

U.S. Army Corps  
of Engineers  
Baltimore District

# Public Notice

In Reply to Application Number  
CENAB-OP-RMS (Vernon McNamara/Bulkhead Repair &  
Replacement and Dredging) 2015-60926

PN 15-65

Comment Period: October 20, 2015 to November 9, 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:** Vernon McNamara  
5441 Ragged Point Road  
Cambridge, Maryland 21613

**LOCATION:** In Brooks Creek at 5441 Ragged Point Road, Cambridge, Dorchester County, Maryland.

**PROPOSED WORK AND PURPOSE:** The applicant proposes, in accordance with the attached plans to construct 635 linear feet of replacement bulkhead with approximately 211.5 cubic yards of clean earth backfill to extend a maximum of 1.5 feet channelward of the existing deteriorated bulkhead; to replace the existing 34 mooring pilings and 6 finger piers in-kind to extend no more than 12 feet channelward of the existing bulkhead; and to maintenance dredge by mechanical method an approximate 16,464 square foot (0.377 acre area) boat basin and entrance channel, to a depth of -4.0 feet mean low water (MLW). The resulting approximately 663 cubic yards (boat basin) and 192.4 cubic yards (entrance channel) of sand and silt dredged material is proposed to be placed on-site in a 75-foot wide by 125-foot long bermed upland (non-wetland) disposal area to the west of the basin to be dried and redeposited on-site in an upland area landward of the Critical Area line. Ten year maintenance dredging is requested. The existing depths in the proposed dredge area range from -0.5 feet MLW to -5.5 feet MLW. All work will be completed in accordance with the enclosed plan(s). If you have any questions concerning this matter, please contact Mr. Eugene Morgenthaler at (410) 820-8629 or [eugene.j.morgenthaler@usace.army.mil](mailto:eugene.j.morgenthaler@usace.army.mil).

Site layout for this project was based upon existing contours that would most practically avoid and minimize impacts to jurisdictional waters. Efforts were made to avoid, to the maximum extent possible, the long and short term adverse impacts associated with the proposed project. The proposed impacts were reduced by proposing the minimum depths required for the recreational and commercial vessels utilizing the Cedar Hill Park marina facility. Compensatory mitigation is not being proposed by the applicant for the dredging impacts. The project would be performed hydraulically and all dredge pipes would be free standing, laid on the bottom, with no pilings required.

The purpose of the proposed project is for shoreline stabilization, mooring and to restore required depths in the entrance channel and within the boat basin.

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 the MSFCMA for the *Scophthalmus aquosus* (windowpane flounder) juvenile and adult; *Pomatomus saltatrix* (blue fish) juvenile and adult; *Paralichthys dentatus* (summer flounder) juvenile and adult; and eggs, larvae, juvenile and adult stages of *Sciaenops ocellatus* (red drum), *Scomberomorus cavalla* (king mackerel), *Scomberomorus maculatus* (spanish mackerel), and *Rachycentron canadum* (cobia), managed species under the MSFCMA.

The project has the potential to adversely affect EFH or the species of concern by loss of nursery, forage and/or shelter habitat. Although according to the Virginia Institute of Marine Science (VIMS) surveys from 2009 through 2013, there is SAV in Brooks Creek, however, there are no SAV species that exist in the vicinity to this boat basin. The project may have an adverse effect on EFH as described under the Magnuson-Stevens Fishery Conservation and Management Act for the species and life stages identified above. 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. 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 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 21203-1715 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, Montgomery Park Business Center, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland 21230-1708, within the comment period as specified above to receive consideration. The Section 401 certifying agency has a statutory limit of one year from the date of this public notice to make its decision.

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 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.

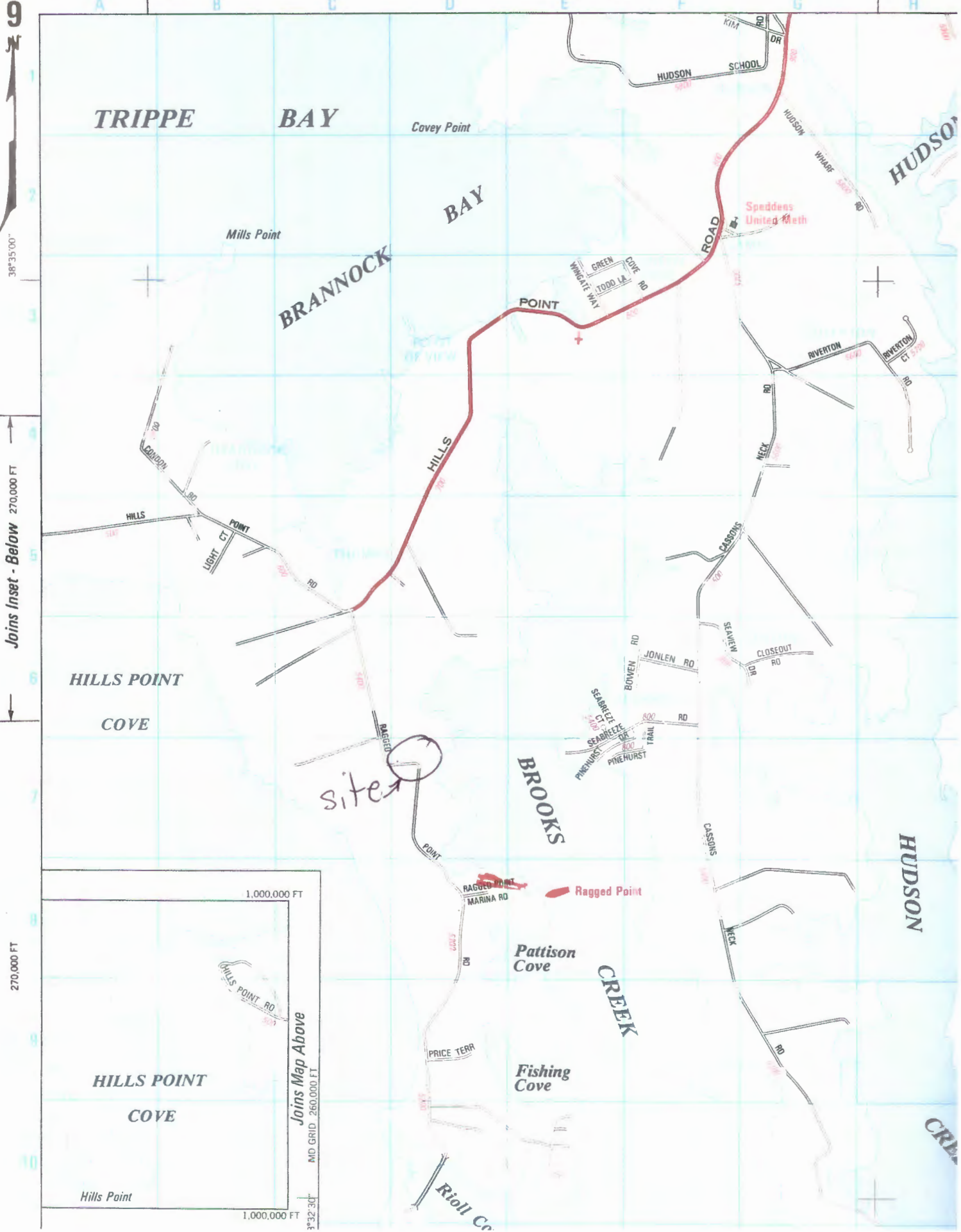
The evaluation of the impact of this project on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 of the Clean Water Act.

Any person who has an interest which may be adversely affected by the issuance of this permit may request a public hearing. The 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, Baltimore, Maryland 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 know by you to be interested and not being known to this office, who did not receive a copy of this notice.

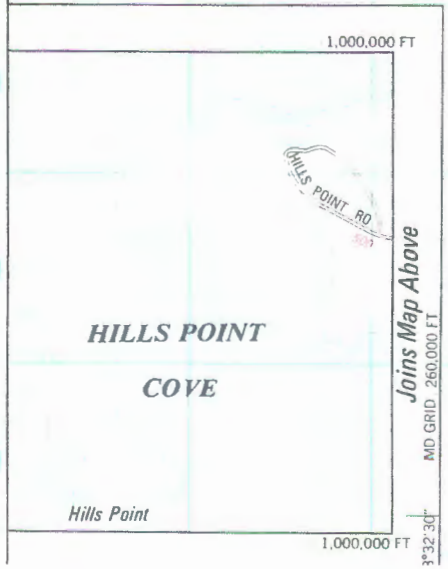
FOR THE DISTRICT ENGINEER:

KATHY B. ANDERSON  
Chief, Maryland Section Southern



Joins Inset - Below 270,000 FT

270,000 FT



Joins Map Above

MID GRID 260,000 FT

3°32'30"



100' CRITICAL AREA

MHWL +3.2'  
MLWL 0.0

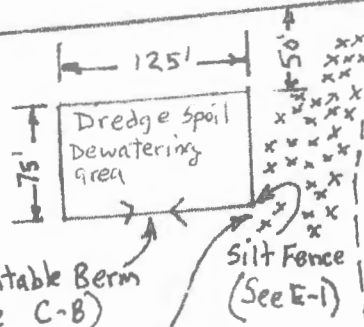
BROOKS CREEK

FLOOD  
EBB

Parcel 80: Michael A. Lang Sr. & Katherine A. Rogers  
1548 Taylors Island Road  
Woolford, Maryland 21677  
Map Grid Parcel Liber Folio  
0027 0021 0081 01173 00096

Parcel 81: Vernon & Bonnie McNamara  
5441 Ragged Point Road  
Cambridge, MD 21613  
Map Grid Parcel Liber Folio  
0027 0021 0081 00858 00617

James & Edith May Hubbard  
952 Hudson Road  
Cambridge, MD 21613  
Map Grid Parcel  
0027 0021 0114  
Liber Folio  
00130 00209



Dredge Spoils to be placed in area of xx after dewatered



10' wide strip planted with worm season grass

P. 164 Lot 2

P. 164 Lot 1

P. 153

P. 12 Lot 5

P. 12 Lot 5A

P. 12 Lot 6

P. 114

P. 161 Lot 1A

RAGGED POINT ROAD

Shoreline

Vernon & Bonnie McNamara  
5441 Ragged Point Road  
Cambridge, Maryland 21613

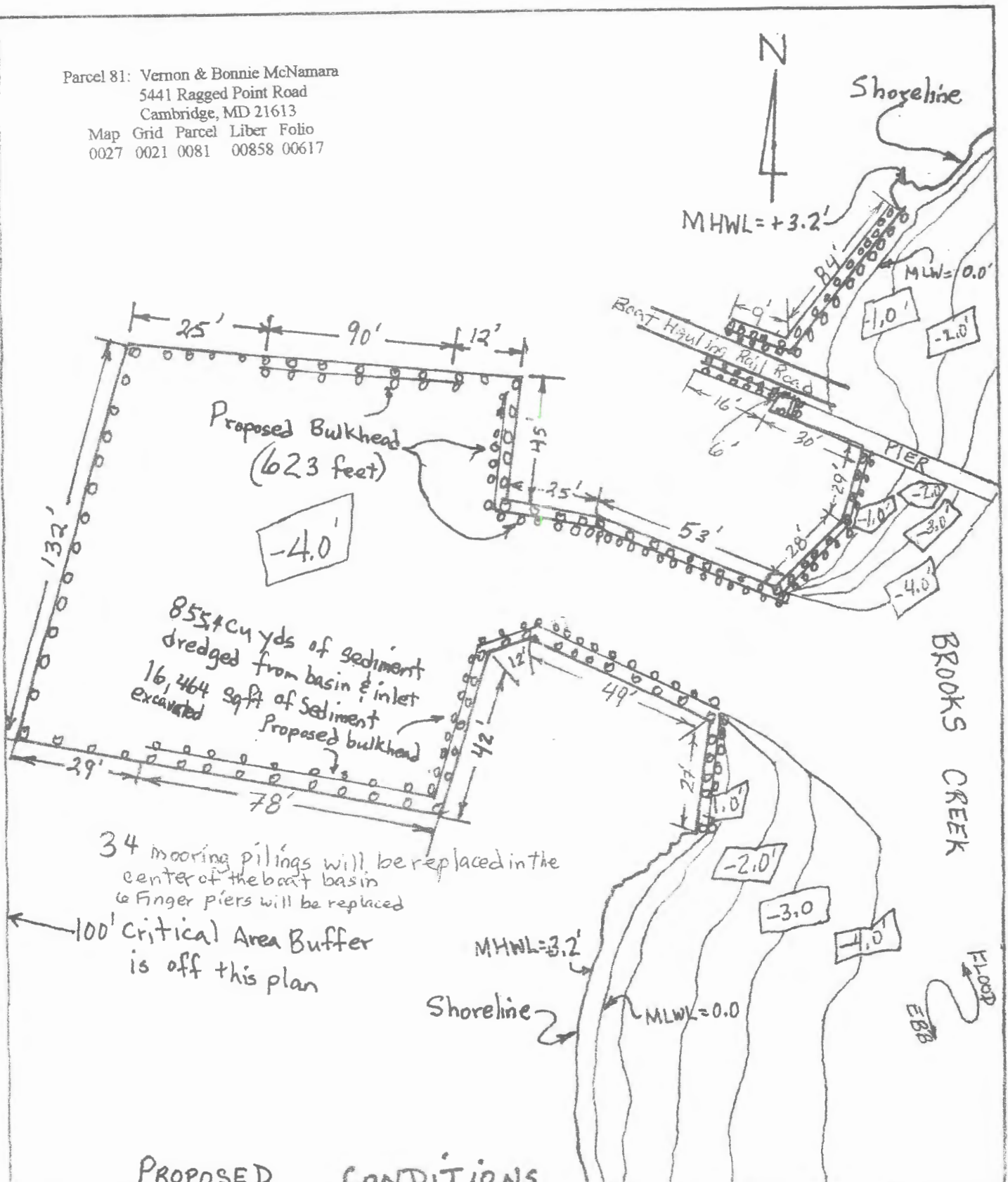
Map Grid Parcel  
0027 0021 0081  
Sediment Disposal  
and  
Buffer Management Plan

Goertemiller & Associates  
P.O. Box 2752  
Easton, Maryland 21601

Email: ecosystems@goeaston.net  
Cell: 410-310-1842  
Fax: 410-476-5742  
Office: 410-476-4580



Parcel 81: Vernon & Bonnie McNamara  
 5441 Ragged Point Road  
 Cambridge, MD 21613  
 Map Grid Parcel Liber Folio  
 0027 0021 0081 00858 00617



PROPOSED CONDITIONS

Vernon McNamara  
 5441 Ragged Point Road  
 Cambridge, Maryland 21613

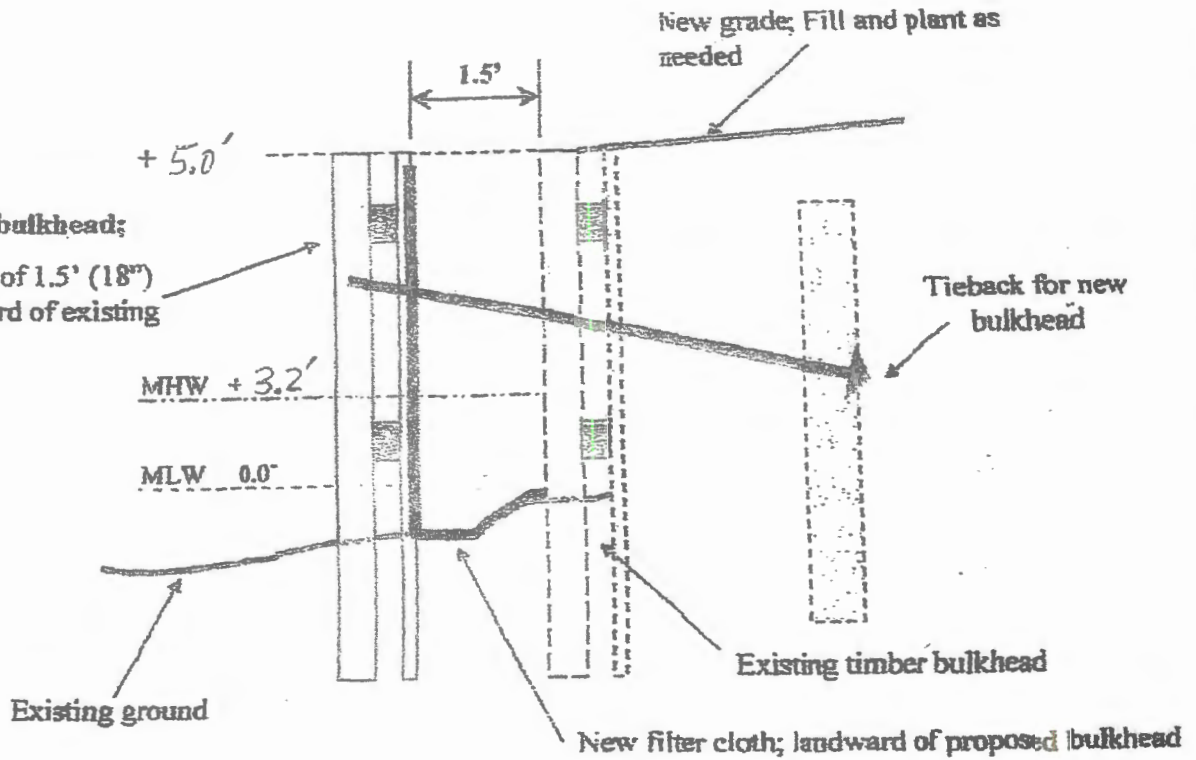
Map Grid Parcel  
 0027 0021 0081

Goertemiller & Associates  
 P.O. Box 2752  
 Easton, Maryland 21601

Email:  
 ecosystems@goeaston.net  
 Cell: 410-310-1842  
 Fax: 410-476-5742  
 Office: 410-476-4580



# REPLACEMENT BULKHEAD PROJECT

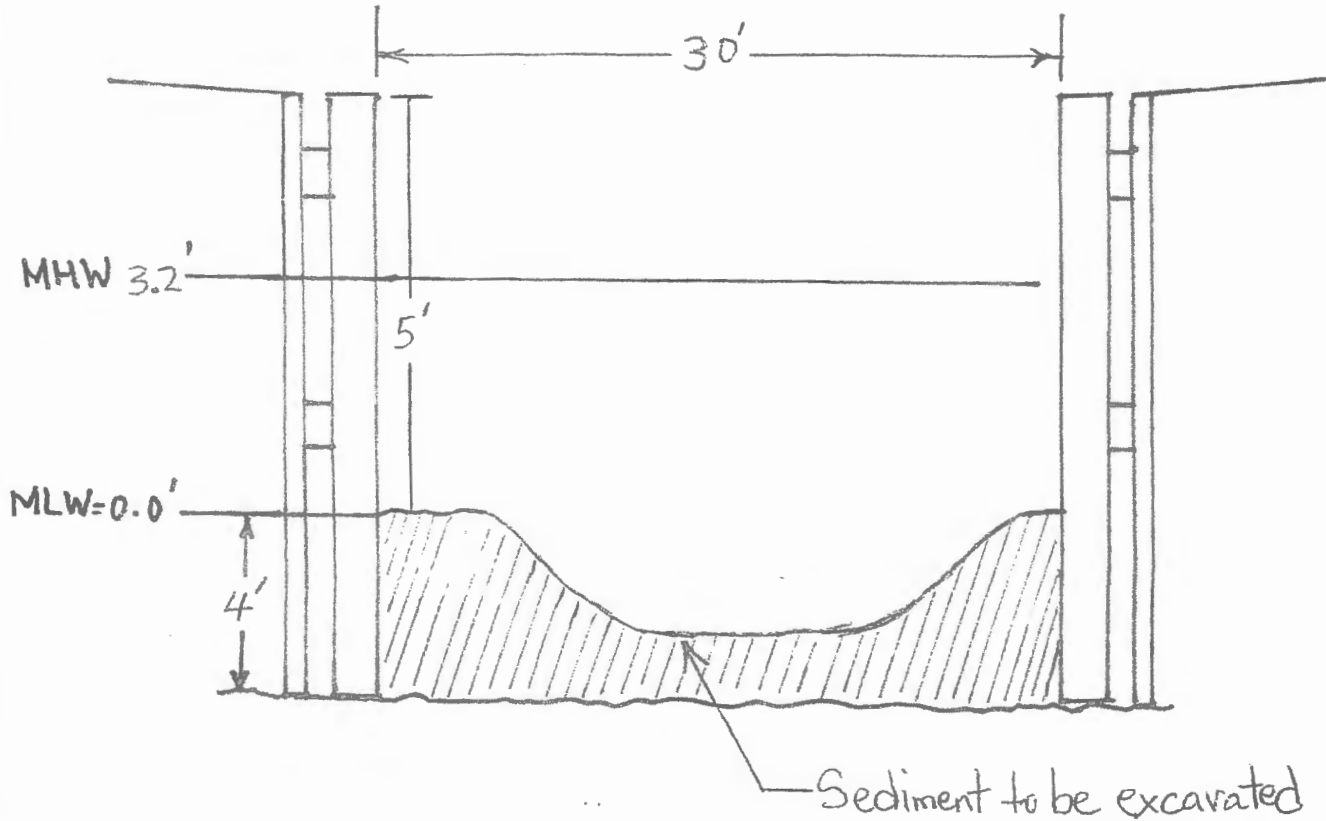


**Notes:**

- Pilings 10" butt on 8' centers - 25' Long
- Cap Board 2"x 12"
- Wales 6"x 6" top and bottom
- Bulkhead 24" wide vinyl 14 feet long
- Tie Back Rods 1" x 15' on driven poles with NY Dock washers & nuts

Vernon McNamara 5441 Ragged Point Road Cambridge, Maryland 21613	Map Grid Parcel 0027 0021 0081	Goertemiller & Associates P.O. Box 2752 Easton, Maryland 21601	Email: ecosystems@goeaston.net Cell: 410-310-1842 Fax: 410-476-5742 Office: 410-476-4580
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# Entrance to Boat Basin



855.4 cu yds Sediment to be  
excavated from boat basin  
16,464 Square Feet surface area

Vernon McNamara  
5441 Ragged Point Road  
Cambridge, Maryland 21613

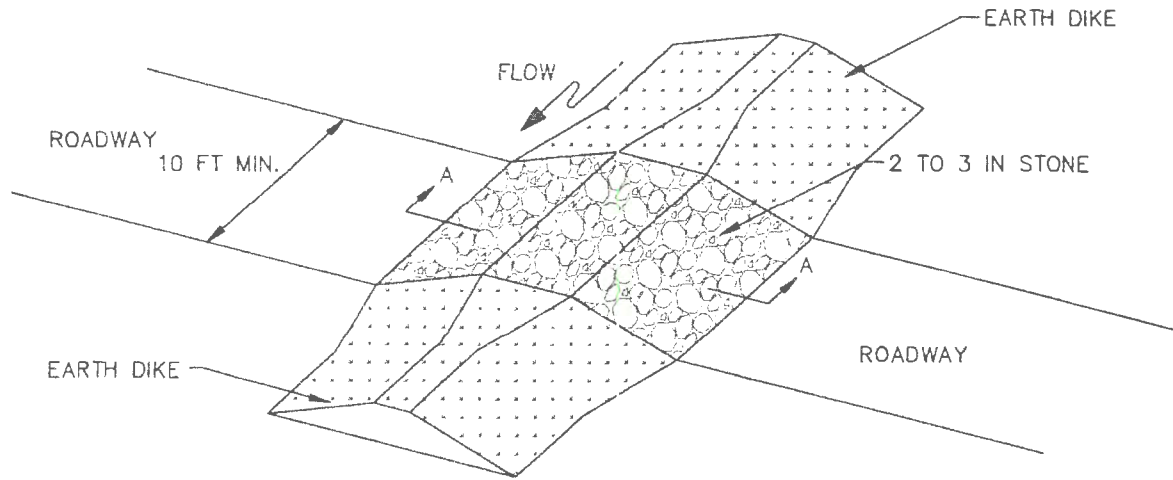
Map Grid Parcel  
0027 0021 0081

Goertemiller & Associates  
P.O. Box 2752  
Easton, Maryland 21601

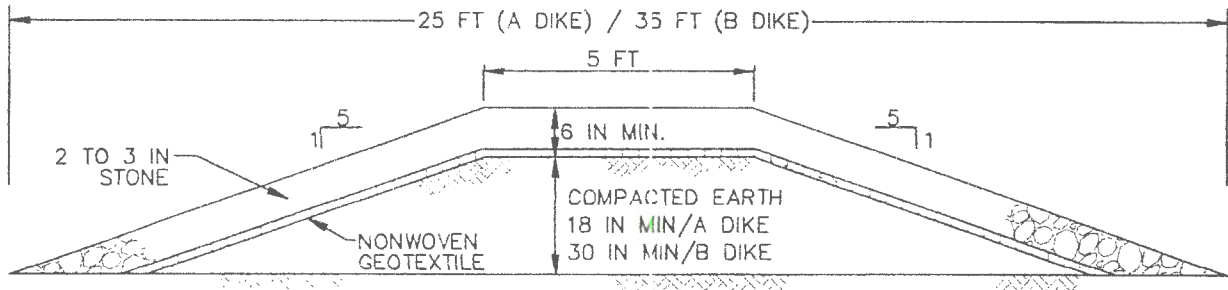
Email:  
ecosystems@goeaston.net  
Cell: 410-310-1842  
Fax: 410-476-5742  
Office: 410-476-4580

# DETAIL C-8 MOUNTABLE BERM

STANDARD SYMBOL



ISOMETRIC VIEW



SECTION A-A

## CONSTRUCTION SPECIFICATIONS

1. USE MINIMUM WIDTH OF 10 FEET TO ALLOW FOR VEHICULAR PASSAGE.
2. PLACE NONWOVEN GEOTEXTILE, AS SPECIFIED IN SECTION H-1 MATERIALS, OVER THE EARTH MOUND PRIOR TO PLACING STONE.
3. PLACE 2 TO 3 INCH STONE OR EQUIVALENT RECYCLED CONCRETE AT LEAST 6 INCHES DEEP OVER THE LENGTH AND WIDTH OF THE MOUNTABLE BERM.
4. MAINTAIN LINE, GRADE, AND CROSS SECTION. ADD STONE OR MAKE OTHER REPAIRS AS CONDITIONS DEMAND TO MAINTAIN SPECIFIED DIMENSIONS. REMOVE ACCUMULATED SEDIMENT AND DEBRIS. MAINTAIN POSITIVE DRAINAGE.

MARYLAND STANDARDS AND SPECIFICATIONS FOR SOIL EROSION AND SEDIMENT CONTROL

U.S. DEPARTMENT OF AGRICULTURE  
NATURAL RESOURCES CONSERVATION SERVICE

2011

MARYLAND DEPARTMENT OF ENVIRONMENT  
WATER MANAGEMENT ADMINISTRATION