

# PUBLIC NOTICE

US Army  
Corps  
of Engineers  
Baltimore  
District

In Reply to Application Number  
CENAB-OP-RMS(WHITE MARLIN  
MARINA/DREDGING & BULKHEAD)06-66000-1

*PN 06-60*

Comment Period: November 13, 2006 to December 13, 2006

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 404 of the Clean Water Act (33 U.S.C. 1344), as described below:

APPLICANT: *White Marlin Marina*  
*300 Somerset Avenue*  
*Ocean City, Maryland 21811*

LOCATION *In the Sinepuxent Bay at Somerset Avenue Ocean City, Worcester County, Maryland*

WORK: The applicant proposes, in accordance with the attached plans, to maintenance dredge by hydraulic or mechanical method an approximate 109,966 square foot area to a depth of -6 feet below mean low water and deposit the resulting approximate 5,201 cubic yards of dredged material on an upland, non wetland disposal area. To construct 690 feet of replacement bulkhead within 18 inches channelward of the existing deteriorated bulkhead and deposit backfill. The purpose of the proposed work is to maintain navigable access/depths and erosion control. All work is to be completed in accordance with the enclosed plan(s). If you have any questions concerning this matter, please contact Mr. Woody Francis at (410) 962-5689.

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 *Pleuronectes americanus* (winter flounder) eggs, larvae, juvenile, and adult, *Scophthalmus aquosus* (windowpane flounder) juvenile and adult; *Pomatomus saltatrix* (blue fish) juvenile and adult; *Stenotomus chrysops* (scup) juvenile and adult; *Centropristus striata* (black sea bass) juvenile and adult; *Paralichthys dentatus* (summer flounder) juvenile and adult; *Urophycis chuss* (red hake) eggs, larvae, juvenile; *Clupea harengus* (Atlantic sea herring) juvenile and adult; *Merluccius bilinearis* (whiting) eggs, larvae, and juvenile; *Squalus acanthias* (spiny dogfish) juvenile and adult; *Odontaspis taurus* (sand tiger shark) larvae and adult; *Squatina dumerili* (Atlantic angel shark) larvae, juvenile, and adult; *Charcharinus obscurus* (dusky shark) larvae; *Charcharinus plumbeus* (sandbar shark) larvae, juvenile, and adult; *Sphyrna lewini* (scalloped hammerhead shark) juvenile; *Galeocerdo cuvieri* (tiger shark) larvae; and eggs, larvae, juvenile, and adult stages of *Sciaenops ocellatus* (red drum), *Scomberomorus cavalla* (king mackerel), *Scomberomorus maculatus* (spanish mackerel), and *Rachycentron canadum* (cobia), all managed species under the MSFCMA.

The proposed dredging has the potential to adversely effect EFH or the species of concern by loss of spawning, nursery, forage and/or shelter habitat. The project may have an adverse effect on approximately 109,966 square feet of Essential Fish Habitat as described under the Magnuson-Stevens Fishery Conservation and Management Act for the species and life stages identified above. This habitat consists of a sandy and silty sub-tidal substrate, which does not currently support SAV. The proposed maintenance dredging will alter the existing substrate. However, the proposed dredge depth will only be -6 feet MLW. Therefore, there will be an alteration of substrate and the proposed depth/substrate is expected to support the same benthos and fishery that existed prior to the proposed dredging. 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.

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 WETTLAUFFER  
Acting Chief, Maryland Section Southern



SECTION  
B1

ADYER depth 4.95  
DREDGE TO 6'16" BELOW  
MLW = 1.55' OUT  
1.55 X 160 X 101 = 25048 CF  
÷ 27 = 927.71 CYDS  
OUT

Soundings Recorded  
Aug 8th 4  
M

See B2

ADYER depth 5.7  
DREDGE TO 6'16" BELOW MLW  
1.13  
1.13 X 101 X 168 = 19173.54 CF  
÷ 27 = 710.15 CYDS OUT

4'	4'	4'							
✓ 6'10	4'6	6'4	2'10	3'					
✓ 6'10	6	6'4	4'10	4'	29v				
6'9	5'10	4'4	3'4	3					
✓ 6'10	5'6	4'10	4'10	3'6	27				
✓ 6'10	5'6	4'4	3'4	3'					
✓ 6'10	5'6	4'4	4'4	3'6	25				
✓ 6'10	5'6	4'4	3'10	3'6					
✓ 6'8	5'8	4'6	4'4	3'6	23				
✓ 6'8	5'10	4'10	3'10	4'6					
✓ 6'10	5'8	4'10	4'10	4'6	21				
✓ 6'6	5'10	4'10	4'4	4'6					
✓ 6	6'2	5'4	4'6	4'6					
✓ 6'10	6'8	5'4"	4'10	4'4					
✓ 6'8	6'6	5'10	4'10	4'10	17				
✓ 6'6	5'8	4'4	3'10	2'10					
6'4	5'2	4'6	3'10	4'	15				
✓ 6'4	5	4'4	3'10	3'6					
6'6		6'2880 PILE							
✓ 6'6	4	3'8	3'6	4'6					
✓ 6'6	5'6	4'4	4'6	4'6	B				
✓ 6'4	5'4	4'4	3'10	2'10					
✓ 6'4	6'4	4'10	4'10	5'6	12				
✓ 6'4	6'10	5'4	4'4	1'0"					
✓ 6'10	10	5'4	4'10	3'	11				
✓ 6'10	7'4	6'10	4'4	3'					
✓ 6'10	7'4	6'10	5'10	5'6	10				
✓ 6'10	7'4	6'10	4'4	2'					
✓ 6'10	7'10	6	5'10	6					
✓ 6'10	7'10	6'10	4'10	4'					
✓ 6'10	7'4	7'4	5'10	5'6	8				
✓ 6'10	7'4	6'10	4'10	1'6"					
✓ 6'10	7'4	6'4	5'10	6					
✓ 6'4	6'10	6'10	4'8	3					
✓ 6'4	6'10	5'4	4'10	4'	6				
6'4	6'10	14	4'10	3'					

23'  
20' 5 1/2' ADV  
21' 5 1/2' ADV

Page  
A

Reduced 65%

# SECTION A

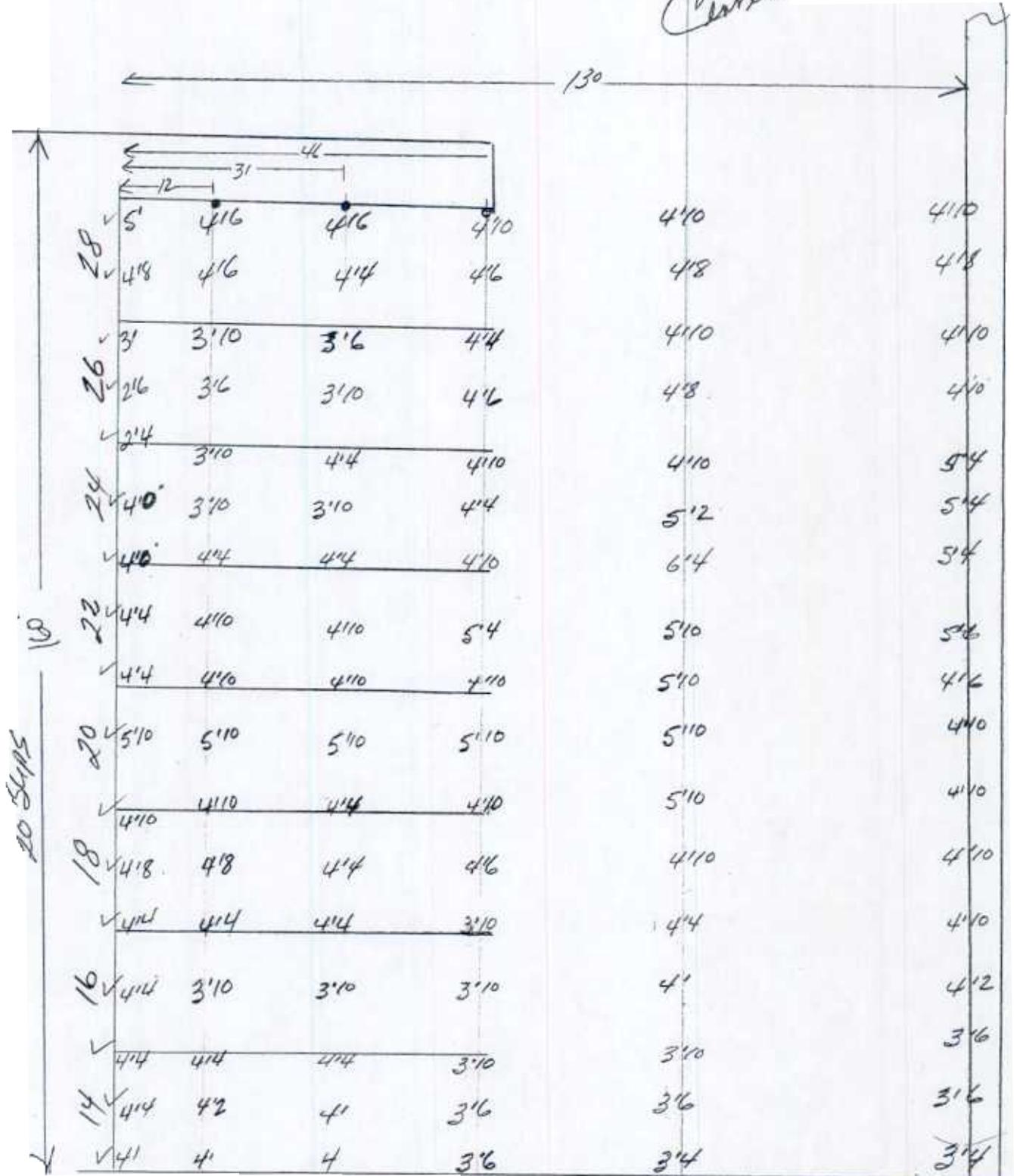
Average Depth 4.42

160' x 130' = 20800 SQ. FT.

Dredge TO 6 1/2" BELOW MLW 2.10 FT OUT

2.10 FT OUT X 130 X 160 = CFT 43680 ÷ 27 = 1617.78 CUYDS

*Center*



PAGE B

Reduced 65%



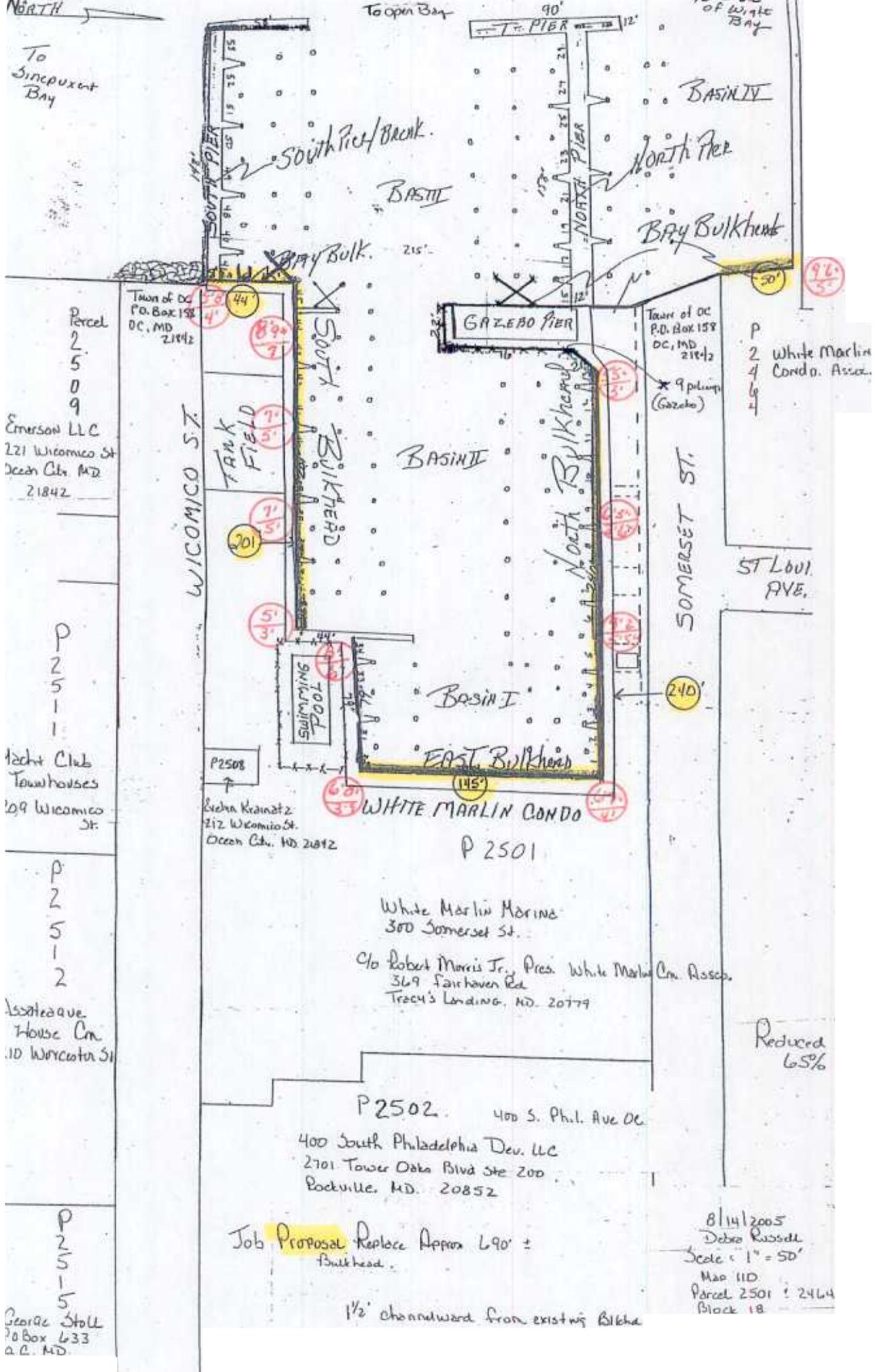


NORTH

To Sinepuxent Bay

To open Bay

10' of White Bay



Parcel  
2509  
Emerson LLC  
221 Wicomico St  
Ocean Ctr. MD  
21842

P 2511  
Yacht Club  
Townhouses  
209 Wicomico St.

P 2512  
Esoterique  
House Cm  
10 Worcester St

P 2515  
George Stoll  
P.O. Box 633  
A.C. MD

Town of DC  
P.O. Box 158  
DC, MD  
21842

Town of DC  
P.O. Box 158  
DC, MD  
21842

P  
2 White Marlin  
4 Condo. Assoc.  
6  
4

P2508  
Debra Krainatz  
212 Wicomico St.  
Ocean Ctr. MD 21842

P 2501  
White Marlin Marina  
300 Somerset St.  
C/O Robert Morris Jr., Pres. White Marlin Cm. Assoc.  
369 Fairhaven Rd  
Tracy's Landing, MD. 20779

P2502 400 S. Phil. Ave DC  
400 South Philadelphia Dev. LLC  
2701 Tower Oaks Blvd Ste 200  
Rockville, MD. 20852

Job Proposal Replace Approx 690' ± Bulkhead

1/2' channelward from existing Bulkhead

8/14/2005  
Debra Riosse  
Scale: 1" = 50'  
Map 110  
Parcel 2501 + 2464  
Block 18

Reduced  
65%

4" x 6" WALER

SHEETING - ON CENTER OVERLAP

3/4" DIA. GALV. BOLT

2" DIA. WASHER & NUT

1 1/2" COUNTERSINK

2" DIA. WASHER & NUT

TO DEADMAN

4" x 6" WALER

3/4" DIA. GALV. TIEROD

1 1/2" COUNTERSINK

2" DIA. WASHER & NUT

WALER OVERLAP

8" DIA. PILE

4" x 6" WALER

WALER OVERLAP

4" x 6" WALER

2" x 10" SHEETING

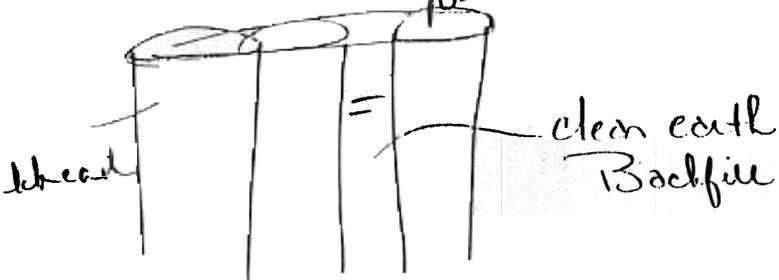
1" x 10" SHEETING

MAX. TIME

**BULKHEAD SKETCH NO SCALE**

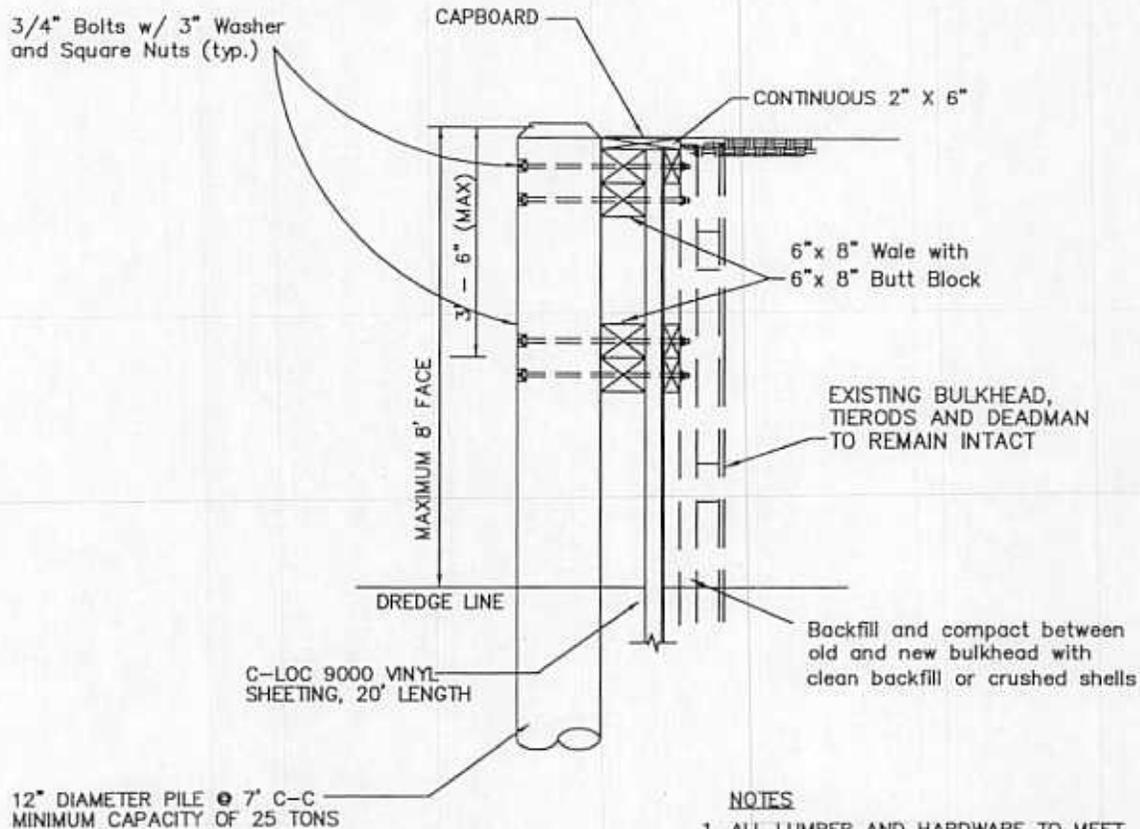
Bulkhead Ht	5' 8"	6' 7"	=	85' 4" ÷ 12 = 7 1/2' Av. Ht.
	8' 9"	9' 2"		
	7' 4"	6' 3"		
	7'	5' 5"		
	5'	9' 6"		
	6' 8"	81' 52"		

$$\frac{7d \times L \times W}{7 \frac{1}{2} \times 690 \times 1 \frac{1}{2}} = \frac{7762.50}{27} = 287.50 \text{ yds}^3$$



Total 18" max channelward

THIS DRAWING PREPARED FOR SUPERIOR BOATLIFTS; IF CONTRACTOR DIFFERS, THE ENGINEER SHALL BE NOTIFIED IMMEDIATELY. SHEETING SPECIFIED AS C-LOC 9000; NO OTHER SUBSTITUTE SHALL BE ACCEPTABLE WITHOUT THE CONSENT OF THE ENGINEER.



**NOTES**

1. ALL LUMBER AND HARDWARE TO MEET MINIMUM REQUIREMENTS FOR 6' TO 8' FACE AS SHOWN IN 'MINIMUM STANDARDS OF THE BOARD OF PORT WARDENS, OCEAN CITY, MARYLAND' UNLESS NOTED.
2. VINYL SHEETING TO BE CLOC-9000 HAVING A MINIMUM ALLOWABLE MOMENT OF 4,000 FT-LBS
3. IF SITE CONDITIONS DIFFER FROM THOSE SHOWN, ENGINEER SHALL BE NOTIFIED.
4. THIS DESIGN INCORPORATES EXISTING TIEBACKS, THE STRENGTH OF WHICH ARE NOT KNOWN. IN NO WAY DOES THIS DESIGN GUARANTEE THE ADEQUACY OF THESE TIEBACKS.
5. THIS BULKHEAD CROSS-SECTION DESIGNED FOR THE NORTH AND SOUTH BULKHEAD AS SHOWN AND LABELED ON CONTRACTOR'S SITE PLAN.



**BULKHEAD REPAIR  
WHITE MARLIN MARINA  
NORTH & SOUTH WALL**



**J. STACEY HART  
& ASSOCIATES, INC.**

POST OFFICE BOX 6  
SNOW HILL, MD 21863  
PHONE: 410-430-4169  
FAX: 410-632-3536

JOB NUMBER:  
2005-013

SCALE:  
NONE

SHEET NO:  
2 OF 3

DATE:  
11/4/2005

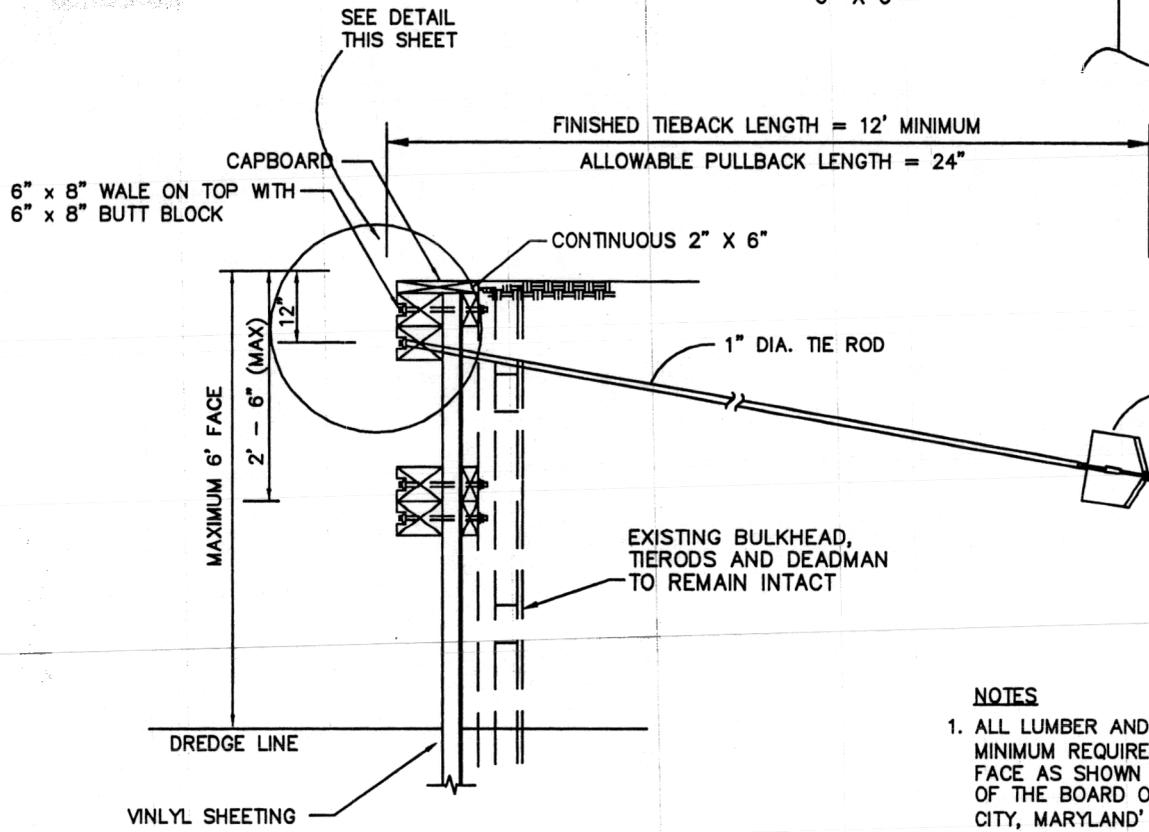
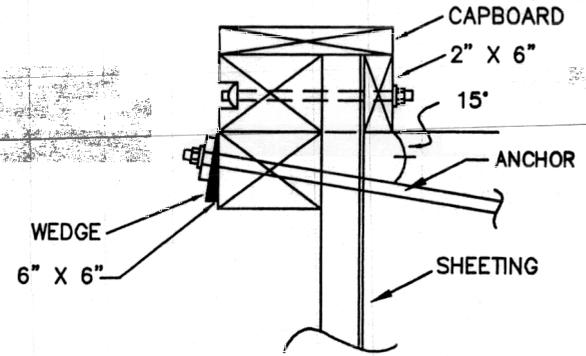
JOB NUMBER:  
2005-013

SCALE:  
NONE

SHEET NO:  
3 OF 3

DATE:  
11/4/2005

**BULKHEAD REPAIR  
WHITE MARLIN MARINA  
NORTH & SOUTH WALL**



MANTA RAY MR-1 OR  
PLATIPUS B-6  
OR APPROVED EQUAL  
ANCHOR LOCK OFF LOAD  
10 KIPS @ 7'-0" SPACING  
(TO BE INSTALLED BETWEEN  
EVERY PILE)

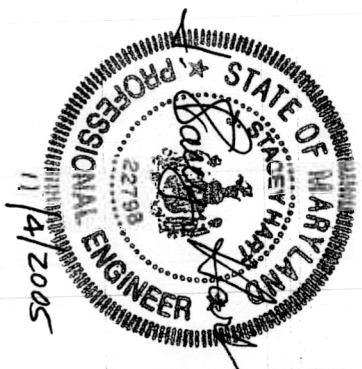
**NOTES**

1. ALL LUMBER AND HARDWARE TO MEET MINIMUM REQUIREMENTS FOR 6' TO 8' FACE AS SHOWN IN 'MINIMUM STANDARDS OF THE BOARD OF PORT WARDENS, OCEAN CITY, MARYLAND' UNLESS NOTED.
2. VINYL SHEETING TO BE CLOC-9000 HAVING A MINIMUM ALLOWABLE MOMENT OF 4,000 FT-LBS
3. LENGTHS AND ANCHORS SHOWN ARE MINIMUMS. PROOF TESTS SHALL BE PERFORMED AND RECORDED FOR EACH ANCHOR. THE CONTRACTOR SHALL RETAIN A COPY OF THE RESULTS FOR HIS PERMANENT RECORD.
4. IF PROOF TESTS REVEAL VALUES LESS THAN THOSE INDICATED OR IF SITE CONDITIONS DIFFER FROM THOSE SHOWN, ENGINEER SHALL BE NOTIFIED IMMEDIATELY.
5. ANCHORS SHALL BE INSTALLED AND LOCKED OFF IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATION.



**J. STACEY HART  
& ASSOCIATES, INC.**

POST OFFICE BOX 6  
SNOW HILL, MD 21863  
PHONE: 410-430-4169  
FAX: 410-632-3536



190,000 FT

38°20'00"

MD GRID 180,000 FT

14

13

12

11

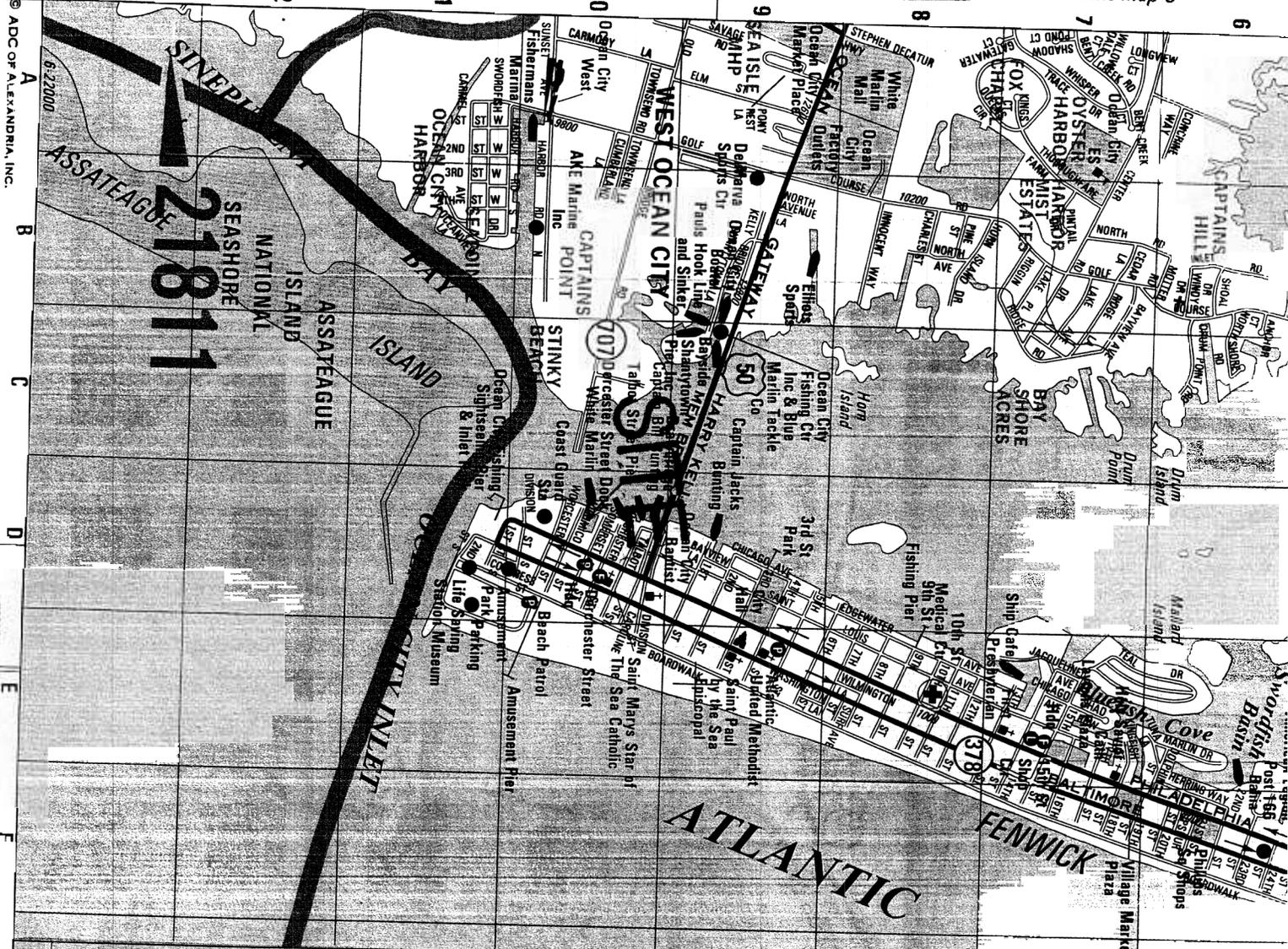
10

9

8

7

6



21811

© ADC OF ALEXANDRIA, INC.

Joins Inset - Above Right

75°05'00" MD GRID 1,350,000 FT

170,000 FT

38°17'30"

G

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