



# PUBLIC NOTICE

US Army Corps  
of Engineers  
Baltimore  
District

In Reply to Application Number  
CENAB-OP-RMN(GAST CONSTRUCTION  
CO/BUEDELS-CHRISMAR MARINA/REVTMENT, PIERS,  
PILINGS & DREDGE)06-63388-12

PN-06-31

Comment Period: June 5, 2006 to July 5, 2006

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: Gast Construction Company  
Attn: Mr. Charlie Gast  
11100 Pulaski Highway  
White Marsh, MD 21162

LOCATION: Middle River, Baltimore County, Maryland

WORK: To: (a) Mechanically dredge 9,674 cubic yards of material from a 187,671 square foot area to a depth of -6.0 feet below mean low water (mlw). (b) Remove 5 existing T-head piers, 2 L-head piers, 70 finger piers & associated piles (c) Replace the aforementioned structures with 6 floating T-piers, 70 finger piers, & 162 mooring piles. (d) Emplace a 732 linear foot riprap revetment, along an existing bulkhead, extending 10 feet channelward of the mean high water line. Dredge spoils would be deposited at Hart Miller Island. The proposed project is located on Middle River, at Buedels-Chrismar Marina, in Baltimore County, Maryland.

All work is to be completed in accordance with the enclosed plans. If you have any questions concerning this matter, please contact Mr. Steve *Elinsky* at 410.962.4503.

**Essential Fish Habitat (EFH) Assessment:** The Magnuson-Stevens Fishery Conservation Management 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 affect EFH. The proposed project lies within or adjacent to EFH as described under the MSFCMA for the juvenile & adult stages of; Windowpane Flounder Scopthalmus aquosus, Blue Fish Pomatomus saltatrix, and, Summer Flounder Paralichthys dentatus. In addition, the egg, larval, juvenile, and adult stages of Red Drum Sciaenops ocellatus, King Mackerel Scomberomorus cavalla, Spanish Mackerel Scomberomorus maculatus, and Cobia Rachycentron canadum, are managed species under MSFCMA. The proposed project has the potential to adversely effect EFH or the species of concern by loss of spawning, nursery, forage, and/or shelter habitat. The Baltimore District has determined that the effects of the proposed project 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 result in a re-evaluation of 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 hazard; 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.

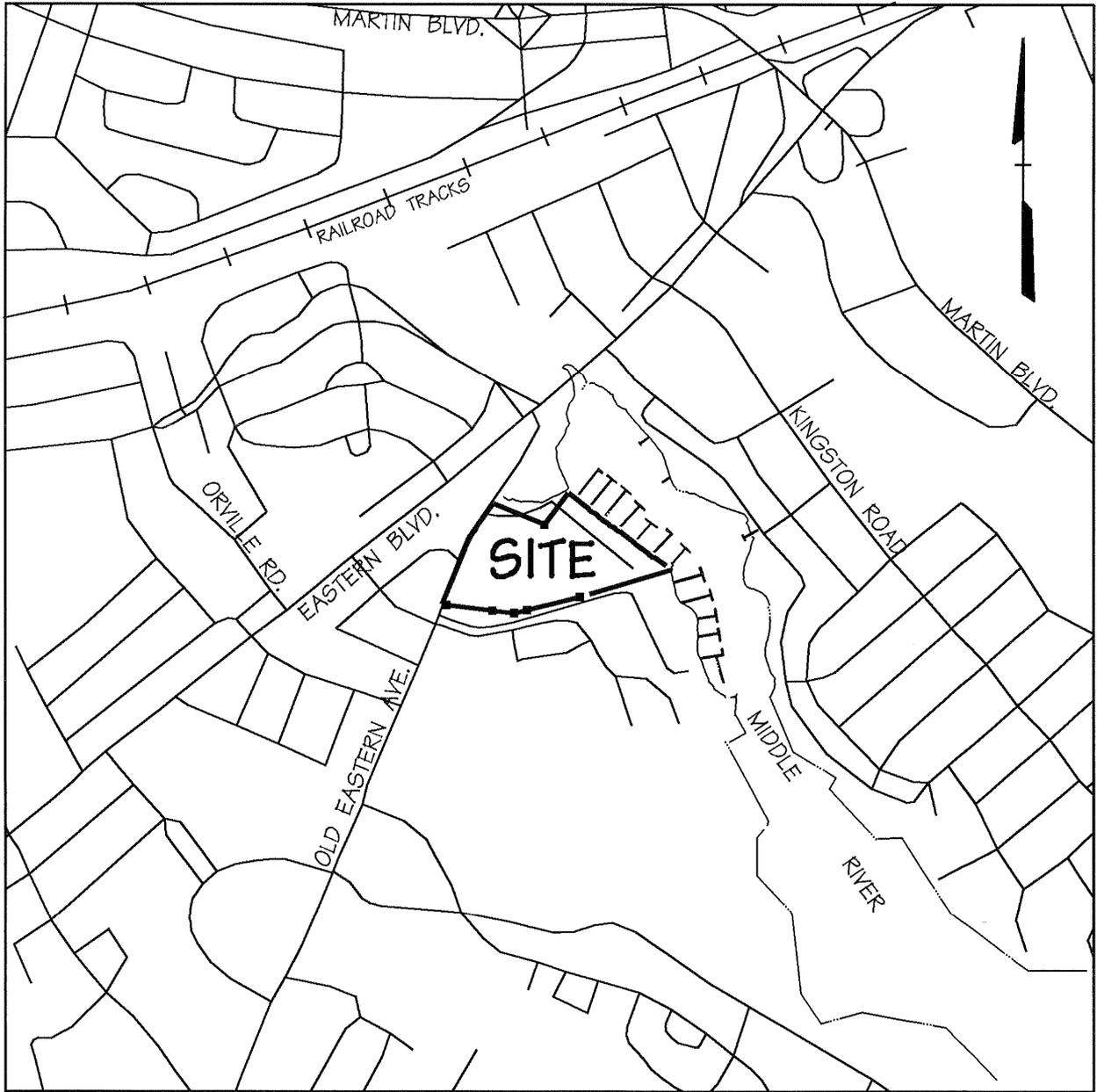
The applicant must obtain any State or local **government** permits which may be required.

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.



## VICINITY MAP

SCALE: 1"=1000'

VICINITY MAP  
**CHRISMAR MARINA**  
 TAX MAP 90 PARCEL 999

Election District  
 Councilmanic District

Baltimore County, Maryland

Job No. 05005	Scale: 1"=1000	Date: 05-25-06	Drawn By: SFM
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**DMW**

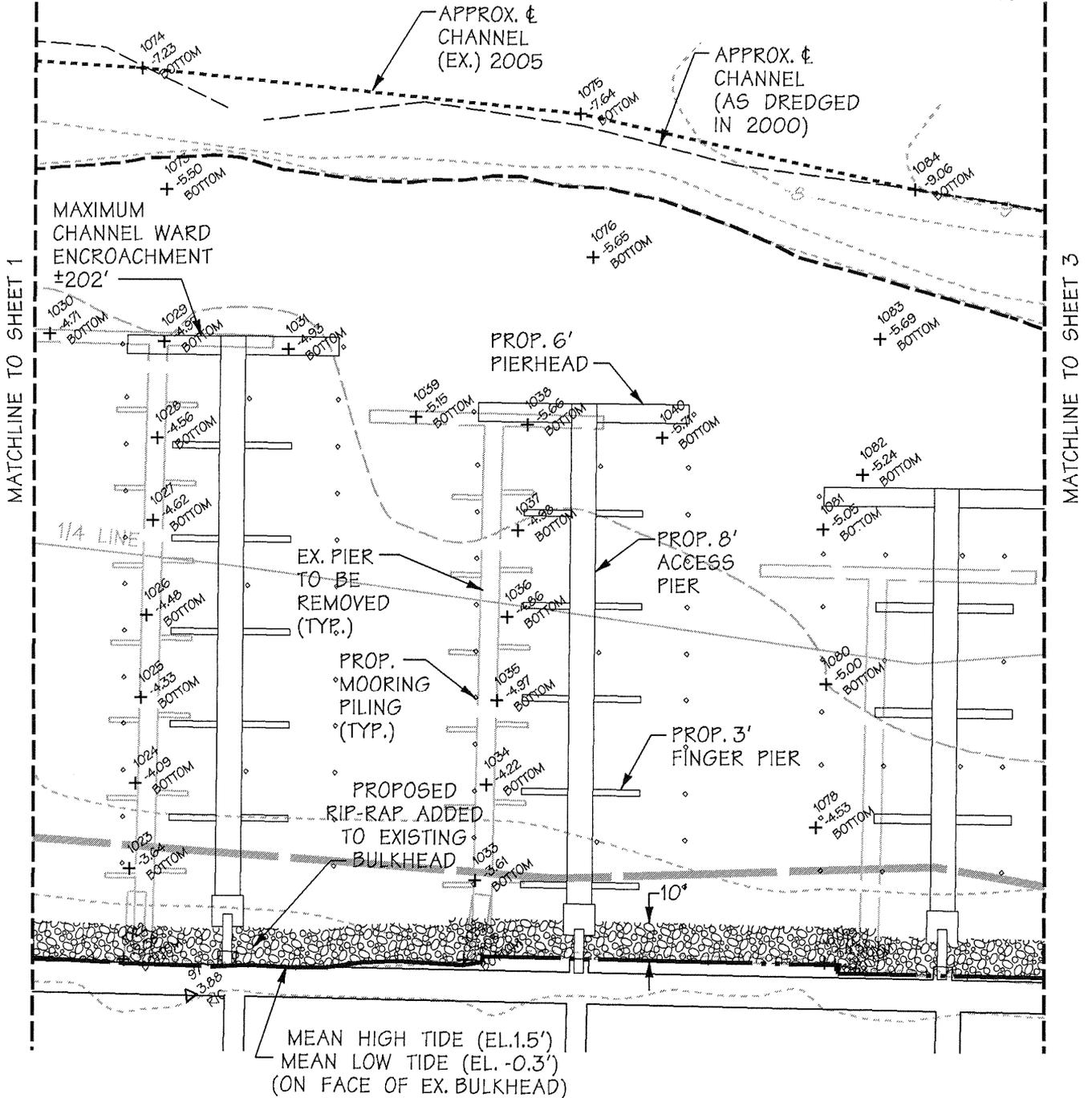
Daft-McCune-Walker, Inc.

200 East Pennsylvania Avenue  
 Towson, Maryland 21286  
 (410) 296-3333  
 Fax 296-4705

A Team of Land Planners,  
 Landscape Architects,  
 Engineers, Surveyors &  
 Environmental Professionals

# MIDDLE RIVER

FLOW  
EBB



## CHRISMAR MARINA JOINT PERMIT PLAN - EXHIBIT 3

TRACKING NO. 200663388

# DMW

Daft·McCune·Walker, Inc.

200 East Pennsylvania Avenue  
Towson, Maryland 21286  
(410) 296-3333  
Fax 296-4705

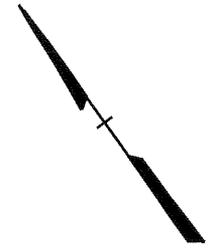
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Landscape Architects,  
Engineers, Surveyors &  
Environmental Professionals

Job No. 05005    Scale: 1"=50'    Date: 5-25-06    Drawn By: CTR

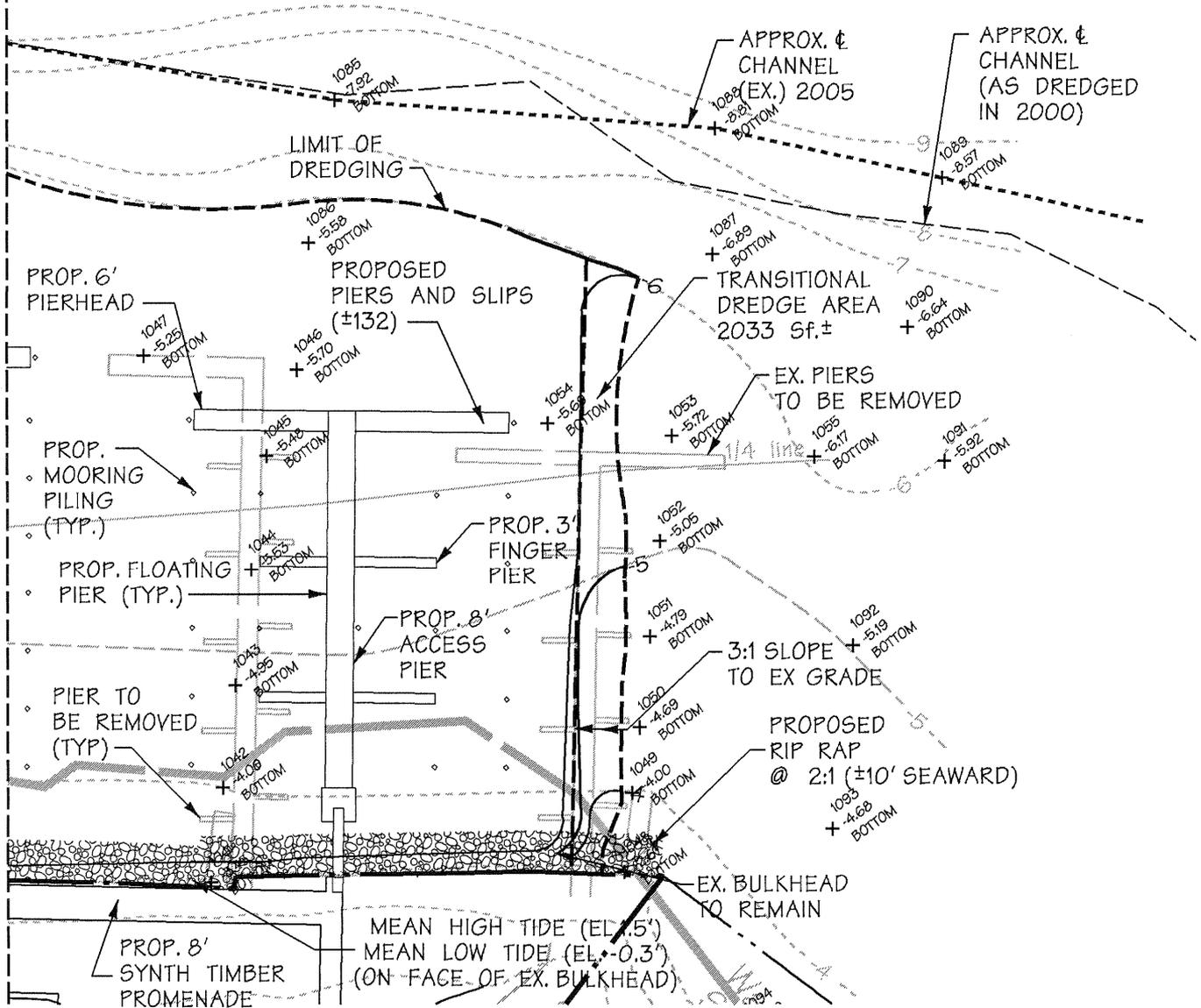
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# MIDDLE RIVER

← FLOW  
EBB →



MATCHLINE TO SHEET 2



## CHRISMAR MARINA JOINT PERMIT PLAN - EXHIBIT 4

TRACKING NO. 200663388



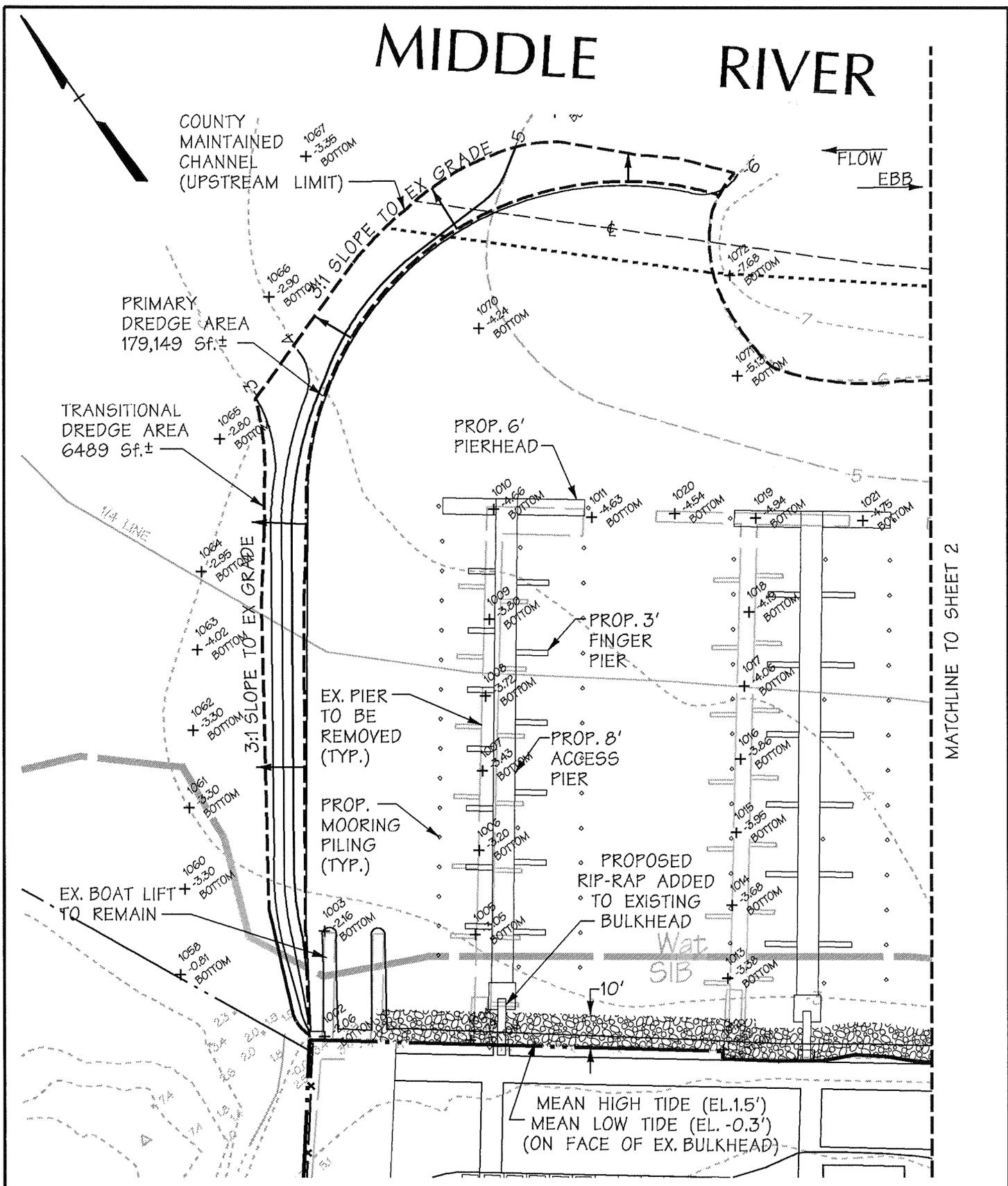
Daft-McCune-Walker, Inc.  
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Job No. 05005	Scale: 1"=50'	Date: 5-25-06	Drawn By: CTR
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Thu May 25 11:43:47 2006

# MIDDLE RIVER



## CHRISMAR MARINA JOINT PERMIT PLAN - EXHIBIT 2

TRACKING NO. 200663388



Daft·McCune·Walker, Inc.

200 East Pennsylvania Avenue  
 Towson, Maryland 21286  
 (410) 296-3333  
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