



PUBLIC NOTICE

US Army Corps
of Engineers
Baltimore
District

In Reply to Application Number
CENAB-OP-RMN(KINDER MORGAN CHESAPEAKE
BULK/DREDGING)04-61863-3

Comment Period: 27 May 2004 to 27 June 2004

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 and State authorization pursuant to the Tidal Wetlands Act and/or Nontidal Wetlands Protection Act, as described below:

APPLICANT: *Kinder Morgan Chesapeake Bulk*
Attn: *John A Manzari*
1575 Sparrows Point Blvd
Baltimore, Maryland 21219-1029

LOCATION: *Patapsco River, Baltimore County, Maryland*

WORK: To maintenance dredge in front of an existing bulkhead, adjacent basin, and entrance channel from a line north of the ISG Sparrow Point pier to the above mentioned basin. Dredging will maintain 41 feet of depth at MLW in order that Panamax vessels can be berthed at the old ore dock and barges can be berthed at barge dock at 23 feet MLW. Approximately 375,000 cubic yards of silt and mud will be clam bucket dredged and deposited at the MPA Hart-Miller Disposal Facility.

All work is to be completed in accordance with the enclosed plan(s). If you have any questions concerning this matter, please contact *Mr. Steve Harman* at (410) 962-6082.

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, US Army Corps of Engineers, Baltimore District, PO 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.

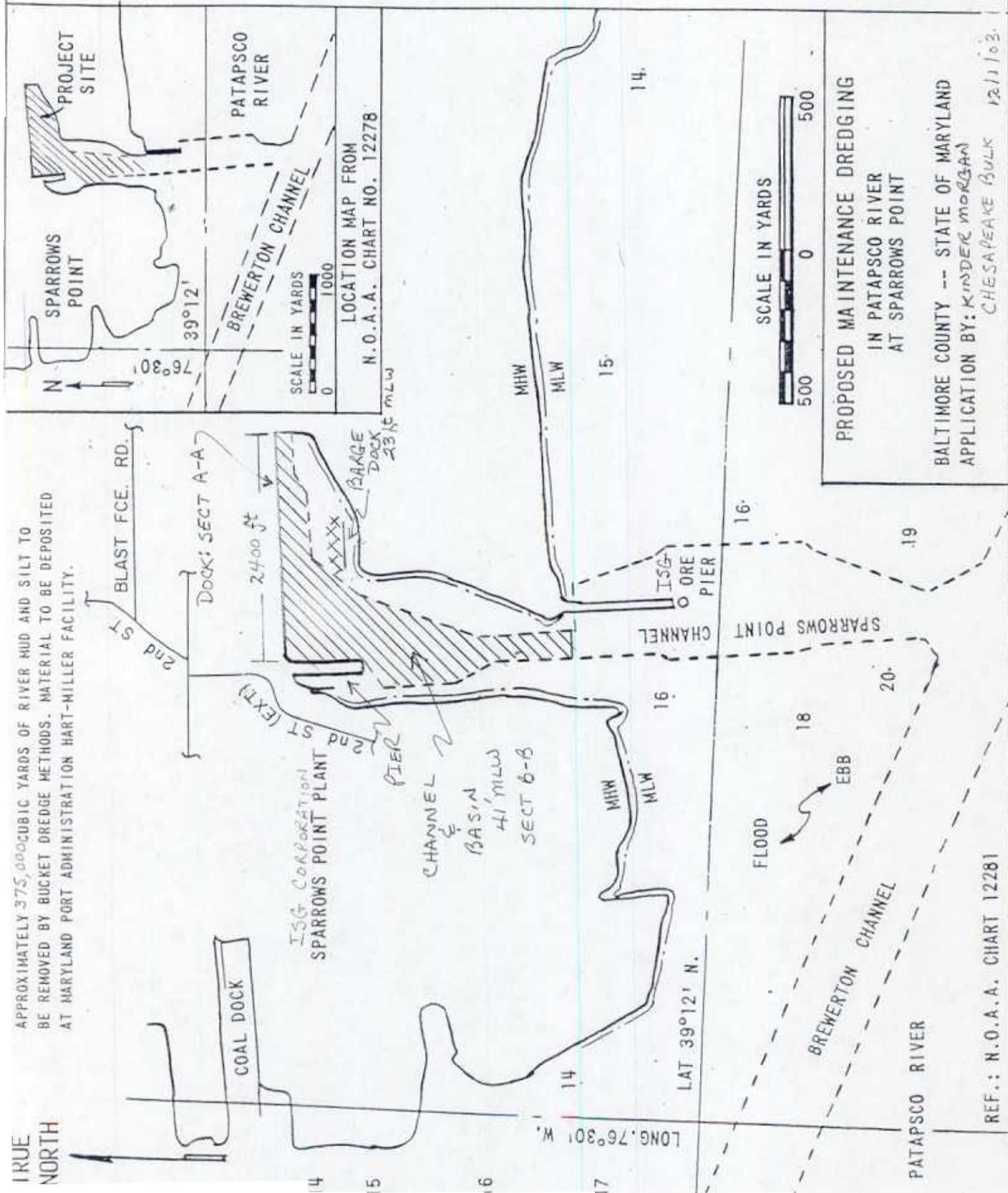
Review of the latest published version of the National Register of Historic Places indicates that no registered properties listed as eligible for inclusion therein are located at the site of the proposed work. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or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

APPROXIMATELY 375,000 CUBIC YARDS OF RIVER MUD AND SILT TO BE REMOVED BY BUCKET DREDGE METHODS. MATERIAL TO BE DEPOSITED AT MARYLAND PORT ADMINISTRATION HART-MILLER FACILITY.

TRUE NORTH



LOCATION MAP FROM N.O.A.A. CHART NO. 12278

PROPOSED MAINTENANCE DREDGING IN PATAPSCO RIVER AT SPARROWS POINT

BALTIMORE COUNTY -- STATE OF MARYLAND
 APPLICATION BY: *KINDER MORGAN*
 CHESAPEAKE BULK 12/1/63.

REF.: N.O.A.A. CHART 12281

EXISTING STGE.
YARD

EL. +10'

EXISTING BASIN

ORE
YARDS

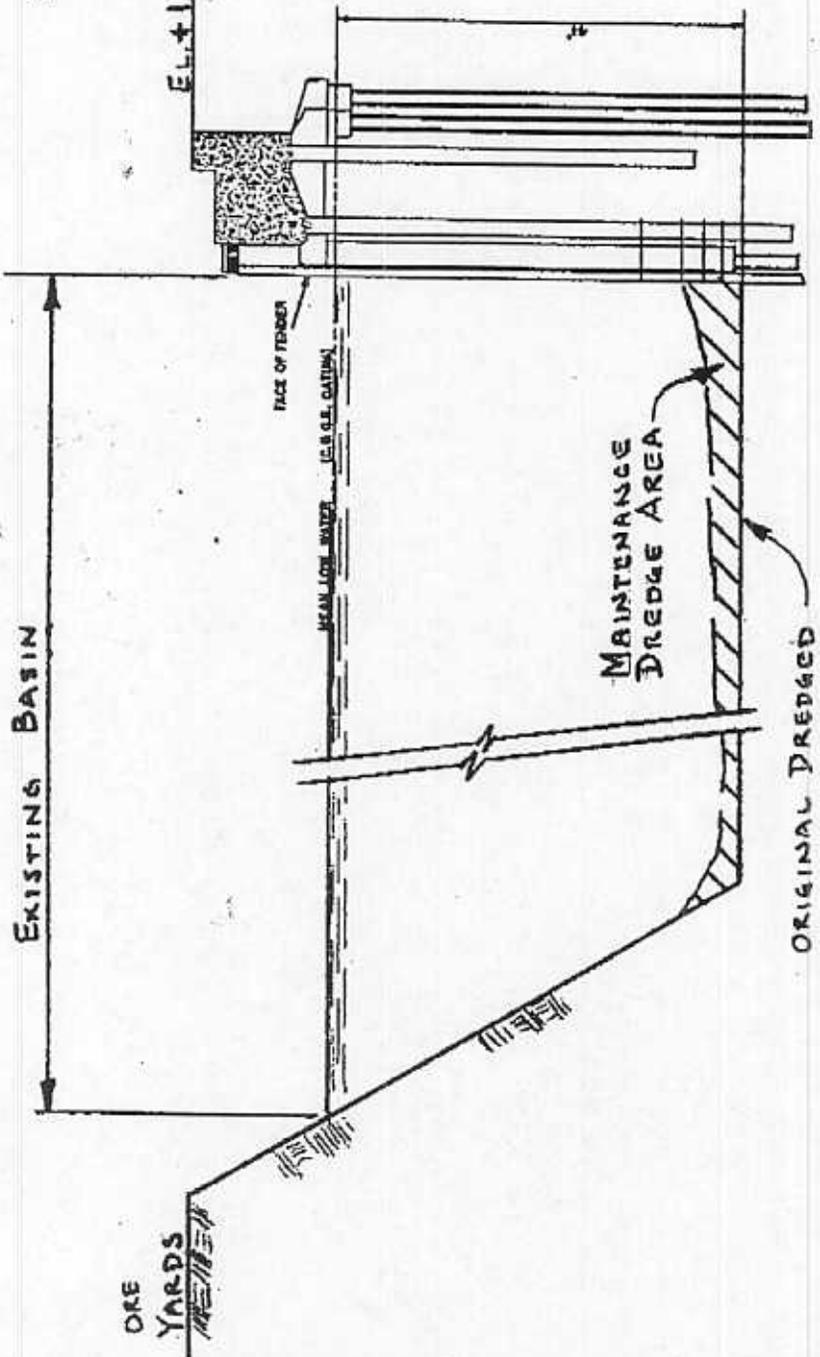
FACE OF FENDER
MEAN LOW WATER
U.S.G.S. DATUM

MAINTENANCE
DREDGE AREA

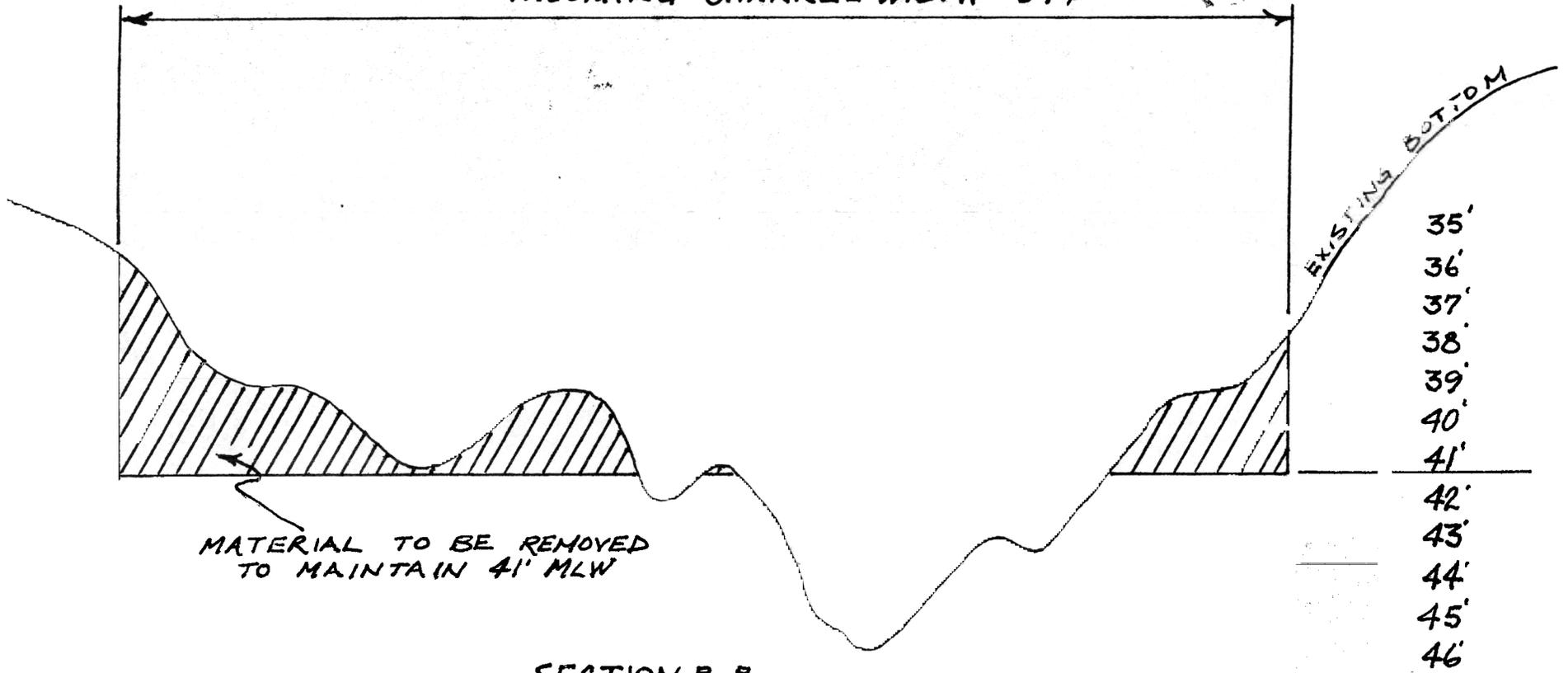
ORIGINAL DREDGED
DEPTH - 41' M.L.W

SECTION A-A

PROPOSED MAINTENANCE DREDGING
IN PATAPSCO RIVER
AT SPARROWS POINT
KINDER MORGAN -
CHESAPEAKE BULK 12/1/03



INCOMING CHANNEL WIDTH 574



MATERIAL TO BE REMOVED
TO MAINTAIN 41' MLW

SECTION B-B

CURRENT SOUNDINGS @ MLW
BETWEEN 30' AND 44' 9"

PROPOSED MAINTENANCE DREDGING IN
PATAPSCO RIVER AT SPARROWS POINT

KINDER MORGAN -
CHESAPEAKE BULK
12/1/03

JOINT FEDERAL / STATE APPLICATION FOR THE ALTERATION OF ANY TIDAL WETLAND IN MARYLAND

All applications must be accompanied by plan drawings which show the location and character of the proposed work. For specific information on what is required on the plans, refer to the instruction package. 8-1/2" x 11" black & white drawings are required for every application. Full construction plans are required for projects submitted to the Waterway Permits Division. Any application which is not completed in full or is accompanied by poor quality drawings may be returned and will result in a time delay to the applicant.

If you need help understanding how to fill out the application form, please refer to the instruction booklet.

APPLICATION NUMBER:
(To be assigned by the agencies) 200461863 T61868

1. APPLICANT INFORMATION:

Name: John A. Manzari, Terminal Manager Telephone: (410) 388-1440
 Address: Kinder Morgan Chesapeake Bulk; 1575 Sparrows Point Boulevard
 City: Baltimore State: Maryland Zip: 21219-1029

2. AGENT / ENGINEER INFORMATION:

Name: _____ Telephone: _____
 Address: _____
 City: _____ State: _____ Zip: _____

3. PRINCIPAL CONTACT, if not the applicant:

Name: _____ Telephone: _____

4. PROJECT DESCRIPTION: Maintenance dredging in front of the Kinder Morgan Chesapeake Bulk bulkhead at Sparrows Point as well as in the adjacent basin, including in front of the barge dock and the entrance channel from a line north of the ISG Sparrows Point pier to the above mentioned basin. Dredging will maintain 41 feet of depth at MLW in order that Panamax vessels can be berthed at the old ore dock and barges can be berthed at barge dock at 23 feet MLW.

5. PROJECT PURPOSE:

- | | |
|---|--------------------------|
| Shore Erosion Control | Erosion/Sediment Control |
| Utility Installation | Improve Navigable Access |
| Create Waterfowl Habitat | Improve Fish Habitat |
| Temporary Construction | Stream Channelization |
| Beach Nourishment | Maintenance/Repair |
| Residential/Commercial Development | Small Pond |
| Other: (describe) <u>Maintenance dredging</u> | |

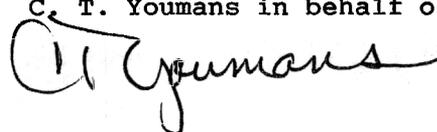
Storm Drain/Stormwater Management
RECEIVED
 FEB 10 2004
 WATER MANAGEMENT ADMIN
 REGULATORY SERVICES COORD

CERTIFICATION:

I hereby designate and authorize the agent named above to act on my behalf in the processing of this application and to furnish any information that is requested. I certify that the information on this form and on the attached plans and specifications is true and accurate to the best of my knowledge and belief. I understand that any of the agencies involved in authorizing the proposed works may request information in addition to that set forth herein as may be deemed appropriate in considering this proposal. I grant permission to the agencies responsible for authorization of this work, or their duly authorized representative, to enter the project site for inspection purposes during working hours. I will abide by the conditions of the permit or license if issued and will not begin work without the appropriate authorization. I also certify that the proposed works are not inconsistent with Maryland's Coastal Zone Management Plan.

APPLICANT MUST SIGN: _____ **Date** _____

PLEASE COMPLETE THE REVERSE SIDE

C. T. Youmans in behalf of ISG Corporation
 12/12/03

6. PROJECT LOCATION: This project is in Tidal Non-Tidal Waters. (Please Check One)
 County: Baltimore Name of Waterway: Sparrows Point Basin and Entrance Channel
 Site Address or Location: ISG Sparrows Point (Steel Plant); Sparrows Point, MD 21219

Directions from nearest intersection of two state roads: From Sparrows Point Boulevard and North Point Road (MD 151 South), proceed south on MD 151 South to end; enter International Steel Group plant (Sparrows Point) at this location.
 County Book Map (A.D.C.) Coordinates: Map: 46 Letter: G Number: 13

7. TYPE OF PROJECT:

Work Proposed	Overall Length (in feet)	Average Width (in feet)	Maximum Distance Channelward From Mean High Water For projects in tidal waters (in feet)
Bulkhead	_____	_____	_____
Revetment	_____	_____	_____
Vegetative Stabilization	_____	_____	_____
Gabions	_____	_____	_____
Groins or Jetties	_____	_____	_____
Boat Ramp	_____	_____	_____
Pier	_____	_____	_____
Breakwater	_____	_____	_____
Road Crossing	_____	_____	_____
Utility Line	_____	_____	_____
Outfall Construction	_____	_____	_____

Dredging
 New Maintenance *
 Hydraulic * Mechanical *
 Total area of disturbance = 67.03 acres; anticipated dredge volume = 375,000 cu.yds.; no impacted wetlands
 Other: For other projects, please supply project dimensions including the area of disturbance (acreage), volume of fill (cubic yards), type of fill, and area (acreage) of wetlands to be impacted.

8. PROPOSED STARTING DATE: after January 1, 2005

9. CONTRACTOR'S NAME (If Known): _____

10. LAND USE:
 Current Use Is: Agriculture Wooded Marsh/Swamp Meadow Developed
 Present Zoning Is: Residential Commercial Agriculture Other: Marine terminal heavy industrial

11. OTHER PERMITS REQUIRED: Building Permit Soil Conservation District Other: Corp. of Eng.

12. NOTIFICATION OF ADJACENT PROPERTY OWNERS:
 The applicant/agent will be informed by the permitting agencies when notification of adjacent property owners is required.

IMPORTANT: PLEASE MAIL FIVE COPIES OF THE APPLICATION, SITE PLAN, AND VICINITY MAP (WITH PROJECT LOCATION PINPOINTED) TO:

MDE, WATER MANAGEMENT ADMINISTRATION
 REGULATORY SERVICES COORDINATION OFFICE
 1800 WASHINGTON BOULEVARD, SUITE 430
 BALTIMORE, MARYLAND 21230
 1-800-876-0200 OR (410) 537-3762