



# Public Notice

U.S. Army Corps  
Of Engineers  
Baltimore District

In Reply to Application Number  
CENAB-OP-RM-(ATLANTIC MARINA RESORT/DREDGING)  
2005-1168 or 2007-62464

PN 07-42

Comment Period: 02 July 2007 to 02 August 2007

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

APPLICANT: Atlantic Marina Resort  
c/o Mr. Arthur A. Birney, Jr.  
2010 Knollview Drive  
Pasadena, Maryland 21122

LOCATION: Patapsco River, Anne Arundel County, Maryland

WORK: The applicant proposes to hydraulically or mechanically dredge an approximately 90,000 square foot marina basin and a 1,640 foot long by 55 foot wide entrance channel to 6 feet below mean low water, and to deposit the approximately 9,000 cubic yards of sand at an existing upland disposal site on the applicant's property. A permit for this project, if issued, would authorize periodic maintenance dredging, subject to the prior notification of the District Engineer.

All work is to be completed in accordance with the enclosed plan(s). If you have any questions concerning this matter, please contact Mr. Jon Romeo of this office at (410) 962-6079.

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 District of Columbia Department of the Environment. Any written comments concerning the work described above which relate to water quality certification must be received by the Water Quality Division, District of Columbia Department of the Environment, 51 N Street, NE, 5<sup>th</sup> Floor, Washington, DC 20002 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, US Army Corps of Engineers, Baltimore District, PO Box 1715, Baltimore, Maryland 21230-1715, 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 must obtain any State or local government permits which may be required.

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 indicated that the proposed project may have an adverse effect on EFH based on dredging impacts to approximately 4.1 acres of tidal waters. Potential impacts would be disturbance of bottom sediment due to dredging. Studies indicate that bluefish adult and juveniles eat various prey species and are locally abundant in summer. Summer flounder are also present on a seasonal basis. Since the project area is relatively small compared to the overall EFH for these species, and impacts are expected to be temporary, it is expected that the proposed work would have no substantial adverse effect on either the managed species or their 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.

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.

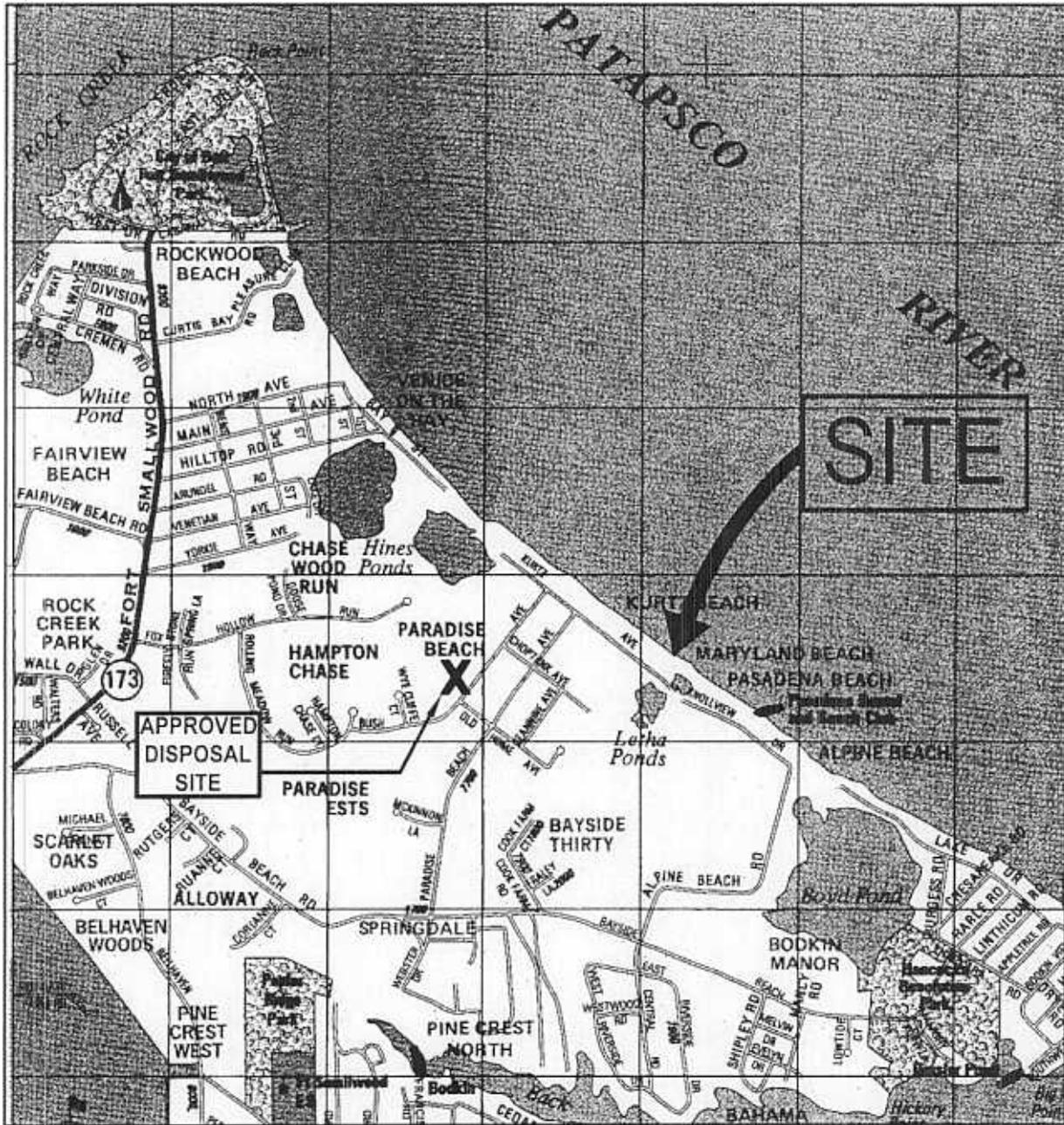
The evaluation of the impact of the work described above on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 of the Clean Water Act. Any person who has an interest which may be adversely 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



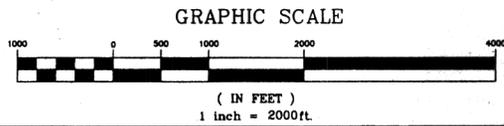
COPYRIGHT THE MAP PEOPLE PERMITTED USE NUMBER 20606149

**VICINITY MAP**

**NOTES:**

1. TIDAL RANGE IS 1.1 FEET.
2. SOUNDINGS ARE IN FEET AND REFER TO M.L.W.
3. BEACH NOURISHMENT AND ENTRANCE CHANNEL/MARINA BASIN PERMITS (01-WL-557;RAMS200160046) WERE PREVIOUSLY APPROVED AND VALID UNTIL 12-13-06. PERMIT WL-05-1513(R) APPROVED ON DECEMBER 19, 2005.
4. THE PREVIOUSLY AUTHORIZED PASADENA BOATEL DMP SITE IS THE DESIGNATED DREDGED MATERIAL PLACEMENT SITE FOR THIS PROJECT.
5. THESE DRAWINGS ARE FOR PERMIT PURPOSES ONLY. DESIGN DRAWINGS ARE TO BE PROVIDED SEPARATELY.

LAT: 39° 08' 46.06" N  
 LONG: 76° 27' 29.49" W  
 MAP: 18 GRID 4 PARCEL 20  
 IN: PATAPSCO RIVER  
 NEAR: PASADENA  
 ANNE ARUNDEL COUNTY, MARYLAND  
 APPL. BY: ATLANTIC MARINA RESORT, LLC  
 DATE: MAY 10, 2007



**MORRIS & RITCHE ASSOCIATES, INC.**  
 ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS  
 404 S. BEDFORD STREET, SUITE 5  
 GEORGETOWN, DE 19947  
 (302) 855-5734  
 FAX: (302) 855-0157  
 MRAGTA.COM

**ATLANTIC MARINA RESORT, LLC**

PROPOSED CHANNEL AND MARINA DREDGING  
 IN THE PATAPSCO RIVER  
 ANNE ARUNDEL COUNTY, MARYLAND  
 SHEET 1 OF 6

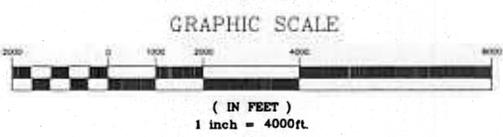
SCALE: 1"=2000'	DATE: 05/10/07	DRAWN BY: GMM	DESIGN BY: KMJ	REVIEW BY: KMJ	JOB NO. : 15518
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**N.O.A. COAST SURVEY-CHART #12278**

DATED: NOV / 03

**NOTES:**  
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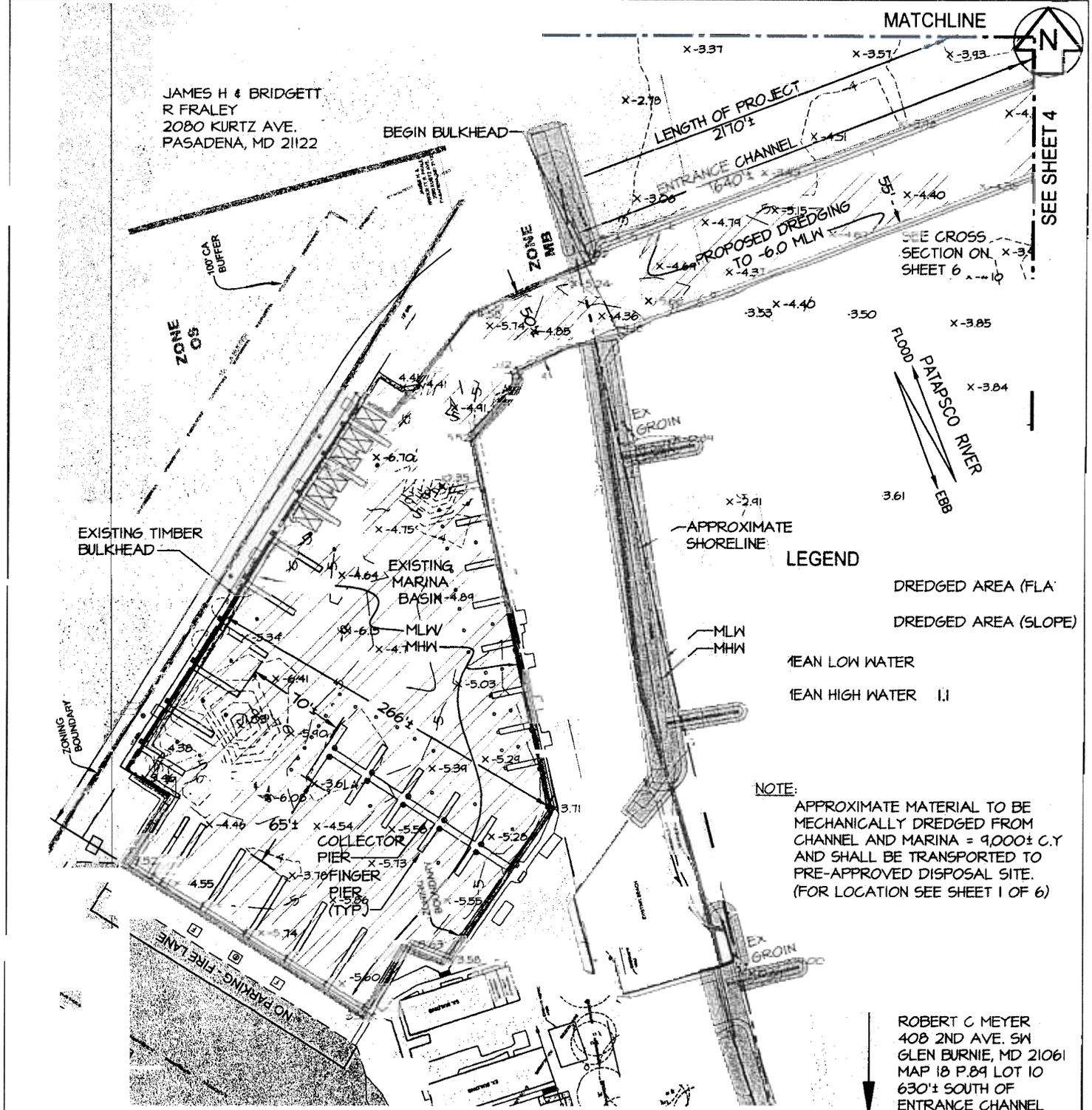


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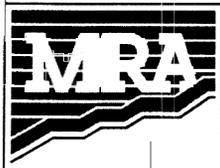
**ATLANTIC MARINA RESORT, LLC**

PROPOSED CHANNEL AND MARINA DREDGING  
 IN THE PATAPSCO RIVER  
 ANNE ARUNDEL COUNTY, MARYLAND  
 SHEET 2 OF 6

SCALE: 1"=4000'	DATE: 05/10/07	DRAWN BY: GMM	DESIGN BY: KMU	REVIEW BY: KMU	JOB NO. : 15518
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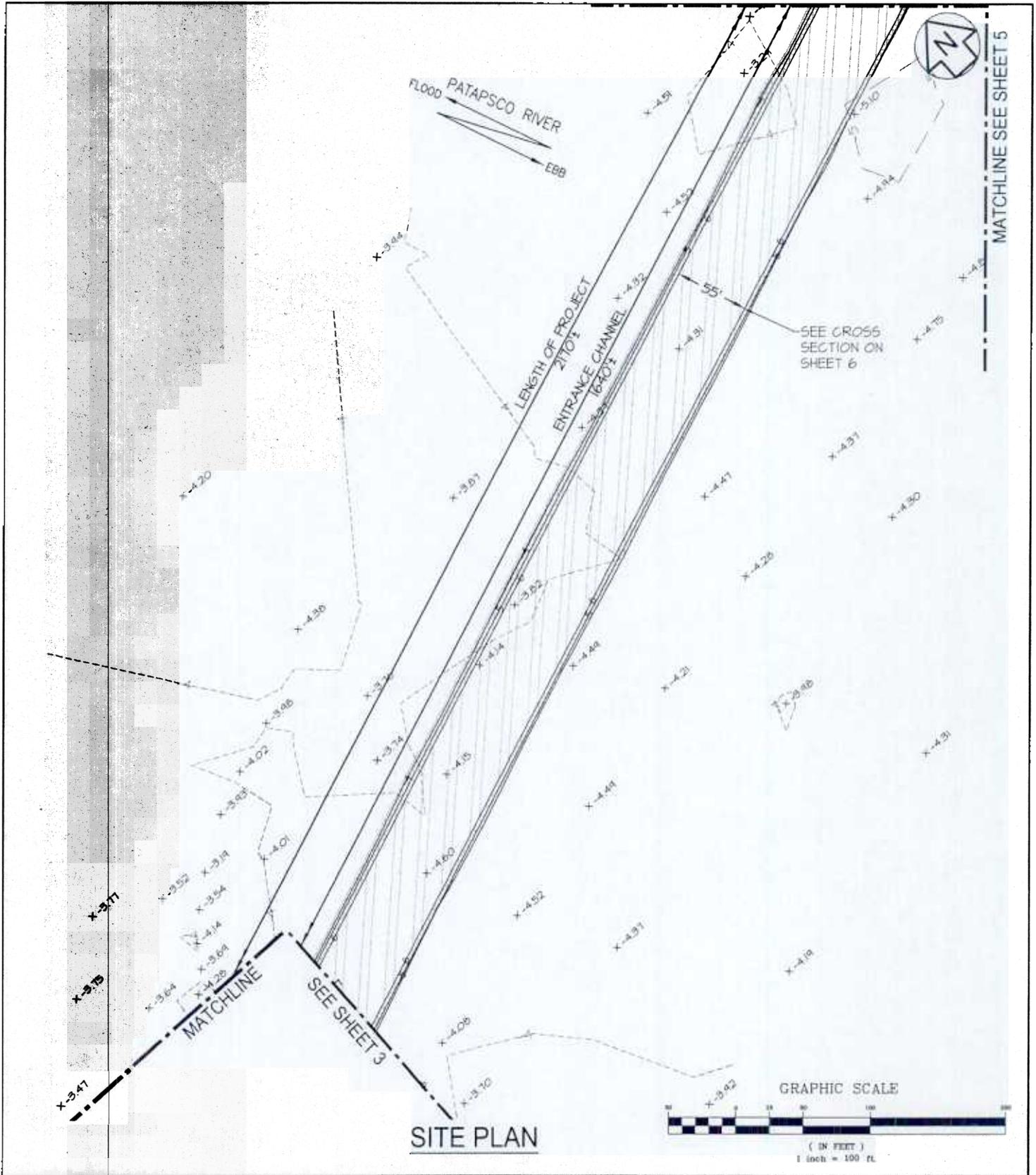
**SITE PLAN**



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PROPOSED CHANNEL AND MARINA DREDGING  
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SHEET 3 OF 6



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 PROPOSED CHANNEL AND MARINA DREDGING  
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 ANNE ARUNDEL COUNTY, MARYLAND  
 SHEET 4 OF 6

SCALE: 1"=100'

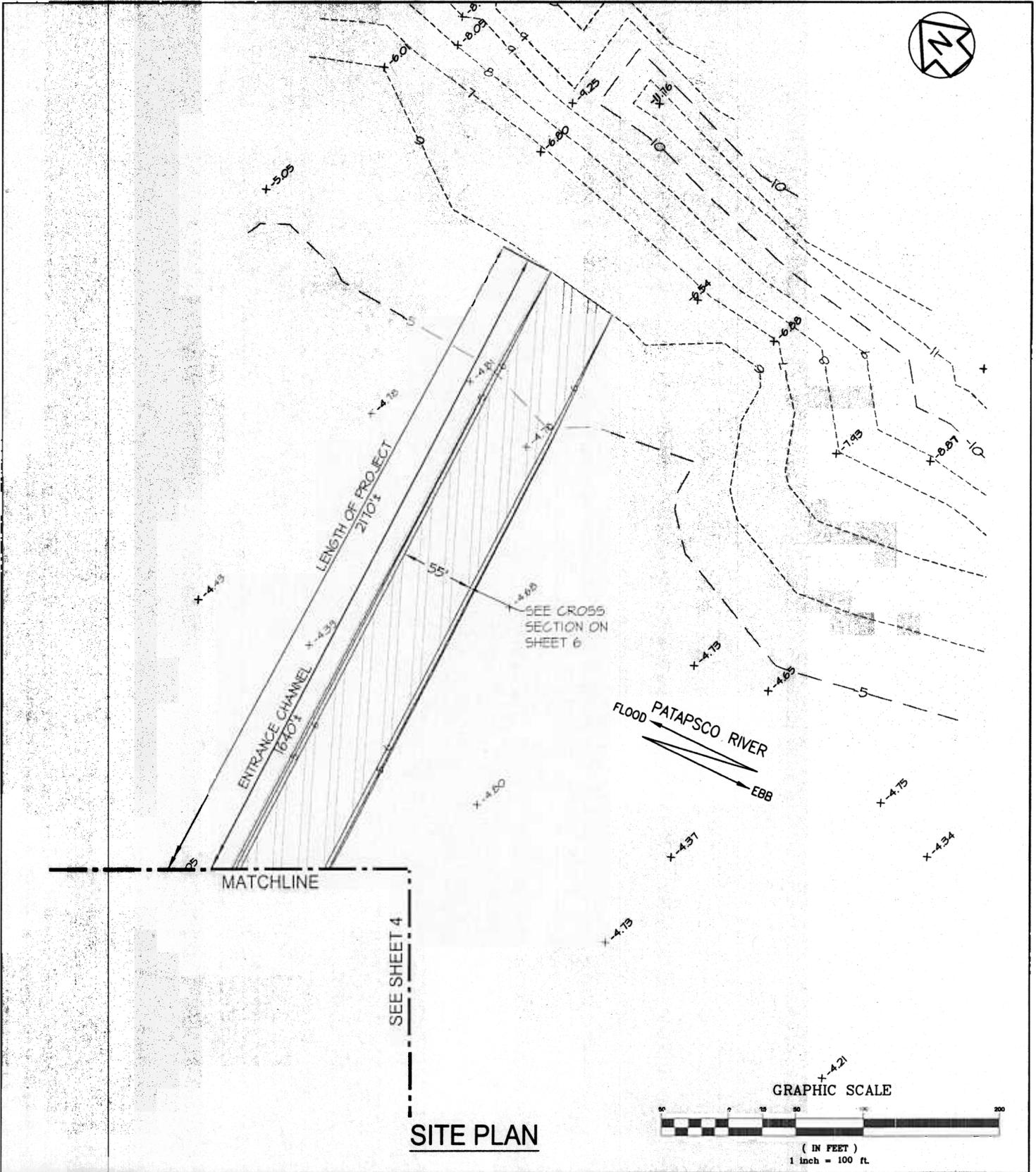
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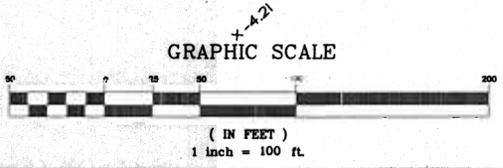
DESIGN BY: KMJ

REVIEW BY: KMJ

JOB NO. : 15518



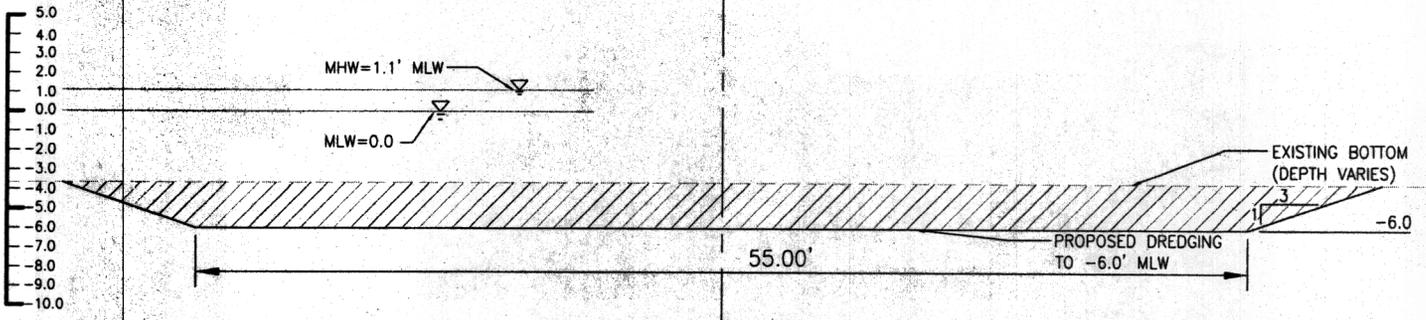
**SITE PLAN**



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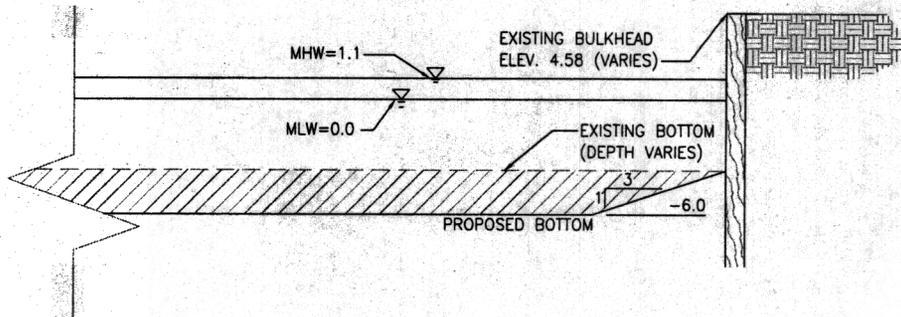
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 PROPOSED CHANNEL AND MARINA DREDGING  
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 ANNE ARUNDEL COUNTY, MARYLAND  
 SHEET 5 OF 6

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**TYPICAL 1640' X 55' DREDGE CROSS SECTION IN CHANNEL**

SCALE: 1" = 10'



**TYPICAL DREDGE CROSS SECTION ALONG BULKHEAD OF BASIN**

SCALE: 1" = 10'



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PROPOSED CHANNEL AND MARINA DREDGING  
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 SHEET 6 OF 6

SCALE: AS NOTED	DATE: 05/10/07	DRAWN BY: GMM	DESIGN BY: KMU	REVIEW BY: KMU	JOB NO. : 15518
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