



U.S. Army Corps
of Engineers
Baltimore District

Public Notice

In Reply to Application Number
CENAB-OP-RMN (MD SHA/I-795 at Dolfield Blvd/Interchange)
2008-02409 M15

PN 15-05

Comment Period: January 22, 2015 to February 23, 2015

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC ABOUT THE WORK DESCRIBED BELOW. AT THIS TIME, NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED.

The Baltimore District has received an application for a Department of the Army Permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344), as described below:

APPLICANT: Maryland State Highway Administration
Attn: Ms. Donna Buscemi
707 N. Calvert Street C-303
Baltimore, Maryland 21202

LOCATION AND WATERWAY: I-795 at Dolfield Boulevard/Pleasant Hill Road, in the Gwynns Falls watershed, Baltimore County, Maryland.

WORK: The Maryland State Highway Administration (MD SHA) proposes to improve access to the planned growth and employment centers along Red Run Boulevard; improve vehicular, pedestrian, bicycle access at selected intersections; and provide safety and capacity improvements along I-795, and to construct a new interchange along I-795 at Dolfield Boulevard/Pleasant Hill Road. The proposed roadway improvements include widening I-795 by adding a third lane in each direction from the Owings Mills Boulevard interchange to the Franklin Boulevard interchange; widening the Dolfield Boulevard/Pleasant Hill Road bridge over I-795 with an additional lane in each direction; adding northbound and southbound on and off-ramps forming an interchange at Dolfield Boulevard; adding auxiliary lanes between the new Dolfield Boulevard interchange ramps and the Owings Mills Boulevard interchange ramps and making local intersection improvements. Tollgate Road, between Hewitt Farms Road and Dolfield Boulevard, would be relocated on a northwesterly alignment tying into the intersection of Dolfield Boulevard and Church Road. Pleasant Hill Road would tie into relocated Tollgate Road forming a T-intersection. The intersection of relocated Tollgate Road and Pleasant Hill Road would allow right in/right out movements only onto Pleasant Hill Road.

The proposed roadway improvements would require discharges of fill material into waters of the U.S., including jurisdictional wetlands, and permanently impact approximately 1.3 acres of nontidal wetlands and 2,314 linear feet of unnamed tributaries to Red Run and Gwynns Falls. Project impacts have been avoided and minimized through consideration of various design alternatives including local roadway alignment shifts to avoid waters of the U.S. and residences. Compensatory mitigation for permanent impacts to wetlands and streams will be provided through the creation of new wetlands, the restoration/enhancement of existing wetlands, and stream

stabilization. Several potential mitigation sites have been identified in the Gwynns Falls watershed; however a preferred site has not been selected at this time.

All work is to be completed in accordance with the enclosed plan(s). If you have any questions concerning this matter, please contact Mr. Jack Dinne of this office at (410) 962-6005 or john.j.dinne@usace.army.mil.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, and, in general, the needs and welfare of the people.

The evaluation of the impact of the work described above on the public interest will include application of the Clean Water Act, Section 404 (b)(1) Guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 of the Clean Water Act.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Written comments concerning the work described above related to the factors listed above or other pertinent factors must be received by the District Engineer, U.S. Army Corps of Engineers, Baltimore District, [Attn: Mr. Jack Dinne, CENAB-OP-RMN], P.O. Box 1715, Baltimore, Maryland 21203-1715, within the comment period as specified above to receive consideration.

SECTION 401 WATER QUALITY CERTIFICATION: The applicant is required to obtain a water quality certification in accordance with Section 401 of the Clean Water Act from the Maryland Department of the Environment. Any written comments concerning the work described above which relate to water quality certification must be received by the Maryland Department of the Environment, Non-Tidal Wetlands and Waterways Program, Montgomery Park Business Center, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland 21230-1708 within the comment period as specified above to receive consideration. The 401 certifying agency has a statutory limit of one year to make its decision.

COASTAL ZONE MANAGEMENT PROGRAMS: Where applicable, the applicant has certified in this application that the proposed activity complies with and will be conducted in a manner consistent with the Coastal Zone Management (CZM) Program. By this public notice, we are requesting the State concurrence or objection to the applicant's consistency statement. It should be noted that the CZM Program has a statutory limit of 6 months to make its consistency determination.

The applicant must obtain any State or local government permits, which may be required.

A preliminary review of this application indicates that the proposed work will not affect listed species or their critical habitat pursuant to Section 7 of the Endangered Species Act as amended. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

Review of the latest published version of the National Register of Historic Places indicates that there are no resources eligible for inclusion located within the site of the proposed work. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

Any person who has an interest which may be adversely affected by the issuance of this permit may request a public hearing. The request, which must be in writing, must be received by the District Engineer, U.S. Army Corps of Engineers, Baltimore District, [Attn: Mr. Jack Dinne, CENAB-OP-RMN], P.O. Box 1715, Baltimore, Maryland 21203-1715, within the comment period as specified as above to receive consideration. Also, it must clearly state forth the interest which may be adversely affected by this activity in the manner in which the interest may be adversely affected.

It is requested that you communicate the foregoing information concerning the proposed work to any persons known by you to be interested and not being known to this office, who did not receive a copy of this notice.

FOR THE DISTRICT ENGINEER:

Joseph P. DaVia
Chief, Maryland Section Northern







