

WATER AND SCIENCE ADMINISTRATION TIDAL WETLANDS DIVISION

Wetland Report and Recommendation

State Wetlands Case No: 25-WL-0593

Date Application Received: July 01, 2025

Applicant: Maryland Dept of Natural Resources
c/o Eric Luedtke
Applicant Address: Tawes Office Bldg., D-3 Engineering & Construction
580 Taylor Ave
Annapolis, Maryland 21404-8239
Applicant Email: eric.luedtke2@maryland.gov
Applicant Phone Number: 443-875-7462

Agent: David Porter
Agent Address: 580 Taylor Avenue,
Annapolis, MD 21401
Agent Email: david.porter1@maryland.gov
Agent Phone Number: 443-221-8150

Public Notice Required? Yes Public Comment Period Closing Date: April 2, 2026

County: Dorchester Maryland Coordinates: 73476 x 492506

Location of Proposed Work: The location of the proposed work is within the waters of Langrells Creek. (38°19'26.5"N 75°56'32.3"W)

Purpose of Proposed Work: The purpose of the proposed work is to maintain navigable access to the waters of Langrells Creek.

Description of Authorized Work:

1. Hydraulically maintenance dredge an 800-foot long by 27-foot wide canal to a depth of 3.0 feet at mean low water; and to temporarily deposit approximately 2,050 cubic yards of dredged material on site at an uplands location for dewatering and then transport the dewatered material to an approved upland disposal site located at 6815 E. New Market Ellwood Rd, Hurlock, MD 21643.
2. Provide periodic maintenance dredging for six years.
3. Replace a 42-foot long by 14-foot-wide deteriorated boat ramp with a pre-cast concrete boat ramp and 42-foot long by 1-foot wide wingwalls extending a maximum of 31 feet channelward of the mean high-water line.
4. Construct 14 feet of stone channel stabilization across an eroding marsh tributary.

Waterbody: Langralls Creek

Requires Water Quality Certification?: No. MDE has issued a Water Quality Certification for the MDSPGP-6.

Qualifies for Maryland State Programmatic General Permit?: Yes, Category B and will be issued by the United States Army Corps of Engineers directly to the applicant.

Area of Vegetated Wetland Impacts Requiring Mitigation: 0 s.f.

Area of Open Water Tidal Wetlands Requiring Mitigation: 0 s.f.

Area of Wetlands Created: 0 s.f.

Was the Applicant's Original Project Modified?: Yes, the original application was modified. The initial application proposed vinyl sheeting in the location of the stone channel stabilization. At the request of the Department the vinyl sheeting was replaced with a stone channel stabilization.

Department Comment:

As required by § 5-204 (b) of the Environment Article, the Department drafted and issued a public notice by posting the public notice on its WEB site from November 15, 2025, to December 15, 2026, January 15, 2026, to February 15, 2026, and March 1, 2026, to April 1, 2026, and publishing the public notice for the proposed project in Star Democrat on November 19, 2025, February 6, 2026, and February 27, 2026. In addition, the public notice was provided to adjacent property owners listed below:

Adjacent Property Owner: Gerald & Tammy Neiderer

Adjacent Property Owner Address: 464 West King St Abbottstown, PA 17301

Adjacent Property Owner: Fishing Bay LLC

Adjacent Property Owner Address: 9475 Deereco Rd Ste 200 Timonium, MD 21093

The Department received comments on December 3, 2025, from the Elliot Island community and a request for a public informational hearing from Paul Obrecht, III.

The Maryland Department of Natural Resources (DNR) reviewed the proposed project and determined “The Department's Wildlife and Heritage Service has determined that the project site falls within habitat for the Black Rail (*Laterallus jamicensis*). The Black Rail is a species listed as endangered by the State and listed as threatened by the U.S. Fish and Wildlife Service. To minimize disturbance in the project area during the breeding season for this species, no construction activity should be performed during the period April 15 through September 30 of any given year.”

This project funding was allocated to DNR through the Waterways Improvement Fund, which began July 1st, 2025. The fund supports new and improved public boating access facilities, dredging of navigable public waterways, emergency vessels, and equipment for first responders. DNR had previously explored replacing the existing boat ramp in 2009. DNR determined the boat ramp replacement would not be justifiable without dredging the channel and discontinued the project due to lack of funds.

Dave Porter with DNR requested a pre-application (Pre-app) meeting, which was held on February 14, 2025. In attendance was Matt Godbey (MDE), David Porter (DNR), Greg Schenck (DNR), John.Moulis (DNR), Matt Negley (DNR), and Roland Limpert (DNR). The initial discussion focused on the location of the proposed low-profile sill (sill). The location of the sill had previously been upland separating the channel from the adjoining wetlands. In the 2010's the upland washed out and allowed the marsh to connect to the channel. DNR proposed filling the tidal marsh area to historic elevations. It was discussed with DNR, the washout had occurred too long ago to be considered a storm repair. Any activity would be reviewed under current site conditions. The proposed activity under the current site conditions is proposing to fill tidal wetlands and interrupt tidal flows. The installation of vinyl sheeting or stones were discussed as an alternative to allow tidal flows to continue but minimize any sediment transferring into the channel.

The boat ramp replacement and dredging were discussed with no alterations to the final plans.

The project was placed on its first Public Notice, November 15, 2025. Mr. Paul Obrecht, III provided a letter of opposition and requested a Public Information Hearing on December 3, 2025.

Public Hearing:

Elliot Island is a rural community on the Eastern Shore with limited gathering places. It was first determined that the local parish could accommodate a Public Hearing. The Maryland State Firefighters Association provided the contact information for Mr. Greg Abbott, Chief of the all-volunteer fire fighter force on Elliot's Island.

The first Public Hearing was scheduled at the parish on February 4, 2026, and was canceled due to inclement weather. The second Public Hearing was scheduled for February 18, 2026, as a virtual hearing. The hearing was canceled due to technical difficulties. The third hearing was scheduled for March 19, 2026, at the Volunteer Fire Company with a backup virtual hearing to be held on April 1, 2026, if necessary. The public hearing was held in person on March 19, 2026, and included members from the Elliot Island community in support and opposition to the project.

The opposition comments included lack of bathroom facilities, over hunting, overfishing, increased traffic from the improved infrastructure, accelerated deterioration of existing infrastructure, and limited parking that always result in parked vehicles along the roadway leading to passing on the double yellow roadway line creating routine unsafe conditions. There were additional concerns that the dredging could accelerate the erosion of the canal and result in a change in hydrology by altering the existing site conditions and concerns relating to a county designation that would increase emergency vessels beyond the capacity of the site.; A full summary of the comments from the hearing can be found in Attachment B while Attachment C contains the comments received via email.

All comments were collected and provided to DNR for response. DNR provided their responses on May 4, 2026. Please see the questions and comments with the DNR responses and MDE's determinations below.

- 1. The community is concerned about increased traffic. This would result in an accelerated deterioration of the roadway. The current roadway is not designed to accommodate the large trucks and trailers that would carry watercraft to utilize the increased depths of the dredged channel. This would force passing vehicles onto the shoulder and into tidal wetlands, creating a routine unsafe situation that could lead to accidents and stuck vehicles. Furthermore, without increasing the parking lot, recreationists will park along the roadway and in the marsh. Other infrastructure-related comments included environmental damage from increased traffic, a lack of bathroom facilities, overhunting and overfishing of the Nanticoke, and safety concerns for recreational bicycle users.*

DNR Response: We believe that improving the boat ramp and dredging the channel won't significantly increase traffic and use, but it will make access safer for users. The parking area at the ramp will also limit use due to its size and configuration. Most large boats will continue to use the McCreadys Cove County boat ramp because it provides direct access to Fishing Bay. We have no data showing that this ramp and dredging project would cause

overhunting and overfishing of the Nanticoke as regulations exist to manage both harvests. No bathroom facilities exist at county maintained boat launches or DNR owned boat launches in Dorchester County. We can't speak for bicycle safety concerns because that is a county-maintained roadway.

MDE Determination: Concerns and comments relating to increased traffic and upland infrastructure support is outside the Department's jurisdictional regulatory authority.

2. *Concerns were voiced that the dredging could accelerate shoreline erosion of the canal.*

DNR Response: We do not believe that shoreline erosion of the canal, in general, has been a problem since the canal was constructed over 50 years ago. Erosion of the existing tidal marsh southwest of the canal, through the breach in the berm, is a far more significant problem. We have pursued measures to prevent erosion of the tidal marsh through this breach, to the maximum extent possible. The proposed stone sill armor in the breach is the best option available while still complying with MDE regulations.

Also, as mentioned in our response above, we do not expect the dredging to significantly increase boat traffic in the canal. Therefore, we do not anticipate problems with erosion of the canal shoreline.

MDE Determination: The Department has determined that maintenance of the previously authorized channel to the previously authorized dimensions and depths is within the applicant's riparian rights. Shoreline erosion is natural and if the applicant, DNR, decides to propose a shoreline erosion control project to mitigate the erosion to reduce adverse impacts to the width and depth of the canal then the Department will review a JPA at that time of submission.

3. *The volunteer fire department is concerned the county will designate its facility as a "water box" without providing the required space at the boat ramp for it to function effectively as such. The scenario presented by the volunteer fire department highlighted that water box designation requires emergency vehicles from multiple counties to access the boat ramp. The dirt road leading to the undersized parking lot could simply not accommodate both emergency vehicles and recreational visitors.*

DNR Response: DNR cannot control decisions made by Dorchester County Emergency Management, Emergency Medical Services and Fire Rescue. However, we are confident that the trained professionals who are responsible for designating which facilities will be used during emergency response situations will assess the limitations of DNR facilities and will only utilize them when feasible and appropriate.

MDE Determination: MDE agrees with DNR's response and any decision made by Dorchester County Emergency Management, Emergency Medical Services and Fire Rescue is not within the scope of the Department's review.

4. *Dredging could cause concerns about changes in hydrology. This was expanded upon by claiming that "punching through the sand/clay base" could alter the frost freeze cycle negatively influencing the local hydrology.*

DNR Response: The dredging is not intended to go past the depth of the original bottom when the canal was originally dug. Therefore, we do not expect the proposed dredging to alter the current hydrologic conditions.

MDE Determination: The Department has determined that maintenance of the previously authorized channel to the previously authorized dimensions and depths is within the applicant's riparian rights. Dredging greater than the original water depths was not proposed and the Department does not believe there will be an adverse impact from restoring the canal to the previous water depths.

All interested parties' contact information were verified (See Attachment A). The email left by Mr. Lance Keil is a bad domain. Multiple voicemails were left at his Veterinary Clinic, Erdman Animal Hospital located at 3223 Erdman Ave Baltimore, MD 21213 with no return call. Mr. Abbott was contacted and a request was made for Mr. Keil to contact the Department at his earliest convenience. No response from Mr. Keil has been received.

The evaluation of this project has taken into account ecological, economic, recreational, developmental, and aesthetic considerations appropriate for this proposal as well as other requirements set forth in the Code of Maryland Regulations. To ensure that impacts to resources are avoided and minimized to the maximum extent possible and to ensure that all work is performed in accordance with Critical Area and local regulations, the Department has recommended a number of special conditions. Provided all general and special conditions are adhered to, the work proposed will not cause significant deleterious impacts to marsh vegetation, submerged aquatic vegetation, finfish, shellfish, or navigation.

Project Justification: In consideration of the site characteristics and the nature of the proposed work, the Department concludes that the application represents a reasonable exercise of riparian rights.

SPECIAL 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 or is not otherwise exempt from the licensing requirement, all work performed under this Tidal Wetlands Permit 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 and COMAR 26.30. The licensed marine contractor shall be authorized for the appropriate license category to perform or solicit to perform the activities within this authorization, if applicable. A list of licensed marine contractors and their license category 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 at <https://mde.maryland.gov/programs/water/WetlandsandWaterways/Pages/LicensedMarineContractors.aspx>.
- D. The issuance of this license 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.
- E. The Licensee shall not perform any construction activity from April 15th through September 30th of any year to protect the Black Rail (*Laterallus jamaicensis*). The Black Rail is a species listed as endangered by the State and listed as threatened by the U.S. Fish and Wildlife Service.
- F. If the Licensee transports dredged material by trucks, the trucks shall be watertight and no dredged material shall be discharged onto the roadways of the State.

- G. The Licensee shall conduct subsequent maintenance dredging within the scope of this license in terms of authorized dredge area and authorized depths. The licensee shall:
1. Dredge no more than 500 cubic yards of material at each maintenance dredging.
 2. Comply with all applicable conditions of this license.
 3. Submit a detailed dredged material disposal plan to be approved by the Water and Science Administration, Tidal Wetlands Division prior to the start of dredging.
 4. Notify and receive approval from the Water and Science Administration, Compliance Program a minimum of 10 days prior to the start of each maintenance dredging operation.
- H. The Licensee shall stake the dredge area and receive approval from the Water and Science Administration's, Compliance Division prior to the start of dredging.
- I. The Licensee shall conduct a post dredge bathymetric survey and forward to the Water and Science Administration, Tidal Wetlands Division within 45 days after the termination of any phase of dredging.
- J. The Licensee shall dispose of dredged material only at the dredge disposal site(s) approved by this Wetland License. The Licensee shall submit an application for modification of the License to MDE for approval of any dredge disposal site not authorized within this License.
- K. If hydraulic dredging is performed, the dredged material placement site (DMP) shall be constructed to limit turbidity in the discharge to waters of the State. A turbidity sample of the discharge water shall be performed every hour of active pumping to the DMP or when there is an observed change in the clarity of the water. Turbidity in the discharge may not exceed 150 units at any time or 50 units as a monthly average. Units shall be measured in Nephelometer Turbidity Units. A logbook of all turbidity monitoring shall be kept on site. The dredger shall have a person at the discharge point of the DMP in constant radio communication. If a problem is incurred, the dredging operation shall be immediately shut down until the reason for the problem can be ascertained and rectified.
- L. The Licensee shall install, mark, and maintain all dredged material pipelines in accordance with all U.S. Coast Guard requirements for navigational safety. Dredge material pipelines and associated equipment shall be removed as soon as practicable, upon completion of activities authorized under this License.
- M. If Licensee does not obtain approval from the U.S. Coast Guard, or the U.S. Coast Guard denies Licensee's application, the Licensee may only proceed with mechanical dredging or submit an application to MDE for a modification to this License.

- N. The Licensee shall submit an application and revised plans to MDE for a modification to this License, if the U.S. Coast Guard's approval alters the proposed pipeline route.
- O. The dredge operator shall have a person at the discharge point of the DMP in constant radio communication. If a problem is incurred, the dredging operation shall be immediately shut down until the reason for the problem can be ascertained and rectified. MDE compliance shall be notified.
- P. In the event of any inadvertent releases of dredged material into State tidal wetlands from a pipe breakage, all dredging operations shall immediately cease. Licensee shall take steps to stop all dredged material from entering State tidal wetlands and shall immediately notify MDE's Compliance Program of the pipe breakage. Licensee shall not resume dredging operations until receiving approval from MDE's Compliance Program.
- Q. The Licensee shall not stockpile any material in State or private tidal wetlands.
- R. The Licensee shall design and construct the wingwalls and stone channel to prevent the loss of fill material to waters of the State of Maryland.

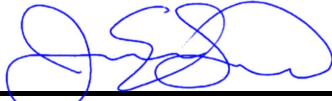
DEPARTMENT OF THE ENVIRONMENT APPROVAL:



Matt Godbey
Natural Resource Planner
Tidal Wetlands Division

8/18/2026

DATE



Jonathan Stewart, Chief
Tidal Wetlands Division

August 19, 2026

DATE



Heather L. Nelson, Program Manager
Wetlands and Waterways Protection Program

Aug 20, 2026

DATE

WETLANDS ADMINISTRATION CONCURRENCE:

William Morgante, Wetlands Administrator
Board of Public Works

DATE