



# PUBLIC NOTICE

US Army Corps  
of Engineers  
Baltimore  
District

In Reply to Application Number  
CENAB-OP-RMN(BA DEPRM/MUDDY  
GUT/DREDGING)05-60167-1

Comment Period: 23 November 2004 to 23 December 2004

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT [.....] 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) and State authorization pursuant to the Tidal Wetlands Act and/or Nontidal Wetlands Protection Act, as described below:

APPLICANT: *Baltimore County Department of Environmental Protection & Resource Management  
Attn: Candace Crowell  
Suite 416  
401 Bosley Avenue  
Towson, Maryland 21204-4488*

LOCATION: *Muddy Gut, Baltimore County, Maryland*

WORK: The applicant proposes to hydraulically or mechanically dredge two main channels; segment "A" is 2,900 feet long, 50 feet wide and is to be dredged to 4.5 feet below mean low water; segment "B" is 800 feet long, 30 feet wide and is to be dredged to 4.5 feet below mean low water. The approximately 14,900 cubic yards of dredged material is to be deposited at the Hart Miller Island disposal site. This channel was previously authorized and dredged under Department of the Army permits CENAB-OP-RW(Baltimore Co. DEPRM/Muddy Gut Channel)96-61129-1 issued on May 20, 1996, and CENAB-OP-RW(Elsing Road Dredging Assoc.)96-62007-1, issued on August 5, 1996.

Additionally, 10 spur channels are proposed in association with the proposed dredging of the main channel. Spurs 1-(Berdych/Kashen, 96-61952), 2-(Johnson,96-61950, 5-(Kikas/Oliver, 96-62001), 8-(Hale, 96-62009), 9-(Rybczynski,96-61983), and 10-(Howard,96-61978), were previously authorized. Spurs 3, 4, 6, and 7 were not part of the previous application. Although the permits are currently valid for maintenance dredging under the 10 year maintenance dredging authorized as part of the original permits, new permits, including 10 year maintenance dredging authorization, are requested for all applications. The spur channels are proposed to be dredged to 4.5 feet below mean low water and the dredged material is to be deposited at the Hart Miller Island disposal site.

Please note that in addition to dredging, Samogyi Farm (Raymond Brehm) proposes to construct a 6 foot wide, 40 foot long pier to extend no more than 40 feet channelward of the approximate mean high water shoreline; Paul Oliver proposes to construct a pier with a 20 foot by 15 foot "L", and to install 4 mooring piles, none of the work to extend more than 70 feet channelward of the approximate mean high water shoreline.

#### Spur Channels:

Tracking #	Name	Spur Channel Area	Volume (cu. yds.)
1. 200560169	E. Berdych	4,776 sq. ft.	464
2. 200560170	L. Johnson	9,203 sq. ft.	886
3. 200560171	West Shore	147,168 sq. ft.	6,220
4. 200560172	Samogyi Farm	1,843 sq. ft.	205

5.	200560173	Paul Oliver	5,163 sq ft	478
6.	200560174	Rodney Coster	3,240 sq ft	289
7.	200560175	Ronald Tomko	2,984 sq ft	206
8.	200560176	Gary Hale	4,200 sq ft	268
9.	200560177	E. Rybczynski	3,300 sq ft	367
10	200560178	Louis Howard	4,500 sq ft	333

Permits for these projects, if issued, would authorize periodic maintenance dredging for 10 years, subject to the prior notification of the District Engineer and availability of an adequate disposal site for the dredged material. The purpose of the project 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. Jon Romeo at (410) 962-6079.

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 (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely affect essential fish habitat (EFH). The project sites lie in or adjacent to EFH, as described under the MSFCA for juvenile and adult windowpane flounder (Scopthalmus aquosus), juvenile and adult bluefish (Pomatomus saltatrix), juvenile and adult summer flounder (Paralichthys dentatus); and egg, larvae, juvenile, and adult stages of red drum (Sciaenops ocellatus), king mackerel (Scomberomorus cavalla), spanish mackerel (Scomberomorus maculatus), and cobia (Rachycentron canadum). These are managed species under the MSFCA. The project has the potential to adversely affect EFH, or the species of concern, by loss of spawning, nursery, forage, and/or shelter habitat. The Baltimore District has determined that the adverse effects of the projects would not be substantial and an abbreviated consultation will be conducted with the NMFS. No mitigative measures are recommended at this time to minimize adverse effects on EFH. This determination may be modified if additional information indicates otherwise and would change the 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, 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.

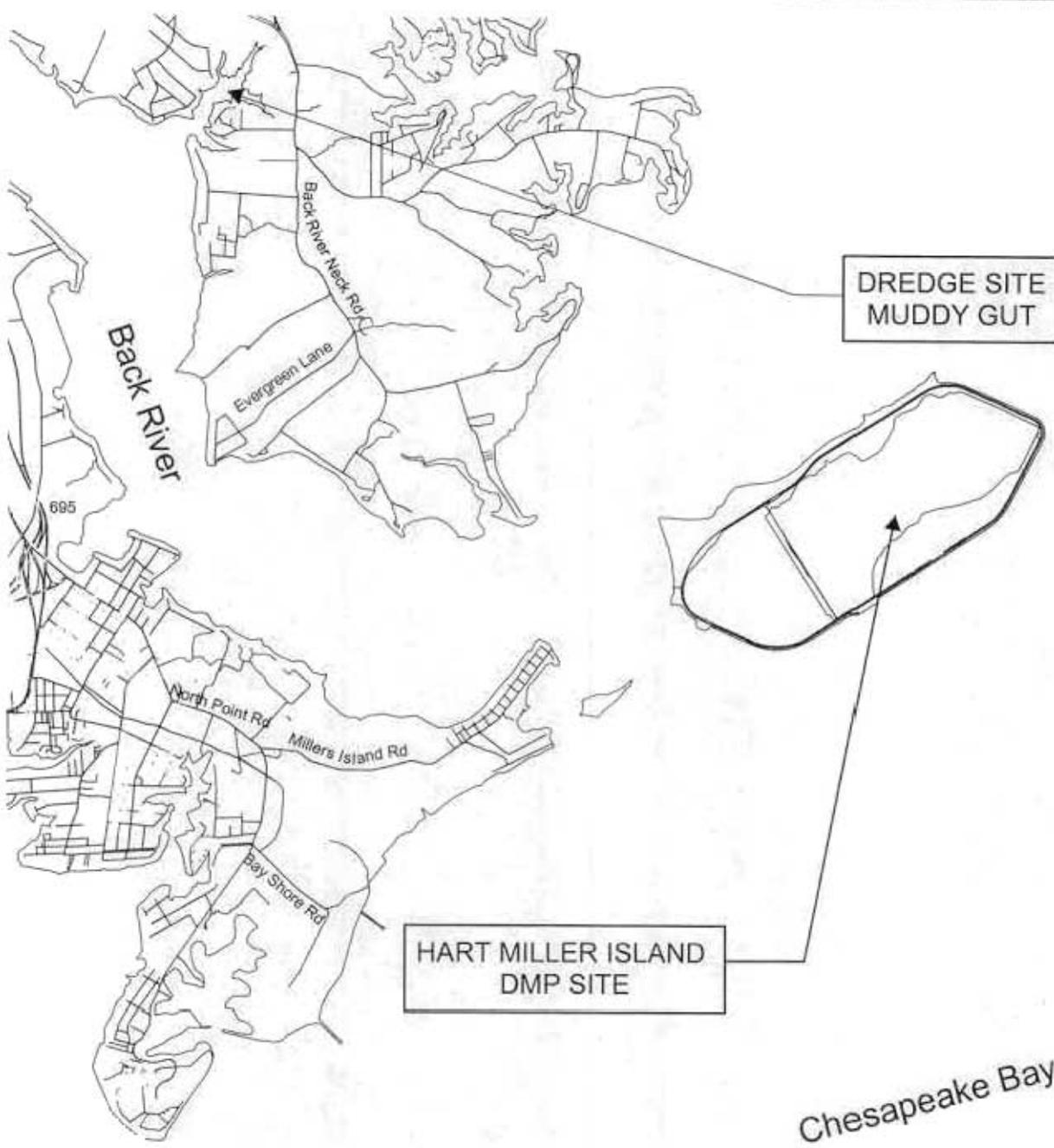
The applicant has certified in this application that the proposed activity complies with and will be conducted in a manner consistent with the Maryland Coastal Zone Program. This certification statement is available for inspection in the District Office; however, public comments relating to consistency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

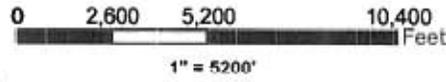


DREDGE SITE  
MUDDY GUT

HART MILLER ISLAND  
DMP SITE

Chesapeake Bay

**PROPOSED DREDGING**  
**MUDDY GUT**  
ESSEX, BALTIMORE COUNTY, MD



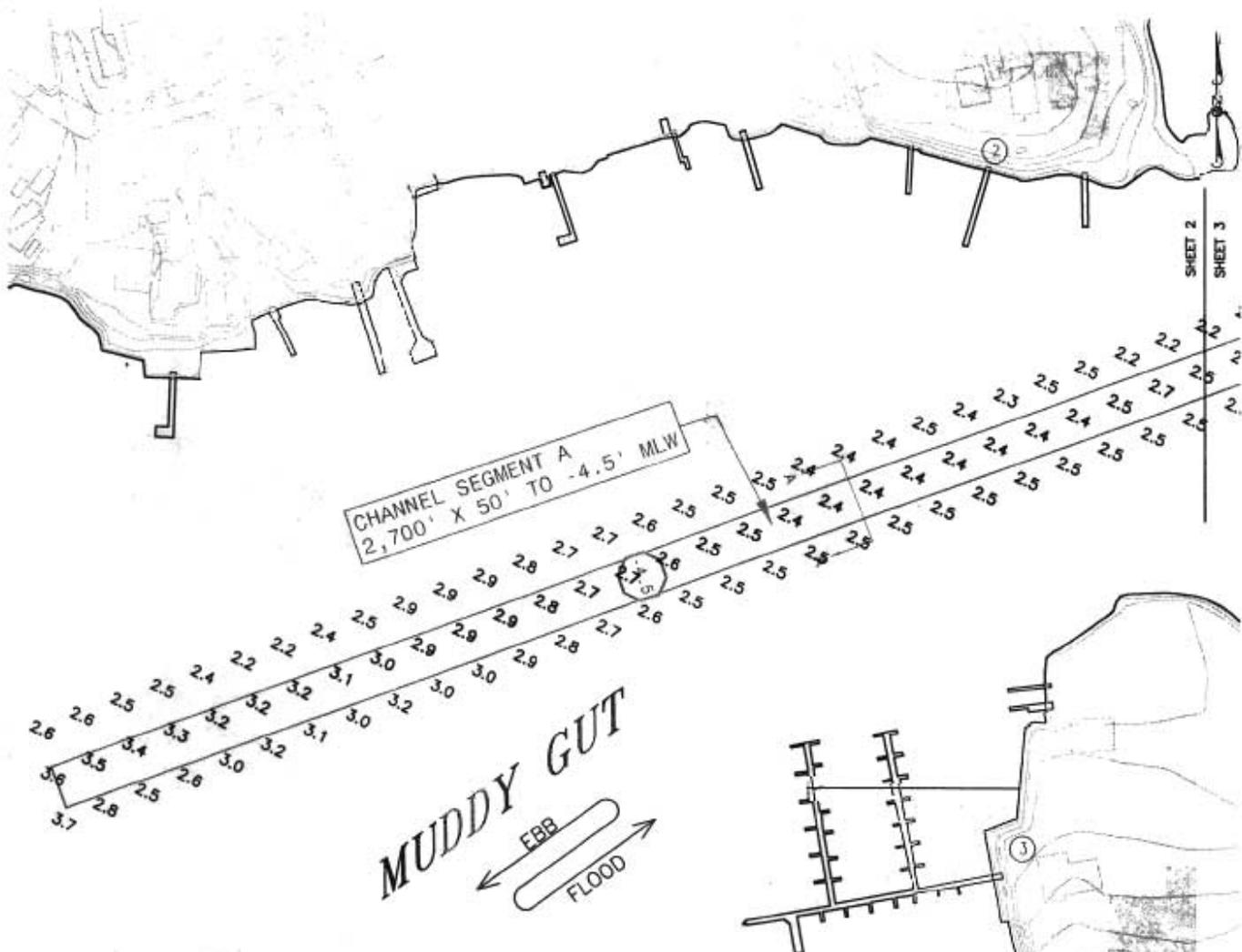
APPL. BY BALTIMORE COUNTY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
AND RESOURCE MANAGEMENT

SEPTEMBER 2004 SHEET 1 OF 6

*BayLand*  
Consultants & Designers, Inc.

1321 Mercedes Drive, Suite C Phone: (410) 694-9401  
Hanover, Maryland 21076 Fax: (410) 694-9405

P:\22101\_BACK RIVER PERMIT DESIGN\GIS\GreenHs\_Cove\_vicinity.MXL



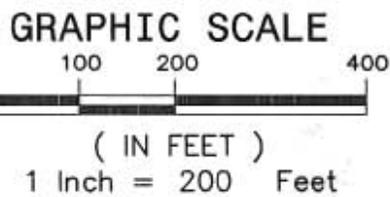
**MUDDY GUT**  
 EBB ←  
 → FLOOD

PROPOSED MAINTENANCE DREDGING. PREVIOUSLY PERMITTED AND DREDGED UNDER 89-WL-0833(R) AND 96-WL-1020, EXPIRED AND CENAB-OP-RW (BALTIMORE CO DEPRM/MUDDY GUT) 96-61129-1, VALID THRU MAY 20, 2006 AND CENAB-OP-RW (ELSING ROAD DREDGING ASSOC.) 96-62007-1, VALID THRU AUGUST 5, 2006.

LEGEND	
	PROPOSED COUNTY CHANNEL
	PROPOSED CHANNEL DEPTH
	SPUR APPLICANT NUMBER
	SOUNDINGS BY MD DNR

SAV LEGEND	
SURVEY DATE: MAY 13, 2003	
2p <i>Zannichellia palustris</i>	
	SAV BED
	VS - VERY SPARSE 0-10%
	S - SPARSE 10-40%
	M - MODERATE 40-70%
SURVEY DATE: JULY 23, 2003	
NO SAV OBSERVED	

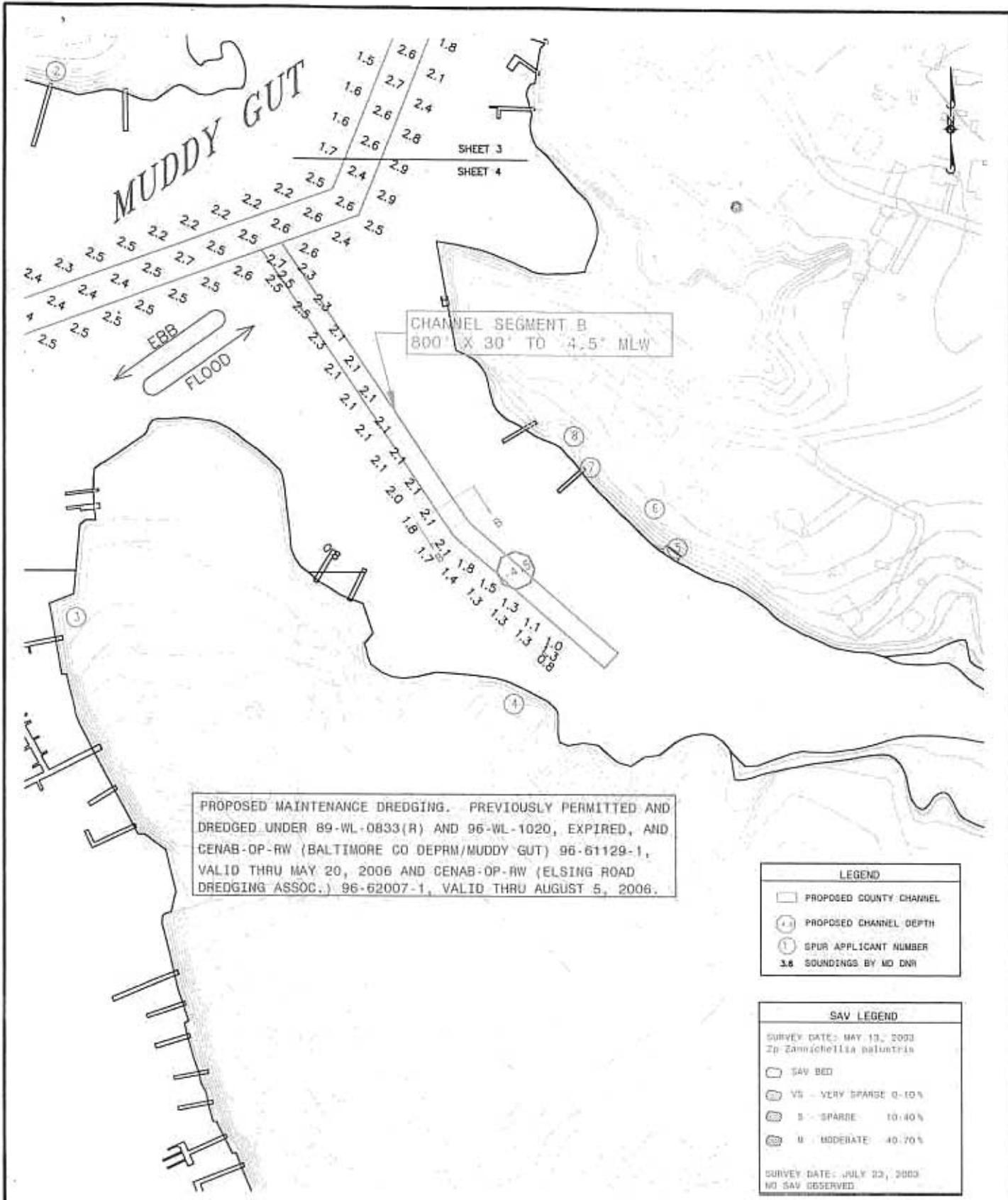
**PROPOSED MAINTENANCE DREDGING  
 MUDDY GUT  
 ESSEX, BALTIMORE COUNTY, MD**



APPL. BY: BALTIMORE COUNTY  
 DEPARTMENT OF ENVIRONMENTAL PROTECTION  
 AND RESOURCE MANAGEMENT  
 SEPTEMBER 2004 SHEET 2 OF 6

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 Consultants & Designers, Inc.  
*"Integrating Engineering and Environment"*  
 1321 Mercedes Drive, Suite C Phone: (410) 694-9401  
 Hanover, Maryland 21076 Fax (410) 694-9405



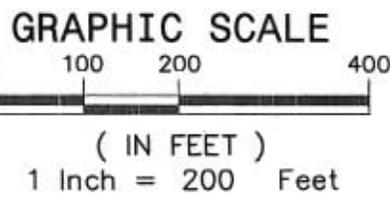


PROPOSED MAINTENANCE DREDGING. PREVIOUSLY PERMITTED AND DREDGED UNDER 89-WL-0833(R) AND 96-WL-1020, EXPIRED, AND CENAB-OP-RW (BALTIMORE CO DEPRM/MUDDY GUT) 96-61129-1, VALID THRU MAY 20, 2006 AND CENAB-OP-RW (ELSING ROAD DREDGING ASSOC.) 96-62007-1, VALID THRU AUGUST 5, 2006.

LEGEND	
	PROPOSED COUNTY CHANNEL
	PROPOSED CHANNEL DEPTH
	SPUR APPLICANT NUMBER
	SOUNDINGS BY MD DNR

SAV LEGEND	
SURVEY DATE: MAY 13, 2003	
2p <i>Zostera marina</i>	
	SAV BED
	VS - VERY SPARSE 0-10%
	S - SPARSE 10-40%
	M - MODERATE 40-70%
SURVEY DATE: JULY 23, 2003	
NO SAV OBSERVED	

**PROPOSED MAINTENANCE DREDGING  
MUDDY GUT**  
ESSEX, BALTIMORE COUNTY, MD



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DEPARTMENT OF ENVIRONMENTAL PROTECTION  
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# MAIN CHANNEL

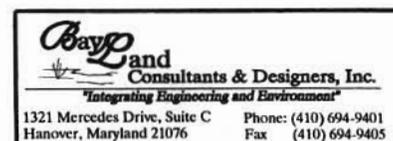
SEGMENT	LENGTH (FT)	WIDTH (FT)	DEPTH (MLW)
SEGMENT A	2700	50	-4.5'
SEGMENT B	800	30	-4.5'
TOTAL MAIN CHANNEL VOLUME			14,900 CY
TOTAL MAIN CHANNEL LENGTH			3,500 LF
TOTAL MAIN CHANNEL AREA OF IMPACT			205,756 SF = 4.7 AC
TOTAL MAIN CHANNEL AREA OF IMPACT TO SAV			0 SF = 0 AC

## CHANNEL NOTES:

1. PROPOSED MAINTENANCE DREDGING. PREVIOUSLY PERMITTED AND DREDGED UNDER 89-WL-0833(R) AND 96-WL-1020, EXPIRED, AND CENAB-OP-RW (BALTIMORE CO DEPRM/MUDDY GUT) 96-61129-1, VALID THRU MAY 20, 2006 AND CENAB-OP-RW (ELSING ROAD DREDGING ASSOC.) 96-62007-1, VALID THRU AUGUST 5, 2006.
2. MAIN CHANNEL AND SPUR DREDGING WILL NOT IMPACT SAV.
3. SAND, SILT AND CLAY MATERIALS ARE TO BE HYDRAULICALLY OR MECHANICALLY DREDGED.
4. MAIN CHANNEL DREDGING DEPTH IS -4.5' MLW.
5. MATERIAL WILL BE PLACED AT HART MILLER ISLAND DMP SITE.

PROPOSED MAINTENANCE DREDGING  
 MUDDY GUT  
 ESSEX, BALTIMORE COUNTY, MD

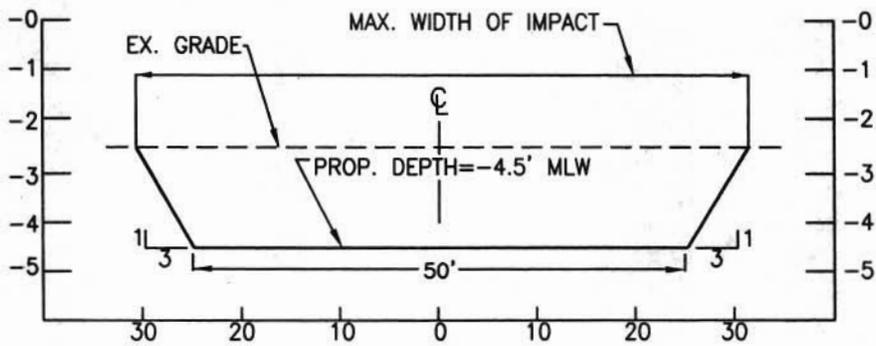
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 SEPTEMBER 2004 SHEET 5 OF 6



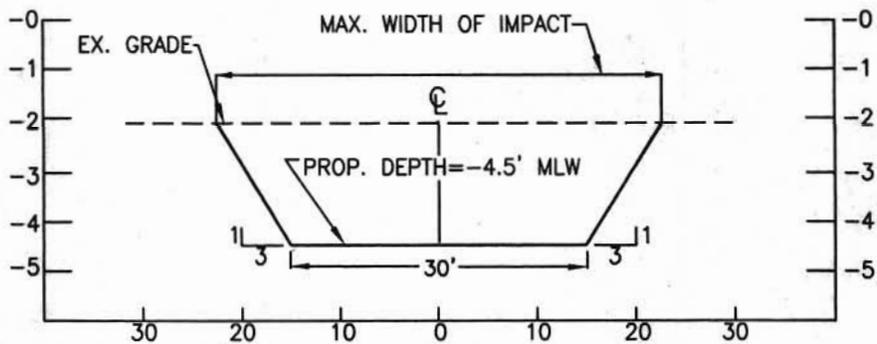
# TYPICAL CHANNEL SECTIONS

N.T.S.

### SECTION A-A



### SECTION B-B



## PROPOSED MAINTENANCE DREDGING

### MUDDY GUT

ESSEX, BALTIMORE COUNTY, MD

APPL. BY: BALTIMORE COUNTY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
AND RESOURCE MANAGEMENT  
SEPTEMBER 2004 SHEET 6 OF 6

Edward B. d. in.  
S. Wash.  
60 Galena

BALTIMORE COUNTY

MOOD CTH CHANNEL TO 7.5 MLW

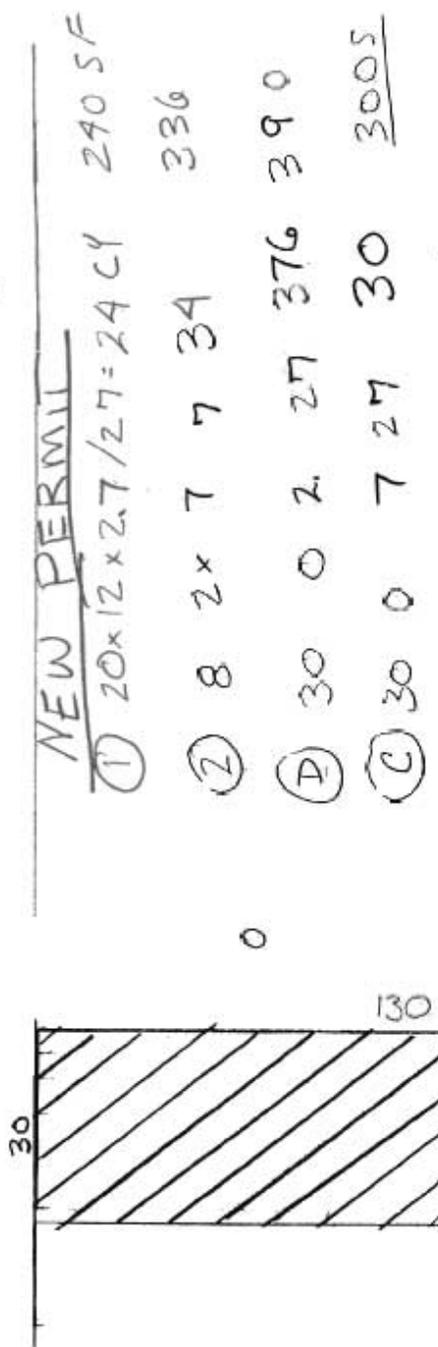
H.D. G.T.  
#1

OLD PERMIT  
AREA 5,520 F  
VOLUME 509 CY



OLD PERMITS  
89-WL-1149 - EXPIRED  
96-WL-1014 - EXPIRED  
89-2135-6 - EXPIRED  
96-G1952-1 - VALID FOR  
MAINTENANCE DREDGING  
THRU AUGUST 2006

FRYE  
156 GALENA  
AS E  
160' G



NEW PERMIT

①	20x12x2.7/27=24 CY	290 SF
②	8 2x7 7 34	336
④	30 0 2 27 376	390
③	30 0 7 27 30	<u>3005</u>

Y 464 cy  
A: 4776

PROPOSED MAINTENANCE  
DRAIN TO 45 MLW

BERDUCH  
1558 Galena  
FRYE  
1556 GALENA

-7.4 MLW Muddy Gut, Main Channel TO -4.5'

KINDLY N. JOHNSO  
1540 GALENA RD  
BALTIMORE, MD  
2122

Muddy Gut  
SCALE: 1" = 30'  
#2

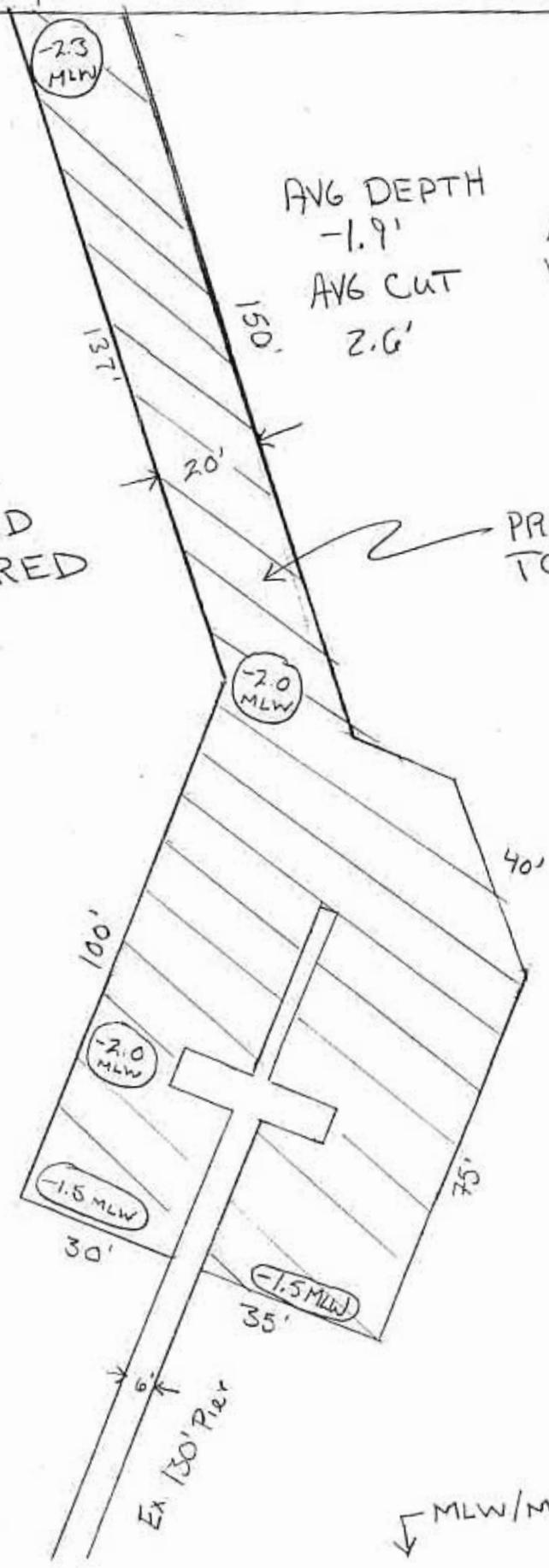
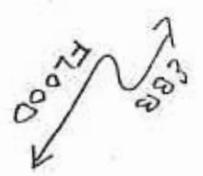
AREA = 9203 S.F.  
VOL = 886 C.Y.

Muddy Gut

AVG DEPTH -1.9'  
AVG CUT 2.6'

OLD PERMITS  
96-WL-1013 - EXPIRED  
96-G1950-1 EXPIRED

PROPOSED DREDGING TO -4.5' MLW



THOMAS  
1542 GALENARD

CATALDI  
1538 GALENA

JOHNSON  
1540 GALENA RD

MLW/MHW

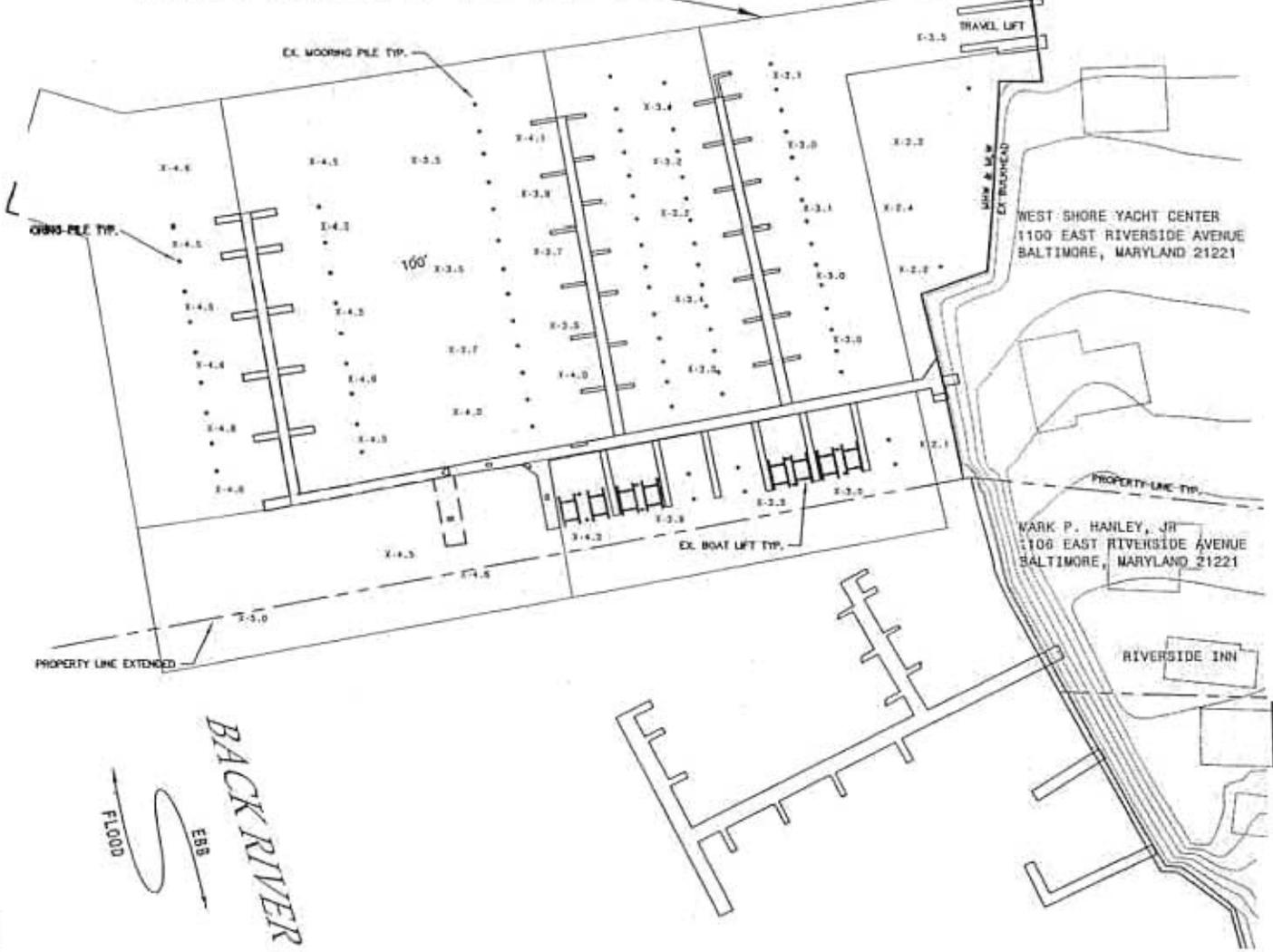
COUNTY DREDGED

MUDDYGUT  
FLOOD  
EBB



DREDGE TOTALS  
AREA 147,168 SF  
VOLUME 6,167 CY

PROPOSED DREDGING TO -5.0' MLW



BACK RIVER  
FLOOD  
EBB

APPLICATION BY:  
JOE TAYLOR  
WEST SHORE YACHT CENTER #3  
1100 EAST RIVERSIDE AVENUE  
BALTIMORE, MARYLAND 21221

0 200

( IN FEET )  
Inch = 100 Feet

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Hanover, Maryland 21076 Fax (410) 694-9405

WEST SHORE YACHT CENTER  
DREDGING PLAN

RAYMONDE, BRENM  
1330 ROCK RIDGE RD  
JARPETSVILLE MD  
21084

#4

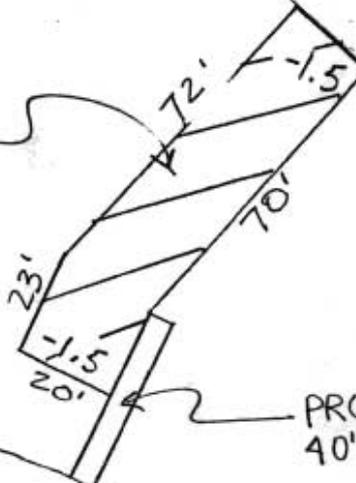


AREA 1,843 SF  
VOLUME 205 CY

BALT CD  
TO ELSING COMM.  
TO - 4.5' MLW

MUDDY BUT  
EBB  
FLOOD  
CHANNEL

PROPOSED DREDGING  
TO - 4.5' MLW



PROP PIER  
40' x 6'

RAYMOND BRENM  
SOMOGI FARM

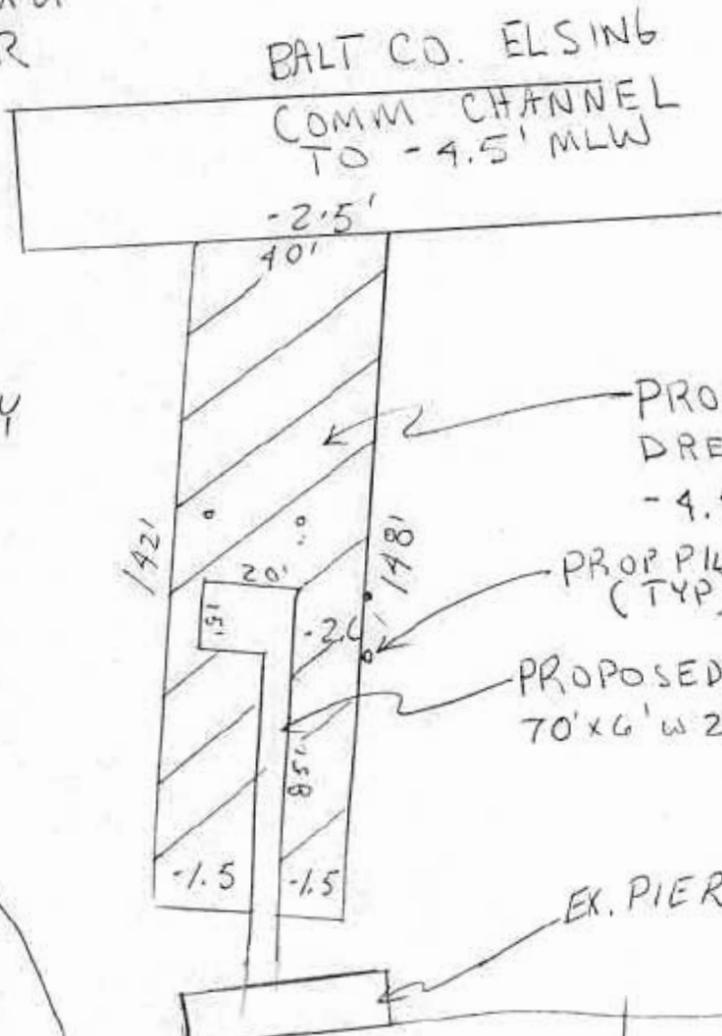
MHW  
MLW

SCALE  
40'

PREP L PF TEL  
 AD ED D  
 UNDER 9 WL NZZ  
 4 C 9 6 0  
 T IS VALID THRU  
 AUG 2006 FOR  
 FINANCE  
 D D NG



AREA 5,163 SF  
 VOLUME 478 CY



BALD CO. ELSING  
 COMM CHANNEL  
 TO -4.5' MLW

PROPOSED  
 DREDGING TO  
 -4.5' MLW

PROPPILING  
 (TYP)

PROPOSED PIER  
 70' x 6' w 20' x 15' L

EX. PIER

MLW  
MHW

PAUL OLIVER &  
 MICHELLE MIKAS

COSTER  
 1201 ELSING

R MAJ  
 127 L N

2 EL V6 R AD  
 T ND I D

CALL 4

R ost  
d

M ddy G €

BALTIMORE COUNTY

D G.I.D CHANNEL

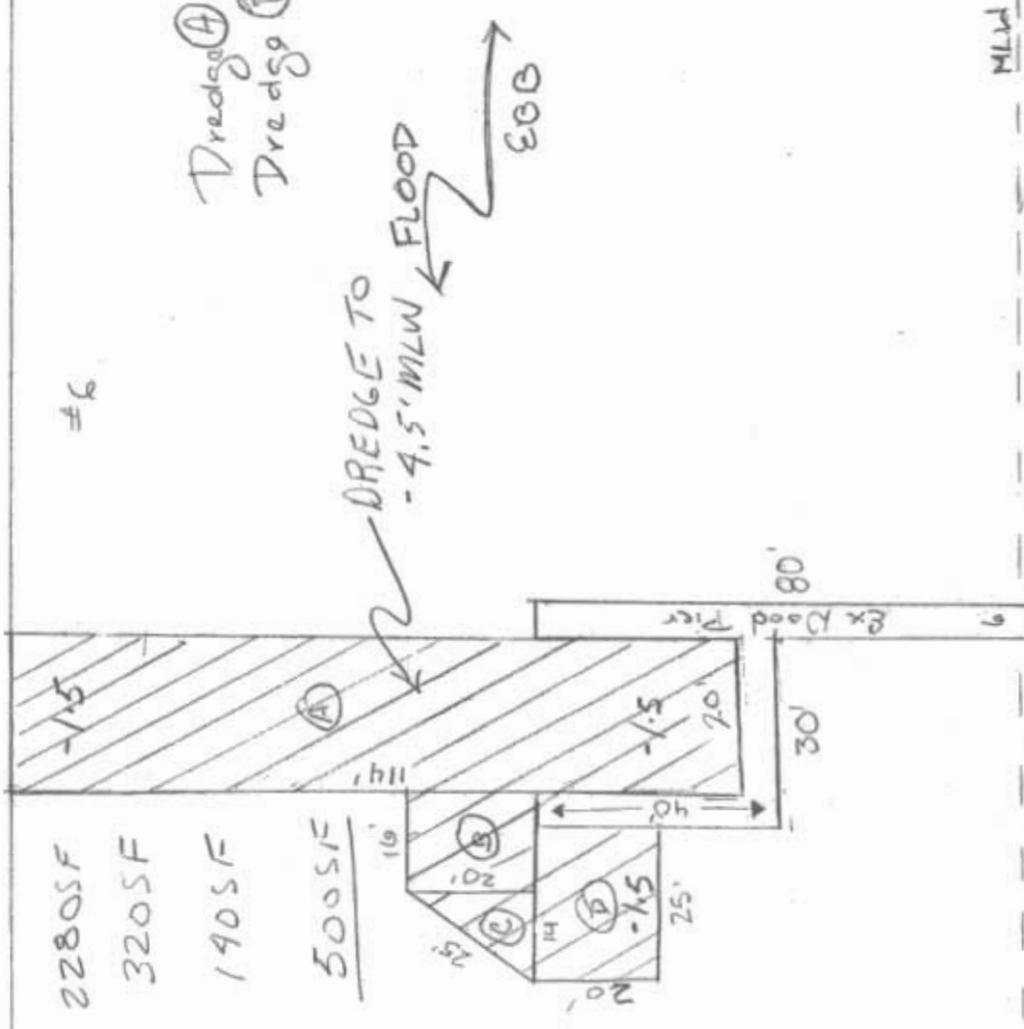
Muddy Pt TO 45 MLW

- A)  $114' \times 20' \times 3' = 6840$
- B)  $20' \times 12' \times 1' = 320$
- C)  $\frac{1}{2} \times 14' \times 20' \times 1' = 140$
- D)  $25' \times 20' \times 1' = 500$

$\frac{7800}{27}$

Vol total = 289

Area = 3240 SF



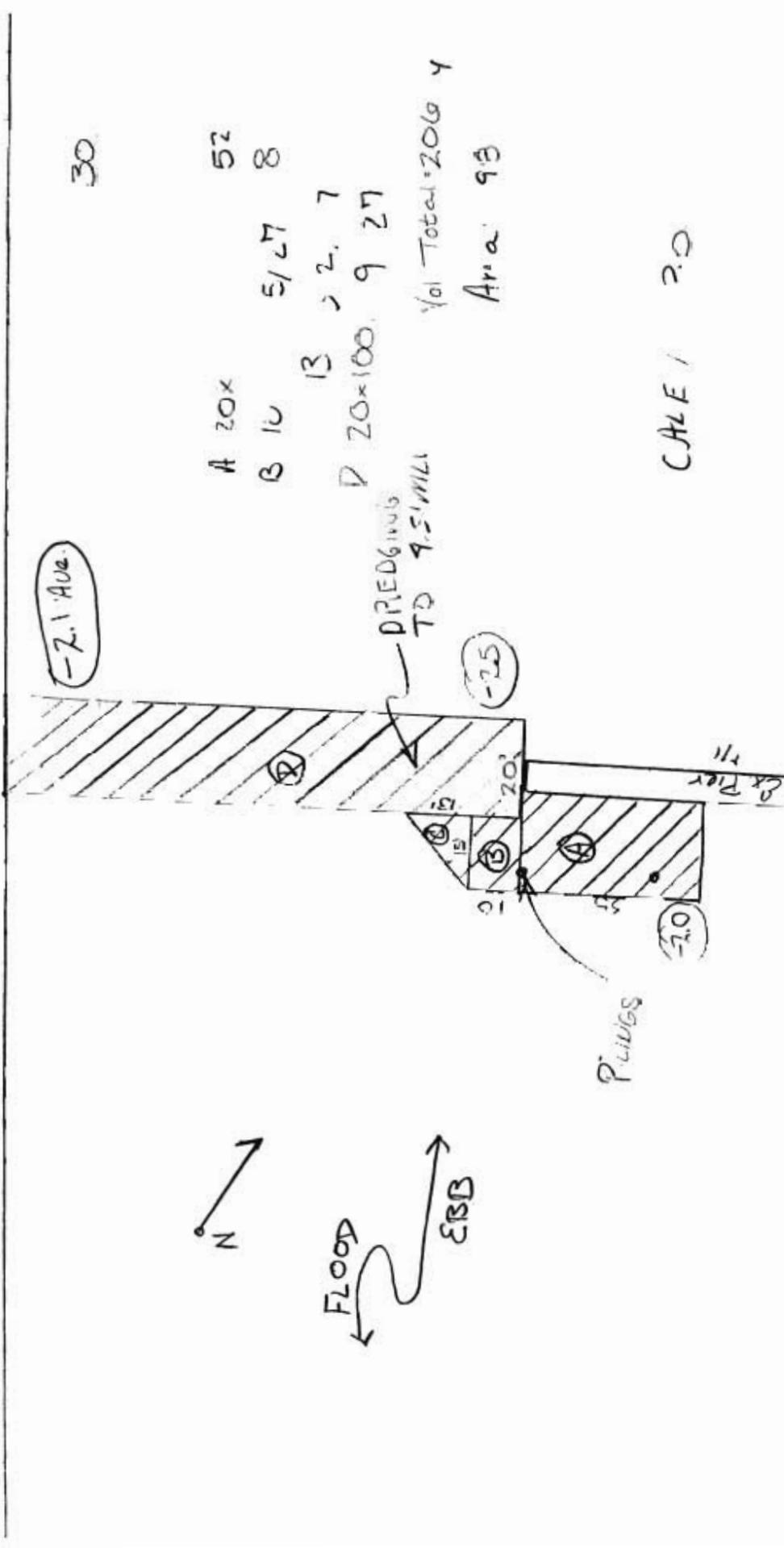
1219 Elsing Rd  
Paul Oliver

1213 Elsing Rd.  
RODNEY COSTER

1211 Elsing R  
Ron Tomko

#7 R old T  
 1. Elsin Muddy Gut

Muddy Gut PLS to CHANNEL (MAIN)  
 7' H<sub>2</sub>O TO 4' W<sub>2</sub>O



A 20x 52  
 B 10 5/27 8  
 D 20x100 9 27  
 1/10 Total 206 y  
 Area 98

PILE / P.O

Muddy Gut  
 MHM  
 ↓

RONALD J. TOM O  
 2 Elsin

213 Elsin Rd  
 RODNEY OSTER

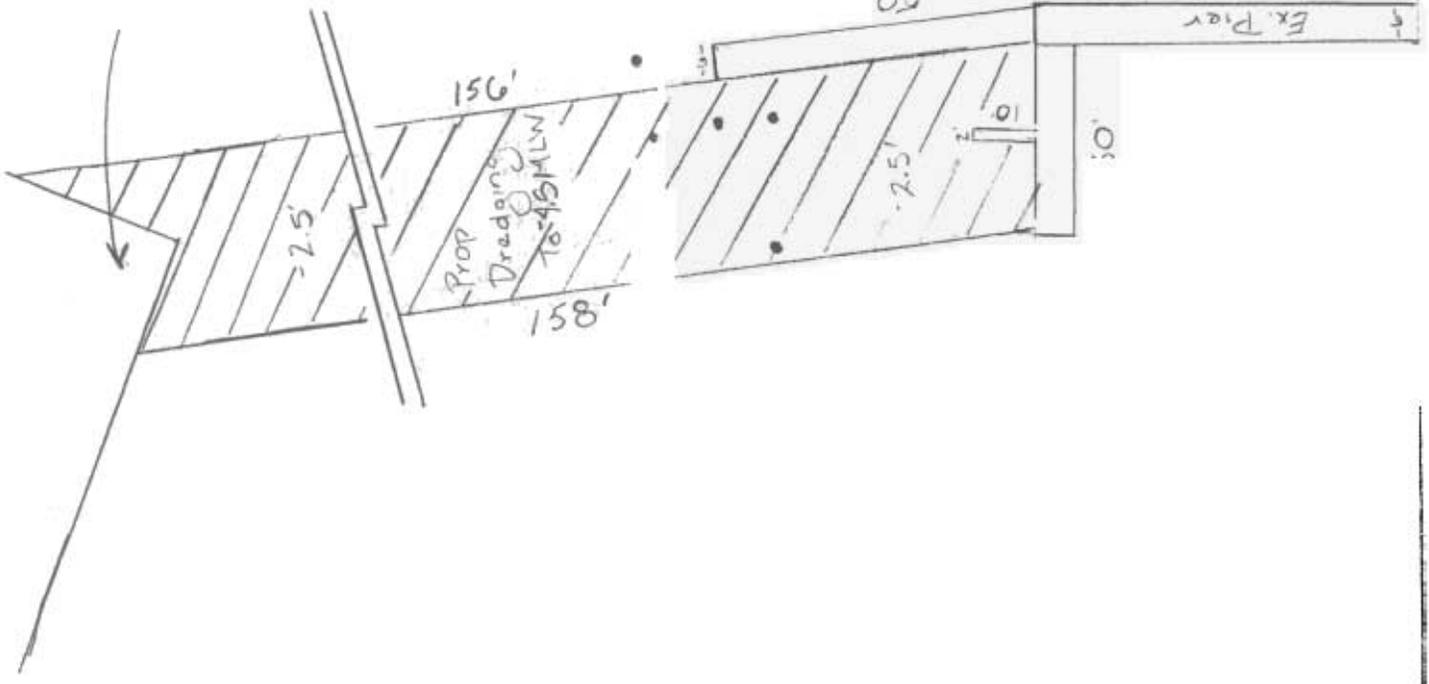
209 Elsin Rd  
 GARY HALE



LO HOWARD  
 4T TON  
 M DDY GUT

= 30

BIL CO CHAN L  
 MUDD GU  
 TO 45 MLW



Vol 1: 0XZ 7

50 30 00.

Na He ang Dredg na  
 P wi P Hedy  
 89 4 6 E  
 WL 1016  
 L 56

COE 6678  
 VLD THRU AUG 6  
 R.M.H. TER A. E  
 D .06 N6

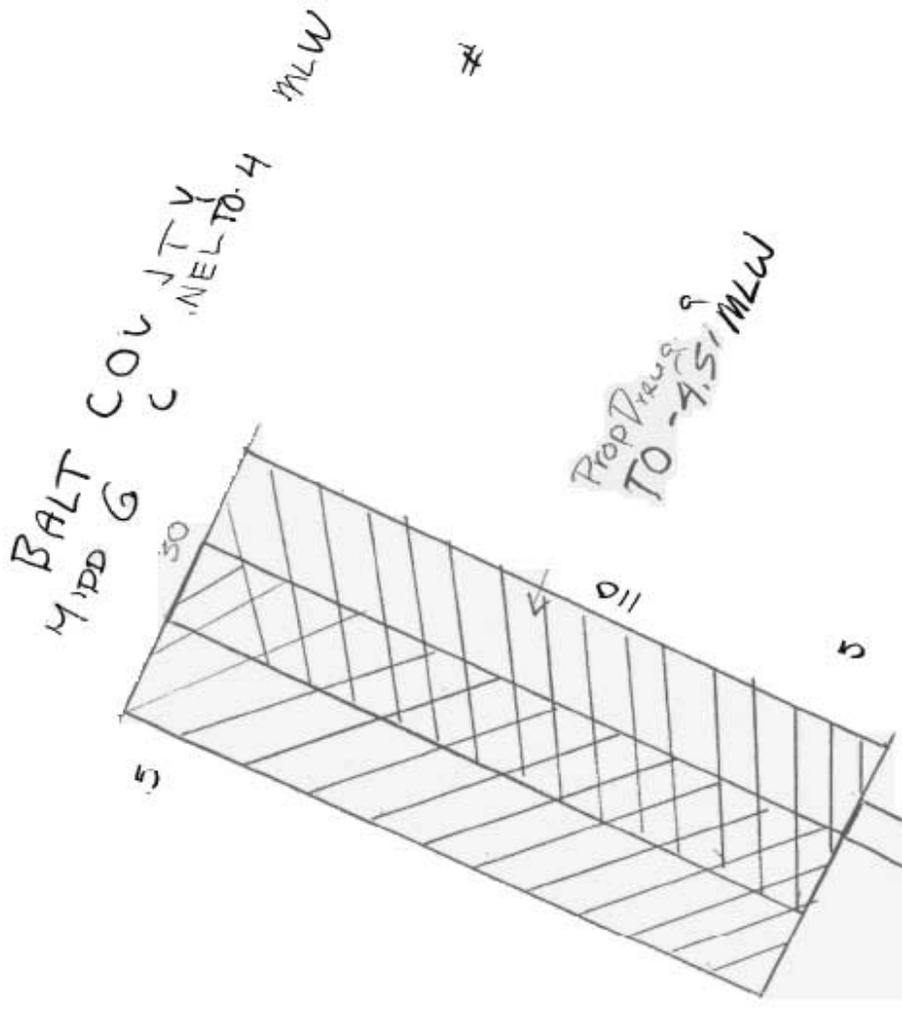
MIN W  
 ↓

R40 24NSK  
 2

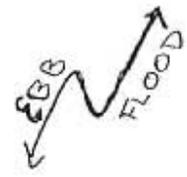
V CANT MA NA P

HOWARD  
 2

Edna Rybczy  
 1532 Denton Rd  
 Muddy G b



V 110.03 7 367  
 A 30 30



Maintenance Dredging  
 asly permitted  
 19-WL-1155 EXPIRED  
 89-2142-6

COE 96-61983-1  
 VALID THRU AUG 6  
 FOR MAINTENANCE  
 DREDGING

153 Denton  
 RYBCZYNS

1534 Denton  
 HOBSON

T