



Larry Hogan, Governor
Boyd Rutherford, Lt. Governor
Jeannie Haddaway-Riccio, Secretary
Allan Fisher, Deputy Secretary

**YOUGHIOGHENY SCENIC AND WILD RIVER
APPLICATION FOR USE AND DEVELOPMENT**

The Maryland Department of Natural Resources Youghiogheny Scenic and Wild Rivers Program is authorized by §8-401 through §8-411 of Title 8 of the Natural Resources Article of the Annotated Code of Maryland, and is implemented through the regulatory provisions of COMAR 08.15.01 through 08.15.04. The regulations require approval of land use and development activities in, near or affecting rivers that have been designated by the Maryland General Assembly as Scenic and Wild. Information provided on this form will be used in evaluating the request for approval. Information in this application is a matter of public record and will be included in public notice of the proposed activity. If necessary and sufficient information is not provided, the application may not be approved.

APPLICANT INFORMATION

Name of Applicant	Wm. Dwight Emory, P.E.,	Name of Agent	Bill Park (GPI)
Address	Garrett Co Engineering Dept, Public Service Center	Address	11000 Broken Land Parkway, Suite 500
Address	2008 Maryland Hwy. Suite 3	Address	
City, State, Zip	Mt. Lake Park, MD 21550	City, State, Zip	Columbia, MD 21044
Phone	Phone: 301.334.7481	Phone	410-880-3055
Email	demory@garrettcounty.org	Email	wpark@gpinet.com

LOCATION OF PROPOSED DEVELOPMENT

River Name	Youghiogheny River
General Location	Swallow Falls Road over the Youghiogheny River in Swallow Falls State Park
Latitude/Longitude	39.49, -79.41

ADJACENT PROPERTY OWNER INFORMATION

Name	Address	Phone	Email
MD Dept. of Forest and Parks	580 Taylor Ave, Annapolis MD 21401	1-877-620-8367	

ENVIRONMENTAL ASSESSMENT

The Environmental Assessment shall be submitted as a separate document. See the attached description of required information.

CONFIRMATION OF INFORMATION ACCURACY

Application is hereby made for approval to implement the land use and development activities described herein. I certify that I am familiar with the information contained in this application, and that, to the best of my knowledge and belief, such information is true, complete, and accurate. I further certify that I possess the authority to undertake the activities, or I am acting as the duly authorized agent of the applicant.


Applicant Signature

9/27/22
Date

ATTACHMENTS AND ENVIRONMENTAL ASSESSMENT

1. A complete description of the proposed project (including drawings).
2. A map showing the exact location of the project on the river.
3. Photographs of the project site from both banks of the river and an upstream and downstream view of the project site.
4. A list of all other local, State and federal permits required for this project.
5. An environmental assessment which includes a specific evaluation of impacts the proposed use or development will have on the following:
 - a. Aquatic resources of the river
 - b. Riverine resources of the river
 - c. Ecological systems in or near the river and scenic corridor
 - d. Fish and wildlife species in or near the river
 - e. Forest and vegetation in the scenic corridor
 - f. Geological features of the river and scenic corridor
 - g. Hydrological features of the river and scenic corridor
 - h. Water quality and quantity of the river
 - i. Existing land use adjacent to the river and in the scenic river corridor
 - j. Historic and cultural (including archaeological) resources in the river and scenic corridor
 - k. Interests and concerns of private landowners in the scenic corridor who may be affected by the proposed use or development
 - l. The wild character of the river and scenic corridor
 - m. The scenic and aesthetic character of the river and scenic corridor
 - n. The visitor experience and recreational opportunities on the wild river or within the scenic corridor

For each of these criteria, describe existing conditions, potential adverse impacts, if any, and mitigation measures proposed to minimize, eliminate, or compensate for these impacts. Information and justification for each proposed action should be included and there should be a discussion of any alternative locations, development methods or project sequencing. If no impacts are anticipated for a specific criterion, then it should be stated that no impact is expected and reasons should be provided for that conclusion.

6. A statement of the applicant's compliance history. (Has the applicant ever been cited for a violation of the Maryland Scenic and Wild Rivers Act?)
7. A detailed listing of the steps the applicant has taken in the development of the project to minimize and/or offset potential impacts to the river and scenic corridor.

8. A description of alternatives to the proposed project that could avoid or minimize the impacts associated with the project.

SUBMITTAL AND REVIEW PROCESS

The completed application should be submitted to:

Mr. Andrew Mengel
Land Acquisition and Planning
Department of Natural Resources
580 Taylor Avenue, E-4
Annapolis, MD 21401
Andrew.Mengel@maryland.gov

ADDITIONAL INFORMATION FOR EXCEPTIONS

In general, the provisions of COMAR 08.15.02.11. prohibit the alteration of the river or its banks except that involving the repair of existing bridges. Because this project involves the replacement of an existing bridge, an exception will be required as allowed for in the provisions of COMAR 08.15.03.03.

The applicant shall provide the following additional information:

- (1) A discussion as to how the exception is consistent with the legislative intent of the Scenic and Wild Rivers Act and is not injurious to the scenic and wild character of the river; and
- (2) Documentation of the special circumstances that affect the land and its structure so that strict application of the Wild and Scenic River regulations would cause unnecessary hardship.

The Department shall respond to the request within 60 days of receipt by either granting, conditionally granting, or denying the request. The Department of Natural Resources shall hold a public hearing in Garrett County on the application before rendering its final decision. Notice of public hearing shall be published in two newspapers, one of general circulation in Garrett County and one of general circulation in the State.