



U.S. Army Corps
of Engineers

Baltimore District

Public Notice

In Reply to Application Number
CENAB-OPR-M (VANE BROTHERS CO./DREDGING, BULKHEAD
& PIER) 2015-61859-M07

PN 17-10

Comment Period: February 17, 2017 to March 20, 2017

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC REGARDING THE WORK DESCRIBED BELOW. 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 of 1899 and/or Section 404 of the Clean Water Act (33. U.S.C. 1344)** as described below:

APPLICANT: Mr. Mike Barr
Vane Brothers Co.
2100 Frankfurst Avenue
Baltimore, Maryland 21226

WATERWAY AND LOCATION: The proposed project is located in the Patapsco River near Fairfield, Baltimore City, Maryland.

PROPOSED WORK: The work would include the following:

- Dredging: To mechanically dredge "Area A" approximately 111,300 square feet/2.56 acres to a depth of -22 feet mean low water and "Area B" approximately 49,700 square feet/1.14 acres to a depth of -14 feet mean low water. The approximate 23,000 cubic yards of dredged material will be deposited at an approved disposal facility identified as the Cox Creek or Masonville dredged material containment facilities;
- Bulkhead: To construct approximately 741 linear feet of replacement steel sheet pile bulkhead and backfill within an average of 1.5 feet channelward and a maximum of 18 feet channelward of the existing deteriorated bulkhead; and
- Pier: To construct a 250-foot long by 24-wide pier extension and install two timber, 7-cluster dolphins not to exceed a maximum distance of 506 feet channelward from the approximate mean high water (MHW) shoreline.

Additionally, the applicant requests a 10-year maintenance dredging clause. The purpose of the project is to provide navigable access to a previously dredged berthing area and shoreline stabilization at an existing marine facility. All work will be completed in accordance with the enclosed plans dated December 2015.

If you have any questions concerning this matter, please contact Ms. Maria N. Teresi at 410-962-4501 or maria.teresi@usace.army.mil.

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 impacts of the work described above on the public interest will include application of the Clean Water Act 404(b)(1) Guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 of the Clean Water Act.

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. 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 District Engineer, U.S. Army Corps of Engineers, Baltimore District, [Attn: Ms. Maria N. Teresi, CENAB-OPR-MN], 10 S. Howard Street, Baltimore, Maryland, 21201 or maria.teresi@usace.army.mil, within the comment period specified above.

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 (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely effect Essential Fish Habitat (EFH).

The project site lies in or adjacent to EFH as described under MSFCMA for windowpane flounder (*Scophthalmus aquosus*) juvenile and adult; blue fish (*Pomatomus saltatrix*) juvenile and adult; summer flounder (*Paralichthys dentatus*) juvenile and adult; and egg, larvae, juvenile and adult stages of red drum (*Sciaenops ocellatus*), king mackerel (*Scomberomorus cavalla*), spanish mackerel (*Scomberomorus maculatus*), and cobia (*Rachycentron canadum*), all managed species under the MSFCMA.

The project has the potential to adversely affect EFH or the species of concern by loss of spawning, nursery, forage and/or shelter habitat as described under the MSFCMA for the species and life stages identified above. The Baltimore District has made a preliminary determination that site-specific impacts would not be substantial and an abbreviated consultation will be conducted with NMFS. This determination may be modified if additional information indicates otherwise and would change the preliminary determination.

WATER QUALITY CERTIFICATION: The applicant is required to obtain a water quality certification in accordance with Section 401 of the Clean Water Act from the Maryland Department of the Environment. Any written comments concerning the work described above which relate to water quality certification must be received by the Maryland Department of the Environment, Tidal Wetlands Division, Montgomery Park Business Center, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland 21230-1708 within the comment period as specified above to receive consideration. MDE has a statutory limit of one year from the date of this public notice to make its decision.

COASTAL ZONE MANAGEMENT PROGRAMS: The applicant has certified in this application that the proposed activity complies with and will be conducted in a manner consistent with the Maryland Coastal Zone Management (CZM) Program. By this public notice, we are requesting the State concurrence or objection to the applicant's consistency statement. Public comments relating to consistency must be received by the Maryland Department of the Environment, Tidal Wetlands Division, Montgomery Park Business Center, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland 21230-1708 within the comment period specified above to receive consideration. MDE has a statutory limit of 6 months to concur or object to the applicant's consistency determination.

The applicant must obtain any State or local government permits which may be required.

A preliminary review of this application indicates that the proposed work will not affect Federal 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.

Review of the latest published version of the National Register of Historic Places

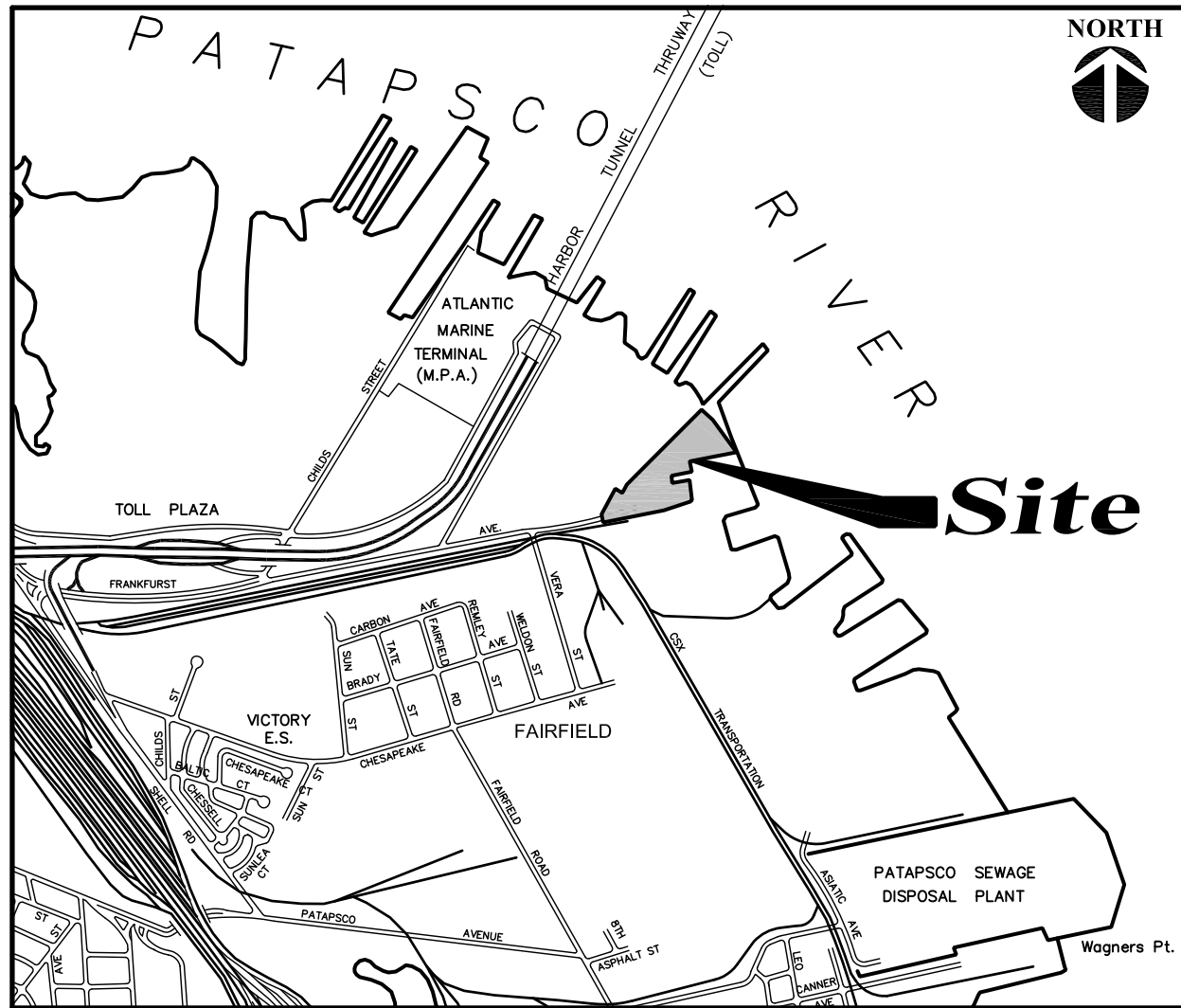
indicates that no registered properties listed as eligible for inclusion, therein, are located at the site of the proposed work. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or destroyed by the work to be accomplished under the request permit.

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 by the District Engineer, U.S. Army Corps of Engineers, Baltimore District, [Attn: Ms. Maria N. Teresi, CENAB-OPR-M], 10 S. Howard St., Baltimore, Maryland 21201, 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.

It is requested that you communicate this information concerning the proposed work to any persons know by you to be interested and not being known to this office, who did not receive a copy of this notice.

FOR THE DISTRICT ENGINEER:

Joseph P. DaVia
Chief, Maryland Section Northern



SITE ADDRESS:
 2100 FRANFURST AVE.
 BALTIMORE, MD 21226

VICINITY LOCATION
 39° 14' 35" LATITUDE
 76° 34' 19" LONGITUDE

APPLICABLE JURISDICTIONS
 BALTIMORE CITY
 US ARMY CORPS OF ENGINEERS
 MARYLAND DEPARTMENT OF THE ENVIRONMENT



VICINITY MAP

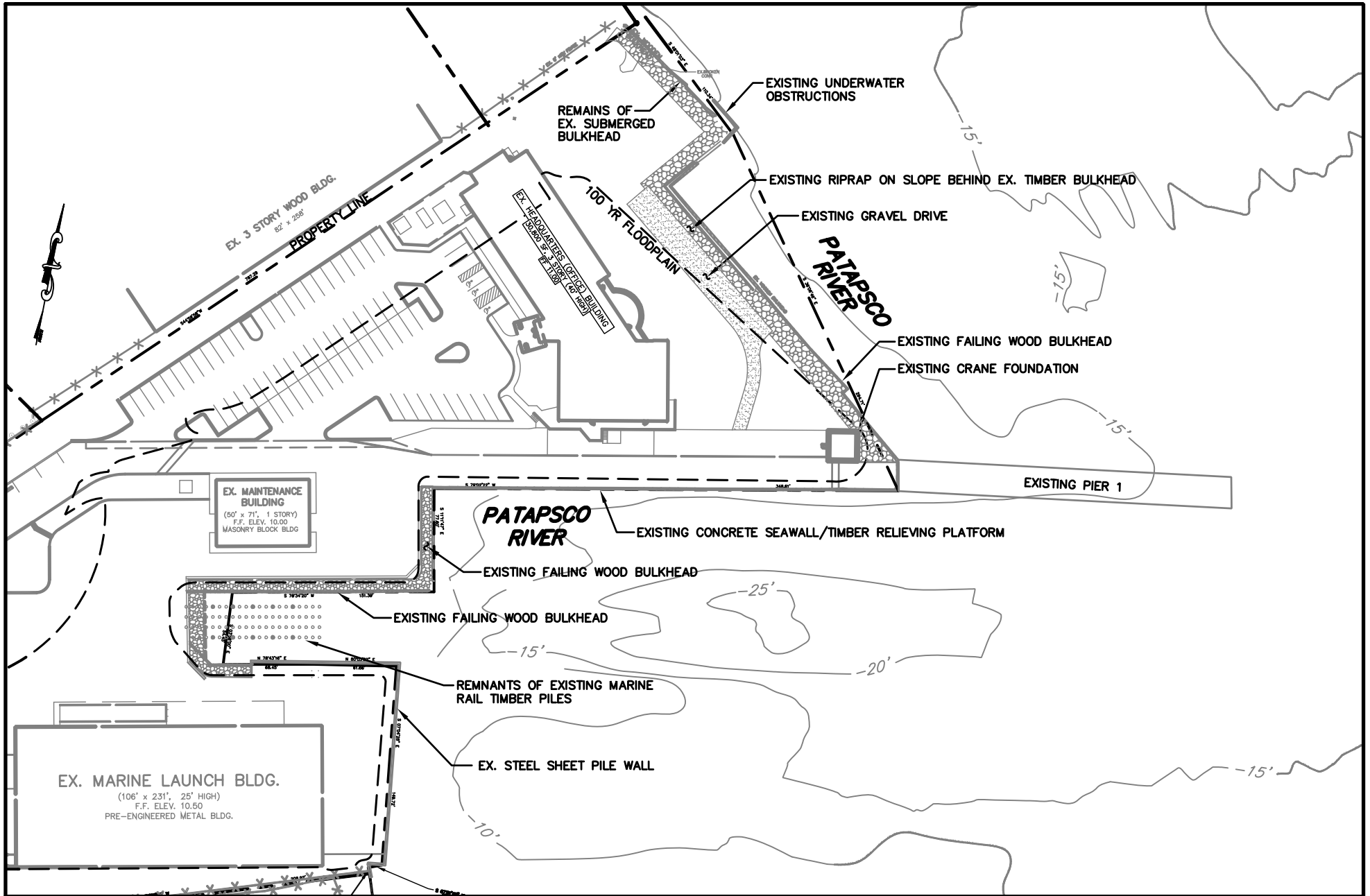
THE VANE BROS. COMPANY
 FAIRFIELD DEVELOPMENT
 2100 FRANFURST AVE.
 BALTIMORE, MARYLAND 21226

DATE:
 DECEMBER 2015

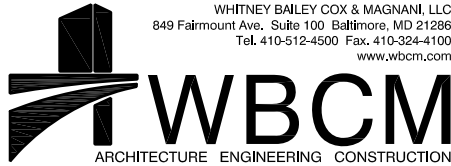
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SHEET:
 01 OF 15

Dec 08, 2015 - 11:05am User: kdietz



Dec 08, 2015 11:06am User: kdietz



WHITNEY BAILEY COX & MAGNANI, LLC
 849 Fairmount Ave. Suite 100 Baltimore, MD 21286
 Tel. 410-512-4500 Fax. 410-324-4100
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EXISTING SITE PLAN

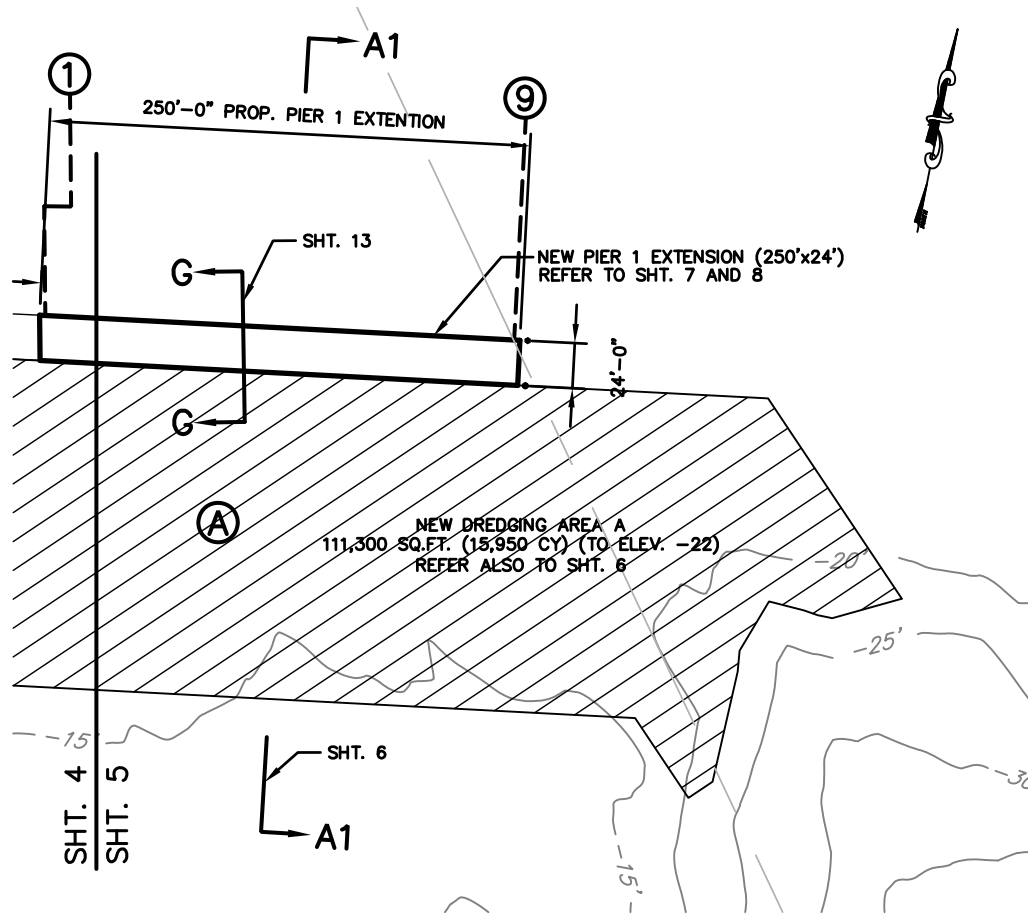
THE VANE BROS. COMPANY
 FAIRFIELD DEVELOPMENT
 2100 FRANKFURST AVE.
 BALTIMORE, MARYLAND 21226

DATE:
 DECEMBER 2015

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SHEET:
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Dec 08, 2015 - 11:11am User: kdietz



PROPOSED SITE PLAN (continued)

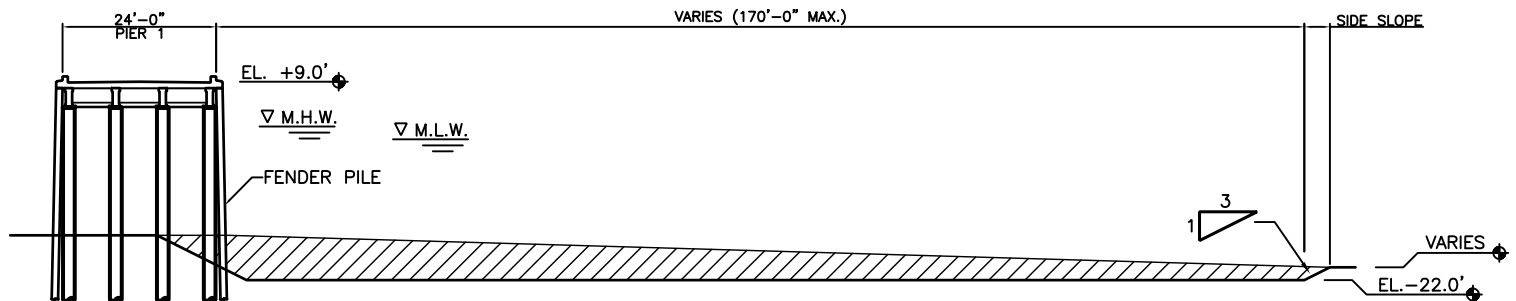
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 FAIRFIELD DEVELOPMENT
 2100 FRANKFURST AVE.
 BALTIMORE, MARYLAND 21226

DATE:
 DECEMBER 2015

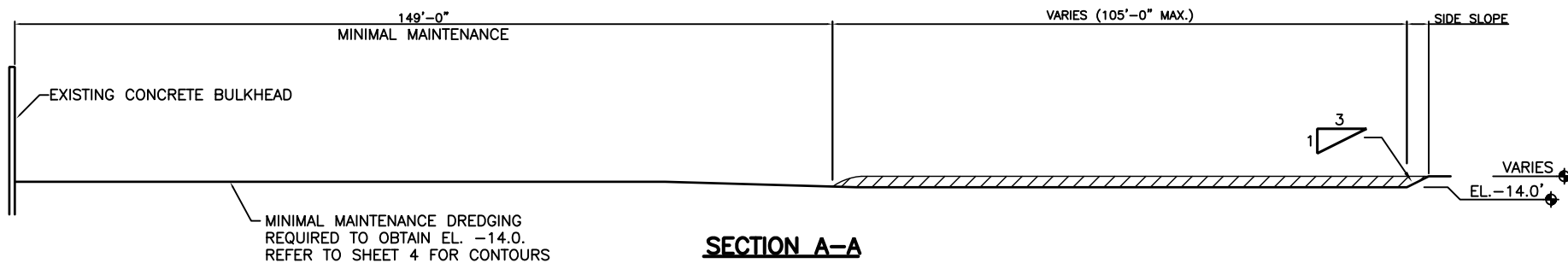
SCALE:
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Dec 08, 2015 - 11:19am User: kdietz



SECTION A1-A1



SECTION A-A



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SECTION A-A & SECTION A1-A1

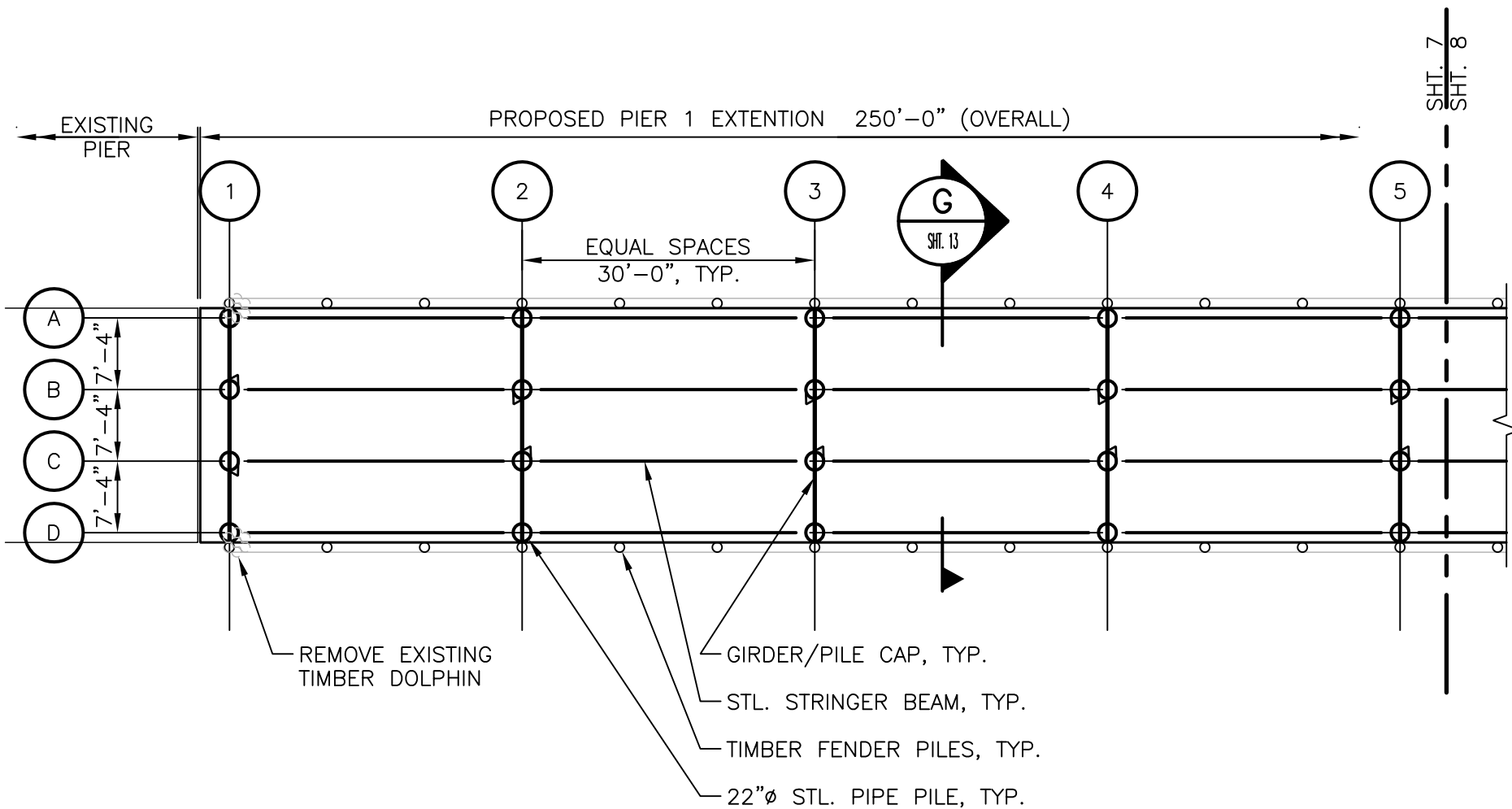
THE VANE BROS. COMPANY
 FAIRFIELD DEVELOPMENT
 2100 FRANKFURST AVE.
 BALTIMORE, MARYLAND 21226

DATE:
 DECEMBER 2015

SCALE:
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SHEET:
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Dec 08, 2015 - 11:20am User: kdietz



PART PLAN - PIER 1 EXTENTION

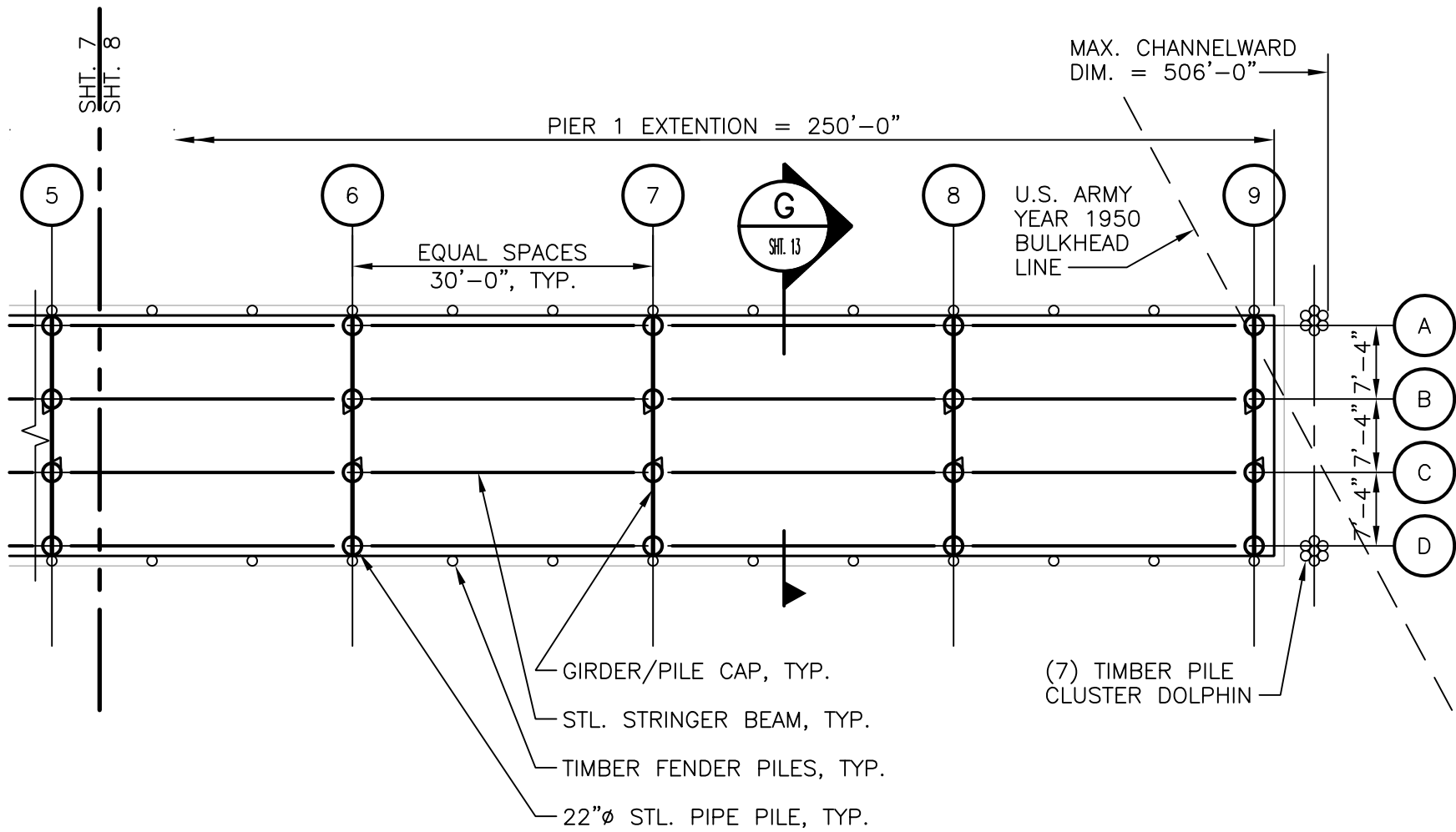
THE VANE BROS. COMPANY
 FAIRFIELD DEVELOPMENT
 2100 FRANKFURST AVE.
 BALTIMORE, MARYLAND 21226

DATE:
DECEMBER 2015

SCALE:
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07 OF 15

Dec 08, 2015 - 11:21am User: kdietz

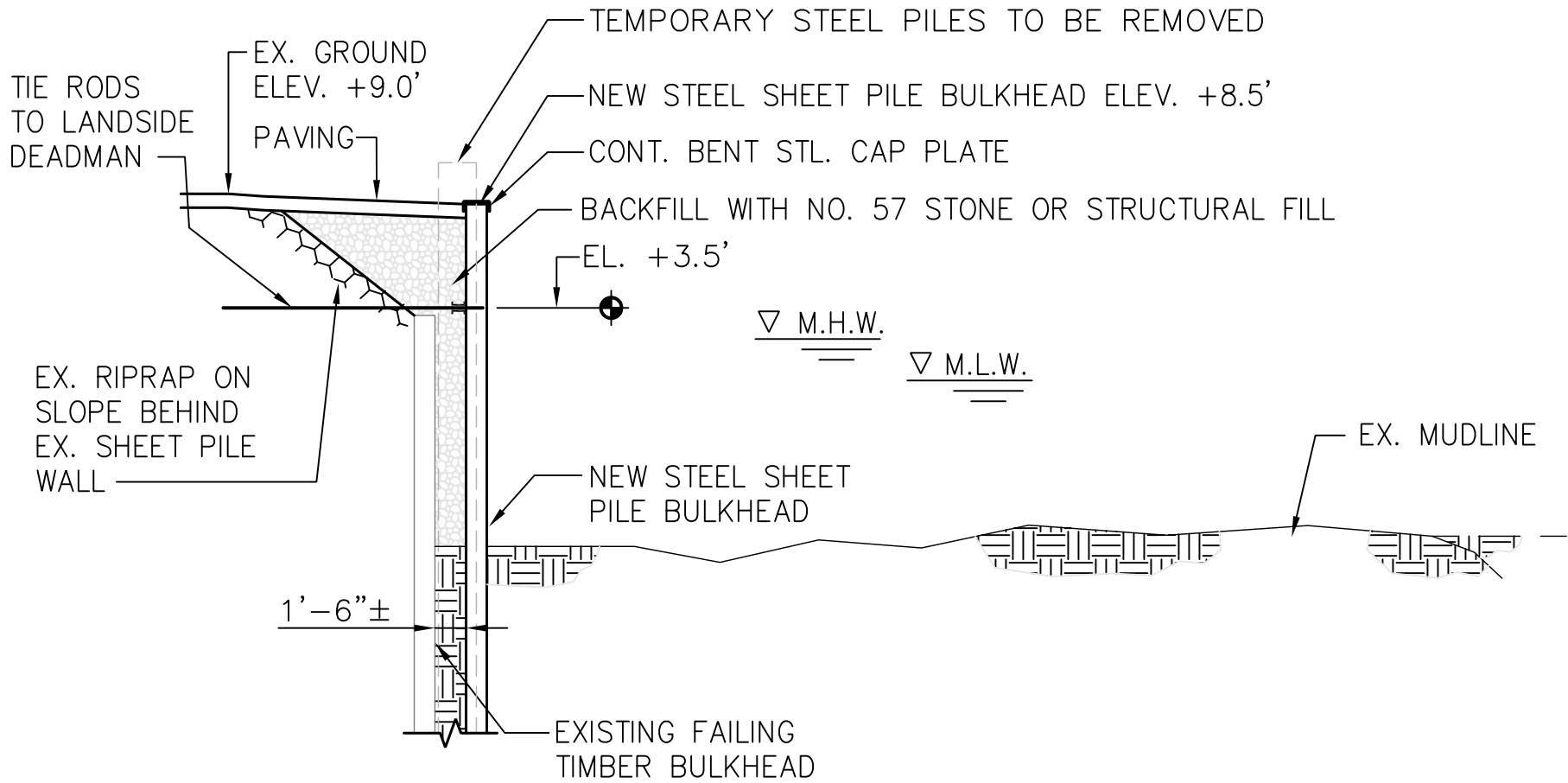



WBCM
 ARCHITECTURE ENGINEERING CONSTRUCTION
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 849 Fairmount Ave. Suite 100 Baltimore, MD 21286
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PART PLAN - PIER 1 EXTENTION

THE VANE BROS. COMPANY
 FAIRFIELD DEVELOPMENT
 2100 FRANKFURST AVE.
 BALTIMORE, MARYLAND 21226

DATE:	DECEMBER 2015
SCALE:	1/16"=1'-0"
SHEET:	08 OF 15



Dec 08, 2015 - 11:22am User: kdietz



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SECTION C - C

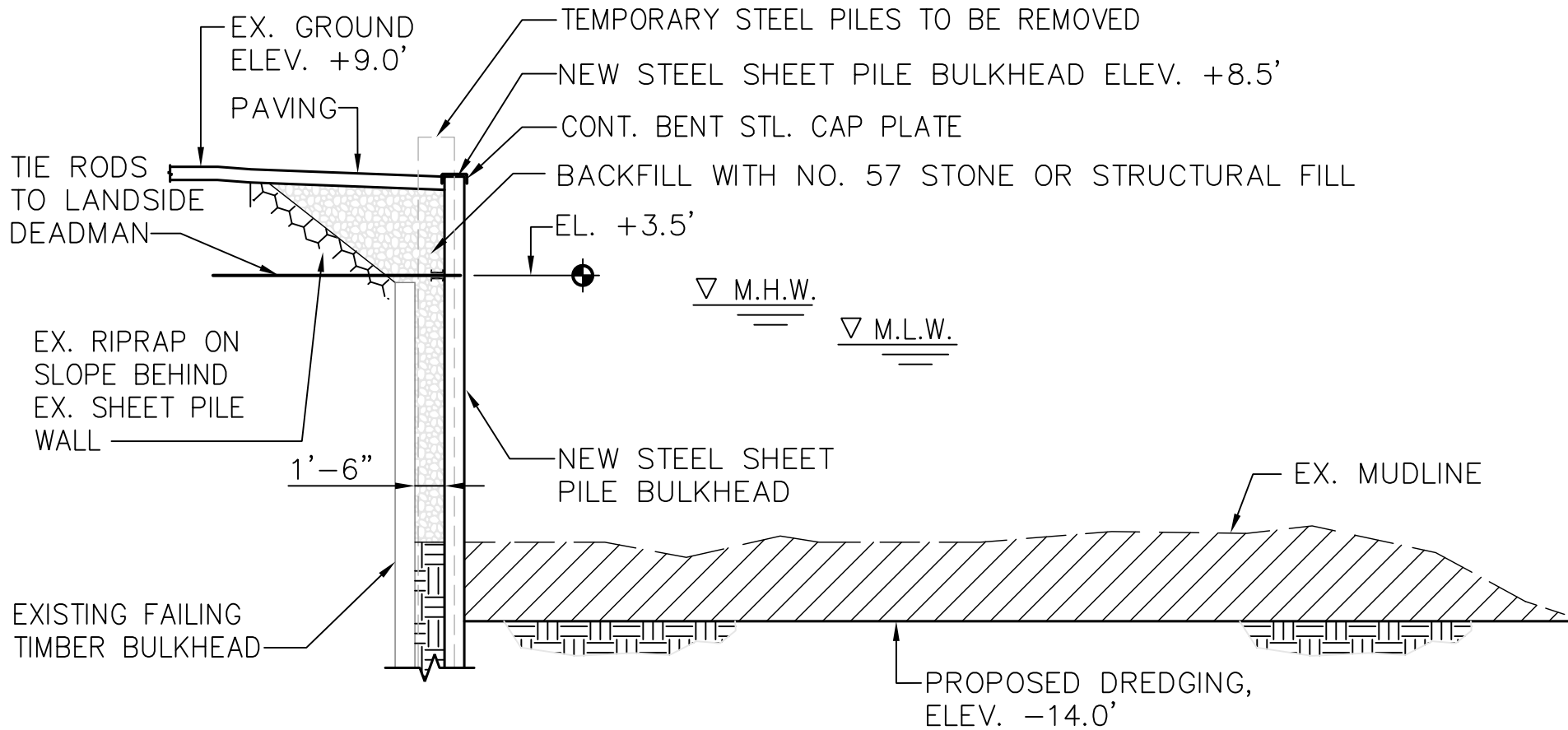
THE VANE BROS. COMPANY
 FAIRFIELD DEVELOPMENT
 2100 FRANKFURST AVE.
 BALTIMORE, MARYLAND 21226

DATE:
 DECEMBER 2015

SCALE:
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SHEET:
 09 OF 15

Dec 08, 2015 - 11:22am User: kdietz



SECTION D - D

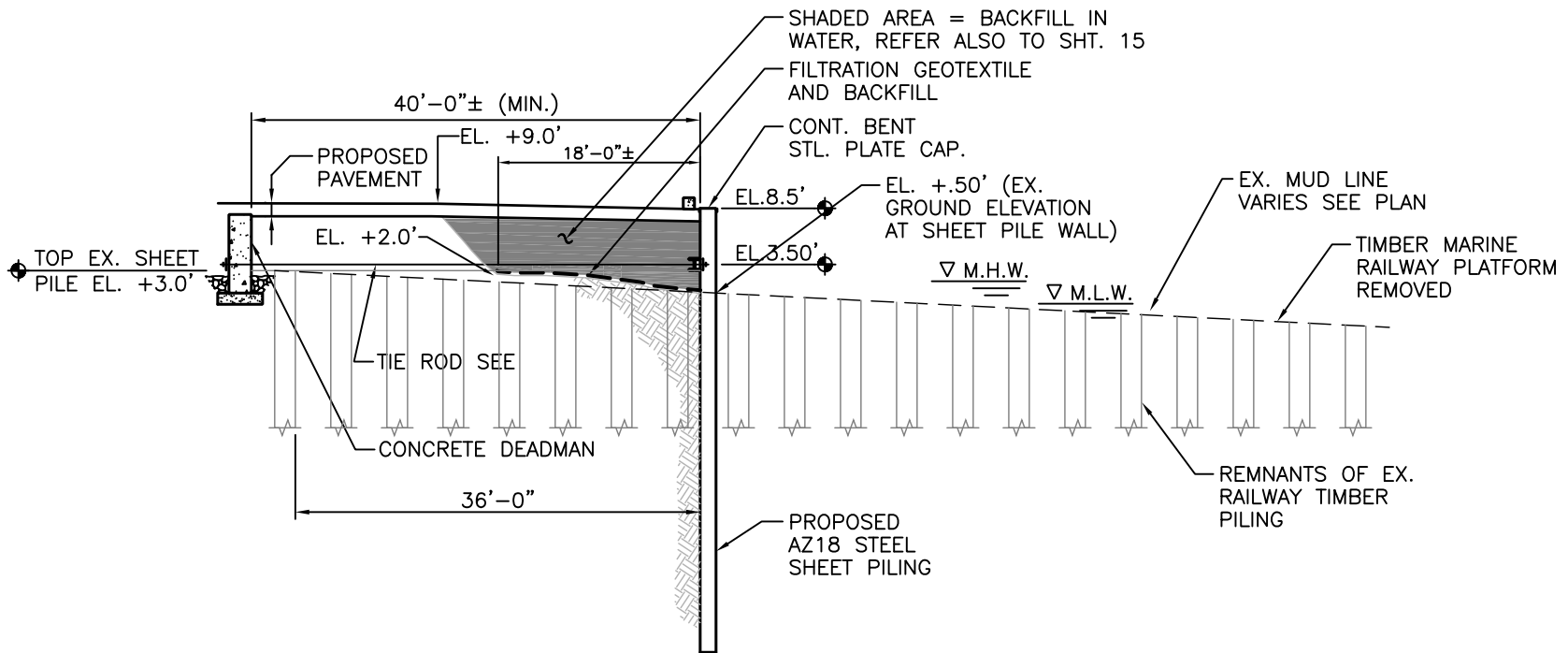
THE VANE BROS. COMPANY
FAIRFIELD DEVELOPMENT
2100 FRANKFURST AVE.
BALTIMORE, MARYLAND 21226

DATE:
DECEMBER 2015

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

SHEET:
10 OF 15

Dec 08, 2015 - 11:23am User: kdietz




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SECTION E - E

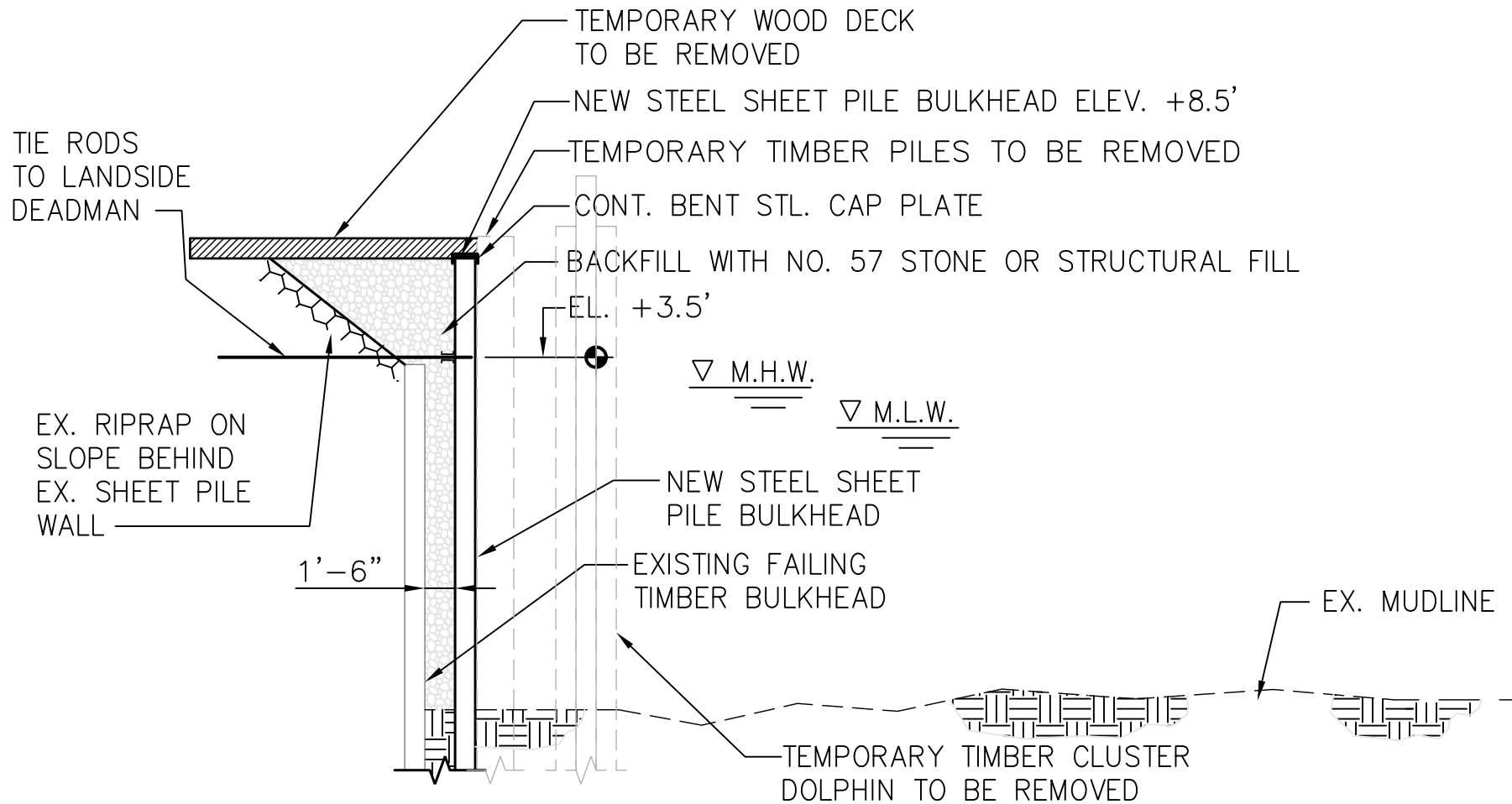
THE VANE BROS. COMPANY
 FAIRFIELD DEVELOPMENT
 2100 FRANKFURST AVE.
 BALTIMORE, MARYLAND 21226

DATE:
 DECEMBER 2015

SCALE:
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SHEET:
 11 OF 15

Dec 08, 2015 - 11:24am User: kdietz



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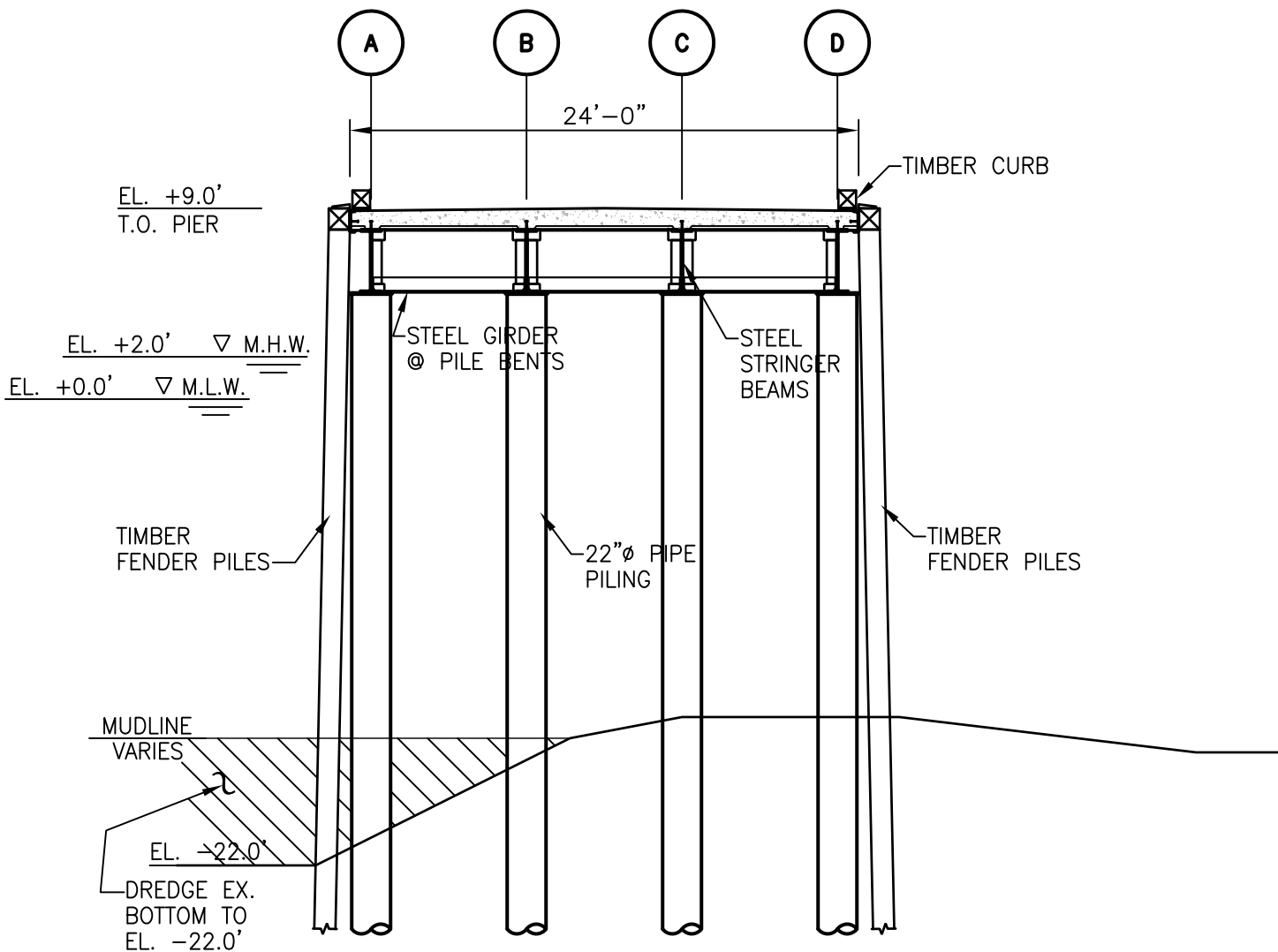
SECTION F - F

THE VANE BROS. COMPANY
 FAIRFIELD DEVELOPMENT
 2100 FRANKFURST AVE.
 BALTIMORE, MARYLAND 21226

DATE:
 DECEMBER 2015

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

SHEET:
 12 OF 15



SECTION G-G

Dec 08, 2015 - 11:24am User: kdietz

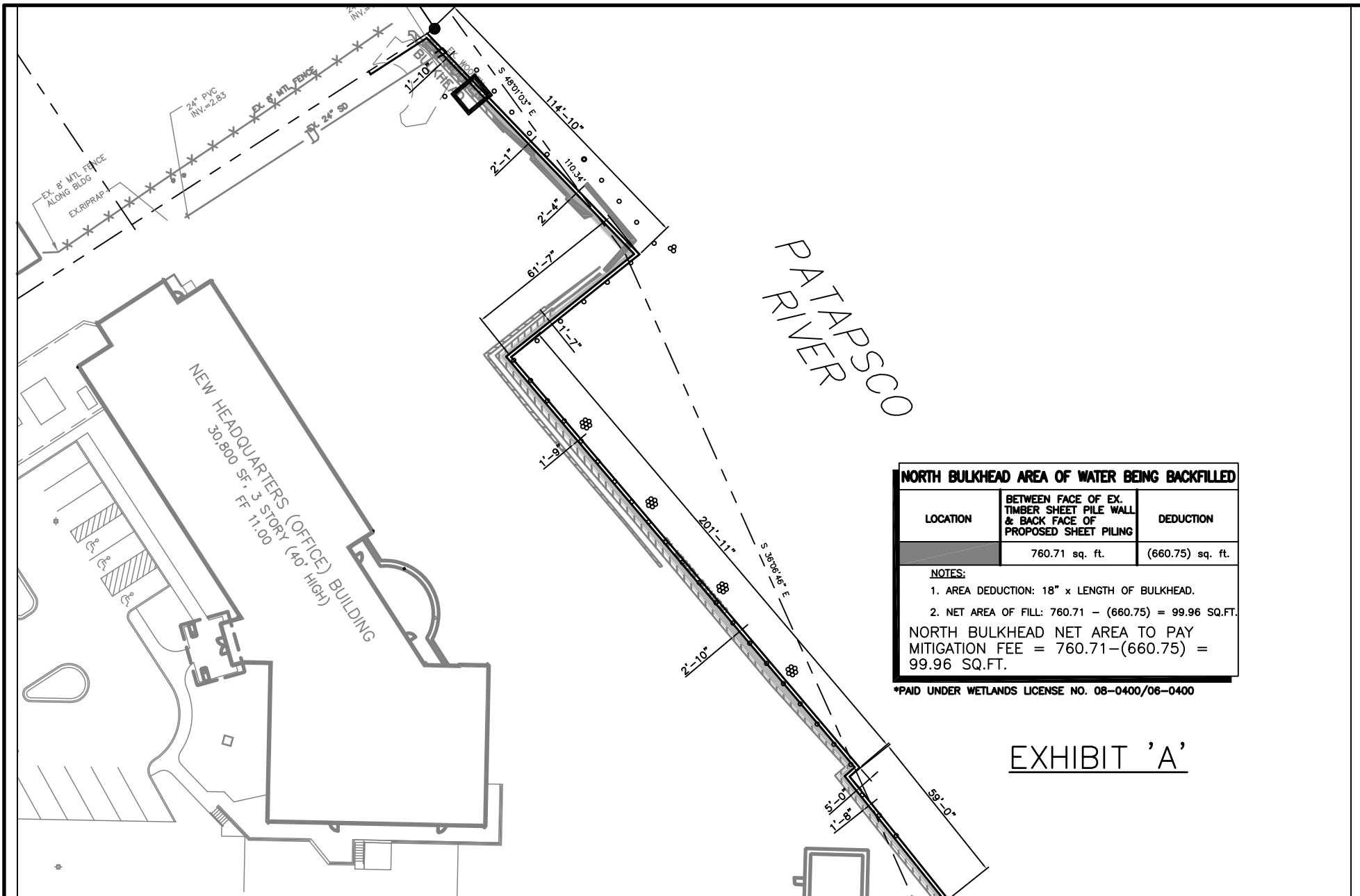
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TYPICAL SECTION - NEW PIER 1

THE VANE BROS. COMPANY
 FAIRFIELD DEVELOPMENT
 2100 FRANKFURST AVE.
 BALTIMORE, MARYLAND 21226

DATE:	DECEMBER 2015
SCALE:	1/8"=1'-0"
SHEET:	13 OF 15

Dec 08, 2015 - 11:27am User: kdietz



NORTH BULKHEAD AREA OF WATER BEING BACKFILLED		
LOCATION	BETWEEN FACE OF EX. TIMBER SHEET PILE WALL & BACK FACE OF PROPOSED SHEET PILING	DEDUCTION
	760.71 sq. ft.	(660.75) sq. ft.
NOTES:		
1. AREA DEDUCTION: 18" x LENGTH OF BULKHEAD.		
2. NET AREA OF FILL: 760.71 - (660.75) = 99.96 SQ.FT.		
NORTH BULKHEAD NET AREA TO PAY MITIGATION FEE = 760.71 - (660.75) = 99.96 SQ.FT.		

*PAID UNDER WETLANDS LICENSE NO. 08-0400/06-0400

EXHIBIT 'A'



WHITNEY BAILEY COX & MAGNANI, LLC
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Tel. 410-512-4500 Fax. 410-324-4100
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NORTH BULKHEAD AREA OF WATER BACKFILLED

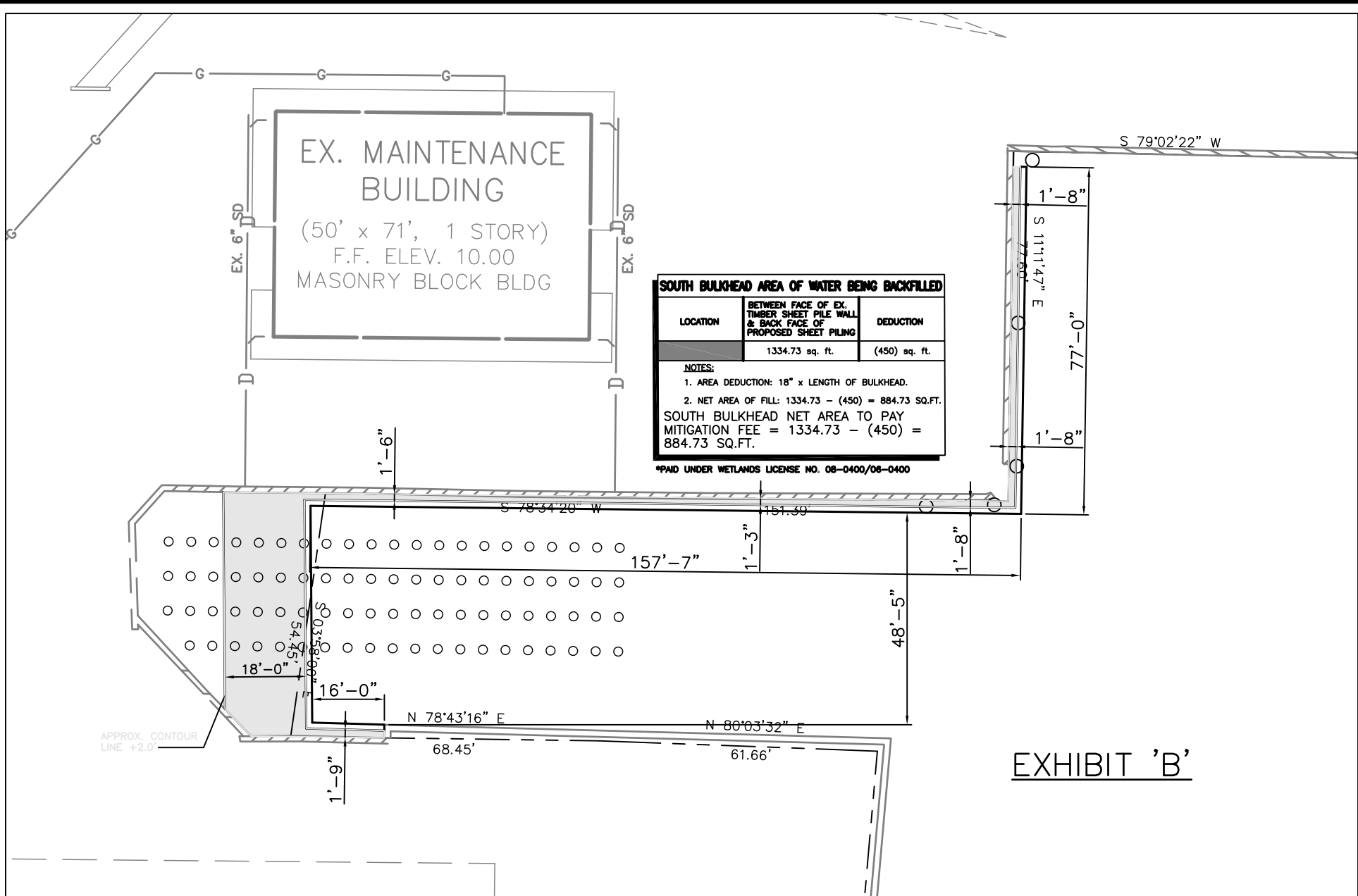
THE VANE BROS. COMPANY
FAIRFIELD DEVELOPMENT
2100 FRANKFURST AVE.
BALTIMORE, MARYLAND 21226

DATE:
DECEMBER 2015

SCALE:
1"=50'

SHEET:
14 OF 15

Dec 08, 2015 - 11:29am User: kdietz



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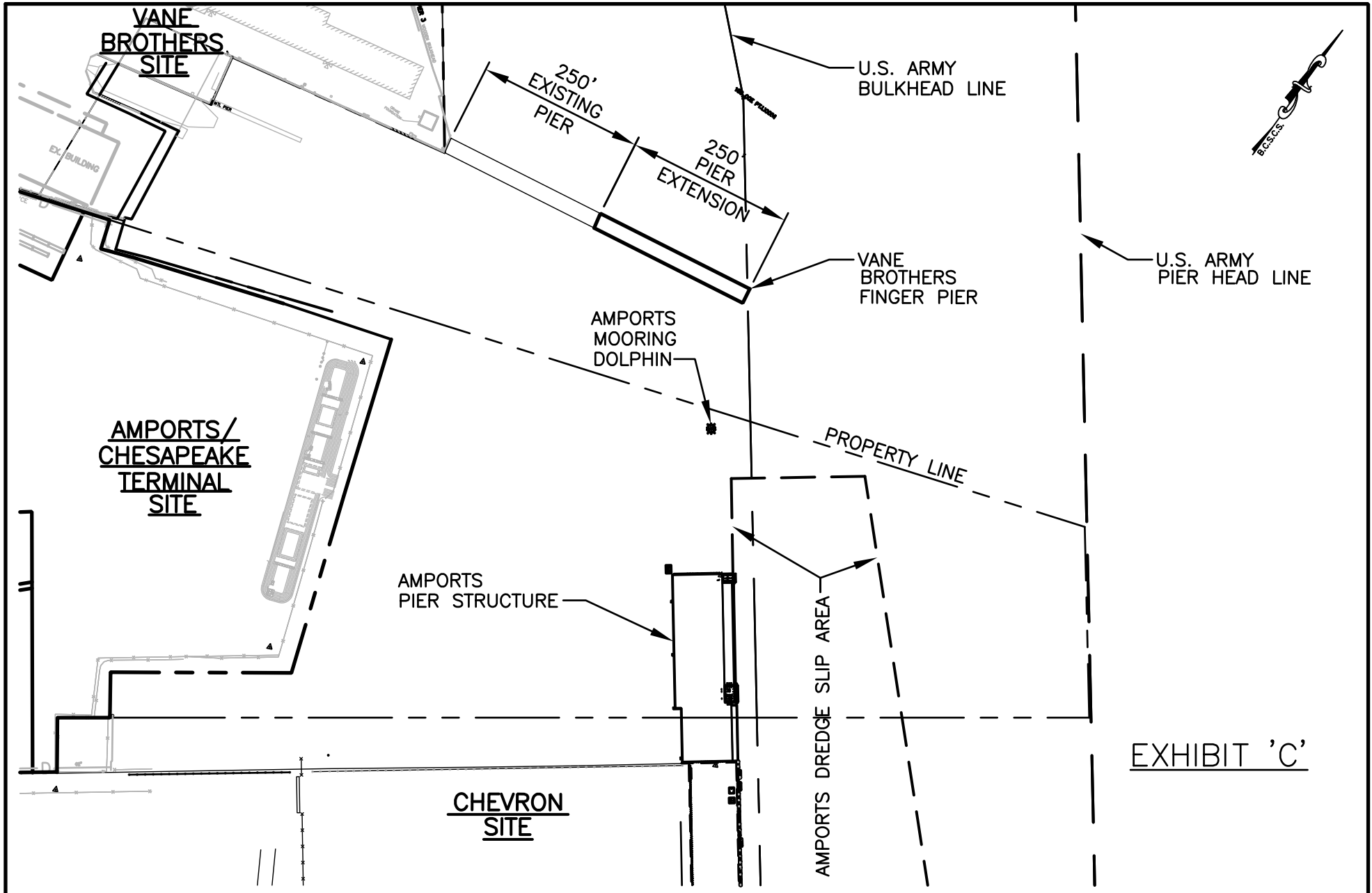
SOUTH BULKHEAD AREA OF WATER BACKFILLED

THE VANE BROS. COMPANY
 FAIRFIELD DEVELOPMENT
 2100 FRANKFURST AVE.
 BALTIMORE, MARYLAND 21226

DATE:
 DECEMBER 2015

SCALE:
 1"=30'

SHEET:
 15 OF 15



Dec 08, 2015 - 11:31am User: kdietz

WBCM
ARCHITECTURE ENGINEERING CONSTRUCTION

WHITNEY BAILEY COX & MAGNANI, LLC
849 Fairmount Ave. Suite 100 Baltimore, MD 21286
Tel. 410-512-4500 Fax. 410-324-4100
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EXHIBIT 'A' COMPOSITE SITE PLAN

THE VANE BROS. COMPANY
FAIRFIELD DEVELOPMENT
2100 FRANKFURST AVE.
BALTIMORE, MARYLAND 21226

DATE:
DECEMBER 2015

SCALE:
1"=200'

SHEET:
15A OF 15