

U.S. Army Corps
of Engineers
Baltimore District
PN-20-43

Public Notice

In Reply to Application Number
NAB-2020-60161 (Jackson Landing - Dock and Ramp Project)

Comment Period: July 2, 2020 to July 16, 2020

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:

Asuntha Chiang-Smith
Maryland National Capitol Park
And Planning Commission
6611 Kenilworth Avenue
Riverdale, Maryland 20737

WATERWAY AND LOCATION OF THE PROPOSED WORK: The proposed project is located in the Patuxent River, in Upper Marlboro, Prince George's County, Maryland (38.773065, -76.709105).

OVERALL PROJECT PURPOSE: The purpose of the project is to increase safety for fishermen and to improve and restore the existing public recreation facility located at Patuxent River Park at the Jackson's Landing Boat Launch.

PROJECT DESCRIPTION: The applicant proposes to:

- 1.) remove an existing 12.8 foot x 78 foot (896 square foot) concrete boat ramp and install a new 21 foot x 78 foot (1,680 square foot) concrete boat ramp;
- 2.) remove a 518 square foot wood boarding pier adjacent to ramp and install a 489 square foot floating dock;
- 3.) remove wood kayak access pier, gangway and floating ramp totaling 508 square feet and replace with a new 414 square foot kayak pier, 80 square foot gangway and a new 368 square foot kayak launch station and

- 4.) remove an existing 896 square foot fishing pier and replace it with: (a) a 62-foot long by 6-foot wide pier with a 65-foot long by 10-foot platform; (b) a 61.5-foot long by 6-foot wide floating pier with a 20-foot long by 6-foot wide platform; and (c) a 35-foot long by 6-foot wide pier with a 6-foot long by 10-foot wide platform, a 15-foot long by 4-foot wide gangway, a 10-foot long by 8-foot wide floating platform, and a 22-foot long by 22-foot wide floating platform with four 12-foot long by 3-foot wide finger piers. These improvements will total a 1,118 square foot fishing pier.

EFFECTS ON AQUATIC RESOURCES:

Activity (i.e. culvert)	River Impact (Sq. Ft.)	Authority Section 10 and 404
Boat Ramp	1,680	Section 10 and 404
Fishing Pier	1,118	Section 10
Kayak Pier and Gangway	368	Section 10
Floating Dock	489	Section 10

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 project has been designed to minimally impact the Patuxent River by replacing existing structures in-kind and/or only expanding these structures where needed to accommodate safety measures required to use Sport Fish Restoration – Access grant funds. The existing boarding dock allows fishing access however under the grant funding the boarding dock is required to not allow fishing and thus the fishing pier needs to be extended to accommodate the lost fishing space provided by the boarding dock. The project will result in minimal new impacts and will result in less than 0.10 acres of permanent loss or conversion to the Patuxent River, with no compensatory mitigation 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 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 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.

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.

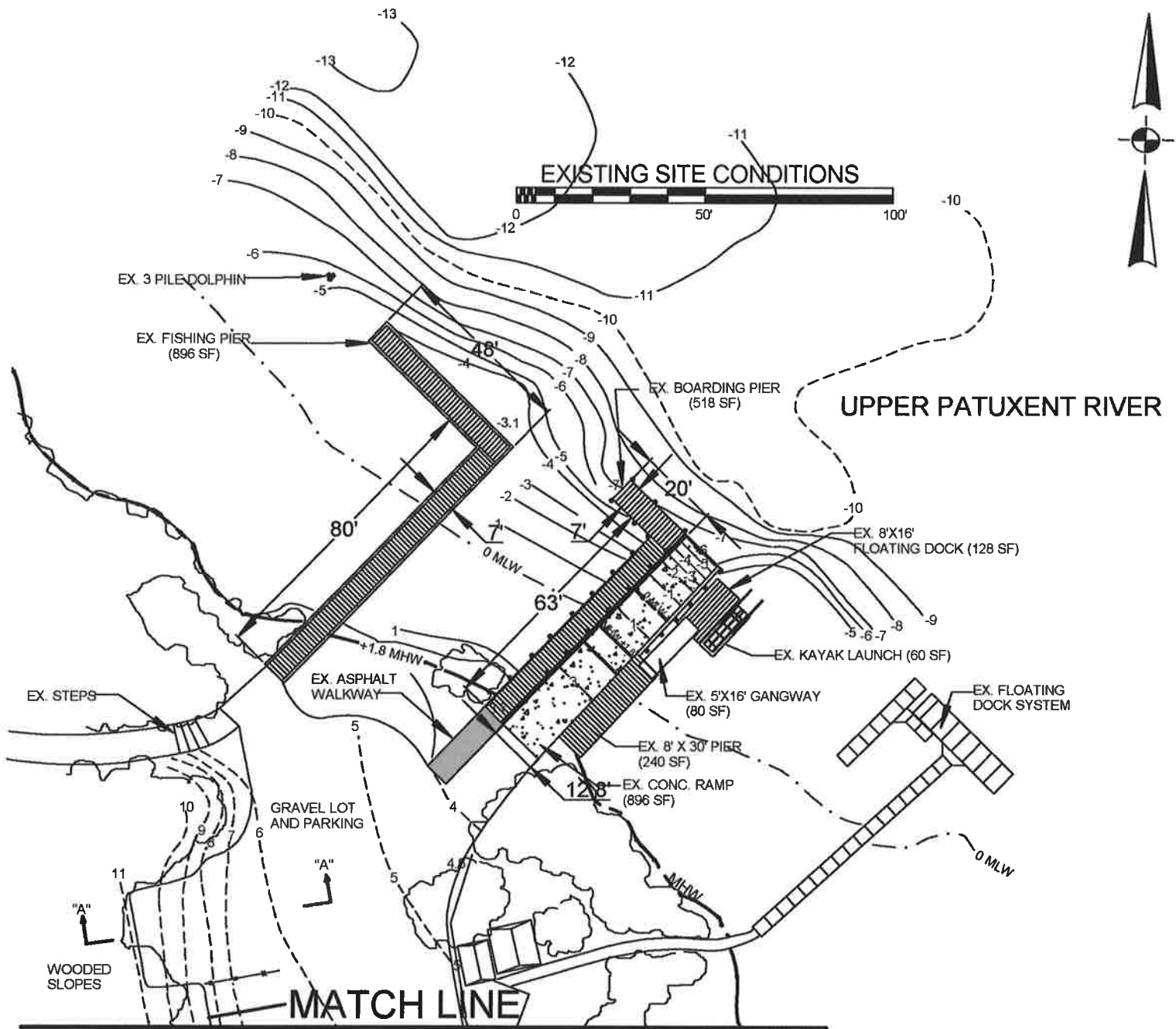
Written comments concerning the work described above related to the factors listed above or other pertinent factors must be received by the U.S. Army Corps of Engineers, Baltimore District within the comment period specified above through postal mail at the address below or electronic submission to the project manager email address below. Written comments should reference the Application Number (NAB-2020-60161-P30).

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:

Shawn R. Gill
Shawn.r.gill@usace.army.mil
U.S. Army Corps of Engineers, Baltimore District
Regulatory Branch
710 Ives Run Lane
Tioga, Pennsylvania 16946

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 Shawn R. Gill, (570) 835-4263, shawn.r.gill@usace.army.mil. This public notice is issued by the Chief, Regulatory Branch.



EXISTING SITE CONDITIONS PLAN VIEW

JACKSON LANDING, P.G.Co. BOAT RAMP IMPROVEMENTS FISHING PIER REPLACEMENT KAYAK AND CANOE ACCESS

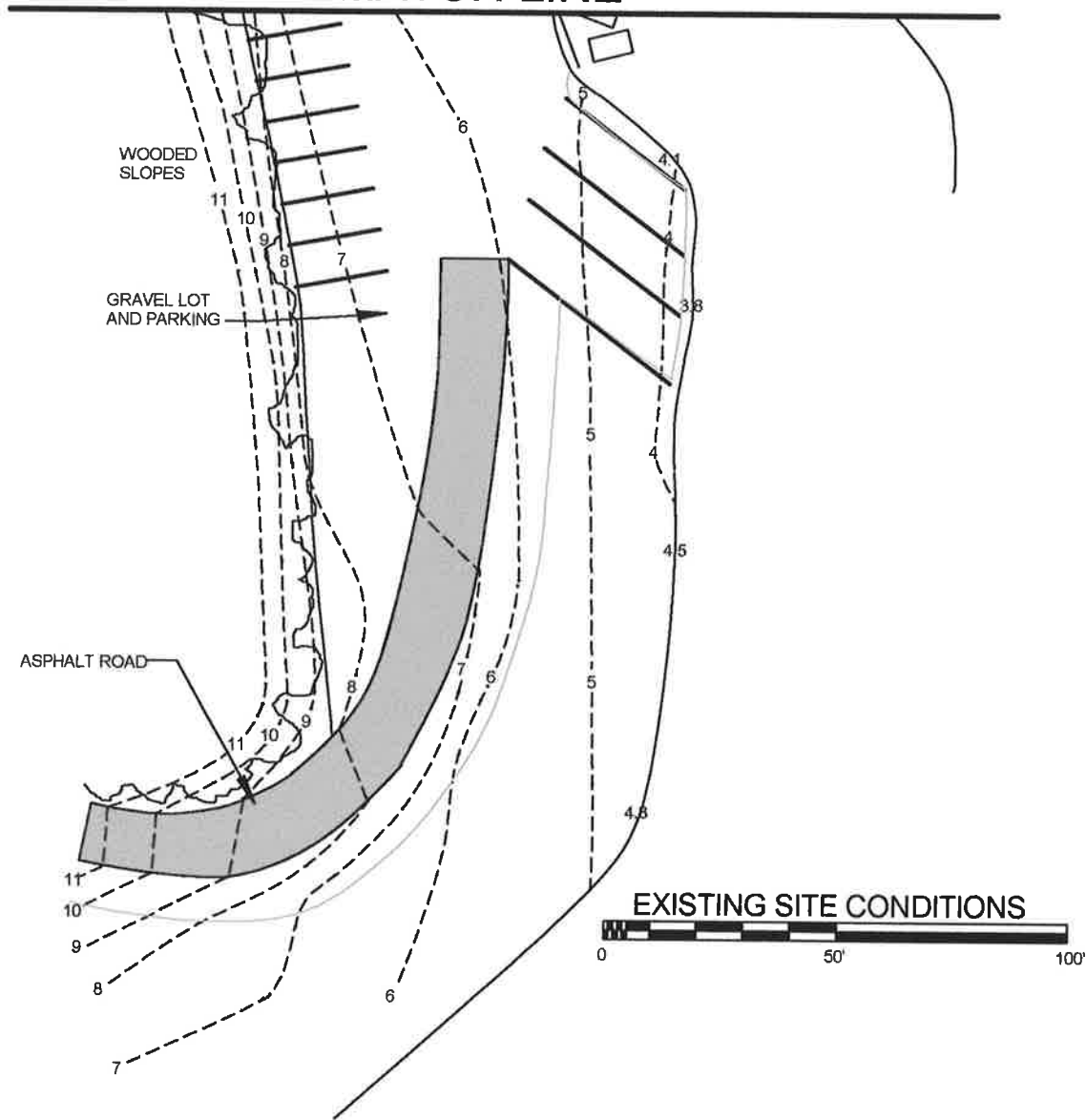
NOTES:

1. TIDAL WATERS, MHW = +1.8'
2. ELEVATIONS BASED ON 0 MLW
3. MANY IMPROVEMENTS TO THE FISHING PIER, BOAT RAMP, KAYAK LAUNCH FACILITY AND PARKING (see application for full description)
4. MAX. DISTANCE FROM THE MHW LINE IS 78'
5. THIS DRAWING IS FOR OUTLINE PURPOSES ONLY.
6. BOTTOM DEPTHS WERE SURVEYED BY DNR MAY 13, 2019

IN: PATUXENT RIVER
 TOWN: CROOM
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 STATE: MARYLAND
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 PATUXENT RIVER PARK
 MNCPPC
 c/o THOMAS BADEN
 16000 CROOM RD.
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MATCH LINE



EXISTING SITE CONDITIONS PLAN VIEW

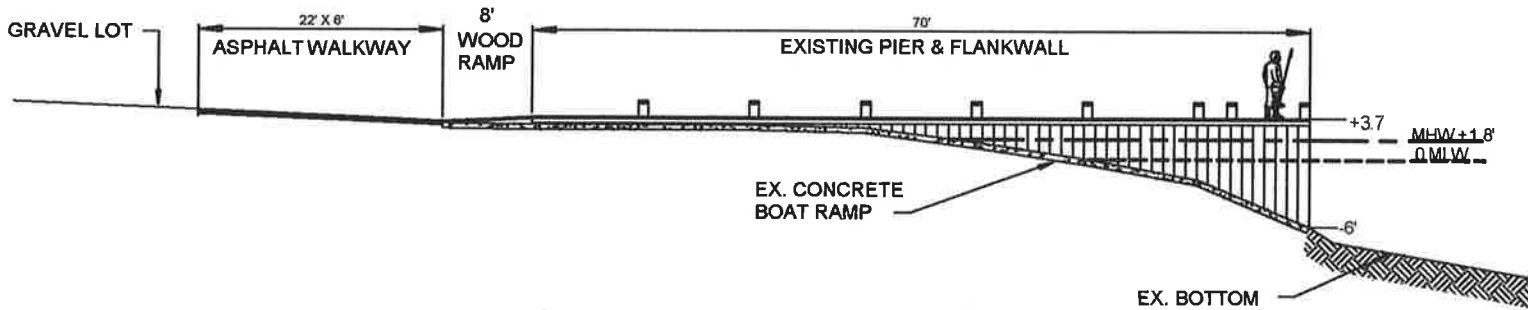
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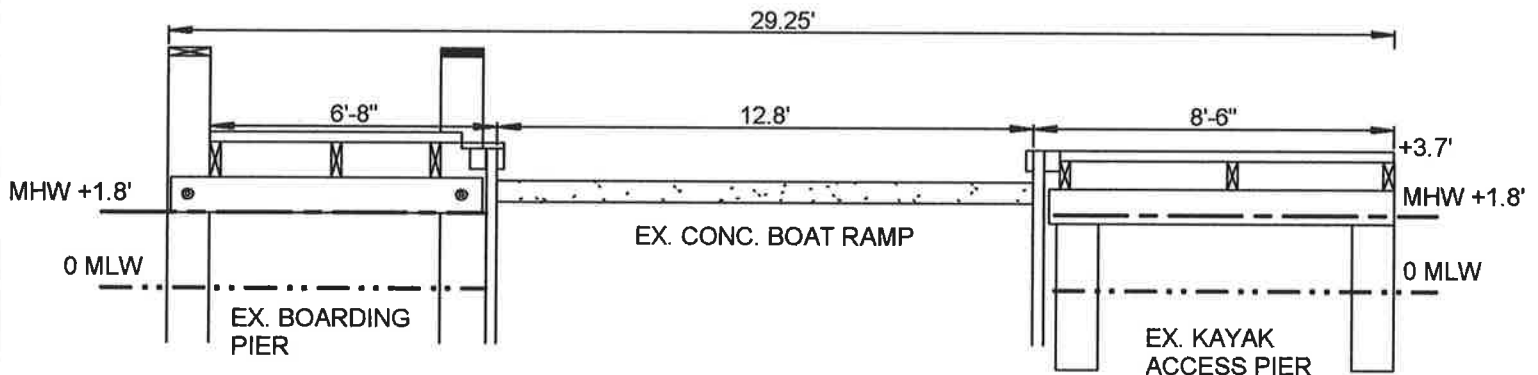
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EXISTING BOAT RAMP SECTION



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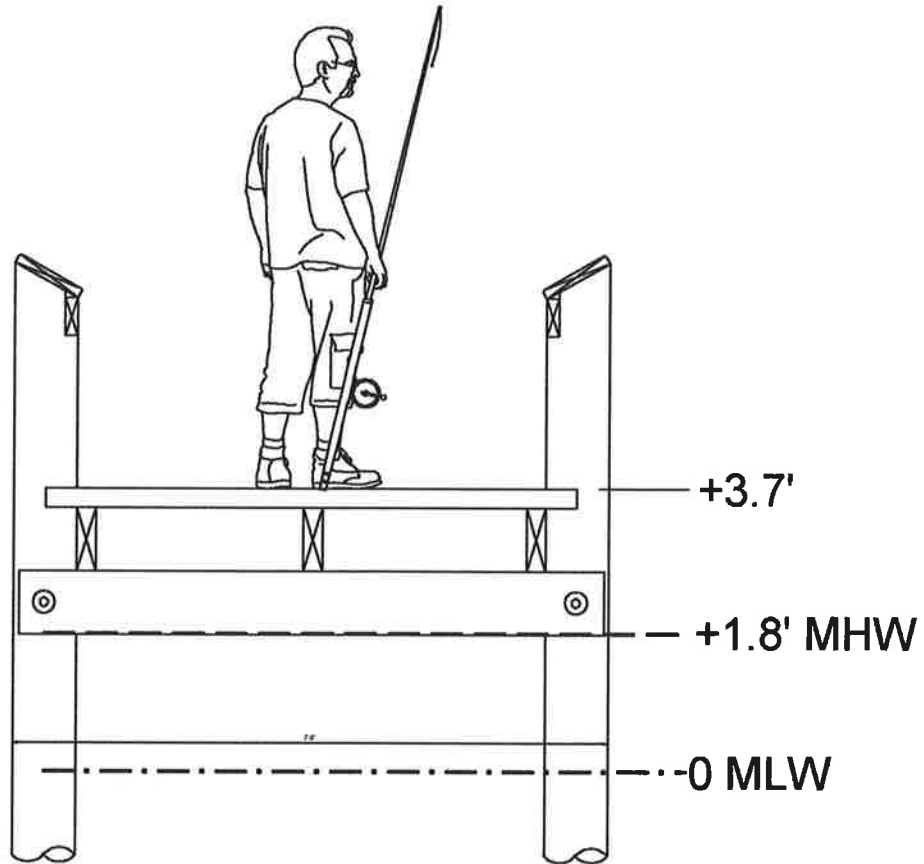
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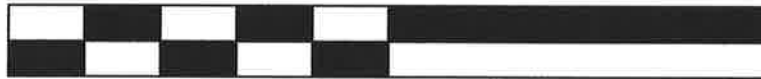
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**EXISTING FISHING PIER
SECTION**



0

10'

EXISTING FISHING PIER SECTION

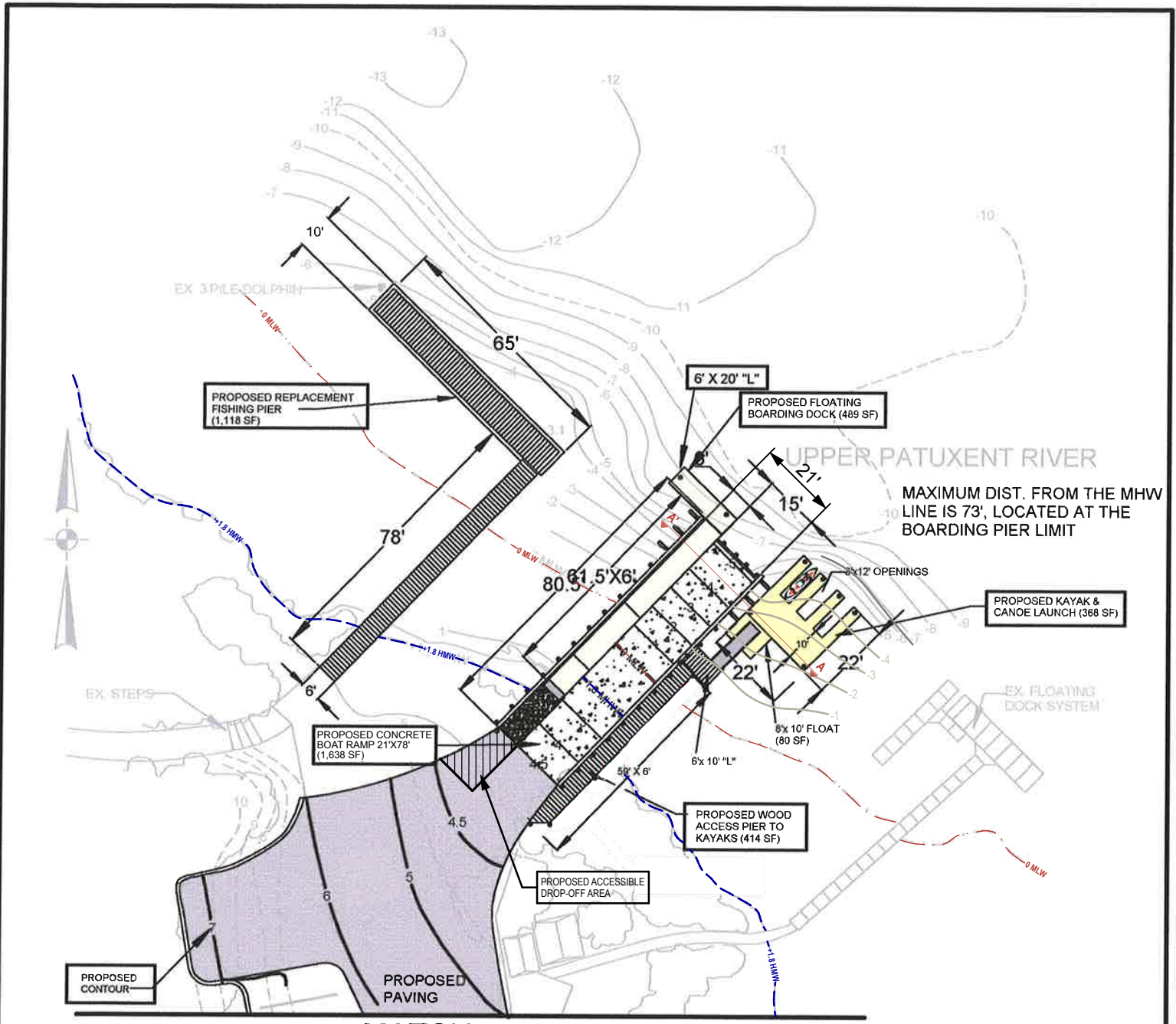
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UPPER PATUXENT RIVER
 MAXIMUM DIST. FROM THE MHW LINE IS 73'. LOCATED AT THE BOARDING PIER LIMIT

MATCH LINE



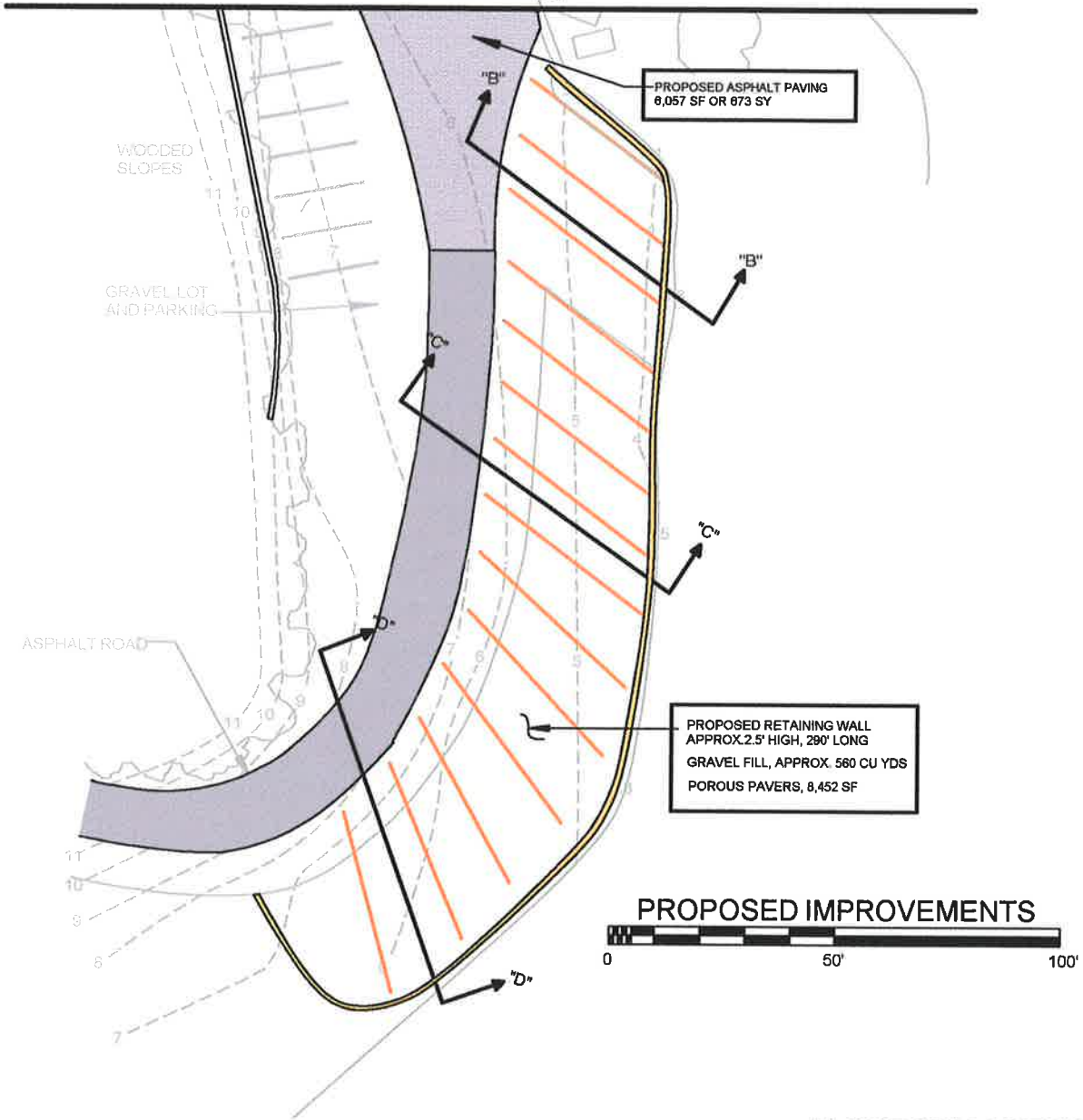
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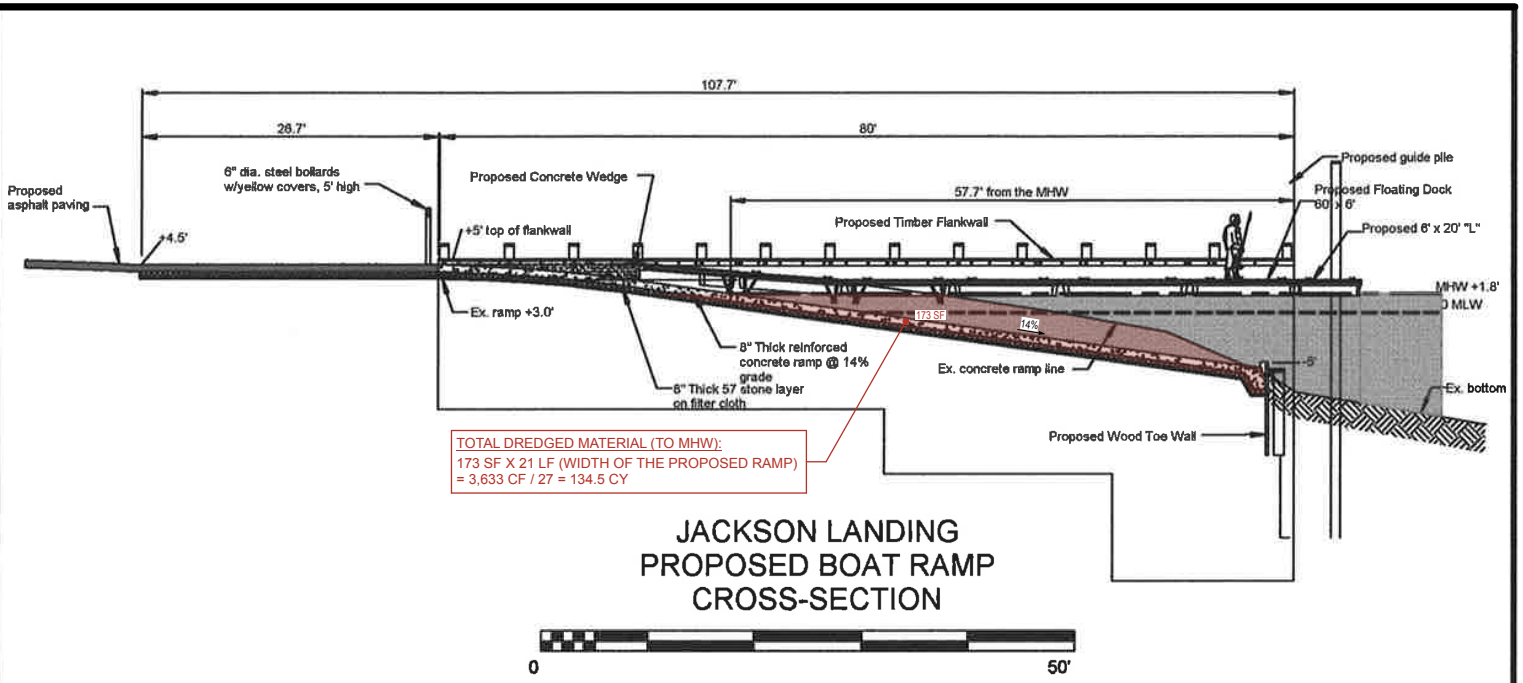
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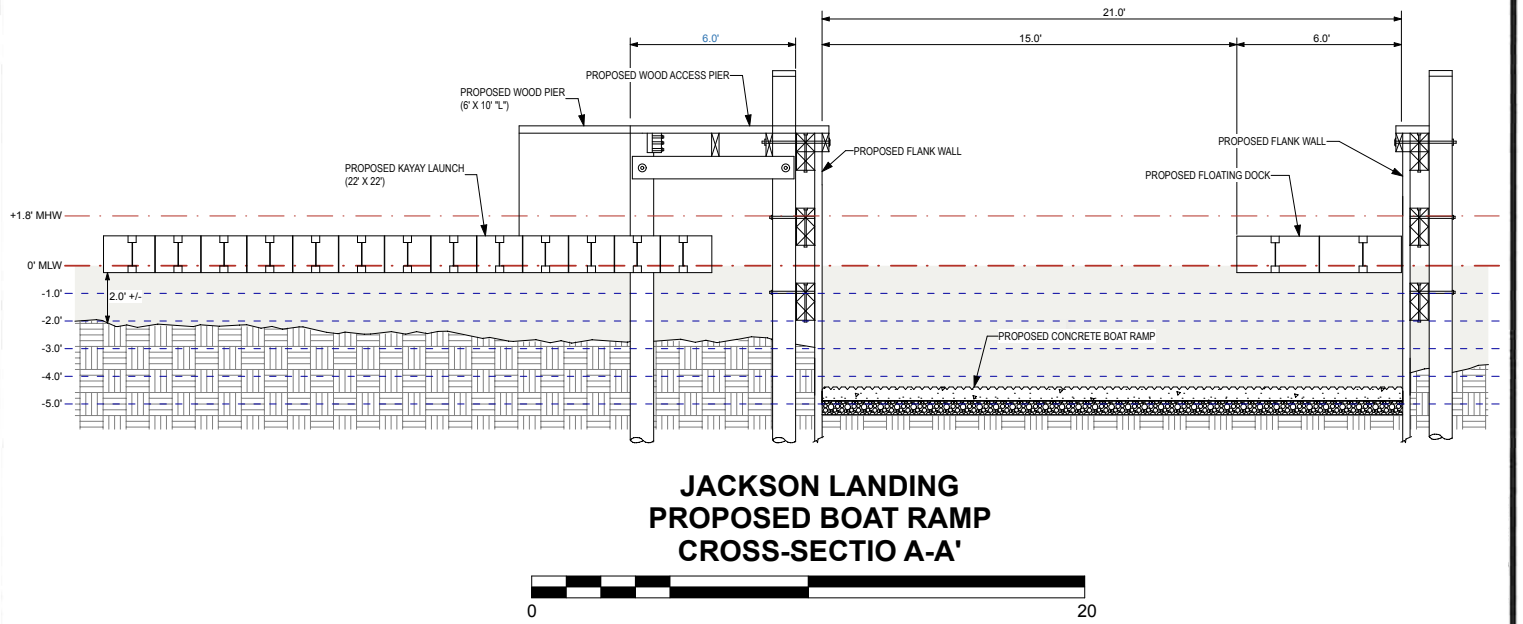
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TOTAL DREDGED MATERIAL (TO MHW):
 173 SF X 21 LF (WIDTH OF THE PROPOSED RAMP)
 = 3,633 CF / 27 = 134.5 CY

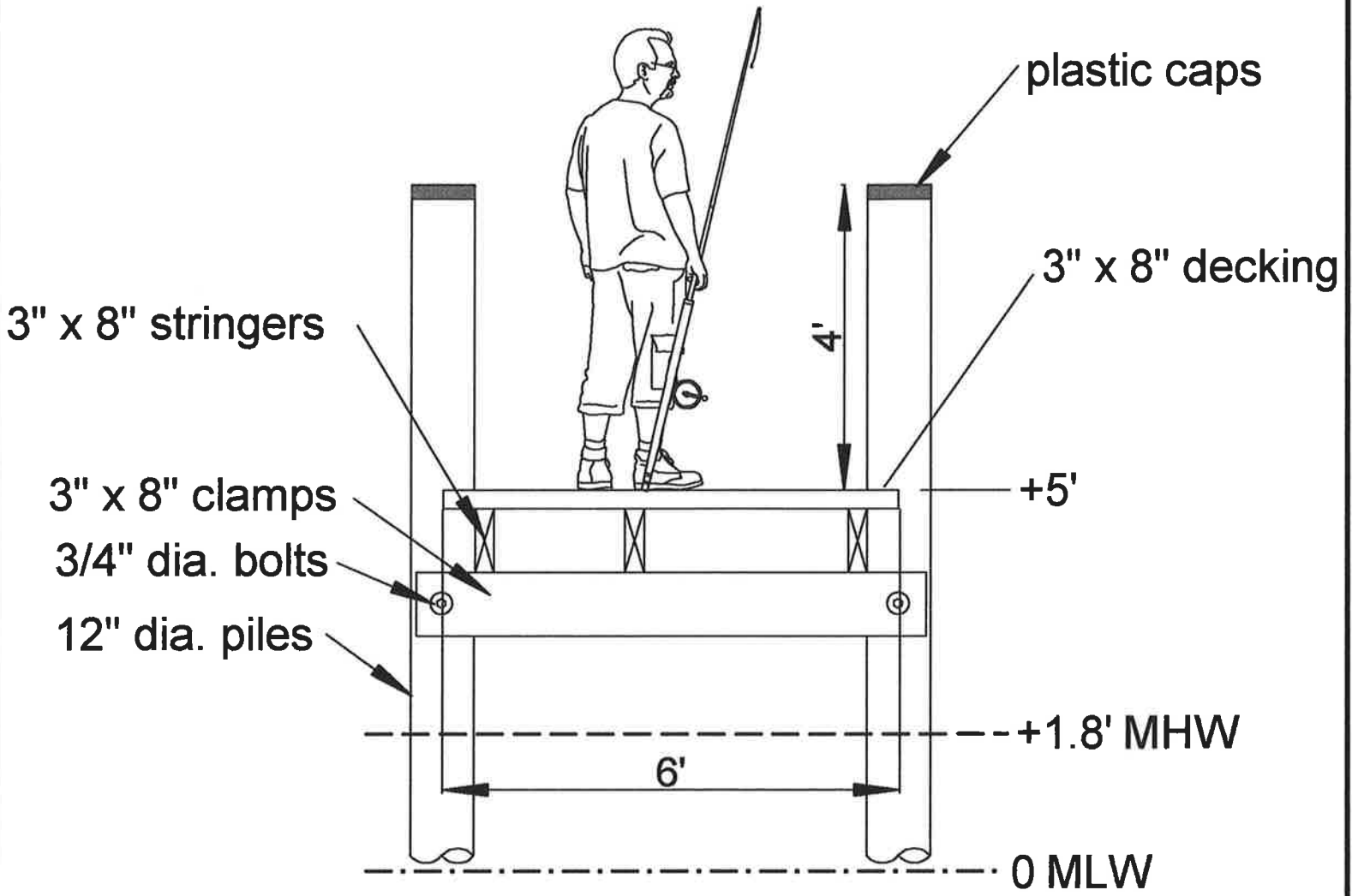


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**PROPOSED FISHING
PIER, WALKWAY SECTION**



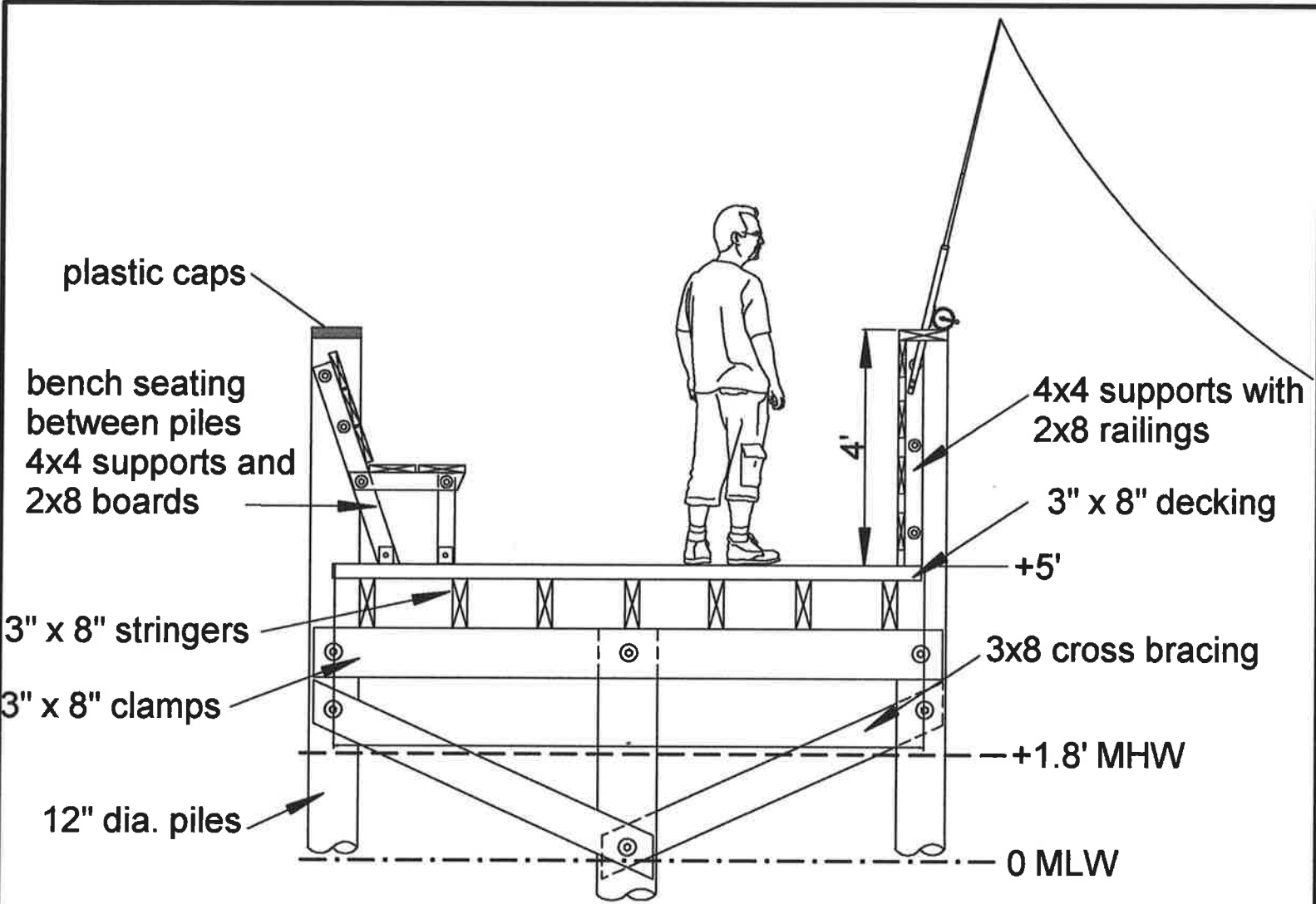
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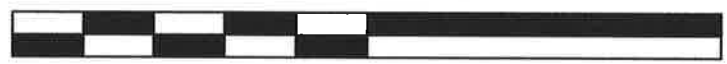
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**PROPOSED FISHING
PIER, FISHING SECTION**



0 10'

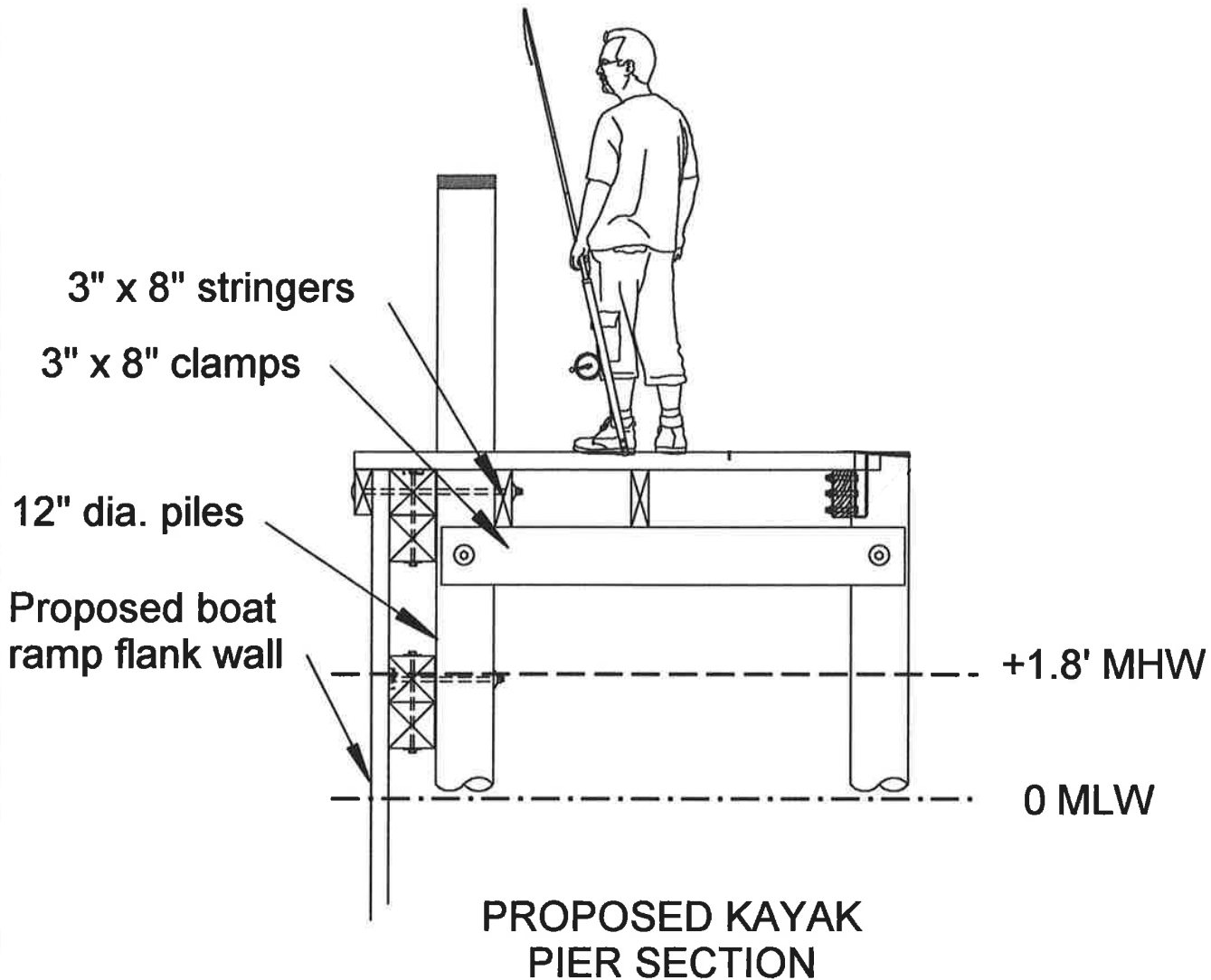
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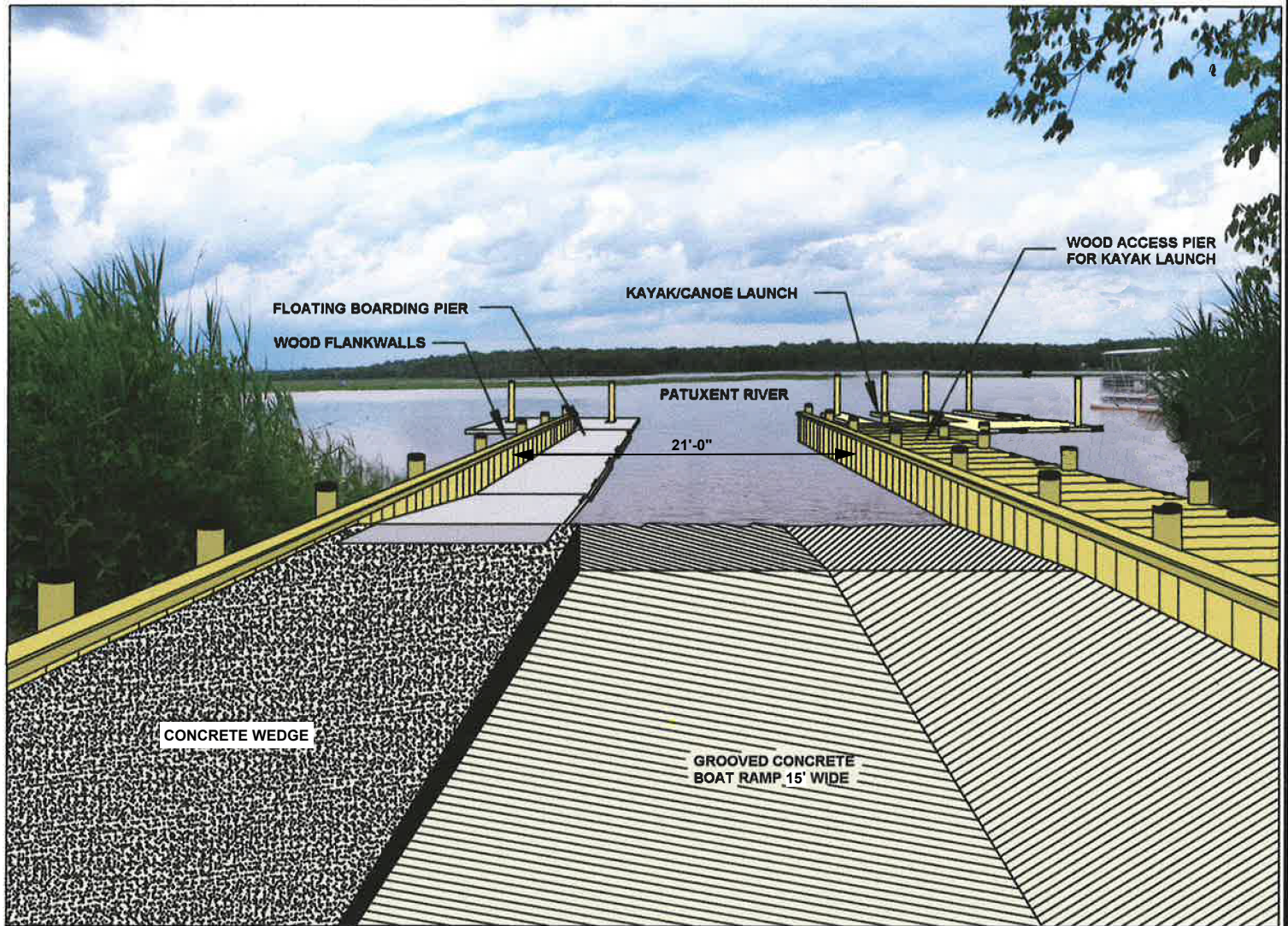
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