



U.S. Army Corps
of Engineers
Baltimore District

Public Notice

In Reply to Application Number
CENAB-OP-RM-(AA CO DPW/MAIN CREEK/DREDGING)
2007-08058-M18

PN 08-14

Comment Period: 17 MARCH 2008 to 17 APRIL 2008

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

The Baltimore 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 Section 404 of the Clean Water Act (33 U.S.C. 1344), as described below:

APPLICANT: *Anne Arundel County Department of Public Works*
c/o Ms. Kendra Scheminant (Agent)
1321 Mercedes Drive, Suite C
Hanover, Maryland 21076

LOCATION: Main Creek, Pasadena, Anne Arundel County, Maryland

WORK: To hydraulically or mechanically maintenance dredge a 1,090-foot long by 30-foot wide main channel in Main Creek to depths of -5.0 to -4.0 feet below mean low water connecting to the Bodkin Creek and Chesapeake Bay. Additionally, 14 spur channels listed below are proposed. The dredging will result in approximately 3,928 cubic yards of material from the main channel and 2,643 cubic yards of material from the spurs, which will be deposited at the Anne Arundel County Rock Creek dredged material placement (DMP) site or other approved DMP Site. The permit for these projects, if approved, would authorize periodic maintenance dredging for 10 years, subject to prior notification of the District Engineer and availability of an adequate disposal site for the dredged material. The purpose of the proposed work is to improve navigable access to residential piers. All work is to be completed in accordance with the enclosed plan(s). If you have any questions concerning this matter, please contact Mr. Richard Kibby at (410) 962-0694.

Spur Channels:

2007-08060 – Mr. Robb Anderson. To hydraulically or mechanically dredge a spur channel in Main Creek 850 square feet to a depth of -4 feet MLW and to deposit approximately 126 cubic yards of dredged material at the Anne Arundel County Rock Creek dredged material placement site or other approved DMP Site and to authorize periodic maintenance dredging for 10 years, subject to prior notification of the District Engineer and availability of an adequate disposal site for the dredged material. To install 1 mooring pile.

2007-08061 – Mr. Garrett Long. To hydraulically or mechanically dredge a spur channel in Main Creek 1,217 square feet to a depth of -4 feet MLW and to deposit approximately 180 cubic yards of dredged material at the Anne Arundel County Rock Creek dredged material placement site or other approved DMP Site and to authorize periodic maintenance dredging

for 10 years, subject to prior notification of the District Engineer and availability of an adequate disposal site for the dredged material.

2007-08062 – Ms. Barbara Vanderlaan. To hydraulically or mechanically dredge a spur channel in Main Creek 1,453 square feet to a depth of -4 feet MLW and to deposit approximately 194 cubic yards of dredged material at the Anne Arundel County Rock Creek dredged material placement site or other approved DMP Site and to authorize periodic maintenance dredging for 10 years, subject to prior notification of the District Engineer and availability of an adequate disposal site for the dredged material.

2007-08063 – Mr. J.M. Bullinger. To hydraulically or mechanically dredge a spur channel in Main Creek 96 square feet to a depth of -4 feet MLW and to deposit approximately 96 cubic yards of dredged material at the Anne Arundel County Rock Creek dredged material placement site or other approved DMP Site and to authorize periodic maintenance dredging for 10 years, subject to prior notification of the District Engineer and availability of an adequate disposal site for the dredged material. To install 2 mooring piles.

2007-08064 – Mr. Anthony Sos. To hydraulically or mechanically dredge a spur channel in Main Creek 2,412 square feet to a depth of -4 feet MLW and to deposit approximately 96 cubic yards of dredged material at the Anne Arundel County Rock Creek dredged material placement site or other approved DMP Site and to authorize periodic maintenance dredging for 10 years, subject to prior notification of the District Engineer and availability of an adequate disposal site for the dredged material. To install 3 mooring piles.

2007-08065 – Mr. Byron Matteson. To hydraulically or mechanically dredge a spur channel in Main Creek 1,043 square feet to a depth of -4 feet MLW and to deposit approximately 135 cubic yards of dredged material at the Anne Arundel County Rock Creek dredged material placement site or other approved DMP Site and to authorize periodic maintenance dredging for 10 years, subject to prior notification of the District Engineer and availability of an adequate disposal site for the dredged material.

2007-08066 – Mr. Byron Matteson. To hydraulically or mechanically dredge a spur channel in Main Creek 596 square feet to a depth of -5 feet MLW and to deposit approximately 55 cubic yards of dredged material at the Anne Arundel County Rock Creek dredged material placement site or other approved DMP Site and to authorize periodic maintenance dredging for 10 years, subject to prior notification of the District Engineer and availability of an adequate disposal site for the dredged material.

2007-08067 – Mr. James Gray. To hydraulically or mechanically dredge a spur channel in Main Creek 1,971 square feet to a depth of -5 feet MLW and to deposit approximately 219 cubic yards of dredged material at the Anne Arundel County Rock Creek dredged material placement site or other approved DMP Site and to authorize periodic maintenance dredging for 10 years, subject to prior notification of the District Engineer and availability of an adequate disposal site for the dredged material.

2007-08068 – Mr. Dennis McMenamen. To hydraulically or mechanically dredge a spur channel in Main Creek 1,139 square feet to a depth of -5 feet MLW and to deposit approximately 127 cubic yards of dredged material at the Anne Arundel County Rock Creek

dredged material placement site or other approved DMP Site and to authorize periodic maintenance dredging for 10 years, subject to prior notification of the District Engineer and availability of an adequate disposal site for the dredged material.

2007-08069 – Mr. Richard Zelke. To hydraulically or mechanically dredge a spur channel in Main Creek 2,971 square feet to a depth of -5 feet MLW and to deposit approximately 218 cubic yards of dredged material at the Anne Arundel County Rock Creek dredged material placement site or other approved DMP Site and to authorize periodic maintenance dredging for 10 years, subject to prior notification of the District Engineer and availability of an adequate disposal site for the dredged material.

2007-08071 – Mr. Roy Beziat. To hydraulically or mechanically dredge a spur channel in Main Creek 4,000 square feet to a depth of -5 feet MLW and to deposit approximately 296 cubic yards of dredged material at the Anne Arundel County Rock Creek dredged material placement site or other approved DMP Site and to authorize periodic maintenance dredging for 10 years, subject to prior notification of the District Engineer and availability of an adequate disposal site for the dredged material.

2007-08072 – Mr. Glen Peacock. To hydraulically or mechanically dredge a spur channel in Main Creek 4,609 square feet to a depth of -5 feet MLW and to deposit approximately 290 cubic yards of dredged material at the Anne Arundel County Rock Creek dredged material placement site or other approved DMP Site and to authorize periodic maintenance dredging for 10 years, subject to prior notification of the District Engineer and availability of an adequate disposal site for the dredged material.

2007-08073 – Mr. Neil Peckman. To hydraulically or mechanically dredge a spur channel in Main Creek 3,941 square feet to a depth of -5 feet MLW and to deposit approximately 439 cubic yards of dredged material at the Anne Arundel County Rock Creek dredged material placement site or other approved DMP Site and to authorize periodic maintenance dredging for 10 years, subject to prior notification of the District Engineer and availability of an adequate disposal site for the dredged material.

2007-00225 – Mr. Melvin Chalou. To hydraulically or mechanically dredge a spur channel in Main Creek 3,115 square feet to a depth of -4 feet MLW and to deposit approximately 288 cubic yards of dredged material at the Anne Arundel County Rock Creek dredged material placement site or other approved DMP Site and to authorize periodic maintenance dredging for 10 years, subject to prior notification of the District Engineer and availability of an adequate disposal site for the dredged material.

Essential Fish Habitat (EFH) Assessment: The Magnuson-Stevens Fishery Conservation Act (MSFCMA), 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 (NMFS) on all actions, or proposed actions, permitted, funded or undertaken by the agency that may adversely effect essential fish habitat (EFH). The EFH designations within the Northeast Region (Maine to Virginia), dated March 1, 1999, include EFH designations for a number of species in various life stages. A review of the appropriate literature indicates that this waterway has EFH listed for adult and juvenile Paralichthys dentatus (summer flounder), adult and juvenile Scopthalmus aquosus (windowpane flounder), and adult and juvenile Pomatomus saltatrix (blue fish). They are managed species under

MSFCMA. A preliminary assessment indicates that the proposed project may have an adverse effect on EFH based on potential disturbance of SAV due to dredging. The aforementioned species are not estuarine resident species but could use the project area as a foraging area and as a nursery area, on a seasonal basis primarily during the summer. The project has the potential to adversely affect the managed species and/or their EFH quality and/or quantity, and their prey species. No EFH measures have been developed for this project. However, it is expected that conservation measures may include time of year restrictions on when the proposed work may be performed. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

The decision whether to issue a permit will be based on an evaluation of the probable impact 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 reasonably 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, economics, 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, and, in general, the needs and welfare of the people.

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 are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

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 Standards and Certification Division 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. 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, P.O. Box 1715, Baltimore Maryland 21203-1715, within the comment period as specified above to receive consideration. The 401 certifying agency has a statutory limit of one year to make its decision.

The applicant has certified in this application that the proposed activity complies with and will be conducted in a manner consistent with the Maryland Coastal Zone Program. This certification statement is available for inspection in the District Office; however, public comments relating to

consistency must be received by the Coastal Zone Division, 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. It should be noted that CZ Division has a statutory limit of 6 months in which 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 listed 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 requested permit.

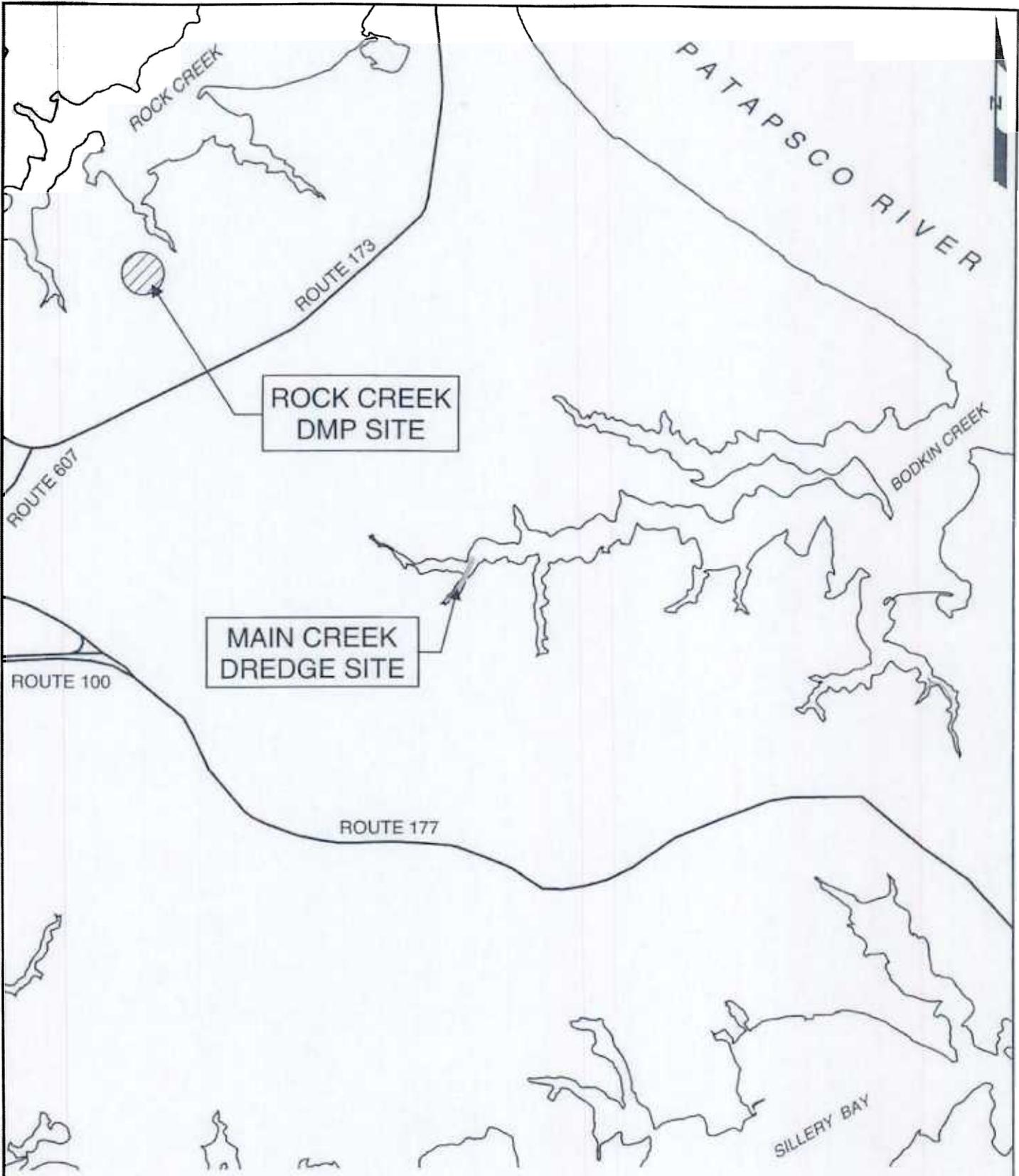
The evaluation of the impact of the work described above on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 of the Clean Water Act. Any person who has an interest which may be adversely 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, US Army Corps of Engineers, Baltimore District, PO Box 1715, Baltimore, Maryland 21203-1715, within the comment period as specified as above to receive consideration. Also, it must clearly state forth the interest which may be adversely affected by this activity in the manner in which the interest may be adversely affected.

It is requested that you communicated the foregoing information concerning the proposed work to any persons known 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:



VANCE G. HOBBS
Chief, Maryland Section Northern



**MAIN CREEK
PROPOSED COUNTY DREDGING**

ANNE ARUNDEL COUNTY, MD

APPL. BY: ANNE ARUNDEL COUNTY
DEPARTMENT OF PUBLIC WORKS

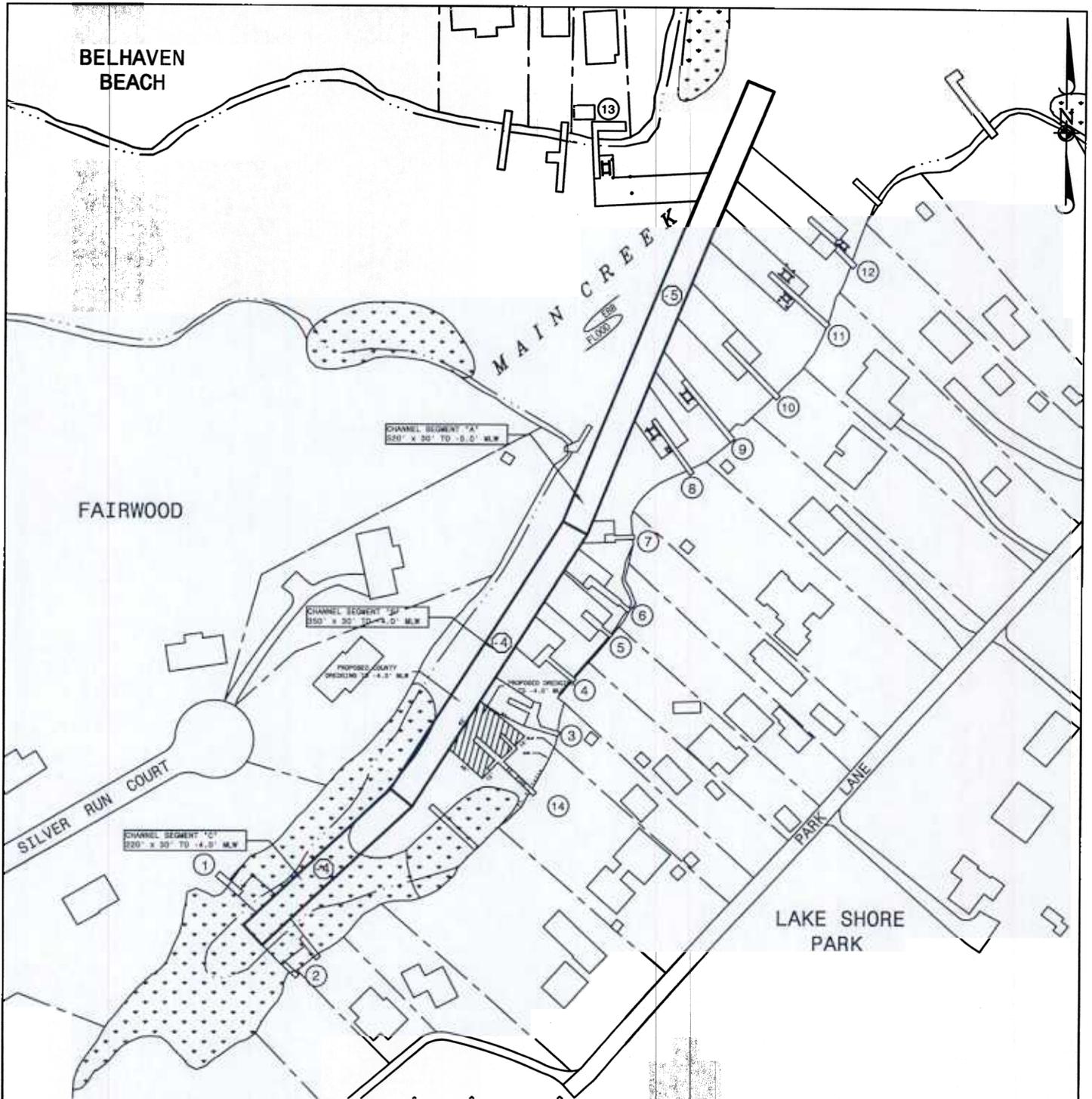
GRAPHIC SCALE



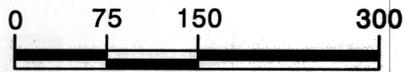
1 INCH = 3,000 FEET

BayLand
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"Integrating Engineering and Environment"

1321 Mercedes Drive, Suite C Phone: (410) 994-9901
Hanover, Maryland 21076 Fax: (410) 994-9907
email: bayland@baylandinc.com



GRAPHIC SCALE



(IN FEET)
1 inch = 150 feet

LEGEND	
	PROPOSED COUNTY CHANNEL
	PROPOSED SPUR CHANNEL
	SPUR APPLICANT NUMBER
	PROPOSED CHANNEL DEPTH
	APPROX. PROPERTY LINES
	MEAN LOW WATER

**MAIN CREEK
PROPOSED DREDGING**

ANNE ARUNDEL COUNTY, MD

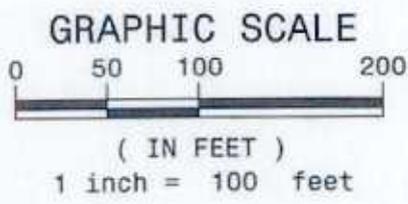
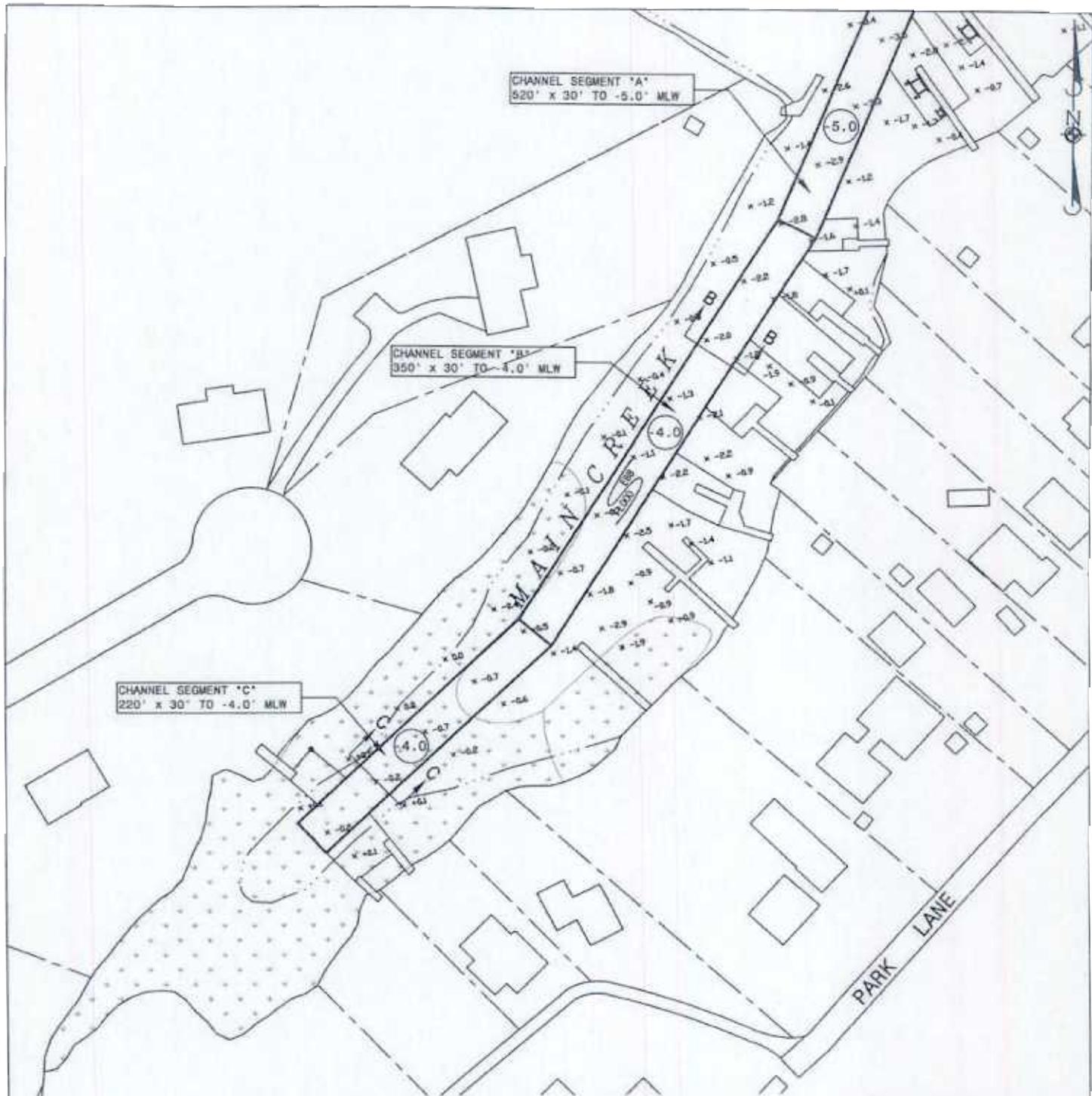
APPL. BY: ANNE ARUNDEL COUNTY
DEPARTMENT OF PUBLIC WORKS

SEPTEMBER 2007

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Integrating Engineering and Environment
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Fax: (410) 694-9405

**MAIN CREEK
SPUR LOCATION MAP**

SEPTEMBER 2007



LEGEND	
	PROPOSED COUNTY CHANNEL
	PROPOSED SPUR CHANNEL
	PROPOSED CHANNEL DEPTH
	SOUNDINGS BY DNR
	APPROX. PROPERTY LINES
	MEAN LOW WATER

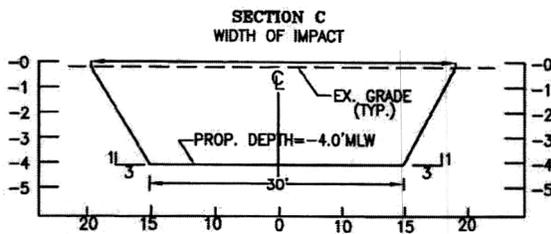
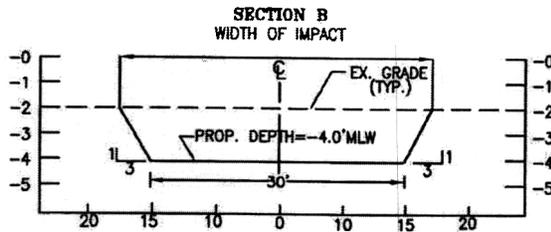
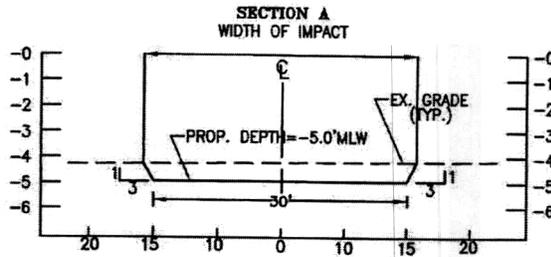
SAV LEGEND	
	COMPOSITE SAV BED FROM SPRING SAV SURVEY
	SPRING SURVEY DATE: JUNE 7, 2007
	DENSITY RANGED FROM VERY SPARSE 0-10% TO MODERATE 40-70%
	2p ZANNICHELLIA PALUSTRIS
	SUMMER SURVEY DATE: AUGUST 13, 2007
	NO SAV OBSERVED

MAIN CREEK
PROPOSED COUNTY DREDGING
 ANNE ARUNDEL COUNTY, MD
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MAIN CREEK
MAIN CHANNEL
 SEPTEMBER 2007

TYPICAL CHANNEL SECTIONS



MAIN CHANNEL

	LENGTH (FT)	WIDTH (FT)	DEPTH (MLW)
CHANNEL SEGMENT "A"	520	30	-5.0'
CHANNEL SEGMENT "B"	350	30	-4.0'
CHANNEL SEGMENT "C"	220	30	-4.0'
TOTAL MAIN CHANNEL VOLUME			3,928 CY
TOTAL MAIN CHANNEL AREA OF IMPACT			46,002 SF = 1.1 AC
TOTAL MAIN CHANNEL AREA OF IMPACT TO 2007 SAV			9,643 SF = 0.2 AC

CHANNEL NOTES:

1. DREDGED DEPTH TO -4.0' MLW AND -5.0" MLW.
2. MATERIAL TO BE HYDRAULICALLY OR MECHANICALLY DREDGED.
3. MATERIAL WILL BE PLACED AT THE ROCK CREEK DMP SITE.
4. THESE ARE PERMIT DRAWINGS ONLY. DESIGN DRAWINGS WILL BE PREPARED SEPARATELY.

MAIN CREEK

PROPOSED COUNTY DREDGING

ANNE ARUNDEL COUNTY, MD

APPL. BY: ANNE ARUNDEL COUNTY
DEPARTMENT OF PUBLIC WORKS