

U.S. Army Corps of Engineers
Baltimore District

Public Notice

In Reply to Application Number CENAB-OPR-M (OCEAN CITY DREDGING) 2017-61213 and 2013-61905

PN 18-06

Comment Period: February 1, 2018 - February 21, 2018

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 Section 404 of the Clean Water Act as described below:

APPLICANT: Town of Ocean City Mayor and Council

Attn: Ms. Stacey Hart 301 Baltimore Avenue

Ocean City, Maryland 21863

WATERWAY AND LOCATION: In the Assawoman Bay and adjacent canals at Ocean City, Worcester County, Maryland.

PROPOSED WORK: To dredge by mechanical method as follows:

Canal	Sq. Ft.	<u>Acres</u>	Cu. Yds.	<u>Dredged</u>	Channel	Linear	Min.	Max.
				<u>Depth</u>	<u>Width</u>	<u>Ft.</u>	water depth	water depth
2A Channel	38,734	0.89	2,655	4	100	387	0.7	3.1
14 Channel	12,166	0.28	407	4	40	304	0.9	3.2
14 Residential	11,560	0.27	399	3			0.8	2.8
15 Channel	19,321	0.44	851	4	40	483	0.7	4.0
15 Residential	43,463	1.00	1,259	3			0.6	3.8
18 Channel	83,832	1.92	5,133	4	40	2,096	2.0	3.7
18 Residential	181,147	4.16	6,280	3			0.4	3.3
44A Channel	7,809	0.18	217	4	40	195	2.8	3.6
44A Residential	9,385	0.22	274	3			0.4	2.7
44-West Channel	12,776	0.29	494	4	40	319	1.0	3.4
44-West Residential	15,646	0.36	541	3			0.1	2.8
44-East Channel	14,060	0.32	833	4	40	352	2.0	3.0
44-East Residential	9,349	0.21	692	3			0.7	2.0
46 Channel	25,949	0.60	1,556	4	40	649	0.2	2.8
46 Residential	23,039	0.53	1,008	3			0.0	2.4
26 Channel	74,144	1.70	5,849	3	50	1,480	0.0	2.8
54 Channel	50,602	1.16	4,665	4	20	2,530	0.0	2.3
54 Residential	56,955	1.31	2,728	3			0.0	2.1
56 Channel	43,060	0.99	4,283	3	30	1,435	0.3	2.3
56 Residential	14,038	0.32	676	2			0.2	0.9
56A Channel	15,936	0.37	1,534	3	30	531	0.1	2.7
56A Residential	6,005	0.14	178	2			0.1	2.0
57 Channel	5,503	0.13	443	4	30	183	2.2	2.4
57 Residential	15,021	0.34	1,106	3			0.6	2.7
64th. St. Channel **	184,000	4.22	7,500	3.5	50	3,680	1.8	3.4

(** work will be performed under permit 2013-61905. All other work will be under permit 2017-61213)

The work includes to re-establish the previously permitted (91-WP-0524) Canal 56 wetland area by depositing approximately 125 cubic yards of suitable dredged material in an approximately 3,700 square foot area stabilized with *Spartina alterniflora*.

Dredged materials for all the sites listed above would be deposited at one of several existing upland (non-wetland) dredged material placement sites. The proposed sites are Wenzlaff Family LLC, located at 12008 St. Martins Neck Road, Bishopville, Ocean City, Lewis Road site, located at 8913 Lewis Road, West Ocean City, and the Flowler LLC site, located at 11911 St. Martin's Neck Road, Bishopville, all in Worcester County, Maryland.

The overall project includes dredging of approximately 51,561 cubic yards of dredged material from an approximate 973,500 square foot (22.35 acre) combined area. The applicant is also requesting authorization for maintenance dredging for a period of 10 years.

Project Purpose: To improve navigable access and re-establish a marsh.

Avoidance/Minimization of Impacts:

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 work is proposed within existing navigable canals and an existing marsh area that needs to be reestablished. Compensatory mitigation is not being proposed by the applicant for impacts to open water (inter-tidal and sub-tidal) habitat. No wetland impacts are proposed.

All work would be completed in accordance with the enclosed plans dated January 2017. If you have any questions concerning this matter, please contact Mr. Robert Fewster, Attn: CENAB-OPR-M, 2 Hopkins Plaza, Baltimore, Maryland, 21201 or *robert.j.fewster@usace.army.mil*.

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 evaluation of the impacts of the work described above on the public interest will include application of the Clean Water Act 404(b)(1) Guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 of the Clean Water Act.

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, [Attn: Mr. Robert Fewster, CENAB-OPR-M], 2 Hopkins Plaza, Baltimore, Maryland, 21201 or *robert.j.fewster@usace.army.mil* within the comment period specified above.

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 effect Essential Fish Habitat (EFH).

The project site lies in or adjacent to EFH as described under MSFCMA for Bluefin tuna (*Thunnus thynnus*) juvenile; smooth dogfish (*Mustelus canis*) all life stages; clearnose skate (*Raja eglanteria*) all life stages; little skate (*Leucoraja ericacea*) all life stages; windowpane flounder (*Scopthalmus aquosos*) all life stages; winter skate (*Leucoraja ocellata*) all life stages; red hake (*Urophycis chuss*) all life stages; monkfish (*Lophius americanus*) all life stages; black sea bass (*Centropristis striata*) all life stages; longfin inshore squid (*Loligo pealeii*) all life stages; blue fish (*Pomatomus saltatrix*) all life stages spiny dogfish (*Squalus acanthias*) all life stages; scup (*Stenotomus chrysops*) all life stages; Atlantic butterfish (*Peprilus triacanthus*) all life stages; Atlantic cod (*Gadus morhua*) all life stages; and summer flounder (*Paralicthys dentatus*) all life stages; all 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. This determination may be modified if additional information indicates otherwise and would change the preliminary determination.

WATER QUALITY CERTIFICATION: 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.

COASTAL ZONE MANAGEMENT PROGRAMS: 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 may 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.

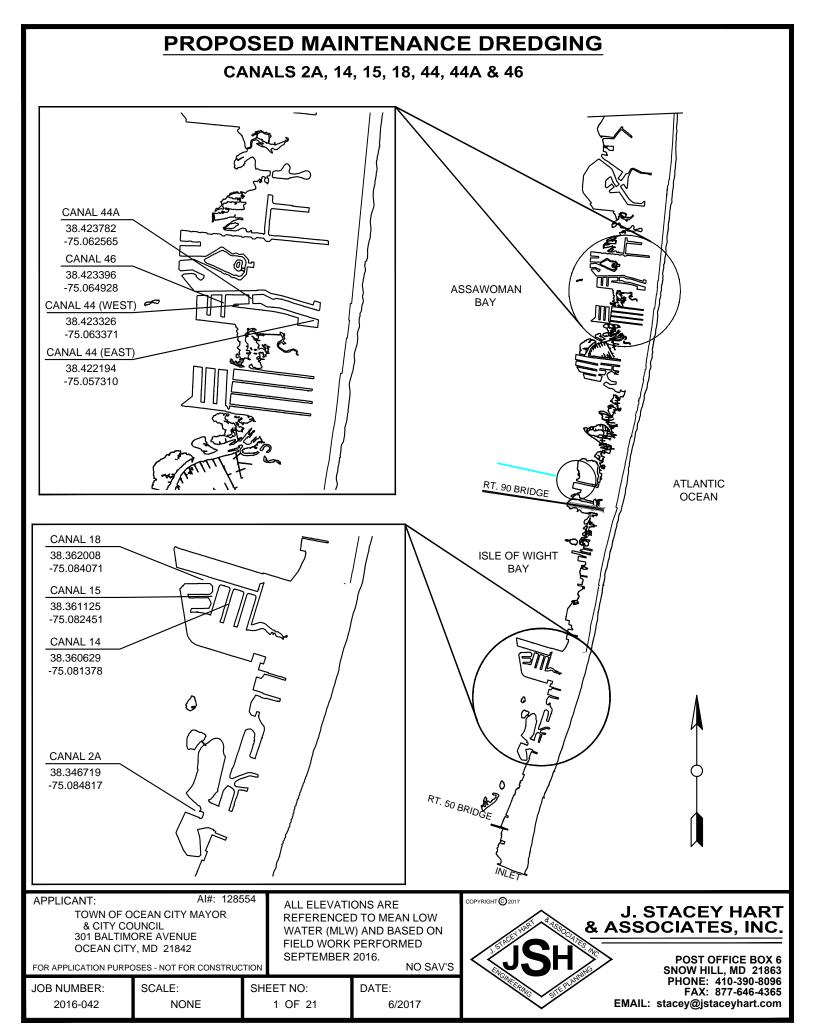
Review of the latest published version of the National Register of Historic Places indicates that no registered properties listed as eligible for inclusion, therein, are located at the site of the proposed work. Currently unknown archeological, scientific, prehistoric, or historical data may be lost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

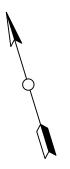
Any person who has an interest which may be adversely affected by the issuance of this permit may request a public hearing. The request, which must be in writing, must be received by the District Engineer, U.S. Army Corps of Engineers, Baltimore District, [Attn: Mr. Robert Fewster, CENAB-OPR-M], 2 Hopkins Plaza, 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:

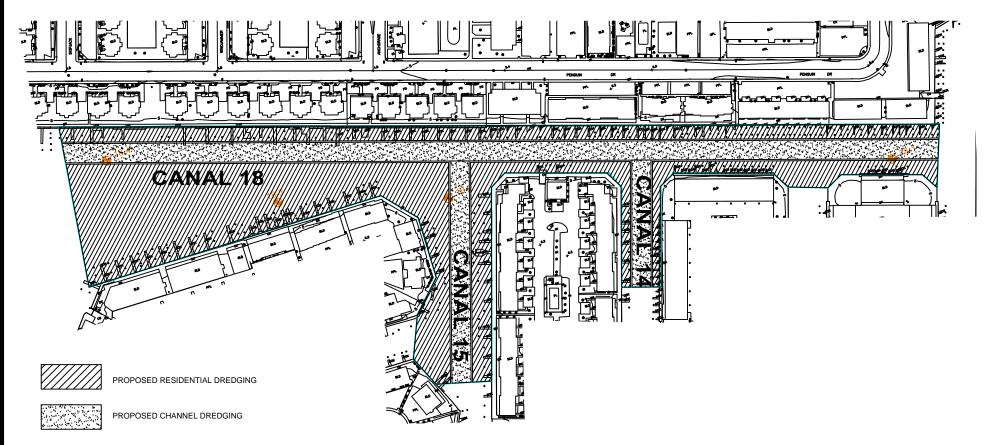
Kathy B. Anderson Chief, Maryland Section Southern





CANALS 14, 15 & 18 PROJECT DESCRIPTION:

MAINTENANCE DREDGE BY MECHANICAL METHOD A ±354,489 SF AREA TO A DEPTH OF -4.0 MLW AND TRANSPORT ±14, 329 C.Y. OF DREDGE SPOIL TO AN APPROVED UPLAND SITE.



APPLICANT: Al#: 1: TOWN OF OCEAN CITY MAYOR

Al#: 128554

ALL ELEVATIONS ARE REFERENCED TO MEAN LOW WATER (MLW) AND BASED ON FIELD WORK PERFORMED

SEPTEMBER 2016.

FOR APPLICATION PURPOSES - NOT FOR CONSTRUCTION

& CITY COUNCIL

301 BALTIMORE AVENUE

OCEAN CITY, MD 21842

CANAL 14, 15, 18

JOB NUMBER: 2016-042

SCALE: 1"=200' SHEET NO: 4 OF 21 DATE: 6/2017

NO SAV'S

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J. STACEY HART & ASSOCIATES, INC.

> POST OFFICE BOX 6 SNOW HILL, MD 21863 PHONE: 410-390-8096 FAX: 877-646-4365

EMAIL: stacey@jstaceyhart.com

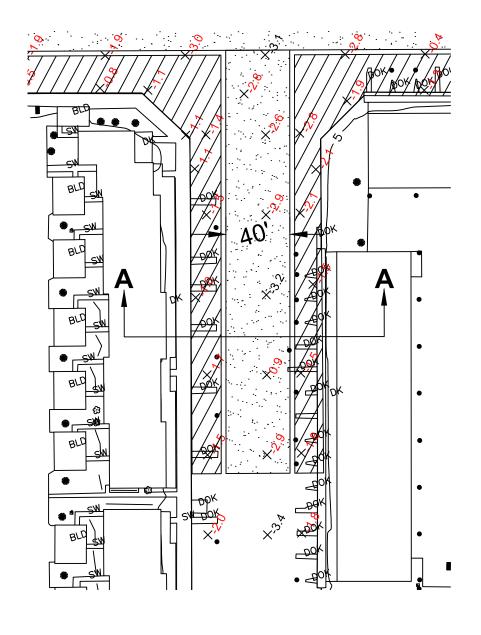
CANAL 14

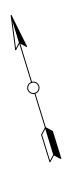


PROPOSED RESIDENTIAL DREDGING



PROPOSED CHANNEL DREDGING





APPLICANT:

Al#: 128554

TOWN OF OCEAN CITY MAYOR & CITY COUNCIL 301 BALTIMORE AVENUE OCEAN CITY, MD 21842

FOR APPLICATION PURPOSES - NOT FOR CONSTRUCTION

ALL ELEVATIONS ARE REFERENCED TO MEAN LOW WATER (MLW) AND BASED ON FIELD WORK PERFORMED SEPTEMBER 2016.

NO SAV'S

JSH & A

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POST OFFICE BOX 6 SNOW HILL, MD 21863 PHONE: 410-390-8096 FAX: 877-646-4365 EMAIL: stacey@jstaceyhart.com

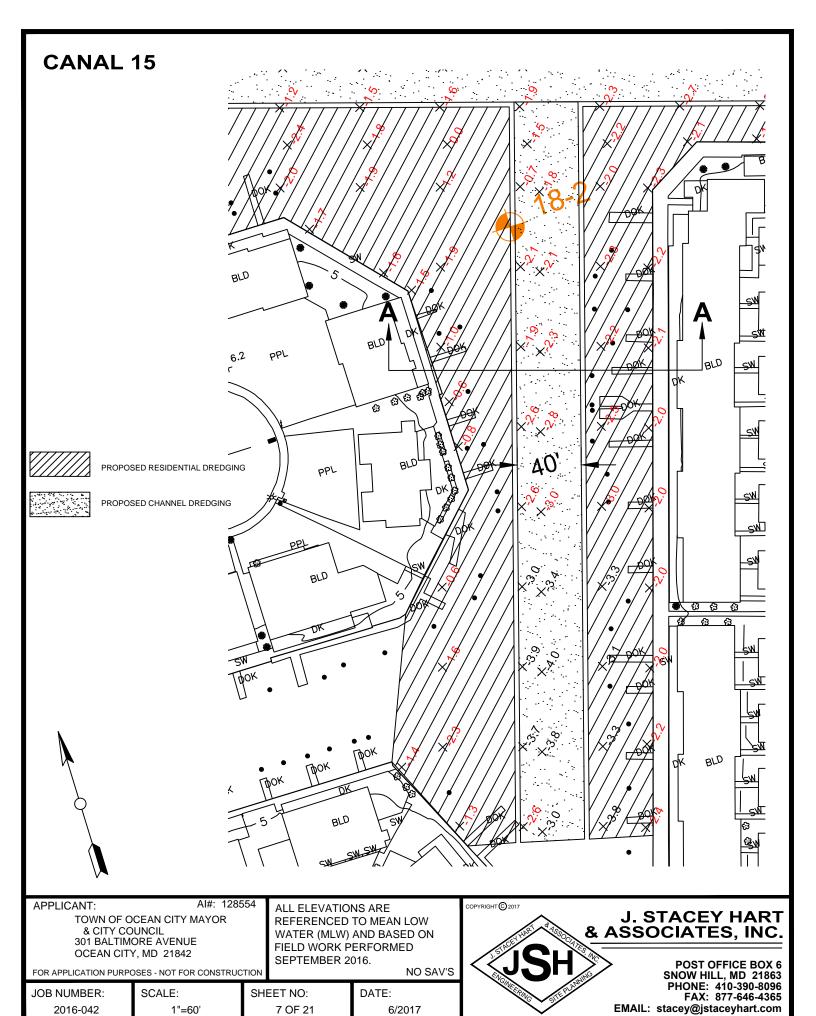
JOB NUMBER: 2016-042

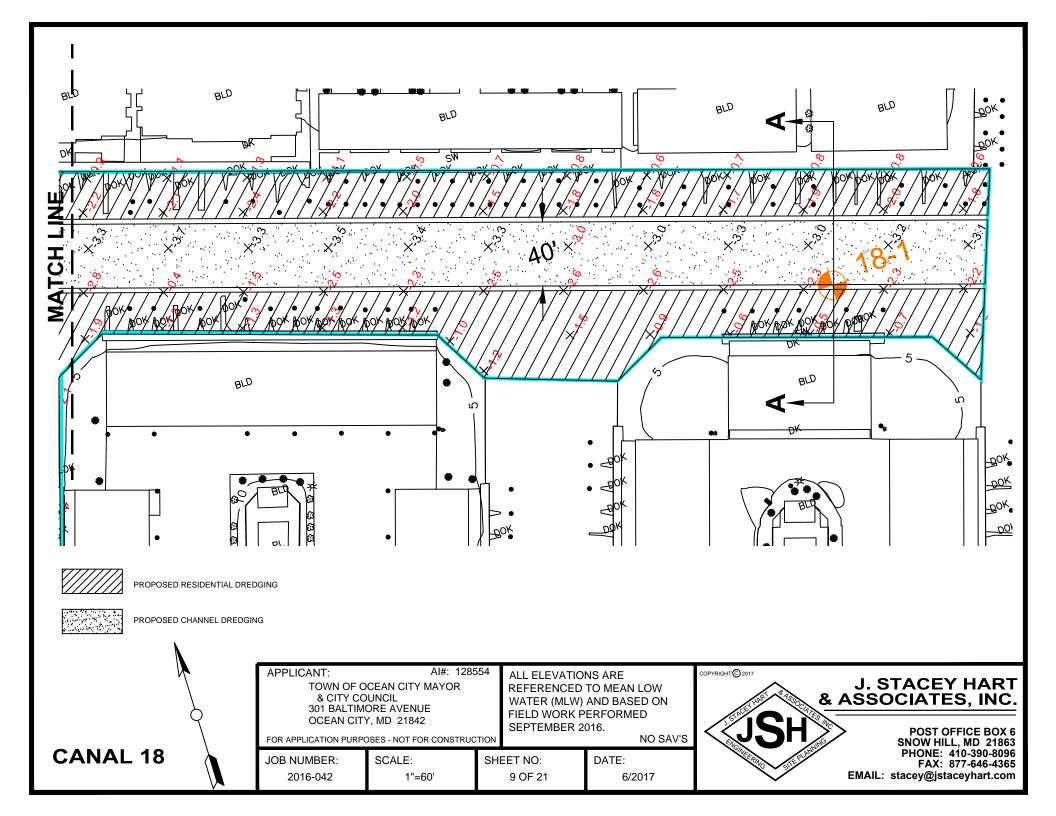
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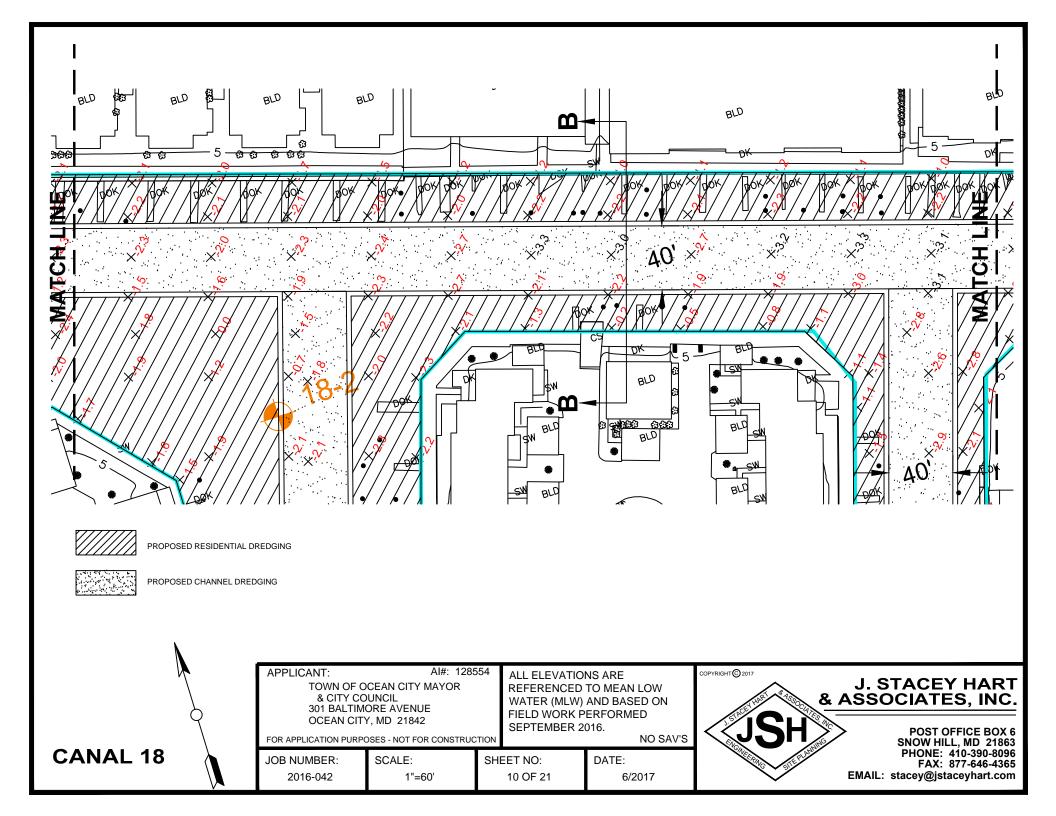
1"=60'

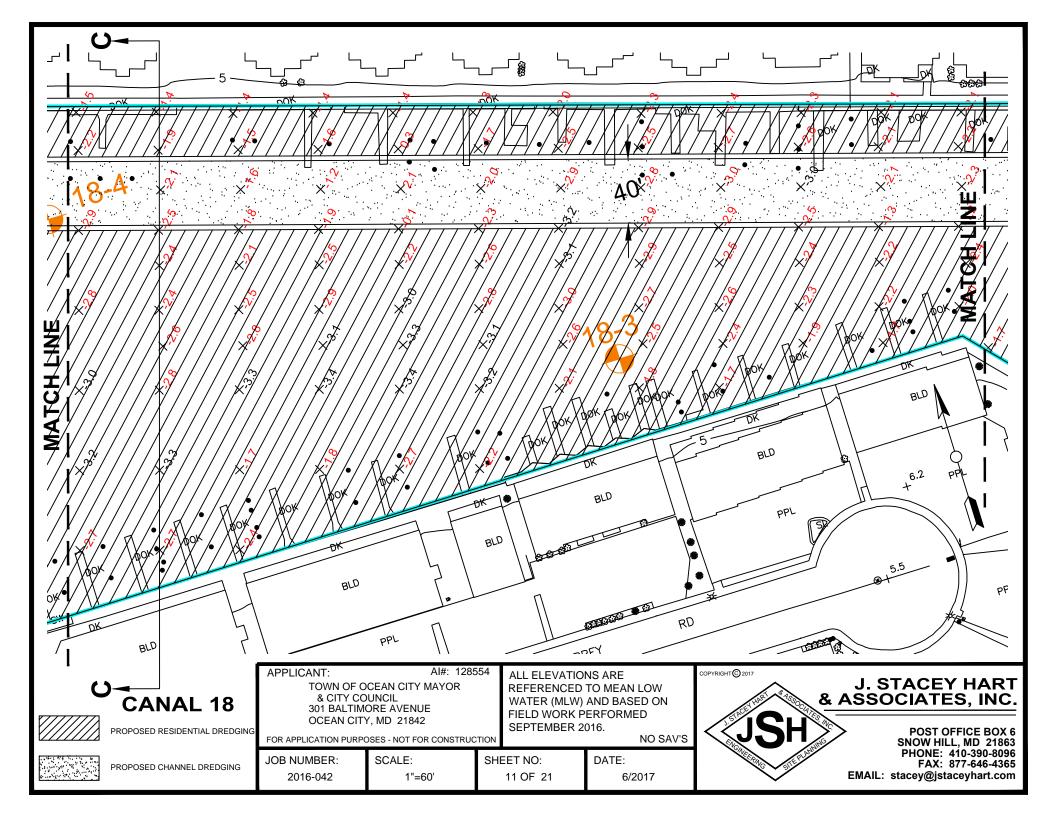
SHEET NO: 5 OF 18

DATE: 6/2017



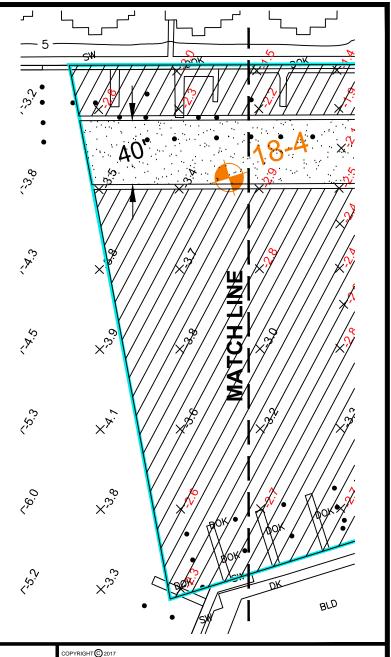








PROPOSED CHANNEL DREDGING



CANAL 18

APPLICANT:

ANT: AI#: 128554 TOWN OF OCEAN CITY MAYOR

ALL ELEVATIONS ARE
REFERENCED TO MEAN LOW
WATER (MLW) AND BASED ON
FIELD WORK PERFORMED
SEPTEMBER 2016.

FOR APPLICATION PURPOSES - NOT FOR CONSTRUCTION

& CITY COUNCIL

301 BALTIMORE AVENUE

OCEAN CITY, MD 21842

NO SAV'S

SCALE: SHEET NO:

DATE:

J. STACEY HART & ASSOCIATES, INC.

> POST OFFICE BOX 6 SNOW HILL, MD 21863 PHONE: 410-390-8096 FAX: 877-646-4365

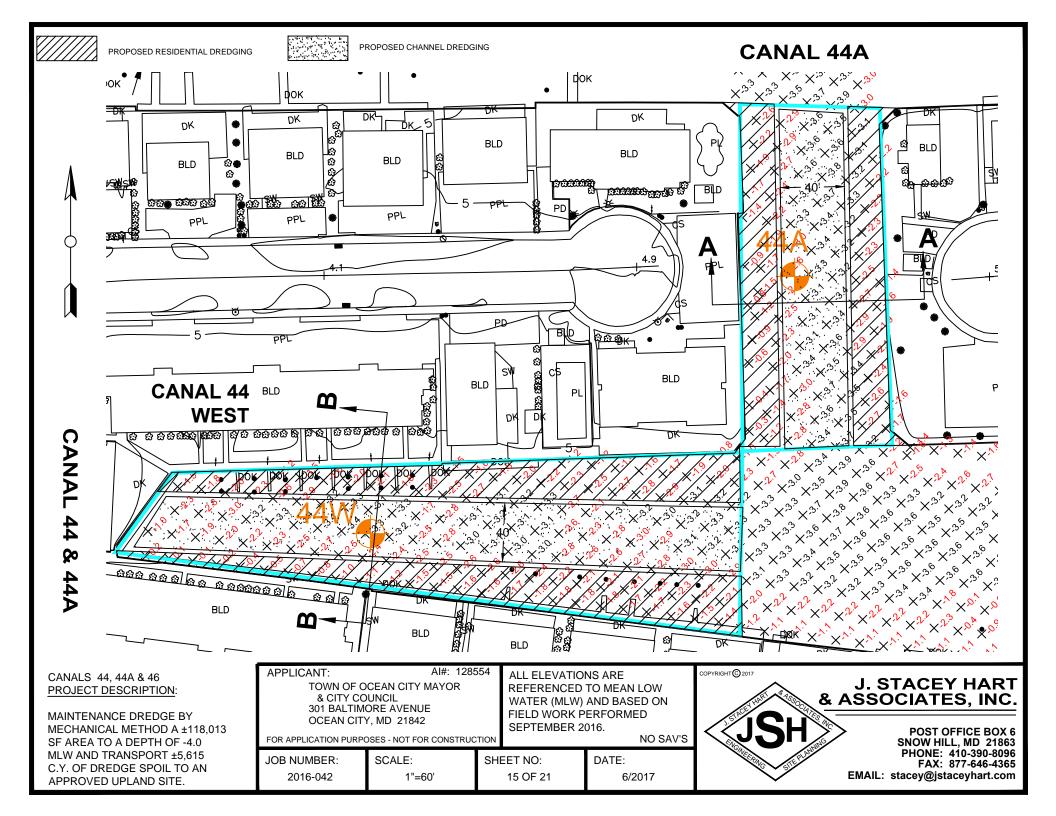
EMAIL: stacey@jstaceyhart.com

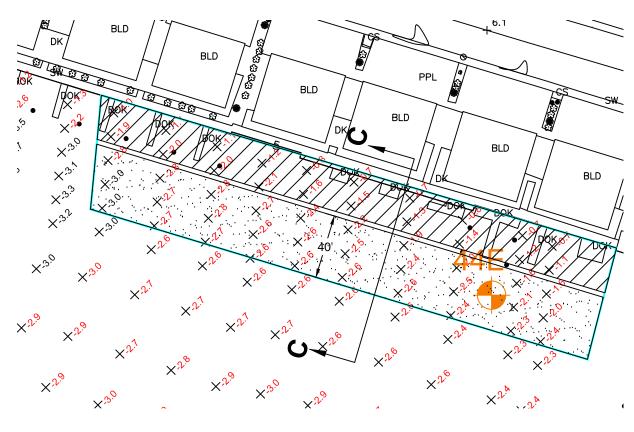
JOB NUMBER: 2016-042

1"=60'

12 OF 21

6/2017





PROPOSED RESIDENTIAL DREDGING



PROPOSED CHANNEL DREDGING

APPLICANT:

Al#: 128554

ALL ELEVATIONS ARE REFERENCED TO MEAN LOW WATER (MLW) AND BASED ON FIELD WORK PERFORMED

SEPTEMBER 2016.

301 BALTIMORE AVENUE OCEAN CITY, MD 21842

& CITY COUNCIL

NO SAV'S

FOR APPLICATION PURPOSES - NOT FOR CONSTRUCTION

TOWN OF OCEAN CITY MAYOR

JOB NUMBER: SCALE:

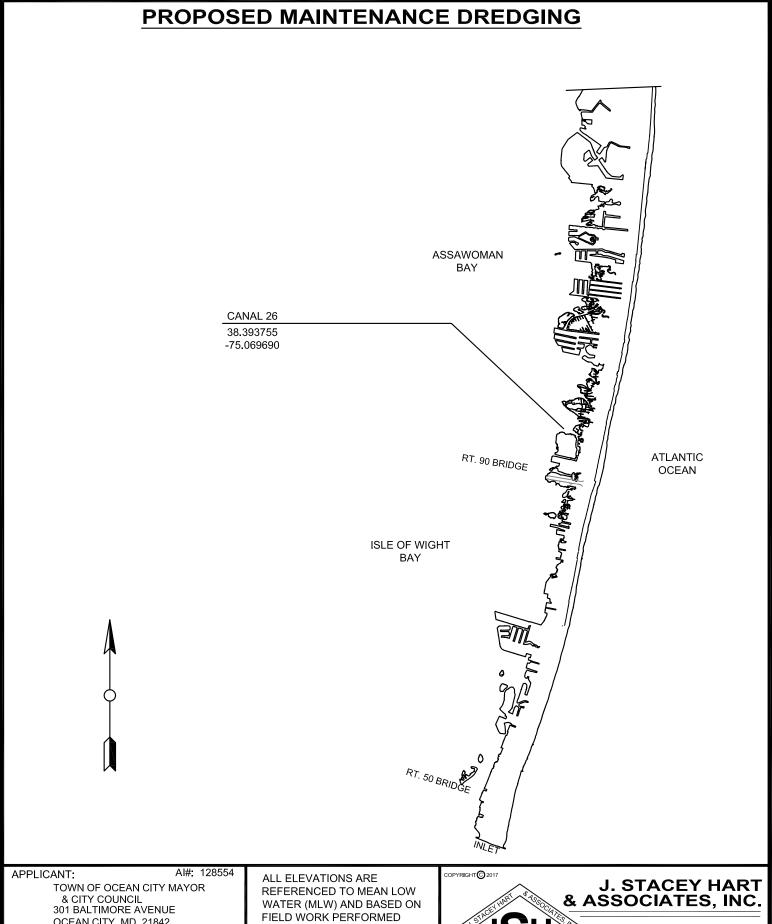
SHEET NO: 16 OF 21 DATE: 6/2017 COPYRIGHT © 2017 J. STACEY HART & ASSOCIATES, INC.

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CANAL 44 EAST

2016-042

1"=60'



OCEAN CITY, MD 21842

FOR APPLICATION PURPOSES - NOT FOR CONSTRUCTION

SEPTEMBER 2016.

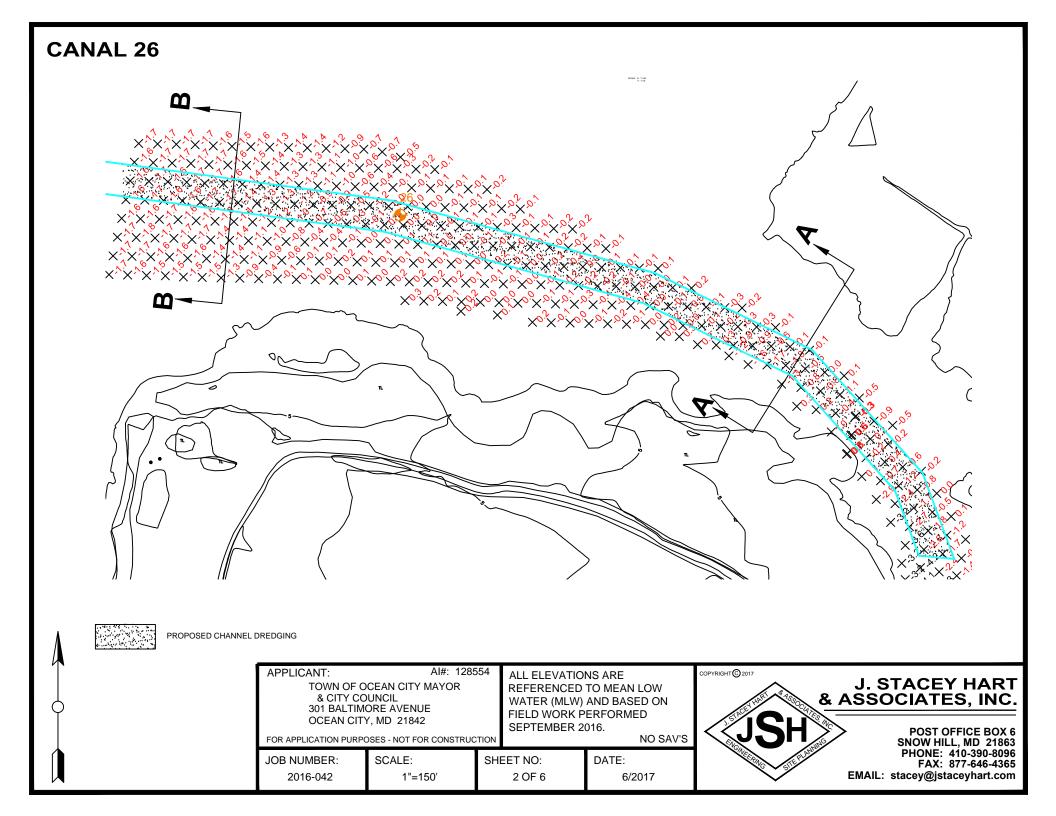
NO SAV'S

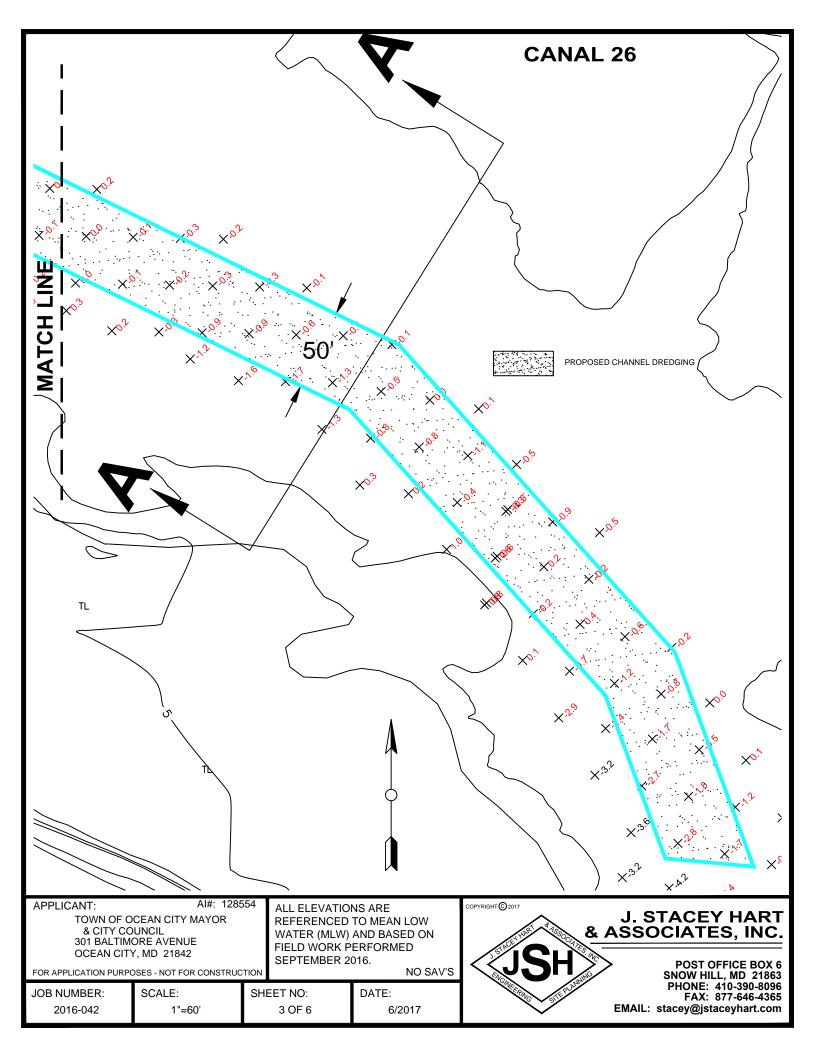
POST OFFICE BOX 6 SNOW HILL, MD 21863 PHONE: 410-390-8096 FAX: 877-646-4365

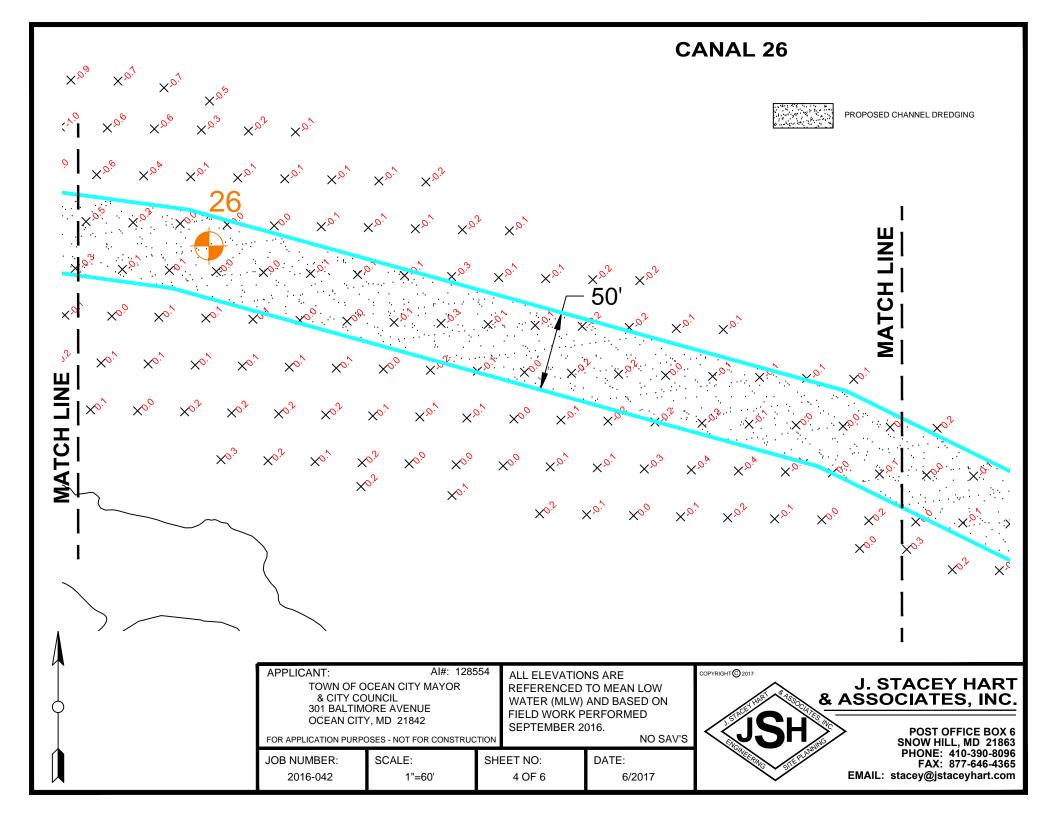
EMAIL: stacey@jstaceyhart.com

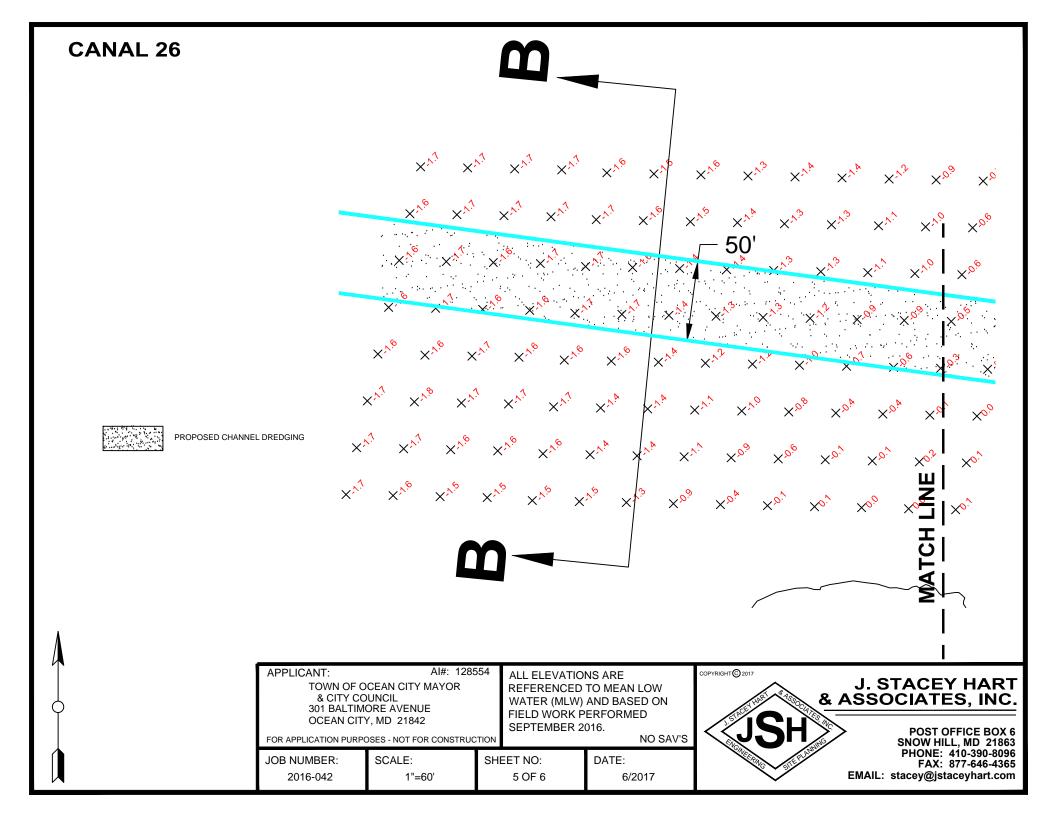
JOB NUMBER: 2016-042

SCALE: NONE SHEET NO: 1 OF 6 DATE: 6/2017



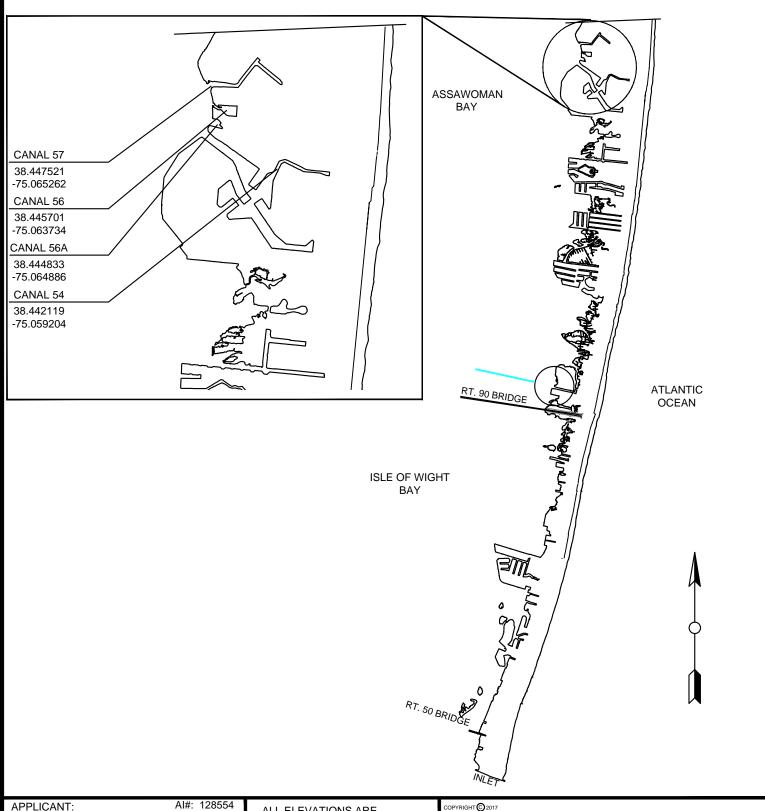






PROPOSED MAINTENANCE DREDGING

CANALS 54, 56, 56A & 57



APPLICANT:

TOWN OF OCEAN CITY MAYOR & CITY COUNCIL 301 BALTIMORE AVENUE OCEAN CITY, MD 21842

FOR APPLICATION PURPOSES - NOT FOR CONSTRUCTION

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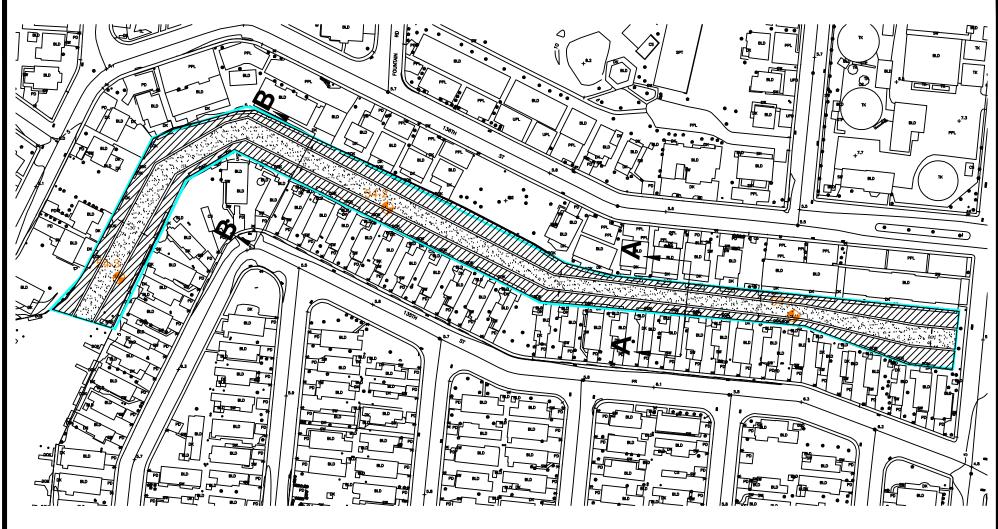
NO SAV'S

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POST OFFICE BOX 6 SNOW HILL, MD 21863 PHONE: 410-390-8096 FAX: 877-646-4365 EMAIL: stacey@jstaceyhart.com

JOB NUMBER: 2016-042

SCALE: NONE SHEET NO: 1 OF 12 DATE: 6/2017



CANAL 54 PROJECT DESCRIPTION:

MAINTENANCE DREDGE BY MECHANICAL METHOD A ±107,557 SF AREA TO A DEPTH OF -4.0 MLW AND TRANSPORT ±7,393 C.Y. OF DREDGE SPOIL TO AN APPROVED UPLAND SITE.

PROPOSED RESIDENTIAL DREDGING



PROPOSED CHANNEL DREDGING

APPLICANT:

Al#: 128554

TOWN OF OCEAN CITY MAYOR & CITY COUNCIL 301 BALTIMORE AVENUE OCEAN CITY, MD 21842

REFERENCED TO MEAN LOW WATER (MLW) AND BASED ON FIELD WORK PERFORMED SEPTEMBER 2016.

ALL ELEVATIONS ARE

NO SAV'S

FOR APPLICATION PURPOSES - NOT FOR CONSTRUCTION

SCALE:

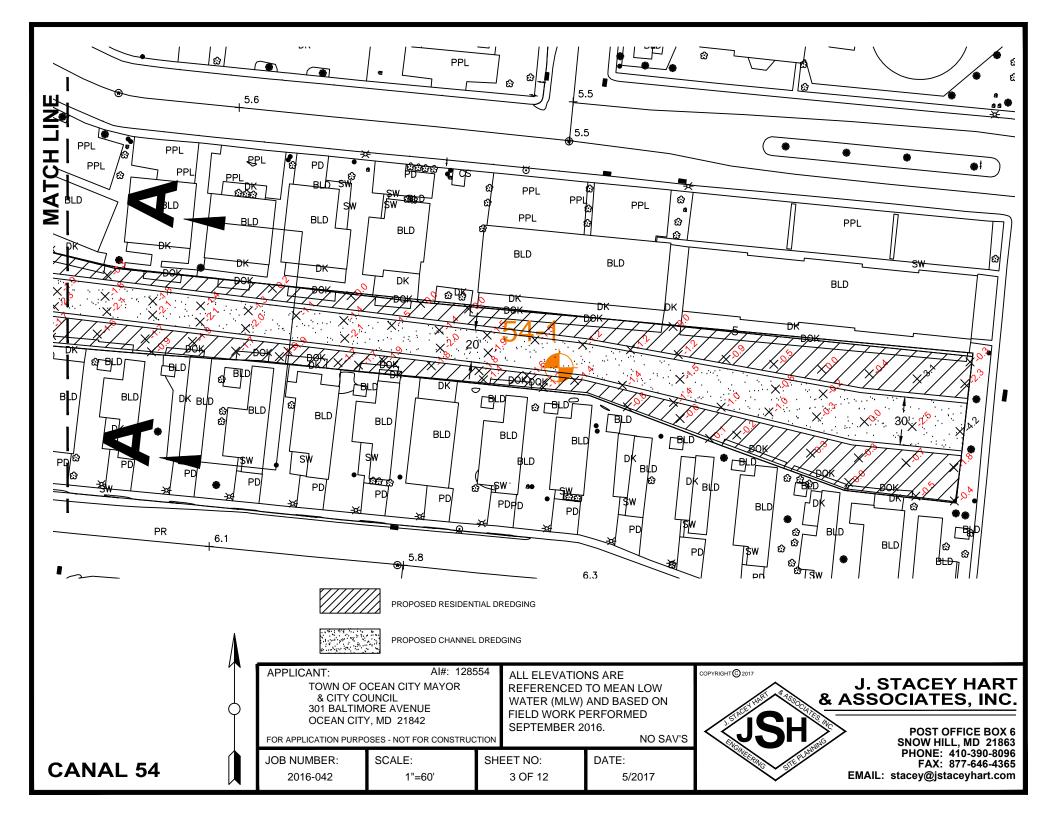
SHEET NO: 2 OF 12 DATE: 6/2017 COPYRIGHT © 2017 J. STACEY HART & ASSOCIATES, INC.

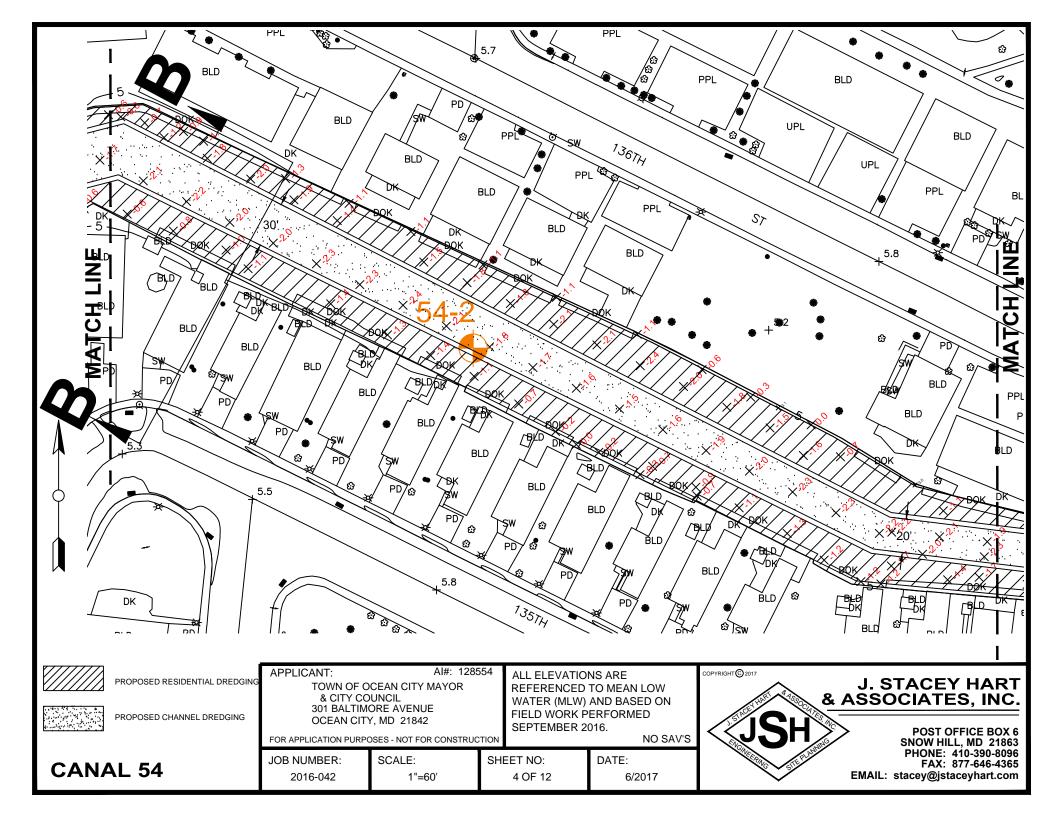
> POST OFFICE BOX 6 SNOW HILL, MD 21863 PHONE: 410-390-8096 FAX: 877-646-4365 EMAIL: stacey@jstaceyhart.com

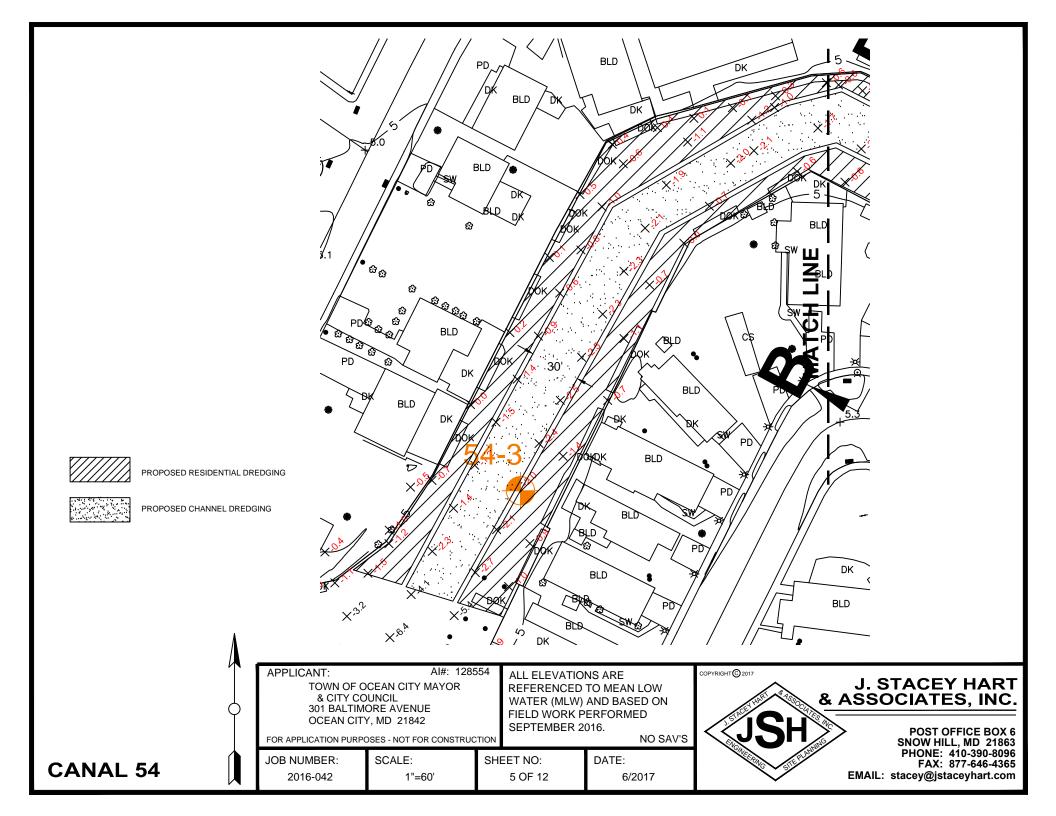
CANAL 54

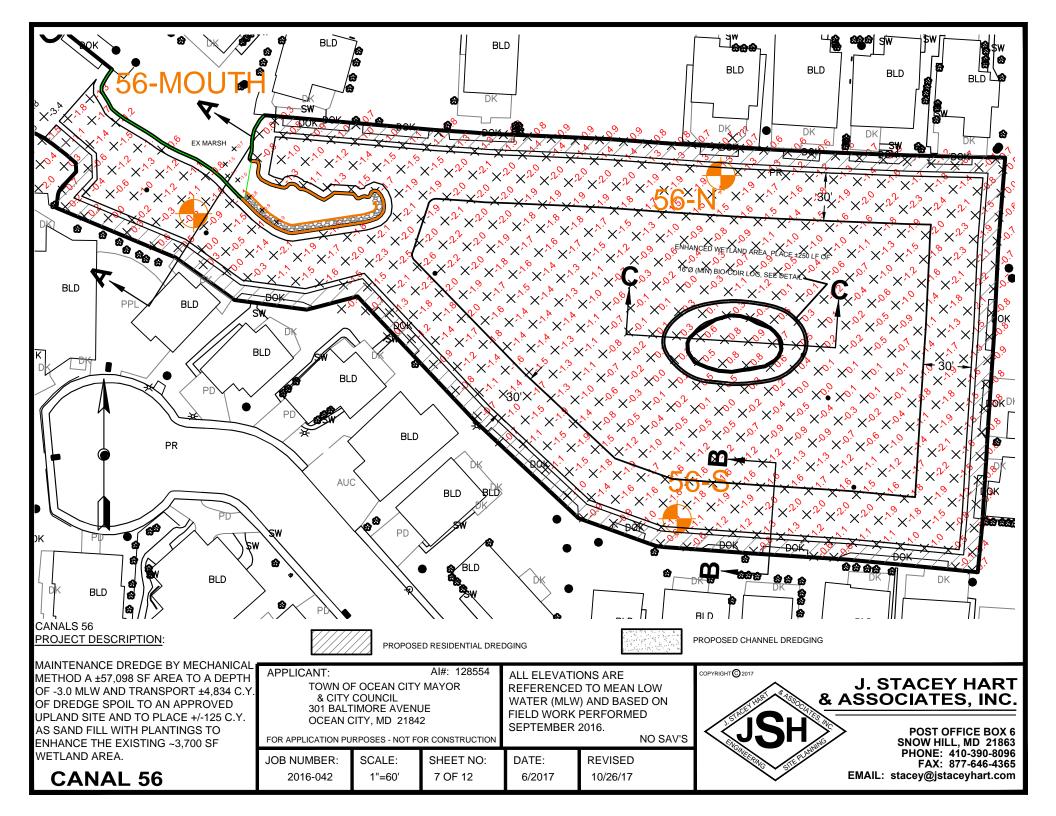
JOB NUMBER: 2016-042

1"=150'



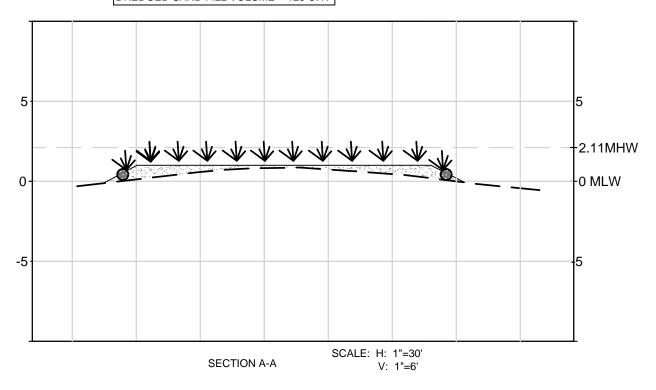


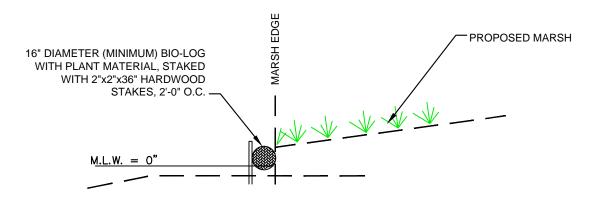




CANAL 56

DREDGED SAND FILL AREA = 3,700 SF DREDGED SAND FILL VOLUME = 125 C.Y.





TYPICAL SOFT SHORELINE AND BANK STABILIZATION - BIO-COIR LOGS

NO SCALE

APPLICANT:

Al#: 128554

TOWN OF OCEAN CITY MAYOR & CITY COUNCIL 301 BALTIMORE AVENUE OCEAN CITY, MD 21842

FOR APPLICATION PURPOSES - NOT FOR CONSTRUCTION

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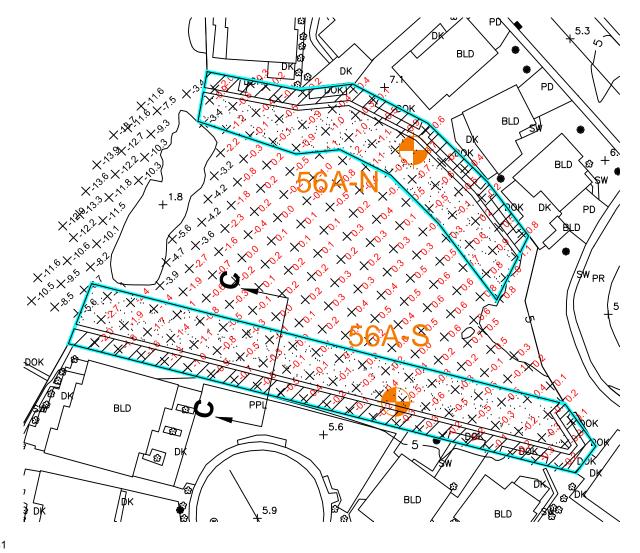
JOB NUMBER: 2016-042

SCALE: H: 1"=30' V: 1"=6'

SHEET NO: 9 OF 12

DATE: 6/2017 REVISED: 10/26/17

CANAL 56A



CANAL 56A PROJECT DESCRIPTION:

MAINTENANCE DREDGE BY MECHANICAL METHOD A ±21,941 SF AREA TO A DEPTH OF -3.0 MLW AND TRANSPORT ±1,712 C.Y. OF DREDGE SPOIL TO AN APPROVED UPLAND SITE.

APPLICANT: AI#: 128554
TOWN OF OCEAN CITY MAYOR
& CITY COUNCIL
301 BALTIMORE AVENUE
OCEAN CITY, MD 21842
FOR APPLICATION PURPOSES - NOT FOR CONSTRUCTION

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NO SAV'S

JOB NUMBER: SCALE:

1"=60'

2016-042

SHEET NO: 10 OF 12 DATE: 6/2017 J. STACEY HART & ASSOCIATES, INC.

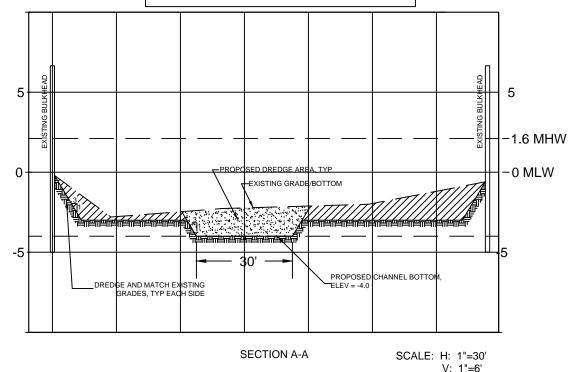
POST OFFICE BOX 6 SNOW HILL, MD 21863 PHONE: 410-390-8096 FAX: 877-646-4365 EMAIL: stacey@jstaceyhart.com

CANAL 57

Е DK ₊1.8 DOK 1 සිදුල සුසු සු සි BLD

DREDGE SPOIL CHANNEL AREA = 5,503 S.F. DREDGE SPOIL CHANNEL VOLUME = 443 C.Y.

DREDGE SPOIL RESIDENTIAL AREA = 15,021 S.F. DREDGE SPOIL RESIDENTIAL VOLUME = 1,106 C.Y.



CANAL 57 PROJECT DESCRIPTION:

MAINTENANCE DREDGE BY MECHANICAL METHOD A ±20.524 SF AREA TO A DEPTH OF -4.0 MLW AND TRANSPORT ±1,549 C.Y. OF DREDGE SPOIL TO AN APPROVED UPLAND SITE.

APPLICANT:

Al#: 128554 TOWN OF OCEAN CITY MAYOR

ALL ELEVATIONS ARE REFERENCED TO MEAN LOW WATER (MLW) AND BASED ON FIELD WORK PERFORMED SEPTEMBER 2016.

PROPOSED RESIDENTIAL DREDGING

FOR APPLICATION PURPOSES - NOT FOR CONSTRUCTION

& CITY COUNCIL

301 BALTIMORE AVENUE

OCEAN CITY, MD 21842

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PROPOSED CHANNEL DREDGING

JOB NUMBER: 2016-042

SCALE: 1"=60'

12 OF 12

6/2017

DATE:

SHEET NO: