



**U.S. Army Corps  
of Engineers**  
Baltimore District  
PN-24-20

# Public Notice

**In Reply to Application Number  
NAB-2024-60043-P33 (Sean & Nicolle Krebs Breakwater)**

Comment Period: July 19, 2024 to August 18, 2024

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**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:**

Parcel 24, Lot 1  
Hooper Neck Road  
Taylors Island, Maryland 21669

**WATERWAY AND LOCATION OF THE PROPOSED WORK:**

The proposed project is located in Little Choptank River in Taylors Island, Dorchester County, Maryland (38.496396, -76.307755).

**OVERALL PROJECT PURPOSE:**

To provide shoreline erosion control.

**PROJECT DESCRIPTION:**

The applicant proposes, in accordance with the attached plans, to stabilize the shoreline approximately 320 linear feet by emplacing a series of four offshore stone breakwater structures with three 10-foot-wide vents; and bank grading 2:1 slope of the shoreline and stabilized with *Spartina Patens*, all not to exceed 29-foot channelward of the approximate mean high water line. All work is proposed in accordance with the attached plans prepared by Lane Engineering, Incorporated, dated December 19, 2023.

**EFFECTS ON AQUATIC RESOURCES:**

Proposed Activity	Aquatic Resource Impact (Sq. Ft.)	Aquatic Resource Type	Authority
Breakwater	3,810	Tidal Waters	Section 10/404
Bank Grading	1,899	Tidal Waters	Section 10/404
<b>Total:</b>	<b>5,709</b>		

**LEAD FEDERAL AGENCY:**

The United States 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 avoid and minimize impacts to aquatic resources to the maximum extent practicable based on the existing site conditions. The applicant proposes to avoid and minimize impacts by designing the headland breakwaters to be of the minimum channelward extent necessary to provide reduced wave energy and erosion rates.

No compensatory mitigation is currently proposed. The project would result in the establishment of approximately 1,899 square feet of high marsh vegetation (*S. patens*) with the bank grading.

**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, United States 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 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 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 the United States Army Corps of Engineers. 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/Missions/Regulatory/Section-408-Requests/>.

**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 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 United States 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-2023-61604-P33.

#### **PUBLIC HEARING REQUESTS:**

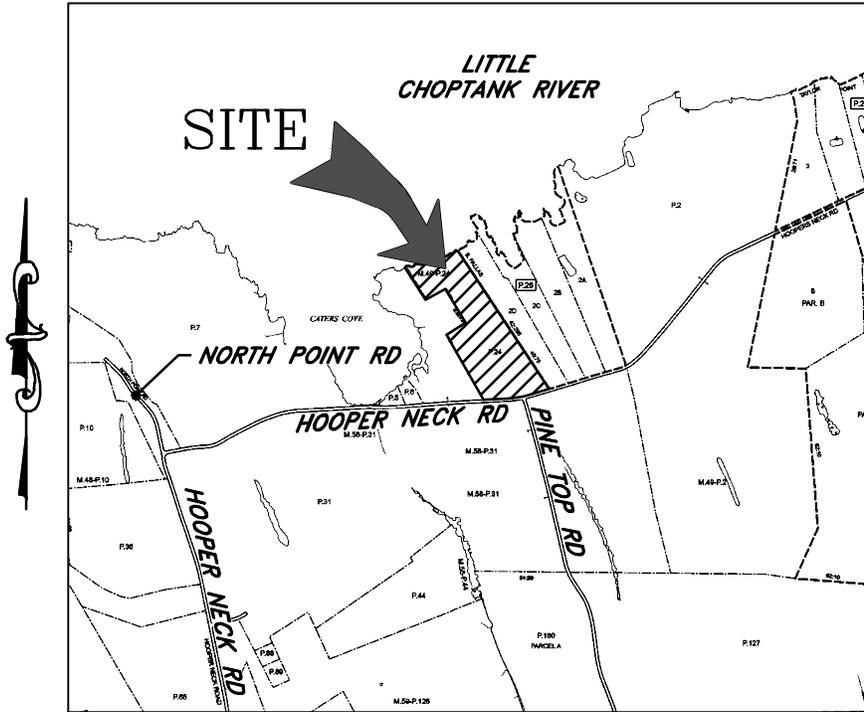
Any person who has an interest which may be adversely affected by the issuance of this permit may request a public hearing. The request, which must be in writing, must be received within the comment period as specified above to receive consideration. Also, it must clearly set forth the interest which 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:

Ms. Alicia Palmer  
[alicia.e.palmer@usace.army.mil](mailto:alicia.e.palmer@usace.army.mil)  
United States Army Corps of Engineers, Baltimore District  
Regulatory Branch  
1631 South Atherton Street, Suite 101  
State College, Pennsylvania 16801

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 Ms. Alicia Palmer at 814-235-1764, or at [alicia.e.palmer@usace.army.mil](mailto:alicia.e.palmer@usace.army.mil) with NAB-2023-61604-P33 in the subject line. This public notice is issued by the Chief, Regulatory Branch.

SHORELINE STABILIZATION PERMIT DRAWINGS  
 PREPARED FOR  
 SEAN KREBS & NICOLLE KREBS  
 IN THE FOURTH ELECTION DISTRICT  
 DORCHESTER COUNTY, MARYLAND



**VICINITY MAP**  
 SCALE: 1" = 2,000'

ENGINEER

**Lane Engineering, LLC**  
 117 BAY STREET  
 EASTON, MARYLAND 21601  
 (410) 822-8003

OWNER/DEVELOPER

SEAN KREBS  
 NICOLLE KREBS  
 7965 FISHEL CREEK ROAD  
 SEVEN VALLEYS, PA 17360  
 (717) 309-3866

PROJECT LOCATION

HOOPER NECK ROAD  
 TAYLORS ISLAND, MD 21669

ISSUE FOR:	DATE:	BY:	No.	DATE:	REVISION:	BY:
MDE SUBMITTAL	12/19/23	DSR				

SHEET No. <b>1 OF 6</b>	<b>TITLE SHEET</b> ON THE LANDS OF <b>SEAN KREBS &amp; NICOLLE KREBS</b> <b>TAYLORS ISLAND, MARYLAND</b> IN THE FOURTH ELECTION DISTRICT, DORCHESTER COUNTY TAX MAP 49, GRID 19, PARCEL 24, LOT 1	<b>Lane Engineering, LLC</b> 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
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## LEGEND & ABBREVIATIONS

MHW MEAN HIGH WATER (APPROXIMATE)  
 MLW MEAN LOW WATER (APPROXIMATE)  
 SAV SUBMERGED AQUATIC VEGETATION  
 TYP TYPICAL

PROPERTY LINE \_\_\_\_\_  
 TOP OF BANK \_\_\_\_\_  
 2018 MAPPED SAV \_\_\_\_\_SAV18\_\_\_\_\_  
 2019 MAPPED SAV \_\_\_\_\_SAV19\_\_\_\_\_  
 SPOT ELEVATION/SOUNDING x -2.15

## PROJECT NOTES

1. THE PROPERTY BOUNDARY SHOWN HEREON WAS COMPUTED USING AVAILABLE DEED AND PLAT RECORDS, A BOUNDARY SURVEY WAS NOT PERFORMED. EXISTING CONDITIONS SHOWN HEREON WERE SURVEY LOCATED BY LANE ENGINEERING, LLC IN OCTOBER, 2021.
2. THESE DRAWINGS ARE FOR PERMIT PURPOSES ONLY AND ARE NOT TO BE USED AS AN ACCURATE CONSTRUCTION DOCUMENT.
3. TIDAL DATUM, I.E. MEAN LOW WATER ELEVATION, IS ESTIMATED FROM ENVIRONMENTAL INDICATORS SUCH AS RACK LINES, WATER MARKS, PLANT COMMUNITY COMPOSITIONS.
4. UNLESS OTHERWISE NOTED, ELEVATIONS SHOWN HEREIN ARE REFERENCED TO MEAN LOW WATER = 0.0'.
5. MEAN TIDAL RANGE = 1.22' (PER NOAA VDATUM)
6. LOT SIZE = 22.10 AC± (PER SDAT)
7. MAXIMUM CHANNELWARD ENCROACHMENT = 29'±
8. ZONING CLASSIFICATION = RC (RESOURCE CONSERVATION)
9. 911 ADDRESS = HOOPER NECK ROAD TAYLORS ISLAND, MD 21669

### SITE & PROJECT NOTES

ON THE LANDS OF  
 SEAN KREBS & NICOLLE KREBS  
 TAYLORS ISLAND, MARYLAND

IN THE FOURTH ELECTION DISTRICT, DORCHESTER COUNTY  
 TAX MAP 49, GRID 19, PARCEL 24, LOT 1

### 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

SHEET No.  
 2 OF 6  
 DATE: AS NOTED  
 SCALE: AS NOTED  
 JOB No. 210498  
 FILE No. B923

*LITTLE  
CHOPTANK RIVER*

*P/O PARCEL 24, LOT 1*

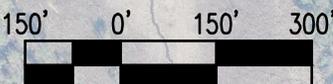
*TAX MAP 49, PARCEL 25, LOT 2D  
DEBRA BURBAGE WILKINS  
30565 FOXCHASE DRIVE  
SALISBURY, MD 21804*

*TAX MAP 58, PARCEL 31  
JOHN S. NEILD, JR, TRUSTEE  
ANN J. NEILD, TRUSTEE  
5110 NORTH DRIVE  
CAMBRIDGE, MD 21613*

*PARCEL 24, LOT 1  
(APPLICANT)*

*HOOPER NECK ROAD*

*NAD 83 (CORS)  
MARYLAND STATE PLANE*



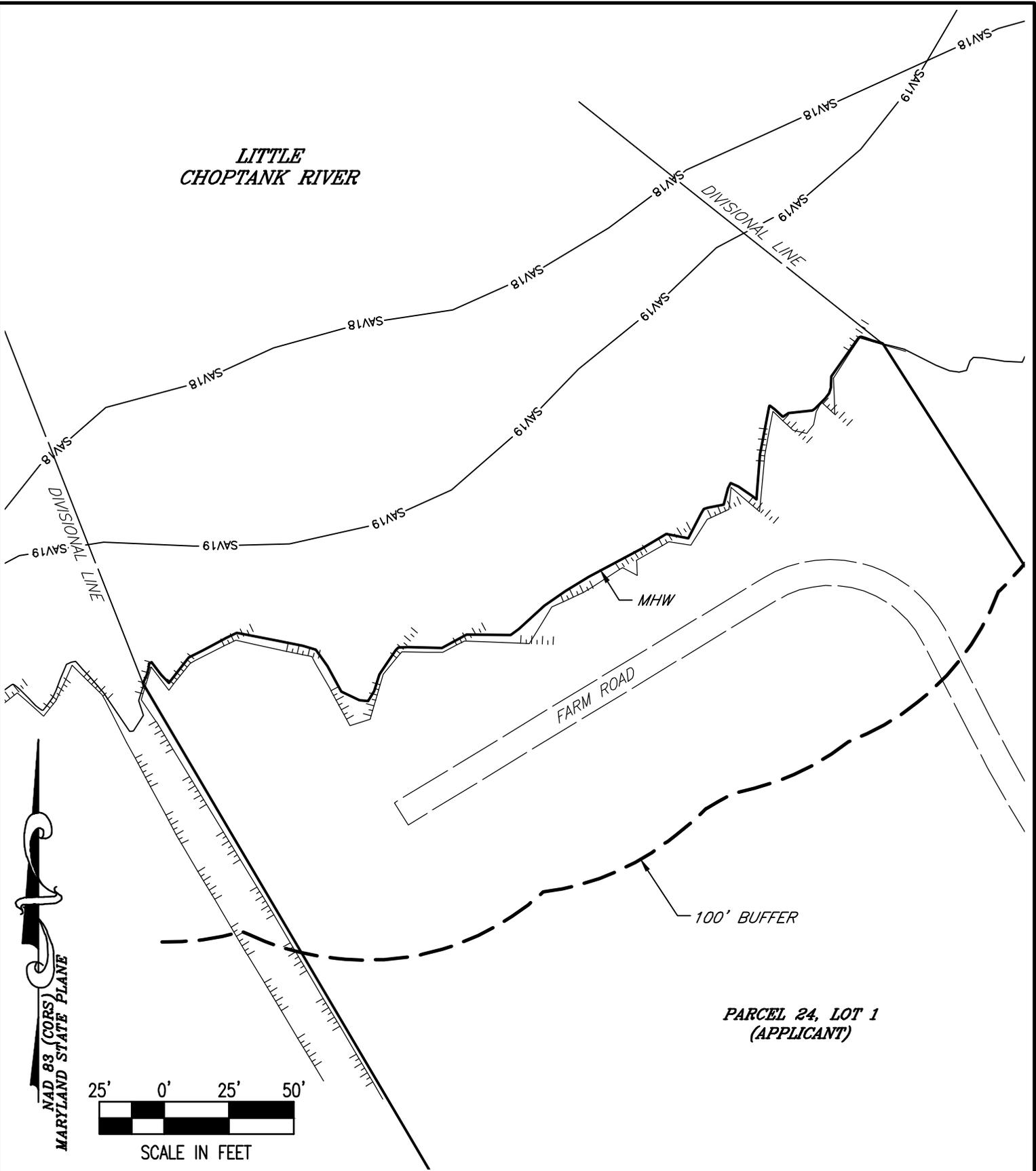
SCALE IN FEET

FILE No. B923  
JOB No. 210498  
SCALE: AS NOTED  
DATE: AS NOTED  
SHEET No. 3 OF 6

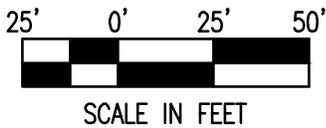
**SITE OVERVIEW**  
**ON THE LANDS OF**  
**SEAN KREBS & NICOLLE KREBS**  
**TAYLORS ISLAND, MARYLAND**  
**IN THE FOURTH ELECTION DISTRICT, DORCHESTER COUNTY**  
**TAX MAP 49, GRID 19, PARCEL 24, LOT 1**

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**LITTLE  
CHOPTANK RIVER**



**PARCEL 24, LOT 1  
(APPLICANT)**



**EXISTING CONDITIONS**

**ON THE LANDS OF  
SEAN KREBS & NICOLLE KREBS  
TAYLORS ISLAND, MARYLAND**

**IN THE FOURTH ELECTION DISTRICT, DORCHESTER COUNTY  
TAX MAP 49, GRID 19, PARCEL 24, LOT 1**

**Lane Engineering, LLC**

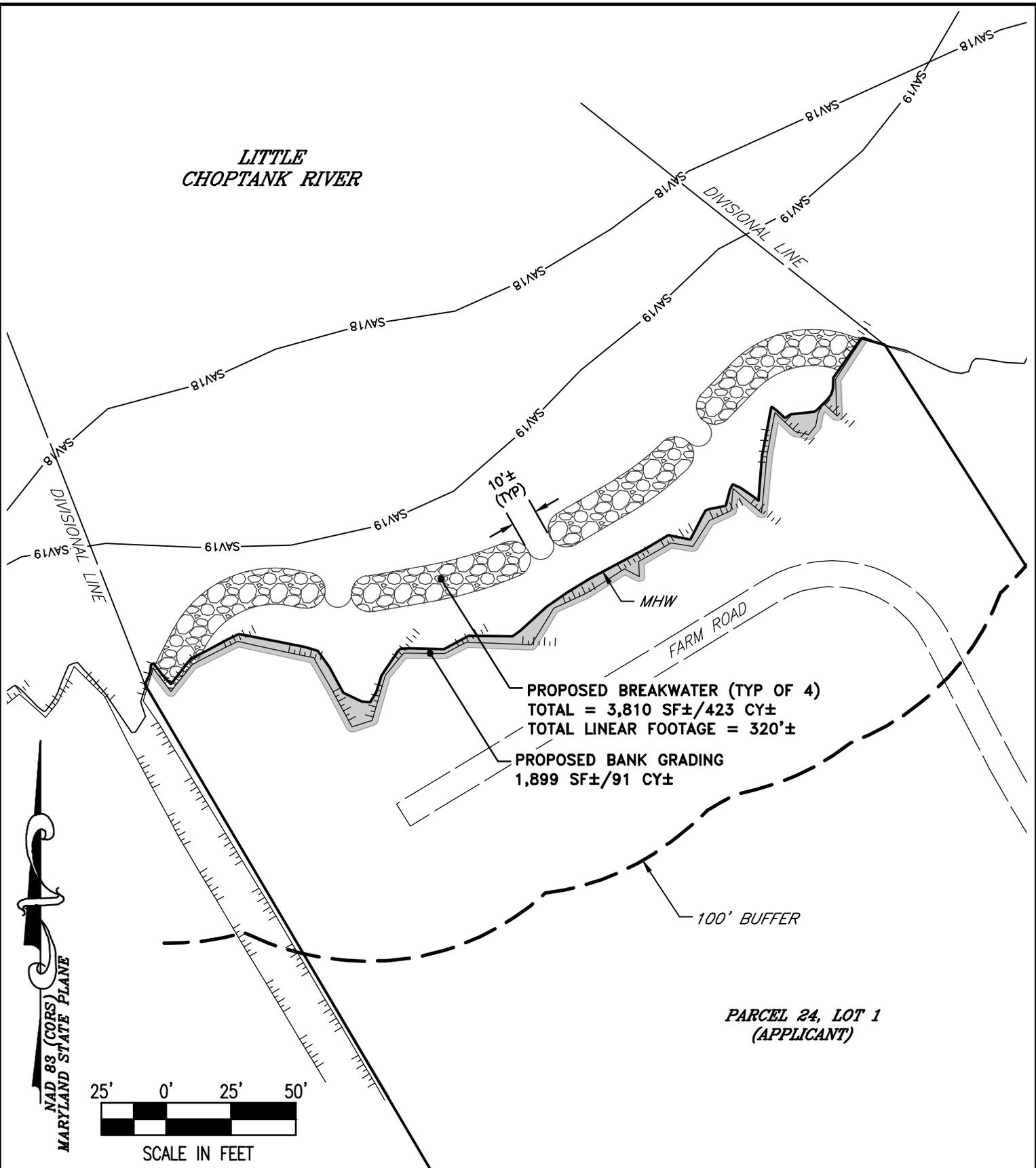
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SHEET No. 4 OF 6

**LITTLE  
CHOPTANK RIVER**



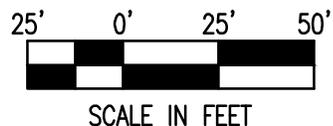
**PROPOSED BREAKWATER (TYP OF 4)**  
**TOTAL = 3,810 SF±/423 CY±**  
**TOTAL LINEAR FOOTAGE = 320'±**

**PROPOSED BANK GRADING**  
**1,899 SF±/91 CY±**

100' BUFFER

**PARCEL 24, LOT 1  
(APPLICANT)**

**NAD 83 (CORS)  
MARYLAND STATE PLANE**

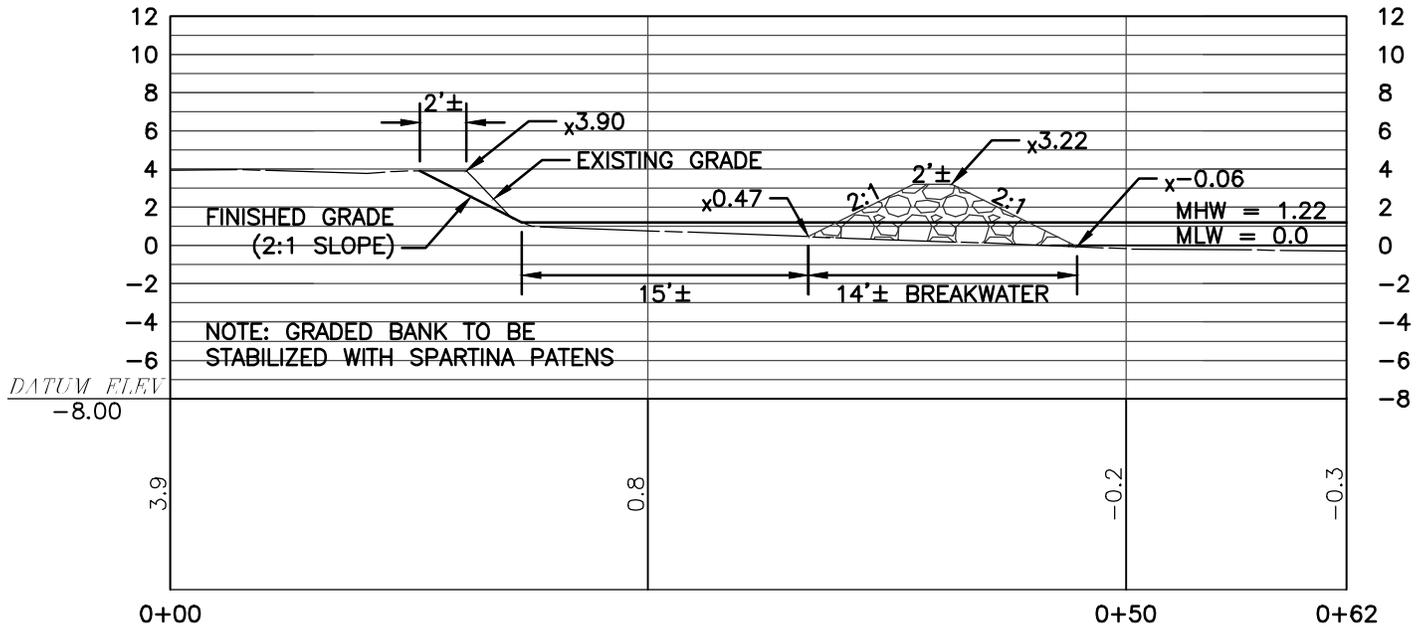


FILE No. B923  
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 SCALE: AS NOTED  
 DATE: AS NOTED  
**5 OF 6**  
 SHEET No.

**PROPOSED IMPROVEMENTS**  
**ON THE LANDS OF**  
**SEAN KREBS & NICOLLE KREBS**  
**TAYLORS ISLAND, MARYLAND**  
**IN THE FOURTH ELECTION DISTRICT, DORCHESTER COUNTY**  
**TAX MAP 49, GRID 19, PARCEL 24, LOT 1**

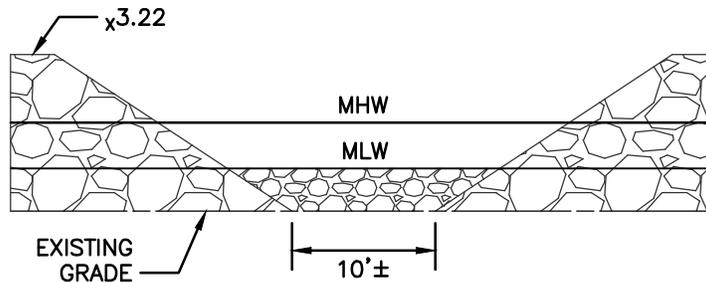
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**BREAKWATER SECTION A-A**

SCALE: 1" = 10'



**BREAKWATER VENT DETAIL**

NOT TO SCALE

**DETAILS**

ON THE LANDS OF  
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IN THE FOURTH ELECTION DISTRICT, DORCHESTER COUNTY  
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