

# Public Notice

U.S. Army Corps  
of Engineers  
Baltimore District  
PN-19-65

In Reply to Application Number  
NAB-2019-61387-P30 (WO County Comm Public Landing Marina/Dredging)

Comment Period: October 3, 2019 to November 2, 2019

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**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 of 1899 (RHA) and/or Section 404 of the Clean Water Act (CWA) (33. U.S.C. 1344) as described below:

**APPLICANT:** County Commissioners of Worcester County  
1 West Market Street  
Snow Hill, Maryland 21842

**WATERWAY AND LOCATION OF THE PROPOSED WORK:** The project is located on the Chincoteague Channel in Snow Hill, Worcester County, Maryland.

**OVERALL PROJECT PURPOSE:** The overall project purpose is to aid navigation within the channel and basin entering into the Public Landing Marina and provide beach nourishment along the shoreline on the south side of the channel.

**PROPOSED WORK:**

Proposed Section 10 of the RHA only impacts includes the following:

- 1.) Mechanical maintenance dredging of a 68,756 square foot area of the entrance basin and Chincoteague Channel to a depth of -4.0 mean low water (MLW). The channel and basin were previously dredged in 2003;
- 2.) Construction of 15 finger piers (20 feet long by 3 feet wide each), resulting in 900 square feet of permanent impact; and
- 3.) Driving of 47 mooring piles (1 foot in diameter) (47 square feet) for the establishment of 30 boat slips.

The above proposed work would result in 69,703 square feet (1.60 acre) of permanent impact.

Proposed Section 10 of the RHA and Section 404 CWA impacts includes the following:

- 1.) Placement of sandy dredge spoil below the mean high water line along 32,789 square feet of shoreline and within 7,211 square feet of tidal marsh wetland for the purpose of beach nourishment, with any excess dredged material placed within an approved upland site;
- 2.) Construction of a stone groin, permanently impacting 3,800 square feet of open water habitat in the Chincoteague Channel; and
- 3.) Construction of a stone breakwater, permanently impacting 2,660 square feet of open water in the Chincoteague Channel.

The above proposed work would result in a total of 46,460 square feet (1.07 acre) of permanent impact.

The work is proposed in accordance with the enclosed plans.

**LEAD FEDERAL AGENCY:** The U.S. 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:** The applicant has stated that they have avoided and minimized to the greatest extent possible while still being capable of fulfilling the projects purpose and need.

**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, U.S. Environmental Protection Agency.

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 1631 South Atherton Street, Suite 101, State College, Pennsylvania 16801 within the comment period specified above.

**ENDANGERED SPECIES:** The lead federal agency is responsible for Endangered Species Act coordination. A preliminary review of this application indicates that the proposed work will result in a no effect to Federally-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.

**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 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 Little Skate, Atlantic Herring, Red Hake, Windowpane Flounder, Winter Skate, Clearnose Skate, Sandbar Shark, Smoothhound Shark, Sand Tiger Shark, Bluefish, Atlantic Butterfish, Spiny Dogfish, Scup, Summer Flounder and Black Sea Bass, all 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 the adverse effect to EFH is not substantial and abbreviated EFH consultation will be conducted with National Marine Fisheries Service. There are no mitigative measures 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.

**HISTORIC RESOURCES PRESERVATION:** 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 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 would have no effect 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. The lead federal agency is responsible for tribal coordination. 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.

**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 U.S. 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-2019-61387-P30.

**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:

Mr. Shawn Gill  
U.S. Army Corps of Engineers, Baltimore District  
Regulatory Branch  
Tioga Regulatory Field Office  
170 Ives Run Lane  
Tioga, Pennsylvania 16946  
or  
shawn.r.gill@usace.army.mil

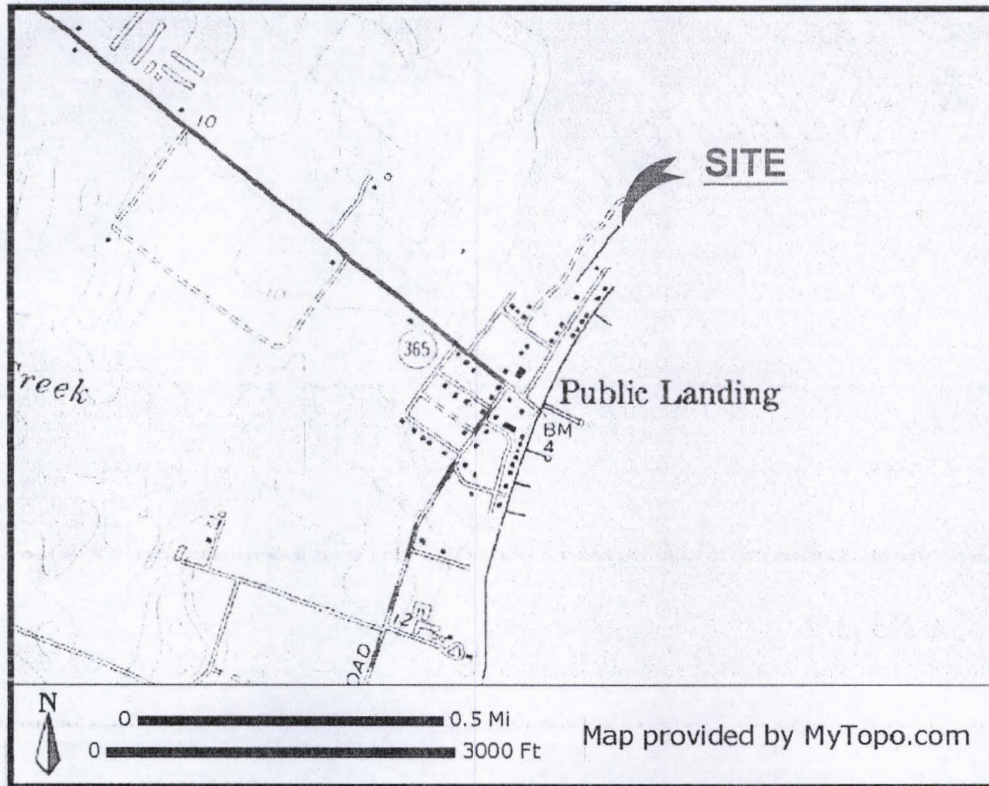
It is requested that you communicate this information concerning the proposed work to any persons known by you to be interested, who did not receive a copy of this notice.

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, please contact (Shawn Gill, (570) 835-4263, [shawn.r.gill@usace.army.mil](mailto:shawn.r.gill@usace.army.mil)).

This public notice is issued by the Chief, Regulatory Branch.



# PUBLIC LANDING

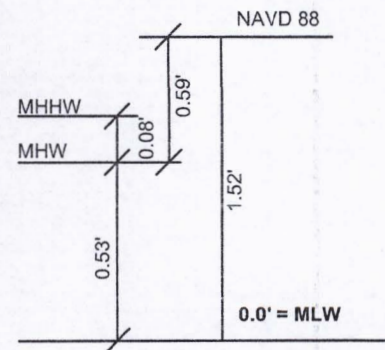


**PROJECT DESCRIPTION:**

MAINTENANCE DREDGE BY MECHANICAL METHOD A ±68,756 SF AREA TO A DEPTH OF -4.0 MLW AND PLACE ±4,000 C.Y. OF DREDGE SPOIL ON SITE AS BEACH NOURISHMENT OR TRANSPORT TO AN APPROVED UPLAND SITE. CONSTRUCT AN OPTIONAL STONE GROIN ALONG THE SOUTH PROPERTY LINE AND A STONE BREAKWATER PERPENDICULAR TO THE EXISTING JETTY.

**RE-PERMIT:**

FIFTEEN (15) 3x20 TAPERED FINGER PIERS AND 47 MOORING PILES, CREATING THIRTY (30) BOAT SLIPS. ORIGINAL PERMIT #08-GP-0635.



**DATUM COMPARISONS**

SCALE: NONE

DATUM COMPARISONS WERE OBTAINED FROM NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA) INFORMATION INTERPOLATED FROM STATION ID# 8570649.

APPLICANT: COUNTY COMMISSIONERS OF WORCESTER COUNTY  
1 WEST MARKET STREET  
SNOW HILL, MD 21863

AI #: 106804

ALL ELEVATIONS ARE REFERENCED TO MEAN LOW WATER (MLW) AND BASED ON FIELD WORK PERFORMED MARCH 2019.

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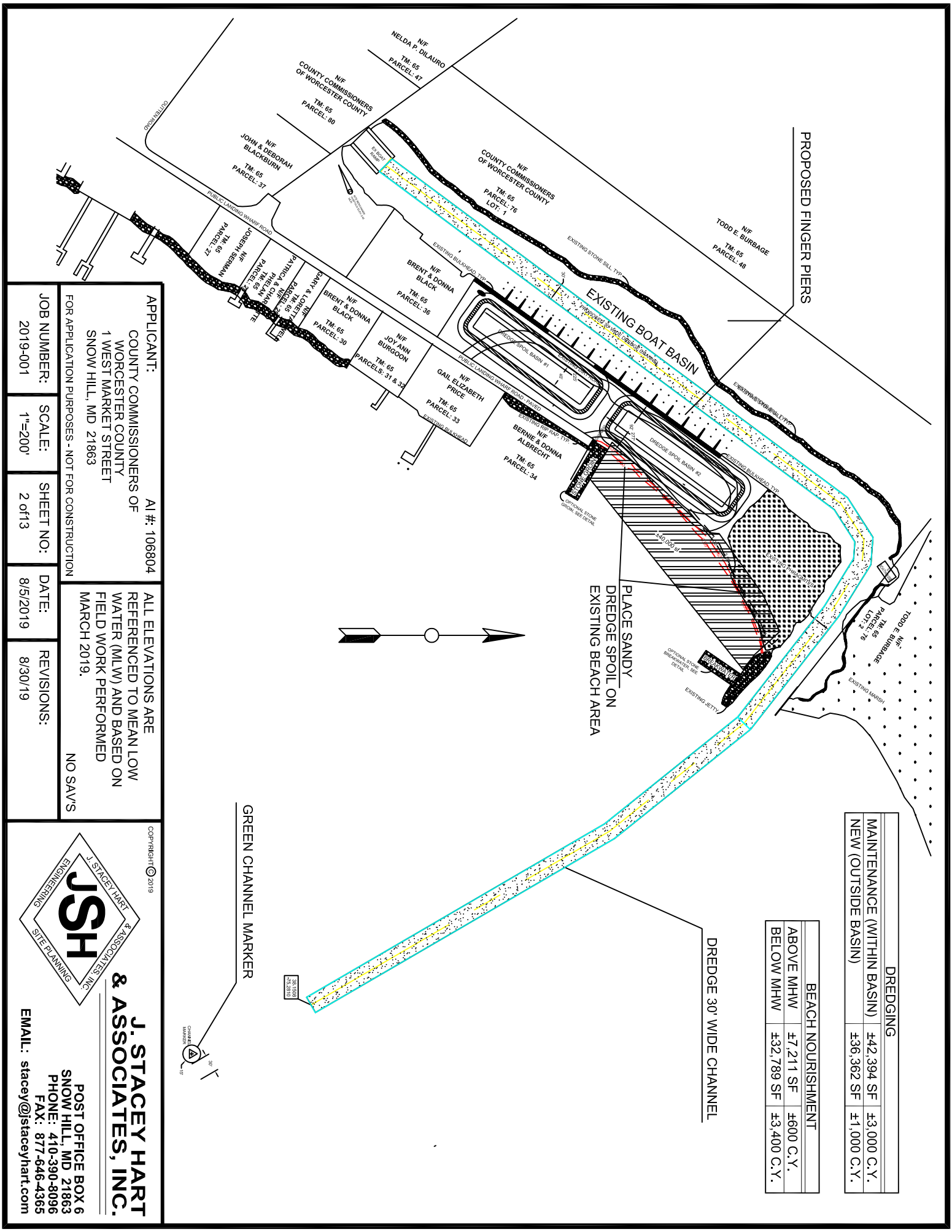
POST OFFICE BOX 6  
SNOW HILL, MD 21863  
PHONE: 410-390-8096  
FAX: 877-646-4365

EMAIL: stacey@jstacehart.com

FOR APPLICATION PURPOSES - NOT FOR CONSTRUCTION

NO SAV'S

JOB NUMBER: 2019-001	SCALE: NONE	SHEET NO: 1 of 13	DATE: 8/5/2019
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PROPOSED FINGER PIERS

PLACE SANDY  
DREDGE SPOIL ON  
EXISTING BEACH AREA

DREDGE 30' WIDE CHANNEL

DREDGING		
MAINTENANCE (WITHIN BASIN)	±42,394 SF	±3,000 C.Y.
NEW (OUTSIDE BASIN)	±36,362 SF	±1,000 C.Y.

BEACH NOURISHMENT		
ABOVE MHW	±7,211 SF	±600 C.Y.
BELOW MHW	±32,789 SF	±3,400 C.Y.

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FOR APPLICATION PURPOSES - NOT FOR CONSTRUCTION

NO SAV'S

**JOB NUMBER:** 2019-001

**SCALE:** 1"=200'

**SHEET NO:** 2 of 3

**DATE:** 8/5/2019

**REVISIONS:** 8/30/19

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SNOW HILL, MD 21863  
PHONE: 410-390-8096  
FAX: 877-646-4365  
EMAIL: [stacey@jstaceyhart.com](mailto:stacey@jstaceyhart.com)



N/F  
 COUNTY COMMISSIONERS  
 OF WORCESTER COUNTY

TM: 65  
 PARCEL: 76  
 LOT: 1

EXISTING STONE SILL, TYP.

EX BOAT  
 RAMP

SITE BENCHMARK  
 HUBBARD ELEV: 2.45  
 MLW

N/F  
 BRENT & DONNA  
 BLACK

TM: 65  
 PARCEL: 36

EXISTING BULKHEAD, TYP.

EXISTING DIRT ROAD

MATCH LINE

PUBLIC LANDING WHARF ROAD - PAVED

ROAD TYP.

APPLICANT: COUNTY COMMISSIONERS OF WORCESTER COUNTY 1 WEST MARKET STREET SNOW HILL, MD 21863	AI #: 106804	ALL ELEVATIONS ARE REFERENCED TO MEAN LOW WATER (MLW) AND BASED ON FIELD WORK PERFORMED MARCH 2019.	NO SAVS
JOB NUMBER: 2019-001	SCALE: 1"=60'	SHEET NO: 3 of 13	DATE: 8/5/2019
FOR APPLICATION PURPOSES - NOT FOR CONSTRUCTION			



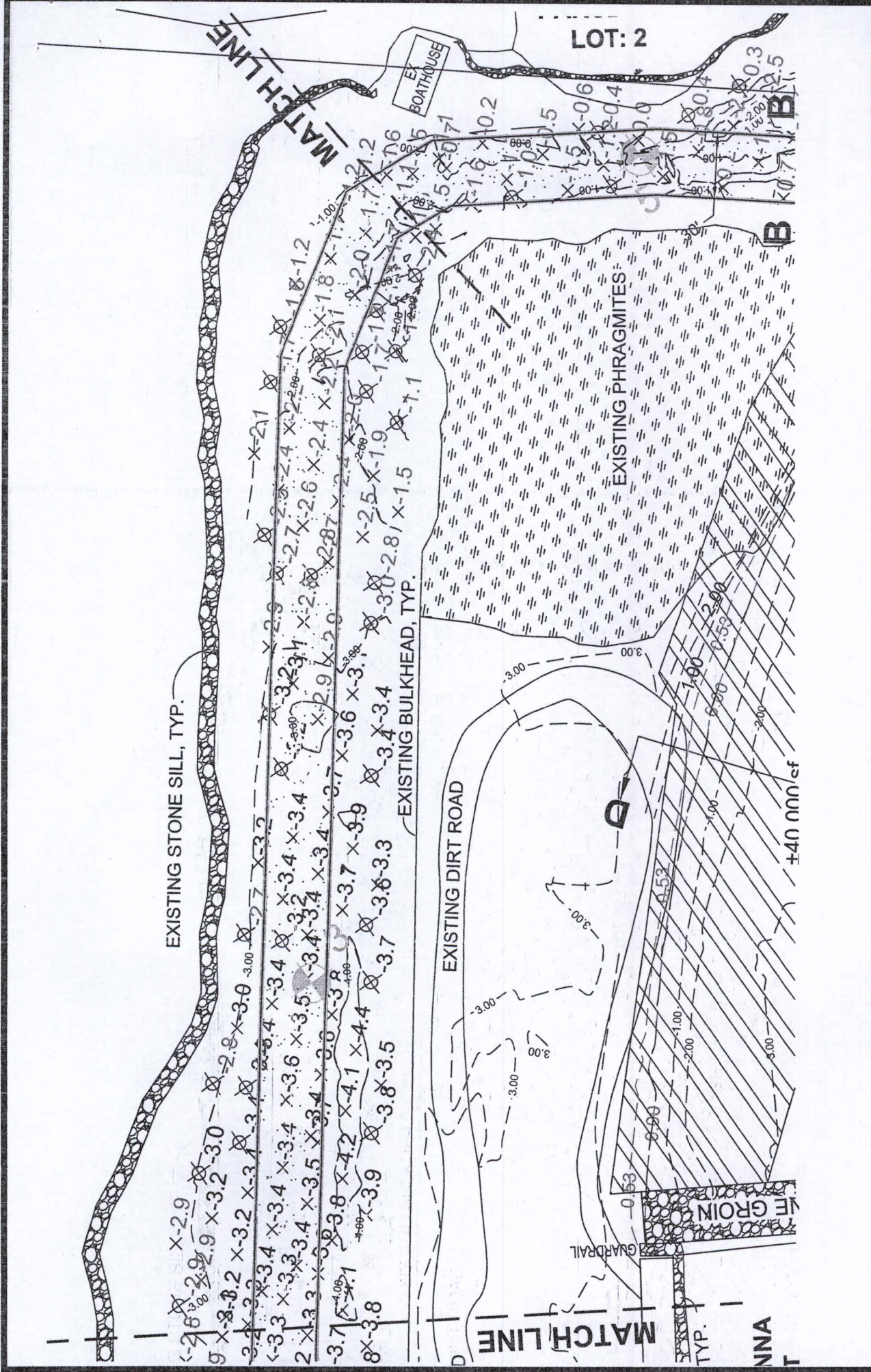
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 EMAIL: stacey@jstaceyhart.com

**JSH**  
 J. STACEY HART & ASSOCIATES, INC.  
 ENGINEERING SITE PLANNING





APPLICANT:  
COUNTY COMMISSIONERS OF  
WORCESTER COUNTY  
1 WEST MARKET STREET  
SNOW HILL, MD 21863

AI #: 106804

ALL ELEVATIONS ARE  
REFERENCED TO MEAN LOW  
WATER (MLW) AND BASED ON  
FIELD WORK PERFORMED  
MARCH 2019.

NO SAV'S

SHEET NO:  
4 of 13

SCALE:  
1"=60'

JOB NUMBER:  
2019-001

DATE:  
8/5/2019

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ENGINEERING

JSH  
J. STACEY HART & ASSOCIATES, INC.  
ENGINEERING

SITE PLANNING  
LANDSCAPE ARCHITECTURE

J. STACEY HART  
& ASSOCIATES, INC.

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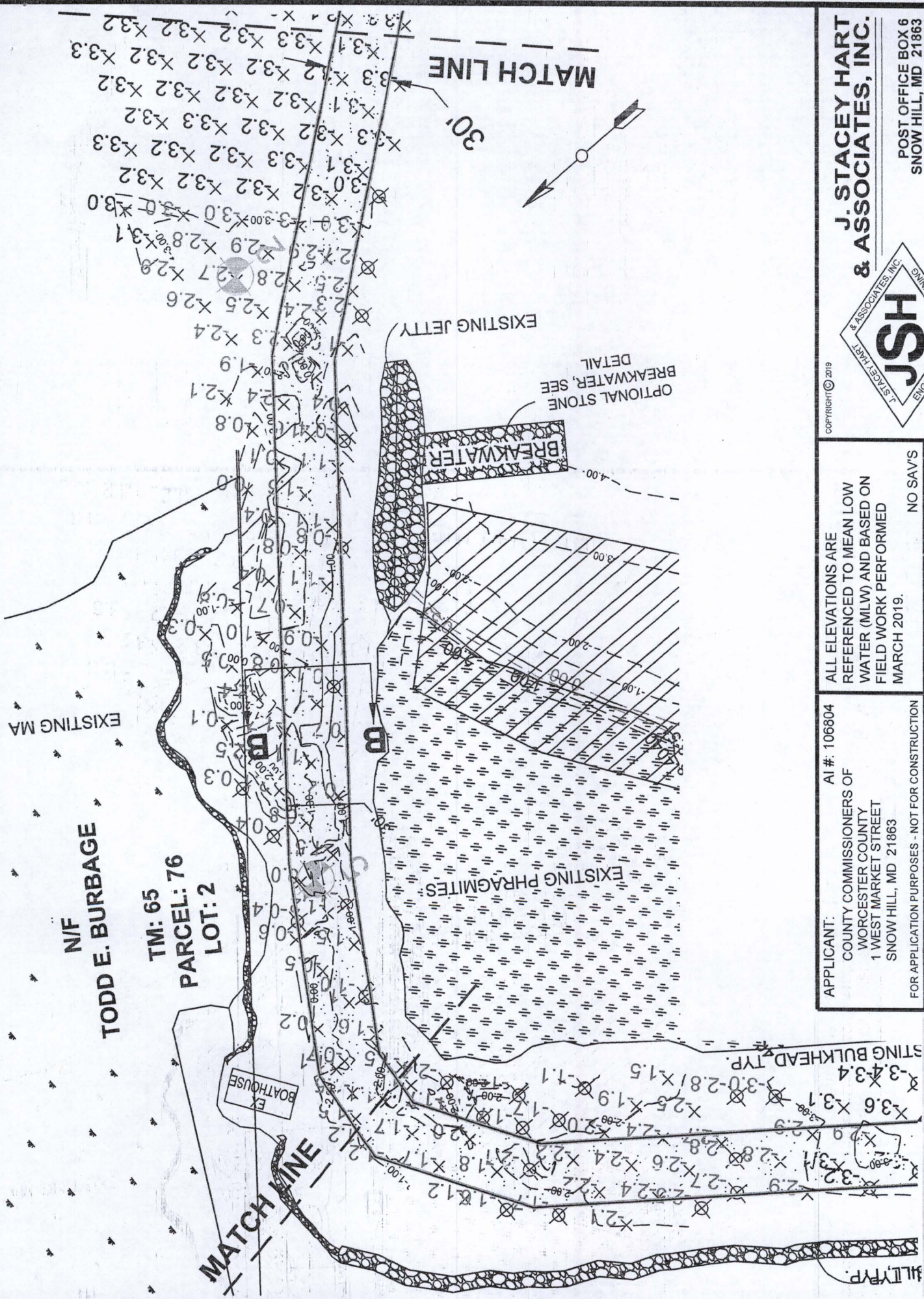
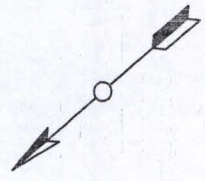
N/F  
TODD E. BURBAGE

TM: 65  
PARCEL: 76  
LOT: 2

MATCH LINE

MATCH LINE

30'



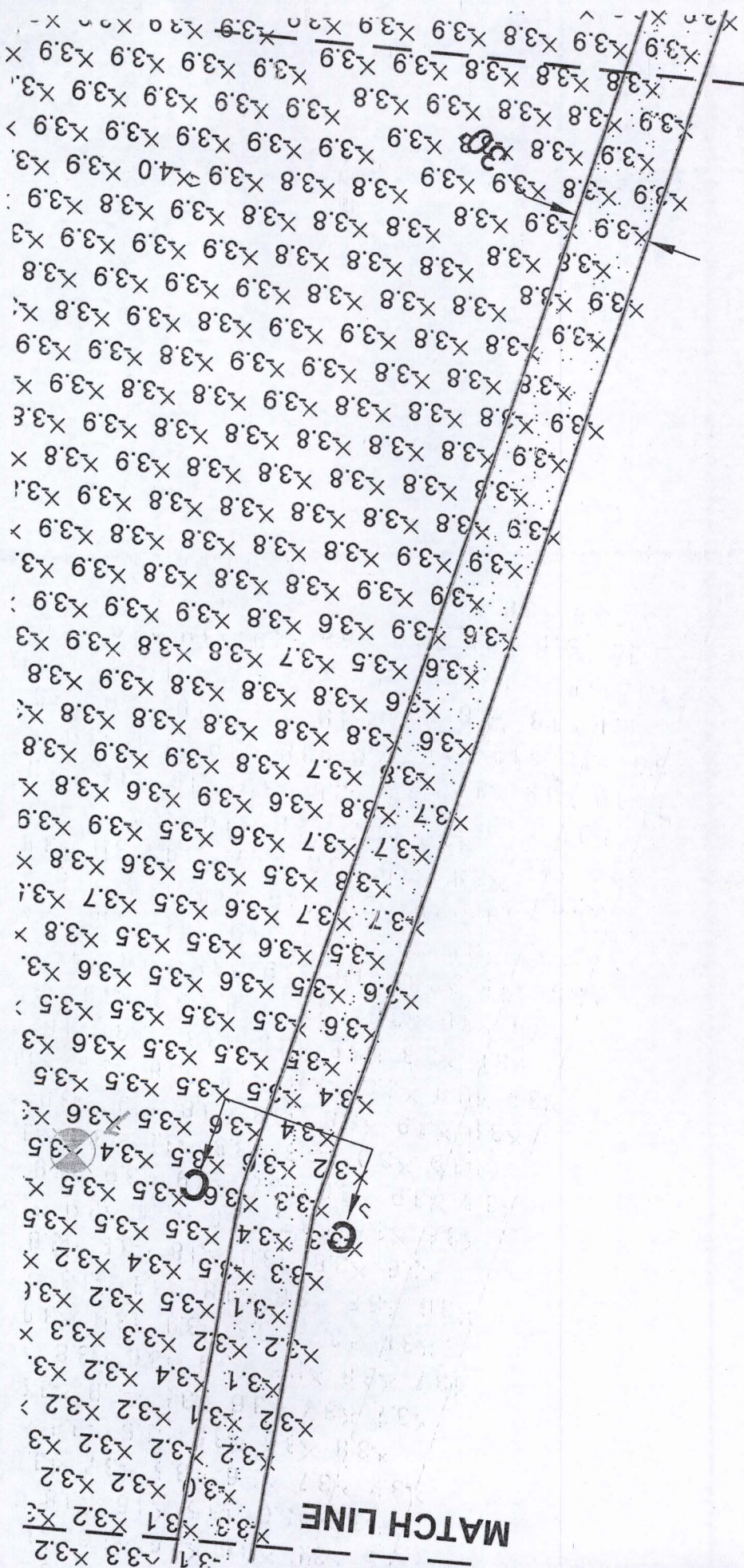
**J. STACEY HART & ASSOCIATES, INC.**  
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APPLICANT: AI #: 106804 COUNTY COMMISSIONERS OF WORCESTER COUNTY 1 WEST MARKET STREET SNOW HILL, MD 21863	ALL ELEVATIONS ARE REFERENCED TO MEAN LOW WATER (MLW) AND BASED ON FIELD WORK PERFORMED MARCH 2019.	NO SAVS
FOR APPLICATION PURPOSES - NOT FOR CONSTRUCTION JOB NUMBER: 2019-001	SHEET NO: 5 of 13	DATE: 8/5/2019
SCALE: 1"=60'		





MATCH LINE

MATCH LINE

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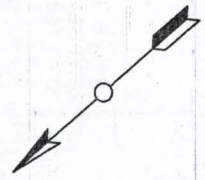
ENGINEERING  
LAND SURVEYING

SMITHFIELD, VA

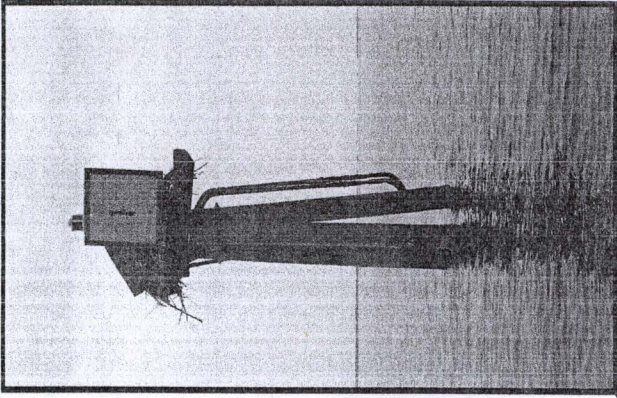
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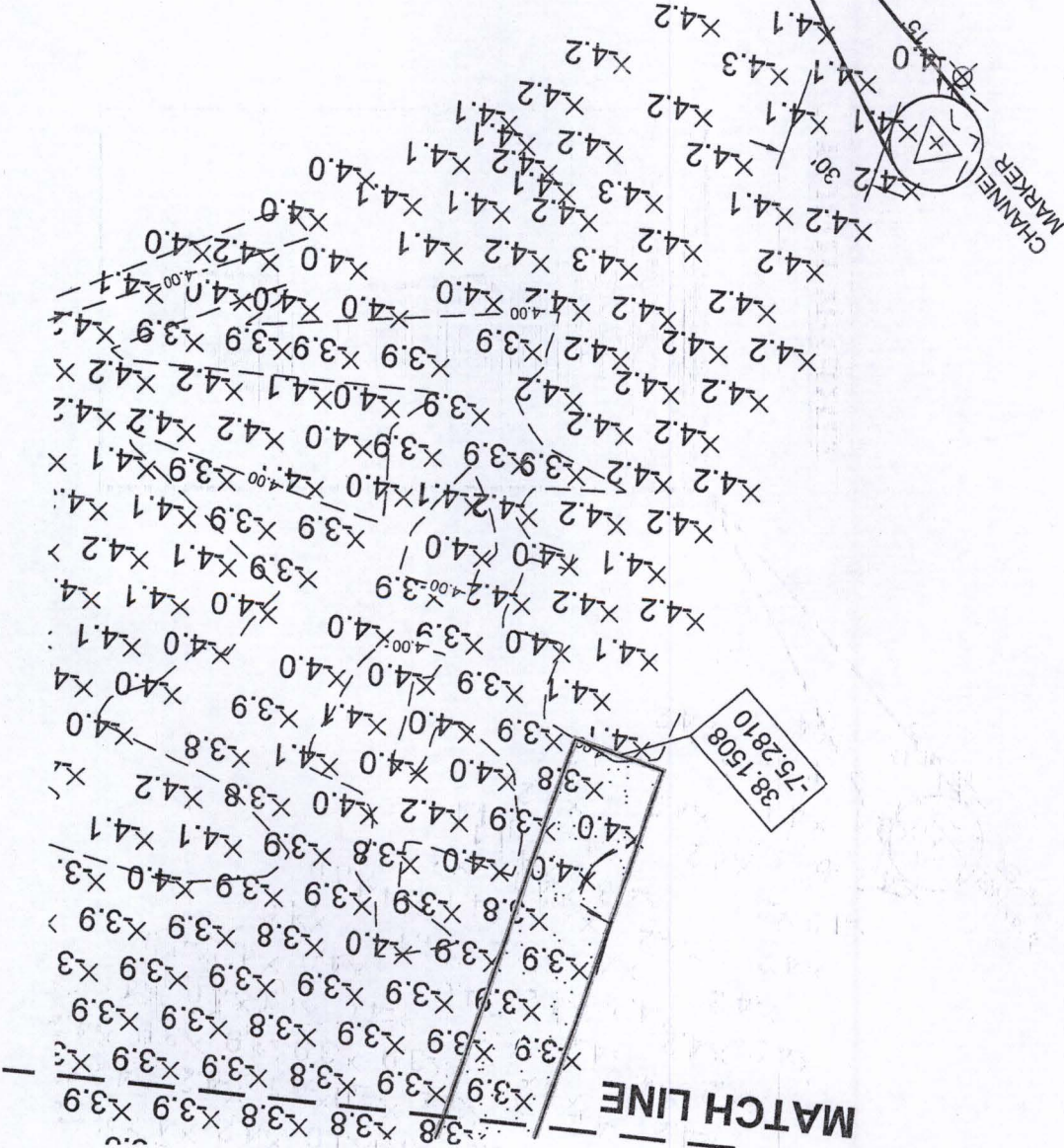
APPLICANT: AI #: 106804 COUNTY COMMISSIONERS OF WORCESTER COUNTY 1 WEST MARKET STREET SNOW HILL, MD 21863		ALL ELEVATIONS ARE REFERENCED TO MEAN LOW WATER (MLW) AND BASED ON FIELD WORK PERFORMED MARCH 2019.		NO SAV'S	
JOB NUMBER: 2019-001		SCALE: 1"=60'		SHEET NO.: 6 of 13	
FOR APPLICATION PURPOSES - NOT FOR CONSTRUCTION		DATE: 8/5/2019			







**GREEN BUOY 1**



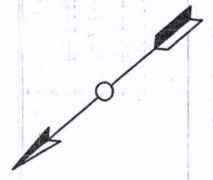
**J. STACEY HART & ASSOCIATES, INC.**

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PHONE: 410-390-8096  
FAX: 877-646-4365  
EMAIL: [stacey@jstaceyhart.com](mailto:stacey@jstaceyhart.com)

**JSH**  
ENGINEERING  
SITE PLANNING

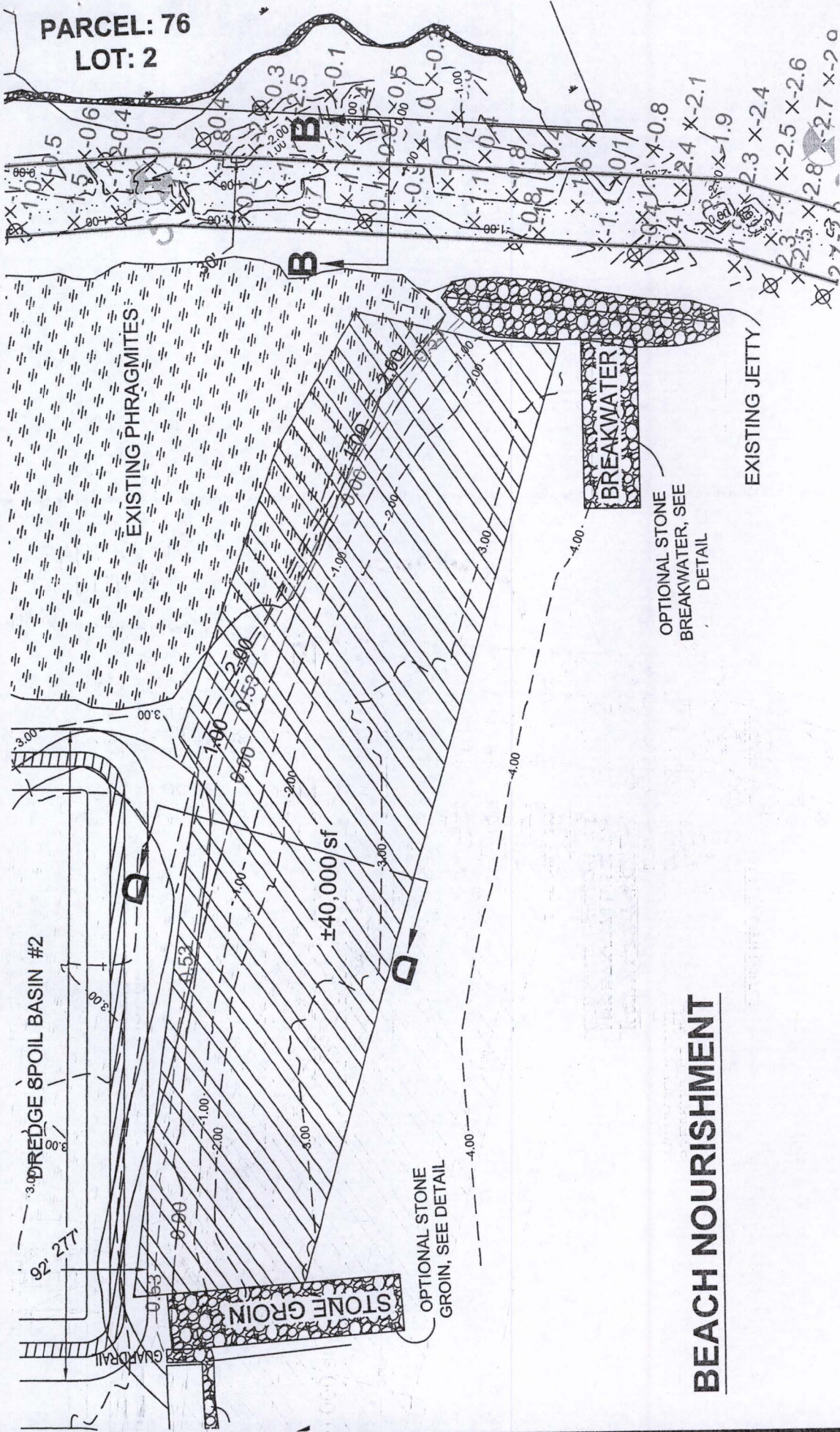
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<p>ALL ELEVATIONS ARE REFERENCED TO MEAN LOW WATER (MLW) AND BASED ON FIELD WORK PERFORMED MARCH 2019.</p> <p>NO SAVS</p>	<p>DATE: 8/5/2019</p>
<p>APPLICANT: AI #: 106804 COUNTY COMMISSIONERS OF WORCESTER COUNTY 1 WEST MARKET STREET SNOW HILL, MD 21863</p> <p>FOR APPLICATION PURPOSES - NOT FOR CONSTRUCTION</p>	<p>SHEET NO: 7 of 13</p>
<p>JOB NUMBER: 2019-001</p>	<p>SCALE: 1"=60'</p>

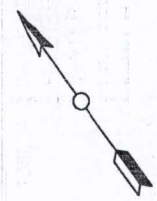




PARCEL: 76  
LOT: 2



**BEACH NOURISHMENT**



**J. STACEY HART & ASSOCIATES, INC.**  
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 EMAIL: stacey@jstaceyhart.com



APPLICANT: COUNTY COMMISSIONERS OF WORCESTER COUNTY 1 WEST MARKET STREET SNOW HILL, MD 21863 FOR APPLICATION PURPOSES - NOT FOR CONSTRUCTION	AI #: 106804	ALL ELEVATIONS ARE REFERENCED TO MEAN LOW WATER (MLW) AND BASED ON FIELD WORK PERFORMED MARCH 2019.	NO SAV'S
JOB NUMBER: 2019-001	SCALE: 1"=60'	SHEET NO: 8 of 13	DATE: 8/5/2019

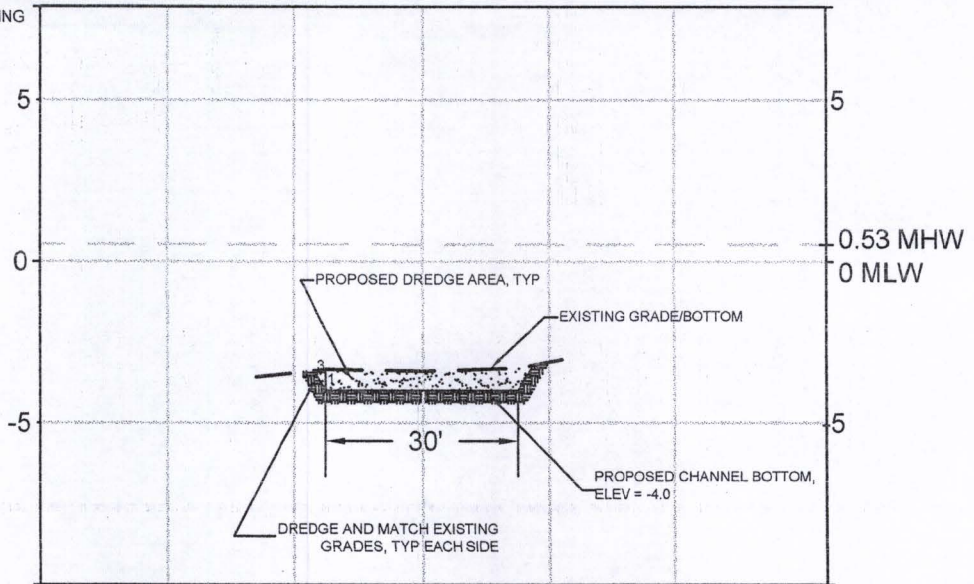
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DREDGE SPOIL AREA = 68,750 SF  
 DREDGE SPOIL VOLUME = 4,000 C.Y.

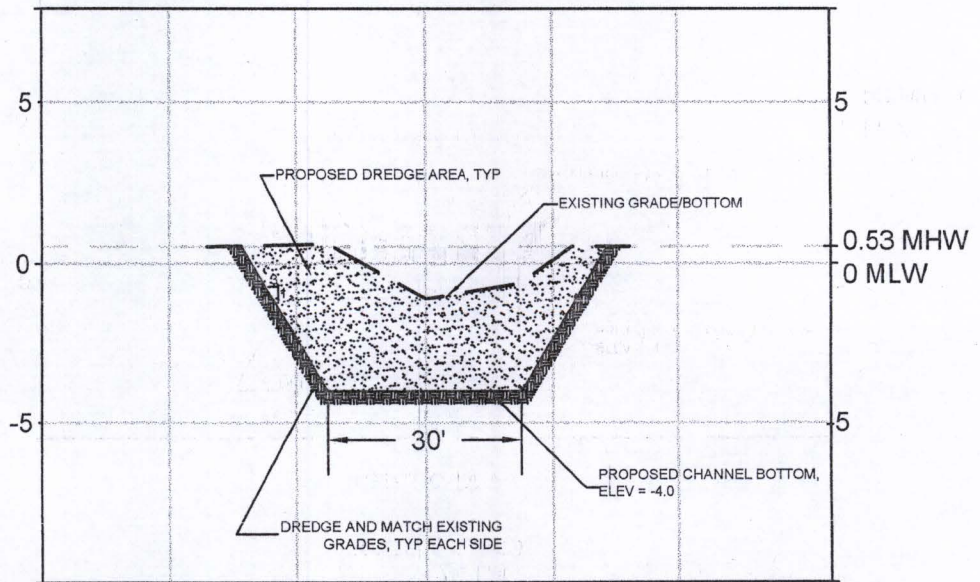


PROPOSED CHANNEL DREDGING



SECTION A-A

SCALE: H: 1"=30'  
 V: 1"=6'

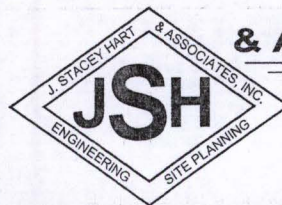


SECTION B-B

APPLICANT: AI #: 106804  
 COUNTY COMMISSIONERS OF  
 WORCESTER COUNTY  
 1 WEST MARKET STREET  
 SNOW HILL, MD 21863

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 WATER (MLW) AND BASED ON  
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 MARCH 2019.

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 PHONE: 410-390-8096  
 FAX: 877-646-4365

EMAIL: [stacey@jstaceyhart.com](mailto:stacey@jstaceyhart.com)

FOR APPLICATION PURPOSES - NOT FOR CONSTRUCTION

NO SAV'S

JOB NUMBER:  
 2019-001

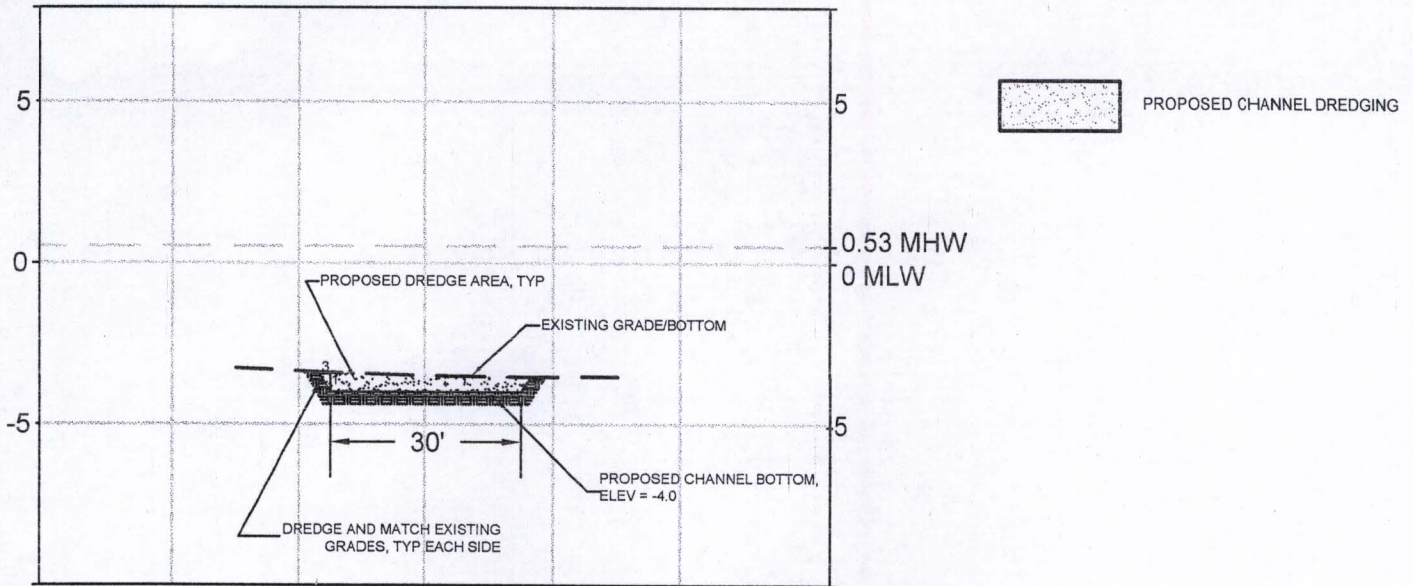
SCALE: H: 1"=30'  
 V: 1"=6'

SHEET NO:  
 9 of 13

DATE:  
 8/5/2019



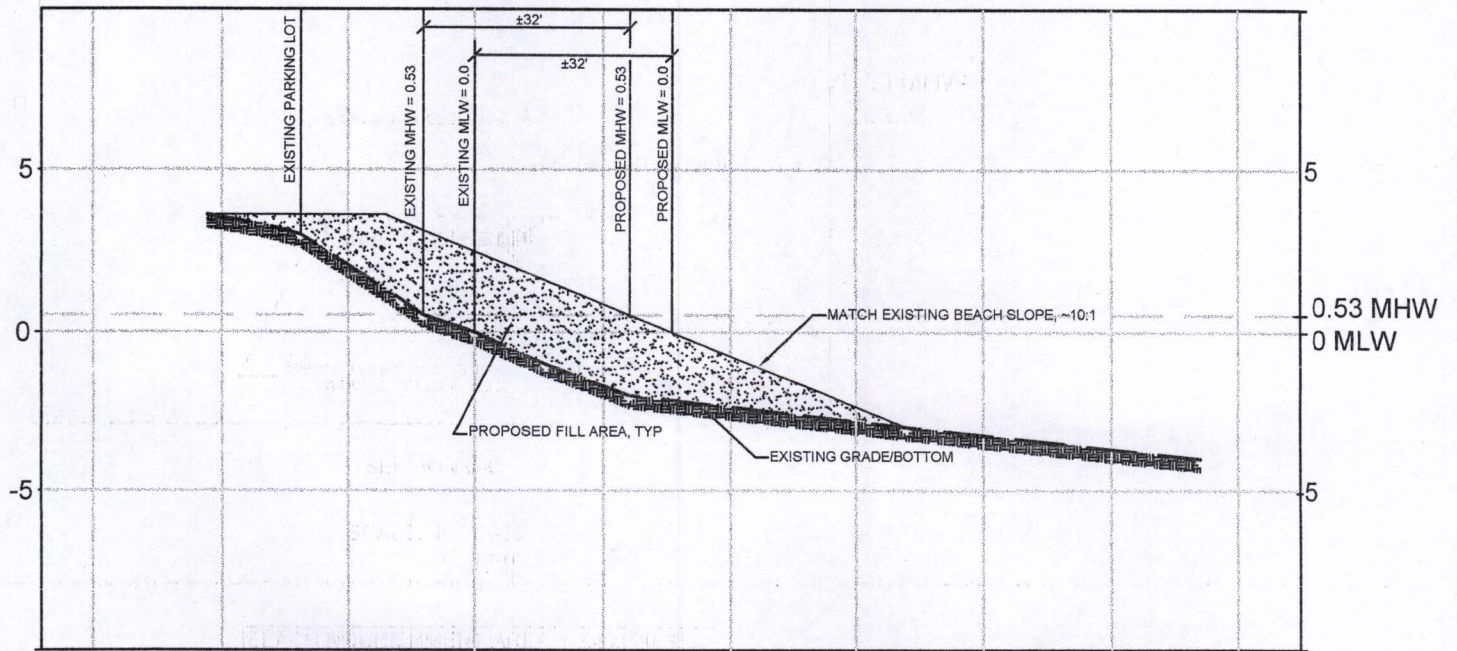
DREDGE SPOIL AREA = 68,750 SF  
 DREDGE SPOIL VOLUME = 4,000 C.Y.



SECTION C-C

SCALE: H: 1"=30'  
 V: 1"=6'

BEACH NOURISHMENT AREA = ±40,000 SF  
 DREDGE SPOIL VOLUME = ±4,000 C.Y.

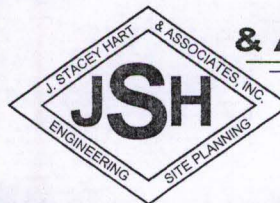


SECTION D-D

APPLICANT: AI #: 106804  
 COUNTY COMMISSIONERS OF  
 WORCESTER COUNTY  
 1 WEST MARKET STREET  
 SNOW HILL, MD 21863

ALL ELEVATIONS ARE  
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 WATER (MLW) AND BASED ON  
 FIELD WORK PERFORMED  
 MARCH 2019.

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 FAX: 877-646-4365

EMAIL: [stacey@jstaceyhart.com](mailto:stacey@jstaceyhart.com)

FOR APPLICATION PURPOSES - NOT FOR CONSTRUCTION

NO SAV'S

JOB NUMBER:  
 2019-001

SCALE: H: 1"=30'  
 V: 1"=6'

SHEET NO:  
 10 of 13

DATE:  
 8/5/2019



EXISTING STONE SILL, TYP.

# EXISTING BOAT BASIN

EXISTING STONE SILL, TYP.

PROPOSED 30' WIDE DREDGE CHANNEL

PROPOSED MOORING PILE, TYP. (47)

EXISTING BULKHEAD, TYP.

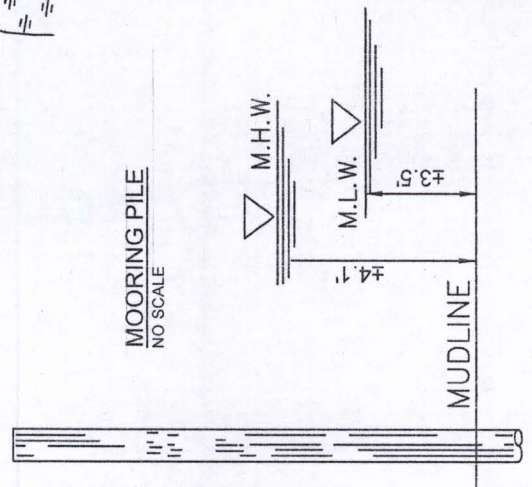
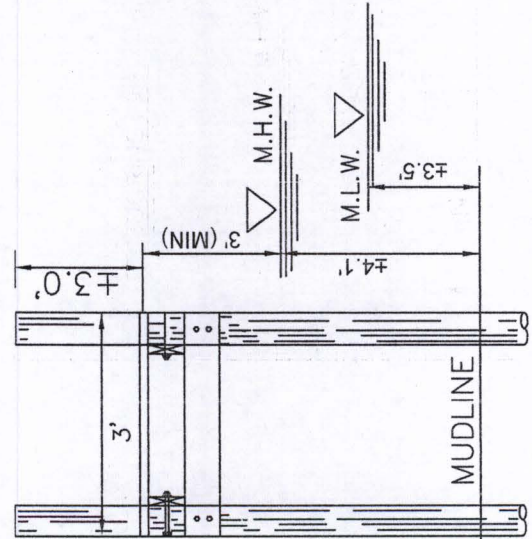
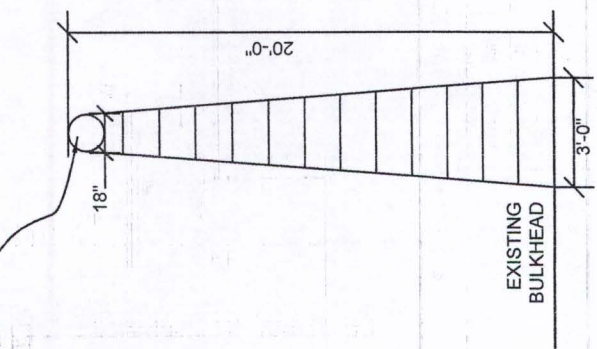
CONSTRUCT FIVE (5) 3x20 TAPERED FINGER PIERS, CREATING TEN (10) BOAT SLIPS, EACH 13.5' WIDE (SLIPS 1-10)

CONSTRUCT TEN (10) 3x20 TAPERED FINGER PIERS, CREATING TWENTY (20) BOAT SLIPS, EACH 16.5' WIDE (SLIPS 11-20)

PROPOSED SEWAGE PUMP-OUT

FINGER PIER  
NO SCALE

12" PILE



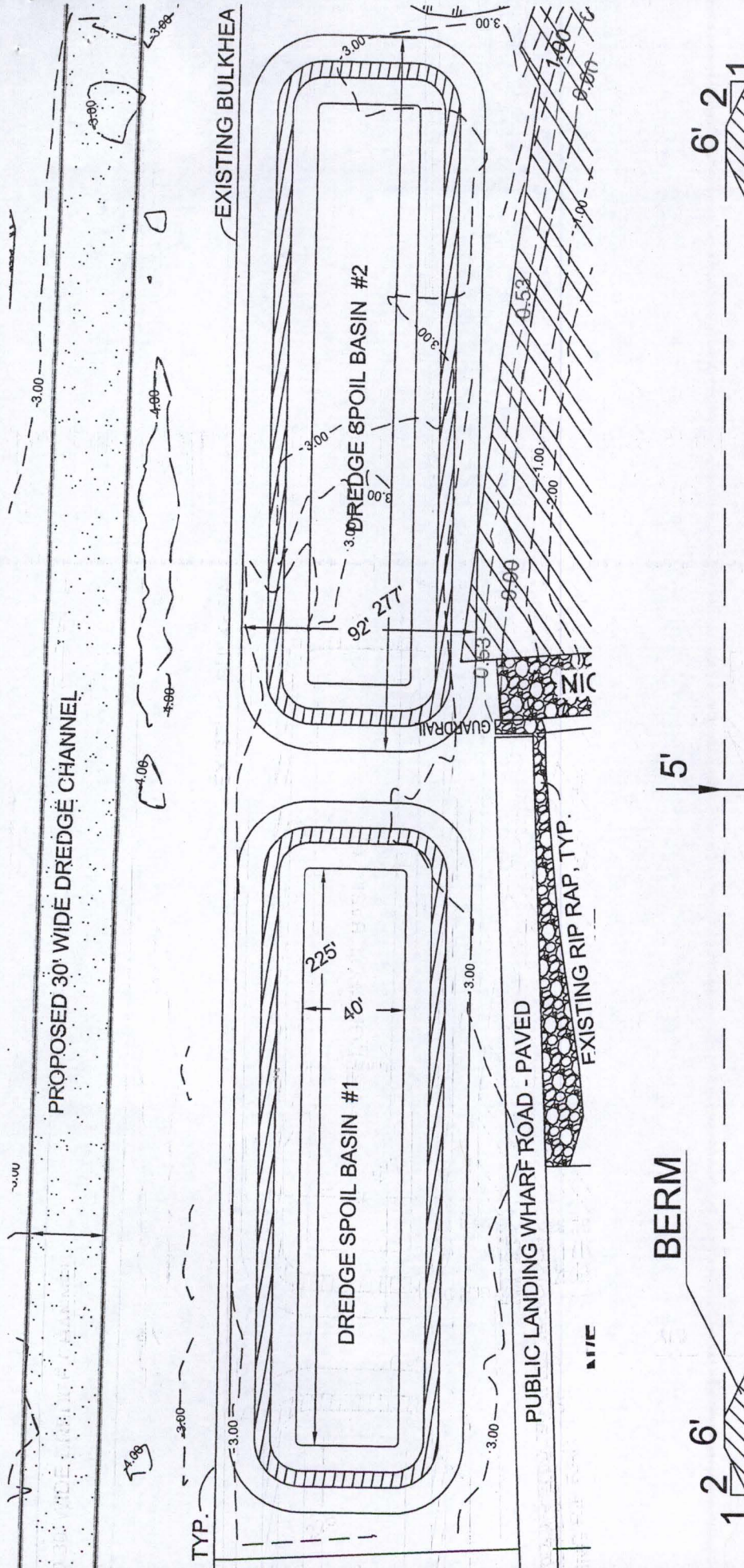
APPLICANT: COUNTY COMMISSIONERS OF WORCESTER COUNTY 1 WEST MARKET STREET SNOW HILL, MD 21863	AI #: 106804	ALL ELEVATIONS ARE REFERENCED TO MEAN LOW WATER (MLW) AND BASED ON FIELD WORK PERFORMED MARCH 2019.	NO SAVS
FOR APPLICATION PURPOSES - NOT FOR CONSTRUCTION	SCALE: 1"=60'	SHEET NO: 11 of 13	DATE: 8/5/2019
JOB NUMBER: 2019-001			

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POST OFFICE BOX 6  
SNOW HILL, MD 21863  
PHONE: 410-390-8096  
FAX: 877-646-4365  
EMAIL: [stacey@jstaceyhart.com](mailto:stacey@jstaceyhart.com)





BASIN CROSS-SECTION, TYP  
NO SCALE

APPLICANT: COUNTY COMMISSIONERS OF WORCESTER COUNTY  
1 WEST MARKET STREET  
SNOW HILL, MD 21863

AI #: 106804

FOR APPLICATION PURPOSES - NOT FOR CONSTRUCTION

JOB NUMBER: 2019-001

SCALE: 1"=60'

SHEET NO: 12 of 13

DATE: 8/5/2019

NO SAV'S

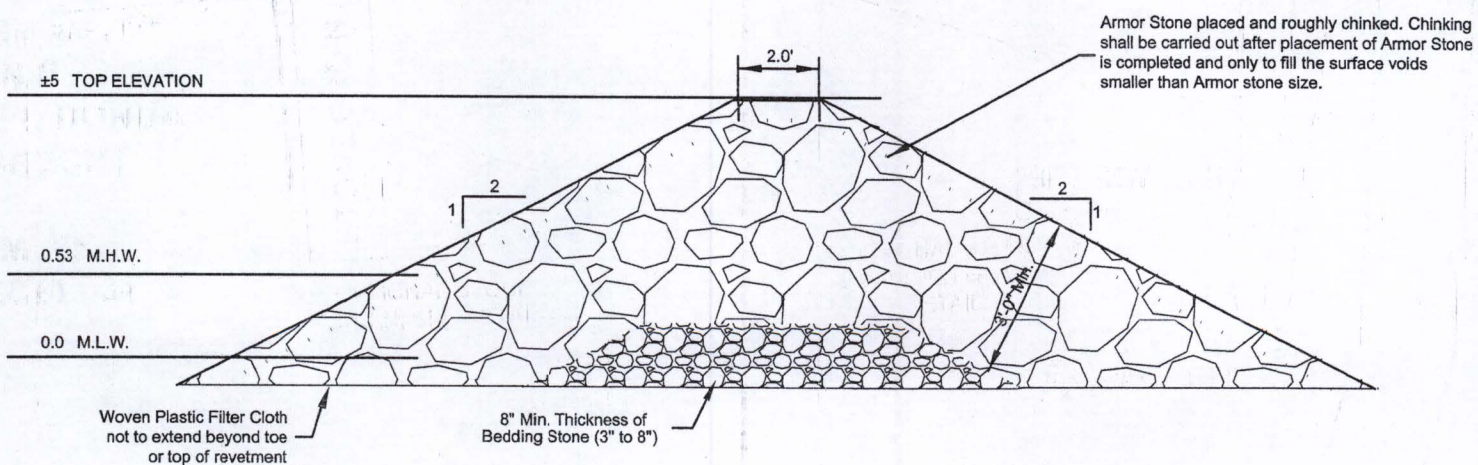
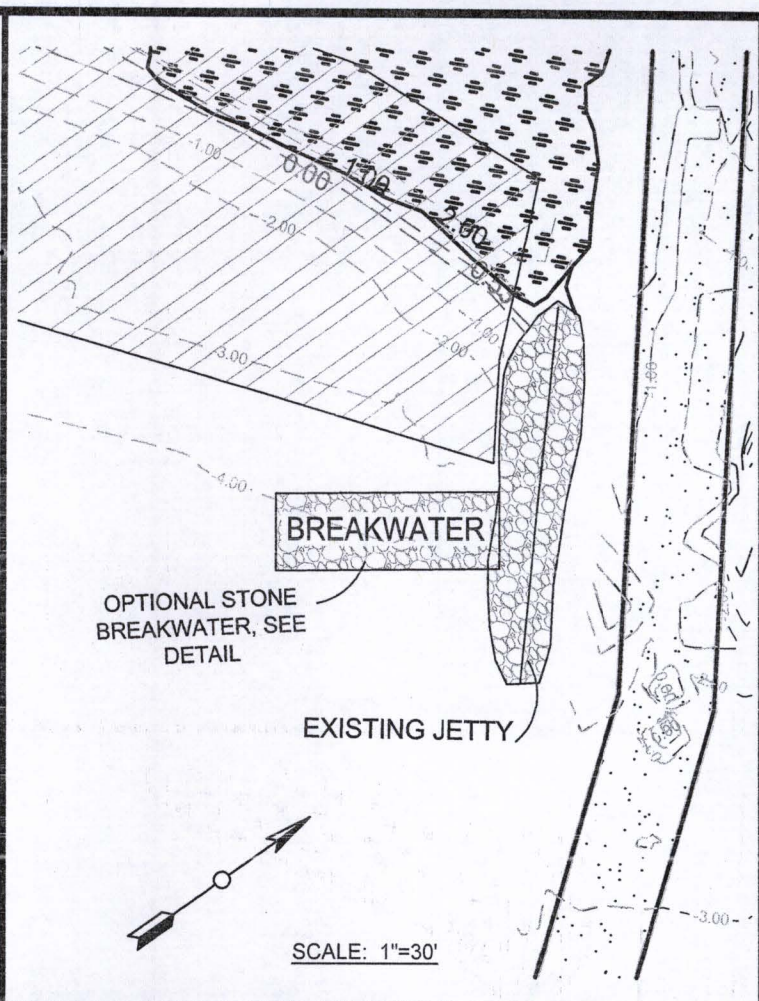
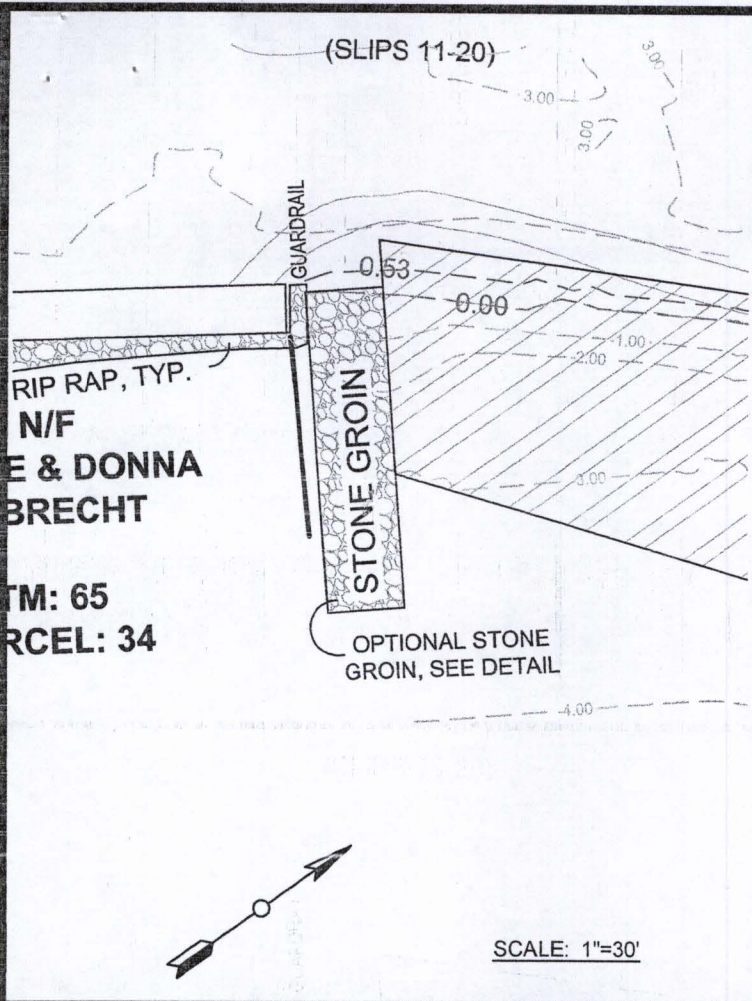
ALL ELEVATIONS ARE REFERENCED TO MEAN LOW WATER (MLW) AND BASED ON FIELD WORK PERFORMED MARCH 2019.

ENGINEERING  
**JSH**  
SITE PLANNING  
J. STACEY HART & ASSOCIATES, INC.

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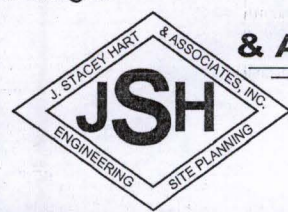


**TYPICAL STONE GROIN AND BREAKWATER SECTION**  
NO SCALE

APPLICANT: Al #: 106804  
 COUNTY COMMISSIONERS OF  
 WORCESTER COUNTY  
 1 WEST MARKET STREET  
 SNOW HILL, MD 21863

ALL ELEVATIONS ARE  
 REFERENCED TO MEAN LOW  
 WATER (MLW) AND BASED ON  
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FOR APPLICATION PURPOSES - NOT FOR CONSTRUCTION				NO SAV'S
JOB NUMBER: 2019-001	SCALE: AS NOTED	SHEET NO: 13 of 13	DATE: 8/5/2019	