

U.S. Army Corps
of Engineers
Baltimore District

Public Notice

In Reply to Application Number
NAB-2018-61365 (Point Pleasant Farm LLC.)

PN 19-05

Comment Period: January 24, 2019 – February 24, 2019

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: Point Pleasant Farm LLC.
PO Box 653
Stevensville, Maryland 21666

WATERWAY AND LOCATION: In Broad Creek at Bozman, Talbot County, Maryland.

PROPOSED WORK AND PURPOSE: The applicant proposes the following, in accordance with the attached plans:

Section 1: to place 160 linear feet of stone on top of the existing revetment by placing 250 cubic yards of stone to extend no more than 10 feet channelward of the approximate mean high water (MHW) shoreline; to place 80 linear feet of stone on top of the existing revetment by placing 50 cubic yards of stone to extend no more than 10 feet channelward of the approximate MHW shoreline; to create marsh along 60 feet of shoreline by depositing approximately 50 cubic yards of clean sloped sand to be planted with *Spartina alterniflora* and *S. patens* creating approximately 1,000 square feet of new tidal marsh to extend no more than 48 feet channelward of the approximate MHW shoreline; to construct a 10-foot wide by 90-foot long stone containment sill, with a 20-foot wide vent, to extend no more than 10 feet channelward of the approximate MHW shoreline; to place 90 linear feet of stone on top of the existing revetment by placing 50 cubic yards of stone to extend no more than 10 feet channelward of the approximate mean high water shoreline.

Section 2: to create marsh along 200 feet of shoreline by depositing approximately 250 cubic yards of clean sloped sand to be planted with *S. alterniflora* and *S. patens* creating approximately 4,500 square feet of new tidal marsh to extend no more than 50 feet channelward of the approximate MHW shoreline; to construct a 10-foot wide by 70-foot long stone containment sill, with a 20-foot vent, to extend no more than 10 feet channelward of the approximate MHW shoreline.

Section 3: to create marsh along 160 feet of shoreline by depositing approximately 250 cubic yards of clean sloped sand to be planted with *S. alterniflora* and *S. patens* creating approximately 4,750 square feet of new tidal marsh to extend no more than 50 feet

channelward of the approximate MHW shoreline; to construct a 10-foot wide by 160-foot long stone containment sill, with a 16-foot vent, to extend no more than 10 feet channelward of the approximate MHW shoreline;

Section 4: to construct a 10-foot wide by 45-foot long stone containment sill to extend no more than 10 feet channelward of the approximate MHW shoreline.

Section 5: to create marsh along 60 feet of shoreline by depositing approximately 50 cubic yards of clean sloped sand to be planted with *S. alterniflora* and *S. patens* creating approximately 900 square feet of new tidal marsh to extend no more than 50 feet channelward of the approximate MHW shoreline; to construct a 10-foot wide by 35-foot long stone containment sill, with two 10-foot vents, to extend no more than 10 feet channelward of the approximate MHW shoreline.

Section 6: to create marsh along 115 feet of shoreline by depositing approximately 100 cubic yards of clean sloped sand to be planted with *S. alterniflora* and *S. patens* creating approximately 900 square feet of new tidal marsh to extend no more than 50 feet channelward of the approximate MHW shoreline; to construct a 10-foot wide by 75-foot long stone containment sill, with four 10-foot vents, to extend no more than 10 feet channelward of the approximate MHW shoreline.

Section 7: to create marsh along 200 feet of shoreline by depositing approximately 150 cubic yards of clean sloped sand to be planted with *S. alterniflora* and *S. patens* creating approximately 2,600 square feet of new tidal marsh to extend no more than 50 feet channelward of the approximate MHW shoreline; and to construct a 10-foot wide by 150-foot long stone containment sill, with five 10-foot vents, to extend no more than 10 feet channelward of the approximate MHW shoreline.

The project would create approximately 18,000 square feet of impacts to Broad Creek. All work is to be completed in accordance with the attached plans. If you have any questions concerning this matter, please contact Ms. Laura Coleman at (410) 853-2051 or Lamuelle.L.Coleman@usace.army.mil.

The project is within 50 feet from existing beds of mapped submerged aquatic vegetation based on Virginia Institute of Marine Science mapping from 2012 to 2017.

The purpose of the work is shoreline erosion control.

As part of the planning process for the proposed project, steps were taken to ensure avoidance and minimization of impacts to aquatic resources to the maximum extent practicable based on the existing site conditions. No compensatory mitigation is proposed since no wetland fill impacts are proposed.

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 evaluation of the impacts of the work described above on the public interest will include application of the Clean Water Act 404(b)(1) Guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 of the Clean Water Act.

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.

Written comments concerning the work described above related to the factors listed above or other pertinent factors must be received by the Laura Coleman, CENAB-OPR-MJ, 2 Hopkins Plaza, Baltimore, Maryland 21201 or Lamuelle.L.Coleman@usace.army.mil, within the comment period specified above.

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 National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely affect Essential Fish Habitat (EFH). The project site lies in or adjacent to the Canoe Neck Creek complex for EFH as described under the MSFCMA for King mackerel (*Scomberomorus cavalla*) eggs, larvae, juvenile, and adult; Spanish mackerel (*Scomberomorus maculatus*) eggs, larvae, juvenile, and adult; cobia (*Rachycentron canadum*) eggs, larvae, juvenile, and adult; red drum (*Sciaenops ocellatus*) eggs, larvae, juvenile, and adult; windowpane flounder (*Scopthalmus aquosus*) juvenile and adult; bluefish (*Pomatomus saltatrix*) juvenile and adult; and Atlantic butterflyfish (*Peprilus triacanthos*) juvenile and adult, all 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 as described under the MSFCMA for the species and life stages identified above. The Baltimore District has made a preliminary determination that site-specific impacts would not be substantial and an abbreviated consultation was 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 determination. The project area is a Habitat Area of Particular Concern (HAPC).

WATER QUALITY CERTIFICATION: 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 Maryland Department of the Environment, Tidal Wetlands Division, Montgomery Park Business Center, 1800 Washington

Blvd., Suite 430, Baltimore, Maryland 21230 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.

COASTAL ZONE MANAGEMENT PROGRAM: 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 Tidal Wetlands Division, Maryland Department of the Environment, Montgomery Park Business Center, 1800 Washington Blvd. Suite 430, Baltimore, Maryland 21230, within the comment period as specified above. It should be noted that the MDE 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.

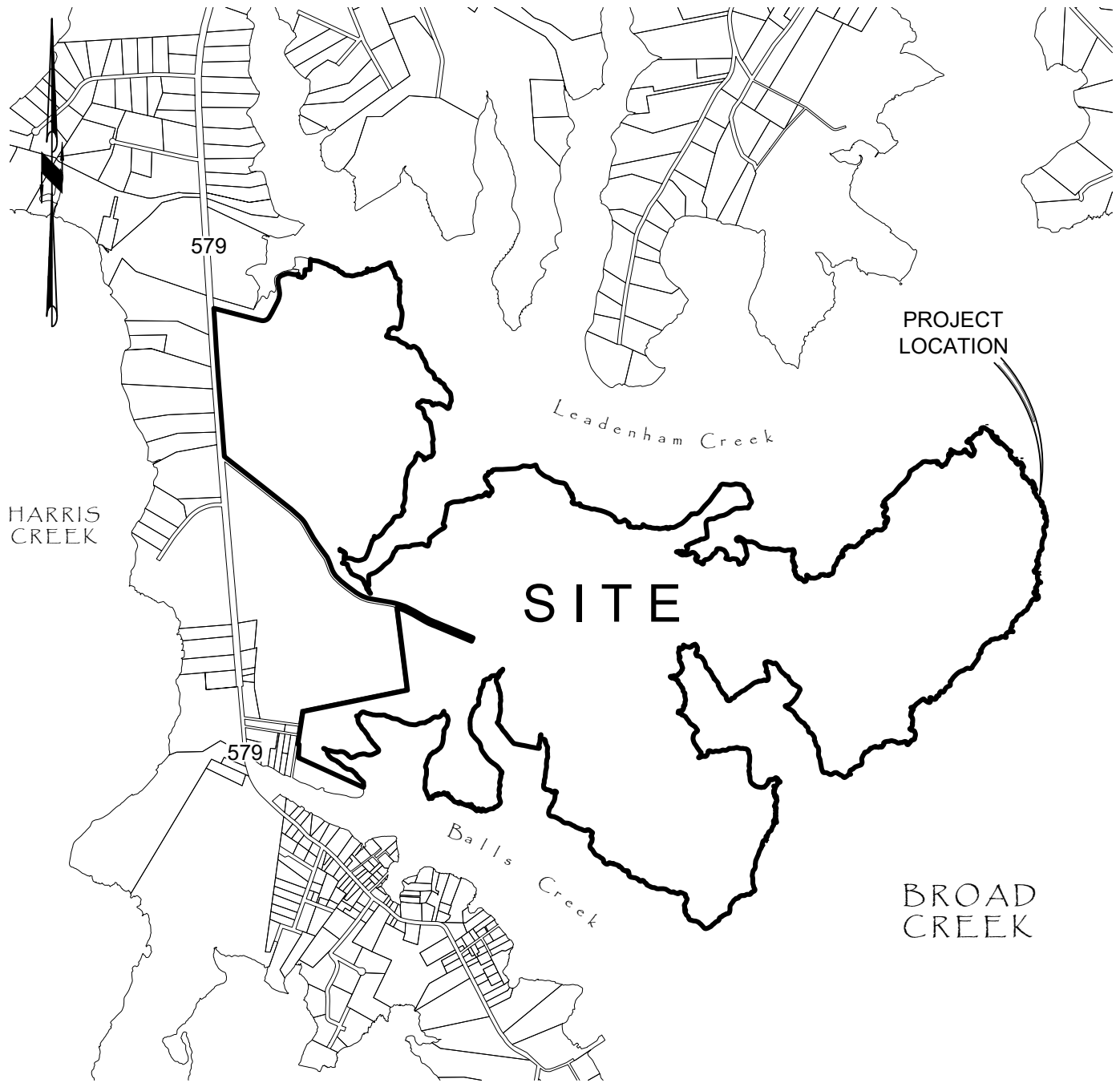
ENDANGERED SPECIES ACT: A preliminary review of this application indicates that the proposed work is not likely to adversely affect Federal listed threatened or endangered species or their critical habitat, pursuant to Section 7 of the Endangered Species Act. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

NATIONAL HISTORIC PRESERVATION ACT: Review of the latest published version of the National Register of Historic Places indicates that the subject property is listed to be nearby a protected architectural resource. The project design is to be reviewed by the Maryland Historical Trust (MHT). 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 District Engineer must receive the request, which must be in writing, to the U.S. Army Corps of Engineers, Baltimore District, 2 Hopkins Plaza, Baltimore, Maryland 21201, within the comment period as specified as above to receive consideration. Also, it must clearly state the interest that may be adversely affected by this activity and 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:

Kathy B. Anderson
Chief, Maryland Section Southern



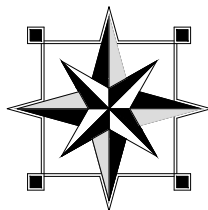
OWNER/APPLICANT:
POINT PLEASANT FARM, INC.
P.O. BOX 653
STEVENSVILLE, MD 21666

VICINITY MAP
18-WL-0820

22776 BOZMAN-NEAVITT RD
BOZMAN, MD 21612

TAX MAP 39, GRID 15, TAX PARCEL 9
IN THE SECOND ELECTION DISTRICT
TALBOT COUNTY, MARYLAND

SHEET 1



FINK, WHITTEN & ASSOCIATES, LLC.

LAND SURVEYING LAND PLANNING
CIVIL ENGINEERING PERMITTING
ENVIRONMENTAL CONSULTING

EASTON CAMBRIDGE
410-822-8484 410-228-8885
113 E. Dover Street, Unit C 108 Dorchester Avenue
Easton, Maryland 21601 Cambridge, Maryland 21613

www.FINKWHITTEN.com

DATE: 06 / 06 / 2017

SCALE: 1" = 2000'

JOB No. T-39-15-9

DRAWN BY: BLW



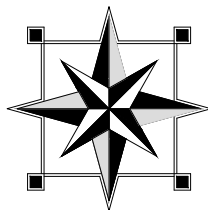
OWNER/APPLICANT:
POINT PLEASANT FARM, INC.
P.O. BOX 653
STEVENSVILLE, MD 21666

PROPERTY OVERVIEW
18-WL-0820

22776 BOZMAN-NEAVITT RD
BOZMAN, MD 21612

TAX MAP 39, GRID 15, TAX PARCEL 9
IN THE SECOND ELECTION DISTRICT
TALBOT COUNTY, MARYLAND

SHEET 2



FINK, WHITTEN & ASSOCIATES, LLC.

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CIVIL ENGINEERING PERMITTING
ENVIRONMENTAL CONSULTING

EASTON CAMBRIDGE
410-822-8484 410-228-8885
113 E. Dover Street, Unit C 108 Dorchester Avenue
Easton, Maryland 21601 Cambridge, Maryland 21613

www.FINKWHITTEN.com

DATE: 06 / 06 / 2017

SCALE: AS SHOWN

JOB No. T-39-15-9

DRAWN BY: BLW



BROAD
CREEK

EXISTING
STONE
REVTMENT

TAX PARCEL 9

EXISTING
STONE
REVTMENT

AGRICULTURAL
FIELD

EXISTING
STONE
REVTMENT

MHW

MHW

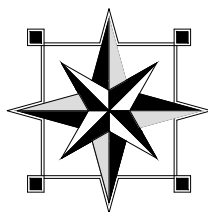
SHEET 3

OWNER/APPLICANT:
POINT PLEASANT FARM, INC.
P.O. BOX 653
STEVENSVILLE, MD 21666

EXISTING CONDITIONS - AREA "A"
18-WL-0820

22776 BOZMAN-NEAVITT RD
BOZMAN, MD 21612

TAX MAP 39, GRID 15, TAX PARCEL 9
IN THE SECOND ELECTION DISTRICT
TALBOT COUNTY, MARYLAND



FINK, WHITTEN & ASSOCIATES, LLC.

LAND SURVEYING
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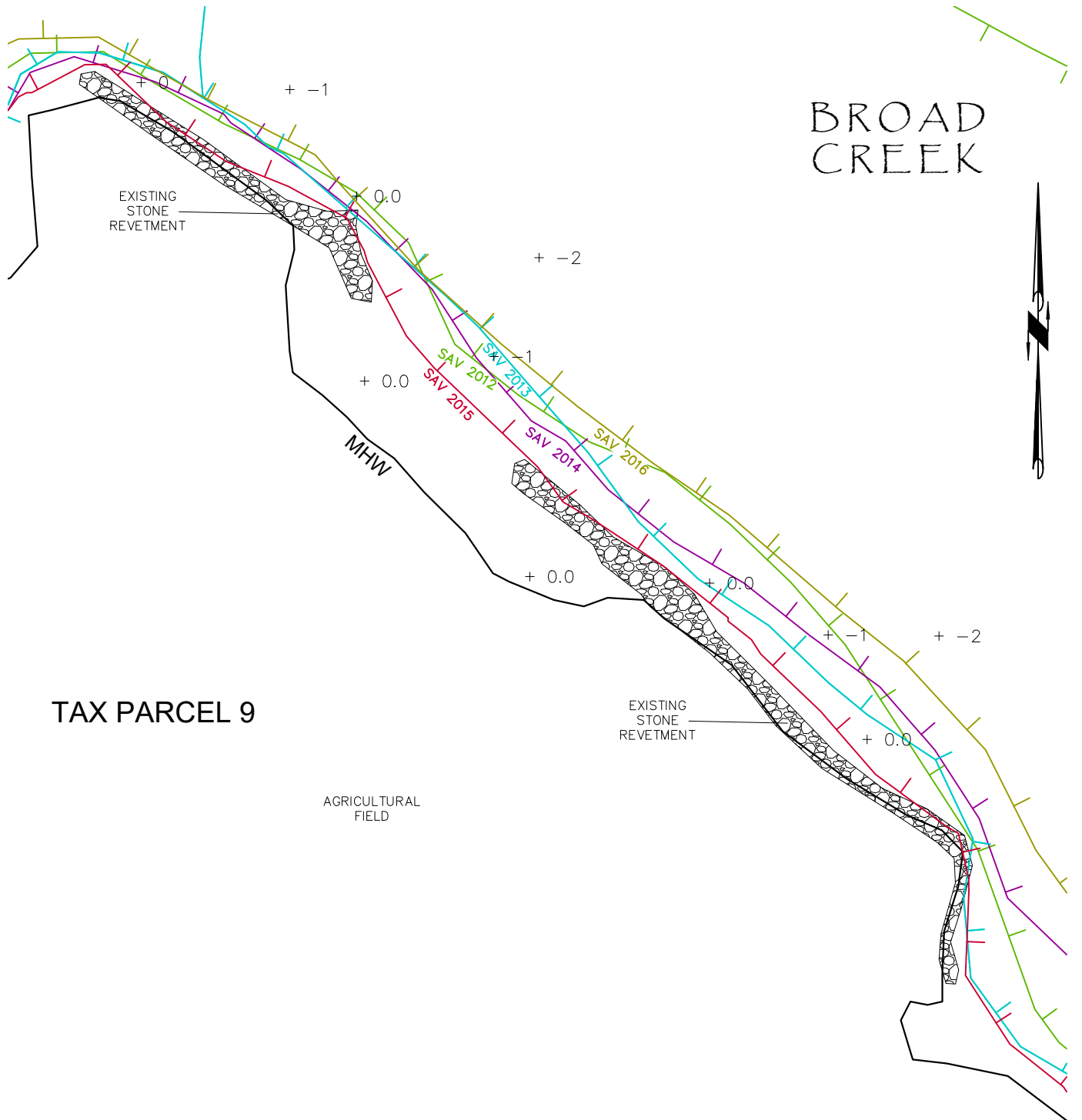
DATE: 06 / 06 / 2017

SCALE: 1" = 60'

JOB No. T-39-15-9

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BROAD CREEK



TAX PARCEL 9

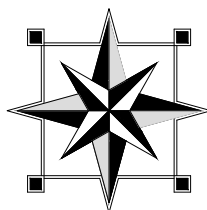
OWNER/APPLICANT:
POINT PLEASANT FARM, INC.
P.O. BOX 653
STEVENSVILLE, MD 21666

EXISTING CONDITIONS - AREA "B"
18-WL-0820

22776 BOZMAN-NEAVITT RD
BOZMAN, MD 21612

TAX MAP 39, GRID 15, TAX PARCEL 9
IN THE SECOND ELECTION DISTRICT
TALBOT COUNTY, MARYLAND

SHEET 4



FINK, WHITTEN & ASSOCIATES, LLC.

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113 E. Dover Street, Unit C 108 Dorchester Avenue
Easton, Maryland 21601 Cambridge, Maryland 21613

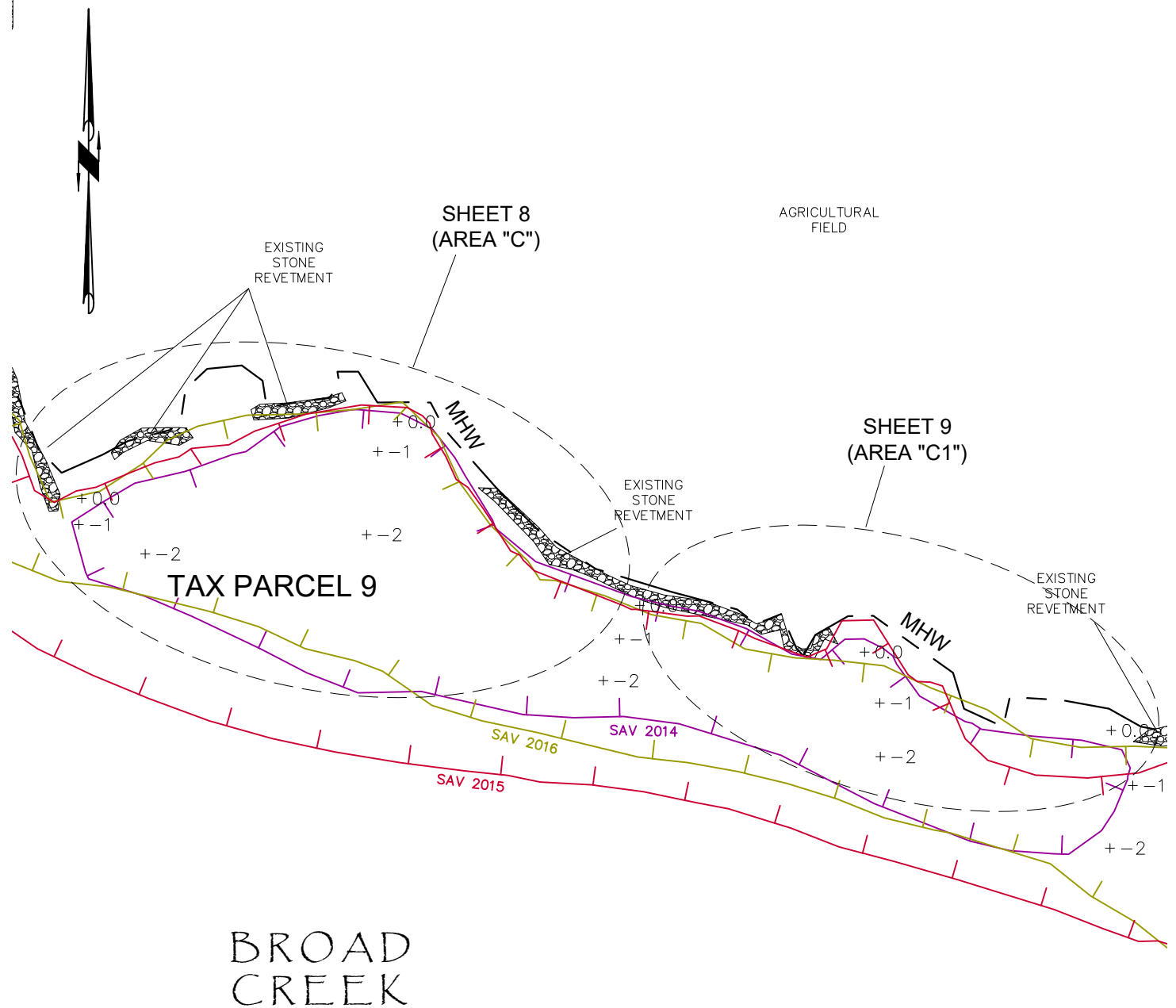
www.FINKWHITTEN.com

DATE: 06 / 06 / 2017

SCALE: 1" = 60'

JOB No. T-39-15-9

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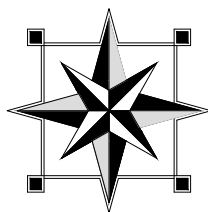
OWNER/APPLICANT:
POINT PLEASANT FARM, INC.
P.O. BOX 653
STEVENSVILLE, MD 21666

EXISTING CONDITIONS - AREA "C"
18-WL-0820

22776 BOZMAN-NEAVITT RD
BOZMAN, MD 21612

TAX MAP 39, GRID 15, TAX PARCEL 9
IN THE SECOND ELECTION DISTRICT
TALBOT COUNTY, MARYLAND

SHEET 5



FINK, WHITTEN & ASSOCIATES, LLC.

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113 E. Dover Street, Unit C 108 Dorchester Avenue
Easton, Maryland 21601 Cambridge, Maryland 21613

www.FINKWHITTEN.com

DATE: 06 / 06 / 2017

SCALE: 1" = 100'

JOB No. T-39-15-9

DRAWN BY: BLW



PORTION OF
PROPOSED
160 L.F.± STONE (TOTAL)
70 L.F.± STONE (SHOWN)
SAND CONTAINMENT SILL

MARSH CREATION
4,000 SQ.FT. SAND FILL
(SEE SHEET 7)

PROPOSED
90 L.F.± STONE
MARSH EDGING

EXISTING
STONE
REVTMENT

PROPOSED
90 L.F.± STONE
SAND CONTAINMENT SILL

MARSH CREATION
1,000 SQ.FT. SAND FILL
50 C.Y.± SAND FILL

TAX PARCEL 9

PROP. MHW

EXISTING
STONE
REVTMENT

PROPOSED
100 L.F.± STONE
MARSH EDGING

EXISTING
STONE
REVTMENT

AGRICULTURAL
FIELD

BROAD
CREEK

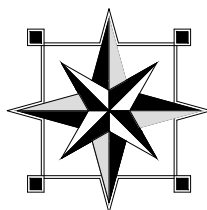
SHEET 6

OWNER/APPLICANT:
POINT PLEASANT FARM, INC.
P.O. BOX 653
STEVENSVILLE, MD 21666

PROPOSED CONDITIONS - AREA "A"
18-WL-0820

22776 BOZMAN-NEAVITT RD
BOZMAN, MD 21612

TAX MAP 39, GRID 15, TAX PARCEL 9
IN THE SECOND ELECTION DISTRICT
TALBOT COUNTY, MARYLAND



FINK, WHITTEN & ASSOCIATES, LLC.

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CAMBRIDGE
410-228-8885
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Cambridge, Maryland 21613

www.FINKWHITTEN.com

DATE: 06 / 06 / 2017

SCALE: 1" = 60'

JOB No. T-39-15-9

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BROAD CREEK

EXISTING
STONE
REVETMENT

*SECTION 1

EXISTING
STONE SILLS
TO BE IMPROVED TO MATCH
DIMENSIONS OF PROPOSED STONE
SILLS.

PORTION OF
PROPOSED
70 L.F.± STONE (TOTAL)
SAND CONTAINMENT SILL
20' WIDE VENT OPENING
200 L.F.± MARSH CREATION
4,500 SQ.FT. SAND FILL
250 C.Y.± SAND FILL

*SECTION 2

TAX PARCEL 9

AGRICULTURAL
FIELD

EXISTING
STONE
REVETMENT

PORTION OF
PROPOSED
160 L.F.± STONE (TOTAL)
90 L.F.± STONE (SHOWN)
SAND CONTAINMENT SILL
160L.F.± MARSH CREATION
4,750 SQ.FT. SAND FILL (TOTAL)
250C.Y.± SAND FILL

(SEE SHEET 6)

*SECTION 3

PROP. MHW

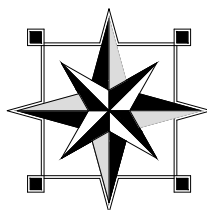
SHEET 7

OWNER/APPLICANT:
POINT PLEASANT FARM, INC.
P.O. BOX 653
STEVENSVILLE, MD 21666

PROPOSED CONDITIONS - AREA "B"
18-WL-0820

22776 BOZMAN-NEAVITT RD
BOZMAN, MD 21612

TAX MAP 39, GRID 15, TAX PARCEL 9
IN THE SECOND ELECTION DISTRICT
TALBOT COUNTY, MARYLAND



FINK, WHITTEN & ASSOCIATES, LLC.

LAND SURVEYING
CIVIL ENGINEERING
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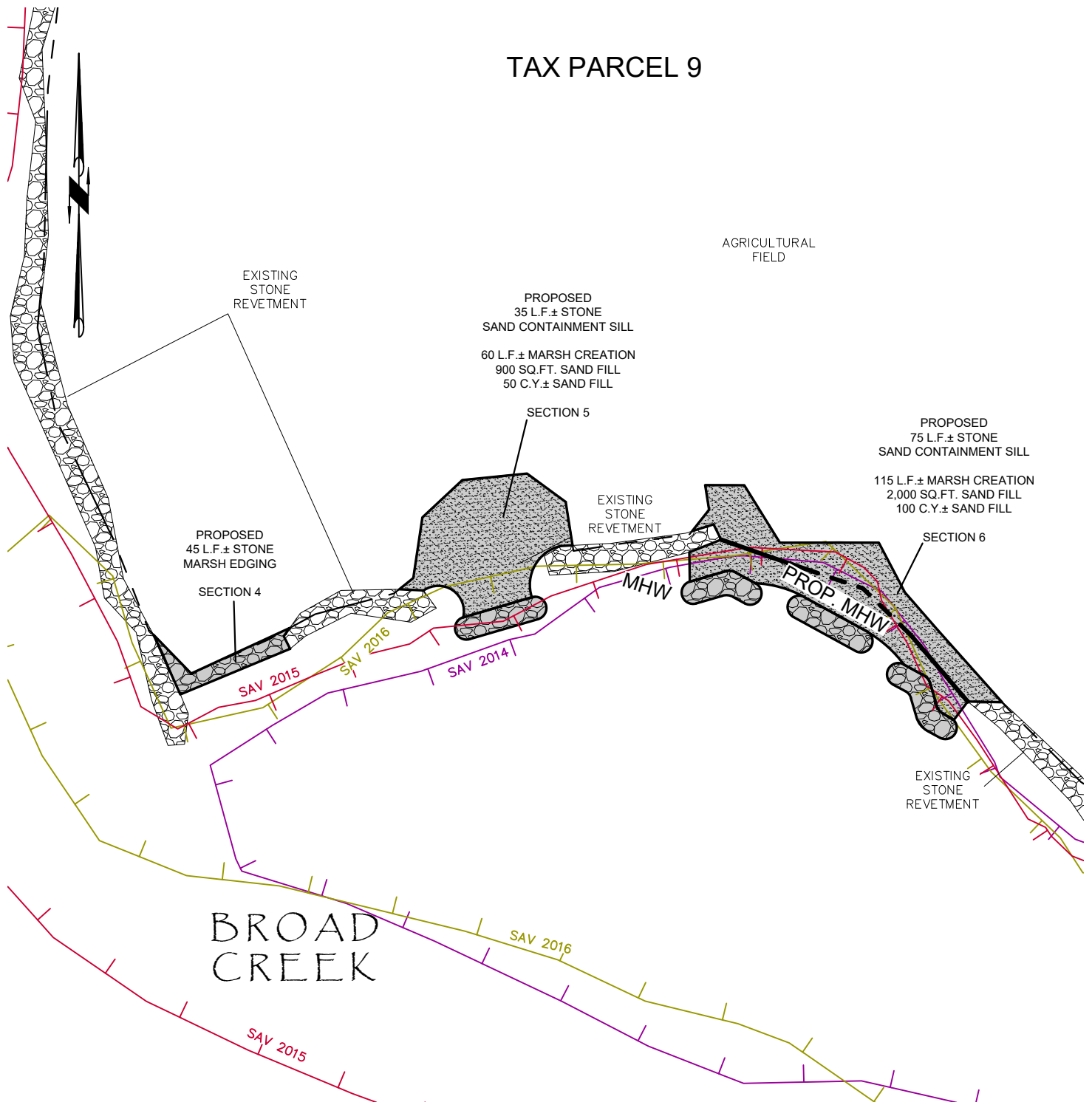
DATE: 06 / 06 / 2017

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JOB No. T-39-15-9

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TAX PARCEL 9



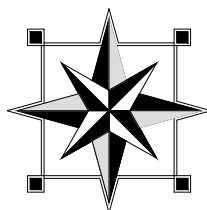
SHEET 8

OWNER/APPLICANT:
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PROPOSED CONDITIONS - AREA "C"
18-WL-0820

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TAX MAP 39, GRID 15, TAX PARCEL 9
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Easton, Maryland 21601 Cambridge, Maryland 21613

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DATE: 06 / 06 / 2017

SCALE: 1" = 50'

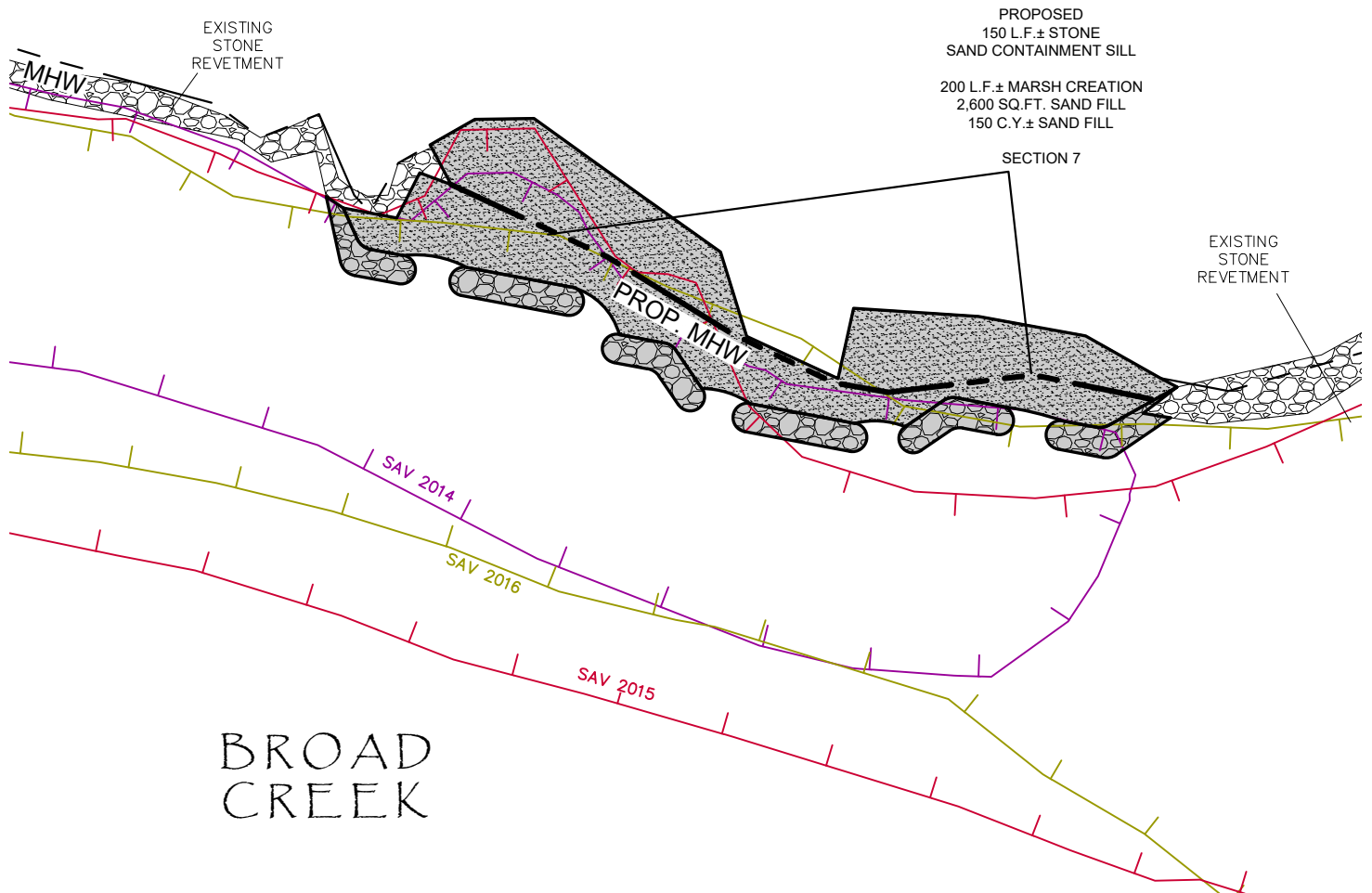
JOB No. T-39-15-9

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TAX PARCEL 9



AGRICULTURAL
FIELD



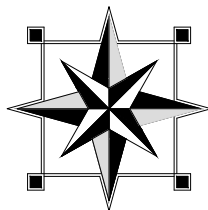
OWNER/APPLICANT:
POINT PLEASANT FARM, INC.
P.O. BOX 653
STEVENSVILLE, MD 21666

PROPOSED CONDITIONS - AREA "C1"
18-WL-0820

22776 BOZMAN-NEAVITT RD
BOZMAN, MD 21612

TAX MAP 39, GRID 15, TAX PARCEL 9
IN THE SECOND ELECTION DISTRICT
TALBOT COUNTY, MARYLAND

SHEET 9



FINK, WHITTEN & ASSOCIATES, LLC.

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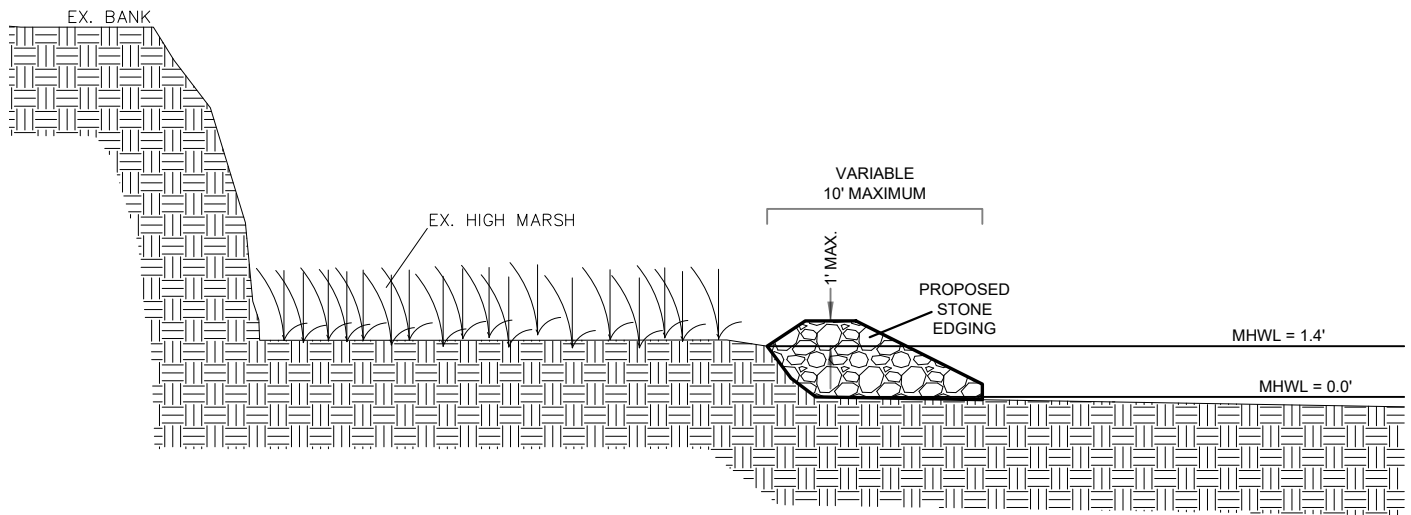
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DATE: 06 / 06 / 2017

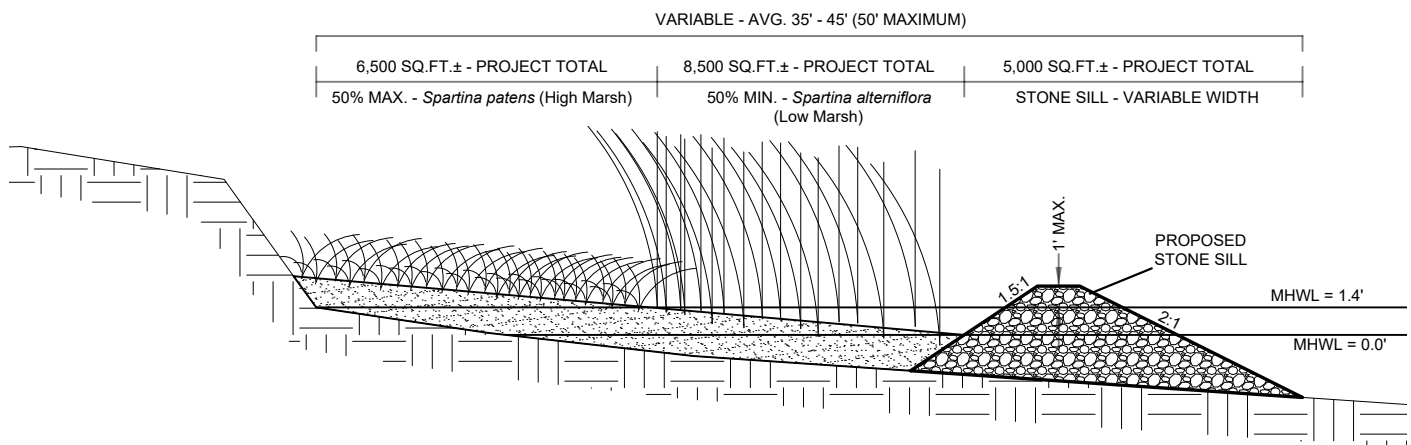
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JOB No. T-39-15-9

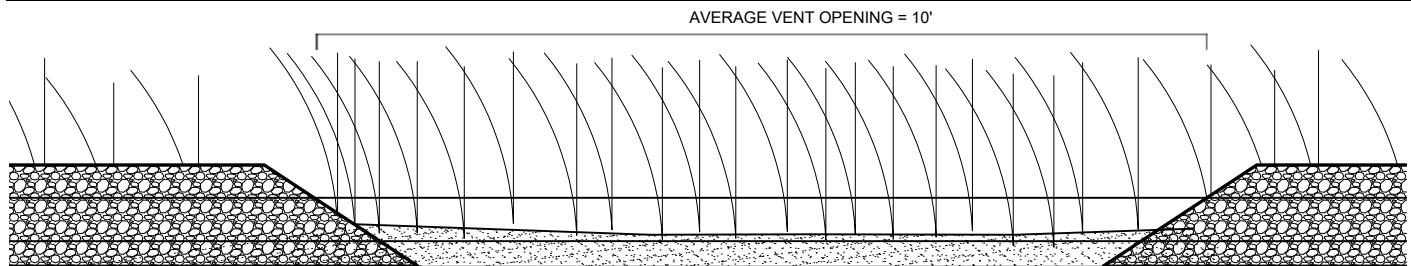
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MARSH TYPICAL CROSS SECTION - NOT TO SCALE



LIVING SHORELINE TYPICAL CROSS SECTION - NOT TO SCALE



LIVING SHORELINE TYPICAL VENT CROSS SECTION - NOT TO SCALE

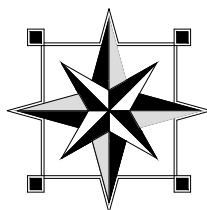
OWNER/APPLICANT:
POINT PLEASANT FARM, INC.
P.O. BOX 653
STEVENSVILLE, MD 21666

CROSS SECTIONS
18-WL-0820

22776 BOZMAN-NEAVITT RD
BOZMAN, MD 21612

TAX MAP 39, GRID 15, TAX PARCEL 9
IN THE SECOND ELECTION DISTRICT
TALBOT COUNTY, MARYLAND

SHEET 10



FINK, WHITTEN & ASSOCIATES, LLC.

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NOT TO SCALE

JOB No. T-39-15-9

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