



**U.S. Army Corps
of Engineers**
Baltimore District
PN 21-49

Public Notice

**In Reply to Application Number
NAB-2021-60459 (WI Rec & Parks/Pirate’s Wharf Park – Phase
I/Boat Ramp, Revetment, Pier)**
Comment Period: December 27, 2021 to January 27, 2022

THE PURPOSE OF THIS PUBLIC NOTICE IS TO INFORM INTERESTED PARTIES OF THE PROPOSED ACTIVITY AND TO SOLICIT COMMENTS. 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 (33 USC 403) and Section 404 of the Clean Water Act (33 USC 1344), as described below:

APPLICANT: Wicomico County Department of Parks & Tourism
Attn: Mr. Steve Miller
500 Glen Avenue
Salisbury, Maryland 21804

WATERWAY AND LOCATION OF THE PROPOSED WORK: The proposed project is located in the Wicomico River, near 4701 Whitehaven Road, Quantico, Wicomico County, Maryland. Latitude: 38.321273; Longitude: -75.746778

OVERALL PROJECT PURPOSE: To provide public water access for recreation along the property owned by Wicomico County, near 4701 Whitehaven Road, Salisbury, Wicomico County, Maryland.

PROJECT DESCRIPTION: To construct a stone revetment measuring approximately 55 foot long by 23 foot wide (942 SF), a stone sill measuring approximately 95 foot long by 11 foot wide (555 SF), a pier measuring 154.4 foot long by 11.6 foot wide with a T-head measuring 62 foot long by 11.6 foot wide, a timber jetty measuring 14 foot long by 4 foot wide, and a boat ramp measuring 99 foot long by 29 foot wide (2,540 SF) with two timber wing walls measuring 98.5 foot long by 1 foot wide and 85 foot long by 1 foot wide, with a floating boarding pier, and to fill and pave an approximate 99 foot long by 33 foot wide area (3,235 SF) for vehicle access. All work/structures will extend a maximum of 146 feet channelward of the approximate mean high water shoreline in the Wicomico River at 4701 Whitehaven Road, Quantico, Wicomico County, Maryland (38.321290, -75.746913). All work is proposed in accordance with the attached plans, entitled “Pirates Wharf Park Proposed Boat Ramp, Stone Revetment, Stone Sill & Pier”, dated March 2021, sheets 1 through 10.

EFFECTS ON AQUATIC RESOURCES:

Activity	WoUS Impact (Sq. Ft.)	Wetland Impact (Sq. Ft.)	Authority (Section 10/404/408)
Fill (stone revetment and sill)	0	1,443	Section 10/404
Fill (lot fill)	0	1,410	Section 404

Fill (boat ramp)	0	2,158	Section 404
Structures (timber jetty and pier)	1,944	348	Section 10

LEAD FEDERAL AGENCY: The U.S. Army Corps of Engineers, as the lead federal agency, is responsible for all coordination pursuant to applicable federal authorities.

APPLICANT’S PROPOSED AVOIDANCE, MINIMIZATION, AND COMPENSATORY MITIGATION: 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. Alternative locations for the proposed boat ramp, sill, and revetment were evaluated, however due to site specific conditions and grading limitations, the former wharf site was selected as the least environmentally damaging practicable alternative.

Compensatory Mitigation: As currently proposed, the on-site compensatory mitigation plan will result in the creation of 10,510 square feet of tidal emergent wetland and 220 SF of tidal wetland. The applicant has also proposed to purchase nontidal wetland credits at the Maple Dam Mitigation Bank to compensate for nontidal scrub shrub wetland impacts. Please refer to the table above for a summary of aquatic resource impacts.

CORPS EVALUATION REQUIREMENTS: This project will be evaluated pursuant to Corps Regulatory Program Regulations (33 CFR Parts 320-332). 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 impact of this project will also include application of the Clean Water Act Section 404(b)(1) Guidelines promulgated by the Administrator, U.S. Environmental Protection Agency.

ENDANGERED SPECIES: A preliminary review of this application indicates that the proposed work will have no effect Federally-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.

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), including species of concern, life cycle habitat, or Habitat Areas of Particular Concern. The project site lies in or adjacent to EFH as described under MSFCMA for managed species

under the MSFCMA. The Baltimore District has made a preliminary determination that the project will have no adverse effect on EFH. The Baltimore District has made a preliminary determination that mitigative measures are not required to minimize adverse effects on EFH at this time. This determination may be modified if additional information indicates otherwise.

HISTORIC RESOURCES:

Pursuant to Section 106 of the National Historic Preservation Act of 1966 and applicable guidance, the Corps has reviewed the latest published version of the National Register of Historic Places and initially determined that no registered properties listed as eligible for inclusion, therein, are located at the site of the proposed work. The Corps has made the preliminary determination that the proposed project would have no adverse effect on historic properties. The Corps final eligibility and effect determination will be based on coordination with the State Historic Preservation Office as appropriate and required, and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps' identified permit area.

TRIBAL RESOURCES: Section 106 of the National Historic Preservation Act also requires federal agencies to consult with federally-recognized American Indian tribes that attach religious and cultural significance to historic properties that may be affected by the agency's undertaking. Corps Tribal Consultation Policy mandates an open, timely, meaningful, collaborative, and effective deliberative communication process that emphasizes trust, respect, and shared responsibility. The policy further emphasizes that, to the extent practicable and permitted by law, consultation works toward mutual consensus and begins at the earliest planning stages, before decisions are made and actions taken. The Corps final eligibility and effect determination will be based on coordination with interested tribes, in accordance with the Corps current tribal standard operating procedures as appropriate and required, and with full consideration given to the proposed undertaking's potential direct and indirect effects on tribal resources.

MODIFICATION OF CIVIL WORKS PROJECTS: 33 USC 408 (SECTION 408): All Section 408 proposals will be coordinated internally at USACE. The Section 408 decision will be issued along with the Section 404 and/or Section 10 decision. Please see the following link for more information regarding Section 408:
<https://www.nab.usace.army.mil/section408/>.

WATER QUALITY CERTIFICATION: The applicant is required to obtain a water quality certification in accordance with Section 401 of the Clean Water Act.

COASTAL ZONE MANAGEMENT PROGRAMS: 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.

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

SUBMISSION OF COMMENTS: 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 and are subject to release to the public through the Freedom of Information Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

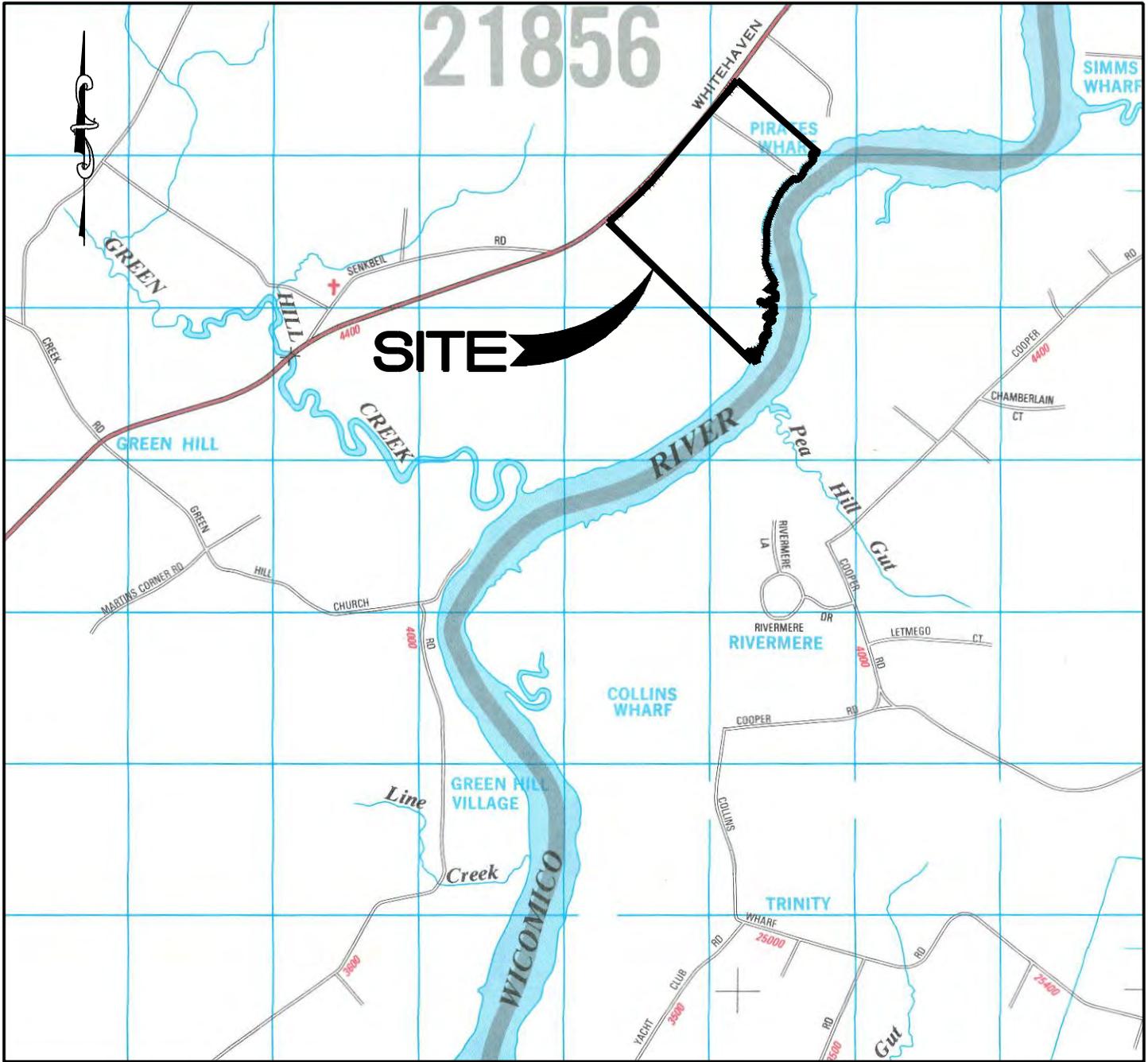
Written comments concerning the work described above related to the factors listed above or other pertinent factors must be received by the U.S. Army Corps of Engineers, Baltimore District within the comment period specified above through postal mail at the address below or electronic submission to the project manager email address below. Written comments should reference the Application Number NAB-2021-60459.

PUBLIC HEARING REQUESTS: 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 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. The public hearing request may be submitted by electronic mail or mailed to the following address:

Nicole Voelker
Nicole.M.Voelker@usace.army.mil
U.S. Army Corps of Engineers, Baltimore District
Regulatory Branch
2 Hopkins Plaza
Baltimore, Maryland 21201

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

General information regarding the Corps' permitting process can be found on our website at <https://www.nab.usace.army.mil/Missions/Regulatory.aspx>. This public notice has been prepared in accordance with Corps implementing regulations at 33 CFR 325.3. If you have any questions concerning this specific project, or would like to request a paper copy of this public notice, please contact Nicole Voelker, Nicole.m.voelker@usace.army.mil. This public notice is issued by the Chief, Regulatory Branch.



Vicinity Map

SCALE : 1" = 2000'



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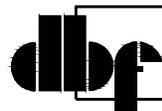
SHEET 1 OF 10

Pirates Wharf Park
Proposed Boat Ramp, Stone
Revetment, Stone Sill & Pier

IN: WICOMICO RIVER
NEAR: CITY OF SALISBURY, MARYLAND
APPL. BY: WICOMICO COUNTY
DEPT. OF RECREATION, PARKS & TOURISM
ATTN: STEVE MILLER
500 GLEN AVENUE
SALISBURY, MD 21804
DATE: MARCH 2021

NOTES:

1. VERTICAL DATUM = MLW
2. THESE DRAWINGS ARE FOR PERMIT PURPOSES ONLY. DESIGN DRAWINGS ARE TO BE PROVIDED SEPARATELY.



**DAVIS,
BOWEN &
FRIEDEL, INC.**

ARCHITECTS ENGINEERS SURVEYORS

SALISBURY, MARYLAND (410) 543-9091
MILFORD, DELAWARE (302) 424-1441
EASTON, MARYLAND (410) 770-4744

Adjacent Property Owner:
HENRY LAY PHLLIPS III
ELIZABETH NICHOLE PHILLIPS
4801 WHITEHAVEN ROAD
QUANTICO, MD 21856
TAX MAP 45, PARCEL 32

WICOMICO COUNTY
TAX MAP 55, PARCEL 128

Adjacent Property Owner:
LAP LIMITED PARTNERSHIP
5065 WHITEHAVEN ROAD
QUANTICO, MD 21856
TAX MAP 55, PARCEL 55

WICOMICO COUNTY
TAX MAP 55, PARCEL 128

WHITEHAVEN ROAD (MD ROUTE 352)

CRITICAL AREA
BOUNDARY

100' TIDAL
WETLAND BUFFER

100 YEAR
FLOOD PLAIN

25' NON-TIDAL
WETLAND BUFFER

NON-TIDAL
WETLAND

TIDAL
WETLAND

TIDAL
WETLAND

EBB
FLOOD

CHANNEL

WICOMICO RIVER

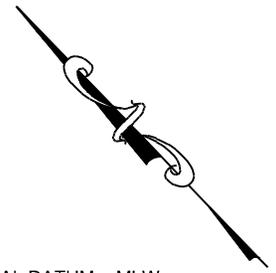
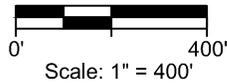
SHEET 2 OF 10

Pirates Wharf Park

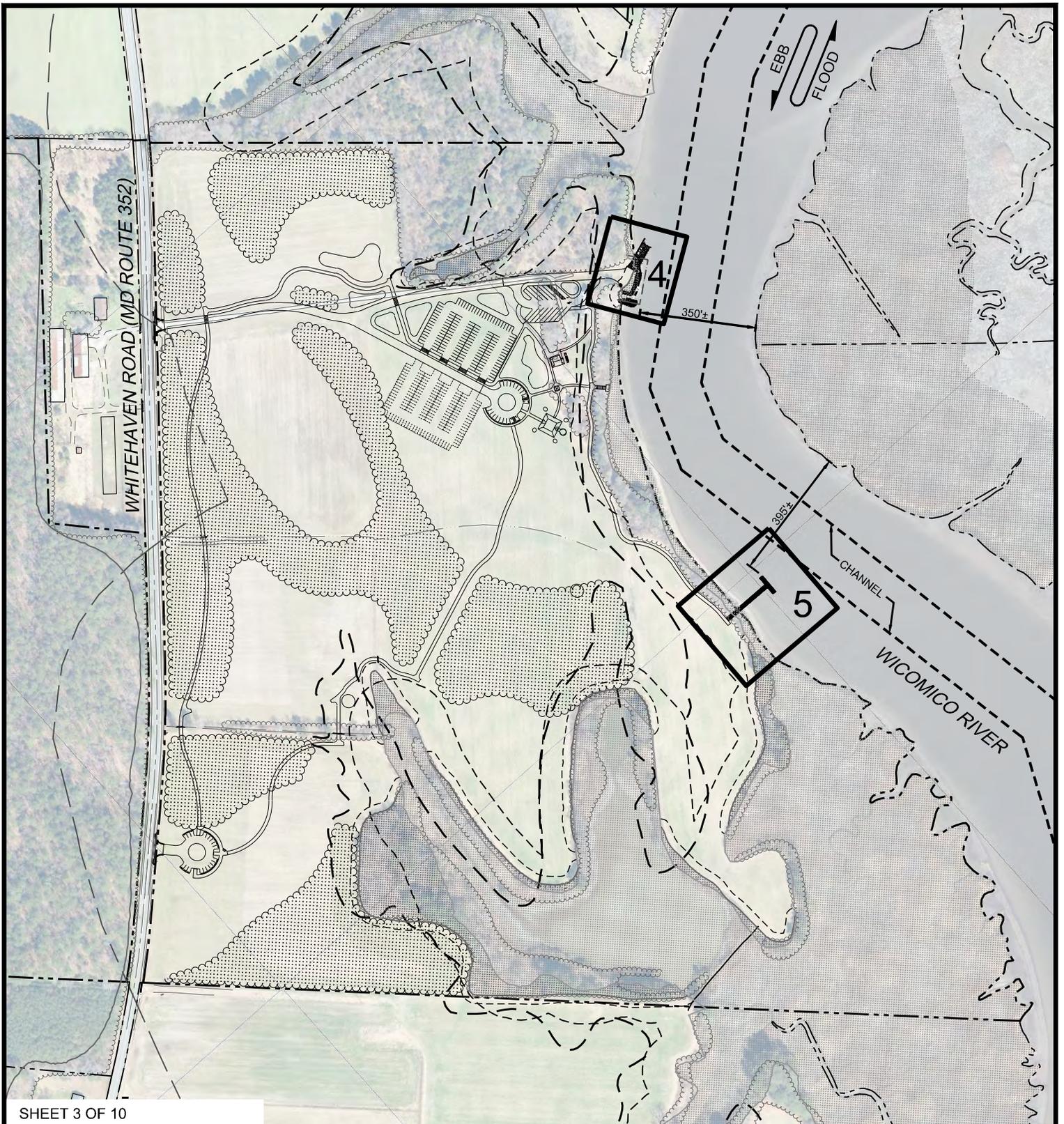
Proposed Boat Ramp, Stone Revetment, Stone Sill & Pier

IN: WICOMICO RIVER
NEAR: CITY OF SALISBURY, MARYLAND
APPL. BY: WICOMICO COUNTY
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EXISTING CONDITIONS



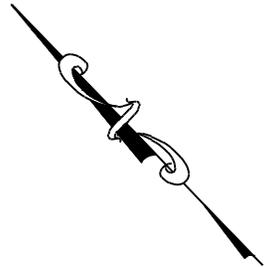
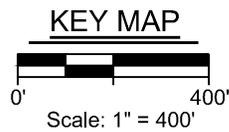
- NOTES:**
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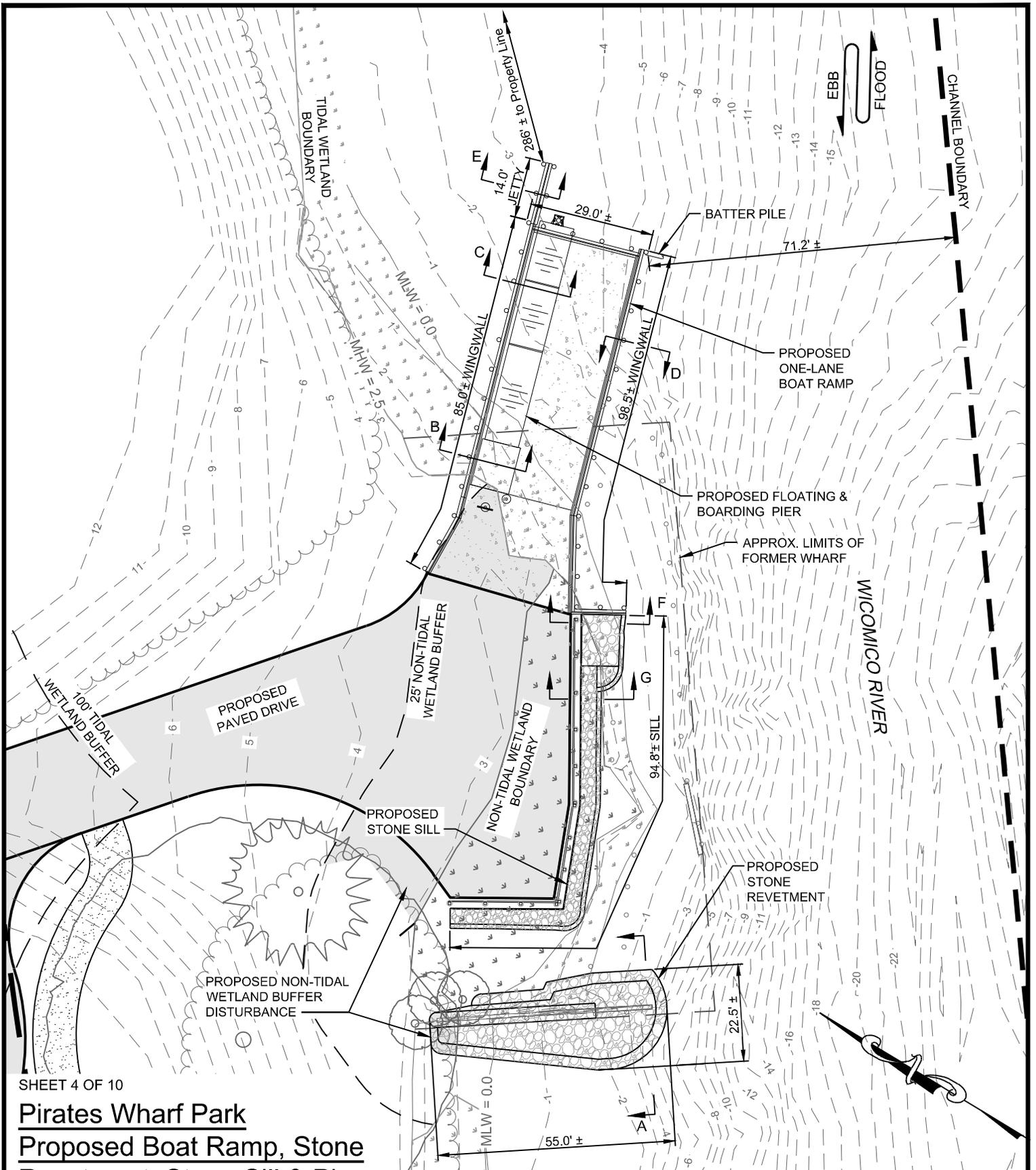
SHEET 3 OF 10

Pirates Wharf Park
Proposed Boat Ramp, Stone
Revetment, Stone Sill & Pier

IN: WICOMICO RIVER
 NEAR: CITY OF SALISBURY, MARYLAND
 APPL. BY: WICOMICO COUNTY
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 ATTN: STEVE MILLER
 500 GLEN AVENUE
 SALISBURY, MD 21804
 DATE: MARCH 2021



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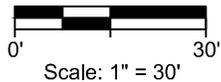


SHEET 4 OF 10

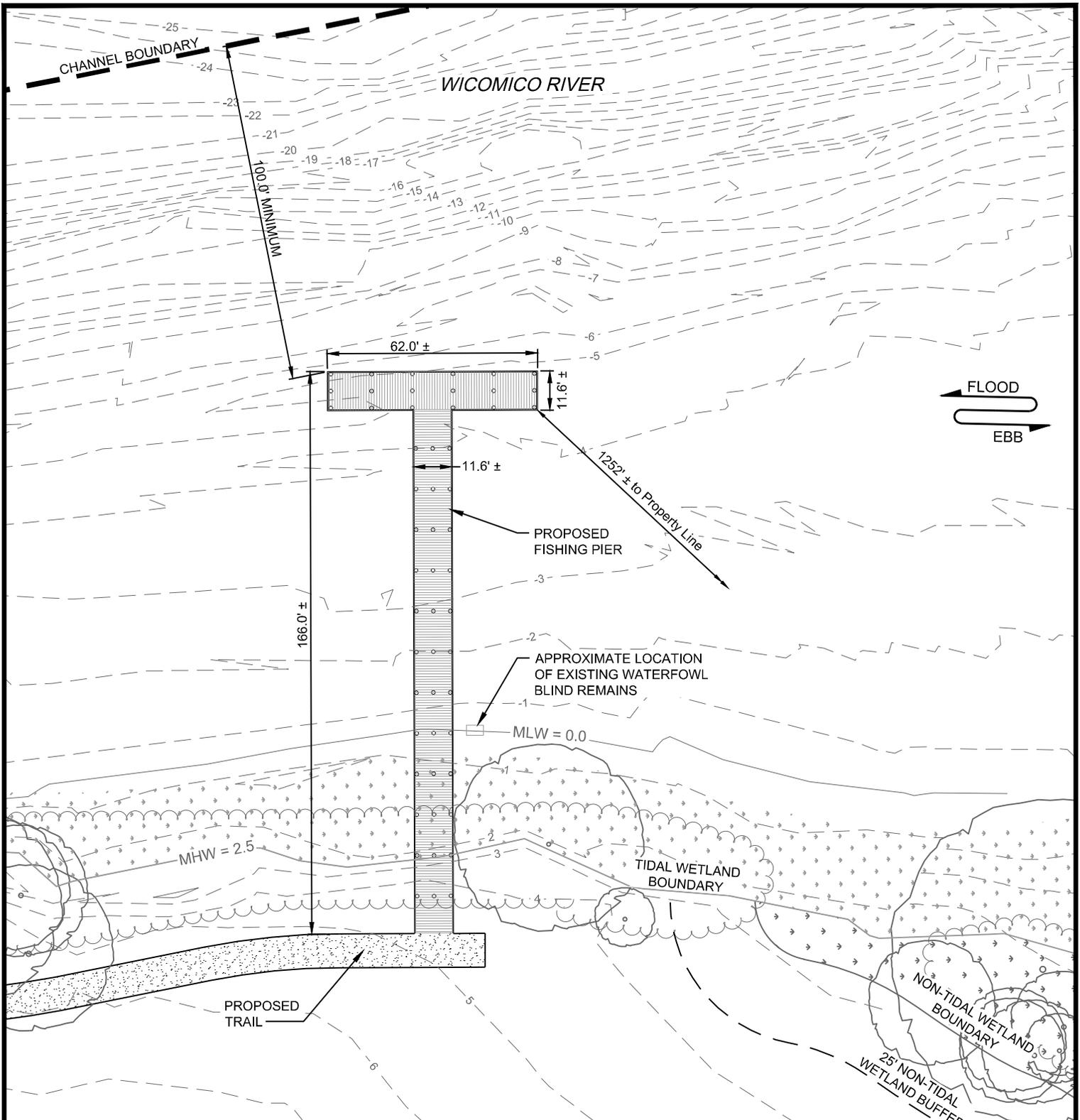
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BOAT RAMP AREA



Extension Channelward of the MHW Line:	
Former Wharf Remains	42'
Proposed Jetty	59'
Proposed Wingwall - South	72'
Proposed Stone Sill	10'
Proposed Stone Revetment	58'



SHEET 5 OF 10

Pirates Wharf Park
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 DATE: MARCH 2021

100' TIDAL
 WETLAND BUFFER

FISHING PIER



Scale: 1" = 40'



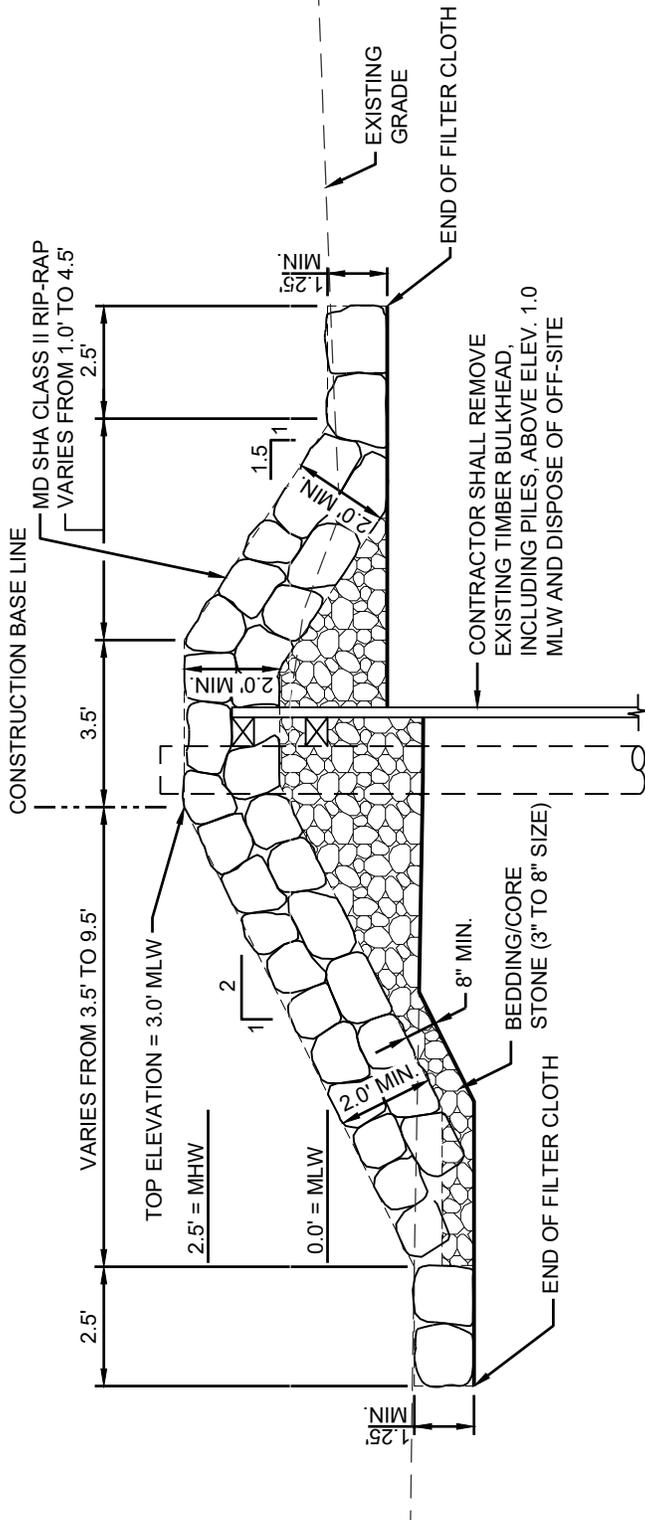
Extension Channelward of the MHW Line:
 Proposed Pier 146'

SHEET 6 OF 10

Pirates Wharf Park
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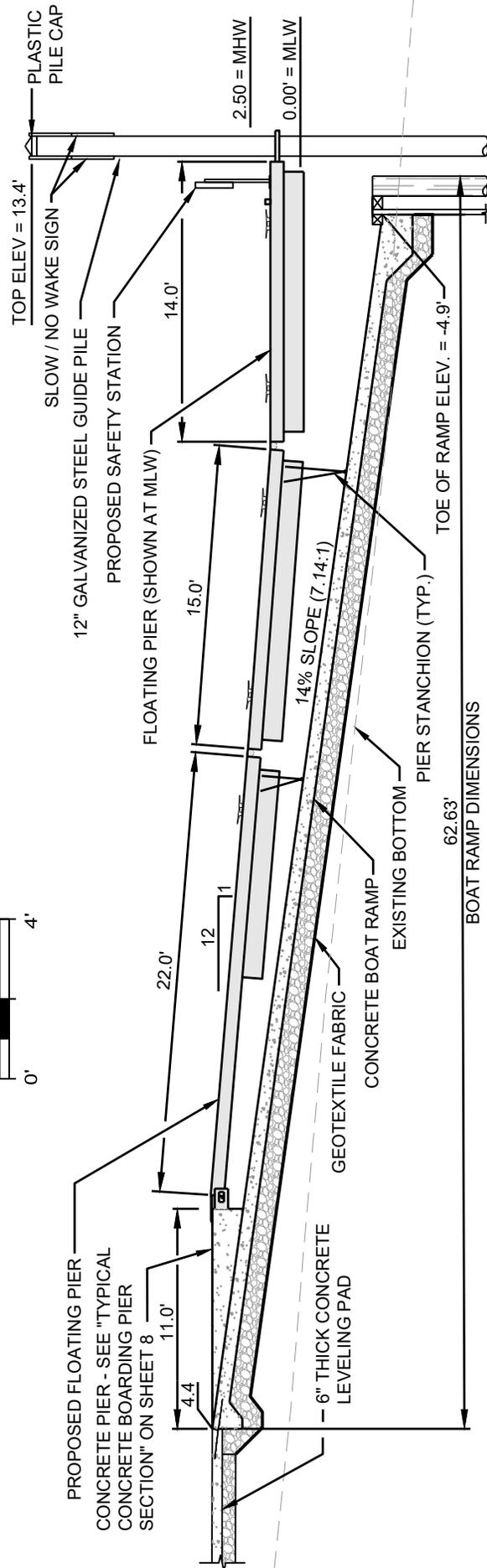
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 SALISBURY, MD 21804

DATE: MARCH 2021



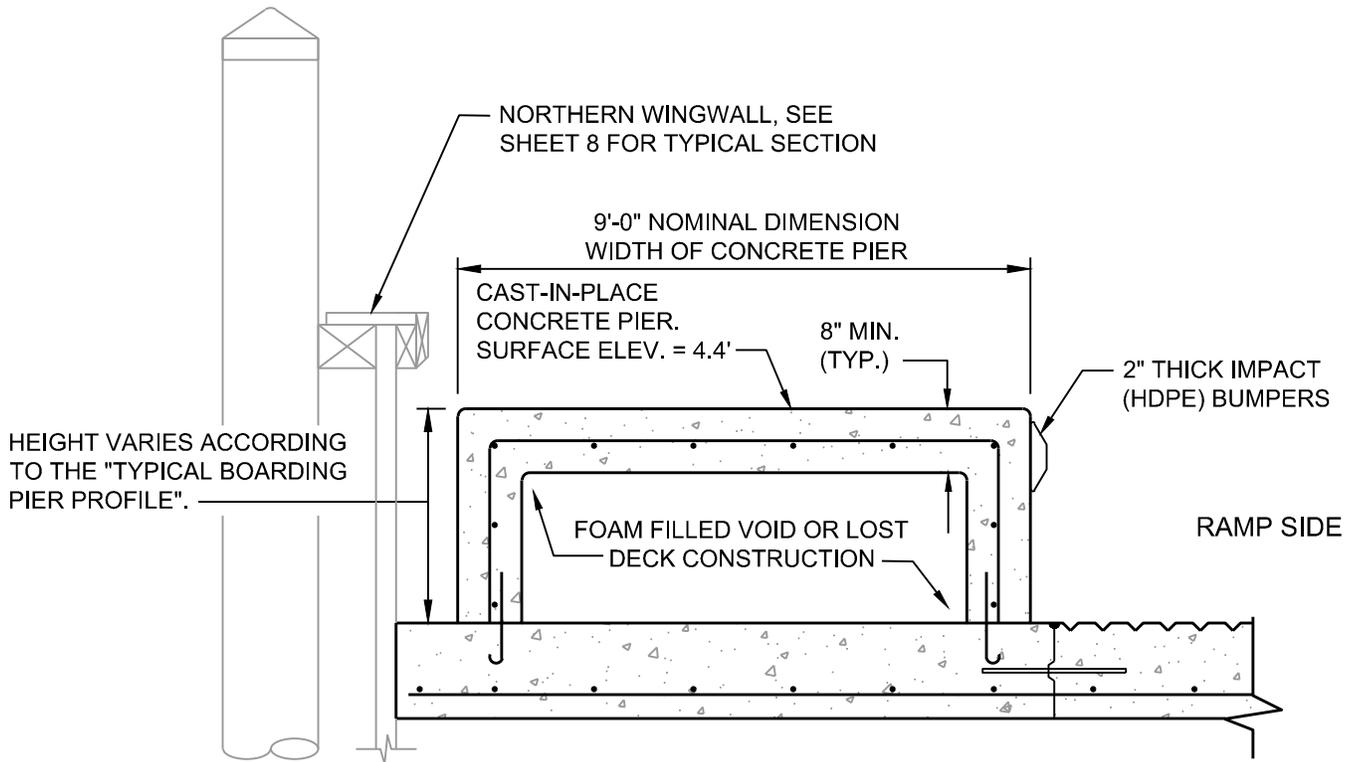
TYPICAL STONE REVETMENT SECTION A

SCALE : 1" = 4'



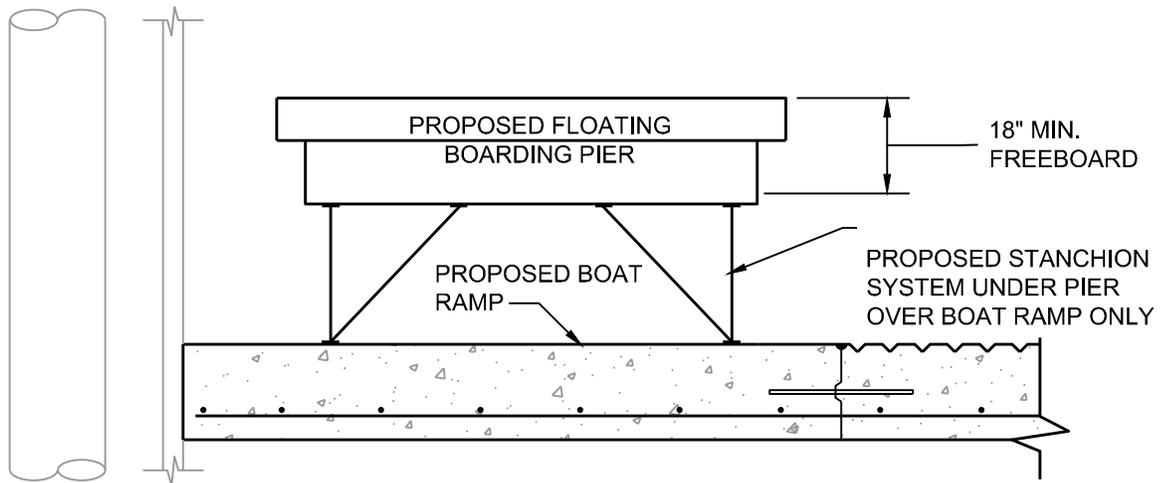
TYPICAL BOAT RAMP/BOARDING PIER PROFILE

SCALE : 1" = 8'



TYPICAL CONCRETE BOARDING PIER SECTION B

SCALE: 1" = 3'



TYPICAL FLOATING BOARDING PIER SECTION C

SCALE: 1" = 3'

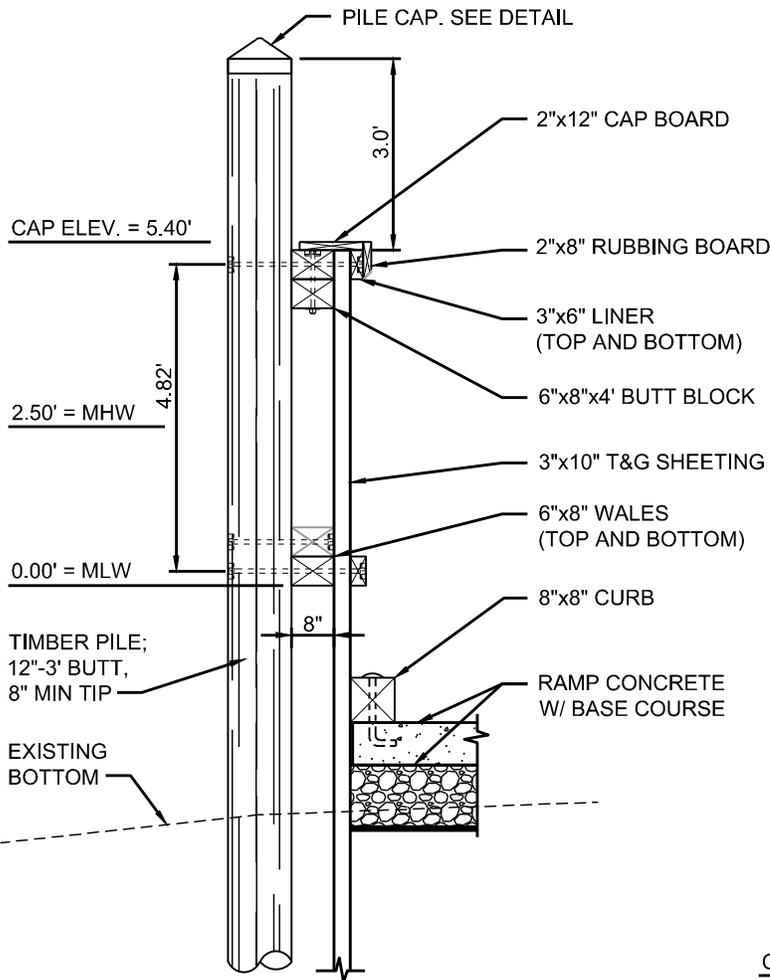


SHEET 7 OF 10

Pirates Wharf Park Proposed Boat Ramp, Stone Revetment, Stone Sill & Pier

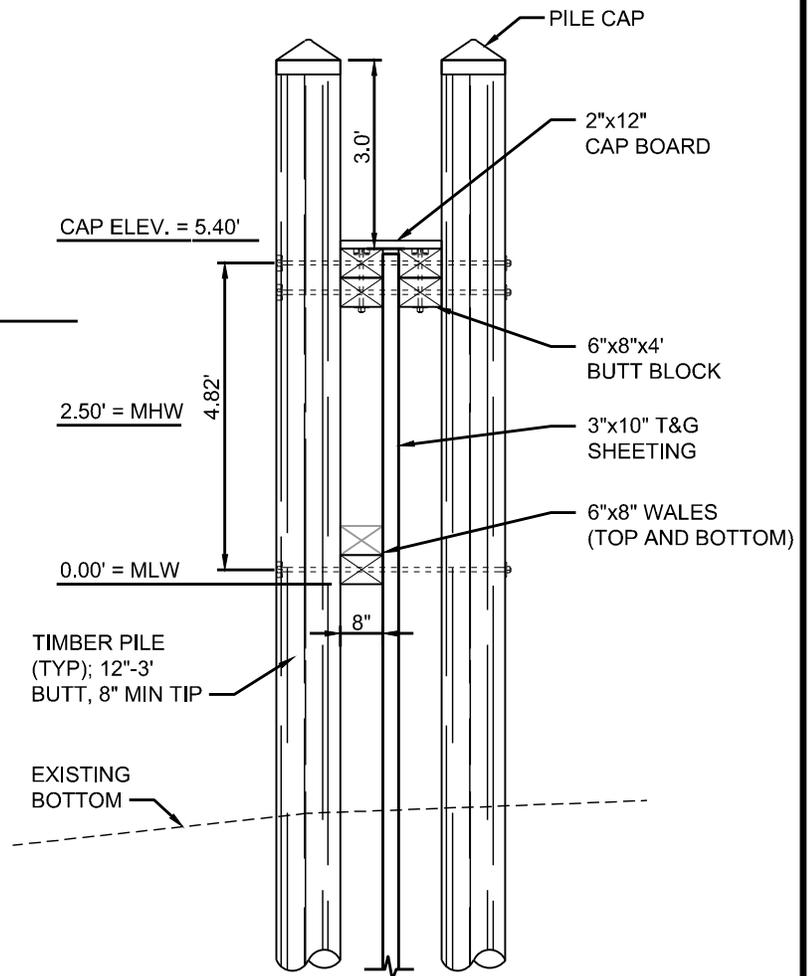
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SALISBURY, MD 21804

DATE: MARCH 2021



TYPICAL WINGWALL SECTION D

SCALE: 1" = 3'



TYPICAL JETTY SECTION E

SCALE: 1" = 3'

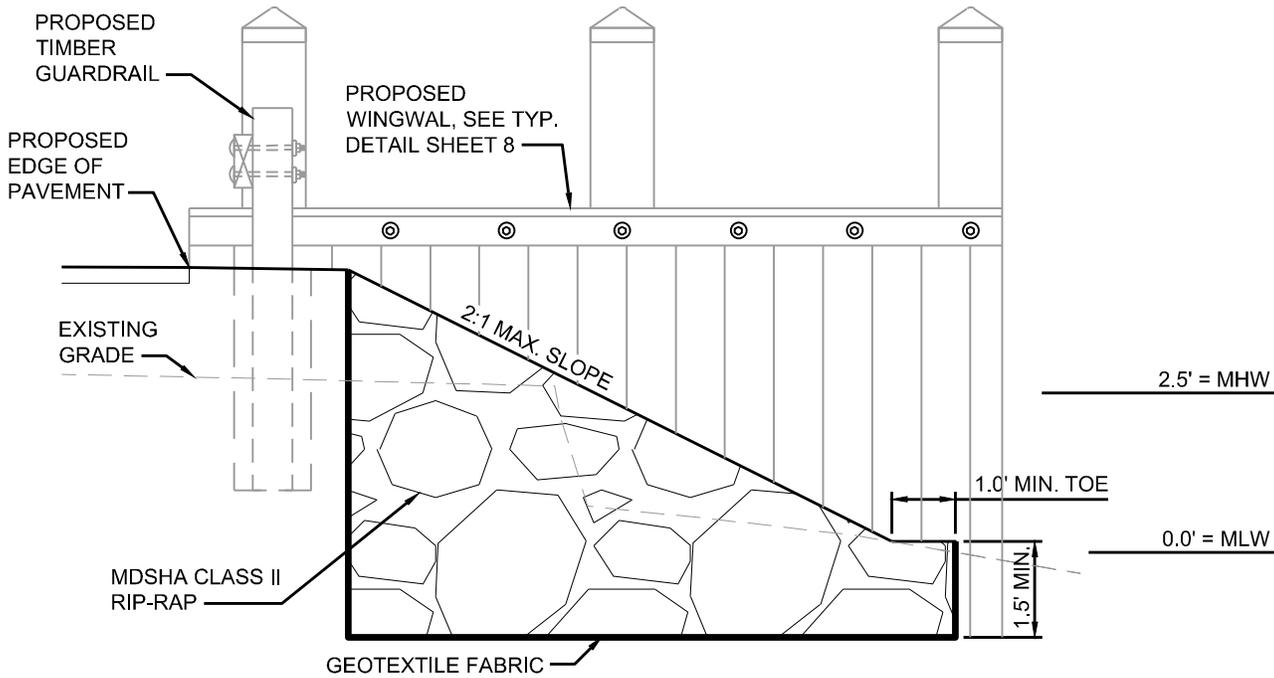


SHEET 8 OF 10

**Pirates Wharf Park
Proposed Boat Ramp, Stone
Revetment, Stone Sill & Pier**

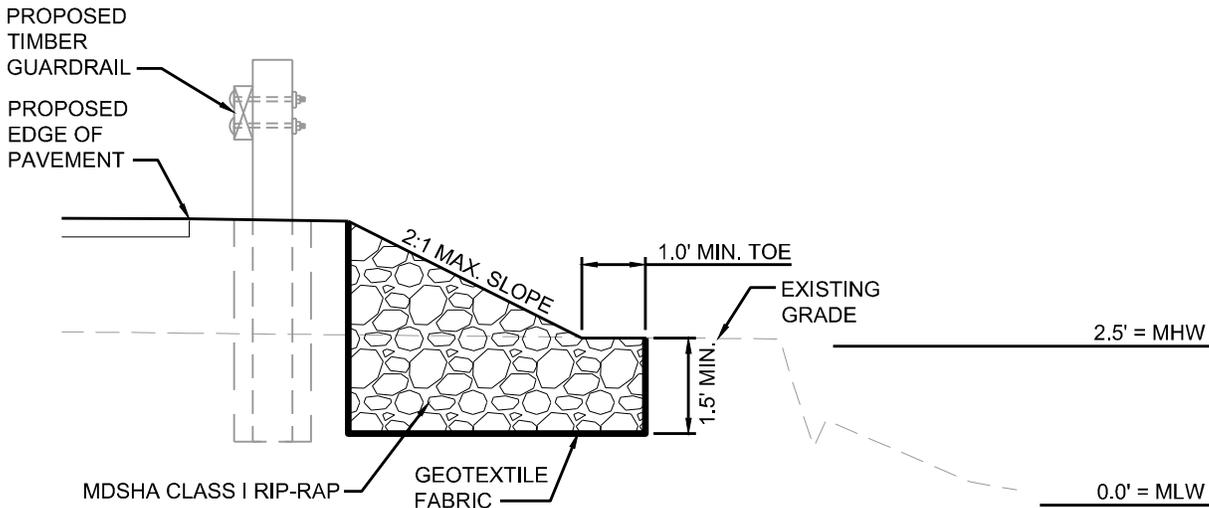
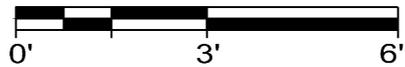
IN: WICOMICO RIVER
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SALISBURY, MD 21804

DATE: MARCH 2021



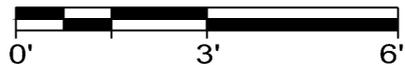
STONE SILL SECTION F

SCALE: 1" = 3'



STONE SILL SECTION G

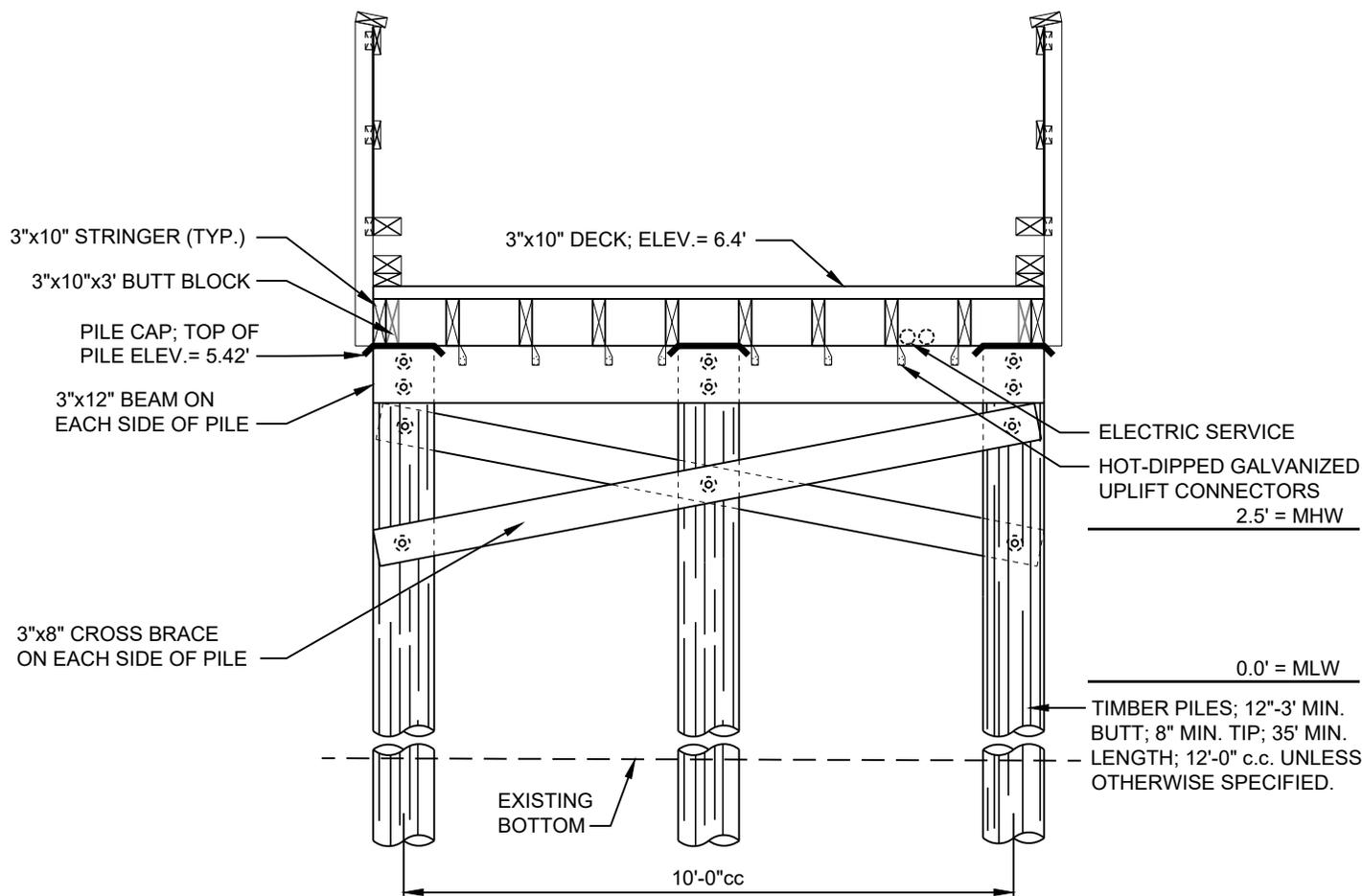
SCALE: 1" = 3'



SHEET 9 OF 10

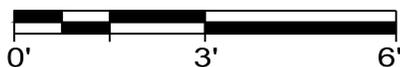
Pirates Wharf Park Proposed Boat Ramp, Stone Revetment, Stone Sill & Pier

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TYPICAL PIER SECTION

SCALE: 1"= 3'

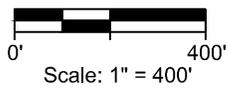
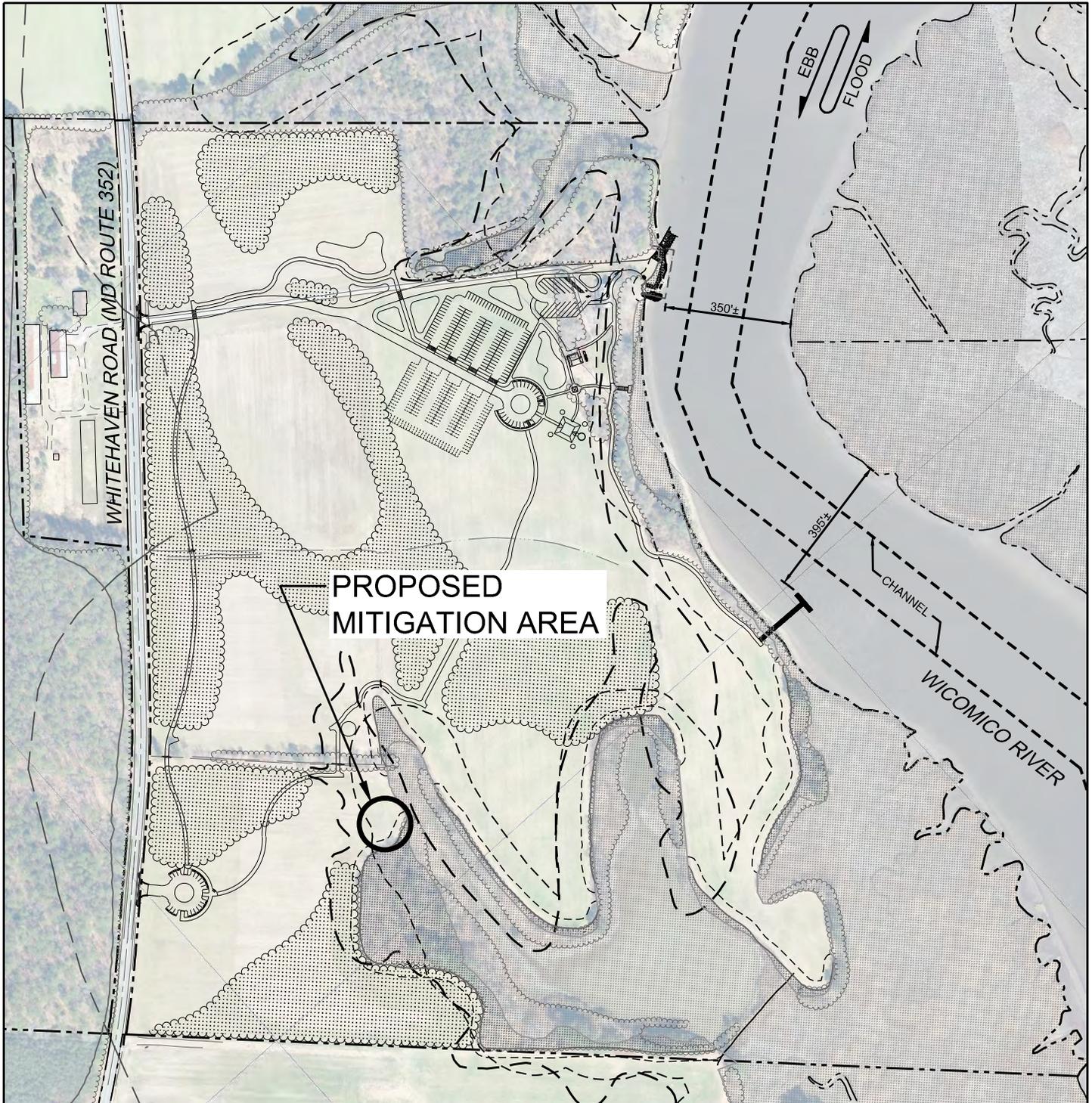


SHEET 10 OF 10

Pirates Wharf Park Proposed Boat Ramp, Stone Revetment, Stone Sill & Pier

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 ATTN: STEVE MILLER
 500 GLEN AVENUE
 SALISBURY, MD 21804
 DATE: MARCH 2021 REVISED: MAY 2021

WETLAND DISTURBANCES			
ITEM	NON-TIDAL (SF)	TIDAL (SF)	NON-TIDAL 25' BUFFER (SF)
REVTMENT	23	865	54
JETTY	n/a	47	n/a
BOAT RAMP	60	2098	382
PIER	n/a	2245	n/a
LOT FILL	1410	n/a	1825
SILL	445	110	n/a
TOTALS	1938	5365	2261
TOTAL NON-TIDAL & TIDAL WETLAND DISTURBANCE		7303	



DAVIS,
BOWEN &
FRIEDEL, INC. ARCHITECTS ENGINEERS SURVEYORS

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MILFORD, DELAWARE (302) 424-1441
EASTON, MARYLAND (410) 770-4744

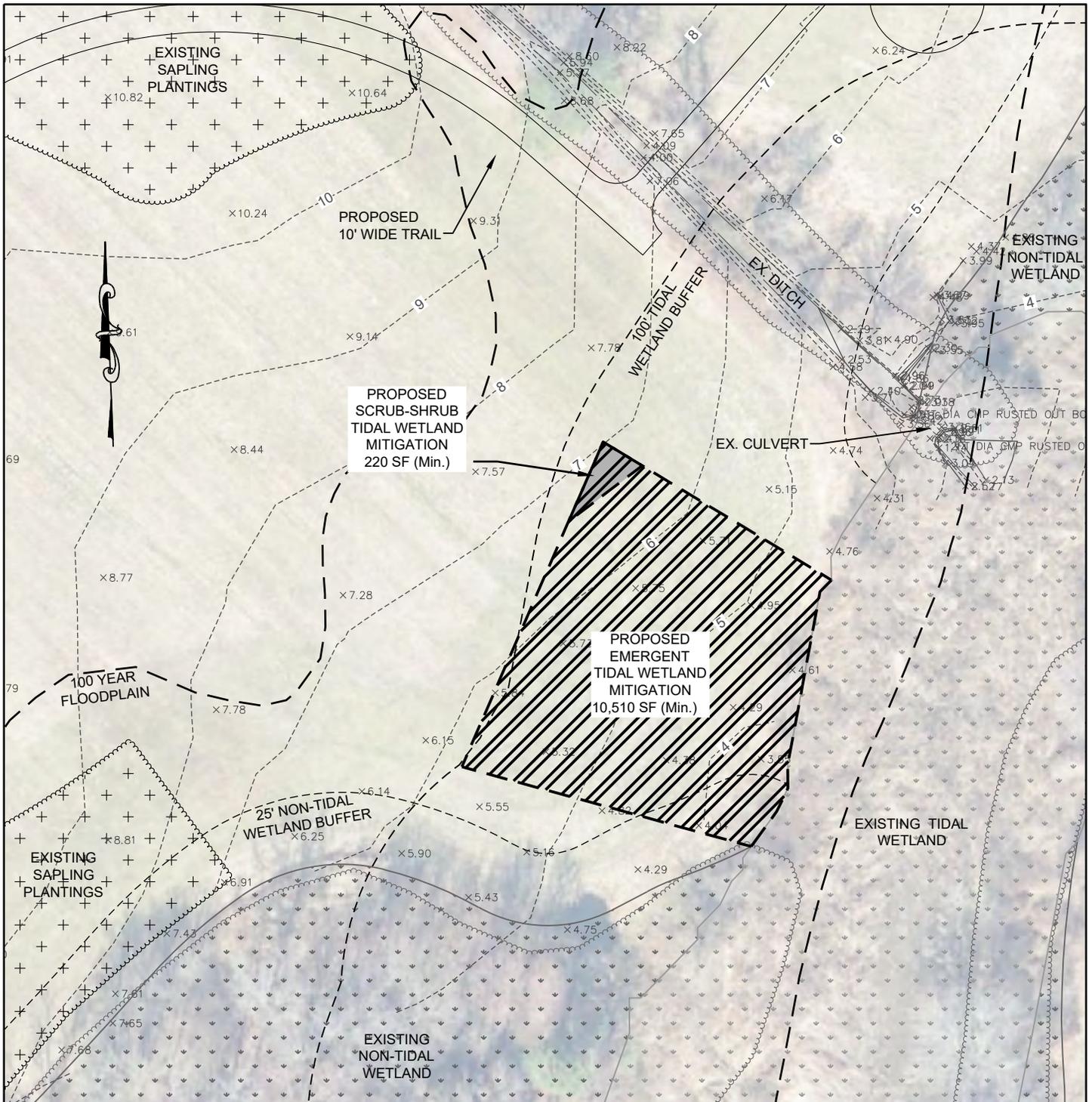
MITIGATION LOCATION MAP

Pirates Wharf Park
Wicomico County, Maryland

Date: March 2021

Scale: 1" = 400'

Proj.No.: 166B011

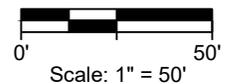


LEGEND



TIDAL WETLAND MITIGATION SITE

(NONTIDAL MITIGATION WILL BE ACCOMPLISHED OFF-SITE AT THE MAPLE DAM MITIGATION BANK)



dbf DAVIS, BOWEN & FRIEDEL, INC. ARCHITECTS ENGINEERS SURVEYORS

SALISBURY, MARYLAND (410) 543-9091
 MILFORD, DELAWARE (302) 424-1441
 EASTON, MARYLAND (410) 770-4744

MITIGATION SITE PLAN
 Pirates Wharf Park
 Wicomico County, Maryland

Date: SEPT. 2021	Scale: 1" = 50'	Proj.No.: 166B011
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