

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

Public Notice

In Reply to Application Number
CENAB-OR-M (MATTAWOMAN ENERGY LLC) 2015-60734

PN: 15-49

Comment Period: August 19, 2015 to September 2, 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: Mattawoman Energy
4100 Spring Valley, Suite 1001
Dallas, Texas 75244

LOCATION: In nontidal Waters of the U.S., including unnamed tributaries and wetlands contiguous and adjacent to Mataponi Creek at 4175 Brandywine Road, Brandywine, Prince George's County, Maryland, and contiguous and adjacent to Mattawoman Creek and Zekiah Swamp, parallel to the existing PEPCO 230-kV and 500-k-V right-of-way (ROW), SMECO 12.4k-V 69-k-V ROW, and CSX railroad tracks ROWs in Charles and Prince George's Counties in Maryland.

WORK: To develop, construct, and operate a 990 megawatt natural gas-fired, combined-cycle power generation facility in Southern Prince George's County. The work includes the construction of a new power plant facility, generator lead line and substation, natural gas pipeline, and reclaimed waterline. The project would temporarily impact approximately 1,439 linear feet of unnamed tributaries, 4.12 acres of palustrine emergent (PEM) wetlands, and 3.11 acres of palustrine forested (PFO) wetlands; permanently impact approximately 0.02 acres of PFO wetlands; and permanently convert approximately 2.81 acres of PFO wetlands to PEM wetlands. All work is to be completed in accordance with the proposed plan(s). The Maryland Public Service Commission is reviewing the project concurrently. More information on this project can be found at <http://www.mattawomanenergycenter.com/mattawoman-project>. If you have any questions concerning this matter, please contact Mrs. Erica Schmidt of this office at (410) 962-6029 or via email at erica.schmidt@usace.army.mil.

Efforts were made to avoid, to the extent possible, the long and short-term adverse impacts associated with the proposed project. The proposed impacts were reduced by proposing to connect to existing infrastructure wherever possible and to place new infrastructure in uplands where possible. Site layout for this project was based upon existing route corridors that would most practicably avoid and minimize impacts to jurisdictional waters. The applicant has proposed to use HDD to cross two sensitive wetland-stream complexes and one sensitive wetland in the Zekiah Swamp Run. No new permanent or temporary access roads would be created for this project. The location of the proposed electricity-generating plant and the gas line were limited by design constraints, based on the existing built conditions and layout within the existing transmission corridor. Restoration of all temporary impacts to preconstruction contours and allowing natural re-vegetation to occur is proposed. The impacts have been minimized to the maximum extent practicable.

The applicant proposes to mitigate for unavoidable impacts to the aquatic environment by creating approximately 2.85 acres of forested palustrine wetlands on the power plant site. The mitigation includes 1:1 mitigation for the conversion of approximately 2.81 acres of PFO to PEM wetlands and 2:1 ratio for the permanent loss of 0.02 acres of wetlands at the substation site. The temporary impacted areas would be restored to preconstruction contours and allowed to re-vegetate naturally with minimal disturbance to the area after completion of the project.

The purpose of the project is increased energy supply.

The Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), as amended by the Sustainable Fisheries Act of 1996 (Public Law 04-267), requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely affect Essential Fish Habitat (EFH). The project site does not lie in or adjacent to EFH as described under the MSFCMA.

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.

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 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, 1800 Washington Blvd., Suite 430, Baltimore, Maryland 21230 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 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.

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, 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 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

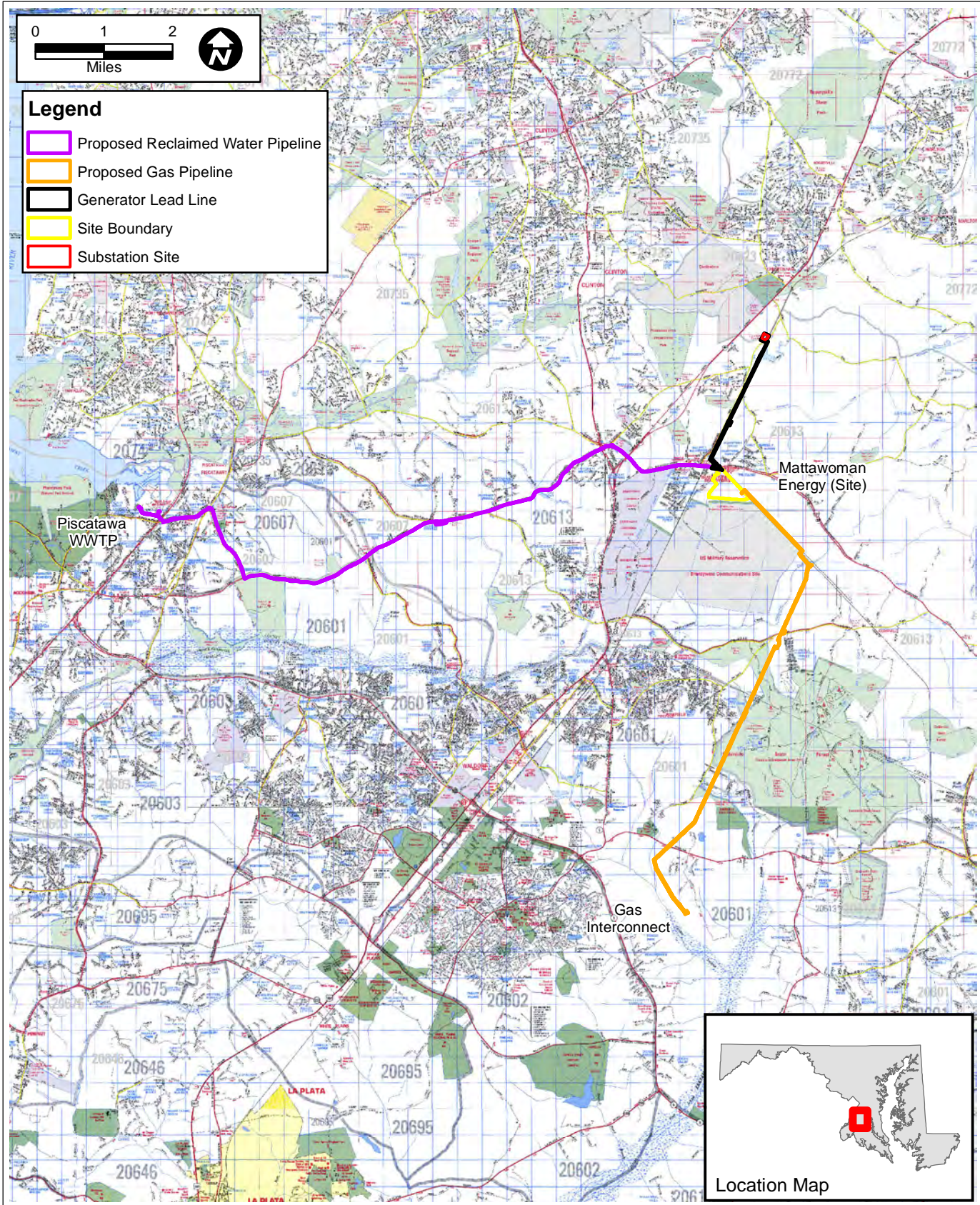


FIGURE 1.
MATTAWOMAN ENERGY PROJECT VICINITY MAP

Sources: ADC map, 2008;; ECT, 2015



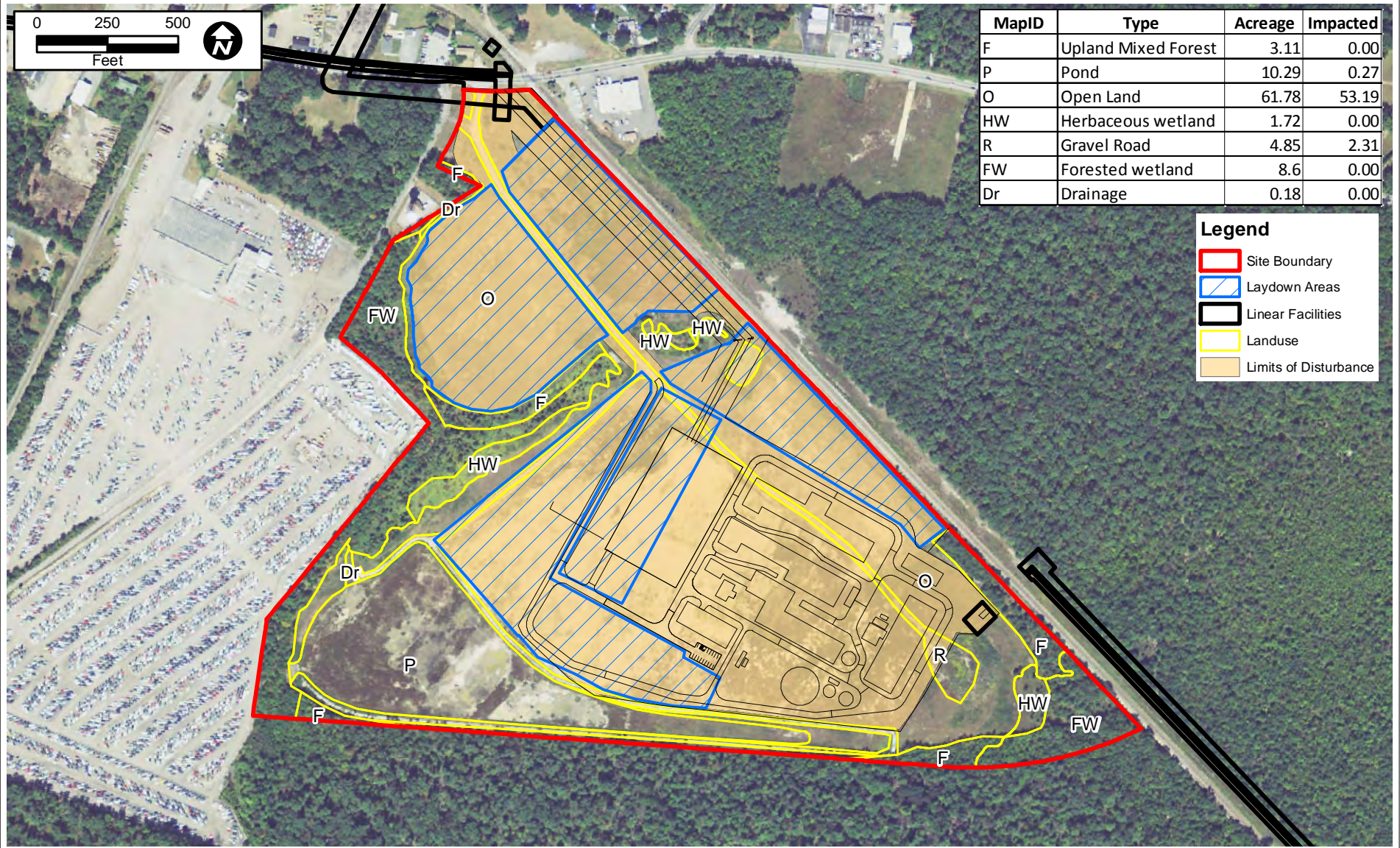


FIGURE 3.

MATTAWOMAN ENERGY PROJECT POWER PLANT SITE, PROPOSED IMPACTS

Sources: Worley Parsons, 2015; Dewberry, 2015; ECT, 2015.



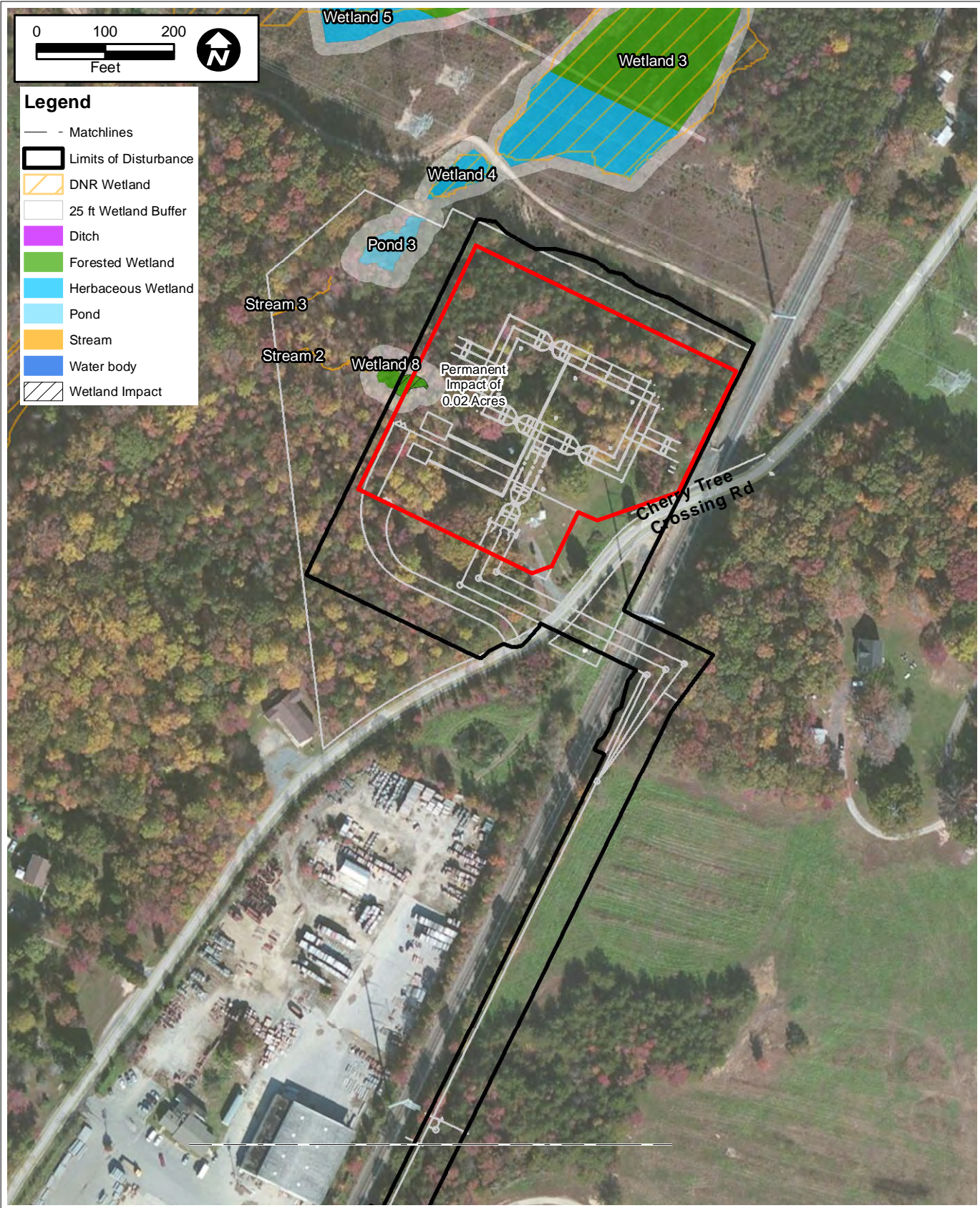
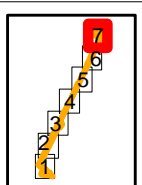


FIGURE 4.
 WETLAND IMPACTS ALONG
 ELECTRIC GENERATOR LEAD LINE 7 OF 7

Sources: Dewberry, 2015; ECT, 2015.



ECT Environmental Consulting & Technology, Inc.

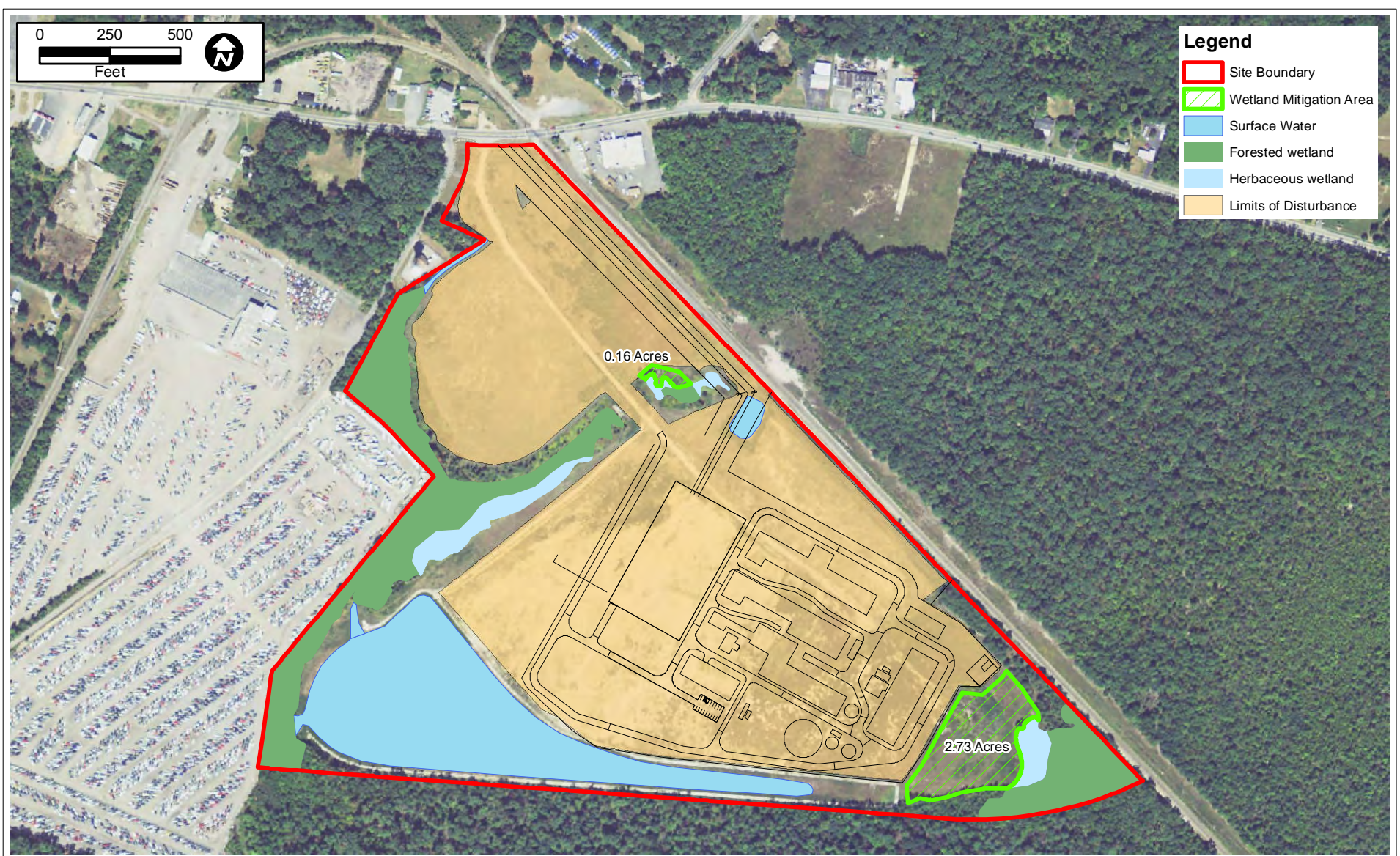


FIGURE 7.

MATTAWOMAN ENERGY PROJECT POWER PLANT SITE, PROPOSED WETLAND MITIGATION

Sources: Worley Parsons, 2015; Dewberry, 2015; ECT, 2015.

