



Public Notice

U.S. Army Corps
of Engineers
Baltimore District
PN-17-13

In Reply to Application Number
CENAB-OPR-M (Sandy Hill Holdings, LLC/Revetments, Breakwater
& Sandfill) 2016-61035-M12

Comment Period: March 17, 2017 to April 15, 2017

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC REGARDING THE WORK DESCRIBED BELOW. 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 of 1899 and/or Section 404 of the Clean Water Act (33 U.S.C. 1344)** as described below:

APPLICANT: Mr. Greg Joseph
Sandy Hill Holdings, LLC
3380 Turkey Point Road
North East, Maryland 21901

WATERWAY AND LOCATION: The proposed project is located along the Elk River at Sandy Hill Camp, 3380 Turkey Point Road in North East, Cecil County, Maryland.

PROPOSED WORK:

1. Install a 830 foot long stone revetment that would extend a maximum of 9 feet channelward of the approximate mean high water shoreline.
2. Install a 200 foot long by 12.5 foot wide breakwater that would extend a maximum of 25 feet channelward of the approximate mean high water shoreline.
3. Reclaim and extend an eroded beach by providing backfill landward of the breakwater where approximately 200 tons of sand would be discharged into a 2,500 square foot open water tidal area.
4. Install a 200 foot long low profile stone revetment along the base of a eroding marsh. The revetment would extend a maximum of 3 feet channelward of the approximate mean high water shoreline.

Project Purpose: The purpose of the project is to provide shoreline erosion control and enhance and eroded beach at Sandy Hill Camp. All work would be completed in accordance with the enclosed plans dated September 23, 2016.

Avoidance/Minimization of Impacts: The overall length of the proposed breakwater and sand backfill were reduced to minimize impacts to the Elk River. In addition, turbidity curtains would be utilized during construction to reduce/minimize the release of sediment from the project site into adjacent waters.

If you have any questions concerning this matter, please contact Mr. Steve Elinsky at 410.962.4503 or steve.elinsky@usace.army.mil.

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 impacts of the work described above on the public interest will include application of the Clean Water Act 404(b)(1) Guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 of the Clean Water Act.

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, [Attn: Mr. Steve Elinsky, CENAB-OPR-M], 10 S. Howard Street, Baltimore, MD 21201 or steve.elinsky@usace.army.mil, within the comment period specified above.

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 (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 windowpane flounder (*Scophthalmus aquosus*) juvenile and adult; blue fish (*Pomatomus saltatrix*) juvenile and adult; summer flounder (*Paralichthys dentatus*) juvenile and adult; and egg, larvae, juvenile and adult stages of red drum (*Sciaenops ocellatus*), king mackerel (*Scomberomorus cavalla*), spanish mackerel (*Scomberomorus maculatus*), and cobia (*Rachycentron canadum*), all managed species under the MSFCMA.

The project has the potential to adversely affect EFH or the species of concern by loss of spawning, nursery, forage and/or shelter habitat as described under the MSFCMA for the species and life stages identified above. The Baltimore District has made a preliminary determination that site-specific impacts would not be substantial and an abbreviated consultation will be conducted with NMFS. This determination may be modified if additional information indicates otherwise and would change the preliminary determination.

WATER QUALITY CERTIFICATION: 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 Maryland Department of the Environment, Tidal Wetlands Division, Montgomery Park Business Center, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland 21230-1708 within the comment period as specified above to receive consideration. MDE has a statutory limit of one year from the date of this public notice to make its decision.

COASTAL ZONE MANAGEMENT PROGRAMS: 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 Management (CZM) Program. By this public notice, we are requesting the State concurrence or objection to the applicant's consistency statement. Public comments relating to consistency must be received by the Maryland Department of the Environment, Tidal Wetlands Division, Montgomery Park Business Center, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland 21230-1708 within the comment period specified above to receive consideration. MDE has a statutory limit of 6 months to concur or object to the applicant's consistency determination.

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

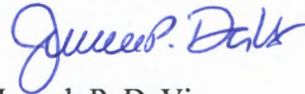
A preliminary review of this application indicates that the proposed work will not affect federal listed threatened or endangered species or their critical habitat, pursuant to Section 7 of the Endangered Species Act, as amended. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

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 request permit.

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 by the District Engineer, U.S. Army Corps of Engineers, Baltimore District, [Attn: Mr. Steve Elinsky, CENAB-OPR-M], 10 South Howard Street, Baltimore, Maryland 21201, 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.

It is requested that you communicate this information concerning the proposed work to any persons know 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:

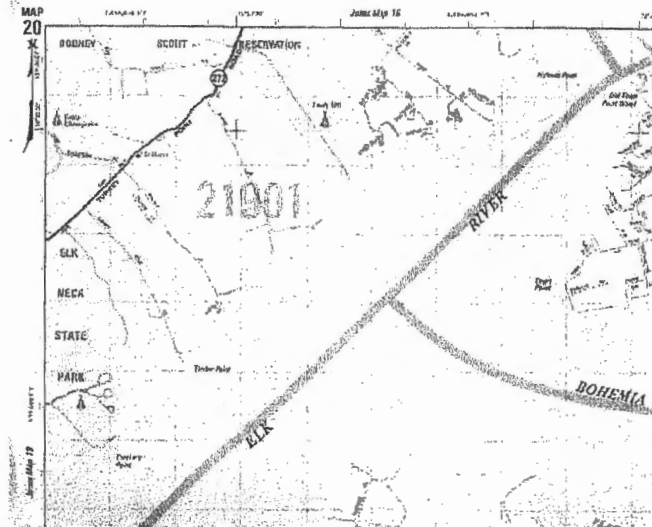


Joseph P. DaVia
Chief, Maryland Section Northern



Sandy Hill Holdings, LLC.
LIVING SHORELINE PROJECT

VICINITY MAP



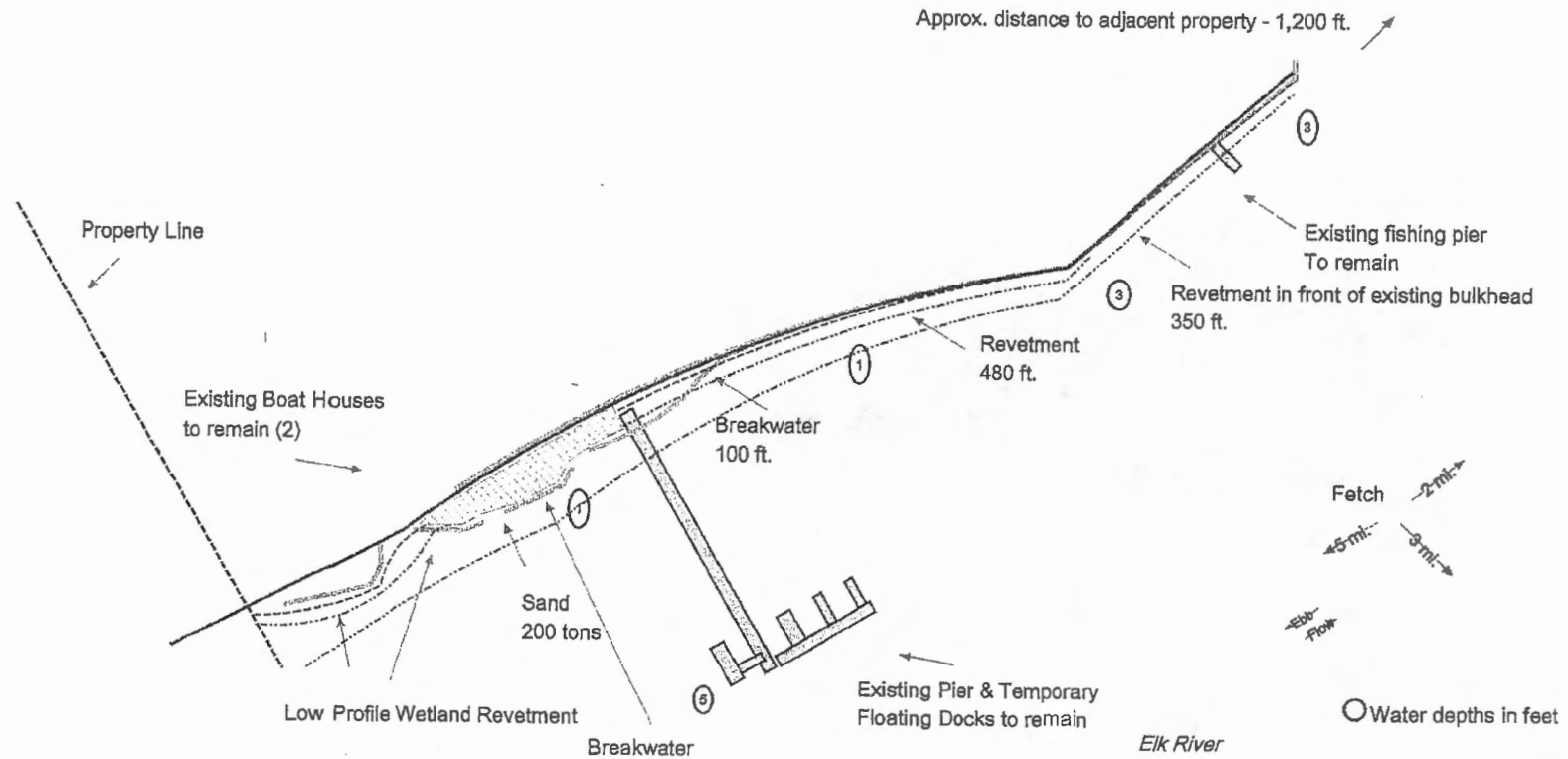
ADC Map #20 Grid E-3

LOCATION MAP



Sandy Hill Holdings, LLC.
3380 Turkey Point Rd., North East, MD
Vicinity & Location Map, KF

Overhead View – Proposed Plan



MHWL = - - - - -
 MLWL = - - - - -
 SAV Line = - - - - -

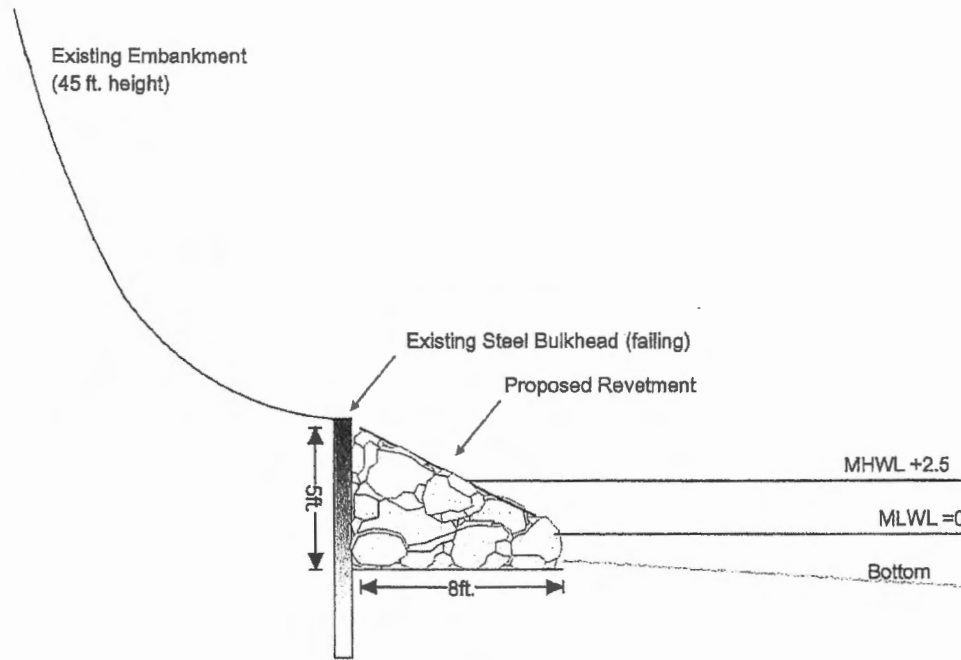
Water depths referenced to MLW = 0.

Project will not extend channelward of the near-shore SAV line. (see map)

SAV line runs with MLW 1ft depth contour.

Sandy Hill Holdings, LLC.
 3380 Turkey Point Rd., North East, MD
 Overhead Proposed Plan 9/23/16, #1, KF

Typical Cross Section – Revetment in Front of Bulkhead

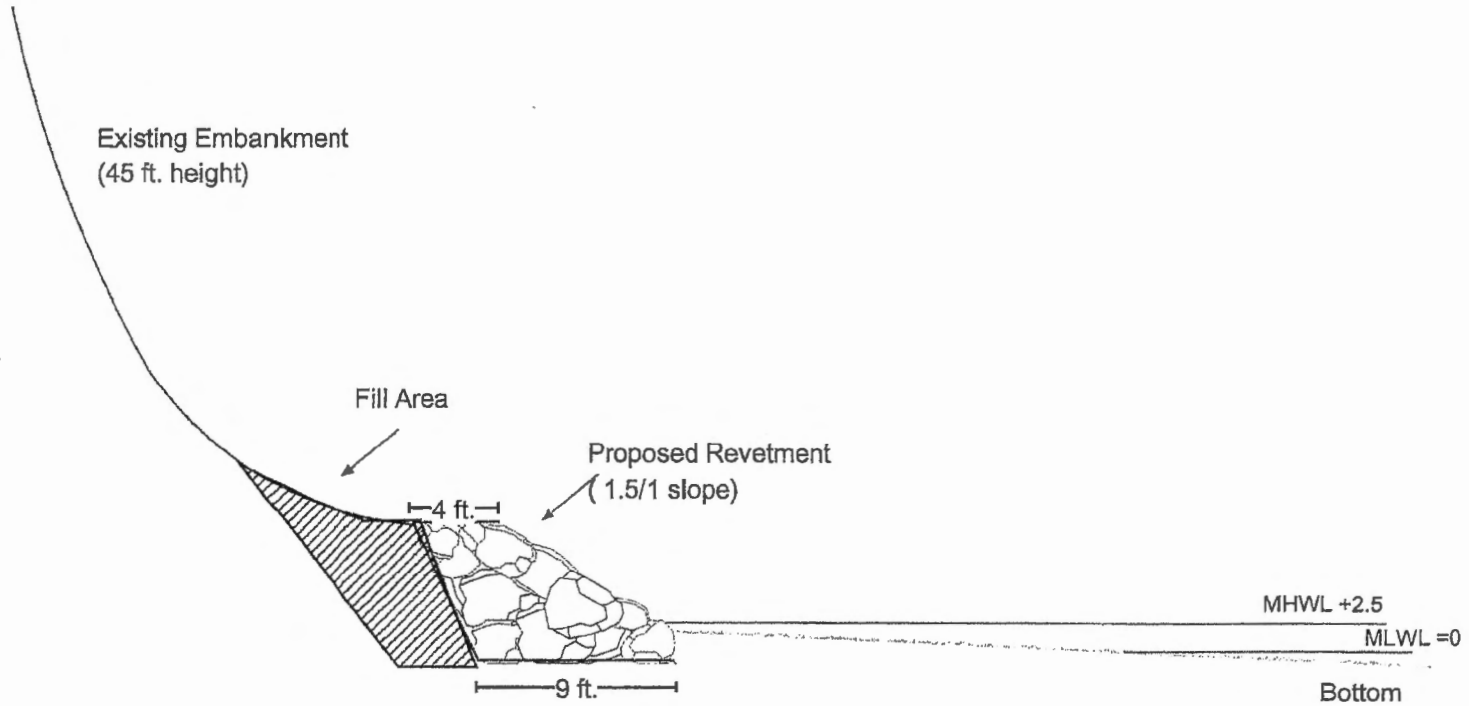


SAV Line is approximately 20ft. - 25ft. channelward of MLW.
Maximum channelward encroachment from MHWL is 8 ft.
Water depths referenced from MLW.

Sandy Hill Holdings, LLC.
3380 Turkey Point Rd., North East, MD
Revetment 9/23/16, #2, KF



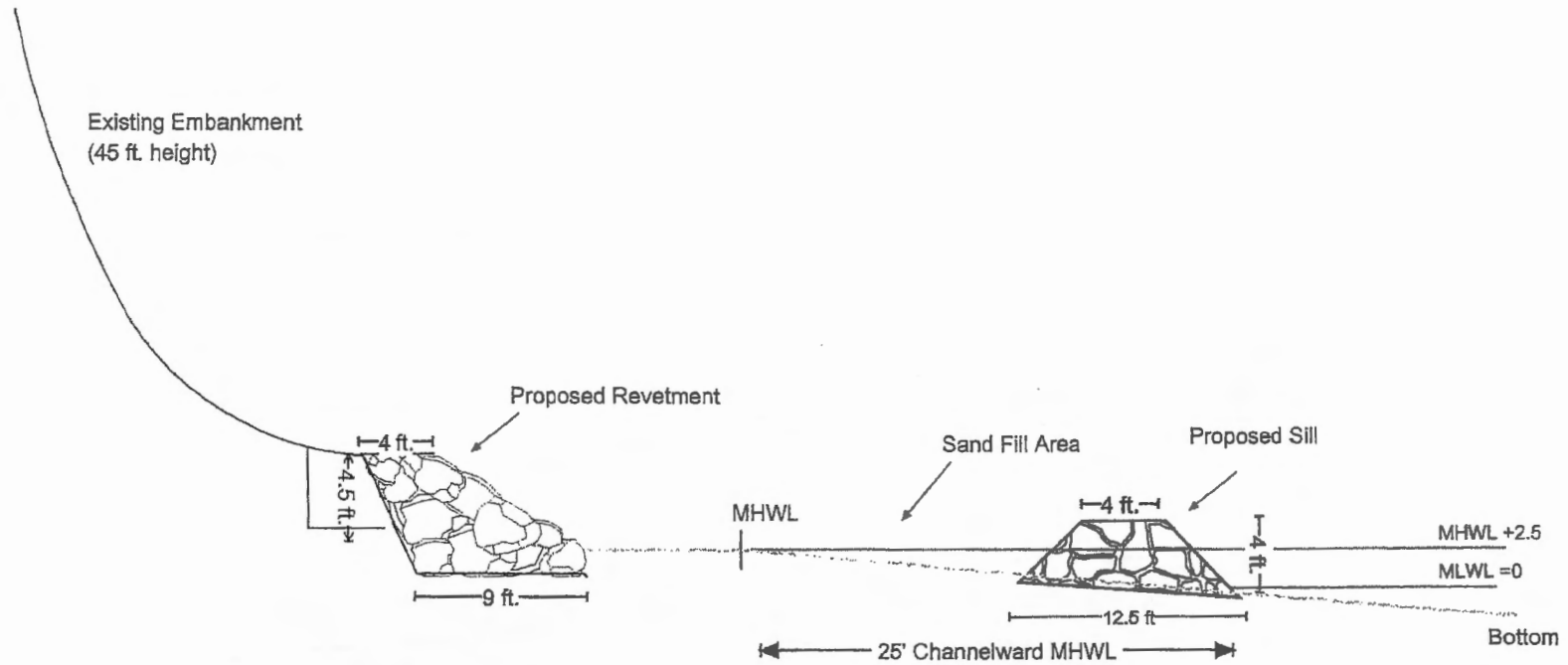
Typical Cross Section – Revetment at Base of Eroding Shoreline



Maximum channelward encroachment from MHWL = 9 ft.
Water depths referenced to MLWL.

Sandy Hill Holdings, LLC.
3380 Turkey Point Rd., North East, MD
Revetment - 9/23/16, #1, KF

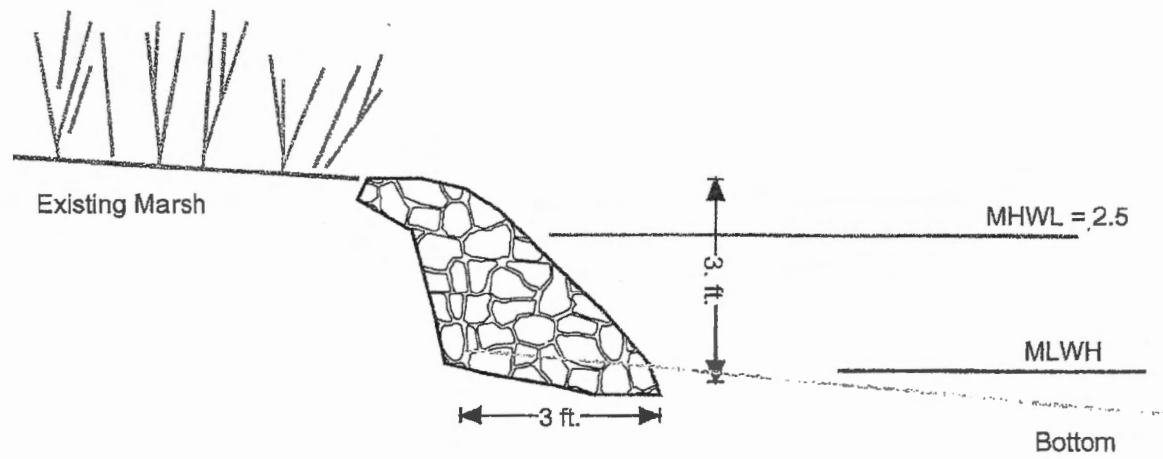
Typical Cross Section – Breakwater with Sand Backfill



Water depths referenced to MLW = 0.
 No breakwater to cover or encroach into SAV mapped area.

Sandy Hill Holdings, LLC.
 3380 Turkey Point Rd., North East, MD
 Breakwater 9/23/16, #2, KF

Typical Cross Section – Marsh Toe Revetment



Stone (200 - 400lb.) to protect existing marsh edge.
Water depths referenced to MLW = 0.

Sandy Hill Holdings, LLC.
3380 Turkey Point Rd., North East, MD
Marsh Toe Revetment 9/23/16, #1