

U.S. Army Corps of Engineers Baltimore District

Public Notice

In Reply to Application Number CENAB-OP-RMS (TRINITY EPISCOPAL CHURCH) 2014-61436

PN 15-13 Comment Period: February 25, 2015 to March 25, 2015

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC ABOUT THE WORK DESCRIBED BELOW. AT THIS TIME, NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED.

The Maryland Department of the Environment (MDE) and the Baltimore District Corps of Engineers have received an application for a State of Maryland Tidal Wetland License and Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act, as described below:

APPLICANT: The Reverend John A. Ball

P.O. Box 207

St. Mary's City, Maryland 20650

LOCATION: In the St. Mary's River at 47477 Trinity Church Road, St. Mary's City, St. Mary's County, Maryland

WORK: To stabilize approximately 425 linear feet of an eroding shoreline by creating approximately 0.2 acre area of emergent intertidal wetlands by depositing approximately 415 cubic yards of sloped, clean select sand fill stabilized with *Spartina alternifora* and *S. patens*; to rehabilitate and expand the existing 15-foot wide by 425-foot long vented high profile sill to extend an average of 20 feet and no more than 75 feet channelward of the approximate mean high water shoreline. All work is to be completed in accordance with the proposed plan(s). If you have any questions concerning this matter, please contact Mrs. Erica Schmidt at (410) 962-6029 or Erica.Schmidt@usace.army.mil.

Site layout for this project was based upon existing breakwater layout and marsh grasses. Efforts were made to avoid, to the extent possible, the long and short-term adverse impacts associated with the proposed project. The applicant proposes to access the site from the land on an existing access pathway.

Compensatory mitigation is not being proposed by the applicant for permanent impacts to open water.

The purpose of the project is primarily to provide shoreline stabilization to protect existing tidal wetlands and structures onsite.

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 (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely effect essential fish habitat (EFH). The project site lies in or adjacent to EFH as described under MSFCMA for <u>Gadus morhua</u> (Atlantic Cod) adult, <u>Pleuronectes americanus</u> (winter flounder) juvenile, and adult, <u>Scopthalmus aquosos</u> (windowpane flounder) eggs, larvae, juvenile and adult; <u>Pomatomus saltatrix</u> (blue fish) juvenile

and adult; (Lophius americanus) (Monkfish) eggs and larvae, Stenotomus chrysops (scup) juvenile and adult; Centropristus striata (black sea bass) juvenile and adult; Paralicthys dentatus (summer flounder) larvae, juvenile and adult; Urophycis chuss (red hake) eggs, larvae, juvenile; (Peprilus triacanthus (Atlantic butterfish) eggs, juvenile, adult; Clupea harengus (Atlantic sea herring) juvenile and adult; Odontaspis taurus (sand tiger shark) larvae and adult; Squatina dumerili (Atlantic angel shark) larvae, juvenile, and adult; Charcharinus obscurus (dusky shark) larvae; Charcharinus plumbeus (sandbar shark) larvae, juvenile, and adult; Odontaspis taurus sand tiger shark, larvae and juvenile, Sphyrna lewini (scalloped hammerhead shark) juvenile; Rhizopriondon terraenovae (Atlantic sharpnose shark) adult, Prionance glauca (blue shark) adult Galeocerdo cuvieri (tiger shark) larvae; and eggs, larvae, juvenile, and adult stages of Scomberomorus cavalla (king mackerel), Scomberomorus maculatus (spanish mackerel), and Rachycentron canadum (cobia), Spisula solidissima (surf clam) juvenile, all managed species under the MSFCMA.

The project has the potential to adversely affect EFH or the species of concern by alteration of spawning, nursery, forage and/or shelter habitat. The project may have an adverse effect on approximately 0.35 acres of EFH as described under the MSFCMA for the species and life stages identified above. This habitat consists of a mostly sandy and silty sub-tidal substrate that does not support submerged aquatic vegetation (SAV). The proposed project would alter the existing elevations and substrate within the project footprint and the areas filled are not expected to support the current benthos and fishery due to the project. However, the District Engineer has made a preliminary determination that site-specific impacts would not be substantial and an abbreviated consultation will be conducted with NMFS. No mitigative measures are recommended to minimize adverse effects on EFH at this time. This determination may be modified if additional information indicates otherwise and would change the preliminary determination.

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 proposal 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, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers 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 are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The applicant is required to obtain a water quality certification in accordance with Section 401 of the Clean Water Act from the Maryland Department of the Environment. Any written comments concerning the work described above which relate to water quality certification must be received by the Wetlands and Waterways Program, Maryland Department of the Environment, 1800 Washington Blvd. Suite 430, Baltimore, Maryland 21230 within the comment period as specified

above to receive consideration. Written comments concerning the work described above related to the factors listed above or other pertinent factors must be received by the District Engineer, US Army Corps of Engineers, Baltimore District, PO Box 1715, Baltimore, Maryland 21203-1715, within the comment period as specified above to receive consideration. The 401 certifying agency has a statutory limit of one year to make its decision.

The applicant has certified in this application that the proposed activity complies with and will be conducted in a manner consistent with the Maryland Coastal Zone Program. This certification statement is available for inspection in the District Office; however, public comments relating to consistency must be received by the Coastal Zone Division, Maryland Department of the Environment, 1800 Washington Blvd. Suite 430, Baltimore, Maryland 21230, within the comment period as specified above. It should be noted that CZ Division has a statutory limit of 6 months in which to make its consistency determination.

The applicant must obtain any State or local government permits, which may be required.

A preliminary review of this application indicates that the proposed work will not affect listed species or their critical habitat pursuant to Section 7 of the Endangered Species Act as amended. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

Review of the latest published version of the National Register of Historic Places indicates that no registered properties listed as eligible for inclusion therein are located at the site of the proposed work. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

The evaluation of the impact of the work described above on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 of the Clean Water Act. Any person who has an interest, which may be adversely affected by the issuance of this permit, may request a public hearing. The District Engineer must receive the request, which must be in writing, US Army Corps of Engineers, Baltimore District, PO Box 1715, Baltimore, Maryland 21203-1715, within the comment period as specified as above to receive consideration. Also, it must clearly state forth the interest that may be adversely affected by this activity in the manner in which the interest may be adversely affected.

It is requested that you communicate the foregoing information concerning the proposed work to any persons known by you to be interested and not being known to this office, who did not receive a copy of this notice.

FOR THE DISTRICT ENGINEER:

Kathy B. Anderson Chief, Maryland Section Southern

THERE WILL BE NO CHANGES IN SPECIFICATION, DIMENSIONS, OR MATERIALS UNLESS APPROVED BY THE ENGINEER RESPONSIBLE FOR THIS DRAWING,

CONSTRUCTION FOUND NOT IN ACCORDANCE WITH THESE DRAWINGS AND SPECIFICATIONS SHALL VIOLATE THE COOPERATIVE AGREEMENT AND ALL DRAWINGS, SPECIFICATIONS, AND QUANTITIES ESTIMATE SHALL IMMEDIATELY BE RETURNED TO THE LOCAL NRCS OFFICE. THE DRAWINGS ARE PREPARED COOPERATIVELY BY THE NATURAL RESOURCE CONSERVATION SERVICE FOR THE NAMED LANDOWNER

SAFETY REGULATIONS

IN ACCORDANCE WITH THE MARYLAND OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (MOSHA) STANDARDS AS SET FORTH IN THE LATEST VERSION OF THE CODE OF MARYLAND REGULATIONS ALL EXCAVATION AND METHODS OF CONSTRUCTION SHALL BE

GENERAL NOTES:

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TOPOGRAPHIC AND HYDROGRAPHIC DATA OBTAINED DURING JULY 2013.

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ALL EARTH/ROCK INTERFACES TO RECEIVE FILTER CLOTH.

CONTRACTOR TO REUSE ANY EXISTING MATERIALS THAT MEET PROPOSED ROCK STRUCTURE REQUIREMENTS.

CONTRACTOR SHALL DRESS EXISTING SLOPE TO FORM PROPER INTERFACE AT EXISTING BANK.

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MARYLAND DEPARTMENT OF ENVIRONMENT GENERAL PERMIT

TO BEGINNING ANY WORK ON THE SITE.
PLEASE CONTACT THE SMSCD WITH ANY QUESTIONS.

CHURCH POINT

(ST. MARY'S SOIL CONSERVATION DISTRICT) PROPOSED LIVING SHORELINE PROJECT

MATERIALS LIST

Reclamation of Access Road -Mobilization &DeMobilizaton

-105 Tons Blue Stone for

-0.5 Ac. Seeding

MATERIALS NOTE

All Materials are estimated quantities using St. Mary's Soil Conservation District's survey, and design data. All materials and cost are estimated quantities and not to be used as quantities for a bid proposal. All adding sonharctors must use there own cost and generated quantities for their bid proposal.

CRITICAL AREA NOTES

- ACCESS TO SITE WILL BE THROUGH THE COMPTERY. THE ENTIRE ACCESS IS TO SE WATED AND THE ROUTE IS TO BE COORDINATED THROUGH TRIANT EPISCOPAL CHURCH AND ST MART'S SCD. OVERHANGHE LINES WITHEN LOS DAVILL BE TRIANGED AS DRECTED BY COMPRACTING OFFICIEN.

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- ALL DISTURBED AREAS WITHIN LOD AND ACCESS ROUTE THAT ARE NOT OTHERWISE STABILIZED WILL BE SEEDED AND MULCHED WITH IN 3 DAYS.



VICINITY MAP

CONSTRUCTION SEQUENCE:

CONTACT THE ST. MARY'S SOIL CONSERVATION DISTRICT AT 1.475-2402 ext. 3 TO ARRANGE A PRE-CONSTRUCTION

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OWNERDEVELOPER GERTIFICATION

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CERTIFY THAT THIS OFFICIAL DELIVER THE CAPETANNE OF THIS OFFICIAL CHARGE THE CAPETANNE OFFICIAL CHARGE

R is the Landowner's responsibility to obtain all County, State, and Federal permits that may be needed, and to maintain this atructure and related regulations.

DEVELOPER'S SIGNATURE

DATE

CONTRACTOR'S SIGNATURE

DATE

LANDOWNER'S PERMISSION FOR MDE AND COE INSPEC CONSTRUCTION SUPERVISION BY NRCS/MDA/SCD PERS

REMOVAL OF EROSION AND SEDIMENT CONTROL RUCTURES WITH INSPECTOR APPROVAL PLANT SPARTINA ALTERNIFLORA AND SPARTINA PATENS. D 1 OUNCE OF OSMOCOTE FERTILIZER TO EACH PLANT. SEED & MULCH DISTURBED AREAS WITHIN LIMITS OF

TRINITY EPISCOPAL CHURCH ST. MARY'S PARISH 47477 TRINITY CHURCH ROAD ST. MARY'S CITY MD 20686 THE REVEREND JOHN A. BALL

CONTACT PERSON: FATHER JOHN BALL 301-862-45-1-OFFICE 240-825-0752-CELL 301-+14-09-4-RECTORY TOTAL DISTURBED ACRES =

AREA TO VEGETATIVELY STABILIZED =
SAND FILL TOTALS=
RIP RAP TOTALS=
COBBLE STONE=
CUT TOTALS= ±0.5 AC. ±2 AC. ±415 CU. YDS. ±365 TON ±30 TON ±30 TON. ±30 TON. ±30 TON.

SITE LOCATION (TBM1)

RED-LINE CERTIFICATION

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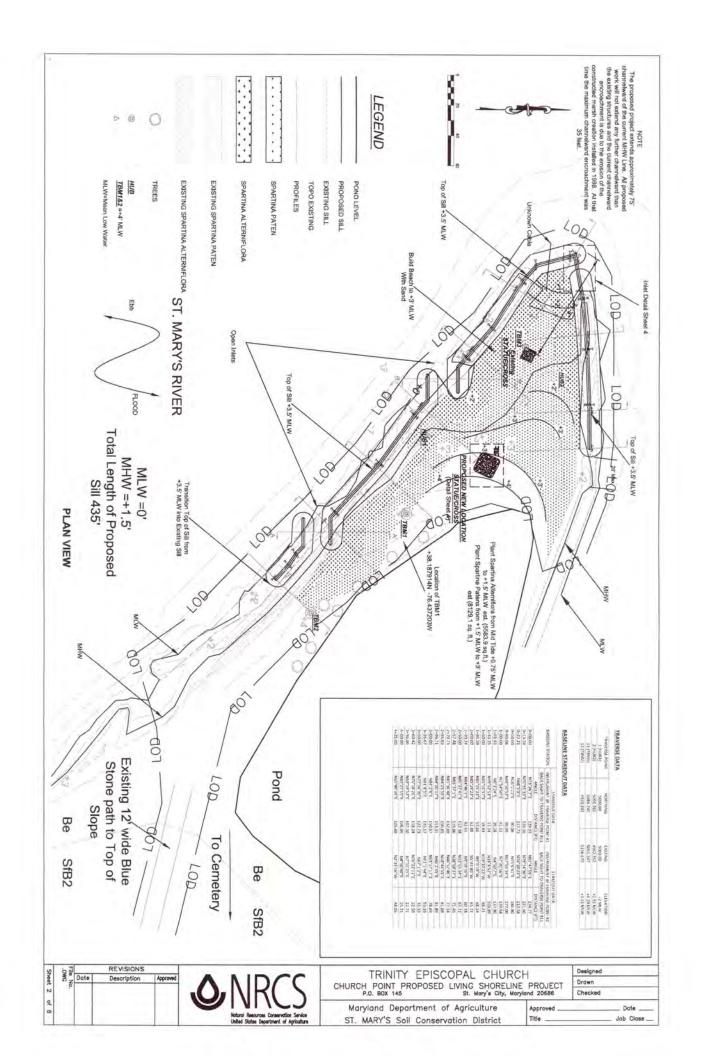
EPISCOPAL CHURCH CHURCH POINT PROPOSED LIVING SHORELINE PROJECT P.O. BOX 145
St. Mary's City, Maryland 20888

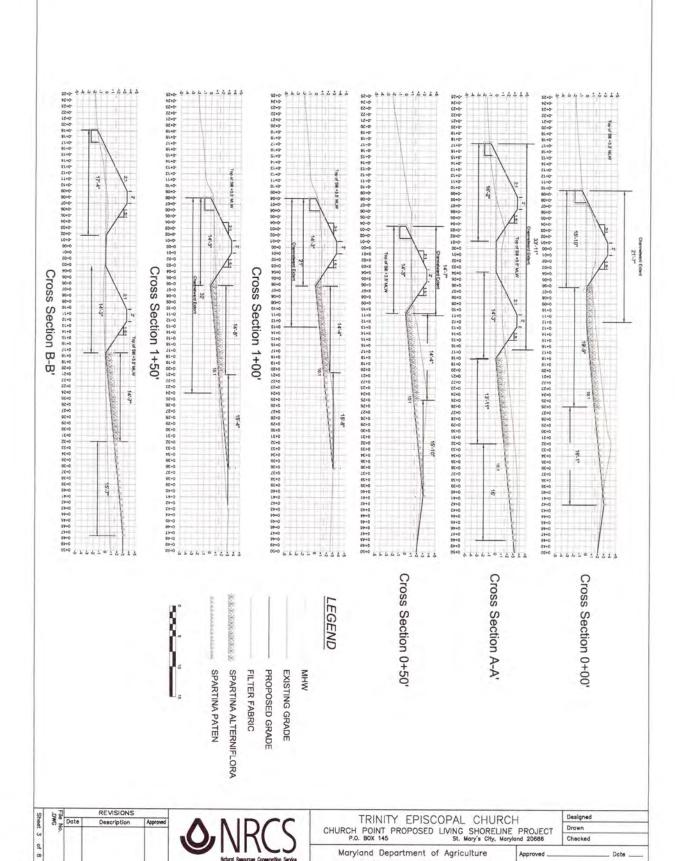
Maryland Department of Agriculture ST. MARY'S Soil Conservation District Designed Date Job Class

-30 Tons Cobble Stone -8000 Sq. Ft. Filter Cloth -3245 Plants

-520 Tons Sand -525 Tons Rip Rap

(400-1200lb)

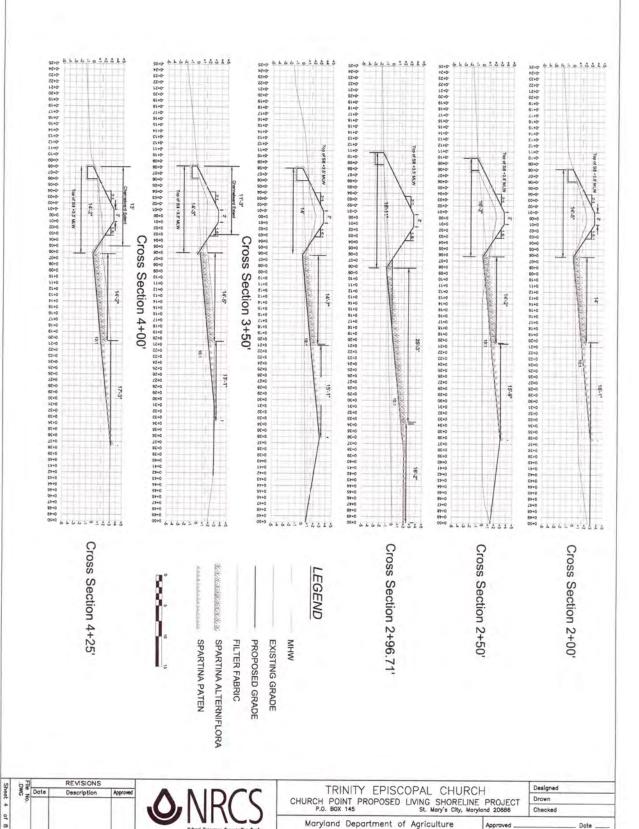




Approved

Job Class_

ST. MARY'S Soil Conservation District

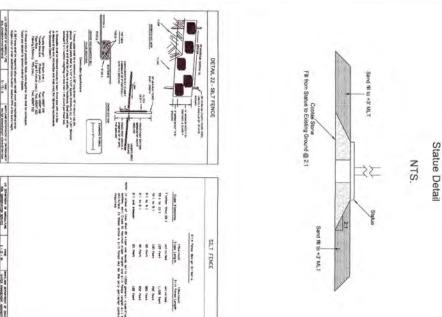


Maryland Department of Agriculture

ST. MARY'S Soil Conservation District

Date

Job Class_



SAND FILL SPECIFICATIONS

- MEDIUM TO COARSE GRAIN SANDY SOILS CLASSIFIED AS SW AND SP IN "ANSIASTM D-247-69, CLASSIFICATION OF SOILS FOR ENGINEERING PURPOSES" ARE SATISFACTORY, CRUSHED STONE
- ROUNDED OR SEMI-ROUNDED GRAINS HAVING A MEDIAN DIAN OF 0.6 MM (+/-0.3MM). NO FROZEN MATERIAL, TRASH, ROOTS, OR OTHER ORGANIC MATERIAL WILL BE PERMITTED IN THE FILL.

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					SUMMARY	RY SEEDING S	TEMPORA		

INSPECTION AGENCY APPROVAL STATEMENTS AS FOLLOWS:

TEMPORARY AND PERMANENT STABILIZATION STATEMENT

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DETAILS

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REMOVIAL OF SEDMENT CONTROLS.

SHALL NOTIFY MDE, ENFORCEMENT DIVISION, AT LEAST 48 HOURS ICING, CLEARING OR GRADING AT: (#10)537-3510 OR MDE, DRAWATER ADMIN, 1800 WASHINGTON BLVD, BALTIMORE, MD

w	DWG No.	REVISIONS				
heet 5		Date	Description	Approved		
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TRINITY EPISCOPAL CHURCH
CHURCH POINT PROPOSED LIVING SHORELINE PROJECT
P.O. BOX 145
St. Mory's City, Maryland 20686

NTS.

Checked Date _

Maryland Department of Agriculture

ST. MARY'S Soil Conservation District

Approved Job Class _

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CONTRACT SECURITY (PERSONMANCE AND PAYMENT ROMOS), IF REQUIRED

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NECESSARY DETAILS NOT SPECIFICALLY MENTIONED. wormental control for the project is allowed in the Dinjectops. The Contractor will be responsible for all ligitual work. The cost of all survey work to be performed by the Contractor which which be readed in the funds aum price tot.

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Designed

Date

Job Class

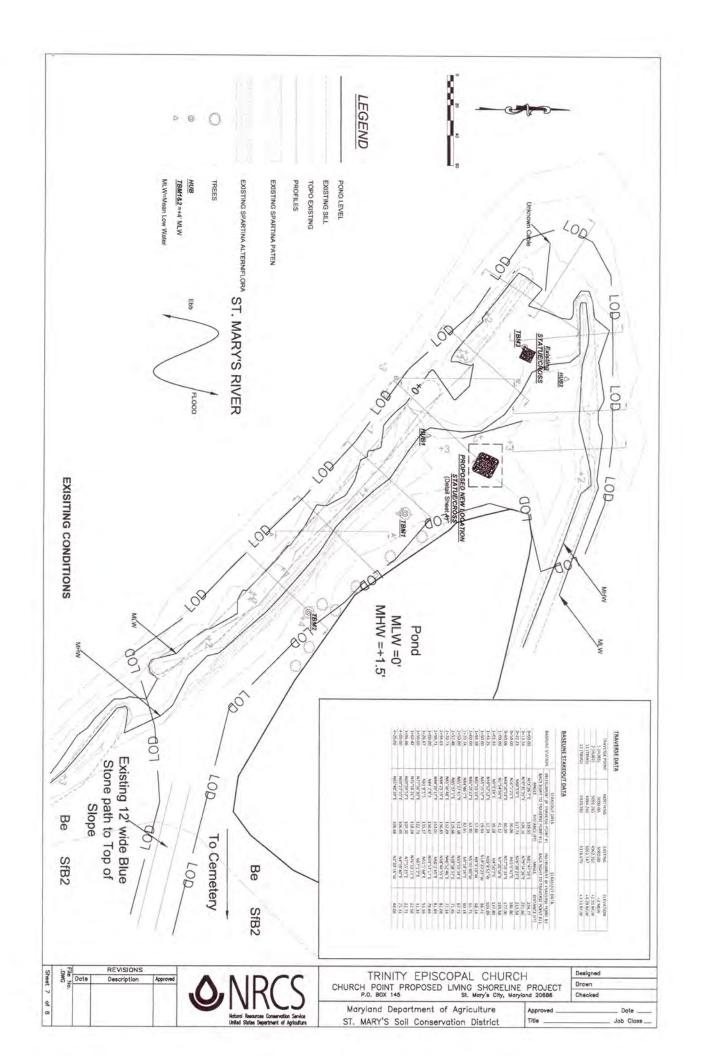
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REVISIONS Dote Dote Sheet 6 of 8 Description Approved

TRINITY EPISCOPAL CHURCH
CHURCH POINT PROPOSED LIVING SHORELINE PROJECT
P.O. BOX 145
St. Mary's City, Maryland 20886

Title __

Maryland Department of Agriculture ST. MARY'S Soil Conservation District



CHURCH POINT

(ST. MARY'S SOIL CONSERVATION DISTRICT) BUFFER MANAGEMENT PLAN



The total LOD including the existing blue stone access road is approximately 14,500 square feet (1200×12:) The LOD excluding the existing blue stone access road is 11,500 square feet (850×12:) TOTAL LIMITS OF DISTURBANCE







REVISIONS

Sheet 8

Date Date







TRINITY EPISC	COPAL CHURCH
CHURCH POINT PROPOSED	LIVING SHORELINE PROJECT
P.O. BOX 145	St. Mary's City, Maryland 20686

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	E PROJECT ryland 20686	Drawn
		Checked
	Approved	Date
	Title	Job Class

Designed

Maryland Department of Agriculture

ST. MARY'S Soil Conservation District