



November 20, 2023

ATTN: Miles Simmons
Maryland Department of the Environment
Wetlands and Waterways Program
Regulatory Services Coordination Office
1800 Washington Boulevard, Ste 430
Baltimore, Maryland 21230

RE: 45 Day Letter Response
AI Number: **179399**
Tidal Wetlands License Application Number: **23-WL-0813**
US Wind, Inc. Operations & Maintenance Facility – Pier Installation

Dear Mr. Simmons,

This letter is in response to your email, dated October 20, 2023, requesting additional information to complete the application for US Wind, Inc.'s Operations & Maintenance Facility – Pier Installation. The responses to comments are provided below.

1. Comment: *Additional application fee. Commercial projects proposing impacts greater than 1/4 acre but less than 1/2 acre to tidal wetlands require a \$3,000.00 application fee. \$1,500.00 has been submitted and I will work on putting together an invoice for the additional \$1,500.00.*

Response: US Wind, Inc. received the invoice and submitted the additional fee of \$1,500 via MDE's online system on November 2, 2023. A receipt from this transaction is included in **Attachment 1**.

2. Comment: *Does the fender system and wavebreak need to be embedded into the substrate? Wavebreaks need to be a minimum of 6 inches, preferably 2 feet, above the substrate to allow for the passage of aquatic life. As designed, the wavebreak might act more as a breakwater/jetty, potentially impacting nearshore sediment movement and impacting aquatic life. Plate 06 of 08 shows the wavescreen strake and it appears that this cross-section shows it terminating below MLLW free of the mudline. Is this correct? Can you provide some additional information on the need for the wavebreak?*

An additional cross-section of the timber fender system and wave break from its broadside would be helpful to show that it isn't a continuous structure, almost like a second bulkhead. It might be that the timber fender system consists of piles every 10 or so feet apart and wave breaks are not embedded in the substrate, however, I can not see this in the plans.

Response: The wavescreen strake will be located within the water column only and will not be embedded in the substrate. To clarify this, US Wind has revised the impact plates to show the wavescreen strake in green to distinguish it (see Plate 6). An additional cross-section of the timber fender system and wave break has also been included on Plate 9. Revised impact plates are included in **Attachment 2**.

3. Comment: *Additional justification for the proposed pier dimensions. The cross-section shows a full-size truck and crane. Why does the pier need to be 28 feet wide? Is this to allow for enough space for two trucks to pass? Will materials used in the development of offshore wind facilities be loaded/unloaded on the pier? Is there a maximum load this pier have been designed to accommodate? Purpose and need should be elaborated upon.*

Response: The pier is intended to be built in a continuous straight line beginning with the bulkhead at the north-westernmost corner of the property and continuing to the east for up to 800 feet. This will allow vessels to moor up alongside the pier without having to account for a jog in the pier. In order to maintain this continuous pierface while allowing for the pier to remain connected to the original footprint of the current dilapidated pier, the width of the pier is 28 feet. The width is not intended for two trucks to pass on the pier, but the pier will potentially be used to support a single vehicle such as a 1- ton flatbed truck to transfer personnel, parts, and equipment from the warehouse and a mobile crane to load and offload these items onto and off of the crew transfer vessels. Based on the current design, the maximum load of the pier will be approximately 500 psf.

4. Comment: *What are the dimensions of the piles associated with the pier? We will need to quantify this as the pier will propose more piles than a typical pier.*

Response: Based on the current design, US Wind estimates the pier piles will be at a maximum 12 to 18 inches in diameter. As the design progresses, there may be an opportunity to minimize this.

5. Comment: *We discussed during one of our previous meetings the potential of identifying a Public Information Hearing in the Public Notice. It is not necessary to identify a Public Information Hearing in the Public Notice. There is the potential that a Public Information Hearing request is not received during the Public Notice, however, if a hearing request is received that will result in additional review time and delay issuance of an authorization. A time and location would need to be identified after the Public Notice period for a Public Information Hearing request. We can discuss this in order to see how you would like to proceed.*

Response: US Wind would prefer to make a determination on this matter closer in time to when MDE is ready to deem the Tidal Wetlands License application complete.

6. Comment: *Buffer Management Plan, Buffer Notification Form, and Living Shoreline Waiver Request Form (all attached). For the Living Shoreline Waiver Request Form you only need to check yes for the first row since there is already an existing functional bulkhead.*

Response: The complete forms are provided in **Attachment 3**.

7. Comment: *Plan cross-section should include the MLWL and MHWL. Include the reference tidal station in the plans.*

Response: The plan cross-sections have been revised to include the MLWL and MHWL, included in the revised impact plates in **Attachment 2**.

US Wind also notes a Request for Information (RFI) from BOEM was received on November 13, 2023, for the Maryland Offshore Wind Project and a portion of these questions were related to the O&M facility. Responses were provided to BOEM on November 17, 2023, consistent with the responses provided herein in MDE. If you should have any questions or need additional information, please contact me at (410) 340-9428 or l.jodziewicz@uswindinc.com, Todd Sumner at (443) 240-2824 or t.sumner@uswindinc.com, or Megan Welling at (667) 219-3914 or mawelling@mccormicktaylor.com. We thank you for your consideration concerning this project.

Sincerely,

A handwritten signature in cursive script, appearing to read "L. Jodziewicz".

Laurie Jodziewicz
Senior Director of Environmental Affairs
US Wind, Inc

CC: Todd Sumner, US Wind
Ben Cooper, US Wind
Megan Welling, McCormick Taylor

Attachment 1 – MDE Payment Receipt



Payment Receipt Confirmation

TRANSACTION SUMMARY

Description	Amount
Invoice Payment	\$1,500.00
Non-refundable NIC Maryland Service Fee	\$45.00
Total	\$1,545.00

CUSTOMER INFORMATION

Customer Name Andreea Colosino
Local Reference ID AC039459001
Receipt Date 11/2/2023
Receipt Time 10:37:28 AM EDT

PAYMENT INFORMATION

Payment Type Credit Card
Credit Card Type VISA
Last Four Numbers *6355
Order ID 66697452
Billing Name Salvatore Vitale

This service is provided by NIC Maryland, a third party working under a contract administered by the Maryland Dept. of Information Technology (DoIT).

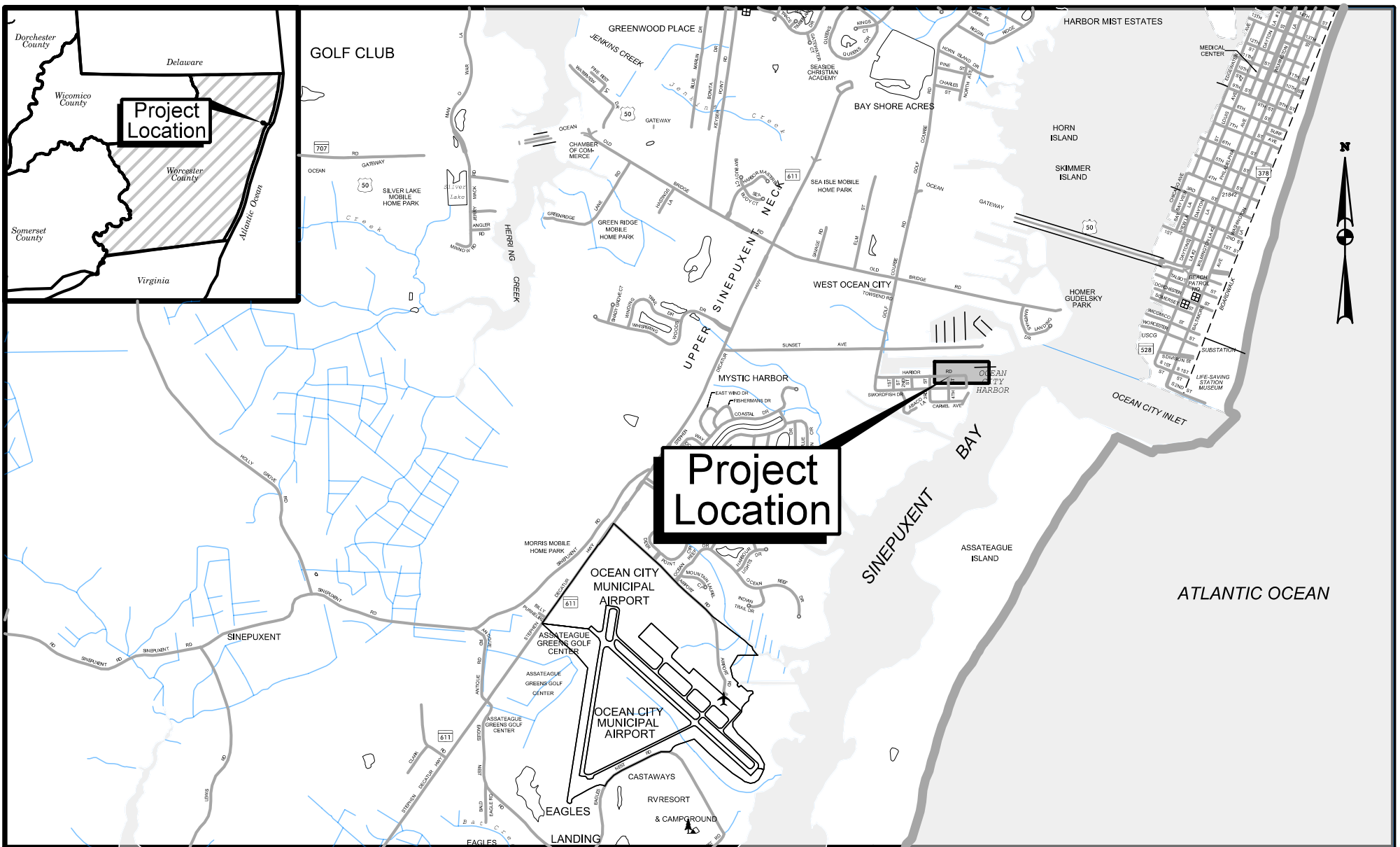
BILLING INFORMATION

Billing Address 401 E PRATT STREET SUITE 1810
Billing City, State BALTIMORE , MD
ZIP/Postal Code 21202
Country US

This receipt has been emailed to the address below.

Email Address A.colosino@uswindinc.com

Attachment 2 – Revised Impact Plates



Project Location

Project Location



Revisions

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WORCESTER COUNTY

**OPERATIONS AND MAINTENANCE FACILITY
PIER INSTALLATION**

LOCATION MAP

SCALE: 1" = 2,500'	DATE: NOVEMBER 2023	PLATE 01 of 09
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LEGEND


-  Mean High Water Elevation (0.84')
-  Mean Low Water Elevation
-  18 inch Bulkhead Repair
-  New Timber Fender System
-  New Timber Fender System and Wave Screen
-  New Cleat
-  Estuarine Subtidal Unconsolidated Bottom (E1UBL) - Permanent Impact
-  Limit of Federal Channel

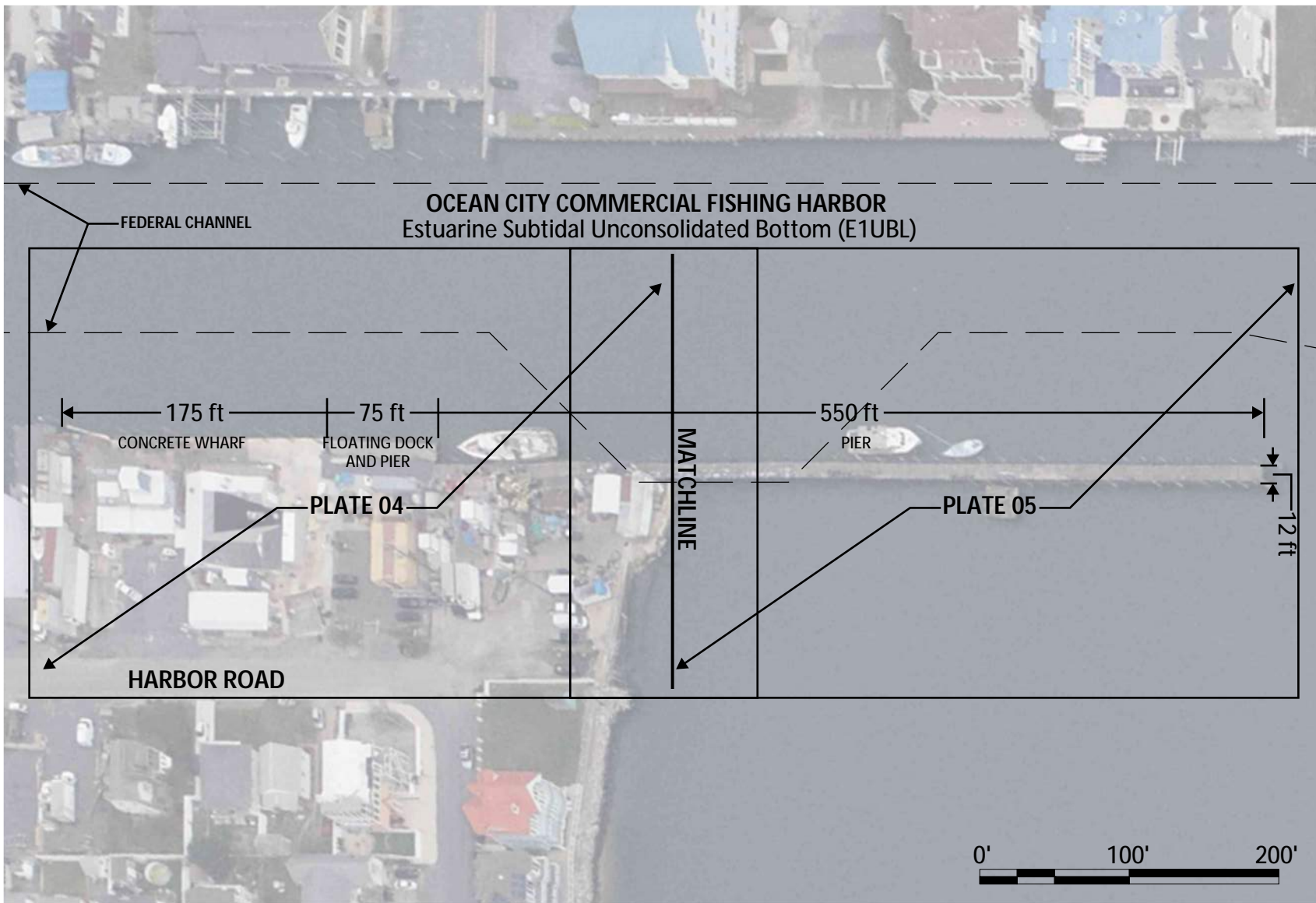
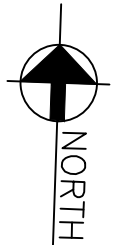
Operations & Maintenance Facility

Plate Number	Name	Permanent Impact (SF)		
		Bulkhead	Pier	TOTAL
04	Estuarine Subtidal Unconsolidated Bottom (E1UBL), Section C-C	262	438	700
04	Estuarine Subtidal Unconsolidated Bottom (E1UBL), Section B-B	390	6,130	6,520
05	Estuarine Subtidal Unconsolidated Bottom (E1UBL), Section A-A	--	12,480	12,480
Totals		652	19,048	19,700

NOTES

- No dredging is proposed for construction or operation of the pier as shown herein.
- Bulkhead repairs will be performed by placing sheet piling a maximum of 18 inches beyond the existing face and filling the void between the two before being capped. The cap overhang will be approximately 6 inches.

	Revisions	WORCESTER COUNTY		
		OPERATIONS AND MAINTENANCE FACILITY PIER INSTALLATION		
		LEGEND AND NOTES		
		NOT TO SCALE	DATE: NOVEMBER 2023	PLATE 02 of 09



US Wind US WIND, INC.
BALTIMORE, MD

**McCORMICK
TAYLOR**

Revisions

WORCESTER COUNTY

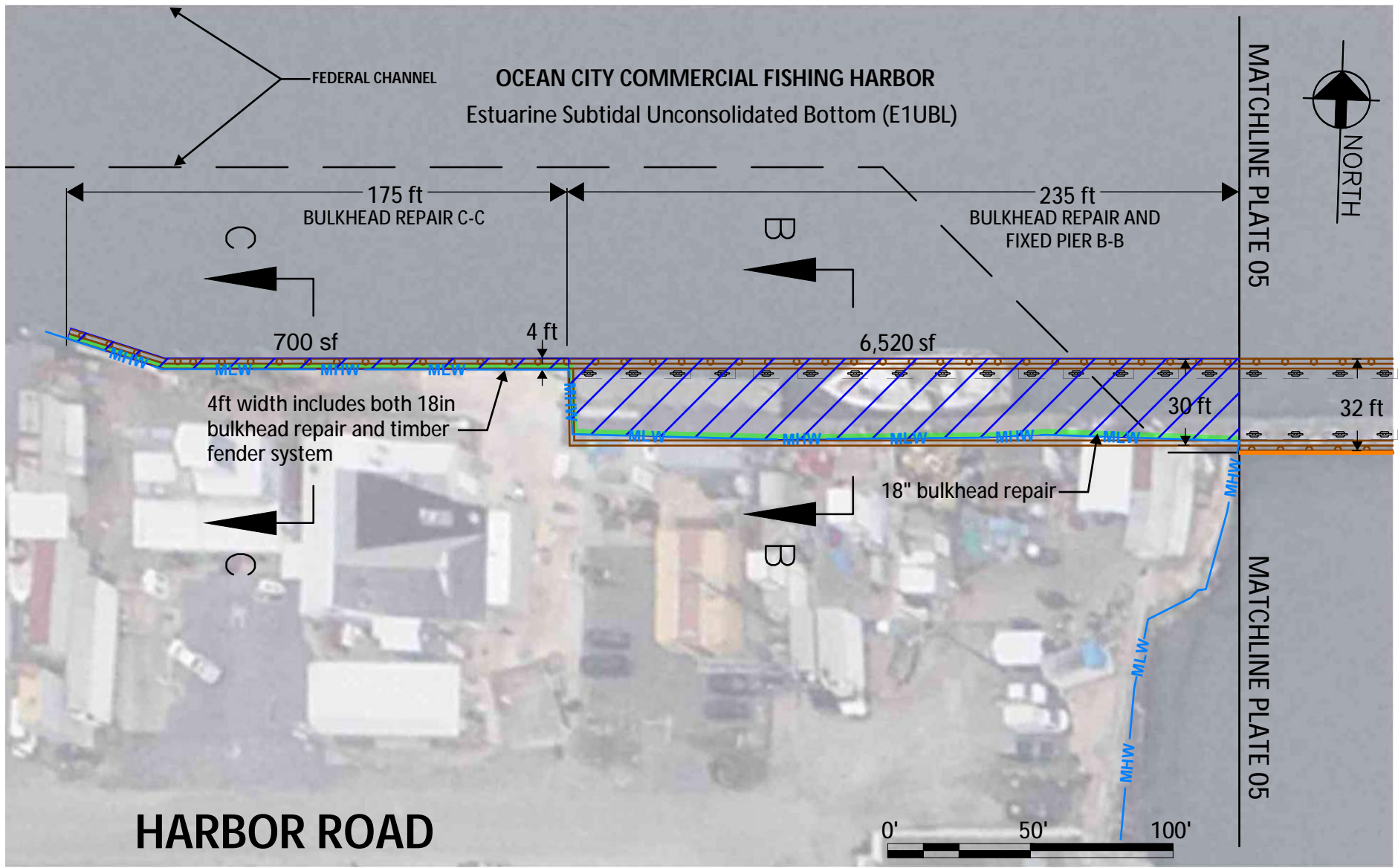
**OPERATIONS AND MAINTENANCE FACILITY
PIER INSTALLATION**

EXISTING CONDITIONS

SCALE: 1" = 100'

DATE: NOVEMBER 2023

PLATE 03 of 09



US WIND, INC.
BALTIMORE, MD

Revisions



WORCESTER COUNTY

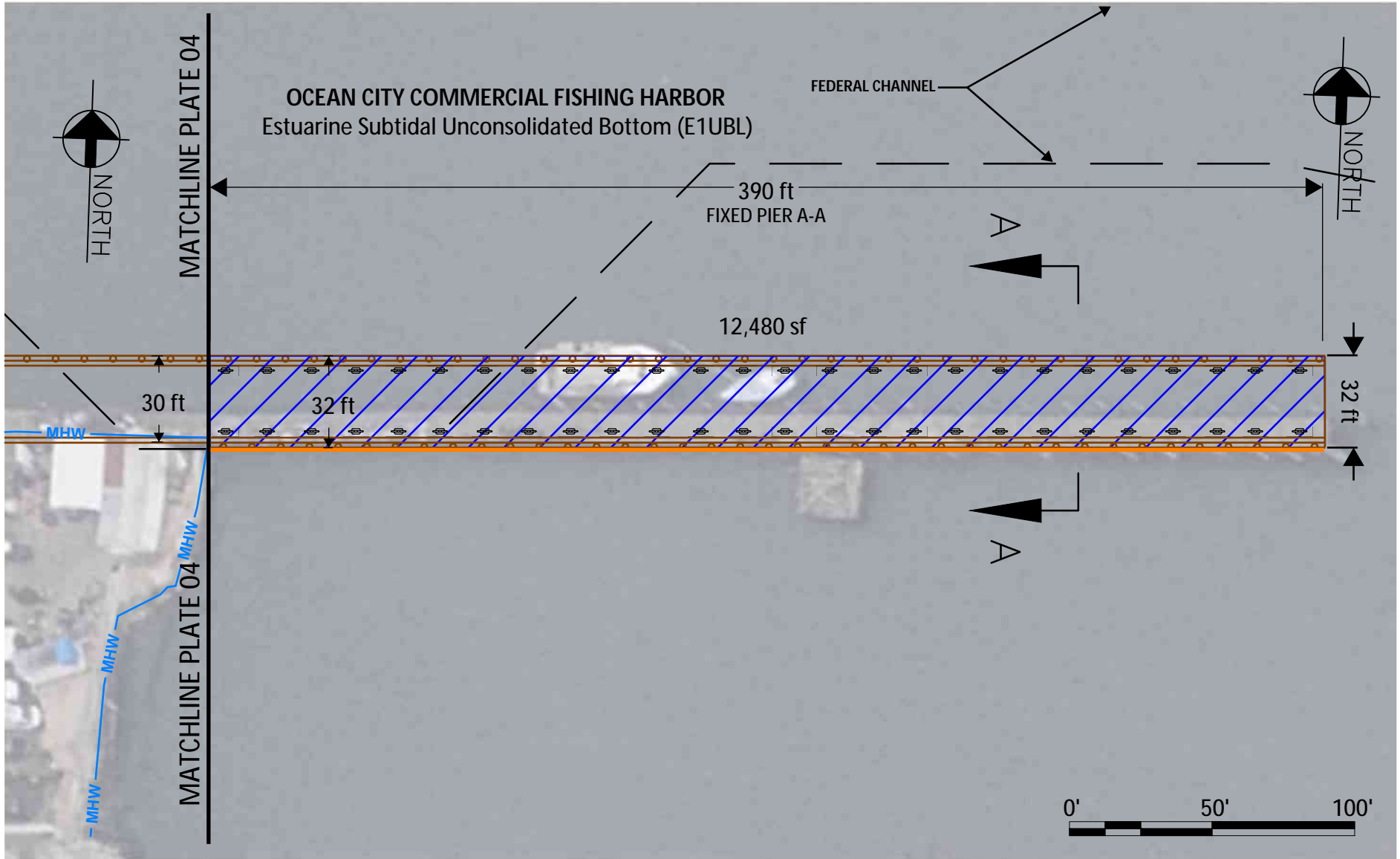
**OPERATIONS AND MAINTENANCE FACILITY
PIER INSTALLATION**

WETLAND IMPACTS

SCALE: 1" = 50'

DATE: NOVEMBER 2023

PLATE 04 of 09



US WIND, INC.
BALTIMORE, MD

Revisions



WORCESTER COUNTY

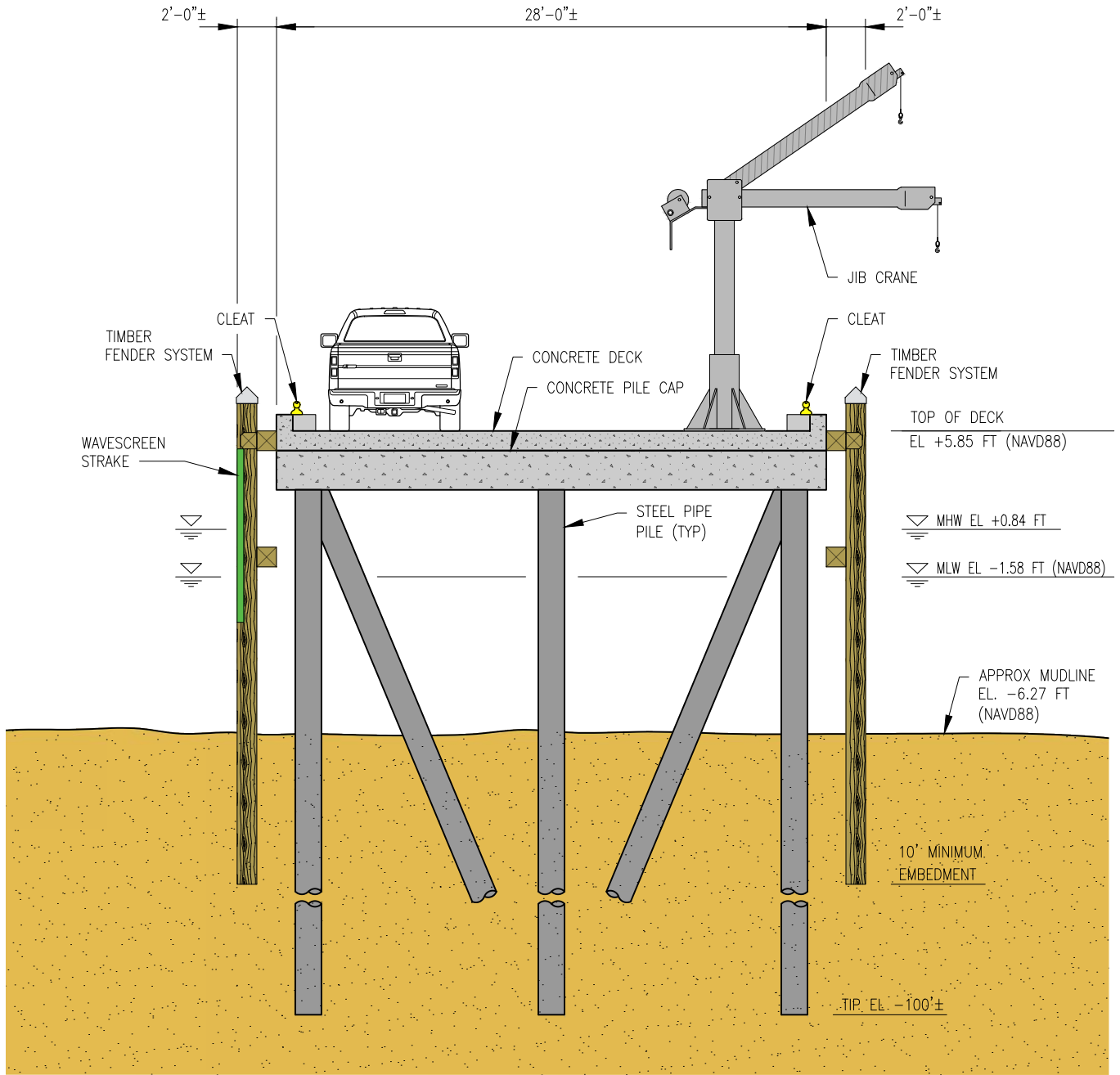
**OPERATIONS AND MAINTENANCE FACILITY
PIER INSTALLATION**

WETLAND IMPACTS

SCALE: 1" = 50'

DATE: NOVEMBER 2023

PLATE 05 of 09



NOTE: MHW LINE BASED ON STUDY PERFORMED BY SPENCER ROWE, INC., IN A REPORT DATED AUGUST 2022.

CONCEPTUAL FIXED PIER SECTION A-A



US WIND, INC.
BALTIMORE, MD



Revisions

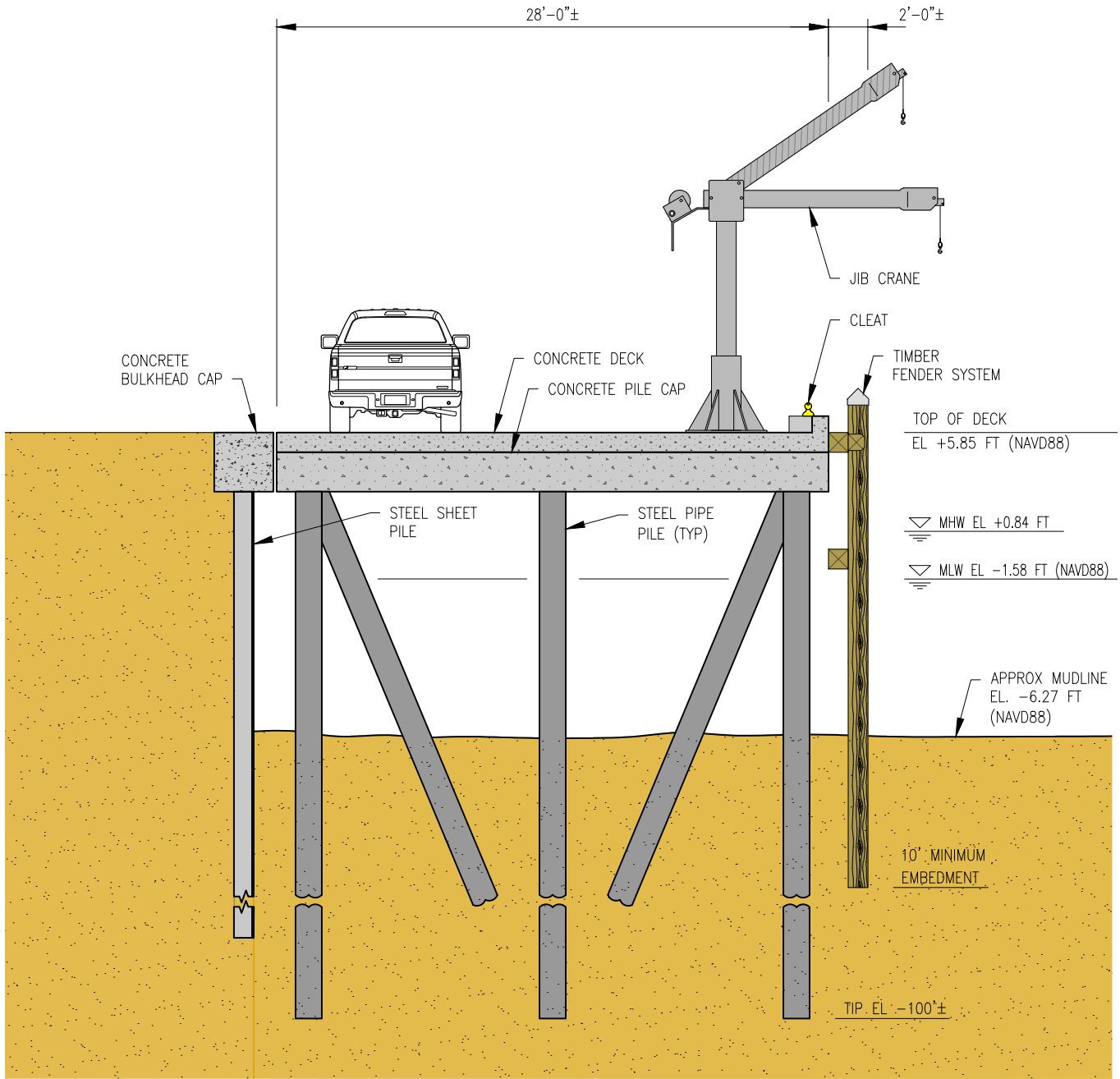
WORCESTER COUNTY

**OPERATIONS AND MAINTENANCE FACILITY
PIER INSTALLATION**

NOT TO SCALE

DATE: NOVEMBER 2023

PLATE 06 of 09



NOTE: MHW LINE BASED ON STUDY PERFORMED BY SPENCER ROWE, INC., IN A REPORT DATED AUGUST 2022.

CONCEPTUAL FIXED PIER SECTION B-B



US WIND, INC.
BALTIMORE, MD



WORCESTER COUNTY

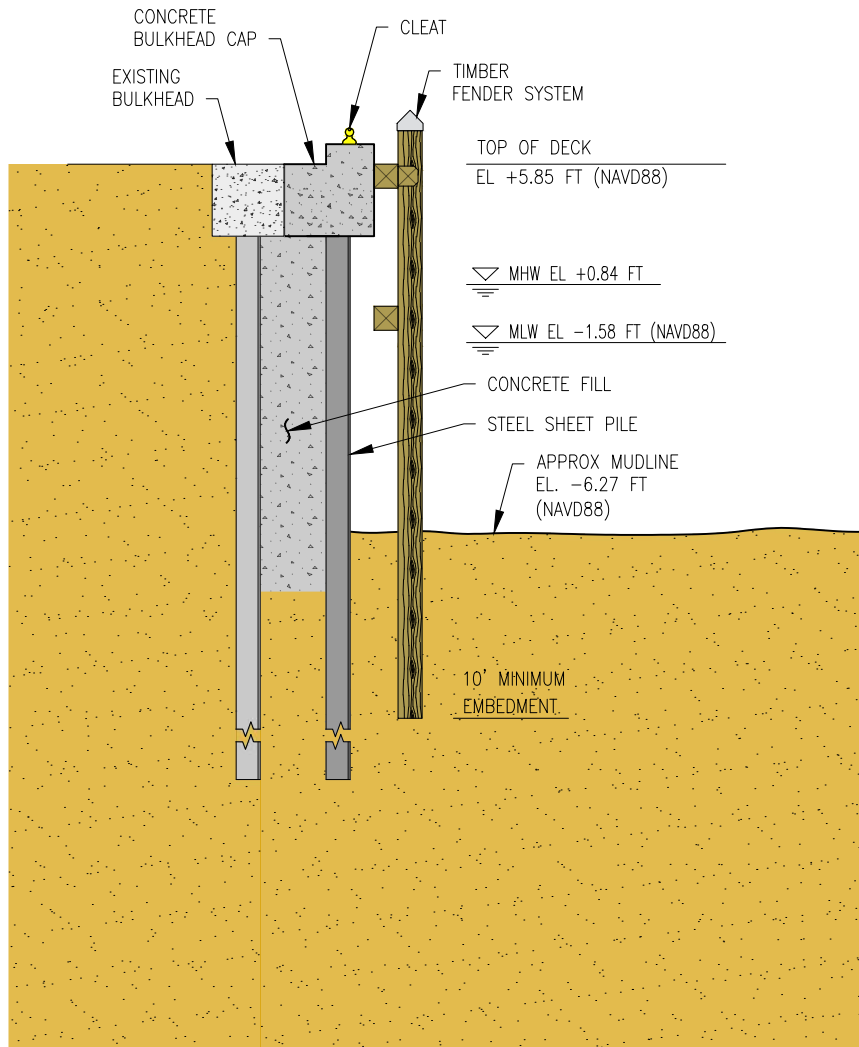
**OPERATIONS AND MAINTENANCE FACILITY
PIER INSTALLATION**

LEGEND AND NOTES

NOT TO SCALE

DATE: NOVEMBER 2023

PLATE 07 of 09



NOTE: MHW LINE BASED ON STUDY PERFORMED BY SPENCER ROWE, INC., IN A REPORT DATED AUGUST 2022.

CONCEPTUAL BULKHEAD SECTION C-C



US WIND, INC.
BALTIMORE, MD



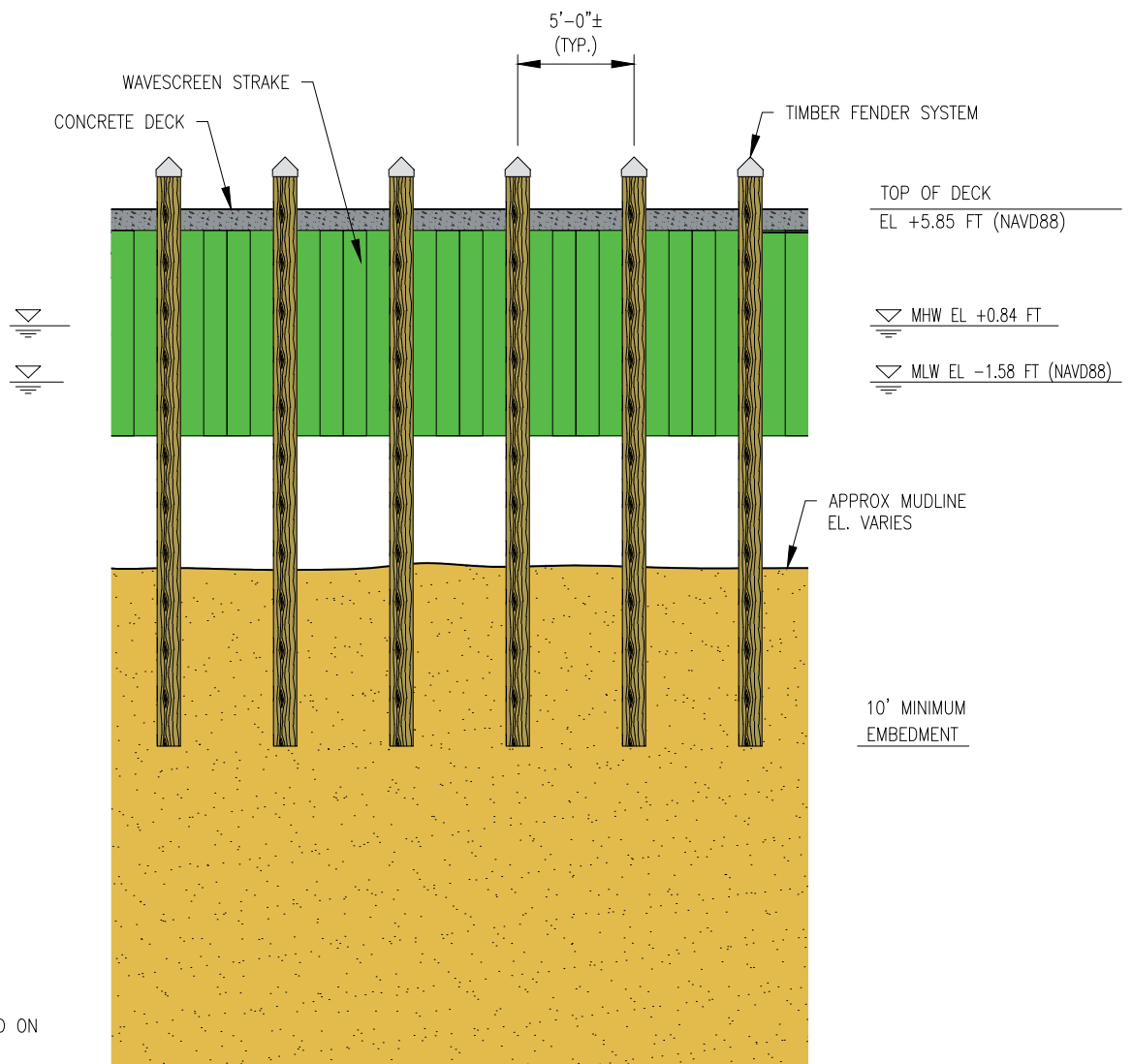
Revisions

**OPERATIONS AND MAINTENANCE FACILITY
PIER INSTALLATION**

NOT TO SCALE

DATE: NOVEMBER 2023

PLATE 08 of 09



NOTE: MHW LINE BASED ON STUDY PERFORMED BY SPENCER ROWE, INC., IN A REPORT DATED AUGUST 2022.

CONCEPTUAL FIXED PIER ELEVATION D-D



US WIND, INC.
BALTIMORE, MD



Revisions

**OPERATIONS AND MAINTENANCE FACILITY
PIER INSTALLATION**

NOT TO SCALE

DATE: NOVEMBER 2023

PLATE 09 of 09

Attachment 3 – Completed Forms

- BULKHEAD REPLACEMENT - SHORE EROSION BUFFER MANAGEMENT PLAN

This form is to be used to address the requirement for a Buffer Management Plan for bulkhead replacement projects which involve minimal clearing, grading, disturbance or stockpiling on land.

1. Applicant Information:

Name: US Wind (c/o Jeffrey Grybowski, Chief Executive Officer)			
Address: 401 East Pratt Street, Suite 1810			
City: Baltimore	State: MD	Zip: 21202	
Telephone: (410) 727-4020	E-mail address: j.grybowski@uswindinc.com		

2. Work site address if different than above:

Address: 12929 Harbor Rd and 12933 Harbor Rd		
City: Ocean CitY	State: MD	Zip: 21842

3. Bulkhead replacement description:

- a. How many linear feet of bulkhead replacement? 435
- b. How far channelward will the new bulkhead be located? 1.5 FT
- c. What is the construction and anchoring method? Dependent on soil properties and exposed height being favorable, anticipate installing cantilevered SSP bulkhead. Sheet pile will be driven with impact hammer.
- d. Access to bulkhead via (circle one) Land Water *see note
- e. Describe vegetation to be disturbed and approximate area (sq. feet), excluding turf grass:
The project does not propose vegetation disturbance

*US Wind anticipates using land access to the extent feasible; however some access via barge will likely be necessary

4. List mitigation provided for removal of trees and shrubs, as indicated by local government. Please provide a sketch on back of this form, showing trees and shrubs being removed (X), and where new plantings will be located – (T) for tree, (S) for shrub.

No trees or shrubs are proposed for removal as part of this project. US Wind plans to initiate coordination with Worcester County to discuss potential critical area impacts.

5. Certification:

I will abide by this plan if approved and will not conduct any work beyond the limits of this plan and the corresponding MDE authorization. I understand that municipal or county staff may contact me and arrange to inspect the work. Disturbance within the Buffer beyond what is described herein is a violation of State and local laws. I certify that the information on this form is true and accurate to the best of my knowledge and belief.

****PROPERTY OWNER SIGNATURE:** 

DATE: 11/17/2023

NOTE:

****PLAN IS INVALID WITHOUT A PROPERTY OWNER SIGNATURE**

CRITICAL AREA BUFFER NOTIFICATION FORM
NOTICE TO SHORE EROSION CONTROL APPLICANTS

Submittal Requirements

WHEN submitting a shore erosion control application to the Maryland Department of the Environment (MDE), the owner or their representative shall include with the application the following:

1. The proposed Buffer Management Plan
2. This Critical Area Buffer Notification Form

Examples of Buffer Management Plans can be obtained by contacting the local government or the Critical Area Commission. This information is also available on the Commission's website (See contact information at the bottom of this form).

1. MDE may determine the application is incomplete if a **COMPLETED** DRAFT Buffer Management Plan or this form is not included with the application.
2. In addition to a federal or State authorization, a local government approval is required before you begin your project.
3. Before beginning any work, including site preparation and stockpiling of materials, the owner or their representative must obtain:
 - i. An authorization from MDE and the U.S. Army Corps of Engineers to construct and install a shore erosion control measure;
 - ii. Approval of the Buffer Management Plan from the local jurisdiction; AND
 - iii. Any other required local permits.
4. Buffer disturbance without a locally approved Buffer Management Plan or buffer disturbance that is not consistent with a locally approved Buffer Management Plan is a violation of State and local laws.

CERTIFICATION

I have read and understand the requirements described in this NOTIFICATION FORM. I will abide by these requirements and the conditions of any State authorization and/or local approval. I will not begin any work without all required proper authorizations. Upon reasonable notice, I authorize the right to enter for periodic on-site evaluation by official representatives of the local Critical Area permitting authority.

SIGNATURE OF PROPERTY OWNER OR REPRESENTATIVE:



PRINTED NAME: Jeffrey Grybowski, Chief Executive Officer

DATE: 11/17/2023

ADDRESS OF SHORE EROSION CONTROL PROJECT (Street #, Street, City, State, Zip code):

12929 Harbor Rd and 12933 Harbor Rd, Ocean City, MD, 21842

CRITICAL AREA COMMISSION FOR THE CHESAPEAKE AND ATLANTIC COASTAL BAYS

1804 West Street, Suite 100 • Annapolis, MD 21401 • 410-260-3460

See the following website for a list of local Critical Area permitting authorities:

www.dnr.maryland.gov/criticalarea/Pages/default.aspx



LIVING SHORELINE WAIVER WORKSHEET

Project Site Address: **12929 Harbor Rd and 12933 Harbor Rd**

City, State, Zip: **Ocean City, MD, 21842**

	Existing Structure	Is the proposed project a replacement of a previously authorized, functional structure i.e. replacement bulkhead? <u>If yes, then check the yes box and do not fill out the rest of the form.</u>	<input checked="" type="checkbox"/> Yes (Waiver)						
			<input type="checkbox"/> No						
	Mapped Shoreline	Is the applicant's proposed project's shoreline mapped by MDE as an area appropriate for structural shoreline stabilization measures? If unknown, leave this section blank. <u>If yes, then check the yes box and do not fill out the rest of the form.</u>	<input type="checkbox"/> Yes (Waiver)						
			<input type="checkbox"/> No						
1	Navigation	Distance in feet from the Mean High Water Line to the centerline of the closest mapped or unmapped navigable channel.							
2	Width of Waterway	Distance in feet from Mean High Water Line of proposed project's shoreline perpendicular across the waterway to the Mean High Water Line on the opposite shoreline.							
3	Depth at Toe of Bank	Depth of the water in feet from the Mean Low Water Line to the bottom or toe of the shoreline bank.							
4	Depth of Waterway	Depth of water in feet relative to the Mean Low Water Line at 20-foot and 40-foot channelward of the Mean High Water Line at the proposed project's shoreline.	<u>At 20 Ft.</u> <u>At 40 Ft.</u>						
5	Shoreline Orientation	A. Provide a compass direction perpendicular to the line of the proposed project's shoreline. Direction can be given as NE, SW, etc. or as a compass heading (i.e., 45°, 225°). B. Is Bank grading or tree trimming required to provide at least six hours of daily sunlight.							
6	Fetch	Provide four measurements (in feet) of maximum unobstructed distance over open water for each compass quadrant (i.e., NE, SE, SW, NW) centered on the proposed project's location on the applicant's shoreline.	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;"><u>NW</u></td> <td style="text-align: center;"><u>NE</u></td> </tr> <tr> <td style="text-align: center;"><u>SW</u></td> <td style="text-align: center;"><u>SE</u></td> </tr> </table>	<u>NW</u>	<u>NE</u>	<u>SW</u>	<u>SE</u>		
<u>NW</u>	<u>NE</u>								
<u>SW</u>	<u>SE</u>								
7	Bottom Material	Firmness of bottom material in the proposed project's area of impact. Type of bottom material in the proposed project's area of impact.	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td><input type="checkbox"/> Hard</td> <td><input type="checkbox"/> Soft</td> </tr> <tr> <td><input type="checkbox"/> Muck</td> <td><input type="checkbox"/> Silt</td> </tr> <tr> <td><input type="checkbox"/> Sand</td> <td><input type="checkbox"/> Clay</td> </tr> </table>	<input type="checkbox"/> Hard	<input type="checkbox"/> Soft	<input type="checkbox"/> Muck	<input type="checkbox"/> Silt	<input type="checkbox"/> Sand	<input type="checkbox"/> Clay
<input type="checkbox"/> Hard	<input type="checkbox"/> Soft								
<input type="checkbox"/> Muck	<input type="checkbox"/> Silt								
<input type="checkbox"/> Sand	<input type="checkbox"/> Clay								
	Sensitive Species	Will project construction adversely impact fish, plant, underwater vegetation, marsh, shellfish, wildlife habitat, or the area within 100 feet landward of the proposed project's shoreline? If unknown, leave this section blank.	<input type="checkbox"/> Yes (provide explanation and attach to this form) <input type="checkbox"/> No						
	Site Access	A. Can the proposed project be constructed from the water?	<input type="checkbox"/> Yes <input type="checkbox"/> No						
		B. Does the access to the site require any grading or trimming of vegetation?	<input type="checkbox"/> Yes <input type="checkbox"/> No						

I certify that the information on this form is true and accurate to the best of my knowledge and belief.

PROPERTY OWNER SIGNATURE:  DATE: 11/17/2023

PROPERTY OWNER NAME (PRINT): Jeffrey Grybowski, Chief Executive Officer