



U.S. Army Corps
of Engineers
Baltimore District

Public Notice

In Reply to Application Number
CENAB-OPR-M (HOMERS HIDEAWAY, LLC) 2017-62078
CENAB-OPR-M (SUNSET MARINA) 2017-62079

PN 18-55

Comment Period: September 26, 2018 – October 26, 2018

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**, as described below:

APPLICANT: Brian Tinkler
c/o Mr. Chris McCabe
12911 Sunset Avenue
Ocean City, Maryland 21842

WATERWAY AND LOCATION OF THE PROPOSED WORK: The projects are located in Sinepuxent Bay and two existing marina basins off the Sinepuxent Bay at 12940 Inlet Island Land and 12929 Sunset Avenue, at West Ocean City, Worcester County, Maryland.

PROJECT WORK DESCRIPTION:

Homers Hideaway: to maintenance dredge by mechanical method an approximate 6.68 acre area of an existing irregular shaped 270-foot wide 960-foot long marina basin to -7 feet mean low water (MLW) and a 100-foot wide by 1,260-foot long entrance channel to -8.0 feet mean low water (MLW) resulting in approximately 21,166 cubic yards of sand and silt. Existing depths range from -3.0 feet MLW to -8.0 feet MLW.

Sunset Marina: to maintenance dredge by mechanical method an approximate 14.62 acre area of an existing irregular shaped 600-foot wide by 1,000-foot long marina basin and a 100-foot wide by 800-foot long entrance channel to -9.0 feet MLW resulting in approximately 15,960 cubic yards of material sand and silt. Existing depths range from -4.0 feet MLW to -10 feet MLW.

The dredged material is proposed to be deposited at the existing upland (non-wetland) Brittingham disposal site located off Friendship Road in Berlin, Maryland. The applicant is requesting a 10-year maintenance clause for both projects. All work will be completed in accordance with the enclosed plan(s). If you have any questions concerning this matter, please contact Mrs. Erica Schmidt at 410-962-6029 or Erica.Schmidt@usace.army.mil U.S. Army Corps of Engineers, Baltimore District, 2 Hopkins Plaza, Baltimore, Maryland 21201.

To purpose of the project is to improve and maintain navigational access.

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 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, 2 Hopkins Plaza, Baltimore, Maryland 21201 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 affect Essential Fish Habitat (EFH). The project site lies in or adjacent to the Potomac River complex for EFH as described under the MSFCMA for *Scophthalmus aquosus* (windowpane flounder) juvenile and adult; *Pomatomus saltatrix* (blue fish) juvenile and adult; *Paralichthys dentatus* (summer flounder) juvenile and adult; and the eggs, larvae, juvenile, and adult stages of *Sciaenops ocellatus* (red drum), *Scomberomorus cavalla* (king mackerel), *Scomberomorus maculatus* (Spanish mackerel), and *Rachycentron canadum* (cobia), 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. In addition, the site is located adjacent to SAV which was not present in the previous year but has been located within the project area historically. 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. 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 project area is not a Habitat Area of Particular Concern (HAPC).

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, Montgomery Park Business Center, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland 21230-1708 within the comment period as specified above to receive consideration. The Section 401 certifying agency has a statutory limit of one year from the date of this public notice to make its decision.

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 (CZM) Program. By this public notice, we are requesting the State concurrence or objection to the applicant's consistency statement. It should be noted that the CZM Program has a statutory limit of 6 months 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 may affect but not likely to adversely 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.

The evaluation of the impact of this project 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 request, which must be in writing, must be received by the District Engineer, U.S. Army Corps of Engineers, Baltimore District, 2 Hopkins Plaza, 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:

KATHY B. ANDERSON
Chief, Maryland Section Southern

PROPOSED MAINTENANCE DREDGING PLAN

REQUESTED BY

COASTAL COMPLIANCE SOLUTIONS

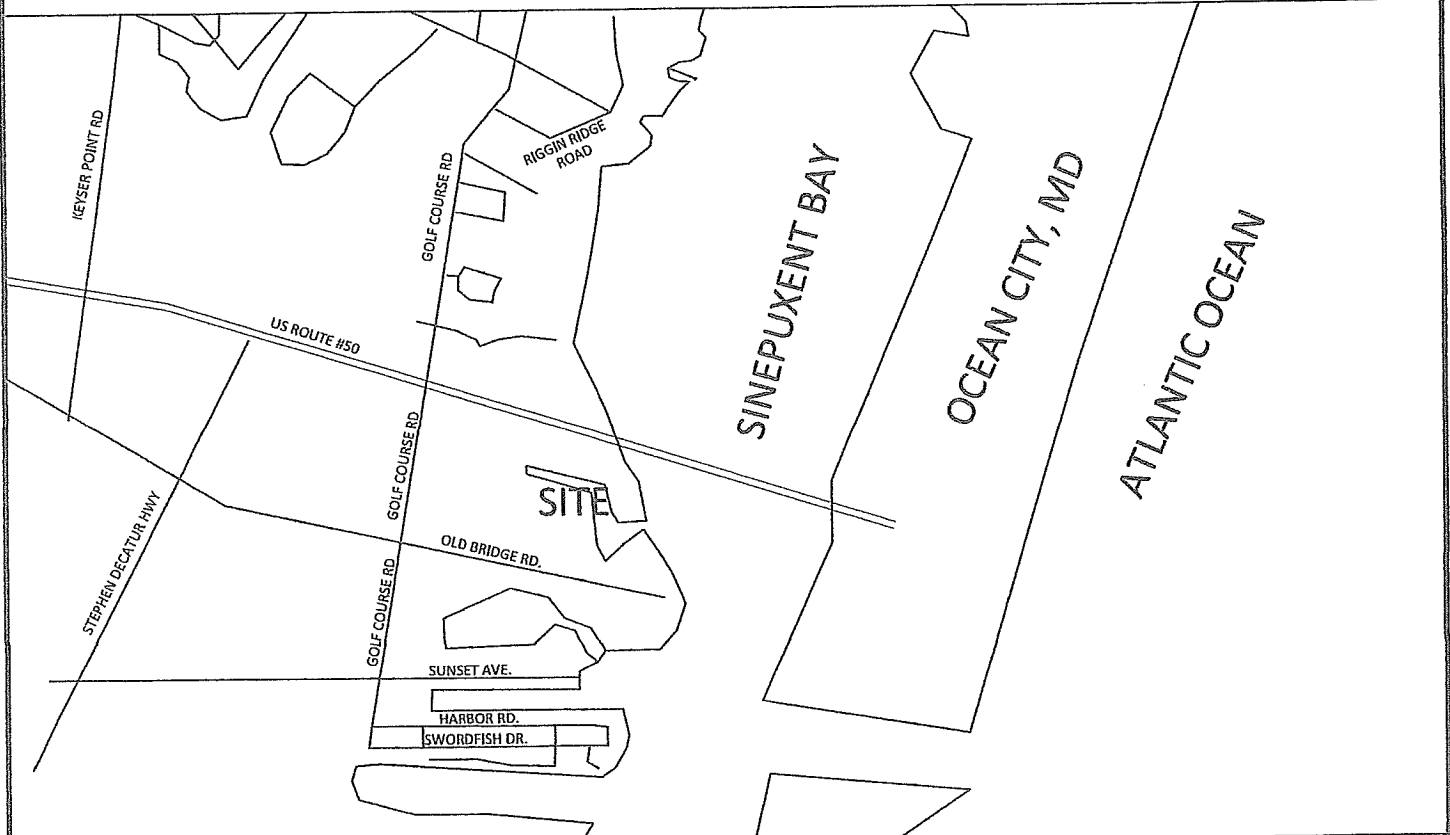
FOR OCEAN CITY FISHING CENTER

SHEET INDEX

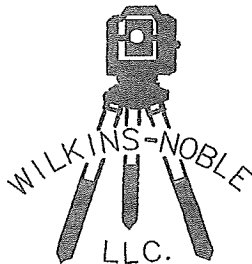
SHEET 1	VICINITY MAP AND NOTES
SHEET 2	OVERVIEW SHEET
SHEET 3	PLAN VIEW
SHEET 4	PLAN VIEW
SHEET 5	PLAN VIEW
SHEET 6	CROSS SECTIONS

DREDGING NOTES:

- 1) ALL ELEVATIONS SHOWN HEREON ARE REFERENCED TO MEAN LOW WATER (MLW) DATUM.
- 2) DREDGING TO BE DONE MECHANICALLY TO ELEVATIONS AS SHOWN.
- 3) ALL DREDGE MATERIAL TO BE HAULED IN WATER TIGHT TRUCK TO A MDE APPROVED DISPOSAL SITE.
- 4) TOTAL VOLUME TO BE DREDGED (BASED ON JUNE 2017 SOUNDINGS) = 21,166 CY



CIVIL ENGINEERING & LAND SURVEYING



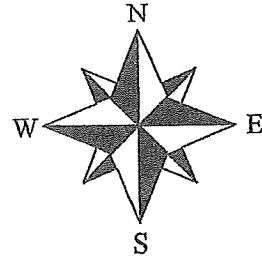
11729 CHURCH ST.
 PRINCESS ANNE, MD 21853
 PHONE: 410-621-0321
 FAX: 410-621-0320

PROJECT INFORMATION

COUNTY	WORCESTER	STATE	MD	SUBD.	-
MUNICIPALITY	N/A	DISTRICT	10TH	SECT NO.	N/A
TAX MAP NO.	27	PARCEL	-	BLOCK NO.	N/A
DEED REF.	-	PLAT REF.	189/55	LOT NO.	N/A
FIELD BOOK	PAGE	DATE	8/6/17	SCALE	1" = 2000'
CAD FILE	OC FISHING CENTER	DRAWN BY	NAN		

VICINITY MAP
 SHEET 1 OF 6

US RTE 50

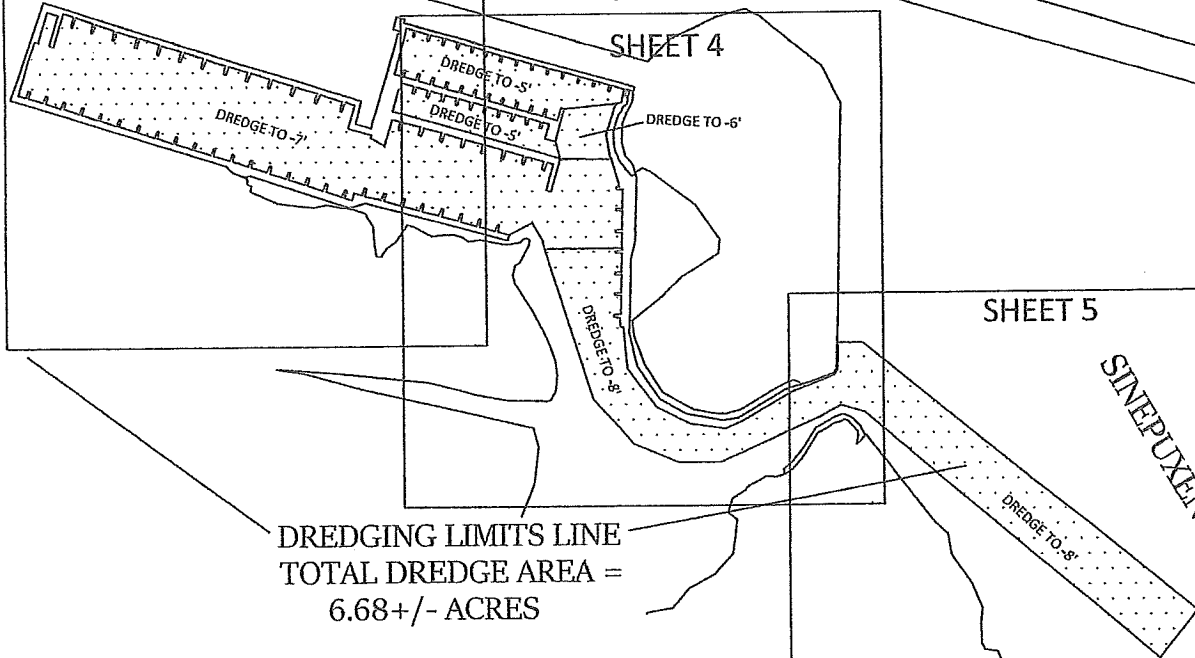


SHEET 3

SHEET 4

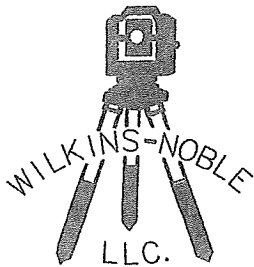
SHEET 5

SINEPUXENT BAY



DREDGING LIMITS LINE
TOTAL DREDGE AREA =
6.68 +/- ACRES

CIVIL ENGINEERING & LAND SURVEYING



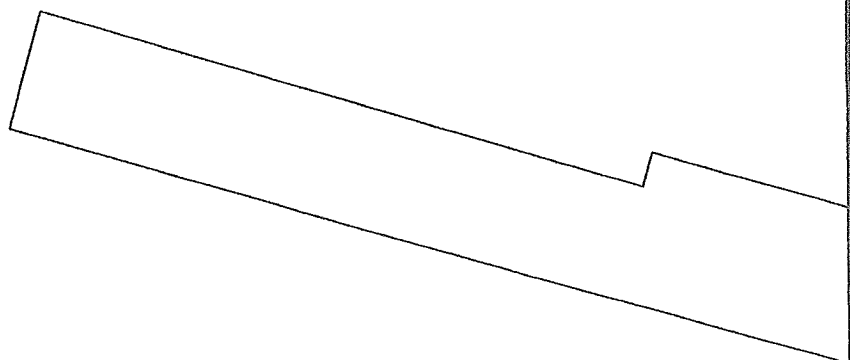
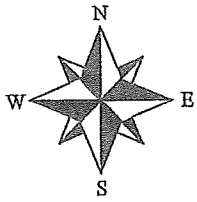
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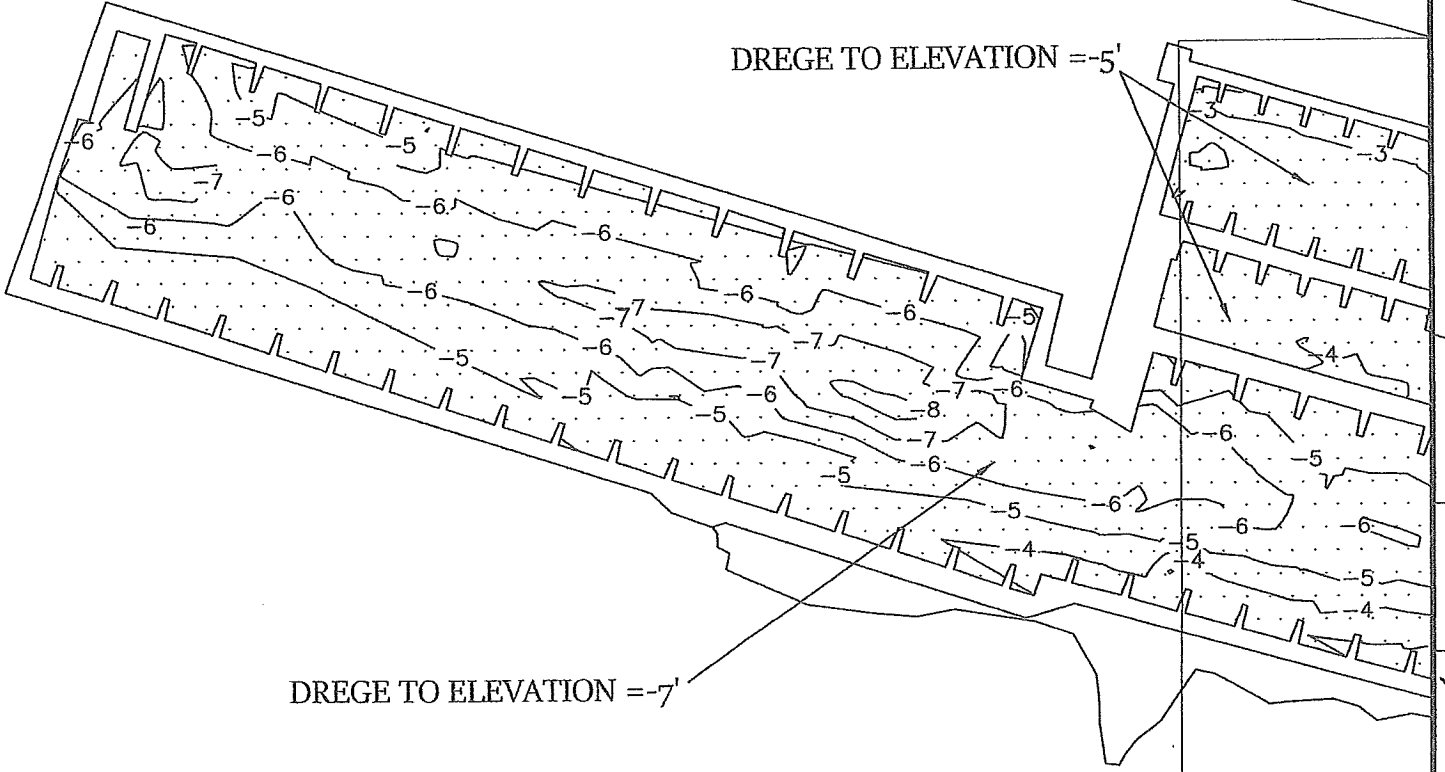
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PLAT REF.	189/55	DATE	8/6/17		
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CAD FILE	OC FISHING CENTER	DRAWN BY	NAN		

OVERVIEW
SHEET

SHEET 2 OF 6



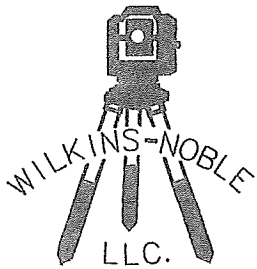
DREGE TO ELEVATION = -5'



DREGE TO ELEVATION = -7'

MATCH LINE
SHEET 4

CIVIL ENGINEERING & LAND SURVEYING




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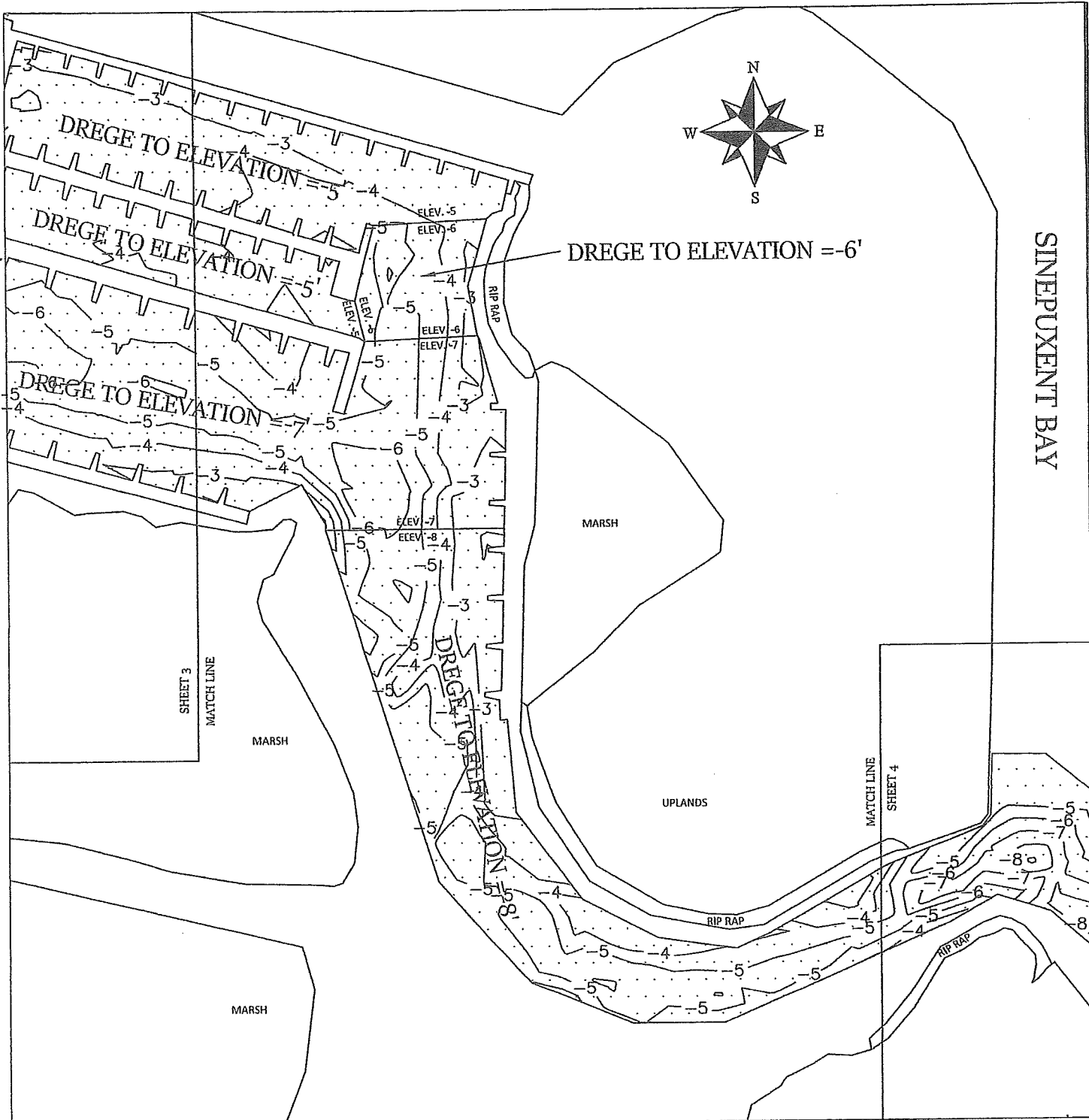
PROJECT INFORMATION

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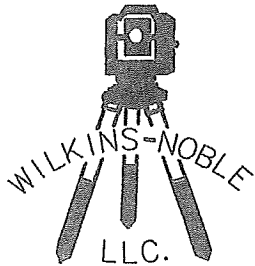
PLAN VIEW

 DENOTES DREDGING LIMITS

SHEET 3 OF 6



CIVIL ENGINEERING & LAND SURVEYING




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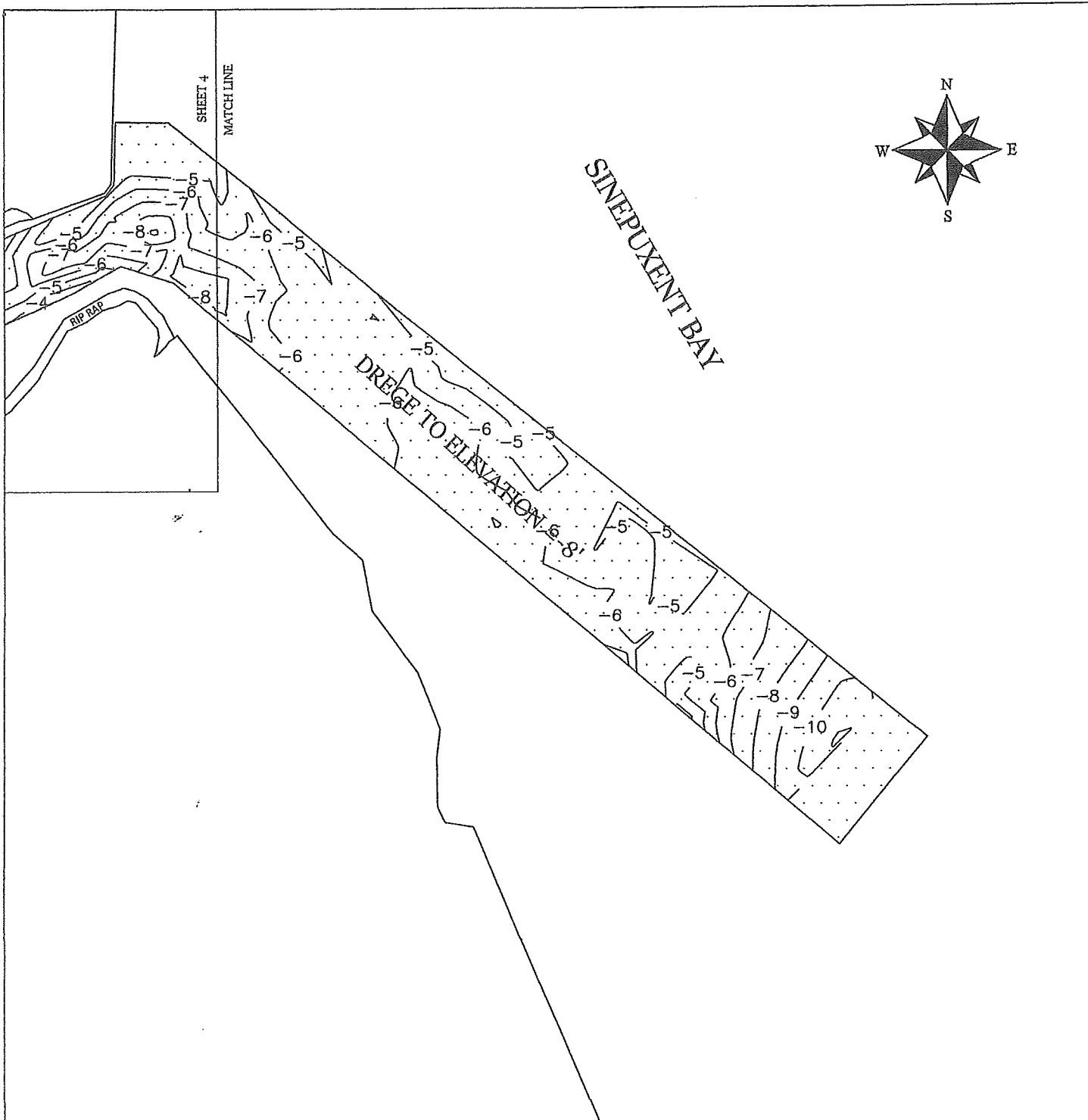
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FIELD BOOK	PAGE	SCALE	1" = 100'
CAD FILE	OC FISHING CENTER	DRAWN BY	NAN

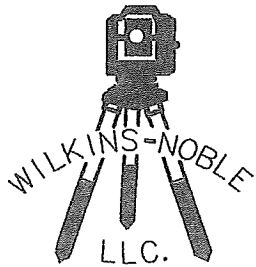
PLAN VIEW

 DENOTES DREDGING LIMITS

SHEET 4 OF 6



CIVIL ENGINEERING & LAND SURVEYING




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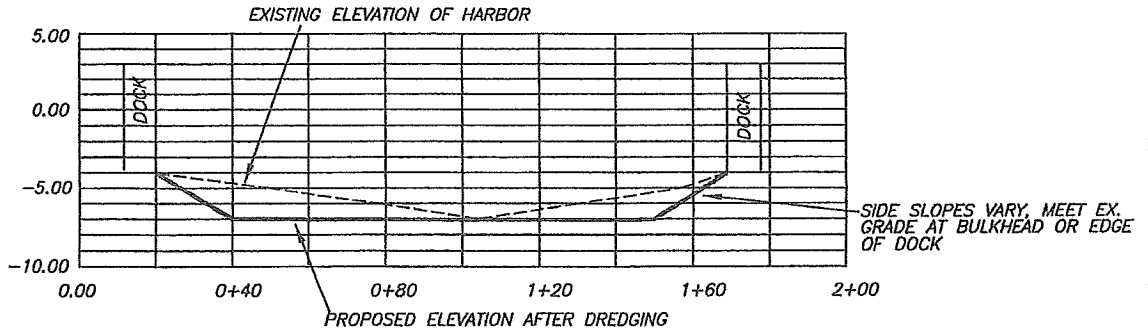
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CAD FILE	OC FISHING CENTER	DRAWN BY	NAN		

PLAN VIEW

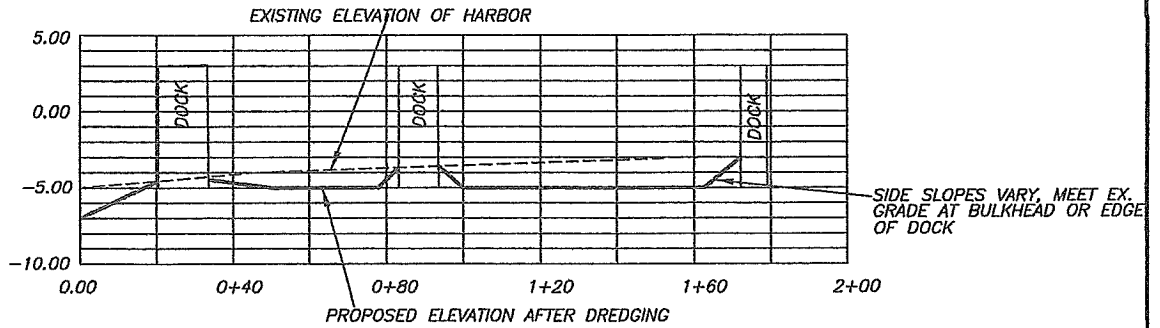
 DENOTES DREDGING LIMITS

SHEET 5 OF 6

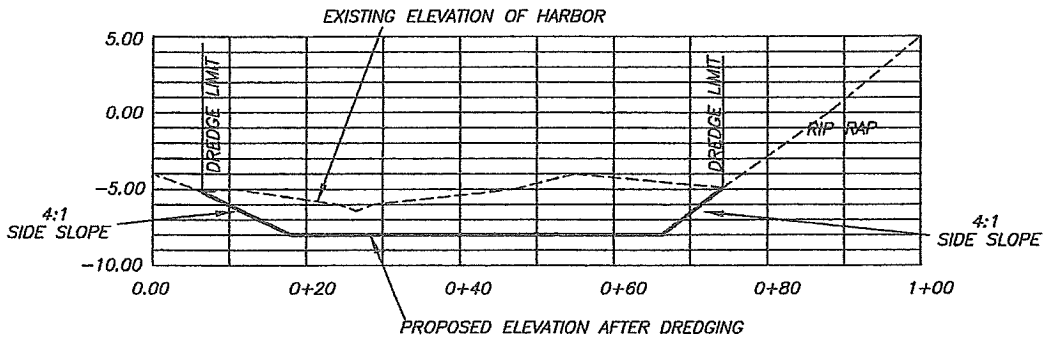
CROSS SECTION A-A



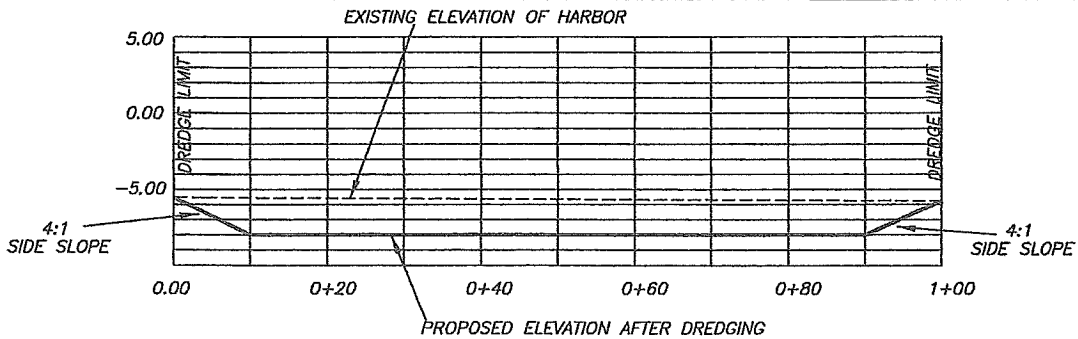
CROSS SECTION B-B



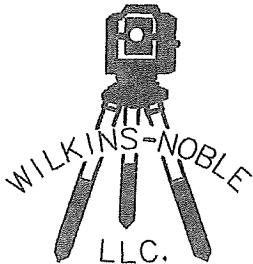
CROSS SECTION C-C



CROSS SECTION D-D



CIVIL ENGINEERING & LAND SURVEYING



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PROJECT INFORMATION

COUNTY	WORCESTER	STATE	MD		
MUNICIPALITY	N/A	SUBD.			
DISTRICT	10TH	SECT NO.	N/A		
TAX MAP NO.	27	PARCEL		BLOCK NO.	N/A
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PLAT REF.	189/55	DATE	8/6/17		
FIELD BOOK	PAGE	SCALE	1" = NTS		
CAD FILE	OC FISHING CENTER	DRAWN BY	NAN		

X SECTIONS

SHEET 6 OF 6

PROPOSED MAINTENANCE DREDGING PLAN

REQUESTED BY

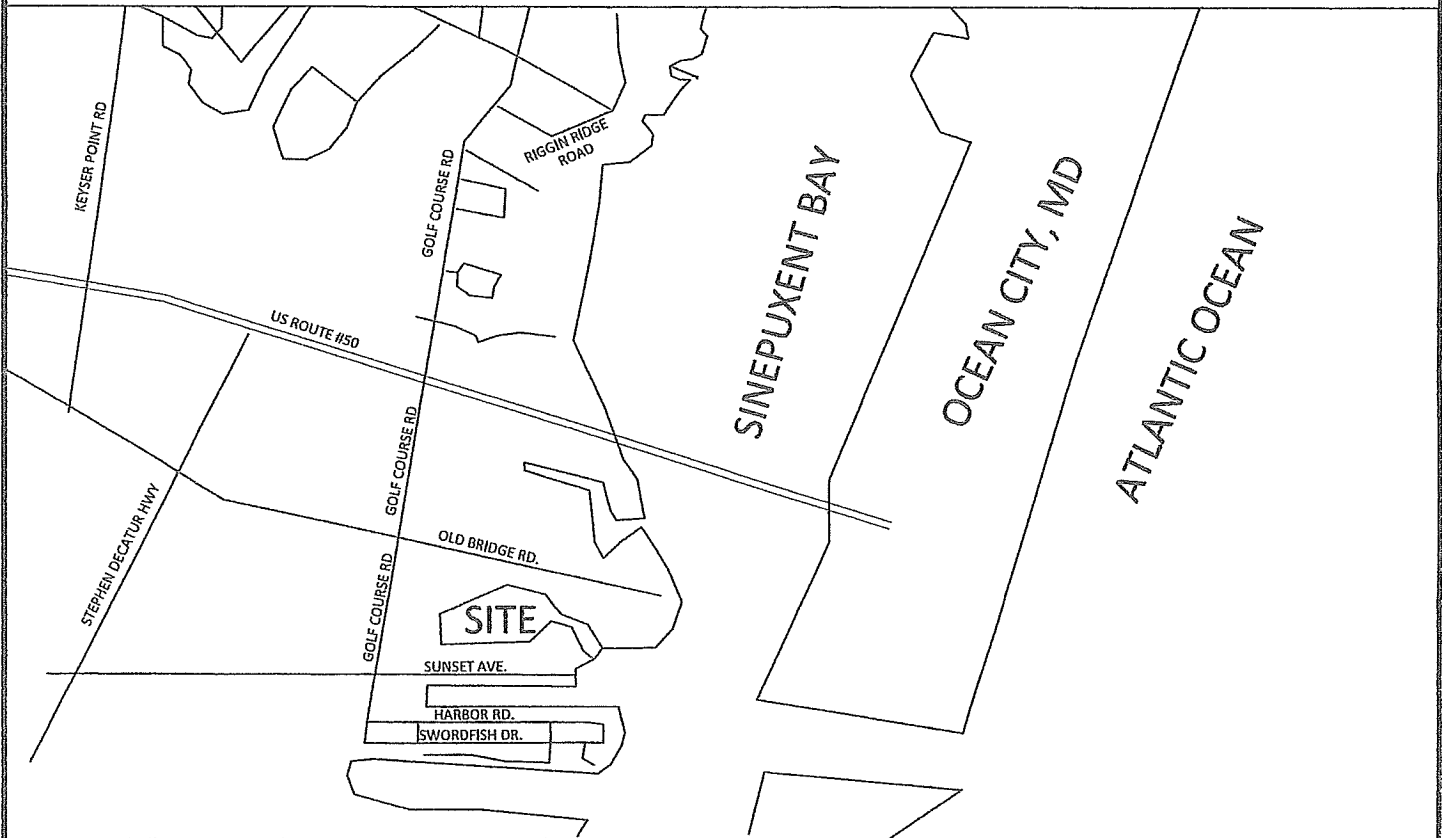
COASTAL COMPLIANCE SOLUTIONS FOR SUNSET MARINA

SHEET INDEX

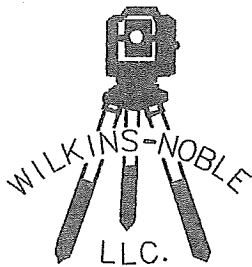
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- 3) ALL DREDGE MATERIAL TO BE HAULED IN WATER TIGHT TRUCK TO A MDE APPROVED DISPOSAL SITE.
- 4) TOTAL VOLUME TO BE DREDGED (BASED ON JUNE 2017 SOUNDINGS) = 15,950CY



CIVIL ENGINEERING & LAND SURVEYING



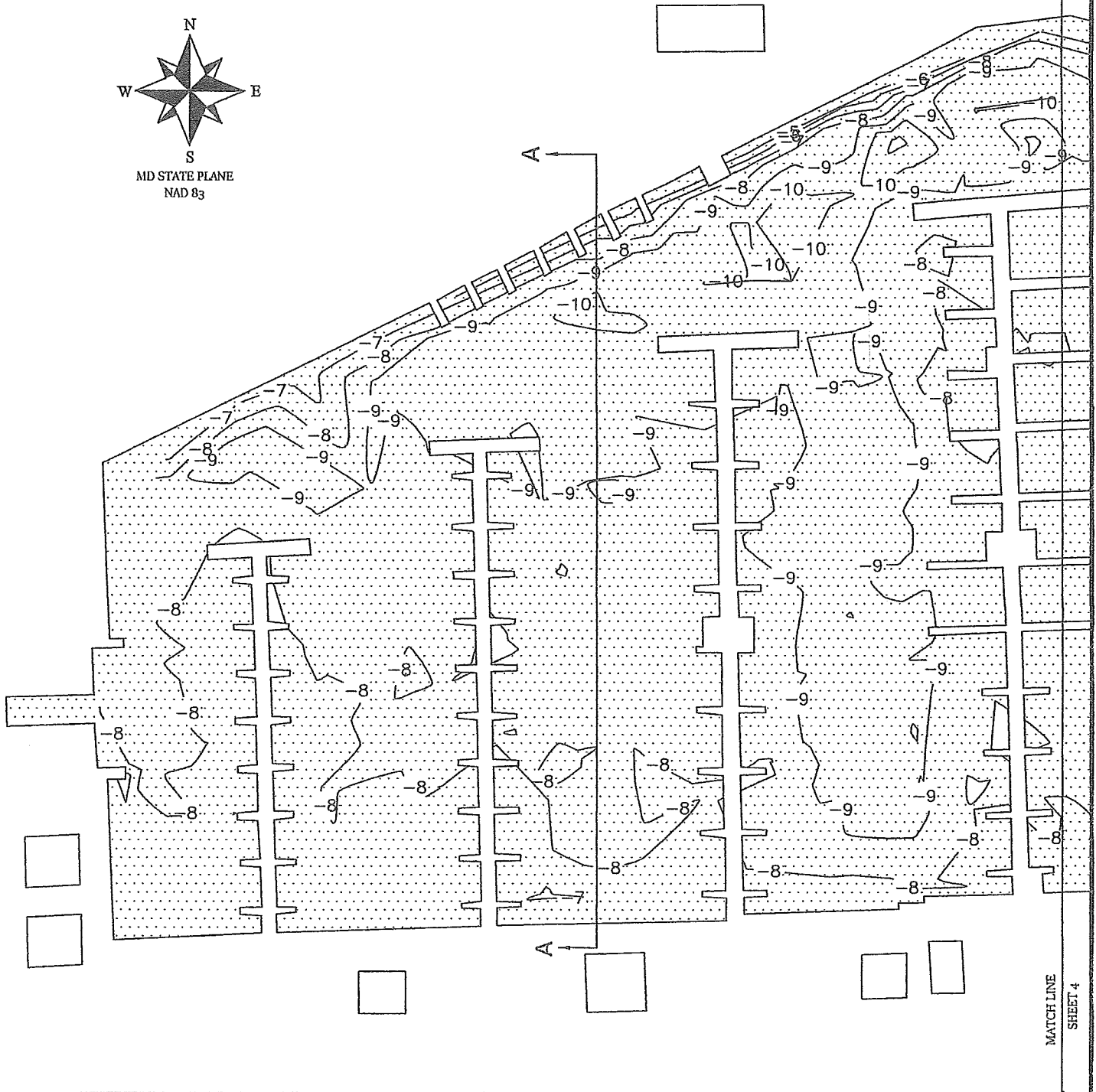
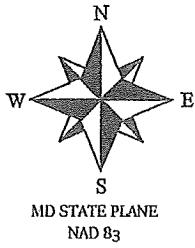
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PROJECT INFORMATION

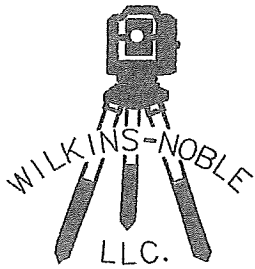
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PLAT REF.		156/20		DATE	7/25/17
FIELD BOOK		PAGE		SCALE	1" = 2000'
CAD FILE		SUNSET MARINA		DRAWN BY	NAN

VICINITY MAP

SHEET 1 OF 6



CIVIL ENGINEERING & LAND SURVEYING




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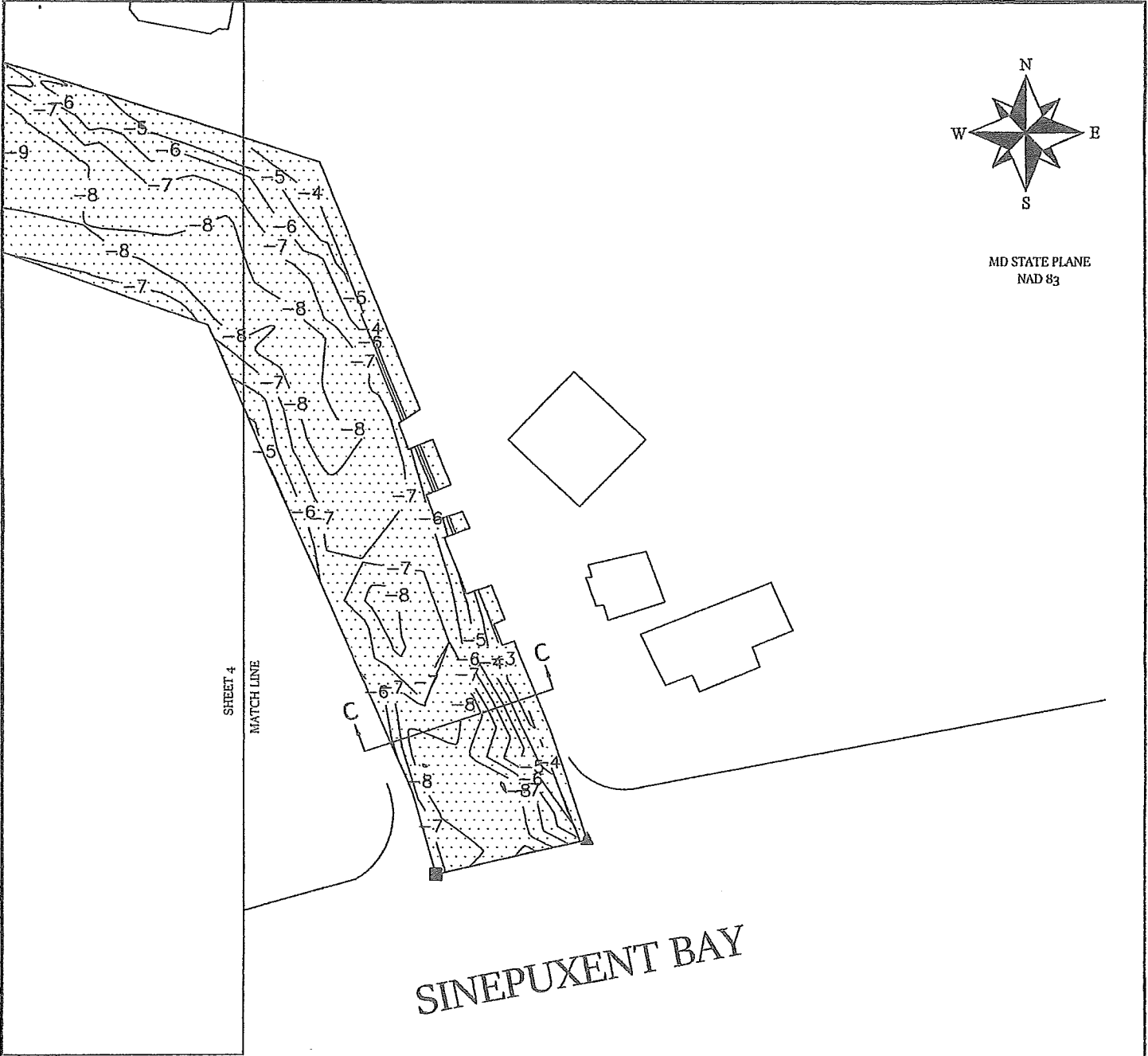
PROJECT INFORMATION

COUNTY	WORCESTER	STATE	MD
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DEED REF.	2691/9	LOT NO.	N/A
PLAT REF.	156/20	DATE	7/25/17
FIELD BOOK	PAGE	SCALE	1" = 100'
CAD FILE	SUNSET MARINA	DRAWN BY	NAN

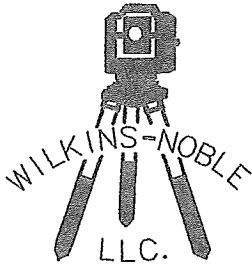
PLAN VIEW

 DENOTES DREDGING LIMITS

SHEET 3 OF 6



CIVIL ENGINEERING & LAND SURVEYING




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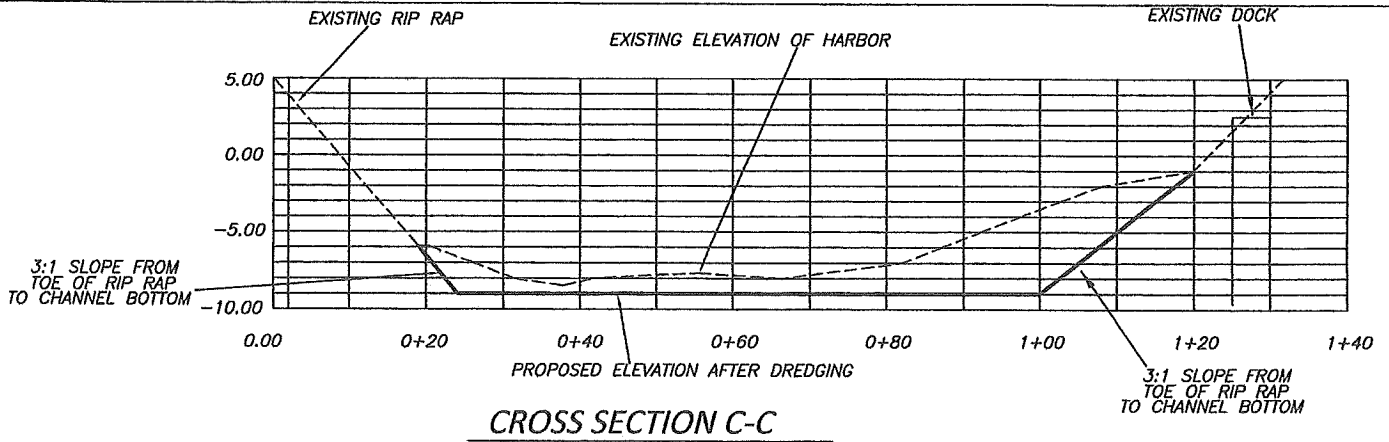
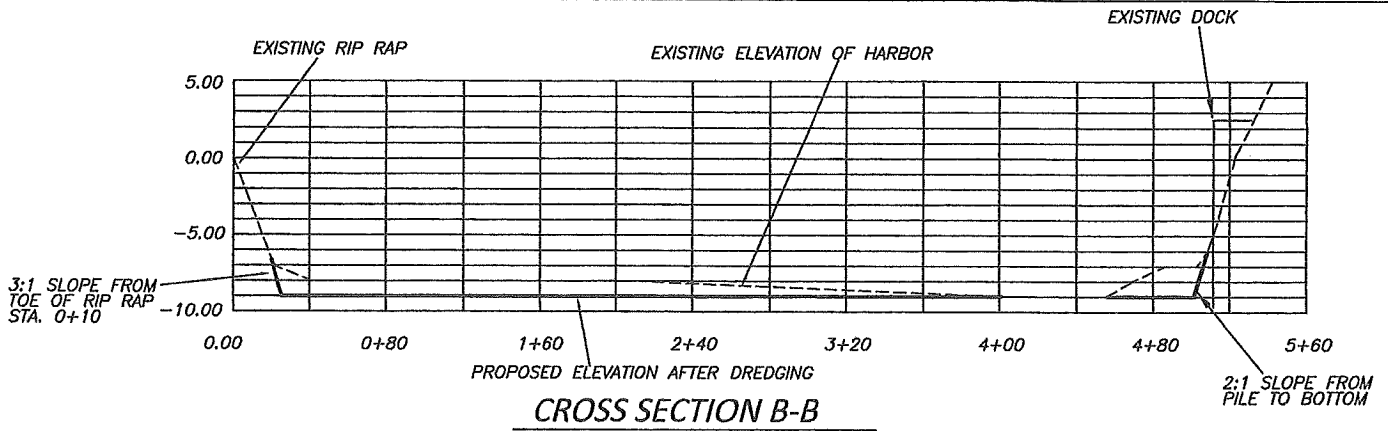
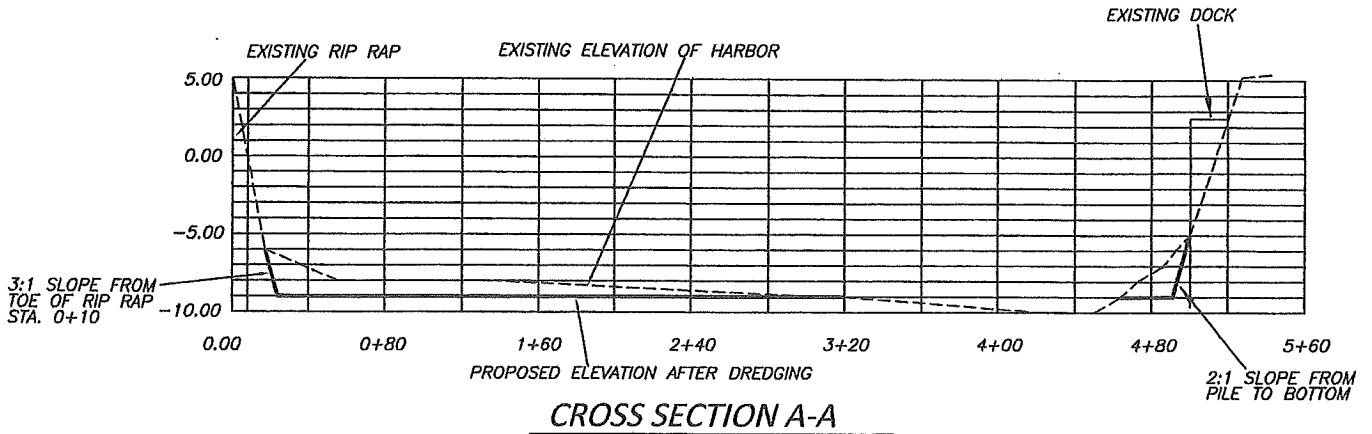
PROJECT INFORMATION

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TAX MAP NO.	27	PARCEL	487	BLOCK NO.	N/A
DEED REF.		2691/9		LOT NO.	N/A
PLAT REF.		156/20		DATE	7/25/17
FIELD BOOK		PAGE		SCALE	1" = 100'
CAD FILE		SUNSET MARINA		DRAWN BY	NAN

PLAN VIEW

 DENOTES DREDGING LIMITS

SHEET 5 OF 6



CIVIL ENGINEERING & LAND SURVEYING



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DEED REF.	2691/9	DRAWN BY	NAN		
PLAT REF.	156/20				
FIELD BOOK	PAGE				
CAD FILE	SUNSET MARINA				

X SECTIONS

DENOTES DREDGING LIMITS