



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

Baltimore District
PN-24-10

Public Notice

**In Reply to Application Number
NAB-2023-61483-P13 (City of Annapolis-Department of
Public Works / 6th Street End Park Water Access Project)**

Comment Period: March 27, 2024 to April 11, 2024

THE PURPOSE OF THIS PUBLIC NOTICE IS TO INFORM INTERESTED PARTIES OF THE PROPOSED ACTIVITY AND TO SOLICIT COMMENTS. NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED AT THIS TIME.

This District has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act (33 USC 403) and Section 404 of the Clean Water Act (33 USC 1344), as described below:

APPLICANT:

City of Annapolis – Department of Public Works
Attention: Ms. Lexi Rider
145 Gorman Street, 2nd Floor
Annapolis, Maryland 21401

WATERWAY AND LOCATION OF THE PROPOSED WORK:

The proposed project is located at 616 – 698 6th Street, Annapolis, within the tidal waters of Back Creek, in Anne Arundel County, Maryland.
(Latitude: 38.966916 N; Longitude: -76.481271 W).

OVERALL PROJECT PURPOSE:

To provide Americans with Disabilities Act-compliant accessibility water access to the community at the 6th Street End Park.

PROJECT DESCRIPTION:

Applicant proposes to:

1. Construct a 6-foot-wide by 6-foot-long fixed ramp and a 5-foot-wide by 19-foot-long fixed ramp; construct a 5-foot-wide by 7-foot-long fixed platform and two 5-foot-wide by 6-foot-long fixed platforms; construct a 10-foot-wide by 35-foot-long floating pier; and construct a 5-foot-wide by 16-foot-long aluminum gangway. All structures will be at a maximum of 45 feet channelward of the mean high water line.

2. In addition, 31 cubic yards of material will be dredged (new dredging) from a 37-foot by 22-foot (629 square foot) area of open water to a depth of -3.0 feet below mean low water.

EFFECTS ON AQUATIC RESOURCES:

Activity (i.e. culvert)	Open Water Impact (Sq. Ft.)	Wetland Impact (Sq. Ft.)	Authority (Section 10/404/408)
Construct fixed ramp/fixed platform/floating pier/& gangway	656	N/A	10
Mechanical Dredging	629	N/A	10

The work is proposed in accordance with the enclosed plans.

LEAD FEDERAL AGENCY:

The United States Army Corps of Engineers, as the lead federal agency, is responsible for all coordination pursuant to applicable federal authorities.

APPLICANT'S PROPOSED AVOIDANCE, MINIMIZATION, AND COMPENSATORY MITIGATION:

The activity will result in no more than minimal individual and cumulative adverse effects on the aquatic environment.

CORPS EVALUATION REQUIREMENTS:

This project will be evaluated pursuant to Corps Regulatory Program Regulations (33 CFR Parts 320-332). The decision whether to issue a permit will be based on an evaluation of the probable impacts, 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, economic, 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, mineral needs, and consideration of property ownership and in general, the needs and welfare of the people. The evaluation of the impact of this project will also include application of the Clean Water Act Section 404(b)(1) Guidelines promulgated by the Administrator, United States Environmental Protection Agency.

ENDANGERED SPECIES:

A preliminary review of this application indicates that the proposed work will have no effect federally listed threatened or endangered 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.

ESSENTIAL FISH HABITAT:

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 on all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely affect Essential Fish Habitat (EFH), including species of concern, life cycle habitat, or Habitat Areas of Particular Concern. The project site lies in or adjacent to EFH as described under MSFCMA for managed species under the MSFCMA. The Baltimore District has made a preliminary determination that the project will have no adverse effect on EFH. The Baltimore District has made a preliminary determination that mitigative measures are not required to minimize adverse effects on EFH at this time. This determination may be modified if additional information indicates otherwise.

HISTORIC RESOURCES:

Pursuant to Section 106 of the National Historic Preservation Act of 1966 and applicable guidance, the Corps has reviewed the latest published version of the National Register of Historic Places and initially determined that no registered properties listed as eligible for inclusion, therein, are located at the site of the proposed work. The Corps has made the preliminary determination that the proposed project would have no effect on historic properties. The Corps final eligibility and effect determination will be based on coordination with the State Historic Preservation Office as appropriate and required, and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps' identified permit area.

TRIBAL RESOURCES:

Section 106 of the National Historic Preservation Act also requires federal agencies to consult with federally recognized American Indian tribes that attach religious and cultural significance to historic properties that may be affected by the agency's undertaking. Corps Tribal Consultation Policy mandates an open, timely, meaningful, collaborative, and effective deliberative communication process that emphasizes trust, respect, and shared responsibility. The policy further emphasizes that, to the extent practicable and permitted by law, consultation works toward mutual consensus and begins at the earliest planning stages before decisions are made and actions taken. The Corps final eligibility and effect determination will be based on coordination with interested tribes, in accordance with the Corps current tribal standard operating procedures as appropriate and required, and with full consideration given to the proposed undertaking's potential direct and indirect effects on tribal resources.

MODIFICATION OF CIVIL WORKS PROJECTS: 33 USC 408 (SECTION 408):

All Section 408 proposals will be coordinated internally at the United States Army Corps of Engineers. The Section 408 decision will be issued along with the Section 404 and/or Section 10 decision. Please see the following link for more information regarding Section 408:

<https://www.nab.usace.army.mil/Missions/Regulatory/Section-408-Requests/>.

WATER QUALITY CERTIFICATION:

The applicant is required to obtain a water quality certification in accordance with Section 401 of the Clean Water Act.

COASTAL ZONE MANAGEMENT PROGRAMS:

Where applicable, the applicant has certified in this application that the proposed activity complies with and will be conducted in a manner consistent with the approved Coastal Zone Management Program. By this public notice, we are requesting the State concurrence or objection to the applicant's consistency statement.

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

SUBMISSION OF COMMENTS:

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 provided will become part of the public record for this action and are subject to release to the public through the Freedom of Information Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Written comments concerning the work described above related to the factors listed above or other pertinent factors must be received by the United States Army Corps of Engineers, Baltimore District within the comment period specified above through postal mail at the address below or electronic submission to the project manager email address below. Written comments should reference the Application Number NAB-2023-61483-P13.

PUBLIC HEARING REQUESTS:

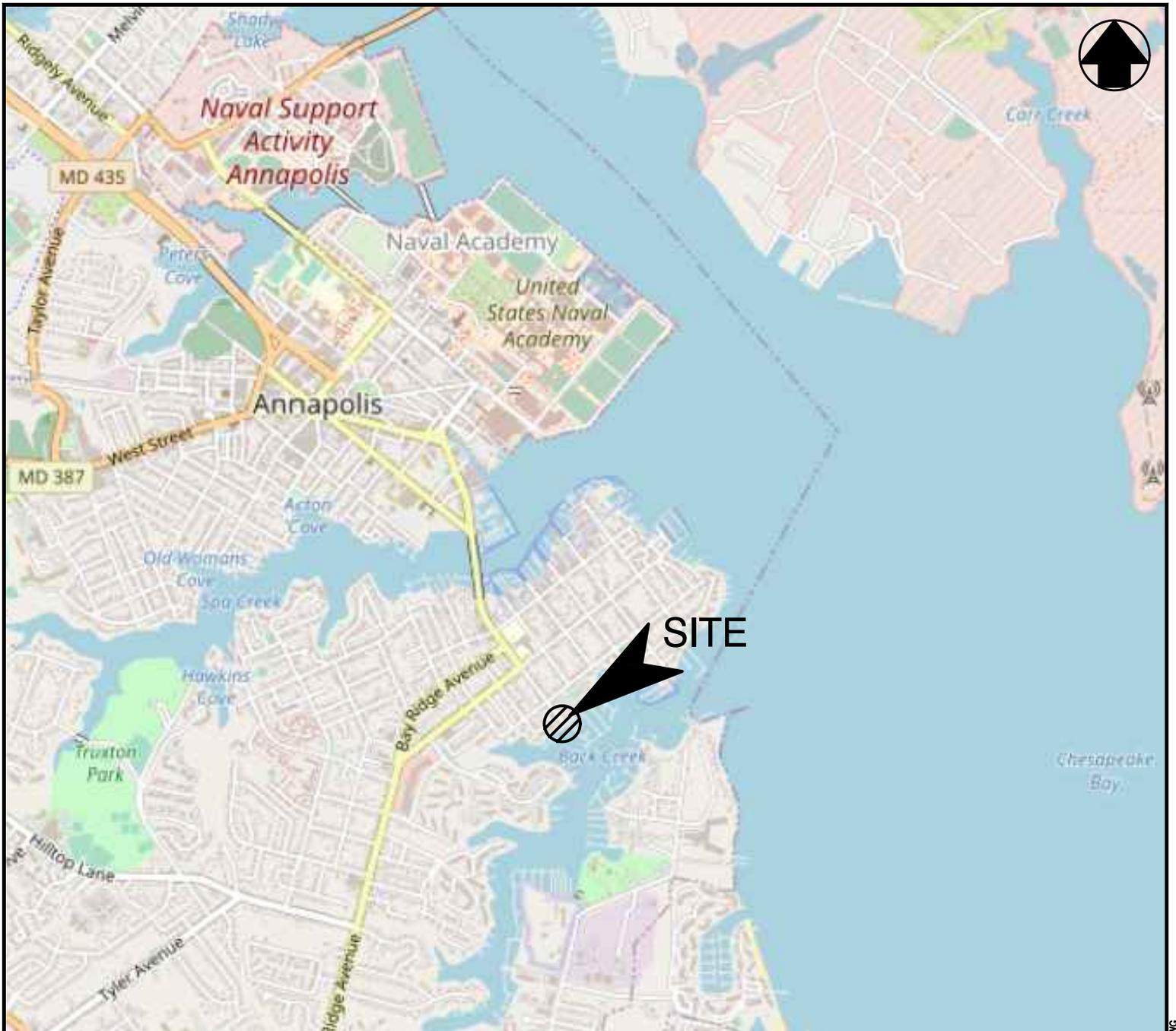
Any person who has an interest which may be adversely affected by the issuance of this permit may request a public hearing. The request, which must be in writing, must be received within the comment period as specified above to receive consideration. Also, it must clearly set forth the interest which may be adversely affected by this activity and the manner in which the interest may be adversely affected. The public hearing request may be submitted by electronic mail or mailed to the following address:

Ms. Amy Elliott
amy.h.elliott@usace.army.mil
United States Army Corps of Engineers, Baltimore District
Regulatory Branch
1631 South Atherton Street, Suite 101
State College, Pennsylvania 16801

It is requested that you communicate this information concerning the proposed work to any persons known by you to be interested, who did not receive a copy of this notice.

General information regarding the Corps' permitting process can be found on our website at <https://www.nab.usace.army.mil/Missions/Regulatory.aspx>. This public notice has been prepared in accordance with Corps implementing regulations at 33 CFR 325.3. If you have any questions concerning this specific project or would like to request

a paper copy of this public notice, please contact Amy Elliott at 814-235-0573, or at amy.h.elliott@usace.army.mil with NAB-2023-61483-P13 in the subject line. This public notice is issued by the Chief, Regulatory Branch.



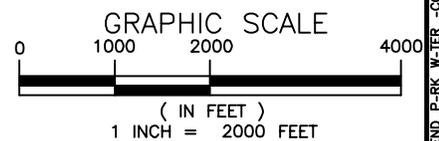
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**WATER ACCESS IMPROVEMENTS
AT
SIXTH STREET
ANNAPOLIS, ANNE ARUNDEL COUNTY**

APPL. BY: CITY OF ANNAPOLIS DPW C/O LEXI RIDER

VICINITY MAP

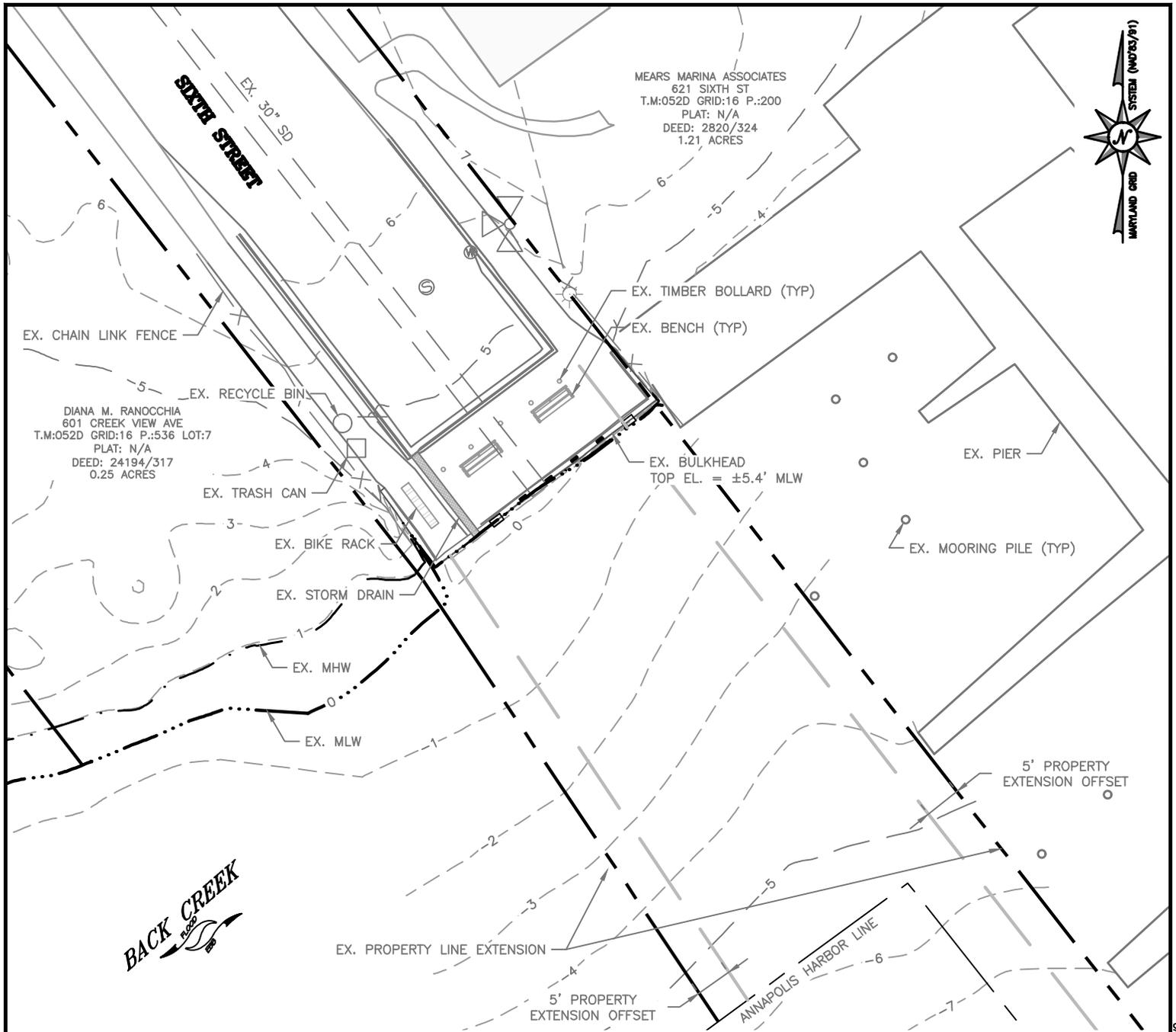
DATE: MARCH 2024 SHEET 1 OF 7



Bayland
Consultants & Designers, Inc.
"Integrating Engineering and Environment"

7455 New Ridge Road, Suite 1 Phone: (410) 694-9401
Hanover, Maryland 21076 Fax: (410) 694-9405
www.baylandinc.com

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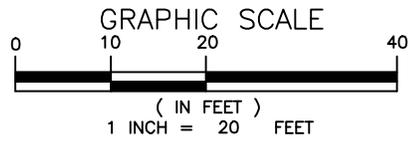


**WATER ACCESS IMPROVEMENTS
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EXISTING CONDITIONS

DATE: MARCH 2024 SHEET 2 OF 7



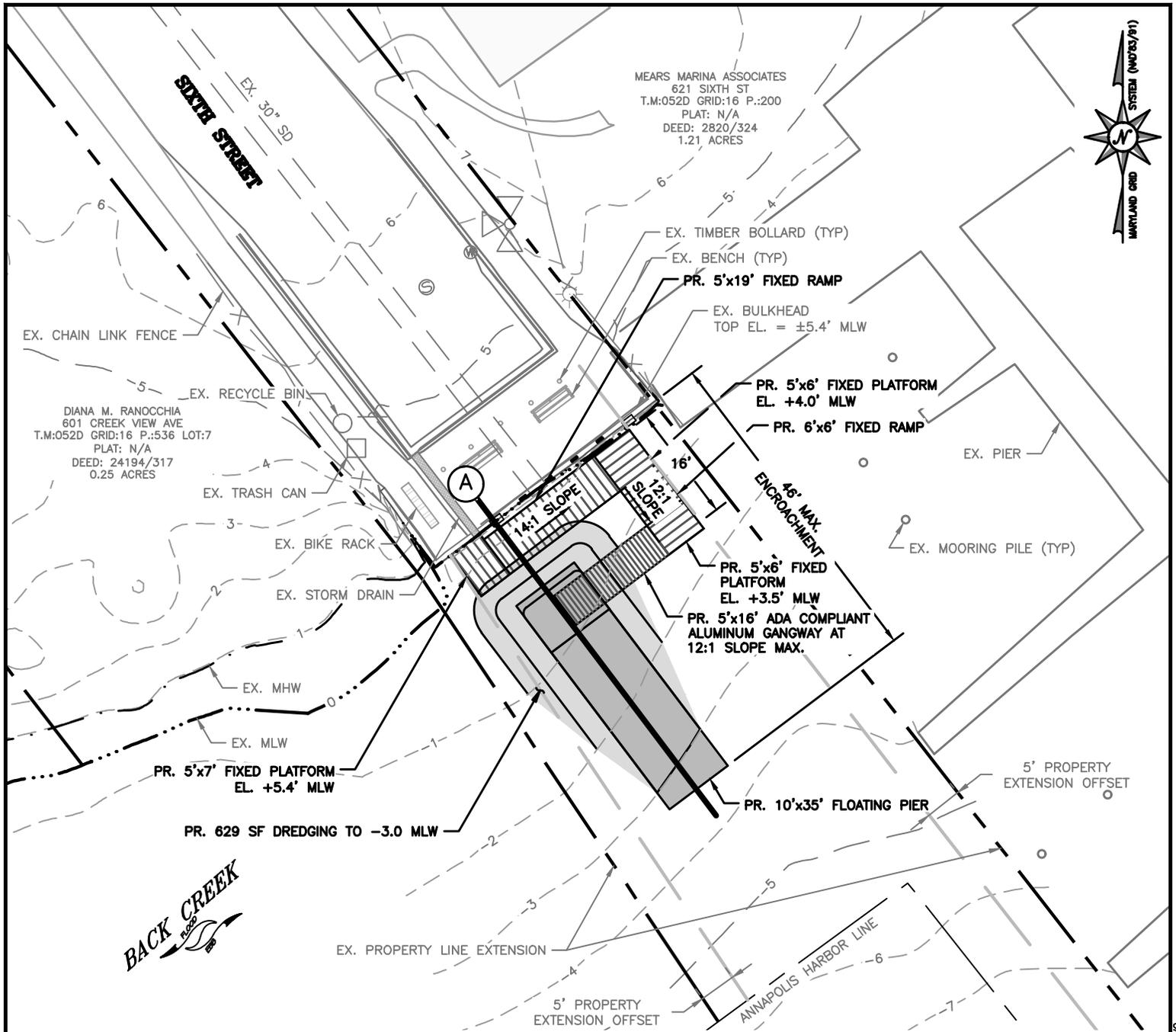
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MEARS MARINA ASSOCIATES
621 SIXTH ST
T.M:052D GRID:16 P.:200
PLAT: N/A
DEED: 2820/324
1.21 ACRES

DIANA M. RANOCCHIA
601 CREEK VIEW AVE
T.M:052D GRID:16 P.:536 LOT:7
PLAT: N/A
DEED: 24194/317
0.25 ACRES



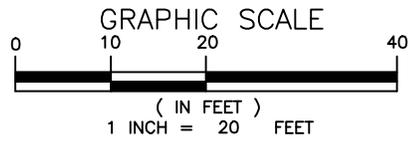
NOTE:
1. PROPERTY LINES BASED ON SURVEY CONDUCTED BY DRUM, LOYKA & ASSOCIATES, LLC ON JANUARY 29, 2024.

WATER ACCESS IMPROVEMENTS AT SIXTH STREET ANNAPOLIS, ANNE ARUNDEL COUNTY

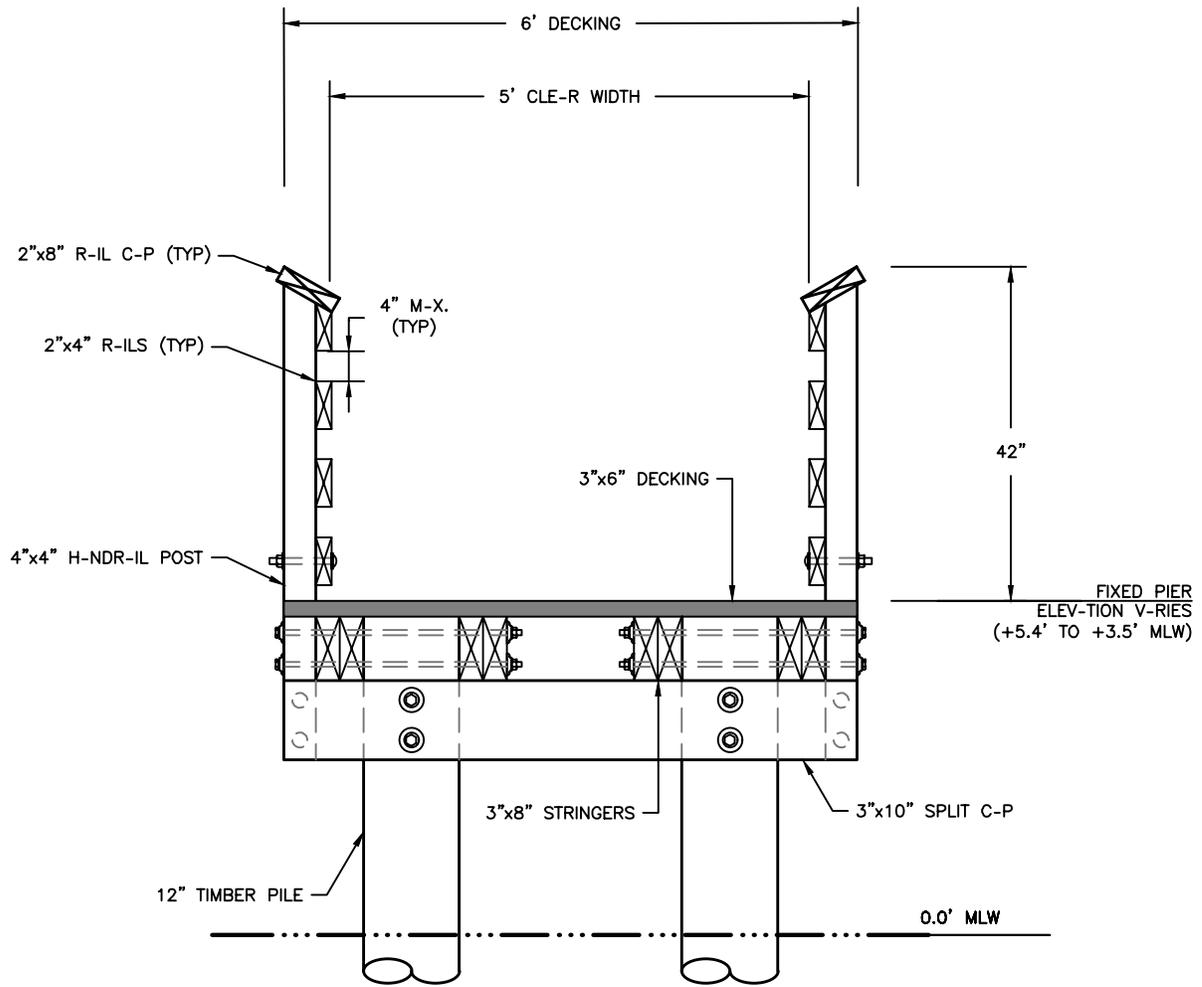
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SITE PLAN

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TYPICAL 6' FIXED PIER CROSS SECTION

SC-LE: 1" = 2'

WATER ACCESS IMPROVEMENTS
 AT
 SIXTH STREET
 ANNAPOLIS, ANNE ARUNDEL COUNTY

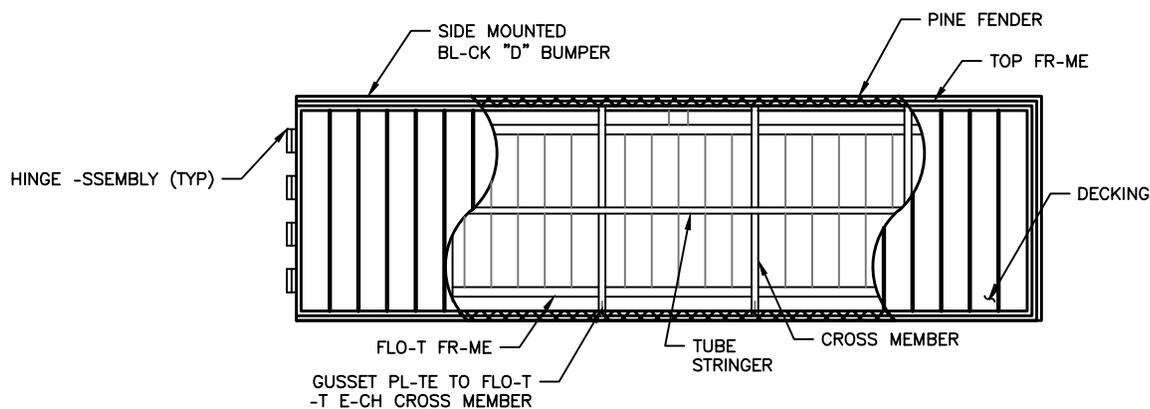
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FIXED PIER SECTION

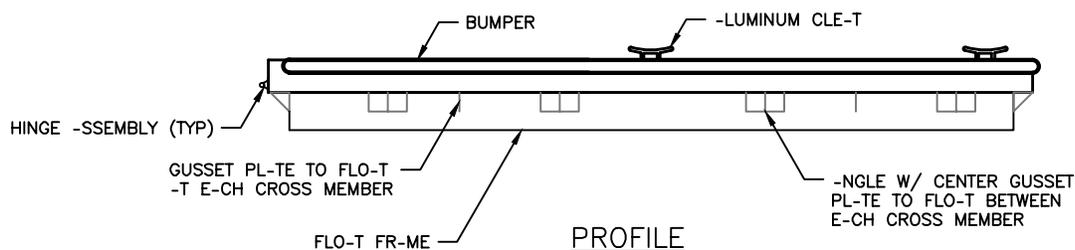
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PLAN



PROFILE

TYPICAL FLOATING PIER DETAILS

SC-LE: 1" = 5'

WATER ACCESS IMPROVEMENTS
 AT
 SIXTH STREET
 ANNAPOLIS, ANNE ARUNDEL COUNTY

APPL. BY: CITY OF ANNAPOLIS DPW C/O LEXI RIDER

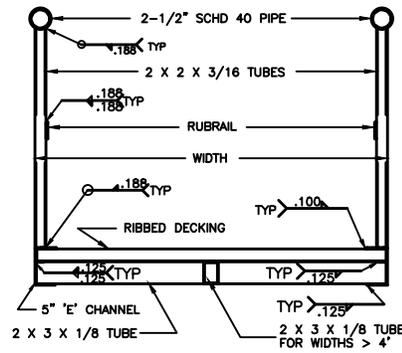
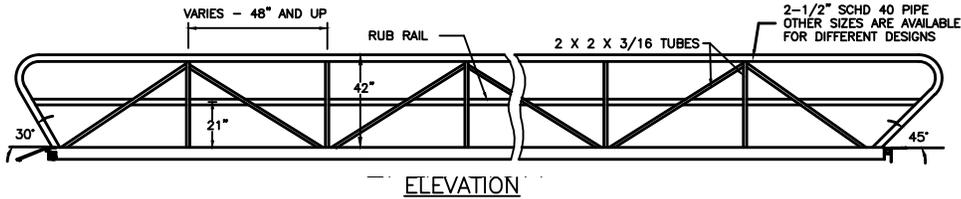
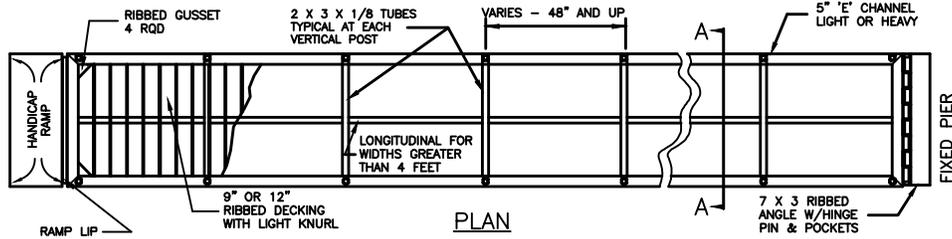
FLOATING PIER DETAILS

DATE: MARCH 2024 SHEET 5 OF 7

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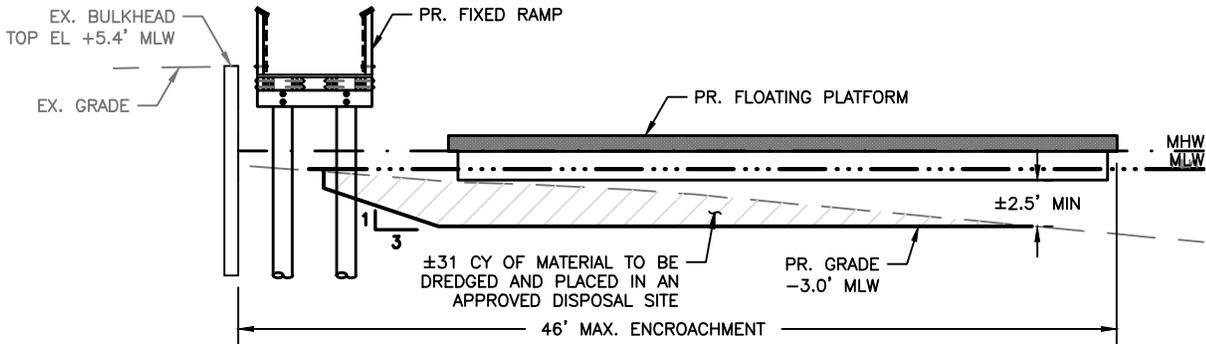
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SECTION A-A
TYPICAL ALUMINUM GANGWAY DETAILS

SCALE: 1" = 2'



SECTION A-A
 SCALE: 1" = 10'

WATER ACCESS IMPROVEMENTS
 AT
 SIXTH STREET
 ANNAPOLIS, ANNE ARUNDEL COUNTY

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GANGWAY DETAILS AND CROSS SECTION

DATE: MARCH 2024 SHEET 6 OF 7

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PR. STRUCTURES OVER THE WATER TO BE CONSTRUCTED

FIXED PLATFORM:
5'x7' - 35 SF
(2) 5'x6' - 60 SF

FIXED RAMP:
5'x19' - 95 SF
6'x 6' - 36 SF

FLOATING PIER:
10'x35' - 350 SF

GANGWAY:
5'x16' - 80 SF

TOTAL AREA OVER WATER TO BE CONSTRUCTED: 656 SF

DREDGING

AVERAGE LENGTH: 37 FT
AVERAGE WIDTH: 22 FT
TOTAL AREA OF IMPACT: 629 SF (0.01 AC.)
DEPTH: -3.0 FT
ESTIMATED VOLUME: 31 CY

NEW IMPACTS:

TOTAL AREA OF IMPACT FROM MHW INTO TIDAL WATERS = 920 SF
TOTAL AREA OF PERMANENT IMPACT TO SHALLOW WATER HABITAT: 920 SF
TOTAL AREA OF IMPACT TO PRIVATE TIDAL WETLANDS: 0 SF

NOTES:

1. BASEMAP COMPILED FROM ANNE ARUNDEL COUNTY 2016 PLANIMETRICS AND 2020 IMAGERY.
2. TIDAL RANGE IS 0.97 FOOT.
3. WATER DEPTHS ARE IN FEET AND REFER TO MLW.
4. SURVEY WAS PERFORMED BY BAYLAND CONSULTANTS & DESIGNERS, INC. ON JUNE 26, 2023.
5. THESE ARE PERMIT DRAWINGS ONLY AND ARE NOT INTENDED TO BE USED FOR CONSTRUCTION PURPOSES. DESIGN DRAWINGS WILL BE PREPARED SEPARATELY.

WATER ACCESS IMPROVEMENTS AT SIXTH STREET ANNAPOLIS, ANNE ARUNDEL COUNTY

APPL. BY: CITY OF ANNAPOLIS DPW C/O LEXI RIDER

PROJECT SUMMARY AND NOTES

DATE: MARCH 2024 SHEET 7 OF 7



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