



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

Baltimore District
PN 23-16

Public Notice

**In Reply to Application Number
NAB-2020-61428-M35 (Cove Creek HOA/Dredging and Beach
Nourishment)**

Comment Period: March 30, 2023 to April 29, 2023

THE PURPOSE OF THIS PUBLIC NOTICE IS TO INFORM INTERESTED PARTIES OF THE PROPOSED ACTIVITY AND TO SOLICIT COMMENTS. 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 (33 USC 403) and Section 404 of the Clean Water Act (33 USC 1344), as described below:

APPLICANT:

Cove Creek Club Homeowners Association
114 North Creek Court
Stevensville, Maryland 21666

WATERWAY AND LOCATION OF THE PROPOSED WORK:

The proposed work is located within an existing marina basin entrance channel and Eastern Bay, at North Creek in Stevensville, Queen Anne's County, Maryland. Latitude 38.250848, Longitude -76.794379 (Location the dredge area) and Latitude 38.8742765, Longitude -76.3335168 (the location of the proposed beach nourishment).

OVERALL PROJECT PURPOSE:

To provide shoreline erosion protection and to improve navigable access.

PROJECT DESCRIPTION:

The applicant proposes to maintenance dredge by mechanical or hydraulic method within an approximate 25-foot (ft) wide by 540-ft long area within an existing entrance channel and a 100-ft wide by 150-ft long area at the end of the existing jetties to -5.0 feet mean low water resulting in approximately 1,707 cubic yards of appropriate grain sand to be deposited into an two irregularly shaped areas totaling 39,501 square foot with approximately 18,541 square foot below mean high water (MHW) as beach nourishment to extend no more than 78 ft channel ward of the approximate MHW shoreline. Any unsuitable grain size material would be deposited at an upland disposal area disposal site off Penny Drive, Tax Map 76 Parcel 5.

The United States Army Corps of Engineers (Corps) is readvertising the project due to a change from mechanical to hydraulic placement method whereby the scope of impacts (0.43 acres) resulting from the proposed beach nourishment activity is proposed 78-ft channelward of approximate MHW shoreline since the Corps original authorization dated March 23, 2018, (NAB-2014-61707). The prior authorization included a ten (10) year maintenance dredging provision from date prior authorization.

EFFECTS ON AQUATIC RESOURCES:

Activity	Impact (lf)	Width (ft)	Total Impact (Sq. Ft.)	Resource Type	Authority (Section 10/404)
Mechanical dredge	540	25	13,500	Unvegetated Bottom	Section 10
Mechanical dredge	150	100	15,000	Unvegetated Bottom	Section 10
Beach nourishment	Approx. 256	Not to exceed 78	18,541	Unvegetated Bottom	Section 10 and 404
Total Impacts			47,041		Section 10 and 404

LEAD FEDERAL AGENCY:

The Corps, as the lead federal agency, is responsible for all coordination pursuant to applicable federal authorities.

APPLICANT'S PROPOSED AVOIDANCE, MINIMIZATION, AND COMPENSATORY MITIGATION:

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 conditions. Compensatory mitigation is not being proposed by the applicant at this time for impacts to open water (sub-tidal) habitat. No wetland fill impacts are proposed and no submerged aquatic vegetation impacts are proposed based on a review of the five years of most recent composite data available from the Virginia Institute of Marine Sciences.

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, United States Environmental Protection Agency.

ENDANGERED SPECIES:

A preliminary review of this application indicates that the proposed work will have no effect federally listed threatened or endangered species or their critical habitat, pursuant to Section 7 of the Endangered Species Act, as amended. The project site has been mapped as migrating and foraging habitat for subadult and adult Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*); and migrating and foraging habitat for adult and juvenile Green sea turtle (*Chelonia mydas*), Kemp's ridley sea turtle (*Lepidochelys kempii*), Leatherback sea turtle (*Dermochelys coriacea*), and Loggerhead sea turtle (*Caretta caretta*). The project activities are proposed in tidal waters less than 3 feet below MHW, which has the potential to have no effect for National Marine Fisheries Service (NMFS) NMFS-PRD protected species. The project location and vicinity are not mapped as critical habitat for any known federally listed threatened or endangered species under United States Fish and Wildlife Service's jurisdiction. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

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 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 project site lies in or adjacent

to EFH as described under MSFCMA designated in the Miles River for little skate (*Leucoraja erinacea*), Atlantic herring (*Clupea harengus*), red hake (*Urophycis chuss*), winter skate (*Leucoraja ocellata*), clearnose skate (*Raja eglanteria*), windowpane flounder (*Scophthalmus aquosus*), bluefish (*Pomatomus saltatrix*), and summer flounder (*Paralichthys dentatus*), scup (*Stenotomus chrysops*), and black sea bass (*Centropristis striata*); all managed species under the MSFCMA.

The Baltimore District has made a preliminary determination that the project will not have a substantial adverse effect on EFH and 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:

Pursuant to Section 106 of the National Historic Preservation Act 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 site 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 National Historic Preservation Act 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. 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 the Corps. 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 Section 408:

<https://www.nab.usace.army.mil/Missions/Regulatory/Section-408-Requests/>.

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 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 Corps, 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 Application Number 2020-61428-M35.

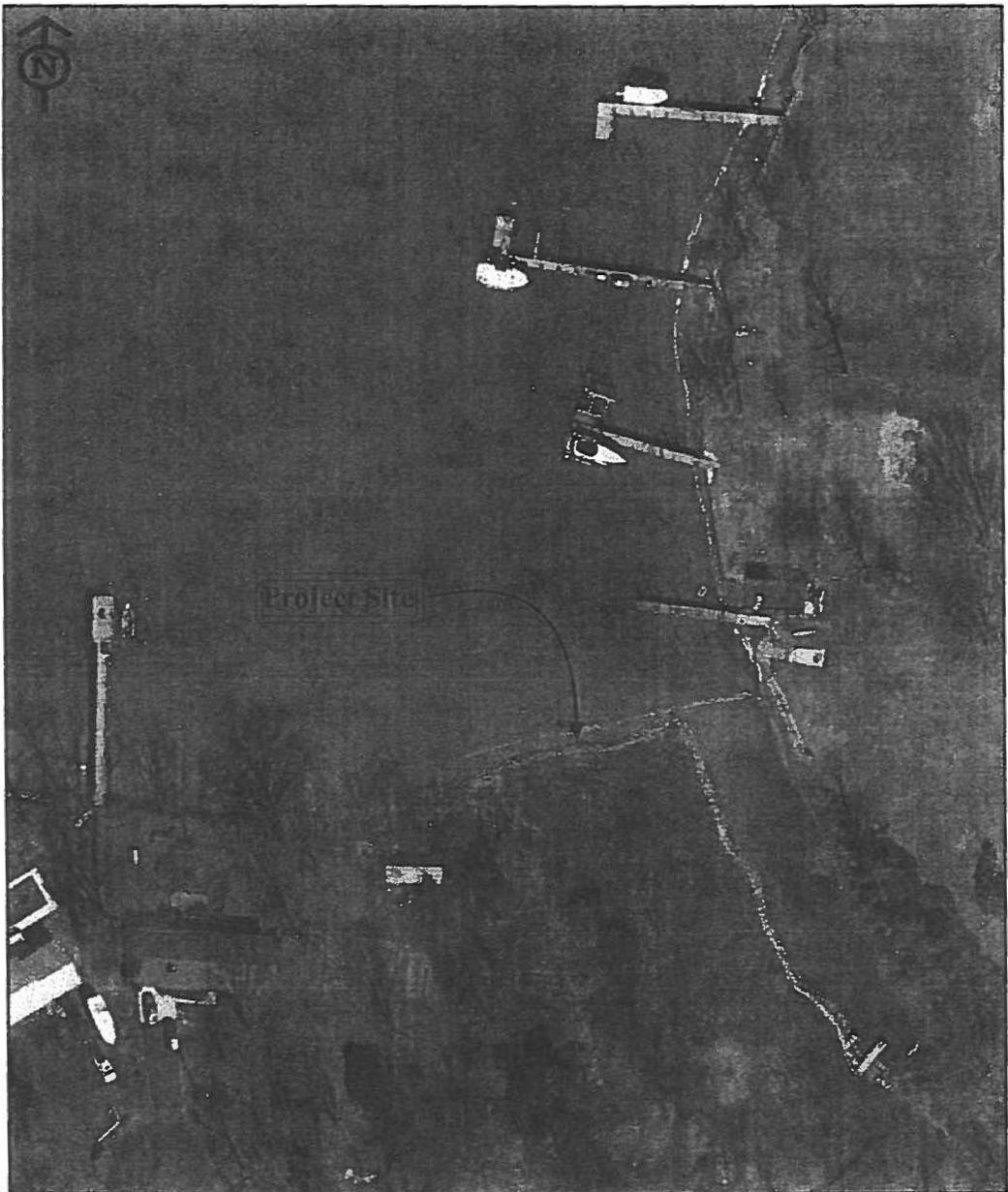
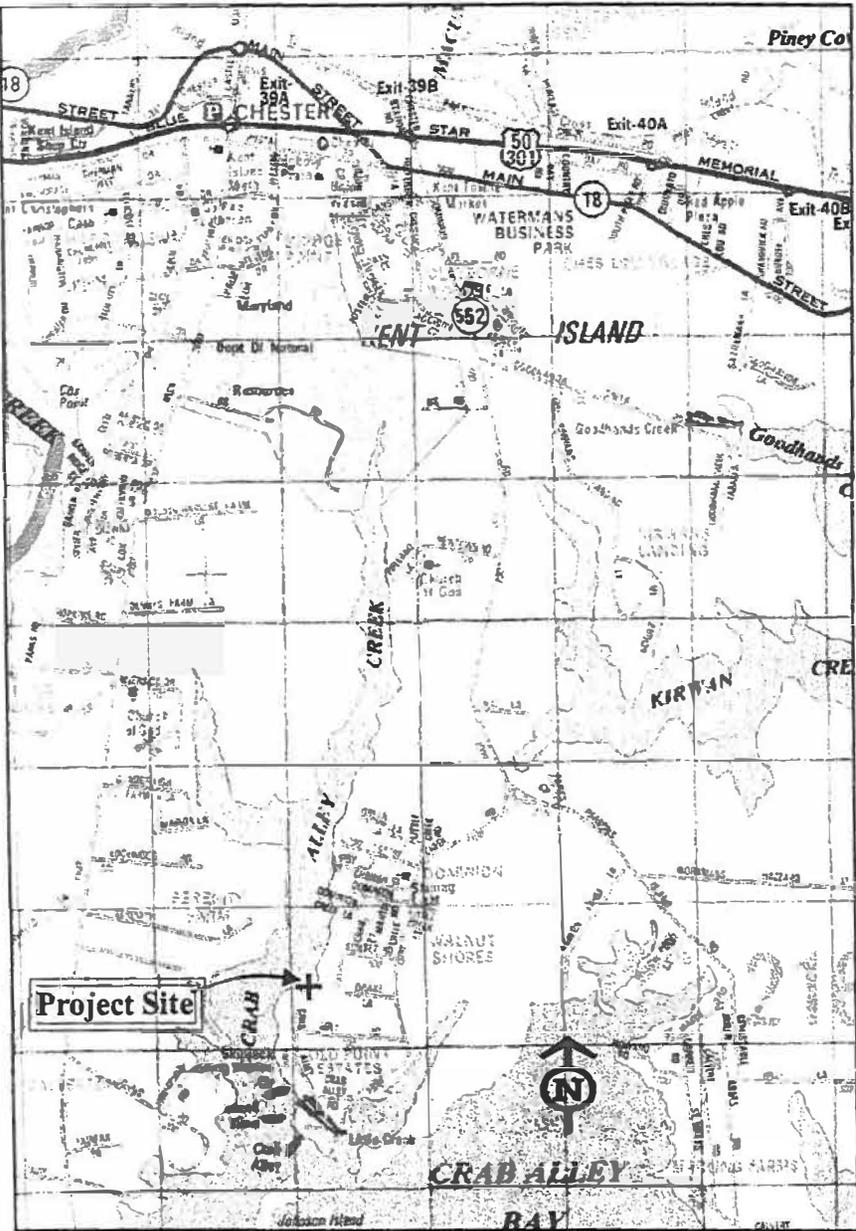
PUBLIC HEARING REQUESTS:

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:

Lamuelle L. Coleman
Lamuelle.L.Coleman@usace.army.mil
U.S. Army Corps of Engineers, Baltimore District
Regulatory Branch
2 Hopkins Plaza
Baltimore, Maryland 21201-2930

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.

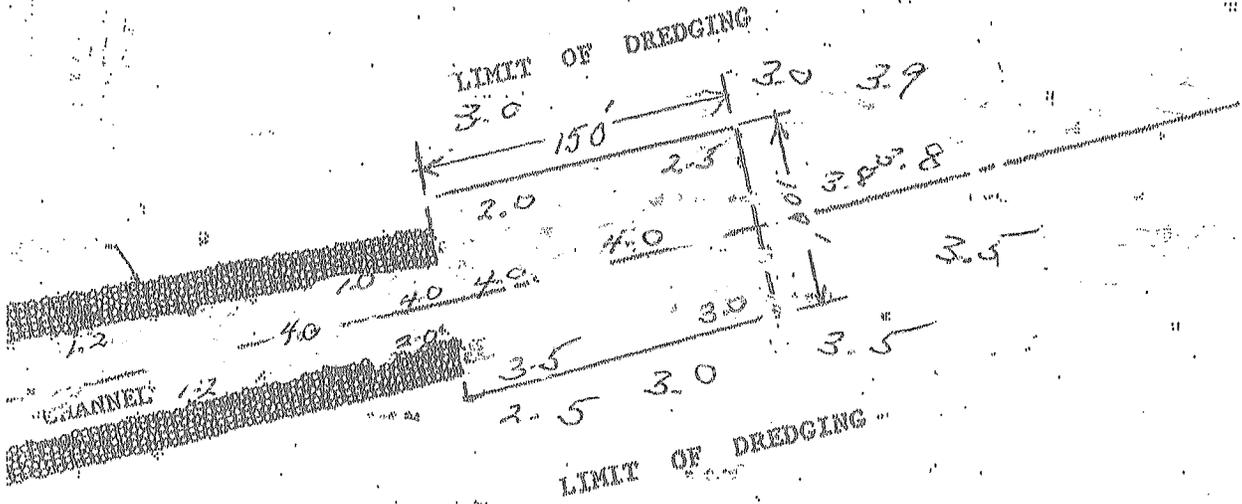
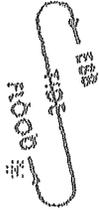
General information regarding the Corps' permitting process can be found on our website at <https://www.nab.usace.army.mil/Missions/Regulatory.aspx>. This public notice has been prepared in accordance with Corps implementing regulations at 33 CFR 325.3. If you have any questions concerning this specific project or would like to request a paper copy of this public notice, please contact Lamuelle L. Coleman at 443-853-2051 or at Lamuelle.L.Coleman@usace.army.mil. This public notice is issued by the Chief, Regulatory Branch.



APPLICANT: Cove Creek Club
 114 North Creek Ct
 Stevensville, MD 21666

PROPOSED Maintenance Dredging – Eastern Bay
AT: Cove Creek Club Marina & Entrance Channel
COUNTY: Queen Annes **STATE:** Maryland

Eastern Bay



PLAN VIEW

Scale in feet



THIS PLAN IS FOR PERMIT PURPOSE ONLY

20-WL-0957(R1)
202061428
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10-31-2022
JNC
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Current August 2026

-- Eastern Bay

APPLICANT: Cove Creek Club

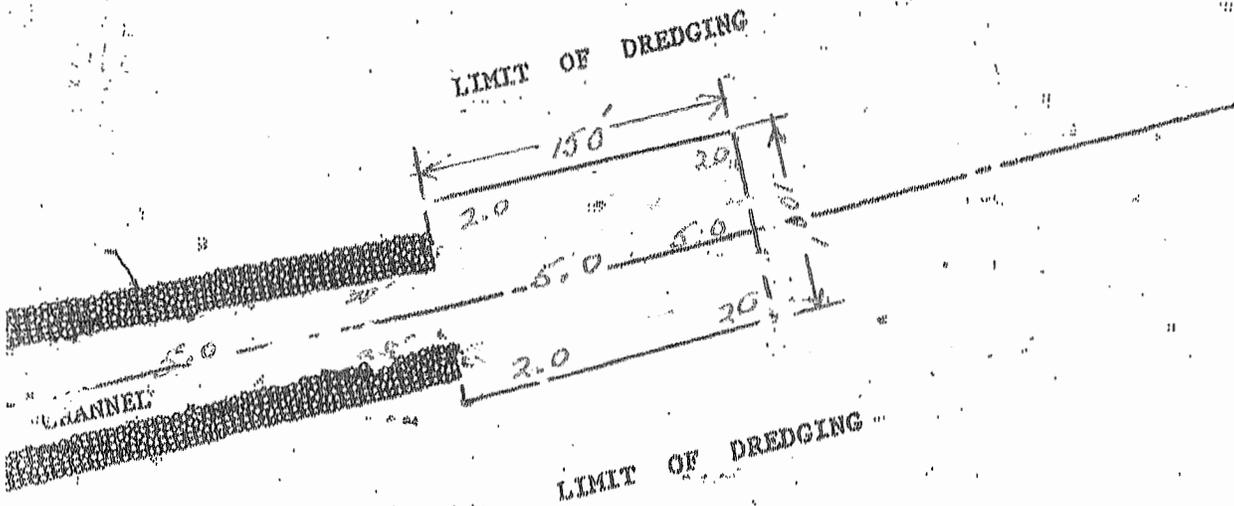
114 North Creek Ct

Stevensville, MD 21666

AT: Cove Creek Club Marina & Entrance Channel

COUNTY: Queen Annes STATE: Maryland

Eastern Bay



PLAN VIEW

Scale in Feet

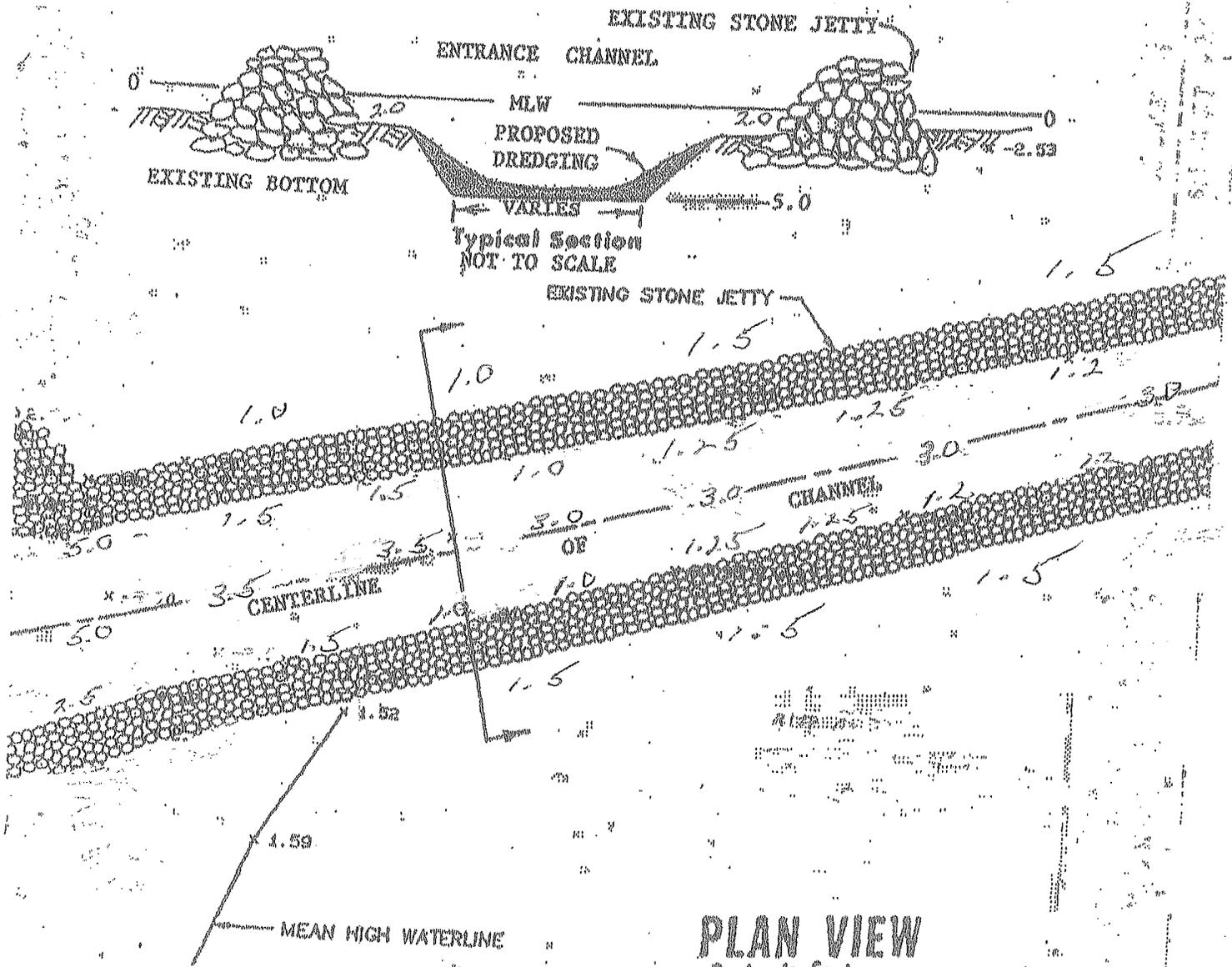


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114 North Creek Ct
Stevensville, MD 21666

PROPOSED Maintenance Dredging -- Eastern Bay
AT: Cove Creek Club Marina & Entrance Channel
COUNTY: Queen Annes STATE: Maryland



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Current August 2020

APPLICANT: Cove Creek Club

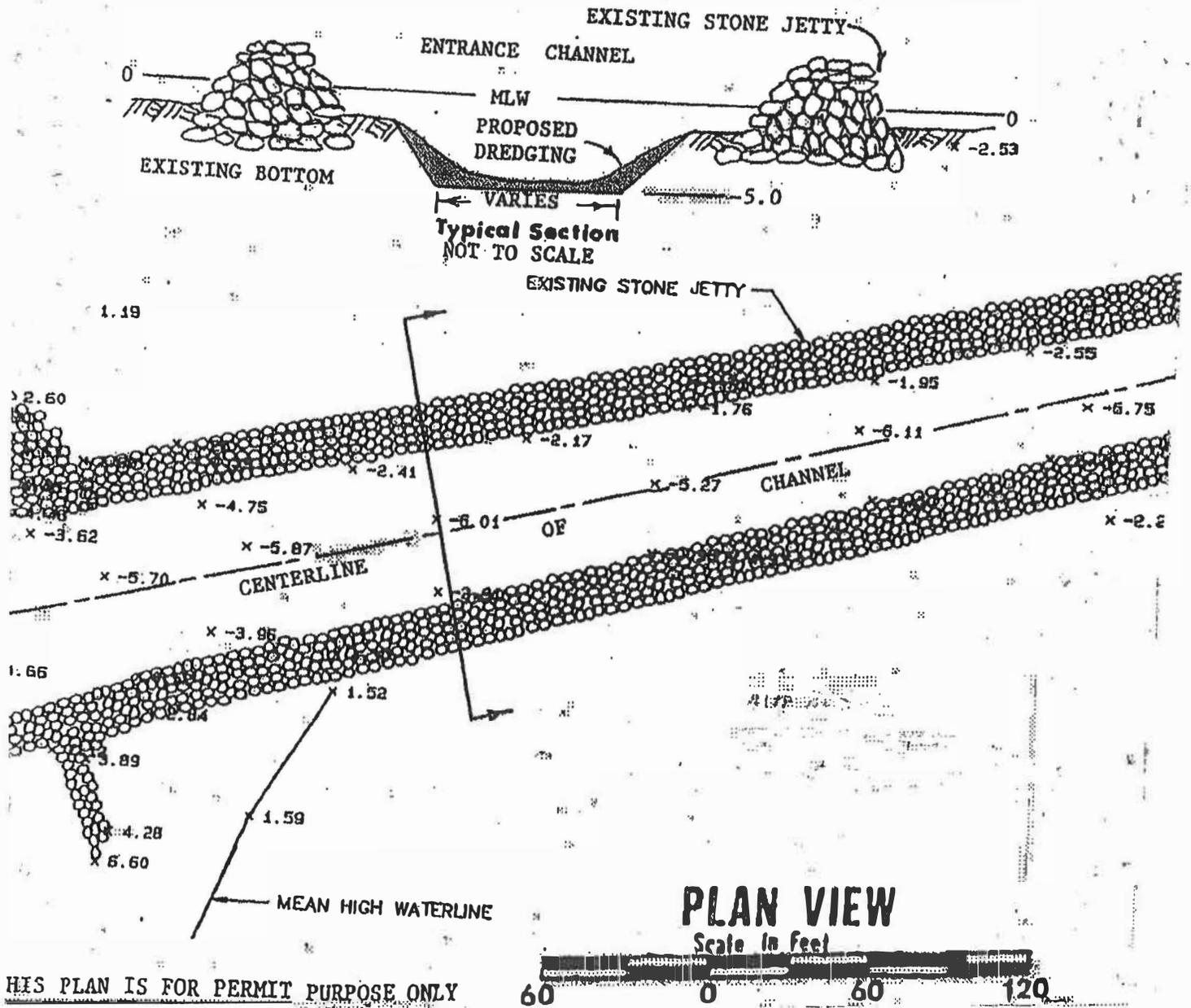
— Eastern Bay

114 North Creek Ct

AT: Cove Creek Club Marina & Entrance Channel

Stevensville, MD 21666

COUNTY: Queen Annes STATE: Maryland

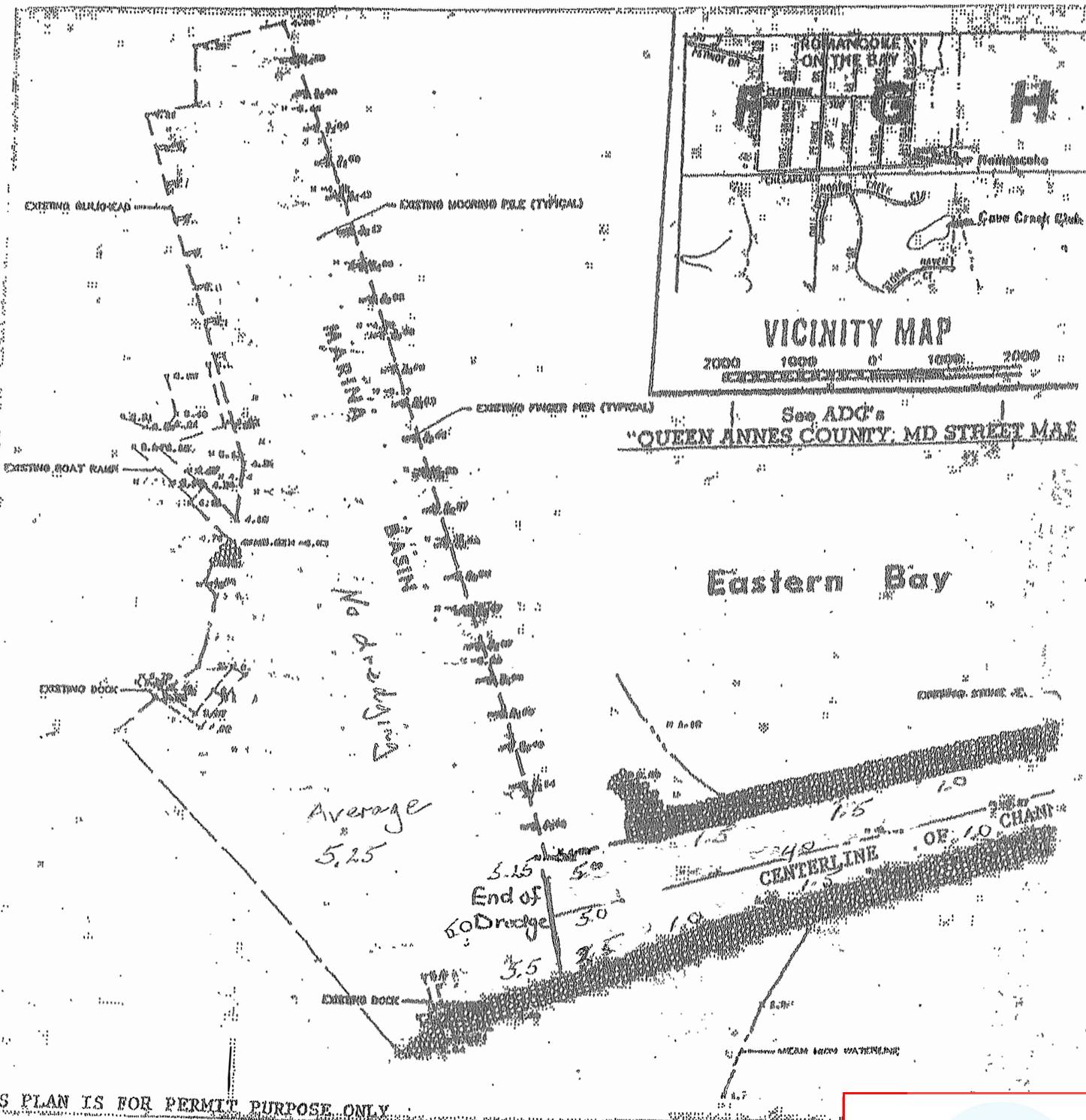


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APPLICANT: Cove Creek Club
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 COUNTY: Queen Annes STATE: Maryland



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Current August

APPLICANT: Cove Creek Club
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 Stevensville, MD 21666

— Eastern Bay
 AT: Cove Creek Club Marina & Entrance Channel
 COUNTY: Queen Annes STATE: Maryland



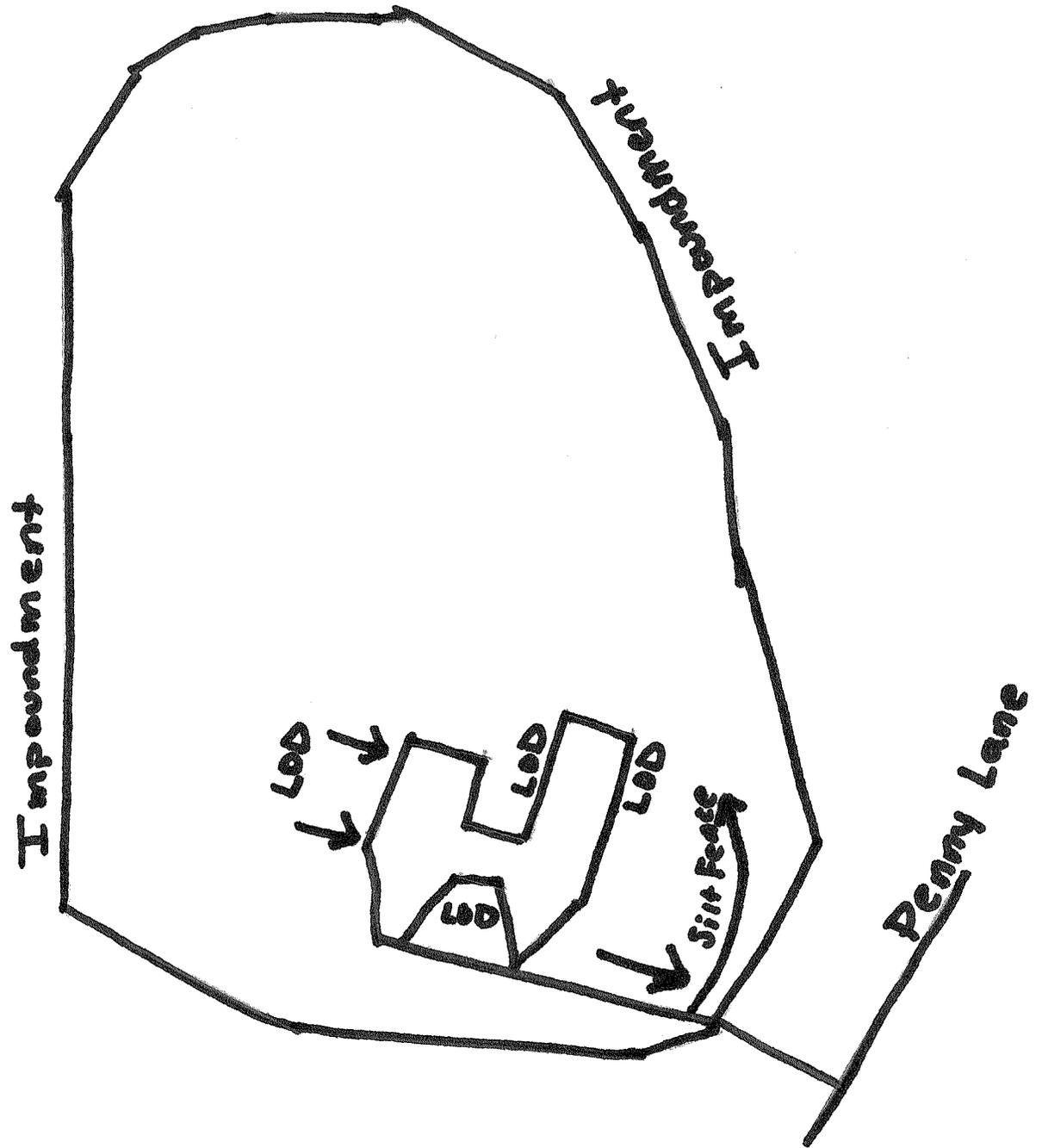
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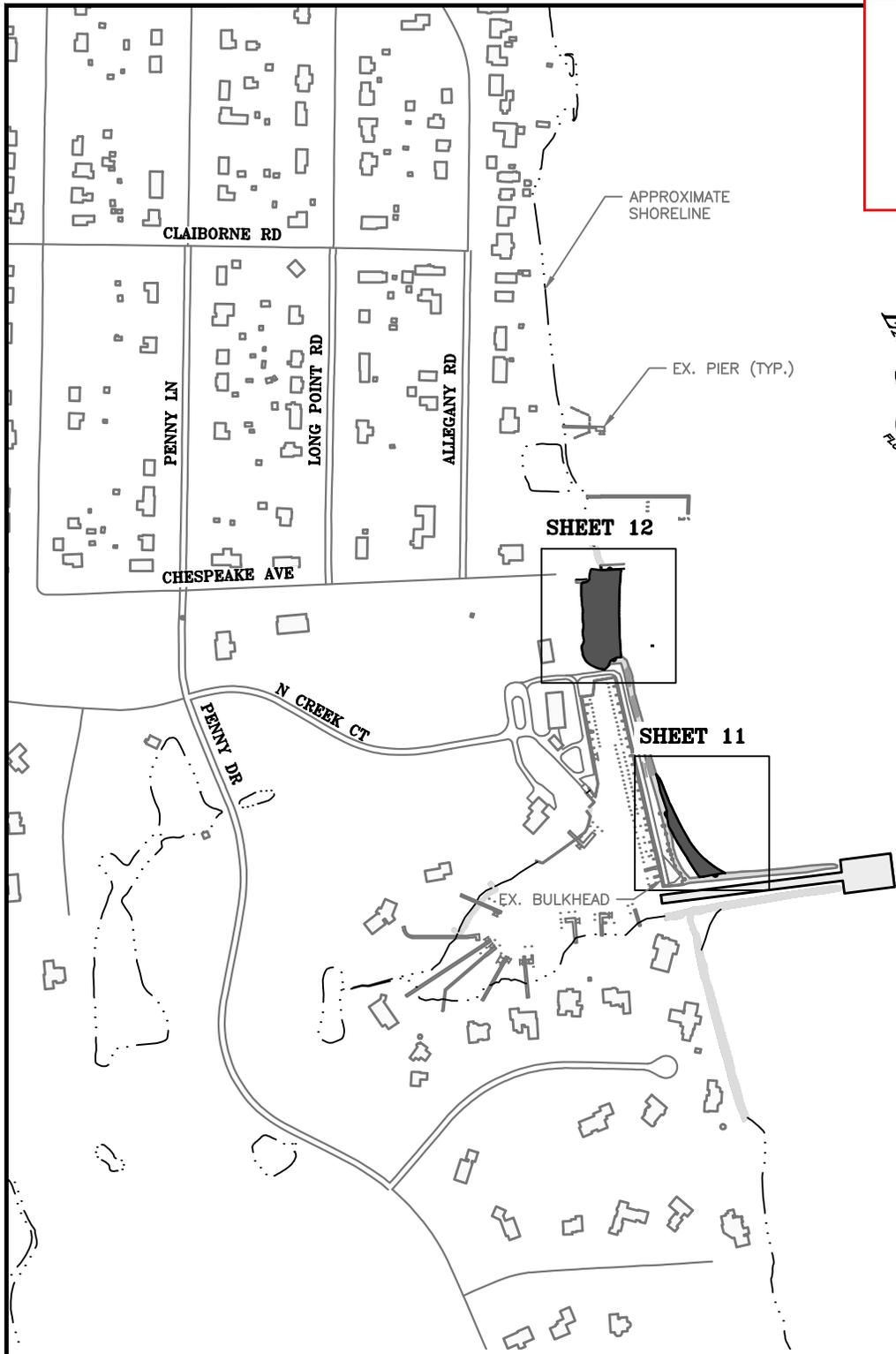
Dredge Spoil Site
LOD = 14,620 SF
Scale: 7" = 1,000



10/24/20

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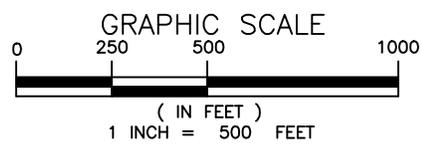


**COVE CREEK CLUB DREDGING AND
BEACH NOURISHMENT
AT
QUEEN ANNE'S COUNTY, MD**

APPL. BY: COVE CREEK CLUB

PLACEMENT KEY SHEET

DATE: OCTOBER 2022 SHEET 9 OF 16



NOTE:
1. BASEMAP TAKEN FROM QUEEN ANNE'S
COUNTY 2015 PLANIMETRICS AND 2019
IMAGERY.

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Hanover, Maryland 21076 Fax: (410) 694-9405
www.baylandinc.com

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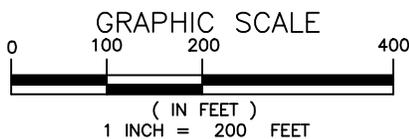
COVE CREEK CLUB DREDGING AND BEACH NOURISHMENT AT QUEEN ANNE'S COUNTY, MD

APPL. BY: COVE CREEK CLUB

EXISTING CONDITIONS

DATE: OCTOBER 2022 SHEET 10 OF 16

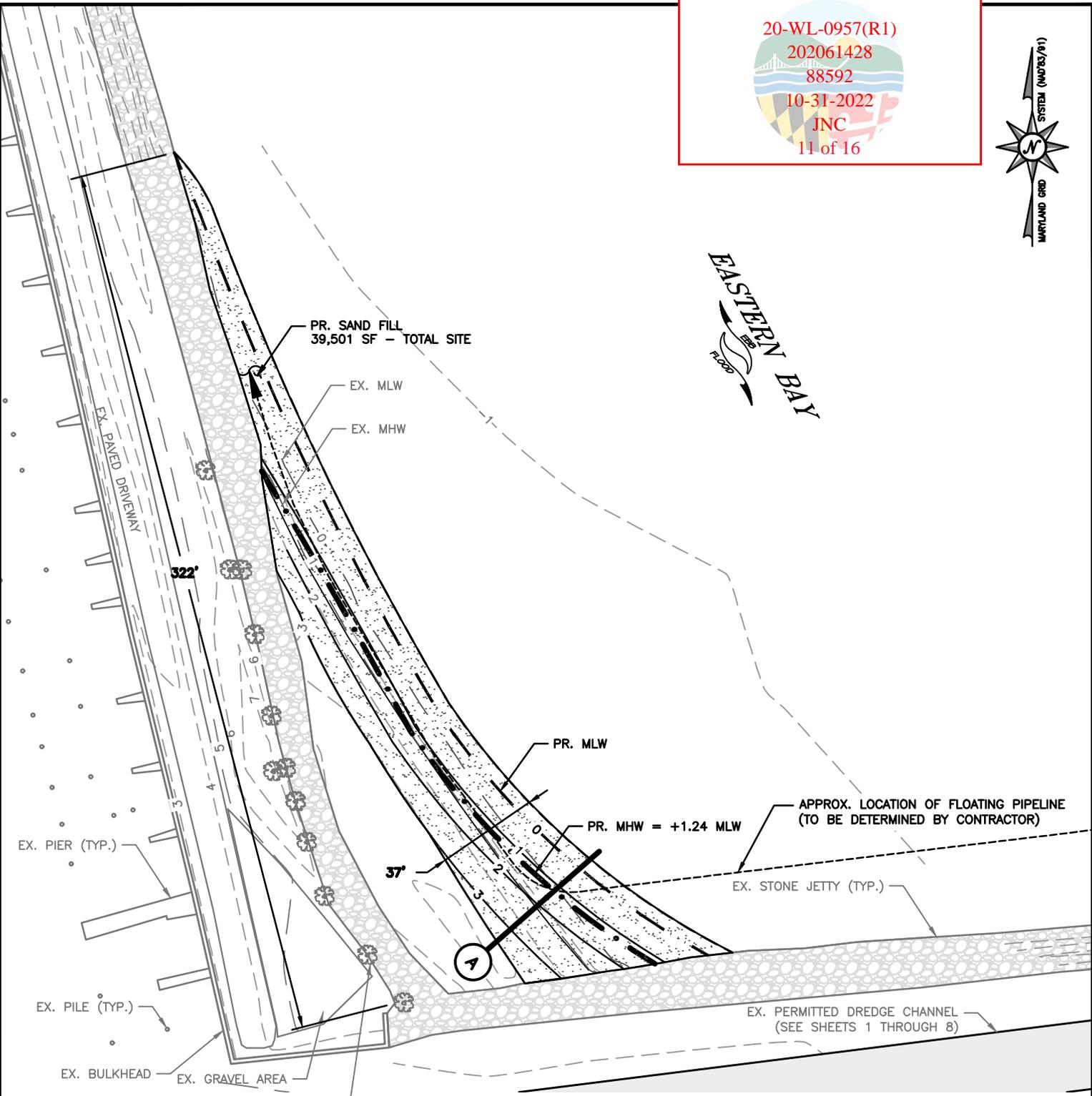
NOTE:
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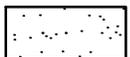
**COVE CREEK CLUB DREDGING AND
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 AT
 QUEEN ANNE'S COUNTY, MD**

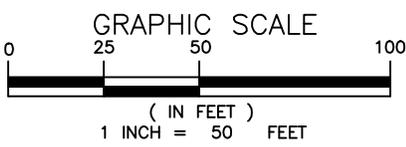
APPL. BY: COVE CREEK CLUB

SITE PLAN

DATE: OCTOBER 2022 SHEET 11 OF 16

LEGEND

-  PR. SAND FILL
-  PR. MLW
-  PR. MHW



NOTE:
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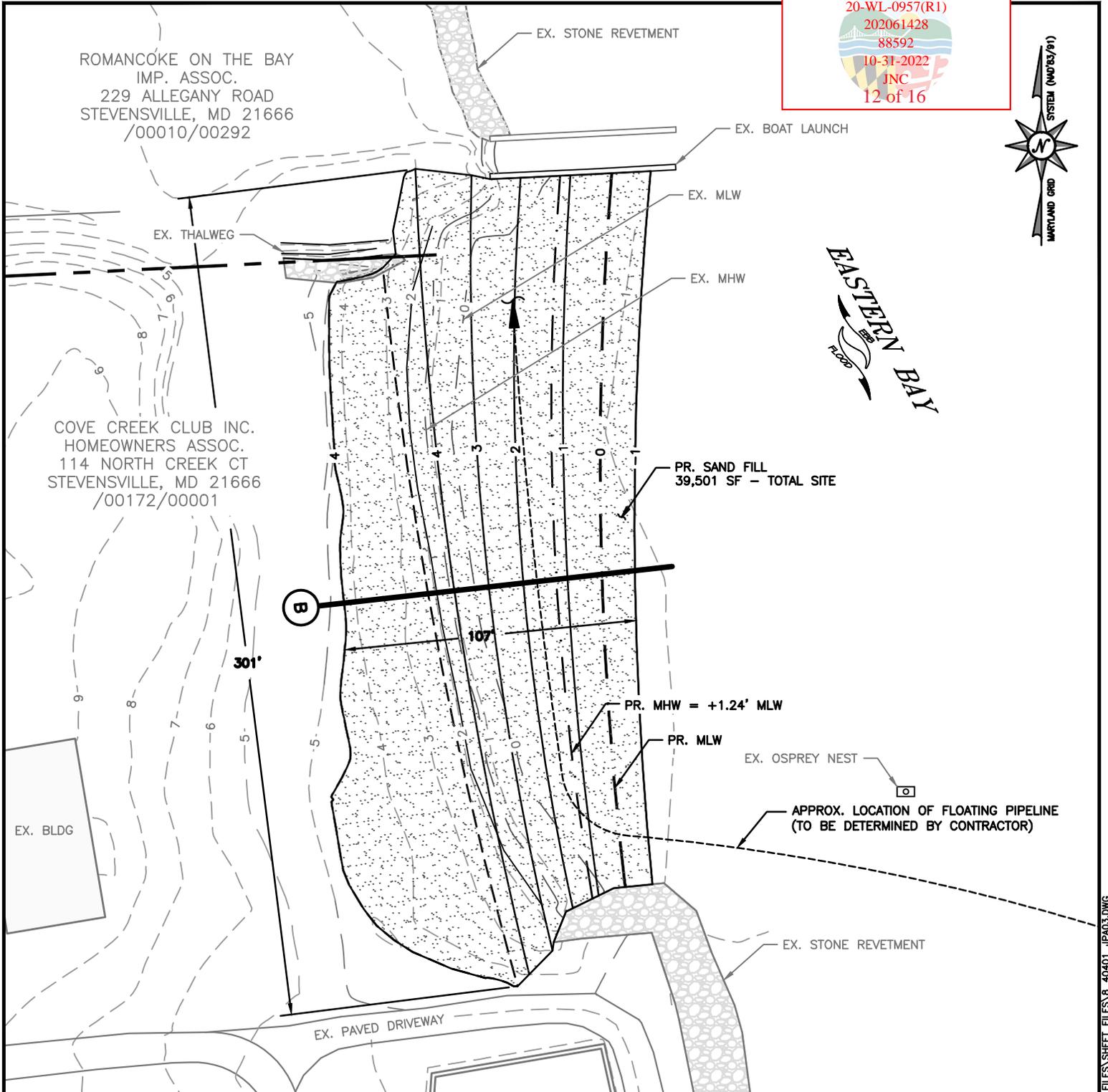
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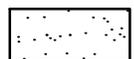


ROMANCOKE ON THE BAY
 IMP. ASSOC.
 229 ALLEGANY ROAD
 STEVENSVILLE, MD 21666
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COVE CREEK CLUB INC.
 HOMEOWNERS ASSOC.
 114 NORTH CREEK CT
 STEVENSVILLE, MD 21666
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LEGEND

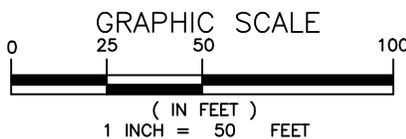
-  PR. SAND FILL
-  PR. MLW
-  PR. MHW

**COVE CREEK CLUB DREDGING AND
 BEACH NOURISHMENT
 AT
 QUEEN ANNE'S COUNTY, MD**

APPL. BY: COVE CREEK CLUB

SITE PLAN

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NOTE:
 1. BASEMAP TAKEN FROM QUEEN ANNE'S
 COUNTY 2015 PLANIMETRICS AND 2019
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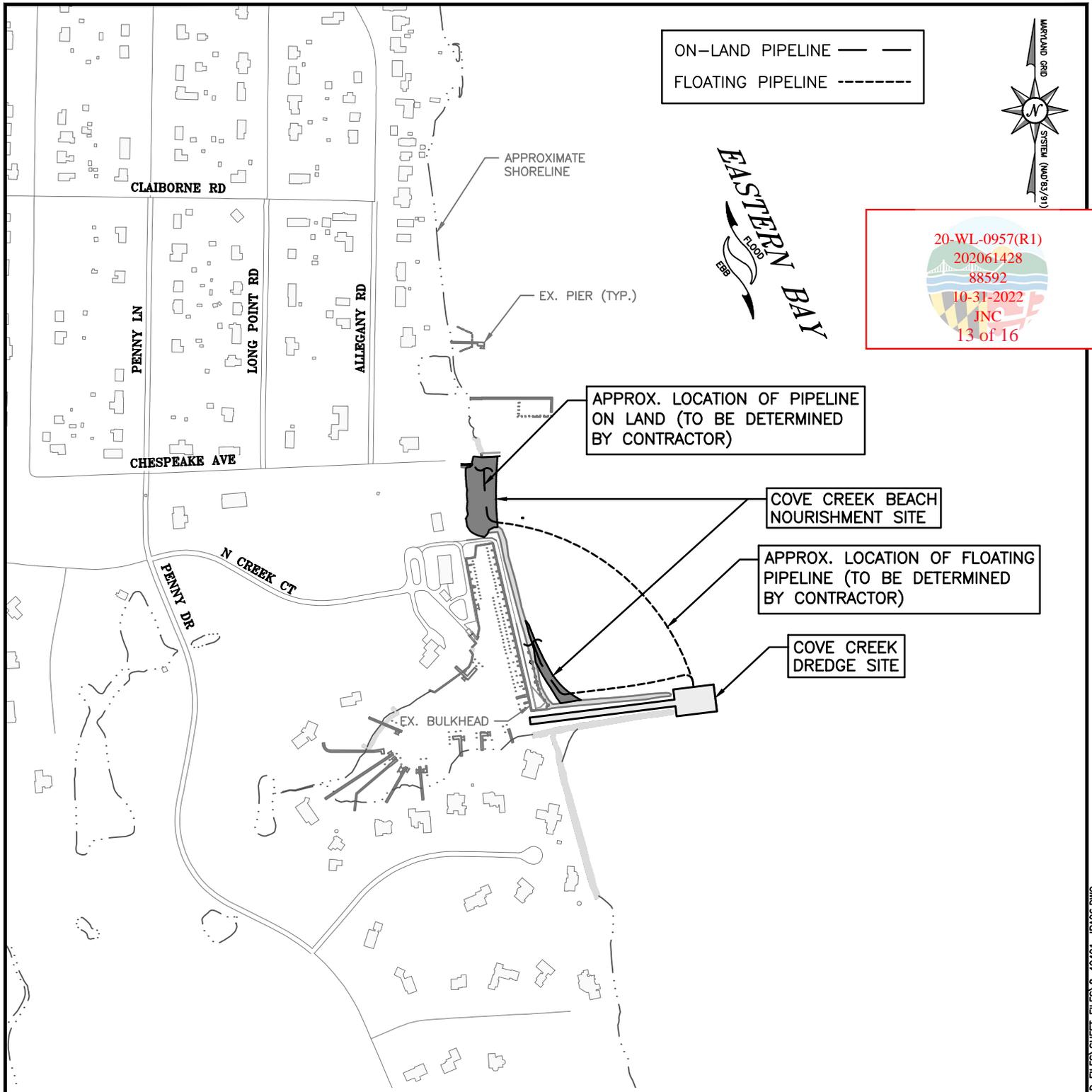
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ON-LAND PIPELINE — — —
FLOATING PIPELINE - - - - -



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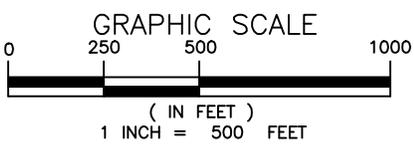


COVE CREEK CLUB DREDGING AND BEACH NOURISHMENT AT QUEEN ANNE'S COUNTY, MD

APPL. BY: COVE CREEK CLUB

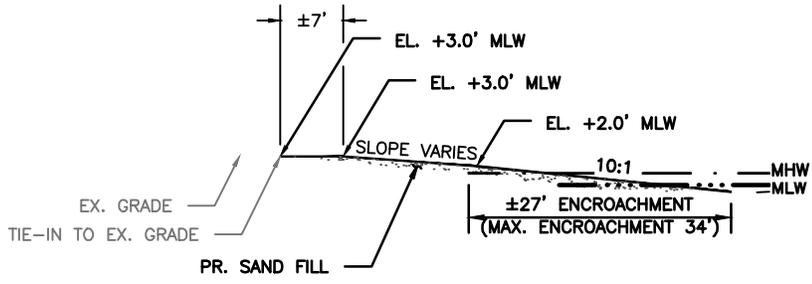
HYDRAULIC PIPELINE PLAN

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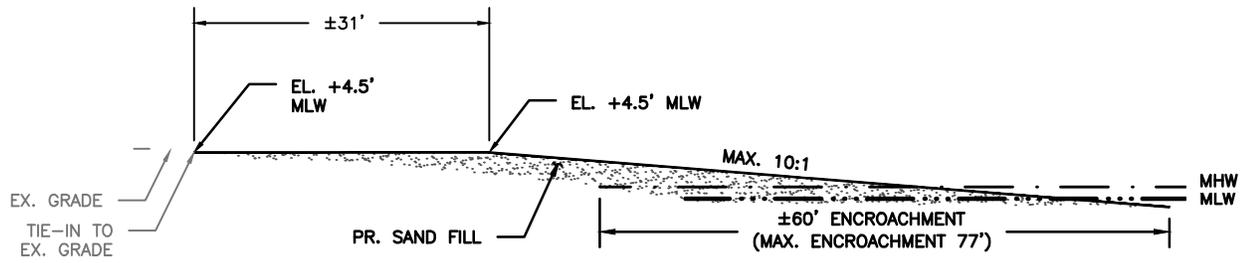


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SECTION A
SCALE: 1" = 20'



SECTION B
SCALE: 1" = 20'

COVE CREEK CLUB DREDGING AND
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AT
QUEEN ANNE'S COUNTY, MD

APPL. BY: COVE CREEK CLUB

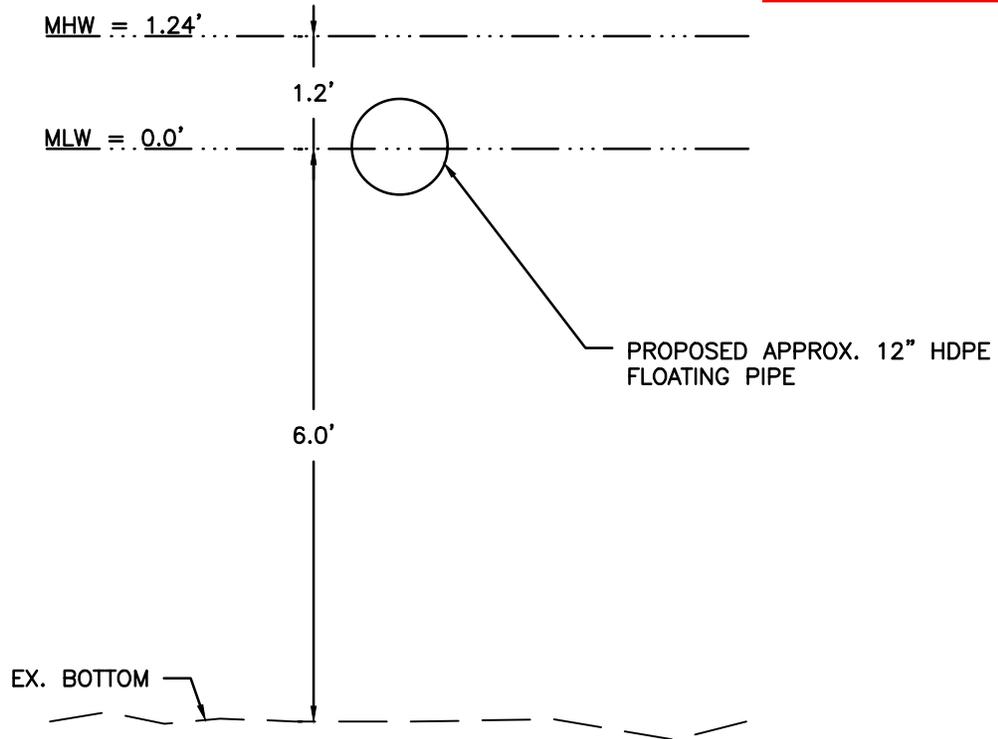
CROSS SECTIONS

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TYPICAL HYDRAULIC INGRESS/EGRESS PIPE SECTION

SCALE: NTS

COVE CREEK CLUB DREDGING AND
BEACH NOURISHMENT
AT
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APPL. BY: COVE CREEK CLUB

HYDRAULIC PIPELINE SECTION

DATE: OCTOBER 2022 SHEET 15 OF 16



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PROJECT SUMMARY

SAND FILL - 1,707 CY TOTAL (39,501 SF);
MAX. CHANNELWARD ENCROACHMENT - 78 FT
TOTAL LENGTH - 623 LF
AVERAGE WIDTH - 72 FT

IMPACT SUMMARY

TOTAL AREA OF IMPACTS FROM MHW INTO TIDAL WATERS: 0 SF
TOTAL NEW AREA OF PERMANENT IMPACT TO SHALLOW WATER HABITAT (NEW SAND PLACEMENT): 18,541 SF (0.43 ACRES)
AREA OF IMPACT TO PRIVATE TIDAL WETLANDS: 0 SF

NOTES

1. BASEMAP COMPILED FROM QUEEN ANNE'S COUNTY 2015 PLANIMETRICS AND 2019 IMAGERY.
2. CONTOURS ARE IN FEET AND REFER TO MLW.
3. TIDAL RANGE ~1.24 FEET.
4. HYDROGRAPHIC AND TOPOGRAPHIC SURVEY PERFORMED BY BAYLAND CONSULTANTS & DESIGNERS, INC. ON 02/17/2022 AND 03/01/2022.
5. THESE ARE PERMIT DRAWINGS ONLY AND SUBJECT TO CHANGE DURING THE PERMIT PROCESS. DESIGN DRAWINGS ARE TO BE PREPARED SEPARATELY.
6. NO SUBMERGED AQUATIC VEGETATION (SAV) OBSERVED WITHIN THE LAST 5 YEARS.

COVE CREEK CLUB DREDGING AND BEACH NOURISHMENT AT QUEEN ANNE'S COUNTY, MD

APPL. BY: COVE CREEK CLUB

SITE NOTES

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