



**U.S. Army Corps
of Engineers
Baltimore District**

Public Notice

**In Reply to Application Number
CENAB-OP-RMS (HOWLIN OAKS PROPERTY, LLC/MILLSEAT
PROPERTY/RD CROSSING AND OUTFALL) 2010-60862**

PN 15-26

Comment Period: April 15, 2015 to May 5, 2015

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

This District has received an application for a Department of the Army permit pursuant to **Section 10 of the Rivers and Harbors Act of 1899 and/or Section 404 of the Clean Water Act (33. U.S.C. 1344)** as described below:

APPLICANT: Dave Ford
Howlin Oaks Property LLC
2880 Dunkirk Way
Dunkirk, Maryland 20754

WATERWAY AND LOCATION OF THE PROPOSED WORK: The project is located in non-tidal Waters of the U.S., including unnamed tributaries and wetlands contiguous and adjacent to the Gilbert Run, Oak Road, Charlotte Hall, in Charles County, Maryland

PROJECT WORK DESCRIPTION: To develop a residential subdivision by widening Oak Road, constructing an interior access road and constructing two stormwater management outfalls by impacting 50,721 square feet of non-tidal wetlands and 1,711 square feet along 272 linear feet of stream channel. An application dated June 3, 2010 was originally submitted under Maryland State Programmatic General Permit-3 (MDSPGP-3). Agency coordination was previously completed between December 17, 2014 and January 2, 2015. All areas of temporary impacts to wetlands would be replanted and stabilized. Areas of temporary impacts to waters would be stabilized. All work will be completed in accordance with the enclosed plan(s). If you have any questions concerning this matter, please contact Mr. Steven Harman at 410-962-6082 or U.S. Army Corps of Engineers, Baltimore District, P.O. Box 1715, Baltimore, Maryland 21203-1715.

The applicant proposes to provide compensatory mitigation for impacts to all waters of the United States on the project site. The applicant proposes to compensate the loss of the non-tidal wetlands by creating on-site 3.03 acres (132,142 square feet) of non-tidal forested wetlands. The applicant proposes to mitigate impacts to waters of the United States by creating channel structures to create a pool-riffle scenario for stream stabilization and fish passage along 226 linear feet of perennial stream channel and plant 3,327 square feet of the adjacent stream banks.

To purpose of the project is to create a residential development.

The decision whether to issue a permit will be based on an evaluation of the probable impacts, 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 reasonable 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, economic, 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, mineral needs, and consideration of property ownership and in general, the needs and welfare of the people.

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 provided will become part of the public record for this action. 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, P.O. Box 1715, Baltimore, Maryland 21203-1715 within the comment period specified above.

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 Wetlands and Waterways Program, Maryland Department of the Environment, Montgomery Park Business Center, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland 21230-1708 within the comment period as specified above to receive consideration. The Section 401 certifying agency has a statutory limit of one year from the date of this public notice to make its decision.

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 approved 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 Federal listed threatened or endangered 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 no registered properties listed as eligible for inclusion, therein, are located at 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 request permit.

The evaluation of the impact of this project on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 of the Clean Water Act.

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, P.O. Box 1715, Baltimore, Maryland 21203-1715, within the comment period as specified above to receive consideration. Also it must clearly set forth the interest which may be adversely affected by this activity and the manner in which the interest may be adversely affected.

It is requested that you communicate this information concerning the proposed work to any persons know 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:

Kathy B. Anderson
Chief, Maryland Section Southern

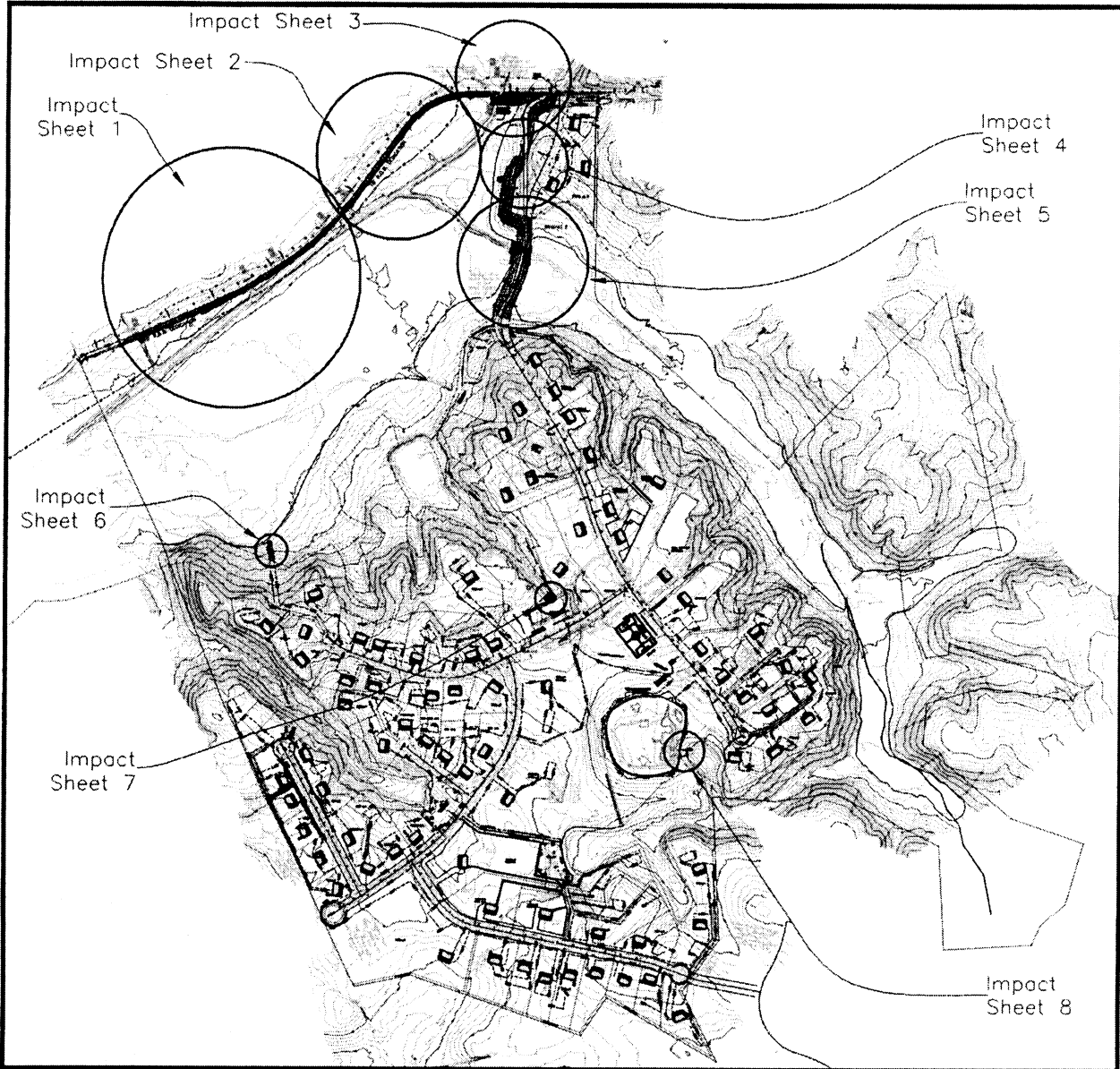


AMERICAN LAND CONCEPTS
 238 B MAIN STREET
 REISTERSTOWN, MARYLAND 21136
 PHONE: (410)-526-2688 FAX:
 (410)-526-2970



north

SCALE: 1" = 1,000'



IMPACTS:

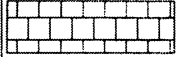


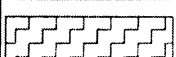
Impacts associated with the proposed activities will result in a total of:

- WSSC = 23,131 SF
- WSSC Buffer = 102,492 SF
- Non-tidal Wetlands = 27,590 SF
- Non-tidal Wetlands Buffer = 69,370 SF
- Stream = 272 LF (1,711 SF)
- Floodplain = 27,140 SF

OVERALL SITE PLAN

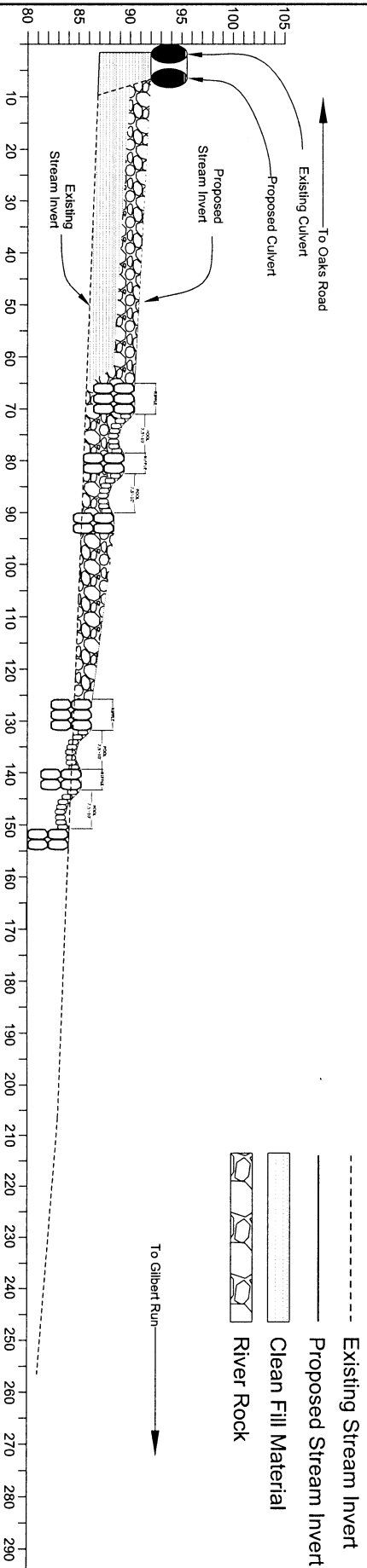
Millseat Property

Charles County, Maryland
 June 2010, Revised October 2010

-  = WETLAND IMPACT
-  = WETLAND BUFFER IMPACT
-  = STREAM IMPACT
-  = FLOODPLAIN IMPACT

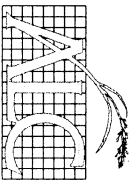
Stream Stabilization Profile View of Existing and Proposed Thailweg

FINAL WETLAND AND STREAM MITIGATION MILLSEAT PROPERTY JANUARY 30, 2015

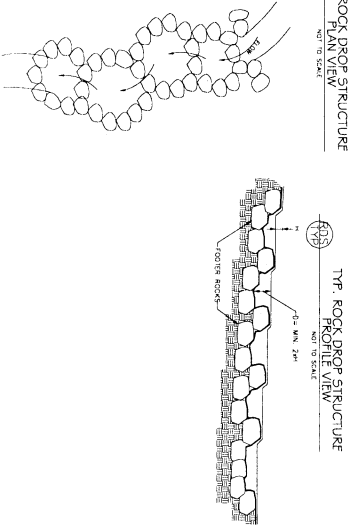
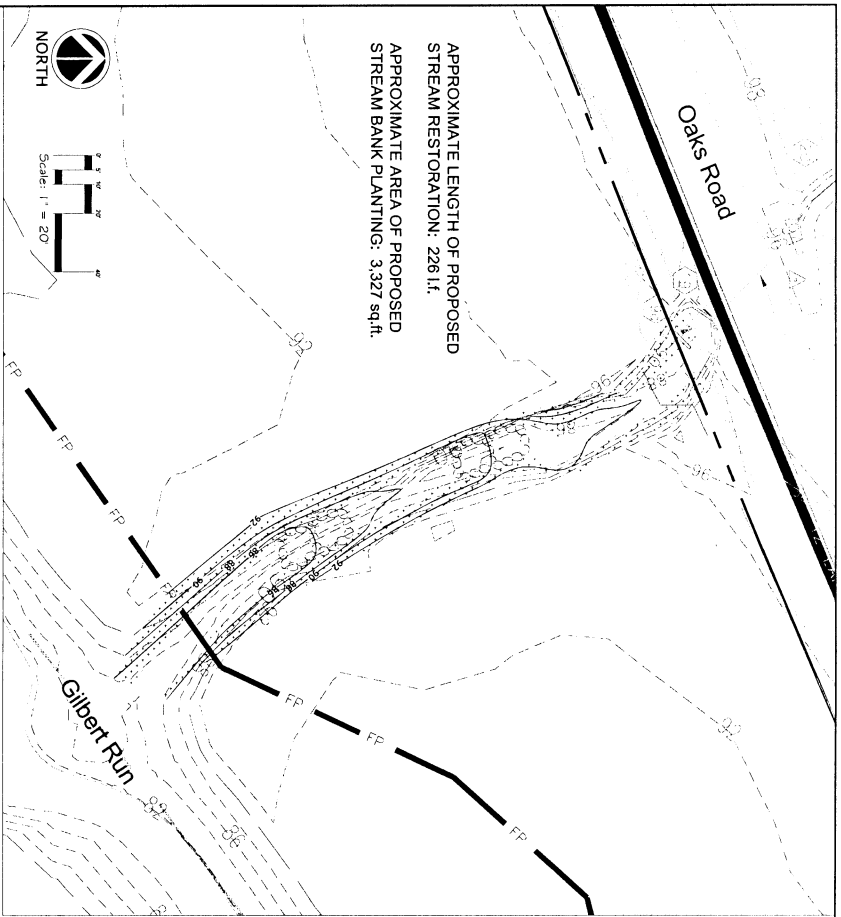


NOTES:

1. Site Topography was approximated from field survey conducted on June 28, 2013 using an assumed vertical datum.
2. Stream Specialist must be coordinated with to successfully implement the design.
3. This design should be considered a guide. Design tolerance will allow for slight variations in grade control elevation, pool depths, pool length, and pool drops. These variations are unavoidable due to the variations in the surface of the rock. This is by design and provides a much more natural, less engineered look to the remedial actions proposed.

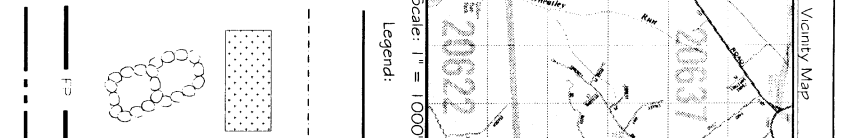
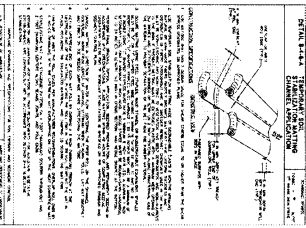
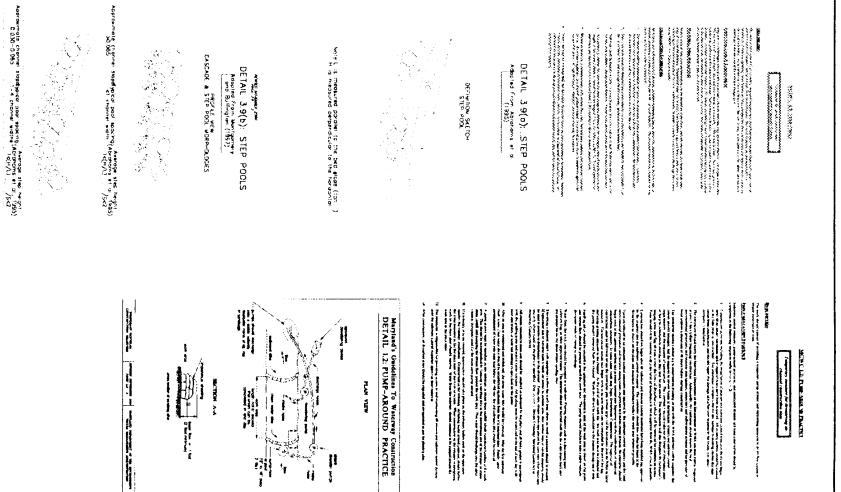


AMERICAN LAND CONCEPTS
238 B MAIN STREET
REISTERSTOWN, MARYLAND 21136
PHONE: (410)-526-2688 FAX: (410)-526-2970



NOTES:

1. THE ROCK DROP STRUCTURE IS TO BE CONSTRUCTED AS SHOWN ON THE ATTACHED DETAILS.
2. THE ROCK DROP STRUCTURE IS TO BE CONSTRUCTED WITH 12" DIA. ROUNDS.
3. THE ROCK DROP STRUCTURE IS TO BE CONSTRUCTED WITH A 1:1 SLOPE.
4. THE ROCK DROP STRUCTURE IS TO BE CONSTRUCTED WITH A 1:1 SLOPE.
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NOTE:

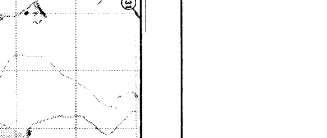
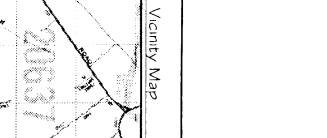
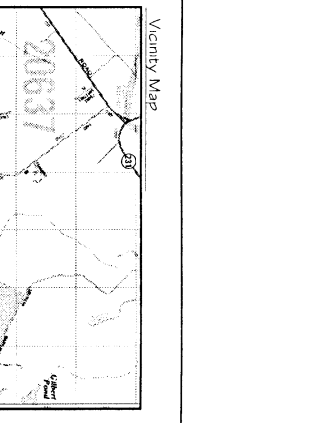
Erosion control matting will be placed over graded areas and all areas will be stabilized. Upon completion of bank stabilization, bare root or live stake cuttings will be planted within the stabilization area.



SCALE:	1" = 20'
DATE:	01/09/2014
A.C. JOB #:	10-09
DESIGNED:	GMU
DRAWN:	EPH
CHECKED:	GMU

AMERICAN LAND CONCEPTS
 228 BROADWAY
 WASHINGTON, DC 20001
 PHONE: (410) 528-2888

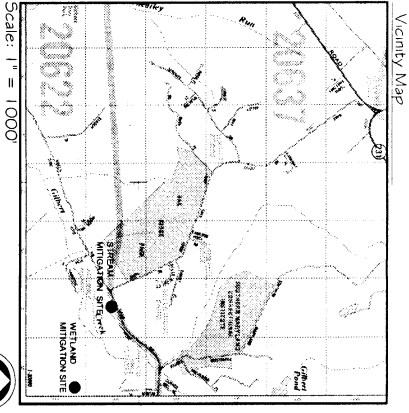
SHEET: 4 OF 8





APPROXIMATE PROPOSED WETLAND CREATION AREA:
Palustrine Forested -
3.03 AC (132,142 SF)

- Legend:
- Proposed Contour
 - Existing Contours
 - Existing Wetland
 - Wetland Creation Area
 - Monitoring Well
 - Limit of Disturbance
 - Silt Fence



Soils:

Soils	Description	K-Factor	Hydrologic Soils Group
Bab	Beltsville silt loam, 2-5 percent slopes	0.37	C

*Wetland Protective Signage Shall Be Installed Every 50 Feet Around the Created Wetland Area. See Detail Sheet 5.

**WETLAND CREATION/
ESTABLISHMENT PLAN**

**FINAL WETLAND AND STREAM
MITIGATION PLAN FOR THE
MILLEAT PROPERTY**

Charles County, Maryland

ATCS, PLC

1201 WEST ROAD • 1ST FLOOR • #212
P.O. BOX 212 • CHARLES COUNTY, MD 21788

ALC

AMERICAN LAND CONCEPTS
1201 WEST ROAD • 1ST FLOOR • #212
P.O. BOX 212 • CHARLES COUNTY, MD 21788
PHONE: (410) 512-2288

SCALE:	1" = 50'
DATE:	01/08/2014
ALC JOB #:	10-09
DESIGNED:	GMJ
DRAWN:	ETH
CHECKED:	GMJ
SHEET:	2 OF 8

Millseat Property Impacts:

IMPACT SHEET #	PROPOSED ACTIVITY	IMPACT	AREA/LENGTH
1	Oaks Road Improvement	WSSC	4,218 SF
		WSSC Buffer	45,896 SF
		Stream	102 LF (278 SF)
2	Oaks Road Improvement	WSSC	6,770 SF
		WSSC Buffer	27,895 SF
3	Oaks Road Improvement	WSSC	12,143 SF
		WSSC Buffer	28,701 SF
		Stream	90 LF (757 SF)
		Floodplain	22,507 SF
4	Stormwater Mangement Facility/Interior Road	Non-tidal Wetland Buffer	40,868 SF
5	Interior Road	Non-tidal Wetlands	24,501 SF
		Non-tidal Wetland Buffer	24,224 SF
		Stream	80 LF (676 SF)
		Floodplain	4,633 SF
6	Stormwater Management Outfall	Non-tidal Wetland Buffer	2,483 SF
		Non-tidal Wetlands	798 SF
7	Stormwater Management Outfall	Non-tidal Wetland Buffer	606 SF
		Non-tidal Wetlands	3,264 SF
8	Wetland Mitigation	Non-tidal Wetland Buffer	216 SF

TOTAL PERMANENT IMPACTS:	
IMPACT	AREA/LENGTH
WSSC	23,131 SF
WSSC Buffer	102,492 SF
Non-tidal Wetland	27,590 SF
Non-tidal Wetland Buffer	69,370 SF
Stream	272 LF (1,711 SF)
Floodplain	27,140 SF