

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

Public Notice

CENAB-OPR-M (NSF-INDIAN HEAD/ BUILDING 459) 2016-60552

PN 16-31

Comment Period: May 18, 2016 to June 1, 2016

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 Corps of Engineers have received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act, as described below:

APPLICANT: NSF-Indian Head c/o Mr. Jeffrey Bossart 3972 Ward Road, Suite 101 Indian Head, Maryland 20640

LOCATION: In an unnamed tributary to Mattawoman Creek between buildings 458 and 459 at NSF-Indian Head, Indian Head, Charles County, Maryland

WORK: To stabilize a stream system by relocating the stream channel and constructing a 10-foot wide by 50-foot long riffle grade control structure; utilize two clay plugs to create a vernal pool within the old bend; to remove fall tree log jams impacting approximately 554 square feet of nontidal forested wetlands for access and approximately 2,310 square feet along 3,330 linear feet of stream within an unnamed tributary to Mattawoman Creek. All work is to be completed in accordance with the proposed plan(s). If you have any questions concerning this matter, please contact Mrs. Erica Schmidt at (410) 962-6029 or Erica.Schmidt@usace.army.mil.

Site layout for this project was based upon existing stream conditions. Efforts were made to avoid, to the extent possible, the long and short-term adverse impacts associated with the proposed project. The applicant proposes to access the site from the land from building 458.

Compensatory mitigation is not being proposed by the applicant for permanent impacts to the stream. The proposed project will reduce sedimentation downstream and the area of the existing bend will be converted into habitat for aquatic wildlife with specific attention to creating herp habitat.

The purpose of the project is primarily to provide stream bank stabilization.

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 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.

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, 1800 Washington Blvd. Suite 430, Baltimore, Maryland 21230 within the comment period as specified above to receive consideration. Written comments concerning the work described above related to the factors listed above or other pertinent factors must be received by the District Engineer, US Army Corps of Engineers, Baltimore District, 10 S. Howard Street, Baltimore, Maryland 21201, 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.

The applicant has certified in this application that the proposed activity complies with and will be conducted in a manner consistent with the Maryland Coastal Zone Program. This certification statement is available for inspection in the District Office; however, public comments relating to consistency must be received by the Coastal Zone Division, Maryland Department of the Environment, 1800 Washington Blvd. Suite 430, Baltimore, Maryland 21230, within the comment period as specified above. It should be noted that CZ Division has a statutory limit of 6 months in which 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 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 requested permit.

The evaluation of the impact of the work described above 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 District Engineer must receive the request, which must be in writing, US Army Corps of Engineers, Baltimore District, 10 S. Howard Street, Baltimore, Maryland 21201, within the comment period as specified as above to receive consideration. Also, it must clearly state forth the interest that 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:

Kathy B. Anderson Chief, Maryland Section Southern





















