



# PUBLIC NOTICE



US Army  
Corps  
of Engineers  
Baltimore  
District

In Reply to Application Number  
CENAB-OP-RMN(AA DPW/NORTH GRAYS  
BOG/RESTORATIONPROJECT)01-66478-21

Maryland Department  
of  
the Environment

**Comment Period: 5 July 2002 to 20 July 2002**

THE PURPOSE OF THIS JOINT 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 and the Maryland Department of the Environment have received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344) and State authorization pursuant to the Tidal Wetlands Act and/or Nontidal Wetlands Protection Act, as described below:

APPLICANT: Anne Arundel County Dept of Public Works  
Heritage Office Complex  
2662 Riva Rd  
Annapolis, MD 21401

LOCATION: Grays Creek, Anne Arundel County, Maryland

WORK: To excavate and remove 4,000 cubic yards of dredged material, phragmites and root mat from 95,700 square feet of phragmites marsh which drains to Grays Creek in Anne Arundel County, Maryland for the creation of a bog habitat. The excavated material will be placed at the Rock Creek DMP site on Water Oak Point Road, Pasadena, Maryland.

All work is to be completed in accordance with the enclosed plan(s). If you have any questions concerning this matter, please contact Ms. Jennifer M. Keane at (410) 962-5675.

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.

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 of Engineers and MDE 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. The 401 certifying agency has a statutory limit of one year to make its decision.

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 request, which must be in writing, must be received by the Wetlands and Waterways Program, Maryland Department of the Environment, 2500 Broening Highway, Baltimore, Maryland 21224 and/or the District Engineer, U.S. Army Corps of Engineers, Baltimore District, Attn: CENAB-OP-R, 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.

Written comments concerning the work described above must be received by the Wetlands and Waterways Program, Maryland Department of the Environment, 2500 Broening Highway, Baltimore, Maryland 21224 within the comment period as specified above to receive consideration. Written comments relating to applicability of the MDSPGP may be submitted directly to the District Engineer, U.S. Army Corps of Engineers, Baltimore District, Attn: CENAB-OP-R, P.O. Box 1715, Baltimore, Maryland 21203-1715, within the comment period as specified above to receive consideration.

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.