



**U.S. Army Corps
of Engineers**
Baltimore District

Public Notice

In Reply to Application Numbers

NAB-2018-61717, 2018- 61865, 2019-60186, 2019-60254,
2019-60369, 2019-60379, 2019-60566, 2019-60647, 2019-
60771, 2019-60920, 2019-60926, 2019-61074, 2019-61168,
2019-61349, 2019-61368 (Somerset Co SWD-Ditch Program)

PN 19-72

Comment Period: November 5, 2019 to November 20, 2019

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC ABOUT THE WORK DESCRIBED BELOW. AT THIS TIME, NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED.

The Baltimore District has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (33 U.S.C. 1344), as described below:

APPLICANT: Somerset County, Solid Waste & Drainage
c/o Charles Cavanaugh
11916 Somerset Avenue
Princess Anne, Maryland 21853

WATERWAY AND LOCATION OF THE PROPOSED WORK:

In nontidal and tidal wetlands and unnamed ditch tributaries to the Wicomico, Manokin, and Big Annemessex Rivers within Somerset County, Maryland.

OVERALL PROJECT PURPOSE:

To restore drainage function and reduce flooding for improved and agricultural properties affected by erosion and sea level rise in low-lying Somerset County.

PROPOSED WORK:

To dredge/excavate a total of approximately 17,480 linear feet of tidal and 23,818 linear feet of nontidal drainage ditches that are a part of an existing ditch system maintained by the Somerset County Department of Solid Waste and Drainage. The effective capacity of the earthen ditches has been reduced through siltation and vegetation overgrowth.

The ditches would be dredged/excavated to their original design depth using an amphibious wide-tracked excavator, resulting in removal of an approximate total of 3,822 cubic yards of material. Ditches would be approximately 2 to 5 feet deep from top

of bank to their invert (bottom), and approximately 2-3 feet wide at their bottom. Excavated material would be either a) side cast to existing bermed areas alongside the ditches, b) spread to a thickness of approximately 4-6 inches, or c) within improved properties, removed from the site and disposed of at the county's landfill. These disposal methods would result in a maximum footprint of approximately 23.75 acres of project area, including wetlands that could receive dredged material. The work includes utilization of a 25-foot wide temporary access path along the ditches which, in some cases, would require tree removal. Trunks of large trees growing within the channels or access paths would be removed and windrowed along the ditch. Topsoil would be added to improved properties, as needed, to return them to their original condition. Several projects propose berm repair, tide gate replacement and culvert replacement as indicated in the Table 1 summary of each project's dimensions.

The Corps has grouped 15 separate project locations under one regulatory action in order to facilitate a more efficient and comprehensive review of the Somerset County drainage maintenance program in relation to its potential effects to regulated resources. This action proposes allowance for routine, recurring maintenance of these ditches by the applicant for a period of fifteen (15) years. All work is proposed in accordance with the attached plans.

Table 1: Project Locations and Dimensions

Corps File Number	Location	Waterway	Tidal	Linear Feet	Nontidal	Linear Feet	Square Feet	Activity
NAB-2018-61717	Wedda Scott Road Phase 3	Annessex Creek			Y	2850	71,250	Dredge/excavate
NAB-2018-61865	Whitehaven Ferry Road, Ph7	Wicomico River			Y	1070	26,750	Dredge/excavate
NAB-2019-60186	Harbaugh Road	Jones Creek	Y	365			9,125	Dredge/excavate
NAB-2019-60254	Dublin Road	Kings Creek			Y	2555	63,875	Dredge/excavate
NAB-2019-60369	Canal Drive	Daugherty Creek					2,000	Berm Repair (200 lf)
NAB-2019-60379	Marumscro Road	Marumscro Creek			Y	5090	127,250	Dredge/excavate
NAB-2019-60566	Nevette Muir Road	Teaque Creek			Y	1675	41,875	Dredge/culvert replacement
NAB-2019-60647	Deal Island Rd/ Hudson White Rd	Rock Creek			Y	1578	39,450	Dredge/excavate
NAB-2019-60771	Brick Kiln Road	Annessex Creek	Y	6385			159,625	Dredge/excavate
NAB-2019-60920	Daughertytown Road	Daugherty Creek	Y				180	Replace 36" tide gate
NAB-2019-60926	Marumscro Road	Marumscro Creek	Y	8275			206,875	Dredge/excavate
NAB-2019-61074	Asbury Drive, Phase 4	Jenkins Creek			Y	1895	47,375	Dredge/excavate
NAB-2019-61168	Tylerton, Smith Island	Tyler Creek	Y	2455			61,375	Replace tide gate; repair berm
NAB-2019-61349	Champ Road	St. Peters Creek			Y	5485	137,125	Dredge/excavate
NAB-2019-61368	Haines Point Road, Phase 2	Upper Thorofare			Y	1620	40,500	Dredge/excavate
Totals				17480		23818	1,034,630	23.75 acres

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:

Impacts were avoided through the use of machinery that does not require placement of marsh mats for site access and minimized to the extent practicable by limiting the dredging footprint to only that necessary to restore the designed functionality of the ditches.

No mitigation is proposed at this time.

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 on 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 (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 is not likely to adversely affect 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 (NHPA) 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 sites 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 NHPA 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 408 WQC:

<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 Corps file number of concern indicated Table 1.

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:

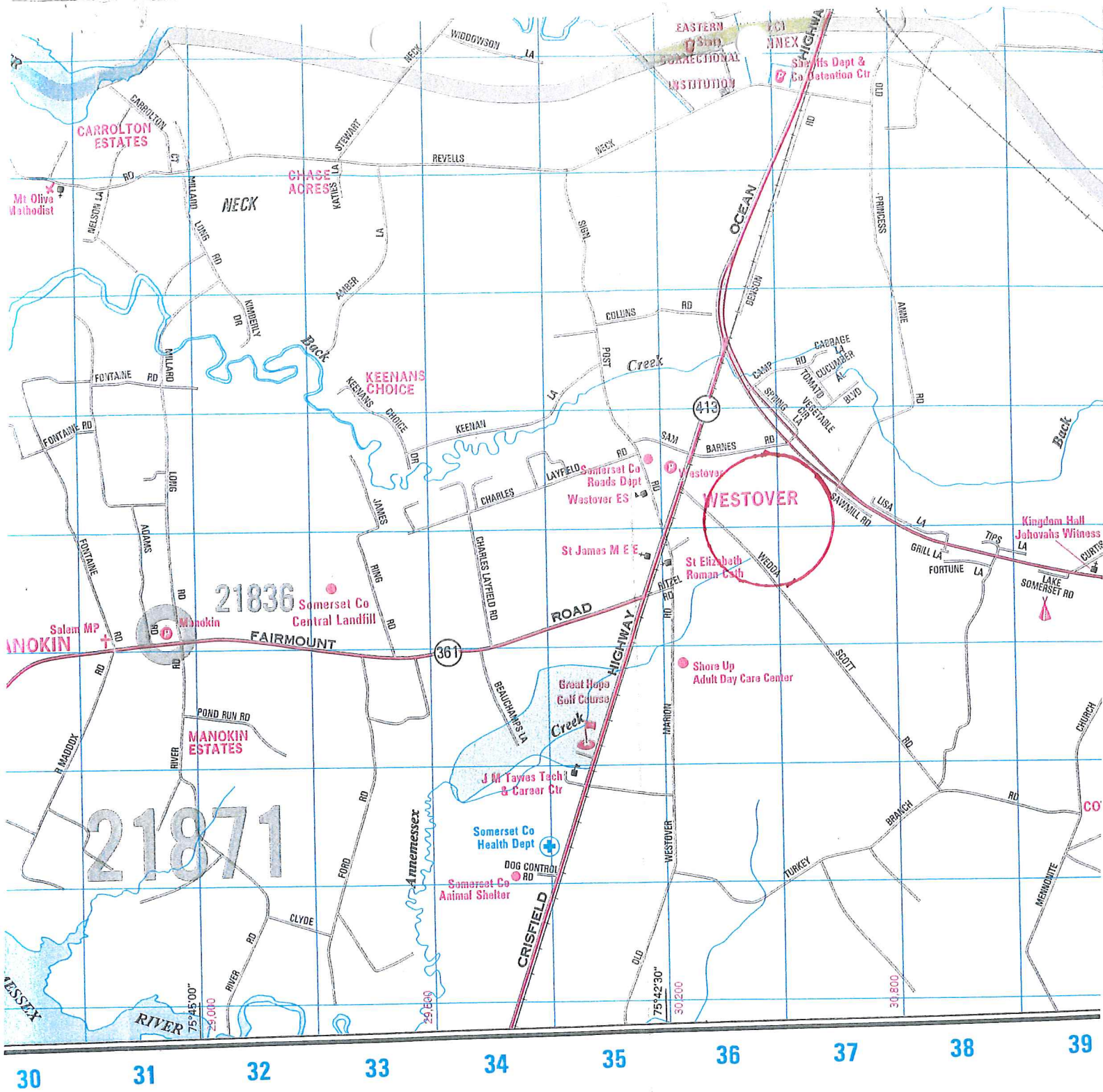
Connie Ramsey
(Connie.L.Ramsey@usace.army.mil)
U.S. Army Corps of Engineers, Baltimore District
Regulatory Branch
2 Hopkins Plaza
Baltimore, Maryland 21201

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 Connie Ramsey by phone at (410) 962-5676 or by email at Connie.L.Ramsey@usace.army.mil.

This public notice is issued by the Chief, Regulatory Branch.



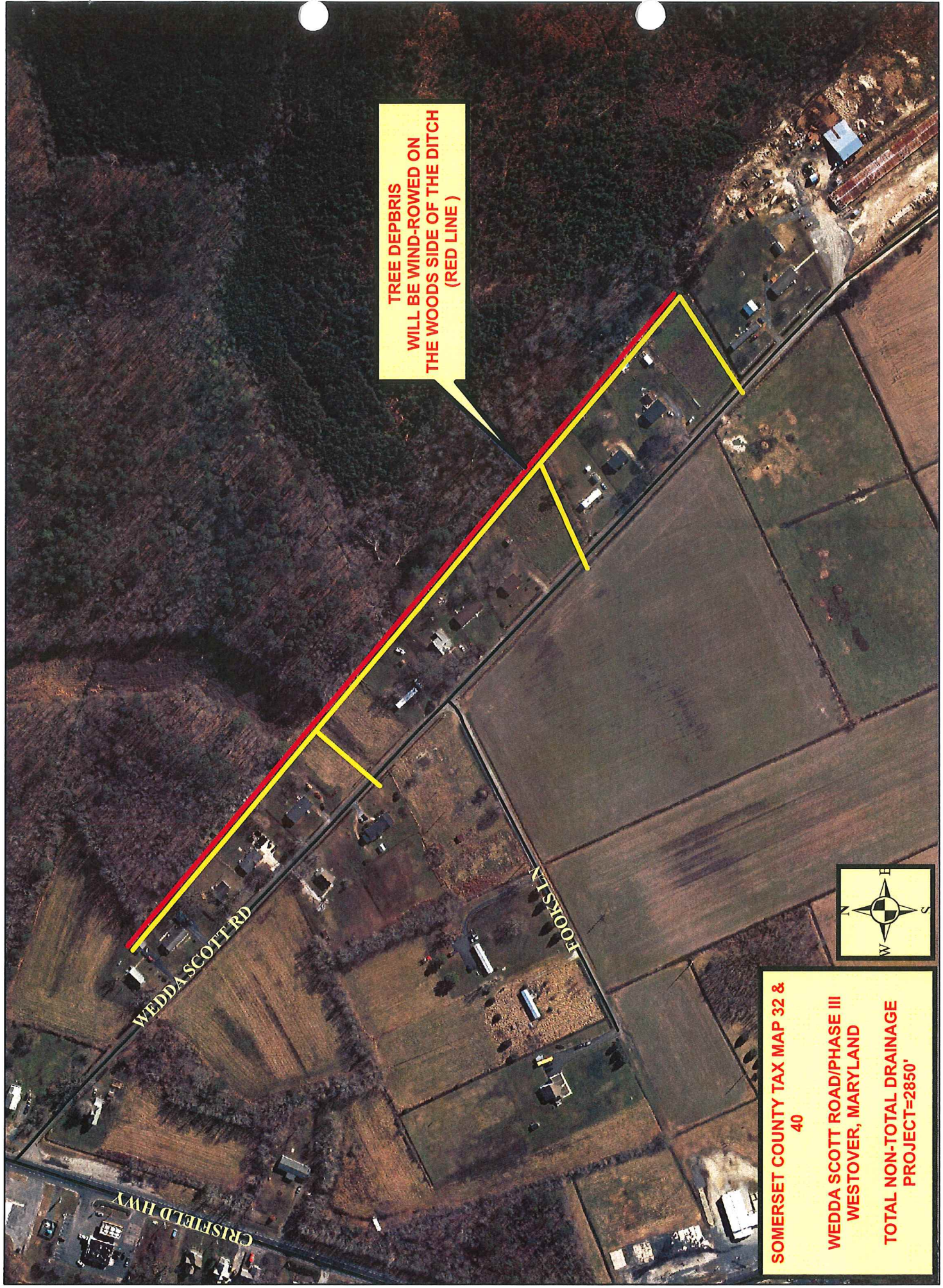
TREE DEPBRIS
WILL BE WIND-ROWED ON
THE WOODS SIDE OF THE DITCH
(RED LINE)



SOMERSET COUNTY TAX MAP 32 &
40

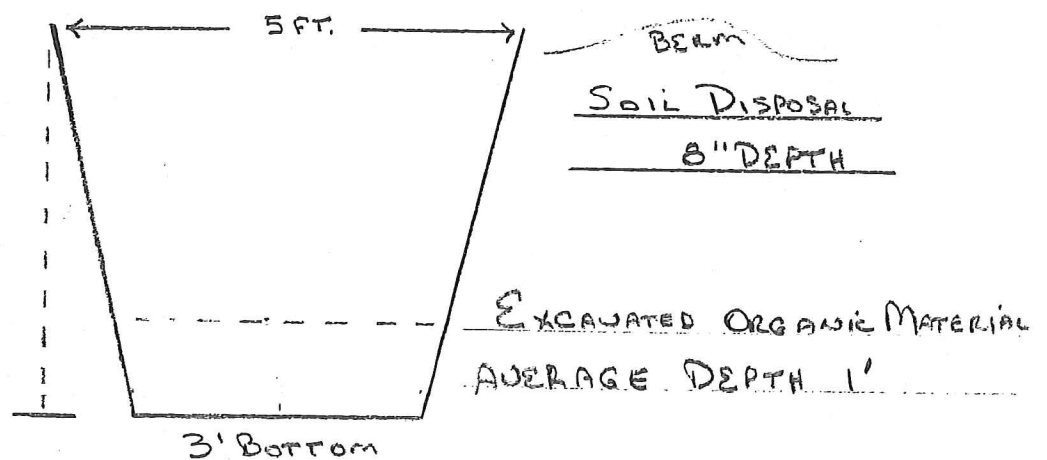
WEDDA SCOTT ROAD/PHASE III
WESTOVER, MARYLAND

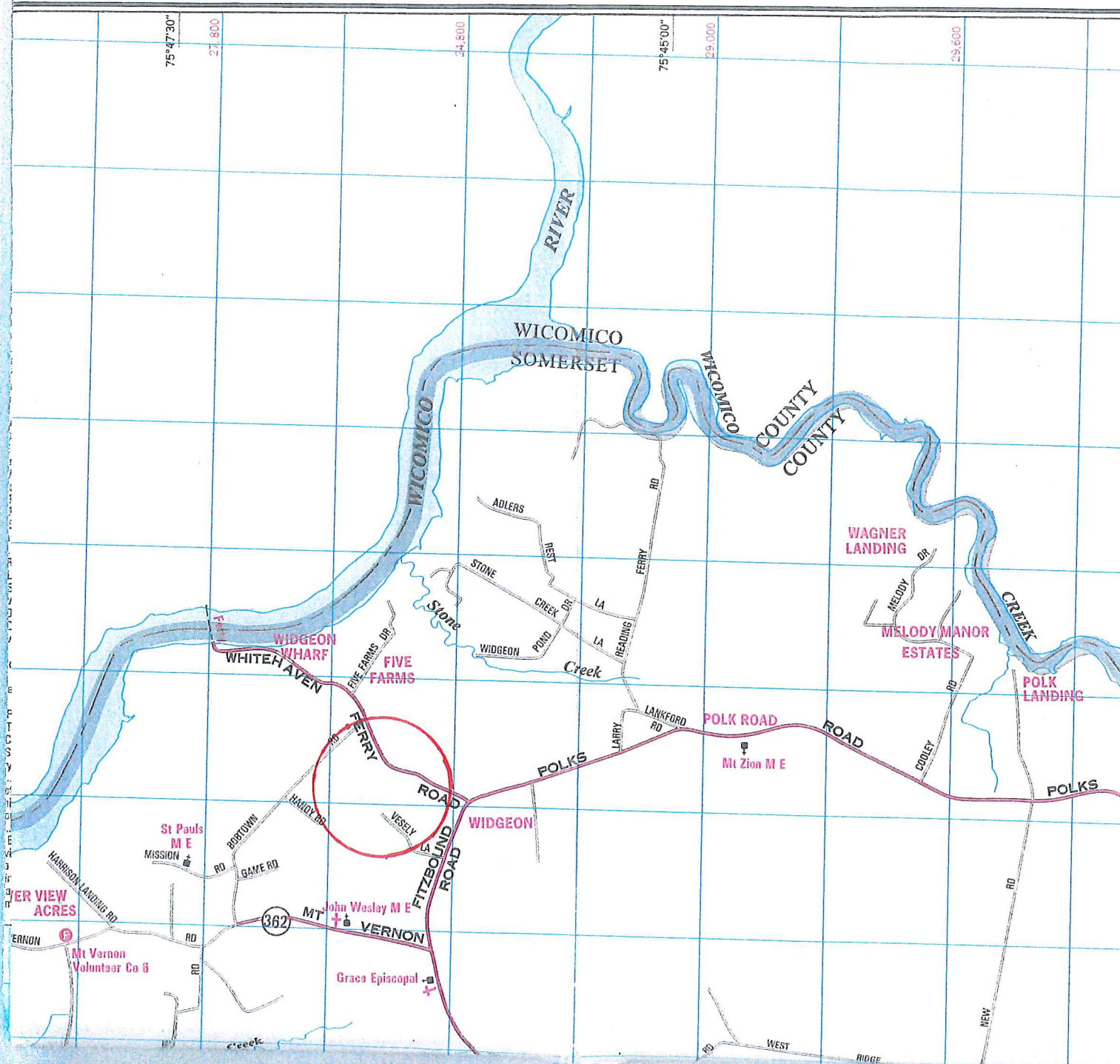
TOTAL NON-TOTAL DRAINAGE
PROJECT=2850'



DITCH CROSS SECTION

SCALE
 $\frac{1}{2} = 1"$



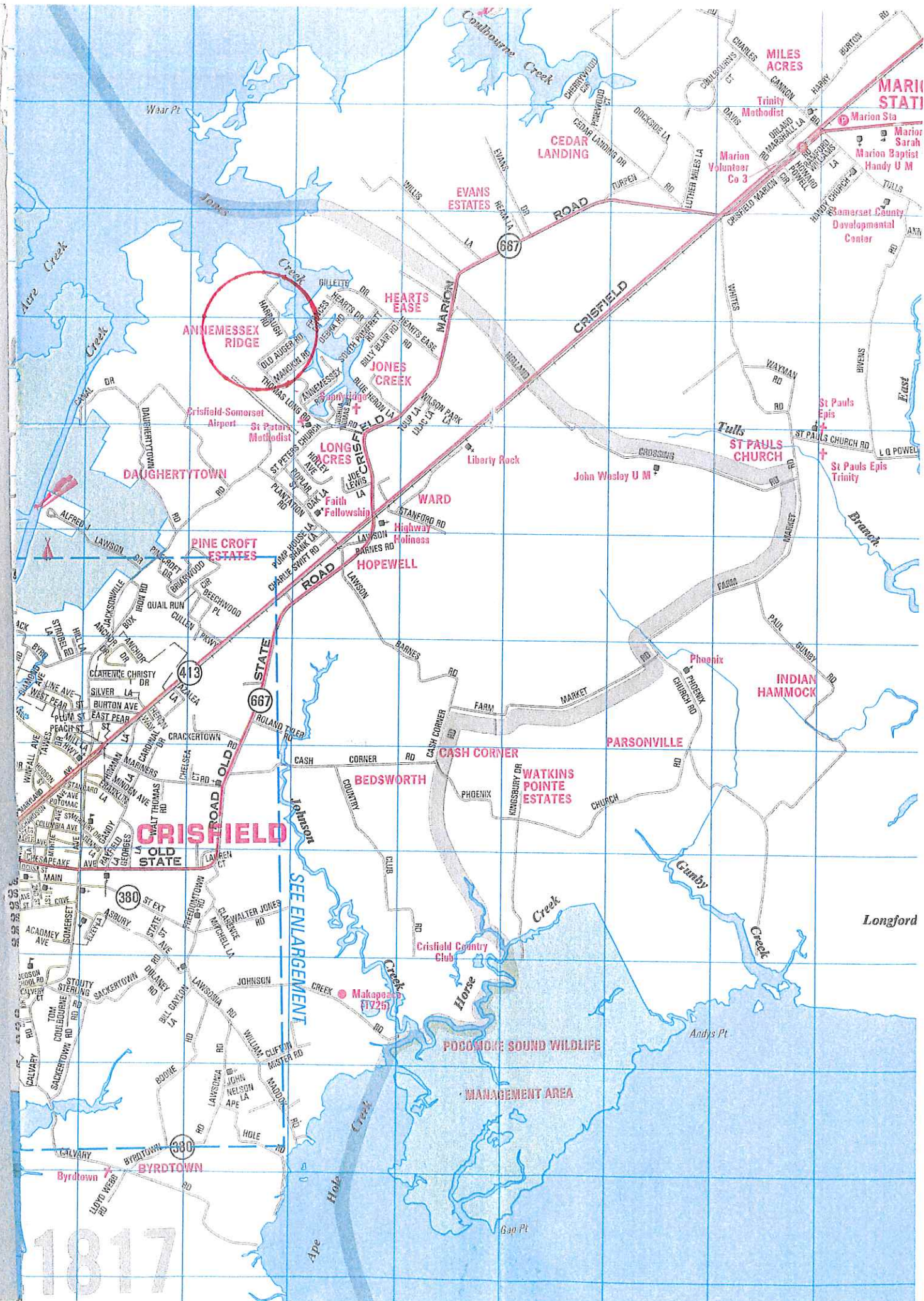




SOMERSET COUNTY TAX MAP 5

**WHITEHAVEN FERRY
ROAD/PHASE VII
PRINCESS ANNE, MARYLAND**

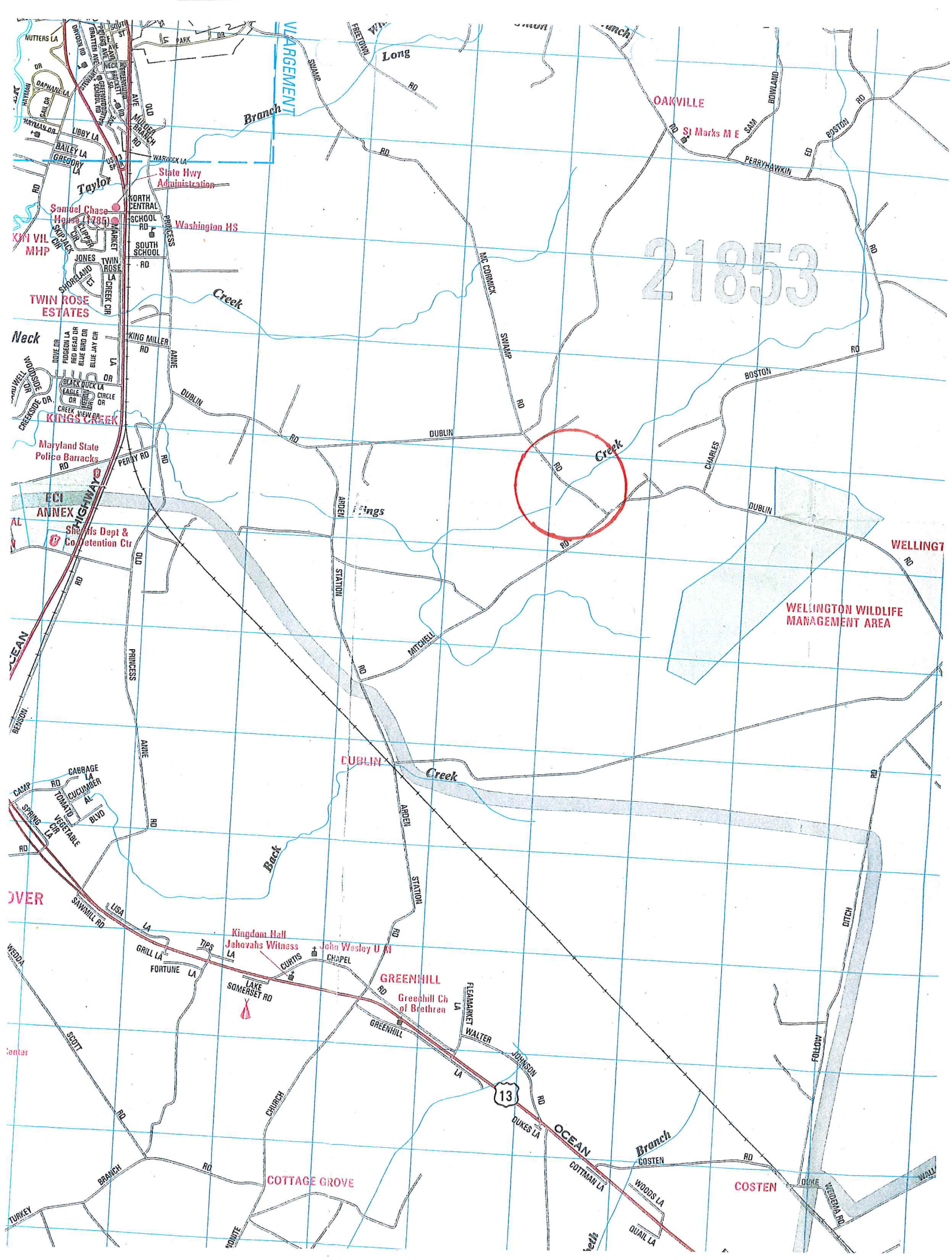
**TOTAL NON-TIDAL DRAINAGE
PROJECT=1,070'**

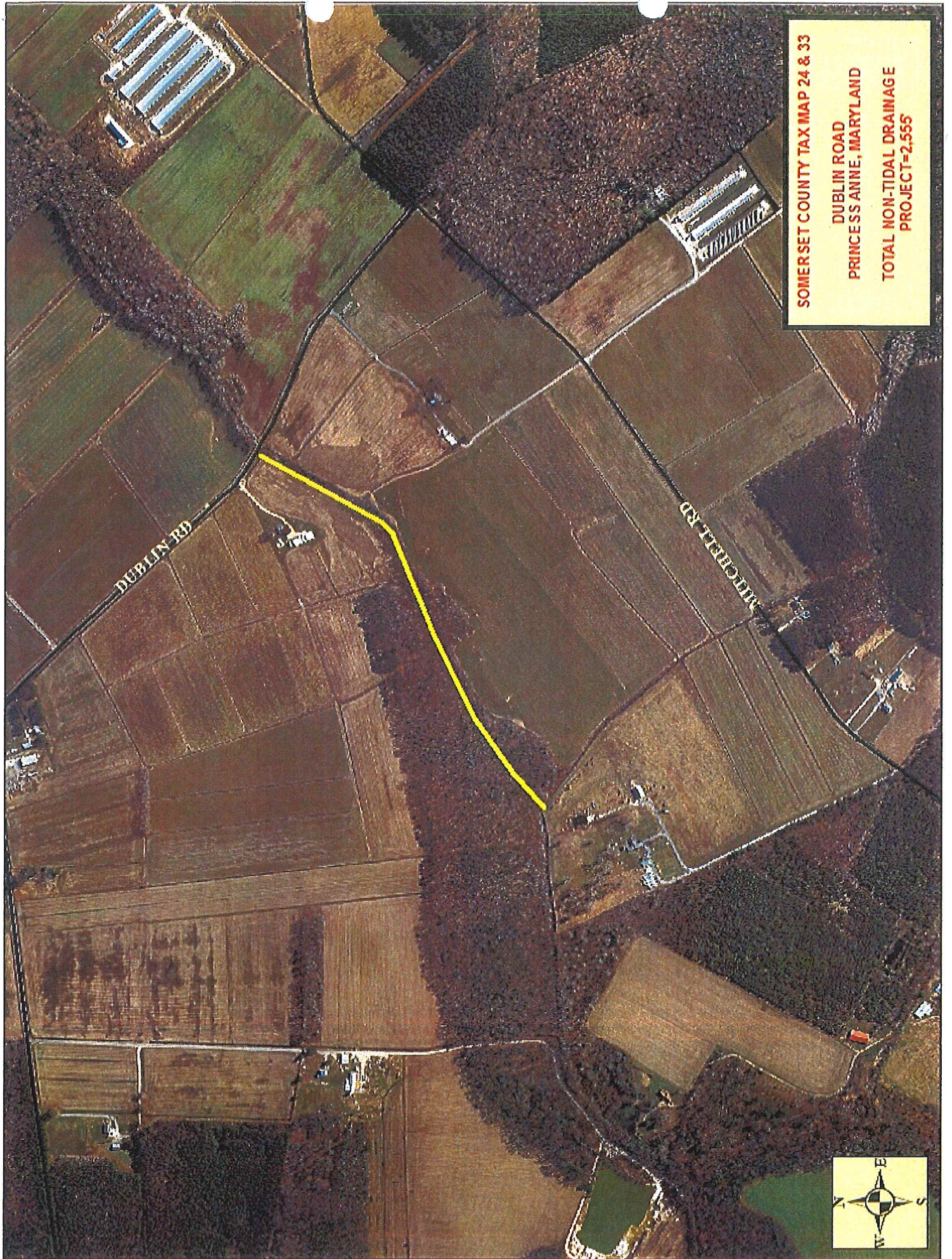


1817

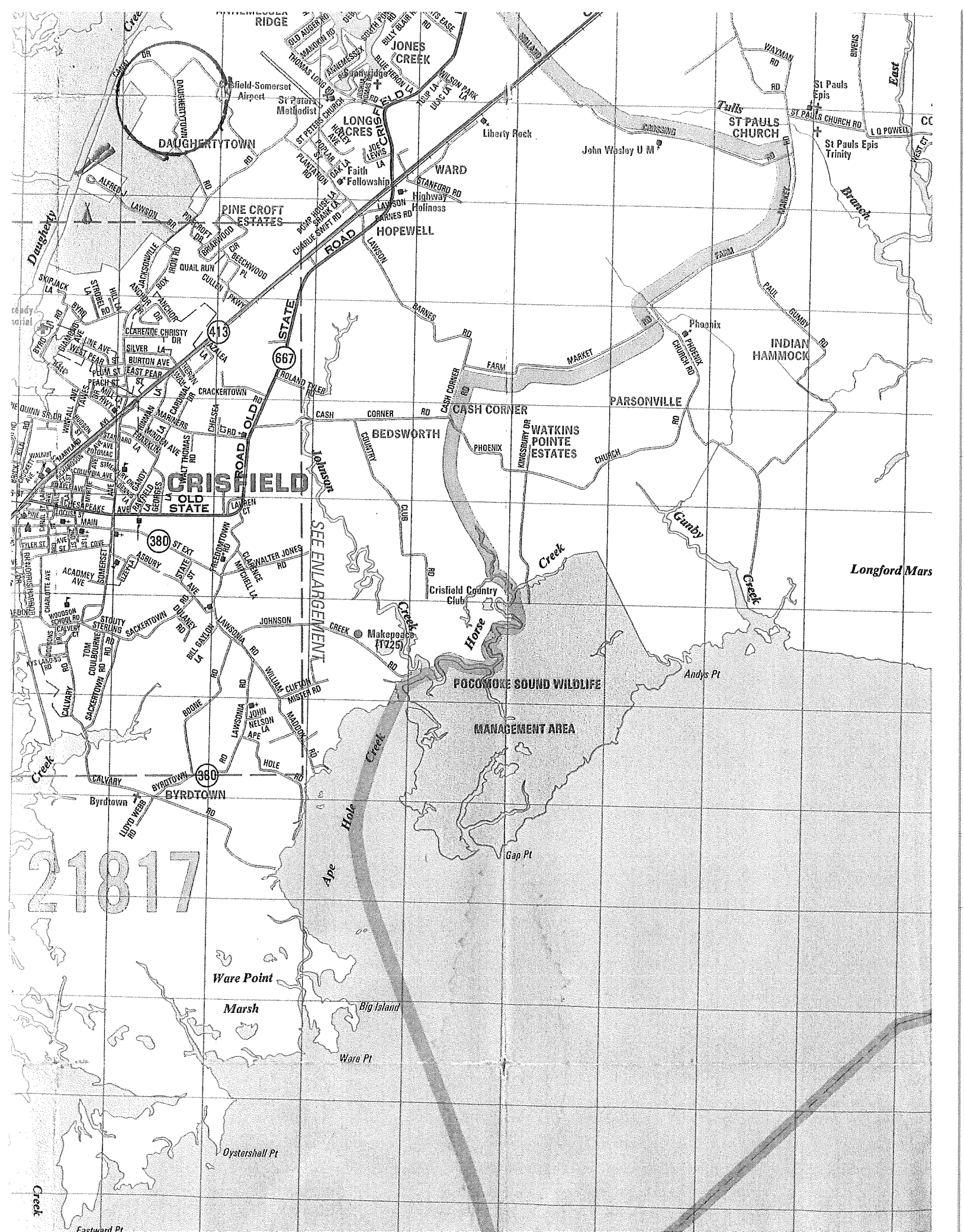


SOMERSET COUNTY TAX MAP
64
HARBAUGH ROAD
CRISFIELD, MARYLAND
TOTAL TIDAL DRAINAGE
PROJECT=365'





SOMERSET COUNTY TAX MAP 24 & 33
DUBLIN ROAD
PRINCESS ANNE, MARYLAND
TOTAL NON-TIDAL DRAINAGE
PROJECT=2,555'



NUMEROUS BREACHES
IN AREA MARKED IN YELLOW

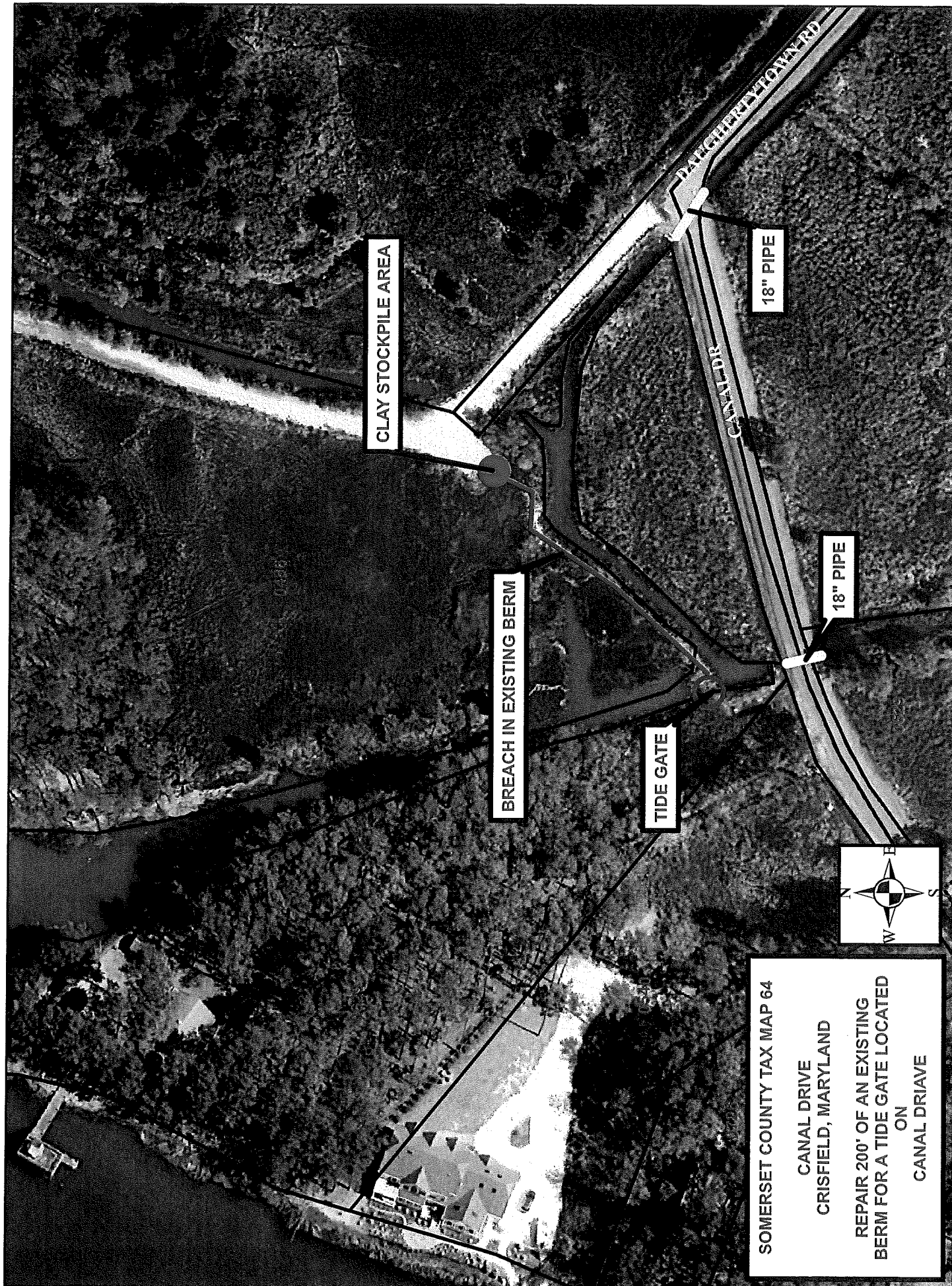
EXISTING BERM 8' TO 10' WIDE AT BASE
BASE 2' HIGH
REBUILD TO 4' HIGH

EXISTING BERM 8' TO 10' WIDE AT BASE
BASE 3' HIGH
REBUILD TO 4' HIGH

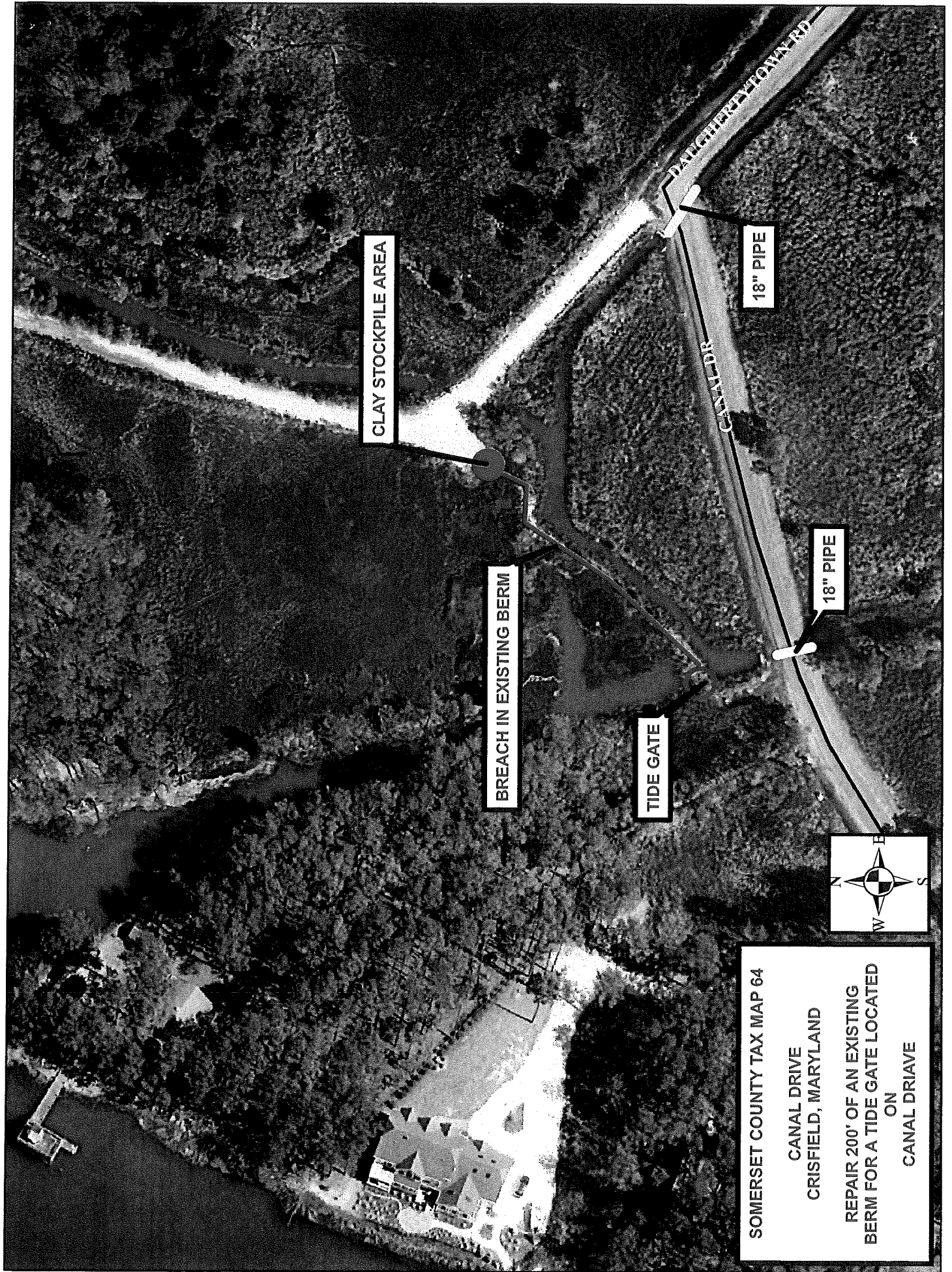
DAUGHTERY TOWNA ROAD

SOMERSET COUNTY TAX MAP 64
CANAL DRIVE
CRISFIELD, MARYLAND
TOTAL LENGTH OF EXISTING BERM=250'
REPAIR BREACHES IN EXISTING BERM





SOMERSET COUNTY TAX MAP 64
CANAL DRIVE
CRISFIELD, MARYLAND
REPAIR 200' OF AN EXISTING
BERM FOR A TIDE GATE LOCATED
ON
CANAL DRIVE



CLAY STOCKPILE AREA

18" PIPE

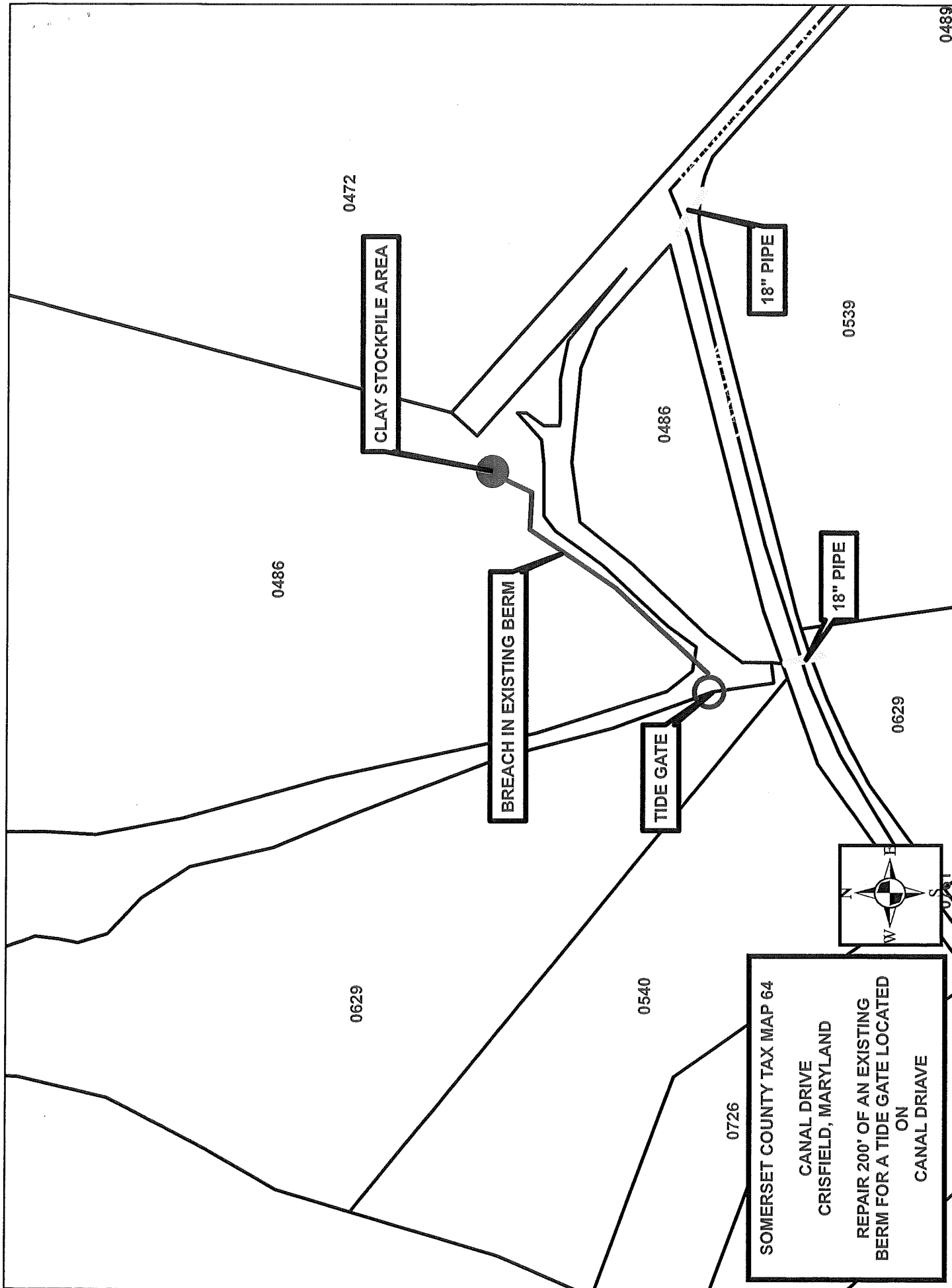
BREACH IN EXISTING BERM

TIDE GATE

18" PIPE



SOMERSET COUNTY TAX MAP 64
CANAL DRIVE
CRISFIELD, MARYLAND
REPAIR 200' OF AN EXISTING
BERM FOR A TIDE GATE LOCATED
ON
CANAL DRIVE





21838

Creek
Mt Poor M E
CONWAY LA

Quindocqua
Methodist

WHITTINGTON
QUINDOCQUA
CHURCH

CONNERS
CORNER

via
Memodist

CROSSMAN RD

Marumsc

FROGEYE

Ebenezer

Rehebeth
Methodist

Rehebeth Meth

MARUMSCO

SHELLTOWN

BACK

BACK

WILSON
POINT

RD

CREEK

MARUMSCO

Marumsc

POCOMOKE SOUND WILDLIFE
Marsh
MANAGEMENT AREA

Richardson

Marsh

Rumbly Point
Rumbly Pt

Indian
Hammock
Cove

CREEK

East Creek Pt

Tulls Pt

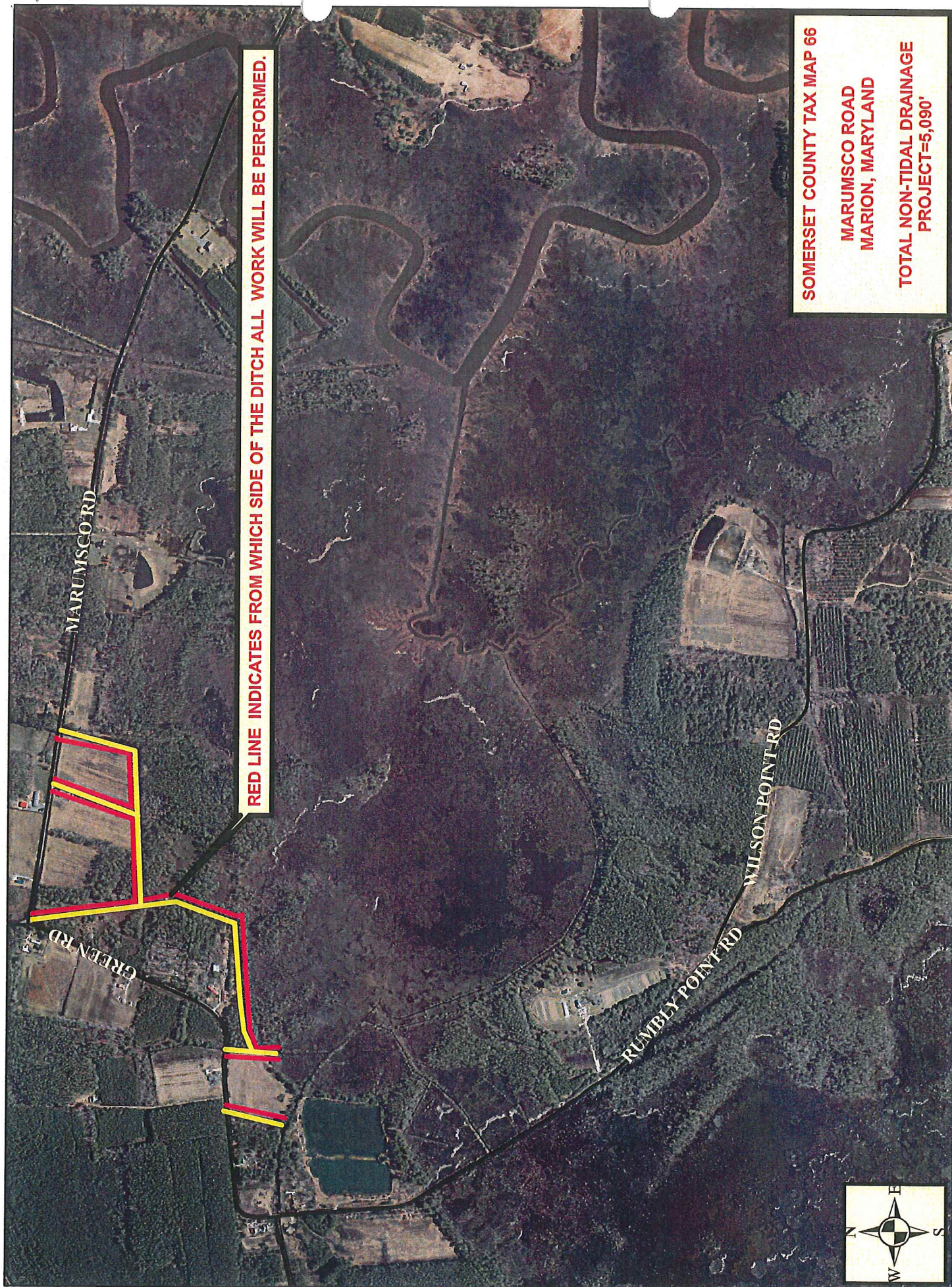
Fair

Island

Canal

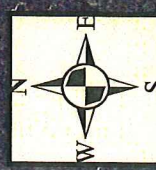
SOUND

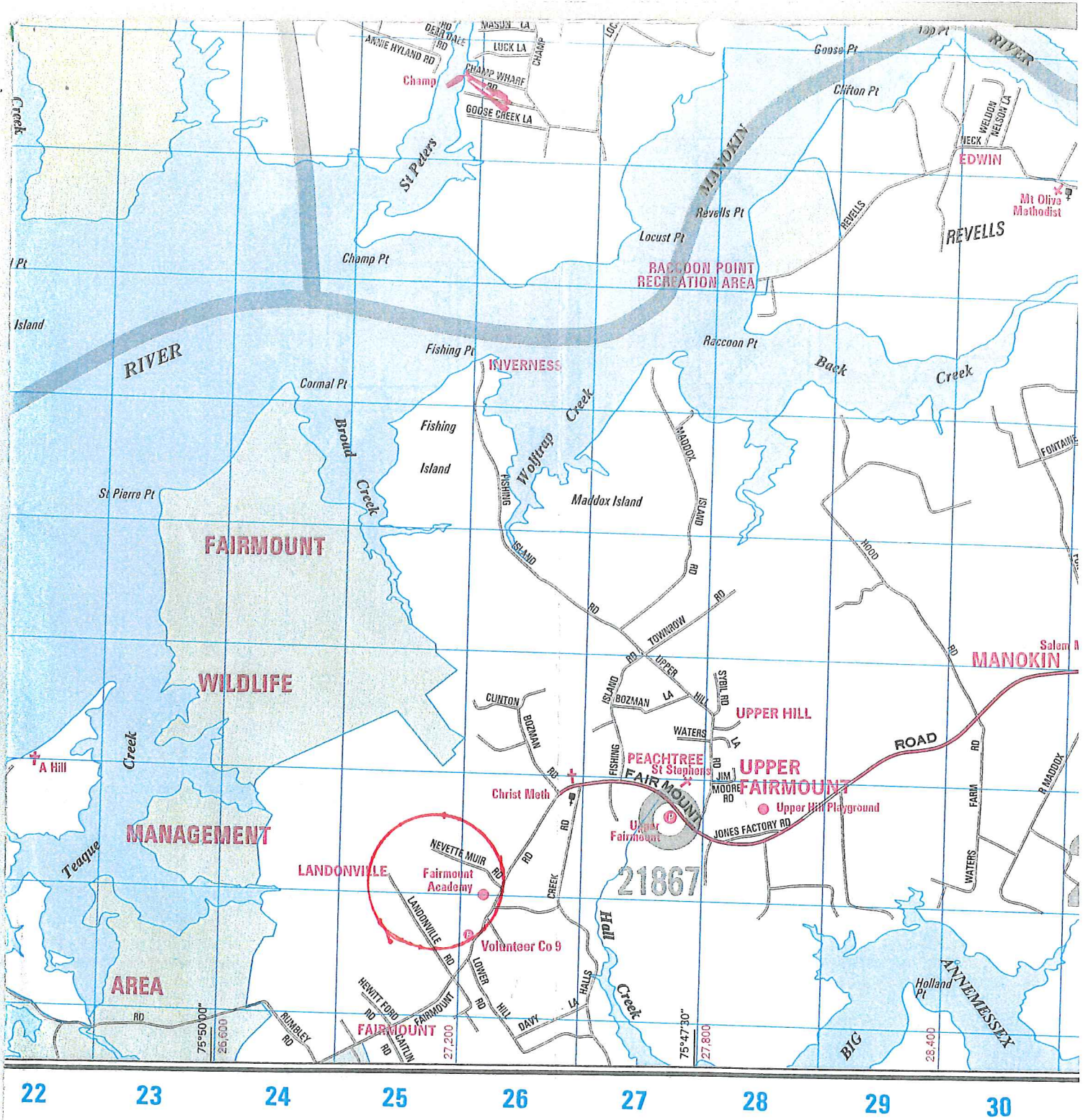
COMOKE



RED LINE INDICATES FROM WHICH SIDE OF THE DITCH ALL WORK WILL BE PERFORMED.

SOMERSET COUNTY TAX MAP 66
MARUMSCO ROAD
MARION, MARYLAND
TOTAL NON-TIDAL DRAINAGE
PROJECT=5,090'





EQUIPMENT OPERATOR WILL WORK OFF THE
SIDE OF THE DITCH WITH THE LEAST AMOUNT
OF VEGETATION.

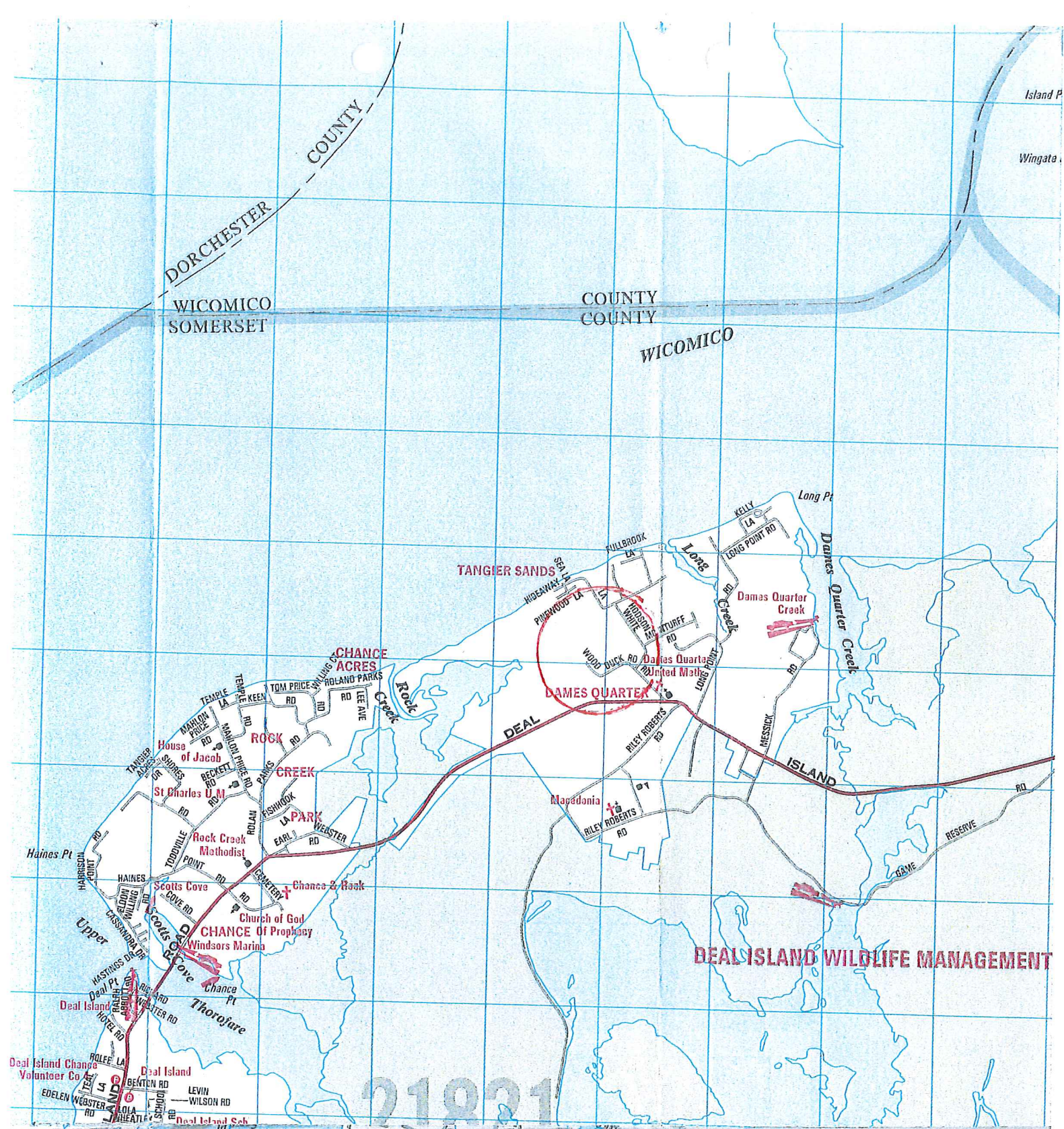
RED LINE INDICATES FROM WHICH SIDE
OF THE DITCH WORK WILL BE PERFORMED.

SOMERSET COUNTY TAX MAP
38
NEVETTE MUIR ROAD
WESTOVER, MARYLAND
TOTAL NON-TIDAL DRAINAGE
PROJECT=1.675'



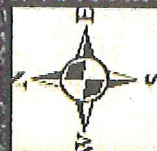
NEVETTE MUIR RD

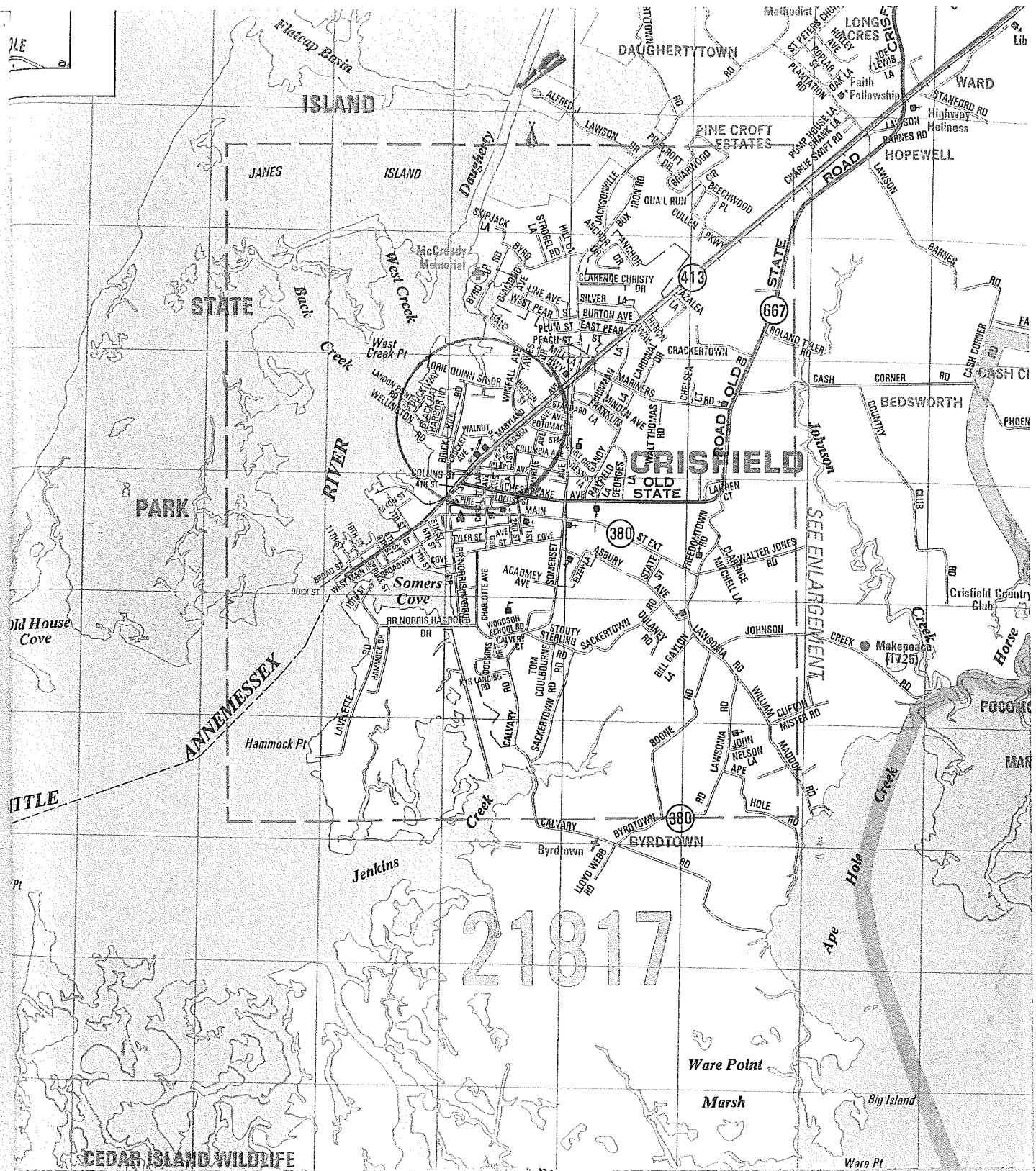
LANDON CREEK RD

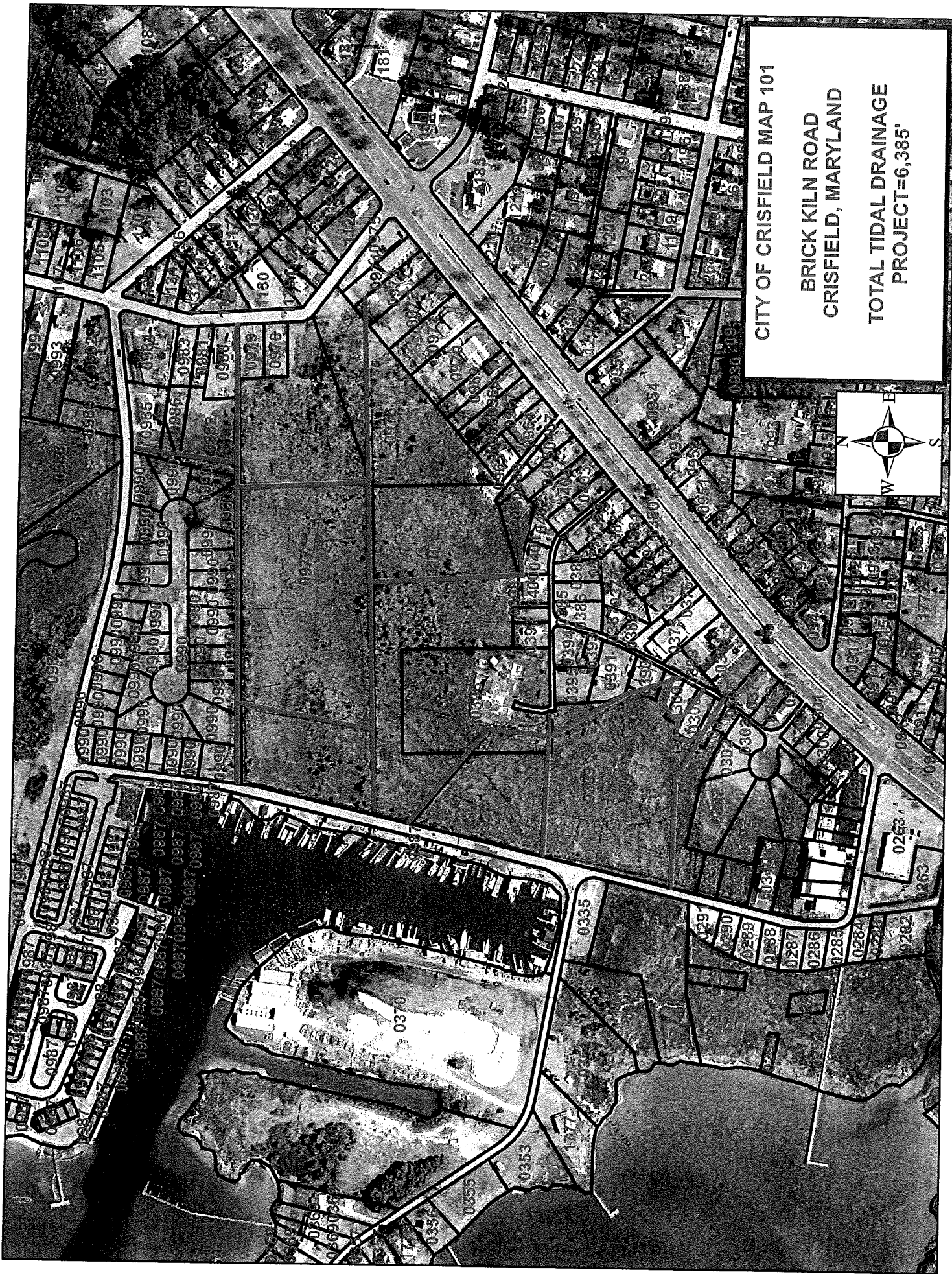




SOMERSET COUNTY TAX MAP 20
DEAL ISLAND-HODSON WHITE ROAD
DEAL ISLAND, MARYLAND
TOTAL NON-TIDAL DRAINAGE
PROJECT-1,578'



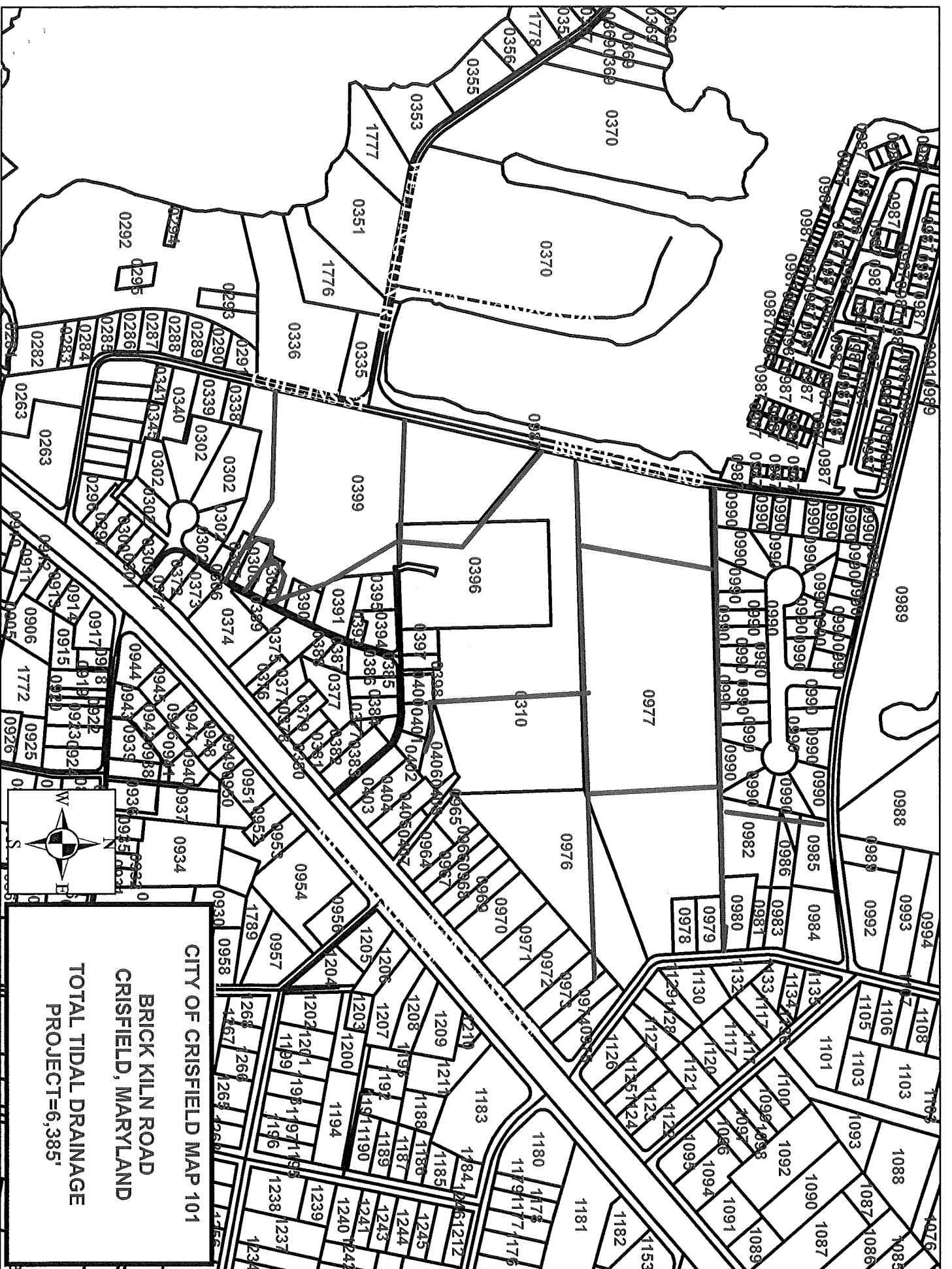




CITY OF CRISFIELD MAP 101

BRICK KILN ROAD
CRISFIELD, MARYLAND

TOTAL TIDAL DRAINAGE
PROJECT=6,385'

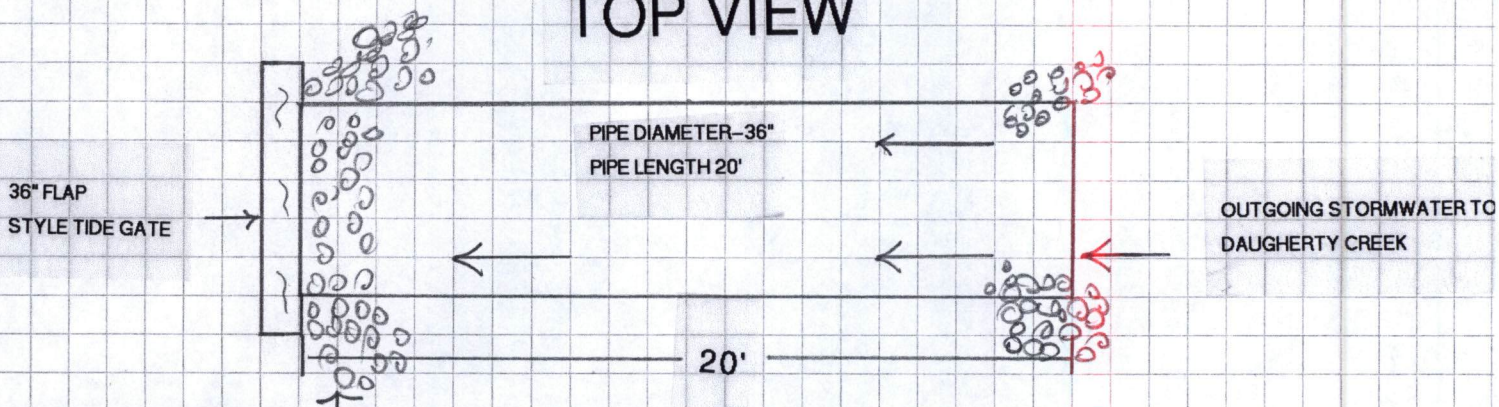






DAUGHERTYTOWN ROAD TIDE GATE INSTALLATION

TOP VIEW

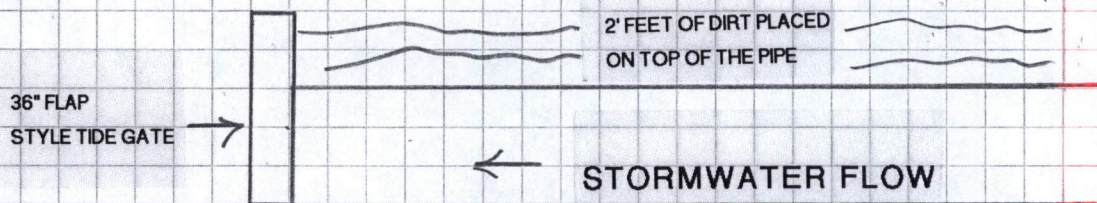


4" to 6" STONE RIP RAP

PIPE TYPE
CORRUGATED HDPE

WITH FILTER CLOTH PLACED
ON THE INLET & OUTLET SIDE OF PIPE

SIDE VIEW



PIPE & TIDE GATE TO BE
INSTALLED IN EXISTING DITCH





RUMBLEY POINT RD

GREEN RD

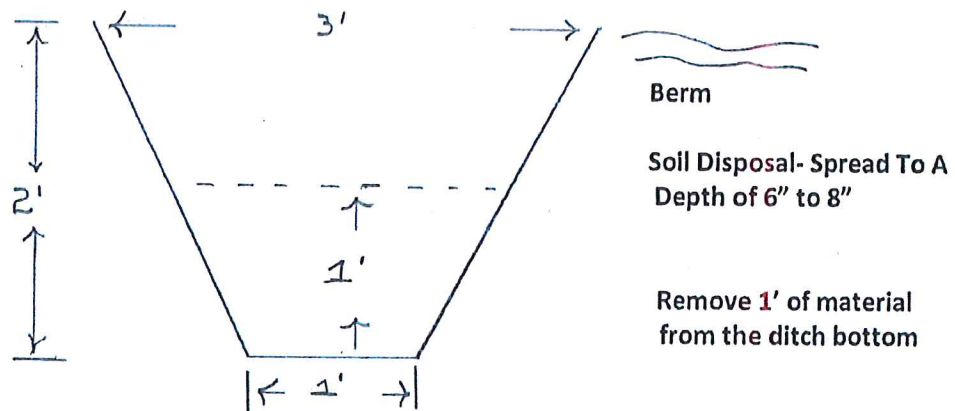
MARUMSCO RD

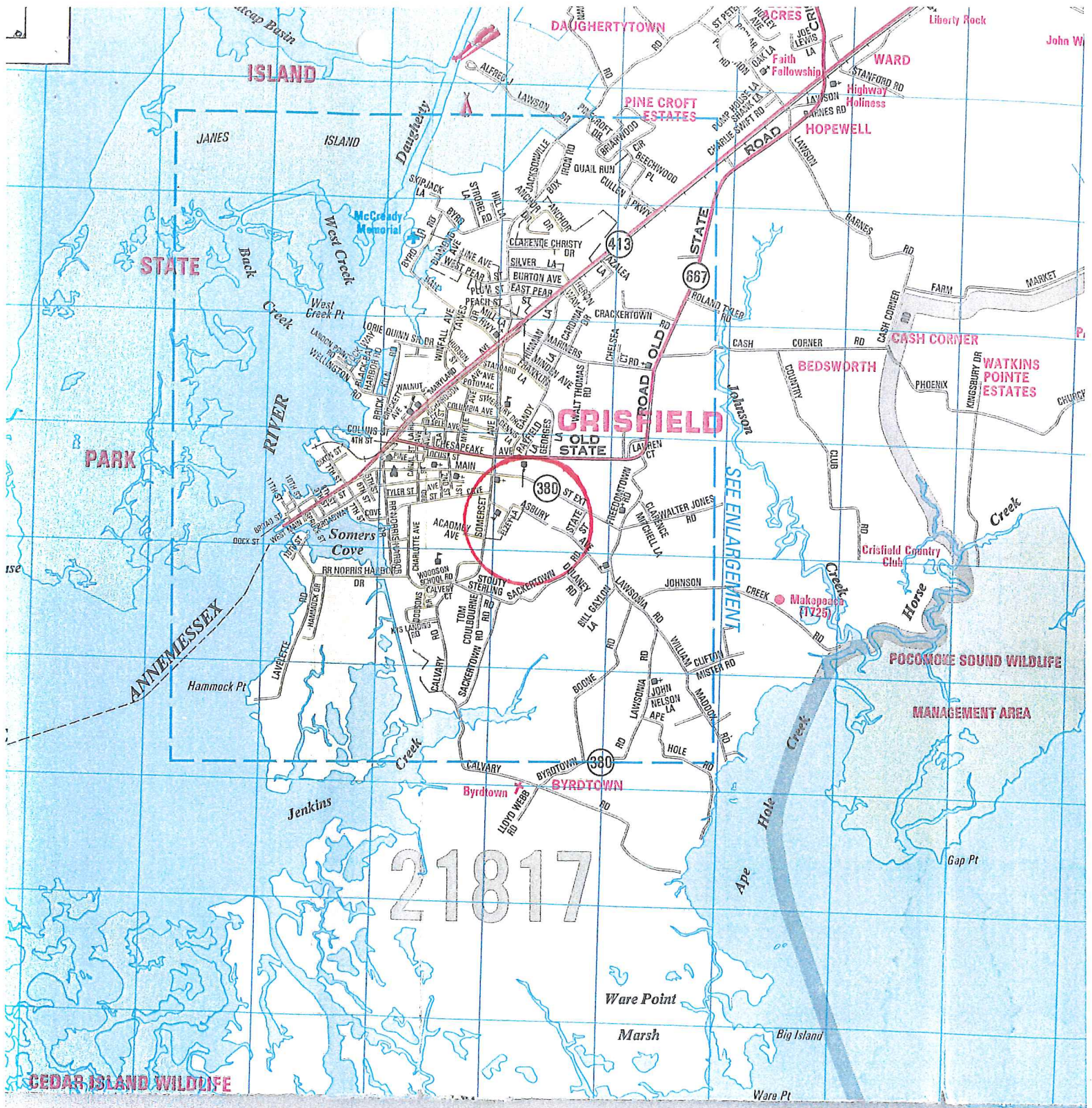
**SOMERSET COUNTY TAX
MAP 66
MARUMSCO ROAD/PHASE II
MARION, MARYLAND
TOTAL TIDAL
PROJECT=8,275'**

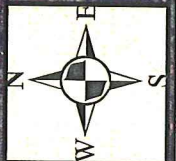
DRAINAGE DITCH CROSS SECTION

MARUMSCO ROAD

Scale
1"=1'



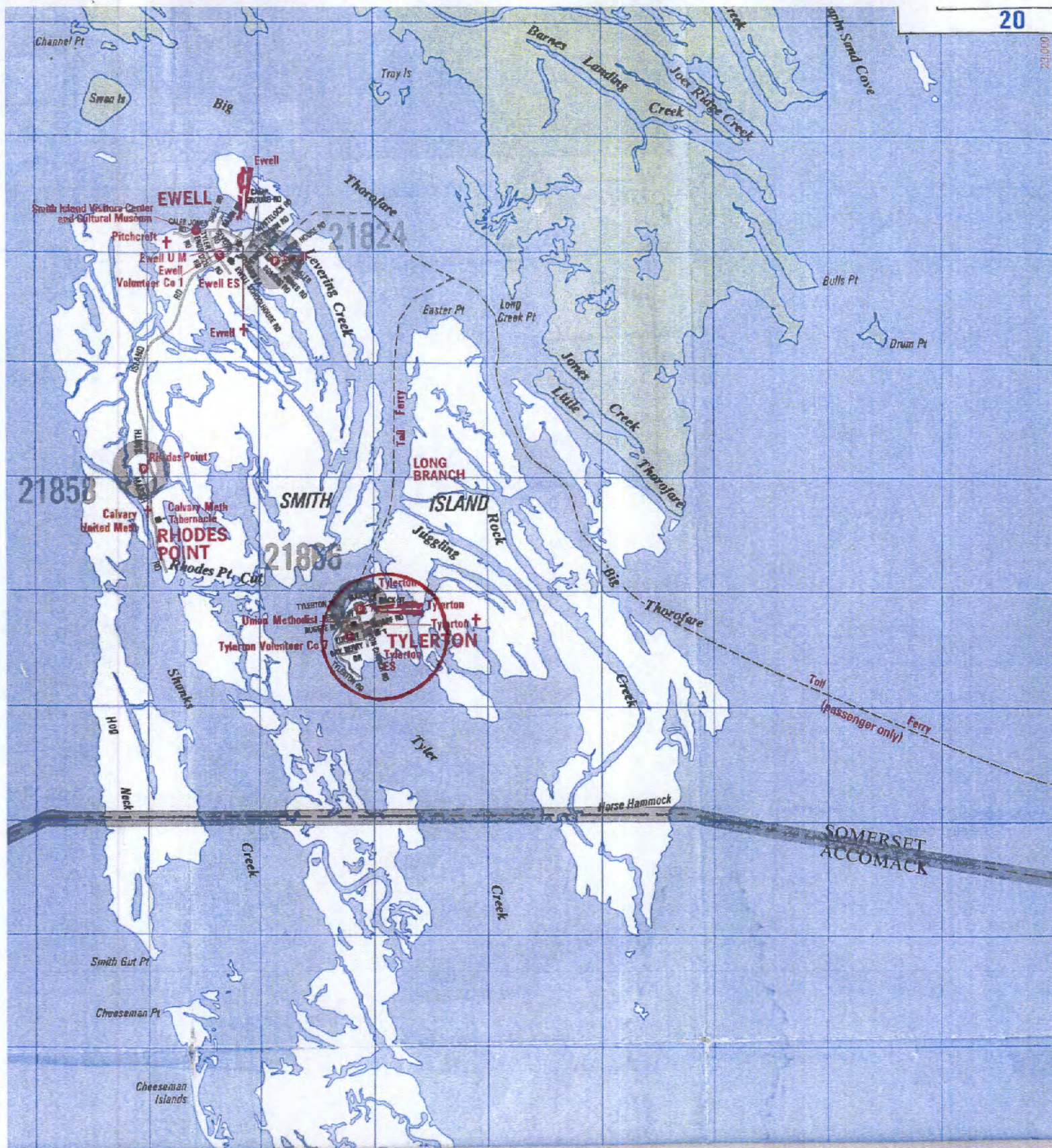




SOMERSET COUNTY TAX MAP 72

**ASBURY AVENUE/PHASE IV
CRISFIELD, MARYLAND**

**TOTAL NON-TIDAL DRAINAGE
PROJECT=1,895'**





MAINTENANCE DREDGING 2,455' OF
AN EXISTING TIDAL DITCH
(TIDAL DITCH MARKED IN RED)

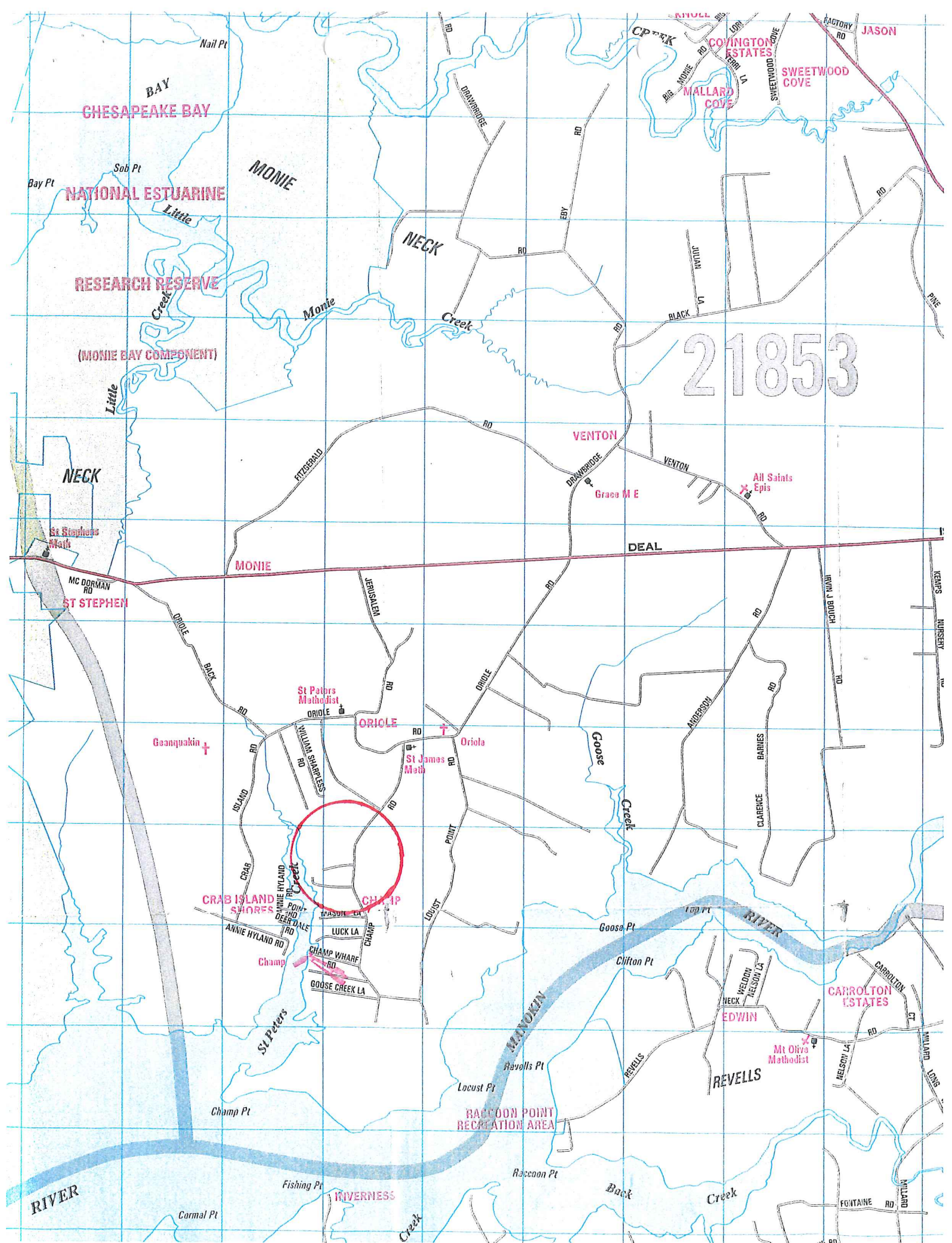
REPLACE EXISTING TIDE GATE
WITH A 24" FLAP TIDE GATE
(EXISTING TIDE GATE MARKED IN BLUE)

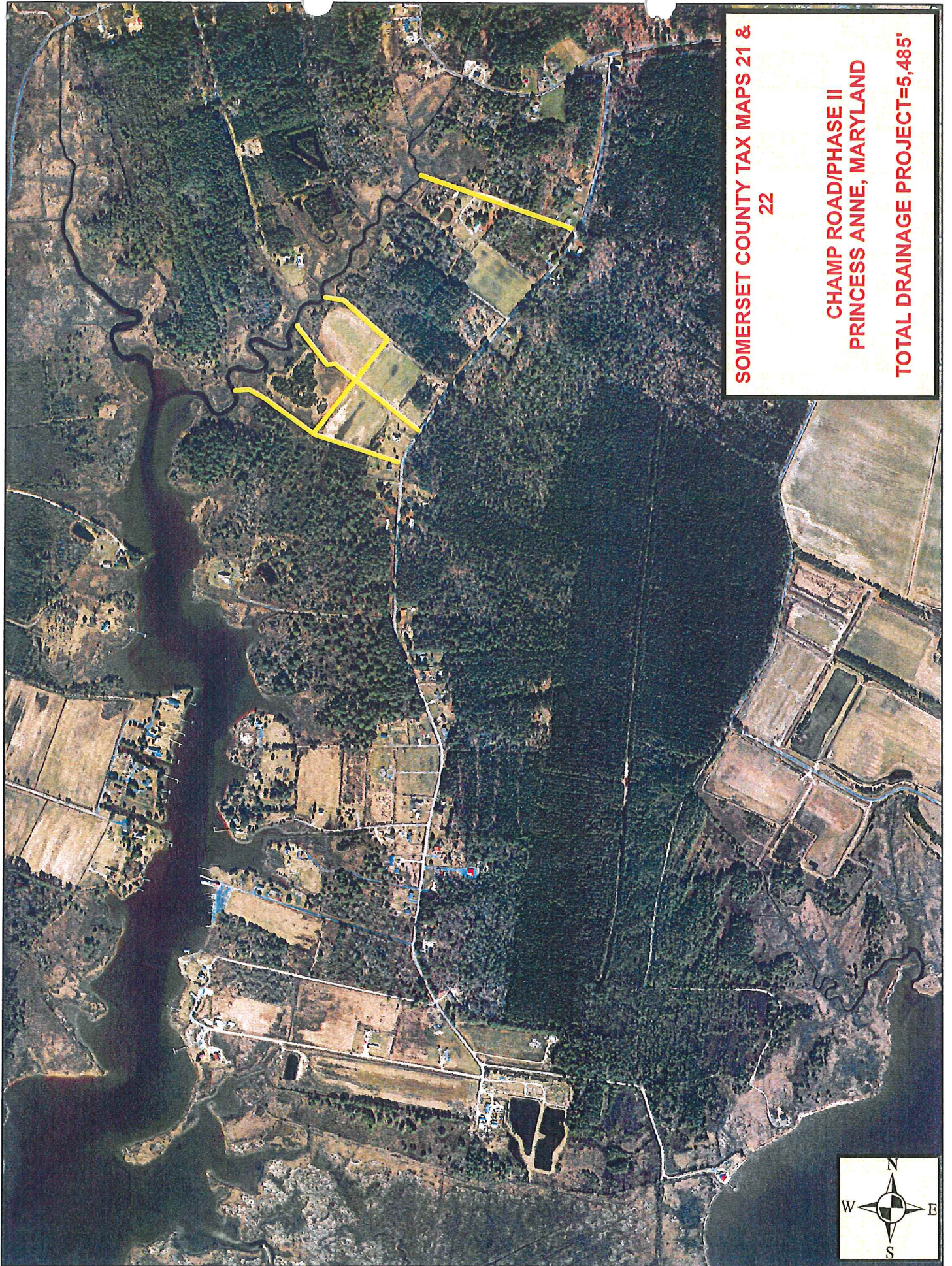
REPAIR ALL BREACHES IN EXISTING 1,880' BERM
(BERM IS MARKED IN YELLOW)

SOMERSET COUNTY TAX MAP 69 C

TUFT STREET
TYLERTON, SMITH ISLAND

TIDAL DRAINAGE DITCH
PROJECT=2,455'
REPAIR BREACHES IN EXISTING 1,880'
BERM
REPLACE EXISTING TIDE GATE





SOMERSET COUNTY TAX MAPS 21 &

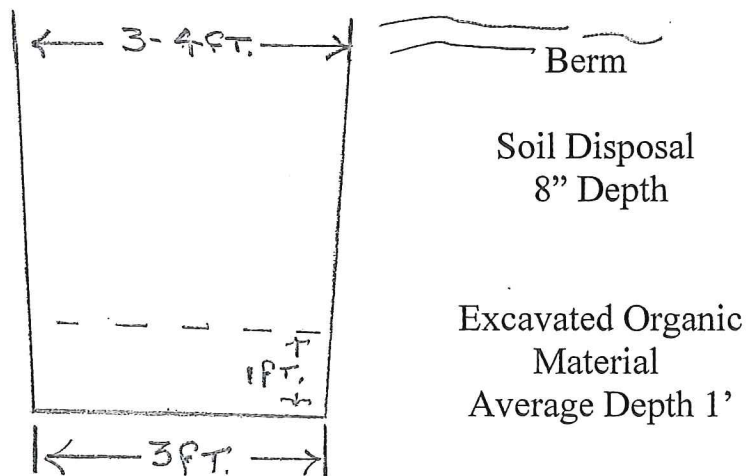
22

CHAMP ROAD/PHASE II
PRINCESS ANNE, MARYLAND

TOTAL DRAINAGE PROJECT=5,485'

Ditch Cross Section

Scale
 $\frac{1}{2}'' = 1''$



[illegible]

DORCHESTER COUNTY

WICOMICO SOMERSET

COUNTY
COUNTY

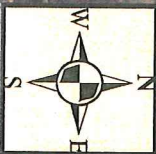
WICOMICO

TANGIER SANDS

DAMES QUARTER

DEALING

21221



COLE RD

TODDVILLE RD

DITCH #2

HAINES POINT RD

CEMENTERY RD

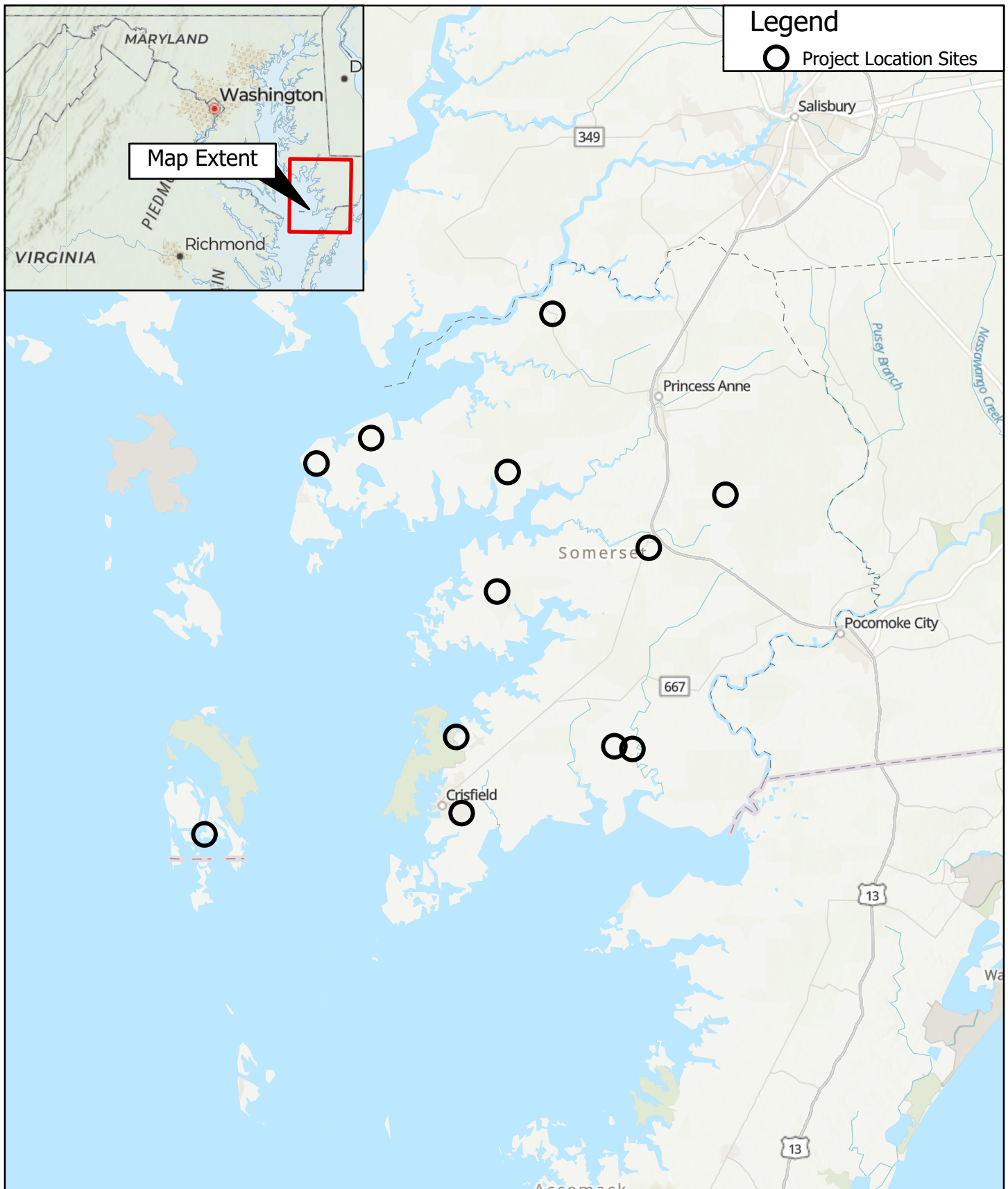
DEAL ISLAND RD

DITCH #1

SOMERSET COUNTY TAX MAP 19

HAINES POINT ROAD/PHASE III
CHANCE, MARYLAND

TOTAL NON-TIDAL DRAINAGE
PROJECT=1,620'



Somerset County Permit Locations