



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

Public Notice

In Reply to Application Number
CENAB-OP-RMS(CHESAPEAKE RESORT LLC/HYATT/MARINA
EXPANSION) 06-62883-M07

PN-08-80

Comment Period: December 19, 2008 to January 6, 2009

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: Chesapeake Resort LLC
Attn: Mr. Robert J. Knopf
c/o Andrews, Miller & Associates, Inc.
401 Academy Street, Suite One
Cambridge, Maryland 21613

LOCATION: Located at the Chesapeake Resort Marina on the Choptank River in Cambridge, Dorchester County, Maryland.

WORK: The applicant proposes, in accordance with the attached plans, to add wave screens under the existing "T" and "L" heads of the fixed timber collector piers, full length finger piers and mooring piles for the previously authorized 434 boat slip marina; to install two 14-foot wide floating breakwaters 264 feet long and 132 feet long, which will be emplaced within the at the marina basin's entrance with the phase 2 construction; to construct a 32-foot wide by 114-foot long stone groin, two 23-foot wide by 155-foot long breakwaters, all extending a maximum of 102 feet channelward of the mean high water line; to add approximately 1,850 cubic yards of clean sand fill to a previously authorized beach all within the confines of the proposed jetty and breakwaters. The purposes of the project are to replenish an existing beach and improve navigable access. All work is to be completed in accordance with the attached plan(s). If you have any questions concerning this matter, please contact Ms. Maria Teresi at (410) 962-4501.

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 *Scophthal musaquos* (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.

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 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.

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 Standards and Certification Division Maryland Department of the Environment, Montgomery Park Business, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland 21230-1715, within the comment period as specified above to receive consideration. 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, PO Box 1715, Baltimore, Maryland 21230-1715, 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.

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 Baltimore 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, with a copy provided to the Corps, within the comment period as specified above. It should be noted that the Coastal Zone 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.

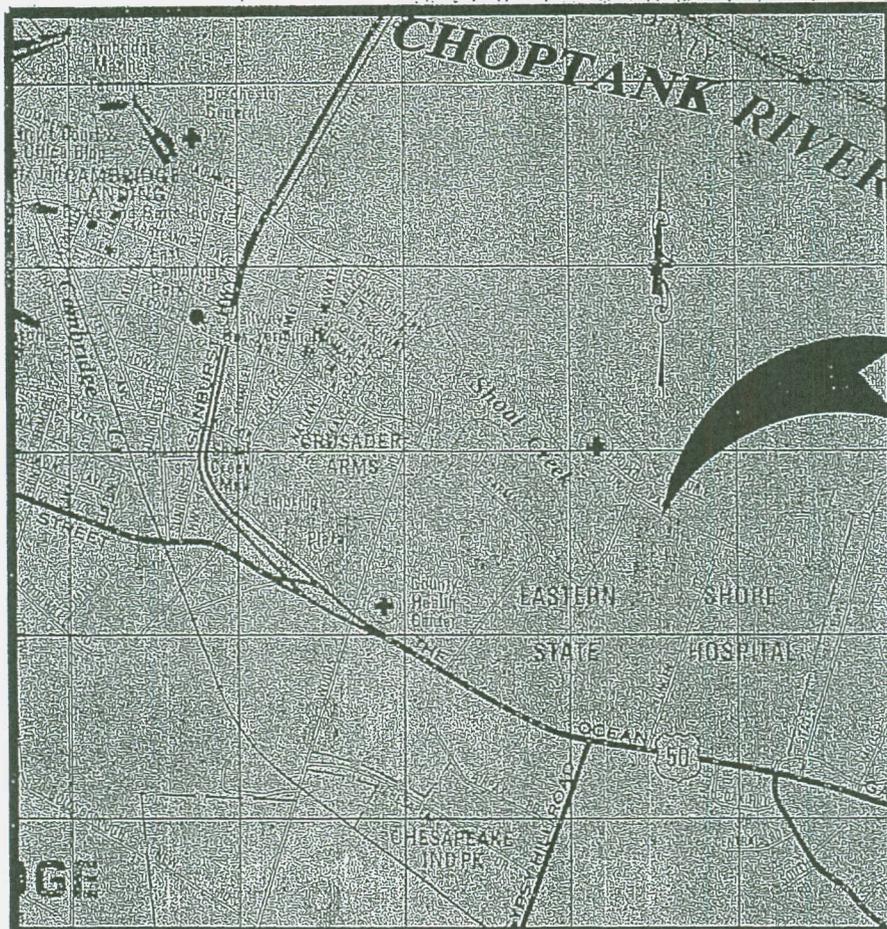
The evaluation of the impact of the work described above on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 of the Clean Water Act. Any person who has an interest which may be adversely affected by the

issuance of this permit may request a public hearing. The request, which must be in writing, must be received by the District Engineer, US Army Corps of Engineers, Baltimore District, PO Box 1715, 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 communicated 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.



WILLIAM P. SEIB
Chief, Maryland Section Southern



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-OP-RS 98-62491-7) AND THE STATE OF MARYLAND (99-0288). THE STATE OF MARYLAND REAUTHORIZED THE TIDAL WETLANDS LICENSE No. 99-0288, (R) ON DECEMBER 1, 2004. *RMS-06-62883 on July 20, 2007*
April 15, 2008
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.

SHEET 1 OF 12

PROPOSED MARINA EXPANSION AND UPLAND IMPROVEMENTS

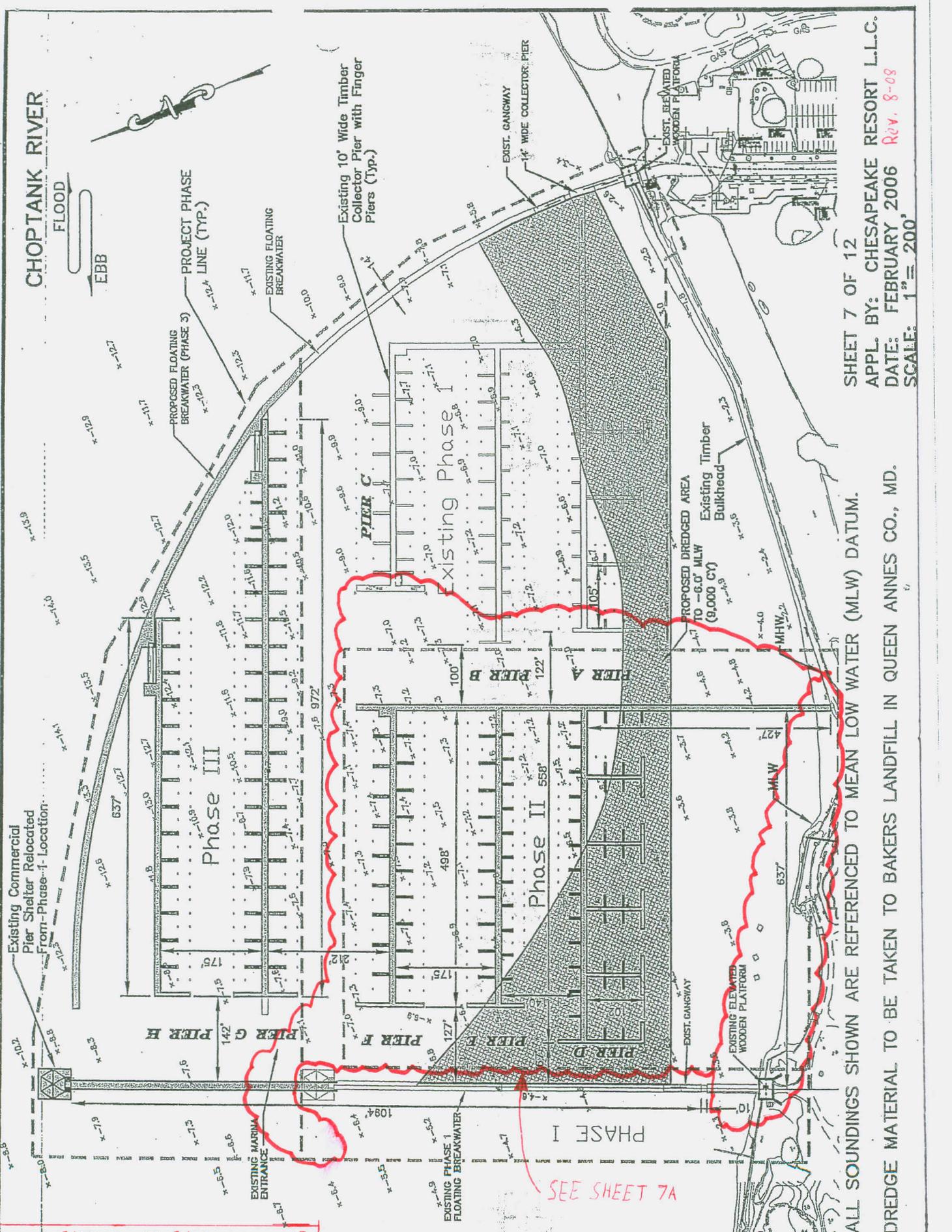
IN: CHOPTANK RIVER
 AT: CAMBRIDGE
 DORCHESTER COUNTY, MARYLAND
 APPL. BY: CHESAPEAKE RESORT L.I.C.
 DATE: FEBRUARY 2006 *Rev. 8-08*

CENAB-OP-RMS-06-62883

C.D.H.

2006-62883-7

CHOPTANK RIVER



Existing Commercial Pier Shelter Relocated From Phase-I Location

Phase III

Existing Phase I

Phase II 558'

SEE SHEET 7A

Existing 10' Wide Timber Collector Pier with Finger Piers (Typ.)

PROPOSED DREDGED AREA TO -6.0' MLW (9,000 CY)

EXISTING ELEVATOR WOODEN PLATFORM

MLW

ALL SOUNDINGS SHOWN ARE REFERENCED TO MEAN LOW WATER (MLW) DATUM.

DREDGE MATERIAL TO BE TAKEN TO BAKERS LANDFILL IN QUEEN ANNES CO., MD.

SHEET 7 OF 12

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

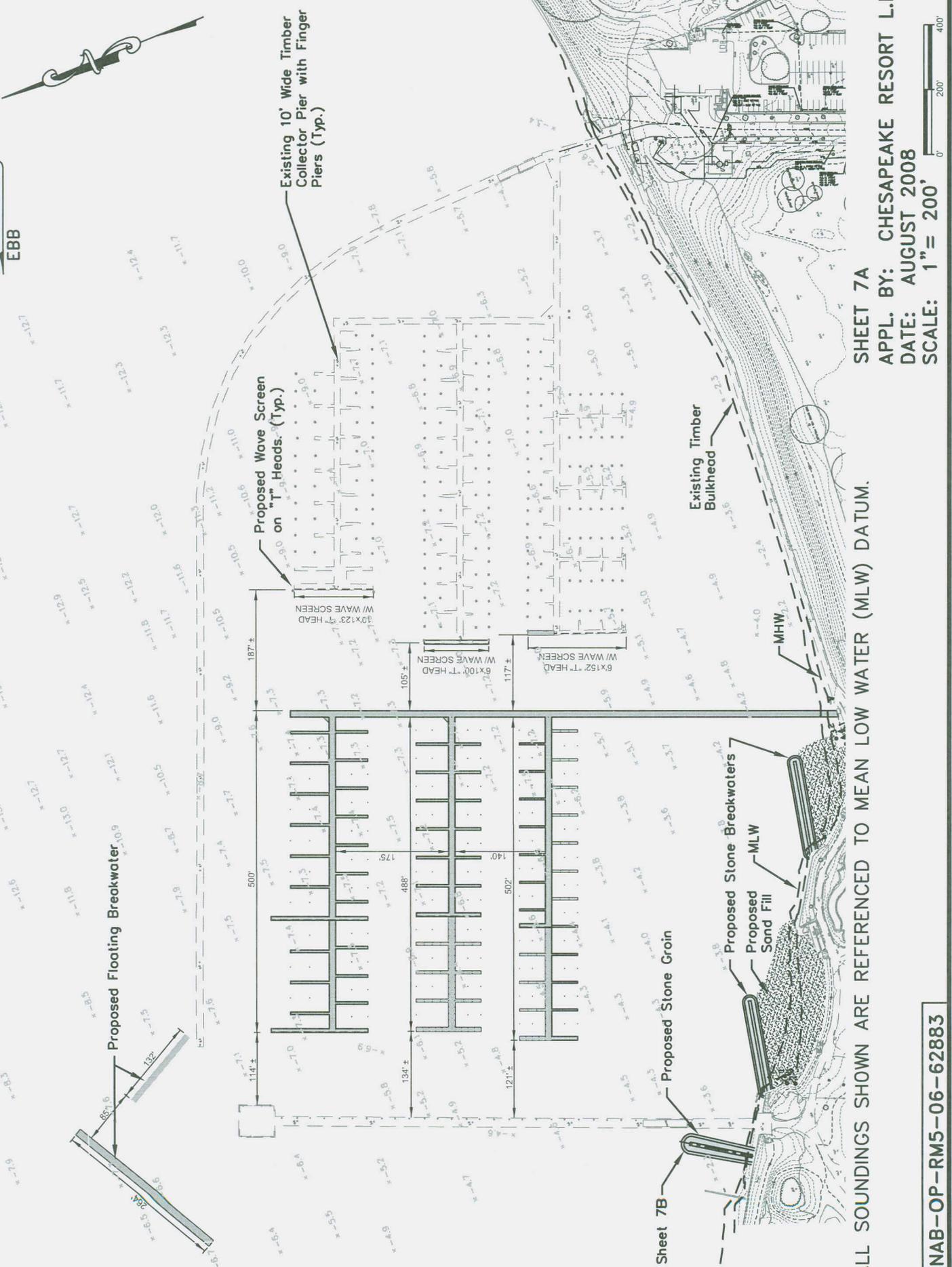
DATE: FEBRUARY 2006 Rev. 8-08

SCALE: 1" = 200'

CENAB-OP-RMS-06-62883

287

CHOPTANK RIVER



Proposed Floating Breakwater

Proposed Wave Screen on "T" Heads. (Typ.)

Existing 10' Wide Timber Collector Pier with Finger Piers (Typ.)

Existing Timber Bulkhead

Proposed Stone Breakwaters

Proposed Sand Fill

MLW

Proposed Stone Groin

See Sheet 7B

MHW

ALL SOUNDINGS SHOWN ARE REFERENCED TO MEAN LOW WATER (MLW) DATUM.

SHEET 7A

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

DATE: AUGUST 2008

SCALE: 1" = 200'

CENAB-OP-RM5-06-62883

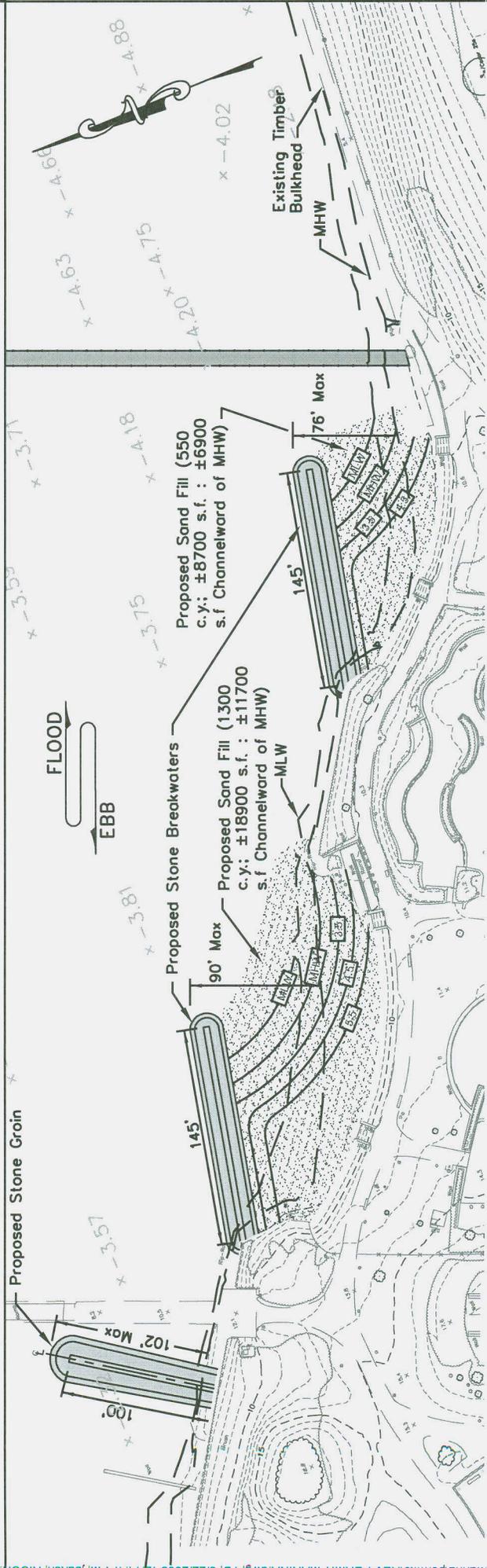


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TYPICAL BEACH SECTION

SCALE: 1" = 20'



ALL SOUNDINGS SHOWN ARE REFERENCED TO MEAN LOW WATER (MLW) DATUM.

SHEET 7B

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

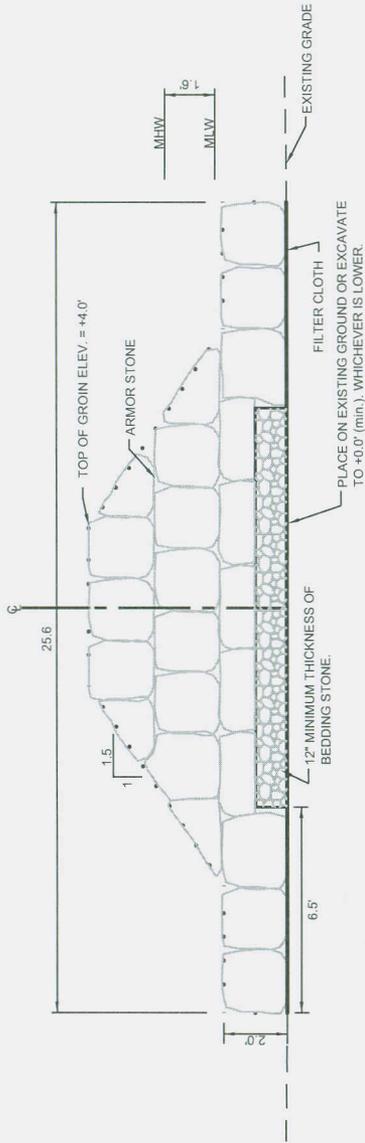
DATE: AUGUST 2008

SCALE: 1" = 100'

CENAB-OP-RM5-06-62883

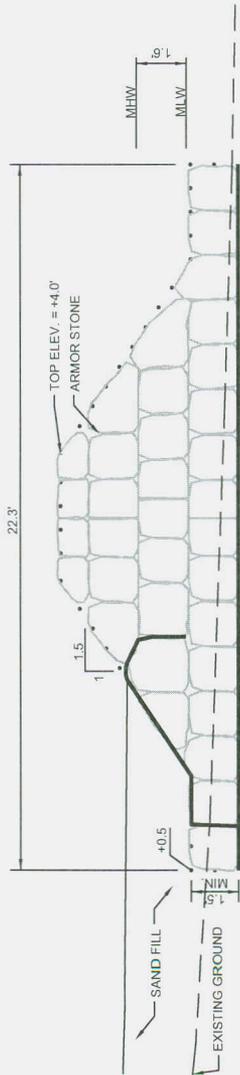


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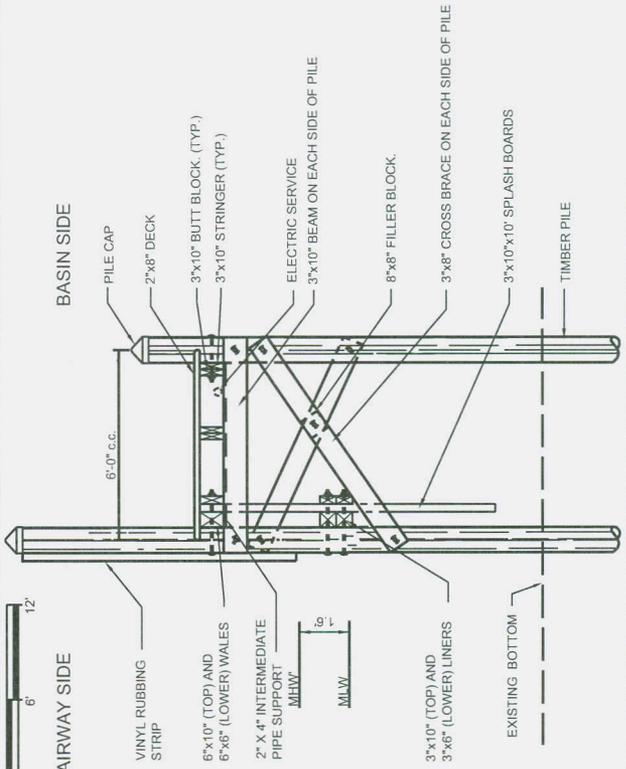
TYPICAL GROIN SECTION

SCALE: 1" = 6'



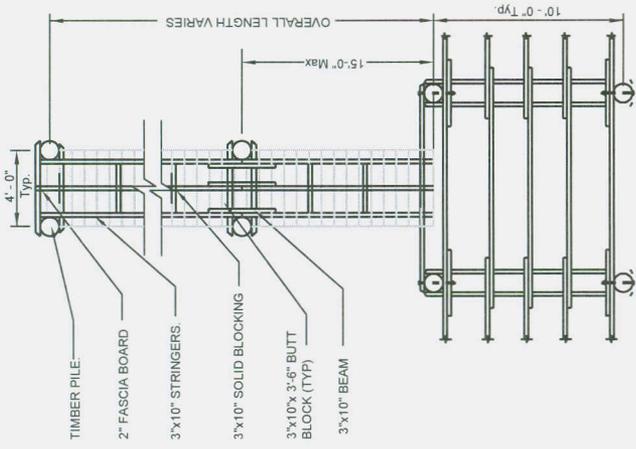
TYPICAL BREAKWATER SECTION

SCALE: 1" = 6'



TYPICAL 6' "T" AND "L" PIER W/ WAVE SCREEN SECTION B-B

SCALE: 1" = 6'



TYPICAL 4' WIDE FINGER PIER FRAMING PLAN

SCALE: 1" = 10'

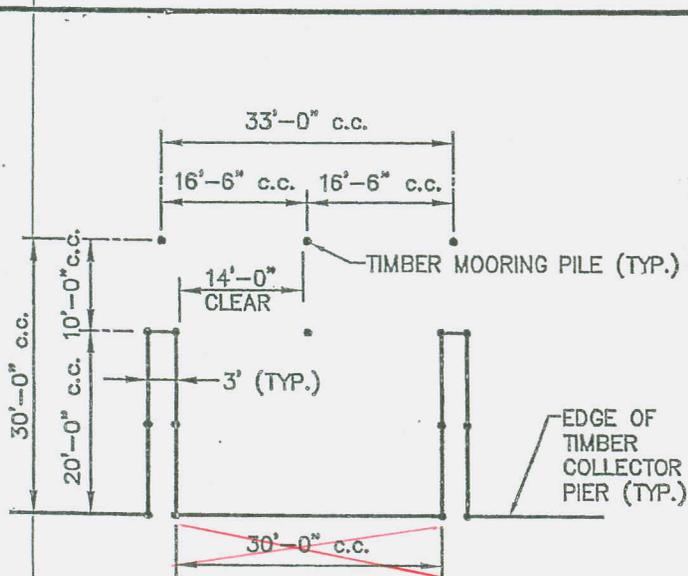
SHEET 8A

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

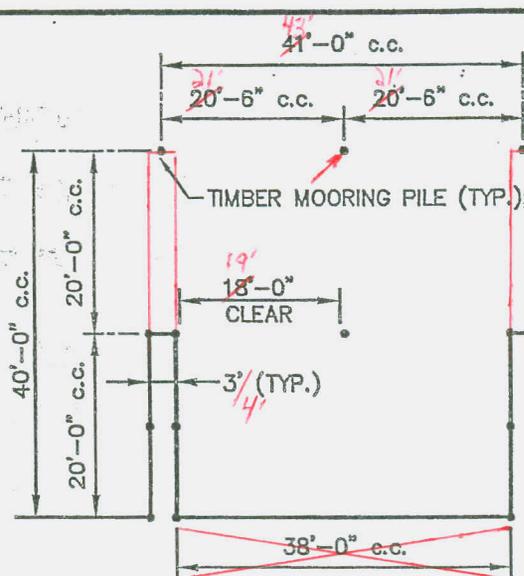
DATE: AUGUST 2008

CENAB-OP-RM5-06-62883

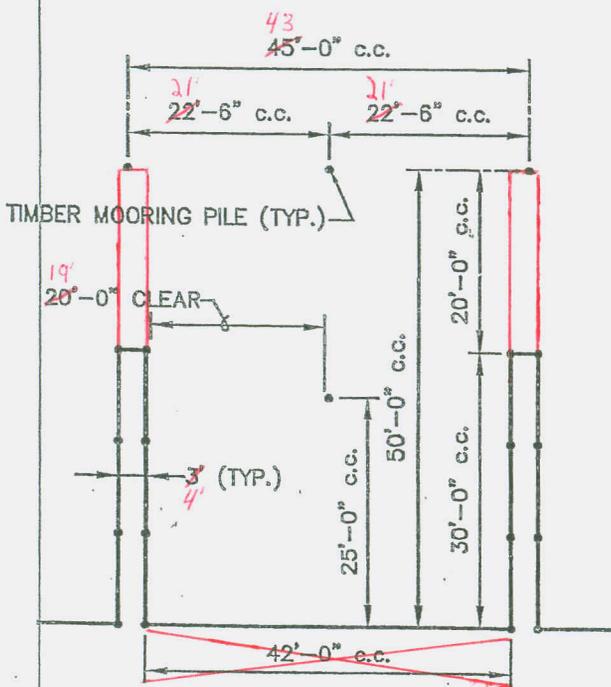
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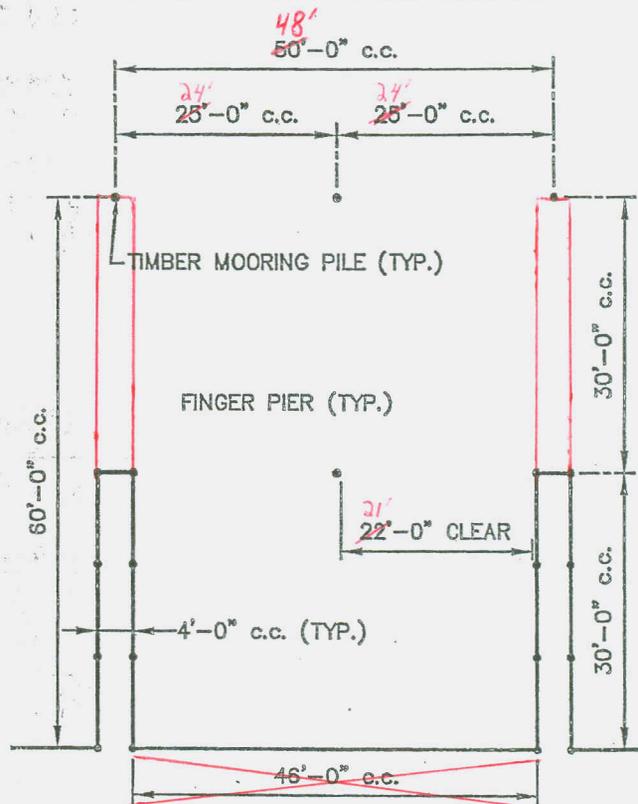
30' LONG BOATS



40' LONG BOATS



50' LONG BOATS



60' LONG BOATS

TYPICAL SLIP LAYOUTS



SHEET 9 OF 12
 APPL. BY: CHESAPEAKE RESORT L.L.C.
 DATE: FEBRUARY 2006 Rev. 8-08

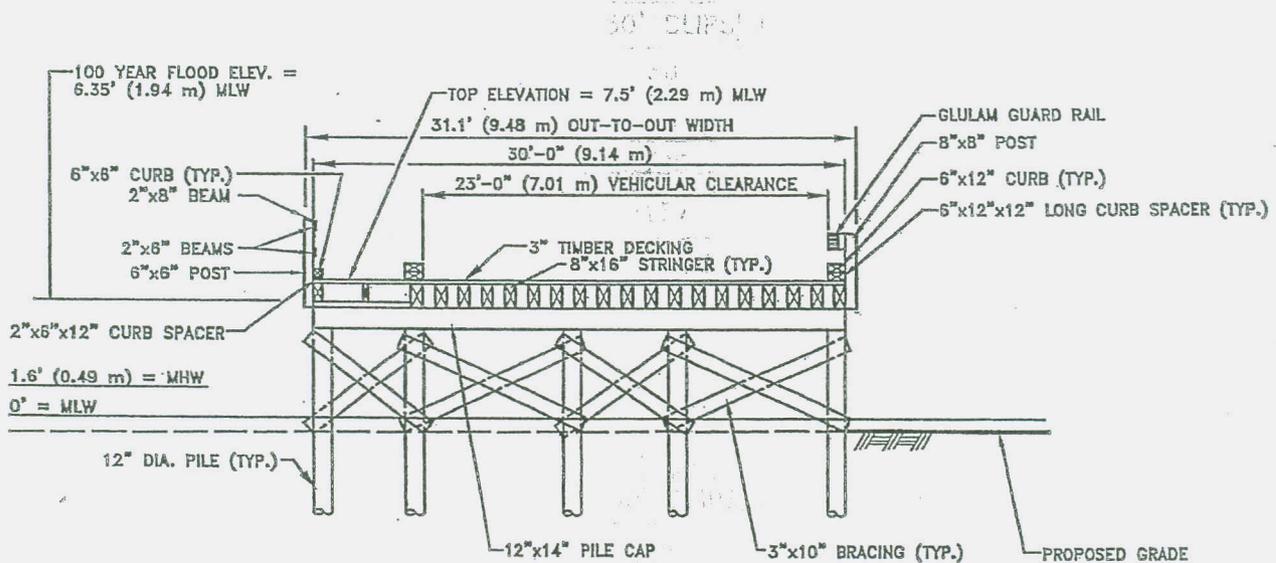
CENAB-CP-RM5-06-62983

687

BOAT SLIP SUMMARY

DESCRIPTION	30' SLIPS	40' SLIPS	50' SLIPS	60' SLIPS	TOTAL
PHASE I	43	48	38	13	142
PHASE II	60 0	52 68	44	19 20	175 132
PHASE III	2	3	105	0	110
TOTAL	105 45	103 119	187	32 33	427 384

*TRANSIENT SLIPS 50 ; TOTAL NO. SLIPS ~~477~~ 434



VEHICULAR BRIDGE VB4 SECTION



SHEET 10 OF 12

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

DATE: FEBRUARY 2006 Rev. 8-08

CENAB-OP-RMS-06-62883

787