



U.S. Army Corps
of Engineers
Baltimore District

Public Notice

In Reply to Application Number
NAB- 2019-60505 (Delmarva RC&D Inc, Hurst Creek
Dredging/Shoreline Restoration)

PN 19-42

Comment Period: June 24, 2019 to July 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: Mr. Dave Wilson
Delmarva RC&D Inc
15 Washington Street
Cambridge, Maryland 21613

WATERWAY AND LOCATION: All work is proposed in the Choptank River and the mouth of Hurst Creek in Cambridge, Dorchester County, Maryland.

PROPOSED WORK AND PURPOSE: The applicant proposes to remove the existing timber groin #2; to dredge a 50-foot wide by 1,500 foot long entrance channel to Hurst Creek to -4.5 feet mean low water resulting in approximately 12,000 cubic yards of dredge material; to construct a 21-foot wide by 100-foot long jetty (jetty1) at the entrance channel to extend no more than 40 feet channelward of the approximate mean high water (MHW) shoreline; to deposit approximately 500 cubic yards of suitable dredge material along 185 feet of shoreline to temporarily utilize an approximate 2,500 square foot area of tidal marsh as a construction access path and subsequently amend the area to enhance approximately 2,500 square feet and create approximately 2,500 square feet of marsh planted with *Spartina Patens* to extend no more than 40 feet channelward of the approximate MHW shoreline; to construct a 22-foot wide by 150-foot long jetty (jetty 2) extend no more than 100 feet channelward of the approximate MHW shoreline; to construct a 21-foot wide by 130-foot long groin extend no more than 100 feet channelward of the approximate MHW shoreline; to deposit approximately 9,600 cubic yards of suitable dredge material along 1,000 feet of shoreline to create approximately 20,000 square feet of low marsh and 75,000 square feet of high marsh planted with *Spartina alterniflora* and *S. patens* to extend no more than 70 feet channelward of the approximate MHW shoreline (Bay A); to construct a 22-foot wide by 300-foot long breakwater (BW1) extend no more than 160 feet channelward of the approximate MHW shoreline; and to construct a 22-foot wide by

200-foot long breakwater (BW2) extend no more than 200 feet channelward of the approximate MHW shoreline for stabilization of Bay A. All work is proposed in accordance with the attached plans. If you have any questions concerning this matter, please contact Mrs. Erica Schmidt at (410) 962-6029 or Erica.Schmidt@usace.army.mil.

The purpose and need for the proposed project is to improve navigational access and shoreline erosion control. The project proposes to provide a dedicated stable navigation entrance channel, and to enhance the shoreline at the project site.

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. The entrance channel to Hurst Creek has migrated over the years and previous attempts to stabilize a natural channel have failed. Multiple channel migrations have caused degradation of the wetlands. In the past, a channel was dredged to the north of the proposed Bay A and timber jetties were constructed. The proposed project would provide for a stable channel and provide protection to the adjacent shorelines in order to maintain one defined channel and reduce the degradation of the wetlands. No compensatory mitigation is proposed since existing on site tidal wetlands would be enhanced and expanded.

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 District Engineer, U.S. Army Corps of Engineers, Baltimore District, [Attn: Mrs. Erica Schmidt, CENAB-OPR-M], 2 Hopkins Plaza, Baltimore, Maryland 21201 or Erica.Schmidt@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 Potomac River complex for EFH as described under the MSFCMA for *Scophthalmus aquosus* (windowpane flounder) juvenile and adult; *Pomatomus saltatrix* (blue fish) juvenile and adult; *Paralichthys dentatus* (summer flounder) juvenile and adult; and the eggs, larvae, juvenile, and adult stages of *Sciaenops ocellatus* (red drum), *Scomberomorus cavalla* (king mackerel), *Scomberomorus maculatus* (Spanish mackerel), and *Rachycentron canadum* (cobia), managed species 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 will be 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 not 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 may effect but 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 amended. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

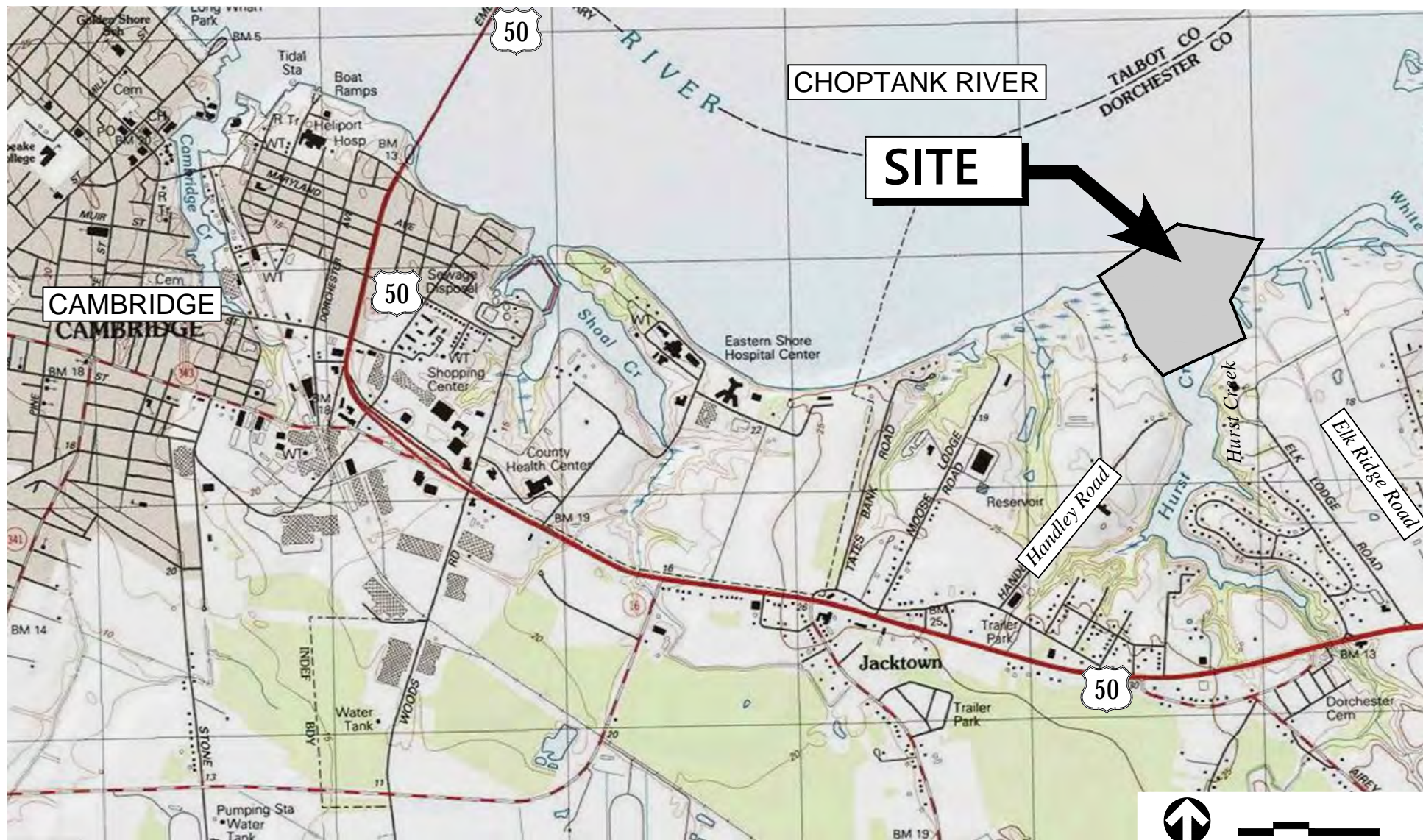
NATIONAL HISTORIC PRESERVATION ACT: Review of the latest published version of the National Register of Historic Places indicates that no registered properties listed as eligible for inclusion therein are located at the site of the proposed work. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

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. If you have any questions concerning this matter, please contact Mrs. Erica Schmidt at (410) 962-6029 or Erica.Schmidt@usace.army.mil.

FOR THE DISTRICT ENGINEER:

KATHY B. ANDERSON
Chief, Maryland Section Southern



COASTLINE DESIGN, P.C.


P.O. BOX 157
ACHILLES, VIRGINIA 23001
(804) 642-2158

ADJACENT PROPERTY OWNERS:

1. WILLIAM & MARY HANDLEY
2. CLARK HENRY THOMAS

DATUM: MEAN LOW WATER

LIVING SHORELINE PROJECT AT HURST CREEK

LOCATION MAP

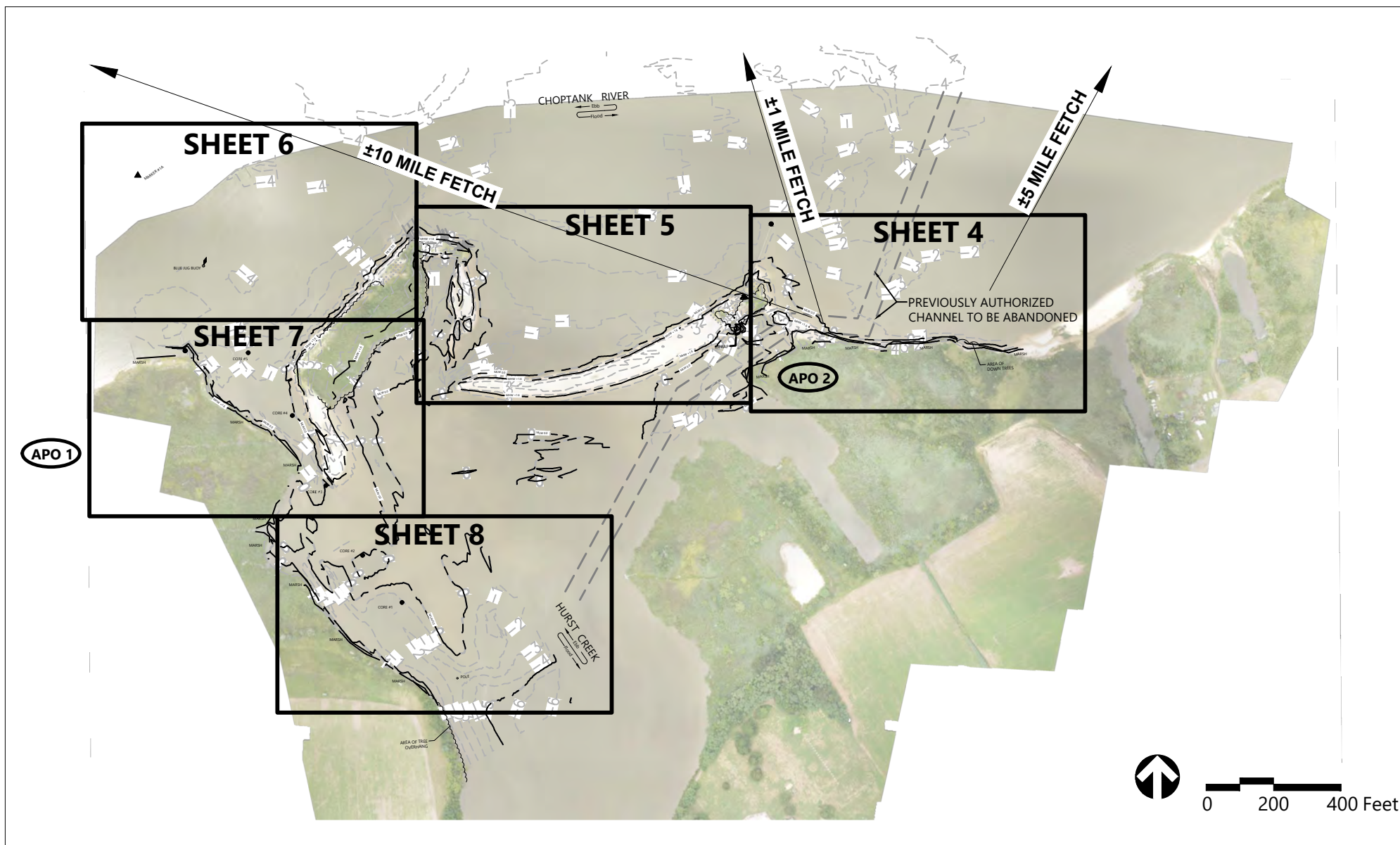
**AT: HURST CREEK
ON THE CHOPTANK RIVER
IN: DORCHESTER COUNTY, MARYLAND**

**PURPOSE: LIVING SHORELINE RESTORATION
AND DREDGING PLAN**

**APPLICATION BY:
DORCHESTER COUNTY,
MARYLAND**

DATE: JANUARY, 2019

SHEET 1 OF 12



COASTLINE DESIGN, P.C.


P.O. BOX 157
ACHILLES, VIRGINIA 23001
(804) 642-2158

ADJACENT PROPERTY OWNERS:

1. WILLIAM & MARY HANDLEY
2. CLARK HENRY THOMAS

DATUM: MEAN LOW WATER

LIVING SHORELINE PROJECT AT HURST CREEK

EXISTING CONDITIONS & SHEET INDEX

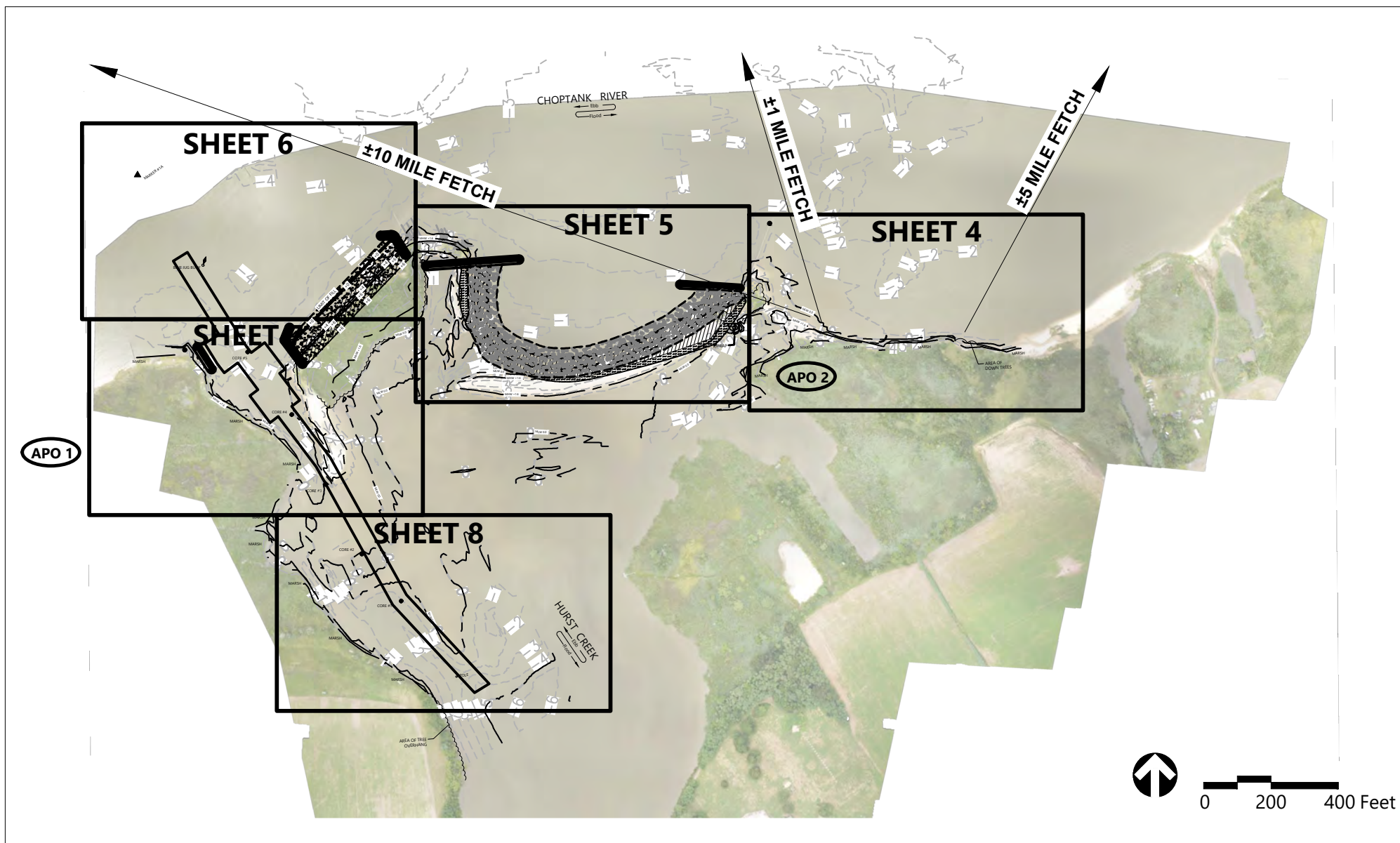
**AT: HURST CREEK
ON THE CHOPTANK RIVER**
IN: DORCHESTER COUNTY, MARYLAND

**PURPOSE: LIVING SHORELINE RESTORATION
AND DREDGING PLAN**

APPLICATION BY:
**DORCHESTER COUNTY,
MARYLAND**

REVISED: MAY, 2019
DATE: JANUARY, 2019

SHEET 2 OF 12



COASTLINE DESIGN, P.C.


P.O. BOX 157
ACHILLES, VIRGINIA 23001
(804) 642-2158

ADJACENT PROPERTY OWNERS:

1. WILLIAM & MARY HANDLEY
2. CLARK HENRY THOMAS

DATUM: MEAN LOW WATER

LIVING SHORELINE PROJECT AT HURST CREEK

PROPOSED LAYOUT & SHEET INDEX

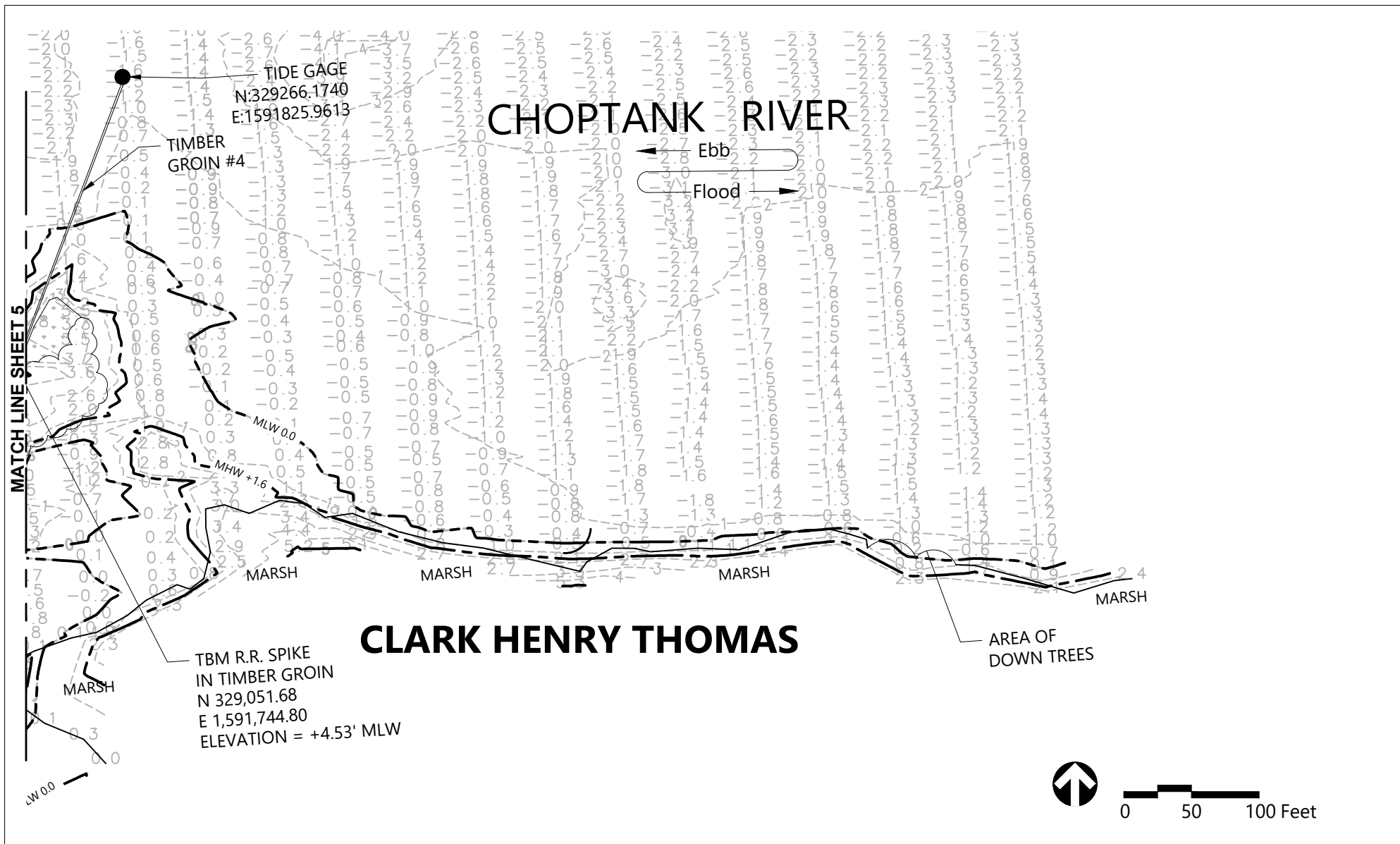
**AT: HURST CREEK
ON THE CHOPTANK RIVER
IN: DORCHESTER COUNTY, MARYLAND**


**PURPOSE: LIVING SHORELINE RESTORATION
AND DREDGING PLAN**

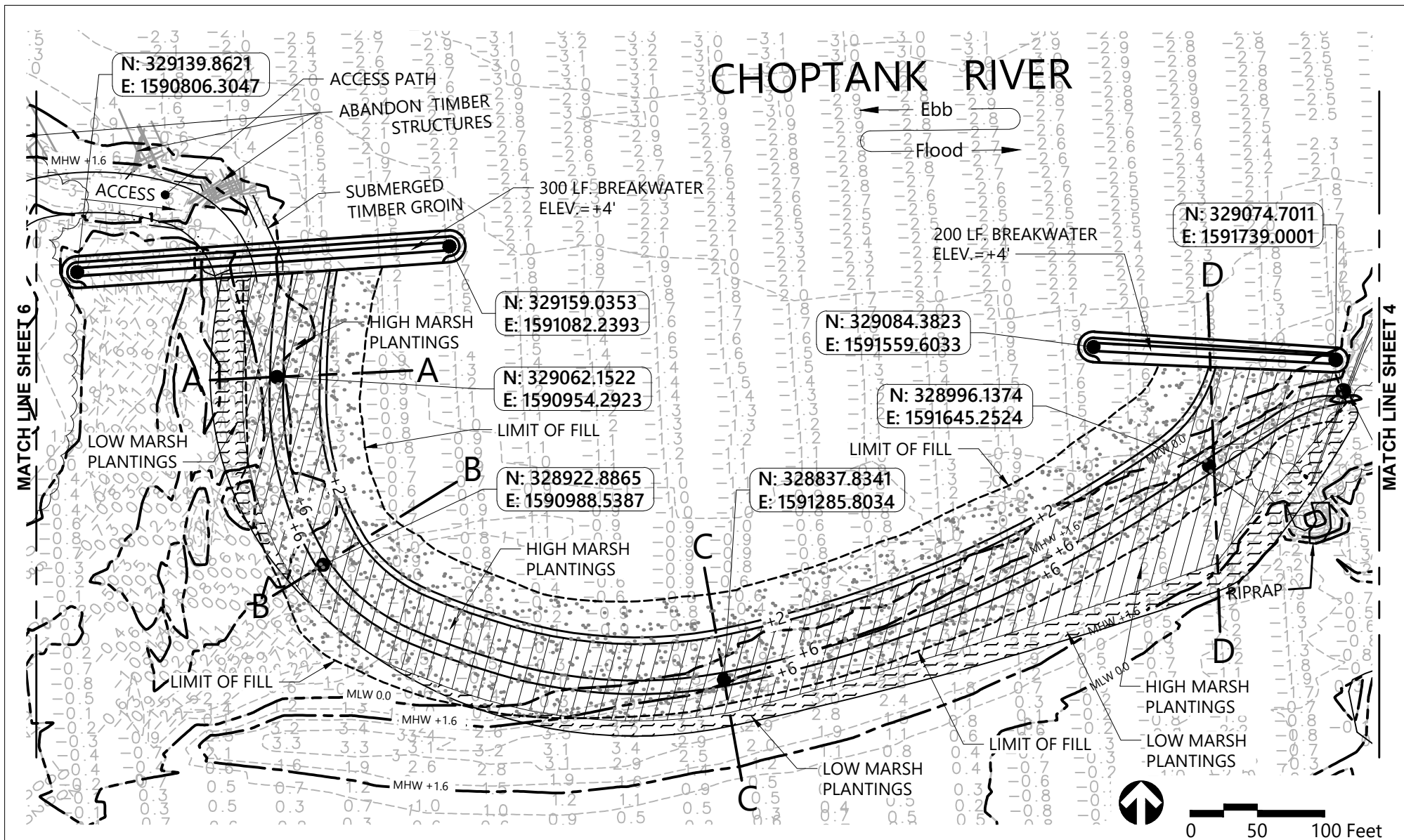
**APPLICATION BY:
DORCHESTER COUNTY,
MARYLAND**

REVISED: MAY, 2019
DATE: JANUARY, 2019

SHEET 3 OF 12



COASTLINE DESIGN, P.C.  P.O. BOX 157 ACHILLES, VIRGINIA 23001 (804) 642-2158	ADJACENT PROPERTY OWNERS: 1. WILLIAN & MARY HANDLEY 2. CLARK HENRY THOMAS	LIVING SHORELINE PROJECT AT HURST CREEK SHORELINE LAYOUT	APPLICATION BY: DORCHESTER COUNTY, MARYLAND
	DATUM: MEAN LOW WATER	AT: HURST CREEK ON THE CHOPTANK RIVER IN: DORCHESTER COUNTY, MARYLAND	PURPOSE: LIVING SHORELINE RESTORATION AND DREDGING PLAN
			REVISED: MAY, 2019 DATE: JANUARY, 2019 SHEET 4 OF 12



COASTLINE DESIGN, P.C.



P.O. BOX 157
ACHILLES, VIRGINIA 23001
(804) 642-2158

ADJACENT PROPERTY OWNERS:

1. WILLIAM & MARY HANDLEY
2. CLARK HENRY THOMAS

DATUM: MEAN LOW WATER

LIVING SHORELINE PROJECT AT HURST CREEK

SHORELINE LAYOUT

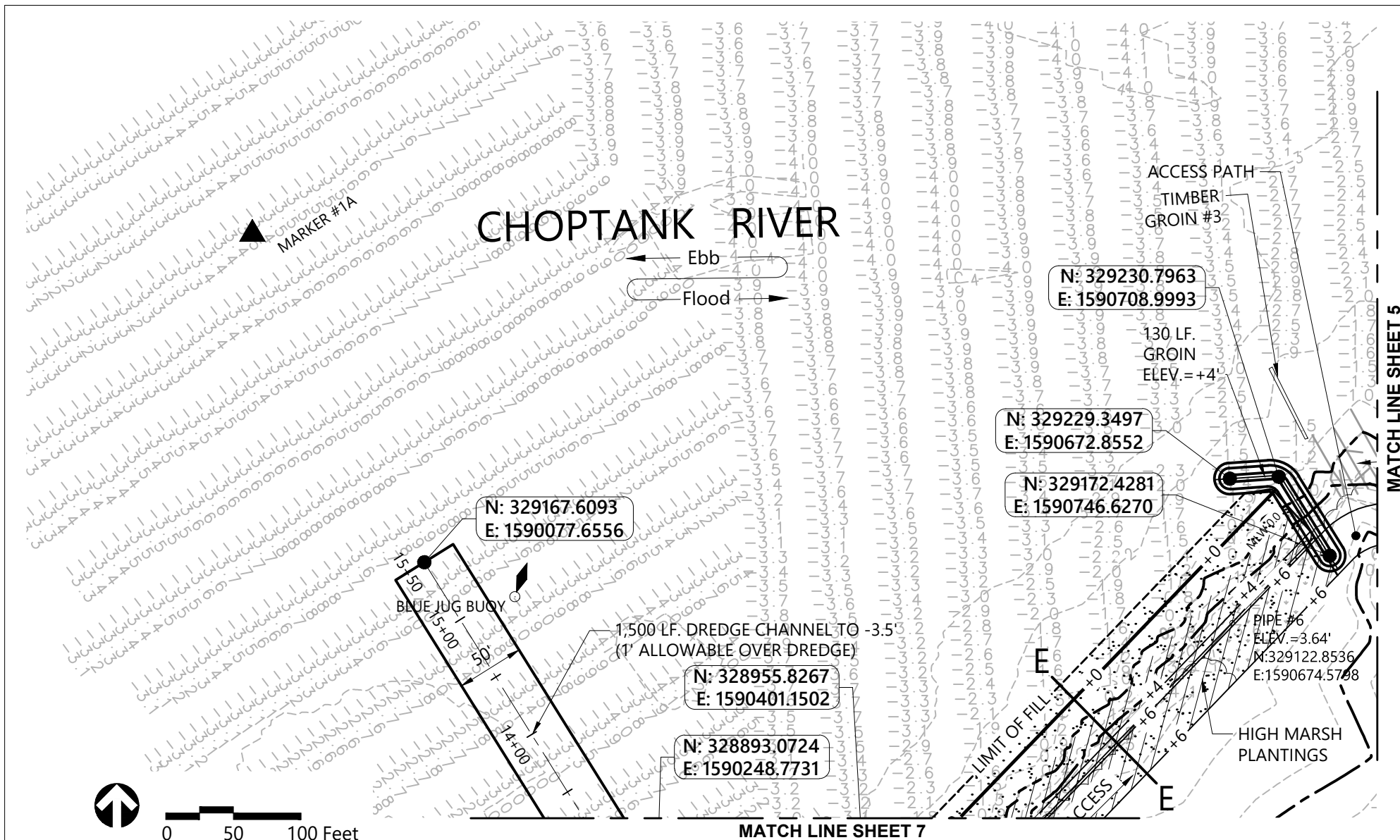
**AT: HURST CREEK
ON THE CHOPTANK RIVER
IN: DORCHESTER COUNTY, MARYLAND**

**PURPOSE: LIVING SHORELINE RESTORATION
AND DREDGING PLAN**

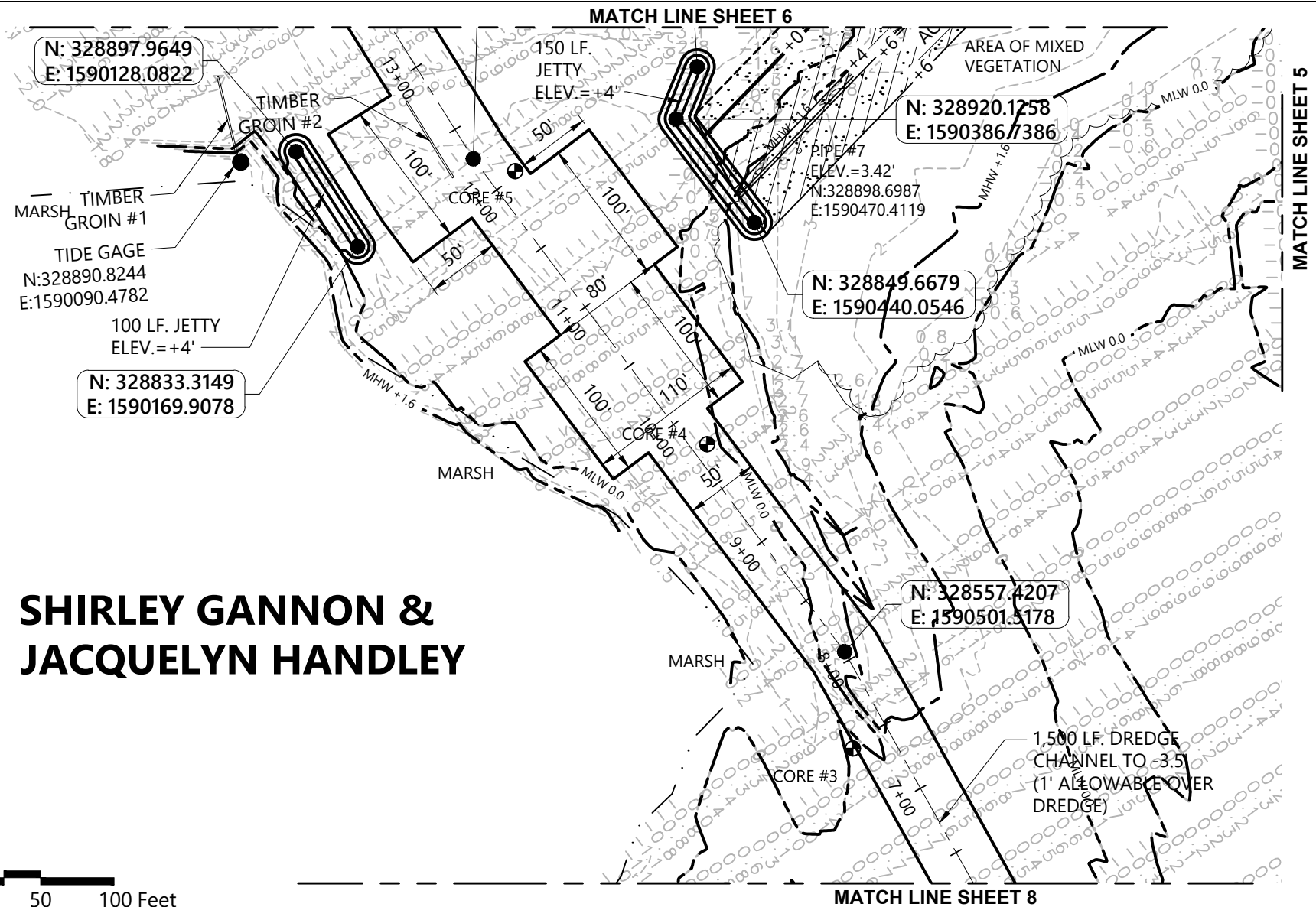
**APPLICATION BY:
DORCHESTER COUNTY,
MARYLAND**

**REVISED: MAY, 2019
DATE: JANUARY, 2019**

SHEET 5 OF 12



COASTLINE DESIGN, P.C. P.O. BOX 157 ACHILLES, VIRGINIA 23001 (804) 642-2158	ADJACENT PROPERTY OWNERS: 1. WILLIAM & MARY HANDLEY 2. CLARK HENRY THOMAS DATUM: MEAN LOW WATER	LIVING SHORELINE PROJECT AT HURST CREEK DREDGING & SHORELINE LAYOUT AT: HURST CREEK ON THE CHOPTANK RIVER IN: DORCHESTER COUNTY, MARYLAND PURPOSE: LIVING SHORELINE RESTORATION AND DREDGING PLAN	APPLICATION BY: DORCHESTER COUNTY, MARYLAND REVISED: MAY, 2019 DATE: JANUARY, 2019 SHEET 6 OF 12



COASTLINE DESIGN, P.C.

**P.O. BOX 157
ACHILLES, VIRGINIA 23001
(804) 642-2158**

ADJACENT PROPERTY OWNERS:

1. WILLIAM & MARY HANDLEY
2. CLARK HENRY THOMAS

DATUM: MEAN LOW WATER

LIVING SHORELINE PROJECT AT HURST CREEK

DREDGING & SHORELINE LAYOUT

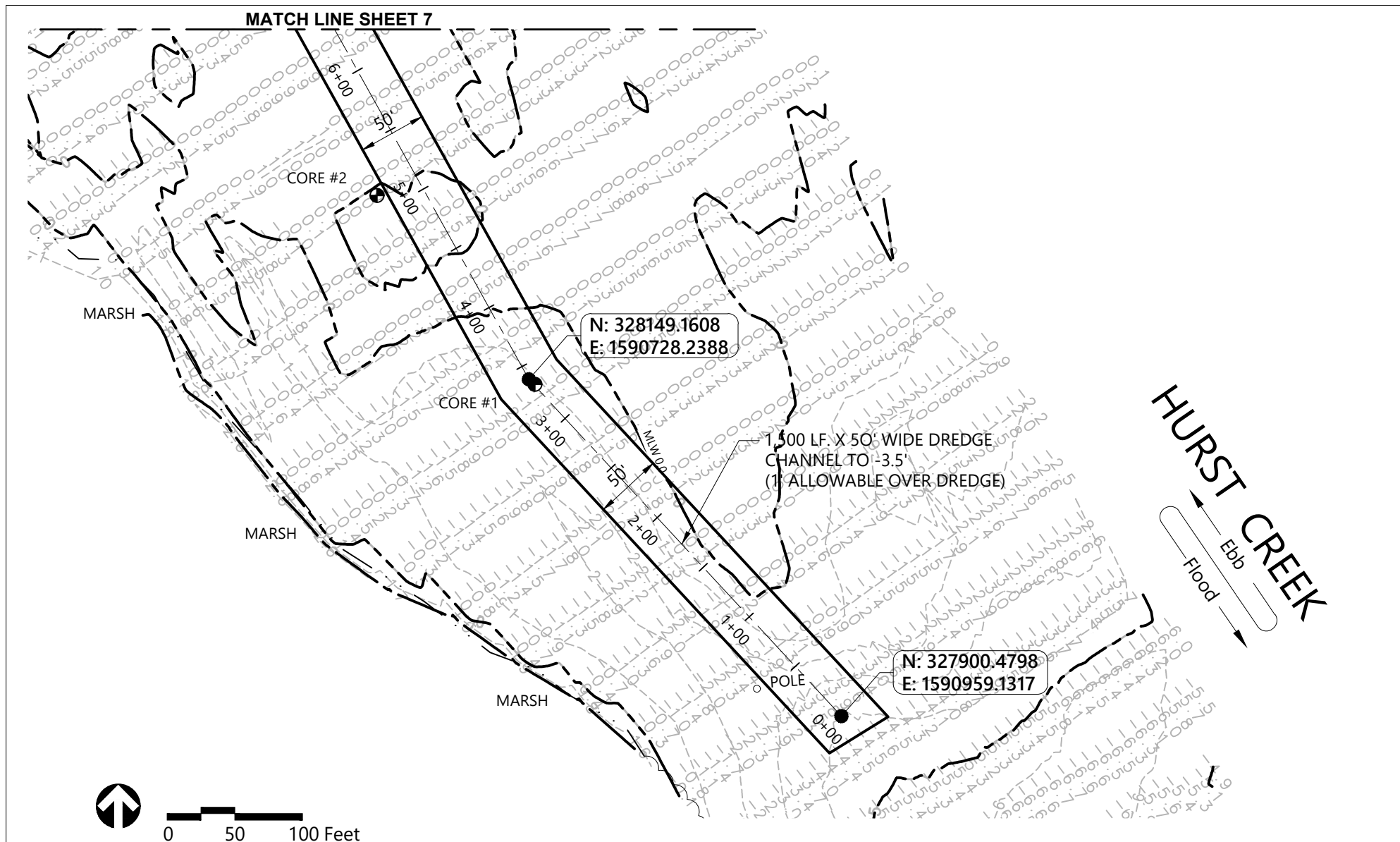
**AT: HURST CREEK
ON THE CHOPTANK RIVER
IN: DORCHESTER COUNTY, MARYLAND**


**PURPOSE: LIVING SHORELINE RESTORATION
AND DREDGING PLAN**

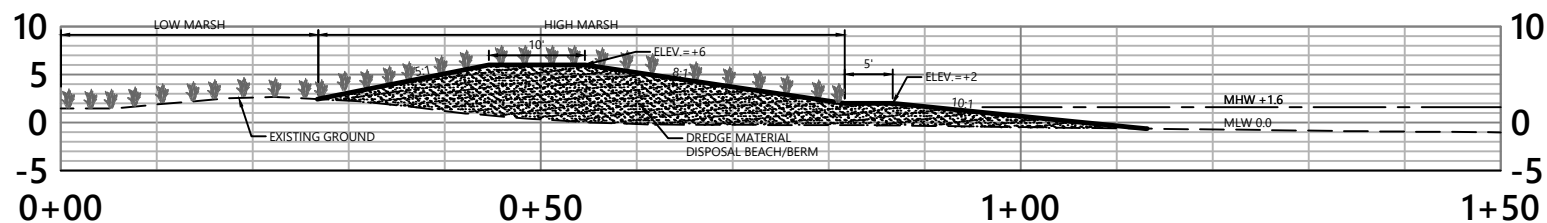
**APPLICATION BY:
DORCHESTER COUNTY,
MARYLAND**

DATE: JANUARY, 2019

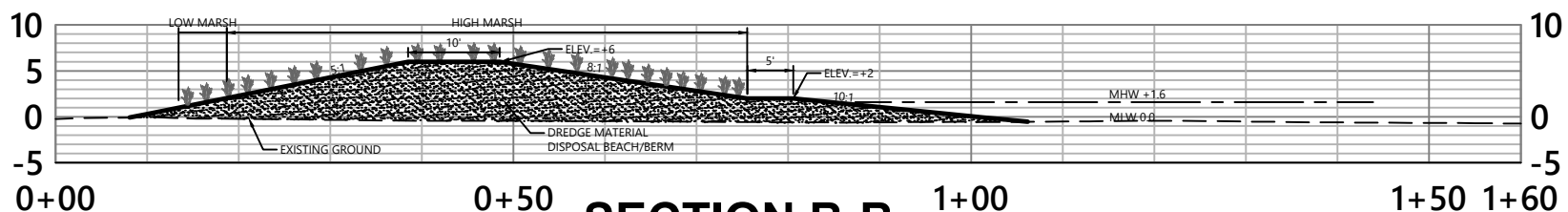
SHEET 7 OF 12



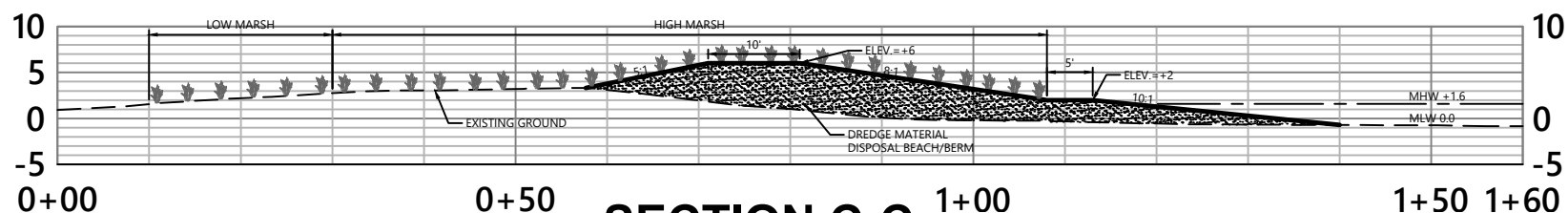
COASTLINE DESIGN, P.C.  P.O. BOX 157 ACHILLES, VIRGINIA 23001 (804) 642-2158	ADJACENT PROPERTY OWNERS: 1. WILLIAM & MARY HANDLEY 2. CLARK HENRY THOMAS DATUM: MEAN LOW WATER	LIVING SHORELINE PROJECT AT HURST CREEK DREDGING LAYOUT AT: HURST CREEK ON THE CHOPTANK RIVER IN: DORCHESTER COUNTY, MARYLAND	PURPOSE: LIVING SHORELINE RESTORATION AND DREDGING PLAN	APPLICATION BY: DORCHESTER COUNTY, MARYLAND DATE: JANUARY, 2019 SHEET 8 OF 12



SECTION A-A



SECTION B-B



SECTION C-C

0 10 20 Feet

COASTLINE DESIGN, P.C.

P.O. BOX 157
ACHILLES, VIRGINIA 23001
(804) 642-2158

ADJACENT PROPERTY OWNERS:

1. WILLIAM & MARY HANDLEY

2. CLARK HENRY THOMAS

DATUM: MEAN LOW WATER

LIVING SHORELINE PROJECT AT HURST CREEK

SECTIONS A-A, B-B, & C-C

**AT: HURST CREEK
ON THE CHOPTANK RIVER**

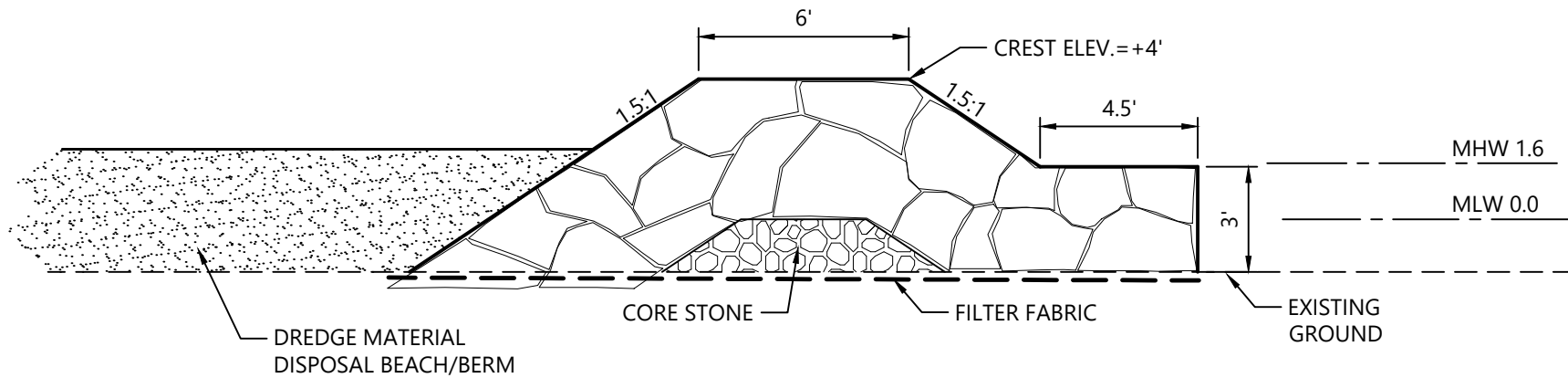
IN: DORCHESTER COUNTY, MARYLAND

**PURPOSE: LIVING SHORELINE RESTORATION
AND DREDGING PLAN**

**APPLICATION BY:
DORCHESTER COUNTY,
MARYLAND**

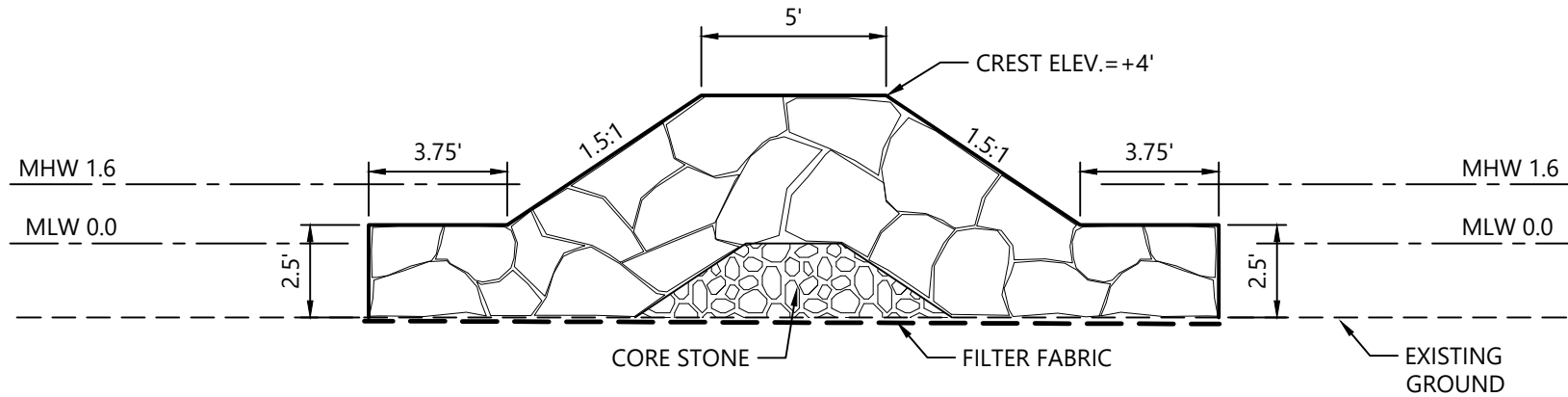
DATE: JANUARY, 2019

SHEET 9 OF 12



TYPICAL BREAKWATER

SCALE: 1"=5"



TYPICAL JETTY

SCALE: 1"=5"

COASTLINE DESIGN, P.C.

P.O. BOX 157
ACHILLES, VIRGINIA 23001
(804) 642-2158

ADJACENT PROPERTY OWNERS:

1. WILLIAM & MARY HANDLEY

2. CLARK HENRY THOMAS

DATUM: MEAN LOW WATER

LIVING SHORELINE PROJECT AT HURST CREEK

TYPICAL DETAILS

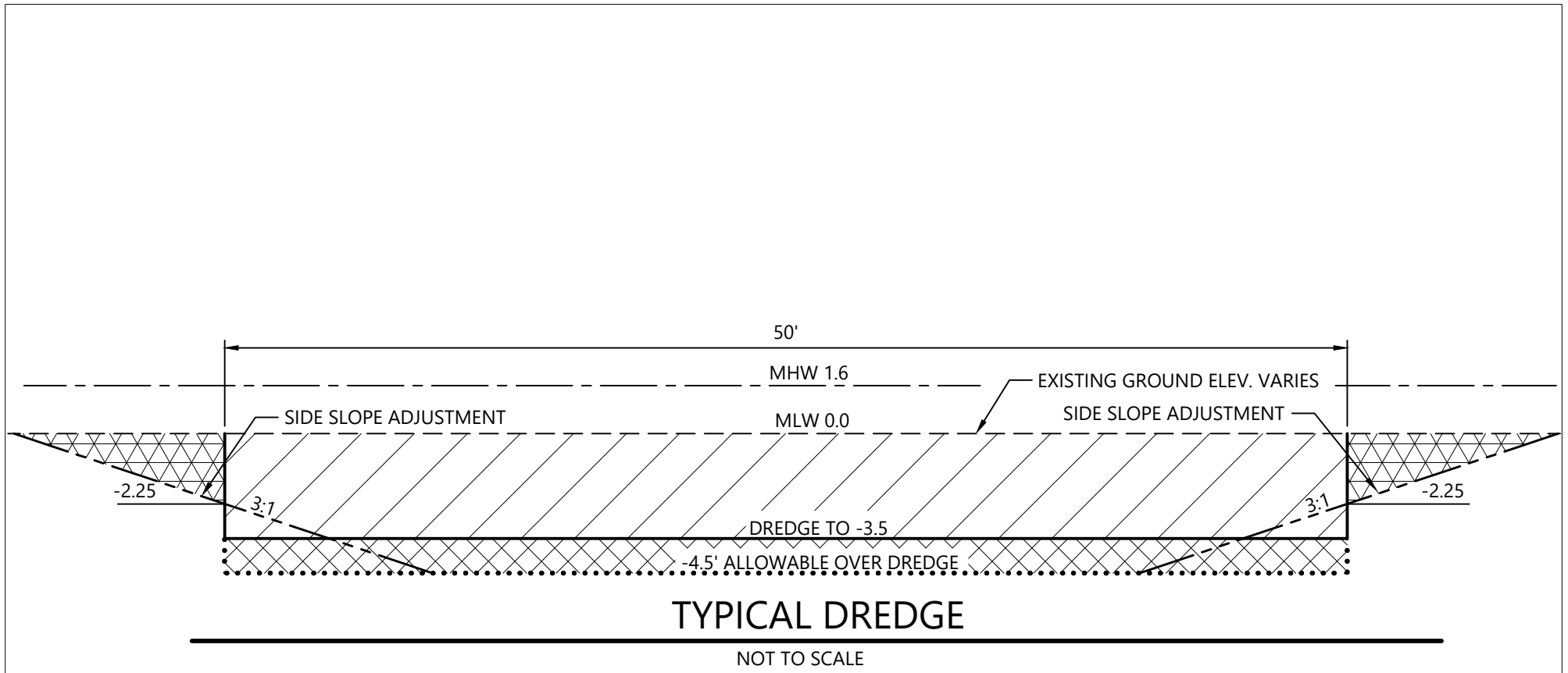
**AT: HURST CREEK
ON THE CHOPTANK RIVER
IN: DORCHESTER COUNTY, MARYLAND**


**PURPOSE: LIVING SHORELINE RESTORATION
AND DREDGING PLAN**

**APPLICATION BY:
DORCHESTER COUNTY,
MARYLAND**

DATE: JANUARY, 2019

SHEET 11 OF 12



COASTLINE DESIGN, P.C.  P.O. BOX 157 ACHILLES, VIRGINIA 23001 (804) 642-2158	ADJACENT PROPERTY OWNERS: 1. WILLIAM & MARY HANDLEY 2. CLARK HENRY THOMAS	LIVING SHORELINE PROJECT AT HURST CREEK TYPICAL DETAIL	APPLICATION BY: DORCHESTER COUNTY, MARYLAND
	DATUM: MEAN LOW WATER	AT: HURST CREEK ON THE CHOPTANK RIVER IN: DORCHESTER COUNTY, MARYLAND	PURPOSE: LIVING SHORELINE RESTORATION AND DREDGING PLAN
			DATE: JANUARY, 2019 SHEET 12 OF 12

Project Summary Impact/Habitat Creation Table

	A	B	C	D	E	F	G	H	I	J	K	L	M
1				Impacts below MHW									
2											Habitat		Habitat
3	Structure#	Feature	Feature	Rock				Sand			Created		Impact
4	or Window	Width	Length	Area	Volume	Encroach	Width	Area	Volume	Encroach	LowMarsh	HighMarsh	HighMarsh
5		(ft)	(ft)	(sq.ft)	(cy)	(ft)	(ft)	(sq.ft)	(cy)	(ft)	(sq.ft)	(sq.ft)	(sq.ft)
6	Jetty 1		100	2,200	309	40	21						
7	Channel	50	1550					77,500	12000*				
8	Jetty 2		150	2,200	304	100	22						
9	Access Path Beach		200					2,100	500	40		5,000	2,500
10	Groin		130	2,200	304	100	21						
11	BW 1		300	6,210	810	160	22						
12	Bay A		1000					69,850	9,600	70	20,000	75,000	
13	BW 2		200	4,600	624	200	22						
14				17,410	2,351			149,450			20,000	80,000	2,500
15	*Sand will be dredged from the channel												
16	Placed on Access Path and Bay A												
17													
18	Hurst Creek Impact Table												
19	Mod. Add rock width 5.16.19												
20	mod. Jetty 2 =150 ft	5.26.19											