



**U.S. Army Corps
of Engineers**

Baltimore District
PN-24-05

Public Notice

**In Reply to Application Number
NAB-2022-61591-M54 (American Sugar Refining, Inc,
Demolition & Reconstruction)**

Comment Period: February 12, 2024 to March 13, 2024

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:

American Sugar Refining, Inc.
Mr. Wyatt Chagin
1100 Key Highway East
Baltimore, Maryland 21230

WATERWAY AND LOCATION OF THE PROPOSED WORK:

The proposed project is located in Northwest Harbor of the Patapsco River at the Domino Sugar Baltimore Facility, Baltimore City, Maryland (Latitude: 39.275444, Longitude: -76.593868).

OVERALL PROJECT PURPOSE:

To provide shoreline erosion protection and stability, improve water supply reliability, and reduce environmental contamination risk along the Domino Sugar Baltimore Facility's shoreline, located in Baltimore City, Maryland.

PROJECT DESCRIPTION:

To remove 5,250 square feet of an existing pile support concrete relieving platform, to construct 310 square feet of new concrete relieving platform, to construct a steel king pile bulkhead along 620 linear feet of existing failing timber bulkhead, to construct four (4) 18-inch underwater intake pipes with screens, to construct four (4) 24-inch stormwater outfalls, and construct 1,621 square feet of pipe supports for the water

intake system and steel grating walkway, with all work and structures extending a maximum of 31.5 feet channelward of approximate mean high-water shoreline in Northwest Harbor of the Patapsco River, Baltimore City, Maryland.

All work is proposed in accordance with the attached plans prepared by Whitney, Bailey, Cox & Magnani, LLC (WBCM), dated December 2023, sheets SK-15 through SK-40.

EFFECTS ON AQUATIC RESOURCES:

Activity	WOTUS Impact (Sq. Ft.)	Wetland Impact (Sq. Ft.)	Authority (Section 10/404/408)
Removal of Pile Support Concrete Relieving Platform	5,250	0	Section 10
Construction of new concrete relieving platform	310	0	Section 10
Construction of Steel King Pile Bulkhead with four (4) 24-inch Stormwater Outfalls	1,690	0	Section 10/404
Construction of four (4) 18-inch Underwater Intake Pipes with Screens	200	0	Section 10
Construction of Pipe Supports and Steel Grating Walkway	1,621	0	Section 10

LEAD FEDERAL AGENCY:

The United States 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:

As part of the planning process for the proposed project, steps were taken to ensure avoidance and minimization of impacts to aquatic resources to the maximum extent practicable. The applicant has designed the proposed steel king pile bulkhead to follow a best fit line through numerous points of the shoreline to reduce the overall channelward extent and fill needed for the bulkhead installation. Multiple alternative shoreline erosion control structures were evaluated as part of the design and the steel king pile bulkhead was chosen considering the underlying soil structure, existing onsite soil contamination of hexavalent chromium, lateral deflection of the wall, and shoreline impacts. Further, the applicant has designed the proposed water intake and associated structures to align with the proposed pump house and plant's processing lines to ensure proper function of their cooling operations and to minimize bends to improve fluid mechanics of the system. The water intake pumps channelward extent has been minimized to provide the necessary water depths for safe operations and avoid cavitation due to the lack of pressure head above the wedge wire screens. The project will provide beneficial aid in the remediation efforts of capping and preventing contaminated groundwater from reaching the Northwest Harbor of the Patapsco River.

No compensatory mitigation is proposed. No submerged aquatic vegetation or wetlands will be impacted as a result of the proposed 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, United States Environmental Protection Agency.

ENDANGERED SPECIES:

A preliminary review of this application indicates that the proposed work is not likely to adversely affect on 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 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 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 the United States Army Corps of Engineers. 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/Missions/Regulatory/Section-408-Requests/>.

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 United States 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-2022-61591-M54.

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:

Zachary Fry
zachary.t.fry@usace.army.mil
United States 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 Mr. Zachary Fry at (410) 962-6080 or zachary.t.fry@usace.army.mil. This public notice is issued by the Chief, Regulatory Branch.

INDEX OF DRAWINGS:

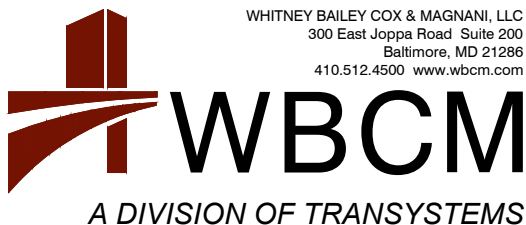
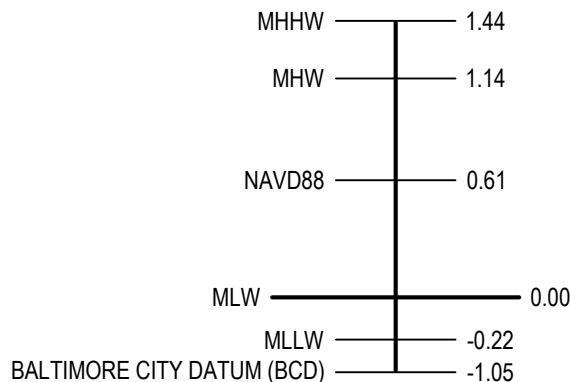
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DATUM NOTES:

1. THE TOPOGRAPHY SHOWN IS BASED UPON A FIELD-RUN TOPOGRAPHIC SURVEY PERFORMED BY WHITNEY, BAILEY, COX & MAGNANI, LLC (WBCM) IN OCTOBER, 2013 AND FEBRUARY AND APRIL, 2023 REFLECTS SITE CONDITIONS AS OF THAT DATE.
2. HORIZONTAL COORDINATES AND DIRECTIONS SHOWN HEREON ARE REFERRED TO THE MERIDIAN OF THE BALTIMORE CITY SURVEY CONTROL SYSTEM AS DETERMINED FROM THE FOLLOWING B.C.S.C.S. TRAVERSE STATIONS:
 - STA. 28008 S 4,524.462 E 9,705.793
 - STA. 28009 S 4,636.040 E 9,419.568
3. ELEVATIONS SHOWN HEREON ARE REFERRED TO THE DATUM OF THE BALTIMORE CITY SURVEY CONTROL SYSTEM AS DETERMINED FROM THE FOLLOWING B.C.S.C.S. BENCHMARKS:
 - BM #8242 ELEV.= 11.097
BOX-CUT IN E.END CONC. STEP, ENTRANCE TO
2 S.B., #1449 KEY HIGHWAY, 200'±
E. OF LAWRENCE ST. 0.4'-END,0.4'-S.FACE
 - BM #4302 ELEV.= 30.784
BOX-CUT IN E.END DOOR SILL OF W. ENT TO
COLUMBIA PAPER BAG CO. E.FORT AVE. 100'
E. OF B&O R.R. LAWRENCE ST

DATUM

ELEVATIONS OF TIDAL DATUMS REFERRED TO MEAN LOW WATER (MLW), IN FEET:



COVER SHEET

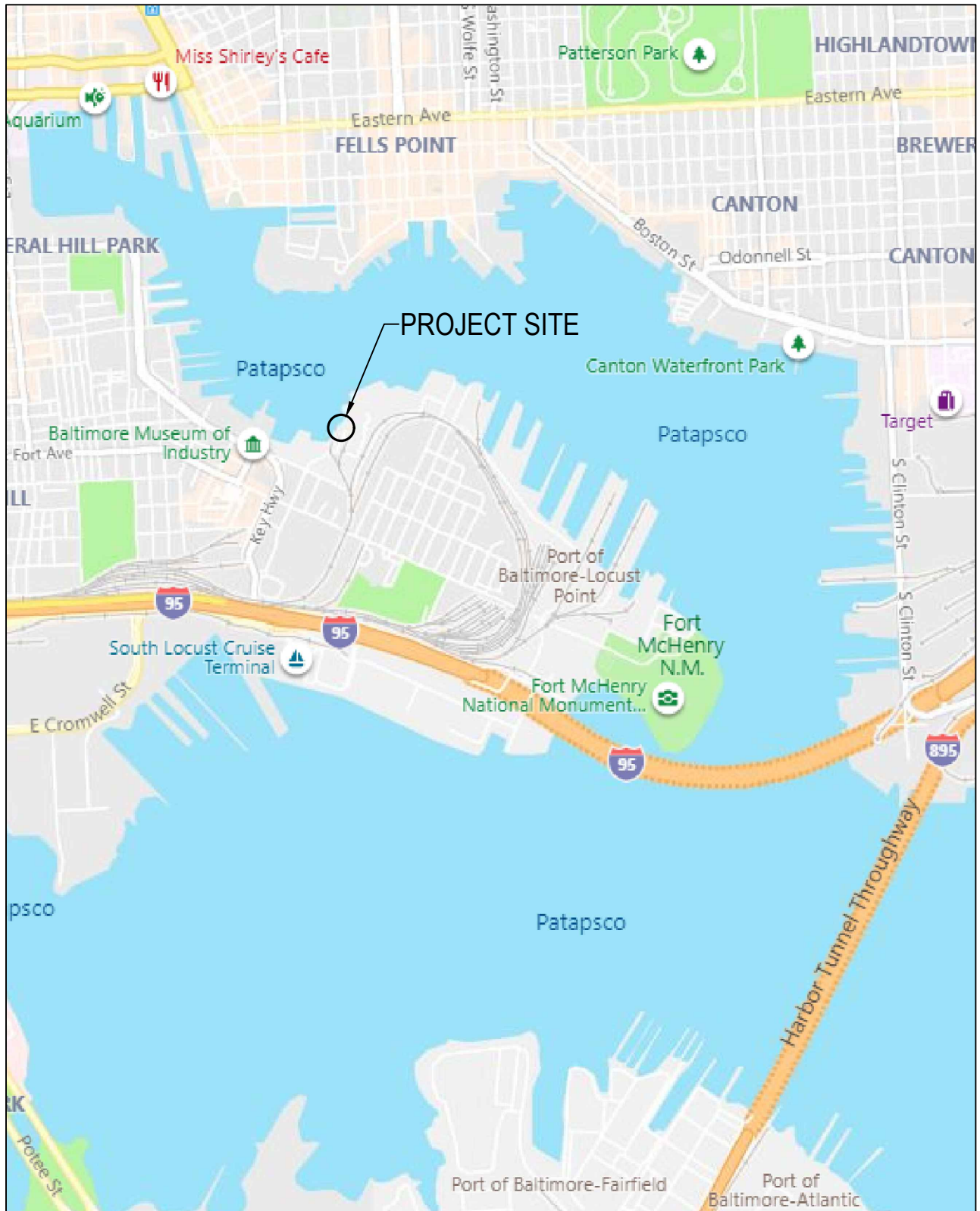

REPLACEMENT OF TIMBER BULKHEAD

DOMINO SUGAR BALTIMORE REFINERY
1100 KEY HIGHWAY EAST
BALTIMORE CITY, MARYLAND 21230

DATE:
DECEMBER 2023

SCALE:
N/A

SK-15

WHITNEY BAILEY COX & MAGNANI, LLC
 300 East Joppa Road Suite 200
 Baltimore, MD 21286
 410.512.4500 www.wbcm.com

WBCM
 A DIVISION OF TRANSYSTEMS

VICINITY MAP

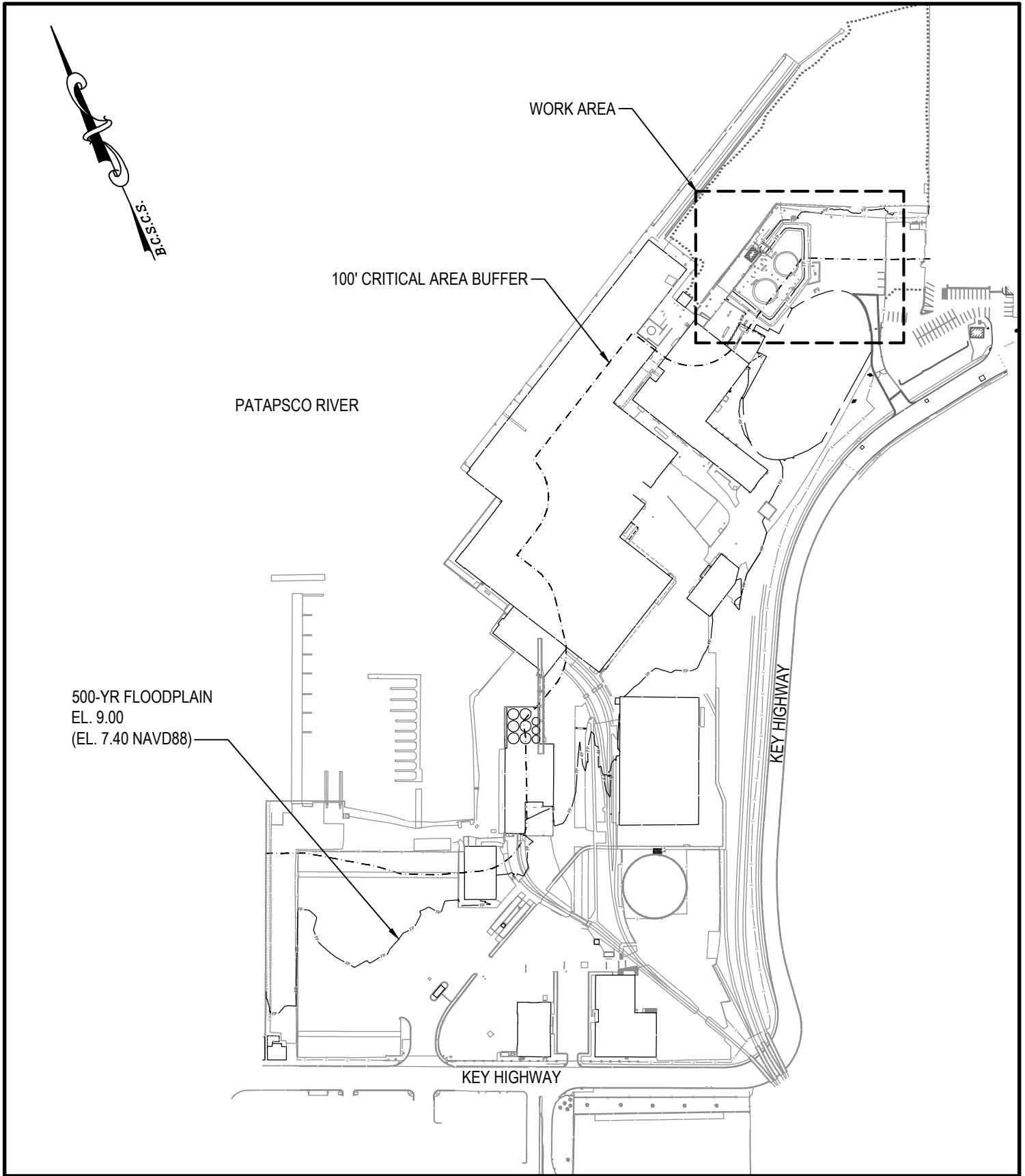
REPLACEMENT OF TIMBER BULKHEAD

DOMINO SUGAR BALTIMORE REFINERY
 1100 KEY HIGHWAY EAST
 BALTIMORE CITY, MARYLAND 21230

DATE:
DECEMBER 2023

SCALE:
1"=2000'

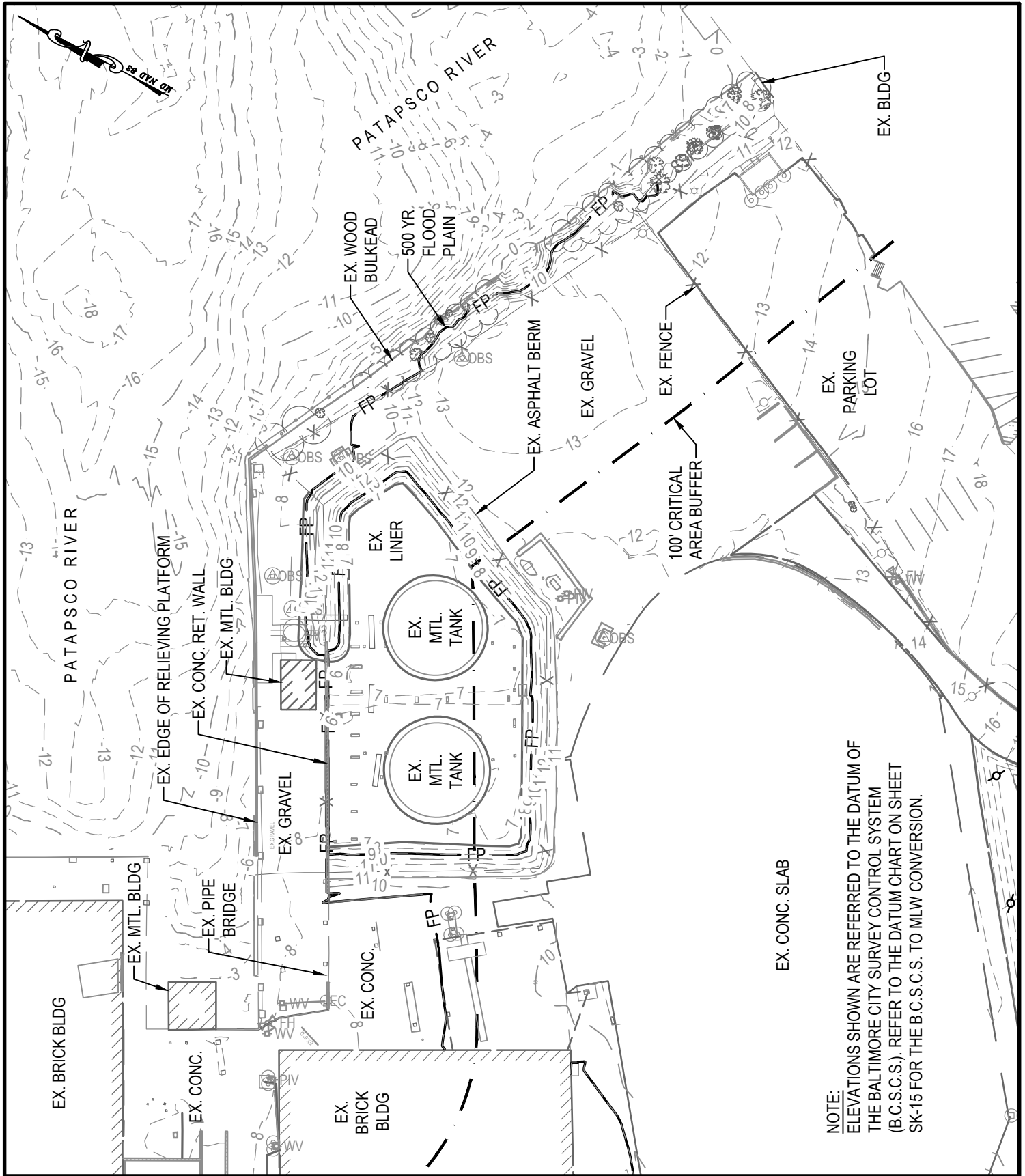
SK-16




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LOCATION MAP
REPLACEMENT OF TIMBER BULKHEAD
 DOMINO SUGAR BALTIMORE REFINERY
 1100 KEY HIGHWAY EAST
 BALTIMORE CITY, MARYLAND 21230

DATE:
 DECEMBER 2023
 SCALE:
 1" = 250'
SK-17



NOTE:
 ELEVATIONS SHOWN ARE REFERRED TO THE DATUM OF
 THE BALTIMORE CITY SURVEY CONTROL SYSTEM
 (B.C.S.C.S.). REFER TO THE DATUM CHART ON SHEET
 SK-15 FOR THE B.C.S.C.S. TO MLW CONVERSION.



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EXISTING CONDITIONS PLAN

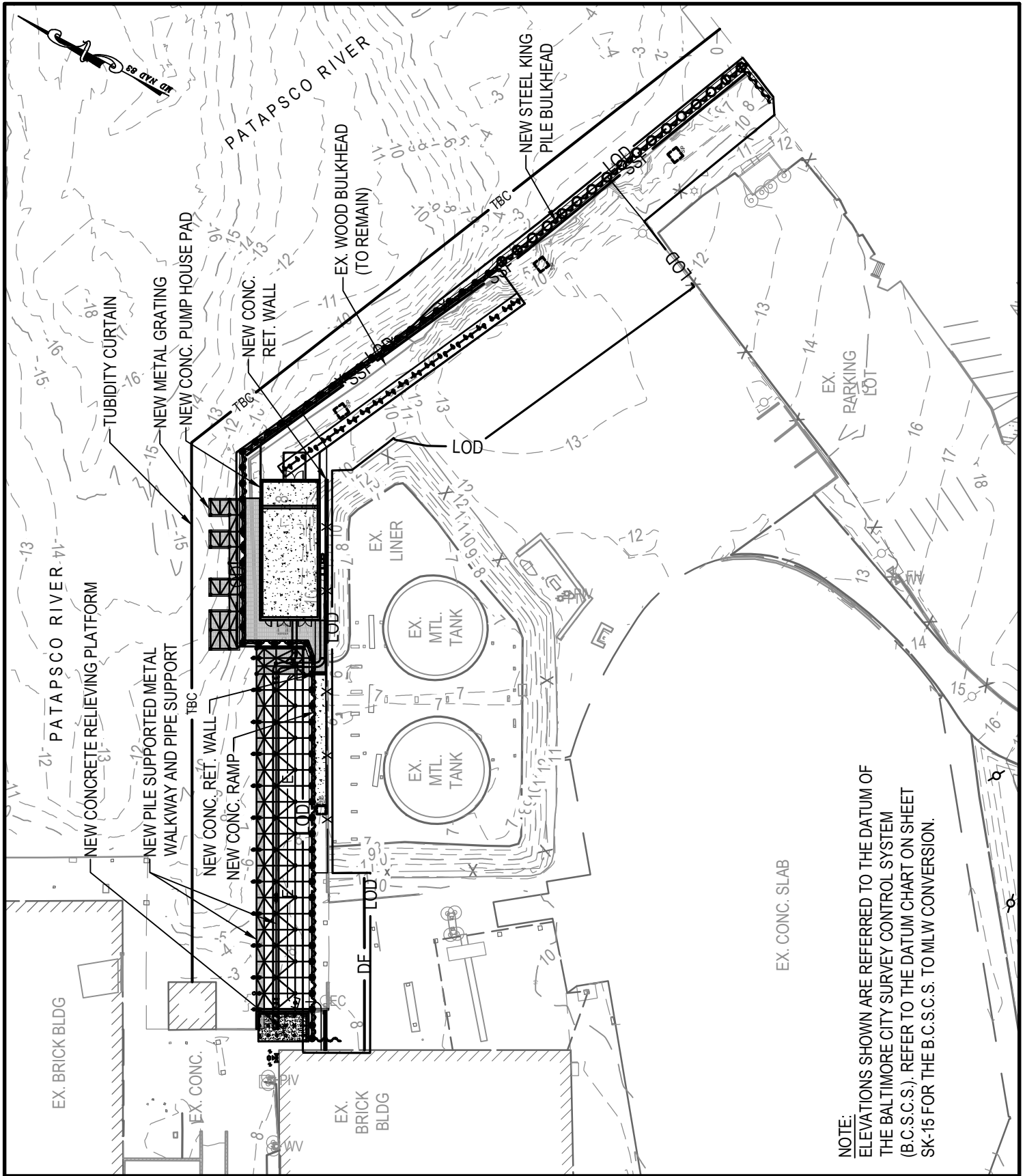
REPLACEMENT OF TIMBER BULKHEAD

DOMINO SUGAR BALTIMORE REFINERY
 1100 KEY HIGHWAY EAST
 BALTIMORE CITY, MARYLAND 21230


DATE:
 DECEMBER 2023

SCALE:
 1"=60'

SK-18



NOTE:
 ELEVATIONS SHOWN ARE REFERRED TO THE DATUM OF
 THE BALTIMORE CITY SURVEY CONTROL SYSTEM
 (B.C.S.C.S.). REFER TO THE DATUM CHART ON SHEET
 SK-15 FOR THE B.C.S.C.S. TO MLW CONVERSION.



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LAYOUT PLAN

REPLACEMENT OF TIMBER BULKHEAD

DOMINO SUGAR BALTIMORE REFINERY
 1100 KEY HIGHWAY EAST
 BALTIMORE CITY, MARYLAND 21230

DATE:
 DECEMBER 2023

SCALE:
 1"=60'

SK-19



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GRADING AND UTILITY PART PLAN

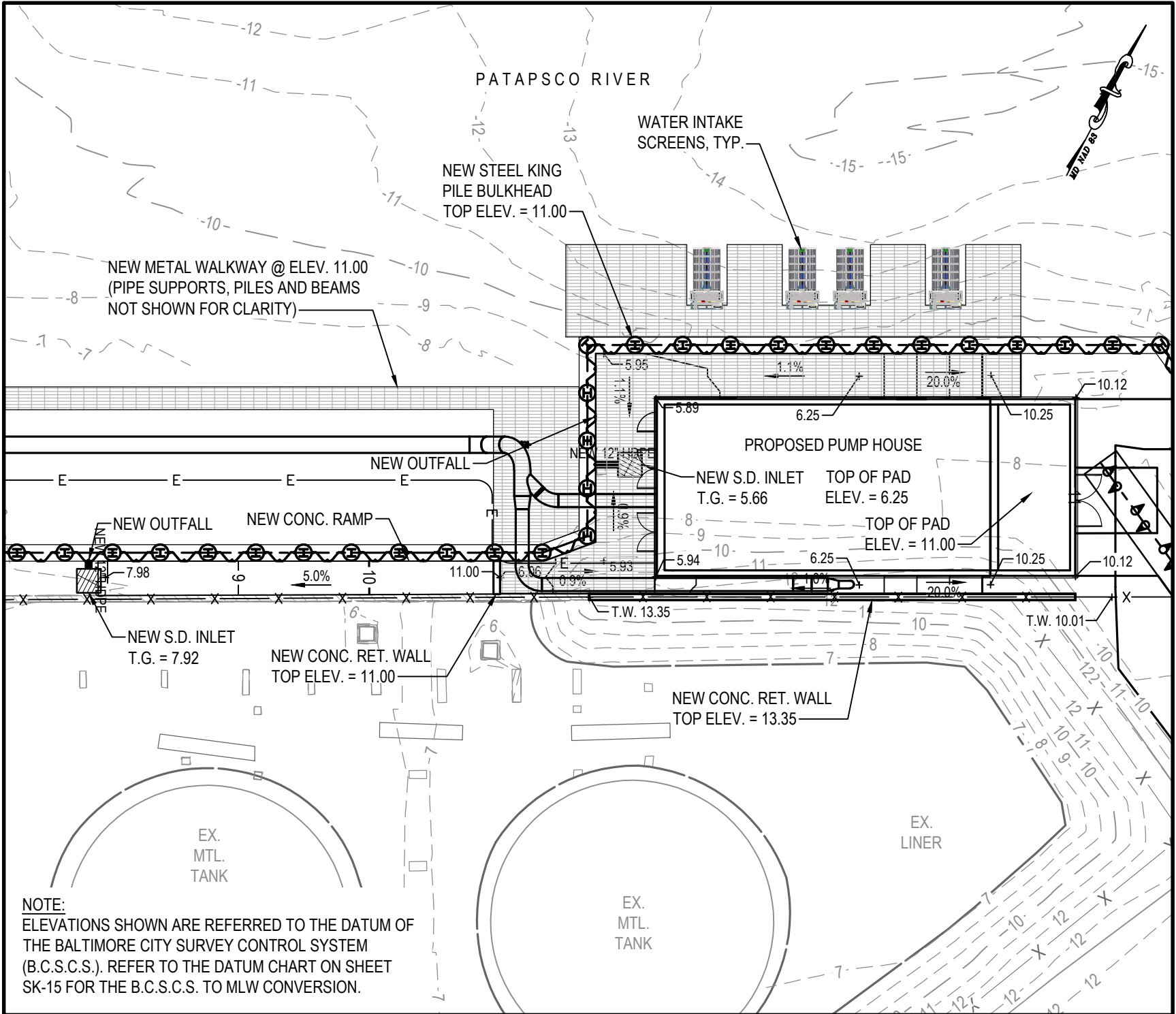
REPLACEMENT OF TIMBER BULKHEAD

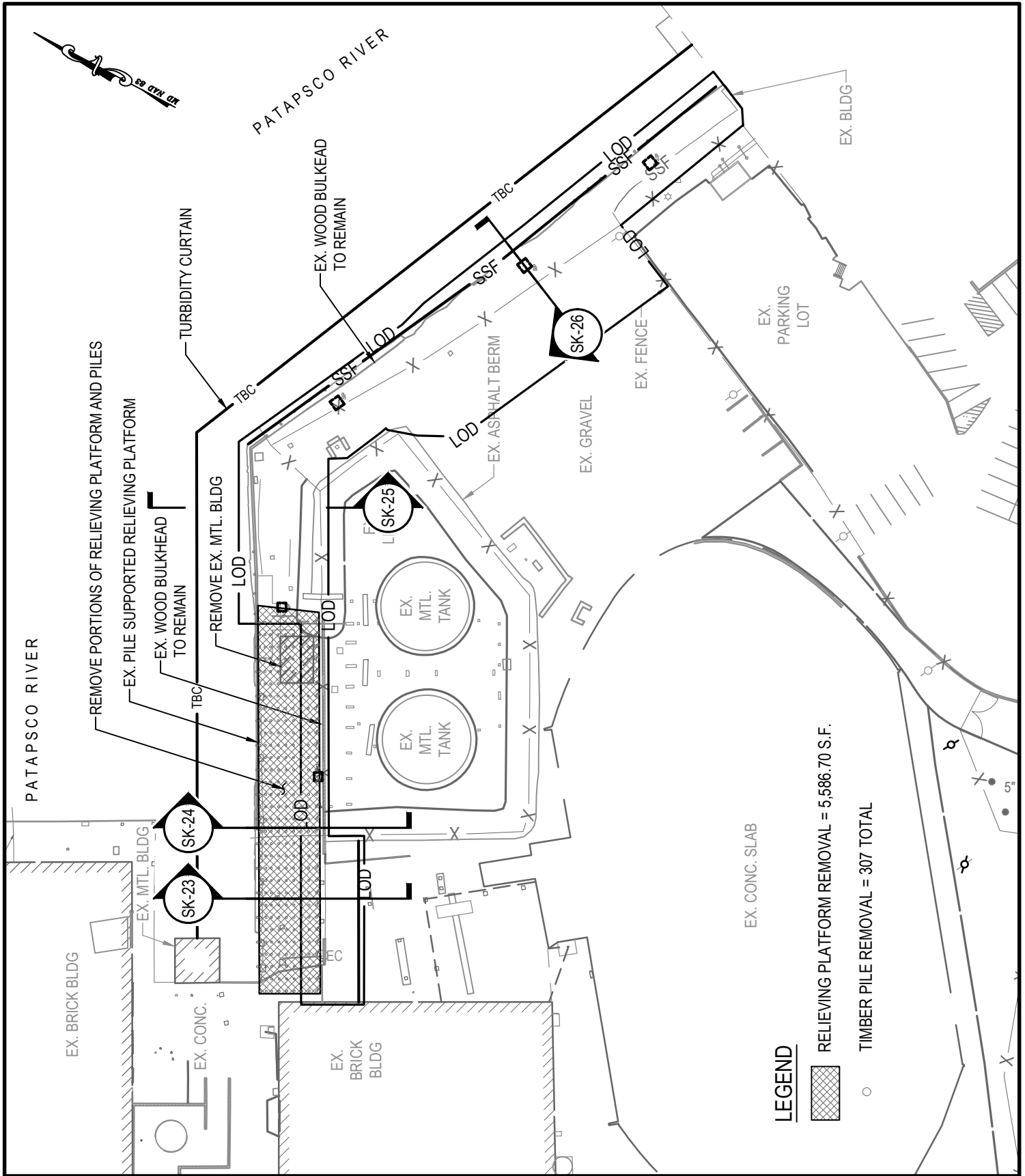
DOMINO SUGAR BALTIMORE REFINERY
1100 KEY HIGHWAY EAST
BALTIMORE CITY, MARYLAND 21230

DATE: DECEMBER 2023

SCALE: 1"=20'

SK-21





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EXISTING STRUCTURES AND DEMOLITION

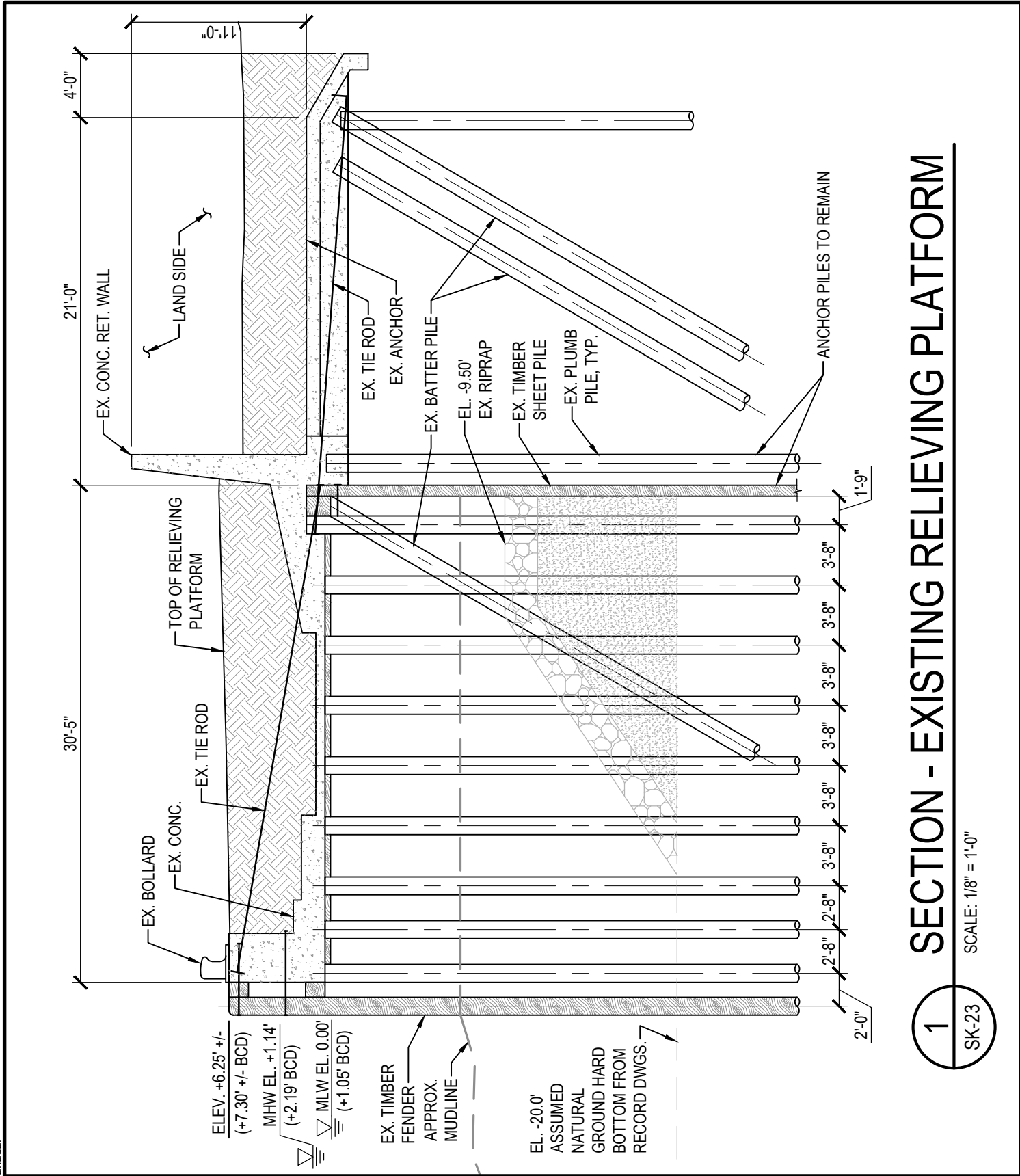
REPLACEMENT OF TIMBER BULKHEAD

DOMINO SUGAR BALTIMORE REFINERY
1100 KEY HIGHWAY EAST
BALTIMORE CITY, MARYLAND 21230

DATE:
DECEMBER 2023

SCALE:
1/64" = 1'-0"


SK-22



SECTION - EXISTING RELIEVING PLATFORM

SCALE: 1/8" = 1'-0"

1
SK-23



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SECTION

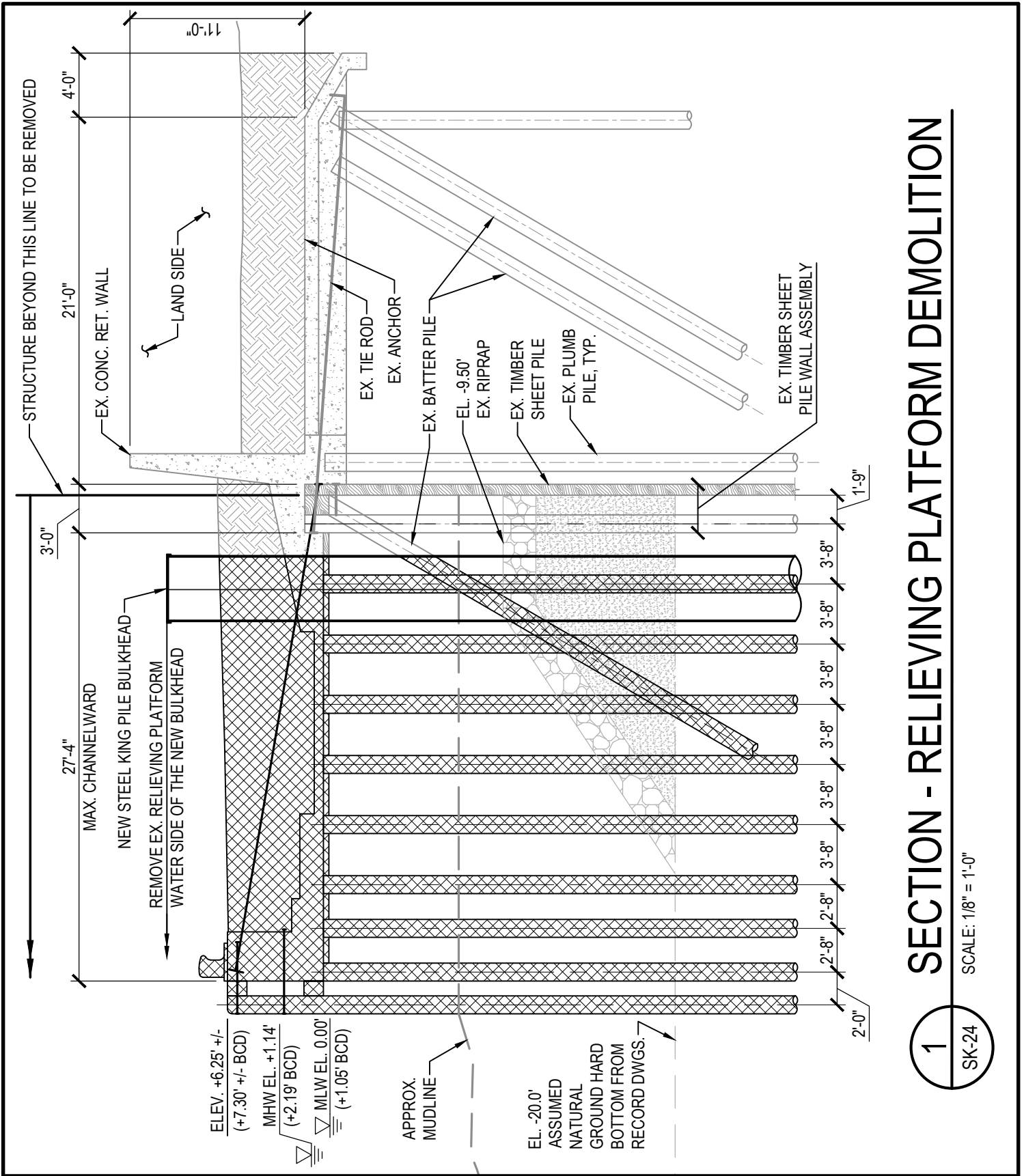
REPLACEMENT OF TIMBER BULKHEAD

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DATE:
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SCALE:
1/8" = 1'-0"

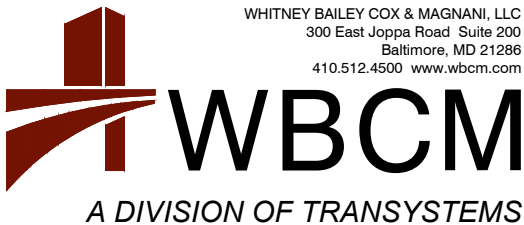
SK-23



SECTION - RELIEVING PLATFORM DEMOLITION

1 SK-24

SCALE: 1/8" = 1'-0"



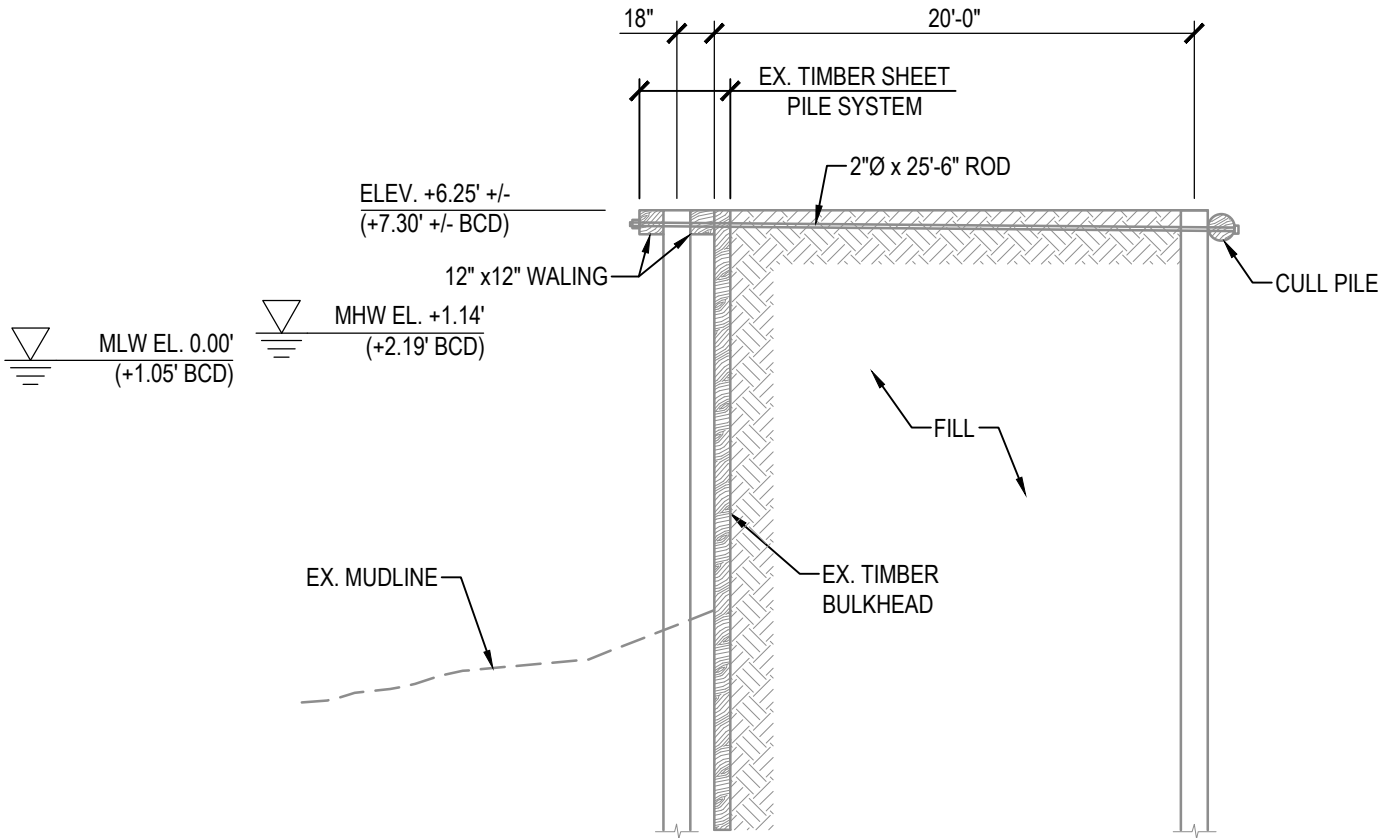
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SECTION
REPLACEMENT OF TIMBER BULKHEAD
 DOMINO SUGAR BALTIMORE REFINERY
 1100 KEY HIGHWAY EAST
 BALTIMORE CITY, MARYLAND 21230

DATE:
DECEMBER 2023

SCALE:
1/8" = 1'-0"

SK-24




NOTE:
 THESE BENTS ON 5' CENTERS THRU 30' SPACE BETWEEN BOILER
 AND POWER HOUSES AND ALSO UNDER BOILER HOUSE.

1
SECTION - EXISTING BULKHEAD

SK-25
SCALE: 1/8" = 1'-0"

Dec 20, 2023 - 11:10am User: akadar



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SECTION

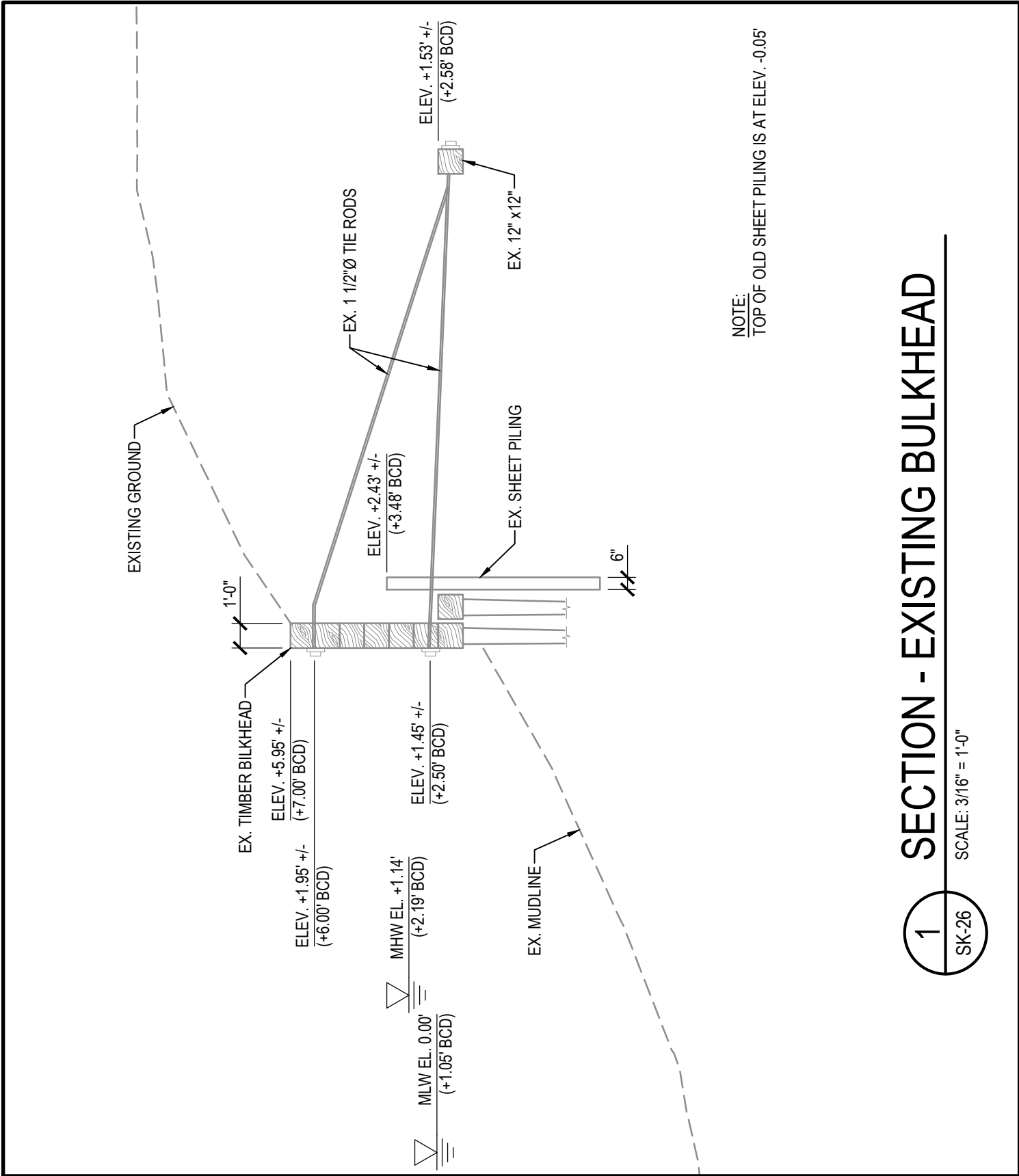
REPLACEMENT OF TIMBER BULKHEAD

DOMINO SUGAR BALTIMORE REFINERY
 1100 KEY HIGHWAY EAST
 BALTIMORE CITY, MARYLAND 21230

DATE:
DECEMBER 2023

SCALE:
1/8" = 1'-0"

SK-25




NOTE:
TOP OF OLD SHEET PILING IS AT ELEV. -0.05'

SECTION - EXISTING BULKHEAD

SCALE: 3/16" = 1'-0"

1
SK-26



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SECTION

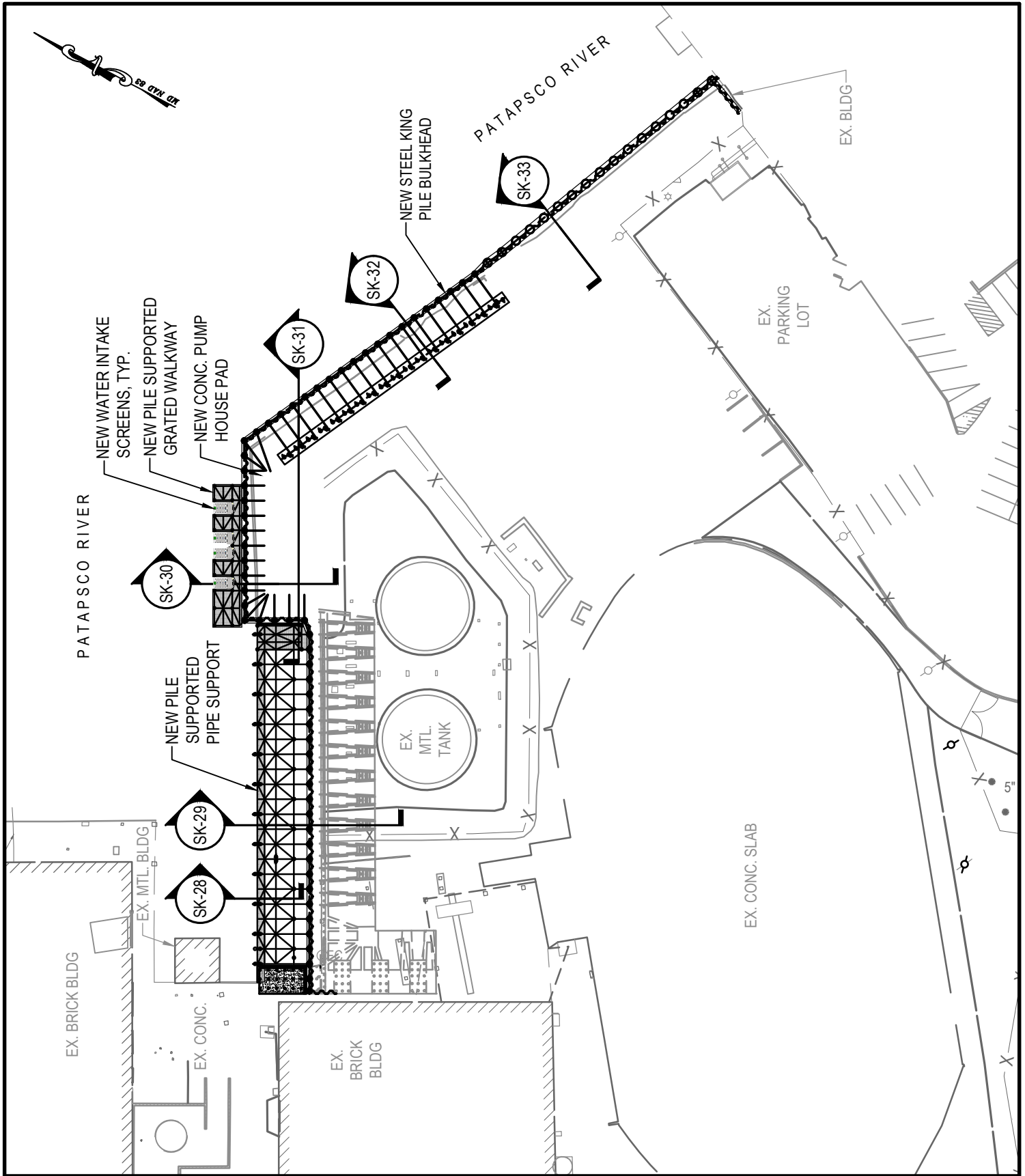
REPLACEMENT OF TIMBER BULKHEAD

DOMINO SUGAR BALTIMORE REFINERY
1100 KEY HIGHWAY EAST
BALTIMORE CITY, MARYLAND 21230

DATE:
DECEMBER 2023

SCALE:
3/16" = 1'-0"

SK-26



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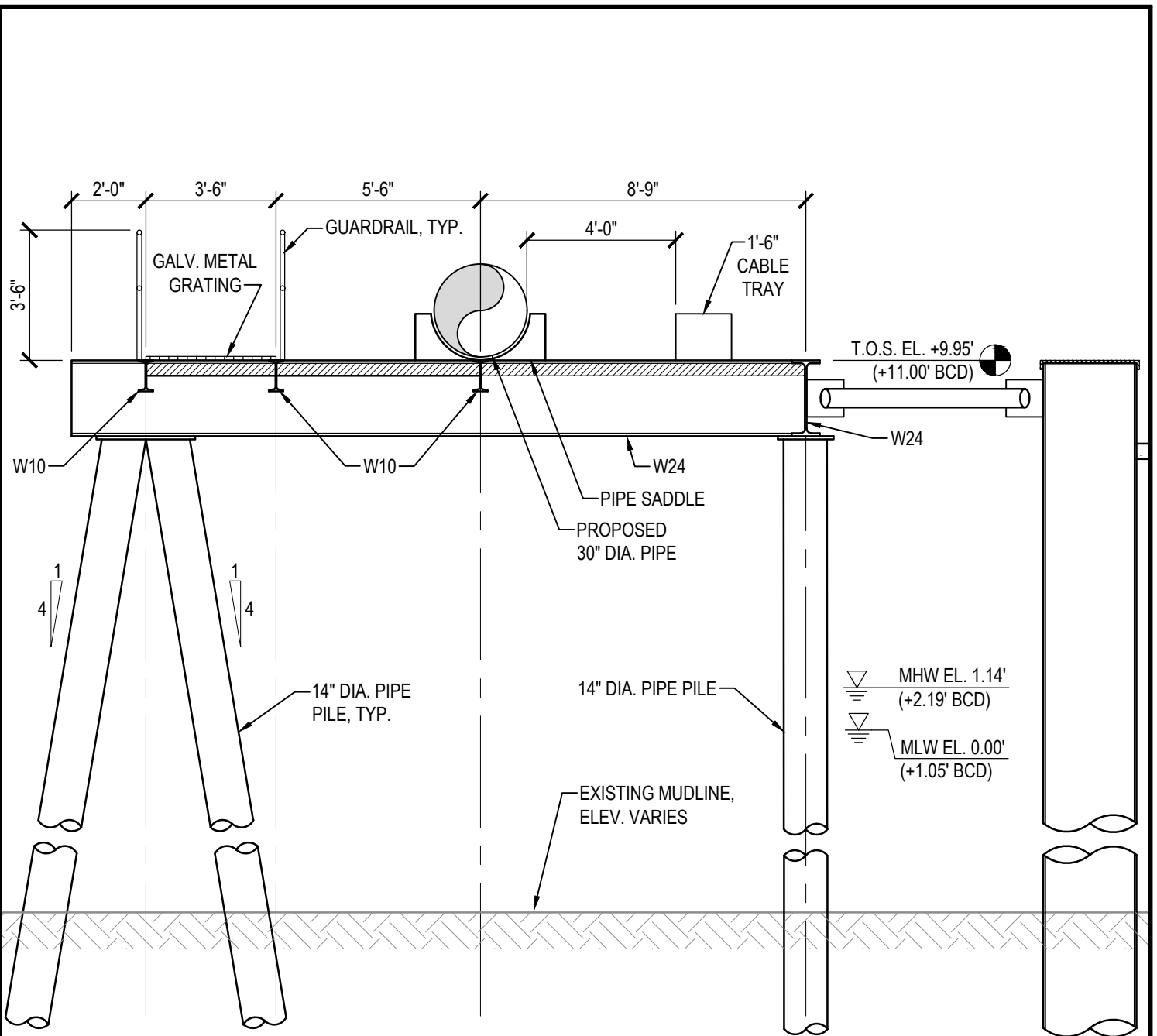
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PROPOSED STRUCTURAL PLAN
REPLACEMENT OF TIMBER BULKHEAD
 DOMINO SUGAR BALTIMORE REFINERY
 1100 KEY HIGHWAY EAST
 BALTIMORE CITY, MARYLAND 21230

DATE:
 DECEMBER 2023

SCALE:
 1/64" = 1'-0"

SK-27



1
SK-28

SECTION - PIPE SUPPORT AND WALKWAY

SCALE: 1/4" = 1'-0"

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SECTION

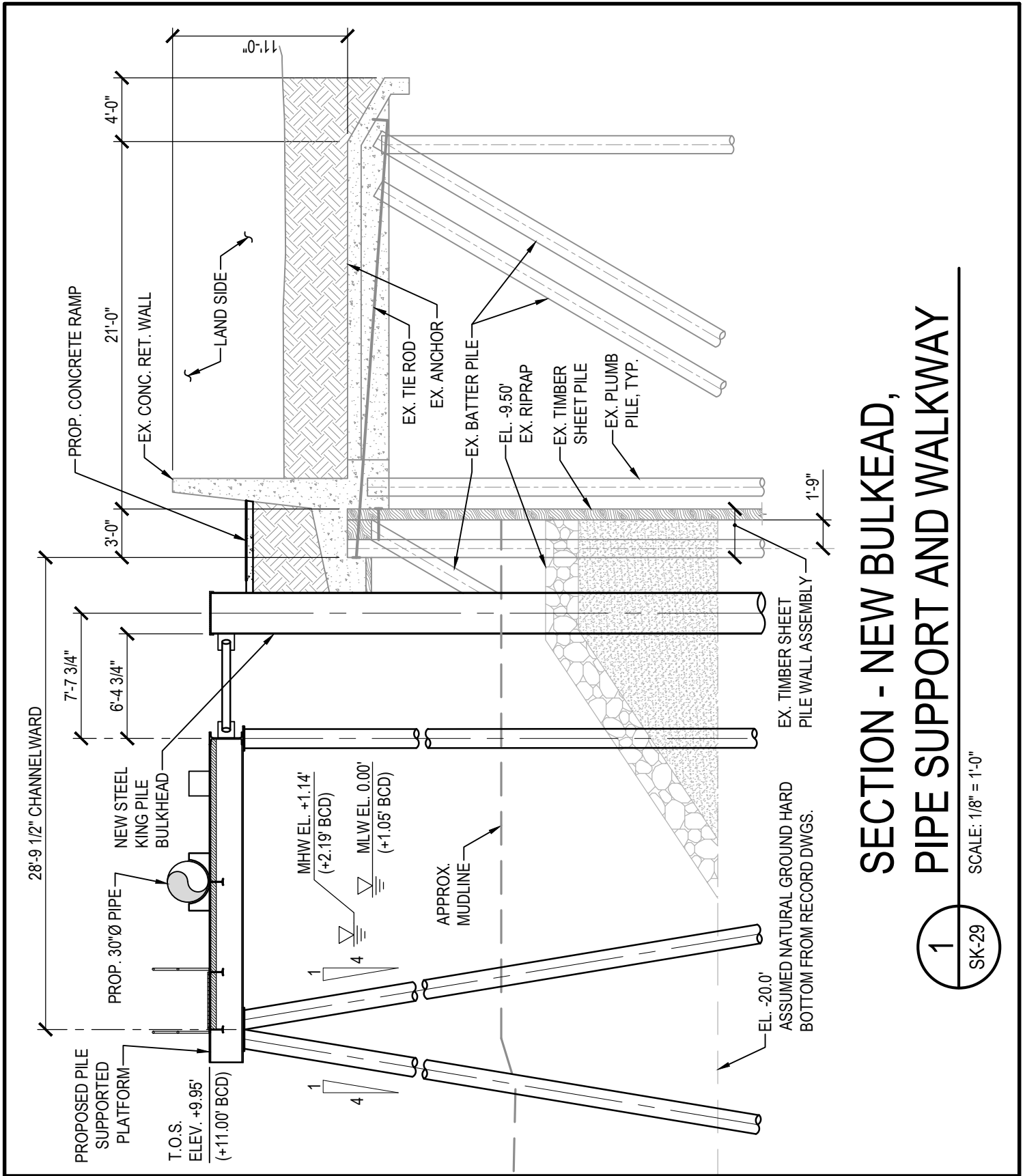
REPLACEMENT OF TIMBER BULKHEAD

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1100 KEY HIGHWAY EAST
BALTIMORE CITY, MARYLAND 21230

DATE:
DECEMBER 2023

SCALE:
1/4" = 1'-0"


SK-28



SECTION - NEW BULKHEAD, PIPE SUPPORT AND WALKWAY

1
SK-29

SCALE: 1/8" = 1'-0"



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SECTION

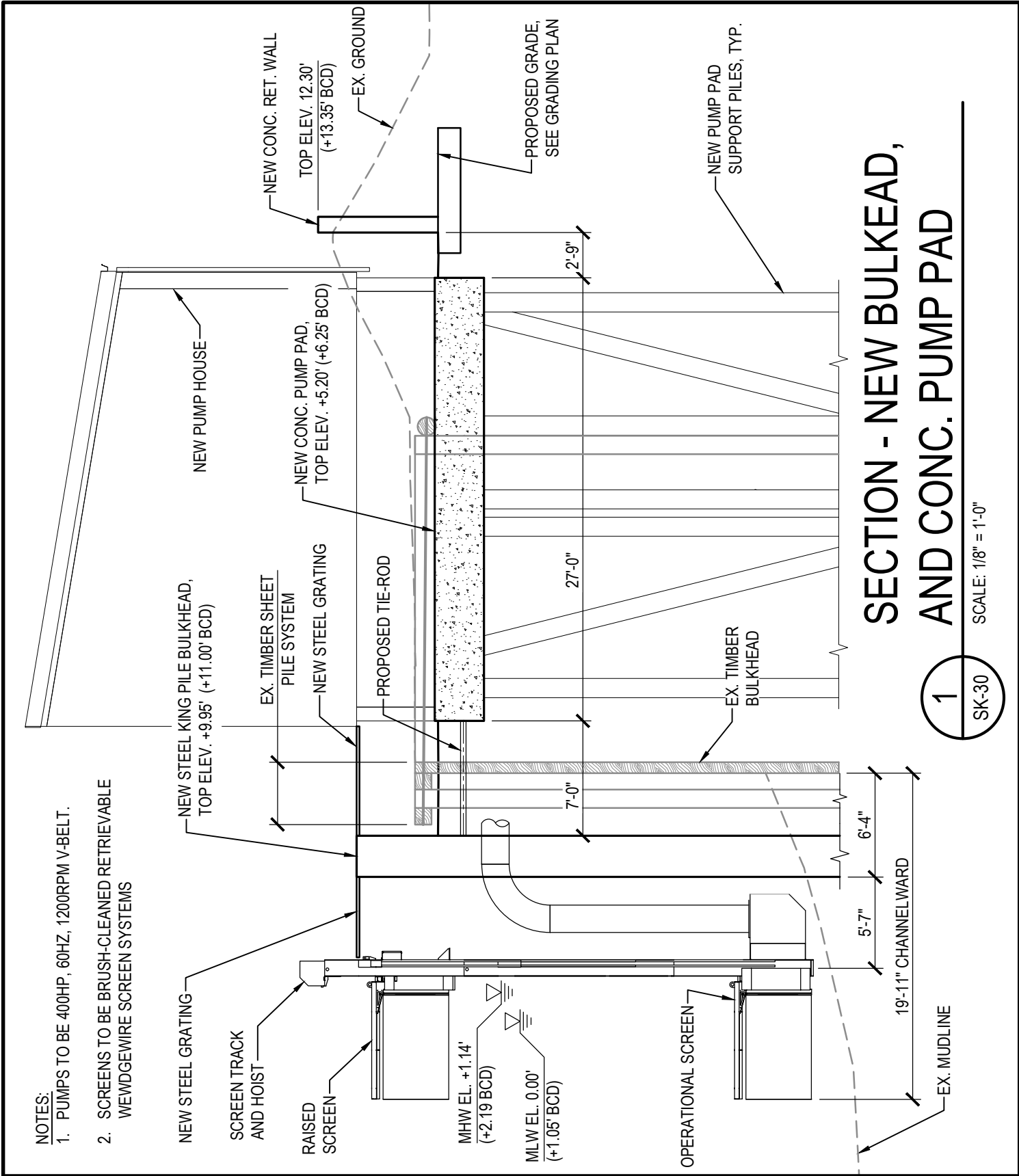
REPLACEMENT OF TIMBER BULKHEAD

DOMINO SUGAR BALTIMORE REFINERY
1100 KEY HIGHWAY EAST
BALTIMORE CITY, MARYLAND 21230

DATE:
DECEMBER 2023

SCALE:
1/8" = 1'-0"

SK-29




SECTION - NEW BULKEAD, AND CONC. PUMP PAD

SCALE: 1/8" = 1'-0"

1
SK-30

NOTES:

1. PUMPS TO BE 400HP, 60HZ, 1200RPM V-BELT.
2. SCREENS TO BE BRUSH-CLEANED RETRIEVABLE WEWDGEWIRE SCREEN SYSTEMS



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SECTION

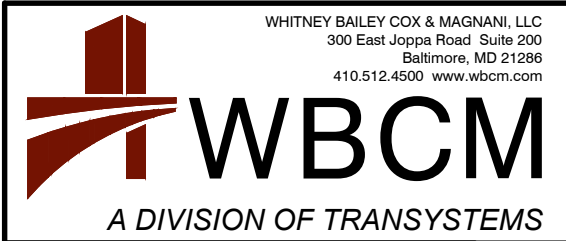
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1100 KEY HIGHWAY EAST
BALTIMORE CITY, MARYLAND 21230

DATE:
DECEMBER 2023

SCALE:
1/8" = 1'-0"

SK-30

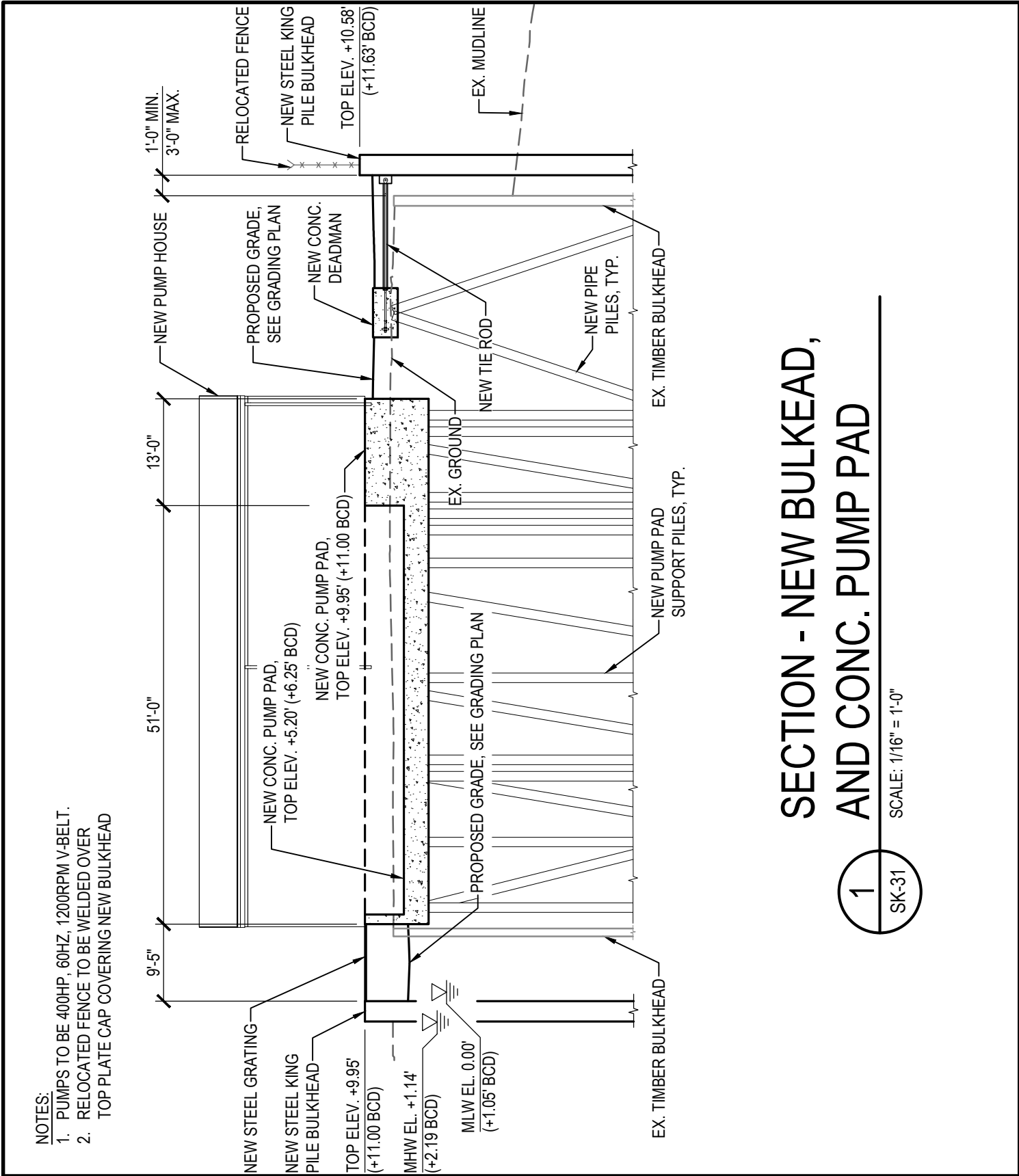


SECTION
REPLACEMENT OF TIMBER BULKHEAD
 DOMINO SUGAR BALTIMORE REFINERY
 1100 KEY HIGHWAY EAST
 BALTIMORE CITY, MARYLAND 21230

DATE:
DECEMBER 2023

SCALE:
1/16" = 1'-0"

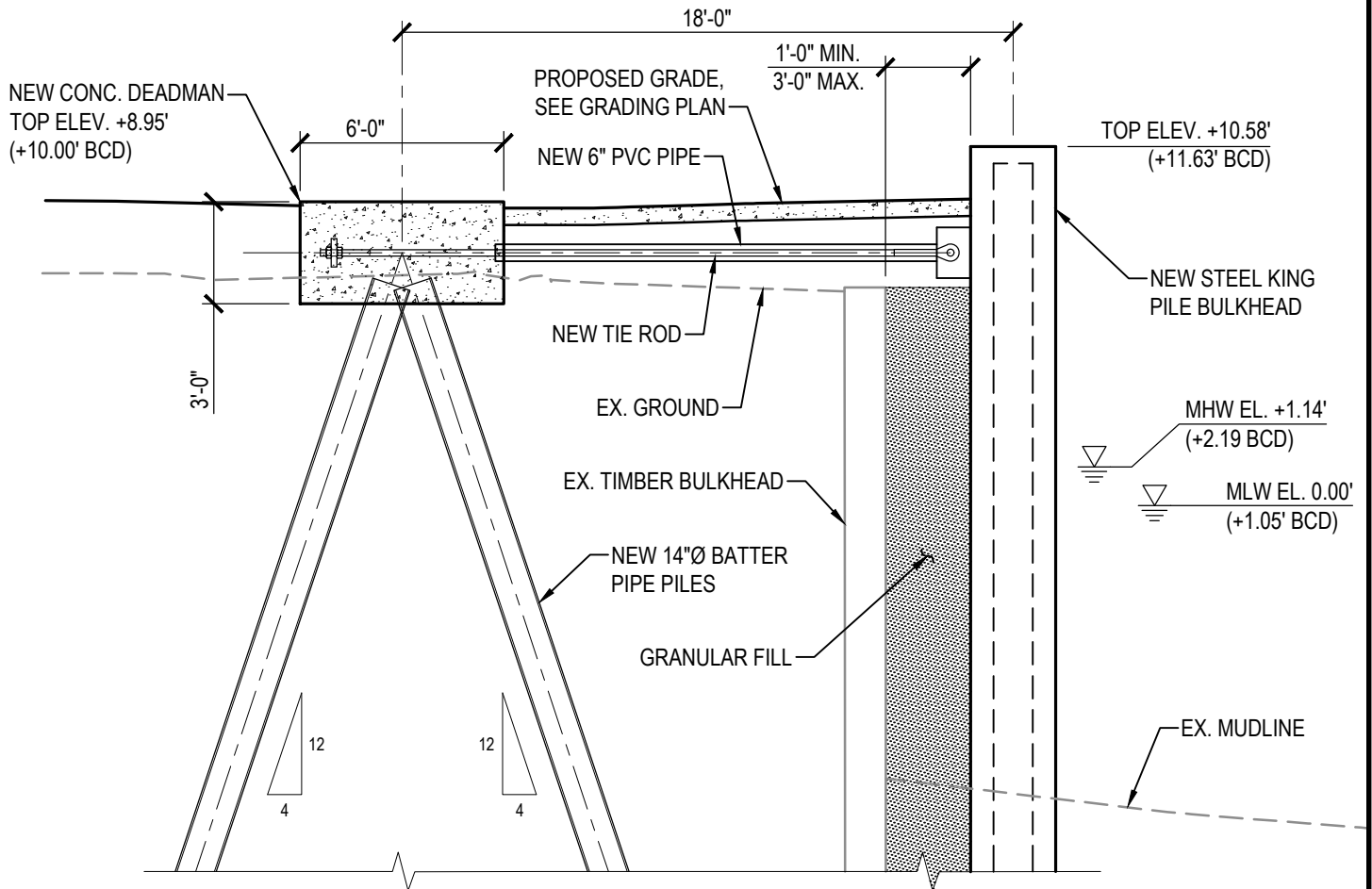
SK-31



**SECTION - NEW BULKHEAD,
AND CONCR. PUMP PAD**

1
SK-31


SCALE: 1/16" = 1'-0"



1
SK-32

NEW BULKHEAD

SCALE: 3/16" = 1'-0"



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SECTION

REPLACEMENT OF TIMBER BULKHEAD

DOMINO SUGAR BALTIMORE REFINERY
1100 KEY HIGHWAY EAST
BALTIMORE CITY, MARYLAND 21230

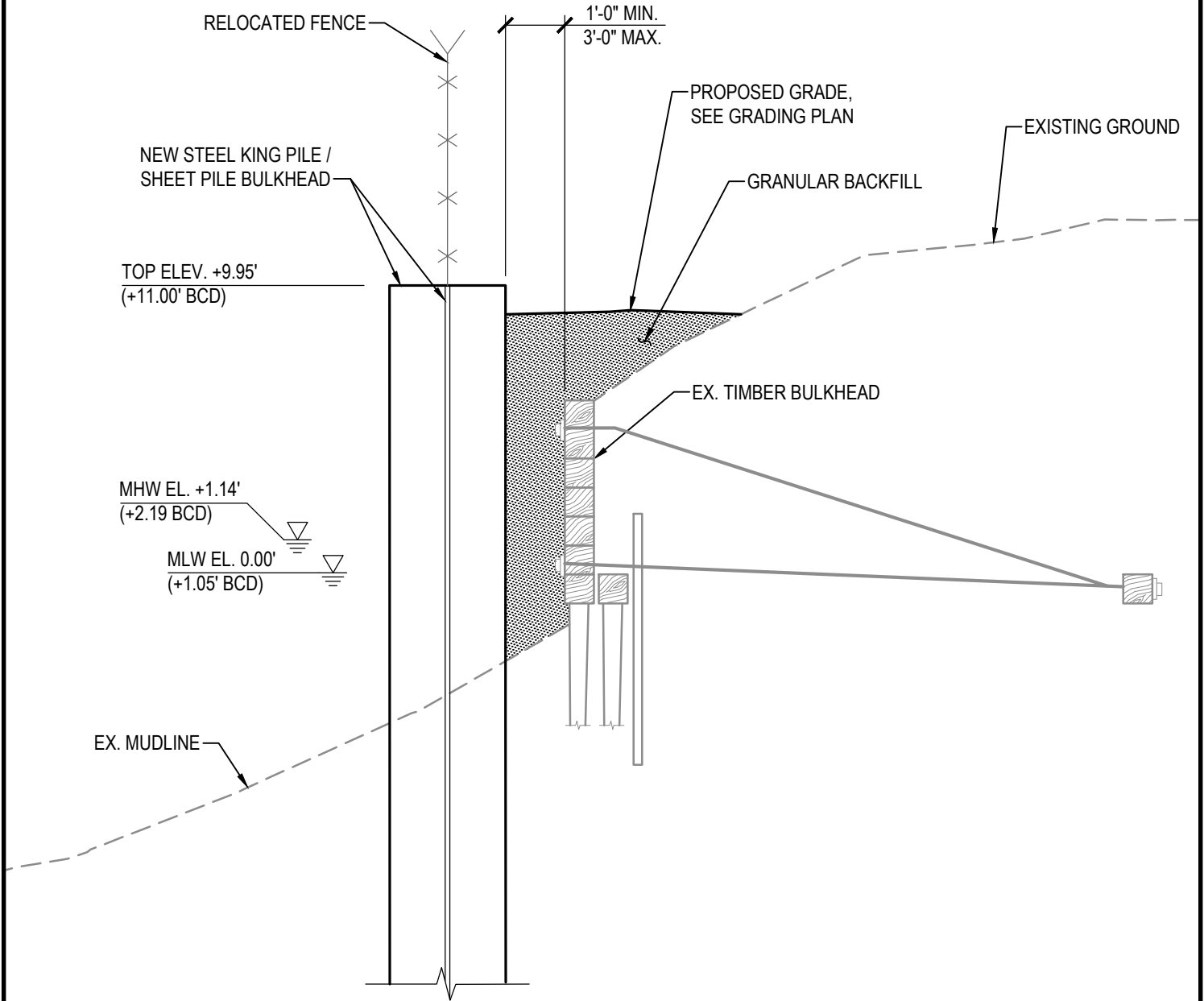
DATE:
DECEMBER 2023

SCALE:
3/16" = 1'-0"

SK-32

NOTES:

- 1. RELOCATED FENCE TO BE WELDED OVER TOP PLATE CAP COVERING NEW BULKHEAD



1
SK-33

NEW BULKHEAD

SCALE: 3/16" = 1'-0"

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SECTION

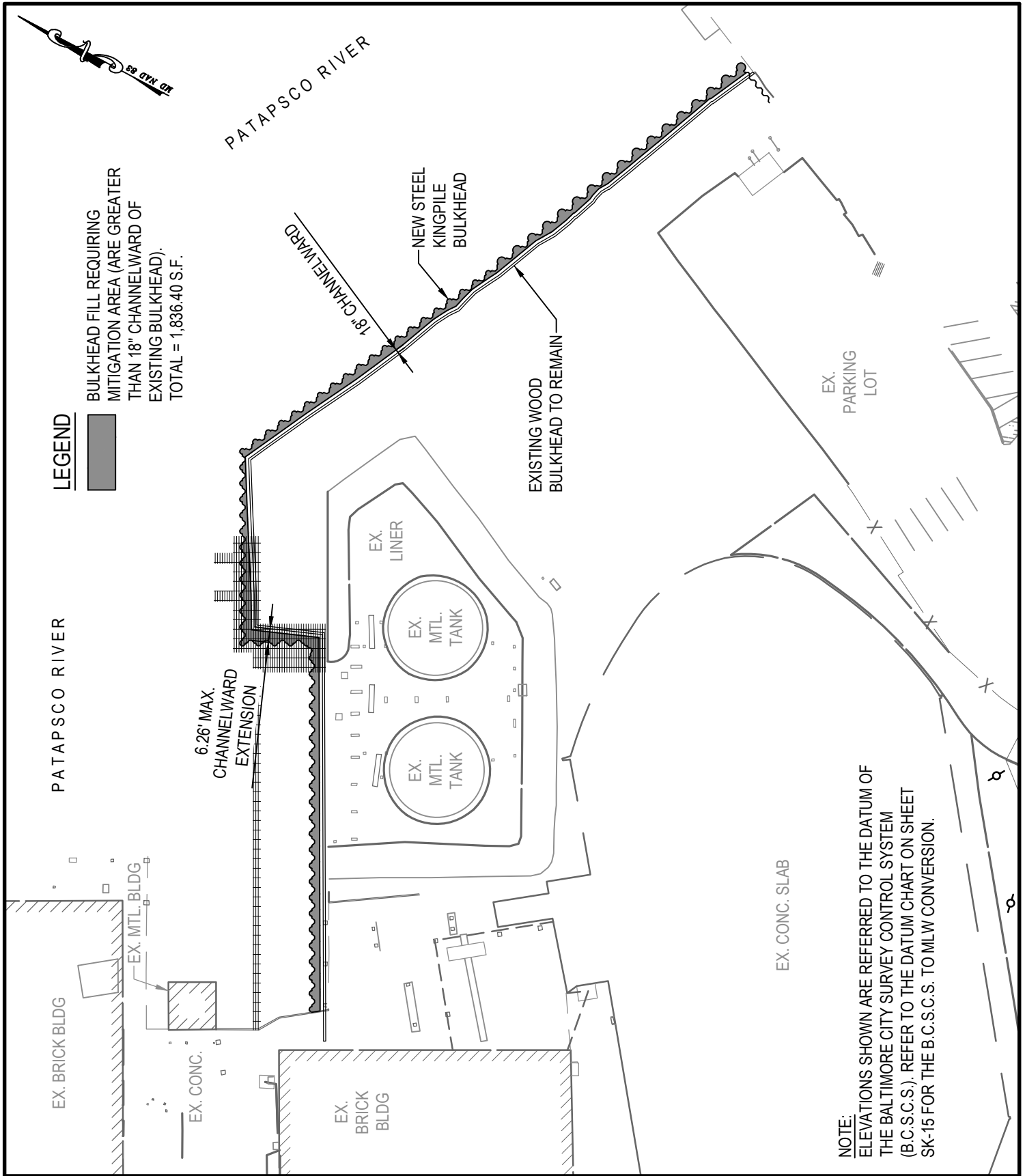

REPLACEMENT OF TIMBER BULKHEAD

DOMINO SUGAR BALTIMORE REFINERY
1100 KEY HIGHWAY EAST
BALTIMORE CITY, MARYLAND 21230

DATE:
DECEMBER 2023

SCALE:
3/16" = 1'-0"

SK-33

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BULKHEAD IMPACT PLAN

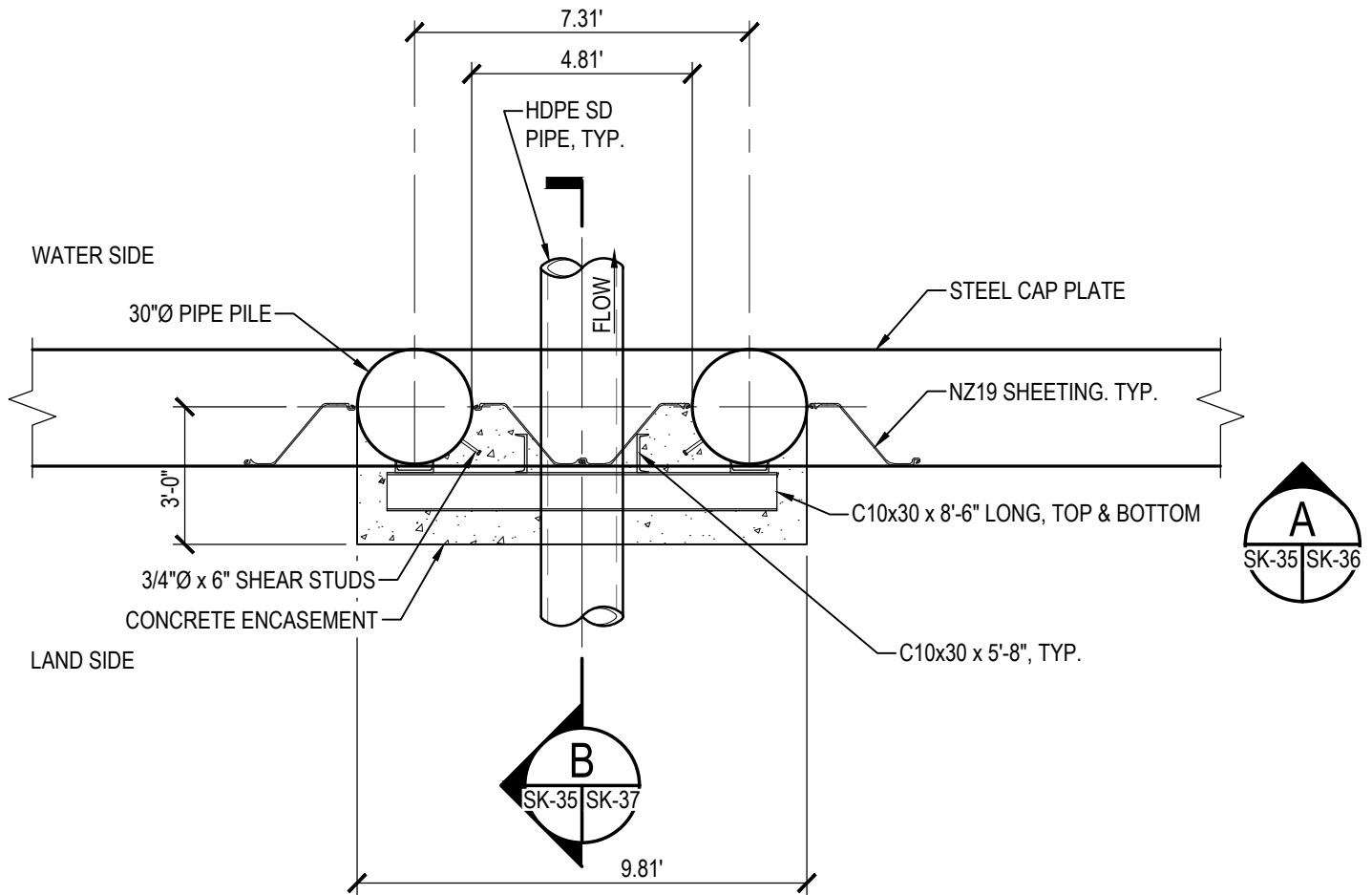
REPLACEMENT OF TIMBER BULKHEAD

DOMINO SUGAR BALTIMORE REFINERY
1100 KEY HIGHWAY EAST
BALTIMORE CITY, MARYLAND 21230

DATE:
DECEMBER 2023

SCALE:
1"=60'

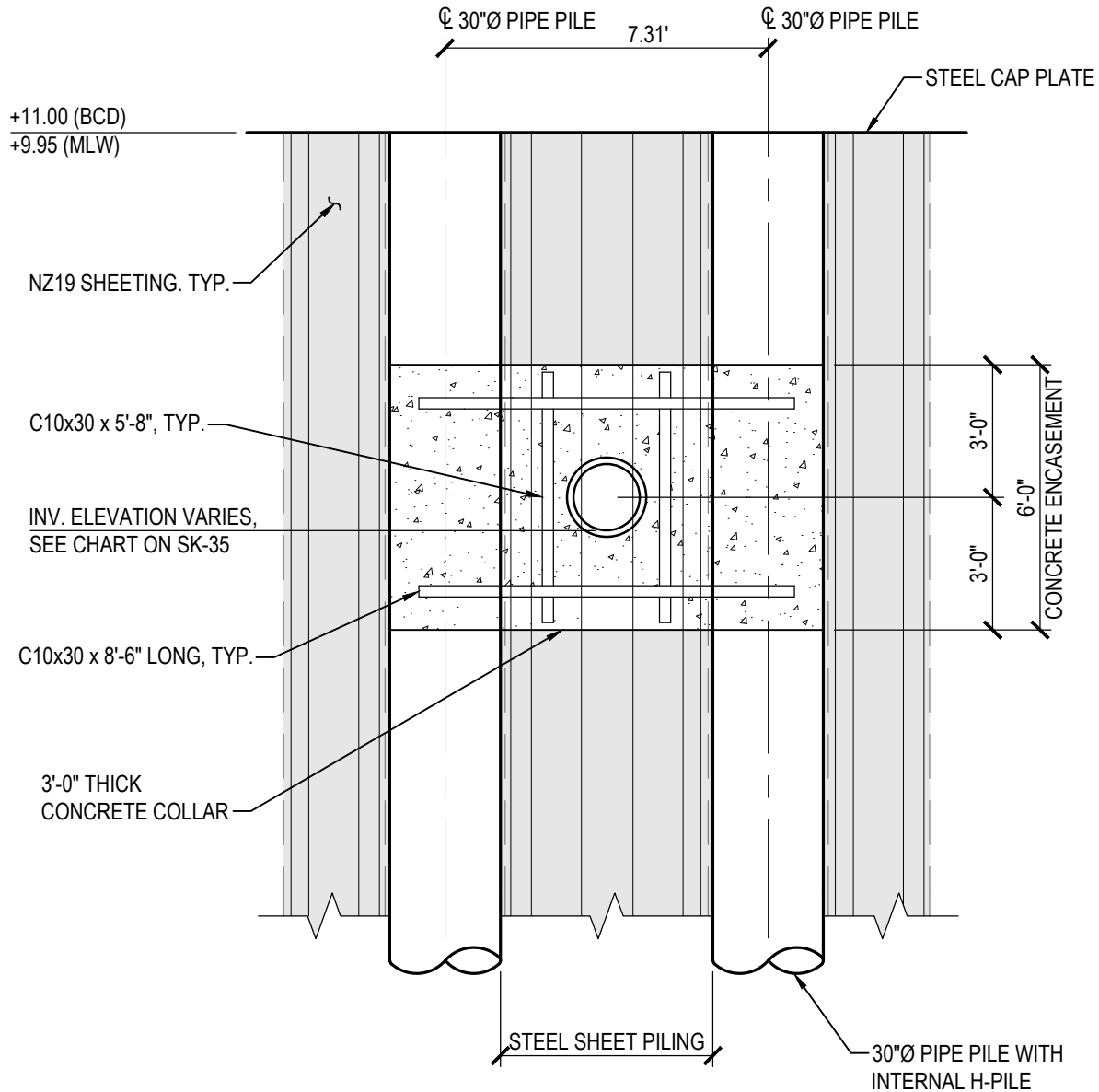
SK-34



BULKHEAD PIPE PENETRATION



STRUCTURE NO.	PIPE SIZE	INVERT (BCD)	INVERT (MLW)
OUT-01	24-IN	+5.00	+3.95
OUT-02	18-IN	+5.00	+3.95
OUT-03	18-IN	+2.00	+0.95
OUT-04	12-IN	+4.25	+3.20



BULKHEAD PIPE PENETRATION



ELEVATION

SCALE: 1/4" = 1'-0"



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BULKHEAD PIPE PENETRATION

REPLACEMENT OF TIMBER BULKHEAD

DOMINO SUGAR BALTIMORE REFINERY
 1100 KEY HIGHWAY EAST
 BALTIMORE CITY, MARYLAND 21230

DATE:
 DECEMBER 2023

SCALE:
 1/4" = 1'-0"

SK-36

Ø 30"Ø PIPE PILE

+11.00 (BCD)
+9.95 (MLW)

NZ19 SHEETING
BETWEEN KING PILES

C10x30 x 8'-6" LONG, TOP & BOTTOM

CONCRETE ENCASEMENT

MHW EL. +1.14'
(+2.19' BCD)

MLW EL. +0.00'
(+1.05' BCD)

HDPE SD OUTFALL PIPE,
PENETRATION THRU BULKHEAD, TYP.
SEE CHART FOR INVERTS AND SIZES

C10x30 x 5'-8", TYP.

LOAD
TRANSITION

3'-0"

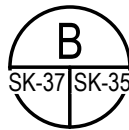
2'-0"

1'-10"

4'-0"

6'-0"

BULKHEAD PIPE PENETRATION



TYPICAL SECTION

SCALE: 1/4" = 1'-0"



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BULKHEAD PIPE PENETRATION

REPLACEMENT OF TIMBER BULKHEAD

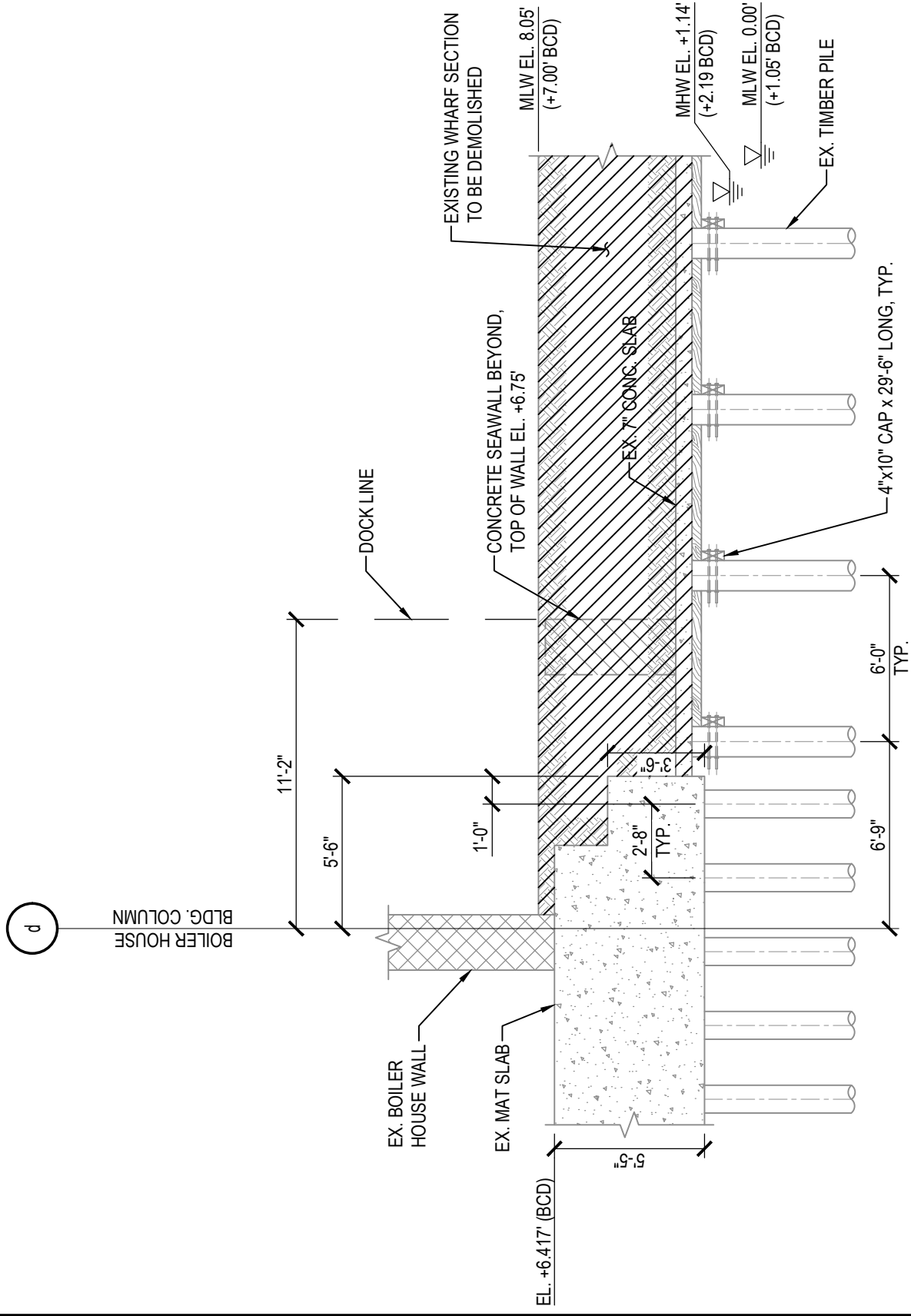
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BALTIMORE CITY, MARYLAND 21230

DATE:
DECEMBER 2023

SCALE:
1/4" = 1'-0"


SK-37

Dec 20, 2023 - 11:18am User: akadar



EXISTING / DEMOLITION

1 SECTION
 SK-38 | SK-38
 SCALE: 3/16" = 1'-0"



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RELIEVING PLATFORM SECTIONS

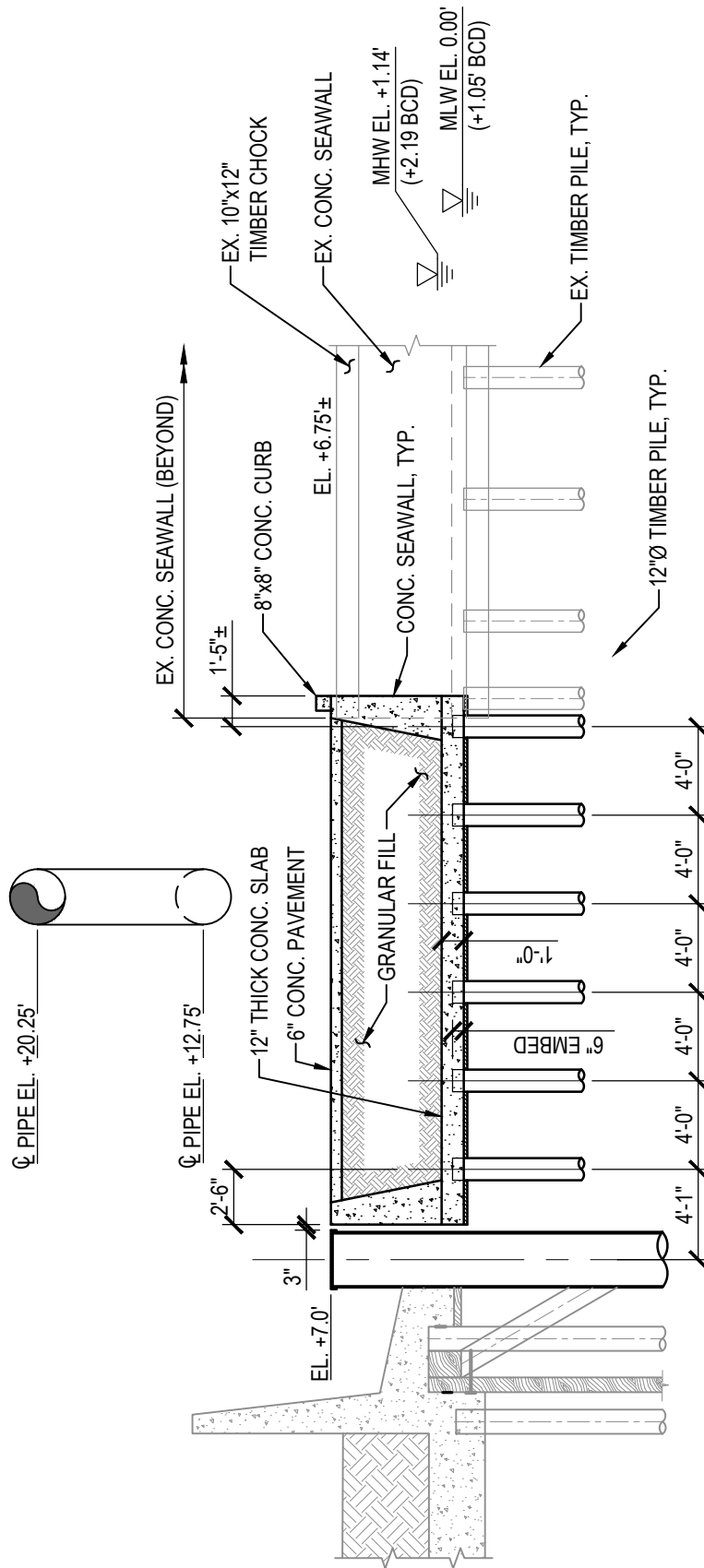
REPLACEMENT OF TIMBER BULKHEAD

DOMINO SUGAR BALTIMORE REFINERY
 1100 KEY HIGHWAY EAST
 BALTIMORE CITY, MARYLAND 21230

DATE:
 DECEMBER 2023

SCALE:
 3/16" = 1'-0"

SK-38



PROPOSED RELIEVING PLATFORM

SECTION



SCALE: 1/8" = 1'-0"

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RELIEVING PLATFORM SECTIONS

REPLACEMENT OF TIMBER BULKHEAD

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DATE:
DECEMBER 2023

SCALE:
1/8" = 1'-0"

SK-40