

Notice of Availability: Draft Programmatic Agreement and Request for Public Comments

Release Date: June 27, 2025

Annapolis City Dock Flood Mitigation Undertaking

PHILADELPHIA-- The City of Annapolis, Maryland has applied through the Maryland Department of Emergency Management to the Federal Emergency Management Agency's (FEMA) Hazard Mitigation Grant Program (HMGP) and Pre-Disaster Mitigation (PDM) Grant Program for a flood resiliency and stormwater improvement undertaking in the downtown Annapolis area in Anne Arundel County, Maryland. The proposed undertaking consists of four separate, yet connected projects (HMGP-4491-0043-MD, LPDM-PJ-03-MD-2023-002, HMGP-4261-0013-MD, LPDM-PJ-03-MD-2024-003) that involve the design and construction of a comprehensive stormwater and flood mitigation system at the City Dock area. The overall undertaking includes storm drain realignment; construction of three pump stations including wet wells, electric control building, and backup generator; deployable flood barriers; and grading modifications.

The purpose of this undertaking is to implement strategies to protect historic downtown Annapolis, the US Naval Academy, and surrounding areas against flooding to advance the City's economy and safeguard the City's cultural and historic heritage. The City Dock is a busy hub in the historic heart of Annapolis City that has served as an important port within Annapolis and the Chesapeake Bay region for at least 350 years. The project is needed because the City Dock is vulnerable to flooding, which threatens its structural integrity and functionality, importance to the local economy, and use by the community as well as the safety of those using the area.

FEMA is considering the effects of this undertaking on historic properties pursuant to 36 Code of Federal Regulations (CFR) Part 800, the regulations implementing Section 106 of NHPA (Section 106) (54 U.S.C. §§ 300101-306108). FEMA,



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consistent with Section 106 and 36 CFR § 800.16(d), has defined the undertaking's Area of Potential Effects (APE). The APE is the geographic area within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. A historic property is any prehistoric or historic district, site, building, structure, or object included on, or eligible for inclusion on the National Register of Historic Places (NRHP). FEMA determined the undertaking has the potential to affect historic properties including National Historic Landmarks (NHL), which are historic properties that illustrate the heritage of the United States. In accordance with 36 CFR § 800.10 and Section 110(f) of the NHPA, FEMA must, to the maximum extent possible, undertake such planning and actions as may be necessary to minimize harm to any NHL that may be directly and adversely affected by an undertaking.

The undertaking's construction schedule and access constraints within the APE limit surveys to fully identify and evaluate historic and cultural resources to determine if they are historic properties, determine if the undertaking would have adverse effects on historic properties, or fully avoid, minimize, or mitigate adverse effects, prior to completing the appropriate NEPA documentation and FEMA's approval of the undertaking. When completing the Section 106 process prior to making a final decision on a particular undertaking is not practical, the regulations allow an agency to pursue a "project" Programmatic Agreement (PA) under 36 CFR § 800.14(b)(1)(ii). Accordingly, to outline the phased Section 106 process, account for inadvertent discoveries and effects, and to create a proposal to resolve potential adverse effects, FEMA intends to execute a PA in accordance with Stipulation II.C.6.c of the Maryland Statewide Programmatic Agreement. In accordance with the terms of the PA, studies shall be undertaken to identify both aboveground and belowground historic properties within the APE, evaluate the undertaking's effects on these historic properties, and complete efforts to minimize or avoid adverse effects. The City of Annapolis or its contractors will complete further site identification and evaluation efforts for the undertaking and archaeological monitoring. The PA outlines consultation procedures for evaluating the NRHP eligibility of newly identified historic properties including archaeological sites, assessing the undertaking's effects on all historic properties, and resolving adverse effects, if needed.

FEMA seeks to notify the public of this undertaking and involve potential consulting parties in the Section 106 process, including implementation of the PA.



According to 36 CFR § 800.2, the following parties have consultative roles in the Section 106 process for undertakings not on tribal lands: the State Historic Preservation Officer (and the State Historic Preservation Office (SHPO)), Indian Tribes (Tribes) and Native Hawaiian organizations, representatives of local governments with jurisdiction over the area in which the effects of an undertaking may occur, applicants for federal assistance, and additional consulting parties (individuals and organizations with a demonstrated interest in the undertaking). Individuals or organizations with a demonstrated interest in this undertaking should contact FEMA using the instructions below.

The Draft PA is available for review and comment, and can be viewed on and/or downloaded [here](#) or from the [City of Annapolis website](#).

The comment period on the Draft PA will conclude 30 days from today, June 27, 2025. Written comments on the Draft PA, or Section 106 comments on potential effects to historic properties can be mailed or emailed to the contact listed below. If no substantive comments are received, FEMA will seek to execute the Draft PA.

Contact Information:

ATTENTION: Annapolis City Dock Section 106 Comments

FEMA Region 3 Environmental and Historic Preservation

615 Chestnut Street, 6th Floor

Philadelphia, PA 19106

Email: FEMA-R3-EHP-PublicComment@fema.dhs.gov

Select documents are included in the Draft PA exhibits. FEMA will provide additional documents upon request; please contact us by email at FEMA-R3-EHP-PublicComment@fema.dhs.gov.

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