

U.S. Army Corps  
of Engineers  
Baltimore District

# Public Notice

In Reply to Application Number  
NAB-2014-60674-M07 (MPA/HARBOR-WIDE/SEAGIRT  
MARINE TERMINAL/WIDENER DREDGING)

PN 19-63

Comment Period: Sep 24, 2019 to Oct 24, 2019

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**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 of 1899 and/or Section 404 of the Clean Water Act (33. U.S.C. 1344)** as described below:

**APPLICANT:** Mr. Jeffrey E. Neumayer  
Maryland Port Administration  
401 East Pratt Street, Suite 1653  
Baltimore, Maryland 21202

**WATERWAY AND LOCATION OF THE PROPOSED WORK:** The proposed project is located in the Patapsco River, at the Seagirt Marine Terminal, Berth Three, 2520 Broening Highway, Dundalk, Baltimore City, Maryland. [39.255833/-76.540833]

**OVERALL PROJECT PURPOSE:** The purpose of the project is improve navigable access by dredging in the Patapsco River at MPA's Seagirt Marine Terminal facility, 2520 Broening Highway, Baltimore, Maryland.

**PROPOSED WORK:** Proposed impacts to Section 10/404/408 aquatic resources includes the following:

- Dredging: To mechanically or hydraulically dredge approximately 1.5 acres to a depth of -52 feet below mean low water adjacent to the Seagirt Loop. A maximum of approximately 137,000 cubic yards of dredged material will be deposited at either the Masonville or Cox Creek Dredged Material Containment Facility. A ten year maintenance dredging clause is requested.
- Borings: To conduct up to 50 off-shore borings.

The work is proposed in accordance with the enclosed plans dated October 23, 2018.

**LEAD FEDERAL AGENCY:** The U.S. 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:** As part of the planning process for the proposed project, steps were taken to ensure avoidance and minimization of impacts to waters of the United States to the maximum extent practicable. The applicant designed the project at the existing location to meet the needs of the terminal facility. No compensatory mitigation is proposed for the project.

**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 activities on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonable 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 impacts of this project will also include application of the Clean Water Act 404(b)(1) Guidelines promulgated by the Administrator, U.S. Environmental Protection Agency.

**ENDANGERED SPECIES:** The lead federal agency is responsible for federal essential fish habitat coordination. A preliminary review of this application indicates that the proposed work is not likely to adversely affect Federal 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 lead federal agency is responsible for Essential Fish Habitat coordination. 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 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:** The lead federal agency is responsible for historic resources coordination. Pursuant to Section 106 of the National Historic Preservation Act (NHPA) of 1966 and applicable guidance, the Corps has reviewed of 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 NHPA 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. The lead federal agency is responsible for tribal coordination. 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. U.S.C. 408 (SECTION 408)]:** All Section 408 proposals will be coordinated internally at USACE. The Section 408 decision will be issued along with the Section 10 and/or Section 404 decision. Please see the following link for more information regarding 408:  
<https://www.nab.usace.army.mil/section408/>

**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 District Engineer, U.S. 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-2014-60674-M07.

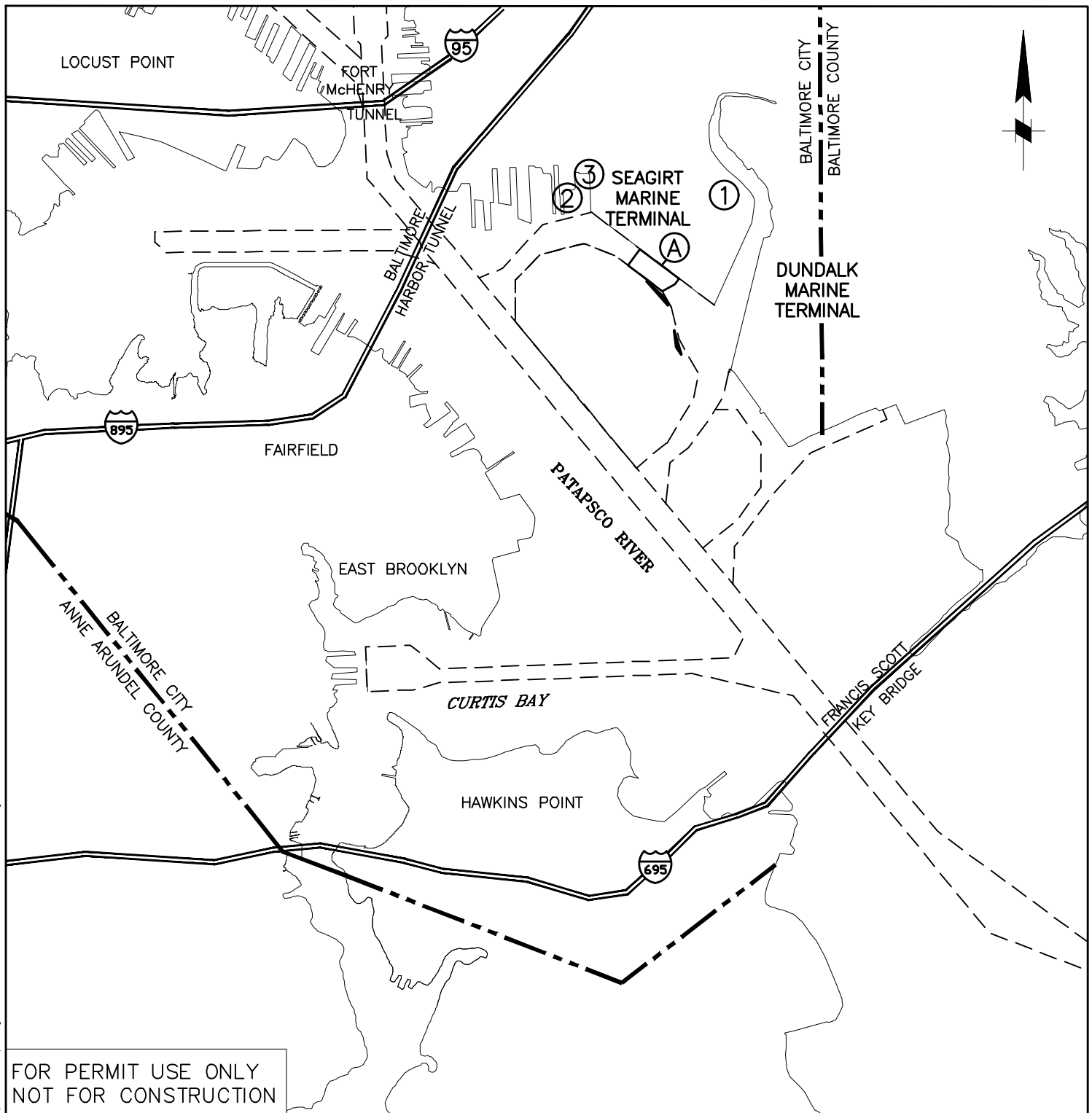
**PUBLIC HEARING REQUESTS:** Any person who has an interest which may be adversely affected by the issuance of this permit may request a public hearing. The request, which must be in writing, must be received within the comment period as specified above to receive consideration. Also, it must clearly 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. Maria N. Teresi  
[maria.teresi@usace.army.mil](mailto:maria.teresi@usace.army.mil)  
U.S. Army Corps of Engineers, Baltimore District  
Regulatory Branch  
2 Hopkins Plaza  
Baltimore, Maryland 21201

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 Ms. Maria N. Teresi, 410.962.4501 or [maria.teresi@usace.army.mil](mailto:maria.teresi@usace.army.mil).

This public notice is issued by the Chief, Regulatory Branch.



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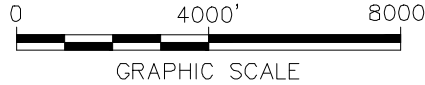
## SITE LOCATION

SITE LOCATION  
A. SEAGIRT BERTH 3

ADJACENT PROPERTIES  
1. POINT BREEZE, LLC  
2. CANTON MARINE TERMINAL  
3. NEW NGC INC

APPLICATION BY:  
MARYLAND DEPARTMENT OF TRANSPORTATION  
MARYLAND PORT ADMINISTRATION  
WORLD TRADE CENTER BALTIMORE  
401 EAST PRATT STREET, SUITE 1900  
BALTIMORE, MD 21202

MARYLAND DEPARTMENT OF TRANSPORTATION  
MARYLAND PORT ADMINISTRATION  
SEAGIRT BERTH 3 IMPROVEMENTS

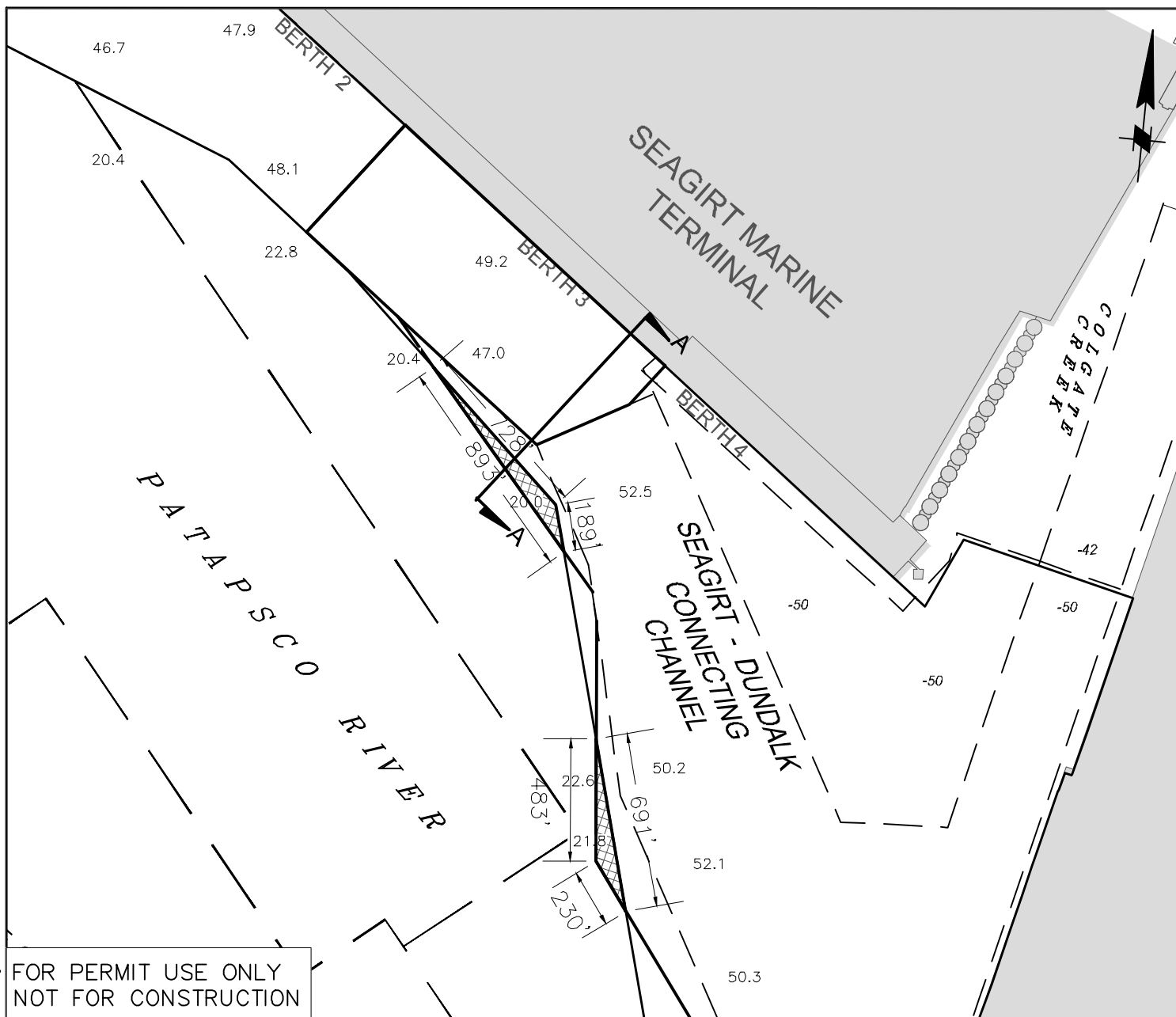


AGENT/ENGINEER:  
**GBA**  
ENGINEERS ★ SURVEYORS

PROJECT LOCATION:  
SEAGIRT MARINE TERMINAL  
PATAPSCO RIVER  
BALTIMORE HARBOR, MARYLAND

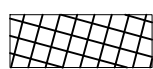
DATE: OCTOBER 23, 2018  
SHEET 1 OF 4

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**DREDGING DEPTH LEGEND (MLW)**



CHANNEL WIDENER  
-52' (1.5 ACRES)

— HARBORWIDE PERMIT  
OUTLINE TO -52'  
- - FEDERAL CHANNEL

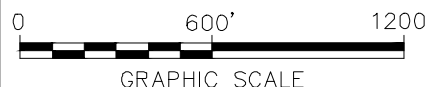
VERTICAL DATUM IS REFERENCED  
TO MEAN LOW WATER (MLW)  
WHICH IS 0.22' ABOVE MEAN LOWER  
LOW WATER (MLLW)

**NOTES**

1. MECHANICALLY OR HYDRAULICALLY NEW WORK DREDGE APPROXIMATELY 137,000 CY IN THE PROPOSED CHANNEL WIDENER AREAS (1.5 ACRES) TO A DEPTH OF -52 FEET AT MEAN LOW WATER AND DISPOSE OF AT THE MASONVILLE OR COX CREEK DMCF.
2. PERFORM UP TO 100 OFFSHORE SUBSURFACE SOIL BORINGS FOR ENVIRONMENTAL AND GEOTECHNICAL INVESTIGATIONS WITHIN THE DREDGING AREAS SHOWN (BERTHING AREAS, ACCESS CHANNELS AND SIDE SLOPES) AND DIRECTLY ADJACENT AREAS, AND WITHIN 100 FEET OFFSET FROM THE EDGE OF THE MARINE TERMINAL. SEE SHEET 3 FOR TYPICAL BORING PROCEDURES.
3. PERFORM UP TO AN ADDITIONAL 100 OFFSHORE SUBSURFACE SOIL BORINGS TO CHARACTERIZE THE EXISTING MATERIAL TO BE DREDGED WITHIN THE DREDGING AREAS SHOWN (ACCESS CHANNELS AND SIDE SLOPES) AND DIRECTLY ADJACENT AREAS, NOT TO EXCEED PROPOSED DREDGING DEPTHS.
4. EXISTING CHANNEL IS PERMITTED UNDER TIDAL WETLANDS LICENSE #14-0371(R) (HARBORWIDE DREDGING PERMIT)

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401 EAST PRATT STREET, SUITE 1900  
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MARYLAND DEPARTMENT OF TRANSPORTATION  
MARYLAND PORT ADMINISTRATION  
SEAGIRT BERTH 3 IMPROVEMENTS



AGENT/ENGINEER:



PROJECT LOCATION:  
SEAGIRT MARINE TERMINAL  
PATAPSCO RIVER  
BALTIMORE HARBOR, MARYLAND

DATE: OCTOBER 23, 2018  
SHEET 2 OF 4

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TYPICAL BORING PROCEDURES

1. OFFSHORE SUBSURFACE SOIL BORINGS SHALL BE PERFORMED FOR ENVIRONMENTAL AND GEOTECHNICAL INVESTIGATIONS AT THE PROJECT LOCATION.
2. BORINGS MAY BE LOCATED IN NEW WORK DREDGING AREAS (BERTHING AREAS, ACCESS CHANNELS AND SIDE SLOPES), DIRECTLY ADJACENT TO EXISTING MAINTENANCE DREDGING AREAS, AND WITHIN 100 FEET OFFSET FROM THE EDGE OF THE MARINE TERMINALS, AND WITHIN THE INTERIOR AREAS OF EXISTING ACCESS CHANNEL LOOPS
3. DRILLING SHALL BE PERFORMED USING HOLLOW STEM AUGERS
4. DRILLING DEPTH SHALL VARY BASED ON LOCATION AND PURPOSE OF THE INVESTIGATION. MAXIMUM DRILLING DEPTH SHALL BE 150 FEET.
5. TESTING SHALL INCLUDE PHYSICAL AND CHEMICAL SOIL CHARACTERIZATION, STANDARD PENETRATION TESTS TO EVALUATE SOIL STRENGTH, UNDISTURBED 3-INCH DIAMETER SHELBY TUBE SAMPLES FOR SOIL CLASSIFICATION, AND IN-SITU VANE SHEAR TESTS.
6. SOIL SAMPLES COLLECTED FOR LABORATORY ANALYSIS SHALL BE DISPOSED OF PROPERLY PER STANDARD LABORATORY PROCEDURES.

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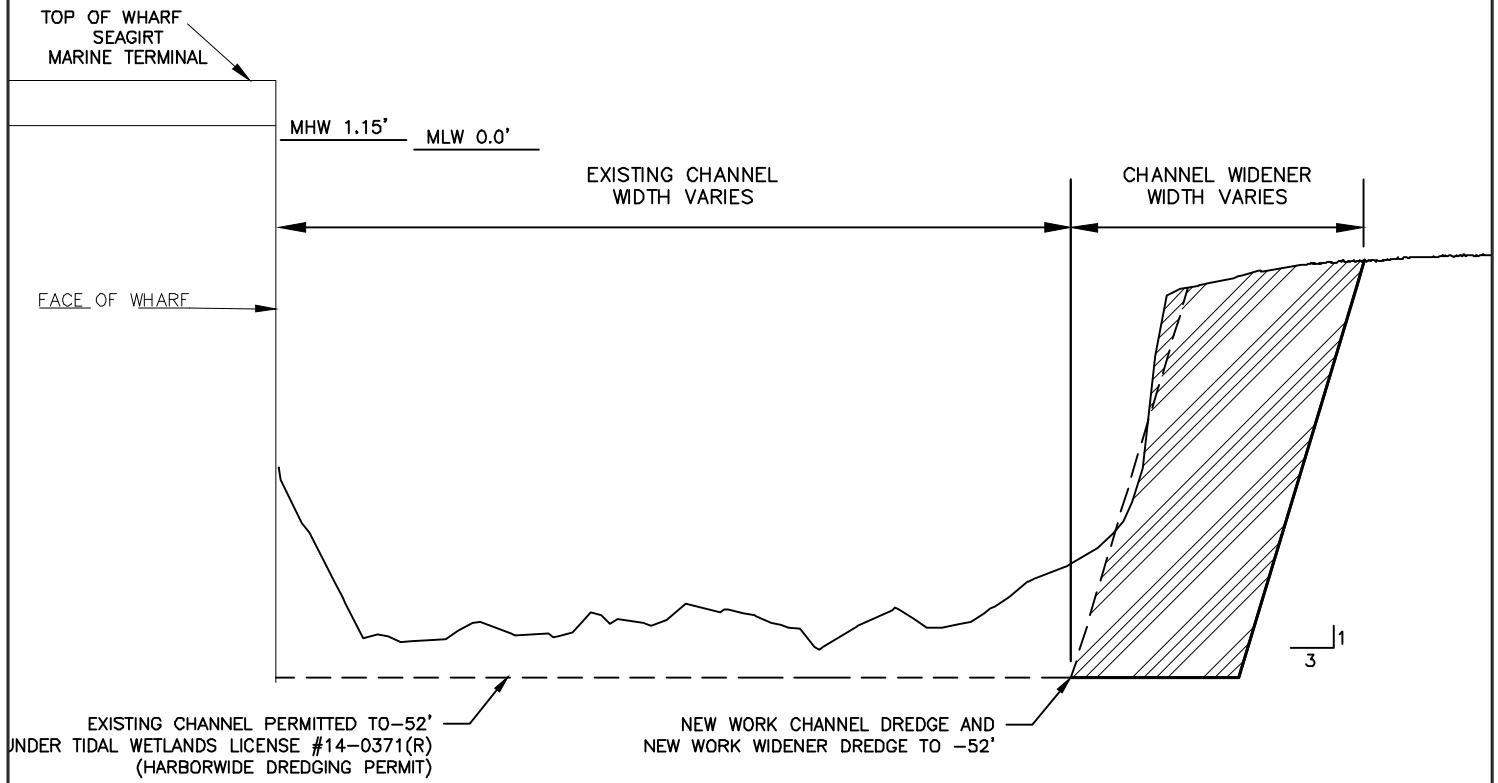


MARYLAND DEPARTMENT OF TRANSPORTATION  
MARYLAND PORT ADMINISTRATION  
SEAGIRT BERTH 3 IMPROVEMENTS

PROJECT LOCATION:  
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PATAPSCO RIVER  
BALTIMORE HARBOR, MARYLAND

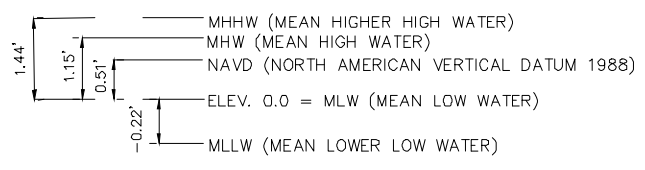
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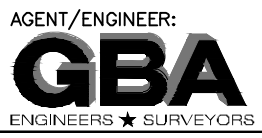
**TYPICAL SECTION A-A**  
**SEAGIRT MARINE TERMINAL BERTH 3**  
 NOT TO SCALE

**LEGEND**  
 MATERIAL TO BE REMOVED



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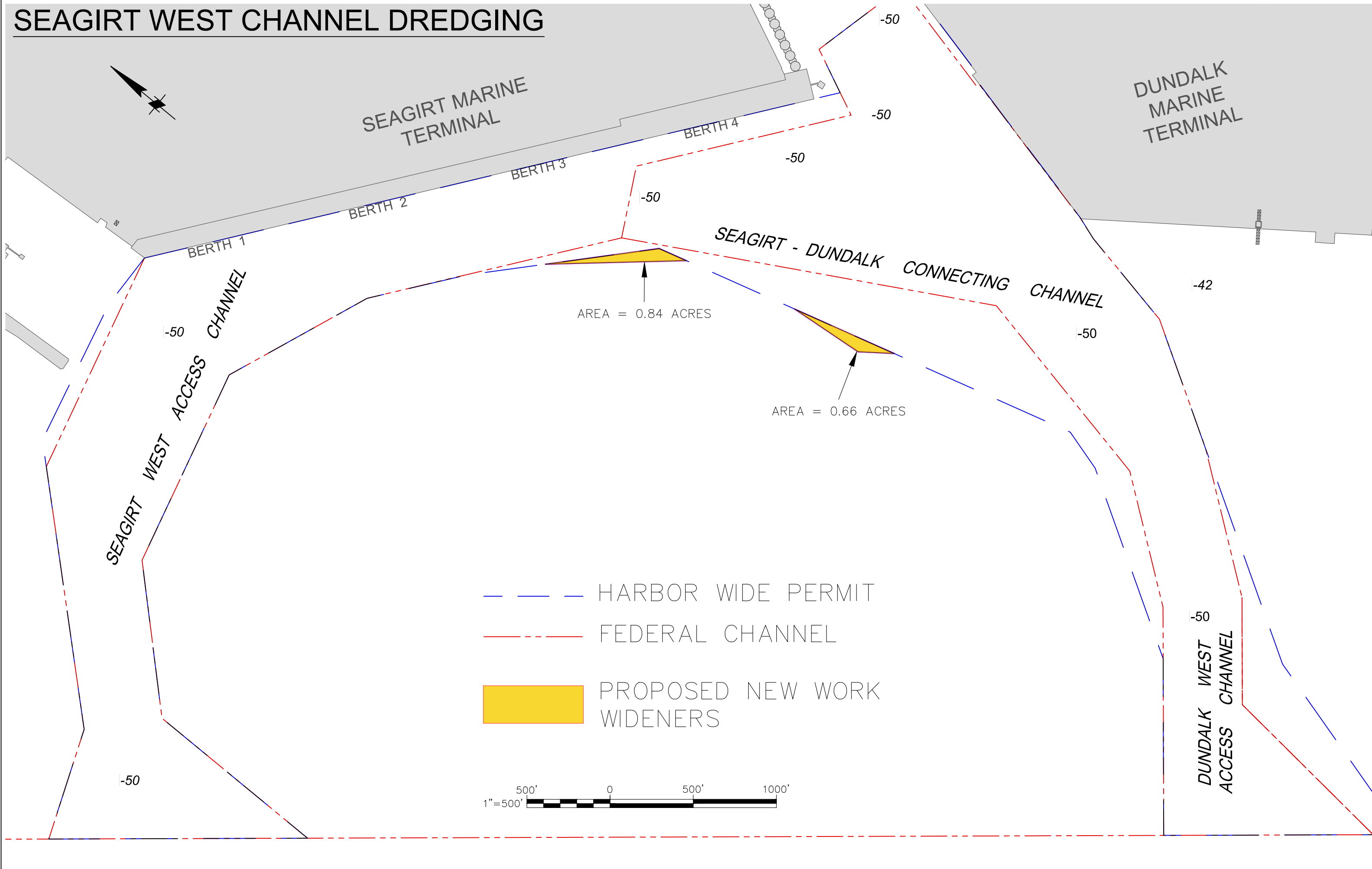
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 PATAPSCO RIVER  
 BALTIMORE HARBOR, MARYLAND

DATE: OCTOBER 23, 2018  
 SHEET 4 OF 4



# SEAGIRT WEST CHANNEL DREDGING



SEAGIRT WEST ACCESS CHANNEL

SEAGIRT - DUNDALK CONNECTING CHANNEL

DUNDALK WEST ACCESS CHANNEL

SEAGIRT MARINE TERMINAL

DUNDALK MARINE TERMINAL

BERTH 1

BERTH 2

BERTH 3

BERTH 4

AREA = 0.84 ACRES

AREA = 0.66 ACRES

- HARBOR WIDE PERMIT
- FEDERAL CHANNEL
- PROPOSED NEW WORK WIDENERS

