



**US Army Corps
of Engineers®**

PUBLIC NOTICE

Applicant:
Maryland Port Administration
Public Notice Number: PN-25-25

Published: May 23, 2025
Expires: June 23, 2025

Baltimore District
Permit Application No NAB-2024-60354-M07 (Maryland Port Administration/North Locust Point Marine Terminal/Riprap)

The Baltimore District of the U.S. Army Corps of Engineers (Corps) has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. §1344) and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403). The purpose of this public notice is to solicit comments from the public regarding the work described below:

APPLICANT: Maryland Port Administration
Mr. Jeffrey E. Neumayer
401 E. Pratt Street, Suite 1653
Baltimore, MD 21202

AGENT: NMP Engineering Consultants, Inc.
Mr. Paul Nevenglosky
Executive Plaza I
Suite 600
11350 McCormick Road
Hunt Valley, MD 21031

WATERWAY AND LOCATION: The project would affect waters of the United States and navigable waters of the United States associated with the Patapsco River. The project/review area is located on the NW side of Nicholson Street, SW of the intersection of Marriott Street and Towson Street in Locust Point, Baltimore City, Maryland.

EXISTING CONDITIONS: The subject property is owned and operated by the Maryland Port Administration. The North Locust Point site is an existing marine terminal located in the Coastal Plain physiographic province of Maryland. There are no existing tidal/nontidal wetlands located within the project area or mapped submerged aquatic vegetation (SAV) within the last five (5) years.

PROJECT PURPOSE:

Basic: Erosion control.

Overall: To provide scour erosion protection to the substrate and bulkhead and structural stability to the existing Pier 10 marine terminal, in the Patapsco River, Locust Point, Baltimore City, Maryland.

PROPOSED WORK: The applicant requests authorization, in accordance with the attached plans, to emplace approximately 4,350 square feet of stone riprap buttress protection within 50 feet of the existing Pier 10 bulkhead/mean high water line.

Table 1: Effects on aquatic resources.

Activity	Aquatic Resource Impact (SF)	Aquatic Resource Type	Authority (Section 10/404/408)
Stone riprap protection	4,350	Open Water	Section 10/404

AVOIDANCE AND MINIMIZATION: The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: The applicant considered alternative designs to meet the project goals of providing long-term scour erosion protection while also avoiding and minimizing impacts in the Patapsco River. Alternative designs included depositing sand within the scour area and placement of stone riprap buttress. Further, the stone riprap buttress would provide improved habitat opportunities for fish, invertebrates, and shellfish. The proposed stone riprap buttress design described above achieves the project purpose while minimizing impacts to the Patapsco River to the maximum extent practicable.

COMPENSATORY MITIGATION: The applicant has provided the following explanation why compensatory mitigation should not be required: The applicant is not proposing to provide compensatory mitigation as the project scope has been reduced to the minimum necessary and impacts to waters of the United States have been minimized while meeting the project goals of providing long-term scour erosion protection and protecting the integrity of the infrastructure at the existing marine terminal. The project will stabilize the substrate and improve aquatic habitat. No tidal/nontidal wetlands or SAV will be permanently impacted as a result of the project.

CULTURAL RESOURCES: The Corps is evaluating the undertaking for effects to historic properties as required under Section 106 of the National Historic Preservation Act. This public notice serves to inform the public of the proposed undertaking and invites comments including those from local, State, and Federal government Agencies with respect to historic resources. Our final determination relative to historic resource impacts may be subject to additional coordination with the State Historic Preservation Officer (SHPO), federally recognized tribes and other interested parties.

Historic properties (i.e., properties listed in or eligible for inclusion in the National Register of Historic Places), are present within the Corps' permit area; however, the Corps' preliminary determination is that the undertaking will have no adverse effect on these historic properties. The Corps subsequently requests concurrence from the SHPO and/or the Tribal Historic Preservation Officer (THPO).

The District Engineer's final eligibility and effect determination will be based upon coordination with the SHPO and/or THPO, 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.

ENDANGERED SPECIES: The Corps has performed an initial review of the application, the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC), National Marine Fisheries Service (NMFS) Section 7 Mapper, and the NMFS Critical Habitat Mapper to determine if any threatened, endangered, proposed, or candidate species, as well as the proposed and final designated critical habitat may occur within the boundary of the proposed project. Based on this initial review, the Corps has made a preliminary determination that the proposed project may affect but is not likely to adversely affect species and critical habitat listed in Table 2. No other ESA-listed species or critical habitat will be affected by the proposed action.

Table 2: ESA-listed species and/or critical habitat potentially present in the action area.

Species Common Name and/or Critical Habitat Name	Scientific Name	Federal Status
Atlantic Sturgeon	<i>Acipenser oxyrinchus</i>	Endangered
Shortnose Sturgeon	<i>Acipenser brevirostrum</i>	Endangered

Pursuant to Section 7 ESA, any required consultation with the Service(s) will be conducted in accordance with 50 CFR part 402.

This notice serves as request to the U.S. Fish and Wildlife Service and National Marine Fisheries Service for any additional information on whether any listed or proposed to be listed endangered or threatened species or critical habitat may be present in the area which would be affected by the proposed activity.

ESSENTIAL FISH HABITAT: Pursuant to the Magnuson-Stevens Fishery Conservation and Management Act 1996, the Corps reviewed the project area, examined information provided by the applicant, and consulted available species information.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Our initial determination is that the proposed action is not likely to have a substantial effect on EFH and/or fisheries managed by Fishery Management Councils and the National Marine Fisheries Service (NMFS). Implementation of the proposed project would directly impact approximately 4,350 square feet of open water bottom habitat. The effects of the project are determined to be minimal and permanent. These habitat(s) are utilized by the following species and their various life stages:

Species/Management Unit	Life Stages
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Red Hake	Adult, Eggs, Larvae, Juvenile
Scup	Adult, Juvenile
Summer Flounder	Adult, Juvenile, Larvae
Windowpane Flounder	Adult, Juvenile
Atlantic Butterfish	Adult, Eggs, Larvae
Atlantic Herring	Adult, Juvenile
Black Sea Bass	Adult, Juvenile
Bluefish	Adult, Juvenile
Clearence Skate	Adult, Juvenile

Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

NAVIGATION: The proposed structure or activity is not located in the vicinity of a federal navigation channel.

SECTION 408: The applicant will not require permission under Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408) because the activity, in whole or in part, would not alter, occupy, or use a Corps Civil Works project.

WATER QUALITY CERTIFICATION: Water Quality Certification is required from the Maryland Department of the Environment.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The geographic extent of aquatic resources within the proposed project area that either are, or are presumed to be, within the Corps jurisdiction has not been verified by Corps personnel.

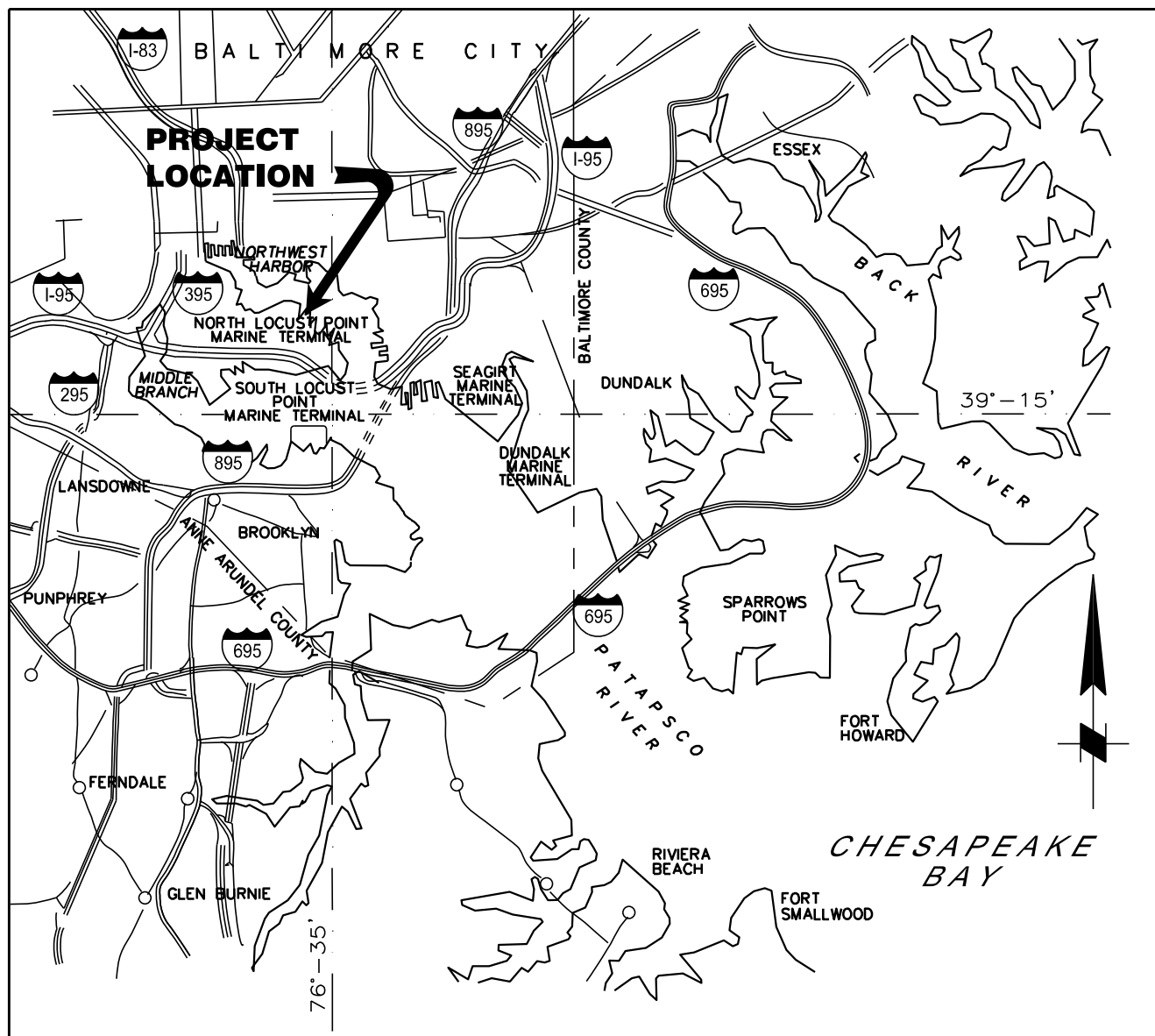
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably 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 cumulative impacts thereof; among these are conservation, economics,

esthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food, and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

COMMENTS: The Corps 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 to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this determination, comments are used to assess impacts to 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 (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The Baltimore District will receive written comments on the proposed work, as outlined above, until June 23, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Ms. Maria N. Teresi at maria.teresi@usace.army.mil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Baltimore District, Attention: Ms. Maria N. Teresi, 2 Hopkins Plaza, Baltimore, Maryland 21201-2930. Please refer to the permit application number in your comments.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.



VICINITY MAP

N.T.S.

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WORLD TRADE CENTER BALTIMORE
401 EAST PRATT STREET
BALTIMORE, MD 21202

AGENT:



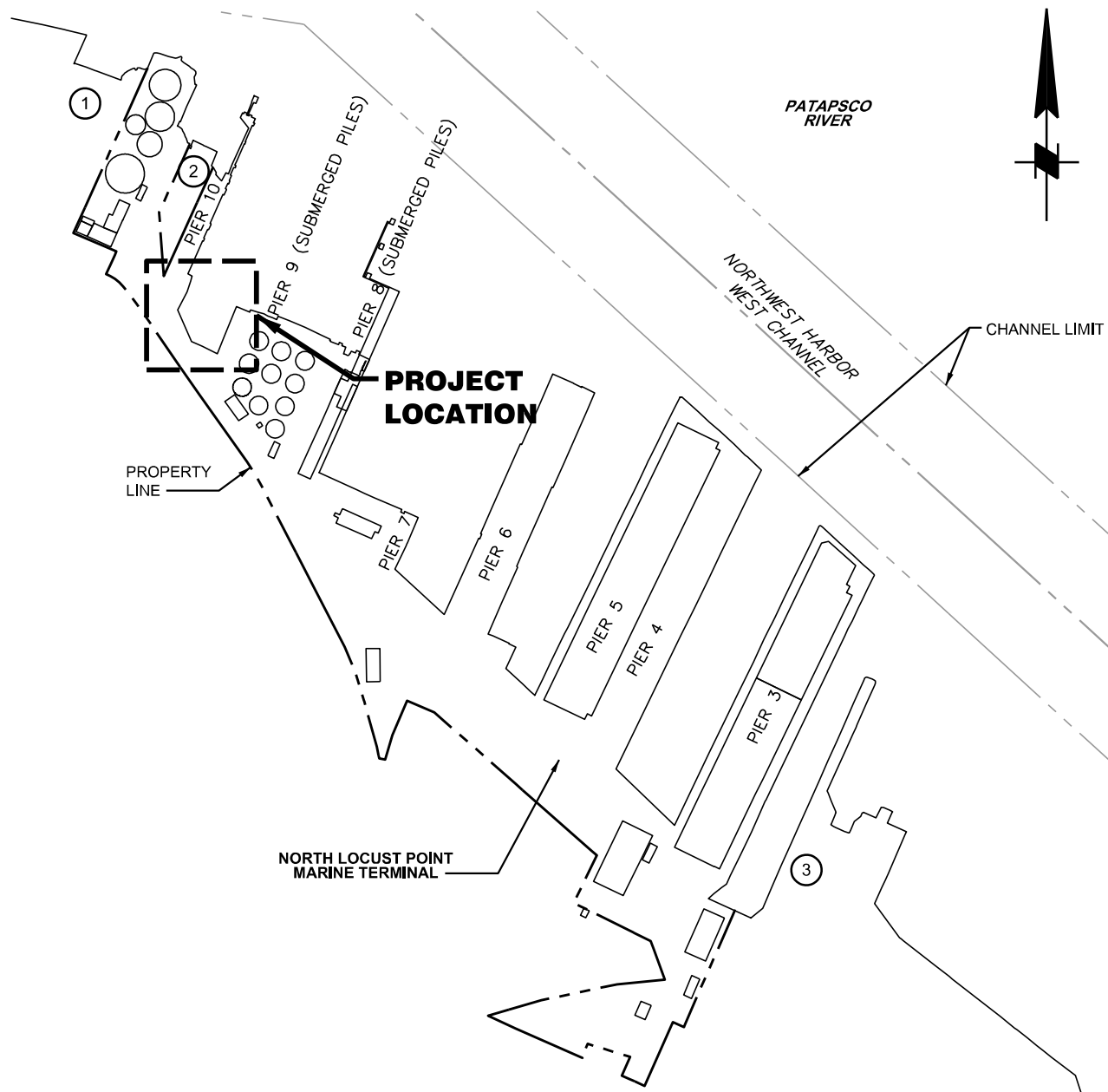
NORTH LOCUST POINT MARINE TERMINAL PIER 9 & 10 BULKHEAD REPAIRS

PROJECT LOCATION:
1430 WALLACE ST, BALTIMORE, MD 21230
NORTH LOCUST POINT MARINE TERMINAL
BALTIMORE CITY, MD
PATAPSCO RIVER-NORTHWEST HARBOR

DATE: JAN 26, 2024

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24-WQC-0032
202460354
3/5/2024
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SHEET 1 OF 5

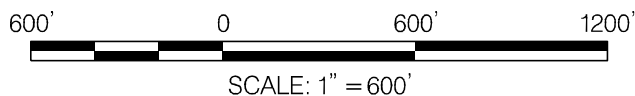


LOCATION MAP

SCALE: 1"=600'

ADJACENT PROPERTIES:

- ① UA LOCUST POINT HOLDINGS LLC
1040 HULL ST, STE 1
BALTIMORE, MD 21230
- ② CSX TRANSPORTATION INC
500 WATER ST (C910)
JACKSONVILLE, FL 32202-4423
- ③ ERASMUS PIER PROPERTIES BUSINESS TRUST
1201 WALLACE ST
BALTIMORE, MD 21230-5341



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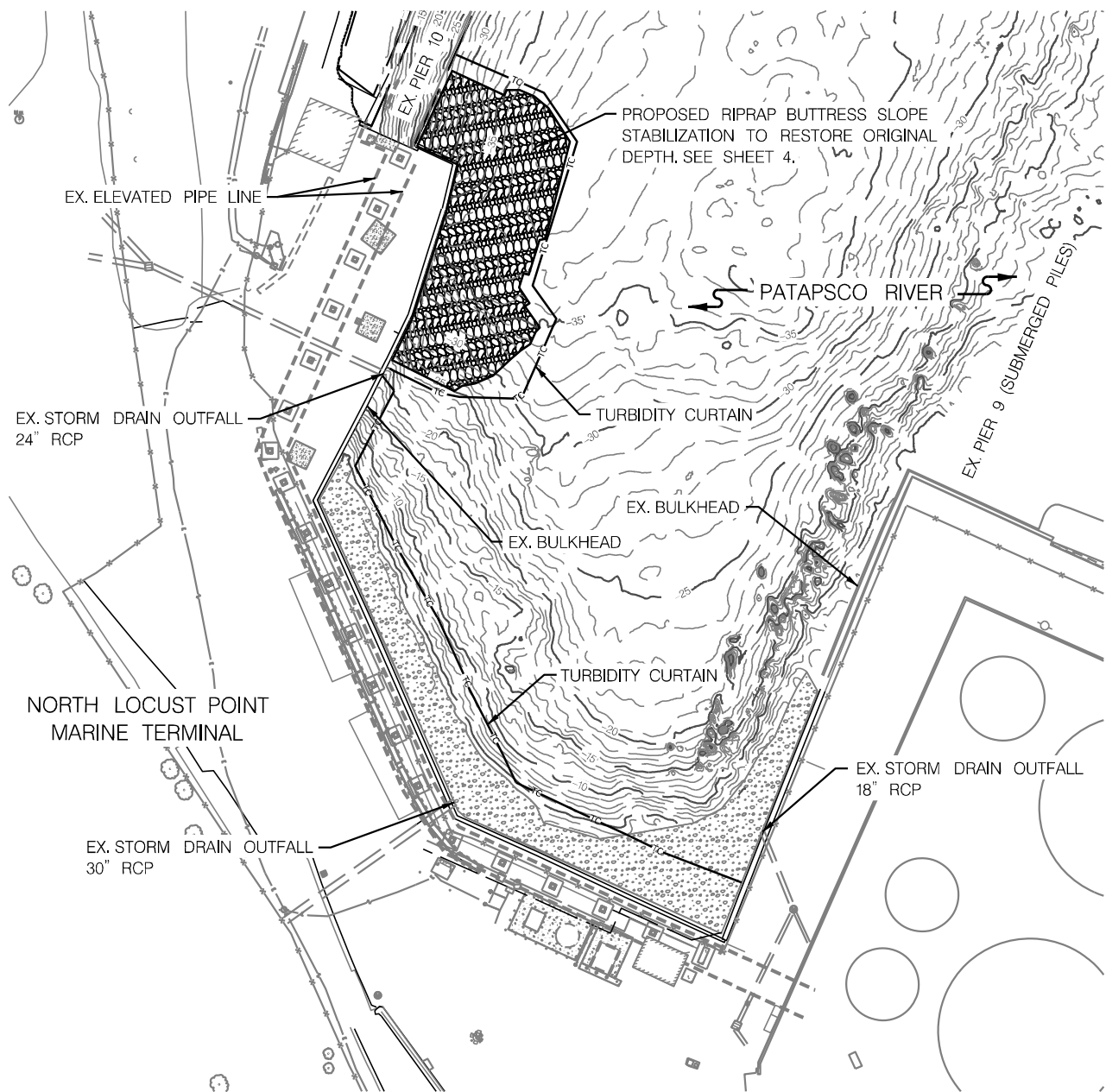
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PLAN - BULKHEAD REPAIRS

SCALE: 1"=60'

NOTES:

- 1) INSTALL RIPRAP BUTTRESS SLOPE PROTECTION (4,350 SF) TO RESTORE ORIGINAL DEPTH. SEE SHEETS 4 AND 5.
- 2) INSTALL CATHODIC PROTECTION ON EXISTING BULKHEAD BETWEEN PIER 9 AND PIER 10.
- 3) INSTALL SHEETPILE PATCHES ON EXISTING BULKHEAD BETWEEN PIER 9 AND PIER 10.

DATUM:

NAVD88 (SEE SECTIONS ON SHEET 5 FOR MLW DATUM ELEVATIONS)



SCALE: 1" = 60'

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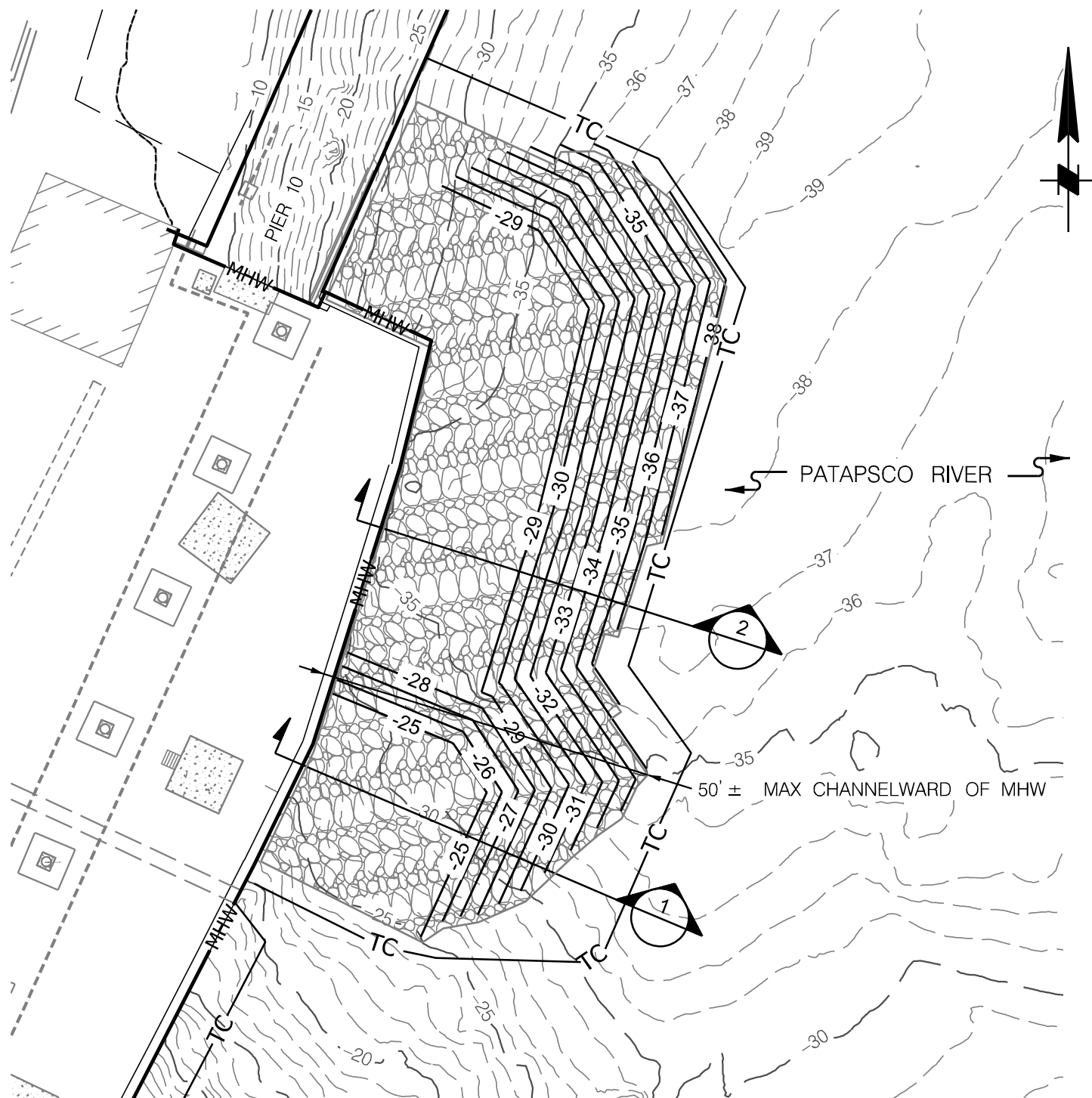
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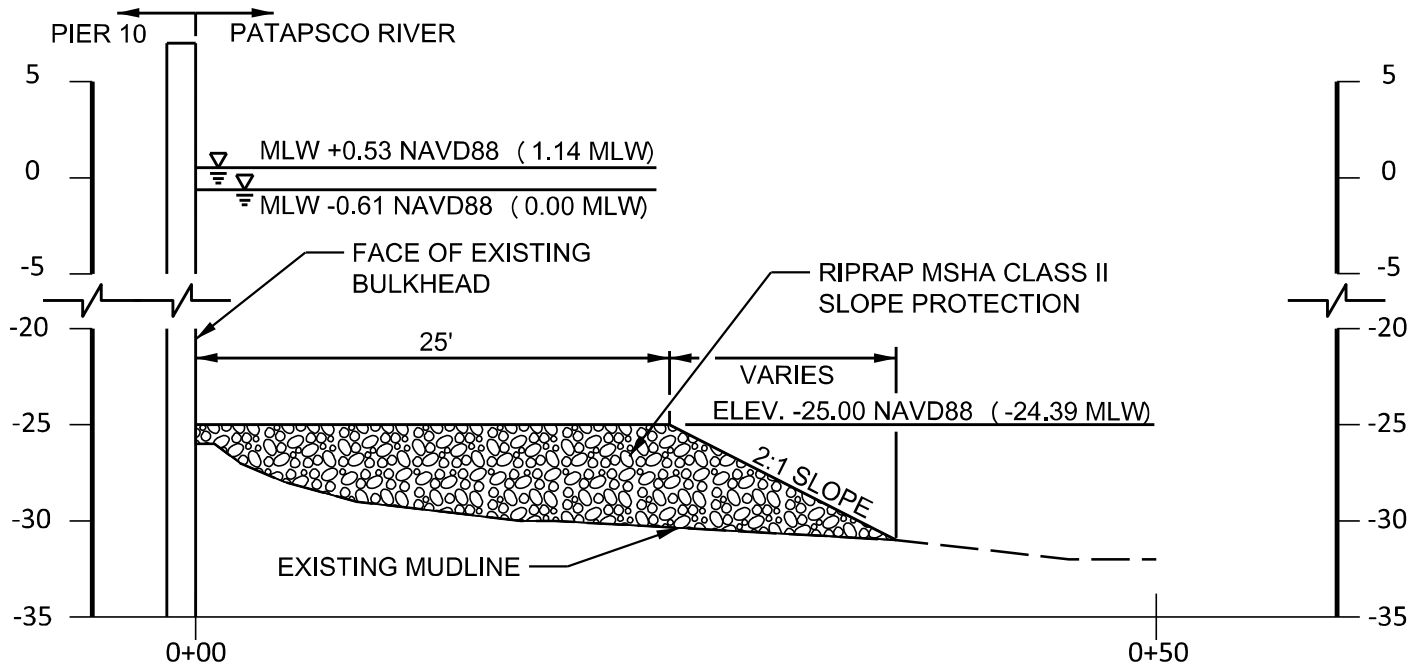
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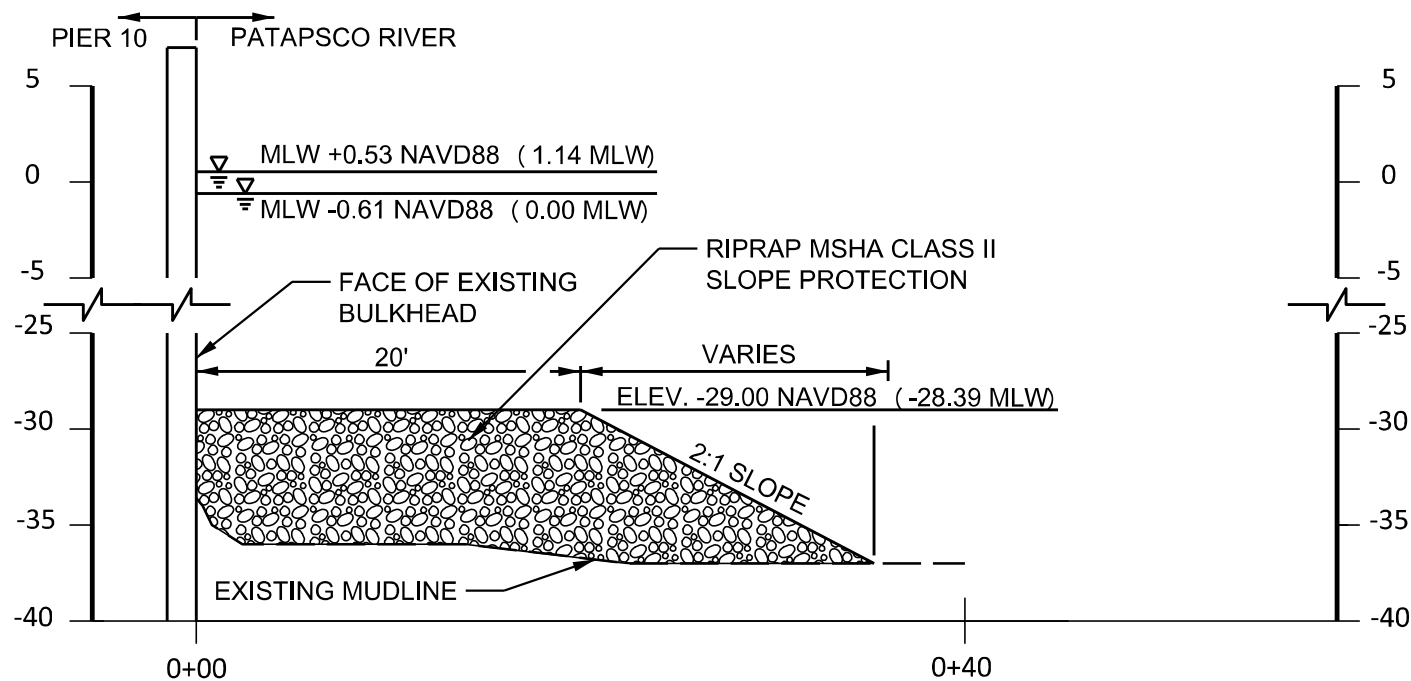
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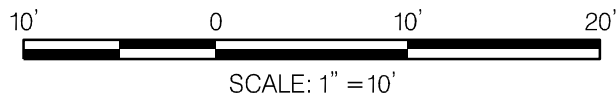
CROSS SECTION #1

SCALE: 1"=10'



CROSS SECTION #2

SCALE: 1"=10'



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Project Site – Aerial Image