



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

Public Notice

In Reply to Application Number
CENAB-OP-RMS (HOMER'S HIDEAWAY MARINA)
2013-60022

PN 13-04

Comment Period: January 28, 2013 to March 1, 2013

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC ABOUT THE WORK DESCRIBED BELOW. AT THIS TIME, NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED.

The Baltimore District has received an application for a Department of the Army (DA) permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (33 U.S.C. 1344), as described below:

APPLICANT: Homer's Hideaway Marina
C/o Mr. Brian Tinkler
12911 Sunset Avenue
Ocean City, Maryland 21842

LOCATION: In the Sinepuxent Bay south of the Route 50 Bridge at Homer's Hideaway Marina and Ocean City Fishing Center, 12940 Inlet Isle Lane in West Ocean City, Worcester County, Maryland.

WORK: To mechanically or hydraulically maintenance dredge three areas totaling approximately 257,489 square feet (5.91 acres) a maximum of 300 feet channelward of the approximate mean high water shoreline within an existing marina basin and entrance channel to depths varying from -8.0 to -5.0 feet at mean low water (MLW) level. The dredge areas are described in the table below:

Area	Description	Approximate Square footage of Proposed Dredging	Proposed Depth (feet at MLW)	Approximate Cubic Yardage of Dredge Material
1	100 to 130-foot wide by 700-foot long outer entrance channel	83,980	-8.0	6,243
2	60 to 145-foot wide by 730-foot long inner entrance channel	79,963	-8.0 to -7.0	7,186
3	An existing marina basin, including a 130 to 150-foot wide by 880-foot channel; a 45-foot wide by 375-foot long channel; and a 80-foot wide by 380-foot long channel	173,546	-7.0 to -5.0	3,476

The dredging would result in a total of approximately 16,905 cubic yards of dredged material that would be deposited in an existing upland (non-wetland) disposal site at Homer Gudelsky Park or another approved upland disposal site. Dredge material, if suitable, would be placed on the Skimmer Island Restoration site authorized under DA permit NAB-2009-02549 (MD DNR Skimmer Island Restoration) north of the Route 50 Bridge in the Isle of Wight Bay, Worcester County, Maryland. The hydraulic dredging high density polyethylene pipe is proposed to be mobilized by water or land; assembled on site; and installed at a location within the existing channel following the western shoreline in the Isle of Wight Bay under the Route 50-Bridge to Skimmer Island as shown on the attached plans during the dredging operation. The applicant also requests 10-year maintenance dredging. All work is to be completed in accordance with the proposed plan(s). If you have any questions concerning this matter, please contact Ms. Laura Shively of this office at (410) 962-6011 or via email at laura.shively@usace.army.mil.

As part of the planning process for the proposed project, steps were taken to ensure avoidance and minimization of impacts to waters of the United States to the maximum extent practicable. Compensatory mitigation is not being proposed by the applicant for impacts to open water (inter-tidal and sub-tidal) habitat.

The purpose of the project is to provide and maintain navigational access to an existing marina.

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 (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely effect essential fish habitat (EFH).

The project site lies in or adjacent to EFH as described under MSFCMA for *Pleuronectes americanus* (winter flounder), *Scopthalmus aquosus* (windowpane flounder), *Pomatomus saltatrix* (blue fish), *Stenotomus chrysops* (scup), *Centropristus striata* (black sea bass), and *Paralichthys dentatus* (summer flounder) juvenile and adult; *Urophycis chuss* (red hake) eggs, larvae, and juvenile; *Peprilus triacanthus* (Atlantic butterflyfish) and *Sphyrna lewini* (scalloped hammerhead shark) juvenile; *Clupea harengus* (Atlantic sea herring) and *Prionance glauca* (blue shark) adult; *Odontaspis taurus* (sand tiger shark) larvae and adult; *Squatina dumerili* (Atlantic angel shark) and *Charcharinus plumbeus* (sandbar shark) larvae, juvenile, and adult; *Charcharinus obscurus* (dusky shark) and *Galeocerdo cuvieri* (tiger shark) larvae; and eggs, larvae, juvenile, and adult stages of *Scomberomorus cavalla* (king mackerel), *Scomberomorus maculatus* (spanish mackerel), and *Rachycentron canadum* (cobia); all managed species under the MSFCMA.

The project has the potential to adversely affect EFH or the species of concern by alteration of spawning, nursery, forage and/or shelter habitat. The project may have an adverse effect on approximately 5.91 acres of EFH as described under the MSFCMA for the species and life stages identified above. This habitat consists of a mostly sandy sub-tidal substrate that does not support submerged aquatic vegetation (SAV) or hard clams (*Mercenari mercenary*). The proposed project will alter the existing elevations within the project footprint. However, the District Engineer has made a preliminary determination that site-specific impacts would not be substantial and an abbreviated consultation will be conducted with NMFS. No mitigative measures are recommended to minimize adverse effects on EFH at this time. This determination may be modified if additional information indicates otherwise and would change the preliminary determination.

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 benefit 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 the cumulative effects thereof; among those are conservation, economics, 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, and, in general, the needs and welfare of the people.

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. 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 District Engineer, U.S. Army Corps of Engineers, Baltimore District, PO Box 1715, Baltimore, Maryland 21203-1715, within the comment period as specified above to receive consideration.

The applicant is required to obtain a water quality certification in accordance with Section 401 of the Clean Water Act from the Maryland Department of the Environment. Any written comments concerning the work described above which relate to water quality certification must be received by the Wetlands and Waterways Program, Maryland Department of the Environment, 1800 Washington Blvd. Suite 430, Baltimore, Maryland 21230 within the comment period as specified above to receive consideration. The 401 certifying agency has a statutory limit of one year to make its decision.

The applicant has certified in this application that the proposed activity complies with and will be conducted in a manner consistent with the Maryland Coastal Zone Program. This certification statement is available for inspection in the District Office; however, public comments relating to consistency must be received by the Coastal Zone Division, Maryland Department of the Environment, 1800 Washington Blvd. Suite 430, Baltimore, Maryland 21230, within the comment period as specified above. It should be noted that CZ Division has a statutory limit of 6 months in which to make its consistency determination.

The applicant must obtain any State or local government permits, which may be required.

A preliminary review of this application indicates that the proposed work will not affect listed 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.

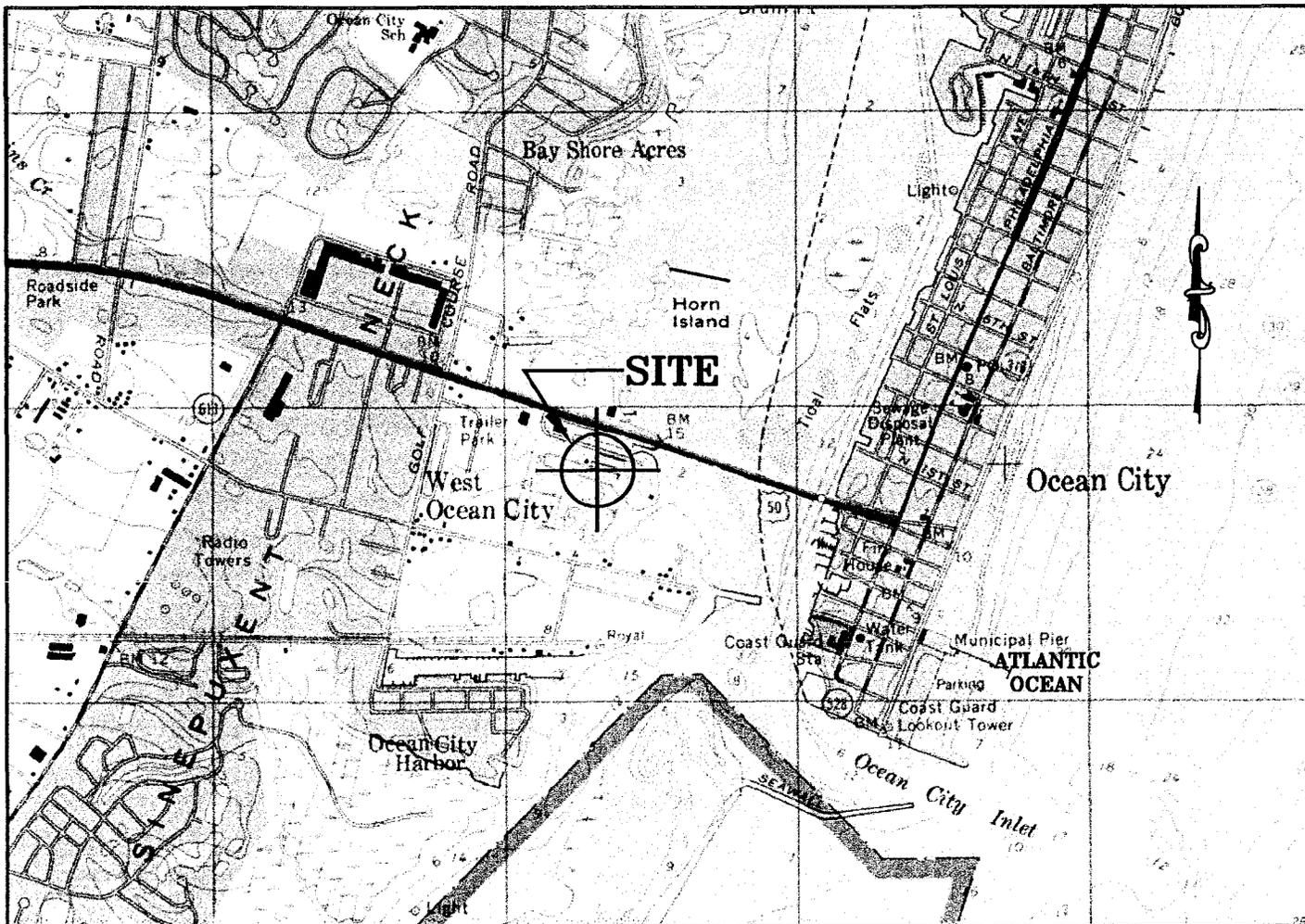
Review of the latest published version of the National Register of Historic Places indicates that no registered properties listed as eligible for inclusion therein are located at the site of the proposed work. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

The evaluation of the impact of the work described above on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 of the Clean Water Act. Any person who has an interest, which may be adversely affected by the issuance of this permit, may request a public hearing. The District Engineer must receive the request, which must be in writing, U.S. Army Corps of Engineers, Baltimore District, PO Box 1715, Baltimore, Maryland 21203-1715, within the comment period as specified as above to receive consideration. Also, it must clearly state forth the interest that may be adversely affected by this activity in the manner in which the interest may be adversely affected.

It is requested that you communicate the foregoing information concerning the proposed work to any persons known by you to be interested and not being known to this office, who did not receive a copy of this notice.

FOR THE DISTRICT ENGINEER:

Kathy B. Anderson
Chief, Maryland Section Southern



OCEAN CITY FISHING CENTER

38°20'01.69" N. Lat.
75°06'01.57" W. Long.

Vicinity Map
Scale : 1"=2000'

GENERAL NOTES:

1. MEAN HIGH WATER ELEVATION = 1.67' (1929 FIRM DATUM) AS DETERMINED FOR OCEAN CITY CENTER AND APPROVED BY THE STATE.
2. TIDAL RANGE IS 2.20', BASED ON NOAA TIDAL STUDY PUBLICATION DATED 4-29-03 #857-70282, VM. #3026 ROUTE 50 BRIDGE.
3. MEAN LOW WATER ELEVATION = -0.53 ±
4. ELEVATIONS REFERENCED TO BENCHMARK G 104, LOCATED IN NE CONCRETE ABUTMENT AT THE NW END OF U.S. ROUTE 50 BRIDGE, ELEVATION = 15.112' 1929 FIRM DATUM.

DREDGING NOTES:

1. DREDGING IS DIVIDED INTO THREE SEPARATE AREAS (See Site Plans On Shts. 3, 4 And 5 For Locations.)
2. AREAS ONE AND TWO TO BE DREDGED HYDRAULICALLY TO DEPTHS OF -7.0 TO -8.0'

AREA THREE TO BE DREDGED MECHANICALLY TO DEPTHS SHOWN.
3. PROPOSED HYDRAULICALLY DREDGED SPOIL TO BE DISPOSED VIA PIPELINE AT SKIMMER ISLAND AND GUDELSKY PARK.
4. TOTAL VOLUME TO BE DREDGED IS ± 16,905 CU. YDS. (Based on October 2012 Soundings)

**PROPOSED MAINTENANCE DREDGING
OCEAN CITY FISHING CENTER
WEST OCEAN CITY
WORCESTER COUNTY, MARYLAND**

APPLICATION BY :

Homer's Hideaway Marina
12911 Sunset Avenue
Ocean City, MD 21842

For Application Purposes Only, Not For Construction

PREPARED BY :

& SOULÉ
ASSOCIATES, P.C.
SALISBURY, MARYLAND 21801

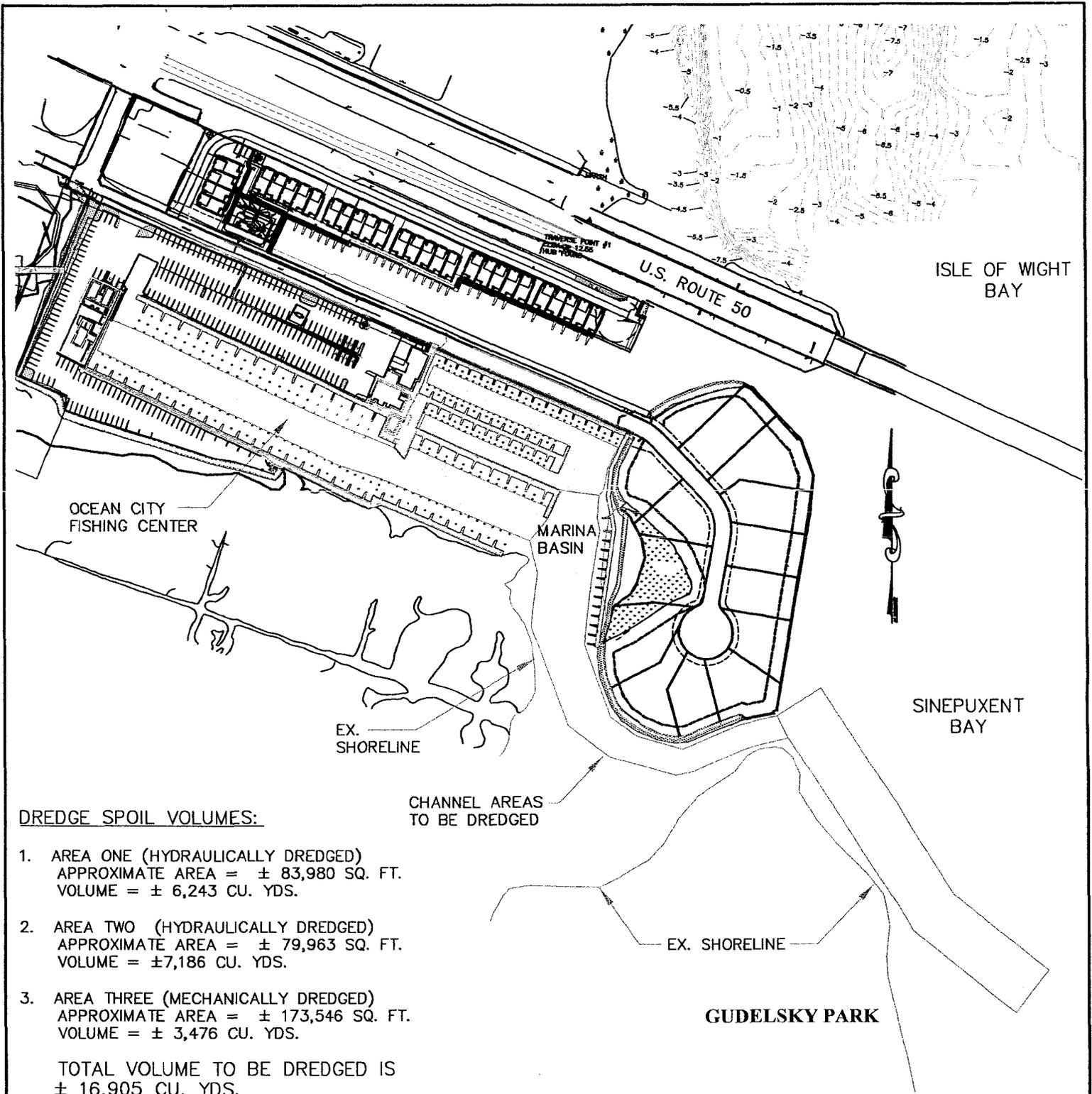
ENGINEERING
SURVEYING
PLANNING

SHEET

1 OF 9

DATE

December 2012



DREDGE SPOIL VOLUMES:

1. AREA ONE (HYDRAULICALLY DREDGED)
APPROXIMATE AREA = ± 83,980 SQ. FT.
VOLUME = ± 6,243 CU. YDS.
2. AREA TWO (HYDRAULICALLY DREDGED)
APPROXIMATE AREA = ± 79,963 SQ. FT.
VOLUME = ± 7,186 CU. YDS.
3. AREA THREE (MECHANICALLY DREDGED)
APPROXIMATE AREA = ± 173,546 SQ. FT.
VOLUME = ± 3,476 CU. YDS.

TOTAL VOLUME TO BE DREDGED IS
± 16,905 CU. YDS.

PROPOSED MAINTENANCE DREDGING

OCEAN CITY FISHING CENTER
WEST OCEAN CITY
WORCESTER COUNTY, MARYLAND

NOTE:
SOUNDINGS PERFORMED ON
OCTOBER, 2012.

SCALE : 1" = 250'

APPLICATION BY :

Homer's Hideaway Marina
12911 Sunset Avenue
Ocean City, MD 21842

PREPARED BY :

& SOULÉ
ASSOCIATES, P.C.
SALISBURY, MARYLAND 21801

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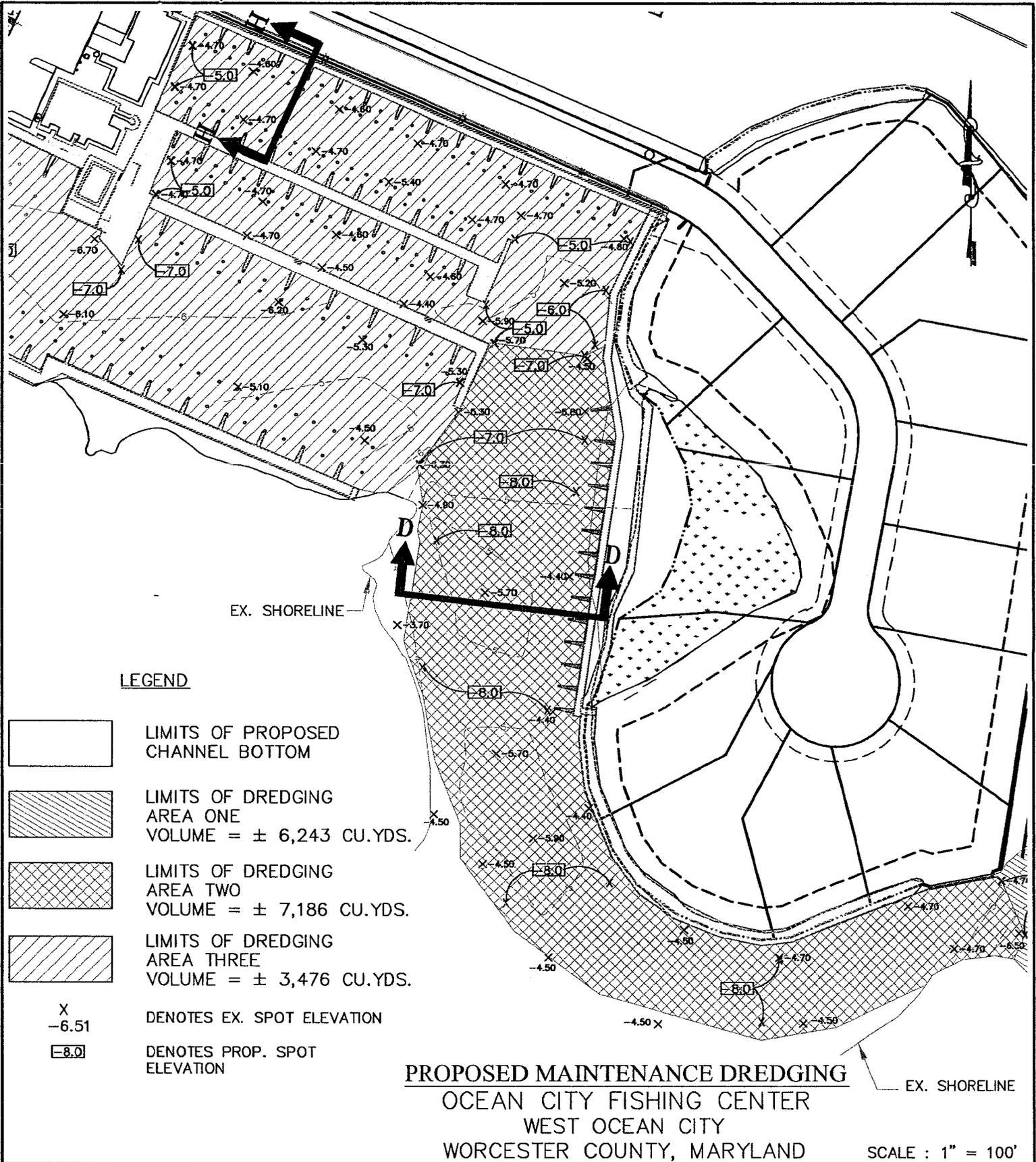
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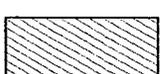
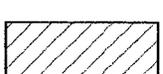
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Job No. 12-132



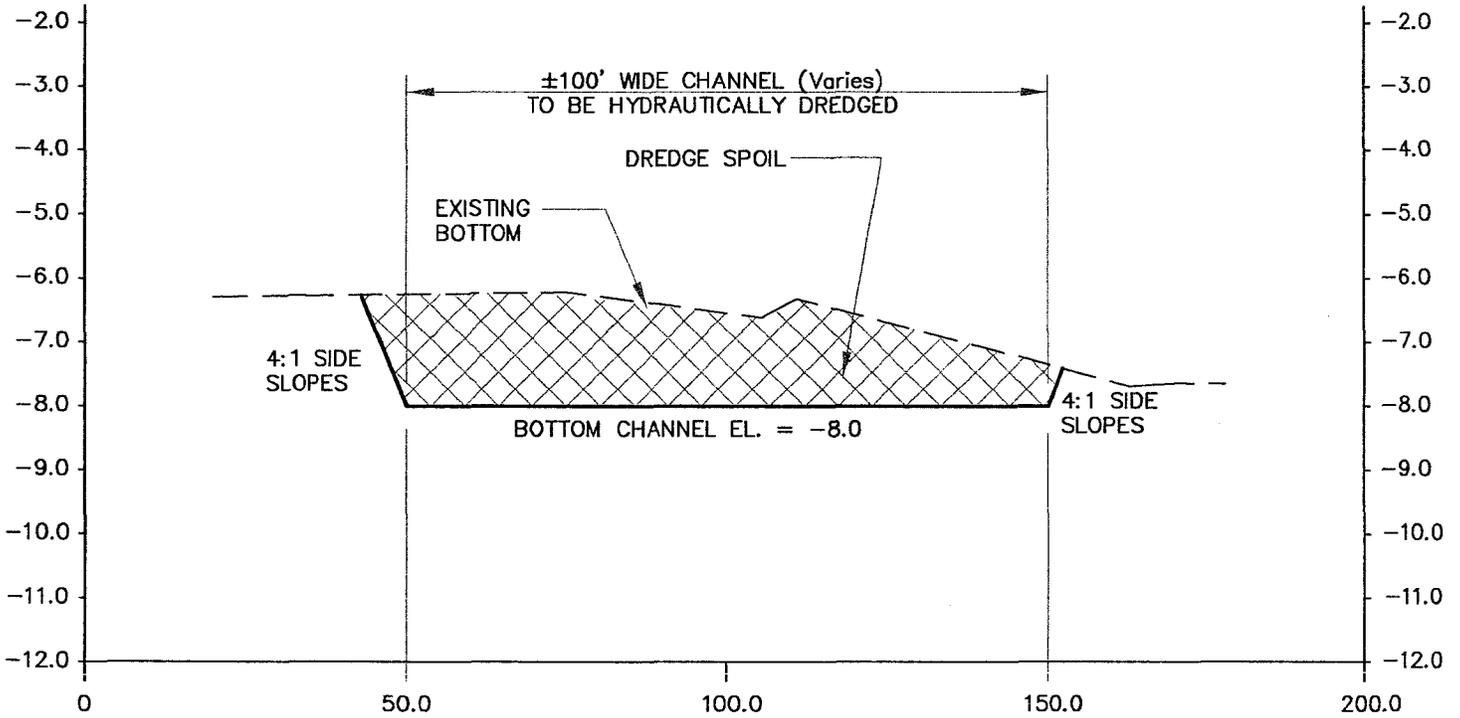
LEGEND

-  LIMITS OF PROPOSED CHANNEL BOTTOM
-  LIMITS OF DREDGING AREA ONE
VOLUME = ± 6,243 CU.YDS.
-  LIMITS OF DREDGING AREA TWO
VOLUME = ± 7,186 CU.YDS.
-  LIMITS OF DREDGING AREA THREE
VOLUME = ± 3,476 CU.YDS.
- X -6.51 DENOTES EX. SPOT ELEVATION
- 8.0 DENOTES PROP. SPOT ELEVATION

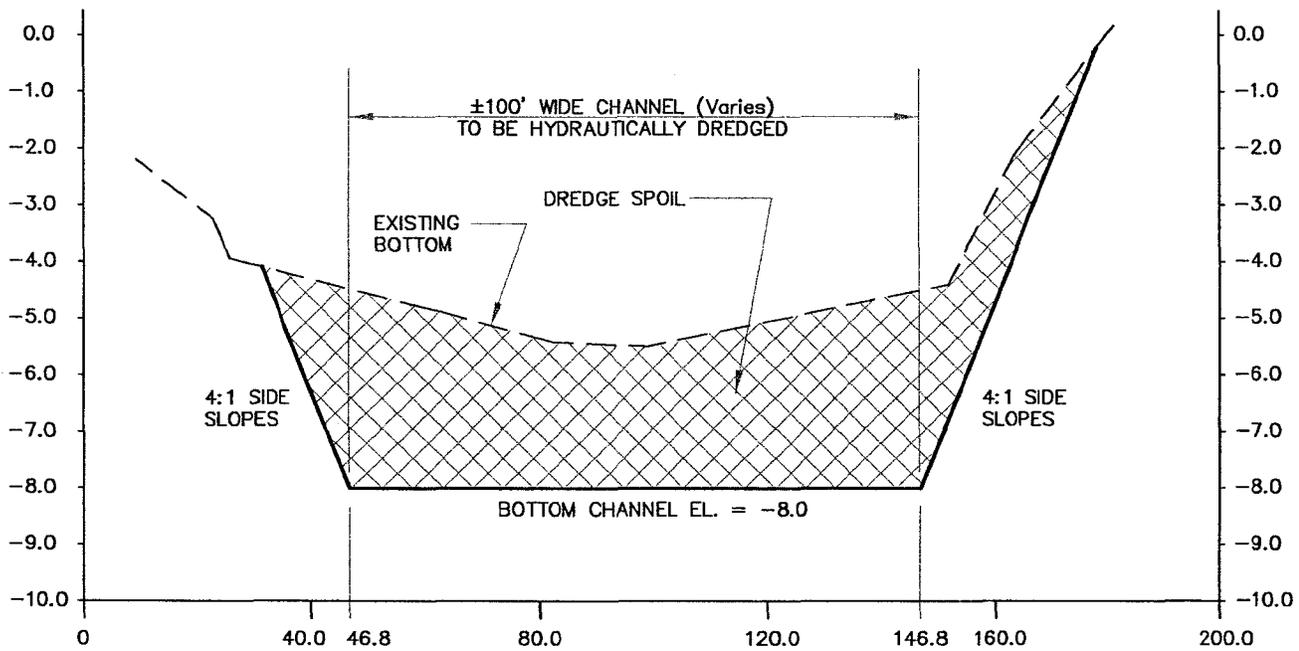
PROPOSED MAINTENANCE DREDGING
OCEAN CITY FISHING CENTER
WEST OCEAN CITY
WORCESTER COUNTY, MARYLAND

EX. SHORELINE
 SCALE : 1" = 100'

APPLICATION BY : Homer's Hideaway Marina 12911 Sunset Avenue Ocean City, MD 21842	PREPARED BY : <div style="text-align: center;">  & SOULÉ ASSOCIATES, P.C. SALISBURY, MARYLAND 21801 </div>	ENGINEERING SURVEYING PLANNING	SHEET <div style="text-align: center; font-size: 2em;">4 OF 9</div> DATE December 2012
For Application Purposes Only, Not For Construction			Job No. 12-132



CROSS SECTION A-A



CROSS SECTION D-D

PROPOSED MAINTENANCE DREDGING
OCEAN CITY FISHING CENTER
WEST OCEAN CITY
WORCESTER COUNTY, MARYLAND

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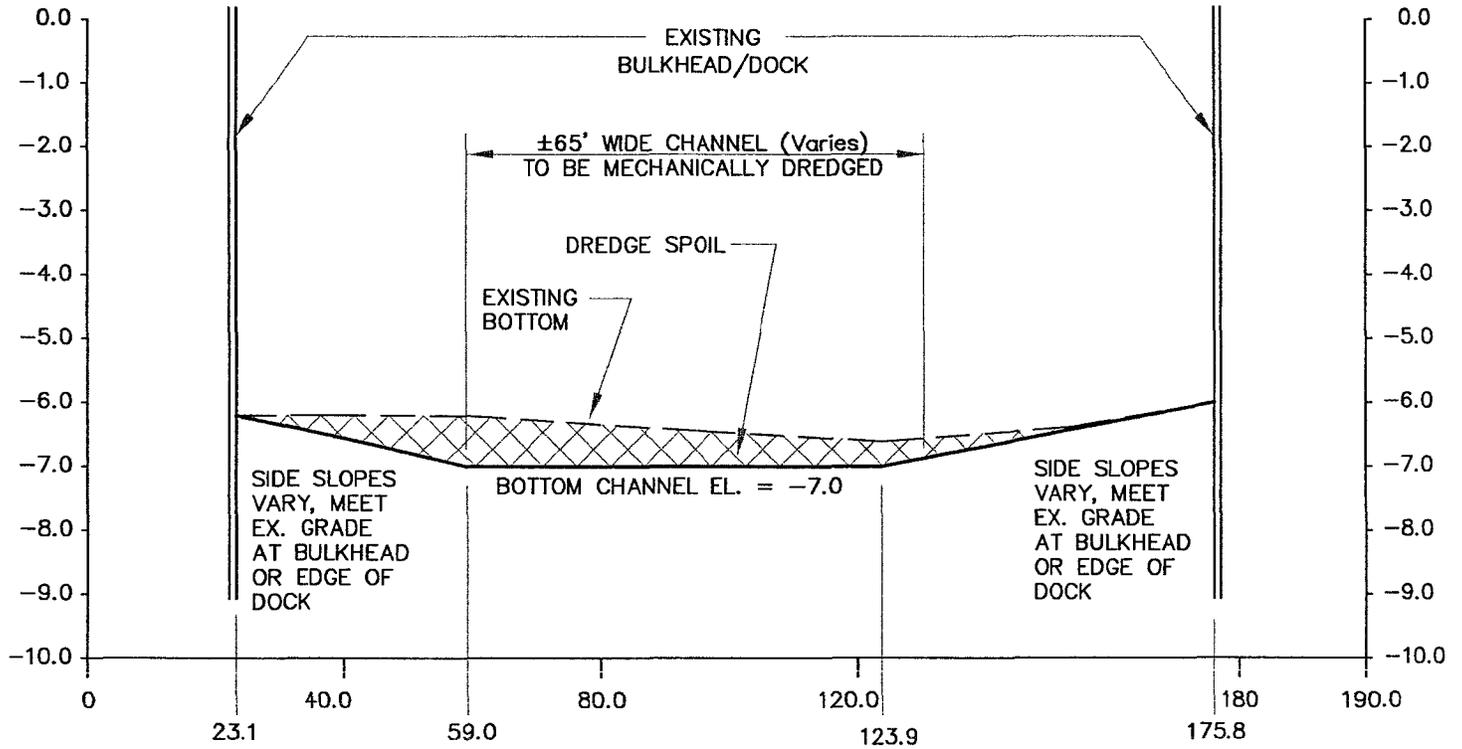
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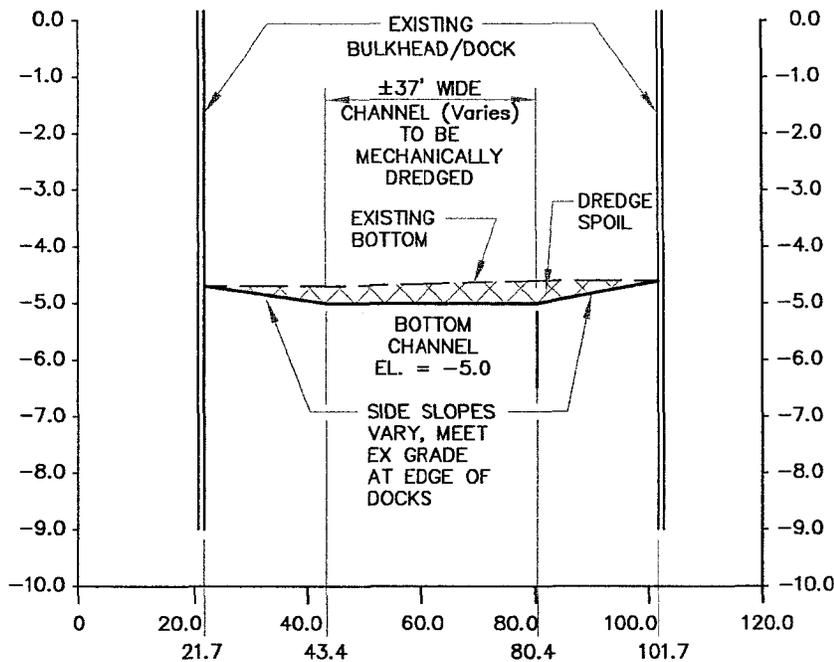
DATE

December 2012

Job No. _____



CROSS SECTION F-F



CROSS SECTION H-H

PROPOSED MAINTENANCE DREDGING
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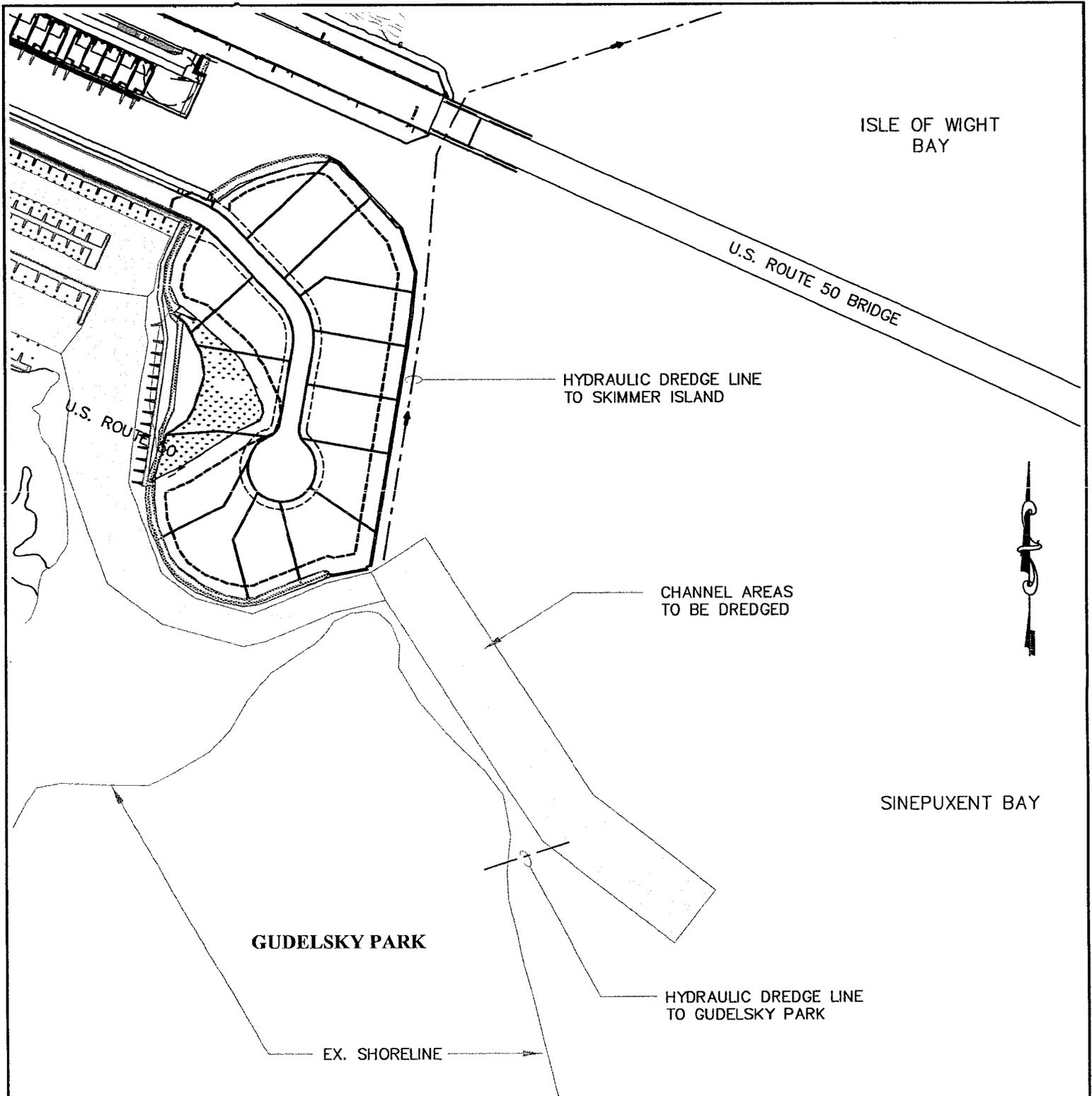
ENGINEERING
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SHEET

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DATE

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ISLE OF WIGHT BAY

U.S. ROUTE 50 BRIDGE

HYDRAULIC DREDGE LINE TO SKIMMER ISLAND

U.S. ROUTE 50

CHANNEL AREAS TO BE DREDGED

SINEPUXENT BAY

GUDELSKY PARK

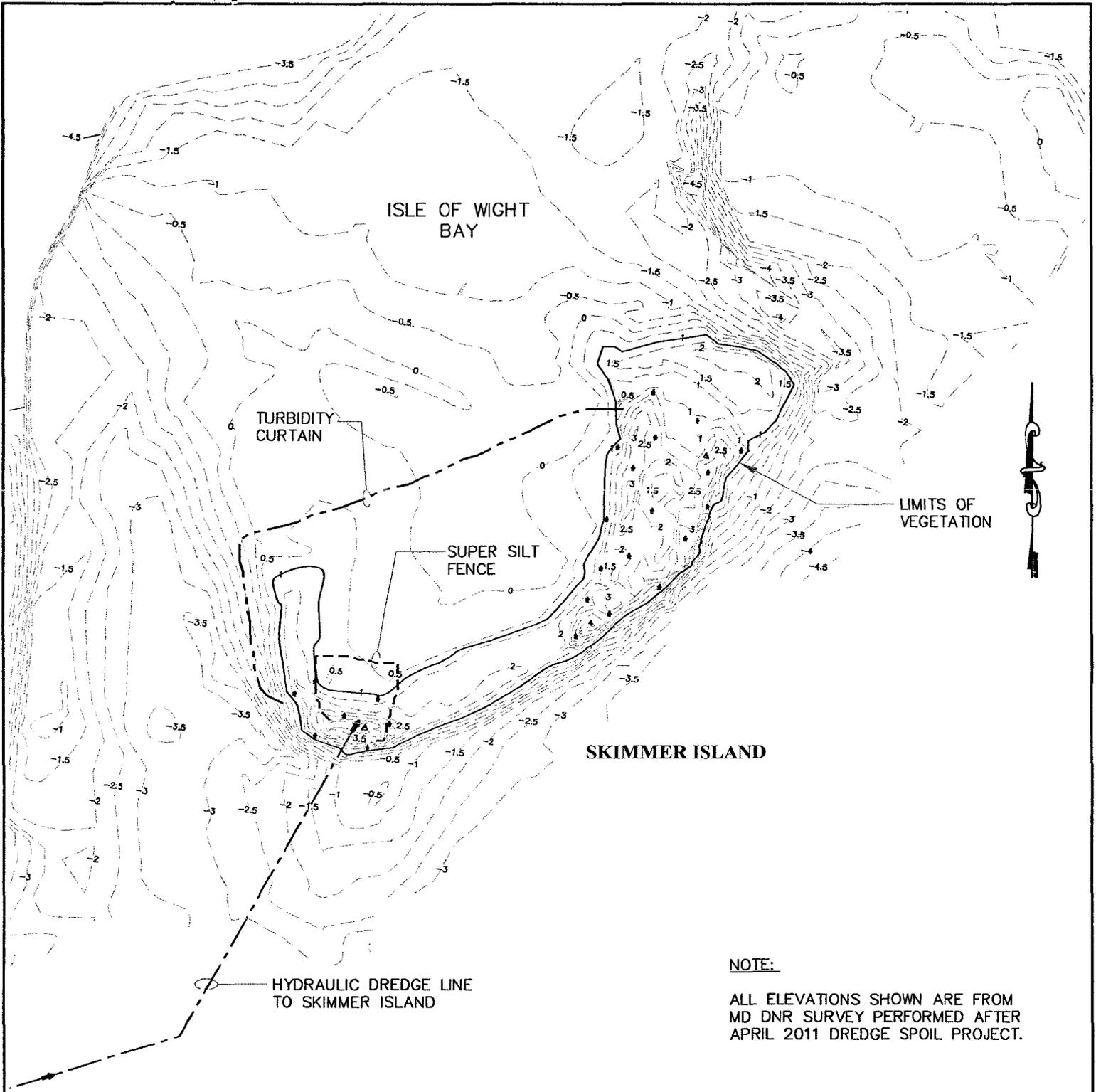
HYDRAULIC DREDGE LINE TO GUDELSKY PARK

EX. SHORELINE

PROPOSED MAINTENANCE DREDGING
OCEAN CITY FISHING CENTER
WEST OCEAN CITY
WORCESTER COUNTY, MARYLAND

SCALE : 1" = 200'

<p>APPLICATION BY :</p> <p>Homer's Hideaway Marina 12911 Sunset Avenue Ocean City, MD 21842</p> <p>For Application Purposes Only, Not For Construction</p>	<p>PREPARED BY :</p> <p>& SOULÉ ASSOCIATES, P.C. SALISBURY, MARYLAND 21801</p> <p>ENGINEERING SURVEYING PLANNING</p>	<p>SHEET</p> <p>8 OF 9</p> <p>DATE</p> <p>December 2012</p>
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PROPOSED MAINTENANCE DREDGING
OCEAN CITY FISHING CENTER
WEST OCEAN CITY
WORCESTER COUNTY, MARYLAND

SCALE : 1" = 200'

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