



**US Army Corps
of Engineers Baltimore District**

PUBLIC NOTICE

In Reply to Application Number CENAB-OP-RMN(MD SHA/MD 216 RELOCATED: FROM EAST OF US 29 TO WEST OF 1-95)02-62759-12

Comment Period: April 8, 2002 to May 8, 2002

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 State Highway Administration
Attn: Ms. Susan Jacobs
Environmental Programs Division
707 North Calvert Street
Baltimore, Maryland 21202

LOCATION: MD216/Hammond Branch, Howard County, Maryland

WORK: The Maryland State Highway Administration (SHA) has submitted an application to permanently impact jurisdictional wetlands and waterways associated with the relocation of MD216 from east of US29 to west of 1-95 in Howard County, Maryland. The project is proposed to address the discontinuous nature of the existing roadway, increased travel demands along existing MD216, and, anticipated growth in the area. MD216 would be relocated to the east and would be constructed to include three lanes in each direction from 1-95 to Leishear Road, and two lanes in each direction from Leishear Road to US29. The section from Leishear Road to US29 would be built wide enough to incorporate an additional lane in each direction based on future traffic demands. The proposed median of the facility would be landscaped and 18 feet in width. A five-foot sidewalk is included in the design on the north and south side of the relocated roadway. The sidewalk on the north side would be located between Crest Road and 1-95. The sidewalk on the south side would be located between Crest Road and US29. The relocation of MD216 would require one wetland crossing, five stream crossings (including the extension of an existing culvert over the mainstem of Hammond Branch), and, impacts to wetlands adjacent to the proposed alignment. Construction would result in impacts to 1.31 acres of wetlands (1.29 acres

forested and 0.022 acres scrub-shrub/emergent) I and 5289 square feet of streams. Compensatory mitigation for impacts to wetlands and waterways would be provided both on and off-site. On-site mitigation will include the stabilization and restoration of selected portions of Hammond Branch in addition to the enhancement of riparian buffers at Leishear Road and in the vicinity an existing cow pasture located upstream of Leishear Road. Off-site mitigation will be provided at the West Friendship Wetland Mitigation Site that has been approved by this office and the Maryland Department of the Environment.

All work is to be completed in accordance with the enclosed plan(s) .If you have any questions concerning this matter, please contact Mr.Steve Elinsky_at 410.962.4503.

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, Building 30, First Floor, 2500 Broening Highway, Baltimore, Maryland 21224 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.

FOR THE DISTRICT ENGINEER:

LINDA A. MORRISON
Chief, Regulatory Branch