



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

Baltimore District  
PN-24-09

# Public Notice

**In Reply to Application Number  
NAB-2023-61155 P13 (Jeremy & Kelcie  
Duffie/Mechanical Dredging Project)**

Comment Period: March 5, 2024 to March 20, 2024

**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), as described below:

**APPLICANT:**

Mr. Jeremy and Mrs. Kelcie Duffie  
13038 North Shore Road  
Ocean City, Maryland 21842

**WATERWAY AND LOCATION OF THE PROPOSED WORK:**

The proposed project is located in the Isle of Wight Bay, at 13038 North Shore Road, Ocean City, in Worcester County, Maryland. (Latitude: 38.35154 N; Longitude: - 75.09614 W).

**OVERALL PROJECT PURPOSE:**

To improve navigable access for private residence and provide adequate draft depth for boat during low tide.

**PROJECT DESCRIPTION:**

The applicant proposes to mechanically dredge approximately 739 cubic yards of material from an approximate 10,749 sq.ft. (0.25 acres) area, at a maximum of 75 feet channelward of the mean high water line.

**EFFECTS ON AQUATIC RESOURCES:**

Activity (i.e. culvert)	Open Water Impact (sq.ft.)	Wetland Impact (Sq. Ft.)	Authority (Section 10/404/408)
Mechanical Dredging	10,749	N/A	10

**LEAD FEDERAL AGENCY:**

The United States Army Corps of Engineers, as the lead federal agency, is responsible for all coordination pursuant to applicable federal authorities.

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

The activity will result in no more than minimal individual and cumulative adverse effects on the aquatic environment.

**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 on federally 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.

**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 for managed species under the MSFCMA. The Baltimore District has made a preliminary determination that the project will have no adverse effect on EFH. The Baltimore District 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 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 United States Army Corps of Engineers. 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 United States Army Corps of Engineers, 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-2023-61155-P13.

**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:

Amy Elliott  
[amy.h.elliott@usace.army.mil](mailto:amy.h.elliott@usace.army.mil)  
United States Army Corps of Engineers, Baltimore District  
Regulatory Branch  
1631 South Atherton Street, Suite 101  
State College, PA 16801

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 Amy Elliott at 814-235-0573, or at [amy.h.elliott@usace.army.mil](mailto:amy.h.elliott@usace.army.mil) with NAB-2023-61155-P13 in the subject line. This public notice is issued by the Chief, Regulatory Branch.





ISLE OF WIGHT BAY 38.3515431° N -075.0961483° E WORCESTER CO. MD ADC MAP 9 GRID 6C  
 SCALE: 1" = 2,000'

**SHEET INDEX**

- 1. LOCATION MAP, PERMIT REQUEST & OWNER
- 2. DREDGE PLAN
- 3. DREDGE PROFILE
- 4. DREDGE SECTIONS
- 5. RIPRAP DETAIL

**OWNER:**

JEREMY CRAIG DUFFIE &  
 KELCEY GRACE DUFFIE  
 13038 NORTH SHORE RD  
 WEST OCEAN CITY, MARYLAND 21842  
 WORCESTER COUNTY

**NOTES**

PROPOSED DREDGE AREA ±10,749 S.F.  
 PROPOSED DREDGE VOLUME ±739 C.Y.  
 PROPOSED RIPRAP VOLUME  
 50LB TO 200LB ARMOR STONE ±195 C.Y.  
 AASHTO M43, NO.1 BEDDING STONE ±60 C.Y.

**PERMIT REQUEST**

DREDGING TO PROVIDE ADEQUATE DRAFT DEPTH FOR BOAT AT  
 BOAT SLIP DURING LOW TIDE AND RIPRAP AT BULKHEAD

**NOTE:**

- 1. THERE ARE NO AQUATIC VEGETATIVE BEDS WITHIN PERMIT AREA.
- 2. DREDGE SPOILS TO BE DISPOSED AT FOLLOWING LOCATION:  
 KCI FARMS  
 6220 DISHAROOD RD  
 SNOW HILL, MD 21863



SCALE: 1" = 2000'



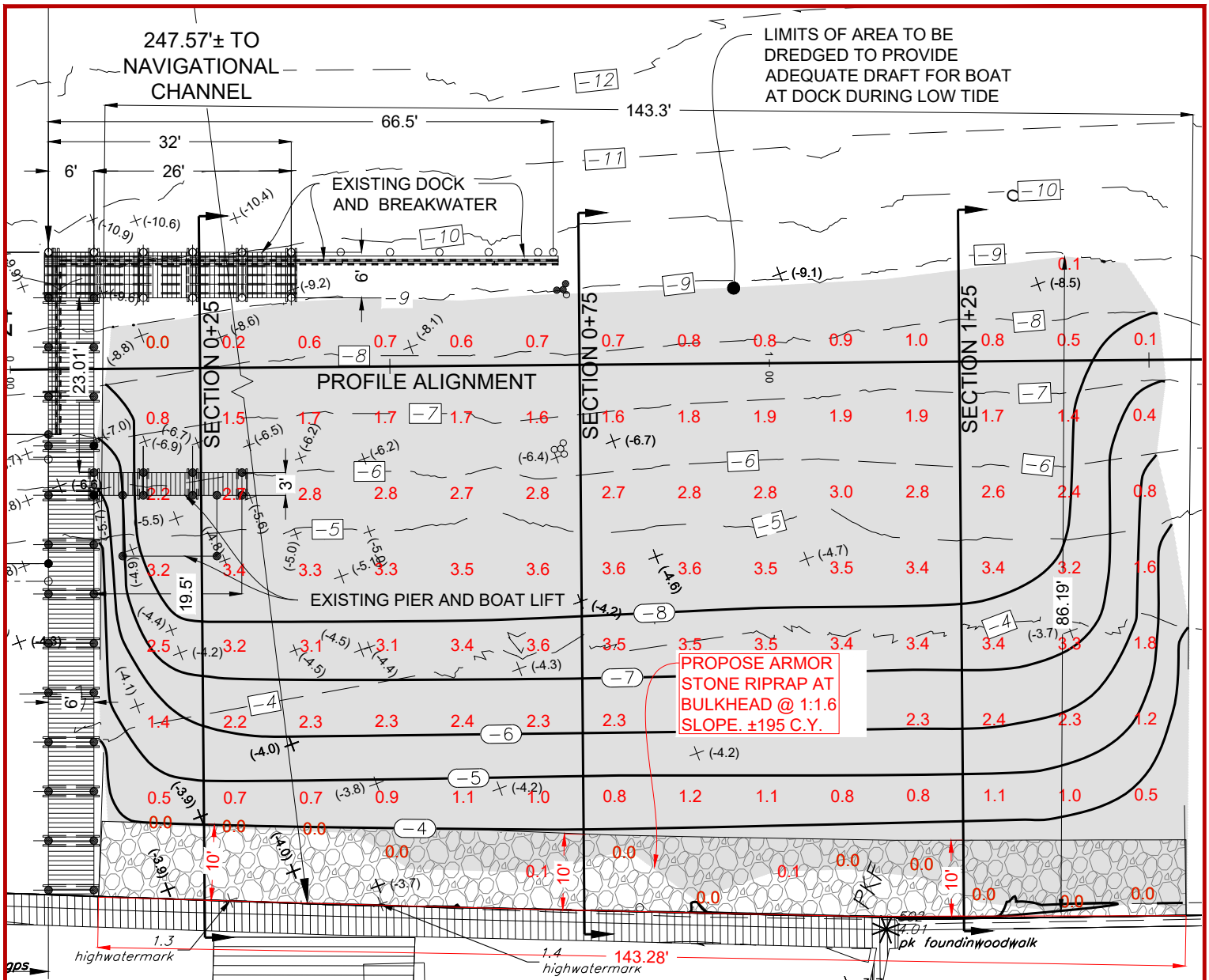
13038  
 NORTH SHORE RD  
 WEST OCEAN CITY  
 MARYLAND 21811

LOCATION  
 MAP

**VISTA**  
 DESIGN, INC.  
 Landscape Architects, Land Planning Consultants, Engineers, and Surveyors  
 11634 Worcester Hwy, Shovel, MD 21862  
 ph. 410-352-3874 email vista@vistadesigninc.com

**PROJECT DATA**  
 Project: 20-116  
 File: 20-116 SurvBase.dwg  
 Date: 2/26/24  
 Scale: 1" = 2000'  
 Sheet: I of 5





**LEGEND**

- EXISTING SOUNDING ELEV.      X (-2.3)
- PROPOSED DREDGE CONTOURS    - - - - (-2) - - - -
- EXISTING CONTOURS 04-06-23    - - - - (-2) - - - -
- DREDGE AREA                      [Shaded Area]
- DREDGE CUT DEPTH                2.3

**NOTES**

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- PROPOSED DREDGE VOLUME        ±739 C.Y.
- PROPOSED RIPRAP VOLUME
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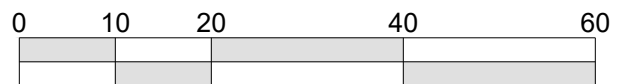
**DOCK DREDGE PLAN**

**OWNER:**

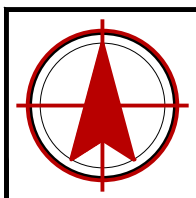
JEREMY CRAIG DUFFIE &  
 KELCEY GRACE DUFFIE  
 13038 NORTH SHORE RD  
 WEST OCEAN CITY, MARYLAND 21842  
 WORCESTER COUNTY

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 6220 DISHAROON RD  
 SNOW HILL, MD 21863



SCALE: 1" = 20'



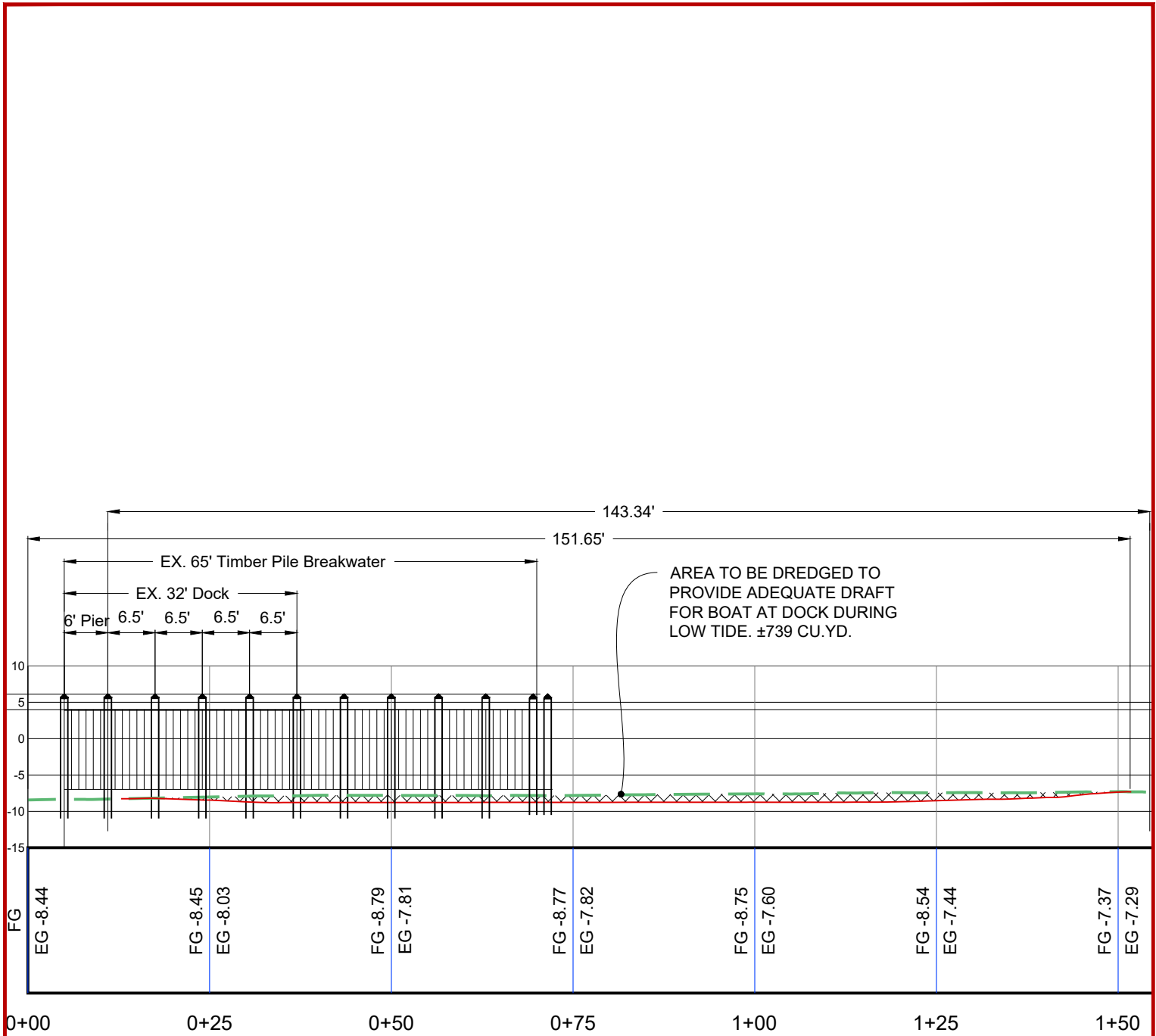
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 NORTH SHORE RD  
 WEST OCEAN CITY  
 MARYLAND 21811

DREDGE  
 PLAN



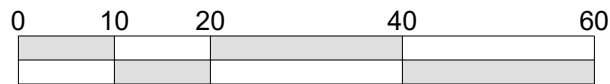
Landscape Architects, Land Planning Consultants, Engineers, and Surveyors  
 11634 Worcester Hwy, Showell, MD 21862  
 ph. 410-352-3874      email vista@vistadesigninc.com

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File:	20-116 SurvBase.dwg
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Scale:	1" = 20'
Sheet:	2 OF 5

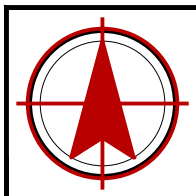


**DOCK DREDGE DETAIL WITH TIMBER WAVE BREAK**

SCALE: 1" = 20'



SCALE: 1" = 20'



13038  
NORTH SHORE RD  
WEST OCEAN CITY  
MARYLAND 21811

DREDGE PROFILE  
DETAIL

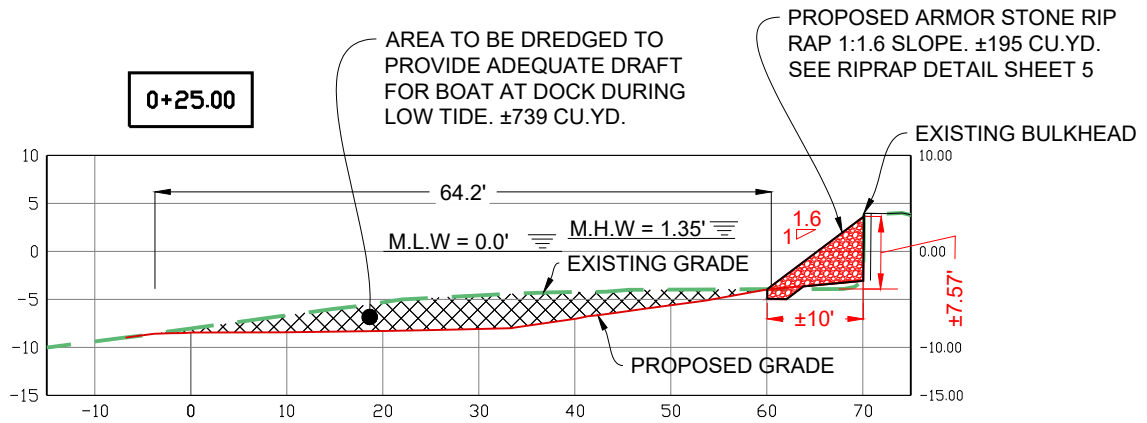


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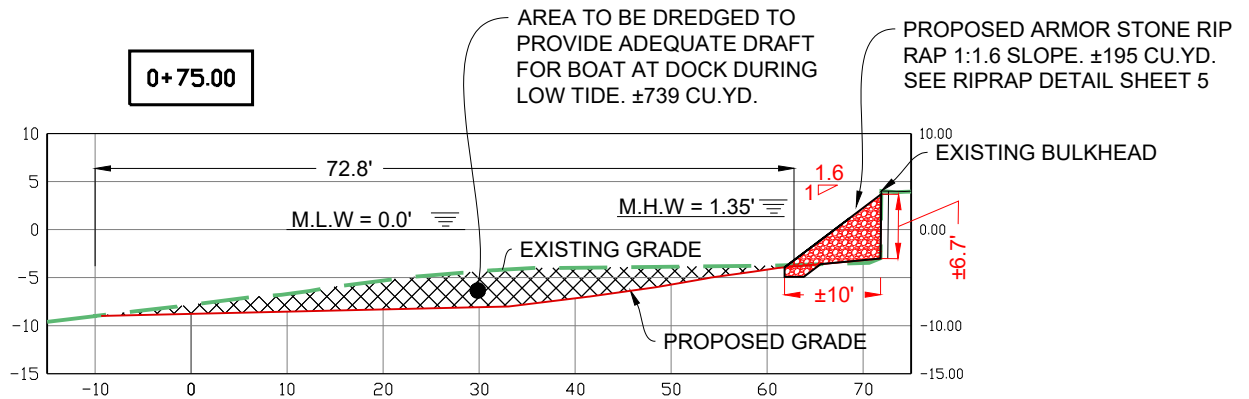
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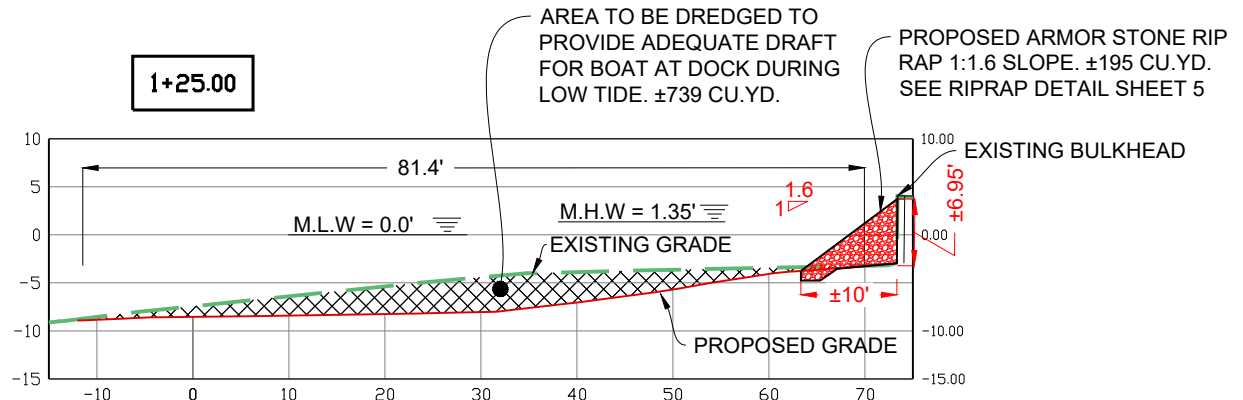




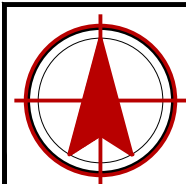
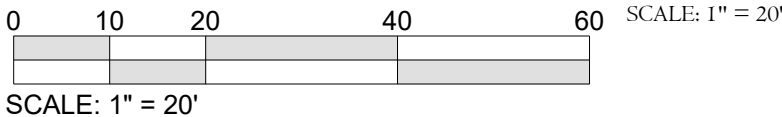
**DREDGE SECTION DETAIL STA 0+25**  
SCALE: 1" = 20'



**DREDGE SECTION DETAIL STA 0+75**  
SCALE: 1" = 20'



**DREDGE SECTION DETAIL STA 1+25**  
SCALE: 1" = 20'



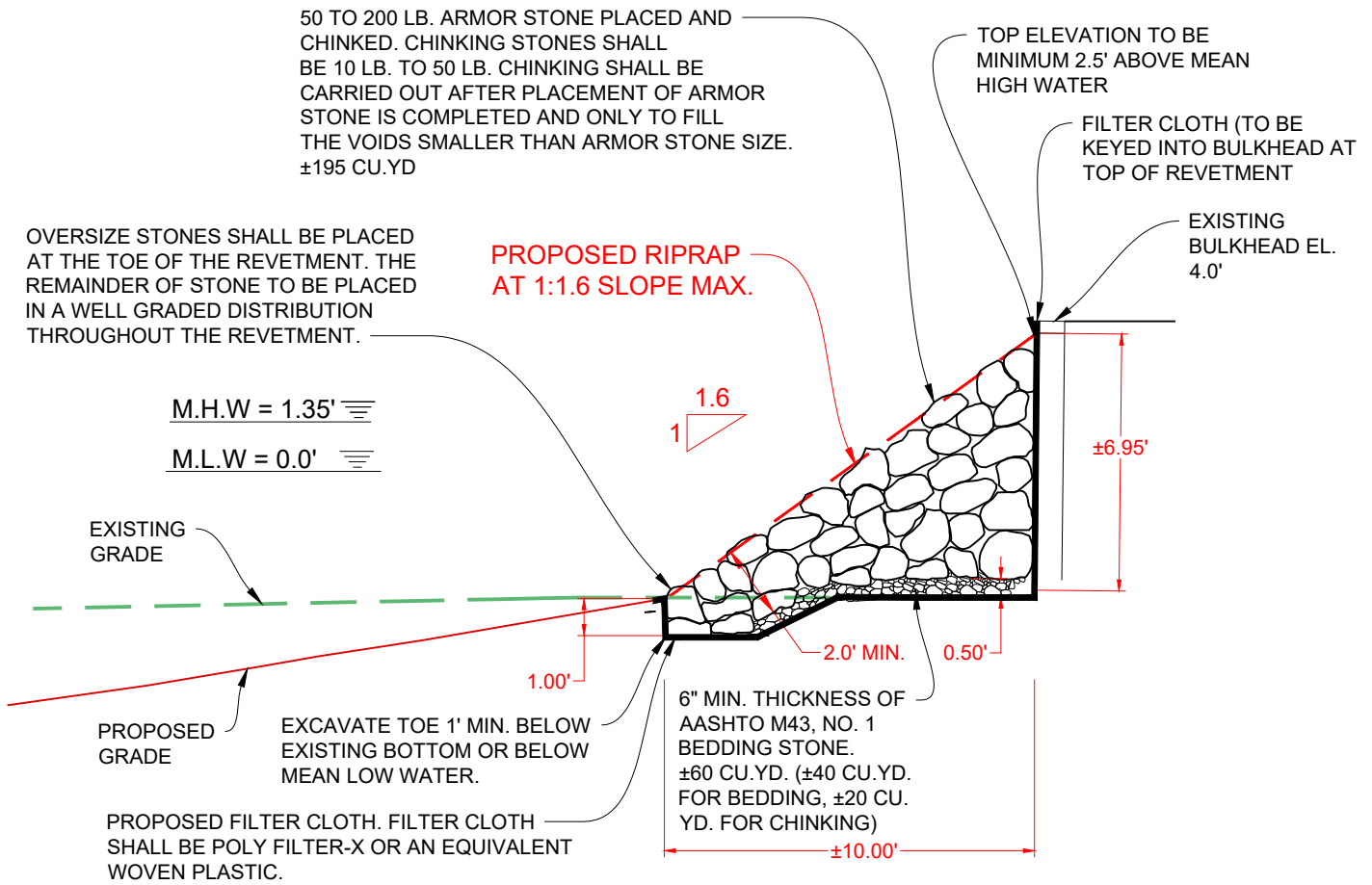
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DREDGE SECTION  
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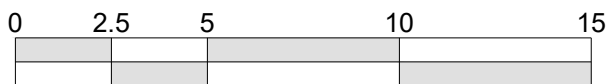


### TYPICAL RIPRAP DETAIL

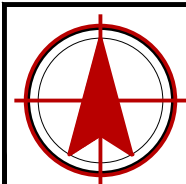
SCALE: 1" = 5'

**NOTES:**

1. NO BUILDING RUBBLE CONCRETE OR SIMILAR MATERIAL SHALL BE USED AS ARMOR STONE.
2. FILTER CLOTH SHALL BE POLY FILTER-X OR AN EQUIVALENT WOVEN PLASTIC.



SCALE: 1" = 5'



13038  
NORTH SHORE RD  
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RIPRAP  
DETAIL



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