



**US Army Corps
of Engineers**

Philadelphia District

Public Notice

Public Notice No.
CENAP-PL-E-08-01

Date
January 15, 2008

Internet Homepage <http://www.nap.usace.army.mil>

In Reply Refer to: Environmental Resources Branch

CHEESAPEAKE AND DELAWARE (C&D) CANAL TRAIL PROJECT NEW CASTLE COUNTY, DELAWARE AND CECIL COUNTY, MARYLAND

Pursuant to Section 404 of the Clean Water Act of 1977 and Section 10 of the Rivers and Harbors Act of 1899, NOTICE IS HEREBY GIVEN that the Philadelphia District, U.S. Army Corps of Engineers (Corps) proposes the construction of the C&D Canal Trail Project in Cecil County, Maryland and New Castle County, Delaware (Figure 1).

The United States Army Corps of Engineers has evaluated the construction of Phase 1 of the Chesapeake & Delaware (C&D) Canal Trail Project. The C&D Canal runs 17 miles through Delaware and Maryland, connecting the Delaware River with the Chesapeake Bay. The C&D Canal is a working waterway and one of the busiest in the world, with over 25,000 vessels a year passing through it.

A Working Group was established in 2005 that included: the Corps; Delaware Congressman Michael N. Castle's office; Maryland Congressman Wayne Gilchrest's office; Delaware's Department of Natural Resources and Environmental Control (DNREC) and Department of Transportation (DelDOT); Maryland's Department of Natural Resources (MD DNR); New Castle County (NCC), DE.; Cecil County, MD; Delaware City, Delaware; St. Georges community, Delaware; Chesapeake City, Maryland; Delaware Bicycle Council, and Delaware Greenways to investigate potential recreational opportunities along the C&D Canal. The State of Delaware (the non-federal sponsor) through the support of the three partners (DNREC, DelDOT, and NCC) contributed one-half the cost of developing the C&D Trail Concept Plan. Additional financial partners include MD DNR and Cecil County, Maryland. Public workshops were held in 2005 to gather input and opinions on the recreational facilities that should be considered for the conceptual design of the trail. The Working Group completed the C&D Trail Concept Plan in March 2006. Additional public workshops were held in 2006 to relay this plan to the public and answer associated questions.

The immediate goal of the C&D Canal Trail Project is to implement Phase 1 (approximately 16 miles of trail and 6 trailheads) of the C&D Trail Conceptual Plan. Phase 1 of this plan involves constructing a multi-use trail on the north side of the canal, on Corps-owned property, from Delaware City, DE to Chesapeake City, MD. The area immediately around Chesapeake City on the south side of the canal is also included in Phase 1 of this plan.

Future phases of the trail will include Phase 2 (approximately 9 miles) and will be on the south side of the canal from Chesapeake City to Scott Run. Phase 3 of the trail will be the Reedy Point, DE area on both the north and south side of the canal. Due to the expected long time duration between the three phases of the trail construction, an Environmental Assessment (EA) has been prepared that focuses only on Phase 1 of the trail construction. Additional EAs will be completed in the future for Phase 2 and Phase 3 of the trail construction as those projects become funded.

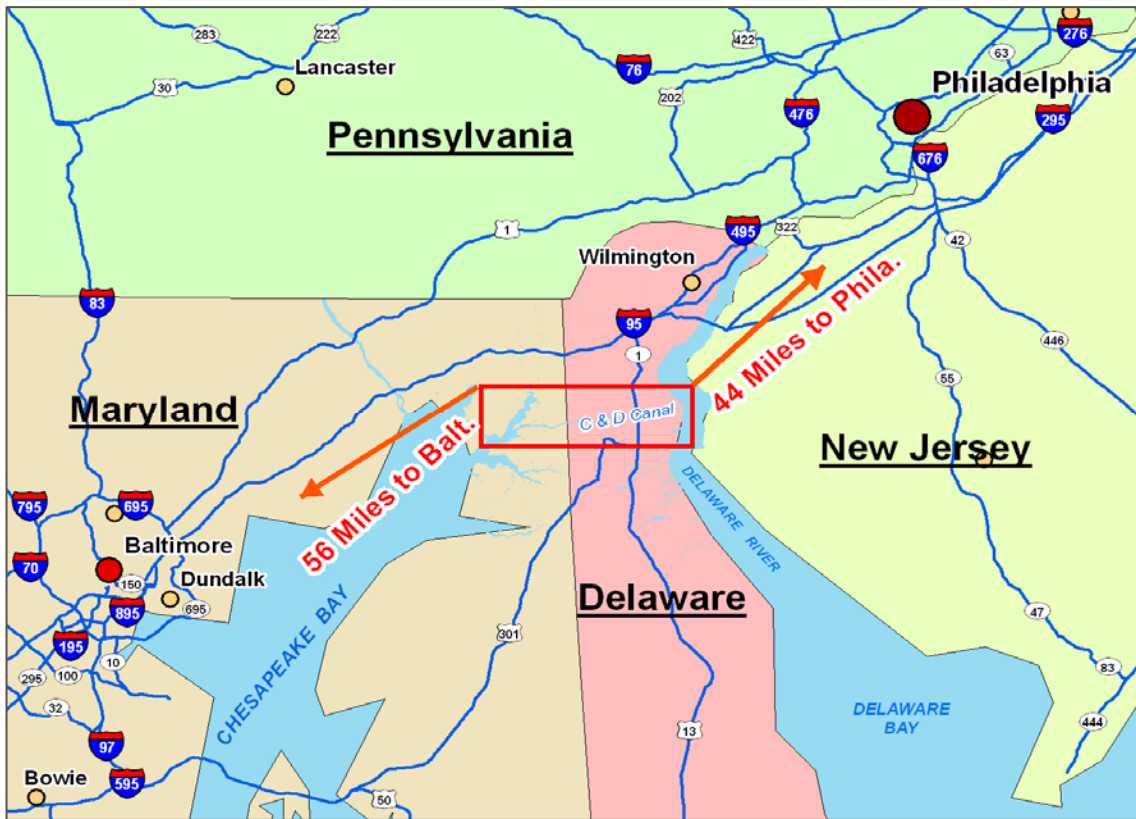


Figure 1. Regional area map showing the project site.

Due to the nature of this project, a limited number of alternatives are available to achieve the goals of the C&D Trail Concept Plan. The Corps and its project partners have considered various alternatives in regard to the multi-use path. The alternatives include no-action, implement Phase 1, implement Phase 1, 2, and 3, and complete a Master Plan.

Phase 1 of this plan involves constructing a multi-use trail on the north side of the canal from Delaware City, DE to Chesapeake City, MD. The area immediately around Chesapeake City on the south side of the canal is also included in Phase 1 of this plan. A rendering of what the proposed multi-use trail will look like can be seen in Figure 2. The length of Phase 1 is approximately 16 miles and also includes six trailheads. The trailheads will be located at Biddles Point, St. Georges, Summit Marina, Guthrie Run, Chesapeake City North, and Chesapeake City South. The proposed trail will be a split trail, part asphalt and part stone dust. This is the preferred alternative since it accommodates the most types of recreational users and has modest maintenance costs. Depending on the width of the current Corps maintenance road, the proposed trail width will vary from 8-10' asphalt and 5' stone dust. Due to wetland concerns, one section of trail (Delaware City Branch Canal area) will only be 13' wide and asphalt.

Phase 1 of the project would achieve a major goal of the C&D Trail Concept Plan. This would immediately increase recreation opportunities for citizens in Delaware and Maryland. This is the selected plan. Selected designs (30% completion level) for Phase 1 of the trail and proposed trailheads can be seen in Figures 3, 4, and 5. Additional designs can be viewed in the draft Environmental Assessment that can be found on the Corps project website at <http://www.nap.usace.army.mil/Projects/CD/index.htm>.



Figure 2. Artist's rendering of proposed trail (C&D Trail Concept Plan, 2006).

Overall, adverse environmental impacts from the proposed project would be minor and short-lived except for one area along the proposed trail where wetlands will be impacted by the project. This area is located at the eastern terminus of the trail along the Branch Canal near Delaware City. Due to the need to have a connective trail open year round as well as public safety, 2.1 (1.3 permanent, 0.8 temporary) acres of wetlands will be impacted by trail construction.

To mitigate for this impact we propose to restore approximately 13 acres of common reed (*Phragmites australis*) dominated wetlands that are located adjacent to the proposed trail and the C&D Branch Canal. These 13 acres will satisfy DNREC's Wetland Section requested 10:1 mitigation ratio for the project. Our selected plan is the most cost effective and least environmentally damaging alternative that would meet the project goals.

In accordance with the National Environmental Policy Act, a draft EA has been developed for this project. The EA concludes that the proposed action would not have a significant adverse impact on the environment. Therefore, a draft Finding of No Significant Impact has been prepared. The EA is being coordinated with DNREC, MD DNR, the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, the National Marine Fisheries Service, and other interested parties.

In accordance with Section 401 of the Clean Water Act, a Water Quality certification will be obtained from DNREC for this project. Based on the information gathered during the preparation of the EA, and the application of appropriate measures to minimize project impacts, it was determined in accordance with Section 307(C) of the Coastal Zone Management Act of 1972 that the plan complies with and can be conducted in a manner that is consistent with the approved Coastal Zone Management Programs of Delaware and Maryland. A consistency determination from DNREC and MD DNR will be obtained for this project.

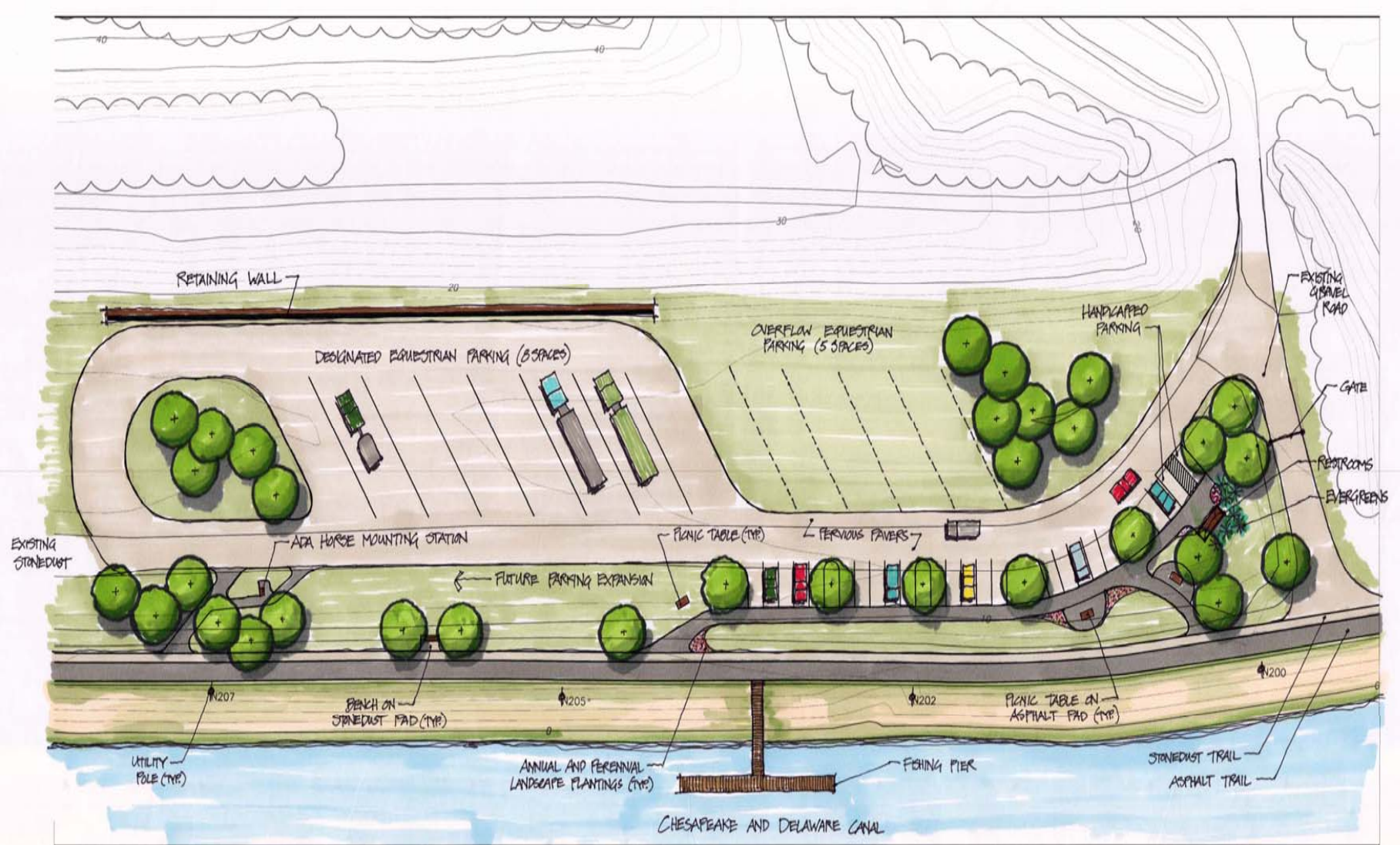


Figure 3. Proposed Biddles Point trailhead in Delaware.

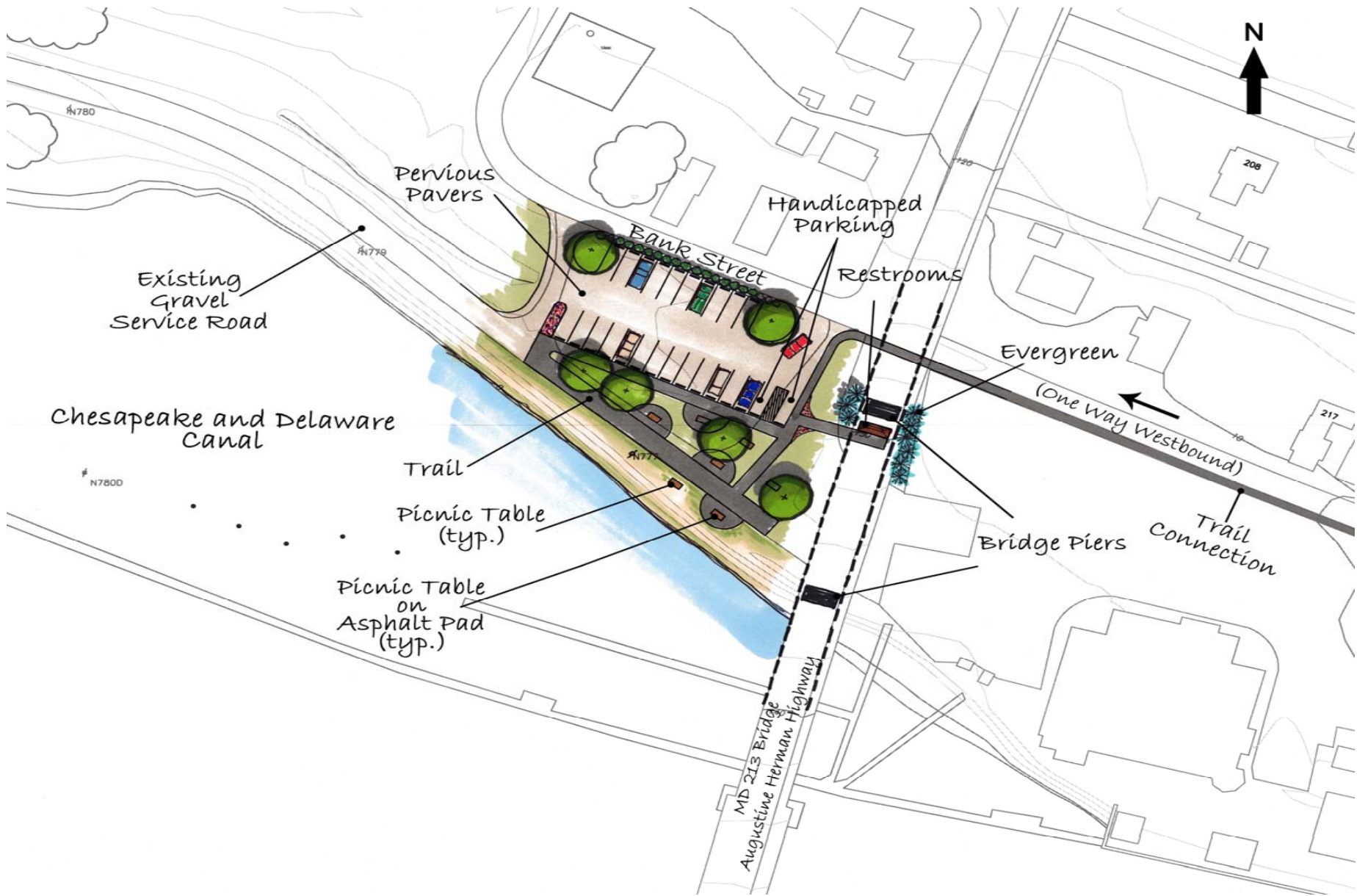


Figure 4. Proposed Chesapeake City North trailhead in Maryland.

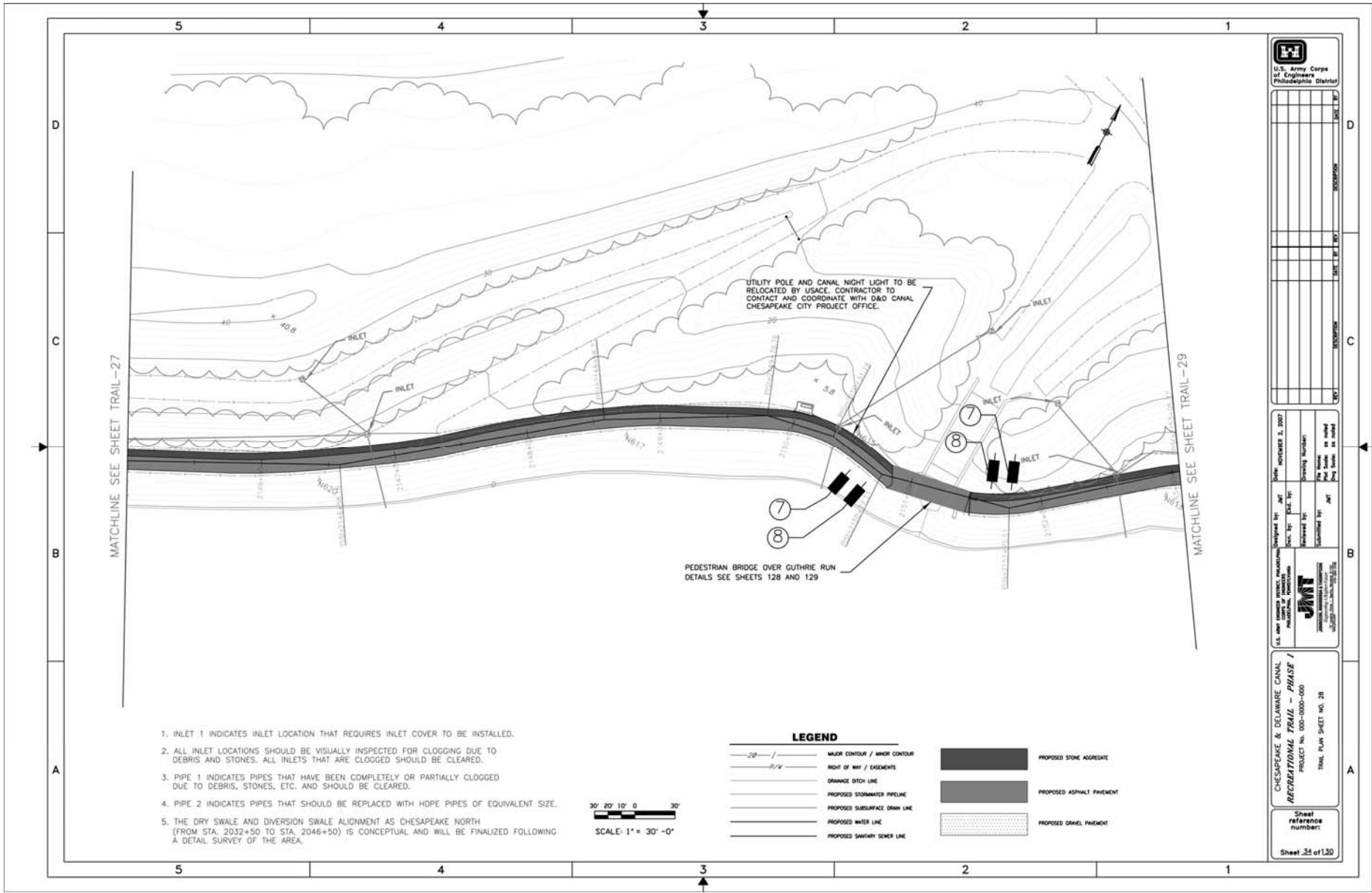


Figure 5. Example trail design section near Guthrie's Run in Maryland.

<http://www.nap.usace.army.mil>

The EA has shown that the proposed activity is not likely to jeopardize the continued existence of any species or the critical habitat of any fish, wildlife or plant, which is designated as endangered or threatened pursuant to Section 7 of the Endangered Species Act, as amended. In accordance with Section 404 of the Clean Water Act, a Section 404(b)(1) analysis was prepared for the proposed action.


In accordance with guidelines established under Section 106 of the National Historic Preservation Act of 1966, as amended, no impacts are anticipated to historic properties or other cultural resources. Further coordination under Section 106 of the NHPA will be completed with DNREC - Division of Historical and Cultural Affairs and Maryland Historical Trust on this project prior to the commencement of construction.

The decision whether to accomplish the work proposed in this public notice will be based on an evaluation of the probable impact of the proposed work on the public interest. The benefit, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonable foreseeable detriments. All factors, which may be relevant to the proposal, will be considered. Among those are conservation, fish and wildlife, general environmental concerns, economics, historic values, recreation, safety, water quality, aesthetics, and in general, the needs and welfare of the people.

The public and all agencies are invited to comment on this proposal. Copies of the draft EA are available upon request by calling Mr. Mark Eberle of the Environmental Resources Branch at (215) 656-6562. The Public Notice and EA are also available for review on the Philadelphia District project web page at <http://www.nap.usace.army.mil/Projects/CD/index.htm>.

Any person may request, in writing, to the District Engineer, within the comment period specified in this notice (**15 January 2008 through 15 February 2008**) that a public hearing be held to consider this proposal. Requests for a public hearing shall state, in detail, the reasons for holding a public hearing.

All comments on the work described in this public notice should be directed to Mr. Minas M. Arabatzis, ATTN: Environmental Resources Branch, U.S. Army Corps of Engineers, Wanamaker Building, 100 Penn Square East, Philadelphia, Pennsylvania 19107-3390 by **15 February 2008**.


for Minas M. Arabatzis
Chief, Planning Division
Philadelphia District
U.S. Army Corps of Engineers

<http://www.nap.usace.army.mil>

<http://www.nap.usace.army.mil>