



**US Army Corps
of Engineers®**

PUBLIC NOTICE

**Baltimore District Permit
Application No.
NAB-2026-60533-M53
PN-26-22**

Published: June 17, 2026
Expires: July 17, 2026

Interested parties are hereby notified that the United States Army Corps of Engineers (USACE), Baltimore District has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. § 1344) and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403). The purpose of this public notice is to solicit comments from the public and information necessary to evaluate the probable impact on the public interest regarding the proposed activity as described below and as shown on the enclosed drawings.

APPLICANT: Mr. Earl Compton
5735 Beach Road
Rock Hall, Maryland 21661

LOCATION OF PROPOSED ACTIVITY: The proposed activity would affect waters if the United States and navigable waters of the United States associated with the Chesapeake Bay. The project/review area is located near 5735 Beach Road in Rock Hall, Kent County, Maryland. (Latitude: 39.136148, Longitude: -76.254907).

PROPOSED ACTIVITY: The applicant is requesting a DA permit to construct three (3) stone breakwater structures measuring a total of approximately 541-feet long and 24-feet wide as shoreline erosion protection at their private property. Approximately 11,787 square feet of temporary marsh matting would be used to access the site by land. The maximum distance channelward from the mean high water shoreline is 40 feet.

AVOIDANCE/MINIMIZATION AND MITIGATION: The applicant has provided the following information to explain how impacts to waters of the United States associated with the proposed activity are to be avoided, minimized, and compensated for:

The applicant considered four (4) alternatives to address severe shoreline erosion while attempting to avoid and minimize impacts to WOTUS. The "Do Nothing" alternative was rejected as it would result in the complete loss of the existing marsh habitat and continued water quality degradation from sediment erosion. A "Continuous Revetment" was rejected because it would fully harden the shoreline, blocking aquatic species access and eliminating the ecological function of the marsh interface. A "Living Shoreline" utilizing low-profile sills was deemed impracticable due to insufficient wave attenuation against a 17-mile fetch and the high likelihood of invasive phragmites overtaking native plantings. The applicant identified "Offshore Stone Breakwaters" as

the preferred alternative. This design minimizes impacts to WOTUS by constructing the breakwaters approximately 5 feet waterward of the marsh edge, avoiding direct hardening of the existing wetlands. To further minimize ecological impacts, the breakwater design

As part of the planning process for the proposed project, all possible steps were taken to ensure avoidance and minimization of impacts to aquatic resources to the maximum extent practicable based on the existing site and projected future site conditions. The project footprint was minimized to avoid and minimize impacts to waters of the United States to the maximum extent practicable.

Compensatory Mitigation: The applicant has proposed no compensatory mitigation. The applicant asserts that the project will protect approximately 550 linear feet of existing, rapidly eroding marsh shoreline subjected to approximately 17 miles of southwesterly fetch, and that the segmented design, incorporating gaps and a band of protected shallow-water habitat landward of the structures, will maintain aquatic functions at the site. The proposed structures would result in approximately 12,714 square feet of permanent fill in WOTUS and approximately 11,787 square feet of temporary impact from marsh matting.

The USACE will determine the type and amount of compensatory mitigation necessary to offset losses of waters of the United States which may result from the proposed activity in accordance with 33 CFR § 332.

HISTORIC PROPERTIES/CULTURAL RESOURCES: Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108), requires federal agencies to consult with the appropriate State and/or Tribal Historic Preservation Officers to take into account the effects of actions they undertake or permit on historic properties listed in or eligible for listing in the National Register of Historic Places.

The USACE is evaluating the undertaking for effects to historic properties as required under Section 106 of the National Historic Preservation Act. This public notice serves to inform the public of the proposed undertaking and invites comments including those from local, state, and federal government agencies with respect to historic resources.

The USACE's final eligibility and effect determination relative to historic resource impacts may be subject to additional coordination with the State Historic Preservation Officer, federally recognized tribes, and other interested parties, and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the USACE-identified permit area.

ENDANGERED SPECIES: Section 7 of the Endangered Species Act (16 U.S.C. § 1536) requires federal agencies to consult with the National Marine Fisheries Service and/or United States Fish and Wildlife Service on all actions that may affect a species listed (or proposed for listing) under the Endangered Species Act as threatened or endangered or that may adversely modify designated critical habitat (or critical habitat proposed such designation).

USACE's preliminary review indicates the described activity will have no effect on any threatened or endangered species or designated critical habitat. USACE will consider comments from this public notice, including any comments provided by the National Marine Fisheries Service and/or United States Fish and Wildlife Service, regarding the need to consult.

This notice serves as request to the United States Fish and Wildlife Service for any additional information on whether any listed or proposed to be listed endangered or threatened species or critical habitat may be present in the area which would be affected by the proposed activity.

NAVIGATION: The proposed structure or activity is not located in the vicinity of a federal navigation channel.

SECTION 408: The applicant will not require permission under Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 408) because the activity, in whole or in part, would not alter, occupy, or use a USACE Civil Works project.

WATER QUALITY CERTIFICATION: An Individual Water Quality Certification may be required from the Maryland Department of the Environment pursuant to Section 401 of the Clean Water Act (33 U.S.C. § 1341).

COASTAL ZONE MANAGEMENT: A federal consistency decision may be required from the State of Maryland pursuant to Section 307 of the Coastal Zone Management Act of 1972 (16 U.S.C. § 1451). A permit for the described work will not be issued until a consistency decision has been issued from the State of Maryland, if required.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The geographic extent of aquatic resources within the proposed project area that either are, or are presumed to be, within the USACE jurisdiction has not been verified by USACE personnel.

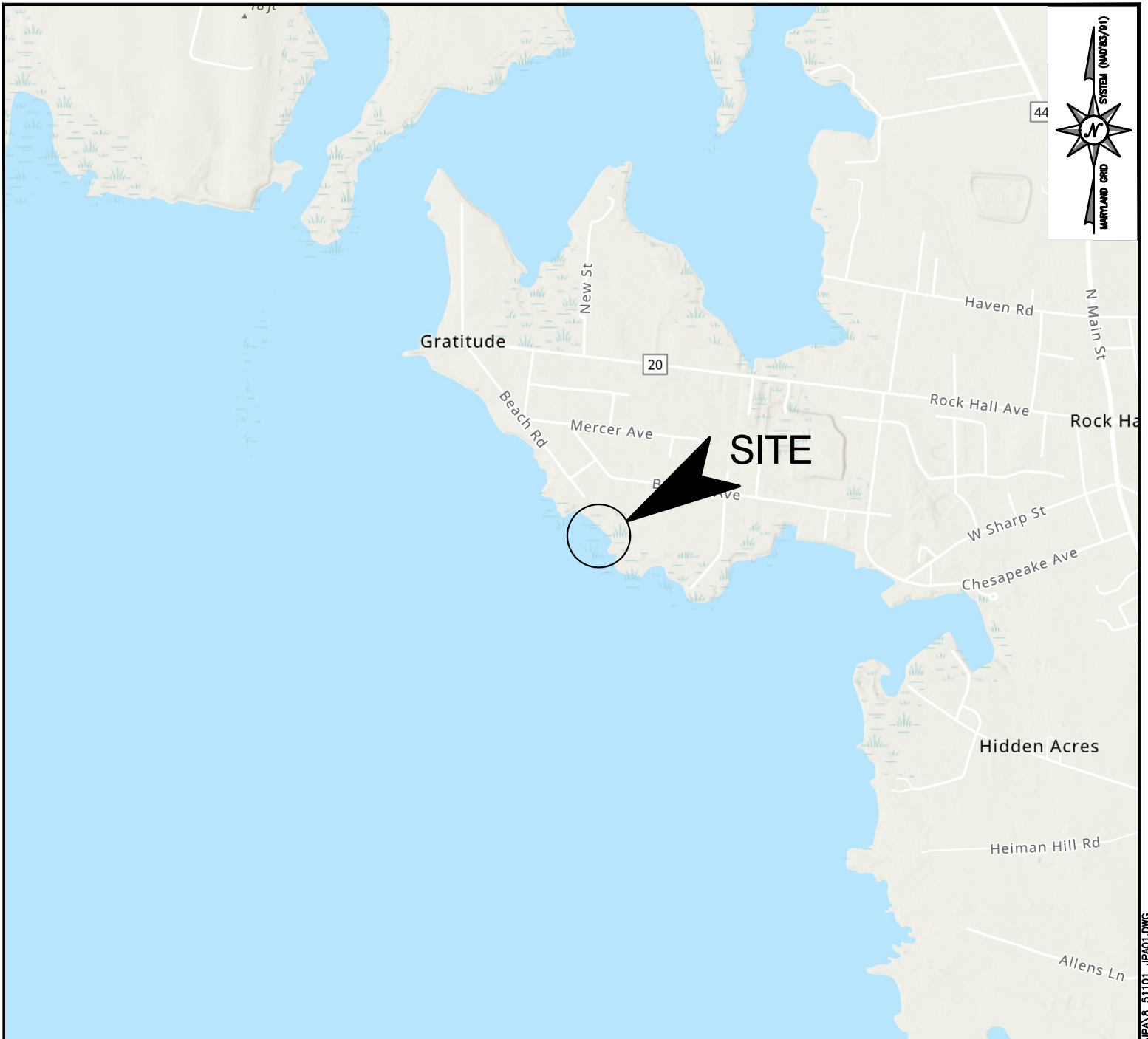
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably 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 cumulative impacts thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

COMMENTS: The USACE is soliciting comments from the public; federal, state, and local agencies and officials; Tribal Nations; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the USACE to determine whether to issue, modify, condition, or deny a permit for this proposed activity. To make this determination, comments are used to assess impacts to 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 are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. Any comments or objections which are received during this period may be forwarded to the applicant for possible resolution before the determination is made whether to issue or deny the requested permit. Please note that all comments received will become part of the administrative record and are subject to public release under the Freedom of Information Act.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

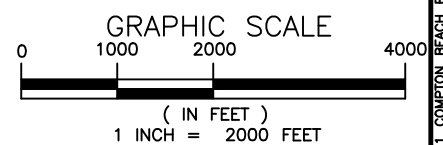
The Baltimore District will receive written comments on the proposed activity, as outlined above, until July 17, 2026. Comments should be submitted electronically via the Regulatory Request System at <https://rrs.usace.army.mil/rrs/public-notices>. Alternatively, you may submit comments to Jaclyn Kelleher at jaclyn.k.kelleher@usace.army.mil or U.S. Army Corps of Engineers, Baltimore District, Attention: Jaclyn Kelleher, Regulatory Division, 2 Hopkins Plaza, Baltimore, Maryland 21201. Please refer to NAB-2026-60533 in your comments.



SHORELINE ENHANCEMENT
AT
5735 BEACH RD, ROCK HALL, MD
KENT COUNTY

VICINITY MAP

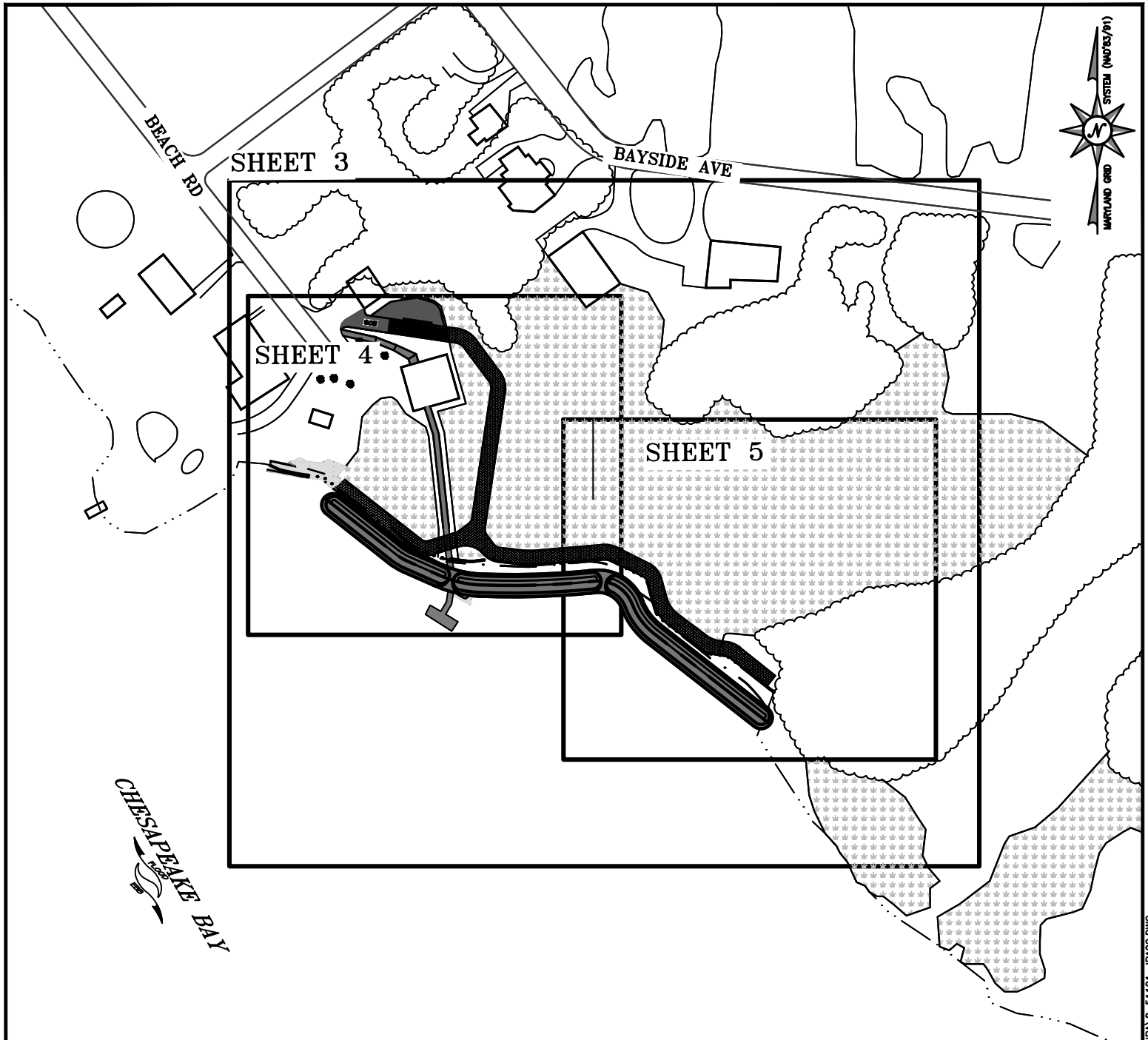
DATE: MAY 2026 SHEET 1 OF 8



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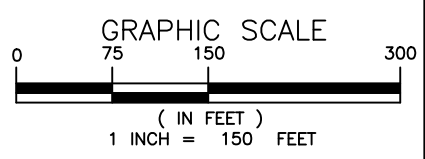
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Hanover, Maryland 21076 Fax: (410) 694-9405
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SHORELINE ENHANCEMENT
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KEY SHEET

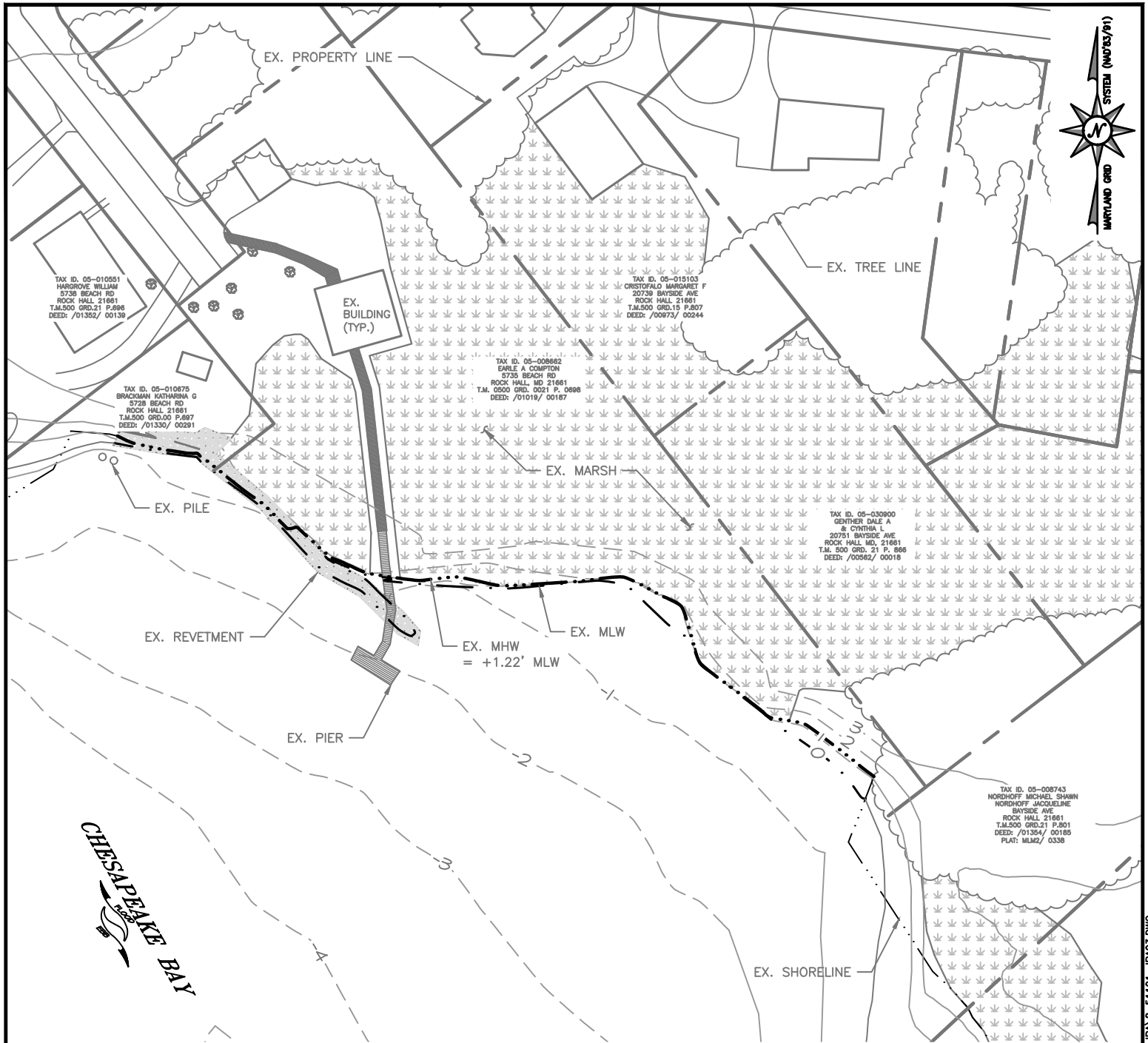
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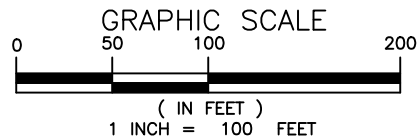
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SHORELINE ENHANCEMENT AT 5735 BEACH RD, ROCK HALL, MD KENT COUNTY

EXISTING CONDITIONS
DATE: MAY 2026 SHEET 3 OF 8



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MATCHLINE REFER TO SHEET 4

TAX ID. 05-008662
EARLE A COMPTON
5735 BEACH RD
ROCK HALL, MD 21661
T.M. 0500 GRD. 0021 P. 0698
DEED: /01019/ 00187

PR. TEMPORARY MARSH
MATS FOR CONSTRUCTION
(SEE SHEET 8)

PR. STONE
VENT

PR. STONE BREAKWATER
5,288 SF
(225'X23.5')

CHESAPEAKE BAY

225'

EX. TREE LINE

EX. PROPERTY LINE

EX. MHW = +1.22' MLW

EX. MLW

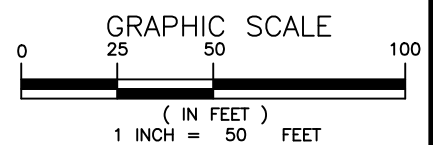
EX. SHORELINE

TAX ID. 05-008743
NORDHOFF MICHAEL SHAWN
NORDHOFF JACQUELINE
BAYSIDE AVE
ROCK HALL 21661
T.M.500 GRD.21 P.801
DEED: /01354/ 00185
PLAT: MLM2/ 0338

SHORELINE ENHANCEMENT
AT
5735 BEACH RD, ROCK HALL, MD
KENT COUNTY

SITE PLAN

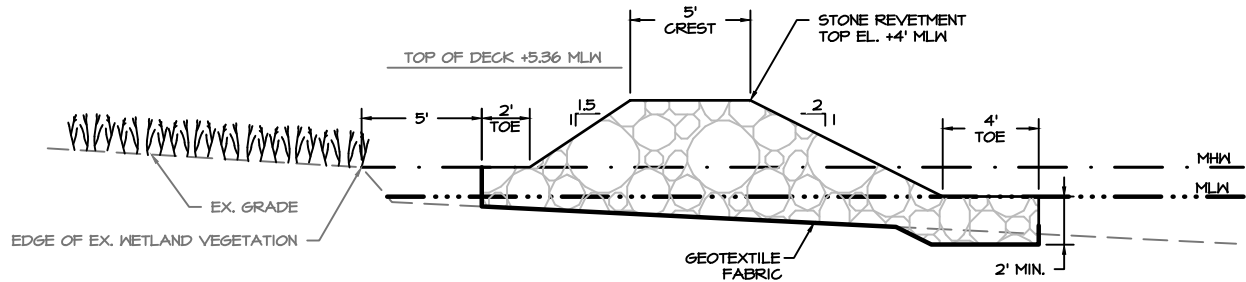
DATE: MAY 2026 SHEET 5 OF 8



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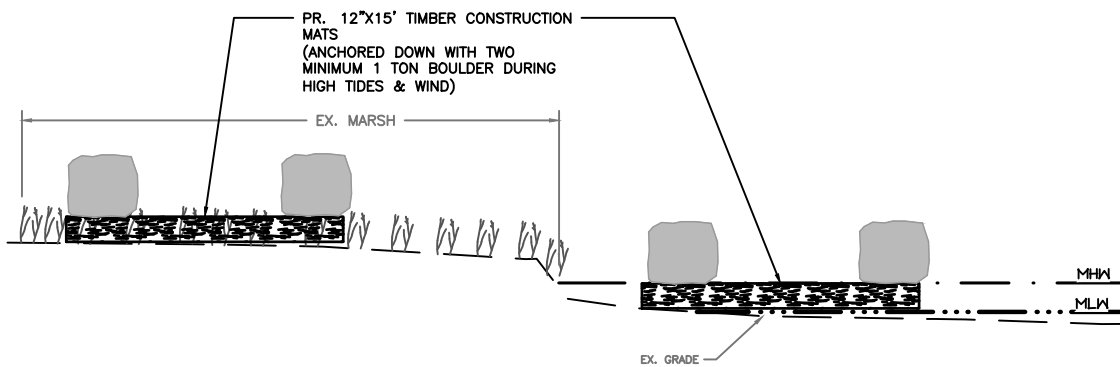
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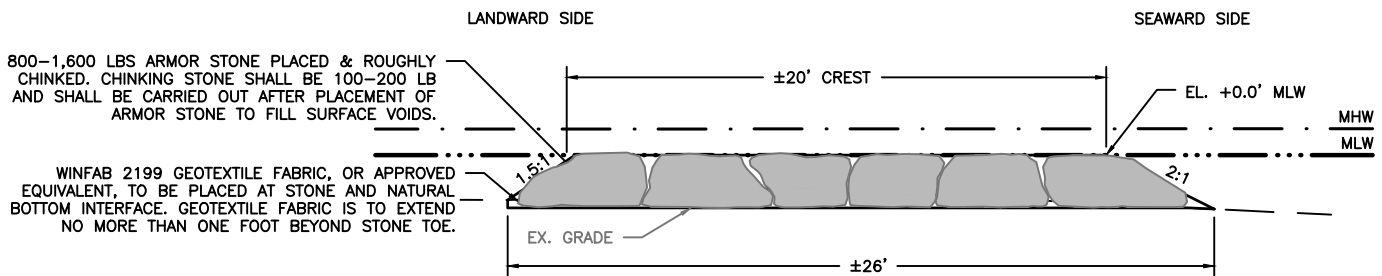
TYPICAL BREAKWATER

SCALE: NTS



TYPICAL MARSH MAT

SCALE: NTS



TYPICAL STONE VENT

SCALE: NTS

SHORELINE ENHANCEMENT
AT
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CROSS SECTION

DATE: MAY 2026 SHEET 6 OF 8



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PROJECT SUMMARY

STONE BREAKWATER (3) - 12,714 SF TOTAL (12,714 SF IMPACT CHANNELWARD OF MHW)

1. 3,760 SF, 160 LF
2. 3,666 SF, 156 LF
3. 5288 SF, 225 LF

STONE VENT - 493 SF (493 SF IMPACT CHANNEL OF MHW)

IMPACT SUMMARY

TOTAL AREA OF IMPACT FROM MHW INTO TIDAL WATERS = 13,207 SF

TOTAL AREA OF PERMANENT IMPACT TO SHALLOW WATER HABITAT = 13,207 SF

TOTAL AREA OF IMPACT TO PRIVATE TIDAL WETLANDS = 0 SF

NOTES

1. TOPOGRAPHIC AND HYDROGRAPHIC SURVEY PERFORMED BY BAYLAND CONSULTANTS & DESIGNERS, INC., DATED AUGUST 6, 2024.
2. HORIZONTAL AND VERTICAL CONTROL ESTABLISHED FROM REAL TIME KINEMATIC (RTK) GLOBAL POSITIONING SYSTEM (GPS) CONTROL POINTS. TRAVERSE POINTS ARE IRON REBAR UNLESS OTHERWISE SPECIFIED.
3. THE EXISTING UTILITIES, GRADES, AND OBSTRUCTIONS SHOWN ARE FROM THE BEST AVAILABLE RECORDS AND SHALL BE VERIFIED BY THE CONTRACTOR TO HIS SATISFACTION PRIOR TO CONSTRUCTION. NECESSARY PRECAUTIONS SHALL BE TAKEN BY THE CONTRACTOR TO PROTECT EXISTING SERVICES AND MAINS AND ANY DAMAGE TO THEM SHALL BE REPAIRED IMMEDIATELY AT HIS OWN EXPENSE.
4. CONTOURS SHOWN OUTSIDE OF LIMIT OF WORK ARE BASED ON KENT COUNTY PLANIMETRICS.
5. PROPERTY LINES SHOWN ARE BASED ON KENT COUNTY CADASTRAL DATA.
6. ONLY TREES WITH A 12" DIAMETER OR GREATER THAT ARE WITHIN THE LIMIT OF WORK WERE FIELD LOCATED.
7. RIPRAP SHOWN IN PLAN VIEW AND PROFILE ARE SYMBOLIC AND DO NOT REPRESENT INDIVIDUAL STONES.

SHORELINE ENHANCEMENT
AT
5735 BEACH RD, ROCK HALL, MD
KENT COUNTY

SITE NOTES

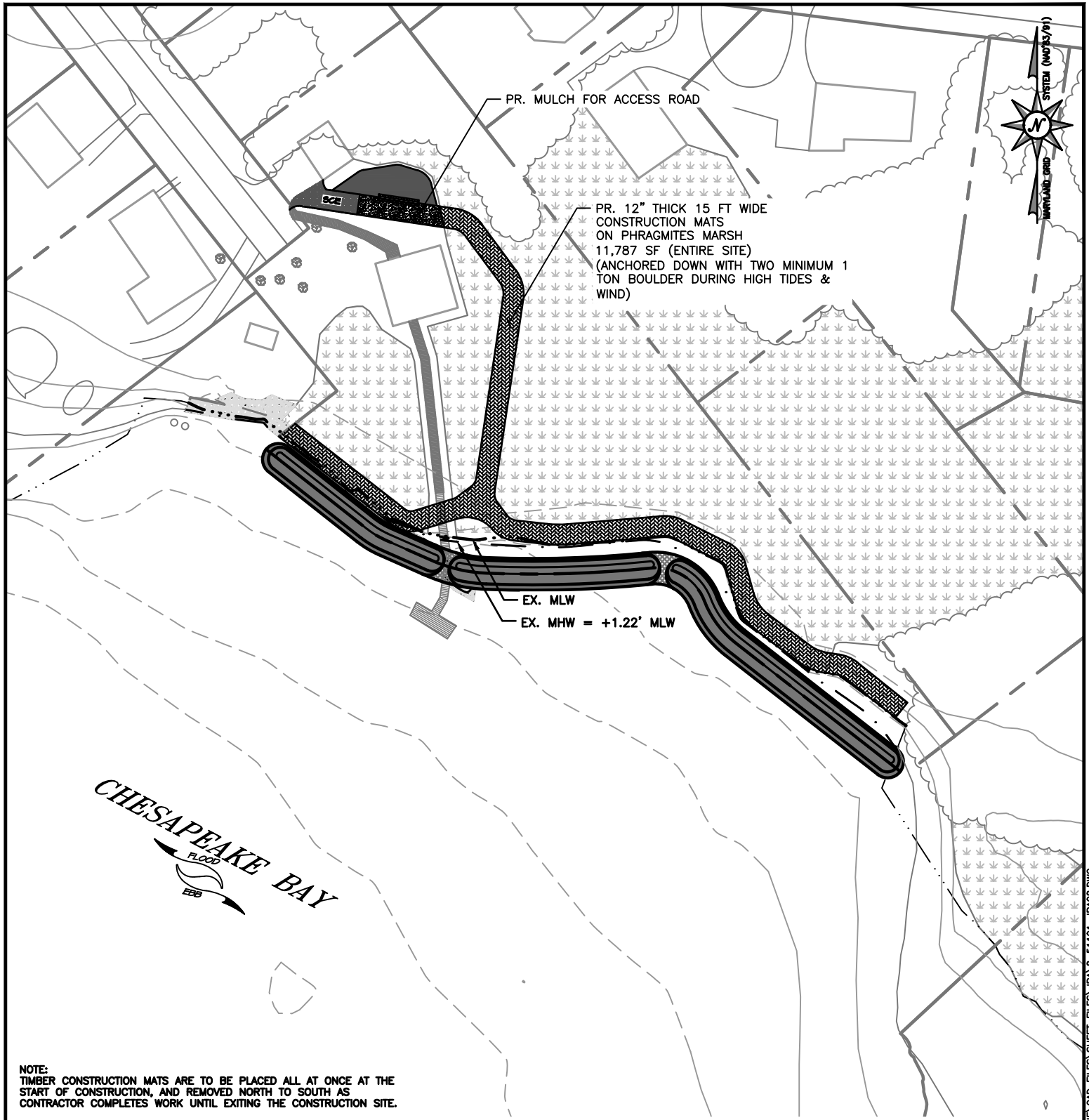
DATE: MAY 2026 SHEET 7 OF 8



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NOTE:
 TIMBER CONSTRUCTION MATS ARE TO BE PLACED ALL AT ONCE AT THE
 START OF CONSTRUCTION, AND REMOVED NORTH TO SOUTH AS
 CONTRACTOR COMPLETES WORK UNTIL EXITING THE CONSTRUCTION SITE.

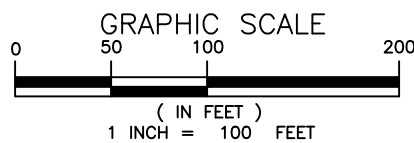
SHORELINE ENHANCEMENT
 AT
 5735 BEACH RD, ROCK HALL, MD
 KENT COUNTY

CONSTRUCTION MATS FOR ACCESS

DATE: MAY 2026 SHEET 8 OF 8



CONSTRUCTION MATS ON PHRAGMITES MARSH



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