

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

**FOR AGENCY USE ONLY**

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

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- Please submit 1 original and 6 copies of this form, required maps and plans to the Wetlands and Waterways Program as noted on the last page of this form.
  - Any application that is not completed in full or is accompanied by poor quality drawings may be considered incomplete and result in a time delay to the applicant.

Please check one of the following:

RESUBMITTAL: \_\_\_\_\_ APPLICATION AMENDMENT: \_\_\_\_\_ MODIFICATION TO AN EXISTING PERMIT: \_\_\_\_\_  
JURISDICTIONAL DETERMINATION ONLY: \_\_\_\_\_ APPLYING FOR AUTHORIZATION  X   
PREVIOUSLY ASSIGNED NUMBER (RESUBMITTALS AND AMENDMENTS) \_\_\_\_\_

DATE  April 29, 2020

**1. APPLICANT INFORMATION:**

**APPLICANT NAME:**

A. Name:  Mr. Garth E. Jones, P.E.  B. Daytime Telephone:  (302) 213-7455   
C. Company:  Chesapeake Utilities  D. Email Address:  gjones@chpk.com   
E. Address:  500 Energy Lane, Suite 100   
F. City:  Dover  State:  Delaware  Zip:  19901

**AGENT/ENGINEER INFORMATION:**

A. Name:  N/A  B. Daytime Telephone: \_\_\_\_\_  
C. Company: \_\_\_\_\_ D. Email Address: \_\_\_\_\_  
E. Address: \_\_\_\_\_  
F. City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**ENVIRONMENTAL CONSULTANT:**

A. Name:  Mr. Justin Weber  B. Daytime Telephone:  (443) 257-5571   
C. Company:  Geo-Technology Associates, Inc.  D. Email Address:  jweber@gtaeng.com   
E. Address:  3445-A Box Hill Corporate Center Drive   
F. City:  Abingdon  State:  Maryland  Zip:  21009

**CONTRACTOR (If known):**  To be determined

A. Name: \_\_\_\_\_ B. Daytime Telephone: \_\_\_\_\_  
C. Company: \_\_\_\_\_ D. Email Address: \_\_\_\_\_  
E. Address: \_\_\_\_\_  
F. City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**PRINCIPAL CONTACT:**

A. Name:  Mr. Justin Weber (see above)  B. Daytime Telephone: \_\_\_\_\_  
C. Company: \_\_\_\_\_ D. Email Address: \_\_\_\_\_  
E. Address: \_\_\_\_\_  
F. City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**2. PROJECT DESCRIPTION**

**a. GIVE WRITTEN DESCRIPTION OF PROJECT:**

The Applicant proposes the installation of approximately 10.75 miles of 6-inch diameter buried natural gas pipeline, extending from the intersection of Merser Road and U.S. Route 13 southwest to the intersection of U.S. Route 13 and Revells Neck Road, in the Princess Anne area of Somerset County, Maryland.

Has any portion of the project been completed?  Yes  No If yes, explain \_\_\_\_\_

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

Will there be temporary or permanent tree clearing occurring on the overall project site (i.e., uplands and wetlands), including but not limited to, tree clearing for site development, road/highways, utilities, mining, stormwater management, restoration, energy production and transmission, etc.)?  Yes  No  
 If yes, total estimated acres of tree clearing for the overall project site: \_\_\_\_\_ acres

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

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

Area for item(s) checked: Wetland \_\_\_\_\_ (sq. ft.) Buffer (Nontidal Wetland Only) \_\_\_\_\_ (sq. ft.)  
 Expanded Buffer (Nontidal Wetland Only) \_\_\_\_\_ (sq. ft.)

Area of stream impact 140 (sq. ft.)  
 Length of stream affected 140 (linear feet)

**c. TYPE OF PROJECTS:** Project Dimensions

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

	Length (Ft.) 1	Width (Ft.) 2	Area (Sq. Ft.) 3	Maximum/Average Channelward Encroachment 4	Pond Depth 5	Volume of fill/dredge material (cubic yards) below MHW or OHW 6
A. <input type="checkbox"/> Bulkhead	_____	_____	_____	_____	_____	_____
B. <input type="checkbox"/> Revetment	_____	_____	_____	_____	_____	_____
C. <input type="checkbox"/> Vegetative Stabilization	_____	_____	_____	_____	_____	_____
D. <input type="checkbox"/> Gabions	_____	_____	_____	_____	_____	_____
E. <input type="checkbox"/> Groins	_____	_____	_____	_____	_____	_____
F. <input type="checkbox"/> Jetties	_____	_____	_____	_____	_____	_____
G. <input type="checkbox"/> Boat Ramp	_____	_____	_____	_____	_____	_____
H. <input type="checkbox"/> Pier	_____	_____	_____	_____	_____	_____
I. <input type="checkbox"/> Breakwater	_____	_____	_____	_____	_____	_____
J. <input type="checkbox"/> Repair & Maintenance	_____	_____	_____	_____	_____	_____
K. <input type="checkbox"/> Road Crossing	_____	_____	_____	_____	_____	_____
L. <input checked="" type="checkbox"/> Utility Line (tidal crossing)	<u>140</u>	<u>1</u>	<u>140</u>	_____	_____	_____
M. <input type="checkbox"/> Outfall Construction	_____	_____	_____	_____	_____	_____
N. <input type="checkbox"/> Small Pond	_____	_____	_____	_____	_____	_____
O. <input type="checkbox"/> Dam	_____	_____	_____	_____	_____	_____
P. <input type="checkbox"/> Lot Fill	_____	_____	_____	_____	_____	_____
Q. <input type="checkbox"/> Building Structures	_____	_____	_____	_____	_____	_____
R. <input type="checkbox"/> Culvert	_____	_____	_____	_____	_____	_____
S. <input type="checkbox"/> Bridge	_____	_____	_____	_____	_____	_____
T. <input type="checkbox"/> Stream Channelization	_____	_____	_____	_____	_____	_____
U. <input type="checkbox"/> Parking Area	_____	_____	_____	_____	_____	_____
V. <input type="checkbox"/> Dredging	_____	_____	_____	_____	_____	_____

1. \_\_\_\_\_ New      2. \_\_\_\_\_ Maintenance      3. \_\_\_\_\_ Hydraulic      4. \_\_\_\_\_ Mechanical

W. X Other (explain) Impacts to nontidal wetlands and wetland buffers will be avoided by the use of horizontal directional drilling construction methods.

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

- A.  Reduced the area of disturbance  
B.  Reduced size/scope of project  
C.  Relocated structures  
D.  Redesigned project  
E.  Other Please see the appended Avoidance & Minimization Analysis.

F. Explanation Horizontal Directional Drilling (HDD) construction methods are proposed to be utilized in order to avoid direct impacts to resources.

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

- G.  Cost  
H.  Extensive wetlands on site  
I.  Engineering/design constraints  
J.  Other natural features  
K.  Parcel size  
L.  Other regulatory requirement  
M.  Failure to accomplish project purpose  
N.  Safety/public welfare issue  
O.  Inadequate zoning  
P.  Other \_\_\_\_\_

Q. Description Please see the appended Avoidance & Minimization Analysis.

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

- A.  No significant plant or wildlife value and wetland impact  
1.  Less than 5,000 square feet  
2.  In an isolated nontidal wetland less than 1 acre in size  
B.  Repair existing structure/fill  
C.  Mitigation Project  
D.  Utility Line  
1.  Overhead  
2.  Underground  
E. Other (explain) \_\_\_\_\_

F.  Check here if you are **not** applying for a letter of exemption.

**IF YOU ARE APPLYING FOR A LETTER OF EXEMPTION, PROCEED TO BLOCK 10**

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

- A.  1 site  
B.  2 - 4 sites  
C.  5 or more sites

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

- D.  Cost  
E.  Lack of availability  
F.  Failure to meet project purpose  
G.  Located outside general/market area  
H.  Greater wetlands impact  
I.  Water dependency  
J.  Inadequate zoning  
K.  Engineering/design constraints  
L.  Other \_\_\_\_\_  
M. Explanation: \_\_\_\_\_

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

A. \_\_\_\_\_ Economic

C. \_\_\_\_\_ Health/welfare

E. \_\_\_\_\_ Other \_\_\_\_\_

B. \_\_\_\_\_ Safety

D. \_\_\_\_\_ Does not provide public  
benefits

F. Description \_\_\_\_\_

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**8. MITIGATION PLAN:** Please provide the following information. **(If you are applying for a letter of exemption, do not complete this block.)**

- a. Description of a monetary compensation proposal, if applicable (for **state requirements** only). Attach another sheet if necessary. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- b. Give a brief description of the proposed mitigation project. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- c. Describe why you selected your proposed mitigation site, including what other areas were considered and why they were rejected. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- d. Describe how the mitigation site will be protected in the future. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**9. HAVE ADJACENT PROPERTY OWNERS BEEN NOTIFIED?** A. \_\_\_\_\_ Yes B. \_\_\_\_\_ No  
 Provide names and mailing addresses below (Use separate sheet, if necessary). **(If you are applying for a letter of exemption, do not complete this block.)**

- a. \_\_\_\_\_ b. \_\_\_\_\_ c. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**10. OTHER APPROVALS NEEDED/GRANTED:**

A. Agency	B. Date Sought	C. Decision		D. Decision Date	E. Other Status
		1. Granted	2. Denied		
Somerset County-Critical Area	4/13/2020	_____	_____	_____	Pending
Somerset County-Forest Conservation Exemption	4/13/2020	_____	_____	_____	Pending
Town of Princess Anne-Critical Area	2/19/2020	_____	_____	_____	Pending
SHA-MOU	12/04/2019	X	_____	12/16/2019	_____
Somerset SCD	Pending	_____	_____	_____	Pending
SHA-Utility Permit	Pending	_____	_____	_____	Pending

**11. HISTORIC PROPERTIES:** Is your project located in the vicinity of historic properties? (For example: structures over 50 years old, archeological sites, shell mounds, Indian or Colonial artifacts). Provide any supplemental information in Section 12.

- A. \_\_\_\_\_ Yes B. \_\_\_\_\_ No C. X Unknown

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

\_\_\_\_\_  
 \_\_\_\_\_

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

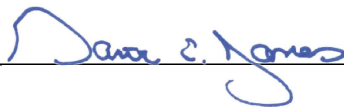
- |  |   |   |
|--|---|---|
| A. <input type="checkbox"/> Soil borings                   | D. <input type="checkbox"/> Field surveys           | G. <input checked="" type="checkbox"/> Site plan                              |
| B. <input checked="" type="checkbox"/> Wetland data sheets | E. <input type="checkbox"/>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

**CERTIFICATION:**

I hereby designate and authorize the agent named above to act on my behalf in the processing of this application and to furnish any information that is requested. I certify that the information on this form and on the attached plans and specifications is true and accurate to the best of my knowledge and belief. I understand that any of the agencies involved in authorizing the proposed works may request information in addition to that set forth herein as may be deemed appropriate in considering this proposal. I certify that all Waters of the United States have been identified and delineated on site, and that all jurisdictional wetlands have been delineated in accordance with the Corps of Engineers Wetlands Delineation Manual (Wetlands Research Program Technical Report Y-87-1). I grant permission to the agencies responsible for authorization of this work, or their duly authorized representative, to enter the project site for inspection purposes during working hours. I will abide by the conditions of the permit or license if issued and will not begin work without the appropriate authorization. I also certify that the proposed works are consistent with Maryland's Coastal Zone Management Plan. 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 and the Freedom of Information Act, 5 USC Section 552 *et seq.* Pursuant to Clean Water Act Section 404(o), 33 USC 1344 (o), permit applications and permits will be available to the public. I understand that I may request that additional required information be considered confidential under applicable laws. I further understand that failure of the landowner to sign the application will result in the application being deemed incomplete.

APPLICANT

~~LANDOWNER~~ MUST SIGN:



DATE: April 29, 2020

**WHERE TO MAIL APPLICATION**

Maryland Department of the Environment  
Water and Science Administration  
Regulatory Services Coordination Office  
1800 Washington Boulevard, Suite 430  
Baltimore, Maryland 21230  
Telephone: (410) 537-3762  
1-800-633-6101

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

- **SIGN AND DATE THE APPLICATION. THE LANDOWNER MUST SIGN.**
- **SEVEN (7) COPIES OF ALL DOCUMENTS (APPLICATION, PLANS, MAPS, REPORTS, ETC.) MUST BE RECEIVED TO BEGIN OUR REVIEW.**
- **INCLUDE SEVEN (7) COPIES OF A VICINITY MAP (LOCATION MAP) WITH THE PROJECT SITE PINPOINTED.**
- **SEND AN APPLICATION FEE OF \$750 ALONG WITH A COPY OF THE FIRST PAGE OF THE APPLICATION TO MARYLAND DEPARTMENT OF THE ENVIRONMENT, P.O. BOX 2057, BALTIMORE, MD 21230-2057. PLEASE REFER TO OUR WEBSITE <http://www.mde.maryland.gov> FOR FURTHER INSTRUCTIONS.**