

U.S. Army Corps  
of Engineers  
Baltimore District

# Public Notice

In Reply to Application Number  
NAB-2020-61931 (Linstead Comm Assoc, Inc./Revetment, Groin, &  
Living Shoreline)

PN-21-12

Comment Period: March 29, 2021 to April 27, 2021

**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) and Section 404 of the Clean Water Act (33 USC 1344), as described below:

**APPLICANT:** Linstead Community Association, Inc.  
P.O. Box 404  
Severna Park, Maryland 21146

## **WATERWAY AND LOCATION OF THE PROPOSED WORK:**

The proposed project is located in the Severn River at 33 Boone Trail, Severna Park, Anne Arundel County, Maryland (39.063867, -76.557274).

## **OVERALL PROJECT PURPOSE:**

The overall project purposes are to provide shoreline erosion protection and create/improve habitat, by constructing a stone revetment and a stone sill, capping a stone groin, and constructing a living shoreline, in the Severn River, at 33 Boone Trail, Severna Park, Anne Arundel County, Maryland.

## **PROJECT DESCRIPTION:**

To construct a stone revetment measuring 45 foot long by 3.2 foot wide (146 square feet), to replace in-kind a stone groin measuring 100 foot long by 10.5 foot wide (944 square feet), and to construct a living shoreline as follows: to construct a stone sill measuring 99 foot long by 11.2 foot wide (1,067 square feet), to emplace approximately 105 cubic yards of clean sand fill into a 2,030 square foot area, and to plant approximately 2,030 square feet of marsh vegetation. All work will extend a maximum of 100 feet channelward from the approximate mean high water shoreline.

## **EFFECTS ON AQUATIC RESOURCES:**

Activity (i.e. culvert)	WoUS Impact (Sq. Ft.)	Wetland Impact (Sq. Ft.)	Authority (Section 10/404/408)
Stone Fill for Groin, Sill, and Revetment (Permanent)	2,157	0	Section 10/404
Sand Fill (Permanent)	2,030	0	Section 10/ Section 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:**

The proposed project consists of structures for shoreline erosion protection and the construction of a living shoreline. The applicant is proposing to replace in-kind a stone groin and to construct a stone revetment to address shoreline erosion at the project site. The proposed living shoreline would result in a net increase of tidal wetlands. The applicant designed the project to the minimal footprint necessary to achieve the project purpose successfully. It is anticipated that once functionally mature, the tidal wetland component of the constructed living shoreline project would compensate for any aquatic resource losses on-site and within the watershed. Compensatory mitigation is not being proposed by the applicants for impacts to open water (sub-tidal) habitat. Approximately 1,383 square feet of 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:** 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 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:**

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 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 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. 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-2020-61931-M46.

**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:

Nicole Voelker  
(Nicole.M.Voelker@usace.army.mil)  
U.S. Army Corps of Engineers, Baltimore District  
Regulatory Branch  
2 Hopkins Plaza  
Baltimore, Maryland 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 (Nicole Voelker, (410)-962-1847, and Nicole.M.Voelker@usace.army.mil). This public notice is issued by the Chief, Regulatory Branch.

Plan Revised to show mapped SAV bed and reduce impact on SAV.

## Proposed Living Shoreline w/ Stone Sill, Stone Revetment, and Stone Groin Augmentation

### Proposed:

Stone Sill - 99' L x 11.5' to 4' W x 3.5' to 1.5' H including return  
91 c.y., 400 lb. to 1,200 lb. Class II Stone  
Footprint = 1,067 s.f.

Stone Revetment - 45' L x 4.5' to 1.5' W x 3.5' to 1' H  
6 c.y. 400 lb. to 1,200 lb. Class II Stone  
Footprint = 135 s.f.

In-Kind Replacement of ex. Stone Groin  
100' L x 10' W x 1' H  
39 c.y., 400 lb. to 1,200 lb. Class II Stone  
Footprint = 944 s.f.

Marsh Creation - 2,030 s.f., Smooth Cordgrass on 1' spacing

Sand Fill - 105 c.y.

Total Stone - 136 c.y.,  
Total Footprint - 3,567 s.f. (excluding in-kind replacement)

Length of Project at MHWL = 208'

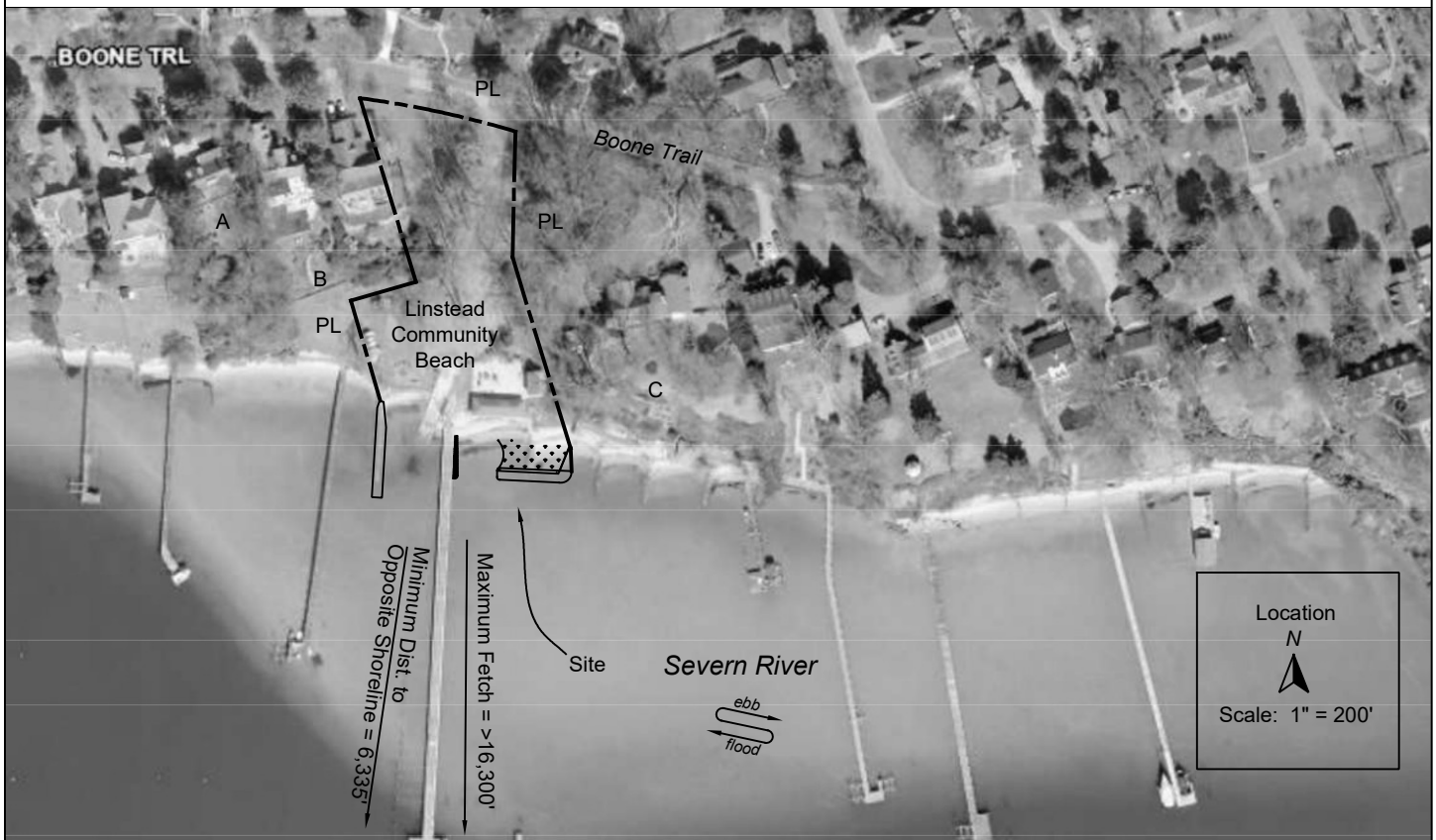
Max. Distance from MHWL = 100'

1,383 s.f. of proposed activity lies w/in mapped SAV bed. (VIMS 2019)

Land Access for Materials  
45' L x 4' W  
wheelbarrow over  
plywood sheets.  
180 s.f.  
No Mechanical Disturbance  
No Permanent Disturbance

Waterfront Property Owners  
w/in 175' (mailing addresses)

- A) Kathleen A. Obrien  
39 Boone Trail  
Severna Park, MD 21146
- B) Donald S., Jr. and Renee N. Hubard  
37 Boone Trail  
Severna Park, MD 21146
- C) Robert A. and Barbara A. Houck  
27 Boone Trail  
Severna Park, MD 21146



Proposed:  
Living Shoreline w/ Stone Sill, Revetment,  
and Stone Groin Augmentation

Purpose:  
Erosion Control

For Permit Purposes Only

Scale: As Shown

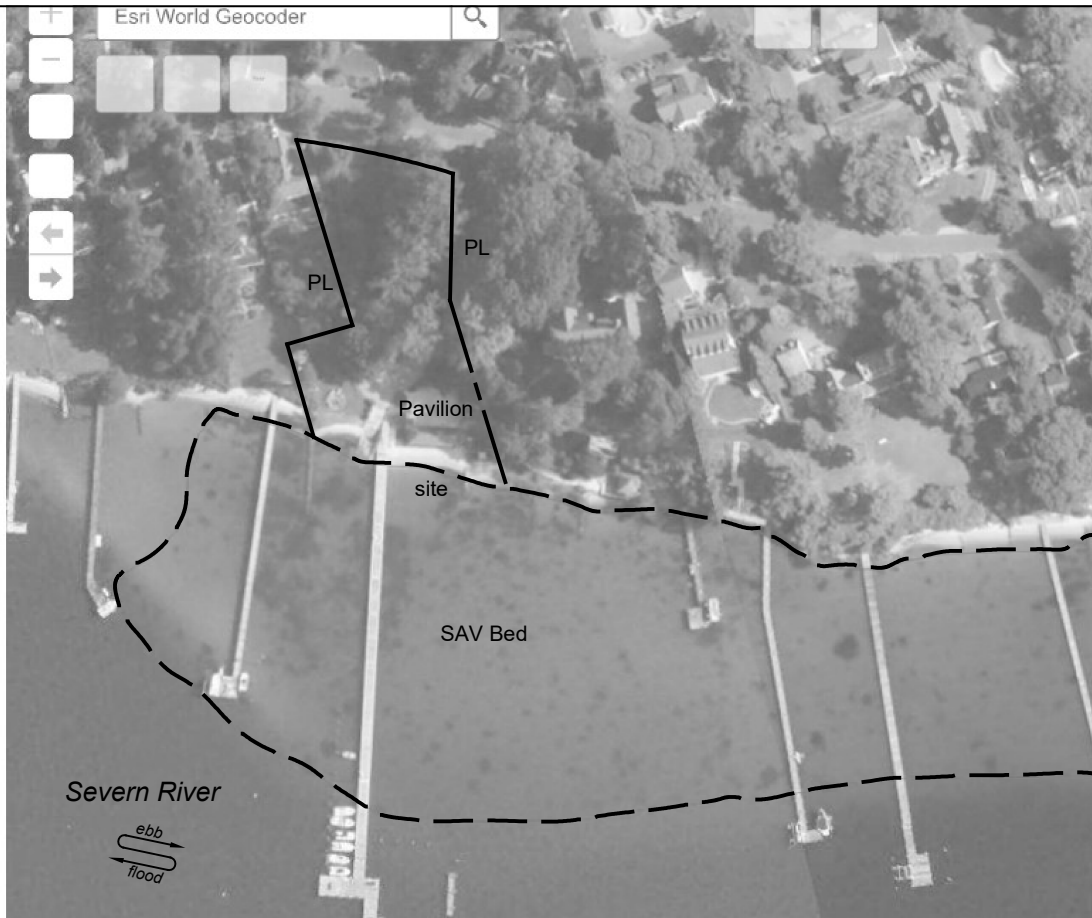
Datum MLWL

Location:  
33 Boone Trail., Severna Park, MD 21146  
Tax # 3490- 0631-4166  
Tax Map 0031, Parcel 0084, Lots 17,  
pt. of 16 and 18  
Severn River, Anne Arundel Co.  
Coordinates: 39° 03' 08" N, 76° 33' 25" W  
ADC Map 34, C - 2  
Zoning: R2, CA Designation: LDA

Applicants:  
Linstead Community  
Association, Inc.  
P.O. Box 404  
Severna Park, MD 21146  
Date: February 1, 2021  
Revision to:  
Tracking # 2020-61931  
NAB - 2020-61931  
AA Co. BO2388656

Flood Bros. Marine  
Consultants, Inc.  
3265 Harness Creek Rd.  
Annapolis, MD 21403  
410-507-8917

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Linstead Community Beach  
Occurance of SAV  
per VIMS 2019



Scale: 1" = 200'

1,383 s.f. of proposed activity lies w/in  
mapped SAV bed.

200ft  
-76.557 39.064 Degrees

<https://mobjack.vims.edu/sav/oldsite/savwabmap/>

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Living Shoreline w/ Stone Sill, Revetment,  
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**Purpose:**  
Erosion Control

**For Permit Purposes Only**

Scale: As Shown

Datum MLWL

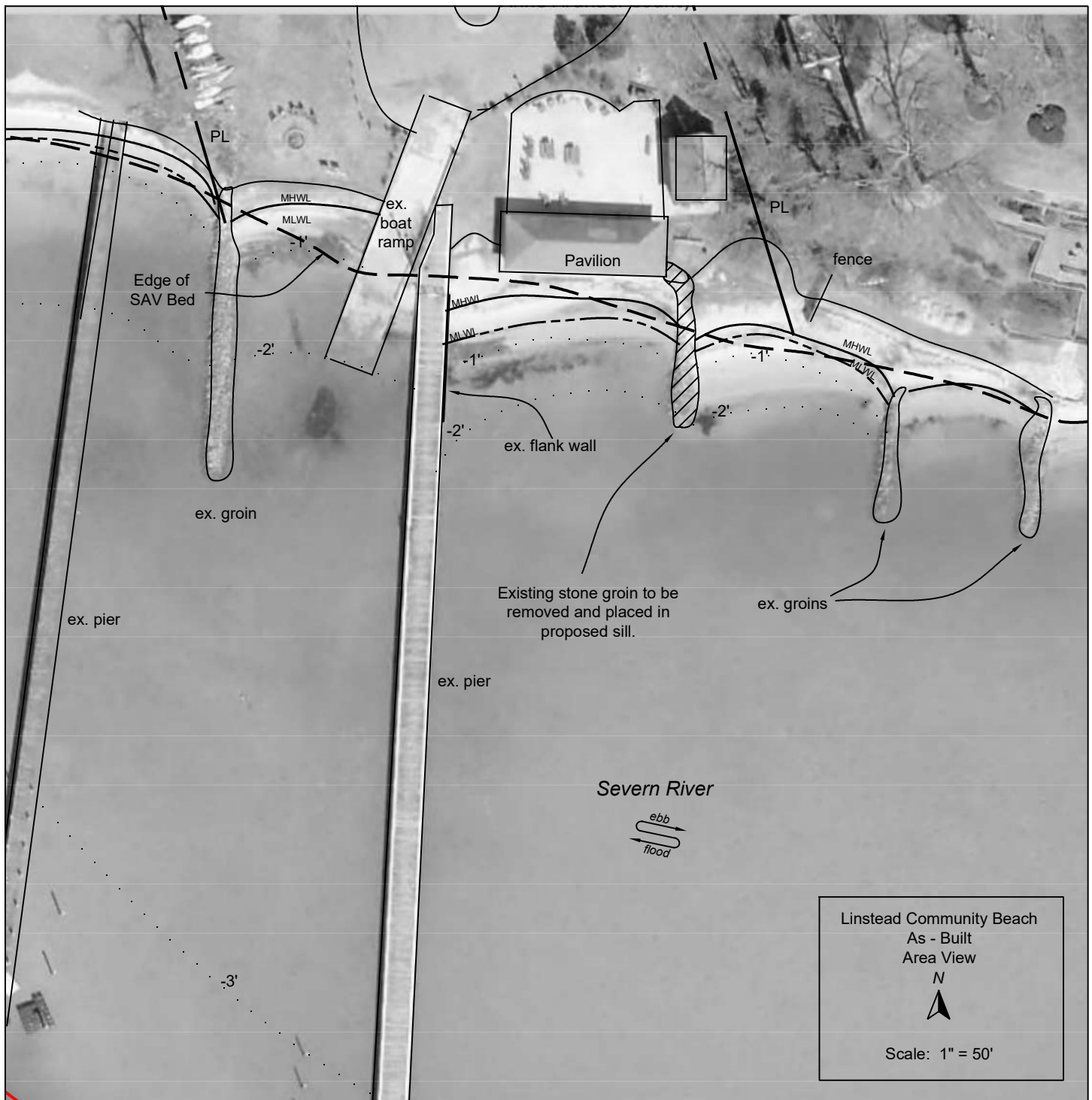
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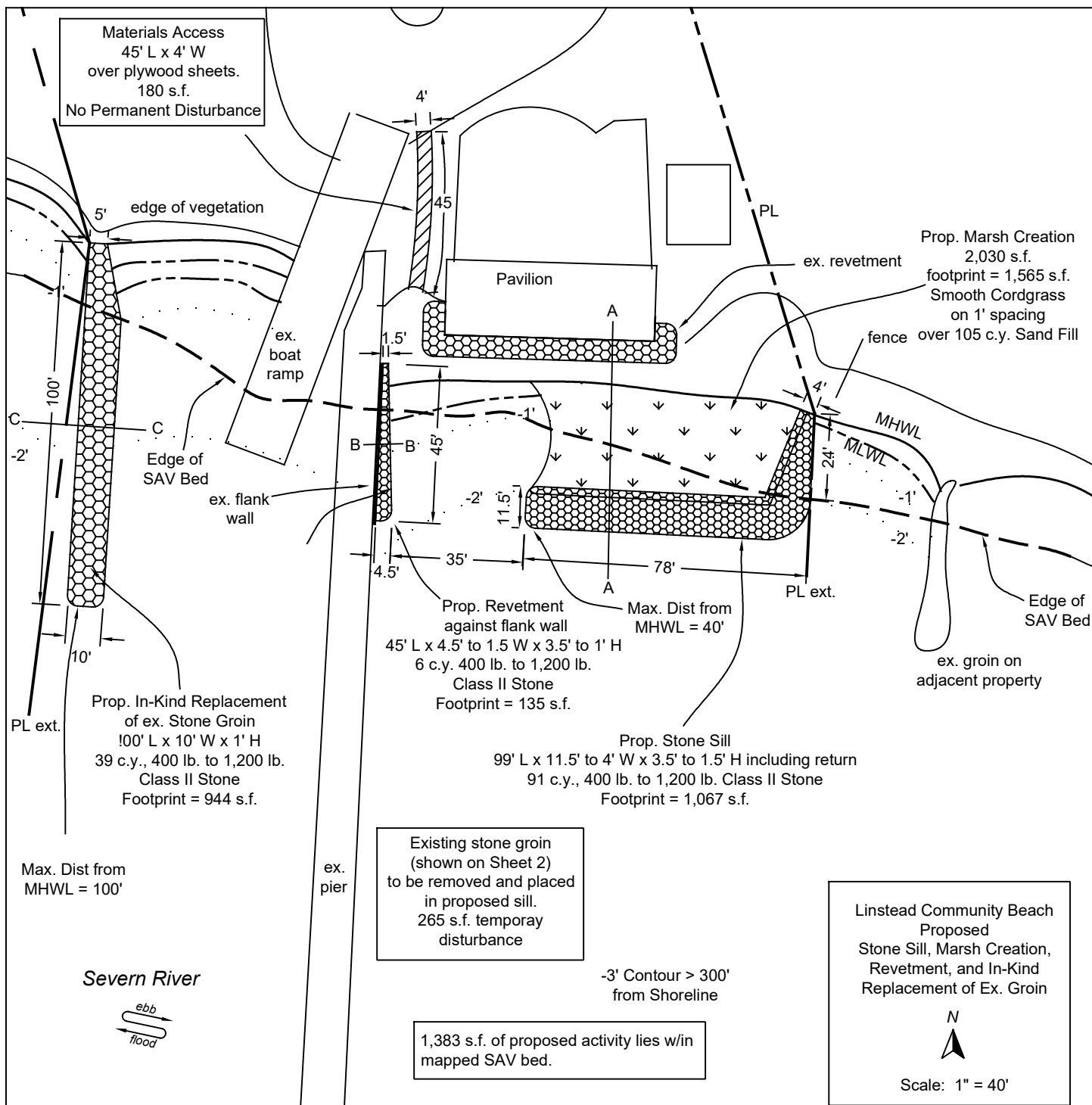
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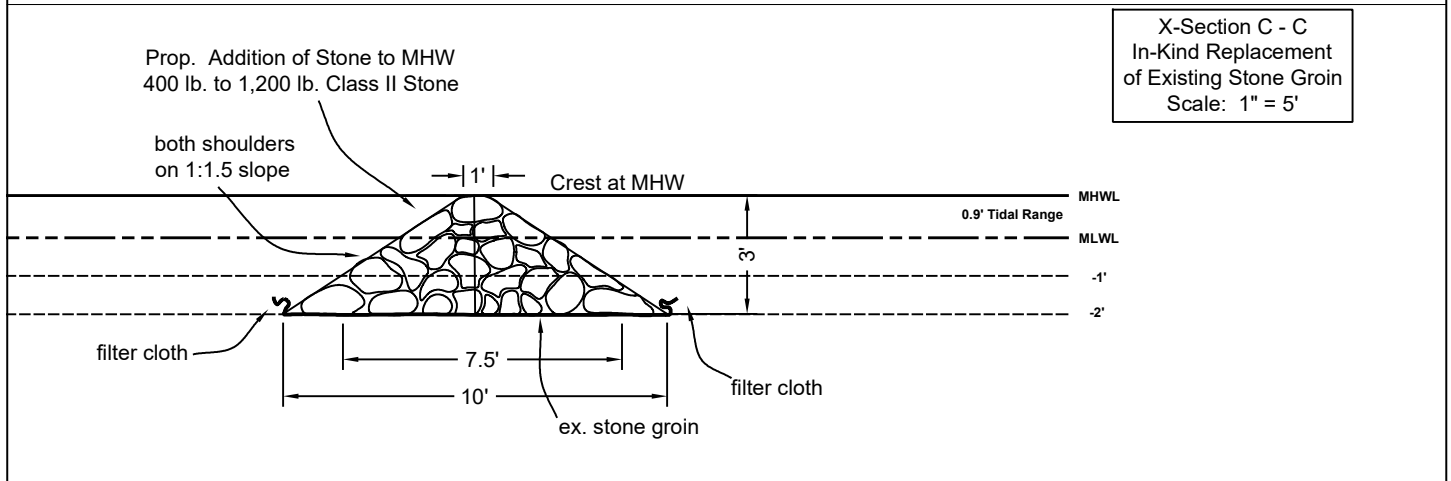
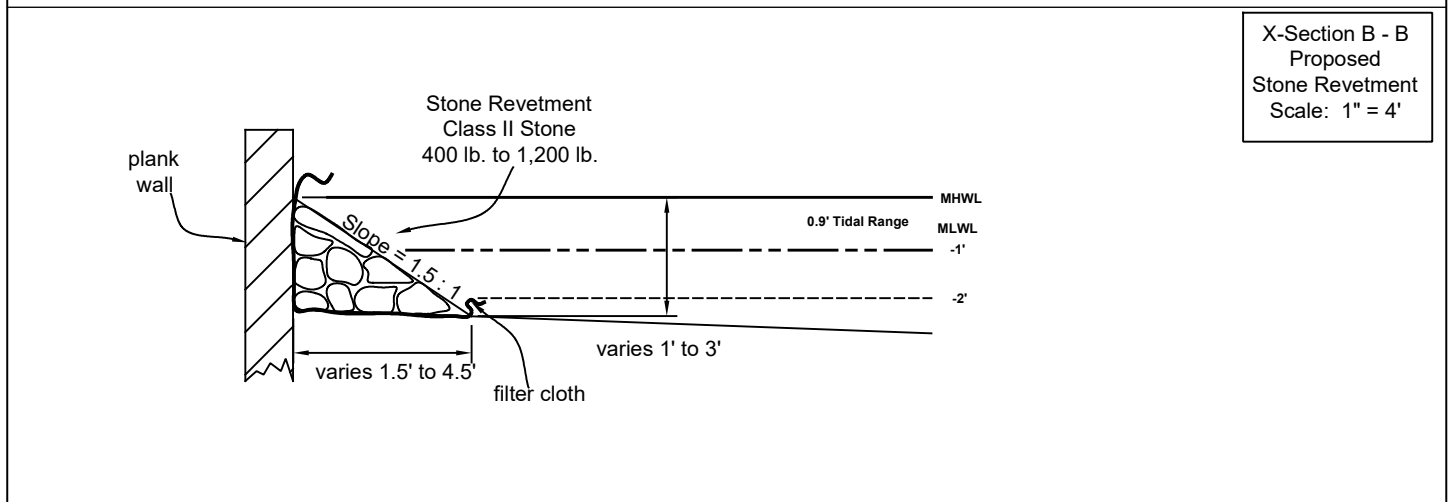
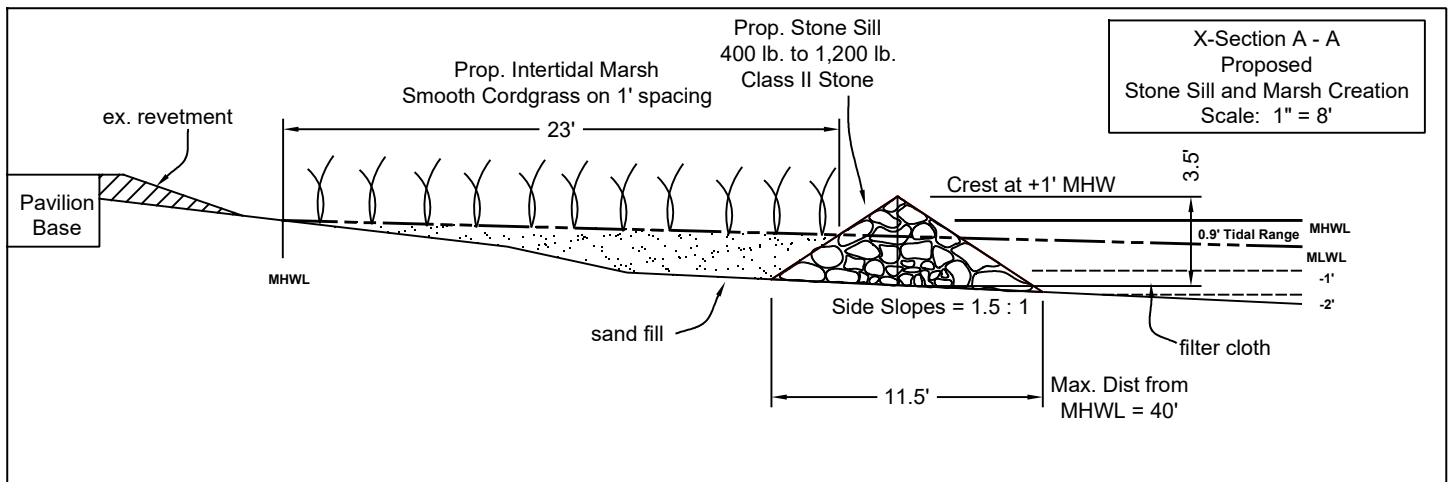


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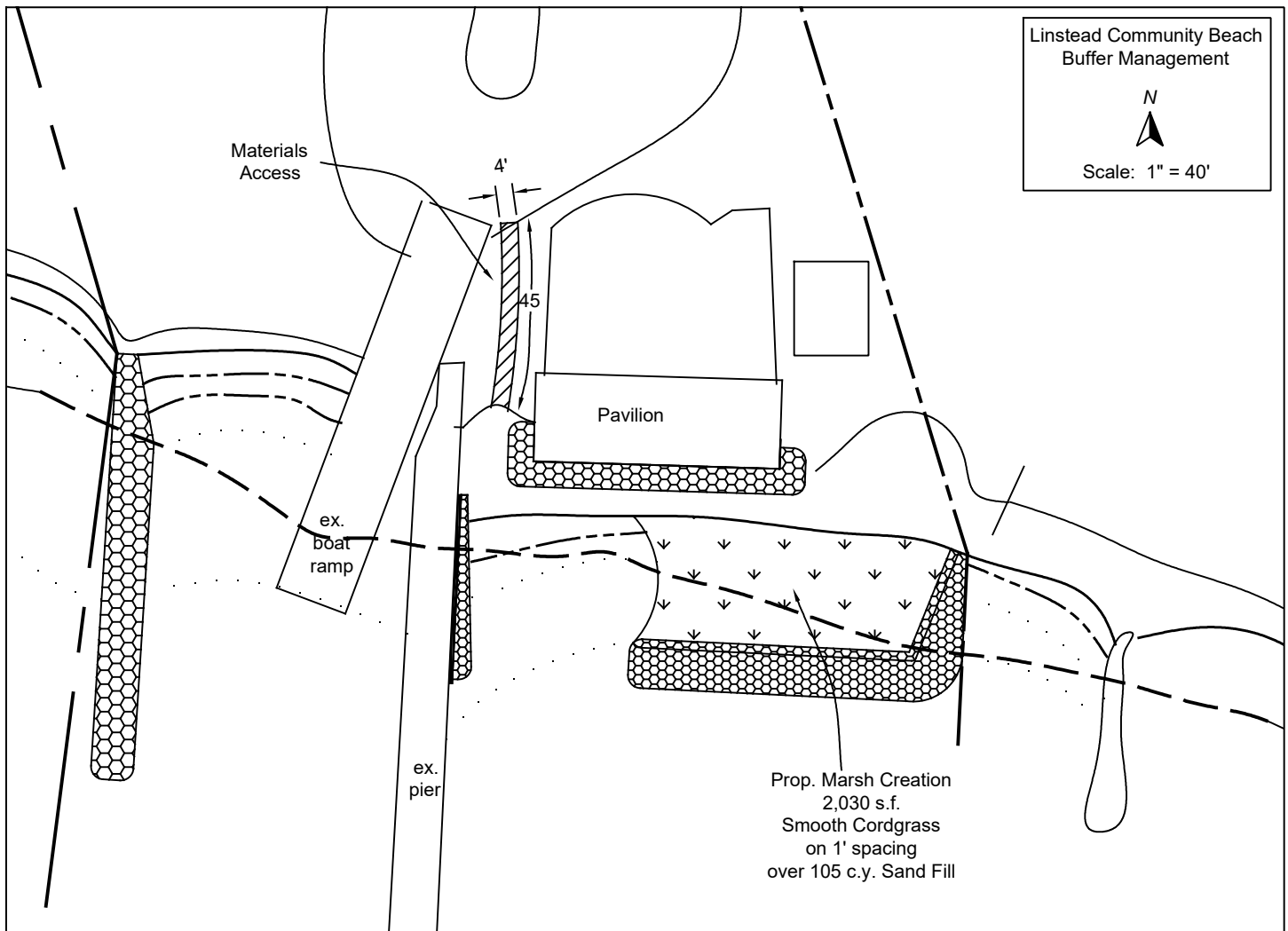


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#### Buffer Management Plan:

Materials Access  
45' L x 4' W over plywood sheets.  
180 s.f.

No Mechanized Equipment

No Permanent Disturbance

#### Planting Plan:

1. All plantings should be chosen from list of *Native Plants of Anne Arundel County* ([www.aacounty.org/IP/Resources/AANativePlants.pdf](http://www.aacounty.org/IP/Resources/AANativePlants.pdf))
2. Apply low nitrogen, slow release fertilize and mulch.
3. Monitor Plants twice weekly to reduce transplant stress from water deficiency, invasive species competition, pest damage, and disease.
4. Water as necessary but at least once every ten days without rainfall from May through September, depending on soil moisture levels.
5. If needed, use a low nitrogen, slow release fertilizer in late fall or early spring.
6. Two years from planting date, the plantings shall be inspected and assessed to determine the need for replacement plantings.
7. The planting area will be monitored for two years from the planting date. Survival of all plants is required. Any plants that do not survive must be replaced.

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Shoreline to be addressed.



Eastern Portion



Western Portion

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