

U.S. Army Corps of Engineers, Baltimore District
Record of Environmental Consideration
Documentation for Categorical Exclusion under the National Environmental Policy Act

APPENDIX B - AGENCY COORDINATION

Francis Scott Key Bridge Wreckage Removal from the
Fort McHenry Federal Navigation Channel

June 2024

- B1. Initial coordination email with the National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Services (NMFS) Habitat and Ecosystem Services Division (4 pages)
- B2. Initial coordination email with NOAA NMFS Protected Resources Division (4 pages)
- B3. Initial coordination email with Maryland Historical Trust (3 pages)
- B4. U.S. Coast Guard Letter dated April 5, 2024 (4 pages)

From: [Davia, Joseph P CIV USARMY CENAB \(USA\)](#)
To: [May, Kristina K CIV USARMY CENAB \(USA\)](#)
Subject: FW: [Non-DoD Source] Fwd: FSK Bridge Site: Potential Dredging
Date: Thursday, April 4, 2024 9:29:57 AM
Attachments: [FSK Utility Bounds Capture.JPG](#)

NMFS: EFH response

Joseph P. DaVia
Chief, Maryland North Section
US Army Corps of Engineers, Baltimore District
410.962.5691
410.935.3378 (Cell)
joseph.davia@usace.army.mil

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-----Original Message-----

From: Karen Greene - NOAA Federal <karen.greene@noaa.gov>
Sent: Monday, April 01, 2024 11:41 AM
To: Davia, Joseph P CIV USARMY CENAB (USA) <Joseph.DaVia@usace.army.mil>
Cc: Christine Vaccaro - NOAA Federal <christine.vaccaro@noaa.gov>; Brian D Hopper - NOAA Federal <brian.d.hopper@noaa.gov>
Subject: [Non-DoD Source] Fwd: FSK Bridge Site: Potential Dredging

Hi Joe,

I am copying Chris Vaccaro and Brian Hopper for the ESA side of things. I am assuming that the dredging would be to get the bridge out of the water, not to create a new, temporary channel for shipping vessel traffic. Is that correct?

For EFH our concern would mostly be for diadromous fish, which are in the middle of their migration and spawning season. However, we recognize the emergency situation, so we understand the need to work as quickly as possible. For EFH we can do an expedited consultation or one after the fact. Either way, while we might normally recommend seasonal in-water work restrictions, we also understand that there is an overriding public interest in getting the bridge out of the water and the vessel moved.

Chris and Brian will answer for ESA.

I hope this helps. Please feel free to reach out on this so we can expedite things on our end if needed.

Karen

Karen Greene

Chief, Mid-Atlantic Branch

Habitat and Ecosystem Services Division

NOAA Fisheries, Greater Atlantic Region

cell: (978) 559-9871

office: (732) 872-3023

<https://www.fisheries.noaa.gov/new-england-mid-atlantic/habitat-conservation/essential-fish-habitat-consultations-greater-atlantic-region> <Blockedhttps://www.fisheries.noaa.gov/new-england-mid-atlantic/habitat-conservation/essential-fish-habitat-consultations-greater-atlantic-region>

Please send all correspondence to us electronically as our office is working to go paperless. Thank you.

----- Forwarded message -----

From: Davia, Joseph P CIV USARMY CENAB (USA) <Joseph.DaVia@usace.army.mil

<<mailto:Joseph.DaVia@usace.army.mil>> >

Date: Mon, Apr 1, 2024 at 11:17 AM

Subject: FSK Bridge Site: Potential Dredging

To: Karen Greene - NOAA Federal <karen.greene@noaa.gov <<mailto:karen.greene@noaa.gov>> >

Hi Karen,

There are some fast moving developments at the FSK bridge site in Baltimore. I am trying to get an advance quick read on things.

If dredging were proposed within the red outline in the attached drawing (excluding the uplands), would NMFS have any major concerns in terms of potential impacts to EFH and ESA resources?

Please let me know what you think.

Best,

Joe

Joseph P. DaVia

Chief, Maryland North Section

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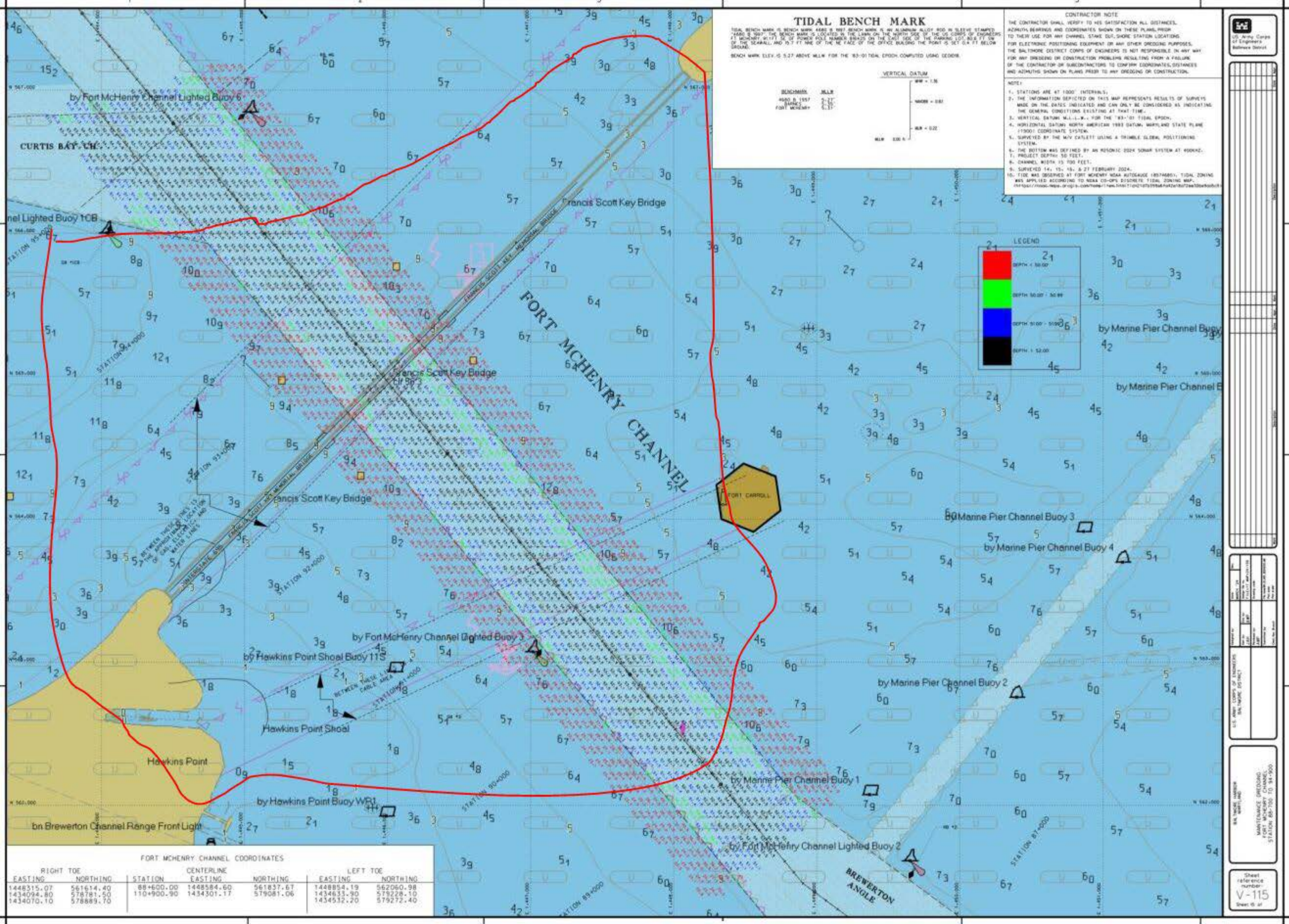
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From: [Davia, Joseph P CIV USARMY CENAB \(USA\)](#)
To: [May, Kristina K CIV USARMY CENAB \(USA\)](#)
Subject: FW: [Non-DoD Source] Re: Fwd: FSK Bridge Site: Potential Dredging
Date: Thursday, April 4, 2024 9:30:50 AM

NMFS: Initial ESA response.

Joseph P. DaVia
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-----Original Message-----

From: Christine Vaccaro - NOAA Federal <christine.vaccaro@noaa.gov>
Sent: Monday, April 01, 2024 12:08 PM
To: Davia, Joseph P CIV USARMY CENAB (USA) <Joseph.DaVia@usace.army.mil>
Cc: Karen Greene - NOAA Federal <karen.greene@noaa.gov>; Brian D Hopper - NOAA Federal <brian.d.hopper@noaa.gov>
Subject: [Non-DoD Source] Re: Fwd: FSK Bridge Site: Potential Dredging

Hi all,

Thanks for looping us in. Brian will be your POC for any species/consultation inquiries as we go forward. For now, we completely understand you are in disaster response. We've also been contacted by the USCG and FHWA. Emergency consultation <[Blockedhttps://www.fisheries.noaa.gov/new-england-mid-atlantic/consultations/section-7-emergency-consultations-greater-atlantic-region](https://www.fisheries.noaa.gov/new-england-mid-atlantic/consultations/section-7-emergency-consultations-greater-atlantic-region)> is usually done after the fact, so for ESA, the most important thing is to be documenting exactly what you are doing so that when it comes time to consult, you have all the pieces to analyze the effects.

Our Section 7 consultation guidance <[Blockedhttps://www.fisheries.noaa.gov/s3/2023-07/GARFO-ESA-Section-7-Technical-Guidance-07122023-508.pdf](https://www.fisheries.noaa.gov/s3/2023-07/GARFO-ESA-Section-7-Technical-Guidance-07122023-508.pdf)> can be very helpful for this.

As of now, sea turtles are not expected to be in the Baltimore area, but could begin to move into lower Chesapeake Bay soon. Atlantic and shortnose sturgeon are only known to use the Chesapeake Bay area near the Patapsco River for migratory and opportunistic foraging behaviors. No known spawning occurs in that river. However, the fish may be moving into other tributaries of the Chesapeake Bay for spring spawning.

As your plans develop, Brian can provide additional specific feedback if there are any questions.

Cheers,
Chris

Chris Vaccaro

ESA Section 7 Branch Chief
Protected Resources Division
NOAA Fisheries, Greater Atlantic Region

National Marine Fisheries Service
55 Great Republic Drive
Gloucester, MA 01930
Phone: 978-281-9167
Email: christine.vaccaro@noaa.gov <<mailto:christine.vaccaro@noaa.gov>>

<Blockedhttps://lh3.googleusercontent.com/MRL_ClrEDRIQhzYyXcXpbbFl62tF-679crHXgO5RsgxbD1Q4qbFO05JWdgIbASJObQVe4hs2wVo5dETl5rCRsd08-XDnlJ7tg7rABBpyDQJPGWlAbSw>

For additional ESA Section 7 information and Critical Habitat guidance, please see:
www.greateratlantic.fisheries.noaa.gov/protected/section7
<Blockedhttp://www.greateratlantic.fisheries.noaa.gov/protected/section7>

On Mon, Apr 1, 2024 at 11:56 AM Davia, Joseph P CIV USARMY CENAB (USA) <Joseph.DaVia@usace.army.mil> <<mailto:Joseph.DaVia@usace.army.mil>> > wrote:

Thanks Karen.

This is not to remove the bridge structure.

My understanding, unofficially, is they are contemplating a potential new dredged channel for smaller vessel navigation, to allow those vessels to transit around the downed bridge structure, say dredged to a 20 to 25 foot depth. Of course, nothing official or proposed yet.

I am also hearing that the DALI vessel is partially run aground and some dredging may be needed to free it.

Joe

Joseph P. DaVia
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From: Davia, Joseph P CIV USARMY CENAB (USA) <Joseph.DaVia@usace.army.mil>
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Date: Mon, Apr 1, 2024 at 11:17 AM
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To: Karen Greene - NOAA Federal <karen.greene@noaa.gov> <<mailto:karen.greene@noaa.gov>>
<<mailto:karen.greene@noaa.gov>> > >

Hi Karen,

There are some fast moving developments at the FSK bridge site in Baltimore. I am trying to get an advance quick read on things.

If dredging were proposed within the red outline in the attached drawing (excluding the uplands), would NMFS have any major concerns in terms of potential impacts to EFH and ESA resources?

Please let me know what you think.

Best,

Joe

Joseph P. DaVia

Chief, Maryland North Section

US Army Corps of Engineers, Baltimore District

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From: [Davia, Joseph P CIV USARMY CENAB \(USA\)](#)
To: [May, Kristina K CIV USARMY CENAB \(USA\)](#)
Subject: FW: Re: FSK Bridge Site: Potential Dredging
Date: Thursday, April 4, 2024 9:19:18 AM

MHT's response. Joe

Joseph P. DaVia
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US Army Corps of Engineers, Baltimore District
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-----Original Message-----

From: Troy Nowak -MDP- <troy.nowak@maryland.gov>
Sent: Monday, April 01, 2024 12:06 PM
To: Beth Cole - MHT <beth.cole@maryland.gov>
Cc: Davia, Joseph P CIV USARMY CENAB (USA) <Joseph.DaVia@usace.army.mil>; Henry, Dixie <dixie.henry@maryland.gov>; Teresi, Maria N CIV USARMY CENAB (USA) <Maria.Teresi@usace.army.mil>; Susan Langley - MDP- <susan.langley@maryland.gov>
Subject: [Non-DoD Source] Re: FSK Bridge Site: Potential Dredging

Joe,

The dredging polygon crosses Fort Carroll. It is unclear how both dredging and any increased large vessel activity in its vicinity would impact it above and below the waterline, i.e., its wooden foundation and walls. This should be taken into consideration.

I believe portions of the polygon have not been dredged previously or surveyed for archaeological resources, and there has been an unverified report of a historic shipwreck near Fort Carroll - its reported location is doubtful. The polygon could contain as yet unidentified submerged archaeological historic properties. Since this is a unique emergency situation, MHT / MD SHPO would not recommend any archaeological survey or avoidance based on available information. Implementation of specific measures related to unanticipated finds should be considered to protect any inadvertently uncovered archaeological properties which exhibit potential for listing in the National Register of Historic Places.

Troy

<Blocked<https://planning.maryland.gov/PublishingImages/MHT-eMail-signature.png>>
Troy J. Nowak
Asst. Underwater Archaeologist
Maryland Department of Planning
Maryland Historical Trust
100 Community Place
Crownsville, MD 21032
Troy.Nowak@maryland.gov <<mailto:adam.gruzs@maryland.gov>>
MHT.Maryland.gov <Blocked<http://MHT.Maryland.gov>>

Pronouns - he/him/his

We want to hear from you! Please take our survey

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pli=1> to shape the future of preservation in Maryland.

On Mon, Apr 1, 2024 at 10:55 AM Beth Cole - MHT <beth.cole@maryland.gov <<mailto:beth.cole@maryland.gov>>> wrote:

Hi Joe,

Troy will take a look at this and get back to you with any comments/concerns. In general, MHT understands that work for the recovery efforts needs to happen ASAP. Thanks for coordinating.

Beth

To check on the status of a submittal, please use our online search:

<https://apps.mht.maryland.gov/compliancelog/ComplianceLogSearch.aspx>

<Blockedhttps://apps.mht.maryland.gov/compliancelog/ComplianceLogSearch.aspx>

<Blockedhttps://planning.maryland.gov/PublishingImages/MHT-eMail-signature.png>

Beth Cole
Administrator, Project Review and Compliance

Maryland Historical Trust
Maryland Department of Planning

100 Community Place
Crownsville, MD 21032

beth.cole@maryland.gov <<mailto:beth.cole@maryland.gov>> / 410-697-9541

MHT.Maryland.gov <Blockedhttp://mht.maryland.gov/>

On Mon, Apr 1, 2024 at 10:44 AM Davia, Joseph P CIV USARMY CENAB (USA) <Joseph.DaVia@usace.army.mil <<mailto:Joseph.DaVia@usace.army.mil>>> wrote:

Hi Dixie,

There are some fast moving developments at the FSK bridge site. I am trying to get an advance quick read on things.

If dredging were proposed within the red outline in the attached drawing (excluding the uplands), would MHT have any major concerns in terms of potential impacts to Section 106 historic resources?

Please let me know what you think.

Best,

Joe

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16590
05 APR 2024

Mr. Ray L. Moravec, PE
Director, Office of Planning and Preliminary Engineering
Maryland State Highway Administration
707 North Calvert Street
Baltimore, MD 21202-3601

Dear Mr. Moravec:

Coast Guard review of your proposed bridge debris removal project (due to its collapse), as provided in your email dated April 4, 2024, is complete.

The Coast Guard has no objections to the work on the highway fixed bridge – Francis Scott Key Bridge over Patapsco River, mile 6.0, between Sellers Point and Hawkins Point, MD, as described in the documentation provided. The Coast Guard authorization for this bridge debris removal project includes:

- a. Removal of bridge debris in its entirety.
- b. The remaining standing portions of the existing bridge may be retained under the provisions of bridge permit (7-72) dated June 9, 1972, until a bridge permit is issued for replacement. The bridge permit for the replacement bridge will carry a removal condition for removal of the existing bridge.
- c. Lighting of the remaining standing portions of the existing bridge to provide for navigation safety is required. At the earliest opportunity, request submission of a simplified plan and elevation view of the remaining standing portions of the existing bridge, so that this office may provide specific lighting requirements.
- d. If removal of any portions of the sub-structure of the existing bridge outside of the federal project is intended before a bridge permit is issued for replacement, a demolition plan including proposed removal conditions must be submitted to this office for review and approval.
- e. The waterway in the vicinity of the bridge shall be cleared to the satisfaction of the District Commander.

To facilitate work the following conditions apply:

- a. Work over the waterway is authorized to commence at the discretion of the Key Bridge Response 2024 Unified Command and continue until completed, unless suspended by the Unified Command. You must notify the Unified Command (until demobilization) or this office in writing if the dates and/or hours of operation need to be amended, prior to modifying operation schedules. You must notify this office upon completion of the bridge debris removal project.

- b. At no time during the work will the waterway be closed to navigation without prior approval from the Coast Guard. You or your contractor are required to maintain close and regular contact with the Key Bridge Response 2024 Unified Command (until demobilized) or Coast Guard Sector Maryland National Capital Region at (410) 576-2519 or D05-SMB-SectorMD-NCR-Prevention-WWM@uscg.mil to keep them informed of activities on the waterway.
- c. Barges or work floats that are used in the waterways during the project must be marked in accordance with Title 33 Code of Federal Regulations, Section 83.30 that outlines temporary marking and lighting requirements. Attached is a copy of this regulation for your information. If you should have any questions, regarding lights on the barges or work floats, please contact Fifth District Coast Guard Waterways Management Section, at (757) 398-6230.
- d. During the progress of work, while the channel is in operation, should any material, machinery or equipment be lost, dumped, thrown overboard, sunk, or misplaced which may be dangerous to or obstruct navigation, immediate notice shall be given to the Coast Guard and the object removed with the utmost dispatch. Until removal can be accomplished, the object(s) shall be properly marked in order to protect navigation. Notice to the Coast Guard shall provide a description and location of any such object (s) and the action taken or being taken to protect navigation.
- e. Upon completion of the proposed project, an inspection of the waterway bottom shall be performed to ensure that the bridge debris has been removed as authorized and all demolition waste materials have been completely removed from the waterway. Certification will be required in writing by a licensed engineer or licensed surveyor that the waterways have not been impaired, and all demolition related debris has been cleared from it. The certification shall include the actual method (s) used to conduct the inspection.

You are responsible for compliance with the requirements of any Federal, State, or local agency that may have jurisdiction over any aspect of the project.

16590
05 APR 2024

If there are any additional impacts on the waterway, or you have any further questions regarding this project, please contact Mr. Hal R. Pitts at the above listed address or telephone number.

Sincerely,

HAL R. PITTS
Bridge Program Manager
By direction

Encl: (1) Barge and Structure Lighting Requirements

Copy: Ms. Melissa Williams, Maryland Transportation Authority
Mr. Jitesh Parikh, Federal Highway Administration, Baltimore, MD
Coast Guard Sector Maryland-National Capital Region, Waterways Management
Ms. Sladjana Maksimovic, National Ocean Service (NOS),
Mr. Joseph Davia, U. S. Army Corps of Engineers, Baltimore District

LIGHTING REQUIREMENTS FOR BARGES AND STRUCTURES NOT PART OF A BRIDGE OR APPROACH STRUCTURE

33 CFR 83.30 Lights on barges.

- (h) The following barges shall display at night and if practicable in periods of restricted visibility the lights described in paragraph (b) of this section:
 - (1) Every barge projecting into a buoyed or restricted channel.
 - (2) Every barge so moored that it reduces the available navigable width of any channel to less than 80 meters.
 - (3) Barges moored in group's more than two barges wide or to a maximum width of over 25 meters.
 - (4) Every barge not moored parallel to the bank or dock.
- (i) Barges described in paragraph (h) of this section shall carry two unobstructed all-round white lights of an intensity to be visible for at least 1 nautical mile and meeting the technical requirements as prescribed in Annex I (33 CFR part 84).
- (j) A barge or group of barges at anchor or made fast to one or more mooring buoys or other similar device, in lieu of the provisions of Inland Navigation Rule 30, may carry unobstructed all-round white lights of an intensity to be visible for at least 1 nautical mile that meet the requirements of Annex I (33 CFR part 84) and shall be arranged as follows:
 - (i) Any barge that projects from a group formation shall be lighted on its outboard corners.
 - (ii) On a single barge moored in water where other vessels normally navigate on both sides of the barge, lights shall be placed to mark the corner extremities of the barge.
 - (iii) On barges moored in group formation, moored in water where other vessels normally navigate on both sides of the group, lights shall be placed to mark the corner extremities of the group.
- (k) The following are exempt from the requirements of this Rule:
 - (1) A barge or group of barges moored in a slip or slough used primarily for mooring purposes.
 - (2) A barge or group of barges moored behind a pier head.
 - (3) A barge less than 20 meters in length when moored in a special anchorage area designated in accordance with §109.10 of this chapter.

33 CFR 118.95 Lights on structures not part of a bridge or approach structure.

Lights on sheer booms, isolated piers, obstructions, and other structures not part of a bridge or approach structure must meet the requirements for aids to navigation in Subpart 66.01 of Part 66 of this chapter.