

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

# Public Notice

**In Reply to Application Number**  
NAB-2015-61105 (Chesapeake Wood Products, LLC/Fill for Industrial  
Facility/After-the Fact (ATF)) Permit)

PN 16-19

Comment Period: April 22, 2016 to May 22, 2016

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**THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC REGARDING THE WORK DESCRIBED BELOW. 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 404 of the Clean Water Act (33. U.S.C. 1344) as described below:

**APPLICANT:** Thomas William Spicer, Sr.  
Chesapeake Wood Products, LLC  
5274 Bucktown Road  
Cambridge, Maryland 21613

**LOCATION:** The work is located in jurisdictional wetlands abutting unnamed tributaries that drain to the Little Blackwater River at the property located at 5274 Bucktown Road, Cambridge, Dorchester County, Maryland.

**WORK:** The applicant proposes the following work based on the conceptual drawing:

Impact Area 1: To fill a forested non-tidal wetland area, which would permanently impact approximately 26,436 square feet of forested non-tidal wetlands.

Impact Area 2: For after-the-fact (ATF) authorization for depositing fill within an approximate 32,200 square foot area for a gravel parking area.

Impact Area 3: To fill a forested non-tidal wetland area that was converted from a forested wetland to an emergent wetland and that includes a stockpiling area for the cleared material, all completed without Corps authorization, which would permanently impact approximately 19,162 square feet of converted forested non-tidal wetlands.

The entire project would impact approximately 75,798 square feet (1.75 acres) of non-tidal wetlands.

All work will be completed in accordance with the enclosed plan(s). If you have any questions concerning this matter, please contact Mr. Eugene Morgenthaler at (410) 820-8629 or by e-mail [eugene.i.morgenthaler@usace.army.mil](mailto:eugene.i.morgenthaler@usace.army.mil).

The area proposed to be impacted by this expansion is an abandoned hydric soil agricultural field that was last tilled in 1995. The field was allowed to naturally re-vegetate with early growth woody vegetation.

The applicant proposes a conceptual compensatory mitigation plan to restore and create approximately 151,596 square feet (3.5 acres) of forested non-tidal wetlands at a 2:1 ratio by grading the 3.5 acre area and planting with wetland tree species within an existing hydric soil agricultural field on Hip Roof Road, Dorchester County, Maryland. The proposed mitigation site is

within the same watershed as the proposed/impact site and is land adjacent to and surrounded by Blackwater Wildlife Refuge.

Avoidance and minimization measures were incorporated into the proposed project by minimizing the project's design to meet the project purpose. The wood products operation consists of existing buildings and stationary milling equipment. The intent of the expansion is to complement the existing operation with additional buildings, equipment and storage areas.

The purpose of the project is to provide expansion of an existing wood products facility.

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 does not lie in or adjacent to EFH as described under the MSFCMA.

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 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, 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 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, Department of the Army, Baltimore District Corps of Engineers, Attn: Regulatory Branch, 10 S. Howard Street, Baltimore, Maryland 21201, within the comment period specified above.

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 Non-Tidal Wetlands Division, 1800 Washington Boulevard, Baltimore, Maryland 21230 within the comment period specified above to receive consideration. The Section 401 certifying agency has a statutory limit of one year from the date of this public notice to make its decision.

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 Federal 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.

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 request permit.

The evaluation of the impact of this project 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 request, which must be in writing, must be received by the District Engineer, Department of the Army, Baltimore District Corps of Engineers, Attn: Regulatory Branch, 10 S. Howard Street, Baltimore, Maryland 21201, within the comment period specified above, 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.

It is requested that you communicate this 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:

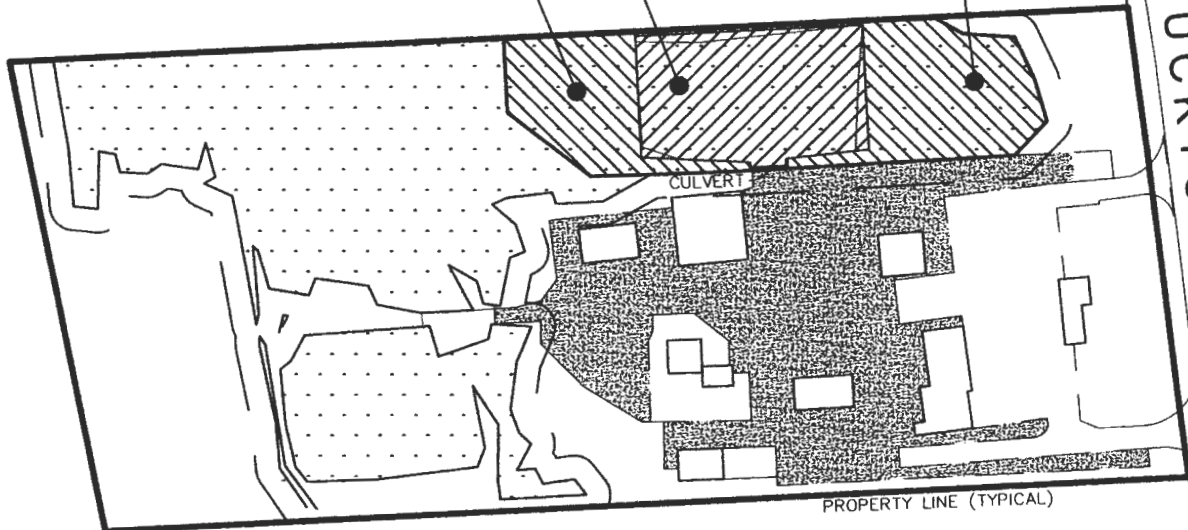
KATHY B. ANDERSON  
Chief, Maryland Section Southern

PROPOSED NTW FILL  
AREA = 26,436 SQ.FT.

AFTER THE FACT  
IMPACT AREA -  
PREVIOUSLY PLACED  
GRAVEL FOR PARKING AREA  
AREA = 32,200 SQ.FT.

PROPOSED NTW FILL  
AREA = 19,162 SQ.FT.

TAX MAP 42, PARCEL 43  
LOIS LAPIDUS



TAX MAP 42, PARCEL 92  
ROSE BRADLEY, et.al.

**TOTAL IMPACT:**

= AFTER THE FACT NTW IMPACT = 32,200 SQ.FT. (0.739 ACRES±)

= PROPOSED NTW FILL = 45,598 SQ.FT. (1.047 ACRES±)

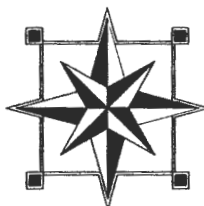
TOTAL NTW IMPACT HEREON = 77,798 SQ.FT. (1.786 ACRES±)

SHEET 3 OF 3

OVERALL SITE IMPACT  
REQUEST FOR

**NON TIDAL WETLAND  
AUTHORIZATION**

APPLICANT: THOMAS WILLIAM SPICER, SR.  
TAX MAP 42, GRID 8, PARCEL 44  
DORCHESTER COUNTY, MARYLAND



**FINK, WHITTEN & ASSOCIATES, LLC.**

LAND SURVEYING      LAND PLANNING  
CIVIL ENGINEERING      PERMITTING  
ENVIRONMENTAL      CONSULTING

EASTON  
410-822-8484  
8626 Brooks Drive Unit 103  
Easton, Maryland 21601

CAMBRIDGE  
410-228-8885  
108 Dorchester Avenue  
Cambridge, Maryland 21613

www.FINKWHITTEN.com

DATE: 07 / 20 / 15

SCALE: 1" = 200'

JOB No. D-42-8-44


DRAWN BY: BLW




# Cheasapeake Wood Products, LLC

Mitigation Area / Hip Roof Road, Dorchester County

## Legend

 Proposed 3.5 acres of Wetland Restoration / Creation

 Proposed 3.5 acres of Wetland Restoration / Creation

