

PUBLIC NOTICE



US Army
Corps
of Engineers
Baltimore
District

In Reply to Application Number
CENAB-OP-R(K. HOVNANIAN OF MD/FOUR
SEASONS/BRIDGE)00-60465-3

Maryland Department
of
the Environment

Comment Period: February 3, 2003 to March 21, 2003

THE PURPOSE OF THIS JOINT PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC ABOUT THE WORK DESCRIBED BELOW AND TO ANNOUNCE THAT A JOINT U.S. ARMY CORPS OF ENGINEERS (COE)/MARYLAND DEPARTMENT OF THE ENVIRONMENT (MDE) PUBLIC HEARING WILL BE HELD ON THE PROJECT. AT THIS TIME, NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED.

A Joint COE/MDE Public Hearing will be held on March 6, 2003 from 7:00 p.m. to 10:00 p.m. at the Kent Island High School Auditorium located at 900 Love Point Road, Stevensville, Maryland 21666. Attendees wishing to speak at the hearing should sign up at the registration table one-half hour prior to the hearing.

HEARING LOCATION: Kent Island High School
900 Love Point Road
Stevensville, Maryland 21666
(see attached map)

The COE and MDE have 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) and State authorization pursuant to the Tidal Wetlands Act and/or Nontidal Wetlands Protection Act, as described below:

APPLICANT *K. Hovnanian of MD/Four Seasons*
Attn: *Mr. Mark Stemen*
4090 A Lafayette Center Drive
Chantilly, Virginia 20151

LOCATION: *The proposed project is located on 562 acres of land off of Castle Marina Road on Kent Island in Queen Annes County. The property adjoins tidal waters of Cox Creek, Macum Creek and the Chester River near Stevensville, Queen Annes County, Maryland*

GENERAL DESCRIPTION

K. Hovnanian/Four Seasons proposes to construct an upland residential community adjoining Cox Creek, Macum Creek and the Chester River. The proposal involves the construction of 1350 residential units; community clubhouse, exercise and recreational facilities and conference facility; recreational area with outdoor pool, tennis, bocci ball, croquet courts and putting green; a 72-slip community pier with collector piers and dolphin piles; a vehicular and pedestrian bridge and Rails to Trails bike/pedestrian path; a stormdrain system with 18 riprap outfalls; a water tower; helicopter pad; sewer pump station and utilities. **The upland facilities (residential units, clubhouse, conference room, exercise and recreational facilities, water tower and helicopter pad) do not require a permit from the COE.** The proposed activities are depicted on the attached plans for the project.

juvenile and adult, Paralichthys dentatus summer flounder juvenile and adult, and eggs, larvae, juveniles and adults for the species Scomberomorus cavalla Spanish mackerel Rachycentron canadum cobia, and Sciaenops ocellatus red drum 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. This determination may be modified if additional information indicates otherwise and would change the preliminary determination.

All work is to be completed in accordance with the enclosed plan(s). If you have any questions concerning this matter, please contact the COE project manager Mrs. Lynette Rhodes at (410) 962-5686, or the MDE project managers, Mr. Stan Causey (Tidal Wetland and Waters) at (410)901-4043 and Mr. Chris Pajak, (Nontidal Wetlands) at (410)543-6703.

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 MDE. 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 Center, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland 21230-1708 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 21203-1715, 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 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.

A preliminary review of this application and certain cultural resource information indicates that some archeological sites potentially eligible for inclusion in the National Register of Historic Places are located at the site of the proposed work. Currently, known archeological, scientific, prehistoric, or historical data may be lost or destroyed by the proposed upland development work. Consequently, consultation with the Maryland State Historic Preservation Officer and/or the Advisory Council on Historic Preservation will be initiated by the COE in order to comply with Section 106 of the National Historic Preservation Act of 1966.

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.

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.

TIDAL AND NONTIDAL WETLANDS IMPACTS

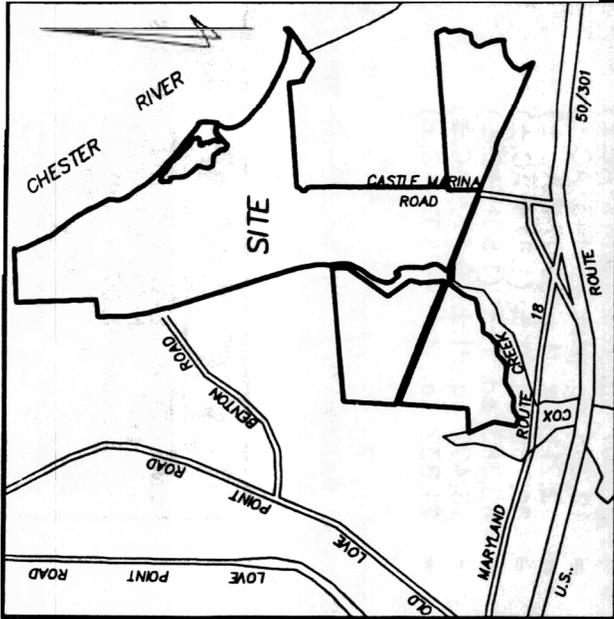
PERMIT
TO DISTURB/FILL
TIDAL/NONTIDAL WETLANDS
IN

FOUR SEASONS AT KENT ISLAND
FOURTH DISTRICT, QUEEN ANNE'S COUNTY, MARYLAND
PREPARED FOR: K. HOVNANIAN OF MARYLAND
DATE: SEPTEMBER 5, 2000
REVISED DATE: FEBRUARY 28, 2002

LANDS N/F OF
COUNTY COMMISSIONERS
OF QUEEN ANNE'S COUNTY
M.W.M. 319/234

LANDS N/F OF
PHILIP T. DAVIDSON
S.M. 586/832

LANDS N/F OF
JUDITH C. LEARY
S.M. 558/938



VICINITY MAP

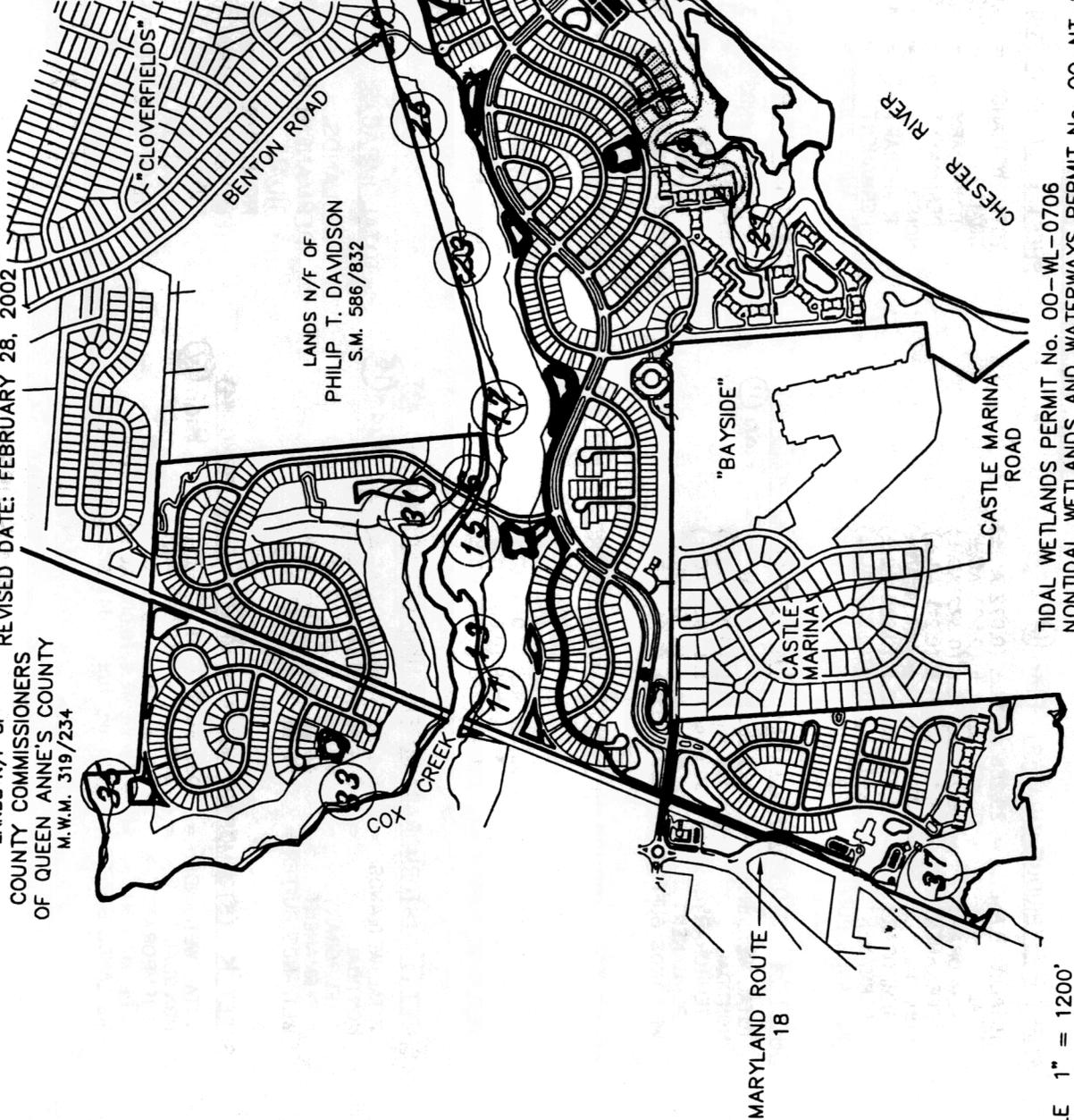
DEVOTES
PLAN
NUMBERS



PROPOSED
PIER

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LAND PLANNING & SURVEYING
CONSTRUCTION SERVICES
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SUITE 100
CENTREVILLE, MARYLAND
(410) 758-2237

Sheet 'B' of 'Z'



TIDAL WETLANDS PERMIT No. 00-WL-0706
NONTIDAL WETLANDS AND WATERWAYS PERMIT No. 00-NT-2217

SCALE 1" = 1200'

WETLANDS IMPACT DATA (CONTINUED)

SHEET O (STORMDRAIN OUTFALL IMPACTS FROM POND #7) Plan 25
 TOTAL WETLANDS = 924 sq. ft.± (0.021 AC.±)
 NONTIDAL = 924 sq. ft.± (0.021 AC.±)
 TEMPORARY = 764 sq. ft.± (0.018 AC.±)
 PERMANENT = 160 sq. ft.± (0.004 AC.±)
 WETLANDS BUFFER = 786 sq. ft.± (0.018 AC.±)

SHEET P (STORMDRAIN OUTFALL IMPACTS FROM POND #8) Plan 27
 TOTAL WETLANDS = 416 sq. ft.± (0.010 AC.±)
 TIDAL = 350 sq. ft.± (0.008 AC.±)
 TEMPORARY = 340 sq. ft.± (0.008 AC.±)
 PERMANENT = 10 sq. ft.± (0.000 AC.±)
 NONTIDAL = 66 sq. ft.± (0.002 AC.±)
 TEMPORARY = 44 sq. ft.± (0.001 AC.±)
 PERMANENT = 22 sq. ft.± (0.001 AC.±)
 WETLANDS BUFFER = 727 sq. ft.± (0.017 AC.±)

SHEET Q (STORMDRAIN OUTFALL IMPACTS FROM POND #9) Plan 29
 TOTAL WETLANDS = 1,821 sq. ft.± (0.042 AC.±)
 NONTIDAL = 1,821 sq. ft.± (0.042 AC.±)
 TEMPORARY = 1,650 sq. ft.± (0.038 AC.±)
 PERMANENT = 171 sq. ft.± (0.004 AC.±)
 WETLANDS BUFFER = 778 sq. ft.± (0.018 AC.±)

SHEET R (STORMDRAIN OUTFALL IMPACTS FROM POND #11) Plan 31
 TOTAL WETLANDS = 415 sq. ft.± (0.010 AC.±)
 NONTIDAL = 415 sq. ft.± (0.010 AC.±)
 TEMPORARY = 365 sq. ft.± (0.008 AC.±)
 PERMANENT = 50 sq. ft.± (0.001 AC.±)
 WETLANDS BUFFER = 750 sq. ft.± (0.017 AC.±)

SHEET S (STORMDRAIN OUTFALL IMPACTS FROM POND #12) Plan 33
 TOTAL WETLANDS = 1,036 sq. ft.± (0.024 AC.±)
 TIDAL = 199 sq. ft.± (0.005 AC.±)
 TEMPORARY = 199 sq. ft.± (0.005 AC.±)
 PERMANENT = 000 sq. ft.± (0.000 AC.±)
 NONTIDAL = 837 sq. ft.± (0.019 AC.±)
 TEMPORARY = 680 sq. ft.± (0.016 AC.±)
 PERMANENT = 157 sq. ft.± (0.004 AC.±)
 WETLANDS BUFFER = 750 sq. ft.± (0.017 AC.±)

SHEET T (STORMDRAIN OUTFALL IMPACTS FROM POND #13) Plan 35
 TOTAL WETLANDS = 1,146 sq. ft.± (0.026 AC.±)
 TIDAL = 243 sq. ft.± (0.006 AC.±)
 TEMPORARY = 243 sq. ft.± (0.006 AC.±)
 PERMANENT = 000 sq. ft.± (0.000 AC.±)
 NONTIDAL = 903 sq. ft.± (0.021 AC.±)
 TEMPORARY = 746 sq. ft.± (0.017 AC.±)
 PERMANENT = 157 sq. ft.± (0.004 AC.±)
 WETLANDS BUFFER = 879 sq. ft.± (0.020 AC.±)

SHEET U (STORMDRAIN OUTFALL IMPACTS FROM POND OFFSITE) Plan 37
 TOTAL WETLANDS = 841 sq. ft.± (0.019 AC.±)
 TIDAL = 841 sq. ft.± (0.019 AC.±)
 TEMPORARY = 785 sq. ft.± (0.018 AC.±)
 PERMANENT = 56 sq. ft.± (0.001 AC.±)
 WETLANDS BUFFER = 1,189 sq. ft.± (0.027 AC.±)

SHEET X (TIDAL WATER IMPACTS FROM COMMUNITY PIER) Plan 41
 TOTAL WETLANDS = 56,100 sq. ft.± (1.288 AC.±)
 TEMPORARY = 46,100 sq. ft.± (1.058 AC.±)
 PERMANENT = 10,000 sq. ft.± (0.230 AC.±)

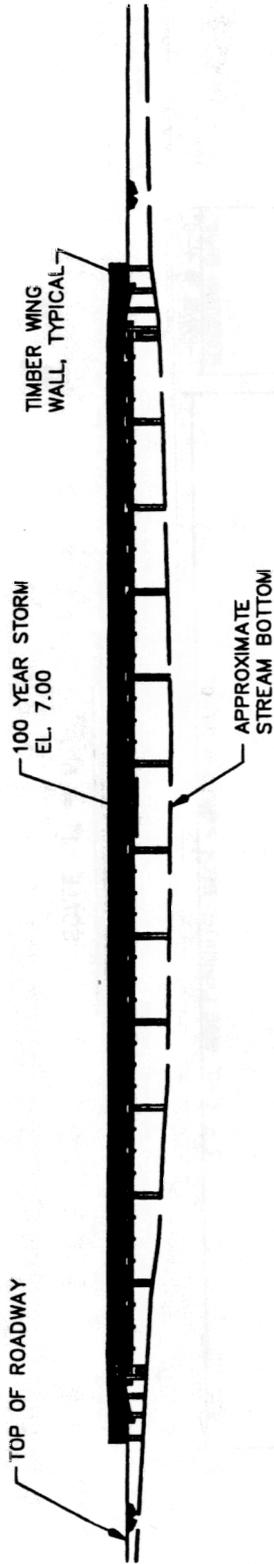
TIDAL WETLANDS PERMIT No. 00-WL-0706
 NONTIDAL WETLANDS AND WATERWAYS PERMIT No. 00-NT-2217

PERMIT
 TO DISTURB/FILL
 TIDAL/NONTIDAL WETLANDS
 IN

FOUR SEASONS AT KENT ISLAND
 FOURTH DISTRICT, QUEEN ANNE'S COUNTY, MARYLAND
 PREPARED FOR: K. HOVNANIAN OF MARYLAND
 DATE: SEPTEMBER 5, 2000
 REVISED DATE: FEBRUARY 28, 2001

McCRONE
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 LAND PLANNING & SURVEYING
 CONSTRUCTION SERVICES
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 SUITE 100
 CENTREVILLE, MARYLAND
 (410) 756-2237

PROPOSED BRIDGE LOCATION - SIDE VIEW



DATUM EL. -50.00

ELEVATION

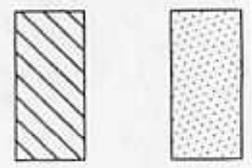
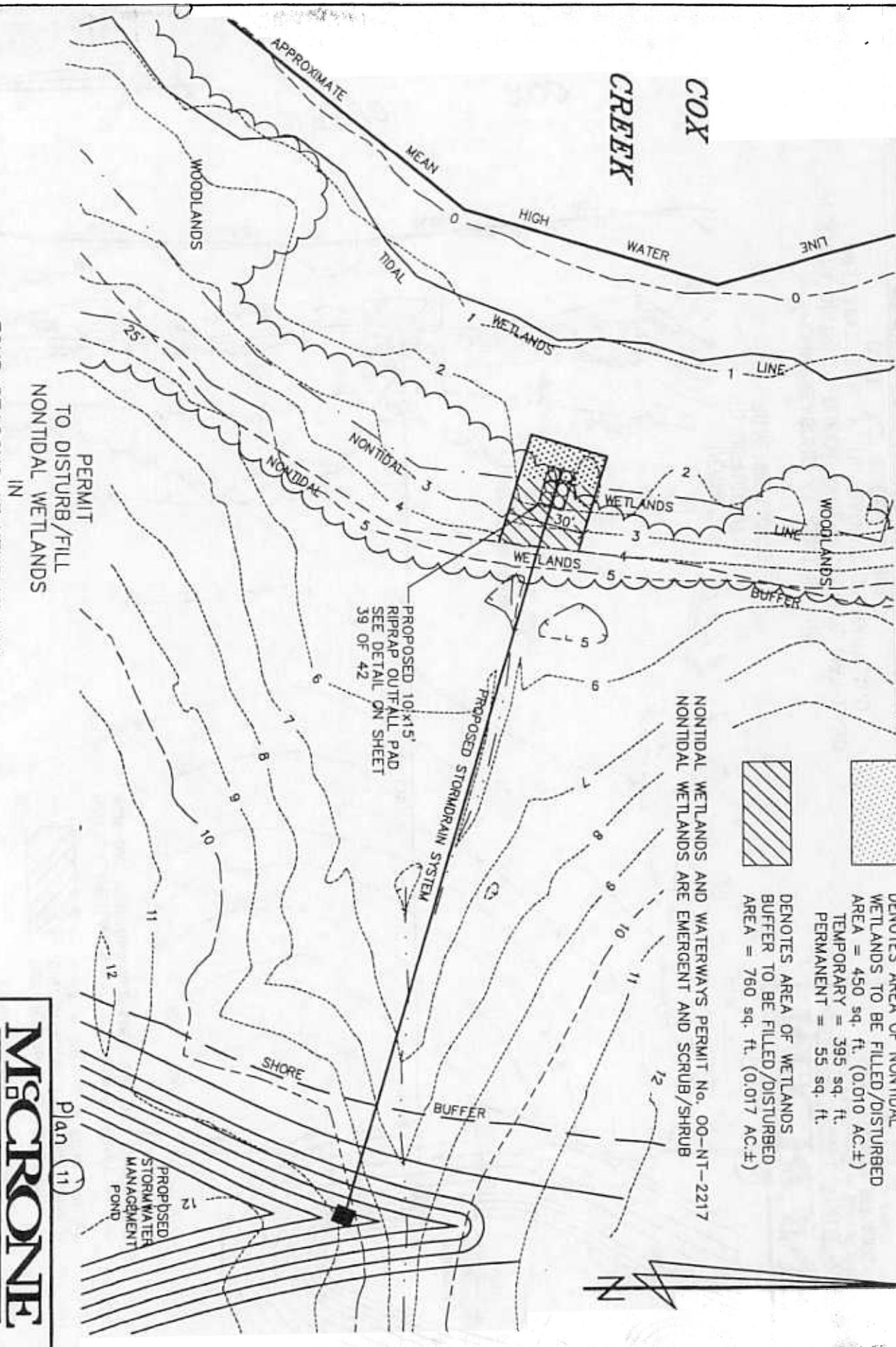
SCALE 1" = 50'

PERMIT
 FOR A PROPOSED BRIDGE
 OVER COX CREEK
 ON THE LANDS OF
 K. HOVNIANIAN OF MARYLAND
 FOURTH DISTRICT, QUEEN ANNE'S COUNTY, MARYLAND
 PREPARED FOR: K. HOVNIANIAN OF MARYLAND
 DATE: FEBRUARY 26, 2001
 REVISED DATE: SEPTEMBER 28, 2001

WALLACE,
 MONTGOMERY
 & ASSOCIATES
 CIVIL AND STRUCTURAL ENGINEERS
 110 WEST ROAD
 TOWSON, MARYLAND 21204

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PROPOSED STORMDRAIN OUTFALL IMPACTS FROM POND #1



DENOTES AREA OF NONTIDAL WETLANDS TO BE FILLED/DISTURBED
 AREA = 450 sq. ft. (0.010 AC.±)
 TEMPORARY = 395 sq. ft.
 PERMANENT = 55 sq. ft.

DENOTES AREA OF WETLANDS BUFFER TO BE FILLED/DISTURBED
 AREA = 760 sq. ft. (0.017 AC.±)

NONTIDAL WETLANDS AND WATERWAYS PERMIT No. 00-NT-2217
 NONTIDAL WETLANDS ARE EMERGENT AND SCRUB/SHRUB

PROPOSED 10'x15' RIPRAP OUTFALL PAD
 SEE DETAIL ON SHEET 39 OF 42

PERMIT TO DISTURB/FILL
 NONTIDAL WETLANDS

Plan (11)

PROPOSED STORMWATER MANAGEMENT POND

SCALE 1" = 50'

FOUR SEASONS AT KENT ISLAND
 FOURTH DISTRICT, QUEEN ANNE'S COUNTY, MARYLAND
 PREPARED FOR: K. HOVNANIAN OF MARYLAND
 DATE: SEPTEMBER 5, 2000
 REVISED DATE: SEPTEMBER 28, 2001

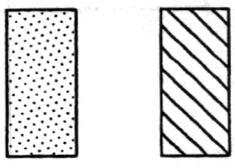
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Sheet H of Z

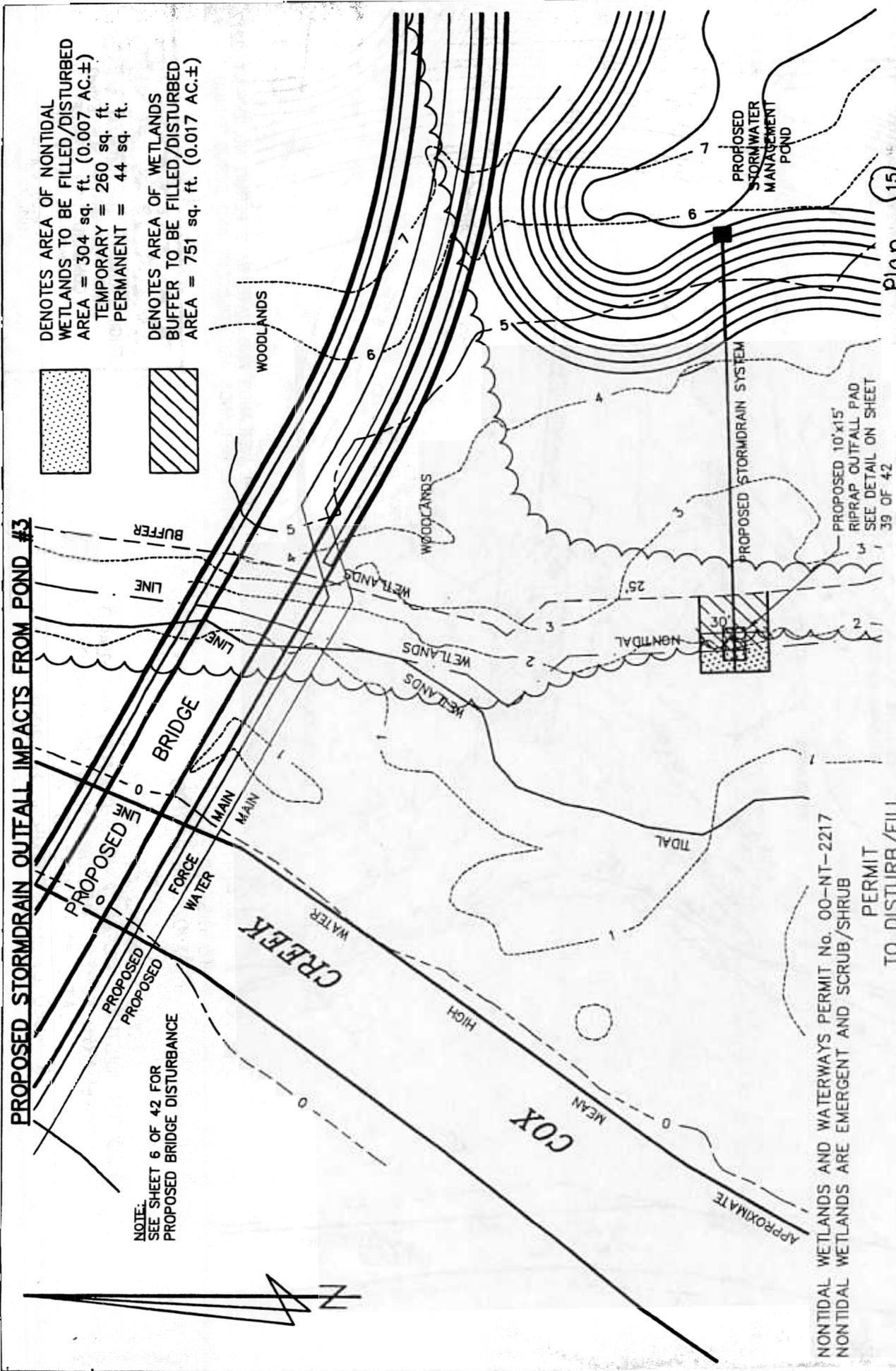
PROPOSED STORMDRAIN OUTFALL IMPACTS FROM POND #3

DENOTES AREA OF NONTIDAL WETLANDS TO BE FILLED/DISTURBED
 AREA = 304 sq. ft. (0.007 AC.±)
 TEMPORARY = 260 sq. ft.
 PERMANENT = 44 sq. ft.

DENOTES AREA OF WETLANDS BUFFER TO BE FILLED/DISTURBED
 AREA = 751 sq. ft. (0.017 AC.±)



NOTE:
 SEE SHEET 6 OF 42 FOR
 PROPOSED BRIDGE DISTURBANCE



NONTIDAL WETLANDS AND WATERWAYS PERMIT No. 00-NT-2217
 NONTIDAL WETLANDS ARE EMERGENT AND SCRUB/SHRUB

PERMIT
 TO DISTURB/FILL
 NONTIDAL WETLANDS
 IN

FOUR SEASONS AT KENT ISLAND
 FOURTH DISTRICT, QUEEN ANNE'S COUNTY, MARYLAND
 PREPARED FOR: K. HOVNANIAN OF MARYLAND
 DATE: SEPTEMBER 5, 2000
 REVISED DATE: SEPTEMBER 28, 2001

SCALE 1" = 60'

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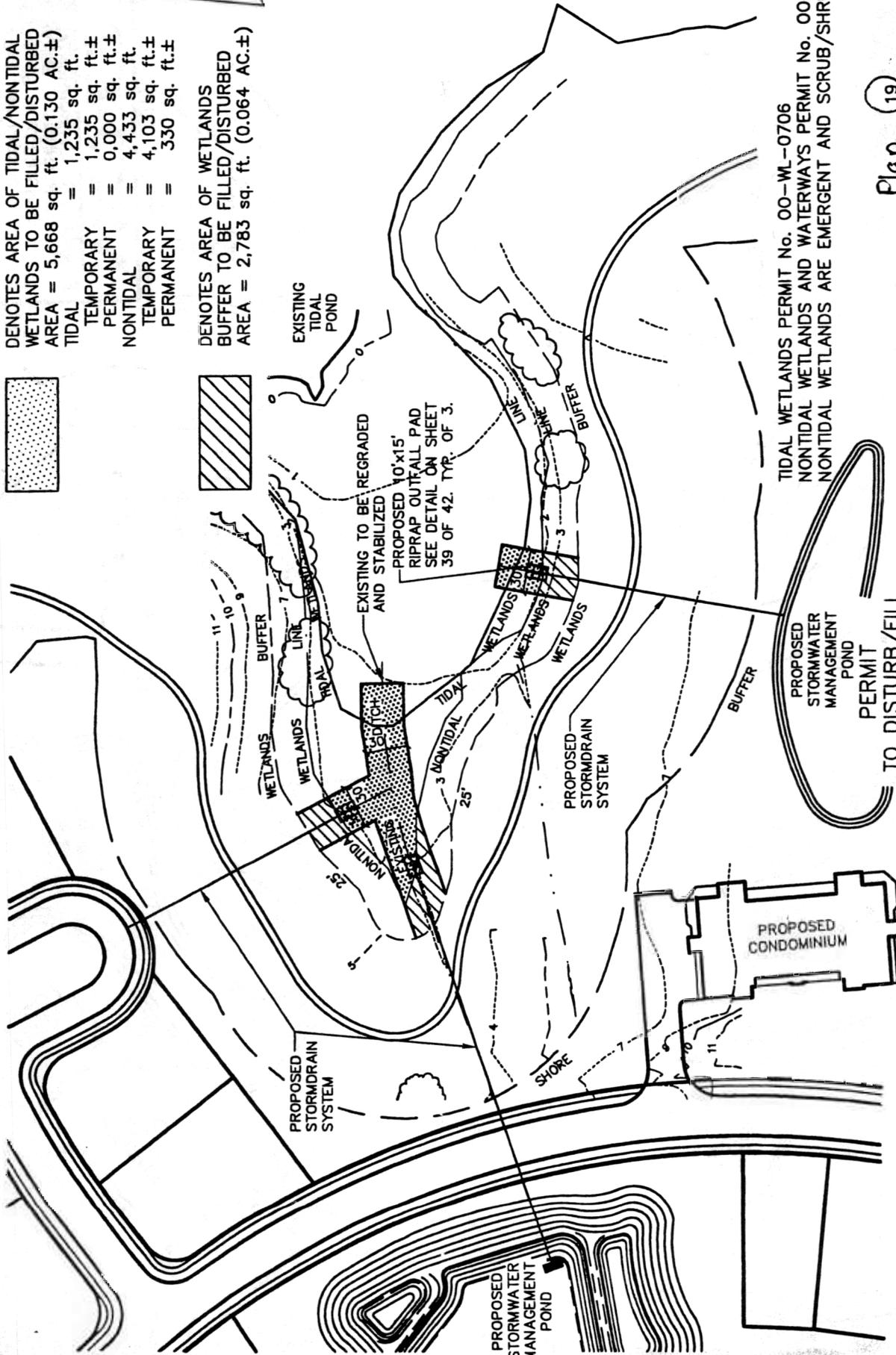
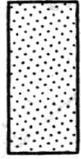
PROPOSED STORMDRAIN OUTFALL IMPACTS FROM POND #5

DENOTES AREA OF TIDAL/NONTIDAL WETLANDS TO BE FILLED/DISTURBED AREA = 5,668 sq. ft. (0.130 AC.±)

TIDAL = 1,235 sq. ft.±
 TEMPORARY = 1,235 sq. ft.±
 PERMANENT = 0,000 sq. ft.±

NONTIDAL = 4,433 sq. ft.±
 TEMPORARY = 4,103 sq. ft.±
 PERMANENT = 330 sq. ft.±

DENOTES AREA OF WETLANDS BUFFER TO BE FILLED/DISTURBED AREA = 2,783 sq. ft. (0.064 AC.±)



TIDAL WETLANDS PERMIT No. 00-WL-0706
 NONTIDAL WETLANDS AND WATERWAYS PERMIT No. 00-NT-2217
 NONTIDAL WETLANDS ARE EMERGENT AND SCRUB/SHRUB

Plan 19

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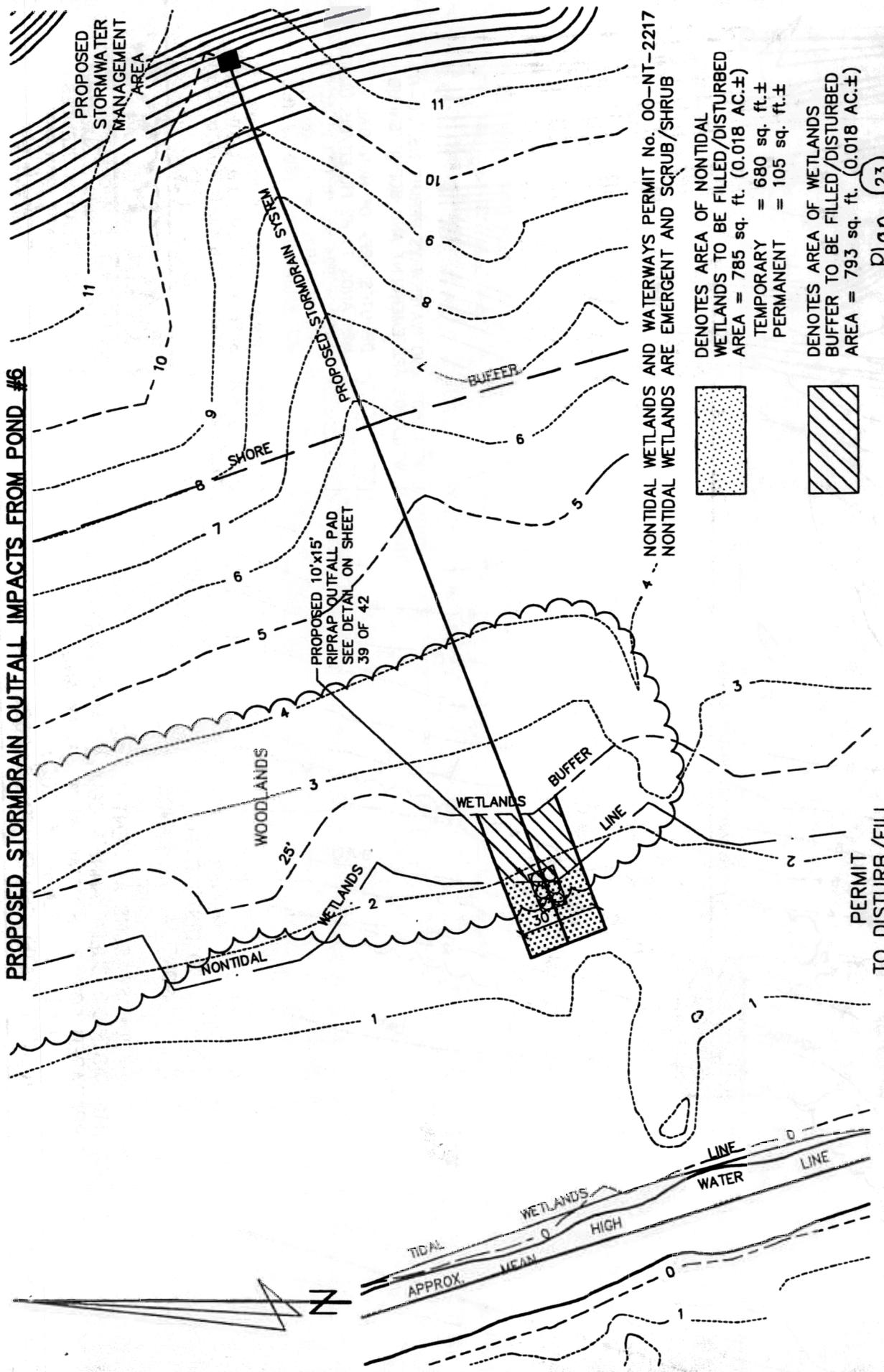
PROPOSED STORMWATER MANAGEMENT POND
 PERMIT TO DISTURB/FILL IN TIDAL/NONTIDAL WETLANDS

FOUR SEASONS AT KENT ISLAND
 FOURTH DISTRICT, QUEEN ANNE'S COUNTY, MARYLAND
 PREPARED FOR: K. HOVNANIAN OF MARYLAND
 DATE: SEPTEMBER 5, 2000
 REVISED DATE: SEPTEMBER 28, 2001

SCALE 1" = 100'

Sheet 1 of 7

PROPOSED STORMDRAIN OUTFALL IMPACTS FROM POND #6



NONTIDAL WETLANDS AND WATERWAYS PERMIT NO. 00-NT-2217
 NONTIDAL WETLANDS ARE EMERGENT AND SCRUB/SHRUB



DENOTES AREA OF NONTIDAL WETLANDS TO BE FILLED/DISTURBED
 AREA = 785 sq. ft. (0.018 AC.±)
 TEMPORARY = 680 sq. ft.±
 PERMANENT = 105 sq. ft.±



DENOTES AREA OF WETLANDS BUFFER TO BE FILLED/DISTURBED
 AREA = 793 sq. ft. (0.018 AC.±)

Plan 23

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PERMIT TO DISTURB/FILL IN NONTIDAL WETLANDS

FOUR SEASONS AT KENT ISLAND
 FOURTH DISTRICT, QUEEN ANNE'S COUNTY, MARYLAND
 PREPARED FOR: K. HOVNANIAN OF MARYLAND
 DATE: SEPTEMBER 5, 2000
 REVISED DATE: SEPTEMBER 28, 2001

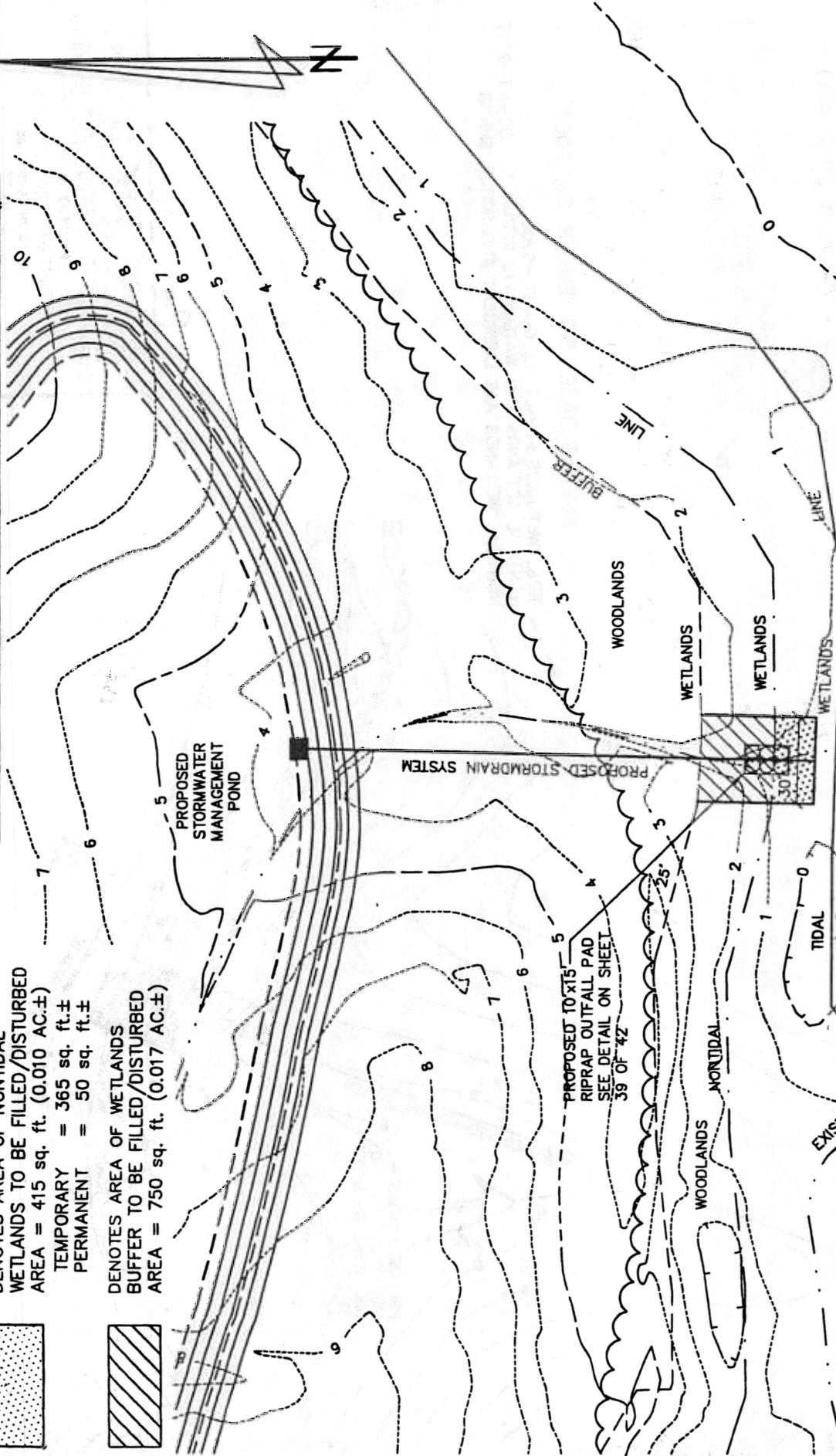
SCALE 1" = 50'

Sheet 'N' of 'Z'

PROPOSED STORMDRAIN OUTFALL IMPACTS FROM POND #11

DENOTES AREA OF NONTIDAL WETLANDS TO BE FILLED/DISTURBED
 AREA = 415 sq. ft. (0.010 AC.±)
 TEMPORARY = 365 sq. ft.±
 PERMANENT = 50 sq. ft.±

DENOTES AREA OF WETLANDS BUFFER TO BE FILLED/DISTURBED
 AREA = 750 sq. ft. (0.017 AC.±)



NONTIDAL WETLANDS AND WATERWAYS PERMIT No. 00-NT-2217
 NONTIDAL WETLANDS ARE EMERGENT AND SCRUB/SHRUB

Plan (31)

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PERMIT TO DISTURB/FILL IN NONTIDAL WETLANDS

FOUR SEASONS AT KENT ISLAND
 FOURTH DISTRICT, QUEEN ANNE'S COUNTY, MARYLAND
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 DATE: SEPTEMBER 5, 2000
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SCALE 1" = 50'

Sheet R of Z

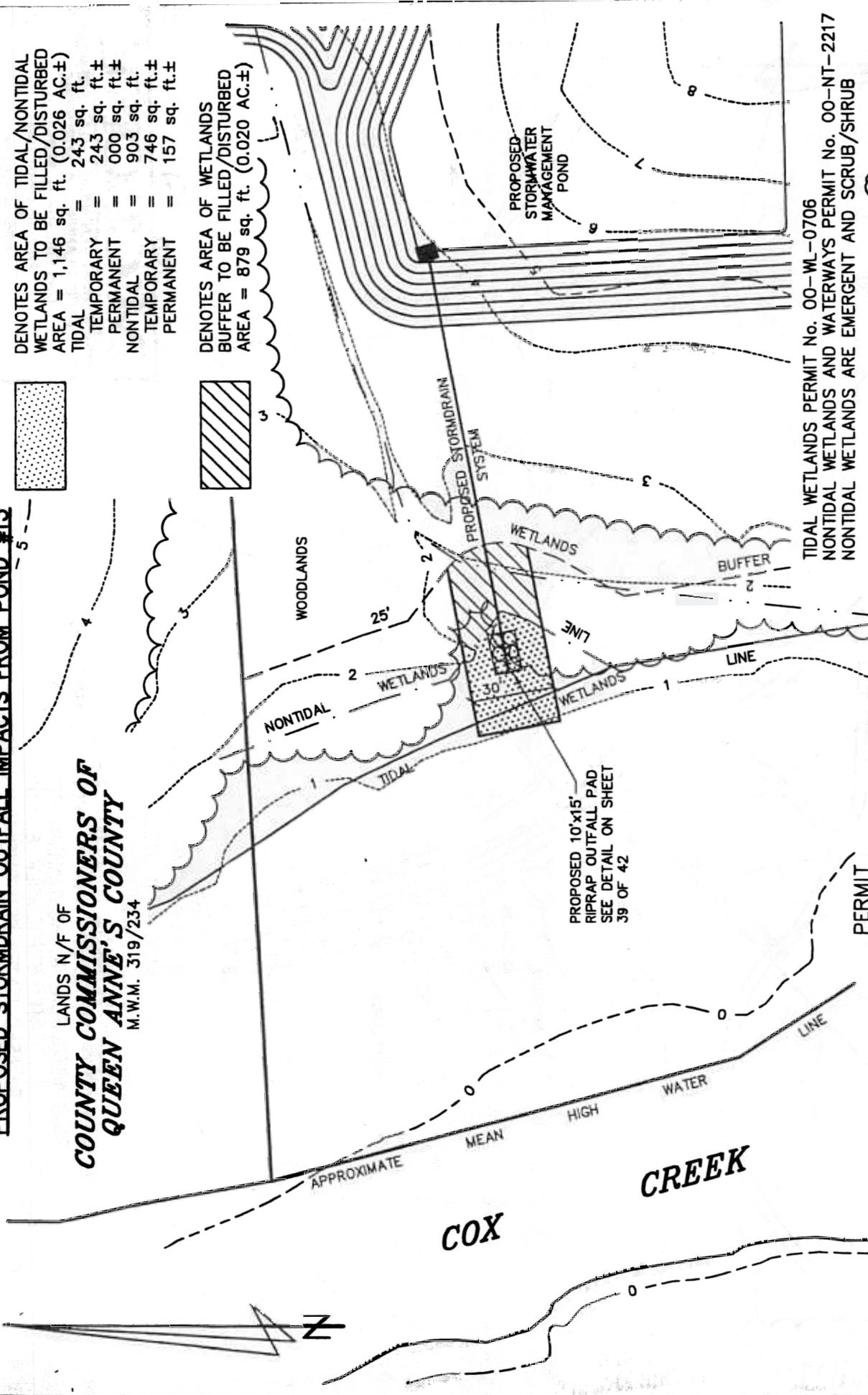
PROPOSED STORMDRAIN OUTFALL IMPACTS FROM POND #13

LANDS N/F OF
**COUNTY COMMISSIONERS OF
 QUEEN ANNE'S COUNTY**
 M.W.M. 319/234

DENOTES AREA OF TIDAL/NONTIDAL
 WETLANDS TO BE FILLED/DISTURBED
 AREA = 1,146 sq. ft. (0.026 AC.±)

TIDAL	=	243 sq. ft.±
TEMPORARY	=	243 sq. ft.±
PERMANENT	=	000 sq. ft.±
NONTIDAL	=	903 sq. ft.±
TEMPORARY	=	746 sq. ft.±
PERMANENT	=	157 sq. ft.±

DENOTES AREA OF WETLANDS
 BUFFER TO BE FILLED/DISTURBED
 AREA = 879 sq. ft. (0.020 AC.±)



PROPOSED 10'x15'
 RIPRAP OUTFALL PAD
 SEE DETAIL ON SHEET
 39 OF 42

TIDAL WETLANDS PERMIT No. 00-WL-0706
 NONTIDAL WETLANDS AND WATERWAYS PERMIT No. 00-NT-2217
 NONTIDAL WETLANDS ARE EMERGENT AND SCRUB/SHRUB

Plan 35

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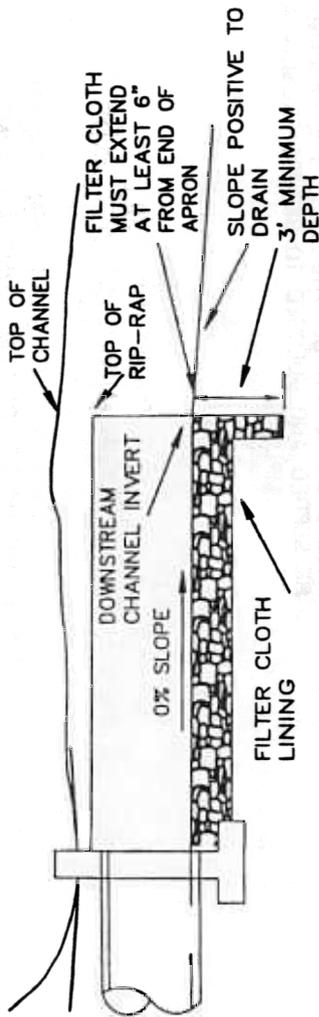
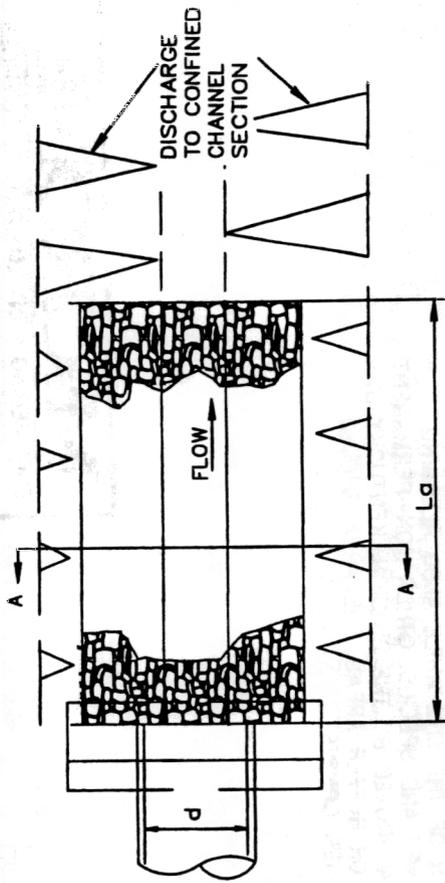
PERMIT
 TO DISTURB/FILL
 IN
 TIDAL/NONTIDAL WETLANDS

FOUR SEASONS AT KENT ISLAND
 FOURTH DISTRICT, QUEEN ANNE'S COUNTY, MARYLAND
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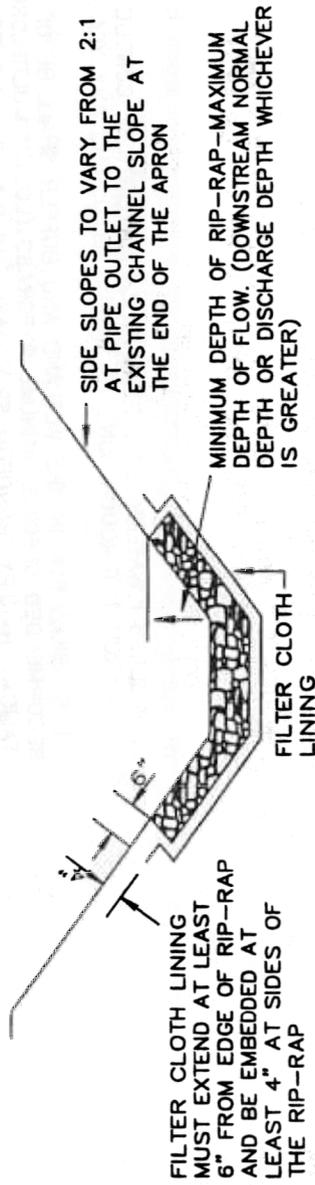
SCALE 1" = 50'

Sheet T of V

ROCK OUTLET PROTECTION II



ELEVATION



SECTION A-A

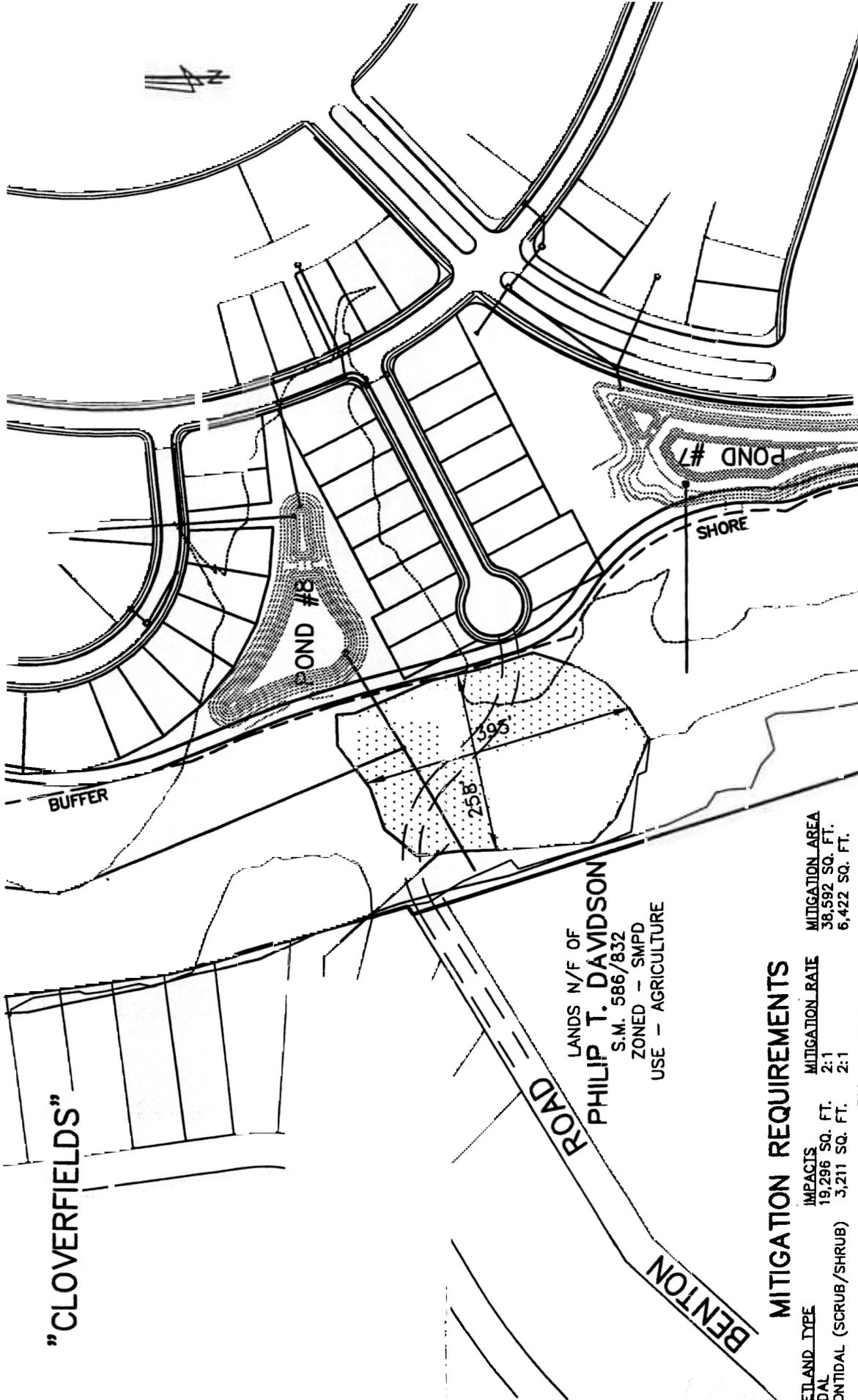
NOTE: FILTER CLOTH SHALL BE GEOTEXTILE CLASS C

PERMIT
TO DISTURB/FILL
IN
TIDAL/NONTIDAL WETLANDS

FOUR SEASONS AT KENT ISLAND
FOURTH DISTRICT, QUEEN ANNE'S COUNTY, MARYLAND
PREPARED FOR: K. HOVNANIAN OF MARYLAND
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(410) 758-2237

"CLOVERFIELDS"



MITIGATION REQUIREMENTS

WETLAND TYPE	IMPACTS	MITIGATION RATE	MITIGATION AREA
TIDAL	19,296 SQ. FT.	2:1	38,592 SQ. FT.
NONTIDAL (SCRUB/SHRUB)	3,211 SQ. FT.	2:1	6,422 SQ. FT.
TOTAL MITIGATION AREA			45,014 SQ. FT.

MITIGATION PLAN TO
TO DISTURB/FILL
TIDAL/NONTIDAL WETLANDS
IN

FOUR SEASONS AT KENT ISLAND
FOURTH DISTRICT, QUEEN ANNE'S COUNTY, MARYLAND
PREPARED FOR: K. HOVNANIAN OF MARYLAND
DATE: MARCH, 2002

McCRONE
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