

JOINT FEDERAL/STATE APPLICATION FOR THE ALTERATION OF ANY FLOODPLAIN, WATERWAY, TIDAL OR NONTIDAL WETLAND IN MARYLAND

FOR AGENCY USE ONLY

Application Number _____	Date Determined Complete _____
Date Received by State _____	Date(s) Returned _____
Date Received by Corps _____	_____
Type of State permit needed _____	Date of Field Review _____
Type of Corps permit needed _____	Agency Performed Field Review _____

- +++++
- Please submit 1 original and 6 copies of this form, required maps and plans to the Wetlands and Waterways Protection Program as noted on the last page of this form.
 - Any application that is not completed in full or is accompanied by poor quality drawings may be considered incomplete and result in a time delay to the applicant.

Please check one of the following:

RESUBMITTAL: _____ APPLICATION AMENDMENT: _____ MODIFICATION TO AN EXISTING PERMIT: _____
JURISDICTIONAL DETERMINATION ONLY: _____ APPLYING FOR AUTHORIZATION XX
PREVIOUSLY ASSIGNED NUMBER (RESUBMITTALS AND AMENDMENTS) _____

DATE 8 August 2023

1. APPLICANT INFORMATION:

APPLICANT NAME:

A. Name: Tom Caso B. Daytime Telephone: 410-382-6667
C. Company: Tradeport TiL Terminals LLC D. Email Address: tcaso@tradeportatlantic.com
E. Address: 6995 Bethlehem Blvd, Suite 100
F. City: Baltimore State: MD Zip: 21219

AGENT/ENGINEER INFORMATION:

A. Name: Eric Smith B. Daytime Telephone: 410.291.2027
C. Company: Moffatt & Nichol D. Email Address: ESmith@moffattnichol.com
E. Address: 2780 Lighthouse Point East, Suite D
F. City: Baltimore State: MD Zip: 21224

ENVIRONMENTAL CONSULTANT:

A. Name: Suzie Boltz B. Daytime Telephone: 410-329-5143
C. Company: EA Engineering, Science & Tech D. Email Address: sboltz@eaest.com
E. Address: 225 Schilling Circle, Suite 400
F. City: Hunt Valley State: MD Zip: 21030

CONTRACTOR (If known): _____

A. Name: _____ B. Daytime Telephone: _____
C. Company: _____ D. Email Address: _____
E. Address: _____
F. City: _____ State: _____ Zip: _____

PRINCIPAL CONTACT:

A. Name: Tom Caso B. Daytime Telephone: 410-382-6667
C. Company: Tradeport TiL Terminals LLC D. Email Address: tcaso@tradeportatlantic.com
E. Address: 6995 Bethlehem Blvd, Suite 100
F. City: Baltimore State: MD Zip: 21219

2. PROJECT DESCRIPTION

a. GIVE WRITTEN DESCRIPTION OF PROJECT:

Please see attachment A

Has any portion of the project been completed? Yes No If Yes, explain:

Is this a residential subdivision or commercial development? Yes No

If yes, total number of acres on property 320 acres

Will there be temporary or permanent tree clearing occurring on the overall project site (i.e., uplands and wetlands), including but not limited to, tree clearing for site development, road/highways, utilities, mining, stormwater management, restoration, energy production and transmission, etc.)? Yes No

If yes, total estimated acres of tree clearing for the overall project site: TBD acres

Does the application propose temporary fill impacting wetlands or waterways that will remain in place for more than one year? Yes No

b. ACTIVITY: Check all activities that are proposed in the wetland, waterway, floodplain, and nontidal wetland buffer as appropriate.

- A. filling
- B. dredging
- C. excavating
- D. flooding or impounding water
- E. draining
- F. grading
- G. removing or destroying vegetation
- H. building structures

Area for item(s) checked: Wetland 100 acres (sq. ft.) Buffer (Nontidal Wetland Only) (sq. ft.)
Expanded Buffer (Nontidal Wetland Only) (sq. ft.)

Area of stream impact (sq. ft.)
Length of stream affected (linear feet)

c. TYPE OF PROJECTS: Project Dimensions

For each activity, give overall length and width (in feet), in columns 1 and 2. For multiple activities, give total area of disturbance in square feet in column 3. For activities in tidal waters, give maximum distance channelward (in feet) in column 4. For dam or small ponds, give average depth (in feet) for the completed project in column 5. Give the volume of fill or dredged material in column 6.

	Length (Ft.) 1	Width (Ft.) 2	Area (Sq. Ft.) 3	Maximum/Average Channelward Encroachment 4		Pond Depth 5	Volume of fill/dredge material (cubic yards) below MHW or OHW 6
A. <input checked="" type="checkbox"/> Bulkhead	3000			Negative	0		
B. <input checked="" type="checkbox"/> Revetment	3000 + 6000			1500 ft			
C. <input checked="" type="checkbox"/> Vegetative Stabilization							
D. <u> </u> Gabions							
E. <u> </u> Groins							
F. <u> </u> Jetties							
G. <u> </u> Boat Ramp							
H. <input checked="" type="checkbox"/> Pier	3000	150		<50 ft			
I. <u> </u> Breakwater							
J. <u> </u> Repair & Maintenance							
K. <u> </u> Road Crossing							
L. <input checked="" type="checkbox"/> Utility Line							
M. <input checked="" type="checkbox"/> Outfall Construction							
N. <u> </u> Small Pond							
O. <u> </u> Dam							
P. <input checked="" type="checkbox"/> Lot Fill							
Q. <input checked="" type="checkbox"/> Building Structures				0			
R. <u> </u> Culvert							
S. <u> </u> Bridge							
T. <u> </u> Stream Channelization							
U. <input checked="" type="checkbox"/> Parking Area							
V. <input checked="" type="checkbox"/> Dredging							4000000

W. 1. 3.8 M New 2. 0.2 M Maintenance 3. Hydraulic 4. 4 M Mechanical
 Other (explain)

d. PROJECT PURPOSE: Give brief written description of the project purpose:

Please see attachment B

3. PROJECT LOCATION: The project will be on the Coke Point peninsula, located within the Tradepoint Atlantic development at Sparrows Point, MD.

a. LOCATION INFORMATION:

- A. County: Baltimore B. City: Baltimore C. Name of waterway or closest waterway Patapsco River
- D. State stream use class designation: II
- E. Site Address or Location: 6995 Bethlehem Blvd, Baltimore, MD 21219

F. Directions from nearest intersection of two state roads:

From the intersection of Bethlehem Blvd and North Point Blvd - head west on Bethlehem Blvd towards Wharf Road. Continue straight as Bethlehem Blvd changes to Shipyard Road. Continue to the end of Shipyard Road.

Is your project located in the Chesapeake Bay Critical Area (generally within 1,000 feet of tidal waters or tidal wetlands)?:

XX Yes No

- H. County Book Map Coordinates (Alexandria Drafting Co.); Excluding Garrett and Somerset Counties:
Map: _____ Letter: _____ Number: _____ (to the nearest tenth)
- I. FEMA Floodplain Map Panel Number (if known): 2400100560G
- J. 1. 39.211222 latitude 2. -76.490349 longitude

b. ACTIVITY LOCATION: Check one or more of the following as appropriate for the type of wetland/waterway where you are proposing an activity:

- A. XX Tidal Waters
- B. XX Tidal Wetlands
- C. _____ Special Aquatic Site (e.g., mudflat, vegetated shallows)
- D. _____ Nontidal Wetland
- E. _____ 25-foot buffer (nontidal wetlands only)
- F. _____ 100-foot buffer (nontidal wetland of special State concern)
- G. _____ In stream channel
1. _____ Tidal 2. _____ Nontidal
- H. _____ 100-year floodplain (outside stream channel)
- I. XX River, lake, pond
- J. _____ Other (Explain)

c. LAND USE:

- A. Current Use of Parcel Is: 1. Agriculture: Has SCS designated project site as a prior converted cropland? Yes XX No
2. _____ Wooded 3. _____ Marsh/Swamp 4. XX Developed
5. XX Other: Industrial Area
- B. Present Zoning Is: 1. _____ Residential 2. XX Commercial/Industrial 3. _____ Agriculture 4. _____ Marina 5. _____ Other
- C. Project complies with current zoning XX Yes No

THE FOLLOWING INFORMATION IS REQUIRED BY THE STATE (blocks 4-7):

4. REDUCTION OF IMPACTS: Explain measures taken or considered to avoid or minimize wetland losses in F. Also check Items A-E if any of these apply to your project.

- A. _____ Reduced the area of disturbance
- B. _____ Reduced size/scope of project
- C. _____ Relocated structures
- D. _____ Redesigned project
- E. _____ Other _____

F. Explanation Alternatives development and analysis is underway to avoid and / or reduce impacts.

Describe reasons why impacts were not avoided or reduced in Q. Also check Items G-P that apply to your project.

- | | | |
|---|--|--|
| G. <input type="checkbox"/> Cost | K. <input type="checkbox"/> Parcel size | N. <input type="checkbox"/> Safety/public welfare issue |
| H. <input type="checkbox"/> Extensive wetlands on site | L. <input type="checkbox"/> Other regulatory requirement | O. <input type="checkbox"/> Inadequate zoning |
| I. <input checked="" type="checkbox"/> Engineering/design constraints | M. <input checked="" type="checkbox"/> Failure to accomplish project purpose | P. <input checked="" type="checkbox"/> Other |
| J. <input type="checkbox"/> Other natural features | | Water-based activity requires construction in a floodplain |
| <hr/> | | |
| Q. Description | | |

As noted above, alternatives analysis is ongoing, this application assumes maximum impacts.

5. LETTER OF AUTHORIZATION: If you are applying for a letter of authorization for activities in nontidal wetlands and/or their buffers, explain why the project qualifies:

- | | |
|--|--|
| A. <input type="checkbox"/> No significant plant or wildlife value and wetland impact | B. <input type="checkbox"/> Repair existing structure/fill |
| 1. <input type="checkbox"/> Less than 5,000 square feet | C. <input type="checkbox"/> Mitigation Project |
| 2. <input type="checkbox"/> In an isolated nontidal wetland less than 1 acre in size | D. <input type="checkbox"/> Utility Line |
| E. Other (explain) | 1. <input type="checkbox"/> Overhead |
| | 2. <input type="checkbox"/> Underground |
| F. <input type="checkbox"/> Check here if you are not applying for a letter of authorization. | |

IF YOU ARE APPLYING FOR A LETTER OF AUTHORIZATION, PROCEED TO BLOCK 10

6. ALTERNATIVE SITE ANALYSIS: Explain why other sites that were considered for this project were rejected in M. Also check any items in D-L if they apply to your project. **(If you are applying for a letter of authorization, do not complete this block.)**

- | | | |
|------------------------------------|---|---|
| A. <input type="checkbox"/> 1 site | B. <input type="checkbox"/> 2 - 4 sites | C. <input type="checkbox"/> 5 or more sites |
|------------------------------------|---|---|

Alternative sites were rejected/not considered for the following reason(s):

- | | | |
|---|--|-----------------------------------|
| D. <input type="checkbox"/> Cost | H. <input type="checkbox"/> Greater wetlands impact | L. <input type="checkbox"/> Other |
| E. <input type="checkbox"/> Lack of availability | I. <input type="checkbox"/> Water dependency | |
| F. <input type="checkbox"/> Failure to meet project purpose | J. <input type="checkbox"/> Inadequate zoning | |
| G. <input type="checkbox"/> Located outside general/market area | K. <input type="checkbox"/> Engineering/design constraints | |
| M. Explanation: Please see attachment C | | |

7. PUBLIC NEED: Describe the public need or benefits that the project will provide in F. Also check Items in A-E that apply to your project. **(If you are applying for a letter of exemption, do not complete this block.)**

- | | | |
|---|--|-----------------------------------|
| A. <input checked="" type="checkbox"/> Economic | C. <input type="checkbox"/> Health/welfare | E. <input type="checkbox"/> Other |
| B. <input type="checkbox"/> Safety | D. <input type="checkbox"/> Does not provide public benefits | |
| F. Description | | |

This project would bring approximately 1,100 jobs to the area, and increase the container throughput at the Port of Baltimore. This will solidify Baltimore as a top tier port while increasing economic activity in the region and enhancing the security of the supply chain.

8. MITIGATION PLAN: Please provide the following information. **(If you are applying for a letter of authorization outside of the Critical Area, do not complete this block.)**

9. Description of a monetary compensation proposal, if applicable (for **state requirements** only). Attach another sheet if necessary.

The need for compensation is still under consideration as alternatives are analyzed with the goal of identifying an alternative that avoids or minimizes impacts to wetlands and other resources.

b. Give a brief description of the proposed mitigation project.

A mitigation plan will be developed following completion of the alternatives analysis and after the impacts evaluation begins. The need for mitigation is understood and SPCT will work closely with USACE and MDE to develop appropriate mitigation.

c. Describe why you selected your proposed mitigation site, including what other areas were considered and why they were rejected.

d. Describe how the mitigation site will be protected in the future.

9. HAVE ADJACENT PROPERTY OWNERS BEEN NOTIFIED? A. xx Yes B. No

Provide names and mailing addresses below (Use separate sheet, if necessary). **(If you are applying for a letter of exemption, do not complete this block.)**

- a. Tradepoint Atlantic, LLC
6995 Bethlehem Blvd
Baltimore, MD 21219
- b. _____
- c. _____

10. OTHER APPROVALS NEEDED/GRANTED:

A. a. Agency	b. Date Sought	c. Decision		d. Decision Date	e. Other Status
		1. Granted	2. Denied		
Section 10	_____	_____	_____	_____	CZMA; Critical Areas
CWA Section 401	_____	_____	_____	_____	
NHPA Section 106	_____	_____	_____	_____	
ESA Section 7	_____	_____	_____	_____	
Essential Fish Habitat (MSA)	_____	_____	_____	_____	

B. FEDERALLY AUTHORIZED CIVIL WORKS PROJECTS: Does the project require permission from the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers' federally authorized civil works project, structure, property, or easement (e.g., federal navigation channel, flood control levees, dams and reservoirs, lake property, etc.)?

XX Yes No

If yes, have you submitted a written request for Section 408 permission from the Corps district having jurisdiction over that project (i.e., Baltimore district in Maryland or Philadelphia district in C & D canal)? Yes xx No

If yes, please provide the date your request was submitted to the Corps district: _____

C. EXISTING CORPS, MDE, OR ENVIRONMENTAL PROTECTION AGENCY SITE PROTECTION INSTRUMENTS: Is the proposed work located in an area encumbered by an existing site protection instrument such as a conservation easement, deed restriction, or declaration of restrictive covenants required as a condition of a prior U.S. Army Corps of Engineers', Maryland Department of the Environment, or Environmental Protection Agency authorization? _____ Yes XX No

11. **HISTORIC PROPERTIES:** Is your project located in the vicinity of historic properties? (For example: structures over 50 years old, archeological sites, shell mounds, Indian or Colonial artifacts). Provide any supplemental information in Section 12.

A. XX Yes B. _____ No C. _____ Unknown

12. **ADDITIONAL INFORMATION:** Use this space for detailed responses to any of the previous items. Attach another sheet if necessary:

Check box if data is enclosed for any one or more of the following (see checklist for required information):

- | | | |
|------------------------------|----------------------------------|---|
| A. _____ Soil borings | D. _____ Field surveys | G. _____ Site plan |
| B. _____ Wetland data sheets | E. _____ Alternate site analysis | H. _____ Avoidance and
minimization analysis |
| C. _____ Photographs | F. _____ Market analysis | |
| I. _____ Other (explain) | | |

Data collection is ongoing for many resources, in consultation with USACE, MDE, USFWS, NOAA-NMFS, MDNR, MHT and other agencies as appropriate. Data will be shared with agencies as collected and used to evaluate impacts, refine alternatives to further avoid or reduce impacts, and to develop required mitigation in coordination with agencies.

CERTIFICATION:

Application is hereby made for a permit or permits to authorize the work described in this application. I hereby designate and authorize the agent named above to act on my behalf in the processing of this application and to furnish any information that is requested. I certify that the information on this application form and on the attached plans and specifications is true and accurate to the best of my knowledge and belief. I understand that any of the agencies involved in authorizing the proposed works may request information in addition to that set forth herein as may be deemed appropriate in considering this proposal. I certify that all wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and all streams have been identified and delineated on site, and that all jurisdictional wetlands have been delineated in accordance with the 1987 Corps of Engineers Wetlands Delineation Manual and appropriate regional supplement(s). I grant permission to the agencies responsible for authorization of this work, or their duly authorized representative, to enter the project site for inspection purposes during working hours. I will abide by the conditions of all permit(s) or license(s) if issued and will not begin work without the appropriate authorization. I also certify that the proposed works are consistent with Maryland's Coastal Zone Management Plan. All information, including permit applications and related materials, submitted to MDE may be subject to public disclosure consistent with the Maryland Public Information Act, §4-101 et seq., General Provisions Article of the Maryland Code and the Freedom of Information Act, 5 USC Section 552 et seq. Pursuant to Clean Water Act Section 404(o), 33 USC 1344 (o), permit applications and permits will be available to the public. I understand that I may request that additional required information be considered confidential under applicable laws. I further understand that failure of the landowner to sign the application will result in the application being deemed incomplete.

LANDOWNER MUST SIGN: TSK DATE: 8/10/23

PRINTED NAME OF LANDOWNER Tom Caso

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Programs of the Corps of Engineers, 33 CFR 320-332. **Principal Purpose:** Information provided on this JPA will be used in evaluating the application for a permit. **Routine Uses:** This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of a public notice. Submission of requested information is voluntary, however, if information is not provided, the permit application cannot be evaluated nor can a permit be issued.

State Authorities: Nontidal Wetlands Protection Act, Md. Ann. Code, Envir., Title 5, Subtitle 9; Waterway Construction, Md. Ann. Code, Envir., Title 5, Subtitle 5; Tidal Wetlands Act, Md. Ann. Code, Envir., Title 16.

BEST MANAGEMENT PRACTICES VERIFICATION: I verify that my project will meet all Endangered Species Act Best Management Practices and Time of Year Restriction applicable to work in tidal waters and wetlands as required by the MDSPGP (see Section VII, General Conditions #14-15).

Yes No Unknown

Refer to the application instructions and the MDSPGP for additional information regarding these Best Management Practices.

I am the property owner/applicant and do not want to be contacted by MDE. All correspondence should occur with my authorized agent /principal contact designated in Section 3, located on the 1st page of this application. (By initializing the box, you are acknowledging that you will not receive any correspondence directly from MDE). I understand a copy of MDE's final decision regarding this application will be sent to me. This opt-out option does not apply to the U.S. Army Corps' correspondence, which will continue to be with the applicant/permittee.



JOINT FEDERAL/STATE APPLICATION FOR THE ALTERATION OF ANY FLOODPLAIN, WATERWAY, TIDAL OR NONTIDAL WETLAND IN MARYLAND

SPARROWS POINT CONTAINER TERMINAL – SUPPLEMENTAL INFORMATION

Attachment A – Description of Project

The Sparrows Point Container Terminal will be located on the Sparrows Point peninsula within the industrial Tradepoint Atlantic property in Baltimore County, Maryland (Figure 1). The project will be sited on a 330-acre parcel and will include a container terminal, vessel access area and dredged material containment facility (figure 2).

Container Terminal Details:

- +/- 3,000 linear foot marginal wharf face
- 8 ship-to-shore cranes
- +/- 120-acre container yard
- Intermodal Yard with 2,900-foot-long rail loading zone
- Gate entry complex for road transport
- Administrative, maintenance and longshoreman buildings
- Provision for vessel shore power and terminal
- Electrification
- Two adjacent warehouses for storage of import and export goods.

Vessel Access Areas:

- Required access areas to be reviewed with Maryland Pilots
- Dredge Depth will be 50' MLLW to match existing Brewerton Channel and Baltimore Approach Channel
- Two berths to accommodate ultra large container vessels
- Berth face on east side of Coke Point
- Use of existing channel to minimize dredging
- Active shipway for Sparrows Point
- Channel width and turning areas to be confirmed by vessel simulation
- Initial estimates of dredge volume vary from 3.5 million to 4.5 million cubic yards

Offshore Dredged Material Containment Facility (DMCF):

- Needed to accommodate dredging material resulting from required dredging of access channel.
- Approximate size is 100 acres, constructed on the west shore of Coke Point.



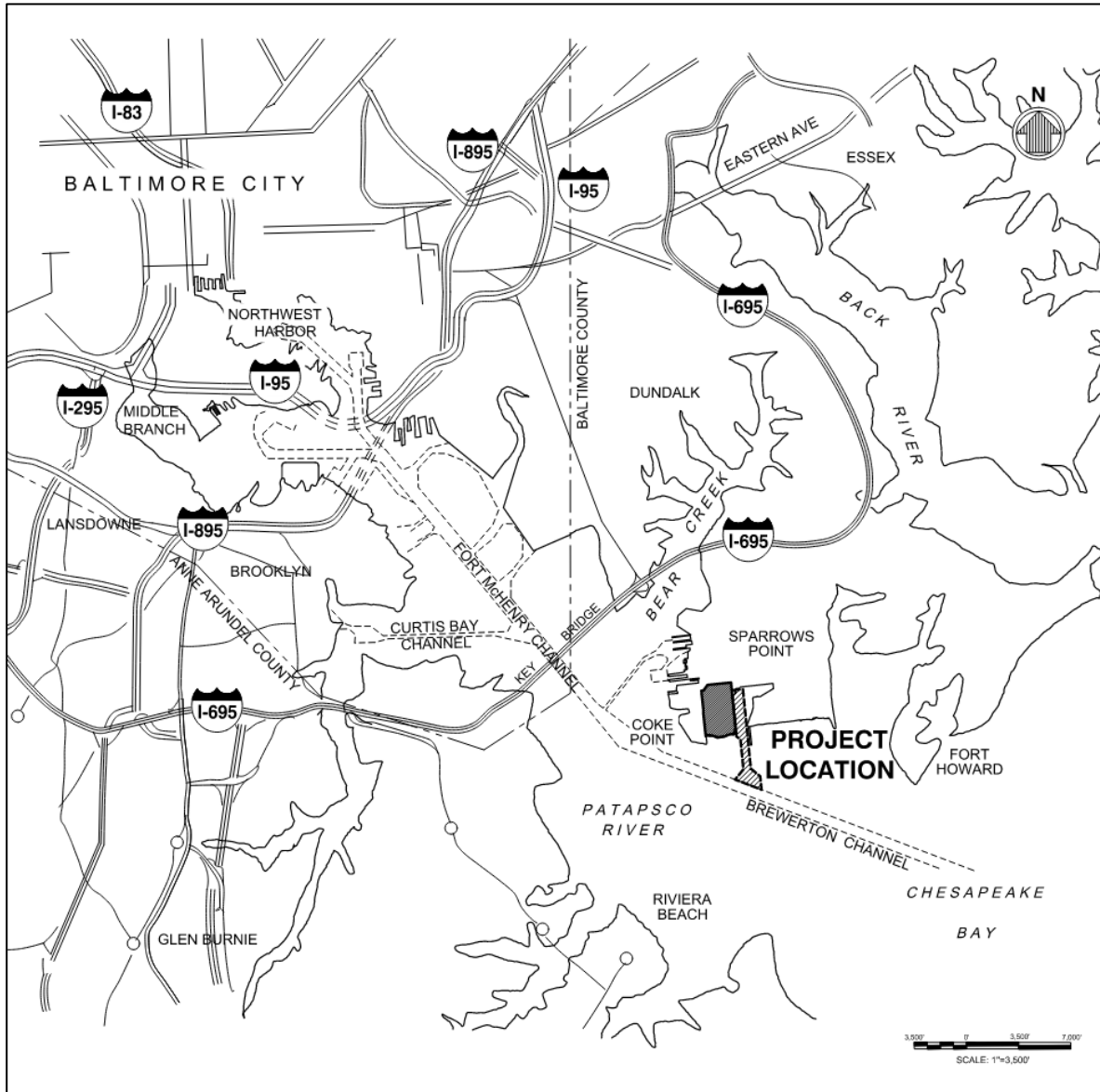


Figure 1. Sparrows Point Container Terminal Project Location



Figure 2. Sparrows Point Container Terminal General Arrangement and Offshore DMCF



Attachment B – Project Purpose

Tradeport TiL Terminals LLC intends to develop Sparrows Point Container Terminal (SPCT), a new container terminal and associated facilities that will be located on the Coke Point Peninsula and the Patapsco River in Baltimore, MD. The project will enhance and support the long-term growth of the local port and the State of Maryland. The project is the next major phase of the redevelopment of the former steel mill site and is expected to create hundreds of new jobs in both the construction and operation of the facility. This project will help Baltimore and Maryland remain competitive with other major East Coast ports for years to come. It will also help to create additional container handling capacity in Baltimore and will be a driver of economic growth, contributing to the development of Baltimore as a gateway for intermodal transport. This project, in concert with the Howard Street Tunnel improvements, will support and ensure the expansion of Baltimore Harbor commerce and throughput. The terminal design incorporates significant features to minimize the carbon footprint of its operations and will reduce emissions further down the supply chain.

Attachment C – Alternative Site Analysis

Alternatives analysis for the placement of dredged material is ongoing, SPCT is currently evaluating more than 10 alternatives for dredged material placement. The goal is to avoid and / or reduce impacts to waters of the United States and associated resources. Alternatives under consideration include a new in-water dredged material containment facility, a new onshore dredged material containment facility within Sparrows Point, offshore open ocean disposal, use of existing dredged material containment facility for maintenance dredging material, and other innovative re-use options.

