



Public Notice

U.S. Army Corps
of Engineers
Baltimore District

In Reply to Application Number
NAB-2018-61036 (James & Karen Huizinga/Shoreline
Stabilization)

PN 19-25

Comment Period: May 7, 2019 to May 28, 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 (DA) 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: Mr. James Huizinga
120 Quincy Street
Chevy Chase, Maryland 20815-3321

WATERWAY AND LOCATION OF THE PROPOSED WORK: In Solitude Creek at 7312 Solitude Road, in St. Michaels, Talbot County, Maryland.

PROPOSED WORK AND PURPOSE: To stabilize a total of approximately 315 linear feet of eroding shoreline using a living shoreline approach and stone marsh edging, all within an approximately 2,167.5 total square foot impact area as follows: to construct 225 linear feet of low-profile stone edging placed at the marsh-open water interface and to backfill with approximately 33 cubic yards of sloped, clean select sand fill and stabilize with 850 square feet of additional Smooth cordgrass (*Spartina alterniflora*) and Salt meadow cordgrass (*S. patens*) plantings; and to construct 90 linear feet of low-profile stone sill with one 10-foot wide tidal vent and backfill with approximately 49 cubic yards of sloped, clean select sand fill and stabilize with 880 square feet of Smooth cordgrass (*S. alterniflora*) and salt meadow cordgrass (*S. patens*), all to extend no more than 19 feet channelward of the approximate mean high water (MHW) shoreline. The purpose of the proposed project is shoreline erosion control.

AVOIDANCE AND MINIMIZATION STATEMENT: As part of the planning process for the proposed project, steps were taken to ensure avoidance and minimization of impacts to waters of the United States, including wetlands to the maximum extent practicable.

Due to mapped SAV occurring at the project site, the applicant proposes stone marsh edging above the mean low water (MLW) tide elevation to avoid direct loss of mapped SAV at the marsh-open water interface. In the areas of higher wave energy where

scour has occurred, the applicant proposes a living shoreline approach and has reduced the total channelward encroachment from 35 feet to 19 feet to minimize impacts to mapped SAV.

MITIGATION STATEMENT: Compensatory mitigation is not being proposed by the applicant for the permanent loss of an approximately 593 square foot (0.0136 acres) area of mapped SAV occurring below the MLW tide elevation at this time. The permanent impacts are the result of a conversion of vegetated shallow water habitat to tidal and intertidal marsh. The project would result in a net increase of approximately 1,730 square feet of estuarine marsh habitat. No fill in wetlands is proposed

All work is proposed in accordance with the attached plan(s) and work description. If you have any questions concerning this matter, or would like to submit written comments, please contact: Mr. Jason R. Peters, Baltimore District, Corps of Engineers, Regulatory Branch, Easton Field Office, Talbottown Shopping Center 218 N. Washington Street, Suite 51, (410) 820-8550, Jason.R.Peters@usace.army.mil.

The decision whether to authorize this project will be based on an evaluation of 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 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 provided will become part of the public record for this action. 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 District Engineer, U.S. Army Corps of Engineers, Baltimore District, [Attn: Mr. Jason Peters, CENAB-OPR-M], Easton Field Office, Talbottown Shopping Center 218 N. Washington Street, Suite 51, Easton, Maryland, 21601, 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 lies in or adjacent to EFH as described under the MSFCMA designated in the Choptank River for *Scopthalmus aquosus* (windowpane flounder) juvenile and adult; *Pomatomus saltatrix* (blue fish) juvenile and adult; *Paralichthys dentatus* (summer flounder) juvenile and adult; 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 applicant proposes to stabilize a total of 315 linear feet of eroding shoreline by constructing a living shoreline and emplacing stone marsh edging. The proposed project has the potential to adversely affect EFH, managed species, or associated species of concern such as major prey species, including affected life history stages by loss of spawning, nursery, forage and/or shelter habitat as described under the MSFCMA for the species and life stages identified above. The site does support SAV during the last five (5) of most recent mapped data available from the Virginia Institute of Marine Science (VIMS) data for years 2013 to 2017. SAV has been designated as a habitat area of particular concern (HAPC) for summer flounder by the Mid-Atlantic Fishery Management Council. The applicant has identified approximately 593 square feet of direct SAV loss that would occur as a result of the proposed project for areas likely to support rooted SAV species to the MLW tide elevation.

The Baltimore District has made a preliminary determination that site-specific impacts would not be substantial and an abbreviated consultation will be conducted with NMFS. No mitigative measures are recommended to minimize adverse effects on EFH at this time both individually and cumulatively. This determination may be modified if additional information indicates otherwise and would change the preliminary determination.

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 Wetlands and Waterways Program, Maryland Department of the Environment, 1800 Washington Blvd., Suite 430, Baltimore, Maryland 21230-1708 within the comment

period as specified above to receive consideration. The Section 401 certifying agency has a statutory limit of one year from the date of this public notice to make its decision.

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 State's federally-approved Coastal Zone Management (CZM) Program. By this public notice, we are requesting the State's concurrence or objection to the applicant's consistency certification statement. It should be noted that Maryland's CZM Program has a statutory limit of six (6) months from the date of this public notice 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 using the U.S. Fish and Wildlife Service IPaC online screening tool indicates that the proposed work will not affect any Federal listed threatened or endangered species or their critical habitat, pursuant to Section 7 of the Endangered Species Act (ESA), as amended. 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.

NATIONAL HISTORIC PRESERVATION ACT: 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. As the evaluation of this proposal continues, additional information may become available which could modify this preliminary determination.

The evaluation of the impact of this project 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, U.S. Army Corps of Engineers, Baltimore District, District Engineer, U.S. Army Corps of Engineers, Baltimore District, Regulatory Branch, Easton Field Office, Talbottown Shopping Center, 218 N. Washington Street, Suite 51, Easton, Maryland, 21601, 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.

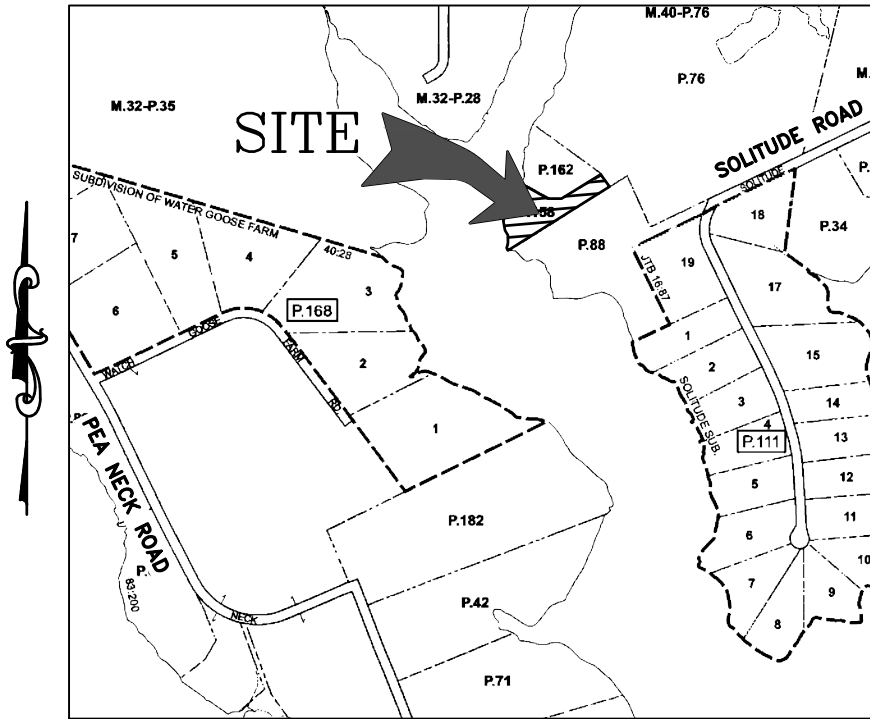
It is requested that you communicate this information concerning the proposed work to

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

TIDAL WETLAND PERMIT DRAWINGS
 PREPARED FOR
 JAMES HUIZINGA & KAREN HUIZINGA
 IN THE SECOND ELECTION DISTRICT
 TALBOT COUNTY, MARYLAND



VICINITY MAP
 SCALE: 1" = 1,000'

ENGINEER

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

OWNER/DEVELOPER

JAMES HUIZINGA
 KAREN HUIZINGA
 120 QUINCY STREET
 CHEVY CHASE, MD 20815-3321

PROJECT LOCATION

7312 SOLITUDE ROAD
 ST. MICHAELS, MD 21663

ISSUE FOR:	DATE:	BY:	No.	DATE:	REVISION:	BY:
MDE SUBMITTAL	06/12/18	DSW				
MDE SUBMITTAL	07/23/18	DSW				

FILE No. 1158
 JOB No. 180181
 SCALE: AS NOTED
 DATE: AS NOTED
 SHEET No. 1 OF 8

TITLE SHEET
 ON THE LANDS OF
JAMES HUIZINGA & KAREN HUIZINGA
 ST. MICHAELS, MARYLAND
 IN THE SECOND ELECTION DISTRICT, TALBOT COUNTY
 TAX MAP 40, GRID 4, PARCEL 158


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

LEGEND & ABBREVIATIONS

MLW MEAN LOW WATER
 MHW MEAN HIGH WATER
 APPROX APPROXIMATE
 EX EXISTING
 TYP TYPICAL

PROPERTY LINE 

LIMITS OF MAPPED SAV 

APPROX TREE LINE 

EXISTING TREE 

SPOT ELEVATION x -2.15

SPARTINA ALTERNIFLORA 

SPARTINA PATENS 

PROJECT NOTES:


1. TIDAL DATUM, I.E. MEAN LOW WATER ELEVATION, IS ESTIMATED FROM ENVIRONMENTAL INDICATORS SUCH AS RACK LINES, WATER MARKS, PLANT COMMUNITY COMPOSITIONS.
2. UNLESS OTHERWISE NOTED, ELEVATIONS SHOWN HEREON ARE REFERENCED TO MEAN LOW WATER (MLW) = 0.0'.
3. MEAN TIDAL RANGE = 1.62'
4. LOT SIZE = 2.06 AC±
5. ROAD FRONTAGE = 25'±
6. LOT DEPTH = 595'±
7. LOT WIDTH AT SHORELINE = 447'±
8. MAXIMUM CHANNELWARD ENCROACHMENT = LIVING SHORELINE: 19'±
MARSH EDGING: 16'±
9. ZONING CLASSIFICATION = RR (RURAL RESIDENTIAL)
10. 911 ADDRESS = 7312 SOLITUDE ROAD ST. MICHAELS, MD 21663

AT THE APPLICANT'S REQUEST, THE PROPERTY LINE INFORMATION SHOWN HEREON, WITH LATERAL LINES, SETBACKS AND SHORELINE ARE TAKEN FROM GENERAL MAPS, DEED, PLAT, SITE SKETCH AND AERIAL PHOTO INTERPRETATION. A PROPERTY LINE SURVEY WAS NOT PERFORMED. THESE MAPS ARE BELIEVED TO BE THE BEST, READILY AVAILABLE SOURCE OF INFORMATION FOR MARINE PERMITTING PURPOSES. A DETAILED ONSITE SURVEY FOR THE PURPOSE OF ACCURATELY DETERMINING EXISTING FEATURES INCLUDING PROPERTY LINES, SHORELINES, EXISTING PIERS, OTHER STRUCTURES, AND SOUNDINGS HAS NOT BEEN COMPLETED. LANE ENGINEERING IS NOT RESPONSIBLE FOR ANY INACCURACIES ASSOCIATED WITH THE LOCATION OF ABOVE REFERENCED EXISTING FEATURES AND RELATED LATERAL LINES, SETBACKS, ETC. THIS SKETCH IS FOR PERMIT PURPOSES ONLY AND IS NOT TO BE USED AS AN ACCURATE CONSTRUCTION DOCUMENT.

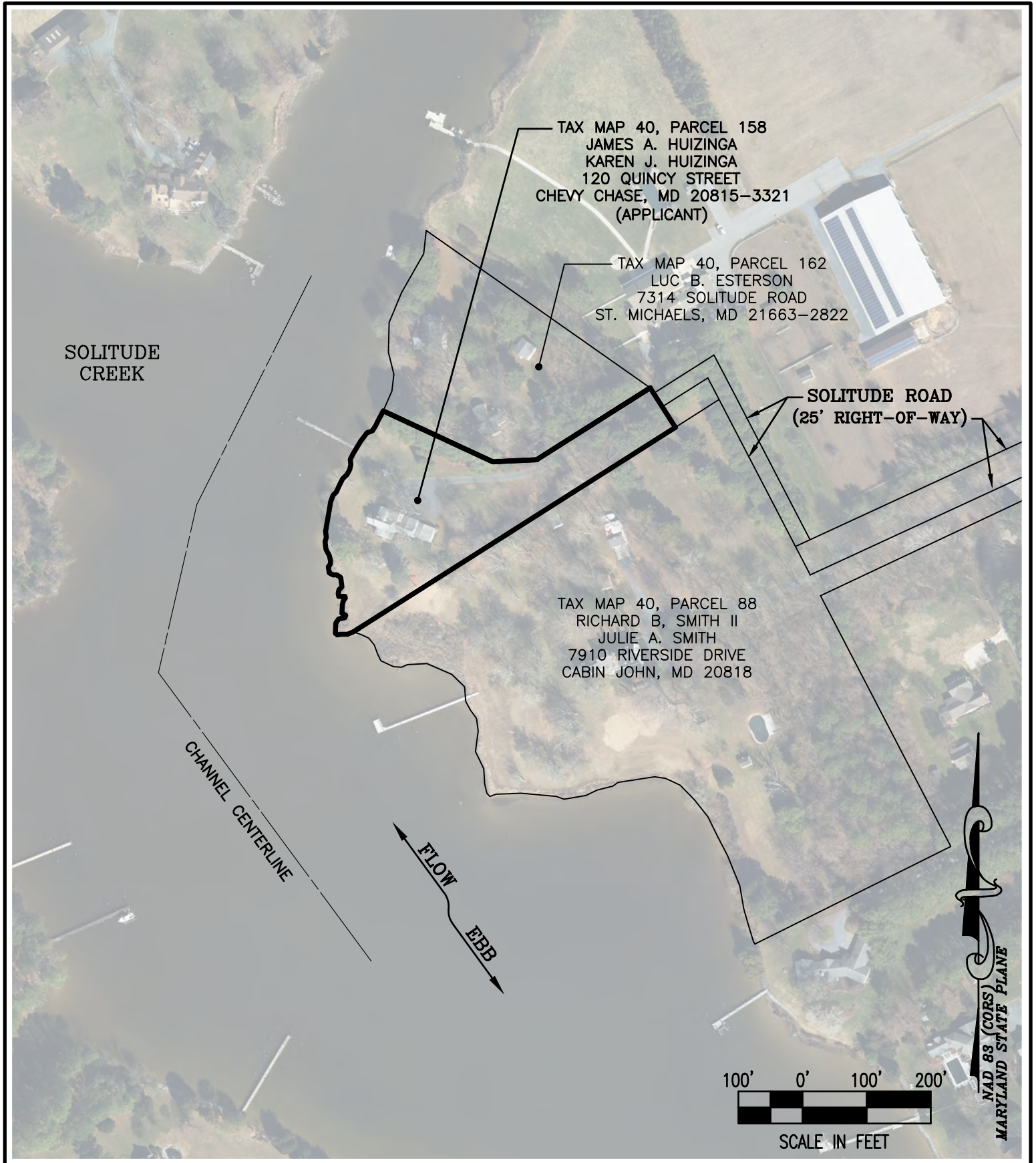
FILE No. 1158
 JOB No. 180181
 SCALE: AS NOTED
 DATE: AS NOTED
 SHEET No. 2 OF 8

SITE & PROJECT NOTES
 ON THE LANDS OF
JAMES HUIZINGA & KAREN HUIZINGA
ST. MICHAELS, MARYLAND
 IN THE SECOND ELECTION DISTRICT, TALBOT COUNTY
 TAX MAP 40, GRID 4, PARCEL 158

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



SITE OVERVIEW

**ON THE LANDS OF
JAMES HUIZINGA & KAREN HUIZINGA
ST. MICHAELS, MARYLAND**

**IN THE SECOND ELECTION DISTRICT, TALBOT COUNTY
TAX MAP 40, GRID 4, PARCEL 158**

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

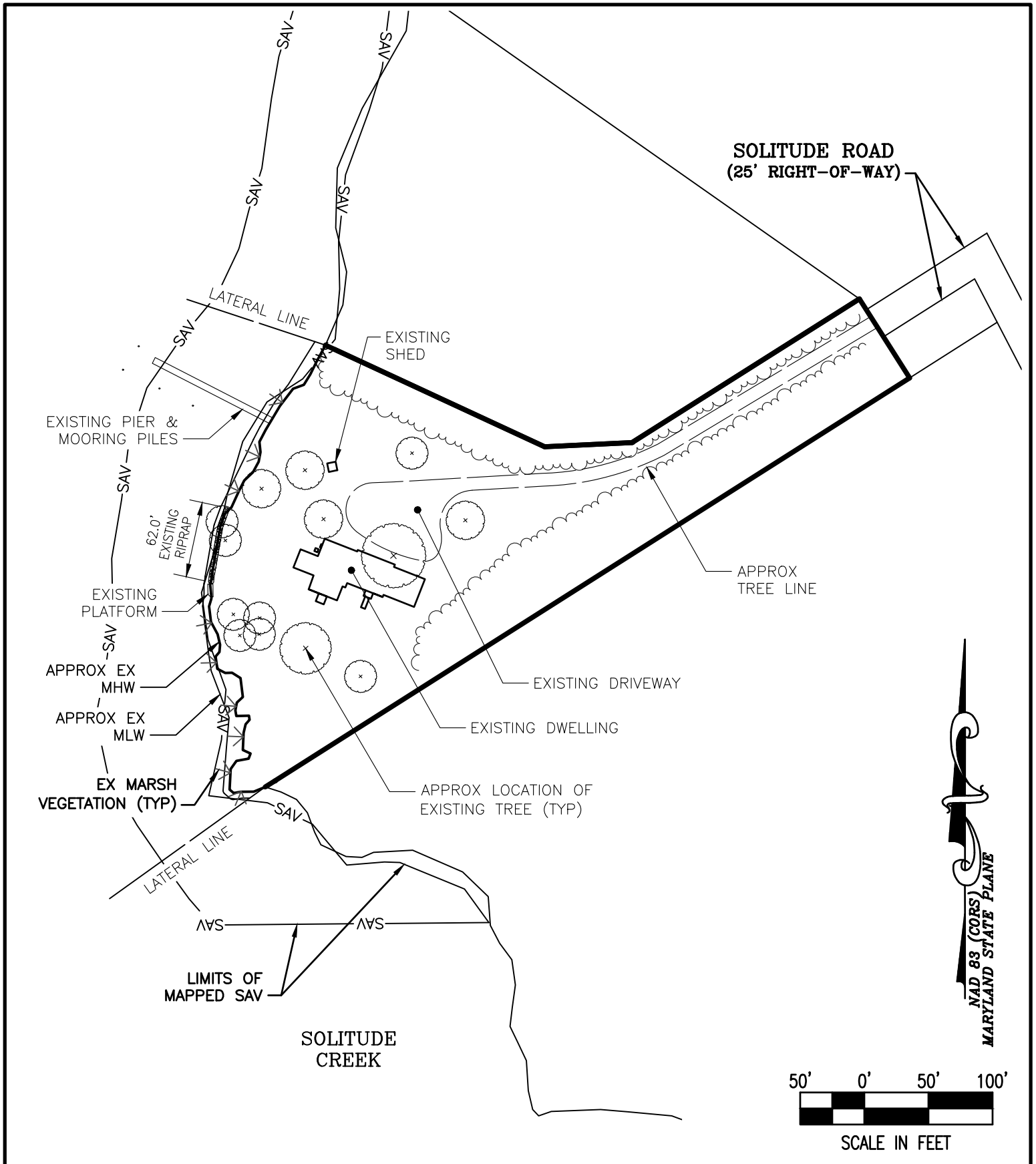
SHEET No.
3 OF 8

DATE: AS NOTED

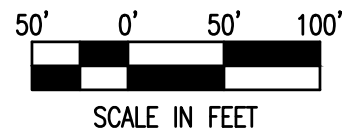
SCALE: AS NOTED

JOB No. 180181

FILE No. 1158



NAD 83 (CORS)
 MARYLAND STATE PLANE




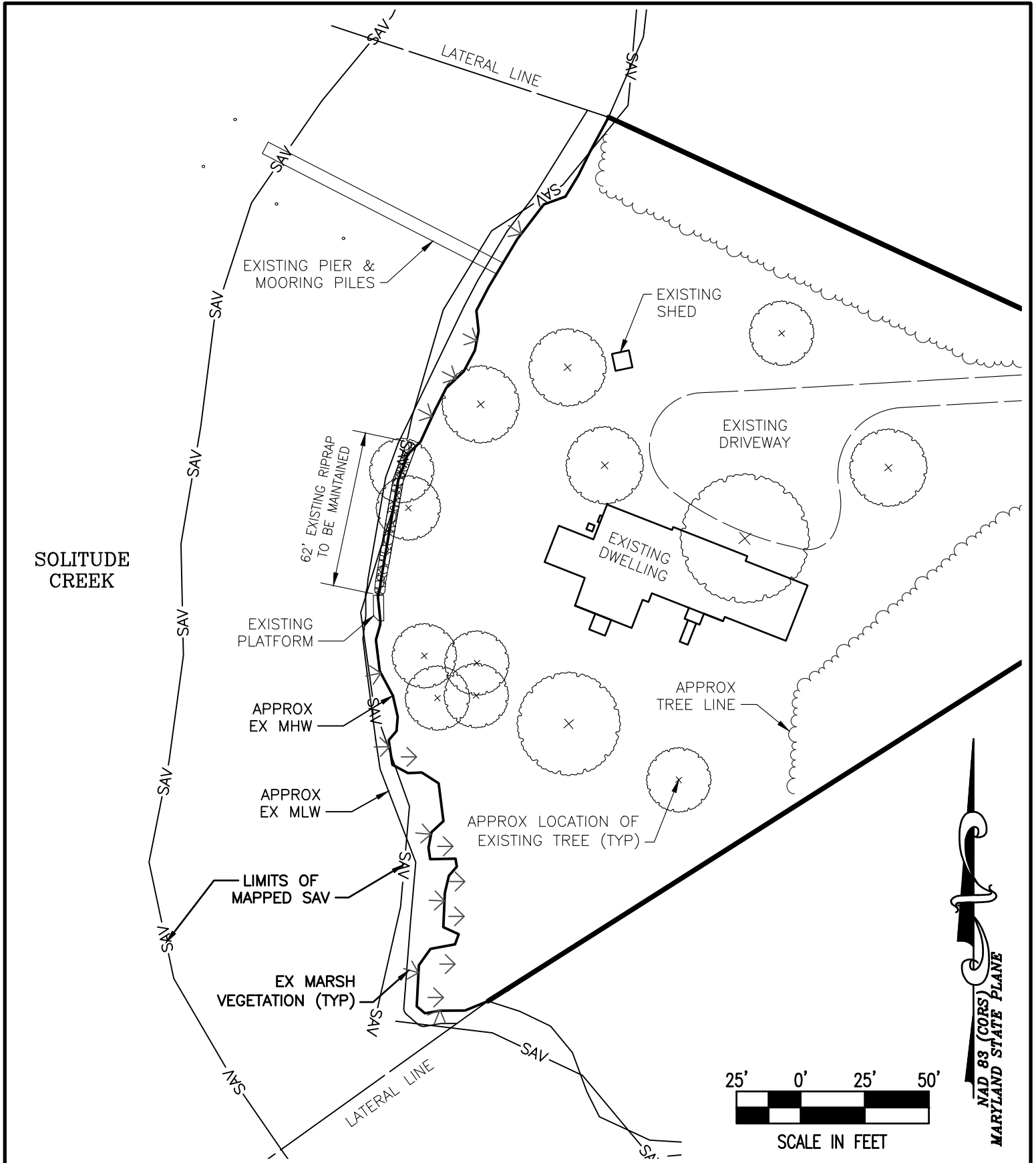
SHEET No.
4 OF 8

DATE: AS NOTED
 SCALE: AS NOTED
 JOB No. 180181
 FILE No. 1158

EXISTING CONDITIONS OVERVIEW
ON THE LANDS OF
JAMES HUIZINGA & KAREN HUIZINGA
ST. MICHAELS, MARYLAND
 IN THE SECOND ELECTION DISTRICT, TALBOT COUNTY
 TAX MAP 40, GRID 4, PARCEL 158

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



FILE No. 1158

JOB No. 180181

SCALE: AS NOTED

DATE: AS NOTED

SHEET No. 5 OF 8

EXISTING CONDITIONS

ON THE LANDS OF

JAMES HUIZINGA & KAREN HUIZINGA

ST. MICHAELS, MARYLAND

IN THE SECOND ELECTION DISTRICT, TALBOT COUNTY

TAX MAP 40, GRID 4, PARCEL 158

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

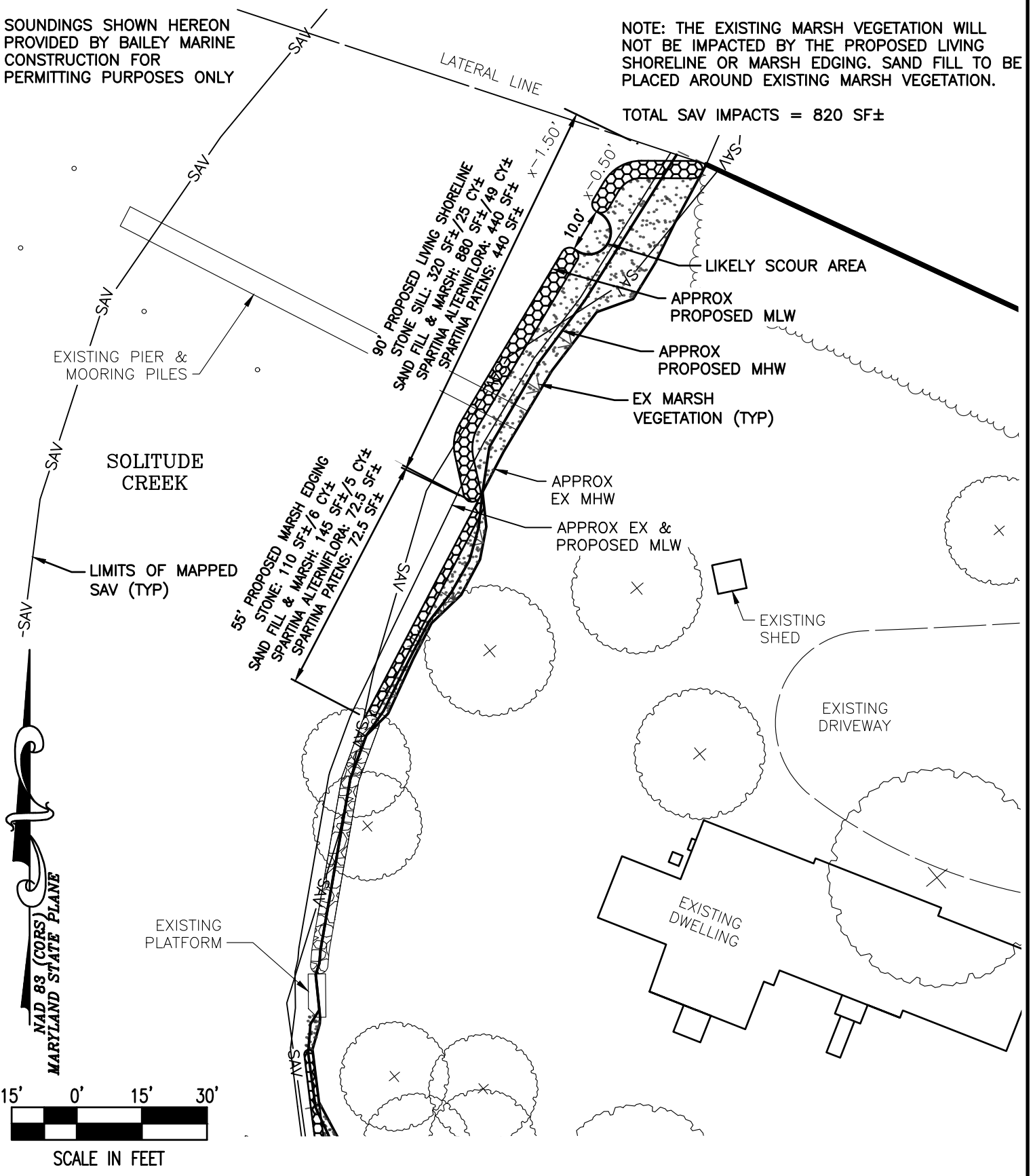
354 Pennsylvania Ave. Centreville, MD 21617 (410) 758-2095

© LANE ENGINEERING, LLC

SOUNDINGS SHOWN HEREON PROVIDED BY BAILEY MARINE CONSTRUCTION FOR PERMITTING PURPOSES ONLY

NOTE: THE EXISTING MARSH VEGETATION WILL NOT BE IMPACTED BY THE PROPOSED LIVING SHORELINE OR MARSH EDGING. SAND FILL TO BE PLACED AROUND EXISTING MARSH VEGETATION.

TOTAL SAV IMPACTS = 820 SF±



PROPOSED IMPROVEMENTS EAST
ON THE LANDS OF
JAMES HUIZINGA & KAREN HUIZINGA
ST. MICHAELS, MARYLAND
IN THE SECOND ELECTION DISTRICT, TALBOT COUNTY
TAX MAP 40, GRID 4, PARCEL 158

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

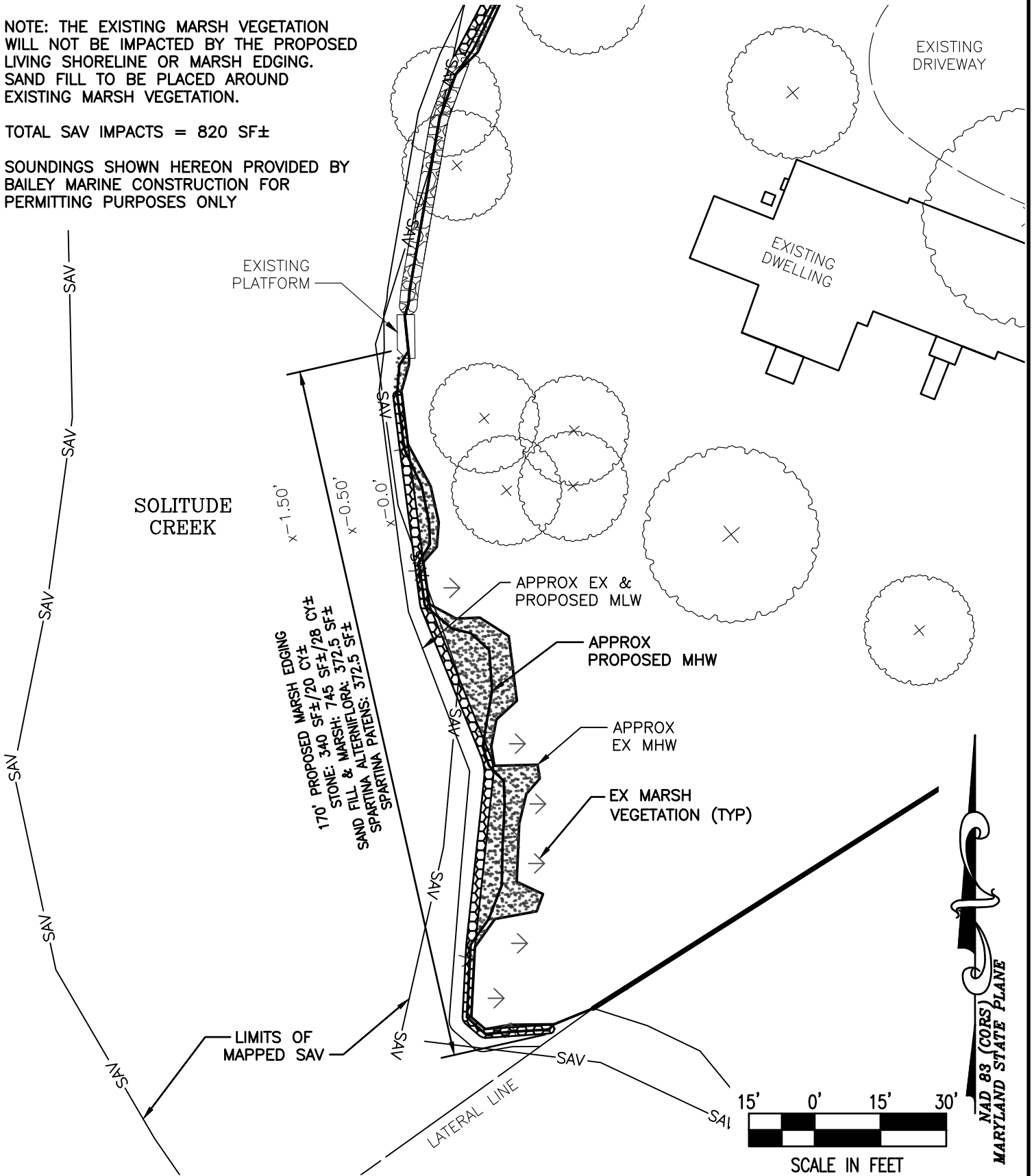
E-mail: general@leinc.com
117 Bay St. Easton, MD 21601 (410) 822-8003
15 Washington St. Cambridge, MD 21613 (410) 221-0818
354 Pennsylvania Ave. Centreville, MD 21617 (410) 758-2095

FILE No. 1158
JOB No. 180181
SCALE: AS NOTED
DATE: AS NOTED
SHEET No. **6 OF 8**

NOTE: THE EXISTING MARSH VEGETATION WILL NOT BE IMPACTED BY THE PROPOSED LIVING SHORELINE OR MARSH EDGING. SAND FILL TO BE PLACED AROUND EXISTING MARSH VEGETATION.

TOTAL SAV IMPACTS = 820 SF±

SOUNDINGS SHOWN HEREON PROVIDED BY BAILEY MARINE CONSTRUCTION FOR PERMITTING PURPOSES ONLY




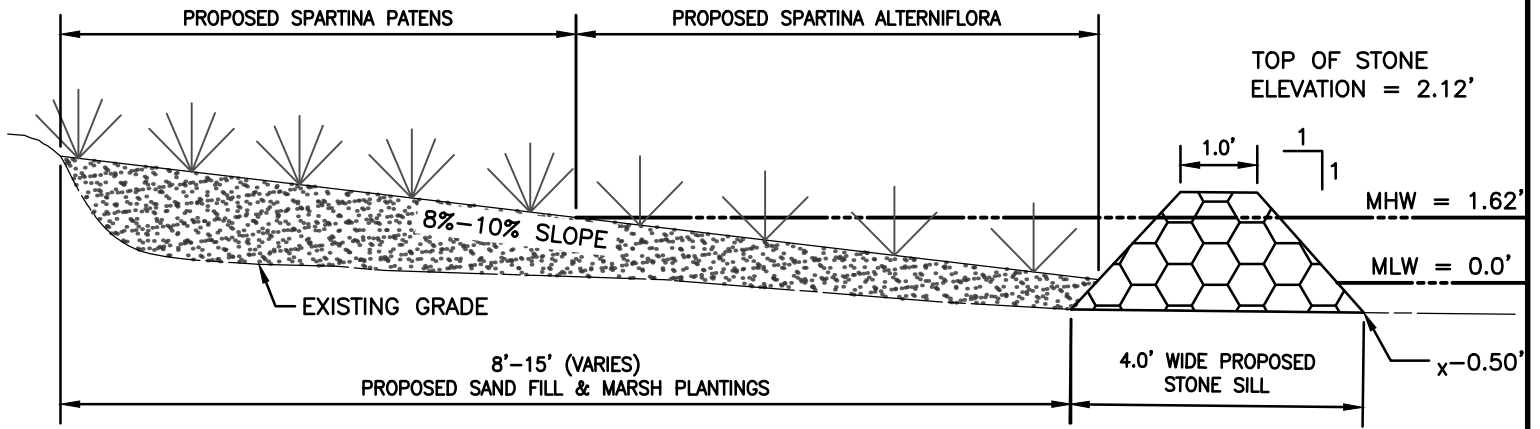
NAD 83 (CORS)
 MARYLAND STATE PLANE

SHEET No. **7 OF 8**
 DATE: AS NOTED
 SCALE: AS NOTED
 JOB No. 180181
 FILE No. 1158

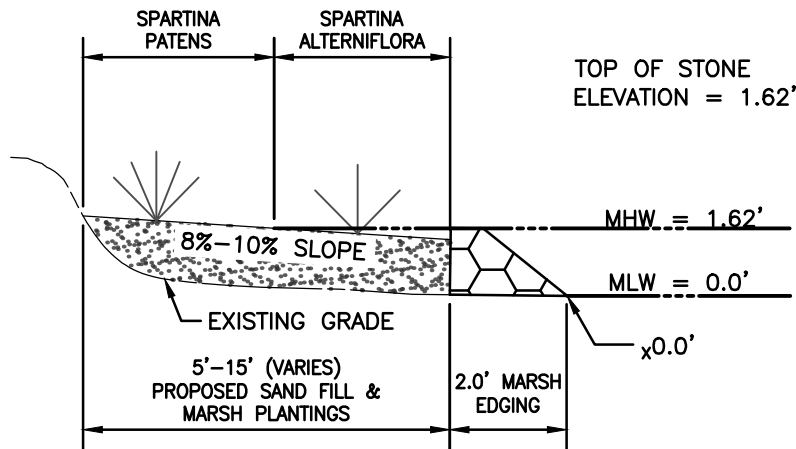
PROPOSED IMPROVEMENTS WEST
ON THE LANDS OF
JAMES HUIZINGA & KAREN HUIZINGA
ST. MICHAELS, MARYLAND
 IN THE SECOND ELECTION DISTRICT, TALBOT COUNTY
 TAX MAP 40, GRID 4, PARCEL 158

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

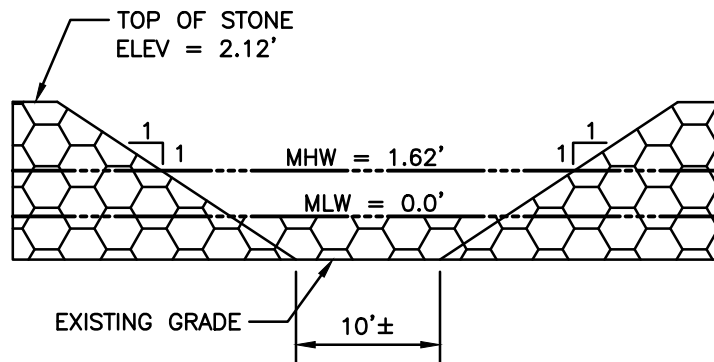

 E-mail: general@leinc.com
 117 Bay St. Easton, MD 21601 (410) 822-8003
 15 Washington St. Cambridge, MD 21613 (410) 221-0818
 354 Pennsylvania Ave. Centreville, MD 21617 (410) 758-2095



LIVING SHORELINE DETAIL
NOT TO SCALE



MARSH EDGING DETAIL
NOT TO SCALE



STONE SILL WINDOW DETAIL
NOT TO SCALE

FILE No. 1158
JOB No. 180181
SCALE: AS NOTED
DATE: AS NOTED
SHEET No. 8 OF 8

DETAILS
ON THE LANDS OF
JAMES HUIZINGA & KAREN HUIZINGA
ST. MICHAELS, MARYLAND
IN THE SECOND ELECTION DISTRICT, TALBOT COUNTY
TAX MAP 40, GRID 4, PARCEL 158

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



Aerial Exhibit Date: 4-3-2019
Proposed Conditions Plan

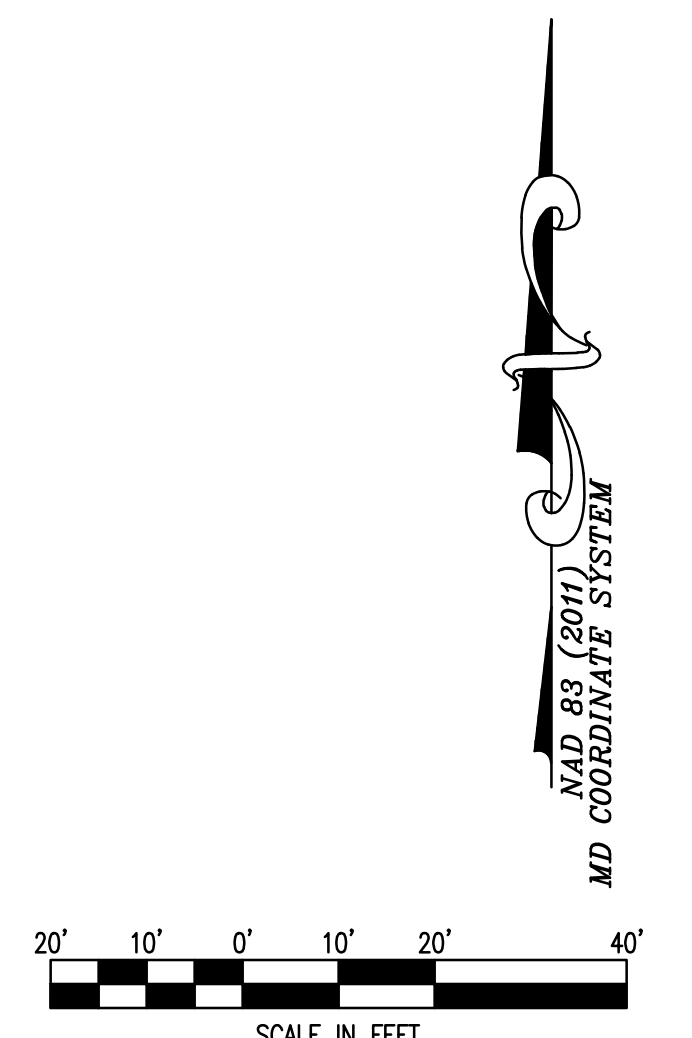
Mean Low Water (MLW) in relationship to
2017 SAV Bed Limits from VIMS

Approx. 593 sq.ft of SAV loss
below MLW subaqueous zone



KEY

-  Surveyed MLW
-  SAV Impact below MLW



NAD 83 (2011)
MD COORDINATE SYSTEM