

U.S. Army Corps
of Engineers
Baltimore District

Public Notice

In Reply to Application Number
CENAB-OP-RMN (Oakdale Investments, LLC/Eaglehead
Drive/Bridge) 2012-61478-M07

PN 14-18

Comment Period: March 25, 2014 to April 23, 2014

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 District has received an application for a Department of the Army Permit pursuant to Section 404 of the Clean Water Act (33.U.S.C1344), as described below:

APPLICANT: Mr. Jason Wiley
Oakdale Investments, LLC
c/o Elm Street Development
1355 Beverly Road, Suite 240
McClellan, Virginia 22101

WATERWAY AND LOCATION: In Linganore Creek at Eaglehead Drive, New Market, Frederick County, Maryland.

PROPOSED WORK AND PURPOSE: The applicant proposes, in accordance with the attached plans, to replace a twin culvert crossing, that was washed out in the 1970s, by constructing a twin span bottomless arch structure (each arch measuring approximately 51 feet 10 inches by 24 feet one inch), which includes concrete headwalls and wingwalls in Linganore Creek; to mechanically dredge an approximate 10,995 square-foot sediment bar resulting in approximately 825 cubic yards of sediment to be disposed of on-site temporarily, and reused for the channel realignment, with the remainder to be disposed of at an existing upland (non-wetland) disposal facility; to install a temporary cofferdam/stream diversion; and to realign an approximate 510 linear-foot segment of Linganore Creek with the Lake Linganore Dam spillway at Eaglehead Drive in New Market, Frederick County, Maryland. The proposed project would result in permanent impacts to approximately 503 linear feet (40,730 square feet) of waters of the United States. NOTE: This road crossing was authorized on February 28, 1997; however, this DA permit expired on July 2, 2010.

As part of the planning process for the proposed project, steps were taken to ensure avoidance and minimization of impacts to wetland and stream resources to the maximum extent practicable. However, due to specific safety, operational, and engineering siting requirements, it was determined that the proposed project would result in unavoidable impacts to stream resources. The applicant proposes that proposed project is self-mitigating through the new channel design and alignment.

The purpose of the project is to provide access for existing and proposed residential development. All work is to be completed in accordance with the enclosed plan(s). If you have any questions concerning this matter, please contact Ms. Maria N. Teresi at (410) 962-4501 or at maria.teresi@usace.army.mil

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

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.

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, ATTN: Ms. Maria N. Teresi, CENAB-OP-RMN, P.O. Box 1715, Baltimore, Maryland 21230-1715, within the comment period specified above.

WATER QUALITY CERTIFICATION: 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, Montgomery Park Business Center, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland 21230-1715, within the comment period as specified above to receive consideration. The Section 401 certifying agency has a statutory limit of one year from the date of this public notice 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 Federally 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.

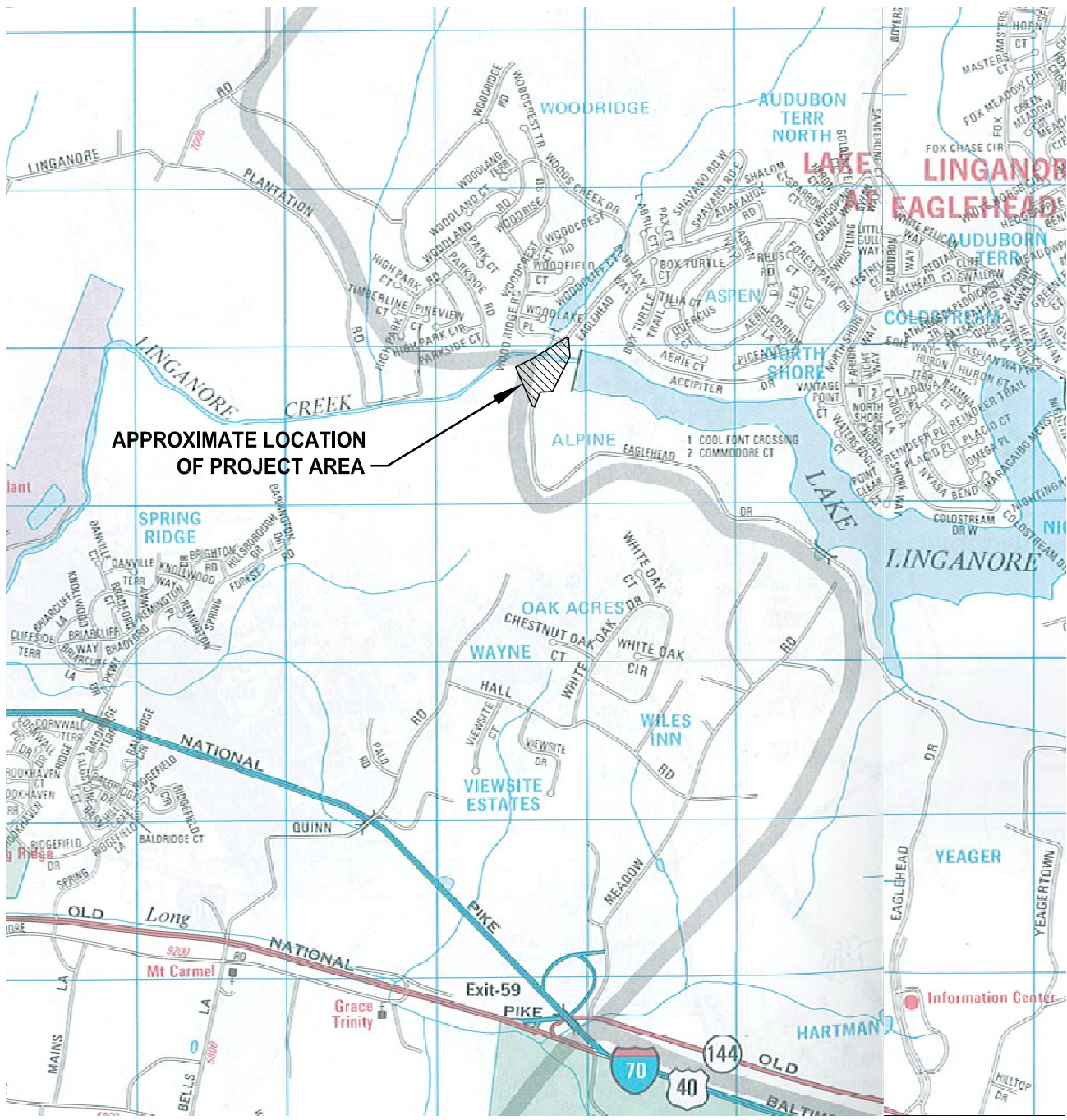
Review of the latest published version of the National Register of Historic Places indicates that no registered properties listed as eligible for inclusion, therein, are located at the site of the proposed work. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or destroyed by the work to be accomplished under the requested 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, ATTN: Ms. Maria N. Teresi, CENAB-OP-RMN, P.O. Box 1715, Baltimore, Maryland 21203-1715, within the comment period as specified as above to receive consideration. Also, it must clearly set 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 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:

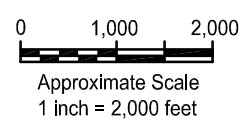
JOSEPH P. DAVIA
Chief, Maryland Section Northern



APPROXIMATE LOCATION OF PROJECT AREA

NOTE:

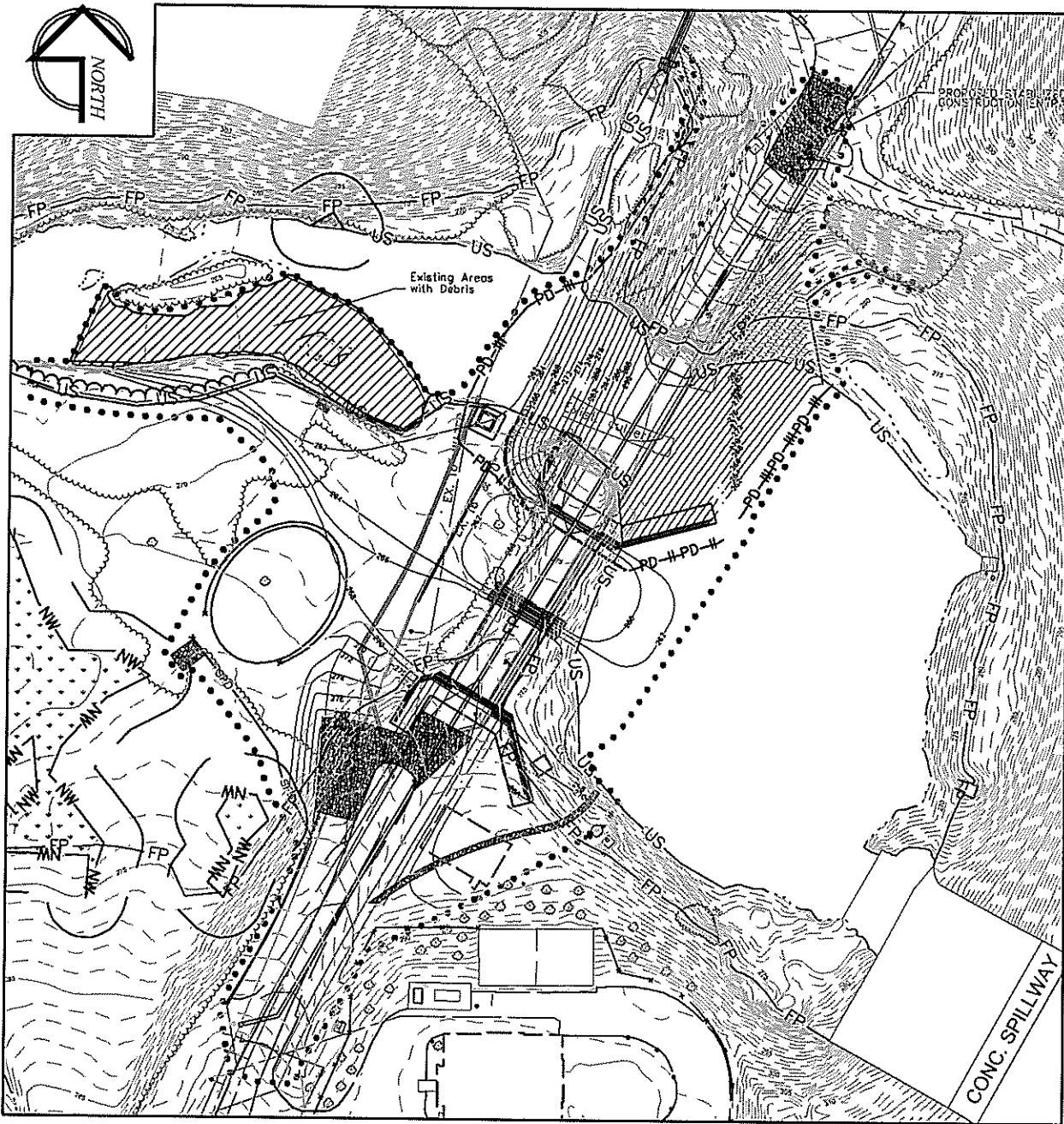
BASE MAP WAS ADAPTED FROM ADC THE MAP PEOPLE, PERMITTED USE NUMBER 21006238.



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**EAGLEHEAD DRIVE
 BRIDGE REPLACEMENT
 FREDERICK COUNTY, MARYLAND
 SITE LOCATION MAP**

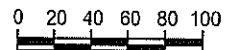
PROJECT:	DATE: 8/1/12	SCALE: 1" = 2,000'	DRAWN BY: FSG	REVIEW BY: PHH	FIGURE: 1
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LEGEND:

- LIMIT OF DISTURBANCE
- US — WATERS OF THE U.S.
- FP — 100-YEAR FLOODPLAIN

- NONTIDAL WETLAND LIMITS
- WETLAND BUFFER



Approximate Scale
1 inch = 100 feet

NOTE: THIS PLAN WAS PREPARED FROM A PLAN ENTITLED, EAGLEHEAD DRIVE CULVERT & ROAD RECONSTRUCTION @ LINGANORE CREEK, SEDIMENT CONTROL PLAN - PHASE 1, LAKE LINGANORE, PREPARED BY G.W. STEPHENS, JR. AND ASSOCIATES, INC., DATED MAY 2000.



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**EAGLEHEAD DRIVE
 BRIDGE REPLACEMENT
 FREDERICK COUNTY, MARYLAND
 IMPACT PLATE 1
 OVER ALL PROJECT AREA**

PROJECT: 111021

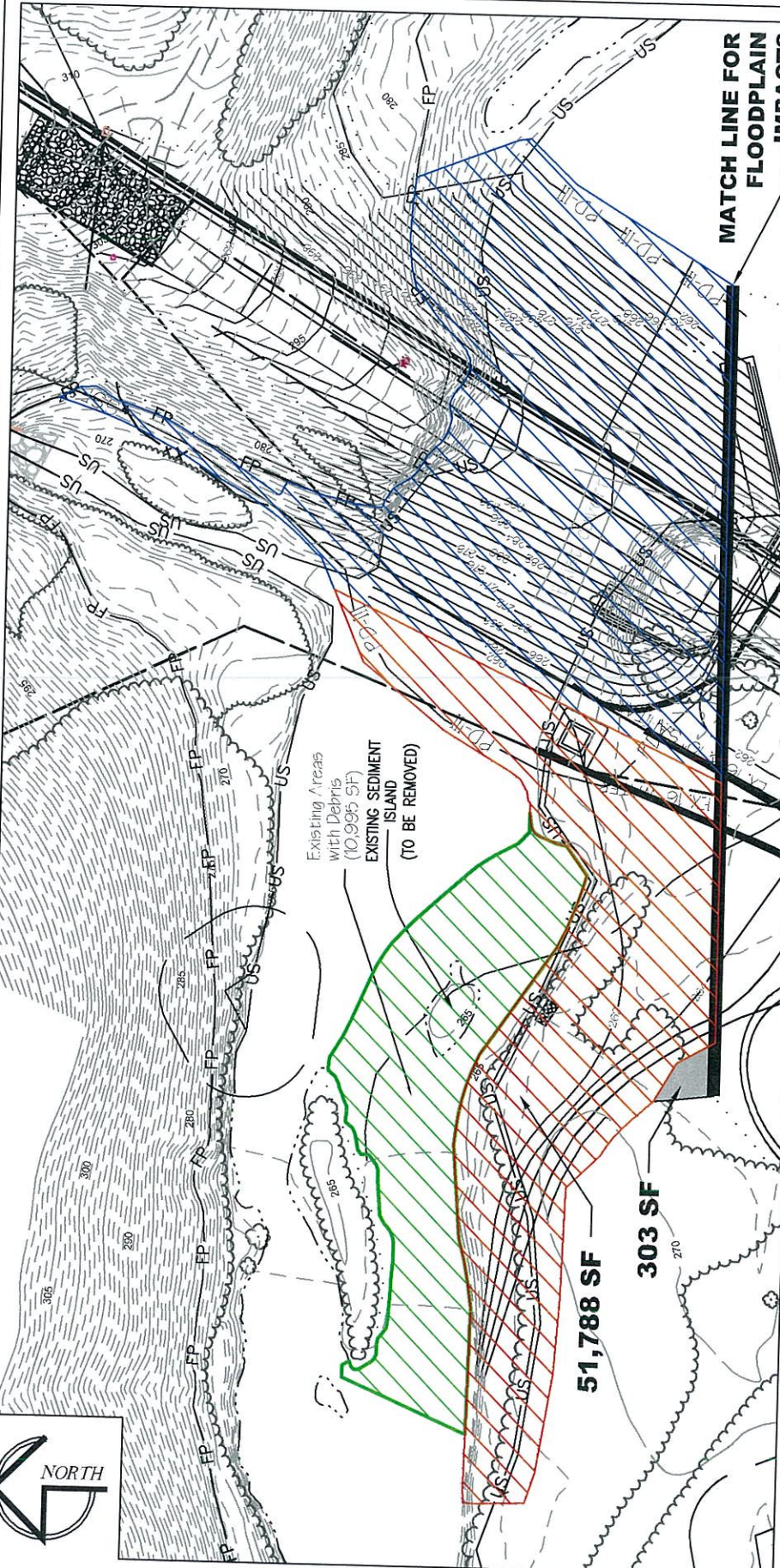
DATE: 9/19/12

SCALE: 1" = 100'

DRAWN BY: FSG

REVIEW BY: PHH

FIGURE:



LEGEND:

	100-YEAR FLOODPLAIN IMPACTS PERMANENT: 51,788 SF (8,350 CY NET FILL)
	100-YEAR FLOODPLAIN IMPACTS TEMPORARY: 303 SF
	NONTIDAL WETLAND LIMITS
	25' WETLAND BUFFER
	100-YEAR FLOODPLAIN
	LIMIT OF DISTURBANCE
	ROAD CROSSING DISTURBANCE
	DEBRIS REMOVAL DISTURBANCE
	CHANNEL ALIGNMENT DISTURBANCE

NOTE: THIS PLAN WAS PREPARED FROM A PLAN ENTITLED, EAGLEHEAD DRIVE CULVERT & ROAD RECONSTRUCTION @ LINGANORE CREEK, SEDIMENT CONTROL PLAN - PHASE 1, LAKE LINGANORE, PREPARED BY G.W. STEPHENS, JR. AND ASSOCIATES, INC., DATED MAY 2000.

MAX. DEPTH OF DEBRIS TO BE DREDGED = -2.0' BELOW MLW

MAX. DEPTH OF MATERIAL REMOVED FOR ROAD CROSSING = -4.6' BELOW MLW

MAX. DEPTH OF MATERIAL REMOVED FOR CHANNEL ALIGNMENT = -5.7' BELOW MLW



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**EAGLEHEAD DRIVE
 BRIDGE REPLACEMENT
 IMPACT PLATE 2
 100-YEAR FLOODPLAIN IMPACTS**

FREDERICK COUNTY, MARYLAND

PROJECT: 111021

DATE: 1/29/14

SCALE: 1" = 60'

DRAWN BY: FSG

REVIEW BY: PHH

FIGURE:



MATCH LINE FOR FLOODPLAIN IMPACTS

9,794 SF

33,845 SF

PROPOSED TEMPORARY SPOIL AREA

LEGEND:

- 100-YEAR FLOODPLAIN IMPACTS
PERMANENT: 33,845 SF (350 CY NET FILL)
- 100-YEAR FLOODPLAIN IMPACTS
TEMPORARY: 9,794 SF
- NONTIDAL WETLAND LIMITS
- 25' WETLAND BUFFER
- 100-YEAR FLOODPLAIN LIMIT OF DISTURBANCE
- ROAD CROSSING DISTURBANCE
- CHANNEL ALIGNMENT DISTURBANCE



NOTE: THIS PLAN WAS PREPARED FROM A PLAN ENTITLED, EAGLEHEAD DRIVE CULVERT & ROAD RECONSTRUCTION @ LINGANORE CREEK, SEDIMENT CONTROL PLAN - PHASE 1, LAKE LINGANORE, PREPARED BY G.W. STEPHENS, JR. AND ASSOCIATES, INC., DATED MAY 2000.

MAX. DEPTH OF MATERIAL REMOVED FOR ROAD CROSSING = -0.5' BELOW MLW
MAX. DEPTH OF MATERIAL REMOVED FOR CHANNEL ALIGNMENT = -0.5' BELOW MLW



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**EAGLEHEAD DRIVE
 BRIDGE REPLACEMENT
 IMPACT PLATE 3
 100-YEAR FLOODPLAIN IMPACTS**

FREDERICK COUNTY, MARYLAND

PROJECT: 111021

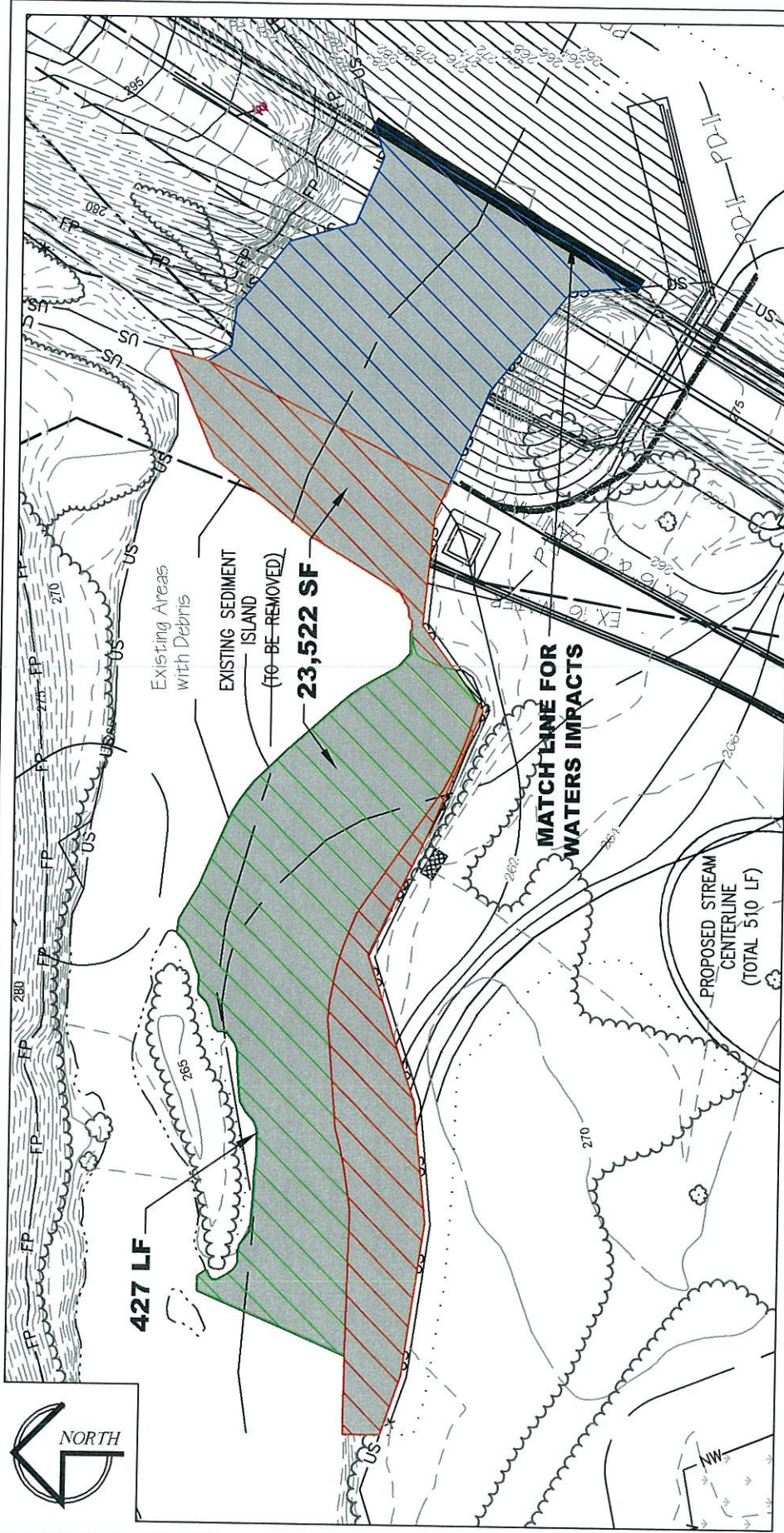
DATE: 1/29/14

SCALE: 1" = 60'

DRAWN BY: FSG

REVIEW BY: PHH

FIGURE:



LEGEND:

- SN
- US

- NONTIDAL WETLAND LIMITS
- 25' WETLAND BUFFER
- 100-YEAR FLOODPLAIN LIMIT OF DISTURBANCE
- ROAD CROSSING DISTURBANCE
- DEBRIS REMOVAL DISTURBANCE
- CHANNEL ALIGNMENT DISTURBANCE

WATERS OF US IMPACTS
 PERMANENT: 23,522 SF / 427 LF

WATERS OF US IMPACTS
 TEMPORARY: 0 SF



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NOTE: THIS PLAN WAS PREPARED FROM A PLAN ENTITLED, EAGLEHEAD DRIVE CULVERT & ROAD RECONSTRUCTION @ LINGANORE CREEK, SEDIMENT CONTROL PLAN - PHASE 1, LAKE LINGANORE, PREPARED BY G.W. STEPHENS, JR. AND ASSOCIATES, INC., DATED MAY 2000.

MAX. DEPTH OF DEBRIS TO BE DREDGED = -2.0' BELOW MLW
 MAX. DEPTH OF MATERIAL REMOVED FOR ROAD CROSSING = -4.6' BELOW MLW
 MAX. DEPTH OF MATERIAL REMOVED FOR CHANNEL ALIGNMENT = -5.7' BELOW MLW



PROJECT: 111021

DATE: 1/29/14

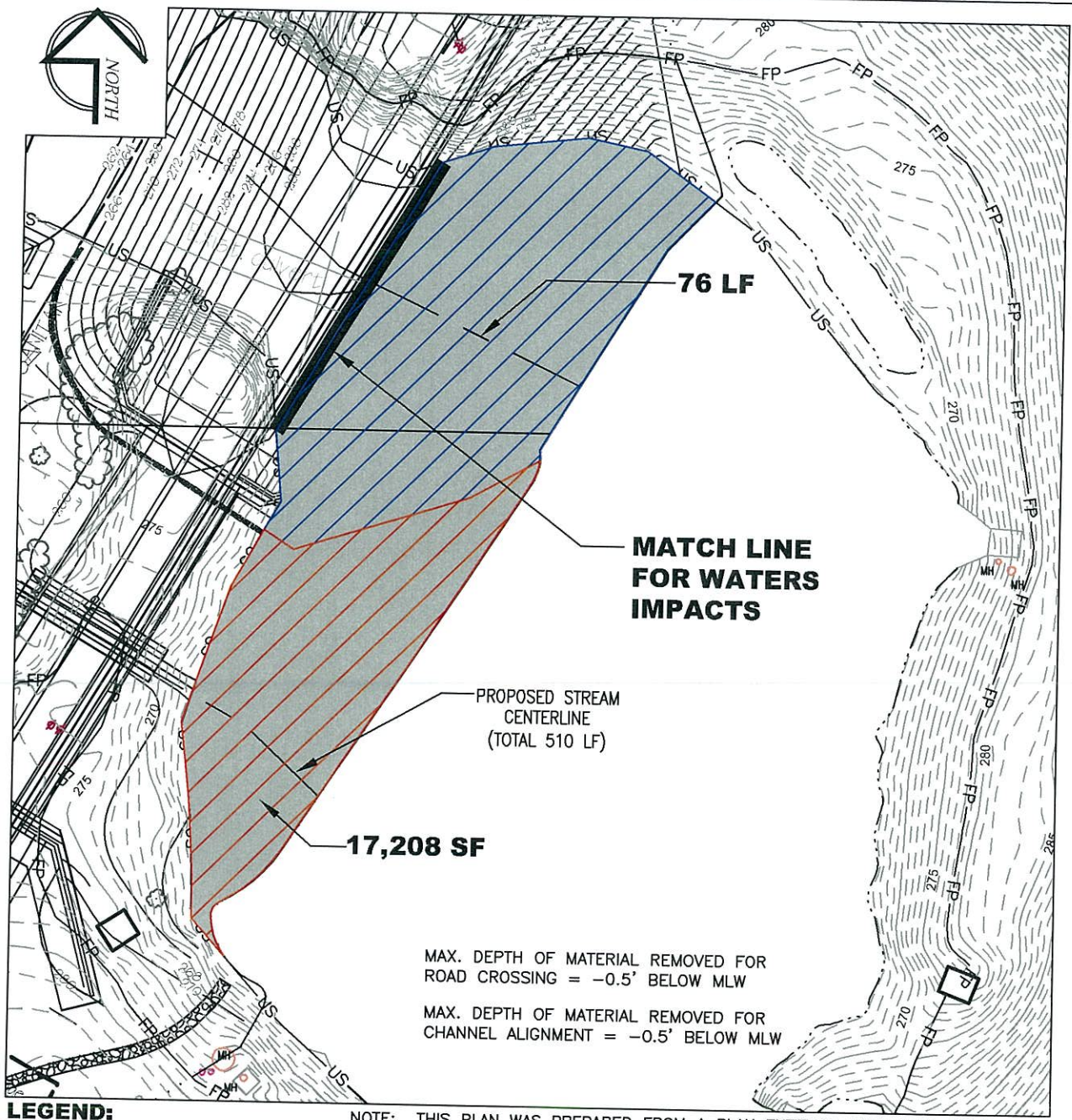
SCALE: 1" = 50'

DRAWN BY: FSG

REVIEW BY: PHH

FIGURE:

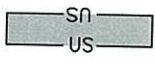
**EAGLEHEAD DRIVE
 BRIDGE REPLACEMENT**
 FREDERICK COUNTY, MARYLAND
IMPACT PLATE 4
WATERS OF THE U.S. IMPACTS



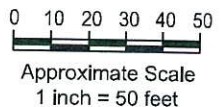
MAX. DEPTH OF MATERIAL REMOVED FOR ROAD CROSSING = -0.5' BELOW MLW
 MAX. DEPTH OF MATERIAL REMOVED FOR CHANNEL ALIGNMENT = -0.5' BELOW MLW

LEGEND:

- - - - - LIMIT OF DISTURBANCE
- - - - - NW - - - - - NONTIDAL WETLAND LIMITS
- - - - - 25' WETLAND BUFFER
- - - - - FP - - - - - 100-YEAR FLOODPLAIN
- - - - - ROAD CROSSING DISTURBANCE
- - - - - CHANNEL ALIGNMENT DISTURBANCE



WATERS OF US IMPACTS
 PERMANENT: 17,208 SF / 76 LF
 WATERS OF US IMPACTS
 TEMPORARY: 0 SF



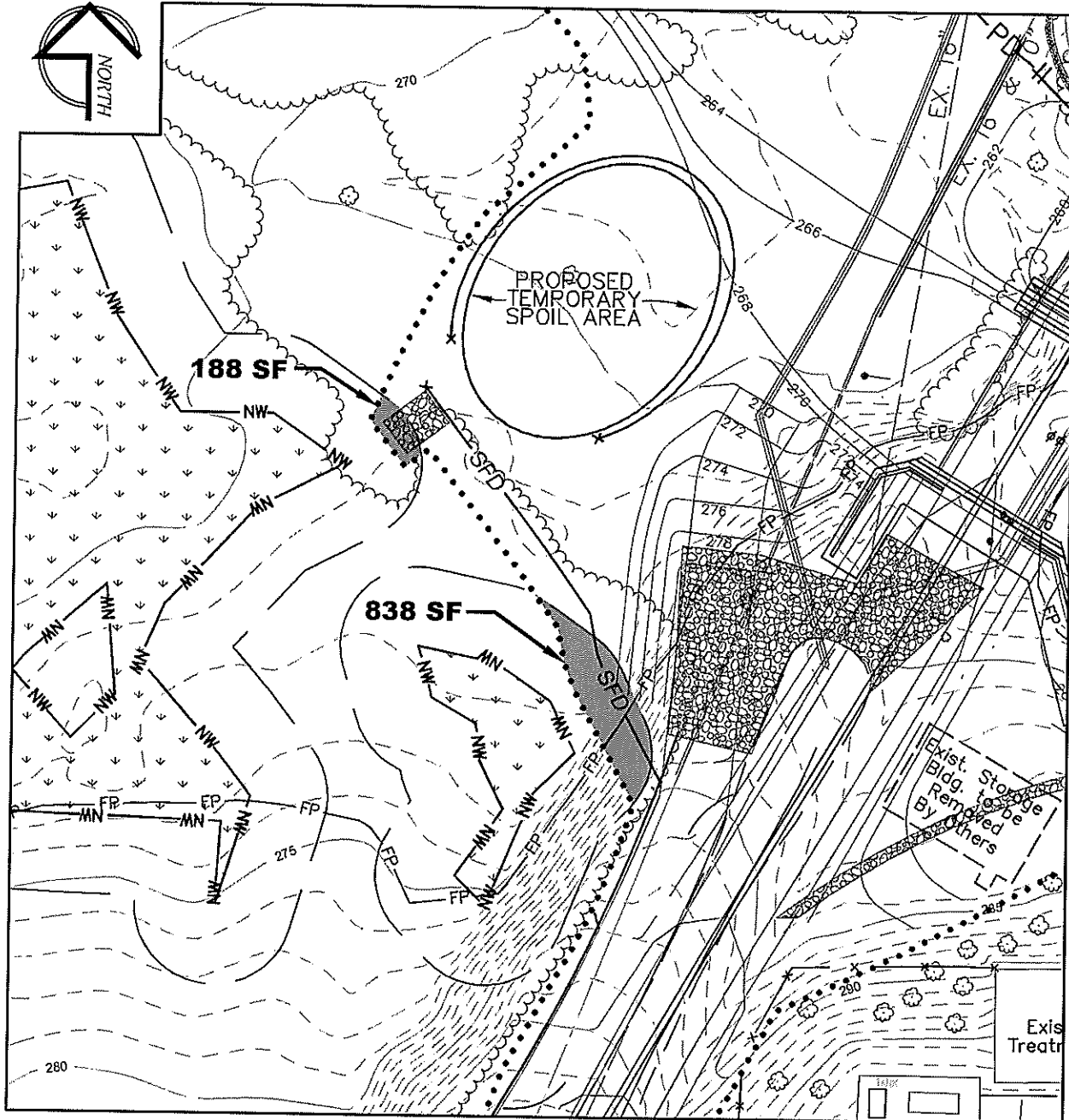
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**EAGLEHEAD DRIVE
 BRIDGE REPLACEMENT**
 FREDERICK COUNTY, MARYLAND
IMPACT PLATE 5
WATERS OF THE U.S. IMPACTS

PROJECT: 111021	DATE: 1/29/14	SCALE: 1" = 50'	DRAWN BY: FSG	REVIEW BY: PHH	FIGURE:
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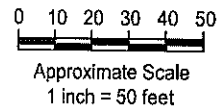


LEGEND:

- LIMIT OF DISTURBANCE
- US —— WATERS OF THE U.S.
- FP —— 100-YEAR FLOODPLAIN

NOTE: THIS PLAN WAS PREPARED FROM A PLAN ENTITLED, EAGLEHEAD DRIVE CULVERT & ROAD RECONSTRUCTION @ LINGANORE CREEK, SEDIMENT CONTROL PLAN - PHASE 1, LAKE LINGANORE, PREPARED BY G.W. STEPHENS, JR. AND ASSOCIATES, INC., DATED MAY 2000.

- NONTIDAL WETLAND LIMITS
- WETLAND BUFFER IMPACTS (1026 SF IMPACTS)



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**EAGLEHEAD DRIVE
 BRIDGE REPLACEMENT**
 FREDERICK COUNTY, MARYLAND
IMPACT PLATE 6
WETLAND BUFFER IMPACTS

PROJECT: 111021

DATE: 12/28/12

SCALE: 1" = 50'

DRAWN BY: FSG

REVIEW BY: PHH

FIGURE: