1

BALTIMORE HARBOR AND CHANNELS
DREDGED MATERIAL MANAGEMENT PLAN
(DMMP) & TIERED ENVIRONMENTAL
IMPACT STATEMENT (EIS)

PUBLIC COMMENT MEETING
MARCH 7, 2005
7:00 P.M.
QUEEN ANNE'S COUNTY PUBLIC LIBRARY,
STEVENSVILLE BRANCH
STEVENSVILLE, MARYLAND

PRESENTATION AND COMMENTS

Reported By: Michele D. Lambie, CSR-RPR

MEETING MODERATORS
Scott Johnson
Bob Nelson

PANEL MEMBERS
Jeff McKee
Corinne Murphy
Kurt Frederick

P R O C E E D I N G S

MR. JOHNSON: Good evening and welcome to the public meeting for the Baltimore Harbor & Channels Dredged Material Management Plan and Tiered Environmental Impact Statement. My name is Scott Johnson and I'm the Project Manager for the US Army Corps of Engineers, Baltimore District. The Corps is the federal agency responsible for the preparation of this DMMP and EIS.

We will begin this meeting with a formal presentation of the DMMP and EIS lasting about 20 minutes, followed by an opportunity for you, the public, to comment on the record about the project. Your comments will be recorded by our court reporter and entered into the formal record. The Corps will respond to these comments as part of the final EIS. In the interest of time and allowing everyone who wishes to speak an opportunity, I would ask that you limit your formal comments to five minutes. My colleague, Bob Nelson, will indicate when your time is up. You may also enter

a written statement for the record if you choose. Once we have heard from all those who wish to speak, the formal portion of our meeting will be concluded. I will then open the floor for questions of myself and our panel, who I will

introduce later in the presentation. We will answer as many of your questions as we can and will remain after the conclusion of the formal meeting to talk to you individually. The important thing is for us to document all your questions for the record.

First, let me explain the National Environmental Policy Act, or NEPA. NEPA went into effect as a federal law in January 1970, with the goal of protecting the environment by promoting better planning and decision making, and coordination with the public. NEPA reviews are required for any proposed project which includes federal money, lands or permits.

Within NEPA, there is a process called an environmental impact assessment. This is

documented in an Environmental Impact Statement, or EIS. An EIS documents the purpose and need of a proposed action, evaluates reasonable alternatives to the action, and analyzes the significant environmental and other consequences of that action. In doing so, an EIS assists officials in making better decisions and planning actions. Some of the environmental factors which are considered through an EIS include water and air quality, endangered species, human health and safety, to name a few.

This chart illustrates the EIS process. The process begins with a Notice of Intent which is published in the Federal Register. It notifies the public that a federal agency will be preparing a NEPA document to evaluate the impacts associated with a proposed action. The second step is public scoping meetings where the public is invited to

comment on the purpose and extent of the study and to identify significant issues. The third step is the preparation of a Draft EIS which evaluates a proposed project in light of the project need, reasonable alternatives, and environmental and other consequences of the proposed action. The Draft EIS is then submitted for public review and comment, for a minimum of 45 days. A second round of meetings is generally held during which public comments on the draft EIS are solicited. That is the intent of tonight's meeting. Based on comments received from the public, the Draft EIS is revised into a Final EIS. The final step is the preparation of a Record of Decision, or ROD. The ROD formally summarizes the EIS analysis and is signed by participating federal agencies.

What is a DMMP? A DMMP addresses dredging needs and the economic justification for such dredging; dredged material placement alternative sand the capacities of placement sites; environmental compliance requirements; and the opportunities to use dredged material as a beneficial resource. A DMMP is generally 100% federally funded and in this case, funded entirely by the US Army Corps of Engineers, Baltimore District. As I noted before, it incorporates an integrated EIS evaluation and will also justify follow-on site specific studies.

The process for preparing a DMMP and Tiered EIS is shown on this flow chart. The entire process encompasses 5 major phases. Phase 1, preparation of a Preliminary assessment, is shown on this chart in light blue. A preliminary

assessment is a review of dredging needs within a site or region and identifies if there is a shortage of dredged material placement capacity and a need to proceed with a more in-depth review called the DMMP. Phase 2, preparation of a DMMP study, is shown here in dark blue. I'll explain this phase in more depth later in the presentation. Phase 3, shown here in orange, is the preparation of project-specific Feasibility Studies. Each of these studies would be considered a separate Federal action, building on the work done in the DMMP process, but requiring all the steps of a NEPA

process to evaluate a specific project. Phase 4, shown in green, is Implementation. During this phase, a specific action identified and justified through a Feasibility Study, is designed, constructed or implemented, and operated or maintained. The action may require Congressional authorization. The final phase, Phase 5 is periodic review and update and is shown on this chart in purple. In Phase 5, completed actions are reviewed on some specific project frequency to assure the intended goals of the project are being met and to allow for optimization of the action at some time in the future as circumstances warrant.

So why are we preparing DMMP? First of all, it's a federal requirement that a plan be prepared whenever insufficient dredged material capacity exists. The Preliminary Assessment, or PA, prepared by the Corps in 2001 for the Baltimore Harbor & Channels concluded that no only was there insufficient capacity for placement of dredged material over the next 20-years, but by 2009, just

4 years from now, we will begin overloading the remaining placement sites. So how did the Corps prepare a DMMP? It integrated its DMMP process with that of the Maryland Port Administration, or MPA, which was also preparing a state DMMP. The Corps invited input from all stakeholders groups including both federal and state regulators, and from public interest groups and the general public.

You might wonder what differences there are between the state and federal DMMP's that justify the preparation of both. First, the state and federal DMMPs are similar in that they both consider a long-term, or 20-year, planning horizon and both emphasize the opportunity for beneficial use of dredged material. They both use the same Federal and state regulatory agencies and public interest groups, such as the Bay Enhancement Working Group, or BEWG, and the Citizens Advisory Committee, or CAC, to solicit input. This coordination assures that both DMMPs reflect similar opinions and priorities of the Chesapeake

Bay community. The major difference between the state and Corps DMMPs is that the Corps DMMP has to evaluate the benefits and impacts of various actions from a federal, rather than a local perspective. The Corps' DMMP also includes both Virginia and Maryland, whereas MPA's DMMP only includes dredging needs and placement opportunities in Maryland. A third difference is that the Corps' DMMP follows the NEPA process and includes an EIS. The final difference between the two DMMPs is that the Corps' DMMP must include something called a federal standard, or base plan, which is the least costly, environmentally acceptable means for dredged material placement. The Corps' DMMP must

consider all practicable alternatives, regardless of State or local laws and regulations. This means that the Corps' DMMP considers alternatives that the Maryland DMMP cannot because the alternatives are illegal in Maryland. For example, the Corps' DMMP evaluated open water placement in the Maryland portion of the Chesapeake Bay, because even though

it is prohibited by state law, it is allowable under federal law.

As I mentioned previously, the CORPS' DMMP encompasses almost the entire Chesapeake Bay, from the Sassafras River south to the mouth of the Bay. For evaluation purposes, we divided the Bay into four areas including the Chesapeake and Delaware Canal, or C&D, Approach Channels which extend south from the Sassafras River to Pooles Island; the Harbor Channels which extend Sassafras River to Pooles Island; the Harbor Channels which extend northward into the Inner Harbor from the North Point Rock Point Line; the Chesapeake Bay Approach Channels (Maryland) which extend from the mouth of the Baltimore Harbor south to the Maryland-Virginia State line, and the Chesapeake Bay Approach Channels (Virginia) which extend south from the Maryland-Virginia State line to the mouth of the Bay. These geographic areas, as well as the navigation channels, are illustrated on the boards in the back side of the room.

Once the geographic areas were identified for the DMMP, we evaluated the costs and benefits associated with continued maintenance dredging of the federal navigation channels to determine if such costs were justified. Through this evaluation

we determined that the benefits associated with the maintenance of the channels greatly outweighed the costs associated with dredging. For example, in the C&D Canal Approach Channels, the annual benefits of maintaining a navigation depth of 35 feet equaled 12.1 million dollars while the associated annual dredging costs were 8.5 million dollars. In the Baltimore Harbor & Channels, annual benefits of maintenance dredging are 15.3 million dollars versus annual maintenance costs of 10.8 million dollars.

Our next step was to identify the net dredged material capacity need that is required for each area over the 20-year planning window. By net need I mean the amount of dredged material capacity above that which can be satisfied by

placement in existing dredged material placement sites such as Poplar Island Environmental Restoration Project or Cox Creek Confined Disposal Facility. For Harbor material, material dredged from channels north of the North Point-Rock Point Line, the net need through 2025 is approximately 17 million cubic yards. For maintenance of the C&D Canal Approach and the Chesapeake Bay Approach Channels in Maryland, the combined net need is approximately 40 million cubic yards. For the Chesapeake Bay Approach Channels in Virginia, the net need is zero, since the existing sites in Virginia have sufficient capacity to handle dredged material placement well past 2025.

Once maintenance dredging was determined to be economically justified and the capacity requirements defined for each geographic area, we developed a list of alternatives to be considered.

Those alternatives fall into four categories. Existing placement sites include the Pooles Island Open Water Placement Site, Poplar Island

1

Environmental Restoration Project, Cox Creed CDF, Hart-Miller Island Containment Facility, and the Open Water Placement Sites in Virginia and in the Atlantic Ocean. The existing sites were evaluated for their current available capacity as well as for the possible expansion. New placement sites include alternative such as Confined Aquatic Disposal Sites, or CADs; Confined Upland Disposal Facilities, or CDFs, and Artificial Islands. Beneficial Use Sites are those placement sites which will render some sort of benefit, either economic or environmental, by their construction and use. Examples of beneficial use sites include Island Restoration, Wetland Restoration and Shoreline restoration. And finally, Innovative Use sites are those where dredged material is used in a novel way to produce some sort of economic benefit. Examples of Innovative use include using dredged material to make building products, like bricks, reclaim abandoned mines, or to enhance degraded agricultural lands. In all, we looked at 26 unique

1

alternatives for handling our dredged material needs.

With the help of the BEWG, the Corps DMMP developed five quantitative and qualitative criteria to evaluate the dredged material placement alternatives. Quantitative criterias include cost, capacity and environmental impacts. Costs for each alternative were determined by preparing a concept level design for each alternative and then

preparing budget level cost estimate for each. The estimates were full life-cycle costs and included costs for planning, design, construction, and operations and maintenance. The available dredged material capacity for each alternative was calculated by using the concept level designs. Environmental Impacts resulting from each alternative were determined with specific help from the BEWG. The Corps' DMMP used the BEWG's detailed environmental scoring process to evaluate each alternative. The BEWG system evaluates 52 different environmental criteria in categories such as water

quality, endangered species, shallow-water habitat, air quality, public health, etc. The full BEWG analysis is available in the handout package.

In addition to the three quantitative criteria, we considered two qualitative criteria. The technical/logistical criteria evaluated the likelihood that an alternative would succeed based on engineering considerations. For example, beach nourishment is a well-proven, often-used technique. On the other hand, agricultural placement o dredged material has been done on a small scale but never on a large scale and would face numerous technical and logistical challenges.

The second qualitative criterion was implementation probability. What is the likelihood that an alternative would succeed given potential legal obstacles or public and regulatory opposition: For example, open water placement in Maryland waters is prohibited by state law. Therefore, this alternative was dropped.

After identifying the criteria and scoring

each alternative, we combined the alternatives into groups, or what we call suites of alternatives. Each suite is come combination of alternatives that meet the dredged placement capacity need for an area. For example, one suit was Large Island Restoration in the Mid-Bay along with Wetland Restoration. Another suit was Poplar Island expansion along with shoreline restoration. By combining the alternatives into suites meeting the capacity need, we could concentrate on comparing the cost and environmental impacts of the suits relative to one another.

For the C&D Canal Approach and the Chesapeake Bay Approach Channels in Maryland we assembled over 14,000 suites which met the capacity needs for those areas. Those 14,000 suites are shown on this chart along with the cost, as measured in millions of dollars and environmental benefit, as measured with the habitat index score, for each suite.

Once all the possible suites were

assembled, we were able to compare the suites and select the most cost efficient means to achieve environmental benefit. After that point we took into account the technical, logistical and implementation probabilities of each suite and eliminated those with little likelihood of success. Those suites which remained were evaluated to form the recommended plan.

Remember the chart from 2 slides ago with over 14,000 suites of alternatives? This chart represents the suites that remained after the comparative analysis. By combining the suite on the far left (Poplar Island Expansion & Large Island Restoration), with the suite on the far

right (Large Island Restoration and Wetlands Restoration), we can achieve a recommended plan for the Maryland and C&D Canal Approach Channels which balances cost and environmental benefit.

So, after considering all feasible alternatives and evaluating them against each other, using both quantitative and qualitative

1

criteria, we developed a recommended plan which includes first, optimized use of existing sites in both Maryland and Virginia such as Hart-Miller Island, Pooles Island Open Water Site, Cox Creek CDF, Poplar Island, and open water placement sites in Virginia; second, construction of multiple Confined Disposal Facilities along the Patapsco River; third, expansion of the current footprint at Poplar Island; fourth, restoration of an existing, degraded large island in the mid-bay; and fifth, wetland restoration in Dorchester County, Maryland.

To summarize, the recommended plan developed through this DMMP and EIS process meets the goals of a DMMP by first providing sufficient placement capacity for the next 20 years; second, doing so in an economical manner by optimizing existing sites such as Cox Creek CDF and expanding an existing site in Poplar Island; third, placing the material in a manner that minimizes negative impacts to the environment; and fourth, by maximizing the beneficial use of dredged material

2

to enhance the environment through projects such as island restoration and wetland restoration.

The schedule for the DMMP is shown here. The Notice of Intent was published in May 2002 followed by the Public Scoping Meetings in June

2002. The Draft DMMP and Tiered EIS was completed in February of this year and made available for public comment beginning on February 11, 2005. We are holding two public comment meetings, the first is this meeting at Queen Anne's Public Library and the second will be held this Thursday, March 10th at Essex Community College. The public comment period will extend until March 28th. The final DMMP is scheduled to be issued in July 2005 with a Record of Decision to follow in September 2005.

If you wish to review the Baltimore Harbor & Channels DMMP and Tiered EIS, you can do so by visiting this library, Baltimore County Public Library, Anne Arundel County Public Library, St. Mary's County Public Library, Somerset County Public Library, Dorchester County Public Library,

obtaining a CD from our Welcome Table, or visiting the website listed here. All comments on the DMMP and EIS should be submitted in writing by March 28th to Mr. Mark Mendelsohn at the address listed here.

Thank you for your attention and I will now open the floor to those of you in attendance wishing to offer formal comments for the record, and I'm now going to open the floor up for those of you in attendance wishing to offer form comments for the record.

MR. JOHNSON: I believe we had a list coming up. We're going to start off with our sponsor, our partner from the Maryland Port Administration, Dr. Steve Storms. Steve.

MR. STORMS: Shall I -- hi. I am Steve Storms with the Maryland Port Administration.

The MPA is a part of the Maryland

Department of Transportation. The Maryland Port Administration supports fully the Corps' activities in developing their Dredge Material Management

2

Plan, and we're very pleased with the progress that has been made, and especially pleased that our two respective DMMPs have, have been so well integrated through the, the use of shared resources. Thank you.

MR. JOHNSON: Thank you, Steve. I would ask that when you come up, if you would, please, give your name, any affiliation that you have, and please spell your name for the record, please.

Bruce Coulson.

MR. COULSON: Yes, my name is Bruce Coulson. I'm from Taylors Island, Maryland, Dorchester County, representing a member of the CAC and representing the Dorchester County Shore Erosion Group.

We've been following this Corps' DMMP Plan for, since it started I have been on the CAC. We support it. People in Dorchester County support this plan, restoring mid-bay islands and wetland restoration. Thank you.

MR. JOHNSON: Thank you. And Joe Coyne.

2

MR. COYNE: Thank you. My name is Joseph Coyne, C-O-Y-N-E. I'm wearing two hats here tonight. One is representing the Dorchester County Council, and the second, the same group that Bruce is with, my colleague on the Dorchester County Shoreline Erosion Group, a nonprofit organization that was formed after Hurricane Fran in 19, I believe that was 1996.

You may realize that Dorchester County is

in a unique position in the Chesapeake Bay. It kind of sticks out like a sore thumb in a way. It makes it very vulnerable to the actions of wind and wave and pounds the shorelines almost all the time from any direction, so there's a lot of things happening there, and we were trying to figure out, through this Shoreline Erosion Group, what could be done to slow down damage and the problems caused by shoreline erosion.

We worked on that issue for a couple of years when we discovered the probability of tying in with the DMMP in some way. It started in 1998

when we first met with the Secretary of Transportation, a legislator from Dorchester County and Frank Hammons to make known the possible interest of Dorchester County. We were quite aware of the problems with Site 104 and thought we might offer a solution that would be acceptable to all concerned.

We made that presentation to the group that I just mentioned, and through our own group in Dorchester County we started holding public hearings on the issue.

Would the citizens of Dorchester County and the land owners be okay with the idea of the Beneficial Use Project in Dorchester County. We scheduled well over 60 public meetings with the public invited. We have a regular newsletter that's issued on a monthly basis. We have published many newspaper articles making citizens and land owners aware of what we were trying to do in cooperation with the State of Maryland and the Port Authority.

Through those years, from 1998 to the present, we've had almost no opposition. One individual is all that we're aware of that has been in opposition to the use of dredge materials as a beneficial use in Dorchester County, and we have always been supportive of three major focuses, our particular group, and that is the restoration of James Island, help for Barren Island and the need for environmental solutions at the Delmarva, at the Black Water Reserve, Wildlife Reserve, and so those have always been made clear to the people attending our meetings.

We have constantly, consistently made presentations to the Dorchester County Council about the possibility of this occurring. They have always been extremely supportive of this project coming to Dorchester County.

So I want to say, in closing, we certainly support the notion of the DMMP in Dorchester County. We certainly support it as soon as possible. We have the support of the citizens,

we have the support of the elected officials; state, local and federal.

We think we have kept everybody as informed as we can. We've never had any one of those groups come back to us and say, We don't like what you're doing. They always say, Can you move it up? Can you do it faster?

So in closing then, I just want to say we have received sound support from the citizens of Dorchester and we strongly urge the adoption of this plan for use in Dorchester County. Thank you very much.

MR. JOHNSON: Thank you, Joe. Unless everybody signed up to speak, is there anybody else

that would like to make a statement for the record?

(No response.)

MR. JOHNSON: If not, then this concludes the formal portion of this meeting.