

PN 18-58

U.S. Army Corps of Engineers Baltimore District

Public Notice

In Reply to Application Number NAB-2018-60041-M04(BA DPW/Orems Sewershed Crossroads Sewer Rehab.)

Comment Period: October 29, 2018 to November 12, 2018

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FORM THE PUBLIC REGARDING THE WORK DESCRIBED BELOW. NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED AT THIS TIME.

This 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: Baltimore County Department of Public Works 111 W. Chesapeake Avenue Towson, Maryland 21204 ATTN: Steven A. Walsh, P.E., Director

WATERWAY AND LOCATION OF THE PROPOSED WORK: In Saltpeter Creek and adjacent non-tidal wetlands between MD 43 (on the east side approximately 0.5 mile from the intersection of MD 150 and MD 43) and Bengies Road, Middle River, Baltimore County, Maryland.

PROPOSED WORK AND PURPOSE: The project purpose is to rehabilitate the Orems Sewershed in accordance with a Consent Decree Baltimore County entered into with the U.S. Environmental Protection Agency, the Maryland Department of the Environment, and the Department of Justice. The pipe repair work includes trenchless pipe repair, placement of cured-in-place (CIPP) lining, and rehabilitating sewer manholes. The portion of the project that impacts waters of the U.S., including jurisdictional wetlands, is regulated by the Corps and includes construction of a temporary access road and placement of timber mats through wetlands, and select manhole restoration. The regulated work will temporarily impact 57,167 square feet (sq. ft.) of forested, non-tidal wetlands, and 13,603 sq. ft. of scrub-shrub non-tidal wetlands.

Since impacts are all temporary and have been avoided or minimized where possible, mitigation is not required. The limit-of-disturbance has been reduced from 50 feet to 30 feet wide. All access roads are to be removed. The temporary access road goes through a portion of a mitigation site planted on Bengies Road by Baltimore Crossroads. This is to be replanted with 497 native shrubs and 24 native trees, as well as seeded with MAA-approved seed mix.

All work will be completed in accordance with the enclosed plan(s). If you have any questions concerning this matter, please contact **Abbie Hopkins @ 410.962.6080/** <u>abbie.hopkins@usace.army.mil</u> / Corps of Engineers, Baltimore District, Regulatory Branch, 2 Hopkins Plaza, Baltimore, MD 21201. The decision whether to issue a permit will be based on an evaluation of the probable impacts, 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 reasonable 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, economic, 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, mineral needs, and consideration of property ownership 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 provided will become part of the public record for this action. 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, (CENAB-OP'R-M; 2 Hopkins Plaza; Baltimore, MD 21201 or e-mail at abbie.hopkins@usace.army .mil) 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 21230-1708 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.

COASTAL ZONE MANAGEMENT PROGRAMS: Where applicable, the applicant has certified in this application that the proposed activity complies with and will be conducted in a manner consistent with the approved Coastal Zone Management (CZM) Program. By this public notice, we are requesting the State concurrence or objection to the applicant's consistency statement. It should be noted that the CZM Program has a statutory limit of 6 months to make its consistency determination.

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 Federal 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 request permit.

The evaluation of the impact of this project 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.

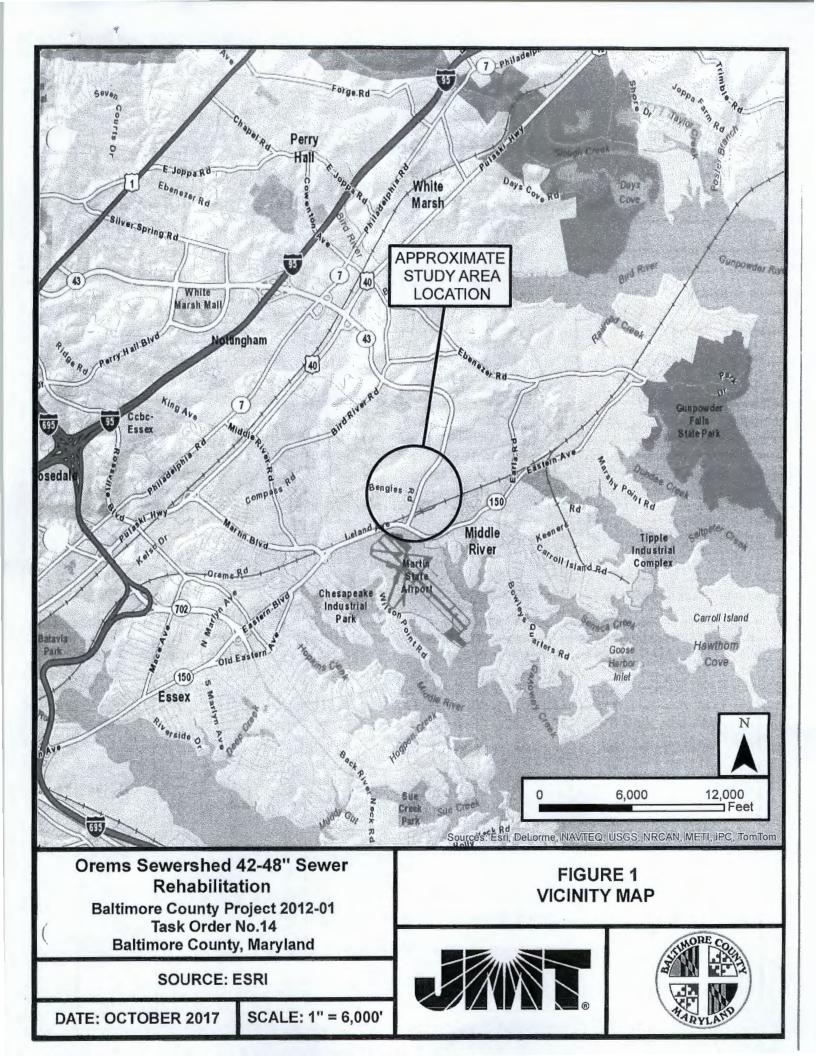
Any person who has an interest which may be adversely affected by the issuance of this permit may request a public hearing. The request, which must be in writing, must be received by the District Engineer, U.S. Army Corps of Engineers, Baltimore District, **(Corps of Engineers, Baltimore District, Regulatory Branch, 2 Hopkins Plaza, Baltimore, MD 21201)**, 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.

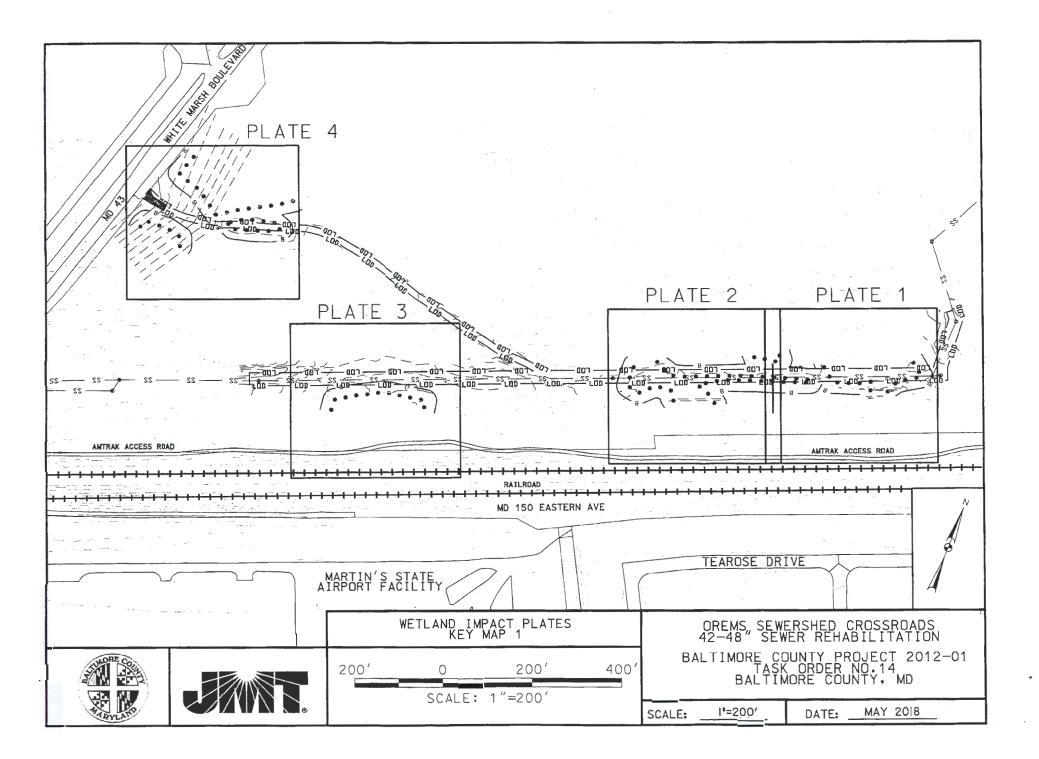
It is requested that you communicate this information concerning the proposed work to any persons know by you to be interested and not being known to this office, who did not receive a copy of this notice.

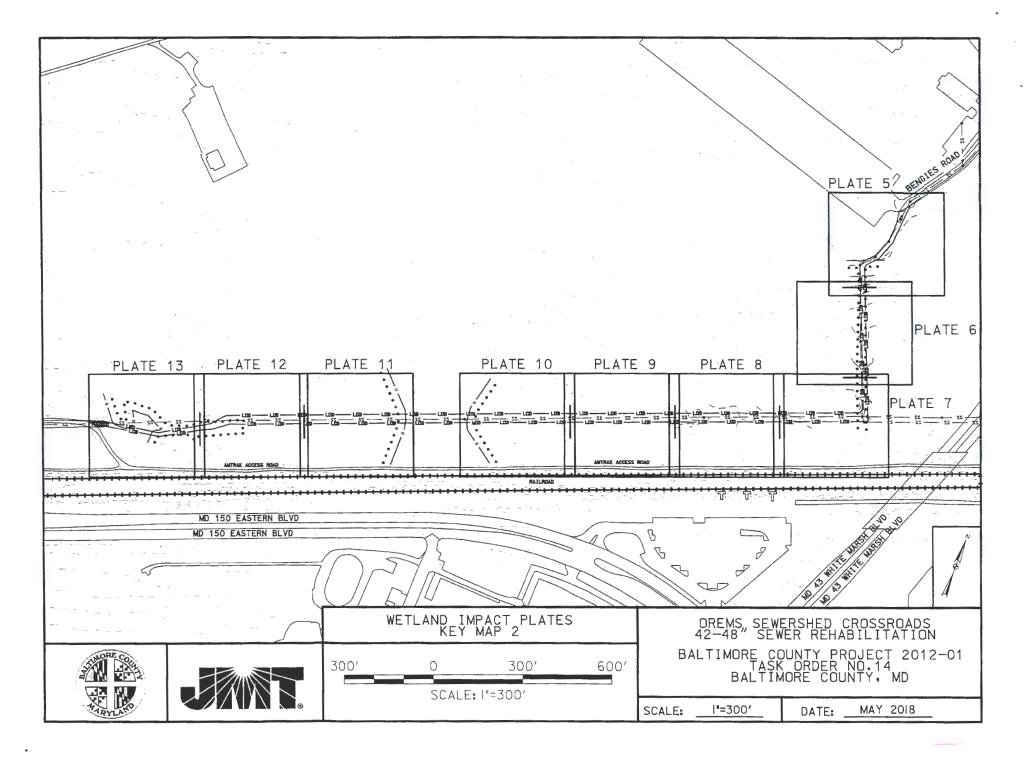
FOR THE DISTRICT ENGINEER:

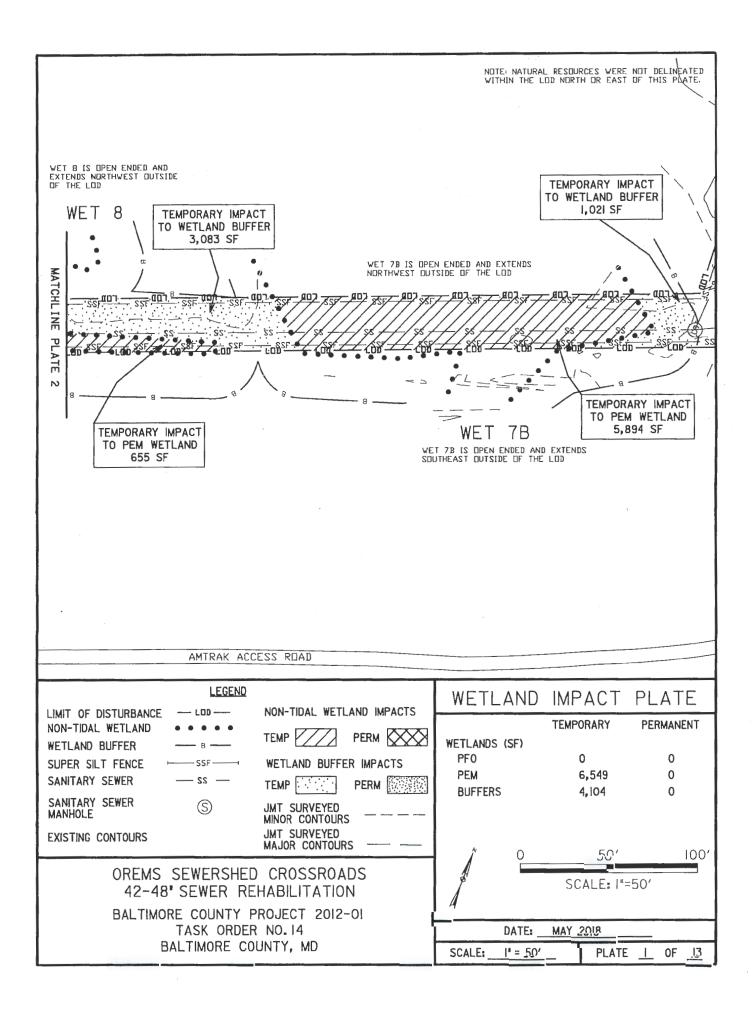
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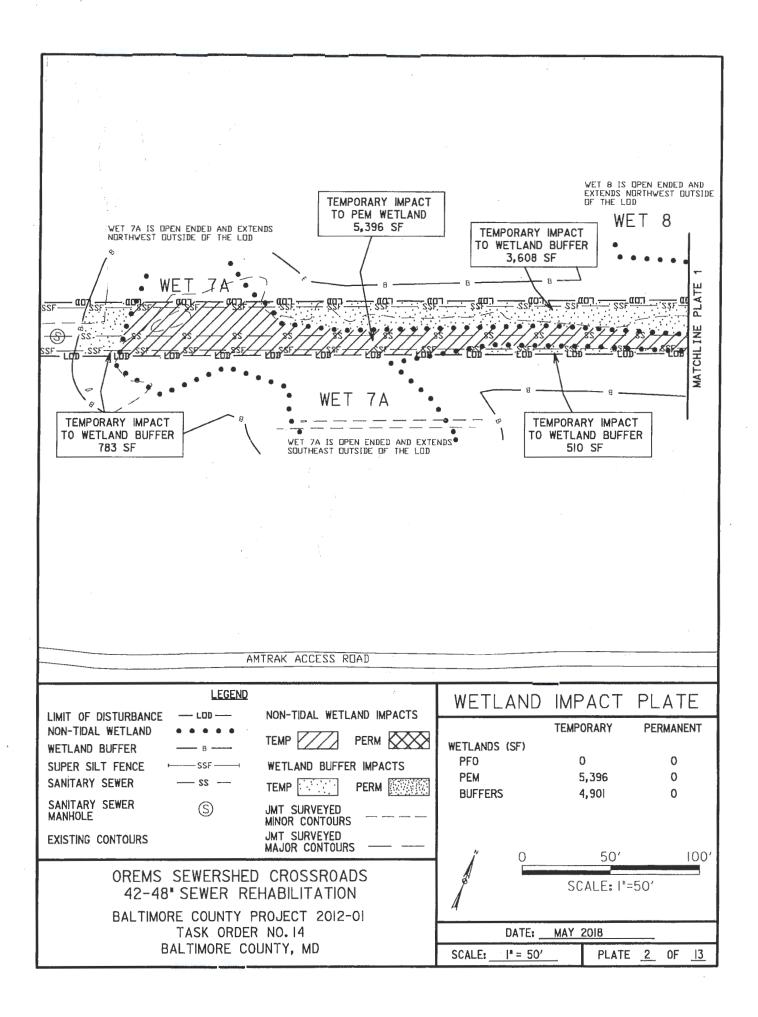
Joseph P. DaVia Chief, Maryland Section Northern

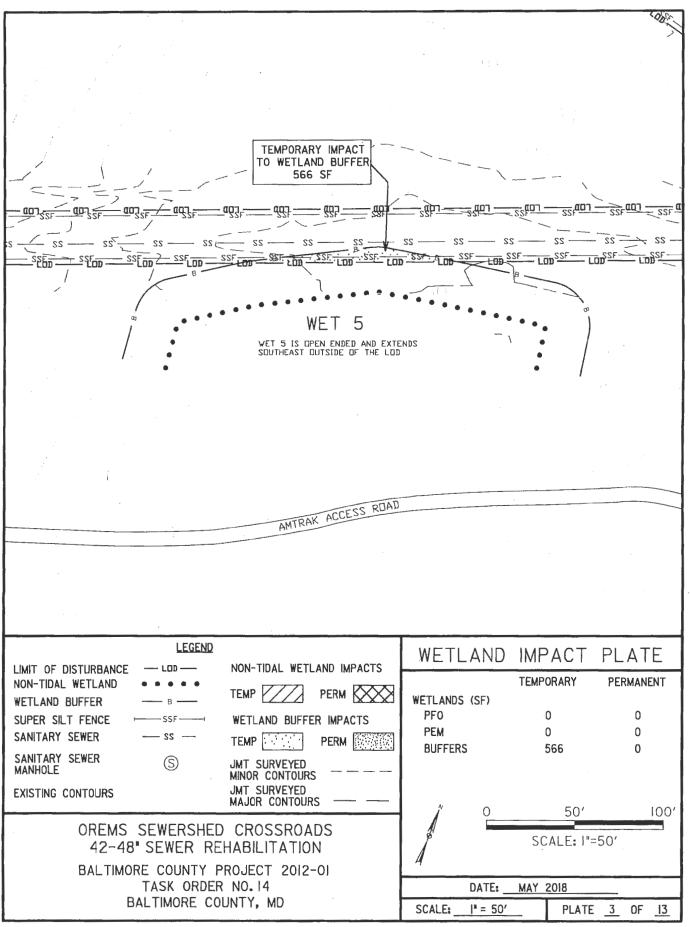




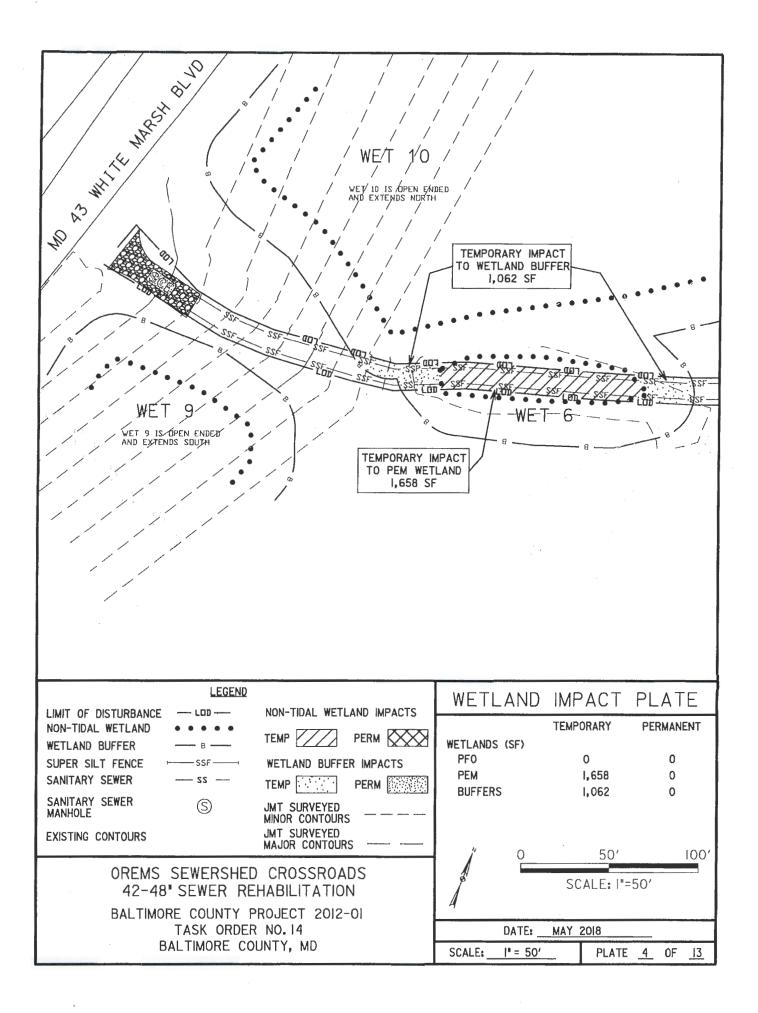


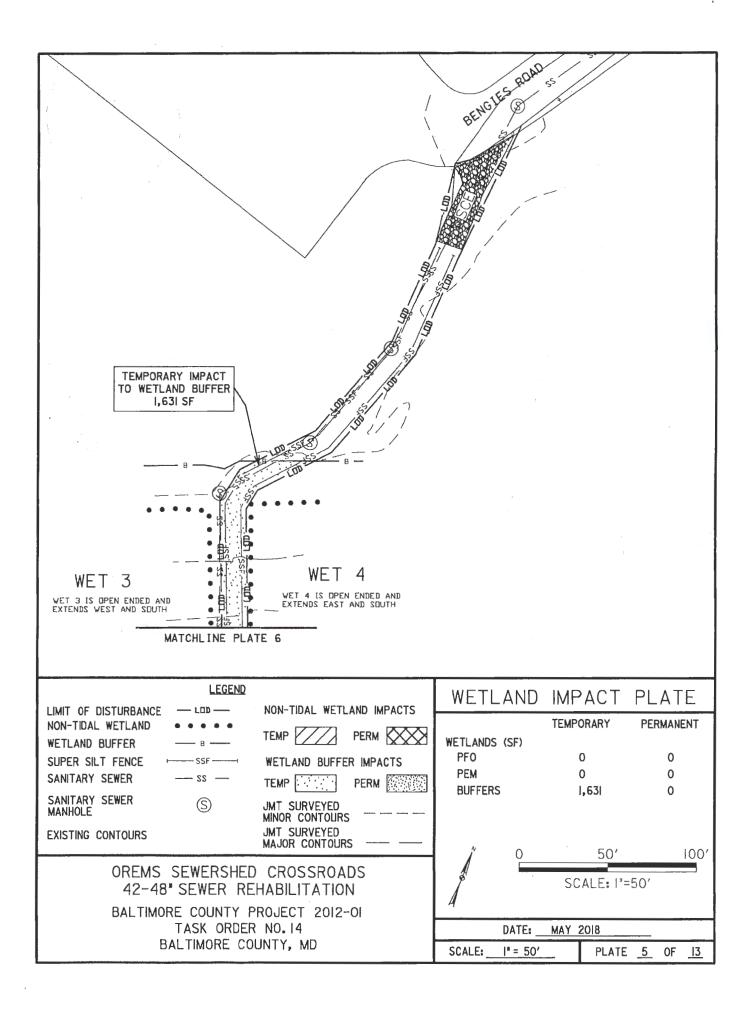


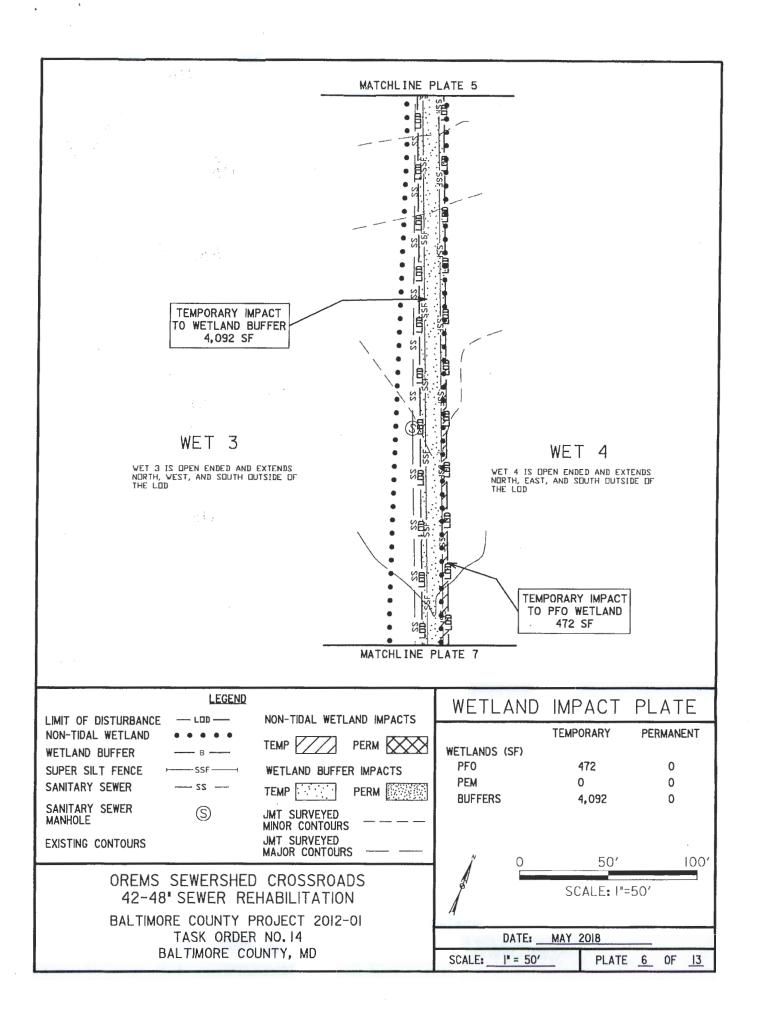


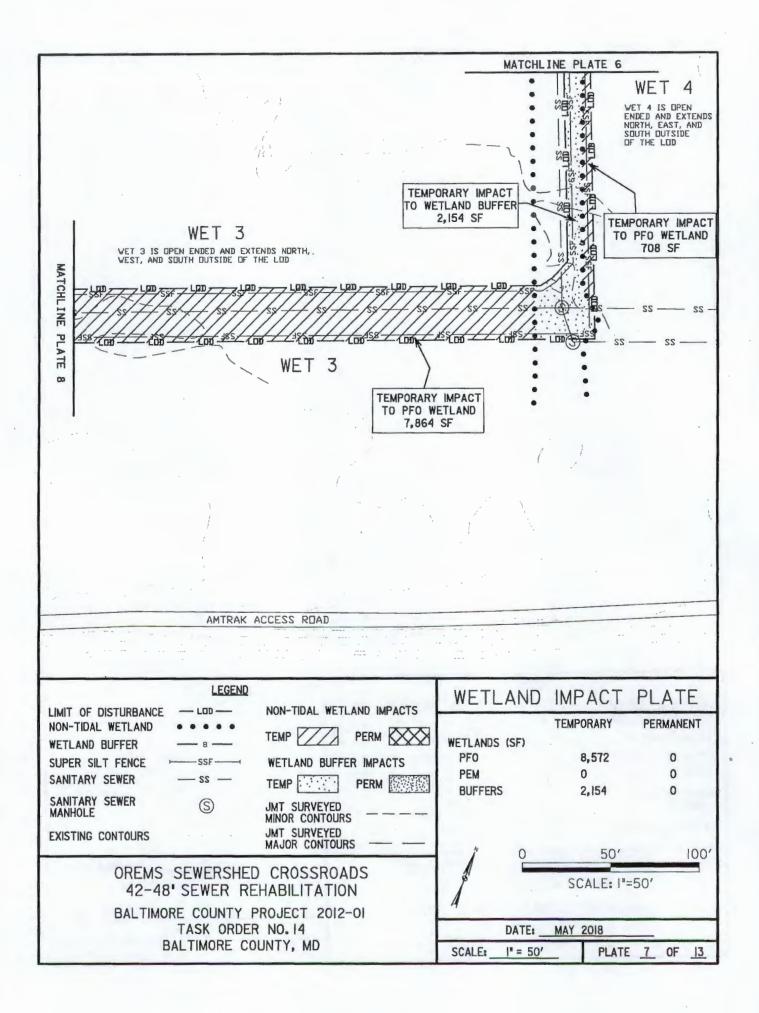


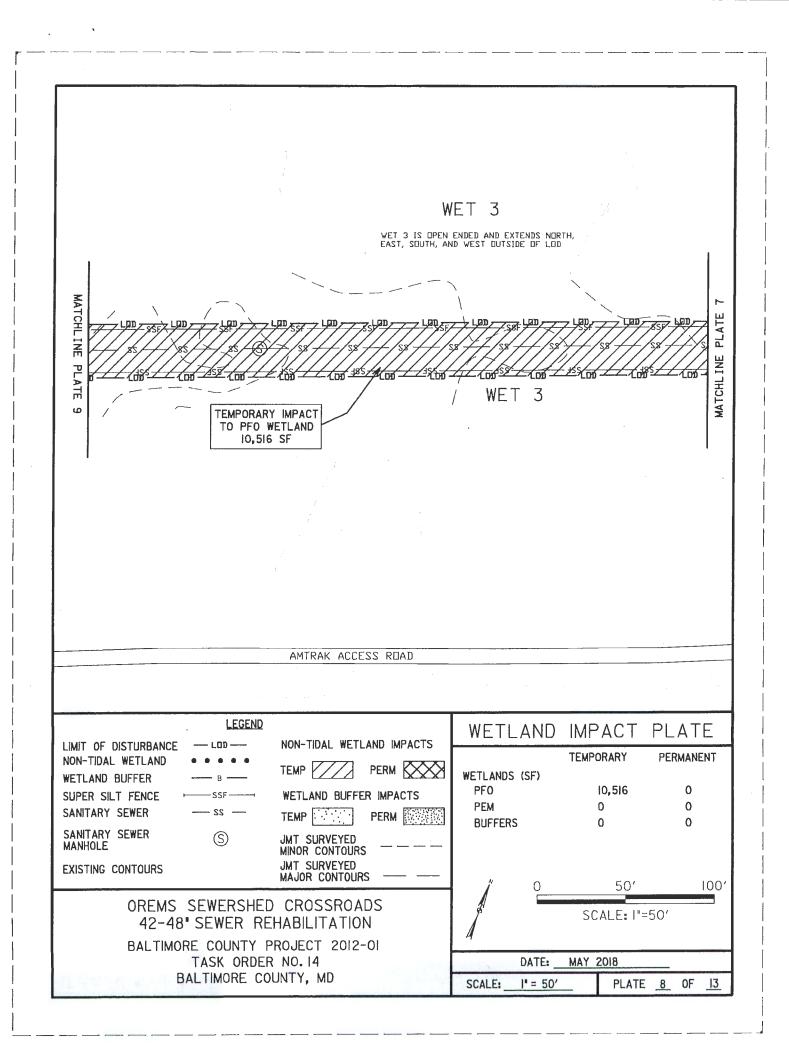
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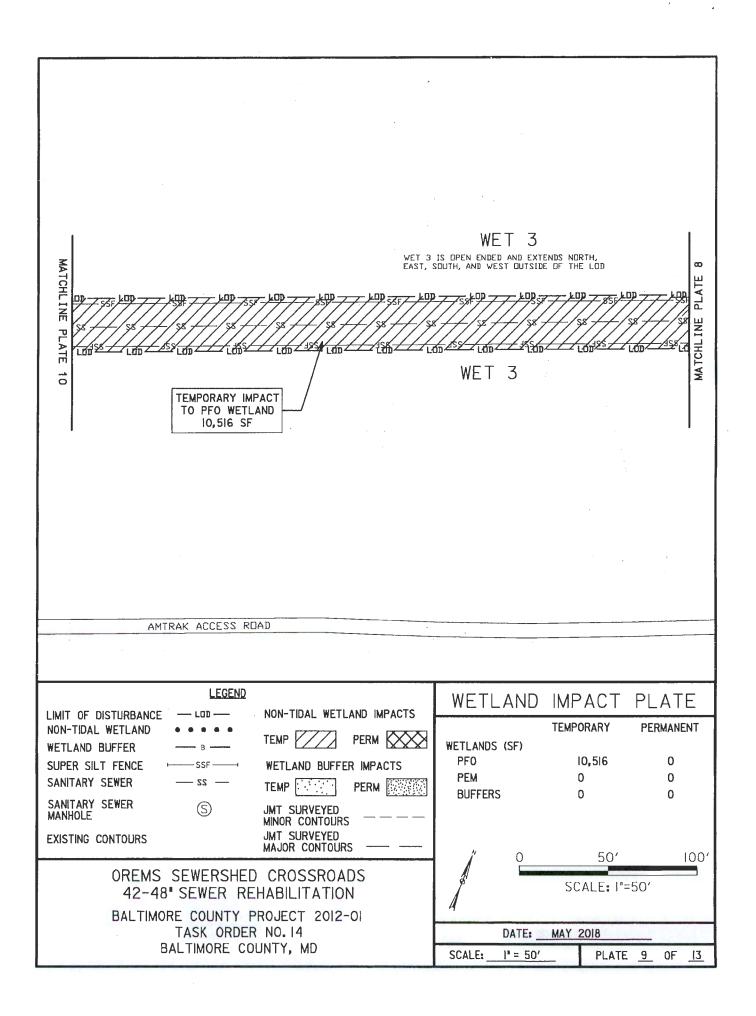


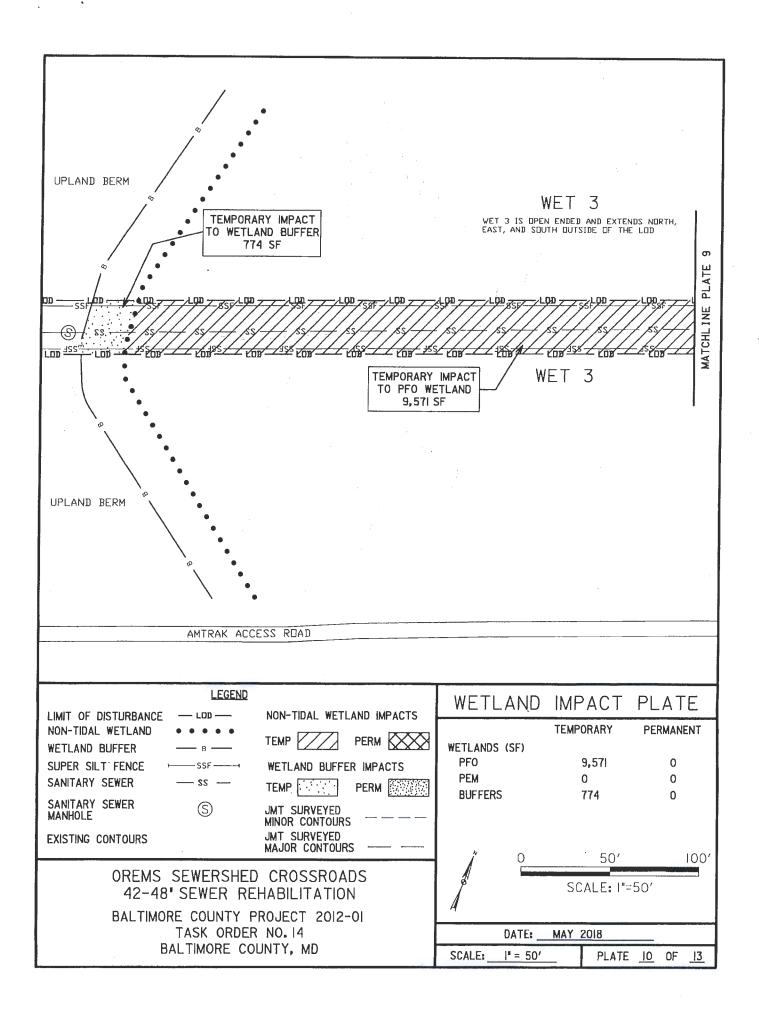


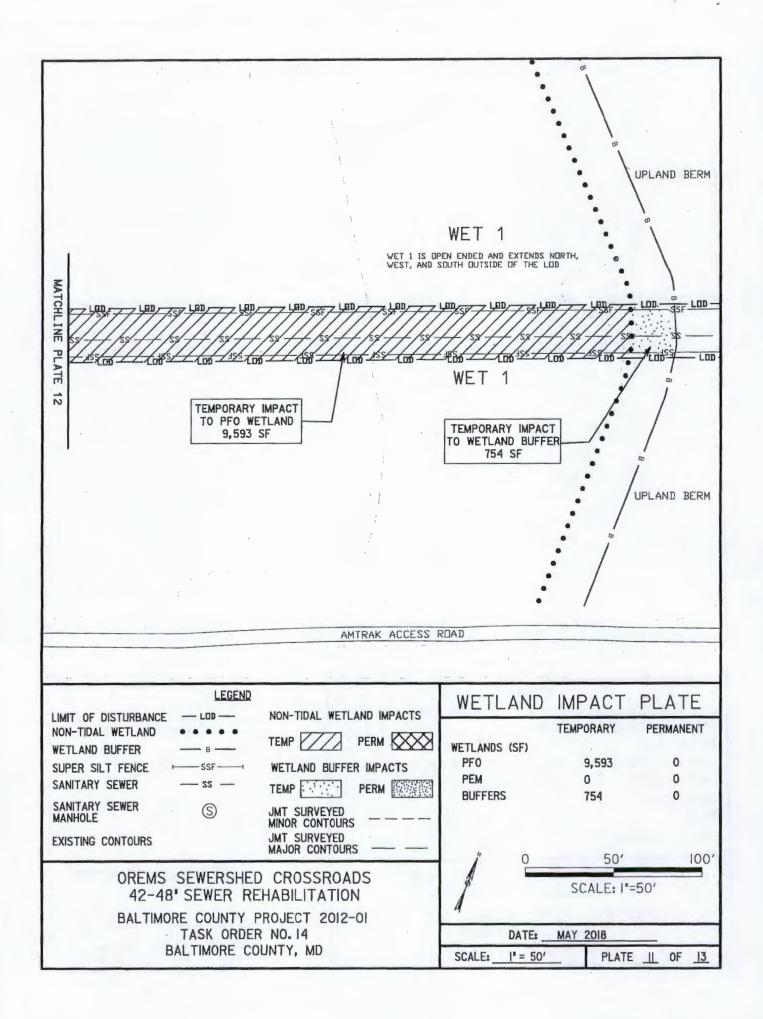


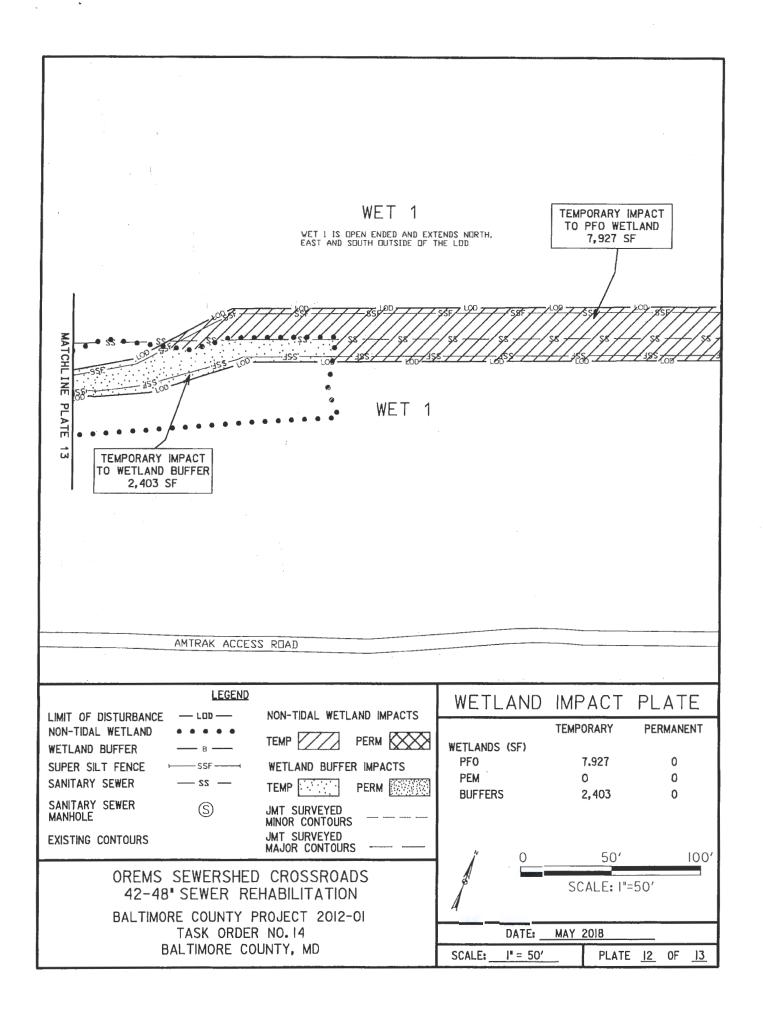


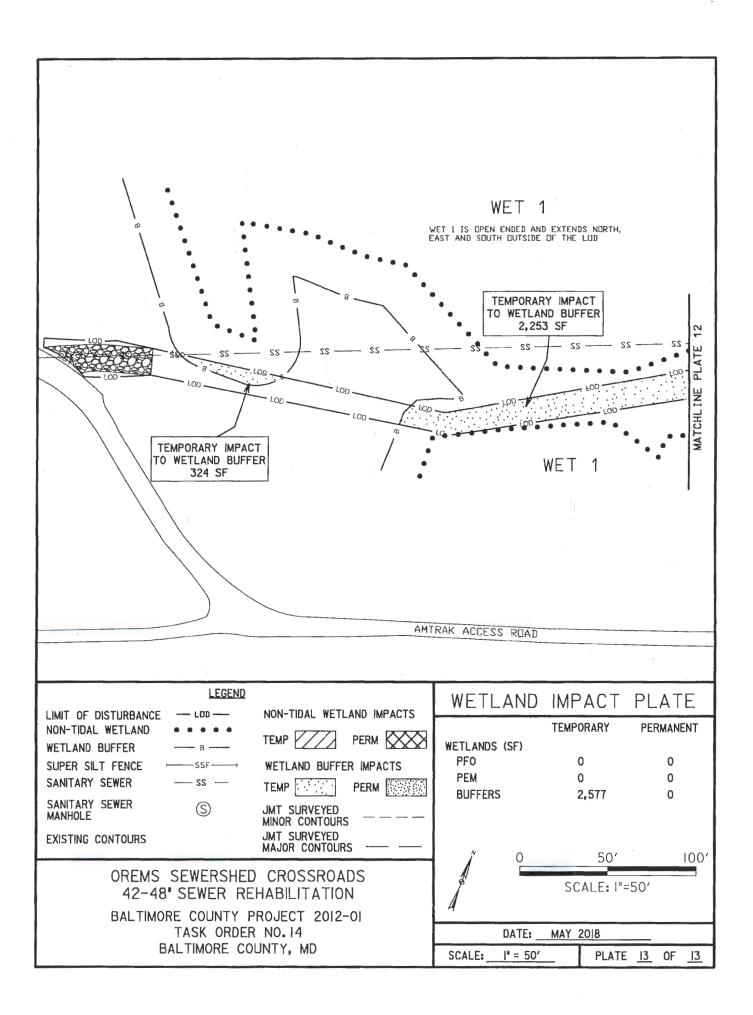












Orems Sewershed Crossroads 42-48" Sewer Rehabilitation Impact Summary Table										
Impact Sheet Number	Non-Tidal Wetlands (SF)				Wetland Buffers (SF)		Waters of the U.S. Perennial, Intermittent, Ephemeral		100-YR Floodplain	
	Репп		Temp		Doom	Tama	Darm	Tama	2	
	PFO	PEM	PFO	PEM	Perm	Temp	Perm	Temp	Perm	Temp
1	0	0	0	6,549	0	4,104	0/0	0/0	0	0
2	0	0	0	5,396	0	4,901	0/0	0/0	0	0
3	0	0	0	0	0	566	0/0	0/0	0	0
4	0	0	0	1,658	0	1,062	0/0	0/0	0	0
5	0	0	0	0	0	1,631	0/0	0/0	0	0
6	0	0	472	0	0	4,092	0/0	0/0	0	0
7	0	0	8,572	0	0	2,154	0/0	0/0	0	0
8	0	0	10,516	0	0	0	0/0	0/0	0	0
9	0	0	10,516	0	0	0	0/0	0/0	0	0
10	0	0	9,571	0	0	774	0/0	0/0	0	0
11	0	0	9,593	0	0	754	0/0	0/0	0	0
12	0	0	7,927	0	0	2,403	0/0	0/0	0	0 .
13	0	0	0	0	0	2,577	0/0	0/0	0	0
Total	0	G	57,167	13,603	- 0	25,018	0/0	0/0	0	0
Grand Total	0		70	,770		23,018				U