

Public Notice

U.S. Army Corps
of Engineers

In Reply to Application Number
**NAB-2019-61173 (Prince George's County Department of the
Environment / Magruder's Ferry Living Shoreline Project)**

Baltimore District
PN 19-69

Comment Period: October 29, 2019 to November 28, 2019

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: Prince George's County Department of the Environment
1801 McCormick Drive, Suite 500
Largo, Maryland 20774

WATERWAY AND LOCATION OF THE PROPOSED WORK: The proposed project is located in the Patuxent River, off Magruder's Ferry Road, in Brandywine, Prince George's County, Maryland. (Latitude: 38.644791 N; Longitude: -76.693948 W).

OVERALL PROJECT PURPOSE: To provide adequate shoreline protection to approximately 1,350 linear feet of shoreline along the Patuxent River, at the Magruder's Ferry site.

PROPOSED WORK: The applicant is seeking Section 10 and 404 authorization for the following work: 1.) construction of a 19-foot wide by 1,350-foot long low profile stone, vented sand containment structure extending a maximum of 49 feet channelward of the mean high water line; and 2.) discharge and grade approximately 713 cubic yards of clean sand fill placed below the mean high water line, and plant 40,625 square feet (0.93 acres) of marsh vegetation along 1,350 feet of eroding shoreline.

The work is proposed in accordance with the enclosed plans.

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: Steps were taken to ensure avoidance and minimization of impacts to waters of the United States to the maximum extent possible. The limit of disturbance was configured to avoid impacts to tidal wetlands and Submerged Aquatic Vegetation (SAV) habitat. In addition, sites were pre-selected to avoid any impacts to existing oyster beds. Turbidity curtains will be used to reduce sedimentation in the channel and the inside of the turbidity curtain will be seined to remove fish after the turbidity curtain has been installed. Compensatory mitigation is not being proposed by the applicant for impacts to the approximate 1.7 acre area of open water since they propose to create 0.93 acre of intertidal wetlands vegetated with high and low marsh grasses as part of 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 activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, 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 impact of this project will also include application of the Clean Water Act Section 404(b)(1) Guidelines promulgated by the Administrator, U.S. Environmental Protection Agency.

ENDANGERED SPECIES: A preliminary review of this application indicates that the proposed work is not likely to adversely affect 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 (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 not have a substantial 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 (NHPA) 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 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.

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 (CZM) 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 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-2019-61173.

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:

amy.h.elliott@usace.army.mil

Mrs. Amy Elliott
U.S. Army Corps of Engineers, Baltimore District
Regulatory Branch
State College Field Office
1631 South Atherton Street
State College, PA 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 Mrs. Amy Elliott, at 814-235-0573, or at amy.h.elliott@usace.army.mil. This public notice is issued by the Chief, Regulatory Branch.





PROJECT LOCATION MAP

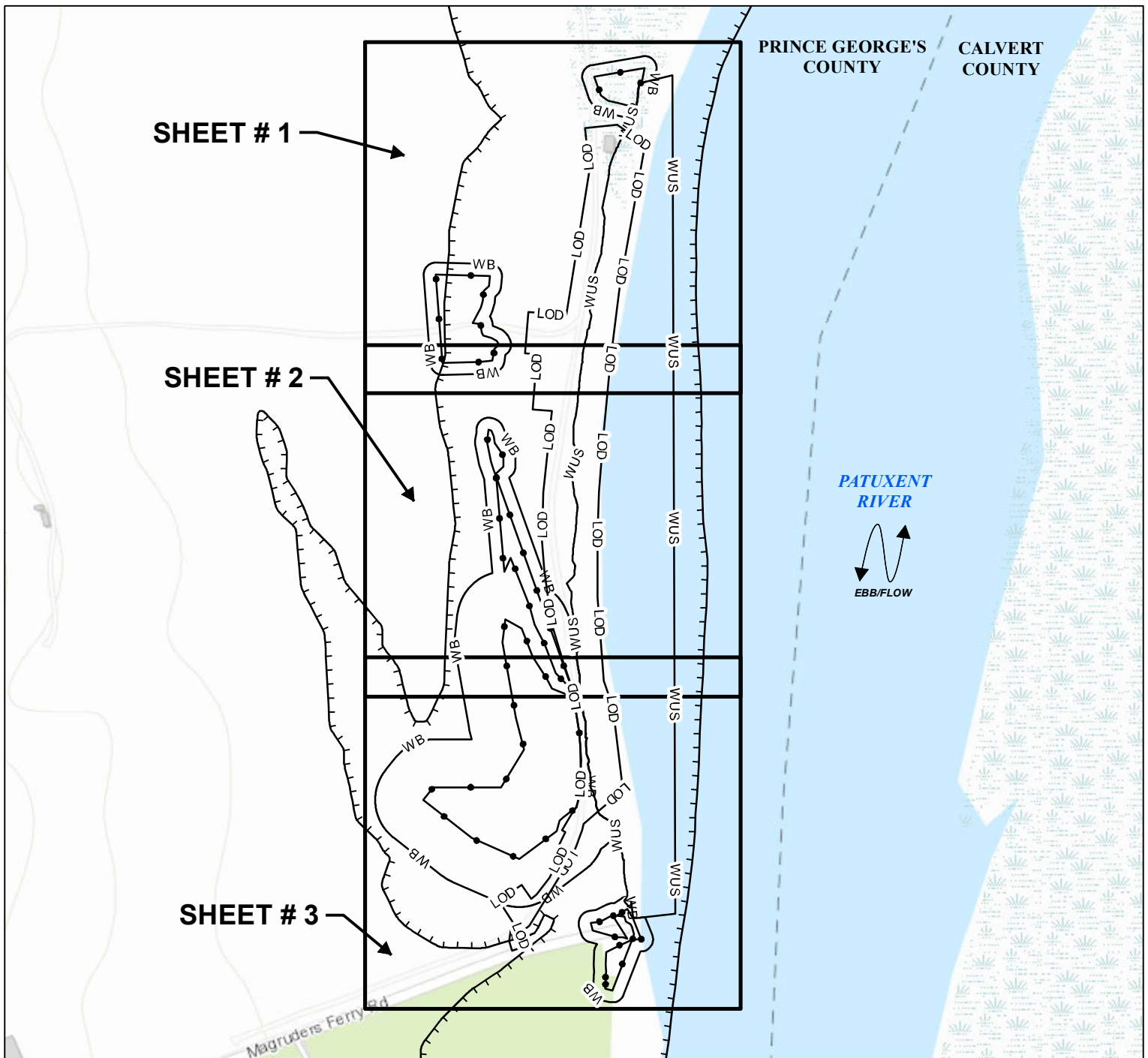
MAGRUDERS FERRY SITE MS4/TMDL SHORELINE STABILIZATION PROJECT

PRINCE GEORGE'S COUNTY
MARYLAND

LEGEND:

-  STUDY AREA
-  COUNTY BOUNDARY

SCALE: 1 inch = 1 mile



LEGEND

100-YEAR FLOODPLAIN
 WETLAND BOUNDARY
 ROAD
 WATERWAY
 LOD LIMIT OF DISTURBANCE

WETLAND IMPACTS

TEMPORARY WETLAND IMPACTS = 0 SF/ 0 AC
 PERMANENT WETLAND IMPACTS = 0 SF/ 0 AC

WETLAND BUFFER IMPACTS

TEMPORARY WETLAND BUFFER IMPACTS = 19,008 SF/ 0.4 AC
 PERMANENT WETLAND BUFFER IMPACTS = 0 SF/ 0 AC

TIDAL WATERS OF THE U.S. (WUS) IMPACTS

TEMPORARY WUS IMPACTS = 28,719 SF/ 0.6 AC/ 1,401 LF
 PERMANENT WUS IMPACTS = 47,214 SF/ 1.1 AC/ 1,350 LF

FLOODPLAIN IMPACTS

FLOODPLAIN IMPACTS = 165,391 SF/ 3.8 AC

SCALE:

1 INCH = 300 FEET

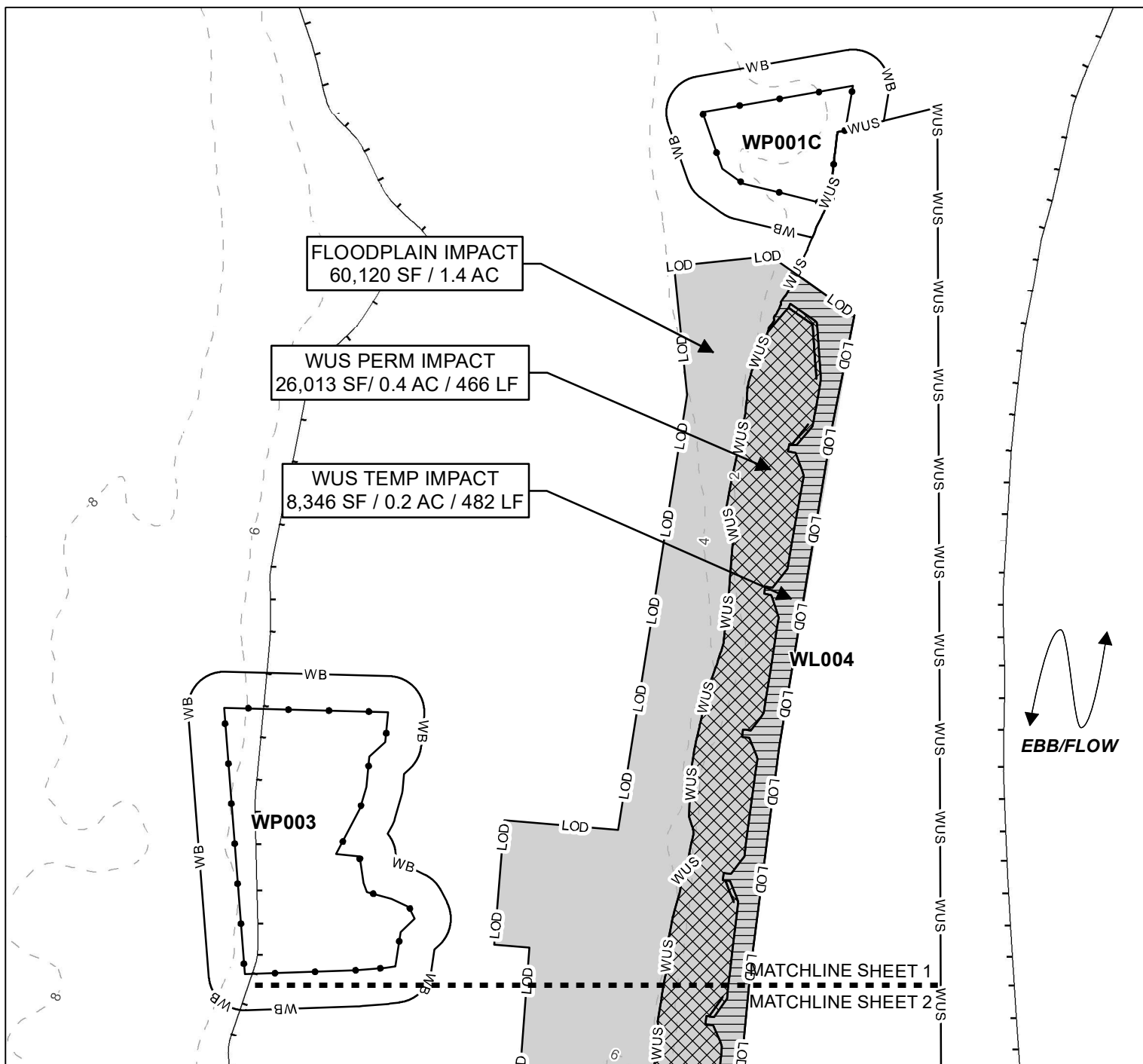
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MAGRUDERS FERRY SHORELINE STABILIZATION

APPLICATION BY: PRINCE GEORGE'S
COUNTY, MARYLAND

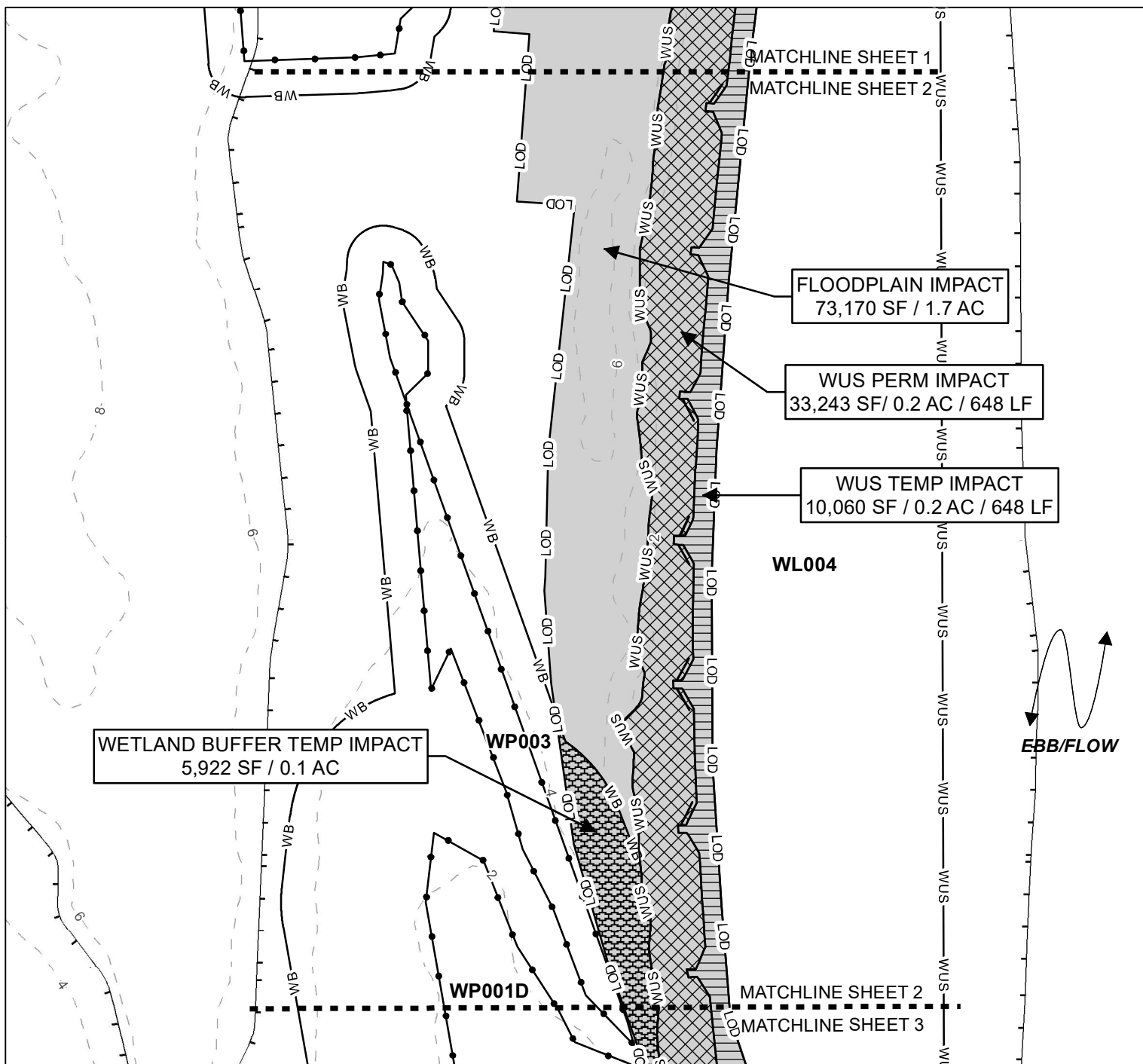
INDEX SHEET SEPTEMBER 2019



—WB WETLAND BUFFER	—WUS WATERWAY	LEGEND	--- MATCHLINE	—LOD LIMIT OF DISTURBANCE
— FEMA FLOODPLAIN	● WETLAND BOUNDARY		— ROAD	— CONTOURS (FT)

WETLAND IMPACTS TEMPORARY WETLAND IMPACTS = 0 SF/ 0.00 AC PERMANENT WETLAND IMPACTS = 0 SF/ 0.00 AC		WETLAND BUFFER IMPACTS TEMPORARY WETLAND BUFFER IMPACTS = 0 SF/ 0.0 AC PERMANENT WETLAND BUFFER IMPACTS= 0 SF/ 0.00 AC	
TIDAL WATERS OF THE U.S. (WUS) IMPACTS TEMPORARY WUS IMPACTS = 8,346 SF/ 0.20 AC/482 LF PERMANENT WUS IMPACTS = 18,257 SF/0.4 AC/470 LF		FLOODPLAIN IMPACTS FLOODPLAIN IMPACTS = 60,120 SF/1.4 AC	

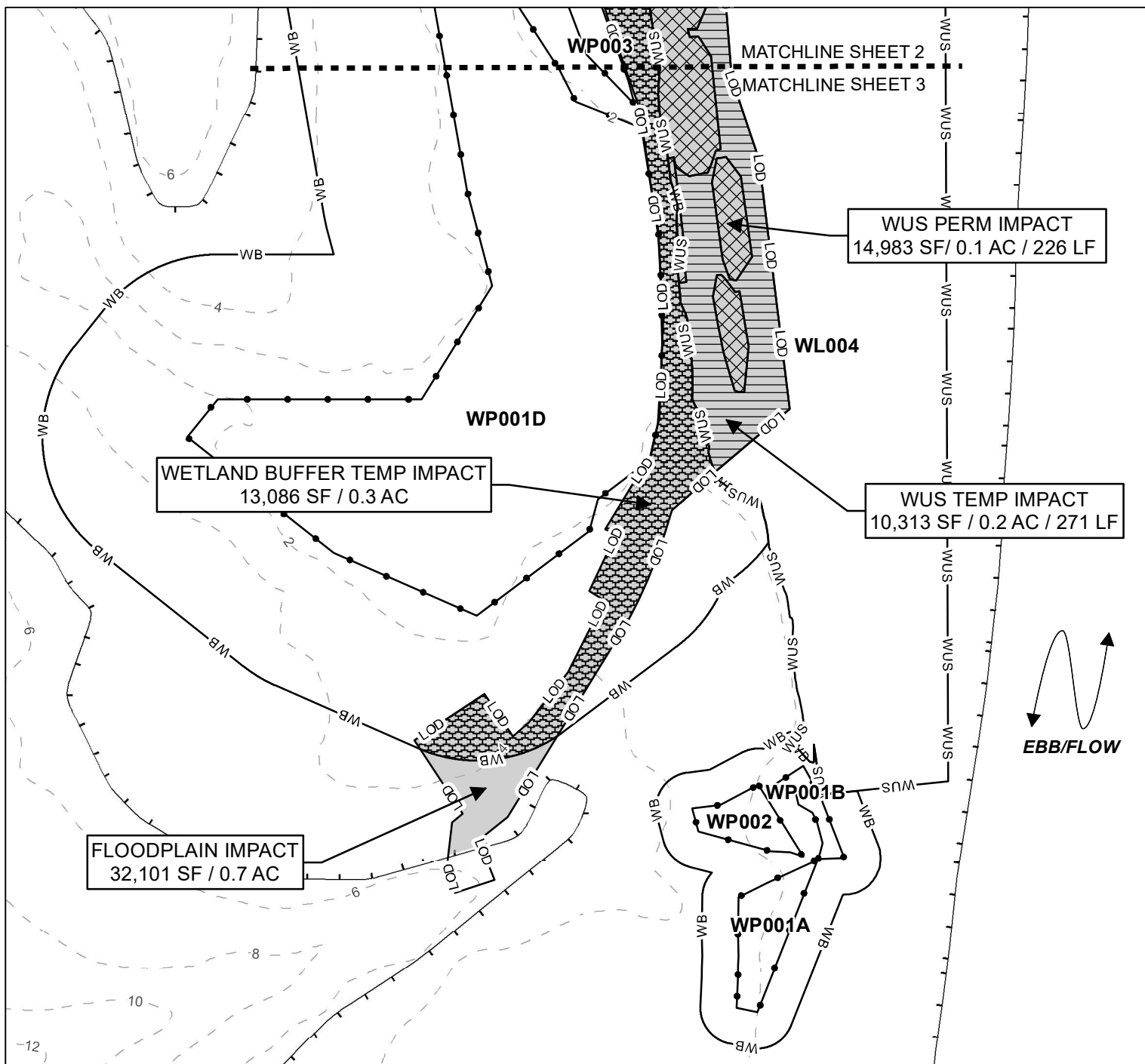
SCALE: 1 INCH = 100 FEET 0 50 100 200 FEET	 	MAGRUDERS FERRY SHORELINE STABILIZATION	
		APPLICATION BY:	PRINCE GEORGE'S COUNTY, MARYLAND
		SHEET 1 of 3	SEPTEMBER 2019



—WB WETLAND BUFFER	—WUS WATERWAY	LEGEND	--- MATCHLINE	—LOD LIMIT OF DISTURBANCE
— FEMA FLOODPLAIN	● WETLAND BOUNDARY	— ROAD	— CONTOURS (FT)	

WETLAND IMPACTS TEMPORARY WETLAND IMPACTS = 0 SF/ 0.00 AC PERMANENT WETLAND IMPACTS = 0 SF/ 0.00 AC	WETLAND BUFFER IMPACTS TEMPORARY WETLAND BUFFER IMPACTS = 5,922 SF/ 0.1 AC PERMANENT WETLAND BUFFER IMPACTS= 0 SF/ 0.00 AC
TIDAL WATERS OF THE U.S. (WUS) IMPACTS TEMPORARY WUS IMPACTS = 10,060 SF/ 0.20 AC/648 LF PERMANENT WUS IMPACTS = 24,071 SF/0.6 AC/651 LF	FLOODPLAIN IMPACTS FLOODPLAIN IMPACTS = 73,170 SF/1.7 AC

SCALE: 1 INCH = 100 FEET 0 50 100 200 FEET		MAGRUDERS FERRY SHORELINE STABILIZATION APPLICATION BY: PRINCE GEORGE'S COUNTY, MARYLAND SHEET 2 of 3 SEPTEMBER 2019
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SCALE:

1 INCH = 100 FEET

0 50 100 200 FEET

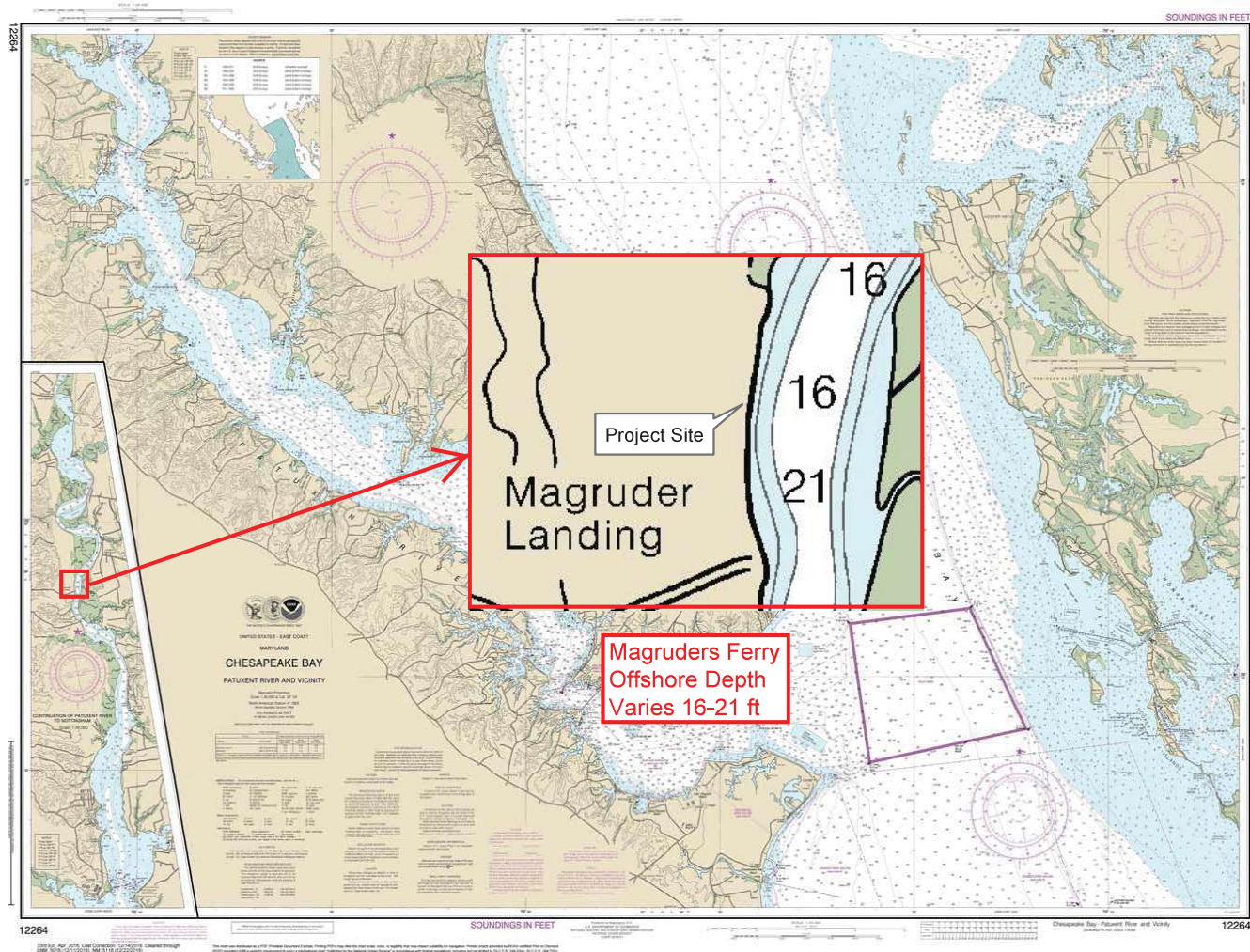


MAGRUDERS FERRY SHORELINE STABILIZATION

APPLICATION BY: PRINCE GEORGE'S
COUNTY, MARYLAND

SHEET 3 of 3

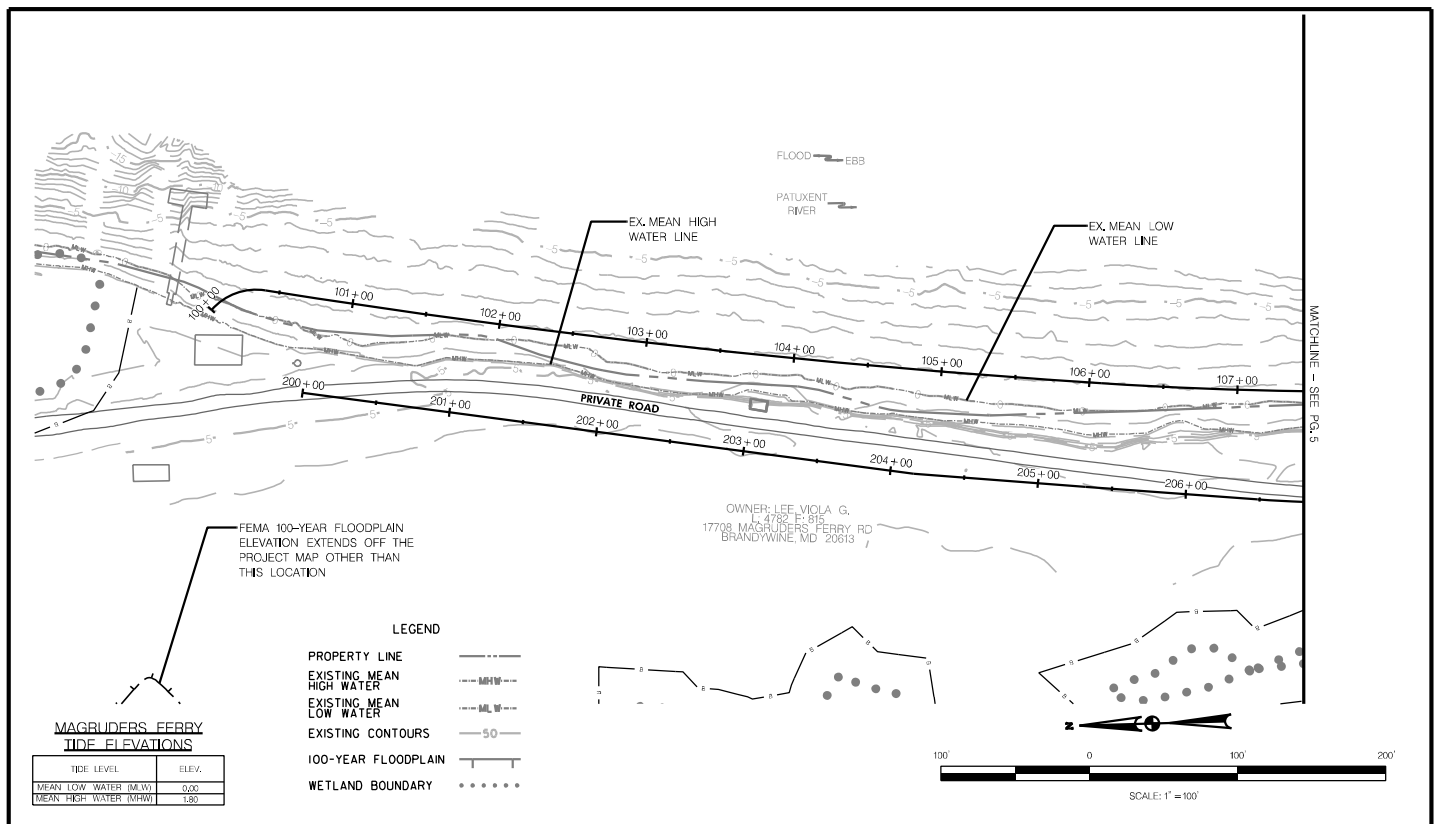
SEPTEMBER 2019



Offshore Depth Map
 Project: Magruder's Ferry Living Shoreline Restoration

Proposed Project for:
 Prince George's Co. Department of the Environment
 1801 McCormick Drive, Suite 500
 Largo, MD 20774

Date: 9/12/2019, Page 3 of 13

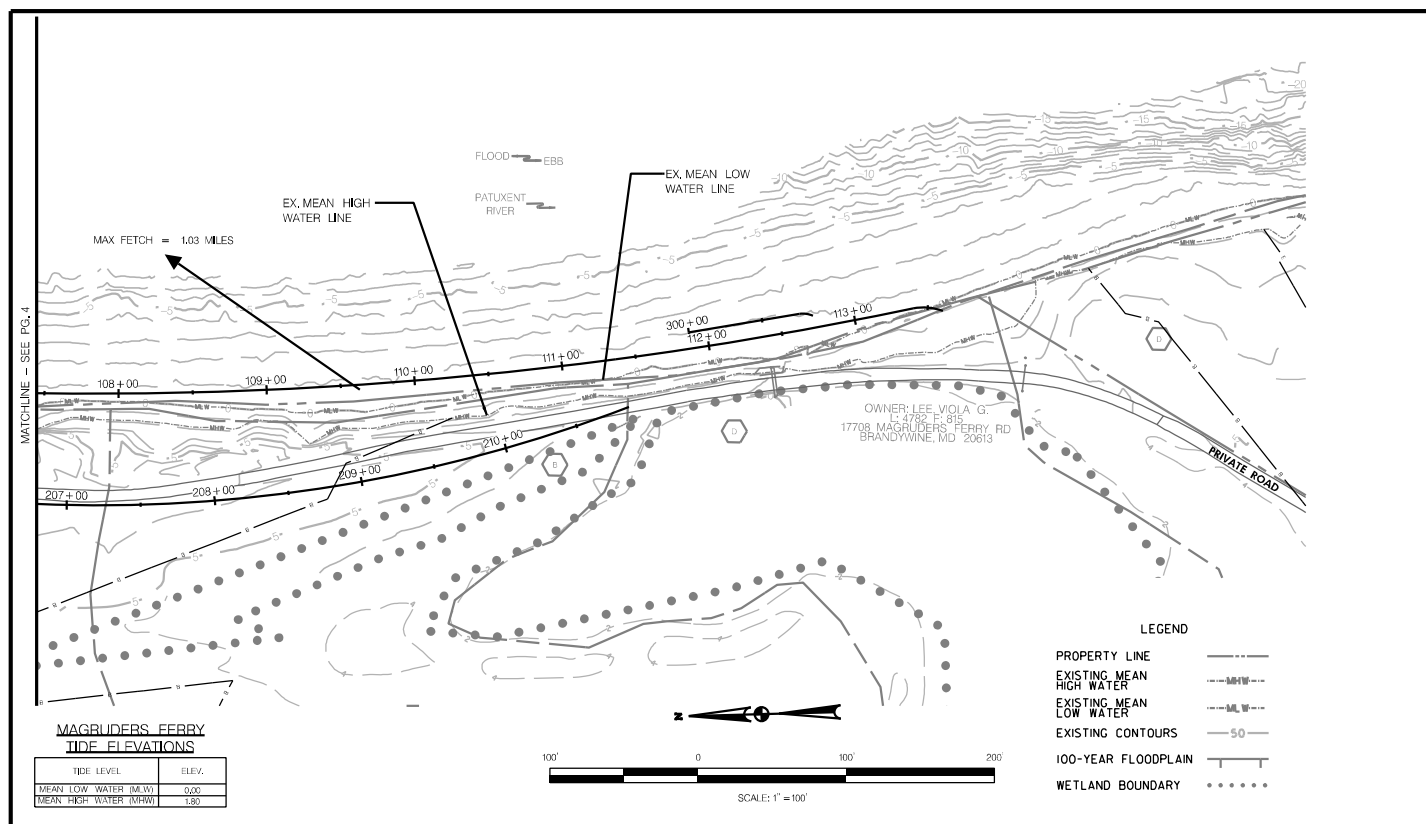


Existing Conditions
Project: Magruder's Ferry Living Shoreline Restoration

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Prince George's Department of the Environment
1801 McCormick Drive Suite 500
Largo, MD 20774

NOTES:

- PRIVATE PROPERTY (AGREEMENT PENDING WITH COUNTY) EXTENDS BEYOND THE MAPPED PROJECT LIMITS UPSTREAM OF THE PROJECT SITE.
- NO SAV ARE LOCATED IN THE PROJECT AREA.
- 1350 LF SHORELINE TO BE IMPACTED.



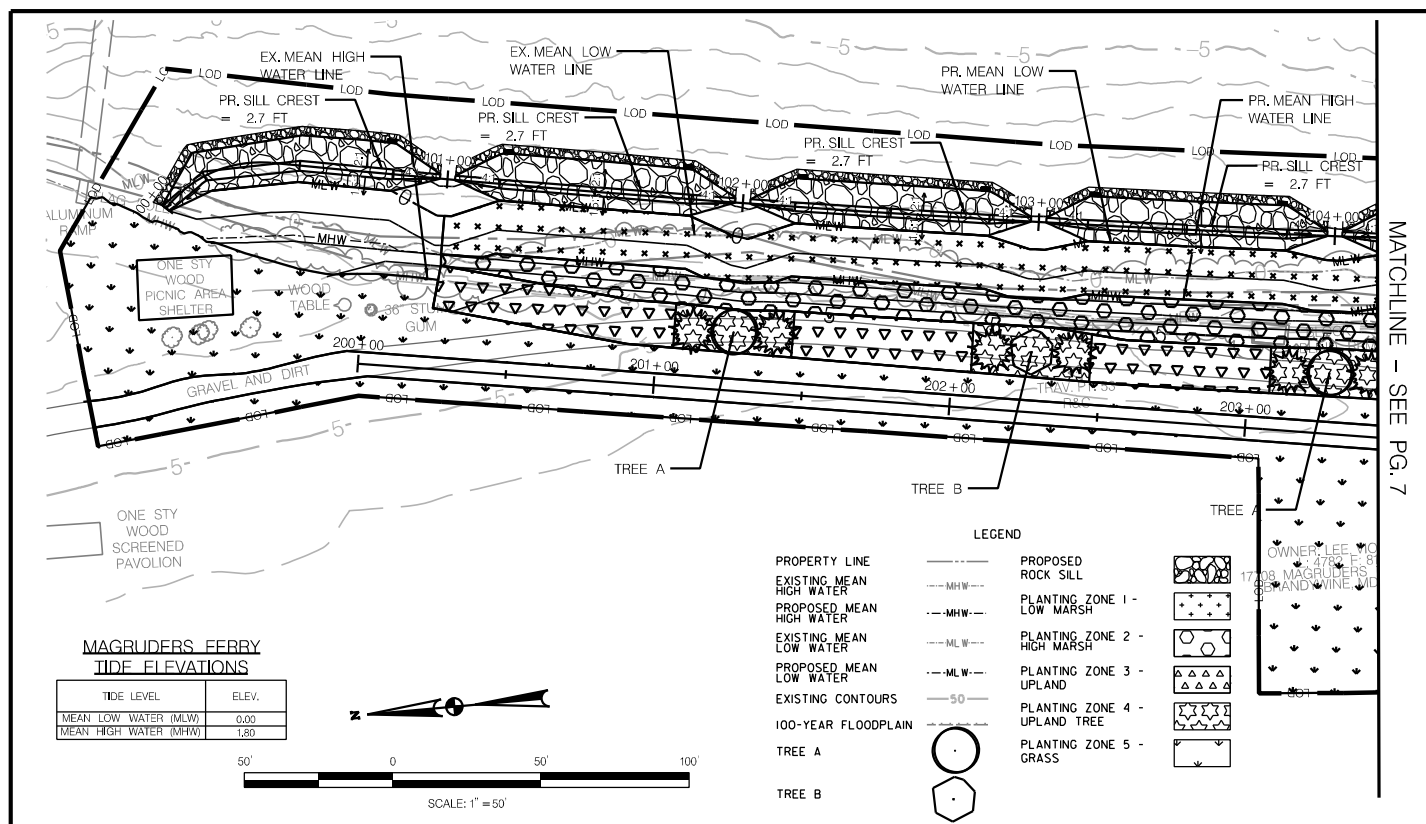
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Date: 9/12/2019 Page 5 of 13



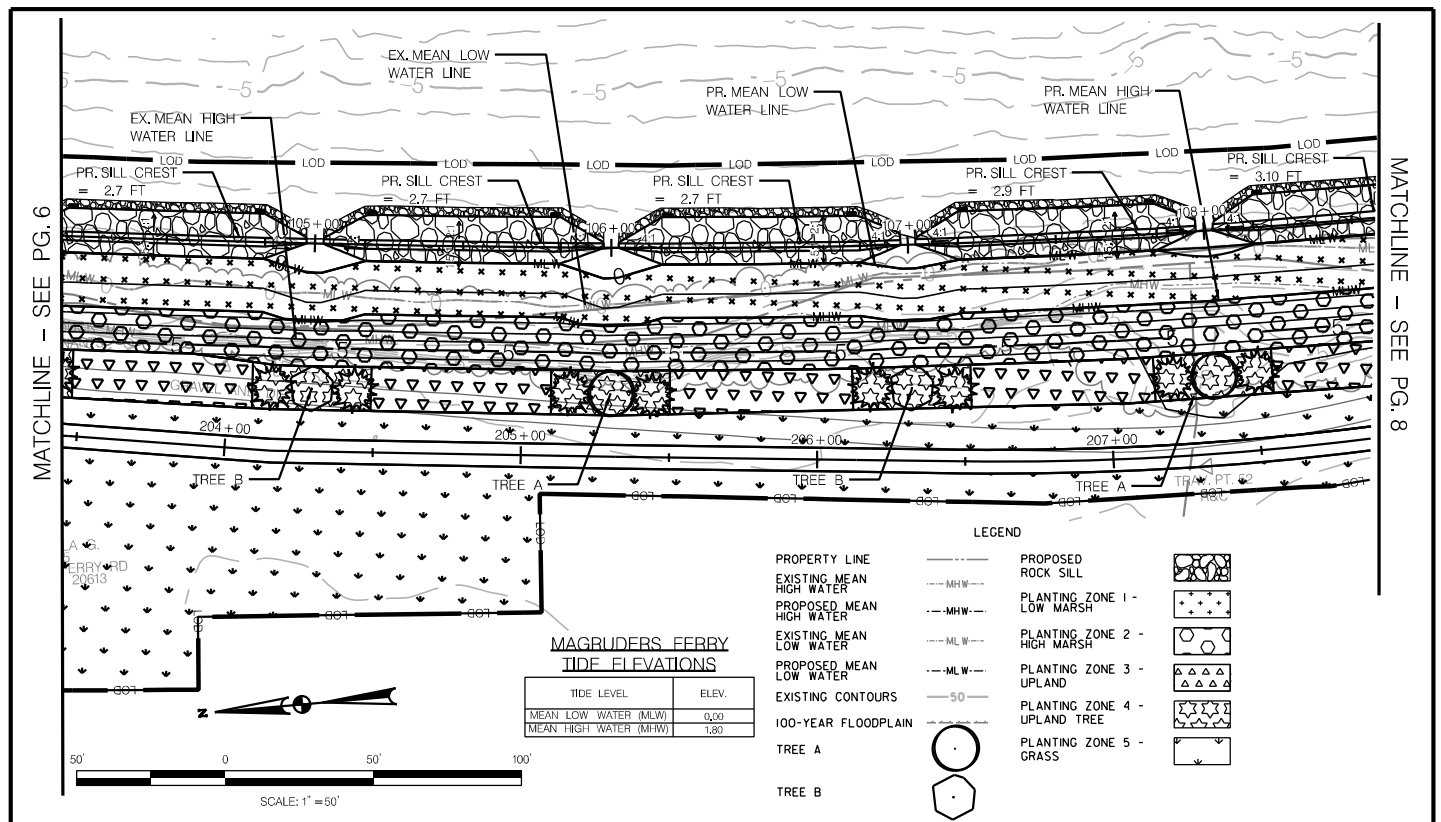
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- MAX CHANNELWARD DISTANCE FROM EX. MHW = 49 FT
- VOLUME OF CLEAN SAND FILL BELOW MHW = 713 CY; VOLUME OF FILL BETWEEN FLOODPLAIN AND MHW = 336 CY
- LOW MARSH PLANTING AREA = 24,041 SQ. FT., 24,041 PLANTS; HIGH MARSH PLANTING AREA = 16,584 SQ. FT., 272 PLANTS (SEE PG. 10 FOR PLANT SPECIES)
- ROCK SILL AREA = 22,201 SQ.FT.

Date: 9/12/2019 Page 6 of 13



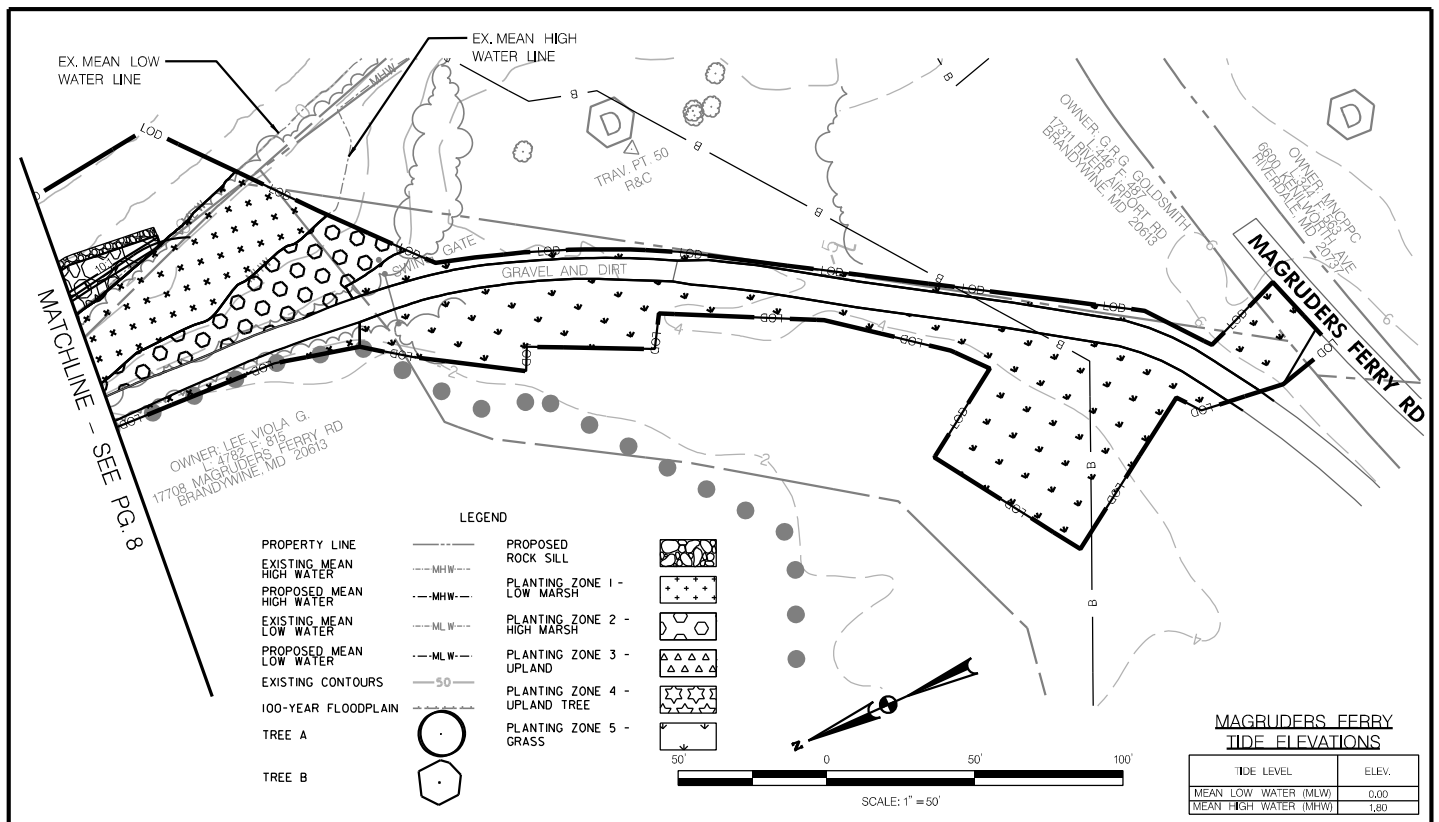
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Date: 9/12/2019 Page 7 of 13



Proposed Conditions Plan
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PLANTING ZONE 1: LOW MARSH PLUG PLANTINGS		PROPOSED ELEVATION: 0 TO 1.8 FEET				
		24,041 SQUARE FEET 0.55 ACRES				
BOTANICAL NAME	COMMON NAME	INDICATOR RATING	MINIMUM SIZE	CONDITION	QUANTITY	MINIMUM SPACING
<i>Peltandra virginica</i>	GREEN ARROW ARUM	OBL	N/A	PLUG	2,000	1 FT. O.C.
<i>Pontederia cordata</i>	PICKERELWEED	OBL	N/A	PLUG	2,000	1 FT. O.C.
<i>Schoenoplectus americanus</i>	CHAIRMAKER'S CLUB RUSH	OBL	N/A	PLUG	2,000	1 FT. O.C.
<i>Schoenoplectus pungens</i>	THREE SQUARE	OBL	N/A	PLUG	2,000	1 FT. O.C.
<i>Zizania aquatica</i>	ANNUAL WILDRICE	OBL	N/A	PLUG	2,000	1 FT. O.C.
<i>Spartina alterniflora</i>	SMOOTH CORDGRASS	OBL	N/A	PLUG	7,000	1 FT. O.C.
<i>Spartina cynosuroides</i>	BIG CORDGRASS	OBL	N/A	PLUG	7,000	1 FT. O.C.

PLANTING ZONE 2: HIGH MARSH WOODY CONT. PLANTINGS		PROPOSED ELEVATION: 1.8 TO TOP OF SLOPE				
		16,584 SQUARE FEET 0.38 ACRES				
BOTANICAL NAME	COMMON NAME	INDICATOR RATING	MINIMUM SIZE	CONDITION	QUANTITY	MINIMUM SPACING
XERCES MID-ATLANTIC POLLINATOR SEED MIX (XERC00102)		N/A	7 1/3 "/AC.	SEED MIX	3	LB.
ERNST NJ SALT TOLERANT BASIN MIX (ERNMX-900)		N/A	20 1B./AC.	SEED MIX	8	LB.
<i>Morella cerifera</i>	SOUTHERN BAYBERRY	FAC	12-18 IN.	#3, 5 OR 7 CONT.	40	8 FT. O.C.
<i>Alnus serrulata</i>	BROOKSIDE ALDER	FACW	12-18 IN.	#3, 5 OR 7 CONT.	40	8 FT. O.C.
<i>Claytonia arifolia</i>	COASTAL SWEET PEPPERBUSH	FACW	12-18 IN.	#3, 5 OR 7 CONT.	64	8 FT. O.C.
<i>Cephalanthus occidentalis</i>	COMMON BUTTONBUSH	OBL	12-18 IN.	#3, 5 OR 7 CONT.	64	8 FT. O.C.
<i>Baccharis halimifolia</i>	GROUNDSEL TREE	FAC	12-18 IN.	#3, 5 OR 7 CONT.	64	8 FT. O.C.

PLANTING ZONE 3: UPLAND SHRUB WOODY CONT. PLANTINGS		PROPOSED ELEVATION: TOP OF SLOPE TO EDGE OF PLANTING ZONE				
		9,270 SQUARE FEET 0.21 ACRES				
BOTANICAL NAME	COMMON NAME	INDICATOR RATING	MINIMUM SIZE	CONDITION	QUANTITY	MINIMUM SPACING
TOPSOIL (2 IN. DEPTH)		N/A	2 IN.	ITEM # 70425	1,030	S.Y.
HARDWOOD MULCH (3 IN. DEPTH)		N/A	3 IN.	ITEM # 715015	1,030	S.Y.
XERCES MID-ATLANTIC POLLINATOR SEED MIX (XERC00102)		N/A	7 1/3 "/AC.	SEED MIX	15	LB.
<i>Puccinellia angustifolium</i>	LOWBUSH BLUEBERRY	FACU	12-18 IN.	#3, 5 OR 7 CONT.	119	6 FT. O.C.
<i>Campsis radicans</i>	TRUMPET CREEPER	FACU	6-2 IN.	#2 OR 3 CONT.	29	6 FT. O.C.
<i>Gaylussacia haccata</i>	BLACK HUCKLEBERRY	FACU	12-18 IN.	#3, 5 OR 7 CONT.	55	6 FT. O.C.
<i>Gaylussacia frondosa</i>	BLUE HUCKLEBERRY	FAC	12-18 IN.	#3, 5 OR 7 CONT.	55	6 FT. O.C.

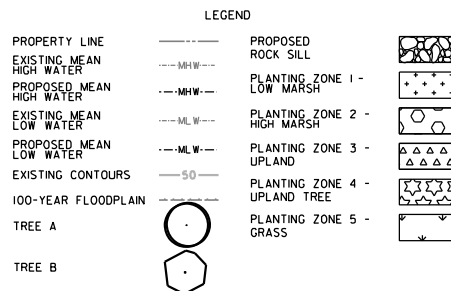
PLANTING ZONE 4: UPLAND TREE A WOODY CONT. PLANTINGS		PROPOSED ELEVATION: TOP OF SLOPE TO EDGE OF PLANTING ZONE				
		2,481 SQUARE FEET 0.06 ACRES				
BOTANICAL NAME	COMMON NAME	INDICATOR RATING	MINIMUM SIZE	CONDITION	QUANTITY	MINIMUM SPACING
TOPSOIL (2 IN. DEPTH)		N/A	2 IN.	ITEM # 70425	276	S.Y.
HARDWOOD MULCH (3 IN. DEPTH)		N/A	3 IN.	ITEM # 715015	276	S.Y.
XERCES MID-ATLANTIC POLLINATOR SEED MIX (XERC00102)		N/A	7 1/3 "/AC.	SEED MIX	0.4	LB.
<i>Cornus florida</i>	FLOWERING DOGWOOD	FACU	1 IN. CAL.	#7 OR 10 CONT.	4	15 FT. O.C., SEE NOTE
<i>Baccharis halimifolia</i>	GROUNDSEL TREE	FAC	18 IN.	#3 OR 5 CONT.	4	15 FT. O.C., SEE NOTE
<i>Morella cerifera</i>	SOUTHERN BAYBERRY	FAC	18 IN.	#3 OR 5 CONT.	4	15 FT. O.C., SEE NOTE

NOTE: EACH PLANTING AREA CONSISTS OF ONE DOGWOOD PLANTED IN ALIGNMENT WITH THE CENTER OF THE SILL VENT, ONE GROUNDSEL TREE AND ONE BAYBERRY ON EACH SIDE, 15 FEET ON CENTER FROM THE DOGWOOD TREE.

PLANTING ZONE 4: UPLAND TREE B WOODY CONT. PLANTINGS		PROPOSED ELEVATION: TOP OF SLOPE TO EDGE OF PLANTING ZONE				
		2,481 SQUARE FEET 0.06 ACRES				
BOTANICAL NAME	COMMON NAME	INDICATOR RATING	MINIMUM SIZE	CONDITION	QUANTITY	MINIMUM SPACING
TOPSOIL (2 IN. DEPTH)		N/A	2 IN.	ITEM # 70425	276	S.Y.
HARDWOOD MULCH (3 IN. DEPTH)		N/A	3 IN.	ITEM # 715015	276	S.Y.
XERCES MID-ATLANTIC POLLINATOR SEED MIX (XERC00102)		N/A	7 1/3 "/AC.	SEED MIX	0.4	LB.
<i>Carya canadensis</i>	REDBUD	UPL	1 IN. CAL.	#7 OR 10 CONT.	4	15 FT. O.C., SEE NOTE
<i>Baccharis halimifolia</i>	GROUNDSEL TREE	FAC	18 IN.	#3 OR 5 CONT.	4	15 FT. O.C., SEE NOTE
<i>Morella cerifera</i>	SOUTHERN BAYBERRY	FAC	18 IN.	#3 OR 5 CONT.	4	15 FT. O.C., SEE NOTE

NOTE: EACH PLANTING AREA CONSISTS OF ONE REDBUD PLANTED IN ALIGNMENT WITH THE CENTER OF THE SILL VENT, ONE GROUNDSEL TREE AND ONE BAYBERRY ON EACH SIDE, 15 FEET ON CENTER FROM THE REDBUD TREE.

PLANTING ZONE 4: TURF		ELEVATION :AS SHOWN			
		44,710 SQUARE FEET 1.03 ACRES			
DESCRIPTION	SEEDING RATE (LB./AC.)	UNIT	S.Y. OF SEED	POUNDS OF SEED	
TURFGRASS ESTABLISHMENT	200	S.Y.	4,968	205	



MAGRUDERS FERRY TIDE ELEVATIONS

TIDE LEVEL	ELEV.
MEAN LOW WATER (MLW)	0.00
MEAN HIGH WATER (MHW)	1.80

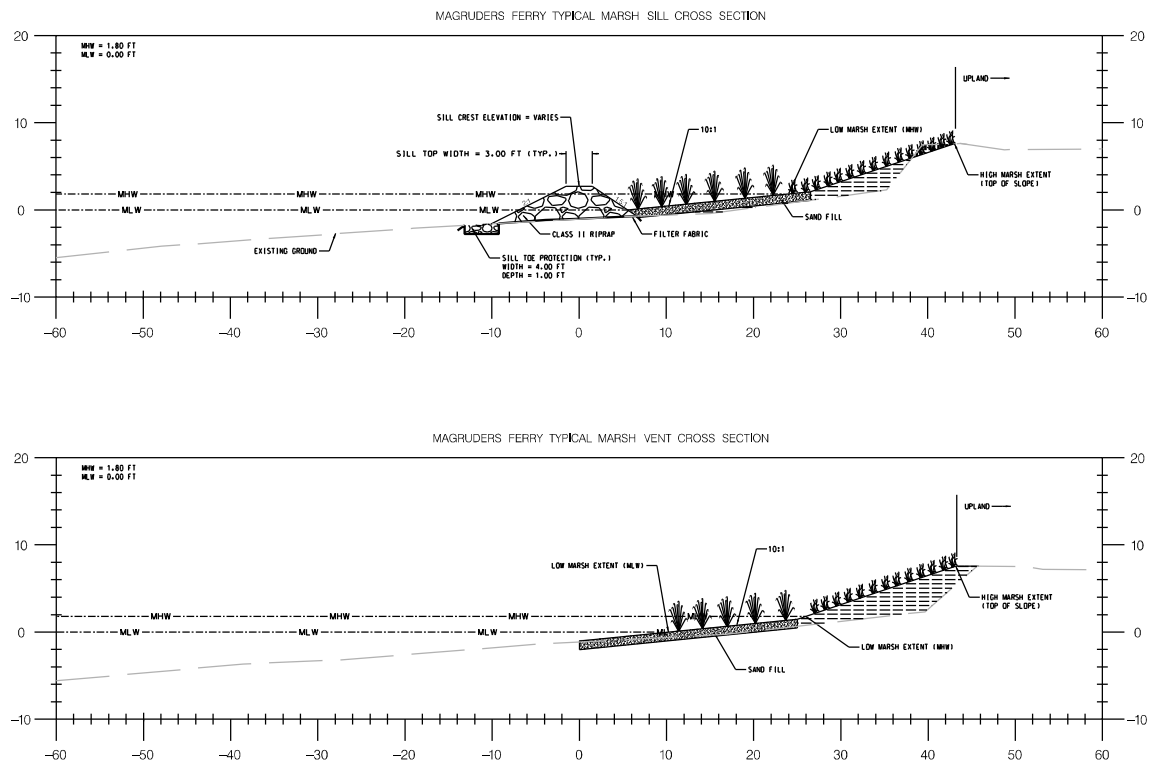
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Proposed Project for:
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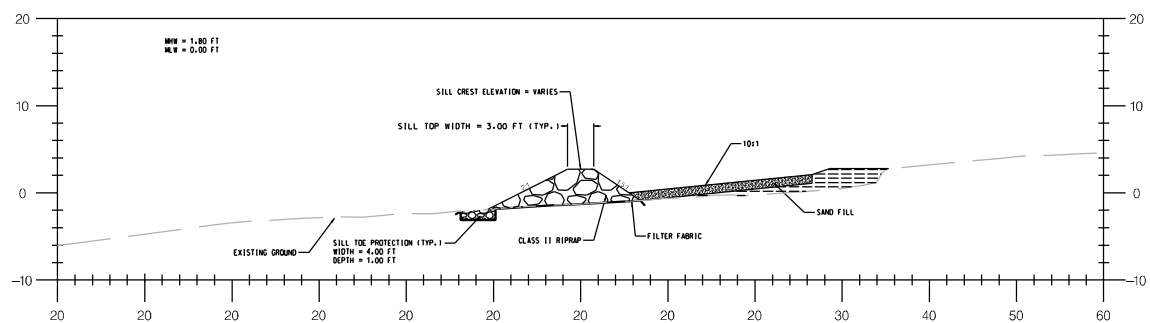
Proposed Conditions Plan
Project: Magruders Ferry Living Shoreline Restoration

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Prince George's Department of the Environment
1801 McCormick Drive Suite 500
Largo, MD 20774

NOTES:

- PRIVATE PROPERTY (AGREEMENT PENDING WITH COUNTY) EXTENDS BEYOND THE MAPPED PROJECT LIMITS UPSTREAM OF THE PROJECT SITE.
- 1350 LF SHORELINE TO BE IMPACTED.
- MAX CHANNELWARD DISTANCE FROM EX. MHW = 49 FT
- VOLUME OF CLEAN SAND FILL BELOW MHW = 713 CY; VOLUME OF FILL BETWEEN FLOODPLAIN AND MHW = 336 CY
- LOW MARSH PLANTING AREA = 24,041 SQ. FT., 24,041 PLANTS; HIGH MARSH PLANTING AREA = 16,584 SQ. FT., 272 PLANTS (SEE PG. 10 FOR PLANT SPECIES)
- ROCK SILL AREA = 22,201 SQ.FT.

Date: 9/12/2019 Page 11 of 13



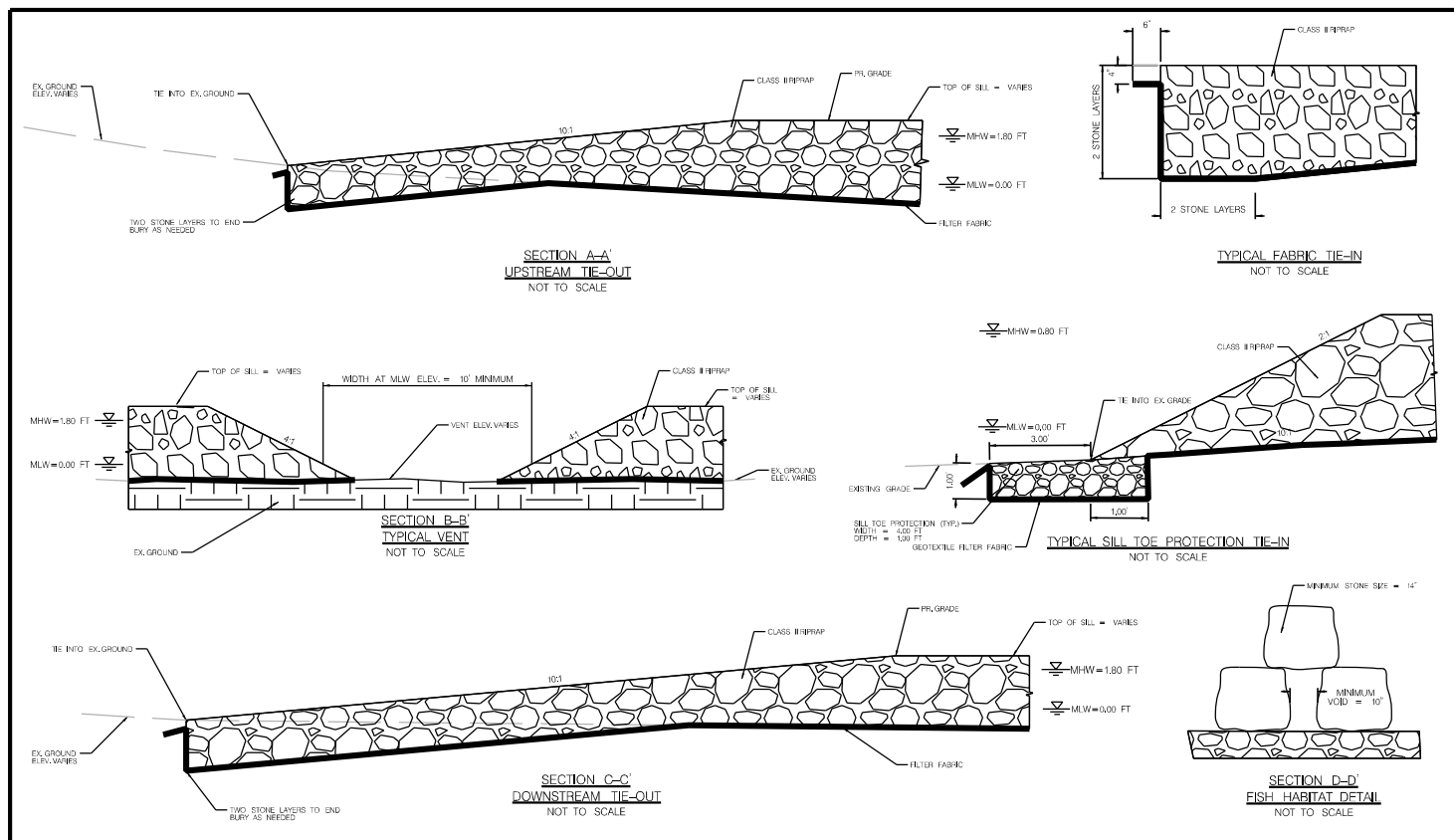
Proposed Conditions Plan
Project: Magraders Ferry Living Shoreline Restoration

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