

Public Notice

U.S. Army Corps
of Engineers
Baltimore District
PN 20-23

In Reply to Application Number
NAB-2017-61305 (Christian, Christopher/Bulkhead)

Comment Period: April 8, 2020 to April 23, 2020

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

This District has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act (33 USC 403), Section 14 of the Rivers and Harbors Act (33 USC 408), and Section 404 of the Clean Water Act (33 USC 1344), as described below:

APPLICANT: Christopher Christian
12342 Snug Harbor Road
Berlin, MD 21811

WATERWAY AND LOCATION OF THE PROPOSED WORK:

The proposed project is located in canal off Sinepuxent Bay, in Berlin, Worcester County, Maryland. (Latitude: 39° 17' 38.11" W, Longitude: 75° 7' 56.09" N " (39.293920,-75.132247) .060064°76.080828°).

OVERALL PROJECT PURPOSE: The purposes of the bulkhead are to maintain the integrity of an existing home foundation and shoreline erosion control.

PROJECT DESCRIPTION:

To construct a 5-foot wide by 15-foot long bulkhead return wall along the side of house within the boundary of an existing boat ramp, to construct 14 linear feet of replacement bulkhead return wall to extend no more than 18 inches adjacent to the existing bulkhead alongside an existing boat house, to construct 52 linear feet of replacement bulkhead to extend no more than 18 inches channelward of the existing deteriorating bulkhead, and to construct 18.5 feet of new bulkhead enclosing and filling a portion of the existing boat ramp and the existing 14-foot wide by 26-foot deep boathouse, all with approximately 65 cubic yards of clean backfill; and to replace an existing 4-foot by 52-foot long parallel walkway, in kind, with no new pilings, to extend no more than 2 feet channelward of the approximate mean high water shoreline.

EFFECTS ON AQUATIC RESOURCES:

Activity	Permanent Loss of WoUS (lf)	Permanent Loss of WoUS (Sq. Ft.)	Authority (Section 10/404)
Bulkhead Replacement	66	99	10/404
New Bulkhead	33.5	584	10/404

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:

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 applicant reduced the fill width of the 14-foot bulkhead return wall from 5 feet to 18 inches. Compensatory mitigation is not being proposed by the applicants for impacts to open water (sub-tidal) habitat. No wetland fill impacts are proposed and no submerged aquatic vegetation (SAV) impacts are proposed.

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.

ENDANGERED SPECIES: The lead federal agency is responsible for Endangered Species Act coordination. A preliminary review of this application indicates that the proposed work is not likely to adversely affect 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 lead federal agency is responsible for Essential Fish Habitat coordination. 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), including species of concern, life cycle habitat, or Habitat Areas of Particular Concern. The project site lies in or adjacent to EFH as described under MSFCMA for managed species under the MSFCMA. The Baltimore

District has made a preliminary determination that the project will have no adverse effect on EFH. The Baltimore District has made a preliminary determination that mitigative measures are not required to minimize adverse effects on EFH at this time. This determination may be modified if additional information indicates otherwise.

HISTORIC RESOURCES:

The lead federal agency is responsible for historic resources coordination. Pursuant to Section 106 of the National Historic Preservation Act (NHPA) of 1966 and applicable guidance, the Corps has reviewed the latest published version of the National Register of Historic Places and initially determined that no registered properties listed as eligible for inclusion, therein, are located at the site of the proposed work. The Corps has made the preliminary determination that the proposed project would have no adverse 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 NHPA 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.

MODIFICATION OF CIVIL WORKS PROJECTS: 33 USC 408 (SECTION 408): All Section 408 proposals will be coordinated internally at USACE. The Section 408 decision will be issued along with the Section 404 and/or Section 10 decision. Please see the following link for more information regarding Section 408:

<https://www.nab.usace.army.mil/section408/>.

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 (CZM) 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-20189-60687).

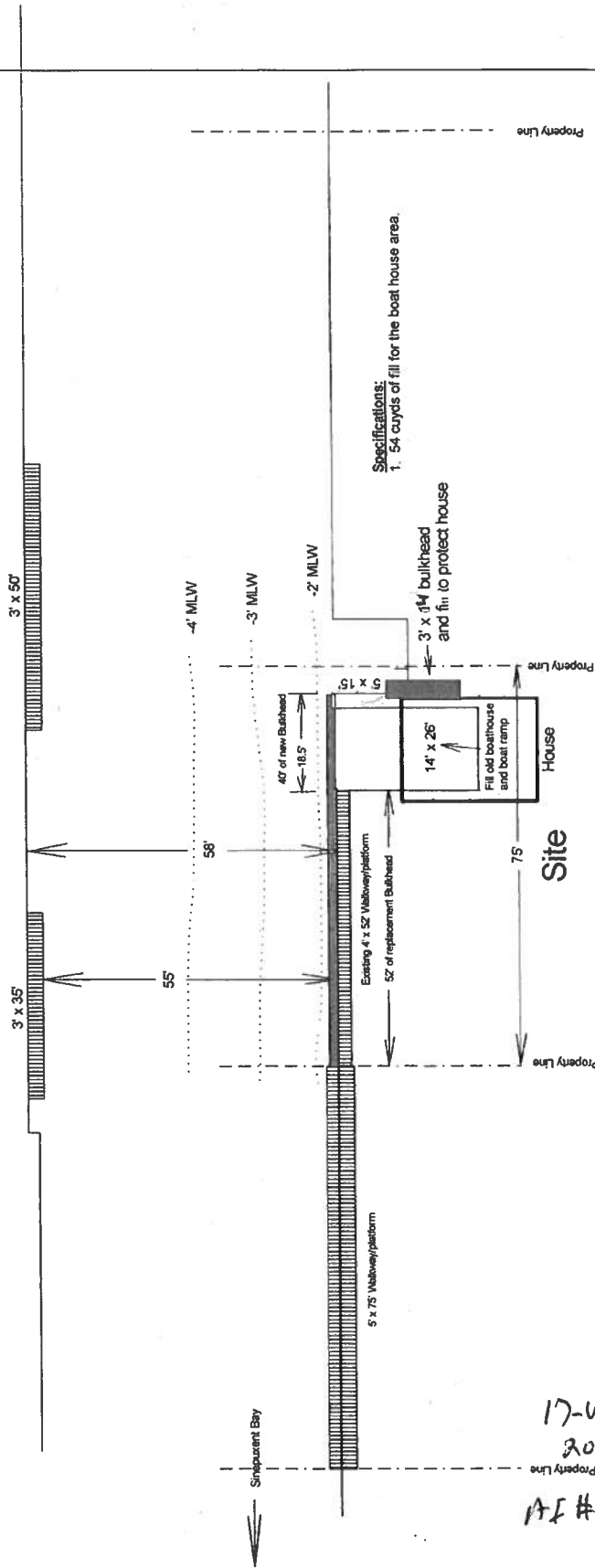
PUBLIC HEARING REQUESTS: Any person who has an interest which may be adversely affected by the issuance of this permit may request a public hearing. The request, which must be in writing, must be received within the comment period as specified above to receive consideration. Also it must clearly set 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. Robert Fewster
Robert.j.fewster@usace.army.mil
U.S. Army Corps of Engineers, Baltimore District
Attn: Regulatory Branch
2 Hopkins Plaza
Baltimore, MD 21201

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

General information regarding the Corps' permitting process can be found on our website at <https://www.nab.usace.army.mil/Missions/Regulatory.aspx>. This public notice has been prepared in accordance with Corps implementing regulations at 33 CFR 325.3. If you have any questions concerning this specific project, or would like to request a paper copy of this public notice, please contact Mr. Robert Fewster at 410-962-6144 or at Robert.j.fewster@usace.army.mil. This public notice is issued by the Chief, Regulatory Branch.

Proposed 12342 Snug Harbor Rd.



Specifications:
1. 54 cu yds of fill for the boat house area.

3' x 14' bulkhead and fill to protect house

14' x 26'
Fill old boathouse and boat ramp

Existing 4' x 52' Walkway/platform
52' of replacement Bulkhead

40' of new Bulkhead
18.5'

-4' MLW

-3' MLW

-2' MLW

3' x 50'

3' x 35'

55'

58'

Property Line

Property Line

75'

Site

House

Work Scope:	Install 52' of new replacement bulkhead, and 18' of new bulkhead on the canal, and 14' of bulkhead along the side of the existing house. Fill the old boathouse. Replace the existing 4' x 52' walkway/platform. No new poles. Maximum channel ward extension of 1.5'.				
	Scale:	1" = 30'		Approved by:	RWF
Date:	June 16, 2017				
Owner:	Christopher Christian	Lot	28	Blk	A
	12342 Snug Harbor Rd			T. Map	0033
	Berlin, MD 21811			Sec	A
Parcel					0346
Plat		MLW Outpoint		Drawing Number:	1

Drawn By:

10FG

July 27, 2018

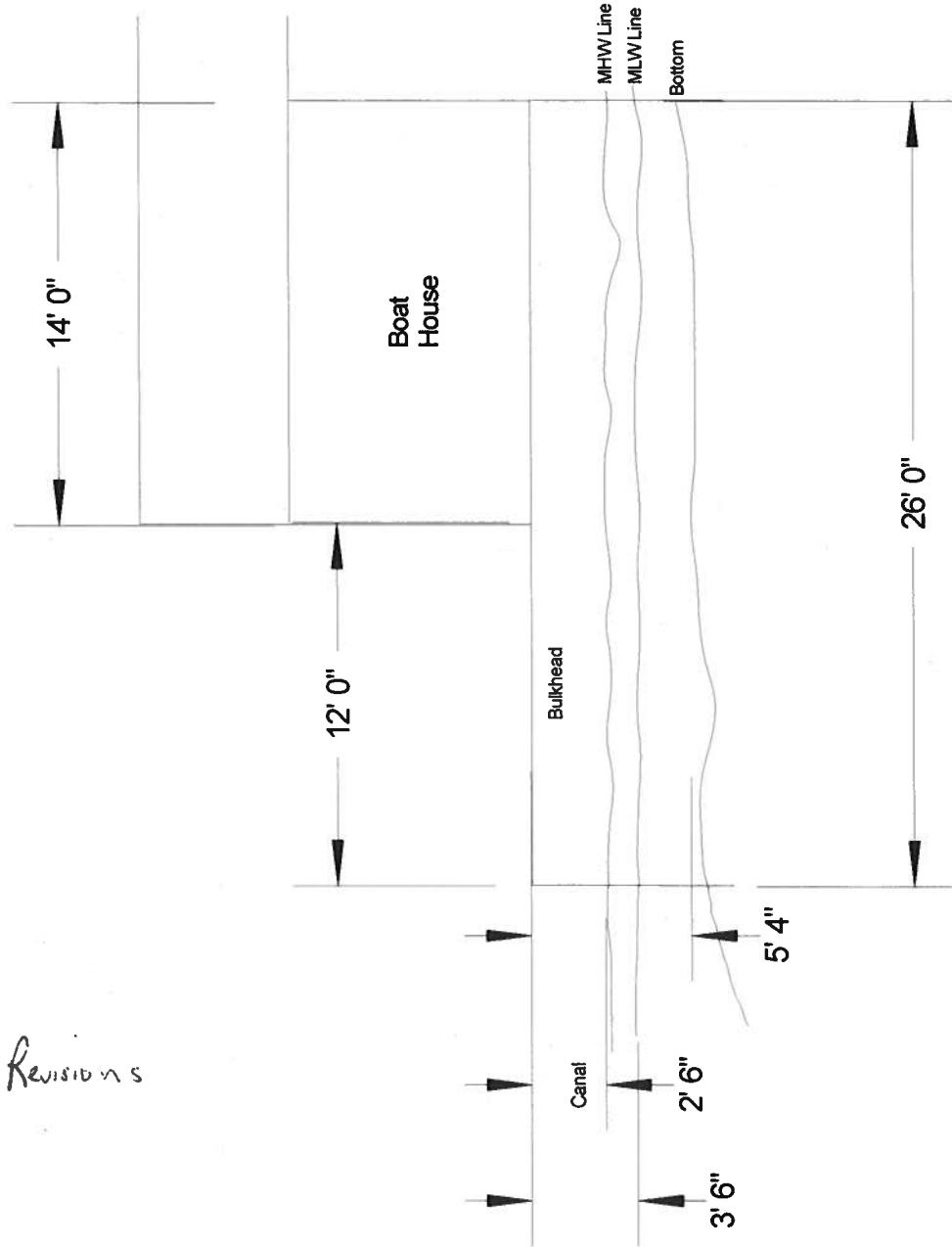
17-WP-0747-
201761305
AT # 69207

1. There are no known SAV beds in the area.
2. The soundings were taken 6/1/17

12342 Snug Harbor Road Existing

Sept. 13, 2017 2 of 6
July 27, 2018

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201761305
A1# 69209

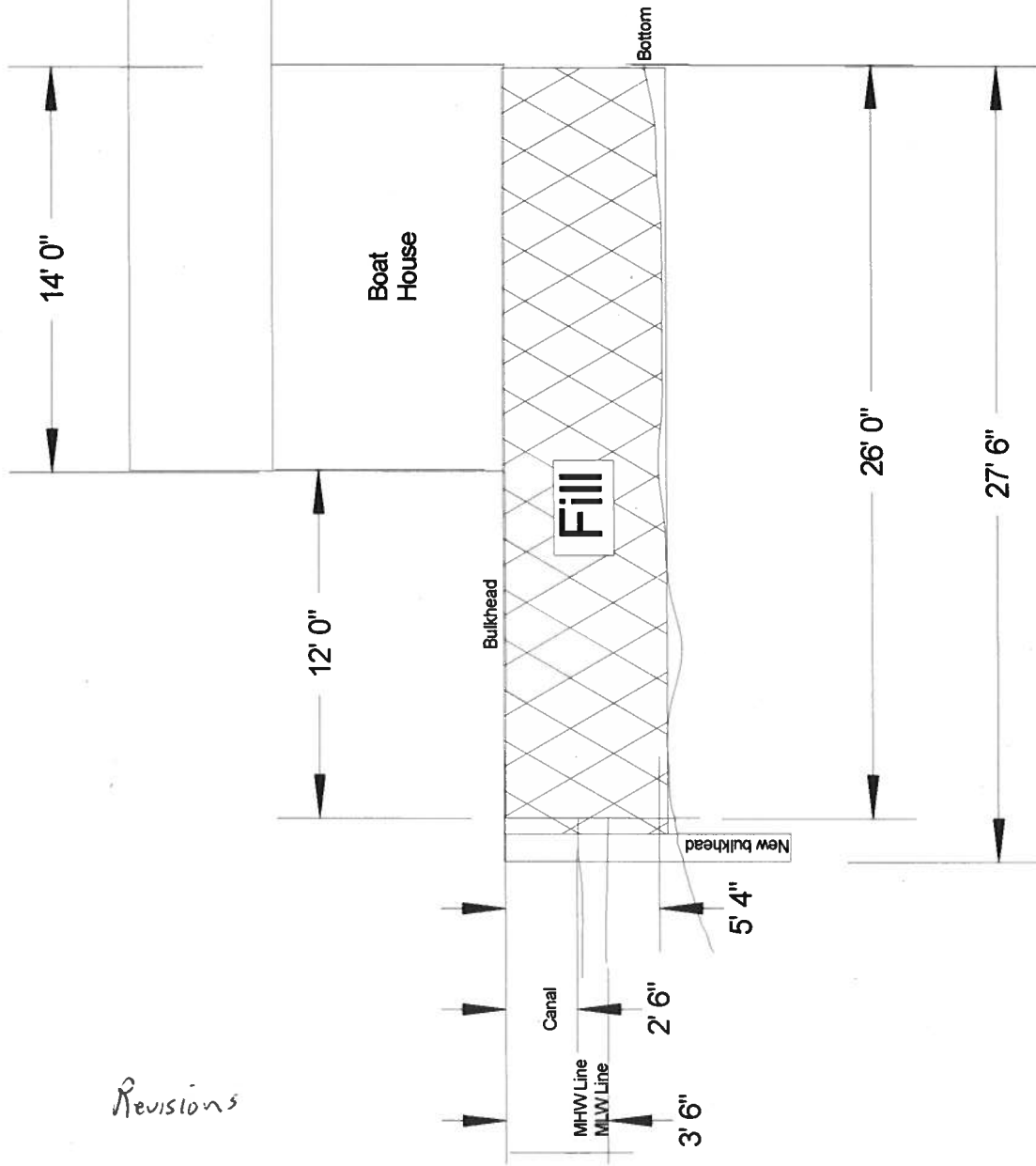


Revisions

12342 Snug Harbor Road Proposed

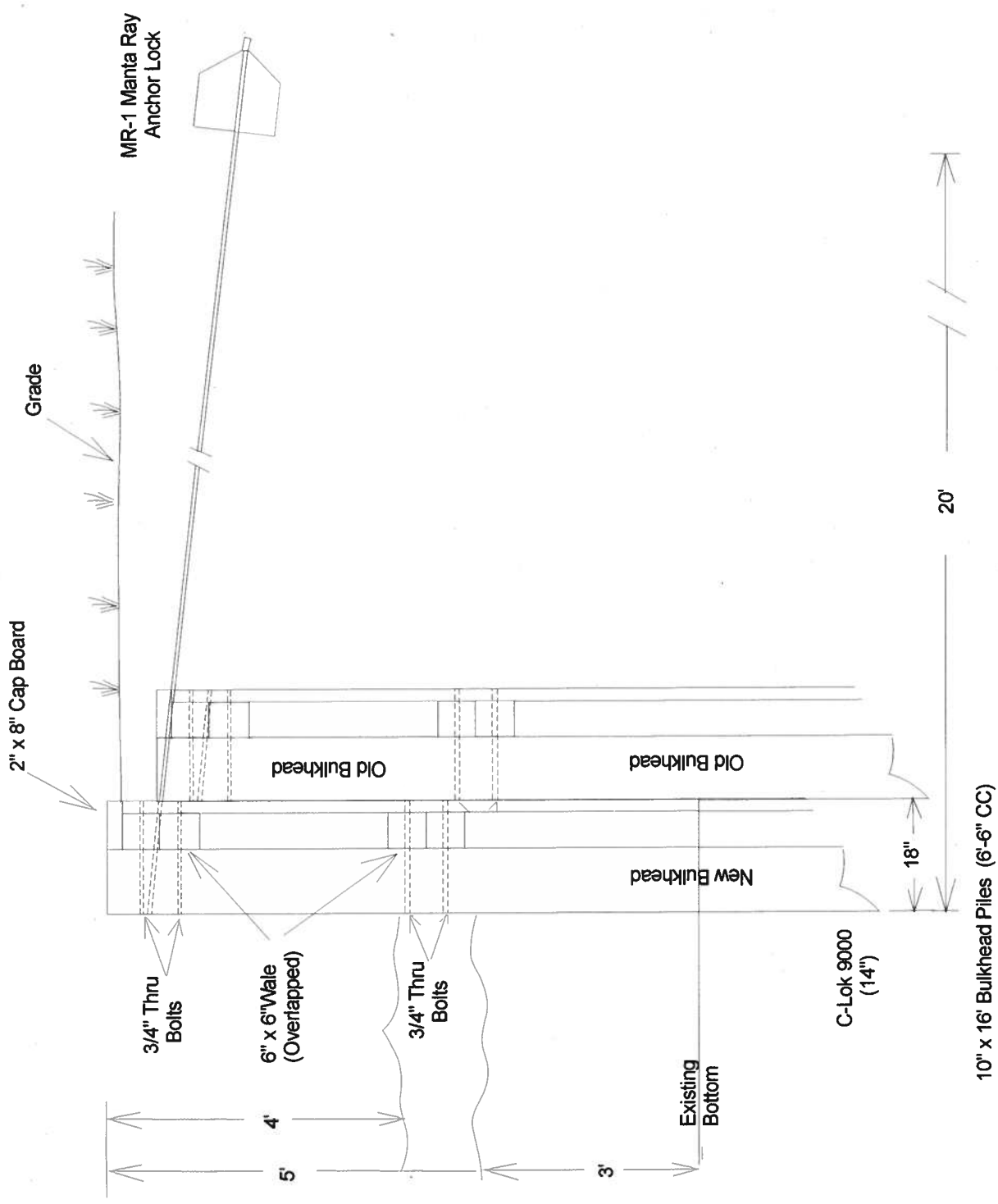
8108' 08" High
Line # 27, 2018
Sept. 13, 2017

17-WP-0747
201761305
#264209 #24
3078



Revisions

12342 Snug Harbor Road Replacement Tierod Bulkhead System



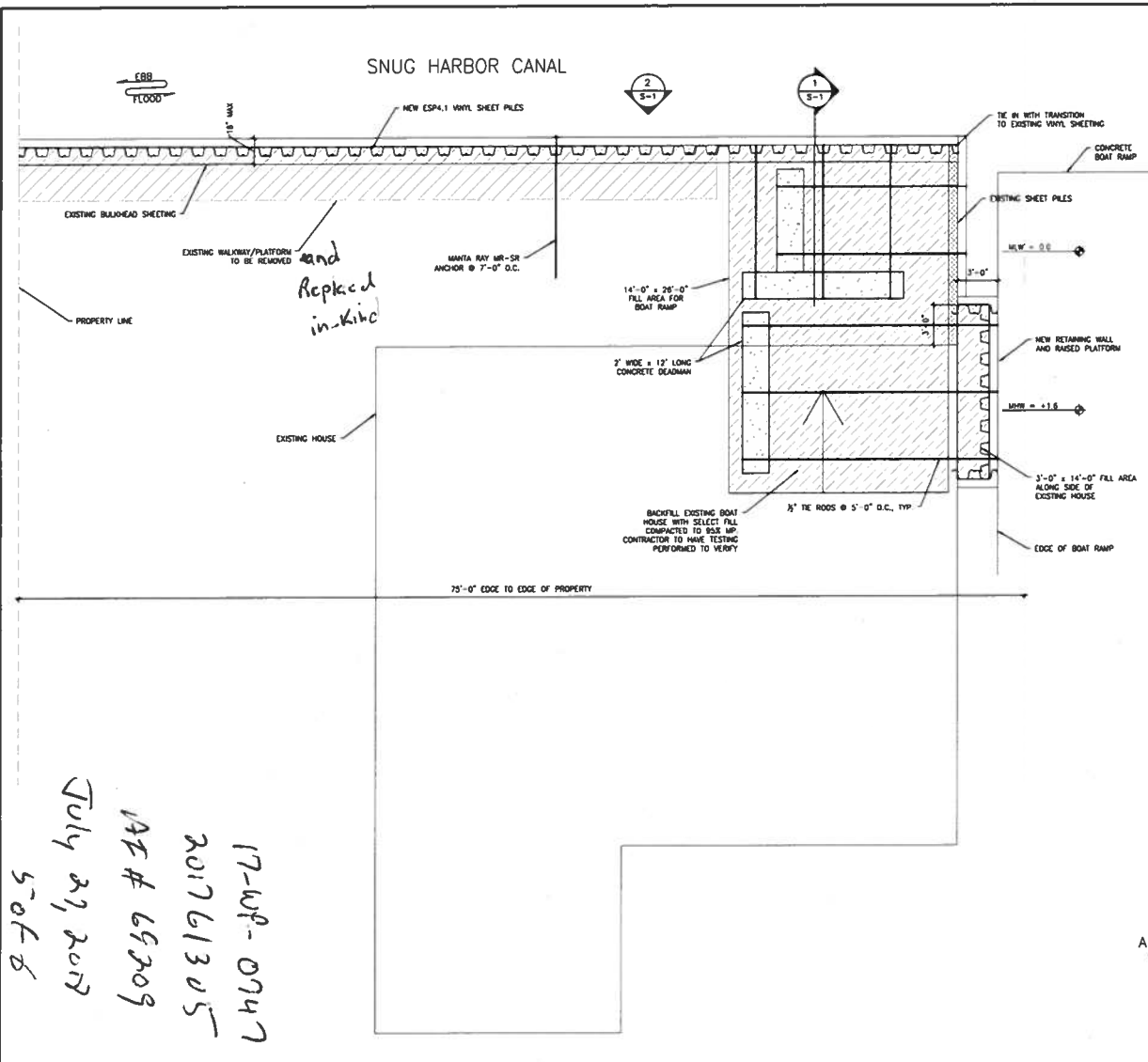
Revision

General Notes:

1. Bulkhead design will Meet or exceed Worcester County Specifications and Standards.
2. The tie back system shall be the Manta Ray MR-1 with 1" tierods.
3. The sheathing will be the C-Lok 9000 system.
4. Scale: 1/2" = 1'

*17-WF-0747
201761305*

*AJ# 69209 40f6
Revised July 27, 2017 Sept. 13, 2017*



SITE PLAN
SCALE: 1/4" = 1'-0"

ENGINEERING NOTES

PILES SHALL BE INSTALLED BY AN AUTHORIZED CONTRACTOR WHO HAS SATISFIED THE REQUIREMENTS RELATING TO THE TECHNICAL ASPECTS OF THE PRODUCT AND THE DESCRIBED INSTALLATION TECHNIQUES.

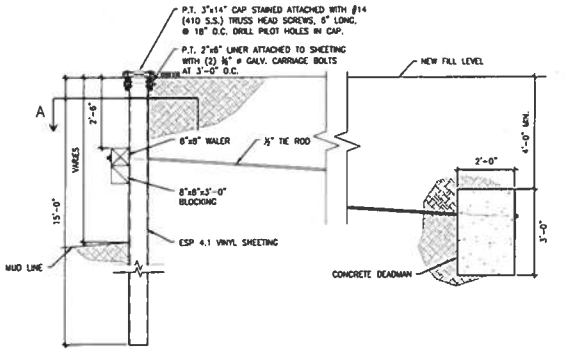
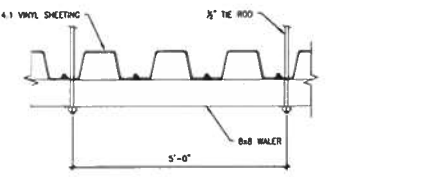
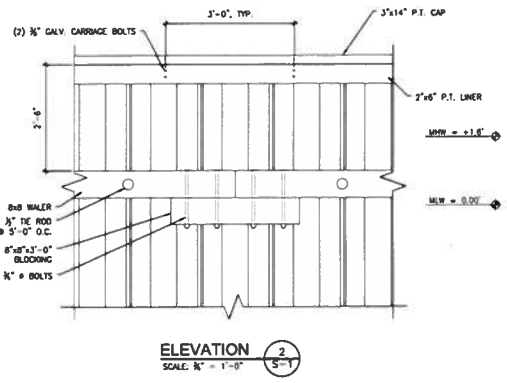
ALL WORK AS DESCRIBED HEREIN SHALL BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE SAFETY CODES IN EFFECT AT THE TIME OF INSTALLATION.

CONTRACTOR SHALL SUBMIT SHEET PILE SHOP DRAWINGS FOR APPROVAL PRIOR TO INSTALLATION.

PILES SHALL BE INSTALLED TO A MINIMUM DEPTH OF 7'-0" BELOW GRADE.

PILES SHALL BE INSTALLED IN STRICT ACCORDANCE WITH MANUFACTURER RECOMMENDATIONS.

CONTRACTOR SHALL SUBMIT PILE INSTALLATION RECORDS TO ENGINEER FOR REVIEW.



PRINTS ISSUED FOR PERMIT		
DATE		
REVISIONS		
NO		
SNUG HARBOR BULKHEAD BERLIN, MARYLAND		
BULKHEAD DETAILS		
SCALE	AS NOTED	SHEET NO.
DESIGNED BY		
CHECKED BY		
DATE	JULY 2018	
		S-1

17-WF-0947
201761305
AT # 69309
July 27, 2017
5 of 6

A B C D E F G H J
75°10'00" 75°07'30"

Joins Map 8

1,330,000 FT

21811

DALLS ACRES
ASSATEAGUE

UPPER SINEPUXENT NECK

Saint Johns
Vrd Methn

GREY FOX LA
CREEK

GOLDEN QUARTER NECK

AYER

PLAN SHORE
SHORE GC
SOUTH

DECATUR

AYRES CREEK FARMS

LOWER SINEPUXENT NECK

Dutch Harbor

Assateague Island

611

316

Bethany
United Methodist

SEASIDE

ASSATEAGUE
POINTE

LEWIS CORNER

GATEWAY
TR PK

GRAY'S
CREEK

GRAY'S
CREEK

STEPHEN

FORBIM

TALE

DR

DR

12342 SMOO-H
RD

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SINEPUXENT
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