CS 740-06 Swan Point Golf Course
Other Bulkhead

Commants 11/20/06 KS

MSA.S. 1829-5767

Robert L. Ehrlich, Jr. Governor

Michael S. Steele



Martin G. Madden Chairman

Ren Serey
Executive Director

STATE OF MARYLAND CRITICAL AREA COMMISSION CHESAPEAKE AND ATLANTIC COASTAL BAYS

1804 West Street, Suite 100, Annapolis, Maryland 21401 (410) 260-3460 Fax: (410) 974-5338 www.dnr.state.md.us/criticalarea/

November 20, 2006

Ms. Aimee Dailey Charles County Department of Planning And Growth Management P O Box 2150 La Plata, Maryland 20646

RE: Swan Point Golf Course

Revetment Replacement Project

Dear Ms. Dailey:

I am writing to provide comments regarding the above referenced project. The applicant is requesting a permit to replace 1,600 linear feet of existing and deteriorating bulkhead. The new bulkhead will be placed no more than 18" waterward of the existing bulkhead. Provided the applicant receives the necessary permits from the Maryland Department of the Environment, this office has no concerns as to the proposed project. I expect the applicant is meeting the provisions of the Charles County Zoning Code Section 297-131(5)(e) which allows for temporary disturbance to the Buffer to install approved shore erosion protection devices.

Thank you for the opportunity to provide comments. If you have any questions, please contact me at 410-260-3475.

Sincerely,

Kate Schmidt

Natural Resource Planner

Kate Schmid

CS740-06

Cc:

Mr. Jon Dunn, US Steel Corporation

Mr. Milton McCarthy, McCarthy and Associates

CRITICAL AREA COMMISSION FOR THE CHESAPEAKE AND ATLANTIC COASTAL BAYS 1804 WEST STREET, SUITE 100 ANNAPOLIS, MD 21401

PROJECT NOTIFICATION APPLICATION

GENERAL PROJECT INFORMATION

		OIL, III III	•		
Jurisdiction:	Charles	Count	4		Date: 11-15-06
Too Man #	Dans -1 #	D11. #	T -4 #	0 4:	FOR RESUBMITTAL ONLY
Tax Map #	Parcel #	Block #	Lot #	Section	Corrections
					Redesign
					Non-Critical Area
·			<u> </u>		***************************************
Tax ID:					*Complete Only Page 1 General Project Information
•					Solicia Troject Information
<u> </u>					
Drainat Nama	(gita nama auh			[C., 2]	
Project Name	(site name, sub	division name	, or other)	Swan Pt.	Golf Course Bulkhead
Project location	on/Address		<u>-</u>		
City \	sue				Zip
T:1					
Local case nu	imber				
Applicant:	Last name				First name
Company	US Ste	el Corp	oration	•	
			=-		
Application 7	Type (check al	l that apply):			
Building Pern	nit			Variance	П
Buffer Manag	gement Plan			Rezoning	
Conditional L				Site Plan	
Consistency I				Special Excep	tion 📙
Disturbance > Grading Perm		H		Subdivision Other	Paul khead
Grading 1 cm	111			Offici	A TOWILLIAM
Local Jurisd	iction Contact	Information:			
Last name	Dailey			First name	Ainee
Phone #				_ Response from	m Commission Required By
Fax #	·			Hearing date	

SPECIFIC PROJECT INFORMATION

Describe Proposed use	of project	site:				
Intra-Family Transfer Grandfathered Lot	Yes			Growth Allocation Buffer Exemption Area	Yes	-
Project Type (check al	l that app	oly)				
Commercial Consistency Report Industrial Institutional Mixed Use Other		Recreational Redevelopment Residential Shore Erosion Control Water-Dependent Facility				
SITE INVENTORY (I	Enter acr	es or square	feet)			
	Acr	es	Sq Ft	T-4-1 Distructor 4 Augus	Acres	Sq Ft
IDA Area			5411	Total Disturbed Area		
LDA Area						
RCA Area				# . 61 . 4. 6 . 4. 1		
Total Area			·	# of Lots Created		
1010111100	<u> </u>	J		J		
		Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland	/Trees			Existing Impervious Surface		
Created Forest/Woodland	Trees			New Impervious Surface		
Removed Forest/Woodlan	d/Trees			Removed Impervious Surface		
				Total Impervious Surface		
VARIANCE INFORM	IATION	(Check all the	nat apply) Sq Ft		Acres	Sq Ft
Buffer Disturbance				Buffer Forest Clearing	110105	<u> </u>
Non-Buffer Disturbance				Mitigation	 	
Variance Type Buffer Forest Clearing HPA Impact Impervious Surface Expanded Buffer Nontidal Wetlands Setback Steep Slopes Other			A B D D D G G G	tructure acc. Structure Addition arn beck welling welling Addition arage azebo atio ool hed		
			O	ther		

McCARTHY & ASSOCIATES, INC.

REGULATORY and ENVIRONMENTAL CONSULTANTS

October 26, 2006

HAND DELIVERED

Ms. Andi Cunabaugh Permit Coordinator Maryland Department of the Environment Montgomery Park Business Center, #430 1800 Washington Boulevard Baltimore, Maryland 21230 RECEIVED

NOV 1 5 2006

CRITICAL AREA COMMISSION

Re:

United States Steel Corporation

Swan Point Golf Course

Issue, Charles County, Maryland

Dear Ms. Cunabaugh:

On behalf of United States Steel Corporation, please find attached one original and four (4) copies of the completed Joint Federal/State Permit Application for the alteration of any tidal, non-tidal wetland, or flood plain. The applicant is requesting authorization from Maryland Department of the Environment, pursuant to Maryland State Programmatic General Permit III (MDSPGP-III), a Category I permit to replace 1,600 linear feet of functional, but failing timber bulkhead on Swan Point Golf Course. The structure is located adjacent to the 2nd tee box, fairway, and green, and retains the soil that support these areas on this section of the golf course. The existing bulkhead is deteriorating to a point that the structure is dilapidated and failing. Evidence of this is separating structural members of the bulkhead and the loss of soil adjacent to the bulkhead on the landward side. Numerous "sink" holes along the fairway adjacent to the bulkhead are present. I am providing ten (10) each photographs taken at various locations along this structure that show the failing condition of this bulkhead. Please be advised that the applicant will be constructing this bulkhead no more than 18 inches channelward of the existing structure in accordance with the Category I conditions for a replacement bulkhead.

I believe that the information provided with the application is adequate for your agency to authorize this project. However, if you need additional information, please do not hesitate to call.

Very truly yours,

Milton L. McCarthy

Attachment(s)

cc:

Jon Dunn (United States Steel Corporation)

Meathy

14458 Old Mill Road • #201 Upper Marlboro, MD 20772

Phone: 301-627-7505 • Fax: 301-627-5571

JOINT FEDERAL/STATE APPLICATION FOR THE ALTERATION OF ANY FLOOD PLAIN, WATERWAY, TIDAL OR NONTIDAL WETLAND IN MARYLAND

FOR AGENCY I	USE ONLY (Revised 10/01/1993)				
Application num	ber	Date Determined Complete			
Date received by State Date received by Corps Type of State Permit needed Type of Corps permit needed		Dates(s) returned			
		Date of field review			
		Agency performed field review	V		
Please submit 1 of this form. • Any app	++++++++++++++++++++++++++++++++++++++	maps and plans to the Permit Servi	ce Center as noted on the last page		
and rest	alt in a time delay to the applicant.				
Please check one	e of the following:				
Jurisdictional d	Appl. amendment: etermination only Applying for greed number (resubmittals and amendment)	authorization <u>√</u>			
Date: Octobe	r 25, 2006				
1. APPLICATI	ON INFORMATION:				
APPLICANT N	AME:				
C. Company: U	Ar. Jon Dunn Jnited States Steel Corporation 1390 Lord Baltimore Drive	B. Daytime telephone			
E. City:	ssue	State: Maryland	Zip: 20645-2229		
AGENT/ENGII	NEER INFORMATION				
C. Company: M	fr. Milton L. McCarthy IcCarthy & Associates, Inc. 4458 Old Mill Road, #201	B. Daytime telephone			
	Jpper Marlboro	State: Maryland	Zip: 20772		
ENVIRONME	NTAL CONSULTANT:				
A. Name: C. Company:	Mr. Milton L. McCarthy McCarthy & Associates, Inc. 14458 Old Mill Road, Suite 201	B. Daytime telephone	: (301) 627-7505		
D. Address: E. City:	Upper Marlboro	State: Maryland	Zip: 20772		
CONTRACTO	R (IF KNOWN)				
A. Name:	Mr. Mike McCook	B. I	Daytime telephone:		
C. Company:	Pristine Marine, LLC				
D. Address:	P.O. Box 1059 LaPlata	State: Maryland	Zip: 20646		
E. City:	Lariata	State. Iviaryiana	J.F. 200		
PRINCIPAL C	ONTACT				
	1r. Milton L. McCarthy	B. Daytime telephone	: (301) 627-7505		
C. Company: M.	IcCarthy & Associates, Inc. 4458 Old Mill Road, Suite 201				
	pper Marlboro	State: Maryland	Zip: 20772		

2. PROJECT DESCRIPTION:

a. GIVE WRITTEN DESCRIPTION OF PROJECT:

Replace 1,600 linear feet of functional, but failing bulkhead on the 2nd fairway of Swan Point Golf Course. New structure to be placed 1.5 feet channelward of existing structure.

Has any portion of the proj	ject been completed? Yes	No <u>√</u> If yes, explain
b. ACTIVITY check all a appropriate. N/A	activities that are proposed in the wetland, v	waterway, flood plain, and nontidal wetland buffer as
A√ filling B dredging C excavating	D flooding or impounding water Edraining	 F.
Area for item(s) checked:	$\begin{tabular}{lll} Wetland & {\bf 2,400} & (sq. ft.) \\ Buffer (non-tidal wetland only) & {\bf N/A} \\ Expanded Buffer (non-tidal wetland only) \\ Length of stream affected & {\bf N/A} & (linear) \\ \end{tabular}$	

c. Type of Projects: Project dimensions

For each activity give overall length and width (in feet), in columns 1 and 2. For multiple activities, give total area of disturbance in sq. feet in column 3. For activities in tidal waters, give maximum distance channelward (in feet) in column 4. For dam or small ponds, give average depth (in feet) for the completed project in column 5. Give the volume of fill or dredged material in column 6.

	Length	Width	Maximum/Average Area	Channelward	Volume of fill/dredge Pond material (cyd)
	(Ft.)	(Ft.)	Sq. Ft.	Encroachment	Depth below MHW or OHW
	1	2	3	4	5 6
A. Bulkhead*	1.600		2,400	<u>1.5 ft</u>	100
B. Revetment*					
C. Vegetative Stabilization					
D. Gabions					
E. Groins	·				
F. Jetties					
G. Boat Ramp			•		
H. Pier*					
I. Breakwater					
J. Repair & Maintenance				<u></u>	
K. Road Crossing					
L. Utility Line					
M. Outfall Construction					
N. Small Pond				<u> </u>	<u> </u>
O. Dam			<u> </u>		_
√P. Lot Fill					
Q. Building Structures					_
R. Culvert	******				
S. Bridge					
T. Stream Channelization				•	
U. Parking Area					
V. Dredging* 1 New 2		Maintena	ince 3	Hydraulic	4 Mechanical
1 1.0 =		Mannelle	inoc J	Hydrauno	. Wiodianica:
W Other (explain)					

^{*}For projects indicated with an asterisk refer to the sample plans and checklists included in this packet.

d. PROJECT PURPOSE: Give brief description of the project purpose: Stabilize tee, fairway, and green on 2nd hole of Swan Point Golf Course.

PROJECT LOCATION:

a. LOCATION INFORMATION:		
A County: Charles B. City: Issue	C. Name of w	aterway Matthews Cove
D. State stream use class designation: II	or closest wat	erway:
E. Site address or location: Swan Point G	olf Course	
F. Directions from intersection of nearest t		
G. Is your project located in the Chesapeal	ce Bay Critical Area (generally within	1,000 feet of tidal waters or tidal wetlands?)
Yes:√ No:	,	
H. County Map Book Coordinates (Alexan	dria Drafting Co) Excluding Garret	and Somerset Counties:
Page: 36 Letter: E, F	Number: 0	
1. FEMA Flood plain Map Panel Number (if known):	
J. Latitude: Longit	uuc.	
L ACTIVITY I OCATION. Chark and	or more of the following as annron	rioto for the type of wetland/weterway where
	or more of the following as approp	riate for the type of wetland/waterway where
you are proposing an activity:		
	100 foot buffor (montidal watland)	H 100 year flood plain
	100 foot buffer (nontidal wetland)	
B. √ I idal wellands	of special state concern)	(Outside stream channer)
CSpecial aquatic site G	In stream channel	IRiver lake, pond
(e.gmudilat, vegetated shallows)	Tidal: Nontidal:	
D. Nontidal wetland		JOther (explain)
E. 25 foot buffer		
(nontidal wetland only)		
c. LAND USE:		
	le - 1 - CCC designed applications	as a major companded aromlond?
A. Current use of space is: 1 Agricu		
Yes No ✓ Wooded	Marsh/Swamp Developed	
	O // 1 A - '- 1	golf course
B. Present zoning is: Residential	Comm/indAgricultui	eMarina
C. Project complies with current zoning:	Yes ✓ No	
THE FOLLOWING INFORMATION I	S REQUIRED BY THE STATE (b	locks 4-7):
	s taken or considered to avoid or min	imize wetland losses in F. Also check items A-# if
any apply to your project.		
AReduced the area of disturbance		C Relocated structures
	of project	D Redesigned project
E. $\sqrt{}$ Other:		
F. Explanation: Need to replace structure	in accordance with Category 1 of M.	DSPGP-III
Describe reasons why impacts were not	avoided or reduced in Q. Also chec	k items G-P that apply to your project.
G. Cost	K Parcel Size	N√Safety/Public welfare issue
H. Extensive wetlands on site	L Other regulatory	Olnadequate zoning
1. ✓ Engineering/design	requirement	P. Other
constraints	M. √ Failure to accomplish	
J. Other natural features	project purpose	
Other Material Toutures	12.0%-22. Darkers	
Q. Description:	·	
4		

5. LETTER OF EXEMPTION: buffers, explain why the project		ing for a letter of exemp	tion for act	ivities in nontidal wetlands and/or their	
 A. No significant plant or wildlife value and wetland in 1. Less than 5,000 square feet 2ln an isolated nontidal wetland less than 1 acres 		B √ _Repair existing structure/fill C Mitigation project D Utility line: 1 overhead 2 underground			
E. Other (explain)					
F. Check here if you are not apply IF YOU ARE APPLYIN	ring for a letter of NG FOR A LETT	exemption: TER OF EXEMPTION I	PROCEED	TO BLOCK 11	
6. ALTERNATIVE SITE ANAI Also check any items in D-L if th this):	LYSIS: Explain viey apply to your	why other sites that were project: (If you are app	considered lying for a	d for this project were rejected in M. letter of exemption do not complete	
A1 site	B 2-4 si	ites	C	5 or more sites	
Alternative sites were rejected/not DCost ELack of availability FFailure to meet project purpose GLocated outside general/market area	H. Great I. Water J. Inade K. Engir	ter wetlands impact r dependency quate zoning	L	Other: Pedestrian Trail	
M. Explanation:	·				
7. PUBLIC NEED: Describe the to your project. (If you are apply	e public need or l ying for a letter o	penefits that the project of exemption, do not com	will provid plete this b	e in F. Also check items A-E that apply lock):	
A. Economic C. V. Safety D. Economic D. Safety D. Economic D. Safety D. Economic D. Safety D. S	Health/welfardDoes not provide benefits	e EOthe	er		
8. OTHER APPROVALS NEED	DED/GRANTED	:			
A. Agency	B. Date Sought 1.Gr	C. Decision ranted 2. Denied		E. Other Status	

9. MITIGATION PLAN: Please provide the following information:
a. Description of monetary proposal, if applicable (for State requirements only). Attach another sheet if necessary.
N/A
b. Give a brief description of the mitigation project.
c. Describe why you selected your proposed mitigation site, including what other areas were considered and why they were rejected.
d. Describe how the mitigation site will be protected in the future.
10. Have adjacent property owners been notified? AYes √ No
Provide names and mailing addresses below (use separate sheet if necessary):
11. Historic Properties: Is your project located in the vicinity of historic properties? (for example: structures over 50 years old, archeological sites, shell mounds, Indian or Colonial artifacts). Provide supplemental information in section 12.
AYes B. No √ C. Unknown
12. ADDITIONAL INFORMATION: Use this space for detailed responses to any of the previous items. Attach another sheet if necessary.
Check box if data is enclosed for any one or more of the following (See checklist for required information).
A Soil Borings D Field Surveys G. ✓ Site Plan B Wetland data sheets E Alt. site analysis H Avoidance and minimization C ✓ Photographs F Market analysis analysis I Other (explain):

PAGE 02/02 P. 008

Certification:

I hereby designate and authorize the agent named above to act on my behalf in the processing of this application and to furnish any information that is requested. I certify that the information on this form and the attached plans and specifications is true and accurate to the best of my knowledge and belief. I understand that any of the agencies involved in authorizing the proposed works may request information in addition to that set forth herein as may be deemed appropriate in considering this proposal. I certify that all Waters of the United States have been identified and delineated on site, and that all jurisdictional wetlands have been delineated in accordance with current guidelines. I grant permission to the agencies responsible for authorization of this work, or their duly authorized representative, to enter to project site for inspection purposes during working hours. I will abide by the conditions of the permit or license if issued and will not begin work without the appropriate authorization. I also certify that the proposed works are consistent with Maryland's Coastal Zone Management Plan. I understand that none of the information contained in the application form is confidential and that I may request that additional required information be considered confidential under applicable laws. I further understand that failure of the landowner to sign the application will result in the application being deemed incomplete.

LANDOWNER MUST SIGN:

DATE:

McCARTHY & ASSOCIATES, INC.

REGULATORY and ENVIRONMENTAL CONSULTANTS

November 3, 2006

Via: Federal Express Mail

Mr. Joe Hamilton Maryland Department of the Environment Montgomery Park Business Center, #430 1800 Washington Boulevard Baltimore, Maryland 21230

Re: U.S. Steel Corporation/Swan Point Golf Course/Bulkhead

Tracking Number: 200666807

Dear Mr. Hamilton:

I am writing as a follow up to our conversation today concerning the above-referenced project, which is currently pending authorization from Maryland Department of the Environment, Tidal Wetlands Division. During our conversation, we discussed two items raised by you in regard to this project. These include a potential issue with Maryland Historical Trust (MHT) and the potential for adverse effects on the nesting bald eagle located near the 8th green on the existing golf course.

I discussed the potential of historic and archaeological resources earlier today with Dr. Dixie Henry of MHT, who received a copy of the permit application on October 31, 2006. She indicated to me that since this was a replacement bulkhead, she did not anticipate any issue with her agency regarding the proposed work. Furthermore, she indicated that she would e-mail a letter to you and I later this afternoon stating this fact. Once I receive her letter, I will provide a copy to you. This should resolve any potential issues with MHT for the proposed work.

There is currently a bald eagle nest adjacent to the 8th green on the existing golf course. This eagle nest is the subject of the Swan Point Bald Eagle Management Plan, prepared by Ms. Sue Ricciardi and myself on August 19, 2005. This document was reviewed and approved by Glenn Therres, Bald Eagle Specialist, Maryland Department of Natural Resources (DNR), pursuant to his letter to Ms. Aimee Dailey of Charles County Planning and Growth Management on December 12, 2005. A copy of his approval letter is attached for your review.

In addition, I am providing you with the Forested Bald Eagle Buffer Plan, prepared by Loiederman Soltesz Associates, Inc. This plan has located on it the eagle nest and 330', 660' and 1,320' radial buffers from the eagle nest. These areas are high-lighted in yellow on the subject plan. I have high-lighted in red, north of the eagle nest, the location of where the proposed replacement bulkhead work is to take place along the 2nd tee, fairway and green.

14458 Old Mill Road • #201 Upper Marlboro, MD 20772

Phone: 301-627-7505 • Fax: 301-627-5571

Mr. Joe Hamilton Page 2 November 3, 2006

You will note that the distance from the eagle nest is a minimum of 2,650 feet and a maximum of 3,400 feet where the work is to take place. These distances are a minimum of more than twice the distance of where the Bald Eagle Management Plan applies. Therefore, there would be no seasonal time-of-year restriction to construct this bulkhead as it relates to this species.

I believe this letter adequately addresses those concerns we discussed earlier today. However, should you have any questions, or need additional information, please do not hesitate to contact me at your earliest convenience.

Very truly yours,

Milton L. McCarthy

cc:

Jon Dunn (USX Corporation)

Dr. Dixie Henry (MHT)

Glenn Therres (DNR, Wildlife & Heritage Service)



Charles County Government

Department of Planning and Growth Management 200 Baltimore Street, P.O. Box 2150, La Plata, MD 20646 (301) 645-645-0692 or (301) 870-3935 Fax: (301) 645-0575 www.charlescounty.org

Inspections: (301) 870-8710 or (301) 645-3302

BUILDING AND ZONING PERMIT APPLICATION

FOR OFFICE USE ONLY
Date Received: 11806
Permit Number: ORO
Revision To: 60230
Plans on File #:
Same Day: Y or N
Time Received:

				<u></u>		
Property Tax Number	OR	Tez Map	Pa	rcel	Grid	
4555250	:	86	4	. (
Property Owner(s) Name	Address/E-Ma	il Address	City, State	Zip	Phone N	10.
Outed States Sta	al Caro. 1139	a Lova Batt	MANA DIVIL	E. Issue	SOH	
Applicant(s) Name	Address/E-Mai	Address	City, State	Zip	Phane	
Jon G. DONN	(Some as a	Uss. com			•	
Contractor's Name	Address/I-Mall Ad		Inte	75		214-02
		Girj, G		Złp	Though	1 934-5800
Pristing Marina.	LLC P.O.B	x 1053 La	Plets. 1	NO SOLA	6-10E	1 334 - 4 600
MD Homehullders Registration No.		MD Home Improve		MD State Licen		1282618
				Box brown		9/72871
Jeb Address (ADC Map #, House #,	Street, City, etc.)					
1150 Swan Paris		IESUS MA	2064	5		
Subdivision Name		Lat No.	Section	Block	-	resease
NA				2102	:	kid carge
General Description of Work and Is	itended Use:					~ .
Replacement o	F deterioret	enpllod C3	2 et 1	nola wa. s	7 (Z	were Hout
Yackt and Cour	try Club go	of couse.))		:	
Total Disturbed Area Flood Plat	n Elevation Front Yar	d Sethack Rear 1	ard Sotback	Right Yard S	ethack	Left Yard Setback
2400 Ft 4 155	above NA	l D	the state of the s	NA		Left Into Setunca
State Road - Yes Go	2 Cherapeal	c Bay Critical Area;	Tres No		Stormwater	Management
County Road • ** (1)	Resource)	Protection Zone:	. 40 (NO)	• Pro		mpt · Waived
PDRB Approval	Developm	eni District	· 40 (No		NI	
Total Floor Area:	No. of Full Bathroom	N/A	Public: • W	ater • Sewer	Reinted"	Permits Regulred:
No. of Stories:	No. of 1/2 Bathrooms	NIC	Private: • W	cii • Septic		1 · Yes · No
No. of Bedrooms	Rough-In Only	NA	Food/Drink: • 4V	es • No	Plumbin	g · Vee · No
Betterated Consporting Cost (Building Co	out Only):	Commercial !	Serioce Trading As	Swam F	7-11-5	· Gall
Application Fee:	(0.08	- one	Coorting	Chil	<u> </u>	
Plan Review Fee:	<u></u>			Tresserer's Valle	dation	
Soll Conservation Fee:				DAI	H	
Inspections:		1		具。 天族 四		
		ľ				
	70	1		25 M & 8	2006	
Total s	0.00_	1		MAY AR	2000	
n labor				bh	ud.	
Name on Check:				700	TOEARIN	RFR
			CH	NOV OS LA ARLES COUNT	AIKEROU	
CAUTION: I/we have carefully reasoned as responsibility for this application and for th further understand that to start construction the law.	ie construction and will comply	with all provisions of the (theries County and in	are that whoever is inc	dicated as the C	WINER assumes full
How & Du	m Soin	- G. DUN	<u> </u>	18/06		SUP
Signature (. Owner or . Authorized		inted Name		Drite	Pen	t Specialist Initials
	WINTE - File	YELLOW- Customer	PINK - Treasu	rer		Rev. 07/03













