



U.S. Army Corps
of Engineers
Baltimore District

Public Notice

In Reply to Application Number
CENAB-OP-RM (Kaelin Properties/ Crab Alley Marina) 2016-61450

PN 16-66

Comment Period: December 13, 2016 to January 10, 2017

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 10 of the Rivers and Harbors Act of 1899 and/or Section 404 of the Clean Water Act (33 U.S.C. 1344) as described below:

APPLICANT: Kaelin Properties
1820 Crab Alley Drive
Chester, Maryland 2169

LOCATION: In Crab Alley Bay at Chester, Queen Anne's County, Maryland.

WORK: The applicant proposes to remove an existing 10-foot by 44.5-foot pier with a 10-foot by 49.5-foot L-head platform and two attached 2.5-foot by 10-foot finger piers extending no more than 44.5 feet channelward of the existing bulkhead; to construct 105 linear feet of replacement bulkhead with approximately 158 cubic yards of clean bank run sand and gravel backfill to extend no more than 18-inches channelward of the existing bulkhead; to construct a 6-foot by 58-foot pier with an 8-foot by 20-foot L-head platform and two 3-foot by 25-foot piers; to install, 4 pilings for two boatlifts attached to the two proposed piers, all to extend no more than 58 feet channelward of the existing bulkhead. If you have any questions concerning this matter, please contact Mrs. Laura Coleman of this office at (443) 853-2051 or via email at lamuelle.l.coleman@usace.army.mil.

The purpose of the project is to improve shoreline erosion control and to improve navigational access.

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. Compensatory mitigation is not being proposed by the applicant for impacts to open water (inter-tidal and sub-tidal) habitat or to the wetlands. There are no wetlands at the proposed project activity site.

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 Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA) for Juvenile and adult Red hake (*Urophycis chuss*) and Windowpane flounder (*Scopthalmus aquosus*); Adult Atlantic sea herring (*Clupea harengus*); Juvenile and adult Bluefish (*Pomatomus saltatrix*); Eggs, larvae, juvenile and adult Atlantic butterflyfish (*Peprilus triacanthus*); Larvae, juvenile and adult Summer flounder (*Paralichthys dentatus*); Juvenile and adult Scup (*Stenotomus chrysops*) and Red Drum (*Sciaenops ocellatus*);

Eggs, larvae, juveniles and adult King mackerel (*Scomberomorus cavalla*), Spanish mackerel (*Scomberomorus maculatus*), Cobia (*Rachycentron canadum*), Black sea bass (*Centropristus striata*) and all managed species under the MSFCMA.

The project has the potential to adversely affect EFH or the species of concern by the alteration of spawning, nursery, forage and/or shelter habitat. The project may have an adverse effect on an approximate total of 868 square foot area of EFH as described under the MSFCMA for the species and life stages identified above. This habitat consists of a mostly sand and silt substrate which does not support SAV. According to the Virginia Institute of Marine Science (VIMS) survey maps, there was some nearby SAV mapped outside the project footprint of the proposed activity for years 2008 through 2014 but none at the subject property. 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 at this time to minimize adverse effects on EFH. This preliminary determination may be modified if additional information indicates otherwise and could change the Corps' preliminary determination.

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 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, 10 S. Howard Street, Baltimore, Maryland, 21201 within the comment period specified above.

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 may affect but is not likely to adversely affect Federal listed threatened or endangered species or their critical habitat, pursuant to Section 7 of the Endangered Species Act, as amended. At the site of the proposed activity the water depths have been recorded to be approximately -6.0 feet mean low water. 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.

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, U.S. Army Corps of Engineers, Baltimore District, 10 S. Howard Street, 21201, 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

APPLICATION FOR AUTHORIZATIONS

to

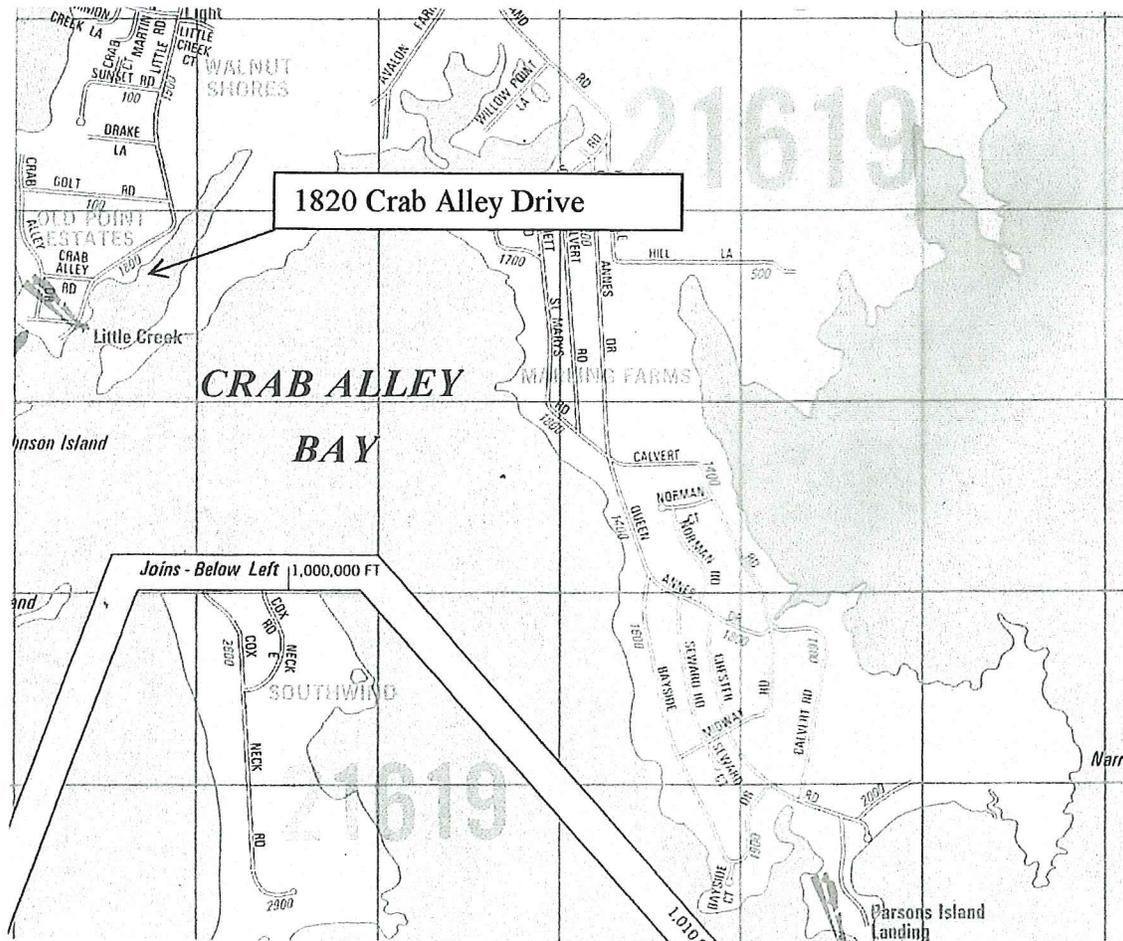
CONSTRUCT A REPLACEMENT BULKHEAD & PIERS

on

CRAB ALLEY BAY

QUEEN ANNE'S COUNTY MARYLAND

38°56'11.81" N 76°17'05.31W



VICINITY MAP

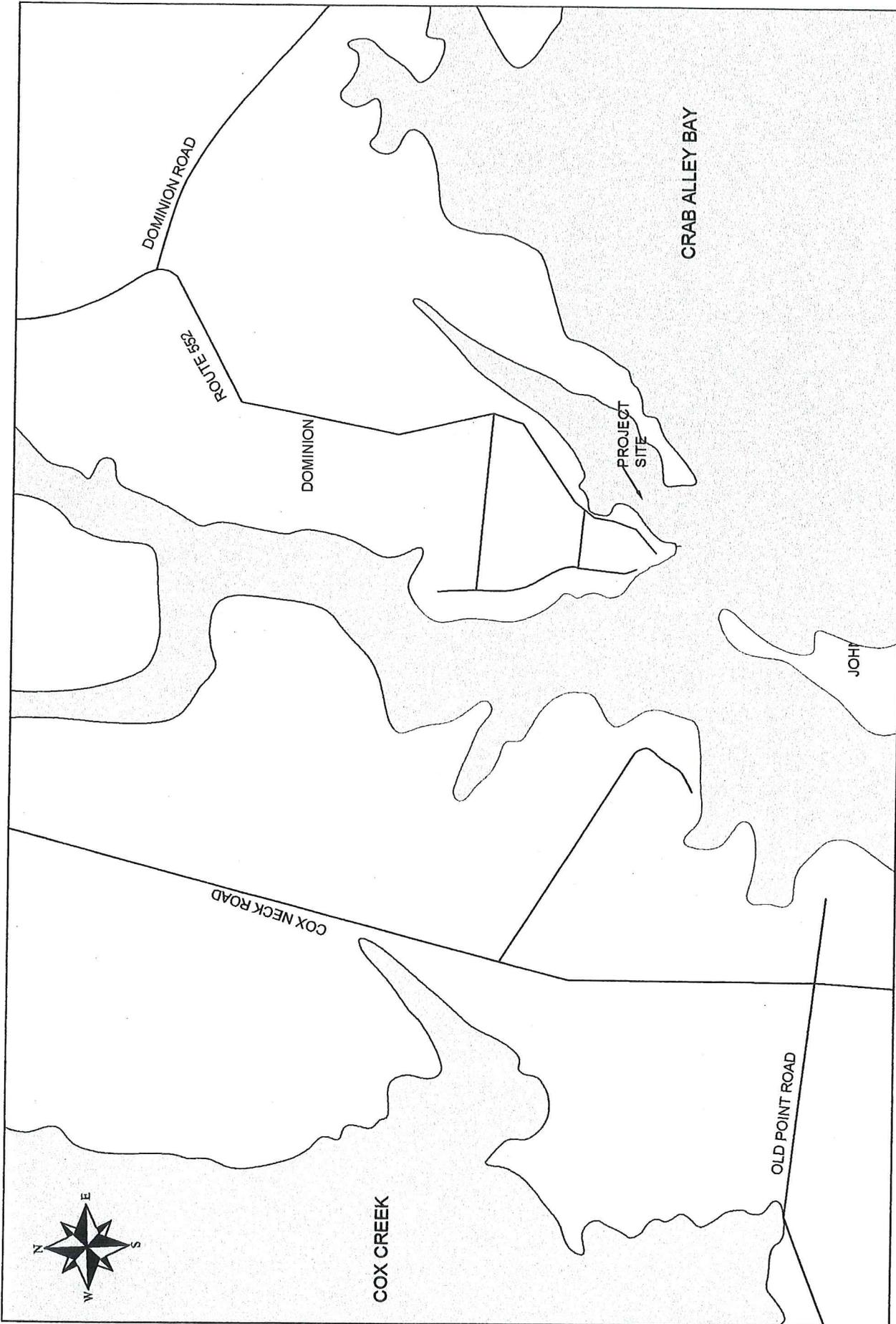
CRAB ALLEY MARINA

RESTORATION AND RECONFIGURATION

KAELIN PROPERTIES

1820 CRAB ALLEY DRIVE

CHESTER, MD 21619



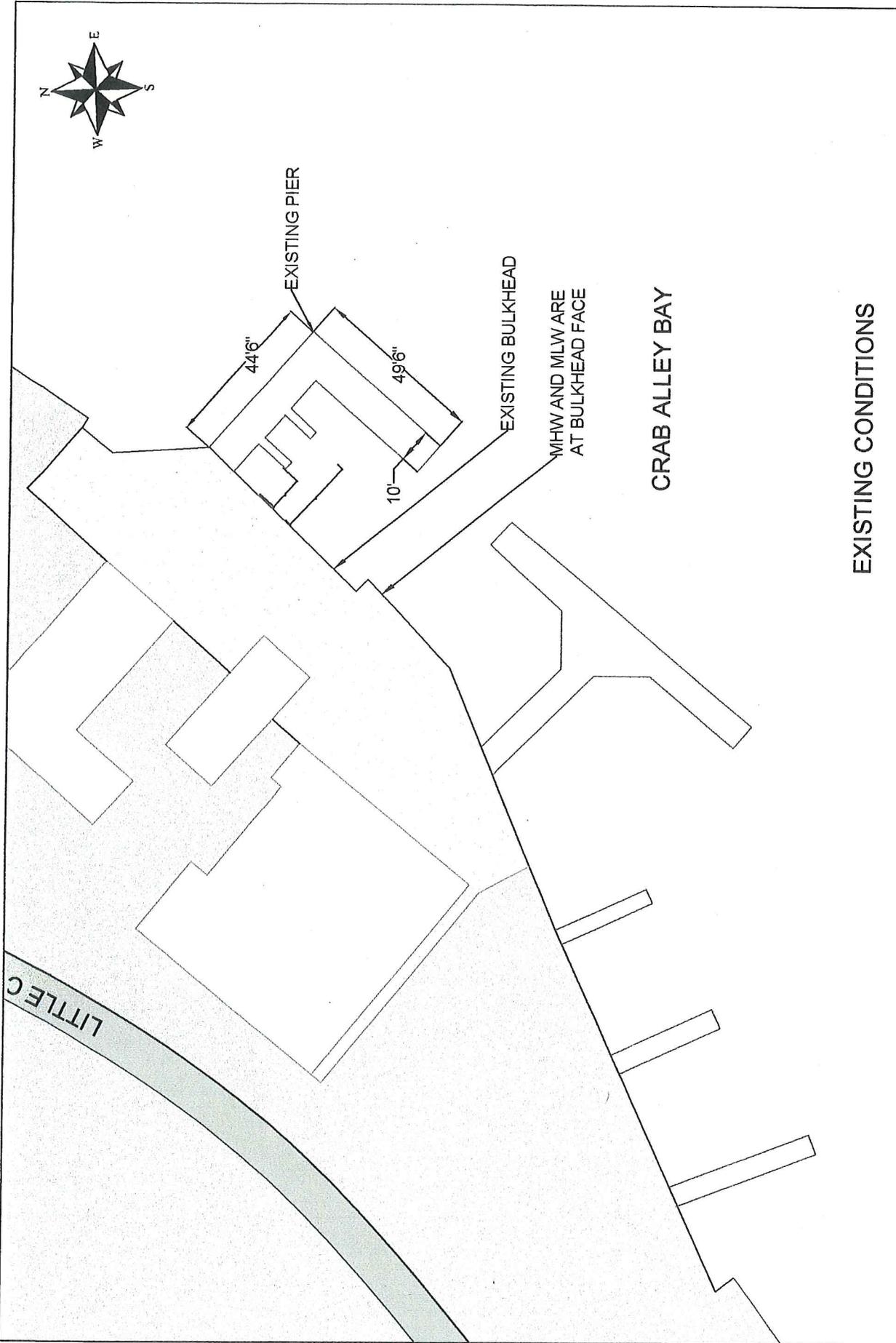
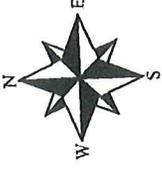
SHEET NO: 2 OF 6

SCALE: NONE

DATE: 6/24/2016

REVISION:

MARINA RECONFIGURATION
 CRAB ALLEY BAY MARINA
 LITTLE CREEK ROAD
 CHESTER, MD 21619



EXISTING CONDITIONS

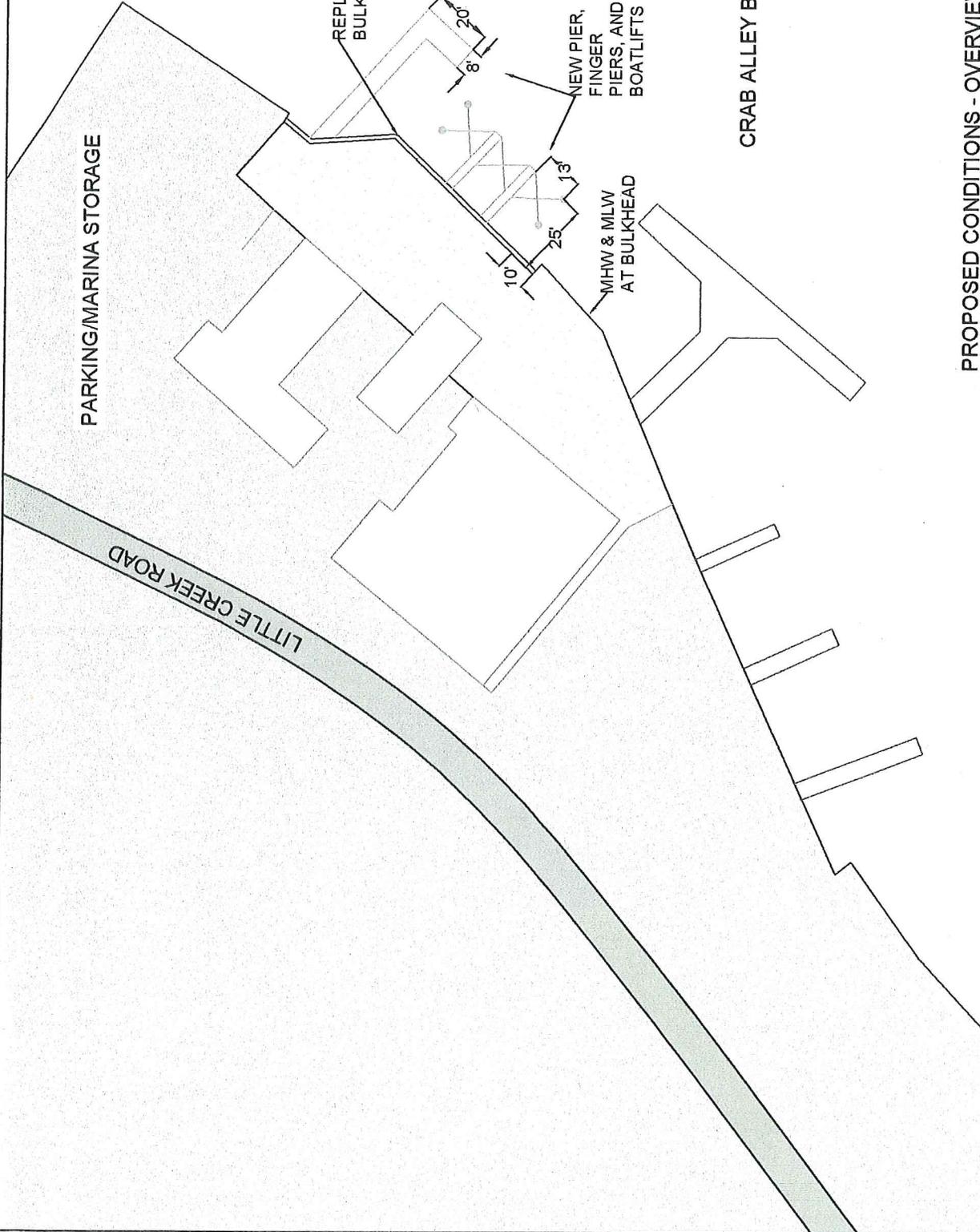
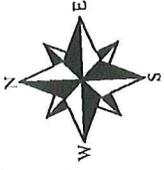
SHEET NO: 3 OF 6

SCALE: 1"=40'

DATE: 6/24/2016

REVISION:

MARINA RECONFIGURATION
CRAB ALLEY BAY MARINA
LITTLE CREEK ROAD
CHESTER, MD 21619



PROPOSED CONDITIONS - OVERVIEW

SHEET NO: 4 OF 6

SCALE: 1" = 50'

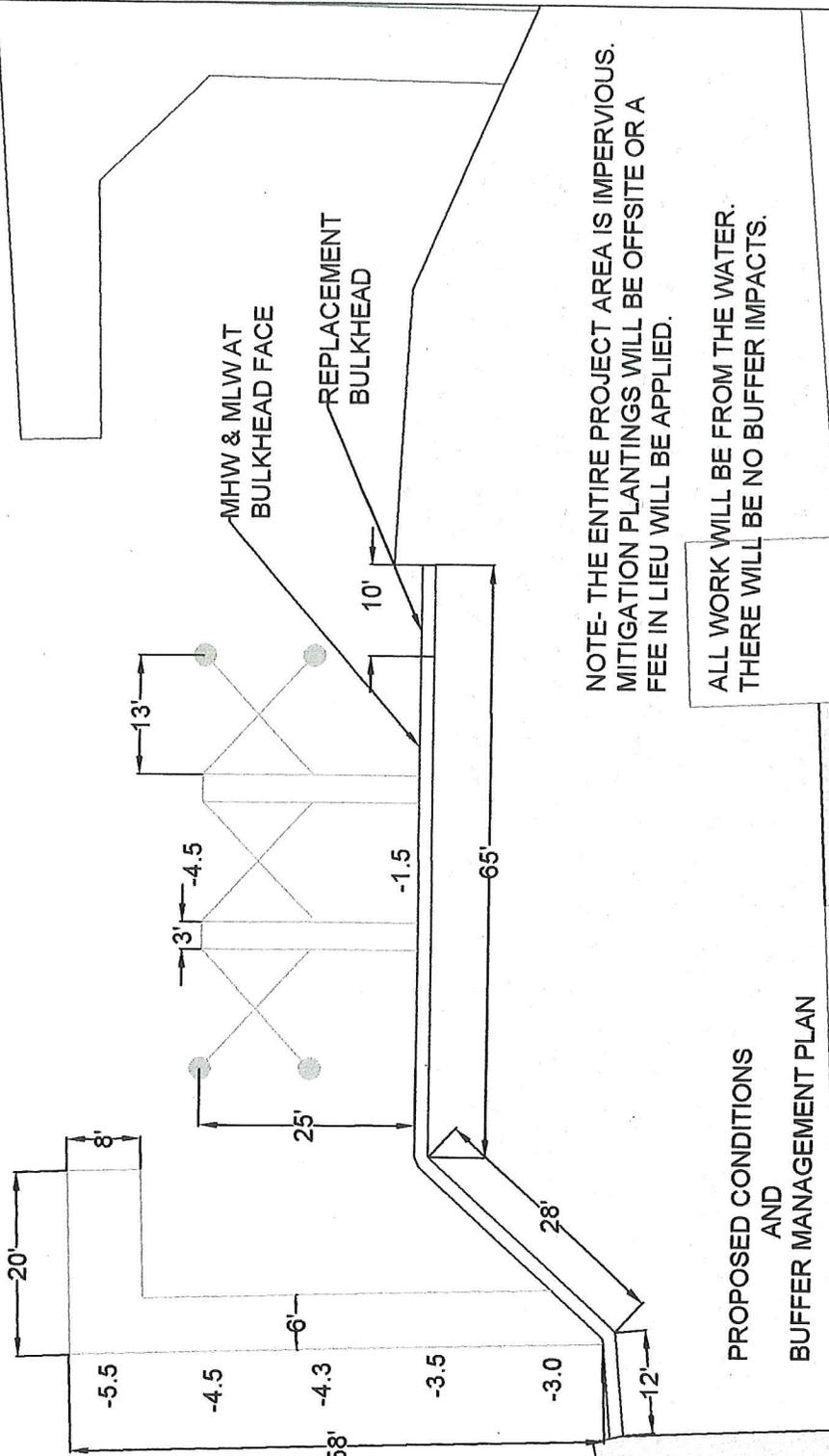
DATE: 6/24/2016

REVISION:

MARINA RECONFIGURATION
CRAB ALLEY BAY MARINA
LITTLE CREEK ROAD
CHESTER, MD 21619



-7.0



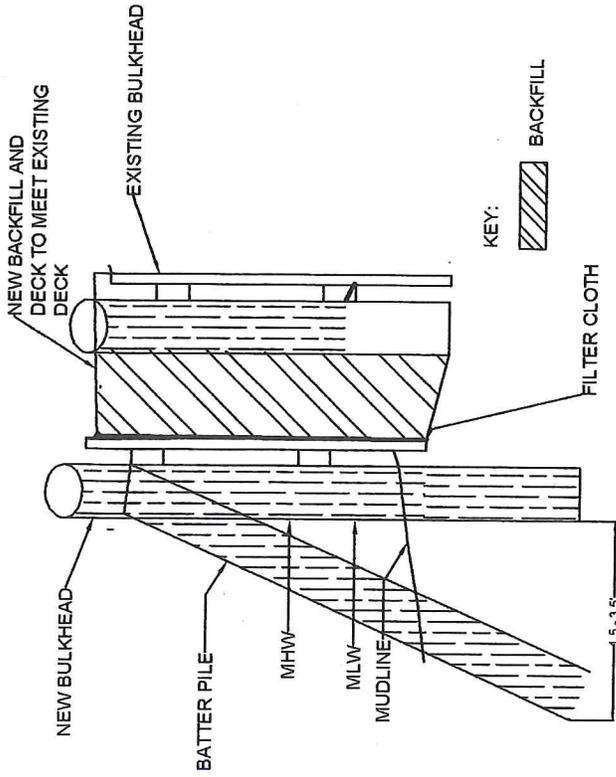
NOTE- THE ENTIRE PROJECT AREA IS IMPERVIOUS.
MITIGATION PLANTINGS WILL BE OFFSITE OR A
FEE IN LIEU WILL BE APPLIED.

ALL WORK WILL BE FROM THE WATER.
THERE WILL BE NO BUFFER IMPACTS.

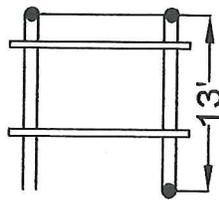
PROPOSED CONDITIONS
AND
BUFFER MANAGEMENT PLAN

MARINA RECONFIGURATION
CRAB ALLEY BAY MARINA
LITTLE CREEK ROAD
CHESTER, MD 21619

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|-----------|-----------|
| SHEET NO: | 5 OF 6 |
| SCALE: | 1"=20' |
| DATE: | 6/24/2016 |
| REVISION: | |

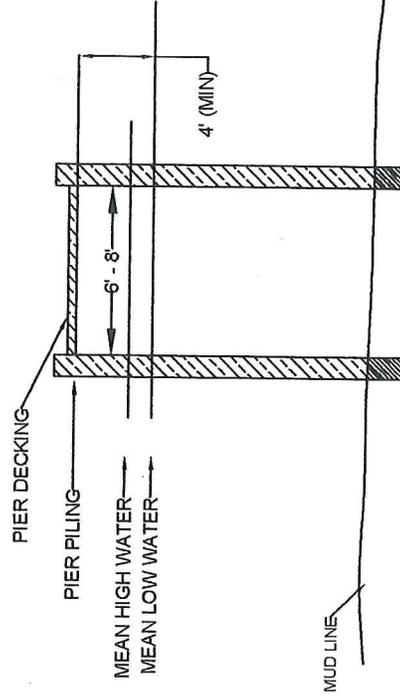
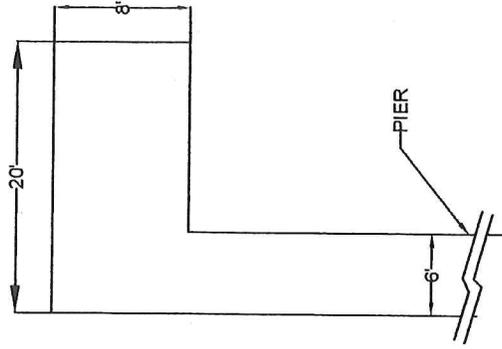


REPLACEMENT TIMBER BULKHEAD



TYPICAL PLAN VIEW OF BOAT LIFTS

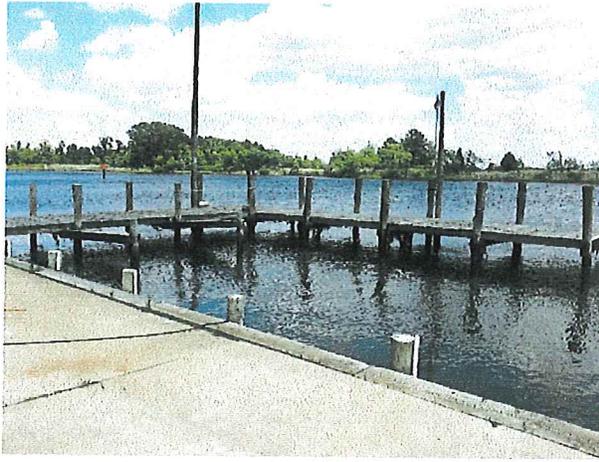
- NOTES:
1. DIMENSIONS OF PILING/STRINGERS/DECKING AND OTHER MATERIALS USED IN THE CONSTRUCTION OF THE PIER ARE TO BE DETERMINED BY THE PROJECT CONTRACTOR AND PROPERTY OWNER.
 2. PIER DECKING IS TO BE A MINIMUM OF 4 FEET ABOVE MLW OVER OPEN WATER
 3. EXTENDED PROPERTY LINES ARE FOR PERMIT PURPOSES AND ARE NOT INTENDED TO CONVEY ANY PROPERTY RIGHTS.



PIER OVER OPEN WATER

| | |
|-----------|-----------|
| SHEET NO: | 6 of 6 |
| SCALE: | AS SHOWN |
| DATE: | 6/24/2016 |
| REVISION: | |

MARINA RECONFIGURATION
 CRAB ALLEY BAY MARINA
 LITTLE CREEK ROAD
 CHESTER, MD 21619



Existing Pier and Bulkhead



Project Site Facing Northeast



Existing Finger Piers and Bulkhead

Crab Alley Marina
Restoration and Reconfiguration
1820 Crab Alley Drive
Chester, MD 21619