

**U.S. Army Corps  
of Engineers**  
Baltimore District

# Public Notice

In Reply to Application Number  
CENAB-OP-RMS (TOWN OF NORTH BEACH/ FLOOD  
CONTROL/ LIVING SHORELINE) 2013-61728

PN: 15-17

Comment Period: March 9, 2015 to March 29, 2015

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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 Baltimore District Corps of Engineers (COE) has received and are evaluating a Joint Permit Application for Department of the Army authorization pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (33 U.S.C. 1344), as described below:

APPLICANT: Town of North Beach  
Mark R. Frazer, Mayor  
P.O. Box 99  
North Beach, Maryland 20704

LOCATION: In the Chesapeake Bay adjacent to Route 261, North Beach, Calvert County, Maryland.

WORK: To create approximately 0.47 acres of new tidal marsh and restore approximately 2.67 acres of tidal marsh along 610 linear feet of shoreline by depositing approximately 1,800 cubic yards of sloped, clean select sand fill stabilized with *Spartina alterniflora* and *S. patens* and emplacing approximately 610 linear feet of segmented offshore stone breakwater, approximately 12-foot wide, with five 8-foot wide vents to extend no more than 85 feet channelward of the approximate mean high water (MHW) shoreline; to construct one 15-foot wide by 75-foot long channel by excavating approximately 1 foot of the surface of the wetlands and to construct two approximately 10-foot wide by 75-foot long stone bank protection to increase flow into the stagnant pond impacting approximately 750 square feet of tidal wetlands; to emplace two 10-foot wide by 60-foot long stone wing wall bank protection for the existing outlet of the Town of North Beach Salt Marsh impacting approximately 200 square feet of tidal marsh to extend approximately 25 feet channelward of the existing MHW shoreline and tying into the proposed breakwater. 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 of this office at (410) 962-6029 or via email at [erica.schmidt@usace.army.mil](mailto:erica.schmidt@usace.army.mil).

Site layout for this project was based upon ongoing erosion and flood control need. The breakwater would be a continuation of the existing breakwater and revetment along the shoreline. The applicant will access the site using marsh mats. The impacts have been minimized to the maximum extent practicable, the long and short term adverse impacts associated with the proposed project.

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

The purpose of the project is shoreline stabilization.

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 Gadus morhua (Atlantic Cod) adult, Pleuronectes americanus (winter flounder) juvenile, and adult, Scopthalmus aquosus (windowpane flounder) eggs, larvae, juvenile and adult; Pomatomus saltatrix (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; Paralichthys dentatus (summer flounder) larvae, juvenile and adult; Urophycis chuss (red hake) eggs, larvae, juvenile; (Peprilus triacanthus (Atlantic butterflyfish) 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, Prionace 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 3.14 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.

The Baltimore District 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.

Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments provided will become part of the public record for this action. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. Written comments concerning the work described above related to the factors listed above or other pertinent factors must be received by the District Engineer, U.S. Army Corps of Engineers, Baltimore District, P.O. Box 1715, Baltimore, Maryland, 21203 within the comment period specified above.

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. 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 approved Coastal Zone Management (CZM) Program. By this public notice, we are requesting the State concurrence or objection to the applicant's consistency statement. It should be noted that the CZM Program has a statutory limit of 6 months 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 Federal listed threatened or endangered 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.

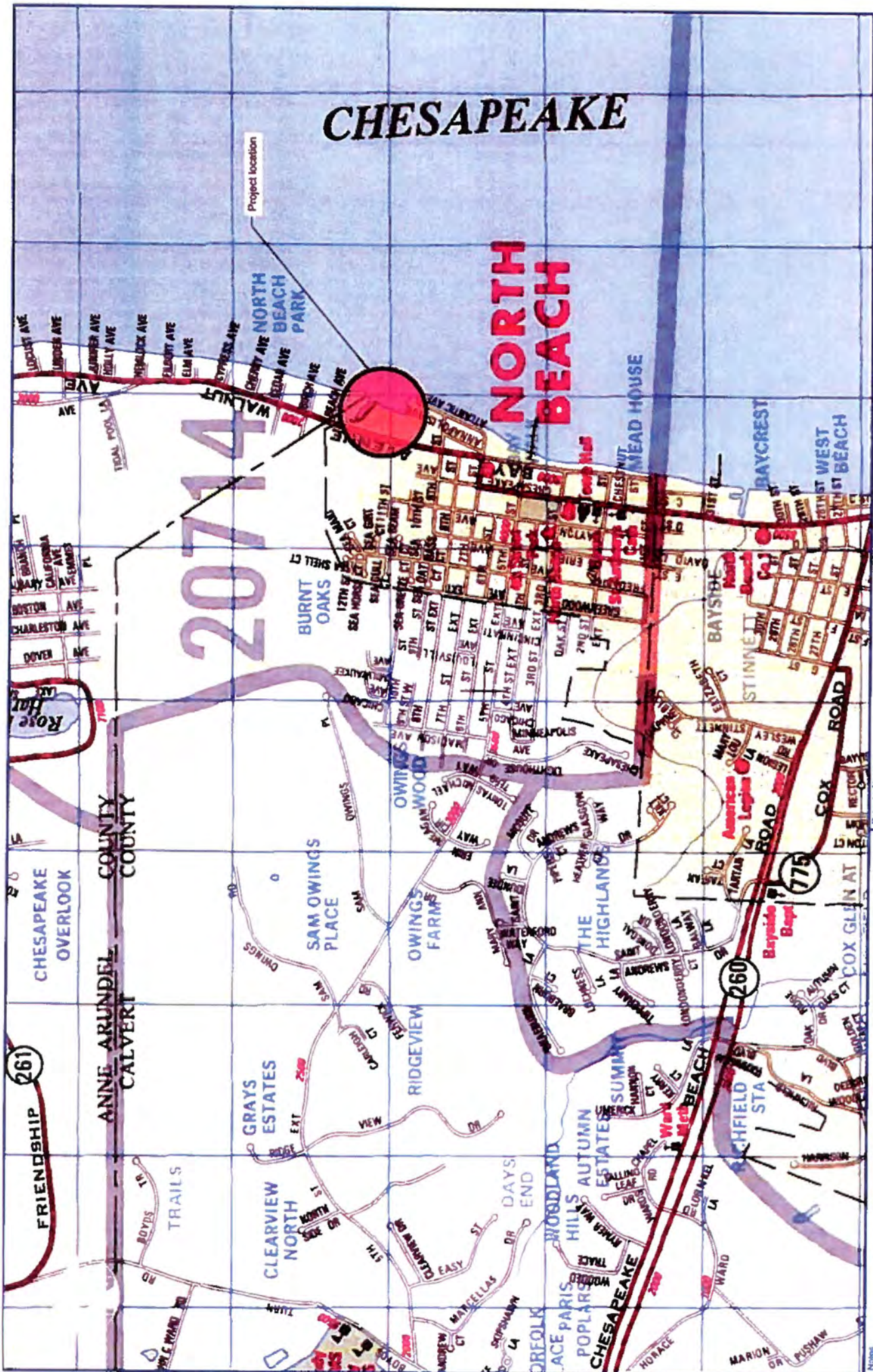
Review of the latest published version of the National Register of Historic Places indicates that no registered properties listed as eligible for inclusion, therein, are located at the site of the proposed work. Currently unknown archeological, scientific, prehistoric, or historical data may be lost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

Any person who has an interest which may be adversely affected by the issuance of this permit may request a public hearing. The request, which must be in writing, must be received by the District Engineer, U.S. Army Corps of Engineers, Baltimore District, P.O. Box 1715, 21203-1715, within the comment period as specified above to receive consideration. Also it must clearly set forth the interest which may be adversely affected by this activity and the manner in which the interest may be adversely affected.

It is requested that you communicate this 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

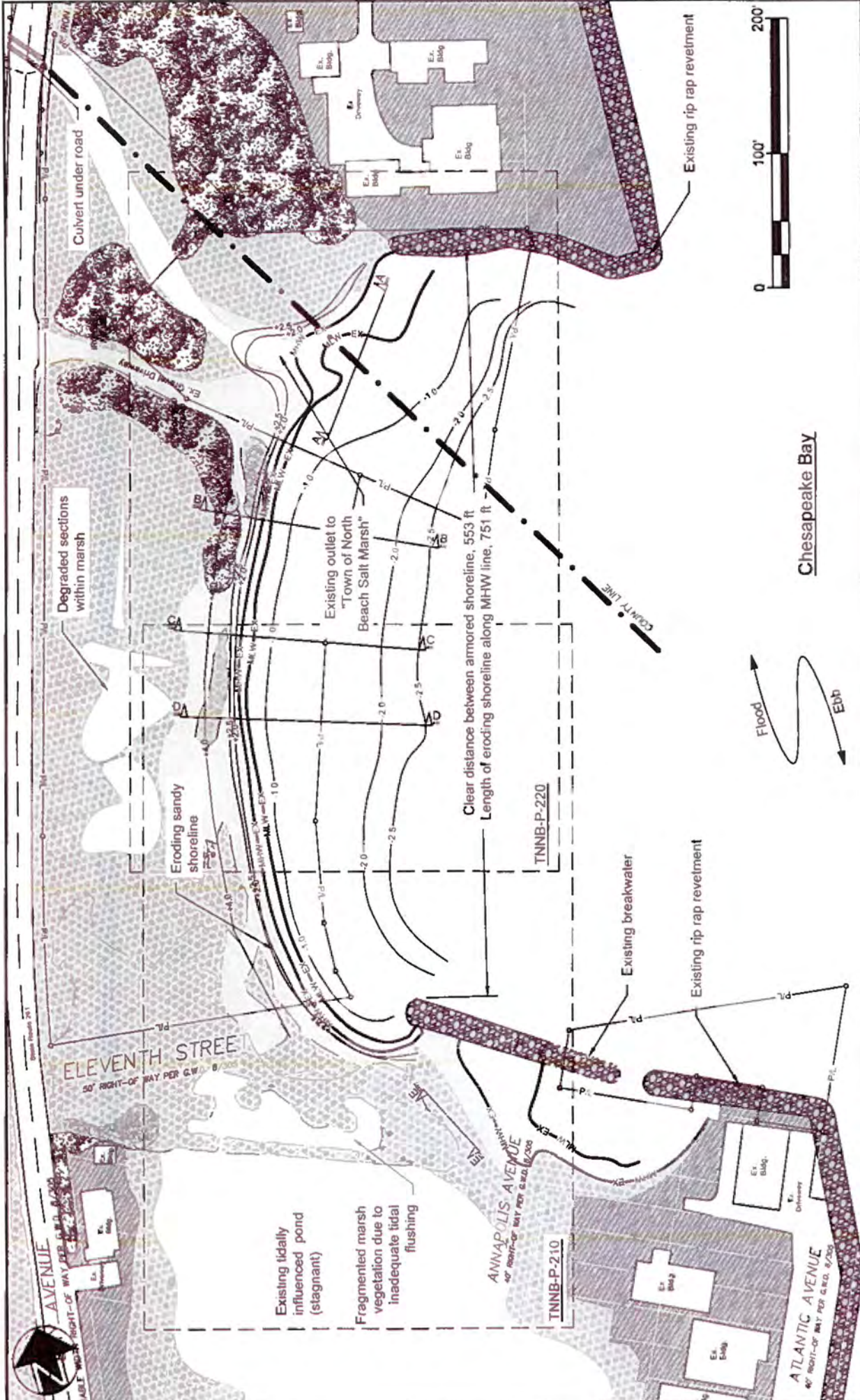


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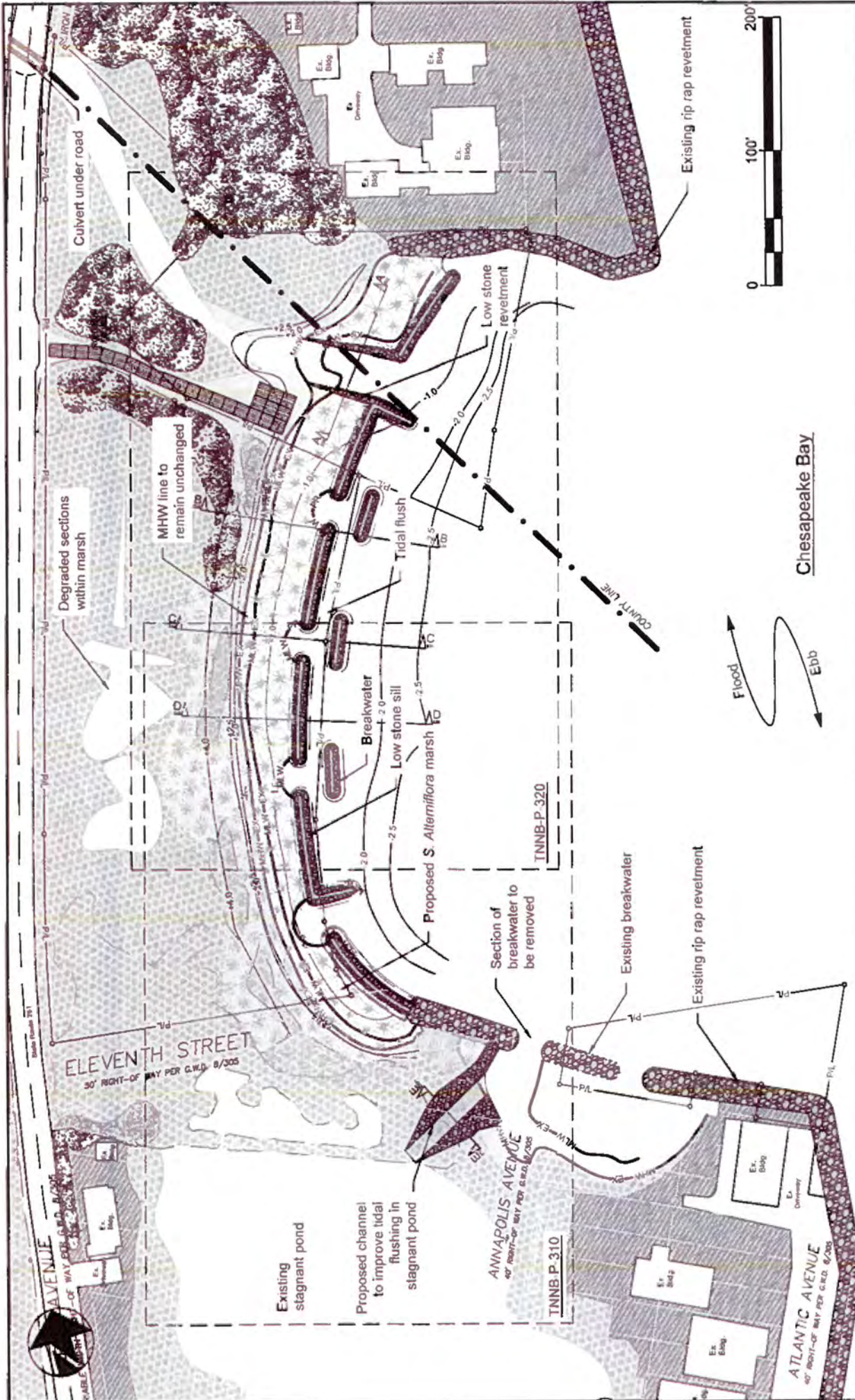
# CHESAPEAKE




## NORTH BEACH

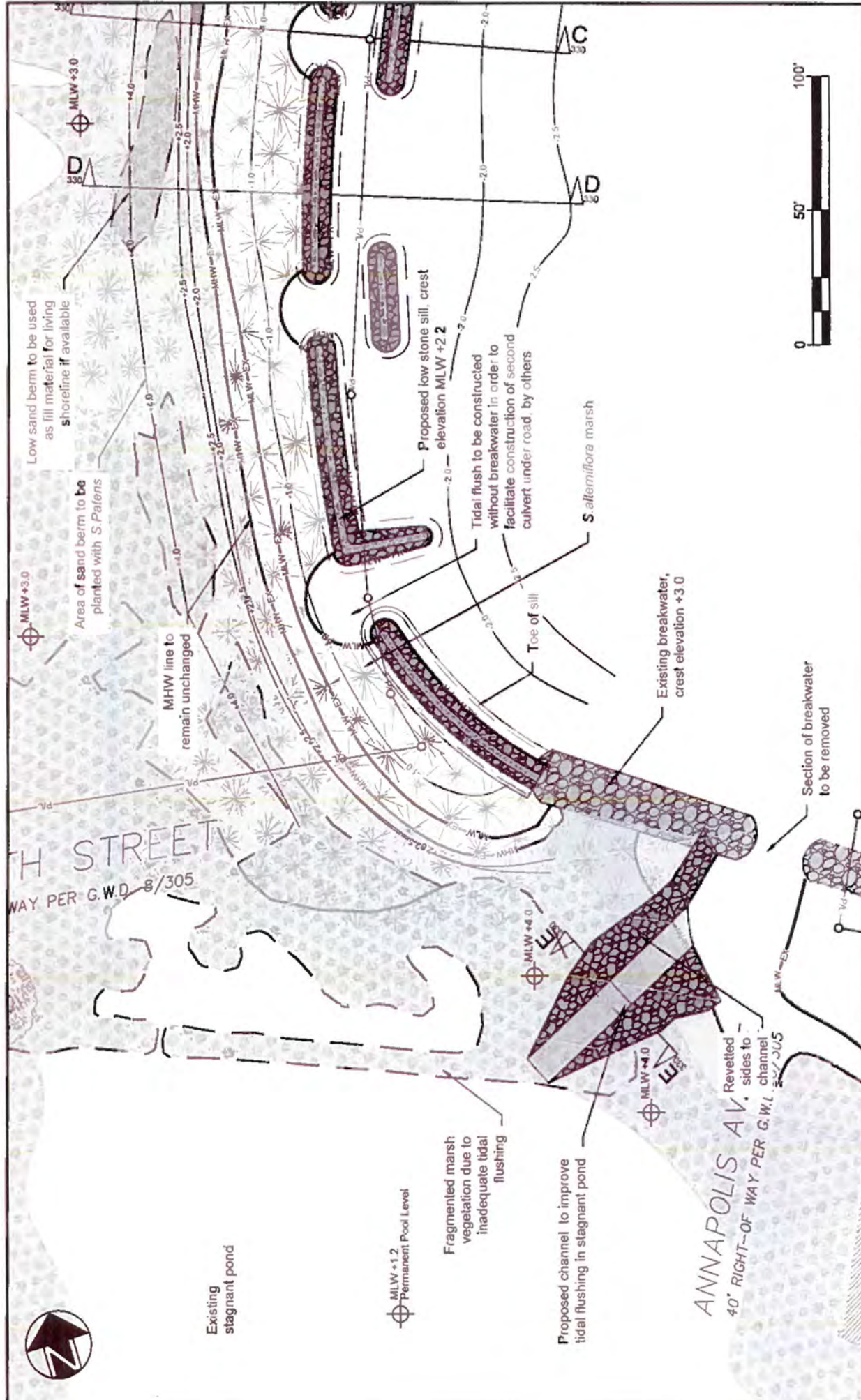
 <p><b>Environmental Concern Inc.</b> P.O. Box P St. Michaels, MD 21663 Phone 410-745-9620 Fax 410-745-3517 <a href="http://www.wetland.org">www.wetland.org</a></p>	<p>Rev: 0 Scale: n/a Date: May 2014</p>
<p>Project: <b>Town of North Beach</b> Drawing No: <b>TNNB/P/100</b></p>	<p>Scale: n/a Date: May 2014</p>
<p>ADC Location Map</p>	<p>Project: <b>Living Shoreline Calvert Co. MD</b></p>
<p>Note: "Calvert County, MD; 10th Edition, MD State Plane 83 Meters". ADC Map People and GIS Integrated Solutions, 2004.</p>	<p>Project: <b>Town of North Beach</b> Drawing No: <b>TNNB/P/100</b></p>



	<b>Environmental Concern Inc.</b> P.O. Box P St. Michaels, MD 21663 Phone 410-745-9820 Fax 410-745-3517 <a href="http://www.wetland.org">www.wetland.org</a>	
	Project <b>Town of North Beach          Living Shoreline</b>	Drawing No. <b>TNNB/P/200</b>
Drawing Name <b>Existing Conditions          Overview</b>	Date <b>0</b>	Scale <b>1"=100'</b>
Key Notes 1. All elevations are taken from biological MLW. 2. Tidal range is 1.1 ft.	Turf/built up area 	Existing shrub/scrub 
Existing high marsh 	Sand 	Date <b>05/2014</b>



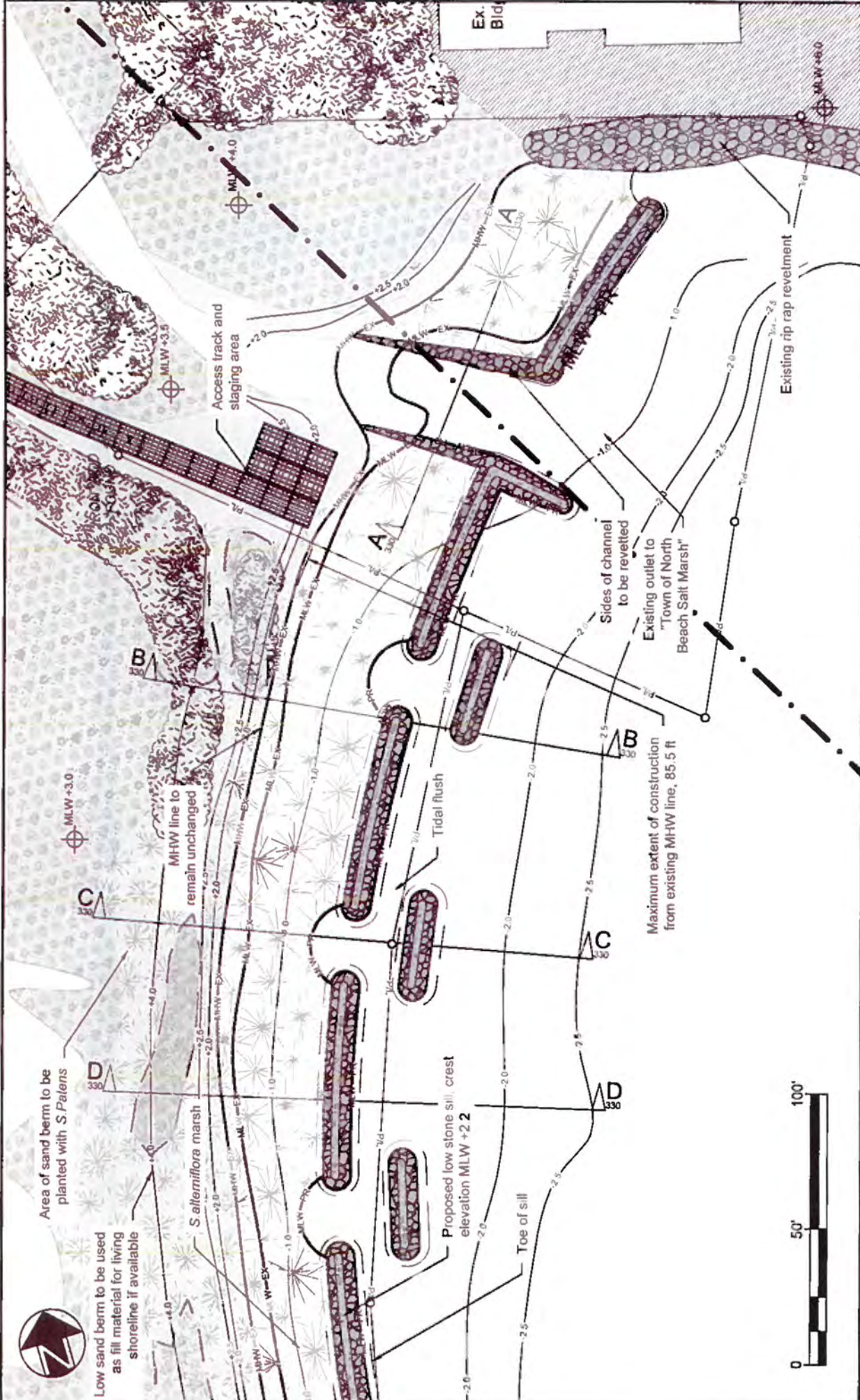
	<b>Environmental Concern Inc.</b> P.O. Box P St. Michaels, MD 21663 Phone 410-745-8820 Fax: 410-745-3517 <a href="http://www.wetland.org">www.wetland.org</a>	
	Project <b>Town of North Beach          Living Shoreline</b>	Client <b>Calvert Co. MD</b>
Drawing No. <b>TNNB/P/300</b>	Scale <b>1"=100'</b>	Date <b>05/2014</b>
<b>Proposed Shoreline Overview</b>		Revision <b>0</b>
Key/Notes: 1. All elevations are taken from biological MLW. 2. Tidal range is 1.1 ft.		
		
		



<p>Environmental Concern Inc.          P.O. Box P          St. Michaels, MD 21663          Phone 410-745-9820 Fax 410-745-3517          www.wedland.org</p>	<p>Project  <b>Town of North Beach          Living Shoreline</b></p>	<p>Scale  <b>0</b> 1"=50'</p>	<p>Date  <b>05/2014</b></p>
<p>Revolving the bay          one weekend at a time</p>	<p>Client  <b>Calvert Co. MD</b></p>	<p>Drawing Name  <b>Proposed Shoreline          Detail 1</b></p>	<p>Legend</p> <ul style="list-style-type: none"> <li> Existing shrub/scrub</li> <li> Turf/built up area</li> <li> Existing high marsh</li> </ul>

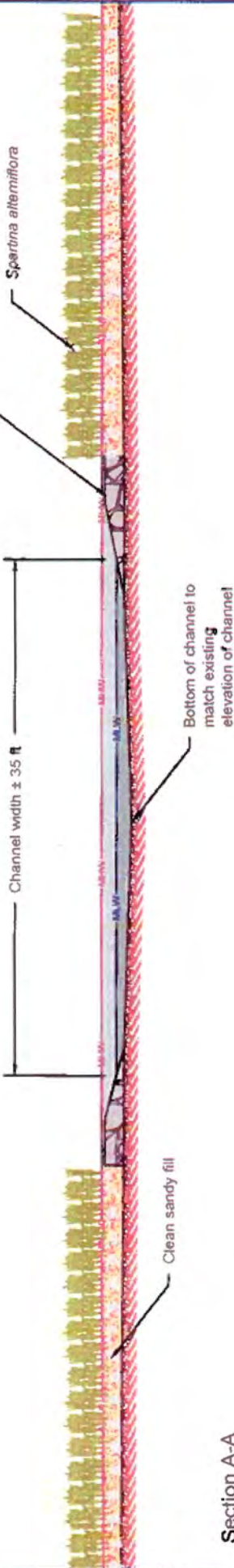
1. All elevations are taken from biological MLW.  
 2. Tidal range is 1.1 ft



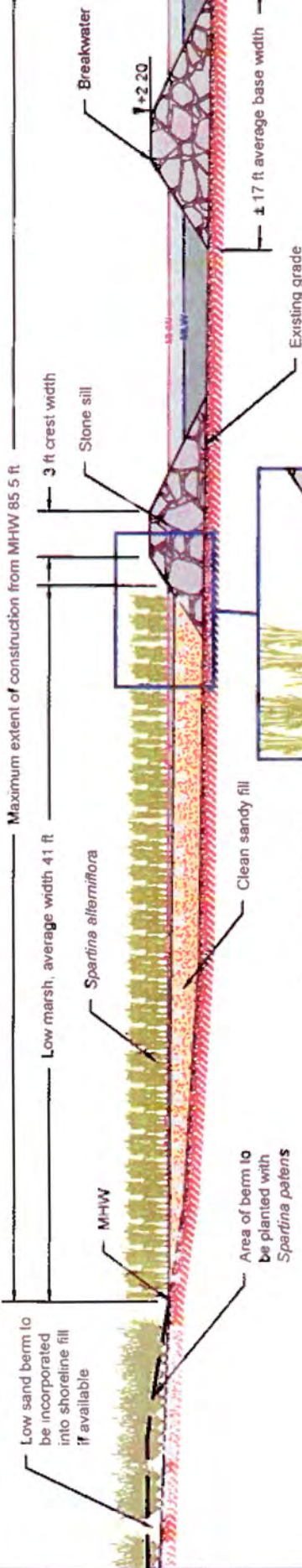


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	Restoring the bay one weekend at a time	Scale: 1"=50' Date: 05/2014
<b>Town of North Beach</b> <b>Living Shoreline</b> <b>Calvert Co. MD</b>	Drawing No: <b>TNNB/P/320</b> Revision: <b>0</b>	Project: <b>Proposed Shoreline</b> <b>Detail 2</b>
Key Notes: 1. All elevations are taken from biological MLW. 2. Tidal range is 1.1 ft.	Turf/built up area Existing high marsh Existing shrub/scrub	

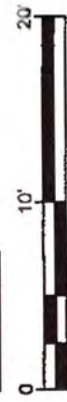
Sides of channel to be revegetated to prevent scour of marsh fill



Section A-A



Section B-B



Notes

1. All elevations are taken from biological MLW.
2. Tidal range is 1.1 ft.
3. Crest elevations of stone sills and breakwaters are MLW +2.2 ft.
4. Channelward slopes of stone sills and breakwaters are 1:2.

Project

Town of North Beach  
Living Shoreline  
Calvert Co. MD



**Environmental Concern Inc.**  
P.O. Box P  
St Michaels, MD 21663  
Phone 410.745.9600 Fax 410.745.3517  
www.earthand.org

Revising the job one worksheet at a time

Scale

Date

05/2014

1

1"=10'

Scale

Date

05/2014

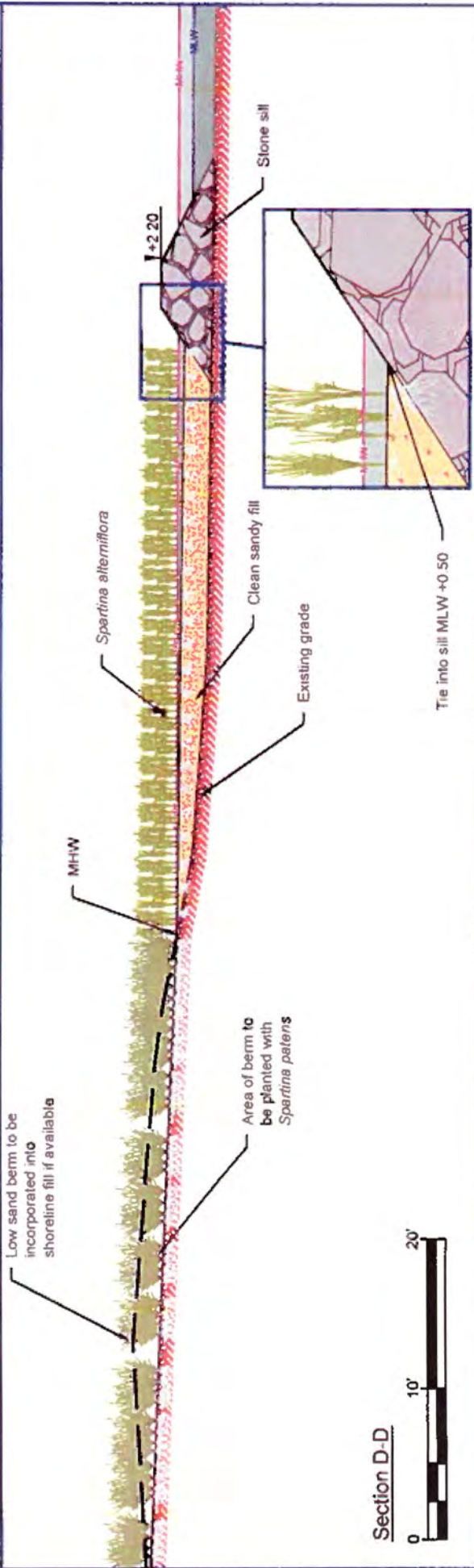
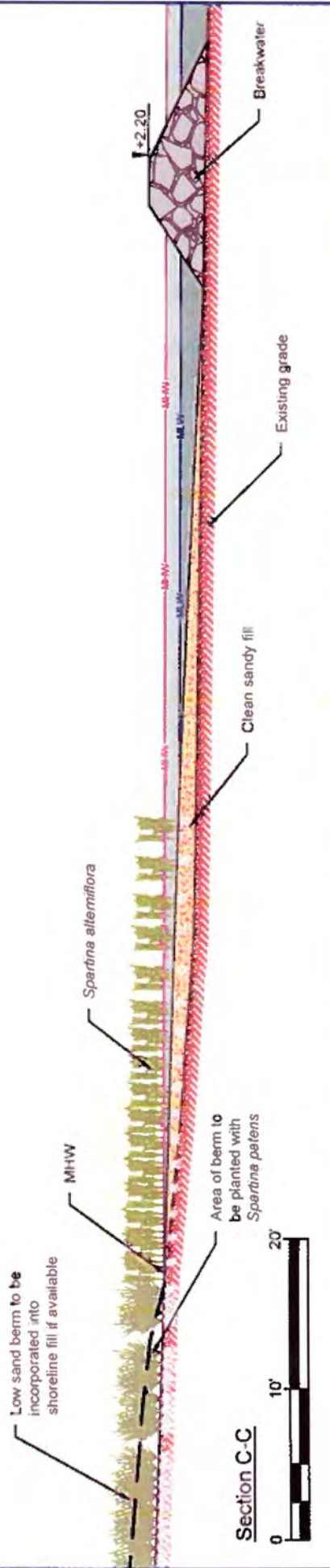
**Cross Sections**  
**A-A B-B**

Drawing No.  
**TNNB/P/350**

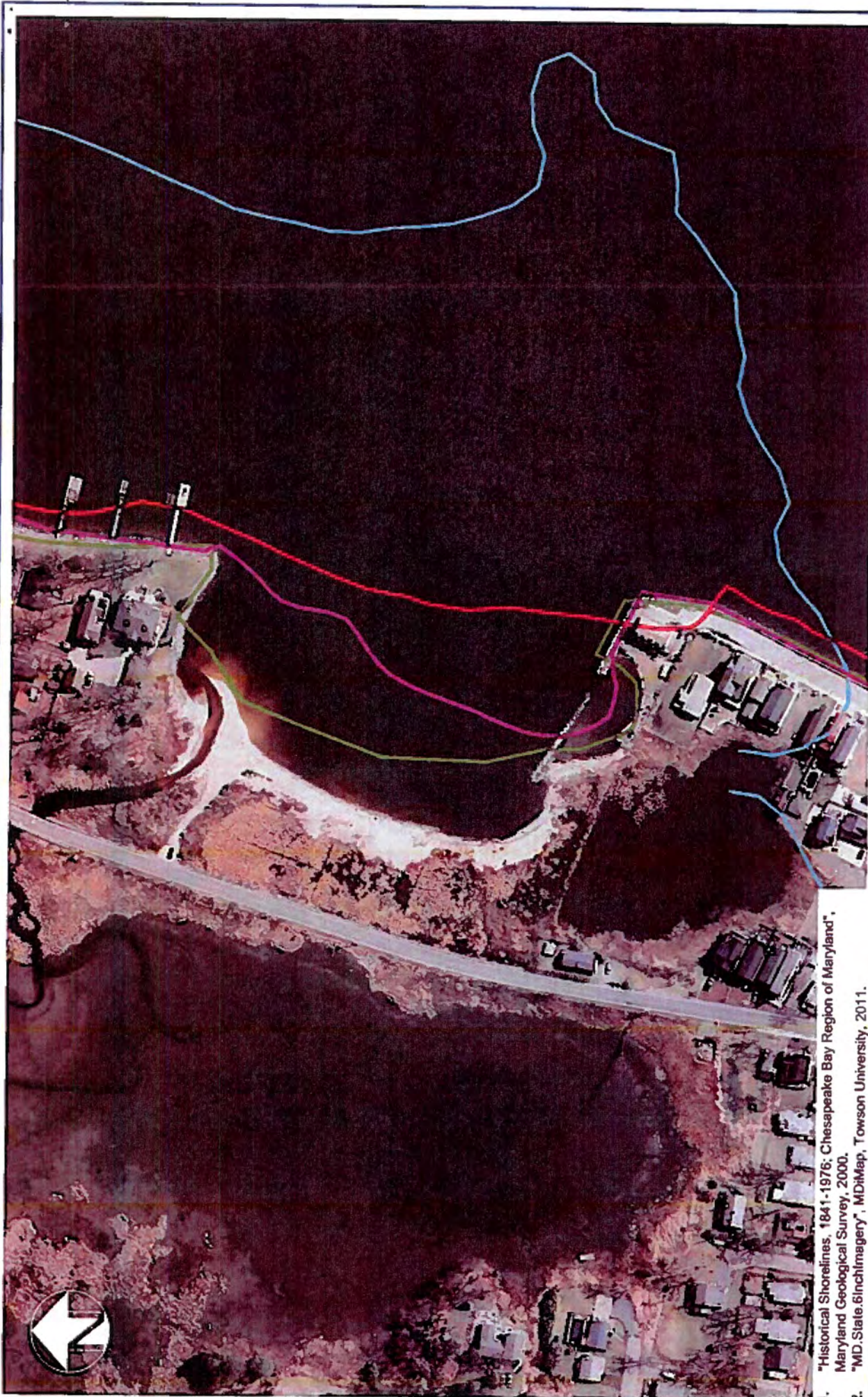
Scale

Date

05/2014



<p><b>Key Notes</b></p> <ol style="list-style-type: none"> <li>All elevations are taken from biological MLW.</li> <li>Tidal range is 1.1 ft.</li> <li>Crest elevations of stone sills and breakwaters are MLW +2.2 ft.</li> <li>Channelward slopes of stone sills and breakwaters are 1:2.</li> </ol>	<p><b>Cross Section</b></p> <p><b>C-C D-D</b></p>		<p><b>Project</b></p> <p>Town of North Beach Living Shoreline Calvert Co. MD</p>	<p><b>Environmental Concern Inc.</b> P.O. Box P St Michaels, MD 21663 Phone 410-745-9820 Fax 410-745-3517 www.ecoinc.org</p>	<p>Drawing No</p> <p><b>TNNB/P/360</b></p>	<p>Sheet</p> <p><b>1</b></p>	<p>Scale</p> <p><b>1" = 10'</b></p>	<p>Date</p> <p><b>05/2014</b></p>
	<p>Revising the Bay, one wetland at a time</p>							



1. "Historical Shorelines, 1841-1976; Chesapeake Bay Region of Maryland", Maryland Geological Survey, 2000.
2. "MD.State.6inchimagery", MDiMap, Towson University, 2011.

Key/Notes

- Historic Shoreline 1847 —
- Historic shoreline 1934 —
- Historic shoreline 1960 —
- Historic shoreline 1993 —

Drawing Name

## Historic Shorelines

Project

Town of North Beach  
Living Shoreline  
Calvert Co. MD

Revision

0

Scale

1" = 200'

Date

May 2014



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