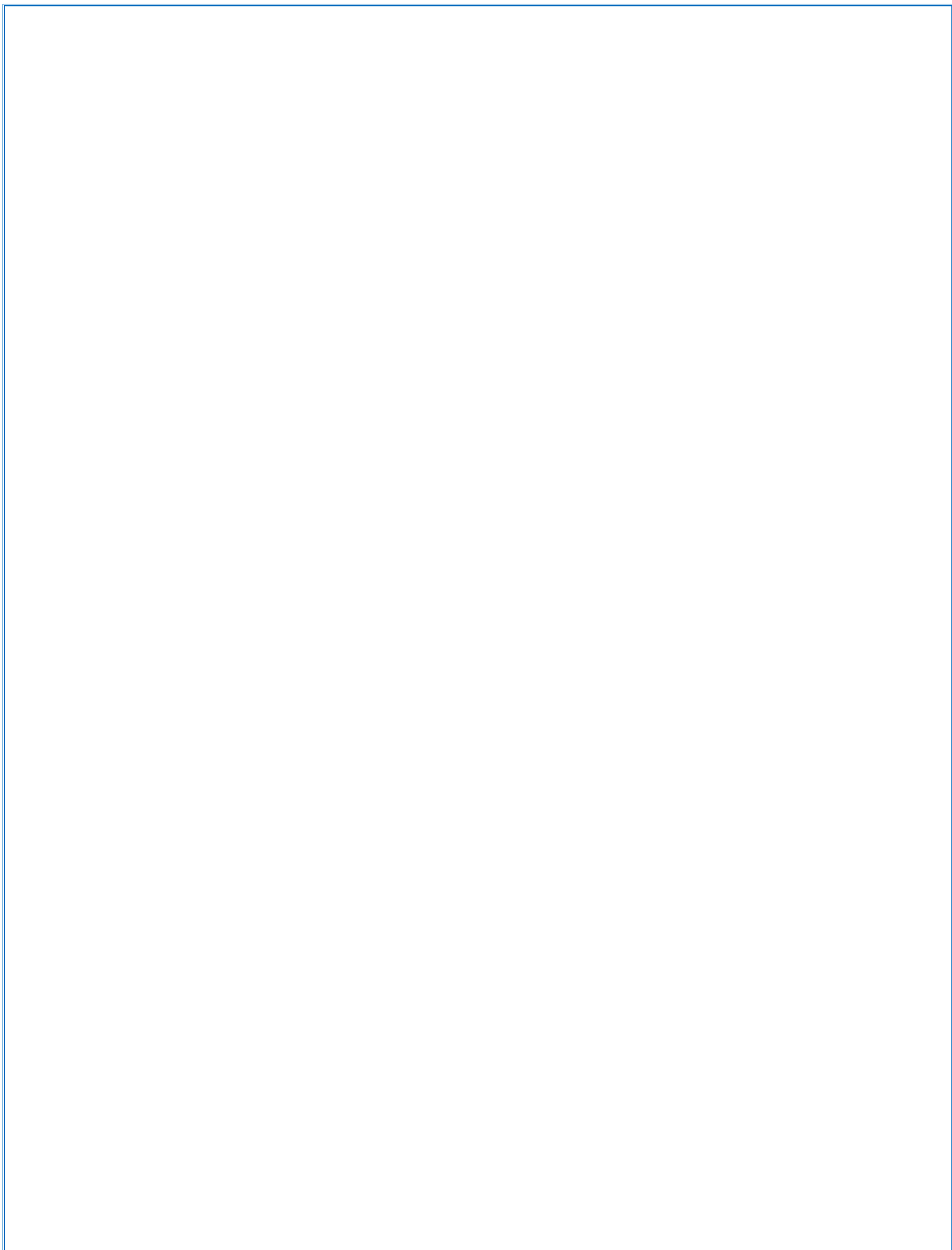


Environmental Permit Description and Example Guide



STATE HIGHWAY
ADMINISTRATION



Preface

This manual is intended to provide a reference for use in recognizing and understanding the different permits that may be a part of an SHA construction project. Included are brief descriptions and visual examples of the permits that may be associated with the project.

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IFB (Invitation for Bids) Information

This is an example of what should be found in the IFB of a project. This information provides a quick reference for project personnel in understanding what permits are related to the project and helps to ensure all of the permits have been obtained prior to the start of work.

REQUIRED ENVIRONMENTAL PERMITS, APPROVALS AND AUTHORIZATIONS.

The Administration will obtain all required permits, approvals, or authorizations which are within the project scope and limits set forth in the contract documents and listed in the below table. The Contractor shall comply with the requirements of all permits, approvals, or authorizations required for this project. All permits received by advertisement are included in the IFB. Permits received after advertisement and prior to bid opening will be added to the IFB via an addendum.

All of the indicated permits, approvals, and authorizations should be kept on-site unless indicated otherwise. Proposed changes to the project may require additional permits, approvals, and authorizations and/or modifications.

| Permit/ Approval/Authorization Description | Required for this project? | Approval/ Permit/ Authorization Included in IFB? | Permit, Approval, Or Auth. Number | Expiration Date |
|--|---|--|--|--------------------|
| WETLANDS, WATERWAYS, CRITICAL AREA | | | | |
| MDE Non-tidal Wetland & Waterway Permit | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> Draft <input type="checkbox"/> No | | |
| MDE Authorization to Proceed | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> (Final) <input type="checkbox"/> No <input type="checkbox"/> (Draft) | | |
| MDE Letter of Authorization | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No (draft) <input type="checkbox"/> No | | |
| MDE Modification of Authorization | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No (draft) <input type="checkbox"/> No | | |
| MDE Water Quality Certification | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No (draft) <input type="checkbox"/> No | | |
| MDE General Waterway Construction Permit | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No (draft) <input type="checkbox"/> No | | |
| MDE Tidal License | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No (draft) <input type="checkbox"/> No | | |
| MDE Tidal Permit | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No (draft) <input type="checkbox"/> No | | |
| MDE Tidal No-License | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No (draft) <input type="checkbox"/> No | | |
| Maryland State Programmatic General Permit | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No (draft) <input type="checkbox"/> No | | |
| COE Individual Permit | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No (draft) <input type="checkbox"/> No | | |
| U.S. Coast Guard Permit | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No (draft) <input type="checkbox"/> No | | |
| Critical Area Commission Approval | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No (draft) <input type="checkbox"/> No | | |
| MDE Water Appropriations Permit for Ground Water for over 10,000 gpd annual average (contractor should refer to GP 7.02 for responsibility to acquire other permits as needed) | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No (draft) <input type="checkbox"/> No | | |
| Other | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No (draft) <input type="checkbox"/> No | | |
| EROSION/SEDIMENT CONTROL & STORMWATER MANAGEMENT | | | | |
| Stormwater Management and Erosion & Sediment Control Approval | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (draft) <input type="checkbox"/> No | 17-PR-0054 | 11/15/19 |
| *NPDES Permit for Stormwater Associated with Construction Activity | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No (draft) <input type="checkbox"/> No | | |
| AASCD Approval | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No (draft) <input type="checkbox"/> No | | |
| TREES | | | | |
| MD Roadside Tree Permit | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (draft) <input type="checkbox"/> No | 2017-0953 | |
| Maryland Reforestation Law Approval | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No (draft) <input type="checkbox"/> No | | |
| Maryland Forest Conservation Act Approval | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No (draft) <input type="checkbox"/> No | | |

*see website listed below for complete NPDES Permit requirements:

<http://www.mde.state.md.us/programs/Permits/WaterManagement/Permits/WaterDischargePermits/Applications/Documents/2014MDRC-GeneralPermit.pdf>

Abbreviations:

AASCD - Anne Arundel Soil Conservation District
COE - U.S. Army Corps of Engineers
MDE - Maryland Department of the Environment
NPDES - National Pollutant Discharge Elimination System

Wetland, Waterway and Critical areas

Both tidal and non-tidal wetlands and waterways are protected resources under state and federal jurisdiction. Wetlands are landforms that meet specific parameters for hydrology, soils, and vegetation and range from seasonally saturated forests to tidal marshland. They provide unique habitats such as breeding grounds for many species, controlled sediment transport, water quality benefits through nutrient uptake, flood control and relief, and groundwater recharge/discharge. Because of the importance of these functions, both the state and federal government regulate activities in wetlands. In order to further protect wetland functions, the State also regulates a “buffer” around each non-tidal wetland area. The United States Army Corps of Engineers (COE) is the federal regulatory authority and the Maryland Department of the Environment (MDE) is the State regulatory authority. Lakes, ponds, streams, rivers and bays are considered “waterways” and are subject to state and federal regulation when impacts occur in the waterway and to state regulation when impacts occur in the non-tidal floodplain.


Activities in wetlands and waterways are subject to permitting from the state and federal agencies. State and Federal permits issued to SHA are obtained by the Environmental Programs Division (EPD) during the design phase of a project/ activity. The documented approvals are included in the “Required Permits” section of the IFB to make contractors aware of the conditions required for construction, some of which may impact bid prices.

MDE Non-Tidal Wetlands & Waterways Permit

The MDE Non-Tidal Wetlands and Waterways Permit (Permit) authorizes significant impacts to nontidal wetlands, wetland buffers, waterways, and the 100-year floodplain. This includes projects with cumulative permanent non-tidal wetland impacts greater than 5,000 square feet, permanent impacts to Non-tidal Wetlands of Special State Concern (NWSSC) and/or their 100-foot expanded buffers, permanent impacts to wetlands and/or their 25-foot buffers associated with Use III and IV streams, and major stream relocations. Often, but not always, Permits come with an associated mitigation requirement to compensate for these significant losses.

A Permit generally consists of:

- A description of the authorized work and impacts.
- General conditions under which the work must be accomplished, including time-of-year restrictions on work in waterways and streams based upon its MDE Stream Use designation, and mitigation requirements (if applicable).
- Special conditions specific to the project and resources when project constraints or site specific conditions warrant.
- Impact plates illustrating the boundaries and types of wetlands, waterways, 100-year floodplain, buffers; and the areas of temporary and permanent impact authorized to allow construction.
- Approved plan sheets that depict the authorized impacts to regulated resources when not already incorporated into the approved plan set.
- Best Management Practices (BMP) to be implemented during and following construction.
- MDSPGP-5 authorization, if applicable (see page 10 for details)

| STATE OF MARYLAND DEPARTMENT OF THE ENVIRONMENT WATER MANAGEMENT ADMINISTRATION NONTIDAL WETLANDS AND WATERWAYS PERMIT | |
|---|---|
| PERMIT NUMBER: | 15-NT-2086/201561418 |
| EFFECTIVE DATE: | January 28, 2016 |
| EXPIRATION DATE: | January 28, 2021 |
| PERMITTEE: | Maryland Department of Transportation State Highway Administration 707 N. Calvert Street Baltimore, MD 21202 Attn: Mr. Todd Nichols |
|  | |
| IN ACCORDANCE WITH ENVIRONMENT ARTICLE §5-503(a) AND §5-906(b), ANNOTATED CODE OF MARYLAND (2007 REPLACEMENT VOLUME), COMAR 26.17.04 AND 26.23.01, AND 26.08.02 AND THE ATTACHED CONDITIONS, MARYLAND DEPARTMENT OF TRANSPORTATION, STATE HIGHWAY ADMINISTRATION ("PERMITTEE"), IS HEREBY AUTHORIZED BY THE WATER MANAGEMENT ADMINISTRATION ("ADMINISTRATION") TO CONDUCT A REGULATED ACTIVITY IN A NONTIDAL WETLAND, BUFFER, OR EXPANDED BUFFER, AND/OR TO CHANGE THE COURSE, CURRENT OR CROSS-SECTION OF WATERS OF THE STATE, IN ACCORDANCE WITH THE ATTACHED PLANS APPROVED BY THE ADMINISTRATION ON JANUARY 28, 2016 ("APPROVED PLAN") AND PREPARED BY MARYLAND STATE HIGHWAY ADMINISTRATION, AND INCORPORATED HEREIN, AS DESCRIBED BELOW. | |
| <p>This approval authorizes permanent impacts to 135,799 square feet of forested nontidal wetlands, 54,979 square feet of emergent nontidal wetlands, 478,319 square feet of 25-foot nontidal wetland buffer, and 3,274 linear feet of unnamed tributaries to Meetinghouse Branch, Mill Creek, Norwich Creek, Tuckahoe Creek, and Choptank Creek, and 166,709 square feet of the 100-year floodplain for the expansion of MD 404 into a four-lane divided highway from US 50 to the western edge of the Denton Bypass in Talbot, Queen Anne's, and Caroline Counties. The work includes widening existing MD 404 into a four-lane divided highway, which includes the addition of shoulders and a 26-foot wide grass median; drainage improvements; access improvements; bicycle compatibility improvements; and construction of a bridge over Norwich Creek.</p> | |
| MD Grid Coordinates | N 137248; E 499185; |
|  |  |
| Amanda Sigilito, Chief Nontidal Wetlands Division | Lynn Buhl, Director Water Management Administration |
| Attachments: Conditions of Permit Best Management Practices Impact Plates | |
| cc: Jack Dineen, United States Army Corps of Engineers WMA, Compliance Program w/ file | |

CONDITIONS APPLY TO ALL ACTIVITIES AUTHORIZED BY PERMIT NUMBER 15-NT-2086/201561418
PAGE 2 of 6

SPECIAL CONDITIONS

mitigation: Avoidance and minimization of impacts to wetlands, wetland buffers, waters, and the 100-year floodplain shall be emphasized throughout the remainder of the design and construction process. During the pre-construction meeting, SHA-EPD will inform the attendees of the meeting of the resources surrounding the project areas including the sensitive species at the Norwich quality wetlands along the south side of MD 404. The purpose of this condition is to promote awareness and stress the importance of stringent adherence to BMPs. Those in attendance shall include the Permittee, the IEM, an Environmental Manager, and a Quality Assurance and Control specialist.

Prior to the start of construction, the Permittee shall retain a qualified full-time IEM that is responsible for monitoring compliance with the conditions of this permit. The Permittee shall ensure compliance with all conditions of this and other applicable permits and environmental regulations. The Permittee shall be required to cover the corridor if necessary as determined by the Administration. The Permittee shall submit and construction activities for compliance with all conditions of this and other applicable environmental regulations; and concurrently to the Administration's Nontidal Wetlands and Waterway Construction (Army Corps of Engineers (Corps), notifying them and the Permittee immediately of any violations or non-compliance issues within the terms or conditions of this Permit, the Waterway Construction Division, or Approved Plans and specifications; and to regulated resources by developing and maintaining a detailed tracking list of impacted resources.

Documentation of ongoing opportunities for further avoidance and minimization of impacts to regulated resources and protection of water quality.

Best Management Practices: The provisions contained in the attached "Best Management Practices for Working in Wetlands" are a part of this permit and shall be strictly enforced. The Permittee shall emphasize the importance of the resources along the transportation corridor and stress the importance of stringent adherence to its contractors during all pre-construction and progress meetings. The Permittee shall submit a Corridor Management Plan shall be submitted to and approved by the Administration prior to any construction within the Tier II Watershed of Norwich Creek 2. Once approved, the Permittee, its employees, and contractors shall conduct authorized activities in a manner consistent with the agreed upon selection of Best Management Practices for Tier II Waters. This shall also include implementation of the conditions identified in the Management Plan designed to minimize soil compaction within authorized work areas within the Tier II Watershed.

Impacts - Plan Submittal: Prior to any disturbance to State regulated wetlands, wetland buffers, or floodplain, detailed plan submittals for the proposed impacts must be approved by the Administration. The Waterway Construction Division will be in accordance with COMAR 26.17.04 and 26.23.01, and addition, sediment and erosion control plans, including methods for protection of water quality, riparian zone, and dewatering, shall be submitted to the Administration for approval prior to initiation of construction. Proposed changes to approved sediment and erosion control plans during construction shall be submitted to the Administration for approval prior to implementation. Each plan submittal within the Tier II watershed shall be in accordance with the Management Plan.

Work within a regulated resource area shall begin without written approval of the above plan. The Administration will have up to 45 calendar days to review and respond to each submittal. Review will include, but is not limited to, verification that riprap scour protection is supported by the velocity models; verification that pipes are depressed for passage of aquatic life; and verification of accurate elevations. The Permittee shall develop a schedule of anticipated dates for submission of plans and reports, and shall update the schedule as the Permittee is unable to return comments or approve within 7 days, the Administration will notify the Permittee of when the comments or approval is expected. An avoidance and minimization plan shall be submitted for each submittal review within resources.

MDE Authorization to Proceed

The MDE Authorization to Proceed (ATP) authorizes impacts to non-tidal waterways and the 100-year floodplain, but does *not* authorize impacts to non-tidal wetlands or their buffers. ATP is often used to authorize minor stream projects such as culvert repairs, outfall stabilizations, and bridge maintenance where no wetlands are present within the LOD. Additionally, projects which only propose disturbance in the 100-year floodplain are authorized under the ATP.

An ATP generally consists of:

- A description of the authorized work and impacts.
- General conditions under which the work must be accomplished, including time-of-year restrictions on work in waterways and streams based upon its MDE Stream Use designation, and mitigation requirements (if applicable).
- Special conditions specific to the project and resources when project constraints or site specific conditions warrant.
- Impact plates illustrating the boundaries and types of wetlands, waterways, 100-year floodplain, buffers; and the areas of temporary and permanent impact authorized to allow construction.
- Approved plan sheets that depict the authorized impacts to regulated resources when not already incorporated into the approved plan set.
- Best Management Practices (BMP) to be implemented during and following construction.
- MDSPGP-5 authorization, if applicable (see page 10 for details)

**STATE OF MARYLAND
DEPARTMENT OF THE ENVIRONMENT
WATER MANAGEMENT ADMINISTRATION
AUTHORIZATION TO PROCEED**

AUTHORIZATION NUMBER: 14-NT-0129/201460589

EFFECTIVE DATE: May 28, 2014

EXPIRATION DATE: May 28, 2017

AUTHORIZED PERSON: Maryland Department of Transportation
State Highway Administration
707 N. Calvert Street
Baltimore, MD 21202

Attn: Mr. Todd Nichols

IN ACCORDANCE WITH ENVIRONMENT ARTICLE §5-503(a) AND §5-906(b), ANNOTATED CODE OF MARYLAND (2007 REPLACEMENT VOLUME), COMAR 26.17.04, 26.23.01, 26.08.02 AND THE ATTACHED GENERAL CONDITIONS, MARYLAND DEPARTMENT OF TRANSPORTATION, STATE HIGHWAY ADMINISTRATION ("AUTHORIZED PERSON"), IS HEREBY AUTHORIZED BY THE WATER MANAGEMENT ADMINISTRATION ("ADMINISTRATION") TO CONDUCT A REGULATED ACTIVITY IN A NONTIDAL WETLAND, BUFFER, OR EXPANDED BUFFER, AND/OR TO CHANGE THE COURSE, CURRENT OR CROSS-SECTION OF WATERS OF THE STATE, IN ACCORDANCE WITH THE ATTACHED PLANS APPROVED BY THE WATER MANAGEMENT ADMINISTRATION, WATERWAY CONSTRUCTION DIVISION MAY 28, 2014, ("APPROVED PLAN") AND PREPARED BY MARYLAND STATE HIGHWAY ADMINISTRATION AND INCORPORATED HEREIN, AS DESCRIBED BELOW:

This approval authorizes disturbance and the placement of 29.7 cubic yards of fill in the 100-year floodplain of the East Branch of Herbert Run for safety improvements along US 1 (Southwestern Boulevard), from approximately 220 feet north of the US 1/Washington Boulevard intersection to the US 1/Francis Avenue intersection in Baltimore County. The work includes adding and upgrading existing sidewalks to meet ADA standards. No wetlands, wetland buffers, or streams will be affected by the work.

MD Grid Coordinates: N 175541± E 426630± SHA Contract No. BA0785288

William Seiger

William Seiger, Chief
Waterway Construction Division

Attachments: Authorization Conditions
Best Management Practices
Impact Plans

cc: WMA Compliance Division w/ files

AUTHORIZATION NO. 14-NT-0129/201460589

CONDITIONS

Authorized Person. Authorization may be transferred only in the event of transfer, transferee agrees to comply with

in of Terms. Authorized Person shall initiate authorization of this Authorization or the Authorization shall expire to the Administration for (a) extension of the period for, including the Approved Plan, or, (c) not later than 45 term. Requests for modifications shall be in accordance to changes, and shall indicate the impacts on nontidal b. The Administration may grant a request at its sole

Person is fully responsible for all work performed, and reformed in compliance with Authorization and Approved he Authorization and Approved Plan shall be kept at the agents and contractors. A person (including Authorized violates or fails to comply with the terms and conditions of order may be subject to penalties in accordance with §5- Code of Maryland (2007 Replacement Volume).

employees, agents or contractors fail to comply with tion may, in its discretion, issue an administrative order h and contractors to cease and desist any activities which take any other enforcement action available to it by law,

suspended or revoked by the Administration, after notice reason: (a) submits false or inaccurate information in red submittals; (b) deviates from the Approved Plan, ies, or is about to violate terms and conditions of late, any regulation promulgated pursuant to Title 5, as amended; (c) fails to allow authorized representatives id activities at any reasonable time to conduct inspections rements of an administrative action or order issued by the (under Authorization and new information, changes in site cessitate revocation or suspension.

ize any injury to private property, any invasion of rights, as or regulations, nor does it obviate the need to obtain e, federal or local agencies as required by law. ized representatives of the Administration access to the hours to conduct inspections and evaluations necessary to d Person shall provide necessary assistance to effectively s.

I notify the Administration's Compliance Program at least and five (5) days after completion. For Allegany, Garrett, all call 301-689-1480. For Carroll, Frederick, Howard, sized Person shall call 301-665-2850. For Baltimore City, Mary's counties, Authorized Person shall call 410-537-Kent, Queen Anne's, Somerset, Talbot, Wicomico and 4020. If Authorization is for a project that is part of a Administration's Mining Program at 410-537-3557 at least and five (5) days after completion.

obtain approval from the Maryland Department of the al plan specifying soil erosion control measures. The be included in the Approved Plan, and shall be available at

MARC
PARKING LOT

ERN BLVD.)

HERBERT RUN

SHA Maryland Department of Transportation
State Highway Administration

RF&K
RECONSTRUCTION & FILLING
81 Harbor View, Baltimore, Maryland 21201

US 1 BICYCLE RETROFIT
FROM US 1 ALTERNATE TO
THE BALTIMORE CITY LINE

COUNTY: BALTIMORE CONTRACT NO. BA0785288

DATE: MAY 2014 REVISION DATE:

SCALE: 1" = 30' PLATE 6 OF 11

TEMPORARY PERMANENT
WATERS OF THE US 0 LF/0 SF, 0 LF/0 SF,


MDE Letter of Authorization

The MDE Letter of Authorization (LOA) authorizes impacts to non-tidal wetlands and wetland buffers, along with non-tidal waterways and the 100-year floodplain. An LOA is required for all projects that propose impacts within non-tidal wetlands and/or wetland buffers, unless the proposed work warrants authorization under a Permit (see page three). Occasionally, LOAs will come with an associated mitigation requirement (i.e. projects with permanent wetland impacts in the Chesapeake Bay Critical Area).

A LOA generally consists of:

- A description of the authorized work and impacts.
- General conditions under which the work must be accomplished, including time-of-year restrictions on work in waterways and streams based upon its MDE Stream Use designation, and mitigation requirements (if applicable).
- Special conditions specific to the project and resources when project constraints or site specific conditions warrant.
- Impact plates illustrating the boundaries and types of wetlands, waterways, 100-year floodplain, buffers; and the areas of temporary and permanent impact authorized to allow construction.
- Approved plan sheets that depict the authorized impacts to regulated resources when not already incorporated into the approved plan set.
- Best Management Practices (BMP) for working in wetlands, waterways, and the 100-year floodplain to be implemented during and following construction.
- MDSPGP-5 COE authorization, if applicable (see page 10 for details)


| | |
|--|---|
| STATE OF MARYLAND DEPARTMENT OF THE ENVIRONMENT WATER MANAGEMENT ADMINISTRATION LETTER OF AUTHORIZATION | |
| AUTHORIZATION NUMBER: | 12-NT-0254/201261024 |
| EFFECTIVE DATE: | July 31, 2012 |
| EXPIRATION DATE: | July 31, 2015 |
| AUTHORIZED PERSON: | MD SHA 707 N Calvert St, MS C-306 Baltimore, Maryland 21202 Attn: Todd Nichols |



IN ACCORDANCE WITH ENVIRONMENT ARTICLE §5-503(a) AND §5-906(b), ANNOTATED CODE OF MARYLAND (2007 REPLACEMENT VOLUME), COMAR 26.17.04 AND 26.23.01, AND 26.08.02 AND THE ATTACHED CONDITIONS OF AUTHORIZATIONS, MD SHA (AUTHORIZED PERSON), IS HEREBY AUTHORIZED BY THE WATER MANAGEMENT ADMINISTRATION ("ADMINISTRATION") TO CONDUCT A REGULATED ACTIVITY IN A NONTIDAL WETLAND, BUFFER, OR EXPANDED BUFFER, AND/OR TO CHANGE THE COURSE, CURRENT OR CROSS-SECTION OF WATERS OF THE STATE, IN ACCORDANCE WITH THE ATTACHED PLANS APPROVED BY THE ADMINISTRATION ON July 31, 2012 ("APPROVED PLAN") AND PREPARED BY McCormick Taylor AND INCORPORATED HEREIN, AS DESCRIBED BELOW:

Stream restoration for a design-build project focusing on the reduction of sediment load by stabilizing the actively eroding stream banks, and increasing fine sediment storage capacity within the floodplain. The project will also enhance riparian buffers and adjacent wetlands, and improve in-stream and floodplain habitat conditions. The project will temporarily impact 45 LF (198 SF) of the stream channel, 3,828 SF of emergent nontidal wetland, 18,616 SF of forested nontidal wetland, and 89,522 SF of regulated buffer. The project will permanently impact 4,336 LF (134,784 SF) of the stream channel, and 332,865 SF of the 100-year floodplain. The project is located downstream of the crossing at Frederick Road, bounded on the north by Horned Owl Court and on the south by Windflower Drive, Ellicott City, in Howard County.

MD Grid Coordinates: 178293 x 412770


William Seiger, Chief
Waterway Construction Division

Attachments: Conditions of Authorization
MDSPGP- Cat B

cc: WMA Compliance Division, Howard County w/ file

MDE Water Quality Certification

Water is a protected resource under state and federal jurisdiction. Under the Clean Water Act any activity that may result in any discharge to waters must be certified as not violating state water quality standards or limitations. The federal agency having jurisdiction over the resource is the Environmental Protection Agency (EPA) and MDE is the state agency to which EPA has delegated certification authority.

Water Quality Certification (WQC) is incorporated in MDE's authorization when the MDSPGP-5 is issued by, or on behalf of, the COE. This is indicated by a check box under General Condition #10 of the LOA and ATP. When a COE Individual Permit is required, MDE issues an individual WQC, which is attached to the authorization. If an individual WQC is issued, it will be referenced under General Condition #10. The EPD is the SHA division responsible for obtaining the permit. When an activity is exempt from the requirement to obtain a non-tidal wetlands and waterways authorization, an individual WQC may be issued by MDE. The WQC requires compliance with all aspects of the sediment control plan approved by MDE's Plan Review Division. Failure to comply with the WQC may be grounds for civil and criminal penalties. To determine what activities require investigation and/or coordination, contact EPD.

An Individual WQC generally consists of:

- A description of the authorized work and impacts.
- General conditions under which the work must be accomplished, including notification requirements and compliance with the approved final plan
- Special conditions specific to the project and resources when project constraints or site specific conditions warrant. These are indicated by check boxes.

STATE OF MARYLAND
DEPARTMENT OF THE ENVIRONMENT
WATER MANAGEMENT ADMINISTRATION

WATER QUALITY CERTIFICATION
for
NONTIDAL WETLANDS AND WATERWAYS

CERTIFICATION NUMBER: 15-NT-2075/201561126

ISSUED TO: Maryland Department of Transportation
State Highway Administration
707 N. Calvert Street
Baltimore, Maryland 21202
Attn: Mr. Todd Nichols

EFFECTIVE DATE: February 16, 2016

EXPIRATION DATE: February 16, 2019

Description of Certified Project:

This approved project authorizes permanent impact to 4,597 square feet of forested nontidal wetland, 27,632 square feet of emergent nontidal wetland, and 123,782 square feet of nontidal wetland buffer. Work associated with this authorization involves construction of a single-lane roundabout, a 10-foot shared use bike/pedestrian path behind the curb at all four quadrants of the intersection, a minimum 6-foot approach shoulder, and relocation of drainage features. The project is located at the intersection of MD 16 and Woods Road in Dorchester County, Maryland.

This water quality certification is issued under authority of Section 401 of the Federal Water Pollution Control Act and its Amendments and the Environment Article, Sections 9-313 - 9-323, inclusive, Annotated Code of Maryland. A copy of this required certification has been sent to the Corps of Engineers. This certification does not relieve the applicant of responsibility for obtaining any other approvals, licenses or permits in accordance with federal, State, or local requirements and does not authorize commencement of the proposed project. The Maryland Department of the Environment has determined from a review of the plans that the project described above will not violate Maryland's water quality standards, provided that the following conditions are satisfied.

The certification holder shall comply with the following conditions:

GENERAL CONDITIONS


1. ☒ The proposed project shall be constructed in a manner which will not violate Maryland's Water Quality Standards as set forth in COMAR 26.08.02. The applicant is to notify the Water Management Administration's Compliance Program, at 410-537-3510, ten (10) days prior to commencing work. If project is part of a mining site, please contact the Land Management Administration's Mining Program at 410-537-3557 at least ten (10) days prior to commencing work. Verbal notification is to be followed by written notice within ten (10) days.

Board of Public Works (BPW) State Tidal Wetlands License

Except for certain activities which MDE has delegated authority to authorize (see MDE General Tidal License on page seven), or otherwise exempt (see MDE Tidal No-License on page nine), all work in tidal wetlands and waters requires a State Tidal Wetlands License (WL) from the State of Maryland Board of Public Works Wetland Administration (BPW). The WL serves as the State's determination that the project is consistent with the Maryland Coastal Zone Management Program. While the WL is issued directly by the BPW, the MDE Tidal Wetlands Division reviews the permit application and offers a recommendation to the BPW. Some examples of SHA projects that require a WL include soil borings, bridge reconfiguration, roadway widening, etc.

A WL generally consists of:

- A description of the authorized work and impacts.
- Special conditions specific to the project and resources when project constraints or site specific conditions warrant, including time-of-year restrictions on work in tidal waterways based upon its MDE Stream Use designation, and mitigation requirements (if applicable).
- General conditions under which the work must be accomplished.
- Approved plan sheets that depict the authorized impacts to regulated resources when not already incorporated into the approved plan set.
- MDSPGP-5 COE authorization, if applicable (see page 10 for details)

| | | |
|---|--|--|
|  William Morgante, PWS <i>Wetlands Administrator</i> | Board of Public Works Wetlands Administration Post Office Box 1510 Annapolis, Maryland 21404 410-260-7791 Fax: 410-974-5240 Toll Free: 1-877-591-7320 | Lawrence J. Hogan, Jr. <i>Governor</i> Nancy K. Kopp <i>Treasurer</i> Peter Franchot <i>Comptroller</i> Sheila C. McDonald <i>Executive Secretary</i> |
|---|--|--|

WETLANDS LICENSE NO. 15-0226

MARYLAND STATE HIGHWAY ADMINISTRATION

The Maryland Board of Public Works authorizes you to:

To float a barge in Tuckahoe Creek near the existing SHA Bridge No. 0501600 to collect 11 geotechnical soil samples; sediment will be contained by using a flush joint casing.
Tuckahoe Creek- Queen Anne, Talbot County & Hillsboro, Caroline County

Issuance of this Tidal Wetlands License constitutes the State's determination that the authorized activities are consistent with the Maryland Coastal Zone Management Program, as required by Section 307 of the Federal Coastal Zone Management Act of 1972, as amended [16 U.S.C. §1456]. Accordingly, the State concurs with the Licensee's certification in the Joint Permit Application that the project complies with, and will be conducted in a manner consistent with the Maryland CZMP.

THIS LICENSE AUTHORIZES YOU TO PERFORM THE WORK ONLY IF YOU COMPLY WITH THE FOLLOWING SPECIAL CONDITIONS:

A. Licensee shall use standard laboratory procedures to properly dispose of soil samples collected for laboratory analysis.

B. Licensee shall not perform any in-water work from February 15 through June 15 of any year due to presence of yellow perch in the vicinity of the project area.

THIS LICENSE AUTHORIZES YOU TO PERFORM THE WORK ONLY IF YOU COMPLY WITH THE FOLLOWING STANDARD CONDITIONS:

1. Licensee shall conduct the authorized work in accordance with the plans and drawings dated November 2015, which are hereby incorporated into this License.

2. Until the authorized work is complete, Licensee shall have available at the site a copy of this License including the plans and drawings.

Internet address: bpw.maryland.gov • E-mail address: bill.morgante@maryland.gov

MDE General Tidal Wetlands License

The BPW has delegated authority to MDE to directly authorize certain activities under the General Tidal Wetlands License (GL). For these activities, BPW approval is not required and the applicant will receive the GL directly from MDE, on MDE letterhead. Some examples of SHA projects that may qualify for the GL include new stormwater discharge, constructing replacement bulkheads, and armoring or strengthening bridges within 10 feet of the existing structure.

A GL generally consists of:

- A description of the authorized work and impacts.
- Special conditions specific to the project and resources when project constraints or site specific conditions warrant, including time-of-year restrictions on work in tidal waterways based upon its MDE Stream Use designation, and mitigation requirements (if applicable).
- General conditions under which the work must be accomplished.
- Approved plan sheets that depict the authorized impacts to regulated resources when not already incorporated into the approved plan set.
- MDSPGP-5 COE authorization, if applicable (see page 10 for details)

MARYLAND DEPARTMENT OF THE ENVIRONMENT

1800 Washington Boulevard • Baltimore MD 21230
410-537-3000 • 1-800-633-6101

Martin O'Malley
Governor

Anthony G. Brown
Lt. Governor

Robert M. Summers, Ph.D.
Secretary

GENERAL TIDAL WETLANDS LICENSE

13-GL-0379

Licensee: Maryland State Highway Administration

Address:
707 N. Calvert Street, Mail Stop C-306
Baltimore, Maryland 21202

Under the authority of the Board of Public Works of the State of Maryland and in accordance with Title 16, Wetlands and Riparian Rights, Environment Article, Annotated Code of Maryland and COMAR 23.02.04 and COMAR 26.24 and the conditions of this license, the licensee is authorized to perform the following activity:

Replacement of the 38'-6" wide bridge deck with a new 42'-8" wide bridge deck that will include sidewalks for pedestrians; minor steel beam repairs; complete painting of the steel superstructure; approach roadway resurfacing and traffic barrier replacement. The project is located on the MD 313 bridge over Chester River in Millington, Queen Anne's County, Maryland.

By applying for and receiving this General License the licensee shall be considered to have knowledge of and to have accepted the special and general conditions of this license. Licensee agrees that all work shall be performed in compliance with these conditions.

This general license is subject to the following conditions:

SPECIAL CONDITIONS

- All work shall be permitted under, and performed in accordance with, the Critical Area requirements of the local jurisdiction where the project is located. This authorization does not constitute authorization for disturbance in the 100-foot Critical Area Buffer. "Disturbance" in the Buffer means clearing, grading, construction activities, or removal of any size of tree or vegetation. Any anticipated Buffer disturbance requires prior written approval, before commencement of land-disturbing activity, from the local jurisdiction in the form of a Buffer Management Plan.


Recycled Paper

www.mde.state.md.us

TTY Users 1-800-735-2323

MDE Tidal No-License

After reviewing the Joint Permit Application, if the MDE Tidal Wetlands Division reviewer determines the proposed activity does not require a license, MDE will issue a Tidal No-License (NL). The NL will come directly from MDE in the form of a letter that describes the work proposed and a detailed explanation of why no license is required. If the work qualifies for the MDSPGP-5, this may also be included with the letter. The most common SHA work that qualifies for an NL is routine maintenance, repair, or replacement of highway structures or drainage ditches when the existing structure is functional and there is no increase in the original length, width, height, or channel-ward encroachment.



MARYLAND DEPARTMENT OF THE ENVIRONMENT
1800 Washington Boulevard • Baltimore MD 21230
410-537-3000 • 1-800-633-6101

Martin O'Malley
Governor

Robert M. Summers, Ph.D.
Secretary

Anthony G. Brown
Lieutenant Governor

• April 29, 2013

Mr. Todd Nichols
Maryland Department of Transportation
State Highway Administration
707 North Calvert Street, Mailstop C-306
Baltimore, MD 21202

Re: Tracking Number: 201360545
Tidal Authorization Number: 13-NL-0308

Project: MD 363 (Deal Island Road), 36-inch HDPE Emergency Slope Repairs, Somerset County, Maryland

Attn: Mr. Aaron Brown

I have reviewed your Joint Permit Application to alter tidal wetlands. The proposed activity does not require a Tidal Wetlands License from the State of Maryland based on COMAR 26.24.02.01C(5) "Routine maintenance, repair, or replacement of a highway structure... or highway drainage ditch when the existing structure is functional and there is no increase in the original length, width, height, or channelward encroachment."

The emergency repair work included placing riprap along a culvert and highway embankment that reportedly became undermined during a storm event on March 6th. The project is located on MD 363 over Broad Creek approximately 4 miles west of the MD 363/MD 627 intersection in Somerset County Maryland.


This proposed activity qualifies for federal authorization under the Maryland State Programmatic General Permit Category A(b)(1). This general permit and associated conditions are enclosed. You will not receive any additional correspondence from the U.S. Army Corps of Engineers. Before commencing construction you are responsible for obtaining any local permits.

All work shall be permitted under, and performed in accordance with, the Critical Area requirements of the local jurisdiction where the project is located. This authorization does not constitute authorization for disturbance in the 100-foot Critical Area Buffer. "Disturbance" in the Buffer means clearing, grading, construction activities, or removal of any size of tree or vegetation. Any anticipated Buffer disturbance requires prior written approval, before commencement of land-disturbing activity, from the local jurisdiction in the form of a Buffer Management Plan.


All work shall be conducted by the property owner or by a marine contractor registered with the Maryland Department of the Environment in accordance with Chapter 286 of the 2010 Laws of Maryland.

If you have any questions regarding this letter you may contact Kate Gordon at kgordon@rkk.com or 410-462-9131.

Sincerely,



Jonathan Stewart, Chief
Eastern Region
Tidal Wetlands Division

 Recycled Paper

www.mde.state.md.us

TTY Users 1-800-735-2258
Via Maryland Relay Service

Maryland State Programmatic General Permit (MDSPGP)

The MDSPGP authorizes work in waters of the United States within the state of Maryland for activities that would cause no more than minimal adverse environmental effects, individually and cumulatively, subject to the terms, conditions, and limitations contained herein. This programmatic general permit has been developed in a cooperative effort with the MDE, which has regulatory authority over waters of the State of Maryland. This MDSPGP builds upon the existing Wetland and Waterway regulatory program of MDE and is designed to improve the regulatory process for applicants, reduce unnecessary duplicative project evaluations, and promote more effective and efficient use of COE resources while providing equivalent environmental protection for aquatic resources. This programmatic general permit applies to the discharge of dredged or fill material and/or the placement of structures, that are components of a single and complete project, including all attendant features both temporary and/or permanent, which individually and/or cumulatively result in direct or indirect impacts not to exceed 1.0 acre of waters of the United States, including jurisdictional wetlands and navigable waters, for specific categories of activities as regulated by Section 404 of the CWA or Section 10 of the River and Harbors Act of 1899. Discharges of dredged or fill material or the placement of structures, as described in Category A of the MDSPGP Category List, that comply with the terms and conditions contained in the MDSPGP and have only minimal individual and cumulative adverse effects on the environment are authorized by MDE. Discharges of dredged or fill material or the placement of structures, as described in Category B of the MDSPGP Category List, that comply with the terms and conditions contained in the MDSPGP and have only minimal individual and cumulative adverse effects on the environment are authorized by the COE.

| DEPARTMENT OF THE ARMY BALTIMORE DISTRICT, U.S. ARMY CORPS OF ENGINEERS P.O. BOX 1715 BALTIMORE, MD 21203-1715 | | DEPARTMENT OF THE ARMY BALTIMORE DISTRICT, U.S. ARMY CORPS OF ENGINEERS P.O. BOX 1715 BALTIMORE, MD 21203-1715 | |
|---|--|---|--|
| Operations Division | | JAN 07 2014 | |
| MDSPGP-4 PERMIT COMPLIANCE CERTIFICATION FORM (10/1/11) | | | |
| Corps Permit Tracking No. 201361533 | | Category & Activity Number Cat. B Activity 1.d | |
| MD SHA Project No. HO117A21/US 29 NB Widening | | Division | |
| Project Name/Phase ID - From S. of Seneca Dr. to S. of MD 175 | | IAB-OP-RMN (MD SHA/FMIS# HO317A21/US 29 NB Phase 1B/Rd | |
| Applicant Name Mr. Todd Nichols (SHA) | | 13-61533-M36 | |
| Waterway Little Patuxent River Watershed | | County Howard | |
| Dear Permittee: | | | |
| In accordance with the compliance certification condition of your MDSPGP-4 authorization, you are required upon completion of all permitted work, or if mitigation/compensation is required, within 60 days following completion of the authorized work and any required mitigation (but not the mitigation monitoring, which requires separate submittals), to complete and sign this certification form and return it to the Corps of Engineers, Baltimore District, ATTN: CENAB-OP-R, P.O. Box 1715, Baltimore, Maryland 21203-1715. | | | |
| Please note that the permitted activity is subject to compliance inspections by U.S. Army Corps of Engineers representatives. As a condition of this permit, failure to return this notification form, provide the required information below, or to perform the authorized work in compliance with the permit, can result in suspension, modification or revocation of your authorization in accordance with 33 CFR Part 325.7 and/or administrative, civil, and/or criminal penalties, in accordance with 33 CFR part 326. | | | |
| Please provide the following information: | | | |
| 1. Date authorized work commenced: _____ 2. Date authorized work completed: _____ | | | |
| 3. Was all work and any required mitigation, completed in accordance with your MDSPGP-4 authorization, including all general and/or specific conditions? YES _____ NO _____ | | | |
| 4. For Category A projects involving pile driving activities that are within all tidal waters of the Chesapeake Bay in Maryland and its tidal tributaries with salinity levels less than 6 parts per thousand (See Appendix B of the MDSPGP-4), please indicate the pile driving method that was used for the authorized work: | | | |
| <input type="checkbox"/> (a) Piles must be installed in-the-dry during low water; | | | |
| <input type="checkbox"/> (b) Piles must be drilled and pinned to ledge; | | | |
| <input type="checkbox"/> (c) Vibratory hammers must be used to install any size and quantity of wood, concrete, or steel pilings; | | | |
| <input type="checkbox"/> (d) Impact hammers must be limited to one hammer and <50 piles installed per day with the following: wood piles of any size, concrete piles <18-inches diameter, steel piles <12-inch diameter if the hammer is <3,000 pounds and a wood cushion is used between the hammer and steel pile; | | | |
| <input type="checkbox"/> (e) Approved pile driving methods that will allow noise level thresholds to be met. Describe: _____ | | | |
| 5. Only clean fill free of toxins and debris may be used within regulated waters of the U.S. | | | |

Army Corps of Engineers (COE) Individual Permit

Individual permits (IPs) are generally reserved for projects with potential for substantial environmental impacts. An IP requires a full public interest review, including public notices and coordination with involved agencies, interested parties and the general public. An IP is required when a proposed project does not meet the criteria to qualify for a General Permit, Nationwide Permit, or Letter of Permission.



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
BALTIMORE DISTRICT, U.S. ARMY CORPS OF ENGINEERS
P.O. BOX 1715
BALTIMORE, MD 21203-1715

OCT 17 2012

Operations Division

Subject: CENAB-OP-RMN (MD SHA/Plumtree Run/Stream restoration) 2012-1289-M24

Mr. Todd Nichols
Maryland State Highway Administration
Environmental Programs Division
707 N. Calvert Street-Mailstop C-306
Baltimore, Maryland 21202

Dear Mr. Nichols:

This is in reference to your application, dated July 9, 2012, for Department of Army (DA) verification of Nationwide Permit (NWP) authorization to install a stream restoration project along approximately 2,200 linear feet of stream, permanently impacting approximately 1,752 linear feet and temporarily impacting 447 linear feet of stream and 2,303 square feet of wetlands in Plumtree Run, in Bel Air, Harford County, Maryland. The Plumtree Run Stream Restoration Project will utilize nine riffle habitat structures, which incorporate stone and wood to emulate a natural riffle, 951 linear feet of toe boulder protection with 11 embedded root wads, and three log step structures designed to stabilize an eroding tributary. In addition to the structure elements, 265 trees, 596 shrubs, 1,734 live stakes and 4,280 tubelings (all native species) will be planted at the site. Natural fiber matting will be applied to over 1,700 linear feet of stream channel to reduce erosion and stabilize topsoil to promote rapid establishment of riparian species. The Corps received the application on August 1, 2012.

Our evaluation has determined that the proposed work, if accomplished in accordance with the enclosed plan(s), is authorized by Nationwide Permit(s) for purposes of Section 10 of the River and Harbors Act of 1899 and/or Section 404 of the Clean Water Act as published in the February 21, 2012 Federal Register, Final Notice of Issuance, Reissuance, and Modification of NWPs (77 FR 10184), NWP number(s) (27), provided all State authorizations are granted. If any of the information contained in the application and/or plan(s) is later found to be in error, this authorization may be subject to modification, suspension, or revocation.


Enclosed is a list of conditions and management practices which must be followed for purposes of the NWP(s) in performing the work.

In addition, we have determined that the special conditions below must also be followed in performing the work to ensure that the project impacts to the aquatic environment are minimal:

1. In-stream work must not be conducted between March 1 through May 31, inclusive of any year.
2. The permittee must submit a complete set of full size final construction plans to the Corps (Attn: Mrs. Mary Frazier, CENAB-OP-RMN) for review and approval prior to commencement of construction in waters of the United States.

U.S. Coast Guard Permit

The Rivers and Harbors Act of 1899 and the General Bridge Act of 1946 give the U.S. Coast Guard the authority to protect navigable waters of the United States. Navigable waters are those waters that at some time, in the past, present, or future are used to transport interstate or foreign commerce. In general, a bridge may not be constructed across any of the listed navigable waters until the location and plans have been approved by the U.S. Coast Guard. Approval is shown by issuance of a bridge permit. The construction contract may have a general permit issued by COE stating how work adjacent to or in bodies of water is to be performed. It is very important that the Contractor adheres to the restrictions and guidelines established in the permit. All U.S. Coast Guard Bridge Permits include conditions. These conditions have the force of law. They must be understood and complied with. If noncompliance is discovered by COE, the project may be shut down and may receive severe fines and penalties

| | | | |
|---|---|--|---|
| U.S. Department of Homeland Security United States Coast Guard |  | Commander United States Coast Guard Fifth Coast Guard District | 431 Crawford Street Portsmouth, Va. 23704-5004 Staff Symbol: dpb Phone: (757) 398-6587 Fax: (757) 398-6334 Email: terance.a.knowles@uscg.mil |
| | | | 16593 08 JAN 07 |

Mr. Earle S. Freedman, Director
Maryland State Highway Administration
Office of Bridge Development
707 North Calvert Street
Baltimore, Maryland 21202

Dear Mr. Freedman:

We reviewed the information provided with your letter of December 6, 2006, for concrete deck repairs at the MD Route 258 Bridge across Rockhold Creek, Anne Arundel County, MD. Since the proposed work will not change the configuration or clearances of the bridges, a Coast Guard Bridge Permit will not be required; and we have no objections to work over the waterway provided the following stipulations are adhered to:

- You or the contractor must notify us at least 30 days in advance of any work which may be obstructions to navigation so we can publish the information in our Local Notice to Mariners. Please advise us of the location and type of construction plant that will be used in this activity. Plans showing this information as well as the sequence of operation should be provided to us at time of the 30-day notification.
- Barges that are used in the waterway during the project must be marked in accordance with Title 33 Code of Federal Regulations, Section 118.95 that outlines temporary marking and lighting requirements. If barge or float anchor lines are used, they must be marked by anchor buoys, which should be lighted. Enclosure (1) is a copy of this regulation and is attached for your information. If you should have any questions, regarding lights on the barges or work floats, please contact Mr. John Walters, Chief, Planning and Waterways Management Section, at (757) 398-6230.

At no time during the work shall the waterway be closed to navigation without the prior notification and approval of the Coast Guard. You are required to maintain close and regular contact with Coast Guard Sector Baltimore to keep them informed to activities in or over the waterway at (410) 576-2693.

You are responsible for compliance with the requirements of any Federal, State, or local agency that may have jurisdiction over any aspect of the project.

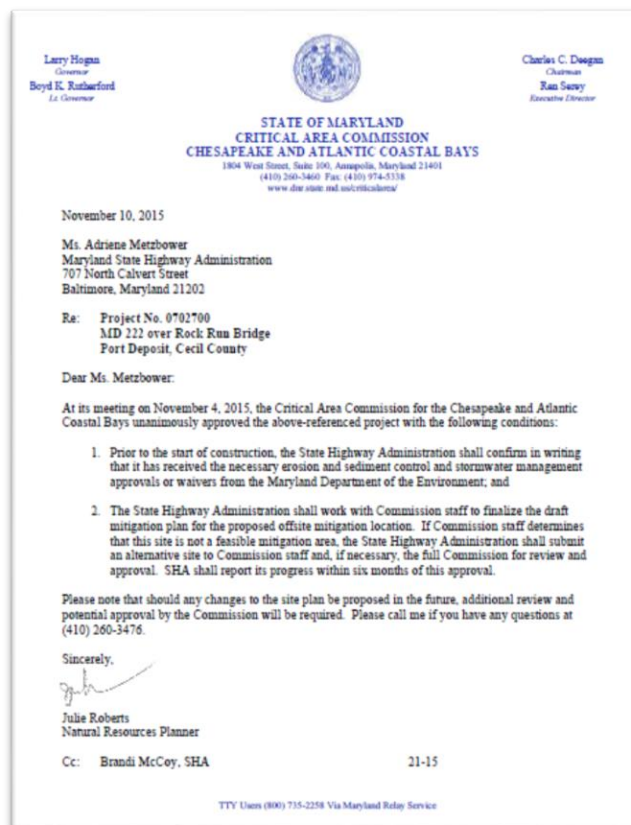
Critical Area Commission Approval

The Critical Area Commission (CAC) was created by the Critical Area Act in 1984. The CAC consists of 29 voting members that are responsible for review and approval of state projects within the Critical Area as well as development and approval of the Critical Area regulations outlined in Title 27 of COMAR. Under a blanket MOU for MDOT, SHA has an agreement for “General Approval” of certain minor classes of activities that do not require a presentation to the CAC.

EPD is responsible for obtaining CAC approval and Critical Area mitigation design for all SHA projects. Any project or development activity within the Critical Area (1,000 feet landward from tidal waters) requires Critical Area Approval. This approval may be in the form of a self-certification by EPD that a project qualifies for approval under the MOU with the CAC, or it could be an approval letter directly from the CAC.

The Critical Area Buffer (CAB) is an added protection area within the 1,000-foot Critical Area Boundary. The CAB is a minimum of 100 feet from tidal wetlands, tidal waters, and tributary streams. The Buffer can be expanded to greater than 100 feet for contiguous non-tidal wetlands, steep slopes, or highly erodible soils. The Critical Area Buffer is delineated on a project-by-project basis and is shown on roadway plan sheets and E&S sheets.

Mitigation is required for disturbance within the CAB based on the LOD. Mitigation is also required for any forest or tree removal within the 1,000-foot Critical Area Boundary.



MDE Water Appropriations Permit for Ground Water

In order to conserve, protect, and use water resources of the State in the best interests of the people of Maryland, it is necessary to control the appropriation or use of surface and underground waters. This permit is required for any activity that withdraws water from the State's surface and/or underground waters unless exempted.

STATE OF MARYLAND
DEPARTMENT OF THE ENVIRONMENT
WATER MANAGEMENT ADMINISTRATION

WATER APPROPRIATION AND USE PERMIT

Permit Number: CO2015G011(01)
Effective Date: March 1, 2016
Expiration Date: February 28, 2019
First Appropriation: March 1, 2016



MARYLAND STATE HIGHWAY ADMINISTRATION

Hereinafter referred to as the "Permittee", is authorized by the Water Management Administration, hereinafter referred to as the "Administration" pursuant to the provisions of Title 5 of the Environment Article, Annotated Code of Maryland (2013 replacement volume) as amended, to appropriate and use waters of the State subject to the following conditions:

1. Allocation - The water withdrawal granted by this permit is limited to:
A daily average of 3,700 gallons on a yearly basis and
A daily average of 9,600 gallons for the month of maximum use.
2. Use - The water is to be used for lowering the water table to facilitate widening Maryland Route 404.
3. Source - The water shall be taken from sumps or well points in the Columbia aquifer.
4. Location - The point(s) of withdrawal shall be located on Maryland Route (Rte) 404, east of its intersection with US Rte 50 (Ocean Gateway) to approximately 0.25 mile west of Maryland Rte 309 (Starr Rd / Main St) and approximately 0.65 mile east of the intersection of MD Rte 480 (Ridgely Rd) and MD Rte 404 to approximately 0.75 mile west of the junction of Meeting House Rd and MD Rte 404, Queen Annes, Talbot and Caroline County, Maryland.

MDE Statewide Letter of Authorization


The MDE Statewide Letter of Authorization (SLOA) authorizes impacts to the 100-year floodplain and wetland buffers when associated with specific SHA maintenance and upgrade related activities that are outlined in the permit conditions. EPD evaluates project impacts and can issue the SLOA for specific projects as appropriate.

There are currently **ten activities** that can be authorized under the SLOA, when disturbance is only occurs within the 100-year floodplain and the wetland buffer:

1. Sidewalks
2. Signals, Lighting, and Signing
3. Guardrail and Median Traffic Barrier
4. Utility relocation and maintenance
5. Ditch Trimming
6. Soil borings and utility test pits
7. Landscaping
8. Pavement Rehabilitation
9. Minor Structure Repairs
10. Stormwater Management Facility Maintenance

STATE OF MARYLAND
DEPARTMENT OF THE ENVIRONMENT
WATER MANAGEMENT ADMINISTRATION
MODIFICATION OF THE
STATE-WIDE LETTER OF AUTHORIZATION

AUTHORIZATION NUMBER: 15-NT-0287/201561369
EFFECTIVE DATE: March 21, 2016
EXPIRATION DATE: November 16, 2025
AUTHORIZED PERSON: Maryland Department of Transportation
State Highway Administration
707 N. Calvert Street
Baltimore, Maryland 21202
Attn: Mr. Todd Nichols



IN ACCORDANCE WITH ENVIRONMENT ARTICLE §5-503(a) AND §5-906(b), ANNOTATED CODE OF MARYLAND (2007 REPLACEMENT VOLUME), COMAR 26.17.04 AND 26.23.01, AND 26.08.02 AND THE ATTACHED CONDITIONS OF AUTHORIZATIONS, MARYLAND DEPARTMENT OF TRANSPORTATION, STATE HIGHWAY ADMINISTRATION ("AUTHORIZED PERSON"), IS HEREBY AUTHORIZED BY THE WATER MANAGEMENT ADMINISTRATION ("ADMINISTRATION") TO CONDUCT A REGULATED ACTIVITY IN A NONTIDAL WETLAND, BUFFER, OR EXPANDED BUFFER, AND/OR TO CHANGE THE COURSE, CURRENT OR CROSS-SECTION OF WATERS OF THE STATE, IN ACCORDANCE WITH THE ATTACHED PLANS APPROVED BY THE ADMINISTRATION ("APPROVED PLAN") AND PREPARED BY MARYLAND DEPARTMENT OF TRANSPORTATION, STATE HIGHWAY ADMINISTRATION AND INCORPORATED HEREIN, AS DESCRIBED BELOW:

The Authorization includes disturbance to the 100-year floodplain and/or the 25-foot nontidal wetland buffer for the following Maryland State Highway Administration maintenance and upgrade related activities. No streams or wetlands will be affected by this work.

1. **Sidewalks:** This activity includes construction of new sidewalk and lengthening or widening existing sidewalk (e.g. Americans with Disabilities Act (ADA)-compliant sidewalk reconstruction), and other similar activities;
2. **Signals, Lighting, and Signing:** This activity includes installation of video detection equipment at signalized intersections; modification and/or removal of existing highway signs and the installation of new highway signs; installation and/or reconstruction of traffic signals, intersection lighting, signs, cameras and loops for detection, minor geometrics within existing pavement footprint; installation and/or reconstruction of un-interrupted power supply and light emitting diode applications and related traffic control devices; installation and/or modification of sign lighting maintenance systems; and, installation of new roadway and sign lighting systems, and other similar activities.
3. **Guardrail and Median Traffic Barrier:** This activity includes removing guardrail, adding new guardrail median barriers, rehabilitating existing traffic barrier systems, and other similar activities;
4. **Utility relocation and maintenance:** Utility installation, relocation and maintenance associated with a roadway project, both above and underground, with review and approval from Maryland Department of Natural Resources Plan Review Division;
5. **Ditch Trimming:** This activity includes repair or maintenance of serviceable roadside ditches, including sediment and debris removal to restore the channel to its original state or design capacity, where no wetland or intermittent or perennial stream is present (the Authorized Person shall request the Administration to make a jurisdictional determination if the status of the ditch is uncertain);
6. **Soil borings and utility test pits:** These activities require use of low-impact (rubber, no tread) tires and minimal clearing to allow equipment to reach boring/test pit locations. Construction of access roads is not allowed, however temporary placement of timber mats is allowed;
7. **Landscaping:** This activity would consist of installation of trees, shrubs, and landscaping beds, both by hand and by machine, and other similar activities.

Regional General Permit For Chesapeake Bay Total Maximum Daily Load (TMDL) Activities

The Regional General Permit (RGP) from the COE authorizes work in waters of the United States within the state of Maryland for activities solely intended to meet nutrient and sediment load reduction targets in accordance with the Chesapeake Bay TMDL. Authorized activities include the retrofit of existing stormwater management facilities, retrofit of existing stormwater management outfalls, and the restoration and enhancement of non-tidal streams and non-tidal wetlands.

The RGP is designed to improve the regulatory process for applicants to reduce unnecessary duplicative project evaluations and promote more effective and efficient use of COE resources while providing equivalent environmental protection for aquatic resources. Since the RGP is intended only for restoration and enhancement of non-tidal streams and wetlands for the TMDL program, no additional piping is allowed under this permit. TMDL projects that qualify for authorization under the RGP can be divided into three categories based on anticipated impact totals with varying reporting and permit application requirements.

| | |
|--|---------------------------------------|
| DEPARTMENT OF THE ARMY REGIONAL GENERAL PERMIT FOR CHESAPEAKE BAY TOTAL MAXIMUM DAILY LOAD (TMDL) ACTIVITIES | |
| PERMIT NO: NAB-2014-00602 | |
| EFFECTIVE DATE: July 01, 2015 | EXPIRATION DATE: June 30, 2020 |
| ISSUING OFFICE: U.S. Army Corps of Engineers, Baltimore District | |
| <p>The Baltimore District of the U.S. Army Corps of Engineers (Corps) is issuing this Chesapeake Bay Total Maximum Daily Load Regional General Permit (Bay TMDL RGP) for activities in waters of the U.S., including jurisdictional wetlands, that are part of an acceptable watershed strategy, such as a Chesapeake Bay TMDL Watershed Implementation Plan (WIP), whose purpose is to identify implementation activities needed to meet nutrient and sediment load reduction targets in accordance with the Chesapeake Bay TMDL. Activities authorized by this Bay TMDL RGP include, but are not limited to, the retrofit of existing stormwater management facilities, the retrofit of existing stormwater management outfalls, and the restoration and enhancement of non-tidal streams and non-tidal wetlands. Stream and wetland restoration and enhancement projects must meet nutrient and sediment load reduction targets under the Chesapeake Bay TMDL and restore functions that support and/or enhance aquatic biological resources at the project site.</p> <p>This Bay TMDL RGP provides a streamlined form of Department of the Army authorization for activities that provide nutrient and sediment reductions mandated by the Chesapeake Bay TMDL. The development of permit streamlining measures under Section 404 of the Clean Water Act (CWA) for TMDL implementation activities, including stream restoration activities, supports Chesapeake Bay Executive Order (EO) 13508 strategy goals for restoring clean water and recovering habitat and EO 13563, Improving Regulation and Regulatory Review.</p> | |
| This Bay TMDL RGP contains the following sections: | |
| I. Authorities | Page 2 |
| II. Applicable Waters | 2 |
| III. Excluded Waters | 2 |
| IV. Impact Area and Conversion Thresholds for Bay TMDL RGP | 2 |
| V. Activities Authorized by Bay TMDL RGP | 4 |
| VI. Required Stream Assessment & Degradation Criteria | 4 |
| VII. Activities Not Authorized by Bay TMDL RGP | 5 |
| VIII. State and Local Approvals | 7 |
| IX. How to Obtain/Apply for Authorization | 7 |
| X. Application Submittal Thresholds | 8 |
| XI. Permit Application | 10 |
| <div style="display: flex; justify-content: space-between;"><div>U.S. Army Corps of Engineers Baltimore District</div><div>Chesapeake Bay TMDL Regional General Permit 16 June 2015</div></div> | |

Erosion/Sediment Control and Storm Water Management

The following State approvals are related to stormwater management, sediment control, and National Pollutant Discharge Elimination Systems (NPDES) construction permits for all SHA projects and operations.

All projects with an earth disturbance of 5000 square feet or 100 cubic yards require approval from MDE or the appropriate delegated authority. Additionally, all projects in the Severn River Watershed require approval from the Ann Arundel Soil Conservation District (AASCD). If you are uncertain of whether a project is exempt, submit to the Highway Hydraulics Division (HHD) for determination.

Review and approval authority is delegated to the Office of Highway Development, Plan Review Division (PRD).

Stormwater Management and Erosion & Sediment Control Approval

With Delegated Authority, SHA has approval authority over stormwater discharges, and reviews all State and Federal projects to ensure compliance to the applicable regulations. PRD will issue SWM approval to projects that meet the requirements established in the 2007 Maryland Stormwater Design Manual and the Guidelines for State and Federal Projects.

Grading operations that disturb more than 5,000 SF or 100 CY of excavation require the submission of and approval of an E&SC Plan. Although grading operations that disturb less than 5,000 SF or 100 CY of excavation do not require formal authorization through MDE, they do require the implementation of E&SC measures to suit the site and the site conditions.



Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Pete K. Rahn
Secretary
Gregory Slater
Administrator

FINAL APPROVAL FOR STORMWATER AND SEDIMENT CONTROL

TO: DANA HAVLIK, P.E.
CHIEF, HIGHWAY HYDRAULICS DIVISION

FROM: LAURA RIDLER, P.E.
CHIEF, PLAN REVIEW DIVISION

SUBJECT: 17-PR-0144, GA1675129SB
OAKLAND FACILITY - DOME REPLACEMENT
PREPARED BY: HHD SUBMITTED: 11/27/2017
DATA SUBMITTED: SWM REPORT, IFB

DATE: NOVEMBER 28, 2017

In compliance with Environment Article, Section 4-106 and 4-205 Annotated Code of Maryland, Final Approval for stormwater management and sediment and erosion control is hereby granted to the Maryland Department of Transportation, State Highway Administration (SHA). This APPROVAL is granted subject to the following conditions:

1. This approval shall become null and void if the construction authorized herein has not been completed within two (2) years from the granting of this approval unless an extension has been requested, and is approved at the discretion of the SHA Plan Review Division (PRD).
2. The approval is subject to all laws and regulations now in effect, and may be revoked if it is subsequently determined that this authorization violates other laws of the State.
3. The location and dimensions of all sediment control structures and stormwater management facilities as well as grading, excavation and filling shall be in accordance with plans approved by PRD. SHA or authorized agent must obtain written approval from PRD for any plan modifications or changes. A copy of the approved plan with any approved modifications, and this approval, shall be available at the construction site for reference during the construction period.
4. Off-site borrow or waste sites require local, county, and Soil Conservation District approvals if they are located on private property, PRD approval if on State property, or Maryland Department of the Environment (MDE) approval if on federal property. Local approval numbers shall be furnished to the SHA Quality Assurance (QA) Program Inspector.
5. SHA or their authorized agent shall notify the QA Program at (410) 365-0164, at least seven (7) days prior to initiation of the project, and within five (5) days after the construction activities end.
6. Prior to any earth disturbance, a National Pollutant Discharge Elimination System (NPDES) Application for an Individual or a General Permit to Discharge Stormwater Associated with Construction Activities shall be submitted to and approved by MDE for all projects with earth disturbance of 1.0 acre or greater.
7. The Limit of Disturbance (LOD) for this project is 0.06 acres. All disturbed areas shall be stabilized at the end of each work day.
8. This project is exempt from stormwater management since the limit of disturbance is less than 5,000 square feet. The project disturbs over 100 cubic yards and requires erosion and sediment control approval.

707 North Calvert St., Baltimore, MD 21202 | 410.545.0400 | 1.800.206.0770 | Maryland Relay TTY 800.735.2258 | roads.maryland.gov

Dana Havlik, P.E.
November 28, 2017
17-PR-0144, GA1675129SB
Page Two

9. Environmental Site Design Volume (ESDv) management is not required for this site.
 - a. Water quality is not required for the Youghiogheny River Watershed (05-02-02) by:
 - i. The Water Quality Bank will be:
Debited 0.00 acres Credited 0.00 acres
 - b. Channel Protection is not required for this site.
10. Water quantity control (Qp/Qf) is not required for this site.
11. Dam Safety/Pond 378 requirements are not applicable for this project.
12. Wetlands and Waterways impact requirements are applicable for this project.

Approved By: Laura Ridler (Pursuant to Criteria Noted Above)
Laura Ridler, P.E.
Chief, Plan Review Division

cc: Ms. Kristen Carter, HHD Liaison, Office of Highway Development, MDOT SHA
Mr. Jesse Salter, MDE Compliance
Mr. William Seiger, MDE Waterways
Ms. Aimee Semler, Office of Environmental Design, MDOT SHA
Ms. Amanda Sigillito, MDE Wetlands
Ms. Jan Walecka, Project Manager, Office of Highway Development, MDOT SHA

NPDES Permit for Stormwater Associated with Construction Activity

A NPDES Notice of Intent (NOI) for coverage under the General Permit for Stormwater Associated with Construction Activity is required for disturbance of one acre or greater. This permit is obtained by HHD prior to Advertisement. Because this is a general permit, it is the same for every project. This permit imposes conditions in addition to the E&SC requirements.



Maryland
Department of
the Environment

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor
Ben Grumbles, Secretary
Horacio Tablada, Deputy Secretary

8/7/2017

Maryland Department of Transportation
138 Defense Highway
Annapolis, Maryland 21401

RE: MDRCBS0F2

Dear Mr. Peter Keke:

Please find enclosed documentation of coverage under the 2014 General Permit for Stormwater Associated with Construction Activity (MDRC) for:

AX7665482 TMDL SWM RETROFITS GROUP 1 - ANNE ARUNDEL COUNTY
issued to

Maryland Department of Transportation

Please note that the effective date of coverage under the General Permit is the date on the attached cover sheet. If the current erosion and sediment control plan approval covers only part of the entire site covered by this permit, be advised that this permit does not authorize discharges from the other portions of the site until the appropriate erosion and sediment control approval authority approves the erosion and sediment control plan for those portions. The permit also requires that the site have an approved stormwater management plan (unless exempt or waived by the stormwater approval authority) prior to earth disturbance. Part IV.C.3 of the permit requires the permittee to use the standard written report form as provided by MDE. The form is available on MDE's website at the following location both as a fillable Microsoft Word form and as an Adobe Acrobat file.

http://mde.maryland.gov/programs/water/Compliance/Pages/gp_construction.aspx

Print this letter and the cover sheet and keep them with your permit file. In addition, download the 2014 General Permit from the above website, print it for your permit file, and refer to it to ensure compliance with its terms. Submit any modifications to this coverage, Transfers of Authorization, or Notices of Termination via the ePermits portal. If your contact information changes, update it through the ePermits portal.

Your cooperation in this matter is appreciated. If you have any questions, please call the administrative team for the General Permit at (410) 537-3019.

Sincerely,

D. Lee Currey, Director
Water and Science Administration

1800 Washington Boulevard | Baltimore MD 21230 | 1-800-633-6101 | 410-537-3000 | TTY Users 1-800-735-2258

www.mde.maryland.gov



PERMIT FOR STORMWATER ASSOCIATED WITH CONSTRUCTION ACTIVITY

Effective Date: 7/17/2015

Expiration Date: 12/31/2019

NOTE: If site work is complete per Part II. I. prior to the expiration date, the permittee must submit a Notice of Termination and terminate the permit.

the Environment Article, Annotated Code of Maryland, and regulations of the Clean Water Act, 33 U.S.C., Section 1251 et. seq., and 122, 123, 124 and 125, the Department of the Environment hereby permits the discharge of stormwater associated with construction activity at the site

SHA

707 North Calvert Street

C-303

Baltimore, Maryland 21202

DISCHARGE STORMWATER FROM:

SWM Pond Retrofit (NW-39) and Removal (PR-257) (AX3765T60)

construction project on

3.64 acres

at property located at

Rich Wood Lane (NW-39) and Rich Wood Lane (PR-257)

Mill and Olney Mill, Maryland 20832

plan approval covers only part of the entire site covered by this permit, this permit does not authorize discharges from the other portions of the site until the appropriate erosion and sediment control plan for those portions.

TO:

Northwest Branch of Anacostia River

which is
protected for Recreational Trout Waters

in accordance with the 2014 General Permit. The vicinity map submitted with the Notice of Intent is considered incorporated herein and made a part hereof.

AASCD Approval

The Anne Arundel Soil and Conservation District Approval (AASCD) is needed for all projects located in Anne Arundel County, the City of Annapolis and SHA projects within the Severn River watershed. All plans must adhere to the current Maryland Department of the Environment's Standard and Specifications for Soil Erosion and Sediment Control.

The AASCD approval will appear as a stamp on the E&S plan sheet.


| | |
|---|---|
| | <div style="text-align: center; border: 1px solid black; padding: 5px; margin-bottom: 10px;"> STATE HIGHWAY ADMINISTRATION STORMWATER MANAGEMENT EROSION AND SEDIMENT CONTROL FINAL APPROVAL </div> <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="text-align: center;"> Approved Division Chief, Plan Review Division </div> <div style="text-align: center;"> 11-16-16 Date </div> </div> <div style="display: flex; justify-content: space-between; align-items: center; margin-top: 10px;"> PRD No. 15-PR-0023 This Approval Expires on 11-24-18 </div> <div style="text-align: right; margin-top: 20px;"> AASCD 15 OF 149 AASCD#: 2015-0447 </div> <div style="text-align: center; margin-top: 20px;"> STATE OF MARYLAND DEPARTMENT OF TRANSPORTATION STATE HIGHWAY ADMINISTRATION HIGHWAY DESIGN DIVISION MD 175 (ANNAPOLIS ROAD) WEST OF REECE ROAD TO EAST OF DISNEY ROAD 6 LANE DIVIDED RECONSTRUCTION </div> |
| <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> REVISIONS </div> <div style="border: 1px solid black; padding: 5px;"> ADDENDUM NO. 1 JULY 18, 2018 </div> | <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> EROSION AND SEDIMENT CONTROL PLAN PHASE 1B - ROAD CONSTRUCTION FROM 202+04 TO 800+00 </div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> SCALE <u>1" = 20'</u> ADVERTISED DATE <u>02/02/2016</u> CONTRACT NO. <u>AA060427</u> </div> <div style="display: flex; justify-content: space-between; margin-bottom: 10px;"> <div style="width: 45%;"> DESIGNED BY <u>XY</u> DRAWN BY <u>XY</u> CHECKED BY <u>WJ</u> MDS/PRD <u>16-00-000</u> </div> <div style="width: 45%;"> COUNTY <u>ANNE ARUNDEL COUNTY</u> LOGMILE _____ HORIZONTAL SCALE _____ VERTICAL SCALE _____ </div> </div> <div style="display: flex; justify-content: space-between; border-top: 1px solid black; padding-top: 5px;"> <div style="width: 45%;"> DRAWING NO. ES- 8 OF 50 </div> <div style="width: 45%;"> SHEET NO. 143 OF 215 </div> </div> |

Tree and Forestry

The Statewide Forest Mitigation Program is administered by the Statewide Forester. The Program involves the review of design plans at various milestones for all SHA construction projects that impact trees or forest. In addition to plan reviews the Statewide Forester also responds to “tree issue” requests from SHA Maintenance Shops, SHA consultants, county and local governments as well as private residents. This is to ensure that SHA is compliant with the MD Tree Laws that govern our projects.

MD Roadside Tree Permit

Enacted in 1914, the Maryland Roadside Tree Law regulates impacts to individual roadside trees, and impacts to forested areas less than one acre in size. A roadside tree is defined as any tree, or trees, growing within the public space of a state, county or local road ROW that reaches a height of at least 20' at maturity and has a minimum trunk diameter of two inches Diameter at Breast Height (DBH). The law governs removal as well as any treatment of "save" trees such as branch pruning, root pruning, and selective thinning. In addition, the installation of trees in the ROW also requires a Roadside Tree Permit. EPD acts in a supporting role to DE's and CPE's to maintain compliance with the law.

**MARYLAND**
DEPARTMENT OF
NATURAL RESOURCES

Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor
Joseph P. Giff, Secretary
Frank W. Dawson III, Deputy Secretary

ROADSIDE TREE PERMIT- INDIVIDUAL (RTI): 2014-0794

Name: Jialin Tian, Maryland State Highway
Address: 707 North Calvert St., Baltimore, MD. 21202
The applicant is a public agency: Yes
Applicant type: An authorized agent of a responsible party
Is hereby granted a permit to perform:
Tree Removal, 7 Tree(s) Tree planting, 14 Tree(s) near: FOREST HILL

County: HA; Harford

The proposed tree care will: Eliminate a hazard to property, public safety, or health
Described as follows:
PARTICULAR TREE OR TREES INVOLVED:
Remove those trees, approximately 7, from the east side of Route 24, Rock's Road. Deal with tree stumps by either grinding or cutting flush then treat with herbicide. Replant area according to planting plan.
HA3345171


LIMITATIONS OR CONDITIONS ON TREE CARE OR PLANTING:

NOTE: The roadside tree law does not convey tree ownership to the Department. Permission from the owner of the tree or trees in question (SHA, MDTA, local DPW, etc.) must also be obtained prior to beginning any work. Work on the tree or trees in question without permission of the owner may be considered a trespass by the owner of the tree or trees despite possession of a valid permit from the Department.

EXCLUDING ANY TREE NOT WITHIN THE RIGHT-OF-WAY OF A PUBLIC HIGHWAY
Provided, that the work authorized by this permit shall not begin until the Forest Warden designated by the Director as his agent shall be present and give their sanction to the means employed, and that the work may be suspended by order of the Forest Warden upon any failure or refusal of the operators to perform it in accordance with the rules and regulations of the Department of Natural Resources - Forest Service.
This permit is granted under authority of the Annotated Code of Maryland, 1973, under Title 5, Subtitle 406, which places the care and protection of all trees growing within the right-of-way of any public road or between the curb and property lines of any street in any incorporated town in Maryland under the Department of Natural Resources - Forest Service. This permit, in no way cancels or contravenes the right of property owners to restrict or prevent the trimming or cutting of trees upon their own properties, except that trees covered by this permit may not be treated in any way other than as herein specified.

Authorized by: John Zipfel
Address: 9405 Old Harford Road, Baltimore, MD. 21234
LTE Performing the work: TBD

Title: Forest Ranger
Date: 05/12/2014




THIS PERMIT VALID FOR ONE YEAR FROM DATE OF ISSUE
Maryland Forest Service * Tawes State Office Building * 580 Taylor Avenue * Annapolis, Maryland 21401
410.266.8DNR or toll free in Maryland 877.628.8DNR * www.dnr.maryland.gov * TTY users call via Maryland Relay

60

Maryland Reforestation Law Approval

Enacted in 1989, the MD Reforestation Law governs linear highway projects, utilizing State funds, that impact areas of forest that are one acre or greater. The Law provides a 1:1 replacement for the loss of forest cover. Replacement of forest cleared for highway construction must be accomplished on an acre-for-acre, 1:1 ratio on public lands and within a year of the completion of the project. Attempting to locate reforestation sites within the same county or watershed as the impacted area is given the first priority. If this is not possible the constructing agent (usually SHA) must deposit into the Reforestation Fund, ten cents per square foot or \$4,356 per acre for the total cleared area. This fund is used by the Maryland DNR to plant replacement trees on public lands such as schools and parks. The Landscape Operations Division (LOD) acts in a supporting role to assist the Project Engineer (or design consultant) in this effort, and tracks forest cleared and acreage planted under the Law.

| | | | |
|---|--|--|--|
|  | | MARYLAND DEPARTMENT OF NATURAL RESOURCES | |
| | | <i>Larry Hogan, Governor</i> <i>Boyd Rutherford, Lt. Governor</i> <i>Mark Belton, Secretary</i> <i>Joanne Throwe, Deputy Secretary</i> | |
| Forest Service 580 Taylor Avenue, E-1 Annapolis, Maryland 21401 | | | |
| <u>REFORESTATION LAW: PROJECT REVIEW</u> | | | |
| CONTRACT #: | AW8965670 | PDMS #: | N/A |
| COUNTY: | Caroline and Queen Anne's | REVIEWED BY: | A. Gilbert |
| TO: | Joel Bush | DATE: | December 16, 2015 |
| AGENCY: | MD SHA | PROJECT: | MD 404 Dualization from US 50 to east of Holly Rd. |
| ADDRESS: | 707 N. Calvert St., Mail Stop C-303 Baltimore, MD 21202 | | |
| ----- | | | |
| This memorandum is to inform you that the above referenced contract was reviewed by this office on: <u>December 16, 2015</u> | | | |
| Our review of this project indicated that <u>19.44</u> acres of forest land will be cleared. The following conditions are to apply to this project: | | | |
| | 1. | Reforestation of <u>0.0</u> acres must be conducted on site within one year of this project's official construction completion date. Further determination of on-site reforestation will be done at the time this project is completed. | |
| XX | 2. | Reforestation of <u>19.44</u> acres must be conducted off site on public lands within the same county or watershed in which the clearing occurred. This reforestation must be completed within one year of the construction completion of the project. | |
| | 3. | Other conditions: Pay fee-in-lieu of planting of <u>\$00.00</u> into the State Reforestation Fund <u>0.0</u> acres at \$4,356.00 an acre (\$0.10 per square foot) = <u>\$00.00</u> | |
| All reforestation that is carried out by you or your agency must have the planting plans approved by the Department of Natural Resources-Forest Service. As stated earlier in the review process, state agencies who are unable to locate public lands for mitigation planting must provide a detailed explanation of why they cannot fulfill the planting obligations before any payment (in lieu of planting) will be accepted into the reforestation fund. This explanation must be submitted prior to construction completion. If the fee-in-lieu is approved, billing will be based on a fee of <u>10 cents per square foot</u> of forest cleared for construction projects for which bids were let out July 1, 1992 or later. | | | |
| The review of this project indicated that a total of <u>19.44</u> acres of forest land is to be cleared. So the resulting bill, if no reforestation is carried out by you or your agency, would be <u>\$84,680.64</u> . Please note that this dollar amount is an estimate; final determination is pending final review of the project. | | | |
| Attached is a copy of our completed review form for your records. A copy of this form has also been placed on file with our Reforestation Law Compliance Section. If you should have any questions, please contact: | | | |
| | Anne Gilbert | phone #: | 410-260-8510 |

Maryland Forest Conservation Act Approval

Enacted in 1991, The MD Forest Conservation Act (FCA) regulates grading impacts associated with non-linear facility projects. Any activity requiring an application for a subdivision, grading permit or sediment control permit on areas 40,000 square feet (approximately one acre) or greater is subject to the Forest Conservation Act and will require a Forest Conservation Plan prepared by a licensed forester, licensed landscape architect, or other qualified professional.



MARYLAND
DEPARTMENT OF
NATURAL RESOURCES

Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor
John R. Griffin, Secretary
Joseph P. Gill, Deputy Secretary

April 22, 2013

Kenneth Brown
Project Manager/Environmental Scientist
Straughan Environmental
10245 Old Columbia Road
Columbia, MD 21046
Tel: 443-539-2526
Fax: 410-309-6160
Email: kbrown@straughanenvironmental.com

Dear Mr. Brown,

SHA Waysons Corner Park and Ride Extension FCP Approval
FCP# S12-20

This is to inform you that the above captioned project (*Waysons Corner Park & Ride Extension*) has been determined to be complete and is approved.

Please attach a copy of the enclosed approval stamp to the original Mylar for this project and send one copy of the approved plan to my office. A copy of the stamped plan should be available at the construction site prior to or at our first inspection. This inspection shall occur before any construction activity begins, to determine whether forest protection measures have been installed and conservation areas are clearly marked on site (COMAR 08.19.04.14)

Please refer to FCP # S12-20 in all future correspondence pertaining to this project. If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Horace Henry
Southern Region Urban & Community Forestry Coordinator



Register all newly planted trees today!
www.trees.maryland.gov



8023 Long Hill Road, Pasadena, MD 21122
Tel: 410-360-9774 • www.dnr.maryland.gov • TTY users call via Maryland Relay • Fax: 410-360-5875
hhenry@dnr.state.md.us

Extending Permits During Construction

It is the responsibility of the District that administers the project to recognize when a permit will expire prior to completion of the project. If you have a permit that is due to expire prior to completing construction, it must be extended to cover the duration of the work.

The Quality Assurance toolkit does provide notifications if you wish to receive them. Any user may subscribe to these notifications in their settings menu. The notifications provided are 18 months after issuance, six months and three months prior to expiration. These notifications should give adequate lead time in the event an extension is necessary.

The type of permit you are extending will dictate the Division and individual you need to contact. Below is the extension procedure for each of the divisions or individuals that may be involved.

Office of Highway Development - Highway Hydraulics Division - hhd@sha.state.md.us

| Type of Permit | Contact | Lead Time |
|--|--|--|
| SWM /E&S - Stormwater Management and Sediment & Erosion Control Approval | The Design Project Manager and Highway Hydraulics Division | 1 month (2 weeks processing and 2 weeks review and approval) |

Assistant District Engineer

| Type of Permit | Contact | Lead Time |
|---|-----------------------------|---|
| NPDES - National Pollutant Discharge Elimination System (NOI) | Assistant District Engineer | None. This can be done at any time after the SWM / E&S approval is extended |

For NOIs, which expire when the SWM/ESC approval expires or on 12/31/2019, whichever is sooner, the responsible person named on the permit must update it. To do so, they need to upload the SWM/ESC extension approval in the MDE permits Portal.

For tech support, Contact Christie Minami and send a copy of the latest approved NOI to facilitate record-keeping, also have the contract number and SF or PR number available

Office of Environmental Design - Environmental Program Division

| Type of Permit | Contact | Lead Time |
|---|---|-----------|
| Wetlands & Waterways <ul style="list-style-type: none">• State Letter of Authorization (SLOA)• Authorization to Proceed (ATP)• Letter of Authorization (LOA)• Non-tidal Wetlands and Waterways Permit (NTWWP)• Modification of Authorization (MOA)• Tidal Permit (TP)• Tidal License (TL)• MDSPGP Cat A• MDSPGP Cat B• RGP Cat 1-3• NW-27• IP | EPD Team Leader for your District or Area | 3 months |
| Tree Permits <ul style="list-style-type: none">• Roadside Trees• MD Reforestation Law Approval• MD Forest Conservation Act Approval | Statewide Forester | 1 month |
| The most up to date contact information for EPD can be found on the EPD intranet site. | | |

Closing of Permits

When a project is completed permits must be closed with the issuing agency. In some instances, such as the NPDES closing the permit is the only way to stop specified reporting requirements. The following are examples of permit closure process related to the specific permits. You should read all permits associated with your project to ensure proper closeout procedures are followed.

If you are unsure of the proper closeout procedure, contact the offices and Division as you would for a permit extension covered in the previous section.

NPDES Permit for Stormwater Associated with Construction Activity

A NPDES Notice of Termination (NOT) for coverage under the General Permit for Stormwater Associated with Construction Activity is required upon project completion. The Permittee (Generally the ADE of Construction) must submit the NOT through the MDE e-Permits site

The Standard Inspection Form is to be completed until the NOT is received and approved by MDE.

MDE e-Permits

Welcome to the online Maryland Department of the Environment e-Permits interface. Projects that disturb one or more acres of earth must apply for either a General or Individual Permit for Stormwater Associated with Construction Activity, and obtain coverage under that permit before beginning earth disturbance on any part of the project. All projects may apply for a general permit unless the Maryland Department of the Environment (MDE) has indicated that an individual permit is required. All applicants may use the e-Permits interface whether they are applying for an individual or a general permit. More information about the application process, in addition to important documents such as the text of the General Permit and the required self-inspection form, is available at MDE's stormwater associated with construction activity webpage: <http://go.usa.gov/gFMW>.

Projects that initially disturb less than one acre, but that are part of a plan of development that will ultimately disturb one acre or more, must also obtain a General or Individual Permit for Stormwater Associated with Construction Activity before beginning earth disturbance on the first part of the project.

Existing general or individual permittees who seek to increase the disturbed acreage covered by their permit must also use this interface. Increases of one acre or more will follow the same process as a new project, including a public notification period. Permittees can submit increases of less than an acre of disturbance through this interface as well. MDE will review those submittals, and generally a public notification period will not be required.

Permittees may submit transfers of authorization through this interface. To transfer the entire permit to another responsible party, use a full transfer. To transfer just a portion of the permitted area to another responsible party, use a partial transfer.

Public Notices

[View Current Public Notices](#)

Log In

You will need to create a user account to use this service. If you have an account, enter your username and password here.

Username


Password

[Log In](#) or [Create Account](#)

[Forgot Password?](#)

MDE SLOA – Project Completion Form

Projects that are authorized under the SLOA are tracked by EPD, and completion information is reported to MDE on a quarterly basis. A Project Completion Form will accompany the SLOA which needs to be filled out by the Construction P.E. and provided to EPD within 30 days of completion of impacts to wetland and waterway resources (Note that the entire project does not need to be complete).

| | |
|--|---|
|  MARYLAND DEPARTMENT OF TRANSPORTATION STATE HIGHWAY ADMINISTRATION | Larry Hogan Governor Boyd K. Rutherford Lt. Governor Pete K. Rahn Secretary Gregory Slater Administrator |
|--|---|

MEMORANDUM

TO: Mr. Todd Nichols, Chief
Environmental Programs Division

FROM: _____

DATE: _____

SUBJECT: Contract No: XX1525385
FMIS No.: AT052A2L
Description: District 3 Signalization – US 301 at Pointer Ridge Drive

RE: Statewide Letter of Authorization (SLOA) Project Completion Form

County: Prince George's County

Construction Start date: _____

Construction Completion date: _____

Nontidal Wetland Buffer Impacts (SF):

Estimated:* 398 *Actual:* _____

100-Yr Floodplain Impacts (SF):

Estimated:* 0 *Actual:* _____

*Impact estimates based on design plans dated February 2016.

Please note that it is the responsibility of the MDOT SHA Construction Project Engineer to complete the information above within 30 days of project completion and to forward to the Environmental Programs Division (EPD). As a permit condition, EPD is required to submit a quarterly report of completed SLOA projects to the Maryland Department of the Environment. Failure to report or to complete the authorized work in compliance with the SLOA can result in suspension, modification or revocation of the authorization. If you have any questions, please contact Ginny Boone at 410-545-8524 or vboone@sha.state.md.us.

TN/VB

MDSPGP-5 Permit Compliance Certification Form

The MDSPGP-5 Permit Compliance Certification Form is included with all MDSPGP-5 permits issued for a construction project. The form must be filled out and signed by the Construction P.E. and returned to EPD along with labeled photographs showing the completed work within 30 days of completion of impacts to wetland and waterway resources (Note that the entire project does not need to be complete). EPD will then review the form and forward to COE as part of the permit closeout process. Failure to return this form can result in suspension, modification, or revocation of the MDSPGP-5. The form must be completed, signed, and returned to EPD with labeled photographs showing the completed work.



DEPARTMENT OF THE ARMY
BALTIMORE DISTRICT, CORPS OF ENGINEERS
ATTN: REGULATORY BRANCH
10 S. HOWARD STREET
BALTIMORE, MD 21201

Operations Division

MDSPGP-5 PERMIT COMPLIANCE

Corps Permit Tracking No. 2016-00895-M24
Category & Activity Number Cat B-1 e(Minor Non
Project Name MD SHA/Proj. #MO160A21/I-270 SB
Applicant Name Mr. Todd Nichols/MD SHA
Waterway unnamed tributary to Cabin John Creek, n
County Montgomery

Dear Permittee:

In accordance with the compliance certification you are required upon completion of all permit required, within 60 days following completion of mitigation (but not the mitigation monitoring, which is required to be completed and signed by the permittee) to complete and sign this certification form and return it to the District, ATTN: CENAB-OPR, 10 S. Howard Street, Baltimore, MD 21201.

Please note that the permitted activity is subject to the supervision of Corps of Engineers representatives. As a condition of the permit, the required information provided in compliance with the permit, can result in suspension of authorization in accordance with 33 CFR Part 329.2(c)(1) and criminal penalties, in accordance with 33 CFR 329.2(c)(2).

Please provide the following information:

1. Date authorized work commenced: _____
2. Date authorized work completed: _____
3. Was all work and any required mitigation, including all general and/or special conditions of the permit, completed in accordance with the permit authorization, including all general and/or special conditions of the permit?
4. MDSPGP-5 projects authorized under Category B-1 e are within all tidal waters of the Chesapeake Bay. Projects must meet one of the following conditions of the permit (Section VII.B.4.c(1) of the MDSPGP-5):
 - a. Projects limited to pier construction, marina reconstruction, finger pier construction, sheet pile driving, or other pile driving method(s) that was used for the

- _____ (a) Plastic or concrete piles must be less than 12 inches when a cushioned impact hammer or vibratory hammer is utilized for installation.
- _____ (b) Timber piles must be 10 inches or less when a vibratory hammer is utilized for installation.
- _____ (c) Vinyl or timber sheet piles must be 24 inches or less in width, as measured from the outer edge of corrugation to the inner edge of corrugation, when a cushioned impact hammer or vibratory hammer is used.
- _____ (d) Pile driving activities must be located within freshwater tributaries or within tidal or nontidal wetlands.
- _____ (e) Piles of any size/type with any hammer method must be installed behind diversion structures or in the dry when the tide is out in the intertidal zone.
- _____ (f) Piles of any size/type with any hammer method must be installed between November 30 and March 15.

5. Explain in detail any deviations to the authorized work and/or mitigation (use additional sheets if necessary)

6. Wetland Mitigation: Required? YES _____ NO _____
- a. Maryland State Wetlands Compensation Fund used? YES _____ NO _____
- b. Required Completion Date: _____

7. Wetland Mitigation Completed? YES _____ NO _____ Date Completed: _____
- a. Mitigation Monitoring Reports Required? YES _____ NO _____

8. Please attach labeled photographs showing completed work including mitigation area(s).

I hereby certify that, except as noted above, that all work, including mitigation, has been completed in accordance with the terms and conditions, including special conditions of the above referenced permit.

Signature of Permittee _____ Date _____ Signature of Contractor/Agent _____ Date _____

Address _____ Contractor Address _____

Telephone: _____ Contactor Telephone _____