

**US Army Corps
of Engineers**
Philadelphia District

Wanamaker Building
100 Penn Square East
Philadelphia, PA 19107-3390
ATTN: CENAP-OP-R

Public Notice

Public Notice No.	Date
CENAP-OP-R-2017-0114	June 9, 2017

Application No.	File No.
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In Reply Refer to:
REGULATORY BRANCH

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 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

The purpose of this notice is to solicit comments and recommendations from the public concerning issuance of a Department of the Army permit for the work described below.

APPLICANT: Curtis P. York
286 Chestnut Springs Road
Chesapeake City, Maryland 21915

AGENT: Robert Nickerson
10740 Millbrook Drive
Chestertown, Maryland 21620

WATERWAY: Chesapeake and Delaware Canal

LOCATION: Tax Map 43, Page 415, Lot 66, in Chesapeake City, Cecil County, Maryland.

ACTIVITY: The applicant proposes to rehabilitate an existing boat ramp, install a fixed pier with 2 finger piers, a platform and 2 boat lifts. A 12 foot wide precast concrete boat ramp would be installed in an existing opening to the waterway, and would extend approximately 77 feet waterward of the high tide line. Approximately 924 square feet of the waterway waterward of the high tide line would be manipulated with fill adjacent to the site, to allow for the placement of the ramp. Adjacent to the ramp, 6 foot wide fixed timber dock would extend approximately 112.5 feet waterward of mean high water. At the waterward end of the fixed pier, a 16 foot by 12.5 foot timber platform would be constructed on east side of the proposed pier. Two 3 pile cluster piles would be installed on both sides of the waterward end of the proposed structure. Landward of the platform, 2 - 3 foot by 25 foot finger piers would be used to support 2 12.5 foot by 13 foot boat lifts.

The materials to be used for the proposed structures would be pressure treated lumber and galvanized hardware. All work would be performed using barge mounted equipment. The vessels using the site would have a maximum length of 20 feet with a draft of 1 foot. The structure would be located approximately 220 feet from the edge of the Federal navigation channel. The applicant is not proposing any dredging at the project site.

PURPOSE: The applicant's stated purpose is to provide access to the adjacent waterway for recreational use.

A preliminary review of this application indicates that the proposed work would not affect listed 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.

The decision whether to issue a permit will be based on an evaluation of the activity's probable impact including its cumulative impacts on the public interest. The decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work 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, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs and welfare of the people. A Department of the Army permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

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.

Comments on the proposed work should be submitted, in writing, within 15 days to the District Engineer, U.S. Army Corps of Engineers, Philadelphia District, Wanamaker Building, 100 Penn Square East, Philadelphia, Pennsylvania 19107-3390.

Review of the National Register of Historic Places indicates that no registered properties or properties listed as eligible for inclusion therein are located within the permit area of the work.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act 1996 (Public Law 104-267), 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). A preliminary assessment of the species listed in the "Guide to Essential Fish Habitat Designations in the Northeastern United States, Volume IV: New Jersey and Delaware", dated March 1999, indicates that the site is not part of the area that designated as EFH. As such, no further action is required by this office.

Compensatory mitigation According to Federal regulation located at 33 CFR 325.1(d)(7) and 33 CFR 332.4 (b)(1), applicants wishing to discharge fill material into waters of the U.S. must include a statement on how they have avoided and minimized impacts as well as how they intend to compensate for unavoidable impacts. The applicant has avoided/minimized impacts to the aquatic environment by incorporating engineering/construction procedures into the process that will substantially reduce impacts to aquatic resources. Additionally, the applicant states the project site's current topography and the construction method and design of this residential pier and pre- cast ramp will have minimum impact on the shore line and should not require any mitigation.

In accordance with Section 307(c) of the Coastal Zone Management Act of 1972, applicants for Federal Licenses or Permits to conduct an activity affecting land or water uses in a State's coastal zone must provide certification that the activity complies with the State's Coastal Zone Management Program. The applicant has stated that the proposed activity complies with and will be conducted in a manner that is consistent with the approved State Coastal Zone Management (CZM) Program. No permit will be issued until the State has concurred with the applicant's certification or has waived its right to do so. Comments concerning the impact of the proposed and/or existing activity on the State's coastal zone should be sent to this office, with a copy to the State's Office of Coastal Zone Management.

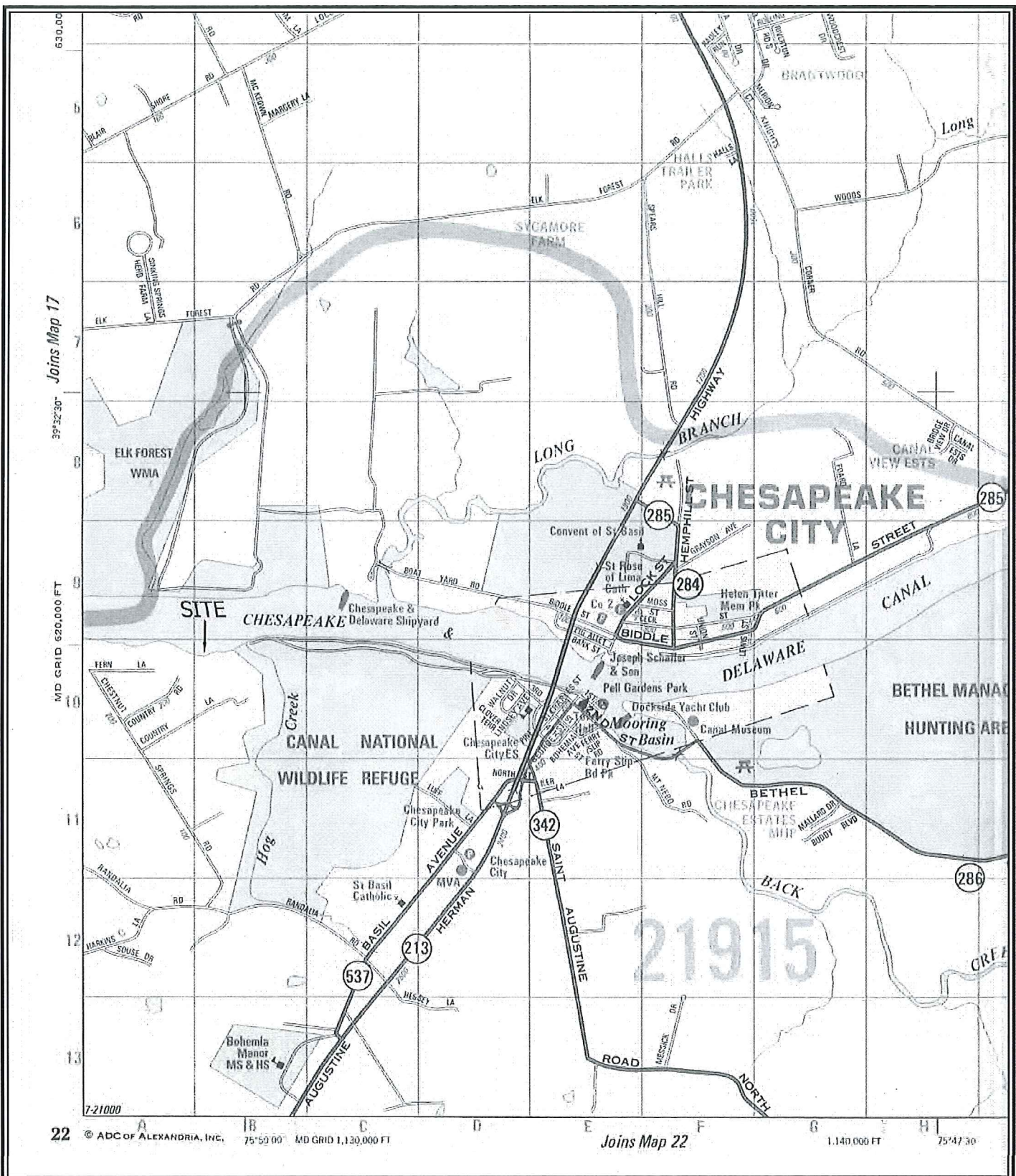
In accordance with Section 401 of the Clean Water Act, a Water Quality Certificate is necessary from the State government in which the work is located. Any comments concerning the work described above which relate to Water Quality considerations should be sent to this office with a copy to the State.

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(b) of the Clean Water Act.

Any person may request, in writing, to the District Engineer, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state in writing, with particularity, the reasons for holding a public hearing.

Additional information concerning this permit application may be obtained by calling Lawrence Slavitter at 215-656-6734, via email at lawrence.m.slavitter@usace.army.mil, or writing this office at the above address.

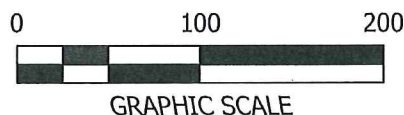
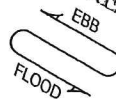
Edward E. Bonner
Chief, Regulatory Branch



<p>VICINITY MAP OF THE LANDS OF CURTIS P. YORK et al. SECOND ELECTION DISTRICT, CECIL COUNTY, MARYLAND MARYLAND TAX MAP 43 / p. 415 / LOT 66</p>	<p>EXTREME MEASURES LAND SURVEYORS Chestertown, MD 21620 PHONE 410-778-0147 www.extrememeasuresllc.com</p>	<p>SCALE N.T.S. DRAWN BY JK DATE 10-21-16 JOB NO. 701</p>
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CHESAPEAKE &
DELAWARE CANAL



GRAPHIC SCALE

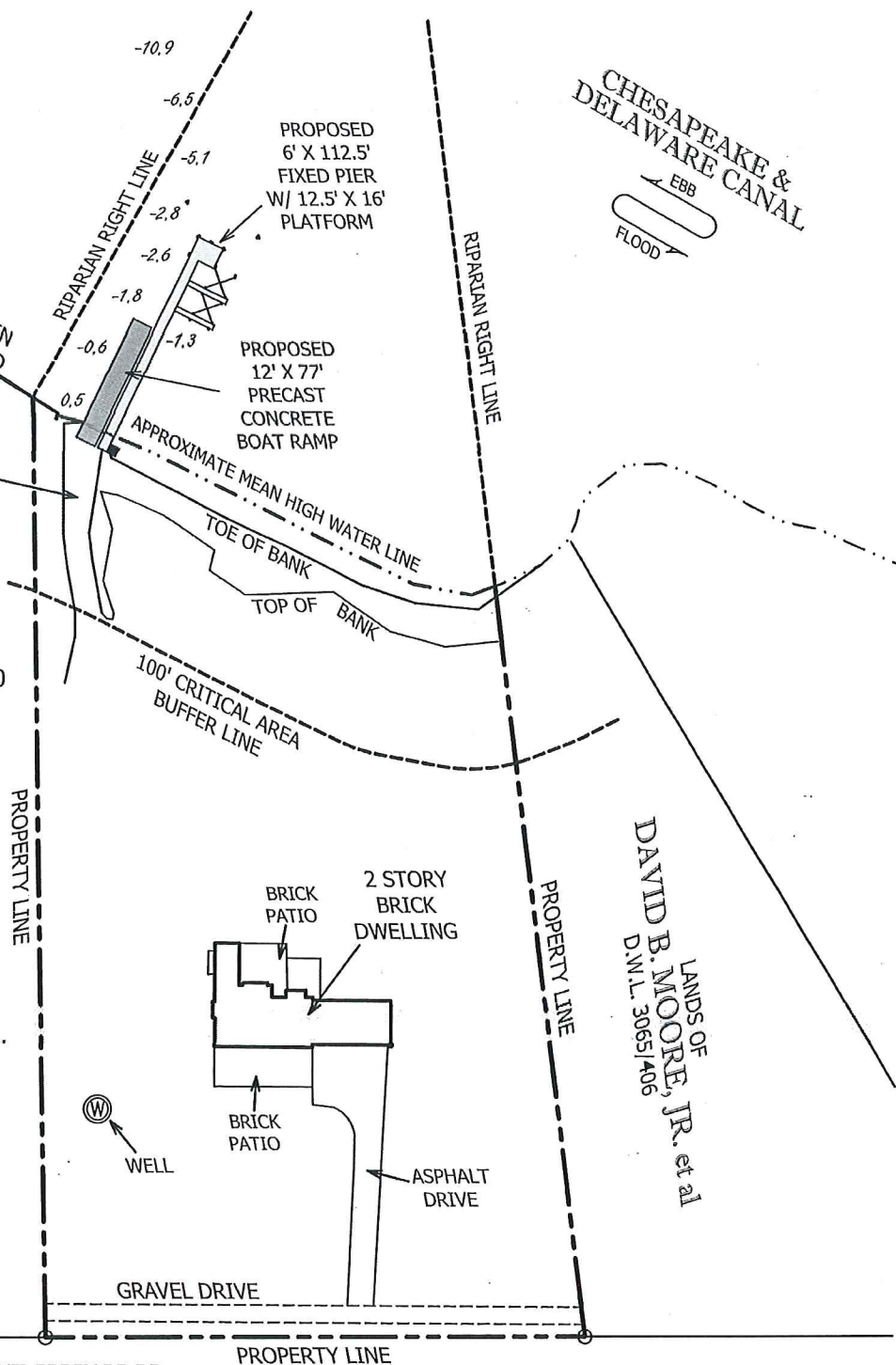
LANDS OF
J. MERRILL KEEN et ux.
N.D.S. 277/294

LATITUDE: 39° 31' 47"
LONGITUDE: 075° 50' 03"

DISTANCE TO CHANNEL: 220'±
WIDTH OF WATERWAY: 910'±

PREMISES ADDRESS: 286 CHESTNUT SPRINGS RD
CHESAPEAKE CITY, MARYLAND 21915

FOR DEED REFERENCE SEE: C.M.N. 3902/53
FOR PLAT REFERENCE SEE PLAT BOOK: N.D.S. 13/27



LANDS OF
DAVID B. MOORE, JR. et al
D.M.L. 3065/406

LANDS OF
J. MERRILL KEEN et al.
W.L.B. 1454/464

SITE PLAN
OF THE LANDS OF
CURTIS P. YORK et al.

SECOND ELECTION DISTRICT, CECIL COUNTY, MARYLAND

MARYLAND

TAX MAP 43 / p. 415 / LOT 66

EXTREME
MEASURES
LAND SURVEYORS
Chestertown, MD 21620 PHONE 410-778-0147
www.extrememeasuresllc.com

SCALE
1" = 100'

DRAWN BY
JK

DATE
10-21-16

JOB NO.
701



CHESAPEAKE &
DELAWARE CANAL



RIPIARIAN RIGHT LINE

145'± MAXIMUM CHANNELWARD

WOODEN
BULKHEAD

PROPERTY LINE

GRASS
RAMP AREA
TO WATER
ACCESS

APPROXIMATE MEAN
HIGH WATER LINE

TOE OF BANK

-6.5

-5.1

PROPOSED
CLUSTER PILES

PROPOSED
12.5' X 16'
PLATFORM

220'± TO CHANNEL

113'± TO RIPIARIAN RIGHT LINE

PROPOSED
CLUSTER PILES

PROPOSED
BOAT LIFTS

PROPOSED
3' X 25'
FINGER PIERS

PROPOSED 12' X 77'
PRECAST CONCRETE RAMP

PROPOSED 6' X 112.5' FIXED PIER

0.5

-1.3

-1.8

-2.6

-2.8



GRAPHIC SCALE

LATITUDE: 39° 22' 14"
LONGITUDE: 76° 03' 37"

DISTANCE TO CHANNEL: 220'±
WIDTH OF WATERWAY: 910'±

PREMISES ADDRESS: 286 CHESTNUT SPRINGS RD
CHESAPEAKE CITY, MARYLAND 21915

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SITE PLAN

OF THE LANDS OF
CURTIS YORK et al.

SECOND ELECTION DISTRICT, CECIL COUNTY, MARYLAND

MARYLAND

TAX MAP 43 / p. 415 / LOT 66

EXTREME

MEASURES

LAND SURVEYORS

Chestertown, MD 21620

PHONE 410-778-0147

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SCALE
1" = 30'

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CHESAPEAKE &
DELAWARE CANAL



CHANNEL AS SHOWN ON NOAA NAVIGATION CHART #12277

DEPTH OF CHANNEL PER NOAA NAVIGATION CHART #12277
LEFT OUTSIDE QUARTER - 26.0'
MIDDLE HALF OF CHANNEL - 31.0'
RIGHT OUTSIDE QUARTER - 28.9'

SOUNDINGS OF C & D CANAL ARE BASED
ON MEAN LOW WATER ELEVATION 0.0'

LANDS OF
J. MERRILL KEEN et ux.
N.D.S. 277/294

LATITUDE: 39° 31' 47"
LONGITUDE: 075° 50' 03"

DISTANCE TO CHANNEL: 220'±
WIDTH OF WATERWAY: 910'±

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CHESAPEAKE CITY, MARYLAND 21915

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RIPARIAN RIGHT LINE
-10.9
-6.5
-5.1
-2.8
-2.6
-1.8
-1.3
-0.6
0.5

APPROXIMATE
MEAN HIGH
WATER LINE

100' CRITICAL AREA
BUFFER LINE

LANDS OF
DAVID B. MOORE, JR. et al
D.W.L. 3065/406

LANDS OF
J. MERRILL KEEN et al.
W.L.B. 1454/464

SOUNDINGS

OF THE LANDS OF

CURTIS P. YORK et al.

SECOND ELECTION DISTRICT, CECIL COUNTY, MARYLAND

MARYLAND

TAX MAP 43 / p. 415 / LOT 66

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LAND SURVEYORS

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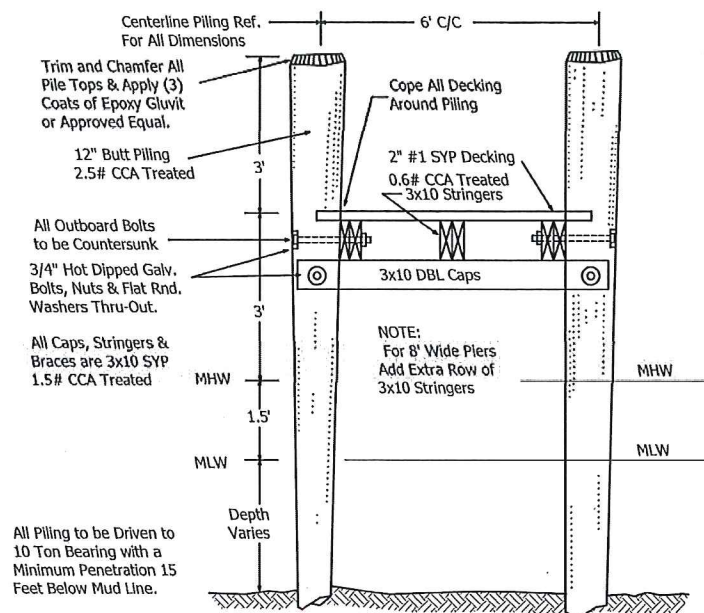
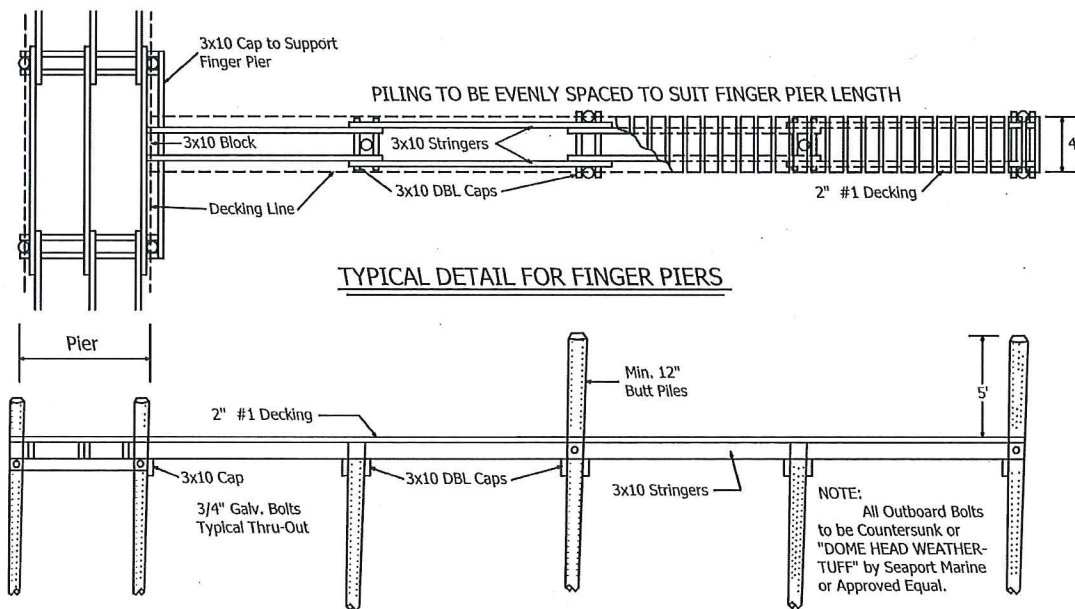
www.extrememeasuresllc.com

SCALE
1" = 200'

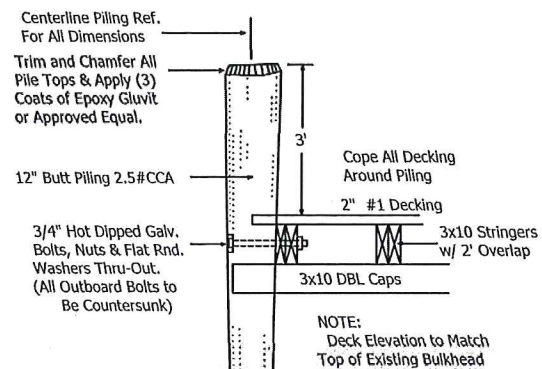
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DATE
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TYPICAL PIER DETAIL
(Not to Scale)

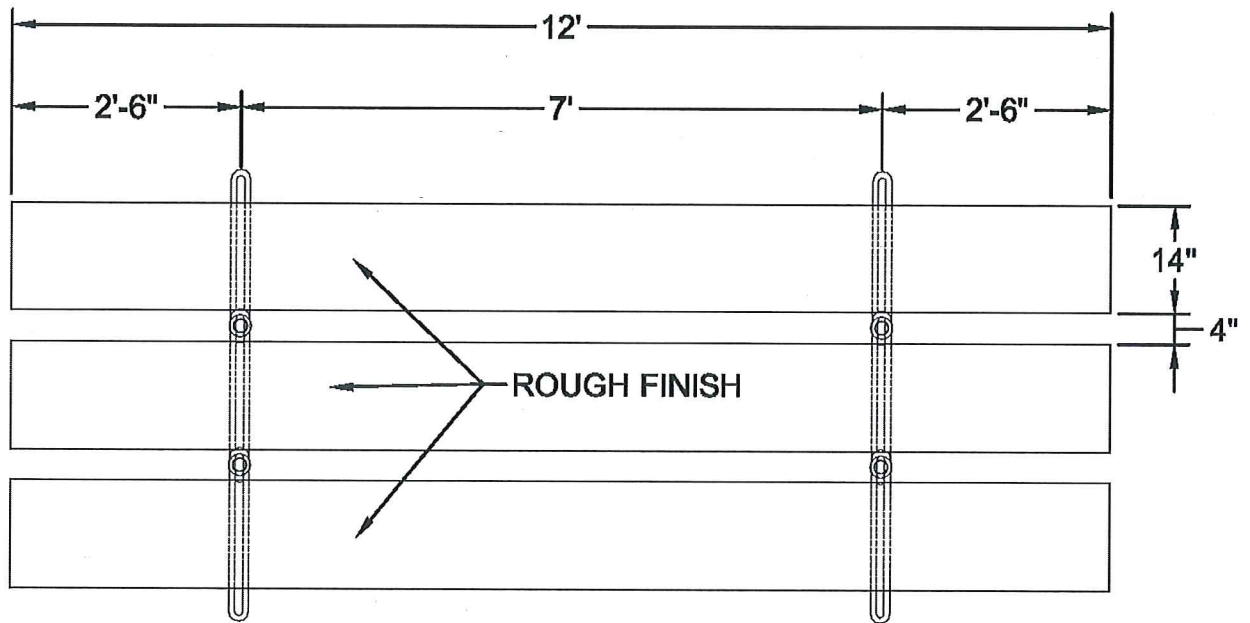


TYPICAL DETAIL
(Not to Scale)

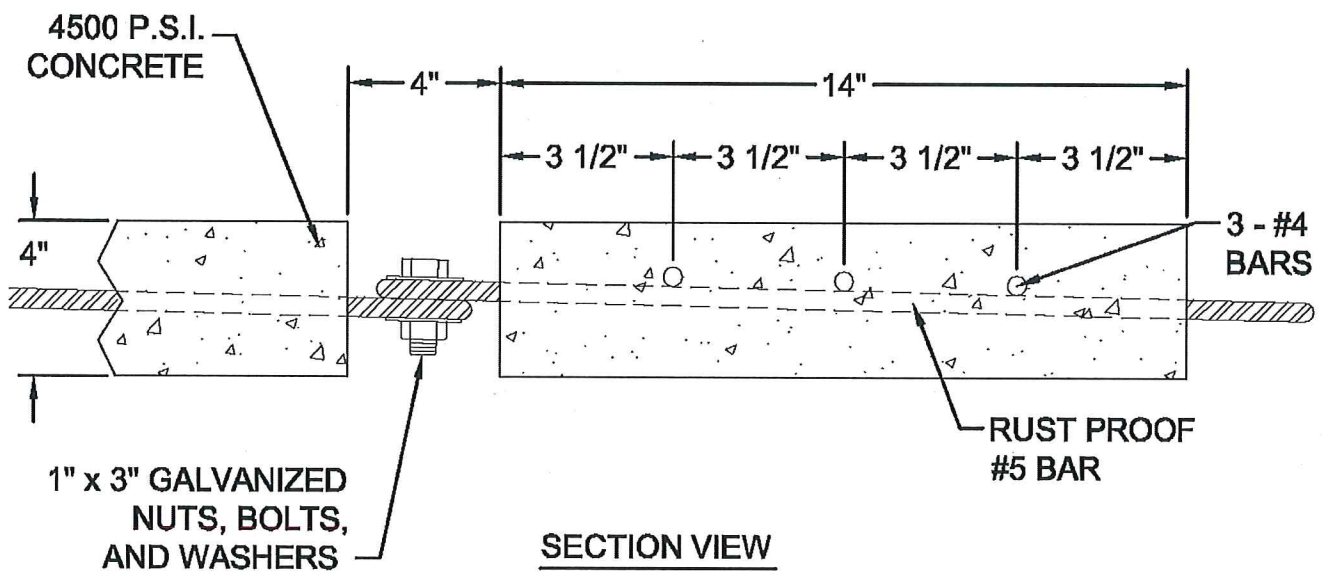
PIER DETAILS
OF THE LANDS OF
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PLAN VIEW



SECTION VIEW

WEIGHT: 675 lbs. each



GILLESPIE & SON

CONCRETE PRODUCTS

BOX 450 100 DIXON DR
CHESTERTOWN, MD 21620
1-800-638-6884

PRECAST BOAT RAMPS

DRAWN BY:

J.T.

DATE:

12-5-00

SCALE:

NOT TO SCALE

DWG. #:

1 OF 1