



U.S. Army Corps  
of Engineers

Baltimore District  
PN-22-08

# Public Notice

In Reply to Application Number  
NAB-2020-60644 (MD DNR Martinak State Park/Bulkhead,  
Revetment, Pier, Platform, Kayak Launch, Boom, and  
Boat Ramp)

Comment Period: April 25, 2022 to May 25, 2022

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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 (33 USC 403) and Section 404 of the Clean Water Act (33 USC 1344), as described below:

**APPLICANT:**

Maryland Department of Natural Resources  
c/o Andy Hanas  
305 Marine Academy Drive  
Stevensville, Maryland 21666

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

The work is located in Watts Creek at Martinak State Park located off 137 Deep Shore Road in Denton, Caroline County, Maryland. (Latitude: 38.861512°N; Longitude: -75.840271°W).

**OVERALL PROJECT PURPOSE:**

To improve navigable access and provide shoreline erosion control.

**PROJECT DESCRIPTION:**

The applicant proposes removal of the existing deteriorated bulkhead, pier and concrete boat ramp and to replace with the following: to construct 917 linear feet of replacement bulkhead with approximately 230 cubic yards of clean earth backfill 18-inches channelward of the existing bulkhead; to emplace 10 linear feet of stone revetment; to construct a 32-foot wide by 70-foot long replacement concrete boat ramp; to construct an 8-foot wide by 80-foot long floating platform with an attached 6-foot wide by 32-foot long floating finger pier platform and a 20-foot long by 5-foot wide modular kayak launch; and to construct a 2-foot wide by 45-foot long polymer floating debris deflection boom attached to one anchor pile; all to extend a maximum of 36 feet channelward of approximate mean high water (MHW) shoreline.

**EFFECTS ON AQUATIC RESOURCES:**

Activity	Length (ft)	Width (ft)	Impact (sf)	Authority
Bulkhead	917	1.5	1,375.5	Sections 10/404
Revetment	10	1.5	15	Sections 10/ 404
Concrete Boat Ramp	70	32	2,240	Sections 10/404
Floating Platform	80	8	640	Section 10
Finger Pier	32	6	192	Section 10
Kayak Launch	20	5	100	Section 10
Floating Debris Boom	45	2	90	Section 10
Total Impacts:	4,652.5 sf			

**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:**

Steps were taken to ensure avoidance and minimization of impacts to waters of the United States to the maximum extent practicable. Previously the work was verified under the Maryland State Programmatic General Permit (MDSPGP-5) to remove an existing timber pier; to construct 917 linear feet of replacement bulkhead with approximately 230 cubic yards of clean earth backfill to extend no more than 1.5 feet channelward of the existing deteriorating bulkhead; to emplace 10 linear feet of stone revetment; and to construct a 5-foot wide by 19-foot long floating pier gangway connecting to an 8-foot wide by 36-foot long floating platform attached to 2 timber anchor piles; all to extend a maximum of 29 feet channelward of the approximate mean high water shoreline. The applicant requested additional scope of work to construct a 70-foot long by 24-foot wide concrete boat ramp to replace the existing boat ramp; and to construct an 8-foot wide by 80-foot long floating platform and 6-foot wide by 32-foot long floating finger pier platform with a 20-foot long by 5-foot wide modular kayak launch attached to 4 timber anchor piles; all to extend a maximum of 36 feet channelward of the approximate MHW shoreline.

The applicant proposes to avoid and minimize impacts by replacing the existing deteriorated bulkhead, boat ramp, and timber pier with similar structures/fill with a minor additional encroachment of approximately 7-feet channelward of MHW shoreline. The applicant does not propose compensatory mitigation for the since the applicant proposes to impact less than 5,000 square feet of waters of the United States.

**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 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 2020-60644.

#### **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:

Lamuelle L. Coleman  
Lamuelle.L.Coleman@usace.army.mil  
U.S. Army Corps of Engineers, Baltimore District  
Regulatory Branch  
2 Hopkins Plaza  
Baltimore, Maryland 21201-2930

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 Ms. Laura Coleman of this office, at (443) 853-2051 or via email at [lamuelle.l.coleman@usace.army.mil](mailto:lamuelle.l.coleman@usace.army.mil). This public notice is issued by the Chief, Regulatory Branch.



Feb 11, 2022 - 4:14pm User: defox



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### PROJECT VICINITY MAP

REPLACEMENT OF TIMBER BULKHEADS & PIER  
MARTINAK STATE PARK  
STATE OF MARYLAND DEPARTMENT OF GENERAL SERVICES  
137 DEEP SHORE ROAD  
DENTON, MD 21629

DATE:  
02/11/22

SCALE:  
NOT TO SCALE

**SK001**

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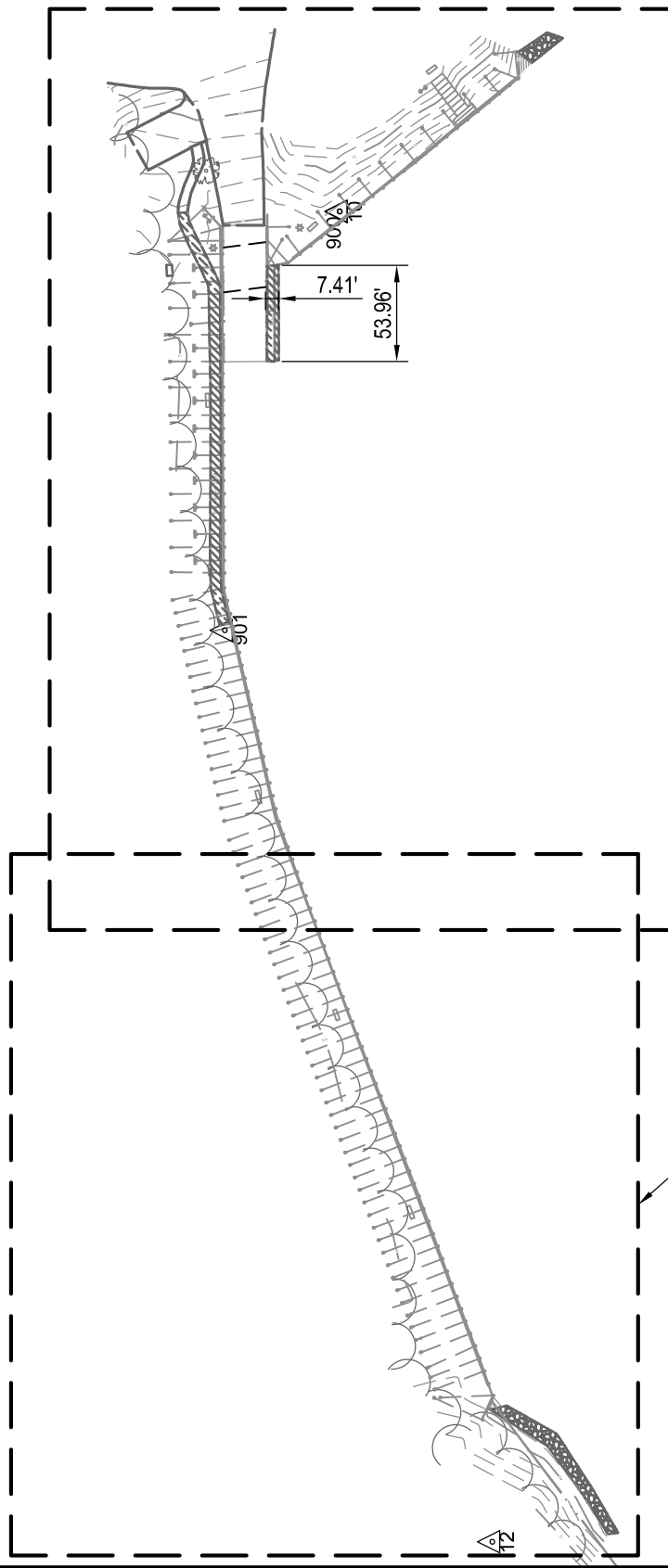
REPLACEMENT OF TIMBER BULKHEADS & PIER  
MARTINAK STATE PARK  
STATE OF MARYLAND DEPARTMENT OF GENERAL SERVICES  
137 DEEP SHORE ROAD  
DENTON, MD 21629

DATE:  
02/11/22

SCALE:  
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SEE SK102

SEE SK102





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OVERALL EXISTING SITE PLAN

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REPLACEMENT OF TIMBER BULKHEADS & PIER  
MARTINAK STATE PARK  
STATE OF MARYLAND DEPARTMENT OF GENERAL SERVICES  
137 DEEP SHORE ROAD  
DENTON, MD 21629

DATE:  
02/11/22

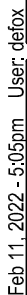
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**SK101**





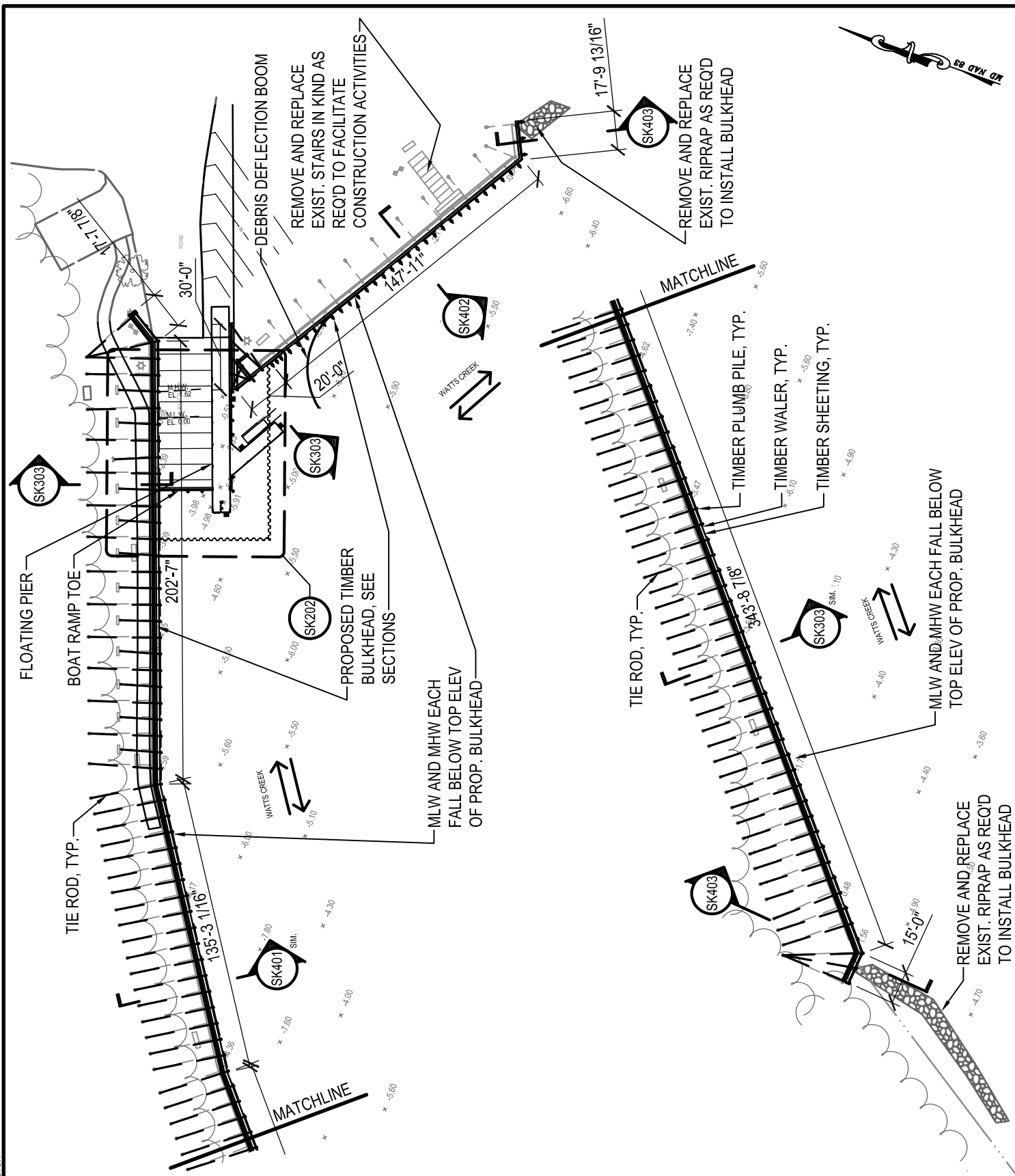
## OVERALL EXISTING PLAN

REPLACEMENT OF TIMBER BULKHEADS & PIER  
MARTINAK STATE PARK  
STATE OF MARYLAND DEPARTMENT OF GENERAL SERVICES  
137 DEEP SHORE ROAD  
DENTON, MD 21629

DATE:  
002/7/2020

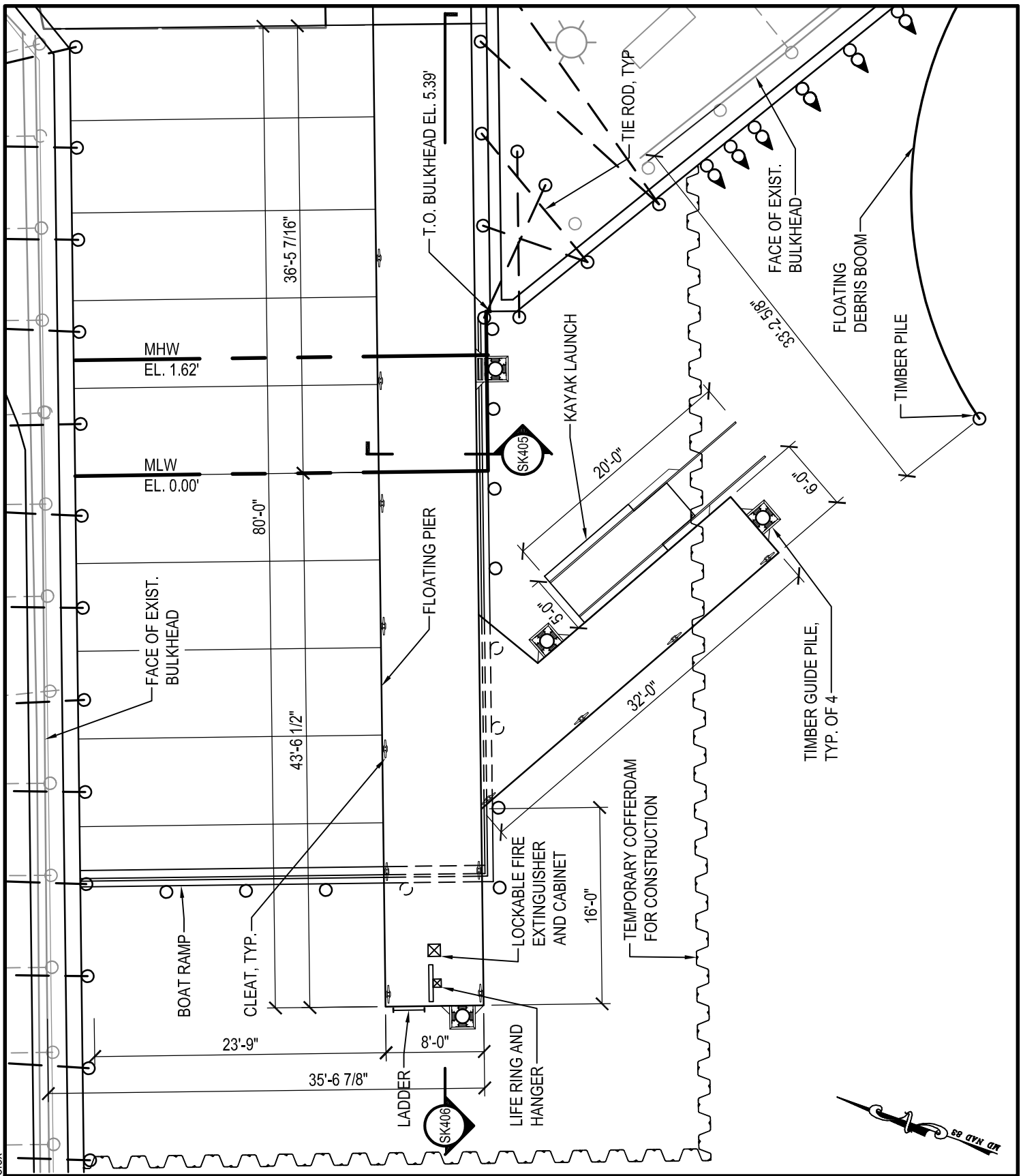
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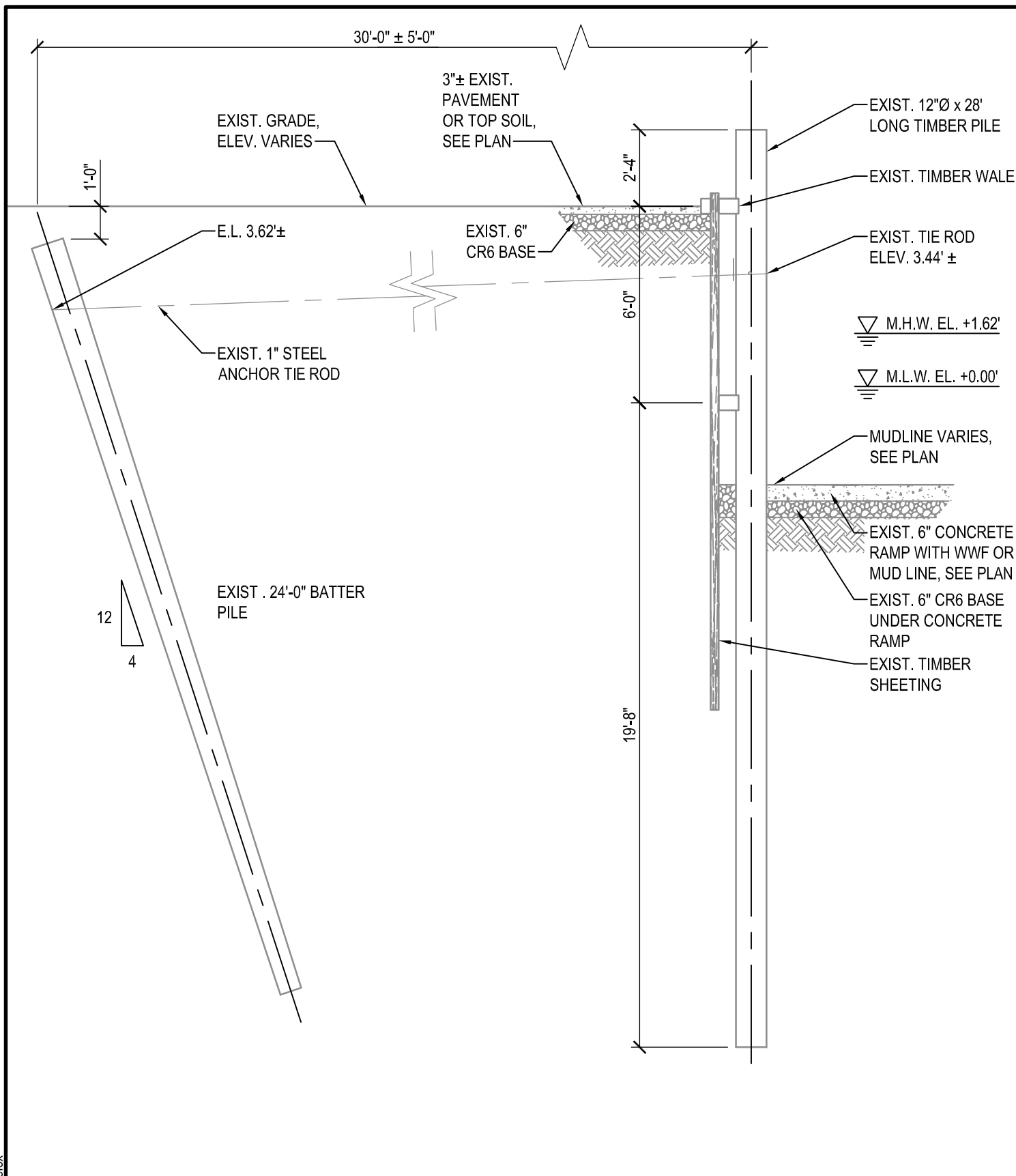
SK102



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## PROPOSED BULKHEAD PLAN





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**EXISTING BULKHEAD SECTION**

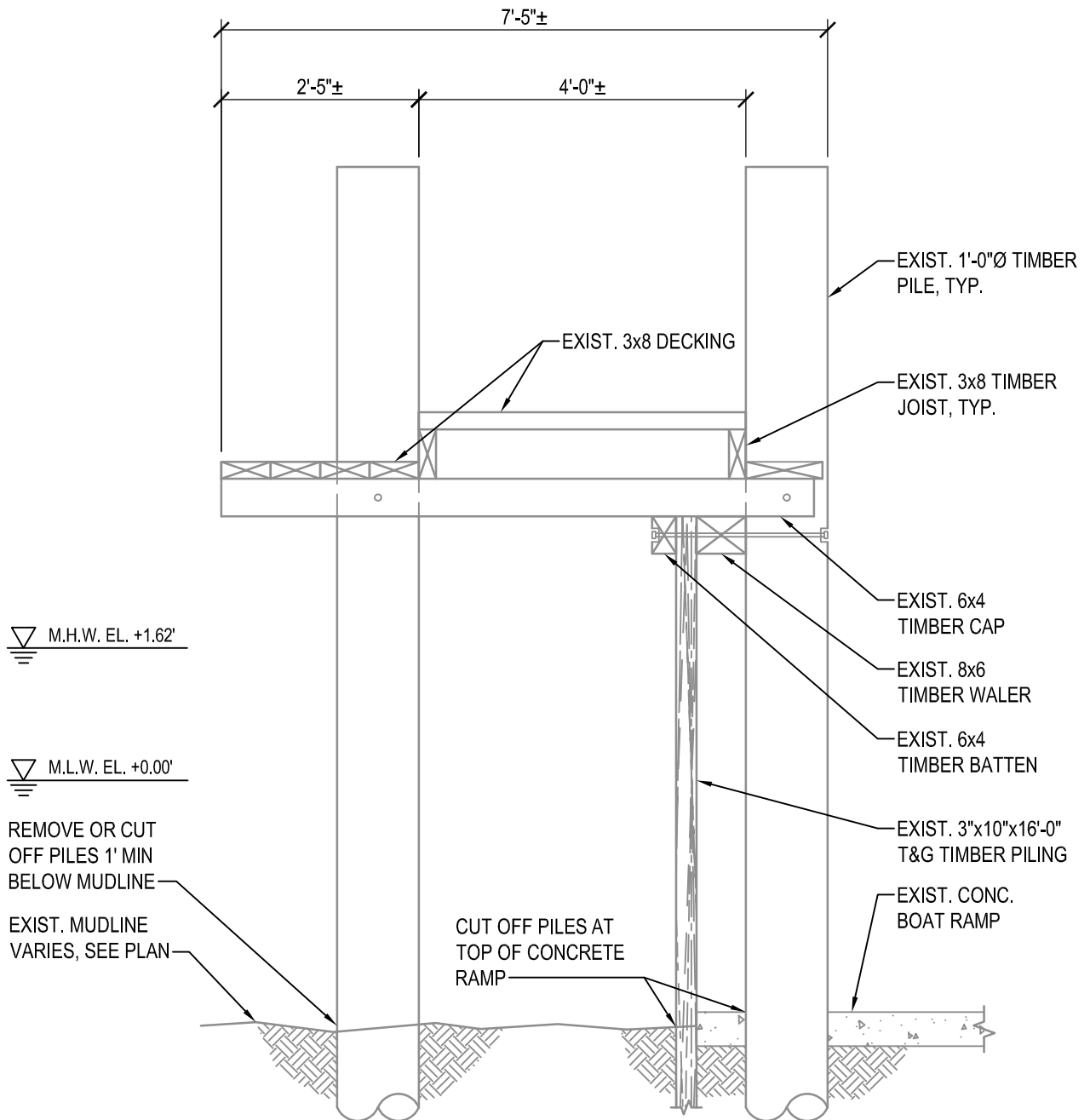
**REPLACEMENT OF TIMBER BULKHEADS & PIER**  
**MARTINAK STATE PARK**  
STATE OF MARYLAND DEPARTMENT OF GENERAL SERVICES  
137 DEEP SHORE ROAD  
DENTON, MD 21629

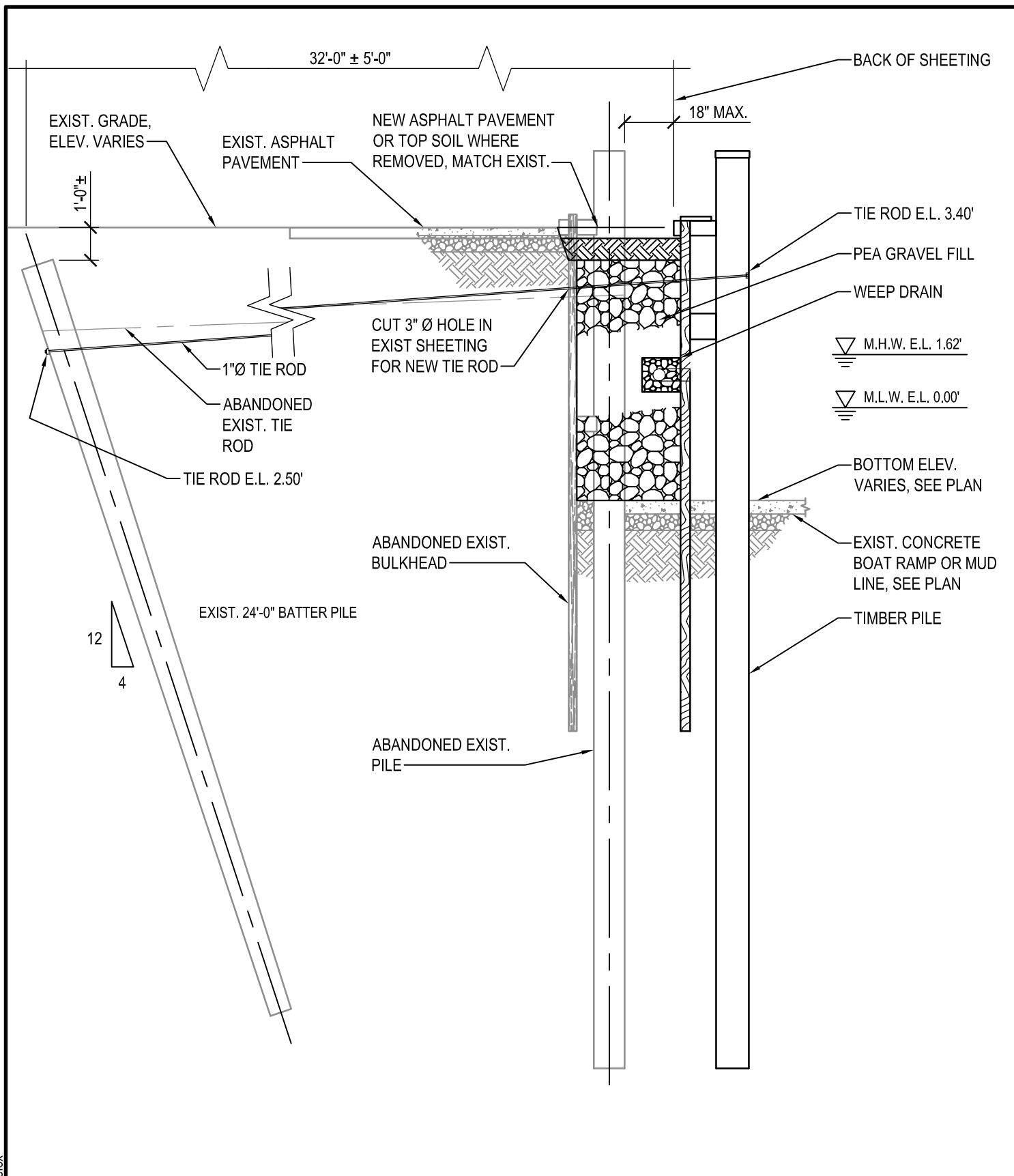
DATE:  
02/11/22

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

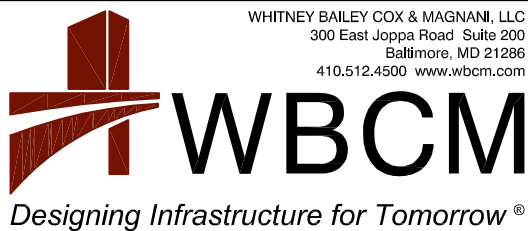
**SK301**

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## PROPOSED WEST BULKHEAD SECTION

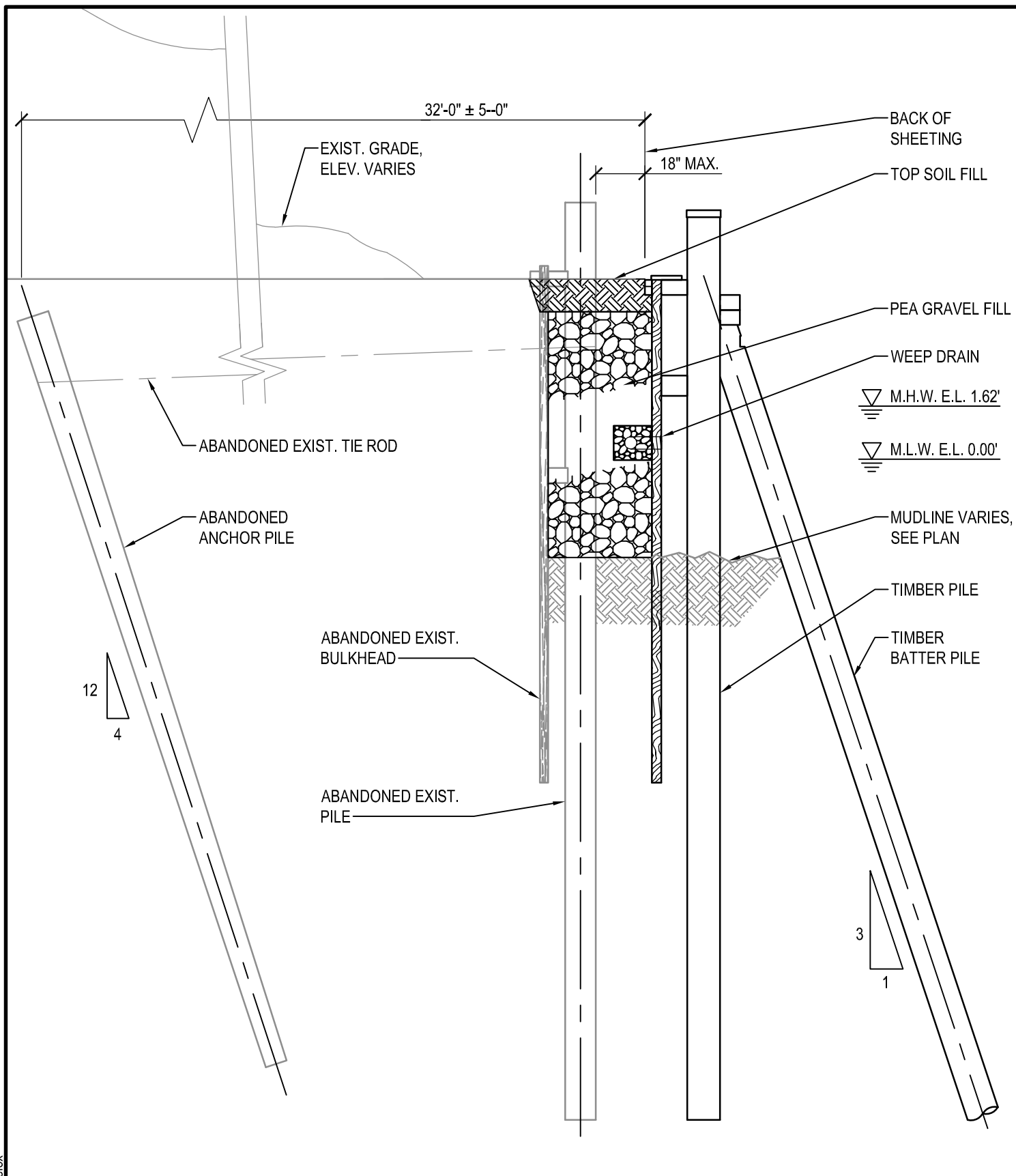
REPLACEMENT OF TIMBER BULKHEADS & PIER  
MARTINAK STATE PARK  
STATE OF MARYLAND DEPARTMENT OF GENERAL SERVICES  
137 DEEP SHORE ROAD  
DENTON, MD 21629

DATE:  
02/11/22

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

**SK401**

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## PROPOSED EAST BULKHEAD SECTION

REPLACEMENT OF TIMBER BULKHEADS & PIER  
MARTINAK STATE PARK  
STATE OF MARYLAND DEPARTMENT OF GENERAL SERVICES  
137 DEEP SHORE ROAD  
DENTON, MD 21629

DATE:  
02/11/22

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

**SK402**

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PILE CAP.  
SEE DETAIL 8/S402

2x12 CAP BOARD, FASTEN  
TO WALE WITH 2-40d GALV.  
SPIKES @ 2'-0" INTERVALS

FINISHED GRADE,  
MATCH EXISTING,  
SEE PLAN

2x6 BATTEN BOARD

TIMBER WALE,  
SIZE VARIES, SEE  
OVERALL SECTION

3/4"Ø BOLT AND DOCK  
WASHERS AT EACH  
WALE. COUNTERSINK  
NUT THIS SIDE.

WEEP DRAIN, INV.  
EL. 1.00' SEE 1/S403

STRUCTURAL FILL

3x10 SS SYP T&G  
SHEETING FASTENED  
W/ (2) - 60D GALV. SPIKES  
@ EACH WALE

CONSTRUCTION

T.O. BULKHEAD ELEVATION  
TO MATCH EXISTING

1"Ø TIE ROD WITH 4"Ø x 3/8"  
PLATE WASHER

TIE ROD EL. 3.40'

MHW EL. 1.62'

MLW EL. 0.00'

STAGGERED WALES, SIZE  
VARIES, SEE OVERALL  
SECTIONS, NOTE 1

CLASS B TIMBER PILE

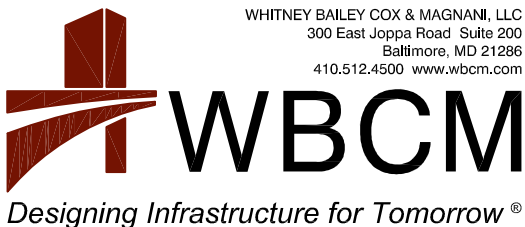
EXIST. STONE BERM,  
REMOVE AND REINSTALL

APPROX.  
EXISTING BOTTOM

DESIGN DREDGE  
EL. -4.60'

MIN. TIP EL. -11.5'

MIN. TIP  
EL. -17.0'



## PROPOSED ANCHORED TIMBER WALL SECTION

REPLACEMENT OF TIMBER BULKHEADS & PIER  
MARTINAK STATE PARK  
STATE OF MARYLAND DEPARTMENT OF GENERAL SERVICES  
137 DEEP SHORE ROAD  
DENTON, MD 21629

DATE:  
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SCALE:  
1/2" = 1'-0"

**SK403**

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FLOATING DOCK (SHOWN AT  
100 YR FLOODPLAIN ELEV.)

CONICAL PILE CAP

FLOATING DOCK (SHOWN  
AT EXTREME LOW TIDE  
ELEV.)

TOP OF PILE ELEV. +9.00'

APPROX. TOP OF FLOATING DECK AT  
FLOOD PLAIN ELEV. +8.57'±

100-YR FLOOD PLAIN ELEV. +6.90'

M.H.W. ELEV. +1.62'

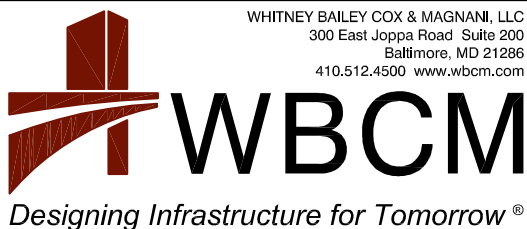
M.L.W. ELEV. 0.00'

EXTREME LOW TIDE ELEV. -3.09'

MUDLINE (VARIES) ELEV. -5.50'±

TIMBER PILE

BOTTOM OF PILE



## GUIDE PILE DETAIL

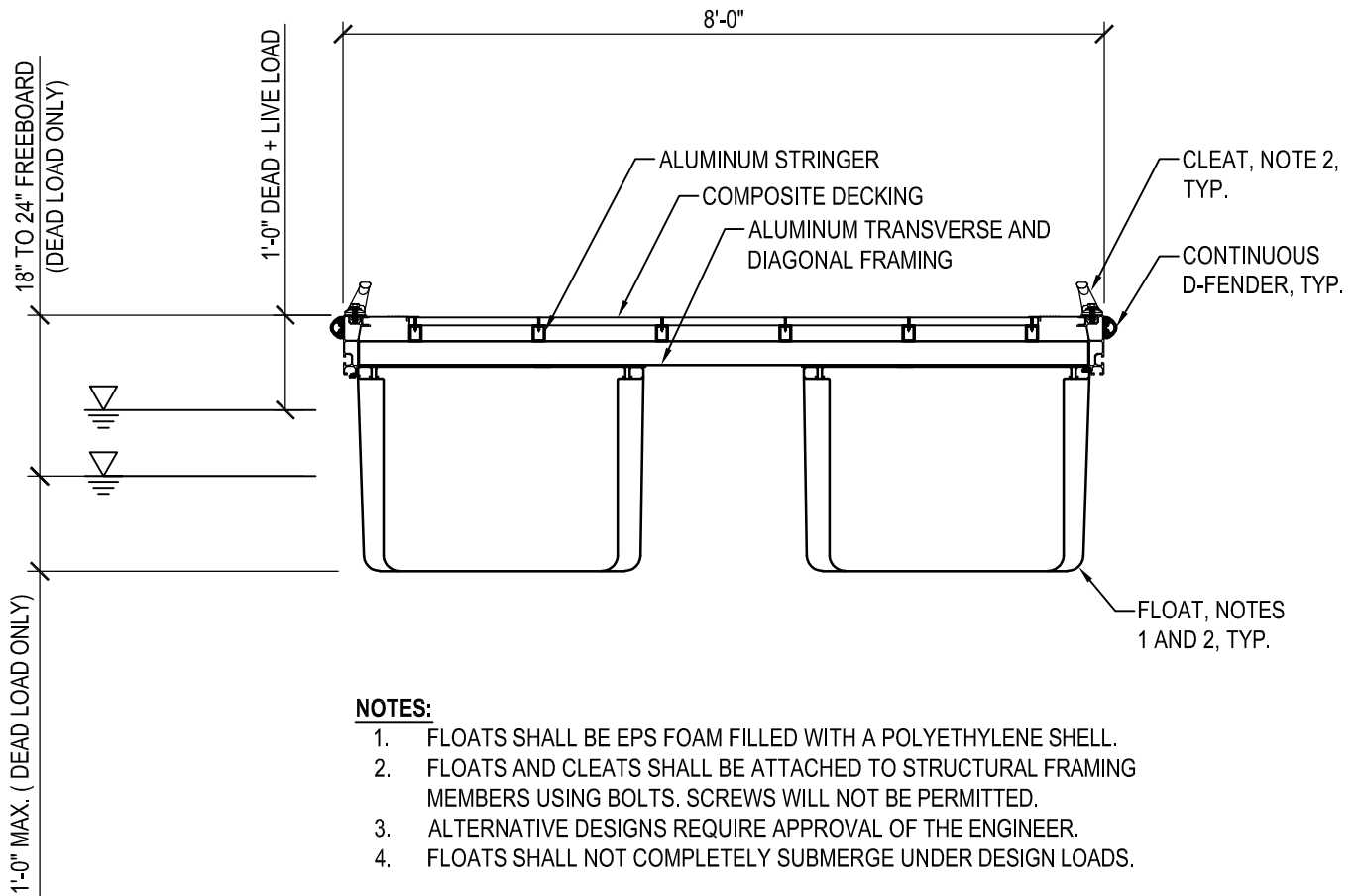
REPLACEMENT OF TIMBER BULKHEADS & PIER  
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STATE OF MARYLAND DEPARTMENT OF GENERAL SERVICES  
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DENTON, MD 21629

DATE:  
02/11/22

SCALE:  
1/8" = 1'-0"

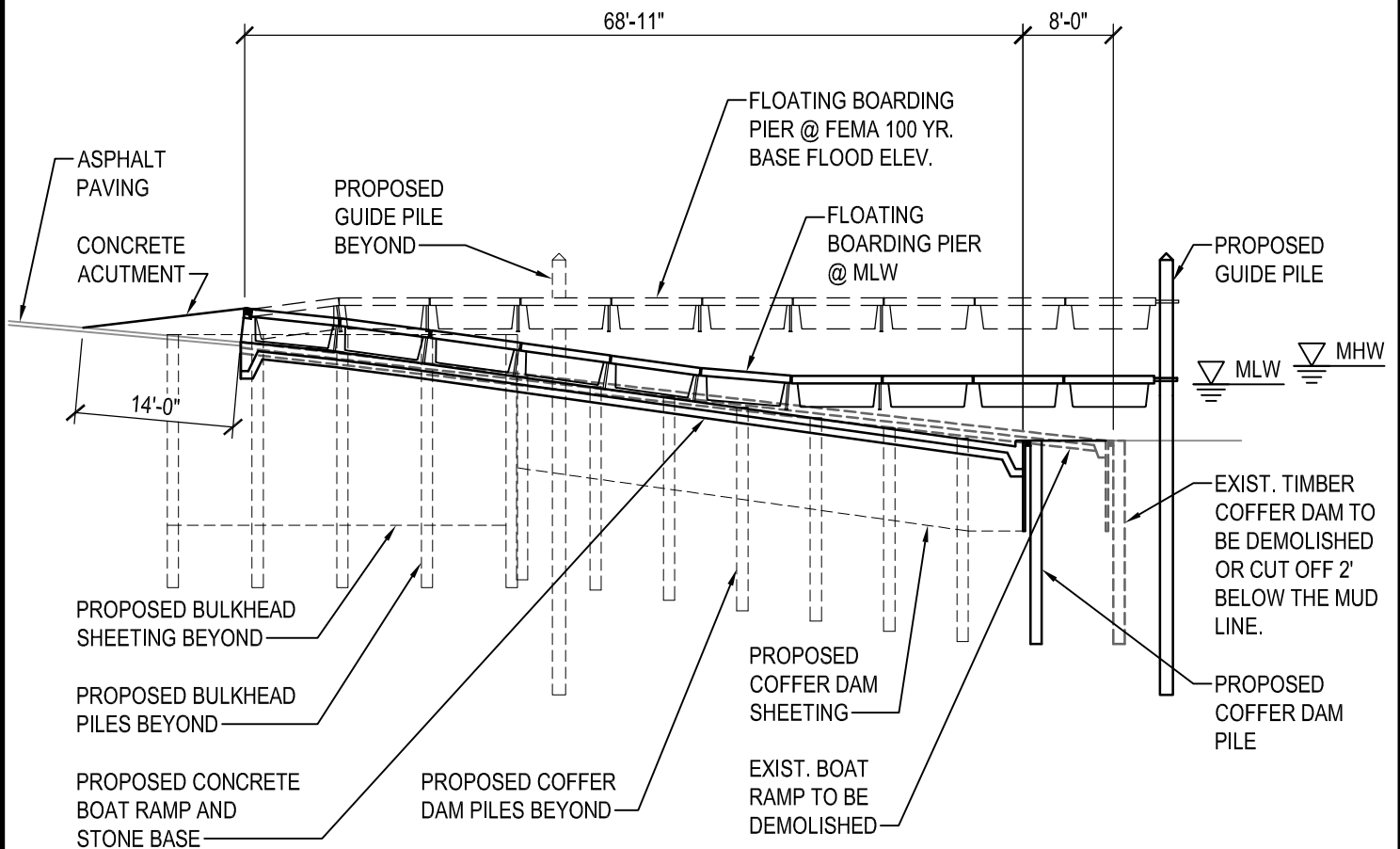
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## ALUMINUM FLOATING PIER





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**RAMP SECTION**

**REPLACEMENT OF TIMBER BULKHEADS & PIER**

**MARTINAK STATE PARK**

STATE OF MARYLAND DEPARTMENT OF GENERAL SERVICES  
137 DEEP SHORE ROAD  
DENTON, MD 21629

DATE: 02/11/22
SCALE: 1/16" = 1'-0"
SK406