

U.S. Army Corps of Engineers Baltimore District

Public Notice

In Reply to Application Number CENAB-OPR-M (MD SHA/Project No WO17821/US 50 at MD 589)-2018-60931-M24

PN 18-50

Comment Period: July 31, 2018 - August 21, 2018

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), as described below:

APPLICANT:

Mr. Todd Nichols

Maryland State Highway Administration

707 N. Calvert Street

Baltimore, Maryland 21202

WATERWAY AND LOCATION: in Mud Creek and tributaries to Mud Creek, and adjacent nontidal wetlands, near Berlin, Worcester County, Maryland.

PROPOSED WORK: The Maryland State Highway Administration (SHA) proposes, in accordance with the attached plans, to construct roadway improvements along MD 589 and the intersection with US 50. Improvements include constructing an additional left turn lane from US 50 eastbound to MD 589, constructing outside pavement shoulders along US 50 westbound approach to MD 589, pavement widening on northbound MD 589, constructing stormwater management and drainage improvements, and improving bicycle compatibility. The proposed project will permanently impact 28,683 square feet of palustrine emergent wetlands, and temporarily impact 3,940 square feet of palustrine emergent wetlands. The proposed project will permanently impact 680 square feet (57 linear feet) and temporarily impact 630 square feet (86 linear feet) of linear roadside drainage features (Waters of the U.S.).

The applicant has proposed relocating the existing roadside drainage features containing palustrine emergent wetlands to the new roadway slope toe, as in-kind mitigation for project impacts.

All work is to be completed in accordance with the enclosed plan(s). If you have any questions concerning this matter, please contact Mrs. Mary Frazier at 410-962-5679 or Mary.A.Frazier@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 the authority of the 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: Mrs. Mary Frazier, CENAB-OP-RMN, 2 Hopkins Plaza, Baltimore, Maryland 21201, 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 Maryland Department of the Environment, Tidal Wetlands Division, Montgomery Park Business Center, 1800 Washington Blvd., Suite 430, Baltimore, Maryland 21230 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.

COASTAL ZONE MANAGEMENT PROGRAM: The applicant has certified in this application that the proposed activity complies with and will be conducted in a manner consistent with the Maryland Coastal Zone Management (CZM) Program. By this public notice, we are requesting the State concurrence or objection to the applicant's consistency statement. Public comments relating to consistency must be received by the Maryland Department of the Environment, Tidal Wetlands Division, Montgomery Park Business Center, 1800 Washington Blvd. Suite 430, Baltimore, Maryland 21230-1708, within the comment period specified above to receive consideration. MDE has a statutory limit of 6 months from the date of this public notice to concur or object to the applicant's consistency determination.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), as amended by the Sustainable Fisheries Act of 1996 (Public Law 04-267), requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely affect Essential Fish Habitat (EFH).

There are a variety of species with EFH designated nearby, but not in the project area. The Baltimore District has made a preliminary determination that there is no adverse effect on EFH or no EFH is designated at the project site, and EFH consultation is not required.

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 applicant must obtain any State or local government permits which may be required.

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: Mrs. Mary Frazier, CENAB-OP-RMN, 2 Hopkins Plaza, Baltimore, Maryland 21201, 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 and the manner in which the interest may be adversely affected.

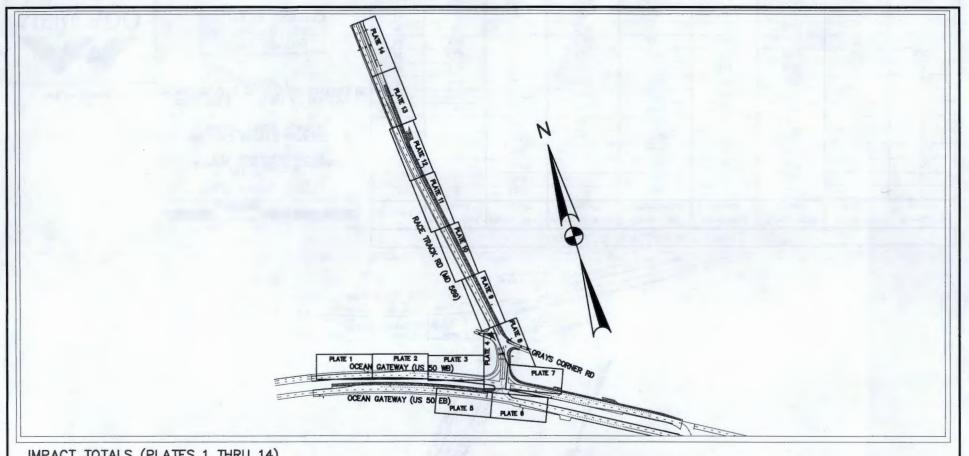
It is requested that you communicate the foregoing information concerning the proposed work to any persons known by you to be interested and not being known to this office, who did not receive a copy of this notice.

FOR THE DISTRICT ENGINEER:

JOSEPH P. DAVIA

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Chief, Maryland Section Northern



IMPACT TOTALS (PLATES 1 THRU 14)

TEMPORARY

PERMANENT

WUS (LF / SF)

86 / 630

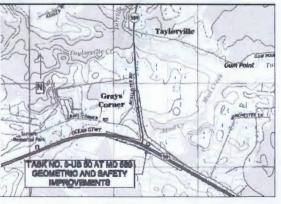
57 / 680

WETLANDS (SF)

28,960(MDE) 3,940(ACOE)

3,663(MDE) 28,683(ACOE)





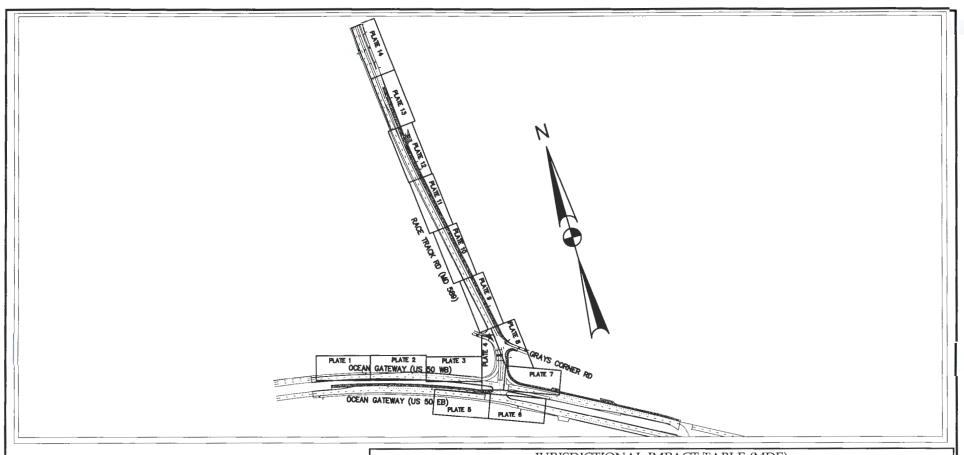
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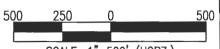
STATE OF MARYLAND
MARYLAND DEPARTMENT OF ENVIRONMENT
STATE HIGHWAY ADMINISTRATION

WETLAND BUFFER IMPACTS, INDEX MAP PLATE

TASK NO.3 - US 50 AT MD 589 GEOMETRIC AND SAFETY IMPROVEMENTS DISTRICT 1

DATE 04/30/2018





SCALE: 1"=500' (HORZ.)

STATE OF MARYLAND
MARYLAND DEPARTMENT OF ENVIRONMENT
STATE HIGHWAY ADMINISTRATION

WETLAND BUFFER IMPACTS, IMPACT TABLE PLATE

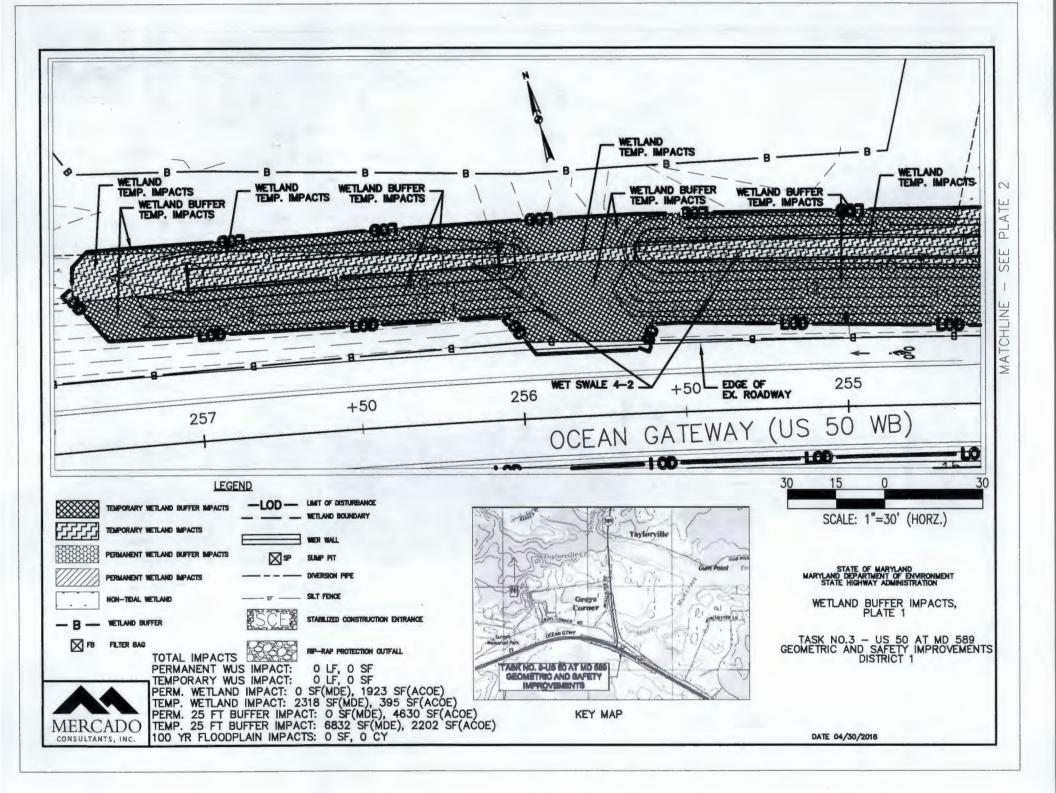
DATE 04/30/2018

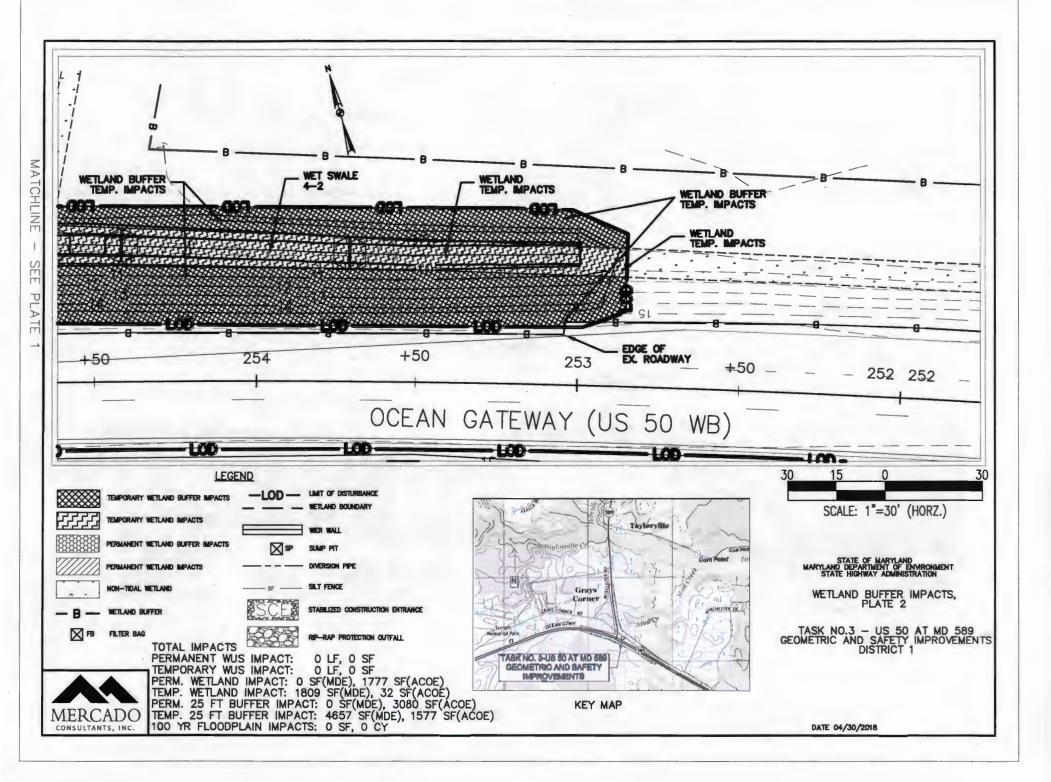
TASK NO.3 - US 50 AT MD 589 GEOMETRIC AND SAFETY IMPROVEMENTS DISTRICT 1

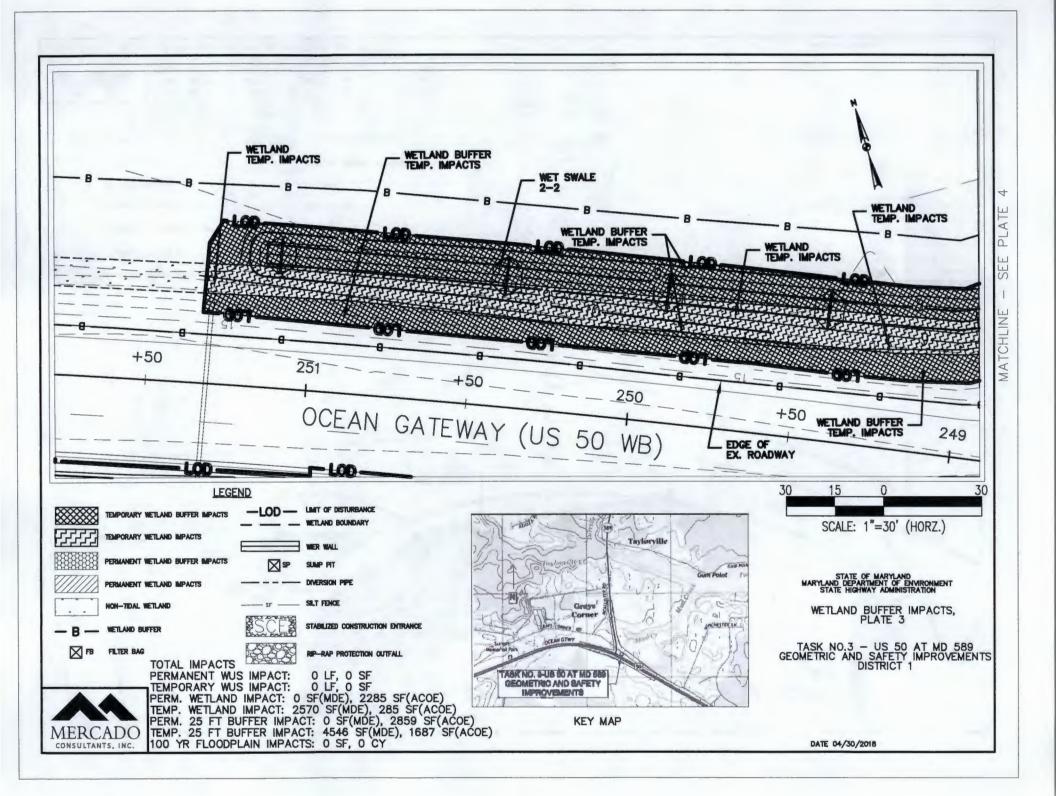
CI	ASSIFICATION GUIDE
PFO	PALUSTRINE FORESTED
PEM	PALUSTRINE EMERGENT

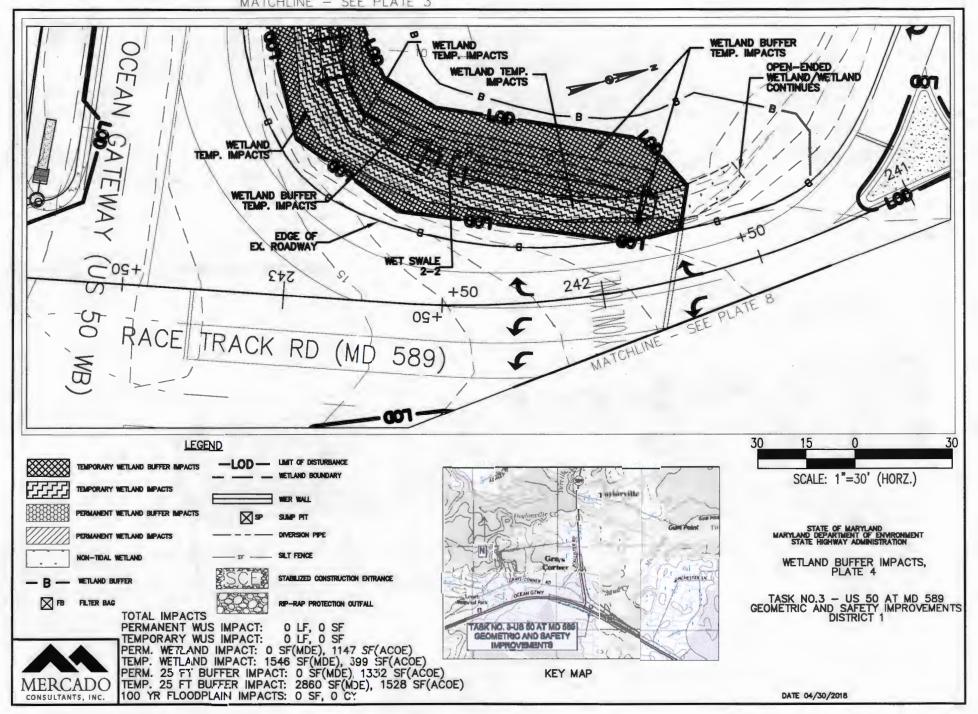
JURISDICTIONAL IMPACT TABLE (MDE)										
Diese #	Perm. "Wet"	Temp. "Wet"	Perm. 25' Buffer	Temp. 25'	Perm. PEM	Temp. PEM	Perm. PFO	Temp. PFO		
Plate #	Impact	Impact	Impact	Buffer Impact	Impact	Impact	Impact	Impact		
1	0	2318	0	6832	0	2318	0	0		
2	0	1809	0	4657	0	1809	0	0		
3	0	2570	0	4546	0	2570	0	0		
4	0	1546	0	2860	0	1546	0	0		
5	0	1345	0	3732	0	1345	0	0		
6	0	365	0	1391	0	365	0	0		
7	423	107	3688	1802	423	107	ບົ	0		
8	335	703	1844	2200	335	703	P	0		
9	844	3425	3072	2314	€44	3425	0	0		
10	713	3355	3717	4373	713	3355	0_	0		
11	1156	6379	4665	4287	329	5056	827	1323		
12	136	1322	3304	41.03	136	1322	0	0		
13	56	3694	2988	2832	56	3694	0	0		
14	0	22	0	1055	0	22	0	0		
Total (sq.ft)	3663	28960	23278	47049	2836	27637	827	1323		

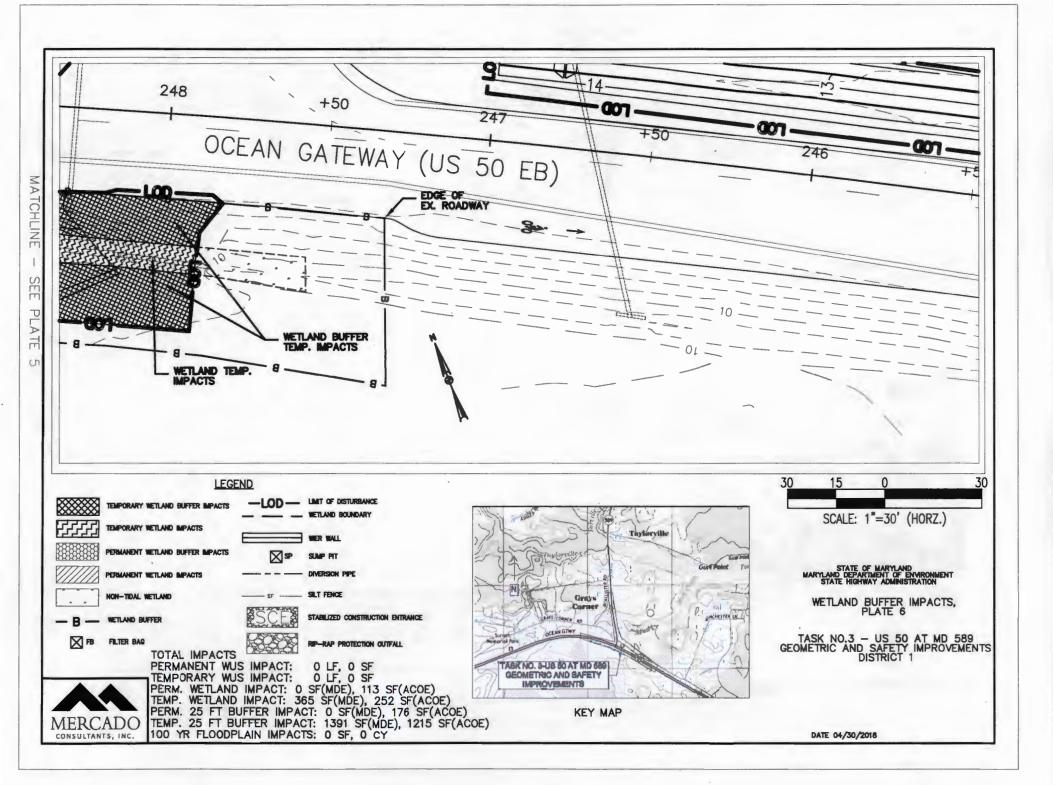
MERCADO CONSULTANTS, INC.

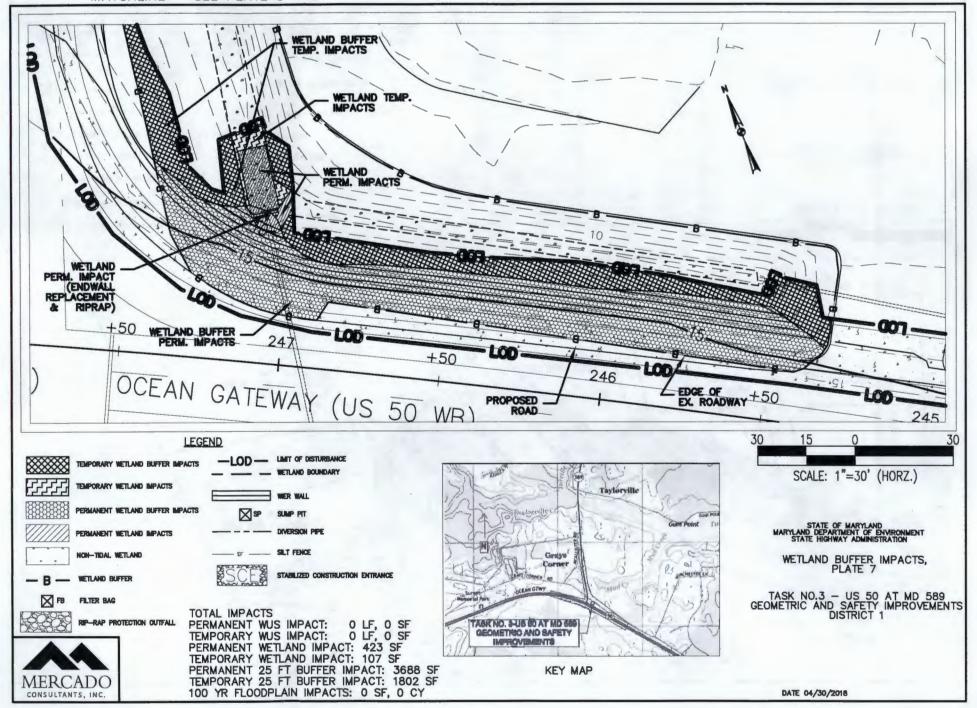


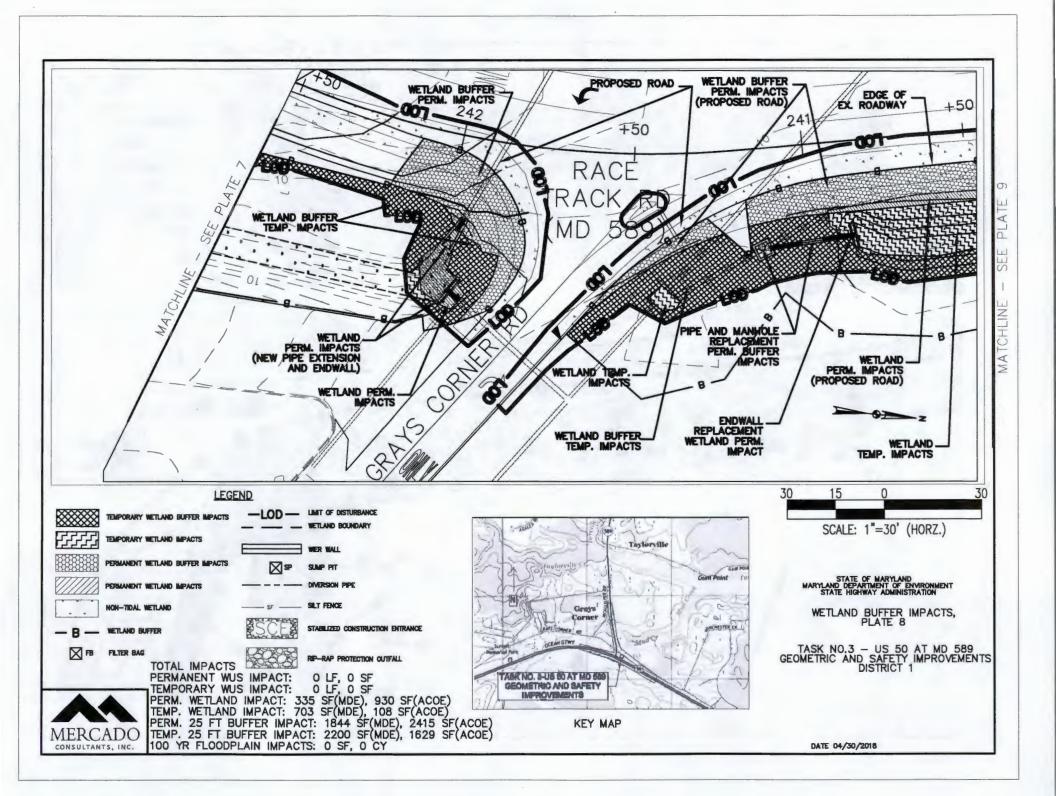












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