

**U.S. Army Corps
of Engineers**
Baltimore District
PN-23-23

Public Notice

**In Reply to Application Number
NAB-2022-62009-M51 (Trippe/Living Shoreline)**

Comment Period: May 2, 2023 to June 1, 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:

Nancy L. Trippe
27386 Trippe Road
Easton, Maryland 21601

WATERWAY AND LOCATION OF THE PROPOSED WORK:

The proposed work is located in the Tred Avon River in Easton, Talbot County, Maryland. (Project: Latitude 38.75535; Longitude -76.11981).

OVERALL PROJECT PURPOSE:

To provide shoreline erosion protection and to establish/enhance habitat along the shoreline at 27386 Trippe Road in Easton, Talbot County, Maryland.

PROJECT DESCRIPTION:

The applicant proposes, in accordance with the attached plans, to stabilize a total of approximately 685 linear feet (lf) of eroding shoreline using a living shoreline design, all within an approximately 31,493 square foot (sf) (0.72 acre) impact area as follows: to construct 620 lf of low profile stone sill by emplacing 657 cubic yards (cyds) of stone, and 1,023 cyds of clean sand fill backfill stabilized with 19,469 sf (0.45 acres) of native low and high marsh species. The stone sill will incorporate vents to allow tidal exchange landward of the sill; 2-inch diameter gravel will be placed in the vents to an elevation between mid-tide and minus -0.5 ft mean high water (MHW) to reduce scour at the sill openings. In addition, approximately 200 sf of stone scour protection would be emplaced along 685-lf foot section of shoreline at the upper limits of the existing tidal marsh to reduced undercutting. The work would extend a maximum of 67 ft channelward of the approximate MHW shoreline.

All work is proposed in accordance with the attached plans as prepared by Rauch, Inc. dated October 1, 2019. Please refer to the table below for a summary of aquatic resource impacts.

EFFECTS ON AQUATIC RESOURCES:

Activity	Aquatic Resource Impact (sf)	Aquatic Resource Type	Authority (Section 10/404/408)
Stone Sill	8,575	Open Water/Intertidal	Section 10/404
	1,800	SAV (2020)	
Gravel Scour Protection	1,523	Open Water/Intertidal	
	126	SAV (2020)	
Sand Fill/ Marsh Establishment	18,264	Open Water/Intertidal	
	1,205	SAV (2020)	
Revetment	200	Emergent Vegetation	
Totals	28,362	Open Water/Intertidal	
	3,131	SAV (2020)	
	200	Emergent Vegetation	

LEAD FEDERAL AGENCY:

The United States Army Corps of Engineers (Corps), Baltimore District, 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.

The project shoreline is situated off the Tred Avon River with an approximately 1.6-mile southern fetch exposure. The existing estuarine marsh areas are eroding between approximately 0.1 and 1.5 ft/year. The applicant has minimized the channelward extent of the proposed fill and structures to the maximum extent practical whereby reducing overall impacts to existing tidal wetlands and documented submerged aquatic vegetation (SAV) by the Virginia Institute of Marine Science for the most recent 5 years of mapped coverage data. The total channelward encroachment of approximately 67 ft and proposed displacement of approximately 3,131 sf of a sparse SAV beds (2020)

represents the minimum necessary to dampen approaching wave energy and protect existing and proposed irregularly flooded marsh. The SAV impacts represent approximately 18 percent of the 2020 mapped SAV bed aerial coverage data. SAV was not mapped in 2015-2019, 2021, or 2022.

The project proposes to backfill with sand within the existing gaps of irregularly flooded marsh as enhancement. The proposed construction impacts within these existing eroding marsh areas would be temporary in duration. Temporarily disturbed marsh areas would be restored to preexisting conditions/wetland elevations and revegetated with native low to high marsh species upon completion of shoreline stabilization activities.

No compensatory mitigation is proposed. No wetlands would be permanently impacted as a result of the proposed project. Impacts to SAV are minimal as they represent a small percentage of a transient, sparse SAV bed mapped in a single year over the last 10 years, therefore no compensatory mitigation for SAV impacts is proposed at this time. The proposed project upon completion would result in a net gain of approximately 15,133 sf of intertidal marsh.

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, the United States Environmental Protection Agency.

ENDANGERED SPECIES:

A preliminary review of this application indicates that the proposed work is not likely to adversely affect 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*); migrating and foraging habitat for adult shortnose sturgeon (*Acipenser brevirostrum*); and migrating and foraging habitat for adult and juvenile Green sea turtle (*Chelonia mydas*), Kemp's ridley sea turtle (*Lepidochelys kempi*), Leatherback sea turtle (*Dermochelys coriacea*), and Loggerhead sea turtle (*Caretta caretta*). 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.

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 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 designated in Chesapeake Bay for little skate (*Leucoraja erinacea*), Atlantic herring (*Clupea harengus*), red hake (*Urophycis chuss*), windowpane flounder (*Scophthalmus aquosus*), winter skate (*L. ocellata*), clearnose skate (*Raja eglanteria*), bluefish (*Pomatomus saltatrix*), and summer flounder (*Paralichthys dentatus*); all managed species under the MSFCMA. The Corps has made a preliminary determination that the project will not have a substantial adverse effect on EFH. The Corps 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:

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 adverse 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 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 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 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 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 NAB-2022-62009-M51.

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:

Megan Spindler
U.S. Army Corps of Engineers, Baltimore District
Regulatory Branch
2 Hopkins Plaza, Baltimore, MD 21201
megan.l.spindler@usace.army.mil

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 Megan Spindler, 410-207-9987, megan.l.spindler@usace.army.mil. This public notice is issued by the Chief, Regulatory Branch.

TRIPPE PROPERTY LIVING SHORELINE

TIDAL WETLAND IMPACT PERMIT EXHIBITS

(AUTHORIZATION # _ - - _ / _)

OWNER/DEVELOPER

NANCY L. TRIPPE
27386 TRIPPE ROAD
EASTON, MARYLAND 21601

ENVIRONMENTAL ZONING INFORMATION

THE PROJECT IS LOCATED WITHIN THE CRITICAL AREA, DESIGNATION RCA
THE PROJECT IS LOCATED WITHIN THE CRITICAL AREA BUFFER
THE PROJECT IS LOCATED WITHIN THE 100 YEAR FLOODPLAIN

ENGINEER/OWNER'S REPRESENTATIVE

RAUCH INC.
ROBERT D. RAUCH, P.E.
106 N. HARRISON ST.
EASTON, MD 21601
410.770.9081

EXHIBIT INDEX

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12	STANDARD DETAILS 1
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COVER SHEET

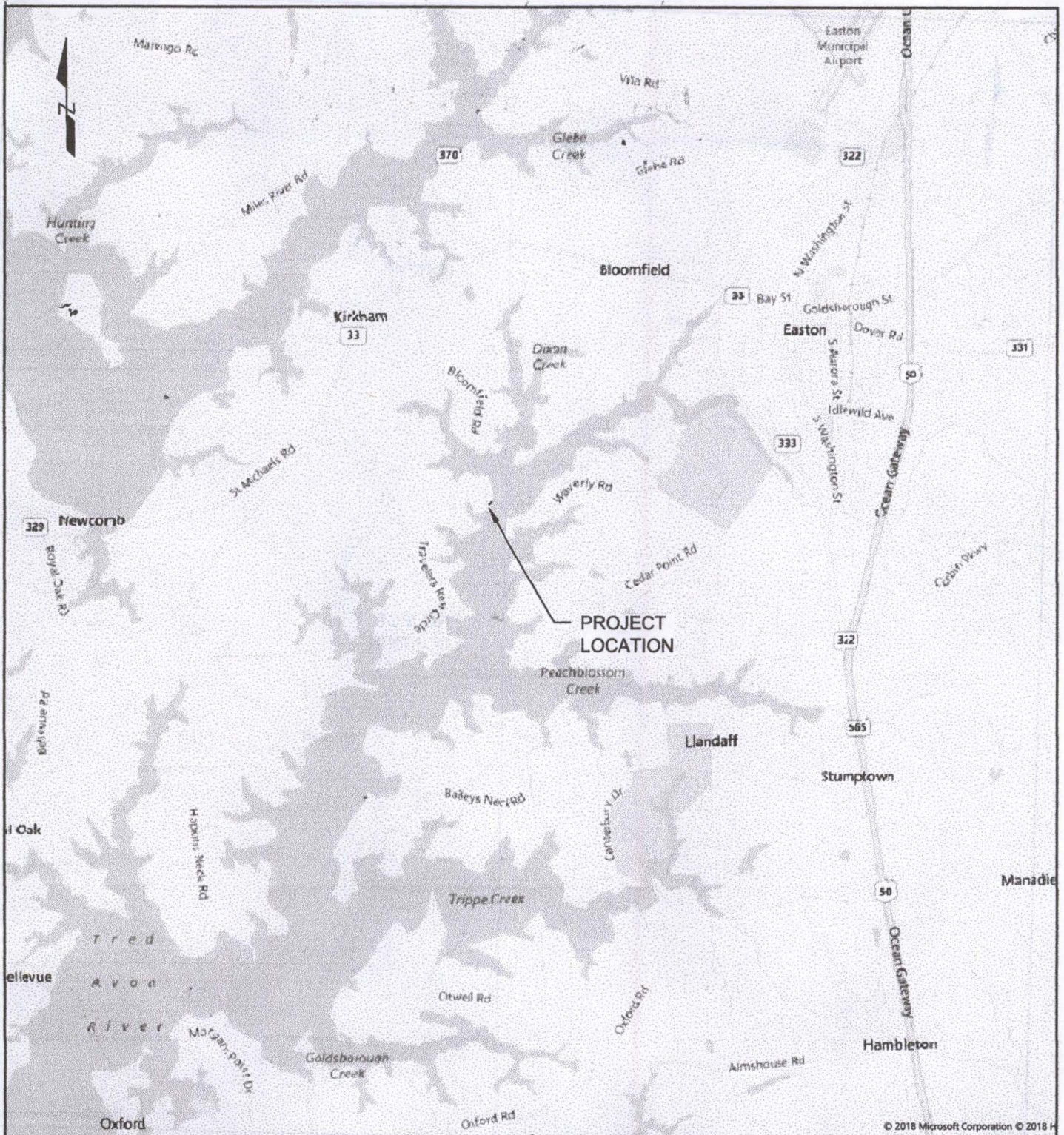
TRIPPE PROPERTY**LIVING SHORELINE**

TAX MAP 0033, GRID 0024, PARCEL 0002

TALBOT COUNTY, MARYLAND

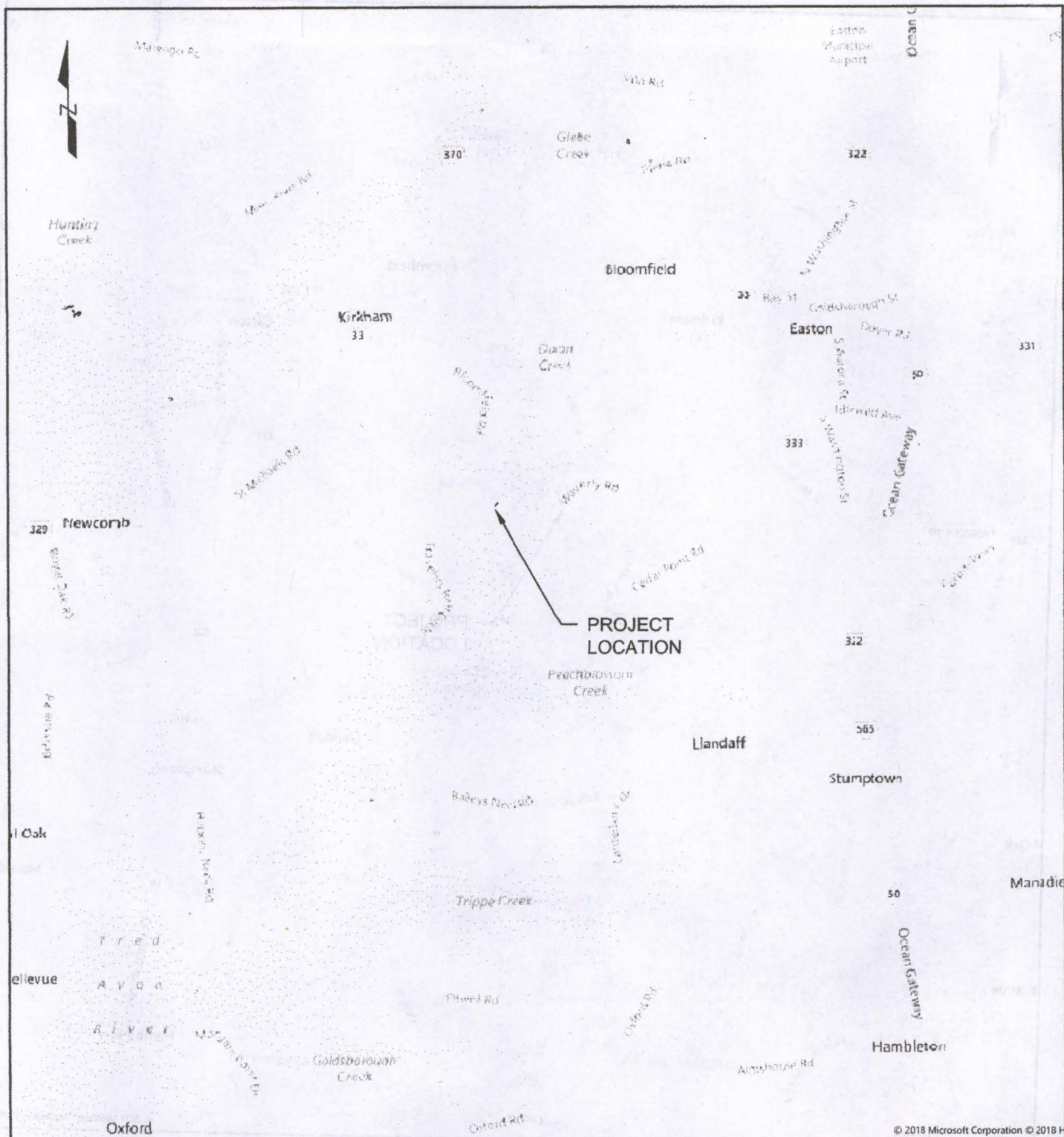
DRAWN BY WJRSCALE N/ADATE 1/OCT/19SHEET 1 OF 15**RAUCH**
INC.engineering design &
development services

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email: design@raucheng.com | web: www.raucheng.com
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VICINITY MAP		<div><div><div>RAUCH</div><div>INC.</div></div><div>engineering design & development services</div><div>office: 410.770.9081 fax: 410.770.3667 email: design@raucheng.com web: www.raucheng.com address: 106 N Harrison St - Easton, MD 21601</div></div>
TRIPPE PROPERTY		
LIVING SHORELINE		
TAX MAP 0033, GRID 0024, PARCEL 0002		
TALBOT COUNTY, MARYLAND		
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SCALE _____ 1" = 1/2 MILE		
DATE _____ 1/OCT/19		
SHEET _____ 2 OF 15		



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VICINITY MAP		DRAWN BY	WJR
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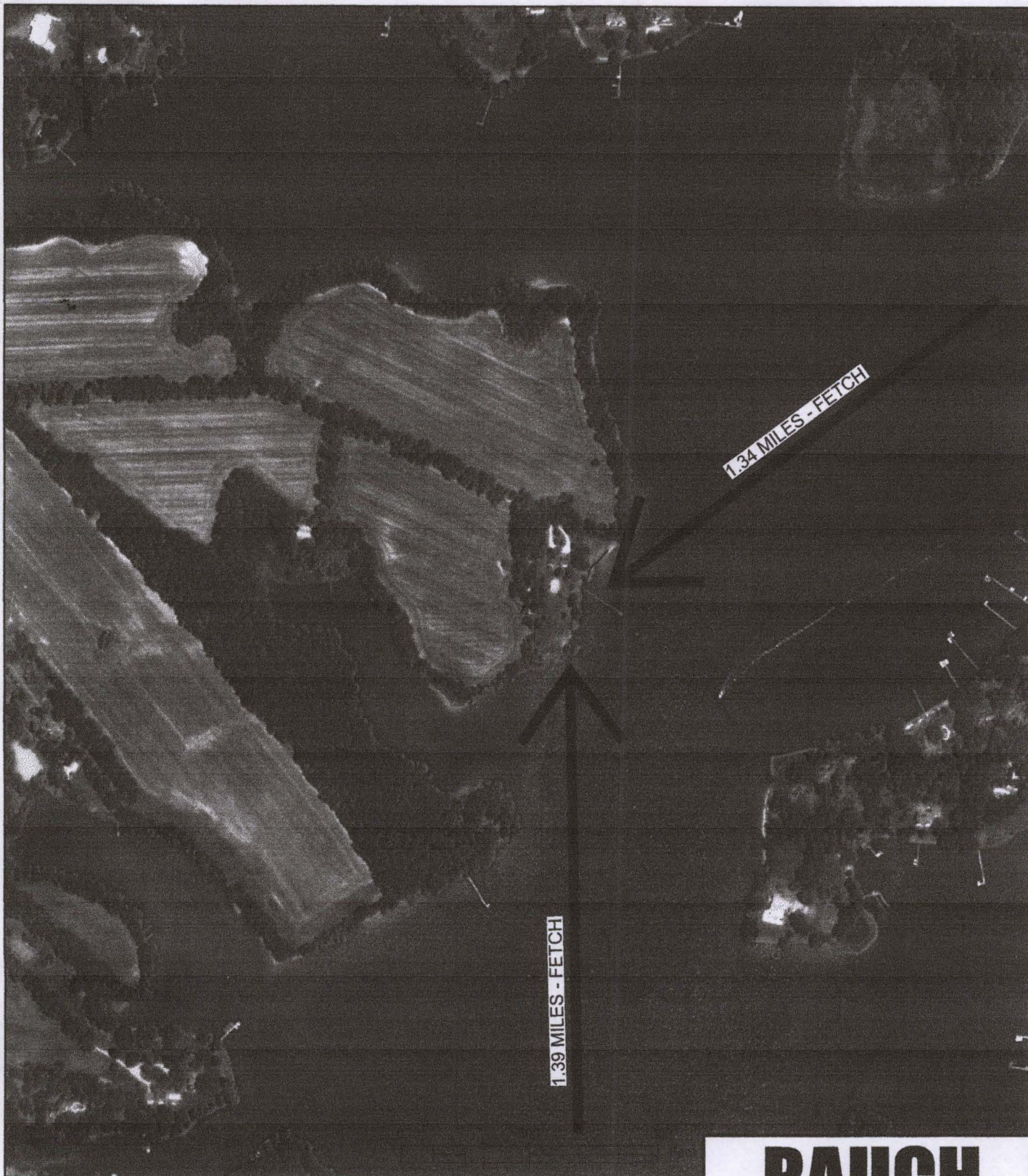
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EXISTING ORTHOIMAGERY

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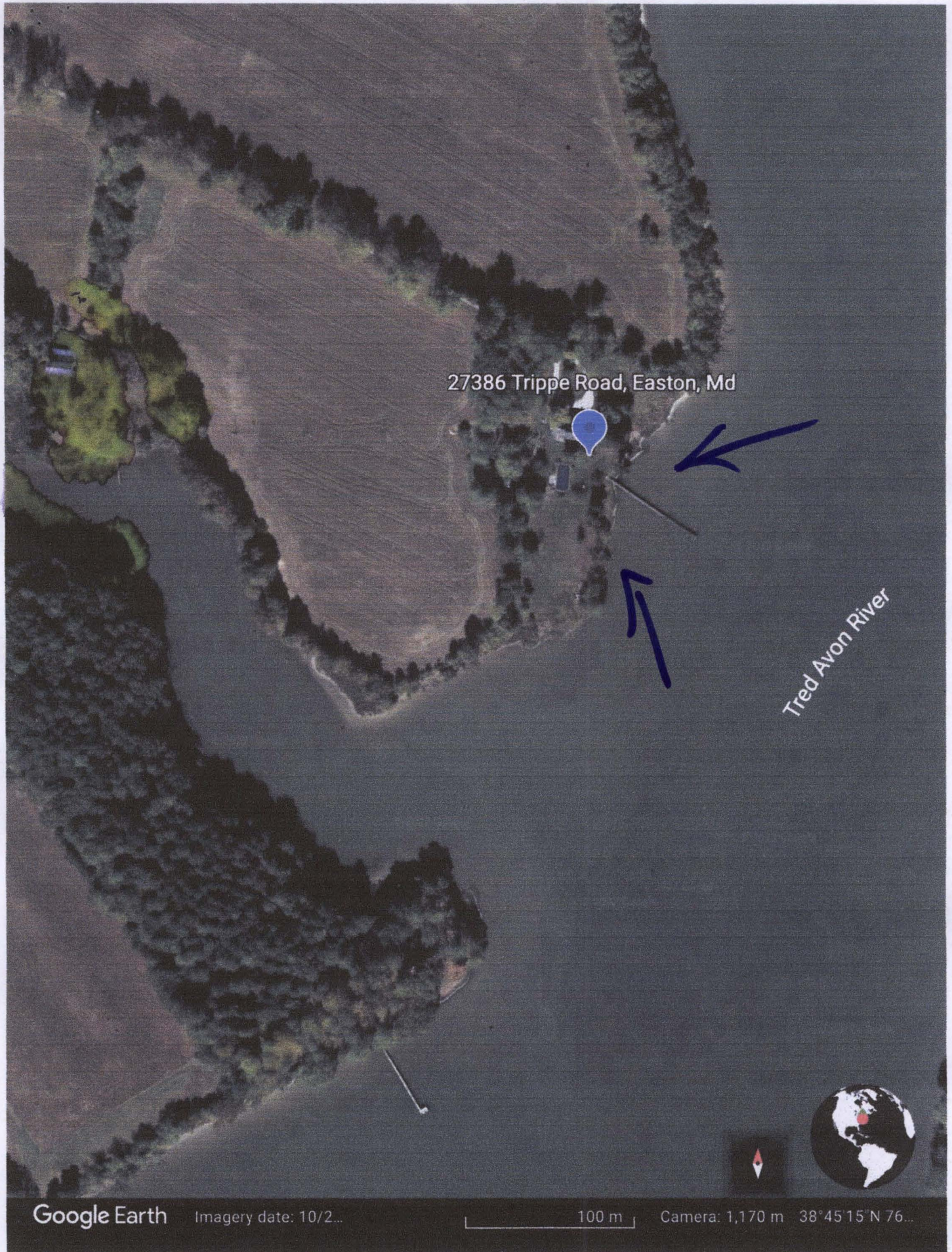
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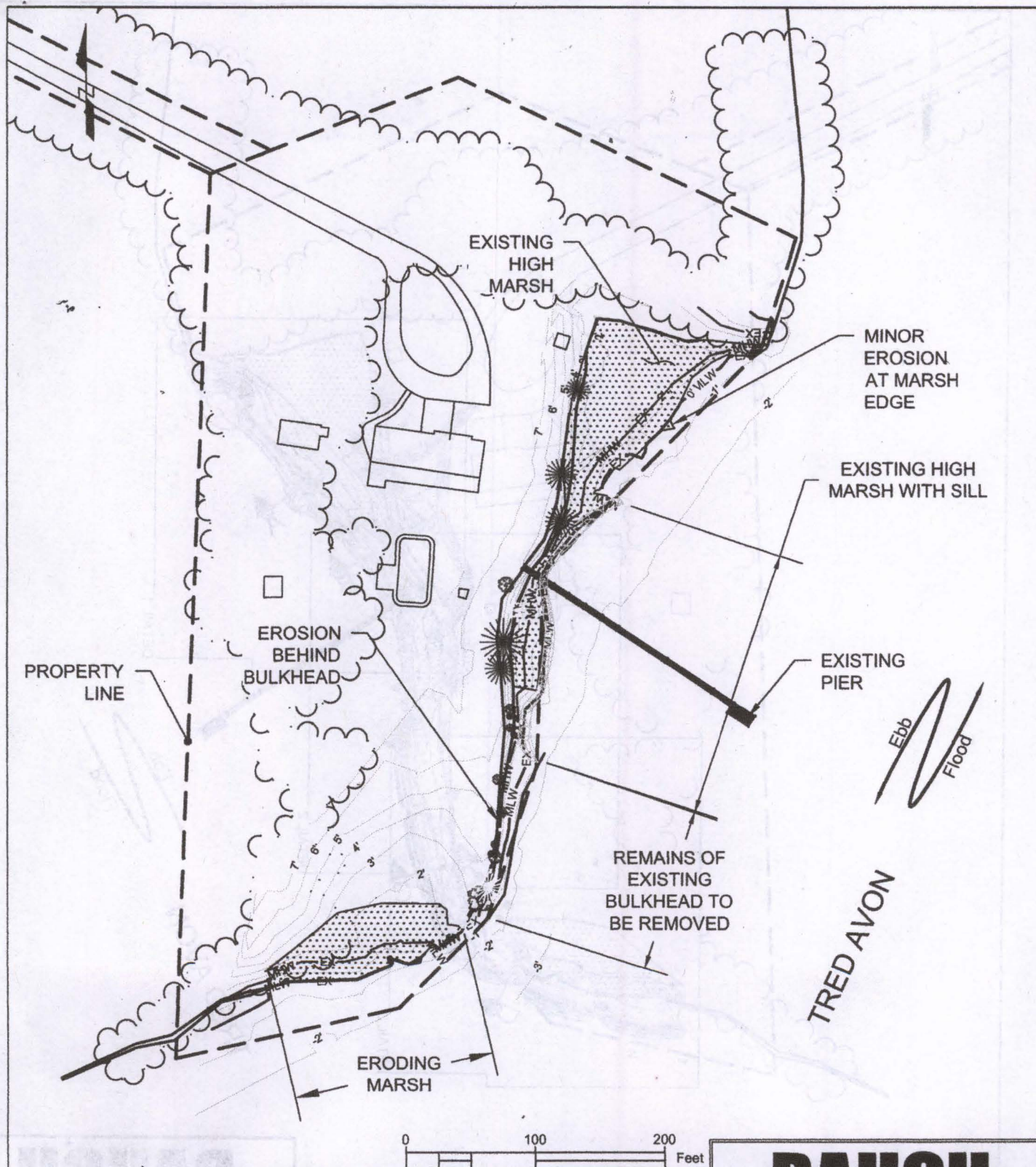
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27386 Trippe Road, Easton, Md

Tred Avon River



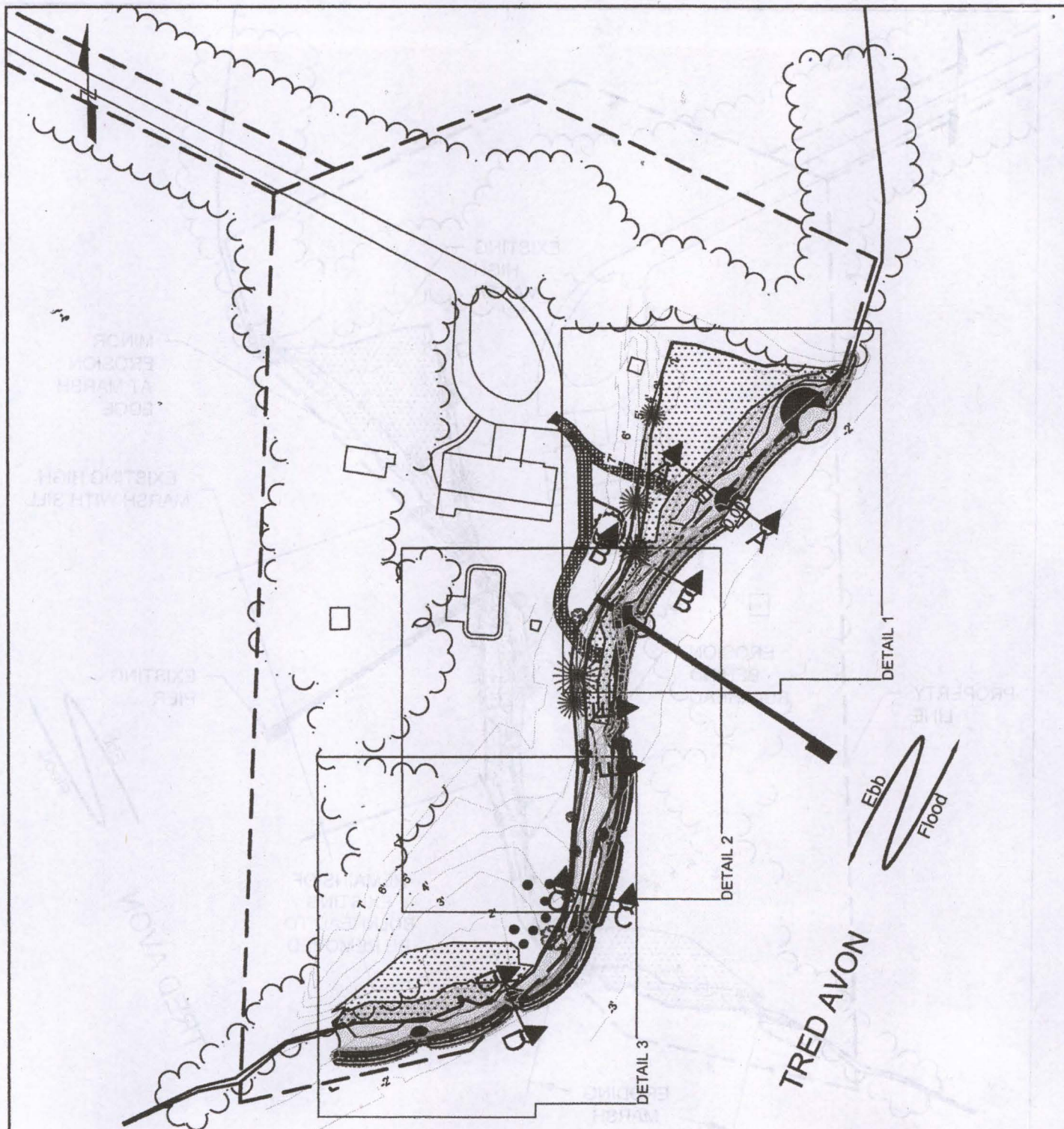
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TRED AVON

Ebb
Flood

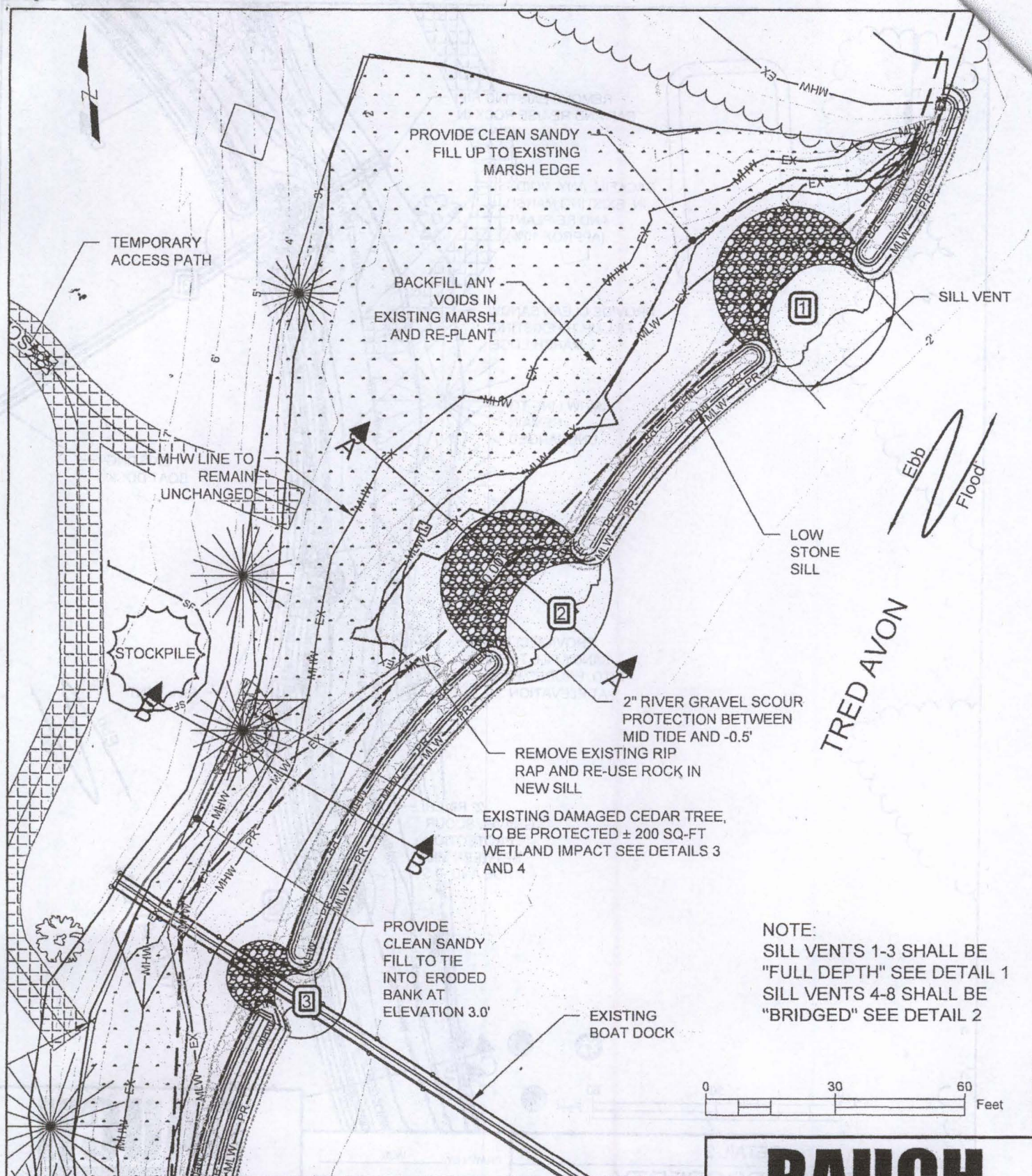
PROPOSED CONDITIONS
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NOTE:
 SILL VENTS 1-3 SHALL BE
 "FULL DEPTH" SEE DETAIL 1
 SILL VENTS 4-8 SHALL BE
 "BRIDGED" SEE DETAIL 2

0 30 60 Feet

DETAIL 1

TRIPPE PROPERTY
 LIVING SHORELINE

TAX MAP 0033, GRID 0024, PARCEL 0002

TALBOT COUNTY, MARYLAND

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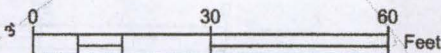
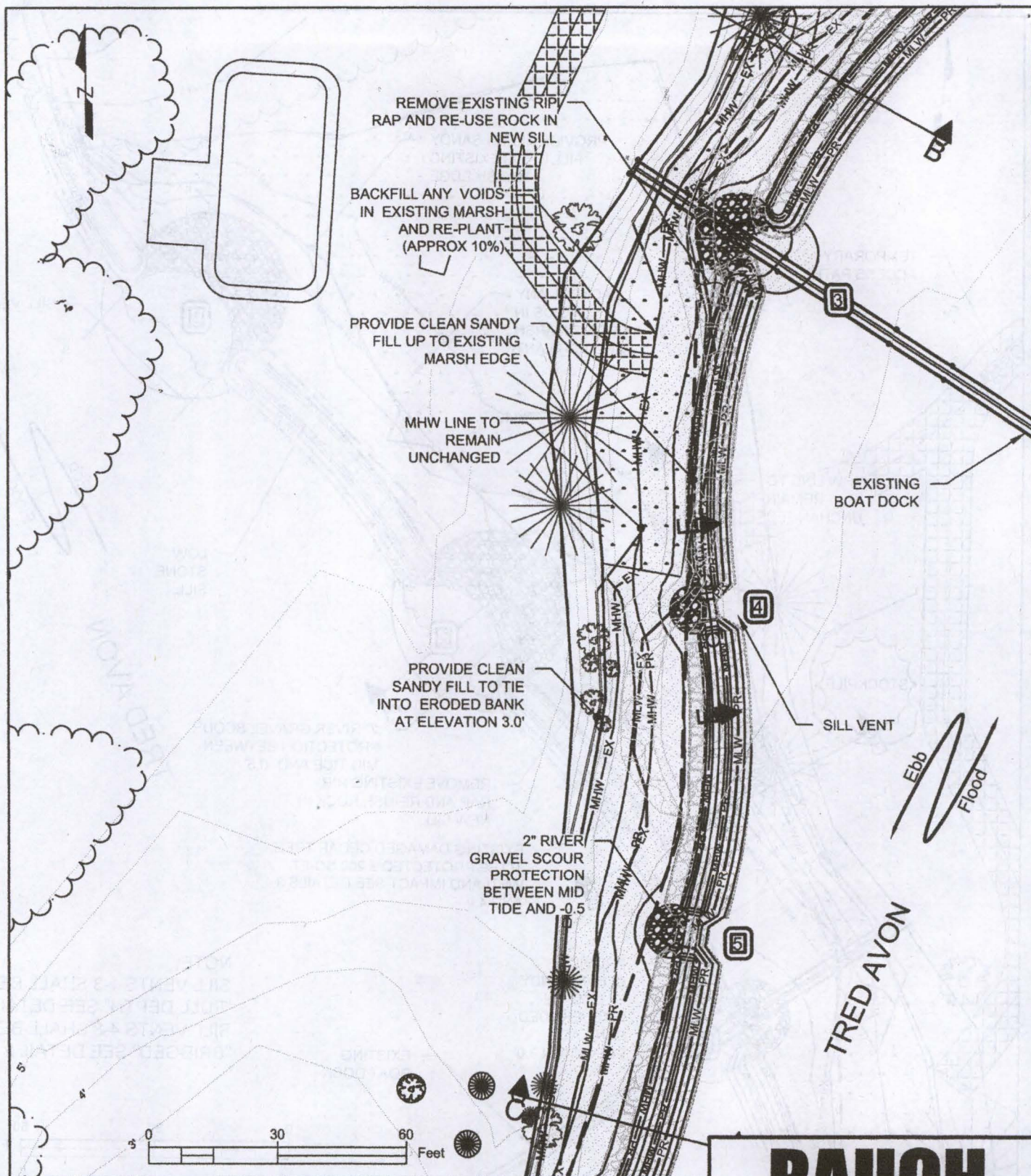
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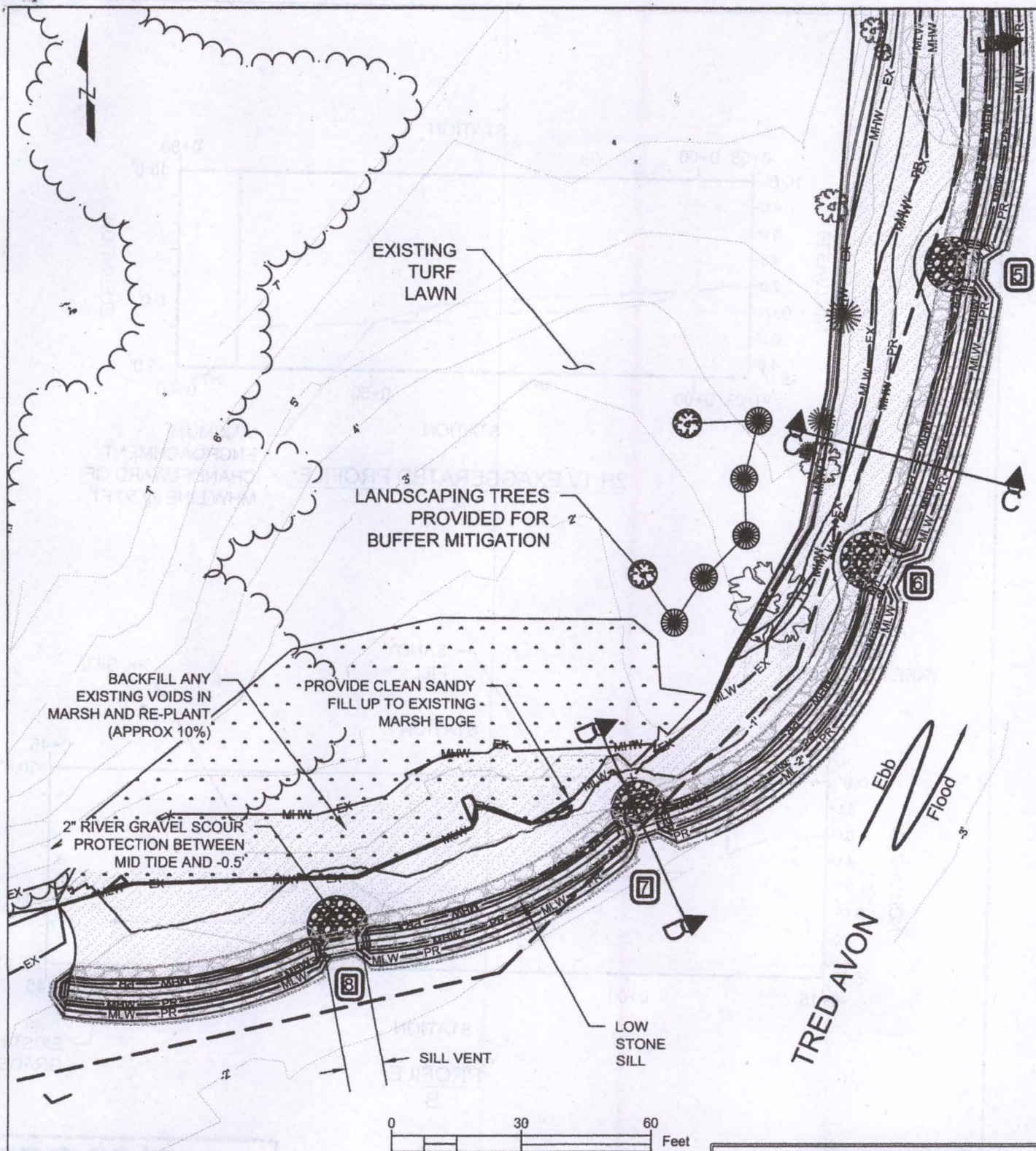


DETAIL 2
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LIVING SHORELINE
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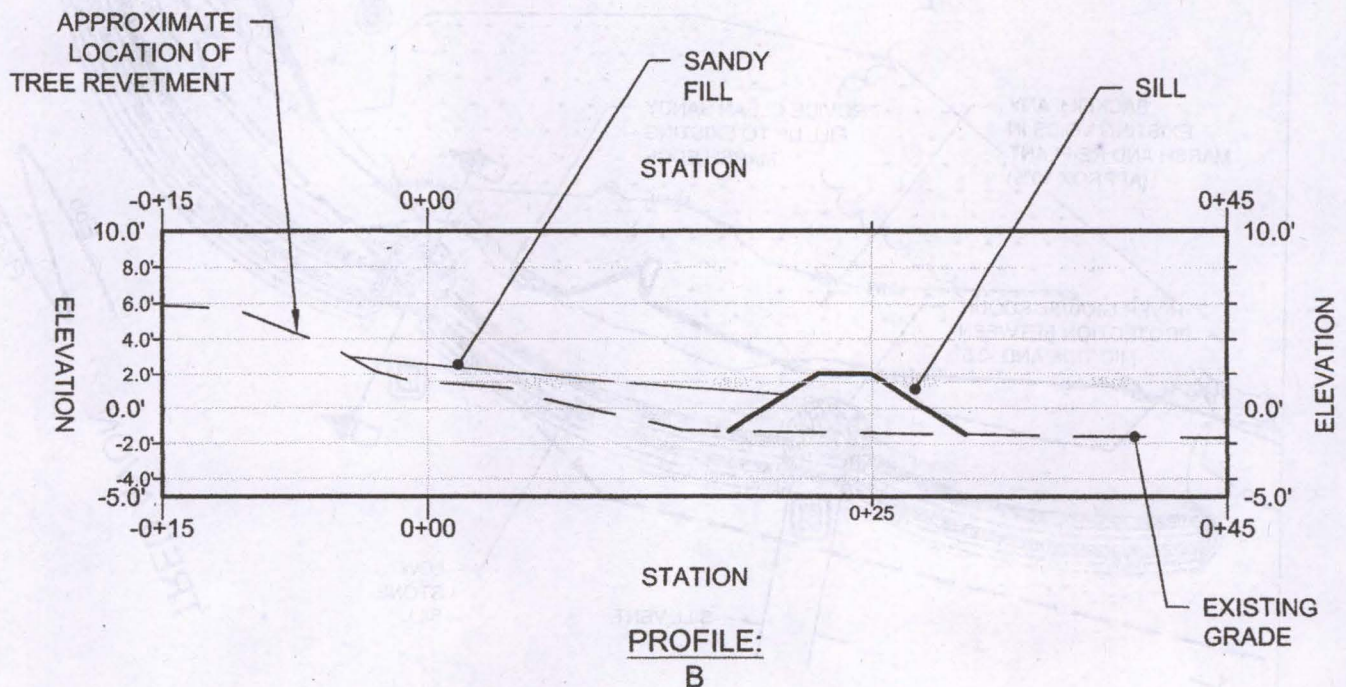
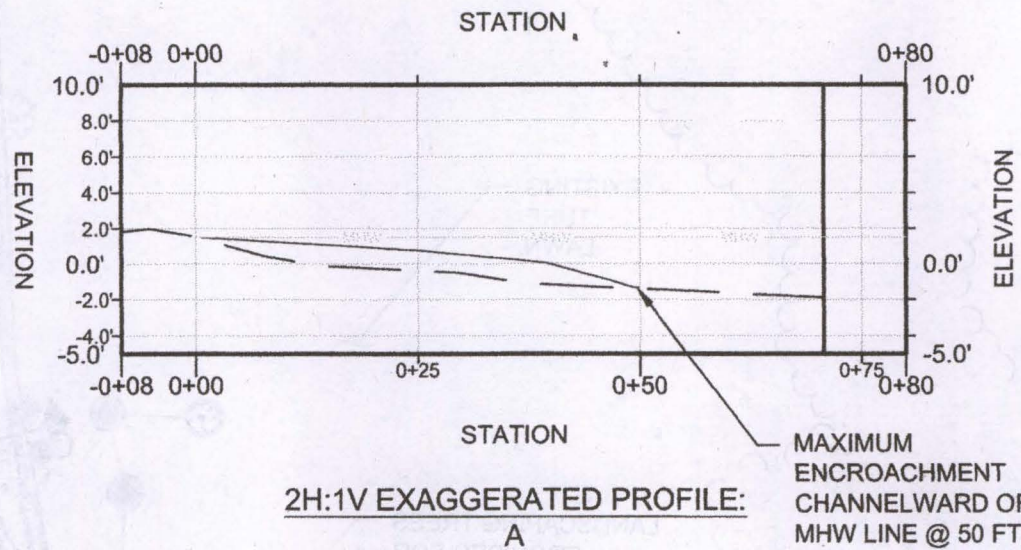


DETAIL 3
TRIPPE PROPERTY
LIVING SHORELINE
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TALBOT COUNTY, MARYLAND

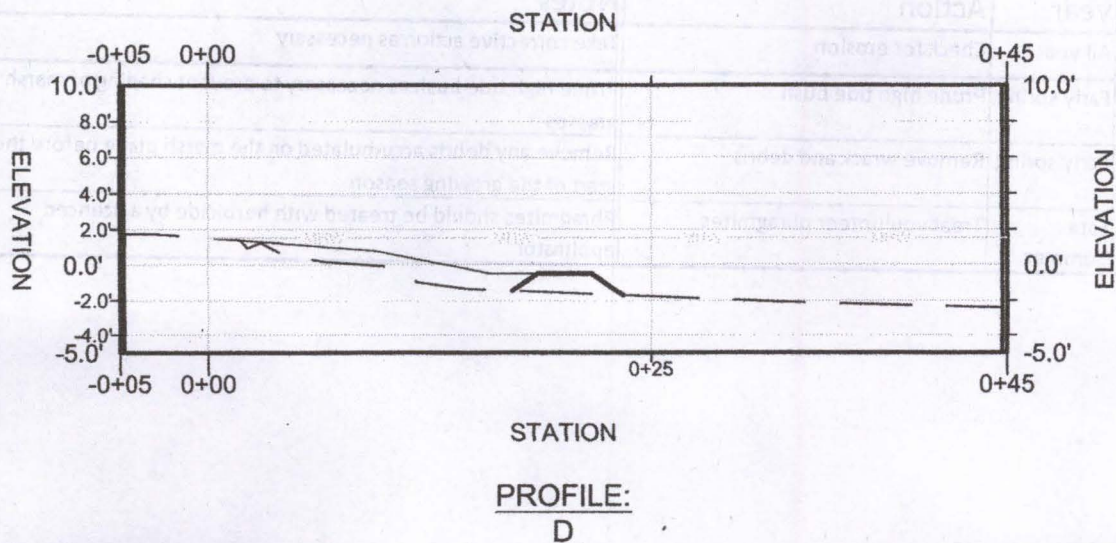
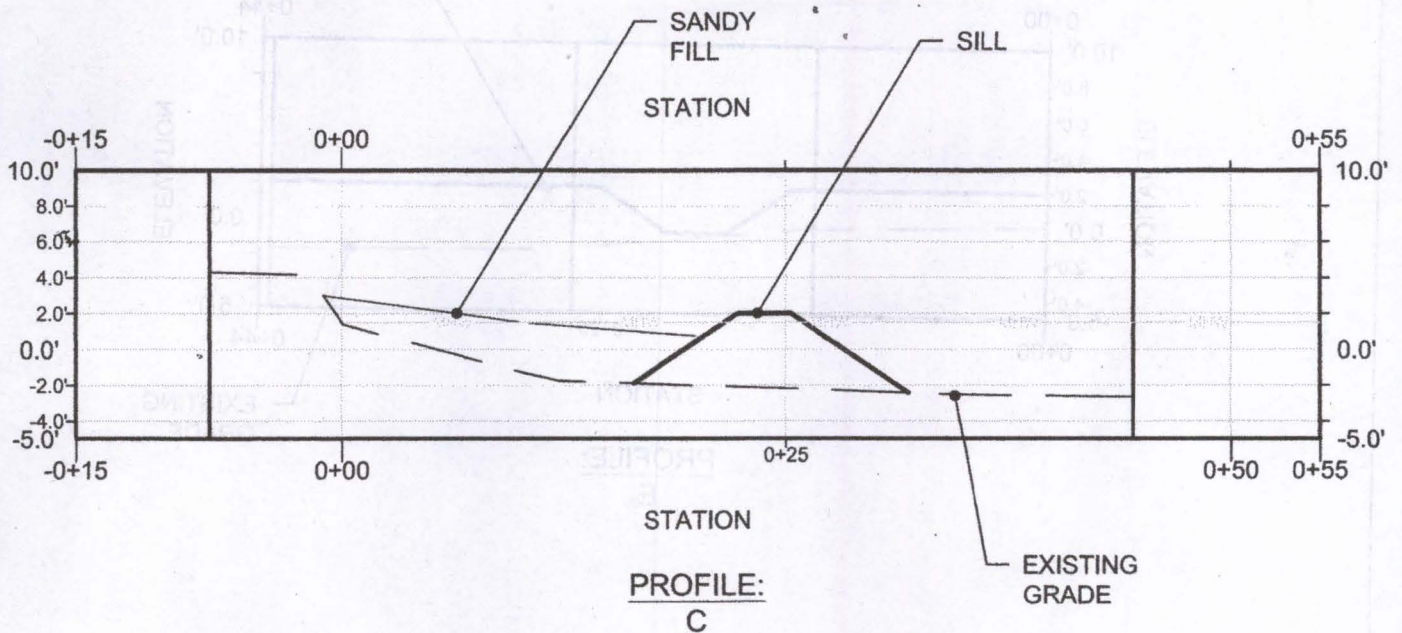
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CROSS SECTIONS 1	DRAWN BY <u>WJR</u>	RAUCH <small>INC.</small> engineering design & development services <small>office: 410.770.9081 fax: 410.770.3667 email: design@raucheng.com web: www.raucheng.com address: 106 N Harrison St - Easton, MD 21601</small>
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TAX MAP 0033, GRID 0024, PARCEL 0002	SHEET <u>9 of 15</u>	
TALBOT COUNTY, MARYLAND		

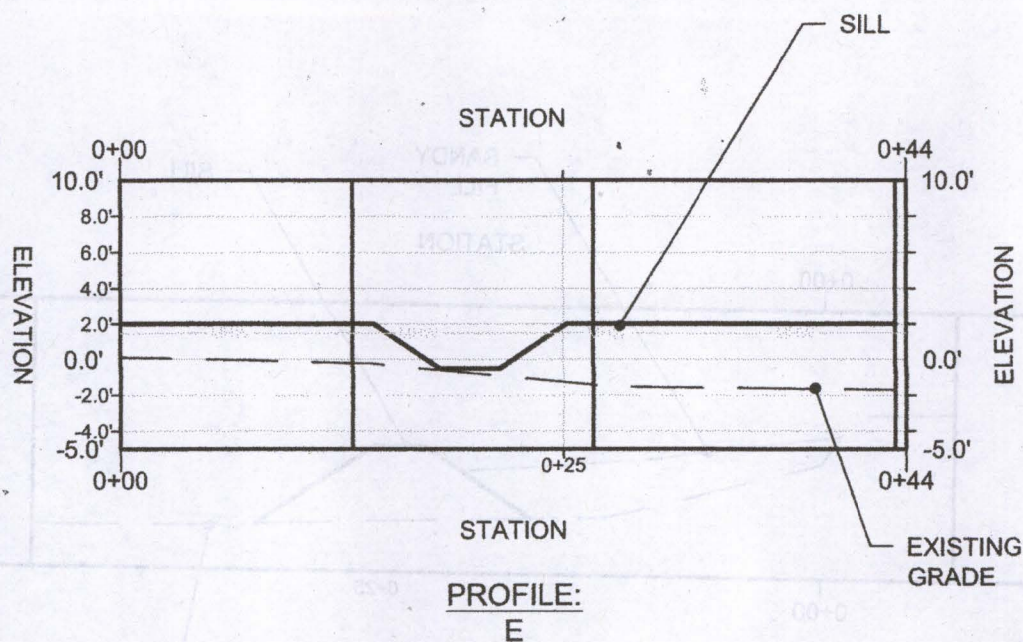


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LIVING SHORELINE
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Maintenance details

Frequency	Time of year	Action	Notes
Monthly	All year	Check for erosion	Take corrective action as necessary
Annually	Early spring	Prune high tide bush	Prune high tide bush as necessary to prevent shading of marsh grasses
	Early spring	Remove wrack and debris	Remove any debris accumulated on the marsh plane before the start of the growing season
	Late Summer	Treat volunteer phragmites	Phragmites should be treated with herbicide by a licenced applicator

CROSS SECTIONS 3 & MAINTAINENCE DETAILS

TRIPPE PROPERTY

LIVING SHORELINE

TAX MAP 0033, GRID 0024, PARCEL 0002

TALBOT COUNTY, MARYLAND

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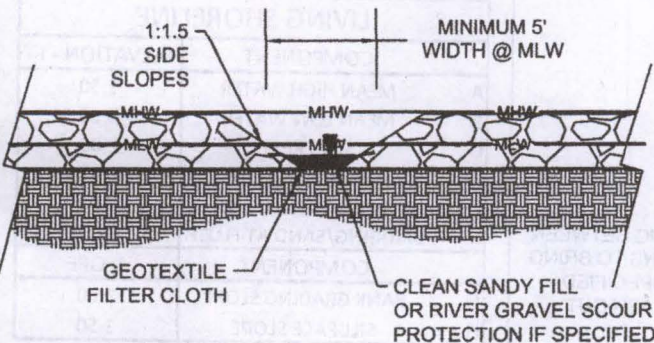
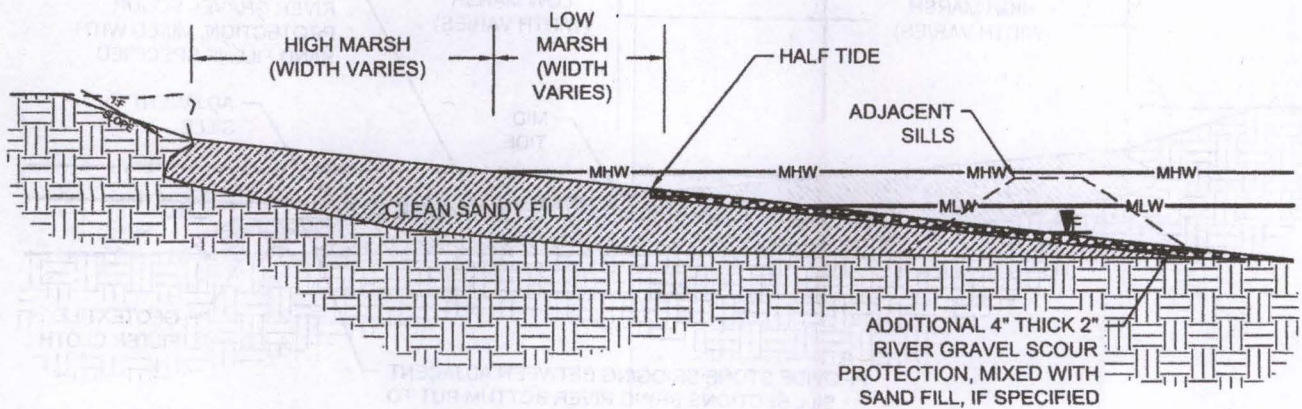
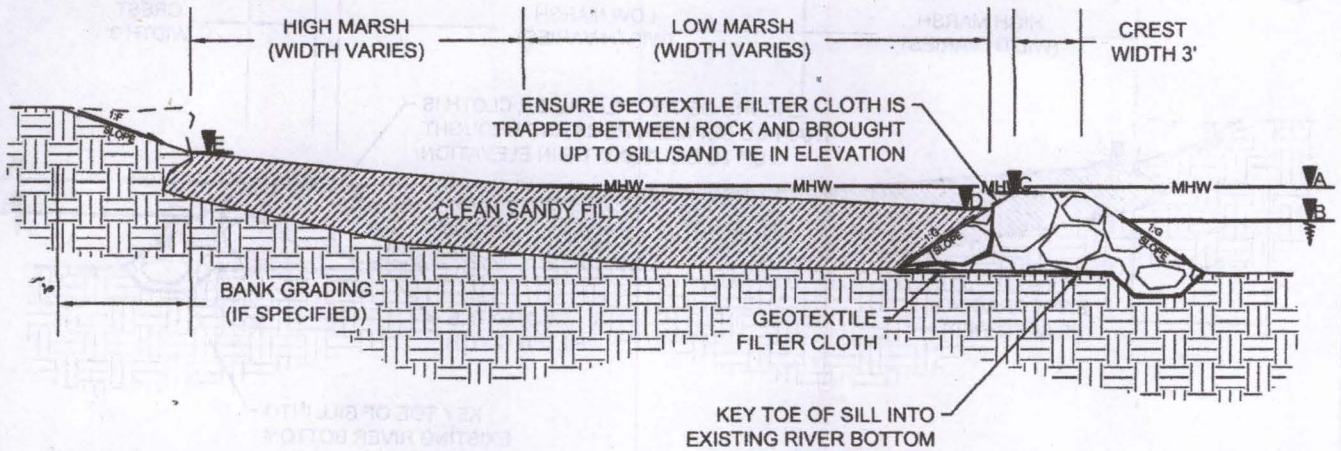
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1 LIVING SHORELINE - "FULL DEPTH" FLUSH

STANDARD DETAIL

N.T.S.



NOTES:

- SANDY FILL AND BANK GRADING SHALL BE PLANTED WITH THE APPROPRIATE SPECIES AS SHOWN IN THE PLANTING PLANS

STANDARD DETAIL 1

TRIPPE PROPERTY

LIVING SHORELINE

TAX MAP 0033, GRID 0024, PARCEL 0002

TALBOT COUNTY, MARYLAND

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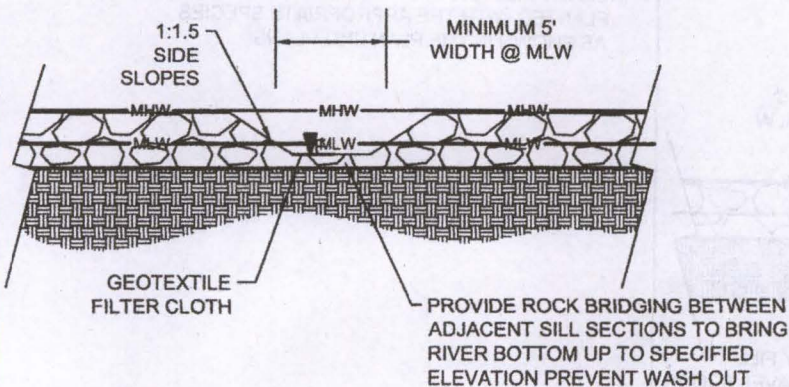
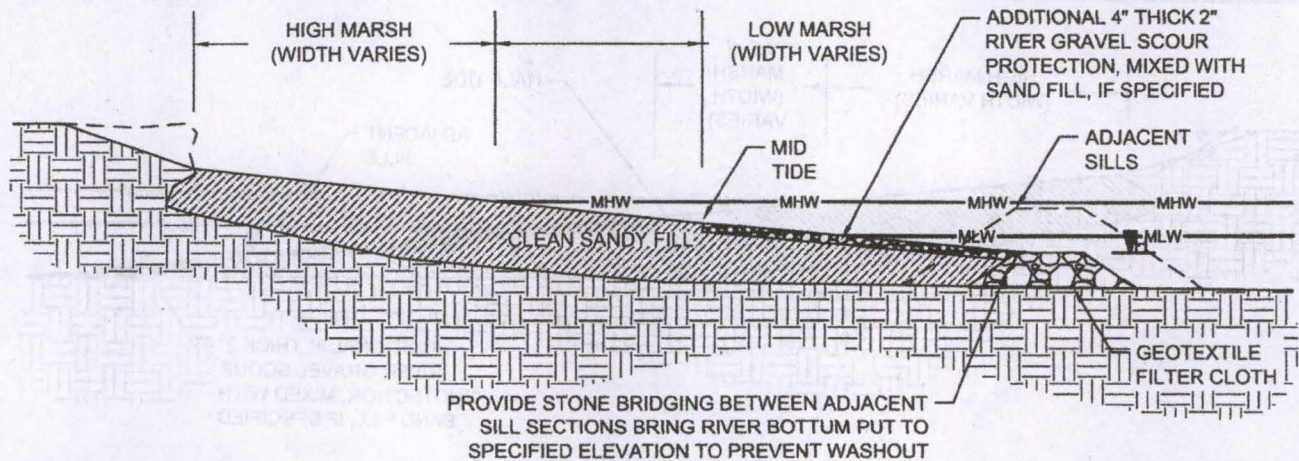
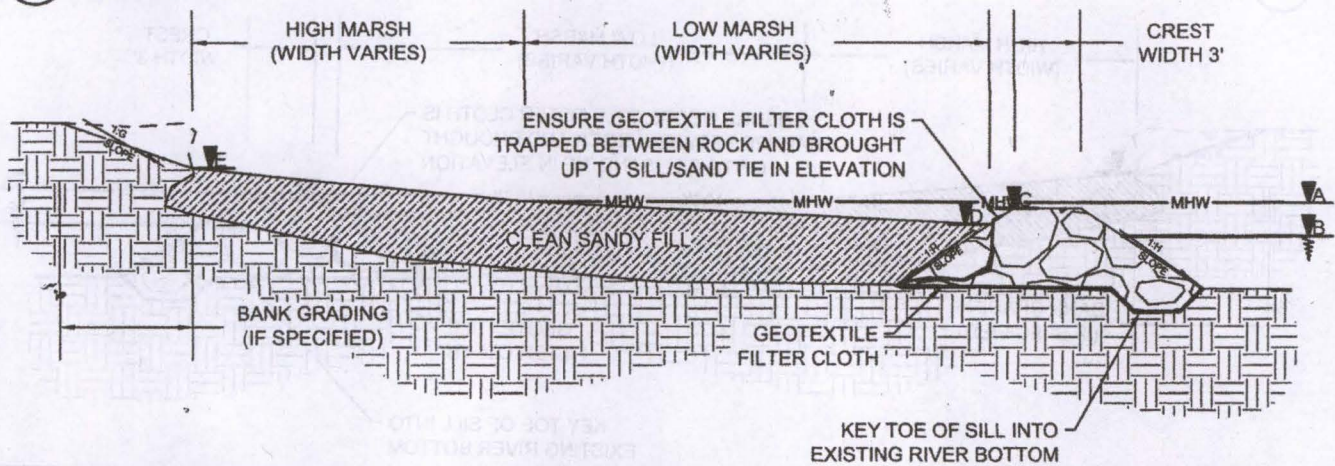
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address: 106 N Harrison St - Easton, MD 21601

2 LIVING SHORLINE - "BRIDGED" FLUSH

STANDARD DETAIL

N.T.S.



NOTES:

- SANDY FILL AND BANK GRADING SHALL BE PLANTED WITH THE APPROPRIATE SPECIES AS SHOWN IN THE PLANTING PLANS

LIVING SHORELINE		
COMPONENT	ELEVATION - FT	
A	MEAN HIGH WATER	1.50
B	MEAN LOW WATER	0.00
C	SILL CREST	2.00
D	SAND/SILL TIE IN	0.75
E	SAND/BANK TIE IN	3.00
F	BRIDGING/SAND AT FLUSH	-0.50
COMPONENT	SLOPE	
G	BANK GRADING SLOPE	3.00
H	SILL FACE SLOPE	1.50

STANDARD DETAILS 2

TRIPPE PROPERTY

LIVING SHORELINE

TAX MAP 0033, GRID 0024, PARCEL 0002

TALBOT COUNTY, MARYLAND

DRAWN BY: WJR

SCALE: AS SHOWN

DATE: 1/OCT/19

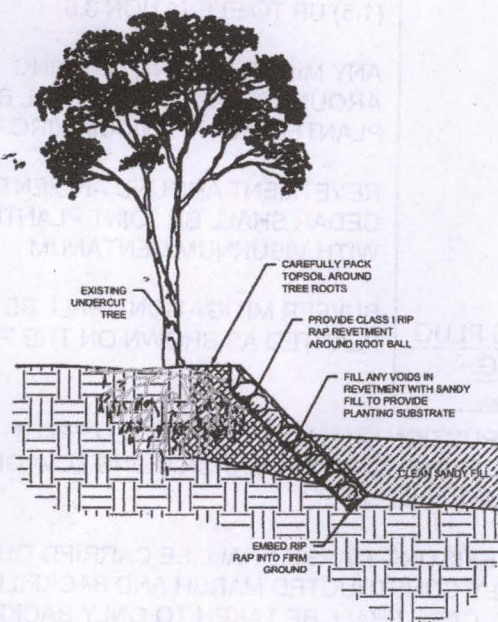
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3 UNDERCUT TREE REVETMENT

STANDARD DETAIL N.T.S.

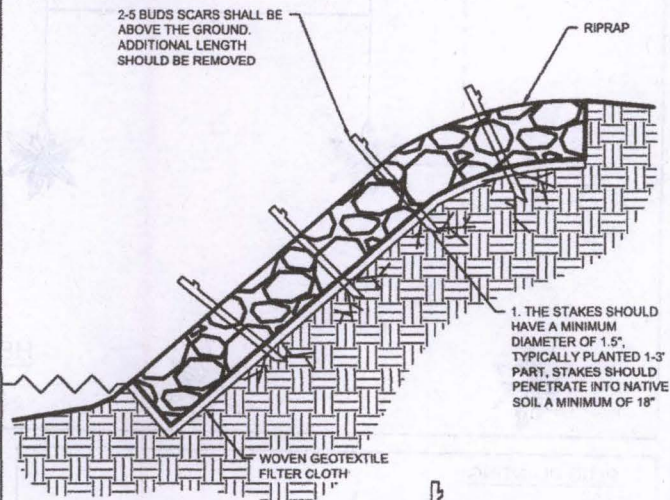


NOTES:

- SANDY FILL AND VOIDS IN THE BANK REVETMENT SHALL BE PLANTED WITH THE APPROPRIATE SPECIES AS SHOWN IN THE PLANTING PLANS

4 JOINT PLANTED REVETMENT

STANDARD DETAIL N.T.S.



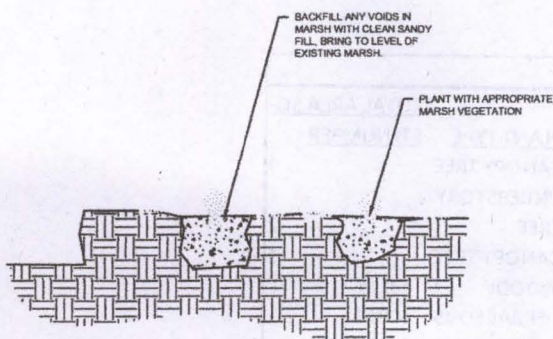
NOTES:

- HARVEST AND PLANT STAKES DURING THE DORMANT SEASON.
- USE HEALTHY, STRAIGHT AND LIVE WOOD AT LEAST 1 YEAR OLD.
- MAKE CLEAN CUTS AND DO NOT DAMAGE STAKES OR SPLIT ENDS DURING INSTALLATION, USE A PILOT BAR IN FIRM SOILS.
- SOAK CUTTINGS FOR 24 HOURS MIN BEFORE INSTALLATION
- TAMP THE SOIL AROUND THE STAKE.
- TOTAL STAKE LENGTH SHOULD BE MIN (12' + RIPRAP THICKNESS + 18')

MAKE ANGLED CUT AT BUTT-END, PLANT BUTT-END DOWN, TRIM BRANCHES CLOSE

5 MARSH REPAIR

STANDARD DETAIL N.T.S.



STANDARD DETAILS 3 & 4
TRIPPE PROPERTY
LIVING SHORELINE

TAX MAP 0033, GRID 0024, PARCEL 0002

TALBOT COUNTY, MARYLAND

DRAWN BY WJR

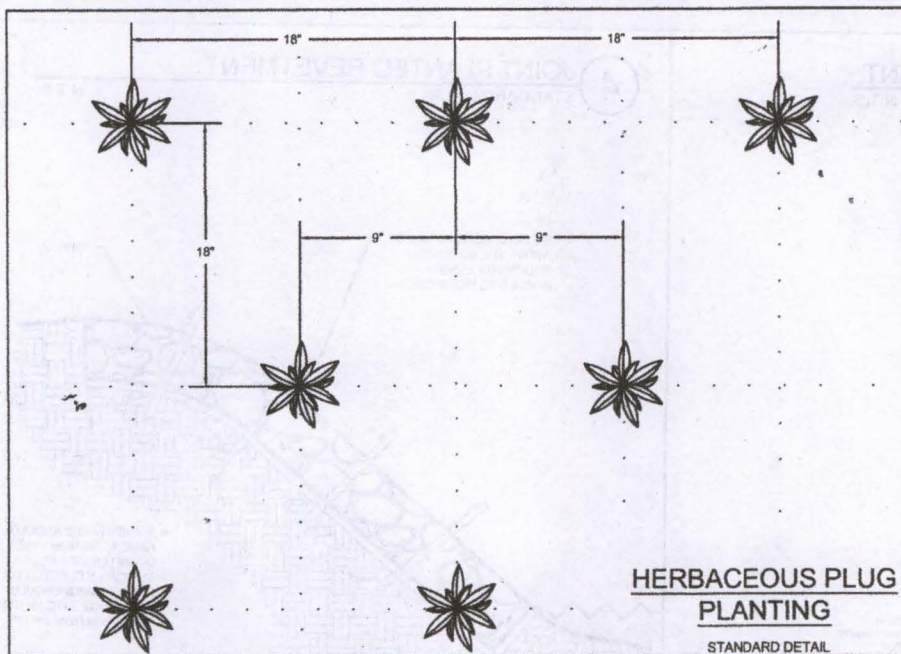
SCALE AS SHOWN

DATE 1/OCT/19

SHEET 14 OF 15

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NOTE:

LOW MARSH SHALL BE PLANTED WITH SPARTINA ALTERNIFLORA BETWEEN MHW AND MID TIDE (1.50-0.75)

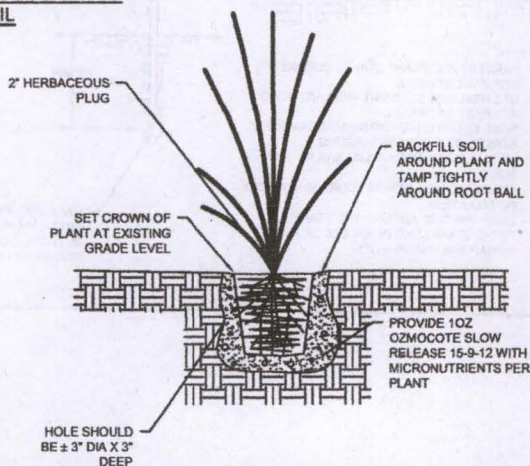
HIGH MARSH SHALL BE PLANTED WITH SPARTINA PATENS ABOVE MHW (1.5) UP TO ELEVATION 3.0

ANY MINOR UPLAND GRADING AROUND TREES (>3.0) SHALL BE PLANTED WITH PANICUM VIRGATUM

REVTMENT AROUND ANCIENT CEDAR SHALL BE JOINT PLANTED WITH VIBURNUM DENTANUM

BUFFER MITIGATION SHALL BE PLANTED AS SHOWN ON THE PLANS

**2" PLUG PLANTING
DETAIL**



ALL CONSTRUCTION SHALL BE PERFORMED FROM LANDWARD OF THE EXISTING MARSH USING LOW GROUND PRESSURE EQUIPMENT

REPAIR TO EXISTING MARSH SHALL BE CARRIED OUT FROM NEWLY CONSTRUCTED MARSH AND BACKFILLING LANDWARD. CARE SHALL BE TAKEN TO ONLY BACKFILL AREAS WHICH ARE AT A LOWER ELEVATION THAN CAN SUPPORT LOW MARSH VEGETATION.

ANY VOIDS IN THE EXISTING MARSH SHALL BE BACKFILLED WITH CLEAN SANDY FILL, BROUGHT UP TO EXISTING MARSH LEVEL AND PLANTED WITH THE APPROPRIATE GRASS SPECIES AS SHOWN IN DETAIL 5 - THIS IS APPROXIMATELY 10% OF EXISTING LOW MARSH AREA

SHORELINE PLANTING SCHEDULE

SYMBOL	LATIN NAME	COMMON NAME	SIZE	PLANT TYPE	TOTAL AREA SQ- FT/NUMBER
JV	JUNIPERUS VIRGINIANA	RED CEDAR	3/4"	CANOPY TREE	4
		FLOWERING		UNDERSTORY	
CF	CORNUS FLORIDA	DOGWOOD	3/4"	TREE	2
PT	PINUS TAEDA	LOBLOLLY PINE	3/4"	CANOPY TREE	1
VD	VIBURNUM DENTANUM	ARROW WOOD	4' LIVE STAKE	WOODY	131 SF
PV	PANICUM VIRGATUM	SWITCH GRASS	2" PLUG	HERBACEOUS	400 SF
SA	SPARTINA ALTERNIFLORA	SMOOTH CORDGRASS	2" PLUG	HERBACEOUS	8575 SF
SP	SPARTINA PATENS	SALT MEADOW HAY	2" PLUG	HERBACEOUS	2952 SF

PLANTING SCHEDULE

TRIPPE PROPERTY

LIVING SHORELINE

TAX MAP 0033, GRID 0024, PARCEL 0002

TALBOT COUNTY, MARYLAND

DRAWN BY: WJR

SCALE: AS SHOWN

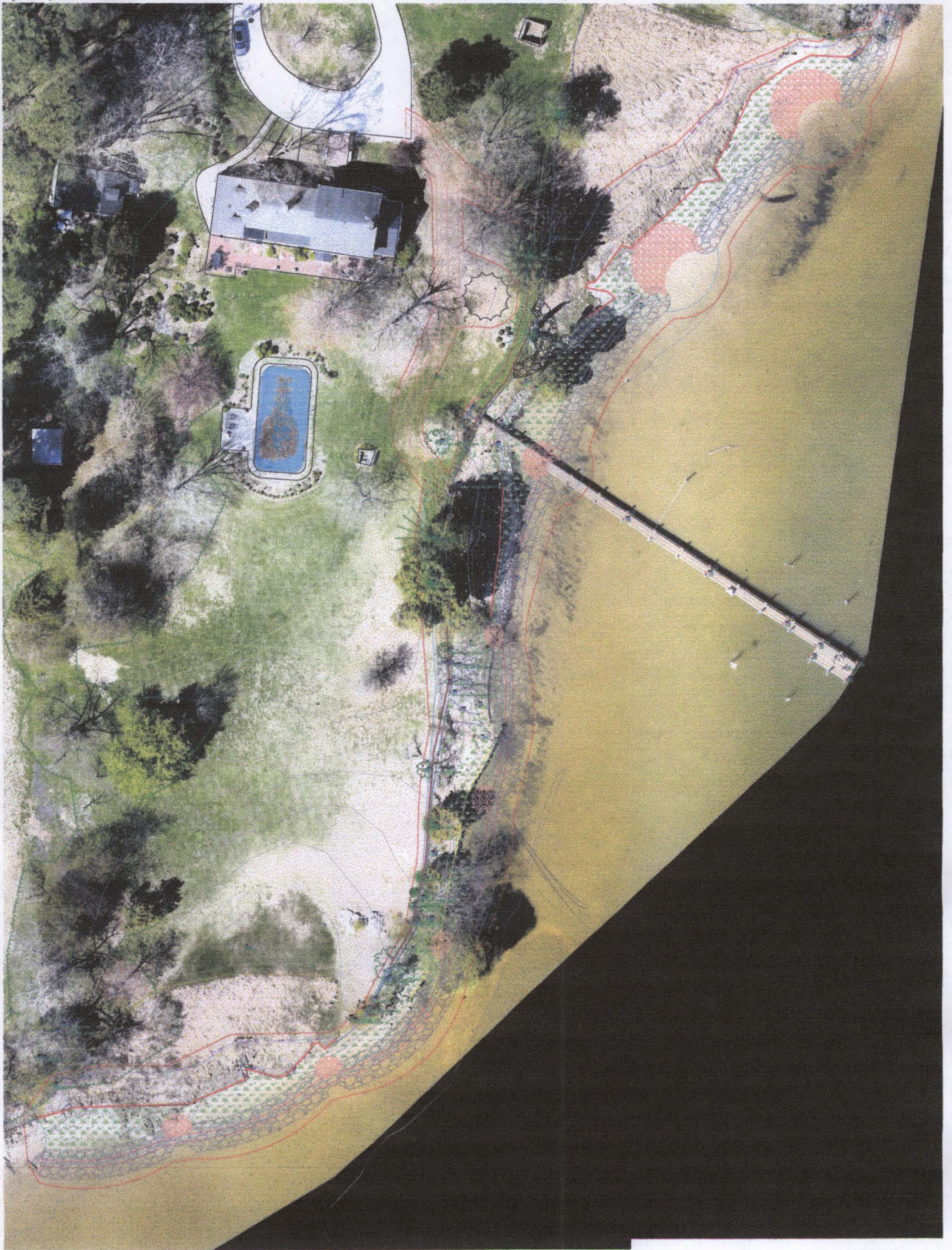
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Layer List

Layer Visibility

Year: 2020

- ☒ SAV Bed Densities
 - Very Sparse (< 10% cover)
 - Sparse (10 to 40% cover)
 - Moderate (40 to 70% cover)
 - Dense (> 70% cover)
- ☒ SAV Bed Outlines
- ☒ SAV Imagery
- ☐ All Species Observations
- ☐ 2016-2020 SAV Composite