

**U.S. Army Corps
of Engineers**
Baltimore District
PN 21-05

Public Notice



**In Reply to Application Number
NAB-2019-61984 (AA Co DPW/Franklin Manor Channel/Dredging)**

Comment Period: February 9, 2021 to March 10, 2021

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: Anne Arundel County Department of Public Works
2662 Riva Road
Annapolis, Maryland 21401

WATERWAY AND LOCATION OF THE PROPOSED WORK: The proposed project is in the Chesapeake Bay and the entrance channel to Deep Creek (a tidal waters), at Shady Side, Anne Arundel County, Maryland. (Latitude: 38.805 degrees; Longitude: -76.509 degrees)

OVERALL PROJECT PURPOSE: To restore the historical navigable depths to allow navigable access.

PROJECT DESCRIPTION: Anne Arundel County DPW has applied to mechanically or hydraulically dredge a 2,110-ft. long by 40-ft. wide channel, an approximate 106,696 sq. ft. area, to a depth of 4 ft. at mean low water (MLW). The approximate 5,810 cy. of hydraulically dredged material is to be piped for beneficial re-use at the nearby site of the Franklin Manor Citizens Association's Living Shoreline project which the Corps of Engineers authorized by permit, NAB-2020-60051, on September 15, 2020. If pre-testing determines the material is unacceptable for use at the Living Shoreline project, it would be mechanically dredged and transported to the South County Dredge Material Placement site located on Sudley Road in Churchton, Maryland. The applicant has also requested a ten-year maintenance dredging clause be included as a special condition of the Corps of Engineers' authorization. All proposed work is to be performed in accordance with the attached plans.

EFFECTS ON AQUATIC RESOURCES:

<i>Activity (i.e. culvert)</i>	<i>Tidal Waters Impact (sq. ft.)</i>	<i>Wetland Impact (sq. ft.)</i>	<i>Submerged Aquatic Vegetation (sq. ft.)</i>	<i>Authority (Section 10/404/408)</i>
Dredging	106,696	0	0	Sections 10 & 404

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: The proposed depth has been historically documented. Channel width and length has been minimized to the maximum extent practicable. Time of year restrictions when they will dredge will be implemented by the County for the protection of SAV during its growing season and spawning anadromous fish. No compensatory mitigation is proposed.

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 have no adverse effect on EFH. The Baltimore District has made a preliminary determination that mitigative measures are 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 adverse 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 USACE. 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/section408/>.

WATER QUALITY CERTIFICATION: The applicant is required to obtain a water quality certification in accordance with Section 401 of the Clean Water Act. The Maryland Department of the Environment (MDE) is taking public comment and requests for a hearing on the project described above from February 9, 2021 to March 10, 2021 at 5 p.m. The purpose of the public notice and hearing (if held) is to receive public comments, gather information and hear testimony to assist the Department in making a determination regarding a request for a Maryland Water Quality Certification and Coastal Zone Consistency Determination.

For more information and/or to provide project comments regarding the Maryland Department of the Environment's Water Quality Certification, please contact Ms. Melissa McCanna at Wetlands and Waterways Program, 1800 Washington Boulevard, Baltimore, MD 21230, by email at melissa.mccanna@maryland.gov, or telephone at (410) 537-4053.

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-2019-61984.

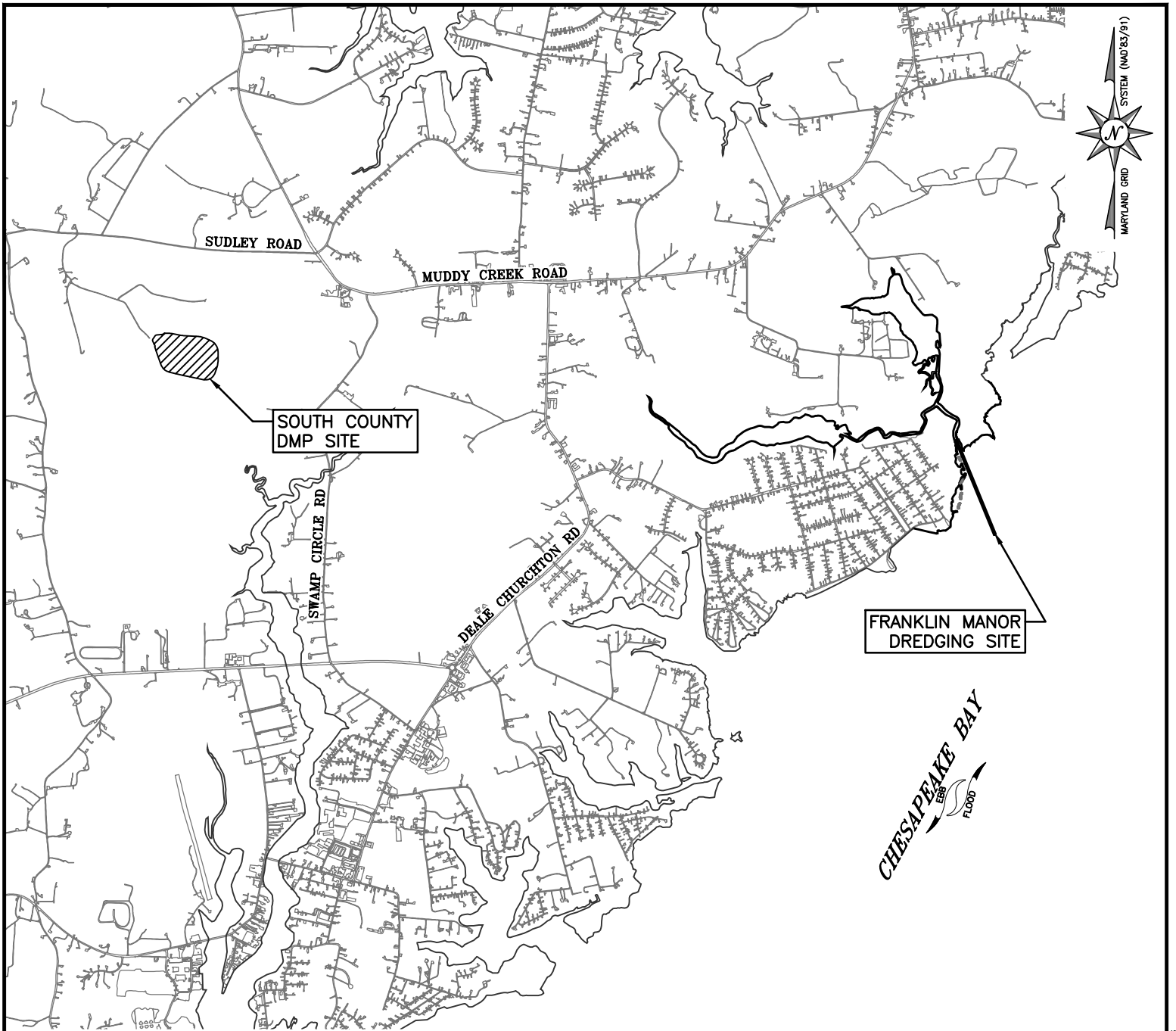
PUBLIC HEARING REQUESTS: Any person who has an interest which may be adversely affected by the issuance of this permit may request a public hearing. The request, which must be in writing, must be received within the comment period as specified above to receive consideration. Also it must clearly set 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. Abigail Hopkins
abbie.hopkins@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. Abbie Hopkins at abbie.hopkins@usace.army.mil or by calling her at (410) 962-6080.

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



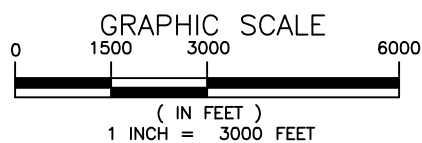
**FRANKLIN MANOR
DREDGING**

ANNE ARUNDEL COUNTY, MD

APPL. BY: ANNE ARUNDEL COUNTY
DEPARTMENT OF PUBLIC WORKS

VICINITY MAP

DATE: March 2020 SHEET 1 OF 10



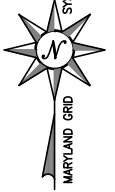
NOTE:
BASEMAP TAKEN FROM ANNE ARUNDEL COUNTY
2016 PLANIMETRICS AND 2017 IMAGERY.



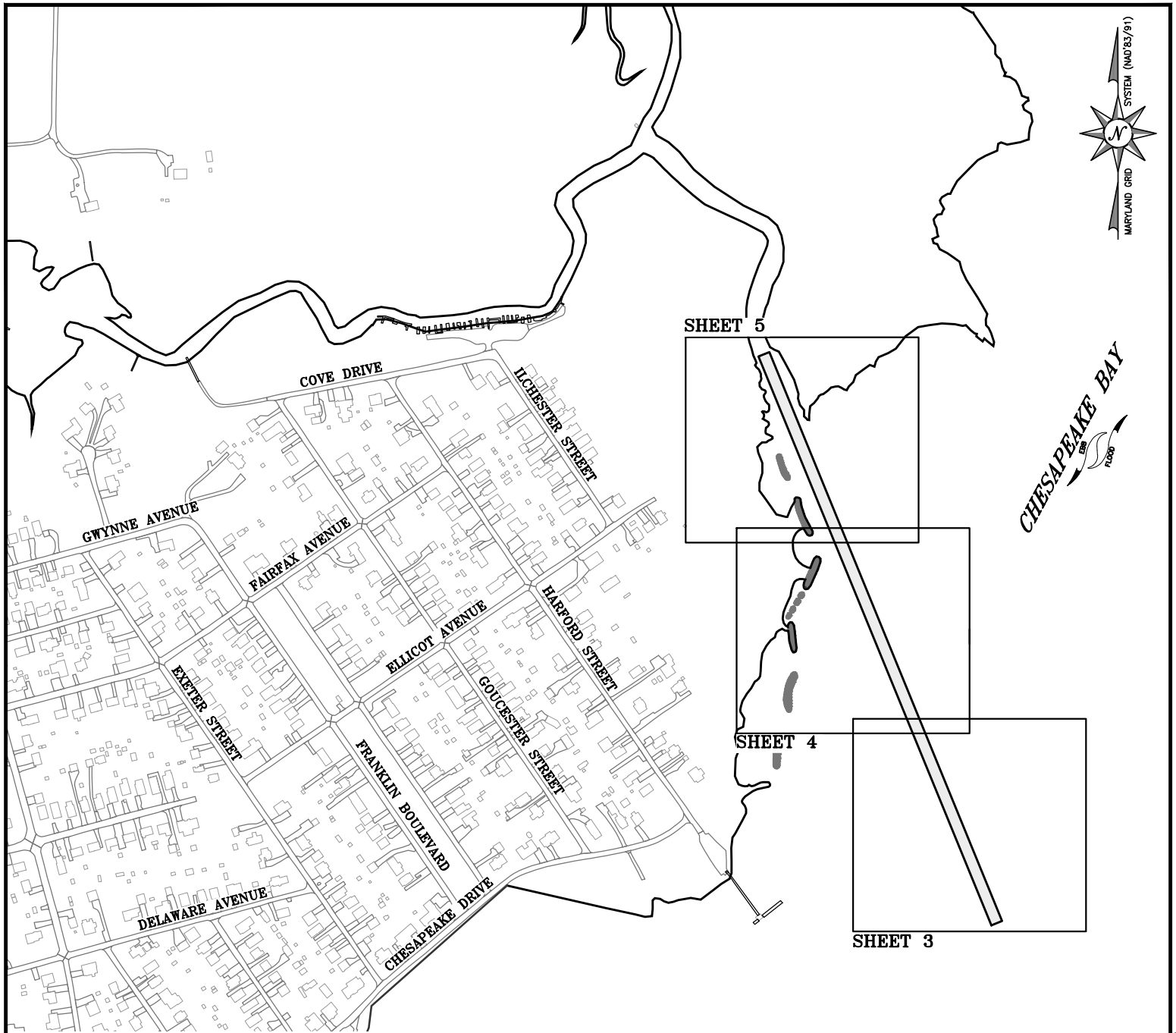
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MARYLAND GRID SYSTEM (MD/85/91)



CHESAPEAKE BAY



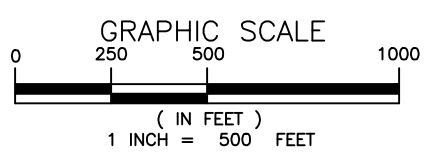
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ANNE ARUNDEL COUNTY, MD

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DEPARTMENT OF PUBLIC WORKS

KEY SHEET

DATE: March 2020 SHEET 2 OF 10



NOTE:
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2016 PLANIMETRICS AND 2017 IMAGERY.

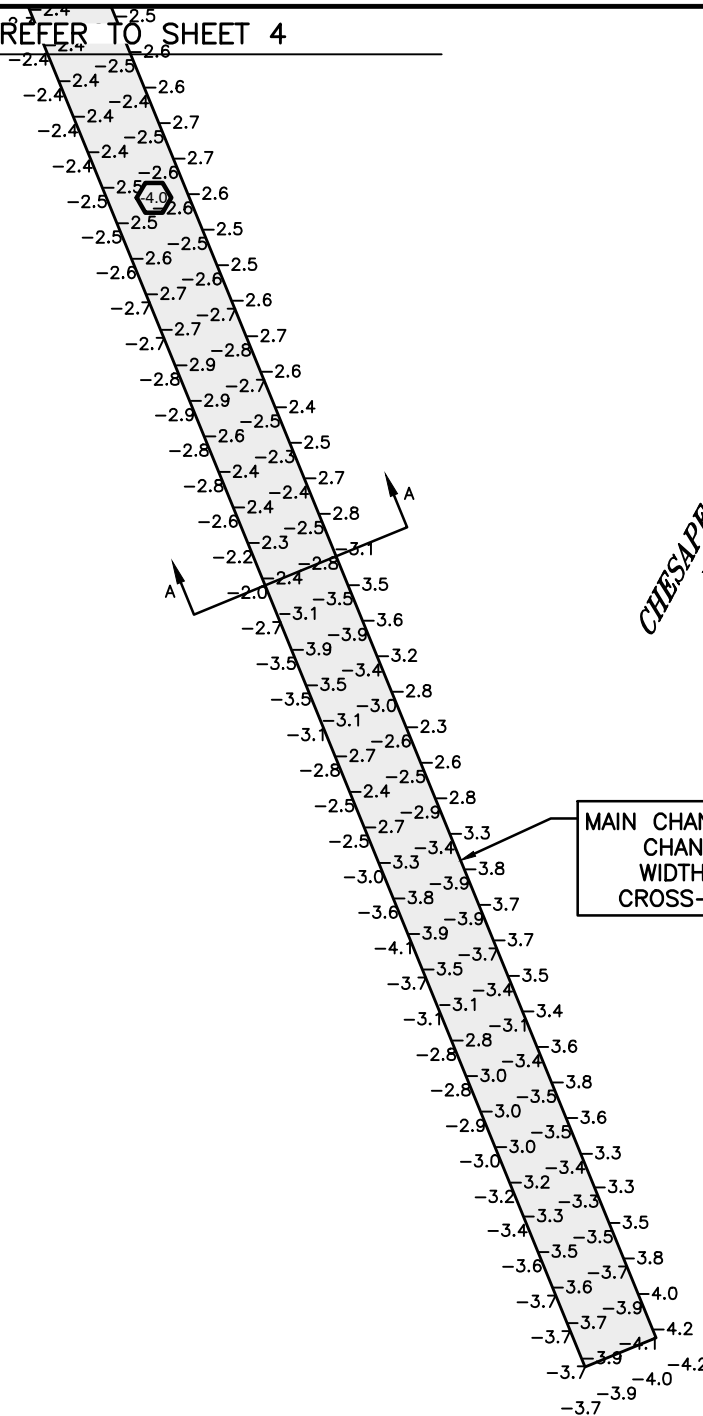


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MATCHLINE REFER TO SHEET 4



CHESAPEAKE BAY

MAIN CHANNEL 2,110' X 40' TO -4.0' MLW.
CHANNEL OUTLINE REPRESENTS BOTTOM
WIDTH. FOR TOTAL IMPACT, SEE TYPICAL
CROSS-SECTION & CHANNEL DATA TABLE.

LEGEND	
	PROPOSED COUNTY CHANNEL
-3.6	SOUNDINGS
	PROPOSED CHANNEL DEPTH
	EXISTING MHW
	EXISTING MLW
	APPROX. PROPERTY LINES
	EX. MARSH PLANTINGS

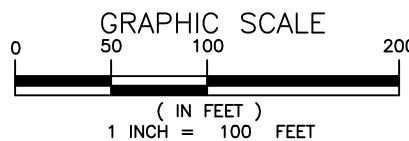
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ANNE ARUNDEL COUNTY, MD

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MAIN CHANNEL PLAN

DATE: March 2020 SHEET 3 OF 10

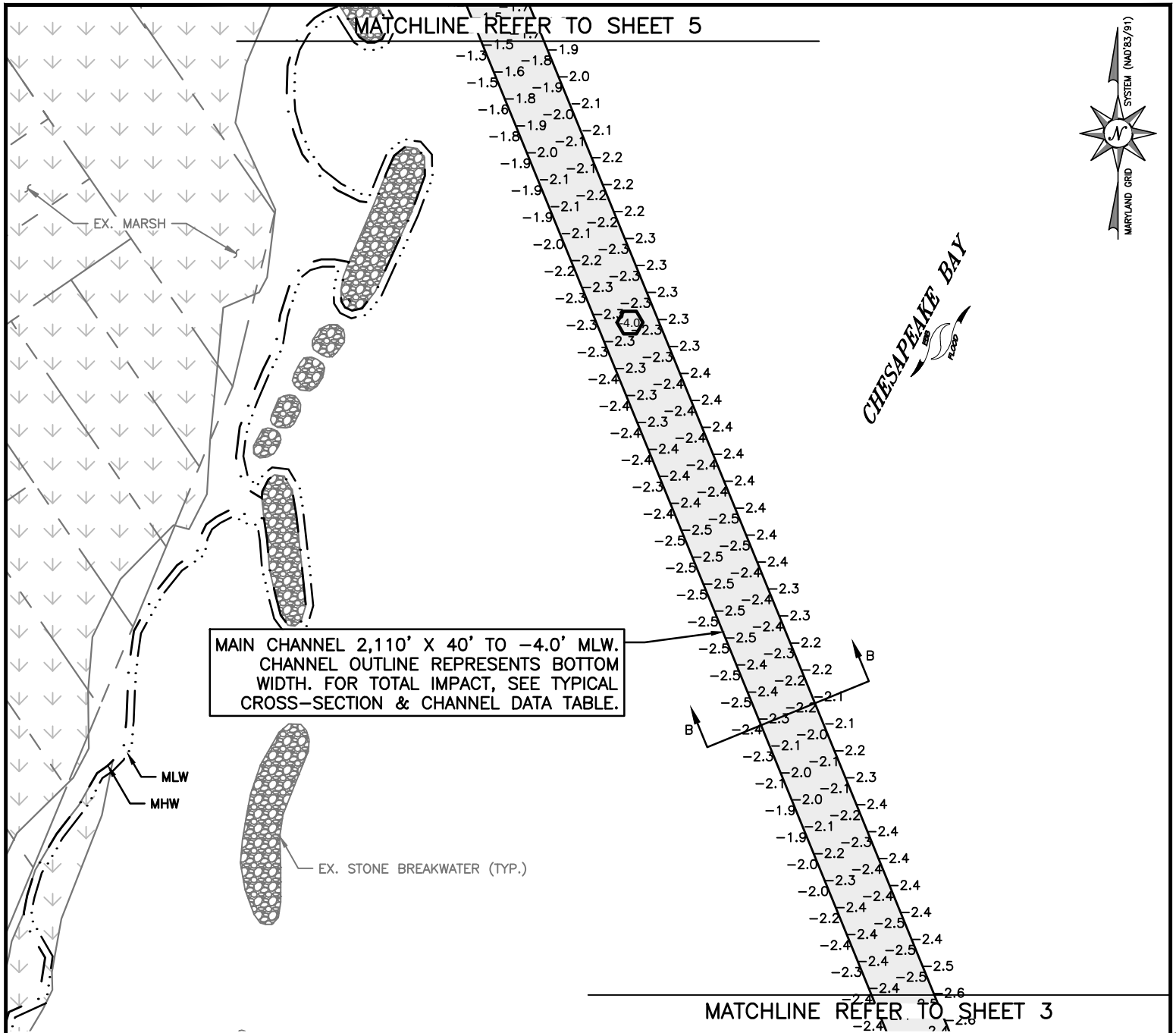


NOTE:
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MAIN CHANNEL 2,110' X 40' TO -4.0' MLW.
 CHANNEL OUTLINE REPRESENTS BOTTOM
 WIDTH. FOR TOTAL IMPACT, SEE TYPICAL
 CROSS-SECTION & CHANNEL DATA TABLE.

**FRANKLIN MANOR
 DREDGING**

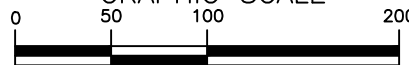
ANNE ARUNDEL COUNTY, MD

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 DEPARTMENT OF PUBLIC WORKS

MAIN CHANNEL PLAN

DATE: March 2020 SHEET 4 OF 10

GRAPHIC SCALE



(IN FEET)
 1 INCH = 100 FEET

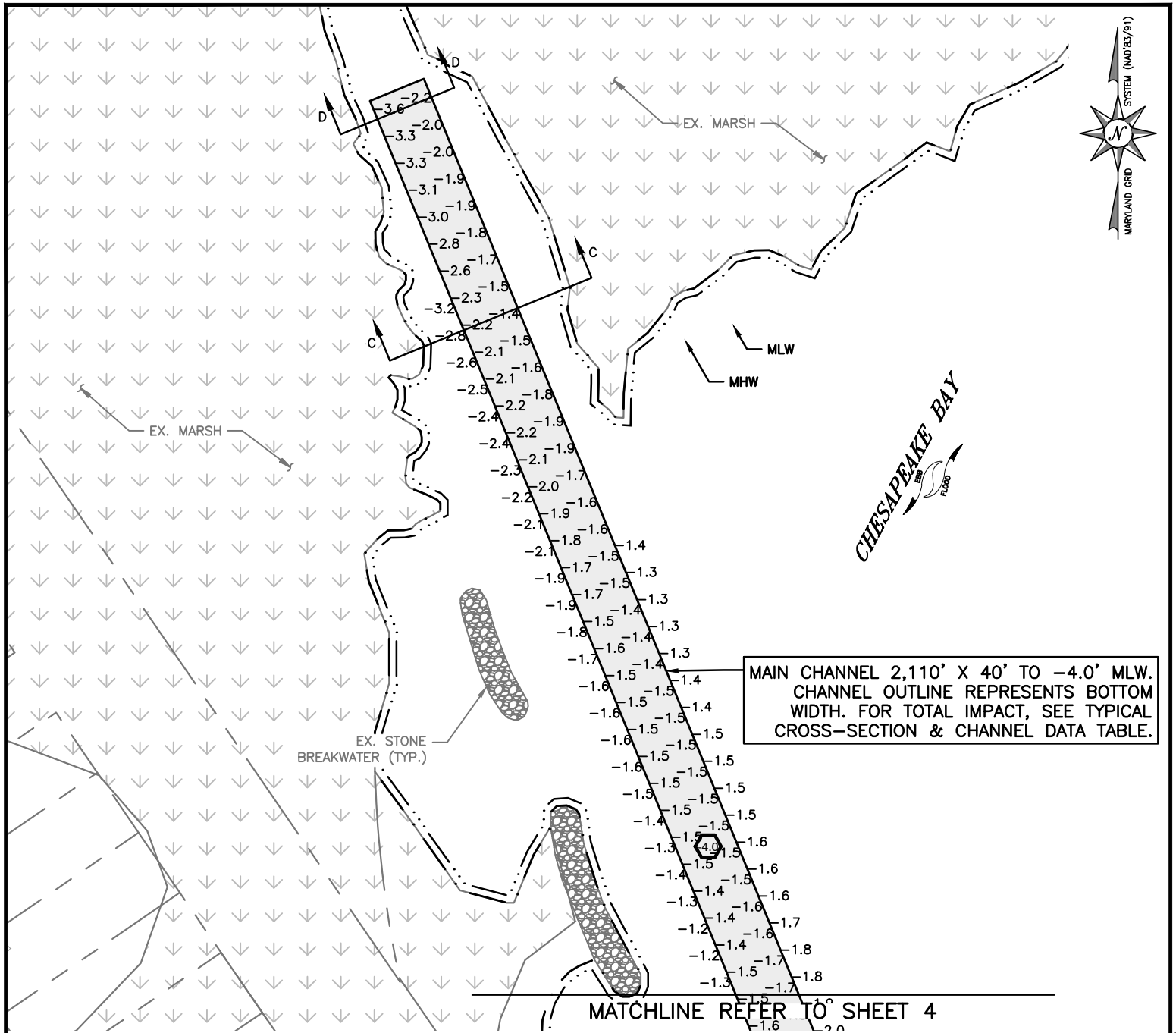
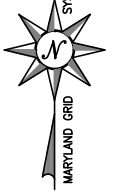
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MAIN CHANNEL 2,110' X 40' TO -4.0' MLW.
CHANNEL OUTLINE REPRESENTS BOTTOM
WIDTH. FOR TOTAL IMPACT, SEE TYPICAL
CROSS-SECTION & CHANNEL DATA TABLE.

MATCHLINE REFER TO SHEET 4

FRANKLIN MANOR DREDGING

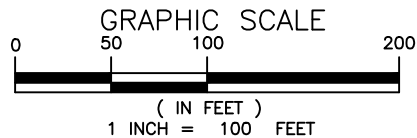
ANNE ARUNDEL COUNTY, MD

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DEPARTMENT OF PUBLIC WORKS

MAIN CHANNEL PLAN

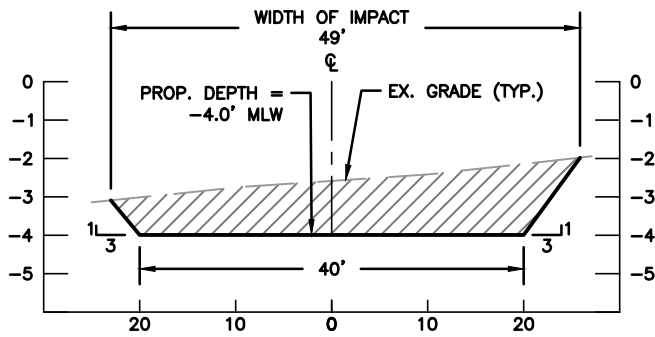
DATE: March 2020 SHEET 5 OF 10

NOTE:
BASEMAP TAKEN FROM ANNE ARUNDEL COUNTY
2016 PLANIMETRICS AND 2017 IMAGERY.



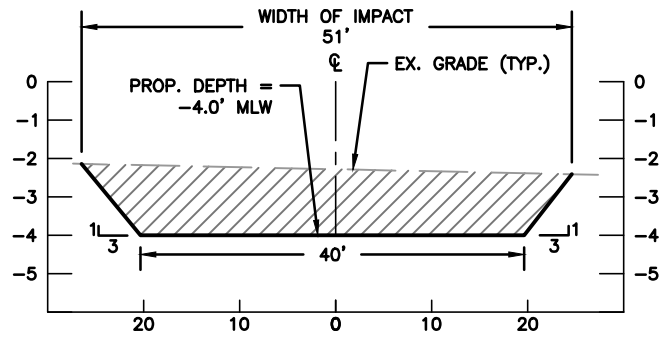
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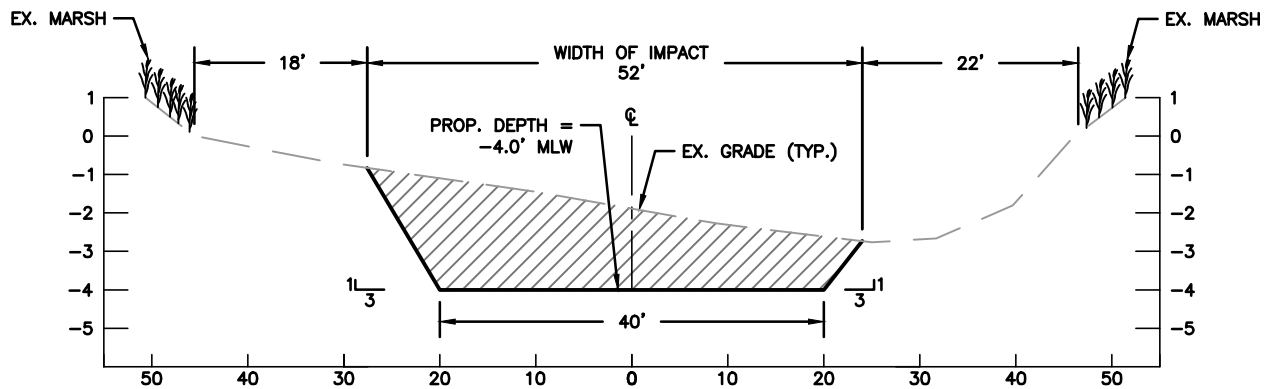
SECTION A-A

SCALE: NTS



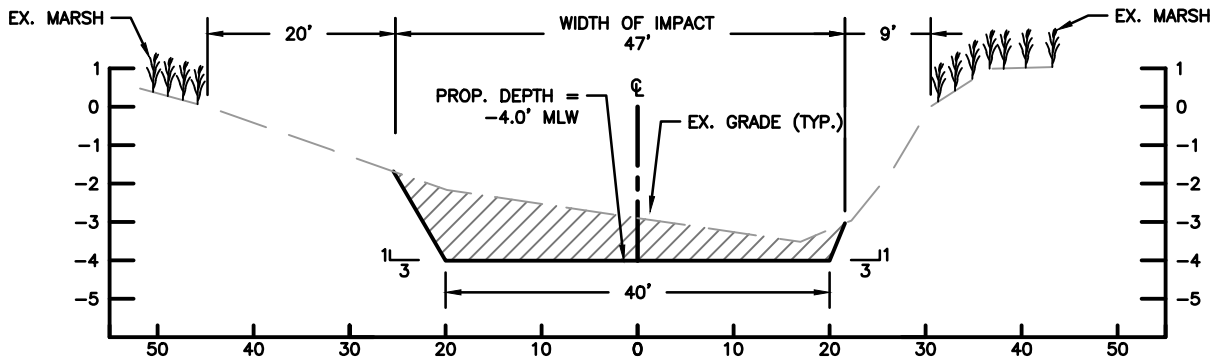
SECTION B-B

SCALE: NTS



SECTION C-C

SCALE: NTS



SECTION D-D

SCALE: NTS

FRANKLIN MANOR DREDGING

ANNE ARUNDEL COUNTY, MD

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DEPARTMENT OF PUBLIC WORKS

CHANNEL SECTIONS

DATE: March 2020 SHEET 6 OF 10

CHANNEL DETAILS			
LENGTH (FT)	WIDTH (FT)	DEPTH (FT)	VOLUME (CY)
2,110	40	-4.0	5,810
TOTAL MAIN CHANNEL LENGTH			2,110 LF
TOTAL MAIN CHANNEL VOLUME			5,810 CY
TOTAL MAIN CHANNEL AREA OF IMPACT			106,696 SF = 2.45 AC
TOTAL MAIN CHANNEL AREA OF IMPACT TO 2018 SAV			0 SF = 0.00 AC

NOTES:

1. BASEMAP COMPILED FROM ANNE ARUNDEL COUNTY 2016 PLANIMETRICS AND 2017 IMAGERY.
2. TIDAL RANGE IS ~0.97 FEET.
3. BATHYMETRY FROM BAYLAND SURVEY DATED SEPTEMBER 16, 2019.
4. SOUNDINGS ARE IN FEET AND REFER TO MLW.
5. THESE ARE PERMIT DRAWINGS ONLY. DESIGN DRAWINGS WILL BE PREPARED SEPARATELY.

**FRANKLIN MANOR
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ANNE ARUNDEL COUNTY, MD

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CHANNEL DETAILS

DATE: March 2020 SHEET 7 OF 10



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EX. ACCESS ROAD

MECHANICAL UNLOADING POINT

LIMIT OF CONTAINMENT AREA

EX. PERIMETER DIKE

EX. WEIR BOX AND
OUTFALL STRUCTURE
TO BE MAINTAINED

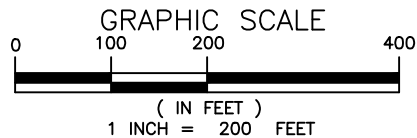
FRANKLIN MANOR DREDGING

ANNE ARUNDEL COUNTY, MD

APPL. BY: ANNE ARUNDEL COUNTY
DEPARTMENT OF PUBLIC WORKS

SOUTH COUNTY DMP SITE

DATE: March 2020 SHEET 8 OF 10

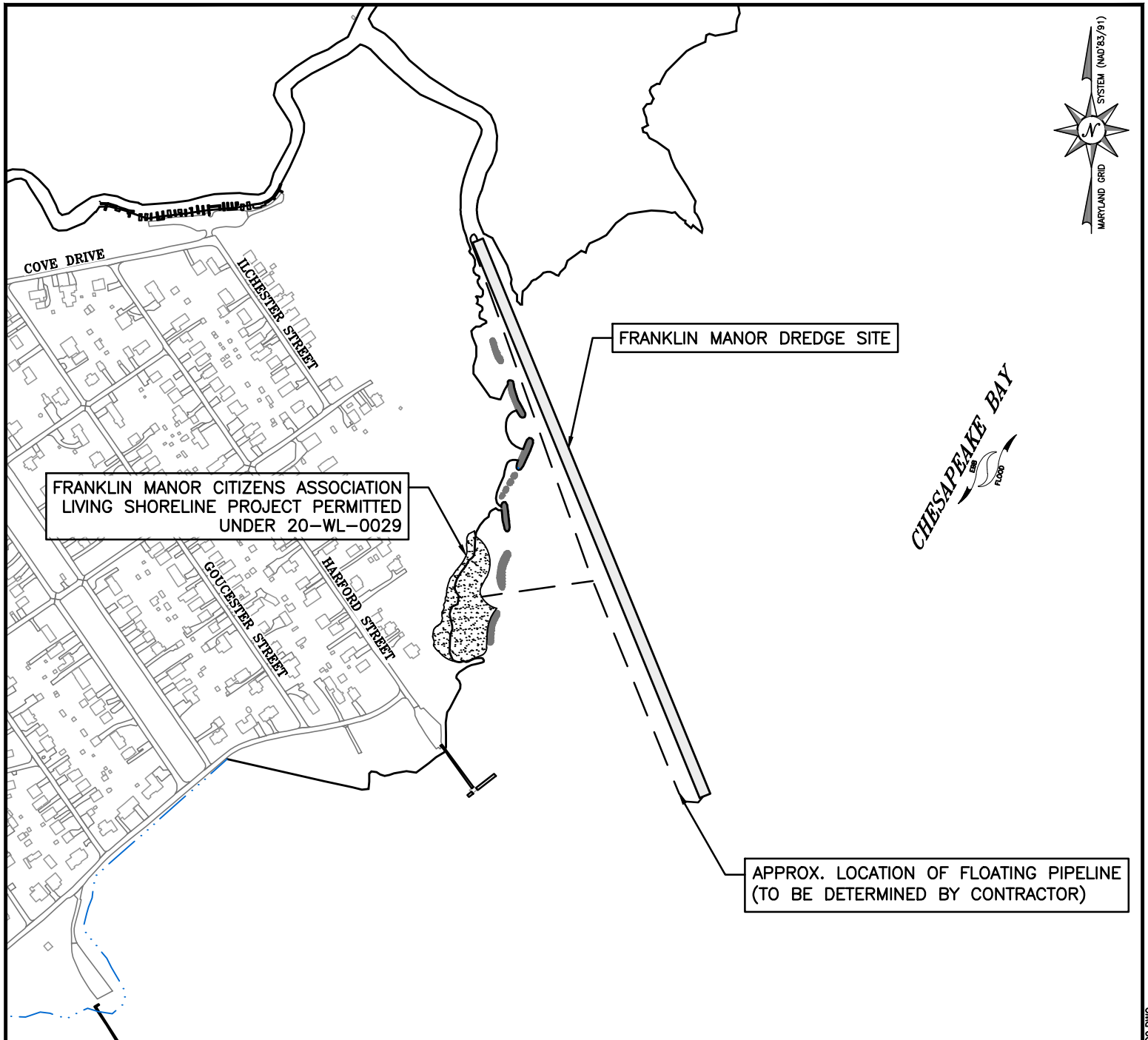


- NOTES:
1. BASEMAP COMPILED FROM ANNE ARUNDEL 2016 PLANIMETRICS AND 2017 IMAGERY.
 2. CURRENT AVAILABLE CAPACITY: 110,000 CY

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FRANKLIN MANOR DREDGE SITE

FRANKLIN MANOR CITIZENS ASSOCIATION
LIVING SHORELINE PROJECT PERMITTED
UNDER 20-WL-0029

APPROX. LOCATION OF FLOATING PIPELINE
(TO BE DETERMINED BY CONTRACTOR)

NOTE:
IF NOT SUITABLE FOR BENEFICIAL USE, MATERIAL WILL BE MECHANICALLY
DREDGED ONLY AND TRANSPORTED TO SOUTH COUNTY DMP SITE.

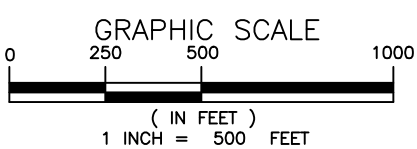
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APPL. BY: ANNE ARUNDEL COUNTY
DEPARTMENT OF PUBLIC WORKS

HYDRAULIC PIPELINE PLAN

DATE: March 2020 SHEET 9 OF 10



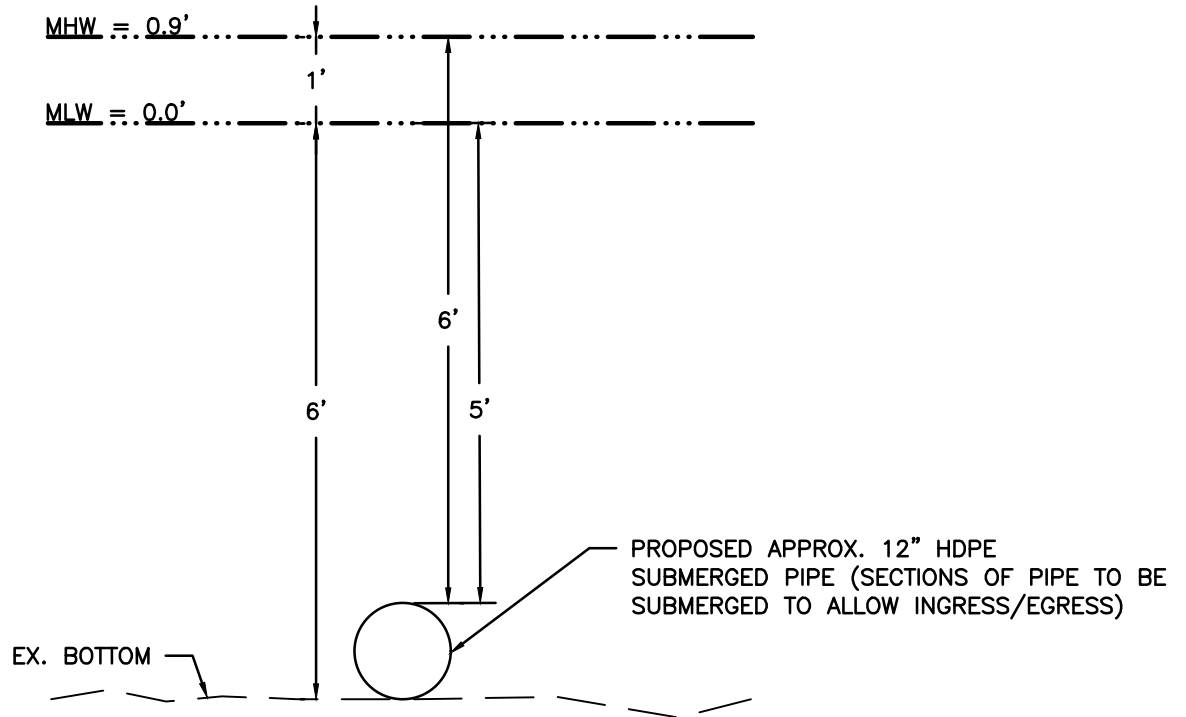
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TYPICAL HYDRAULIC INGRESS/EGRESS PIPE SECTION

SCALE: NTS

FRANKLIN MANOR
DREDGING

ANNE ARUNDEL COUNTY, MD

APPL. BY: ANNE ARUNDEL COUNTY
DEPARTMENT OF PUBLIC WORKS

HYDRAULIC PIPELINE SECTION

DATE: January 2020 SHEET 10 OF 10

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