

PUBLIC NOTICE

Applicant: VIDI Aquam LLC PN-25-18 Published: March 28, 2025 Expires: April 27, 2025

Baltimore District
Permit Application No. NAB-2024-61503-TREC (VIDI AQUAM LLC-Living Shoreline

TO WHOM IT MAY CONCERN: The Baltimore District of the U.S. Army Corps of Engineers (Corps) has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. §1344) and/or Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403). The purpose of this public notice is to solicit comments from the public regarding the work described below:

APPLICANT:VIDI Aquam LLC

595 W. Gravers Lane

Philadelphia, Pennsylvania 19118

AGENT: Ellie Chetelat

Underwood & Associates

1753 Ebling Trail

Annapolis, Maryland 21919

WATERWAY AND LOCATION: The project would affect waters of the United States and navigable waters of the United States associated with Elk River. The project area is located at 2627 Grove Neck Road; at Latitude 39.404926° North and Longitude 76.026681° West; in Earlville, Cecil County, Maryland.

EXISTING CONDITIONS: The privately owned waterfront property is located directly on the Chesapeake Bay, adjacent to the Grove Neck Wildlife Management Area which is managed by the Department of Natural Resources. The property includes residential structures, a manicured lawn with scattered canopy trees and forest (to be undisturbed by the project). The shoreline consists of a wooden bulkhead with large pipes placed perpendicular to the shoreline (as groins), and a small section of unarmored, eroding shoreline on the southwestern limit of the property. There is a thin strip of sand along the entire shoreline with large woody material throughout. The existing shoreline spans 631 linear feet, with a total of 554 linear feet of bulkhead, and the remaining 77 linear feet of shoreline remains unarmored. There is no existing tidal marsh on site and no mapped submerged aquatic vegetation within the last five years. There is an existing concrete boat ramp and pier with 3 boat lifts.

PROJECT PURPOSE:

Basic: Shoreline stabilization and aquatic habitat enhancement.

Overall: To provide shoreline erosion control through the year 2050 while maintaining recreational access to the waterway.

PROPOSED WORK: The applicant requests authorization to stabilize approximately 631 linear feet of shoreline using a living shoreline design employing a headland and bay style design within a 1.43 acre area extending 165 feet waterward of the Mean High Water Line as follows: construct a headland and bay style living shoreline structure by placing 2,855 cubic yards of stone within 19,928 square feet (0.46 acre) of open water and 2,148 cubic yards of clean sand within 25,376 square feet (0.58 acre) of open water area. The project is expected to result in 12,145 sf (0.28 acres) of native low to high marsh habitat and beach strand; all to extend a maximum of 165 feet waterward of the approximate mean high-water line, and to place 1,195 square feet of cobble to extend an existing boat ramp past the proposed structures.

The applicant also proposes to remove the existing pier, construct a new pier and boatlifts extending 175 feet waterward of the mean high-water line, and to relocate an existing osprey pole 155 feet waterward of the mean high-water line.

All work is proposed in accordance with the attached plans as prepared by Underwood and Associates dated February 10, 2025. Please refer to table 1 below for a summary of aquatic resource impacts.

EFFECTS ON AQUATIC RESOURCES:

Table 1:

Activity (i.e.	Elk River Open	Authority (Section
culvert)	Water (sf)	10/404/408)
Stone Fill	19,928	10/404
Sand Fill	25,376	10/404

AVOIDANCE AND MINIMIZATION: The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: 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 and projected future site conditions, including minimizing the size and number of proposed headlands, grading as far upland as feasible while protecting the existing mature trees, incorporating large outcrops to allow for a steeper slope in order to minimizing channelward fill, and minimizing the project footprint.

COMPENSATORY MITIGATION: The applicant has provided the following explanation why compensatory mitigation should not be required: Impacts to waters of the United States will be compensated through the creation of diverse habitats in the area of open water that will be filled. Open water is recognized as the most rapidly growing habitat in the Chesapeake Bay due to rising sea levels. This project will transform one habitat (open water) into a variety of habitats, including submerged aquatic vegetation, low marsh, open beach strand, and high marsh. Additionally, the slope is designed to facilitate marsh migration opportunities beyond the project's design life, in response to ongoing sea level rise.

CULTURAL RESOURCES: The Corps evaluated the undertaking pursuant to Section 106 of the National Historic Preservation Act utilizing its existing program-specific regulations and procedures along with 36 CFR Part 800. The Corps' program-specific procedures include 33 CFR 325, Appendix C, and revised interim guidance issued in 2005 and 2007, respectively. The District Engineer consulted district files and records and the latest published version of the National Register of Historic Places and initially determines that:

No resources listed in or eligible for inclusion in the National Register of Historic Places are known to be present in the vicinity of the proposed work; however, the permit area has not been formally surveyed for the presence of cultural resources. Additional work may be necessary to identify and assess any cultural resources that may be present. This notice serves as a request to State Historic Preservation Office, Tribal Historic Preservation Office, and/or other interested parties to provide any information they may have regarding historic properties.

The District Engineer's final eligibility and effect determination will be based upon coordination with the State Historic Preservation Office and/or Tribal 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.

ENDANGERED SPECIES: The Corps has performed an initial review of the application, the United States Fish and Wildlife Service Information for Planning and Consultation (IPaC), National Marine Fisheries Service Greater Atlantic Regional Field Office Section 7 Mapper to determine if any threatened, endangered, proposed, or candidate species, as well as the proposed and final designated critical habitat may occur within the boundary of the proposed project. Based on this initial review, the Corps has made a preliminary determination that the proposed project may affect species and critical habitat listed in Table 2. No other ESA-listed species or critical habitat will be affected by the proposed action.

Table 2: ESA-listed species and/or critical habitat potentially present in the action area.

Species Common Name and/or Critical Habitat Name	Scientific Name	Federal Status
Puritan Tiger Beetle	Ellipsoptera puritana	Threatened
Tricolored bat	Perimyotis subflavus	Proposed Endangered
Monarch Butterfly	Danaus Plexippus	Proposed Threatened
Atlantic sturgeon	Acipenser oxyrinchus	Endangered
Shortnose sturgeon	Acipenser brevirostrum	Endangered

Pursuant to Section 7 ESA, any required consultation with the Service(s) will be conducted in accordance with 50 CFR part 402.

This notice serves as request to the United States Fish and Wildlife Service and National Marine Fisheries Service for any additional information on whether any listed or proposed to be listed endangered or threatened species or critical habitat may be present in the area which would be affected by the proposed activity.

ESSENTIAL FISH HABITAT: Pursuant to the Magnuson-Stevens Fishery Conservation and Management Act 1996, the Corps reviewed the project area, examined information provided by the applicant, and consulted available species information.

This notice initiates the Essential Fish Habitat consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Our initial determination is that the proposed action may adversely affect Essential Fish Habitat and/or fisheries managed by Fishery Management Councils and the National Marine Fisheries Service. Implementation of the proposed project would directly impact approximately 1.04 acres of intertidal and open water habitat. The effects of the project are determined to be minimal and permanent. These habitat(s) are utilized by the following species and their various life stages:

Table 3: National Oceanic and Atmospheric Administration Essential Fish Habitat

Species	Life Stage
Bluefish	Adult
Summer Flounder	Adult
Windowpane Flounder	Juvenile
Atlantic Butterfish	Larvae
Clearnose Skate	Juvenile
Atlantic Herring	Juvenile
Atlantic Butterfish	Adult
Summer Flounder	Larvae
Red Hake	Adult
Bluefish	Juvenile
Black Sea Bass	Juvenile
Atlantic Butterfish	Eggs
Clearnose Skate	Adult
Black Sea Bass	Adult
Scup	Juvenile
Summer Flounder	Juvenile
Red Hake	Eggs/Larvae/Juvenile
Windowpane Flounder	Adult
Scup	Adult
Atlantic Herring	Adult

Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

NAVIGATION: The proposed structure or activity is not located in the vicinity of a federal navigation channel.

SECTION 408: The applicant will not require permission under Section 14 of the Rivers and Harbors Act (33 USC 408) because the activity, in whole or in part, would not alter, occupy, or use a Corps Civil Works project.

WATER QUALITY CERTIFICATION: Water Quality Certification may be required from the Maryland Department of the Environment.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The geographic extent of aquatic resources within the proposed project area that either are, or are presumed to be, within the Corps jurisdiction has not been verified by Corps personnel.

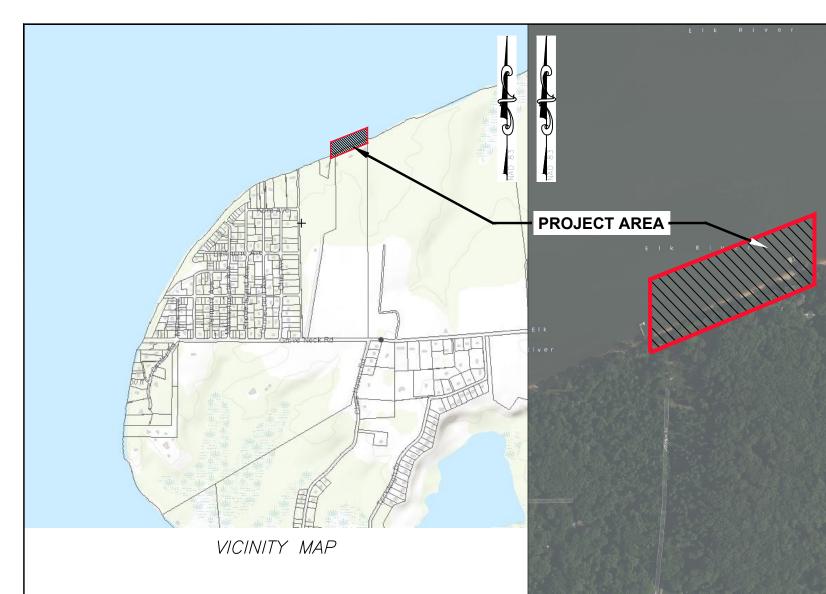
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably 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 cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical properties, fish and

wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food, and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

COMMENTS: The Corps 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 to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this determination, comments are used to assess impacts to 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 are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The Baltimore District will receive written comments on the proposed work, as outlined above, until April 27, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at https://rrs.usace.army.mil/rrs or to Mr. Adam Fannin at adam.e.fannin@usace.army.mil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Baltimore District, Attention: Mr. Adam Fannin, Regulatory Branch 2 Hopkins Plaza Baltimore, Maryland 21201. Please refer to the permit application number in your comments.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.



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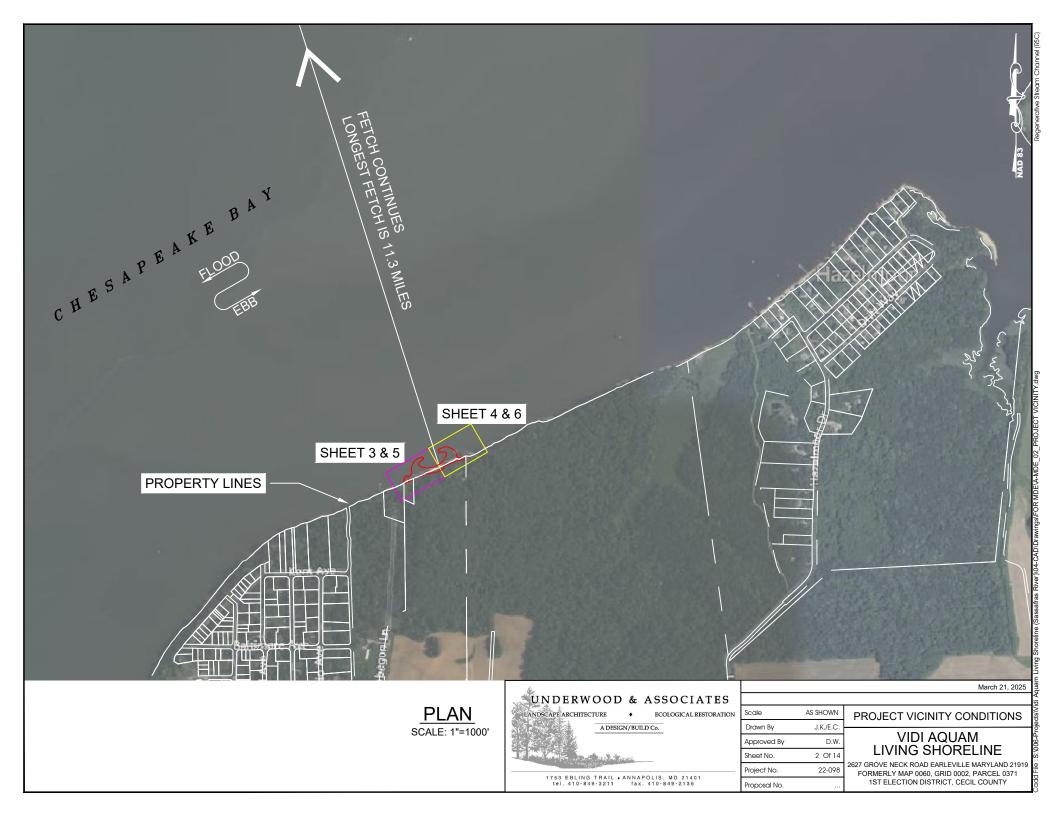
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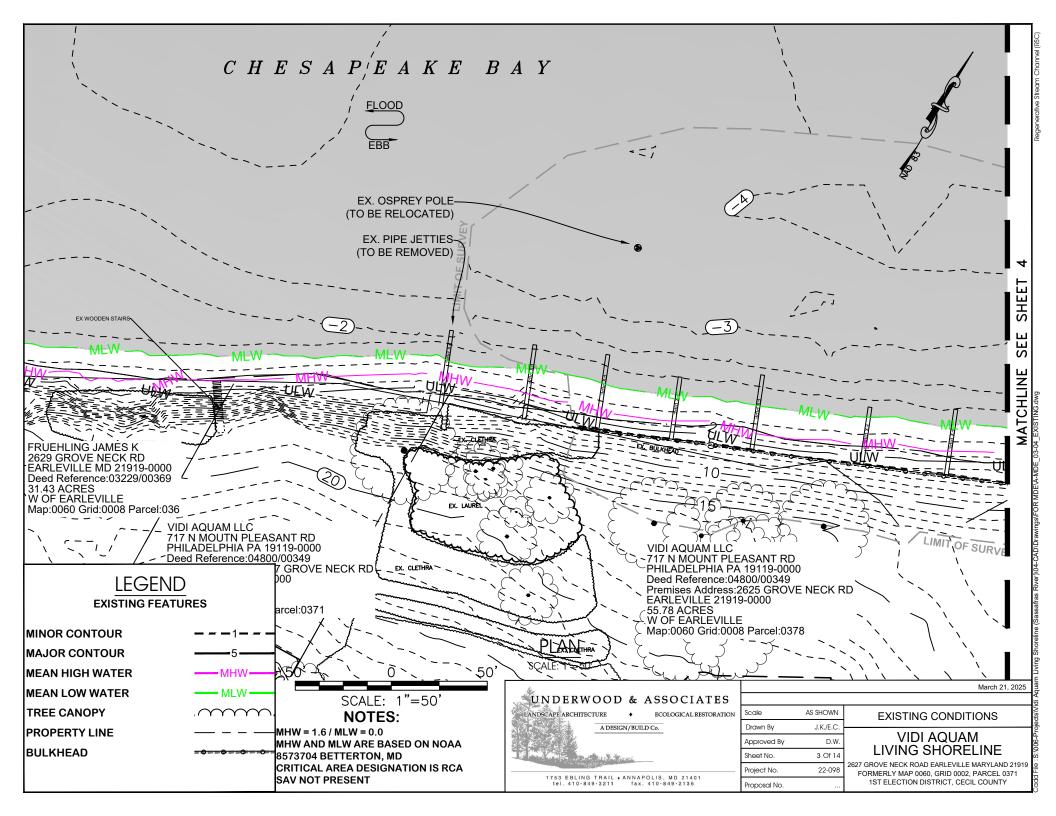
VICINITY MAP AND AERIAL PHOTO

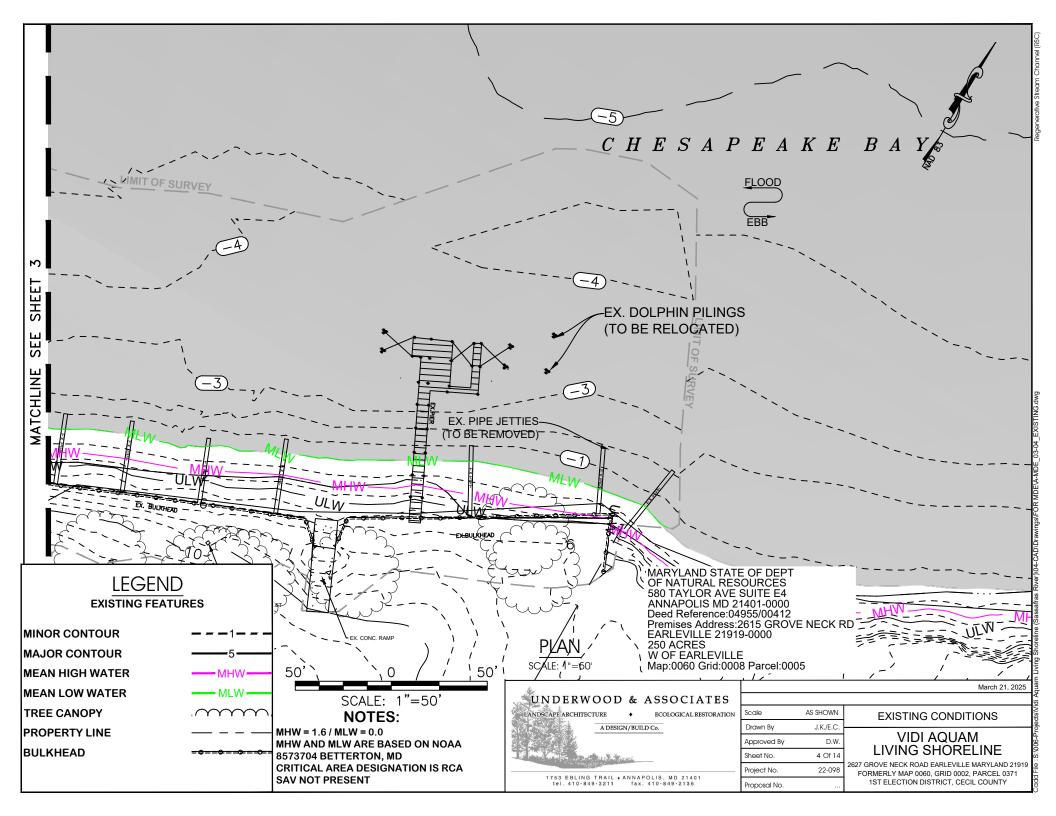
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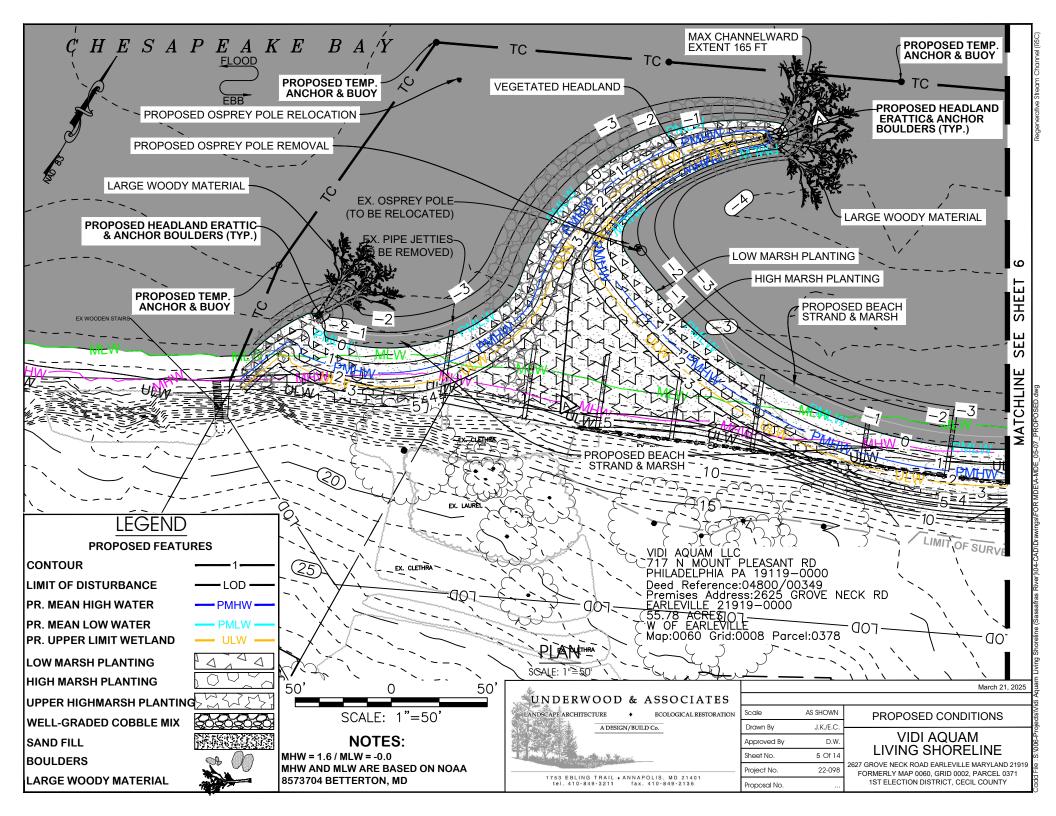
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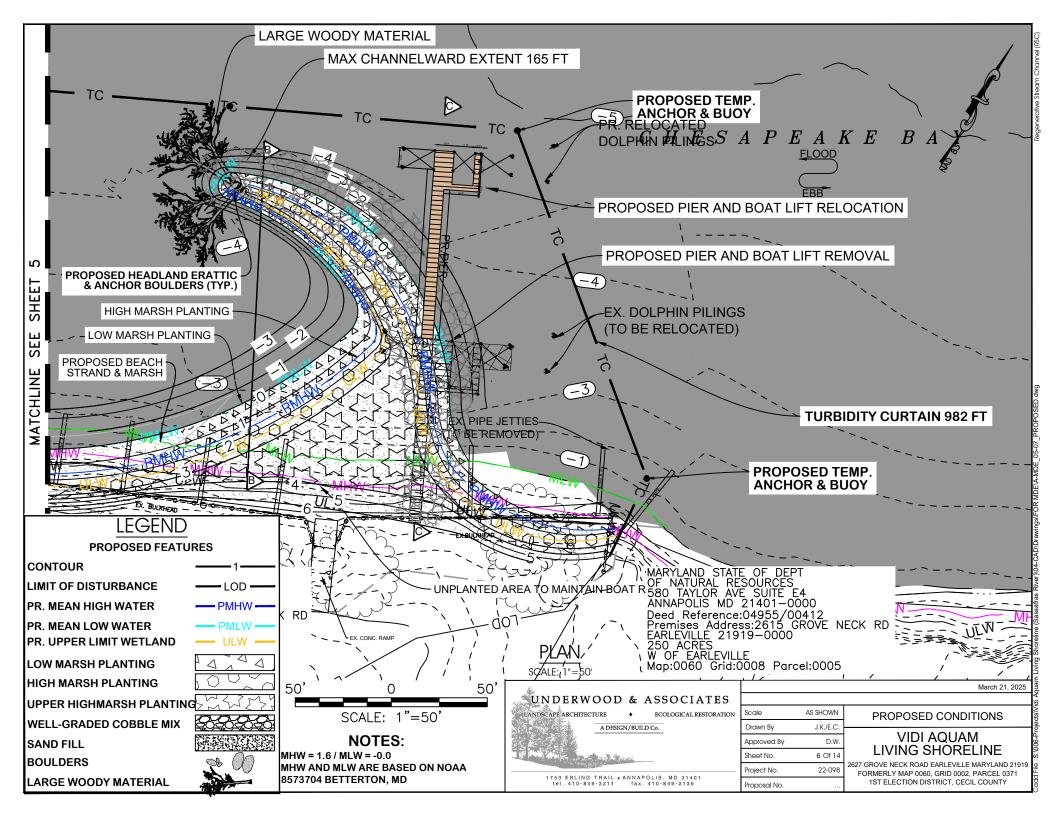
VIDI AQUAM LIVING SHORELINE

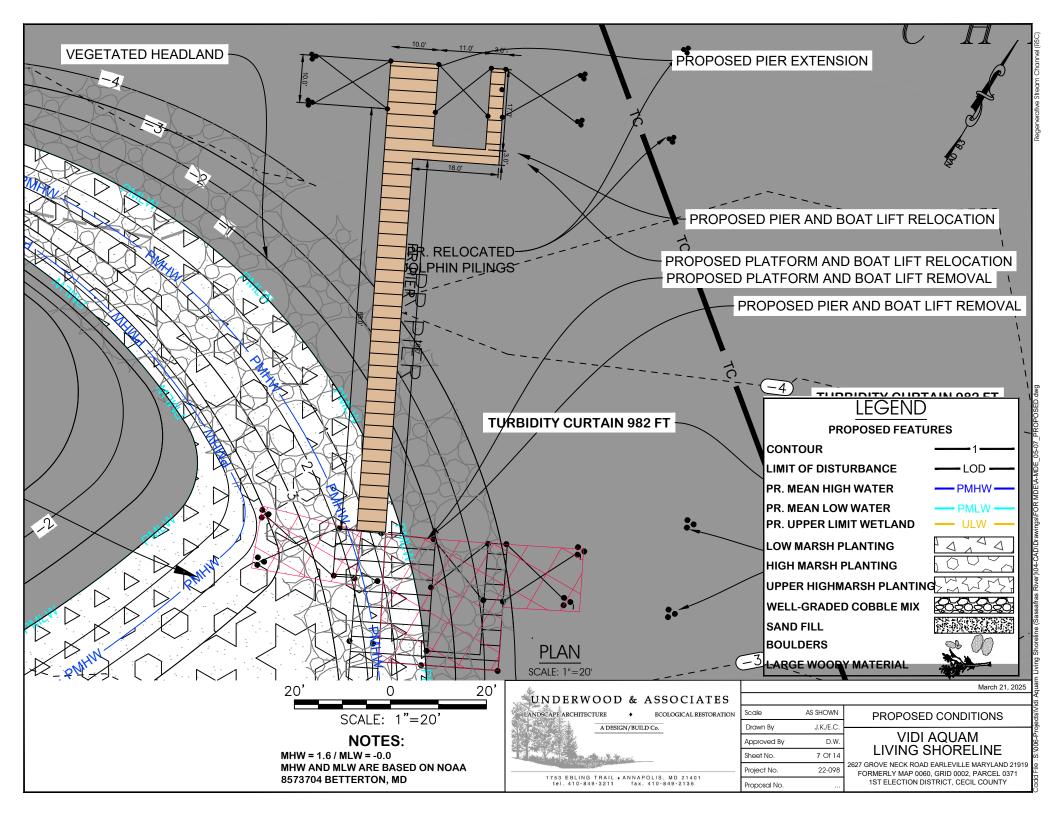


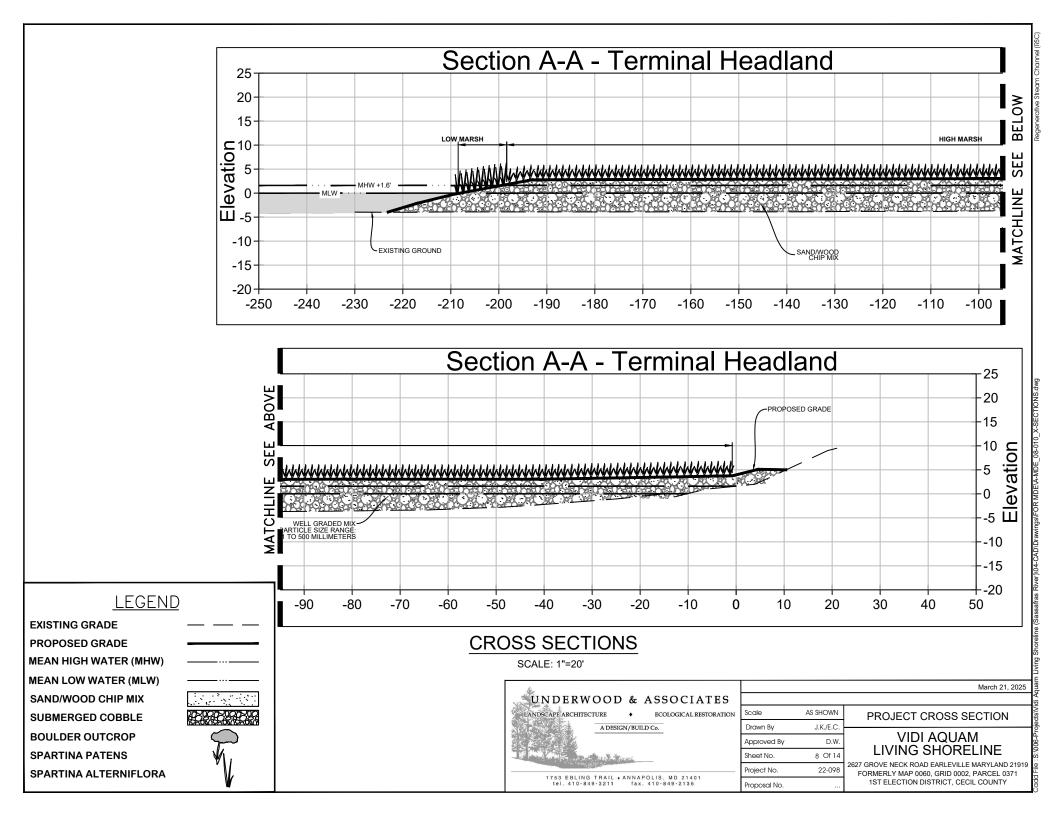


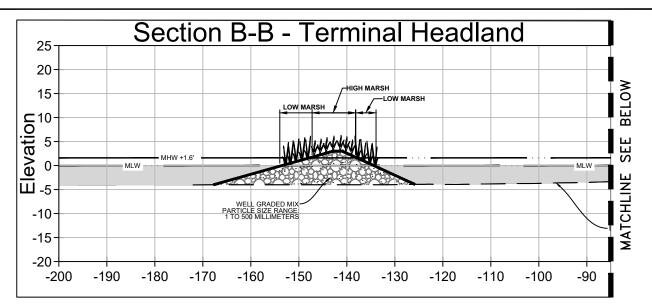


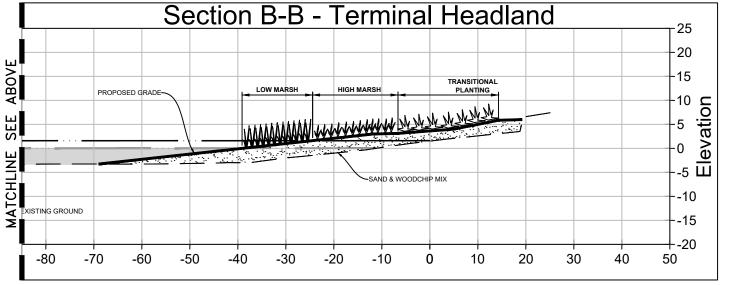








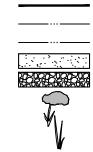




LEGEND

EXISTING GRADE
PROPOSED GRADE
MEAN HIGH WATER (MHW)
MEAN LOW WATER (MLW)
SAND/WOOD CHIP MIX
SUBMERGED COBBLE
BOULDER OUTCROP
SPARTINA PATENS

SPARTINA ALTERNIFLORA



CROSS SECTIONS

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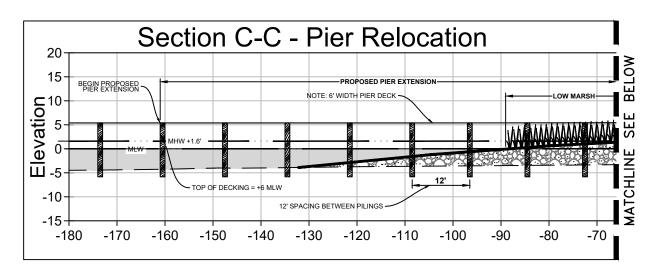
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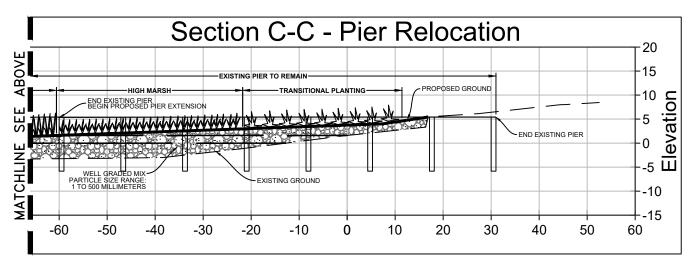
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PROJECT CROSS SECTION

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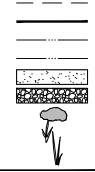




LEGEND

EXISTING GRADE
PROPOSED GRADE
MEAN HIGH WATER (MHW)
MEAN LOW WATER (MLW)
SAND/WOOD CHIP MIX
SUBMERGED COBBLE
BOULDER OUTCROP
SPARTINA PATENS

SPARTINA ALTERNIFLORA



CROSS SECTIONS

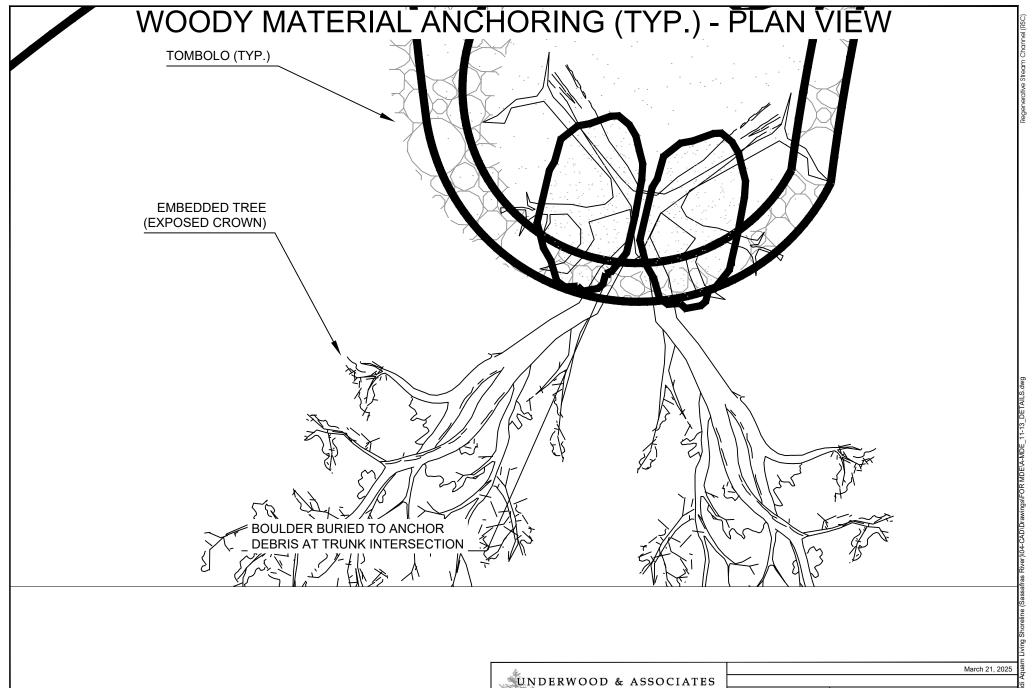
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PROJECT CROSS SECTION

March 21, 2025

VIDI AQUAM LIVING SHORELINE





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 11 Of 14

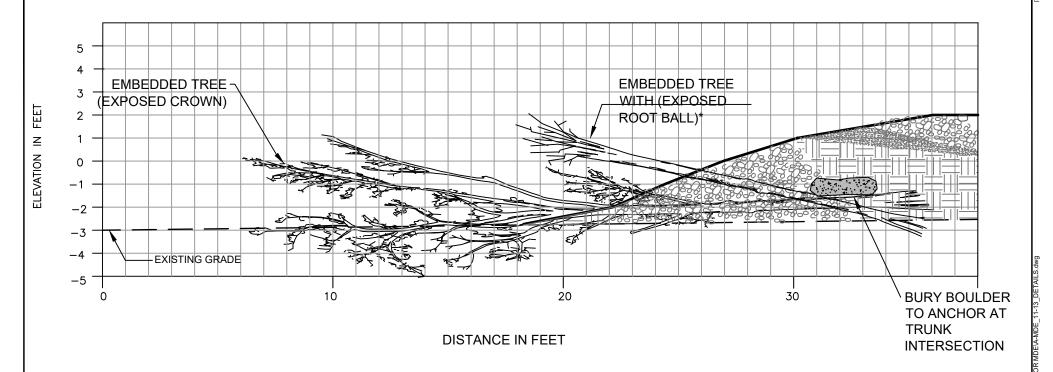
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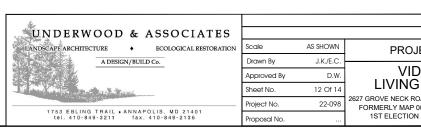
VIDI AQUAM LIVING SHORELINE

PROJECT DETAILS

WOODY MATERIAL ANCHORING (TYP.) - PROFILE VIEW



*NOTE: THE EMBEDDED TREE WITH EXPOSED ROOT BALL IS SET AT THE EXISTING GRADE. THIS DETAIL SHOWS THE ROOT BALL SLIGHTLY ELEVATED IN ORDER TO DISPLAY BOTH TREES. SEE PLAN VIEW FOR ALIGNMENT.

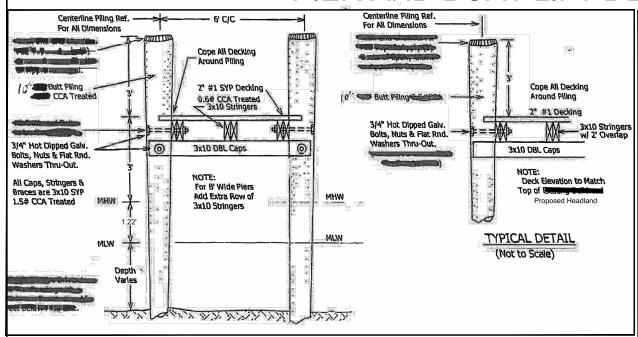


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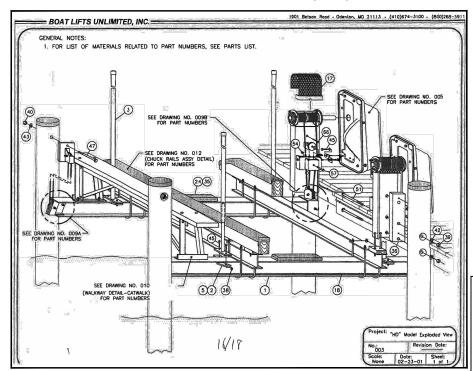
PROJECT DETAILS

VIDI AQUAM LIVING SHORELINE

PIER AND BOAT LIFT DETAILS



PIER DETAIL (TYP.)



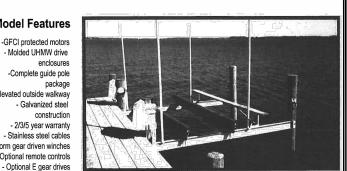
HD BOAT LIFT MODEL VIEW

MAGNUM MODEL 'HD' BOAT LIFT

HD Model Features

- Molded UHMW drive

-Complete guide pole package - Elevated outside walkway - Galvanized steel construction - 2/3/5 year warranty - Stainless steel cables - Worm gear driven winches - Optional remote controls - Optional E gear drives



The 'HD' model is designed to afford maximum hull support while keeping a low profile appearance. The design allows for easy access to your vessel because it is positioned inches away from your dock. Standa to the 'HD' model is a fully adjustable "I" beam bunking system to gently cradle your boat. The worm gear driven winches are located on the dock*, allowing for quick and easy maintenance. An elevated outside walkway allows access to both sides of your vessel for easy cleaning and maintenance.

*For capacities 15,000 lbs and less

HD MODEL SPECS

WEIGHT CAPACITIES:8,000 lbs,	10,000 lbs,12,500 lbs, 15,000 lbs, 20,000 lbs
CRADLE TRAVEL:	9' standard, optional to 13'
POWER REQUIREMENTS:	110 volt/30 amp-220volt/15 amp
PILING SIZE REQUIREMENTS:	8' diameter minimum
PILING HEIGHT ABOVE DECK:	18" minimum
PILING SPACING:	see general brochure or call

YOUR LOCAL DEALER:

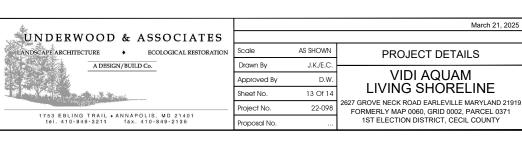
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Manufactured by

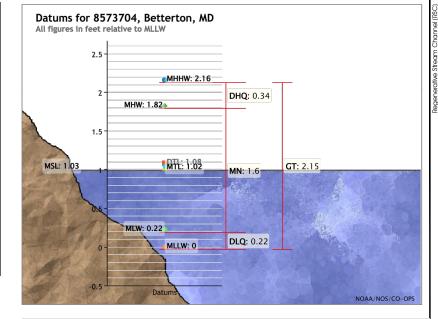
BOAT LIFTS UNLIMITED Odenton, Maryland

1-800-268-5911

HD BOAT LIFT MANUFACTURER SPECIFICATIONS



Vidi Aquam Living Shoreline - Project Information (Impacts below MHW)								
Feature Existing Proposed Differ								
High marsh- S. patens (SF)								
*Planted areas between proposed MHW & 1.5 x Tidal Range	0	4141	+4141					
Low marsh - S. alterniflora (SF)								
*Planted areas between proposed MLW & MHW	0	8821	+8821					
Total Tidal Wetlands (SF)	0	12962	+12962					
Bulkhead (LF)	554	0	-554					
Shoreline at MHW (LF)	631	1206	+575					
Total fill area (SF)	0	45304	+45304					
Sand Fill Area (SF)	0	25376	+25376					
Sand Fill Volume (CY)	0	2148	+2148					
Rock Fill Area (SF)	0	19928	+19928					
Rock Fill Volume (CY)	0	2855	+2855					
NOTE: NO SAV ON SITE OR ADJACENT TO SITE								



NOTES:

- SAV NOT PRESENT AT SITE ACCORDING TO VIMS SAV REPORTS (2017-2023)

Planting Schedule and Mitigation Calculations																
Planting Zone	Symbol	Total Area (SF)	Common Name	Scientific Name	Туре	Size	Distribution	Avg Spacing (ft)	Quantity	Credit Area (SF per plant)	Total Credit Area (SF)	Description				
Lowmarsh Cordgrass	4 4 4 A A A A A A	8,821	Lowmarsh Cordgrass	Spartina Alterniflora	Herbaceous	Gal	Random	1.5	3,920	0	0	Between MLW (El. 0) and MHW (El. 1.6).				
Highmarsh Cordgrass) O Hexagons O O	9,740	Highmarsh Cordgrass	Spartina Patens	Herbaceous	Gal	Random	1.5	4,329	0	0	Between MHW (El 1.6) to ULW (El. 2.4)				
	Stats A		Wax Myrtle	Myrica cerifera	Shrub	Gal	Random	15	54	50	2,750					
Upper high marsh						12,197	Broomsedge	Andropogon glomeratus	Herbaceous	Qt	Random	3	452	2	904	Above ULW
Opper nign marsn				12,137	Highmarsh Cordgrass	Spartina Patens	Herbaceous	Qt	Random	3	452	2	904	Above ouv		
	3474347		Switchgrass	Panicum virgatum	Herbaceous	Qt	Random	3	452	2	904					
Critical Ar	a Mitigation Calculations		Total Area of D	isturbed Canopy (SF)	Mitigatio	n Ratio	Total M	itigation Credit Required	(SF)	Total Credit	Area (SF)	Percent Mitigation (%)				
Critical Area Mitigation Calculations			2,077	2:1			4,154		5,46	2	131.49%					

UNDERWOOD & ASSOCIATES			_
LANDSCAPE ARCHITECTURE	Scale	AS SHOWN	Γ
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PROJECT DATA TABLES

March 21, 2025

VIDI AQUAM LIVING SHORELINE

2627 GROVE NECK ROAD EARLEVILLE MARYLAND 21919 FORMERLY MAP 0060, GRID 0002, PARCEL 0371 1ST ELECTION DISTRICT, CECIL COUNTY

(Sassafras River)\04-CAD\Drawings\FOR MDE\A-MDE_14_TABLES.dwg