



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

Public Notice

In Reply to Application Number
CENAB-OP-RMS (Kentmorr Marina Properties)
2015-60280

PN 15-84

Comment Period: November 10, 2015 to November 30, 2015

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 (DA) 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: Kentmorr Marina Properties
Mr. Peter McArdle
910 Kentmorr Road
Stevensville, Maryland 21666

LOCATION: In the Chesapeake Bay, at the Kentmorr Marina near Stevensville, Queen Anne's County, Maryland.

WORK: To hydraulic maintenance dredge an approximately 75-foot wide by 200-foot long area within the entrance channel to the Kentmorr Marina to a depth -6 feet mean low water (MLW), resulting in approximately 500 cubic yards of dredged sandy material to be deposited along the existing beach north and south of the existing stone jetties for beach nourishment to extend no more than 80 feet channelward of the approximate mean high water shoreline. Current water depths within the entrance channel range from -4 to -6 feet MLW. The applicant has requested that a 10-year maintenance dredging clause be made a part of the Corps authorization should it be determined to be in the public interest to authorize the proposed work. All work is to be completed in accordance with the proposed plan(s). If you have any questions concerning this matter, please contact Rod Schwarm of this office at 410-820-8550 or via email at Rodney.D.Schwarm@usace.army.mil.

As part of the planning process for the proposed project, steps were taken to ensure avoidance and minimization of impacts to waters of the United States to the maximum extent practicable. The project has been designed to only dredge an area that has been previously dredged, and the beach nourishment is restricted to areas that have been previously nourished during earlier dredging cycles. This area has been previously dredged under the following DA permits: 1991-62277, 1994-66989, 2001-65559, and 2005-63085. In addition, beach nourishment was authorized in the same areas in all previous permits except 1994-66989, which utilized an existing upland disposal site for maintenance dredging inside the boat basin. Compensatory mitigation is not being proposed by the applicant as the proposed work would not impact any wetlands.

The purpose of the project is to maintain navigable access to the existing marina and to nourish the existing beach.

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). The project site lies in or adjacent to EFH as described under the MSFCMA for *Scophthalmus aquosos* (windowpane flounder) juvenile and adult; *Pomatomus saltatrix* (blue fish) juvenile and adult; *Paralichthys dentatus* (summer flounder) juvenile and adult; and the eggs, larvae, juvenile, and adult stages of *Sciaenops ocellatus* (red drum), *Scomberomorus cavalla* (king mackerel), *Scomberomorus maculatus* (Spanish mackerel), and *Rachycentron canadum* (cobia), managed species under the MSFCMA. The project has the potential to adversely affect EFH or the species of concern by loss of spawning, nursery, forage and/or shelter habitat as described under the MSFCMA for the species and life stages identified above.

The Baltimore District has made a preliminary determination that site-specific impacts would not be substantial and an abbreviated consultation will be conducted with NMFS. No mitigative measures are recommended to minimize adverse effects on EFH at this time. This determination may be modified if additional information indicates otherwise and would change the preliminary determination. The project area is not a Habitat Area of Particular Concern (HAPC).

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 benefit 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 the cumulative effects thereof; among those are conservation, economics, 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, and, in general, the needs and welfare of the people.

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. 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 District Engineer, U.S. Army Corps of Engineers, Baltimore District, PO Box 1715, Baltimore, Maryland 21203-1715, within the comment period as specified above to receive consideration.

The applicant is required to obtain a water quality certification in accordance with Section 401 of the Clean Water Act from the Maryland Department of the Environment. Any written comments concerning the work described above which relate to water quality certification must be received by the Wetlands and Waterways Program, Maryland Department of the Environment, 1800 Washington Blvd. Suite 430, Baltimore, Maryland 21230 within the comment period as specified above to receive consideration. The 401 certifying agency has a statutory limit of one year to make its decision.

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. It should be noted that the CZM Program has a statutory limit of 6 months to make its consistency determination.

The applicant must obtain any State or local government permits, which may be required.

A preliminary review of this application indicates that the proposed work will not affect listed 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.

Review of the latest published version of the National Register of Historic Places indicates that no registered properties listed as eligible for inclusion therein are located at the site of the proposed work. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

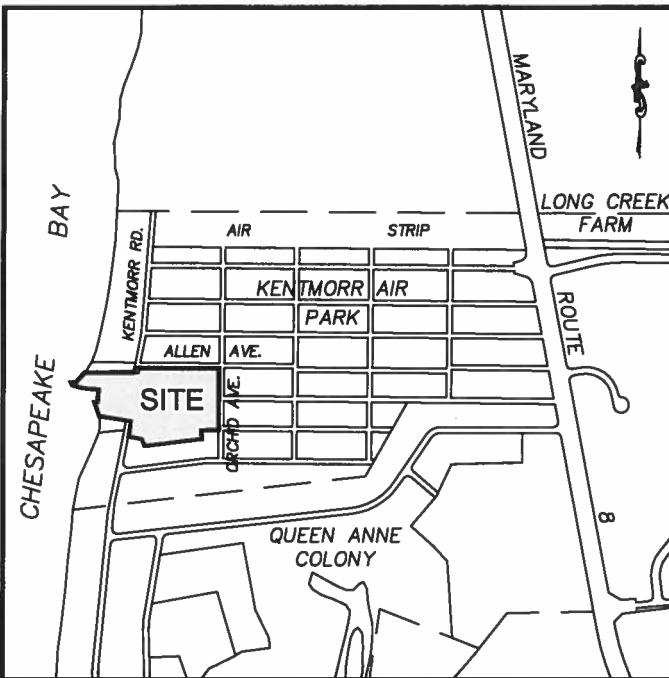
The evaluation of the impact of the work described above on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 of the Clean Water Act. Any person who has an interest, which may be adversely affected by the issuance of this permit, may request a public hearing. The District Engineer must receive the request, which must be in writing, U.S. Army Corps of Engineers, Baltimore District, PO Box 1715, Baltimore, Maryland 21203-1715, within the comment period as specified as above to receive consideration. Also, it must clearly state forth the interest that may be adversely affected by this activity in the manner in which the interest may be adversely affected.

It is requested that you communicate the foregoing information concerning the proposed work to any persons known by you to be interested and not being known to this office, who did not receive a copy of this notice.

FOR THE DISTRICT ENGINEER:

Kathy B. Anderson
Chief, Maryland Section Southern

**PERMIT DRAWINGS
TO MAINTENANCE DREDGE
KENTMORR MARINA
STEVENSVILLE, MD
DATE: FEBRUARY 2015**



VICINITY MAP

SCALE: 1" = 3,000'

OWNER/APPLICANT:
KENTMORR MARINA PROPERTIES, LLC.
CONTACT: PETER McARDLE
910 KENTMORR ROAD
STEVENSVILLE, MD 21666

ENGINEER:
McCRONE
CONTACT: PERRY OTWELL
320 PENNSYLVANIA AVENUE
CENTREVILLE, MD 21617

DREDGING WORK PROPOSED

TOTAL DREDGE AREA: 11,994 SQ. FT.

TOTAL DREDGE VOLUME: 500 CU. FT.

EXISTING BOTTOM ELEV.: -4.5 FT. TO -6 FT.

PROPOSED BOTTOM ELEV.: -6 FT.

WATERWAY IMPACTED: CHESAPEAKE BAY

TYPE OF DREDGING TO BE PERFORMED: HYDRAULIC

DREDGE MATERIAL PLACEMENT: ONSITE BEACH REPLENISHMENT

REVISED OCT. 29, 2015

SHEET 1 OF 11

DREDGING PERMIT PLANS

ON LANDS OF

KENTMORR MARINA

FOURTH ELECTION DISTRICT, QUEEN ANNE'S COUNTY, MD.

TAX MAP 70, GRID 1, PARCELS 24 & 30

PREPARED FOR: KENTMORR PROPERTIES, LLC.

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DATE:
FEBRUARY 2015

SCALE:
NTS

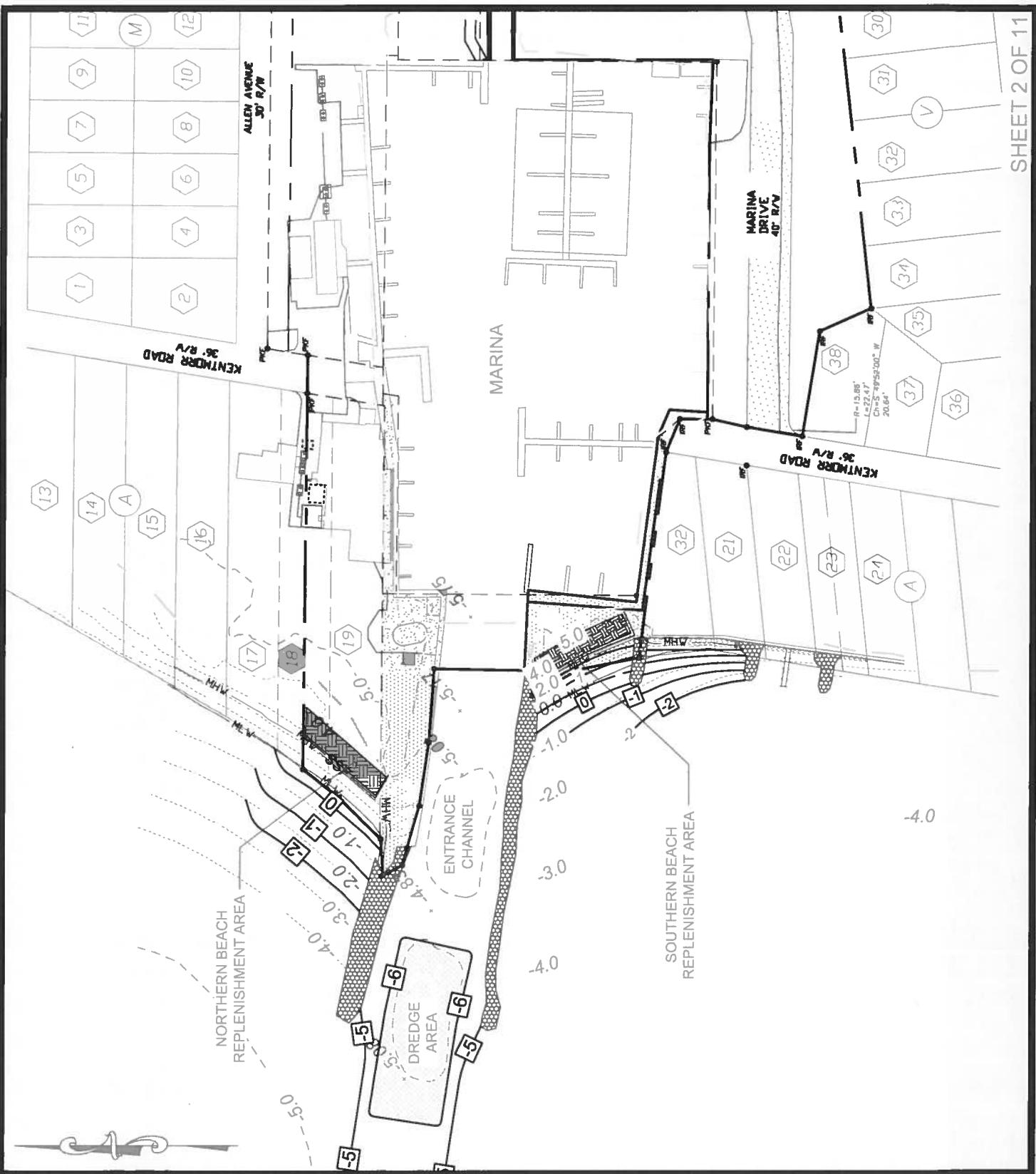
JOB NUMBER:
D1130105

DRAWN BY:
JMA

FOLDER REF.:
658

DESIGNED BY:
PAO

APPROVED BY:
PAO



OVERALL MARINA PLAN

ON LANDS OF

KENTMORR MARINA

FOURTH ELECTION DISTRICT, QUEEN ANNE'S COUNTY, MD.

TAX MAP 70, GRID 1, PARCELS 24 & 30

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DATE:
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SCALE:
NOT TO SCALE

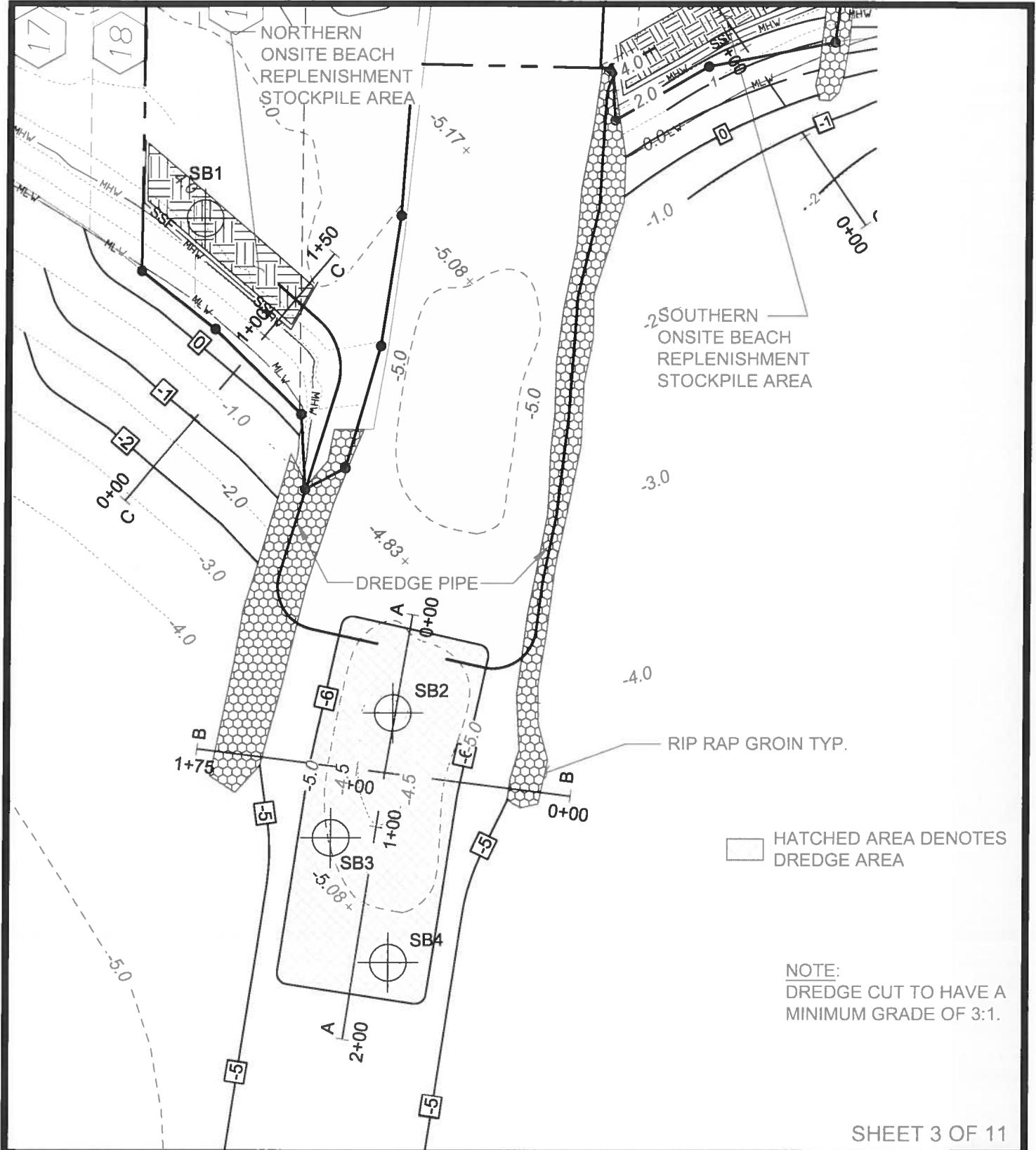
JOB NUMBER:
D1130105

DRAWN BY:
JMA

FOLDER REF.:
658

DESIGNED BY:
PAO

APPROVED BY:
PAO



SHEET 3 OF 11

PROPOSED DREDGING PLAN

ON LANDS OF

KENTMORR MARINA

FOURTH ELECTION DISTRICT, QUEEN ANNE'S COUNTY, MD.

TAKE MAP 70, GRID 1, PARCELS 24 & 30

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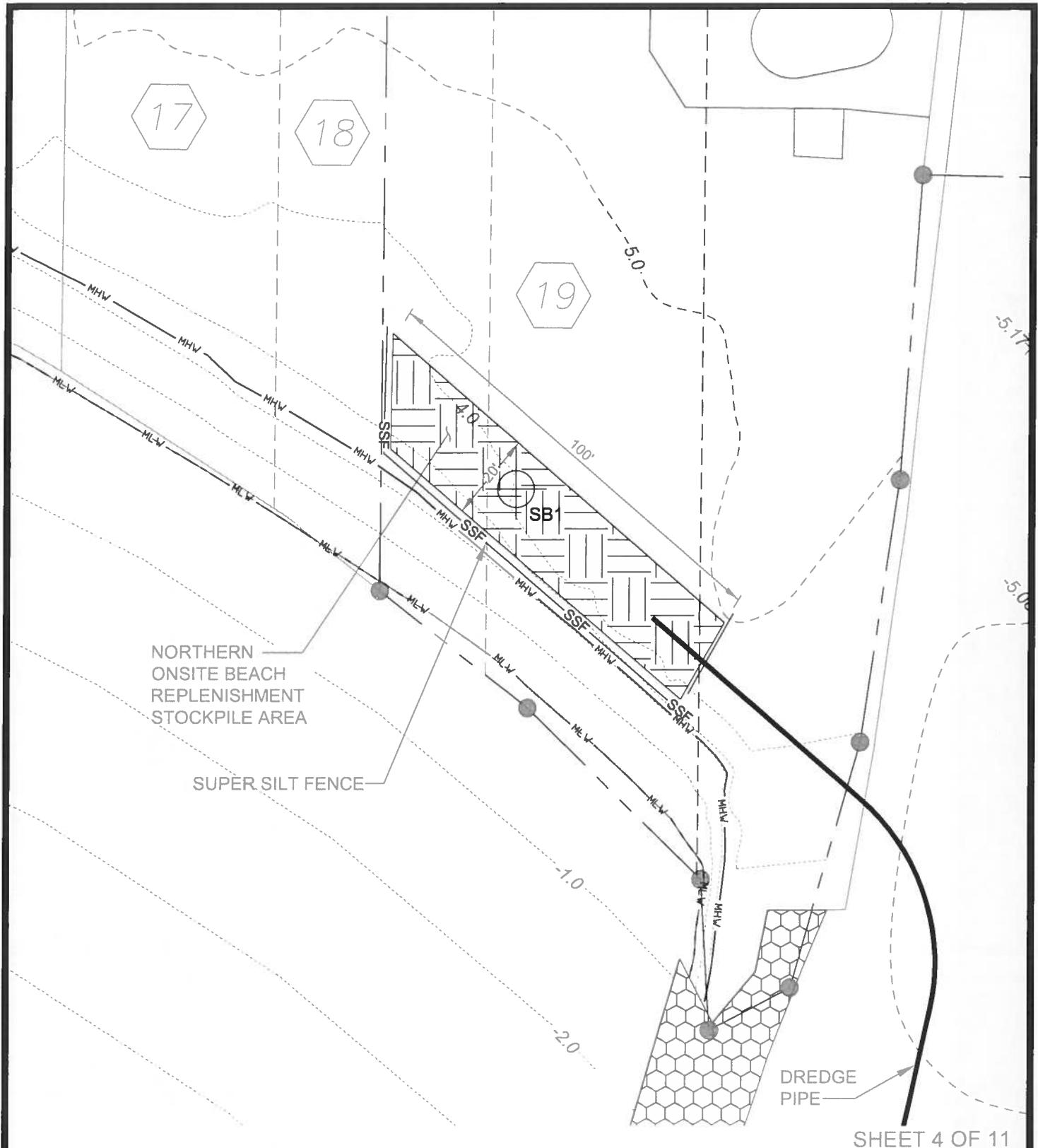
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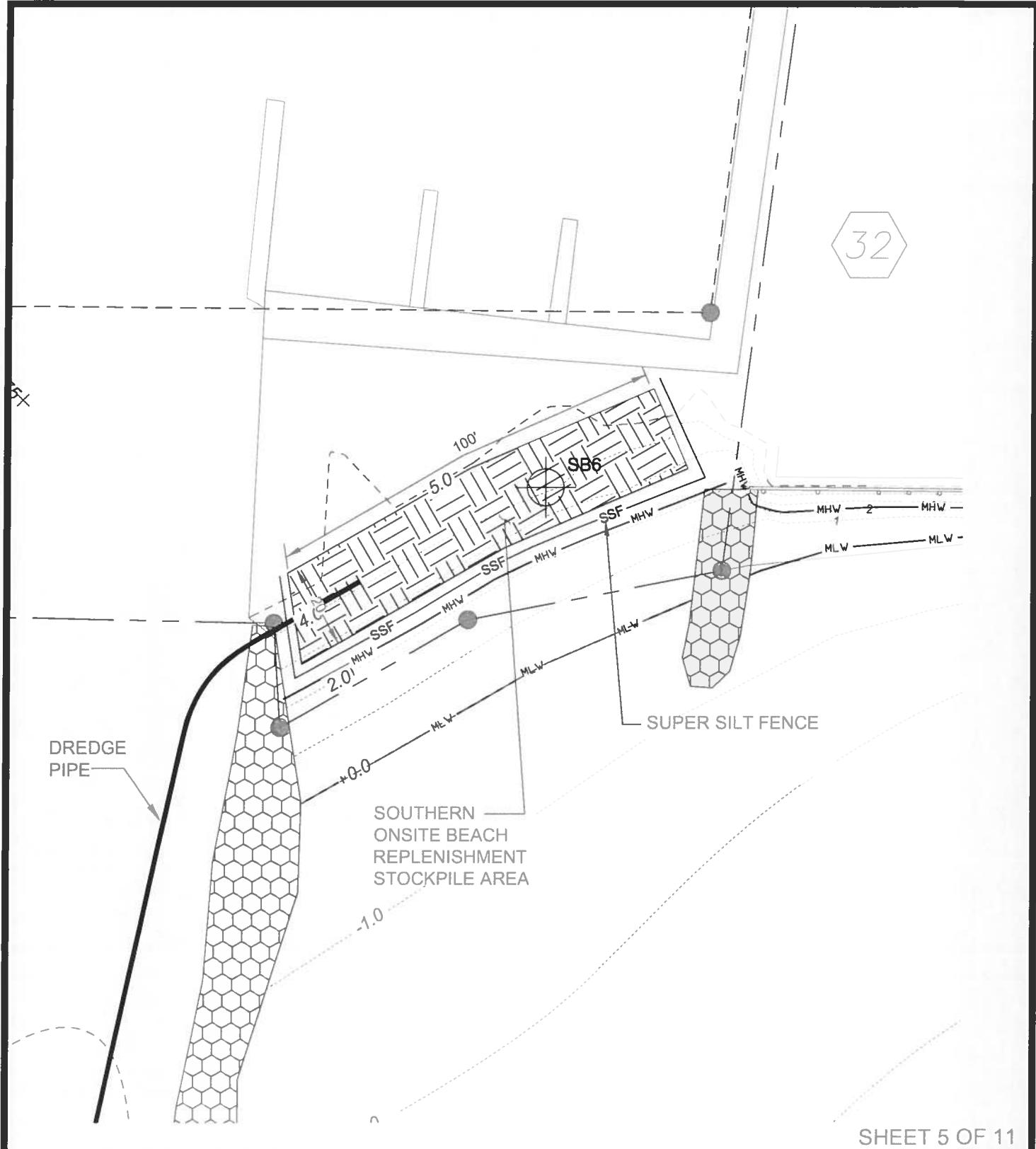
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DATE: FEBRUARY 2015	SCALE: 1" = 60'
JOB NUMBER: D1130105	DRAWN BY: JMA
FOLDER REF.: 658	DESIGNED BY: PAO
	APPROVED BY: PAO



SHEET 4 OF 11

BEACH REPLENISHMENT PLAN	McCRONE	DATE: FEBRUARY 2015	SCALE: 1" = 30'
ON LANDS OF			
KENTMORR MARINA		JOB NUMBER: D1130105	DRAWN BY: JMA
FOURTH ELECTION DISTRICT, QUEEN ANNE'S COUNTY, MD.	● Engineering ● Construction Services	FOLDER REF.: 658	DESIGNED BY: PAO
TAX MAP 70, GRID 1, PARCELS 24 & 30	● Environmental Sciences ● Land Planning & Surveying	APPROVED BY: PAO	
PREPARED FOR: KENTMORR PROPERTIES, LLC.	ANNEAPOLIS • CENTREVILLE • WILMINGTON • ELKTON • SALISBURY	Copyright © 2015	
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BEACH REPLENISHMENT PLAN
ON LANDS OF
KENTMORR MARINA
FOURTH ELECTION DISTRICT, QUEEN ANNE'S COUNTY, MD.
TAX MAP 70, GRID 1, PARCELS 24 & 30
PREPARED FOR: KENTMORR PROPERTIES, LLC.

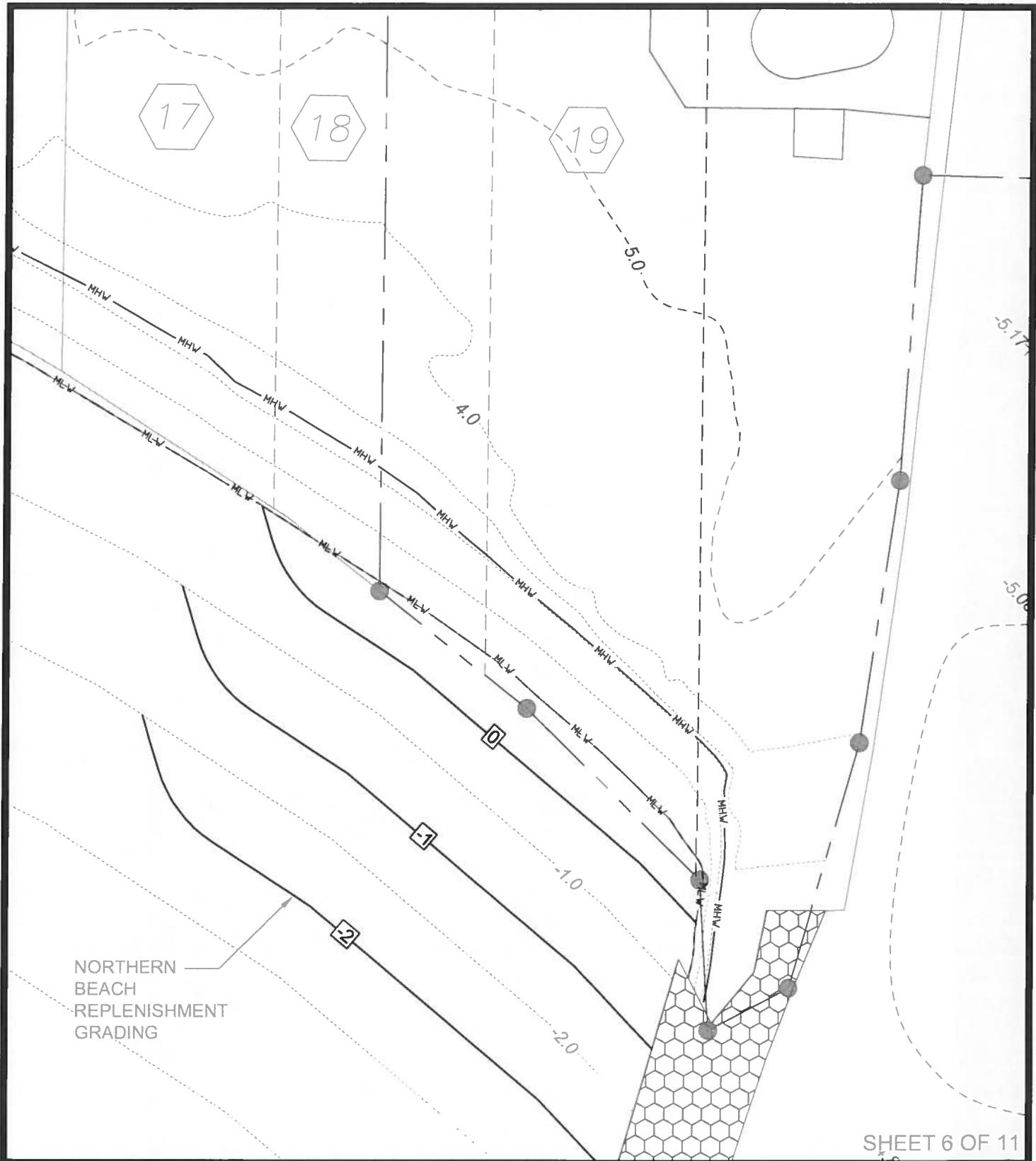
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JOB NUMBER: D1130105	DRAWN BY: JMA
FOLDER REF.: 658	DESIGNED BY: PAO
	APPROVED BY: PAO

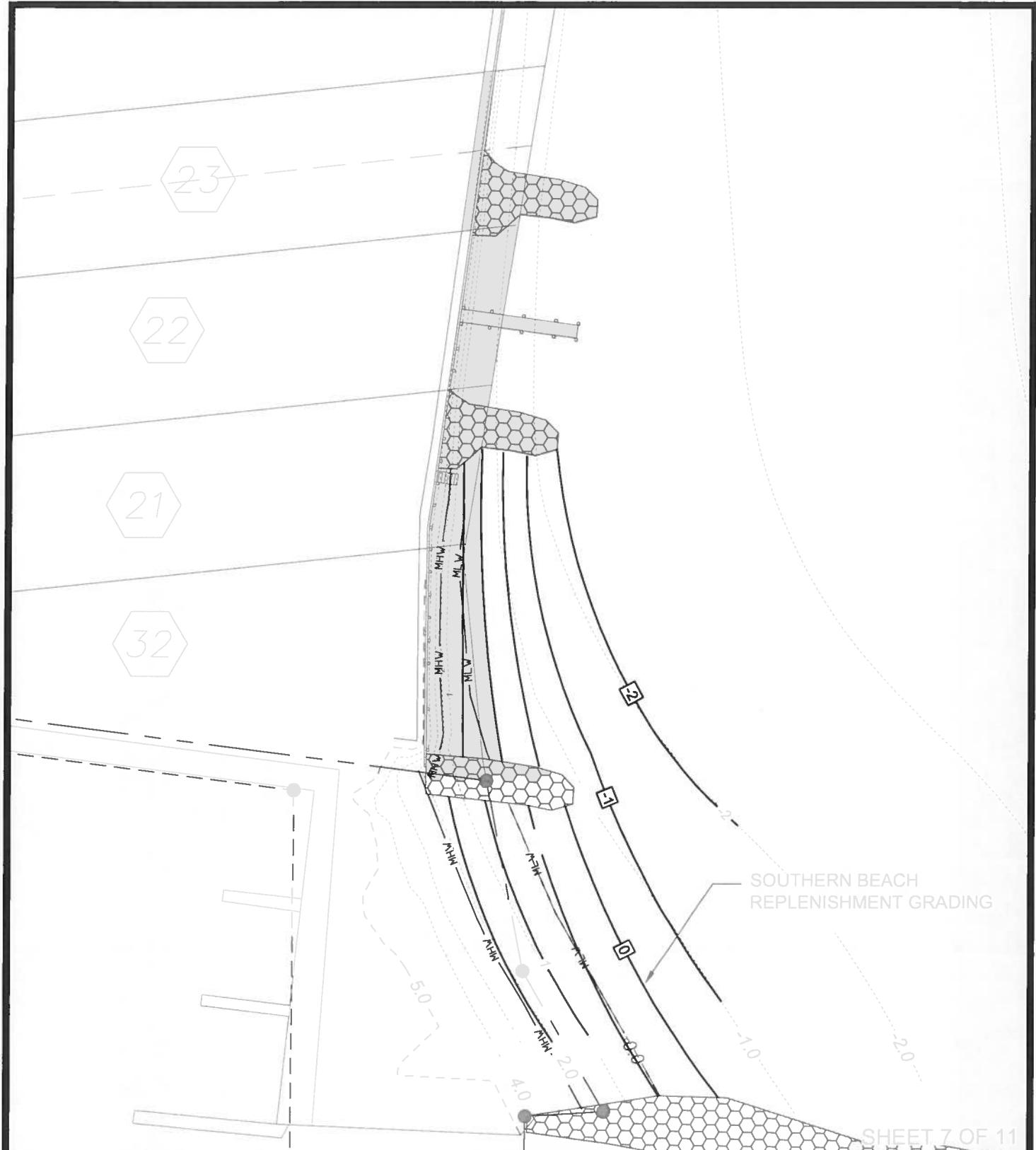


BEACH REPLENISHMENT GRADING PLAN
ON LANDS OF
KENTMORR MARINA
FOURTH ELECTION DISTRICT, QUEEN ANNE'S COUNTY, MD.

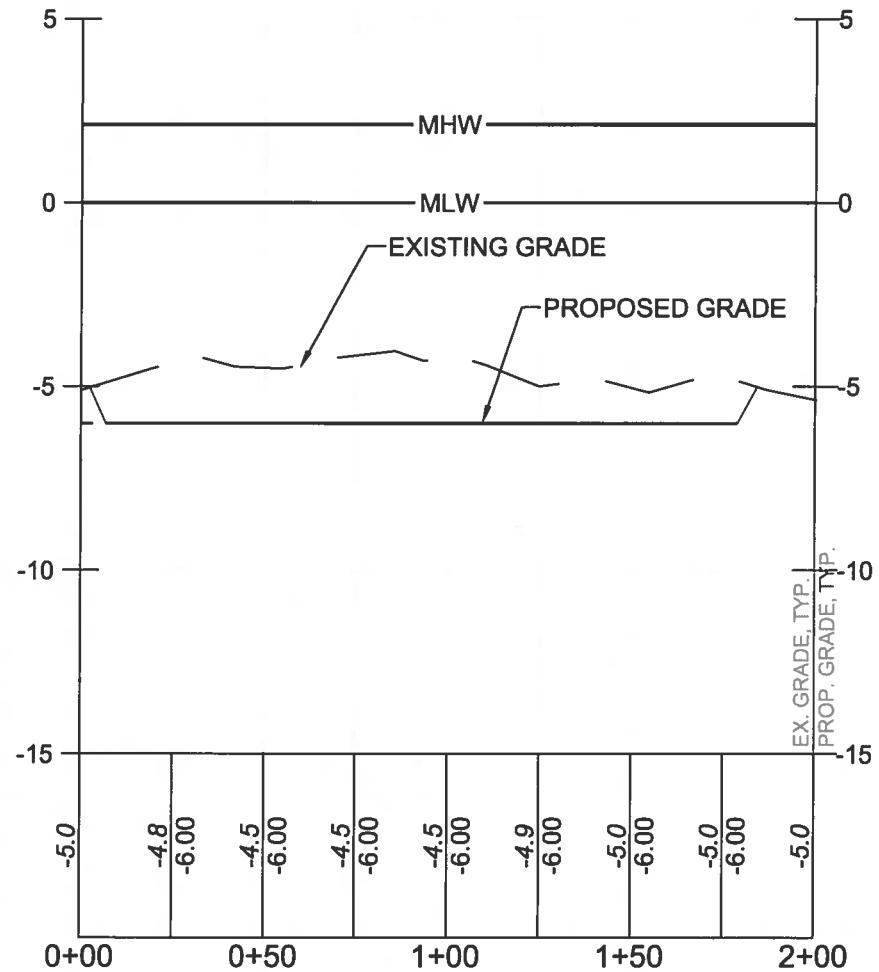
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DATE: FEBRUARY 2015	SCALE: 1" = 40'
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BEACH REPLENISHMENT PLAN	DATE: FEBRUARY 2015	SCALE: 1" = 40'
ON LANDS OF		
KENTMORR MARINA	JOB NUMBER: D1130105	DRAWN BY: JMA
FOURTH ELECTION DISTRICT, QUEEN ANNE'S COUNTY, MD.	FOLDER REF.: 658	DESIGNED BY: PAO
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SECTION A-A

SCALE: HOR.: 1" = 50'

VERT.: 1" = 5'

MHW = MHW 2.13'
MLW = MLW 0.00'

SHEET 8 OF 11

CROSS SECTIONS

ON LANDS OF

KENTMORR MARINA

FOURTH ELECTION DISTRICT, QUEEN ANNE'S COUNTY, MD.

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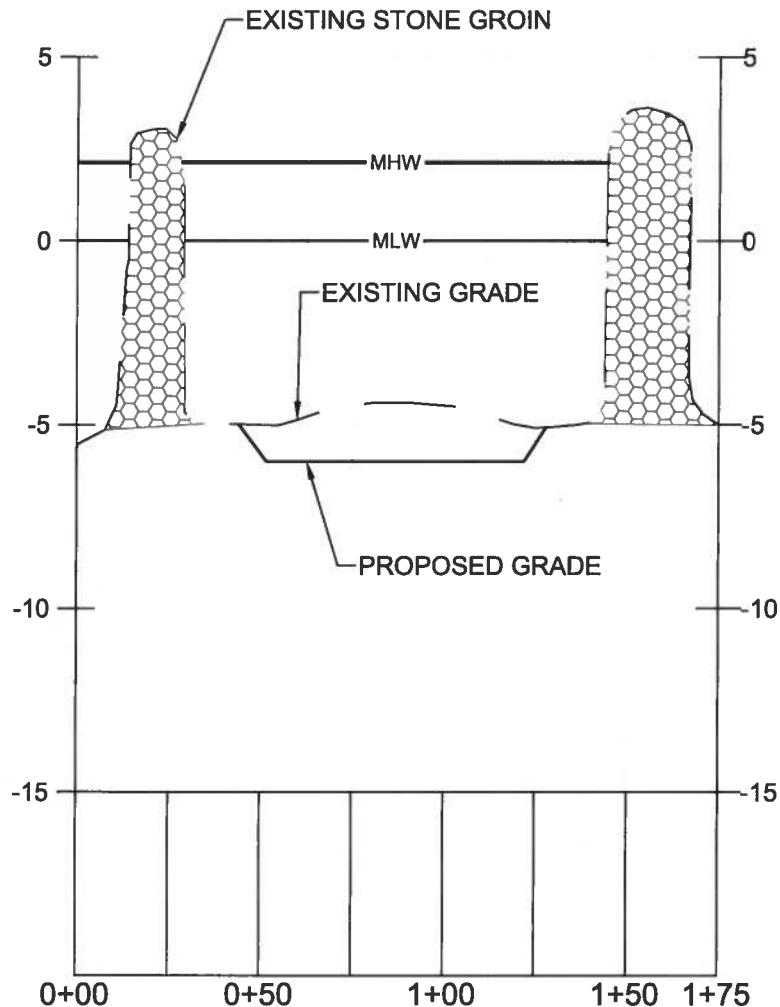
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SECTION B-B

SCALE: HOR.: 1" = 50'

VERT.: 1" = 5'

MHW = MHW 2.13'
MLW = MLW 0.00'

SHEET 9 OF 11

CROSS SECTIONS

ON LANDS OF

KENTMORR MARINA

FOURTH ELECTION DISTRICT, QUEEN ANNE'S COUNTY, MD.

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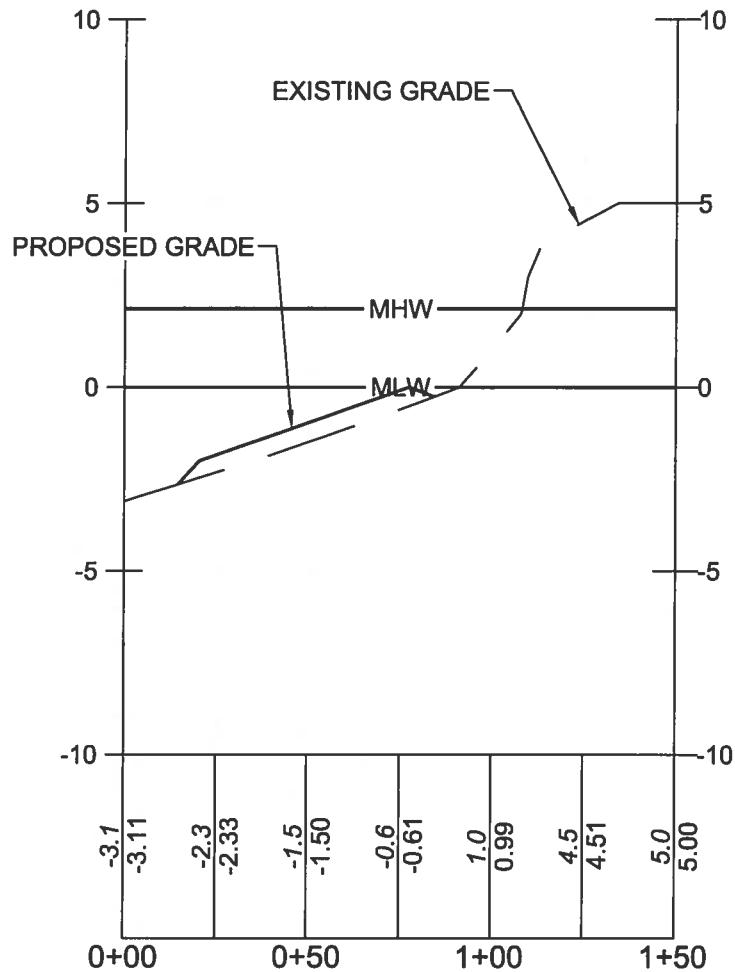
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SECTION C-C

SCALE: HOR.: 1" = 50'

VERT.: 1" = 5'

MHW = MHW 2.13'
MLW = MLW 0.00'

SHEET 10 OF 11

CROSS SECTIONS

ON LANDS OF

KENTMORR MARINA

FOURTH ELECTION DISTRICT, QUEEN ANNE'S COUNTY, MD.

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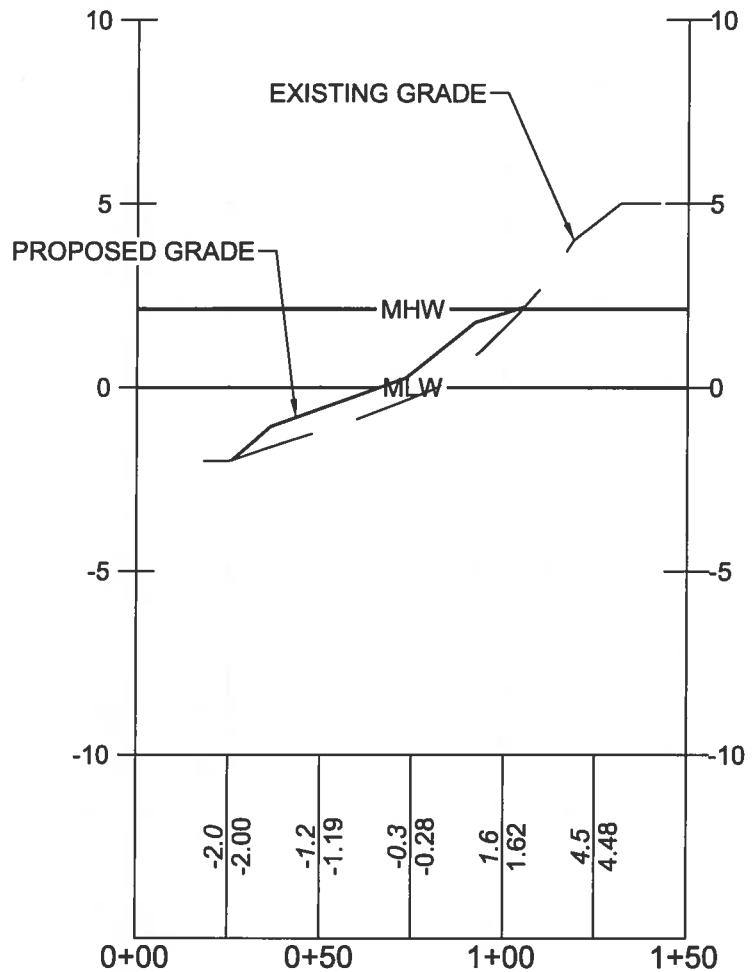
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SECTION D-D

SCALE: HOR.: 1" = 50'

VERT.: 1" = 5'

MHW = MHW 2.13'
MLW = MLW 0.00'

SHEET 11 OF 11

CROSS SECTIONS

ON LANDS OF

KENTMORR MARINA

FOURTH ELECTION DISTRICT, QUEEN ANNE'S COUNTY, MD

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