

**DEPARTMENT OF DEFENSE****Department of the Army; Corps of Engineers****Availability of a Supplement to the Draft Environmental Impact Statement for the Proposed Construction of a Dredged Material Containment Facility in the Patapsco River, at Masonville, Baltimore City, MD**

**AGENCY:** Department of the Army, U.S. Army Corps of Engineers, DoD.

**ACTION:** Notice of availability.

**SUMMARY:** In accordance with requirements of the National Environmental Policy Act (NEPA), the U.S. Army Corps of Engineers (USACE), Baltimore District, has prepared a Draft Environmental Impact Statement (DEIS) for the proposed construction of a dredged material containment facility (DMCF) by the Maryland Port Administration (MPA). This DEIS was prepared as part of the submission of MPA's application for a Department of the Army permit to construct the facility in the Patapsco River, Baltimore City, MD. This application will be evaluated pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.

The preferred alternative is for the construction of a stone, sand, and cofferdam structure that would impact approximately 131 acres of waters of the United States, including jurisdictional wetlands. The structure would be initially constructed to 10 feet above the mean low water (MLLW) elevation, with a future temporary elevation to 42 feet above MLLW, and an ultimate elevation of 36 feet above MLLW. The project would also include mechanical dredging of approximately 1.7 million cubic yards of overburden material within the footprint of the proposed disposal site, and the placement of this material at the Hart Miller Island disposal site, Baltimore County, MD. On-site and off-site borrow material would be used for the construction of the containment facility. This proposal was advertised in the **Federal Register** on May 19, 2006 (71 FR 29128). The need to prepare a Supplement is due to the applicant's proposal to change the source of borrow material for the proposed construction of the preferred alternative. The applicant wishes to use suitable material dredged from the channel at the Seagirt Marine Terminal for the construction of a portion of the containment structure. Approximately 0.5 to 0.8 million cubic yards of sand and gravel obtained from dredging to a

maximum of 54 feet below mean low water at Seagirt Marine Terminal would be used at the proposed Masonville DMCF. Detailed description of the proposed modifications and effects to the human environment are discussed in the supplement to the DEIS for the Masonville DMCF.

**DATES:** The Baltimore District must receive comments on or before August 14, 2006 to ensure consideration in the final action. A public hearing on the DEIS has been scheduled for 7 p.m. on Monday July 31, 2006 at the St. John Lutheran Church, 226 Washburn Ave., Baltimore, MD 21225. Displays will be available and representatives of the project team will be present at 6 p.m.

**ADDRESSES:** Please send written comments concerning this proposed project to U.S. Army Corps of Engineers, Baltimore District, Attn: Mr. Jon Romeo, CENAB-OP-RMN, P.O. Box 1715, Baltimore, MD 21203-1715. You may submit electronic comments to [jon.romeo@usace.army.mil](mailto:jon.romeo@usace.army.mil). Your comments must be contained in the body of your message; please do not send attached files. Please include your name and address in your message.

**FOR FURTHER INFORMATION CONTACT:** Mr. Jon Romeo, (410) 962-6079.

**SUPPLEMENTARY INFORMATION:** The EIS and Supplement to the EIS integrate analyses and consultation required by the National Environmental Policy Act (NEPA), Section 10 of the Rivers and Harbors Act of 1899, Section 401 and Section 404 of the Clean Water Act, Section 7 of the Endangered Species Act, the Clean Air Act, the U.S. Fish and Wildlife Coordination Act, Section 106 of the National Historic Preservation Act, and the Magnuson-Stevens Fishery Conservation and Management Act. All appropriate documentation (*i.e.*, Section 7 and Section 106 coordination letters and public and agency comments) will be obtained and included as part of the EIS. The decision on whether or not to issue a Department of the Army permit for this project will reflect the national concern for the protection and utilization of important resources. The benefits which may reasonably be expected to accrue from the proposal will be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered. Among these are wetlands, fish and wildlife resources, cultural resources, land use, water and air quality, hazardous, toxic and radioactive substances, threatened and endangered species, regional geology, aesthetics, environmental justice,

navigation, cumulative impacts, and the general needs and welfare of the public.

**Vance G. Hobbs,**

*Chief, Maryland Section Northern.*

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**BILLING CODE 3710-41-M**

**DEPARTMENT OF DEFENSE****Department of the Army; Corps of Engineers****Intent to Prepare a Draft Environmental Impact Statement for the Brooklyn Navy Yard, Brooklyn, Kings County, NY**

**AGENCY:** Department of the Army, U.S. Army Corps of Engineers, DoD.

**ACTION:** Notice of intent.

**SUMMARY:** The U.S. Army Corps of Engineers (Corps), New York District, is preparing a Draft Environmental Impact Statement (DEIS) to ascertain compliance with and to lead to the production of a National Environmental Policy Act (NEPA) document in accordance with the President's Council of Environmental Quality (CEQ) Rules and Regulations, as defined and amended in 40 Code of Federal Regulations (CFR), Parts 1500-1508, Corps principals and guidelines as defined in Engineering Regulations (ER) 1105-2-100, other applicable Federal and State environmental laws for the proposed Brooklyn Navy Yard Project. The study area consists of the portion of the Navy Yard commonly known as "Admiral's Row" and "Officer Quarters". The Navy Yard is located in the Greenpoint section of Brooklyn, Kings County, NY. This parcel, located within the former Brooklyn Navy Yard, would be transferred to the City of New York. The EIS process will determine if there are any environmental and cultural concerns that will affect the sale of the land. The land would be developed in accordance with the mission of the Brooklyn Navy Yard Development Corporation and the City of New York.

**ADDRESSES:** U.S. Army Corps of Engineers, New York District, Planning Division, Environmental Branch, 26 Federal Plaza, Room 2151, New York, NY 10278-0090.

**FOR FURTHER INFORMATION CONTACT:** Dr. Christopher Ricciardi, Project Archaeologist, at (917) 790-8630 or at [christopher.g.ricciardi@usace.army.mil](mailto:christopher.g.ricciardi@usace.army.mil).

**SUPPLEMENTARY INFORMATION:**

1. A DEIS is due for completion by the end of July 2006.

2. A public information meeting will be held during the DEIS process and comments and issues will be incorporated into the document.

3. Individuals interested in obtaining a copy of the DEIS for review should send their contact information to Dr. Christopher Ricciardi (see **ADDRESSES**).

4. Federal agencies interested in participating as a Cooperating Agency are requested to submit a letter of intent to COL Richard J. Polo, District Engineer (see **ADDRESSES**).

**Leonard Houston,**

*Acting Chief, Planning Division.*

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## DEPARTMENT OF DEFENSE

### Department of the Army; Corps of Engineers

#### **Intent To Prepare a Draft Programmatic Environmental Impact Statement for the Beneficial Use of Dredged Material Program Study as Introduced in the 2004 Louisiana Coastal Area, Louisiana Ecosystem Restoration Study, Programmatic Environmental Impact Statement**

**AGENCY:** Department of the Army, U.S. Army Corps of Engineers, DoD.

**ACTION:** Notice of intent.

**SUMMARY:** The U.S. Army Corps of Engineers, New Orleans District, is initiating this study under the authority provided by the resolutions adopted by the Committees on Public Works of the U.S. Senate and House of Representatives, dated April 19, 1967 and October 19, 1967, respectively, an expansion of the authority created under section 3 of the River and Harbor Act approved June 13, 1902. The Louisiana Coastal Area (LCA) Beneficial Use of Dredged Material Program will optimize the use of dredged material resulting from the maintenance of federally maintained navigational channels to (1) restore formerly existing coastal wetlands; (2) reduce, halt or reverse the loss of existing coastal wetlands; (3) create coastal wetlands where none existed previously; or (4) provide protection to any of the above wetland situations or other coastal landscape features within the study placement area. The LCA Beneficial Use of Dredged Material Program costs are those costs incurred above and beyond the ordinary costs incurred with USACE Operations and Maintenance dredging and disposal operations in accordance with their established base plan for maintenance dredging activities. The

base plan is determined by applying the Federal Standard which requires maintenance dredging and disposal activities to be conducted in the most cost effective, environmentally acceptable manner. The study area is Louisiana's coastal area from Mississippi to Texas. Louisiana parishes included in the study area include Ascension, Assumption, Calcasieu, Cameron, Iberia, Jefferson, Lafourche, Livingston, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John the Baptist, St. Martin, St. Mary, St. Tammany, Tangipahoa, Terrebonne, and Vermilion. The following seven navigation channels represent an initial list of areas with the most significant opportunities

- (1) Calcasieu River and Pass;
- (2) Houma Navigation Canal;
- (3) Atchafalaya River and Bayous Chene, Boeuf, and Black;
- (4) Bayou Lafourche;
- (5) Mississippi River and Tributaries Project, Head of Passes and Southwest Pass;
- (6) Barataria Bay Waterway; and
- (7) Mississippi River Gulf Outlet (although this channel is not currently funded for O&M dredging).

#### **FOR FURTHER INFORMATION CONTACT:**

Questions concerning the Programmatic Environmental Impact Statement (EIS) should be addressed to Ms. Elizabeth McCasland at U.S. Army Corps of Engineers, PM-RS, P.O. Box 60267, New Orleans, LA 70160-0267, phone (504) 862-2021, fax number (504) 862-2088 or by E-mail at *Elizabeth.L.McCasland@mvn02.usace.army.mil*.

#### **SUPPLEMENTARY INFORMATION:**

1. *Alternatives.* Alternatives recommended for consideration presently include the No Action plan, to use dredged materials only within the current federal standard which is not necessarily for beneficial use. Within each channel alternative marsh creation or nourishment sites would be examined to maximize the environmental benefits, environmental need, and the engineering required to get the material to the site. Also, unlike Section 204, Beneficial Uses of Dredged Material, of the Continuing Authorities Program, the LCA Beneficial Use of Dredged Material Program would allow site preparation (such as construction of retention dikes) in anticipation of a future (i.e., 1-3 years out) dredging cycle.

2. *Non-Federal local sponsor.* The State of Louisiana, acting through the Louisiana Department of Natural Resources, is the non-Federal local sponsor. The study cost share ratio is 50% Federal and 50% non-Federal.

3. *Scoping.* Scoping is the process for determining the scope of alternatives and significant issues to be addressed in the Programmatic EIS. For this analysis, a letter will be sent to all parties believed to have an interest in the analysis, requesting their input on alternatives and issues to be evaluated. The letter will also notify interested parties of public scoping meetings that will be held in the local area. Notices will also be sent to local news media. All interested parties are invited to comment at this time, and anyone interested in this study should request to be included in the study mailing list.

Public scoping meetings will be held mid-July 2006 in multiple cities across the southern portion of Louisiana. Additional meetings could be held, depending upon interest and if it is determined that further public coordination is warranted.

4. *Significant Issues.* The tentative list of resources and issues to be evaluated in the Programmatic EIS includes wetlands (marshes and swamps), aquatic resources, commercial and recreational fisheries, wildlife resources, essential fish habitat, water quality, air quality, threatened and endangered species, recreation resources, and cultural resources. Socioeconomic items to be evaluated in the Programmatic EIS include navigation, flood protection, business and industrial activity, employment, land use, property values, public/community facilities and services, tax revenues, population, community and regional growth, transportation, housing, community cohesion, and noise.

5. *Environmental Consultation and Review.* The U.S. Fish and Wildlife Service (USFWS) will be assisting in the documentation of existing conditions and assessment of effects of project alternatives through Fish and Wildlife Coordination Act consultation procedures. The USFWS will provide a Fish and Wildlife Coordination Act report. Consultation will be accomplished with the USFWS and the National Marine Fisheries Service (NMFS) concerning threatened and endangered species and their critical habitat. The NMFS will be consulted on the effects of this proposed action on Essential Fish Habitat. The Programmatic draft EIS (DEIS) or a notice of its availability will be distributed to all interested agencies, organizations, and individuals.

6. *Estimated Date of Availability.* The Programmatic DEIS is expected to be available in the summer of 2007.