



DEPARTMENT OF THE ARMY
U. S. ARMY CORPS OF ENGINEERS, BALTIMORE DISTRICT
ATTN: REGULATORY DIVISION
2 HOPKINS PLAZA
BALTIMORE, MARYLAND 21201-2930

MDSPGP-7

Activity c(2)

**Foundations for Overhead Utility Line Towers, Poles, Anchors, and Minor Attendant
Features for Subsurface Utility Lines**

The authorized Foundations for Overhead Utility Line Towers, Poles, Anchors, and Minor Attendant Features for Subsurface Utility Lines activities must comply with the following applicable activity specific conditions, all general conditions of this permit, and any project-specific special conditions.

This activity authorizes the construction or maintenance of foundations, towers, poles, and anchors for above-ground utility lines and minor attendant features for subsurface utility lines in all waters of the United States, provided the foundations and attendant features are the minimum size necessary and separate footings for each tower leg (rather than a larger single pad) are used where feasible. Minor attendant features for subsurface utility lines must be necessary for the use and maintenance of the utility line and include manholes, fire hydrants, valves, and other minor fixtures. (Section 10 and/or 404; all waters of the United States).

Category A Impact Limits and Requirements:

- (i) The total temporary and permanent impacts to nontidal waters of the United States, which includes nontidal wetlands, streams, rivers, and other open waters, are not to exceed 10,000 square feet including no more than 200 linear feet of streams, rivers, and other nontidal open waters.
- (ii) This Category A activity does not authorize work in, over, or under navigable waters under Section 10 of the Rivers and Harbors Act of 1899, or tidal wetlands. All utility line activities, including access roads constructed or installed in, over, or under navigable waters of the United States, including navigable nontidal Section 10 waters of the United States, and all tidal wetlands, require review under Category B or alternate Corps permit review procedures, as appropriate.
- (iii) Overhead utility line towers, poles, and anchors must not be located within channels of nontidal streams (below the ordinary high-water line) to avoid adverse effects on the morphometry of the stream channel.

Category B Impact Limits and Requirements:

- (i) The single and complete project will result in no more than a total 0.5-acre loss to tidal and nontidal waters of the United States.
- (ii) As built drawings: Within 60 days of completing an activity that involves an aerial transmission line, submerged cable, or submerged pipeline crossing a navigable water of the United States (Section 10 waters), the permittee must furnish the Corps and the NOAA NOS), with professional, certified as-built drawings, to scale, with control (i.e., latitude/longitude, geographic coordinate system), depicting the alignment and minimum

clearance of the aerial wires above the mean high water line at the time of the survey or depicting the elevations and alignment of the buried cable or pipeline crossing the navigable waterway (Section 10 waters). The information should be transmitted via email to ocs.ndb@noaa.gov.

Requirements Applicable to Both Category A and Category B Activities:

- (i) Application must be submitted to MDE for Corps authorization.
- (ii) Clearing of wetlands and fragmentation of large tracts of forested wetlands shall be minimized by routing the utility project outside wetlands and forested tracts or on the edges of wetlands and forested tracts where possible.
- (iii) For energy production and transmission projects involving tall structures such as wind turbines, solar power towers, overhead electrical transmission utility and power lines and other energy systems including geothermal and solar panels coordination with the DoD Military siting clearing house is required. Prior to the approval of the application, permittees must submit the Informal Review Response Letter from the DoD military siting clearinghouse (<https://www.dodclearinghouse.osd.mil/Project-Review/>) to the reviewing agencies.
- (iv) Exposed slopes and stream banks must be stabilized and revegetated, preferably with native, woody species, immediately after construction of the utility line is completed.
- (v) Foundations shall be the minimum size necessary and shall be separate footings for each tower leg (rather than a larger single pad), where feasible.