

PUBLIC NOTICE

US Army
Corps
of Engineers
Baltimore
District

In Reply to Application Number
CENAB-OP-RMS(BULLI FARM INVESTMENTS /
DREDGING, REVETMENT, STONE SILL & RAMP)
2006-67151-13

PN 07-24

Comment Period: March 26, 2007 to April 16, 2007

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: *Bulli Farm Investments, Inc.*
103 N Washington Street
Easton, Maryland 21601

LOCATION: In Little Neck and Spencer Creeks off the Miles River, in St Michaels, Talbot County, Maryland.

WORK: to dredge an approximately 1,200 foot long by 15 foot bottom width channel with a 100 foot turning basin, to a depth of -7 feet MLW, the resulting 3,100 cubic yards of dredged material to be deposited on an upland disposal site; to emplace 745 linear feet of stone riprap extending no more than 8 feet channelward of MHWS; to construct two sections of marsh creation with stone sills, of 242 linear feet and 664 linear feet, extending no more than 10 feet channelward of MHWS; to construct a 12 foot by 30 foot concrete boat ramp with riprap protection, extending no more than 25 feet channelward of MHWS; the applicant is requesting that a 10 year maintenance dredge clause be included in the authorization should it be issued. In Little Neck Creek and Spencer Creek off the Miles River in St. Michaels, Talbot County, Maryland. All work is to be completed in accordance with the enclosed plans. If you have any questions concerning this matter, please contact Rod Schwarm at (410) 820-8550.

The Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), as amended by the Sustainable Fisheries Act of 1986 (Public Law 04-267), requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all 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 juvenile and adult life stages for Scopthalmus aquosus (windowpane flounder), Pomatomus saltrix (blue fish), and Paralichthys dentatus (summer flounder); and eggs, larvae, juvenile, and adult life stages of Sciaenops ocellatus (red drum), Scomberomus cavalla (king mackerel), Scomberomus maculatus (spanish mackerel), and Rachycentron canadum (cobia), managed species under MSFCMA. The project has the potential to adversely effect 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 mitigation 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.

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 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.

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 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.

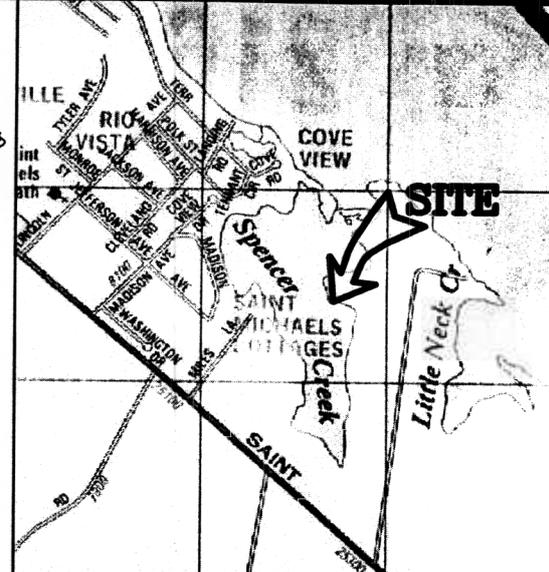
FOR THE DISTRICT ENGINEER:



PAUL R. WETTLAUFER
Acting Chief, Maryland Section Southern

EXISTING INFORMATION AS SHOWN HEREON WAS TAKEN FROM A SURVEY PREPARED BY LANE ENGINEERING ON 06-15-03. A SITE SKETCH WAS ALSO USED IN THE PREPARATION OF THIS PLAN. THESE MAPS ARE BELIEVED TO BE THE BEST, READILY AVAILABLE SOURCES OF INFORMATION FOR MARINE PERMITTING PURPOSES. THIS SKETCH IS FOR PERMIT PURPOSES ONLY AND IS NOT TO BE USED AS AN ACCURATE CONSTRUCTION DOCUMENT.

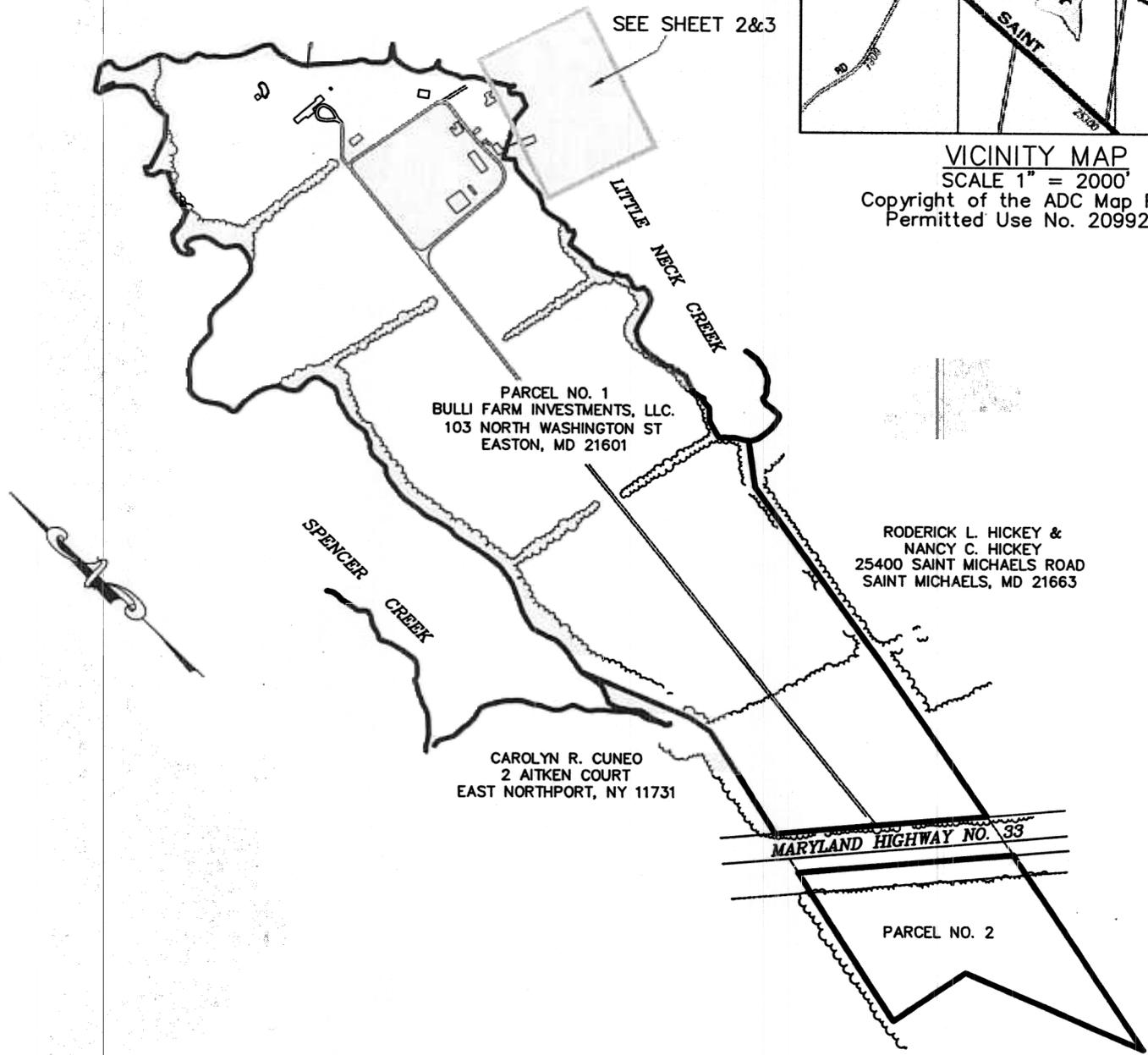
PROPERTY LINES AS SHOWN HEREON WERE TAKEN FROM PLAT ENTITLED, "PLAT OF A SURVEY OF MAIDEN POINT FARM PROPERTY OF WILLIAM B. PLATE," DATED JULY, 1968. THE WOODS LINES, BUILDINGS AND SHORELINE AS SHOWN HEREON WERE TAKEN FROM AERIAL PHOTOGRAPHS OF TALBOT COUNTY DATED 2000.



VICINITY MAP
SCALE 1" = 2000'
Copyright of the ADC Map People
Permitted Use No. 20992180

MILES RIVER

SEE SHEET 2&3



PARCEL NO. 1
BULLI FARM INVESTMENTS, LLC.
103 NORTH WASHINGTON ST
EASTON, MD 21601

RODERICK L. HICKEY &
NANCY C. HICKEY
25400 SAINT MICHAELS ROAD
SAINT MICHAELS, MD 21663

CAROLYN R. CUNEO
2 AITKEN COURT
EAST NORTHPORT, NY 11731

MARYLAND HIGHWAY NO. 33

PARCEL NO. 2

EXISTING CONDITIONS

FOR
BULLI FARM INVESTMENTS, LLC.

IN THE SECOND ELECTION DISTRICT

TALBOT COUNTY, MARYLAND

TAX MAP 32

GRID 11

PARCEL 20

DATE	10-25-06
SCALE	1"=600'
JOB NO.	060586
DRAWN BY	S.K.R.
DWG. NAME	060586VMP5A
APPROVED	J.S.C.

Lane Engineering, Inc.

Civil Engineers - Land Planning - Land Surveyors



E-mail: mail @ leinc.com
117 Bay St. Easton, MD 21601 (410) 822-8003 FAX (410) 822-2024
15 Washington St. Cambridge, MD 21613 (410) 221-0818 FAX (410) 476-9942
1148 West Water St. Centerville, MD 21617 (410) 758-2085 FAX (410) 758-4422

FILE NO. A062
SHEET NO. 1 OF 8



FILE No. A062

H
T
No.
OF
8

EXISTING CONDITIONS SITE 1

FOR

BULLI FARM INVESTMENTS, LLC

IN THE SECOND ELECTION DISTRICT

TAX MAP 32 GRID 11 PARCEL 20

TALBOT COUNTY, MARYLAND

DATE
10-25-06

SCALE
1"=200'

JOB NO.
060586

DRAWN BY
L.W.M.

DWG. NAME
060586VMP5

APPROVED
J.S.C.

Lane Engineering, Inc.

Civil Engineers - Land Planning - Land Surveyors

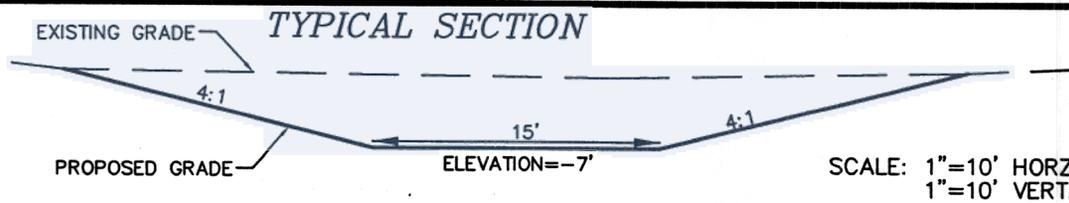
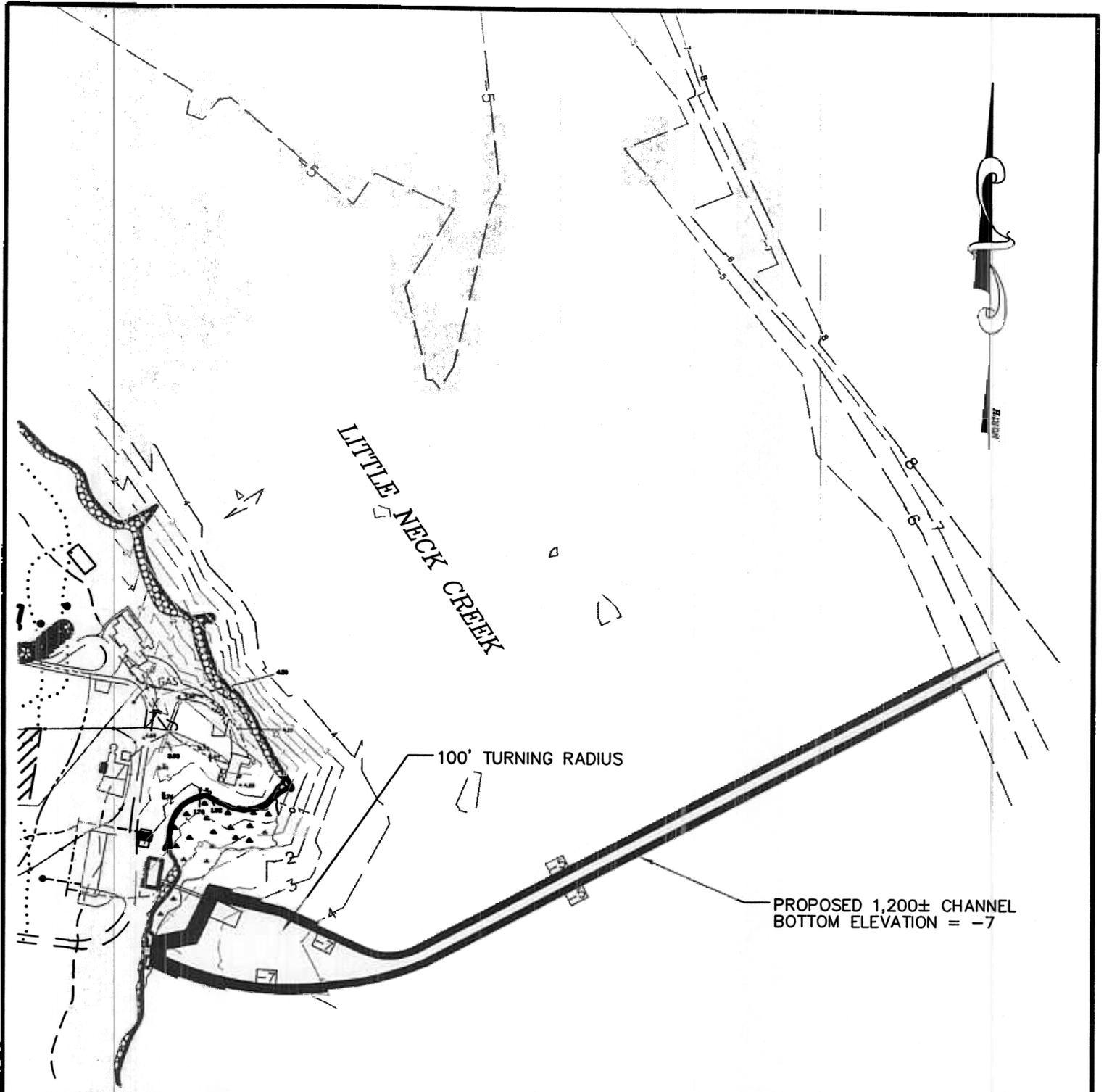


E-mail: mail@leinc.com

117 Bay St. Easton, MD 21601 (410) 822-8003 FAX (410) 822-2024

15 Washington St. Cambridge, MD 21613 (410) 221-0818 FAX (410) 476-9942

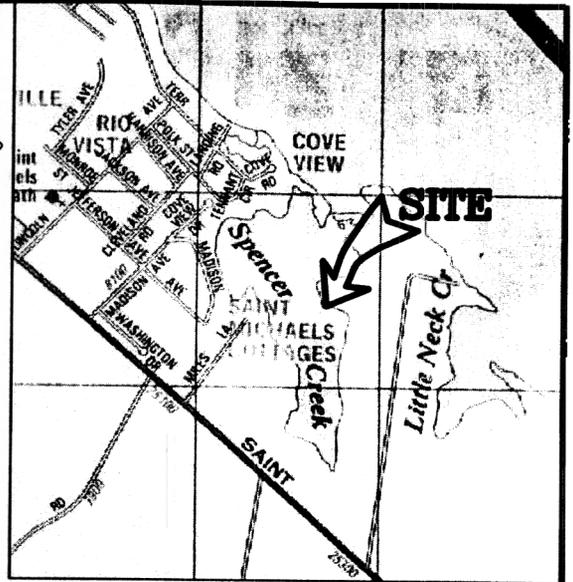
114B West Water St. Centreville, MD 21617 (410) 758-2085 FAX (410) 758-4422



FILE No. A062	SHEET No. 3 OF 8	PROPOSED CONDITIONS SITE 1	DATE 10-25-06	Lane Engineering, Inc. Civil Engineers - Land Planning - Land Surveyors  E-mail: mail @ leinc.com 117 Bay St. Easton, MD 21601 (410) 822-8003 FAX (410) 822-2024 15 Washington St. Cambridge, MD 21613 (410) 221-0818 FAX (410) 476-9942 114B West Water St. Centreville, MD 21617 (410) 758-2095 FAX (410) 758-4422
		FOR BULLI FARM INVESTMENTS, LLC IN THE SECOND ELECTION DISTRICT	SCALE 1" = 200'	
TAX MAP 32	GRID 11	PARCEL 20	JOB NO. 060586	
TALBOT COUNTY, MARYLAND			DRAWN BY L.W.M.	
			DWG. NAME 060586VMP5	
			APPROVED J.S.C.	

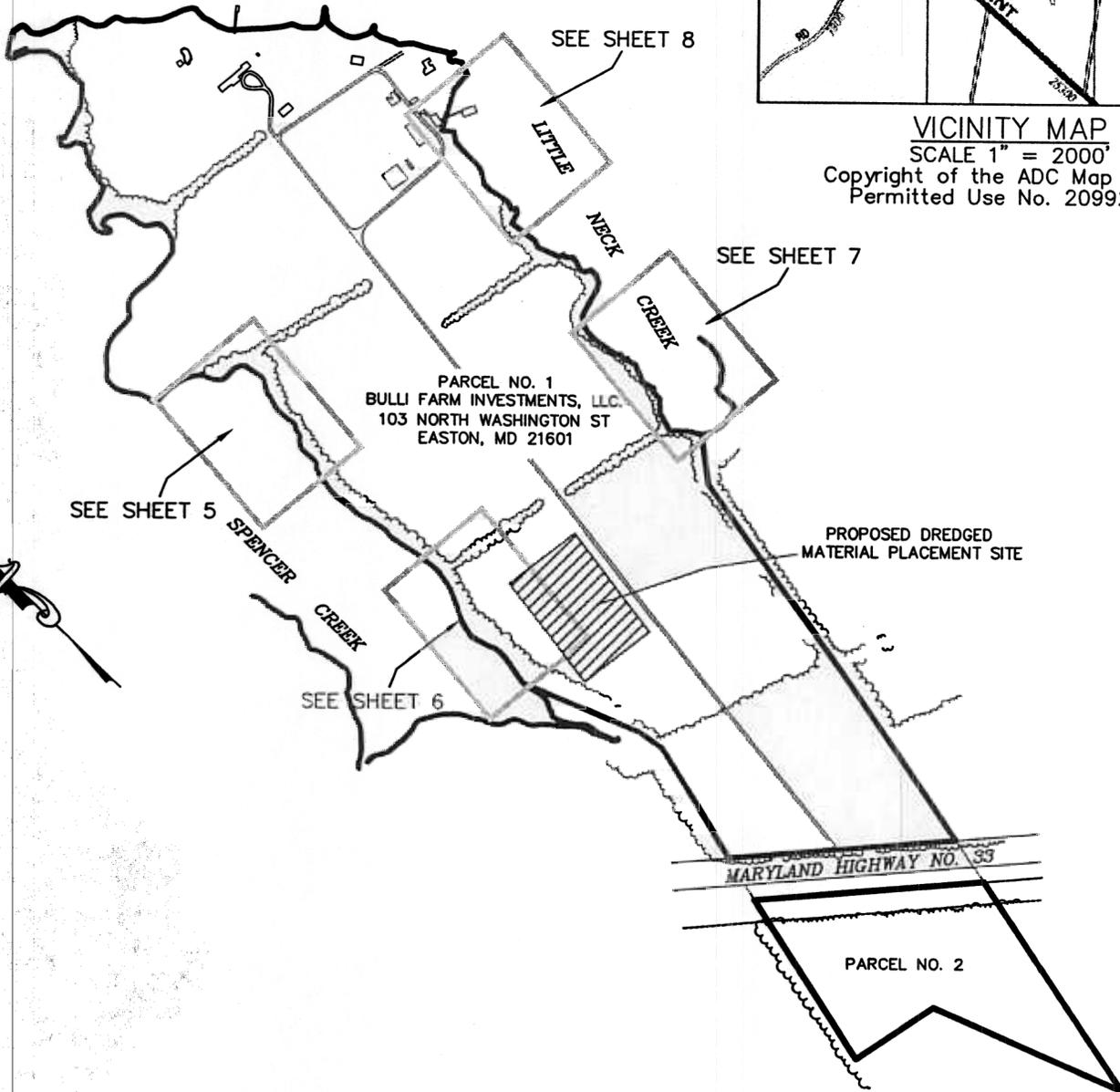
EXISTING INFORMATION AS SHOWN HEREON WAS TAKEN FROM A SURVEY PREPARED BY LANE ENGINEERING ON 06-15-03. A SITE SKETCH WAS ALSO USED IN THE PREPARATION OF THIS PLAN. THESE MAPS ARE BELIEVED TO BE THE BEST, READILY AVAILABLE SOURCES OF INFORMATION FOR MARINE PERMITTING PURPOSES. THIS SKETCH IS FOR PERMIT PURPOSES ONLY AND IS NOT TO BE USED AS AN ACCURATE CONSTRUCTION DOCUMENT.

PROPERTY LINES AS SHOWN HEREON WERE TAKEN FROM PLAT ENTITLED, "PLAT OF A SURVEY OF MAIDEN POINT FARM PROPERTY OF WILLIAM B. PLATE," DATED JULY, 1968. THE WOODS LINES, BUILDINGS AND SHORELINE AS SHOWN HEREON WERE TAKEN FROM AERIAL PHOTOGRAPHS OF TALBOT COUNTY DATED 2000.



VICINITY MAP
SCALE 1" = 2000'
Copyright of the ADC Map People
Permitted Use No. 20992180

MILES RIVER



FILE NO. A062
SHEET NO. 4 OF 8

DMP SITE AND INDEX SHEET

FOR
BULLI FARM INVESTMENTS, LLC.

IN THE SECOND ELECTION DISTRICT

TALBOT COUNTY, MARYLAND

TAX MAP 32 GRID 11 PARCEL 20

DATE
10-25-06

SCALE
1"=600'

JOB NO.
060586

DRAWN BY
S.K.R.

DWG. NAME
060586VMP1a

APPROVED
J.S.C.

Lane Engineering, Inc.

Civil Engineers - Land Planning - Land Surveyors



E-mail: mail@leinc.com

117 Bay St. Easton, MD 21601 (410) 822-8003 FAX (410) 822-2024
15 Washington St. Cambridge, MD 21613 (410) 221-0818 FAX (410) 476-9942
1148 West Water St. Centerville, MD 21617 (410) 758-2095 FAX (410) 758-4422

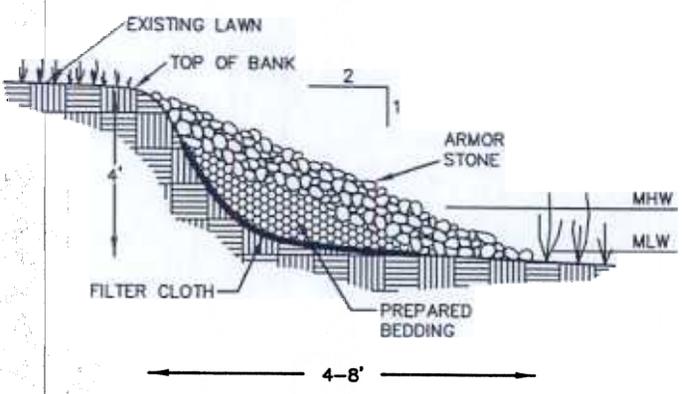


EX. RIP-RAP

- NOTES:**
1. LOT SIZE 91.15 AC.±
 2. LOT DEPTH 3930'±
 3. LOT WIDTH AT SHORELINE 7674'±
 4. DISTANCE TO CHANNEL CENTERLINE 300'±
 5. MAX. CHANNELWARD ENCROACHMENT 8'
 6. 911 ADDRESS : 25310 ST. MICHAELS ROAD
ST. MICHAELS, MARYLAND 21663

SPENCER CREEK

PROPOSED 230' OF RIP-RAP SHORELINE PROTECTION



HIGH PROFILE RIPRAP
NTS

EX. RIP-RAP

FILE NO. A062
SHEET NO. 5 OF 8

PROPOSED IMPROVEMENTS PLAN
FOR
BULLI FARM INVESTMENTS, LLC
IN THE SECOND ELECTION DISTRICT
TALBOT COUNTY, MARYLAND
TAX MAP 32 GRID 11 PARCEL 20

DATE	10-25-06
SCALE	1" = 100'
JOB NO.	060586
DRAWN BY	S.K.R.
DWG. NAME	060586VMP2a
APPROVED	
U.S.C.	

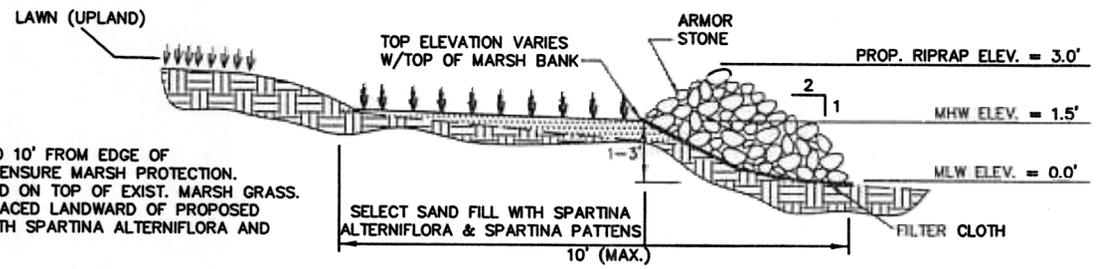
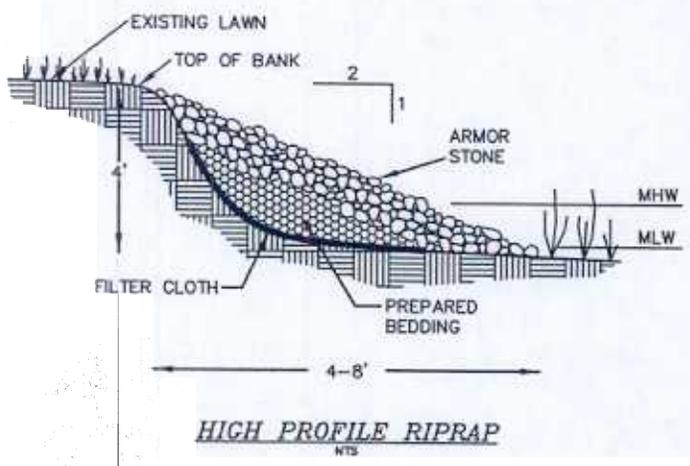
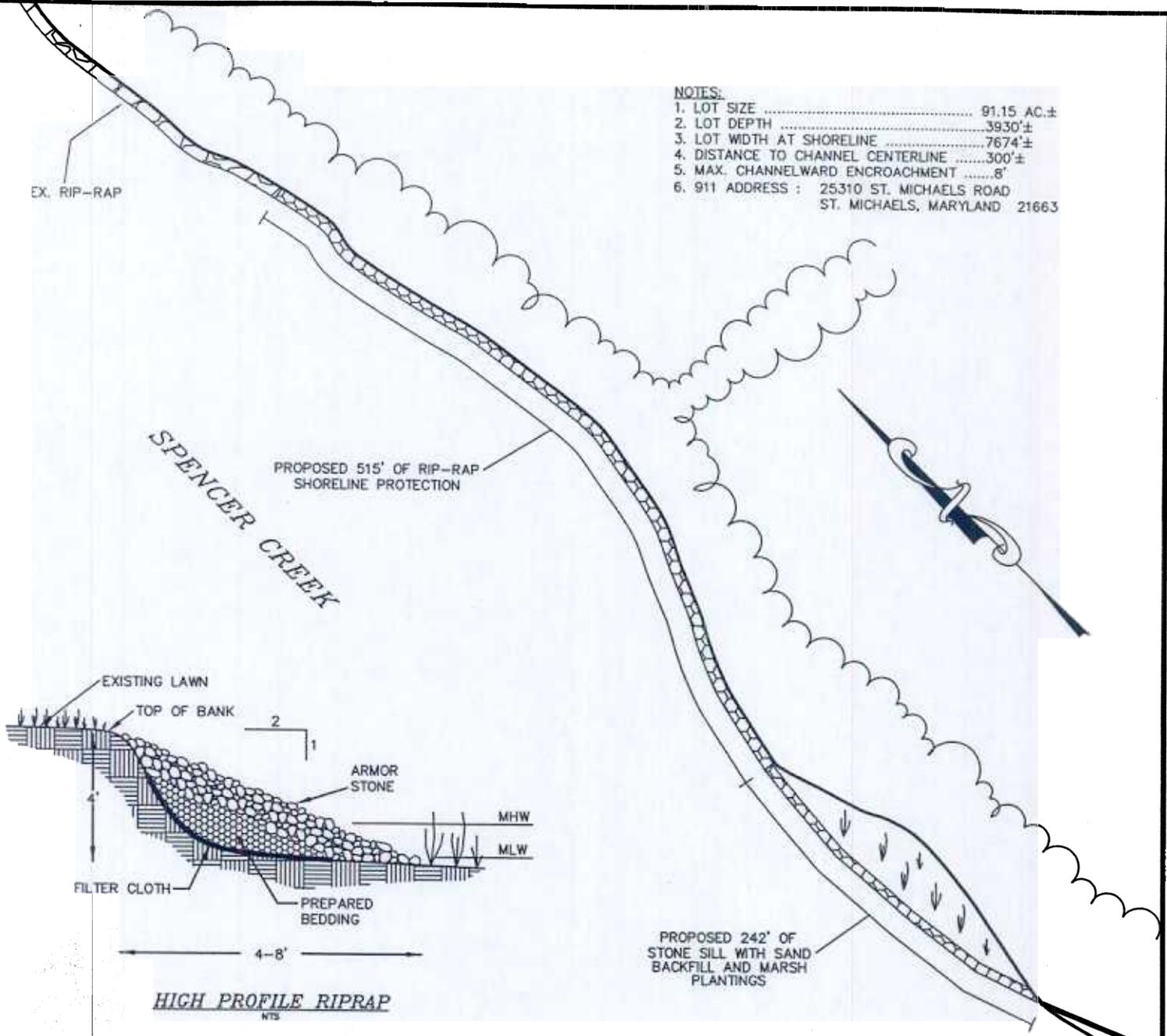
Lane Engineering, Inc.

Civil Engineers - Land Planning - Land Surveyors



E-mail: mail@leinc.com
117 Bay St. Easton, MD 21601 (410) 822-8003 FAX (410) 822-2024
15 Washington St. Cambridge, MD 21613 (410) 221-0818 FAX (410) 476-9942
1148 West Water St. Centreville, MD 21617 (410) 758-2095 FAX (410) 758-4422

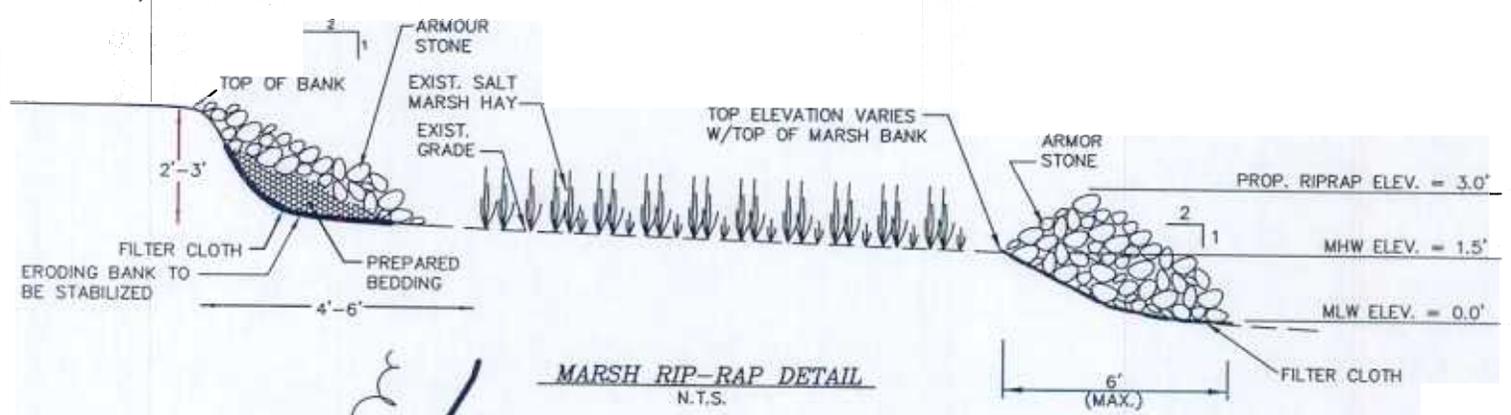
- NOTES:**
1. LOT SIZE 91.15 AC.±
 2. LOT DEPTH 3930'±
 3. LOT WIDTH AT SHORELINE 7674'±
 4. DISTANCE TO CHANNEL CENTERLINE 300'±
 5. MAX. CHANNELWARD ENCROACHMENT 8'
 6. 911 ADDRESS : 25310 ST. MICHAELS ROAD
ST. MICHAELS, MARYLAND 21663



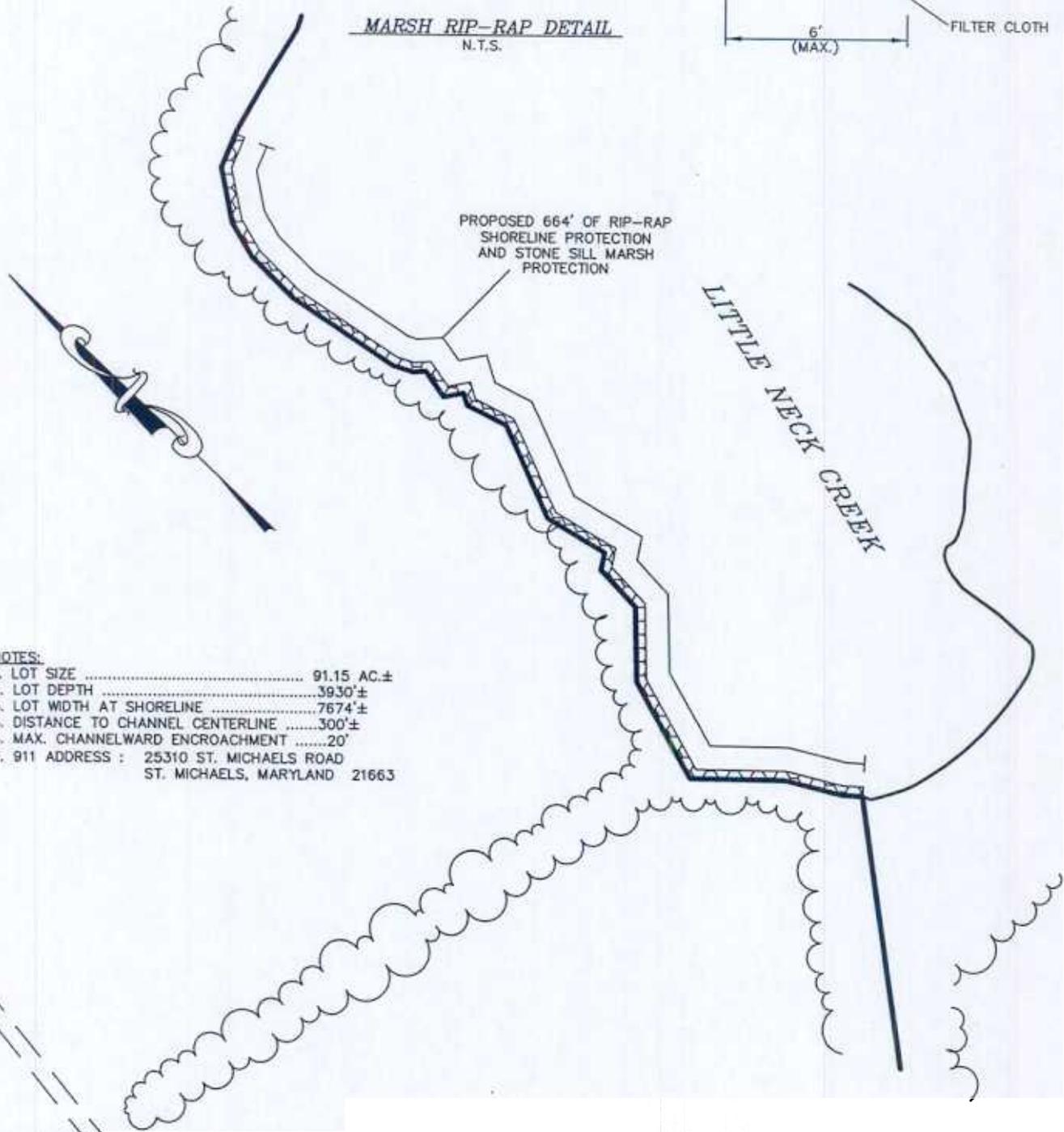
1. PROP. RIPRAP TO BE PLACED 10' FROM EDGE OF EXIST. LAWN AS NEEDED TO ENSURE MARSH PROTECTION.
2. NO RIPRAP SHALL BE PLACED ON TOP OF EXIST. MARSH GRASS.
3. SELECT SAND FILL TO BE PLACED LANDWARD OF PROPOSED RIPRAP AND PLANTED WITH SPARTINA ALTERNIFLORA AND SPARTINA PATTENS PLUGS.

STONE SILL WITH BACKFILL AND MARSH PLANTINGS
NTS

FILE NO. A062	SHEET NO. 6 OF 8	PROPOSED IMPROVEMENTS PLAN		DATE 10-25-06	<p>Lane Engineering, Inc. Civil Engineers - Land Planning - Land Surveyors</p>  <p>E-mail: mail@leinc.com 117 Bay St. Easton, MD 21601 (410) 822-8003 FAX (410) 822-2024 15 Washington St. Cambridge, MD 21613 (410) 221-0818 FAX (410) 476-9942 1148 West Water St. Centreville, MD 21617 (410) 758-2095 FAX (410) 758-4422</p>
		FOR BULLI FARM INVESTMENTS, LLC IN THE SECOND ELECTION DISTRICT TALBOT COUNTY, MARYLAND		SCALE 1" = 100'	
TAX MAP 32 GRID 11 PARCEL 20				JOB NO. 060586	
				DRAWN BY S.K.R.	
				DWG. NAME 060586VMP3	
				APPROVED J.S.C.	



MARSH RIP-RAP DETAIL
N.T.S.



PROPOSED 664' OF RIP-RAP
SHORELINE PROTECTION
AND STONE SILL MARSH
PROTECTION

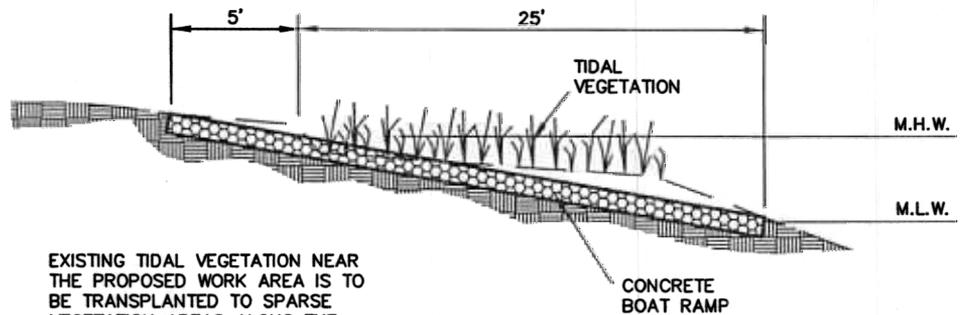
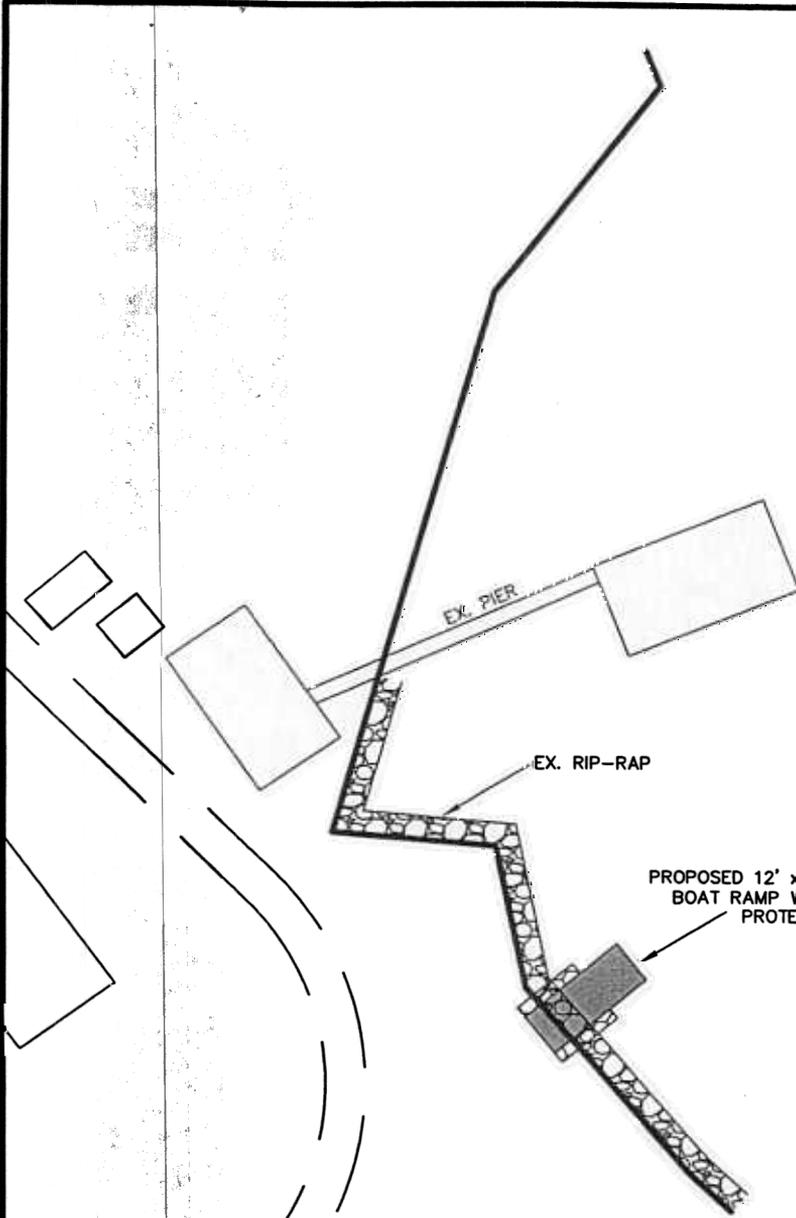
LITTLE NECK CREEK

- NOTES:**
1. LOT SIZE 91.15 AC.±
 2. LOT DEPTH 3930'±
 3. LOT WIDTH AT SHORELINE 7674'±
 4. DISTANCE TO CHANNEL CENTERLINE 300'±
 5. MAX. CHANNELWARD ENCROACHMENT 20'
 6. 911 ADDRESS : 25310 ST. MICHAELS ROAD
ST. MICHAELS, MARYLAND 21663

FILE NO. A062	SHEET NO. 7 OF 8	PROPOSED IMPROVEMENTS PLAN	DATE 10-25-06	<div style="text-align: center;"> <h2>Lane Engineering, Inc.</h2> <p>Civil Engineers - Land Planning - Land Surveyors</p> <p>E-mail: moll@leinc.com 117 Bay St. Easton, MD 21601 (410) 822-8003 FAX (410) 822-2024 15 Washington St. Cambridge, MD 21613 (410) 221-0818 FAX (410) 476-9942 1148 West Water St. Centerville, MD 21617 (410) 758-2095 FAX (410) 758-4422</p> </div>
		FOR	SCALE 1" = 100'	
		BULLI FARM INVESTMENTS, LLC	JOB NO. 060586	
		IN THE SECOND ELECTION DISTRICT	DRAWN BY S.K.R.	
		TALBOT COUNTY, MARYLAND	DWG. NAME 060586VMP4	
		TAX MAP 32 GRID 11 PARCEL 20	APPROVED J.S.C.	

NOTES:

1. LOT SIZE 91.15 AC.±
2. LOT DEPTH 3930'±
3. LOT WIDTH AT SHORELINE 7674'±
4. DISTANCE TO CHANNEL CENTERLINE 300'±
5. MAX. CHANNELWARD ENCROACHMENT 25'
6. 911 ADDRESS : 25310 ST. MICHAELS ROAD
ST. MICHAELS, MARYLAND 21663



EXISTING TIDAL VEGETATION NEAR THE PROPOSED WORK AREA IS TO BE TRANSPLANTED TO SPARSE VEGETATION AREAS ALONG THE APPLICANTS SHORELINE.

BOAT RAMP PROFILE

NTS

FILE No. A062

SHEET 8

PROPOSED BOAT RAMP

FOR
BULLI FARM INVESTMENTS, LLC
IN THE SECOND ELECTION DISTRICT

TALBOT COUNTY, MARYLAND

TAX MAP 32

GRID 11

PARCEL 20

DATE
10-25-06
SCALE
1" = 50'
JOB NO.
060586
DRAWN BY
S.K.R.
DWG. NAME
060586VMP6
APPROVED
J.S.C.

Lane Engineering, Inc.

Civil Engineers - Land Planning - Land Surveyors



E-mail: mail@leinc.com

117 Bay St. Easton, MD 21601 (410) 822-8003 FAX (410) 822-2024
15 Washington St. Cambridge, MD 21613 (410) 221-0818 FAX (410) 476-9942
1148 West Water St. Centerville, MD 21617 (410) 758-2095 FAX (410) 758-4422