



DEPARTMENT OF
ENVIRONMENTAL PROGRAMS

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET, ROOM 1306
SNOW HILL, MARYLAND 21863
TEL: 410.632.1220 / FAX: 410.632.2012

LAND PRESERVATION PROGRAM
STORMWATER MANAGEMENT
SEDIMENT AND EROSION CONTROL
SHORELINE CONSTRUCTION
AGRICULTURAL PRESERVATION
ADVISORY BOARD

WELL & SEPTIC
WATER & SEWER PLANNING
PLUMBING & GAS
CRITICAL AREAS/FORESTRY
COMMUNITY HYGIENE

May 11, 2023

This notification is to advise you that the Department has received and is presently reviewing the following request for a shoreline construction project:

John Harrison – Request No. 2023-047 – Request to construct a 190' long, segmented stone, sand containment structure extending a maximum of 20' channelward of the MHW Line and fill and grade with 125 cubic yards of sand along 160' of eroding shoreline and plant 1900 sq ft with marsh vegetation. Request to construct 85 linear feet of marsh edging all within a maximum of 4.5' channelward of the marsh/open water interface. This project is located at 5939 South Point Rd, Berlin, also known as Tax Map 50, Parcel 11. Tenth Tax District of Worcester County, Maryland.

The Department in considering this application will make specific findings of fact with regard to the environmental impact, navigational impact, recreational potential, commercial benefit to Worcester County, impact of the proposed construction upon the surrounding neighborhood and upon property values therein, and any other pertinent issues. Approval from the Department does not guarantee approval from any other applicable regulatory agencies.

If you have an interest which may be adversely affected by the issuance of this permit, you are requested to notify this Department in writing within fifteen (15) calendar days which will end on May 26, 2023.

Sincerely,

Brandy Whitlock
Environmental Inspector

cc: Interested Parties
David Bradford, Deputy Director
File



WORCESTER COUNTY
SHORELINE CONSTRUCTION
APPLICATION

Request No.: 2023-047
Submission Date: 5-11-23

X Major Construction (\$300.00)
Minor Construction (\$150.00)

Written Description of Proposed Improvement (include channelward distance):

To construct a living shoreline as per amended and approved USACE and MDE permit

Property Description:

Map: 0050 Parcel: 011 Lot: Section: Block: Tax District: 10
Street Address: 5939 South Point Road, Berlin MD 21811
Subdivision:
 Dwelling on lot: X Dwelling under construction: Vacant: Commercial:

Owner: John and Karen Harrison Phone No. 4107265792
Mailing Address: 5939 South Point Road, Berlin MD 21811
E-Mail Address:

Contractor: RG Murphy Phone No.: 410 352 5015
Mailing Address: 11920 Back Creek Road, Bishopville MD
E-Mail Address: rgmurphy11@comcast.net

Recorded Adjacent Property Owner: James Bergey
Property Address: 6213 South Point Road, Berlin MD 21811
Tax Map: 0050 Parcel: 30 Lot: 1 Section: Block:

Recorded Adjacent Property Owner: John Otto
Property Address: 11206 Woodside Drive, Berlin MD 21811
Tax Map: 0050 Parcel: 0051 Lot: 0008 Section: Block:

As the applicant, I attest that the information presented on this application, site plan and any written documentation attached hereto is known to be accurate. I understand that the proposed shoreline improvement will be constructed to meet or exceed minimum design standards adopted by the Department. Any deviation from these standards will require construction plans sealed by an engineer registered in the State of Maryland. I acknowledge that any falsification of information presented may result in revocation of this approval and of the subsequent Shoreline Construction Permit.

Chris McCabe - Agent for owner 05/08/23
Owner/Applicant's Signature Date

DEPT. USE ONLY:
Notification Distribution Date: 5-11-23 Public Comment Deadline: 5-26-23 (15 calendar days)
Department Approval Date: Expiration:

GENERAL NOTES:

1. DEED REFERENCE: 2735-40
PLAT REFERENCE: 114-25
2. PROPOSED SHORELINE IMPROVEMENTS: (1) PROPOSED STAGGERED STONE SILL NOT TO EXCEED 20' CHANNELWARD AS SHOWN HEREON, BACKFILL WITH SAND AND PLANT WITH SPARTINA ALTERNIFLORA. (2) ±85 L.F. OF RIPRAP TO BE PLACED ALONG SHORELINE AS SHOWN HEREON.

PROPOSED SHORELINE ADJUSTMENTS: (1) 918.4 L.F. OF UNPERMITTED RIP RAP TO REMAIN. (2) 57 L.F. OF UNPERMITTED RIPRAP TO BE REMOVED. (3) 4' X 10' PIER TO BE REMOVED. (4) 12.5 L.F. OF AN EXISTING DOCK TO BE REMOVED.

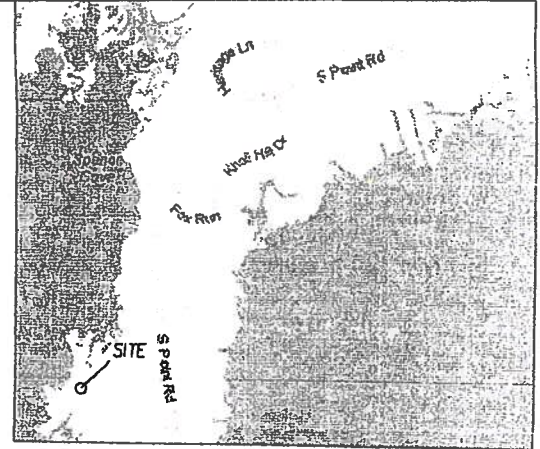
3. ELEVATIONS SHOWN HEREON ARE BASED WITHIN AN ASSUMED DATUM. THE LINE OF SATURATION, MEASURED TO BE M.H.W., IS SET AS 2.0' FOR THE PURPOSE OF THIS SHORELINE PERMIT DRAWING.

4. AS PER THE VIRGINIA INSTITUTE OF MARINE SCIENCES (VIMS) MAP LABELED, TINGLES ISLAND, MD (170), THE WATERS OF THE SUBJECT SITE HAVE A 10 - 40% SUBMERGED AQUATIC VEGETATION (SAV) RATING.

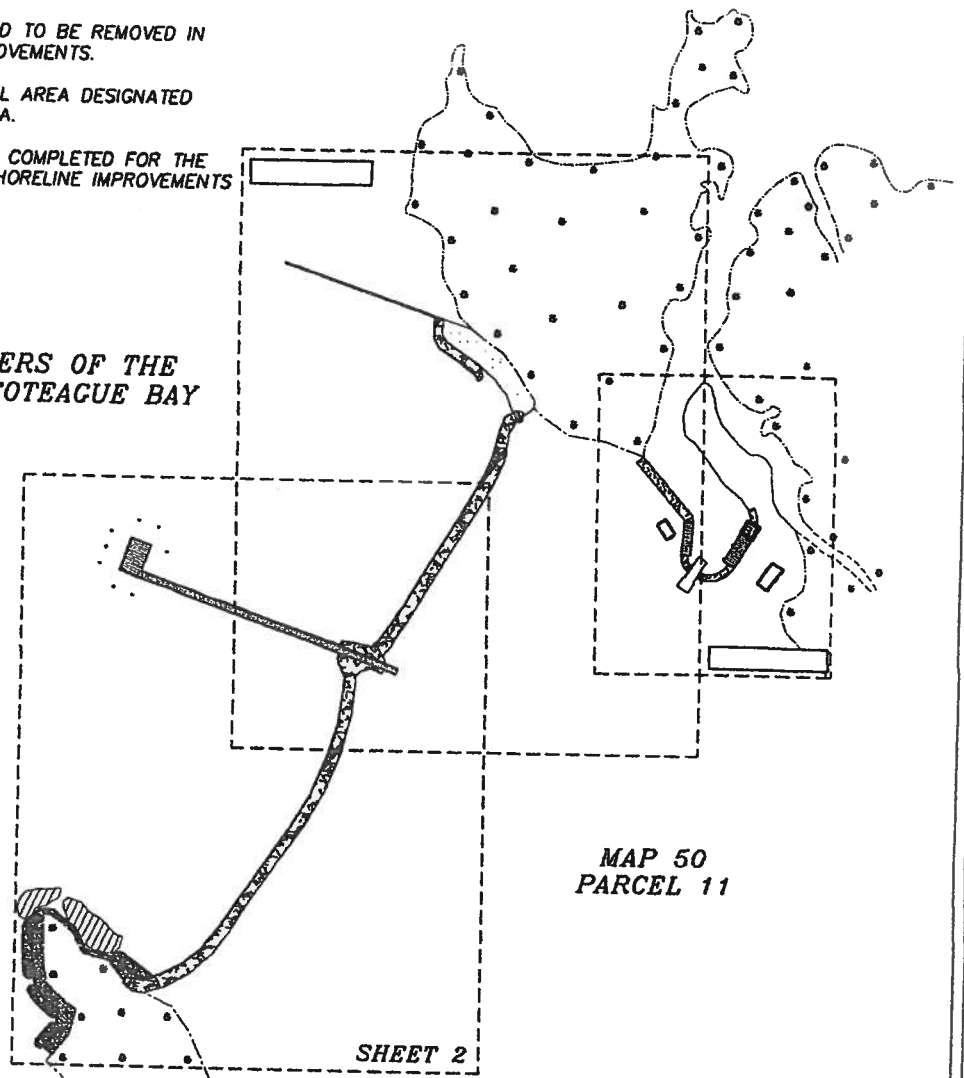
5. NO TREES OR OTHER VEGETATION NEED TO BE REMOVED IN ORDER TO COMPLETE THE PROPOSED IMPROVEMENTS.

6. THIS PROPERTY LIES WITHIN A CRITICAL AREA DESIGNATED "R.C.A.", OR RESOURCE CONSERVATION AREA.

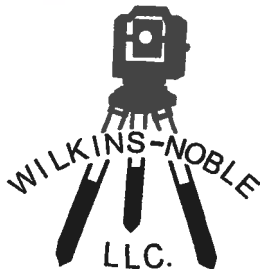
7. THIS SHORELINE PERMIT DRAWING WAS COMPLETED FOR THE EXPRESS PURPOSE OF FACILITATING THE SHORELINE IMPROVEMENTS SHOWN HEREON



VICINITY MAP
1" = 3000'±



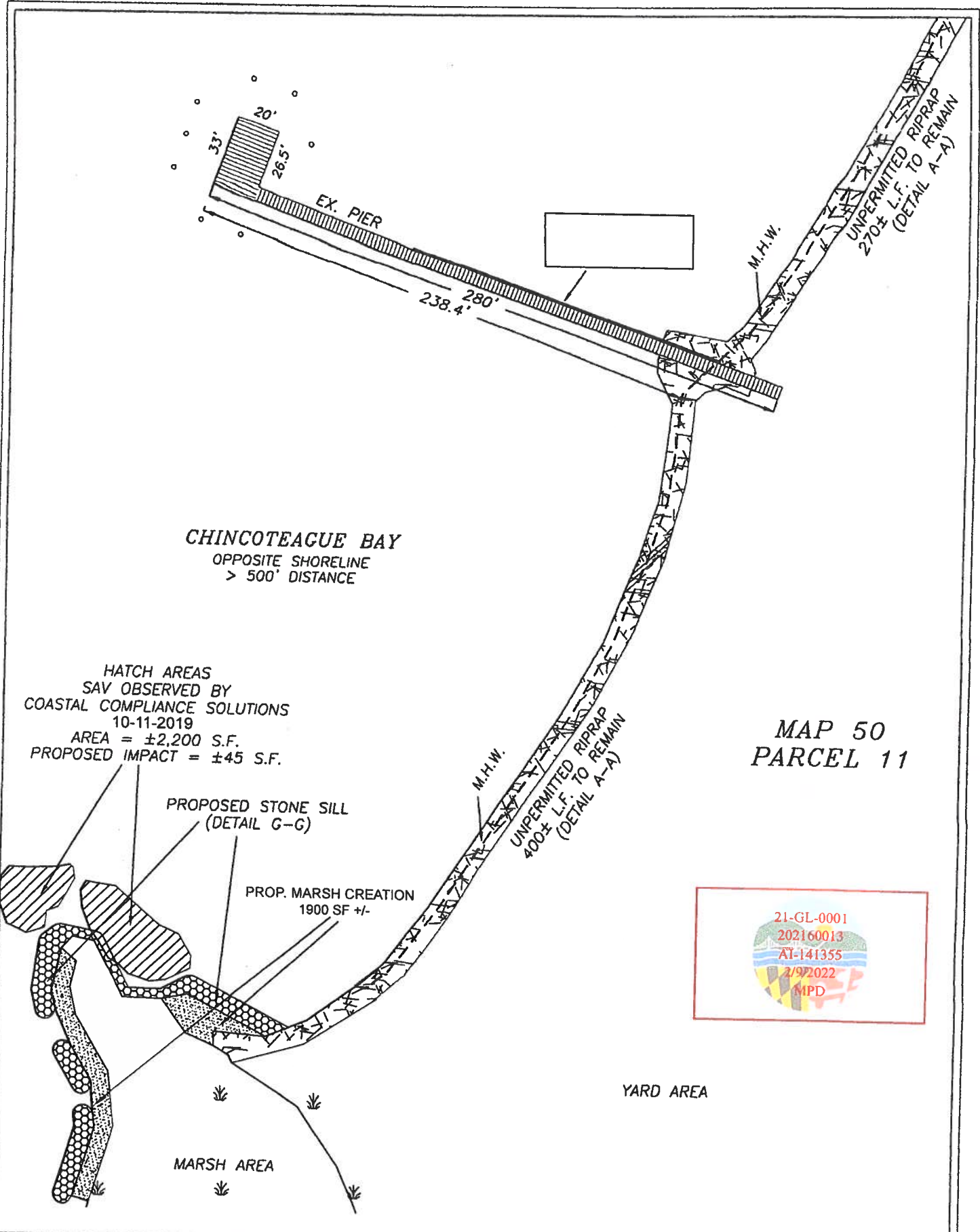
CIVIL ENGINEERING & LAND SURVEYING



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

SHORELINE PERMIT DRAWING
ON LANDS OF
JOHN H. & KAREN G. HARRISON
5939 SOUTH POINT ROAD - OCEAN CITY, MARYLAND
PARCEL 11 - TAX MAP 50 - WORCESTER COUNTY - TAX DISTRICT 10

REVISED:		SCALE: N.T.S.
DRAWN:	DAW 11/15/2020	
SURVEYED:	DAW 12/15/2020	JOB:
		SHEET: 1 OF 3



MAP 50
PARCEL 11



JOHN H. & KAREN G. HARRISON

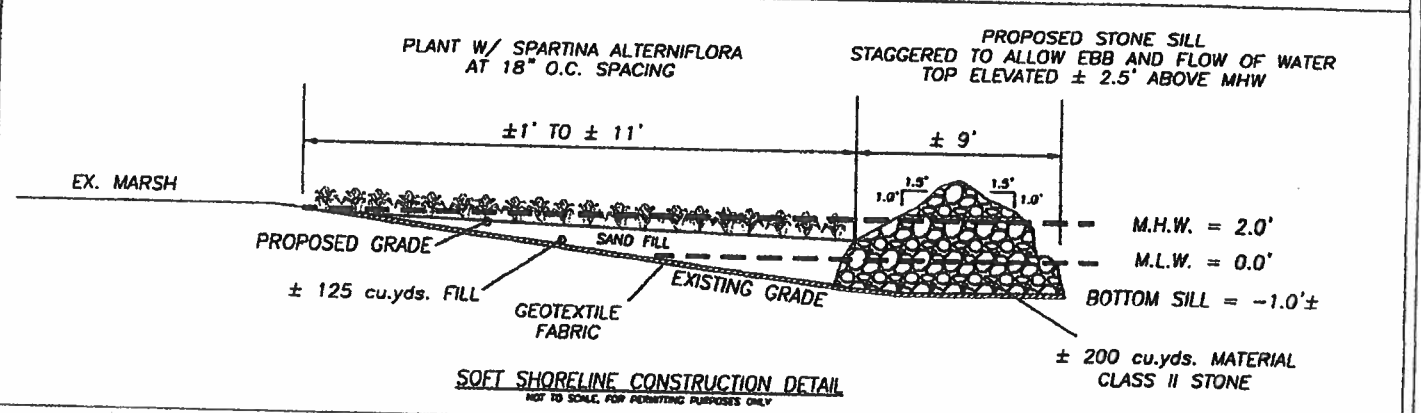
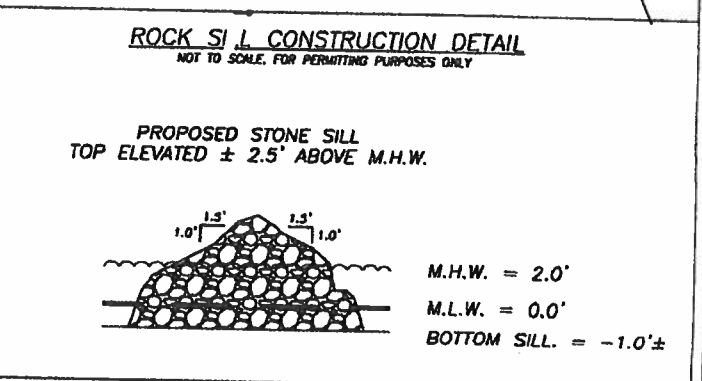
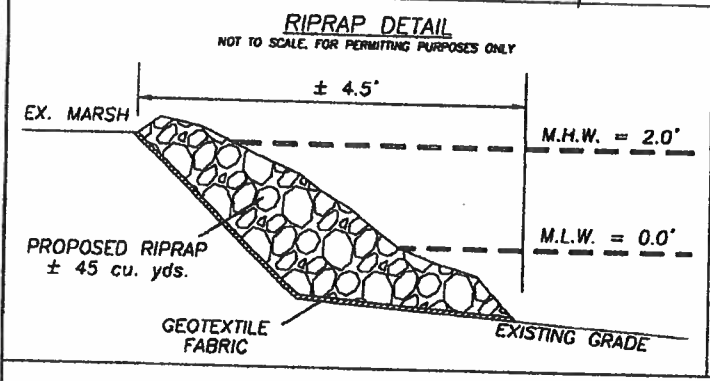
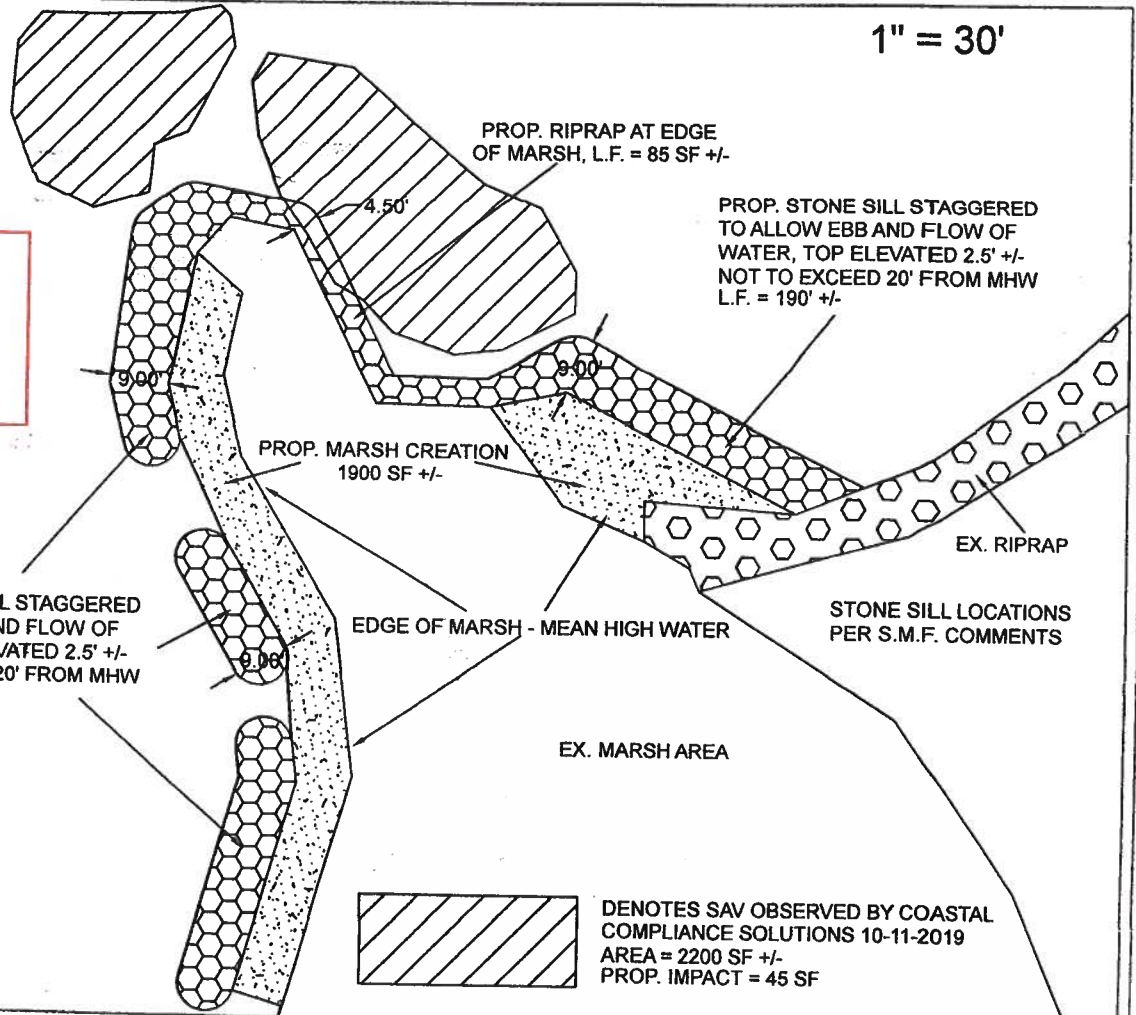
REVISED:
DRAWN: DAW 11/15/2020
SURVEYED: DAW 12/15/2020

SCALE: 1" = 60'

JOB: SHEET: 2 OF 3

1" = 30'

21-GL-0001
202160013
AI-141355
3/9/2022
MPD



JOHN H. & KAREN G. HARRISON		REVISED:	SCALE: PER DETAIL
		DRAWN: DAW 11/15/2020	JOB:
		SURVEYED: DAW 12/15/2020	SHEET: 3 OF 3



Maryland
Department of
the Environment

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor

Ben Grumbles, Secretary
Horacio Tablada, Deputy Secretary

February 09, 2022

John Harrison
C/o Chris McCabe
Coastal Compliance Solutions
PO Box 66
Fruitland, MD 21826
Via email: coastalcompliancesolutions@gmail.com

Re: Agency Interest Number: 141355
Tracking Number: 202160013
Tidal Authorization Number: 21-GL-0001

Dear John Harrison:

Your application to alter tidal wetlands has been evaluated by the Tidal Wetlands Division. Your State wetlands license or permit authorizing work in tidal wetlands is attached. Please take a moment to read and review your authorization to ensure that you understand the limits of the authorized work and all of the general and special conditions.

Your project qualifies for federal approval under the Maryland State Programmatic General Permit (MDSPGP) under the Category A limits. The federal permit is not attached. The MDSPGP permit, general conditions, and activity specific special conditions must be downloaded from the Department's website at

https://mde.maryland.gov/programs/Water/WetlandsandWaterways/Pages/MDSPGP6_conditions.aspx. You will need to download the following: Cover Letter, MDSPGP General Conditions, and the following MDSPGP-6 Activity-Specific Conditions **f (1)**, **f (2)**. You should not begin any work until you have obtained all necessary State, local, and federal authorizations.

This State authorization is a final agency decision; there is no further opportunity for administrative review. Any person with standing, who is either the applicant or who participated in the public participation process through the submission of written or oral comments, may petition for judicial review in the circuit court in the county where the authorized activity will occur. The petition for judicial review must be filed with the court within 30 days of receipt of this decision. Please contact Mary Phipps-Dickerson at mary.phipps-dickerson@maryland.gov or 410-901-4033 with any questions.

Sincerely,

Jonathan Stewart, Chief
Eastern Region
Tidal Wetlands Division



STATE OF MARYLAND
DEPARTMENT OF THE ENVIRONMENT
WATER AND SCIENCE ADMINISTRATION
GENERAL TIDAL WETLANDS LICENSE



LICENSE NUMBER: **21-GL-0001**
EFFECTIVE DATE: **February 10, 2022**
EXPIRATION DATE: **February 09, 2025**
LICENSEE: **John Harrison**
ADDRESS: **5939 South Point Road**
Berlin, MD 21811
PROJECT LOCATION: **5939 South Point Road**
Berlin, MD 21811
Newport Bay in Worcester County

PURSUANT TO THE AUTHORITY OF THE BOARD OF PUBLIC WORKS, TITLE 16 OF THE ENVIRONMENT ARTICLE, ANNOTATED CODE OF MARYLAND, AND CODE OF MARYLAND REGULATIONS 26.24 AND 23.02.04, **John Harrison** ("LICENSEE") IS AUTHORIZED BY THE WATER AND SCIENCE ADMINISTRATION ("ADMINISTRATION") TO CONDUCT THE FOLLOWING REGULATED ACTIVITY IN STATE TIDAL WETLANDS, IN ACCORDANCE WITH THE CONDITIONS OF THIS LICENSE AND THE ATTACHED PLANS DATED **November 15, 2020** PREPARED BY **Coastal Compliance Solutions, LLC**, AND APPROVED BY THE ADMINISTRATION'S TIDAL WETLANDS DIVISION ON **February 10, 2022**, AND INCORPORATED HEREIN:

1. *Construct a 190-foot long, segmented stone, sand containment structure extending a maximum of 20 feet channelward of the mean high water line; and fill and grade with 125 cubic yards of sand along 160 feet of eroding shoreline and plant 1,900 square feet with marsh vegetation; and*
2. *Construct 85 linear feet of marsh edging all within a maximum of 4.5 feet channelward of the marsh/open water interface.*

SPECIAL CONDITIONS

- A. The Licensee shall accept the terms of the attached marsh maintenance plan by signing and returning the standard plan to the Water and Science Administration, Tidal Wetlands Division prior to commencement of any work authorized under this License. If the Licensee wishes to propose an alternative marsh maintenance plan, the alternative plan must be submitted to and approved by the Tidal Wetlands Division, Water and Science Administration, prior to commencement of any work authorized under this License. Any alternative plan must provide assurances of success that are at least equivalent to those of the standard plan, in terms of the extent of native marsh plant coverage, elimination of invasive species and timeframe for plant establishment.
- B. The Licensee shall construct at least two vent(s) (opening in the stone edging), to facilitate marsh flushing and shall be located along the stone edging as depicted on the attached plans.

C. The Licensee shall construct the marsh establishment area in accordance with the following conditions:

1. The Licensee shall use clean substrate fill material, no more than 10% of which shall pass through a standard number 100 sieve.
2. The marsh establishment area shall be planted within one year following completion of the filling operation.
3. The marsh establishment project shall be maintained as a wetland, with non-nuisance species' aerial coverage of at least 85% for three consecutive years. If 85% coverage is not attained, the reasons for failure shall be determined, corrective measures shall be taken, and the area shall be replanted.
4. If the fill is graded hydraulically, the licensee shall use a turbidity curtain around the perimeter of the instream work.
5. If the existing bank is to be cleared or graded:
 - a. The Licensee shall perform all work under and in accordance with an approved Soil Erosion and Sediment Control Plan from the applicable sediment and erosion control agency; and
 - b. The Licensee shall perform all work under and in accordance with the Critical Area requirements of the local jurisdiction in the form of an approved Buffer Management Plan.

D. The Licensee shall not stockpile any material in State or private tidal wetlands.

GENERAL CONDITIONS

- A. The Maryland Department of the Environment has determined that the proposed activities comply with, and will be conducted in a manner consistent with the State's Coastal Zone Management Program, as required by Section 307 of the Federal Coastal Zone Management Act of 1972, as amended.
- B. The Licensee shall comply with all Critical Area requirements and obtain all necessary authorizations from local jurisdiction. This License does not constitute authorization for disturbance in the 100-foot Critical Area Buffer. "Disturbance" in the Buffer means clearing, grading, construction activities, or removal of any size of tree or vegetation. Any anticipated Buffer disturbance requires prior written approval, before commencement of land disturbing activity, from local jurisdiction in the form of a Buffer Management Plan.
- C. If the authorized work is not performed by the property owner, all work performed under this Tidal Wetlands License shall be conducted by a marine contractor licensed by the Marine Contractors Licensing Board (MCLB) in accordance with Title 17 of the Environment Article of Annotated Code of Maryland. A list of licensed marine contractors may be obtained by contacting the MCLB at 410-537- 3249, by e-mail at MDE.MCLB@maryland.gov or by accessing the Maryland Department of the Environment, Environmental Boards webpage.
- D. The Licensee certifies real property interest in the contiguous upland.

- E. The issuance of this permit is not a validation or authorization by the Department for any of the existing structures depicted on the plan sheets on the subject property that is not part of the authorized work description, nor does it relieve the Licensee of the obligation to resolve any existing noncompliant structures and activities within tidal wetlands.
- F. This License does not authorize any existing structures depicted on the plan sheets that are not specifically described in the description of work.
- G. The Licensee acknowledges that this authorization is based on current water depths that are existing and indicated on the attached plan sheet. This License proposes no dredging and this license provides no justification or assurances for future dredging. All dredging projects will be evaluated on the biological and physical characteristics of the site at the time an application is made.
- H. The Licensee shall obtain an approved sediment and erosion control plan from the local soil conservation district when the area disturbed is greater than 5000 square feet or 100 cubic yards of fill.
- I. The Licensee shall ensure that a copy of this License, including the approved plans, is available at the site until the authorized work is complete.
- J. The Licensee shall make every reasonable effort to design and construct the structure or perform the activity authorized in this License in a manner which minimizes adverse impacts on natural resource values, including water quality, plants, wildlife, plant and wildlife habitat, and on historic property values.
- K. The Secretary of the Environment may suspend or revoke a License if the Secretary finds that the Licensee has not complied with any condition or limitation in the License or has exceeded the scope of the authorized activities.
- L. The Licensee shall indemnify, defend and hold harmless the State of Maryland, its officials, officers, and employees from and against any and all liability, suits, claims and actions of whatever kind, caused by or arising from the work authorized by the License.
- M. The Licensee acknowledges that this License does not transfer any property interest in State tidal wetlands. This License allows the Licensee to use State tidal wetlands only for the structure or activity authorized herein and in no way limits the use of waters of the State by the public.
- N. This License is valid only for use by the Licensee. Permission for transfer of the License shall be obtained from the Water and Science Administration, Tidal Wetland Division. The terms and conditions of this License shall be binding on any assignee or successor in interest of the License.
- O. The Licensee shall allow representatives of the Maryland Department of the Environment to inspect the authorized activities.
- P. The Licensee shall notify the Maryland Department of the Environment, Water and Science Administration, Compliance Program at least 10 days before starting the authorized activities at (410) 901-4020.

- Q. The Licensee shall complete construction of the activity authorized under this License by the expiration date, otherwise a new General License shall be obtained.
- R. Upon completion of the authorized activities, the Licensee shall notify the Maryland Department of the Environment, Water and Science Administration, Compliance Program at (410) 901-4020.

By authority of the Secretary of the Environment:




Heather L. Nelson, Program Manager
Wetlands and Waterways Program

2/14/2022

Date

Tidal Wetland Reviewer: MPD

Supervisor Concurrence: 

Tracking Number: 202160013
Agency Interest Number: 141355

Enclosure: Plans dated November 15, 2020
cc: WSA Inspection & Compliance Program



**DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, BALTIMORE DISTRICT
2 HOPKINS PLAZA
BALTIMORE, MD 21201-2930**

May 12, 2020

Operations Division

Mr. John Harrison
5939 South Point Road
Berlin, Maryland 21811

Dear Mr. Harrison:

I am replying to an email sent on your behalf, dated April 20, 2020, requesting an extension of time for the Department of the Army permit CENAB-OP-RMS (Harrison, John) 2013-62055 issued on May 20, 2015. The project is located in an unnamed tidal basin and the Newport Bay at 5939 South Point Road in Berlin, Worcester County, Maryland.

As there have been no significant changes in the attendant circumstances since authorization was granted, the District has determined that it is not contrary to the public interest to grant an extension of time. Accordingly, general condition (1) of the permit is revised to read as follows:

"The time limit for completing the work authorized ends on December 31, 2025. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached."

All other conditions of the original permit remain in effect. All required State and local authorizations must be secured prior to commencement of construction.

By Authority of the Secretary of the Army:

Issued for and on behalf of
John T. Litz, PMP
Colonel, U.S. Army
Commander and District Engineer

Handwritten signature of Kathy B. Anderson in black ink.

Digitally signed by
ANDERSON.KATHERINE.B.122940
7798
Date: 2020.05.12 13:14:14 -04'00'

Kathy B. Anderson
Chief, Maryland South Section

To identify how we can better serve you, we need your help. Please take the time to fill out our new customer service survey at: http://corpsmapu.usace.army.mil/cm_apex/f?p=136:4:0.