

U.S. Army Corps
of Engineers

Baltimore District
PN-20-09

Public Notice

In Reply to Application Number
NAB-2018-62001-M18 (Cape Saint Claire Improvement
Association/Shoreline Restoration)

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: Mr. Beau Breeden
Cape St. Claire Improvement Association
1223 River Bay Road
Annapolis, Maryland 21409

WATERWAY AND LOCATION OF THE PROPOSED WORK: The proposed project is located in the Magothy River on the community's main beach off River Bay Road in Cape St. Claire, Anne Arundel County, Maryland. Latitude: 39.047111N; Longitude: -76.431751W

OVERALL PROJECT PURPOSE: The purpose of the project is to abate shoreline erosion and facilitate aggradation of natural sand material on the adjacent beach.

PROJECT DESCRIPTION: The Cape St. Claire Improvement Association has applied to construct a 140-foot long by 40-foot wide stone breakwater structure to be located at the east side of the project area extending a maximum of 210 feet channelward from the approximate mean high water shoreline; to construct a 50-foot long by 24-foot wide stone groin to be located at the west side of the project area extending a maximum of 50 feet channelward from the approximate mean high water shoreline. The proposed work will be completed as shown on the enclosed project plans dated January 23, 2020.

EFFECTS ON AQUATIC RESOURCES:

Activity	WoUS Impact (sf)	Authority
Stone Revetment	6,800 sf	Section 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: The proposed project is shoreline erosion protection. The applicant designed the project to the minimal footprint necessary to achieve the project purpose successfully. No compensatory mitigation is proposed by the applicant.

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 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 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 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 not have a substantial 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 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-2018-62001-M18.

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. Richard Kibby
richard.kibby@usace.army.mil
U.S. Army Corps of Engineers, Baltimore District
Attn: 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 Mr. Richard Kibby at 410-962-0694 or e-mail: richard.kibby@usace.army.mil. This public notice is issued by the Chief, Regulatory Branch.

CAPE ST CLAIRE SHORELINE ENHANCEMENT - MAIN BEACH

ANNE ARUNDEL COUNTY, MD

VICINITY MAP

SITE MAP



SCALE: 1" = 2000'



SCALE: 1" = 500'

SHEET LIST TABLE

Sheet Number	Sheet Title
1	VICINITY MAP AND AERIAL PHOTO
2	SITE INDEX
3	EXISTING CONDITIONS
4	EXISTING CONDITIONS
5	PROPOSED CONDITIONS
6	PROPOSED CONDITIONS
7	IMPACT PLATES
8	IMPACT PLATES
9	CROSS SECTIONS
10	CROSS SECTIONS

IMPACTS:	
TOTAL OPEN WATER (BREAKWATER)	= 4,256 SF
TOTAL	= 4,256 SF

CAPE ST CLAIRE IMPROVEMENT ASSOCIATION
1223 RIVER BAY ROAD
ANNAPOLIS, MD 21409

DATE	ISSUES / REVISIONS
12/21/2018	INITIAL SUBMITTAL
04/01/2019	PRE-FINAL SUBMITTAL
01/23/2020	FINAL SUBMITTAL

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ph: 4109244316
http://www.sustainablescience.com

CAPE ST. CLAIRE SHORELINE ENHANCEMENT - MAIN BEACH

TITLE: VICINITY MAP AND AERIAL PHOTO

PROJECT NO.: 17023.01

SCALE: AS SHOWN

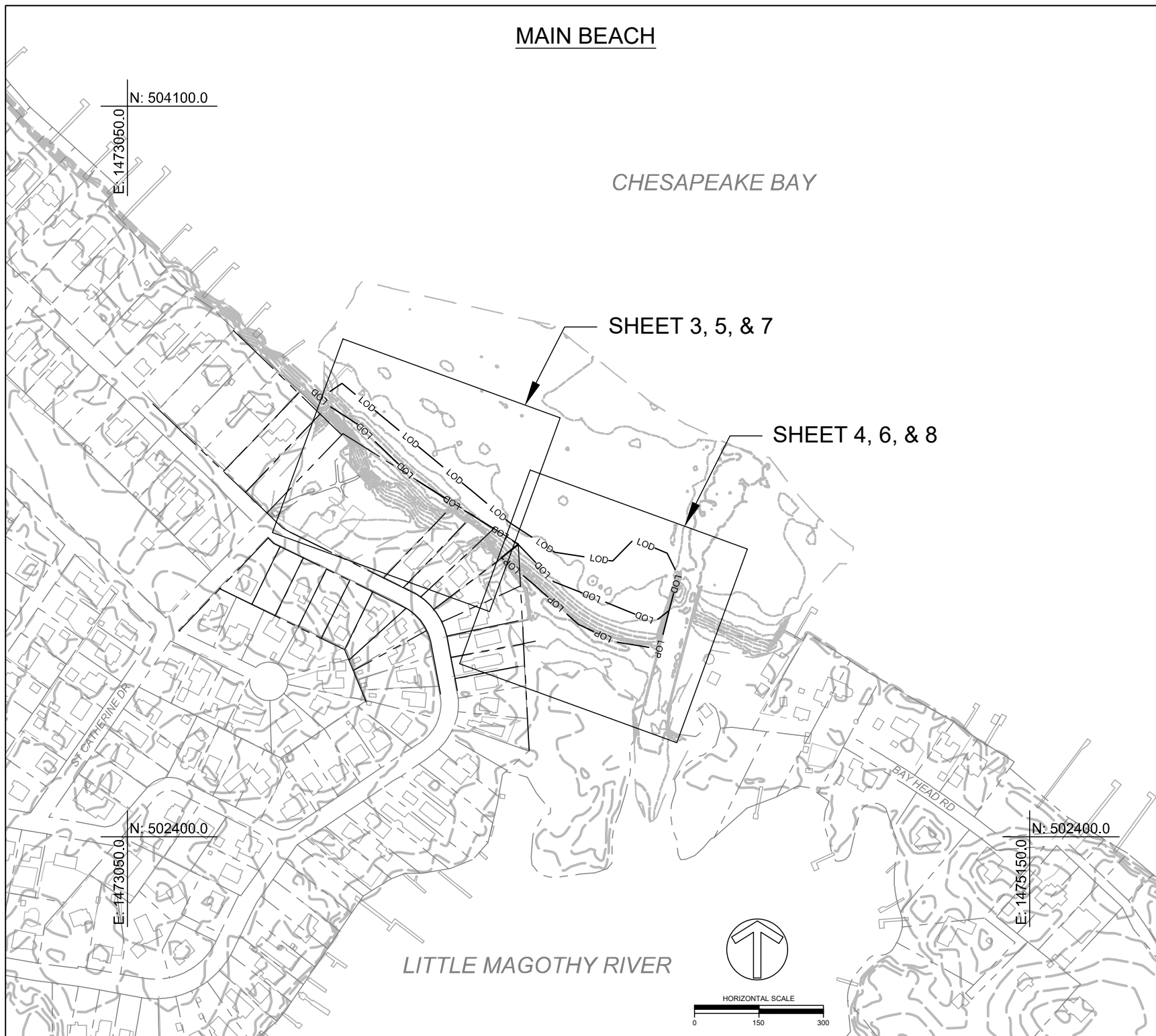
BY: AM, TB CHECK: EM

DWG. NO.: 1 OF 10

MAIN BEACH

CAPE ST CLAIRE IMPROVEMENT ASSOCIATION
1223 RIVER BAY ROAD
ANNAPOLIS, MD 21409

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CAPE ST. CLAIRE SHORELINE ENHANCEMENT - MAIN BEACH

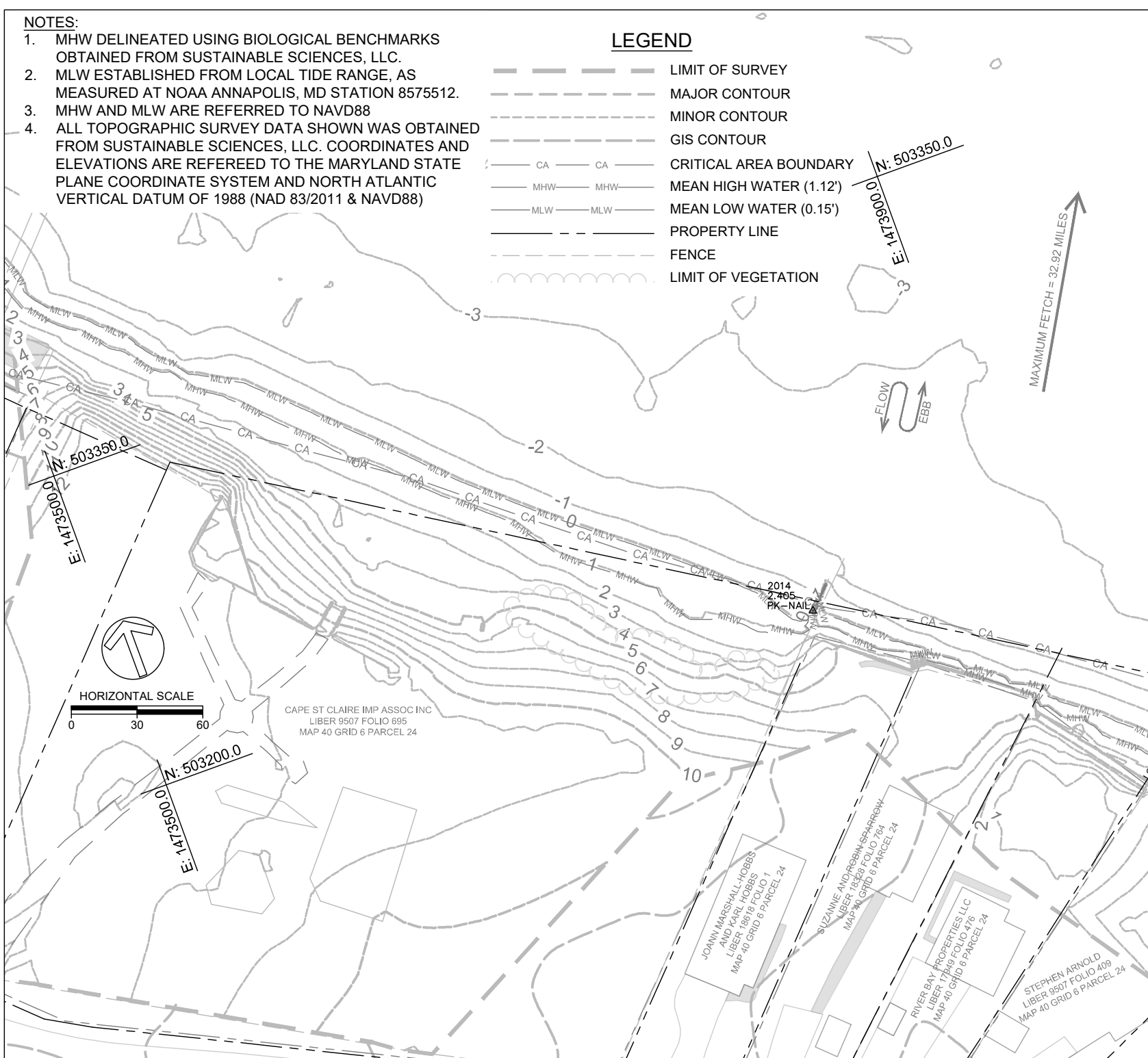
TITLE:		SITE INDEX
PROJECT NO.:		17023.01
SCALE:		1" = 300'
BY:	CHECK:	
AM, TB	EM	
DWG. NO.:		2 OF 10

NOTES:

- MHW DELINEATED USING BIOLOGICAL BENCHMARKS OBTAINED FROM SUSTAINABLE SCIENCES, LLC.
- MLW ESTABLISHED FROM LOCAL TIDE RANGE, AS MEASURED AT NOAA ANNAPOLIS, MD STATION 8575512.
- MHW AND MLW ARE REFERRED TO NAVD88
- ALL TOPOGRAPHIC SURVEY DATA SHOWN WAS OBTAINED FROM SUSTAINABLE SCIENCES, LLC. COORDINATES AND ELEVATIONS ARE REFERED TO THE MARYLAND STATE PLANE COORDINATE SYSTEM AND NORTH ATLANTIC VERTICAL DATUM OF 1988 (NAD 83/2011 & NAVD88)

LEGEND

-  LIMIT OF SURVEY
-  MAJOR CONTOUR
-  MINOR CONTOUR
-  GIS CONTOUR
-  CRITICAL AREA BOUNDARY
-  MEAN HIGH WATER (1.12')
-  MEAN LOW WATER (0.15')
-  PROPERTY LINE
-  FENCE
-  LIMIT OF VEGETATION



CAPE ST CLAIRE IMPROVEMENT ASSOCIATION
1223 RIVER BAY ROAD
ANNAPOLIS, MD 21409

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CAPE ST. CLAIRE SHORELINE ENHANCEMENT - MAIN BEACH

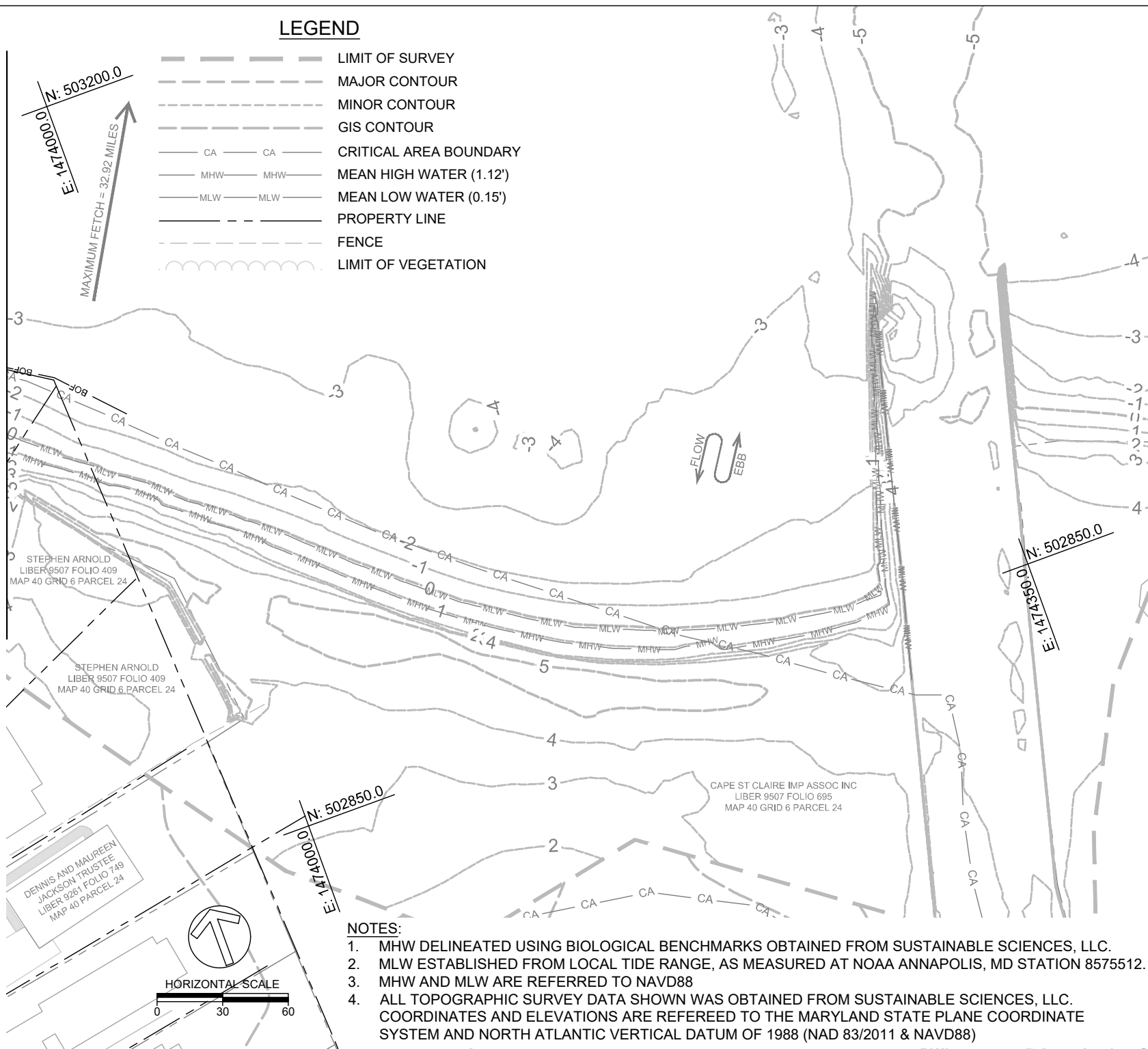
TITLE:	EXISTING CONDITIONS
PROJECT NO.:	17023.01
SCALE:	1" = 60'
BY:	AM, TB
CHECK:	EM
DWG. NO.:	3 OF 10

LEGEND

- LIMIT OF SURVEY
- - - MAJOR CONTOUR
- - - MINOR CONTOUR
- - - GIS CONTOUR
- CA CA CRITICAL AREA BOUNDARY
- MHW MHW MEAN HIGH WATER (1.12')
- MLW MLW MEAN LOW WATER (0.15')
- PROPERTY LINE
- - - FENCE
- ~ ~ ~ LIMIT OF VEGETATION

MATCHLINE - SHEET 3

N: 503200.0
E: 1474000.0
MAXIMUM FETCH = 32.92 MILES



NOTES:

1. MHW DELINEATED USING BIOLOGICAL BENCHMARKS OBTAINED FROM SUSTAINABLE SCIENCES, LLC.
2. MLW ESTABLISHED FROM LOCAL TIDE RANGE, AS MEASURED AT NOAA ANNAPOLIS, MD STATION 8575512.
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CAPE ST. CLAIRE SHORELINE ENHANCEMENT - MAIN BEACH

TITLE: EXISTING CONDITIONS

PROJECT NO.: 17023.01

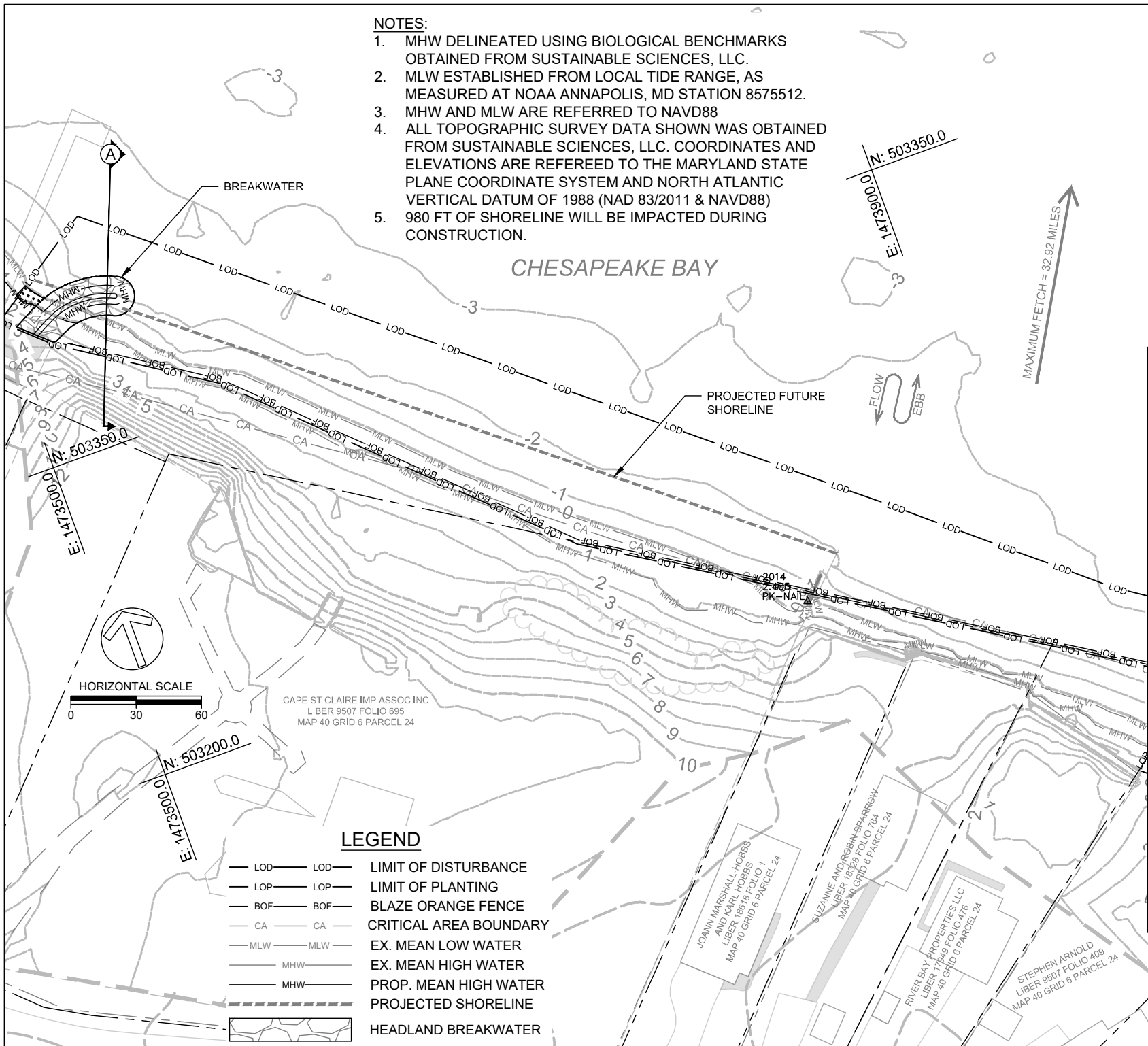
SCALE: 1" = 60'

BY: AM, TB CHECK: EM

DWG. NO.: 4 OF 10

NOTES:

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5. 980 FT OF SHORELINE WILL BE IMPACTED DURING CONSTRUCTION.



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CAPE ST. CLAIRE SHORELINE ENHANCEMENT - MAIN BEACH

TITLE: PROPOSED CONDITIONS

PROJECT NO.: 17023.01


SCALE: 1" = 60'

BY: AM, TB CHECK: EM

DWG. NO.: 5 OF 10

MATCHLINE - SHEET 5

LEGEND

- LOD — LOD — LIMIT OF DISTURBANCE
- LOP — LOP — LIMIT OF PLANTING
- BOF — BOF — BLAZE ORANGE FENCE
- CA — CA — CRITICAL AREA BOUNDARY
- MLW — MLW — EX. MEAN LOW WATER
- MHW — MHW — EX. MEAN HIGH WATER
- MHW — MHW — PROP. MEAN HIGH WATER
- --- PROJECTED SHORELINE
-  HEADLAND BREAKWATER

CHESAPEAKE BAY

HEADLAND BREAKWATER

PROJECTED FUTURE SHORELINE

FLOW
EBB

N: 503200.0
E: 1474000.0
MAXIMUM FETCH = 32.92 MILES

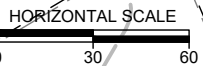
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E: 147390.0

STEPHEN ARNOLD
LIBER 9507 FOLIO 409
MAP 40 GRID 6 PARCEL 24

STEPHEN ARNOLD
LIBER 9507 FOLIO 409
MAP 40 GRID 6 PARCEL 24

DENNIS AND MAUREEN
JACKSON TRUSTEE
LIBER 9261 FOLIO 749
MAP 40 P PARCEL 24

CAPE ST CLAIRE IMP ASSOC INC
LIBER 9507 FOLIO 695
MAP 40 GRID 6 PARCEL 24



NOTES:

1. MHW DELINEATED USING BIOLOGICAL BENCHMARKS OBTAINED FROM SUSTAINABLE SCIENCES, LLC.
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5. 980 FT OF SHORELINE WILL BE IMPACTED DURING CONSTRUCTION.

CAPE ST CLAIRE IMPROVEMENT ASSOCIATION
1223 RIVER BAY ROAD
ANNAPOLIS, MD 21409

DATE	ISSUES / REVISIONS
12/21/2018	INITIAL SUBMITTAL
04/01/2019	PRE-FINAL SUBMITTAL
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http://www.sustainablescience.com

CAPE ST. CLAIRE SHORELINE ENHANCEMENT - MAIN BEACH

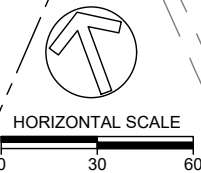
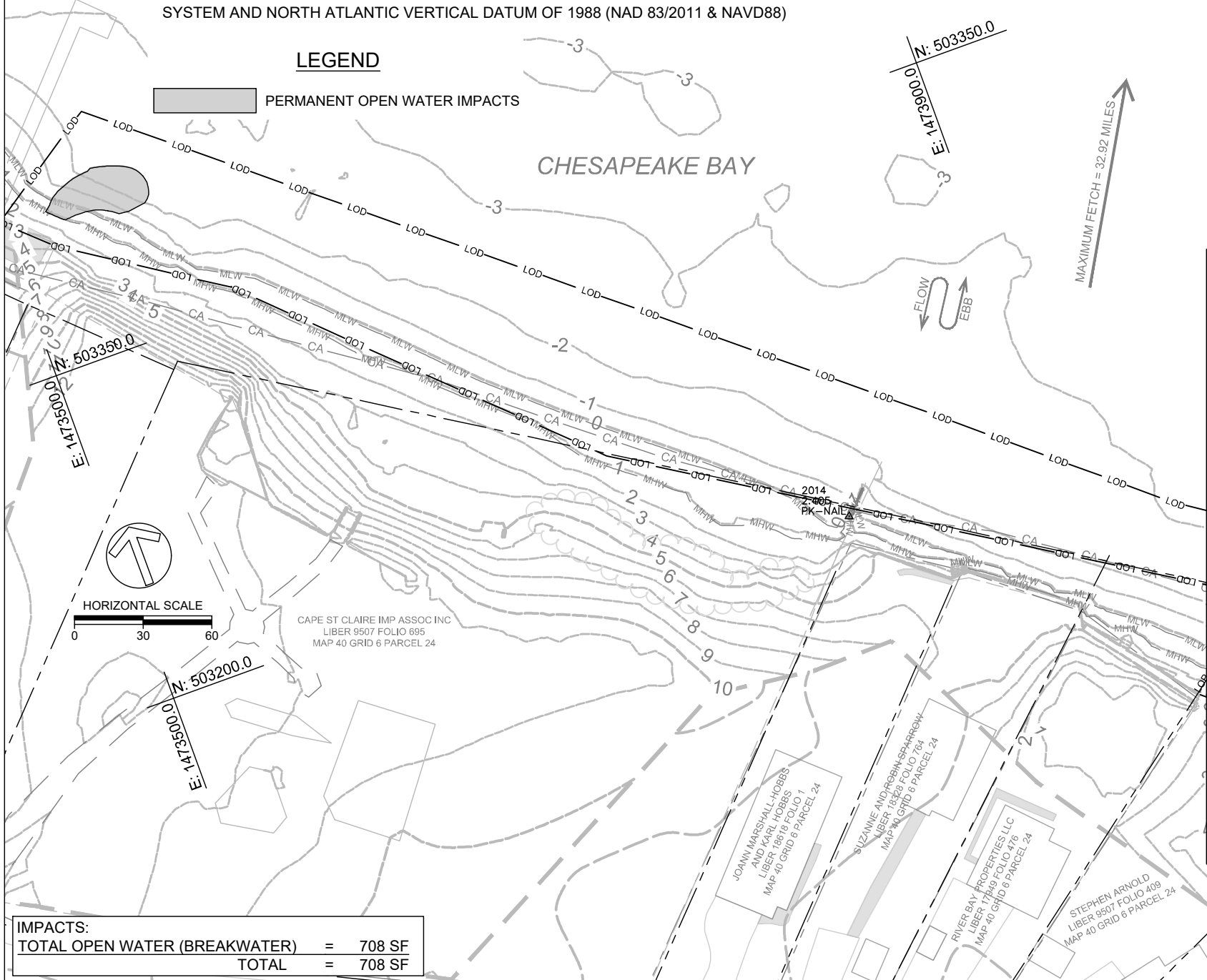
TITLE:	PROPOSED CONDITIONS
PROJECT NO.:	17023.01
SCALE:	1" = 60'
BY:	CHECK:
AM, TB	EM
DWG. NO.:	6 OF 10

NOTES:

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LEGEND

 PERMANENT OPEN WATER IMPACTS



CAPE ST CLAIRE IMP ASSOC INC
LIBER 9507 FOLIO 695
MAP 40 GRID 6 PARCEL 24

JOANNI MARSHALL-HOBBS
AND KARL HOBBS
LIBER 18478 FOLIO 1
MAP 40 GRID 6 PARCEL 24

SUZANNE AND ROBIN SPARROW
LIBER 18478 FOLIO 704
MAP 40 GRID 6 PARCEL 24


RIVER BAY PROPERTIES LLC
LIBER 17949 FOLIO 476
MAP 40 GRID 6 PARCEL 24

STEPHEN ARNOLD
LIBER 9507 FOLIO 408
MAP 40 GRID 6 PARCEL 24

IMPACTS:	
TOTAL OPEN WATER (BREAKWATER)	= 708 SF
TOTAL	= 708 SF

CAPE ST CLAIRE IMPROVEMENT ASSOCIATION
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CAPE ST. CLAIRE SHORELINE ENHANCEMENT - MAIN BEACH

TITLE: IMPACT PLATES	
PROJECT NO. : 17023.01	
SCALE: 1" = 60'	
BY: AM, TB	CHECK: EM
DWG. NO. : 7 OF 10	

MATCHLINE - SHEET 8

DATE	ISSUES / REVISIONS
12/21/2018	INITIAL SUBMITTAL
04/01/2019	PRE-FINAL SUBMITTAL
01/23/2020	FINAL SUBMITTAL



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CAPE ST. CLAIRE SHORELINE ENHANCEMENT - MAIN BEACH

TITLE: IMPACT PLATES	
PROJECT NO. : 17023.01	
SCALE: 1" = 60'	
BY: AM, TB	CHECK: EM
DWG. NO. : 8 OF 10	

NOTES:

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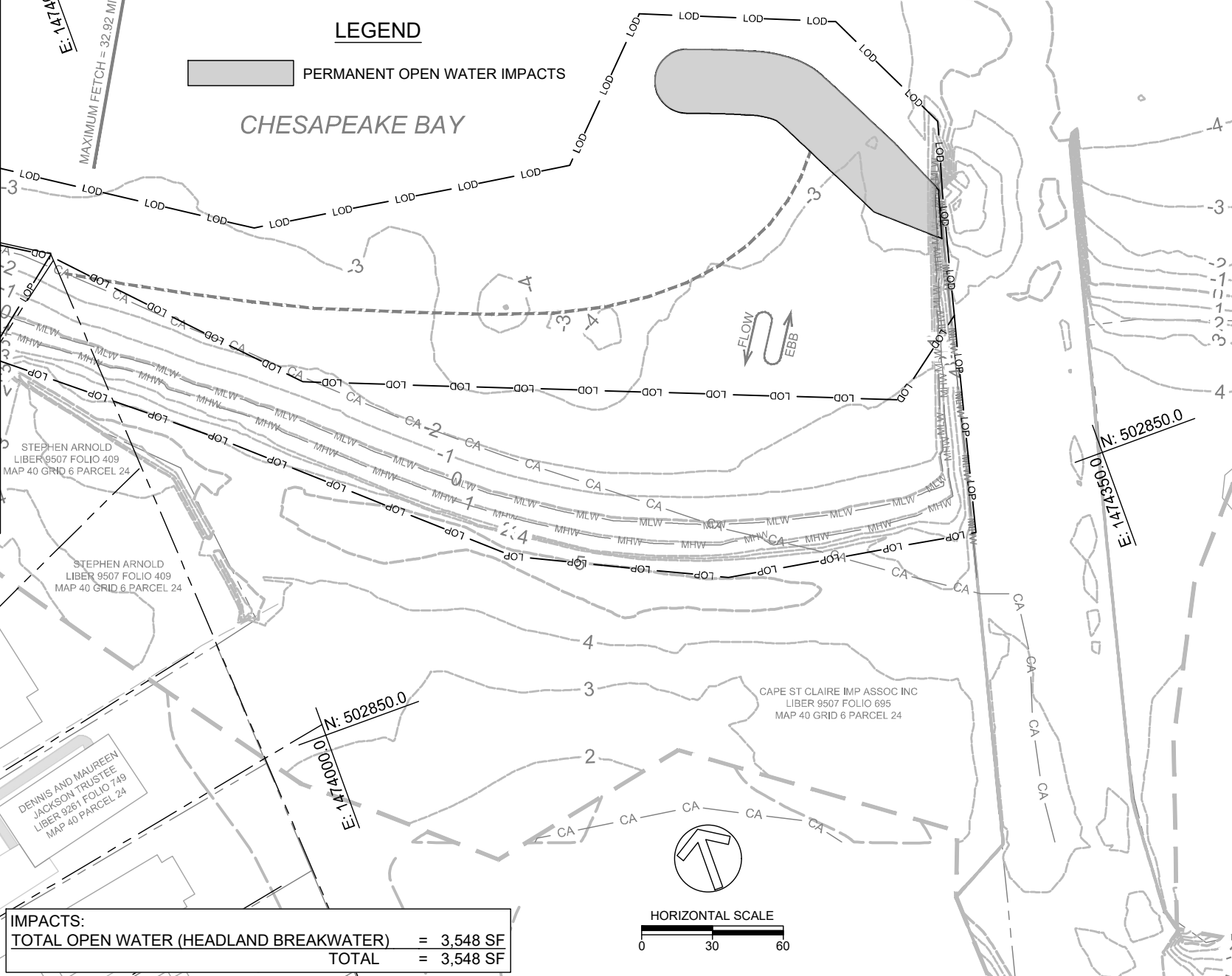
LEGEND

 PERMANENT OPEN WATER IMPACTS

CHESAPEAKE BAY

MATCHLINE - SHEET 7

N: 503200.0
E: 1474000.0
MAXIMUM FETCH = 32.92 MILES



STEPHEN ARNOLD
LIBER 9507 FOLIO 409
MAP 40 GRID 6 PARCEL 24

STEPHEN ARNOLD
LIBER 9507 FOLIO 409
MAP 40 GRID 6 PARCEL 24

DENNIS AND MAUREEN
JACKSON TRUSTEE
LIBER 9261 FOLIO 749
MAP 40 P PARCEL 24

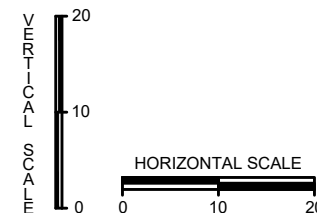
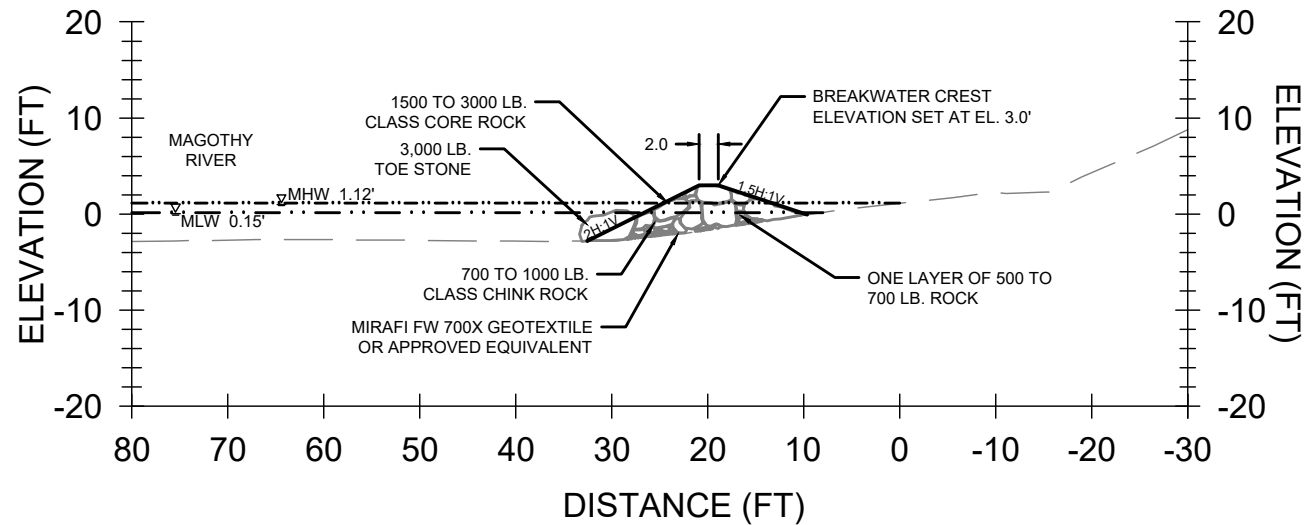
CAPE ST CLAIRE IMP ASSOC INC
LIBER 9507 FOLIO 695
MAP 40 GRID 6 PARCEL 24

IMPACTS:	
TOTAL OPEN WATER (HEADLAND BREAKWATER)	= 3,548 SF
TOTAL	= 3,548 SF



DATE	ISSUES / REVISIONS
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SECTION A - BREAKWATER



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CAPE ST. CLAIRE SHORELINE ENHANCEMENT - MAIN BEACH

TITLE: CROSS SECTIONS

PROJECT NO.: 17023.01

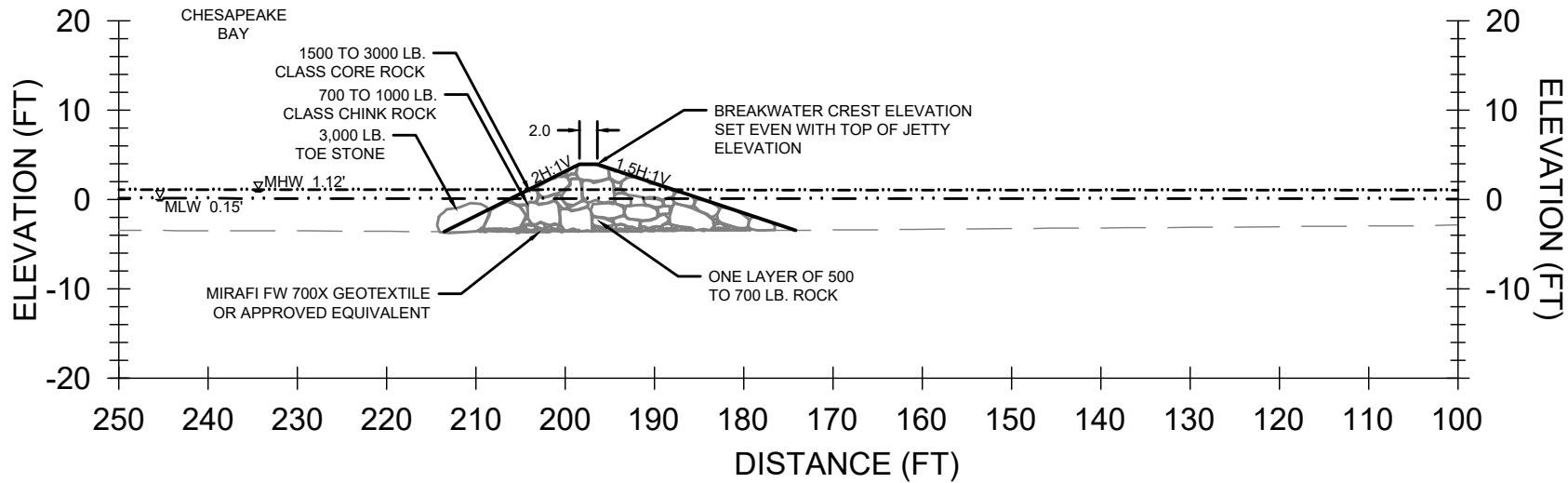
SCALE: AS SHOWN

BY: AM, TB CHECK: EM

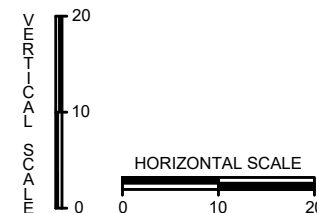
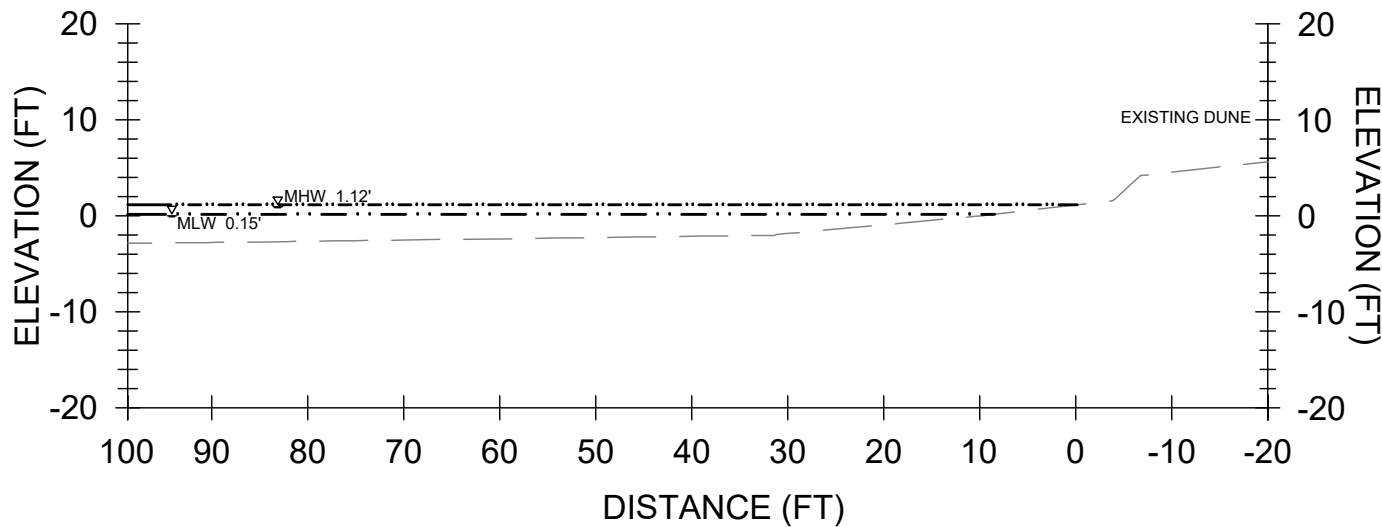
DWG. NO.: 9 OF 10

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01/23/2020	FINAL SUBMITTAL

SECTION B - HEADLAND BREAKWATER



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CAPE ST. CLAIRE SHORELINE ENHANCEMENT - MAIN BEACH

TITLE: CROSS SECTIONS

PROJECT NO.: 17023.01

SCALE: AS SHOWN

BY: AM, TB CHECK: EM

DWG. NO.: 10 OF 10