



Public Notice

U.S. Army Corps
of Engineers
Baltimore District

In Reply to Application Number
CENAB-OPR-M (Haven Harbour Marina) 2015-60701

PN 15-66

Comment Period: October 20, 2015 to November 9, 2015

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: Haven Harbour Marina
Brawner Company Inc.
20832 Rock Hall Avenue
Rock Hall, Maryland 21661

LOCATION: In The Haven at the Haven Harbour Marina off the Chesapeake Bay, at 20832 Rock Hall Avenue, Kent County, Rock Hall, Maryland.

WORK: The applicant proposes to remove an existing 7-foot by 510-foot pier, thirteen 4-foot by 25-foot finger piers, fifteen 4-foot by 12-foot finger piers, a 7-foot by 50-foot finger pier, a 4-foot by 130-foot platform "T" head platform with three attached 4-foot by 60-foot finger piers, all extending no more than 575 feet channelward of the existing bulkhead; to remove 77 mooring piles; to construct 325 linear feet of timber replacement bulkhead with approximately 110 cubic yards of sand backfill to extend no more than 18-inches channelward of the existing bulkhead; to construct an 8-foot by 590-foot floating pier, two 4-foot by 55-foot finger piers, three 4-foot by 60-foot finger piers, sixteen 4-foot by 45-foot finger piers, an 8-foot by 165-foot "T" head platform with four 8-foot by 70-foot finger piers, all to extend no more than 670 feet channelward of the existing bulkhead; to install 54 mooring pilings to extend no more than 670 feet channelward of the existing bulkhead; and to dredge by mechanical method a total of approximately 18,918 square feet to extend no more than 700 feet channelward of the existing bulkhead. All areas would be dredged to a depth of -6.0 feet mean low water resulting in approximately 2,102 cubic yards of material to be deposited in watertight trucks and transported to the Humphrey's Point Road Disposal placement site located at, 20909 Humphrey's Point Road, Rock Hall, Kent County, Maryland. A 10-year maintenance dredging approval is requested. The existing waterway depths at the proposed dredge area are approximately -5.0 feet MLW. All work will be completed in accordance with the enclosed plan(s). If you have any questions concerning this matter, please contact Ms. Laura Coleman of this office at (443) 853-2051 or via email at lamuelle.l.coleman@usace.army.mil.

The purpose of the project is to improve navigable access; to improve shoreline erosion control; and to provide additional docking space.

Note: On September 14, 2011 the Corps issued the permit CENAB-OP-RMS (Haven Harbor Marina) 2010-61011 that authorized the applicant to "hydraulically or mechanically dredge an approximate 413,606 square foot (9.5 acre) area to a depth of -6.0 feet mean low water (MLW) resulting in approximately 10,000 cubic yards of sand and silt dredged material to be deposited in an existing upland (non-wetland) disposal site at Humphrey's Point Road; to replace the fixed structure "Red Dock", by constructing a 74-slip 7-foot by 51-foot floating pier with a 19-foot by 50-

foot finger piers, seventeen 4-foot by 45-foot finger piers; and 2-foot by 30-foot finger piers; and to install 62 mooring piles to extend a maximum of 510 feet channelward of the approximate mean high water shoreline. The dredge pipe from Haven Harbor Marina, north to the disposal site at Humphrey's Point Road."

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. Compensatory mitigation is not being proposed by the applicant for impacts to open water (inter-tidal and sub-tidal) habitat.

According to the Virginia Institute of Marine Science (VIMS) survey maps, there is no SAV mapped within the project footprint of the proposed activity for years 2006 through 2010 and 2012 through 2013. No mitigation measures are proposed by the applicant.

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 Windowpane flounder (*Scopthalmus aquosus*); Juvenile and adult Bluefish (*Pomatomus saltatrix*); Larvae, juvenile and adult Summer flounder (*Paralichthys dentatus*); 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 26,700 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.

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, U.S. Army Corps of Engineers, Baltimore District, P.O. Box 1715, Baltimore, Maryland, 21203 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 effect on 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.

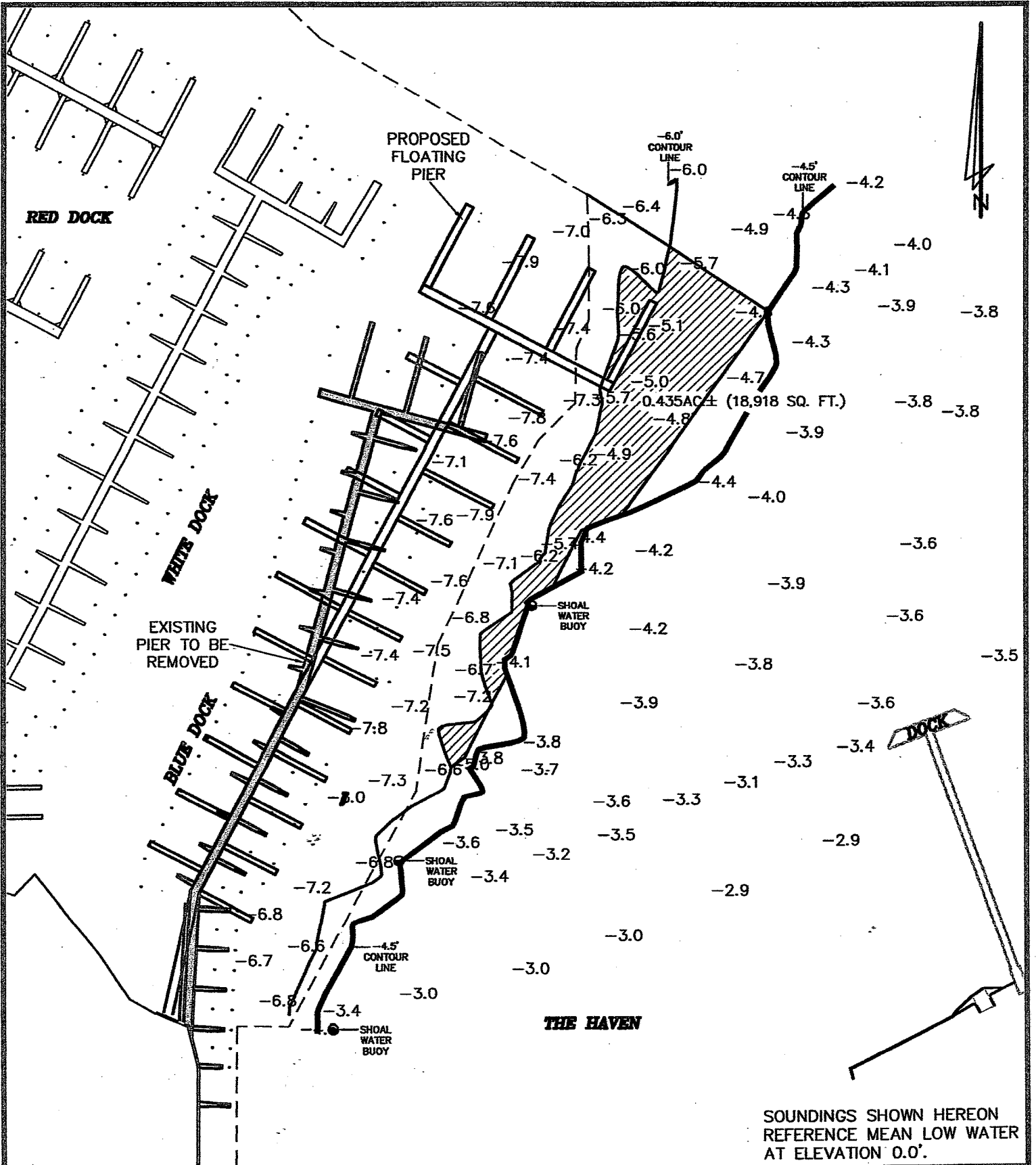
Review of the latest published version of the National Register of Historic Places indicates that no registered properties listed as eligible for inclusion, therein, are located at the site of the proposed work. Currently unknown archeological, scientific, prehistoric, or historical data may be lost 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, P.O. Box 1715, 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 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:

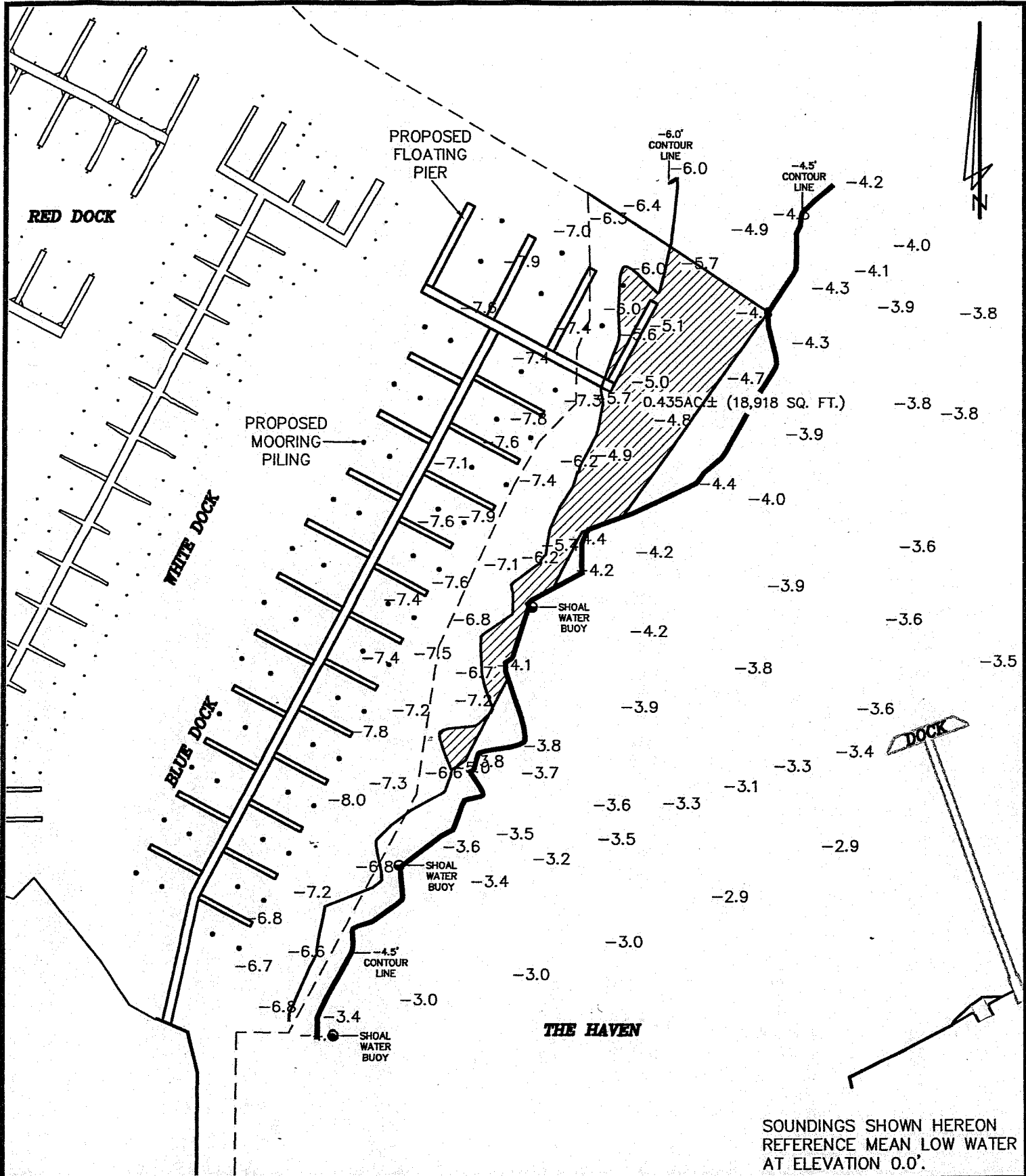
KATHY B. ANDERSON
Chief, Maryland Section Southern



PROPOSED DREDGING PLAN
ON THE LANDS OF
HAVEN HARBOUR MARINA
TOWN OF ROCK HALL, FITH ELECTION DISTRICT,
KENT COUNTY, MARYLAND

MICHAEL SCOTT INC.
207 MAPLE AVENUE CHESTERTOWN, MD 21620 (410)778-2310

DRAWN BY J. WALLS
SCALE 1"=100'
DATE 5-8-15
JOB NO. _____
FOLDER K-116



SOUNDINGS SHOWN HEREON
REFERENCE MEAN LOW WATER
AT ELEVATION 0.0'.

PROPOSED FLOATING PIER

ON THE LANDS OF

HAVEN HARBOUR MARINA

TOWN OF ROCK HALL, FIFTH ELECTION DISTRICT,

KENT COUNTY, MARYLAND

MICHAEL SCOTT INC.
207 MAPLE AVENUE CHESTERTOWN, MD 21620 (410)778-2310

DRAWN BY J. WALLS

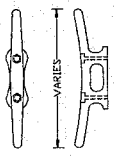
SCALE 1"=100'

DATE 5-8-15

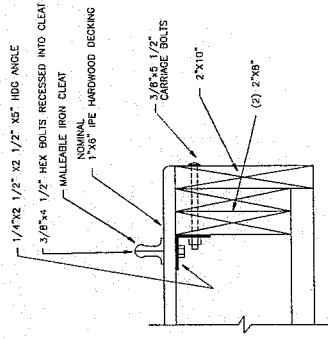
JOB NO. _____

FOLDER K-116

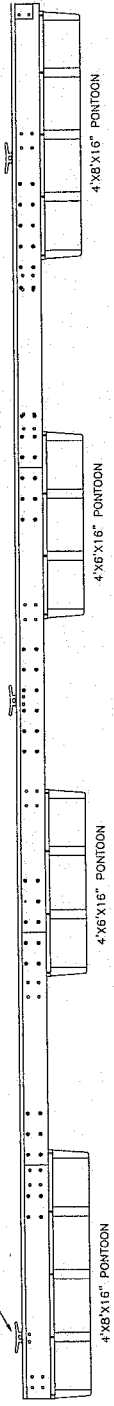
MALLEABLE IRON CLEAT WITH RESISTS FOR 3/8" x 1/2" HEX BOLTS



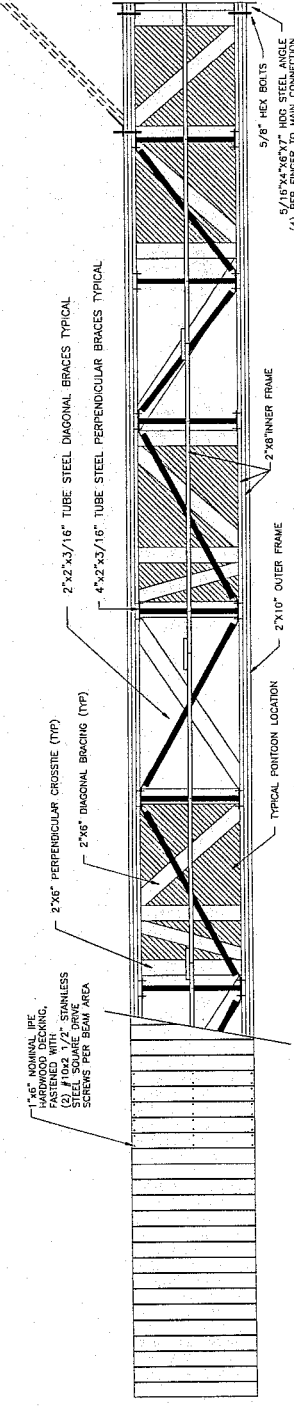
CLEAT DETAIL



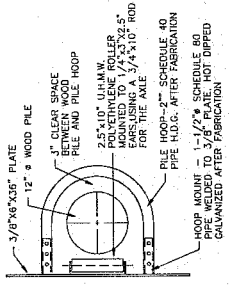
CLEAT CONNECTION DETAIL



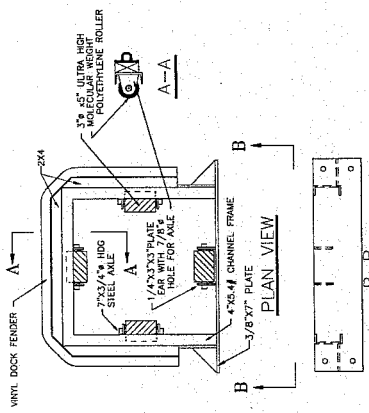
SIDE ELEVATION 4'X45' FINGER DOCK



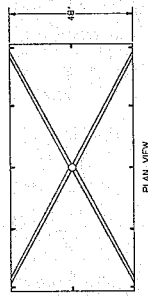
PLAN VIEW 4'X45' FINGER DOCK



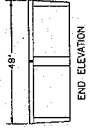
PILE GUIDE DETAIL FOR WOOD PILE



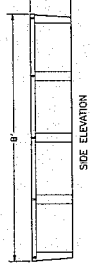
PILE GUIDE DETAIL FOR STEEL PILES



FINGER & GUSSET CONNECTION DETAIL



END ELEVATION



SIDE ELEVATION

PONTOON DETAIL 16" PONTOONS

SULLIVAN SULLIVAN FLOTATION SYSTEMS, INC.
HAWKICK NY (845) 986-7377
WWW.SULLIFLO.COM DOCKS@SULLIFLO.COM

DESIGNED BY: W.W.S.	DATE: 7/15/03	SCALE: VARIES	APPROVED BY: SD1	REV: 0
PROJECT: 4' X 45' FINGER PIER & DETAILS			ASSEMBLY #0	

0.00'

MEAN LOW WATER 0' ELEVATION

-1.00'

-2.00'

-3.00'

-4.00'

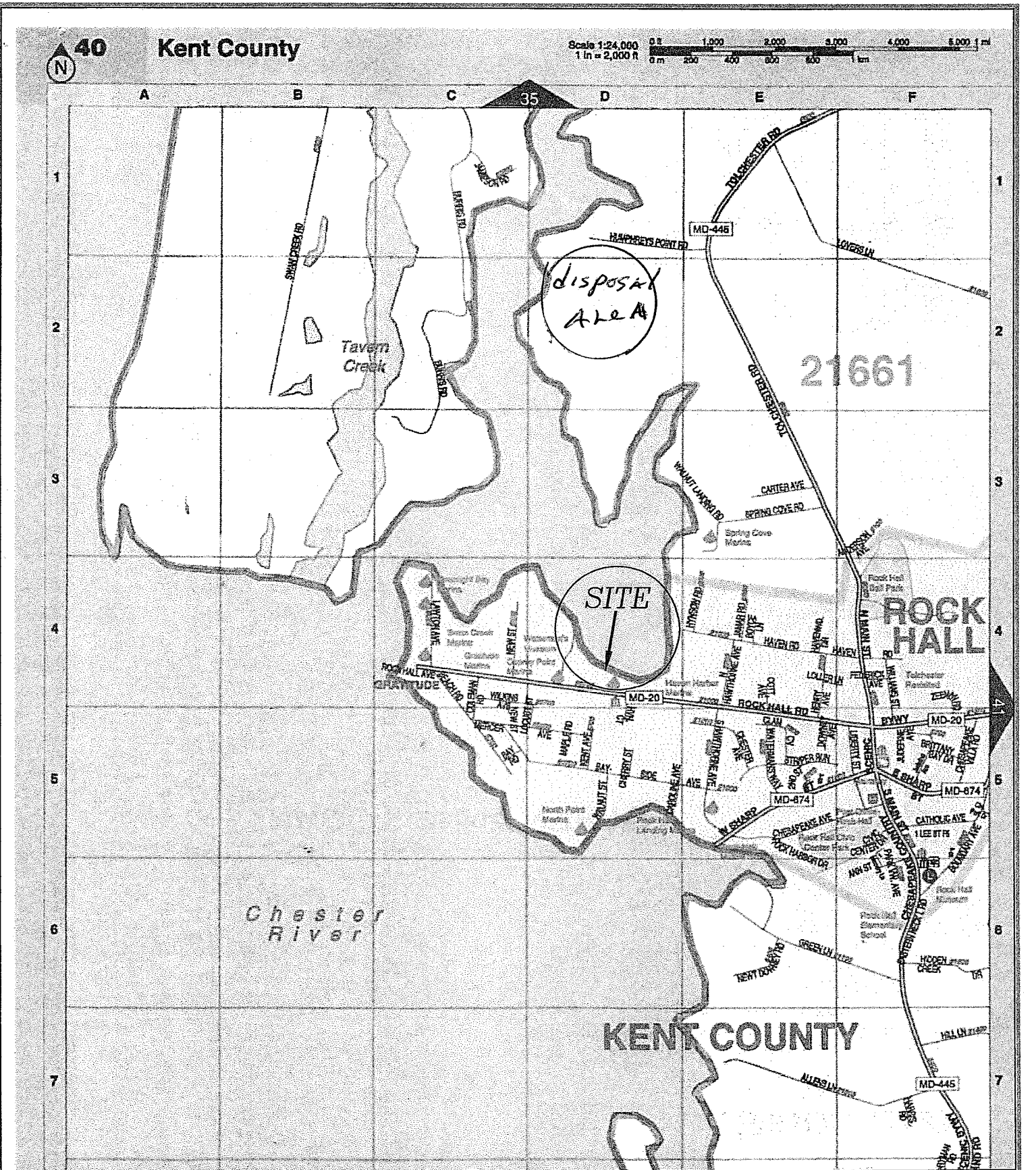
-5.00'

-6.00'

EXISTING BOTTOM ELEVATIONS VARY

LIMITS OF PROPOSED DREDGING -6' MEAN LOW WATER

**CROSS SECTION OF
PROPOSED DREDGING
OF HAVEN HARBOUR MARINA
SCALE 1"=1'**



PROPOSED DREDGING PLAN
ON THE LANDS OF
HAVEN HARBOUR MARINA
TOWN OF ROCK HALL, FITH ELECTION DISTRICT,
KENT COUNTY, MARYLAND

MICHAEL SCOTT INC.
207 MAPLE AVENUE CHESTERTOWN, MD 21620 (410)778-2310

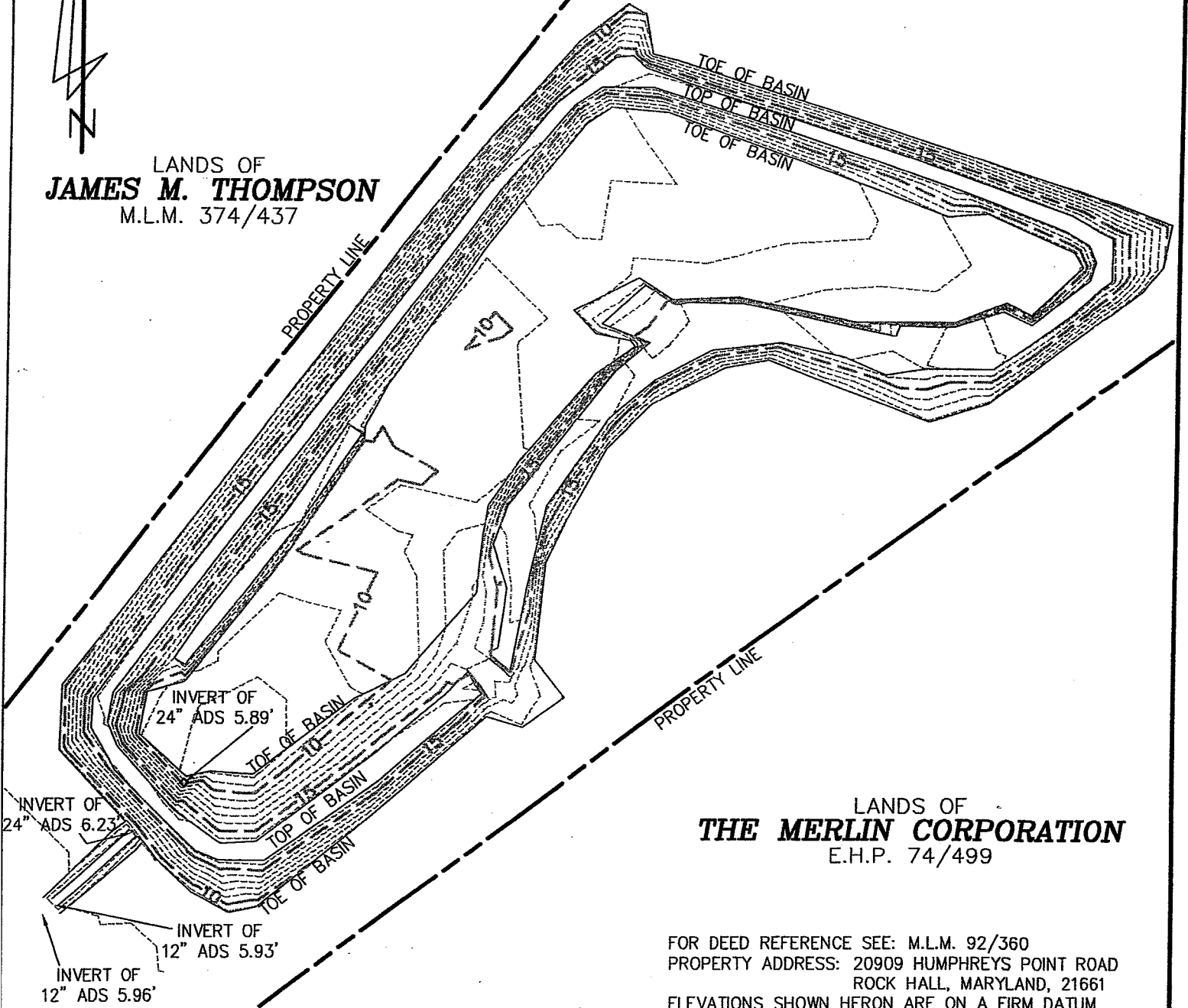
DRAWN BY J. WALLS
SCALE 1"=100'
DATE 5-8-15
JOB NO. _____
FOLDER K-116

DREDGE MATERIAL DISPOSAL AREA CAPACITY = 17,403 C.Y.

HUMPHREYS POINT ROAD
PROPERTY LINE
TO ROUTE 445

LANDS OF
JAMES M. THOMPSON
M.L.M. 374/437

LANDS OF
THE MERLIN CORPORATION
E.H.P. 74/499



FOR DEED REFERENCE SEE: M.L.M. 92/360
PROPERTY ADDRESS: 20909 HUMPHREYS POINT ROAD
ROCK HALL, MARYLAND, 21661
ELEVATIONS SHOWN HEREON ARE ON A FIRM DATUM.
CONTOURS SHOWN HEREON ARE ON ONE FOOT INTERVALS.

TOPOGRAPHICAL WORKSHEET
OF THE DREDGE PLACEMENT SITE OF
BRAWNER COMPANY, INC.
FIFTH ELECTION DISTRICT, KENT COUNTY,
MARYLAND

MICHAEL SCOTT INC.
207 MAPLE AVENUE CHESTERTOWN, MD 21620 (410)778-2310

DRAWN BY J. WALLS
SCALE 1"=100'
DATE 9-13-10
JOB NO. 5668
FOLDER K-244