



**U.S. Army Corps
of Engineers
Baltimore District**

Public Notice

**In Reply to Application Number
CENAB-OP-RMN (BA DEPRM/JONES CREEK & OLD ROAD
BAY DREDGING/MAIN & 31 SPURS) 07-1548-M04**

PN-07-60

Comment Period: September 4, 2007 to September 19, 2007

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: Baltimore County Dept. of Environmental Protection and Resource Management
401 Bosley Avenue, Room 416
Towson, Maryland 21204

LOCATION: In Jones Creek and Old Road Bay, near North Point State Park, Baltimore County, Maryland.

WORK: To mechanically or hydraulically dredge approximately 13,285 lin. ft. of main channel with an average width of 50 ft and totaling 657,349 sq. ft. to a maximum depth that varies from -4.5 ft. to -7.0 ft. below mean low water (MLW), and approximately 3,101 lin. ft. of (31) spur channels with an average width of 24 ft. and totaling 78,586 sq. ft. to a maximum depth that varies from -3.5 to -6.5 ft. below MLW. Approximately 28,357 cu. yds. of dredged material is to be deposited at the Hart-Miller Island DMP site. A portion of this dredging was previously issued Department of the Army authorization, CENAB-OP-RW (Balt. Co. DPW/Jones Creek) 87-1076-6, on May 20, 1988.

All work is to be completed in accordance with the enclosed plans. If you have any questions concerning this matter, please contact Ms. Abbie Hopkins at (410) 962-6080.

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, with a copy provided to the Corps at the below address. 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 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 Baltimore 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, with a copy provided to the Corps, within the comment period as specified above. It should be noted that the Coastal Zone 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.

The Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), as amended by the Sustainable Fisheries Act of 1996 (Public Law 04-267), 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 project site lies in or adjacent to EFH as described under the MSFCMA for *Scophthalmus aquosus* (windowpane flounder) juvenile and adult; *Pomatomus saltatrix* (bluefish) juvenile and adult; *Peprilus triacanthus* (Atlantic butterfish) eggs, larvae, juvenile, and adult; *Paralichthys dentatus* (summer flounder) larvae, juvenile, and adult; *Centropristus striata* (black sea bass) juvenile and adult; and the eggs, larvae, juvenile, and adult stages of *Sciaenops ocellatus* (red drum), *Scomberomorus cavalla* (king mackerel), *Scomberomorus maculatus* (spanish mackerel), and *Rachycentron canadum* (cobia), managed species under the MSDCMA. 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 this project would not be substantial and an abbreviated consultation will be conducted with NMFS. A time-of-year restriction when dredging can be performed is being considered at this time to minimize adverse effects on EFH. The effect determination may be modified if additional information

indicates otherwise and would change the 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.

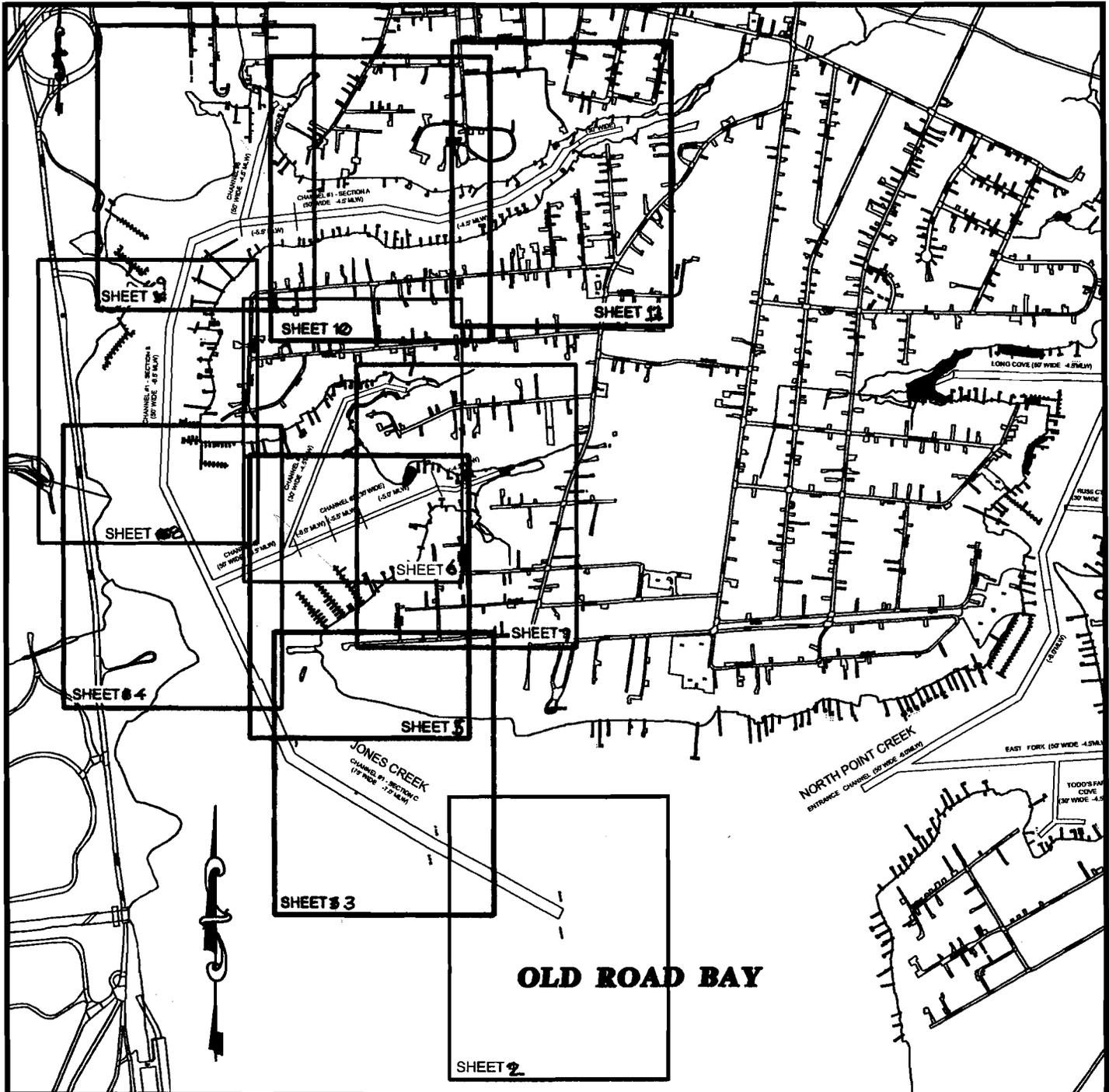
The evaluation of the impact of the work described above on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 of the Clean Water Act. Any person who has an interest which may be adversely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



SHEET 1 of 11

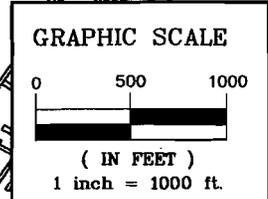
KEY SHEET

JONES CREEK & OLD ROAD BAY

APPL. BY: BALTIMORE COUNTY
 DEPARTMENT OF ENVIRONMENTAL
 PROTECTION & RESOURCE MANAGEMENT

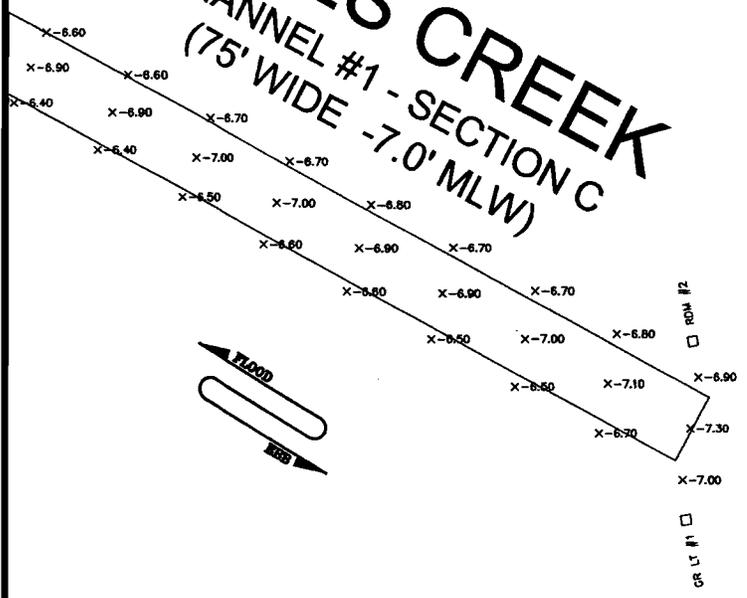
DATE: APRIL 2007

CONSULTING ENGINEERS AND SURVEYORS
Andrews, Miller & Assoc., Inc.



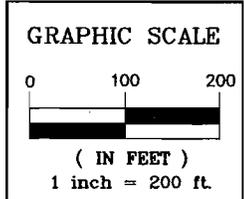


JONES CREEK CHANNEL #1 - SECTION C (75' WIDE -7.0' MLW)



- NOTES:**
1. TIDAL RANGE IS 1.2 FEET.
 2. SOUNDINGS ARE IN FEET AND REFER TO MLW.
 3. MATERIAL WILL BE PLACED AT THE HMI DMP SITE.
 4. THESE ARE PERMIT DRAWINGS ONLY. DESIGN DRAWINGS WILL BE PREPARED SEPARATELY.

LEGEND	
	1/2 CHANNEL WIDTH
	PROPOSED DREDGED CHANNEL
	2006 SAV COMPOSITE



SHEET 2 OF 11

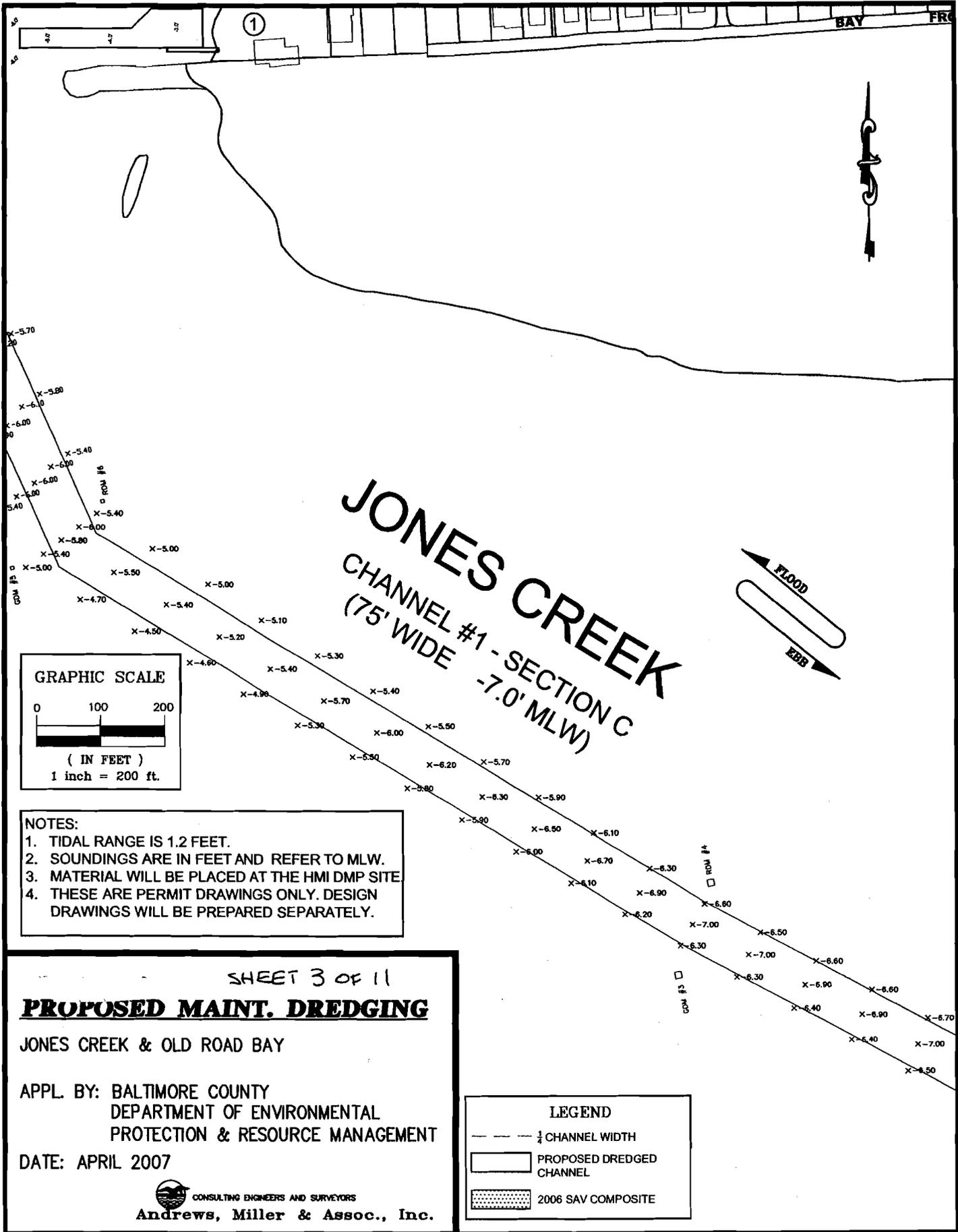
PROPOSED MAINT. DREDGING

JONES CREEK & OLD ROAD BAY

APPL. BY: BALTIMORE COUNTY
DEPARTMENT OF ENVIRONMENTAL
PROTECTION & RESOURCE MANAGEMENT

DATE: APRIL 2007

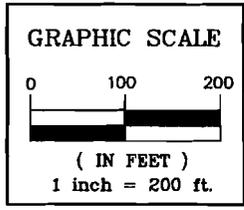
CONSULTING ENGINEERS AND SURVEYORS
Andrews, Miller & Assoc., Inc.



JONES CREEK

CHANNEL #1 - SECTION C

(75' WIDE -7.0' MLW)



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SHEET 3 OF 11

PROPOSED MAINT. DREDGING

JONES CREEK & OLD ROAD BAY

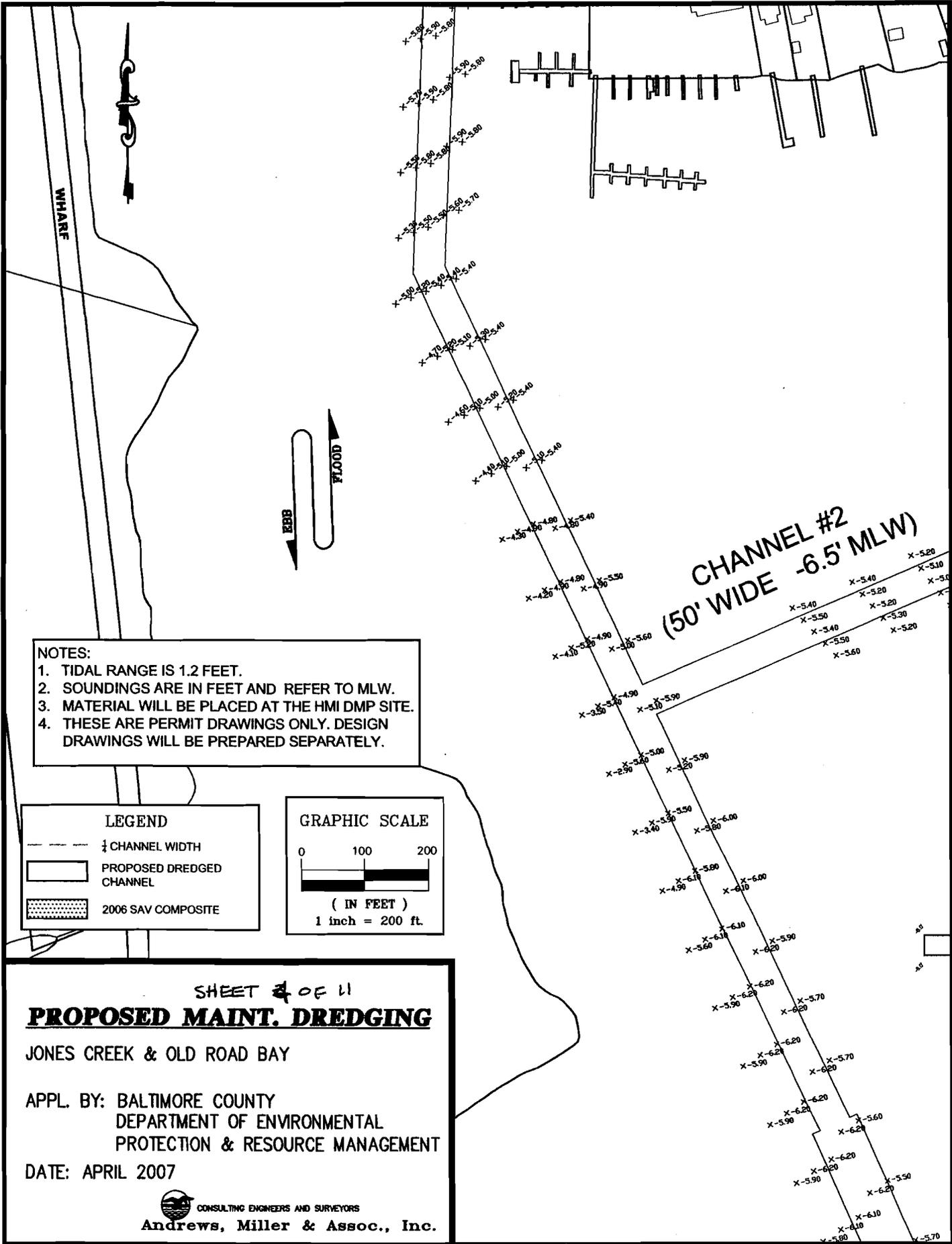
APPL. BY: BALTIMORE COUNTY
DEPARTMENT OF ENVIRONMENTAL
PROTECTION & RESOURCE MANAGEMENT

DATE: APRIL 2007


 CONSULTING ENGINEERS AND SURVEYORS
Andrews, Miller & Assoc., Inc.

LEGEND

	1/2 CHANNEL WIDTH
	PROPOSED DREDGED CHANNEL
	2006 SAV COMPOSITE

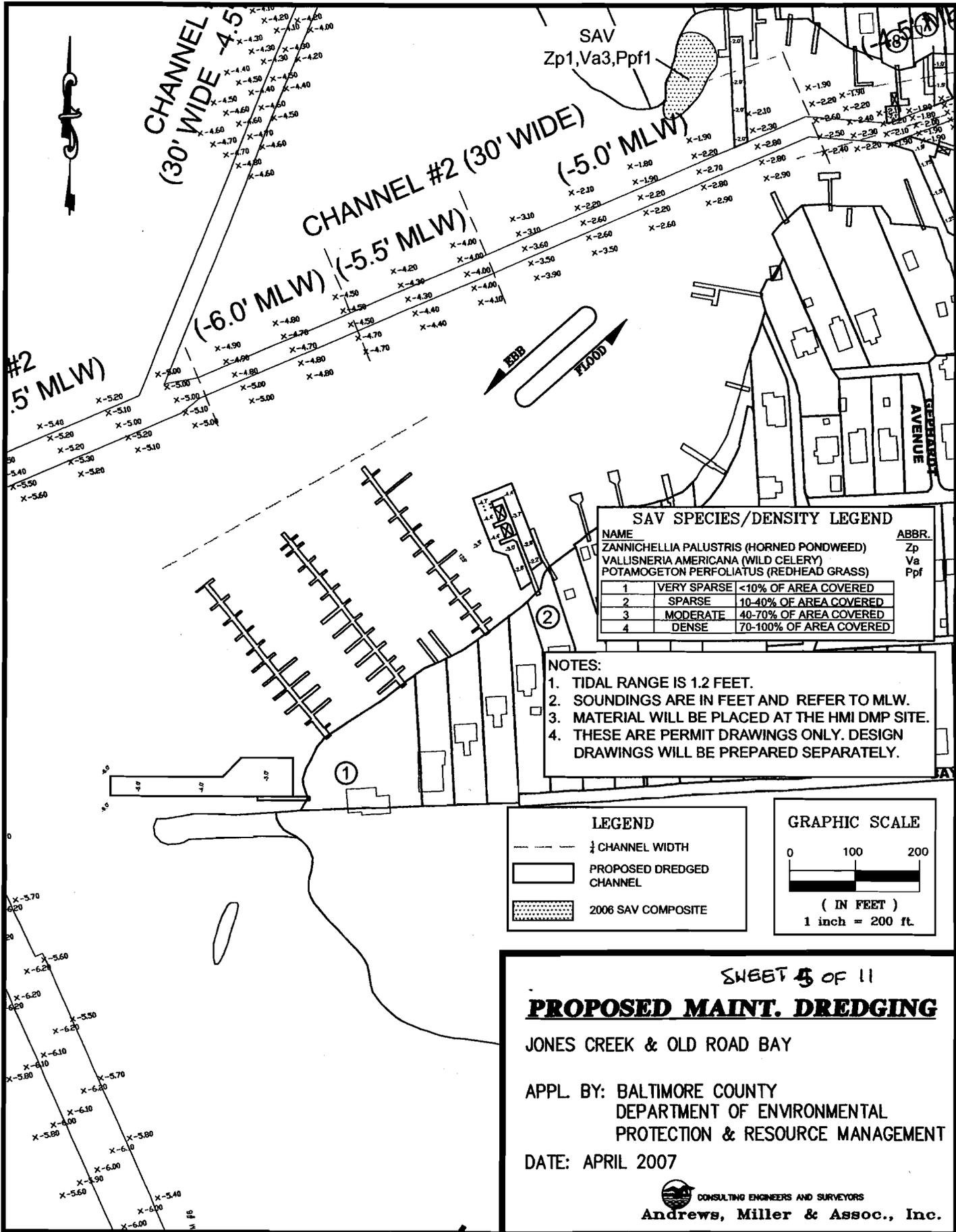


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LEGEND
 --- CHANNEL WIDTH
 [] PROPOSED DREDGED CHANNEL
 [] 2006 SAV COMPOSITE

GRAPHIC SCALE
 0 100 200
 (IN FEET)
 1 inch = 200 ft.

SHEET 4 OF 11
PROPOSED MAINT. DREDGING
 JONES CREEK & OLD ROAD BAY
 APPL. BY: BALTIMORE COUNTY
 DEPARTMENT OF ENVIRONMENTAL
 PROTECTION & RESOURCE MANAGEMENT
 DATE: APRIL 2007
 CONSULTING ENGINEERS AND SURVEYORS
Andrews, Miller & Assoc., Inc.



SAV
Zp1, Va3, Ppf1

CHANNEL #1 (30' WIDE) (-5.5' MLW)

CHANNEL #2 (30' WIDE) (-6.0' MLW)

CHANNEL #3 (30' WIDE) (-5.0' MLW)

SAV SPECIES/DENSITY LEGEND

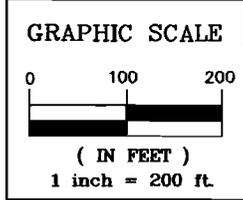
NAME	ABBR.
ZANNICHELLIA PALUSTRIS (HORNED PONDWEED)	Zp
VALLISNERIA AMERICANA (WILD CELERY)	Va
POTAMOGETON PERFOLIATUS (REDHEAD GRASS)	Ppf

1	VERY SPARSE	<10% OF AREA COVERED
2	SPARSE	10-40% OF AREA COVERED
3	MODERATE	40-70% OF AREA COVERED
4	DENSE	70-100% OF AREA COVERED

- NOTES:**
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LEGEND

---	CHANNEL WIDTH
▭	PROPOSED DREDGED CHANNEL
▨	2006 SAV COMPOSITE



SHEET 5 OF 11

PROPOSED MAINT. DREDGING

JONES CREEK & OLD ROAD BAY

APPL. BY: BALTIMORE COUNTY
DEPARTMENT OF ENVIRONMENTAL
PROTECTION & RESOURCE MANAGEMENT

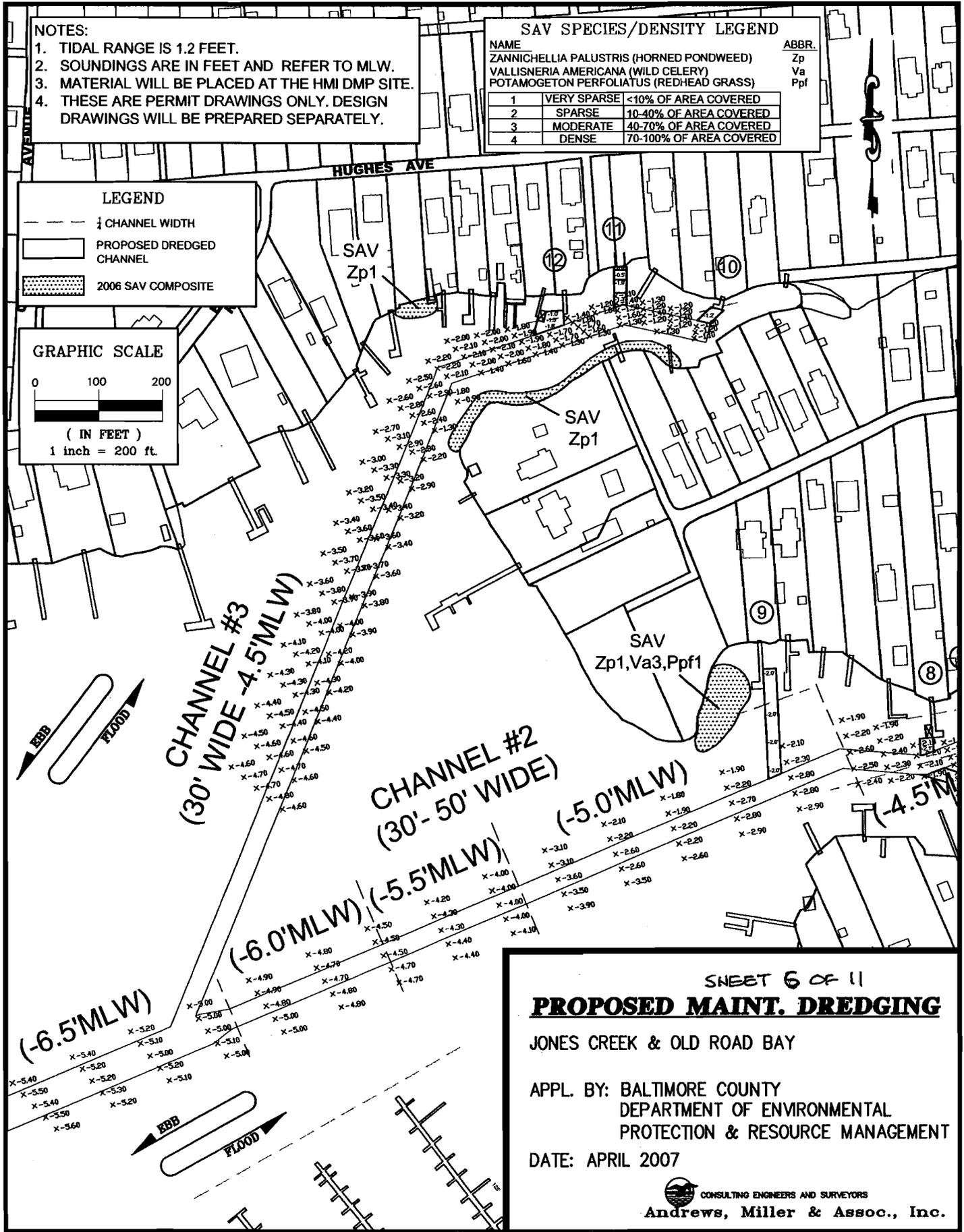
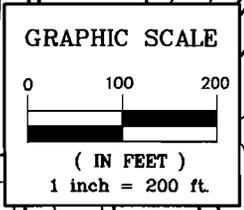
DATE: APRIL 2007


 CONSULTING ENGINEERS AND SURVEYORS
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VALLISNERIA AMERICANA (WILD CELERY)		Va
POTAMOGETON PERFORLIATUS (REDHEAD GRASS)		Ppf
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LEGEND	
	CHANNEL WIDTH
	PROPOSED DREDGED CHANNEL
	2006 SAV COMPOSITE



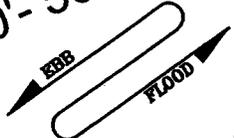
SHEET 6 OF 11
PROPOSED MAINT. DREDGING
 JONES CREEK & OLD ROAD BAY
 APPL. BY: BALTIMORE COUNTY
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 DATE: APRIL 2007
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 Andrews, Miller & Assoc., Inc.



(-5.0' MLW)

(-4.5' MLW)

CHANNEL #2
(30'- 50' WIDE)



SAV SPECIES/DENSITY LEGEND

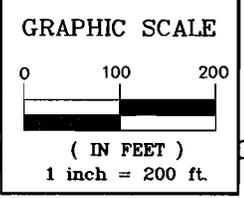
NAME	ABBR.
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VALLISNERIA AMERICANA (WILD CELERY)	Va
POTAMOGETON PERFOLIATUS (REDHEAD GRASS)	Ppf

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LEGEND

	CHANNEL WIDTH
	PROPOSED DREDGED CHANNEL
	2006 SAV COMPOSITE



SHEET 4 OF 11

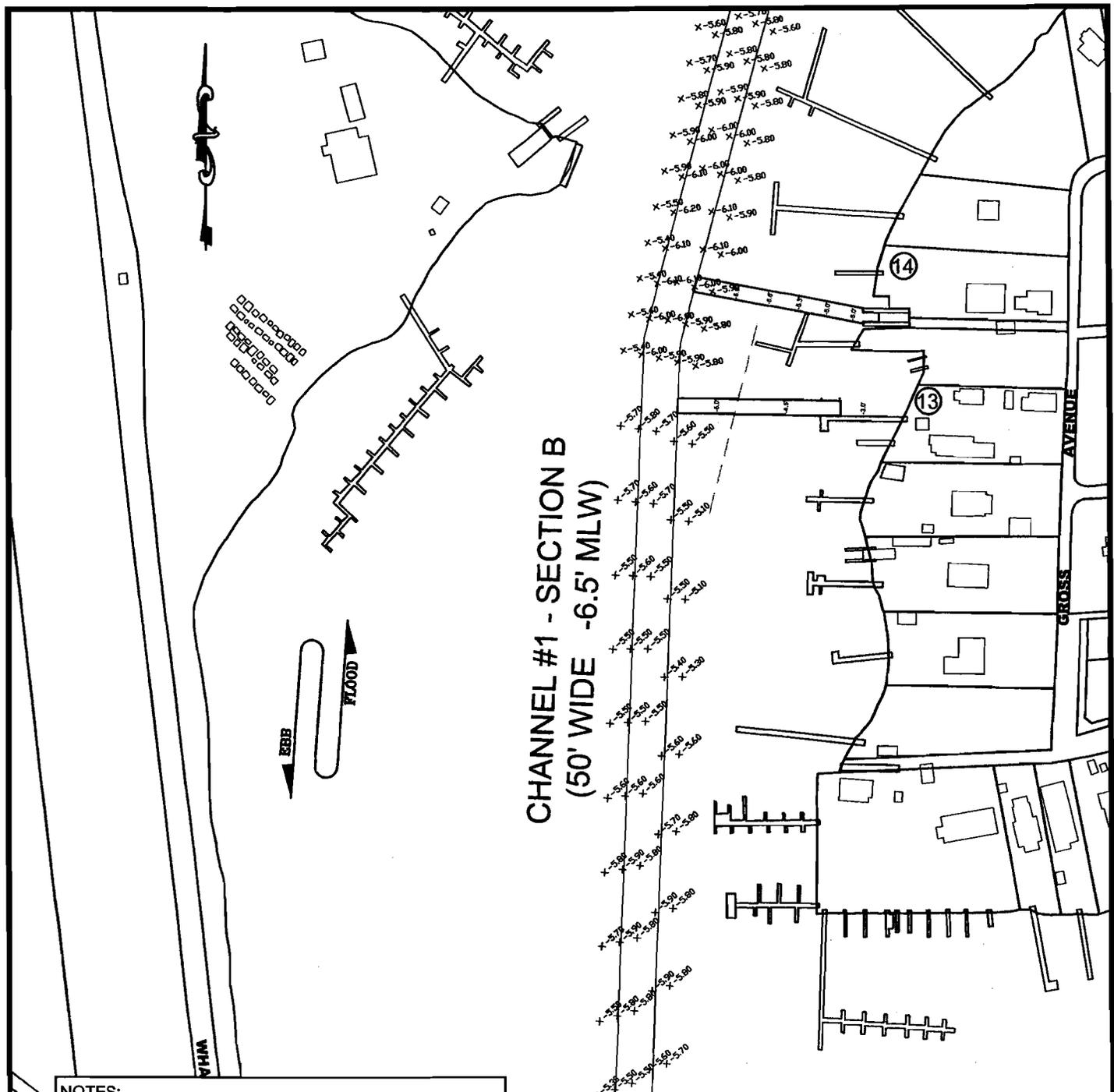
PROPOSED MAINT. DREDGING

JONES CREEK & OLD ROAD BAY

APPL. BY: BALTIMORE COUNTY
DEPARTMENT OF ENVIRONMENTAL
PROTECTION & RESOURCE MANAGEMENT

DATE: APRIL 2007

CONSULTING ENGINEERS AND SURVEYORS
Andrews, Miller & Assoc., Inc.

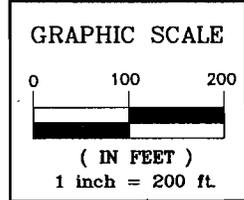


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LEGEND

- CHANNEL WIDTH
- ▭ PROPOSED DREDGED CHANNEL
- ▨ 2006 SAV COMPOSITE



SHEET 8 OF 11

PROPOSED MAINT. DREDGING

JONES CREEK & OLD ROAD BAY

APPL. BY: BALTIMORE COUNTY
DEPARTMENT OF ENVIRONMENTAL
PROTECTION & RESOURCE MANAGEMENT

DATE: APRIL 2007


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LEGEND

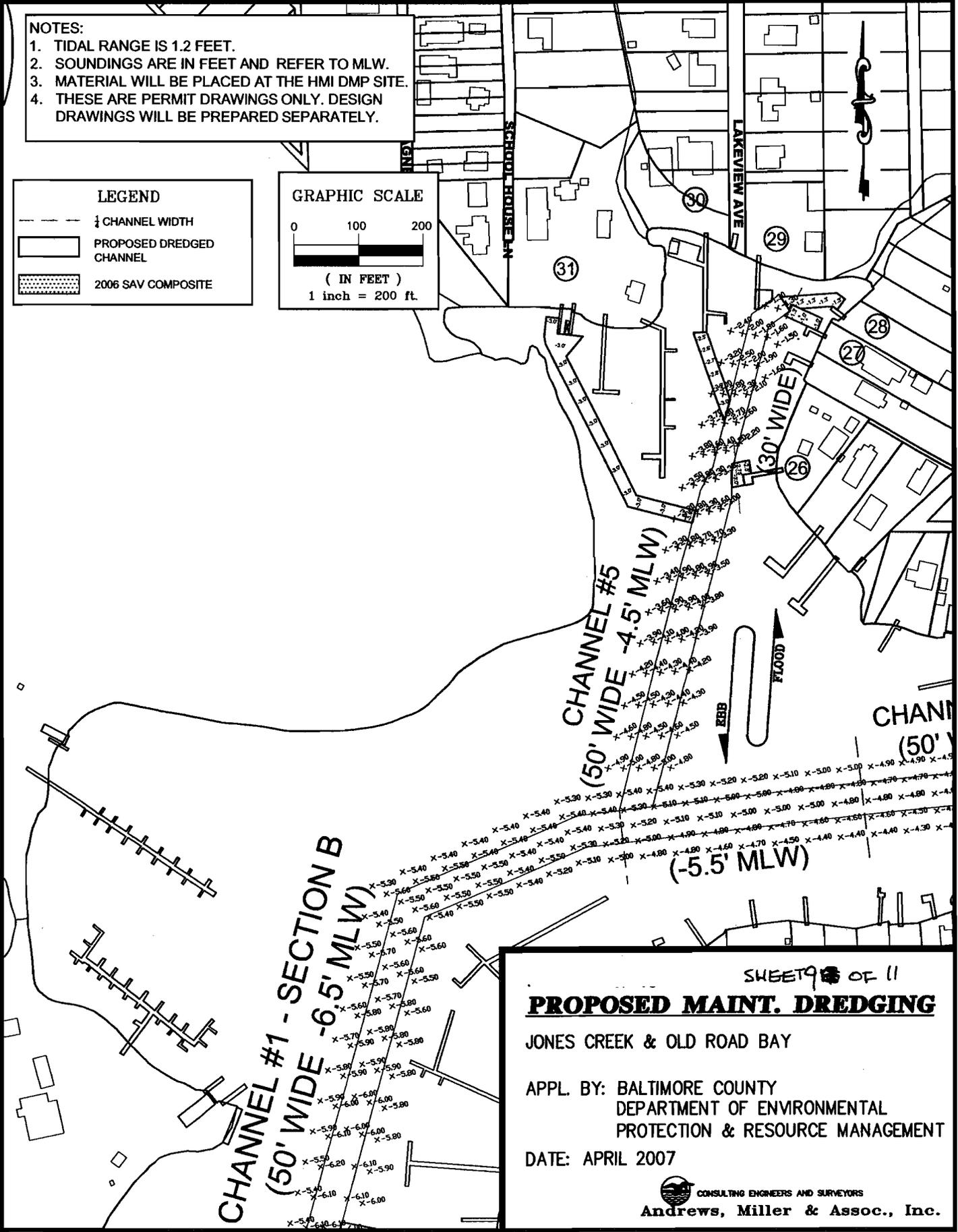
- CHANNEL WIDTH
- PROPOSED DREDGED CHANNEL
- 2006 SAV COMPOSITE

GRAPHIC SCALE

0 100 200

(IN FEET)

1 inch = 200 ft.



SHEET 9 OF 11

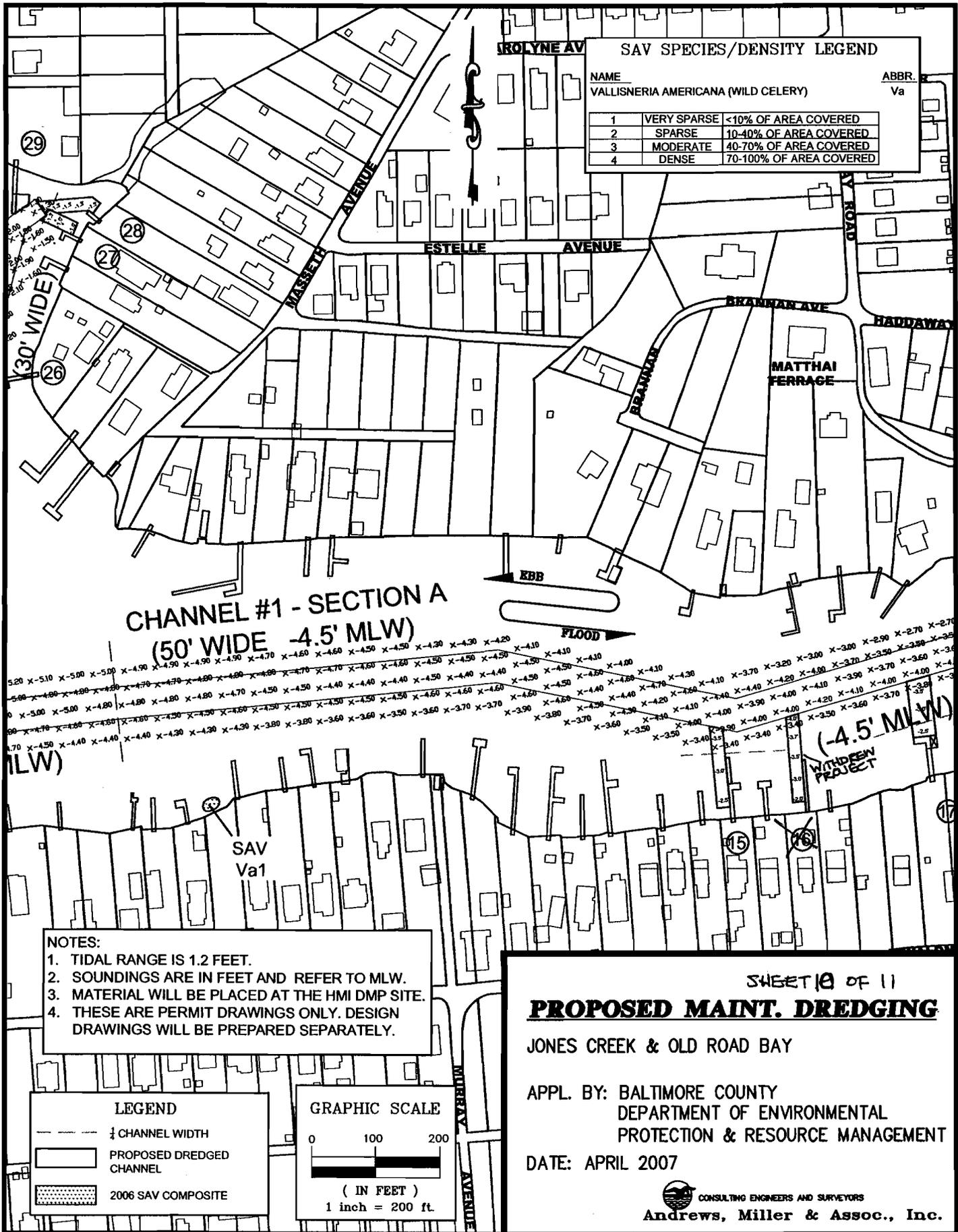
PROPOSED MAINT. DREDGING

JONES CREEK & OLD ROAD BAY

APPL. BY: BALTIMORE COUNTY
DEPARTMENT OF ENVIRONMENTAL
PROTECTION & RESOURCE MANAGEMENT

DATE: APRIL 2007

CONSULTING ENGINEERS AND SURVEYORS
Andrews, Miller & Assoc., Inc.



SAV SPECIES/DENSITY LEGEND

NAME	VALLISNERIA AMERICANA (WILD CELERY)		ABBR.	Va
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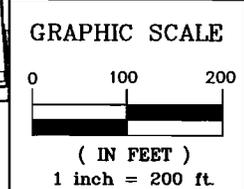
CHANNEL #1 - SECTION A
(50' WIDE -4.5' MLW)

5.20 X-5.10 X-5.00 X-5.00 X-4.90 X-4.90 X-4.90 X-4.70 X-4.60 X-4.60 X-4.50 X-4.50 X-4.30 X-4.30 X-4.20 X-4.10 X-4.10 X-4.10 X-4.00 X-4.00 X-4.00 X-3.70 X-3.20 X-3.00 X-3.00 X-2.90 X-2.70 X-2.70 X-2.60 X-2.50 X-2.50 X-2.40 X-2.40 X-2.30 X-2.30 X-2.20 X-2.20 X-2.10 X-2.10 X-2.00 X-2.00 X-1.90 X-1.90 X-1.80 X-1.80 X-1.70 X-1.70 X-1.60 X-1.60 X-1.50 X-1.50 X-1.40 X-1.40 X-1.40 X-1.30 X-1.30 X-1.20 X-1.20 X-1.10 X-1.10 X-1.00 X-1.00 X-0.90 X-0.90 X-0.80 X-0.80 X-0.70 X-0.70 X-0.60 X-0.60 X-0.50 X-0.50 X-0.40 X-0.40 X-0.30 X-0.30 X-0.20 X-0.20 X-0.10 X-0.10 X-0.00 X-0.00 X-0.10 X-0.20 X-0.30 X-0.40 X-0.50 X-0.60 X-0.70 X-0.80 X-0.90 X-1.00 X-1.10 X-1.20 X-1.30 X-1.40 X-1.50 X-1.60 X-1.70 X-1.80 X-1.90 X-2.00 X-2.10 X-2.20 X-2.30 X-2.40 X-2.50 X-2.60 X-2.70 X-2.80 X-2.90 X-3.00 X-3.10 X-3.20 X-3.30 X-3.40 X-3.50 X-3.60 X-3.70 X-3.80 X-3.90 X-4.00 X-4.10 X-4.20 X-4.30 X-4.40 X-4.50 X-4.60 X-4.70 X-4.80 X-4.90 X-5.00 X-5.10 X-5.20

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LEGEND

	CHANNEL WIDTH
	PROPOSED DREDGED CHANNEL
	2006 SAV COMPOSITE



SHEET 10 OF 11

PROPOSED MAINT. DREDGING

JONES CREEK & OLD ROAD BAY

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 PROTECTION & RESOURCE MANAGEMENT

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