



**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 d**  
**Linear Transportation Activities**

The authorized Linear Transportation 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 discharges of dredged or fill material into waters of the United States and structure or work in navigable waters required for the construction, expansion, modification, or improvement of temporary and permanent linear transportation projects (e.g., roads, highways, railways, trails, airport runways, driveways, taxiways, etc.). This activity cannot be used to authorize non-linear features commonly associated with transportation projects, such as vehicle maintenance or storage buildings, parking lots, train stations, or aircraft hangers. (Sections 10 and/or 404; all waters of the United States). Note: Some discharges for the construction of farm roads or forest roads, or temporary roads for moving mining equipment may qualify for an exemption under Section 404(f) of the Clean Water Act (see 33 CFR 323.4).

New crossings of all waters of the United States should be designed and constructed based on the following order of preference: (a) bridge, (b) bottomless arch culvert, and (c) pipe or box culvert. Written documentation and justification is required to deviate from the order of preference.

**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 5,000 square feet including no more than 200 linear feet of streams, rivers, and other nontidal open waters.
- (ii) This activity can authorize multiple road crossings provided that the total temporary and permanent impact of all of the crossings meets the 5,000 square feet and 200 linear feet impact limit.
- (iii) This Category A activity does not authorize work in navigable waters under Section 10 of the Rivers and Harbors Act of 1899, tidal wetlands, or in nontidal wetlands adjacent to tidal waters. Category B or alternate Corps permit review procedure is required.
- (iv) Category B or alternate Corps permit review procedures are required for stream relocation projects that do not propose nature-based techniques such as bioengineering and vegetative stabilization to relocate impacted streams.

### **Category B Impact Limits and Requirements:**

- (i) The single and complete project will result in no more than 0.5-acre loss of 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](mailto: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) The width of the fill must be limited to the minimum necessary for the crossing.
- (iii) The crossing must not be used as a berm for a permanent impoundment.
- (iv) Exposed slopes and stream banks must be stabilized and revegetated, with native, woody species, immediately after construction of the road crossing is completed.
- (v) Stream relocation using nature-based techniques and establishment of previously existing aquatic resource functions in the new stream channel is generally considered to be self-mitigating.
- (vi) If not using the preferred crossing options such as use of a bridge or bottomless arch, the applicant must provide a narrative with their joint permit application that documents the measures evaluated to minimize impacts to waters of the United States, as well as specific documentation concerning site conditions and limitations on utilizing the preferred options including cost, and engineering factors and site-specific limiting factors. This documentation must also include photographs documenting site conditions.