

U.S. Army Corps
of Engineers

Baltimore District
PN-20-08

Public Notice

In Reply to Application Number
NAB-2020-60051-P06 (Franklin Manor Citizens
Association Living Shoreline, Beach Nourishment and
Breakwater Extensions)

Comment Period: February 11, 2020 to March 12, 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) and Section 404 of the Clean Water Act (33 USC 1344), as described below:

APPLICANT: Franklin Manor Citizens Association
PO Box 70
Churchton, Maryland 20733

WATERWAY AND LOCATION OF THE PROPOSED WORK: In the Chesapeake Bay at Churchton, Anne Arundel County, Maryland

OVERALL PROJECT PURPOSE: The purpose of the project is to create a beach and living shoreline and to protect the shoreline along the property owned by Franklin Manor Citizens Association.

PROJECT DESCRIPTION: The applicant proposes to: (1) construct approximately 99 linear feet of extensions to existing breakwaters impacting 2,772 square feet of tidal waters; (2) elevate approximately 270-linear-feet of existing breakwaters by 1.5-feet impacting 7,560 square feet of tidal waters; and (3) place approximately 4,281 cubic yards of clean sandy fill, and plant approximately 55,558 square feet of marsh plantings, leaving another 58,380 square feet as beach at Franklin Manor Community Beach in Churchton, Maryland. All work will be tied into the existing marsh with no impacts proposed to existing vegetation.

All work is proposed in accordance with the attached plans prepared by BayLand Consultants & Designers, Incorporated, entitled "Franklin Manor Living Shoreline Project", dated November 2019, sheets 1 through 7.

EFFECTS ON AQUATIC RESOURCES:

Activity	River Impact (Sq. Ft.)	Wetland Impact (Sq. Ft.)	Authority (Section 10/404/408)
Living Shoreline	55,558	0	10/404
Beach Nourishment	58,380	0	10/404
Breakwater extension	2,772	0	10/404
Breakwater height addition	7,560	0	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 and previously authorized work.

No compensatory mitigation is proposed. No submerged aquatic vegetation or existing marsh will be impacted as a result of the proposed project. The project would stabilize the shoreline, protect existing marsh from erosive wave energy and create 55,558 square feet of new tidal marsh. The creation of natural habitat would enhance the growth of plants and create resting and feeding areas for animals in the immediate area

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 will have no effect 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 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. 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 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.

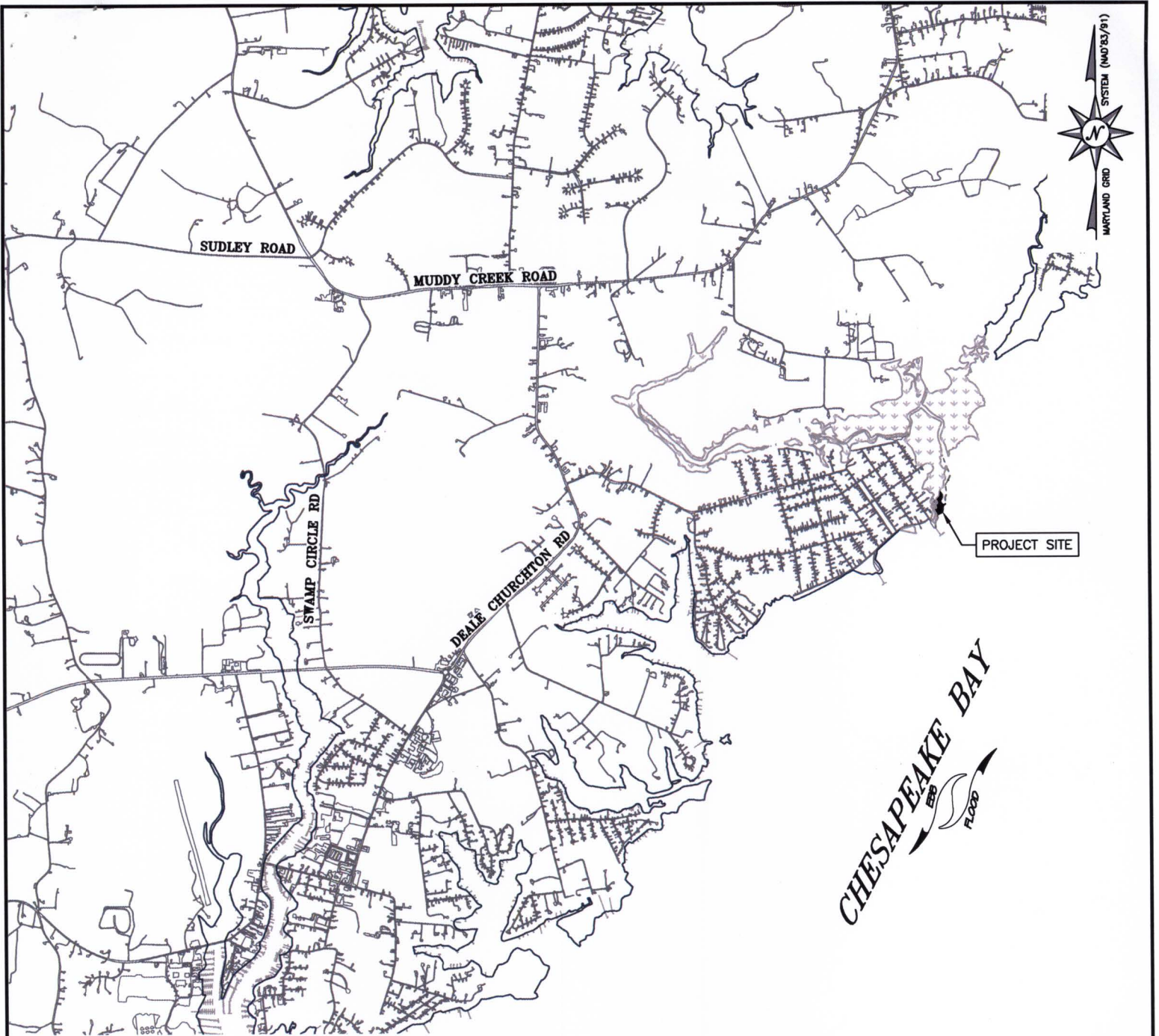
Written comments concerning the work described above related to the factors listed above or other pertinent factors must be received by the U.S. Army Corps of Engineers, Baltimore District within the comment period specified above through postal mail at the address below or electronic submission to the project manager email address below. Written comments should reference the Application Number NAB-2020-60051-P06.

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:

Marion Gall
Marion.gall@usace.army.mil
U.S. Army Corps of Engineers,
1631 South Atherton Street, Suite 101
State College, Pennsylvania 16801

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 Marion Gall, marion.gall@usace.army.mil. This public notice is issued by the Chief, Regulatory Branch.



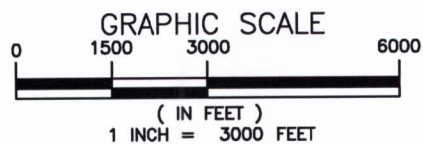
**FRANKLIN MANOR LIVING
SHORELINE PROJECT**

ANNE ARUNDEL COUNTY, MD

APPL. BY: FRANKLIN MANOR CITIZENS
ASSOCIATION

VICINITY MAP

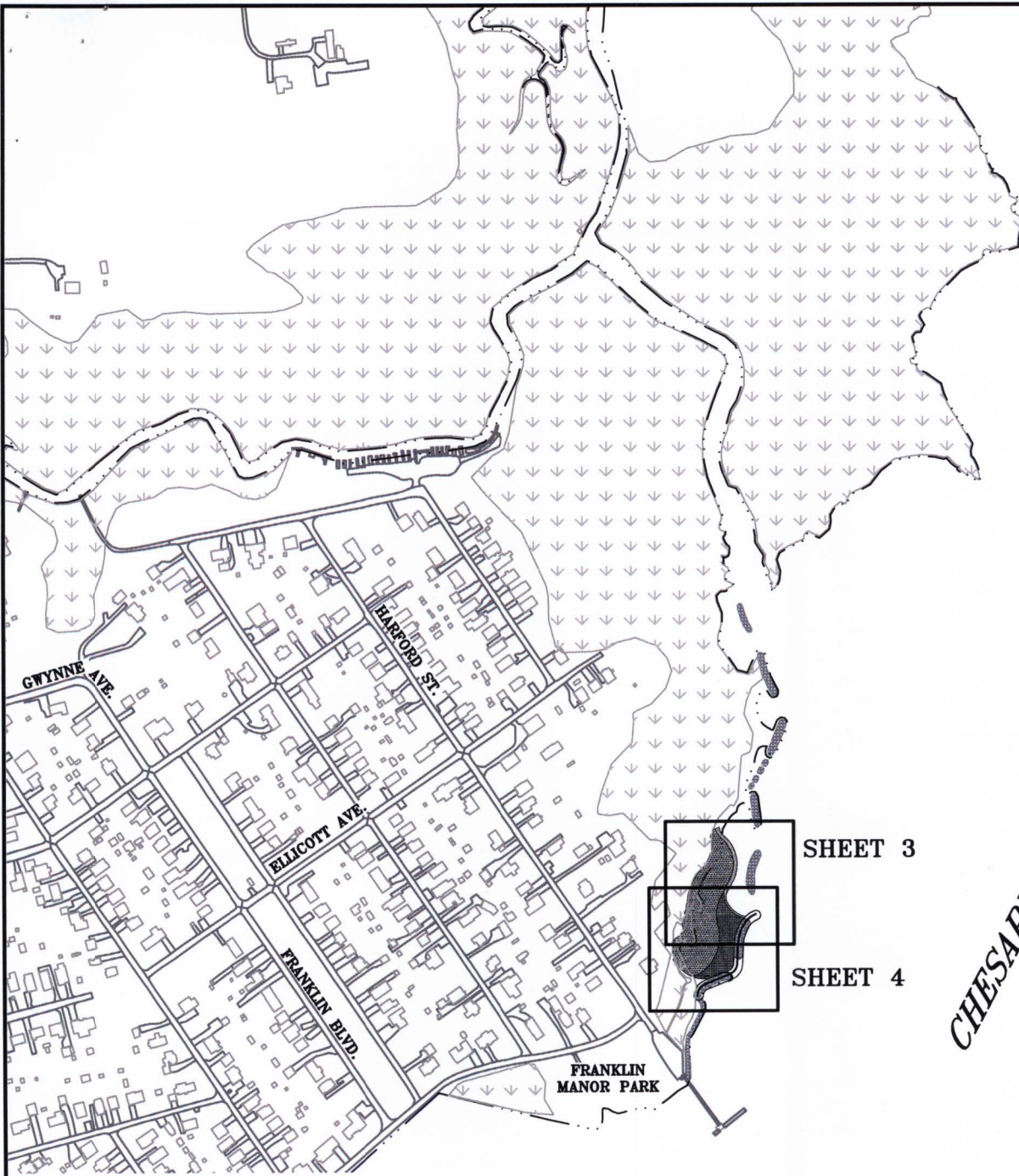
DATE: November 2019 SHEET 1 OF 7



NOTE:
BASEMAP TAKEN FROM ANNE ARUNDEL COUNTY
2016 PLANIMETRICS AND 2017 IMAGERY.

BayLand
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"Integrating Engineering and Environment"

7455 New Ridge Road, Suite T Phone: (410) 694-9401
Hanover, Maryland 21076 Fax: (410) 694-9405
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CHESAPEAKE BAY
FLOOD

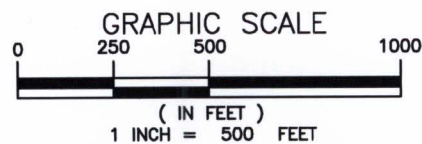
FRANKLIN MANOR LIVING SHORELINE PROJECT

ANNE ARUNDEL COUNTY, MD

APPL. BY: FRANKLIN MANOR CITIZENS ASSOCIATION

KEY SHEET

DATE: November 2019 SHEET 2 OF 7

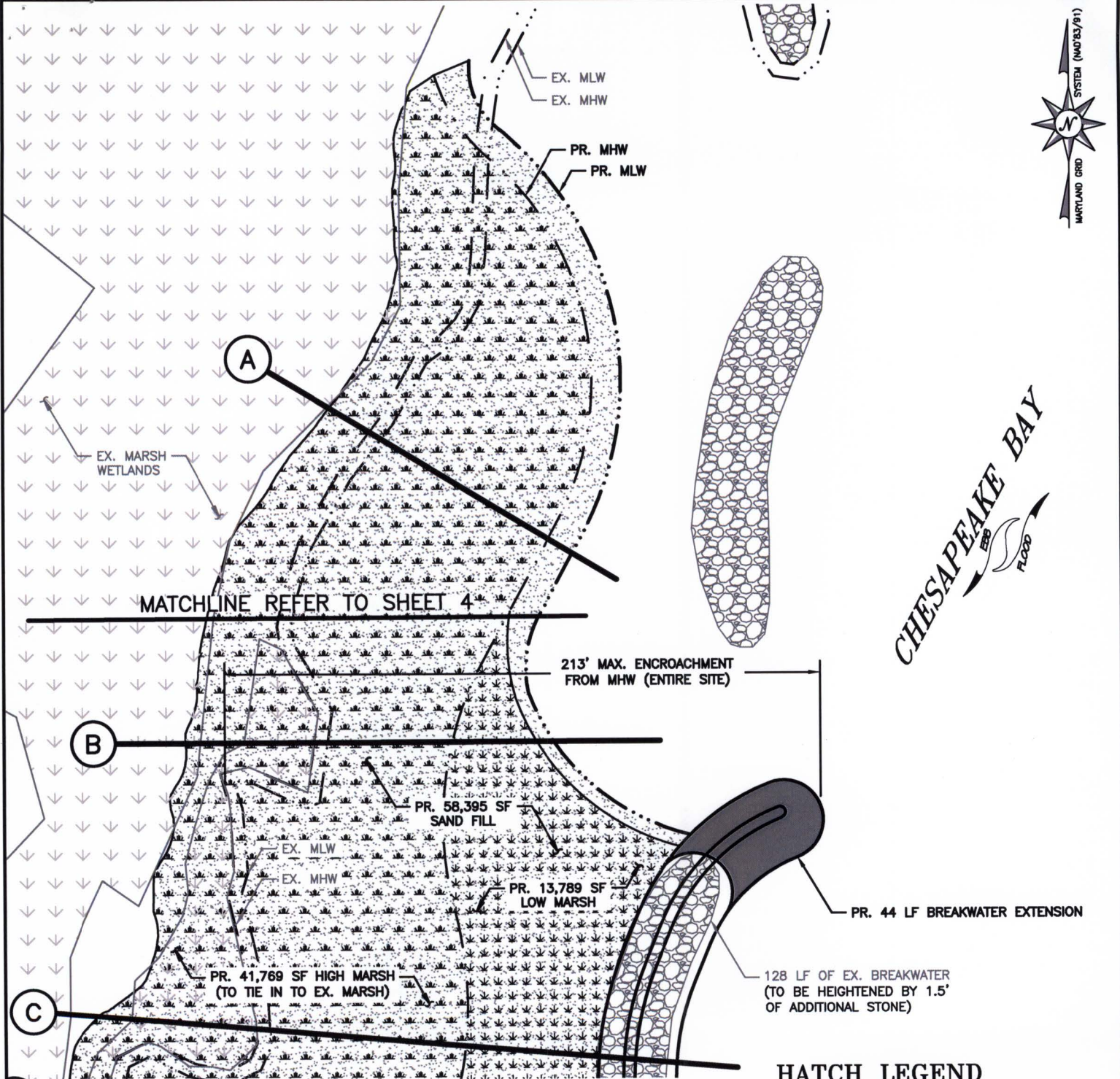


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CHESAPEAKE BAY
FLOOD

MATCHLINE REFER TO SHEET 4

HATCH LEGEND

	EX. BREAKWATER		EX. MARSH
	PR. BREAKWATER EXTENSION		PR. HIGH MARSH PLANTINGS
	PR. SAND FILL		PR. LOW MARSH PLANTINGS

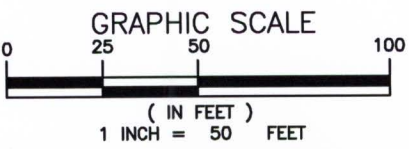
FRANKLIN MANOR LIVING SHORELINE PROJECT

ANNE ARUNDEL COUNTY, MD

APPL. BY: FRANKLIN MANOR CITIZENS ASSOCIATION

SITE PLAN

DATE: November 2019 SHEET 3 OF 7



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MATCHLINE REFER TO SHEET 3



213' MAX. ENCROACHMENT FROM MHW (ENTIRE SITE)

B

PR. 58,395 SF SAND FILL

PR. MLW

EX. MLW

EX. MHW

PR. 13,789 SF LOW MARSH

PR. 44 LF BREAKWATER EXTENSION

PR. 41,769 SF HIGH MARSH (TO TIE IN TO EX. MARSH)

128 LF OF EX. BREAKWATER (TO BE HEIGHTENED BY 1.5' OF ADDITIONAL STONE)

C

PR. MHW

369 LF +4.5' BREAKWATER

D

PR. 55 LF BREAKWATER EXTENSION

EX. WALKING PATH

130 LF OF EX. BREAKWATER (TO BE HEIGHTENED BY 1.5' OF ADDITIONAL STONE)

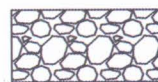
EX. MARSH WETLANDS

EX. MLW

EX. MHW

CHESAPEAKE BAY
FLOOD

HATCH LEGEND



EX. BREAKWATER



EX. MARSH



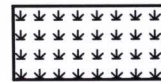
PR. BREAKWATER EXTENSION



PR. HIGH MARSH PLANTINGS



PR. SAND FILL



PR. LOW MARSH PLANTINGS

FRANKLIN MANOR LIVING SHORELINE PROJECT

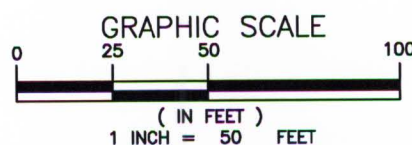
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APPL. BY: FRANKLIN MANOR CITIZENS ASSOCIATION

SITE PLAN

DATE: November 2019 SHEET 4 OF 7

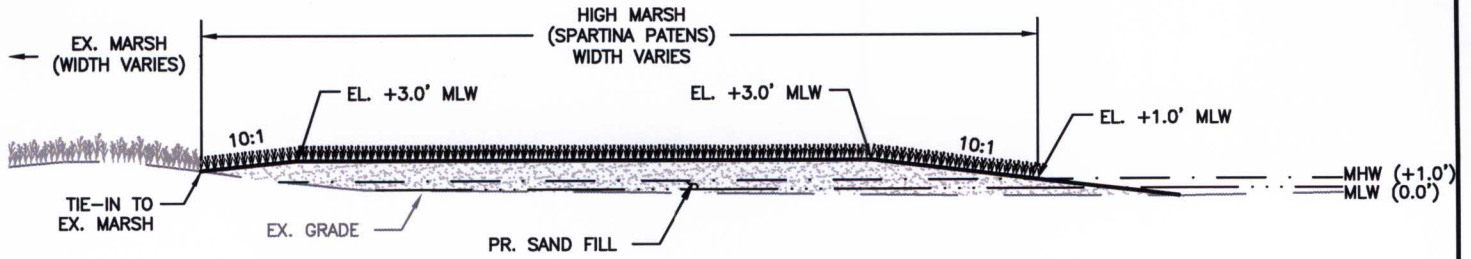
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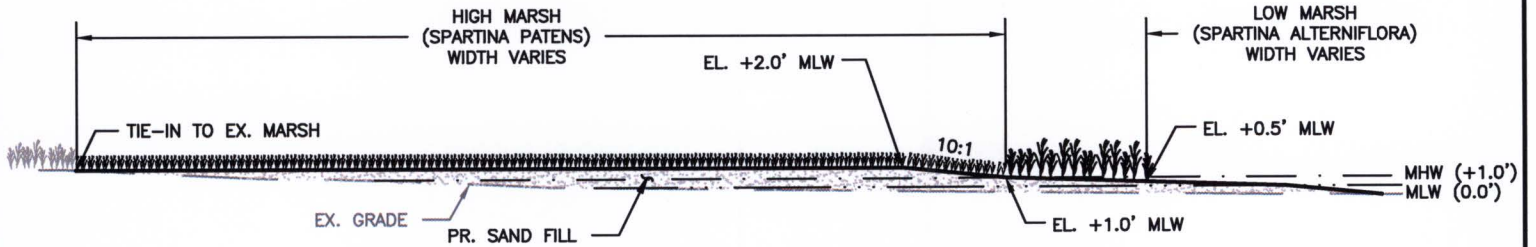
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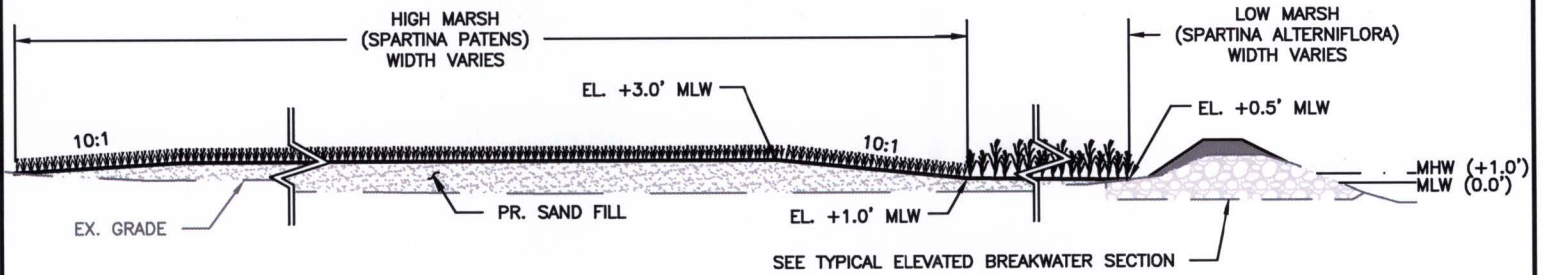
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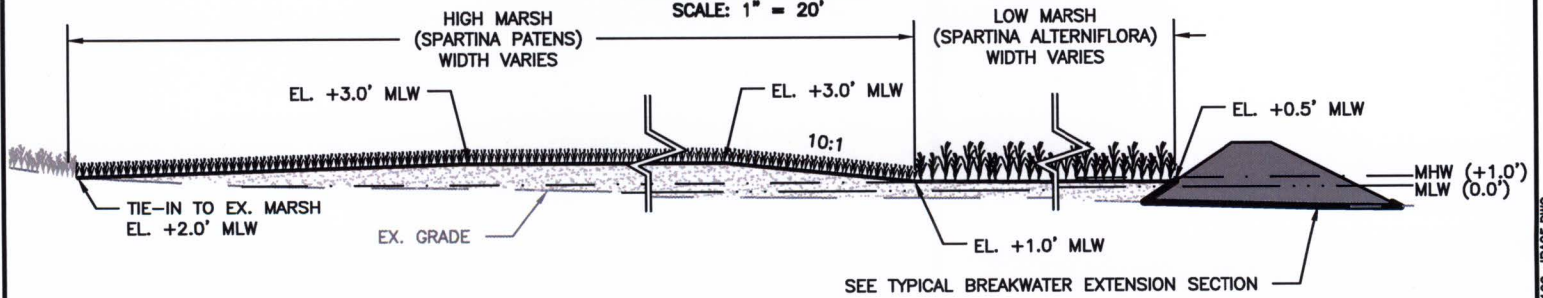
SECTION "A"
SCALE: 1" = 20'



SECTION "B"
SCALE: 1" = 20'



SECTION "C"
SCALE: 1" = 20'



SECTION "D"
SCALE: 1" = 20'

**FRANKLIN MANOR LIVING
SHORELINE PROJECT**

ANNE ARUNDEL COUNTY, MD

APPL. BY: FRANKLIN MANOR CITIZENS
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SITE DETAILS

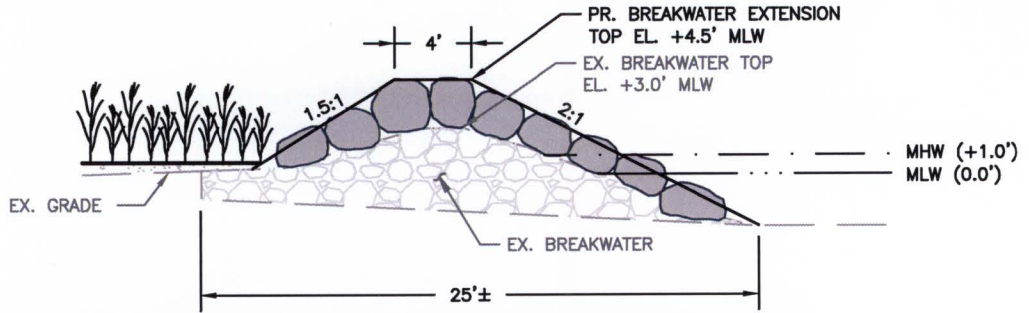
DATE: November 2019 SHEET 5 OF 7

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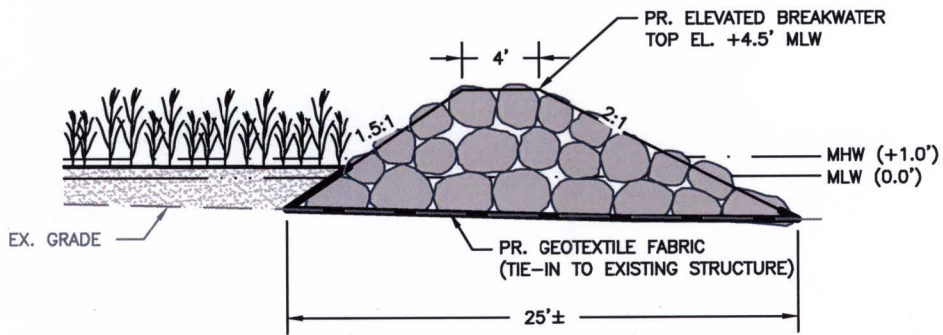
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TYPICAL ELEVATED BREAKWATER SECTION

SCALE: 1" = 10'



TYPICAL EXISTING BREAKWATER EXTENSION SECTION

SCALE: 1" = 10'

**FRANKLIN MANOR LIVING
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ANNE ARUNDEL COUNTY, MD

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SITE DETAILS

DATE: November 2019 SHEET 6 OF 7

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PROJECT SUMMARY

PROPOSED STRUCTURES:

BREAKWATER EXTENSION -
TOTAL LENGTH - 99 LF
AVERAGE WIDTH - 28 FT
MAX. CHANNELWARD ENCROACHMENT - 213 FT
ELEVATED BREAKWATER -
TOTAL LENGTH - 270 LF
AVERAGE WIDTH - 28 FT
MAX. CHANNELWARD ENCROACHMENT - 200 FT
SAND FILL - 4,281 CY (58,380 SF)
TOTAL LENGTH - 463 FT
AVERAGE WIDTH - 195 FT
MARSH PLANTINGS - 55,558 SF (24,692 PLUGS)

IMPACT SUMMARY

TOTAL PROPOSED IMPACT = 65,320 SF (1.50 ACRES)
TOTAL AREA OF IMPACT FROM MHW INTO TIDAL WATERS: 46,348 SF (1.06 ACRES)
TOTAL AREA OF IMPACT TO PRIVATE TIDAL WETLANDS: 0 SF

NOTES

1. BASEMAP COMPILED FROM ANNE ARUNDEL COUNTY 2016 PLANIMETRICS AND 2017 IMAGERY.
2. TOPOGRAPHIC AND BATHYMETRIC SURVEY PERFORMED BY SUSTAINABLE SCIENCE, LLC. ON AUGUST 19, 2018.
3. CONTOURS ARE IN FEET AND REFER TO MLW.
4. TIDAL RANGE ~1.0 FEET.
5. THESE ARE PERMIT DRAWINGS ONLY AND SUBJECT TO CHANGE DURING THE PERMIT PROCESS. DESIGN DRAWINGS ARE TO BE PREPARED SEPARATELY.

FRANKLIN MANOR LIVING SHORELINE PROJECT

ANNE ARUNDEL COUNTY, MD

APPL. BY: FRANKLIN MANOR CITIZENS
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SITE NOTES

DATE: November 2019 SHEET 7 OF 7

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