

U.S. Army Corps
of Engineers

Baltimore District

Public Notice

In Reply to Application Number
CENAB-OP-RMS (MD DNR-ST. CLEMENTS ISLAND STATE PARK)
2015-60843

PN 15-54

Comment Period: September 11, 2015 to October 12, 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 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
c/o Mr. David Decker
580 Taylor Avenue
Tawes State Office Building, D-3
Annapolis, Maryland 21401

LOCATION: In the Potomac River, south of Coltons Point, in St. Mary's County, Maryland.

WORK: To create a living shoreline along 345 linear of estuarine shoreline by emplacing a total of 345 linear feet of new rock sill over the footprint of existing rock revetment 45-foot in width, constructing a new stone revetment over 97 linear feet of existing revetment shoreline and constructing a new 30-foot wide rock spur by 100-foot long (west side) and a new 26.5-foot wide by 71-foot long rock spur (east side) and depositing approximately 132 cubic yards of clean, select sand fill within an approximate 2,760 square foot area to create a sand planting terrace landward of the sill planted with *Spartina alterniflora* (Smooth Cordgrass) and *S. patens* (Saltmeadow cordgrass) wetland plantings, all to extend no more than 78 feet channelward of the approximate mean high water shoreline.

All work will be completed in accordance with the enclosed plan(s). If you have any questions concerning this matter, please contact Mr. Steve Harman of this office at 410-962-6082 or by email steve.harman@usace.army.mil.

PURPOSE: To provide shoreline erosion control and establish estuarine marsh habitat.

MITIGATION STATEMENT: As part of the planning process for the proposed project, steps were taken to ensure avoidance and minimization of impacts to all waters of the United States to the maximum extent practicable. The applicant has stated the project as currently designed seeks to avoid and minimize impacts to regulated resources onsite by designing all the proposed work except for the spurs to take place within the footprint of an existing degraded riprap structure and enhance the habitat quality with the proposed marsh terrace. The combined shoreline erosion control and habitat creation project would maintain the natural functions of the aquatic ecosystem; add estuarine wetland and pocket beach habitat; and eliminate the erosion occurring along 345 linear feet of shoreline. Upon completion, the project would provide for 2,760 square feet of tidal marsh habitat.

The applicant has not proposed compensatory mitigation to offset the unavoidable losses to waters of the U.S. for the permanent loss of an approximately 2,870 square foot area of subaqueous bottom due to the proposed spur extensions of the revetment. The applicant is proposing a 2,760 square foot sand terrace landward of the proposed sill to enhance tidal estuarine habitat.

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 within the comment period specified above. The purpose of this project is to reduce shoreline erosion and habitat creation at the installation.

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 the Potomac River [*Scophthalmus aquosus* (windowpane flounder) juvenile and adult; *Pomatomus saltatrix* (blue fish) juvenile and adult; *Paralichthys dentatus* (summer flounder) juvenile and adult; and eggs, larvae, juvenile, and adult stages of *Sciaenops ocellatus* (red drum), *Scomberomorus cavalla* (king mackerel), *Scomberomorus maculatus* (spanish mackerel), and *Rachycentron canadum* (cobia)]; all federally managed species under the MSFCMA.

The project has the potential to adversely affect EFH or the species of concern by alteration of spawning, nursery, forage and/or shelter habitat. The project may have an adverse effect on an approximate 21,179 square foot area of EFH under the MSFCMA for the species and life stages identified above by emplacing 345 linear feet of living shoreline by constructing the proposed revetment, sill, spurs and living shoreline as described. This habitat consists of intertidal and tidal nearshore shallow water habitat which does not support SAV (presently or historically).

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. The proposed work will alter the existing bottom substrate, by filling, shading or disturbances from other construction related activities. 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 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.

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 using the U.S. Fish and Wildlife Service IPaC online screening tool indicates that the proposed work will not 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 known registered properties listed as eligible for inclusion, therein, located at the site of the proposed work or within the vicinity. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or destroyed by the work to be accomplished under the request permit.

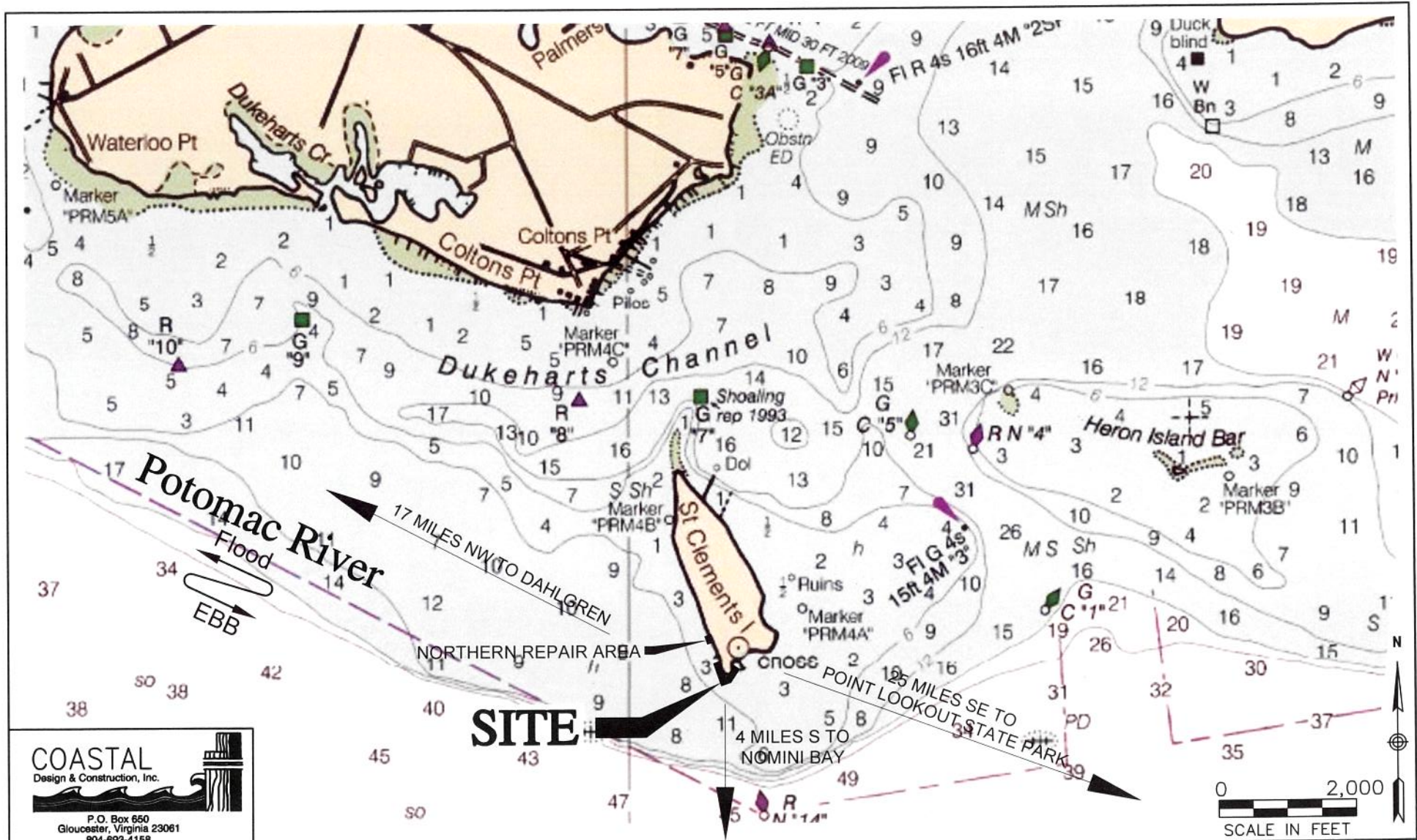
The evaluation of the impact of this project on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 of the Clean Water Act.

Any person who has an interest which may be adversely affected by the issuance of this permit may request a public hearing. The 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



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P.O. Box 650
Gloucester, Virginia 23061
804-693-4158



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DATUM: MLW

**St. CLEMENTS ISLAND SHORELINE STABILIZATION
SITE LOCATION MAP**

AT: POTOMAC RIVER

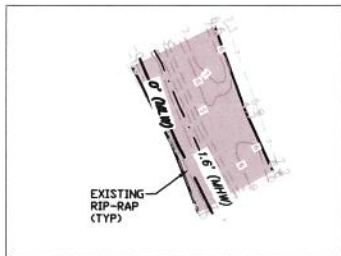
PURPOSE: SHORELINE STABILIZATION

IN: St. MARY'S COUNTY, MARYLAND

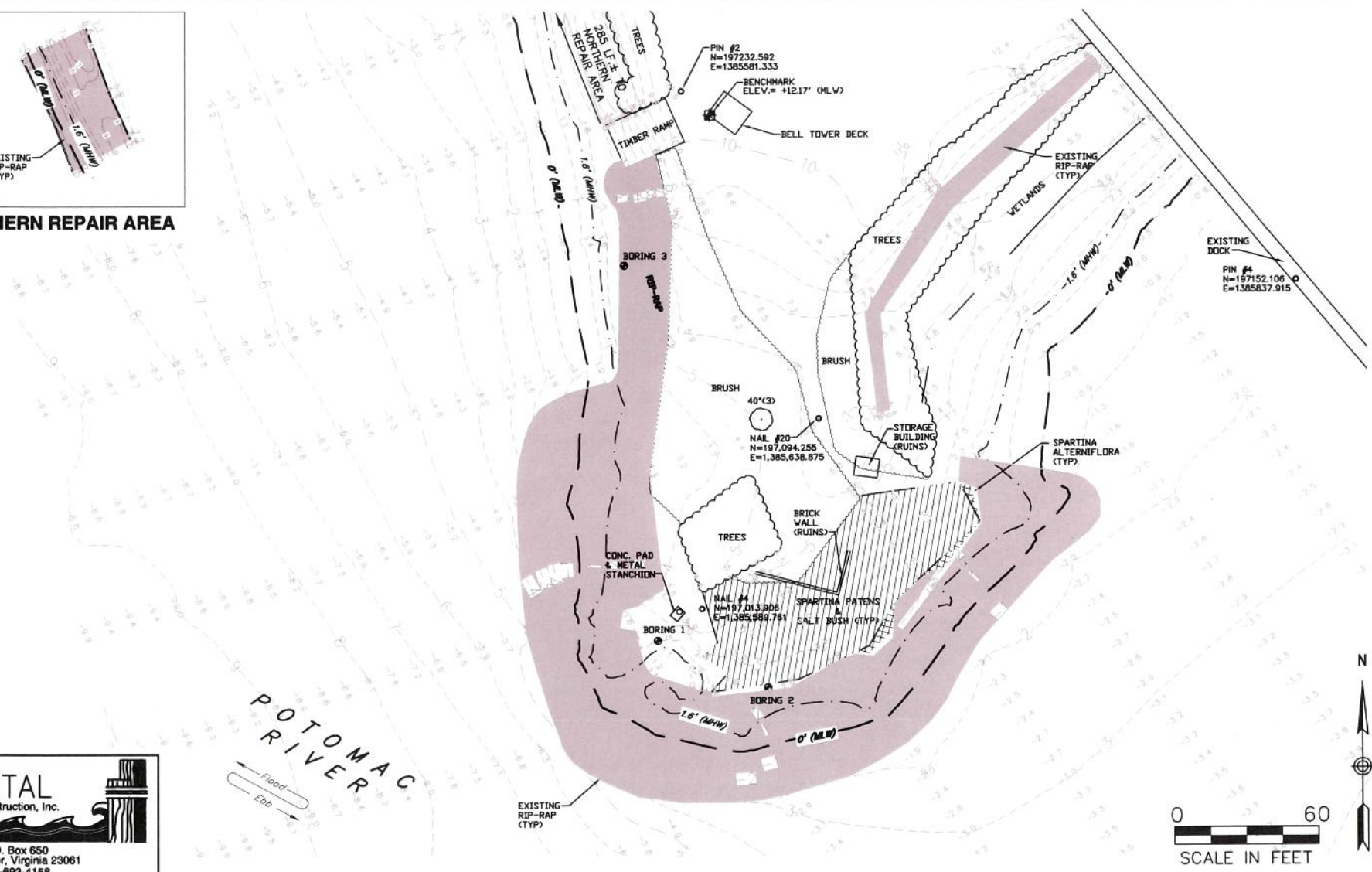
APPLICATION BY:
MARYLAND DEPARTMENT OF
NATURAL RESOURCES

DATE: JUNE, 2015

SHEET 1 OF 10



NORTHERN REPAIR AREA



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DATUM: MLW

**St. CLEMENTS ISLAND SHORELINE STABILIZATION
EXISTING CONDITIONS**

AT: POTOMAC RIVER
IN: St. MARY'S COUNTY, MARYLAND

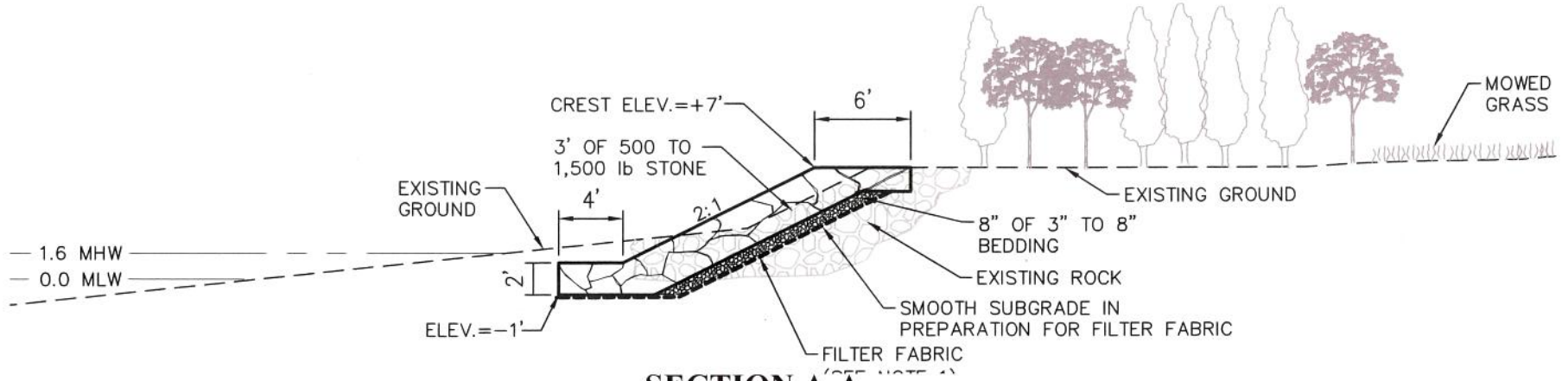
PURPOSE: SHORELINE STABILIZATION

APPLICATION BY:
MARYLAND DEPARTMENT OF
NATURAL RESOURCES

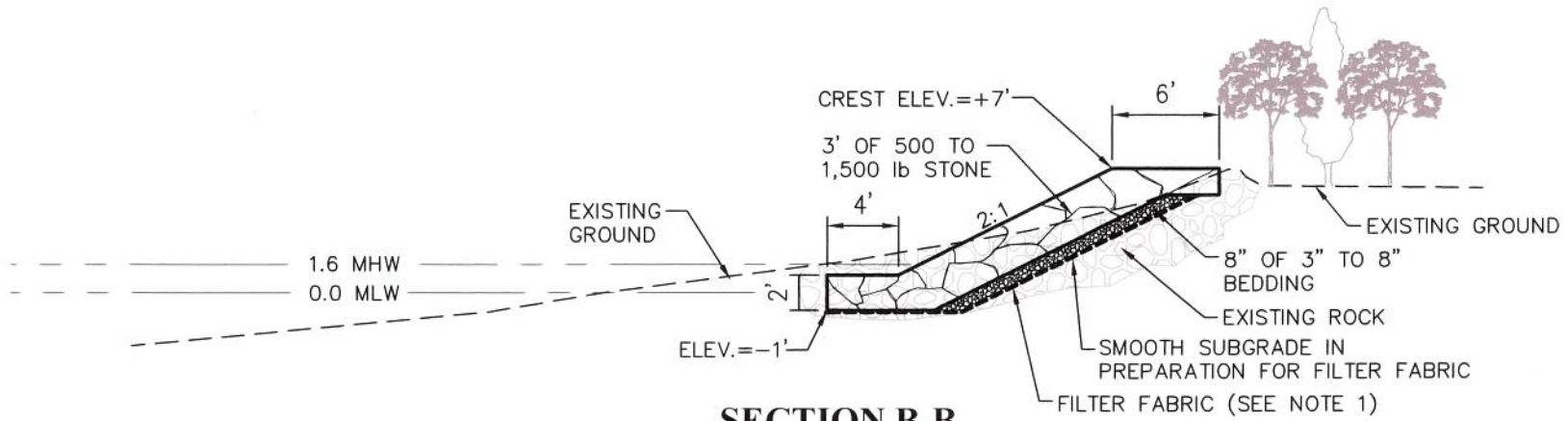
DATE: JUNE, 2015

SHEET 2 OF 10





SECTION A-A



SECTION B-B

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DATUM: MLW

St. CLEMENTS ISLAND SHORELINE STABILIZATION
SECTIONS A-A & B-B

AT: POTOMAC RIVER

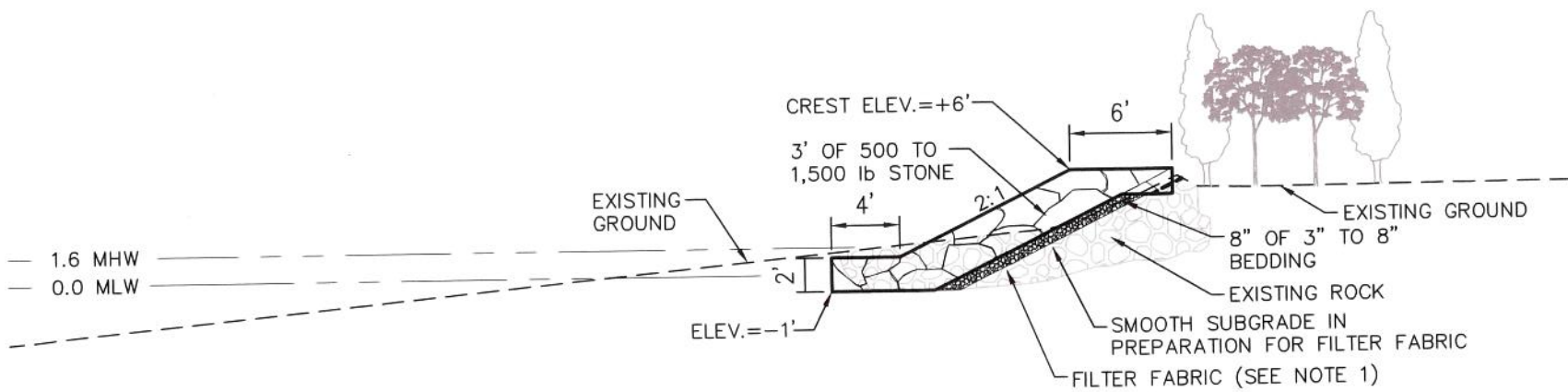
PURPOSE: SHORELINE STABILIZATION

IN: St. MARY'S COUNTY, MARYLAND

APPLICATION BY:
MARYLAND DEPARTMENT OF
NATURAL RESOURCES

DATE: JUNE, 2015

SHEET 4 OF 10



SECTION C-C

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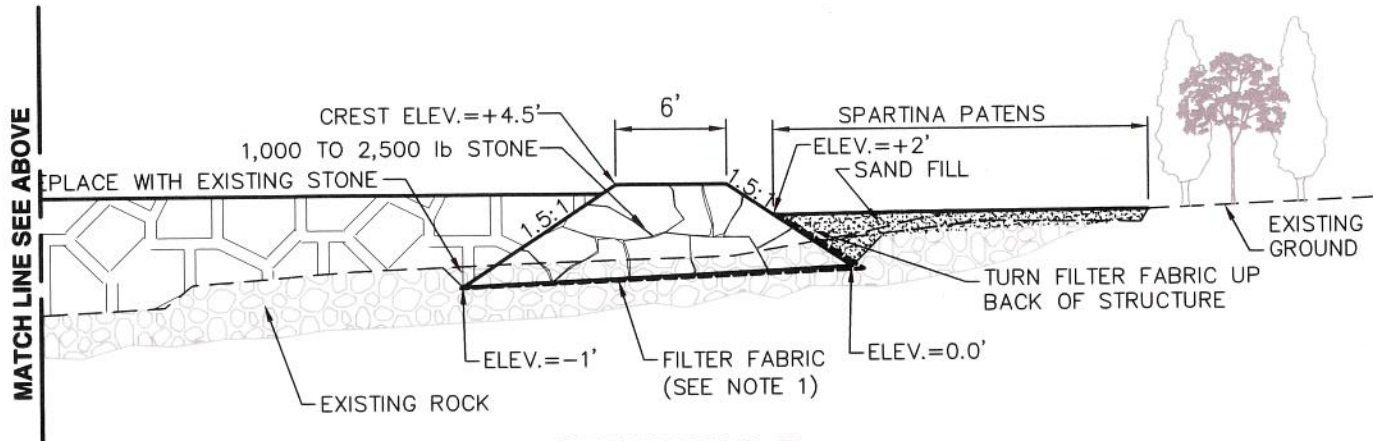
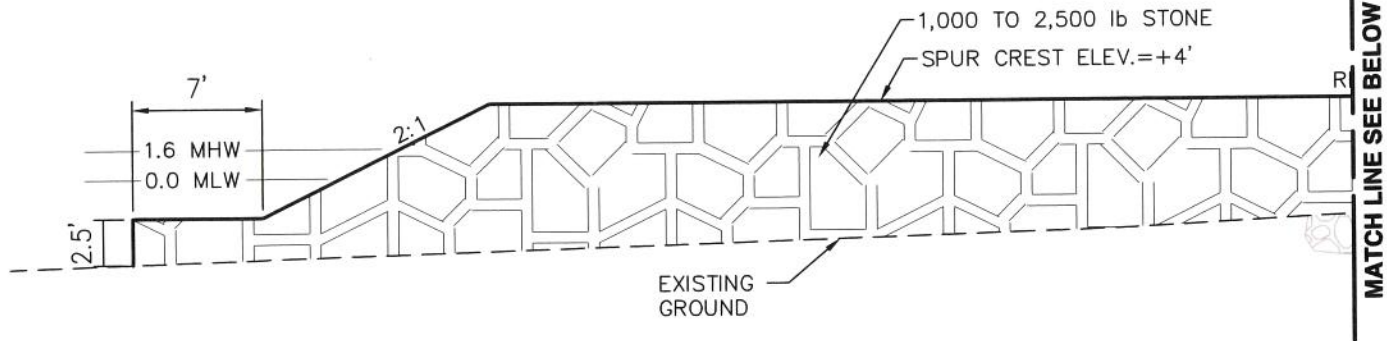
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DATUM: MLW

St. CLEMENTS ISLAND SHORELINE STABILIZATION	
SECTION C-C	
AT: POTOMAC RIVER	PURPOSE: SHORELINE STABILIZATION
IN: St. MARY'S COUNTY, MARYLAND	

APPLICATION BY: MARYLAND DEPARTMENT OF NATURAL RESOURCES
DATE: JUNE, 2015
SHEET 5 OF 10



SECTION D-D

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St. CLEMENTS ISLAND SHORELINE STABILIZATION
SECTION D-D

AT: POTOMAC RIVER

PURPOSE: SHORELINE STABILIZATION

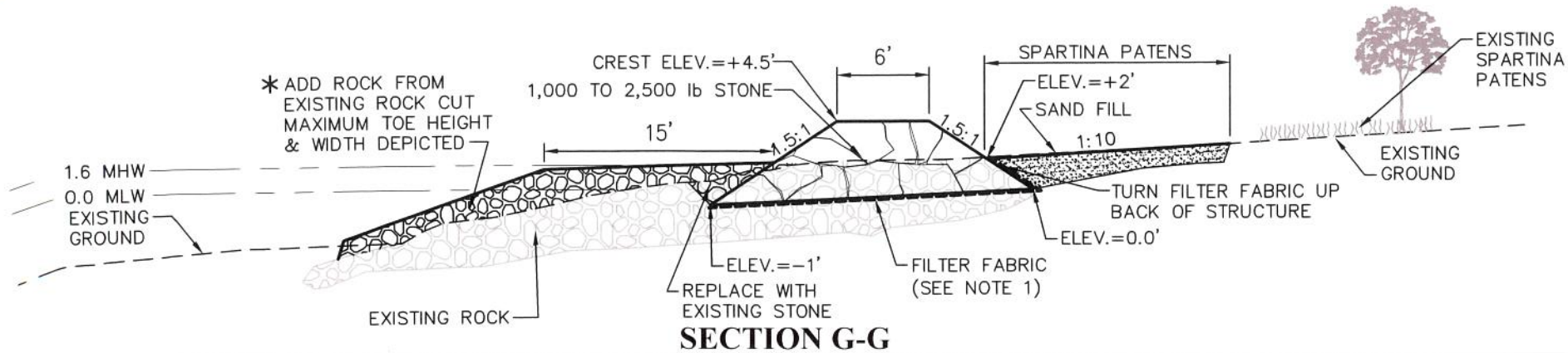
APPLICATION BY:
MARYLAND DEPARTMENT OF
NATURAL RESOURCES

DATE: JUNE, 2015

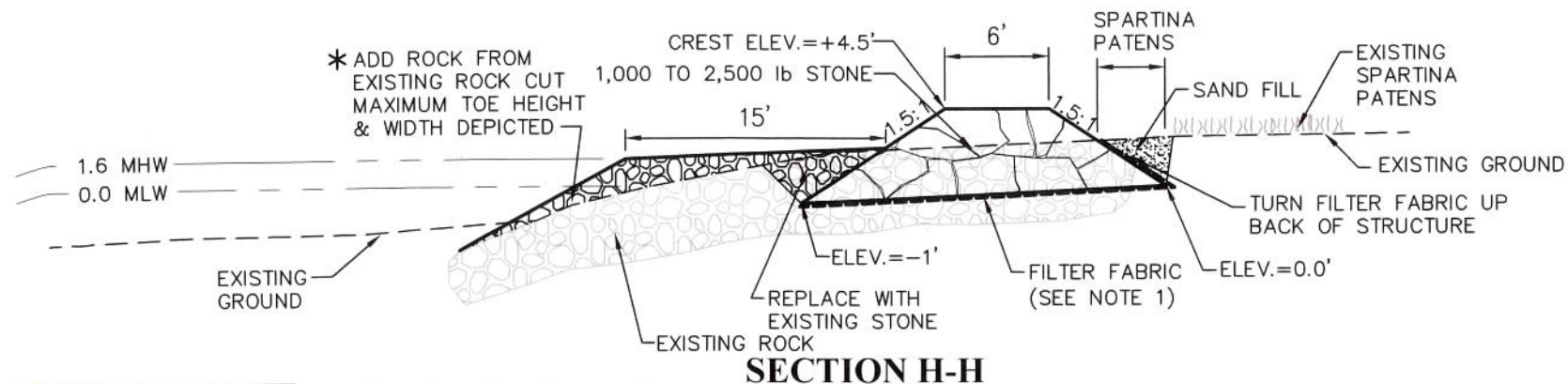
DATUM: MLW

IN: ST. MARY'S COUNTY, MARYLAND

SHEET 6 OF 10



SECTION G-G



SECTION H-H

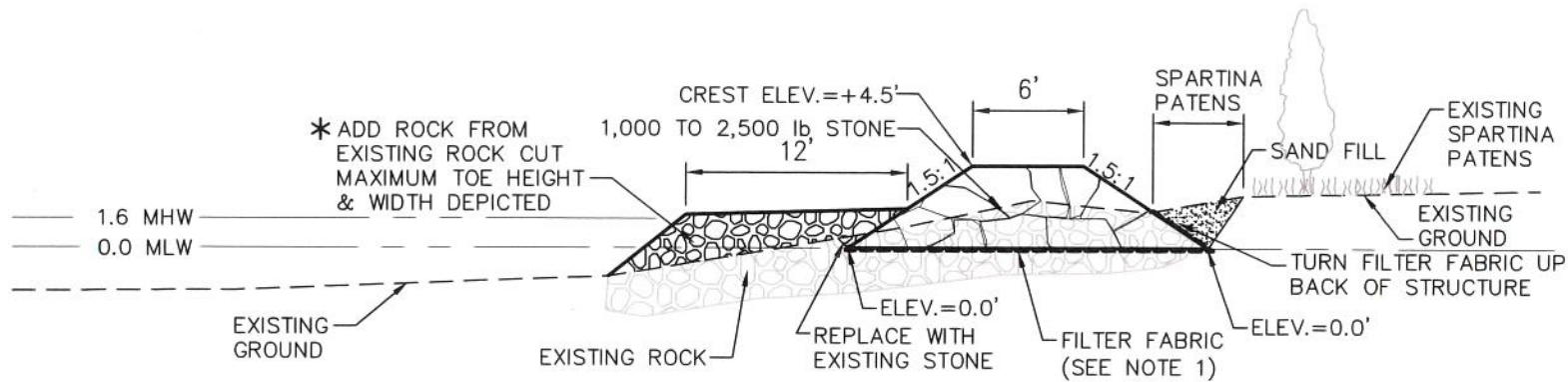
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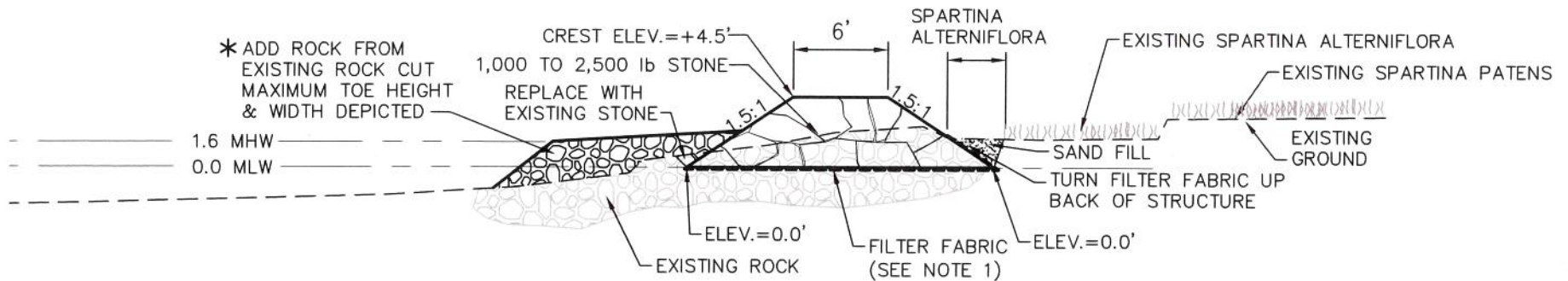
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DATUM: MLW	St. CLEMENTS ISLAND SHORELINE STABILIZATION		APPLICATION BY: MARYLAND DEPARTMENT OF NATURAL RESOURCES
	SECTIONS G-G & H-H		DATE: JUNE, 2015
	AT: POTOMAC RIVER	PURPOSE: SHORELINE STABILIZATION	SHEET 8 OF 10
	IN: ST. MARY'S COUNTY, MARYLAND		



SECTION I-I



SECTION J-J



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* ARMORING ON EXISTING BOTTOM PROVIDES ADEQUATE TOE PROTECTION. TOE WIDTH, ELEVATION AND TIE OUT TO VARY DEPENDING ON AVAILABILITY OF CUT MATERIAL IN 200-1,200 lb. RANGE



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DATUM: MLW

St. CLEMENTS ISLAND SHORELINE STABILIZATION

SECTIONS I-I & J-J

AT: POTOMAC RIVER

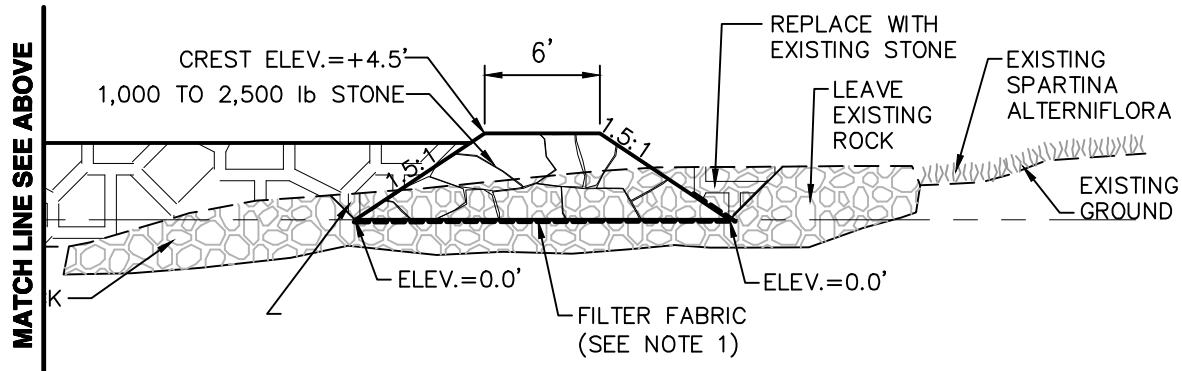
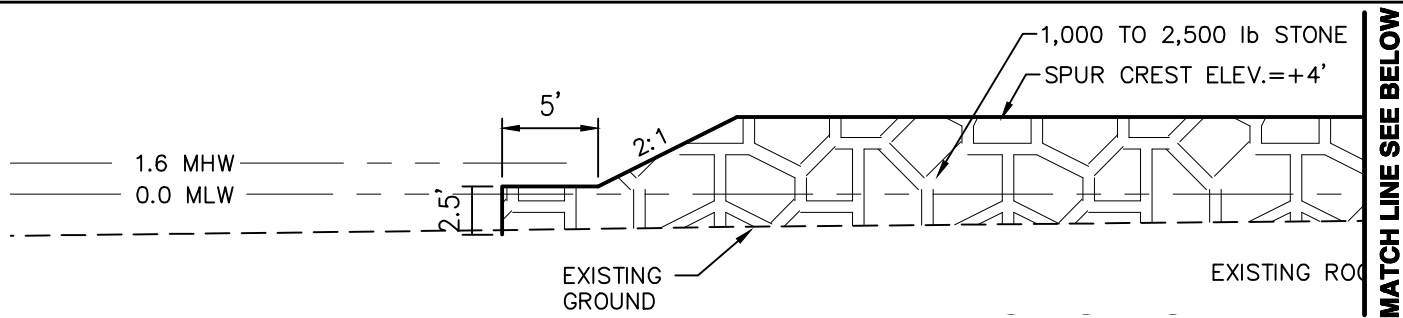
PURPOSE: SHORELINE STABILIZATION

IN: St. MARY'S COUNTY, MARYLAND

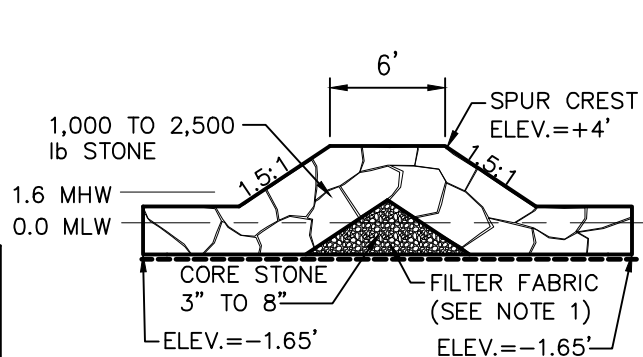
APPLICATION BY:
MARYLAND DEPARTMENT OF
NATURAL RESOURCES

DATE: JUNE, 2015

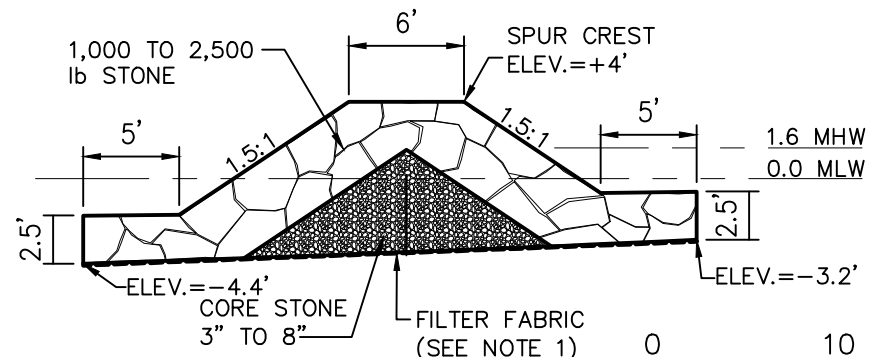
SHEET 9 OF 10



SECTION K-K



SECTION L-L



SECTION M-M



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DATUM: MLW

St. CLEMENTS ISLAND SHORELINE STABILIZATION

SECTIONS K-K & L-L

AT: POTOMAC RIVER

PURPOSE: SHORELINE STABILIZATION

IN: ST. MARY'S COUNTY, MARYLAND

APPLICATION BY:
MARYLAND DEPARTMENT OF
NATURAL RESOURCES

REVISED JULY-2015
DATE: JUNE, 2015

SHEET 10 OF 10