

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

Public Notice

In Reply to Application Number
CENAB-OP-RMS (MD DNR Matapeake Marine Terminal
2015-61404

PN 16-21

Comment Period: April 26, 2016 to May 16, 2016

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: Maryland Department of Natural Resources
Mr. Andy Hanas
305 Marine Academy Drive
Stevensville, Maryland 21666

LOCATION: In the Chesapeake Bay, at the Matapeake Marine Terminal near Stevensville, Queen Anne's County, Maryland.

WORK: To hydraulic maintenance dredge an approximately 75-foot wide by 660-foot long area within the entrance channel to the Kentmorr Marina to -8 feet mean low water (MLW), resulting in approximately 4,444 cubic yards of dredged sandy material to be deposited along 100 linear feet of the existing beach north of the existing stone jetty extending along the DNR property and Camp Wright for beach nourishment to extend no more than approximately 100 feet channelward of the approximate mean high water shoreline. Current water depths within the entrance channel range from -2 to -7 feet MLW. The applicant has requested that a 10-year maintenance dredging clause be made a part of the Corps authorization should it determined to be in the public interest to authorize the proposed work. 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. The project has been designed to only dredge an area that has been previously dredged, and the beach nourishment is restricted to areas that have been previously nourished during earlier dredging cycles. This marine basin is a chartered Harbor of Refuge on the Cruising Charts. Compensatory mitigation is not being proposed by the applicant as the proposed work would not impact any wetlands.

The purpose of the project is to maintain navigable access to the existing basin and to nourish the existing beach.

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, CENAB-OP-RMS, 10 S. Howard St., Baltimore, Maryland 21201, 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.

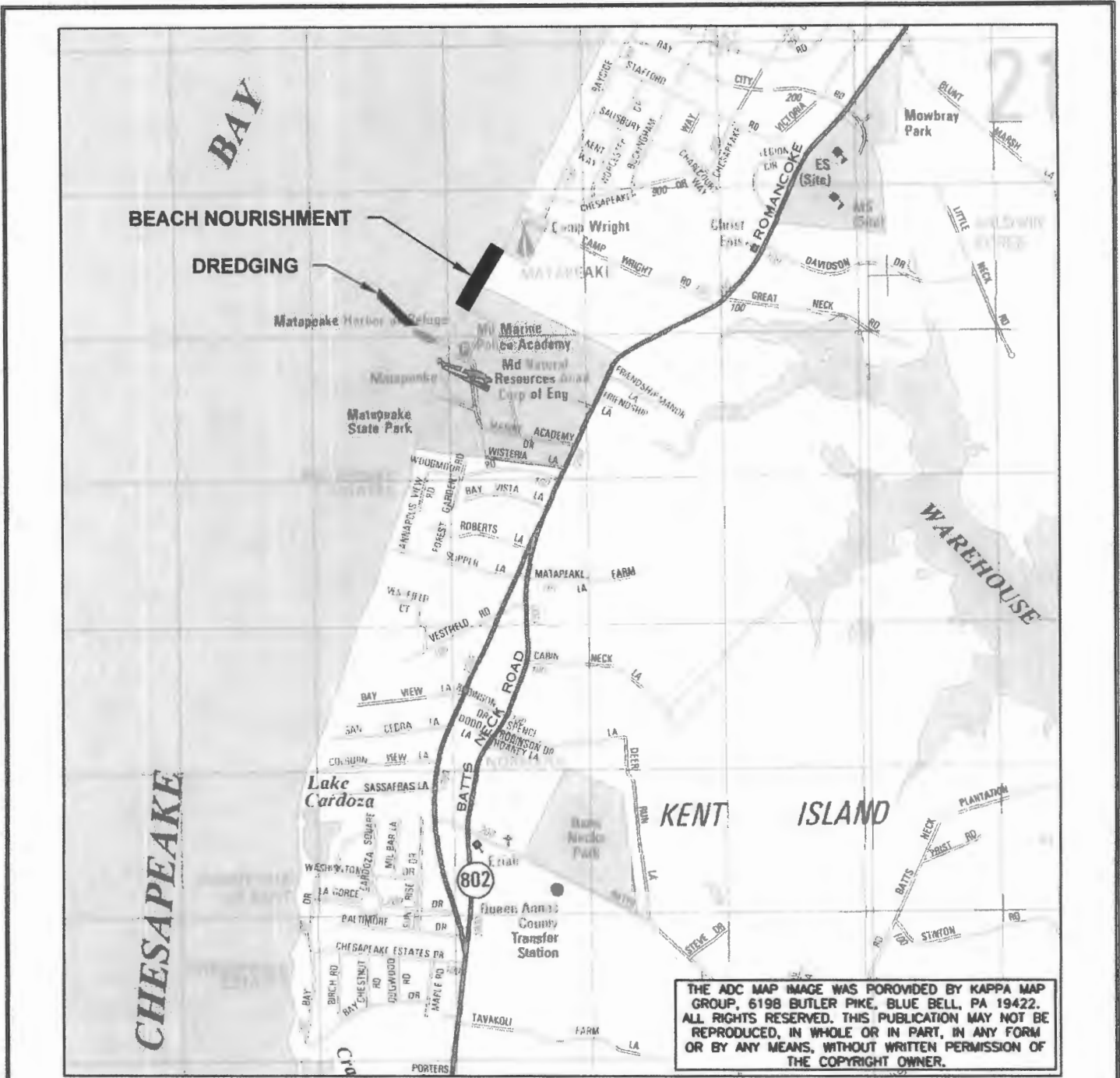
Review of the latest published version of the National Register of Historic Places indicates that no registered properties listed as eligible for inclusion therein are located at the site of the proposed work. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or 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, CANAB-OP-RMS, 10 S. Howard St., Baltimore, Maryland 21201, 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

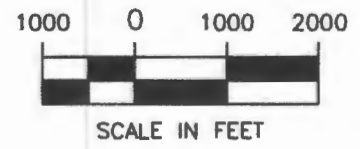


SITE LOCATION

MATAPEAKE MARINE TERMINAL
 NATURAL RESOURCES POLICE
 301 MARINE ACADEMY DRIVE
 STEVENSVILLE, MD 21666

LONG 38°57'21.46"N
 LAT 076°21'19.61"W

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 12/8/15



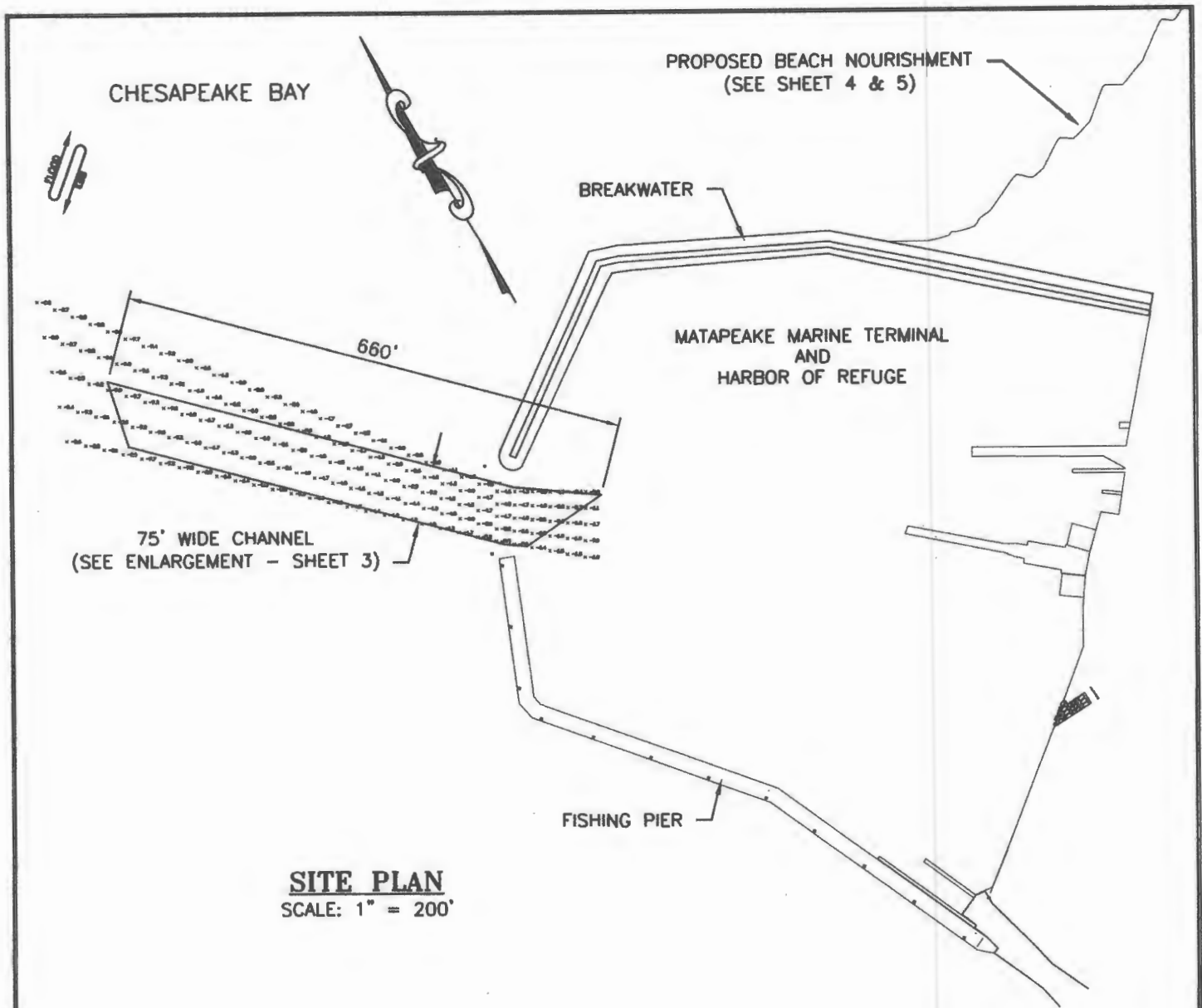
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VICINITY MAP
 MATAPEAKE MARINE TERMINAL
 ENTRANCE CHANNEL DREDGING
 AND BEACH NOURISHMENT
 QUEEN ANNE'S COUNTY, MARYLAND



STATE OF MARYLAND
 DEPARTMENT OF NATURAL RESOURCES
 ENGINEERING AND CONSTRUCTION
 MATAPEAKE MARINE TERMINAL
 QUEEN ANNE'S COUNTY, MARYLAND



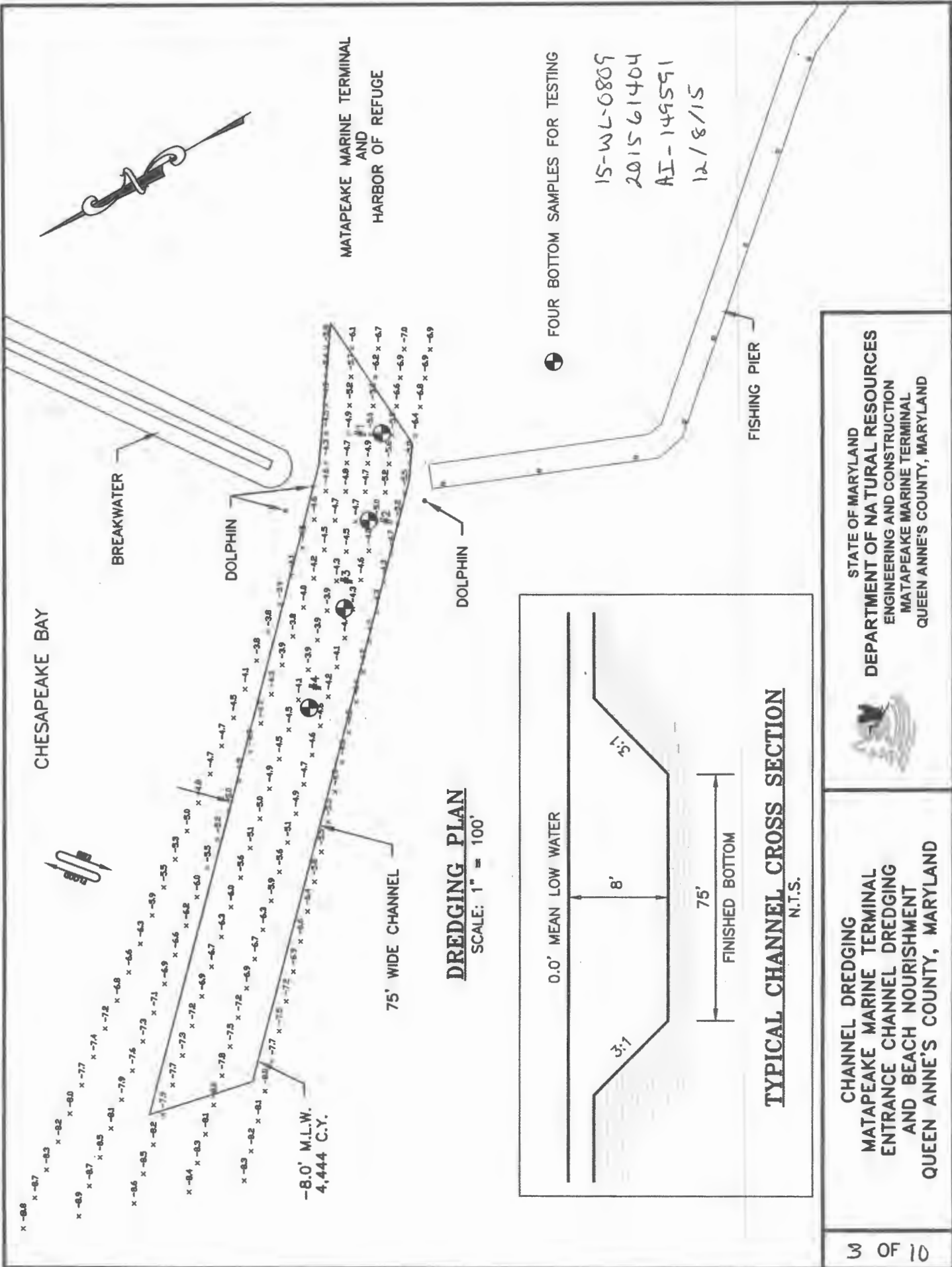
SITE PLAN
SCALE: 1" = 200'

PROJECT SCOPE OF WORK

1. HYDRAULICALLY MAINTENANCE DREDGE 4,444 CUBIC YARDS OF SANDY MATERIAL FROM 75 FOOT WIDE ENTRANCE CHANNEL.
2. CHANNEL TO BE DREDGED TO -8.0 FEET M.L.W. TO A LENGTH OF APPROXIMATELY 660 LINEAR FEET.
3. DREDGE MATERIAL TO BE PUMPED TO A 1,000 FOOT BEACH NORTH OF THE TERMINAL ON THE MATAPEAKE LANDING AND CAMP WRIGHT BEACH.
4. REMOVE FOUR SAMPLES FROM CHANNEL FOR TESTNG.

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STATE OF MARYLAND
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ENGINEERING AND CONSTRUCTION
MATAPEAKE MARINE TERMINAL
QUEEN ANNE'S COUNTY, MARYLAND

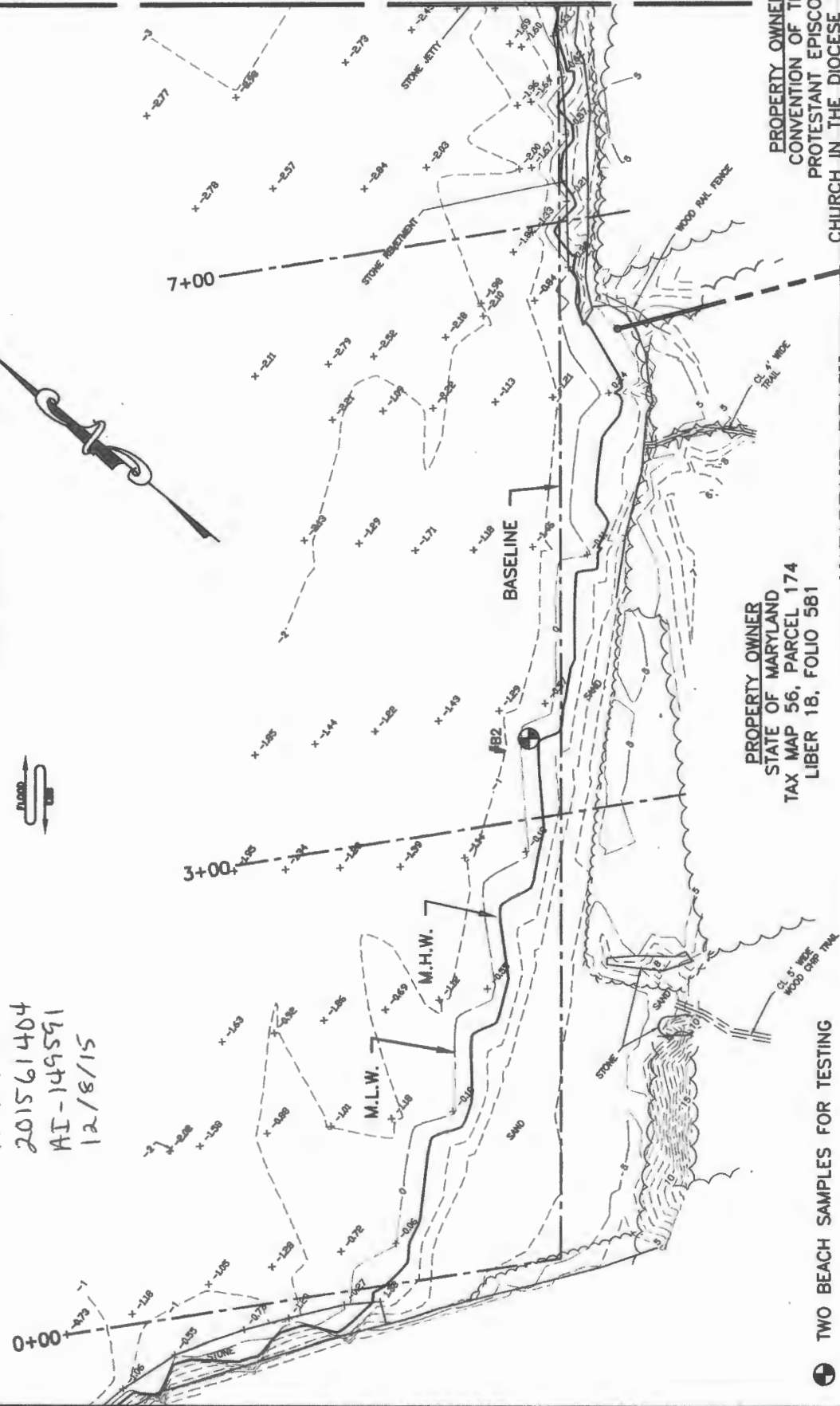
CHANNEL DREDGING
MATAPEAKE MARINE TERMINAL
ENTRANCE CHANNEL DREDGING
AND BEACH NOURISHMENT
QUEEN ANNE'S COUNTY, MARYLAND

CHESAPEAKE BAY



15-WL-0869
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FOR CONTINUATION SEE SHEET 5



PROPERTY OWNER
STATE OF MARYLAND
TAX MAP 56, PARCEL 174
LIBER 18, FOLIO 581

PROPERTY OWNER
CONVENTION OF THE
PROTESTANT EPISCOPAL
CHURCH IN THE DIOCESE OF EASTON
TAX MAP 56, PARCEL 177
LIBER 2, FOLIO 416

● TWO BEACH SAMPLES FOR TESTING

MATAPEAKE BEACH
APPROXIMATE PROPERTY LINE

BEACH NOURISHMENT SITE

SCALE: 1" = 100'

CAMP WRIGHT

EXISTING CONDITIONS
MATAPEAKE MARINE TERMINAL
ENTRANCE CHANNEL DREDGING
AND BEACH NOURISHMENT
QUEEN ANNE'S COUNTY, MARYLAND



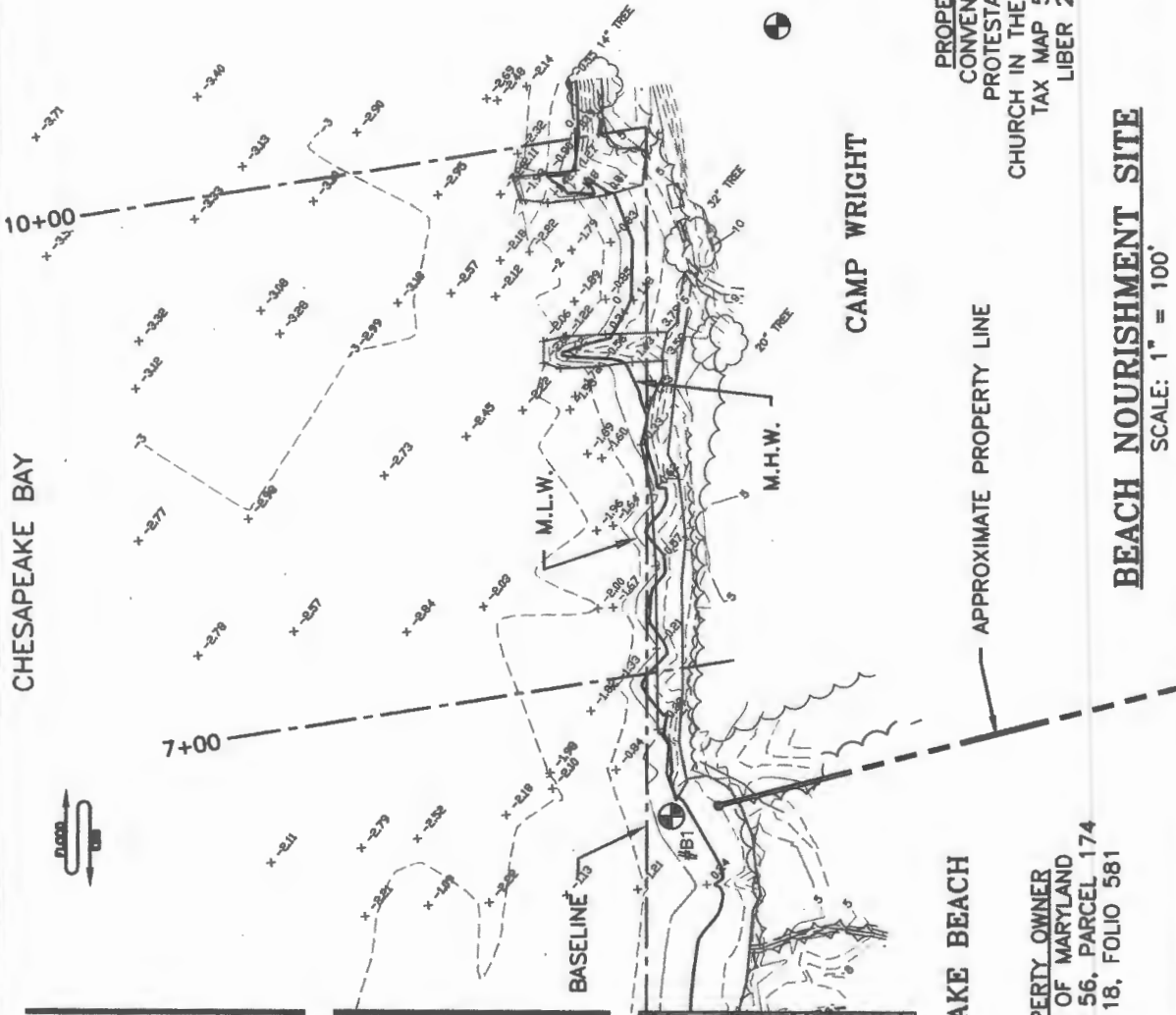
STATE OF MARYLAND
DEPARTMENT OF NATURAL RESOURCES
ENGINEERING AND CONSTRUCTION
MATAPEAKE MARINE TERMINAL
QUEEN ANNE'S COUNTY, MARYLAND

NOTES:
MEAN LOW WATER (M.L.W.) = 0.00
MEAN HIGH WATER (M.H.W.) = +1.00

CHESAPEAKE BAY



FOR CONTINUATION SEE SHEET 4



● TWO BEACH SAMPLES FOR TESTING

CAMP WRIGHT

MATAPEAKE BEACH

PROPERTY OWNER
STATE OF MARYLAND
TAX MAP 56, PARCEL 174
LIBER 18, FOLIO 581

APPROXIMATE PROPERTY LINE

PROPERTY OWNER
CONVENTION OF THE
PROTESTANT EPISCOPAL
CHURCH IN THE DIOCESE OF EASTON
TAX MAP 56, PARCEL 177
LIBER 2, FOLIO 416

BEACH NOURISHMENT SITE

SCALE: 1" = 100'

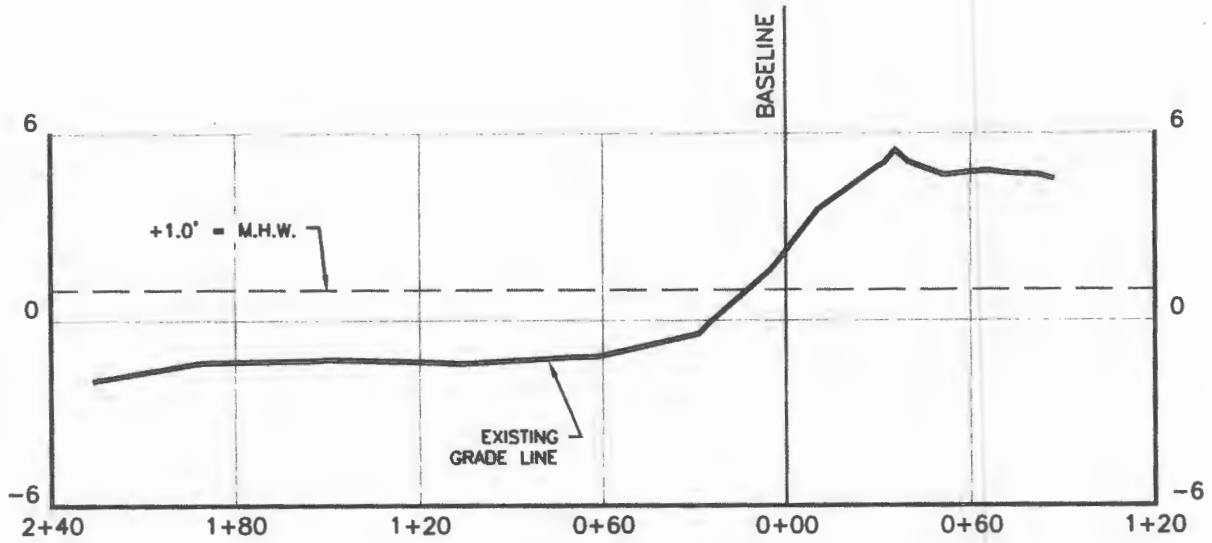
EXISTING CONDITIONS
MATAPEAKE MARINE TERMINAL
ENTRANCE CHANNEL DREDGING
AND BEACH NOURISHMENT
QUEEN ANNE'S COUNTY, MARYLAND



STATE OF MARYLAND
DEPARTMENT OF NATURAL RESOURCES
ENGINEERING AND CONSTRUCTION
MATAPEAKE MARINE TERMINAL
QUEEN ANNE'S COUNTY, MARYLAND

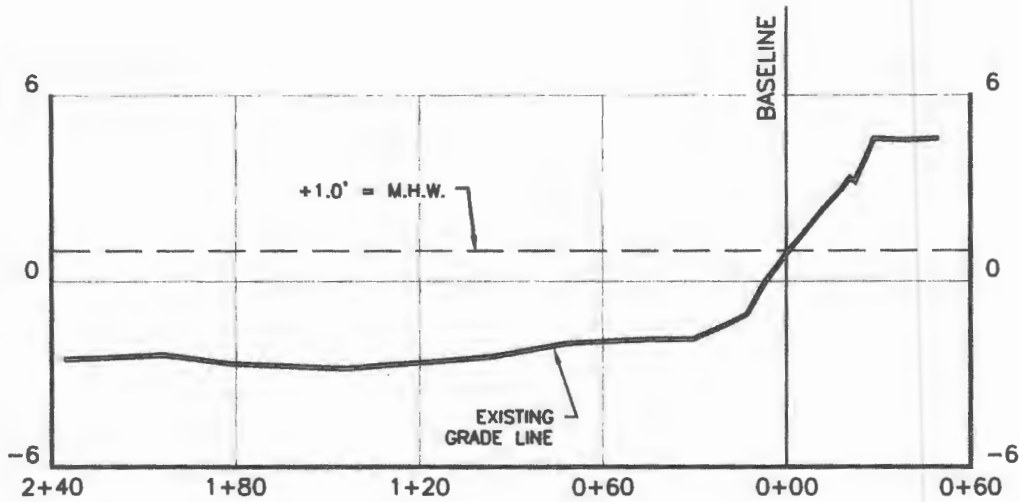
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NOTES:
MEAN LOW WATER (M.L.W.) = 0.00
MEAN HIGH WATER (M.H.W.) = +1.00



3+00

SCALE: 1" = 60' Horz.
1" = 6' Vert.



7+00

SCALE: 1" = 60' Horz.
1" = 6' Vert.

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EXISTING BEACH PROFILES
MATAPEAKE MARINE TERMINAL
ENTRANCE CHANNEL DREDGING
AND BEACH NOURISHMENT
QUEEN ANNE'S COUNTY, MARYLAND

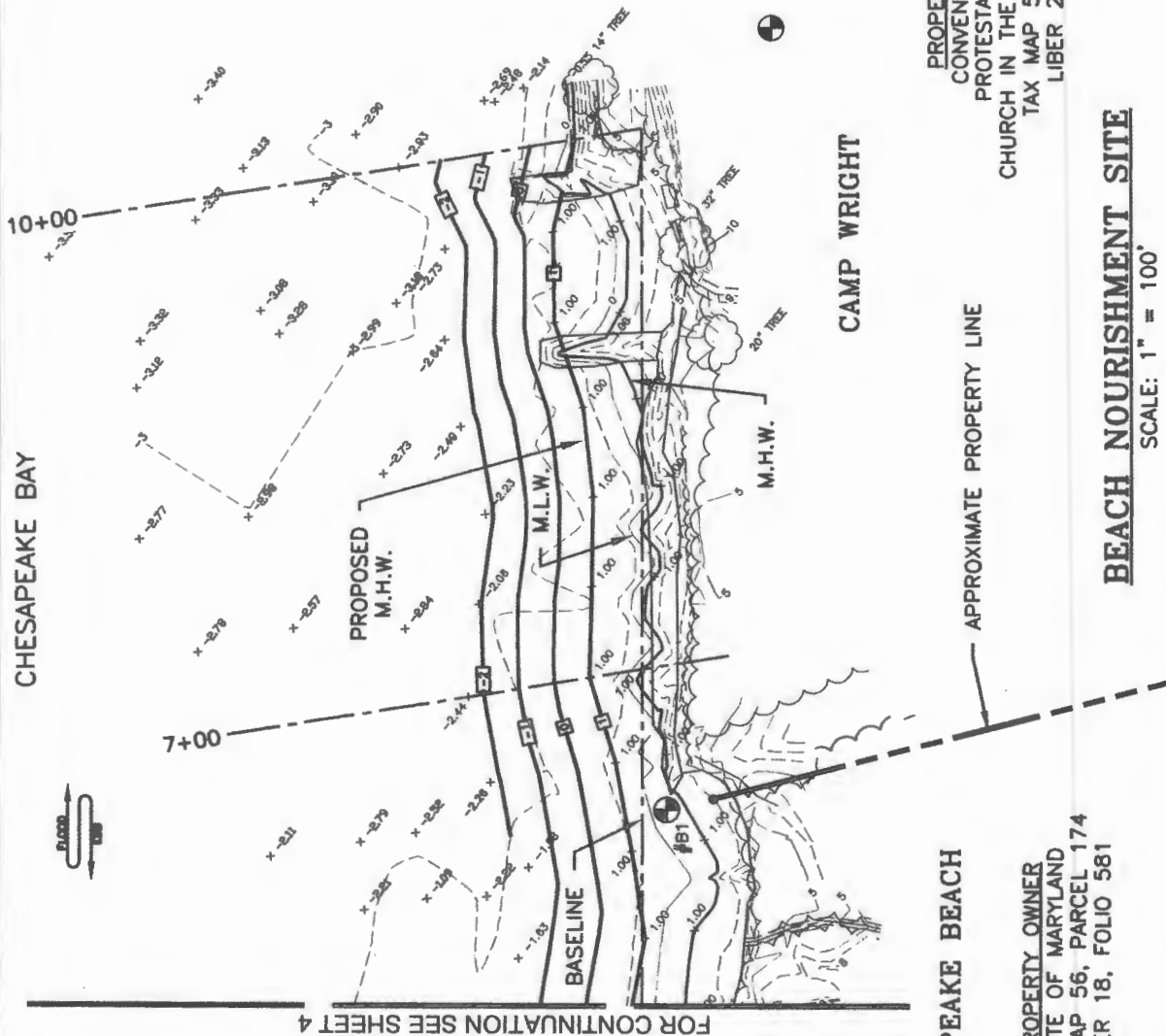


STATE OF MARYLAND
DEPARTMENT OF NATURAL RESOURCES
ENGINEERING AND CONSTRUCTION
MATAPEAKE MARINE TERMINAL
QUEEN ANNE'S COUNTY, MARYLAND



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☉ TWO BEACH SAMPLES FOR TESTING



PROPERTY OWNER
 CONVENTION OF THE
 PROTESTANT EPISCOPAL
 CHURCH IN THE DIOCESE OF EASTON
 TAX MAP 56, PARCEL 177
 LIBER 2, FOLIO 416

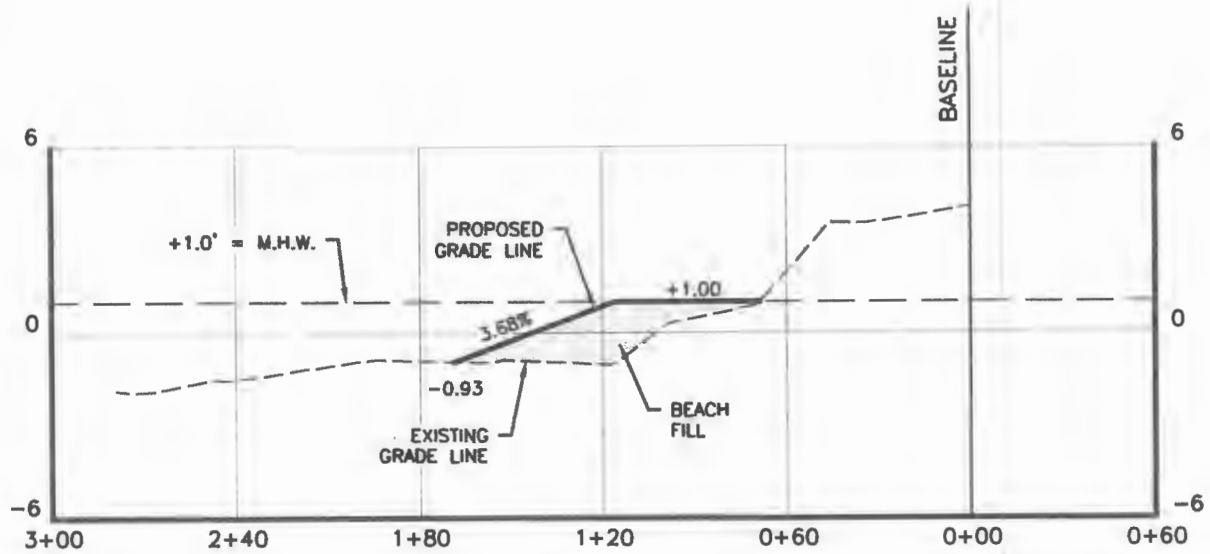
MATAPEAKE BEACH
PROPERTY OWNER
 STATE OF MARYLAND
 TAX MAP 56, PARCEL 174
 LIBER 18, FOLIO 581

BEACH NOURISHMENT SITE
 SCALE: 1" = 100'

NOTES:
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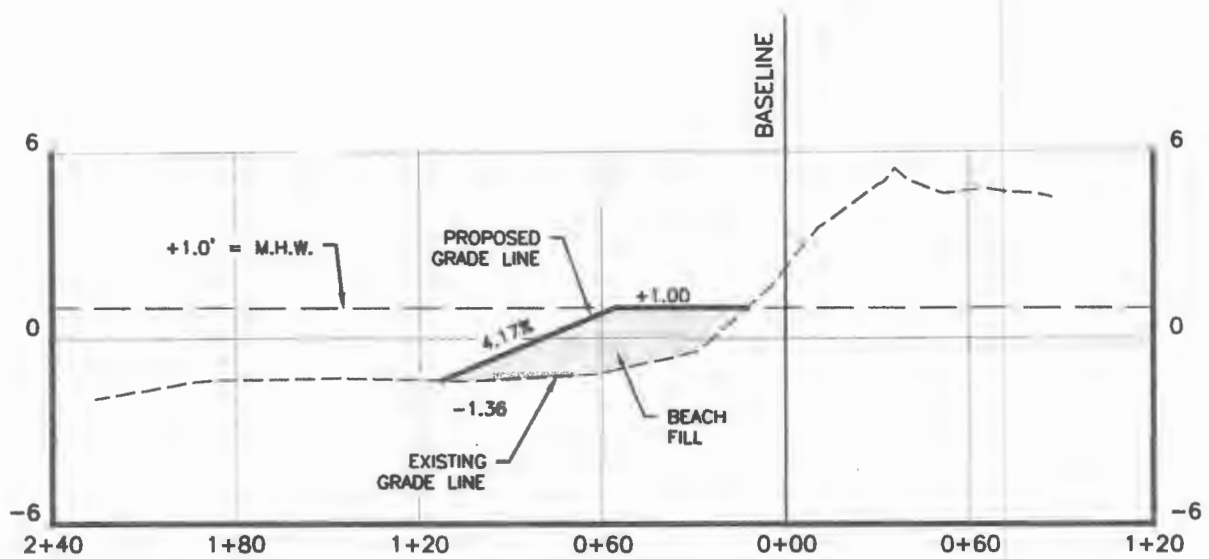
STATE OF MARYLAND
 DEPARTMENT OF NATURAL RESOURCES
 ENGINEERING AND CONSTRUCTION
 MATAPEAKE MARINE TERMINAL
 QUEEN ANNE'S COUNTY, MARYLAND

PROPOSED BEACH NOURISHMENT
 MATAPEAKE MARINE TERMINAL
 ENTRANCE CHANNEL DREDGING
 AND BEACH NOURISHMENT
 QUEEN ANNE'S COUNTY, MARYLAND



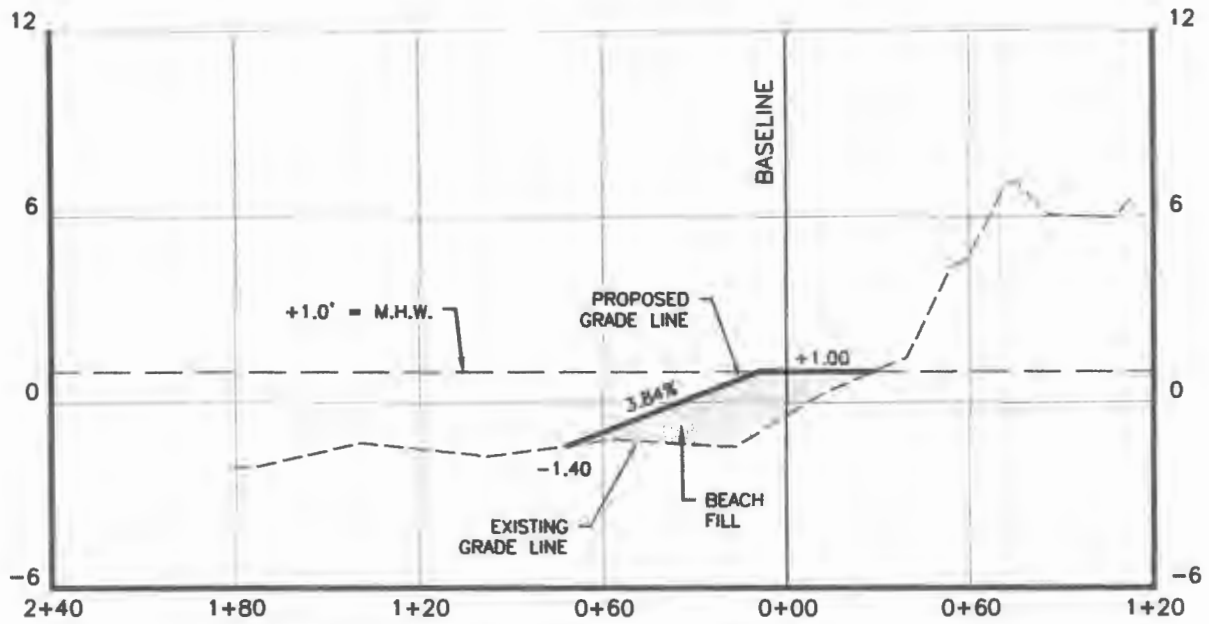
1+00
 SCALE: 1" = 60' Horz.
 1" = 6' Vert.

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3+00
 SCALE: 1" = 60' Horz.
 1" = 6' Vert.





5+00

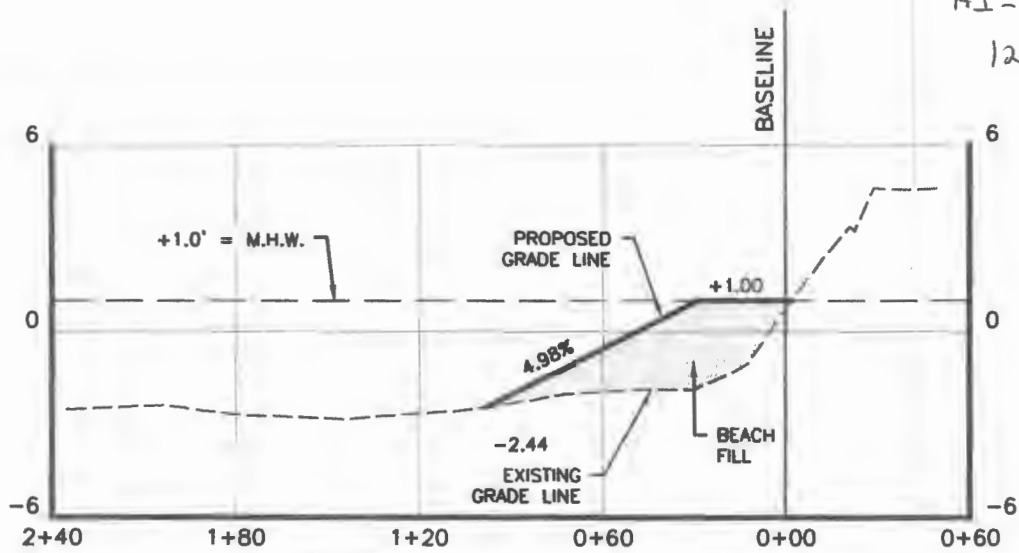
SCALE: 1" = 60' Horz.
1" = 6' Vert.

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12/8/15



7+00

SCALE: 1" = 60' Horz.
1" = 6' Vert.

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PROPOSED BEACH PROFILES
MATAPEAKE MARINE TERMINAL
ENTRANCE CHANNEL DREDGING
AND BEACH NOURISHMENT
QUEEN ANNE'S COUNTY, MARYLAND



STATE OF MARYLAND
DEPARTMENT OF NATURAL RESOURCES
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