

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

Public Notice

In Reply to Application Number
CENAB-OP-RMS (QA Parks Conquest Wildlife Preserve)
2015-60910

PN 15-75

Comment Period: October 30, 2015 to November 19, 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 Baltimore District has received an application for a Department of the Army (DA) permit 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: Queen Anne's County Department of Parks
1945 4-H Road
Centreville, Maryland 21617

LOCATION: In the Chester River at Conquest Beach near Centreville, Queen Anne's County, Maryland.

WORK: The proposed project would stabilize 1,035 linear feet of eroded shoreline by emplacing an approximately 4,853 cubic yard mixture of stone cobble and sand grading up to the height of the existing bank creating approximately 16,587 square feet of high marsh to be planted with *Spartina patens* and 25,294 square feet of maritime dune to be planted with *Ammophila breviligulata* (American Beach Grass) to extend no more than 10 feet channelward of the approximate mean high water (MHW) shoreline; and to emplace approximately 517 cubic yards of a 6-inch deep bed of 2-inch cobble stone ranging from 25 feet to 50-feet wide along the western 400 feet edge of the project to extend no more than 80 feet channelward of the approximate MHW shoreline. All work is to be completed in accordance with the proposed plan(s). If you have any questions concerning this matter, please contact Rod Schwarm of this office at 410-820-8550 or via email at Rodney.D.Schwarm@usace.army.mil.

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. There are no wetland or submerged vegetation impacts proposed. Compensatory mitigation is not being proposed by the applicant for permanent impacts to nontidal wetlands.

The purpose of the project is intended to create a living shoreline that would adjust to rising sea levels in a natural sequence.

ESSENTIAL FISH HABITAT: 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 *Scopthalmus aquosus* (windowpane flounder) juvenile and adult; *Pomatomus saltatrix* (blue fish) juvenile and adult; *Paralichthys dentatus* (summer flounder) juvenile and adult; and the 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 spawning, nursery, forage and/or shelter habitat as described under the MSFCMA for the species and life stages identified above.

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 project area is/is not a Habitat Area of Particular Concern (HAPC). The Baltimore District has determined that the adverse effects of this project would be more than minimal, although not 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 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, PO Box 1715, Baltimore, Maryland 21203-1715, within the comment period as specified above to receive consideration.

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 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.

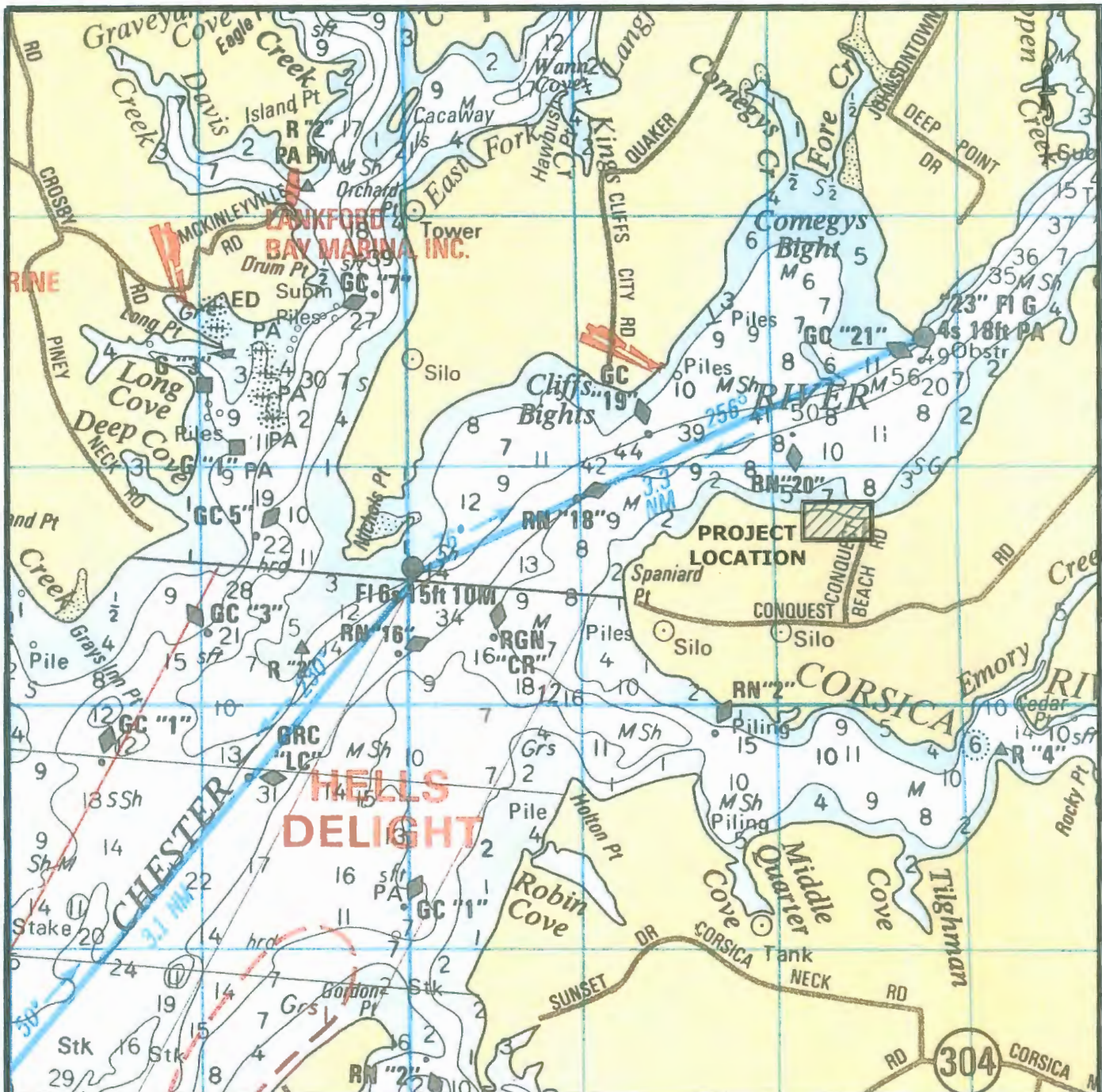
Review of the latest published version of the National Register of Historic Places indicates that no registered properties listed as eligible for inclusion therein are located at the site of the proposed work. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or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



NOTES:

- 1) Shown survey contours related Mean Low Water = 0.0 feet through the use of marsh community elevation relation of lowest edge of *Spartina patens* being equal to Mean High Water. NOAA tide tables reveal mean tide range at Cliff's Wharf to be 1.53 feet. This information was then used to reproject the Maryland Department of Natural resources to the noted MLW = 0 ft. datum.

VICINITY MAP
 Living Shoreline Project
 Conquest Beach

Queen Anne's County, Maryland

SUSTAINABLE SCIENCE LLC
Ecological Engineering Services
 +10 S. Second Street
 Denton, Maryland 21629
 Phone: (+10) 924-4316
 www.sustainable-science.com

SCALE: 1 inch = 0.5 miles

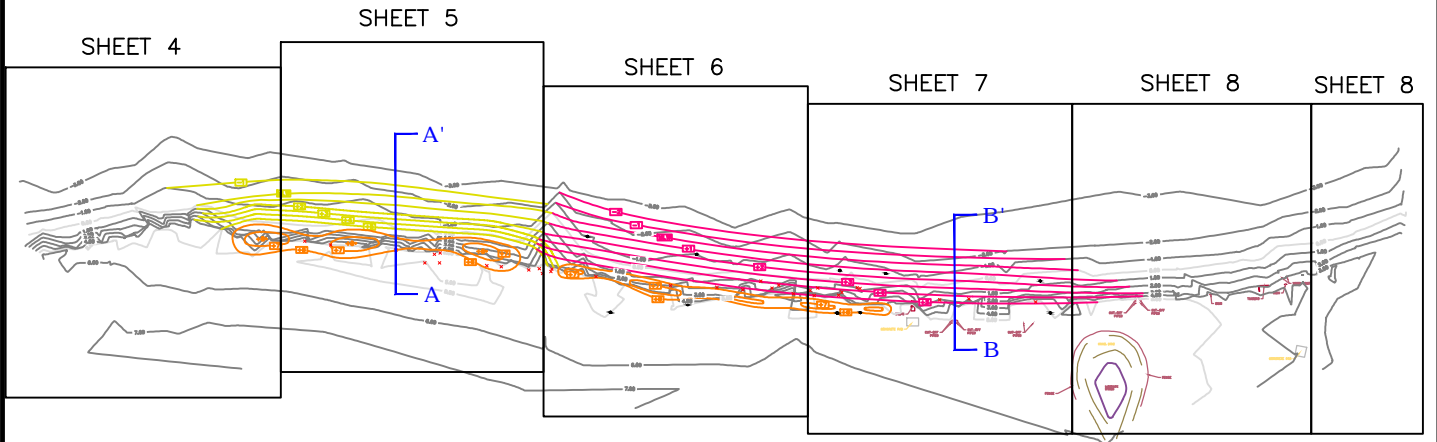
DRAWN BY: A. McCullough

DATE: May 4th, 2015

LAST REVISION: NONE

SS PROJECT NO: 15004

SHEET NUMBER 1 OF 9



NOTE: CROSS SECTIONS A-A' AND B-B' ON ON SHEET 9.

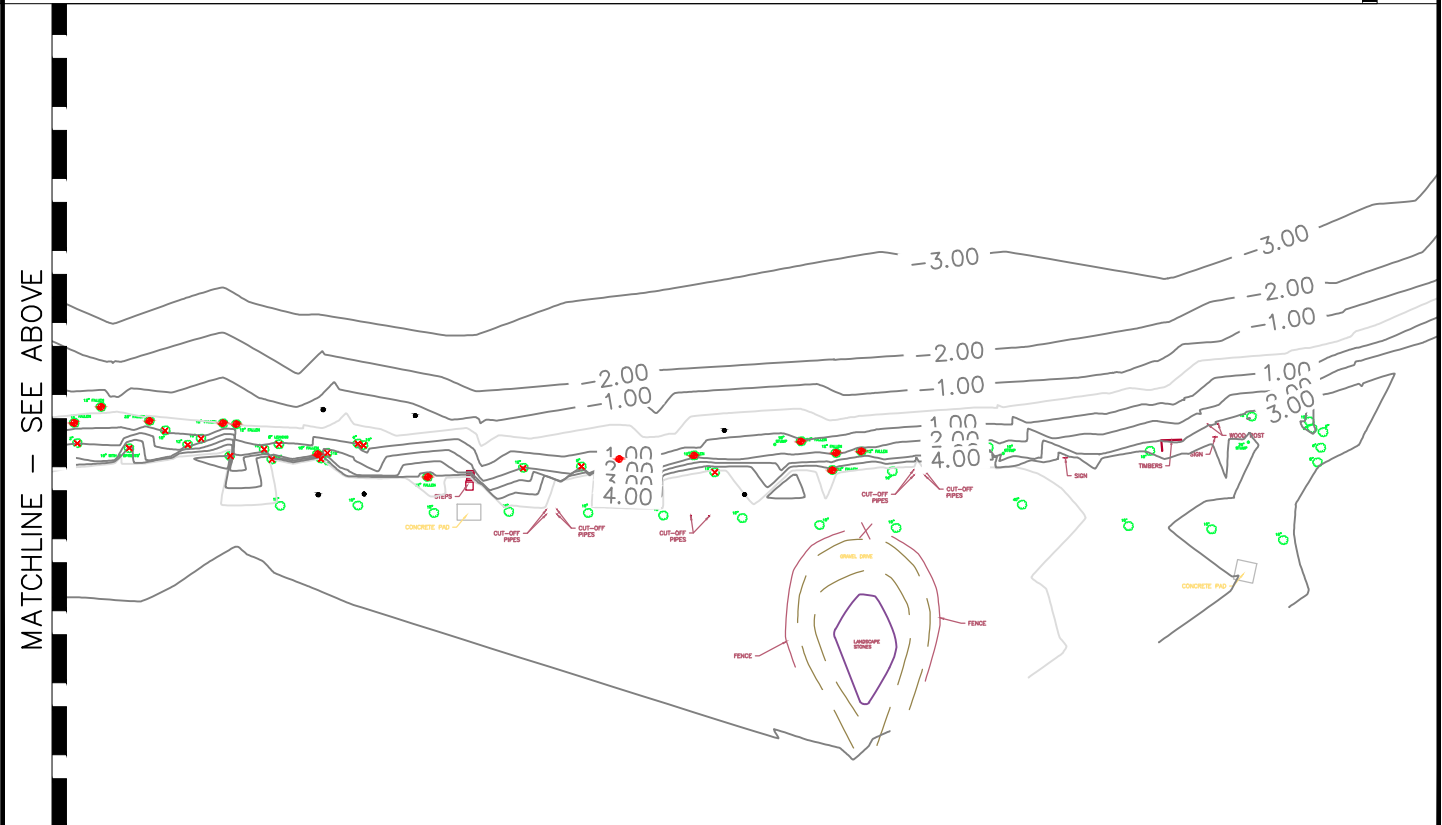
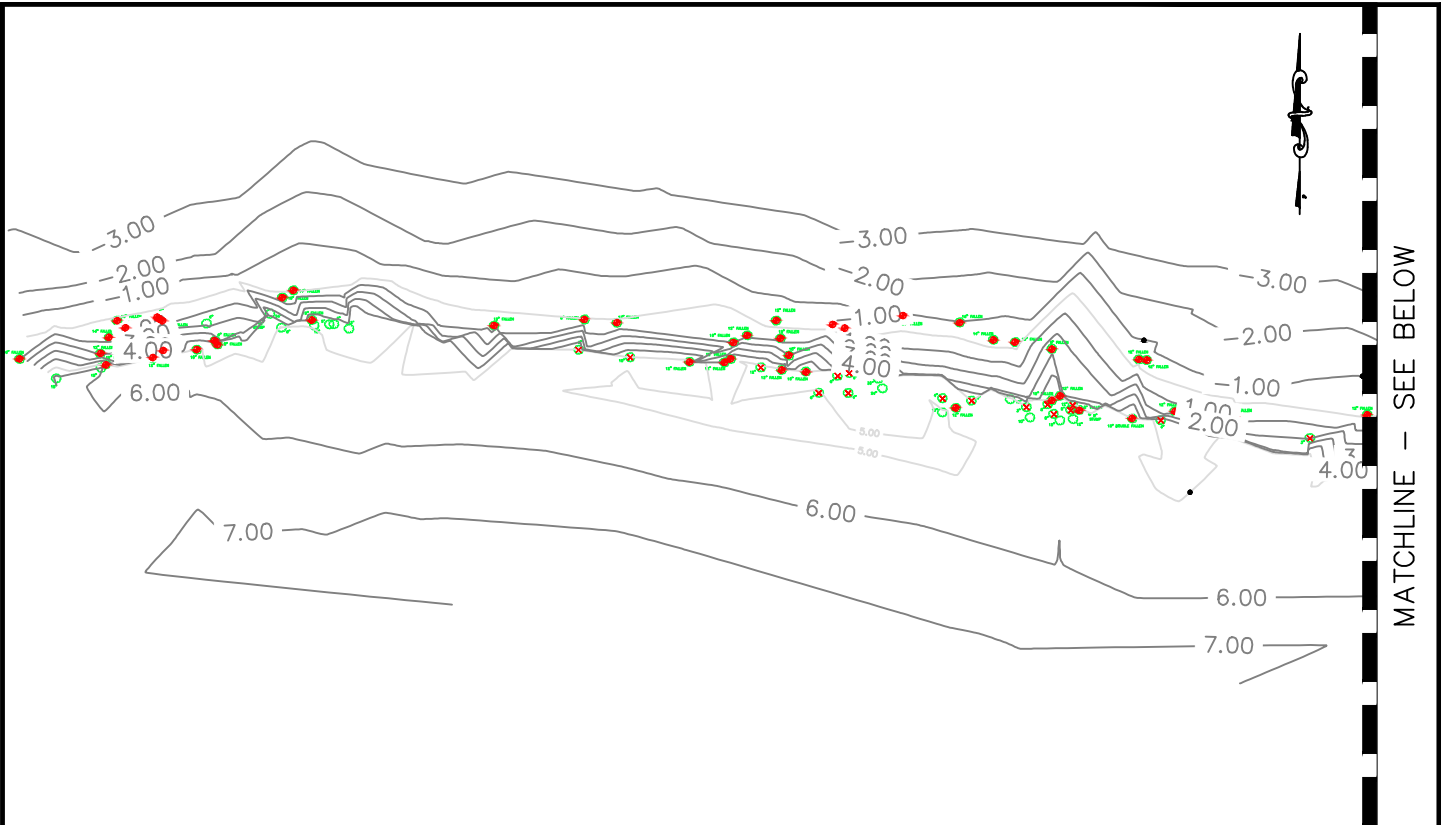
LIVING SHORELINE KEY SHEET

Living Shoreline Project
Conquest Beach

Queen Anne's County, Maryland

SUSTAINABLE SCIENCE LLC
Ecological Engineering Services
410 S. Second Street
Denton, Maryland 21629
Phone: (410) 924-4316
www.sustainable-science.com

SCALE:	1 inch = 200 feet
DRAWN BY:	S. McCullough
DATE:	May 4th, 2015
LAST REVISION:	August 25th, 2015
SS PROJECT NO:	15004
SHEET NUMBER	2 OF 10



LIVING SHORELINE EXISTING CONDITIONS

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Queen Anne's County, Maryland

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SCALE: 1 inch = 100 feet

DRAWN BY: S. McCullough






DATE: May 4th, 2015

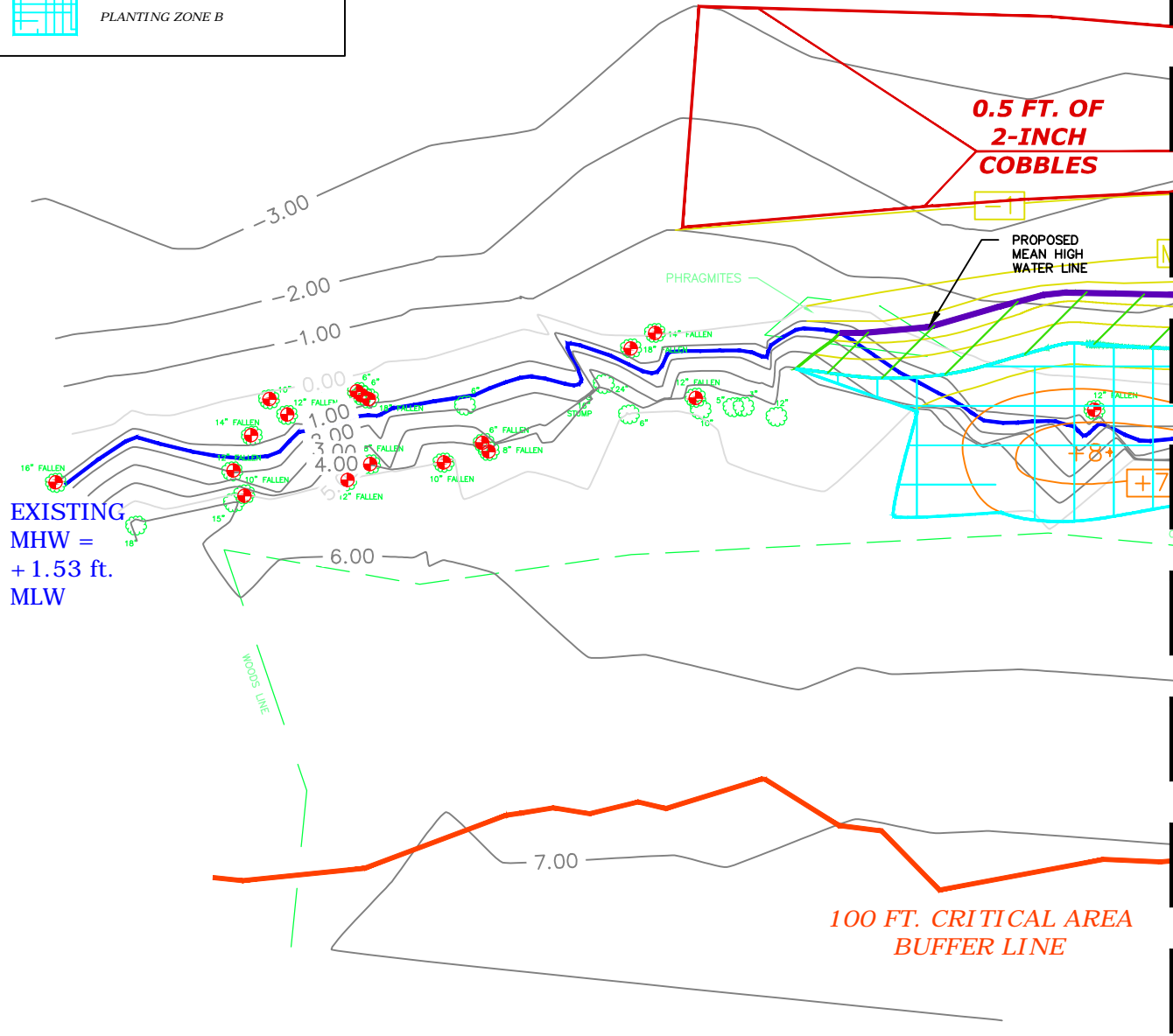
LAST REVISION: August 25th, 2015

SS PROJECT NO: 15004

SHEET NUMBER 3 OF 10

LEGEND

- 
EXISTING DEAD TREE
- 
PROPOSED TREE TO BE REMOVED
- 
PROPOSED TREE TO BE SAVED
- 
PLANTING ZONE A
- 
PLANTING ZONE B



LIVING SHORELINE CONCEPTUAL PLAN

Living Shoreline Project
Conquest Beach

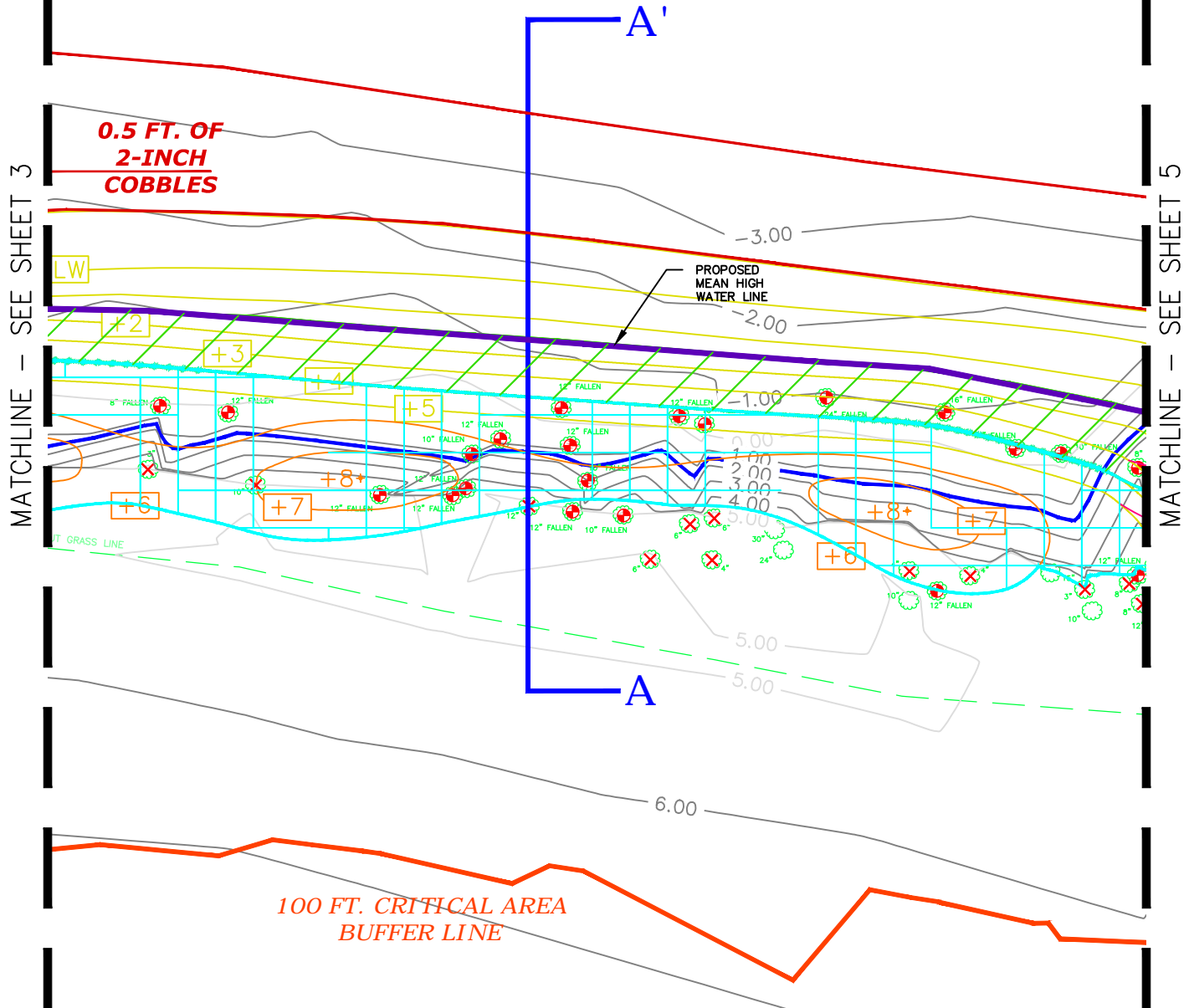
Queen Anne's County, Maryland

SUSTAINABLE SCIENCE LLC
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SCALE:	1 inch = 40 feet
DRAWN BY:	S. McCullough
DATE:	May 4th, 2015
LAST REVISION:	August 25th, 2015
SS PROJECT NO:	15004
SHEET NUMBER	4 OF 10

LEGEND

	14" FALLEN	EXISTING DEAD TREE
	14"	PROPOSED TREE TO BE REMOVED
	14"	PROPOSED TREE TO BE SAVED
		PLANTING ZONE A
		PLANTING ZONE B



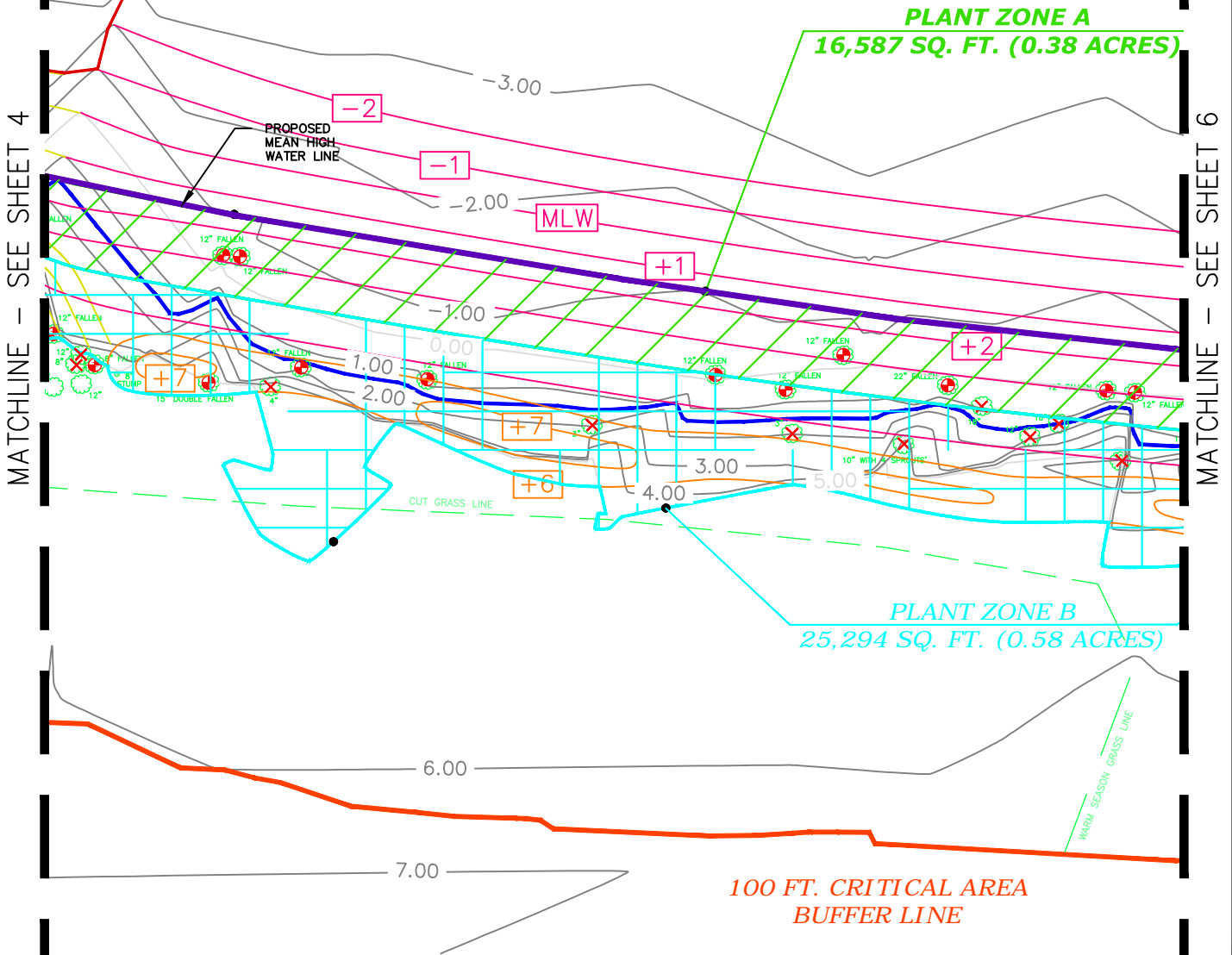
LIVING SHORELINE CONCEPTUAL PLAN
 Living Shoreline Project
 Conquest Beach
 Queen Anne's County, Maryland

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 Ecological Engineering Services
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 Denton, Maryland 21629
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SCALE:	1 inch = 40 feet
DRAWN BY:	S. McCullough
DATE:	May 4th, 2015
LAST REVISION:	August 25th, 2015
SS PROJECT NO:	15004
SHEET NUMBER	5 OF 10

LEGEND

	EXISTING DEAD TREE
	PROPOSED TREE TO BE REMOVED
	PROPOSED TREE TO BE SAVED
	PLANTING ZONE A
	PLANTING ZONE B



LIVING SHORELINE CONCEPTUAL PLAN

Living Shoreline Project
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Queen Anne's County, Maryland

SUSTAINABLE SCIENCE LLC
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SCALE: 1 inch = 40 feet

DRAWN BY: S. McCullough

DATE: May 4th, 2015

LAST REVISION: August 25th, 2015

SS PROJECT NO: 15004

SHEET NUMBER 6 OF 10

LEGEND

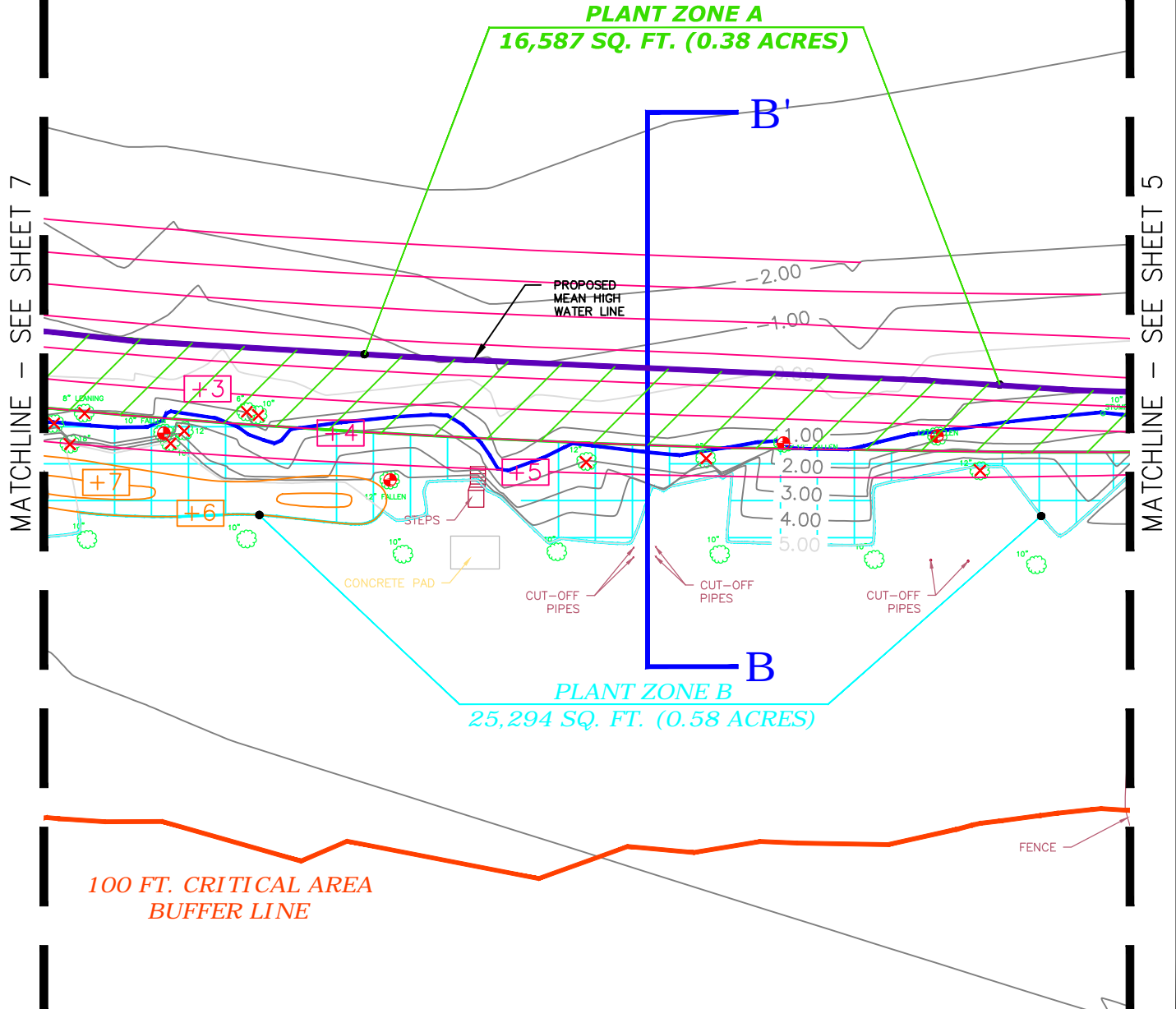
	14" FALLEN	EXISTING DEAD TREE
	14"	PROPOSED TREE TO BE REMOVED
	14"	PROPOSED TREE TO BE SAVED
		PLANTING ZONE A
		PLANTING ZONE B

MATCHLINE - SEE SHEET 7

MATCHLINE - SEE SHEET 5

PLANT ZONE A
16,587 SQ. FT. (0.38 ACRES)

PLANT ZONE B
25,294 SQ. FT. (0.58 ACRES)



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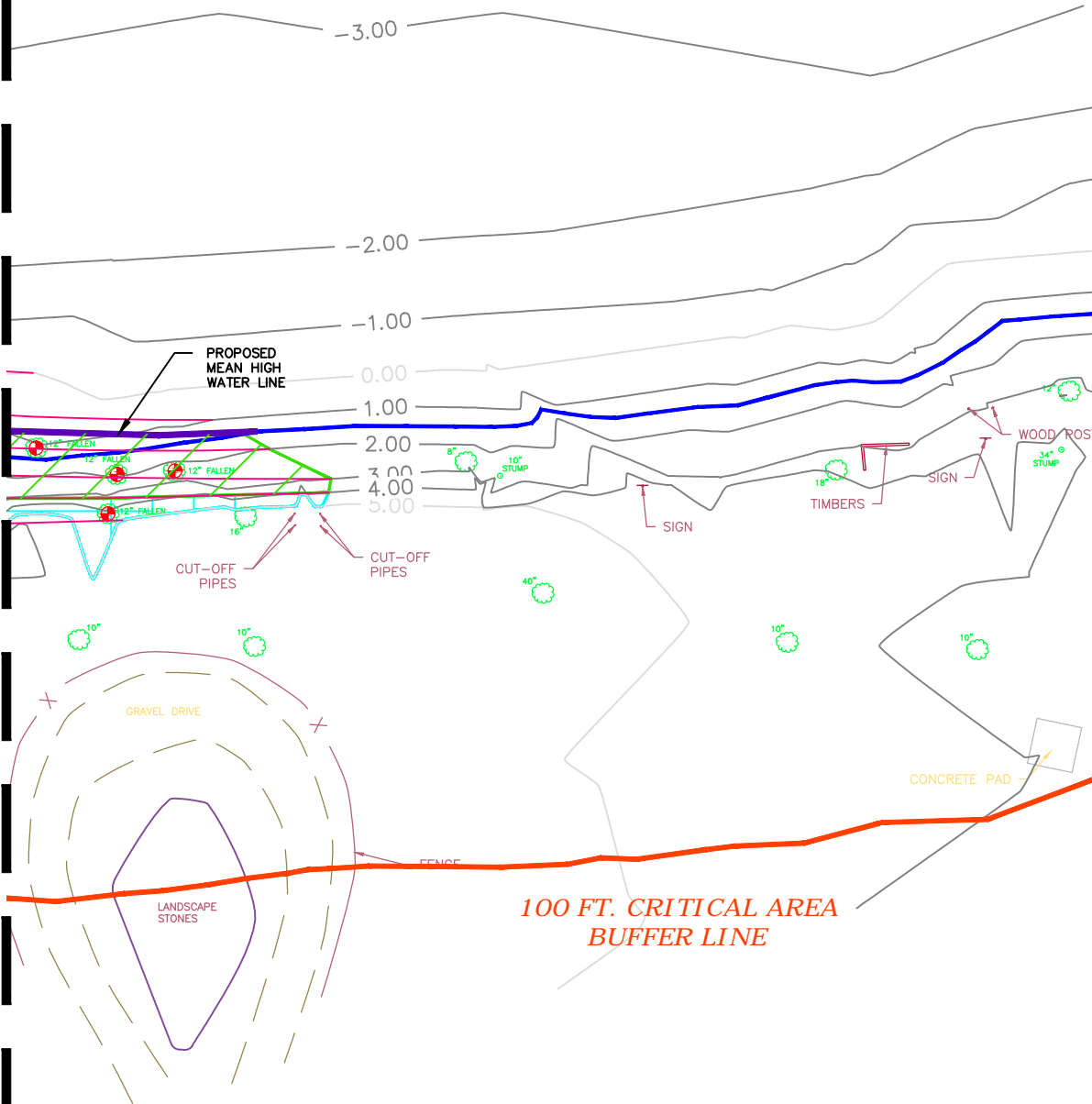
SCALE:	1 inch = 40 feet
DRAWN BY:	S. McCullough
DATE:	May 4th, 2015
LAST REVISION:	August 25th, 2015
SS PROJECT NO:	15004
SHEET NUMBER	7 OF 10

LEGEND

	14" FALLEN	EXISTING DEAD TREE
	14"	PROPOSED TREE TO BE REMOVED
	14"	PROPOSED TREE TO BE SAVED
		PLANTING ZONE A
		PLANTING ZONE B

MATCHLINE - SEE SHEET 6

MATCHLINE - SEE SHEET 8



LIVING SHORELINE CONCEPTUAL PLAN

Living Shoreline Project
Conquest Beach

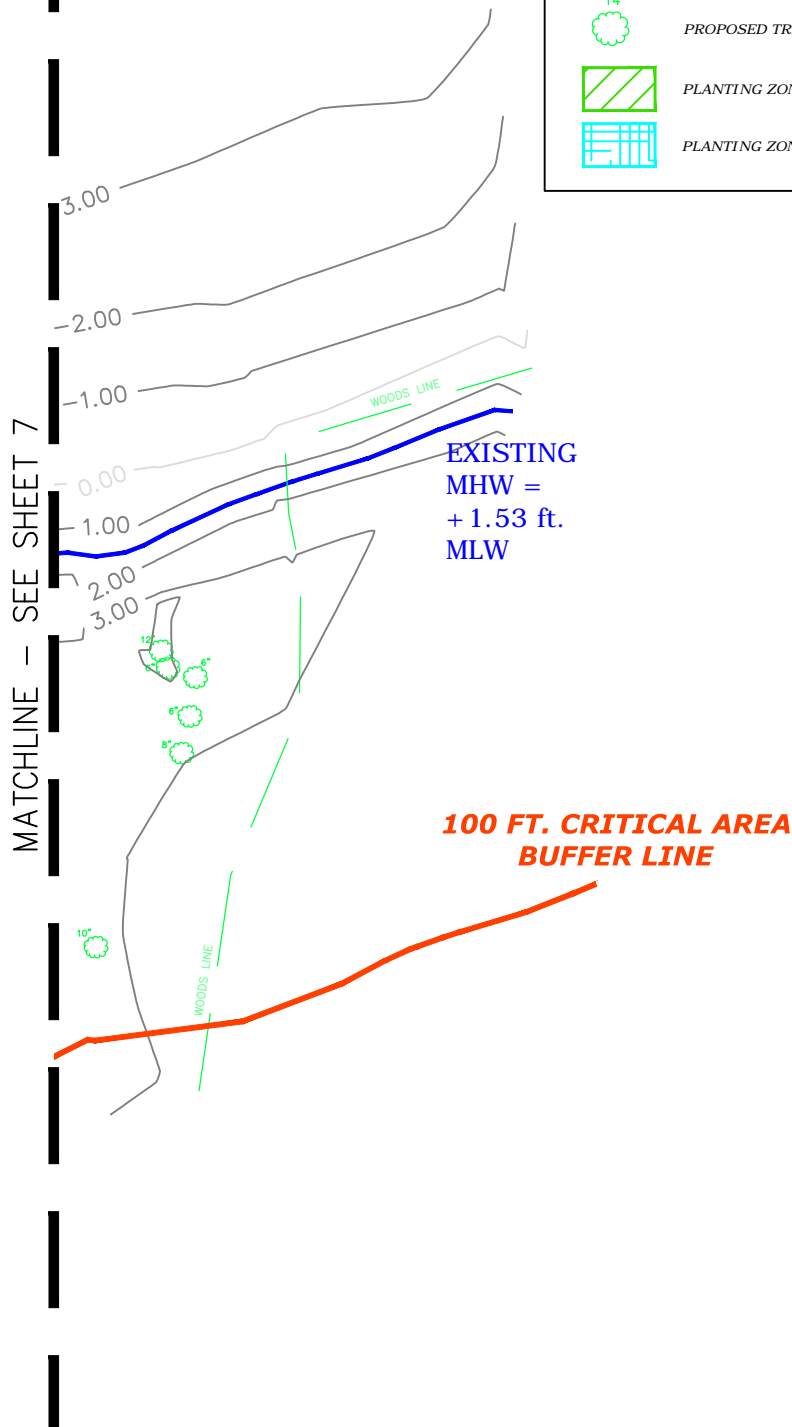
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SCALE:	1 inch = 40 feet
DRAWN BY:	S. McCullough
DATE:	May 4th, 2015
LAST REVISION:	August 25th, 2015
SS PROJECT NO:	15004
SHEET NUMBER	8 OF 10

LEGEND

	EXISTING DEAD TREE
	PROPOSED TREE TO BE REMOVED
	PROPOSED TREE TO BE SAVED
	PLANTING ZONE A
	PLANTING ZONE B



LIVING SHORELINE CONCEPTUAL PLAN

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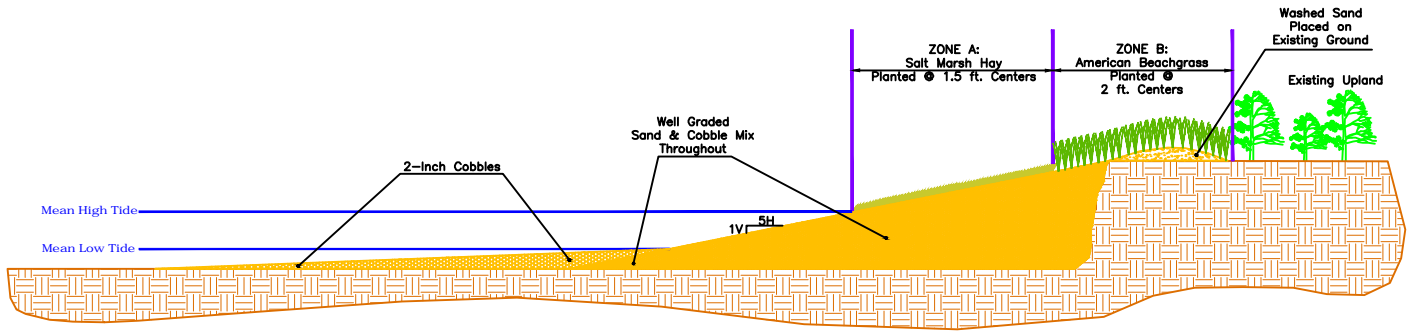
DRAWN BY: S. McCullough

DATE: May 4th, 2015

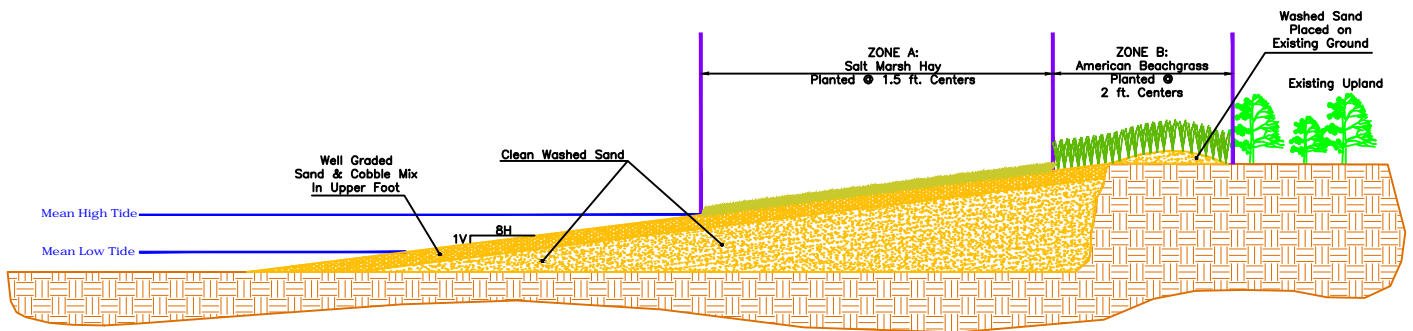
LAST REVISION: August 25th, 2015

SS PROJECT NO: 15004

SHEET NUMBER 9 OF 10



HEADLAND SHORE REACH SIDE VIEW (A-A)
Not to Scale



SHINGLE SHORE REACH SIDE VIEW (B-B')
Not to Scale

LIVING SHORELINE TYPICAL X-SECTIONS

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SCALE: 1 inch = 40 feet

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DATE: May 4th, 2015

LAST REVISION: August 25th, 2015

SS PROJECT NO: 15004

SHEET NUMBER 10 OF 10