

U.S. Army Corps of Engineers
Baltimore District

Public Notice



In Reply to Application Numbers:

CORPS: CENAB-OP-RMN (MD SHA/Contract No. MO746M21-MD 97/Bridge) 2015-61139-M15

MDE, Nontidal Wetlands and Waterways #201561139 15-NT-3200; AI75739

PN16-40

COMMENT PERIOD: July 1, 2016 through August 19, 2016

THE PURPOSE OF THIS JOINT PUBLIC NOTICE IS TO ANNOUNCE THE SCHEDULING OF A JOINT PUBLIC HEARING, AND TO SOLICIT COMMENTS FROM THE PUBLIC ABOUT THE WORK DESCRIBED BELOW. AT THIS TIME, NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT PERMITS WILL BE ISSUED. THE CORPS/MDE HEARING WILL BE HELD AT THE FOLLOWING TIME AND LOCATION:

August 4, 2016
Rosa Parks Middle School
19200 Olney Mill Road
Olney, MD 20832
301-924-3180
http://www.montgomeryschoolsmd.org/schools/rosaparksms
6:00 - 7:00 PM Poster Session
7:00 PM Public Hearing

The US Army Corps of Engineers, Baltimore District (COE) and the Maryland Department of the Environment (MDE) joint public hearing provide members of the public the opportunity to present views, opinions, and information which will be considered by the COE and MDE in evaluating the permit application. The purpose of the hearing is for the COE and MDE to receive oral or written comments that will enable them to evaluate the impacts of the proposed project on the public interest. All interested parties, including representatives of Federal, State, and local governments and private individuals and organizations, are invited to be present or to be represented. Each will be given an opportunity to express their views regarding the proposed project.

Prior to the public hearing, from 6:00 pm to 7:00 pm, a poster session will be held where the public will have an opportunity to review exhibits and ask general questions of the applicant, Maryland State Highway Administration, and their representatives. Representatives from the COE and MDE will also be available during the poster session. Beginning at 7:00 pm, the formal public hearing will begin with agency statements, followed by public testimony. Please note that a time limit of three minutes per speaker may be set, depending on the number of speakers, to ensure that all interested parties have an opportunity to voice their views. The public hearings will be recorded and transcribed.

Anyone who is hearing impaired and/or is non-English speaking; who wishes to attend the public hearings should notify Mr. Jack Dinne at 410-962-6005 or in writing to his address below. All requests for an oral, sign language, or non-English language interpreter must be received by July 15, 2016. To the extent possible and feasible, an interpreter will be provided.

The COE and MDE have received and are evaluating a joint permit application as described below for Department of the Army authorization pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344) and State authorization pursuant to Title 5, Subtitle 5 (Waterway Construction) and Title 5, Subtitle 9 (Nontidal Wetlands) of the Environment Article, Annotated Code of Maryland.

CORPS # CENAB-OP-RMN (MD SHA/Contract No. MO746M21-MD 97/Bridge) 2015-61139 MDE, Nontidal Wetlands and Waterways # 15-NT-3200/201561139; AI 75739

Page 2 of 4

APPLICANT: Maryland State Highway Administration

Attn: Mr. Todd Nichols

707 North Calvert Street Mailstop -C-303

Baltimore, Maryland 21202

LOCATION: The proposed project is located in Brookeville, Montgomery County from approximately Brookeville Road to the entrance of the Longwood Community Center. Waterways that are to be impacted include unnamed tributaries to Meadow Branch, Meadow Branch, and Reddy Branch. These streams are classified by the State of Maryland as Use IV-P trout waters.

WORK: The Maryland State Highway Administration (MD SHA) proposes to construct a by-pass of the historic district in the town of Brookeville. The proposed by-pass is approximately 0.72 miles long from a proposed roundabout at Brookeville Road in the north to a proposed roundabout at MD 97 north of Gold Mine Road. The bypass would be a two-lane roadway with 40 mile per hour a design speed and have two 11-foot travel lanes with an 8foot shoulder on both sides. As part of the avoidance and minimization of impacts to waters of the U.S., including jurisdictional nontidal wetlands, SHA is proposing two bridges. MD SHA proposes a 150-foot bridge crossing over Meadow Branch (Use IV-P) and 120-foot bridge over Reddy Branch (Use IV-P) with no in-stream piers. If constructed, the current crossing of MD 97 over Reddy Branch will be relocated to connect to the northern roundabout as part of the proposed MD 97 alignment, which will cross an upstream portion of Reddy Branch. The project will permanently impact approximately 0.49 acres (19,715 square feet) of forested nontidal wetlands, 0.03 acres (1,096 square feet) of emergent nontidal wetlands, 0.99 acres (43,229 square feet) of 25-foot nontidal wetland buffer, and 1,570 linear feet (14,801 square feet) of stream channel. The project would also temporarily impact approximately 0.27 acres (11,920 square feet) of forested nontidal wetland, 0.23 acres (9,884 square feet) of 25-foot nontidal wetland buffer, and 498 linear feet (7,860 square feet) of stream channel. The project will also cause disturbance in 4.27 acres (186,206 square feet) of the 100-year floodplain. MD SHA proposes to provide compensatory mitigation for permanent impacts to Waters of the U.S. by restoring approximately 3,557 linear feet (45,523 square feet) of Reddy Branch and creating 2.12 acres (92,556 square feet) of forested nontidal wetlands and 0.28 acres (12,240 square feet) of emergent nontidal wetlands at a site located along Brighton Dam Road, approximately 1 mile downstream of the proposed bridge over Reddy Branch. The site will also create an additional 1.46 (63,541 square feet) of forested wetland, and 0.73 acres (31,728 square feet) of emergent wetland as part of the site design. The proposed work at the mitigation site will permanently impact approximately 0.15 acres (6,289 square feet) of forested nontidal wetland, 0.09 acres (3,652 square feet) of emergent nontidal wetland, and 0.64 acres (27,798 square feet) of 25-foot nontidal wetland buffer, and temporarily impact 0.12 acres (5,090 square feet) of emergent nontidal wetlands, and 0.05 acres (2,346 square feet) of 25-foot nontidal wetland buffer. The work at the mitigation site will also cause disturbance in 8.46 acres (368,325 square feet) of the 100-year floodplain. As part of the restoration efforts, approximately 42,472 cubic yards of soil/material would be removed from the proposed mitigation site. The disposal site for the soil/material has not been identified at this time. If constructed, the existing MD 97 roadway crossing over Reddy Branch may eventually be removed (as a separate project). The MD SHA/Brookeville bypass project was previously authorized by the Corps in 2004; however, that authorization expired on December 31, 2012.

All work will be completed in accordance with the enclosed plans.

PURPOSE: The project is to eliminate safety and traffic concerns associated with the 90-degree turn accompanied by a steep northbound vertical grade on MD 97 in the town of Brookeville. Increased projected traffic volumes combined with the substandard geometrics contribute to the need to improve the segment of roadway's traffic operation capacity and safety conditions.

WRITTEN COMMENTS: To be included in the official record, written comments and information provided by interested parties must be received by the COE and MDE by the closing date of this notice's comment period, August 19, 2016, to receive consideration. The mailing addresses for submission of written comments are:

CORPS # CENAB-OP-RMN (MD SHA/Contract No. MO746M21-MD 97/Bridge) 2015-61139 MDE, Nontidal Wetlands and Waterways # 15-NT-3200/201561139; AI 75739

Page 3 of 4

U.S. Army Corps of Engineers
Baltimore District
Attn: Mr. Jack Dinne, CENAB-OPR-M
10 South Howard Street
Baltimore, Maryland 21201

Maryland Department of the Environment Wetlands and Waterways Program Attn: Ms. Emily Dolbin 1800 Washington Blvd., Suite 430 Baltimore, Maryland 21230-1708

If you have any questions concerning this matter, please contact Mr. Jack Dinne, Corps at (410) 962-6005 or by email at john.j.dinne@usace.army.mil and Ms. Emily Dolbin, MDE at (410) 662-7464 ext. 1653 or by email at Emily.Dolbin@maryland.gov.

Additional project documentation can be found on the MD SHA website at: http://apps.roads.maryland.gov/WebProjectLifeCycle/ProjectDocuments.aspx?projectno=MO7462115

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 may reasonably 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 evaluation of the impact of the work described above on the public interest will include the 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.

Comments are being solicited 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 and MDE to determine whether to issue, modify, condition or deny each agency's 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 overall public interest of the proposed activity.

For MDE, only those issues subject to regulation by the MDE Nontidal Wetlands and Waterway Construction Divisions (impacts to nontidal wetlands, wetland buffer, waterways, and the 100-year floodplain) will be considered in rendering a decision to grant or deny the MDE Permit. Written comments, and requests to be included on the interested persons list may be sent by August 18, 2016 to the Maryland Department of the Environment, Attn: Emily Dolbin, 1800 Washington Boulevard, Baltimore, MD 21230 or at Emily.Dolbin@maryland.gov or 410-662-7464 extension 1653. Any further notices concerning actions on the application will be provided only by mail to those persons on the interested persons list. Please refer to Subsection 5-907 of the Annotated Code of Maryland or the Code of Maryland Regulations 26.23.02 for information regarding the application process.

SECTION 401 WATER QUALITY CERTIFICATION: The applicant is required to obtain a Water Quality Certification, (WQC) in accordance with Section 401 of the Clean Water Act from MDE, the Section 401 certifying agency. Any written comments concerning the work described above which relate to the WQC 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. MDE has a statutory limit of one year from the date of this public notice to make its decision.

CORPS # CENAB-OP-RMN (MD SHA/Contract No. MO746M21-MD 97/Bridge) 2015-61139 MDE, Nontidal Wetlands and Waterways # 15-NT-3200/201561139; AI 75739

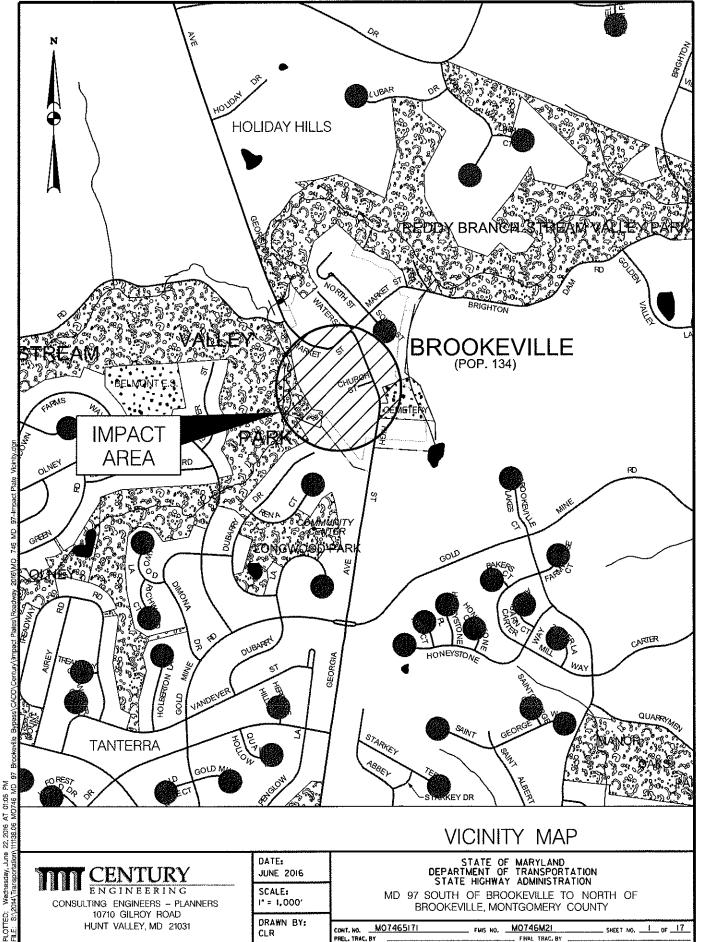
Page 4 of 4

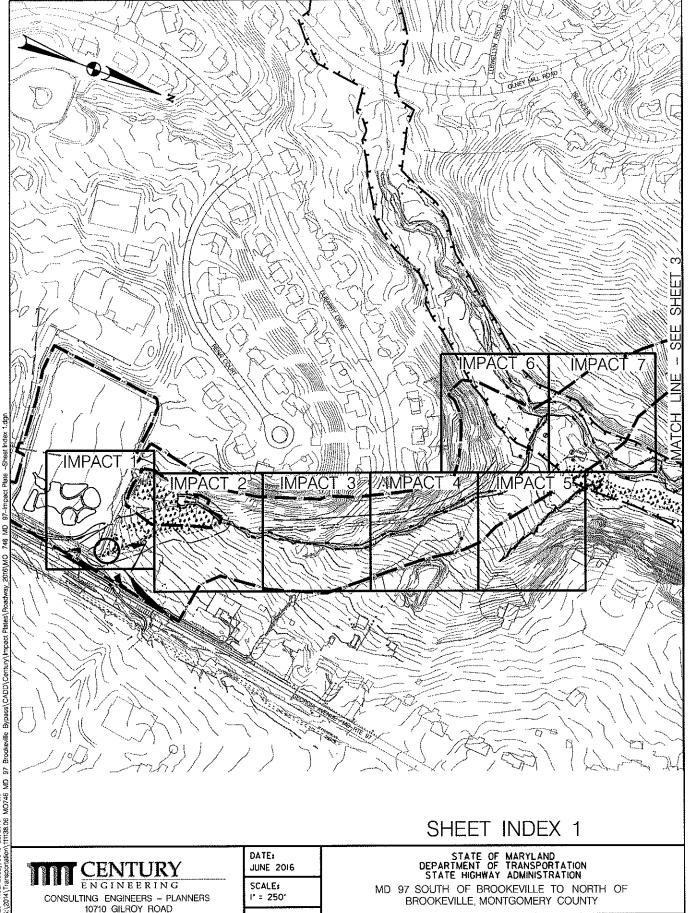
The applicant must obtain any other State and local permits/approvals which are required for the proposed activities.

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 registered properties listed as eligible for inclusion, therein, maybe located within the limits of disturbance associated with the proposed work. On-going coordination with the Maryland Historic Trust will determine if known archeological, scientific, prehistoric, or historical data may be affected by the work to be accomplished under the requested permits.

It is requested that you communicate this information concerning the proposed work to any persons known by you to be interested, but may not have not received a copy of this public notice.





DRAWN BY:

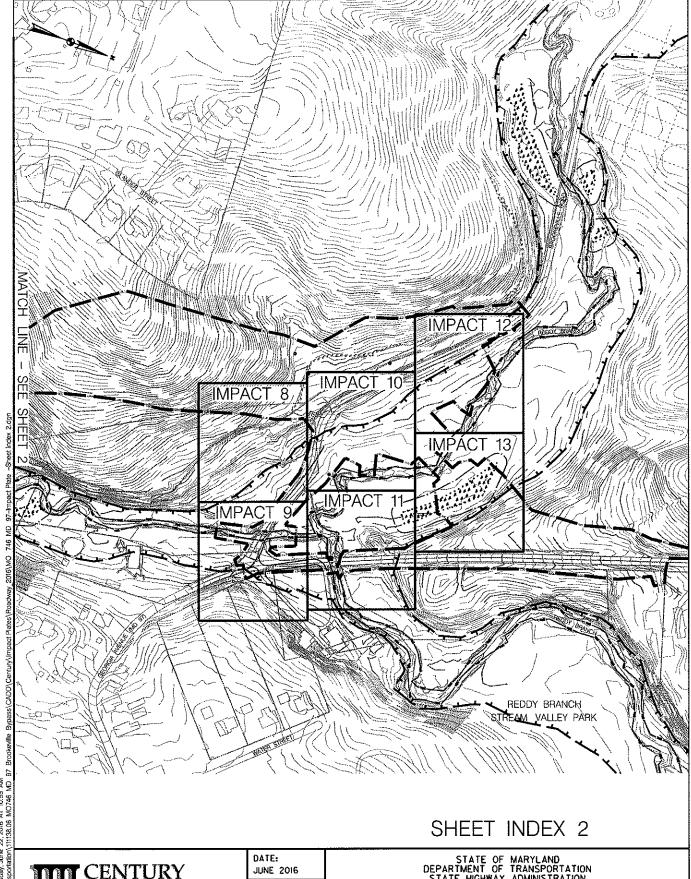
CLR

CONT. NO. MO7465171 PREL, TRAC, BY ... FMIS NO. MO746M2E

SHEET NO. __ 2__ OF __ 17_

PLOTTED: Wednesday, June 22, 2016 AT 10:54 AM FILE: S:\2014\Transportation\111138.06 MO746 MD I

HUNT VALLEY, MD 21031



PLOTTED: Wednesday, June 22, 2016 AT 10:55 AM FILE: S:\2014\Transportation\111138.06 MO746 MD

CENTURY ENGINEERING

CONSULTING ENGINEERS - PLANNERS 10710 GILROY ROAD HUNT VALLEY, MD 21031

SCALE: 1" = 250"

DRAWN BY: CLR

STATE OF MARYLAND DEPARTMENT OF TRANSPORTATION STATE HIGHWAY ADMINISTRATION

MD 97 SOUTH OF BROOKEVILLE TO NORTH OF BROOKEVILLE, MONTGOMERY COUNTY

M07465171 FMIS NO. MO746M21 CONT. NO. PREL. TRAC. BY

SCALE:

N.T.S.

DRAWN BY:

M07465171

ENGINEERING
CONSULTING ENGINEERS - PLANNERS

10710 GILROY ROAD

HUNT VALLEY, MD 21031

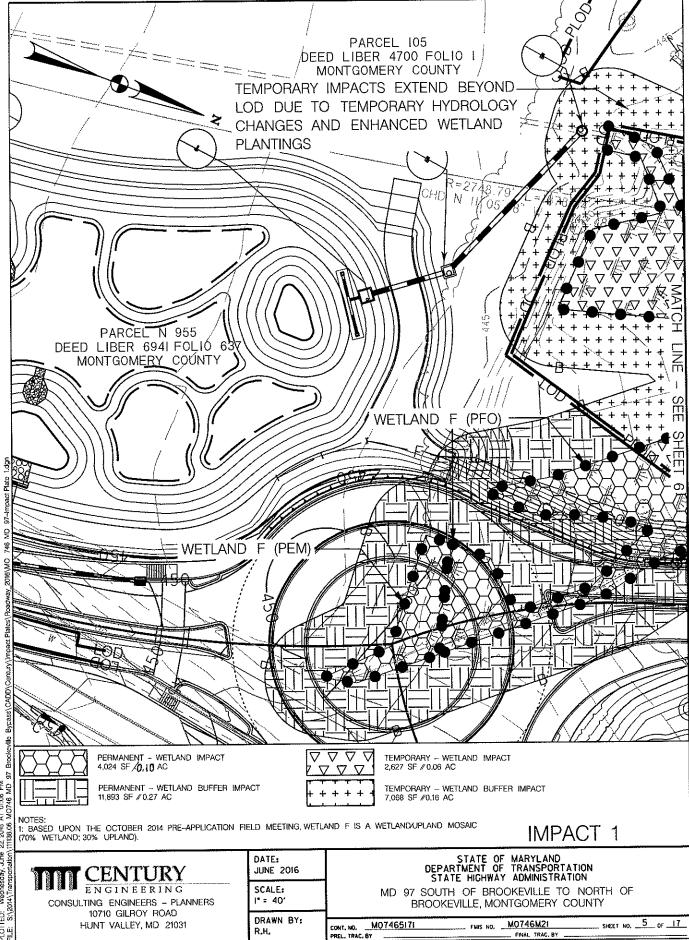
MD 97 SOUTH OF BROOKEVILLE TO NORTH OF

BROOKEVILLE, MONTGOMERY COUNTY

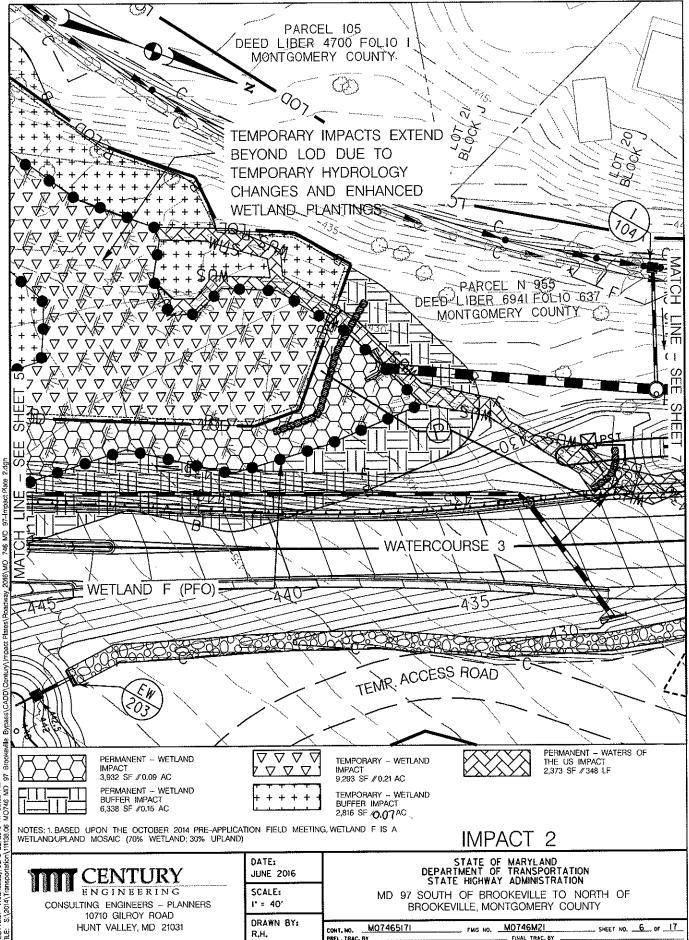
FMIS NO. MO746M21

SHEET NO. 4 OF ... 17

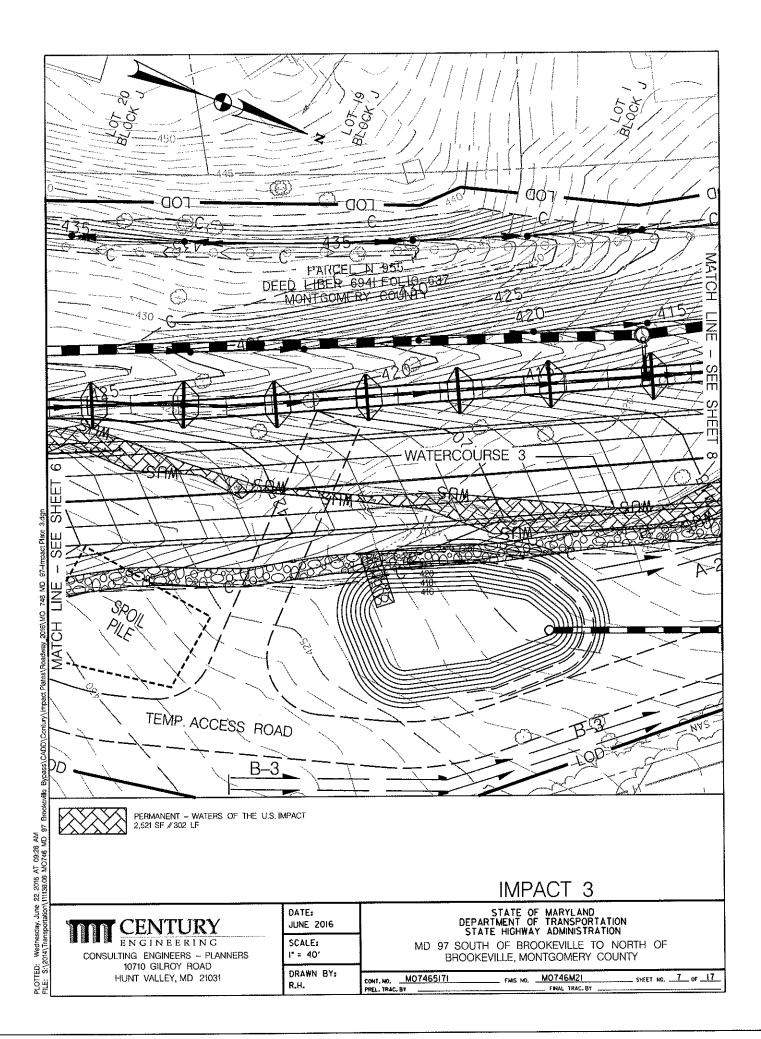
PLOTTED: Wednesday, June 22, 2016 AT 11:36 AM FILE: SN2014) Transportation/111138.06 MO746 MD 97 Brookeville Bypass\CADD\Century\Imped Plates\Roadw

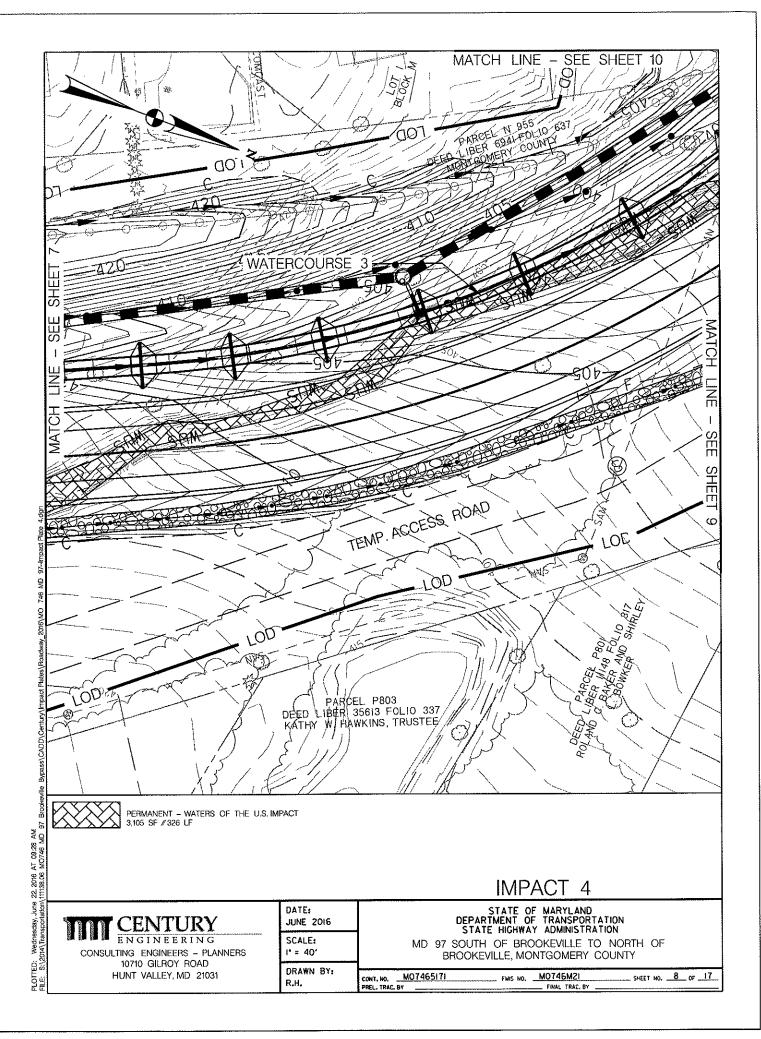


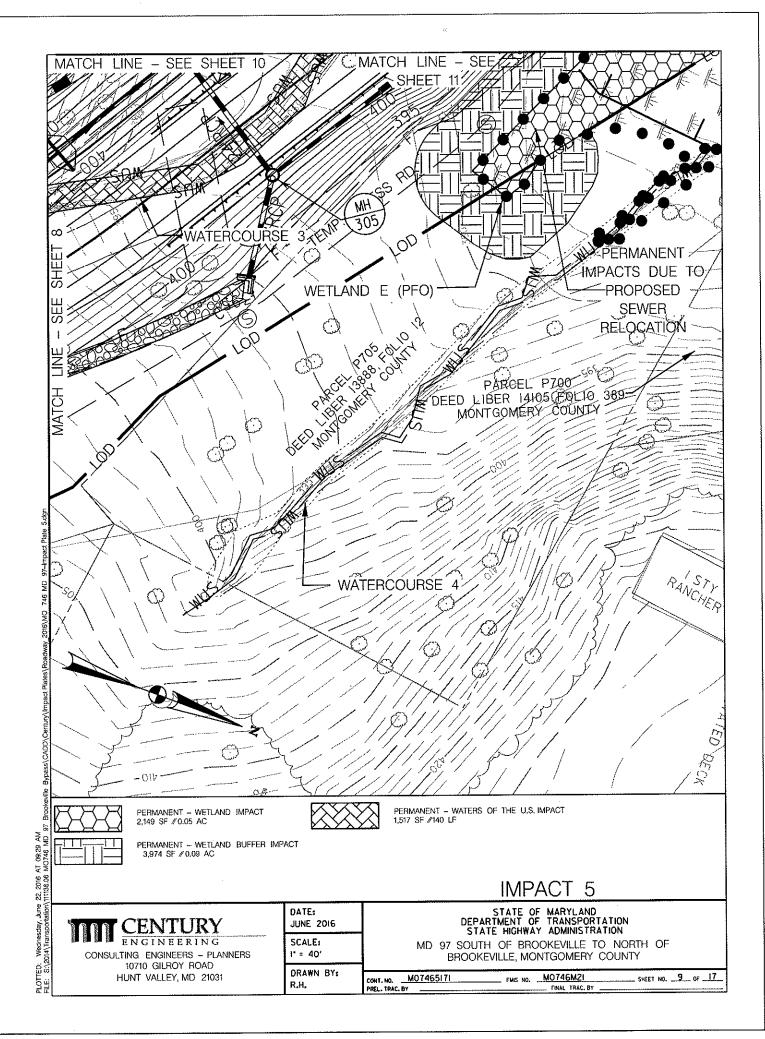
AT 01:06

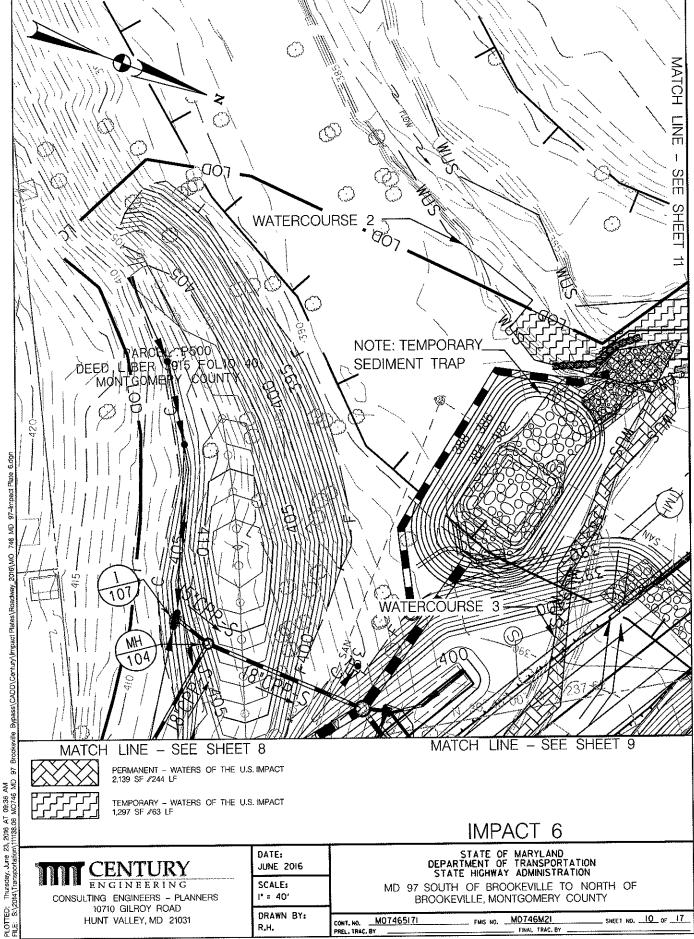


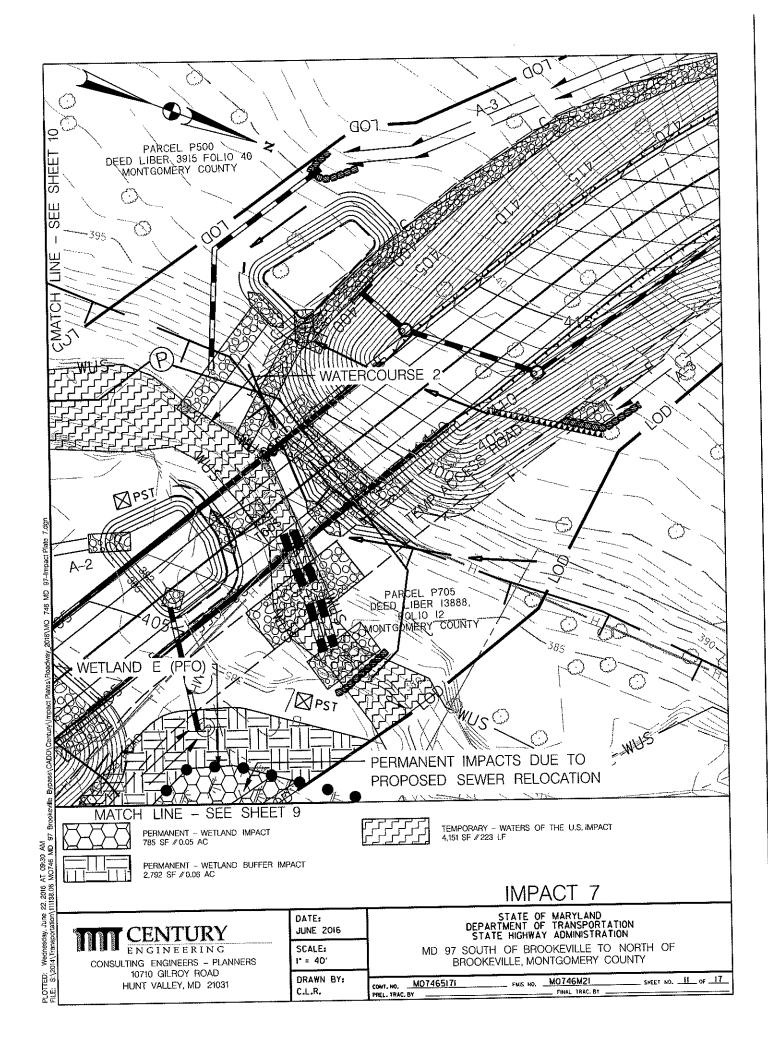
OTTED: Wednesday, June 22, 2016 AT 09:39 At

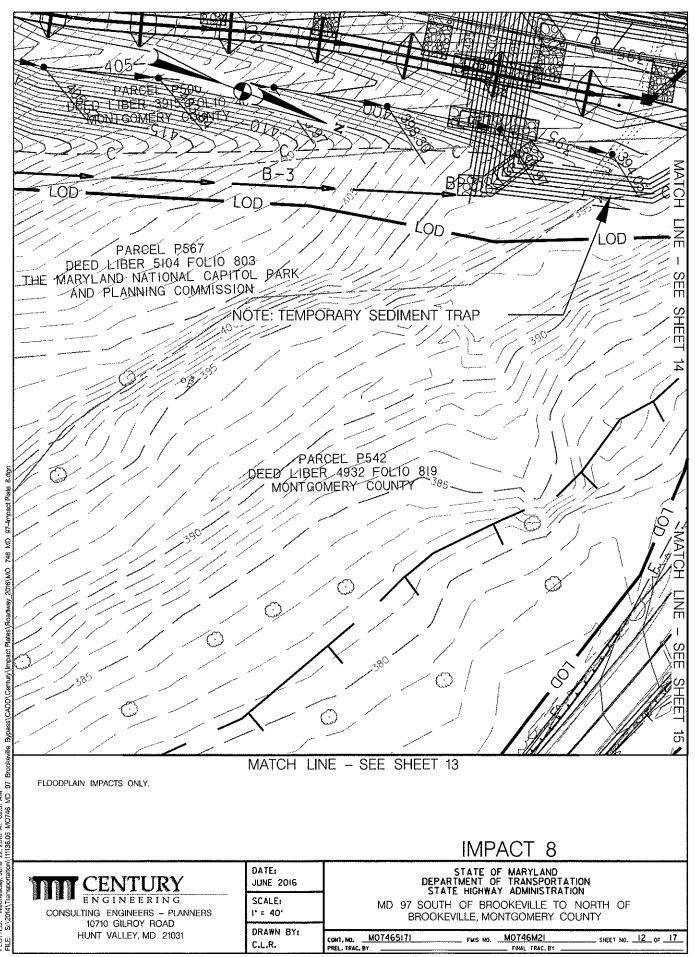




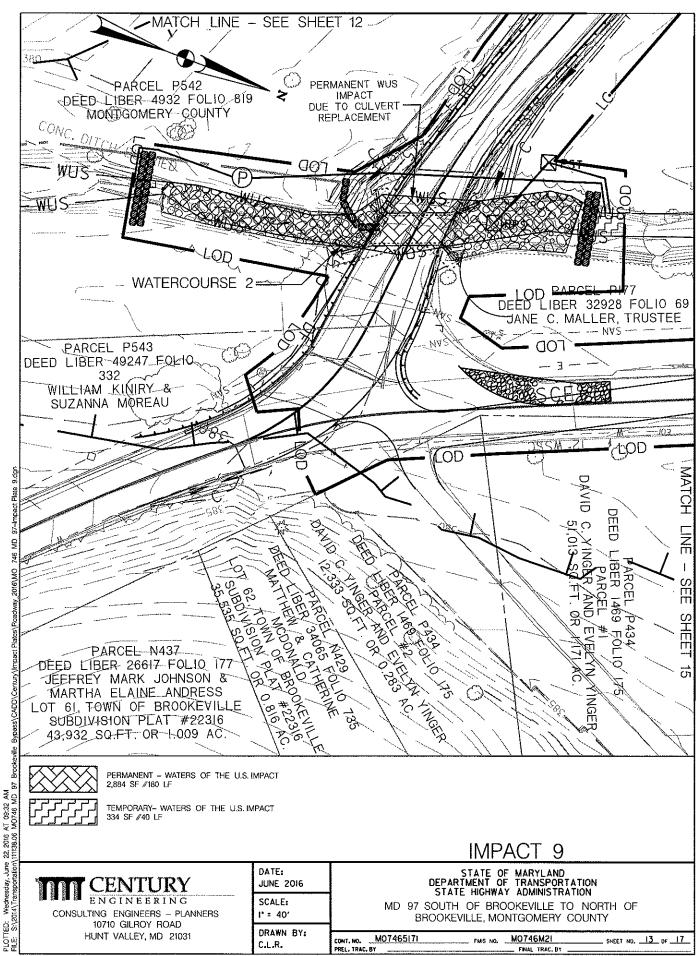


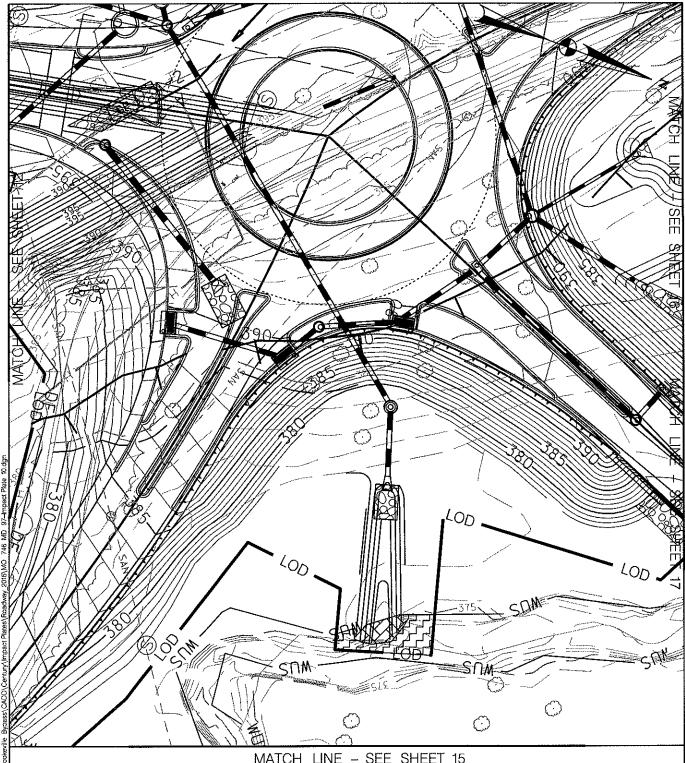






Wednesday, June 22, 2016 AT 09:31 AM





MATCH LINE - SEE SHEET 15



PERMANENT — WATERS OF THE U.S. IMPACT 187 SF %16 LF



TEMPORARY — WATERS OF THE U.S. IMPACT 389 SF #26 LF

IMPACT 10



CONSULTING ENGINEERS - PLANNERS 10710 GILROY ROAD HUNT VALLEY, MD 21031

DATE: JUNE 2016

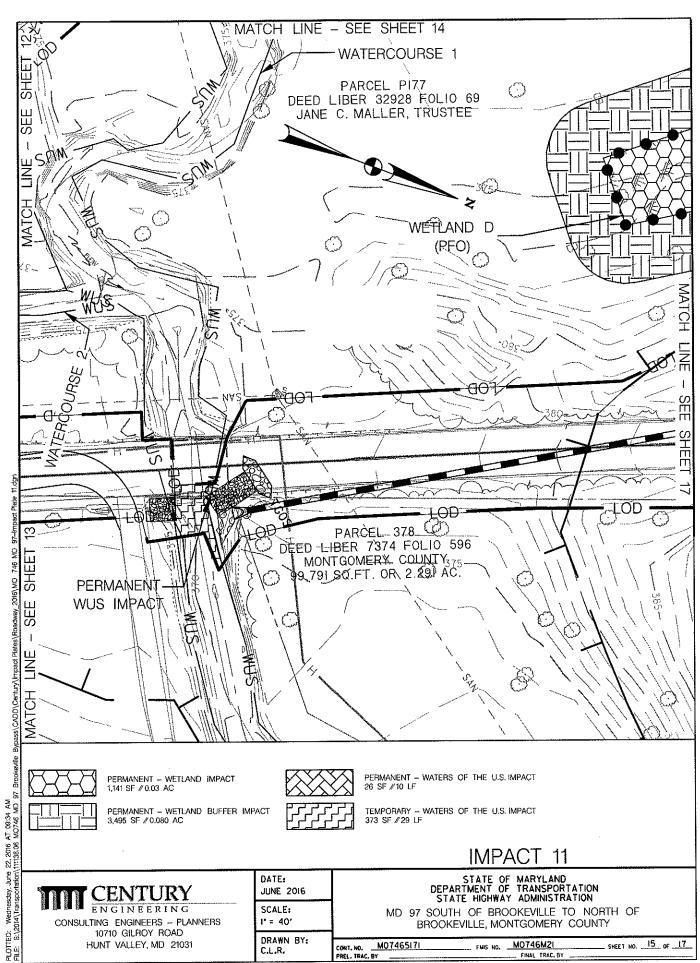
SCALE: 1 = 40

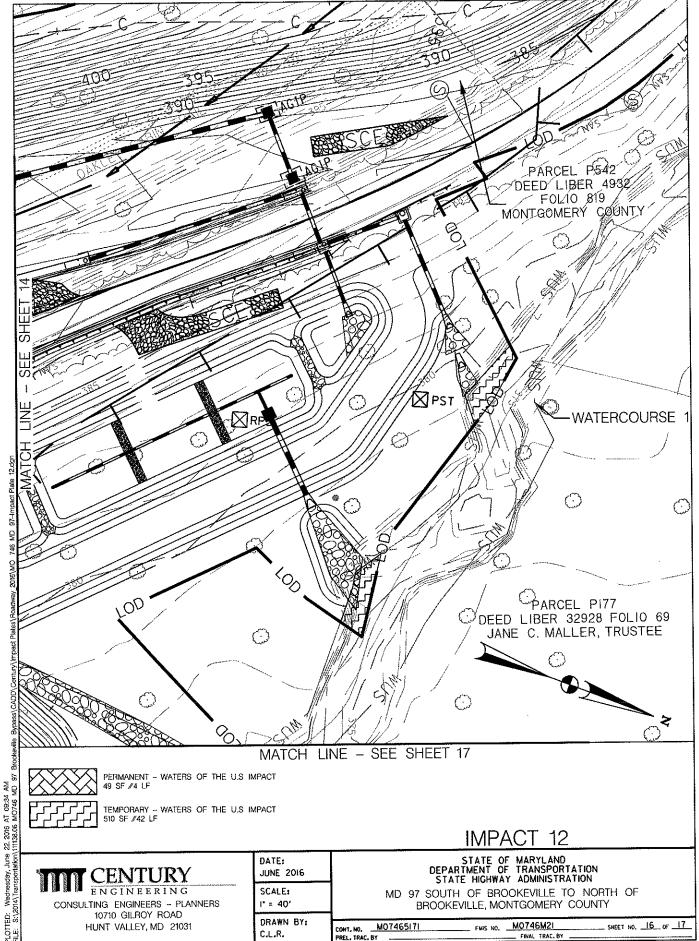
DRAWN BY: C.L.R.

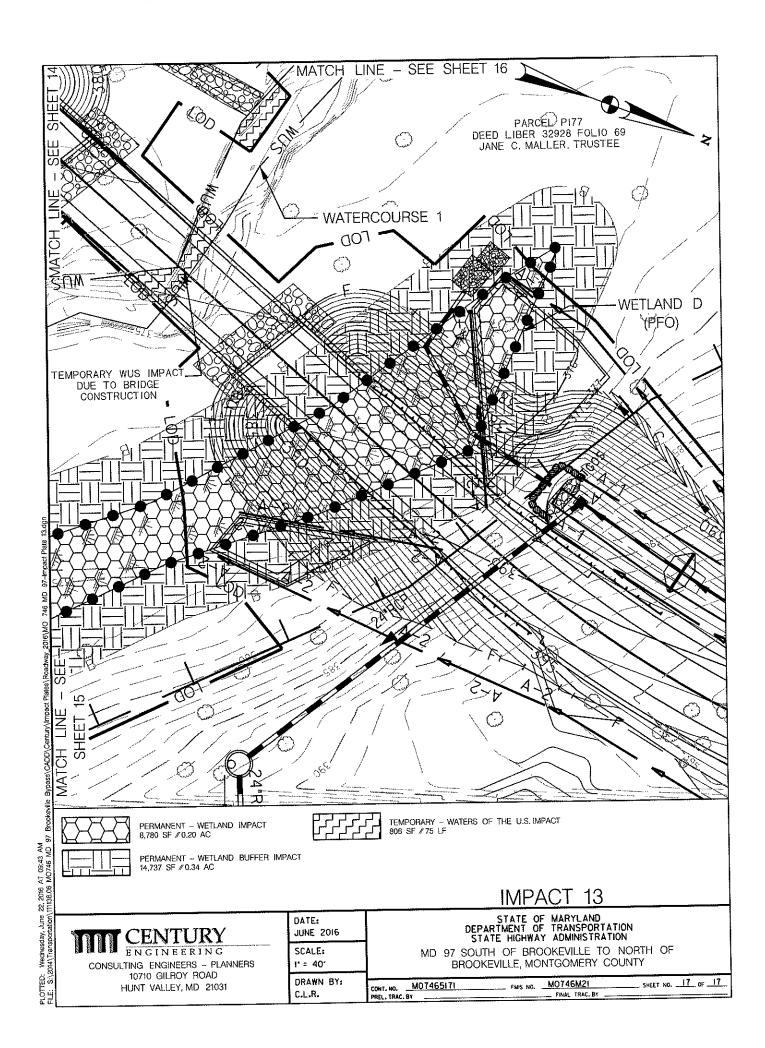
STATE OF MARYLAND DEPARTMENT OF TRANSPORTATION STATE HIGHWAY ADMINISTRATION

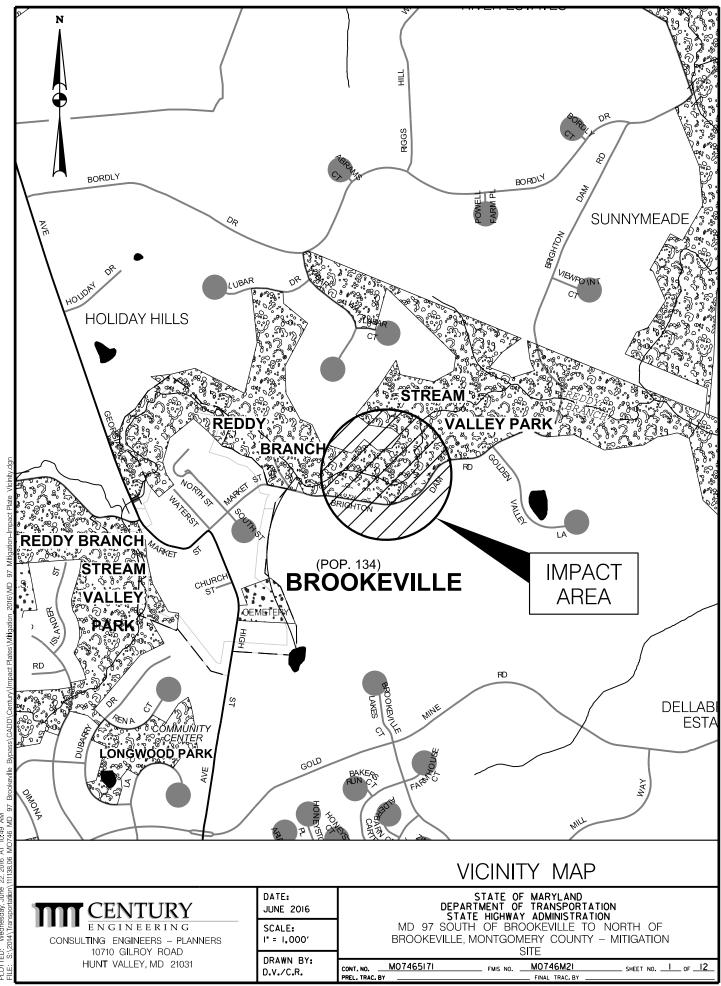
MD 97 SOUTH OF BROOKEVILLE TO NORTH OF BROOKEVILLE, MONTGOMERY COUNTY

CONT. NO. MO7465171 FMIS NO. MO746M2I FINAL TRAC. BY SHEET NO. 14 OF 17









10:49 A Sį.

IMPACTS LEGEND

PERMANENT - ECOLOGICAL ENHANCEMENT WATERS OF THE U.S. IMPACT



PERMANENT NONTIDAL WETLAND IMPACT



TEMPORARY NONTIDAL WETLAND IMPACT



PERMANENT 25' NONTIDAL WETLAND BUFFER IMPACT



TEMPORARY 25' NONTIDAL WETLAND **BUFFER IMPACT**

CENTURY ENGINEERING

CONSULTING ENGINEERS - PLANNERS 10710 GILROY ROAD HUNT VALLEY, MD 21031

DATE: JUNE 2016

SCALE: N/A

DRAWN BY: D.V./C.R.

STATE OF MARYLAND
DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ADMINISTRATION
MD 97 SOUTH OF BROOKEVILLE TO NORTH OF

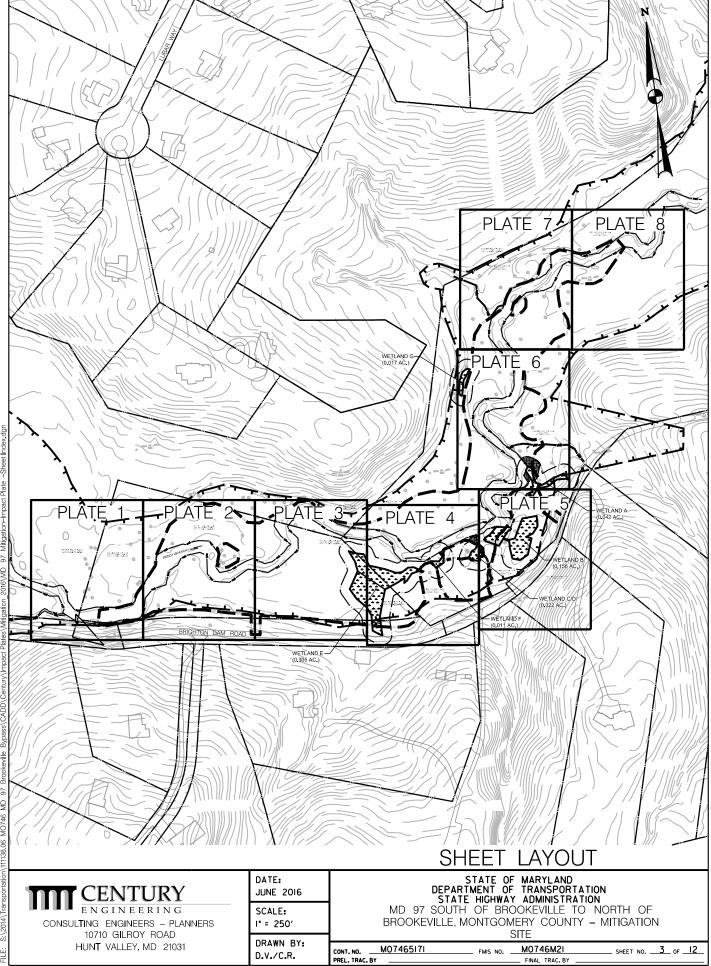
BROOKEVILLE, MONTGOMERY COUNTY - MITIGATION

SITE

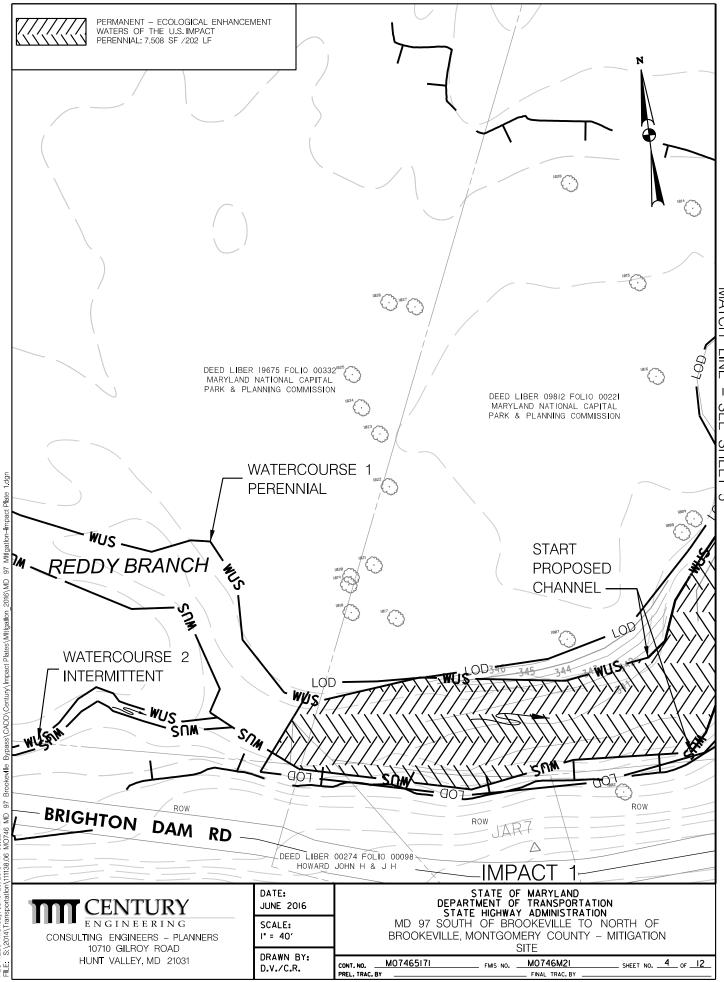
FMIS NO. MO746M2I M07465171 CONT. NO.

FINAL TRAC. BY

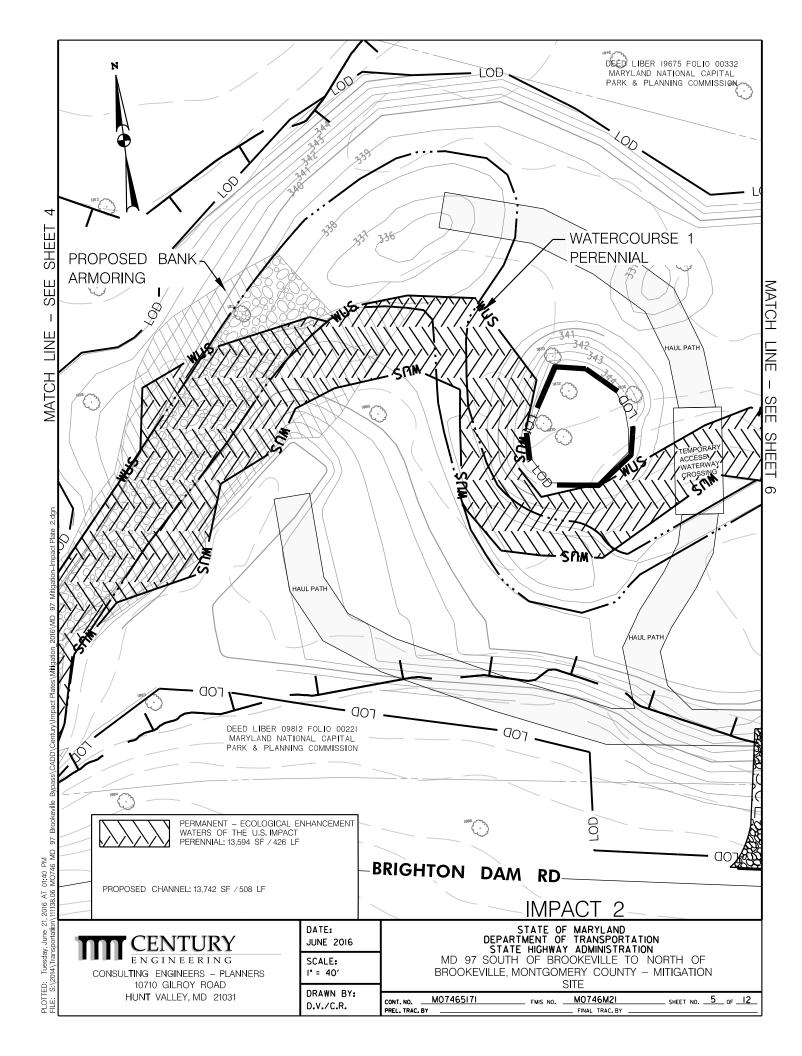
22, 2016 AT 10:50 AM 111138.06 MO746 MD

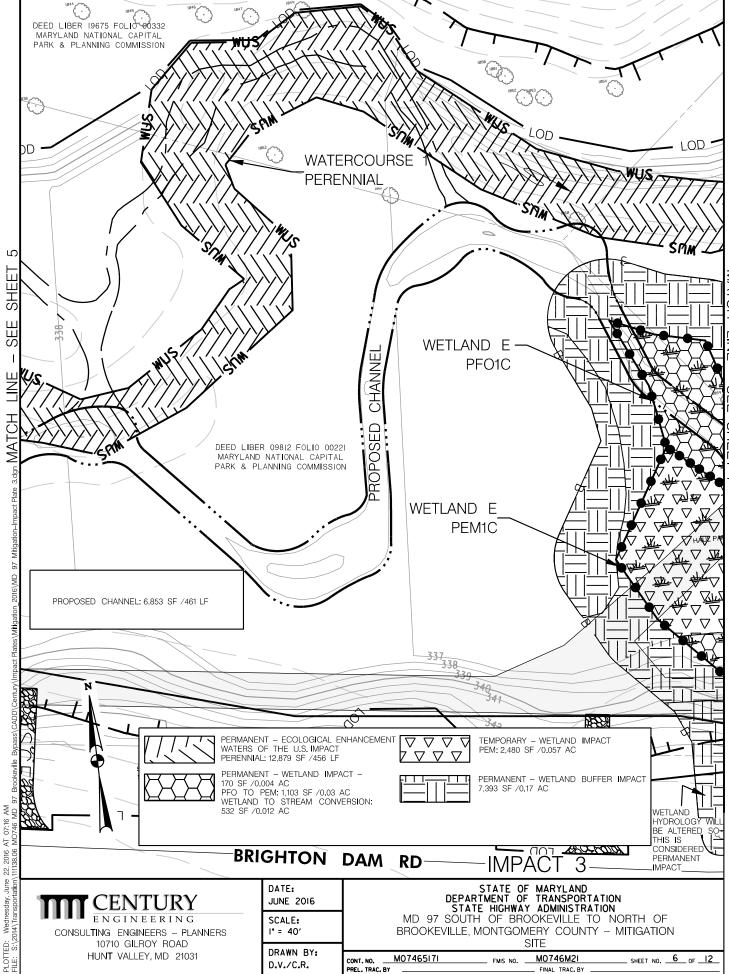


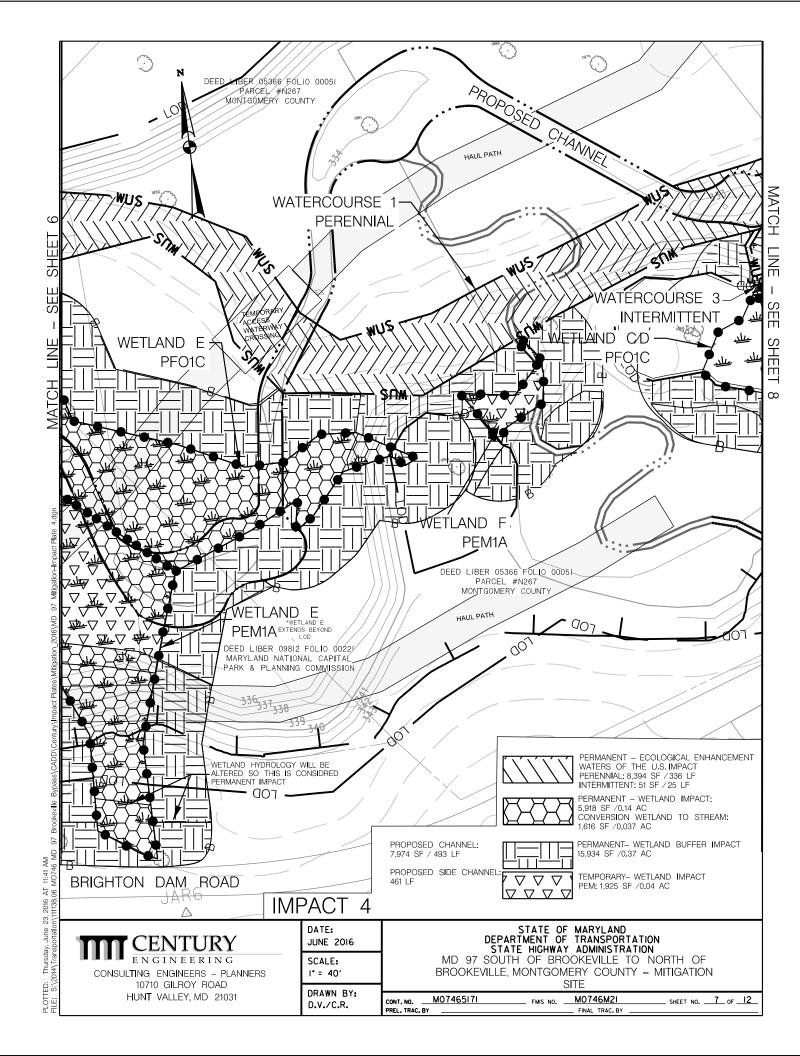
PLOTTED: Thursday, June 23, 2016 AT 09:40 AN FILE: S:\2014\Transportation\111138.06 MO746 M

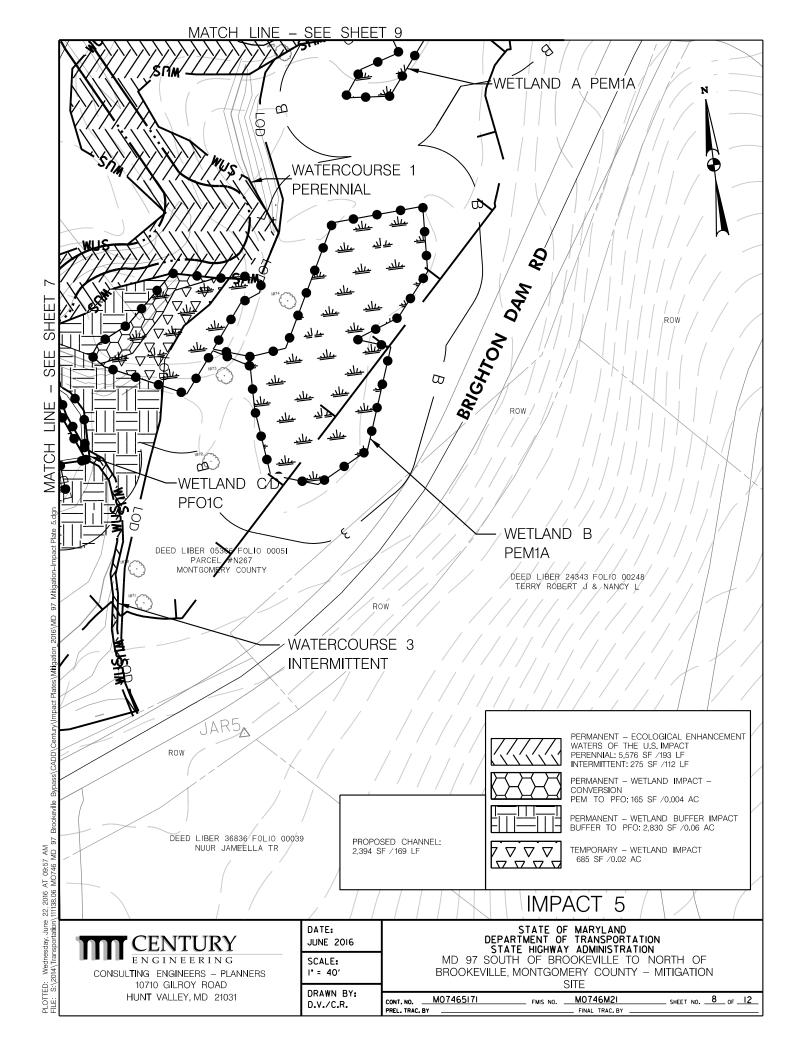


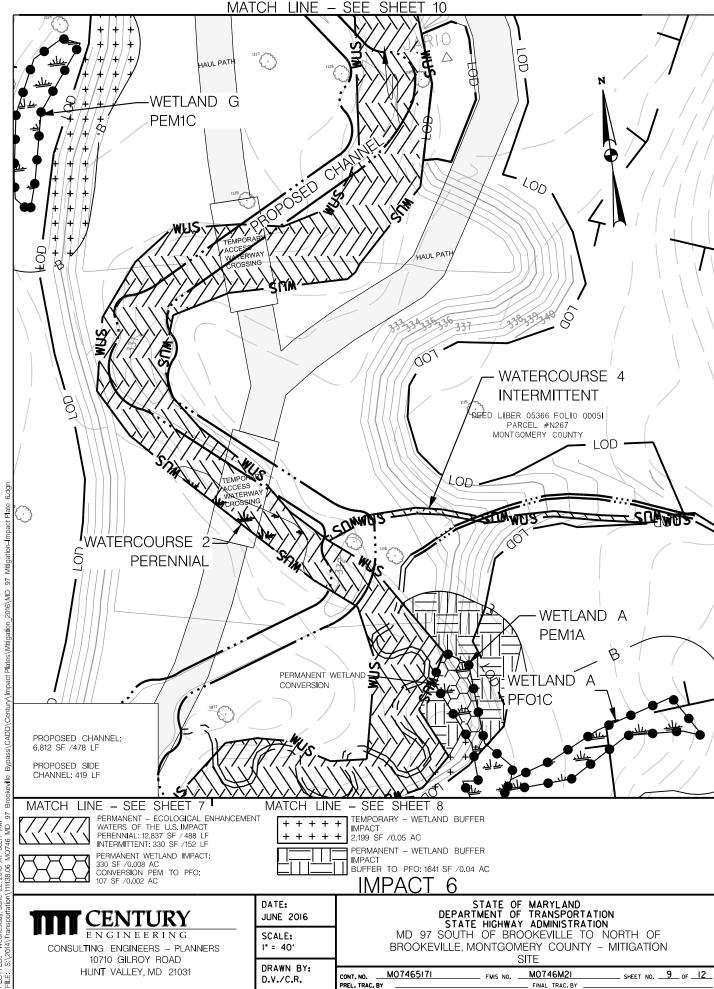
PLOTTED: Monday, June 20, 2016 AT 03:32 PM FILE: S:\2014\Transportation\111138.06 MO746 MD 97



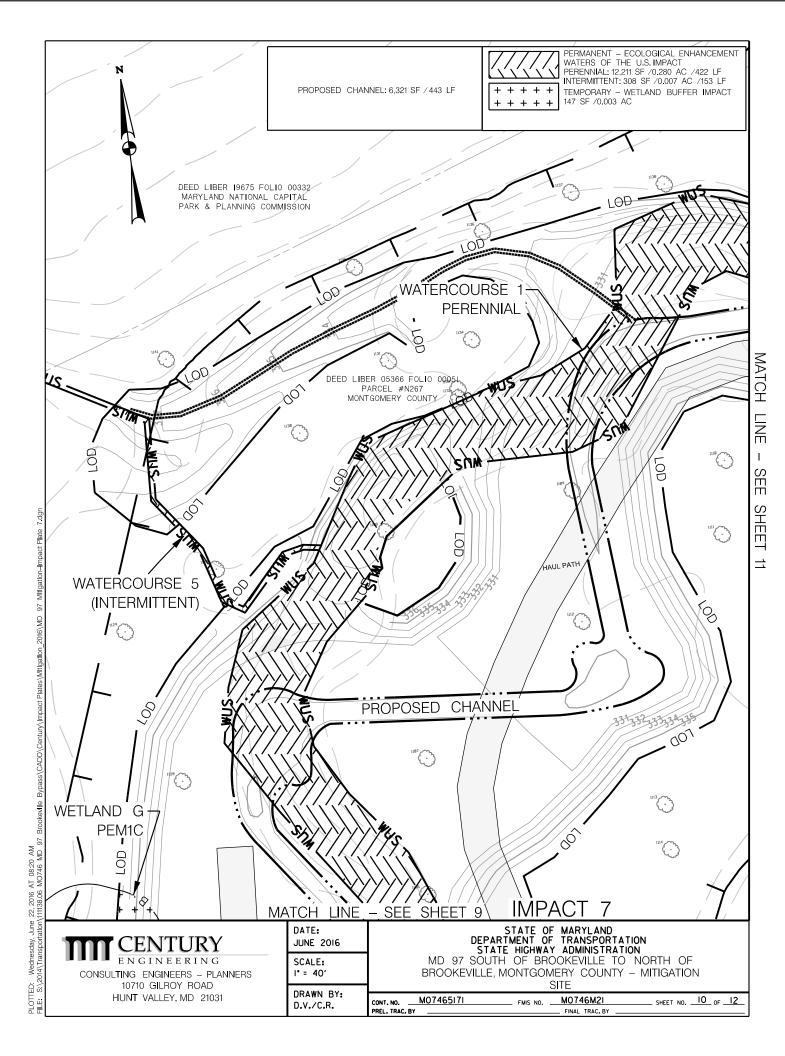


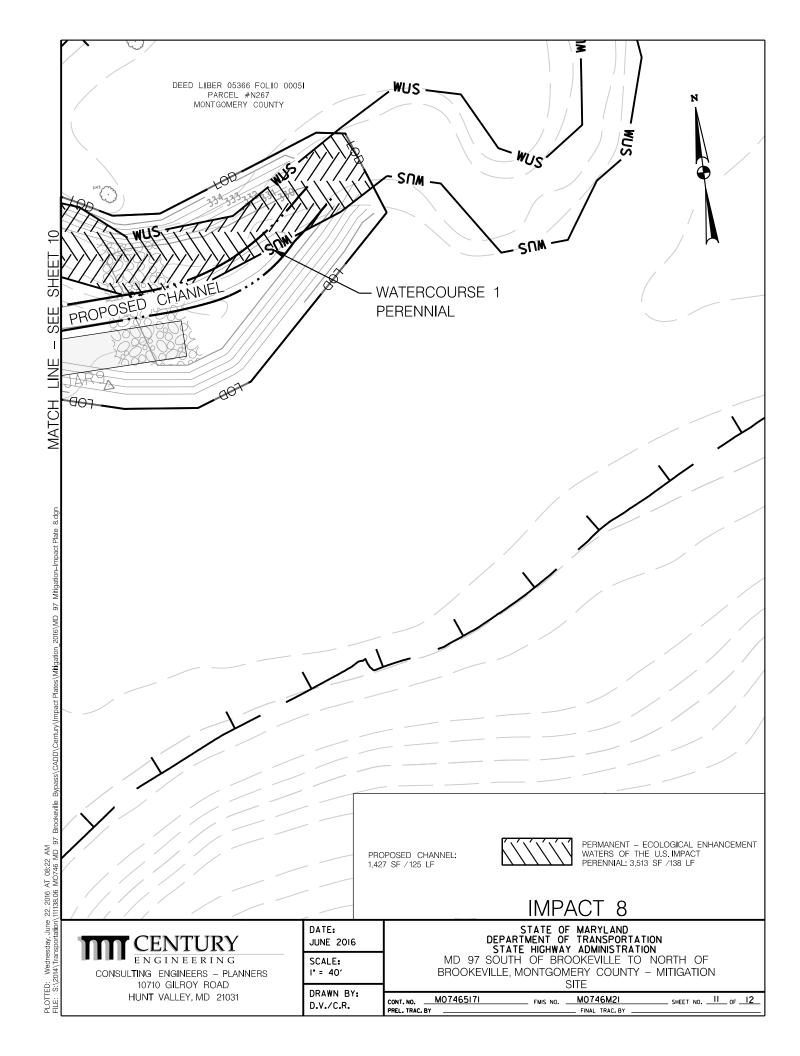






AT 08:17 MO746 N 2016 22.





PLATE#	WETLAND CREATION FOR MITIGATION	ADDITIONAL CREATED WETLAND (PEM)	ADDITIONAL CREATED WETLAND (PFO)	TOTAL FLOODPLAIN IMPACTS : 368,325 SF / 8.456 AC NET: 42,472 CY (CUT)
IMPACT 1				PROPOSED CHANNELS: 45,523 SF / 2,677 LF SIDE TRIBUTARIES: 880 LF
IMPACT 2	411 SF / 0.009 AC	3,905 SF / 0.090 AC	15,610 SF / 0.358 AC	
IMPACT 3	24,872 SF / 0.571 AC	23,573 SF / 0.541 AC	10,193 SF / 0.234 AC	PERMANENT WUS IMPACT BREAKDOWN PERENNIAL: 76,512 SF / 2,661 LF INTERMITTENT: 964 SF / 442 LF
IMPACT 4	31,118 SF / 0.714 AC	4,250 SF / 0.098 AC	15,245 SF / 0.350 AC	
IMPACT 5	4,771 SF / 0.110 AC		2,190 SF / 0.050 AC	
IMPACT 6	26,503 SF / 0.608 AC		9,236 SF / 0.212 AC	
IMPACT 7	14,802 SF / 0.340 AC		9,937 SF / 0.228 AC	
IMPACT 8	2,319 SF / 0.053 AC		1,130 SF / 0.026 AC	
TOTALS	104,796 SF / 2.406 AC	31,728 SF / 0.729 AC	63,541 SF / 1.458 AC	

IMPACT TOTALS

CENTURY
ENGINEERING
CONSULTING ENGINEERS - PLANNERS
10710 GILROY ROAD

HUNT VALLEY, MD 21031

DATE: JUNE 2016 SCALE: N/A

DRAWN BY:

D.V./C.R.

STATE OF MARYLAND
DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ADMINISTRATION
MD 97 SOUTH OF BROOKEVILLE TO NORTH OF
BROOKEVILLE, MONTGOMERY COUNTY – MITIGATION
SITE

 CONT. NO.
 MO7465171
 FMIS NO.
 MO746M21
 SHEET NO.
 12 of 12

 PREL. TRAC. BY
 FINAL TRAC. BY
 TRAC. BY