

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. 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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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.

SUPPLEMENTARY INFORMATION:

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