



U.S. Army Corps  
of Engineers  
Baltimore District

# Public Notice

In Reply to Application Number  
CENAB-OP-RMS (Carpenter IV., R. R. M.)  
2016-60273

PN 16-48

Comment Period: August 17, 2016 to September 6, 2016

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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: R. R. M. Carpenter, IV  
PO Box 732  
Montchanin, Delaware 19710

LOCATION: In the Choptank River and Chesapeake Bay at 600 Cooks Point Road in Cambridge, Maryland.

WORK: The applicant proposes to emplace 6,600 linear feet of stone riprap to extend no more than 10 feet channelward of the approximate mean high water shoreline. If you have any questions concerning this matter, please contact Mrs. 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 shoreline erosion control.

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 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 Red hake (*Urophycis chuss*) and Windowpane flounder (*Scophthalmus aquosus*); Adult Atlantic sea herring (*Clupea harengus*); Juvenile and adult Bluefish (*Pomatomus saltatrix*); Eggs, larvae, juvenile and adult Atlantic butterfish (*Peprilus triacanthus*); Larvae, juvenile and adult Summer flounder (*Paralichthys dentatus*); Juvenile and adult Scup (*Stenotomus chrysops*) and Red Drum (*Sciaenops ocellatus*); 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 total of 66,000 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. According to the Virginia Institute of Marine Science (VIMS) survey maps, there was some nearby SAV mapped outside the project footprint of the proposed activity

for years 2006 through 2014. 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, Department of the Army, Baltimore District Corps of Engineers, Attn: Regulatory Branch, 10 S. Howard Street, Baltimore, Maryland 21201, 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. The water depths at the project site are less than -3.0 feet mean low water. 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, 10 S. Howard Street, Baltimore, Maryland 21201, 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.

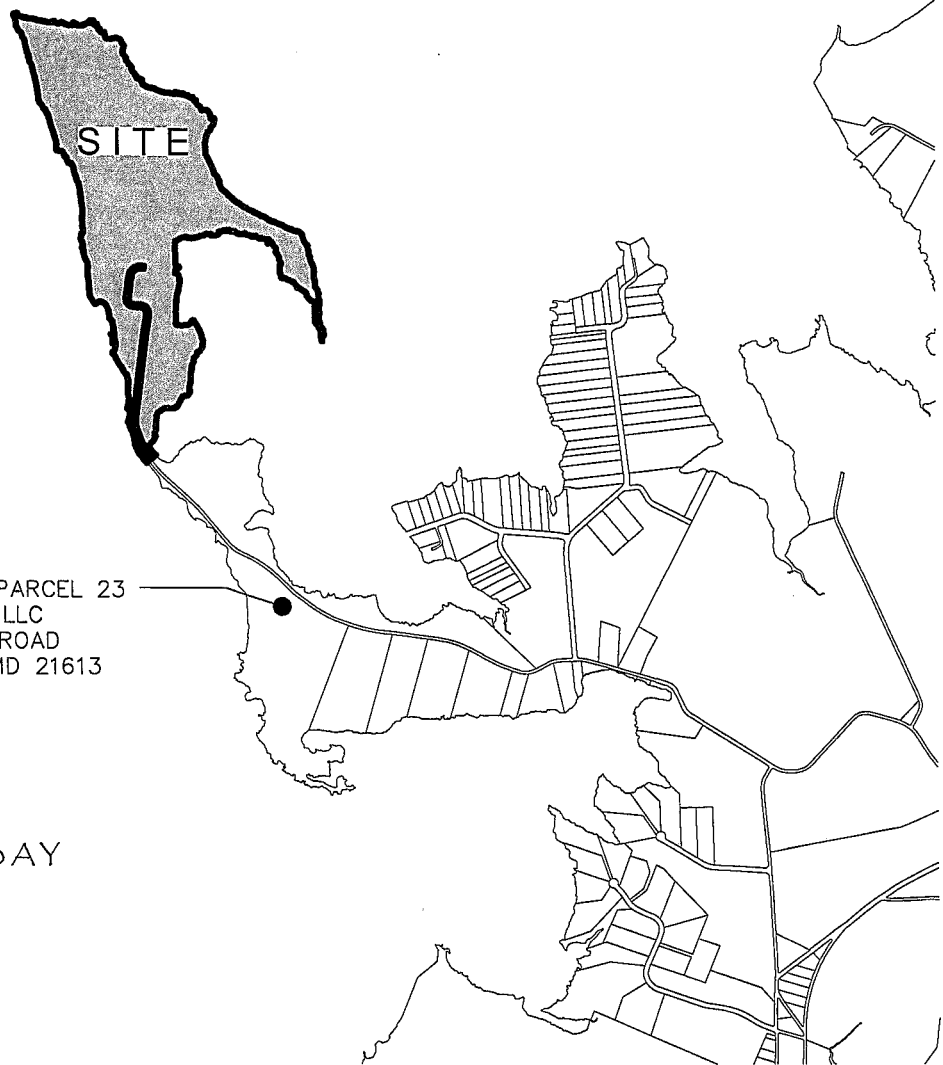
It is requested that you communicate this information concerning the proposed work to any persons known by you to be interested and not being known to this office, who did not receive a copy of this notice.

FOR THE DISTRICT ENGINEER:

KATHY B. ANDERSON  
Chief, Maryland Section Southern

CHESAPEAKE BAY

CHOPTANK RIVER



TRIPPE BAY

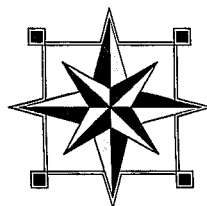
OWNER/APPLICANT:  
 R.R.M. CARPENTER, IV  
 P.O. BOX 732  
 MONTCHANIN, DE 19710

VICINITY MAP  
 6,600 LINEAR FEET  
 MORE OR LESS OF NEW  
 STONE REVETMENT

600 COOKS POINT ROAD  
 CAMBRIDGE, MD 21613

TAX MAP 9, GRID 21, TAX PARCEL 2  
 IN THE EIGHT ELECTION DISTRICT  
 DORCHESTER COUNTY, MARYLAND

SHEET 1 OF 5



**FINK, WHITTEN & ASSOCIATES, LLC.**

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EASTON      CAMBRIDGE  
 410-822-8484      410-228-8885  
 8626 Brooks Drive Unit 103      108 Dorchester Avenue  
 Easton, Maryland 21601      Cambridge, Maryland 21613

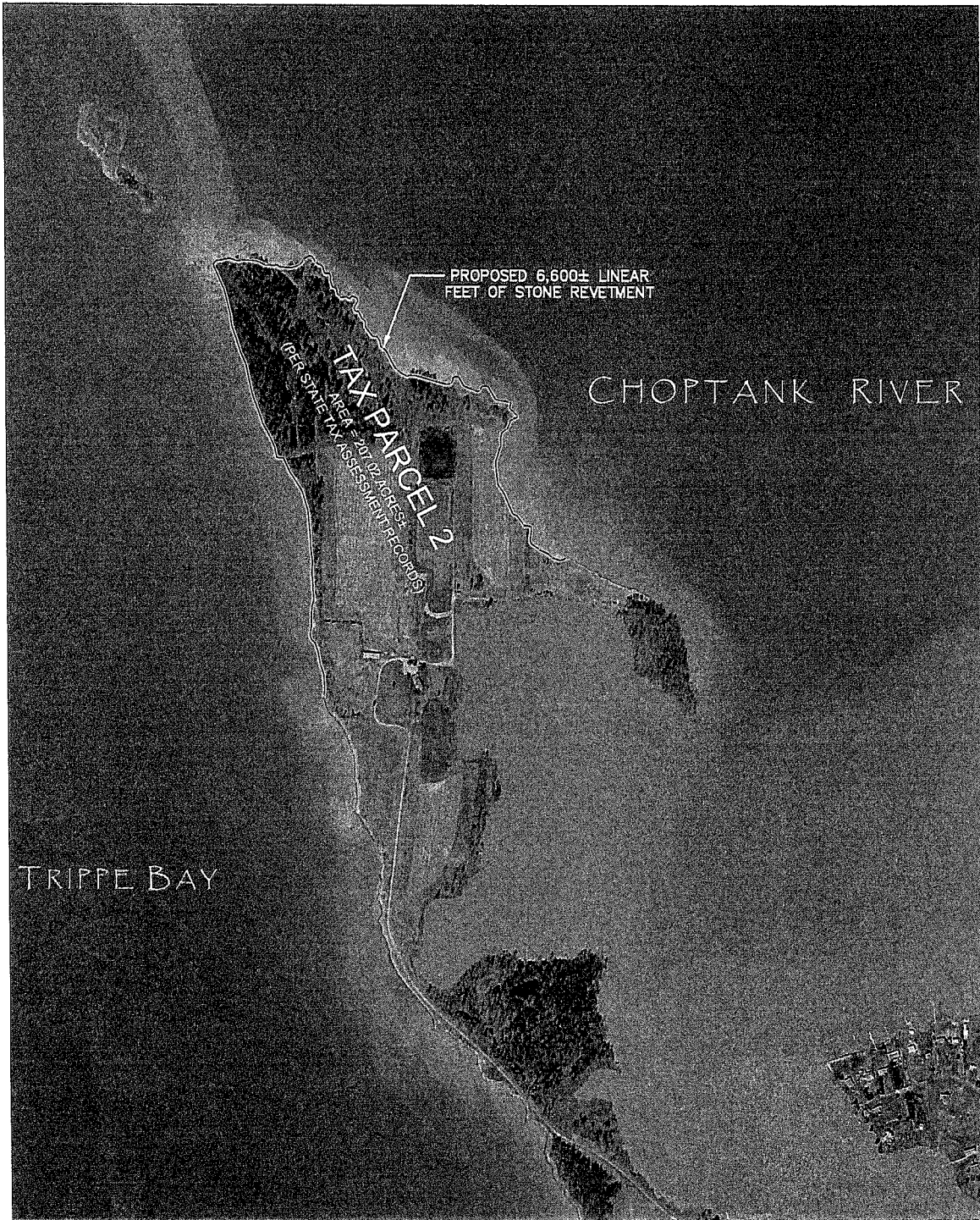
www.FINKWHITTEN.com

DATE: 02 / 15 / 16

SCALE: 1" = 2000'

JOB No. D-9-21-2

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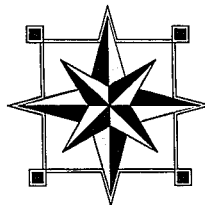
OWNER/APPLICANT:  
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SHEET 2 OF 5

PROPERTY OVERVIEW  
 6,600 LINEAR FEET  
 MORE OR LESS OF NEW  
 STONE REVETMENT

600 COOKS POINT ROAD  
 CAMBRIDGE, MD 21613

TAX MAP 9, GRID 21, TAX PARCEL 2  
 IN THE EIGHT ELECTION DISTRICT  
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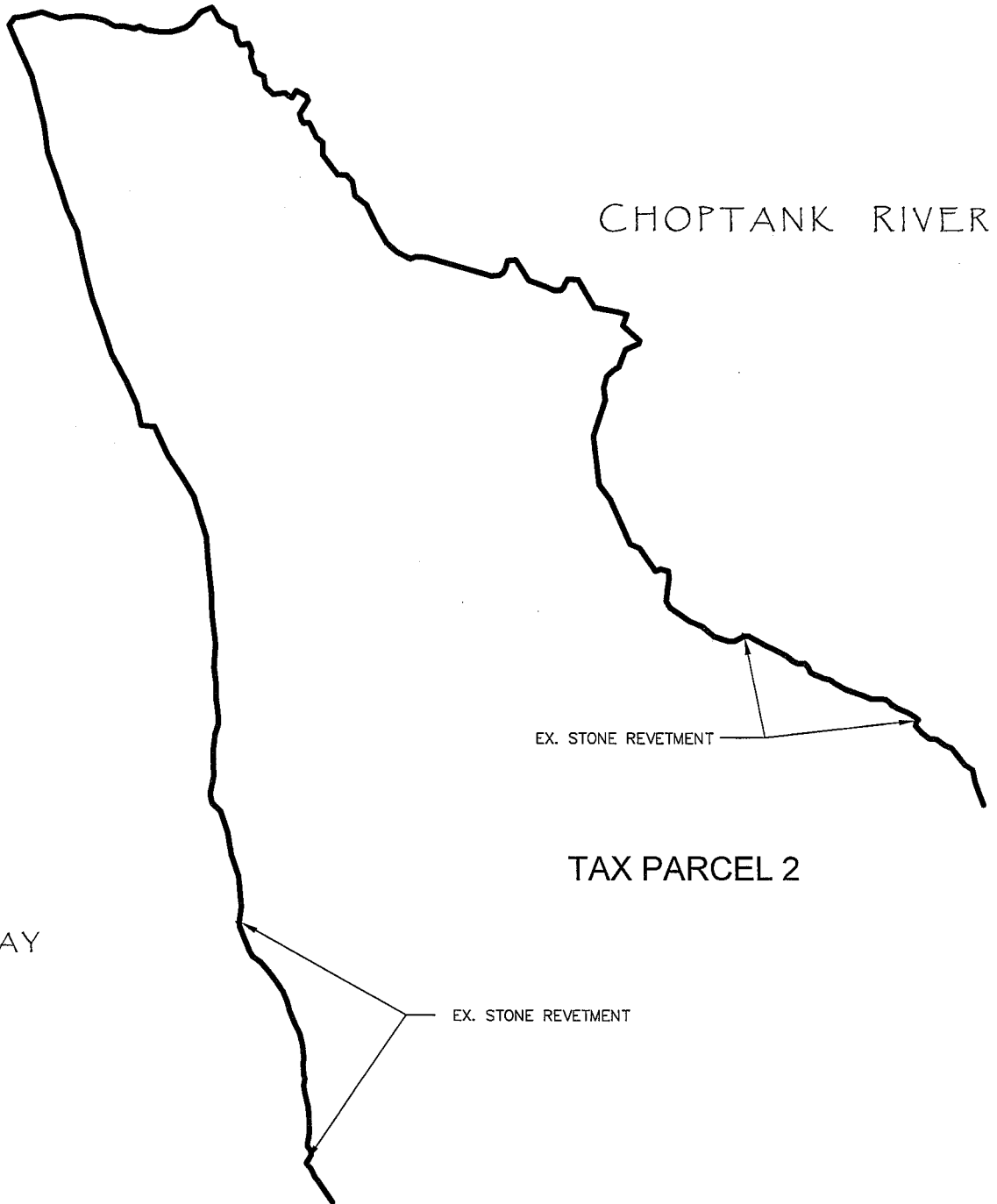
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JOB No. D-9-21-2

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TRIPPE BAY

CHOPTANK RIVER

TAX PARCEL 2

EX. STONE REVETMENT

EX. STONE REVETMENT

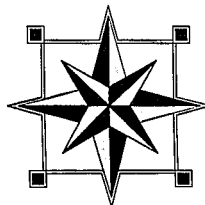
OWNER/APPLICANT:  
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EXISTING CONDITIONS  
 6,600 LINEAR FEET  
 MORE OR LESS OF NEW  
 STONE REVETMENT

600 COOKS POINT ROAD  
 CAMBRIDGE, MD 21613

TAX MAP 9, GRID 21, TAX PARCEL 2  
 IN THE EIGHT ELECTION DISTRICT  
 DORCHESTER COUNTY, MARYLAND

SHEET 3 OF 5



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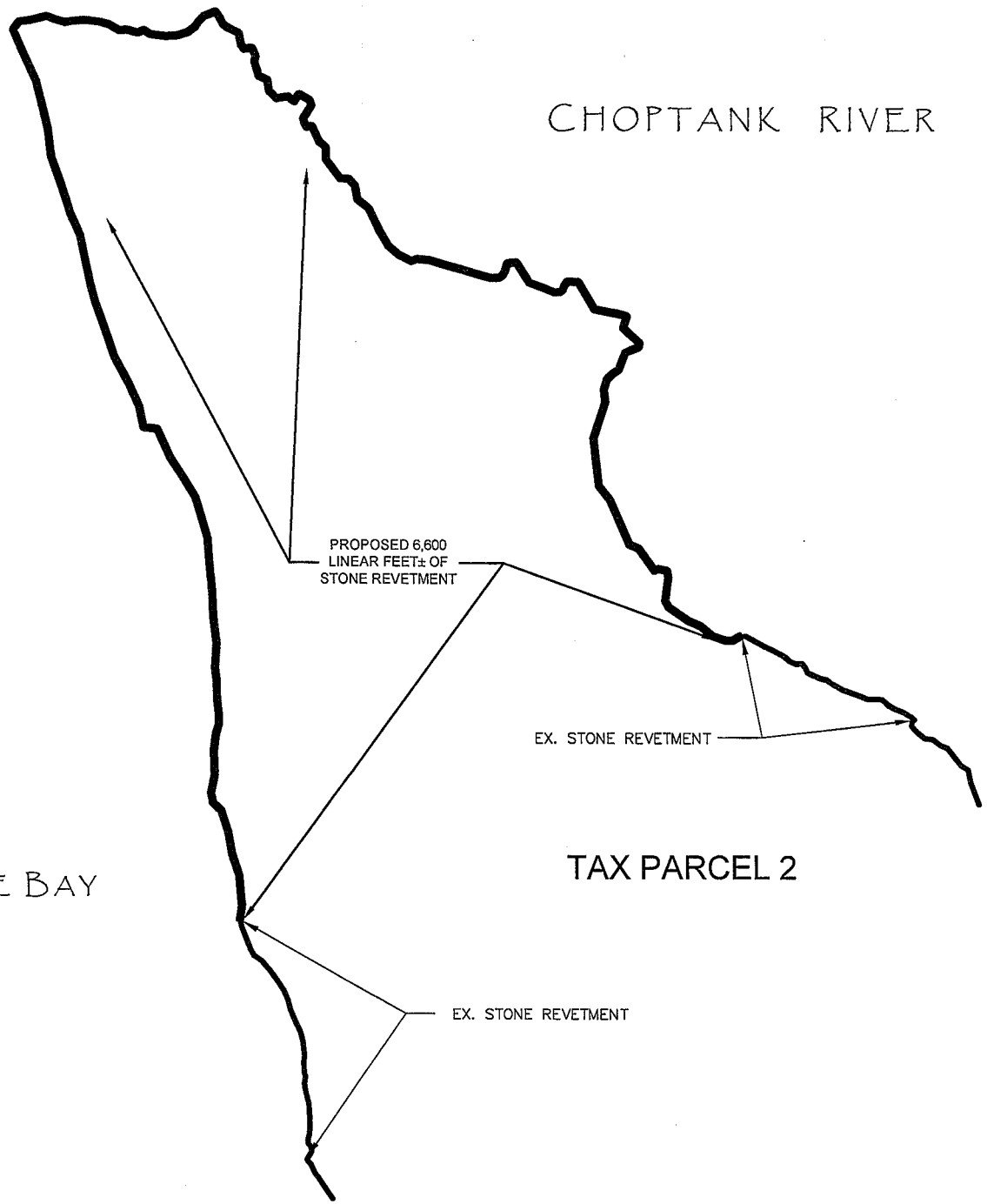
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SCALE: 1" = 500'

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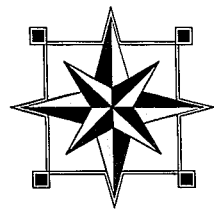
OWNER/APPLICANT:  
 R.R.M. CARPENTER, IV  
 P.O. BOX 732  
 MONTCHANIN, DE 19710

SHEET 4 OF 5

PROPOSED CONDITIONS  
 6,600 LINEAR FEET  
 MORE OR LESS OF NEW  
 STONE REVETMENT

600 COOKS POINT ROAD  
 CAMBRIDGE, MD 21613

TAX MAP 9, GRID 21, TAX PARCEL 2  
 IN THE EIGHT ELECTION DISTRICT  
 DORCHESTER COUNTY, MARYLAND

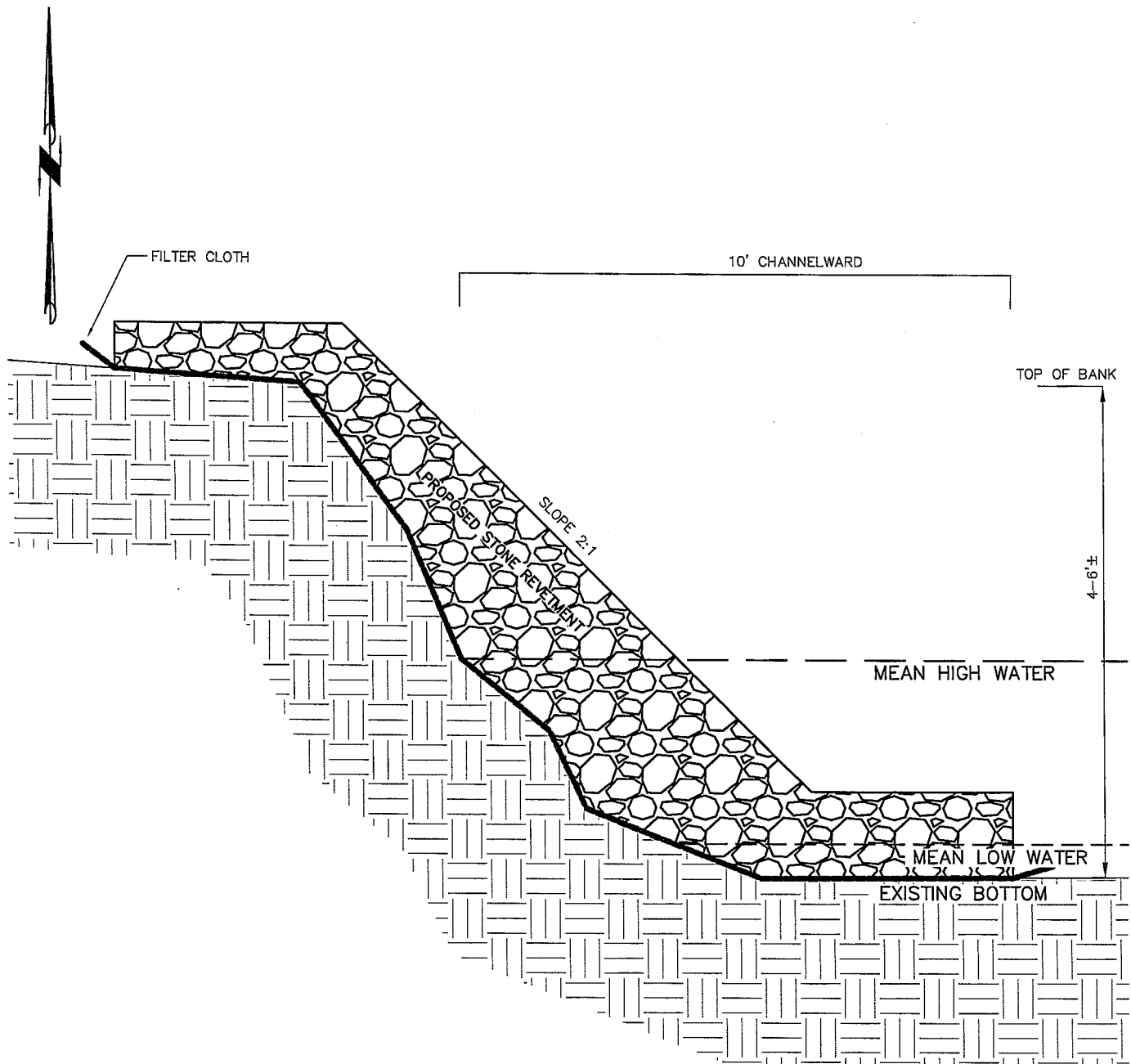


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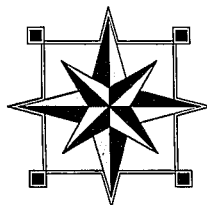
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CROSS SECTION DETAIL  
 6,600 LINEAR FEET  
 MORE OR LESS OF NEW  
 STONE REVETMENT

600 COOKS POINT ROAD  
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TAX MAP 9, GRID 21, TAX PARCEL 2  
 IN THE EIGHT ELECTION DISTRICT  
 DORCHESTER COUNTY, MARYLAND

SHEET 5 OF 5



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NOT TO SCALE

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