



Holly Colby <zhcolb22@aacounty.org>

KENNETH SIKORA -2023-0105-V (AD3,CD5)

1 message

Rampe <rampesails@gmail.com>

Mon, Nov 13, 2023 at 3:15 PM

To: "zhcolb22@aacounty.org" <zhcolb22@aacounty.org>

For possible reference in discussion during the variance hearing.

Mary Rampe
1602 Orchard Beach Road
Annapolis MD 21409

PRO. EXHIBIT# 1
CASE: 2023-0105-V
DATE: 11/21/23

 **1600OrchBchMDE (3).pdf**
602K



MARYLAND DEPARTMENT OF THE ENVIRONMENT

1800 Washington Boulevard • Baltimore MD 21230

410-537-3000 • 1-800-633-6101

Martin O'Malley
Governor

Shari Wilson
Secretary

Anthony R. Brown
Governor

Bob Summers
Deputy Secretary

February 22, 2008

**DOUG HEUSSLER/
MOUNTAIN LAUREL LANE ASSOC.**
C/o Robert Welsh
Bay Bridge Investments
2075 Maidstone Farm Road
Annapolis, MD 21409

Re: MDE Authorization Number: 08-PR-0896
MSPGP Authorization Number: 200860240

Dear Mr. Heussler:

Your application to alter tidal wetlands has been evaluated by the Tidal Wetlands Division. Your State license or permit authorizing work in tidal wetlands is attached. Your project qualifies for federal approval under the Maryland State Programmatic General Permit (MDSPGP), that permit is also attached. You should not begin any work until you have obtained all necessary State, local and federal authorizations.

Please take a moment to read and review your authorizations to insure that you understand the limits of the authorized works and all of the general and special conditions. If you are aggrieved by the Department's decision to authorize this project subject to the conditions set forth in the License, you may petition the circuit court in the county where the land is located within 30 days after receiving this license. Please call me at 410-537-3835 with any questions.

Sincerely,

Richard J. Ayella, Chief
Tidal Wetlands Division



MARYLAND DEPARTMENT OF THE ENVIRONMENT

1800 Washington Boulevard • Baltimore MD 21230

410-537-3000 • 1-800-633-6101

Martin O'Malley
Governor

Shari T. Wilson
Secretary

Anthony G. Brown
Lieutenant Governor

Robert M. Summers, Ph.D.
Deputy Secretary

TIDAL WETLANDS LICENSE: 08-PR-0896 Pier and Piling Construction

**Licensee: DOUG HEUSSLER/
MOUNTAIN LAUREL LANE ASSOC.**

**Address: C/o Robert Welsh
2075 Maidstone Farm Road
Annapolis, MD 21409**

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:

To construct a 90-foot long by 6-foot wide pier with a 10-foot wide by 20-foot long platform and emplace six mooring piles, all within a maximum of 116 feet channelward of the mean high water line of Mill Creek at 1600 Orchard Beach Road in Annapolis, Anne Arundel County, Maryland as depicted on the attached plans dated 1/14/2008.

By applying for and receiving this Wetland 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 license is subject to the following conditions:


SPECIAL CONDITIONS

- A. 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

GENERAL CONDITIONS

- A. The licensee shall obtain an approved sediment and erosion control plan from the local soil conservation district when the area disturbed is greater than 5000 square feet.
- B. The licensee certifies real property interest in the contiguous upland;

- C. This license is valid only for use by the licensee of the Maryland Department of the Environment. Permission for transfer of the license shall be obtained from the Water Management Administration. The terms and conditions of this license shall be binding on any assignee or successor in interest of the license;
- D. The licensee acknowledges that this license does not transfer any property interest in State tidal wetlands. This license allows the licensee to use State tidal wetlands only for the structure or activity authorized herein and in no way limits the use of waters of the State by the public;
- E. The construction of any structure or the performance of any activity under this license shall be evidence that the licensee has accepted all of the terms and conditions herein;
- F. This license is void if the licensee fails to obtain all required State, county, or local approvals before beginning work on the licensed structure or activity;
- G. The licensee shall allow representatives of the Maryland Department of the Environment to enter the property at reasonable times to inspect the ongoing or completed work under the license;
- H. The licensee shall make every reasonable effort to design and construct the structure or perform the activity authorized in this license in a manner which minimizes adverse impacts on natural resource values, including water quality, plants, wildlife, plant and wildlife habitat, and on historic property values;
- I. The licensee shall notify the Water Management Administration, Inspections and Compliance Division (410) 537-3510 at least 5 days before beginning the structure or activity;
- J. This license expires 3 years after the date of issuance. The licensee shall complete construction of the activity authorized under this license within the allowed 3 years, otherwise a new general license shall be obtained;
- K. The Maryland Department of the Environment may suspend or revoke this license upon written finding for good cause that suspension or revocation is in the State's best interest.
- L. This license provides no justification or assurances for future dredging. All dredging projects will be evaluated on the biological and physical characteristics of the site at the time an application is made.


Richard J. Ayella, Chief
Tidal Wetlands Division

Date of Issuance: February 22, 2008
RAMS Tracking No.: 200860240

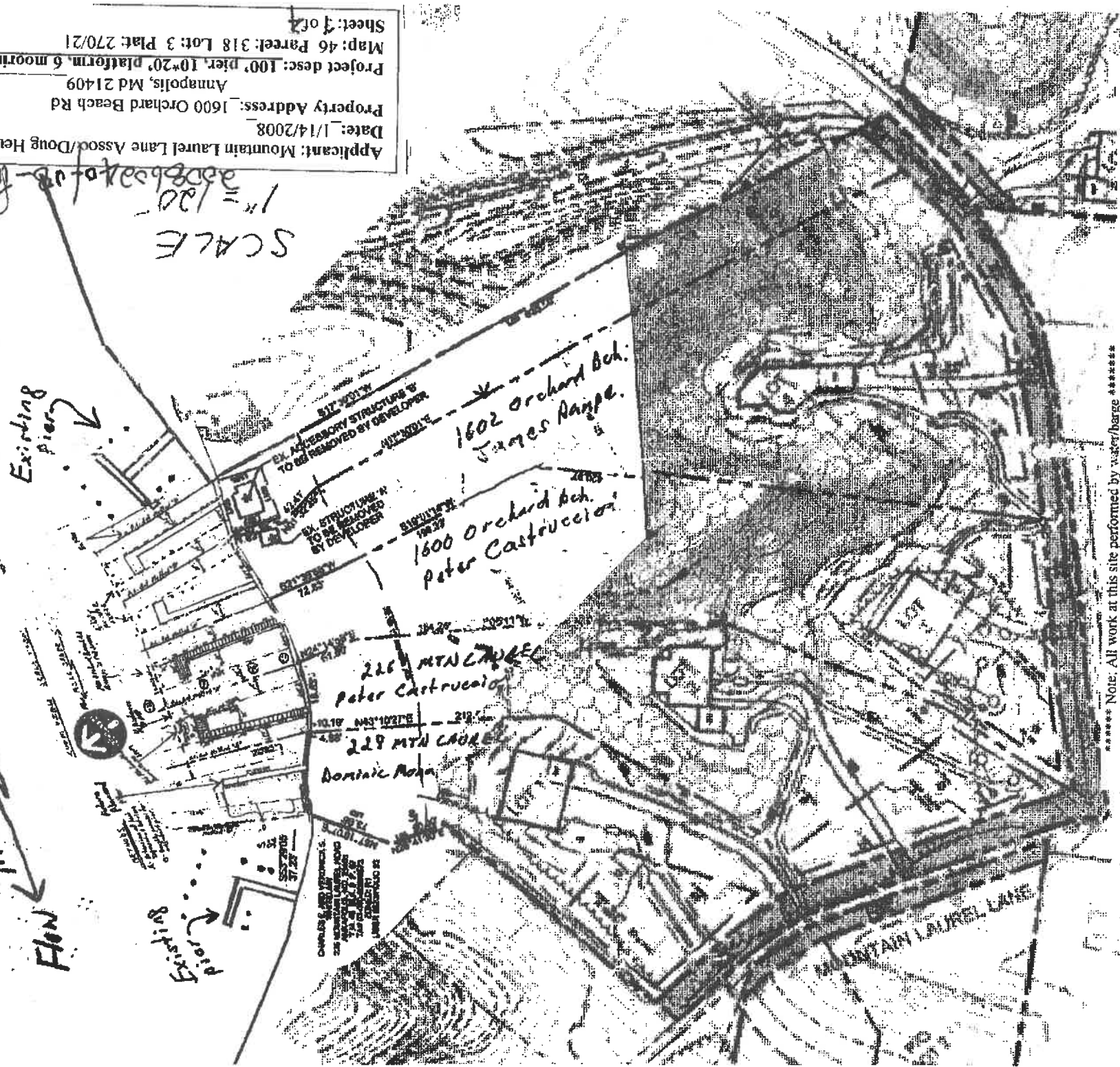
See zoom view
next page.

Opposite
shoreline
Flow
Mill Creek

Existing
pier

SCALE
1" = 100'

Applicant: Mountain Laurel Lane Assoc/Doug Heussler
Date: 1/14/2008
Property Address: 1600 Orchard Beach Rd
Annapolis, Md 21409
Project desc: 100' pier, 10*20' platform, 6 mooring poles
Map: 46 Parcel: 318 Lot: 3 Plat: 270/21
Sheet: 1 of 2



***** Note: All work at this site performed by water/barge *****

Applicant is solely responsible for insuring all work is performed per specifications and per terms of issued permits. This drawing is for permit application only. All specifications provided by applicant.

Applic: [Signature]
Property Owner

N L

ZOOM VIEW

SCALE 1"=30'

Sheet 00
2 of 4

METHODS

- A - Extension of last segment of lot-line
- B - Roughly parallel to adjacent pier.

Future Planned Pier



Flow MILL CREEK → Ebb

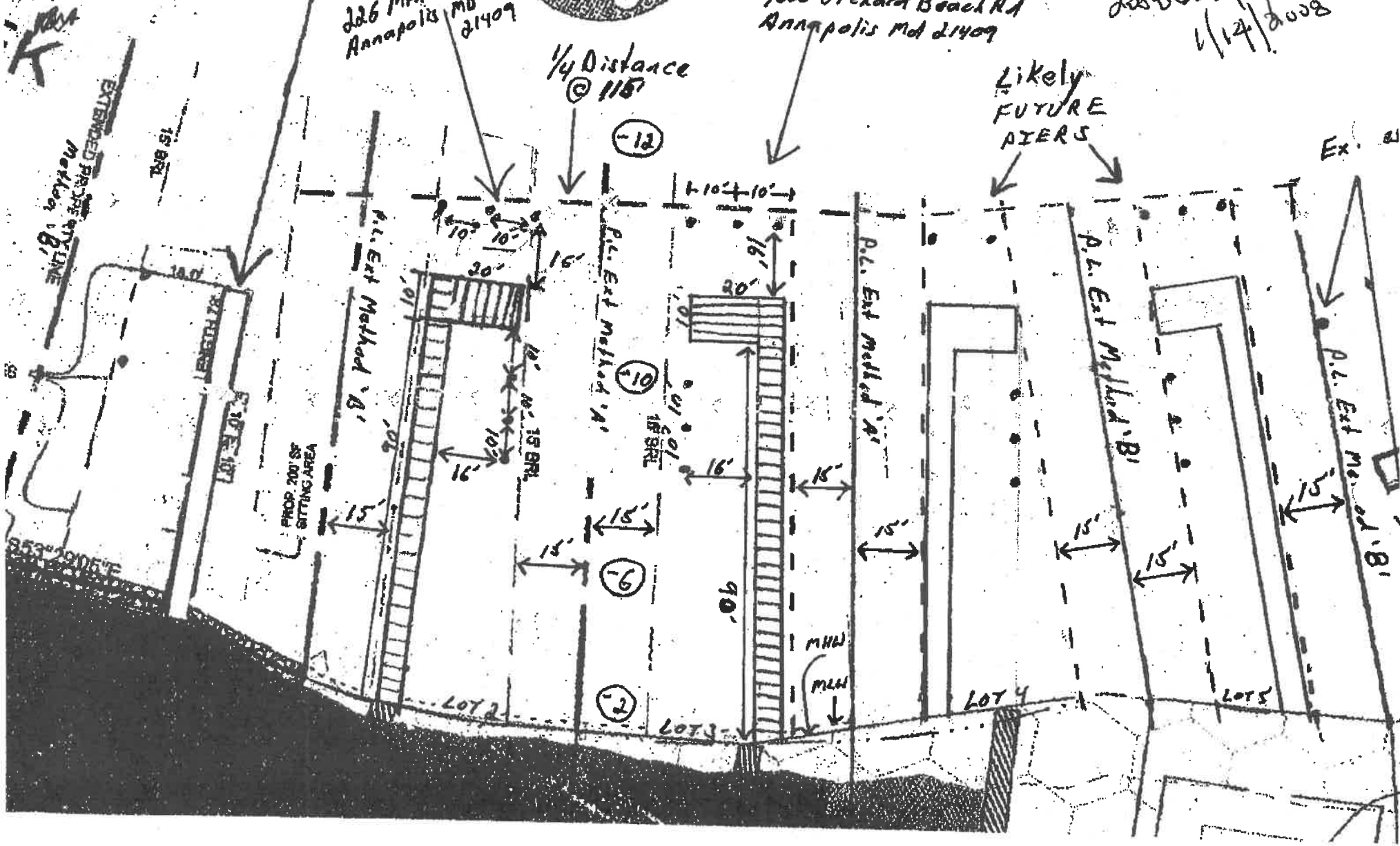
226 Mtn Laurel Ln
Annapolis MD 21409

1600 Orchard Beach Rd
Annapolis Md 21409

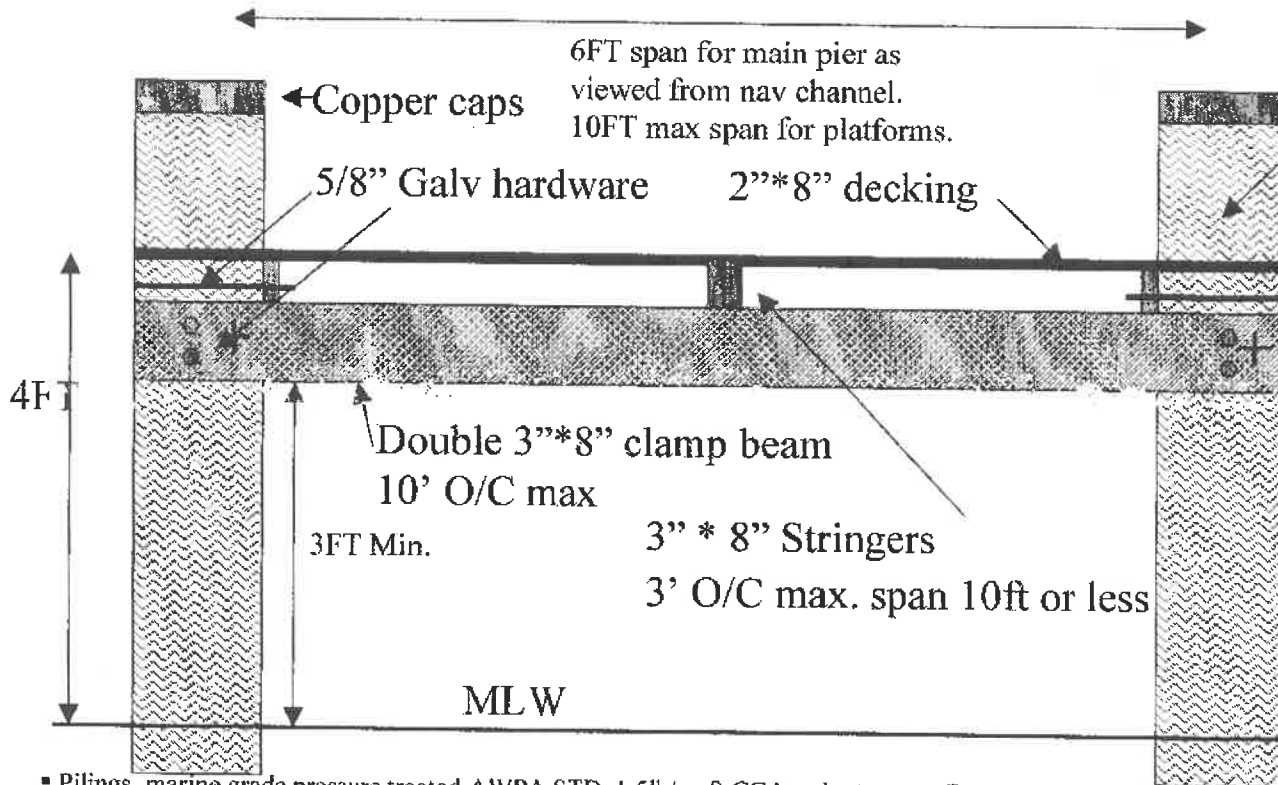
MOUNTAIN LAUREL
200806240
1/14/2008
08-PR-029

1/4 Distance
@ 115'

Likely FUTURE PIERS

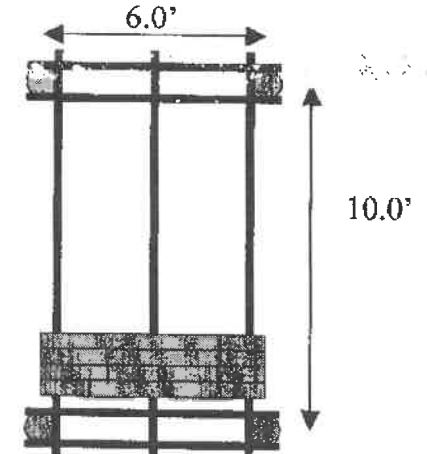


Pier Construction Drawing



Water depth	Pile diam. (min)*	Pile length (min)*	Beam & stringer Max span
0-3'	10"	20'	10'
3-6'	12"	25'	10'
6-9'	14"	30'	10'

* Selected by contractor based on site conditions



- Pilings, marine grade pressure treated AWPA STD, 1.5lb/cu ft CCA or better type C
- Pilings driven to point of SIGNIFICANT resistance or refusal and AT LEAST as much below seabed as above
- Framing, beams & stringers 1.0 lb cu/ft CCA or better. Decking 0.5lb cu/ft ACQ or better
- All nails 20d or larger, hot dip galvanized
- All exterior bolt-heads recessed & hot dip galvanized
- All beams bolted w/ hot dip galv. 5/8" bolts w/washers both sides and square nuts. Outer stringers bolted through pilings
- Owner responsible for scheduling required inspections & closing permits
- Owner assumes all responsibility for any construction related to these plans/permits

Applicant is solely responsible for insuring all work is performed per specifications and per terms of issued permits. This drawing is for permit application only. All specifications provided by applicant.

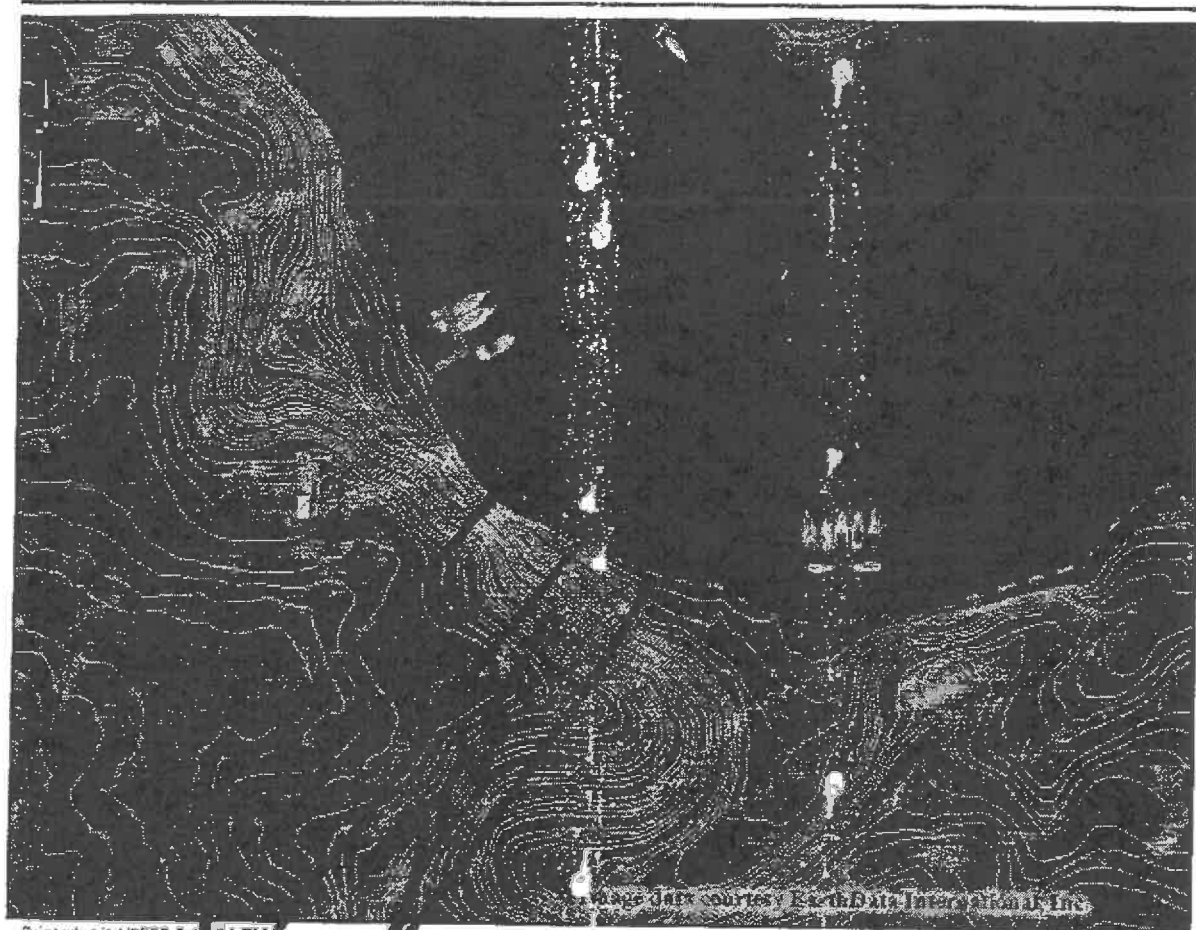
Applicant signature: [Signature]
Property Owner

200860240 08-12-0896 Scale: NTS

Applicant: Mountain Laurel Lane Assoc./Doug Heussler
 Date: 1/14/2008
 Property Address: 1600 Orchard Beach Rd
 Annapolis, Md 21409
 Project desc: 100' pier, 10*20' platform, 6 mooring poles
 Map: 46 Parcel: 318 Lot: 3 Plat: 270/21
 Sheet: 3/4



Anne Arundel County Department of Public Works



Printed: 1/14/2008 8:11:54 PM

Scale = 1" = 166'

SITE

20080240/08-PR-0896

Applicant: <u>Mountain laurel Lane Assoc, Doug Heussler</u>	
Property Address: <u>1600 Orchard Beach Rd</u> <u>Annapolis Md 21409</u>	
Project desc: <u>Construct 6'*100' Pier, 10'*20' platform, 6 mooring piles</u>	
Date: <u>1/14/2008</u>	Sheet: <u>4</u> of <u>7</u>



REPLY TO
ATTENTION OF

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

IMPORTANT INFORMATION ABOUT YOUR PROJECT

Corps Permit Tracking No.: 200860240 Date: February 22, 2008
Permittee/Project Name: Mountain Laurel Lane MDSPGP-3 Category and Activity No.: I- A3

Dear Applicant:

The U. S. Army Corps of Engineers, Baltimore District, has determined that the proposed work meets the terms and conditions of the Maryland State Programmatic General Permit-3 (MDSPGP-3), provided the work is completed in compliance with the plan(s) (enclosed), the standard MDSPGP-3 conditions (enclosed), the applicable MDSPGP-3 activity-specific conditions (enclosed), and special conditions (enclosed, if applicable). This MDSPGP-3 verification is provided pursuant to Section 10 of the Rivers and Harbors Act of 1899 and/or Section 404 of the Clean Water Act. If any of the information contained in your application and/or plans is later found to be in error, the MDSPGP-3 authorization for your project may be modified, suspended, or revoked.

As a condition of the MDSPGP-3 authorization, you, the permittee, are required to complete and sign the enclosed Compliance Self-Certification Form regarding the completed work and any required mitigation, and return to the above address within 60 days following completion of the authorized work and any required mitigation.

In addition, please note, if you sell the property associated with this permit, when the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new property owner(s). Although the construction period for work authorized by this MDSPGP-3 is finite, the permit itself, with its limitations, does not expire. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, you must have the transferee (new owner) provide a mailing address and telephone number along with their signature and date in the space provided below, and mail a copy to the above address.

Your MDSPGP-3 authorization is valid until September 30, 2011 unless the MDSPGP-3 is modified, reissued, or revoked. You must remain informed of the changes to the MDSPGP-3. When changes to the MDSPGP-3 occur, a public notice announcing the changes will be issued. If you have commenced construction or are under contract to commence construction of this authorized work prior to the expiration, modification, or revocation date of the MDSPGP-3 itself, you have 12 months from the effective date of the MDSPGP-3's expiration, modification or revocation to complete the work under the present terms and conditions of this MDSPGP-3.

In order for this authorization to be valid, you must obtain all required Federal, State, and local permits.


Margaret E. Ganney-Smith
Chief, Regulatory Branch

TRANSFeree SIGNATURE

DATE

AREA CODE / TELEPHONE NO.

PRINTED NAME

ADDRESS

phases of multi-phased projects (e.g., subdivisions should include all work such as roads, utilities, and lot development) shall be applied for and reviewed together as constituting one single and complete project. The MDSPGP-3 shall not be used for any activity or portion of a project, e.g., a pier or boat ramp, that is part of, or dependent on, an overall project, e.g., the dredging of a main navigation channel or a spur channel, for which an individual permit or some other alternate Corps permit is required.

6. Use of Multiple MDSPGP-3 Category I Activities: More than one Category I activity may be used to authorize a single and complete project under the MDSPGP-3. However the project must meet the specific requirements of each Category I activity and the total extent of project impacts must not exceed the acreage limit of the Category I activity with the highest specified acreage limit (e.g., if armoring the toe of an existing culvert is constructed under Category I.b(2) with an associated nontidal bank stabilization authorized under Category I.f(1)), the maximum total impact limits to waters of the United States for the single and complete project may not exceed 1.0 acre (43,560 square feet).

7. Authorized Activities in Navigable Waters Subject to Section 10 of the Rivers and Harbors Act of 1899:

a. If future operations by the United States require removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable water, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

b. The U.S. Code of Federal Regulations, Title 33, Part 64 states that all structures erected in navigable waters in depths in excess of three feet at mean low water (MLW) require obstruction lights unless the applicant is advised to the contrary by the Coast Guard District Commander. If the structures authorized by this permit are to be built in water depths in excess of three feet at MLW, the permittee must contact the Commander (AOWW), Fifth Coast Guard District, Federal Building, 431 Crawford Street, Portsmouth, Virginia, 23704, to ascertain the need for obstruction lights.

B. National Concern:

1. Historic Properties: Any activity authorized by the MDSPGP-3 shall comply with Section 106 of the National Historic Preservation Act. MDE, in cooperation with the Maryland Historic Preservation Office, shall conduct an initial review and notify the Corps if any archaeological or other cultural resources are in the vicinity of the project. The Corps may require applicants to perform a survey of archaeological and historical resources in the project area. The Corps shall determine if consultation under Section 106 with MHT or the Advisory Council on Historic Preservation is required. The applicant must notify the Corps if the activity may affect any historic properties listed or eligible for listing, or that the applicant has reason to believe may be eligible for listing on the National Register of Historic Places. If the permittee, during construction of work authorized herein, encounters a previously unidentified archaeological or other cultural resource within the permit area subject to DA jurisdiction that might be eligible for listing in the National Register of Historic Places, the permittee shall immediately stop work in the permit area and notify the District Engineer. The permittee shall not begin or continue work until notified by the District Engineer that the requirements of the National Historic Preservation Act have been satisfied and that the activity may proceed. Information on the location and existence of historical resources can be obtained from the Maryland Historic Trust, Office of Preservation Services, and the National Register of Historic Places.

2. National Lands: Activities authorized by the MDSPGP-3 shall not impinge upon the value of any Federal land, including but not limited to, National Wildlife Refuges, National Forests, National Marine Sanctuaries or any area administered by the National Park Service (e.g., Assateague Island National Seashore).

3. Endangered Species: The MDSPGP-3 does not authorize any activity that may affect a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA); or which may destroy or adversely modify the critical habitat of such species unless and until appropriate coordination with the applicable resource agency(s) is complete and all such issues are resolved in accordance with the applicable regulations and the procedures outlined in the MDSPGP-3 Standard Operating Procedures. MDE, in cooperation with DNR, shall conduct an initial review and notify the Corps and FWS or NMFS if any Federally-listed species or critical habitat is likely to be in the vicinity of the project. The Corps shall determine if consultation with FWS or NMFS is required under Section 7 of the ESA. If consultation is required, the applicant, after notification, shall not begin or continue work until notified by the Corps that the requirements of the ESA have been satisfied and that the activity is eligible for authorization. Information on the location of threatened and endangered species and their critical habitat can be obtained from the FWS and NMFS.

C. Minimization of Environmental Impacts:

1. **Minimization:** Discharges of dredged or fill material into waters of the United States and adverse impacts of such discharges on the aquatic ecosystem shall be avoided and minimized to the maximum extent practicable on-site.

2. Mitigation:

a. Generally, compensatory mitigation will be required for all permanent tidal or nontidal wetland impacts either through the State's tidal or nontidal wetland compensation fund or by the permittee as required by special condition of the MDSPGP-3 or the State authorization.

b. Generally, compensatory mitigation will be required for all permanent impacts of 200 linear feet or greater to stream channels, rivers, and other open waters as appropriate under Federal guidance and to the extent necessary to ensure that the impacts are minimal. A proposed compensatory mitigation proposal may be submitted with the application to expedite the process. The Corps will determine if the project is eligible for authorization under the MDSPGP-3 subject to the applicant's submittal of a compensatory mitigation proposal for stream impacts. Compensatory mitigation plans for projects in or near streams or other open waters will generally include a requirement for the establishment, maintenance, and legal protection (e.g., conservation easements) of riparian areas next to open waters. Riparian areas should consist of native species. The width of the required riparian area will address documented water quality or aquatic habitat impact concerns.

3. **Work in Wetlands:** Heavy equipment working in wetlands shall be avoided if possible and, if required, soil and vegetation disturbance shall be minimized by using techniques such as timber mats, geotextile fabric, and vehicles with low-pressure tires. Disturbed areas in wetlands shall be restored to preconstruction contours and elevations upon completion of the work.

4. **Temporary Fill and Mats:** Temporary fill and the use of mats are both considered a discharge of fill material and must be included in the quantification of impact area authorized by the MDSPGP-3. Temporary fill (e.g., access roads, cofferdams) in waters and wetlands authorized by the MDSPGP-3 shall be properly stabilized during use to prevent erosion. Temporary fill in wetlands shall be placed on geotextile fabric laid on the existing wetland grade. Upon completion of the work, all temporary fills shall be disposed of at an upland site, suitably contained to prevent erosion and transport to a waterway or wetland. Temporary fill areas shall be restored to their original, pre-construction contours and revegetated with native wetland species.

5. **Erosion and Sediment Control:** Adequate erosion and sediment control measures, practices and devices, such as vegetated filter strips, geotextile silt fences, phased construction, or other devices or methods, shall be used to reduce erosion and retain sediment on-site during and after construction. These devices and methods shall be capable of (a) preventing erosion, (b) collecting sediment and suspended and floating materials, and (c) filtering fine sediment. Erosion and sediment control devices shall be removed when the work is complete and the site has been successfully stabilized. The sediment collected by these devices shall be removed and placed at an upland location, in a manner that will prevent its later erosion into a waterway or wetland. All exposed soil and other fills shall be permanently stabilized at the earliest practicable date. In-stream work shall be conducted "in the dry" whenever practicable. This should be accomplished using stream diversion devices, other than earthen or stone cofferdams. In addition, work in waters of the United States should be performed during periods of low-flow or no-flow, whenever practicable.

6. **Aquatic Life Movements:** No activity may substantially disrupt the necessary life-cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. Culverts placed in streams must be installed to maintain low flow conditions. A low flow channel must be maintained through any discharges placed for armoring across the channel so as to not impede flow in the waterway and/or not to block or impede the movements of anadromous, estuarine and resident fish. NOTE: Please refer to Appendix C for an expanded version of General Condition VI.C.6 entitled, "Guidance for Constructing Man-Made Stream Crossings and Scour Protection for Man-Made Stream Crossings to Pass Migratory Fish in The Coastal Plain Region of Maryland, and Lower Piedmont Region of Cecil, Harford, and Baltimore Counties, Maryland". This document includes recommended guidance on fish passage and hydrological parameters to ensure that man-made stream crossings do not adversely affect migratory fish.

b. A statement that any required mitigation was or was not completed in accordance with the permit conditions. If the mitigation was not completed in accordance with the permit conditions, the permittee shall describe the specifics of the deviation from the permit conditions.

c. The signature of the permittee, certifying the completion of the work and compensatory mitigation.

After the project is completed, the certification shall be sent to the Baltimore District at the following address:

**U. S. Army Corps of Engineers
Baltimore District
Attn: CENAB-OP-R
P. O. Box 1715
Baltimore, MD 21203-1715**

3. Transfer of MDSPGP-3 Verifications: If the permittee sells the property associated with a MDSPGP-3 verification, the permittee may transfer the MDSPGP-3 verification to the new owner by submitting a letter to the Baltimore District Corps of Engineers office to validate the transfer. A copy of the MDSPGP-3 verification must be attached to the letter, and the letter must contain the following statement and signature:

“When the structures or work authorized by this MDSPGP-3 are still in existence at the time the property is transferred, the terms and conditions of this MDSPGP-3, including special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this MDSPGP-3 permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.”

(Transferee)

(Date)

4. Maintenance: The permittee shall maintain the work or structure authorized by the MDSPGP-3 in good condition and in compliance with the terms and conditions of the MDSPGP-3.

5. Property Rights: The MDSPGP-3 does not convey any property rights, either in real estate or material, or any exclusive privileges, nor does it authorize any injury to property or invasion of rights or any infringement of Federal, State, or local laws or regulations.

6. Modification, Suspension and Revocation: The MDSPGP-3, or any verification under it, may be either modified, suspended, or revoked, in whole or in part, pursuant to DA policies and procedures and any such action shall not be the basis for any claim for damages against the United States.

7. Restoration: The permittee, upon receipt of a notice of revocation of authorization under the MDSPGP-3, shall restore the wetland or waterway to its former condition, without expense to the United States and as directed by the Secretary of the Army or his authorized representative. If the permittee fails to comply with such a directive, the Secretary or his designee may restore the wetland or waterway to its former condition, by contract or otherwise, and recover the cost from the permittee.

8. Special Conditions: The Corps may impose special conditions on any project authorized under the MDSPGP-3, in cases where the Corps determines that special conditions are necessary to avoid or minimize adverse effects on the environment or on any other factor of the public interest. Failure to comply with all conditions of the authorization/verification, including special conditions, will constitute a permit violation/unauthorized work and may subject the permittee to criminal, civil, or administrative penalties, and/or restoration.

9. False or Incomplete Information: If the project is verified by the Corps or MDE under the MDSPGP-3 and subsequently discovers that it has relied on false, incomplete, or inaccurate information provided by the permittee, the MDSPGP-3 verification may be revoked and the Government may institute appropriate legal proceedings.

10. Compliance: Any activity performed in waters of the United States, including wetlands and navigable waters, that is not in compliance with all the terms and conditions of the MDSPGP-3 that includes the MDSPGP-3 Category List activity-specific conditions, constitutes unauthorized work and is subject to an enforcement action by the Corps or the EPA. Furthermore, the MDSPGP-3 does not delegate any Section 404 enforcement or regulatory authority. When unauthorized



REPLY TO
ATTENTION OF

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

MDSPGP-3 PERMIT COMPLIANCE, SELF-CERTIFICATION FORM (10/1/06)

Corps Permit Tracking No. _____ Category & Activity Number _____

Project Name _____ Applicant Name _____

Waterway _____ County _____

Dear Permittee:

In accordance with the compliance certification condition of your MDSPGP-3 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 to the address shown above and include ATTN: CENAB-OP-R.

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-3 authorization, including all general and/or specific conditions? YES ___ NO ___

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

5. Was mitigation accomplished through a contribution to the Maryland Nontidal Wetlands Compensation Fund?
YES ___ NO ___ (if NO complete Nos. 6 and 7 below).

6. Wetland Mitigation: Required? YES ___ NO ___ Required Completion Date _____
Completed? YES ___ NO ___ Mitigation Monitoring Reports Required? YES ___ NO ___

7. 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: _____

Address: _____

Telephone: _____

Telephone: _____



REPLY TO
ATTENTION OF

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

Corps Permit Tracking Number

MDSPGP-3
CATEGORY I ACTIVITY (I-a(3))
Piers

The projects, structures and activities, listed below, must comply with all activity-specific conditions, in addition to all of the general conditions of this general permit.

This activity authorizes private, non-commercial piers (Section 10)(Navigable waters of the United States, including nontidal navigable waters of the United States, e.g., Potomac and Susquehanna Rivers).

Conditions:

- (i) Application must be submitted to MDE for Corps authorization.
- (ii) This activity authorizes only 1 pier and 4 boat hoists or lifts per property.
- (iii) This activity does not authorize individual floating piers.
- (iv) If the pier is crossing open waters, it may not exceed 6 feet in width. If the pier is crossing areas of vegetated wetlands, it must not exceed 3 feet in width and must be constructed a minimum of 3 feet above the wetland surface elevation.
- (v) Piers with 6-foot wide decking that cross open tidal waters must have their decking constructed a minimum of 4 feet above mean low water to minimize shading of SAV. Alternatively, decking of a pier over open tidal waters may be constructed no lower than 3 feet above mean low water if the deck width does not exceed 5 feet.
- (vi) The total area of all fixed and floating auxiliary platforms including Ts, Ls, and step down platforms must not exceed 200 square feet and must not be located over vegetated wetlands.
- (vii) Floating auxiliary structures authorized by this activity are limited to floating finger piers, including small floating jet-ski piers and platforms; and floating gangways provided the total square footage of these floating structures does not exceed 200 square feet for any one project.
- (viii) Platforms must not be constructed within the landward 50% of the main pier section.
- (ix) The project must not create more than 4 boat slips.
- (x) The project must not include more than 2 osprey poles per property.
- (xi) The project must not include more than 2 three-pile dolphins.
- (xii) The pier must not include more than two, 3-foot wide finger piers, and the finger piers must not exceed 50 % of the proposed slip length.
- (xiii) The project must meet the minimum extended property line setback requirements established by the local jurisdiction in which the activity is proposed. In localities where there are no set back requirements, the structure(s) must be constructed in a manner that does not obstruct ingress and egress from adjacent properties.
- (xiv) Piers must not extend within 100 feet of an MDE-approved water ski course.