



U.S. Army Corps
of Engineers
Baltimore District

Public Notice

In Reply to Application Number
CENAB-OPR-M (Salvatore and Tamara Marge) 2016-60591

PN 18-62

Comment Period: November 13, 2018 – December 13, 2018

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 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: Salvatore and Tamara Marge
22703 Emily's Lane
Wittman, Maryland 21676

WATERWAY AND LOCATION: In Harris Creek, 22703 Emily's Lane, Wittman, Talbot County, Maryland.

PROPOSED WORK AND PURPOSE: The applicant proposes to create approximately 1,288 square feet of high tidal marsh and 1,288 square feet of low tidal marsh along 170 linear feet of shoreline by depositing approximately 143 cubic yards of sloped, clean select sand fill stabilized with marsh vegetation; and, to construct a 180 linear foot low-profile stone sill, 4-feet wide at the base, elevated +0.5 feet above approximate mean high water (MHW) with two 4-foot wide (at the base) tidal flushing vents, all to extend a maximum of 20 feet channelward of the approximate mean high water (MHW) shoreline. All work is to be completed in accordance with the attached plans dated May 18, 2018. If you have any questions concerning this matter, please contact Ms. Connie Ramsey at (410) 962-5676 or Connie.L.Ramsey@usace.army.mil.

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 and previously authorized work. Because the project would involve the placement of fill within vegetated shoreline wetlands, it does not qualify for authorization pursuant to the MD-SPGP-5 and is being processed as a standard permit.

No compensatory mitigation is proposed. Although approximately 1,700 square feet of intertidal wetland vegetation channelward of the mean high water (MHW) shoreline would be buried, the project would create approximately 2,576 square feet of enhanced intertidal wetlands vegetated with high and low marsh grasses.

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 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 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: Ms. Connie Ramsey, CENAB-OPR-M], 2 Hopkins Plaza, Baltimore, Maryland 21201 or Connie.L.Ramsey@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 affect Essential Fish Habitat (EFH). The project site lies in or adjacent to the Choptank 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; *Leucoraja erinacea* (little skate) adult; *Clupea harengus* (Atlantic herring) juvenile and adult; *Leucoraja ocellata* (winter skate) adult; *Raja eglanteria* (clearnose skate) juvenile and adult; and the eggs, larvae, juvenile, and adult stages of *Urophycis chuss* (red hake), *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. 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).

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. MDE issued License Number 16-GL-0357, which expires June 9, 2019. 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 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.

COASTAL ZONE MANAGEMENT PROGRAM: 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 Tidal Wetlands Division, Maryland Department of the Environment, Montgomery Park Business Center, 1800 Washington Blvd. Suite 430, Baltimore, Maryland 21230, within the comment period as specified above. It should be noted that the MDE 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.

ENDANGERED SPECIES ACT: A preliminary review of this application indicates that the proposed work is 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.

NATIONAL HISTORIC PRESERVATION ACT: 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, to the U.S. Army Corps of Engineers, Baltimore District, 2 Hopkins Plaza, Baltimore, Maryland 21201, within the comment period as specified as above to receive consideration. Also, it must clearly state the interest that may be adversely affected by this activity and 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.

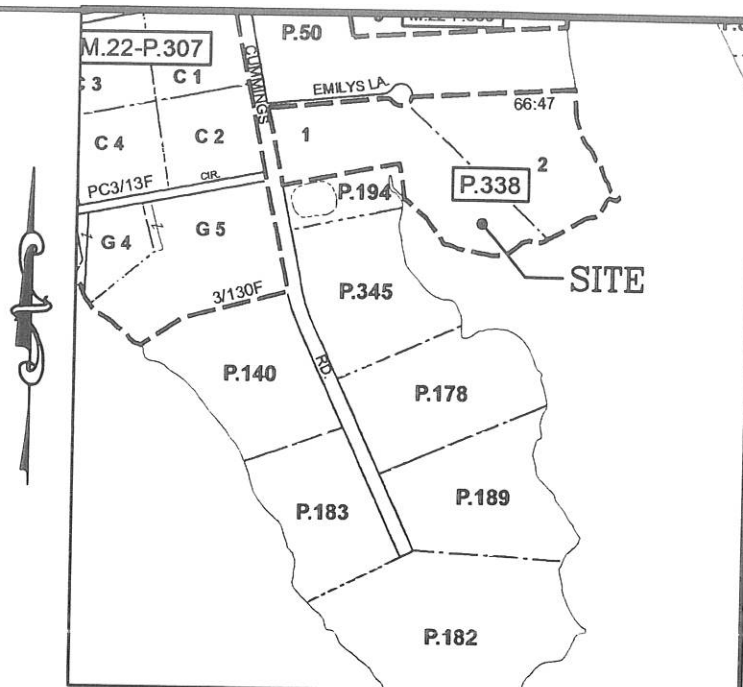
FOR THE DISTRICT ENGINEER:

Kathy B. Anderson
Chief, Maryland Section Southern

LEGEND & ABBREVIATIONS

MLW MEAN LOW WATER (ELEVATION)
 MHW MEAN HIGH WATER (ELEVATION)
 MLWL MEAN LOW WATER LINE
 MHWL MEAN HIGH WATER LINE

PROPERTY LINE 
 CONTOUR LINE  -24-
 SPOT ELEVATION  -2.15



VICINITY MAP
 SCALE: 1" = 2000'

NOTES:

1. TIDAL DATUM, I.E. MEAN LOW WATER ELEVATION, IS ESTIMATED FROM ENVIRONMENTAL INDICATORS SUCH AS RACK LINES, WATER MARKS, PLANT COMMUNITY COMPOSITIONS.
2. UNLESS OTHERWISE NOTED, ELEVATIONS SHOWN HEREIN ARE REFERENCED TO MEAN LOW WATER (MLW) = 0.0'.
3. THERE ARE EXISTING PIERS ON THE ADJOINING PROPERTIES TO THE NORTH AND SOUTH.
4. MEAN TIDAL RANGE = 1.62'
5. LOT SIZE = 5.01 AC.±
6. LOT DEPTH = 713'±
7. LOT WIDTH AT SHORELINE = 636'±
8. DISTANCE TO CHANNEL CENTERLINE = 155'±
9. MAXIMUM CHANNELWARD ENCROACHMENT = 20'±
10. 911 ADDRESS = 22703 EMILYS LANE
 WITTMAN, MD 21676

16-GL-0357
 201660591
 AI-132900
 rev. 5/18/18

THE INFORMATION SHOWN HEREON WAS TAKEN FROM 1972 1"=200' STATE OF MARYLAND WETLANDS MAPS, AERIAL PHOTOGRAPHS, TAX MAPS AND A SITE SKETCH. THESE MAPS ARE BELIEVED TO BE THE BEST, READILY AVAILABLE SOURCE OF INFORMATION FOR MARINE PERMITTING PURPOSES. A DETAILED ONSITE SURVEY FOR THE PURPOSE OF ACCURATELY DETERMINING EXISTING FEATURES INCLUDING PROPERTY LINES, SHORELINES, EXISTING PIERS, OTHER STRUCTURES, AND SOUNDINGS HAS NOT BEEN COMPLETED. LANE ENGINEERING IS NOT RESPONSIBLE FOR ANY INACCURACIES ASSOCIATED WITH THE LOCATION OF ABOVE REFERENCED EXISTING FEATURES AND RELATED LATERAL LINES, SETBACKS, ETC. THIS SKETCH IS FOR PERMIT PURPOSES ONLY AND IS NOT TO BE USED AS AN ACCURATE CONSTRUCTION DOCUMENT.

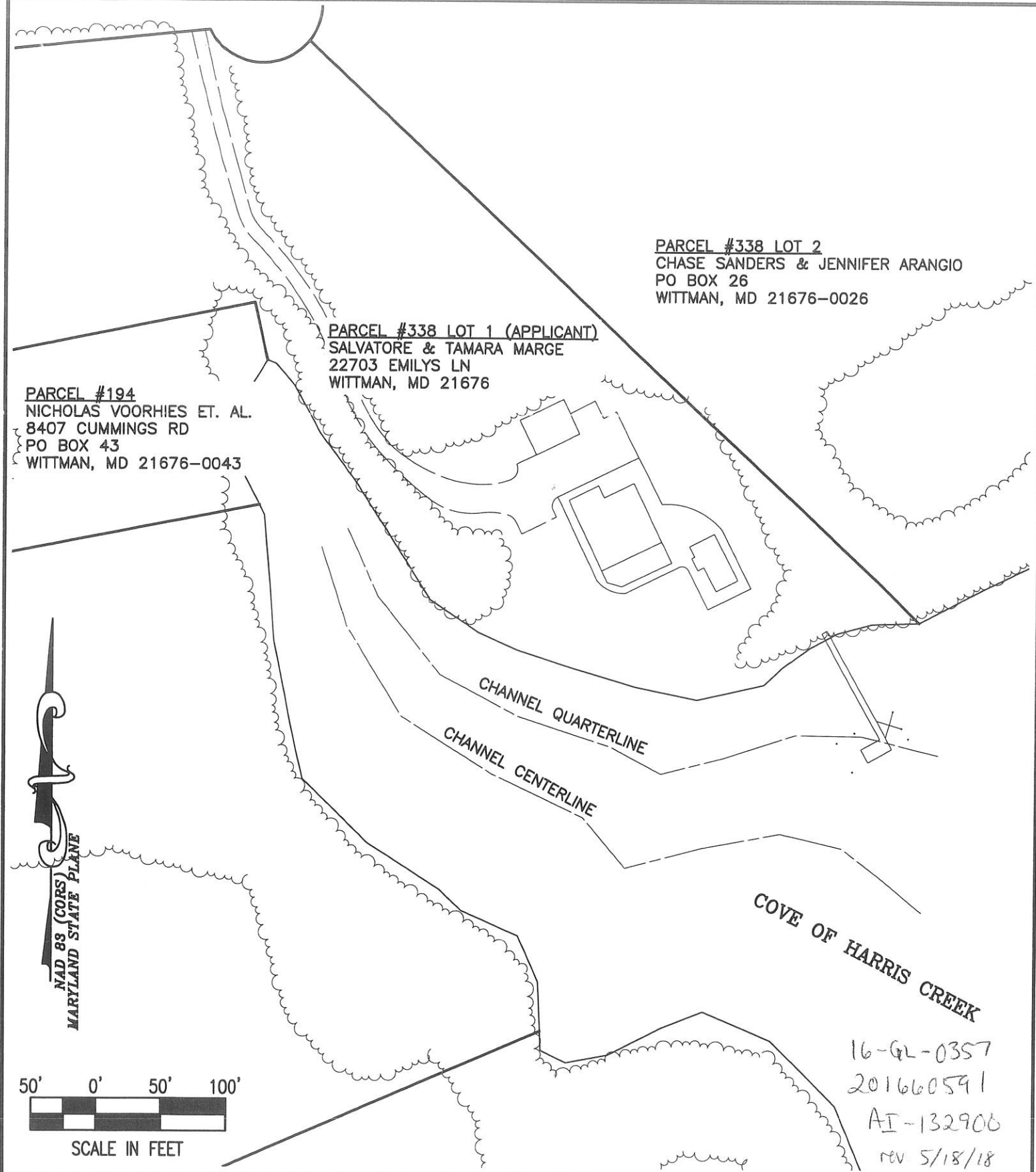
FILE No. 1205
 JOB No. 160066
 SCALE: AS NOTED
 DATE: AS NOTED
 SHEET No. 1

PERMIT DRAWINGS
ON THE LANDS OF
SALVATORE & TAMARA MARGE
WITTMAN, MARYLAND
 IN THE FIFTH ELECTION DISTRICT, TALBOT COUNTY
 TAX MAP 31 GRID 2 PARCEL 338

Lane Engineering, LLC
 Established 1986
 Civil Engineers • Land Planning • Land Surveyors



E-mail: general@leinc.com
 117 Bay St. Easton, MD 21601 (410) 822-8003
 15 Washington St. Cambridge, MD 21613 (410) 221-0818
 354 Pennsylvania Ave. Centreville, MD 21617 (410) 758-2095

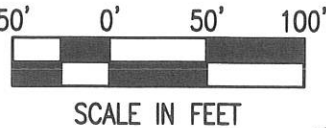


PARCEL #194
 NICHOLAS VOORHIES ET. AL.
 8407 CUMMINGS RD
 PO BOX 43
 WITTMAN, MD 21676-0043

PARCEL #338 LOT 1 (APPLICANT)
 SALVATORE & TAMARA MARGE
 22703 EMILYS LN
 WITTMAN, MD 21676

PARCEL #338 LOT 2
 CHASE SANDERS & JENNIFER ARANGIO
 PO BOX 26
 WITTMAN, MD 21676-0026

NAD 88 (CORS)
 MARYLAND STATE PLANE



COVE OF HARRIS CREEK

16-GL-0357
 201660591
 AI-132906
 REV 5/18/18

FILE No. 1205	JOB No. 160066	SCALE: AS NOTED	DATE: AS NOTED	SHEET No. 2
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SITE OVERVIEW

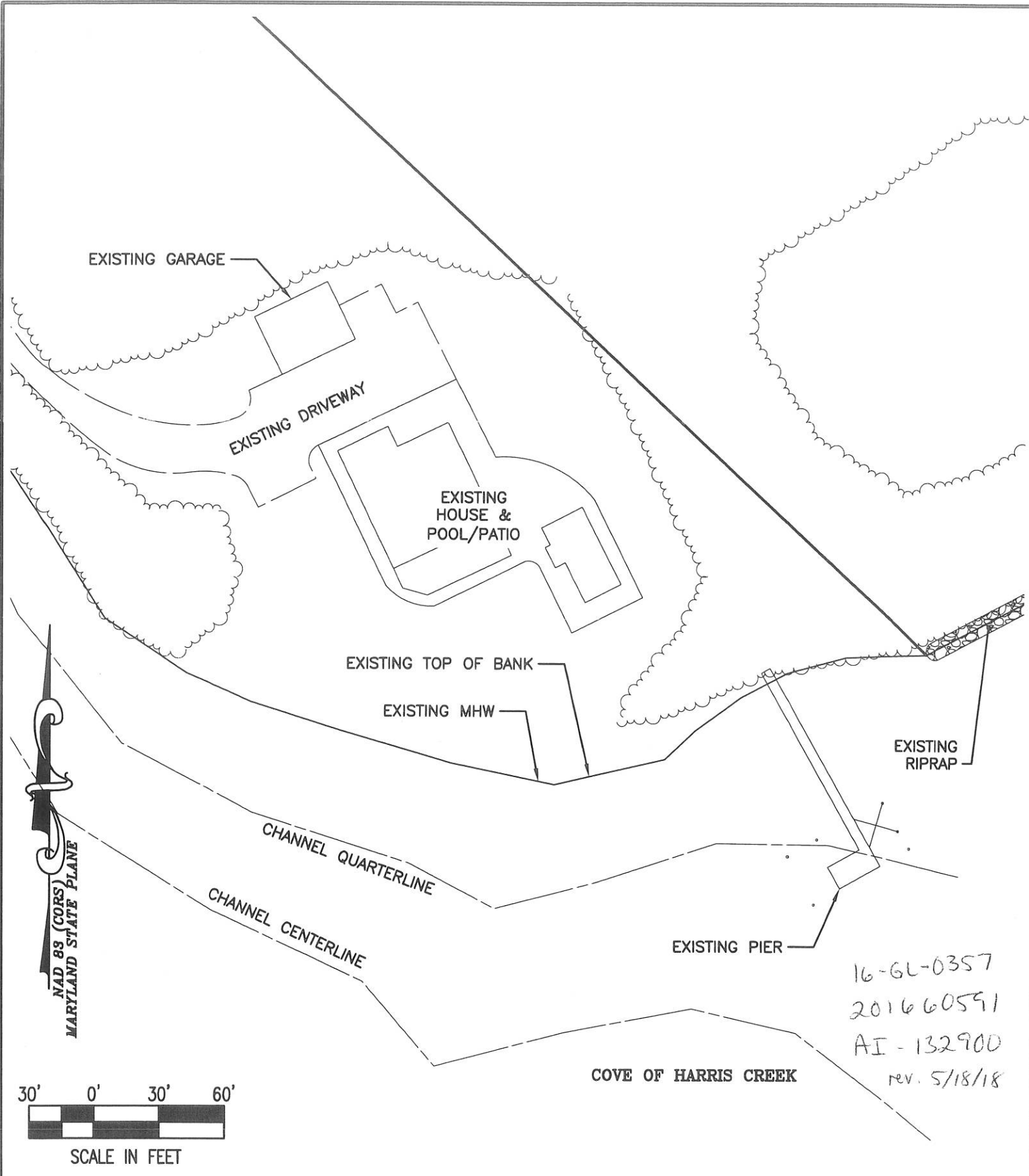
**ON THE LANDS OF
 SALVATORE & TAMARA MARGE
 WITTMAN, MARYLAND**

**IN THE FIFTH ELECTION DISTRICT, TALBOT COUNTY
 TAX MAP 31 GRID 2 PARCEL 338**

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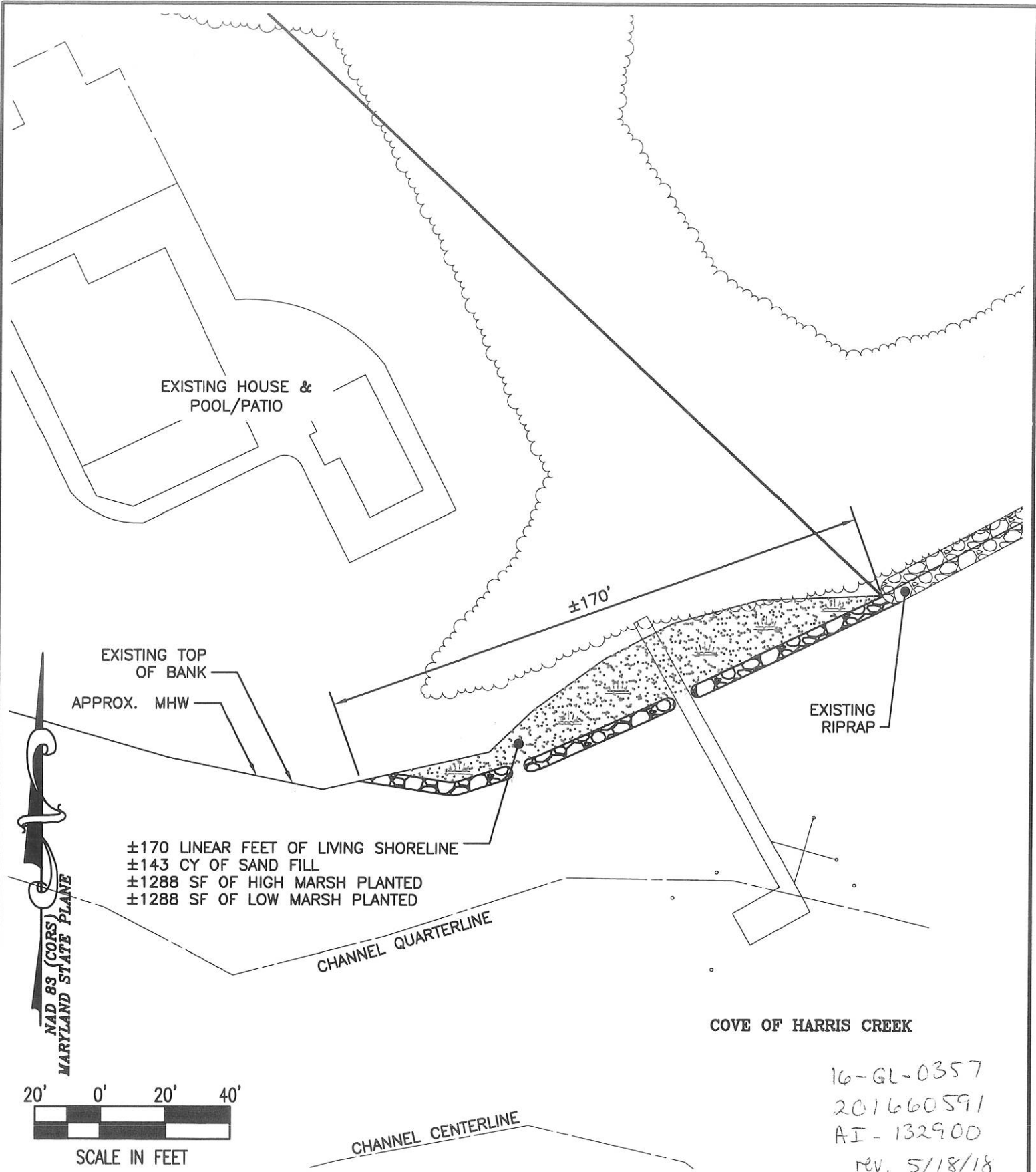
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FILE No. 1205
 JOB No. 160066
 SCALE: AS NOTED
 DATE: AS NOTED
 SHEET No. 3

EXISTING CONDITIONS
ON THE LANDS OF
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WITTMAN, MARYLAND
 IN THE FIFTH ELECTION DISTRICT, TALBOT COUNTY
 TAX MAP 31 GRID 2 PARCEL 338

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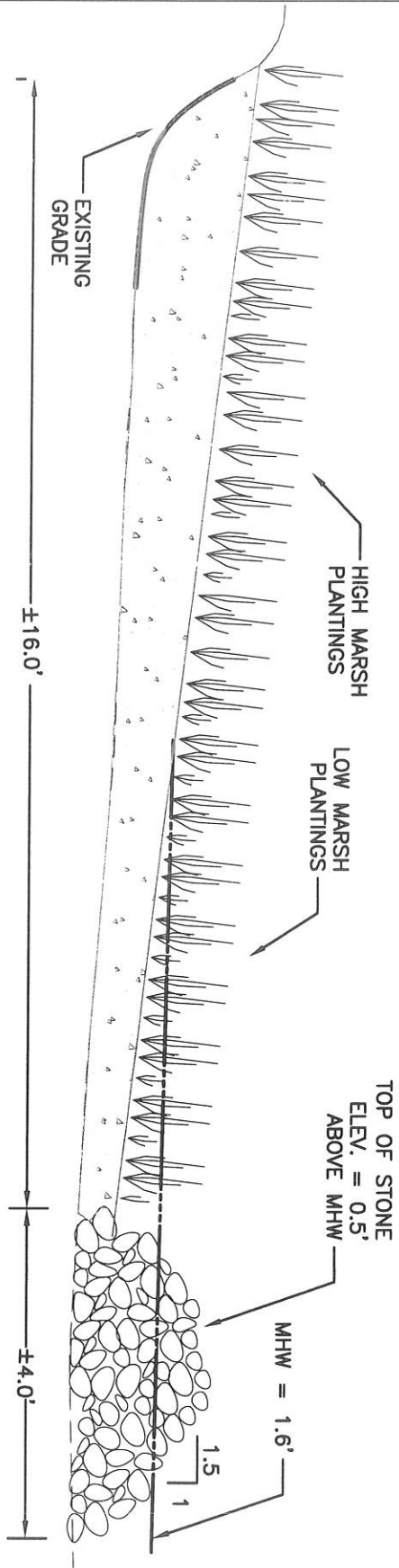
NAD 83 (CORS)
MARYLAND STATE PLANE

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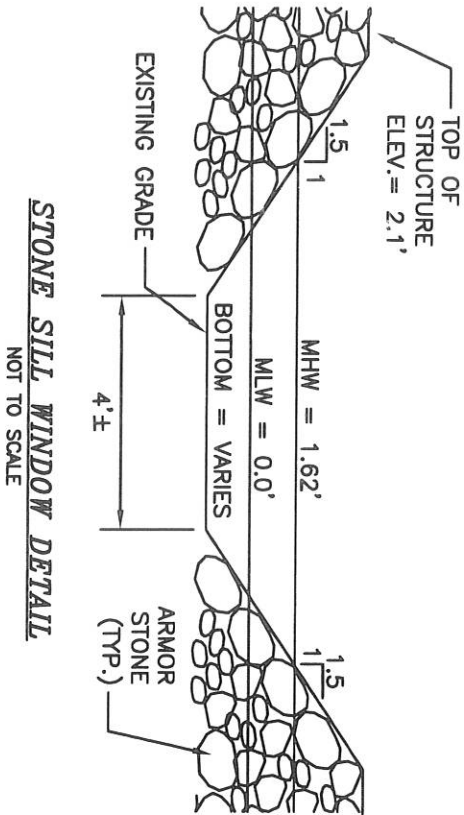
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JOB No. 160066
SCALE: AS NOTED
DATE: AS NOTED
SHEET No. 4

PROPOSED IMPROVEMENTS
ON THE LANDS OF
SALVATORE & TAMARA MARGE
WITTMAN, MARYLAND
IN THE FIFTH ELECTION DISTRICT, TALBOT COUNTY
TAX MAP 31 GRID 2 PARCEL 338

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LIVING SHORELINE DETAIL
NOT TO SCALE



STONE SILL WINDOW DETAIL
NOT TO SCALE

16-GL-0357
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DETAILS

**ON THE LANDS OF
SALVATORE & TAMARA MARGE
WITTMAN, MARYLAND**

**IN THE FIFTH ELECTION DISTRICT, TALBOT COUNTY
TAX MAP 31 GRID 2 PARCEL 338**

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SHEET No.	5
DATE: AS NOTED	
SCALE: AS NOTED	
JOB No. 160066	
FILE No. 1205	