

PUBLIC NOTICE



US Army
Corps
of Engineers
Baltimore
District

In Reply to Application Number
CENAB-OP-RMS(CHESAPEAKE RESORT
LLC/HYATT/MARINA EXPANSION, UTILITY LINES,
LOT FILL & BRIDGE)06-62883-7

Maryland Department
of
the Environment

PN 06-55

Comment Period: October 16, 2006 to November 6, 2006

THE PURPOSE OF THIS JOINT 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 and the Maryland Department of the Environment have received an application for a Department of the Army permit pursuant to Section 10 of the River and Harbor Act of 1899, Section 404 and 401 of the Clean Water Act, and State authorization pursuant to the Tidal Wetlands Act and/or Nontidal Wetlands Protection Act, as described below:

APPLICANT: *Chesapeake Resort LLC
c/o Andrews, Miller & Assoc., Inc.
401 Academy Street, Suite 1
Cambridge, Maryland 21613*

LOCATION: *In the Choptank River, Shoal Creek, and adjacent tidal and nontidal wetlands at the Hyatt Resort Property in Cambridge, Dorchester County, Maryland*

GENERAL DESCRIPTION AND PROJECT PURPOSE

Chesapeake Resort LLC proposes to complete previously authorized work [CENAB-OP-RMS(CHESAPEAKE RESORT LLC/HYATT)98-62491-7 & (State License No. 99-0288)] to construct a regional resort community along the Choptank River and Shoal Creek within the City of Cambridge, Dorchester County, Maryland. The proposal involves the completion of the second and third phases of the construction of a 477-slip marina including floating breakwaters and dredging; pedestrian/bike paths; utility crossings; and a vehicular bridge associated with the residential community. The proposed activities are depicted on the attached plans for the project.

SCOPE OF WORK

Marina Element:

The applicant proposes to complete the second and third phases of a 477-slip marina by constructing five 10-foot wide (pier length: D - 558', E - 498', F - 498', G - 972' and H - 637') and one 6-foot wide (pier length: 805') collector piers, four with "T" heads and one with an "L" head; constructing forty-seven 20' long x 3' wide and eighty-one 30' long x 4' wide finger piers; installing two 68' long x 8' wide gangways; installing 382 mooring piles; extending the existing commercial collector pier 460 feet channelward and relocating the existing pier shelter to the channelward end of the pier; and extending the arcing floating breakwater 132 feet. None of the work shall exceed a maximum of 1,280 feet channelward of the approximate mean high water shoreline.

Dredging Element:

The applicant proposes to mechanically dredge an approximate 1,500' long by 230' wide area to a maximum depth of -6 feet below mean low water; and to transport and deposit approximately

9,000 cubic yards of dredge material in an upland disposal site at Bakers Landfill in Queen Annes County, Maryland.

Wetland Disturbance Element:

The applicant proposes to permanently impact approximately 1,420 square feet of nontidal wetlands and 1,595 square feet of nontidal wetlands buffer for the construction of a 110' long by 24' wide timber vehicular bridge.

Stormwater Element:

The applicant proposes to emplace two 10-foot wide stone outlet protection aprons within a maximum of 10 feet channelward of the approximate mean high water shoreline. Additionally, 270 square feet of tidal and 46 square feet permanent and 184 square feet temporary of nontidal wetland impacts by storm drain outfall construction will occur.

Utility Crossing Element:

Stormwater best management practices will be incorporated into a water quality management plan to ensure that stormwater discharges meet applicable State and local water quality standards. The applicant proposes to install six subaqueous utilities resulting in approximately 1,597 square feet of temporary wetland impacts.

Cumulative Impacts:

Cumulative impacts to tidal wetlands approximate 270 square feet permanent and 5,016 square feet temporary. Cumulative impacts to nontidal wetlands approximate 9,060 square feet permanent and 5,515 square feet temporary. Cumulative impacts approximate to nontidal wetlands buffer approximate 28,824 square feet permanent and 4,324 square feet temporary.

Mitigation Element:

The applicant satisfied mitigation requirements in the original permits (98-62491-7 & 99-0288) through the establishment of tidal and nontidal wetland creation at the Madison Bay mitigation site in Madison, Dorchester County.

The proposed work is depicted on the attached plan(s). If you have any questions concerning this matter, please contact the COE Project Manager, Mrs. Maria Lasek, at (410) 962-4501 or the MDE Project Managers, Mr. Joe Kincaid, for tidal wetlands at (410) 901-4044 or Mr. Ace Adkins, for nontidal wetlands at (410) 713-3685.

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 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. The Baltimore District has determined that the adverse effects of this project 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 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.

Comments are being solicited 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 and MDE 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.

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. The 401 certifying agency has a statutory limit of one year to

make its decision.

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 Coastal Zone 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. It should be noted that CZ Division 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.

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.

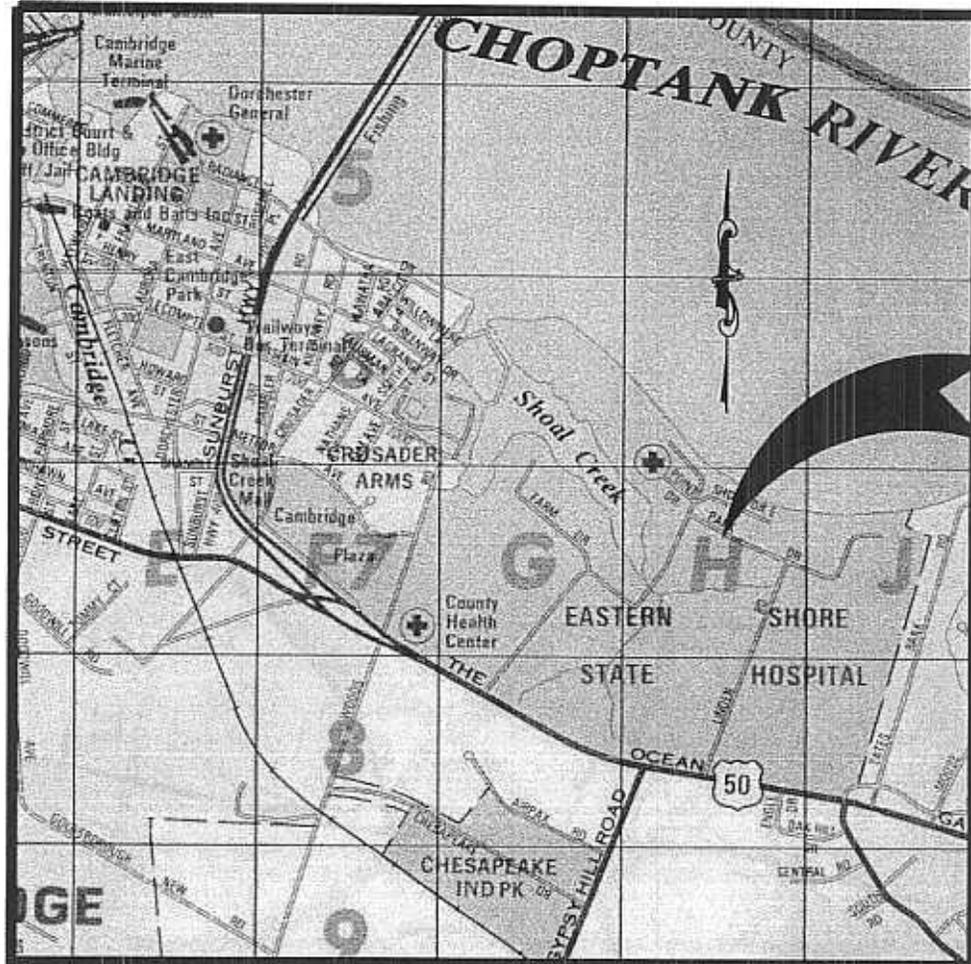
Review of the latest published version of the National Register of Historic Places indicates that no registered properties listed as eligible for inclusion therein are located at the site of the proposed work. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or 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 request, which must be in writing, 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 and/or the District Engineer, U.S. Army Corps of Engineers, Baltimore District, Attn: CENAB-OP-R, P.O. Box 1715, Baltimore, Maryland 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.

Written comments concerning the work described above 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. Written comments relating to applicability of the MDSPGP may be submitted directly to the District Engineer, U.S. Army Corps of Engineers, Baltimore District, Attn: CENAB-OP-R, P.O. Box 1715, Baltimore, Maryland 21203-1715, within the comment period as specified above to receive consideration.

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.



PROJECT SITE

PROJECT SITE VICINITY MAP



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NOTES

1. CLEARING FOR PEDESTRIAN WALKWAYS SHALL BE THE MINIMUM NECESSARY FOR CONSTRUCTION. IT IS NOT THE INTENTION OF THE DEVELOPER TO CLEAR WIDE CORRIDORS IN THESE AREAS. LIMITED CLEARING OF TREE LIMBS AND MAINTENANCE OF THE PATHWAY WILL BE REQUIRED TO ENSURE PUBLIC SAFETY. THERE WILL BE TEMPORARY DISTURBANCE FOR CONSTRUCTION OF THE AFOREMENTIONED PATHWAYS APPROXIMATELY 12' WIDE ±. THESE AREAS WILL BE STABILIZED WITH VEGETATION GENERALLY CONSISTENT WITH STABILIZATION IN THE SURROUNDING AREA.
2. PUBLISHED MEAN TIDAL RANGE IS 1.6 FEET. SOUNDINGS ARE IN FEET AND REFER TO MLW.
3. APPROVAL OF THE APPLICATION WAS PREVIOUSLY OBTAINED FROM THE USACE (CENAB-00000) AND THE STATE OF MARYLAND (000000). THE STATE OF MARYLAND REAUTHORIZED THE TIDAL WETLANDS LICENSE No. 99-0288, ON DECEMBER 1, 2004.
4. NON-TIDAL WETLANDS WERE PREVIOUSLY DELINEATED BY COASTAL RESOURCES INC. AND APPROVED BY THE REGULATORY AGENCIES DURING THE PREVIOUS PERMITTING PROCESS. FLAGGING LOCATIONS OF THE PREVIOUSLY APPROVED DELINEATION WERE RELOCATED.
5. MECHANICALLY DREDGED MATERIAL WITHIN THE MARINA SHALL BE HAULED IN TRUCKS WITH SEALED BEDS TO BAKERS LANDFILL LOCATED IN QUEEN ANNES COUNTY.
6. THESE DRAWINGS ARE FOR PERMIT PURPOSES ONLY. DESIGN DRAWINGS ARE TO BE PROVIDED SEPARATELY.

2006-62883-7

SHEET 1 OF 13

PROPOSED MARINA EXPANSION AND UPLAND IMPROVEMENTS

IN: CHOPTANK RIVER

AT: CAMBRIDGE

DORCHESTER COUNTY, MARYLAND

APPL. BY: CHESAPEAKE RESORT L.L.C.

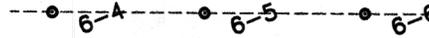
DATE: FEBRUARY 2006

Legend

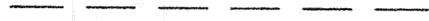
High Water Line



Jurisdictional Nontidal Wetland



25' Non-tidal Wetland Buffer



Proposed Walking Trail (Pedestrian Walkway)



Intermittent Streams



Critical Area Line



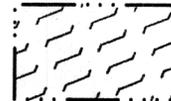
Proposed Timber Bridge



Proposed Fill



Existing Stormwater Management Pond



Existing Edge of Woods



Proposed Edge of Woods



Golf Hole #5 (typ.)

GH5

River Parcel Section One (typ.)

RP1

Multiple Family Residential Section Two (typ.)

MFR2

Single Family Residential Section Three (typ.)

SFR3

Vehicular Bridge #4

VB4

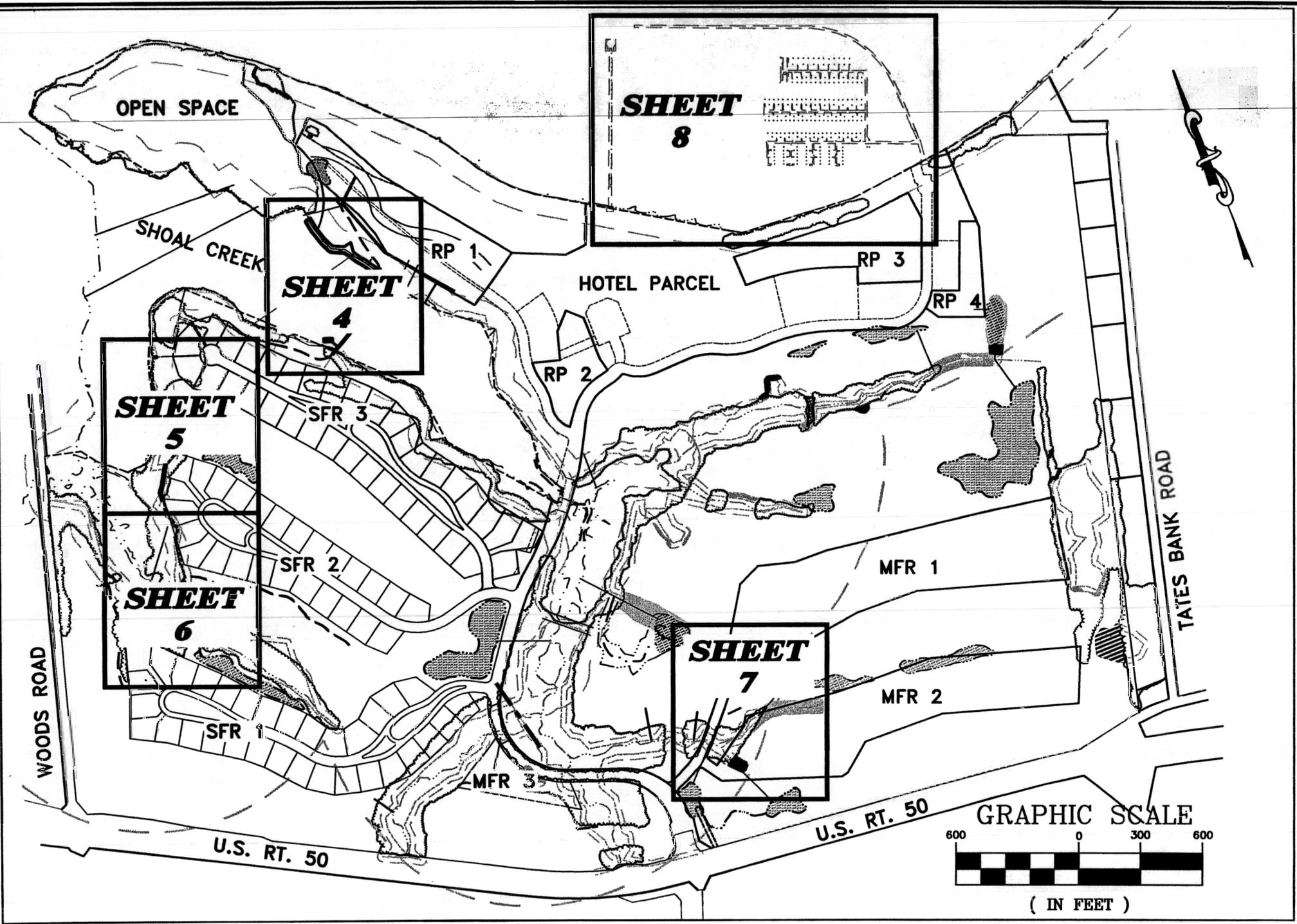
INDEX

SHEET #	DESCRIPTION
1	COVER
2	LEGEND
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5	PLAN (SFR 2 & 3)
6	PLAN (SFR 1 & 2)
7	PLAN (MFR 2)
8	PLAN (MARINA)
9	DETAILS (MARINA)
10	TYPICAL SLIP LAYOUTS
11	DETAILS (BRIDGE)
12	DETAILS (UTILITY & OUTFALL)
13	IMPACT SUMMARY TABLES

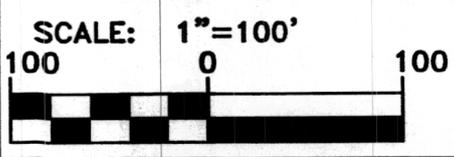
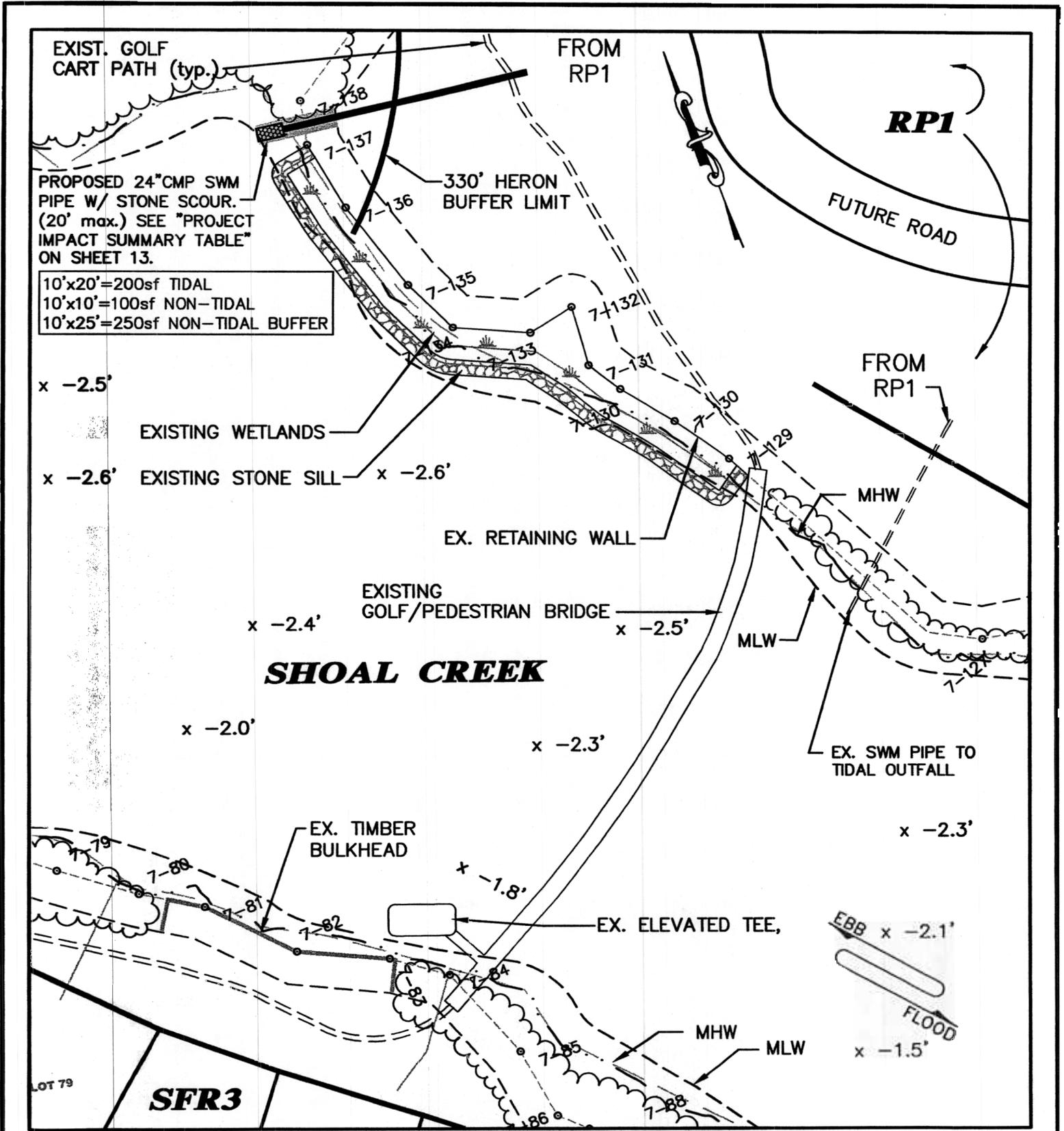
SHEET 2 OF 13

APPL. BY: CHESAPEAKE RESORT L.L.C.

DATE: FEBRUARY 2006



SHEET 3 OF 12
APPL. BY:
DATE: October 2005



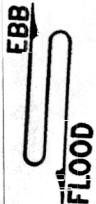
SHEET 4 OF 13
APPL. BY: CHESAPEAKE RESORT L.L.C.
DATE: FEBRUARY 2006

PROPOSED 24" CMP SWM PIPE
W/ STONE SCOUR. (7' max.)
SEE "PROJECT IMPACT SUMMARY
TABLE" ON SHEET 13.

10'x7'=70sf TIDAL
10'x13'=130sf NON-TIDAL
10'x25'=250sf NON-TIDAL BUFFER

SHOAL CREEK

MHW & TIDAL
WETLANDS
BOUNDARY



MLW

MHW

TIDAL
WETLANDS
BOUNDARY

WOODS

WOODS

LOT 75

LOT 77

LOT 78

LOT 74

SFR3

LOT 73

LOT 72

LOT 71

PROPOSED PEDESTRIAN WALKWAY
SYSTEM. 6' WIDE BITUMINOUS
CONCRETE PATH W/FILL.

PROPOSED PEDESTRIAN
WALKWAY SYSTEM WITHIN
NONTIDAL BUFFER.
6'x44'=264SF

EXISTING SWM POND
OUTFALL PIPE TO
TIDAL WATERS

GH16

EXISTING
SWM POND

SFR2

LOT 47

PROPOSED PEDESTRIAN
WALKWAY SYSTEM WITHIN
NONTIDAL BUFFER.
6'x175'=1050SF

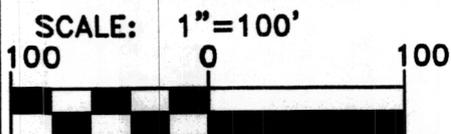
LOT 48

LOT 45

LOT 49

PROPOSED PEDESTRIAN
WALKWAY SYSTEM.
SEE SHEET 6.

SEE SHEET 6



SHEET 5 OF 13
APPL. BY: CHESAPEAKE RESORT L.L.C.
DATE: FEBRUARY 2006

SFR2

PROPOSED FILL AREA
NTW=1303 SF
NTW BUFFER=4294 SF

PROPOSED PUMP STATION

PROPOSED 6' WIDE PEDESTRIAN WALKWAY
6'x100'=600sf NTW
6'x127'=762sf NTW BUFFER

EX. 12" ELEVATED WATER MAIN TO BE REMOVED
SEE SHEET 13 FOR IMPACT SUMMARY

EXIST. TREELINE (typ.)

TIDAL WETLAND BOUNDARY

EXIST. TIMBER BULKHEAD

EX. 8" SEWER FORCE MAIN

EX. GOLF CART PATH (TYP.)

EXISTING SWM OUTFALL PIPES

GH14

EXISTING GOLF TEE

EXISTING GOLF COURSE DRAIN

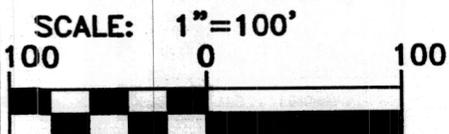
EXISTING GOLF CART / PED. BRIDGE

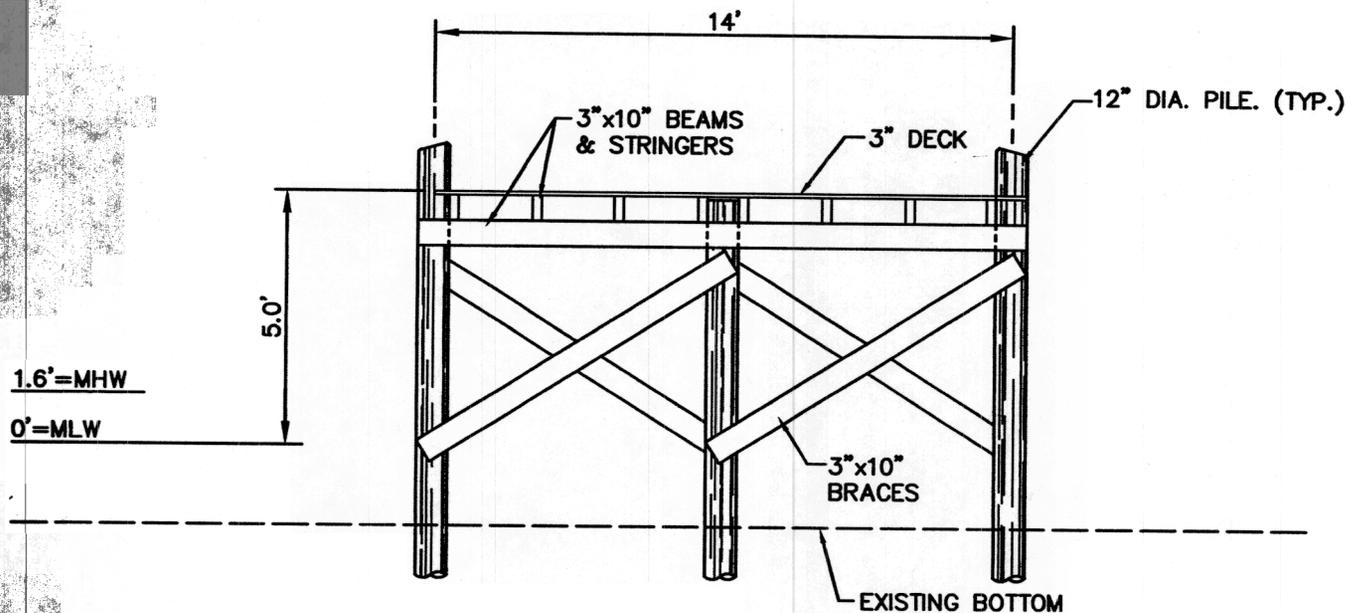
SWM POND FOR WATER QUALITY ENHANCEMENT

EXISTING SWM OUTFALL PIPE

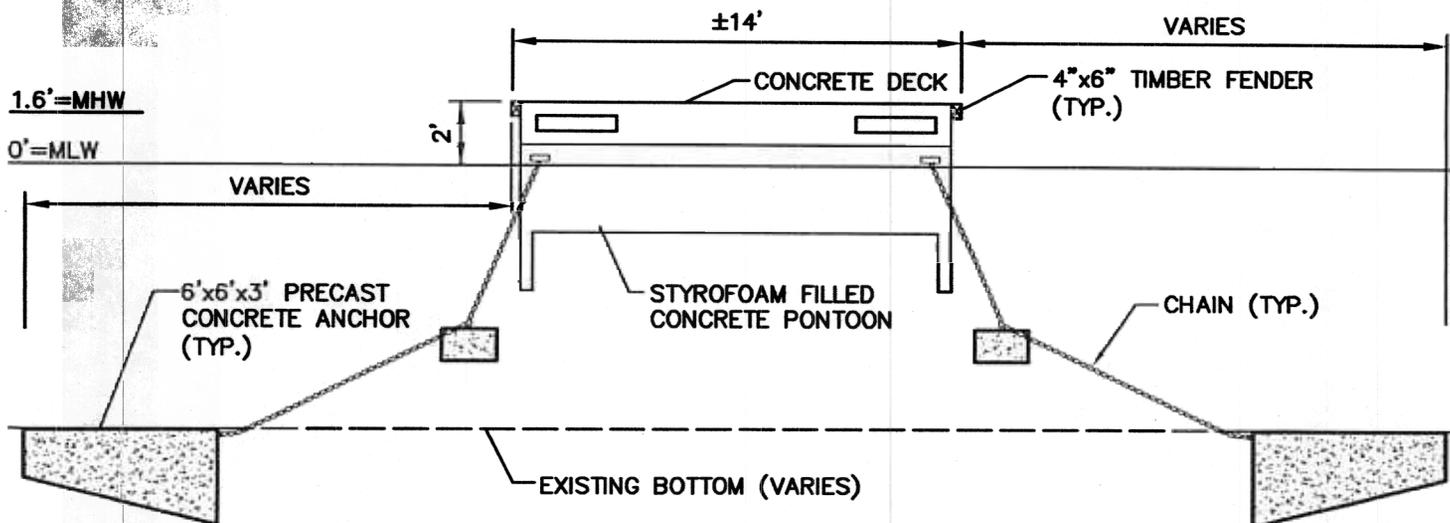
PROP. FAIRWAY GOLF HOLE #13

SFR1





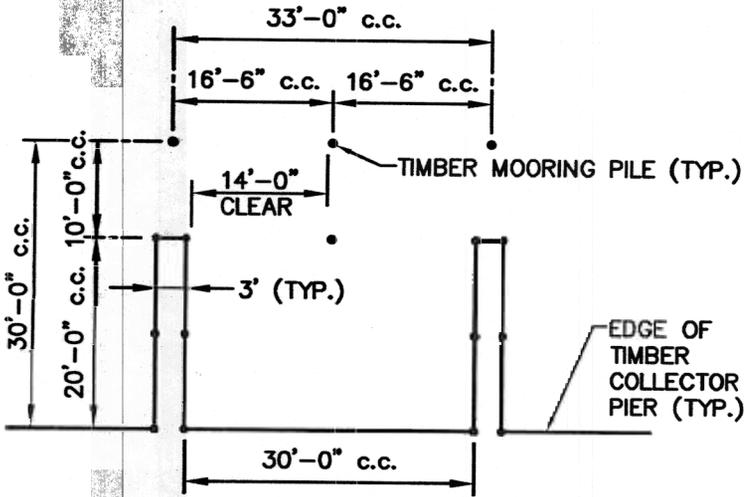
TYPICAL OPEN MARINA PIER SECTION



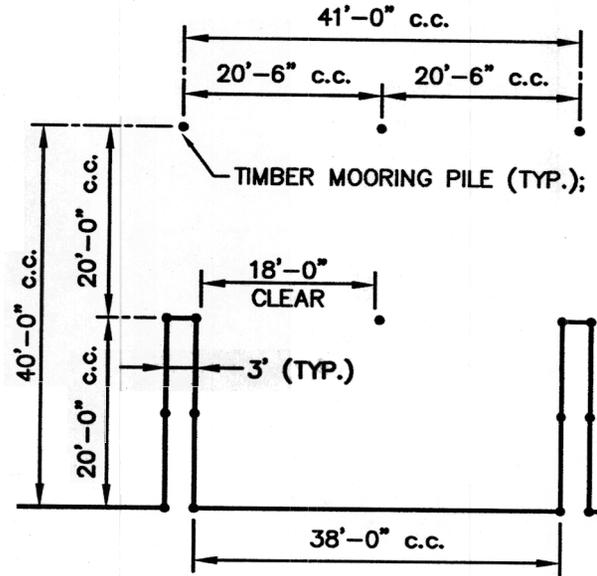
TYPICAL FLOATING BREAKWATER SECTION



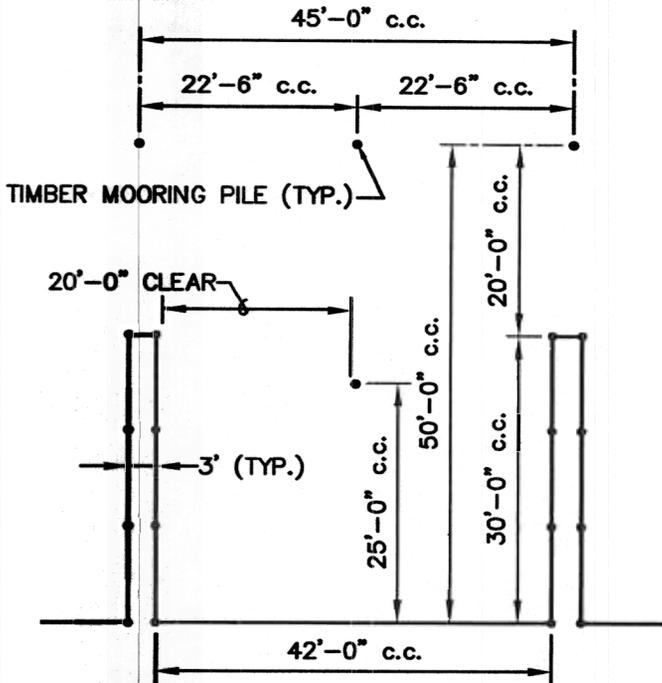
SHEET 9 OF 13
 APPL. BY: CHESAPEAKE RESORT L.L.C.
 DATE: FEBRUARY 2006



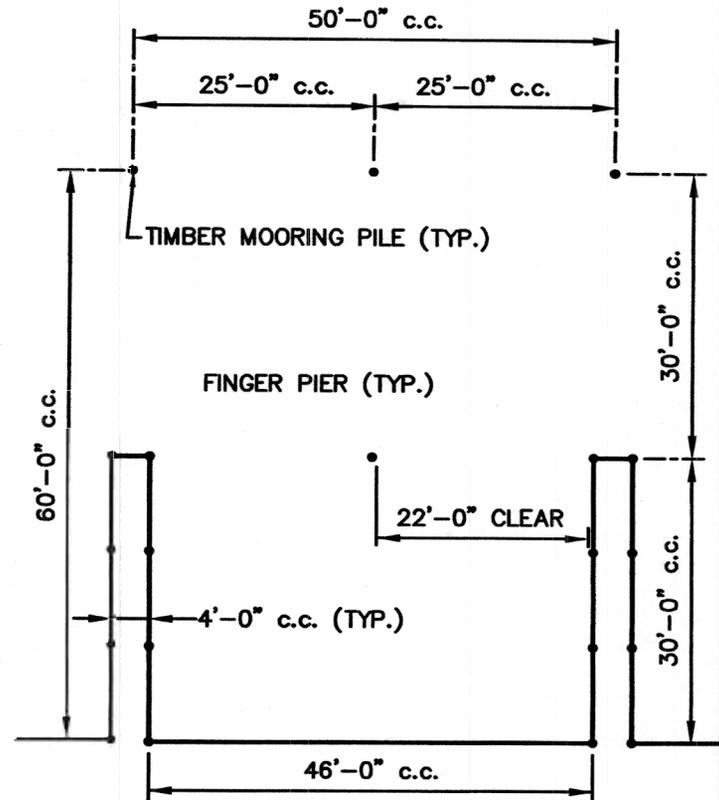
30' LONG BOATS



40' LONG BOATS



50' LONG BOATS



60' LONG BOATS

TYPICAL SLIP LAYOUTS

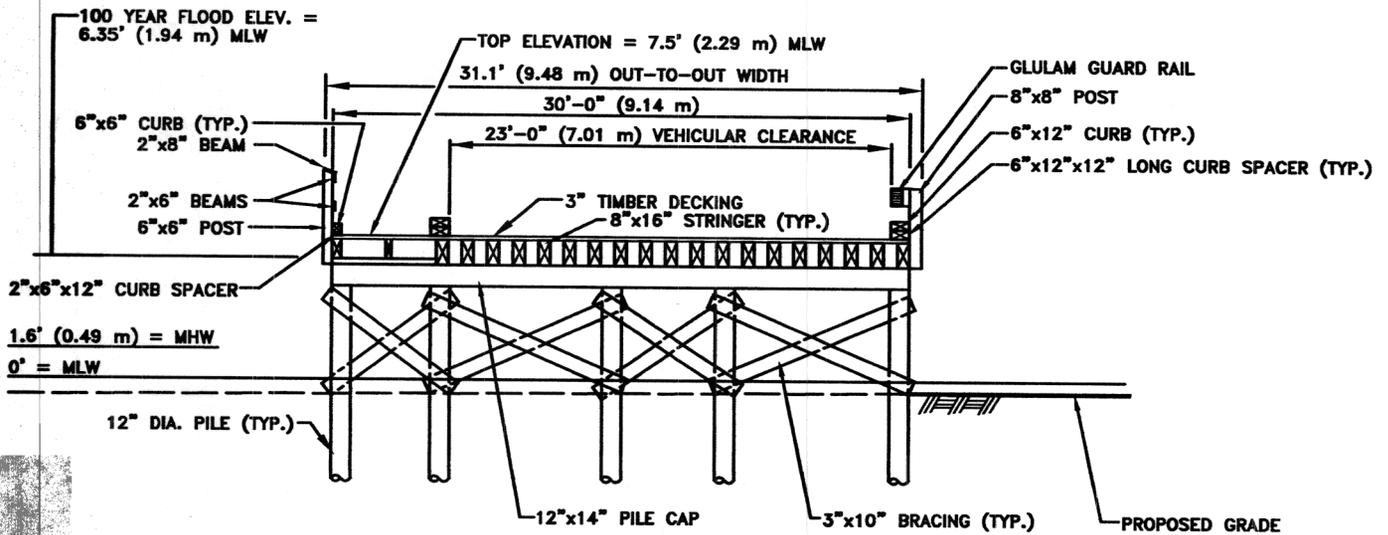


SHEET 10 OF 13
 APPL. BY: CHESAPEAKE RESORT L.L.C.
 DATE: FEBRUARY 2006

BOAT SLIP SUMMARY

DESCRIPTION	30' SLIPS	40' SLIPS	50' SLIPS	60' SLIPS	TOTAL
PHASE I	43	48	38	13	142
PHASE II	60	52	44	19	175
PHASE III	2	3	105	0	110
TOTAL	105	103	187	32	427

*TRANSIENT SLIPS 50 ; TOTAL NO. SLIPS 477



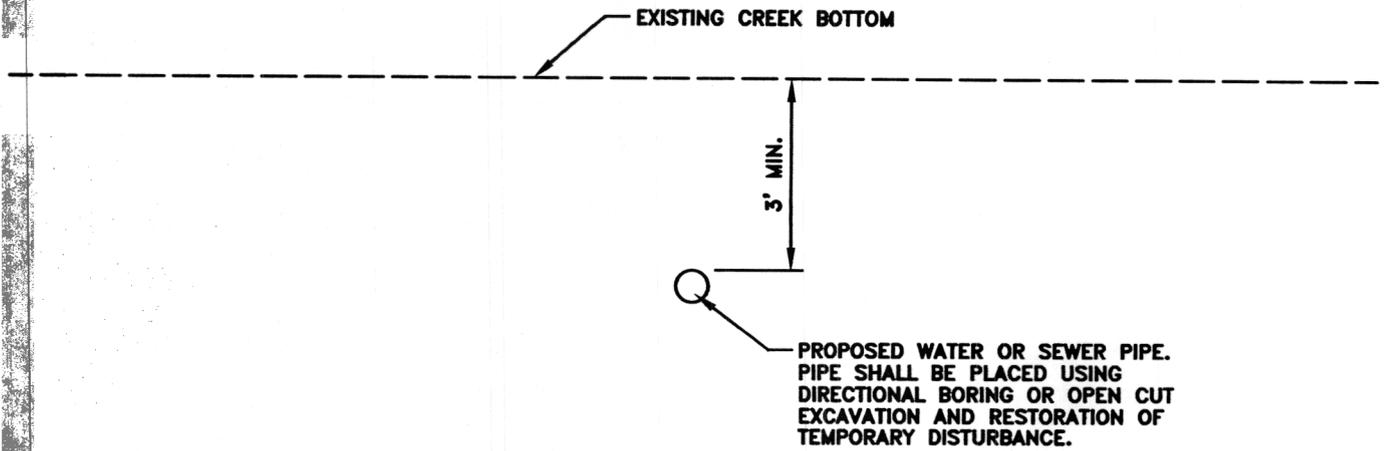
VEHICULAR BRIDGE VB4 SECTION



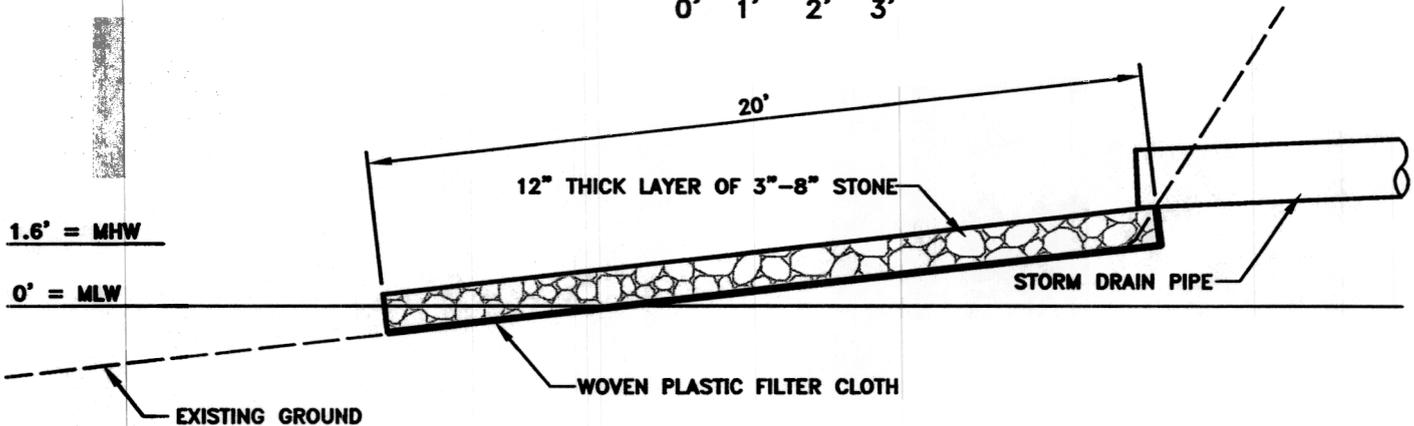
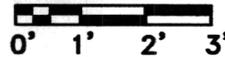
SHEET 11 OF 13

APPL. BY: CHESAPEAKE RESORT L.L.C.

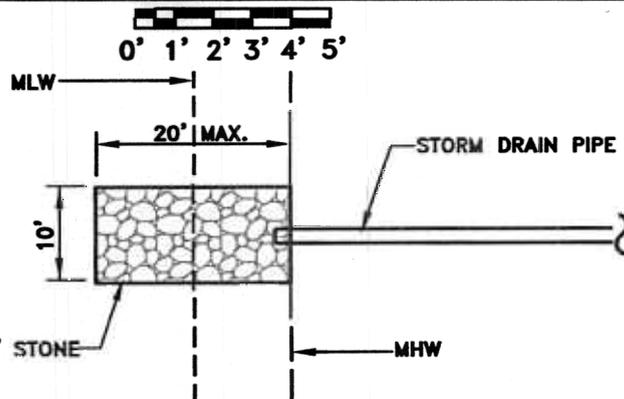
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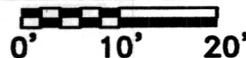
TYPICAL UTILITY CROSSING SECTION



TYPICAL STONE OUTLET PROTECTION SECTION



TYPICAL STONE OUTLET PROTECTION PLAN



SHEET 12 OF 13
 APPL. BY: CHESAPEAKE RESORT L.L.C.
 DATE: FEBRUARY 2006

Project Impact Summary Table 1

Sheet Identification	Description	Impact Classification Area	Area Impacted by Development (in Square feet)						Maximum Encroachment Channelward of MHW	Volume of Fill (in cubic yards)		
			Tidal Wetland		Non-Tidal Wetland		25' Non-Tidal Wetland Buffer			Tidal	Non-Tidal	25' Buffer
			Permanent	Temporary	Permanent	Temporary	Permanent	Temporary				
SHEET 4	24" Storm Drain Outfall w/ Outlet Protection	Storm Drain Outlet	200	0	20	80	50	200	20' max	8	8	15
	24" Storm Drain Outfall w/ Outlet Protection		70	0	26	104	50	200	7' max	5	5	10
SHEET 5	6' Pedestrian Walk (Bituminous Concrete Path w/III)	Pedestrian Walkway	0	0	0	0	1314	876	0	0	0	40
	Tree Clearing for 24" pipe		0	0	234	0	434	0	0	0	0	0
	Fill in area previously ditched for farming practices	Clearing Lawn Areas	0	0	1303	0	4294	0	0	0	48	159
SHEET 6	6' Pedestrian Walk (Bituminous Concrete Path w/III)	Pedestrian Walkway	0	0	600	0	762	508	0	0	11	24
	440 LF of 12" water main above grade on timber supports	Demolition	0	5016	0	2031	0	0	80' max	0	0	0
	Tree Clearing	Clearing	0	0	5457	3300	20325	2540	0	0	707	2635
SHEET 7	Timber Bridge - 110'x24'	Bridge	0	0	1420	0	1595	0	0	0	0	0
	Construction of 6-12" conduits under NTW and 25' Buffer	Utility Construction 15' wide trench each side	0	0	0	1597	0	1596	0	0	0	0
		Subtotal- Impact Area (SF)	270	5016	9060	5515	28824	4324		13	779	2883
		Subtotal- Impact Area (Acres)	0.006	0.115	0.208	0.127	0.662	0.099				

Marina Project Summary Table

Phase	Breakwater (L.F.)	Piers (SF)	Mooring Piles (EA)	Dredging (CY)	Slips
1		COMPLETED		0	192
2	0	35,756	218	9,000	175
3	1,515	24,295	164	0	110
Total	1,515	60,051	382	9,000	477

SHEET 13 OF 13
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