PUBLIC NOTICE

US Army Corps of Engineers Baltimore District

In Reply to Application Number CENAB-OP-RMN(US ARMY, APG/TAYLOR PT TO SWAN PT/SHORELINE STABILIZATION)06-65668-1

PN-07-26 Comment Period: April 2, 2007 to May 2, 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 Federal and State authorization pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.

USAG (IMNE-APG-ZA)
Attn: Col. John T. Wright Commander
2201 Aberdeen Boulevard
Aberdeen Proving Ground, MD 21005-5001

LOCATION Chesapeake Bay, Aberdeen Proving Ground, Harford County, Maryland

WORK: The applicant proposes to perform erosion control work along approximately 22 miles of tidal shoreline. The work is to include approximately 11.2 acres of tidal wetlands creation, approximately 26.19 acres of beach creation, T-groins, revetments, and breakwaters. The project is proposed to impact 41.1 acres of open water and 0.13 acre of tidal wetlands.

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 (Paralicthys 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 (Scianeops occelatus). These are managed species under the MSFCA. A preliminary assessment indicates that the proposed project may have an adverse effect on EFH based on impacts to approximately 41.1 acres of open water and 0.13 acre of tidal wetlands. Potential habitat would be buried by the placement of sand for the proposed marsh and beach creation and the placement of stone for the revetments and groins. However, the proposed project area is relatively small compared to the overall EFH for these species. Studies indicate that bluefish adults and juveniles eat various prey species that are locally abundant, summer flounder are opportunistic feeders and windowpane flounder feed on small crustaceans and various fish larvae. King mackerel, Spanish mackerel, red drum, cobia are not known to inhabit the project area.

The proposed erosion control work could have a beneficial impact on EFH by providing an "edge area" and would provide a habitat for invertebrates and bait fish which are prey species. The EFH species listed above use the project area on a seasonal basis, primarily during the summer months. 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.

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.*

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.

FOR THE DISTRICT ENGINEER:

Vance G. Hobbs
Chief, Maryland Section Northern

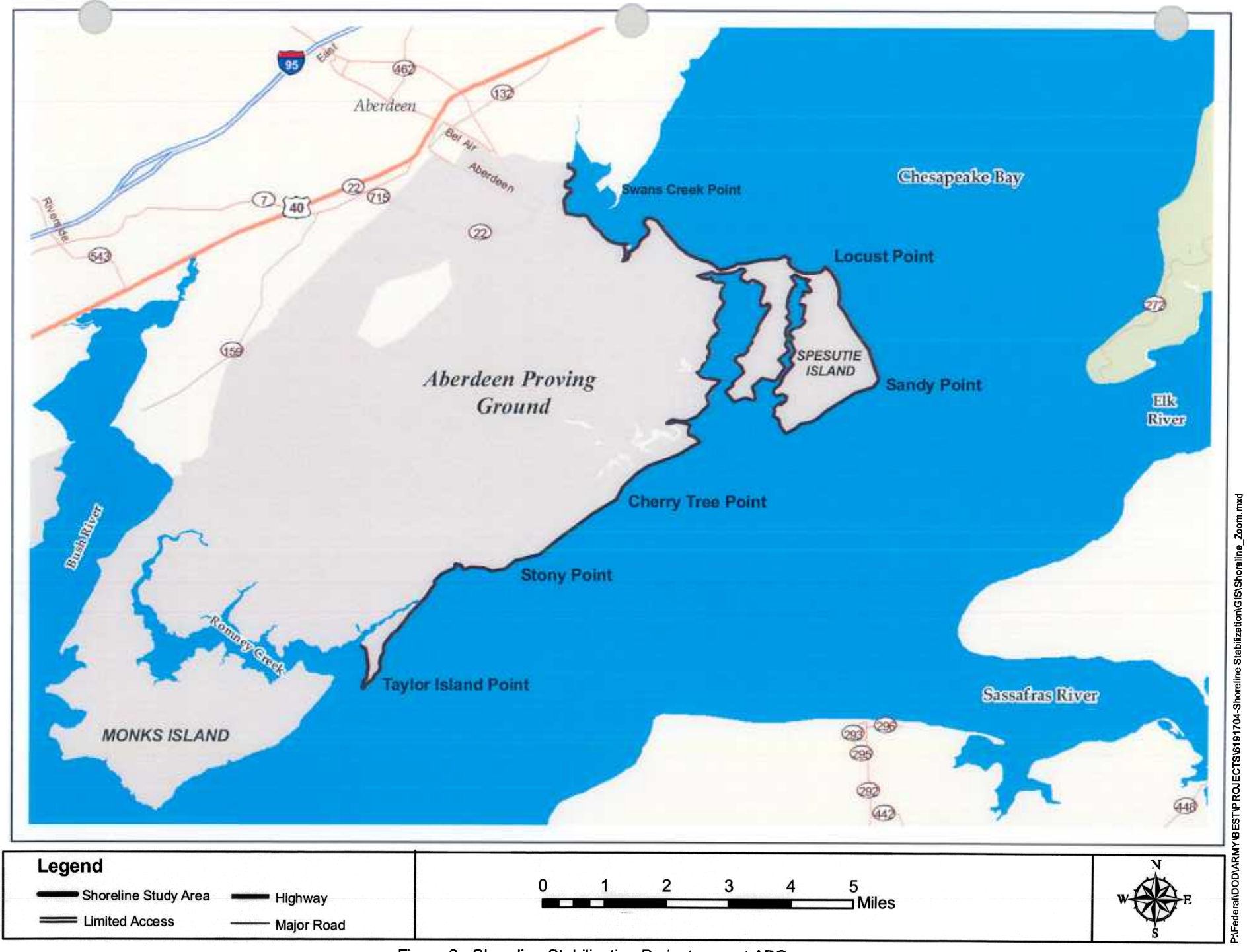

Figure 2 - Shoreline Stabilization Project area at APG

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Table 1. Location and Description of the Shoreline Stabilization Projects

Individual Project	Grid Numbers	Shoreline Stabilization Description
Taylor Point	1	Wetland Creation with Retention Sill
Taylor Point to Stony Point 1	2	Beachfill
Taylor Point to Stony Point 2	3-5	Beachfill
Taylor Island	6, 7	Wetland Creation with Retention Sill
Stony Point	8-13	Beachfill
Cherry Tree Point to Black Point	14-23	Beachfill
Mulberry Point	24	Revetment
Southwestern Spesutie Island	25-28	Wetland Creation with Retention Sill
South Spesutie Island	29-37	Beachfill
Sandy Point	38, 39	T-groins, Breakwaters, and Beachfill
East Spesutie Island	40-42	Beachfill
North Spesutie Island 1	43-46	Revetment
North Spesutie Island 2	47-51	Revetment
North Spesutie Island 3	52, 53	Revetment
North Spesutie Island 4 and 5	54-57	Revetment

Table 2 Total Impacts (Square Feet) to Environmental Resources

Individual Project Area	Grid Sheet Number	Open Water Impacts	Tidal Wetland Impacts	SAV Impacts	Chesapeake Bay Critical Area Impacts	Floodplain Impacts
Taylor Point	1	75,206	---	---	---	---
Taylor Point to Stony Point 1	2	39,746	---	---	---	---
Taylor Point to Stony Point 2	3-5	98,063	---	---	---	---
Taylor Island	6, 7	128,373	---	---	---	---
Stony Point	8-13	201,507	---	---	---	---
Cherry Tree Point to Black Point	14-23	336,184	---	---	---	---
Mulberry Point	24	3,442	---	---	24,691	24,691
Southwestern Spesutie Island	25-28	283,788	---	---	---	---
South Spesutie Island	29-37	306,499	---	---	---	---
Sandy Point	38, 39	79,808	---	---	---	---
East Spesutie Island	40-42	100,814	---	---	---	---
North Spesutie Island 1	43-46	30,857	5,555	---	80,645	25,287
North Spesutie Island 2	47-51	29,820	---	---	151,887	64,451
North Spesutie Island 3	52, 53	10,176	---	---	44,575	44,575
North Spesutie Island 4 and 5	54-57	66,161	---	---	77,172	75,369
Total Impacts (square feet)		1,790,444	5,555	0	378,970	234,373
Total Impacts (acres)		41.10	0.13	0.00	8.70	5.38

*The numbers presented in the table represent actual impacts. The impacts presented on grid sheets will appear to be larger due to overlap between grid sheets.

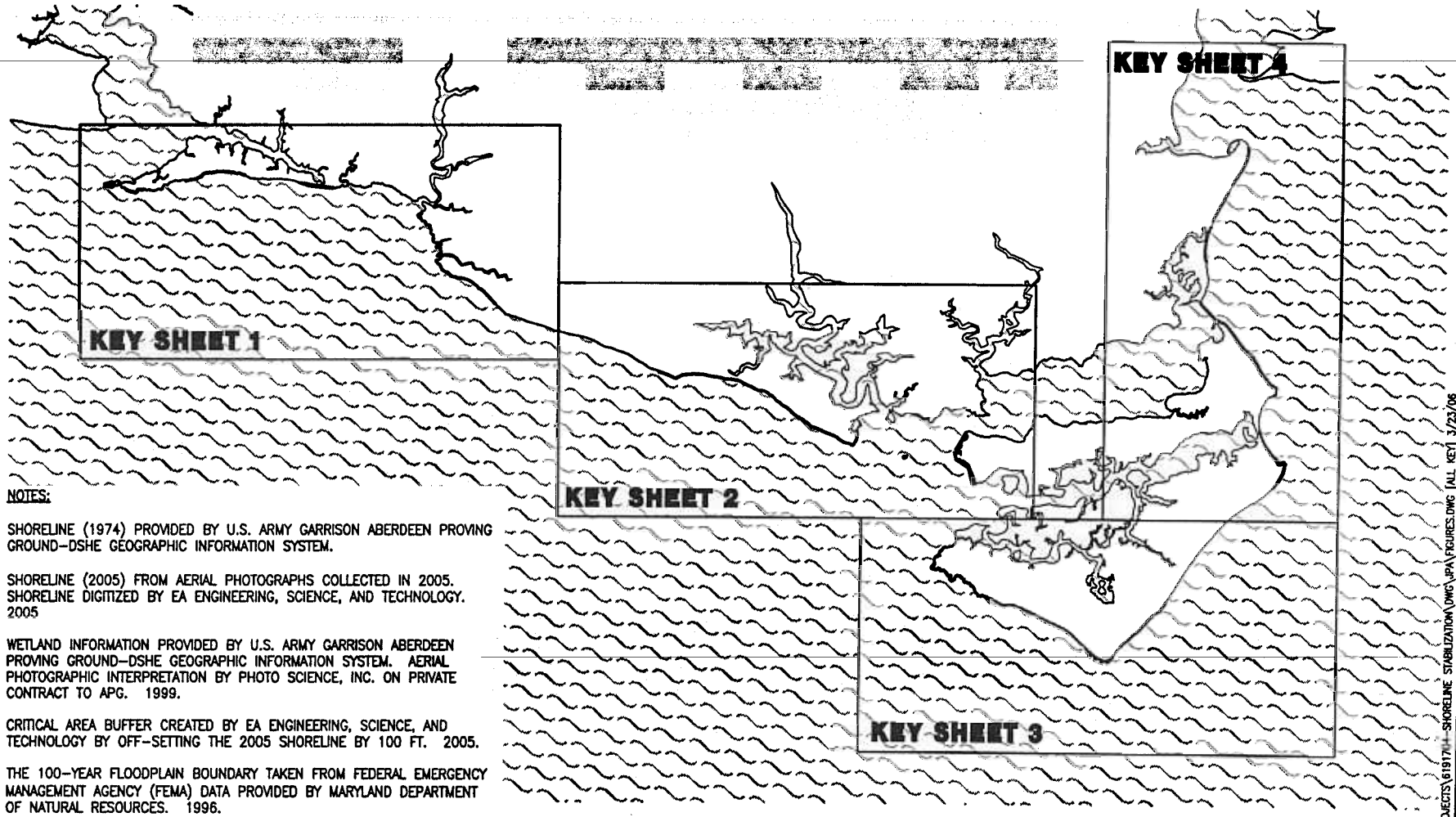
APPENDIX A

PLAN VIEW AND CROSS SECTION DRAWINGS

NOTES:

1. **The 2005 Shoreline depicted on the grid sheets is equivalent to Mean High Water.**

2 **The impact numbers presented on the grid sheets will appear to be larger than those discussed in the narrative due to overlap between grid sheets.**



NOTES:

SHORELINE (1974) PROVIDED BY U.S. ARMY GARRISON ABERDEEN PROVING GROUND–DSHE GEOGRAPHIC INFORMATION SYSTEM.

SHORELINE (2005) FROM AERIAL PHOTOGRAPHS COLLECTED IN 2005. SHORELINE DIGITIZED BY EA ENGINEERING, SCIENCE, AND TECHNOLOGY. 2005

WETLAND INFORMATION PROVIDED BY U.S. ARMY GARRISON ABERDEEN PROVING GROUND–DSHE GEOGRAPHIC INFORMATION SYSTEM. AERIAL PHOTOGRAPHIC INTERPRETATION BY PHOTO SCIENCE, INC. ON PRIVATE CONTRACT TO APG. 1999.

CRITICAL AREA BUFFER CREATED BY EA ENGINEERING, SCIENCE, AND TECHNOLOGY BY OFF–SETTING THE 2005 SHORELINE BY 100 FT. 2005.

THE 100–YEAR FLOODPLAIN BOUNDARY TAKEN FROM FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) DATA PROVIDED BY MARYLAND DEPARTMENT OF NATURAL RESOURCES. 1996.

SUBMERGED AQUATIC VEGETATION (SAV) INFORMATION PROVIDED BY THE VIRGINIA INSTITUTE OF MARINE SCIENCE (VIMS). PHOTOGRAPHIC INTERPRETATION OF AERIALS FLOWN IN 2003. 2004.

LEGEND:

SHORELINE (2005)

AREA OF IMPACTS

WATER

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GRAPHIC SCALE IN FEET

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OVERALL KEY SHEET

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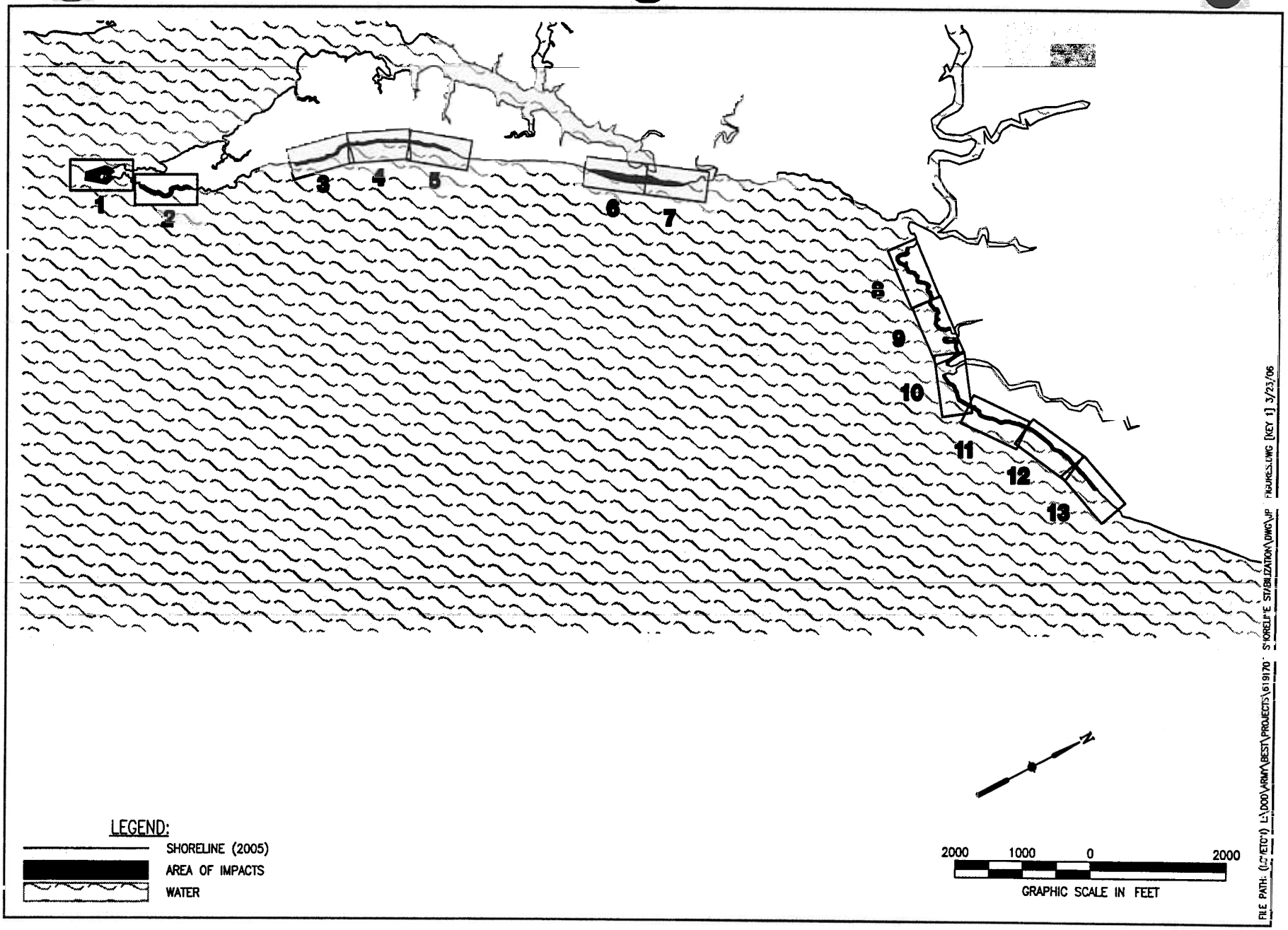
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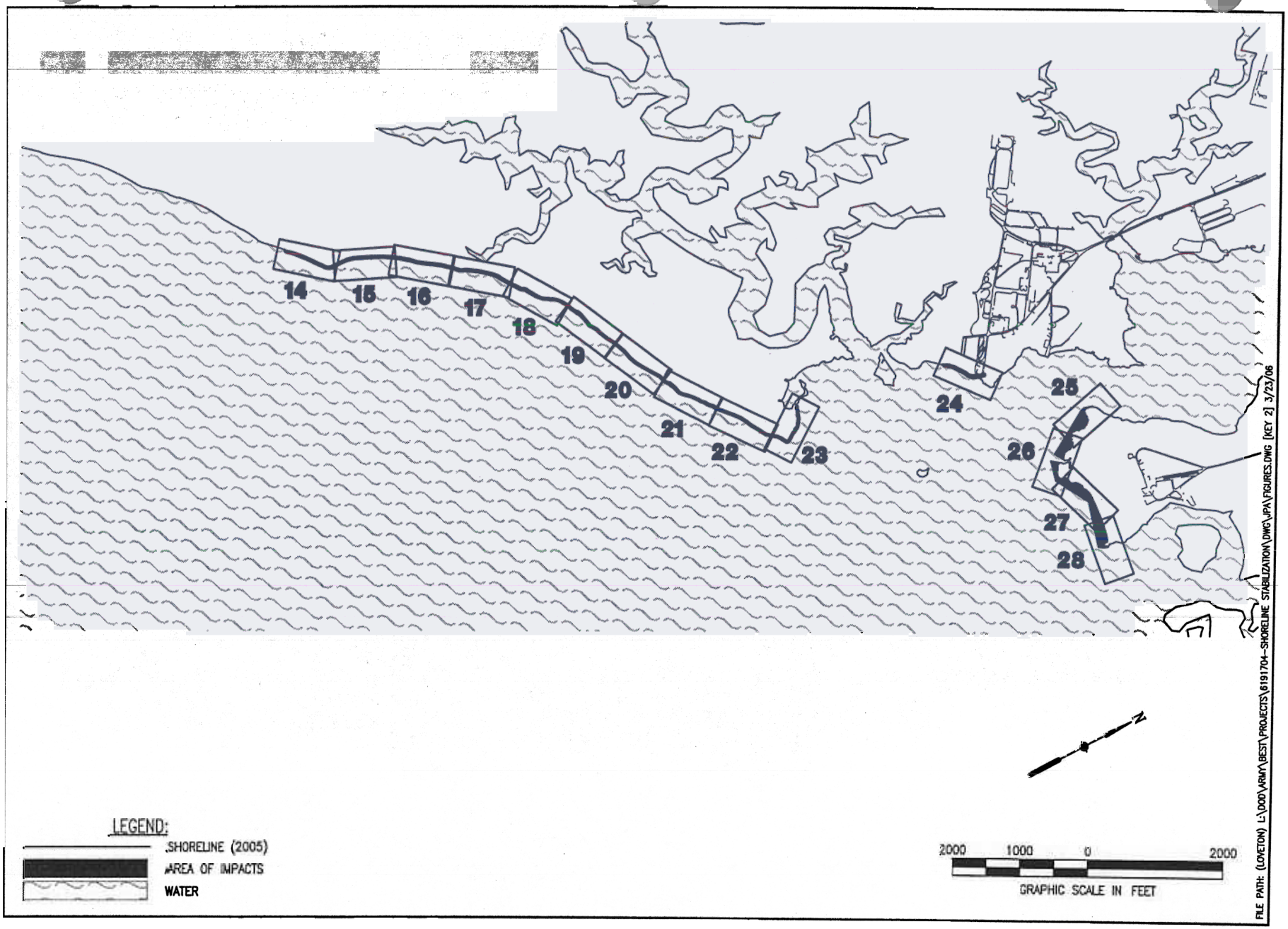
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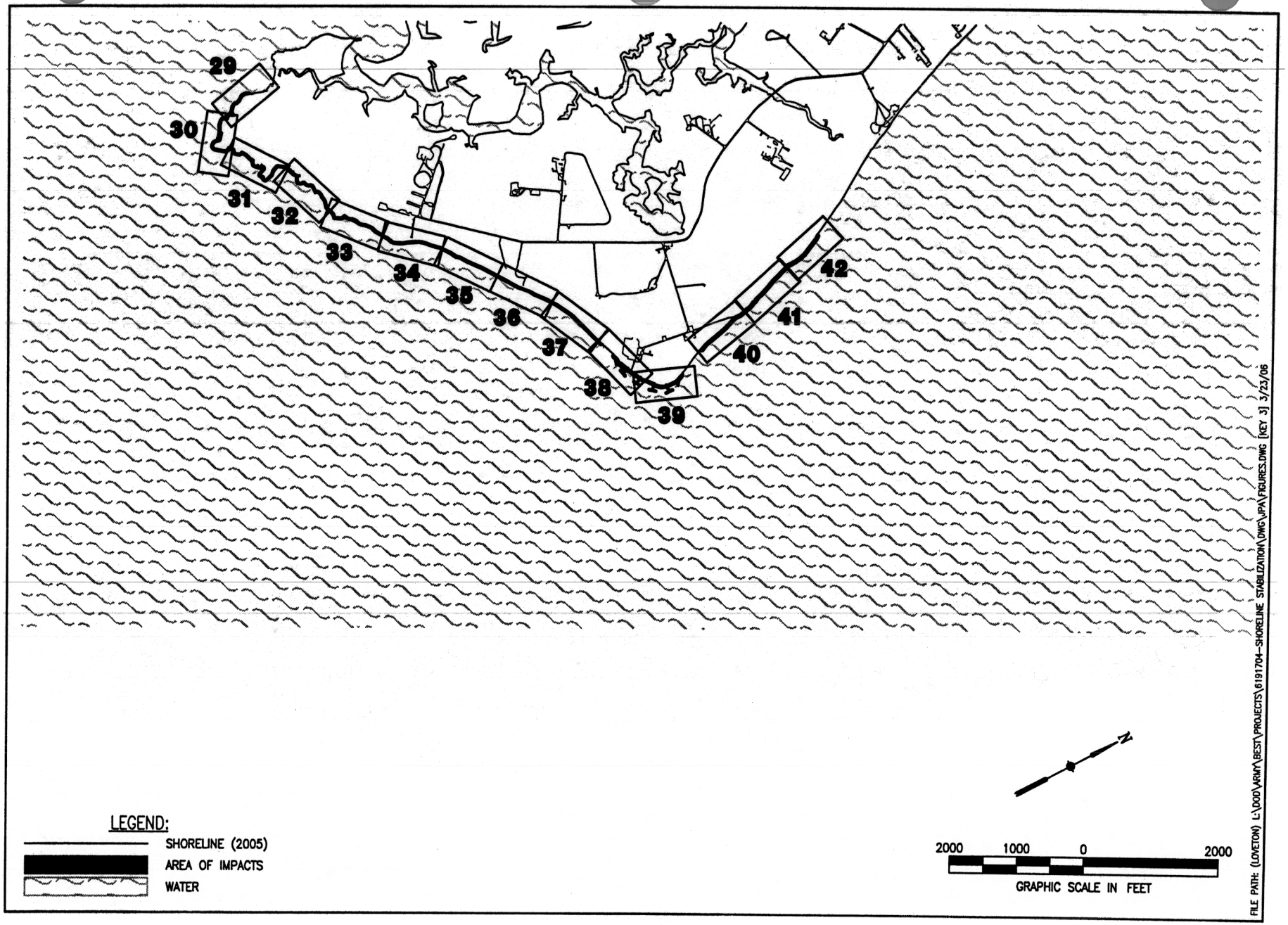
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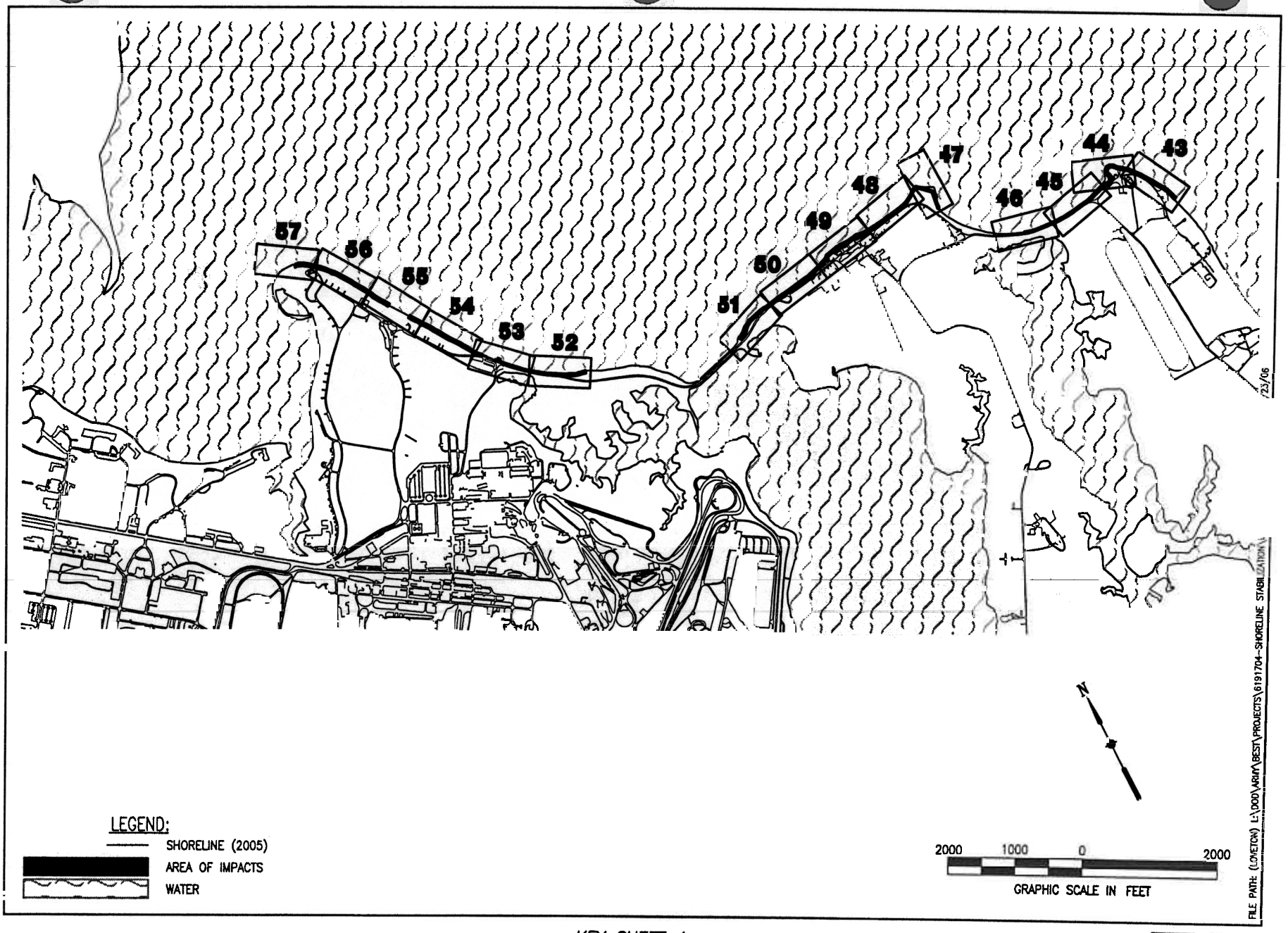
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KEY SHEET 4