

# Public Notice

U.S. Army Corps  
of Engineers  
Baltimore District  
PN 15-38

In Reply to Application Number  
CENAB-OPR-M (Town Of Oxford) 2015-60617

Comment Period: June 16, 2015 to July 6, 2015

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

This District has received an application for a Department of the Army permit pursuant to **Section 10 of the Rivers and Harbors Act of 1899 and/or Section 404 of the Clean Water Act (33. U.S.C. 1344)** as described below:

APPLICANT:           The Town of Oxford  
                            PO Box 339  
                            Oxford, Maryland 21654

LOCATION: In Town Creek, at Tilghman Street, Oxford, Talbot County, Maryland.

WORK: The applicant proposes to remove two pilings extending no more than 45 feet channelward of the existing bulkhead; to remove two existing fender piles extending no more than 45 feet channelward of the existing bulkhead; to remove 25 linear feet of an existing bulkhead and 10 cubic yards of fill from behind the existing bulkhead for construction of a boat ramp; to construct a 13-foot by 64-foot boat ramp with approximately 135 cubic yards of stone fill material and 16 cubic yards of concrete material, to extend no more than 57 feet channelward of the approximate mean high water (MHW) shoreline; to construct a 1-foot by 57-foot by 6-foot tall wing wall to extend no more than 57 feet channelward of the existing bulkhead; to construct a 1-foot by 57-foot by 6-foot tall wing wall and to construct a 4-foot by 64-foot pier over the proposed timber wing wall, to extend no more than 57 feet channelward of the approximate MHW shoreline; to install two pilings to extend no more than 50 feet channelward of the existing bulkhead; and to construct timber framed deck over the existing 20-foot by 45-foot concrete boat ramp to extend no more than 20 feet channelward of the approximate MHW water shoreline that is located within the existing concrete boatramp. The proposed activity is located in Town Creek, at Tilghman Street, in Oxford, Talbot County, Maryland. If you have any questions concerning this matter, please contact Ms. Laura Coleman of this office at (443) 853-2051 or via email at [lamuelle.l.coleman@usace.army.mil](mailto:lamuelle.l.coleman@usace.army.mil).

The purpose of the project is to improve navigable access.

As part of the planning process for the proposed project, steps were taken to ensure avoidance and minimization of impacts to waters of the United States to the maximum extent practicable. Compensatory mitigation is not being proposed by the applicant for impacts to open water (inter-tidal and sub-tidal) habitat.

According to the Virginia Institute of Marine Science (VIMS) survey maps, there is no SAV mapped within the project footprint of the proposed aquaculture operation for years 2007 through 2013. No mitigation measures are proposed by the applicant.

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 affect Essential Fish Habitat (EFH).

The project site lies in or adjacent to EFH as described under Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA) for Juvenile and adult Windowpane flounder (*Scopthalmus aquosus*); Juvenile and adult Bluefish (*Pomatomus saltatrix*); Larvae, juvenile and adult Summer flounder (*Paralichthys dentatus*); Eggs, larvae, juveniles and adult King mackerel (*Scomberomorus cavalla*), Spanish mackerel (*Scomberomorus maculatus*), Cobia (*Rachycentron canadum*), Black sea bass (*Centropristus striata*) and all managed species under the MSFCMA.

The project has the potential to adversely affect EFH or the species of concern by the alteration of spawning, nursery, forage and/or shelter habitat. The project may have an adverse effect on an approximate 3,121.5 square foot area of EFH as described under the MSFCMA for the species and life stages identified above. This habitat consists of a mostly sand and silt substrate which does not support SAV.

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 at this time to minimize adverse effects on EFH. This preliminary determination may be modified if additional information indicates otherwise and could change the Corps' preliminary determination.

The decision whether to issue a permit will be based on an evaluation of the probable impacts, 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 reasonable 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, economic, 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, mineral needs, and consideration of property ownership 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 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.

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 (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 would have no affect on 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.

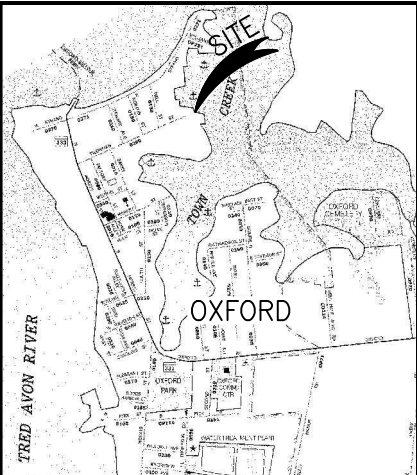
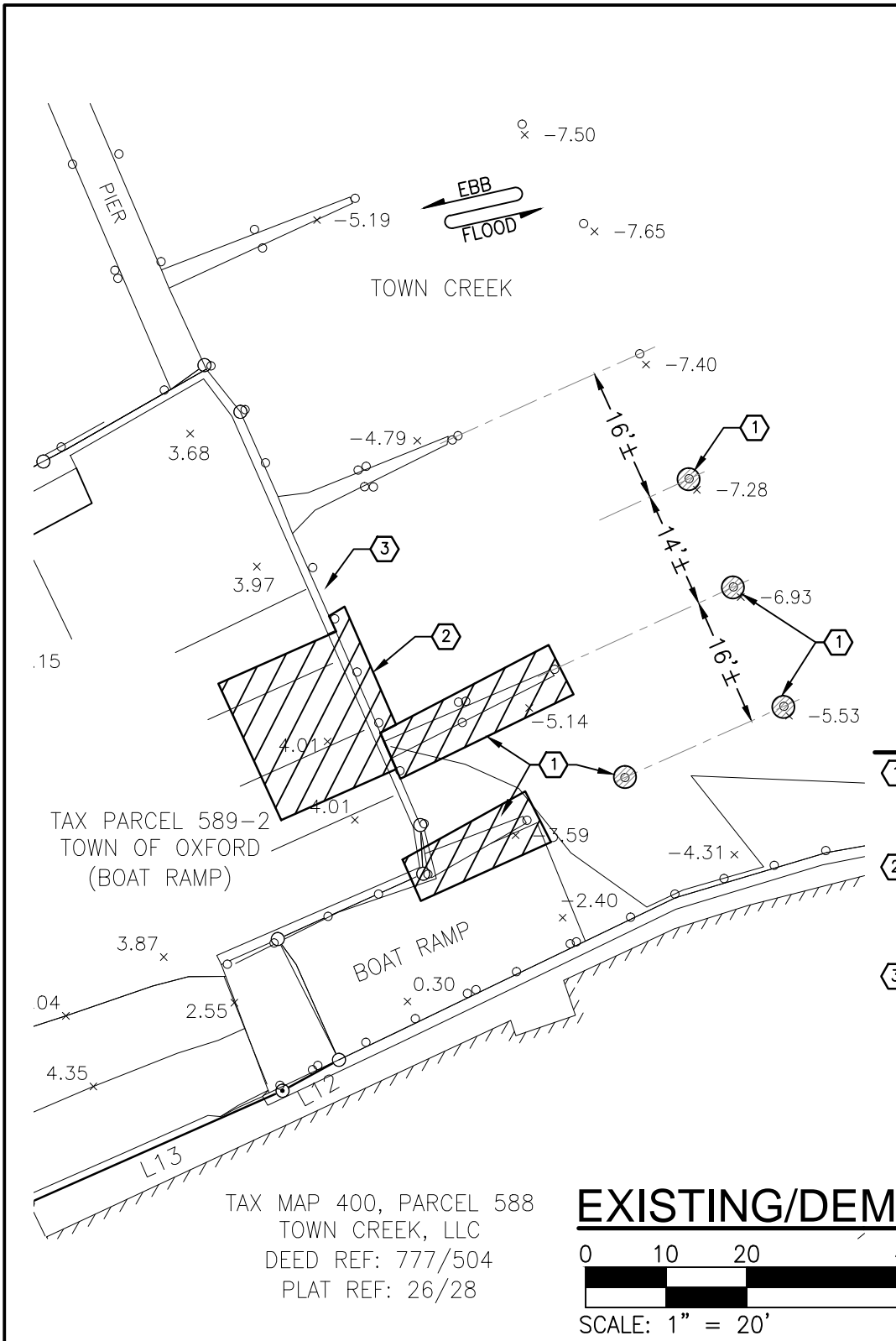
Review of the latest published version of the National Register of Historic Places indicates that no registered properties listed as eligible for inclusion, therein, are located at the site of the proposed work. Currently unknown archeological, scientific, prehistoric, or historical data may be lost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



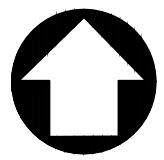
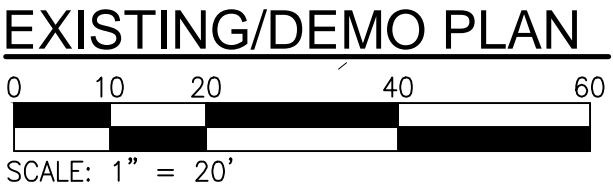
**VICINITY MAP**  
N.T.S

**DEMOLITION NOTES**

- ① REMOVE EXISTING TIMBER PILES OF FINGER PIER AS SHOWN INCLUDING FENDER PILES IN THEIR ENTIRETY AND DISPOSE OF OFF-SITE.
- ② AFTER COFFERDAM INSTALLATION REMOVE EXISTING AREA OF BULKHEAD & TIMBER PILES FOR NEW BOAT RAMP WING WALLS AS SHOWN IN THEIR ENTIRETY & DISPOSE OF OFF-SITE.
- ③ CONTRACTOR SHALL PROVIDE TEMPORARY SUPPORT AS NEEDED FOR BULKHEAD, ELECTRICAL CONDUIT AND POWER EQUIPMENT TO ALLOW FOR OPERATION DURING DEMOLITION AND CONSTRUCTION ACTIVITIES. CONTRACTOR SHALL REMOVE SUCH TEMPORARY SUPPORT UPON COMPLETION OF DOCK CONSTRUCTION.

TAX PARCEL 589-2  
TOWN OF OXFORD  
(BOAT RAMP)

TAX MAP 400, PARCEL 588  
TOWN CREEK, LLC  
DEED REF: 777/504  
PLAT REF: 26/28

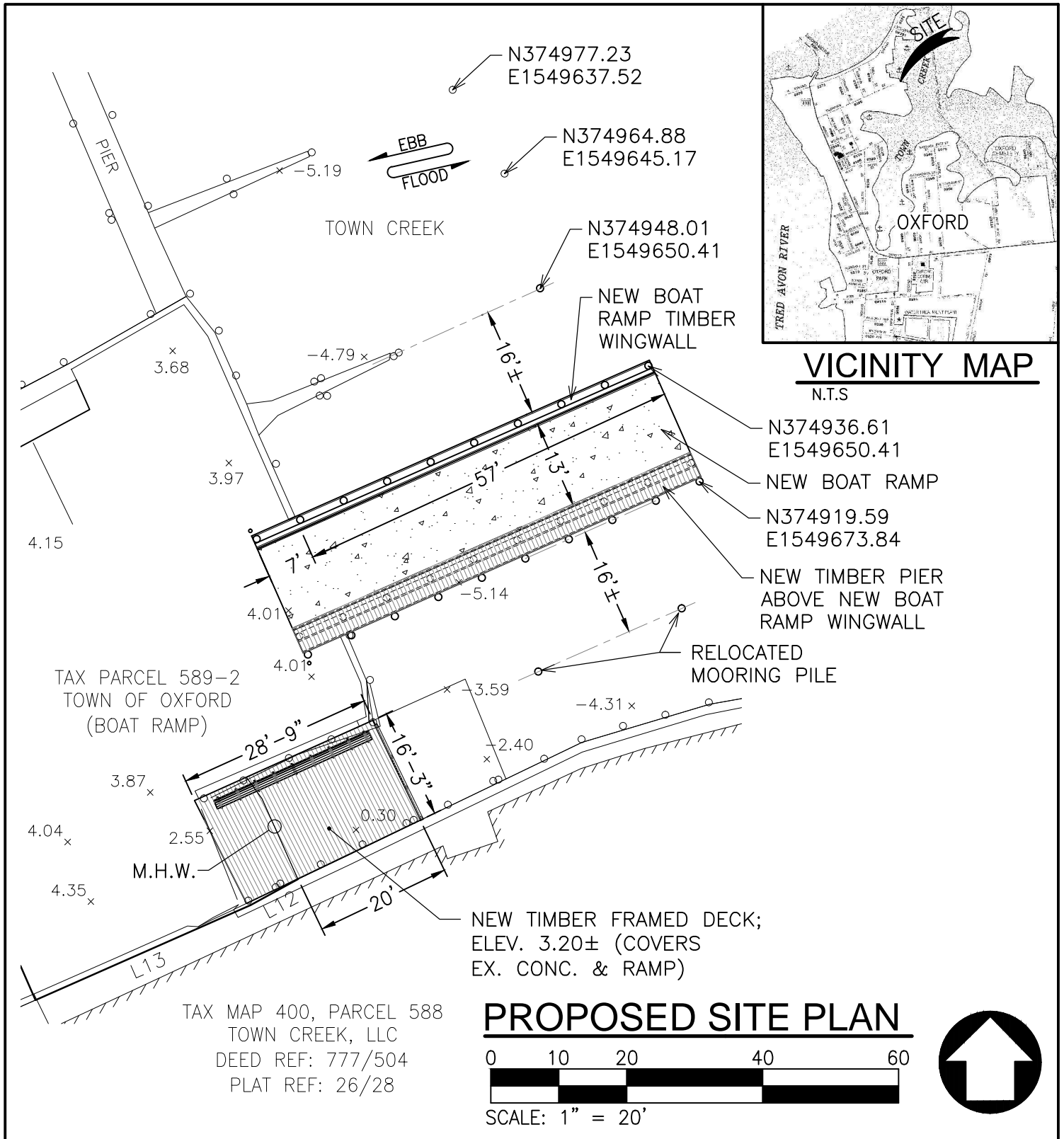


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ADJOINING OWNERS

- ① TOWN CREEK, LLC  
P.O. BOX 176  
OXFORD, MD. 21654-0176
- ② MOBY INC.  
P.O. BOX 340  
OXFORD, MD. 21654-0000
- ③ TURRELL JAMES A  
TURRELL KYUNG-LIM LEE  
PO BOX 416  
OXFORD MD 21654-0416

SHEET 1 OF 5  
**BOAT RAMP REPLACEMENT & TIMBER DECK**  
ON: TOWN CREEK  
OXFORD, TALBOT COUNTY, MARYLAND  
APPLICATION BY: TOWN OF OXFORD  
DATE: APRIL 2015

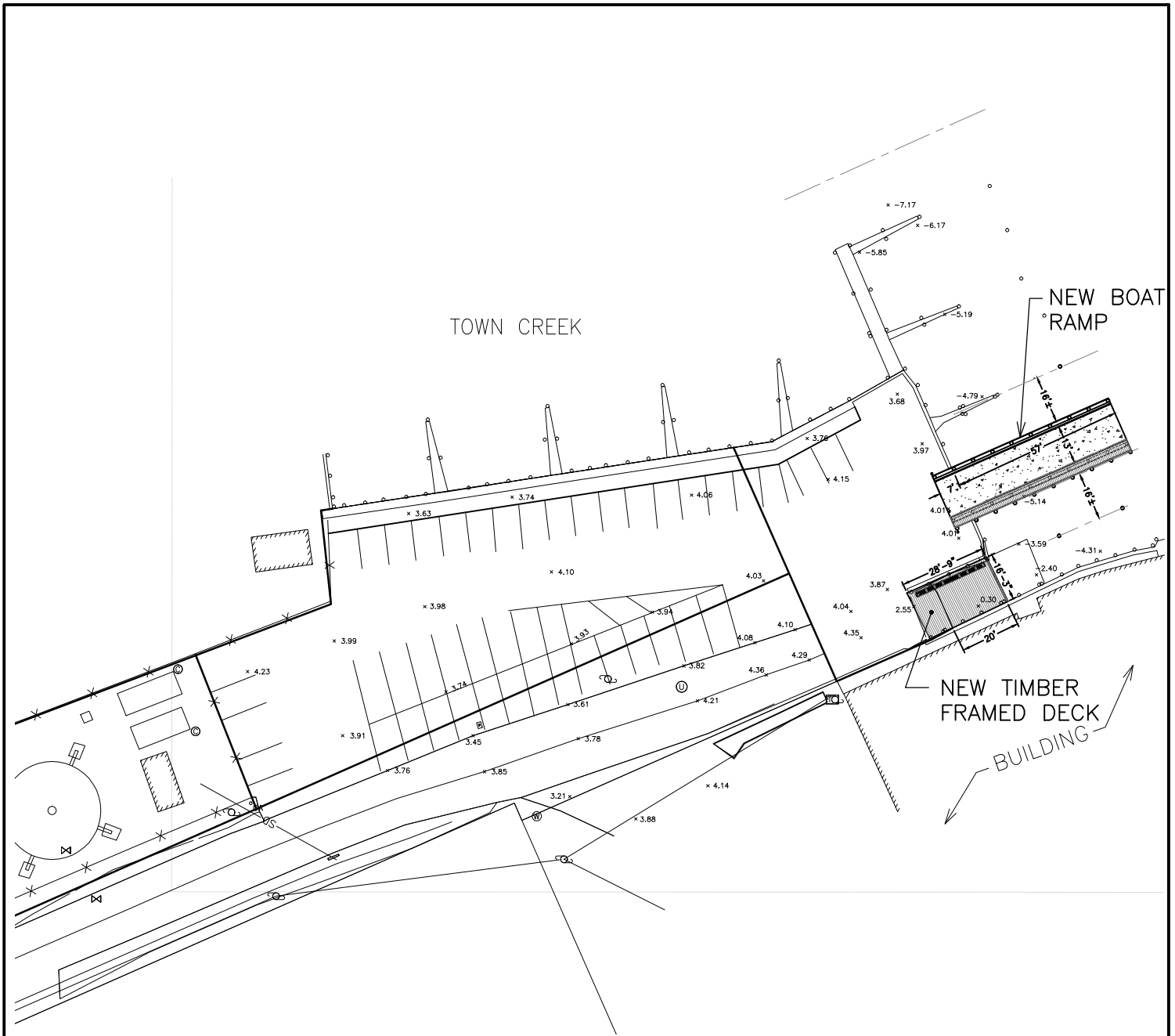


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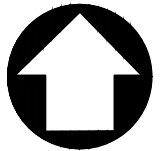
SHEET 2 OF 6  
**BOAT RAMP REPLACEMENT & TIMBER DECK**  
 ON: TOWN CREEK  
 OXFORD, TALBOT COUNTY, MARYLAND  
 APPLICATION BY: TOWN OF OXFORD  
 DATE: APRIL 2015



## OVERALL SITE PLAN



SCALE: 1" = 50'



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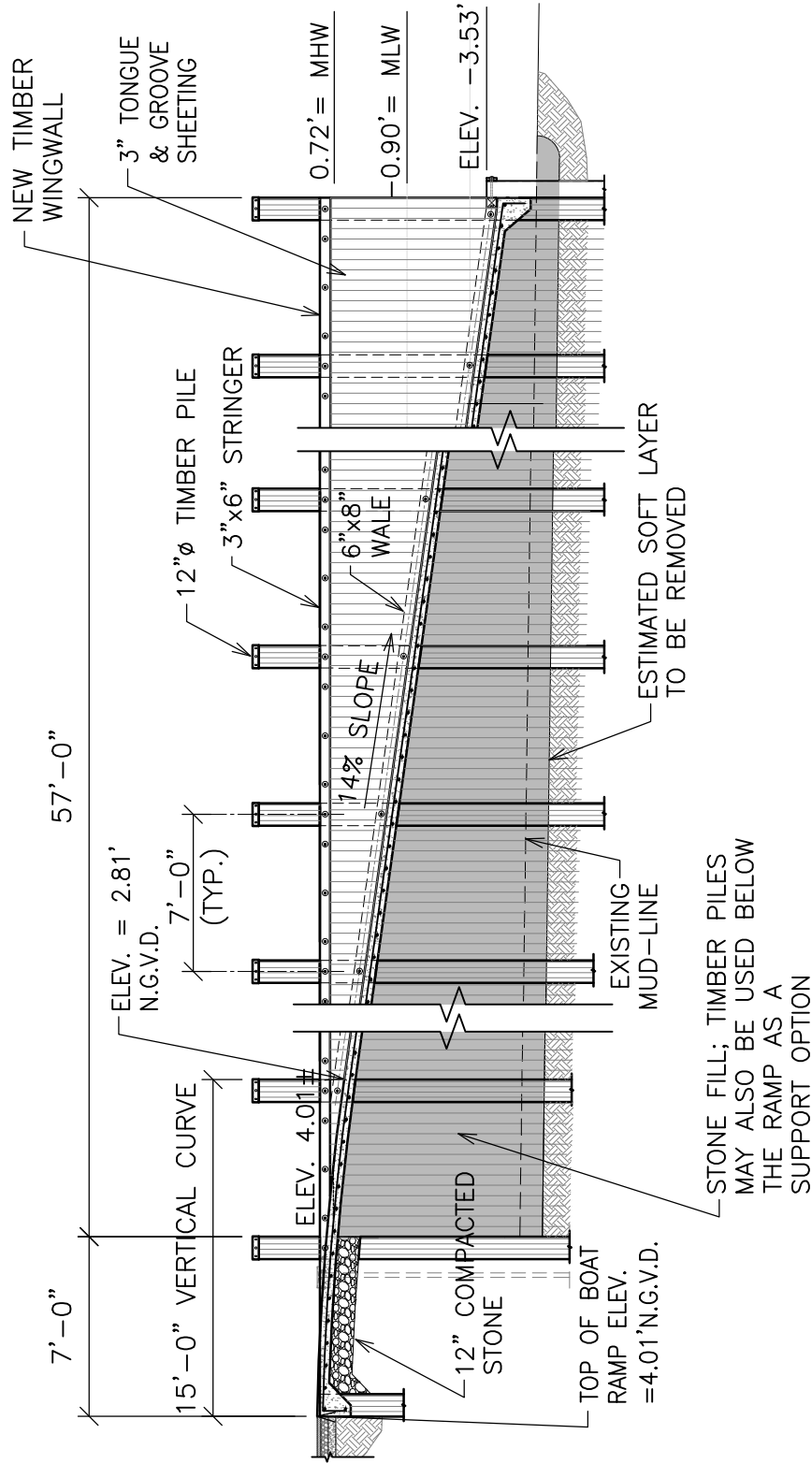
SHEET 2A OF 6

**BOAT RAMP REPLACEMENT & TIMBER DECK**

ON: TOWN CREEK  
OXFORD, TALBOT COUNTY, MARYLAND

APPLICATION BY: TOWN OF OXFORD

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# RAMP ELEVATION

SCALE: 1/4" = 1'-0"



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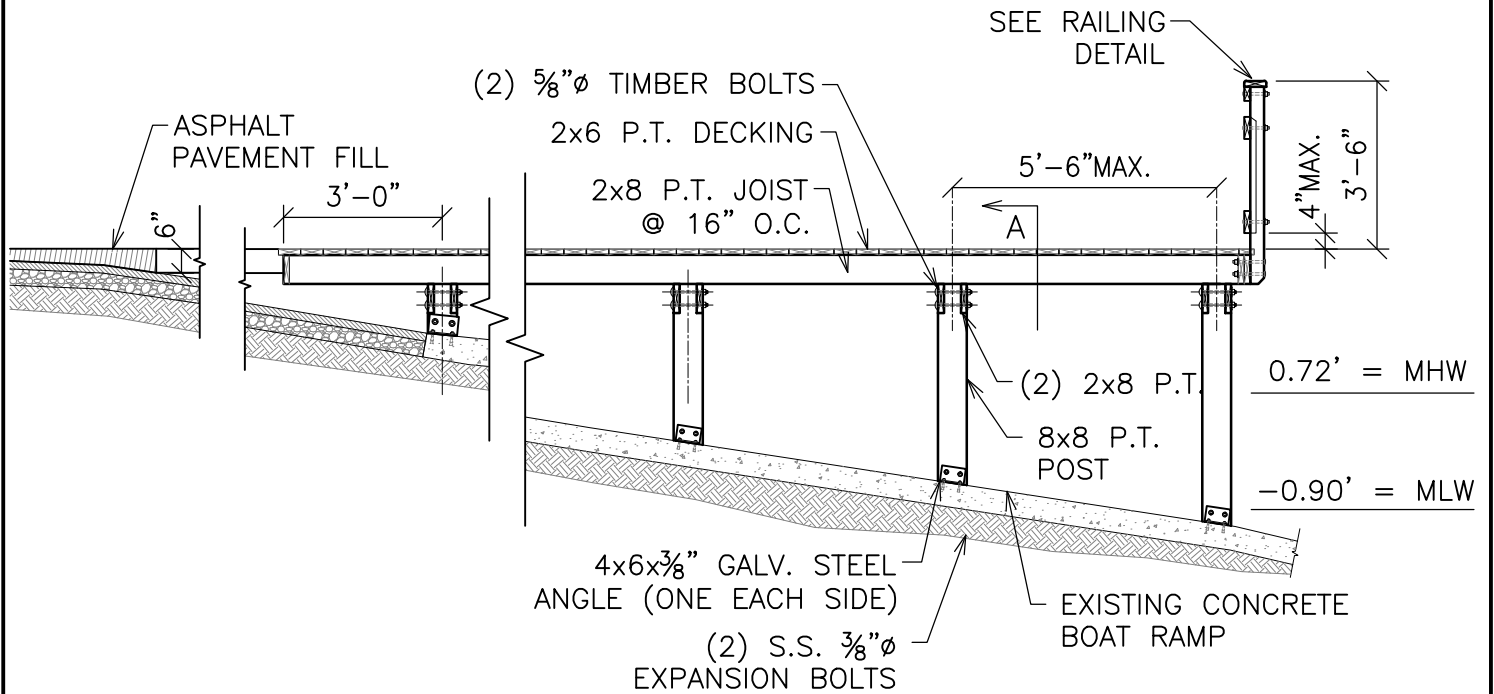
SHEET 3 OF 5

BOAT RAMP REPLACEMENT & TIMBER DECK

ON: TOWN CREEK  
OXFORD, TALBOT COUNTY, MARYLAND

APPLICATION BY: TOWN OF OXFORD

DATE: APRIL 2015



## TIMBER FRAMED DECK DETAIL

SCALE: 1/2" = 1'-0"

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SHEET 4 OF 5

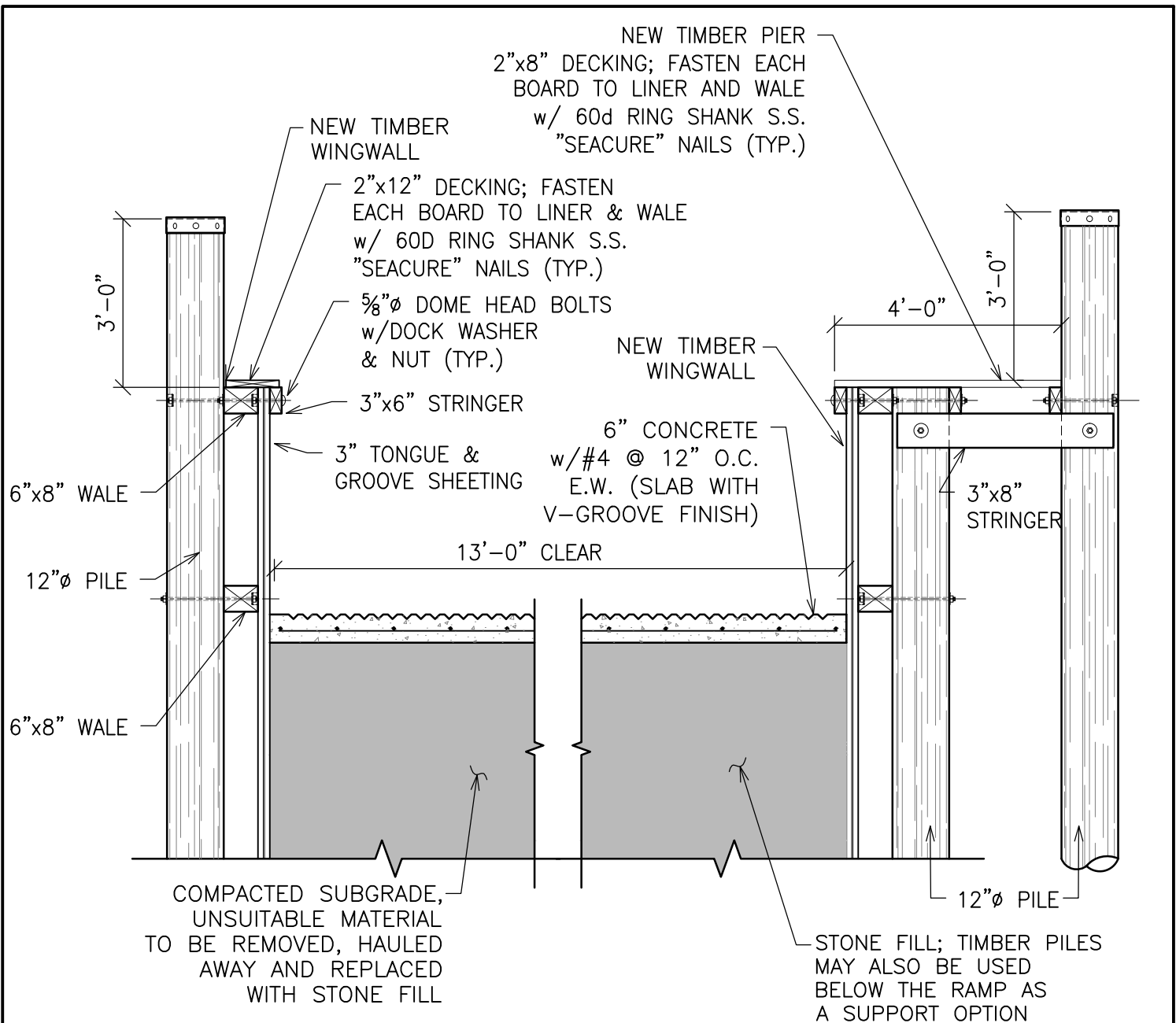
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## RAMP CROSS SECTION

SCALE: 1/2" = 1'-0"



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SHEET 5 OF 5

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