



PUBLIC NOTICE

US Army Corps
of Engineers
Baltimore
District

In Reply to Application Number
CENAB-OP-RMN(MD DGS/FRANK BENTZ
DAM/REHAB)03-61495-16

Comment Period: 06 July 2004 to 27 July 2004

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 has 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: *Maryland Department of General Services*
Attn: Ahmed S. K. Naji
301 West Preston Street, Room 1405
Baltimore, Maryland 21201

LOCATION: *Hunting Creek, Frederick County, Maryland*

WORK: To mechanically maintenance dredge approximately 1,300 cubic yards of sediment from an approximate 1.4 acre area within Frank Bentz Memorial Lake, and dispose of the dredged material in an upland area, and to perform repair and maintenance activities on the Frank Bentz Dam, resulting in total impacts to approximately 1.5 acres of non-vegetated waters of the U.S., in Hunting Creek, near Thurmont, Frederick County, Maryland.

All work is to be completed in accordance with the enclosed plans. If you have any questions concerning this matter, please contact *Mr. Joseph P. DaVia* at (410) 962-4527.

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 Standards and Certification Division 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. 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, PO Box 1715, Baltimore, Maryland 21203-1715, 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 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 District Engineer, US Army Corps of Engineers, Baltimore District, PO Box 1715, Baltimore, Maryland 21203-1715, within the comment period as specified as above to receive consideration. Also, it must clearly state forth the interest which 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.

FRANK BENTZ DAM REHABILITATION

NDI NUMBER 000265
THURMONT, MARYLAND
D.G.S. PROJECT P-016-985-010

FOR THE
STATE OF MARYLAND

DEPARTMENT OF GENERAL SERVICES

ROYD K. RUTHERFORD, Secretary

301 West Preston Street

Baltimore, Maryland 21201

BOARD OF PUBLIC WORKS

ROBERT L. EHRLICH, JR., Governor

WILLIAM DONALD SCHAEFER, Comptroller

NANCY K. KOPP, Treasurer

FEBRUARY 2004



Gannett Fleming Inc.
4701 Mt. Hope Drive
Seton Business Park
Baltimore, Maryland 21215



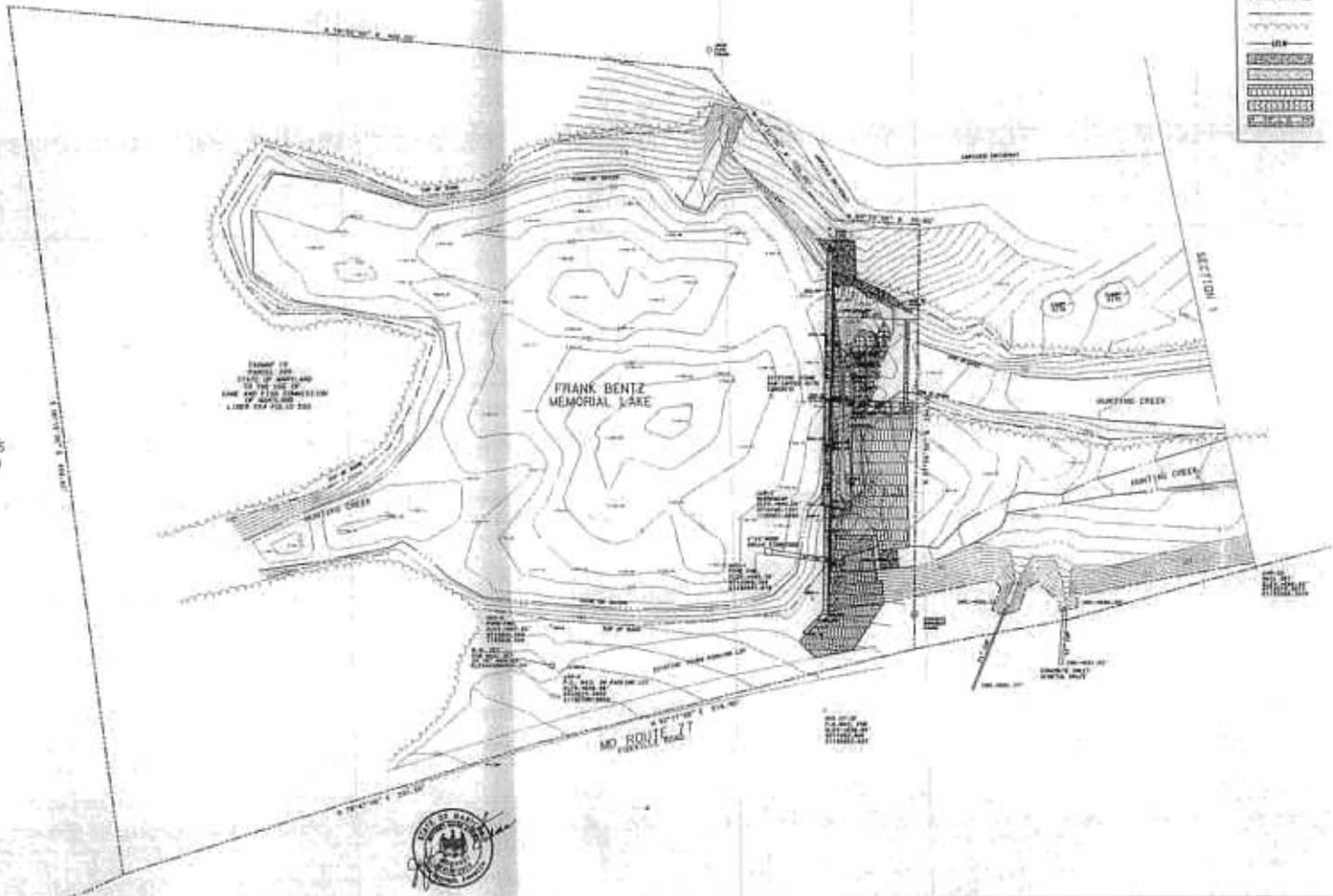
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1 OF 7

PARCEL 223
 NED P. & RENNA Y. HAYNES
 LIBER 1658 FOLIO 619

PARCEL 223
 & RENNA Y. HAYNES
 LIBER 1658 FOLIO 619



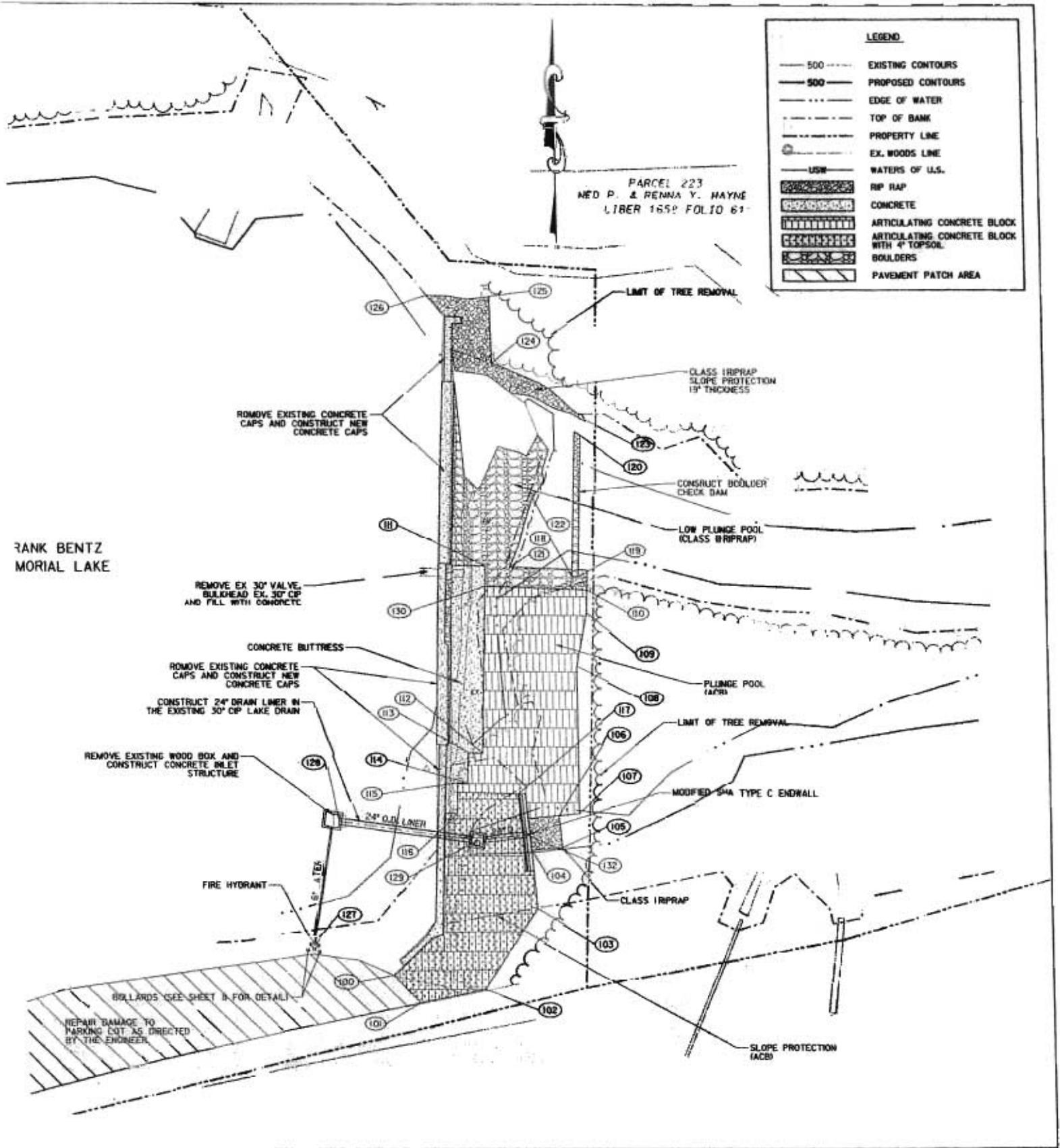
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SCALE: 1" = 100'

REVISIONS NO. DESCRIPTION DATE BY	DRAWN BY CHECKED BY DATE	PROJECT NO. SHEET NO.	Gannett Fleming Inc. 1100 North, Maryland	JOHN ARBET APPROVAL	DEPARTMENT OF GENERAL SERVICES APPROVAL	EXISTING CONDITIONS	FRANK BENTZ DAM RENAI D.G.S. PROJECT: P-DIG-985 FREDERICK COUNTY THURMONT, MARYLA
				DATE	DATE		

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 2003-61495



LEGEND

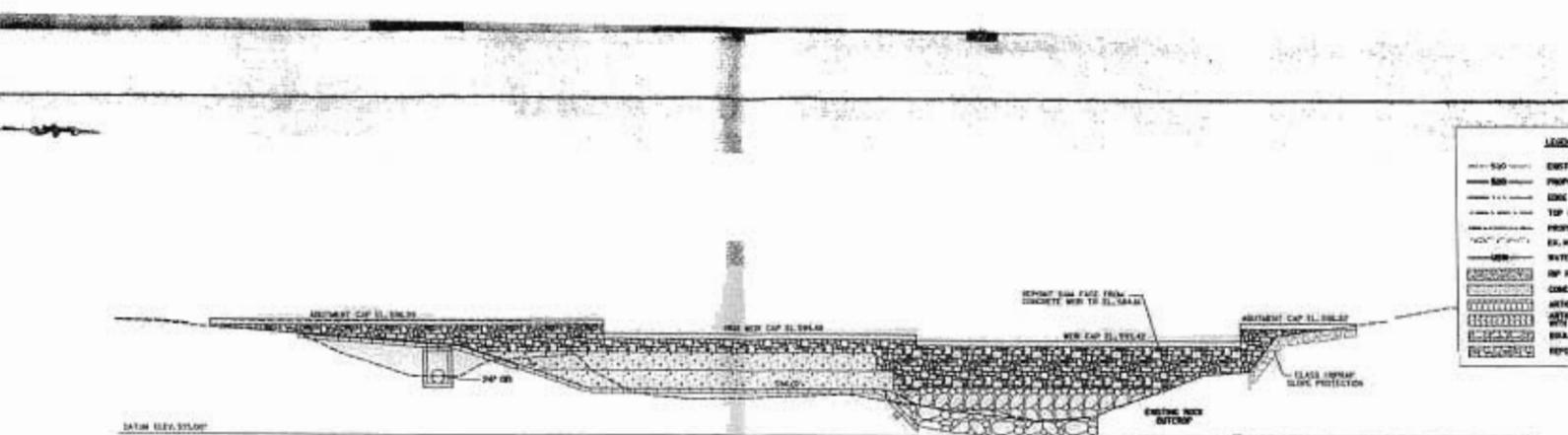
- 500 --- EXISTING CONTOURS
- 500 — PROPOSED CONTOURS
- - - - - EDGE OF WATER
- - - - - TOP OF BANK
- - - - - PROPERTY LINE
- - - - - EX. WOODS LINE
- USW — WATERS OF U.S.
- [Stippled Pattern] RIP RAP
- [Grid Pattern] CONCRETE
- [Block Pattern] ARTICULATING CONCRETE BLOCK
- [Block Pattern with 4\"/>

PARCEL 223
 NED P. & RENNA Y. HAYNE
 LIBER 165² FOLIO 61

FRANK BENTZ
 MORIAL LAKE

	USING AGENCY APPROVAL _____ DATE _____	DEPARTMENT OF GENERAL SERVICES APPROVAL PROJECT ADMINISTRATOR _____ DATE _____ DIRECTOR, ENG. & CONSTR. _____ DATE _____	SITE PLAN	FRANK BENTZ DAM REHABILITATION D.G.S. PROJECT: P-016-985-010	OF PROJECT NO. 2000 DATE: 12-Feb-2004 14:00
				FREDERICK COUNTY 2003-61495	

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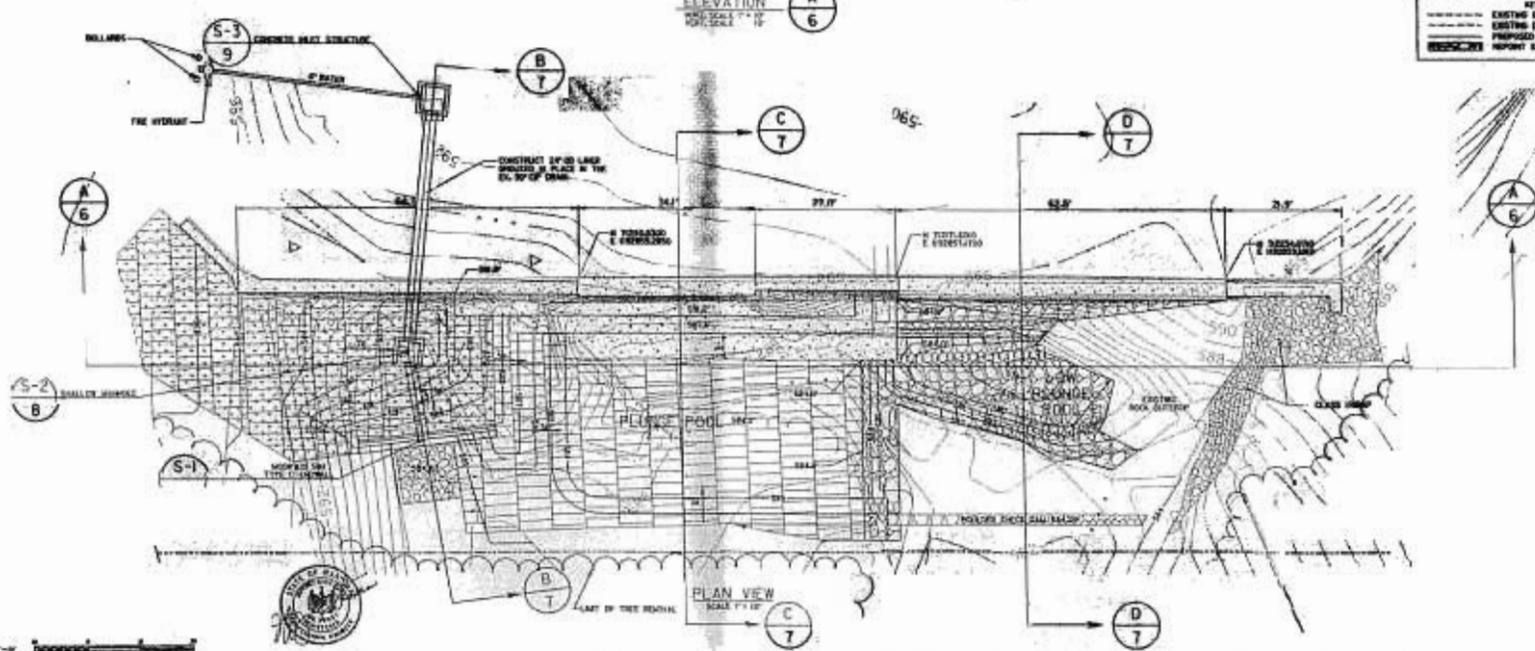
LEGEND

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---	PROPOSED
---	TOP
---	PROPOSED
---	EL. 100
---	WATER
---	IMP. A
---	CONC.
---	ROCK
---	SLIME
---	PROPOSED

ELEVATION
SCALE 1" = 10'

NOTES

---	EXISTING DAM
---	EXISTING DAM
---	PROPOSED DAM
---	REPORT EL. 100



NOTES:
1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
4. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.

NO.	REVISIONS	DATE	BY	CHKD.	APP'D.

NO.	ISSUED	DATE	BY	CHKD.	APP'D.

DATE: 06/15/03
SCALE: 1" = 10'

APPROVED BY: [Signature]
PROJECT: P-016-985

DAM PLAN AND PROFILE
FRAME BENTZ DAM REHAB.
D.G.S. PROJECT: P-016-985-
FREDERICK COUNTY
THURMONT, MARYLAND

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2003-61495

