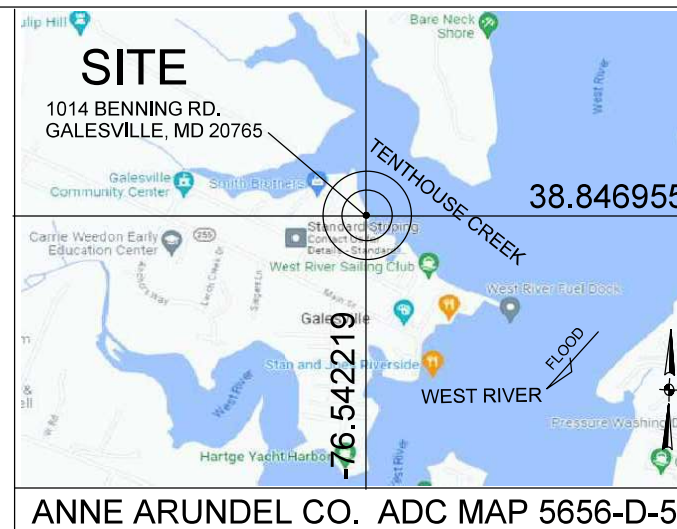
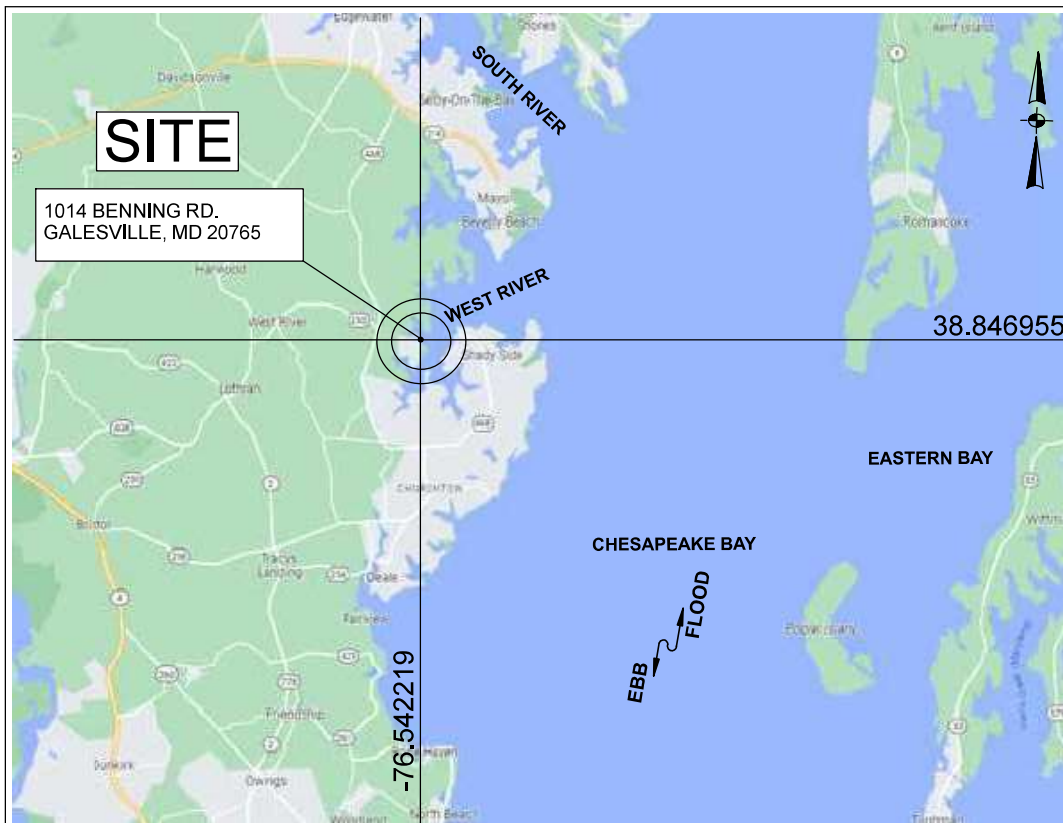


Disclaimer:  
 The information shown hereon was taken from several sources including Google Earth aerial photos, Maryland Maps, photographs, tax maps and a site sketch. These sources are the best available information for marine permitting purposes. This is not a detailed on-site property survey. The owner is not responsible for any inaccuracies associated with the location of above referenced existing features and related lateral lines, setbacks, etc. this sketch is for permit purposes only and is not to be used as an accurate construction document.



1. TIDAL WATERS, TIDE RANGE IS +1.0', MAX. DIST. FROM MHW IS 296.2'
2. ELEVATIONS BASED ON 0 MLW AND A DNR BOTTOM SURVEY PERFORMED ON 5/11/2023.
3. PROPOSED WORK: FOR A FULL WORK DESCRIPTION SEE SHEET 3.
4. ALL ACCESS IS BY WATER.
5. THIS DRAWING IS FOR OUTLINE PURPOSES ONLY.

**REPLACE 2- COMMERCIAL PIERS "IN-KIND", FINGER PIERS, MOORING PILES AND INSTALL 2 PIER EXTENSIONS**

23-WL-0638  
 202360997 REVISION: 8/12/24  
 12/6/2024 PIER EXTENSIONS REDUCED  
 Sheet 1 of 10 TO MEET THE 1/4 WATERWAY LINE

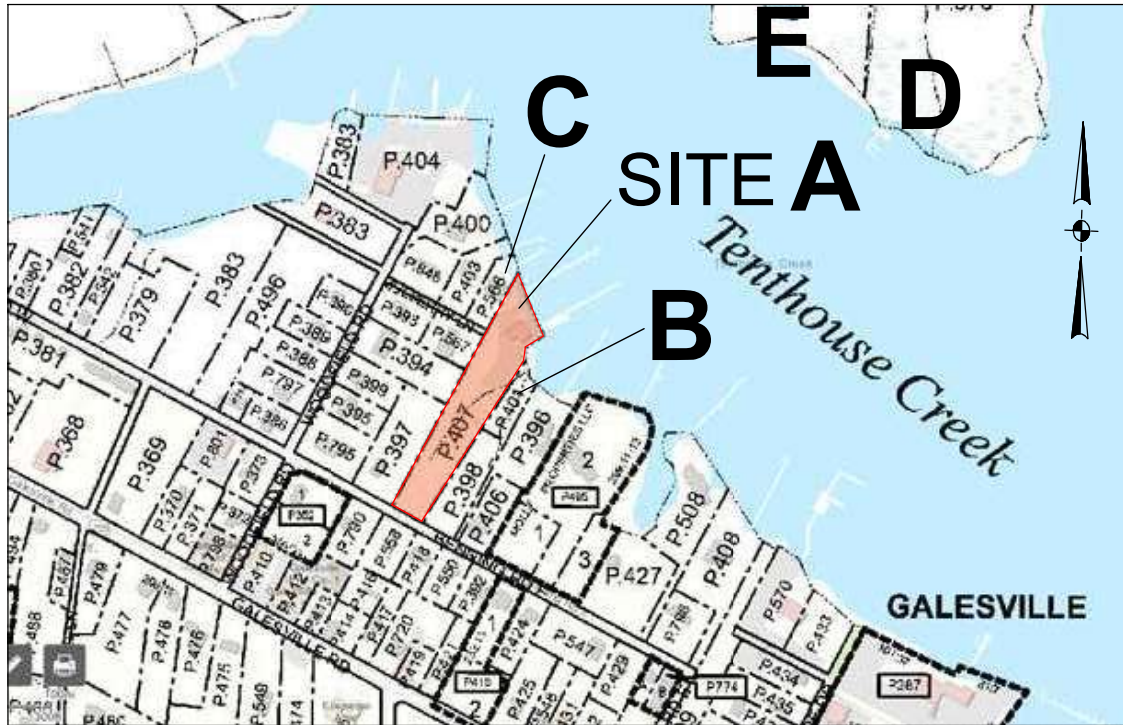
**Doldon W. Moore & Associates, LLC**  
 Cell: 443-771-2374  
 Tidal Wetlands Consultant and Facilitator  
 P.O. Box 1  
 Owings, MD 20736  
 Email: [dwmoorej@verizon.net](mailto:dwmoorej@verizon.net)  
 Consulting Services, Permit Facilitation, Project Management, Aquaculture, Habitat Restoration, Expert Testimony

OWNER : EDWIN A & JOHN O. CRANDELL, INC.  
 MAILING ADDRESS: 733 CRANDELL RD.  
 WEST RIVER, MD 20778  
 SITE ADDRESS: 1014 BENNING RD.  
 GALESVILLE, MD 20765  
 MAP: 69 GRID: 2 PARCEL: 407 1,948 ACRES  
 DEED REFERENCE: 03014 / 00643  
 DISTRICT - 01 ACCOUNT NUMBER - 00539002  
 ZONING: W2 CRITICAL AREA - LDA

**VICINITY MAPS**

IN: TENTHOUSE CREEK  
 TOWN: GALESVILLE  
 COUNTY: ANNE ARUNDEL  
 STATE: MARYLAND  
 APPL. BY: EDWIN A. & JOHN O. CRANDELL, INC.  
 722 CRANDELL RD.  
 WEST RIVER, MD 20778

DATE: REV. 8/12/24 DRAWING 1



**A** APPLICANT : PARCEL 407  
 EDWIN A. & JOHN O. CRANDELL, INC.  
 733 CRANDELL RD.  
 WEST RIVER, MD 20778

**B** PARCEL 401  
 LAYO BENNING ET AL  
 5520 DEALE CHURCHTON RD.  
 CHURCHTON, MD 20733

**C** PARCEL 566  
 LOIS BIRD TRUSTEE  
 PO BOX 345  
 GALESVILLE, MD 20765

**D** CHRISTOPHER AND MADALYN NASSETTA  
 4793 BAYFIELD RD.  
 HARWOOD, MD 20776

**E** MARK AND REBECCA PLASTER TRUSTEE  
 4794 BAYFIELD RD.  
 HARWOOD, MD 20776

23-WL-0638  
 202360997  
 12/6/2024  
 Sheet 2 of 10

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 DEED REFERENCE: 03014 / 00643  
 DISTRICT - 01 ACCOUNT NUMBER - 00539002  
 ZONING: W2 CRITICAL AREA - LDA

# TAX MAP

IN: TENTHOUSE CREEK  
 TOWN: GALESVILLE  
 COUNTY: ANNE ARUNDEL  
 STATE: MARYLAND  
 APPL. BY: EDWIN A. & JOHN O. CRANDELL, INC.  
 722 CRANDELL RD.  
 WEST RIVER, MD 20778

DATE: REV. 8/12/24 DRAWING 2

# PROPOSED WORK

## DEMOLITION:

1. REMOVE AN EXISTING WOOD PIER 6' WIDE X 253' LONG. REMOVE 3- TAPERED FINGER PIERS 3' X 14'. REMOVE 12 MOORING PILES.
2. REMOVE AN EXISTING INDUSTRIAL WORK PIER 23' WIDE X 88' LONG. REMOVE AN EXISTING WOOD PIER 6' WIDE X 171' LONG. TOTAL FROM THE MHWL IS 259'.

## PROPOSED WORK

1. REPLACE THE EXISTING NORTH PIER "IN KIND" 6' WIDE X 253' LONG. REPLACE "IN KIND" 3 EXISTING TAPERED FINGER PIERS EACH IS 3' X 14' REPLACE "IN KIND" 12 EXISTING MOORING PILES. INSTALL A PIER EXTENSION 6' WIDE X 27.8' LONG FOR A TOTAL LENGTH OF 280.8'.
2. REPLACE THE EXISTING SOUTH PIER "IN KIND" REPLACE THE EXISTING INDUSTRIAL WORK PIER 23' WIDE X 88' LONG. REPLACE THE EXISTING WOOD PIER "IN KIND" 6' WIDE X 171' LONG. INSTALL A PIER EXTENSION 6' WIDE X 37.2' LONG, MAKING A TOTAL LENGTH OF 296.2'. MAXIMUM DISTANCE FROM THE MHWL IS 296.2'+-

23-WL-0638  
202360997  
12/6/2024  
Sheet 3 of 10

**Doldon W. Moore &  
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Owings, MD 20736

Email: [dwmoorej@verizon.net](mailto:dwmoorej@verizon.net)  
Consulting Services, Permit Facilitation,  
Project Management, Aquaculture,  
Habitat Restoration, Expert Testimony

OWNER : EDWIN A & JOHN O. CRANDELL, INC.

MAILING ADDRESS: 733 CRANDELL RD.  
WEST RIVER, MD 20778

SITE ADDRESS: 1014 BENNING RD.  
GALESVILLE, MD 20765

MAP: 69 GRID: 2 PARCEL: 407 1.948 ACRES

DEED REFERENCE: 03014 / 00643

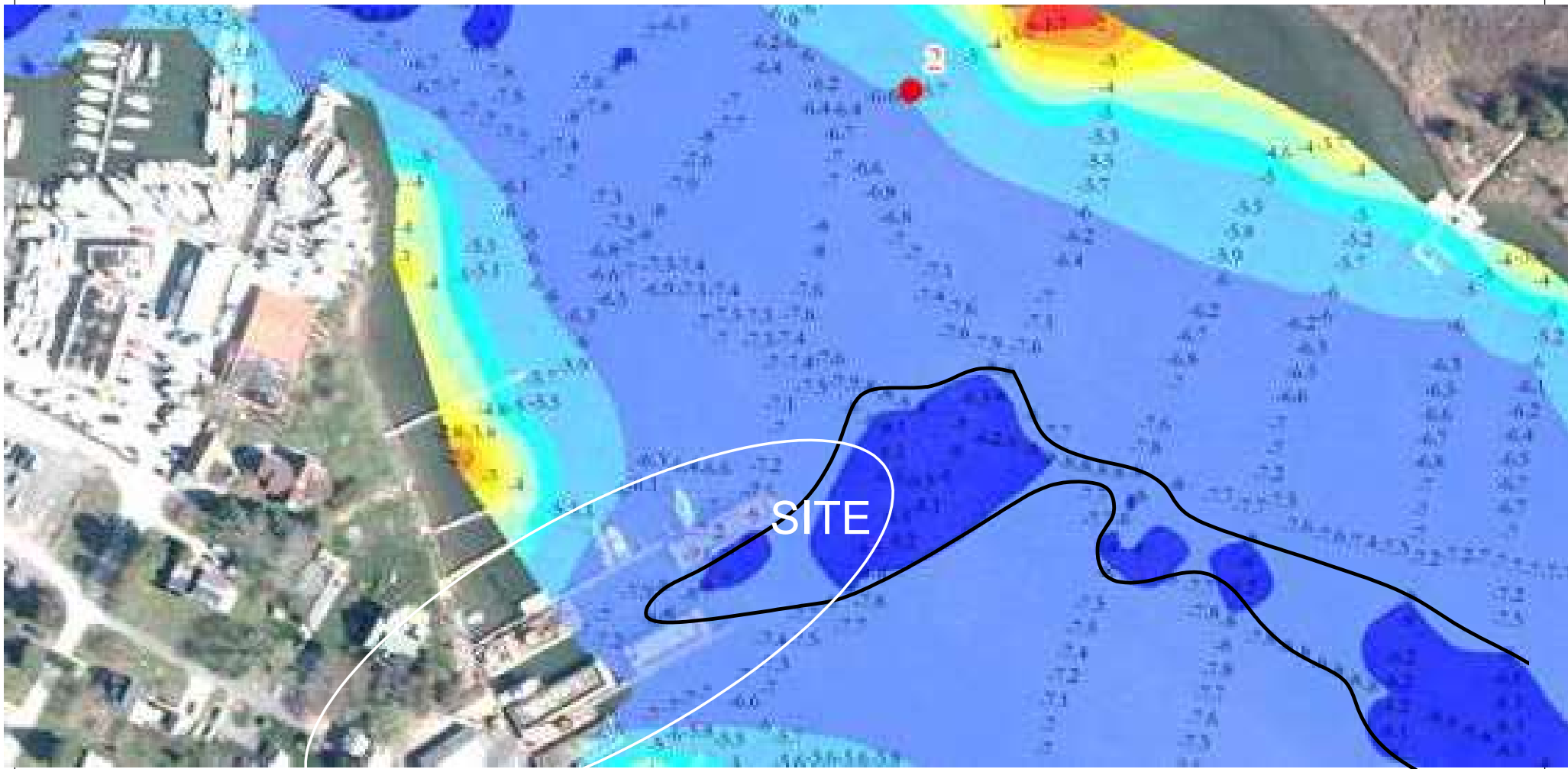
DISTRICT - 01 ACCOUNT NUMBER - 00539002

ZONING: W2 CRITICAL AREA - LDA

# ***PROPOSED WORK DESCRIPTION***

IN: TENTHOUSE CREEK  
TOWN: GALESVILLE  
COUNTY: ANNE ARUNDEL  
STATE: MARYLAND  
APPL. BY: EDWIN A. & JOHN O.  
CRANDELL, INC.  
722 CRANDELL RD.  
WEST RIVER, MD 20778

DATE: REV. 8/12/24 DRAWING 3



SCALE: 1"=150'  
 0 150' 300' 450'

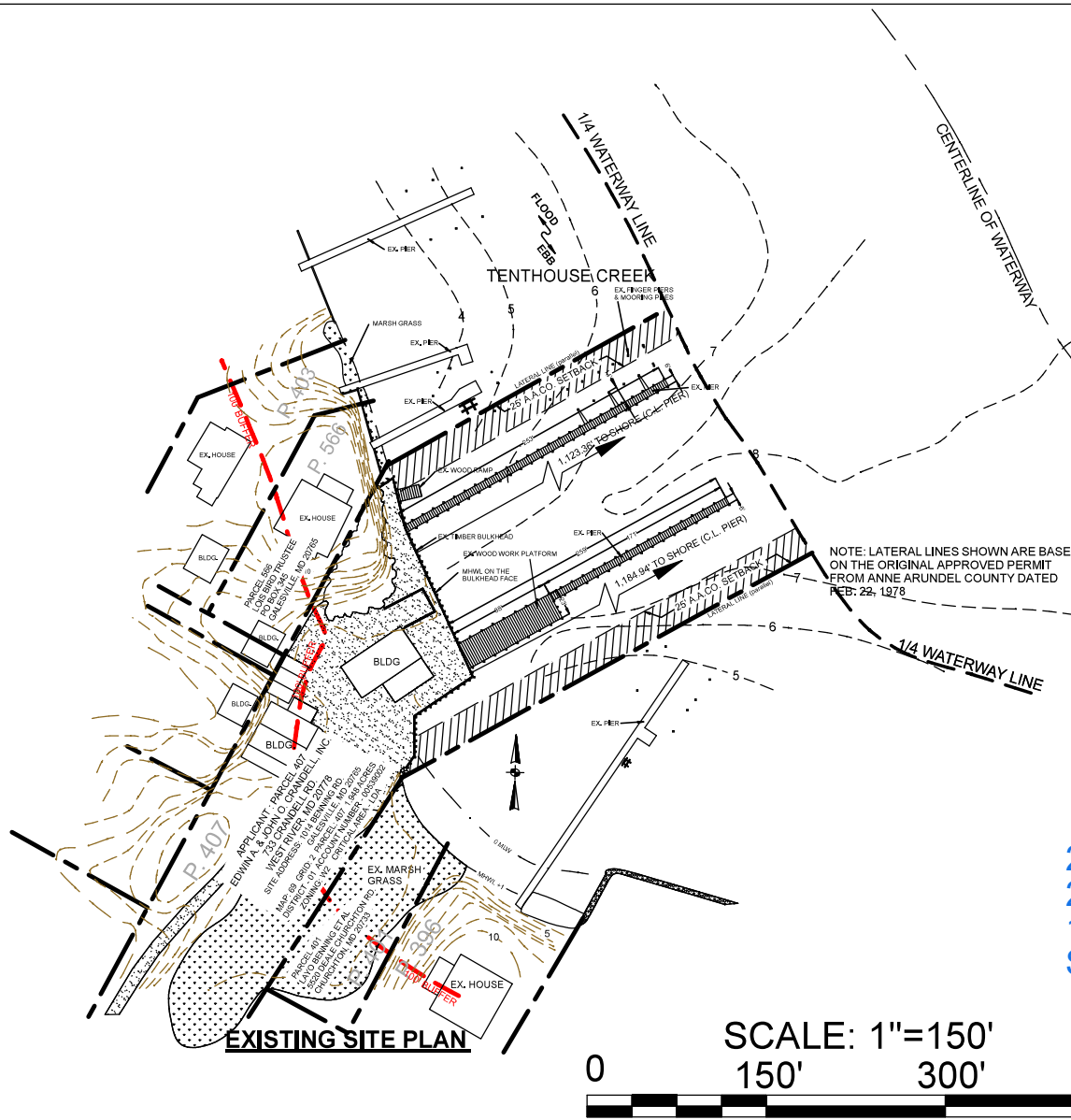
23-WL-0638  
 202360997  
 12/6/2024  
 Sheet 4 of 10

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 Tidal Wetlands Consultant and Facilitator  
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 Consulting Services, Permit Facilitation, Project Management, Aquaculture, Habitat Restoration, Expert Testimony

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**DNR DEPTH SURVEY OF TENTHOUSE CREEK**  
**5/11/2023**

IN: TENTHOUSE CREEK  
 TOWN: GALESVILLE  
 COUNTY: ANNE ARUNDEL  
 STATE: MARYLAND  
 APPL. BY: EDWIN A. & JOHN O. CRANDELL, INC.  
 722 CRANDELL RD.  
 WEST RIVER, MD 20778  
 DATE: REV. 8/12/24 DRAWING 4



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 202360997  
 12/6/2024  
 Sheet 5 of 10

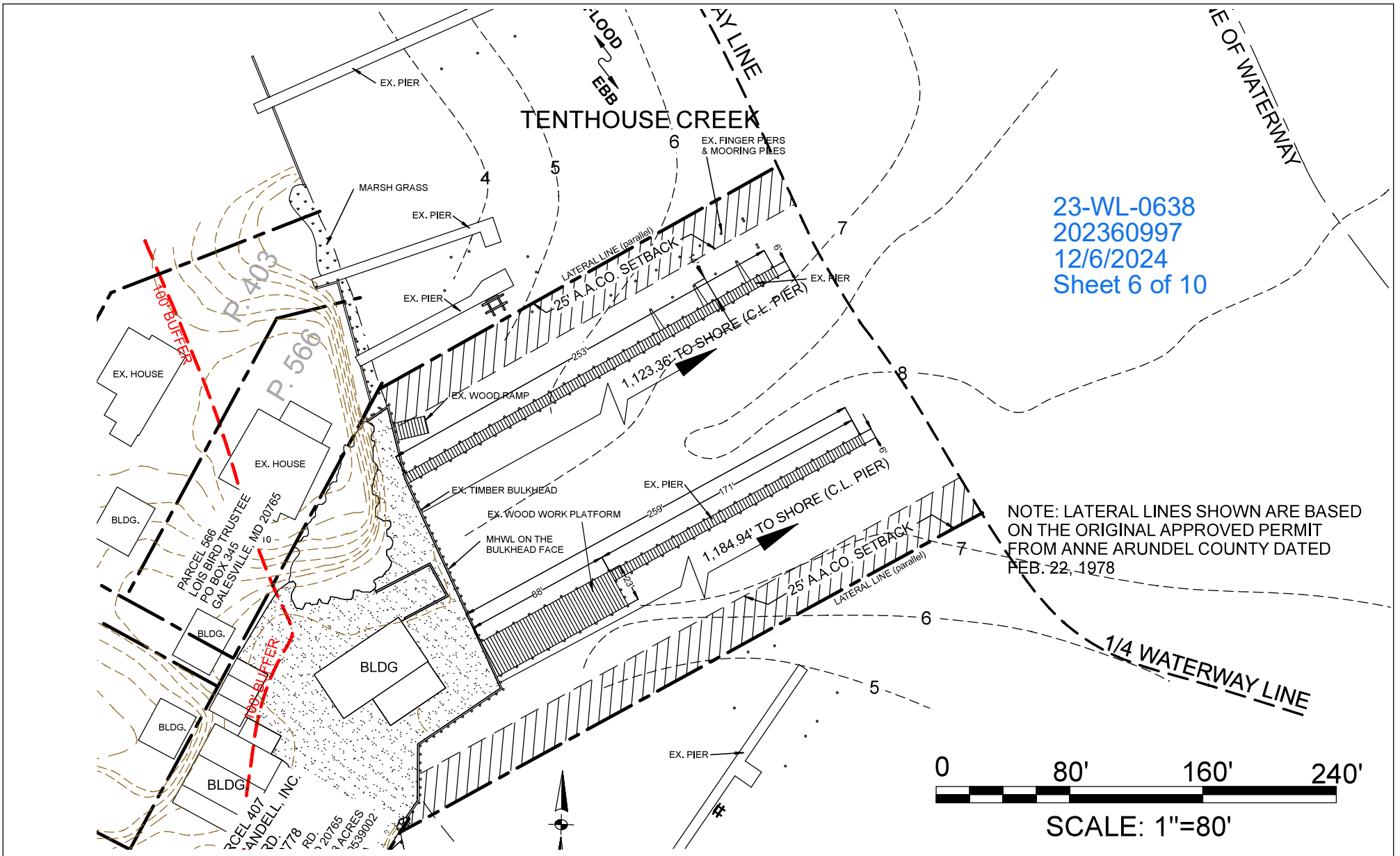
**EXISTING SITE PLAN**

**Doldon W. Moore & Associates, LLC**  
 Cell: 443-771-2374  
 Tidal Wetlands Consultant and Facilitator  
 P.O. Box 1  
 Owings, MD 20736  
 Email: [dwmooorej@verizon.net](mailto:dwmooorej@verizon.net)  
 Consulting Services, Permit Facilitation, Project Management, Aquaculture, Habitat Restoration, Expert Testimony

OWNER : EDWIN A & JOHN O. CRANDELL, INC.  
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**EXISTING SITE PLAN**

IN: TENTHOUSE CREEK  
 TOWN: GALESVILLE  
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 APPL. BY: EDWIN A. & JOHN O. CRANDELL, INC.  
 722 CRANDELL RD.  
 WEST RIVER, MD 20778  
 DATE: REV. 8/12/24 DRAWING 5

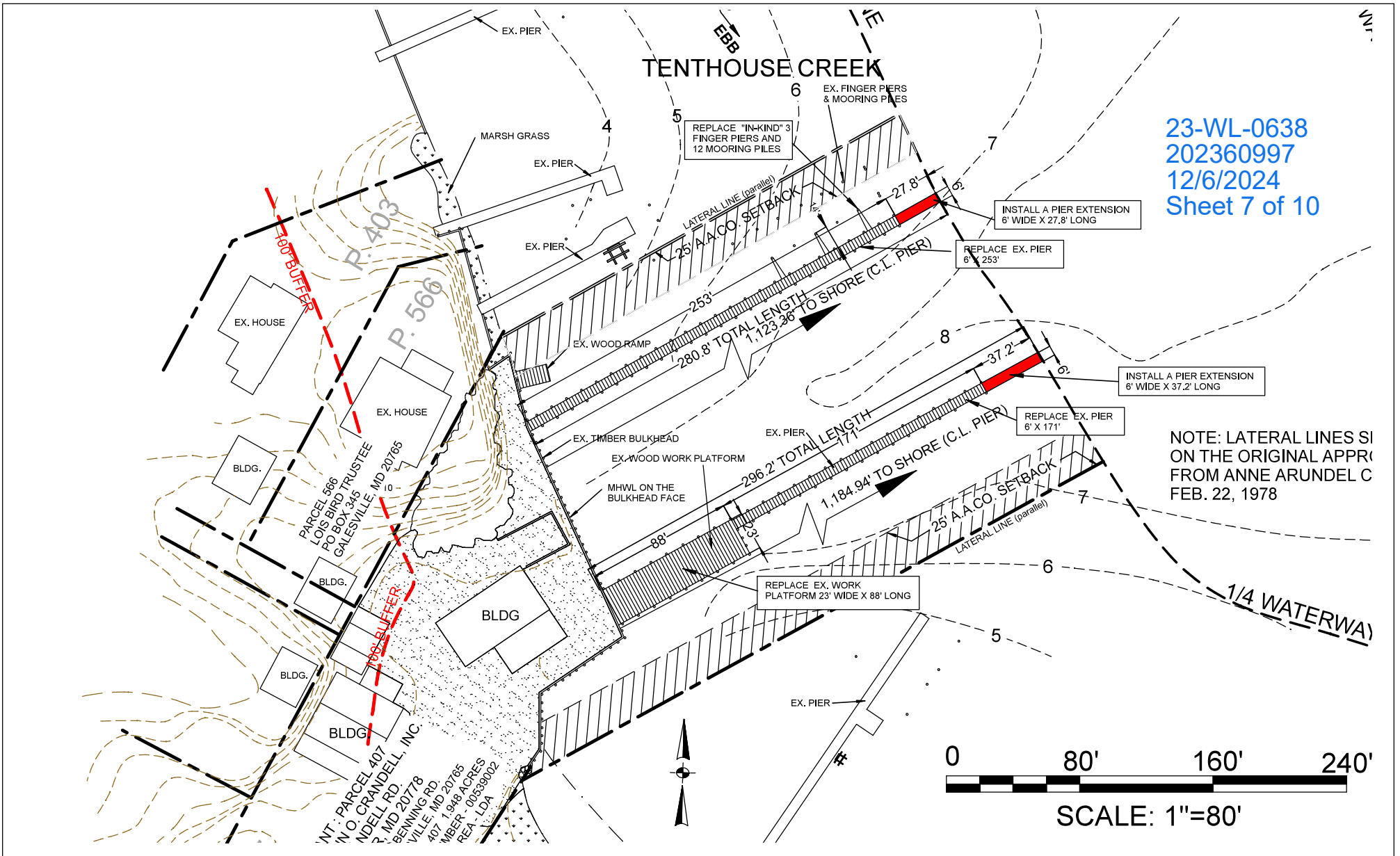


**Doldon W. Moore & Associates, LLC**  
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 DEED REFERENCE: 03014 / 00643  
 DISTRICT - 01 ACCOUNT NUMBER - 00539002  
 ZONING: W2 CRITICAL AREA - LDA

# EXISTING SITE ZOOMED IN

IN: TENTHOUSE CREEK  
 TOWN: GALESVILLE  
 COUNTY: ANNE ARUNDEL  
 STATE: MARYLAND  
 APPL. BY: EDWIN A. & JOHN O. CRANDELL, INC.  
 722 CRANDELL RD.  
 WEST RIVER, MD 20778  
 DATE: REV. 8/12/24 DRAWING 6

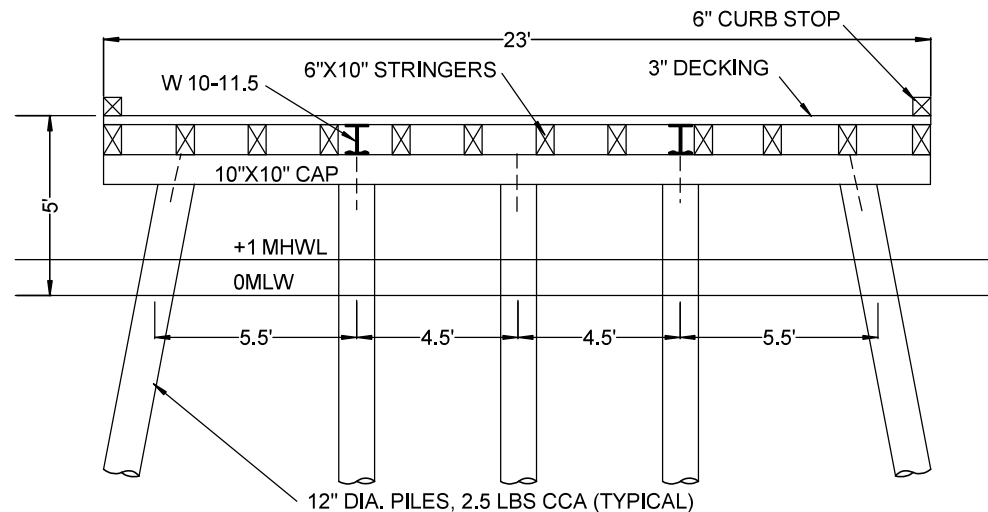


**Doldon W. Moore & Associates, LLC**  
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 Tidal Wetlands Consultant and Facilitator  
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 Email: [dwmoorej@verizon.net](mailto:dwmoorej@verizon.net)  
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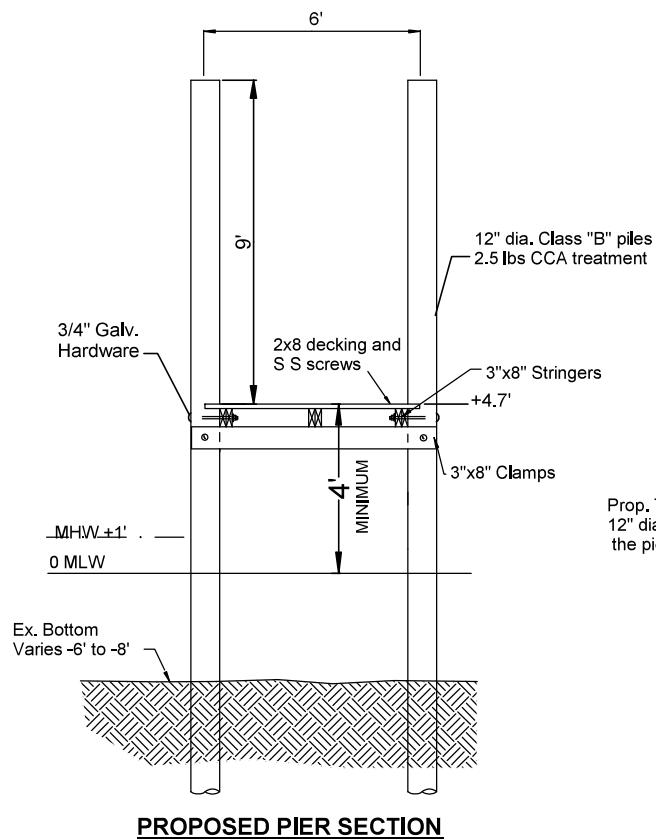
OWNER : EDWIN A & JOHN O. CRANDELL, INC.  
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 DISTRICT - 01 ACCOUNT NUMBER - 00539002  
 ZONING: W2 CRITICAL AREA - LDA

# PROPOSED WORK

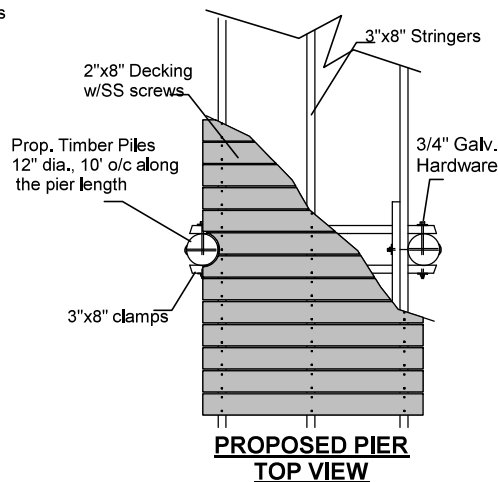
IN: TENTHOUSE CREEK  
 TOWN: GALESVILLE  
 COUNTY: ANNE ARUNDEL  
 STATE: MARYLAND  
 APPL. BY: EDWIN A. & JOHN O. CRANDELL, INC.  
 722 CRANDELL RD.  
 WEST RIVER, MD 20778  
 DATE: REV. 8/12/24 DRAWING 7



**REPLACEMENT INDUSTRIAL PIER SECTION**

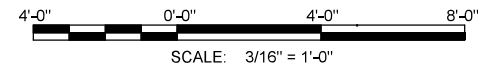


**PROPOSED PIER SECTION**



**PROPOSED PIER TOP VIEW**

23-WL-0638  
202360997  
12/6/2024  
Sheet 8 of 10



**Doldon W. Moore & Associates, LLC**  
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Tidal Wetlands Consultant and Facilitator  
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Email: [dwmooorej@verizon.net](mailto:dwmooorej@verizon.net)  
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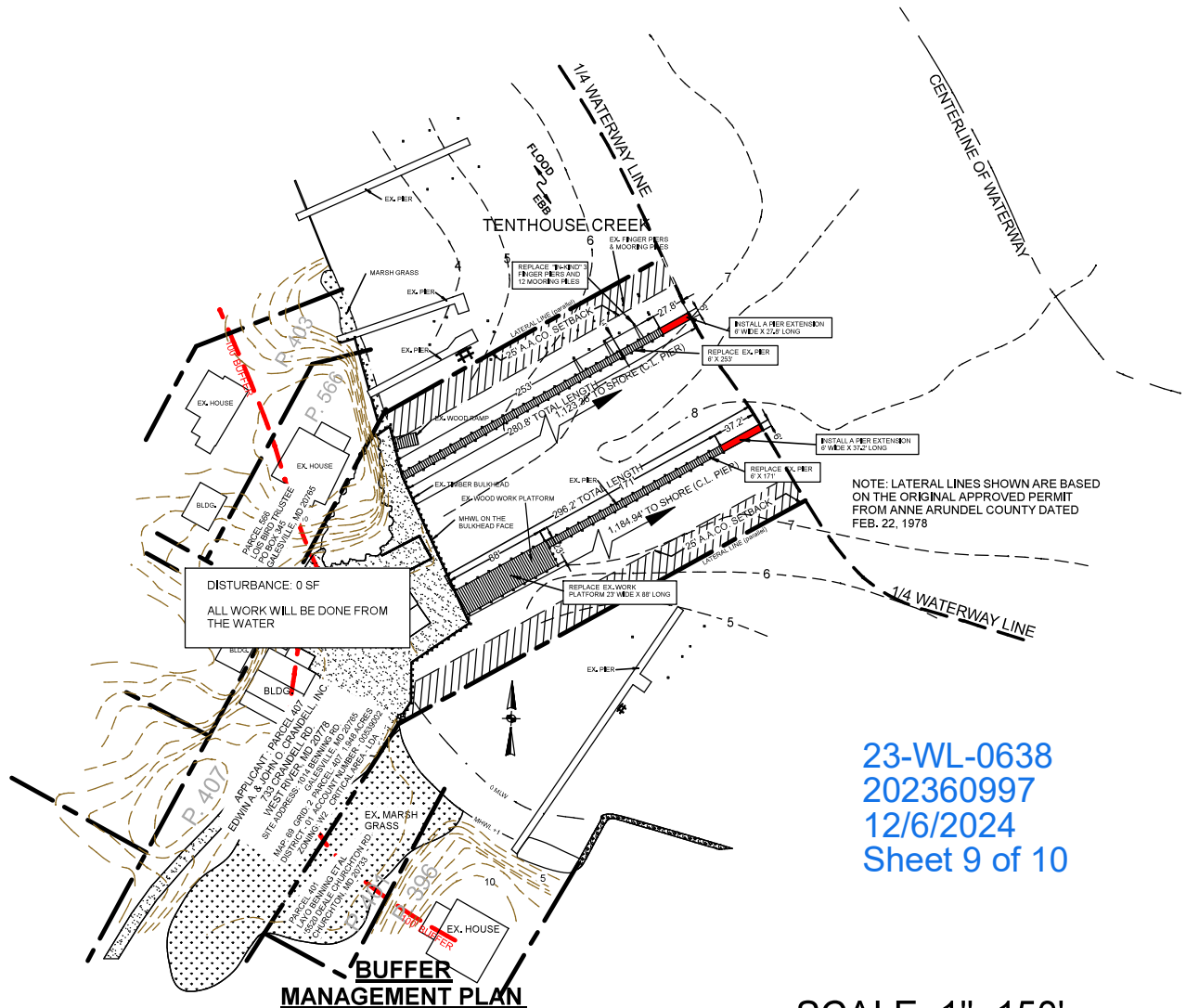
OWNER: EDWIN A & JOHN O. CRANDELL, INC.  
MAILING ADDRESS: 733 CRANDELL RD.  
WEST RIVER, MD 20778  
SITE ADDRESS: 1014 BENNING RD.  
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DEED REFERENCE: 03014 / 00643  
DISTRICT - 01 ACCOUNT NUMBER - 00539002  
ZONING: W2 CRITICAL AREA - LDA

**TYPICAL SECTION**

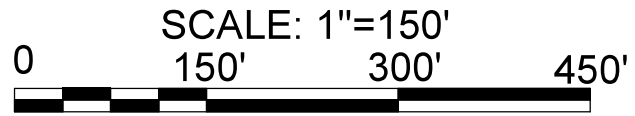
IN: TENTHOUSE CREEK  
TOWN: GALESVILLE  
COUNTY: ANNE ARUNDEL  
STATE: MARYLAND  
APPL. BY: EDWIN A. & JOHN O. CRANDELL, INC.  
722 CRANDELL RD.  
WEST RIVER, MD 20778

DATE: REV. 8/12/24 DRAWING 8





23-WL-0638  
 202360997  
 12/6/2024  
 Sheet 9 of 10



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 Owings, MD 20736  
 Email: [dwmoorej@verizon.net](mailto:dwmoorej@verizon.net)  
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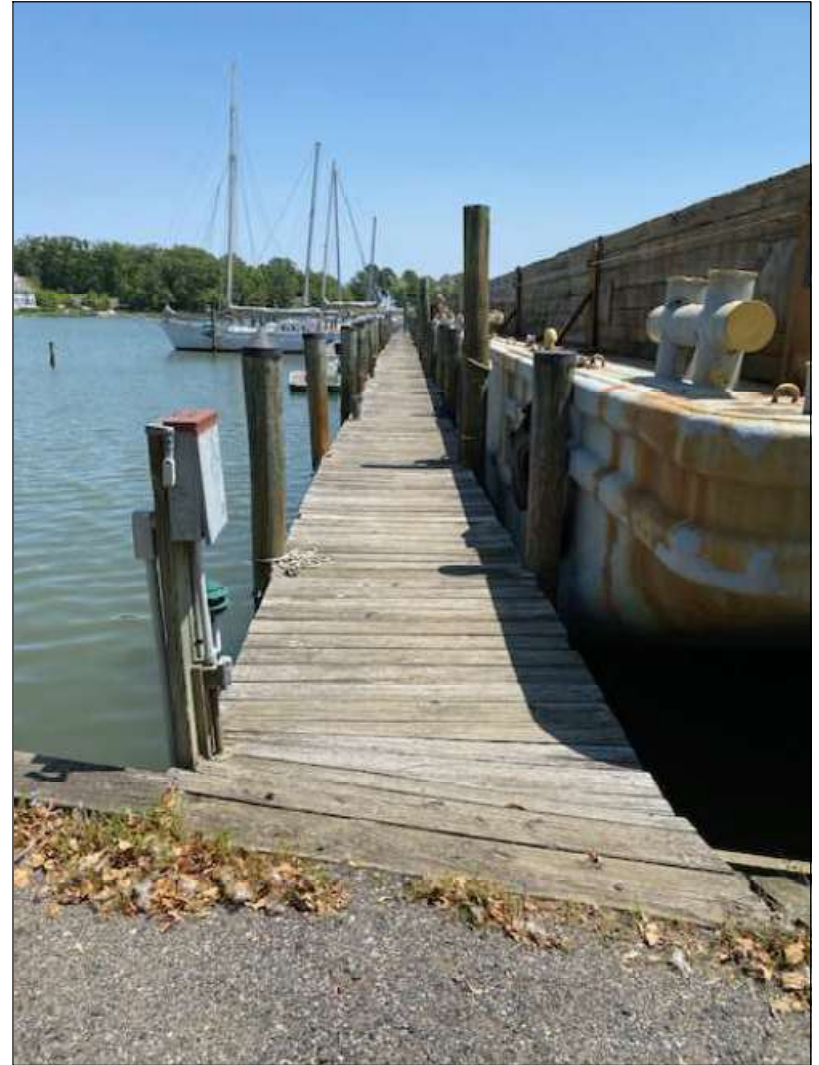
# BUFFER MANAGEMENT PLAN

IN: TENTHOUSE CREEK  
 TOWN: GALESVILLE  
 COUNTY: ANNE ARUNDEL  
 STATE: MARYLAND  
 APPL. BY: EDWIN A. & JOHN O. CRANDELL, INC.  
 722 CRANDELL RD.  
 WEST RIVER, MD 20778  
 DATE: REV. 8/12/24 DRAWING 9



SOUTH PIER

23-WL-0638  
 202360997  
 12/6/2024  
 Sheet 10 of 10



NORTH PIER

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MAP: 69 GRID: 2 PARCEL: 407 1.948 ACRES

DEED REFERENCE: 03014 / 00643

DISTRICT - 01 ACCOUNT NUMBER - 00539002

ZONING: W2 CRITICAL AREA - LDA

# PHOTOS

IN: TENTHOUSE CREEK  
 TOWN: GALESVILLE  
 COUNTY: ANNE ARUNDEL  
 STATE: MARYLAND  
 APPL. BY: EDWIN A. & JOHN O.  
 CRANDELL, INC.  
 722 CRANDELL RD.  
 WEST RIVER, MD 20778

DATE: REV. 8/12/24 DRAWING 10

# Attachment A

## Interested Parties for the Public Notice

Layo Benning et al  
5220 Deale Churchton Rd.  
Churchton, MD 20733

Lois Bird and Mark Bird  
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410 707 0805

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docjlbird@yahoo.com  
443 534 3800

Dennis and Vicki Harvey  
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denharv@aol.com

Jeanette Curry  
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Catonsville, MD 21228  
jeanettecurry@verizon.net

Elle Bassett  
South, West, & Rhode RIVERKEEPER  
Arundel Rivers Federation  
PO Box 760  
Edgewater, MD 21037  
elle@arundelrivers.org  
(c) 410-507-9942

Mark and Susan Case  
1052 Benning Rd  
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Mark.d.case@bge.com  
sbrickley@verizon.net  
410-370-0614

Mark L. Plaster MD  
4794 Bayfields Road  
Harwood, MD 20776

Daniel and Allison Cinelli  
4784 Bayfields Road  
Harwood, MD 20776

Kathleen & Jeffrey Smith  
1038 and 1040 East Benning Road  
Galesville, MD 20736

jeffreySmith1040@gmail.com

Millicent and Rodney Calver  
1020 E. Benning Road  
PO Box 61  
Galesville, MD 20765  
410 867 0434  
mimicalver@gmail.com

**Commenters from the Public Notice Period, and later, who did not attend/sign-in at the Hearing**

Bruce Kisliuk  
4899 Lerch Creek Ct  
Galesville, MD 20765  
brucekisliuk@gmail.com

Ashley Eden  
4719 Woodfield Road  
Galesville, MD 20765  
ashleyeden90@gmail.com

## Sign-in Sheets from the Hearing

David Harris III

Joan Bell

Jan Bird

2811 Deepwater Trail  
Edgewater, MD 21037  
docjlbird@yahoo.com  
She spoke.

Susan and Mark Case  
1052 E. Benning Road  
Galesville MD 20765  
Mark.d.case@bge.com  
sbrickley@verizon.net  
He spoke and wrote.

William Whitman  
100 Shore Dr.  
West River, MD 20778  
william.h.whitman@gmail.com

Dennis Harvey  
908 Mulberry Lane  
PO Box 163  
Galesville, MD 20765  
denharv@aol.com  
He spoke.

Rodney Calver  
PO Box 61  
Galesville, MD

Mary Tod and Buz Winchester  
PO Box 129  
Galesville, MD 20765  
mtwinchester7075@gmail.com

Holly Clark  
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Mimi Calver  
PO Box 61  
Galesville, MD 20765  
mimicalver@gmail.com

Mark Steinlein  
PO Box 273  
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waterrat999@aol.com  
He spoke.

Eric Steinlein  
PO Box 160  
Galesville, MD 20765

Kenneth MacEwen  
1215 Steamboat RD.  
Shady Side, MD 20764  
live2fish40@yahoo.com

Steve and Audrey Sharkey  
1022 E. Benning Road  
Galesville, MD 20765  
stevebsharkey@gmail.com  
He spoke.

Jeff and Kathy Smith  
1038 and 1040 East Benning Road  
Galesville, MD 20736  
jeffreySmith1040@gmail.com

William Bird  
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Galesville, MD 20765  
sectiona@yahoo.com

Marvin and Michele Steed  
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msteadfarm@yahoo.com

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Joseph Reedy Hines  
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Jim Chandler  
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jim20765@verizon.net

Nina Gowas  
PO Box 352  
Galesville, MD 20765

Robin Harris  
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Chesapeake Bch, MD 20732

Elle Bassett  
South, West, & Rhode RIVERKEEPER  
Arundel Rivers Federation  
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Edgewater, MD 21037  
elle@arundelrivers.org

Mark Bird  
PO Box 345  
916 Mulberry Lane  
Galesville, MD 20765

marktbird@msn.com  
He spoke.

Penny and Charlie Kidd  
4634 Bayfields Rd.  
Harwood, MD 20776  
pennycharliekidd@aol.com

Bill Morgante  
BPW

Bob Kinzie  
4851 Church Lane



## ATTACHMENT B

# Public Hearing Report

Regarding Tidal Wetlands License Under COMAR 26.24.01.05.H.

<u>Application No.:</u>	23-WL-0638	<u>Date:</u>	April 22, 2024
<u>Applicant:</u>	Edwin & John O. Crandell, Inc.	<u>Time:</u>	6:00 PM
<u>MDE Staff</u>	Tammy Roberson Melissa McCanna	<u>Location:</u>	Galesville Memorial Hall 952 Main Street Galesville, Maryland 20765 Anne Arundel County

*Advisory: This report and its attachments reflect only the statements, comments, and questions made during the public hearing and following comment period. **This hearing was recorded and is publicly available here <https://youtu.be/r6bK81bKu3Y>**. Personal notes were taken by the Hearing Officer and Department Staff during the hearing, this report is based upon those notes and the recording. It does not represent any statement of fact by the Department.*

- Hearing Opened: Tammy Roberson, of the Maryland Department of the Environment (“MDE” or “Department”), serving as Hearing Officer, opened the Hearing at 6:03 PM. She presented an overview of the hearing purpose, authority and procedures, in accordance with COMAR 26.24.01.05.
- Elected Officials Present
  - None
- Opening Presentation by Applicant

#### Presenters

- David Harris, Vice President and main contact

#### Presentation Summary

Mr. Harris had prepared a flier which he shared with the participants as handouts. He projected the flier overhead and then described and explained the figure. The proposal is first to replace the existing two commercial piers, which are 253 feet long and 125 feet long, and second, to extend the two commercial piers both to 380 feet in length. The figure showed two different extensions, one to 355 feet long and the second to the proposed 380 feet long. Mr.



Harris stated that the applicants could operate with the 355-foot proposal. He added that the United States Coast Guard reviewed the 380-foot extensions and determined there are no hazards to navigation, and did not require lights on ends of the proposed 380-foot piers.

#### 4. Questions and Comments

Approximately 50 people, including agency staff, the applicant and agent personnel, attended the meeting. Thirty-five attendees signed in and of those, 33 were members of the public not affiliated with Department or the applicant. Attachment A includes those who attended the hearing and signed-in. Most attendees spoke in opposition to the project. The following is a summary of all oral comments and questions presented at the hearing.

General Questions and Comments Regarding the Project: The Hearing Officer began by soliciting comments and questions directly related to the proposed project. The comments and questions from the attendees are underlined. The agent or the Department responded to most of these statements. Their responses have been included where appropriate and are in italics.

- Why is this a safety issue when the barges have been spudded to 380' for years?  
*Barge workers could walk along the pier instead of taking a vessel to get onto a barge. The existing piers need to be repaired and replaced; hence the applicant is now addressing the pier extension.*
- Why does the applicant think they are entitled to go 380'?  
*Quarter distance is the regulatory limit but MDE has flexibility to authorize beyond the quarter distance of the waterway. If the circumstances are that there exist no known hazards to navigation, a pier can extend further in the waterbody. MDE works with other agencies to make the determination regarding the presence/absence of navigational hazards.*
- What authority prevents and then later enforces the applicant from spudding barges beyond the proposed pier length?  
*Barges cannot spud or moor where they are a navigational hazard. If barges were spudded or moored beyond the 380' proposed, they would become a navigational hazard. The Department adds a Special Condition to the license that vessels can not be moored channelward of the end of the pier. The Department's Compliance section should be called if the Special Condition is on the authorization.*
- What is the quarter distance of this waterway?  
*Approximately 285 feet channelward.*
- What is the basis for the choice of 380 feet length? Do the barges historic placement affect the Department's decisions?  
*The Department does not regulate vessels. The Department regulates structures in tidal waters.*
- Where does the applicant moor the tugboat?  
*Sometimes it is tied to a barge and usually it is moored close to shore on the existing pier.*
- Is the effect of the work and construction to neighbors relevant to this application, particularly noise impacts?  
*Noise concerns are addressed by the County zoning authority.*
- When was there a bathymetric survey on the creek?

*DNR conducted a bathymetric survey that the applicant is using and used for the applicant's November 17, 2023 response to comments.*

- Does the Department consider pier-shading impacts or vessel-shading impacts?  
*The Department does not consider a pier's width for shading impacts. The Department only considers shading if submerged aquatic vegetation (SAV) is known to be present and a platform is proposed. Because the Department does not regulate vessels, we do not consider vessel-shading. The water depth is 8' and there is no known SAV in the area.*
- Is the County map inaccurate about the zoning showing two zones, residential and W2?  
*W2 (light industrial) is what the current discussion is about. The County would be the best resource for questions about zoning accuracy.*
- Why aren't you fully using the space you already have by changing the way you park the barges? Isn't it possible to rearrange the barges so that they all fit into that space? How many barges do you own?  
*The applicant owns 12-16 barges and when moored, they all fit into the space they are using including spudded and not moored. Barges are different sizes and the longest they have is 110' long. If one considers spacing between barges for side lines (ropes) and safety, the total distance to moor three 110' barges along one pier is a 355' long pier.*
- How is the category of "in-kind" determined? If something is changed, shouldn't all of the structures be brought to current regulations?  
*"In-kind" means to replace exactly what they currently have and the structures would need to be previously authorized or grandfathered. In-kind replacement as a stand-alone project can be done without an authorization. The applicant is not proposing a completely new configuration of the existing piers so the term in-kind for the existing pier portion is accurate.*
- How many more barges could be added with the extended pier length proposal? Will the barge number change pre to post-construction?  
*The applicant is currently utilizing the area to 380' channelward to the maximum extent practicable. The number of barges changes by the season, and the area of use will stay the same.*
- In addition to safety why do you want to extend the piers?  
*Worker safety, mooring/tying without spuds, the addition of mooring/tying and spuds, and easier access to the barges are all reasons for the request to extend the piers. Commercial expansion is not a reason.*
- Are you expanding your operation?  
*Applicants are not expanding their operation and can not because they are already using all of the available space. For 30 years the space has been maximized. They cannot move to Woodfields, an upstream marina, which is for sale, because it is not large enough.*
- Commenter does not trust the system to be able to enforce the pier extensions.
- The applicants' potential to extend one-third across the waterway feels unfair.
- The extension may infringe on the rights of the rest of the public. The barge placement effectively extends their property by an acre. Their area of use is therefore unavailable to the rest of the public.
- The state should have been looking at the applicants' water use, impediment to local navigation, and because of the pleasure boats moored there this should be considered a marina.

*The Department does not monitor those who hold riparian rights. The commercial piers have no change in the number of slips before and after the pier extensions. The Department does not regulate vessels. Enforcement of vessel use is under the jurisdiction of Department of Natural Resources (DNR) Boating Services and the DNR Police, and the United States Coast Guard.*

- Why has there not been an impact study on water quality, noise levels, shading, run-off, cleaning equipment of barges, residual contaminant levels on the dredging equipment.  
*The Tidal Wetlands Division considers water quality in the context of fill and the authority of the Clean Water Act, and therefore equipment cleaning and contaminants are not within the jurisdiction of this application. Pier activities fall under the authority of Section 8 of the River and Harbors Act, which does not consider water quality. Noise levels, and run-off are under County jurisdiction.*
- A 1978 series of letters and memos shows that the owners made an agreement with the County to give up their longer pier proposal in exchange for dredging.  
*The documents provided pre-hearing and mentioned during the hearing affirm that the applicants and the County had a gentleman's agreement to forego the pier extension proposal and to dredge. No evidence was found to indicate the agreement was legally binding. The 1978 documents support a pre-authorization negotiation to minimize community concerns. The 1978 agreement has no bearing on the current proposal.*

5. Hearing Closed

- a. Participants were notified that written comments were due by 5:00 p.m., Monday, May 6, 2024. Mailed comments must be post marked by that date.
- b. The Department may request additional information from the applicant.
- c. Hearing was adjourned by Tammy Roberson at 7:12 PM.

6. Written Comments received after Hearing: Five written comments were received prior to the close of the hearing record on May 6, 2024. All but one of the five written comments was in opposition to the pier proposal. These comments have been reviewed by Department staff. The primary concerns are summarized below. The underlined text is the summary of the commenters', and any explanation or response by the Department and/or the agent is italicized:

- A. The proposal will require a variance from the County and does not meet the goals of the community white document, "Envision Galesville." The proposal is out of scale with the small village community principle. The pier extension might allow future operators to impact the entire village by expanding the applicants' business. The current operations are adequate without extending the piers. The current proposal is 80' beyond County code.  
*The applicant is currently utilizing the area to 380' channelward to the maximum extent practicable. The number of barges changes by the season, and the area of use is within the extended property lines, and outside of the channel. This property has been utilized commercially for 45 years and therefore the character of the community will not change. The County will review the project per the County codes.*

- B. Barges effectively barricade contiguous neighbors' piers. The current pier length creates a wall of 10-foot tall barges very close to the extended property lines, limiting the contiguous neighbors' egress and ingress to the applicant's side. Extending the piers would further limit the contiguous piers' movement, limit sight distances when entering the fairway, and would make permanent what is currently temporary mooring and spudding beyond the pier structures. The applicant is rude for not considering the neighbors.  
*The existing barge spudding and the proposed pier do not cross the extended property lines to directly affect the contiguous neighbors' riparian rights. The proposed pier extensions were determined to not be hazardous by the United States Coast Guard. The Department does not regulate vessels. If citizens are concerned about enforcement of these limitations by vessels, they can contact Department of Natural Resources Police and the United States Coast Guard.*
- C. A 1978 series of letters and memos shows that the owners made an agreement with the county to give up their longer pier proposal in exchange for dredging.  
*Commenters interpret the 1978 process as a permanent relinquishment of rights to extend the piers in exchange for dredging. The 1978 documents support a pre-authorization negotiation to minimize community concerns. The applicants' riparian rights were not affected by the 1978 negotiation. The 1978 agreement has no bearing on the current proposal.*
- D. This is a marina expansion under COMAR 26.24.01.02 because there are more than ten vessels. The applicants need to address all the marina expansion components under COMAR. "The proposed expansion of the industrial marine operation is rightly considered under COMAR 26.24.04.03 as a marina expansion and the requirements of that section must be met before the MDE can properly process this application. As clearly shown in the photograph submitted in Exhibit 2 of my March 1, 2024, comments, the marina currently supports over 10 vessels and is being expanded to support more. Pursuant to COMAR 26.24.01.02, a "marina" is defined as "a facility for the mooring, docking, or storing of more than ten vessels on tidal navigable waters, including a commercial, noncommercial, or community facility." Accordingly, the Crandells need to address the numerous components required under that Section, including minimizing the adverse environmental impacts of the proposal, impacts to water quality, boat repair, storage and fueling and methods to control storm water runoff. The MDE could simply deny the expansion application at this time until all legally required "marina expansion" information is submitted and duly reviewed under applicable regulations."  
*For facilities to fall under the definition of a marina and thus fall under the cited regulations, MDE counts the number of slips existing and proposed to determine if the facility is expanding. The Department counts a "slip" as having a defined structural component such as finger piers, mooring piles, or boatlifts creating a defined space for a boat or watercraft to moor. The Department cannot regulate or define a specific linear foot of pier (without the aforementioned slip defining structures) as a slip. This facility presently has seven slips, and the proposed pier work has seven slips. Since there is no difference in slips with the proposed pier extension, the piers/facility does not meet the*

*definition of a marina and thus would not be subject to the marina expansion requirements. The Department is not considering this a marina expansion.*

- E. The applicants claim entitlement to use 380 feet of the waterway width. This does not seem referenced to law or regulations, despite the applicants' explaining they can spud or moor anywhere they are not a navigational hazard.  
*The Department does not regulate vessels. If citizens are concerned about enforcement of these limitations by vessels, they can contact Department of Natural Resources Police and the United States Coast Guard.*
- F. Supportive commenter summary: Opposing commenters bought their property after the business was established. Opposing commenters cited property value loss, noise and traffic. The applicant has owned this property longer than the opposing commenters. The property was zoned light industrial when most of the complainants bought their homes. The oppositions' comments are insufficient to deny and the application should be approved.