



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 f(3)
New Bulkheads, Including Stone Toe Protection

The authorized New Bulkheads, Including Stone Toe Protection 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 of new bulkheads and associated backfill for the purpose of erosion protection and includes the placement of stone toe protection. This activity also authorizes replacement of currently non-serviceable bulkheads and associated backfill. All work authorized by this activity, including discharges, must comply with all activity-specific impact limits and requirements listed below, in addition to the general conditions of this permit (Sections 10 and/or 404; limited to all tidal waters).

Category A Impact Limits and Requirements:

- (i) New bulkheads or replacement of currently non-serviceable bulkheads or associated backfill must not exceed 500 linear feet in length and shall be placed at the mean high-water shoreline.
- (ii) Stone toe protection placed along the base of a new bulkhead must not extend more than 10 feet channelward of the bulkhead face or the minimum necessary to provide adequate stabilization, whichever is less.
- (iii) No impacts to special aquatic sites, including intertidal mudflats, vegetated marsh, and sites that support SAV (documented to exist in the last five years as specified in Section III), or anadromous fish spawning areas are authorized by this activity.
- (iv) Only clean, non-metallic, non-organic, non-floatable fill material obtained from an upland source may be used as backfill material.

Category B Impact Limits and Requirements:

- (i) This activity authorizes new bulkheads and replacement of currently non-serviceable bulkheads up to three feet channelward of the mean high-water shoreline, unless the Corps waives this criterion by making a written determination concluding that the activity will result in no more than minimal adverse environmental effects.
- (ii) The single and complete project will result in no more than a total 0.5-acre loss to tidal waters of the United States, to include stream channel, wetlands, and open waters and the total length of new bulkhead along the bank may not exceed 1,000 linear feet, unless the Corps waives this criterion by making a written determination concluding that the activity will result in no more than minimal adverse environmental effects.

(iii) Stone toe protection placed along the base of a new bulkhead must not extend more than 10 feet channelward of the bulkhead face, unless the Corps waives this criterion by making a written determination concluding that the activity will result in no more than minimal adverse environmental effects.

(iv) Compensatory mitigation will not be required when the total amount of vegetated wetlands which is filled, in square feet, does not exceed the length of the activity along the shoreline in linear feet (e.g., 100 square feet maximum for a 100-foot-long bulkhead).

Requirements Applicable to Both Category A and Category B Activities:

(i) Application must be submitted to MDE for Corps authorization.

(ii) No material may be placed in excess of the minimum needed for erosion protection.

(iii) The erosion control structure and backfill must be constructed as close to the uplands and/or bank as structurally feasible.

(iv) This activity does not authorize reclaiming eroded land.

(v) The use of stone for toe protection must be clean and free of toxins.

(vi) No material must be of the size or type or placed in any location or in any manner, so as to impair surface water flow into or out of any wetland area.

(vii) Filter cloth must be used, or the project must otherwise be designed and constructed to prevent soil from washing into the waterway.

(viii) The filling of wetlands behind free-standing bulkheads that have never been backfilled is prohibited as part of this activity and will require alternate Corps permit review procedures.