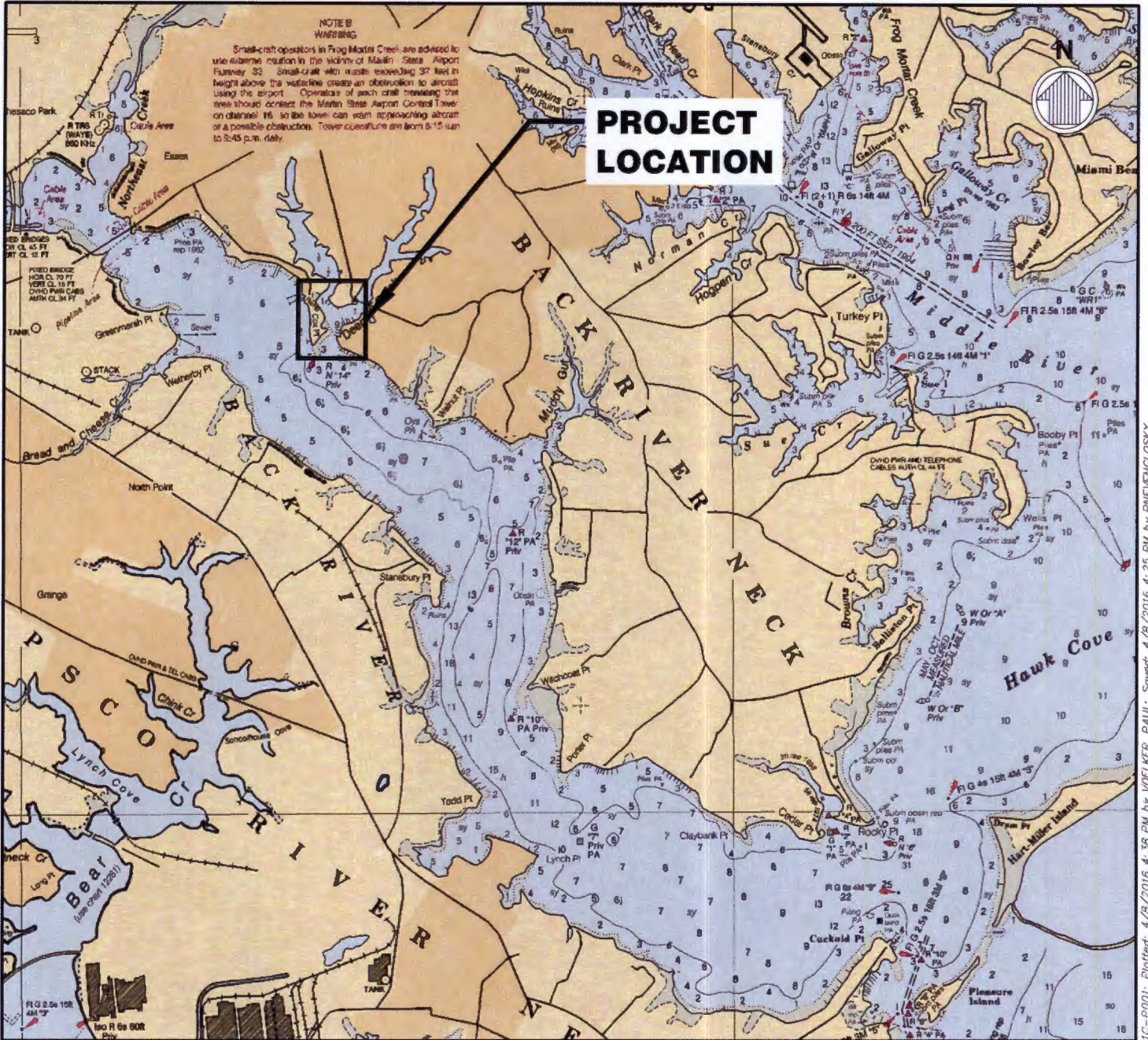
Review of the latest published version of the National Register of Historic Places indicates that no registered properties listed as eligible for inclusion, therein, are located at the site of the proposed work. Currently unknown archeological, scientific, prehistoric, or historical data may be lost 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-OPR-M], 10 S. Howard St., 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.

FOR THE DISTRICT ENGINEER:

Joseph P. DaVia
Chief, Maryland Section Northern



**PROJECT
LOCATION**

VICINITY MAP

NOTE: BACKGROUND TAKEN FROM NOAA CHART 12278, 70TH ED., MAR. 4/00

SUMMARY

1. REMOVE 6,250 SF OF PHRAGMITES ALONG SHORELINE.
2. REMOVE RUBBLE AND DEBRIS FROM 700 LF OF SHORELINE.
3. REMOVE 150 LF (250 CY) OF EXISTING BREAKWATER STRUCTURE.
4. CONSTRUCT 600 LF OF NEW AND ENHANCED BREAKWATER STRUCTURES.
5. CONSTRUCT 2,000 LF OF LIVING SHORELINE BY PLACING 5,000 CY OF CLEAN SAND OVER 2.2 AC.
6. INSTALL STONE SLOPE PROTECTION ALONG SHORELINE AT PARKING LOT.
7. CONSTRUCT NEW TIMBER FISHING PIER (6x19 FT STEM WITH 16x11 FT "T") WITH STONE SLOPE PROTECTION (450 SF).

APPLICATION BY:
BALTIMORE COUNTY
DEPT OF RECREATION AND PARKS
9831 VAN BUREN LANE
COCKEYSVILLE, MD 21030

AGENT/ENGINEER:



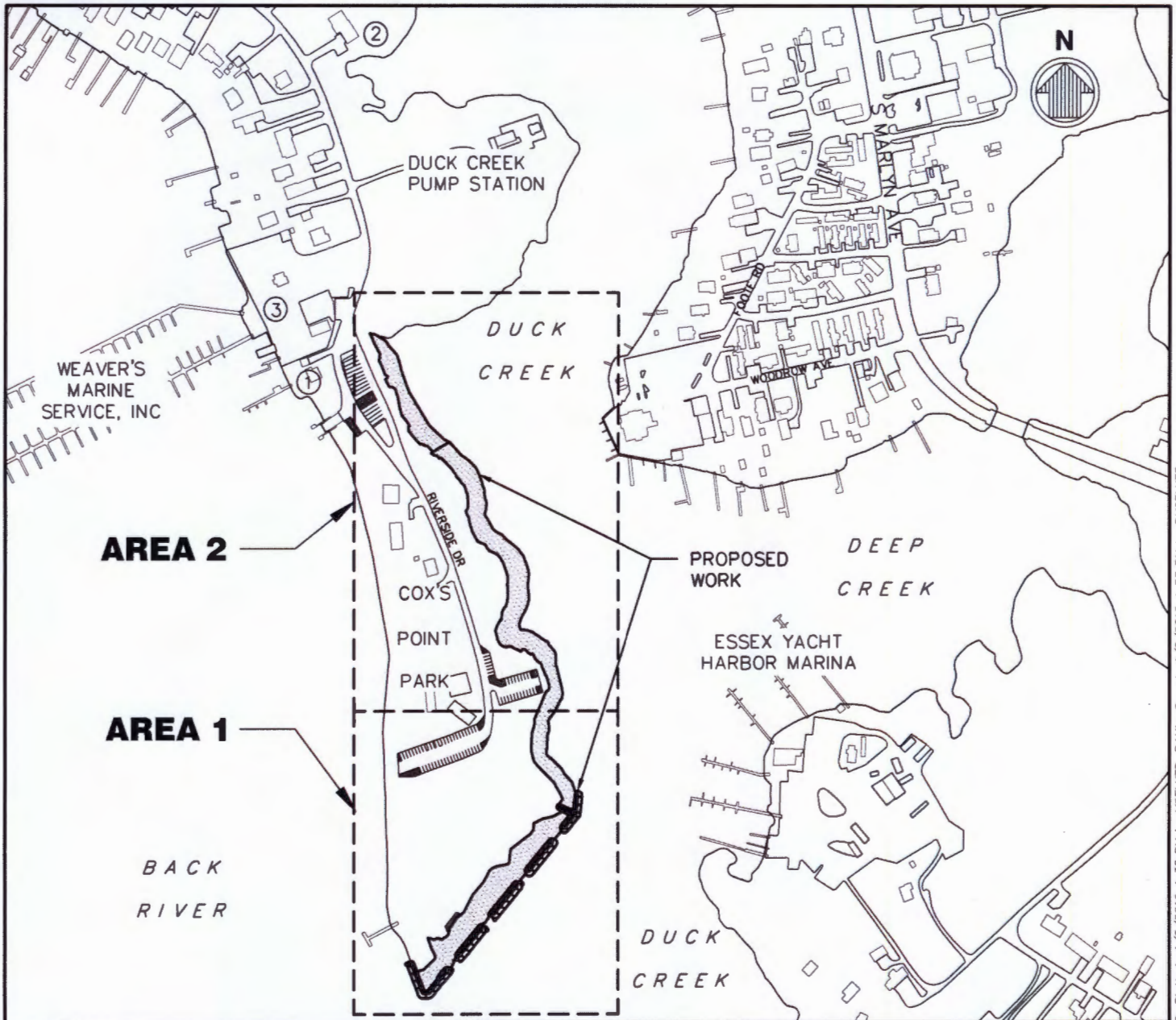
COX'S POINT PARK
SHORELINE EROSION CONTROL
AND ENHANCEMENT

PROJECT LOCATION:
BACK RIVER
BALTIMORE COUNTY, MARYLAND



DATE: APRIL 8, 2016

SHEET 01 OF 13




LOCATION MAP

ADJACENT PROPERTIES

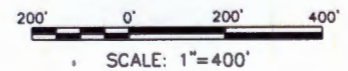
- ① TIMOTHY & BARBARA BENNETT, 800 RIVERSIDE DR,
BALTIMORE MD 21221
MAILING ADDRESS: 801 S MARLYN AVE, BALTIMORE MD 21221
- ② HAROLD CAVALIEROS & KARLA HANNON, 713 RIVERSIDE DR,
BALTIMORE MD 21221
- ③ SAMUEL WEAVER & JEFFREY ZAHNER, 726 RIVERSIDE DR,
BALTIMORE MD 21221

APPLICATION BY:
BALTIMORE COUNTY
DEPT OF RECREATION AND PARKS
9831 VAN BUREN LANE
COCKEYSVILLE, MD 21030

AGENT/ENGINEER:
 **moffatt & nichol**

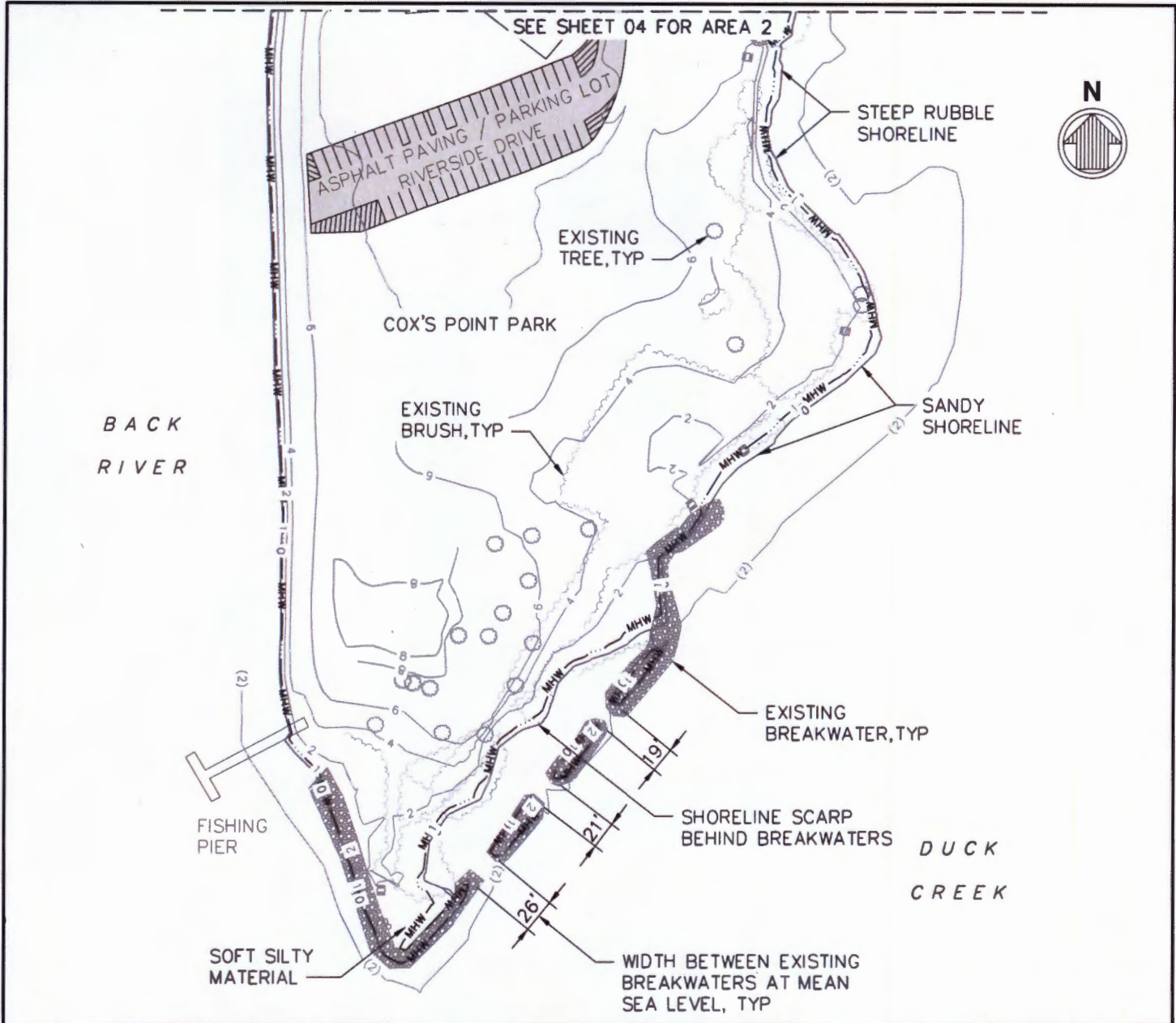
**COX'S POINT PARK
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PROJECT LOCATION:
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BALTIMORE COUNTY, MARYLAND



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SHEET 02 OF 13



SEE SHEET 04 FOR AREA 2



EXISTING CONDITIONS - AREA 1

LEGEND

- MHW — MEAN HIGH WATER
- 2 — EXISTING CONTOUR

DATUM

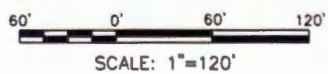
MEAN LOW WATER (MLW) = 0.0
 SOUNDINGS IN FEET
 EXISTING BATHYMETRY REFERENCED
 FROM EBA ENGINEERING INC, JUNE
 2015 SURVEY

APPLICATION BY:
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 9831 VAN BUREN LANE
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AGENT/ENGINEER:
 **moffatt & nichol**

**COX'S POINT PARK
 SHORELINE EROSION CONTROL
 AND ENHANCEMENT**

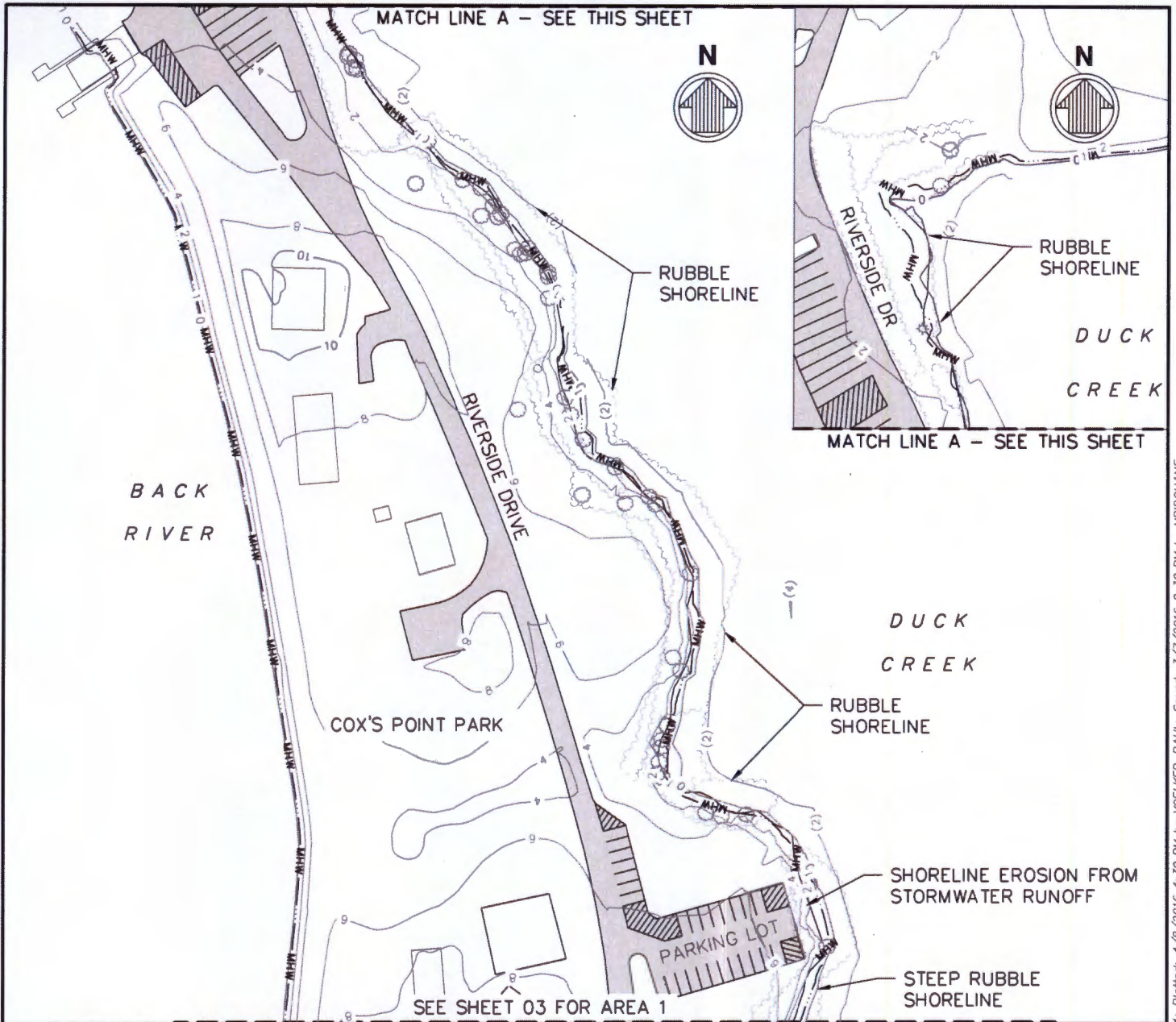
PROJECT LOCATION:
 BACK RIVER
 BALTIMORE COUNTY, MARYLAND



DATE: APRIL 8, 2016

SHEET 03 OF 13

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EXISTING CONDITIONS – AREA 2

LEGEND

- MHW — MEAN HIGH WATER
- 2 — EXISTING CONTOUR

DATUM

MEAN LOW WATER (MLW) = 0.0
 SOUNDINGS IN FEET
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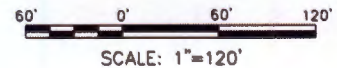
APPLICATION BY:
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AGENT/ENGINEER:



**COX'S POINT PARK
 SHORELINE EROSION CONTROL
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SHEET 04 OF 13

SEE SHEET 06 FOR AREA 2



BACK RIVER

ASPHALT PAVING / PARKING LOT
RIVERSIDE DRIVE

COX'S POINT PARK

REMOVE INVASIVE SPECIES

REMOVE INVASIVE SPECIES

REMOVE APPROX 120 LF RIPRAP TO EXISTING MUDLINE.

REMOVE APPROX 10 LF RIPRAP TO EXISTING MUDLINE.

REMOVE APPROX 10 LF RIPRAP TO EXISTING MUDLINE.

EXISTING BREAKWATER, TYP

DUCK CREEK

REMOVE APPROX 10 LF RIPRAP TO EXISTING MUDLINE.

FISHING PIER

PROPOSED DEMOLITION - AREA 1

NOTES

1. REMOVE RIPRAP FROM EXISTING BREAKWATER STRUCTURES (150 LF TOTAL, APPROX 250 CY) TO INCREASE SPACING BETWEEN BREAKWATERS FOR IMPROVED TIDAL FLUSHING. RE-USE RIPRAP AS CORE STONE IN NEW BREAKWATER (SEE SHEET 07).
2. EXCAVATE AND REMOVE EXISTING PHRAGMITES AREAS (APPROX 6,250 SF TOTAL). EXCAVATE TO A MINIMUM 24" DEPTH AND BACKFILL WITH CLEAN SAND.

LEGEND

- MHW — MEAN HIGH WATER
- 2 — EXISTING CONTOUR

DATUM

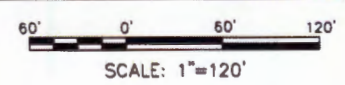
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AGENT/ENGINEER:
 **moffatt & nichol**

COX'S POINT PARK SHORELINE EROSION CONTROL AND ENHANCEMENT

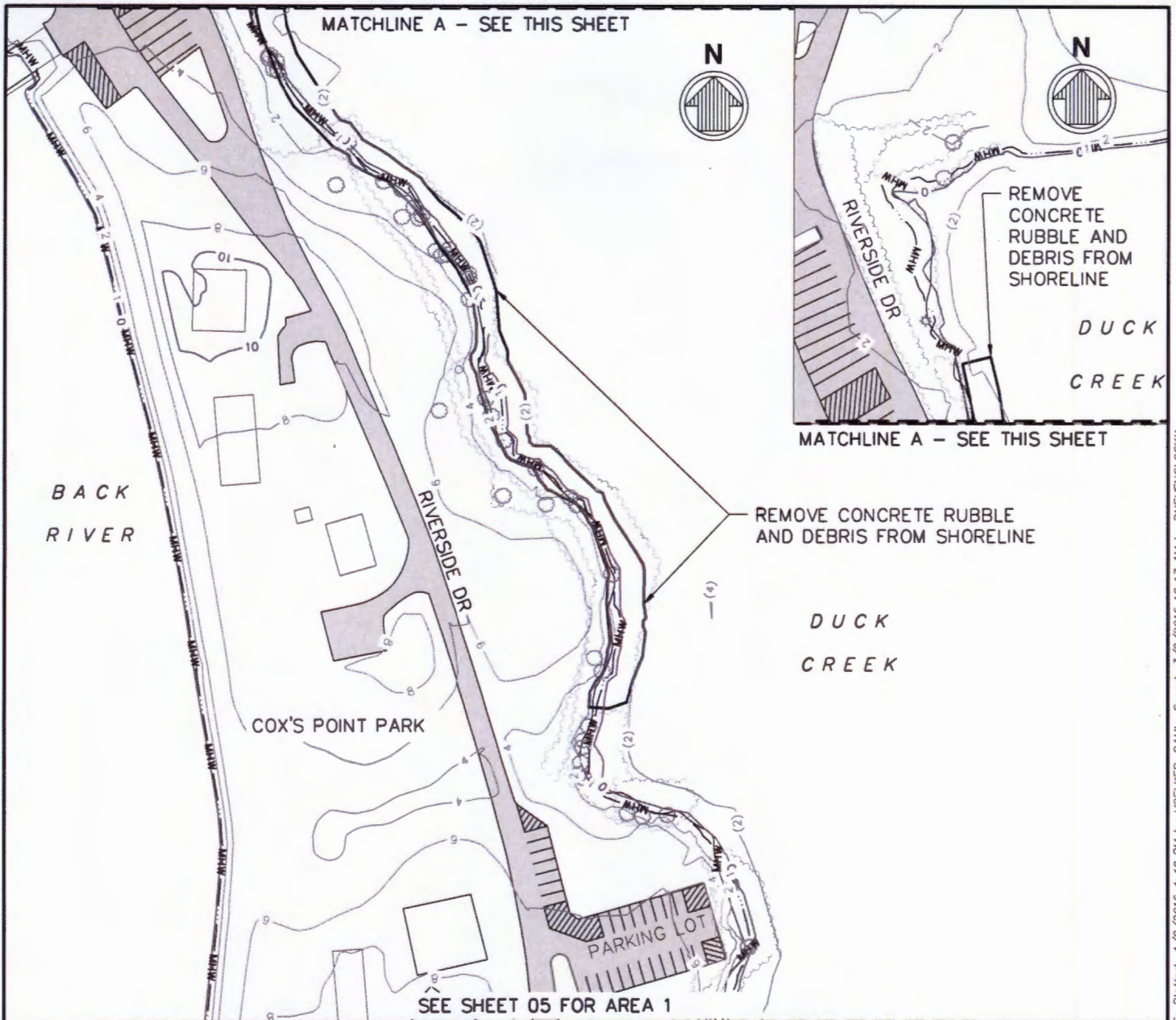
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SHEET 05 OF 13

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PROPOSED DEMOLITION - AREA 2

NOTES

- CLEAN UP EXISTING SHORELINE AND REMOVE DEBRIS (APPROX 700 LF). REMOVE CONCRETE RUBBLE, SLAG, AND TIMBER PIECES AND PROPERLY DISPOSE OF OFFSITE.

LEGEND

- MHW — MEAN HIGH WATER
- 2 — EXISTING CONTOUR

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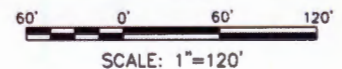
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AGENT/ENGINEER:



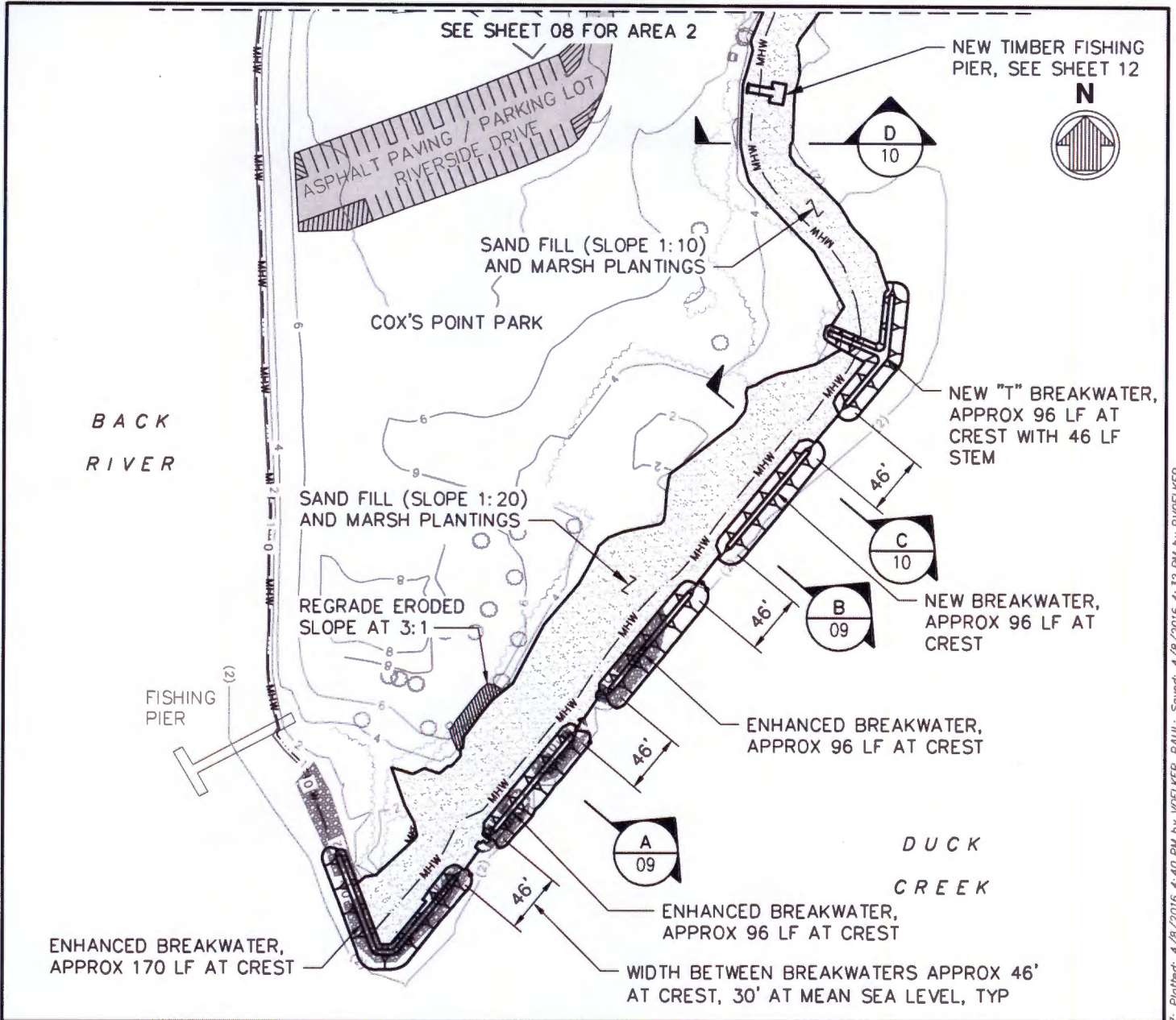
**COX'S POINT PARK
 SHORELINE EROSION CONTROL
 AND ENHANCEMENT**

PROJECT LOCATION:
 BACK RIVER
 BALTIMORE COUNTY, MARYLAND



DATE: APRIL 8, 2016

SHEET 06 OF 13



PROPOSED CONSTRUCTION – AREA 1

NOTES

1. CONSTRUCT NEW AND ENHANCED STONE BREAKWATERS, ONE (1) 170 LF, THREE (3) 96 LF, AND ONE (1) 96 LF X 46 LF "T". INCREASE CREST ELEVATION AND ARMOR STONE SIZE FOR SHORELINE EROSION PROTECTION.
2. PLACE CLEAN SAND FILL MATERIAL (5,000 CY, 2.2 ACRES TOTAL) TO CONSTRUCT 2,000 LF OF LIVING SHORELINE. INSTALL MARSH PLANTINGS AND SHRUBS (SEE SHEET 13).
3. CONSTRUCT NEW TIMBER FISHING PIER, 6' WIDE X 15' LONG WITH 16' WIDE X 11' LONG "T" PLATFORM. INSTALL STONE SLOPE PROTECTION AT NEW PIER (450 LF).

LEGEND

- MHW — MEAN HIGH WATER
- 2 — EXISTING CONTOUR

DATUM

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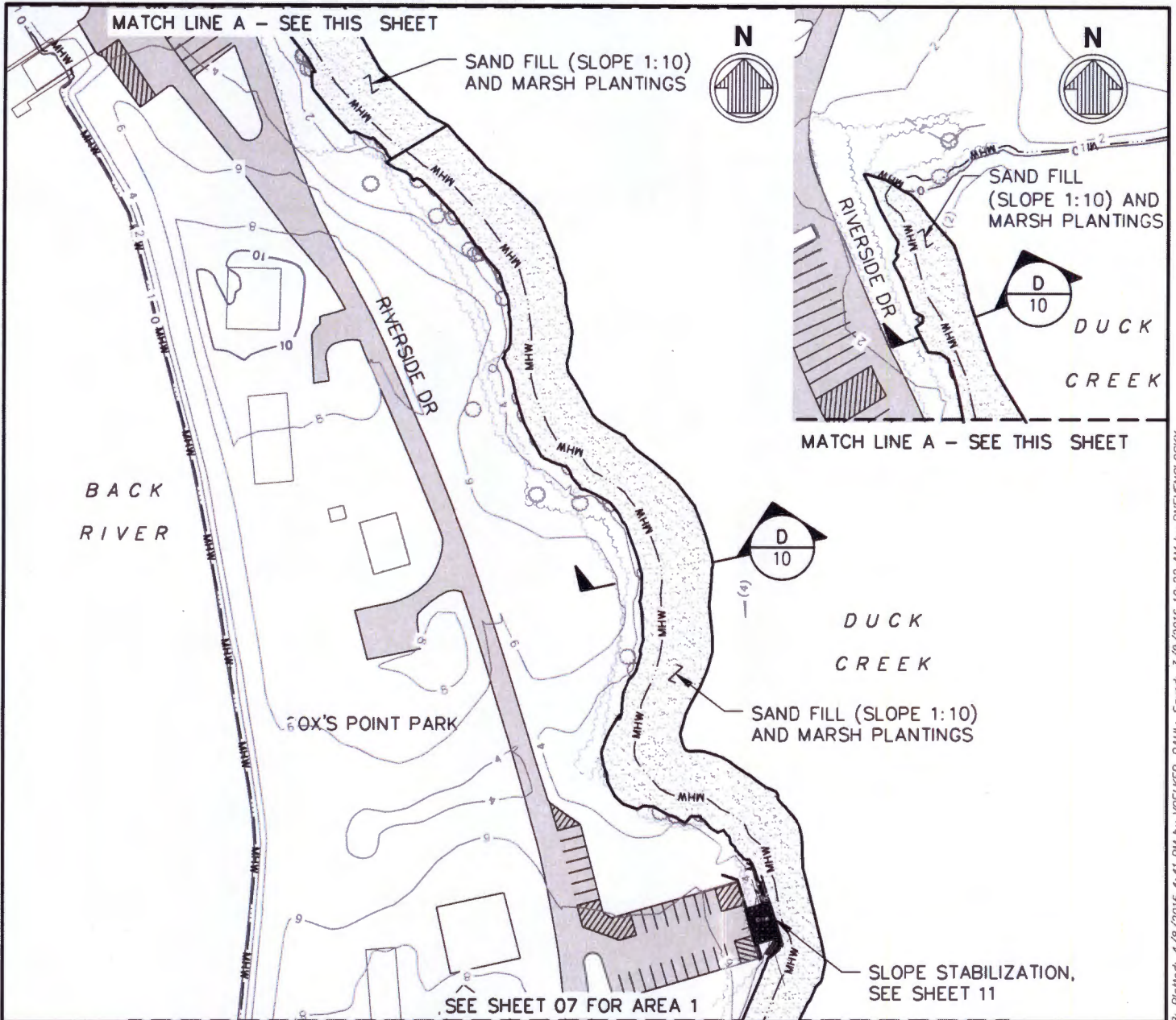
COX'S POINT PARK
SHORELINE EROSION CONTROL
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DATE: APRIL 8, 2016

SHEET 07 OF 13



PROPOSED CONSTRUCTION - AREA 2

NOTES

1. INSTALL STONE SLOPE STABILIZATION ADJACENT TO EXISTING PARKING LOT FOR EROSION CONTROL.
2. PLACE CLEAN SAND FILL MATERIAL TO CONSTRUCT LIVING SHORELINE (SEE SHEET 07, NOTE 2).

LEGEND

- MHW — MEAN HIGH WATER
- 2 — EXISTING CONTOUR

DATUM

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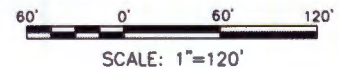
APPLICATION BY:
 BALTIMORE COUNTY
 DEPT OF RECREATION AND PARKS
 9831 VAN BUREN LANE
 COCKEYSVILLE, MD 21030

AGENT/ENGINEER:



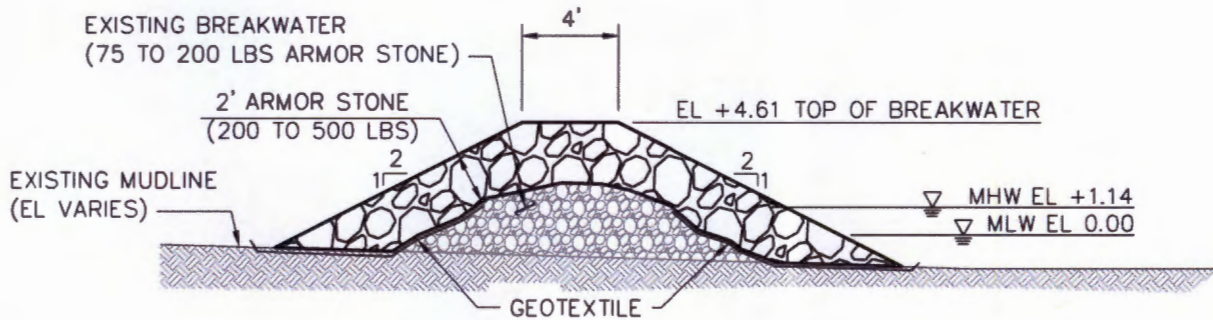
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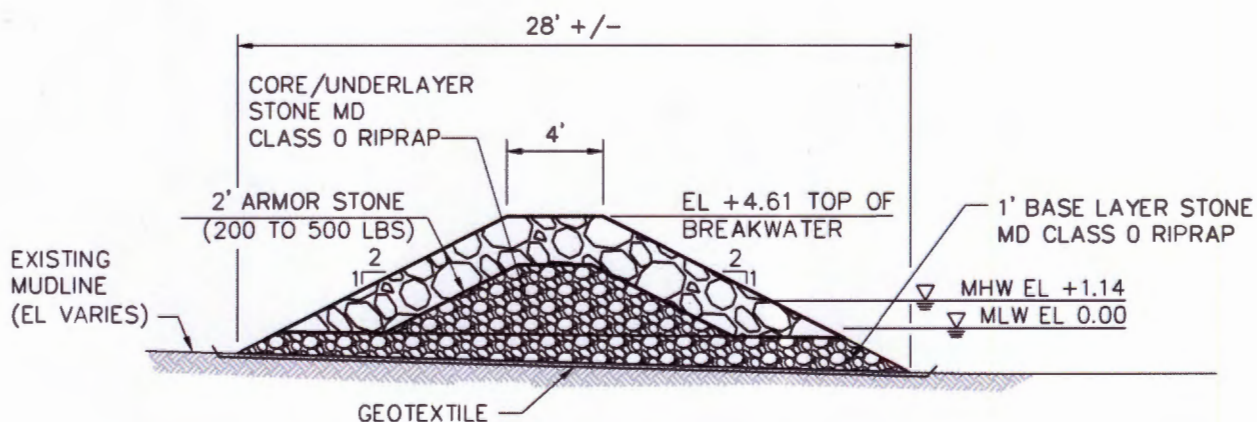


DATE: APRIL 8, 2016

SHEET 08 OF 13



A
07 **TYPICAL SECTION – ENHANCED BREAKWATER**
SCALE: 1"=8'

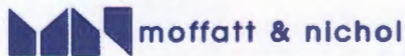


B
07 **TYPICAL SECTION – NEW BREAKWATER**
SCALE: 1"=8'

TYPICAL SECTIONS A & B

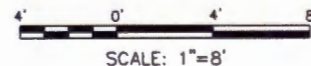
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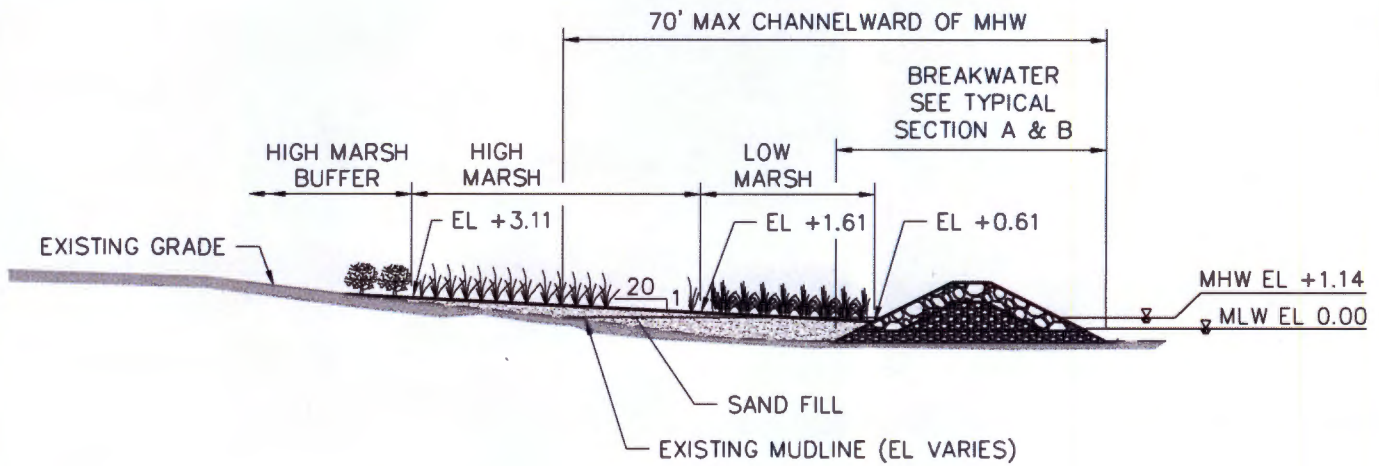
**COX'S POINT PARK
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BACK RIVER
BALTIMORE COUNTY, MARYLAND

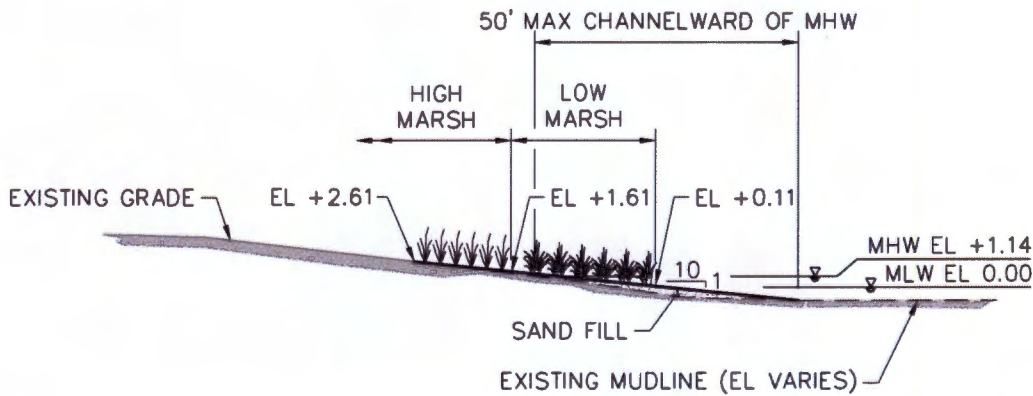


DATE: APRIL 8, 2016

SHEET 09 OF 13



C
07 TYPICAL SECTION – LIVING SHORELINE WITH BREAKWATER
SCALE: 1"=20'



D
07 TYPICAL SECTION – LIVING SHORELINE WITHOUT BREAKWATER
SCALE: 1"=20'

08

TYPICAL SECTIONS C & D

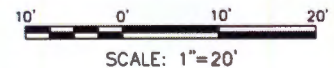
APPLICATION BY:
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9831 VAN BUREN LANE
COCKEYSVILLE, MD 21030

AGENT/ENGINEER:



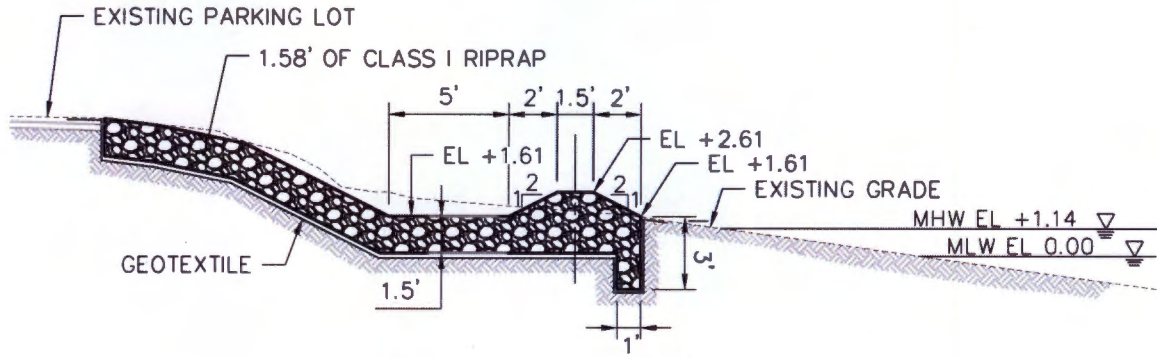
COX'S POINT PARK
SHORELINE EROSION CONTROL
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PROJECT LOCATION:
BACK RIVER
BALTIMORE COUNTY, MARYLAND



DATE: APRIL 8, 2016

SHEET 10 OF 13



E
08

TYPICAL SECTION – SLOPE STABILIZATION AT PARKING LOT
SCALE: 1"=8'

TYPICAL SECTION E

APPLICATION BY:
BALTIMORE COUNTY
DEPT OF RECREATION AND PARKS
9831 VAN BUREN LANE
COCKEYSVILLE, MD 21030

AGENT/ENGINEER:



COX'S POINT PARK
SHORELINE EROSION CONTROL
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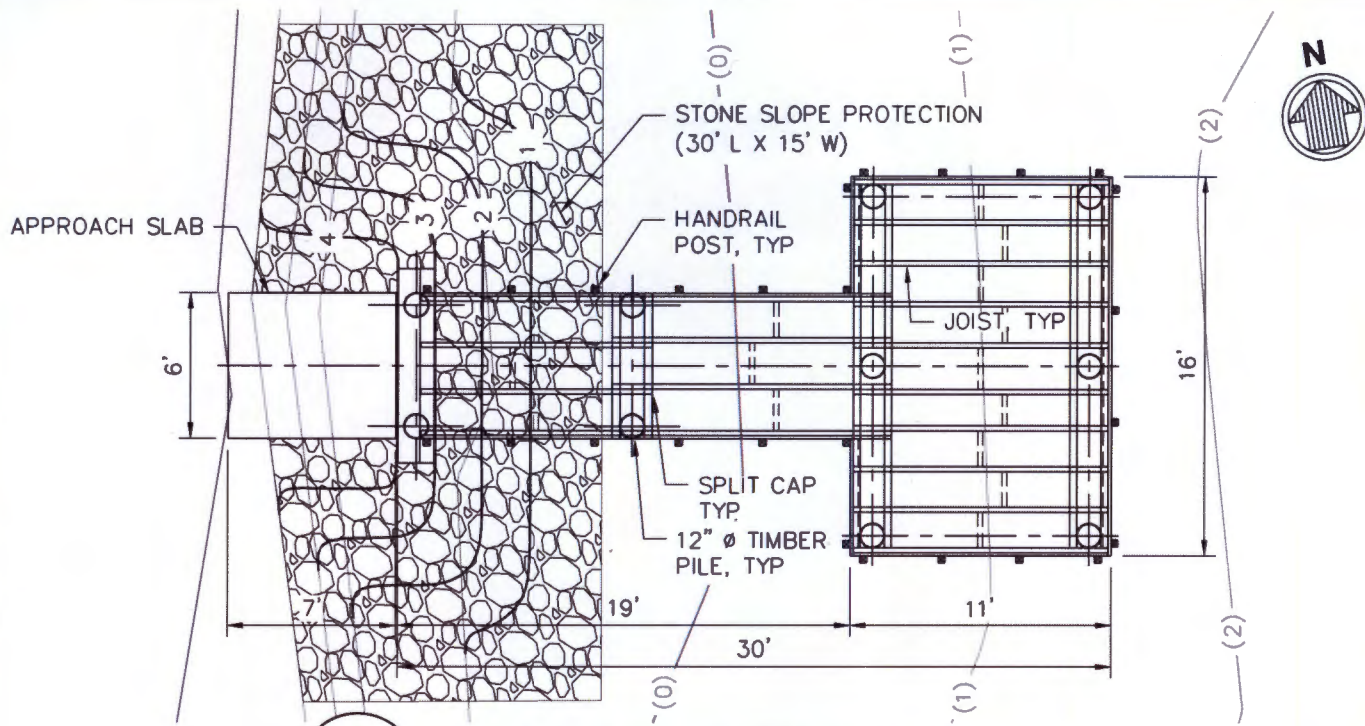
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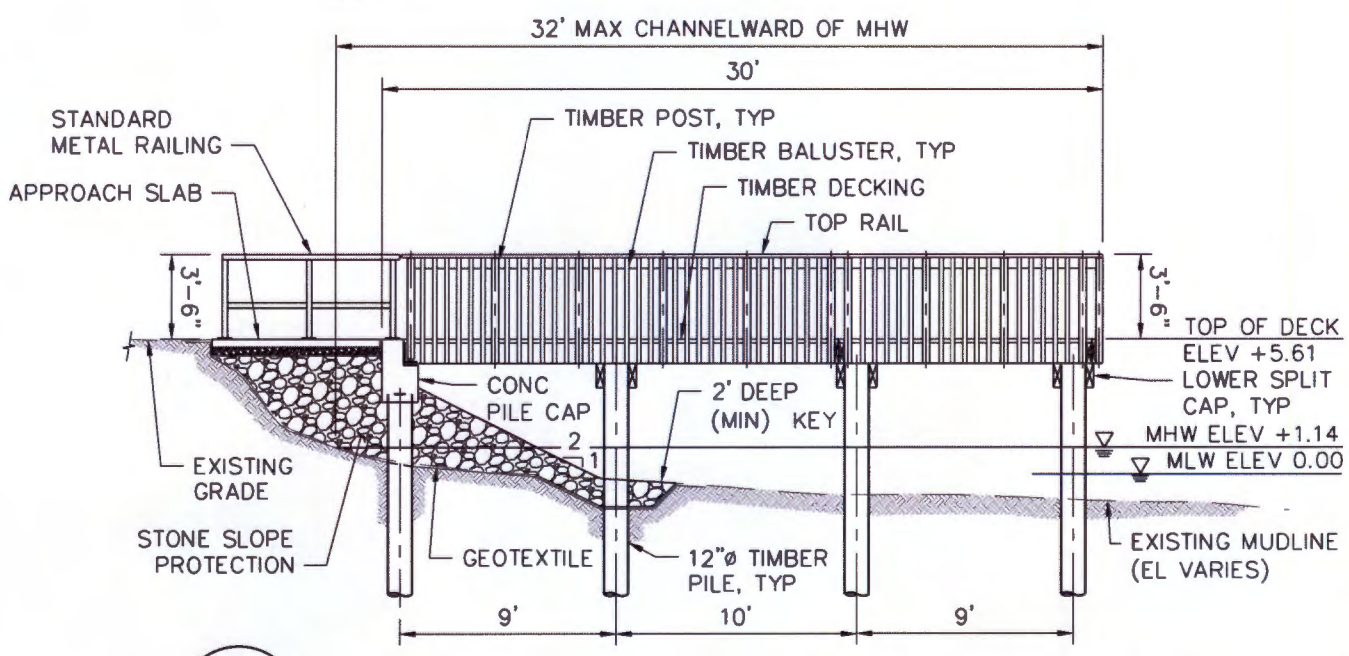
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SHEET 11 OF 13

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F
07 **PLAN – NEW TIMBER FISHING PIER**
SCALE: 1"=8'



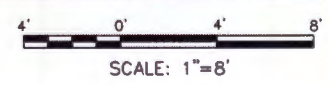
G
07 **TYPICAL SECTION – NEW TIMBER FISHING PIER**
SCALE: 1"=8'

APPLICATION BY:
BALTIMORE COUNTY
DEPT OF RECREATION AND PARKS
9831 VAN BUREN LANE
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AGENT/ENGINEER:
 moffatt & nichol

**COX'S POINT PARK
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BACK RIVER
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SHEET 12 OF 13

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TYPICAL MARSH PLANTINGS

LOW MARSH

- SPARTINA ALTERNIFLORA (SMOOTH CORDGRASS)
- SCIRPUS PUNGENS (COMMON THREE-SQUARE)

HIGH MARSH

- SPARTINA PATENS (SALTMARSH HAY)
- SPARTINA ALTERNIFLORA (SMOOTH CORDGRASS)
- SHOENOPLECTUS AMERICANUS (CHAIRMAKER'S BRUSH)
- DISTICHLIS SPICATA (SALTGRASS)
- SOLIDAGO SEMPERVIRENS (SEASIDE GOLDENROD)
- SCHOENOPLECTUS ROBUSTUS (SALTMARSH BULRUSH)
- PANICUM VIRGATUM (SWITCHGRASS)
- HIBISCUS MOSCHEUTOS (SWAMP ROSE MALLOW)

HIGH MARSH BUFFER

- SPARTINA PATENS (SALTMARSH HAY)
- SHOENOPLECTUS AMERICANUS (CHAIRMAKER'S BRUSH)
- DISTICHLIS SPICATA (SALTGRASS)
- SOLIDAGO SEMPERVIRENS (SEASIDE GOLDENROD)
- SCHOENOPLECTUS ROBUSTUS (SALTMARSH BULRUSH)
- PANICUM VIRGATUM (SWITCHGRASS)
- HIBISCUS MOSCHEUTOS (SWAMP ROSE MALLOW)
- BACCHARIS HALIMIFOLIA (GROUNDSEL)
- IVA FRUSTESCENS (MARSH ELDER)
- MORELLA CYRIFERA (WAX MYRTLE)

APPLICATION BY:
BALTIMORE COUNTY
DEPT OF RECREATION AND PARKS
9831 VAN BUREN LANE
COCKEYSVILLE, MD 21030

AGENT/ENGINEER:



COX'S POINT PARK
SHORELINE EROSION CONTROL
AND ENHANCEMENT

PROJECT LOCATION:

BACK RIVER
BALTIMORE COUNTY, MARYLAND

DATE: APRIL 8, 2016

SHEET 13 OF 13