

Public Notice

U.S. Army Corps
of Engineers

Baltimore District

PN-19-34

In Reply to Application Number

NAB-2018-60160 (Salisbury WWTP/Outfall Diffuser Utility Repair)

Comment Period:

June 7, 2019 to June 22, 2019

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC REGARDING THE WORK DESCRIBED BELOW. 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 Section 404 of the Clean Water Act (33. U.S.C. 1344) as described below:

APPLICANT: City of Salisbury
125 North Division Street, Room 202
Salisbury, Maryland 21801

WATERWAY AND LOCATION OF THE PROPOSED WORK: In the Wicomico River, Wicomico County, Maryland.

PROPOSED WORK AND PURPOSE: After-the-fact authorization to hydraulically dredge a 750 square foot area to remove an object trapped in the City of Salisbury waste water treatment plant (WWTP) outfall diffusers. Approximately 75 cubic yards of gravel substrate material was hydraulically dredged to a depth of -26.66 below mean low water (MLW), and then replaced to the work location by reverse hydraulic dredging to the pre-existing depth of -18.66 below MLW. The work was performed between January 24, 2018 and February 9, 2018 by Ulliman Schutte Construction. The project has received authorization by the Maryland Department of the Environment (MDE), Tidal Wetlands Division, under an emergency permit authorized on January 23, 2018, followed by MDE Tidal Authorization Number 18-GL-0084 issued on May 21, 2018. The project is located in the Wicomico River, Wicomico County, Maryland.

All work was completed in accordance with the enclosed plan(s).

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 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 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. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the completed 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, Carlisle Field Office, 401 East Louthier Street, Suite 205, Carlisle, Pennsylvania, 17013, Attention: Michael Danko, or by e-mail at mike.danko@usace.army.mil within the comment period specified above.

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 effect Essential Fish Habitat (EFH). The project site lies in or adjacent to EFH as described under MSFCMA for eggs, larvae, juvenile and adult *Urophycis chuss* (red hake); juvenile and adult *Clupea harengus* (Atlantic herring); juvenile and adult *Raja aglanteria* (clearnose skate); juvenile *Scopthalmus aqueous* (windowpane flounder); and adult *Leucoraja erinacea* (little skate) and *Leucoraja ocellata* (winter skate).

The project has the potential to adversely affect EFH or the species of concern by the temporary loss of spawning, nursery, forage, and/or shelter habitat. The project may have an adverse effect on an approximate 0.017 acre area of EFH as described under the MSFCMA for the species and life stages identified above. The project area is not a Habitat Area of Particular Concern (HAPC). The project habitat consists mainly of a gravel substrate that does not support submerged aquatic vegetation. The Baltimore District has made a preliminary determination that site specific impacts would not be substantial and an abbreviated consultation will be conducted with NMFS. No mitigative measures are recommended at this time to minimize adverse effects on EFH. This determination may be modified if additional information indicates otherwise and would change the preliminary determination.

WATER QUALITY CERTIFICATION: The applicant is required to obtain a water quality certification in accordance with Section 401 of the Clean Water Act from the Maryland Department of the Environment. The Section 401 certifying agency has a statutory limit of one year from the date of this public notice to make its decision.

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. The MDE has determined that the activity complies with the State's Coastal Zone Management Program, as required by Section 307 of the Federal Coastal Zone Management Act of 1972, as amended.

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

A preliminary review of this application indicates that the work did not 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.

Review of the latest published version of the National Register of Historic Places indicates that no registered properties listed as eligible for inclusion, therein, are located at the site of the work. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or destroyed by the work to be accomplished under the request permit.

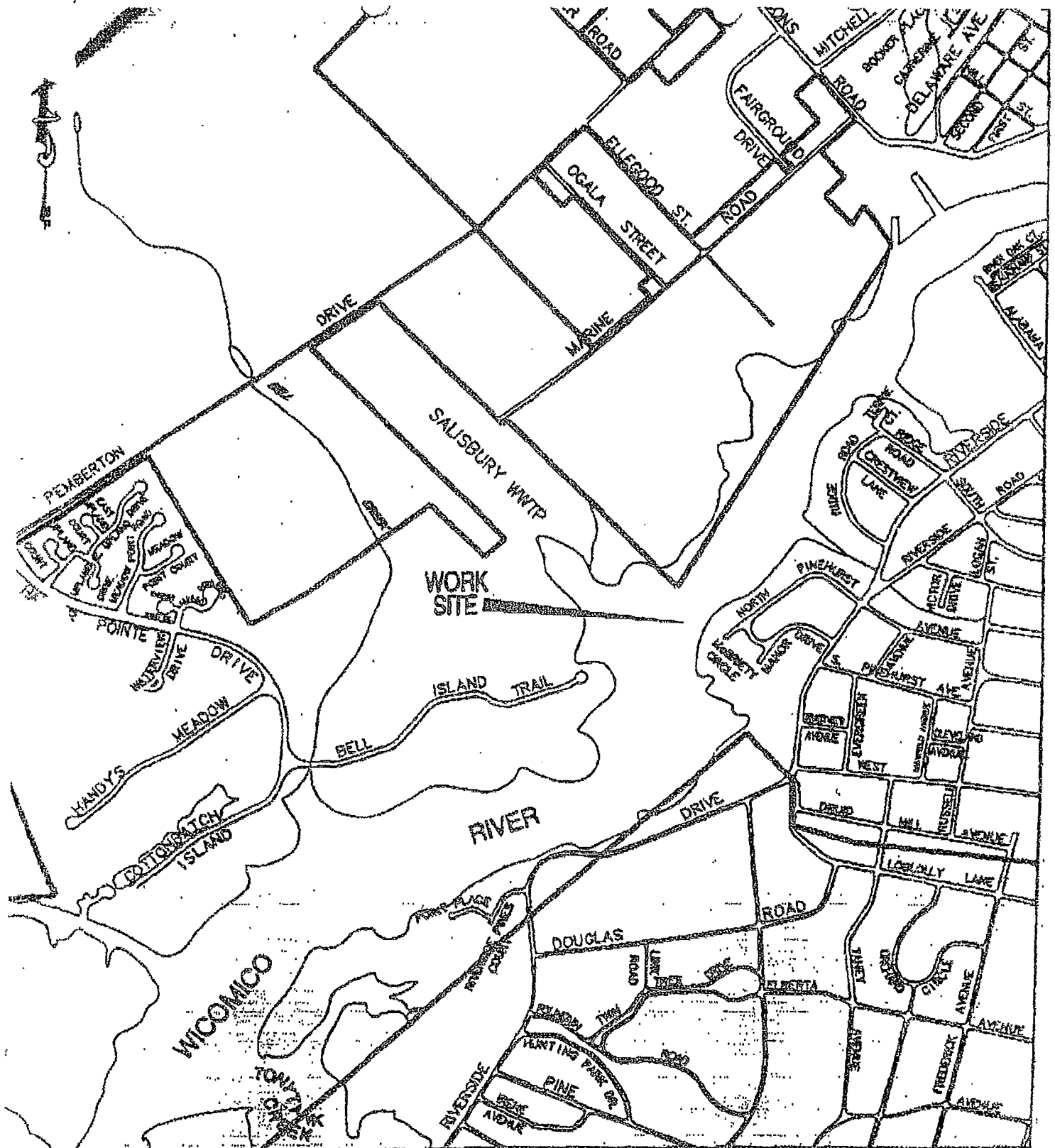
The evaluation of the impact of this project on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 of the Clean Water Act.

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 by the District Engineer, U.S. Army Corps of Engineers, Baltimore District, Carlisle Field Office, 401 East Louther Street, Suite 205, Carlisle, Pennsylvania, 17013, Attention: Michael Danko, 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.

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

FOR THE DISTRICT ENGINEER:

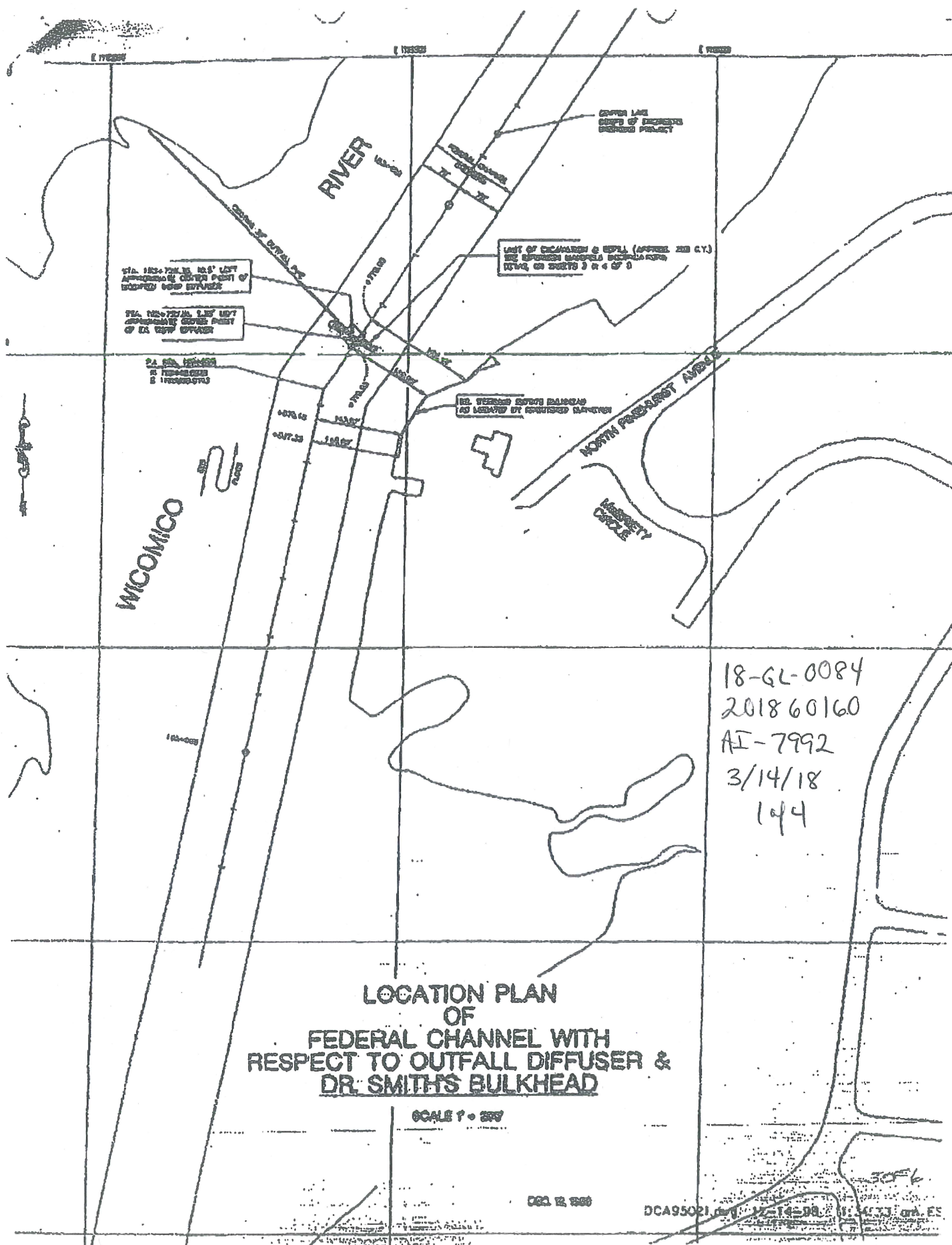
Wade B. Chandler
Chief, Pennsylvania Section
Regulatory Branch

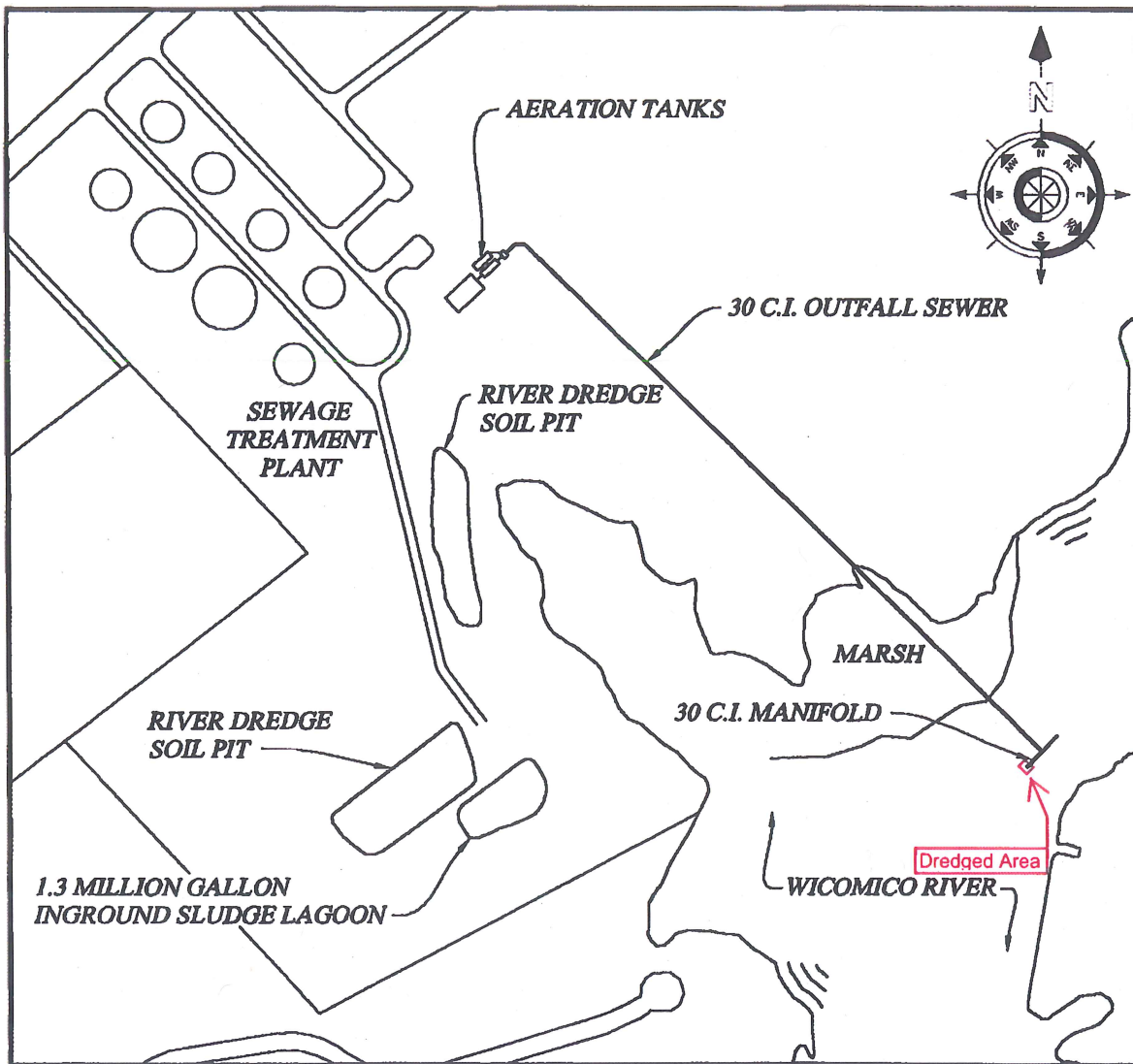


CITY OF SALISBURY
DEPT. OF PUBLIC WORKS
P.O. BOX 4118
SALISBURY MD 21801

LOCATION MAP

DWG. NO. DCA95021
DATE 4/29/98
SCALE: 1" = 1000'
REVISED: 12/9/98
SHEET 1 OF 6





WORK LOCATION

18-GC-0084

201860160

AI-7992

3/14/18

244

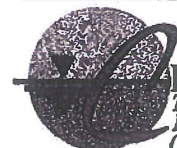
C		
B		
A		
-	INITIAL ISSUE	11/15/00
LTR	DESCRIPTION	DATE
REVISION HISTORY		
DATE	SCALE	
NOVEMBER 2000	NONE	

**WICOMICO RIVER DISPERSION MANIFOLD
POST REPAIR AS-BUILT CONDITIONS
SALISBURY, MARYLAND**

CITY OF SALISBURY

DRAWN BY
[HTTP://CADDSTAFFING.COM](http://CADDSTAFFING.COM)

CHECKED/APPROVED BY
J. CROFTON



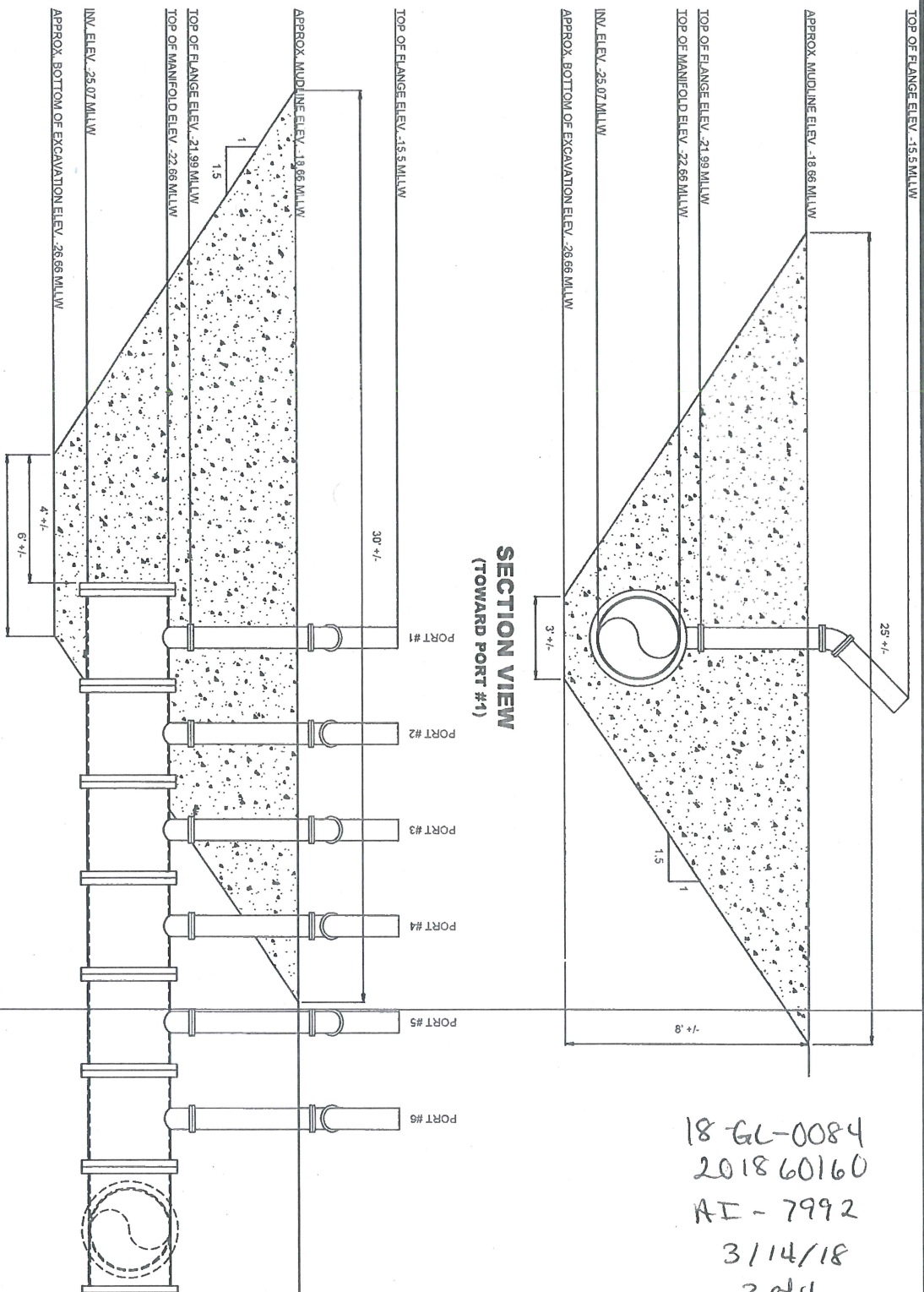
Since 1949

CROFTON
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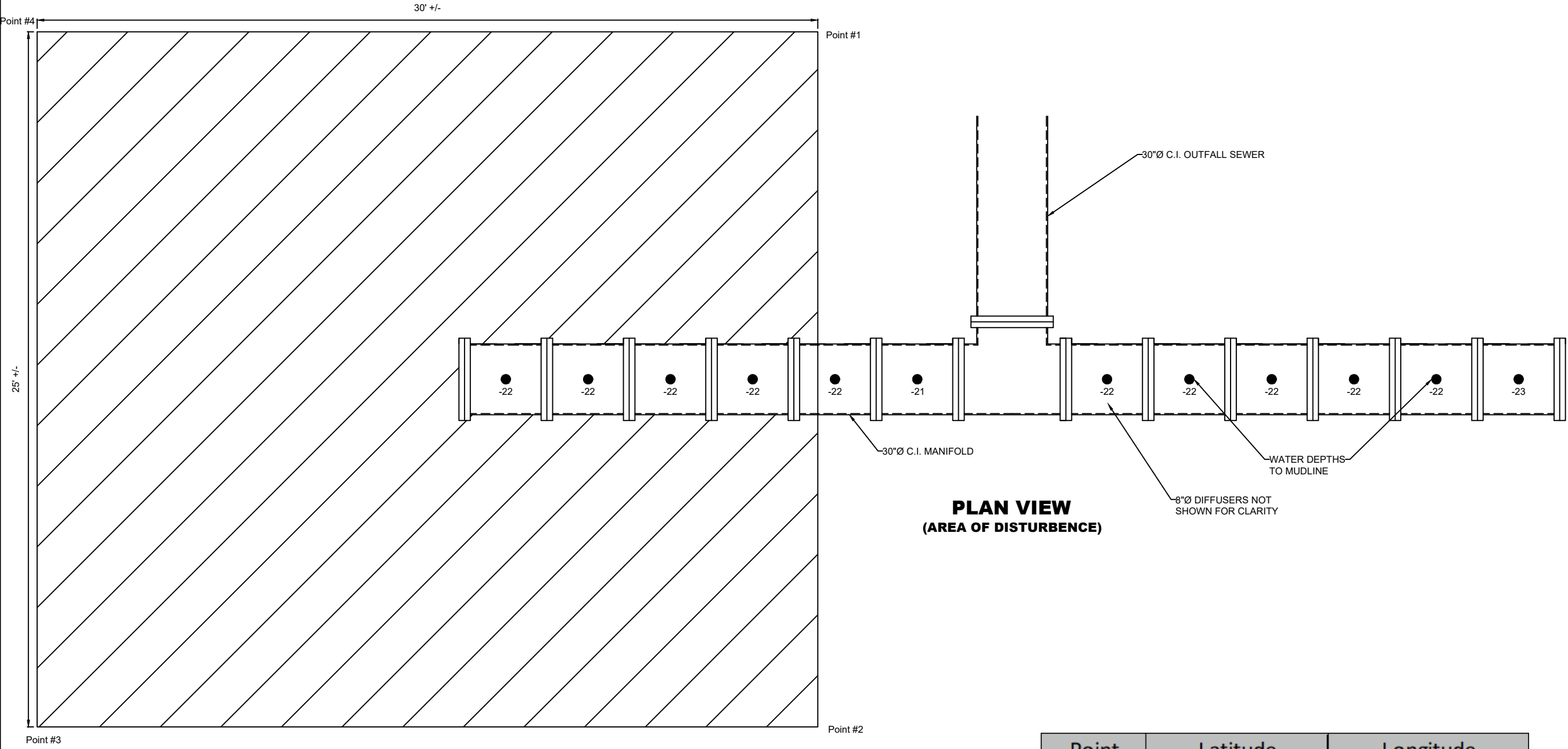
SHEET
3 of 8

PROJECT/LINE NUMBER
00-9181

REV
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WICOMICO RIVER DISPERSION MANIFOLD CITY OF SALISBURY / ULLMAN SCHUTTE CONSTRUCTION SALISBURY WATER TREATMENT PLANT SALISBURY, MD		PIPE PLUG REMOVAL EXCAVATION LIMITS	
2500 SOUTH HOAH DRIVE SAUXHURB, PA 16056		33 STANLS POINT ROAD BUILDING #5 CURTIS BAY, MD 21226	
REVISIONS DATE DESCRIPTION		DATE	
1 To		1 OF 1	
18 GL-0084 201860160 AI-7992 3/14/18 304		18 GL-0084 201860160 AI-7992 3/14/18 304	



PLAN VIEW
(AREA OF DISTURBANCE)

Point	Latitude	Longitude
1	38.35429853	-75.61973718
2	38.35425896	-75.61969239
3	38.35419531	-75.61976052
4	38.35423666	-75.61981309

WICOMICO RIVER DISPERSION MANIFOLD
CITY OF SALISBURY / LILLIAN SCHULTE CONSTRUCTION
SALISBURY WATER TREATMENT PLANT
SALISBURY, MD

2500 SOUTH NOAH DRIVE
SAXONBURG, PA 16056

PIPE PLUG REMOVAL
EXCAVATION LIMITS

33 STAHL'S POINT ROAD
BUILDING #5
CURTIS BAY, MD 21226



REVISIONS		DATE
No.	DESCRIPTION	

DATE
FEBRUARY 25, 2019
SCALE
NTS
DESIGNED BY
DRAWN BY
LMM
JOB NUMBER
18-0506