



In collaboration with
Maryland Department of Transportation
Maryland Department of Planning Maryland Historical Trust
Maryland Department of Information Technology

Navigating Maryland's Resource Access and Permitting Process for Broadband Projects

*A User's Guide to
Streamlining Protective Environmental Permitting
& Securing Resource Access*

October 2018



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Executive Summary

On May 25, 2017, Governor Hogan signed into law the Connecting Rural Maryland Act of 2017 to improve internet, broadband, wireless and cellular services and accessibility to underserved rural communities across the state. It is estimated that 324,000 rural Marylanders lack access to high-speed internet. One of the challenges to providing this access is the number and complexity of environmental permits and resource access authorizations required before fiber optic lines can be installed in certain areas.

The Maryland Departments of Natural Resources (DNR) and the Environment (MDE) launched a cooperative effort to examine and streamline this process among state agencies. Initially, the effort was two-fold: 1) enhance the speed for issuing environmental permits in a protective manner and 2) provide a clear pathway for project planning and coordination to facilitate access to DNR owned lands and associated communication infrastructure. As this effort evolved, it became apparent that review, permit and resource access authority was not limited to DNR and MDE but involved other state agencies, as well. The Maryland Departments of Transportation (MDOT) and Information Technology (DoIT) also manage land assets and communication infrastructure. In addition, DoIT administers all Resource Sharing Agreements with telecommunication vendors. Cultural, historical and critical area resources are under the review authority of the Maryland Department of Planning (MDP), Maryland Historical Trust (MHT) and the Critical Area Commission (CAC). These additional agencies have worked together to develop this *User's Guide to Streamlining Protective Environmental Permitting & Securing Resource Access*.

The User's Guide offers practical step-by-step advice to internet service project developers, telecom utility companies and other entities ('telecommunication vendors') for planning, designing, permitting and securing resource access to enhance the deployment of high speed internet to underserved rural communities. Specific advances in support of this objective include:

- A sequential approach, complete with defined timeframes, for engaging agencies to ensure that necessary authorizations and permits can be easily expedited.
- Design and routing recommendations to minimize environmental impacts, reducing the need for extensive permit review.
- Planning tools, guidance and points of contact to identify needs for early coordination with specific agencies thus avoiding costly delays later in project planning.
- New interagency "Tiger Teams", led by the Maryland Department of the Environment (MDE), composed of agency experts who will make on-site decisions with a goal of issuing environmental permits in a matter of days and weeks, not months.
- Opportunities to group multiple impact locations in a single application and/or authorization minimizing the number of permits that need to be processed.

Introduction

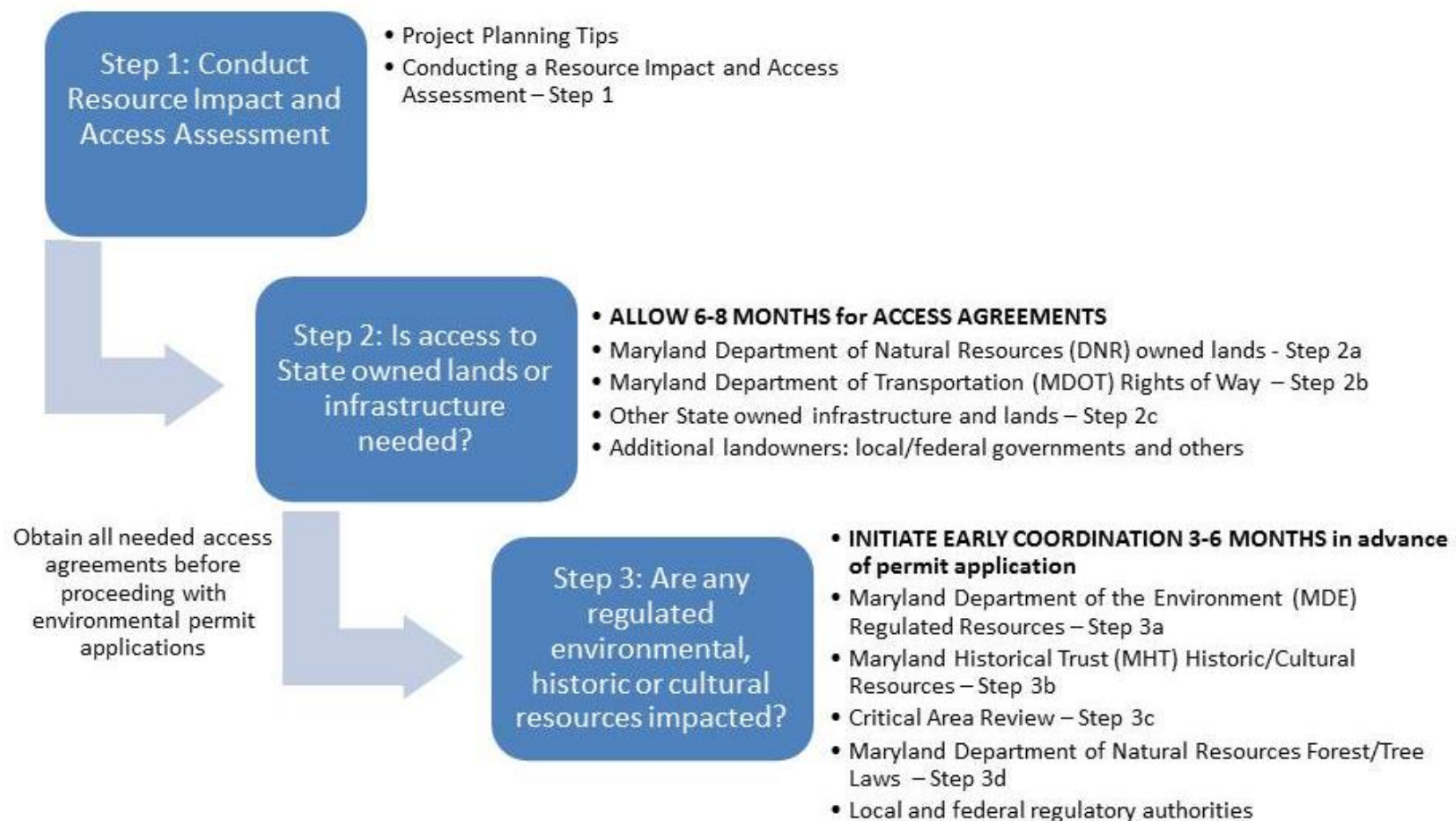
This user's guide is intended for use by internet service providers and other entities (telecommunication vendors) who are initiating projects to expand broadband internet service to new markets. Today, broadband internet service is the most used form of internet access because of its high access speeds. It is typically offered in five different forms: DSL (or Digital Subscriber Line which utilizes unused copper telephone wires), fiber-optic cable, coaxial cable, wireless and satellite. Many internet users may remember the old dial-up connection which tended to be cheaper but was often quite slow. The emphasis on expanding internet service to Maryland's underserved rural communities focuses on broadband service, ensuring that access to high-speed internet is readily available to all.

Whether a project uses DSL, fiber-optic cable, coaxial cable, wireless, satellite or a combination of approaches, there may be environmental permits that are required and an interest in accessing publicly owned land and communication infrastructure. This guide is intended to provide assistance in timely navigating the State's resource access and permitting processes, while protecting sensitive environmental, cultural and historic resources. It does not specifically address additional access and permitting requirements of federal and local government authorities. There are some permitting and review instances that do involve coordination, such as those involving wetland and water impacts, or impacts to cultural and historic resources. The user is encouraged to initiate early contact with local and federal government agencies to ensure any approvals and permits are properly planned and obtained in a timely manner, as these issues can also be challenging and complex.

The attached flow chart (Chart 1: Step-by-step process for navigating the state resource access and permitting process) provides the recommended approach for achieving the fastest pathway for protective broadband permitting and access to public resources. The remainder of this User's Guide is organized to follow this step-by-step approach.

Chart 1: Step-by-step process for navigating the state resource access and permitting process

Navigating the State Resource Access and Permitting Process



Fast Track Project Planning Tips

The following fast track project planning tips provide general guidance that is further detailed in agency specific processes.

Early State Agency Coordination

Contact State agencies early in the planning processes to address coordination needs and resolve concerns before permit applications are submitted. A six (6) to nine (9) month timeframe is recommended, particularly for access and resource sharing needs. It is recommended that early coordination also be initiated with any local and federal government agencies that administer resource sharing agreements and permits relevant to the project.

Public Land Access Process – Coordination with Maryland Department of Natural Resources (DNR)

Initiate coordination at least 6 months in advance.

Bundle multiple projects to avoid more time consuming individual reviews.

Be responsive to information requests and legal review comments in a timely manner.

Historic and Cultural Resource Review – Coordination with Maryland Historical Trust (MHT)

Initiate coordination at least 3 – 6 months in advance, particularly if the project has the potential to impact historic properties, includes work on federal or state owned lands, or involves state and federal funds, permits and licenses.

Environmental Permit Process – Coordination with Maryland Department of the Environment (MDE)

Initiate pre-application consultation with MDE to confirm impacts 30-60 days prior to submitting a permit application. Seek assistance from an environmental consulting firm if needed.

Participate in field review with the State Tiger Team to resolve siting, design and construction concerns on-the-spot.

If you are planning multiple projects, consult with MDE to determine if you can submit a single permit application that covers all impacts.

Location and Routing

Use existing mapping applications to plan routes, evaluate and avoid potential resource impacts and determine if early coordination for resource sharing, public land/right of way or permit review is needed. Additional guidance is available in the Conducting a Resource Impact and Access Assessment section.

Be aware that the State of Maryland generally owns lands lying beneath the mean high water line of tidal waters of the state. Those submerged lands are held in the public trust by the Board of Public Works (Board), consisting of the State Governor, Treasurer and Comptroller. If a tidal wetlands license from the Board is required, the project will require publication of a public notice, and a public informational hearing may also be held if requested. Final Board approval can only be granted via a vote by the Board members at a regularly scheduled public meeting. The approval process for tidal wetlands license may take 6-9 months. State law also requires that the Board impose an annual fee of \$2.50 per linear foot for commercial utility crossings of such waters. Note that, while not regulated as tidal waters, these fees also apply to utilities crossing nontidal portions of the Potomac River.

An environmental consulting firm may be helpful in analyzing impacts on proposed routes to assist the telecommunication vendor in providing the information necessary for permit applications.

Design and Broadband Infrastructure Installation Practices

Where feasible, use directional drilling for all wetland and waterway crossings and under other sensitive resources to minimize surface impacts and speed up permit review.

Take advantage of co-location opportunities along existing infrastructure, such as highway and utility right-of-ways and aboveground pole lines to avoid new disturbances.

If using a drilling fluid for directional drilling projects, develop a contingency plan on how to respond to inadvertent returns during the drilling process.

Step 1: Conduct a Resource Access and Impact Assessment

The resource access and impact assessment will identify which State agencies the applicant should contact to **initiate early coordination**. This will ensure that the applicants and State agencies are working hand in hand to avoid any unnecessary impacts and are providing all information needed upfront to hasten the permitting processes.

Publically Available Mapping Tools for Assessment

1. The [Watershed Resources Registry](#) (WRR) can be used to identify environmental impacts and needs for access to public lands. Refer to the WRR tutorial (Appendix 1) for more details on using the application for these purposes.
2. MHT's [Medusa](#) (Maryland's Cultural Resource Information System) can be used in preliminary planning to begin identifying historic properties that may be located within or near a proposed project area. More details can be found in Step 3b which describes coordination with MHT.

Step 2: Identifying Agencies for Resource Access Early Coordination

Installation of broadband facilities may require access to land owned by the state. Projects may also seek to leverage existing state infrastructure such as towers, buildings and state owned fiber. The categories below identify the specific agency coordination needs based on the type of resource needed. Steps 2a and 2b capture the majority of requests for resource sharing on state land.

The Department of Information Technology (DoIT) will need to be involved in every instance where a prospective telecommunications vendor may seek to use a state resource for telecommunications purposes as defined under the [Maryland State Finance and Procurement Article § 3A-307, Annotated Code of Maryland](#). The coordination between the vendor's interest and DoIT should be performed by the agency whose land the vendor wishes to use. In circumstances where dark fiber may be available, the DoIT Fiber Optics Team will work with all State agencies who receive an interest to use the dark fiber. DoIT manages all requests on case by case basis to determine if the telecommunication resources are available for resource sharing. If eligible, then a formal Resource Sharing Agreement will be executed. The following steps (2a and 2b) capture the majority of requests for resource sharing on state land.

Step 2a: MDNR coordination

Access to MDNR Lands Required: Parks, Forests, Wildlife Management Areas, etc.

Step 2b: MDOT coordination

Access to MDOT Rights of Way

Step 2c: Other Agency coordination

Access to other state owned lands and communication infrastructure

Additional landowners: local/federal governments and others

While this document does not specifically address access procedures for resources owned by local and federal governments, private landowners, or other entities, it is recommended that early coordination to secure permission is also considered.

Step 3: Identifying Agencies for Resource Impact Early Coordination

Installation of broadband facilities may cross State regulated resources on private and public lands or involve certain permits or funding sources that trigger additional agency coordination. The categories below identify specific agency coordination needs and should signal the need for early coordination.

Step 3a: MDE coordination

Environmental Permits: If the project impacts tidal or non-tidal wetlands, streams, rivers, floodplains, Use Class 3 waters, or Sensitive Species Project Review Areas, then early coordination is warranted prior to submission of the Joint Permit Application. Tools to determine if a project will impact such resources include but are not limited to the Water Resources Registry, wetlands guidance maps, FEMA floodplain mapping, soil surveys, etc. For smaller scale project impacts, the Army Corps of Engineers (ACOE) Maryland State General Programmatic Permit (MDSPGP) may be available to be issued by MDE and ACOE, which includes Maryland's Water Quality Certification. Individual federal review by the ACOE may be necessary depending on the size of the project impacts; generally if a project exceeds a Category A per the MDSPGP. This may apply, if for example, the project exceeds 2000 linear feet of construction or 1 acre of impact to regulated areas. An individual Water Quality Certification under section 401 of the Clean Water Act may be required for a larger scale, federally permitted project that does not qualify for the MDSPGP.

For impacts to tidal waters, a Maryland Board of Public Works License may also be required.

Determine if your project will need an approved Erosion and Sediment Control Plan issued by the local Soil Conservation District based on an earth disturbance of $\geq 5,000$ square feet or ≥ 100 cubic yards. Also, if your project has earth disturbance of ≥ 1 acre, an NPDES General Permit for Stormwater Discharges Associated with Construction Activity is required from MDE (http://mde.maryland.gov/programs/water/Compliance/Pages/gp_construction.aspx.)

Step 3b: MHT coordination

Historic and Cultural Resources: If historic properties are located within or near a proposed project, the work is located on federal or state owned land, or if there is the potential for federal or state involvement (funding, FCC licenses, Corps of Engineers permits, etc.), then early coordination is warranted to determine if a cultural resources investigation is required.

Step 3c: Critical Area Commission (CAC) coordination

Critical Area Review: If project occurs within the Critical Area and on:

1. State-owned lands or utilizes state highway right-of-ways:
 - a. Critical Area review may be coordinated through existing processes defined in Resource Access Procedures.
 - b. Impacts would generally be considered minor and temporary, particularly if directional drilling was used and impacts are located outside the 100-foot and expanded Buffer. In any case, based on the State agency ownership, an authorization by the Critical Area Commission will be required, often through a Memorandum of Understanding between the State agency and the Critical Area Commission.
2. Privately owned land:
 - a. Applicant must contact the appropriate county or town Planning and Zoning office for information concerning any required local permits.

Step 3d: Maryland Department of Natural Resources (DNR) Forest/Tree Law coordination

The Forest Conservation Act requires that before the issuance of a grading or sediment control permit, the applicant shall have an approved Forest Conservation Plan and Forest Stand Delineation (Nat. Res. Art. §5-1601– §5-16122, Annotated Code of Maryland). The Maryland Forest Service recommends that the forest stand delineation and forest conservation plan be submitted to our office for review and approval. The Act provides for the retention of forested areas in sensitive areas on the subject property as one method of mitigation.

Any tree that originates within a public road right-of-way is considered a roadside tree under the Maryland Roadside Tree Care Law (Nat. Res. Art. §5-406, Annotated Code of Maryland) and Regulations (COMAR 08.07.02) and any plans to remove, trim, or plant trees within the public right-of-way are required to obtain a permit from the Maryland Department of Natural Resources Forest Service.

Local and federal regulatory authorities coordination

While this document does not specifically address permit processes for other regulatory authorities at the local or federal government level, it is recommended that early coordination for to secure needed permits is also considered.

Step 2a: Access to DNR Owned Lands

It is recommended that this process needs to be started at least 6 - 8 months prior to submitting environmental permit applications required by MDE for your project. Because these lands have been acquired and are managed for the public's interest in ecological, historic/cultural, and recreational values, the Department conducts additional reviews which may be unique to DNR owned lands.

Any broadband project that requires access to the Department of Natural Resources (DNR) public lands must address several criteria:

1. An "Internal Review" of potential impacts to natural, cultural or historic resources and recreational uses. The DNR conducts this review and identifies specific conditions that would be required should access to the public land resource be granted.
2. Legal authorization to access the land and any existing supporting infrastructure is required. The type of legal authorization for access is determined by DNR in consultation with the Departments of Information Technology (DoIT).
3. Resource Sharing Agreements are generally required when a communications company wishes to use DNR land for its facilities (cell tower, installing fiber, etc.) or for the use of existing communication infrastructure on DNR lands.

Process:

1. Identify the specific public land designation (parks, state forests, wildlife management areas or natural management resource areas). The Watershed Resources Registry mapping application can provide this information
2. Initiate the Internal Review process through the DNR point of contact. You will be directed to the appropriate Internal Review manager. In general, the applicant will be asked to provide project information including project attributes, needs and a detailed map.

Tony Redman
Director, Environmental Review Program
Maryland Department of Natural Resources
Tawes State Office Bldg, B-3
E: tony.redman@maryland.gov
O: 410.260.8336

3. DNR will forward the broadband project request to DoIT for review to determine fees and/or consideration for the use of DNR facilities and property.
4. Once DNR is notified by DoIT that the project can proceed, DNR will initiate the Internal Review which involves a coordinated review of the project across multiple units within the Department and a determination of additional conditions to be incorporated in the legal access agreement and/or the resource sharing agreement.

5. DNR, in consultation with DoIT, will negotiate and prepare legal documentation for the use of DNR facilities which most likely will require Board of Public Works approval.
6. Once legal access to DNR lands and/or facilities has been secured, the applicant should proceed with their environmental permit applications.

Overall Time Frame: Approximately 6-8 months

Fast Track Tips:

1. Multiple projects can be bundled within a single review request.
2. The applicant should provide complete and detailed information in a timely manner when requested.
3. The applicant should provide, as early as possible, adequate documentation evidencing the legal authority of the person who will be signing the legal documents. Such documentation must be reviewed and approved by the Attorney General's Office.
4. For initial review, applicant should provide Geographic Information Systems shapefiles for the proposed broadband facilities or provide an aerial map with the proposed broad band facilities illustrated.
5. Applicant should be prepared to provide, prior to execution of legal documentation, a survey drawing and metes and bounds description of any area to be leased in connection with the proposed broadband facilities construction.

Step 2b: Access to Maryland Department of Transportation (MDOT) Rights of Way

It is recommended that this process needs to be started at least 6 - 8 months prior to targeted construction date for your project in order to obtain the necessary MDOT permits.

Attached for your review and consideration is the MDOT Maryland Transit Administration (MTA) standard License Agreement for third parties to access MDOT MTA property. It includes the standard insurance and indemnification clauses needed for transactions next to an active rail line.

Process:

1. Requestor sends request for a Right of Way (ROW) MDOT:

Bill Curlett
MDOT Enterprise/RSA Fiber Coordinator
Maryland Department of Transportation – The Secretary’s Office
7201 Corporate Center Drive Hanover, MD. 21061
E: wcurlett@mdot.state.md.us
O: 410.684.7094
M: 410.971.8789

Kristina Lewis, Resource Sharing Administrator
MDOT, OTTS, IT Contract Management Office
7201 Corporate Center Drive, Hanover, MD 21076
E: kLewis3@mdot.state.md.us
O: 410-865-1024
M: 443-632-6311

2. MDOT identifies the extent of the project and the Transportation Business Units (TBUs) that would be involved with the request.
3. Once the TBUs are identified, the request will be routed to the point of contacts at each TBU for a determination of what requirements must be satisfied by that Unit. All design and construction must follow all MDOT, MTA, and State Highway Administration (SHA) standards, as appropriate.
4. Once MDOT representatives identify the extent of work, coordination must occur with MDOT Legal, Engineering, Intelligent Transportation System (ITS), Real Estate and Facility Administrators, as required.
 - a. The stakeholders involved in the project will be based on whether the request involves the installation of new infrastructure, or will be utilizing existing infrastructure, and a determination of whether a permit or agreement is required between the requestor and the State of Maryland.

5. Items to be considered during the review of the request include, right-of-way documents, future projects, types of permits required (Right of Entry, Utility, Maintenance of Traffic, etc.) environmental impacts, existing/new agreements, technical feasibility, available capacity, new or existing infrastructure, fees, and any beneficial use to the TBU.
 - a. The requestor will be required to follow all protocols that apply for access to the TBU's property, including security background checks, badges/hang tags, vehicle listings, etc., as necessary.
 - b. When applicable, the requestor would need to follow all applicable safety and MDOT standards.
 - c. Part of the deliverables required by the requestor would As-Built plans, permit applications, survey, site drawings and certificate of insurance.
6. Development and approval of a permit or agreement is required to formalize the responsibilities and agreements between the requestor and all involved TBUs.
 - a. The MDOT MTA standard License Agreement for third parties to access MDOT MTA property is provided for guidance (Appendix 2). It includes the standard insurance and indemnification clauses needed for transactions next to an active rail line.

Step 2c: Access to other State owned communication infrastructure and lands

Broadband projects may wish to leverage other State owned lands and communication infrastructure that are not otherwise addressed by MDNR and MDOT coordination as defined in Steps 2a and 2b. In these instances, the applicant will need to initiate contact with the State agency with ownership over the assets of concern. These agencies may include, but are not limited, to the following:

1. The Maryland Department of General Services (DGS)
2. The Maryland Department of Health and Human Services (DHMH)
3. The University System of Maryland
4. The Maryland State Police

The Department of Information Technology (DoIT) will need to be involved in every instance where a prospective telecommunications vendor may seek to use a state resource for telecommunications purposes as defined under the [Maryland State Finance and Procurement Article § 3A-307, Annotated Code of Maryland](#). The coordination between the vendor's interest and DoIT should be performed by the agency whose land the vendor wishes to use. In circumstances where dark fiber may be available, the DoIT Fiber Optics Team will work with all State agencies who receive an interest to use the dark fiber. DoIT manages all requests on case by case basis to determine if the telecommunication resources are available for resource sharing. If eligible, then a formal Resource Sharing Agreement will be executed.

For additional information regarding Resource Sharing Agreements administered by DoIT, please contact the DoIT Resource Sharing Program at:

E: resource.sharing@maryland.gov
O: 410-697-9687

Step 3a: Maryland Department of the Environment Regulated Resources

Point of Contact:

William Seiger
Chief, Waterway Construction Division, Wetlands and Waterway Program
Maryland Department of the Environment
william.seiger@maryland.gov

If the project intersects tidal waters or wetlands, non-tidal wetlands, streams or rivers, floodplains, Use Class III waters, or Sensitive Species Project Review Areas, as determined using the tools described previously, then early coordination is warranted with the Wetlands and Waterways Program prior to permit application. This includes “upland-to-upland” utility crossings of tidal waters or wetlands using horizontal directional drilling (HDD) or aerial crossings.

It is important to obtain all necessary access agreements before proceeding with environmental permit applications. Access to public lands and state owned communication infrastructure and rights of ways may be desired for a project. Access to these resources must be negotiated and may not always be granted. In some instances, there may be significant modifications or special conditions required which could also change the scope of the project.

Regulatory “red flags” review criteria:

If your project has the potential to impact any of the following resources, it is recommended that you initiate early coordination with the Wetlands and Waterway Program in anticipation that permits will be required along with possible mitigation requirements.

Floodplains
Streams/Rivers
Non-tidal wetlands
Tidal wetlands
Use Class III waters
Sensitive Species Project Review Areas
Historic/Cultural Resources
Critical Area

Once the applicant has screened the project for possible impacts to State-regulated environmental resources, the permit review process can be initiated. This process is administered by the Maryland Department of the Environment (MDE). MDE routinely coordinates with other State and federal agencies that have responsibilities for protecting State natural, cultural and historic resources. These agencies include the Maryland Department of Natural Resources (DNR), the Maryland Historical Trust (MHT) and the Army Corps of Engineers (ACOE). Multiple impacts for a project, or several projects,

can be grouped under a single permit application request from a single applicant. This is encouraged for an expedited process.

The applicant should also determine if the project will need an approved Erosion and Sediment Control Plan issued by the local Soil Conservation District. If your project has earth disturbance of one acre or more, a General Permit for Stormwater Discharges Associated with Construction Activity is also required from MDE (http://mde.maryland.gov/programs/water/Compliance/Pages/gp_construction.aspx.)

Process:

1. Initiate pre-application screening through the Trilogy Letter process with DNR and MHT (see Step 3b) 3-6 months in advance of applying for MDE permits.
 - a. The Trilogy Letter process provides early screening for three key resources (rare, threatened and endangered species, fisheries and historic resources)
2. File a request for a pre-application meeting with MDE:
<http://mde.maryland.gov/programs/Water/WetlandsandWaterways/Pages/PreApplicationIntroduction.aspx>
 - a. This provides agencies involved in the permitting process an early evaluation of your project impacts and may lead to a meeting with you to discuss options prior to submitting your permit application.
 - b. If a Maryland Department of Transportation (MDOT) resource is affected, the pre-application meeting will also include early coordination with MDOT.
3. Conduct field visits with the ***Maryland Tiger Team***, if necessary.
 - a. Based on the nature of the project impacts, MDE will determine if a Tiger Team approach is necessary.
 - b. The Tiger Team will consist of a dedicated and responsive team of key permitting and resource experts charged to intake, manage and make decisions on all incoming rural broadband applications.
 - c. Tiger Team membership will be composed of representatives from various permitting programs managed through MDE and other commenting agencies including DNR and MHT. The Tiger Team will include a MDOT representative if MDOT resources are affected.
 - d. The Tiger Team will meet with applicants in the field to review impacts on-site and identify alternatives or mitigation options to reduce impacts.
 - e. Additional benefits of the Tiger Team field visits which will avoid permitting delays include:
 - i) Identification and resolution of “red flag” issues early in the planning process
 - ii) Ability to make on the spot permit determinations where possible
 - iii) Expedited review and modifications for more complicated issues
4. Applicant submits a Joint Permit Application
(<http://mde.maryland.gov/programs/Water/WetlandsandWaterways/PermitsandApplications/Pages/index.aspx>) followed by MDE review and as necessary, Army Corps of

Engineers and Board of Public Works review. Applicant receives approval if the application is complete and meets all regulatory requirements. Pre-application meetings with the Tiger Team are recommended.

- a. If impact issues have not been resolved, or new resource information has been identified, additional field meetings or discussions to avoid and minimize impacts may be required.
- b. An example of a completed permit application and sample authorization is provided for impacts to nontidal wetlands, waterways and floodplains (Appendix 3: Sample fiber application and authorization).
- c. Visit [MarylandOneStop](#), an online portal which provides a single location for users seeking all types of licenses from across the many Maryland state government agencies.

Planning Tip:

If you are planning multiple projects, consult with MDE to determine if you can submit a single permit application that covers all impacts to avoid the time consuming review of multiple permits for multiple impacts.

Step 3b: Maryland Historical Trust Historic and Cultural Resources

Point of Contact:

Beth Cole, Administrator
Project Review and Compliance
Maryland Historical Trust
beth.cole@maryland.gov

The Maryland Historical Trust (MHT) encourages applicants to initiate consultation as early as possible in project planning to allow adequate time to successfully complete the historic preservation review process well in advance of construction. Cultural resources investigations (if warranted) will require additional time and coordination. Any Federal involvement (USDA funding, FCC licenses, Corps of Engineers permits) will also require additional consultation and review time in accordance with [Section 106 of the National Historic Preservation Act](#). This should happen in conjunction with any trilogy letter reviews and well in advance of permit applications submitted to the Maryland Department of the Environment.

Process:

1. Initiate early coordination (3-6 month timeframe) with MHT if any of the following conditions are met:
 - a. historic properties are located within or near a proposed project;
 - b. the project will include work on federal or state owned lands; or
 - c. there is the potential for state or federal involvement (funding, FCC licenses, Corps of Engineers permits, etc.).
2. To initiate MHT review of a proposed undertaking, an applicant can access the Project Review Form at http://mht.maryland.gov/projectreview_howtosubmit.shtml. The form is also provided in Appendix 4. The completed Project Review Form and all supporting documentation (project description, maps, photographs, site plans, etc.) should be submitted to:

Beth Cole, Administrator
Project Review and Compliance
Maryland Historical Trust
100 Community Place
Crownsville, MD 21032

3. MHT will review the submitted information and provide a written response within 30 days regarding the project's potential effects on historic and cultural resources, recommendations on cultural resources investigations or other treatments, if warranted, and guidance on next steps.
4. More information about the MHT review process can be found [online](#).

MHT Project Screening Tools and Resources:

1. Screen project for historic properties using [Medusa](#), Maryland's Cultural Resource Information System
 - a. Through Medusa, an applicant may access information about cultural resources recorded in the Maryland Inventory of Historic Properties (MIHP) and the National Register of Historic Places (NRHP), as well as properties on which MHT holds preservation easements.
 - b. Medusa also includes information on resources that have been evaluated for National Register eligibility (Determinations of Eligibility - DOEs).
 - c. Because of the sensitivity of archeological site information, access to archeological site location data is restricted and is generally available only to those who meet the Secretary of the Interior's [Professional Qualification Standards](#). Qualified individuals who wish to obtain this data layer should contact Jen Chadwick at jen.chadwick-moore@maryland.gov or by phone at [410-697-9539](tel:410-697-9539).
2. As part of Maryland's open data policy, MHT's GIS data (excluding archeological site locations) is also available through the [Maryland Integrated Map \(MD iMap\)](#), Maryland's mapping and GIS data portal.
 - a. Map Service Links include the following
 - i. National Register of Historic Places:
http://geodata.md.gov/imap/rest/services/Historic/MD_NationalRegisterHistoricPlaces/MapServer
 - ii. Maryland Inventory of Historic Properties:
http://geodata.md.gov/imap/rest/services/Historic/MD_InventoryHistoricProperties/MapServer
 - iii. Maryland Historic Trust Preservation Easements:
http://geodata.md.gov/imap/rest/services/Historic/MD_MHTPreservationEasements/MapServer

Fast Track Tips:

1. Multiple projects may be bundled within a single review request.
2. Providing MHT with complete and accurate information facilitates the review and response time.
3. Appendix 4 provides a copy of MHT's Project Review form, also available online:
http://mht.maryland.gov/documents/PDF/projectreview/Compliance_Forms_Projectreview.pdf.
4. If no historic properties are noted during the initial screening process, it is important to keep in mind that the project area may contain cultural resources that have not yet been identified. For this reason, MHT may recommend cultural

resources investigations following their review of the project submittal based on the location of a given project area, its environmental setting, proximity of known historic and archeological resources nearby, or other factors that indicate cultural resources may be impacted by the project. Thus, coordinating with MHT early in the planning process is highly recommended.

5. Pre-application coordination with MHT helps applicants identify and resolve any cultural resources issues related to a project, if any, well in advance of project permitting and construction. It also facilitates subsequent MHT coordination once a project is submitted for formal review through an involved federal or state agency process, where applicable.

Step 3c: Critical Area Commission (CAC) coordination

Point of Contact:

Nick Kelly
Regional Program Chief, Critical Area Commission
E: nick.kelly@maryland.gov
O: 410.260.3483

The Critical Area Commission encourages applicants to contact staff early in the planning process.

Process:

1. If the project occurs within the Critical Area and is on State owned lands or utilizes state highway right-of-ways:
 - a. Contact the CAC for additional consultation using the contact information noted above
 - b. Critical Area review may be coordinated through existing processes defined in Resource Access Procedures.
 - c. Consult the Commission's website at <http://dnr.maryland.gov/criticalarea/Pages/meetings.aspx> for information regarding submittal dates necessary for processing a project. Typically, the submission is required a minimum of 90 days prior to a Commission meeting.
 - d. Mitigation at a 1:1 ratio will be required for disturbance to the 100-foot and expanded Buffer, with an additional 1:1 required for canopy removed.
 - e. 10% stormwater management is generally not required for broadband projects.
 - f. An authorization through the Critical Area Program will be required for any project within the 100 foot or expanded buffer.
2. If the project occurs on privately owned land:

Applicant must contact the appropriate county or town Critical Area program.

Screening Tools:

MD MERLIN <https://gisapps.dnr.state.md.us/MERLIN/index.html>

Step 3d: Maryland Department of Natural Resources Forest/Tree Laws

Point of Contact:

Marian Honeczy
State FCA Coordinator
Forest Service, Maryland Department of Natural Resources
E: marian.honeczy@maryland.gov
O: 410.260.8511

The Forest Conservation Act requires that before the issuance of a grading or sediment control permit, the applicant shall have an approved Forest Conservation Plan and Forest Stand Delineation (Nat. Res. Art. § 5-1601– § 5-16122, Annotated Code of Maryland). The Maryland Forest Service recommends that the forest stand delineation and forest conservation plan be submitted to our office for review and approval. The Act provides for the retention of forested areas in sensitive areas on the subject property as one method of mitigation. For more information and contact information: <http://dnr.maryland.gov/forests/Pages/programapps/newfca.aspx>

Any tree that originates within a public road right-of-way is considered a roadside tree under the Maryland Roadside Tree Care Law (Nat. Res. Art. § 5-406, Annotated Code of Maryland) and Regulations (COMAR 08.07.02) and any plans to remove, trim, or plant trees within the public right-of-way are required to obtain a permit from the Maryland Department of Natural Resources Forest Service. For more information and permit application form: <http://dnr.maryland.gov/forests/Pages/programapps/newrtlaws.aspx>

Process:

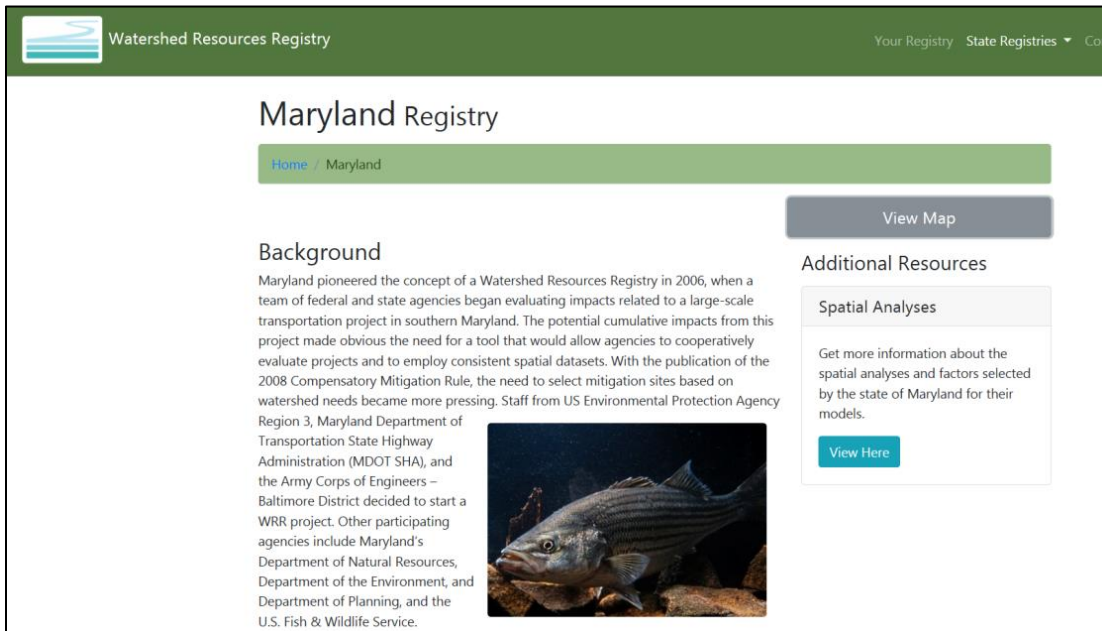
- 1) If the project meets any of the criteria identified above, contact the state FCA coordinator for additional consultation using the contact information noted above.

Appendix 1: Watershed Resources Registry tutorial

Watershed Resources Registry tutorial

The [Watershed Resources Registry](#) (WRR) can be used to identify environmental impacts and needs for access to public lands.

1. From the Maryland Registry Home Page, open up the map viewer and zoom to your area of interest.



The screenshot shows the Maryland Registry page of the Watershed Resources Registry. The header is green with the logo and navigation links. The main content area has a green breadcrumb trail 'Home / Maryland'. A 'View Map' button is visible. The 'Background' section contains text about the registry's history and a photo of a striped bass. The 'Additional Resources' section includes a 'Spatial Analyses' link with a 'View Here' button.

Watershed Resources Registry


Your Registry State Registries Con

Maryland Registry

Home / Maryland

Background

Maryland pioneered the concept of a Watershed Resources Registry in 2006, when a team of federal and state agencies began evaluating impacts related to a large-scale transportation project in southern Maryland. The potential cumulative impacts from this project made obvious the need for a tool that would allow agencies to cooperatively evaluate projects and to employ consistent spatial datasets. With the publication of the 2008 Compensatory Mitigation Rule, the need to select mitigation sites based on watershed needs became more pressing. Staff from US Environmental Protection Agency Region 3, Maryland Department of Transportation State Highway Administration (MDOT SHA), and the Army Corps of Engineers – Baltimore District decided to start a WRR project. Other participating agencies include Maryland's Department of Natural Resources, Department of the Environment, and Department of Planning, and the U.S. Fish & Wildlife Service.



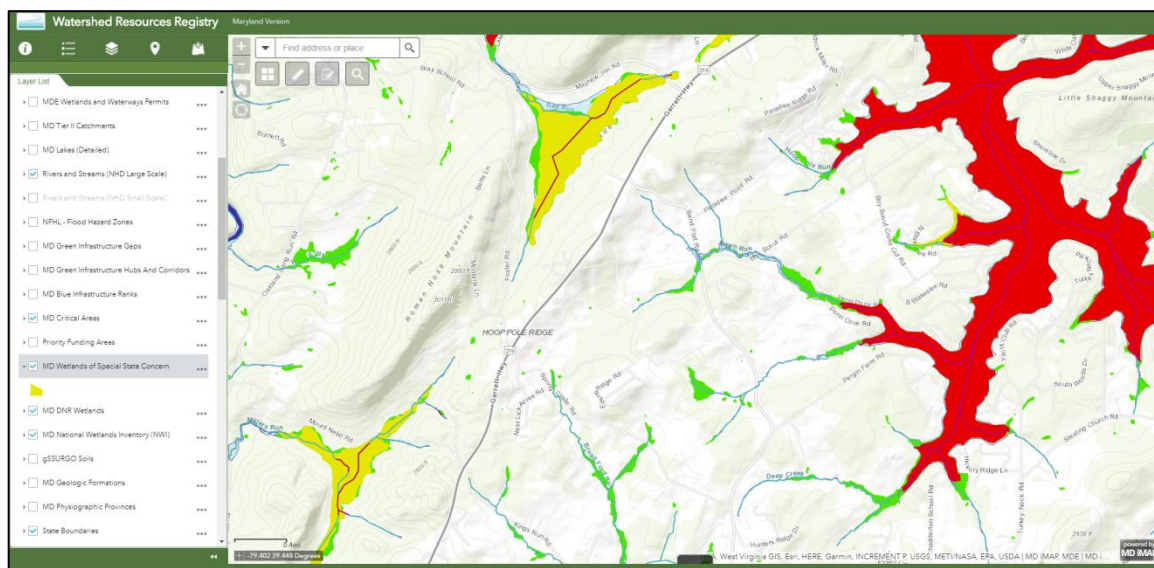
Additional Resources

Spatial Analyses

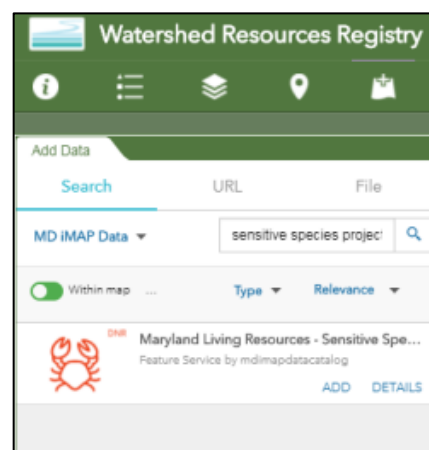
Get more information about the spatial analyses and factors selected by the state of Maryland for their models.

[View Here](#)

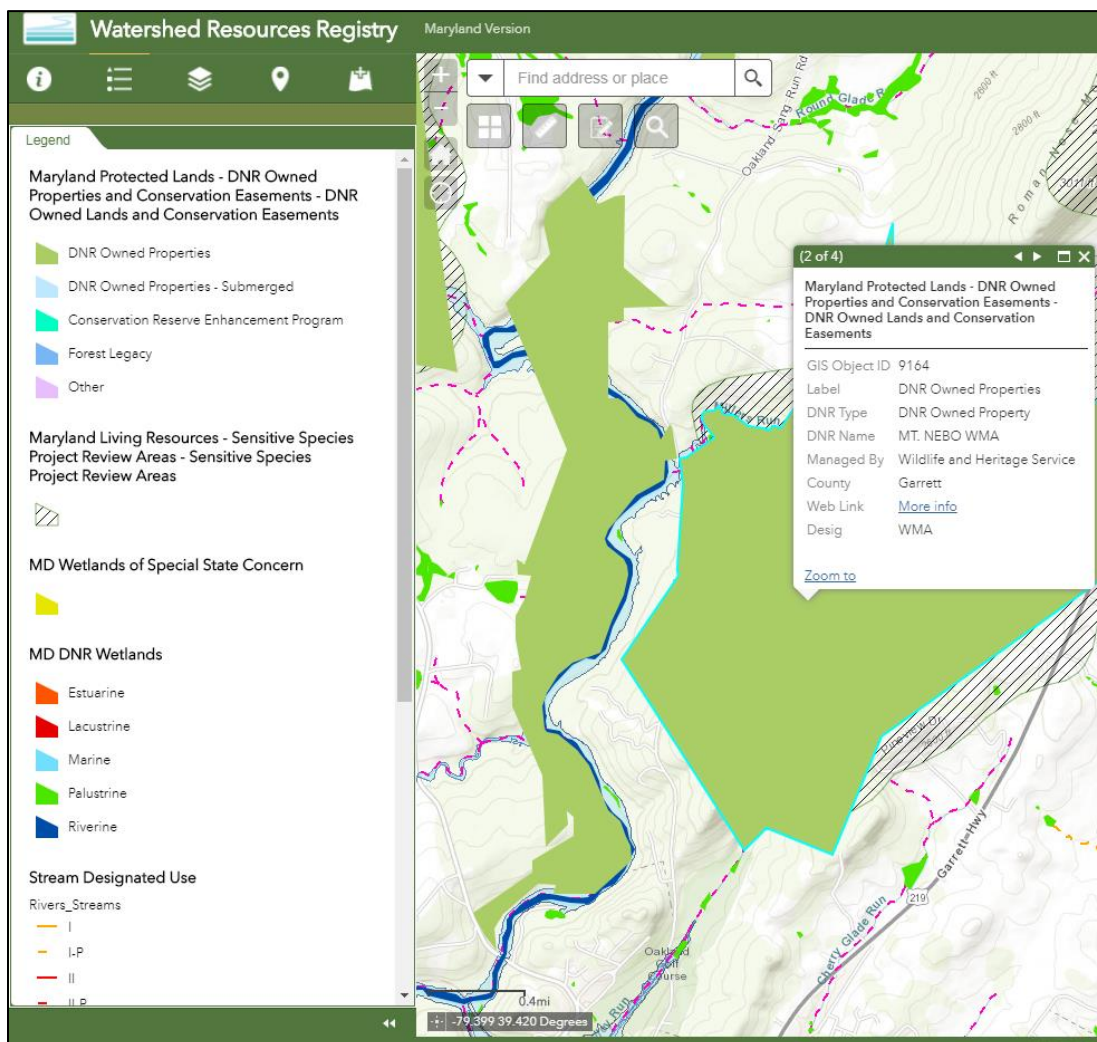
2. Open up the layer list and turn on the following layers indicated in the parentheses to begin your **regulatory “red flag” review**. The resources identified in this list include those that are regulated by the Maryland Department of the Environment and also reflect other agency interests and review authorities, including the Maryland Department of Natural Resources, Critical Area Commission and Maryland Historical Trust.
 - a. Floodplains (MD Floodplain)
 - b. Streams/Rivers (Rivers and Streams – NHD)
 - c. Non-tidal and Tidal wetlands (MD Wetlands of Special State Concern, MD DNR Wetlands, ND National Wetlands Inventory)
 - d. Use Class 3 waters (Stream Designated Use)
 - e. Critical Areas (MD Critical Areas)



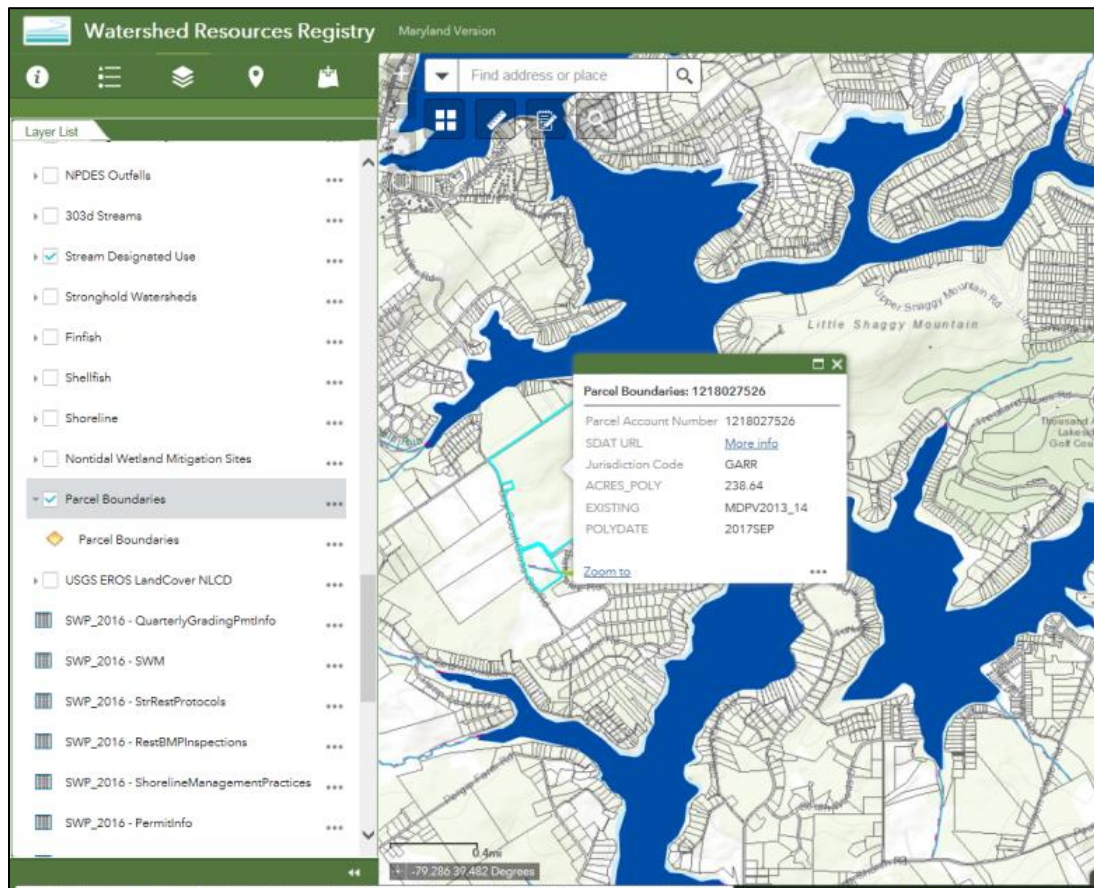
- f. Sensitive Species Project Review Areas
 - i. This layer will need to be added through the “add data” tool
 - ii. Select MD iMAP Data
 - iii. Type “sensitive species project review areas” in the search bar and add to the map.



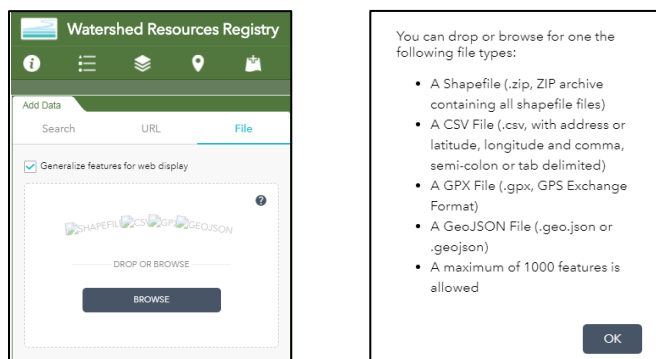
- g. Historic and Cultural Resources
 - i. Use [Medusa](#) and refer to Step b: MHT Historic and Cultural Resources
3. Determine **access needs for DNR Public Lands or State Highway Rights of Way**
 - a. Use the add MD iMAP data function to display “Maryland Road Centerlines - Maryland Routes” as an indicator of state owned roadway assets that may be of interest.
 - b. Use the add MD iMAP data function to display “Maryland Protected Lands - DNR Owned Properties and Conservation Easements” to determine if access to any DNR lands is desired. The “identify” tool can be used to determine the specific public land designation which you will need initiate the Internal Review process outlined in Step 2a: Access to DNR owned land.



4. The application will also allow you to turn on Parcel Boundaries and identify the owner of the property through the Maryland State Department of Assessments and Taxation.



5. Your project specific data can also be added to the map viewer to help evaluate any potential impacts.



6. These data layers and many others are also available through the [Maryland iMAP GIS Data Catalog](#).
7. For assistance in using the Watershed Resources Registry, contact:

Rachel Marks
GIS Analysis and Ecological Modeling
Chesapeake and Coastal Service
Department of Natural Resources
580 Taylor Ave, D-2
Annapolis, MD
E: rachel.marks@maryland.gov
O: 410-260-8388

Appendix 2: MDOT MTA Standard License Agreement

This example is not representative of the agreements required by other agencies and is provided specifically for MDOT MTA

MTA RE#XXXX

LICENSE AGREEMENT

Between

MARYLAND TRANSIT ADMINISTRATION

a modal agency of the

MARYLAND DEPARTMENT OF TRANSPORTATION

acting for and on behalf of

THE STATE OF MARYLAND

And

XXXXXX

THIS LICENSE AGREEMENT ("Agreement") is entered into this

_____ day of _____, 201

by and between the **MARYLAND TRANSIT ADMINISTRATION** a modal agency of the **MARYLAND DEPARTMENT OF TRANSPORTATION** acting for and on behalf of **THE STATE OF MARYLAND** ("MTA") and XXXXXXXXXXXXXXXXXXXX located at XXXXXXXXXXX, XXXXX collectively referred to as "Parties".

RECITALS

MTA is the owner of a Railroad right of way ("ROW") located at South Wisner Street in Frederick, MD. The line is an active line for the MARC Rail System. Licensee has requested MTA's permission for an aerial crossing of the MARC Right-of-Way at South Wisner Street on existing poles belonging to First Energy, GPS Coordinates: Latitude 39.4095340° N and Longitude: -77.4039690° W, to install one new 24 count fiber optic cable. MTA is willing to make a portion of the ROW available to Licensee for said purpose, subject to the within terms and conditions.

NOW, THEREFORE, the Parties, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, hereby agree as follows, intending to be legally bound:

1. **Incorporation of Recitals.** The foregoing recitals are incorporated herein by reference and made a part of this Agreement.

2. **Grant and Term of License.** For a period of one year from the above shown date, MTA grants to Licensee a license to install and maintain the Utility in the ROW at the location shown on the attached Exhibits "A" and "B". This Agreement grants Licensee a license to install and maintain the Utility and does not convey any title or interest of any kind with respect to the ROW. This Agreement shall automatically renew for successive one-year terms, except when terminated in accordance with paragraphs 12 or 14.

3. Preparation & Review Fee. Prior to execution of this Agreement by MTA, Licensee has paid MTA, a non-refundable document preparation and non-refundable engineering review fee of \$1,200.00.

4. Licensee's Responsibilities. (a) Licensee shall construct, install and maintain the Utility in good order and repair, and in a condition which is safe and in conformity with sound industry practices with respect to the construction and maintenance of the Utility, all at Licensee's sole cost and expense. In exercising its rights and obligations hereunder, Licensee shall comply with all applicable laws, rules, regulations and orders of any governmental authority having jurisdiction over the matter and cause its contractors, agents, employees, and servants to conform to the provisions of this Agreement. Without limitation on the foregoing, Licensee shall comply with all applicable requirements with respect to protection of the environment and shall not place, cause to be placed, or knowingly allow any third party to place upon or under the ROW any hazardous substance or other substance, which may be the cause of environmental degradation.

(b) Licensee, its contractors, agents, employees, and servants shall not take or allow any action or activities that will in any way negatively affect or impact the drainage from the drainage ditches of the railroad right-of-way.

5. Future Right of Way Usage. In the event rail service is or will be interrupted or modified on the portion of Area used by Licensee or the portion of the right of way used by Licensee is converted to a recreational trail, Licensee shall make, at its sole costs and expense, the necessary modifications to the Utility to meet the then current MTA specifications for commercial aerial and/or grade crossings as well as modifications to its occupation including signal, protection crossing devices as well as any other devices deemed necessary for public safety and take no action which would result in violation of, or interference with any of MTA's rights as owner of the ROW, including the right of any then operating railroad.

6. Usage Fee. Licensee shall pay an annual initial usage fee of \$XXX.00, due and payable in advance on the first day of January each year. Beginning on January 1, 2016 and every January thereafter for the duration of this Agreement, the usage fee shall be increased by the same percentage of increase as reflected in the Consumer Price Index for all Urban Consumers (CPI-U), The United States, All Items, as published by the U.S. Department of Labor, Bureau of Labor Statistics. Each November adjustment shall be made with reference to the price index for the preceding November (hereafter, "current price index"). Each adjustment shall be made by (a) determining the percentage increase (the "Percentage Increase") of the then current price index to the index for January 2016 ("base price index"), and (b) then adding to the Initial Usage Fee the product of the Initial Usage Fee multiplied by the Percentage Increase.

7. Restoration of MTA Facilities Within ROW. After the performance by or on behalf of Licensee of any work which disturbs the ROW, the ROW shall be restored to the same grade, and to the same and equally good condition, as existed before the

commencement of such work. MTA may, in its sole discretion, elect to either have Licensee perform said restoration directly or shall perform such restoration itself, and in the latter case MTA shall bill Licensee, and Licensee shall promptly pay the full cost of the restoration by MTA.

8. Safe and Efficient Practices. At all times and at Licensees' sole expense, Licensee shall exercise its rights hereunder, and shall maintain the Utility in a manner consistent with safe and efficient railroad, transit and telecommunications practices.

9. Obligation to Make Reasonable Changes. Upon the request of MTA, Licensee, at Licensee's sole expense, shall make any and all changes to the Utility, including without limitation changes to the location or depth or height of the Utility, as are, in the reasonable opinion of MTA, necessary or appropriate (a) for safe and efficient railroad and transit operations upon the ROW, or (b) as a part or result of any modifications or improvements upon the ROW by or on behalf of MTA. Licensee shall not contend that any portion of the Maryland Annotated Code, Transportation Article or any other provision of Maryland law, operates to reduce or eliminate Licensee's obligations under this paragraph.

10. Indemnity and Liability. Licensee shall protect, indemnify, defend and hold harmless, and shall require in its agreements with contractors and subcontractors that they shall protect, indemnify, defend and hold harmless, MTA, its officers, agents, employees, successors and assigns, against and with respect to any and all liabilities arising out of or in any way connected with (a) the exercise or performance by Licensee (or its agents, officers, employees, successors or assigns or contractors) of any of its rights or obligations hereunder; (b) the use or operation by Licensee (or its agents or contractors) of the Utility; or (c) work performed by or on behalf of Licensee upon the Utility. As used herein, "Liabilities" shall include any and all losses, claims, damages, suits, liabilities or costs whatsoever (including without limitation reasonable attorney's fees and cost of suit), which arise (a) out of injury to any person (including without limitation loss of limb or death); (b) out of damage to or destruction of any property of any person whomsoever; (c) out of interruption of rail or transit services including without limitation loss of revenue income; (d) out of damage to or destruction of the environment, including without limitation land, air, water, wildlife, or vegetation (including, but not limited to, costs and expenses incident to monitoring, remedial actions, proceedings or investigations or the defense of any claim), or (e) out of, or occasioned by, any breach or default by Licensee (or its officers, employees, agents, licensees, invitees, or contractors) in performing any of its obligations hereunder or under any applicable law. The foregoing obligations shall survive termination of this Agreement with respect to liabilities arising during its term.

11. Insurance.

(a) Prior to the effective date of this Agreement, and at all times during its term, Licensee, at its sole cost and expense, shall procure and shall maintain, and shall require its contractors and subcontractors (of any tier) performing activities hereunder to procure

and maintain, insurance which shall protect Maryland Transit Administration, Maryland Department of Transportation, and State of Maryland, **APPLICABLE RAILROAD** their officers, agents, employees, invitees, successors, and assigns, from claims which may arise out of or as a result of Licensee's activities under this Agreement, whether such activities be by Licensee, by any contractor or subcontractor, by anyone directly or indirectly employed by any of them or by anyone for whose acts any of them may be liable. In furtherance of this obligation, Licensee shall procure and maintain at least the minimum levels of insurance coverage as set forth below:

(i) **Commercial General Liability and Umbrella Insurance.** Licensee shall maintain Commercial General Liability ("CGL") insurance and, if necessary commercial umbrella insurance with a limit of not less than \$5,000,000 each occurrence. If such CGL insurance contains a general aggregate limit, it shall apply separately to the Utility. CGL insurance shall be written on ISO occurrence form CG 00 01 10 93 (or a substitute form providing equivalent coverage) and shall cover liability arising from premises, operations, independent contractors, products-completed operations, personal injury and advertising injury, and liability assumed under an insured contract, including the tort liability of another assumed in a business contract. CGL insurance shall be amended by attachment of ISO form CG 20 26 (or a substitute form providing coverage acceptable to MTA) to include the Maryland Transit Administration, Maryland Department of Transportation, and State of Maryland, as Additional Insureds. There shall be no endorsement or modification of the CGL limiting the scope of coverage for liability arising from pollution, explosion, collapse, underground property damage or employment-related practices. Licensee waives all rights against MTA and its agents, officers, directors and employees for recovery of damages to the extent these damages are covered by the required commercial general liability or commercial umbrella insurance.

(ii) **Railroad Protective Liability Insurance.** Licensee shall provide, with respect to activities it or any of its agents perform within 50 feet vertically or horizontally of railroad tracks, Railroad Protective Liability Insurance (ISO/RIMA Form G 00 35 or equivalent), in the name of Maryland Transit Administration, Maryland Department of Transportation, and State of Maryland. The policy shall have limits of liability of not less than \$2 million per occurrence, combined single limits, for coverage A & B, for losses arising out of injury to or death of any person, and for physical loss or damage to or destruction of property, including the loss of use thereof. A \$6 million annual aggregate may apply. If equivalent, or better, wording is not contained in the policy form, the following endorsement shall be included:

"It is agreed that in this policy of insurance "Physical Damage to Property" means direct and accidental loss of or damage to rolling stock and their contents, mechanical construction equipment or motive power equipment, railroad tracks, roadbed, signals, bridges or buildings."

(b) If at any time the above required insurance policies should be canceled, terminated or modified so that the insurance is not in full force and effect as required herein, MTA may terminate this Agreement for default or, at its sole option, obtain insurance coverage equal to that required herein, the full cost of which shall be charged to and paid by Licensee.

(c) Each policy referenced hereinabove, by endorsement, shall include the following required clauses:

(i) This insurance coverage shall not be canceled by this Insurance Company, nor shall any changes be made which alter, restrict or reduce the insurance coverage so provided or change the name of the Insured(s), without first having given forty-five (45) days' written notice to (1) **XXXXXXXXXX** and (2) **Maryland Transit Administration, 6 St. Paul St., Baltimore, Maryland 21202, Attention: Risk Management, and Attention: Office of Real Estate**, all as evidenced by receipt of registered letter.

(ii) Such insurance as afforded by this policy for the benefit of Maryland Transit Administration, Maryland Department of Transportation, and State of Maryland (collectively, "State") shall be primary and any insurance carried by State shall be excess and noncontributing with insurance afforded by this policy.

(iii) In the event of any occurrence, accident or claim made under this policy, this Insurance Company shall not contend that Maryland Transit Administration, Maryland Department of Transportation, and/or State of Maryland are not liable in tort by virtue of being a governmental instrumentality or public or quasi-public body.

(iv) This Insurance Company releases Maryland Transit Administration, Maryland Department of Transportation, and State of Maryland from any liability arising from or through the operation of any subrogation clause in this policy of insurance, and in the event of any occurrence, accident or claim made under this policy, this Insurance Company shall not claim or contend that any of those entities is liable as the result of subrogation."

(d) As evidence of the above insurance, Licensee shall, prior to the effective date of this Agreement, file with MTA, and require any contractors and subcontractors performing activities under this Agreement to so file, duly executed Certificates of Insurance issued by the insurer(s) of all insurance required herein, including special endorsements. Each such Certificate shall be in a form satisfactory to MTA; shall list the various coverage types and limits; shall name Maryland Transit Administration, Maryland Department of Transportation and the State of Maryland, as additional insureds; and shall indicate that the Commercial General Liability policy has been endorsed as described above. All insurance shall be placed and maintained with insurers licensed and authorized to do business in the State of Maryland and who have an A.M. Best rating of "A" or better, unless otherwise approved by MTA. MTA's approval or failure to disapprove insurance furnished by Licensees shall not diminish or release Licensee from full responsibility for liability as set forth herein.

Upon MTA's request, Licensee shall furnish MTA with a certified copy of each insurance policy.

(e) Whenever either party becomes aware of any claim, injury, death, damage, or loss of any kind to persons or property arising out of or connected with this License Agreement, that party shall have the right to fully investigate the claim. Each party shall cooperate with the other in any such investigation. All costs and expenses in connection with the investigation, adjustment, and defense of any claim or suit under this Agreement, including prorated salaries or wages of full-time agents or employees of either party, including full-time attorneys, engaged directly or indirectly in such work, shall be included as costs and expenses in applying the liability provisions set forth in this Agreement.

(f) Workers' Compensation Insurance meeting the statutory requirements of the jurisdiction where the work will be performed, including Employer's Liability coverage with minimum limits of \$1,000,000 each accident or disease.

[] Longshore & Harbor Workers' Compensation Act Endorsement (work performed on or over navigable waterways) to cover contractor's employees for wages, transportation, maintenance and cure, in accordance with applicable laws.

[] Maritime Coverage Endorsement (Jones Act) for work upon navigable waterways and barges, tug boats, and all other vessels on the ocean and all intracoastal rivers and canals, covering drivers, divers, and underwater personnel, seamen, masters and members of a crew, providing remedy for damage or injury, in accordance with applicable laws.

(g) Business Automobile Liability Insurance with minimum limits of \$1,000,000 per occurrence covering contractor against claims for bodily injury and property damage arising out of the ownership, maintenance or use of any owned, hired, or non-owned motor vehicle. MTA shall be added as an additional insured on the policy.

12. Licensee's Failure To Use Utilities or Perform Obligations.

(a) If Licensee ceases to use or in any way abandons the Utility, the rights granted by this Agreement shall be automatically extinguished, and all of Licensee's rights hereunder shall cease.

(b) If Licensee shall fail to perform any of its obligations herein, then MTA, at its sole option, may terminate this Agreement, provided that (i) MTA gives Licensee notice of such failure; (ii) Licensee does not cure the failure within 30 days of the notice; and (iii) unless MTA in its sole discretion determines that Licensee's failure to

cure will result in imminent or immediate negative impact upon the Utility, gives Licensee an additional 60 days' notice of termination. After such 60 day period, Licensee's rights hereunder shall automatically cease. Upon such termination, Licensee shall, at its sole expense, remove or properly abandon the Utility.

(c) Without limitation on any of the foregoing rights of MTA, if Licensee fails to perform any duty it is required to perform hereunder, then MTA shall have the right, upon notice to Licensee, to perform such duty or cause it to be performed, and Licensee shall promptly reimburse MTA for all costs it has incurred.

(d) Notwithstanding any other provision of this Agreement, Licensee shall not have any interest in, lien upon, or right of distraint of any kind against any property of MTA, Maryland Department of transportation or the State of Maryland.

(e) The provisions of this paragraph 12 shall survive the termination or expiration of this Agreement with respect to any claim, damage, injury, or death arising or occurring prior to Licensee vacating the Utility.

13. Notices. Unless otherwise agreed or specified herein, all notices or other communications to either party by the other pertaining to all matters herein shall be deemed to be given when made in writing and either personally delivered or deposited in the United States mail, postage prepaid, return receipt requested, at the following addresses:

For MTA:
Maryland Transit Administration
Office of Real Estate
6 Saint Paul Street
Baltimore, Maryland 21202
Attention: Manager

For Licensee:
NAME
STREET ADDRESS
CITY STATE ZIP CODE
Attention: CONTACT

A party may change the address or person to which notices to it are directed by a notice actually delivered to the other party.

14. Termination.

(a) This Agreement may be terminated at any time by either party hereto upon sixty (60) days' prior notice in writing to the other. Upon such termination, Licensee shall remove (or abandon with MTA's written consent) the Utility. The ROW shall then be restored to a condition satisfactory to MTA, either by MTA or Licensee in the sole discretion of MTA, all at Licensee's sole cost.

(b) Notwithstanding any provision of this Agreement to the contrary, this Agreement may be terminated by MTA in whole, or from time to time in part, whenever MTA determines that such termination is in the best interest of the State.

15. Non-assignment and Non-waiver.

(a) Licensee may not assign any of its rights or delegate any of its duties hereunder, or sublicense any portion of the ROW without the express prior written consent of MTA. Any attempted assignment, delegation, or sublicense without MTA's consent is void ab initio.

(b) The failure of MTA at any time to insist upon strict performance of any provision of this Agreement, or to exercise any right or remedy under this Agreement, shall not impair any such right or remedy or be deemed a waiver or relinquishment thereof.

16. Headings. The headings set forth herein are for convenience only and shall not effect any construction or interpretation of this Agreement. The singular herein shall be read to include the plural, and vice versa, unless the context clearly requires otherwise.

17. Severability. It is the intent of the parties that this Agreement be enforceable. If any provision hereof shall be determined to be void by any court of competent jurisdiction, then such determination shall not affect any other provision of this Agreement, all of which other provisions shall remain in full force and effect. If any provision of this Agreement is capable of two constructions, one of which would render the provision valid, then the provision shall have the meaning that renders it valid.

18. Miscellaneous. This Agreement:

(a) shall inure to the benefit of and bind the parties and their respective successors or assigns;

(b) constitutes the entire agreement between the parties with respect to its subject matter;

(c) may be amended or supplemented only by a writing signed by the parties hereto;

(d) may be executed in several counterparts, each of which shall constitute an original;

(e) shall be governed by the laws of the State of Maryland, and any disputes arising from this Agreement shall be resolved in the courts of Maryland, without regard to provisions in the law concerning conflict of laws; and

(f) is not for the benefit of or enforceable by any third party and shall not be deemed to create any rights or benefits in any third party.

19. Relationship Between the Parties. The relationship between the parties is that of Licensor and Licensee. Nothing in this Agreement shall be construed as creating any other relationship between the parties.

20. Signer. The individual who is signing on behalf of Licensee warrants and declares that he/she is authorized and empowered to enter into this Agreement on behalf of Licensee and to bind it to its terms and conditions.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF the parties hereto have caused this Agreement to be properly executed by their duly authorized representatives.

WITNESS/ATTEST:

MARYLAND TRANSIT ADMINISTRATION

By : _____ (Seal)
NAME
TITLE

WITNESS/ATTEST:

LICENSEE

By: _____ (Seal)

Name:
Title:

Federal I.D. No. _____

Approved as to form and legal sufficiency for MTA:

NAME
TITLE

Page 9 of a 11 page License Agreement between Maryland Transit Administration (MTA) and LICENSEE (Licensee).

EXHIBIT ‘A’

Plan Sheet

EXHIBIT ‘B’
Plan Sheet

Appendix 3: Sample MDE Wetlands, Waterways and Floodplains fiber application and authorization

GEO-TECHNOLOGY ASSOCIATES, INC.

GEOTECHNICAL AND
ENVIRONMENTAL CONSULTANTS

A Practicing ASFE Member Firm



April 19, 2012

Ms. Andi Cunabaugh
Regulatory Services Coordination Office
Maryland Department of the Environment
Water Management Administration
1800 Washington Boulevard
Baltimore, Maryland 21230

Re: Joint Federal/State Application for

AI # 134709

Dear Ms. Cunabaugh:

On behalf of the Geo-Technology Associates, Inc. (GTA) is submitting this application for impacts associated with the The is a infrastructure project in the State of Maryland. The project was

The network includes approximately ute miles of aerial and underground fiber optic cables. The purpose of this application is for the jurisdictional non-tidal wetland, non-tidal wetland buffer, and 100-year floodplain crossings proposed within Anne Arundel, Howard, and Montgomery Counties.

Field reviews were conducted on November 18, 2011, January 18, 2012, February 3, 2012, and February 17, 2012. Accompanying GTA on the field reviews were one or more of the following agency representatives: Mr. Jeff Thompson [Maryland Department of the Environment (MDE)]; Mr. Bill Seiger (MDE); and Ms. Mary Frazier [U.S. Army Corps of Engineers (Corps)]. The following segments were reviewed in the field:

Anne Arundel County, Maryland, Phase 2, Segments 6, 7, 8, 9, 10A, 10B, 10C, 11 (10 Impacts, See Impact Plates 1-9), 13, 29, F1, F2, and Intercounty (2 Impacts, See Impact Plates 10-11);

3445-A Box Hill Corporate Center Drive, Abingdon, MD 21009 (410) 515-9446 Fax: (410) 515-4895

* Abingdon, MD * Laurel, MD * Frederick, MD * Waldorf, MD * Sterling, VA * Somerset, NJ
* New Castle, DE * Georgetown, DE * York, PA * Quakertown, PA * Charlotte, NC

Visit us on the web at www.mragta.com

Howard County, Maryland, Phase 2, Segments 17-SHA, 18, 18-SHA, 22, 23 (2 Impacts: See Impact Plates 12-13), 24, 25, 25A-SHA, 25B-SHA, 26A-SHA, 26-Lateral, 27-SHA, 28, 28-SHA, 29, 29A-SHA, 29B-SHA, 29C-SHA, 30-SHA, 31, 31A-SHA, 31B-SHA, 32-SHA (1 Impact: See Impact Plate 14), 33, 34A, 34B, 34-SHA, 35, 36, 37, 38A-SHA, 39A-SHA (3 Impacts: See Impact Plates 15-16), 39B-SHA, 40A-SHA, 40B-SHA, 41-SHA, 42-SHA, 43A-SHA, 43B-SHA, 44, 44-SHA, and the Howard County/Montgomery County Interconnect;

Montgomery County, Maryland, Phase 1, Segments 1, 2, 3, 4, 5, and 6; Phase 2, Segments 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24 (1 Impact : See Impact Plate 17), 25, 26, 27, 28, 29, 30, 31, 32, 33 (3 Impacts: See Impact Plate 18), 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 45, 46, 50, 52, 55, and 58.

Prior to the field review dates, the proposed estimated impacts within the review area included 1 area of permanent impact to waters of the U.S. (27 SF), 2 areas of permanent impact to nontidal wetlands (54 SF), 21 areas of impact to nontidal wetland buffers (567 SF), 1 area of temporary impact to the 100-year floodplain (95 SF), and 17 areas of permanent impact to 100-year floodplains (459 SF, 918 CF).

To reduce impacts to regulated resources, the Applicant has proposed to use directional drill construction methods. Additionally, where feasible, the Applicant has proposed to attach overhead lines to existing utility poles, and to use existing underground and bridge-attached conduit. GTA identified regulated resources within the review area and reviewed the proposed handhole locations with project engineers. Handholes were relocated where practicable to avoid impacts to regulated resources. In some cases, handholes could not be relocated, due to one or more of the following reasons:

1. The 100-year floodplain or wetland resource was too expansive to drill in one shot.
2. Existing utilities dictated the location of some handholes.
3. Rock formations beneath the surface of the ground dictated the location of some handholes.

After the field review dates, the proposed estimated impacts within the review area included no areas of impact to waters of the U.S., 1 area of permanent impact to nontidal wetlands (27 SF), 9 areas of impact to nontidal wetland buffers (243 SF), 1 area of temporary impact to the 100-year floodplain (95 SF), and 11 areas of permanent impact to the 100-year floodplain (297 SF, 594 CF).

The following table shows the total cumulative impacts for the portions of the project reviewed to date. The table compares the originally proposed impacts to the impacts previously permitted, plus the impacts proposed within this application after avoidance and minimization efforts.

Type of Impact	Initially Proposed Impacts	Permitted Impacts after Avoidance & Minimization
Non-Tidal Wetlands Permanent Impacts (SF)	54	27
Non-Tidal Wetlands Temporary Impacts (SF)	0	0
Non-Tidal Wetlands Conversion Impacts (SF)	0	0
Non-Tidal Wetlands Buffer Impacts (SF)	612	378
Non-Tidal Waters Permanent Impacts (SF)	0	0
Non-Tidal Waters Permanent Impacts (LF)	0	0
Non-Tidal Waters Temporary Impacts (SF)	0	0
Non-Tidal Waters Temporary Impacts (LF)	0	0
Floodplain Impacts Permanent (SF)	567	324
Floodplain Impacts Permanent (CF)	1134	596
Floodplain Impacts Temporary (SF)	95	95

According to the South River Quadrangle of the U.S. Geological Survey Topographic Map, drainage from Anne Arundel County Impact Plates 1 through 6 contributes to unnamed non-estuarine tributaries of Glebe Branch. Glebe Branch is a tributary to Glebe Creek, which then contributes to the South River. The South River contributes to the Chesapeake Bay. According to the Code of Maryland Regulations (COMAR) stream use classification index, non-estuarine tributaries to the South River below Porter Point default to Use I.

According to the South River Quadrangle, drainage from Anne Arundel County Impact Plates 7 through 9 contributes to Selby Bay. Selby Bay contributes to the South River, which drains into the Chesapeake Bay. According to the COMAR stream use classification index, non-estuarine tributaries to the South River below Porter Point default to Use I.

According to the Bowie Quadrangle, drainage from Anne Arundel County Impact Plates 10 and 11 contributes to the Patuxent River below Rocky Gorge Dam. The Patuxent River contributes to the Chesapeake Bay. The Patuxent River below Rocky Gorge Dam as listed in the COMAR stream use classification index defaults to Use I.

According to the Savage Quadrangle, drainage from Howard County Impact Plates 12 and 13 contributes to an unnamed tributary to the Little Patuxent River above Old Forge Bridge. The Little Patuxent River drains into the Patuxent River, which then contributes to the Chesapeake Bay. The Little Patuxent River and its tributaries above Old Forge Bridge are listed in the COMAR stream use classification index as Use I-P.

According to the Sykesville Quadrangle, drainage from Howard County Impact Plate 14 contributes to the Middle Patuxent River. The Middle Patuxent River contributes into the Little Patuxent River above Old Forge Bridge. The Little Patuxent River then drains to the Patuxent River. The Patuxent River contributes to the Chesapeake Bay. According to the COMAR stream use classification index, the Little Patuxent River and its tributaries above Old Forge Bridge are classified as Use I-P.

According to the Woodbine Quadrangle, drainage from Howard County Impact Plates 15 and 16 contributes to an unnamed tributary to the Middle Patuxent River. The Middle Patuxent River drains into the Little Patuxent River above Old Forge Bridge. The Little Patuxent River then drains to the Patuxent River. The Patuxent River contributes to the Chesapeake Bay. According to the COMAR stream use classification index, the Little Patuxent River and its tributaries above Old Forge Bridge are classified as Use I-P.

According to the Sandy Spring Quadrangle, drainage from Montgomery County Impact Plate 17 contributes to an unnamed tributary to Reddy Branch. Reddy Branch contributes to Hawlings River, which then flows into the Patuxent River. The Patuxent River contributes to the Chesapeake Bay. According to the COMAR stream use classification index, the Patuxent River and its tributaries between the Rocky Gorge Reservoir and the Triadelphia Reservoir are classified as Use IV-P.

According to the Rockville Quadrangle, drainage from Montgomery County Impact Plate 18 contributes to an unnamed tributary to Muddy Branch. Muddy Branch flows into the Potomac River between the MD/DC line and the Frederick Montgomery County line. The Potomac River contributes to the Chesapeake Bay. According to the COMAR Stream Use Classification Index, the Potomac River and all tributaries from the MD/DC line to the Frederick Montgomery County line are classified as Use I-P.

An application fee has not been included because the activity is a state project. As directed by the instructions for the Joint Federal/State application, we are submitting five sets of the following information for review and processing:

1. Completed Joint Federal/State Application Form
2. Impact Plates

Maryland Department of the Environment

Re: *Anne Arundel, Montgomery, & Howard Counties*

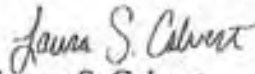
April 19, 2012

Page 5

GTA and the Applicant look forward to receiving a Letter of Authorization from your office. Should you have any questions, or require additional information, please contact this office at (410) 792-9446.

Sincerely,

GEO-TECHNOLOGY ASSOCIATES, INC.



Laura S. Calvert
Staff Scientist

Francesco S. Gentile, RLA
Senior Wetland Scientist

LSC/FSG

110452.1

\\Laurel\03\natural\110452 & 110452.1 OMBIN\Documents\Govt Correspondence\Wetperm\110452.1-WPMT Submit\AA Mont Howard Co. Cover Letter 2012-04-19.doc

cc: Mr. Jeff Thompson/MDE Non-Tidal Wetlands Division
Mr. Bill Seiger/MDE Non-Tidal Waterways Division
Ms. Mary Frazier/USACE

**JOINT FEDERAL/STATE APPLICATION FOR THE ALTERATION OF ANY FLOODPLAIN,
WATERWAY, TIDAL OR NONTIDAL WETLAND IN MARYLAND**

FOR AGENCY USE ONLY

Application Number _____	Date Determined Complete _____
Date Received by State _____	Date(s) Returned _____
Date Received by Corps _____	_____
Type of State permit needed _____	Date of Field Review _____
Type of Corps permit needed _____	Agency Performed Field Review _____

- +++++
- Please submit 1 original and 4 copies of this form, required maps and plans to the Wetlands and Waterways Program as noted on the last page of this form.
 - Any application which is not completed in full or is accompanied by poor quality drawings may be considered incomplete and result in a time delay to the applicant.

Please check one of the following:

RESUBMITTAL: _____ APPLICATION AMENDMENT: _____ MODIFICATION TO AN EXISTING PERMIT: _____
JURISDICTIONAL DETERMINATION ONLY _____ APPLYING FOR AUTHORIZATION X
PREVIOUSLY ASSIGNED NUMBER (RESUBMITTALS AND AMENDMENTS) _____
DATE April 19, 2012

I. APPLICANT INFORMATION:

APPLICANT NAME:

A. Name: _____ B. Daytime Telephone: _____
C. Company: _____
D. Address: _____
E. City: _____ State: MD Zip: _____

AGENT/ENGINEER INFORMATION:

A. Name: _____ B. Telephone: _____
C. Company: _____
D. Address: _____
E. City: _____ State: MD Zip: _____

ENVIRONMENTAL CONSULTANT:

A. Name: Francesco Gentile B. Telephone: 410-792-9446
C. Company: Geo-Technology Associates, Inc.
D. Address: 14280 Park Center Drive, Suite A
E. City: Laurel State: MD Zip: 20707

CONTRACTOR (If known):

A. Name: _____ B. Telephone: _____
C. Company: _____
D. Address: _____
E. City: _____ State: _____ Zip: _____

PRINCIPAL CONTACT:

A. Name: _____ B. Telephone: _____
C. Company: _____
D. Address: _____
E. City: _____ State: MD Zip: _____

2. PROJECT DESCRIPTION

a. GIVE WRITTEN DESCRIPTION OF PROJECT.

Has any portion of the project been completed? X Yes No If yes, explain Portions of the project have already been constructed. Portions are under construction, and additional portions remain to be constructed.

Is this a residential subdivision or commercial development? Yes X No
If yes, total number of acres on property acres

b. ACTIVITY: Check all activities that are proposed in the wetland, waterway, floodplain, and nontidal wetland buffer as appropriate.

A. filling D. flooding or impounding F. grading
B. dredging E. water G. removing or destroying vegetation
C. excavating H. draining I. building structures

Area for item(s) checked: Permanent Wetland Impacts 27 (sq. ft.) Temporary Wetland Impacts 0 (sq. ft.)
Wetland Buffer Impact 243 (sq. ft.) Temporary Wetland Buffer Impact 0 (sq. ft.)
Permanent Stream Impact 0 (sq. ft.) Expanded Buffer (Nontidal Wetland Only) 0 (sq. ft.)
Temporary Stream Impact 0 (sq. ft.) Permanent Impacts to the 100-year floodplain 297 (sq. ft.) 22 (cubic yards)
Length of stream affected (Permanent) 0 (linear feet) Temporary Impacts to the 100-year floodplain 95 (sq. ft.) 3.5 (cubic yards)
Length of stream affected (Temporary) 0 (linear feet)

c. TYPE OF PROJECTS: Project Dimensions

For each activity, give overall length and width (in feet), in columns 1 and 2. For multiple activities, give total area of disturbance in square feet in column 3. For activities in tidal waters, give maximum distance channelward (in feet) in column 4. For dam or small ponds, give average depth (in feet) for the completed project in column 5. Give the volume of fill or dredged material in column 6.

	Length (Ft.)	Width (Ft.)	Area (Sq. Ft.)	Maximum/Average Channelward Encroachment	Pond Depth	Volume of fill/dredge material (cubic yards) below MHW or OHW
	1	2	3	4	5	6
A. <u> </u> Bulkhead						
B. <u> </u> Revetment						
C. <u> </u> Vegetative Stabilization						
D. <u> </u> Gabions						
E. <u> </u> Groins						
F. <u> </u> Jetties						
G. <u> </u> Boat Ramp						
H. <u> </u> Pier						
I. <u> </u> Breakwater						
J. <u> </u> Repair & Maintenance						
K. <u> </u> Road Crossing						
L. <u>X</u> Utility Line			243 (Non-tidal wetland buffer); 27 (Non-tidal wetland); 392 (100-Year Floodplain)			
M. <u> </u> Outfall Construction						
N. <u> </u> Small Pond						
O. <u> </u> Dam						
P. <u> </u> Lot Fill						
Q. <u> </u> Building Structures						
R. <u> </u> Culvert						
S. <u> </u> Bridge						
T. <u> </u> Stream Channelization						
U. <u> </u> Parking Area						
V. <u> </u> Dredging						
1. <u> </u> New	2. <u> </u> Maintenance		3. <u> </u> Hydraulic	4. <u> </u> Mechanical		
W. <u> </u> Other (explain)						

d. PROJECT PURPOSE: Give brief written description of the project purpose:

The purpose of the proposed project is to

3. PROJECT LOCATION:

a. LOCATION INFORMATION:

- A. Counties: Anne Arundel, Howard, & Montgomery B. City: County Wide C. Name of closest waterway: N/A
- D. State stream use class designation: See cover letter
- E. Site Address or Location: Multiple counties
- F. Directions from nearest intersection of two state roads: N/A
- G. Is your project located in the Chesapeake Bay Critical Area (generally within 1,000 feet of tidal waters or tidal wetlands)?
X Yes No
- H. County Book Map Coordinates (Alexandria Drafting Co.); Excluding Garrett and Somerset Counties:
Map: N/A Letter: N/A Number: N/A (to the nearest tenth)
- I. FEMA Floodplain Map Panel Number (if known): See impact plates
- J. 1. N/A latitude 2. N/A longitude

b. ACTIVITY LOCATION: Check one or more of the following as appropriate for the type of wetland/waterway where you are proposing an activity:

- A. Tidal Waters F. 100-foot buffer (nontidal wetland of special State concern) H. X 100-year floodplain (outside stream channel)
- B. Tidal Wetlands G. In stream channel I. River, lake, pond
- C. Special Aquatic Site (e.g., mudflat, vegetated shallows) 1. Tidal 2. Nontidal J. Other (Explain)
- D. X Nontidal Wetland
- E. X 25-foot buffer (nontidal wetlands only)

c. LAND USE:

- A. Current Use of Parcel Is: 1. Agriculture: Has SCS designated project site as a prior converted cropland?
 Yes No 2. Wooded 3. Marsh/Swamp 4. Developed
5. X Other Use varies; project spans large areas within each county.
- B. Present Zoning Is: 1. Residential 2. Commercial/Industrial 3. Agriculture 4. Marina
5. X Other Zoning varies; project spans large areas within each county.
- C. Project complies with current zoning X Yes No

THE FOLLOWING INFORMATION IS REQUIRED BY THE STATE (blocks 4-7):

4. REDUCTION OF IMPACTS: Explain measures taken or considered to avoid or minimize wetland losses in F. Also check Items A-E if any of these apply to your project.

- A. X Reduced the area of disturbance B. Reduced size/scope of project C. X Relocated structures
- E. Other D. X Redesigned project
- F. Explanation: To further avoid impacts to regulated resources, the Applicant relocated proposed handhold locations outside of wetland buffers and 100-year floodplains. The majority of potential impacts are avoided due to the type of construction methods proposed for this project.

Describe reasons why impacts were not avoided or reduced in Q. Also check Items G-P that apply to your project.

- | | | |
|---|---|---|
| G. <input type="checkbox"/> Cost | K. <input type="checkbox"/> Parcel size | N. <input type="checkbox"/> Safety/public welfare issue |
| H. <input checked="" type="checkbox"/> Extensive wetlands on site | L. <input type="checkbox"/> Other regulatory requirement | O. <input type="checkbox"/> Inadequate zoning |
| I. <input checked="" type="checkbox"/> Engineering/design constraints | M. <input type="checkbox"/> Failure to accomplish project purpose | P. <input type="checkbox"/> Other _____ |
| J. <input checked="" type="checkbox"/> Other natural features | | |

Q. Description See cover letter.

5. **LETTER OF EXEMPTION:** If you are applying for a letter of exemption for activities in nontidal wetlands and/or their buffers, explain why the project qualifies:

- | | |
|--|--|
| A. <input type="checkbox"/> No significant plant or wildlife value and wetland impact | B. <input type="checkbox"/> Repair existing structure/fill |
| 1. <input type="checkbox"/> Less than 5,000 square feet | C. <input type="checkbox"/> Mitigation Project |
| 2. <input type="checkbox"/> In an isolated nontidal wetland less than 1 acre in size | D. <input checked="" type="checkbox"/> Utility Line |
| E. Other (explain) _____ | 1. <input checked="" type="checkbox"/> Overhead |
| F. <input type="checkbox"/> Check here if you are not applying for a letter of exemption. | 2. <input checked="" type="checkbox"/> Underground |

IF YOU ARE APPLYING FOR A LETTER OF EXEMPTION, PROCEED TO BLOCK 11

6. **ALTERNATIVE SITE ANALYSIS:** Explain why other sites that were considered for this project were rejected in M. Also check any items in D-L if they apply to your project. (If you are applying for a letter of exemption, do not complete this block):

- | | | |
|------------------------------------|---|---|
| A. <input type="checkbox"/> 1 site | B. <input type="checkbox"/> 2 - 4 sites | C. <input type="checkbox"/> 5 or more sites |
|------------------------------------|---|---|

Alternative sites were rejected/not considered for the following reason(s):

- | | | |
|---|--|---|
| D. <input type="checkbox"/> Cost | H. <input type="checkbox"/> Greater wetlands impact | L. <input type="checkbox"/> Other _____ |
| E. <input type="checkbox"/> Lack of availability | I. <input type="checkbox"/> Water dependency | |
| F. <input type="checkbox"/> Failure to meet project purpose | J. <input type="checkbox"/> Inadequate zoning | |
| G. <input type="checkbox"/> Located outside general/market area | K. <input type="checkbox"/> Engineering/design constraints | |
| M. Explanation: _____ | | |

7. **PUBLIC NEED:** Describe the public need or benefits that the project will provide in F. Also check Items in A-E that apply to your project. (If you are applying for a letter of exemption, do not complete this block):

- | | | |
|--------------------------------------|--|---|
| A. <input type="checkbox"/> Economic | C. <input type="checkbox"/> Health/welfare | E. <input type="checkbox"/> Other _____ |
| B. <input type="checkbox"/> Safety | D. <input type="checkbox"/> Does not provide public benefits | |
| F. Description: _____ | | |

8. OTHER APPROVALS NEEDED/GRANTED:

A. Agency	B. Date Sought	C. Decision		D. Decision Date	E. Other Status
		1. Granted	2. Denied		
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

9. MITIGATION PLAN: Please provide the following information:

- a. Description of a monetary compensation proposal, if applicable (for **state requirements** only). Attach another sheet if necessary. _____

- b. Give a brief description of the proposed mitigation project. _____

- c. Describe why you selected your proposed mitigation site, including what other areas were considered and why they were rejected. _____

- d. Describe how the mitigation site will be protected in the future. _____

10. HAVE ADJACENT PROPERTY OWNERS BEEN NOTIFIED?:

A. _____ Yes B. _____ No

Provide names and mailing addresses below (Use separate sheet, if necessary):

- a. _____ b. _____ c. _____

11. HISTORIC PROPERTIES: Is your project located in the vicinity of historic properties? (For example: structures over 50 years old, archeological sites, shell mounds, Indian or Colonial artifacts). Provide any supplemental information in Section 13.

A. _____ Yes B. X No C. _____ Unknown

Explain: The Maryland Historic Trust (MHT) State Historic Preservation Officer (SHPO) has reviewed and approved this project
A copy of the correspondence is included with this application.

12. ADDITIONAL INFORMATION: Use this space for detailed responses to any of the previous items. Attach another sheet if necessary:

Check box if data is enclosed for any one or more of the following (see checklist for required information):

- | | | |
|---|---|---|
| A. <input type="checkbox"/> Soil borings | D. <input type="checkbox"/> Field surveys | G. <input type="checkbox"/> Site plan |
| B. <input type="checkbox"/> Wetland data sheets | E. <input type="checkbox"/> Alternate site analysis | H. <input type="checkbox"/> Avoidance and minimization analysis |
| C. <input type="checkbox"/> Photographs | F. <input type="checkbox"/> Market analysis | |
| I. <input type="checkbox"/> Other (explain) _____ | | |

CERTIFICATION:

I hereby designate and authorize the agent named above to act on my behalf in the processing of this application and to furnish any information that is requested. I certify that the information on this form and on the attached plans and specifications is true and accurate to the best of my knowledge and belief. I understand that any of the agencies involved in authorizing the proposed works may request information in addition to that set forth herein as may be deemed appropriate in considering this proposal. I certify that all Waters of the United States have been identified and delineated on site, and that all jurisdictional wetlands have been delineated in accordance with the Federal Manual for Identifying and Delineating Jurisdictional Wetlands. I grant permission to the agencies responsible for authorization of this work, or their duly authorized representative, to enter the project site for inspection purposes during working hours. I will abide by the conditions of the permit or license if issued and will not begin work without the appropriate authorization. I also certify that the proposed works are consistent with Maryland's Coastal Zone Management Plan. I understand that none of the information contained in the application form is confidential and that I may request that additional required information be considered confidential under applicable laws. I further understand that failure of the landowner to sign the application will result in the application being deemed incomplete.

LANDOWNER MUST SIGN: _____

DATE: 2-16-12

WHERE TO MAIL APPLICATION

Maryland Department of the Environment
Water Management Administration
Regulatory Services Coordination Office
1800 Washington Boulevard, Suite 430
Baltimore, Maryland 21230
Telephone: (410) 537-3762
1-800-876-0200

BEFORE YOU MAIL... DON'T FORGET...

- **SIGN AND DATE THE APPLICATION. THE LANDOWNER MUST SIGN.**
- **FIVE (5) COPIES OF ALL DOCUMENTS (APPLICATION, PLANS, MAPS, REPORTS, ETC.) MUST BE RECEIVED TO BEGIN OUR REVIEW.**
- **INCLUDE FIVE COPIES OF A VICINITY MAP (LOCATION MAP) WITH THE PROJECT SITE PINPOINTED.**
- **SEND AN APPLICATION FEE OF \$750 ALONG WITH A COPY OF THE FIRST PAGE OF THE APPLICATION TO MARYLAND DEPARTMENT OF THE ENVIRONMENT, P.O. BOX 2057, BALTIMORE, MD 21203-2057. PLEASE REFER TO OUR WEBSITE <http://www.mde.state.md.us/wetlands> FOR FURTHER INSTRUCTIONS.**

**SAMPLE PLANS MAY BE OBTAINED BY PHONE (1-800-876-0200)
OR E-MAIL acunabaugh@mde.state.md.us.**

SUPPLEMENTARY INFORMATION TO BE INCLUDED ON PLANS, DRAWINGS, OR VICINITY MAPS

In addition to the information indicated on the previous pages, you should include the following on the 8 1/2 x 11 site plans and any blueprints you have submitted:

1. Delineation of any wetland buffers or expanded buffers, clearly marked and differentiated.
2. Location of mitigation area, if proposed on the same site as the project.

Note: If you are proposing a complex project you may wish to submit engineering blueprints of your project with the application form to expedite review.

Mitigation Location Map: If you are proposing that nontidal wetland mitigation be done at a different location than the proposed project, you should submit a map showing the location of the mitigation site in relation to the proposed nontidal wetland losses.

WETLAND DELINEATION

Wetlands should be identified according to methods described in the publication Federal Manual Identifying and Delineating Jurisdictional Wetlands. Copies of the manual may be obtained by calling the U. S. Government Printing Office at 202-783-3238 and requesting document #024-010-00-683-8 at a cost of \$7.50. Wetlands must be shown on all plans submitted with the application. All wetlands on site must be delineated and shown on the overall site plan. 8 1/2 x 11 inch plans with topography showing relation of the wetlands and project impacts must be submitted. Copies of the wetland reports and data sheets used in making the determination be included with your application submittal.

Regulatory Agencies

Federal Permits

U.S. Army Corps of Engineers
Baltimore District
Attention: CENAB-OP-R
P. O. Box 1715
Baltimore, MD 21203-1715
Telephone: (410) 962-3670

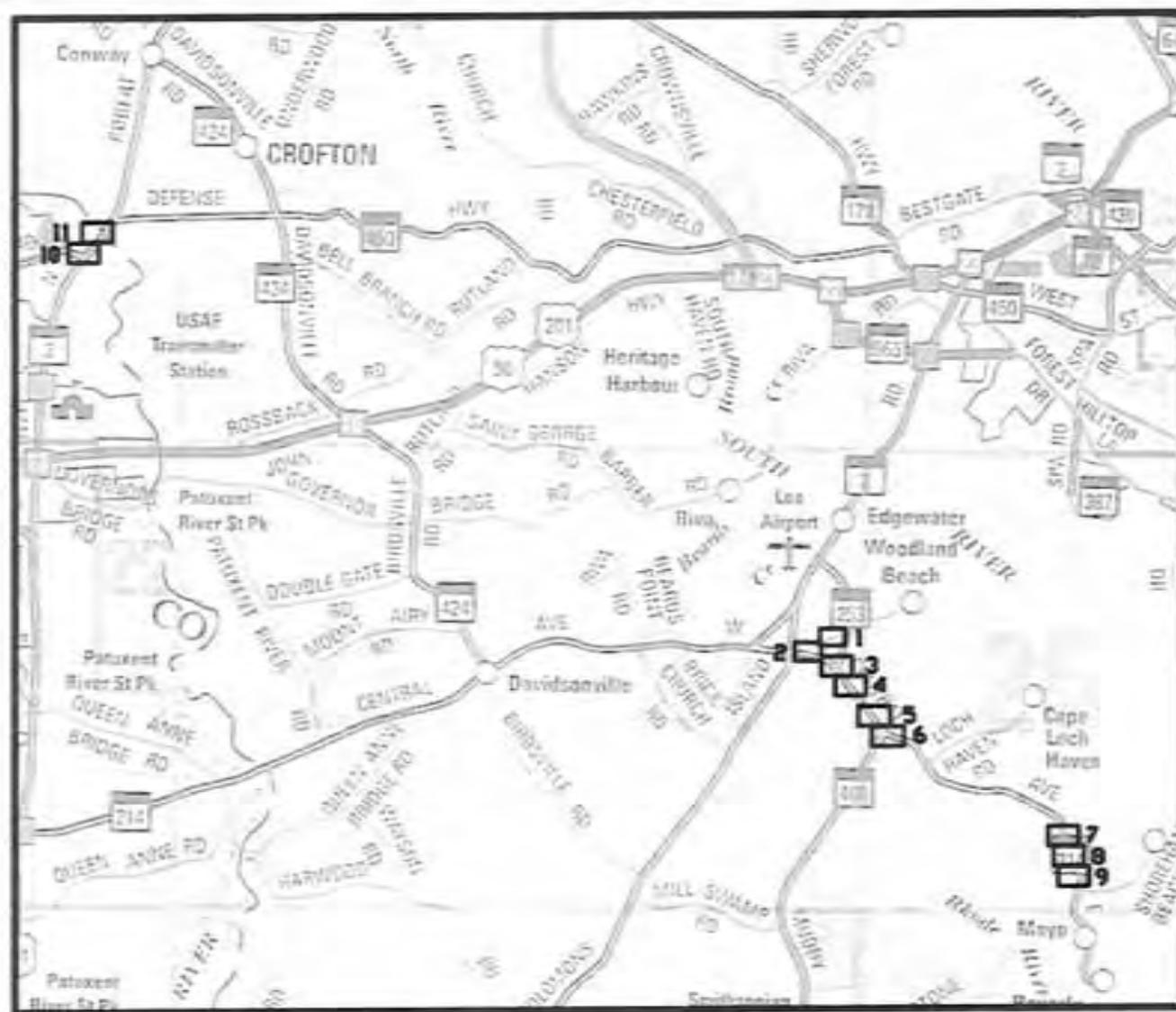
Coastal Zone Consistency Statement

MD Dept. of the Environment
Water Management Administration
Wetlands and Waterways Program
1800 Washington Blvd, Ste 430
Baltimore, MD 21230
Telephone: (410) 537-3745

State Authorizations

MD Dept. of the Environment
Water Management Administration
Tidal Wetlands Division
1800 Washington Blvd, Ste 430
Baltimore, MD 21230
Telephone: (410) 537-3837

MD Dept. of the Environment
Water Management Administration
Nontidal Wetlands and Waterways
Division
1800 Washington Blvd, Ste 430
Baltimore, MD 21230
Telephone: (410) 537-3768



*NOTE: THIS SKETCH WAS ADAPTED FROM A STREET MAP OF HOWARD COUNTY, MARYLAND, PREPARED BY ADC, COPYRIGHT ADC THE MAP PEOPLE. PERMITTED USE NUMBER 21008238.

TOTAL IMPACTS	AREA
NON-TIDAL WETLANDS PERMANENT IMPACTS (SF)	27
NON-TIDAL WETLANDS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WETLANDS CONVERSION IMPACTS (SF)	0
NON-TIDAL WETLANDS BUFFER IMPACTS (SF)	162
NON-TIDAL WATERS PERMANENT IMPACTS (SF)	0
NON-TIDAL WATERS PERMANENT IMPACTS (LF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (LF)	0
FLOODPLAIN IMPACTS PERMANENT (SF)	135
FLOODPLAIN IMPACTS PERMANENT (CF)	270
FLOODPLAIN IMPACTS TEMPORARY (SF)	0



GEO-TECHNOLOGY ASSOCIATES, INC.

GEOTECHNICAL AND ENVIRONMENTAL CONSULTANTS

14260 PARK CENTER DRIVE, SUITE A

LAUREL, MARYLAND 20707

410-792-9446

FAX: 410-792-7395

WWW.MRAGTA.COM

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ANNE ARUNDEL COUNTY, MARYLAND

IMPACT PLATE INDEX FOR PLATES 1-11

ANNE ARUNDEL COUNTY, MARYLAND

CORRESPONDING
ENGINEERING
DRAWING SHEET #:

N/A

JOB NO.

110452.1

SCALE:

NTS

DATE:

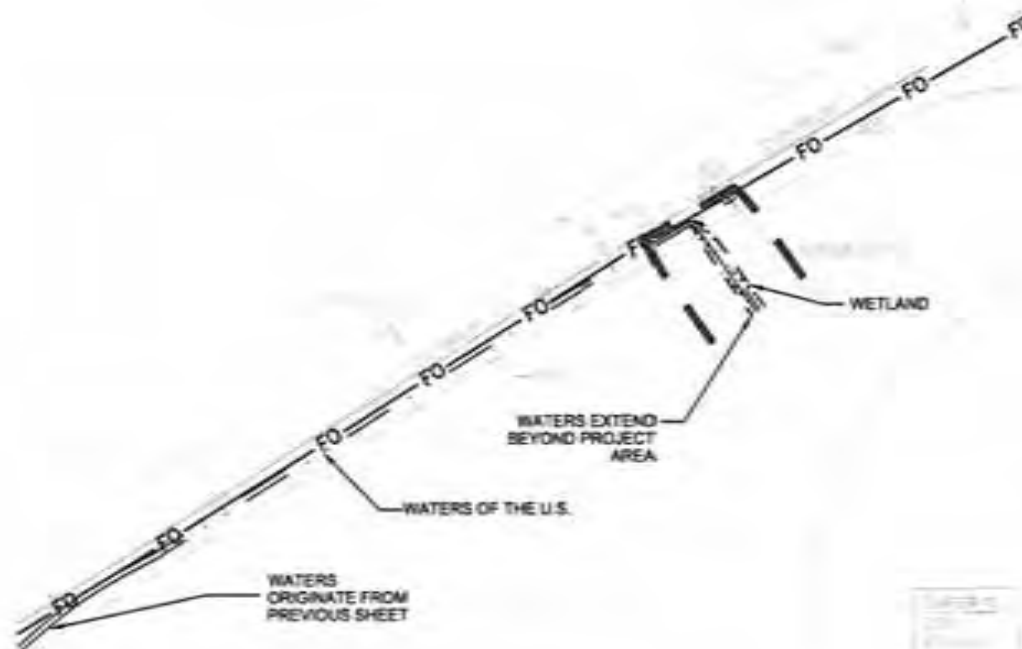
APR 2012

DRAWN BY:

LSC

REVIEW BY:

FSK

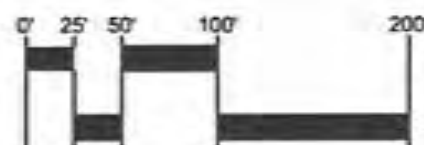


***NOTES:**

1. THIS PLATE IS INTENDED FOR THE SUMMARY OF PROPOSED IMPACTS ONLY. FOR CONSTRUCTION PURPOSES REFER TO THE ENGINEERING PLANS.
2. FIBER & VAULT LOCATIONS SHOWN ARE BASED ON ENGINEERING PLANS PROVIDED TO GTA BY OTHERS, AND DO NOT NECESSARILY REFLECT THE FINAL AS-BUILT CONDITION.

LEGEND

- · — FLOODPLAIN
- [V] PROPOSED FIBER OPTIC VAULT
- FO — PROPOSED FIBER OPTIC LINE
- - - - - APPROXIMATE BOUNDARY OF WATERS OF THE U.S.
- [---] NON-TIDAL WETLANDS
- 25' WETLANDS BUFFER



SCALE: 1"=100'

IMPACT	AREA
NON-TIDAL WETLANDS PERMANENT IMPACTS (SF)	0
NON-TIDAL WETLANDS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WETLANDS CONVERSION IMPACTS (SF)	0
NON-TIDAL WETLANDS BUFFER IMPACTS (SF)	27
NON-TIDAL WATERS PERMANENT IMPACTS (SF)	0
NON-TIDAL WATERS PERMANENT IMPACTS (LF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (LF)	0
FLOODPLAIN IMPACTS PERMANENT (SF)	0
FLOODPLAIN IMPACTS PERMANENT (CF)	0
FLOODPLAIN IMPACTS TEMPORARY (SF)	0



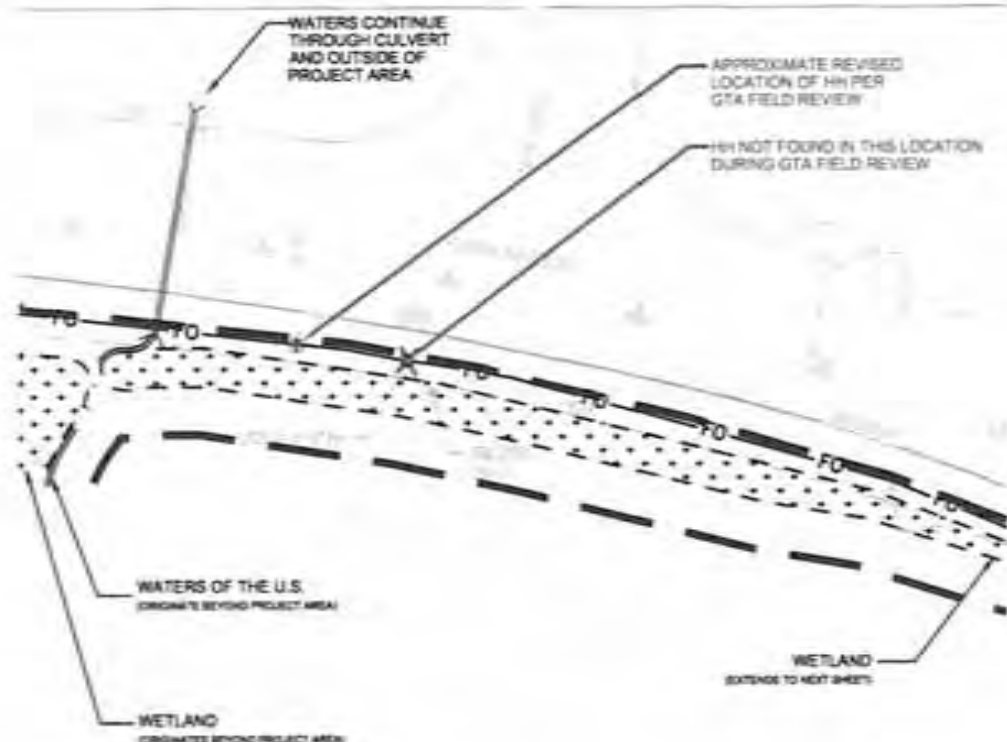
GEO-TECHNOLOGY ASSOCIATES, INC.
 GEOTECHNICAL AND ENVIRONMENTAL CONSULTANTS
 14280 PARK CENTER DRIVE, SUITE A
 LAUREL, MARYLAND 20707
 410-792-9446
 FAX: 410-792-7395
 WWW.MRAGTA.COM

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ANNE ARUNDEL COUNTY, MARYLAND
SEGMENT 11
IMPACT PLATE - 1

ANNE ARUNDEL COUNTY, MARYLAND

JOB NO. 110452.1 SCALE: 1"=100' DATE: APR 2012 DRAWN BY: SAW REVIEW BY: FSG CORRESPONDING ENGINEERING DRAWING SHEET #: 2 OF 38



*NOTES:

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2. FIBER & VAULT LOCATIONS SHOWN ARE BASED ON ENGINEERING PLANS PROVIDED TO GTA BY OTHERS, AND DO NOT NECESSARILY REFLECT THE FINAL AS-BUILT CONDITION.

LEGEND

- · — FLOODPLAIN
- [V] PROPOSED FIBER OPTIC VAULT
- FO — PROPOSED FIBER OPTIC LINE
- - - APPROXIMATE BOUNDARY OF WATERS OF THE U.S.
- [+] NON-TIDAL WETLANDS
- — 25' WETLANDS BUFFER



SCALE: 1"=100'

IMPACT	AREA
NON-TIDAL WETLANDS PERMANENT IMPACTS (SF)	0
NON-TIDAL WETLANDS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WETLANDS CONVERSION IMPACTS (SF)	0
NON-TIDAL WETLANDS BUFFER IMPACTS (SF)	27
NON-TIDAL WATERS PERMANENT IMPACTS (SF)	0
NON-TIDAL WATERS PERMANENT IMPACTS (LF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (LF)	0
FLOODPLAIN IMPACTS PERMANENT (SF)	0
FLOODPLAIN IMPACTS PERMANENT (CF)	0
FLOODPLAIN IMPACTS TEMPORARY (SF)	0



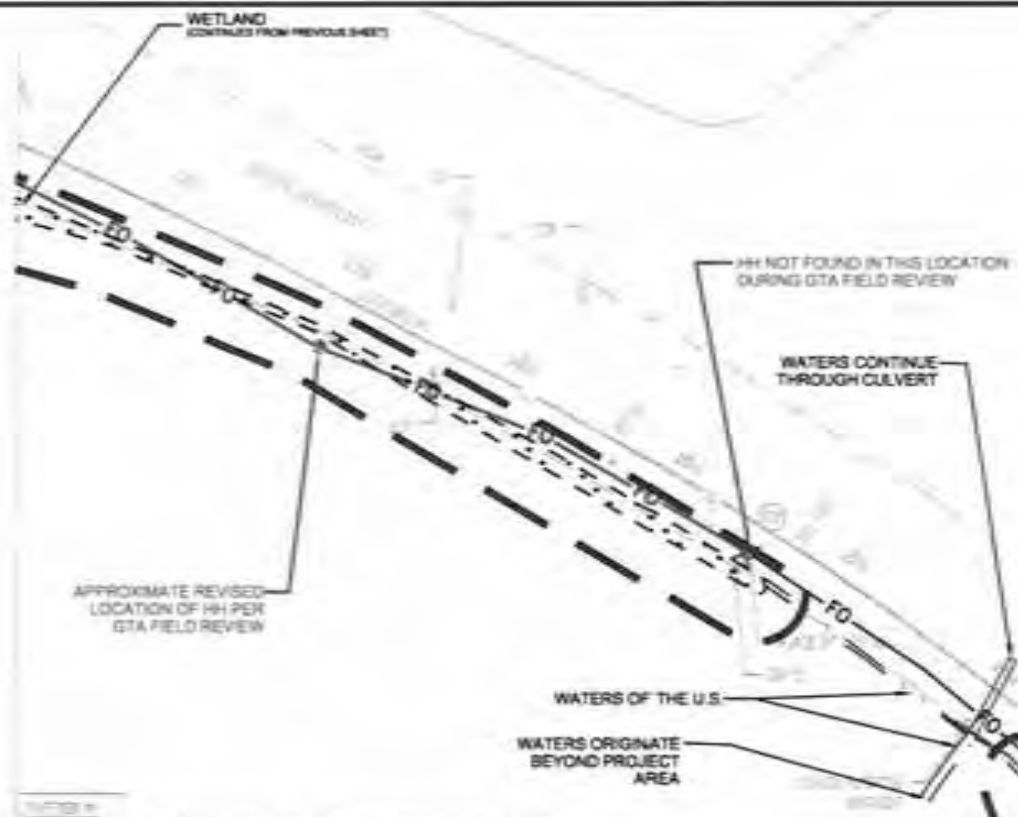
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ANNE ARUNDEL COUNTY, MARYLAND
SEGMENT 11
IMPACT PLATE - 2

ANNE ARUNDEL COUNTY, MARYLAND

JOB NO. 110452.1 SCALE: 1"=100' DATE: APR 2012 DRAWN BY: SAM REVIEW BY: PSC CORRESPONDING ENGINEERING DRAWING SHEET #: 4 OF 38

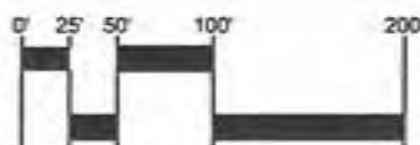


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2. FIBER & VAULT LOCATIONS SHOWN ARE BASED ON ENGINEERING PLANS PROVIDED TO GTA BY OTHERS, AND DO NOT NECESSARILY REFLECT THE FINAL AS-BUILT CONDITION.

LEGEND

- · — FLOODPLAIN
- ☑ PROPOSED FIBER OPTIC VAULT
- FO — PROPOSED FIBER OPTIC LINE
- — — APPROXIMATE BOUNDARY OF WATERS OF THE U.S.
- — — NON-TIDAL WETLANDS
- — — 25' WETLANDS BUFFER



SCALE: 1"=100'

IMPACT	AREA
NON-TIDAL WETLANDS PERMANENT IMPACTS (SF)	0
NON-TIDAL WETLANDS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WETLANDS CONVERSION IMPACTS (SF)	0
NON-TIDAL WETLANDS BUFFER IMPACTS (SF)	27
NON-TIDAL WATERS PERMANENT IMPACTS (SF)	0
NON-TIDAL WATERS PERMANENT IMPACTS (LF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (LF)	0
FLOODPLAIN IMPACTS PERMANENT (SF)	0
FLOODPLAIN IMPACTS PERMANENT (CF)	0
FLOODPLAIN IMPACTS TEMPORARY (SF)	0



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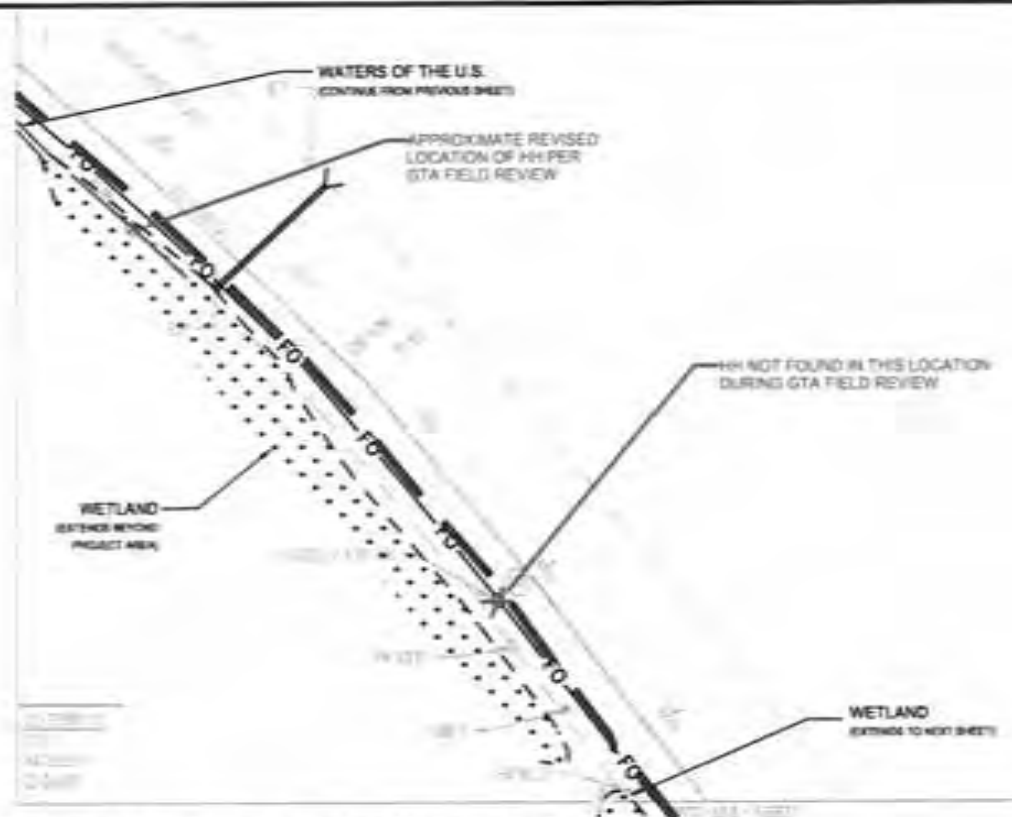
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ANNE ARUNDEL COUNTY, MARYLAND
SEGMENT 11

IMPACT PLATE - 3

ANNE ARUNDEL COUNTY, MARYLAND

JOB NO. 110432.1 SCALE: 1"=100' DATE: APR 2012 DRAWN BY: SAM REVIEW BY: PSC CORRESPONDING ENGINEERING DRAWING SHEET # 1 OF 3

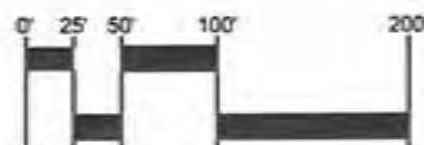


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LEGEND

- · — FLOODPLAIN
- [V] PROPOSED FIBER OPTIC VAULT
- FD — PROPOSED FIBER OPTIC LINE
- - - - - APPROXIMATE BOUNDARY OF WATERS OF THE U.S.
- [---] NON-TIDAL WETLANDS
- — — 25' WETLANDS BUFFER



SCALE: 1"=100'

IMPACT	AREA
NON-TIDAL WETLANDS PERMANENT IMPACTS (SF)	27
NON-TIDAL WETLANDS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WETLANDS CONVERSION IMPACTS (SF)	0
NON-TIDAL WETLANDS BUFFER IMPACTS (SF)	0
NON-TIDAL WATERS PERMANENT IMPACTS (SF)	0
NON-TIDAL WATERS PERMANENT IMPACTS (LF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (LF)	0
FLOODPLAIN IMPACTS PERMANENT (SF)	0
FLOODPLAIN IMPACTS PERMANENT (CF)	0
FLOODPLAIN IMPACTS TEMPORARY (SF)	0



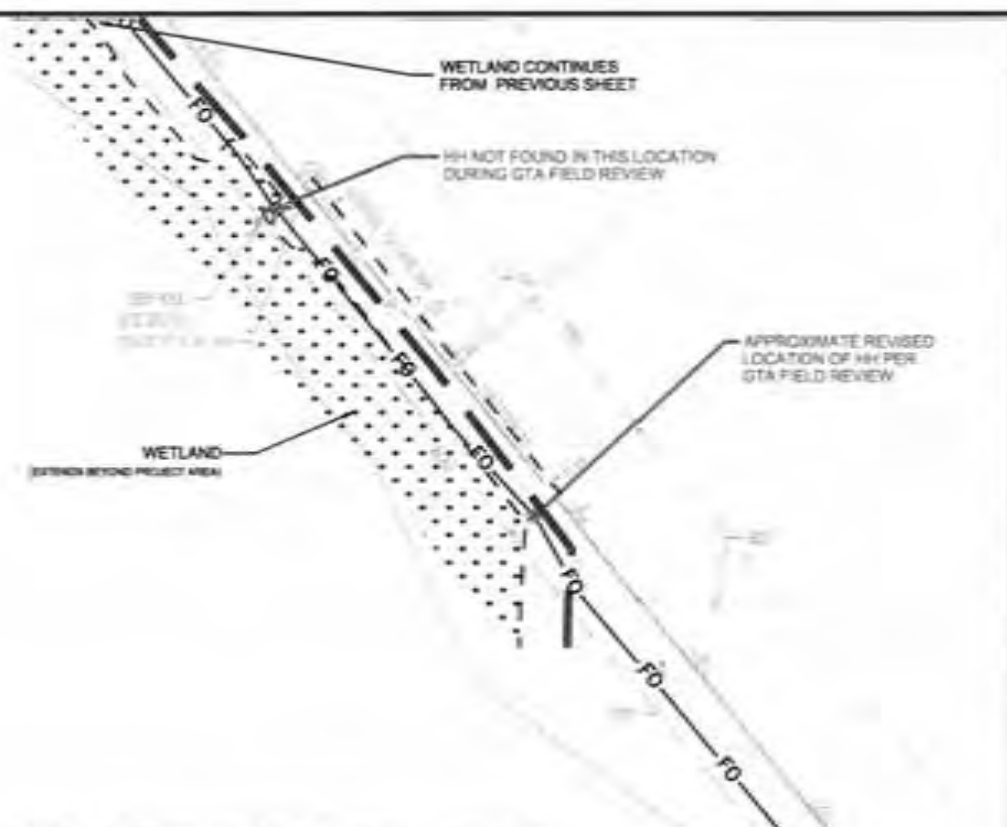
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SEGMENT 11
IMPACT PLATE - 4

ANNE ARUNDEL COUNTY, MARYLAND

JOB NO. 110452.1 SCALE: 1"=100' DATE: APR 2012 DRAWN BY: LSC REVIEW BY: FSG CORRESPONDING ENGINEERING DRAWING SHEET #: 1 OF 31

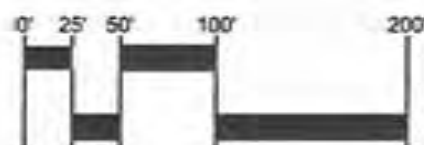


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2. FIBER & VAULT LOCATIONS SHOWN ARE BASED ON ENGINEERING PLANS PROVIDED TO GTA BY OTHERS, AND DO NOT NECESSARILY REFLECT THE FINAL AS-BUILT CONDITION.

LEGEND

- · — FLOODPLAIN
- ☑ PROPOSED FIBER OPTIC VAULT
- FO — PROPOSED FIBER OPTIC LINE
- - - - - APPROXIMATE BOUNDARY OF WATERS OF THE U.S.
- [Stippled Area] NON-TIDAL WETLANDS
- — — 25' WETLANDS BUFFER



SCALE: 1"=100'

IMPACT	AREA
NON-TIDAL WETLANDS PERMANENT IMPACTS (SF)	0
NON-TIDAL WETLANDS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WETLANDS CONVERSION IMPACTS (SF)	0
NON-TIDAL WETLANDS BUFFER IMPACTS (SF)	27
NON-TIDAL WATERS PERMANENT IMPACTS (SF)	0
NON-TIDAL WATERS PERMANENT IMPACTS (LF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (LF)	0
FLOODPLAIN IMPACTS PERMANENT (SF)	0
FLOODPLAIN IMPACTS PERMANENT (CF)	0
FLOODPLAIN IMPACTS TEMPORARY (SF)	0



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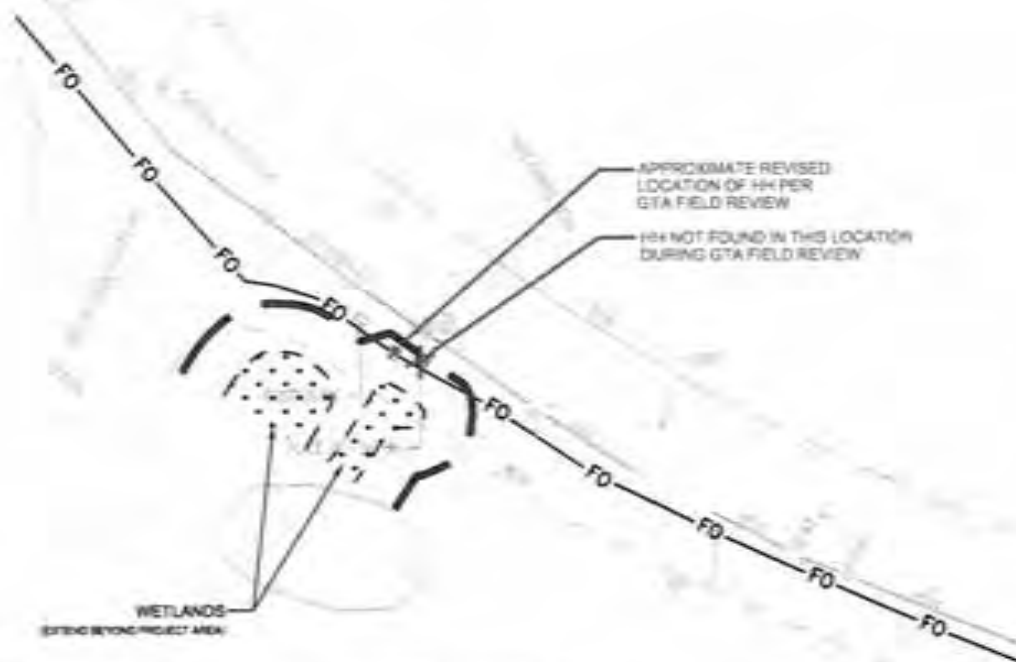
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**ANNE ARUNDEL COUNTY, MARYLAND
 SEGMENT 11**

IMPACT PLATE - 5

ANNE ARUNDEL COUNTY, MARYLAND

JOB NO. 110452.1 SCALE: 1"=100' DATE: APR 2012 DRAWN BY: SAW REVEN BY: FSG CORRESPONDING ENGINEERING DRAWING SHEET # 13 OF 38



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LEGEND

- · — FLOODPLAIN
- [V] PROPOSED FIBER OPTIC VAULT
- FO — PROPOSED FIBER OPTIC LINE
- - - - - APPROXIMATE BOUNDARY OF WATERS OF THE U.S.
- [+] NON-TIDAL WETLANDS
- — — 25' WETLANDS BUFFER



SCALE: 1"=100'

IMPACT	AREA
NON-TIDAL WETLANDS PERMANENT IMPACTS (SF)	0
NON-TIDAL WETLANDS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WETLANDS CONVERSION IMPACTS (SF)	0
NON-TIDAL WETLANDS BUFFER IMPACTS (SF)	27
NON-TIDAL WATERS PERMANENT IMPACTS (SF)	0
NON-TIDAL WATERS PERMANENT IMPACTS (LF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (LF)	0
FLOODPLAIN IMPACTS PERMANENT (SF)	0
FLOODPLAIN IMPACTS PERMANENT (CF)	0
FLOODPLAIN IMPACTS TEMPORARY (SF)	0



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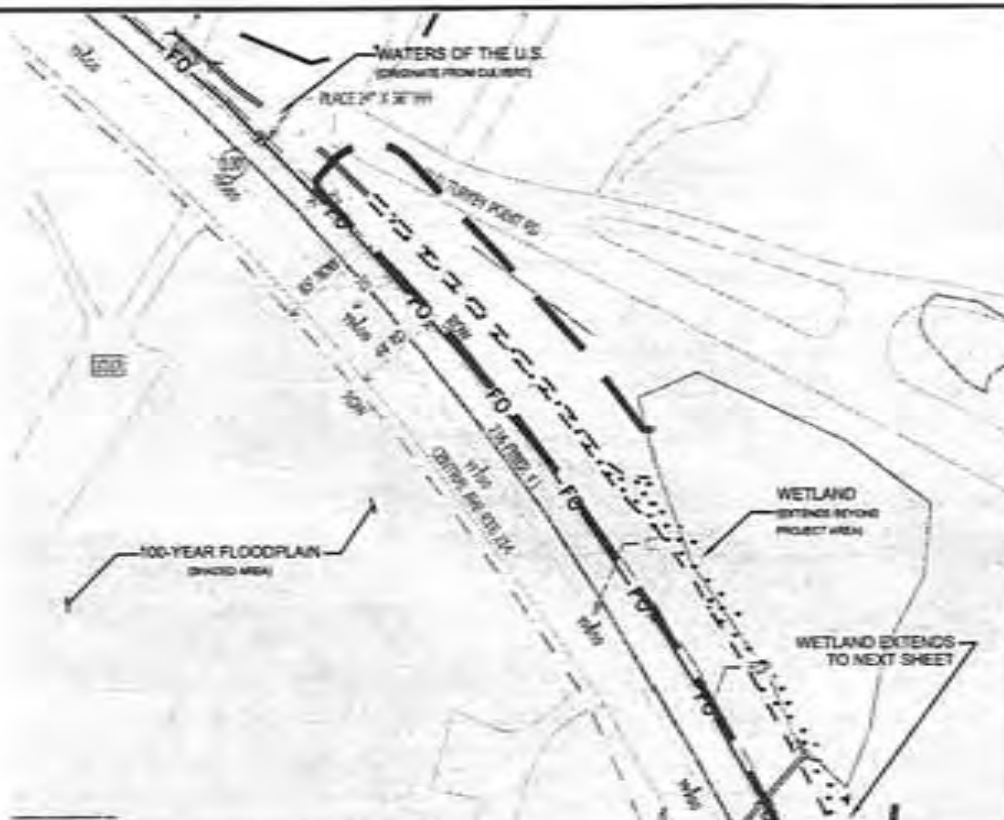
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ANNE ARUNDEL COUNTY, MARYLAND
SEGMENT 11

IMPACT PLATE - 6

ANNE ARUNDEL COUNTY, MARYLAND

JOB NO. 110432.1 SCALE: 1"=100' DATE: APR 2012 DRAWN BY: LSC REVIEW BY: FSC CORRESPONDING ENGINEERING DRAWING SHEET # 14 OF 38

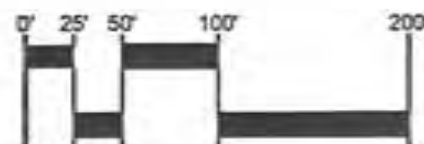


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LEGEND

- FLOODPLAIN
- ☒ PROPOSED FIBER OPTIC VAULT
- FO PROPOSED FIBER OPTIC LINE
- - - APPROXIMATE BOUNDARY OF WATERS OF THE U.S.
- [] NON-TIDAL WETLANDS
- == 25' WETLANDS BUFFER



SCALE: 1"=100'

IMPACT	AREA
NON-TIDAL WETLANDS PERMANENT IMPACTS (SF)	0
NON-TIDAL WETLANDS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WETLANDS CONVERSION IMPACTS (SF)	0
NON-TIDAL WETLANDS BUFFER IMPACTS (SF)	0
NON-TIDAL WATERS PERMANENT IMPACTS (SF)	0
NON-TIDAL WATERS PERMANENT IMPACTS (LF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (LF)	0
FLOODPLAIN IMPACTS PERMANENT (SF)	27
FLOODPLAIN IMPACTS PERMANENT (CF)	54
FLOODPLAIN IMPACTS TEMPORARY (SF)	0



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SEGMENT 11
IMPACT PLATE - 7

ANNE ARUNDEL COUNTY, MARYLAND

JOB NO. 110452.1

SCALE

1"=100'

DATE:

APR 2012

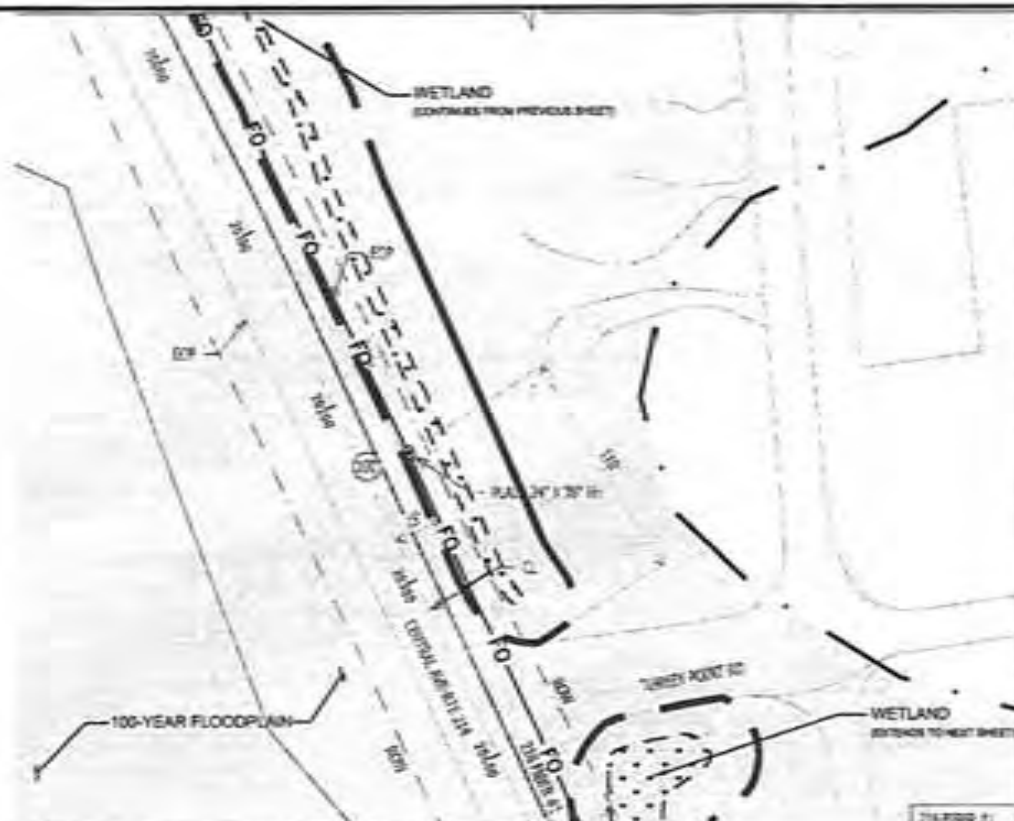
DRAWN BY:

LSC

REVIEW BY:

PSG

CORRESPONDING
 ENGINEERING
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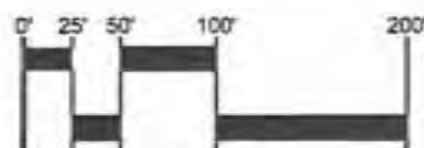


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LEGEND

- · — FLOODPLAIN
- [V] PROPOSED FIBER OPTIC VAULT
- FO — PROPOSED FIBER OPTIC LINE
- - - - - APPROXIMATE BOUNDARY OF WATERS OF THE U.S.
- [---] NON-TIDAL WETLANDS
- — — 25' WETLANDS BUFFER



SCALE: 1"=100'

IMPACT	AREA
NON-TIDAL WETLANDS PERMANENT IMPACTS (SF)	0
NON-TIDAL WETLANDS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WETLANDS CONVERSION IMPACTS (SF)	0
NON-TIDAL WETLANDS BUFFER IMPACTS (SF)	27
NON-TIDAL WATERS PERMANENT IMPACTS (SF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (LF)	0
FLOODPLAIN IMPACTS PERMANENT (SF)	27
FLOODPLAIN IMPACTS PERMANENT (CF)	54
FLOODPLAIN IMPACTS TEMPORARY (SF)	0

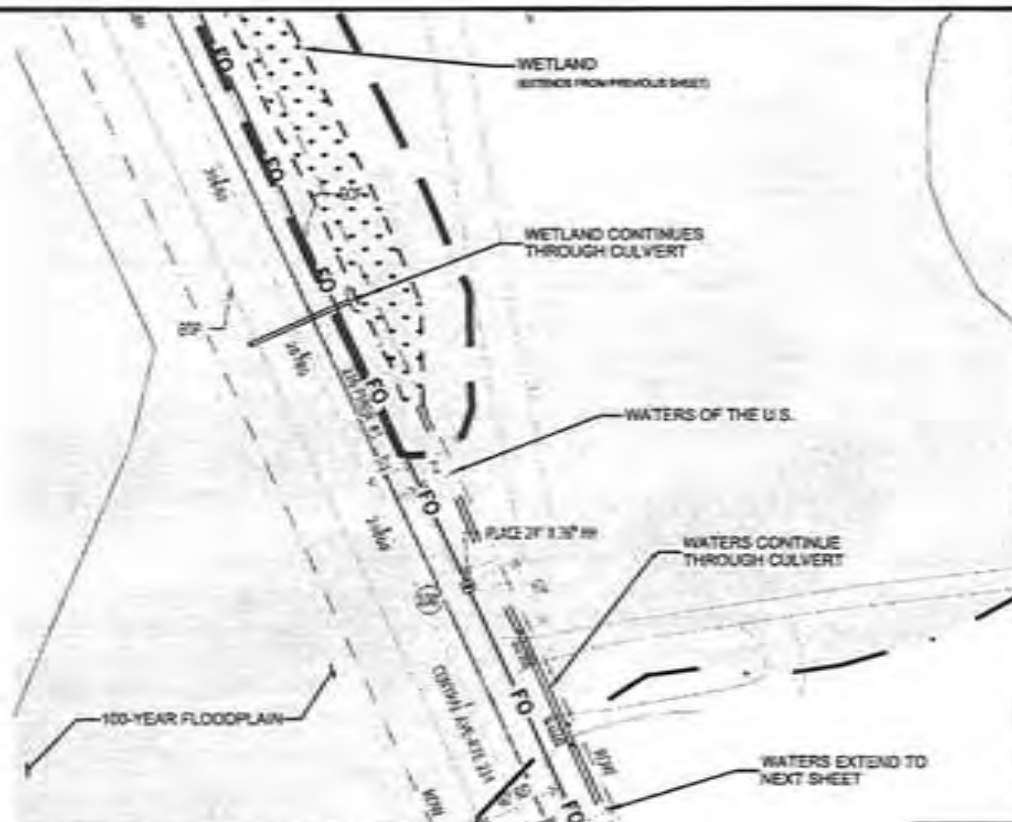


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SEGMENT 11
IMPACT PLATE - 8

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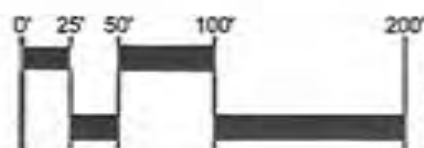


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2. FIBER & VAULT LOCATIONS SHOWN ARE BASED ON ENGINEERING PLANS PROVIDED TO GTA BY OTHERS, AND DO NOT NECESSARILY REFLECT THE FINAL AS-BUILT CONDITION.

LEGEND

- · — FLOODPLAIN
- [V] PROPOSED FIBER OPTIC VAULT
- FO — PROPOSED FIBER OPTIC LINE
- - - - - APPROXIMATE BOUNDARY OF WATERS OF THE U.S.
- - - - - NON-TIDAL WETLANDS
- — — 25' WETLANDS BUFFER



SCALE: 1"=100'

IMPACT	AREA
NON-TIDAL WETLANDS PERMANENT IMPACTS (SF)	0
NON-TIDAL WETLANDS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WETLANDS CONVERSION IMPACTS (SF)	0
NON-TIDAL WETLANDS BUFFER IMPACTS (SF)	0
NON-TIDAL WATERS PERMANENT IMPACTS (SF)	0
NON-TIDAL WATERS PERMANENT IMPACTS (LF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (LF)	0
FLOODPLAIN IMPACTS PERMANENT (SF)	27
FLOODPLAIN IMPACTS PERMANENT (CF)	54
FLOODPLAIN IMPACTS TEMPORARY (SF)	0



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ANNE ARUNDEL COUNTY, MARYLAND
SEGMENT 11
IMPACT PLATE - 9

ANNE ARUNDEL COUNTY, MARYLAND

JOB NO.	110452.1	SCALE:	1"=100'	DATE:	APR 2012	DRAWN BY:	LSC	REVIEW BY:	FSG	CORRESPONDING ENGINEERING DRAWING SHEET #:	3 OF 3
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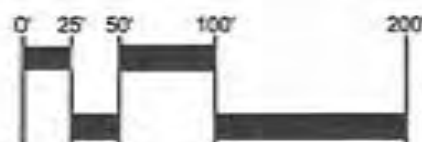


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LEGEND

- · — FLOODPLAIN
- [V] PROPOSED FIBER OPTIC VAULT
- FO — PROPOSED FIBER OPTIC LINE
- - - - - APPROXIMATE BOUNDARY OF WATERS OF THE U.S.
- [---] NON-TIDAL WETLANDS
- ===== 25' WETLANDS BUFFER



SCALE: 1"=100'

IMPACT	AREA
NON-TIDAL WETLANDS PERMANENT IMPACTS (SF)	0
NON-TIDAL WETLANDS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WETLANDS CONVERSION IMPACTS (SF)	0
NON-TIDAL WETLANDS BUFFER IMPACTS (SF)	0
NON-TIDAL WATERS PERMANENT IMPACTS (SF)	0
NON-TIDAL WATERS PERMANENT IMPACTS (LF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (LF)	0
FLOODPLAIN IMPACTS PERMANENT (SF)	27
FLOODPLAIN IMPACTS PERMANENT (CF)	54
FLOODPLAIN IMPACTS TEMPORARY (SF)	0



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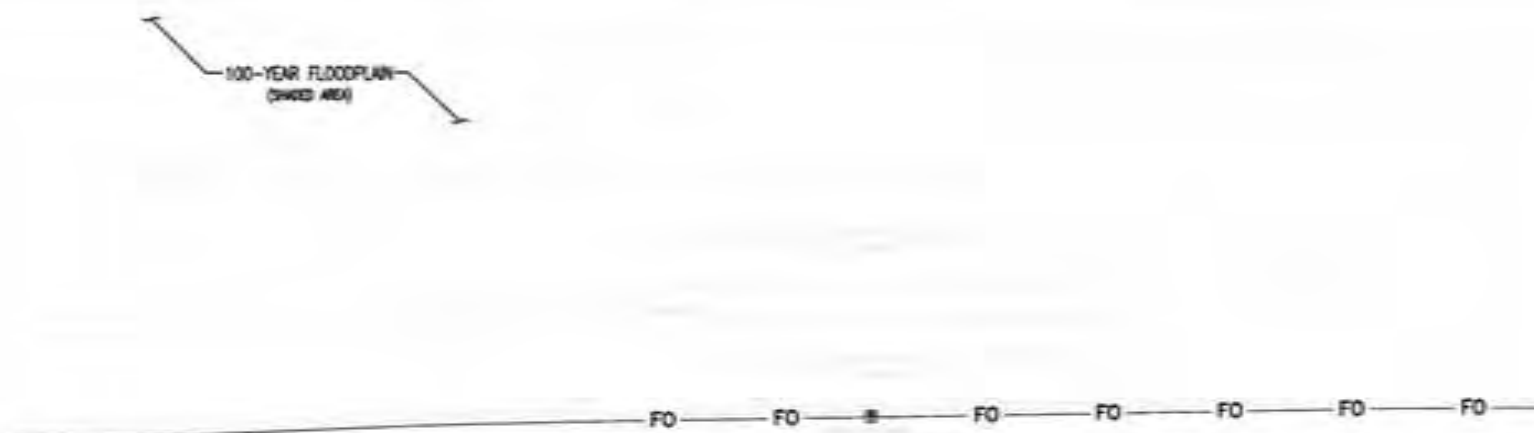
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ANNE ARUNDEL COUNTY, MARYLAND
INTERCOUNTY SEGMENT

IMPACT PLATE - 10

ANNE ARUNDEL COUNTY, MARYLAND

JOB NO. 110452.1 SCALE: 1"=100' DATE: APR 2012 DRAWN BY: LSC & SAW REVIEW BY: FSG CORRESPONDING ENGINEERING DRAWING SHEET #:

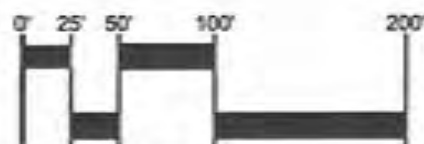


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LEGEND

- • — FLOODPLAIN
- ☒ PROPOSED FIBER OPTIC VAULT
- FO — PROPOSED FIBER OPTIC LINE
- - - - - APPROXIMATE BOUNDARY OF WATERS OF THE U.S.
- [+] NON-TIDAL WETLANDS
- — — 25' WETLANDS BUFFER



SCALE: 1"=100'

IMPACT	AREA
NON-TIDAL WETLANDS PERMANENT IMPACTS (SF)	0
NON-TIDAL WETLANDS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WETLANDS CONVERSION IMPACTS (SF)	0
NON-TIDAL WETLANDS BUFFER IMPACTS (SF)	0
NON-TIDAL WATERS PERMANENT IMPACTS (SF)	0
NON-TIDAL WATERS PERMANENT IMPACTS (LF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (LF)	0
FLOODPLAIN IMPACTS PERMANENT (SF)	27
FLOODPLAIN IMPACTS PERMANENT (CF)	54
FLOODPLAIN IMPACTS TEMPORARY (SF)	0



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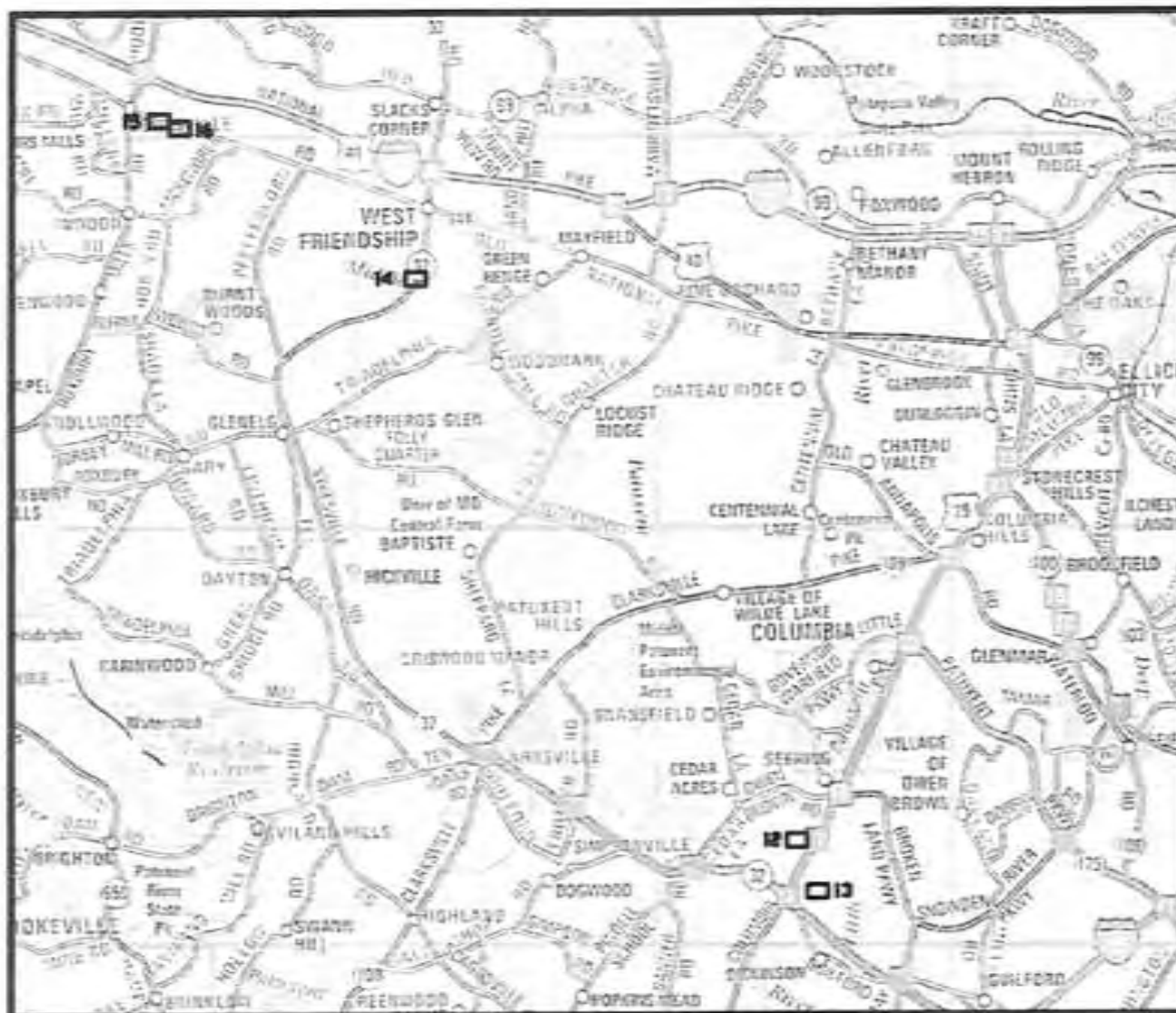
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ANNE ARUNDEL COUNTY, MARYLAND
INTERCOUNTY SEGMENT

IMPACT PLATE - 11

ANNE ARUNDEL COUNTY, MARYLAND

JOB NO. 110452.1 SCALE: 1"=100' DATE: APR. 2012 DRAWN BY: LSC & SAW REVIEW BY: FSG CORRESPONDING ENGINEERING DRAWING SHEET #:



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TOTAL IMPACTS	AREA
NON-TIDAL WETLANDS PERMANENT IMPACTS (SF)	0
NON-TIDAL WETLANDS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WETLANDS CONVERSION IMPACTS (SF)	0
NON-TIDAL WETLANDS BUFFER IMPACTS (SF)	81
NON-TIDAL WATERS PERMANENT IMPACTS (SF)	0
NON-TIDAL WATERS PERMANENT IMPACTS (LF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (LF)	0
FLOODPLAIN IMPACTS PERMANENT (SF)	81
FLOODPLAIN IMPACTS PERMANENT (CF)	162
FLOODPLAIN IMPACTS TEMPORARY (SF)	0



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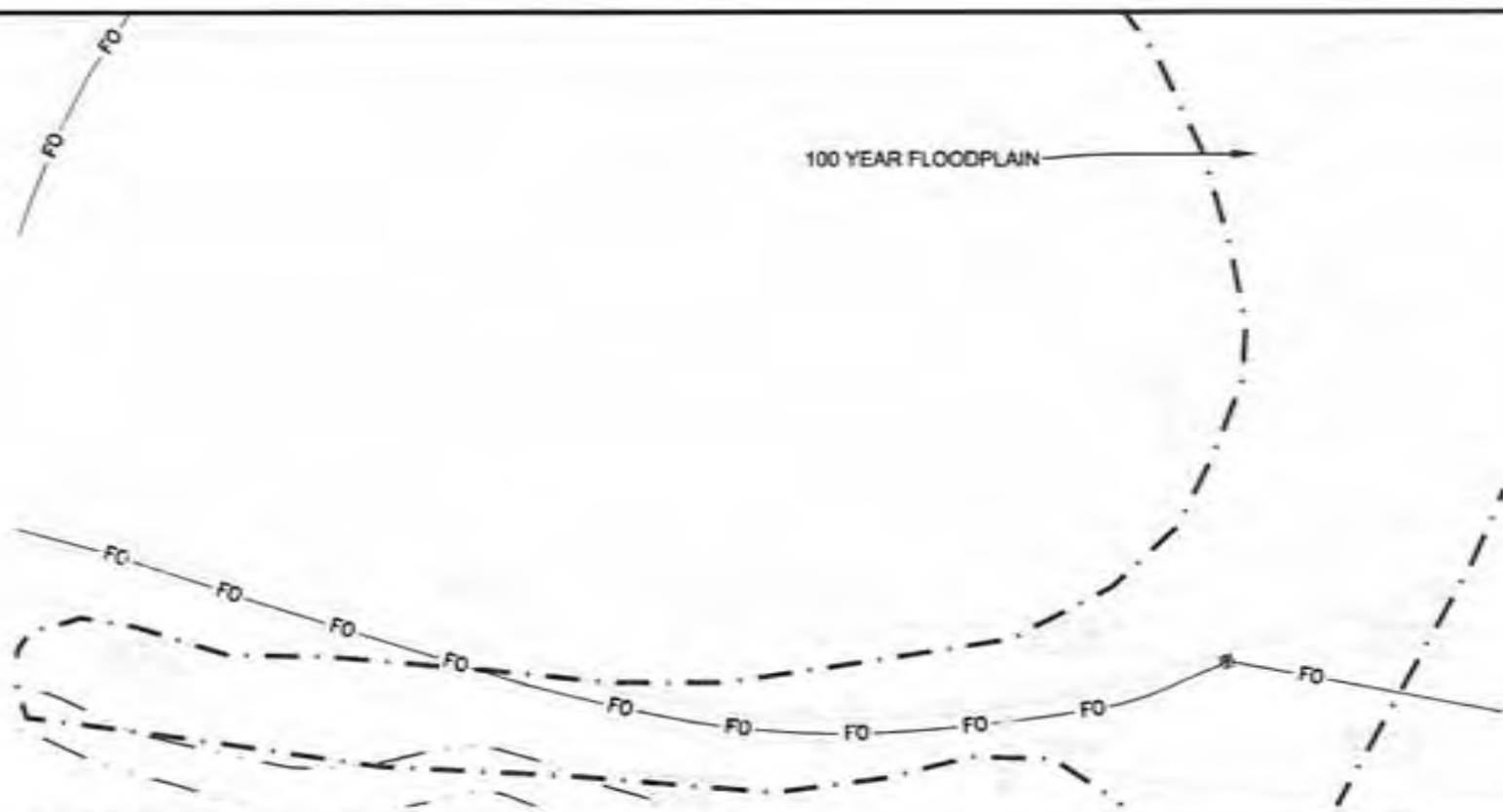
HOWARD COUNTY, MARYLAND

IMPACT PLATE INDEX FOR PLATES 12-16

HOWARD COUNTY, MARYLAND

*NOTE: THIS PLATE IS INTENDED FOR THE SUMMARY OF PROPOSED IMPACTS ONLY. FOR CONSTRUCTION PURPOSES REFER TO THE ENGINEERING PLANS.

JOB NO. 110452.1 SCALE: NTS DATE: APR 2012 DRAWN BY: LSC REVIEW BY: FSG CORRESPONDING ENGINEERING DRAWING SHEET # N/A



***NOTES:**

1. THIS PLATE IS INTENDED FOR THE SUMMARY OF PROPOSED IMPACTS ONLY. FOR CONSTRUCTION PURPOSES REFER TO THE ENGINEERING PLANS.
2. FIBER & VAULT LOCATIONS SHOWN ARE BASED ON ENGINEERING PLANS PROVIDED TO GTA BY OTHERS, AND DO NOT NECESSARILY REFLECT THE FINAL AS-BUILT CONDITION.

LEGEND

- FLOODPLAIN
- [V] PROPOSED FIBER OPTIC VAULT
- FO PROPOSED FIBER OPTIC LINE
- - - APPROXIMATE BOUNDARY OF WATERS OF THE U.S.
- [---] NON-TIDAL WETLANDS
- == 25' WETLANDS BUFFER



SCALE: 1"=100'

IMPACT	AREA
NON-TIDAL WETLANDS PERMANENT IMPACTS (SF)	0
NON-TIDAL WETLANDS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WETLANDS CONVERSION IMPACTS (SF)	0
NON-TIDAL WETLANDS BUFFER IMPACTS (SF)	0
NON-TIDAL WATERS PERMANENT IMPACTS (SF)	0
NON-TIDAL WATERS PERMANENT IMPACTS (LF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (LF)	0
FLOODPLAIN IMPACTS PERMANENT (SF)	27
FLOODPLAIN IMPACTS PERMANENT (CF)	54
FLOODPLAIN IMPACTS TEMPORARY (SF)	0



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GEOTECHNICAL AND ENVIRONMENTAL CONSULTANTS

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LAUREL, MARYLAND 20707
410-792-9446
FAX: 410-792-7395
WWW.MRAGTA.COM

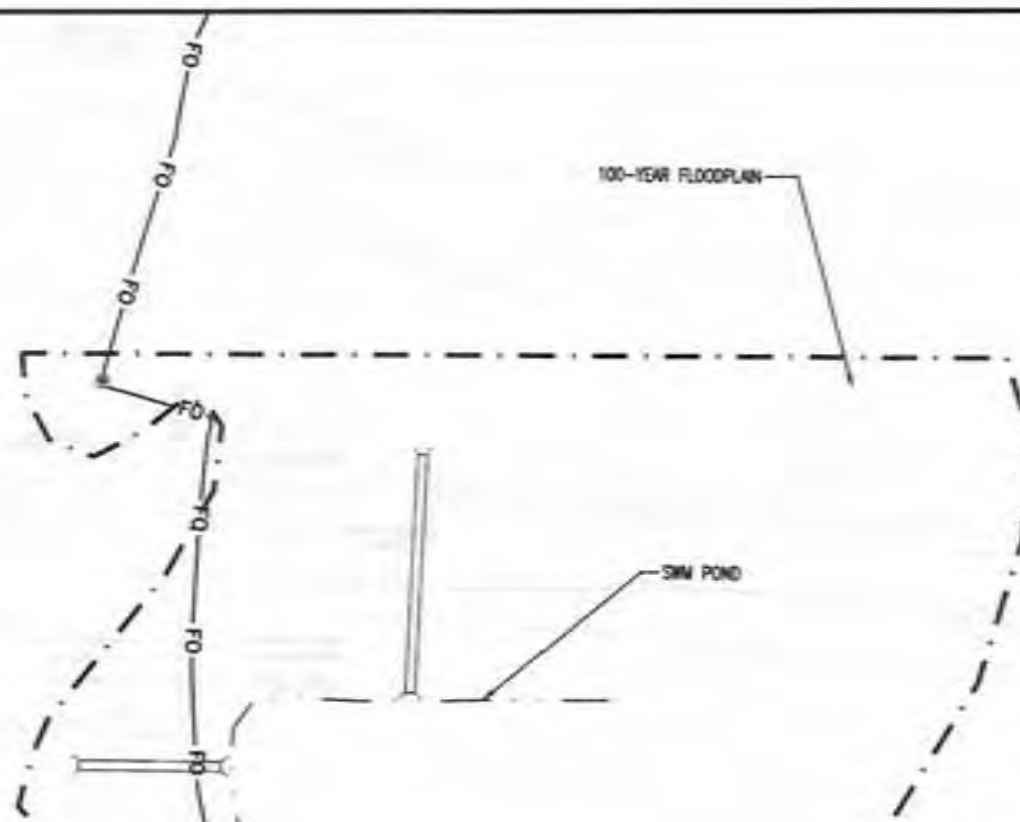
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HOWARD COUNTY, MARYLAND
SEGMENT 23

IMPACT PLATE - 12

HOWARD COUNTY, MARYLAND

JOB NO. 110432.1 SCALE: 1"=100' DATE: APR 2012 DRAWN BY: LSC & SAW REVIEW BY: FSC CORRESPONDING ENGINEERING DRAWING SHEET #:

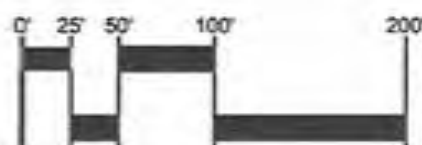


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2. FIBER & VAULT LOCATIONS SHOWN ARE BASED ON ENGINEERING PLANS PROVIDED TO GTA BY OTHERS, AND DO NOT NECESSARILY REFLECT THE FINAL AS-BUILT CONDITION.

LEGEND

	FLOODPLAIN
	PROPOSED FIBER OPTIC VAULT
	PROPOSED FIBER OPTIC LINE
	APPROXIMATE BOUNDARY OF WATERS OF THE U.S.
	NON-TIDAL WETLANDS
	25' WETLANDS BUFFER



SCALE: 1"=100'

IMPACT	AREA
NON-TIDAL WETLANDS PERMANENT IMPACTS (SF)	0
NON-TIDAL WETLANDS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WETLANDS CONVERSION IMPACTS (SF)	0
NON-TIDAL WETLANDS BUFFER IMPACTS (SF)	0
NON-TIDAL WATERS PERMANENT IMPACTS (SF)	0
NON-TIDAL WATERS PERMANENT IMPACTS (LF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (LF)	0
FLOODPLAIN IMPACTS PERMANENT (SF)	27
FLOODPLAIN IMPACTS PERMANENT (CF)	54
FLOODPLAIN IMPACTS TEMPORARY (SF)	0



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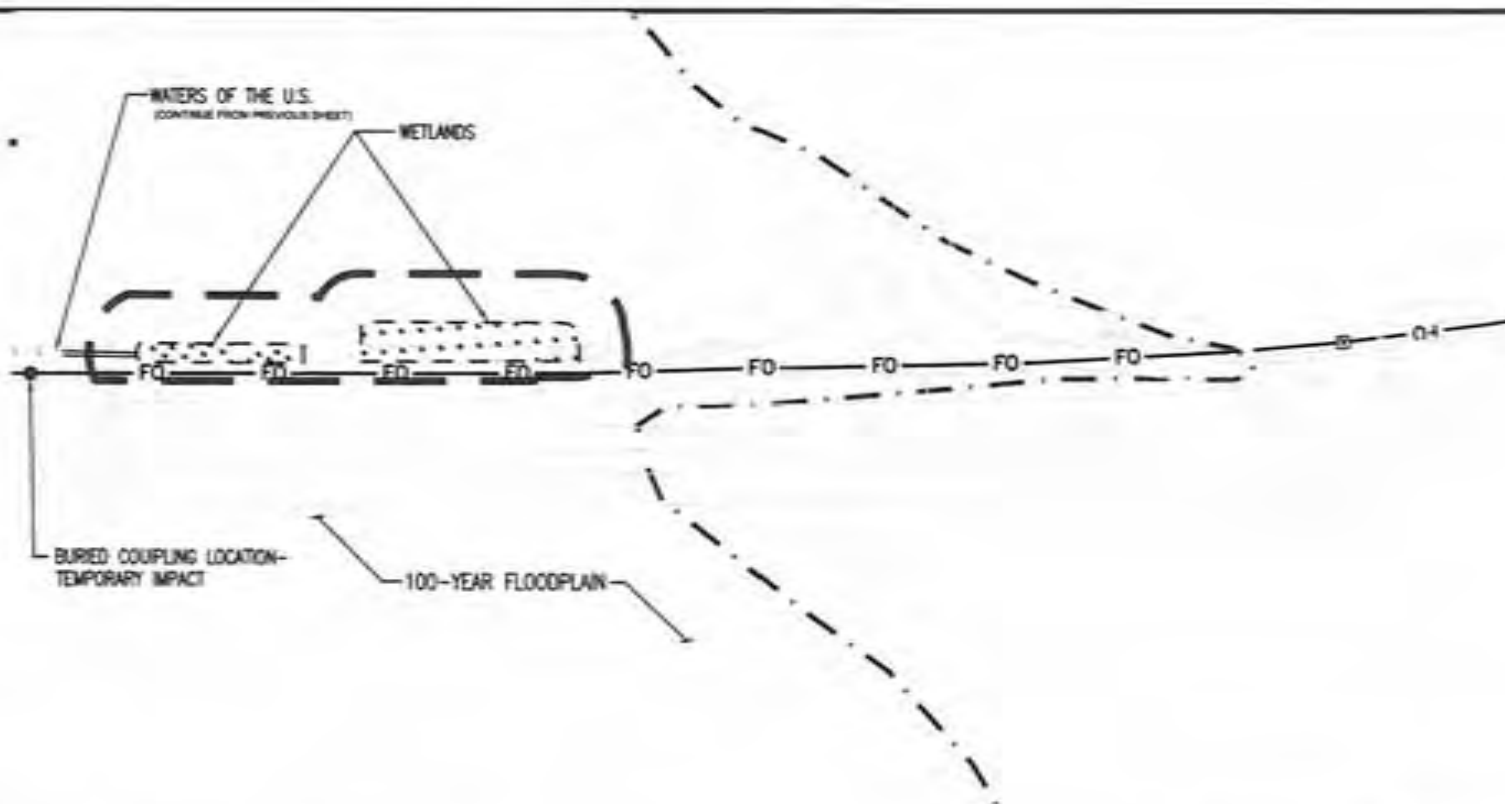
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HOWARD COUNTY, MARYLAND
SEGMENT 23

IMPACT PLATE - 13

HOWARD COUNTY, MARYLAND

JOB NO.	110452.1	SCALE	1"=100'	DATE	APR 2012	DRAWN BY	LSC & SM	REVIEW BY	PSC	CORRESPONDING ENGINEERING DRAWING SHEET #:	30 OF 41
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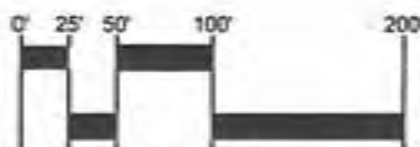


NOTES:

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2. FIBER & VAULT LOCATIONS SHOWN ARE BASED ON ENGINEERING PLANS PROVIDED TO GTA BY OTHERS, AND DO NOT NECESSARILY REFLECT THE FINAL AS-BUILT CONDITION.

LEGEND

- · — FLOODPLAIN
- [V] PROPOSED FIBER OPTIC VAULT
- FO — PROPOSED FIBER OPTIC LINE
- - - - - APPROXIMATE BOUNDARY OF WATERS OF THE U.S.
- [stippled] NON-TIDAL WETLANDS
- — — 25' WETLANDS BUFFER



SCALE: 1"=100'

IMPACT	AREA
NON-TIDAL WETLANDS PERMANENT IMPACTS (SF)	0
NON-TIDAL WETLANDS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WETLANDS CONVERSION IMPACTS (SF)	0
NON-TIDAL WETLANDS BUFFER IMPACTS (SF)	0
NON-TIDAL WATERS PERMANENT IMPACTS (SF)	0
NON-TIDAL WATERS PERMANENT IMPACTS (LF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (LF)	0
FLOODPLAIN IMPACTS PERMANENT (SF)	27
FLOODPLAIN IMPACTS PERMANENT (CF)	54
FLOODPLAIN IMPACTS TEMPORARY (SF)	0



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HOWARD COUNTY, MARYLAND
SEGMENT 32-SHA
IMPACT PLATE - 14

HOWARD COUNTY, MARYLAND

JOB NO.

110452.1

SCALE:

1"=100'

DATE:

APR 2012

DRAWN BY:

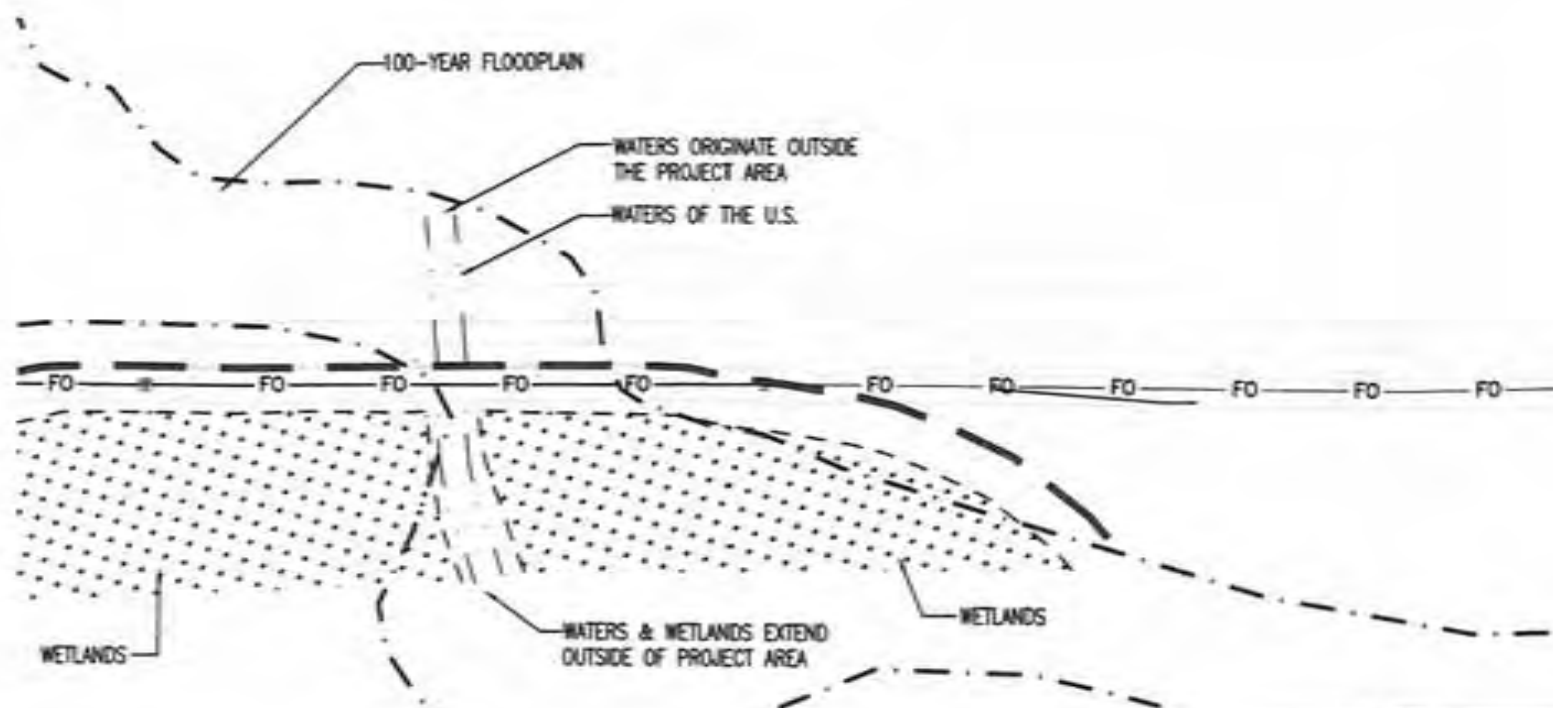
LSC & SAW

REVIEW BY:

FSG

CORRESPONDING
ENGINEERING
DRAWING SHEET #:

4 OF 11



1. THIS PLATE IS INTENDED FOR THE SUMMARY OF PROPOSED IMPACTS ONLY. FOR CONSTRUCTION PURPOSES REFER TO THE ENGINEERING PLANS.
2. FIBER & VAULT LOCATIONS SHOWN ARE BASED ON ENGINEERING PLANS PROVIDED TO GTA BY OTHERS, AND DO NOT NECESSARILY REFLECT THE FINAL AS-BUILT CONDITION.

LEGEND

- · — FLOODPLAIN
- [V] PROPOSED FIBER OPTIC VAULT
- FO — PROPOSED FIBER OPTIC LINE
- - - - - APPROXIMATE BOUNDARY OF WATERS OF THE U.S.
- [+] NON-TIDAL WETLANDS
- — — 25' WETLANDS BUFFER



SCALE: 1"=100'

IMPACT	AREA
NON-TIDAL WETLANDS PERMANENT IMPACTS (SF)	0
NON-TIDAL WETLANDS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WETLANDS CONVERSION IMPACTS (SF)	0
NON-TIDAL WETLANDS BUFFER IMPACTS (SF)	54
NON-TIDAL WATERS PERMANENT IMPACTS (SF)	0
NON-TIDAL WATERS PERMANENT IMPACTS (LF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (LF)	0
FLOODPLAIN IMPACTS PERMANENT (SF)	0
FLOODPLAIN IMPACTS PERMANENT (CF)	0
FLOODPLAIN IMPACTS TEMPORARY (SF)	0



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HOWARD COUNTY, MARYLAND
SEGMENT 39A-SHA
IMPACT PLATE - 15

HOWARD COUNTY, MARYLAND

JOB NO.

110432.1

SCALE:

1"=100'

DATE:

APR 2012

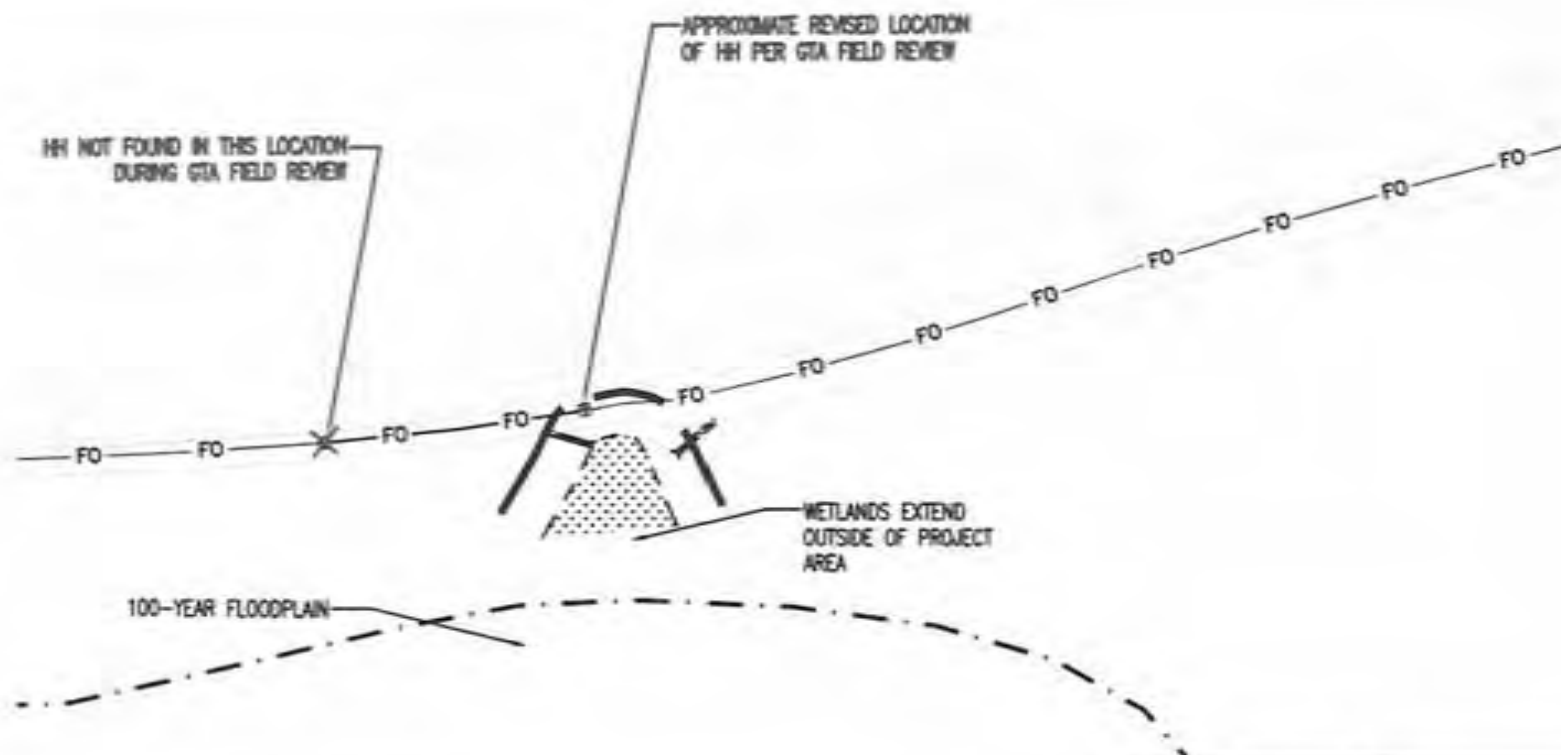
DRAWN BY:

LSC & SAM

REVIEW BY:

FGC

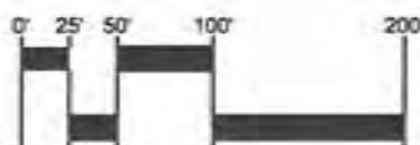
CORRESPONDING
ENGINEERING
DRAWING SHEET # 21 OF 21



1. THIS PLATE IS INTENDED FOR THE SUMMARY OF PROPOSED IMPACTS ONLY. FOR CONSTRUCTION PURPOSES REFER TO THE ENGINEERING PLANS.
2. FIBER & VAULT LOCATIONS SHOWN ARE BASED ON ENGINEERING PLANS PROVIDED TO GTA BY OTHERS, AND DO NOT NECESSARILY REFLECT THE FINAL AS-BUILT CONDITION.

LEGEND

- · — FLOODPLAIN
- ☑ PROPOSED FIBER OPTIC VAULT
- FO — PROPOSED FIBER OPTIC LINE
- - - - - APPROXIMATE BOUNDARY OF WATERS OF THE U.S.
- [+] NON-TIDAL WETLANDS
- — — 25' WETLANDS BUFFER



SCALE: 1"=100'

IMPACT	AREA
NON-TIDAL WETLANDS PERMANENT IMPACTS (SF)	0
NON-TIDAL WETLANDS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WETLANDS CONVERSION IMPACTS (SF)	0
NON-TIDAL WETLANDS BUFFER IMPACTS (SF)	27
NON-TIDAL WATERS PERMANENT IMPACTS (SF)	0
NON-TIDAL WATERS PERMANENT IMPACTS (LF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (LF)	0
FLOODPLAIN IMPACTS PERMANENT (SF)	0
FLOODPLAIN IMPACTS PERMANENT (CF)	0
FLOODPLAIN IMPACTS TEMPORARY (SF)	0



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HOWARD COUNTY, MARYLAND
SEGMENT 39A-SHA
IMPACT PLATE - 16

HOWARD COUNTY, MARYLAND

JOB NO. 110452.1

SCALE:

1"=100'

DATE:

APR 2012

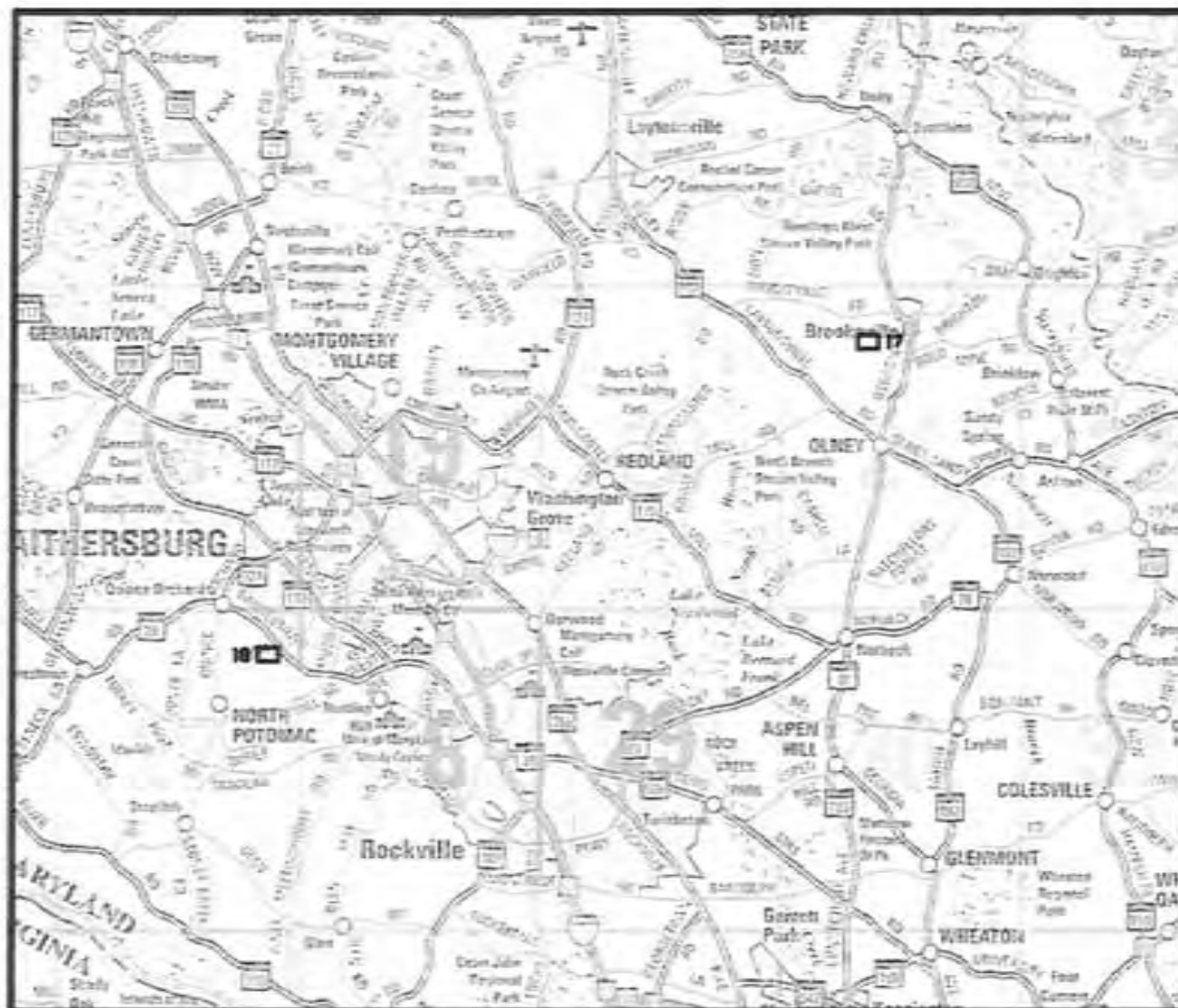
DRAWN BY:

LSC & SAM

REVIEW BY:

FSG

CORRESPONDING
ENGINEERING
DRAWING SHEET # 21 OF 21



NOTE: THIS SKETCH WAS ADAPTED FROM A STREET MAP OF HOWARD COUNTY, MARYLAND, PREPARED BY ADC, COPYRIGHT ADC THE MAP PEOPLE. PERMITTED USE NUMBER 21006238.

TOTAL IMPACTS	AREA
NON-TIDAL WETLANDS PERMANENT IMPACTS (SF)	0
NON-TIDAL WETLANDS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WETLANDS CONVERSION IMPACTS (SF)	0
NON-TIDAL WETLANDS BUFFER IMPACTS (SF)	0
NON-TIDAL WATERS PERMANENT IMPACTS (SF)	0
NON-TIDAL WATERS PERMANENT IMPACTS (LF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (LF)	0
FLOODPLAIN IMPACTS PERMANENT (SF)	81
FLOODPLAIN IMPACTS PERMANENT (CF)	162
FLOODPLAIN IMPACTS TEMPORARY (SF)	95



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MONTGOMERY COUNTY, MARYLAND

IMPACT PLATE INDEX FOR PLATES 17 & 18

MONTGOMERY COUNTY, MARYLAND

CORRESPONDING
ENGINEERING

F50 DRAWING SHEET #

4/13

NOTE: THIS PLATE IS INTENDED FOR THE SUMMARY OF PROPOSED IMPACTS ONLY. FOR CONSTRUCTION PURPOSES REFER TO THE ENGINEERING PLANS.

JOB NO.

110452.1 SCALE

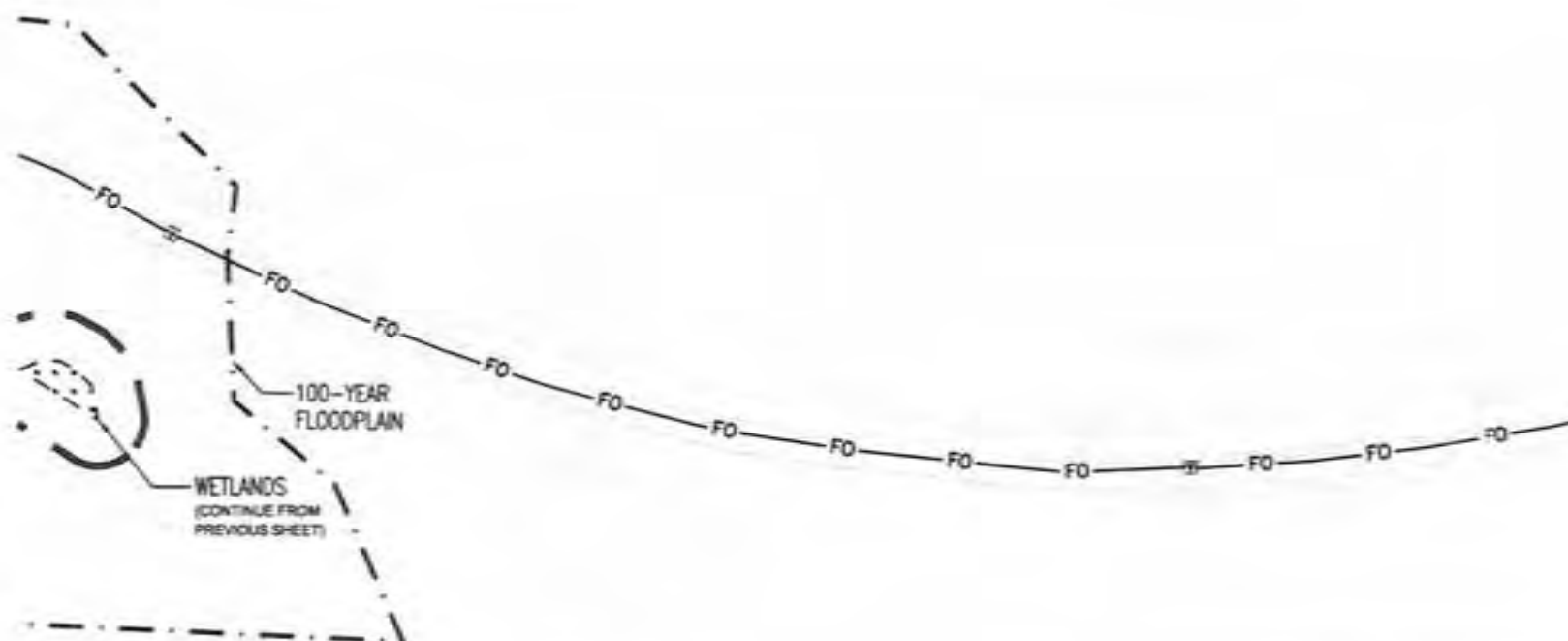
MTS DATE

APR 2012 DRAWN BY

LSC REVIEW BY

F50 DRAWING SHEET #

4/13

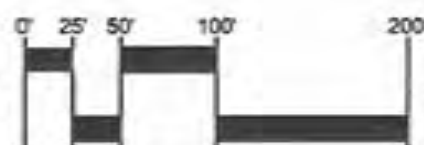


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LEGEND

- · — FLOODPLAIN
- ☑ PROPOSED FIBER OPTIC VAULT
- FO — PROPOSED FIBER OPTIC LINE
- - - APPROXIMATE BOUNDARY OF WATERS OF THE U.S.
- [+] NON-TIDAL WETLANDS
- — 25' WETLANDS BUFFER



SCALE: 1"=100'

IMPACT	AREA
NON-TIDAL WETLANDS PERMANENT IMPACTS (SF)	0
NON-TIDAL WETLANDS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WETLANDS CONVERSION IMPACTS (SF)	0
NON-TIDAL WETLANDS BUFFER IMPACTS (SF)	0
NON-TIDAL WATERS PERMANENT IMPACTS (SF)	0
NON-TIDAL WATERS PERMANENT IMPACTS (LF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (LF)	0
FLOODPLAIN IMPACTS PERMANENT (SF)	27
FLOODPLAIN IMPACTS PERMANENT (CF)	54
FLOODPLAIN IMPACTS TEMPORARY (SF)	0



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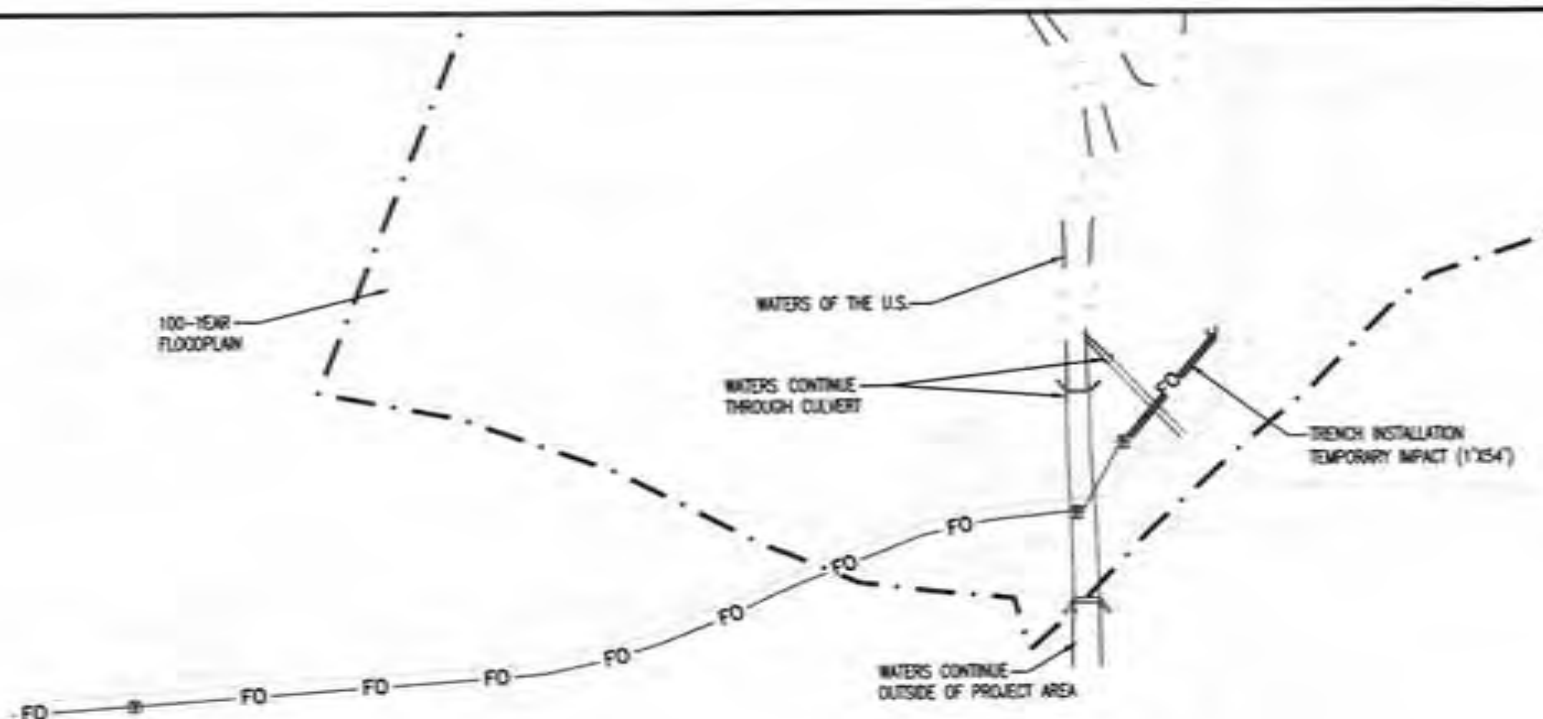
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**MONTGOMERY COUNTY, MARYLAND
SEGMENT 24**

IMPACT PLATE - 17

MONTGOMERY COUNTY, MARYLAND

JOB NO. 110452.1 SCALE: 1"=100' DATE: APR 2012 DRAWN BY: LSC & SAM REVIEW BY: FSC CORRESPONDING ENGINEERING DRAWING SHEET # 3 OF 18

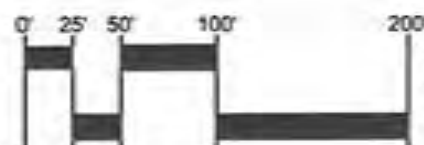


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2. FIBER & VAULT LOCATIONS SHOWN ARE BASED ON ENGINEERING PLANS PROVIDED TO GTA BY OTHERS, AND DO NOT NECESSARILY REFLECT THE FINAL AS-BUILT CONDITION.

LEGEND

— · —	FLOODPLAIN
[V]	PROPOSED FIBER OPTIC VAULT
— FO —	PROPOSED FIBER OPTIC LINE
- - -	APPROXIMATE BOUNDARY OF WATERS OF THE U.S.
[---]	NON-TIDAL WETLANDS
=====	25' WETLANDS BUFFER



SCALE: 1"=100'

IMPACT	AREA
NON-TIDAL WETLANDS PERMANENT IMPACTS (SF)	0
NON-TIDAL WETLANDS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WETLANDS CONVERSION IMPACTS (SF)	0
NON-TIDAL WETLANDS BUFFER IMPACTS (SF)	0
NON-TIDAL WATERS PERMANENT IMPACTS (SF)	0
NON-TIDAL WATERS PERMANENT IMPACTS (LF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (SF)	0
NON-TIDAL WATERS TEMPORARY IMPACTS (LF)	0
FLOODPLAIN IMPACTS PERMANENT (SF)	54
FLOODPLAIN IMPACTS PERMANENT (CF)	108
FLOODPLAIN IMPACTS TEMPORARY (SF)	95



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MONTGOMERY COUNTY, MARYLAND
 SEGMENT 33
IMPACT PLATE - 18

MONTGOMERY COUNTY, MARYLAND

JOB NO. 110452.1 SCALE: 1"=100' DATE: APR 2012 DRAWN BY: LSC & SAW REVIEW BY: FSC CORRESPONDING ENGINEERING DRAWING SHEET #: 4 OF 3

STATE OF MARYLAND
DEPARTMENT OF THE ENVIRONMENT
WATER MANAGEMENT ADMINISTRATION
LETTER OF AUTHORIZATION

RECEIVED MAY 16 2012

AUTHORIZATION NUMBER: 12-NT-0174/201260739

EFFECTIVE DATE: May 14, 2012

EXPIRATION DATE: May 14, 2015

AUTHORIZED PERSON:



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 (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 May 14, 2012 ("APPROVED PLAN") AND PREPARED BY GTA AND INCORPORATED HEREIN, AS DESCRIBED BELOW:

The installation of fiber optic cable within Anne Arundel, Howard, and Montgomery Counties

feet of permanent wetland buffer, 297 square feet of permanent 100-year floodplain, and 95 square feet of temporary 100-year floodplain as shown on the attached plans.

1 wetland, 243 square

MD Grid Coordinates: 173276 x 413492

Jeffrey L. Thompson for

Amanda L. Sigillito
Division Chief
Nontidal Wetlands & Waterways Division

Attachments: Conditions of Authorization
MDSPGP-4 Cat. A

cc: MDE Compliance Program
Heather Mills, CTC, Inc.
Andy Stansfield, GTA, Inc

1. **Validity:** Authorization is valid only for use by Authorized Person. Authorization may be transferred only with prior written approval of the Administration. In the event of transfer, transferee agrees to comply with all terms and conditions of Authorization.
2. **Initiation of Work, Modifications and Extension of Term:** Authorized Person shall initiate authorized activities with two (2) years of the Effective Date of this Authorization or the Authorization shall expire. Authorized Person may submit written requests to the Administration for (a) extension of the period for initiation of work, (b) modification of Authorization, including the Approved Plan, or, (c) not later than 45 days prior to Expiration Date, an extension of the term. Requests for modification shall be in accordance with applicable regulations and shall state reasons for changes, and shall indicate the impacts on nontidal wetlands, streams, and the floodplain, as applicable. The Administration may grant a request at its sole discretion.
3. **Responsibility and Compliance:** Authorized Person is fully responsible for all work performed and activities authorized by this Authorization shall be performed in compliance with this Authorization and Approved Plan. Authorized Person agrees that a copy of the Authorization and Approved Plan shall be kept at the construction site and provided to its employees, agents and contractors. A person (including Authorized Person, its employees, agents or contractors) who violates or fails to comply with the terms and conditions of this Authorization, Approved Plan or an administrative order may be subject to penalties in accordance with §5-514 and §5-911, Department of the Environment Article, Annotated Code of Maryland (2007 Replacement Volume).
4. **Failure to Comply:** If Authorized Person, its employees, agents or contractors fail to comply with this Authorization or Approved Plan, the Administration may, in its discretion, issue an administrative order requiring Authorized Person, its employees, agents and contractors to cease and desist any activities which violate this Authorization, or the Administration may take any other enforcement action available to it by law, including filing civil or criminal charges.
5. **Suspension or Revocation:** Authorization may be suspended or revoked by the Administration, after notice of opportunity for a hearing, if Authorized Person: (a) submits false or inaccurate information in Permit application or subsequently required submittals; (b) deviates from the Approved Plan, specifications, terms and conditions; (c) violates, or is about to violate terms and conditions of this Authorization; (d) violates, or is about to violate, any regulation promulgated pursuant to Title 5, Department of the Environment Article, Annotated Code of Maryland as amended; (e) fails to allow authorized representatives of the Administration to enter the site of authorized activities at any reasonable time to conduct inspections and evaluations; (f) fails to comply with the requirements of an administrative action or order issued by the Administration; or (g) does not have vested rights under this Authorization and new information, changes in site conditions, or amended regulatory requirements necessitate revocation or suspension.
6. **Other Approvals:** Authorization does not authorize any injury to private property, any invasion of rights, or any infringement of federal, State or local laws or regulations, nor does it obviate the need to obtain required authorizations or approvals from other State, federal or local agencies as required by law.
7. **Site Access:** Authorized Person shall allow authorized representatives of the Administration access to the site of authorized activities during normal business hours to conduct inspections and evaluations necessary to assure compliance with this Authorization. Authorized Person shall provide necessary assistance to effectively and safely conduct such inspections and evaluations.
8. **Inspection Notification:** Authorized Person shall notify the Administration's Compliance Program at least five (5) days before starting authorized activities and five (5) days after completion. For Allegany, Garrett, and Washington counties, Authorized Person shall call 301-689-1480. For Carroll, Frederick, Howard, Montgomery, and Prince George's counties, Authorized Person shall call 301-665-2850. For Baltimore City, Anne Arundel, Baltimore, Calvert, Charles, and St. Mary's, Authorized Person shall call 410-537-3510. For Caroline, Cecil, Dorchester, Harford, Kent, Queen Anne's, Somerset, Talbot, Wicomico and Worcester, Authorized Person shall call 410-901-4020. If Authorization is for a project that is part of a mining site, please contact the Land Management Administration's Mining Program at 410-537-3557 at least five (5) days before starting authorized activities and five (5) days after completion.
9. **Sediment Control:** Authorized Person shall obtain approval from the Anne Arundel, Howard and Montgomery County Soil Conservation Districts for a grading and sediment control plan specifying soil erosion control measures (if needed). The approved grading and sediment control plan shall be included in the Approved Plan, and shall be available at the construction site.

10. **Federally Mandated State Authorizations:**

- ☒ **Water Quality Certification:** Water Quality Certification is granted for this project provided that all work is performed in accordance with the authorized project description and associated conditions.
- ☒ **Coastal Zone Consistency:** This Authorization constitutes official notification that 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. Activities within the following counties are not subject to this requirement: Allegany, Carroll, Frederick, Garrett, Howard, Montgomery, and Washington.
11. **Best Management Practices During Construction:** Authorized Person, its employees, agents and contractors shall conduct authorized activities in a manner consistent with the Best Management Practices specified by the Administration.
12. **Disposal of Excess:** Unless otherwise shown on the Approved Plan, all excess fill, spoil material, debris, and construction material shall be disposed of outside of nontidal wetlands, nontidal wetlands buffers, and the 100-year floodplain, and in a location and manner which does not adversely impact surface or subsurface water flow into or out of nontidal wetlands.
13. **Temporary Staging Areas:** Temporary construction trailers or structures, staging areas and stockpiles shall not be located within nontidal wetlands, nontidal wetlands buffers, or the 100-year floodplain unless specifically included on the Approved Plan.
14. **Temporary Stream Access Crossings:** Temporary stream access crossings shall not be constructed or utilized unless shown on the Approved Plan. If temporary stream access crossings are determined necessary prior to initiation of work or at any time during construction, Authorized Person, its employees, agents or contractors shall submit a written request to the Administration and secure the necessary permits or approvals for such crossings before installation of the crossings. Temporary stream access crossings shall be removed and the disturbance stabilized prior to completion of authorized activity or within one (1) year of installation.
15. **Discharge:** Runoff or accumulated water containing sediment or other suspended materials shall not be discharged into waters of the State unless treated by an approved sediment control device or structure.
16. **Instream Construction Prohibition:** To protect important aquatic species, motor driven construction equipment shall not be allowed within stream channels unless on authorized ford crossings. Activities within stream channels are prohibited as determined by the classification of the stream (COMAR 26.08.02.08): No In-stream work is authorized.
17. **Instream Blasting:** Authorized Person shall obtain prior written approval from the Administration before blasting or using explosives in the stream channel.
18. **Minimum Disturbance:** Any disturbance of stream banks, channel bottom, wetlands, and wetlands buffer authorized by this Authorization or Approved Plan shall be the minimum necessary to conduct permitted activities. All disturbed areas shall be stabilized vegetatively no later than seven (7) days after construction is completed or in accordance with the approved grading or sediment and erosion control plan.
19. **Restoration of Construction Site:** Authorized Person shall restore the construction site upon completion of authorized activities. Undercutting, meandering or degradation of the stream banks or channel bottom, any deposition of sediment or other materials, and any alteration of wetland vegetation, soils, or hydrology, resulting directly or indirectly from construction or authorized activities, shall be corrected by Authorized Person as directed by the Administration.

U.S. ARMY CORPS OF ENGINEERS AUTHORIZATION

The U.S. Army Corps of Engineers has reviewed this activity and has granted authorization under the Maryland State Programmatic General Permit (MDSPGP-4), as a Category A. The terms and conditions of the MDSPGP-4, as outlined in the enclosed attachments, should be followed when performing the authorized work.



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.: 2101260739 Date: May 14, 2012

Permittee/Project Name: MDSPGP-4 Category and Activity No.: A-c(1)

Dear Applicant:

The U. S. Army Corps of Engineers, Baltimore District, has determined that the proposed work meets the enclosed terms and conditions of the Maryland State Programmatic General Permit-4 (MDSPGP-4). A requisite of permit issuance requires that the applicant comply with any specific terms and conditions associated with the authorized project (conditions enclosed). This MDSPGP-4 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-4 authorization for your project may be modified, suspended, or revoked.

As a condition of the MDSPGP-4 authorization, you, the permittee, are required to complete and sign the enclosed Compliance Self-Certification Form regarding the completed work and any required mitigation. The signed form should be returned to the Regulatory Branch at the above address within 60 days following completion of the authorized work and any required mitigation.

Please be aware that the terms and conditions of this permit will continue to be binding on the new property owner(s) if structures or work authorized by this permit exist at the time of ownership transfer of the associated property. Although the construction period for work authorized by this MDSPGP-4 is finite, the permit itself, with its limitations, does not expire. To validate the transfer of this permit and the legal responsibility to comply with its terms and conditions, the transferee (new owner) must provide the Corps 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-4 authorization is valid until September 30, 2016 unless the permit is modified, reissued, or revoked. You must remain informed of the changes to the MDSPGP-4. When changes to the MDSPGP-4 occur, a public notice announcing the changes will be issued. Be advised that you have 12 months from the effective date of the MDSPGP-4's expiration, modification or revocation to complete the work under the present terms and conditions provided you have commenced construction or are under contract to commence construction of the authorized work.

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

William P. Seib

William P. Seib
Chief, Regulatory Branch

TRANSFeree SIGNATURE

DATE

AREA CODE / TELEPHONE NO.

PRINTED NAME

ADDRESS



REPLY TO
ATTENTION OF

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

Effective October 1, 2011

201260739
Corps Permit Number

CENAB-OP-R-MDSPGP-4 (MARYLAND STATE PROGRAMMATIC GENERAL PERMIT-4)

TO WHOM IT MAY CONCERN:

Upon the recommendation of the Chief of Engineers, and under the provisions of Section 404 of the Clean Water Act, as amended, and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), the Secretary of the Army hereby authorizes the discharge of dredged or fill material or the placement of structures into Waters of the United States, including wetlands and navigable waters. These discharges and structures must comply with all the terms and conditions identified in this MDSPGP-4. It has been determined that the project qualifies for the MDSPGP-4. Accordingly, you are authorized to undertake the activity pursuant to:

1. Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403); and/or
2. Section 404 of the Clean Water Act (33 U.S.C. 1344).

You are authorized to perform work in accordance with the terms and conditions specified in Section VII of the MDSPGP-4 effective on October 1, 2011.

VII. General Conditions: To qualify for MDSPGP-4 authorization, the prospective permittee must comply with the following general conditions, as appropriate, in addition to any activity-specific conditions in the MDSPGP-4 category list and any case-specific special conditions imposed by the Corps.

A. General Requirements:

1. **Other Permits:** Authorization under the MDSPGP-4 does not obviate the need to obtain other Federal, State, or local authorizations required by law.
2. **Geographic Jurisdiction:** This MDSPGP-4 will authorize work undertaken within the geographic limits of the State of Maryland under the regulatory jurisdiction of the Baltimore District.
3. **Applicability:** Applicability of the MDSPGP-4 shall be reviewed with reference to the Corps definition of waters of the United States, including wetlands, and navigable waters of the United States. Applicants are responsible for delineating boundaries of all waters of the United States, including wetland boundaries. The delineation of wetland boundaries shall be accomplished in accordance with the current Federal manual for identifying jurisdictional wetlands and appropriate guidance issued by the Corps of Engineers.
4. **Minimal Effects:** Projects authorized by the MDSPGP-4 shall have no more than minimal individual and cumulative adverse environmental effects.
5. **Discretionary Authority:** Notwithstanding compliance with the terms and conditions of the MDSPGP-4, the Corps retains discretionary authority to require an alternate Corps permit review for any project under all categories of the MDSPGP-4 based on concerns for the aquatic environment or for any other factor of the public interest. This authority may be invoked on a case-by-case basis during the review process for Category B activities whenever the Corps determines that, based on the concerns stated above, the potential consequences of the proposed project warrant individual review. In some rare instances, the Corps may have concerns for the aquatic environment or for any other public interest factor pertaining to a specific proposed project, which has already received a case-specific verification as a Category A activity. In order to evaluate this project under an alternate Corps permit review, the verification must be suspended in accordance with Section VIII.E of the MDSPGP-4.

Whenever the Corps notifies an applicant that an alternate Corps permit may be required, authorization under the MDSPGP-4 is voided. No work may be conducted until the individual Corps permit is obtained, or until the Corps notifies the applicant that further review has demonstrated that the work may proceed under the MDSPGP-4.

6. **Single and Complete Projects:** The MDSPGP-4 shall not be used for piecemeal work and shall be applied to single and complete projects, including maintenance activities. For purposes of this MDSPGP-4, a single and complete project means the total project proposed or accomplished by one owner/developer or partnership or other association of owners/developers and which has independent utility. All components of a project, including all attendant features both temporary and permanent, shall be reviewed together as constituting one single and complete project. All planned 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-4 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.

7. **Use of Multiple MDSPGP-4 Activities:** More than one MDSPGP-4 activity may be used to authorize a single and complete project. However, the specific requirements, including all activity-specific requirements and impact thresholds, must be met for each MDSPGP-4 activity and the total extent of project impacts must not exceed the acreage and/or linear foot limit of the MDSPGP-4 activity with the highest specified acreage and/or linear foot limit. For example, if a road crossing is authorized under Category A of Section IV.B.1.(d)(1) with an associated nontidal bank stabilization authorized under Section IV.B.1.f.(4)(a), the maximum total impact limits to nontidal waters of the United States for the single and complete project may not exceed 10,000 square feet in total area and/or 500 linear feet in total length. The road crossing and nontidal bank stabilization activities must still meet all Category A activity-specific requirements and impact thresholds.

A single and complete project with multiple impacts, that may be eligible for authorization under a Category A and a Category B activity, requires an application submittal to the Corps and review under the MDSPGP-4 Category B verification procedures. All specific requirements, including the activity-specific requirements and impact thresholds of the Category A activity and the Category B activity must be met and the total extent of project impacts must not exceed to total acreage and/or linear foot limit of the MDSPGP-4 activity with the highest specified acreage and/or linear foot limit. For example, if a road crossing is authorized under Category A of Section IV.B.1.(d)(1) with an associated nontidal bank stabilization authorized under Section IV.B.f.(4)(b), the maximum total impact limits to waters of the United States for the single and complete project may not exceed 1/2 acre (21,780 square feet) in total area and/or 2,000 linear feet in total length. The road crossing activity must meet the Category A activity-specific requirements and impact thresholds, and the nontidal bank stabilization activity must meet the Category B activity-specific requirements and impact thresholds.

8. **Permit On-Site:** The permittee shall ensure that a copy of the MDSPGP-4 and the accompanying authorization letter are at the work site at all times. These copies must be made available to any regulatory representative upon request. Although the permittee may assign various aspects of the work to different contractors or sub-contractors, all contractors and sub-contractors shall be expected to comply with all conditions of any general permit authorization.

9. **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, 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 permittee acknowledges the possibility that the structure permitted herein may be subject to damage by wave wash from passing vessels and/or ice flows within the waterway. The issuance of this permit does not relieve the permittee from taking all proper steps to ensure the integrity of the structure permitted herein and the safety of vessels moored thereto from damage by wave wash and/or ice flows, and the permittee shall not hold the United States liable for such damage.

c. The permittee must install and maintain, at his/her expense any safety lights, markers, and/or signals prescribed by the USCG, through regulations or otherwise, on the authorized facilities and/or structures. The permittee must contact the Commander (AOWW), Fifth Coast Guard District, Federal Building, 431 Crawford 3

Street, Portsmouth, Virginia, 23704, to ascertain the need for obstruction lights. Prior to commencing the construction or installation of an authorized structure in navigable waters of the United States, the permittee must submit a "Private Aids to Navigation Application" to the Commander of the USCG.

d. The permittee must provide location coordinates of the authorized structures, including minimum depth and other pertinent information to the USCG and request that a Local Notice to Mariners is issued regarding the authorized work.

10. For Aerial Transmission Lines Across Navigable Waters: The following minimum clearances are required for aerial electric power transmission lines crossing navigable waters of the United States. These clearances are related to the clearances over the navigable channel provided by existing fixed bridges, or the clearances which would be required by the USCG for new fixed bridges, in the vicinity of the proposed aerial transmission line. These clearances are based on the low point of the line under conditions producing the greatest sag, taking into consideration temperature, load, wind, length of span, and type of supports as outlined in the National Electrical Safety Code:

NOMINAL SYSTEM VOLTAGE (kV)	Minimum additional clearance (ft.) above clearance required for bridges.
115 and below	20
138	22
161	24
230	26
350	30
500	35
700	42
750-765	45

a. Clearances for communication lines, stream gauging cables, ferry cables, and other aerial crossings must be a minimum of ten feet above clearances required for bridges, unless specifically authorized otherwise by the District Engineer.

b. Corps Regulation ER 1110-2-4401 prescribes minimum vertical clearances for power communication lines over Corps lake projects. In instances where both the National Electrical Safety Code requirements and ER 1110-2-4401 apply, the greater minimum clearance is required.

B. National Concern:

1. **Historic Properties:** Any activity authorized by the MDSPGP-4 shall comply with Section 106 of the National Historic Preservation Act. Maryland Department of the Environment, 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 whether National Historic Preservation Act Section 106 consultation is required. The applicant must notify the Corps if they have knowledge that 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 discovers any previously unknown archaeological or other cultural resource while accomplishing the work authorized by the MDSPGP-4, the permittee shall immediately notify the Corps of what has been found and stop work in the permit area until the required coordination has been completed. 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 MHT, Office of Preservation Services, and the National Register of Historic Places.

2. **Tribal Rights:** No activity or its operation may impair reserved tribal rights, including but not limited to, reserved water rights and treaty fishing and hunting rights.

3. **National Lands:** Activities authorized by the MDSPGP-4 shall not impinge upon the value of any Federal land, including but not limited to, National Wildlife Refuges, National Forests, National Parks, National Marine Sanctuaries, or any area administered by the FWS, U.S. Forest Service, or National Park Service (e.g., Assateague Island National Seashore).

4. **Endangered Species:** The MDSPGP-4 does not authorize any activity that may directly or indirectly affect a threatened or endangered species or a species proposed for such designation, as identified under the Federal ESA; or which may directly or indirectly 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 procedures. MDE, in cooperation with MD 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 FWS and NMFS. The Corps will be initiating consultation under the Endangered Species Act on this MDSPGP-4 and any conditions from that consultation will be inserted into the MDSPGP-4.

National Marine Fisheries Service – Endangered Species Act Requirements:

a. **Interactions with National Marine Fisheries Service Federally Threatened or Endangered Species:** Any interaction between a sea turtle or any species listed now or in the future under Federal law as a threatened or endangered species (“listed species”) (e.g., North Atlantic right whale, humpback whale, shortnose sturgeon) and the vessels associated with the project must be reported to the NMFS as follows: If the animal appears alive and uninjured (i.e., breathing normally, no visible wounds, movement uninhibited), the permittee or its representative must report the incident to the NMFS Northeast Region Marine Mammal and Sea Turtle Stranding and Entanglement Hotline at (866) 755-6622 within 24 hours of returning from the trip on which they made the discovery. If the animal requires assistance, the call to the hotline must be made immediately. If the animal appears to be injured (i.e. bleeding, gasping for air, etc.) or dead, the permittee or its representative must also immediately call the hotline so the appropriate rehabilitation or stranding network representative can be contacted. The applicant shall also notify the Corps of all correspondence and interaction with the NMFS within two calendar days. Additional information about any Federally threatened or endangered species may be obtained from the attached fact sheet or online at http://www.nero.noaa.gov/prot_res/stranding/SpeciesOverview.html and at: http://www.nero.noaa.gov/prot_res/esp/. An interaction is defined as an entanglement or capture of a listed species or a strike/direct contact between vessels or equipment used for the project and a listed species.

b. **Vessel Buffer:** When listed species are sighted, vessels must attempt to maintain a distance of 50 yards (150 feet) or greater between the animal and the vessel whenever possible. State and Federal regulations prohibit approaching a right whale within a 500 yard (1,500 foot) buffer zone. Any vessel finding itself within the 500 yard (1,500 foot) buffer zone created by a surfacing right whale must depart immediately at a safe, slow speed. If other listed species are detected, vessels will reduce their speeds to 10 knots or to the maximum extent practicable to ensure human safety. If listed species are sighted off of a moving dredge, intentional approaches within 100 yards (300 feet) of the animal must be avoided. Vessels must reduce speeds to 4 knots or the lowest speed practicable to ensure human safety. Any interactions must be reported to the NMFS.

c. **Best Management Practices Applicable to Category A Activities Within Tidal Waters Having Salinity Levels Less Than 6 Parts Per Thousand (ppt) (See Appendix B):**

(i) **Pile Driving:** For the protection of listed species within all tidal waters of the Chesapeake Bay in Maryland and its tidal tributaries with salinity levels <6 ppt, pile driving methods must maintain noise level thresholds not to exceed 187dB SEL re 1μPa or 206dB peak re 1μPa at a distance of >10m from the pile being installed; and for levels >155dB peak re 1μPa must not exceed 12 consecutive hours on any given day and a 12 hour

recovery period (i.e., in-water noise levels below 155dB peak re 1µPa) must be provided between work days. Pile driving construction must adhere to one of the following methods: (a) piles must be installed in-the-dry during low water; or (b) piles must be drilled and pinned to ledge; or (c) vibratory hammers must be used to install any size and quantity of wood, concrete, or steel pilings; or (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; or (e) approved pile driving methods that will allow noise level thresholds to be met.

(ii) **Sediment Disturbing Activities Time-of-Year Restriction:** Sediment disturbing activities, which includes pile driving activities, are prohibited during the period April 1 through June 30 within all tidal waters of the Chesapeake Bay in Maryland and its tidal tributaries with salinity levels <6 ppt for the protection of shortnose sturgeon and early life stages in these waters.

5. **Essential Fish Habitat (EFH) and Fish and Wildlife Coordination Act:** Section 305(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act requires an EFH consultation with the NMFS for any action or proposed action authorized, funded, or undertaken by a Federal agency that may adversely affect EFH. Essential Fish Habitat has been defined by Congress as "those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity." The designation and conservation of EFH seeks to minimize adverse effects on habitat caused by fishing and non-fishing activities. NMFS has determined that many of the MDSPGP-4 Category A activities are eligible for EFH general or programmatic concurrence and require no further EFH consultation. National Marine Fisheries Service, in consultation with the District, has determined that individual EFH consultation is needed for some projects potentially eligible for authorization under Category A of the MDSPGP-4 that may adversely affect EFH. The Corps will coordinate with NMFS as part of the Category B review procedures. EFH conservation recommendations made by NMFS will normally be included as a permit requirement by the Corps. If the EFH coordination and consultation requirements cannot be resolved under the MDSPGP-4 process, an alternate Corps permit review process is required for the project. The Corps will be initiating consultation under these authorities on this MDSPGP-4, and any conditions from that consultation to protect NOAA trust resources will be inserted into this MDSPGP-4.

6. **Wild and Scenic Rivers:** No activity is authorized under the MDSPGP-4 that occurs in a component of the National Wild and Scenic River System, including rivers officially designated by Congress as study rivers for possible inclusion in the system, while such rivers are in an official study status, unless the appropriate Federal agency, with direct management responsibility for the river, has determined in writing that the proposed activity will not adversely affect any National Wild and Scenic River, including study rivers. Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency in the area (e.g., National Park Service, U. S. Forest Service, Bureau of Land Management, or FWS).

7. **Federally Authorized Civil Works Projects:**

a. **Federal Navigation Projects:** The MDSPGP-4 does not authorize interference with any existing or proposed Federal navigation projects. The permittee understands and agrees that, if future operations by the United States require the 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 waters, the permittee will be required, upon due notice from the Corps, 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. (See VII.A.9.a.)

b. **Federal Navigation Channel Setbacks:** All activities must comply with the Baltimore District Minimum Setback Guidance for Structures Along Federally Authorized Channels. Please see the Baltimore District's Regulatory webpage to view this guidance: <http://www.nab.usace.army.mil/Wetlands%20Permits/publications.htm>.

c. **Other Federally Authorized Civil Work Projects (e.g., flood control, dams, and reservoirs):** The MDSPGP-4 does not authorize interference with any proposed or existing Federally authorized civil works project.

8. **Federal Liability:** In issuing this permit, the Federal Government does not assume any liability for the following:

- a. Damages to the permitted project, or uses thereof, as a result of other permitted or unpermitted activities or from natural causes;
- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest;
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit;
- d. Design or construction deficiencies associated with the permitted work; and
- e. Damage claims associated with any future modification, suspension or revocation of the MDSPGP-4 or any specific MDSPGP-4 verification.

9. **Navigation:** Projects authorized under the MDSPGP-4 shall not cause interference with navigation, and no attempt shall be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to projects authorized under the MDSPGP-4. Nothing in the MDSPGP-4 shall in any way restrict the District Engineer, U.S. Army Engineer District, Baltimore, from exercising his legal authority to protect the public interest in navigation or from exercising his authority under the Navigation Servitude of the United States. (See VII.B.8.)

10. **Fills Within 100-Year Floodplain:** The activity must comply with applicable Federal Emergency Management Agency approved State or local floodplain management requirements.

11. **Safety of Impoundment Structures:** To ensure that all impoundment structures are safely designed, the Corps may require non-Federal applicants to demonstrate that the structures comply with established State dam safety criteria or have been designed by qualified persons. The Corps may also require documentation that the design has been independently reviewed by similarly qualified persons, and appropriate modifications made to ensure safety.

C. **Minimization of Environmental Impacts:**

1. **Avoidance and 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 at the project site (i.e., on-site).

2. **Mitigation Standards:** 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-4 subject to the applicant's submittal of a compensatory mitigation proposal for stream and wetland impacts. Compensatory mitigation plans will generally include a requirement for the establishment, performance, maintenance, legal protection (e.g., conservation easements), and long-term management of the mitigation area. Applicants may propose the use of mitigation banks, in-lieu-fee programs, or separate permittee-responsible mitigation. In general, maintenance of previously authorized activities typically does not require mitigation. All mitigation must be in compliance with the 2008 Mitigation Rule (73 FR 70).

a. Wetland mitigation will generally be required for all permanent tidal or nontidal wetland losses either through the use of the State's tidal or nontidal programmatic wetland compensation, mitigation banks, in-lieu-fee programs, and/or by the permittee as required by special condition of the MDSPGP-4 or the State authorization. Generally, the minimum required wetland mitigation ratios will be as follows: 2:1 for forested and scrub-shrub wetlands; 1:1 for herbaceous emergent wetlands, and 1:1 for permanent conversion of forested wetlands to herbaceous emergent wetlands. Wetland mitigation can include wetland restoration, establishment, enhancement (including restoration or enhancement of upland forested buffers), and/or wetland preservation, unless the Corps determines in writing that some other form of mitigation would be more appropriate and provides a project-specific waiver of this requirement. Since the likelihood of success is greater and the impacts are reduced, wetland restoration should be the first compensatory mitigation option considered.

b. Stream mitigation, focusing on functional replacement, will generally be required for any project that involves losses of more than 200 linear feet to stream channels and rivers through the use of mitigation banks, in-lieu-fee programs, or by the permittee as required by special condition of the MDSPGP-4 and/or the State authorization. Stream mitigation can include stream restoration, establishment, enhancement (including enhancement of riparian buffers), and stream preservation. Riparian buffer areas should consist of native species. The width of the required riparian area will address documented water quality or aquatic habitat impact concerns. The need to require mitigation for impacts to open waters will be determined on a case-by-case basis.

c. For activities resulting in the loss of marine or estuarine resources, permittee-responsible compensatory mitigation may be environmentally preferable if there are no mitigation banks or in-lieu-fee programs in the area that have marine or estuarine credits available for sale or transfer to the permittee.

d. For permittee-responsible mitigation, the special conditions of the MDSPGP-4 verification must clearly indicate the party or parties responsible for the implementation, performance, and long-term management of the compensatory mitigation project.

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-4. Temporary fill (e.g., access roads, cofferdams) in waters and wetlands authorized by the MDSPGP-4 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, preconstruction contours and revegetated with native wetland species.

5. **Erosion and Sediment Control:** Adequate erosion and sediment control measures, practices, and devices, such as turbidity curtains in tidal waters, 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, or spawn/nursery within the area (e.g., anadromous/catadromous fish); 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. Permanent culvert or pipes placed in streams must be depressed in accordance with the State of Maryland regulations. If depression of the culvert is not practicable, the applicant must submit a narrative, along with their application, documenting measures evaluated to minimize disruption of the movement of aquatic life, as well as specific documentation concerning site conditions and limitations on depressing the culvert, cost, and engineering factors that prohibit depressing the pipe/culvert. Options that need to be considered include the use of a bridge, bottomless pipe, partial depression, or other measures to provide for the movement of aquatic organisms. The documentation must also include photographs documenting site conditions. The applicant may find it helpful to contact their regional fishery agency for recommendations about the measures to be taken to allow for fish passage.

7. Water Crossings:

a. All temporary and permanent crossings of waterbodies shall be suitably bridged, culverted, or otherwise constructed to withstand and to prevent the restriction of high flows and tidal flows; to maintain existing low flows; and to prevent the obstruction of movement by aquatic life indigenous to the water body, including anadromous, estuarine, and resident fish species.

b. All water crossings (e.g., utility lines and road crossings) must be constructed roughly perpendicular to waters of the United States, including streams and wetlands. Where a utility line or access road is constructed parallel to a stream corridor, an undisturbed buffer shall be maintained between the utility line/access road and the waterway to avoid or minimize potential future impacts to waters of the United States. These potential impacts would include such issues as sewer line leaks or failures, future stream channel meandering, stream bank instability and failure, and right-of-way maintenance.

c. Water crossings must be constructed "in the dry" whenever practicable. This should be accomplished by using stream diversion devices other than earthen or stone cofferdams.

d. Equipment shall cross streams only at suitably constructed permanent or temporary crossings.

e. Temporary structures and fills shall be removed and the area restored to its original contours and elevations, or to the conditions specified in the approved plans. The temporary structures and the areas of fill associated with these structures must be included in the total waterway/wetlands impacts.

8. Discharge of Pollutants: All activities that are authorized under the MDSPGP-4 and that involve any discharge or relocation of pollutants into waters of the United States shall be consistent with applicable water quality standards, effluent limitations, standards of performance, prohibitions, and pretreatment standards and management practices established pursuant to the CWA (33 U.S.C. 1251 et. Seq.), and applicable State and local laws and regulations. No discharge of dredged or fill material in association with this authorization may consist of unsuitable material such as trash, debris, car bodies, asphalt, etc.

9. Spawning Areas: Activities, including structures and work in navigable waters of the United States or discharges of dredged or fill materials in fish and shellfish spawning or nursery areas during spawning seasons, shall be avoided. Impacts to these areas shall be avoided or minimized to the maximum extent practicable during all other times of year. Activities that result in the physical destruction (e.g., through excavation, dredging, mining, fill, or significant downstream sedimentation by substantial turbidity) of an important spawning/nursery area are not authorized by this MDSPGP-4.

10. Waterfowl Breeding and Wintering Areas: Discharges into breeding and wintering areas for migratory waterfowl shall be avoided to the maximum extent practicable.

11. Environmental Values: The permittee shall make every reasonable effort to construct or operate the work authorized under the MDSPGP-4 in a manner that maintains as many environmental values as practicable, and that avoids or minimizes any adverse impacts on existing fish, wildlife, and natural environmental values.

12. Management of Water Flows: To the maximum extent practicable, the pre-construction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization and storm water management activities. The activity must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows. The activity may alter the pre-construction course, condition, capacity, and location of open waters if it benefits the aquatic environment (e.g., stream restoration or relocation activities).

13. Water Supply Intakes: No discharge of dredged or fill material may occur in the proximity of a public water supply intake.

D. Procedural Conditions:

1. **Inspections:** The permittee shall permit the District Engineer or his authorized representative(s) to make periodic inspections at any time deemed necessary to ensure that the work is being performed in accordance with the terms and conditions of the MDSPGP-4. The District Engineer may also require post-construction engineering drawings (as-built plans) for completed work, and post-dredging survey drawings for any dredging work.

2. **Compliance Certification:** Every permittee who receives a written MDSPGP-4 verification shall submit a signed Compliance Certification Form within 60 days following completion of the authorized work and any required mitigation (but not mitigation monitoring, which requires separate submittals). Failure to submit the Compliance Certification Form by the permittee could result in the Corps taking appropriate non-compliance enforcement action against the permit holder. The Corps will provide a blank copy of the Compliance Certification Form to the permittee with the MDSPGP-4 verification. The completed form will include the following:

a. A statement that the authorized work either was or was not done in accordance with the MDSPGP-4 verification, including any general and/or specific conditions. If the activity was not done in accordance with the MDSPGP-4 verification, including any general and/or specific conditions and requirements, the permittee shall describe the specifics of the deviation from the authorized activity.

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, Maryland 21203-1715**

3. **Transfer of MDSPGP-4 Verifications:** If the permittee sells the property associated with a MDSPGP-4 verification, the permittee may transfer the MDSPGP-4 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-4 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-4 are still in existence at the time the property is transferred, the terms and conditions of this MDSPGP-4, including special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this MDSPGP-4 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 properly maintain the work or structure authorized by the MDSPGP-4 in good condition and in compliance with the terms and conditions of the MDSPGP-4, including maintenance to ensure public safety.

5. **Property Rights:** The MDSPGP-4 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-4, 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-4, 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-4, 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:** In granting authorization pursuant to this permit, the Baltimore District will rely upon information and data provided by the permittee. If the project is verified by the Corps or MDE under the MDSPGP-4 and subsequently discovers that it has relied on false, incomplete, or inaccurate information provided by the permittee, the MDSPGP-4 verification may be revoked, in whole or in part, and/or the United States 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-4, which includes the MDSPGP-4 authorized activity activity-specific requirements, constitutes unauthorized work and is subject to an enforcement action by the Corps or the EPA. Furthermore, the MDSPGP-4 does not delegate any Section 404 enforcement or regulatory authority. Unauthorized work in waters of the United States, including wetlands and navigable waters, is subject to one or more of the following responses by EPA and/or the Corps:

- a. A Cease and Desist order and/or an administrative compliance order requiring remedial action.
- b. Initiation and assessment of a Class I administrative penalty order pursuant to Section 309(g) of the CWA.
- c. Initiation and assessment of a Class II administrative penalty for continuing violation pursuant to Section 309(g) of the CWA.
- d. Referral of the case to the U. S. Attorney with a recommendation for a civil or criminal action.
- e. If the Corps determines that an after-the-fact application is appropriate, it will be reviewed following the appropriate procedures.
- f. Any other appropriate response.



REPLY TO
ATTENTION OF

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

201260739
Corps Permit Tracking Number

MDSPGP-4
CATEGORY A, ACTIVITY (A-c(1))
Utility Lines

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 the construction, maintenance, or repair of utility lines and the associated mechanized land clearing, excavation, backfill, or bedding for the utility lines, in all waters of the United States, provided there is no change in pre-construction contours. A utility line is defined as any pipe or pipeline for the transportation of any gaseous, liquid, liquefiable, or slurry substance. Utility lines also include any cable, line, or wire for the transmission of electricity, telephone and telegraph messages, radio, television, or other communication. The term "utility line" does not include activities which drain a water of the United States, such as drainage tile, or French drains. Individual impacts for a utility project will be added cumulatively for review of the overall project. An acceptable utility line project must have independent utility (i.e., a defined starting and ending point) and a defensible purpose (refer to definitions section).

Impact Limits and Requirements:

- i. The total temporary and permanent impacts to nontidal waters of the United States, which includes nontidal wetlands, streams, rivers, and other open waters, are not to exceed 10,000 square feet and/or 200 linear feet of streams, rivers, and other nontidal open waters.
- ii. This Category A activity does not authorize discharges into tidal wetlands or tidal waters.
- iii. Limit-of-disturbance easements for the construction of utility lines within nontidal waters of the United States, including wetlands, must be limited to the minimum width necessary and not to exceed 30 feet in width.
- iv. The utility line must make a direct or perpendicular crossing of any stream channel.
- v. Open-cut pipeline installation within adjacent jurisdictional wetlands must not parallel a stream channel for more than 100 feet along the ordinary high water mark.
- vi. The top of the cable, encasement, or pipeline shall be located a minimum of 3 feet below the existing bottom elevation of the streambed and generally does not require any riprap protection in-stream. When the utility is placed in bedrock, a minimum depth of 1 foot from the lowest point in the natural contour of the streambed shall be maintained.
- vii. All utility line activities, including access roads constructed or installed in tidal wetlands and waters, require review under Category B or alternate Corps permit review procedures, as appropriate.

Requirements Applicable to Both Category A and Category B Activities:

- i. Application must be submitted to MDE for Corps authorization.
- ii. Impacts shall be minimized by selection of a utility alignment that avoids and minimizes wetland and waterway impacts to the maximum extent practicable. Directional drilling, jack and bore, missile, or similar methods are the preferred method of installation.

MDSPGP-4
CATEGORY A, ACTIVITY (A-c(1))

-2-

- iii. Clearing of wetlands and fragmentation of large tracts of forested wetlands shall be minimized by routing utility lines outside forested tracts or on the edges of forested tracts.
- iv. When underground utility lines are installed in streams and wetlands, the trench cannot be constructed or backfilled in such a manner as to drain waters of the United States (e.g., backfilling with extensive gravel layers, creating a French drain effect). Clay plugs, impervious membranes, or other materials may be placed in the trenches to ensure that the trench does not drain the waters of the United States through which the utility line is installed.
- v. Utility lines installed below the plane of the ordinary high water mark of any stream or waterway shall be constructed under dry conditions, using stream diversions other than earthen cofferdams.
- vi. In wetlands, the top 6 to 12 inches of the trench must be backfilled with the top 6 to 12 inches of topsoil removed from the trench.
- vii. Excavated material must not be stockpiled in wetlands for longer than 14 days. Excavated material must be stabilized with straw bales, silt fence, or other erosion and sediment control measures to prevent reentry of soil into waters of the United States.
- viii. Immediately after completion of construction of the utility line through the wetlands area, excess excavated material must be disposed of in an upland area and stabilized with straw bales, silt fence, or other erosion and sediment control devices to prevent its reentry into waters of the United States, including wetlands.
- ix. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations and revegetated with native wetland species.
- x. Exposed slopes and stream banks must be stabilized and revegetated, preferably with native, woody species, immediately after construction of the utility line is completed.
- xi. When mechanized landclearing results in the permanent removal or conversion of a forested or scrub-shrub wetland to an herbaceous wetland in the permanently maintained utility right-of-way, compensatory mitigation is required to reduce the adverse effects of the project to the minimal level. This is in addition to the requirement to mitigate for other permanent wetland and nontidal stream impacts resulting from the discharge of dredged or fill material.
- xii. This activity does not authorize utility substations. Utility substations must be reviewed under Section IV.B.1.e.(1), Minor Nontidal Fills or alternate Corps permit review procedures, as appropriate.
- xiii. For aerial electric power transmission lines crossing navigable waters of the United States, the minimum clearances listed under General Conditions (VII.A.10.) must be followed.



REPLY TO
ATTENTION OF

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

Operations Division

MDSPGP-4 PERMIT COMPLIANCE CERTIFICATION FORM (10/1/11)

Corps Permit Tracking No. 201260739 Category & Activity Number A-c(1)

Project Name _____ Applicant Name _____

Waterway Patuxent River 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:

- ____ (a) Piles must be installed in-the-dry during low water;
____ (b) Piles must be drilled and pinned to ledge;
____ (c) Vibratory hammers must be used to install any size and quantity of wood, concrete, or steel pilings;
____ (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;
____ (e) Approved pile driving methods that will allow noise level thresholds to be met.

Describe: _____

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

6. Was mitigation accomplished through a contribution to the Maryland Nontidal Wetlands Compensation Fund?
YES _____ NO _____ (if NO, please complete Nos. 7 and 8 below).

7. Wetland Mitigation: Required? YES _____ NO _____ Required Completion Date _____
Wetland Mitigation Completed? YES _____ NO _____ 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

Address: _____

Telephone: _____

Signature of Contractor/Agent Date

Address: _____

Telephone: _____

Appendix 4: Maryland Historical Trust Project Review Form



PROJECT REVIEW FORM

Request for Comments from the Maryland Historical Trust/
MDSHPO on State and Federal Undertakings

MHT USE ONLY

Date Received:

Log Number:

Project Name

County

Primary Contact:

Contact Name

Company/Agency

Mailing Address

City

State Maryland

Zip

Email

Phone Number

Ext.

Project Location:

Address

City/Vicinity

Coordinates (if known): Latitude

Longitude

Waterway

Project Description:

List federal and state sources of funding, permits, or other assistance (e.g. Bond Bill Loan of 2013, Chapter #; HUD/CDBG; MDE/COE permit; etc.).

Agency Type

Agency/Program/Permit Name

Project/Permit/Tracking Number (if applicable)

This project includes (check all applicable):

☐

New Construction

☐

Demolition

☐

Remodeling/Rehabilitation

☐ State or Federal Rehabilitation Tax Credits

☐

Excavation/Ground Disturbance

☐

Shoreline/Waterways/Wetlands

Other\Additional Description:

Known Historic Properties:

This project involves properties (check all applicable):

☐

Listed in the National Register

☐

Subject to an easement held by MHT

☐ Included in the Maryland Inventory of Historic Properties

☐

Designated historic by a local government

☐ Previously subject to archeological investigations

Property\District\Report Name

Attachments:

All attachments are required. Incomplete submittals may result in delays or be returned without comment.

☐

Aerial photograph or USGS Quad Map section with location and boundaries of project clearly marked.

☐

Project Description, Scope of Work, Site Plan, and/or Construction Drawings.

☐

Photographs (print or digital) showing the project site including images of all buildings and structures.

☐

Description of past and present land uses in project area (wooded, mined, developed, agricultural uses, etc).

MHT Determination:

☐

There are **NO HISTORIC PROPERTIES** in the area of potential effect

☐

The project will have **NO ADVERSE EFFECT WITH CONDITIONS**

☐

The project will have **NO EFFECT** on historic properties

☐

The project will have **ADVERSE EFFECTS** on historic properties

☐

The project will have **NO ADVERSE EFFECT** on historic properties

☐

MHT REQUESTS ADDITIONAL INFORMATION

MHT Reviewer:

Date:

Submit printed copy of form and all attachments by mail to: Beth Cole, MHT, 100 Community Place, Crownsville, MD 21032