

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

Public Notice

In Reply to Application Number
CENAB-OPR-M (COVE CREEK CLUB MARINA)
2014-61707

PN 18-09

Comment Period: February 6, 2018 to March 6, 2018

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: Cove Creek Club
c/o Mark A. McCloy
114 North Creek Court
Stevensville, Maryland 21666

WATERWAY AND LOCATION: In the Cove Creek Marina basin and entrance channel off Eastern Bay at 114 North Creek Court in Stevensville, Queen Anne's County, Maryland.

PROPOSED WORK AND PURPOSE: The applicant proposes to maintenance dredge by mechanical method within the existing marina basin, the entrance channel between existing stone jetties (30-feet by 600-feet) and an area approximately 200-feet wide by 300-feet long off the end of the jetties to a depth of -5.0 feet at mean low water (MLW). Total dredged material is not to exceed 900 cubic yards in any one year; approximately 300 cubic yards of sandy material dredged from within the jetties and open water off the end of the jetties may be deposited on the adjacent beach to the north of the jetties above the mean high water shoreline (MHW), and the remainder of the dredged material and any material dredged from within the marina basin is to be deposited in the existing previously approved disposal site off Penny Drive, Tax Map 76 Parcel 5. The applicant has requested a 10-year maintenance dredging clause. This work was previously authorized under CENAB-OP-RMS (COVE CREEK CLUB)1989-00588, CENAB-OP-RMS (COVE CREEK CLUB/MAINTENANCE DREDGING)1996-65811 and CENAB-OP-RMS (COVE CREEK CLUB/DREDGING) 2008-02075. All work is to be completed in accordance with the attached plans dated July, 2015. If you have any questions concerning this matter, please contact Ms. Connie Ramsey at (410) 962-5676 or Connie.L.Ramsey@usace.army.mil.

As part of the planning process for the proposed project, steps were taken to ensure avoidance and minimization of impacts to aquatic resources to the maximum extent practicable based on the existing site conditions and previously authorized work. No compensatory mitigation is proposed since no wetland impacts are proposed.

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 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 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: Ms. Connie Ramsey, CENAB-OPR-M], 2 Hopkins Plaza, Baltimore, Maryland 21201 or Connie.L.Ramsey@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 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 not a Habitat Area of Particular Concern (HAPC).

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 Maryland Department of the Environment, Tidal Wetlands Division, Montgomery Park Business Center, 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.

COASTAL ZONE MANAGEMENT PROGRAM: 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 Tidal Wetlands Division, Maryland Department of the Environment, Montgomery Park Business Center, 1800 Washington Blvd. Suite 430, Baltimore, Maryland 21230, within the comment period as specified above. It should be noted that the MDE 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.

ENDANGERED SPECIES ACT: A preliminary review of this application indicates that the proposed work may affect, but is not likely to adversely 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.

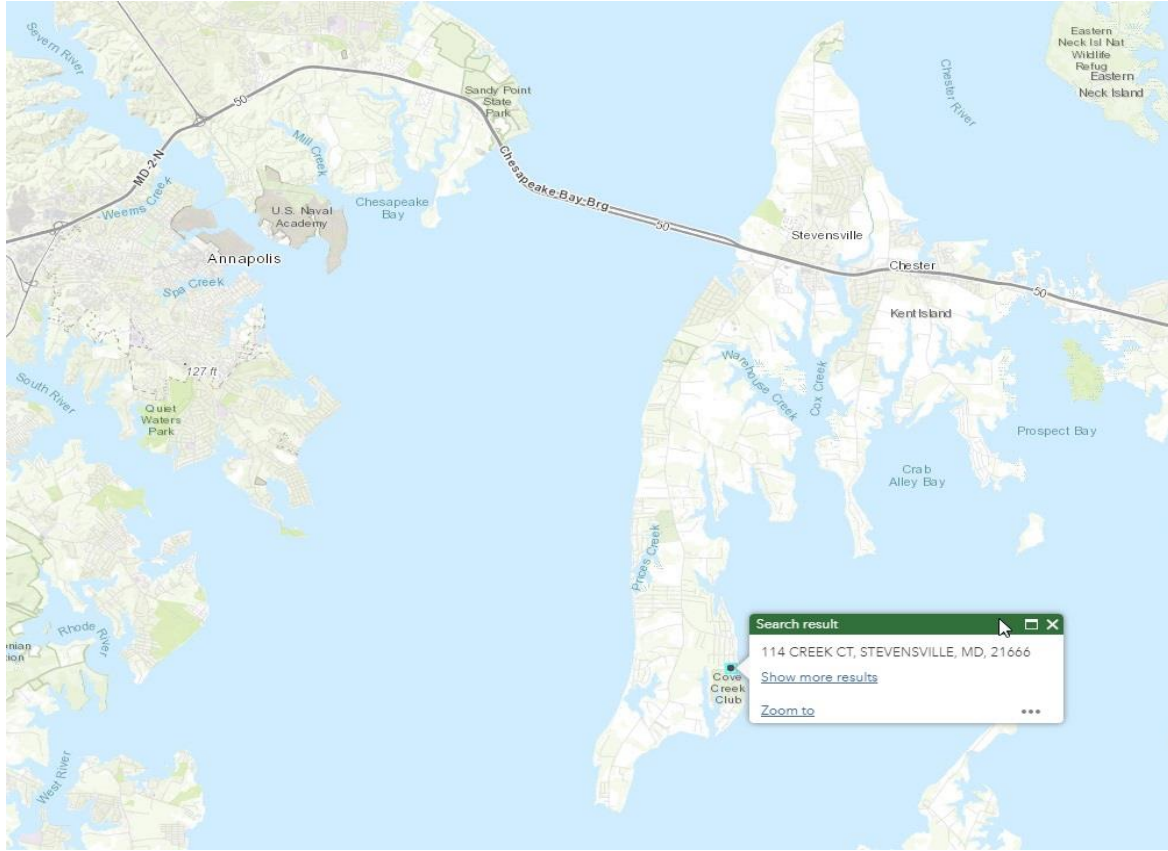
NATIONAL HISTORIC PRESERVATION ACT: Review of the latest published version of the National Register of Historic Places indicates that no registered properties listed as eligible for inclusion therein are located at the site of the proposed work. Currently unknown archeological, scientific, prehistoric,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

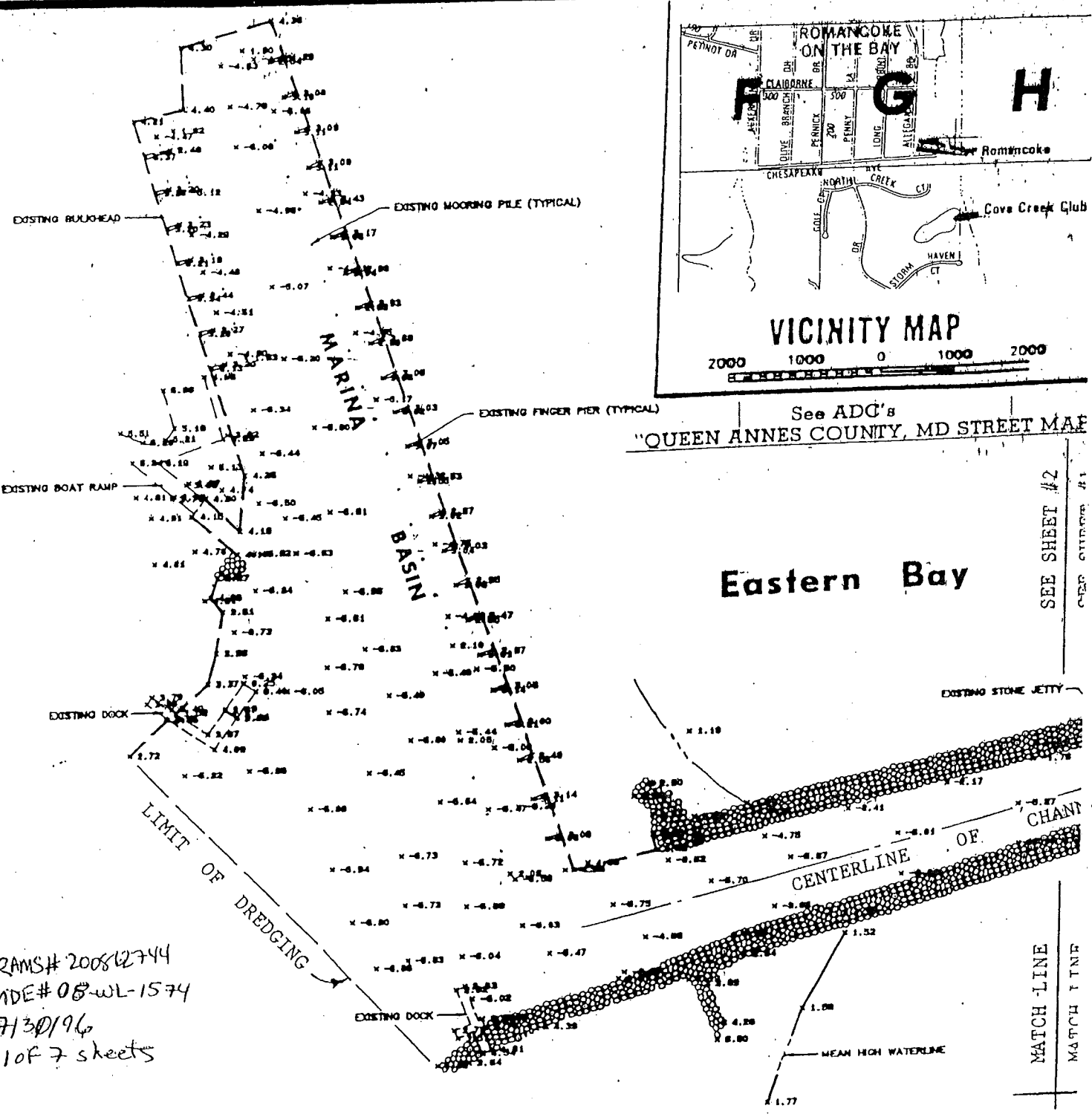
The evaluation of the impact of the work described above on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 of the Clean Water Act. Any person who has an interest, which may be adversely affected by the issuance of this permit, may request a public hearing. The District Engineer must receive the request, which must be in writing, to the U.S. Army Corps of Engineers, Baltimore District, 2 Hopkins Plaza, Baltimore, Maryland 21201, within the comment period as specified as above to receive consideration. Also, it must clearly state the interest that may be adversely affected by this activity and 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





See ADG's
"QUEEN ANNES COUNTY, MD STREET MAP"

Eastern Bay

SEE SHEET #2
CROSS SECTION #1

RAMS# 200802744
MDE# 08-WL-1574
7/30/96
1 of 7 sheets

THIS PLAN IS FOR PERMIT PURPOSE ONLY



DICK LUTTRELL'S
CONSULTING SERVICE

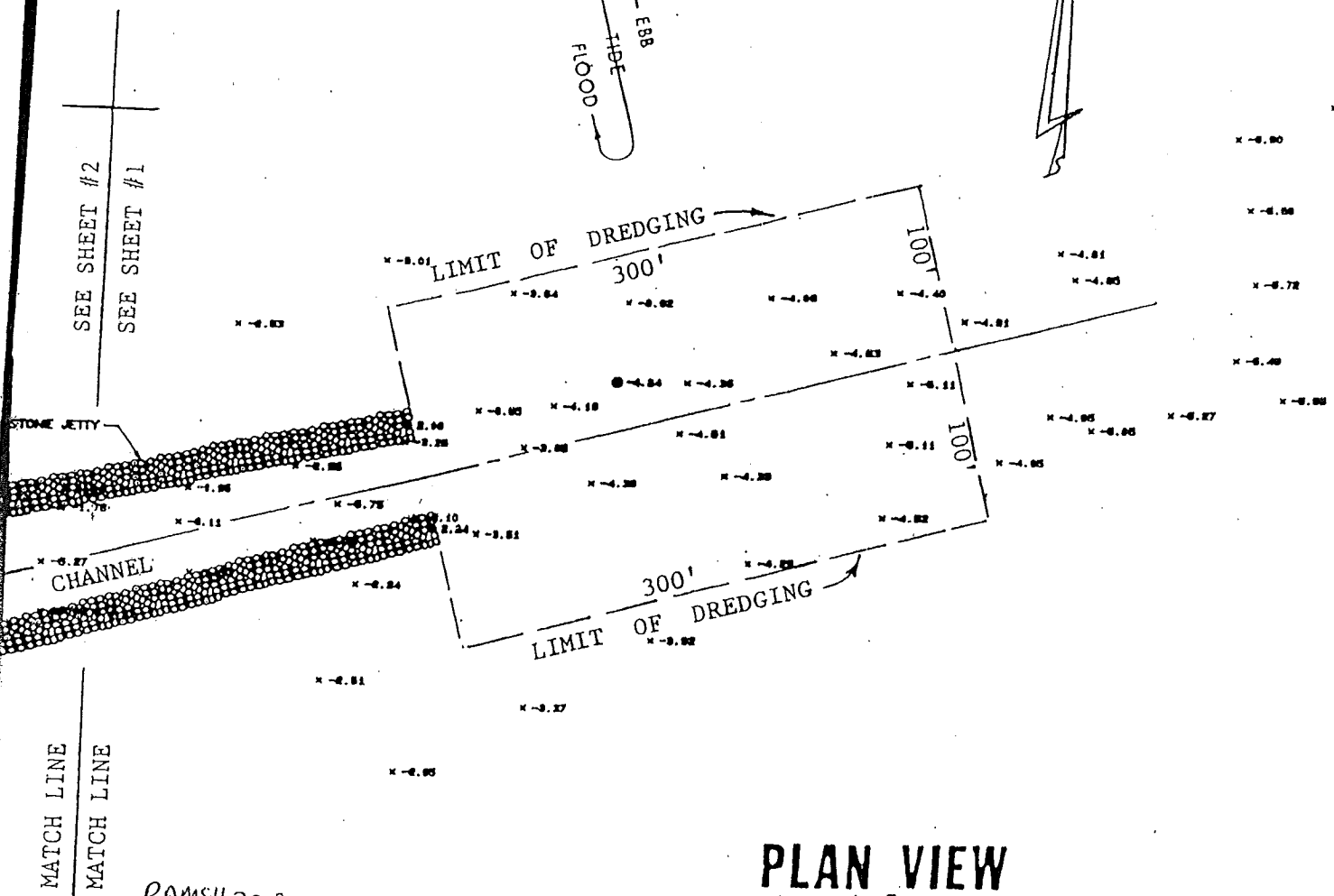
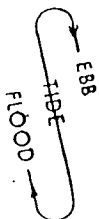
TELEPHONE 410-778-4680

7045 POMONA ROAD
CHESTERTOWN, MD 21620

PROPOSED MAINTENANCE DREDGING

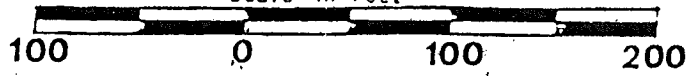
IN: EASTERN BAY
AT: COVE CREEK CLUB MARINA & ENTRANCE CHANNEL
COUNTY: QUEEN ANNES STATE OF MARYLAND
APPLICANT: THE COVE CREEK CLUB
SHEET 1 OF 7
DATE: JULY 30, 2015

Eastern Bay



PLAN VIEW

Scale In Feet



RAMSH 200862744
MDE# 08-WL-1574
7/30/96
2 of 7 sheets

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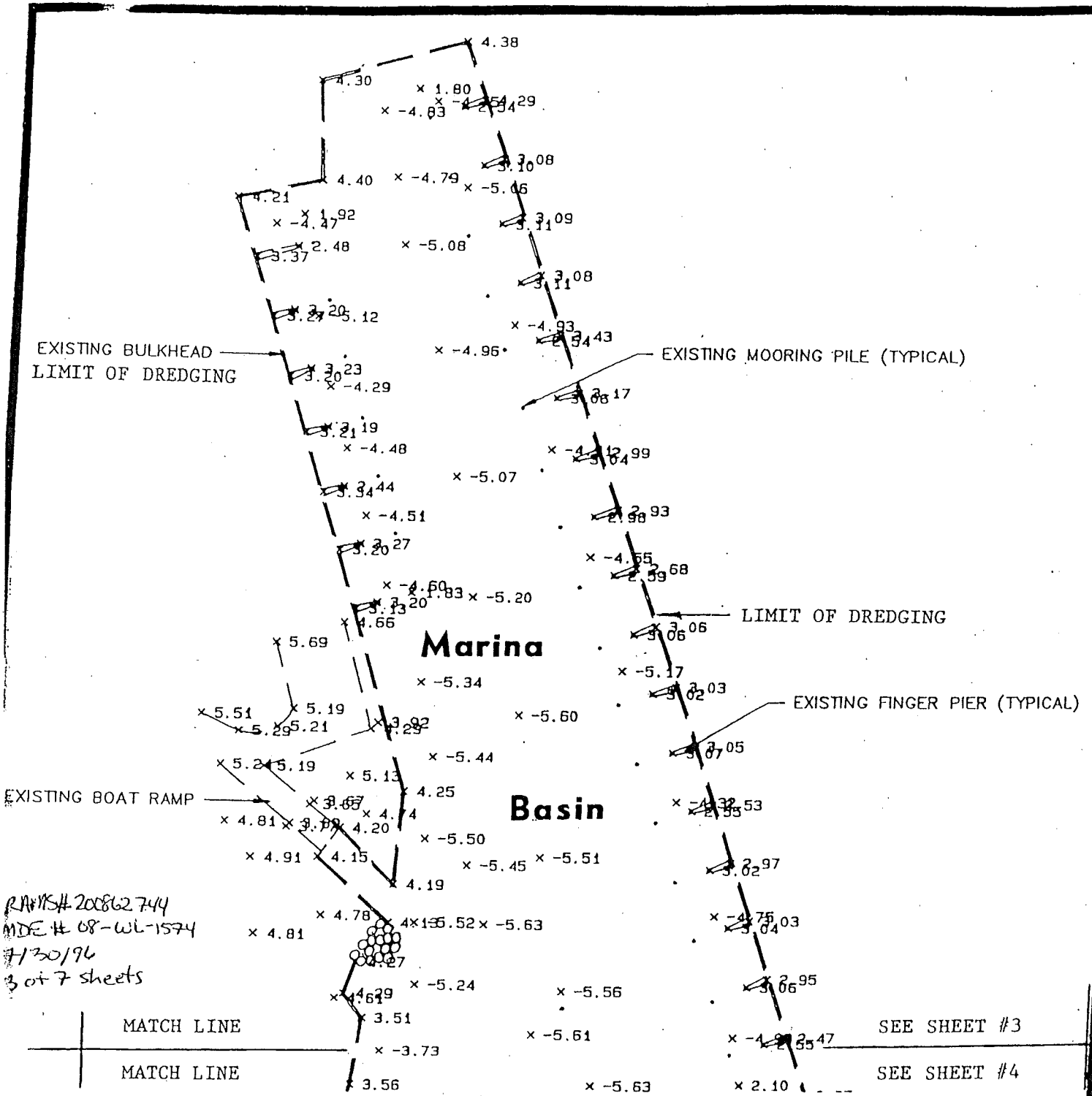
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COUNTY: QUEEN ANNES STATE OF MARYLAND
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SHEET 2 OF 7
DATE: JULY 30, 2015



RA# 200862744
 MDE # 08-WL-1574
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 3 of 7 sheets

MATCH LINE

MATCH LINE

SEE SHEET #3

SEE SHEET #4

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IN: EASTERN BAY

AT: COVE CREEK CLUB MARINA & ENTRANCE CHANNEL

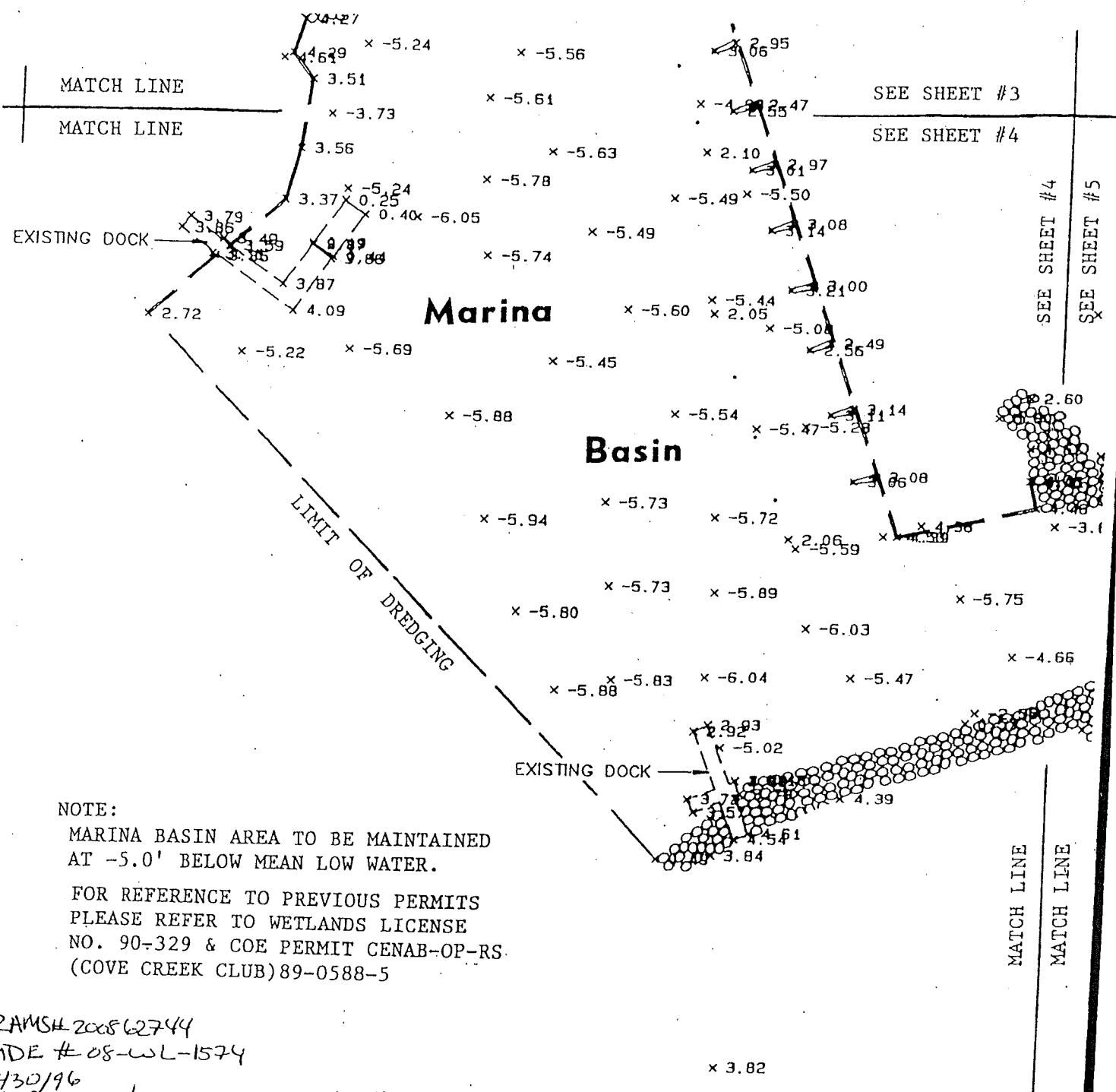
COUNTY: QUEEN ANNES STATE OF MARYLAND

APPLICANT: THE COVE CREEK CLUB

SHEET 3 OF 7

DATE: JULY 20, 1996

4.15.15



NOTE:
 MARINA BASIN AREA TO BE MAINTAINED
 AT -5.0' BELOW MEAN LOW WATER.
 FOR REFERENCE TO PREVIOUS PERMITS
 PLEASE REFER TO WETLANDS LICENSE
 NO. 90-329 & COE PERMIT CENAB-OP-RS.
 (COVE CREEK CLUB) 89-0588-5

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 MDE # 08-WL-1574
 7/30/96
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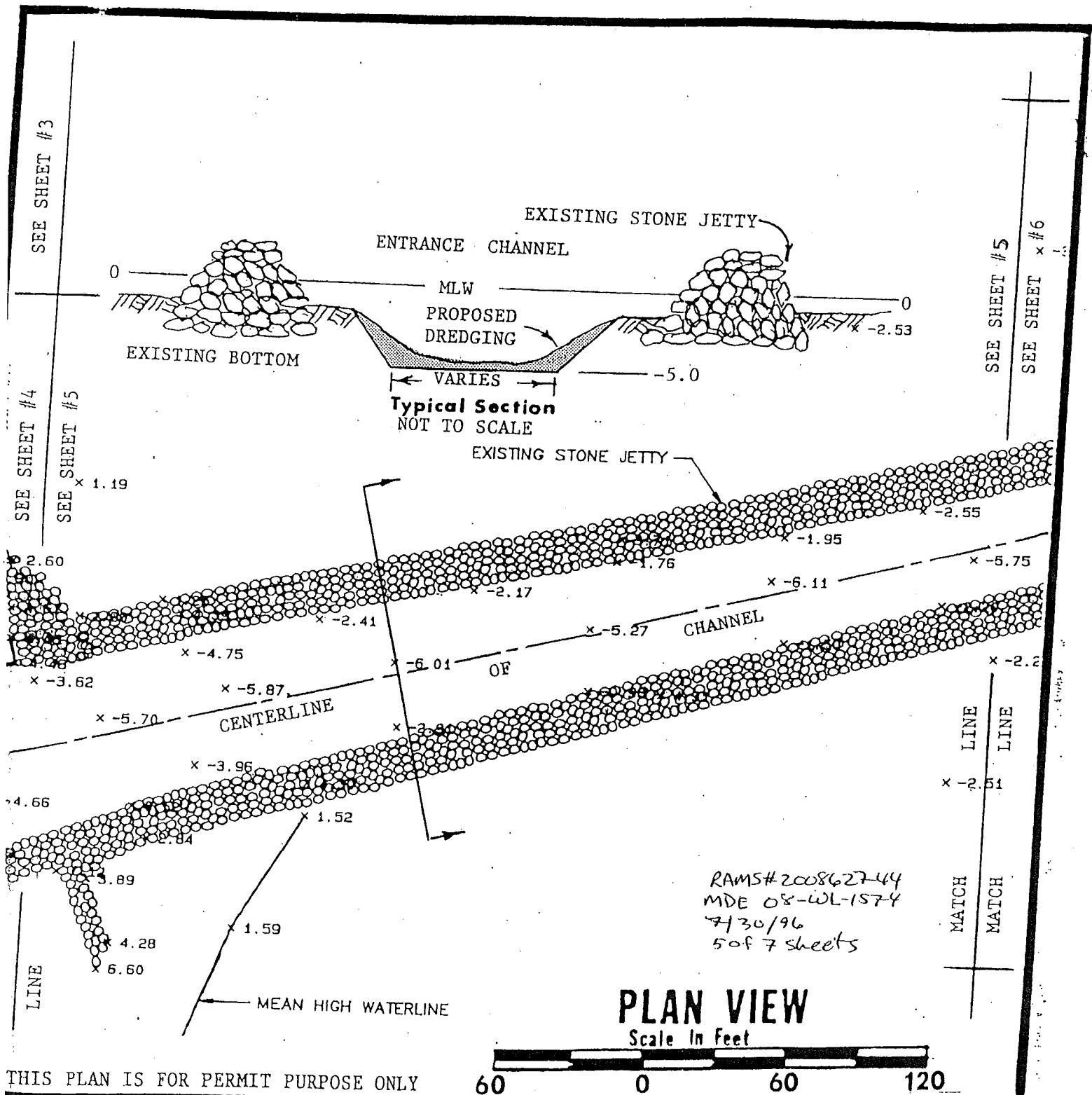
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TELEPHONE 410-778-4680

7045 POMONA ROAD
 CHESTERTOWN, MD 21620

PROPOSED MAINTENANCE DREDGING
 IN: EASTERN BAY
 AT: COVE CREEK CLUB MARINA & ENTRANCE CHANNEL
 COUNTY: QUEEN ANNES STATE OF MARYLAND
 APPLICANT: THE COVE CREEK CLUB
 SHEET 4 OF 7

DATE: JULY 30, 2015



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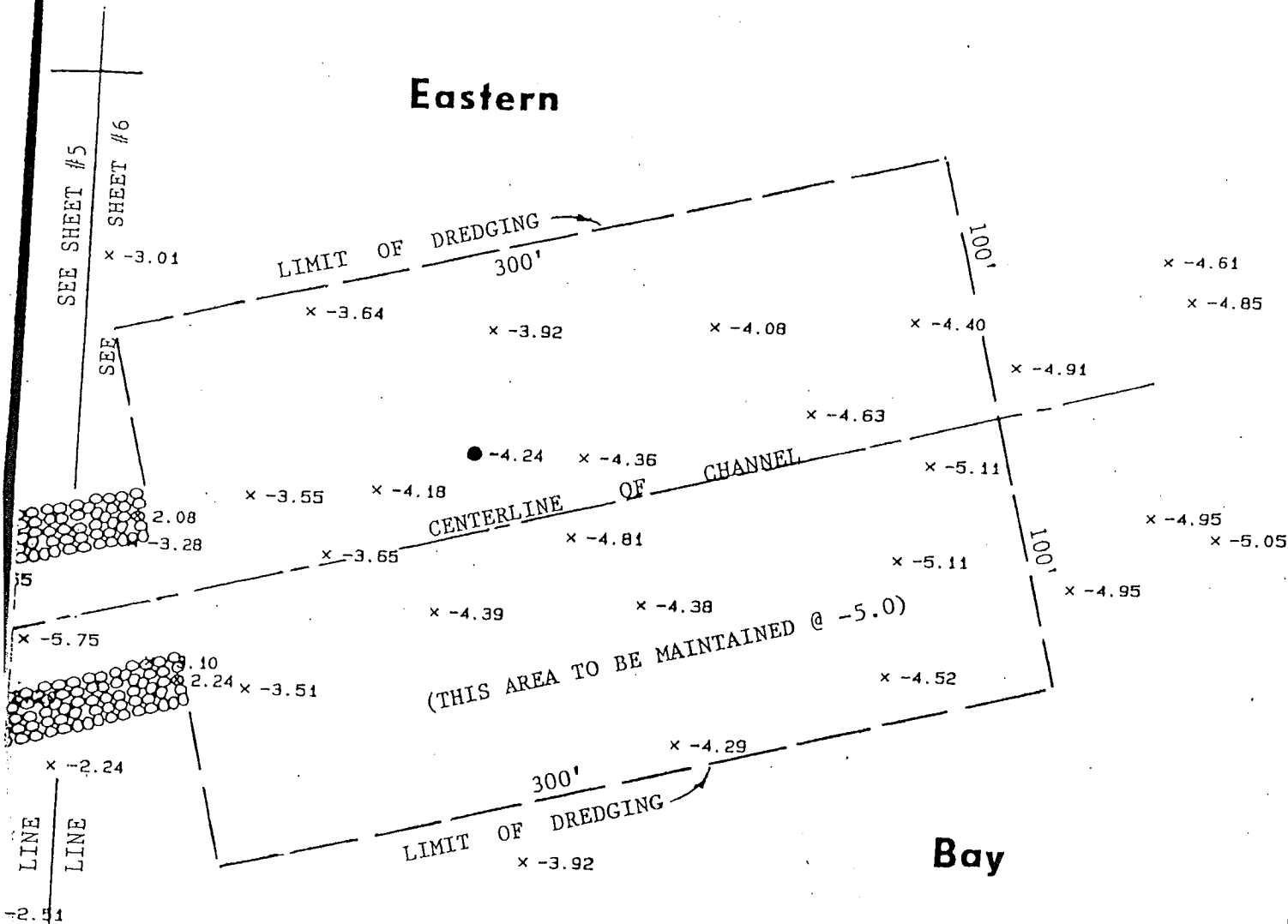
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CHESTERTOWN, MD 21620

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PROPOSED MAINTENANCE DREDGING
IN: EASTERN BAY
AT: COVE CREEK CLUB MARINA & ENTRANCE CHANNEL
COUNTY: QUEEN ANNES STATE OF MARYLAND
APPLICANT: THE COVE CREEK CLUB
SHEET 5 OF 7
DATE: JULY 30, 2015 1996

Eastern



SOUNDINGS SHOWN HEREON WERE TAKEN
SPRING OF 1996 BY McCrone INC. AND
REFER TO MEAN LOW WATER.

NOTE:
THE 200' X 300' AREA SHOWN REQUIRES
ANNUAL MAINTENANCE DREDGING DUE
TO LITTORAL TRANSPORT OF MATERIAL
AROUND THE ENDS OF THE EXISTING
STONE JETTIES.

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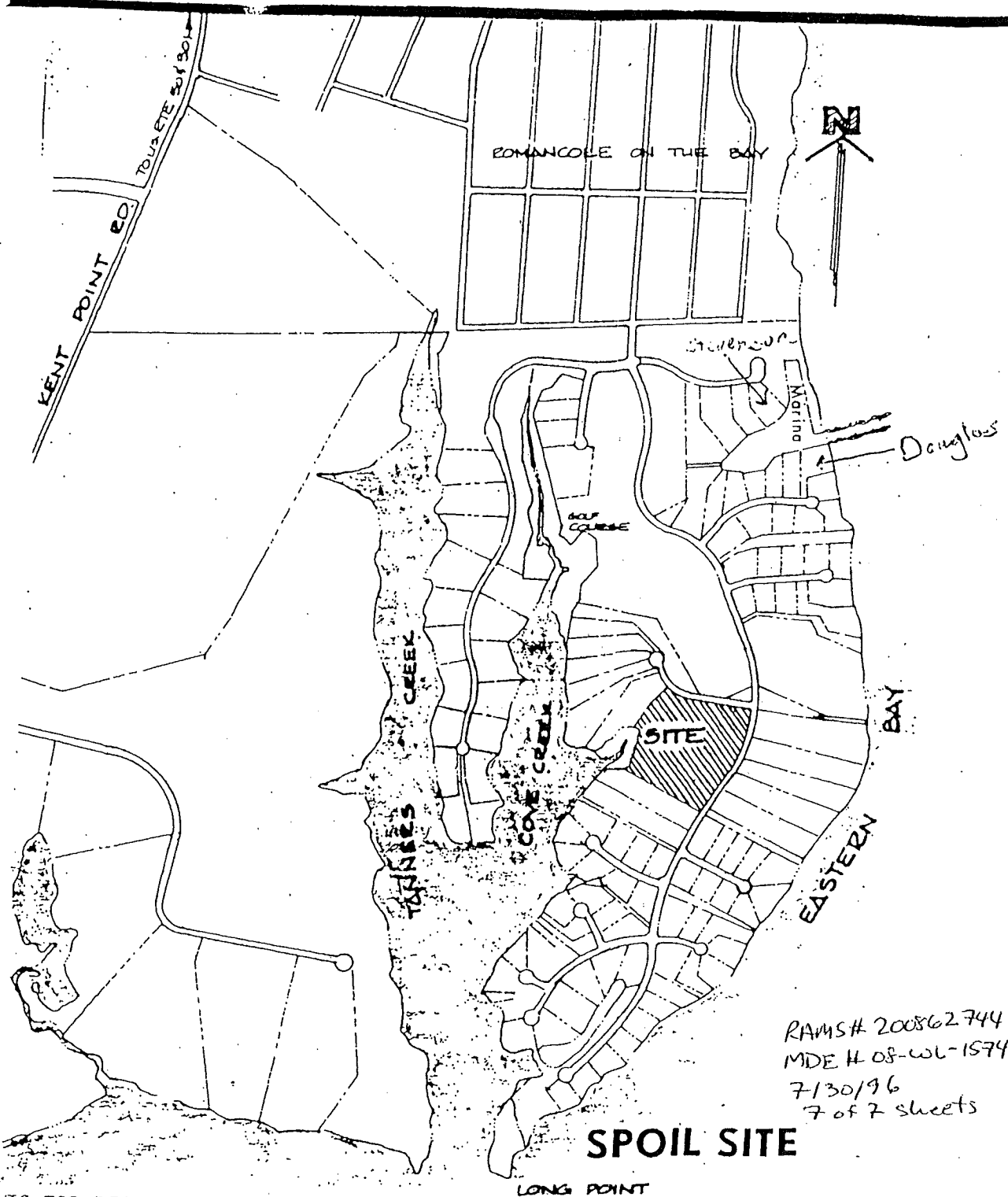
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IN: EASTERN BAY
AT: COVE CREEK CLUB MARINA & ENTRANCE CHANNEL
COUNTY: QUEEN ANNES STATE OF MARYLAND
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SHEET 6 OF 7

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7045 POWONA ROAD
CHESTERTOWN, MD 21620

DATE: JULY 30, 1996



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SPOIL SITE

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PROPOSED MAINTENANCE DREDGING
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 SHEET 7 OF 7 DATE: JULY 30, 1996