

PUBLIC NOTICE



MARYLAND DEPARTMENT OF TRANSPORTATION'S STATE HIGHWAY ADMINISTRATION, FEDERAL HIGHWAY ADMINISTRATION, AND THE US ARMY CORPS OF ENGINEERS WILL CONDUCT A JOINT PUBLIC HEARING FOR THE

**US 219 IMPROVEMENT PROJECT, FROM I-68 TO OLD SALISBURY ROAD IN GARRETT COUNTY
(CENAB-OP-RMN (US 219 Improvement Project: I-68 to Old Salisbury Road) 2005-00415-15)**

Monday, January 23, 2017*

Grantsville Elementary School

120 Grant Street, Grantsville, MD 21536

6:00 PM – Displays

7:00 PM – Presentation/Testimony

*Snow Dates: January 30, 2017 or February 6, 2017

(*The Hearing will be held on the snow date if county public schools are closed or if the county's snow emergency plan is in effect. If the January 30th snow date is cancelled due to inclement weather, the Hearing will be held on February 6th.)

The purpose of this project is to provide transportation improvements that are responsive to planned economic development. The project is needed to support local and regional economic growth, efficient highway operations for development, and community access. The Maryland Department of Transportation's State Highway Administration (SHA) has four alternatives under consideration for the US 219 Improvement Project: I-68 to Old Salisbury Road. Three preliminary interchange alternatives were recently dropped due to substantial impacts to the environment and high construction cost.

The Alternatives Retained for Detailed Study (ARDS) that are being considered include:

Alternative 1: No-Build (serves as a baseline for comparison with the build alternatives);

Alternative 2: Widen Existing US 219;

Alternative 3: Existing Interchange with Local and Relocated US 219; and

Alternative 4: Roundabout Interchange with Local and Relocated US 219.

These four alternatives are undergoing detailed engineering and environmental studies. The results of these studies will be the focus of a public hearing, planned for January 23, 2017. The public hearing is an opportunity for the public to provide formal comments to be included in the project record. Hearing details are included above. SHA will continue to coordinate with project stakeholders as the project progresses. The project, including the evaluation of alternatives, which led to the ARDS, is being done in cooperation with the Federal Highway Administration (FHWA) and other state and federal review and permitting agencies, and is part of the National Environmental Policy Act (NEPA) process. The ARDS report, which describes the selection process and provides additional information on each alternative, is available for review on the project website at www.US219NorthMD.com.

The purpose of this Hearing for SHA is to provide all interested persons the opportunity to comment on the project's location, general design, and associated social, economic, cultural, and natural environmental impacts of the proposed alternatives before an alternative is selected.

Beginning at 6:00 p.m., the project alternatives and other information will be on display. Public hearing displays will be available on the project website at www.US219NorthMD.com. Representatives of SHA, FHWA, and the US Army Corps of Engineers (USACE) - Baltimore District, will be available to discuss the project and record comments.

A formal presentation, beginning at 7:00 p.m. and lasting approximately one-half hour, will include a description of the project alternatives, a summary of

environmental impacts, information on right-of-way acquisition and relocation assistance procedures, and an explanation of Title VI of the Civil Rights Act and related legislation, as part of SHA's Equal Opportunity Program. The presentation will be followed by public testimony.

SHA, through consultation with the USACE, has identified waters of the US (WUS), including jurisdictional wetlands, which are regulated by Section 404 of the Clean Water Act. This public hearing also provides the opportunity to present views, opinions, and information which will be considered by the USACE in evaluating a Department of the Army (DA) permit. All comments will become part of the formal project record. Copies of written statements concerning impacts to WUS, including jurisdictional wetlands, may be submitted to Mr. John Dinne, US Army Corps of Engineers, Baltimore District, Attn: CENAB-OP-RMN, 10 South Howard Street, Baltimore, MD 21201; or emailed to john.j.dinne@usace.army.mil until **February 16, 2017**.

Depending on the build alternative, permanent stream and wetland impacts would range from approximately 300 – 3,500 linear feet and from 0.1 – 1.0 acre, respectively. SHA has proposed to provide compensatory mitigation for unavoidable permanent impacts near the existing I-68 and US 219 interchange. The exact type and amount of proposed compensatory mitigation will be based upon the alternative selected by SHA.

SHA's environmental documentation, completed during the NEPA process, will serve as the application to the USACE for a DA permit pursuant to Section 404 of the Clean Water Act (33 USC 1344). Coordination with the Maryland Department of the Environment (MDE) also ensures that the document includes alternatives analysis for the State's wetland permit review. Application for the State permit will be made after the alternative selection process is completed.

The decision to issue a DA Section 404 permit will be based on the evaluation of the probable impacts of the proposed project on the public interest, including direct, indirect and cumulative impacts. This decision will reflect the national concern for the protection and use of important resources. The benefits which may reasonably be expected to accrue from the proposed project must be balanced against the reasonably foreseeable detriments. All factors which may be relevant to the proposed project will be considered including cumulative effects. Among these factors are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplains values, land use, navigational concerns, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, considerations 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 application of the Clean Water Act Section 404 (b) (1) Guidelines promulgated by the Administrator,

US Environmental Protection Agency, under the authority of the Section 404 of the Clean Water Act. The USACE 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 USACE to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, the USACE takes into account public comments regarding the assessment of impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above.

Water quality certification is required for the project from MDE in accordance with Section 401 of the Clean Water Act. Coordination with the MDE also ensures that the project includes alternatives analysis prior to the state's wetland permit review. Any written comments concerning the work described above which would relate to water quality certification should be sent to Mr. Ed Tinney, Maryland Department of the Environment, Wetlands and Waterways Program, 1800 Washington Boulevard, Baltimore, MD 21230 or by emailing etinney@rkk.com.

The preliminary review of the application indicates that the proposed work could impact the federally threatened Northern Long-eared Bat and the federally endangered Indiana Bat. These impacts will be resolved through development of a US Fish and Wildlife Service Biological Opinion to ensure that the project will have no effect on federally listed species or their critical habitat pursuant to Section 7 of the Endangered Species Act, as amended.

SHA, in consultation with the Maryland Historical Trust (MHT) and other interested and consulting parties, has identified two historic properties and one archeological district that contains multiple archeological sites in the area of potential effects that are on or eligible for the National Register of Historic Places. These resources are the Tomlinson Inn and Little Meadows (897 acres), the National Road (US 40 Alternate), and the Little Meadows Archeological District. Impacts range from 1.1 - 1.3 acres to the National Road, and from 46.9 - 98.4 acres of impact to Tomlinson Inn and Little Meadows historic site with Alternatives 2-4. Impact quantities to the Little Meadows Archeological District are still being quantified. Between 35 - 56.8 acres of the above referenced impacts to the Little Meadows/Tomlinson Inn site overlap SHA-owned right-of way. The MHT has concurred with SHA's determination that the project will have an adverse effect on these resources. Consistent with the Section 106 procedures of the National Historic Preservation Act, public comments are requested regarding effects on historic properties. For additional information on SHA's effect determination, contact the SHA Environmental Manager, Ms. Karen Arnold, at Maryland Department of Transportation, State Highway Administration, 707 North Calvert Street, Mailstop C-301, Baltimore, Maryland 21202, by emailing karnold@sha.state.md.us, or by calling 1-866-527-0502.

Because of the adverse effect determination associated with Alternatives 2-4, methods to avoid or minimize historic property impacts have been developed in accordance with the Section 4(f) regulations found at 23 CFR 774. The extent of the historic property impacts was minimized by using a narrow shoulder, placement of the roadway near the boundary of the historic parcel,

and investigating the use of retaining walls. This Hearing and the circulation of the Draft Section 4(f) Evaluation will allow us to obtain comments on the project impacts and avoidance and minimization options.

Individuals and representatives of organizations may submit a request to testify at the Hearing by writing to Mr. Rick Jenarine, Project Manager, Maryland Department of Transportation, State Highway Administration, 707 North Calvert Street, MS C-301, Baltimore, MD 21202, by emailing rjenarine@sha.state.md.us, or by calling 1-800-548-5026, no later than **January 13, 2017**. Attendees may sign the Speakers List at the registration desk on the date of the Hearing. Please submit written statements and other exhibits for inclusion in the Public Hearing transcript to Mr. Jenarine at the address listed above until **February 16, 2017**.

Elected officials will be given the opportunity to speak first. Persons on the Speakers List will be called to testify in the order in which their requests were received, and those who did not pre-register will be invited to speak before oral testimony concludes. SHA may set a time limit for each speaker if a large number register to testify. Private and written testimony will also be accepted.

If you received a copy of this notice in the mail, you are included on the project mailing list and will receive information about project developments and opportunities for public involvement as the study progresses. Persons not on the mailing list may add their contact information by phoning, writing, or emailing Mr. Jenarine. Brochures and comment forms will be available at the Hearing, and information will be available on the project website at www.US219NorthMD.com or by contacting Mr. Jenarine.

REQUESTS FOR ASSISTANCE

The Maryland Relay Service can assist teletype users at 711. Persons requiring special assistance to participate should contact Mr. Jenarine. Whenever possible, SHA will provide an interpreter for persons with hearing/speech difficulties or who need assistance with the English language. To request special assistance or an interpreter, please contact Mr. Jenarine no later than **January 13, 2017**.

December 22, 2016
January 5, 2017
A-0826

Gregory C. Johnson, P.E.
State Highway Administrator