



# Public Notice

U.S. Army Corps  
of Engineers  
Baltimore District

In Reply to Application Number  
CENAB-OP-RMN (NORTH EAST ISLES COMMUNITY ASSOC./  
LIVING SHORELINE) 2012-61563-M12

PN 13-12

Comment Period: March 14, 2013 – April 12, 2013

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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:** North East Isles Community Association  
Attn: Mr. Tom Stewart  
Apt. 16B  
North East Isles Drive  
North East, Maryland 21901

**LOCATION:** The proposed project is located along the northern shoreline of the Northeast River adjacent to the North East Isles Waterfront Community, North East Isles Drive, North East, Cecil County, Maryland.

**WORK:** The North East Isles Community Association has requested Department of the Army (DA) authorization from the U.S. Army Corps of Engineers Baltimore District (Corps) to impact waters of the United States associated with the stabilization of 4,800 linear feet of eroding shoreline along the Northeast River by the installation of a living shoreline. Proposed stabilization measures include the installation of five riprap headland breakwater structures and three low profile stone sills. The maximum channelward extent of the structures would be 112 feet from the approximate mean high water shoreline. Areas landward of the breakwaters and sills would be filled with clean sand and planted with high and low marsh vegetation. The construction of the breakwaters and sills would require the deposition of 1,568 cubic yards of material where 0.51 acres of the river would be impacted. The deposition of the sand fill would require the discharge of 1,255 cubic yards of material where 0.46 acres of the river would also be impacted. All work is to be completed in accordance with the enclosed plans.

If you have any questions concerning this matter, please contact Mr. Steve Elinsky at 410.962.4503 or [Steve.Elinsky@usace.army.mil](mailto:Steve.Elinsky@usace.army.mil).

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. No wetlands 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, US Army Corps of Engineers, Baltimore District, [Attn: Mr. Steve Elinsky, CENAB-OP-RMN], P.O. Box 1715, Baltimore, Maryland 21203-1715, within the comment period as specified above to receive consideration.

**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 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 proposed project is located in the Northeast adjacent to EFH as described under MSFCMA for Blueback herring (*Alosa aestivalis*) juvenile and adult, Alewife (*Alosa pseudohargengus*) juvenile and adult, White perch (*Morone americana*) juvenile and adult, and Yellow perch (*Perca flavescens*) juvenile and adult, all managed species under the MSFCMA.

The project has the potential to adversely affect EFH or the species of concern by loss of nursery, forage and/or shelter habitat. The project may have an adverse affect on EFH as described under the Magnuson-Stevens Fishery Conservation and Management Act for the species and life stages identified above. However, the District Engineer 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.

**SECTION 401 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, Wetlands and Waterways Program, Montgomery Park Business, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland 21230, 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:** 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. Public comments relating to consistency must be received by the Coastal Zone Consistency Division, 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. 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 will not affect listed 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.

The Corps and the Maryland Historical Trust is reviewing the project to assess its effects if any on historic properties pursuant to Section 106 of the National Historic Preservation Act of 1966. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or destroyed by the work to be accomplished under the requested 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, US Army Corps of Engineers, Baltimore District, PO Box 1715, [Attn: Mr. Steve Elinsky, CENAB-OP-RMN], Baltimore, Maryland 21203-1715, within the comment period as specified as above to receive consideration. Also, it must clearly state forth the interest which may be adversely affected by this activity in the manner in which the interest may be adversely affected.

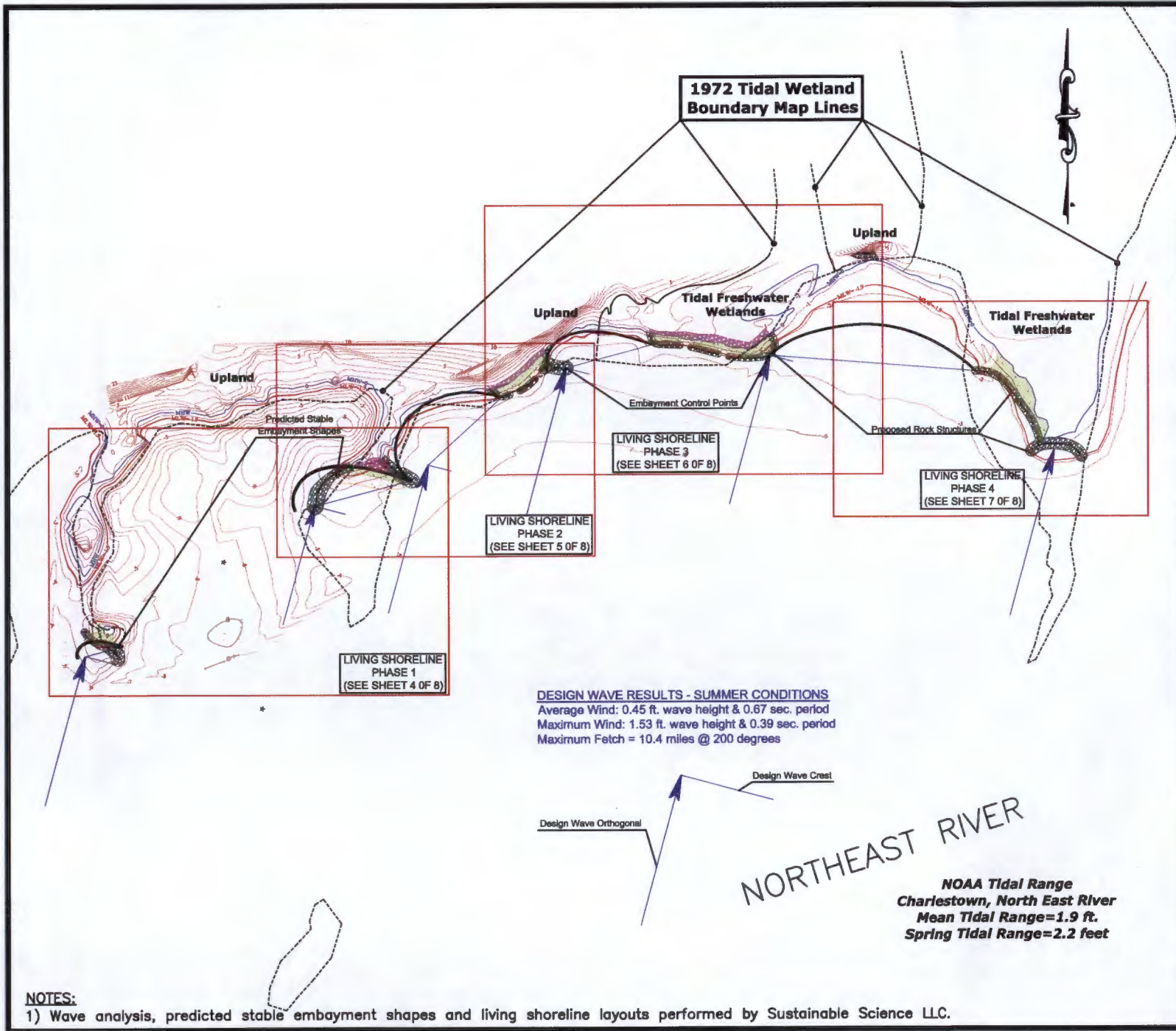
It is requested that you communicate the foregoing information concerning the proposed work to any persons known by you to be interested and not being known to this office, who did not receive a copy of this notice.

JOSEPH P. DAVIA  
Chief, Maryland Section Northern









SCALE:	1 inch = 250 feet
DRAWN BY:	A. McCullough
DATE:	October 8th, 2012
LAST REVISION:	February 7th, 2013
SS PROJECT NO:	12001
SHEET NUMBER	3 OF 7

**SUSTAINABLE SCIENCE LLC**  
 Ecological Engineering Services  
 410 S. Second Street  
 Denton, Maryland 21629  
 Phone: (410) 924-4316  
 www.sustainable-science.com

**WAVE ANALYSIS & KEY SHEET**

North East Isles Living Shoreline Project  
 Town of North East

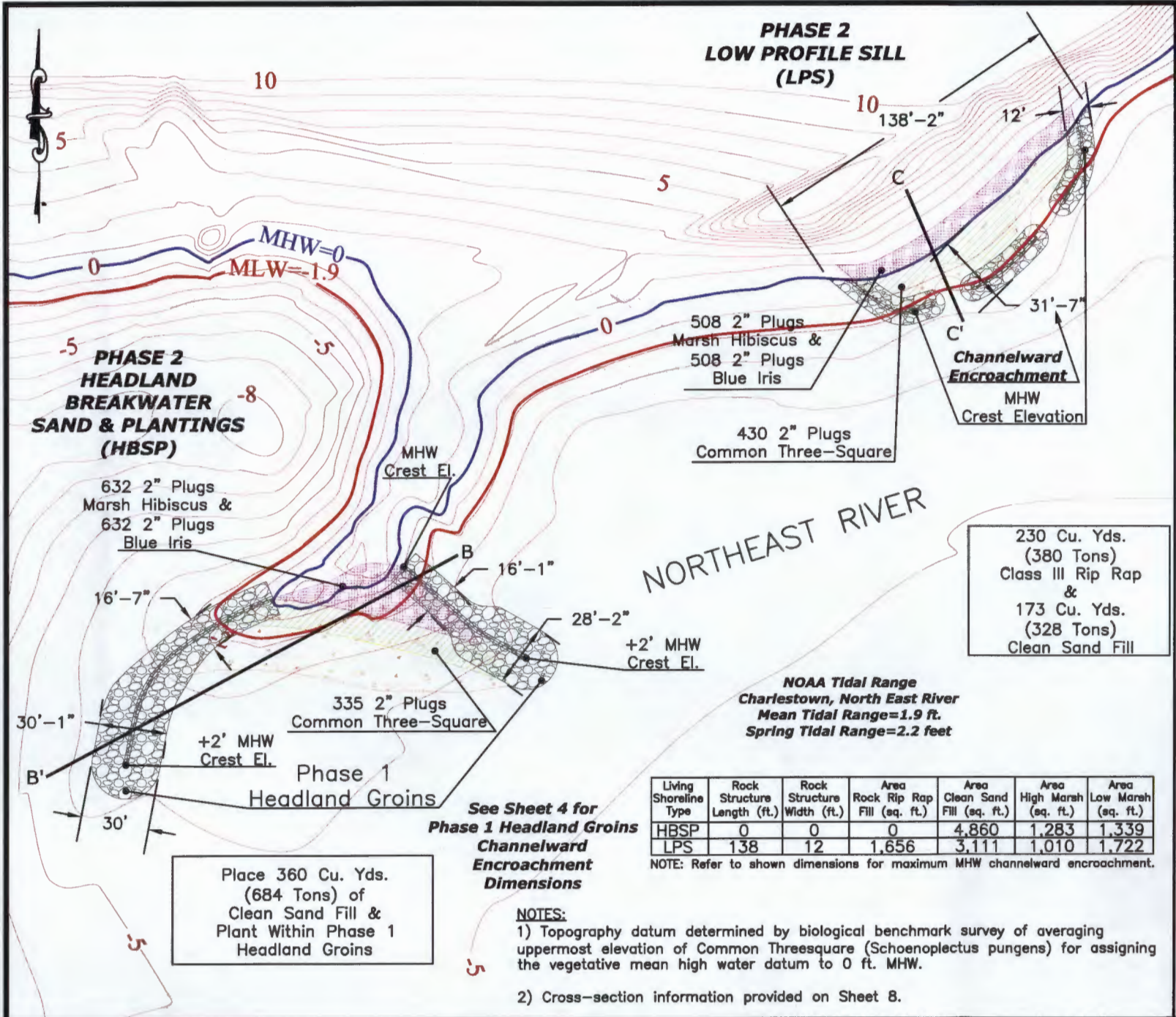
Cecil County, Maryland

**NOTES:**  
 1) Wave analysis, predicted stable embayment shapes and living shoreline layouts performed by Sustainable Science LLC.









Living Shoreline Type	Rock Structure Length (ft.)	Rock Structure Width (ft.)	Area Rock Rip Rap Fill (sq. ft.)	Area Clean Sand Fill (sq. ft.)	Area High Marsh (sq. ft.)	Area Low Marsh (sq. ft.)
HBSP	0	0	0	4,860	1,283	1,339
LPS	138	12	1,656	3,111	1,010	1,722

NOTE: Refer to shown dimensions for maximum MHW channelward encroachment.

- NOTES:**
- 1) Topography datum determined by biological benchmark survey of averaging uppermost elevation of Common Threesquare (*Schoenoplectus pungens*) for assigning the vegetative mean high water datum to 0 ft. MHW.
  - 2) Cross-section information provided on Sheet 8.

SCALE: 1 inch = 60 feet  
 DRAWN BY: A. McCullough  
 DATE: October 8th, 2012  
 LAST REVISION: February 25th, 2013  
 SS PROJECT NO: 12001

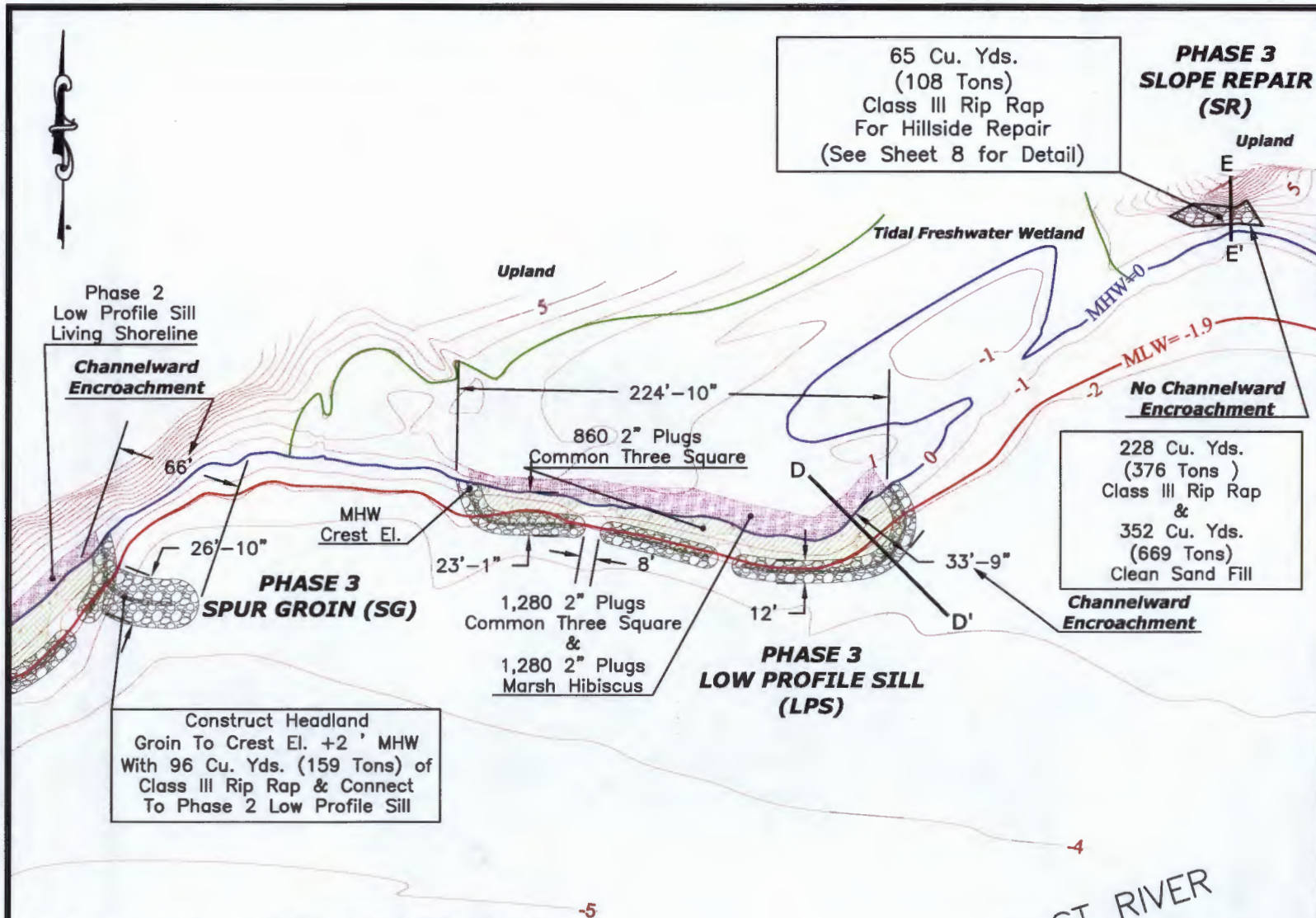
**SUSTAINABLE SCIENCE LLC**  
 Ecological Engineering Services  
 410 S. Second Street  
 Denton, Maryland 21829  
 Phone: (410) 924-9316  
 www.sustainable-science.com

SHEET NUMBER 5 OF 7

**PHASE 2 LIVING SHORELINE**

North East Isles Living Shoreline Project  
 Town of North East  
 Cecil County, Maryland





SCALE: 1 inch = 80 feet  
 DRAWN BY: A. McQuillough  
 DATE: October 8th, 2012  
 LAST REVISION: February 25th, 2013  
 SS PROJECT NO: 12001

SHEET NUMBER 6 OF 17

**SUSTAINABLE SCIENCE LLC**  
 Ecological Engineering Services  
 410 S. Second Street  
 Denton, Maryland 21629  
 Phone: (410) 924-4316  
 www.sustainable-science.com

**PHASE 3 LIVING SHORELINE**  
 North East Isles Living Shoreline Project  
 Town of North East  
 Cecil County, Maryland

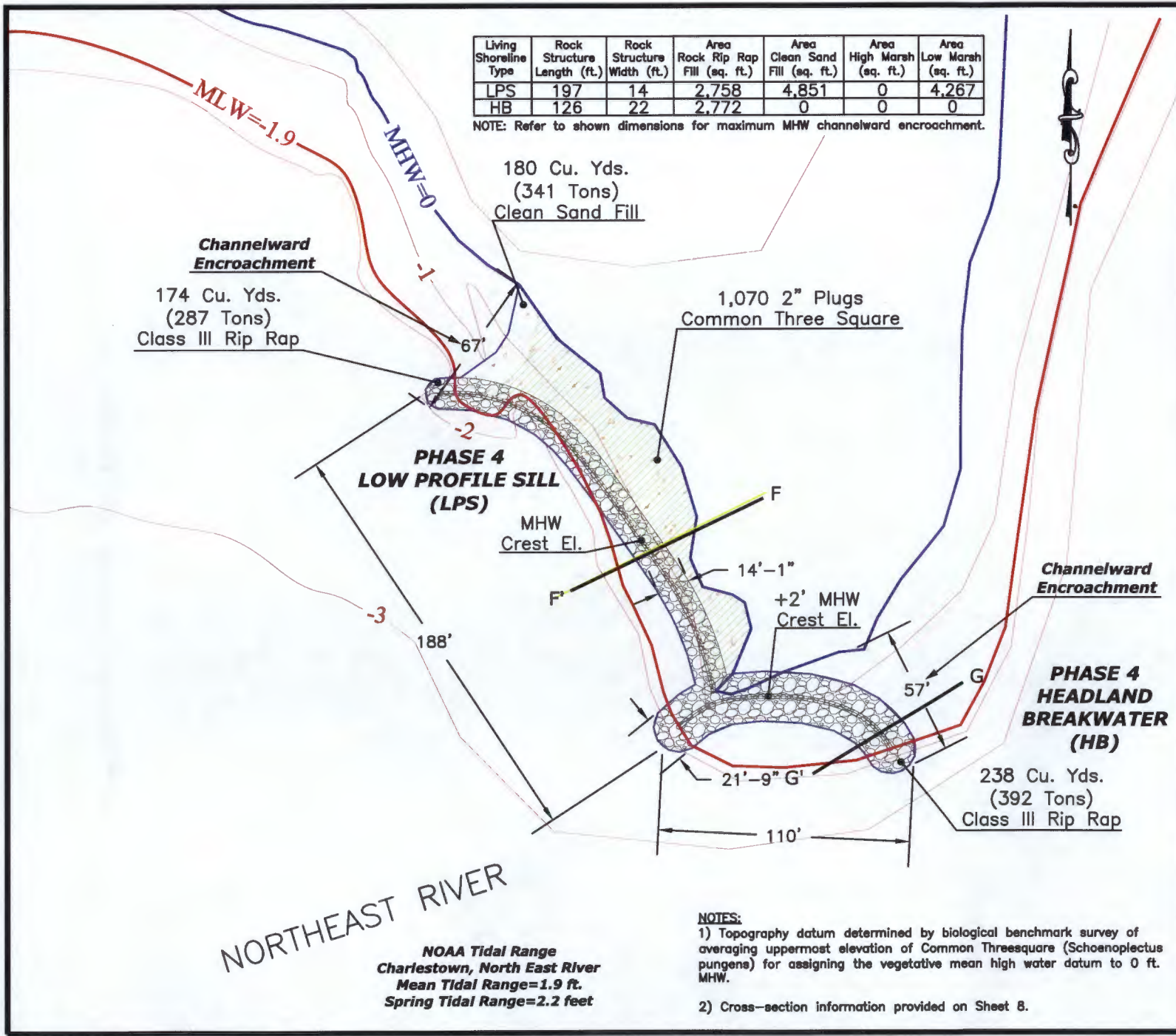
Living Shoreline Type	Rock Structure Length (ft.)	Rock Structure Width (ft.)	Area Rock Rip Rap Fill (sq. ft.)	Area Clean Sand Fill (sq. ft.)	Area High Marsh (sq. ft.)	Area Low Marsh (sq. ft.)
SG	53	26	1,378	0	0	0
LPS	261	12	3,132	6,341	2,552	3,418
SR	39	10	390	0	0	0

NOTE: Refer to shown dimensions for maximum MHW channelward encroachment.

**NOTES:**

- 1) Topography datum determined by biological benchmark survey of averaging uppermost elevation of Common Threesquare (*Schoenoplectus pungens*) for assigning the vegetative mean high water datum to 0 ft. MHW.
- 2) Cross-section information provided on Sheet 8.





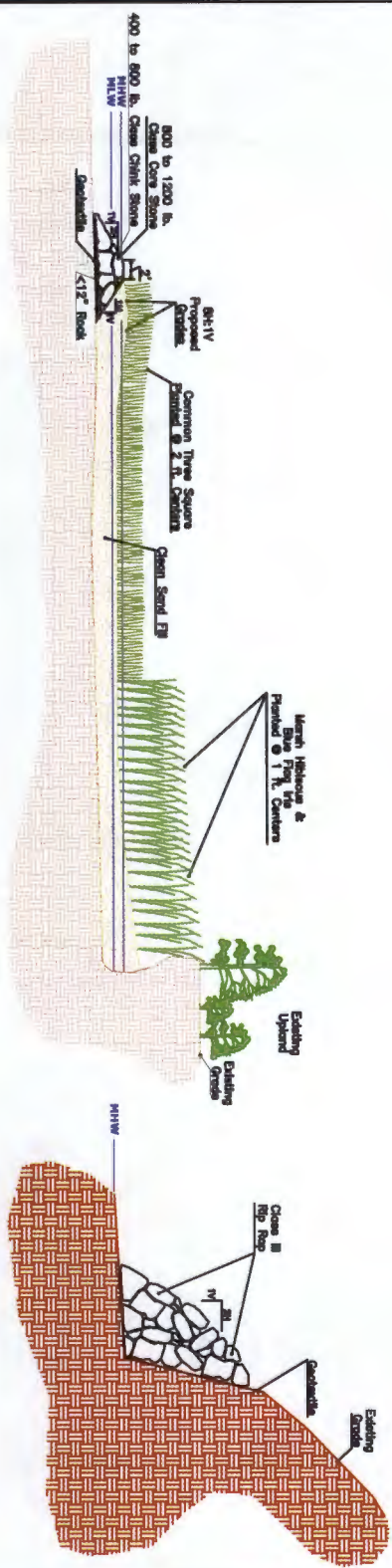
Living Shoreline Type	Rock Structure Length (ft.)	Rock Structure Width (ft.)	Area Rock Rip Fill (sq. ft.)	Area Clean Sand Fill (sq. ft.)	Area High Marsh (sq. ft.)	Area Low Marsh (sq. ft.)
LPS	197	14	2,758	4,851	0	4,267
HB	126	22	2,772	0	0	0

NOTE: Refer to shown dimensions for maximum MHW channelward encroachment.

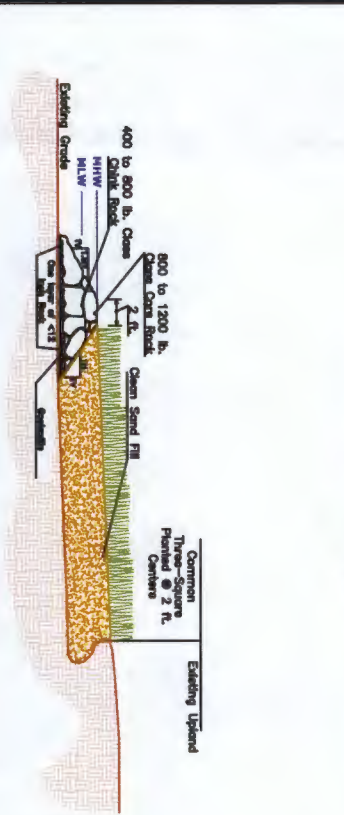
SCALE: 1 inch = 60 feet  
 DRAWN BY: A. McCullough  
 DATE: October 8th, 2012  
 LAST REVISION: February 28th 2013  
 SS PROJECT NO: 12001  
 SHEET NUMBER 7 OF 17

**SUSTAINABLE SCIENCE LLC**  
 Ecological Engineering Services  
 410 S. Second Street  
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 Phone: (410) 924-4316  
 www.austainscience.com

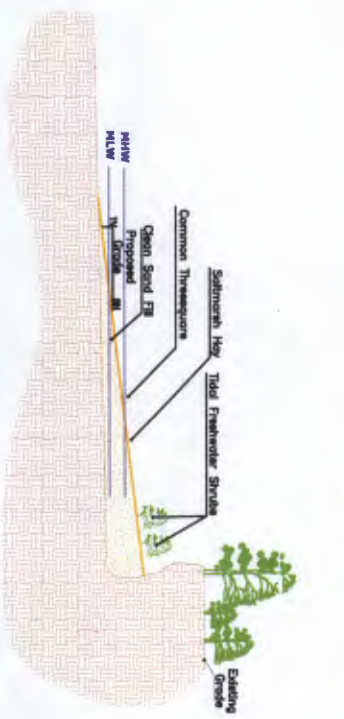
**PHASE 4 LIVING SHORELINE**  
 North East Isles Living Shoreline Project  
 Town of North East  
 Cecil County, Maryland



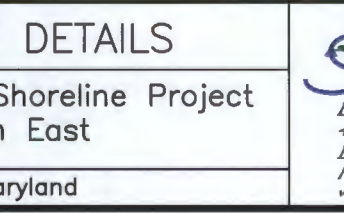
**HILLSIDE REPAIR DETAIL**  
Not to Scale



**LOW PROFILE SILL COVE DETAIL**  
Not to Scale



**CENTRAL & EAST COVES RESTORATION DETAIL**  
Not to Scale



**LOW PROFILE HEADLAND SILL DETAIL**  
Not to Scale

**CONSTRUCTION DETAILS**  
North East Isles Living Shoreline Project  
Town of North East  
Cecil County, Maryland

**SUSTAINABLE SCIENCE LLC**  
Ecological Engineering Services  
410 S. Second Street  
Denton, Maryland 21629  
Phone: (410) 924-4316  
www.sustainable-science.com

SCALE:	NONE
DRAWN BY:	A. McCullough
DATE:	October 8th, 2012
LAST REVISION:	NONE
SS PROJECT NO:	12001
SHEET NUMBER	8 OF 11