

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

Public Notice

**In Reply to Application Number
NAB-2024-61404-M46 (West View Shores Civic Assoc,
Inc./Living Shoreline, Breakwater, Groins, Beach
Nourishment)**

**Baltimore District
PN-25-01**

Comment Period: January 02, 2025, to February 01, 2025

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:

West View Shores Civic Association, Inc.
18 Short Road
Earleville, Maryland 21919

WATERWAY AND LOCATION OF THE PROPOSED WORK:

The proposed project is located in the Elk River near the intersection of Basin Drive and North Drive, in Earleville, Cecil County, Maryland. (39.432195, -75.991848)

OVERALL PROJECT PURPOSE:

To provide shoreline erosion protection, to nourish the eroding beach, and to stabilize a stormwater outfall along the shoreline of the Elk River near the intersection of Basin Drive and North Drive, in Earleville, Cecil County, Maryland.

PROJECT DESCRIPTION:

To place fill into waters of the U.S. to stabilize and nourish approximately 850 linear feet of eroding shoreline by removing the existing bulkhead and installing a nearshore breakwater measuring approximately 3,225 square feet, two stone groins, one measuring approximately 1,150 square feet and the other measuring approximately 715 square feet and emplacing approximately 1,550 cubic yards of clean sand fill into a 16,810 square foot area. The applicant is also proposing to stabilize an existing

stormwater outfall with riprap protection, impacting approximately 525 square feet of stream channel. All work will extend a maximum of 80 feet channelward of the approximate mean high-water shoreline in the Elk River near the intersection of Basin Drive and North Drive, in Earleville, Cecil County, Maryland.

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 Fill for Breakwater and Groins	5,090	Open Water/ Intertidal	Section 10/404
	2,050	Submerged Aquatic Vegetation	
Sand Fill	16,810	Open Water/ Intertidal	Section 10/404
	325	Submerged Aquatic Vegetation	
Riprap Fill for Stormwater Outfall Stabilization	525	Nontidal Stream	Section 404

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:

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 applicant considered several alternative designs to meet the project goals of providing shoreline erosion protection, beach nourishment, and stabilization of an existing stormwater outfall, while also avoiding and minimizing impacts to the Elk River. Alternative designs considered include a no build alternative, a stone revetment, and a headland breakwater and beach nourishment design.

Through early coordination with the Corps and other agencies, the applicant revised their initial headland breakwater and beach nourishment design, to reduce the scope of the work and avoid impacts to approximately 9,000 square feet of submerged aquatic vegetation and to reduce the maximum channelward extent of the work from 100 feet to 80 feet. The applicant's preferred headland breakwater and beach nourishment design described above provides shoreline erosion protection, beach nourishment, and stabilization of the existing stormwater outfall, while also minimizing impacts to the Elk River to the maximum extent practicable.

No compensatory mitigation is proposed. No wetlands would be permanently impacted as a result of the proposed project. The work would stabilize and nourish an eroding beach and stabilize an existing stormwater outfall.

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 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. 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 not have a substantial adverse effect on EFH. The Baltimore District has made a preliminary determination that mitigative measures are 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 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 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-2024-61404-M46).

PUBLIC HEARING REQUESTS:

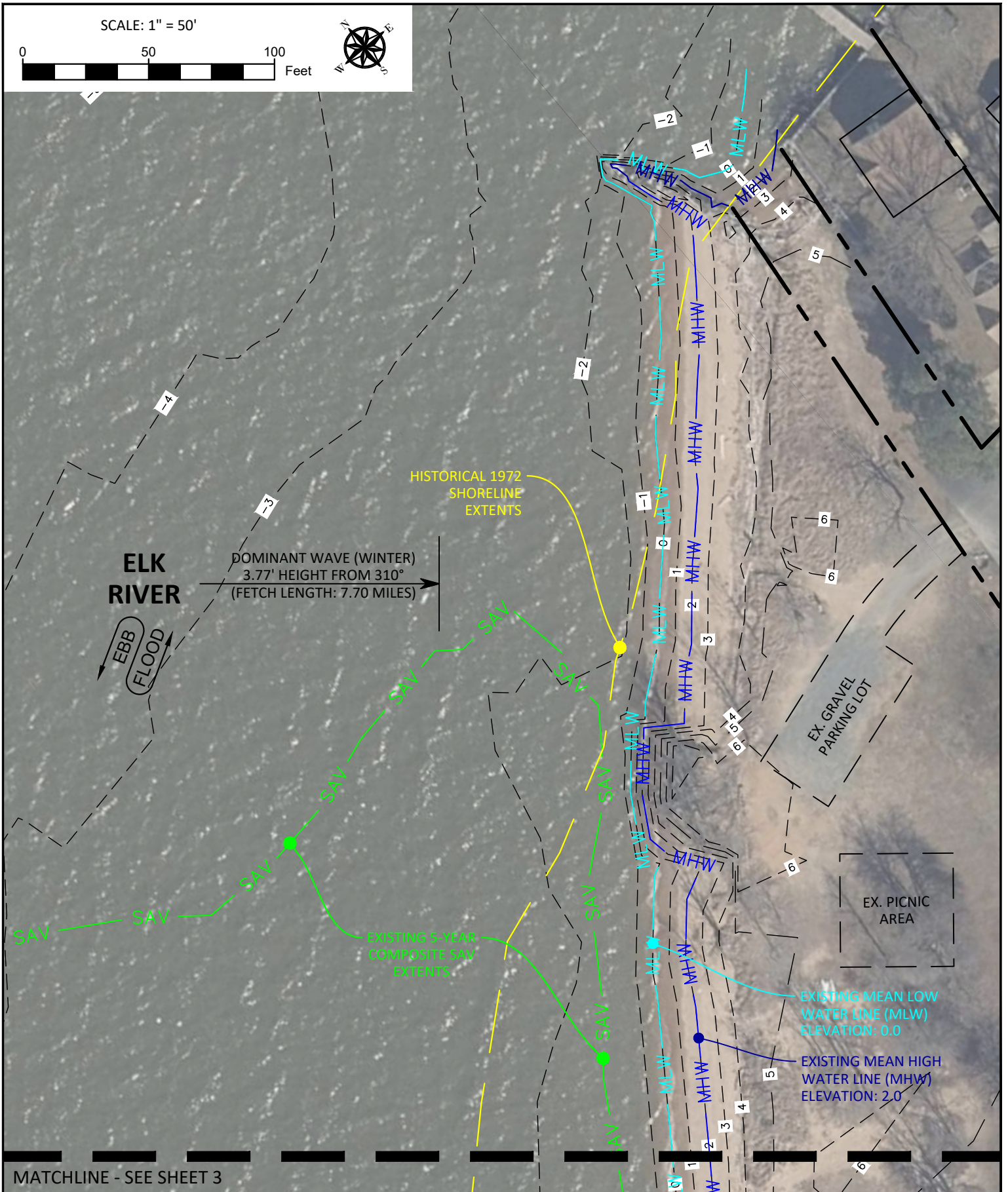
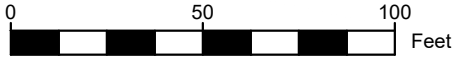
Any person who has an interest which may be adversely affected by the issuance of this permit may request a public hearing. The request, which must be in writing, must be received within the comment period as specified above to receive consideration. Also, it must clearly set forth the interest which 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:

Ms. Nicole Nasteff
Nicole.m.voelker@usace.army.mil
U.S. Army Corps of Engineers, Baltimore District
Regulatory Branch
2 Hopkins Plaza, Baltimore, MD 21201

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 Ms. Nicole Nasteff, (410) 962-1847 or Nicole.m.voelker@usace.army.mil. This public notice is issued by the Chief, Regulatory Branch.

SCALE: 1" = 50'



MATCHLINE - SEE SHEET 3

EXISTING CONDITIONS

SHEET 2 OF 7

WEST VIEW SHORES SHORELINE

PREPARED FOR APPLICANT:
WEST VIEW SHORES CIVIC ASSOC, INC
18 SHORT RD
EARLEVILLE MD, 21919

DATE	11/12/2024
SS PROJECT #	23016
SCALE	AS SHOWN
DESIGNED BY	SAM
DRAWN BY	SAM
CHECKED BY	FAM

MATCHLINE - SEE SHEET 2

ELK RIVER



DOMINANT WAVE (WINTER)
3.77' HEIGHT FROM 310°
(FETCH LENGTH: 7.70 MILES)

HISTORICAL 1972
SHORELINE
EXTENTS

EXISTING 5-YEAR
COMPOSITE SAV
EXTENTS

EXISTING MEAN LOW
WATER LINE (MLW)
ELEVATION: 0.0

EXISTING MEAN HIGH
WATER LINE (MHW)
ELEVATION: 2.0

SCALE: 1" = 50'

0 50 100 Feet



EXISTING CONDITIONS

SHEET 3 OF 7

WEST VIEW SHORES SHORELINE

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WEST VIEW SHORES CIVIC ASSOC, INC
18 SHORT RD
EARLEVILLE MD, 21919

DATE
11/12/2024

SS PROJECT #
23016

SCALE AS SHOWN

DESIGNED BY SAM

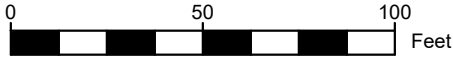
DRAWN BY SAM

CHECKED BY FAM



ENGINEERING SERVICES
410 S. SECOND STREET
DENTON, MARYLAND 21629

SCALE: 1" = 50'



OUTFALL STABILIZATION

PIPE TO BE FITTED WITH STAINLESS STEEL SCREEN TO PREVENT TRASH ACCUMULATION AND DOWNSTREAM STABILIZED WITH CL-II RIPRAP OUTFALL PROTECTION AREA: 525 SF

STONE GROIN A

TIDAL WATERS IMPACTS:
1,150 SF / 95 CY
SAV IMPACTS: 0 SF
(REFER TO SHEET 6 FOR TYPICAL SECTION)

62.4' MCE

BEACH NOURISHMENT A

TIDAL WATERS IMPACTS:
5,270 SF / 485 CY
SAV IMPACTS: 0 SF
(REFER TO SHEET 6 FOR TYPICAL SECTION)

PROPOSED MLW & MHW

DOMINANT WAVE (WINTER)
3.77' HEIGHT FROM 310°
(FETCH LENGTH: 7.70 MILES)

ELK RIVER



NEARSHORE BREAKWATER

TIDAL WATERS IMPACTS:
3,225 SF / 265 CY
SAV IMPACTS: 1,615 SF
(REFER TO SHEET 7 FOR TYPICAL SECTION)

EXISTING 5-YEAR COMPOSITE SAV EXTENTS

EXISTING WOODEN BULKHEAD IN DISREPAIR TO BE REPLACED WITH PLANTED SAND FILL

56.6' MCE

EX. PICNIC AREA

BEACH NOURISHMENT B (SEE SHEET 5 FOR IMPACTS)

80.0' MCE

HISTORICAL 1972 SHORELINE EXTENTS

EXISTING MEAN LOW WATER LINE (MLW)
ELEVATION: 0.0

EXISTING MEAN HIGH WATER LINE (MHW)
ELEVATION: 2.0

6

MATCHLINE - SEE SHEET 5

PROPOSED CONDITIONS

SHEET 4 OF 7

WEST VIEW SHORES SHORELINE

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EARLEVILLE MD, 21919



ENGINEERING SERVICES
410 S. SECOND STREET
DENTON, MARYLAND 21629

DATE
11/12/2024
SS PROJECT #
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SCALE AS SHOWN
DESIGNED BY SAM
DRAWN BY SAM
CHECKED BY FAM

ELK RIVER



BEACH NOURISHMENT B
TIDAL WATERS IMPACTS:
11,540 SF / 1,065 CY
SAV IMPACTS: 325 SF
(REFER TO SHEET 6 FOR
TYPICAL SECTION)

DOMINANT WAVE (WINTER)
3.77' HEIGHT FROM 310°
(FETCH LENGTH: 7.70 MILES)

HISTORICAL 1972
SHORELINE
EXTENTS

STONE GROIN B
TIDAL WATERS IMPACTS:
715 SF / 60 CY
SAV IMPACTS: 435 SF
(REFER TO SHEET 6 FOR
TYPICAL SECTION)

PROPOSED MLW & MHW

EXISTING 5-YEAR
COMPOSITE SAV
EXTENTS

EXISTING MEAN LOW
WATER LINE (MLW)
ELEVATION: 0.0

EXISTING MEAN HIGH
WATER LINE (MHW)
ELEVATION: 2.0

59.2' MCE

SCALE: 1" = 50'

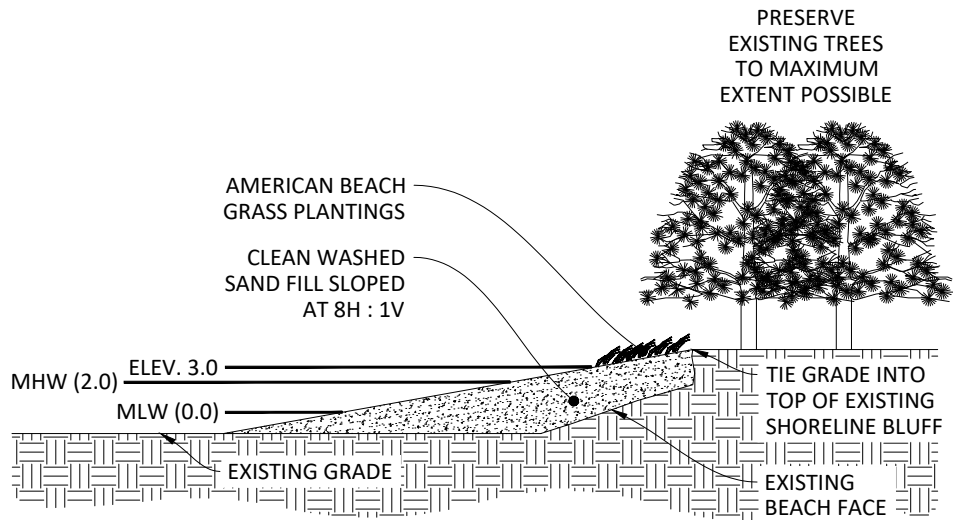


PROPOSED CONDITIONS

SHEET 5 OF 7

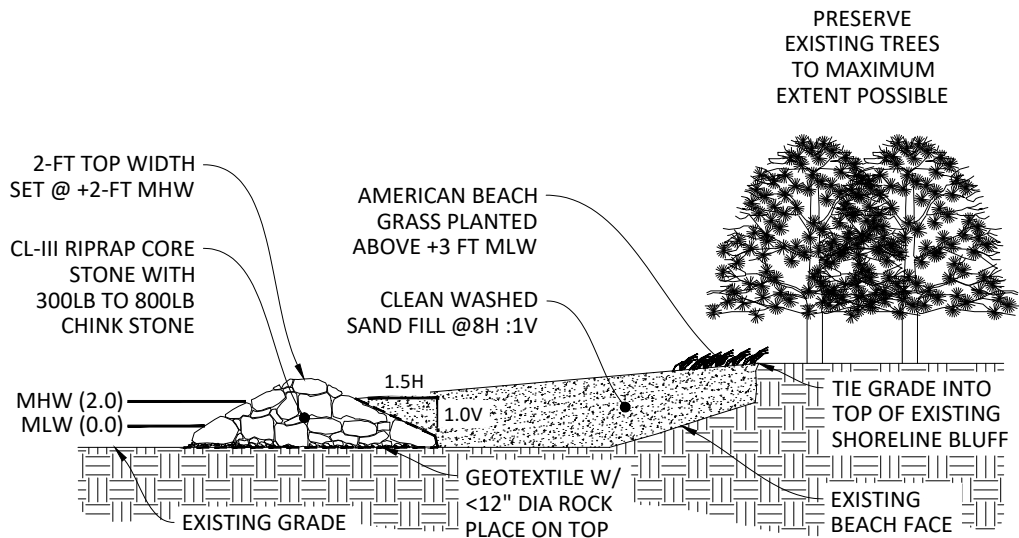
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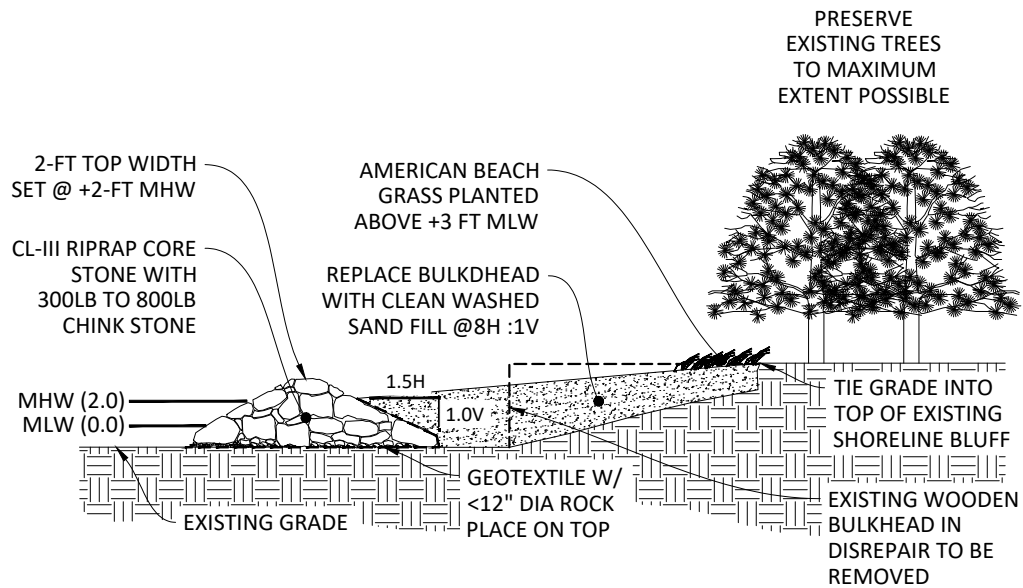
BEACH NOURISHMENT TYPICAL SECTION

NOT TO SCALE



STONE GROIN TYPICAL SECTION

NOT TO SCALE



NEARSHORE BREAKWATER TYPICAL SECTION

NOT TO SCALE