



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(4)
Nontidal Bank Stabilization Activities

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 discharges of dredged or fill material associated with installation of nontidal stream bank stabilization structures for the purpose of stream bank erosion protection. 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. Nontidal stream bank stabilization activities include in order of preference: (a) non-structural/bioengineering bank stabilization measures such as root wads, brush layering, live stakes; (b) structural measures such as rock cross vanes, j-hooks, vortex rock weirs, imbricated riprap, conventional riprap, revetments, vegetated cribwalls; and (c) gabions or bulkheads. (Sections 10 and/or 404; limited to all nontidal waters).

Category A Impact Limits and Requirements:

- (i) The nontidal bank stabilization itself is limited to 500 feet in total length, with total impacts to nontidal waters of the United States not to exceed 10,000 square feet.
- (ii) This activity does not authorize discharges into vegetated wetlands or SAV (documented to exist in the last five years as specified in Section III).

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 nontidal waters of the United States, to include stream channel, wetlands, and open waters and the loss of stream channel may not exceed 1,000 linear feet, unless the Corps waives this criterion by making a written determination concluding that the discharge of dredged or fill material will result in no more than minimal adverse effects.

Requirements Applicable to Both Category A and Category B Activities:

- (i) Application must be submitted to MDE for Corps authorization.
- (ii) Discharges associated with nontidal bank stabilization projects must not exceed an average of one (1) cubic yard per running foot placed along the bank below the plane of the ordinary high-water mark unless the permittee utilizes bioengineering techniques to accomplish the stream bank stabilization.
- (iii) No material may be placed in excess of the minimum needed for erosion protection.

- (iv) If stone is used, the material used must be clean stone or broken concrete. Broken concrete must be clean and free of rebar or other protruding reinforcement.
- (v) The activity must be constructed as close to the bank as structurally feasible.
- (vi) This activity does not authorize reclaiming eroded land.
- (vii) No material must be of a size, or type, or placed in any location, or in any manner, so as to impair surface water flow into or out of any waters of the United States.
- (viii) Filter cloth must be used, or the project must otherwise be designed and constructed to prevent soil from washing into the waterway.
- (ix) The activity must be constructed with material of appropriate size or class to prevent it from being washed into the waterway.
- (x) This activity does not authorize stream channelization, stream piping, or stream relocation projects. These activities may be reviewed under alternative Corps permit review procedures.
- (xi) Nontidal bank stabilization material must cover only the minimum necessary for bank stabilization, must have no more than minimal effect on the stream bottom, and should not adversely modify stream hydrology and/or channel morphology. In addition, in-stream structures shall not block the passage of aquatic species.
- (xii) Structural types of nontidal bank stabilization, such as revetments, conventional riprap, and gabions, must have voids/joints and they must be planted with live stakes, to provide additional bank stabilization and stream shading.
- (xiii) Impacts to woody vegetation resulting from soil compaction around the root zone by heavy equipment should be minimized.
- (xiv) Invasive plant species shall not be used for bioengineering or vegetative bank stabilization.