

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

Baltimore District
PN-23-04

Public Notice

**In Reply to Application Number
NAB-2022-62019-M35 (Lombardy 1669 LLC/Living
Shoreline)**

Comment Period: February 9, 2023 to March 11, 2023

THE PURPOSE OF THIS PUBLIC NOTICE IS TO INFORM INTERESTED PARTIES OF THE PROPOSED ACTIVITY AND TO SOLICIT COMMENTS. NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED AT THIS TIME.

This District has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act (33 USC 403) and Section 404 of the Clean Water Act (33 USC 1344), as described below:

APPLICANT:

Lombardy 1669, LLC
c/o Ms. Don Sharp
9615 Unionville Road
Easton, Maryland 21601

WATERWAY AND LOCATION OF THE PROPOSED WORK:

The proposed work is located in the Miles River at 9615 Unionville Road, Easton, Talbot County, Maryland. Latitude 38.812050; Longitude -76.127610.

OVERALL PROJECT PURPOSE:

To provide shoreline erosion protection, to establish/enhance marsh habitat.

PROJECT DESCRIPTION:

The applicant proposes to stabilize a total of approximately 1,724 linear feet (lf) of eroding shoring using a living shoreline approach and stone revetment, all within an approximately 30,878 square foot (sf) impact area as follows: to emplace 679 lf of stone revetment to extend a maximum of 7 feet (ft) channelward of the approximate mean high water (MHW) shoreline; to enhance existing marsh along 1,045 lf of shoreline by depositing approximately 557 cubic yards of sloped, clean select sand fill stabilized with approximately 7,513 sf of Smooth cordgrass (*Spartina alterniflora*) and 7,513 sf of Salt meadow cordgrass (*S. patens*) plantings; to extend no more than 15 ft channelward of

the approximate mean MHW shoreline; and to construct 1,045 lf of stone containment sill 0.5-foot ft above the approximate MHW elevation and with a 10-ft wide base, with ten 10- to 15-ft wide vents, to extend no more than 20 ft channelward of the approximate MHW shoreline.

EFFECTS ON AQUATIC RESOURCES:

Activity	Impact lf	Width ft	Total Impact sf	Resource Type	Authority (Section 10/404)
Revetment	679	7	4,753	Unvegetated Bottom	10 and 404
Living Shoreline	1,045	20	15,675	Tidal Marsh (Enhancement)	
Stone Sill			10,450	Unvegetated Bottom	
Total Impacts	1,724	25 max.	30,878		

LEAD FEDERAL AGENCY:

The United States Army Corps of Engineers, as the lead federal agency, is responsible for all coordination pursuant to applicable federal authorities.

APPLICANT'S PROPOSED AVOIDANCE, MINIMIZATION, AND COMPENSATORY MITIGATION:

As part of the planning process for the proposed project, steps were taken to ensure the avoidance and minimization of impacts to aquatic resources to the maximum extent practicable based on the existing site conditions and previously authorized work. The existing tidal fringe marsh areas would be incorporated into the proposed living shoreline design whereby the eroding marsh areas would be enhanced with supplemental sand fill and additional low marsh (*S. alterniflora*) plantings. The consultant also reduced the channelward extent of the sand fill and stone containment structures. The proposed vented stone sill protection structures are located channelward edge of the existing tidal fringe marsh and do not exceed 20 feet channelward of approximate MHW. No compensatory mitigation is proposed. No submerged aquatic vegetation is mapped within the project footprint or in adjacent areas.

CORPS EVALUATION REQUIREMENTS:

This project will be evaluated pursuant to Corps' Regulatory Program Regulations (33 CFR Parts 320-332). The decision whether to issue a permit will be based on an

evaluation of the probable impacts, 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 reasonable 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, economic, 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, mineral needs, and consideration of property ownership and in general, the needs and welfare of the people. The evaluation of the impact of this project will also include application of the Clean Water Act Section 404(b)(1) Guidelines promulgated by the Administrator, United State Environmental Protection Agency.

ENDANGERED SPECIES:

A preliminary review of this application indicates that the proposed work will have no effect federally listed threatened or endangered species or their critical habitat, pursuant to Section 7 of the Endangered Species Act, as amended. The project site has been mapped as migrating and foraging habitat for subadult and adult Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*); and migrating and foraging habitat for adult and juvenile green sea turtle (*Chelonia mydas*), Kemp's ridley sea turtle (*Lepidochelys kempii*), Leatherback sea turtle (*Dermochelys coriacea*), and Loggerhead sea turtle (*Caretta caretta*). The project activities are proposed in tidal waters less than 3 feet below MHW, which has the potential to have no effect for National Marine Fisheries Service (NMFS) NMFS-PRD protected species. The project location and vicinity is not mapped as critical habitat for any known federally-listed threatened or endangered species under USFWS' jurisdiction. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

ESSENTIAL FISH HABITAT:

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 NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely affect Essential Fish Habitat (EFH), including species of concern, life cycle habitat, or Habitat Areas of Particular Concern. The project site lies in or adjacent to EFH as described under

MSFCMA for managed species under the MSFCMA. The project site lies in or adjacent to EFH as described under MSFCMA designated in the Miles River for little skate (*Leucoraja erinacea*), Atlantic herring (*Clupea harengus*), red hake (*Urophycis chuss*), winter skate (*Leucoraja ocellata*), clearnose skate (*Raja eglanteria*), windowpane flounder (*Scophthalmus aquosus*), bluefish (*Pomatomus saltatrix*), and summer flounder (*Paralichthys dentatus*), and black sea bass (*Centropristis striata*); all managed species under the MSFCMA.

The Baltimore District has made a preliminary determination that the project will not have a substantial adverse effect on EFH and that mitigative measures are not required to minimize adverse effects on EFH at this time. This determination may be modified if additional information indicates otherwise.

HISTORIC RESOURCES:

Pursuant to Section 106 of the National Historic Preservation Act of 1966 and applicable guidance, the Corps has reviewed the latest published version of the National Register of Historic Places and initially determined that no registered properties listed as eligible for inclusion, therein, are located at the site of the proposed work. The Corps has made the preliminary determination that the proposed project has no potential to cause effects on historic properties. The Corps final eligibility and effect determination will be based on coordination with the State Historic Preservation Office as appropriate and required, and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps' identified permit area.

TRIBAL RESOURCES:

Section 106 of the National Historic Preservation Act also requires federal agencies to consult with federally recognized American Indian tribes that attach religious and cultural significance to historic properties that may be affected by the agency's undertaking. Corps Tribal Consultation Policy mandates an open, timely, meaningful, collaborative, and effective deliberative communication process that emphasizes trust, respect, and shared responsibility. The policy further emphasizes that, to the extent practicable and permitted by law, consultation works toward mutual consensus and begins at the earliest planning stages before decisions are made and actions taken. The Corps final eligibility and effect determination will be based on coordination with interested tribes, in accordance with the Corps current tribal standard operating procedures as appropriate and required, and with full consideration given to the proposed undertaking's potential direct and indirect effects on tribal resources.

MODIFICATION OF CIVIL WORKS PROJECTS: 33 USC 408 (SECTION 408):

All Section 408 proposals will be coordinated internally at USACE. The Section 408 decision will be issued along with the Section 404 and/or Section 10 decision. Please see the following link for more information regarding Section 408:
<https://www.nab.usace.army.mil/Missions/Regulatory/Section-408-Requests/>.

WATER QUALITY CERTIFICATION:

The applicant is required to obtain a water quality certification in accordance with Section 401 of the Clean Water Act.

COASTAL ZONE MANAGEMENT PROGRAMS:

Where applicable, the applicant has certified in this application that the proposed activity complies with and will be conducted in a manner consistent with the approved Coastal Zone Management Program. By this public notice, we are requesting the state concurrence or objection to the applicant's consistency statement.

The applicant must obtain any state or local government permits which may be required.

SUBMISSION OF COMMENTS:

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 provided will become part of the public record for this action and are subject to release to the public through the Freedom of Information Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Written comments concerning the work described above related to the factors listed above or other pertinent factors must be received by the United States Army Corps of Engineers, Baltimore District within the comment period specified above through postal

mail at the address below or electronic submission to the project manager email address below. Written comments should reference the Application Number NAB-2022-62019-M35.

PUBLIC HEARING REQUESTS:

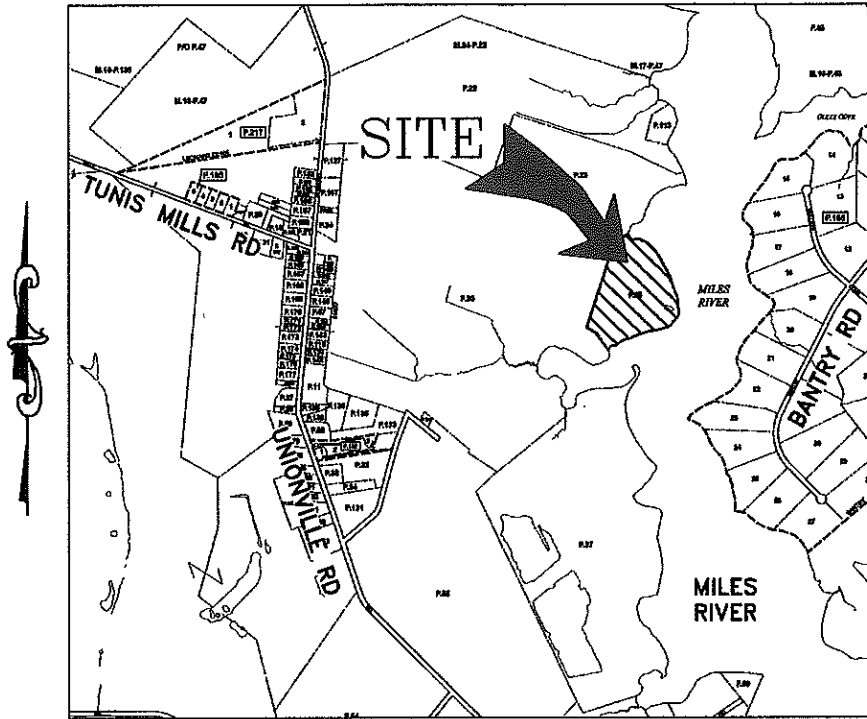
Any person who has an interest which may be adversely affected by the issuance of this permit may request a public hearing. The request, which must be in writing, must be received within the comment period as specified above to receive consideration. Also, it must clearly set forth the interest which may be adversely affected by this activity and the manner in which the interest may be adversely affected. The public hearing request may be submitted by electronic mail or mailed to the following address:

Lamuelle L. Coleman
Lamuelle.L.Coleman@usace.army.mil
U.S. Army Corps of Engineers, Baltimore District
Regulatory Branch
2 Hopkins Plaza
Baltimore, Maryland 21201-2930

It is requested that you communicate this information concerning the proposed work to any persons known by you to be interested, who did not receive a copy of this notice.

General information regarding the Corps' permitting process can be found on our website at <https://www.nab.usace.army.mil/Missions/Regulatory.aspx>. This public notice has been prepared in accordance with Corps implementing regulations at 33 CFR 325.3. If you have any questions concerning this specific project or would like to request a paper copy of this public notice, please contact Lamuelle Coleman at 443-853-2051 and/or at Lamuelle.L.Coleman@USACE.Army.mil. This public notice is issued by the Chief, Regulatory Branch.

SHORELINE STABILIZATION PERMIT DRAWINGS
PREPARED FOR
LOMBARDY 1669, LLC
IN THE FIRST ELECTION DISTRICT
TALBOT COUNTY, MARYLAND



VICINITY MAP
SCALE: 1" = 2,000'

ENGINEER

Lane Engineering, LLC
 117 BAY STREET
 EASTON, MARYLAND 21601
 (410) 822-8003

OWNER/DEVELOPER

LOMBARDY 1669, LLC
 C/O JOSEPH WALSH
 11600 PARTRIDGE RUN LANE
 POTOMAC, MD 20854
 (301) 280-5100

PROJECT LOCATION

9615 UNIONVILLE ROAD
EASTON, MD 21601

ISSUE FOR:	DATE:	BY:	No.	DATE:	REVISION:	BY:
MDE SUBMITTAL	11/03/21	DSR				
MDE SUBMITTAL - MODIFICATION	07/05/22	DSR				

FILE No. B009
 JOB No. 210429
 SCALE: AS NOTED
 DATE: AS NOTED
 SHEET No. 1

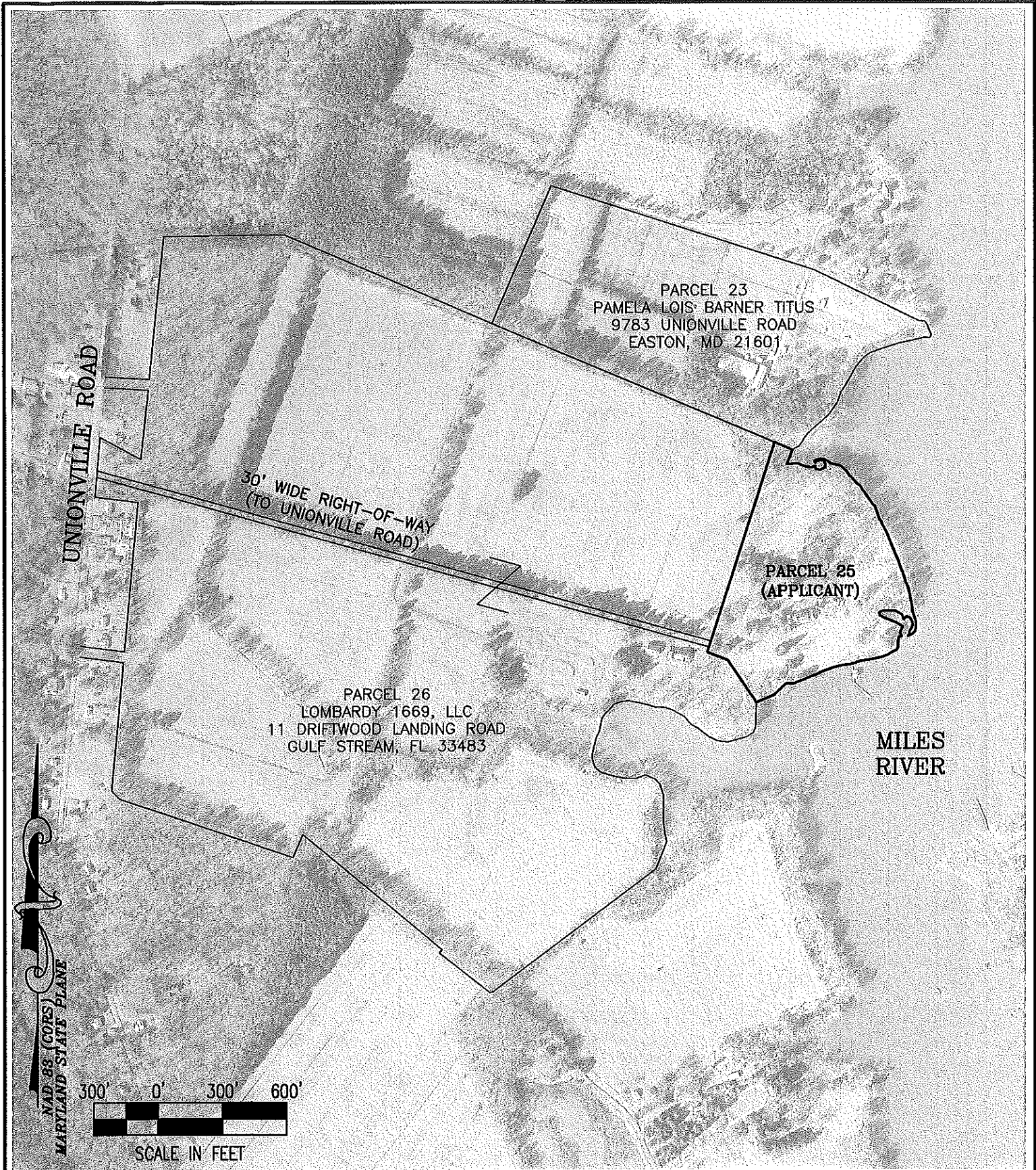
TITLE SHEET

ON THE LANDS OF
LOMBARDY 1669, LLC
EASTON, MARYLAND

IN THE FIRST ELECTION DISTRICT, TALBOT COUNTY
TAX MAP 24, GRID 5, PARCEL 25

Lane Engineering, LLC
 Established 1986
 Civil Engineers • Land Planning • Land Surveyors

E-mail: general@felnc.com
 117 Bay St. Easton, MD 21601 (410) 822-8003
 15 Washington St. Cambridge, MD 21613 (410) 221-0818
 354 Pennsylvania Ave. Centreville, MD 21617 (410) 758-2095



SITE OVERVIEW

**ON THE LANDS OF
LOMBARDY 1669, LLC
EASTON, MARYLAND**

**IN THE FIRST ELECTION DISTRICT, TALBOT COUNTY
TAX MAP 24, GRID 5, PARCEL 25**

Lane Engineering, LLC

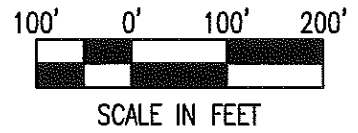
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E-mail: general@leinc.com
117 Bay St. Easton, MD 21601 (410) 822-8003
15 Washington St. Cambridge, MD 21813 (410) 221-0818
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SHEET No. **3**
DATE: AS NOTED
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JOB No. 210429
FILE No. B009

PARCEL 23
 PAMELA LOIS BARNER TITUS
 9783 UNIONVILLE ROAD
 EASTON, MD 21601

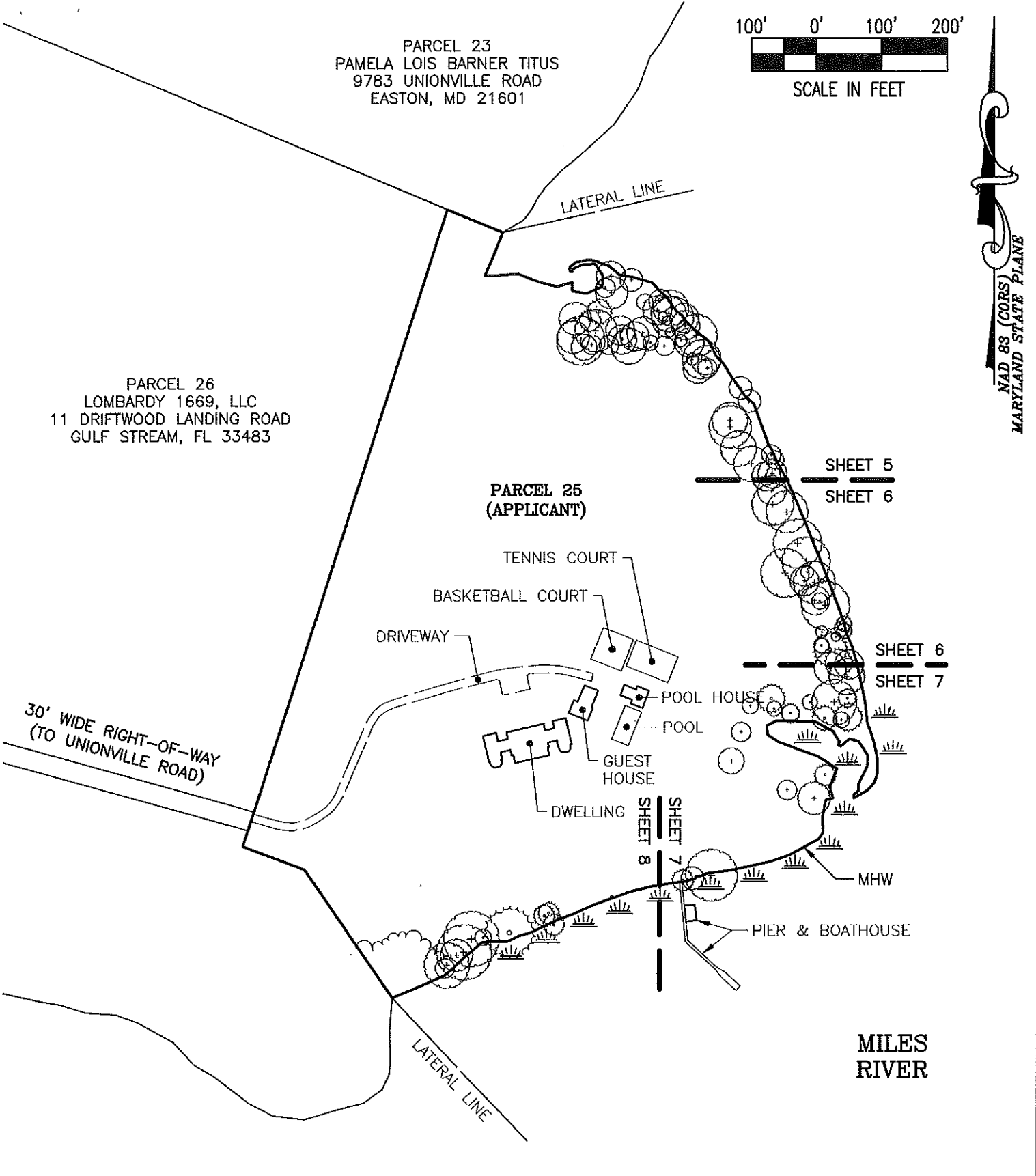


NAD 83 (COGS)
 MARYLAND STATE PLANE

PARCEL 26
 LOMBARDY 1669, LLC
 11 DRIFTWOOD LANDING ROAD
 GULF STREAM, FL 33483

PARCEL 25
 (APPLICANT)

30' WIDE RIGHT-OF-WAY
 (TO UNIONVILLE ROAD)



EXISTING CONDITIONS

**ON THE LANDS OF
 LOMBARDY 1669, LLC
 EASTON, MARYLAND**

**IN THE FIRST ELECTION DISTRICT, TALBOT COUNTY
 TAX MAP 24, GRID 5, PARCEL 25**

Lane Engineering, LLC

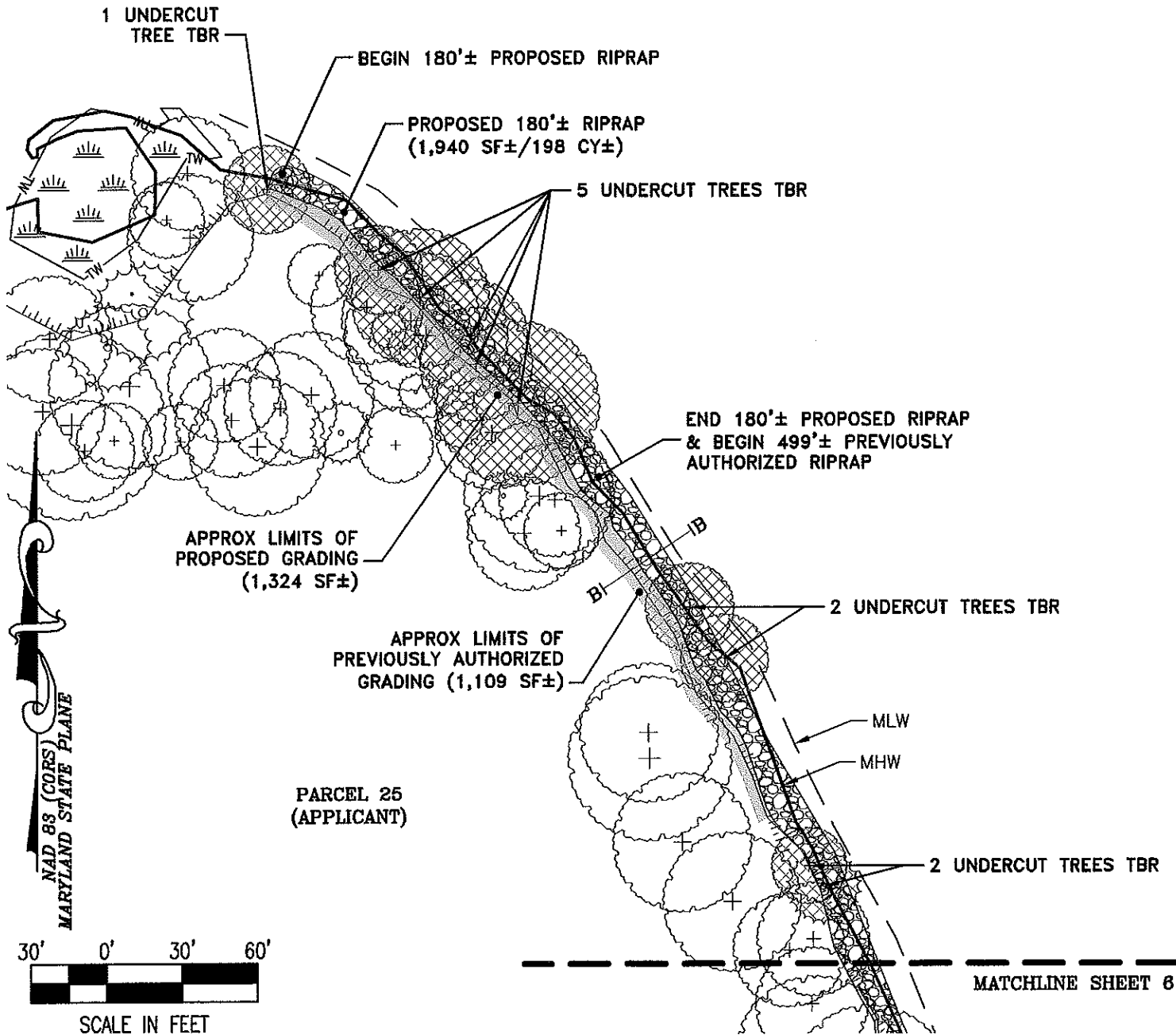
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 15 Washington St. Cambridge, MD 21613 (410) 221-0818
 354 Pennsylvania Ave. Centerville, MD 21617 (410) 758-2095

SHEET No. 4
 DATE: AS NOTED
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 FILE No. B009

MILES RIVER



MATCHLINE SHEET 6

FILE NO. B009
 JOB No. 210429
 SCALE: AS NOTED
 DATE: AS NOTED
 SHEET No. 5

PROPOSED IMPROVEMENTS

ON THE LANDS OF
 LOMBARDY 1669, LLC
 EASTON, MARYLAND

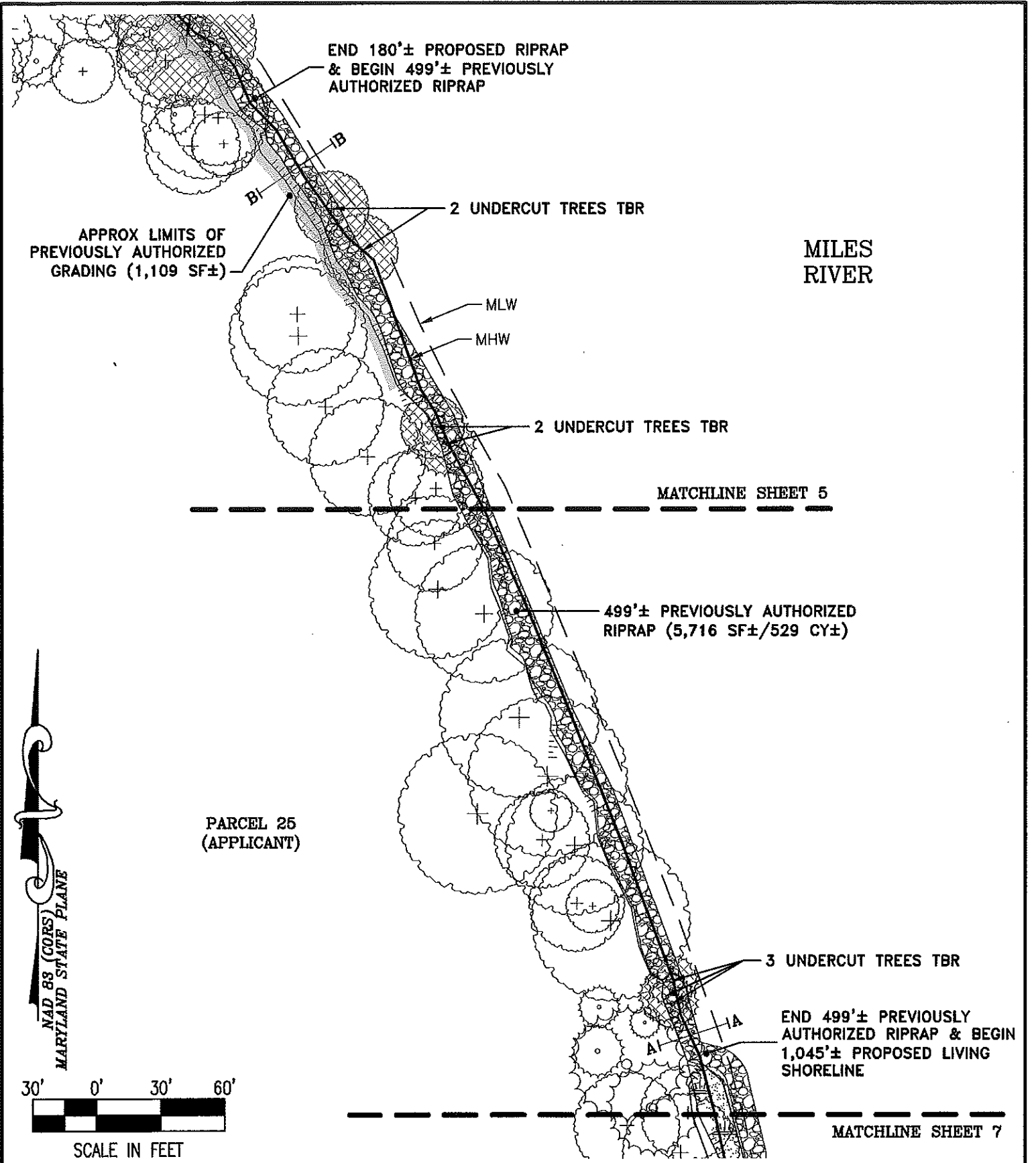
IN THE FIRST ELECTION DISTRICT, TALBOT COUNTY
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Lane Engineering, LLC

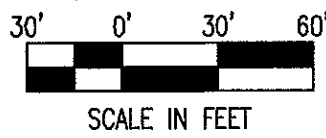
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NAD 83 (CORS)
 MARYLAND STATE PLANE

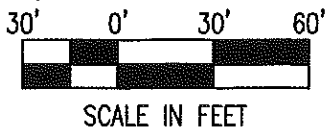


FILE No. B009	JOB No. 210429	SCALE: AS NOTED	DATE: AS NOTED	SHEET No. 6
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PROPOSED IMPROVEMENTS
ON THE LANDS OF
LOMBARDY 1669, LLC
EASTON, MARYLAND
 IN THE FIRST ELECTION DISTRICT, TALBOT COUNTY
 TAX MAP 24, GRID 5, PARCEL 25

Lane Engineering, LLC
 Established 1986
 Civil Engineers • Land Planning • Land Surveyors


 E-mail: general@leinc.com
 117 Bay St. Easton, MD 21601 (410) 822-8003
 15 Washington St. Cambridge, MD 21613 (410) 221-0818
 354 Pennsylvania Ave. Centreville, MD 21617 (410) 758-2095



NAD 83 (CORS)
MARYLAND STATE PLANE

3 UNDERCUT TREES TBR

1A

END 499'± PREVIOUSLY AUTHORIZED RIPRAP & BEGIN 1,045'± PROPOSED LIVING SHORELINE

MATCHLINE SHEET 6

PARCEL 25 (APPLICANT)

APPROX LIMITS OF PROPOSED GRADING (2,402 SF±)

MILES RIVER

1,045'± PROPOSED LIVING SHORELINE
 STONE SILLS: 9,400 SF±/905 CY±
 SAND FILL: 15,026 SF±/557 CY±
 ALTERNIFLORA: 7,513 SF±
 PATENS: 7,513 SF±

PIER

BOATHOUSE

MATCHLINE SHEET 8

PROPOSED IMPROVEMENTS

**ON THE LANDS OF
 LOMBARDY 1669, LLC
 EASTON, MARYLAND**

**IN THE FIRST ELECTION DISTRICT, TALBOT COUNTY
 TAX MAP 24, GRID 5, PARCEL 25**

Lane Engineering, LLC

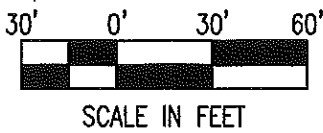
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DATE: AS NOTED
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 FILE No. B009

SHEET No. 7



PARCEL 25
(APPLICANT)

NAD 83 (GORS)
 MARYLAND STATE PLANE

APPROX LIMITS OF PROPOSED
GRADING (2,402 SF±)

MLW

MHW

1 UNDERCUT TREE TBR

1,045'± PROPOSED LIVING SHORELINE
 STONE SILLS: 9,400 SF±/905 CY±
 SAND FILL: 15,026 SF±/557 CY±
 ALTERNIFLORA: 7,513 SF±
 PATENS: 7,513 SF±

END 1,045'± PROPOSED
LIVING SHORELINE

MATCHLINE SHEET 7

MILES
RIVER

LATERAL LINE

PROPOSED IMPROVEMENTS

**ON THE LANDS OF
LOMBARDY 1669, LLC
EASTON, MARYLAND**

**IN THE FIRST ELECTION DISTRICT, TALBOT COUNTY
TAX MAP 24, GRID 5, PARCEL 25**

Lane Engineering, LLC

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 15 Washington St. Cambridge, MD 21613 (410) 221-0818
 354 Pennsylvania Ave. Centreville, MD 21617 (410) 758-2095

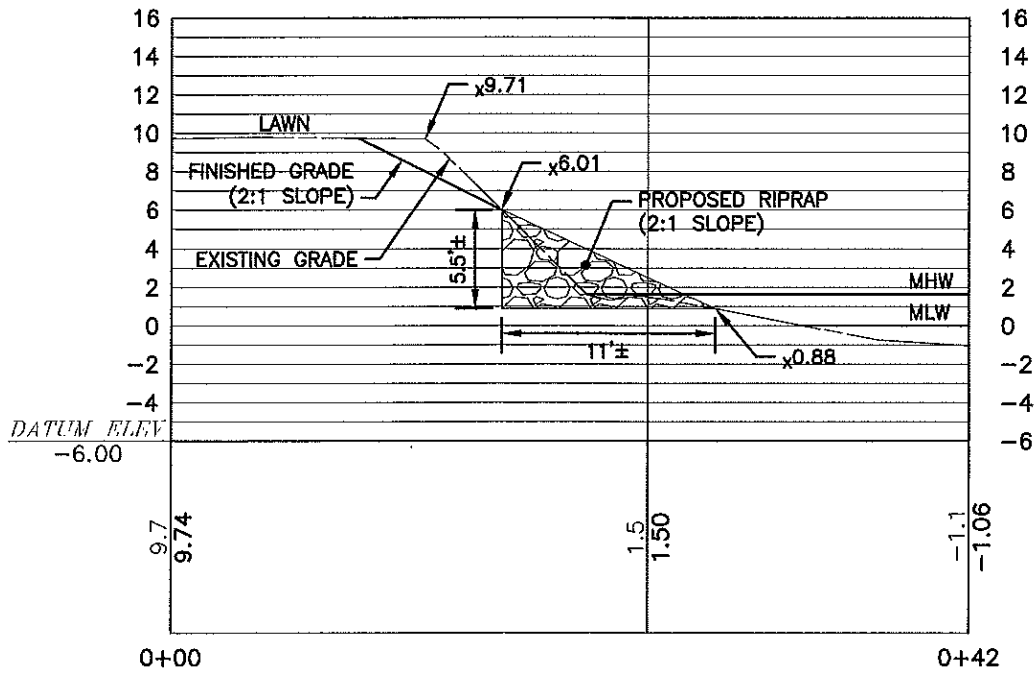
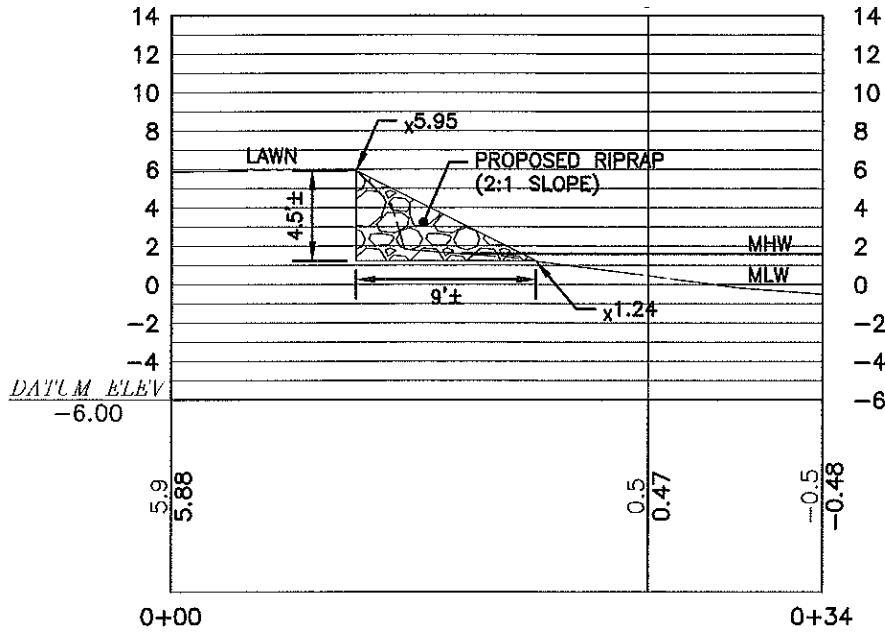
SHEET No.
8

DATE: AS NOTED

SCALE: AS NOTED

JOB No. 210429

FILE No. B009



DETAILS

**ON THE LANDS OF
LOMBARDY 1669, LLC
EASTON, MARYLAND**

**IN THE FIRST ELECTION DISTRICT, TALBOT COUNTY
TAX MAP 24, GRID 5, PARCEL 25**

Lane Engineering, LLC

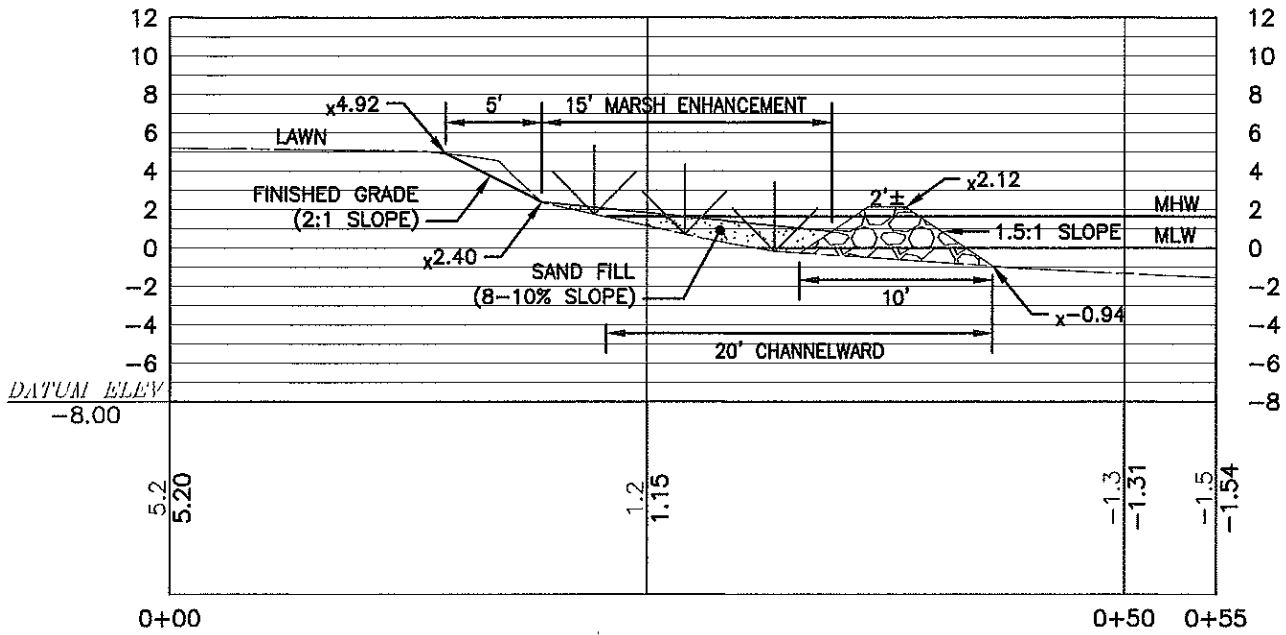
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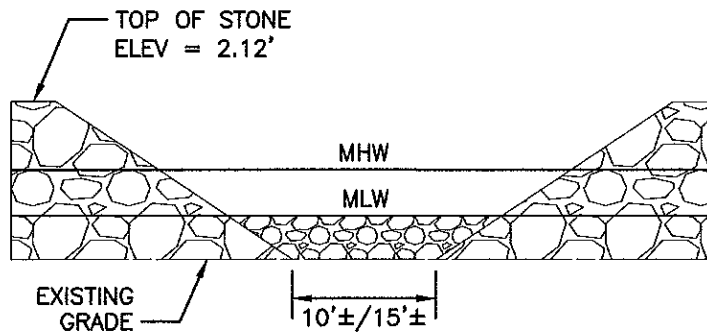
E-mail: general@lane.com
117 Bay St. Easton, MD 21601 (410) 822-8003
15 Washington St. Cambridge, MD 21613 (410) 221-0818
354 Pennsylvania Ave. Centreville, MD 21617 (410) 758-2085

DATE: AS NOTED
SCALE: AS NOTED
JOB No. 210429
FILE No. B009

SHEET No.
9



SECTION C-C
SCALE: 1" = 10'



STONE SILL VENT DETAIL
NOT TO SCALE

DETAILS

**ON THE LANDS OF
LOMBARDY 1669, LLC
EASTON, MARYLAND**

**IN THE FIRST ELECTION DISTRICT, TALBOT COUNTY
TAX MAP 24, GRID 5, PARCEL 25**

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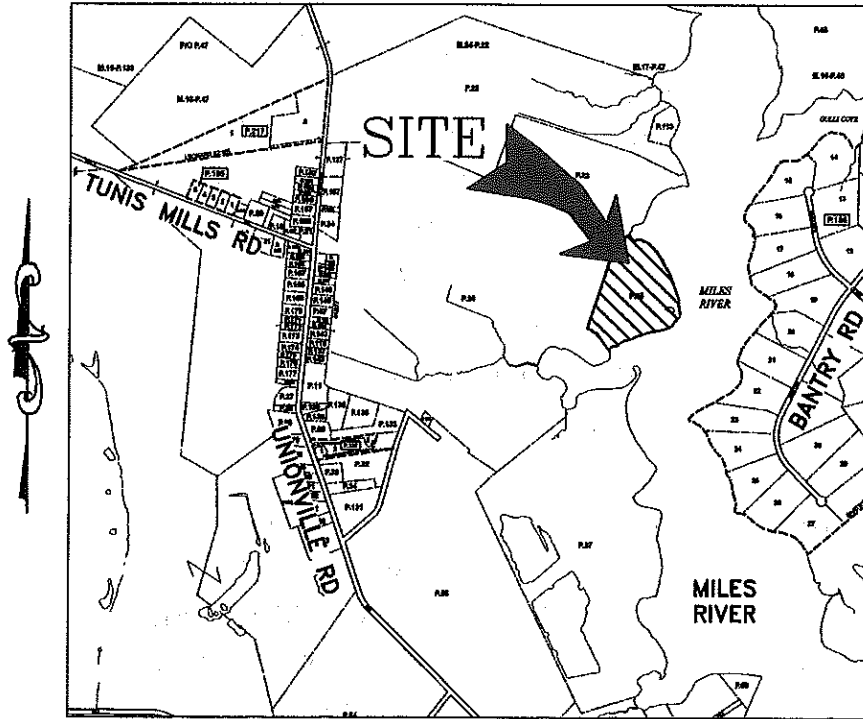


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15 Washington St. Cambridge, MD 21613 (410) 221-0818
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FILE No. B009

SHEET No.
10

MINOR BUFFER MANAGEMENT PLAN
 BMP# _____
 LOMBARDY 1669, LLC
 IN THE FIRST ELECTION DISTRICT
 TALBOT COUNTY, MARYLAND



VICINITY MAP
 SCALE: 1" = 2,000'

ENGINEER

Lane Engineering, LLC
 117 BAY STREET
 EASTON, MARYLAND 21601
 (410) 822-8003


OWNER/DEVELOPER

LOMBARDY 1669, LLC
 C/O JOSEPH WALSH
 11600 PARTRIDGE RUN LANE
 POTOMAC, MD 20854
 (301) 280-5100

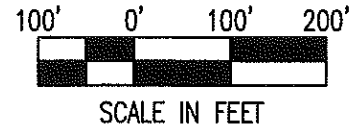
PROJECT LOCATION

9615 UNIONVILLE ROAD
 EASTON, MD 21601

ISSUE FOR:	DATE:	BY:	No.	DATE:	REVISION:	BY:
MDE SUBMITTAL	07/05/22	DSR				

SHEET No. 1	TITLE SHEET ON THE LANDS OF LOMBARDY 1669, LLC EASTON, MARYLAND IN THE FIRST ELECTION DISTRICT, TALBOT COUNTY TAX MAP 24, GRID 5, PARCEL 25	Lane Engineering, LLC Established 1986 Civil Engineers • Land Planning • Land Surveyors  E-mail: general@leinc.com 117 Bay St. Easton, MD 21601 (410) 822-8003 15 Washington St. Cambridge, MD 21613 (410) 221-0818 354 Pennsylvania Ave. Centreville, MD 21617 (410) 758-2095
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PARCEL 23
 PAMELA LOIS BARNER TITUS
 9783 UNIONVILLE ROAD
 EASTON, MD 21601



NAD 83 (CORS)
 MARYLAND STATE PLANE

PARCEL 26
 LOMBARDY 1669, LLC
 11 DRIFTWOOD LANDING ROAD
 GULF STREAM, FL 33483

100' SHORELINE
 DEVELOPMENT BUFFER

PARCEL 25
 (APPLICANT)

TENNIS COURT
 BASKETBALL COURT

DRIVEWAY

30' WIDE RIGHT-OF-WAY
 (TO UNIONVILLE ROAD)

POOL HOUSE
 POOL
 GUEST HOUSE
 DWELLING

FLOOD
 ZONE "X"

MHW

FLOOD ZONE
 "X" (SHADED)

PIER & BOATHOUSE

FLOOD ZONE
 "AE" (EL 5)

MILES
 RIVER

LATERAL LINE

EXISTING CONDITIONS

**ON THE LANDS OF
 LOMBARDY 1669, LLC
 EASTON, MARYLAND**

**IN THE FIRST ELECTION DISTRICT, TALBOT COUNTY
 TAX MAP 24, GRID 5, PARCEL 25**

Lane Engineering, LLC

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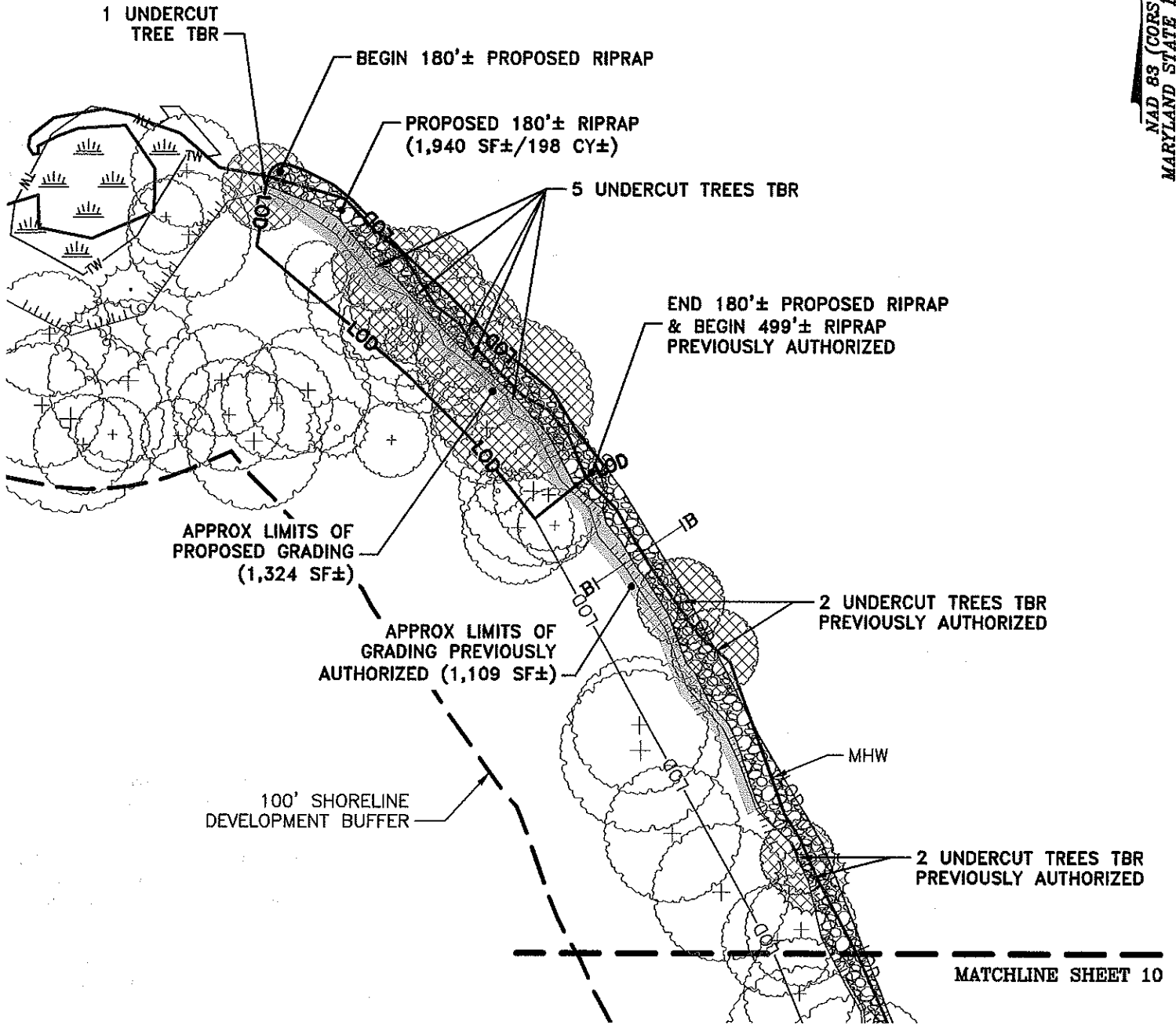
30' 0' 30' 60'



SCALE IN FEET

MILES RIVER

NAD 83 (CORS)
MARYLAND STATE PLANE



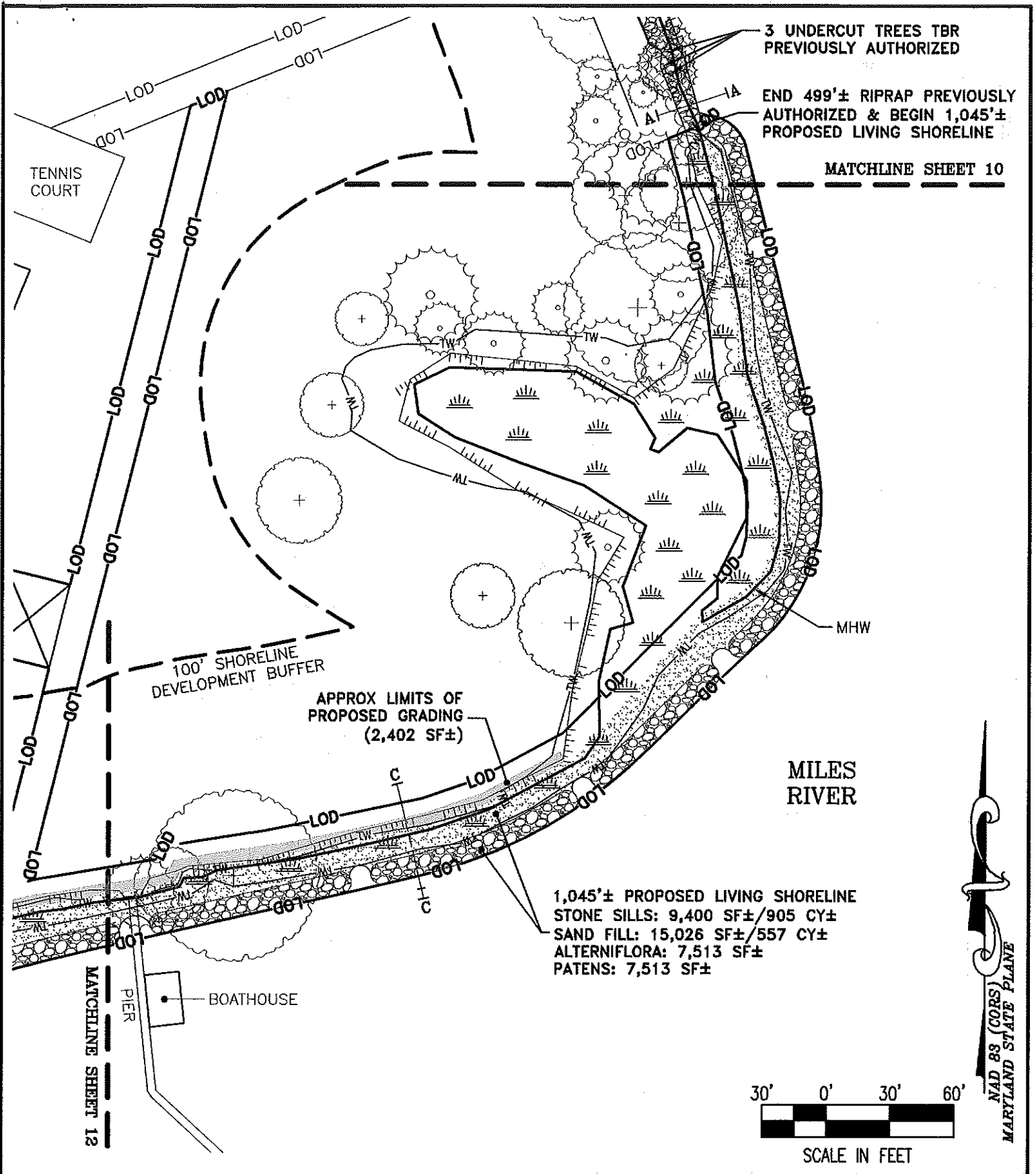
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 SHEET No. 9

PROPOSED IMPROVEMENTS
ON THE LANDS OF
LOMBARDY 1669, LLC
EASTON, MARYLAND
 IN THE FIRST ELECTION DISTRICT, TALBOT COUNTY
 TAX MAP 24, GRID 5, PARCEL 25

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FILE No. B009

JOB No. 210429

SCALE: AS NOTED

DATE: AS NOTED

SHEET No. 11

PROPOSED IMPROVEMENTS

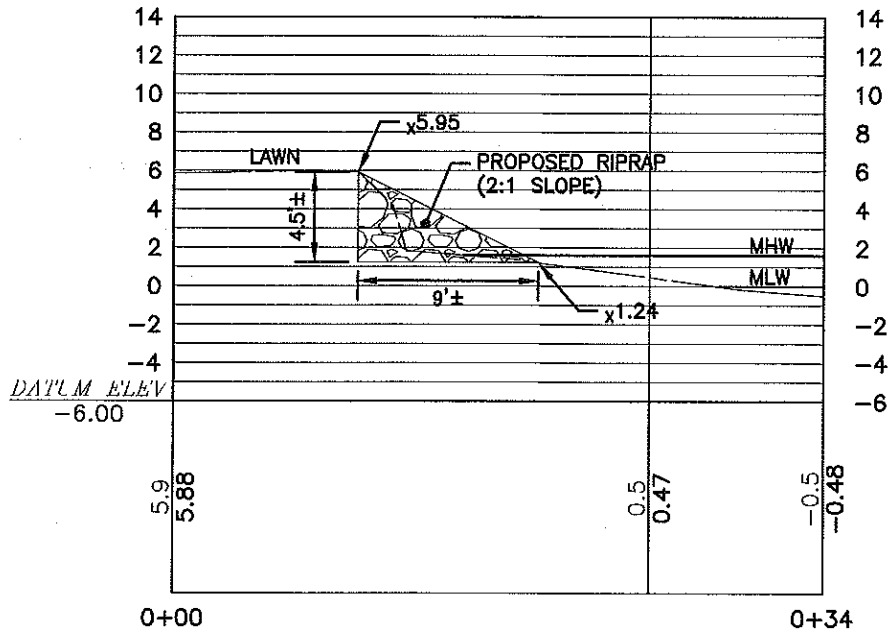
ON THE LANDS OF
LOMBARDY 1669, LLC
EASTON, MARYLAND

IN THE FIRST ELECTION DISTRICT, TALBOT COUNTY
TAX MAP 24, GRID 5, PARCEL 25

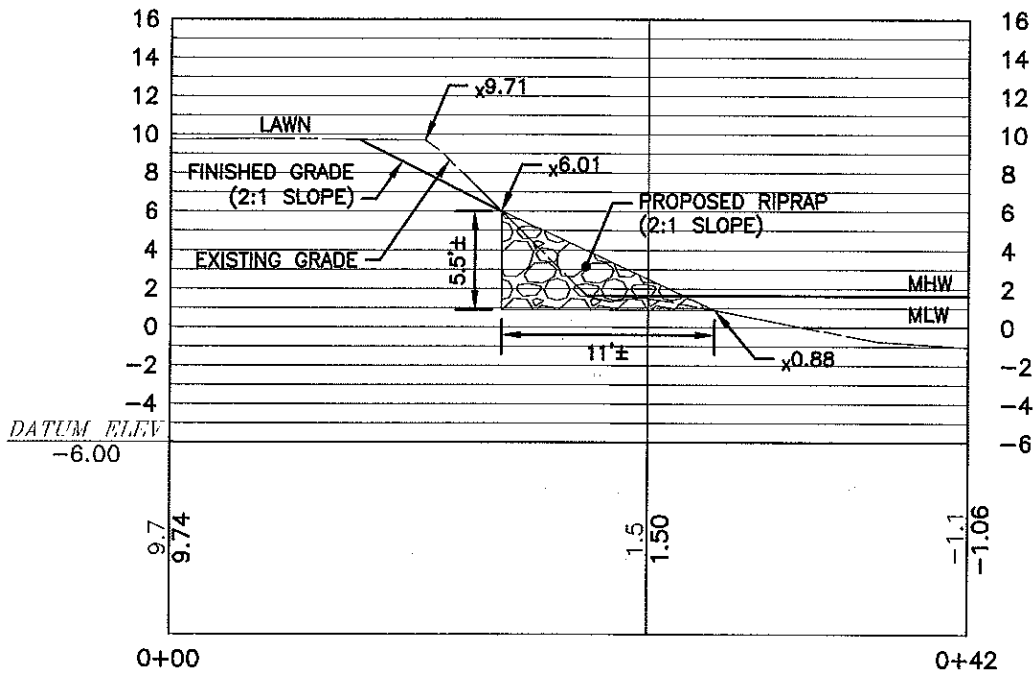
Lane Engineering, LLC

Established 1986
 Civil Engineers • Land Planning • Land Surveyors

E-mail: general@leinc.com
 117 Bay St. Easton, MD 21601 (410) 822-8003
 15 Washington St. Cambridge, MD 21613 (410) 221-0818
 354 Pennsylvania Ave. Centreville, MD 21617 (410) 758-2095



SECTION A-A
SCALE: 1" = 10'



SECTION B-B
SCALE: 1" = 10'

DETAILS

**ON THE LANDS OF
LOMBARDY 1669, LLC
EASTON, MARYLAND**

**IN THE FIRST ELECTION DISTRICT, TALBOT COUNTY
TAX MAP 24, GRID 5, PARCEL 25**

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354 Pennsylvania Ave. Centreville, MD 21617 (410) 758-2095

DATE: AS NOTED
SCALE: AS NOTED
JOB No. 210429
FILE No. B009

SHEET No.
13