



U.S. Army Corps  
of Engineers  
Baltimore District  
SPN-25-06

# Special Public Notice



Maryland  
Department of  
the Environment

NAB-2023-61200-M07 (Tradeport TIL  
Terminals LLC/Sparrows Point Container Terminal)

Comment Period: January 10, 2025, to March 21, 2025

**In Reply to United States Army Corps of Engineers' (USACE) Department of the Army (DA) Application Number NAB-2023-61200-M07 (Tradeport TIL Terminals LLC/Sparrows Point Container Terminal) and Maryland Department of the Environment's (MDE), Tidal Wetlands and Waterways Joint Permit Application 23-WL-0762/202361200, and the MDE Water Quality Certification (WQC) Request 24-WQC-0045.**

**THE PURPOSE OF THIS JOINT PUBLIC NOTICE IS TO ANNOUNCE THE SCHEDULING OF JOINT PUBLIC HEARINGS, AND TO SOLICIT COMMENTS FROM THE PUBLIC REGARDING THE APPLICATION, WATER QUALITY CERTIFICATION REQUEST, AND DRAFT ENVIRONMENTAL IMPACT STATEMENT (EIS) FOR THE PROPOSED SPARROWS POINT CONTAINER TERMINAL IN THE PATAPSCO RIVER, BALTIMORE, MARYLAND. AT THIS TIME, NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT AUTHORIZATIONS WILL BE ISSUED. THE JOINT PUBLIC HEARINGS WILL BE HELD AT THE FOLLOWING LOCATIONS AND TIMES:**

**February 25, 2025 (In-Person)**

Sollers Point Multi-Purpose Center  
323 Sollers Point Road  
Dundalk, Maryland 21222  
5:00 p.m. – 6:00 p.m.: Poster Session  
6:00 p.m. and end no later than 9:00 p.m.: Public Hearing

**February 27, 2025 (Virtual)**

Access the virtual public hearing meeting at this link: <https://bit.ly/SPCTWaterQuality>  
2:00 p.m. – 3:00 p.m.: Poster Session (slide presentation)  
3:00 p.m. and end no later than 6:00 p.m.: Public Hearing

In case of inclement weather on February 25, 2025, where the Baltimore County snow emergency plan is in effect or Baltimore County public schools are closed, the in-person public hearing will be held on March 4, 2025, at the Sollers Point Multi-Purpose Center located at 323 Sollers Point Road, Dundalk, Maryland 21222. From 5:00 p.m. – 6:00 p.m. there will be a poster session and the public hearing will extend from 6:00 p.m. ending no later than 9:00 p.m. If the hearing on February 25 is held, there will not be a hearing on March 4.

For MDE purposes only, all project information and updates will be available on the following project webpage:

<https://mde.maryland.gov/programs/water/WetlandsandWaterways/Pages/TPASparrowsPointContainerTerminal.aspx>

The USACE, Baltimore District and the MDE joint public hearings provide members of the public the opportunity to present views, opinions, and information that will be considered by the USACE in evaluating the DA Permit Application and draft EIS. The MDE is evaluating the Joint Federal/State Application for the Alteration of any Floodplain, Waterway, or Tidal Wetland in Maryland Joint Permit Application proposed for the project and the Section 401 Water Quality Certification request. The purpose of the hearing is for the USACE and MDE to receive oral or written comments that will enable them to evaluate the impacts of the proposed project on the public interest. All interested parties, including representatives of Federal, State, and local governments and private individuals and organizations, are invited to be present or to be represented. Each will be given an opportunity to express their views regarding the proposed project.

From 5:00 pm to 6:00 pm prior to the public hearing on February 25, 2025, there will be an open house and poster session with plans on display where the public will have an opportunity to review exhibits and ask general questions of the applicant, Tradepoint TiL Terminals LLC. Representatives from the USACE and MDE will also be available during the open house plans display. Beginning at 6:00 p.m., the formal public hearing will begin with agency statements, followed by public testimony. The hearings will be transcribed. Hearing transcripts will be available approximately ten days after the hearing on the MDE project website,

<https://mde.maryland.gov/programs/water/WetlandsandWaterways/Pages/TPASparrowsPointContainerTerminal.aspx>, and at the libraries provided below.

For in-person testimony on February 25, 2025, a sign-up will be available at the sign-in table at the public hearing location. Those providing testimony virtually on February 27, 2025, will have an opportunity to sign up virtually during the public hearing. Oral testimony may be limited to five minutes or less depending on the number of commenters. On-line participants are encouraged to join at 2:45 p.m. using the following link: <https://bit.ly/SPCTWaterQuality>

The public hearing location is accessible to persons with disabilities. Any persons having special needs or requiring special aids are requested to contact Mr. Matthew Wallach, Maryland Department of the Environment at 410-207-0893 or by email at [matthew.wallach@maryland.gov](mailto:matthew.wallach@maryland.gov) by February 10, 2025, to secure special accommodations.

Hard copies of the draft EIS will be available at the locations listed below beginning on January 10, 2025.

Baltimore County Public Library – Sollers Point Branch  
323 Sollers Point Road  
Dundalk, Maryland 21222

Baltimore County Public Library - North Point Branch  
1716 Merritt Boulevard  
Dundalk, Maryland 21222

Baltimore County Public Library – Essex Branch  
1110 Eastern Boulevard  
Essex, Maryland 21221

Baltimore County Public Library – Rosedale Branch  
6105 Kenwood Avenue  
Rosedale, Maryland 21237

**TO ALL WHOM IT MAY CONCERN:**

The following application has been submitted for a DA Permit under the provisions of Section 404 of the Clean Water Act (33 U.S.C. 1344); Section 10 of the Rivers and Harbors Act (33 U.S.C. 403); Section 14 of the Rivers and Harbors Act (33 U.S.C. 408); Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413); and a State of Maryland authorization pursuant to Title 16 of the Environment Article, Annotated Code of Maryland, and in accordance with Section 401 of the Clean Water Act (33 U.S.C. 1341) from MDE, the certifying agency.

**NON-FEDERAL SPONSOR:**

Tradeport TiL Terminals LLC  
6995 Bethlehem Boulevard, Suite 100  
Baltimore, Maryland 21219

**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.

**PROJECT LOCATION:** Coke Point Peninsula, on the southwest peninsula of Sparrows Point, in Edgemere, Baltimore County, Maryland (Latitude: 39.202827, Longitude - 76.488273).

**PURPOSE AND DESCRIPTION OF WORK:**

To discharge dredged or fill material into waters of the United States associated with the construction of a new container terminal (the terminal) in the Port of Baltimore (the Port). The proposed Sparrows Point Container Terminal (SPCT) would be located in Baltimore County, Maryland within the Tradepoint Atlantic development on a 330-acre area on the southwest peninsula of Sparrows Point known as Coke Point Peninsula (Coke Point). The proposed terminal would consist of a +/- 3,000-foot marginal wharf with up to nine ship-to-shore cranes, a container yard, gate complex, intermodal/rail yard, and various support structures. To provide vessel access to the wharf, the project would include deepening and widening of the existing Sparrows Point Channel and turning basin, which would require mechanical dredging and placement of approximately 4.2 million cubic yards (MCY) of dredged material. The maximum proposed dredging depth with -2 feet of over depth would be -52 feet at mean lower low water (-52.22 feet at mean low water). Following construction, maintenance dredging of the Sparrows Point Channel would be required. It is anticipated that maintenance dredging would be required on average once every 10 years with an additional volume of approximately 125,000 cubic yards (CY) which will be reviewed as part of the federal permit.

The proposed project would include the construction of an offshore dredged material containment facility (DMCF) on the west side of Coke Point in the existing in-water Coal Pier Channel, to provide placement capacity for a portion of the dredged material. The DMCF would be created by constructing a water-side berm across the mouth of the existing channel, to provide placement capacity for approximately 750,000 cubic yards of dredged material. The DMCF would permanently fill approximately 19.6 acres of tidal waters. Of the remaining dredge material, approximately 1.2 to 1.7 MCY would be placed on-site at the upland High Head Industrial Basin DMCF, approximately 1.25 MCY would be placed at the existing Masonville DMCF located in Anne Arundel County, Maryland and/or Cox Creek DMCF located in Baltimore, Maryland, owned by the Maryland Port Administration, and approximately 1.5 MCY will be barged to Norfolk Ocean Disposal Site (NODS), a designated offshore disposal area located in the Atlantic Ocean, approximately 17 miles from the entrance to the Chesapeake Bay. The High Head Industrial Basin DMCF would involve constructing a DMCF with the capacity to hold 1.2 to 1.7 MCY of dredged material. The DMCF would have an exterior dike elevation of approximately +30 feet, in the existing High Head Industrial Basin located approximately 2.5 miles northeast of the terminal project area within the Tradepoint Atlantic property.

**APPLICANT'S PROPOSED AVOIDANCE, MINIMIZATION, AND COMPENSATORY MITIGATION:**

As part of the planning process for the proposed project, steps were taken to ensure avoidance and minimization of impacts to aquatic resources to the maximum extent practicable based on the existing site conditions.

The applicant considered several alternative designs to meet the project goal of constructing a new container terminal facility in the Port of Baltimore while also avoiding and minimizing impacts on the Patapsco River. Alternative designs considered include a no-build alternative, a 100-acre DMCF alternative, and a combined options alternative for the disposal of dredge material. The no-build alternative would be a continuation of current property and land management at Sparrows Point and would not include the development of a new terminal and associated facilities. The applicant originally proposed a 100-acre offshore DMCF to be located on the western portion of Coke Point, in the Patapsco River. Through early coordination with the USACE, MDE, and resource agencies, the applicant reduced the size of the proposed DMCF to approximately 35 acres, and then further reduced it to 19.6 acres. The proposed 19.6-acre DMCF would be located in the existing Coal Pier Channel on the west side of Coke Point. The design changes to the proposed offshore DMCF reduced the loss of open water to one-fifth (20%) of the original proposed in-water footprint. In the applicant's preferred combined options alternative, material dredged from the Sparrows Point Channel would be placed at the High Head Industrial Basin DMCF, located on Tradeport Atlantic property, the Coal Pier Channel DMCF, existing nearshore Maryland Port Administration DMCFs such as Cox Creek and Masonville, and ocean placement at NODS.

The applicant also reduced the proposed dredging footprint of the Sparrows Point Channel from 112.6 acres to approximately 111.4 acres and the volume of dredge material has been reduced from 4.5 million cubic yards to approximately 4.2 million cubic yards. In addition, the number of piles has been reduced from 1,846 to approximately 1,410, and the proposed berth alignment was moved from the west side of Coke Point in the Patapsco River to inside the existing embayment of the Sparrows Point Channel, reducing dredge volume and additional impacts to the Patapsco River. The applicant is considering construction best management practices and environmental controls to be implemented during certain in-water construction activities and locations to protect and minimize impacts to aquatic resources. Best management practices would reduce turbidity, reduce the potential for sedimentation impacts on water column and bottom communities, and reduce the potential for release of contaminants to surface waters in and around the SPCT project area.

Compensatory mitigation for unavoidable tidal water impacts associated with this project is proposed to be satisfied through a combination of on-site in-kind, on-site out-of-kind, and off-site out-of-kind permittee responsible mitigation. The proposed mitigation package includes a combination of restoration, creation, and enhancement of tidal open water, emergent tidal wetlands, and shallow water habitat areas. It may also include remediation of historically distressed areas located on-site, as necessary. Further study is needed to determine the need and level of remedial activities and the type of remediation actions best suited to address these areas.

The on-site mitigation projects are located along the shoreline of Bear Creek adjacent to Bethlehem Boulevard, within the Patapsco River at the point on the east side of the southeast peninsula, along Old Road Bay at the Craighill Lighthouse Peninsula, along Jones Creek at the Pleasant and North Point Yacht Clubs, and within the embayment of the Sparrows Point site at the High Pier Wharf. The on-site in-kind mitigation projects involve open water restoration at a 1:1 impact-to-mitigation ratio. The applicant is proposing to convert the upland to tidal emergent open water and tidal wetlands and to include a multi-habitat restoration and creation area, providing approximately 11.6 acres of mitigation. The on-site out-of-kind mitigation projects involve multi-habitat restoration and creation at a 2:1 impact-to-mitigation ratio. The applicant is proposing to install a natural stone sill, reef balls, shallow water bottom substrate and habitat improvements, and tidal wetland creation, providing approximately 4.23 acres of mitigation. The applicant is also proposing to enhance tidal wetlands on-site by controlling Phragmites, at a 4:1 impact-to-mitigation ratio, providing approximately 0.71 acres of mitigation.

The off-site mitigation projects are tentatively located within waters of the Middle Chesapeake Bay watershed near the mouth of the Patapsco River or near Hart-Miller Island, and at a location yet to be determined. The off-site out-of-kind mitigation projects involve the removal of derelict crab traps in the middle Chesapeake Bay and oyster reef restoration and seeding, providing 1.3 acres of mitigation.

#### **CORPS EVALUATION REQUIREMENTS:**

This project will be evaluated pursuant to USACE Regulatory Program Regulations (33 CFR Parts 320-332). 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 benefit which reasonably may be expected to accrue from the proposals 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, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plan 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. 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 (USEPA).

The USACE is soliciting comments from the public; federal, state, and local agencies and officials, Indigenous Tribes, and Nations; and other interested parties in order to consider and evaluate the impacts of the proposed activity. Any comments received will be considered by the USACE 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 will be considered in the preparation of the Final EIS pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the overall public interest of the proposed activity. The evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, USEPA, under the authority of Section 404(b) of the Clean Water Act (40 CFR Part 230).

**OCEAN TRANSPORT AND DISPOSAL OF DREDGED MATERIAL:** Pursuant to Section 103 of the Marine Protection, Research, and Sanctuaries Act (MPRSA) of 1972 and USACE policy 33 Code of Federal Regulations (CFR) 337.1, this Public Notice serves as the USACE, Baltimore District notification relating to proposed transport for the purpose of disposal of suitable dredged material from the Sparrows Point Channel and turning basin encompassing approximately 4.2 million cubic yards (MCY) at the NODS

The NODS was designated by the USEPA pursuant to Section 102(c) of MPRSA for the ocean placement of suitable dredged material. The final rule was promulgated by the USEPA on July 2, 1993 (FR. Vol. 58 No. 126), effective July 2, 1993. Dredged material proposed for transport for the purpose of disposal at the NODS must be evaluated by the U.S. Army Corps of Engineers in accordance with part 227 of the MPRSA, Section 103 and processed in accordance with 33 CFR 324. The use of NODS is contingent upon USEPA, Region 3 review and concurrence that the dredged material meets MPRSA criteria (40 CFR 227).

The NODS is located in the Atlantic Ocean approximately 17 statute miles east of Cape Henry. The center point coordinate of the NODS is latitude 36°59'00" North and longitude 75°39'00" West. The site is circular with a radius of 4 nautical miles and has an area of approximately 50 square nautical miles. Water depth within the NODS ranges from -42 to -85 ft MLLW. The site has unlimited capacity and is designated to

provide capacity for long-term management of dredged material (USEPA 1992). Any dredged material that passes ocean placement criteria may be placed at the NODS.

Prior to 2008, the NODS was solely used by the U.S. Navy. In August 1993, approximately 51,000 cubic yards (CY) of dredged material from the Naval Supply Center Cheatham Annex and 475,000 CY of dredged material from the Naval Weapons Station Yorktown were placed at the site. Since 2010, other projects that have been recently placed at the NODS include the VDOT – Midtown Tunnel (1,121,642 CY placed October 2013 to October 2014), Joint Base Langley Eustis (JBLE) – Skiffes Creek Channel (128,244 CY placed November 2014 to December 2014), JBLE – Fuel Pier Basin (57,122 CY placed February 2019 to July 2019), the JBLE – Back River Channel (125,723 CY placed February 2019 to July 2019), and Norfolk Harbor Channels 50-ft Maintenance (ongoing). Other projects that have been previously permitted for placement at the NODS include CIEE (24.5 MCY), Yorktown Naval Weapons Station (65,000 CY), Chesapeake Bay Bridge Tunnel – Parallel Thimble Shoals Tunnel Project (1.7 MCY), Cheatham Annex CAD-A Pier (88,000 CY), Naval Weapons Stations Yorktown R3 Pier (110,000 CY), Norfolk Harbor Navigation Improvements Project (12.1 MCY), Portsmouth Marine Terminal (216,737 CY), Naval Station Norfolk Phase 1 (3.2 MCY), Naval Station Norfolk Phase 2 (1 MCY), and Virginia International Gateway (2.56 MCY). There have been no documented effects from the authorized discharges that have been made in the placement area.

#### **DREDGED MATERIAL CHARACTERISTICS AND COMPOSITION:**

Sediments proposed for dredging consist of non-contaminated pre-industrial alluvial sediment, sediments that may contain legacy contaminants, and slag. The physical and chemical properties of the sediment within the footprint of the proposed Sparrows Point Channel deepening and widening varies within the North Channel and South Channel and varies by Dredge Unit (DU). The South Channel segment is comprised of DU1 through DU15 and includes approximately 1.65 MCY of sediment. Sediments in the South Channel dredging area are predominantly comprised of fine-grained silts and clays. Metals, PCBs, PAHs, SVOCs, chlorinated pesticides, and dioxin/furan congeners were detected most frequently in the sediments; the specific analytes detected, and their 25 concentrations varied by DU. Highest concentrations of metals and PAHs were present in the sediments from DUs 1, 2, and 3 (channel deepening), DU8 (east widener), and DU11 (west widener). Arsenic concentrations in each DU and the dioxin TEQ concentration in DU3 exceeded the industrial soil regional screening levels (RSL).  
With



respect to ocean placement criteria, each of the South Channel DUs, with the exception of DU3, met the Limiting Permissible Concentration (LPC) for water quality criteria, water column toxicity, benthic toxicity, and benthic bioaccumulation in accordance with 40 CFR 220-228. Results of the Toxicity Characteristic Leaching Procedure (TCLP) testing indicated that none of the tested materials in the South Channel DUs were classified as hazardous waste.

The North Channel is composed of DU16 through DU28 and includes approximately 2.55 MCY of sediment. Sediments in the North Channel are a combination of sand and fine-grained silts and clays with the highest proportions of sand (29 to 38.6%) in the northern DUs in the west widener (DU24, DU25, DU26, DU27, DU28). Metals, PCBs, PAHs, SVOCs, chlorinated pesticides, dioxin/furan congeners, VOCs, TPH, and oil and grease were detected most frequently in the sediments; the specific analytes detected, and their concentrations varied by DU. The highest concentrations of total PAHs were present in the sediments from DUs 16, 17, 18 (channel deepening) and DUs 26 and 28 (west widener). Arsenic concentrations in each DU, the dioxin TEQ concentration in DU16, and three PAHs (1-methylnaphthalene, naphthalene, and benzo(a)pyrene) in DU18 exceeded the industrial soil RSLs. With respect to comparisons to baseline control limits (BCLs) for MPA DMCFs, the concentrations of multiple individual PAHs and total PAHs exceeded the BCLs in DUs 16, 17, 18, 19, 23, 26, and 28.

Concentrations of lead in DUs 17 and 23, concentrations of zinc in DUs 16, 17, and 19, concentrations of dibenzofuran in DU18, and concentrations ethylbenzene and toluene in DU22 also exceeded BCLs. Several other individual constituents exceeded BCLs in various DUs, but the concentrations were not substantially higher than the BCLs, indicating that the concentrations were similar to those of materials previously placed in MPA DMCFs. Results of the TCLP testing indicated that none of the tested materials in the North Channel DUs were classified as hazardous waste. Dredged material from these North Channel DUs would be placed in upland DMCFs.

Dredged material from the SPCT South Channel project area (Dui through DU15) was tested for liquid phase, liquid and suspended particulate phase, and solid phase (e.g., benthic toxicity and benthic bioaccumulation) using criteria and procedures developed by the Administrator of the USEPA in accordance with 40 CFR 220-228. Evaluation of the liquid phase dredged material has determined the material from 14 DUs from the South Channel of the Sparrows Point Channel area complies with the Limiting Permissible Concentration (LPC) at the NODS and is in compliance with 40 CFR 227.6(c)(1) and 227.27(a)(1). Evaluation of the liquid and suspended particulate phase dredged material has determined the material from the 14 South Channel DUs in complies with the LPC at the NODS and is in compliance with 40 CFR 227.6(c)(2) and 227.27(b). Evaluation of the solid phase dredged material has determined the material from the 14 South Channel DUs area complies with the LPC and is in compliance with 40 CFR 227.13(c)(3), 227.6(c)(3) and 227.27(b) for placement at the NODS. The dredged material from the 14 South Channel DUs meets the LPC for benthic

bioaccumulation and complies with the benthic criteria of 40 CFR Part 227.13 (c)(3) for placement at NODS. The dredged material as described from the 14 South Channel DUs meets the MPRSA criteria (40 CFR 227).

#### **ENDANGERED SPECIES:**

The District Engineer has consulted the most recently available information and has made a preliminary determination that the project may affect but is not likely to adversely affect the Atlantic Sturgeon, Shortnose Sturgeon, Green Sea Turtle, Loggerhead Sea Turtle, Kemp's Ridley Sea Turtle, Leatherback Sea Turtle, Northern Long-Eared Bat, and Tricolored Bat. These impacts are not likely to jeopardize the existence of the above listed species. Pursuant to Section 7(c) of the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq), the USACE requested informal consultation with the National Marine Fisheries Service on January 10, 2025. A biological assessment was prepared to evaluate potential effects of the Proposed Action on the Atlantic Sturgeon, Shortnose Sturgeon, Green Sea Turtle, Loggerhead Sea Turtle, Kemp's Ridley Sea Turtle, and Leatherback Sea Turtle. Several avoidance, minimization and conservation measures are being recommended, as well as mitigation measures in the interest of environmental stewardship and to promote the recovery of the species.

#### **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 EFH as described under MSFCMA for managed species under the MSFCMA. The Baltimore District has made a preliminary determination that the project will have a substantial adverse effect on EFH. An Essential Fish Habitat Assessment was prepared to evaluate the potential effects of the Proposed Action on the six EFH species and one Habitat Area of Particulars Concern located within the project site. The Baltimore District has made a preliminary determination that mitigative measures are required to minimize adverse effects on EFH. 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 USACE 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 USACE has made the preliminary determination that the proposed project would have no adverse effect on historic properties. The USACE 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 USACE' 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. The USACE 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 USACE final eligibility and effect determination will be based on coordination with interested tribes, in accordance with the USACE 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/>.

**SECTION 401 WATER QUALITY CERTIFICATION:**

The applicant has applied for a Section 401 WQC from the certifying agency:

Maryland Department of the Environment  
Water and Science Administration  
Regulatory Services Section – Attn: WQC  
Montgomery Park Business Center – Ste. 430  
1800 Washington Blvd.  
Baltimore, Maryland 21230-1708  
Telephone: 410-537-3745

The applicant is required to obtain a WQC in accordance with Section 401 of the Clean Water Act from MDE, the Section 401 certifying agency. The applicant requested a Section 401 WQC from MDE on December 3, 2024; comments on the water quality certification request from the public will be taken as part of this notice and hearing. Pursuant to COMAR 26.08.02.10F(1), MDE is providing notice of a scheduled Public Hearing for Water Quality Certification 24-WQC-0045.

**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.

**RESPONSES:**

For USACE, written statements concerning the proposed activity should be received in this office on or before the closing date of this Public Notice in order to become a part of the record and to be considered in the final determination. Any objections that are received during this period may be forwarded to the applicants for possible resolution before the determination is made whether to issue or deny the requested DA Permit. Public comments may be subject to release under the Freedom of Information Act. All written comments concerning the work described above as it relates to the factors listed above, or other pertinent factors, must be received by the USACE within the comment period specified above through postal mail at the address below or electronic submission to the project manager's email address below. Comments should reference the USACE Application Number NAB-2023-61200-M07. We encourage you to use the Regulatory Request System to submit comments on this public notice by visiting <http://rrs.usace.army.mil>.

United States Army Corps of Engineers  
Baltimore District – Regulatory Branch  
Attn: Ms. Maria N. Teresi  
2 Hopkins Plaza  
Baltimore, Maryland 21201  
[NAB-SPCT@usace.army.mil](mailto:NAB-SPCT@usace.army.mil)  
410-962-4252

For MDE, only those issues subject to regulation by the MDE Tidal Wetlands Division (impacts to tidal wetlands) will be considered in rendering a decision to grant or deny the MDE Permit. Written comments for MDE regarding the JPA and WQC, concerning the work described above within the State of Maryland must be postmarked by MDE within the comment period specified above though postal mail or via email using the contact information below. Comments should reference MDE Tracking Numbers 23-WL-0762/202361200/24-WQC-0045. Please refer to Title 16; COMAR 26.24.01 for information regarding the application process. All project information and updates will be available on the following MDE Project webpage:  
<https://mde.maryland.gov/programs/water/WetlandsandWaterways/Pages/TPASparrowSPointContainerTerminal.aspx>.

Maryland Department of the Environment  
Wetlands and Waterways Protection Program  
Attn: Mr. Matthew Wallach  
1800 Washington Boulevard, Suite 430  
Baltimore, Maryland 21230-1708  
[matthew.wallach@maryland.gov](mailto:matthew.wallach@maryland.gov)  
410-207-0893

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 USACE 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 USACE implementing regulations at 33 CFR 325.3 and the State of Maryland's Code of Regulations 26.24.01.04 and 26.06.02.08. If you have any questions concerning this specific project, please contact Ms. Maria N. Teresi, USACE or Mr. Matthew Wallach, MDE. This public notice is issued by the Chief, Regulatory Branch.