



U.S. Army Corps
of Engineers

PN08-61

Public Notice

In Reply to Application Number
CENAB-OP-RMN(HA PARKS & REC/SWAN HARBOR/
DREDGING) 2008-63843-M06

Comment Period: 24 September 2008 to 24 October 2008

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: *Harford County Department of Parks & Recreation*
702 North Tollgate Road
Bel Air, Maryland 21014

LOCATION: In the Chesapeake Bay, Havre de Grace, Harford County, Maryland

WORK: To dredge, by hydraulic or mechanical method, a 1,995-foot long by 50-foot wide segment of the Swan Harbor Back Channel to a maximum depth of -6.5 feet mean low water (MLW), including -0.5 feet of allowable overdredge. The resulting approximately 7,742 cubic yards of dredged material is to be deposited at the approved Tydings Island dredged material placement (DMP) site. The proposed dredging project area is approximately 124,169 square feet. The purpose of the project is to improve navigable access. 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 MSFCMA for *Scopthalmus aquosus* (windowpane flounder) juvenile and adult; *Pomatomus saltatrix* (blue fish) juvenile and adult; *Peprilus triacanthos* (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), all managed species under the MSFCMA. The project has the potential to adversely affect EFH or the species of concern by loss of nursery, forage and/or shelter habitat. However, the District Engineer has made a preliminary determination that site-specific impacts would not be substantial and an abbreviated consultation will be conducted with NMFS. Additionally, certain mitigative measures, such as time-of-year restrictions, will be included to reduce adverse effects to EFH. This determination may be modified if additional information indicates otherwise and would change the 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. Phil Cwiek* at (410) 962-6010.

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 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 District Office; however, public comments relating to consistency must be received by the Coastal Zone Division, Maryland Department of the Environment, 2500 Broening Highway, Baltimore, Maryland, 21224, 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.

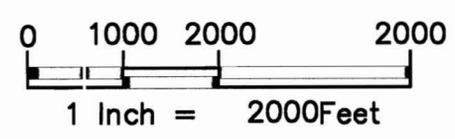
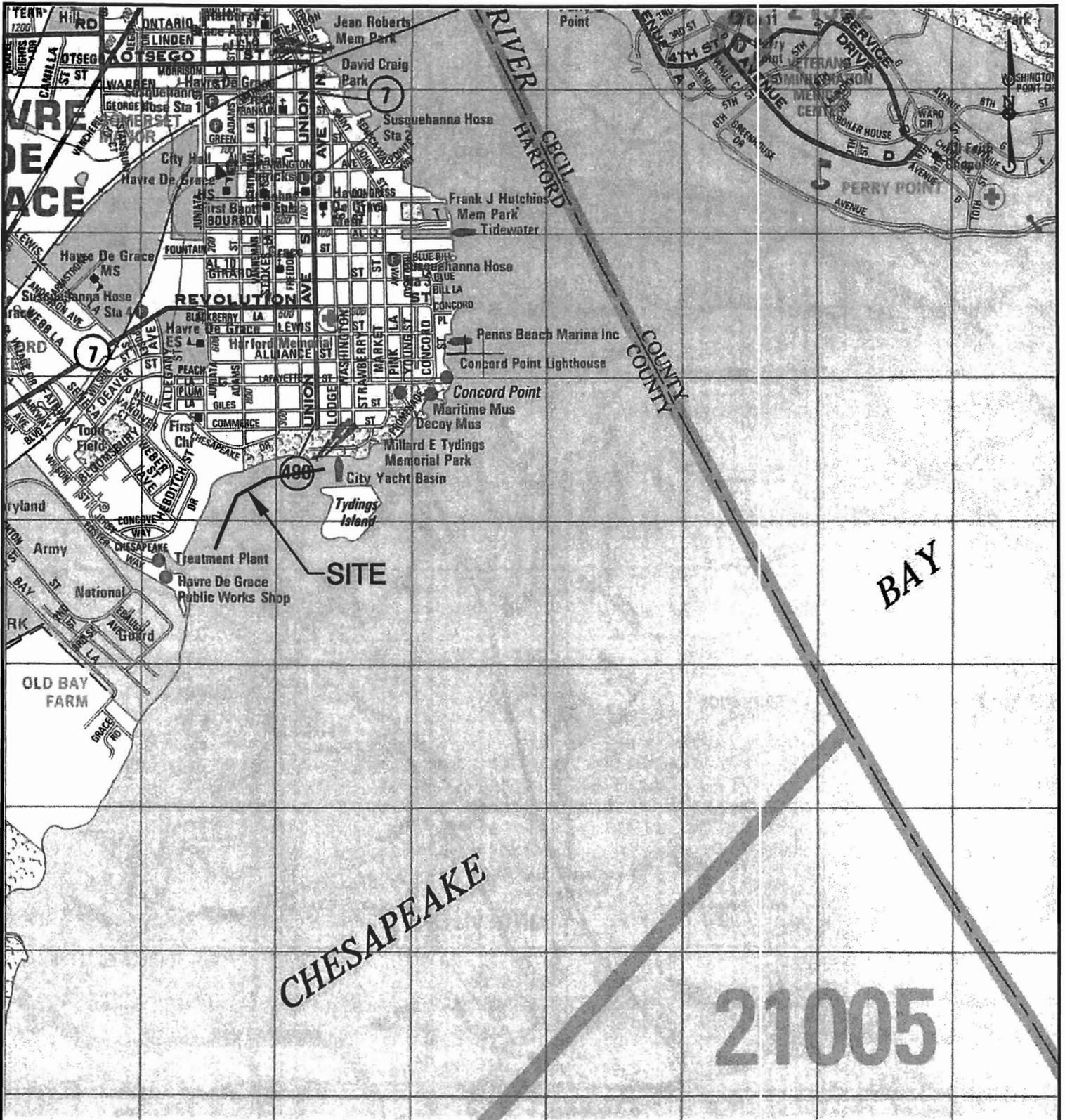
The applicant must obtain any State or local government permits, which may be required.

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.



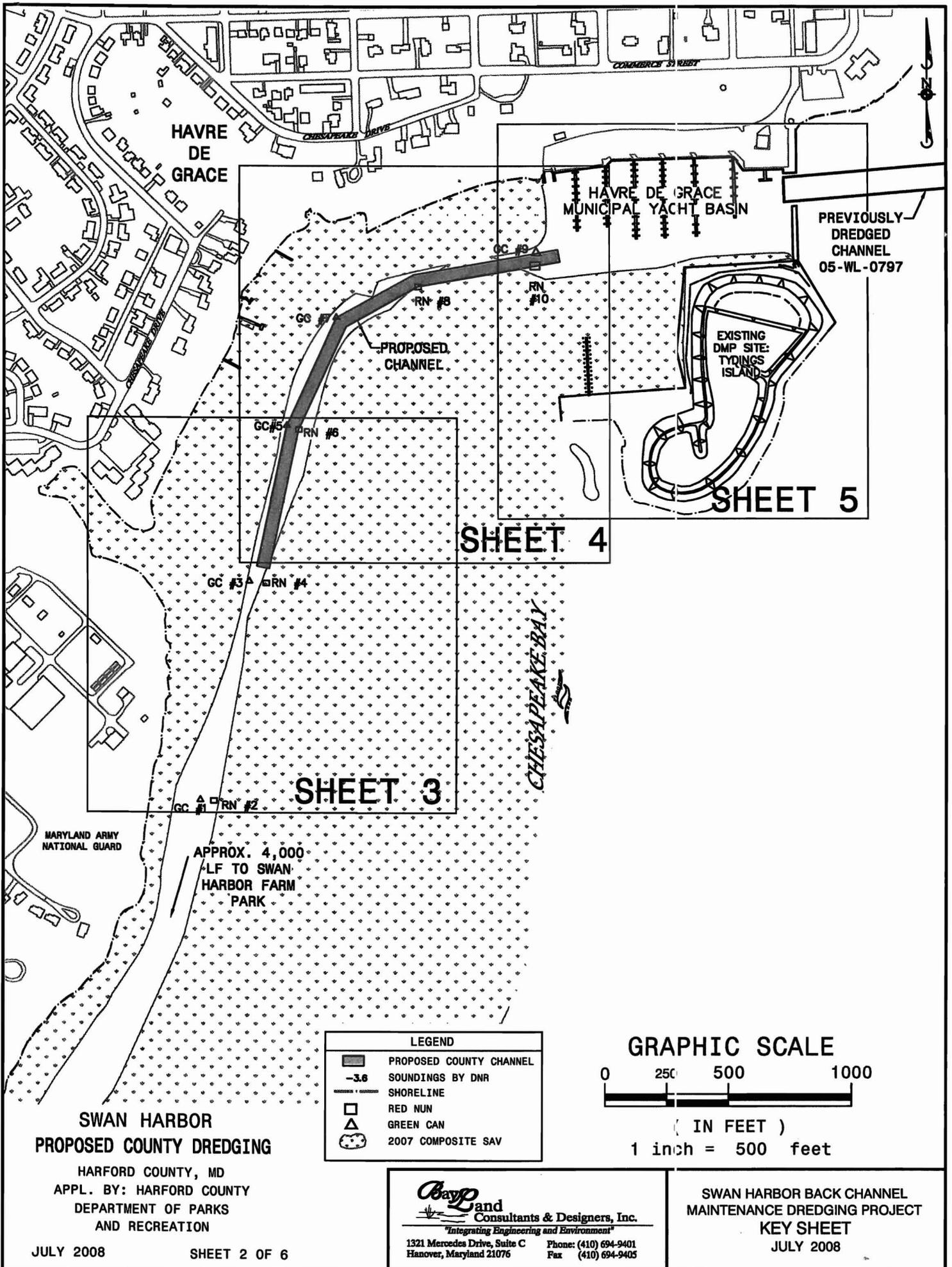
**SWAN HARBOR
PROPOSED COUNTY DREDGING**
HARFORD COUNTY, MD
APPL. BY: HARFORD COUNTY
DEPARTMENT OF PARKS
AND RECREATION

JULY 2008 SHEET 1 OF 6

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

**SWAN HARBOR BACK CHANNEL
MAINTENANCE DREDGING PROJECT
VICINITY MAP**
JULY 2008

7-149005 SWAN HARBOR DREDGING PROJECT V.4 0807 1:00:24 PM UTC MAP 8/1/2008 1:00:24 PM



HAVRE DE GRACE

HAVRE DE GRACE MUNICIPAL YACHT BASIN

PREVIOUSLY DREDGED CHANNEL 05-WL-0797

EXISTING DMP SITE: TYDINGS ISLAND

PROPOSED CHANNEL

SHEET 5

SHEET 4

SHEET 3

CHESAPEAKE BAY

MARYLAND ARMY NATIONAL GUARD

APPROX. 4,000 LF TO SWAN HARBOR FARM PARK

LEGEND

-  PROPOSED COUNTY CHANNEL
-  -3.6 SOUNDINGS BY DNR
-  SHORELINE
-  RED NUN
-  GREEN CAN
-  2007 COMPOSITE SAV

GRAPHIC SCALE



(IN FEET)

1 inch = 500 feet

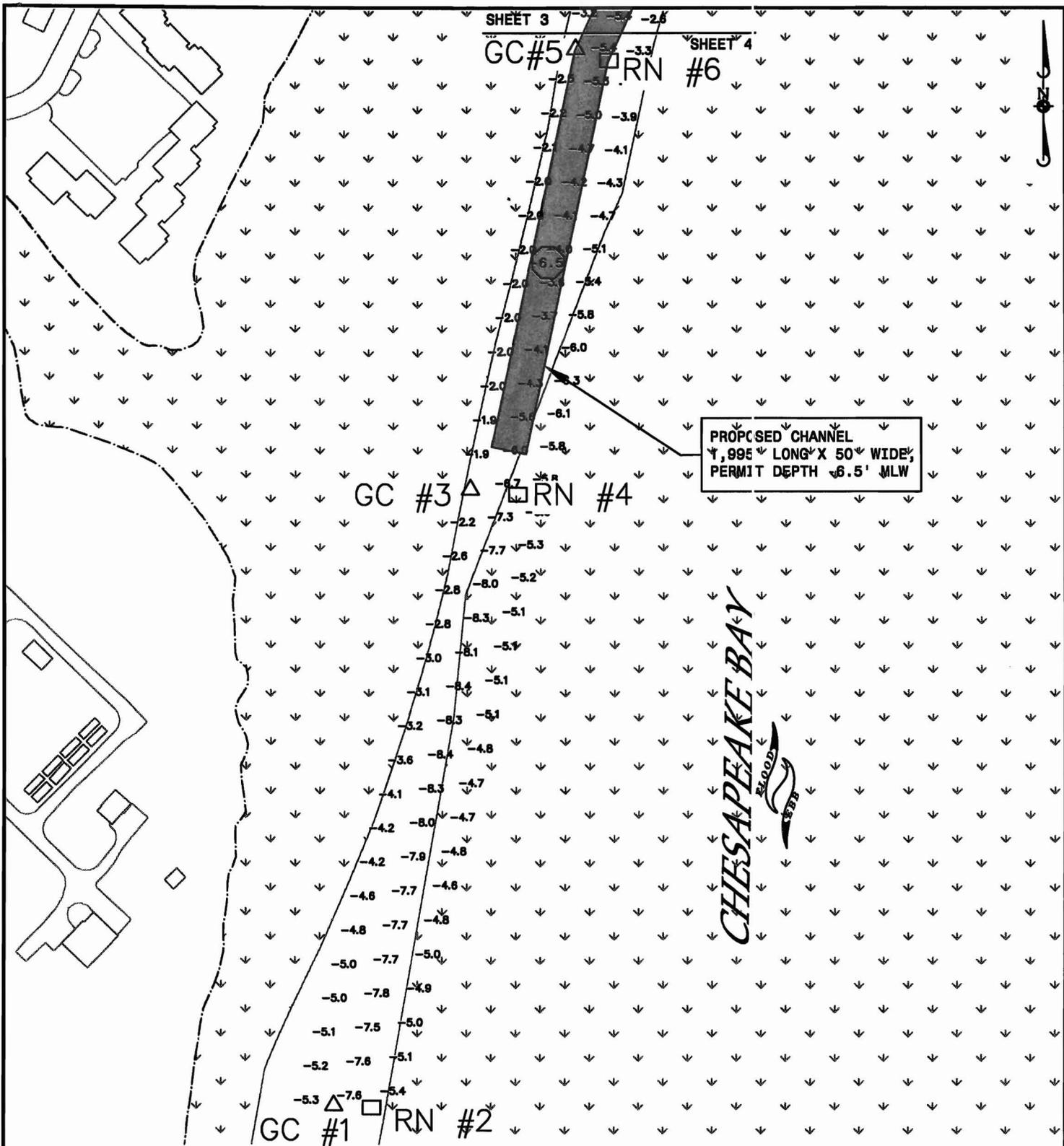
SWAN HARBOR PROPOSED COUNTY DREDGING

HARFORD COUNTY, MD
 APPL. BY: HARFORD COUNTY DEPARTMENT OF PARKS AND RECREATION

JULY 2008 SHEET 2 OF 6

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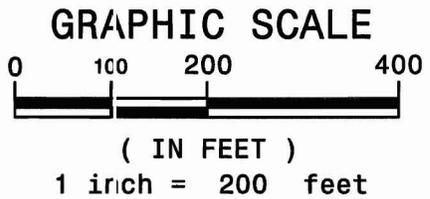
SWAN HARBOR BACK CHANNEL MAINTENANCE DREDGING PROJECT
 KEY SHEET
 JULY 2008



PROPOSED CHANNEL
 1,995' LONG X 50' WIDE,
 PERMIT DEPTH 6.5' MLW

CHESAPEAKE BAY
 2007

LEGEND	
	PROPOSED COUNTY CHANNEL
	-3.6 SOUNDINGS BY DNR
	SHORELINE
	RED NUN
	GREEN CAN
	2007 COMPOSITE SAV

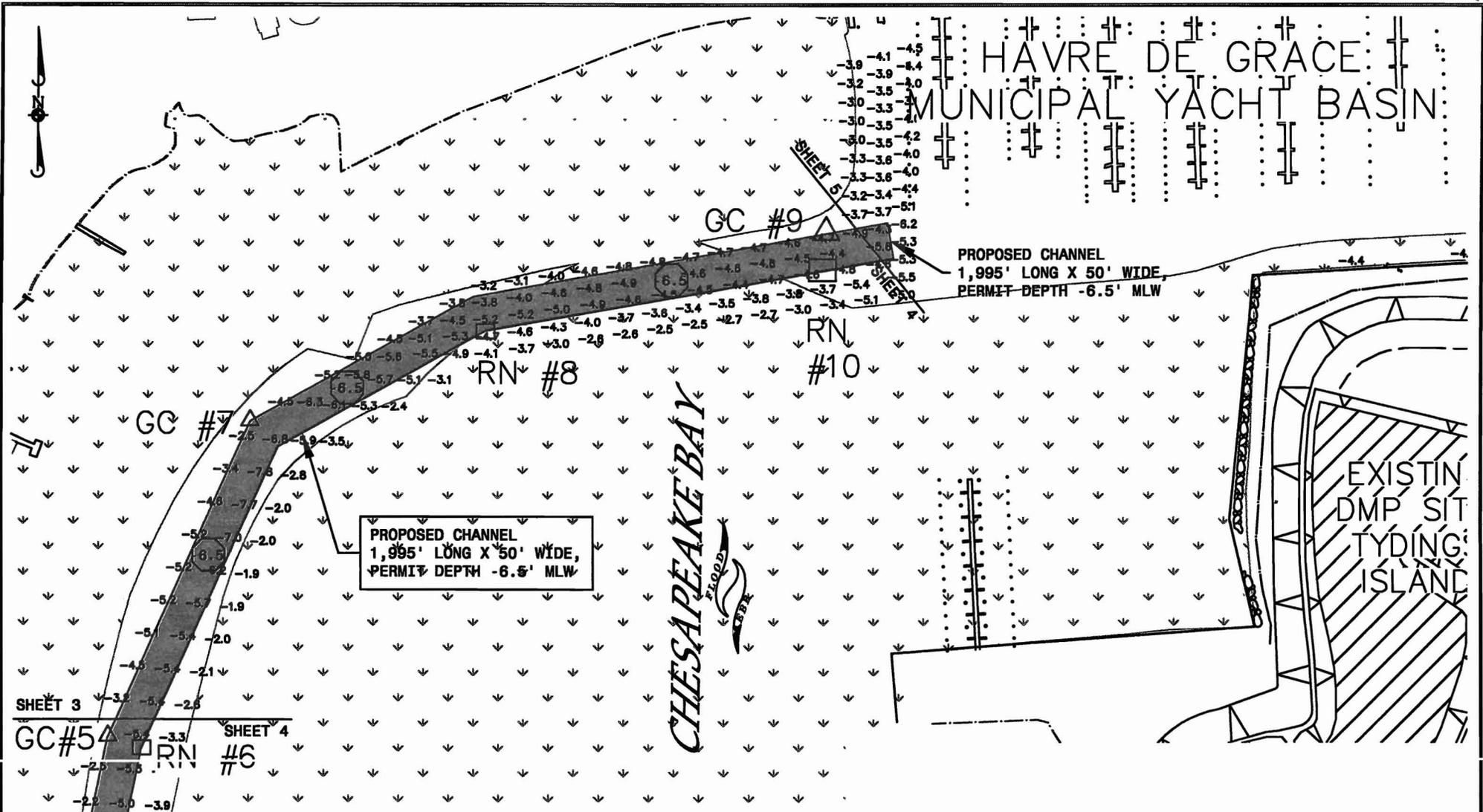


**SWAN HARBOR
 PROPOSED COUNTY DREDGING**
 HARFORD COUNTY, MD
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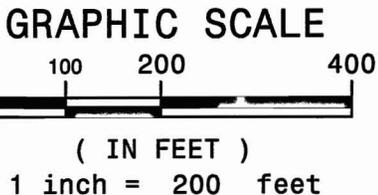
SWAN HARBOR BACK CHANNEL
 MAINTENANCE DREDGING PROJECT
 MAIN CHANNEL
 JULY 2008

7-1-0909 SWAN HARBOR MAINTENANCE DREDGING PROJECT SHEET 3 8/11/2008 10:00:00 AM



PROPOSED CHANNEL
1,995' LONG X 50' WIDE,
PERMIT DEPTH -6.5' MLW

PROPOSED CHANNEL
1,995' LONG X 50' WIDE,
PERMIT DEPTH -6.5' MLW

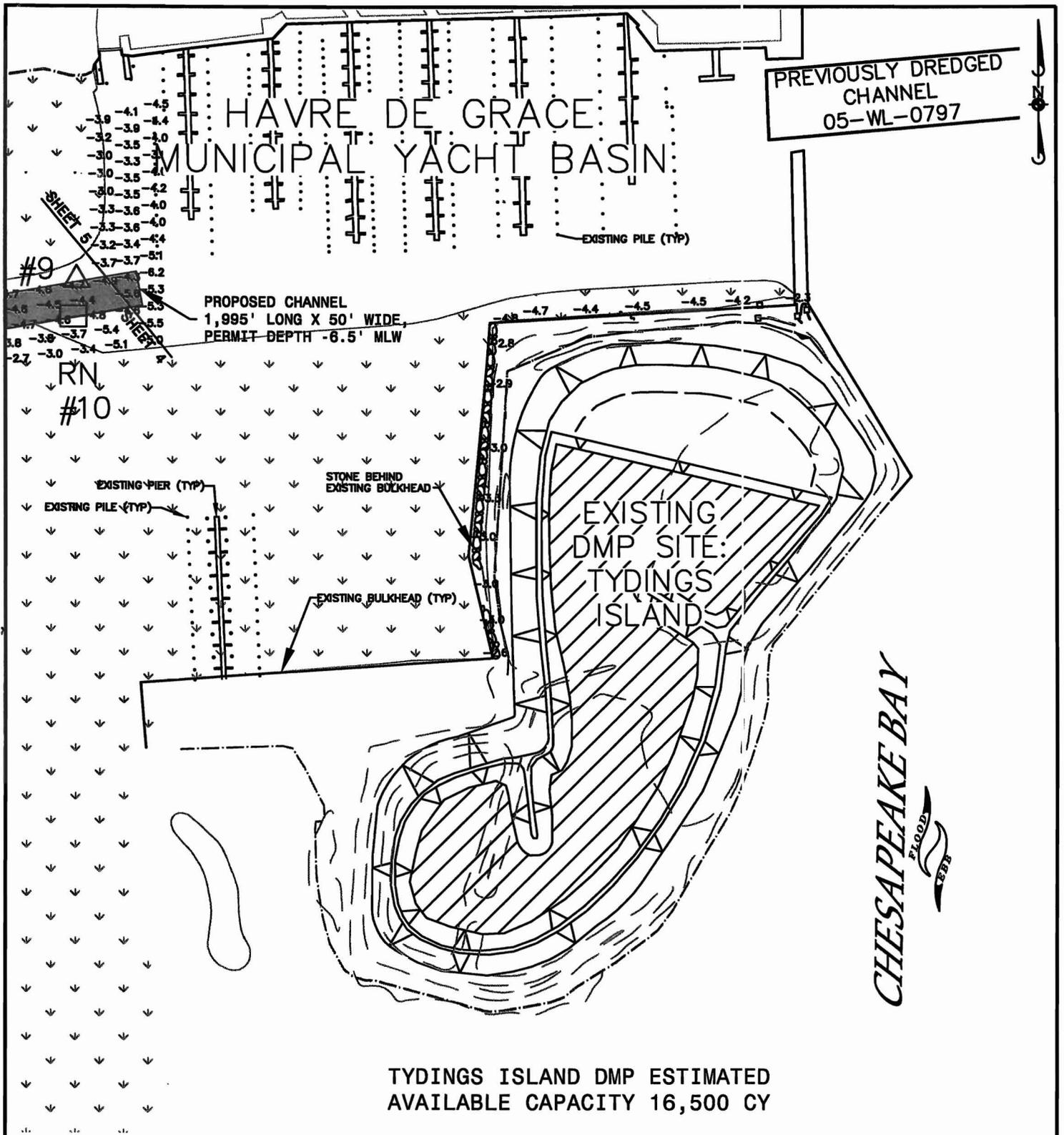


SWAN HARBOR
PROPOSED COUNTY DREDGING
HARFORD COUNTY, MD
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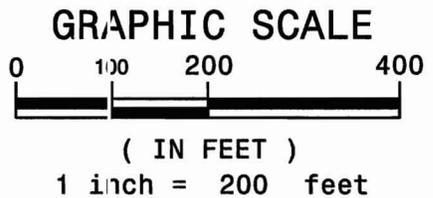
LEGEND	
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SWAN HARBOR BACK CHANNEL
MAINTENANCE DREDGING PROJECT
MAIN CHANNEL
JULY 2008



LEGEND	
	PROPOSED COUNTY CHANNEL
	SOUNDINGS BY DNR
	SHORELINE
	RED NUN
	GREEN CAN
	2007 COMPOSITE SAV



**SWAN HARBOR
PROPOSED COUNTY DREDGING**

HARFORD COUNTY, MD
APPL. BY: HARFORD COUNTY
DEPARTMENT OF PARKS
AND RECREATION

JULY 2008 SHEET 5 OF 6

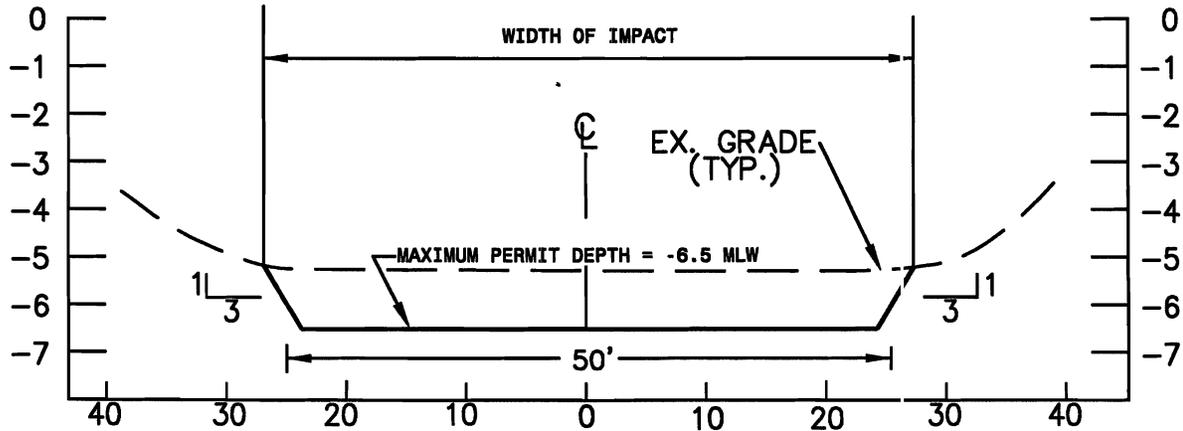
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SWAN HARBOR BACK CHANNEL
MAINTENANCE DREDGING PROJECT
**MAIN CHANNEL &
DMP LOCATION MAP**
JULY 2008

7-145000 SWAN HARBOR DEPARTMENT OF PARKS AND RECREATION SHEET 5 R11/2008 19-00-15.DWG

MAIN CHANNEL



MAIN CHANNEL

SEGMENT	LENGTH (FT)	WIDTH (FT)	DEPTH (MLW)
MAIN CHANNEL	1995	50	6.5
TOTAL MAIN CHANNEL VOLUME			7,742 CY
TOTAL MAIN CHANNEL LENGTH			1,995 LF
TOTAL MAIN CHANNEL AREA OF IMPACT TO 2007 SAV			20,626 SF = 0.47 AC

NOTES:

1. BASEMAP COMPILED FROM 2000 HARFORD COUNTY PLANIMETRICS AND 2007 AERIAL PHOTOGRAPHY.
2. TIDAL RANGE IS 1.9 FEET.
3. SOUNDING DATA PROVIDED BY MD DNR HAVRE DE GRACE SURVEY DATED MARCH 26 & 27, 2007.
4. SOUNDINGS ARE IN FEET AND REFER TO MLW.
5. LIMITS OF SAV SHOWN ARE A COMPOSITE OF SPRING AND SUMMER SURVEYS COMPLETED IN 2007.

**SWAN HARBOR
PROPOSED COUNTY DREDGING**

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JULY 2008

SHEET 6 OF 6

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