



Maryland
Department of
the Environment

2022 Marine Contractor & Stakeholder Workshop

MDE Tidal Wetlands Division Staff

April 26th, 2022



Maryland
Department of
the Environment

Welcome!



Agenda

9:00 AM - Opening Remarks/Introductions (15 min)

9:15 AM - BPW Regulations/EJ Community Updates (30 min)

9:45 AM - WQC 101 (45 min)

10:30 AM - **BREAK** (10 min)

10:40 AM - GP6 Changes (20 min)

11:00 AM - Applications Process (1 hour)

12:00 PM - **LUNCH BREAK** (45 min)

12:45 PM - MCLB New Training Module & Legislation (30 min)

1:15 PM - Expedited Pier Process (XPR) (45 min)

2:00 PM - Shoreline Mapper (45 min)

2:45 PM - **FINAL QUESTIONS & CLOSING REMARKS**



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Staff Introductions



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BPW Regulation Changes & Environmental Justice (EJ)



Board of Public Works Regulations – 23.02.04

Additional Delegation to MDE

1. Performing scientific sampling, soil borings, sediment borings, archeological surveys, or similar activities in a total area not to exceed 10,000 square feet or exceed 10 cubic yards.
2. Constructing tidal groins to minimize impacts to the littoral drift, when extending no more than 25' channelward of the MHWL.



Board of Public Works Regulations – 23.02.04

General License Extension

- May be extended for a one-time extension for a period up to 3 years
- Extension request received at least 2 weeks before license expires will continue to be valid until a final decision is issued



Board of Public Works Regulations – 23.02.04

Emergency Procedures

- Submit initial request to MDE that includes: Applicant's name, Location, photographs, extent of work, anticipated impact to tidal wetlands and nature of the erosion
- MDE provides a written summary to BPW Administrator and if agrees issues an emergency license



Board of Public Works Regulations – 23.02.04

Emergency Procedures (cont.)

- Applicant submits an application within 14 days from initial emergency notification
- Project is placed on Public Notice
- MDE forwards a recommendation to ratify, modify, suspend or revoke the emergency license



Board of Public Works Regulations – 23.02.04

Mitigation Ratios

<i>Restoration or In-Kind Creation</i>	
<i>Open water tidal wetlands</i>	<i>1:1</i>
<i>Emergent tidal wetlands</i>	<i>2:1</i>
<i>Scrub-shrub tidal wetlands</i>	<i>2:1</i>
<i>Forested tidal wetlands</i>	<i>2:1</i>
<i>Tidal wetland habitat for rare, threatened, or endangered species, or species in need of conservation</i>	<i>3:1</i>
<i>Submerged aquatic vegetation and natural oyster bars</i>	<i>3:1</i>
<i>Enhancement or Out-of-Kind Creation</i>	
<i>Open water tidal wetlands</i>	<i>2:1</i>
<i>Emergent tidal wetlands</i>	<i>4:1</i>
<i>Scrub-shrub tidal wetlands</i>	<i>4:1</i>
<i>Forested tidal wetlands</i>	<i>4:1</i>
<i>Tidal wetlands habitat for rare, threatened, or endangered species, or species in need of conservation</i>	<i>6:1</i>
<i>Submerged aquatic vegetation and natural oyster bars</i>	<i>6:1</i>



Environmental Justice (EJ)

- What is EJ?
- MDE's Commitment to EJ
- What are the Procedural Changes?
 - EJ Map & Screening Tool
 - Informational Packet on Regulatory Process for Forwarding to EJ Community Group



QUESTIONS?





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Maryland Department of Environment

Wetlands and Waterway Program
Water and Science Administration



Water Quality Certification (WQC)

When is a Section 401 Certification required in Maryland?



A Clean Water Act (CWA) Section 401 certification is required for any federal license or permit that authorizes an activity that may result in a discharge.

Examples: U.S. Army Corps of Engineers (USACE or Corps) permits (Nationwide Permits, Regional General Permits, State Programmatic General Permits, Standard Individual Permits), FERC, USCG

How long does Maryland have to make a certification decision?



- CWA Section 401 requires that certifying authorities act on a certification request within a reasonable period of time, which shall not exceed one year.
- As allowed under the Rule, the federal licensing or permitting agency establishes the reasonable period of time and may adopt that reasonable period of time into the federal licensing agencies regulations.
- USACE has regulations stating that the reasonable period of time for a state to make a decision is 60 days, unless the District Engineer decides more or less time is reasonable.
- Different timeframes apply depending on project (Corps permit vs. Corps action)

2019 USACE Regional General Letter (RGL)



- In August 2019, Corps Headquarters issued a RGL requiring that the USACE abide by its regulations and required WQC decisions within 60 days, unless the state has requested and received an extension to that time.
- When establishing the reasonable period of time in a state extension request, as in the final rule, the USACE is required to consider the complexity of the proposed project, the nature of any potential discharge, and the potential need for additional study or evaluation of water quality effects from the discharge.
 - Administrative procedures, for example, satisfying a state's regulatory requirements regarding public notice or hearing requirements would be dismissed as an acceptable reason for granting an extension.

USACE 2019 RGL



Prior to the USACE 2019 RGL- The Corps Districts governing Maryland publicly noticed when a Standard Individual Permit (SIP) is required. In Maryland the USACE notice stated that Maryland had up to one-year to make a WQC decision for a majority of projects that required a WQC. By this notice, USACE automatically granted an extension to the 60-days in USACE regulation as reasonable through the public notice.

USACE 2019 RGL



Post USACE 2019 RGL- In Maryland USACE stopped public notice publications determining one year was reasonable, instructed applicants to obtain a WQC from Maryland, implemented the hard 60-day deadline for a WQC decision for all qualifying projects and required extension requests be submitted from Maryland for USACE approval.

Maryland evaluated its WQC regulations and determined that in order to preserve the timeclock for a state WQC decision, that it needed to immediately implement **new** WQC processing procedures.

2020 New Rule, Section 401



At about the same time in 2019, EPA was being directed to reevaluate Section 401 (April 2019 E.O. 13868)

June 2020 EPA finalized a New Rule, **effective September 11, 2020.**

Both the 2019 RGL and the 2020 WQC Rule required Maryland to evaluate its WQC process and implement changes.

Maryland's WQC Requests



4 Important Steps

1. Determining if a WQC is required.
2. Submit Pre-filing Meeting Request.
3. Map out the timeclock to a decision.
4. Submit in writing a WQC request in accordance with Section 401 and COMAR requirements.

HOW DO I KNOW IF MY PROJECT NEEDS AN INDIVIDUAL WQC?



- The federal licensing or permitting agency will advise you if your project requires an Individual WQC from Maryland.
- USACE will inform you based on how they are categorizing your project activities for a permit. Except for the Finalized 2021 Nationwide Permits (NWP), a WQC is already issued for a permittee for the MDSPGP, 2017 NWPs, RGPs that are in effect in Maryland.

WQC For Maryland State Programmatic General Permit (MDSPGP)



MDSPGP-6

Currently in effect in Maryland until September 30, 2026. Contains a suite of regulated activities that account for over 95% of the federal permitting actions. MDE issued a WQC on March 24, 2021. As required under Section 401 and the 2020 Rule the WQC was submitted to EPA for review of a neighboring jurisdiction water quality effect.

- **If your project qualifies for an MDSPGP-6 activity, then an individual WQC is not required to be obtained.**

Nationwide Permits



Nationwide Permits

Due to the MDSPGP, most Nationwide Permits are suspended for use in Maryland by the Corps Baltimore District. The Philadelphia District does not have the same suspension and its territory is not subject to the MDSPGP. Those suspended activities for the Baltimore District are captured in the MDSPGP.

MDE recently modified its WQC covering 16 NWP's effective March 15, 2021 (the USACE had previously "declined" to rely on Maryland's WQC issued on December 15, 2020). Applicants qualifying for an NWP in Maryland should check the USACE website for latest conditions to determine if an Individual WQC is needed for their project prior to beginning work under the NWP. The following NWP's will be covered under the modified WQC pending Corps' formal incorporation:

- NWP48. Commercial Shellfish Mariculture Activities
- NWP52. Water-Based Renewable Energy Generation Pilot Projects- Tidal Waters only
- NWP55. Seaweed Mariculture Activities
- NWP56. Finfish Mariculture Activities

If your activity is covered by a NWP and meets the minimum requirements of the applicable Special Conditions, no need to request an Individual WQC (refer to activity-specific thresholds, NWP 12: Oil and Natural Gas Pipeline Activities, etc.)

2020 Rule: PRE-FILING MEETINGS



2020 Rule - requires a project proponent to request a pre-filing meeting with the certifying authority **30-days prior to filing a request for a WQC.**

- The WQC CANNOT be received by Maryland earlier than 30-days from the date of the pre-filing meeting request.
- Maryland does not have to hold a pre-filing meeting request or hold a meeting prior to a WQC request, but the project proponent MUST request the meeting and wait 30 days before submitting a WQC request.

A pre-filing meeting request does not expire - meaning you can request the pre-filing meeting and wait the minimum 30 days or wait longer to submit a WQC request for the project subject to the original pre-filing meeting request. If the project changes substantially a new pre-filing meeting request may need to be filed.

Pre-filing Meeting requests:

<https://mde.maryland.gov/programs/Water/WetlandsandWaterways/Pages/PreApplicationIntroduction.aspx>

When does the Section 401 timeclock begin?



- The pre-filing meeting request does not start the State timeclock to make a decision on a WQC. It starts only the requestor's timeclock to be able to submit a WQC request.
- **MDE requires a WQC to be mailed with supporting documentation. We do not accept emailed requests.** The final rule defines "certification request" as a written, signed, and dated communication that includes project documents and information as specified in the final rule.
- The reasonable period of time begins upon receipt by Maryland of a certification request.
- **IMPORTANT TO MAP OUT THE DECISION TIMECLOCK BEFORE YOU SUBMIT A WQC.** Submitting at the time of a "Joint Federal/State Application for the Alteration of any Floodplain, Waterway, Tidal or Nontidal Wetlands in Maryland" (JPA) is NOT recommended or advised. You should wait until you are advised by the Federal licensing or permitting agency that a WQC is required for your project.
- Once MDE receives a WQC request we evaluate the project, consult with USACE to determine if it will remain an SIP, then determine whether MD requires longer than 60 days to make a decision. If we do, we submit a written request to USACE for a reasonable period of time, not to exceed one year.

WQC REQUEST KEY ELEMENTS



Key Elements: COMAR 26.08.02.10 establishes what a request for WQC should contain in Maryland as considered KEY ELEMENTS to a WQC request. Section 401 also defines what must be contained in a WQC request. The MDE Key Elements document combines 2020 Rule requirements and COMAR 26.08.02.10 requirements.

For WQC associated with a USACE JPA, other than the necessary statements required under the Rule and COMAR for a request to be considered valid and received, the JPA document **attached** to a WQC request will contain sufficient information regarding the Key Elements for a WQC review to commence. You will be notified by a MDE reviewer if more information is required for MDE to process the WQC request.

Please note that the submission of a JPA is not considered a WQC request. A stand alone WQC request is required. USACE will inform you if your project requires an Individual WQC after receiving your JPA.

MDE has created a WQC Request and Key Element informational document on the website.

https://mde.maryland.gov/programs/Water/WetlandsandWaterways/PermitsandApplications/Documents/WQC_Request_MDE.pdf

KEY ELEMENTS



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Larry Hager, Director
Water Administration Division
Bob Givens, Secretary
Maryland Department of the Environment

Key Element for a Request for a CWA Section 401 Water Quality Certification as required by 40 C.F.R. § 121.5 and COMAR 26.08.02.10

All requests for a Water Quality Certification shall be in writing and mailed to (electronic submission cannot be accepted):

MDE/Water and Science Administration
Regulatory Services Section – Attn: WQC
Montgomery Park Business Center – Suite 439
1800 Washington Boulevard
Baltimore, MD 21138 1700

Please call 410-531-3745 if you have any questions.

1. In accordance with 40 C.F.R. § 121.5 and COMAR 26.08.02.10, you shall submit to the Department a request which includes:

- (a) Identify the project proponent(s) and a point of contact. Name, address, phone number, e-mail address of the applicant and, as applicable, the authorized agent.
- (b) Identify the applicable federal license or permit. For example, include the assigned U.S. Army Corps of Engineers and Maryland Department of Environment tracking numbers along with a copy of the State Permit Application (SPA). The SPA shall be included with the Request for a Water Quality Certification, as well as any supplemental documents that address all of the following set contained in the SPA.
- (c) The project site address, including coordinates in degrees, minutes, seconds; 12 digit HUC no.; Watershed name.
- (d) The name(s) and address(es) of adjacent property owners.
- (e) Signed Public Notice Billing Form.
- (f) Identify the proposed project. Description of the facility or activity.
- (g) A plan showing the proposed activities to include:
 - o The location(s) and boundaries of the activities.
 - o The location(s), dimension(s), and type(s) of any existing and/or proposed structures; and

Items 1 (a) through (q) require the requestor to provide detailed information on project location and water quality-related impacts (may be covered in JPA).

(p) contain the following statement: ‘The project proponent hereby certifies that all information contained herein is true, accurate, and complete to the best of my knowledge and belief’; and

(q) Contain the following statement: ‘The project proponent hereby requests that the certifying authority review and take action on this CWA 401 certification request within the applicable reasonable period of time.’

Public Notice and Hearing Requirements



- Public Notice is required for a WQC.
- MDE will make every effort to combine Public Notice procedures for projects with other regulatory resource impacts that also require public notice (i.e. Nontidal, Waterway, Tidal) to incorporate a WQC request.
- Public Hearings will be held if a valid request is received during the public notice comment period
- COMAR requires notice of a WQC hearing to be published in the Maryland Register **45 days prior to the hearing date.**

Can MDE or a Requestor STOP the timeclock?



No.

Once MDE has your WQC request, the decision timeclock and USACE coordination on decision date begins. Timing of a WQC should be carefully considered and coordinated for sensitive or large-scale projects. Take advantage of the Prefiling Meeting tool and draft submission coordination for review.

- The timeclock ends when MDE takes any of the following available options before the timeclock expires:
 - Grants certification, grants certification with conditions, denies, or expressly waives certification OR;
 - Federal Agency determines waiver has occurred if the timeclock expired and MDE did not take an above action.

Maryland WQC Conditions



- Under section 401 a State's WQC conditions must be incorporated into a federal permit or license.
- MDE WQC's have a "new look". In accordance with the 2020 WQC Rule each WQC Condition must have a statement of necessity for the protection of water quality and include a legally-supportive citation.

Condition “New Look”



Example Condition:

The Certification Holder shall adhere to the time of year restrictions, unless waived or amended by the Department, as identified in a state authorization.

Statement of Necessity for Condition: Restrictions on instream construction are necessary to protect designated uses for propagation and growth of fish, other aquatic life, and wildlife.

Citations: Federal and state laws that authorize this condition include but are not limited to: 33 U.S.C. § 1341(a), (b), & (d); 33 U.S.C. § 1251(b); 33 U.S.C. § 1370; Md. Ann. Code, Env. Article, Title 1, Subtitles 3 and 4; Md. Ann. Code, Env. Article, Title 5, Subtitles 5 and 9; Md. Ann. Code, Env. Article, Title 9, Subtitle 3; Md. Ann. Code, Env. Article, Title 16; COMAR 26.08; COMAR 26.08.02.03.03B(1)(b); 26.08.02.03.03B(2); COMAR 26.23.02.06

Maryland WQC Issuance Requirements



COMAR requires MDE publish the decision to issue or deny a WQC in the Maryland Register. A waiver does not need publication.

The WQC decision appeal period is for 30 days after the WQC decision appears in the Maryland Register.

MDE immediately posts its WQC decisions on its website and sends the decision to USACE or the federal permitting agency.

Under the existing CWA Rule and regulations USACE (or any federal agency) is required to send MDE's WQC decision to EPA for neighboring jurisdiction impact evaluation. If EPA determines there is potential for a neighboring jurisdiction impact, EPA will send the WQC to the jurisdiction within 30 days of receipt of the WQC decision from the USACE/Federal Agency and begin state coordination under the Rule. A neighboring jurisdiction has 60 days to respond. See Section 401(a)(2) and 40 C.F.R. 121.12.

Maryland WQC Contacts



Danielle Spendiff, Regulatory and Customer Service Division Chief
danielle.spendiff1@maryland.gov, 410-537-4023

Heather Nelson, Wetlands and Waterways Program Manager
hnelson@maryland.gov, 410-537-3528

Project Manager for your project: [Division Directory](#)

QUESTIONS?



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- BREAK (10 minutes) -



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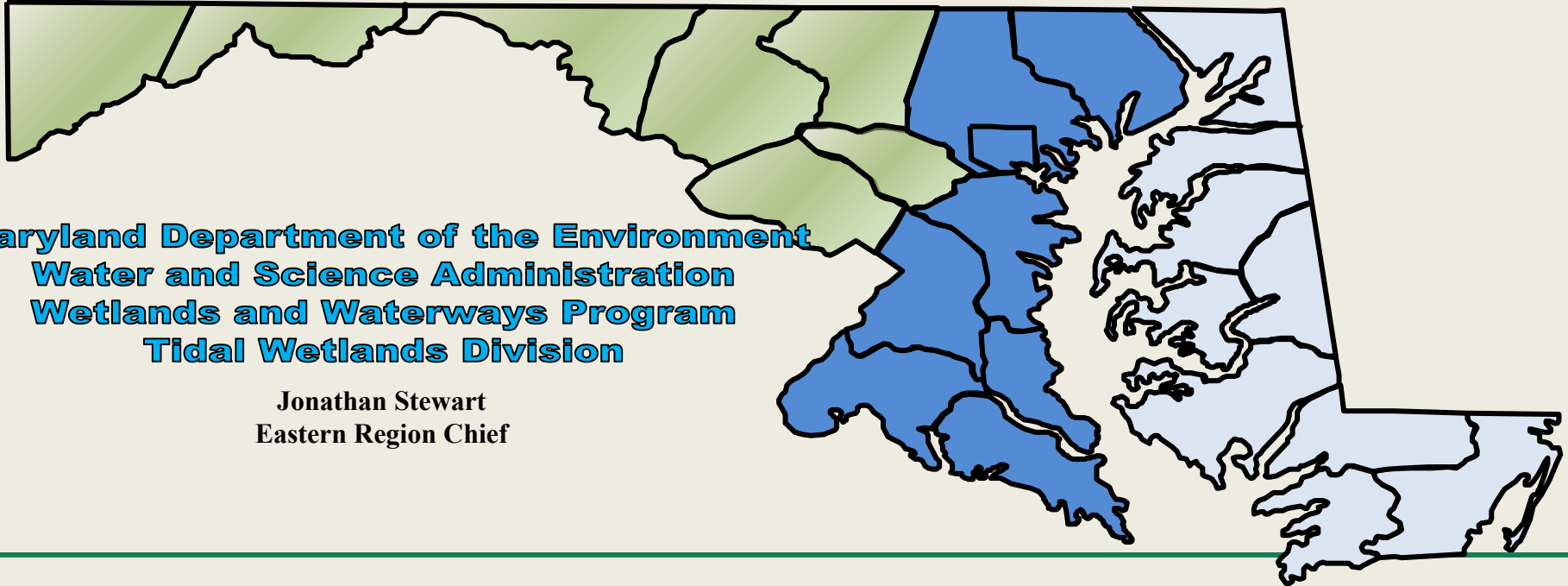
2:00 PM - Shoreline Mapper (45 min)

2:45 PM - **FINAL QUESTIONS & CLOSING REMARKS**



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Maryland State Programmatic General Permit-6



Maryland Department of the Environment
Water and Science Administration
Wetlands and Waterways Program
Tidal Wetlands Division

Jonathan Stewart
Eastern Region Chief



Maryland
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MDSPGP-6

Issued on October 1, 2021

Expires on September 30, 2026



Categorization of Application

Maryland State Programmatic General Permit (MDSPGP-5)		
	State Authorization	Federal Authorization
Category A	MDE	<ul style="list-style-type: none"> • MDE determined • MDSPGP downloadable
Category B	MDE	<ul style="list-style-type: none"> • US Army Corps-Baltimore determined • MDSPGP downloadable
Alternative	MDE	<ul style="list-style-type: none"> • US Army Corps-Baltimore • Individual Permit, Letter of Permission (Section 10)
Philadelphia District (Welch Point to Courthouse Point through to C&D Canal)	MDE	<ul style="list-style-type: none"> • US Army Corps-Philadelphia • Individual Permit, Letter of Permission, Nationwide Permit • May require individual WQC



MDSPGP-5 vs MDSPGP-6: Notable Changes

Activity	Category A	Additional Notes/Requirements
Piers	Allows for private floating piers;	<ul style="list-style-type: none">• No floating piers or auxiliary pier platforms shall be permitted in areas of mapped SAV shown on composite mapping of the five most recent years of verified SAV data (derived from VIMS aerial surveys).• Cat. A & B requirement – Piers must not extend more than 25% channelward of the width of the waterway measured from MHWL or edge of vegetated tidal wetlands.
Marina Reconfigurations	No add. Slips	<ul style="list-style-type: none">• Cat B – up to 2 additional slips, otherwise alternative review
Boat Ramp	Must not be placed in special aquatic sites, including wetlands, SAV, mudflats, sanctuaries and refuges, and riffle and pool complexes, etc.	<ul style="list-style-type: none">• Added the additional wording “SAV, mudflats, sanctuaries and refuges, and riffle and pool complexes, etc.



MDSPGP-5 vs MDSPGP-6: Notable Changes

Activity	Category A	Additional Notes/Requirements
Mooring Buoys	Not placed in, or within 25 feet of, areas mapped by the Virginia Institute of Marine Science to contain SAV within the previous five years of verified data.	<ul style="list-style-type: none">• No application required to MDE for non-commercial, single boat, private mooring buoys; must adhere to MD DNR restrictions.
Maintenance Dredging	No change	<ul style="list-style-type: none">• Cat. B allows for beneficial reuse• Cat. A – Mechanical only
New Minor Dredging	No change	<ul style="list-style-type: none">• Cat. B allows for beneficial reuse• Cat. A – Mechanical only



Living Shorelines/Beach Nourishment	<u>No SAV impact.</u> The total amount of vegetated wetlands which may be filled, graded, or excavated, in square feet, may not exceed 1 square foot per linear foot of the activity along the shoreline.	CAT B: <u>No specific limit on SAV impact, but must reduce impact to SAV as much as possible.</u> Tidal waters impact limited to 0.5 acre loss, but there can be no net loss of wetlands.
	No beneficial reuse of dredge material	<ul style="list-style-type: none">• CAT B: Allows for beneficial re-use of dredge material.
Temporary fills not removed within 12 months	No change	<ul style="list-style-type: none">• Reviewed as Cat. B



MDSPGP-5 vs MDSPGP-6: Notable Changes

Miscellaneous	
Self Certification Form	<ul style="list-style-type: none">• No Longer sent by MDE or Corps. Link on Corps website for applicant to download and report completion of project
Enforcement/Violations	<ul style="list-style-type: none">• Only those violations that exceed Cat. A thresholds are forwarded to the Corps. The Corps still retains discretion to request any ATF permit applications be forwarded



MDSPGP-6 Categorization

- ❑ Cat. A projects issued by MDE – MDSPGP Permit paperwork no longer attached to MDE License. Cover page indicates permit activities to download. Applicant must download the permit, the MDSPGP general conditions, and the activity specific conditions.

https://mde.maryland.gov/programs/Water/WetlandsandWaterways/Pages/MDSPGP6_conditions.aspx



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Application Process

- New JPA forms
- Modifications
- Resources
- Review common activities and the requirement(s) for JPA submission

Overview of Riparian Rights

Riparian rights

- Comar definition: Riparian rights means the rights of an owner of land bordering on tidal wetlands or waters of the State as recognized by Environmental Article, Title 16, Annotated Code of Maryland
- State Tidal Wetlands as defined by Comar: Riparian landowner means a property owner whose land borders on tidal wetlands or waters of the State
- Anyone owning waterfront property has riparian rights or access to the water (e.g building a pier)
- Land beneath the water channelward of MHW is state owned

What has changed in the JPA?

Property Owner Certification:

12. STATE CERTIFICATION AND FEDERAL PRIVACY ACT STATEMENT:

Application is hereby made for a permit or permits to authorize the work described in this application. 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 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 all permit(s) or license(s) 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.

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Programs of the Corps of Engineers, 33 CFR 320-332. Principal Purpose: Information provided on this JPA will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of a public notice. Submission of requested information is voluntary, however, if information is not provided, the permit application cannot be evaluated nor can a permit be issued.

All information, including permit applications and related materials, submitted to MDE may be subject to public disclosure consistent with the Maryland Public Information Act, §4-101 et seq., General Provisions Article of the Maryland Code.

I am the property owner/applicant and do not want to be contacted by MDE. All correspondence should occur with my authorized agent/principal contact designated in Section 3, located on the 1st page of this application. (By checking the box, you are acknowledging that you will not receive any correspondence directly from MDE.) I understand a copy of MDE's final decision regarding this application will be sent to me. This opt-out option does not apply to the U.S. Army Corps' correspondence, which will continue to be with the applicant/permittee.



RIPARIAN PROPERTY OWNER

MUST SIGN: _____

Date _____

Refer to the Application Contact Information section at the beginning of this instruction booklet regarding who is required to sign Block 12 of the JPA. For MDE, Block 12 must be signed by the property owner (Block 2 of the JPA) who must also be considered the applicant (Block 1 of the JPA). For the USACE review, the Alternative Signatures Form (Page A2) must be used when there is an applicant who is not also the property owner. The Alternative Signatures Form will be provided to USACE.

Homeowners Associations (HOA)

- Homeowners who have an HOA must now also notify the HOA via letter of any work through certified mail just like the contiguous property owners
 - Tip: Mail this letter shortly before you send your application to MDE
- HOA representative name and mailing address must be on the Contiguous Property Owner Form for Pier Licenses and Public Notice Billing Approval Form for Wetland Licenses in addition to the adjacent riparian property owners when applicable

Existing and Proposed Condition Plan Sheets

- Plan view should include the applicant's property and directly adjacent riparian properties clearly labeled with their name, site address, town/city, county, state, and zip code.
- Plan view should include all existing structures, including vegetated wetlands and SAV, on the applicant's property and adjacent riparian properties.
- Plan sheets should show parcel boundaries and ownership information for the riparian property as well as for adjoining properties. Property information, including waterfront status, may be found at <https://sdat.dat.maryland.gov/RealProperty/Pages/default.aspx>
- Plan view should depict the location of the proposed boat lift and the existing or proposed associated pilings with the pilings clearly labeled as existing or proposed.



<https://sdat.dat.maryland.gov/RealProperty/Pages/default.aspx>

Online resources



Online resources-Wetlands & Waterways home page

- Short form JPA
- Pre-application & pre-filing WQC requests
- Instructions & example plans
- Shore erosion control guidelines
- Buffer notification form & Buffer management plans
- SDAT Real property search
- Guidance for emergency repairs
- Public notices and hearings
- Interactive search portal
- Division directory





MARYLAND
Department of the Environment



Wetlands and Waterways Home

About Floodplains and Waterways

About Wetlands

Application Forms

Documents and Information

MD Wetland Conservation Plan

Wetlands and Waterways Permits
Interactive Search Portal

Laws and Regulations

Wetlands and Waterways Program

Wetlands provide important socio-economic benefits and ecosystem services such as storing and conveying flood waters, recharging groundwater, improving water quality by filtering and storing nutrients, and providing shoreline protection and critical habitat for a multitude of plant and animal species. The Maryland Department of the Environment's Wetlands and Waterways Program protects Maryland wetlands and waterways from loss and degradation. This protection is achieved through the regulation of the draining, dredging and filling of tidal and nontidal wetlands, the nontidal wetland buffer and waterways, including the nontidal 100-year floodplain through a permitting or authorization process implemented in close coordination with the federal government (specifically, the Army Corps of Engineers).

While there are some exemptions from permitting requirements for certain activities, permits or letters of authorization from the State are generally required if a property owner plans to undertake an activity that results in the draining of a wetland or the addition of fill materials to a State regulated wetland or waterway. Examples of activities which require permits from the Wetlands and Waterways Program include building a new pier, adding a platform or boat lift to an existing pier, dredging a boat slip, putting in a bulkhead, filling in a nontidal wetland or buffer for the construction of a structure such as a



State Application, Forms and Related Information

- [State Application Processing Procedures](#)
- [Joint Evaluation Meetings and Link to Form](#)
- [PreApplication Meetings and Link to Form](#)
- [Application Fee Schedules](#)
- [Applications and Forms](#)
- [Tidal Wetland Joint Federal/State Application for the Alteration of any Tidal Wetland in Maryland A.K.A. "Short Form" - Required for submission of all tidal applications effective March 31, 2018](#)
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Frequently Asked Questions

[View the Wetlands and Waterways FAQs](#)

Announcements

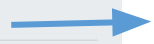




MARYLAND Department of the Environment



- Wetlands and Waterways Home
- About Floodplains and Waterways
- About Wetlands
- Application Forms
- Documents and Information
- MD Wetland Conservation Plan
- Wetlands and Waterways Permits Interactive Search Portal
- Laws and Regulations
- Mitigation
- Program Contacts



Applications, Forms and Guidance Documents for Permits, Approvals and Certifications

- Tidal Wetlands
- Nontidal Wetlands and Waterways
- Pre-Application and Pre-Filing Meeting information and forms
- Mitigation Bank Application
- Joint Evaluation Meeting information and forms
- Water Quality Certification (WQC) Request information
- Coastal Zone Management (CZM) information
- Maryland State Programmatic General Permit-6 MDSPGP-6 (effective October 1, 2021) from the Army Corps of Engineers website **New!**
 - Instructions for Permittee transitional coverage from MDSPGP-5 to MDSPGP-6 (PDF)
 - MDSPGP-6 General Conditions and Activity-Specific Conditions

List of MDE's Water and Science Administration Permits





- Wetlands and Waterways Home
- About Floodplains and Waterways
- About Wetlands
- Application Forms
- Documents and Information
- MD Wetland Conservation Plan
- Wetlands and Waterways Permits Interactive Search Portal
- Laws and Regulations
- Mitigation
- Program Contacts
- Frequently Asked Questions

Tidal Wetland Permits, Licenses and Certifications

(Permit Guide 3.18)

- **Effective July 1, 2008, all applicants for wetlands and waterways authorizations issued by the Wetlands and Waterways Program of the Maryland Department of the Environment and Tidal Wetlands licenses issued by the Board of Public Works, must pay an application fee.**
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 - Adjoining Property Owner and Appropriate Local Official Notification and Certification Form (Required for Pier Projects) (PDF)
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 - Appropriate Local Official Notification (Sample Letter) (PDF)
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 - Tidal Wetlands Checklist (PDF) - Information required for a complete application.





1



2

FOR AGENCY USE ONLY	ABBREVIATED JOINT FEDERAL / STATE APPLICATION FOR THE ALTERATION OF ANY TIDAL WETLAND AND/OR TIDAL WATERS IN MARYLAND	MDE Permit #:		
		Tracking #:		
MDSGP Category:	<input type="checkbox"/> Major <input type="checkbox"/> Minor <input type="checkbox"/> 240-day <input type="checkbox"/> 90-Day <input type="checkbox"/> MHT <input type="checkbox"/> WHD <input type="checkbox"/> PN	MDE AI #:		
This abbreviated application should only be used for projects that are eligible for federal authorization under the Maryland State Programmatic General Permit (MDSGP).			MDE Reviewer:	County:
Pre-Application Meeting Held? <input type="checkbox"/> with MDE <input type="checkbox"/> with USACE AID# (if given): _____			*MAILING INSTRUCTIONS LOCATED ON 2 ND PAGE OF THIS APPLICATION*	
Reviewer's Name(s): _____				
Applying for:	<input type="checkbox"/> Authorization <input type="checkbox"/> Modification	MDE APPLICATION REVIEW FEE REQUIRED: PLEASE REFER TO THE MDE WEBSITE: <i>http://mde.maryland.gov/programs/Water/WetlandsandWaterways/Documents/FeeSchedule.pdf</i>		
(Applicant will be copied on all correspondence, unless they opt out, BY INITIAL AND SIGNATURE, in Section 12)				
1. APPLICANT INFORMATION: <i>(Please note that the applicant is not the contractor/agent applying on behalf of a property owner)</i>				
Name: _____		Home Telephone: _____		
Address: _____		Email Address: _____		
City: _____	State: _____	Zip: _____		
2. PROPERTY OWNER INFORMATION: <i>(If different from the Applicant)</i>				
Name: _____		Home Telephone: _____		
Address: _____		Email Address: _____		
City: _____	State: _____	Zip: _____		
3. AUTHORIZED AGENT / PRINCIPAL CONTACT INFORMATION:				
Name: _____		Telephone: _____		
Address: _____		Email Address: _____		
City: _____	State: _____	Zip: _____		
4. CONTRACTOR INFORMATION <i>(If currently unknown, required to be provided to MDE's Tidal Wetland Division prior to construction of project)</i>				
Company Name: _____				
Principal Contact: _____		Email Address: _____		
Maryland Marine Contractor License #: _____		Telephone: _____		
5. PROJECT DESCRIPTION: <i>(Attach additional pages if necessary)</i>				





Wetlands and Waterways Home

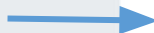


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About Floodplains and Waterways

About Wetlands

Application Forms



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- [Mitigation Bank Application](#)
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Documents and Information

MD Wetland Conservation Plan

Wetlands and Waterways Permits Interactive Search Portal

Laws and Regulations

Mitigation

[List of MDE's Water and Science Administration Permits](#)



[About Floodplains and Waterways](#)[About Wetlands](#)[Application Forms](#)[Documents and Information](#)[MD Wetland Conservation Plan](#)[Wetlands and Waterways Permits
Interactive Search Portal](#)[Laws and Regulations](#)[Mitigation](#)[Program Contacts](#)[Frequently Asked Questions](#)

Pre-Application Meetings

The Maryland Department of the Environment (MDE) believes that a PreApplication meeting is an excellent opportunity to find out what information is necessary to submit a complete application.

Experience shows that the submission of a complete application results in an expeditious review of a project, while an incomplete application often results in processing delays.

Meeting with a project manager, who is familiar with your area and knowledgeable about the regulatory process, prior to submitting an application helps identify informational requirements and potential pitfalls in the application review process. A PreApplication meeting highlights review procedures and provides guidance on the information necessary to advance the project, including the need for detailed engineering studies, natural resource assessments, and mitigation requirements.

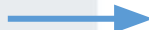
In addition, submitting the information requested in the PreApplication Form will help determine if your proposal is a major or minor project. MDE will also be able to provide you with an estimate of the processing time and costs, including application, processing, and impact fees, if required.

To schedule a PreApplication meeting for proposed activities in tidal wetlands, nontidal wetlands, or a nontidal waterway, including the 100-year nontidal floodplain, please go to the link below and complete and submit the PreApplication form. You will be contacted to set-up an appointment.

Pre-Application Meeting and Pre-Filing Meeting forms

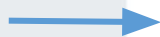
[Pre-Application Meeting request](#)

[Pre Filing Meeting request for Water Quality Certifications](#)





State Application, Forms and Related Information



- [State Application Processing Procedures](#)
- [Joint Evaluation Meetings and Link to Form](#)
- [PreApplication Meetings and Link to Form](#)
- [Application Fee Schedules](#)
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Frequently Asked Questions

[View the Wetlands and Waterways FAQs](#)

Announcements



[Wetlands and Waterways Home](#)[About Floodplains and Waterways](#)[About Wetlands](#)[Application Forms](#)[Documents and Information](#)[MD Wetland Conservation Plan](#)[Wetlands and Waterways Permits
Interactive Search Portal](#)[Laws and Regulations](#)[Mitigation](#)[Program Contacts](#)[Frequently Asked Questions](#)

Joint Evaluation Meeting

The [Joint Evaluation Meeting \(JE\)](#) is intended to provide a potential applicant on large, complicated or non-standard projects with informal regulatory feedback and is intended to help guide an applicant [towards submitting a complete application](#). The JE may also be used to provide the regulatory agencies with project updates as the application is being reviewed. The JE is not intended for the potential applicant to have the agencies “design” a project; the applicant should be prepared to present a proposed project design which should include several alternatives showing reduction and minimization.

JE is routinely attended by the following agencies: The Maryland Department of the Environment (MDE), the United States Corps of Engineers (CORPS), the Maryland Board of Public Works, The Maryland Critical Area Commission, the Maryland Department of Natural Resources, the United States Environmental Protection Agency, the United States Fish and Wildlife Service, the National Oceanic and Atmospheric Administration. Other agencies from local or municipal regulatory programs attend as necessary based on a project’s description. The applicant may invite other programs or agencies that they are interested in receiving feedback from based on the proposed project.

JE is not open to the general public. Only the potential applicant, agencies, and individuals specifically invited by the potential applicant or an agency are allowed.

What JE does not do:

- JE does not provide regulatory decisions.
- Comments provided during JE by the agencies are not decisional.
- JE does not provide project approval by the MDE or the CORPS based on the potential applicant’s



2022 JE MEETINGS

Meeting Date	Deadline for IF requests	Posting of IF agendas
January 26	January 17	January 18
February 23	February 14	February 15
March 30	March 21	March 22
April 27	April 18	April 19
May 25	May 16	May 17
June 29	June 20	June 21
July 27	July 18	July 19
August 31	August 22	August 23
September 28	September 19	September 20
October 26	October 17	October 18
November 30	November 21	November 22
December 21	December 12	December 13

To request a JE presentation time slot, please download the worksheet below and fill out and return the last page (per the directions) to the JE Coordinator (contact information below).

JE Coordinator contact:

Jonathan Stewart, Eastern Region Chief
MDE, Tidal Wetland Division
Jon.Stewart@maryland.gov
410-537-3059

 [Joint Evaluation Presentation Request Worksheet \(Word doc\)](#)



Wetlands and Waterways Home

About Floodplains and Waterways

About Wetlands

Application Forms

Documents and Information

MD Wetland Conservation Plan

Wetlands and Waterways Permits Interactive Search Portal

Laws and Regulations

Mitigation

Program Contacts

Frequently Asked Questions

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 - Shoreline Stabilization Factsheets
 - Coastal Wetlands of Maryland
 - Buffer Notification Form and Buffer Management Plans
 - Living Shoreline Waiver
 - Structural Shoreline Stabilization Map
 - Residential Dredging Fact Sheet
 - For property information, including waterfront status, please visit: [SDAT Real Property Search](#)



Wetlands and Waterways Home

About Floodplains and Waterways

About Wetlands

Application Forms

Documents and Information

MD Wetland Conservation Plan

Wetlands and Waterways Permits
Interactive Search Portal

Laws and Regulations

Mitigation

Program Contacts

Frequently Asked Questions

Instructions and Examples for Drawings of Tidal Projects



Instructional Booklet for JPA for Tidal Wetlands (ver 2017-10) (PDF)

Sample Activities Guidelines and Drawings Bundle (PDF)

Download Individual Guidelines and Drawings

- Boat Lift, Mooring Piles, and Platform Sample Plans
- Bulkhead Sample Plans
- Individual Homeowner Dredging Sample Plans
- Living Shoreline Sample Plans
- Pier Sample Plans
- Revetment Sample Plans

Living Shoreline Example Drawings

- Marsh Creation Adjacent to Eroding Bank
- Marsh Creation with Sill





1



2



3



4



INSTRUCTION BOOKLET for the Abbreviated Joint Federal/State Application for the Alteration of any Tidal Wetland and/or Tidal Waters in Maryland



Photo: Team SWAMP, University of Maryland

Maryland Department of the Environment
Wetlands and Waterways Program

Prepared by:



JPA Instruction booklet

- Fee schedules
- Guide and instructions for completing JPA
- Living shoreline waiver worksheet
- Sample activity guidelines and drawings





6



7



8



FEE SCHEDULE A			
-Fees are not additive; use the highest fee for the activity(ies) proposed- (If the proposed nontidal wetland and waterway activity is not listed in this table, then use FEE SCHEDULE C)			
NONTIDAL WETLAND AND WATERWAY PROJECTS			
ACTIVITY	ACTIVITY PARAMETERS	APPLICATION REQUIRED	APPLICATION FEE REQUIRED
Non-habitable structure (ex. driveways, decks, pools, sheds, or fences)	Permanent impacts \leq 1,000 square feet	YES	\$300.00
In-kind repair and replacement of existing infrastructure in nontidal wetlands (Infrastructure is defined as: the structures such as roads, bridges, culverts, utilities, etc. that supports the general public and do not meet the definition of a residential activity)		YES	\$500.00

FEE SCHEDULE B			
-Fees are not additive; use the highest fee for the activity(ies) proposed- (If the proposed tidal wetland activity is not listed in this table, then use FEE SCHEDULE C)			
TIDAL WETLAND PROJECTS			
ACTIVITY	ACTIVITY PARAMETERS	APPLICATION REQUIRED	APPLICATION FEE REQUIRED
Replacement Bulkhead	Replacement bulkhead is proposed \leq 18 inches channelward of the existing, functional ⁽¹⁾ bulkhead	YES	\$500.00
Platform and/or finger pier	Platform	YES	\$300.00 (To meet the application fee total area of all proposed platform(s) and finger pier(s) is \leq 200 square feet)
	Finger pier		
	Total area of all proposed platform(s) is \leq 200 square feet ⁽²⁾	$\leq 2^{(3)}$	



GUIDE AND INSTRUCTIONS FOR COMPLETING

The ABBREVIATED JOINT FEDERAL / STATE APPLICATION FOR THE ALTERATION OF ANY TIDAL WETLAND AND/OR TIDAL WATERS IN MARYLAND

The following instructions and information are designed to assist you in applying for permits or licenses from Federal and State agencies for work in tidal waters and/or tidal wetlands within the State of Maryland. The intent is to provide general information on the permit process, not to act as a complete legal and technical reference.

This Abbreviated Joint Permit Application (JPA) is used to apply for federal and State authorization under the Maryland State Programmatic General Permit (MDSPGP) for work in tidal waters of the U.S. (including tidal wetlands) from the Baltimore District U.S. Army Corps of Engineers and the Maryland Department of the Environment (MDE) within the State of Maryland.

Please refer to the current version of the United States Army Corps of Engineers (USACE) MDSPGP to determine the project limits and conditions that are eligible for authorization under the MDSPGP. Some activities that may be eligible to use the Abbreviated JPA include private piers, boat lifts, marina pier reconfiguration, boat ramps, maintenance dredging of previously authorized dredged areas, general maintenance activities, private landowner oyster gardening activities, toe protection for new or existing bulkheads, low-profile sills, and groins. Projects that do not meet the activity-specific impact limits and requirements of the current version of the MDSPGP must use the Standard Joint Permit Application.

New commercial* shellfish aquaculture activities** should use the Joint State/Federal Application for a Commercial Shellfish Aquaculture Lease and Federal permit. This is available for download at:

<http://dnr.maryland.gov/fisheries/Documents/Commercial-Shellfish-Lease-Application.pdf>

<http://www.nab.usace.army.mil/Missions/Regulatory/Aquaculture.aspx>

Instructions for the Commercial Shellfish Lease Application is available for download at:



29

30

31

32

LIVING SHORELINE WAIVER WORKSHEET

Project Site Address:			
City, State, Zip:			
	Existing Structure	Is the proposed project a replacement of a previously authorized, functional structure i.e. replacement bulkhead? If yes, then check the yes box and do not fill out the rest of the form.	<input type="checkbox"/> Yes (Waiver)
			<input type="checkbox"/> No
	Mapped Shoreline	Is the applicant's proposed project's shoreline mapped by MDE as an area appropriate for structural shoreline stabilization measures? If unknown, leave this section blank. If yes, then check the yes box and do not fill out the rest of the form.	<input type="checkbox"/> Yes (Waiver)
			<input type="checkbox"/> No
1	Navigation	Distance in feet from the Mean High Water Line to the centerline of the closest mapped or unmapped navigable channel.	
2	Width of Waterway	Distance in feet from Mean High Water Line of proposed project's shoreline perpendicular across the waterway to the Mean High Water Line on the opposite shoreline.	
3	Depth at Toe of Bank	Depth of the water in feet from the Mean Low Water Line to the bottom or toe of the shoreline bank.	
4	Depth of Waterway	Depth of water in feet relative to the Mean Low Water Line at 20-foot and 40-foot channelward of the Mean High Water Line at the proposed project's shoreline.	At 20 ft. At 20 ft.
5	Shoreline Orientation	A. Provide a compass direction perpendicular to the line of the proposed project's shoreline. Direction can be given as NE, SW, etc. or as a compass heading (i.e., 45°, 225°).	
		B. Is Bank grading or tree trimming required to provide at least six hours of daily sunlight.	
6	Fetch	Provide four measurements (in feet) of maximum unobstructed distance over open water for each compass quadrant (i.e., NE, SE, SW, NW) centered on the proposed project's location on the applicant's shoreline.	NW NE
			SW SE
7	Bottom Material	Firmness of bottom material in the proposed project's area of impact.	<input type="checkbox"/> Hard <input type="checkbox"/> Soft
		Type of bottom material in the proposed project's area of impact.	<input type="checkbox"/> Muck <input type="checkbox"/> Silt <input type="checkbox"/> Sand <input type="checkbox"/> Clay
			<input type="checkbox"/> Yes



SAMPLE ACTIVITY GUIDELINES AND DRAWINGS



Maryland Department of the Environment
Wetlands and Waterways Program
Tidal Wetlands Division

August 2013



32

33

34

35

Wetlands and Waterways Permits
Interactive Search Portal

Laws and Regulations

Mitigation

Program Contacts

Frequently Asked Questions

- [Short Form \(JPA_Short_Form.pdf\)](#)
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- [Tidal Wetlands Checklist \(PDF\)](#) - Information required for a complete application.

• **Additional Resources**

- [Instructions for Short Form and examples of drawings for tidal projects](#)
- [Shore Erosion Control Guidelines - Marsh Creation](#)
- [Shore Erosion Control Guidelines for Waterfront Property Owners - 2nd Edition](#)
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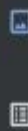
3



SHORE EROSION CONTROL GUIDELINES for Waterfront Property Owners

2nd Edition





4



5



6



TABLE OF CONTENTS

Page

- Executive Summary 3
- Preface 4
- Table of Contents 5
- Figures 6
- Introduction 7
- Maryland Shoreline Statistics and Characteristics 8
- Understanding Shore Erosion 8
- Erosion Rates 11
- Preliminary Considerations for Erosion Control of Your Waterfront
 - Property 12
 - Planning Considerations 12
 - Determining the Need for Shore Erosion Protection 12
 - Erosion Control Districts 12
 - Financial and Technical Assistance 13
 - Permit Requirements 13
 - Federal Permits 13
 - State Permits 14
 - How to Apply for Federal or State Permits 14
 - Environmental Impact 15
 - Cost Assessment 16
 - Design Criteria 16
 - Types of Erosion Control 16
 - Selection of Erosion Control Measure 16
 - No Action and Relocation 17
 - Non-Structural/Living Shoreline 17
 - Beach Nourishment 18
 - Slope Grading and Terracing 19
 - Marsh Establishment 21
 - Sand Containment Structures 34
 - Structural 35



Wetlands and Waterways Permits

Interactive Search Portal

Laws and Regulations

Mitigation

Program Contacts

Frequently Asked Questions

- [Short Form \(JPA_Short_Form.pdf\)](#)
- [Notice to Tidal Wetland Applicants on Publication of Proposed Project \(PDF\)](#)
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[General Information](#)[Development](#)[Buffer](#)[Stormwater Management](#)[Shore Erosion Control](#)[Forms](#)[Local Government Materials](#)[Compliance Contacts](#)[Commission Agenda](#)[Local Planner Training Information](#)[State Consultant Training Information](#)

Shore Erosion Control



Shore erosion control is an integrated process that impacts both aquatic and upland resources. An authorization from the Maryland Department of the Environment (MDE) and a permit from a local government are required prior to starting a project.

MDC's regulations require that a proposed Buffer Management Plan (BMP) and a Buffer Notification Form (BNF) be submitted as part of the shore erosion control application.

- [Buffer Notification Form](#)
- [Buffer Management Plan Checklist](#)
- [Buffer Management Plan for Offshore Work ONLY](#)
- [Buffer Management Plan for Bulkheads ONLY](#)
- [Buffer Management Plans for Revetments ONLY](#)
- [Buffer Management Plan for Living Shorelines](#)



Wetlands and Waterways Permits
Interactive Search Portal

Laws and Regulations

Mitigation

Program Contacts

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 - [Shoreline Stabilization Factsheets](#)
 - [Coastal Wetlands of Maryland](#)
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 - [Living Shoreline Waiver](#)
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MARYLAND DEPARTMENT OF ASSESSMENTS AND TAXATION

[Real Property Data Search \(\)](#)[Guide to searching the database](#)

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If you experience difficulties using this system try either Internet Explorer, Chrome or Firefox to complete a successful data search.

Select the county in which to search:



Select the search method to proceed:



NEWS AND IMPORTANT UPDATES:

- Register for the April 26th, 2022 Virtual Marine Contractor & Stakeholder Workshop **New!**
- **Stream Restoration** **New!**
- **New Guidance for Stream Restoration in Stream/Wetland Complexes** **New!**
- **Wetlands and Climate Change** **New!**
- **Maryland State Programmatic General Permit-6 MDSPGP-6 (effective October 1, 2021) from the Army Corps of Engineers website** **New!**
- **Instructions for Permittee transitional coverage from MDSPGP-5 to MDSPGP-6 (PDF)**
- **MDSPGP-6 General Conditions and Activity-Specific Conditions**
- **Guidance for Emergency Repairs for Damage Resulting from the October 30, 2021 Storm/High Tide Event (guidance issued November 3, 2021)**
- **Guidance for Emergency Repairs (general)** - To facilitate emergency actions/repairs which impact State-regulated water resources, the Maryland Department of the Environment ("MDE" or "the Department") highlights these established procedures for conducting emergency repairs under COMAR 26.17.04.06 (D) Construction on Nontidal Waters and Floodplains, 26.23.02.08 Nontidal Wetlands, COMAR 26.24 Tidal Wetlands, and COMAR 23.02.04.05C State Tidal Wetland Licensing Procedures.
- **Board of Public Works Regulation Update (PDF)**



Public Information



Public Notices and Hearings

Project Information

Abingdon Business Park BTC III I 95 Logistics Center LLC (CREG/Westcoast I, LLC)

202060606/22-WQC-0001, Request for Water Quality Certification: DEALE BEACH CITIZENS ASSOCIATION, 938 Main Street, Deale, Maryland 20751 and neighbors, have applied to construct one 75-foot long by 25-foot wide and one 85-foot long by 25-foot wide sand containment structures that are 2.8 feet above mean high water; and to fill and grade with 1300 cubic yards of sand along 175 feet of eroding shoreline and plant 8400 square feet of wetland vegetation all within 85-foot channelward from the mean high water line at an existing bulkhead. The purpose of the project is to prevent shoreline erosion and increase shoreline resilience. The proposed project is located within the tidal waters of the Chesapeake Bay along the shorelines of 953, 955, 957, and 959 Bay Drive, Deale, MD in Anne Arundel County. Public comments will be received through January 26, 2022. For more information or to provide comments, please contact Melissa McCanna at Melissa.McCanna@maryland.gov or at 410-537-4053.

DRG/WSSI Umbrella Mitigation Banking Instrument and Addendum #1 Lake Elkhorn Stream Mitigation Site - Public Comment Period Extended to February 23, 2022 New!

Video from the December 8, 2021 Virtual Public Hearing for the DRG/WSSI Umbrella Mitigation Banking Instrument and Addendum #1 - Lake Elkhorn

202161394/21-NT-0448: WFRRI FIN WSSC I I C. 522 Defense Highway, Annapolis, Maryland 21401. has





Wetlands and Waterways Home

About Floodplains and Waterways

About Wetlands

Application Forms

Documents and Information

MD Wetland Conservation Plan

Wetlands and Waterways Permits Interactive Search Portal

Laws and Regulations

Mitigation

Program Contacts

Frequently Asked Questions

Wetlands and Waterways Program

Wetlands provide important socio-economic benefits and ecosystem services such as storing and conveying flood waters, recharging groundwater, improving water quality by filtering and storing nutrients, and providing shoreline protection and critical habitat for a multitude of plant and animal species. The Maryland Department of the Environment's Wetlands and Waterways Program protects Maryland wetlands and waterways from loss and degradation. This protection is achieved through the regulation of the draining, dredging and filling of tidal and nontidal wetlands, the nontidal wetland buffer and waterways, including the nontidal 100-year floodplain through a permitting or authorization process implemented in close coordination with the federal government (specifically, the Army Corps of Engineers).

While there are some exemptions from permitting requirements for certain activities, permits or letters of authorization from the State are generally required if a property owner plans to undertake an activity that results in the draining of a wetland or the addition of fill materials to a State regulated wetland or waterway. Examples of activities which require permits from the Wetlands and Waterways Program include building a new pier, adding a platform or boat lift to an existing pier, dredging a boat slip, putting in a bulkhead, filling in a nontidal wetland or buffer for the construction of a structure such as a shed or the expansion or creation of a patio or driveway, and, creating a stream crossing or putting a utility pipeline under a stream.

The Wetlands and Waterways Program also provides Maryland-regulated floodplain and FEMA Floodplain information to the public. With climate change increasing precipitation, sea level rise and flooding in Maryland, protecting and restoring wetlands, waterways, and their buffers will be critical to securing a resilient future for Maryland's citizens and ecosystems. To learn more about MDE's Water and Science Administration's detailed climate adaptation goals and strategies please visit the [WSA Climate Change site](#).

NEWS AND IMPORTANT UPDATES:

- [Register for the April 26th, 2022 Virtual Marine Contractor & Stakeholder Workshop](#) **New!**



Wetlands And Waterways Permits Interactive Search Portal

- [Wetlands and Waterways Interactive Historic Portal \(pre October 2011\)](#)
- [Wetlands and Waterways Home](#)
- [Wetlands and Waterways Program Contacts](#)
- [eCollaboration Website \(Membership and Login required\)](#)
- [Watershed Resources Registry Map](#)

Enter or select search values in one or more search fields below or find on [Map](#)

Please note: Wild card characters are not supported in your search values but partial values are.
It may take around 30 seconds to return results

Licensee/Permittee:	<input type="text"/>	Site Address:	<input type="text"/>	Site City:	<input type="text"/>
Site Zip Code:	<input type="text"/>	Site County:	<input type="text" value="No Filter"/>		
Tracking Number:	<input type="text"/>	Auth. Num.:	<input type="text"/>		
Work Description:	<input type="text" value="No Filter"/>	Category Code:	<input type="text" value="No Filter"/>	Permit Type:	<input type="text" value="No Filter"/>
MDE Permit Status:	<input type="text" value="No Filter"/>	Restorative Type:	<input type="text" value="No Filter"/>		
Waterbody:	<input type="text"/>	Federal HUC:	<input type="text"/>	Eight Digit WS:	<input type="text"/>

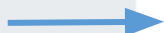
Application Received Date Range (use format "mm/dd/yyyy", including leading zeros is optional):

Beginning Date: ... End Date: ...



Announcements

- The Maryland Department of the Environment (MDE) and the Chesapeake Bay Trust [grant program](#) to provide funds for nontidal wetland restoration, creation, and enhancement projects throughout Maryland.
- Streamlining Rural Broadband projects: [User's Guide to Streamlining Protective Environmental Permitting & Securing Resource Access](#)
Guidance on navigating the broadband permitting process - developed by MDE, DNR, MDOT, MDP and DoIT
- Notice: Use of the new [JPA Tidal Short Form](#) is being required for submission of tidal applications effective March 31, 2018. ([JPA_Tidal_ShortForm_Notice_of_Use.pdf](#))
- [Notice of Intent to Revise Maryland's Nontidal Wetland Mitigation Regulations](#)
- [Requesting Feedback on Methodology to Revise Nontidal Wetland ILF Rates](#)
- [Best Management Practices for Working in Nontidal Wetlands, Wetland Buffers, Waterways, and 100 Year Floodplains](#)
- [Tidal Wetland Regulations for Living Shorelines](#)
- [Division Directory](#)
- Board of Marine Contractors information has been moved to the [Environmental Boards](#) page, near the bottom.





MARYLAND

Department of the Environment



Wetlands and Waterways Home

About Floodplains and Waterways

About Wetlands

Application Forms

Documents and Information

MD Wetland Conservation Plan

Wetlands and Waterways Permits
Interactive Search Portal

Laws and Regulations

Wetlands and Waterways Protection Program Directory

PROGRAM MANAGER

Heather Nelson, (410) 537-3528

DEPUTY PROGRAM MANAGER

David Seaborn, Ph.D., (410) 537-4465

NONTIDAL WETLANDS DIVISION

Amanda Sigillito, Division Chief, (410) 537 3766

Central Region: Anne Arundel, Baltimore, Calvert, Cecil, Charles, Harford, Prince George's, and St. Mary's Counties

Baltimore Office - Jeff Thompson, Regional Chief, (410) 537-3828

Mitigation Section - Kelly Neff, Mitigation Section Chief, (410) 537-4018



Questions?



Common Activities

Plan Requirements

Required Forms

Matt Wallach
Natural Resource Planner
Tidal Wetlands Division, MDE

Common Activities

- Boat Ramps
- Borings
- Dredging

- Piers
 - Residential
 - Commercial/Marinas
- Shoreline Protection
 - Living Shorelines
 - Beach Nourishment
 - Sills/breakwaters/Jetties/Groins
 - Revetments
 - Bulkheads

All Project Plan Set Requirements

Basic required plan sheets:

- Vicinity plan sheet
- Aerial plan sheet
- Existing conditions plan sheet
- Proposed Conditions plan sheet
- Cross section(s) plan sheet(s)

Basic requirements for all plan sheets:

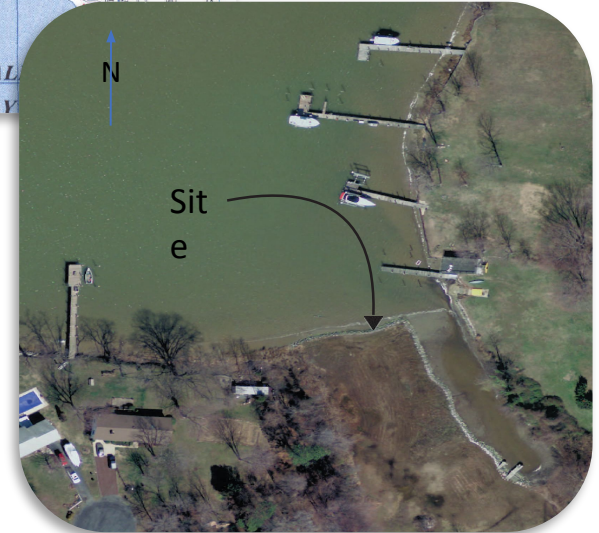
- 8.5 by 11 sheets of paper
- Black and White

You can find example plans and a checklist of plan requirements on our website:

https://mde.maryland.gov/programs/water/WetlandsandWaterways/PermitsandApplications/Pages/tidal_instructions.aspx

Vicinity and Aerial

- Site Location
- Appropriately scaled



Existing Plan Sheet

Example from the Living Shoreline Checklist:

Some Key features:

- Water Depths
- MHWL/MLWL
- North Arrow
- Name/Address
- Extended prop lines and setbacks
- Scale and/or dimensions

EXISTING CONDITION PLAN SHEET(S)

-
- Plan sheets should be on 8.5" x 11" paper, black and white, and single sided; Plans are to be legible and not cluttered; usable written or visual scale no smaller than 1" = 100' on existing plan sheets. All plan notes should be placed at the bottom of the page or on a separate page. The plan sheets should be numbered to reference the plan sheet in relation to the total number of plan sheets i.e. Page 1 of 3, Page 2 of 3, etc.
-
- Plan sheet should include the type of projects proposed by applicant i.e. living shoreline.
-
- Plan sheet should include the name of the applicant(s) and mailing address including the town/city, county, state, and zip code.
-
- Plan view should include the Mean High Water Line (MHWL) and the Mean Low Water Line (MLWL; referenced to 0.0 feet).
-
- Plan view should include water depths marked as either contours or spot depths that extend channelward a minimum of 100 feet channelward of the Mean High Water Line (MHWL) or 100 feet channelward of the channelward most proposed structure.
-
- Plan view should include the name of the waterway, North arrow, and direction of ebb/flow tide.
-
- Plan view should include the property lines (labeled) extended channelward.
-
- Plan view should include the linear feet of shoreline proposed to be impacted by construction of the living shoreline.
-
- Plan view should include the applicant's property and directly adjacent riparian properties clearly labeled with their name, site address, town/city, county, state, and zip code.
-
- Plan view should include all existing structures, including vegetated wetlands and SAV, on the applicant's property and adjacent riparian properties.
-

Proposed Plan Sheet

Example from the Pier Checklist:

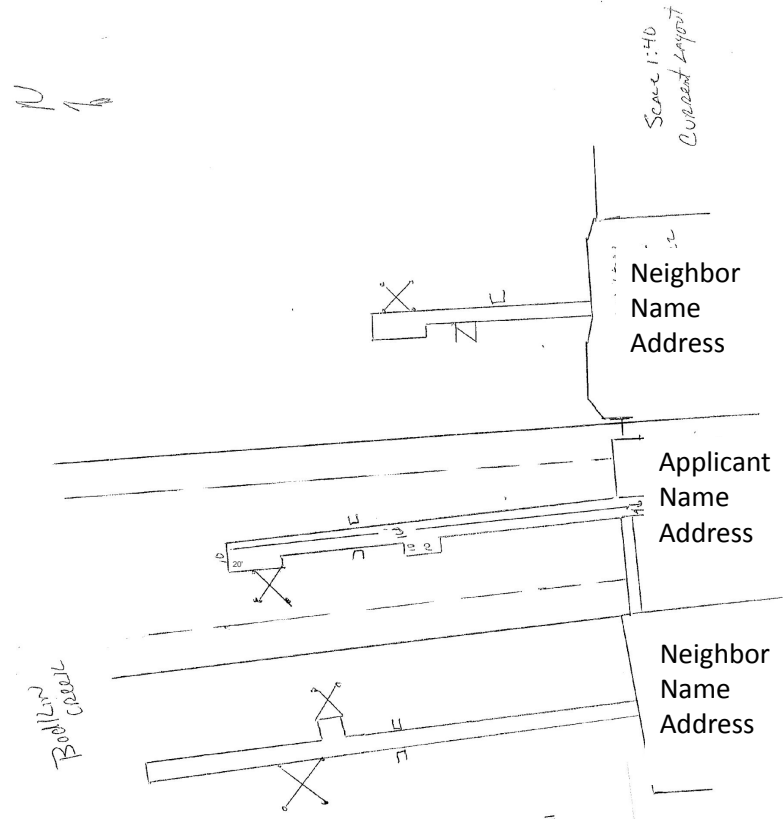
Some Key features:

- Water Depths
- MHWL/MLWL
- North Arrow
- Name/Address
- Extended prop lines and setbacks
- Scale and/or dimensions

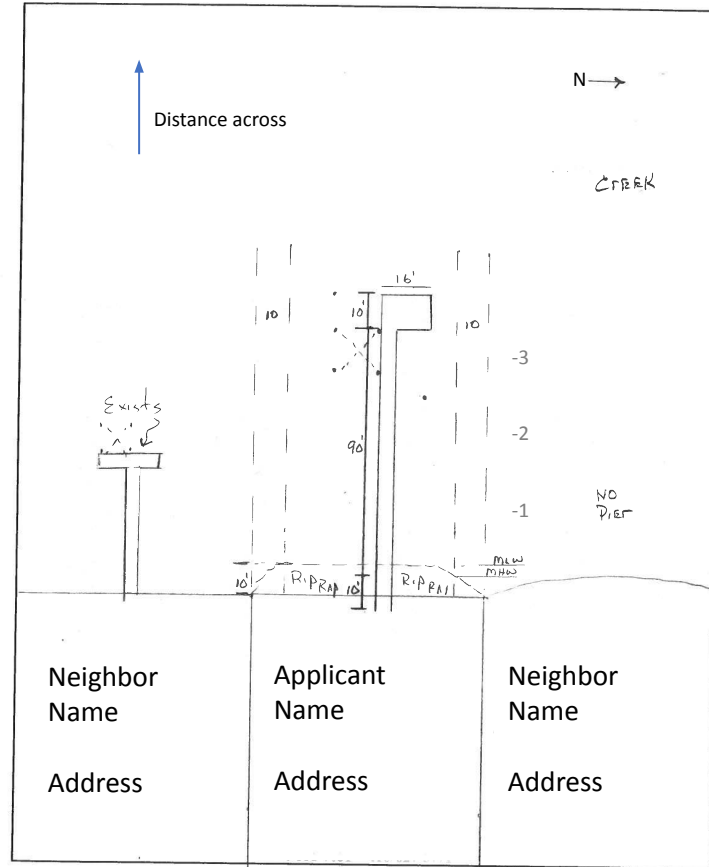
PROPOSED CONDITION PLAN SHEET(S)

-
- Plan sheets should be on 8.5" x 11" paper, black and white, and single sided; Plans are to be legible and not cluttered; usable written or visual scale no smaller than 1" = 50' on proposed plan sheets. All plan notes should be placed at the bottom of the page or on a separate page. The plan sheets should be numbered to reference the plan sheet in relation to the total number of plan sheets i.e. Page 1 of 3, Page 2 of 3, etc.
-
- Plan sheet should include the type of projects proposed by applicant i.e. pier, platform, mooring piles, and boat lift.
-
- Plan sheet should include the name of the applicant(s) and mailing address including the town/city, county, state, and zip code.
-
- Plan view should include the Mean High Water Line (MHWL) and the Mean Low Water Line (MLWL; referenced to 0.0 feet). *If the MHWL or the MLWL are to be altered during construction the proposed MHWL and MLWL should also be labeled.*
-
- Plan view should include water depths marked as either contours or spot depths that extend a minimum to the channelward extent of the proposed project.
-
- Plan view should include the name of the waterway, North arrow, and direction of ebb/flow tide.
-
- Plan view should include the property lines (labeled) extended channelward.
-
- Plan view should include the construction restriction set back lines extended channelward and labeled or if distance from the proposed project to the construction restriction set back line will not fit on the page using the allowable scale the distance to each construction restriction set back line from the proposed project should be indicated.
***Check with the county to determine the appropriate required set back distance for tidal wetland projects. In counties where no county set back is required, MDE requires a minimum of 10 feet or a variance from the county prior to issuance of a State license.**
-
- Plan view should depict the proposed pier and all proposed associated structures including the channelward distance from the MHWL to each structure.
-
- Plan view should depict proposed boat lift or PWC locations with an X connecting the boat lift piles. ***Please provide, as a separate plan sheet, a schematic, plan, or typical photograph showing the type of boat lift or PWC lift that is proposed.**
-

Existing Plan Sheet Example



Proposed Plan Sheet Example

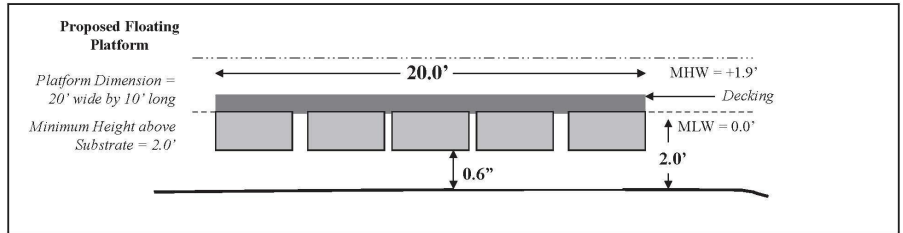
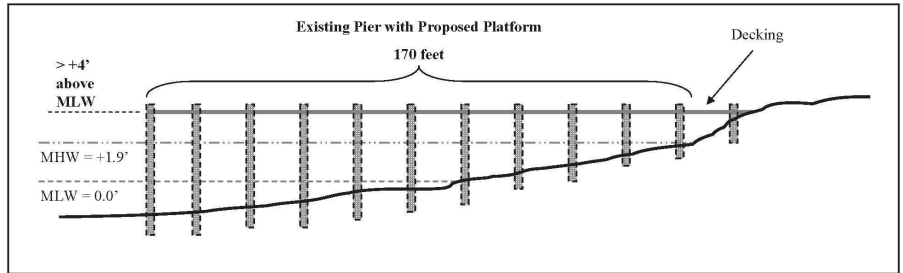


Cross Sections

All Structures need a cross section

General requirements:

- Piers: must show MLWL and height of pier over MLWL
- Floating Piers/platforms: must show flat at 2' MLW with 6" min between bottom of float and substrate
- Bulkheads: Must show the space between the old wall and new wall 18" max for a General License



Platform on Existing Pier Project

Proposed Project Cross-section for:
Applicant Name
Mailing Address, Town, County, State

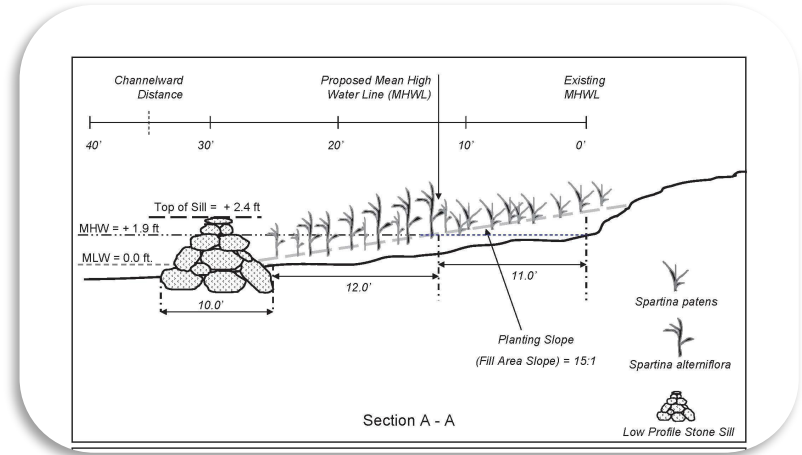
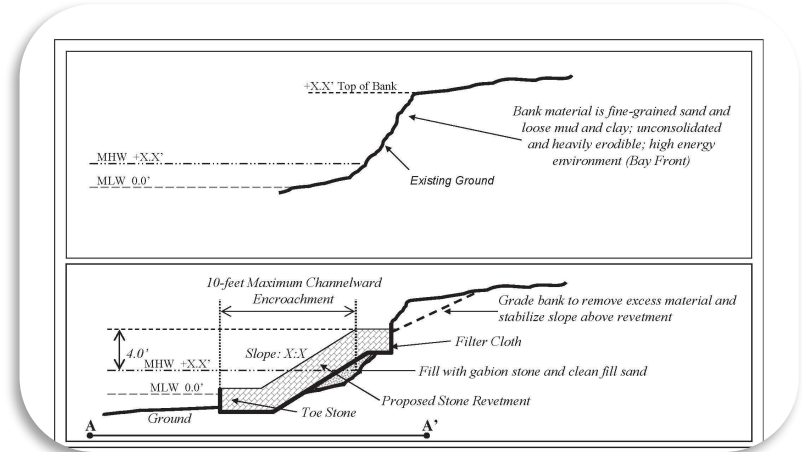
DATE, Page X of Y

Cross Sections Cont.

All Structures need a cross section

General requirements:

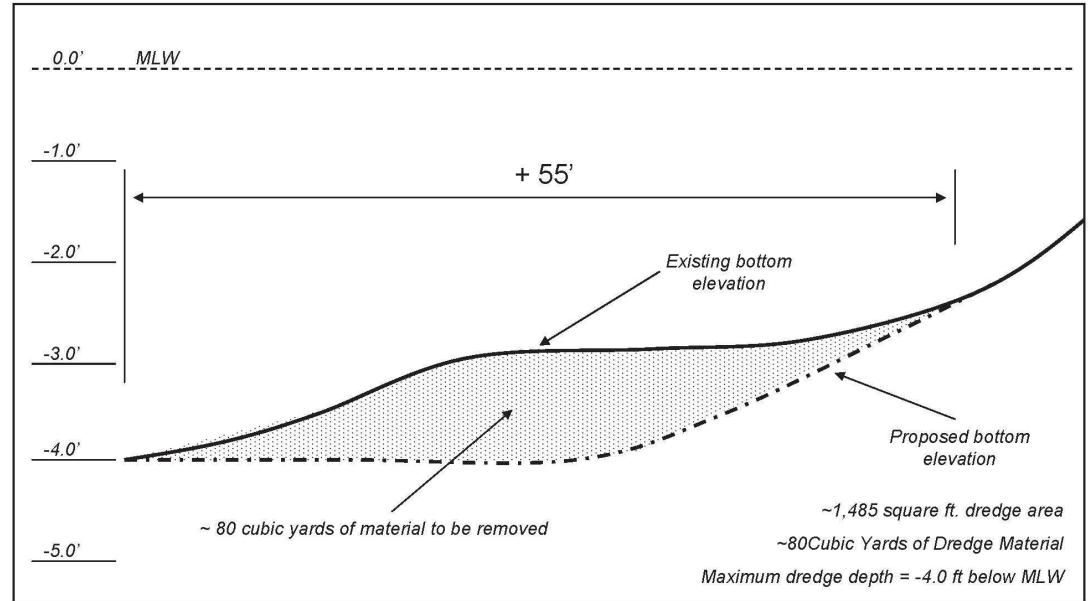
- **Revetment:** must accurately show where MHWL hits embankment (or bulkhead). Revetment is measured from MHWL.
- **Ramps.** must accurately show MHWL. Ramp measurements are calculated from MHWL. Must show MLWL and depth of ramp at MLW.
- **Beaches nourishment and living shoreline** should include square feet, cubic yards of fill.



Cross Sections Cont.

Dredging

- Existing depth in relation to MLW
- Proposed depth in relation to MLW
- Side slopes
- A dredging request is to not dredge 2 feet of sediment, it is to dredge a depth of -4 MLW



Piers

All pier work requires neighbor notification

*New Form
Active 2/2022*

**Adjoining Riparian Property Owner, Homeowners Association, and
Appropriate Local Official Notification Certification Form**
(COMAR 26.24.01.04C)

I have notified, in writing, and provided a copy of the application and plan(s) of my proposal to perform work in tidal wetlands to all riparian property owners adjoining to my property located at the address listed below. The property owners have been advised, in writing, that they have two weeks from the receipt of the application and plan(s) to direct any comments to the Maryland Department of the Environment.

In Person on _____
Date Delivered

By Certified Mail on _____
Date Delivered

My property is part of and/or subject to a Homeowners Association (HOA) and my proposed work may be subject to their review and approval. I have notified, in writing, and provided a copy of the application and plan(s) of my proposal to the HOA representative. If HOA approval is required, I have provided the approval to MDE as part of my application.

In Person on _____
Date Delivered

By Certified Mail on _____
Date Delivered

I have notified, in writing, and provided plans of my proposal to perform work in tidal wetlands to the Director of Planning in the County in which my project is located:

In Person on _____
Date Delivered

By Certified Mail on _____
Date Delivered

Project Site Riparian Owner and Address

(Name of Riparian Property Owner)

(Project Site Street Address)

(City, State, Zip Code)

Please list below all the contiguous riparian property owners notified. Attach additional pages if necessary.

Names	Addresses
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

(Riparian Property Owner Signature)

(Printed Name)

Shore Erosion Control

*All shore erosion control projects
Require:*

1) *Living Shoreline Waiver
Worksheet*

2) *Buffer Notification Form*

3) *Buffer Management Plan*

<https://dnr.maryland.gov/criticalarea/Pages/sec.aspx>

LIVING SHORELINE WAIVER WORKSHEET

Project Site Address:			
City, State, Zip:			
	Existing Structure	Is the proposed project a replacement of a previously authorized, functional structure i.e. replacement bulkhead? <i>If yes, then check the yes box and do not fill out the rest of the form.</i>	<input type="checkbox"/> Yes (Waiver) <input type="checkbox"/> No
	Mapped Shoreline	Is the applicant's proposed project's shoreline mapped by MDE as an area appropriate for structural shoreline stabilization measures? If unknown, leave this section blank. <i>If yes, then check the yes box and do not fill out the rest of the form.</i>	<input type="checkbox"/> Yes (Waiver) <input type="checkbox"/> No
1	Navigation	Distance in feet from the Mean High Water Line to the centerline of the closest mapped or unmapped navigable channel.	
2	Width of Waterway	Distance in feet from Mean High Water Line of proposed project's shoreline perpendicular across the waterway to the Mean High Water Line on the opposite shoreline.	
3	Depth at Toe of Bank	Depth of the water in feet from the Mean Low Water Line to the bottom or toe of the shoreline bank.	
4	Depth of Waterway	Depth of water in feet relative to the Mean Low Water Line at 20-foot and 40-foot channelward of the Mean High Water Line at the proposed project's shoreline.	At 20 Ft. <input type="text"/> At 40 Ft. <input type="text"/>
5	Shoreline Orientation	A. Provide a compass direction perpendicular to the line of the proposed project's shoreline. Direction can be given as NE, SW, etc. or as a compass heading (i.e., 45°, 225°). B. Is Bank grading or tree trimming required to provide at least six hours of daily sunlight.	
6	Fetch	Provide four measurements (in feet) of maximum unobstructed distance over open water for each compass quadrant (i.e., NE, SE, SW, NW) centered on the proposed project's location on the applicant's shoreline.	NW <input type="text"/> NE <input type="text"/> SW <input type="text"/> SE <input type="text"/>
7	Bottom Material	Firmness of bottom material in the proposed project's area of impact.	<input type="checkbox"/> Hard <input type="checkbox"/> Soft
		Type of bottom material in the proposed project's area of impact.	<input type="checkbox"/> Muck <input type="checkbox"/> Silt <input type="checkbox"/> Sand <input type="checkbox"/> Clay
	Sensitive Species	Will project construction adversely impact fish, plant, underwater vegetation, marsh, shellfish, wildlife habitat, or the area within 100 feet landward of the proposed project's shoreline? If unknown, leave this section blank.	<input type="checkbox"/> Yes (provide explanation and attach to this form) <input type="checkbox"/> No
	Site Access	A. Can the proposed project be constructed from the water?	<input type="checkbox"/> Yes <input type="checkbox"/> No
		B. Does the access to the site require any grading or trimming of vegetation?	<input type="checkbox"/> Yes <input type="checkbox"/> No
I certify that the information on this form is true and accurate to the best of my knowledge and belief.			
PROPERTY OWNER SIGNATURE: _____ DATE: _____			
PROPERTY OWNER NAME (PRINT): _____			
VER. 2017.10			

Additional Requirements

Dredging

All dredging projects require:

- 1) Disposal location with acceptance letter and plan sheet/aerial of the placement site.*
- 2) If placed on site for dewatering, then that location needs to be depicted on a plan sheet with the appropriate sediment control measures and an approved sediment and erosion control plan must be obtained from the County.*

Public Notice Billing Form

Department of the Environment
Water and Science Administration
Tidal Wetlands Division
1800 Washington Boulevard
Baltimore, Maryland 21230
(410) 537-3837

Protecting Maryland wetlands and waterways from loss and degradation

PUBLIC NOTICE BILLING APPROVAL FORM

If a project exceeds a Pier License (PR) or General License (GL), it will require a public notice and issuance of a Wetlands License (WL) from Board of Public Works (BPW). These can include:

- Revetments greater than 500 feet linear long or 10 feet channelward of the MHWL.
- Marsh creation projects greater than 500 feet long and 35 feet channelward of MHWL.
- Dredging projects greater than 1,500 square feet or result in the removal of more than 100 cubic yards of material.
- Jetties and groins further than 25 feet channelward of MHWL.
- New marinas and marina expansion.

I agree to pay all expenses associated with the publishing of a public notice for the wetland application of

_____ which is dated _____
(Riparian Property Applicant's Name)

Riparian Property Applicant's Signature

Printed Name of Riparian Property Owner

Applicant will be invoiced by MDE for the publication fee. As a convenience, MDE now accepts electronic invoice payments. The invoice will include instructions for online payment.

Riparian Property Owner's Billing Address:

Telephone No.:

Please provide the names and mailing addresses of the adjacent riparian property owners. If my property is part of and/or subject to an HOA (Homeowners Association), please provide the HOA representative and mailing address in addition to the adjacent riparian property owners:



Questions?

MDE website with links to the JPA and all of the previous forms and resources:

https://mde.maryland.gov/programs/water/WetlandsandWaterways/PermitsandApplications/Pages/tidal_instructions.aspx





Maryland
Department of
the Environment

Modifications

Melissa McCanna



Modifications

You have an authorization in your hands....

- Application and Fee: Most common changes
- Application, No Fee: Extend license expiration date, Locality-induced change
- No Application, No Fee: Administrative or minor changes



Modifications

You have an authorization in your hands....

Client has changed their mind is the most common.

- Formal application submission
 - 3 paper copies (instead of 7)
 - Application fee of \$250



Modifications

You have an authorization in your hands....

MODIFICATION

FOR AGENCY USE ONLY	ABBREVIATED JOINT FEDERAL / STATE APPLICATION FOR THE ALTERATION OF ANY TIDAL WETLAND AND/OR TIDAL WATERS IN MARYLAND	MDE Permit #: 22-GL-0001
MDSFGP Category: <input type="checkbox"/> Major <input type="checkbox"/> Minor <input type="checkbox"/> 240-day <input type="checkbox"/> 90-Day <input type="checkbox"/> MHT <input type="checkbox"/> WHD <input type="checkbox"/> PN		Tracking #: 202260000
This abbreviated application should only be used for projects that are eligible for federal authorization under the Maryland State Programmatic General Permit (MDSFGP).		MDE AI #: 343434
Pre-Application Meeting Held? <input type="checkbox"/> with MDE <input type="checkbox"/> with USACE <input type="checkbox"/> AI# (if given):		MDE Reviewer: [signature] County: AA
Reviewer's Name(s):		*MAILING INSTRUCTIONS LOCATED ON 2 ND PAGE OF THIS APPLICATION*
Applying for: <input type="checkbox"/> Authorization <input checked="" type="checkbox"/> Modification	MDE APPLICATION REVIEW FEE REQUIRED: PLEASE REFER TO THE MDE WEBSITE: http://mde.maryland.gov/programs/Water/WetlandsandWatersways/Documents/FeeSchedule.pdf	
(Applicant will be copied on all correspondence, unless they opt out, BY INITIAL AND SIGNATURE, in Section 12)		
1. APPLICANT INFORMATION: (Please note that the applicant is not the contractor/agent applying on behalf of a property owner)		
Name: John Doe	Home Telephone: 555-555-5555	
Address: 123 Main St	Email Address: john.doe@gmail.com	
City: _____	State: _____	Zip: _____
2. PROPERTY OWNER INFORMATION: (If different from the Applicant)		
Name: _____	Home Telephone: _____	
Address: _____	Email Address: _____	
City: _____	State: _____	Zip: _____
3. AUTHORIZED AGENT / PRINCIPAL CONTACT INFORMATION:		
Name: Agent Extraordinaire	Telephone: 444-444-4444	
Address: 456 Central Hwy	Email Address: best.agent.ever@gmail.com	
City: _____	State: _____	Zip: _____
4. CONTRACTOR INFORMATION (If currently unknown, required to be provided to MDE's Tidal Wetland Division prior to construction of project)		
Company Name: _____		
Principal Contact: _____	Email Address: _____	
Maryland Marine Contractor License #: _____	Telephone: _____	
5. PROJECT DESCRIPTION: (Attach additional pages if necessary) Install a 6'w x 40'L pier extension with 2 boat lift piles. Install 37'L x8'Wx4'H stone revetment channelward of bulkhead.		



Modifications

You have an authorization in your hands....

- Check the box at the top of the JPA.
- Highlight it is a Modification by writing it at the top

MODIFICATION

FOR AGENCY USE ONLY		ABBREVIATED JOINT FEDERAL / STATE APPLICATION FOR THE ALTERATION OF ANY TIDAL WETLAND AND/OR TIDAL WATERS IN MARYLAND				MDE Permit #: <u>22-GL-0001</u>					
						Tracking #: <u>202260000</u>					
MDSPGP Category:		<input type="checkbox"/> Major	<input type="checkbox"/> Minor	<input type="checkbox"/> 240-day	<input type="checkbox"/> 90-Day	<input type="checkbox"/> MHIT	<input type="checkbox"/> WHD	<input type="checkbox"/> PN	MDE AI #: <u>343434</u>		
This abbreviated application should only be used for projects that are eligible for federal authorization under the Maryland State Programmatic General Permit (MDSPGP).								MDE Reviewer: <u>[Signature]</u>		County: <u>AA</u>	
Pre-Application Meeting Held? <input type="checkbox"/> with MDE <input type="checkbox"/> with USACE				AI# (if given):				*MAILING INSTRUCTIONS LOCATED ON 2 ND PAGE OF THIS APPLICATION*			
Reviewer's Name(s):											
Applying for:		<input type="checkbox"/> Authorization								MDE APPLICATION REVIEW FEE REQUIRED: PLEASE REFER TO THE MDE WEBSITE: http://mde.maryland.gov/programs/Water/WetlandsandWaterways/Documents/FeeSchedule.pdf	
		<input checked="" type="checkbox"/> Modification									
(Applicant will be copied on all correspondence, unless they opt out, BY INITIAL AND SIGNATURE, in Section 12)											
1. APPLICANT INFORMATION: (Please note that the applicant is not the contractor/agent applying on behalf of a property owner)											
Name: <u>John Doe</u>					Home Telephone: <u>555-555-5555</u>						



Modifications

You have an authorization in your hands....

- Clearly state the proposed change on the first page of the application
- Original Project Description:

Principal Contact: _____	Email Address: _____
Maryland Marine Contractor License #: _____	Telephone: _____
5. PROJECT DESCRIPTION: (Attach additional pages if necessary) Install a 6'w x 40'L pier extension with 2 boat lift piles. Install 37'L x8'Wx4'H stone revetment channelward of bulkhead.	
6. PROJECT PURPOSE: (Check all that apply) <input type="checkbox"/> Improve Navigable Access <input type="checkbox"/> Shore Erosion Control <input type="checkbox"/> Fill <input type="checkbox"/> Reach Nourishment <input type="checkbox"/> Create/Improve Habitat <input type="checkbox"/> Erosion/Sediment Control <input type="checkbox"/> Marina	



Modifications

You have an authorization in your hands....

- Clearly state the proposed change on the first page of the application
- Original Project Description plus change:

Maryland Marine Contractor License #:	Telephone:
5. PROJECT DESCRIPTION: (Attach additional pages if necessary) Install a 6'w x 40'L pier extension with 2 boat lift piles. Install 37'L x 8'Wx4'H stone revetment channelward of bulkhead. <u>ADDITION/CHANGE: a 3'W x 15'L finger pier and 37'L bulkhead replacement @ 18" channelward</u>	
6. PROJECT PURPOSE: (Check all that apply) <input type="checkbox"/> Improve Navigable Access <input type="checkbox"/> Shore Erosion Control <input type="checkbox"/> Fill <input type="checkbox"/> Beach Nourishment <input type="checkbox"/> Create/Restore Habitat <input type="checkbox"/> Erosion/Sediment Control <input type="checkbox"/> Marine	



Modifications

You have an authorization in your hands....

- Plan set details
 - Vicinity map and aerial
 - Plan views, existing and proposed
 - Cross sections
- Keep in mind the final authorization will include ALL authorized activities



Modifications

You have an authorization in your hands....

- No real changes but want an **extension** to delay expiration
 - Submitted before expiration, no later than 2 weeks prior to expiration
 - Extension maximum is additional 3 years
- Formal application submission
 - 3 paper copies (instead of 7)
 - No Application fee



Modifications

You have an authorization in your hands....

Extension Request JPA

MODIFICATION			
FOR AGENCY USE ONLY	ABBREVIATED JOINT FEDERAL / STATE APPLICATION FOR THE ALTERATION OF ANY TIDAL WETLAND AND/OR TIDAL WATERS IN MARYLAND	MDE Permit #: 22-GL-0001	Tracking #: 20226000
MDSFGP Category:	<input type="checkbox"/> Major <input type="checkbox"/> Minor <input type="checkbox"/> 240-day <input type="checkbox"/> 90-Day <input type="checkbox"/> MHT <input type="checkbox"/> MHD <input type="checkbox"/> PN	MDE AI #: 343434	MDE Reviewer: <u>llm</u> County: <u>AA</u>
This abbreviated application should only be used for projects that are eligible for federal authorization under the Maryland State Programmatic General Permit (MDSFGP).		MDE Reviewer: <u>llm</u> County: <u>AA</u>	
Pre-Application Meeting Held? <input type="checkbox"/> with MDE <input type="checkbox"/> with USACE	AP# (if given):	*MAILING INSTRUCTIONS LOCATED ON 2 ND PAGE OF THIS APPLICATION*	
Reviewer's Name(s):			
Applying for: <input type="checkbox"/> Authorization <input checked="" type="checkbox"/> Modification	MDE APPLICATION REVIEW FEE REQUIRED: PLEASE REFER TO THE MDE WEBSITE: http://mde.maryland.gov/programs/Water/WetlandsandWaterways/Documents/FeeSchedule.pdf		
<i>(Applicant will be copied on all correspondence, unless they opt out, BY INITIAL AND SIGNATURE, in Section 12)</i>			
1. APPLICANT INFORMATION: (Please note that the applicant is not the contractor/agent applying on behalf of a property owner)			
Name: John Doe	Home Telephone: 555-555-5555		
Address: 123 Main St	Email Address: john.doe@gmail.com		
City: _____	State: _____	Zip: _____	
2. PROPERTY OWNER INFORMATION: (If different from the Applicant)			
Name: _____	Home Telephone: _____		
Address: _____	Email Address: _____		
City: _____	State: _____	Zip: _____	
3. AUTHORIZED AGENT / PRINCIPAL CONTACT INFORMATION:			
Name: Agent Extraordinaire	Telephone: 444-444-4444		
Address: 456 Central Hwy	Email Address: best.agent.ever@gmail.com		
City: _____	State: _____	Zip: _____	
4. CONTRACTOR INFORMATION (If currently unknown, required to be provided to MDE's Tidal Wetland Division prior to construction of project)			
Company Name: _____			
Principal Contact: _____	Email Address: _____		
Maryland Marine Contractor License #: _____	Telephone: _____		
5. PROJECT DESCRIPTION: (Attach additional pages if necessary)			
Install a 6'w x 40'L pier extension with 2 boat lift piles. Install 37'L x8'Wx4'H stone revetment channelward of bulkhead.			
EXTENSION REQUEST REASON: <u>Construction incomplete</u>			



Modifications

You have an authorization in your hands....

Extension Request JPA

4. CONTRACTOR INFORMATION (If currently unknown, required to be provided to MDE's Tidal Wetland Division prior to construction of project)

Company Name: _____

Principal Contact: _____ Email Address: _____

Maryland Marine Contractor License #: _____ Telephone: _____

5. PROJECT DESCRIPTION: (Attach additional pages if necessary)

Install a 6'w x 40'L pier extension with 2 boat lift piles. Install 37'L x 8'Wx4'H stone revetment channelward of bulkhead.

EXTENSION REQUEST REASON: *Construction incomplete*



Modifications

You have an authorization in your hands....

- Locality has required a change, i.e., correct extended property lines
- Formal application submission
 - 3 paper copies (instead of 7)
 - No Application fee



Modifications

You have an authorization in your hands....

- Changes that do not require full formal application or fee
 - Time of year restriction waiver request (send to DNR simultaneously)
 - Name or owner change
 - Dredge disposal plan change



Modifications

You have an authorization in your hands....

- Some common mistakes
 - Send a single plan sheet
 - Email to Plan Reviewer without sending to Regulatory Services
 - Expired authorization
 - Time of year waiver request only to DNR
 - Go to BPW administrator



Maryland
Department of
the Environment

**- LUNCH BREAK -
(45 minutes)**



Agenda

9:00 AM - Opening Remarks/Introductions (15 min)

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11:00 AM - Applications Process (1 hour)

12:00 PM - LUNCH BREAK (45 min)

12:45 PM - MCLB New Training Module & Legislation (30 min)

1:15 PM - Expedited Pier Process (XPR) (45 min)

2:00 PM - Shoreline Mapper (45 min)

2:45 PM - **FINAL QUESTIONS & CLOSING REMARKS**

COVID-19 Health Resources
Learn more from MD Department of Health

Marine Contractors

Home About MDE Air Land Water Marylander Permits Newsroom



MARYLAND Department of the Environment



Quick Links



Regulations

Public Health

Maryland Green Registry

Non-Discrimination and Grievance Process / Aviso de no discriminación y Proceso de quejas

Open MDE



WATER QUALITY TRADING

COVID-19 Resources

MDE COVID-19 Update

Governor's Office

Maryland Department of Health

U.S. Centers for Disease Control and Prevention

Notices and Alerts

- Shellfish Harvesting Advisory & Maps
Public Meeting Announcement - APG Restoration Advisory Board, 4/28/22
Back River Wastewater Treatment Plant

SEARCH RESULTS

Web Pages

Online Services

Publications

Maps

Tweets

Jobs

Open Data

Counties

News

Searching Web Pages within Environment matching "Marine Contractors"

Can't find what you're looking for? [Search all of Maryland.gov.](#)

Licensed Marine Contractors

<https://mde.maryland.gov/programs/water/.../LicensedMarineContractors.aspx>

Maryland Department of the Environment › programs › water › Pages › LicensedMarineContractors

Marine contractor services means construction, demolition, installation, alteration, repair, or salvage activities located in, on, over, or under State or ...

Maryland Marine Contractors Licensing Board

<https://mde.maryland.gov/programs/water/.../pages/marinecontractors.aspx>

Maryland Department of the Environment › wetlandsandwaterways › pages › marinecontractors

"Marine contractor services" means construction, demolition, installation, alteration, repair, or salvage activities located in, on, over, or under State or ...



Ask Agent Mary

[Wetlands and Waterways Home](#)[About Floodplains and Waterways](#)[About Wetlands](#)[Application Forms](#)[Documents and Information](#)[MD Wetland Conservation Plan](#)[Wetlands and Waterways Permits
Interactive Search Portal](#)[Laws and Regulations](#)[Mitigation](#)[Program Contacts](#)[Frequently Asked Questions](#)

MCLB Related Links

- [Marine Contractors Licensing Board \(MCLB\)](#)
- [Licensed Marine Contractors listings](#)
- [License Application Instructions](#)
- [Board Meeting Minutes](#)
- [MCLB Training Center](#)

Lists of Licensed Marine Contractors

Marine contractor services means construction, demolition, installation, alteration, repair, or salvage activities located in, on, over, or under State or private tidal wetlands. These activities include (1) dredging and filling; (2) the construction, demolition, installation, alteration, repair, or salvage of structures, including boathouses, boat or other personal watercraft lifts or ramps, slips, docks, floating platforms, moorings, piers, pier access structures, pilings, wetland observation platforms, wetland walkways, and wharfs; and (3) the construction, demolition, installation, alteration, repair, or salvage of stabilization and erosion control measures, including revetments, breakwaters, bulkheads, groins, jetties, stone sills, marsh establishments, and beach nourishment or other similar projects.

Research your Marine Contractor by [COMPANY NAME](#).

Research your Marine Contractor by [ZIP CODE](#).

Research your Marine Contractor by [CONTRACTOR NAME](#).

These lists are periodically updated by MDE's Tidal Wetlands Division. For inquiries concerning the licensing process, please contact the Board by calling 410-537-3249 or by email at mde.mclb@maryland.gov

Toll-Free: 1-800-633-6101 and then dial the extension 3249.

[About Wetlands](#)[Application Forms](#)[Documents and Information](#)[MD Wetland Conservation Plan](#)[Wetlands and Waterways Permits
Interactive Search Portal](#)[Laws and Regulations](#)[Mitigation](#)[Program Contacts](#)[Frequently Asked Questions](#)

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- [MCLB Training Center](#)

License Application Instructions

License Application Instructions: Licensing is a three-step process. The first step is to complete and submit the entity or individual license application form based on the information guide. The second step is to pay a study manual/test fee of (\$75), and take the marine contractor license test. The third step is to pay the license fee once you pass the test. License fees are \$550 for a two-year license.

Application Instructions:

Complete and submit the Marine Contractor License Application Form. Please refer to the Information Guide Below for help in filling out the form.

- [Marine Contractor License Application Form \(Entity\)](#)
- [Marine Contractor License Application Form \(Individual\)](#)
- [License Application Information Guide](#)
- [License **Renewal** Application and Information **New!**](#)

Print the form from the link above or request a license application form by mail from the address below or contact the Board at 410-537-3249 or 1-800-633-6101, ext. 3249.

Mail the completed form to:

Marine Contractors Licensing Board
c/o Maryland Department of the Environment
1800 Washington Boulevard, Suite 430
Baltimore, Maryland 21230

Marine Contractor License Application Test

***Note: Applicants will be advised of the location upon approval of the application.**

Please be advised that Licenses will not be considered complete until your fee has been received. Once all fees have been paid, then the license will be sent to the licensee.

****Note: If the license fee is not paid within 90 days of testing, the applicant will be required to start the application process again, including testing.**



Agenda

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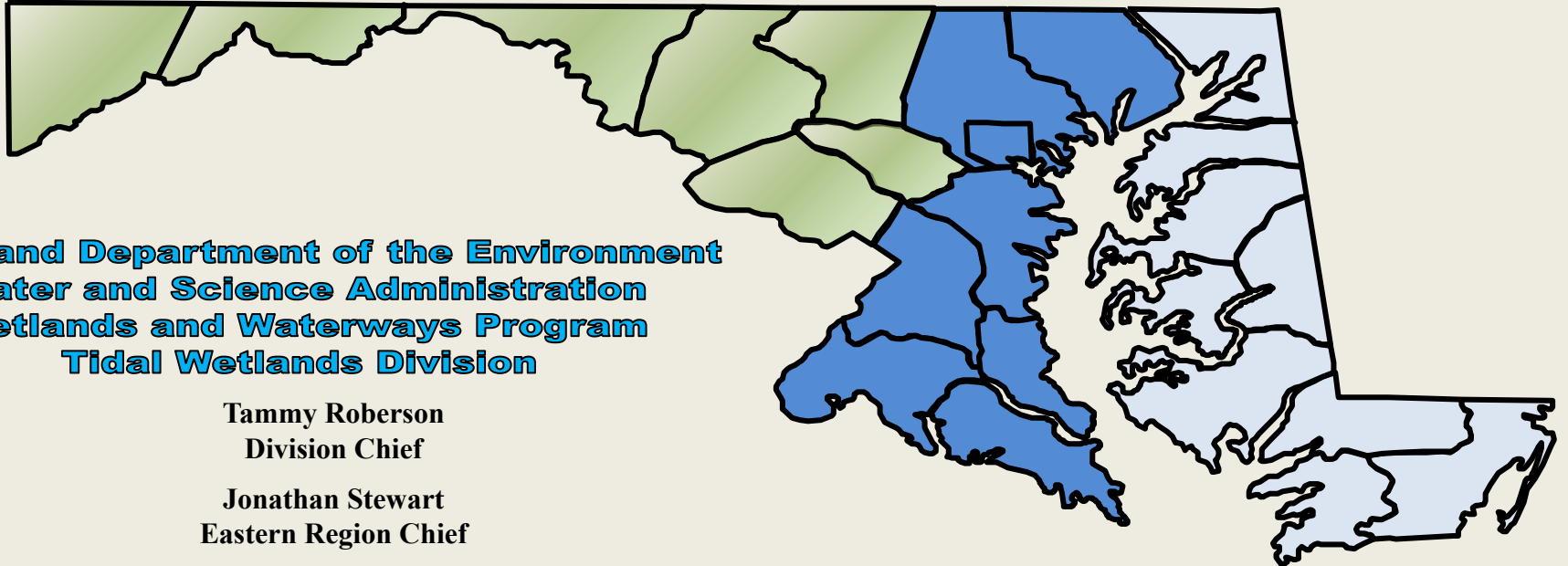
2:00 PM - Shoreline Mapper (45 min)

2:45 PM - **FINAL QUESTIONS & CLOSING REMARKS**



Maryland
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the Environment

Expedited Pier Permit



Maryland Department of the Environment
Water and Science Administration
Wetlands and Waterways Program
Tidal Wetlands Division

Tammy Roberson
Division Chief

Jonathan Stewart
Eastern Region Chief



Maryland
Department of
the Environment

Pier Permits – Expedited Process

Starting May 1, 2022



Maryland
Department of
the Environment

Pier applications that meet the criteria under 26.24.04.02A are processed through an expedited review and License issuance

Criteria for an application to be issued within the expedited process:

- Fixed private piers and associated structures such as platforms, boat hoists or lifts, mooring piles, and osprey poles.
 - Application screening indicates no potential effects to sensitive species or cultural resources.
 - Complete plans are attached.
 - Complete Expedited Form
 - The required fee has been submitted.
 - Meets the Category A conditions within the MDSPGP-6
-

Request for Expedited Pier License ("XPR")
FOR FIXED PIER AND ASSOCIATED PIER STRUCTURE PROJECTS ONLY

- 1) Please complete and sign the [*Joint Federal/State Application for the Alteration of Any Tidal Wetland in Maryland*](#)
- 2) Submit application fee as required in the [*Wetlands and Waterways Program Application Fee Schedule and Guidelines*](#)
- 3) Complete and attach the [*Contiguous Property Owner and Appropriate Local Official Notification Certification Form*](#)
- 4) Complete and attach plans in accordance with the [*Sample Activity Guidelines and Drawings for Piers*](#)
- 5) Please complete and sign this Request Form and submit it with your [*Joint Federal/State Application for the Alteration of Any Tidal Wetland in Maryland*](#)

This expedited license is only for fixed private piers and associated structures such as platforms, boat hoists or lifts, mooring piles, and osprey poles which meet the criteria below may qualify for an expedited license issued from MDE if local authorization has been granted, if applicable. If the project meets the criteria, and if application screening indicates no potential effects to sensitive species or cultural resources, you will receive an expedited license. You can not start work until receiving the license.

Property owners must comply with all Federal, State, and local requirements and regulations, including the State of Maryland's Chesapeake Bay Critical Area criteria where applicable, pertaining to construction and installation of structure(s). Any structure(s) installed shall be constructed in such a manner to comply with local (County or City) setback requirements, so as not to obstruct ingress and egress from adjacent properties.

If the authorized work is not performed by the property owner, all regulated work shall be conducted by a marine contractor licensed by the Marine Contractors Licensing Board (MCLB) in accordance with Title 17 of the Environment Article of Annotated Code of Maryland. A list of licensed marine contractors may be obtained by contacting the MCLB at 410-537-3249, by e-mail at MDE.MCLB@marland.gov or by accessing the Maryland Department of the Environment, Environmental Boards webpage.

Please note that if your project does not meet the criteria of an Expedited Pier License, the application will be assigned to a reviewer and processed according to applicable review timeframes.



XPR Criteria

Pier Structures

- One fixed pier per property (no floating piers)
- Six mooring piles or less, creating no more than four boat slips/two PWC slips
- MAX two Osprey poles
- MAX two finger piers – max 3-feet wide
- Boat lifts in a minimum of 2 feet of water at MLW

Pier Widths

- 6-foot width or less – main pier over open water
- 3-foot width or less – pier over vegetated wetlands
- 3 feet above substrate

Platforms

- Not located over vegetated wetlands
- Not located within the landward 50% of pier
- MAX of 200 square feet

Other:

- Pier not within 100 feet of approved DNR ski course
- Meets local setback requirements – no variance required
 - Minimum 10 feet if no local setback
- Channelward Extent:
 - 100 feet of the mean high water line or 25% of the width of the waterway, whichever is less
 - Tide flow is not obstructed



XPR Required Documents

Must Submit:

- JPA
- Signed copy of Expedited Pier Form (XPR)
- Complete plans
- Required application fee

Work Description:

(Please provide all requested information for each proposed structure)

Structure Type	Number	Length (sq. ft.)	Width (sq. ft.)	Area (sq. ft.)	Height Above MLW (ft.)	Maximum Extent Channelward (ft.)
Pier	n/a					
Platform (Fixed <input type="checkbox"/> or Floating <input type="checkbox"/>)	n/a					
Finger Pier (Max 2)	1					
	2					
Pile(s) (Max 6)		n/a	n/a	n/a	n/a	
Osprey Pole(s) (Max 2)		n/a	n/a	n/a	n/a	
Hoist/Lift (including support piles; maximum of 6 lifts total with no more than 4 boat lifts)	1 <input type="checkbox"/> Boat or PWC			n/a	n/a	
	2 <input type="checkbox"/> Boat or PWC			n/a	n/a	
	3 <input type="checkbox"/> Boat or PWC			n/a	n/a	
	4 <input type="checkbox"/> Boat or PWC			n/a	n/a	
	5 <input type="checkbox"/> PWC			n/a	n/a	
	6 <input type="checkbox"/> PWC			n/a	n/a	

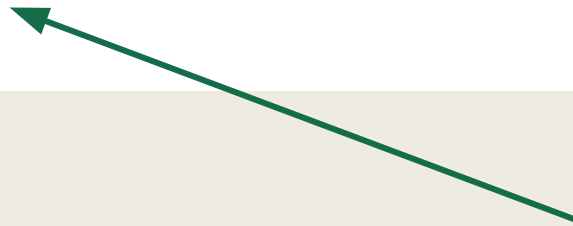
Work Description:

- Table must be complete and accurate.
- Must match the complete plans

I have read and understand the criteria set forth in this XPR Request Form and that my project will be completed in accordance with the conditions set forth herein and as described in the JPA. I certify that the information on this form and on the attached plans and specifications is true, accurate, and complete to the best of my knowledge and belief. I will abide by the conditions of all permit(s) or license(s) if issued and will not begin work without the appropriate authorization.

Signature _____

Date _____



Must be signed by the riparian property owner



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Acknowledgement Letter sent to applicant/agent/contractor will have the following language:

“If the project is a pier it may qualify for an MDE Expedited Pier License if certain criteria are met. The proposed project is considered a Category A project under the Army Corps of Engineers (USACE) Maryland State Programmatic General Permit-6 (MDSPGP-6).”

No 45-day letter required

Data entry completed and Expedited PR issued



License Language & Conditions

PURSUANT TO THE AUTHORITY OF THE BOARD OF PUBLIC WORKS, TITLE 16 OF THE ENVIRONMENT ARTICLE, ANNOTATED CODE OF MARYLAND, AND CODE OF MARYLAND REGULATIONS 26.24 AND 23.02.04, **APPLICANT** (“LICENSEE”) IS AUTHORIZED BY THE WATER AND SCIENCE ADMINISTRATION (“ADMINISTRATION”) TO CONDUCT THE FOLLOWING REGULATED ACTIVITY IN STATE TIDAL WETLANDS, IN ACCORDANCE WITH THE CONDITIONS OF THIS LICENSE AND THE **ATTACHED SUBMITTED PLANS** DATED _____, AND APPROVED BY THE ADMINISTRATION’S TIDAL WETLANDS DIVISION, AND INCORPORATED HEREIN AS **IDENTIFIED ON THE REQUEST FOR EXPEDITED PIER LICENSE (“XPR”) FORM.**

SPECIAL CONDITIONS

1. This authorization does not allow any injury to the property or rights of others.
2. The Licensee shall remove any existing pier and associated structures prior to the commencement of the construction of a new pier.
3. The Licensee shall have all work proposed above MHW reviewed and authorized by the County or municipality as applicable.
4. The total platform area shall not exceed 200 square feet.
5. The Licensee shall construct the pier, platform, and associated structures from the uplands, open water, or the structure itself wherever possible. Marsh mats shall be used if any equipment or materials are placed in vegetated wetlands.
6. The Licensee shall not attach accessory platforms to any existing or proposed boat lifts.
7. The Licensee shall not stockpile any material in State or private tidal wetlands.
8. The existing or authorized pier shall not compromise more than a maximum of 6 slips, lifts, or hoists inclusive of a maximum of six mooring piles with no greater than 4 boat slips, lifts, or hoists.



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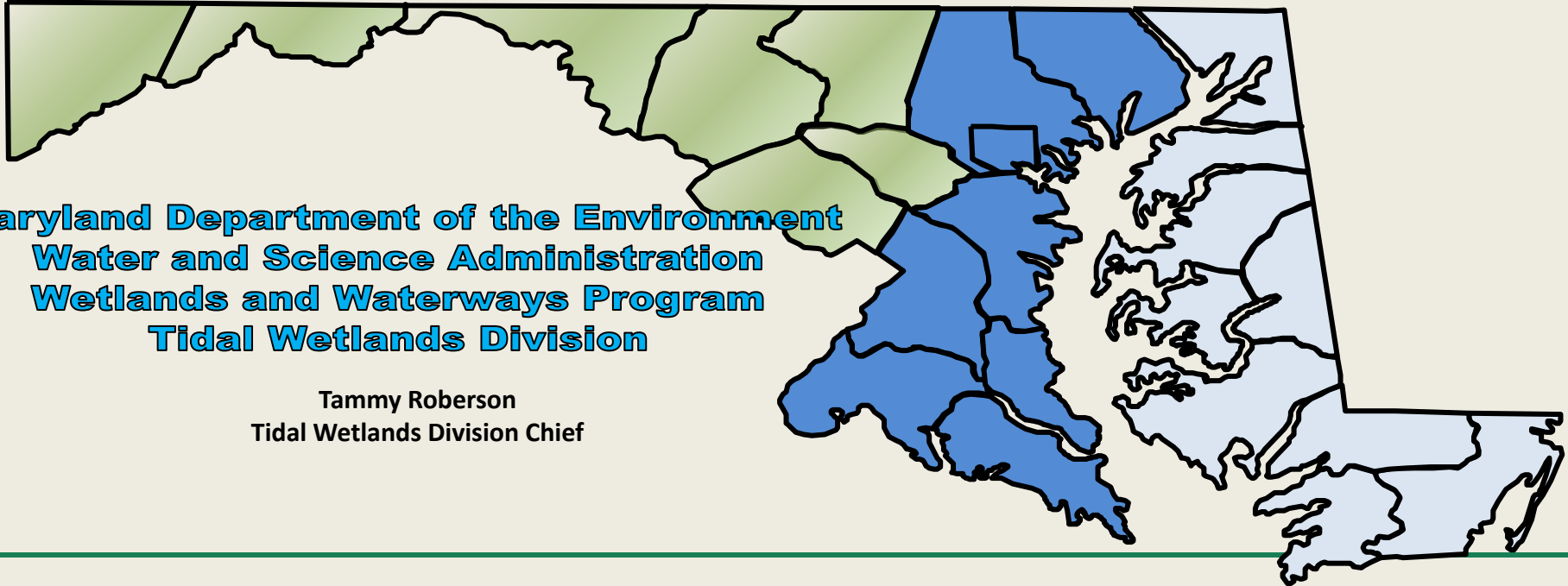
2:00 PM - **Shoreline Mapper (45 min)**

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Maryland
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Maryland Shoreline Stabilization Mapper



Maryland Department of the Environment
Water and Science Administration
Wetlands and Waterways Program
Tidal Wetlands Division

Tammy Roberson
Tidal Wetlands Division Chief



Living Shorelines Protection Act

- Dominated by tidal wetlands vegetation and designed to preserve the natural shoreline, minimize erosion and establish aquatic habitat
- May obtain a waiver to the requirement:
 - Shoreline is mapped as an area appropriate for structural shoreline stabilization measures
 - Living Shoreline Waiver Request
 - DNR's Chesapeake & Coastal Services / Coastal Engineer





Current Structural Shoreline Stabilization Maps





NEW Shoreline Stabilization Mapper (MSSM)

Need for more refined maps

VIMS developed a tool funded by EPA where the model output delineates areas suitable for LS and areas where waivers are appropriate





Shoreline Stabilization Mapper (MSSM)



Maryland Shoreline Stabilization Mapper (MSSM)



Map

Glossary

Getting Started

Welcome to the Maryland Shoreline Stabilization Mapper (MSSM)

Disclaimer: The Mapping Services provided herein are for reference only. The user of this information understands and acknowledges that the map data may be inaccurate or contain errors or omissions, and the user assumes the full responsibility for any risks or damages resulting from any use of or reliance upon this data. Maryland Department of the Environment (MDE), the Center for Coastal Resources Management (CCRM) at the Virginia Institute of Marine Science (VIMS), and their Agents or Affiliates do not guarantee the accuracy or reliability of the data generated from this service.

Use of the mapping tool is strongly encouraged for preliminary planning purposes, however, its use does not guarantee the approval of any authorization or shoreline project. Please contact the MDE Tidal Wetlands Division at (410) 537-3837 for coordination on specific projects.

This project has been funded wholly or in part by the United States Environmental Protection Agency under assistance agreements. The contents of this document do not necessarily reflect the views and policies of the Environmental Protection Agency, nor does the EPA endorse trade names or recommend the use of commercial products mentioned in this document.



I agree to the above terms and conditions

OK



Questions?

