

U.S. Army Corps
of Engineers
Baltimore District

Public Notice

In Reply to Application Numbers:



Maryland Department of
the Environment

CORPS: CENAB-OP-RMN (Mid County Corridor Study) 2007-07102-M15
MDE Nontidal Wetlands and Waterways: 13-NT-3162/201360802/AI No. 140416

PN# 13-37

COMMENT PERIOD: June 21, 2013 through August 21, 2013

THE PURPOSE OF THIS JOINT PUBLIC NOTICE IS TO ANNOUNCE THE SCHEDULING OF A JOINT U.S. ARMY CORPS OF ENGINEERS, BALTIMORE DISTRICT, AND MARYLAND DEPARTMENT OF THE ENVIRONMENT PUBLIC HEARING, AND TO SOLICIT COMMENTS FROM THE PUBLIC ABOUT THE WORK DESCRIBED BELOW. AT THIS TIME, NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT PERMITS WILL BE ISSUED. THE PUBLIC HEARING WILL BE HELD AT THE FOLLOWING TIME AND LOCATION:

WEDNESDAY, AUGUST 07, 2013

Seneca Valley High School

19401 Crystal Rock Drive

Germantown, MD 20847

301-353-8000

4:30 pm-6:30 pm Poster Session

6:30 pm-10:30 pm Public Hearing

The US Army Corps of Engineers, Baltimore District (COE) and the Maryland Department of the Environment (MDE) joint public hearing will provide members of the public the opportunity to present views, opinions, and information which will be considered by the COE and MDE in evaluating the permit application. The purpose of the hearing is for the COE and MDE to receive oral or written comments that will enable them to evaluate the impacts of the proposed project on the public interest. All interested parties, including representatives of Federal, State, and local governments and private individuals and organizations, are invited to be present or to be represented. Each will be given an opportunity to express their views regarding the proposed project.

Prior to the public hearing, from 4:30 pm to 6:30 pm, a poster session will be held in the Seneca Valley High School cafeteria where the public will have an opportunity to review exhibits and information summarizing the findings of the Montgomery County's Department of Transportation (MC DOT) Draft Environmental Effects Report (EER), and to ask general questions of MC DOT and their representatives. Representatives from the COE and MDE will also be available during the poster session. Beginning at 6:30 pm, the formal public hearing will begin in the Seneca Valley High School auditorium with agency statements, followed by a brief project overview by MCDOT, followed by public testimony. Please note that a time limit of *three minutes per speaker* may be set, depending on the number of speakers, to ensure that all interested parties have an opportunity to voice their views. Individuals and representatives of organizations who wish to testify will be called in the order they have registered. The joint public hearing will be recorded and transcribed.

Anyone who is hearing impaired and/or is non-English speaking; who wishes to attend the public hearing should notify Mr. Jack Dinne at 410-962-6005 or in writing to his address below. All requests for an oral, sign language, or non-English language interpreter must be received by **July 19, 2013**. To the extent possible and feasible, an interpreter will be provided.

The COE and MDE have received and are evaluating a joint permit application as described below for Department of the Army authorization pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344) and State authorization pursuant to Title 5, Subtitle 5 (Waterway Construction) and Title 5, Subtitle 9 (Nontidal Wetlands) of the Environment Article, Annotated Code of Maryland.

APPLICANT: Montgomery County Department of Transportation
Attn: Mr. Greg Hwang
100 Edison Park Drive, 4th Floor
Gaithersburg, Maryland 20878

PURPOSE: The purpose of the Midcounty Corridor Study (MCS) is to develop transportation improvements in Montgomery County east of I-270 between Clarksburg and Gaithersburg. These improvements will:

Relieve projected congestion on roadway facilities between Clarksburg and Gaithersburg, east of I-270;
Provide a north-south corridor which improves the safety and efficiency of short and moderate length trips in the study area;
Improve vehicular, pedestrian, and bicycle access to residential, commercial, and employment destinations in Clarksburg and in the eastern areas of Gaithersburg and Germantown; and
Be implemented in an environmentally sensitive manner using measures to avoid, minimize, and mitigate impacts.

LOCATION: The Midcounty Corridor Study area is bounded by I-270 on the west, I-370 and the Intercountry connector (MD 200) on the south, Snouffer School Road and Wightman Road on the east and Snowden Parkway on the north. Alternatives examined within the project study area cross Great Seneca Creek and its tributaries including Cabin Branch, Walkers Run, and Whetstone Run.

WORK: For the Midcounty Corridor Study, MCDOT has studied six alternatives, including a no-build alternative, and three northern terminus options. All the build alternatives include the following design elements: a design speed of 40 miles per hour; a divided highway with a minimum of four through lanes; a five-foot wide sidewalk and ten-foot wide shared use path; and on-road bicycle facilities (where recommended in the Countywide Bikeway Network Concept Plan). The six alternatives retained for detailed study are:

Alternative 1-No-Build. The No-Build alternative serves as a baseline condition for comparison of the other (build) alternatives. The No-Build alternative assumes that all programmed transportation improvements within the study area are completed by the year 2030 except for the extension of the Midcounty Highway.

Alternative 2-Transportation System Management/Travel Demand Management (TSM/TDM). TSM/TDM improvements, low cost intersection improvements that could be constructed within the existing right-of-way, are proposed for 16 intersections in the study area.

Alternative 4 Modified-Brink/Wightman/Snouffer School/Muncaster Mill. Alternative 4 Modified would be a 7.5-mile widening of Ridge Road, Brink Road, Wightman Road, Snouffer School Road, and Muncaster Mill Road. Ridge Road (MD 27) between Snowden Farm Parkway and Brink Road would be widened from a two-lane undivided roadway to a six-lane divided roadway. Between Ridge Road and Shady Grove Road, the existing corridor would widen from four to six-lanes of divided highway (i.e., four lanes north of Montgomery Village Avenue and six lanes south of Montgomery Village Avenue). Existing Midcounty Highway from Goshen Road to Montgomery Village Avenue would be widened from a four-lane divided highway to a six-lane divided highway.

Alternative 5-MD 355 with Service Roads. Alternative 5 is a 6.6 mile route that follows Ridge Road, Frederick Road, Montgomery Village Avenue, and the existing Midcounty Highway. Ridge Road would be widened from a two-lane undivided roadway to a six-lane divided roadway. From Ridge Road to Middlebrook Road, MD 355 would be widened from a four-lane divided highway with auxiliary turning lanes to a six-lane divided highway with auxiliary turning lanes and a service road at some locations. From Middlebrook Road to Montgomery Village Avenue, a service road would be added to MD 355 at some locations. Montgomery Village Avenue between MD 355 and Midcounty Highway would have the existing sidewalk replaced with a shared use path. Existing Midcounty Highway from Montgomery Village Avenue to Goshen Road would be widened from a four-lane divided highway to a six-lane divided highway.

Alternative 8-Master Plan Alignment Truncated at Watkins Mill Road. Alternative 8 would follow the Master Plan alignment from Snowden Farm Parkway to Watkins Mill Road as a four-lane divided highway. Alternative 8 would include one of three Northern Terminus Options described below. Alternative 8 would include intersection improvements along Watkins Mill Road and MD 355. It would widen the existing Midcounty Highway to a six-lane highway between Goshen Road and Montgomery Village Avenue, and widen Middlebrook Road to a four-lane divided highway from Midcounty Highway to MD 355.

Alternative 9-Master Plan Alignment. Alternative 9 is a 5.7 mile route that would follow the Master Plan alignment from Snowden Farm Parkway to Montgomery Village Avenue. Alternative 9 would include one of three Northern Terminus Options described below. From Snowden Farm Parkway to Montgomery Village Avenue, Alternative 9 would be a four-lane divided highway. Alternative 9 would widen the existing Midcounty Highway to a six-lane divided highway between Goshen Road and Montgomery Village Avenue. Middlebrook Road would be widened to a four-lane divided highway from the Midcounty Highway to MD 355.

Northern Terminus Option A. Northern Terminus Option A would be a four-lane divided highway from Ridge Road to Watkins Mill Road. Option A would intersect Brink Road and cross through North Germantown Stream Valley Park, Seneca Crossing Local Park, Dayspring Church Silent Retreat Center, and All-Souls Cemetery.

Northern Terminus Option B. Northern Terminus Option B would cross North Germantown Stream Valley Park. At Brink Road, Option B would follow Brink Road to Ridge Road. Brink Road would be widened to a four-lane divided highway.

Northern Terminus Option D. Northern Terminus Option D would be a four-lane divided highway that shares the same alignment as Option A through North Germantown Stream Valley Park. After crossing Brink Road, Option D would bisect the former Benson-Sibley farm property and the Woodfield Farm property. Option D would cross Wildcat Road and All-Souls Cemetery.

As proposed, Alternatives 8 and 9 would completely avoid wetland and stream impacts at Dayspring Creek and Brandermill tributary using a bridge crossing. Alternatives 8 and 9 would also span both the primary and secondary channels of Seneca Creek. Alternative 9 would cross Whetstone Run north of Watkins Mill Road on a proposed 230-foot bridge.

Impacts to nontidal wetlands and streams from the six alternatives range from 0–0.87 acres of permanent nontidal wetland, 0–1,035 linear feet of permanent perennial/intermittent stream, and 0–247 linear feet of ephemeral stream impact. The alternatives would convert between 0–1.70 acres of forested nontidal wetland to emergent nontidal wetland. Alternative 9 would relocate approximately 746 linear feet of perennial/intermittent stream and 243 linear feet of ephemeral stream. Build alternatives 4 Modified, 5, 8 and 9 would impact between 0.4-4.8 acres of floodplain and 0-0.99 acres of nontidal wetland buffer. All temporary impacts to wetlands and streams would be restored upon completion of the project. A comparison of potential wetland and stream impacts by each alternative is attached. Section 2 of Draft EER provides additional information on the five build alternatives and their potential impacts.

As part of the planning process for the proposed project, steps were taken to avoid and minimize impacts to waters of the United States, including jurisdictional wetlands, to the maximum extent practicable. Additional avoidance and minimization measures may be required as a result of future Corps/MDE actions and determinations including comments received during the Public Notice comment period. Impacts are proposed to be avoided and minimized by bridging, alignment shifts, reducing road cross section width, and use of retaining walls, wherever practicable. Any unavoidable permanent impacts to wetlands and streams would require compensatory mitigation.

The applicant is developing a preliminary mitigation plan based on the needs of the various build alternatives. A stream restoration site has been identified on North Creek, in Great Seneca Park. The site is located north of Watkins Mill Road, upstream of the confluence with Seneca Creek. The proposed stream mitigation would re-grade a segment of channel to create a bank-full bench abutting the stream channel. The project would increase the

frequency of out-of-bank flows and reduce the erosive forces along the streambanks. The bank-full bench would also be planted with native shrub species. A wetland mitigation site along Seneca Creek in Great Seneca Park has also been identified. The proposed wetland mitigation site, SC-21, is located in Great Seneca Park, north of Wightman Road. SC-21 has the potential for the creation of approximately 1.5 acres of palustrine forested nontidal wetlands in the floodplain of Seneca Creek. Final design of the stream and wetland mitigation sites will be developed once a Preferred Alternative is selected by MCDOT.

The Draft EER has been prepared by MC DOT to evaluate the impacts of the project alternatives. The Draft EER is available for viewing on the Montgomery County project website at: www.montgomerycountymd.gov/midcountycorridorstudy and at the following public locations (to maintain accessibility for all persons, this document is not available for check out):

Germantown Public Library 19840 Century Boulevard Germantown, MD 20874 Phone: 240.777.0110	Rockville Memorial Library 21 Maryland Avenue Rockville, MD 20850 Phone: 240.777.0140	Damascus Public Library 9701 Main Street Damascus, MD 20872 Phone: 240.773.9444
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Quince Orchard Public Library 15831 Quince Orchard Road Gaithersburg, MD 20878 Phone: 240.777.0200	Gaithersburg Public Library Interim Branch 701 Russell Ave., Suite D201 Gaithersburg, MD 20877 Phone: 240.773.9490
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Upcounty Regional Service Center 12900 Middlebrook Road, Suite 1000 Germantown, MD 20874 Phone: 240.777.8040	U.S. Army Corps of Engineers, Regulatory Branch 10 South Howard Street Baltimore, MD 21201 (by appointment only) Phone: 410.962.4252
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WRITTEN COMMENTS: To be included in the official record, written comments and information provided by interested parties must be received by the COE and MDE by the closing date of this notice's comment period, **August 21, 2013**, to receive consideration. The mailing addresses for submission of written comments are:

U.S. Army Corps of Engineers
Baltimore District
Attn: Mr. Jack Dinne, CENAB-OP-RMN
P.O. Box 1715
Baltimore, Maryland 21203-1715
e-mail: john.j.dinne@usace.army.mil

Maryland Department of the Environment
Wetlands and Waterways Program
Attn: Mr. Sean McKewen
160 South Water Street
Frostburg, Maryland, 21532
e-mail: sean.mckewen@maryland.gov

If you have any questions concerning this matter, please contact Mr. Jack Dinne, COE at (410) 962-6005 or by email at john.j.dinne@usace.army.mil, and Mr. Sean McKewen, MDE at (301) 689-1493 or by email at sean.mckewen@maryland.gov.

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

Comments are being solicited 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 COE and MDE to determine whether to issue, modify, condition or deny each agency's 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 overall public interest of the proposed activity.

SECTION 401 WATER QUALITY CERTIFICATION: The applicant is required to obtain a Water Quality Certification, (WQC) in accordance with Section 401 of the Clean Water Act from MDE, the Section 401 certifying agency. Any written comments concerning the work described above which relate to the WQC must be received by the Wetlands and Waterways Program, Maryland Department of the Environment, 160 South Water Street, Frostburg, Maryland 21532 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.

The applicant must obtain any other State and local permits/approvals which are required for the proposed activities.

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. However, historic properties that are potentially eligible for listing in the National Register of Historic Place have been identified within the area of various alternatives. Section 8 of the Draft EER provides additional information on historic architectural and archeological resources associated with the various alternatives. Investigation of historic properties and the effect of the alternatives on historic properties will continue to be coordinated with the Maryland Historic Trust. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or destroyed by the work to be accomplished under the requested permits.

It is requested that you communicate this information concerning the proposed work to any persons known by you to be interested, but may not have received a copy of this public notice.



Project Study Area

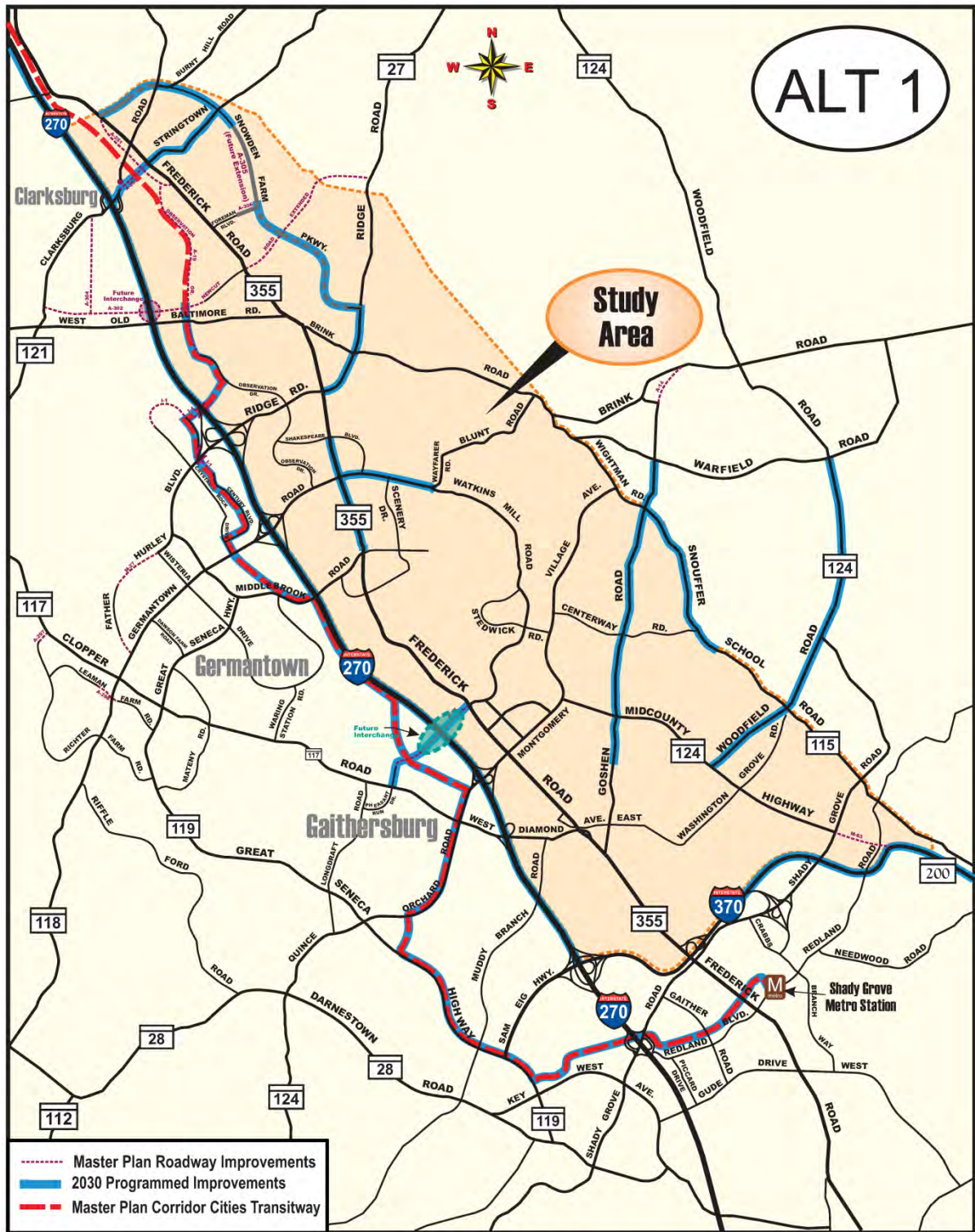


Figure 2-8: Alternative 1 – No Build

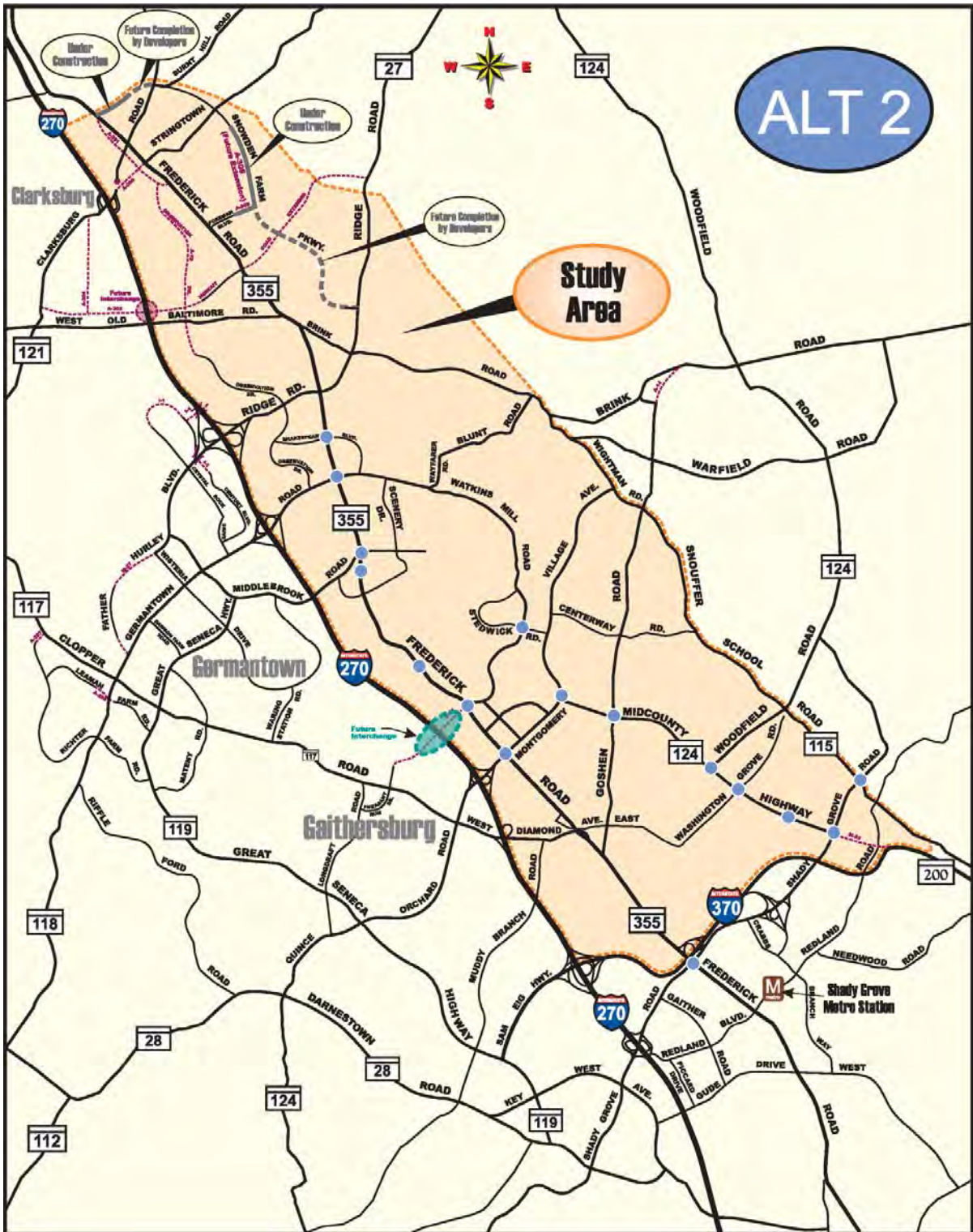


Figure 2-9: Alternative 2–Transportation Systems Management/Travel Demand Management

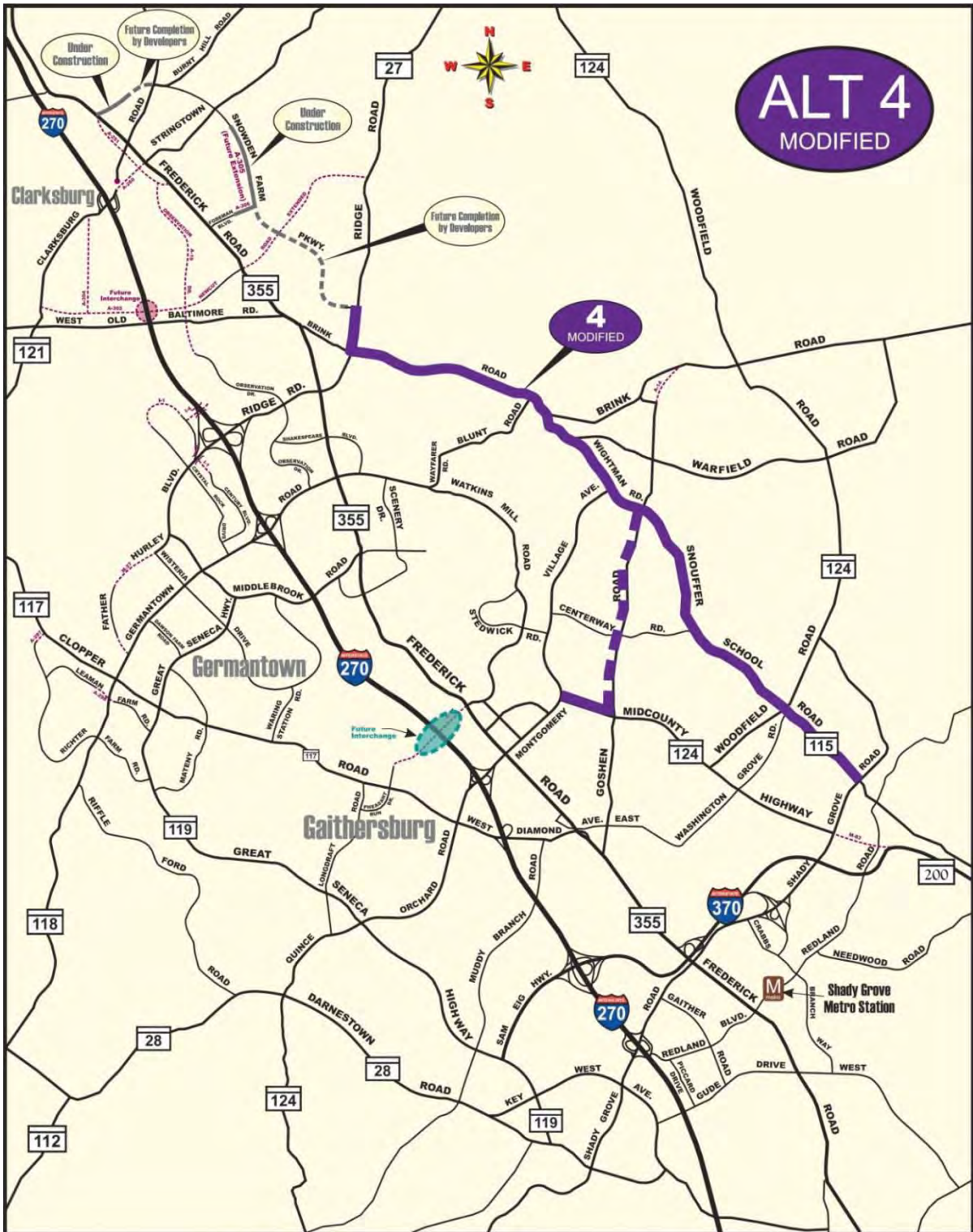


Figure 2-10: Alternative 4 Modified – Brink-Wightman-Snouffer School-Muncaster Mill Roads

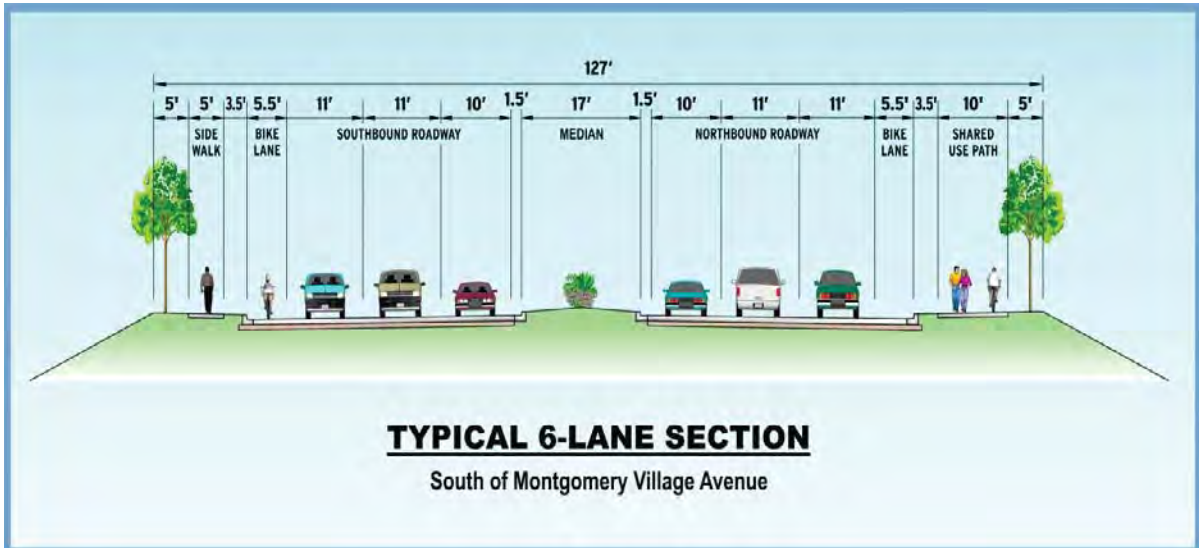
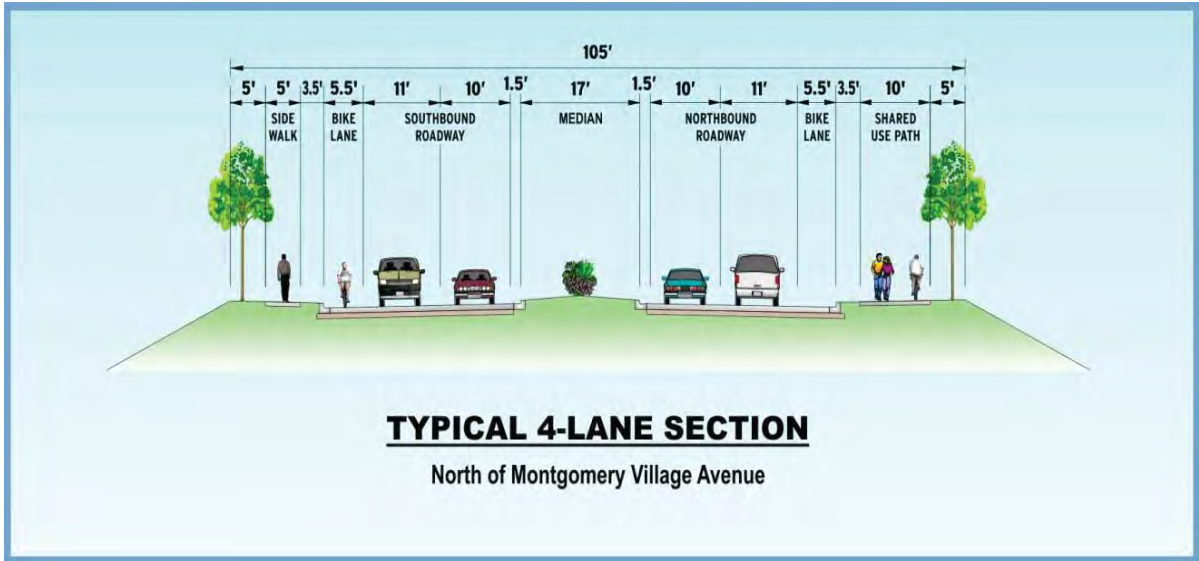


Figure 2-11: Alternative 4 Modified, 4-lane and 6-lane Typical Sections

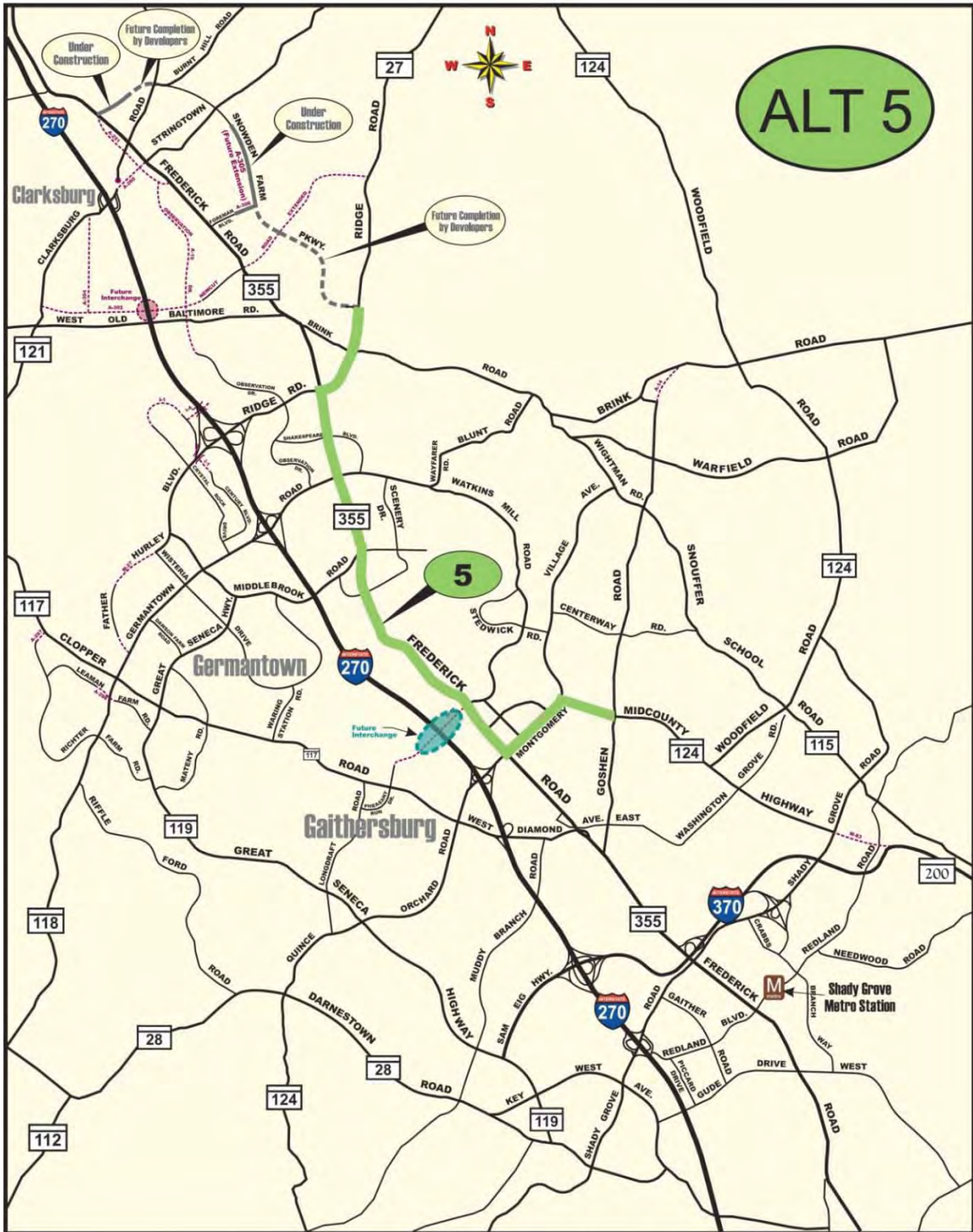


Figure 2-12: Alternative 5 – MD 355 with Service Roads

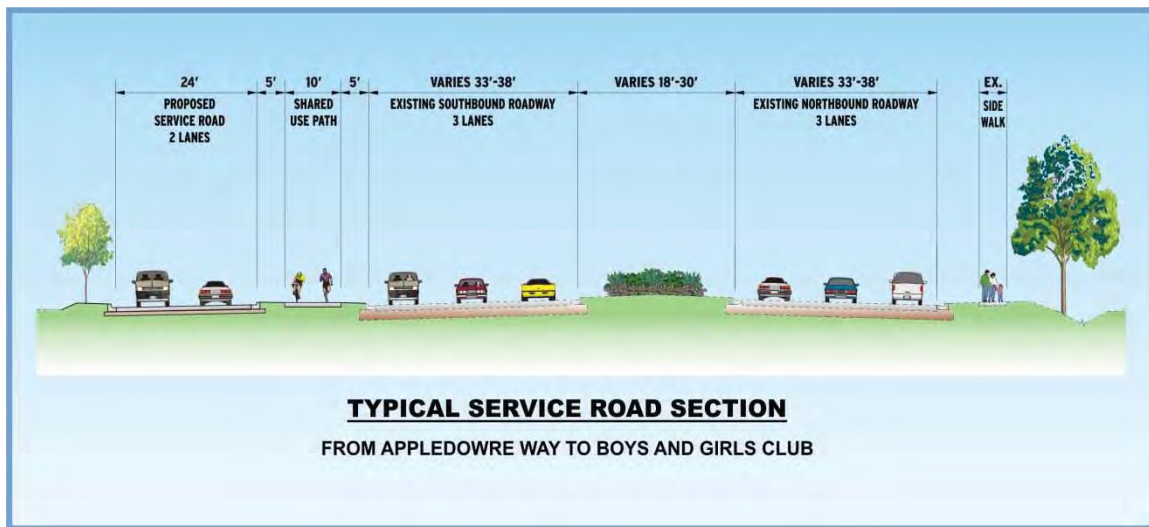
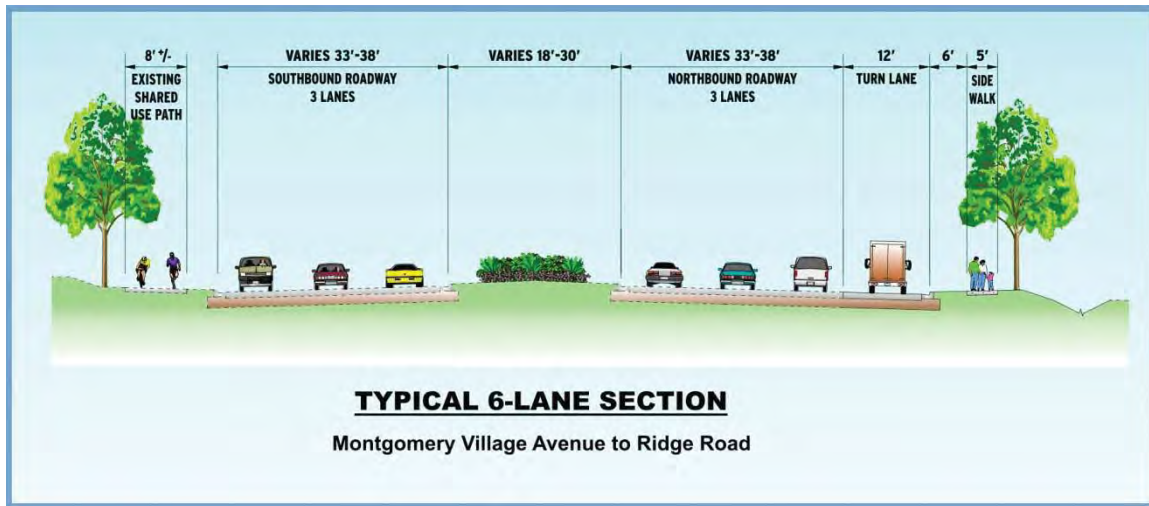


Figure 2-13: Alternative 5, Typical Sections

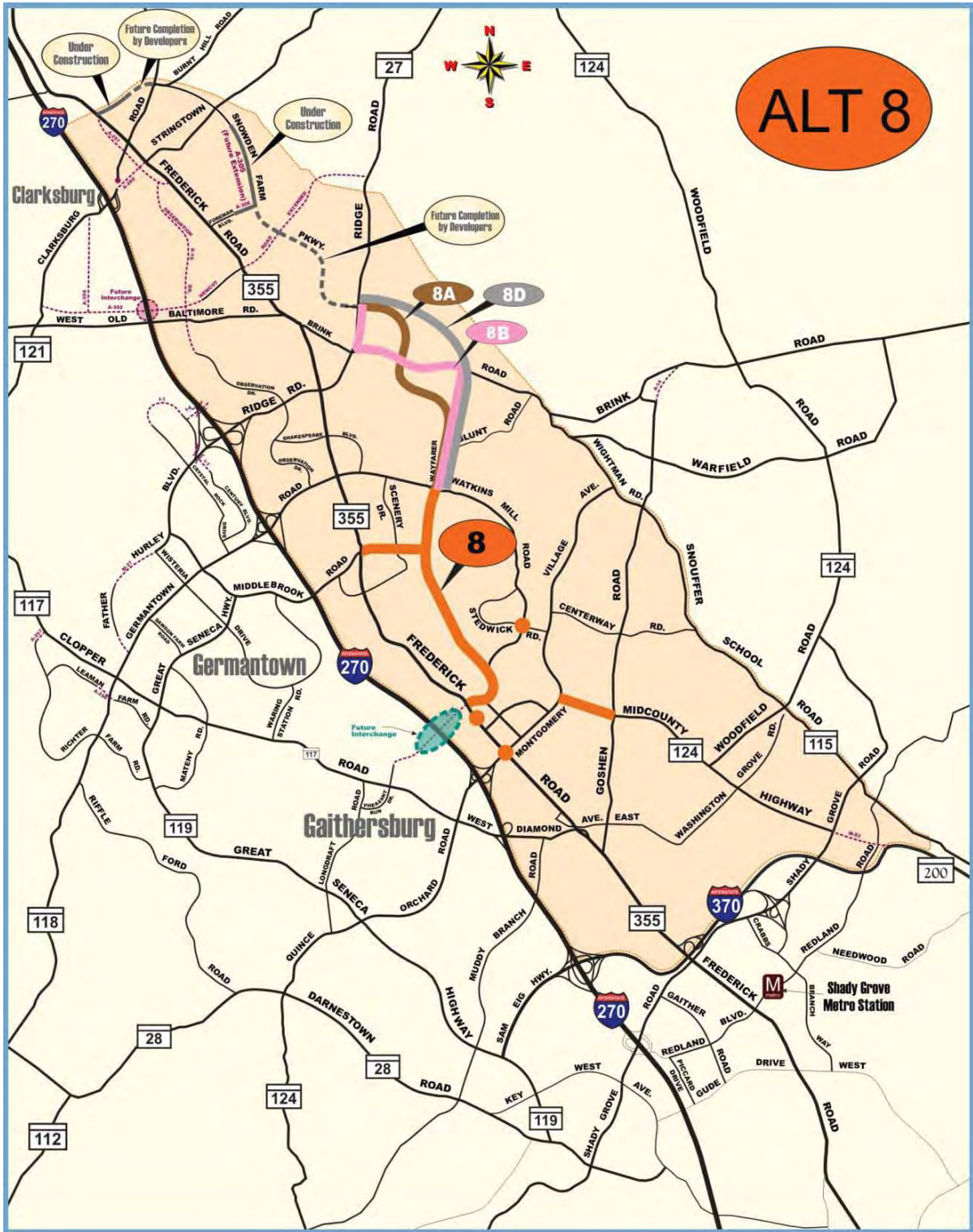


Figure 2-14: Master Plan Alignment Truncated at Watkins Mill Road

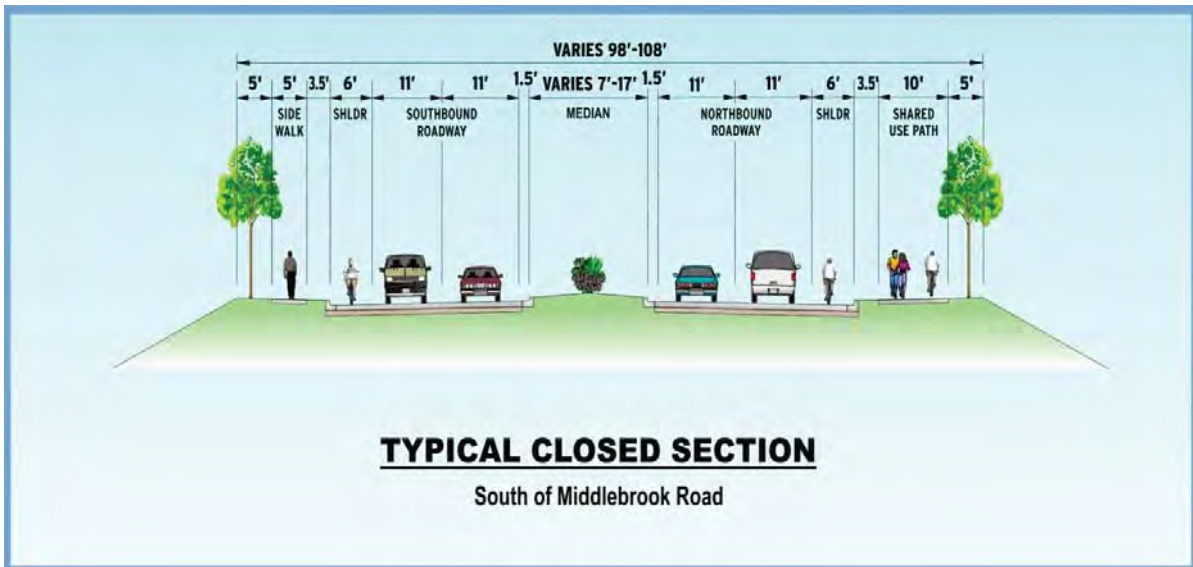
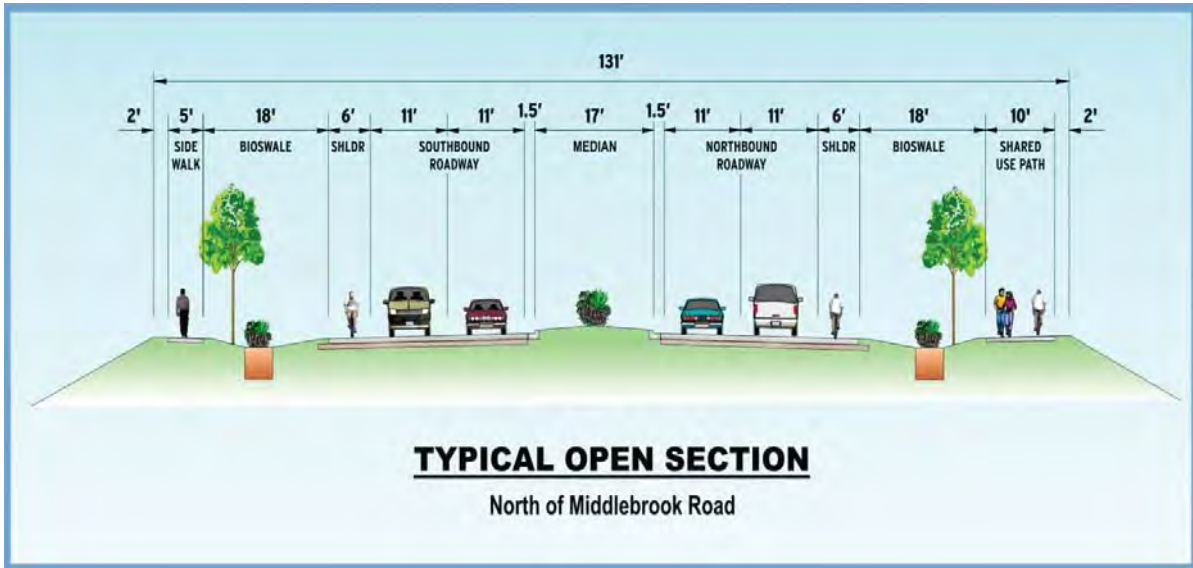


Figure 2-15: Alternatives 8 & 9, Open and Closed Typical Sections

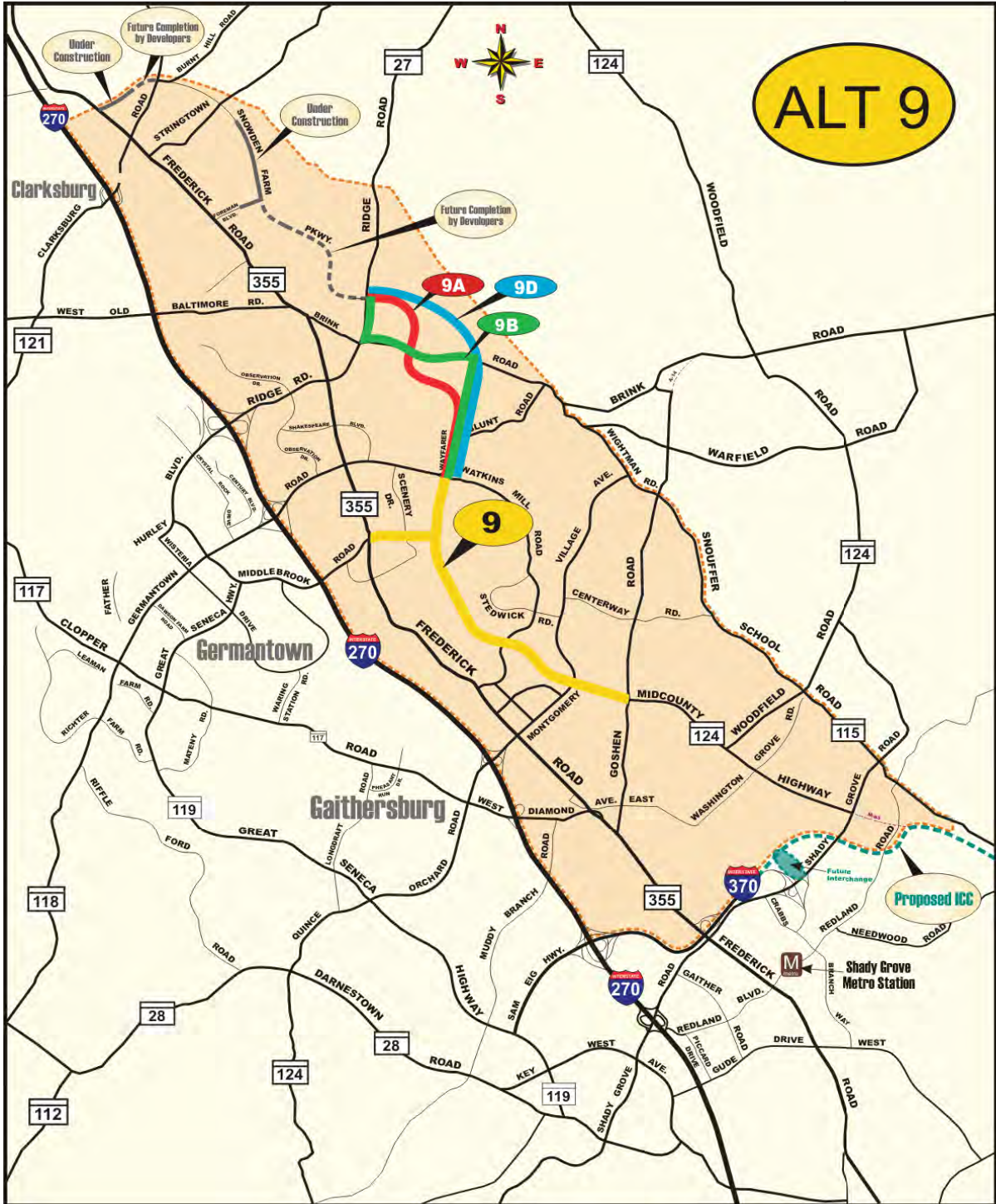


Figure 2-16: Alternative 9 – Master Plan Alignment

Permanent Wetland Impacts Per Alternative

Alternative	Total Wetland Fill SF (acre)	Total Wetland Conversion SF (acre)	Proposed Wetland Mitigation SF (acre)
Alt 2	0	0	None
Alt 4 Modified	11,154 (0.26)	11,837 (0.27)	34,145 (0.78)
Alt 5	0	0	None
Alt 8A	33,244 (0.76)	71,155 (1.63)	137,643 (3.16)
Alt 8B	33,244 (0.76)	66,980 (1.54)	133,468 (3.06)
Alt 8D	33,244 (0.76)	66,980 (1.54)	133,468 (3.06)
Alt 9A	38,093 (0.87)	73,909 (1.70)	151,042 (3.44)
Alt 9B	38,093 (0.87)	69,734 (1.60)	146,867 (3.34)
Alt 9D	38,093 (0.87)	69,734 (1.60)	146,867 (3.34)

Permanent Waters of The U.S. Impacts Per Alternative

Alternative	Total WUS (LF) Perenn./Interm.	Total WUS (LF) Ephemeral	Stream Mitigation Proposed @ 1:1 (LF)
Alt 2	0	0	0
Alt 4 Modified	1,035	247	1,282
Alt 5	85	0	85
Alt 8A	520	229	749
Alt 8B	520	0	520
Alt 8D	914	0	914
Alt 9A	256	229	485
Alt 9B	256	0	256
Alt 9D	650	0	650

Permanent Waters Of The U.S. Relocation Impacts Per Alternative

Alternative	Total WUS (LF) Perenn./Interm.	Total WUS (LF) Ephemeral	Mitigated in Place
Alt 9	746	243	989

Floodplain Impacts Per Alternative

Alternative	4 Mod	5	8A	8B	8D	9A	9B	9D
Impacts (Ac)	4.5	0.4	2.9	2.9	2.9	4.8	4.8	4.8

Temporary Wetland Impacts Per Alternative

Alternative	4 MOD	5	8A	8B	8D	9A	9B	9D
Impacts (Ac)	0.10	0	0.76	0.74	0.74	0.82	0.80	0.80

Buffer Impacts Per Alternative

Alternative	4 MOD	5	8A	8B	8D	9A	9B	9D
Impacts (Ac)	0.82	0	0.74	0.57	0.57	0.99	0.82	0.82

Wetland Mitigation Site SC-21

4 MODIFIED

9 MASTER PLAN ALIGNMENT

8

GSBR 201-1

GSMS 413-14

GSMS 413-13

GSMS 413-12

Stream Mitigation Site

