



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 e(3)

Soil Investigations, Scientific Measurement Devices, and Survey Activities

The authorized Soil Investigations, Scientific Measurement Devices, and Survey 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 for soil investigations and survey activities. Authorized survey activities include core sampling, seismic exploratory operations, plugging of seismic shot holes and other exploratory type bore holes, exploratory trenching, soil survey and sampling, sample plots or transects for wetland delineations, percolation tests for sewage disposal fields, survey markers or survey monuments, piezometers and groundwater monitoring devices, and historic resources surveys.

For purposes of this activity, the term “exploratory trenching” means mechanical land clearing of the upper soil profile to expose bedrock or substrate for the purpose of mapping or sampling the exposed material. In addition, this activity authorizes discharges of dredged or fill material associated with devices whose purpose is to measure and record scientific data, such as staff gauges, tide and current gauges, meteorological stations, water recording and biological observation devices, water quality testing and improvement devices, and similar structures. This activity does not authorize any permanent structures or the drilling and the discharge of excavated material from test wells for oil and gas exploration. Fill placed for roads and other similar activities is not authorized by this activity. Temporary road crossings shall be reviewed under Section IV.A.1.e(7), Temporary Construction Access, Stream Diversion, and Dewatering. The discharge of drilling mud and cuttings may require a permit under Section 402 of the CWA (Sections 10 and/or 404; all waters of the United States).

Category A Impact Limits and Requirements:

- (i) No application is required for Corps authorization.
- (ii) The total temporary and permanent impact to waters of the United States, which includes tidal and nontidal wetlands, streams, rivers, navigable waters, and other open waters, is not to exceed 10,000 square feet including no more than 200 linear feet of streams, rivers, and other open waters.
- (iii) Small weirs and flumes constructed to record water quantity and velocity are also authorized provided the discharge is limited to 10 cubic yards.
- (iv) This Category A activity does not authorize seismic activities. These projects must be reviewed under Category B or alternate Corps permit review procedures, as appropriate.

(v) This Category A activity authorizes discharges and structures associated with archaeological surveys, within the Category A impact threshold, but does not authorize discharges and structures associated with the recovery of historic resources. Regulated activities associated with the recovery of historic resources must be reviewed under Category B or alternate Corps permit review procedures, as appropriate.

Category B Impact Limits and Requirements:

(i) An application must be submitted to MDE for Corps authorization. See Section II.D for when an application is required to be submitted for Corps review.

(ii) 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.

(iii) Small weirs and flumes constructed to record water quantity and velocity are also authorized provided the discharge is limited to 25 cubic yards.

(iv) Seismic activities must not produce noise levels above 160dB re 1µPa within all tidal waters of the Chesapeake Bay in Maryland and its tidal tributaries for the protection of listed species.

Requirements Applicable to Both Category A and Category B Activities:

(i) This activity does not authorize drilling and the discharge of excavated material from test wells for oil and gas exploration. This activity does authorize plugging these wells.

(ii) This activity does not authorize discharges of dredged or fill material placed for roads, pads, and other similar structures and activities.

(iii) This activity does not authorize any permanent structures, except survey markers or monuments.

(iv) The area in which any exploratory trench is dug must be restored to its pre-construction elevation upon completion of the work and must not drain waters of the United States. The top six (6) to 12 inches of the trench shall be backfilled with topsoil from the trench.

(v) Upon completion of the study, any measuring device and any other associated features supporting the device (e.g., foundations, anchors, buoys, lines, etc.) must be removed to the maximum extent practicable and the site restored to the pre-construction elevations and revegetated with native species.