



**U.S. Army Corps  
of Engineers**  
Baltimore District  
PN-23-45

# Public Notice

**In Reply to Application Number  
NAB-2023-61192-P05 (AA DPW - Downs Park)**

**Comment Period: October 19, 2023 to November 18, 2023**

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**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:**

Anne Arundel County Department of Public Works  
c/o Melissa Harlinski  
2662 Riva Road  
Annapolis, Maryland 21404

**WATERWAY AND LOCATION OF THE PROPOSED WORK:**

The proposed project is located in the Chesapeake Bay in Pasadena, Anne Arundel County, Maryland. Latitude/Longitude: 39.111938/-76.433674

**OVERALL PROJECT PURPOSE:**

The purpose of the proposed project is to improve waterfront access and to reduce existing shoreline erosion at the Anne Arundel County Downs Park.

**PROJECT DESCRIPTION:**

The applicant proposes a variety of shoreline modifications to the existing 2,250-linear-feet of shoreline at Anne Arundel County's Downs Park along the Chesapeake Bay that presently comprises beach areas, revetment, and a small area of phragmites marsh. The shoreline is exposed to wind-generated waves across the Chesapeake Bay with fetch distances ranging between 8 to 40 miles. Storms impacting the shoreline have resulted in deterioration existing revetments, coastal erosion of the beaches, and even damage to infrastructure such as the walking trail. The project will impact 60,540-square-feet of shallow tidal waters by the construction of various shoreline stabilization methods as outlined below:

a. Existing North Beach Area – construction of a living shoreline by installing 87-linear feet of stone breakwater to +3.0-feet elevation above the mean low water line (MLW), depositing 95-cubic-yards of sand, and planting 4,540-square-feet of the deposited sand with marsh vegetation not to exceed 39-feet channelward of the mean high-water shoreline. The proposed fill area of tidal shallow water is 1,366-square-feet.

b. Beach South of Fishing Pier - construction of a living shoreline and beach nourishment area by installing three stone breakwaters (112-linear-feet with +5.0' elevation above MLW, 160-linear-feet with +4.5' elevation above MLW & 160-linear-feet with a +4.0' MLW) with a 30-foot-wide and a 15-foot-wide stone vent; to deposit 5,840-cubic-yards of sand and plant 21,288 square-feet of the deposited sand with marsh vegetation and 26,986 square-feet will remain beach. Coastal dunes to an elevation of +5 feet above MLW are proposed along the back of the beach and living shoreline and an Americans with Disabilities Act-compliant permeable paver path that connects the beach to the existing paved walking trails within the park. The dog beach is proposed to be moved to the area in front of the revetment where sand fill will be placed. The maximum channelward encroachment will be 107-feet channelward of the mean high-water shoreline and will have a total fill area of 39,542 -square-feet of shallow tidal waters.

c. Southern revetment – reconstruction of 390-linear-feet of existing stone revetment by constructing an appropriate crest and apron for future water levels and will slope down at 2-feet horizontal to 1-foot vertical to 0-feet mean low water. A five-foot wide toe would be constructed to support the resulting structure which would not exceed 10-feet channelward of the mean high-water shoreline.

#### **EFFECTS ON AQUATIC RESOURCES:**

Activity (i.e. culvert)	Waters Impact (Sq. Ft.)	Wetland Impact (Sq. Ft.)	Authority (Section 10/404/408)
Living shoreline	25,828	0	10/404
Breakwaters	15,850	0	10/404
Stone vent	523	0	10/404
Revetment	11,272	0	10/404
Beach nourishment	26,986	0	10/404

#### **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:**

The stone structure at the northern project limit was reduced in size relative to the remaining project area given the lower rate of erosion experienced at the site. The stone structure was designed to align with the existing revetment as this represented the historic shoreline. The beach nourishment footprint was extended seaward no further than the 1972 shoreline so as not to encroach into what has historically been classified as tidal waters. The beach nourishment and living shoreline were constructed seaward of the existing marsh area and graded to allow a flow path between the dune structures to prevent impacts to the existing tidal marsh in the back beach of the existing beach area. The existing revetment area is proposed as a retrofit in lieu of a living shoreline to prevent encroachment into tidal waters.

**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 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 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-2023-61192-P05.

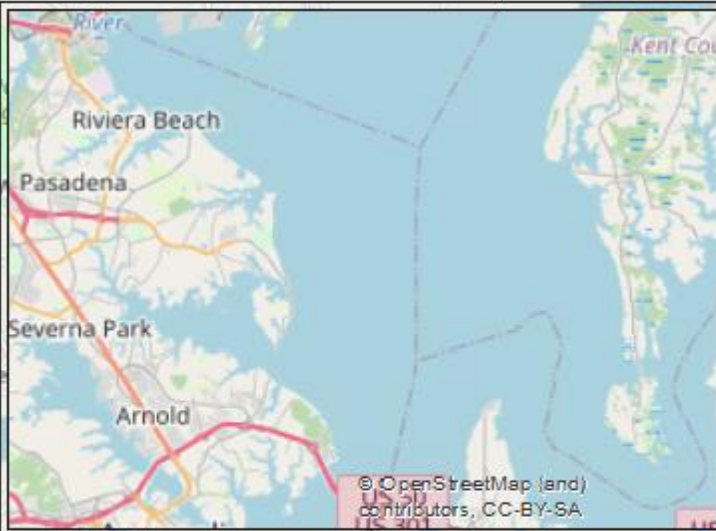
#### **PUBLIC HEARING REQUESTS:**

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:

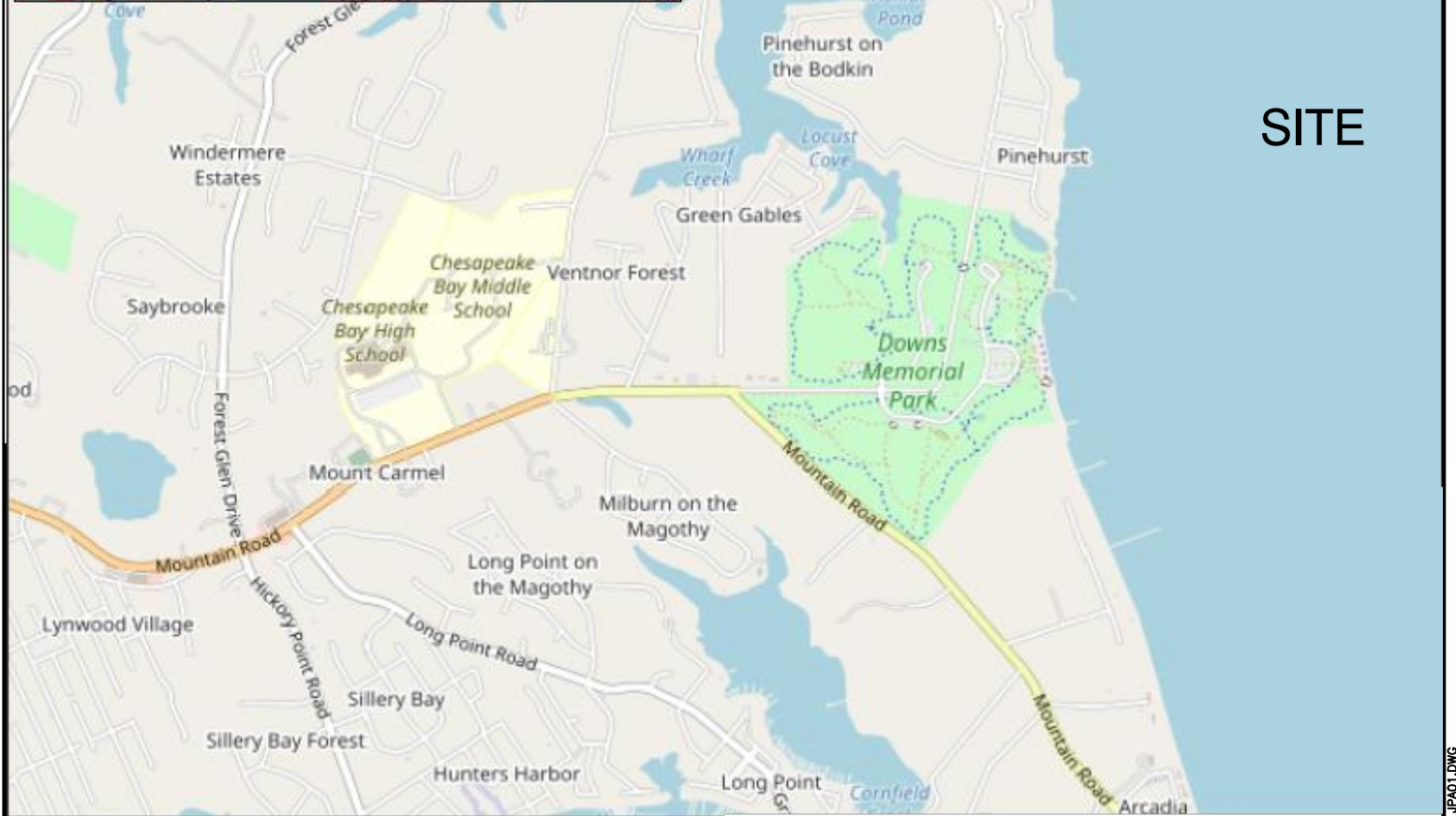
Marion Gall  
[marion.gall@usace.army.mil](mailto:marion.gall@usace.army.mil)  
U.S. Army Corps of Engineers  
Baltimore District, Regulatory Branch  
1631 South Atherton Street, Suite 101  
State College, Pennsylvania 16801

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 Marion Gall at [marion.gall@usace.army.mil](mailto:marion.gall@usace.army.mil). This public notice is issued by the Chief, Regulatory Branch.



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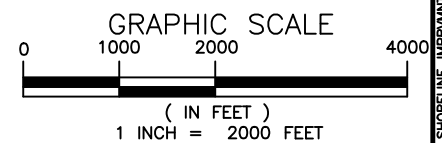
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# DOWNS PARK SHORELINE IMPROVEMENTS ANNE ARUNDEL COUNTY

APPL. BY: ANNE ARUNDEL COUNTY DEPARTMENT OF PUBLIC WORKS

## VICINITY MAP

DATE: AUGUST 2023 SHEET 1 OF 14

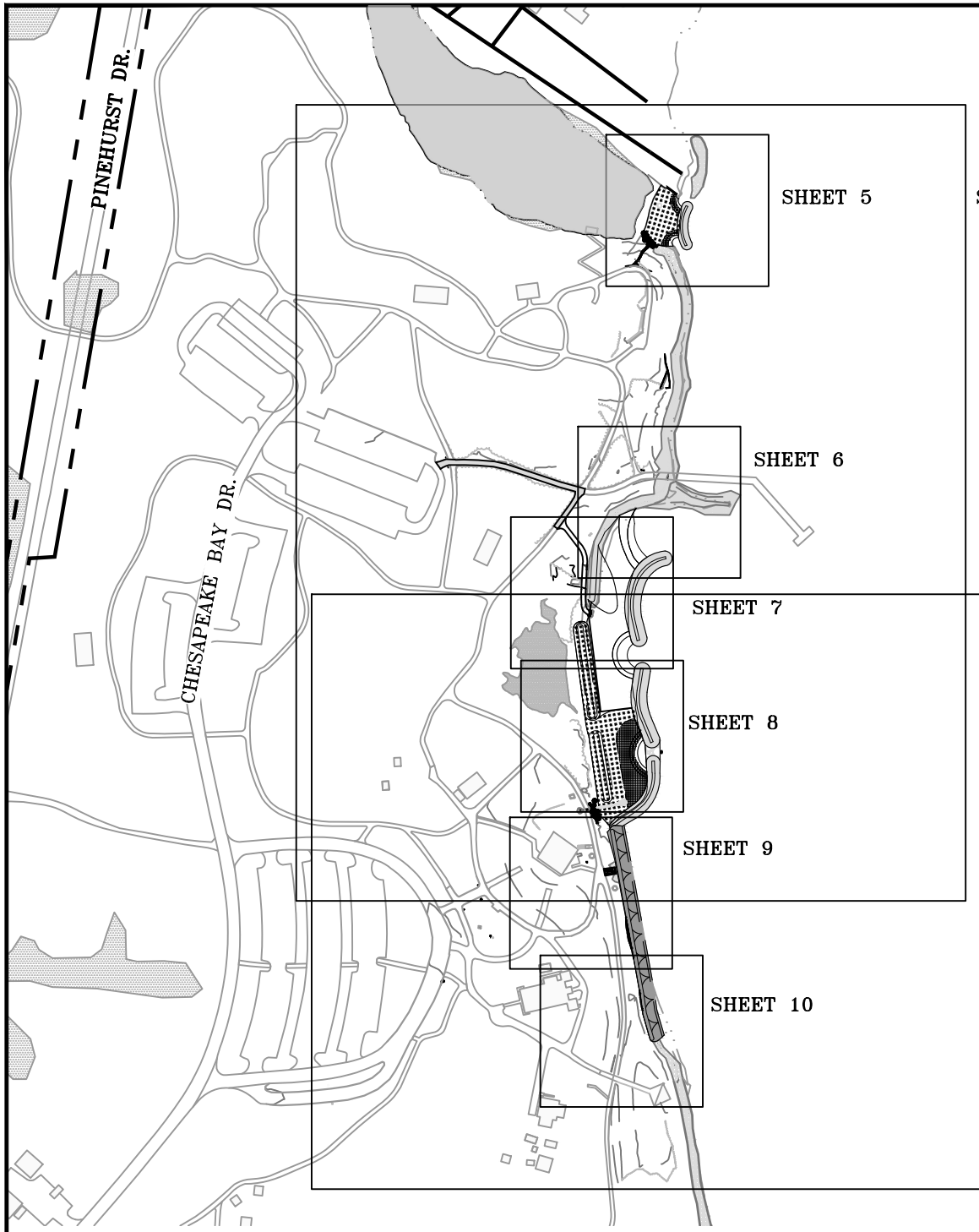


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Hanover, Maryland 21076 Fax: (410) 694-9405  
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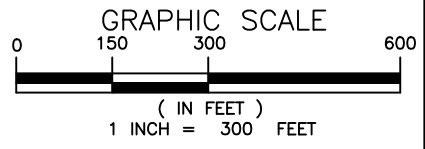


**Downs Park Shoreline  
Improvements  
Anne Arundel County**

APPL. BY: ANNE ARUNDEL COUNTY DEPARTMENT OF PUBLIC WORKS

**KEY SHEET**

DATE: AUGUST 2023 SHEET 2 OF 14

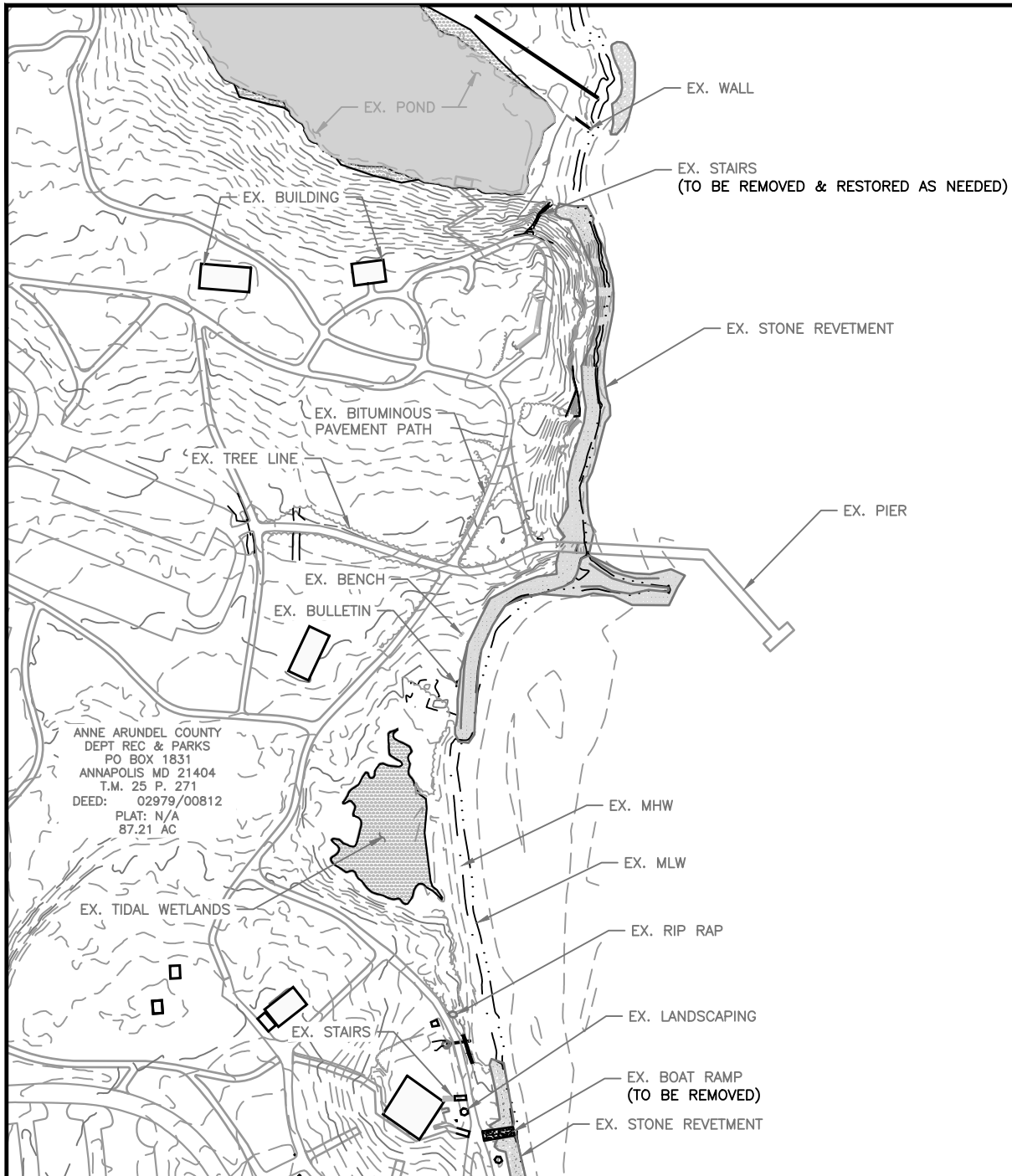




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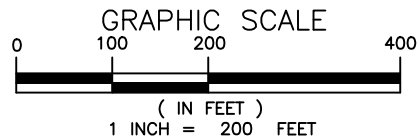


Downs Park Shoreline  
Improvements  
Anne Arundel County

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EXISTING CONDITIONS

DATE: AUGUST 2023 SHEET 3 OF 14



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# DOWNS PARK SHORELINE IMPROVEMENTS ANNE ARUNDEL COUNTY

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## EXISTING CONDITIONS

DATE: AUGUST 2023 SHEET 4 OF 14



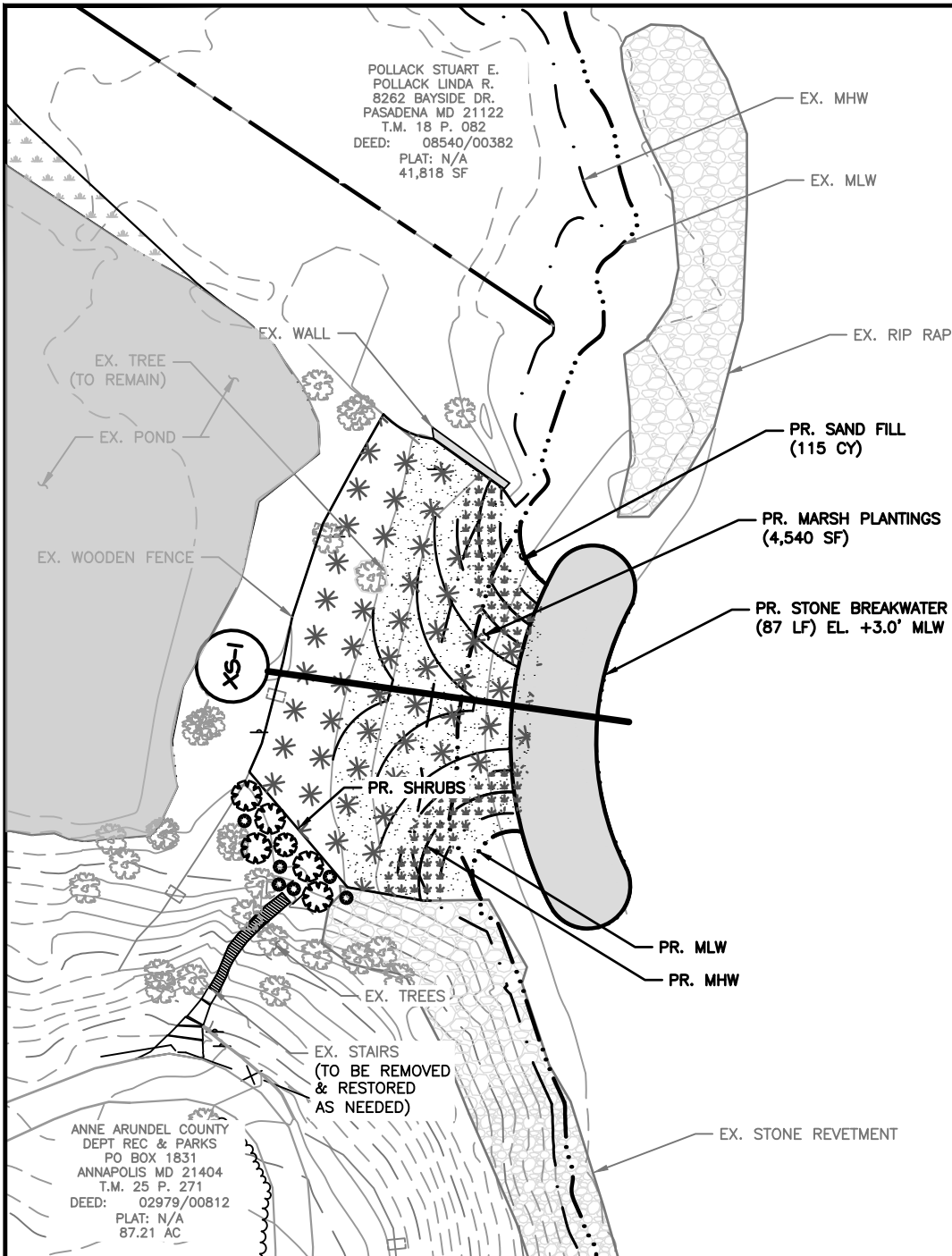
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CHESAPEAKE BAY  
FLOOD



### LEGEND

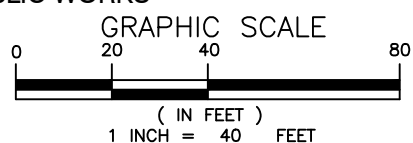
	EX. TREES		PR. STONE BREAKWATER
	EX. WETLANDS		PR. MARSH PLANTINGS
	EX. STONE REVETMENT		PR. SAND

## DOWNS PARK SHORELINE IMPROVEMENTS ANNE ARUNDEL COUNTY

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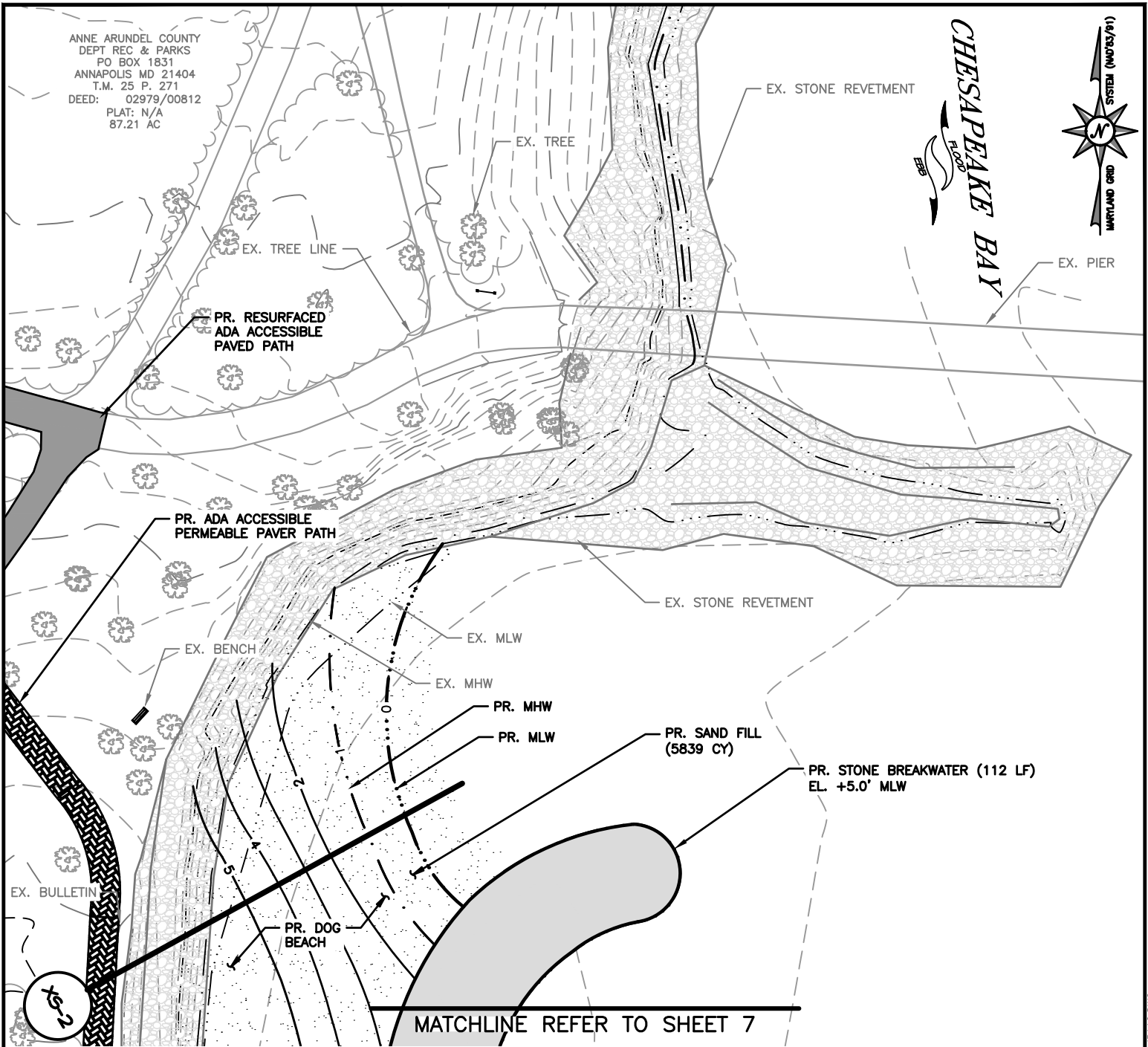
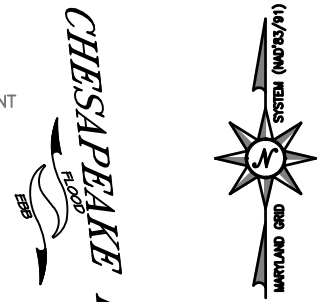
### SITE PLANS

DATE: AUGUST 2023 SHEET 5 OF 14



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ANNE ARUNDEL COUNTY  
DEPT REC & PARKS  
PO BOX 1831  
ANNAPOLIS MD 21404  
T.M. 25 P. 271  
DEED: 02979/00812  
PLAT: N/A  
87.21 AC



## LEGEND

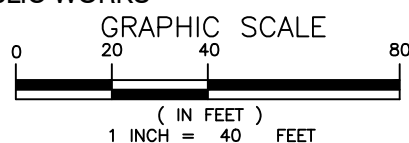
	EX. TREES		PR. ADA ACCESSIBLE PERMEABLE PAVER PATH
	EX. WETLANDS		PR. STONE BREAKWATER
	EX. STONE REVETMENT		PR. SAND
	PR. RESURFACED ADA ACCESSIBLE PAVED PATH		

## DOWNS PARK SHORELINE IMPROVEMENTS ANNE ARUNDEL COUNTY

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## SITE PLANS

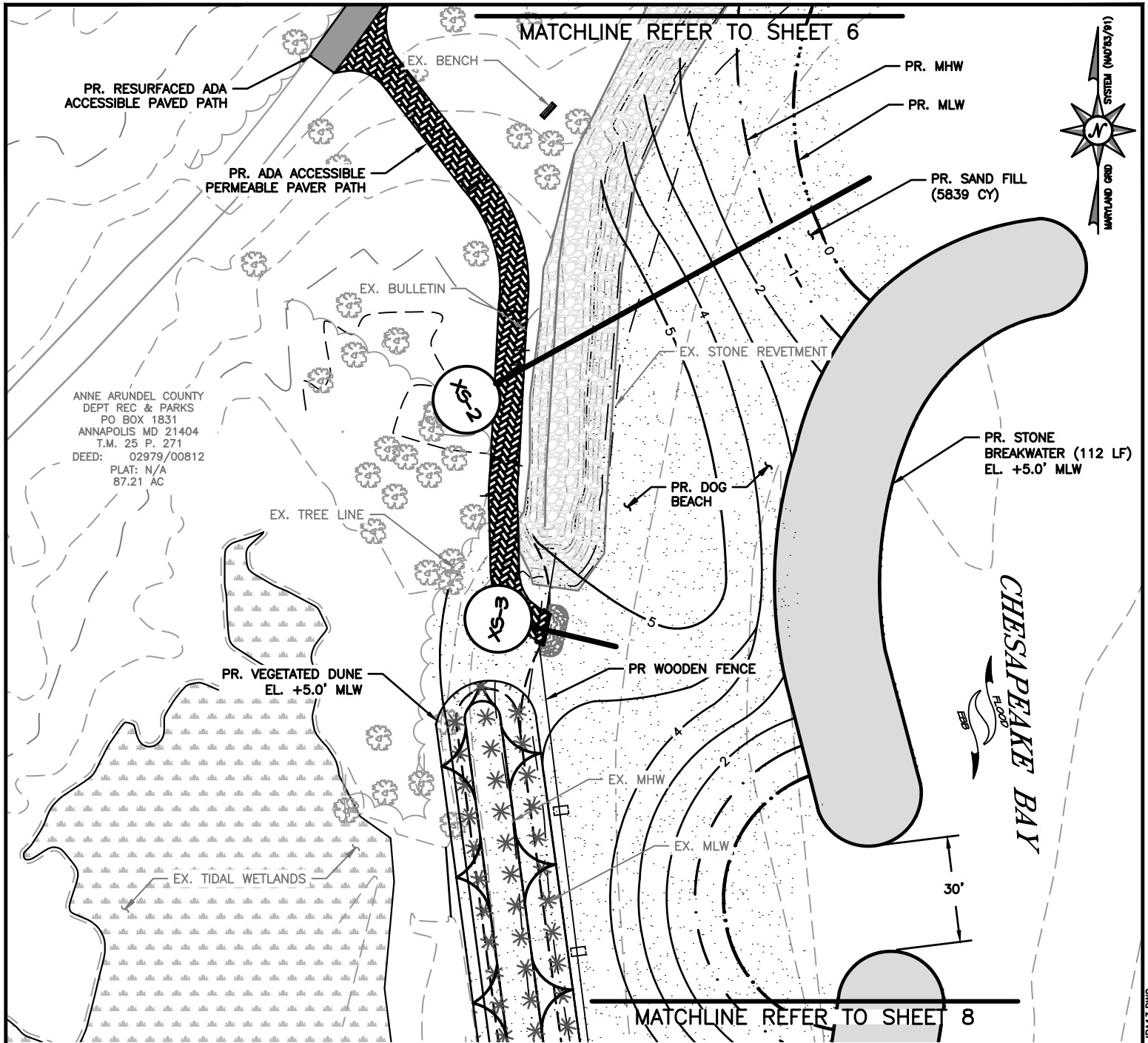
DATE: AUGUST 2023 SHEET 6 OF 14



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### LEGEND

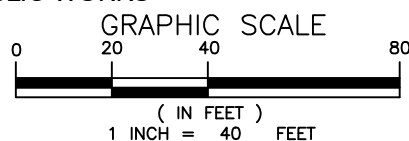
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	EX. WETLANDS		PR. STONE BREAKWATER
	EX. STONE REVETMENT		PR. MARSH PLANTINGS
	PR. RESURFACED ADA ACCESSIBLE PAVED PATH		PR. SAND

## DOWNS PARK SHORELINE IMPROVEMENTS ANNE ARUNDEL COUNTY

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### SITE PLANS

DATE: AUGUST 2023 SHEET 7 OF 14



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ANNAPOLIS MD 21404  
T.M. 25 P. 271  
DEED: 02979/00812  
PLAT: N/A  
87.21 AC

MATCHLINE REFER TO SHEET 7

PR. STONE  
BREAKWATER (160 LF)  
EL. +4.5' MLW

CHESAPEAKE BAY



PR. VEGETATED DUNE  
EL. +5.0' MLW

PR. WOODEN FENCE

XS-4

EX. TREE LINE

PR. MARH PLANTINGS  
(21,288 SF)

PR. VEGETATED DUNE  
EL. +5.0' MLW

XS-5

CHESAPEAKE BAY DR.

EX. TREE

EX. RIPRAP

EX. LANDSCAPE

EX. SWALE  
(TYP.)

PR. GRAVEL DRAIN

PR. MHW

PR. MLW

PR. STONE VENT

15'

PR. STONE  
BREAKWATER (160 LF)  
EL. +4.0' MLW

MATCHLINE REFER TO SHEET 9

### LEGEND



EX. TREES



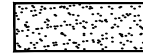
EX. WETLANDS



PR. STONE BREAKWATER



PR. MARSH PLANTINGS



PR. SAND



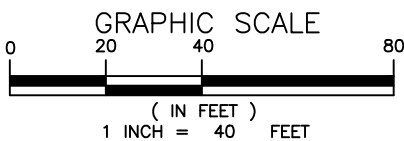
PR. STONE VENT

## DOWNS PARK SHORELINE IMPROVEMENTS ANNE ARUNDEL COUNTY

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### SITE PLANS

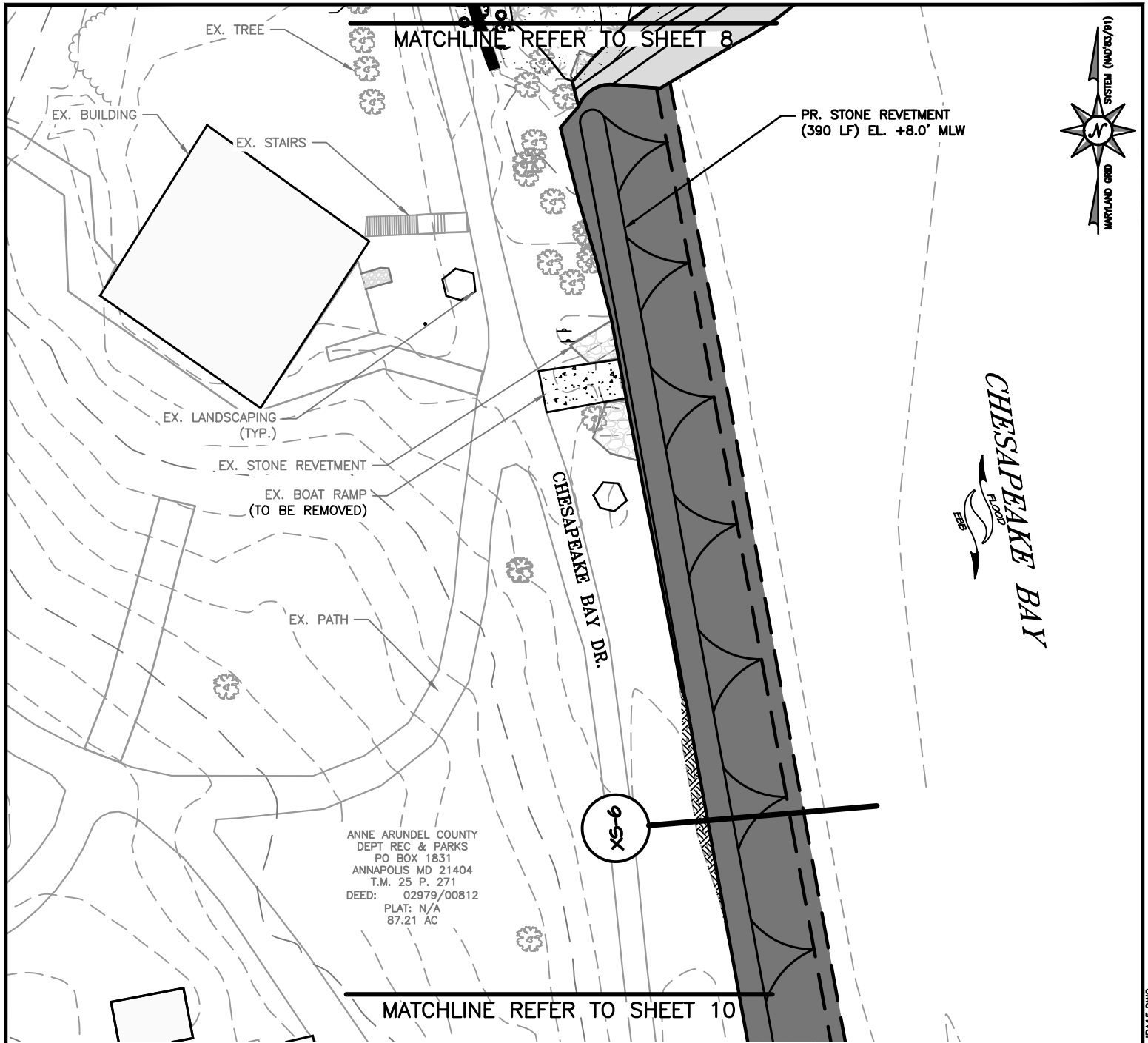
DATE: AUGUST 2023 SHEET 8 OF 14



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### LEGEND



EX. TREES



EX. STONE REVETMENT



PR. STONE REVETMENT



PR. STONE BREAKWATER



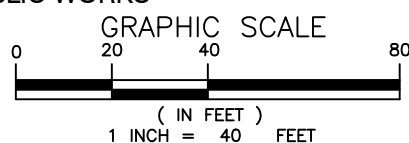
PR. SAND

## DOWNS PARK SHORELINE IMPROVEMENTS ANNE ARUNDEL COUNTY

APPL. BY: ANNE ARUNDEL COUNTY DEPARTMENT OF PUBLIC WORKS

### SITE PLANS

DATE: AUGUST 2023 SHEET 9 OF 14



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(16/52/00) REVISIT  
MAY 2016  
JPA 16.DWG

MATCHLINE REFER TO SHEET 10

PR. STONE REVETMENT  
(390 LF) EL. +8.0' MLW



CHESAPEAKE BAY DR.

EX. BITUMINOUS  
PAVEMENT PATH

EX. TREE

EX. STONE REVETMENT

EX. MHW

EX. MLW

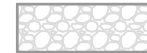
EX. PATH

EX. GAZEBO

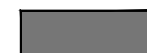
### LEGEND



EX. TREES



EX. STONE REVETMENT



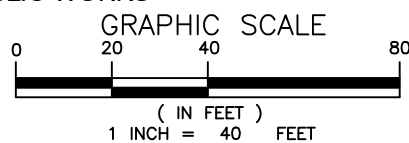
PR. STONE REVETMENT

## Downs Park Shoreline Improvements Anne Arundel County

APPL. BY: ANNE ARUNDEL COUNTY DEPARTMENT OF PUBLIC WORKS

### SITE PLANS

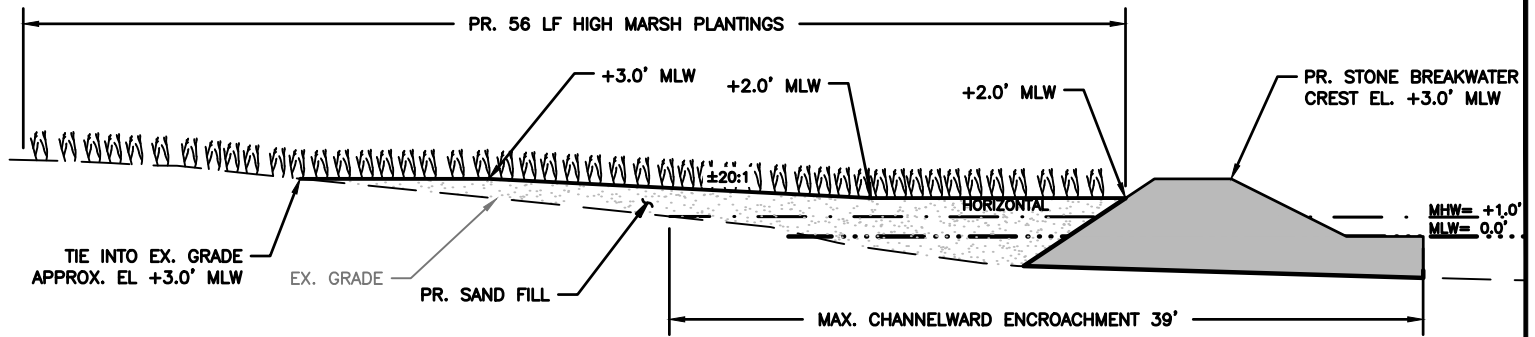
DATE: AUGUST 2023 SHEET 10 OF 14



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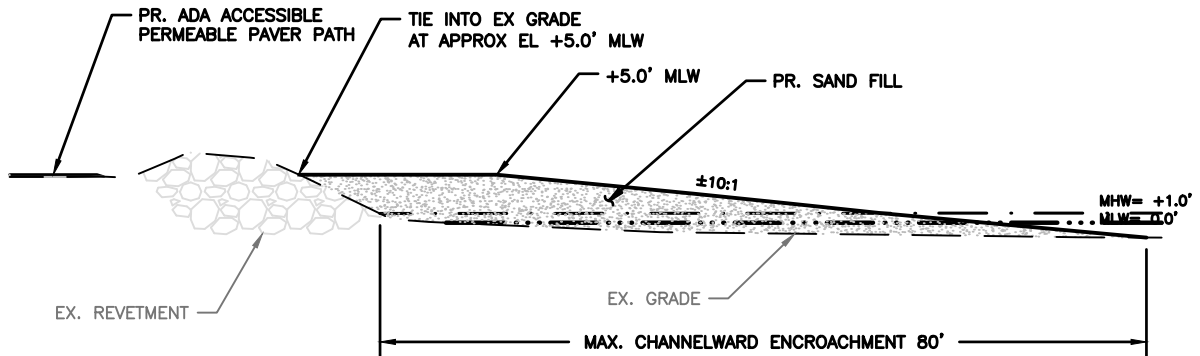
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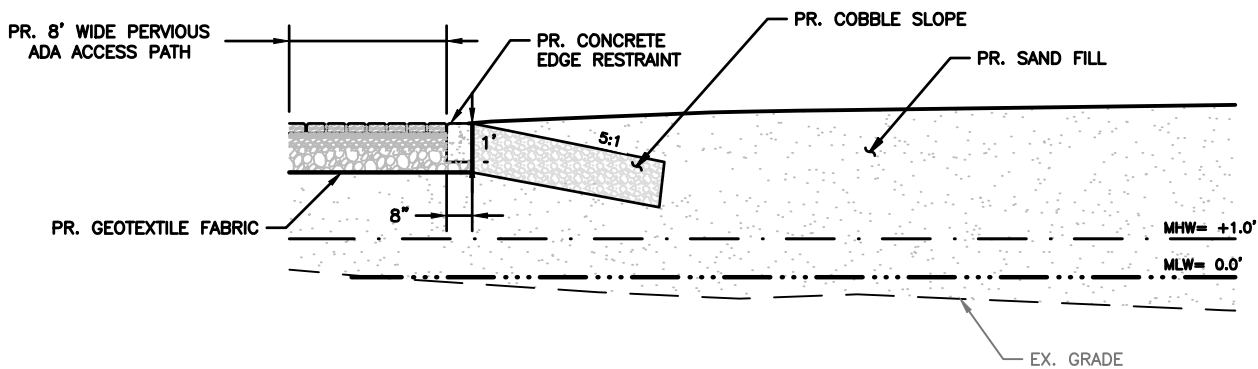
### SECTION XS-1

SCALE: 1"=10'



### SECTION XS-2

SCALE: 1"=20'



### SECTION XS-3

SCALE: 1"=5'

## DOWNS PARK SHORELINE IMPROVEMENTS ANNE ARUNDEL COUNTY

APPL. BY: ANNE ARUNDEL COUNTY DEPARTMENT OF PUBLIC WORKS

### CROSS SECTIONS & TYPICALS

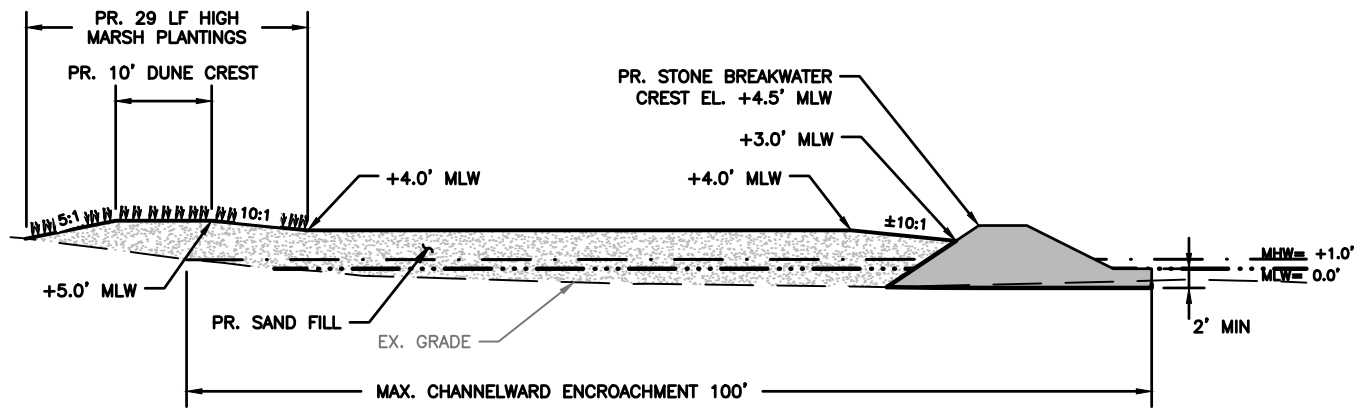
DATE: AUGUST 2023 SHEET 11 OF 14



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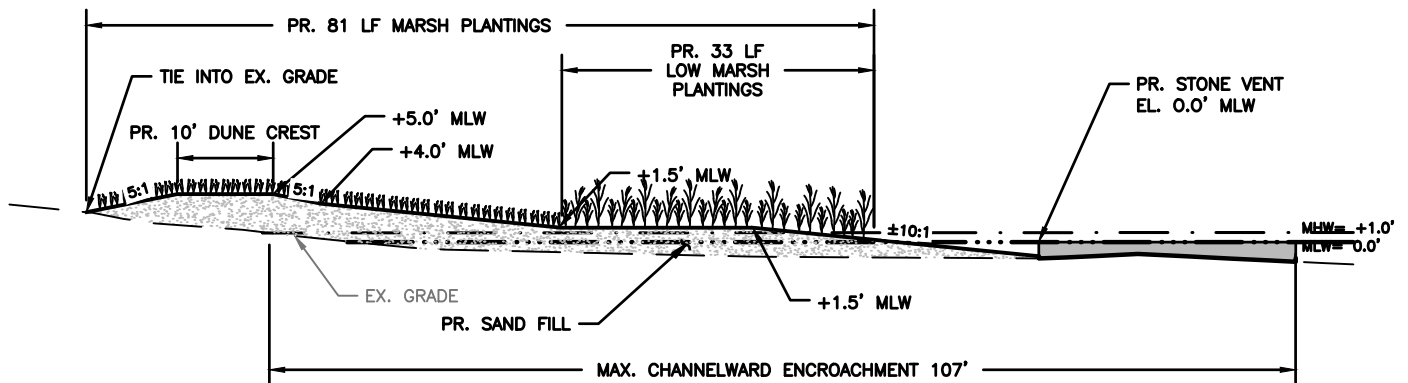
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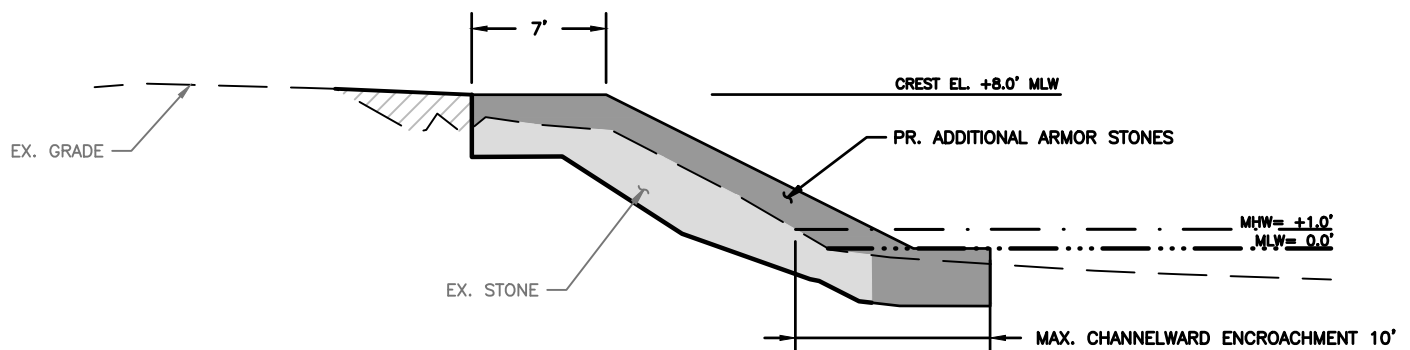
### SECTION XS-4

SCALE: 1"=20'



### SECTION XS-5

SCALE: 1"=20'



### SECTION XS-6

SCALE: 1"=10'

## DOWNS PARK SHORELINE IMPROVEMENTS ANNE ARUNDEL COUNTY

APPL. BY: ANNE ARUNDEL COUNTY DEPARTMENT OF PUBLIC WORKS

## CROSS SECTIONS & TYPICALS

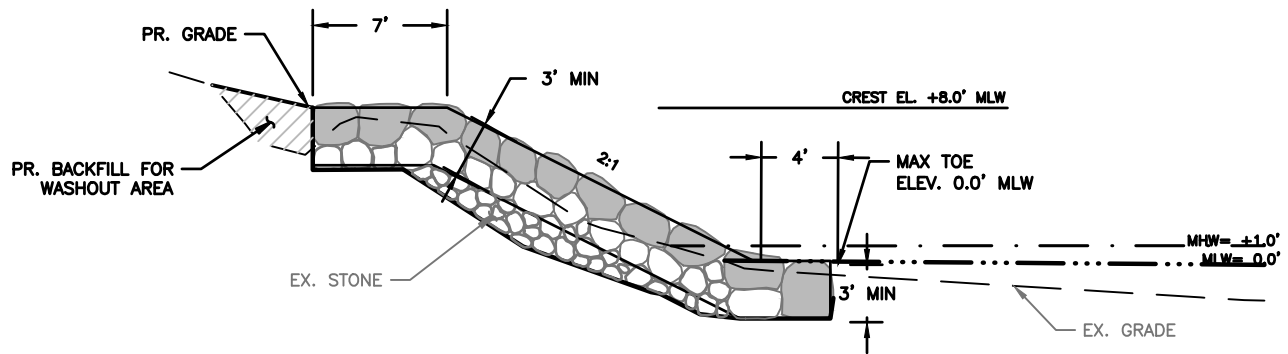
DATE: AUGUST 2023 SHEET 12 OF 14



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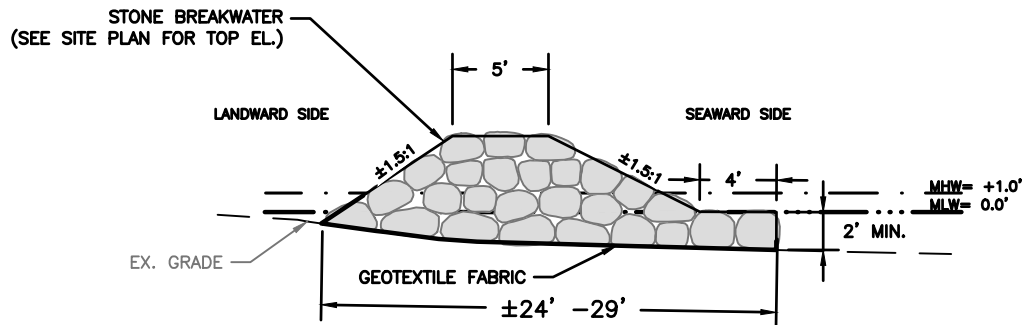
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### TYPICAL STONE REVETMENT

SCALE: 1"=10'



### TYPICAL STONE BREAKWATER

SCALE: 1"=5'

## DOWNS PARK SHORELINE IMPROVEMENTS ANNE ARUNDEL COUNTY

APPL. BY: ANNE ARUNDEL COUNTY DEPARTMENT OF PUBLIC WORKS

### CROSS SECTIONS & TYPICALS

DATE: AUGUST 2023 SHEET 13 OF 14



Consultants & Designers, Inc.

"Integrating Engineering and Environment"

7455 New Ridge Road, Suite 1 Phone: (410) 694-9401  
Hanover, Maryland 21076 Fax: (410) 694-9405  
www.baylandinc.com

## PROJECT SUMMARY

### PROPOSED STRUCTURES:

+3.0' STONE BREAKWATER - 1,746 SF (1 TOTAL)  
TOTAL LENGTH : 87 LF  
AVG. WIDTH : 20 FT  
MAX. CHANNELWARD ENCROACHMENT - 39 LF

+4.0' STONE BREAKWATER - 5,810 SF (1 TOTAL)  
TOTAL LENGTH : 160 LF  
AVG. WIDTH : 23 FT  
MAX. CHANNELWARD ENCROACHMENT - 107 LF

+4.5' STONE BREAKWATER - 4,615 SF (1 TOTAL)  
TOTAL LENGTH : 160 LF  
AVG. WIDTH : 29 FT  
MAX. CHANNELWARD ENCROACHMENT - 100 LF

+5.0' STONE BREAKWATER - 3,679 SF (3,585 SF IMPACT BELOW MHW) (1 TOTAL)  
TOTAL LENGTH : 112 LF  
AVG. WIDTH : 29 FT  
MAX. CHANNELWARD ENCROACHMENT - 132 LF

+8.0' STONE REVETMENT - 11,272 SF (3,353 SF IMPACT BELOW MHW)  
TOTAL LENGTH : 390 LF  
AVG. WIDTH OF IMPACT : 8 FT  
MAX. CHANNELWARD ENCROACHMENT - 10 LF

STONE VENT - 523 SF (523 SF IMPACT BELOW MHW) (1 TOTAL)  
TOTAL LENGTH : 25 LF  
AVG. WIDTH : 21 FT  
MAX. CHANNELWARD ENCROACHMENT - 107 LF

LIVING SHORELINE (25,828 SF (15,813 SF BELOW MHW))  
NORTH SITE - 4,540 SF (1,366 SF BELOW MHW)  
TOTAL LENGTH : 100 LF  
AVG. WIDTH : 45 LF  
VOLUME : 95 CY (75 CY BELOW MHW)  
MAX. CHANNELWARD ENCROACHMENT - 19 LF

SOUTH SITE - 21,288 SF (14,447 SF BELOW MHW)  
TOTAL LENGTH : 380 LF  
AVG. WIDTH : 56 LF  
VOLUME : 2,233 CY (1,801 CY BELOW MHW)  
MAX. CHANNELWARD ENCROACHMENT - 79 LF

BEACH NOURISHMENT (26,986 SF (25,095 SF BELOW MHW))  
SOUTH SITE - 26,986 SF (25,095 SF BELOW MHW)  
TOTAL LENGTH : 361 LF  
AVG. WIDTH : 75 LF  
VOLUME : 3,626 CY (3,505 CY BELOW MHW)  
MAX. CHANNELWARD ENCROACHMENT - 84 LF

MARSH PLANTINGS - 25,828 SF (15,813 SF BELOW MHW) (LIVING SHORELINE IMPACT AS SEEN ABOVE)  
MARSH PLANTINGS BELOW 1.5X TIDE RANGE - 5,575 SF (SEE NOTE 6)  
SHRUB PLANTINGS - 165 SF

## IMPACT SUMMARY

TOTAL AREA OF IMPACT FROM MHW INTO TIDAL WATERS = 60,540 SF (1.39 AC)  
TOTAL AREA OF IMPACT FROM MHW INTO TIDAL WATERS (STONE STRUCTURES ONLY) = 19,632 SF (0.45 AC)  
TOTAL AREA OF PERMANENT IMPACT TO SHALLOW WATER HABITAT = 60,540 SF (1.39 AC)  
TOTAL AREA OF IMPACT TO PRIVATE TIDAL WETLANDS = 0 SF

## NOTES

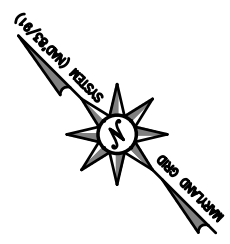
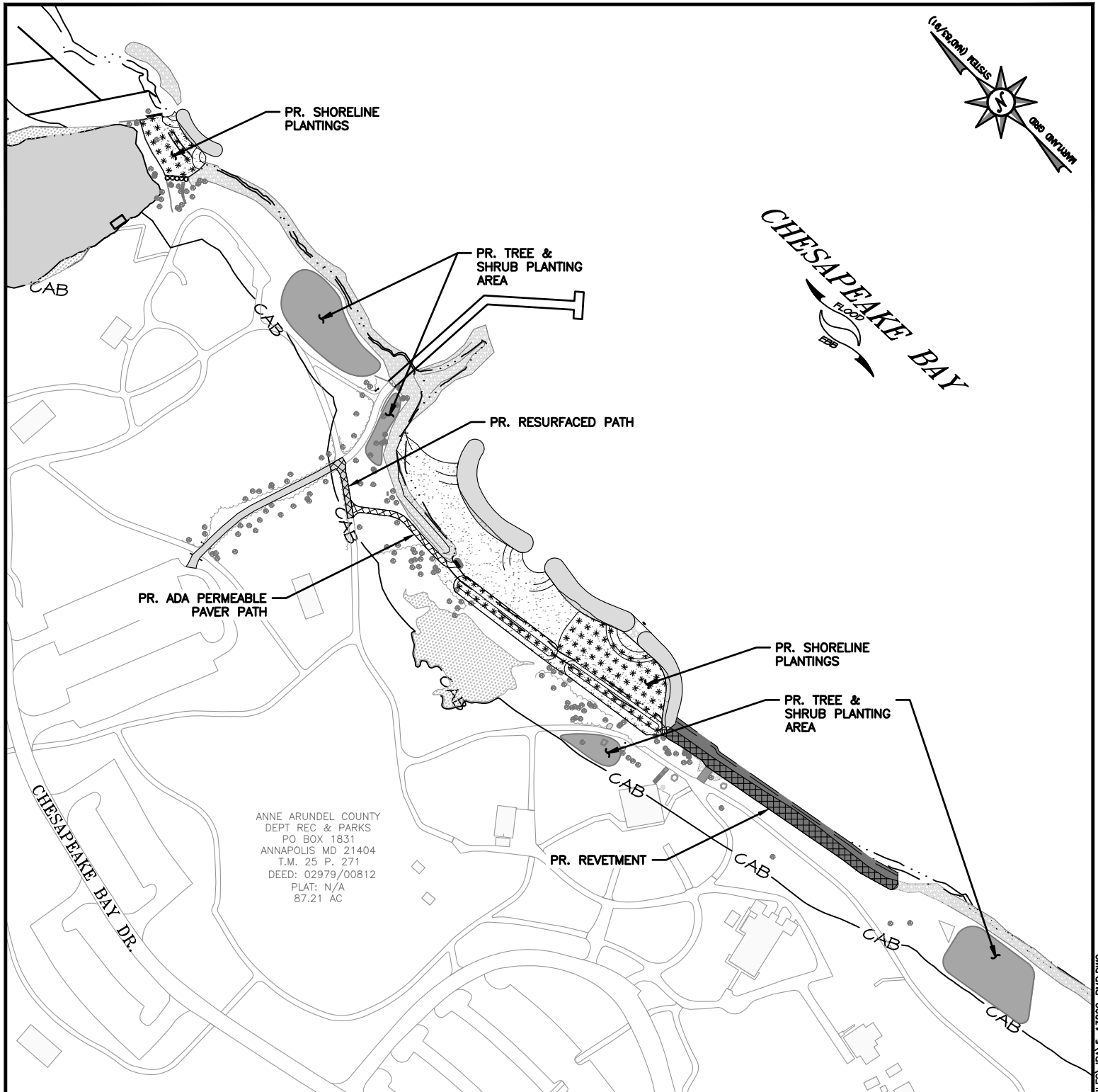
1. BASEMAP COMPILED FROM ANNE ARUNDEL COUNTY 2018 PLANIMETRICS AND AERIAL PHOTOGRAPHY.
2. SOUNDINGS AND CONTOURS ARE IN FEET AND REFER TO MLW.
3. TIDAL RANGE IS 1.00'
4. BATHYMETRIC & TOPOGRAPHIC SURVEY PERFORMED BY BAYLAND CONSULTANTS & DESIGNERS NOVEMBER 23, 2022.
5. THESE ARE PERMIT DRAWINGS ONLY AND SUBJECT TO CHANGE DURING THE PERMIT PROCESS. DESIGN DRAWINGS ARE TO BE PREPARED SEPARATELY.
6. ALL MARSH BELOW THE ELEVATIONS 1.5' MLW (1.5X TIDE RANGE) ARE LOW MARSH PLANTINGS. RECENT WATER LEVEL MEASUREMENTS SHOWING HIGHER AVERAGE WATER LEVEL INDICATE THIS ELEVATION IS APPROPRIATE FOR LOW MARSH.

## DOWNS PARK SHORELINE IMPROVEMENTS ANNE ARUNDEL COUNTY

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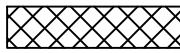
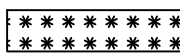


## SITE NOTES

DATE: AUGUST 2023 SHEET 14 OF 14



ANNE ARUNDEL COUNTY  
DEPT REC & PARKS  
PO BOX 1831  
ANNAPOLIS MD 21404  
T.M. 25 P. 271  
DEED: 02979/00812  
PLAT: N/A  
87.21 AC

### LEGEND

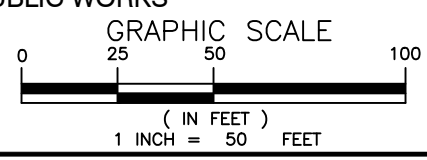
- PERMANENT BUFFER IMPACT 
- SHORELINE PLANTINGS 
- TREE & SHRUB PLANTINGS 
- 100' CRITICAL AREA BUFFER 

## DOWNS PARK SHORELINE IMPROVEMENTS ANNE ARUNDEL COUNTY

APPL. BY: ANNE ARUNDEL COUNTY DEPARTMENT OF PUBLIC WORKS

### DRAFT BUFFER MANAGEMENT PLAN

DATE: AUGUST 2023





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