



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(3)
Utility Access Roads

The authorized Utility Access Roads 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 mechanized land clearing and construction of access roads for the construction and maintenance of utility lines, including overhead power lines. (Sections 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 due to construction of all access roads associated with construction of the utility line are not to exceed 5,000 square feet including no more than 200 linear feet of nontidal 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, tidal wetlands, or nontidal wetlands adjacent to tidal waters. All utility line activities, including access roads constructed or installed in, over, or under navigable waters of the United States, tidal waters, or in nontidal wetlands adjacent to tidal waters, require review Category B or alternate Corps permit review procedures, as appropriate.
- (iii) Limit-of-disturbance for the construction of utility lines within nontidal waters of the United States, including wetlands, must be limited to the minimum width necessary and not to exceed 30 feet in width.

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: Where structures or work are authorized in navigable waters of the United States (i.e., Section 10 waters) the permittee must furnish a copy of the 'as-built drawings' and the geographic coordinate system used in the 'as-built drawings' to the Corps and the NOAA NOS, within 60 days of completing the activity, to inform updates to nautical charts and Coast Pilot corrections. 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) Access roads used for both construction and maintenance may be authorized, provided they meet the terms and conditions of the MDSPGP-7 activity. Access roads solely used for construction of the utility line must be removed upon completion of the work, in accordance with the requirements of temporary fills (see General Condition 31).
- (iii) Clearing of wetlands and fragmentation of large tracts of forested wetlands shall be minimized by routing utility lines and access roads outside wetlands and forested tracts or on the edges of wetlands and forested tracts, where possible.
- (iv) Exposed slopes and stream banks must be stabilized and revegetated, with native, woody species, immediately after construction of the utility line is completed.
- (v) All temporary and permanent road crossings must be the minimum width necessary for the crossing. Access roads must be constructed so that the length of the road minimizes any adverse effects on waters of the United States and must be as near as possible to preconstruction contours and elevations (e.g., at grade contour roads or geotextile/gravel roads). Access roads constructed above pre-construction contours and elevations in waters of the United States must be properly bridged or culverted to maintain surface flows.
- (vi) When mechanized land clearing results in the permanent removal or conversion of a forested or scrub-shrub wetland to an herbaceous wetland in the permanently maintained utility right-of-way, compensatory mitigation may be required to ensure that the authorized activity results in no more than minimal individual and cumulative adverse environmental effects (see General Condition 29). This is in addition to the requirement to mitigate for permanent wetland impacts resulting from the discharge of dredged or fill material.