



Maryland
Department of
the Environment

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor

Horacio Tablada, Secretary
Suzanne E. Dorsey, Deputy Secretary

August 17, 2022

Maryland Dept of Natural Resources
C/o Jared Freeman
Whitney, Bailey, Cox & Magnani, Inc
300 E Joppa Rd; Ste 200
Towson, Maryland 21286
(410) 512-4511
JFreeman@wbcm.com

Re: Agency Interest Number: 77205
Tracking Number: 202260921
Tidal Authorization Number: 22-WQC-0017

Dear Mr. Wright:

Your project did not qualify for approval under the Maryland State Programmatic General Permit (MDSPGP); therefore a separate review and issuance of the federal permit will be required by the U.S. Army Corps of Engineers. The federal permit is not attached.

Additionally, your project required a Wetlands License to be approved and issued by the Maryland Board of Public Works (BPW). The Wetlands License will be sent to you by BPW's Wetlands Administrator.

A project that does not qualify for approval under the MDSPGP requires an individual Water Quality Certification (WQC) to be issued by the Maryland Department of the Environment, which is attached. Please take a moment to read and review your WQC to ensure that you understand the limits of the authorized work and all of the general and special conditions.

You should not begin any work until you have obtained all necessary State, local, and federal authorizations. Please contact Mary Phipps-Dickerson at mary.phipps-dickerson@maryland.gov or 410-509-0797 with any questions.

Sincerely,

Tammy K. Roberson
Chief
Tidal Wetlands Division



STATE OF MARYLAND
DEPARTMENT OF THE ENVIRONMENT
WATER AND SCIENCE ADMINISTRATION
WATER QUALITY CERTIFICATION



22-WQC-0017

EFFECTIVE DATE: **August 17, 2022**
CERTIFICATION HOLDER: **Maryland Department of Natural Resources**
ADDRESS: **Attn: Kelly Wright**
305 Marine Academy Drive
Stevensville, MD 21666
PROJECT LOCATION: **137 Deep Shore Road**
Denton, MD 21629

UNDER AUTHORITY OF SECTION 401 OF THE FEDERAL WATER POLLUTION CONTROL ACT AND ITS AMENDMENTS AND IN ACCORDANCE WITH § 9-313 THROUGH § 9-323, INCLUSIVE, OF THE ENVIRONMENT ARTICLE, ANNOTATED CODE OF MARYLAND, THE MARYLAND DEPARTMENT OF THE ENVIRONMENT, WATER AND SCIENCE ADMINISTRATION HAS DETERMINED THAT THE REGULATED ACTIVITIES DESCRIBED IN THE REQUEST FOR CERTIFICATION FOR THE PROPOSED DNR-Martinak Boat Ramp Upgrade AND AS DESCRIBED IN THE ATTACHED PLAN SHEETS DATED January 28, 2022 AND ANY SUBSEQUENT MODIFICATIONS APPROVED BY THE DEPARTMENT WILL NOT VIOLATE MARYLAND'S WATER QUALITY STANDARDS, IF CONDUCTED IN ACCORDANCE WITH THE CONDITIONS OF THIS CERTIFICATION.

THIS CERTIFICATION DOES NOT RELIEVE THE APPLICANT OF RESPONSIBILITY FOR OBTAINING ANY OTHER APPROVALS, LICENSES, OR PERMITS IN ACCORDANCE WITH FEDERAL, STATE, OR LOCAL REQUIREMENTS AND DOES NOT AUTHORIZE COMMENCEMENT OF THE PROPOSED PROJECT. A COPY OF THIS REQUIRED CERTIFICATION HAS BEEN SENT TO THE CORPS OF ENGINEERS. THE CERTIFICATION HOLDER SHALL COMPLY WITH THE CONDITIONS LISTED BELOW.

PROJECT DESCRIPTION

1. Remove an existing timber pier;
2. Construct and backfill 930 linear feet of replacement bulkhead within a maximum of 18 inches channelward of a deteriorated bulkhead;
3. Remove and replace in-kind 10 linear feet of stone revetment in order to replace a section of bulkhead;
4. Replace the existing boat ramp by constructing a 70-foot long by 35-foot, 7-inch wide concrete boat ramp all within a maximum of 49 feet channelward of the mean high water line;
5. Construct an 80-foot long by 8-foot wide floating loading pier within the boat ramp all within a maximum of 59 feet channelward of the mean high water line,
6. Construct a 6-foot wide by 32-foot long floating finger pier with widened area joining the pier, a 20-foot long by 5-foot wide modular kayak launch attached to 4 timber anchor piles;

and a 45-foot long floating debris deflection boom attached to one anchor pile all within a maximum of 36 feet channelward of the mean high water line.

GENERAL CONDITIONS

1. This Certification does not obviate the need to obtain required authorizations or approvals from other State, federal or local agencies as required by law.
2. All additional authorizations or approvals, including self-certifying General Permits issued by the Department, shall be obtained and all conditions shall be completed in compliance with such authorizations.
3. All fill and construction materials not used in the project shall be removed and disposed of in a manner which will prevent their entry into waters of this State.
4. Authorized representatives of the Department shall be provided access to the site of authorized activities during normal business hours to conduct inspections and evaluations of the operations and records necessary to assure compliance with this Certification.
5. This Certification does not authorize any injury to private property, any invasion of rights, or any infringement of federal, state, or local laws or regulations.
6. No stockpiles of any material shall be placed in Waters of the U.S. or state or private tidal wetlands.
7. This Certification is valid for the project identified herein and the associated U.S. Army Corps of Engineers authorization NAB-2022-60921 until such time that it expires or is not administratively extended.

SPECIAL CONDITIONS

1. All water quality-related performance standards and conditions required by the Department in any state issued authorization for activities in tidal wetlands, nontidal waterways, their 100-year floodplains, nontidal wetland buffers, or nontidal wetland expanded buffers to ensure that any discharges will not result in a failure to comply with water quality standards in COMAR 26.08.02. or other water quality requirements of state law or regulation shall be met.
2. All Critical Area requirements shall be followed and all necessary authorizations from the Critical Area Commission (“Commission”) shall be obtained. This Certificate does not constitute authorization for disturbance in the 100-foot Critical Area Buffer. “Disturbance” in the Buffer means clearing, grading, construction activities, or removal of any size of tree or vegetation. Any anticipated Buffer disturbance requires prior written approval, before commencement of land disturbing activity, from the Commission in the form of a Buffer Management Plan.
3. All work performed under this Water Quality Certificate shall be conducted by a marine contractor licensed by the Marine Contractors Licensing Board (MCLB) in accordance with Title 17 of the Environment Article of Annotated Code of Maryland. Licensing by MCLB shall occur prior to the beginning of construction activities. A list of licensed marine contractors may be obtained by

contacting the MCLB at 410-537- 3249, by e-mail at MDE.MCLB@maryland.gov or by accessing the Maryland Department of the Environment, Environmental Boards webpage.

4. The Certificate Holder shall complete construction of the bulkhead prior to filling behind the bulkhead. The bulkhead shall be designed and constructed to prevent the loss of fill material to waters of the State of Maryland. Only clean fill, which is free of organic, toxic, contaminated, or deleterious materials, shall be used.
5. The Certificate Holder, to reduce any potential adverse affects to fish habitat, shall construct and maintain a cofferdam around and channelward of the boat ramp area prior to any excavation and backfilling along the shoreline through completion of any excavation and backfilling along the shoreline.

CITATIONS AND STATEMENTS OF NECESSITY

CITATIONS AND STATEMENTS OF NECESSITY

1) General Authorities; Need for Other Permits and Authorizations

a) General Conditions 1,2, 7; Special Conditions 2,

Statement of Necessity for Condition: The condition is necessary to ensure that water quality standards are met under unique circumstances for discharges which may otherwise qualify under the certified Nationwide Permits and to maintain designated uses of waters.

Citation: Federal and state laws that authorize this condition include but are not limited to: 33 U.S.C. § 1341(a), (b), & (d); 33 U.S.C. § 1251(b); 33 U.S.C. § 1370; Md. Ann. Code, Env. Article, Title 1, Subtitles 3 and 4; Md. Ann. Code, Env. Article, Title 5, Subtitles 5 and 9; Md. Ann. Code, Env. Article, Title 9, Subtitle 3; Md. Ann. Code, Env. Article, Title 16; COMAR 26.08; COMAR 26.08.02.10G(3); COMAR 26.23.02.06; COMAR 26.17.01; COMAR 26.23; COMAR 26.24

b) General Condition 5

Statement of Necessity for Condition: The condition is necessary to ensure that water quality standards are met under unique circumstances for discharges which may otherwise qualify under the terms of the federal authorization and to maintain designated uses of waters. The Corps of Engineers authorization and plans include details about amount and location of discharges, as well as other conditions for reducing adverse effects to water quality, which ultimately supports maintaining designated uses. The Certification conditions and decision are based upon based on the details of the Corps of Engineers authorization and plans.

Citation: COMAR 26.08.02.01E(2)

2) Unauthorized or Incidental Discharges - General Conditions 3, 6, Special Condition 4, 5

Statement of Necessity for Condition: Fill or construction material within or adjacent to regulated resources may cause discharges resulting in turbidity in excess of water quality standards and interfere with designated uses of growth and propagation of fish, other aquatic life, wildlife; and other designated uses; and fail to meet general water quality criteria that waters not be polluted by substances in amounts sufficient to be unsightly or create a nuisance.

Citation: 26.08.02.03B(1)-B(2); COMAR 26.23; COMAR 26.24; COMAR 26.17.04

3) Inspections and Compliance - General Condition 4

Statement of Necessity for Condition: Conditions of certification involve precise actions to comply with water quality standards. Site inspection may be necessary to ensure that limits, methods, and other requirements are met to ensure that water quality standards are met and designated uses are maintained. These conditions are necessary to ensure that the activity was conducted, and project completed according to terms of the authorization/certification, while allowing for review of in-field modifications which may have resulted in discharges to ensure that water quality standards were met. Designated uses include support of estuarine and marine aquatic life and shellfish harvesting and for growth and propagation of fish, other aquatic life, and wildlife

Citation: Federal and state laws that authorize this condition include but are not limited to: 33 U.S.C. § 1341(a), (b), & (d); 33 U.S.C. § 1251(b); 33 U.S.C. § 1370; Md. Ann. Code, Env. Article, Title 1, Subtitles 3 and 4; Md. Ann. Code, Env. Article, Title 5, Subtitles 5 and 9; Md. Ann. Code, Env. Article, Title 9, Subtitle 3; Md. Ann. Code, Env. Article, Title 16; COMAR 26.08; COMAR 26.08.02.03B(1)(b); COMAR 26.08.02.03B(2); COMAR 26.23.02.06; COMAR 26.23; COMAR 26.24; COMAR 26.17.04

4) Performance Standards for Water Quality - Special Condition 1

Statement of Necessity for Condition: This condition is necessary to ensure that discharges will be conducted in a manner which does not violate water quality criteria nor interfere with designated uses.

Citation: COMAR 26.08.02.03B(1)(b); 26.08.02.03B(2);

5) Licensed Marine Contractor - Special Condition 3

Statement of Necessity: Expertise for conducting certain activities is required to ensure that there is no violation of water quality standards nor interference with designated uses.

This condition is necessary to ensure that discharges will be conducted in a manner which does not violate water quality criteria nor interfere with designated uses.

Citation: COMAR 26.08.02.02B(2)- B(4); COMAR 26.08 02.03B(2)(d) – (e); COMAR 26.08.02.03B(1)(b); 26.08.02.03B(2); COMAR 23.02.04.04

6) Inadvertent discharges - Special Conditions 4, 5

Unauthorized discharges may enter regulated waters as result of activity or structural failure. A plan to address inadvertent discharges will prevent or address further violations of water quality standards and failure of water to meet designated uses, including uses of growth and propagation of fish, other

aquatic life, wildlife; and other designated uses; and fail to meet general water quality criteria that waters not be polluted by substances in amounts sufficient to be unsightly or create a nuisance.

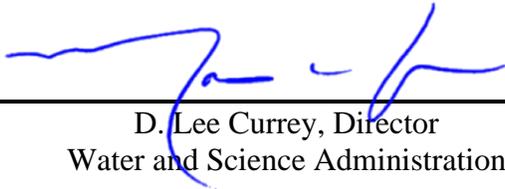
Citation COMAR 26.08.02.02B(1)d; COMAR 26.08.02.02B(3); COMAR 26.08.02.03B(1) and B(2); 26.08.02.01B(2); 26.08.02.02B(1)

7) Prevention of Toxic Discharges - Special Conditions 4

Statement of Necessity for Condition: This condition is necessary to prevent contaminated sediments with toxic material in excess of numeric limits to enter regulated waters. Limits or prohibitions are necessary to protect all designated uses.

Citation: COMAR 26.08.02.03-1; COMAR 26.08.02.02

CERTIFICATION APPROVED



D. Lee Currey, Director
Water and Science Administration

8/17/2022

Date

Tracking Number: 202260921
Agency Interest Number: 77205

Effective Date: **August 17, 2022**

Enclosure: Plan Sheets dated 1/28/2022

cc: WSA Inspection & Compliance Program
Army Corps of Engineers



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PROJECT VICINITY MAP

REPLACEMENT OF TIMBER BULKHEADS & PIER
 MARTINAK STATE PARK
 STATE OF MARYLAND DEPARTMENT OF GENERAL SERVICES
 137 DEEP SHORE ROAD
 DENTON, MD 21629

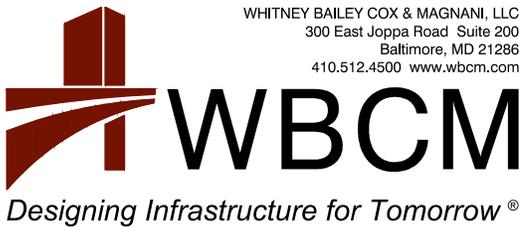
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INDEX OF DRAWINGS

SK001	PROJECT VICINITY MAP
SK002	INDEX OF DRAWINGS
SK101	OVERALL EXISTING SITE PLAN
SK102	OVERALL EXISTING PLAN
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SK202	PROPOSED PIER PLAN
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SK302	EXISTING BULKHEAD SECTION
SK303	PROPOSED WEST BULKHEAD SECTION
SK304	PROPOSED EAST BULKHEAD SECTION
SK305	GUIDE PILE DETAIL
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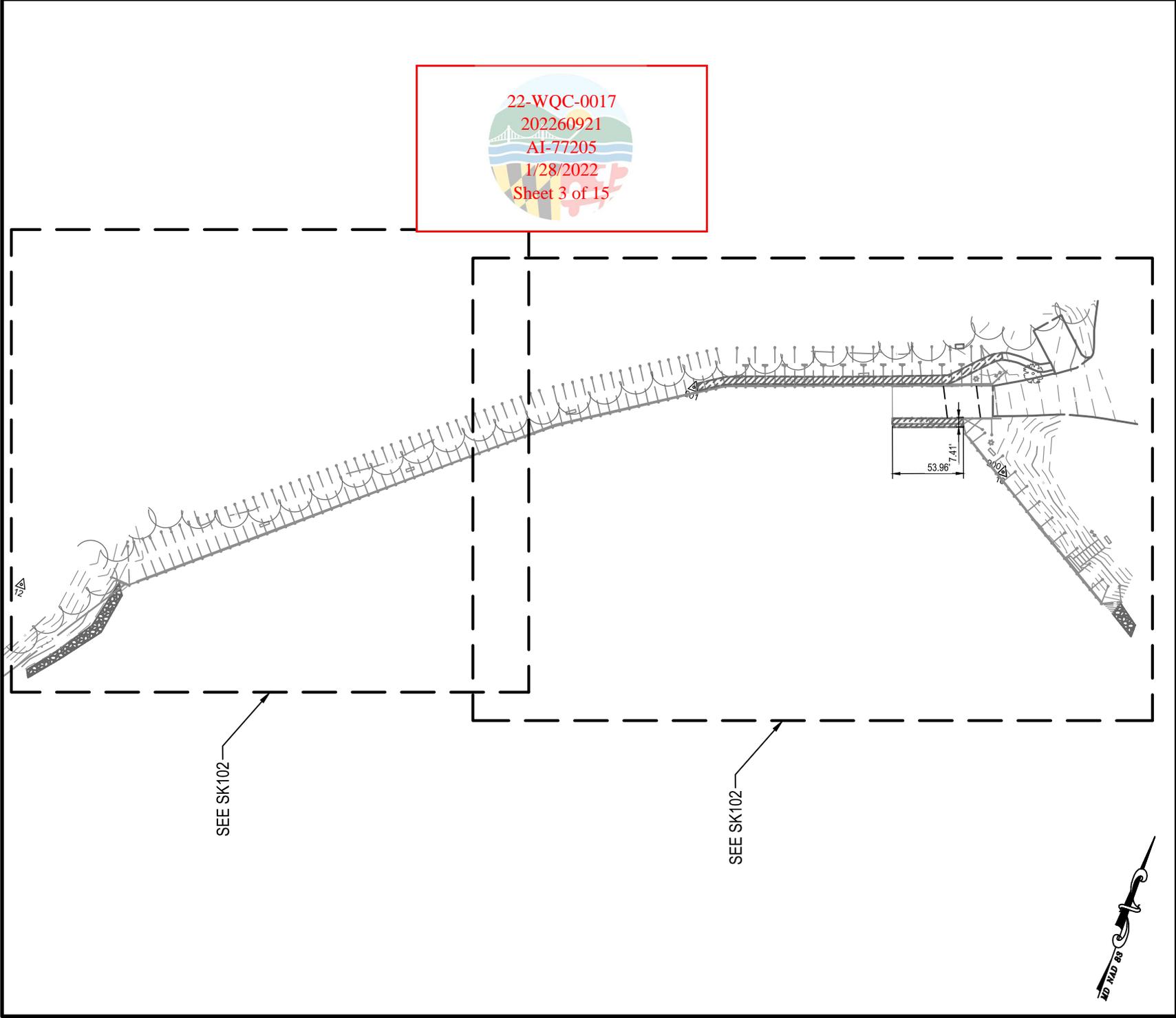
INDEX OF DRAWINGS

REPLACEMENT OF TIMBER BULKHEADS & PIER
MARTINAK STATE PARK
STATE OF MARYLAND DEPARTMENT OF GENERAL SERVICES
137 DEEP SHORE ROAD
DENTON, MD 21629

DATE:
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SK002



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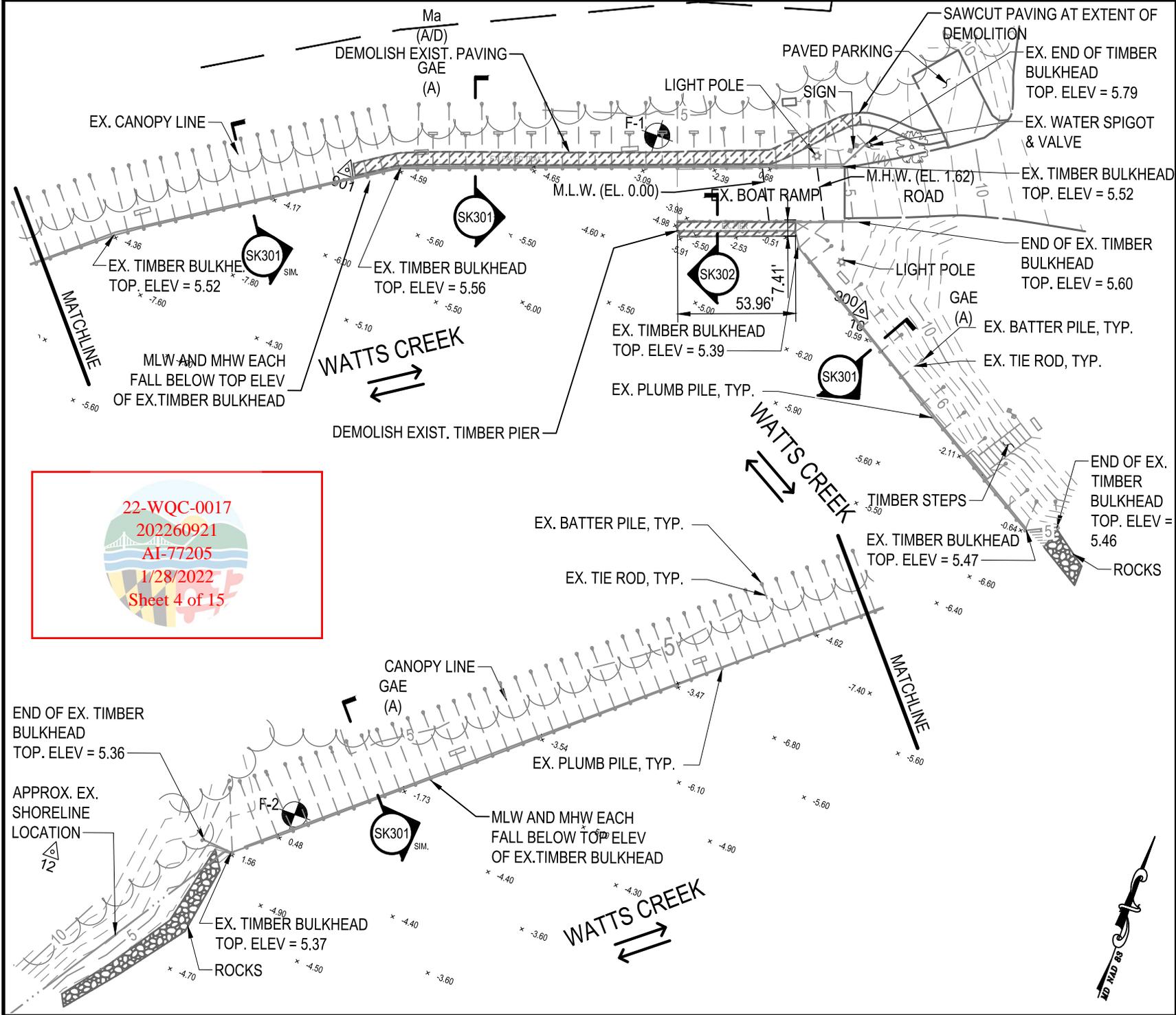
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DATE: 01/28/22
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SK101

OVERALL EXISTING SITE PLAN

REPLACEMENT OF TIMBER BULKHEADS & PIER
 MARTINAK STATE PARK
 STATE OF MARYLAND DEPARTMENT OF GENERAL SERVICES
 137 DEEP SHORE ROAD
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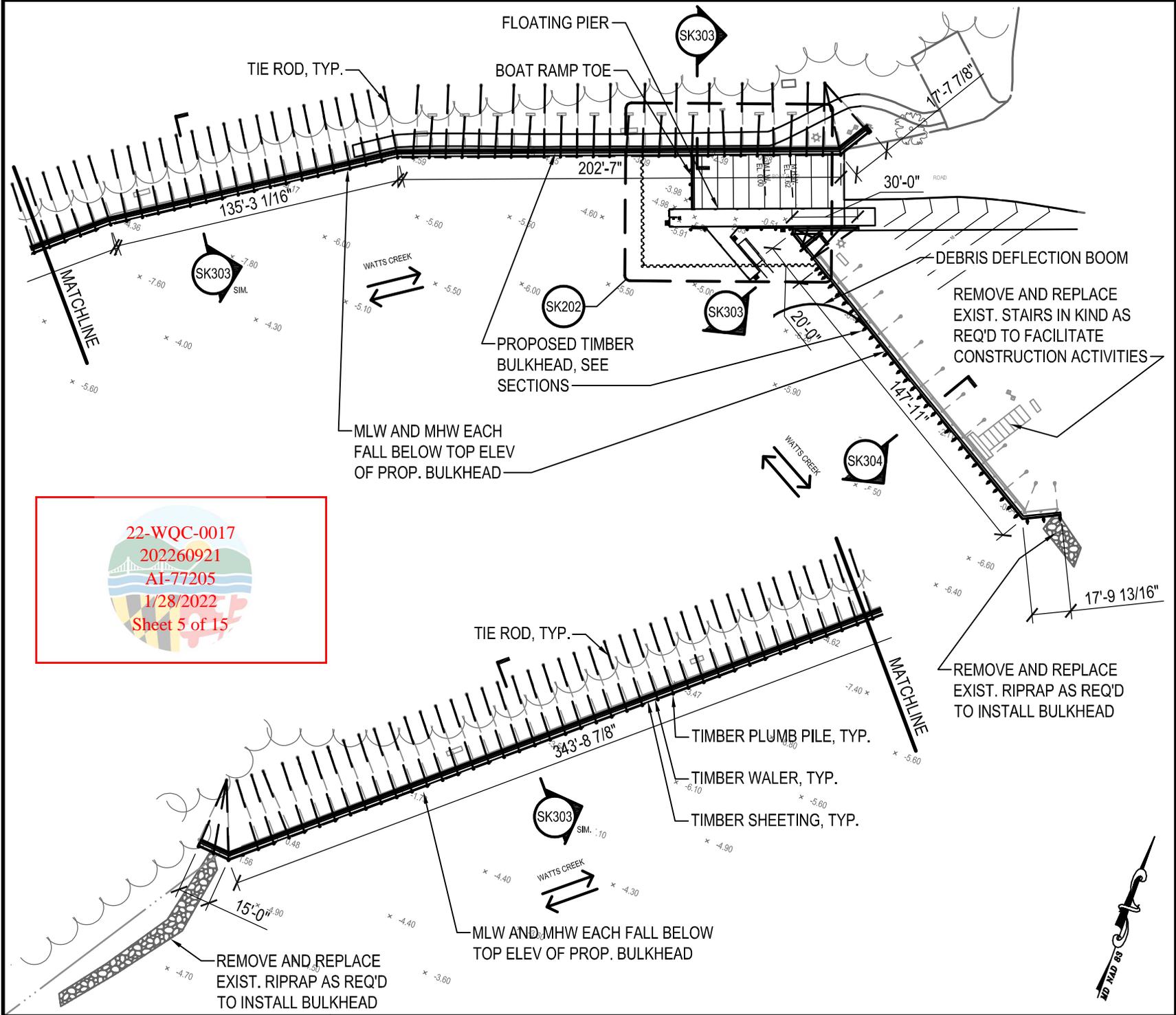
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OVERALL EXISTING PLAN
REPLACEMENT OF TIMBER BULKHEADS & PIER
 MARTINAK STATE PARK
 STATE OF MARYLAND DEPARTMENT OF GENERAL SERVICES
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DATE: 01/28/22
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SK201

PROPOSED BULKHEAD PLAN

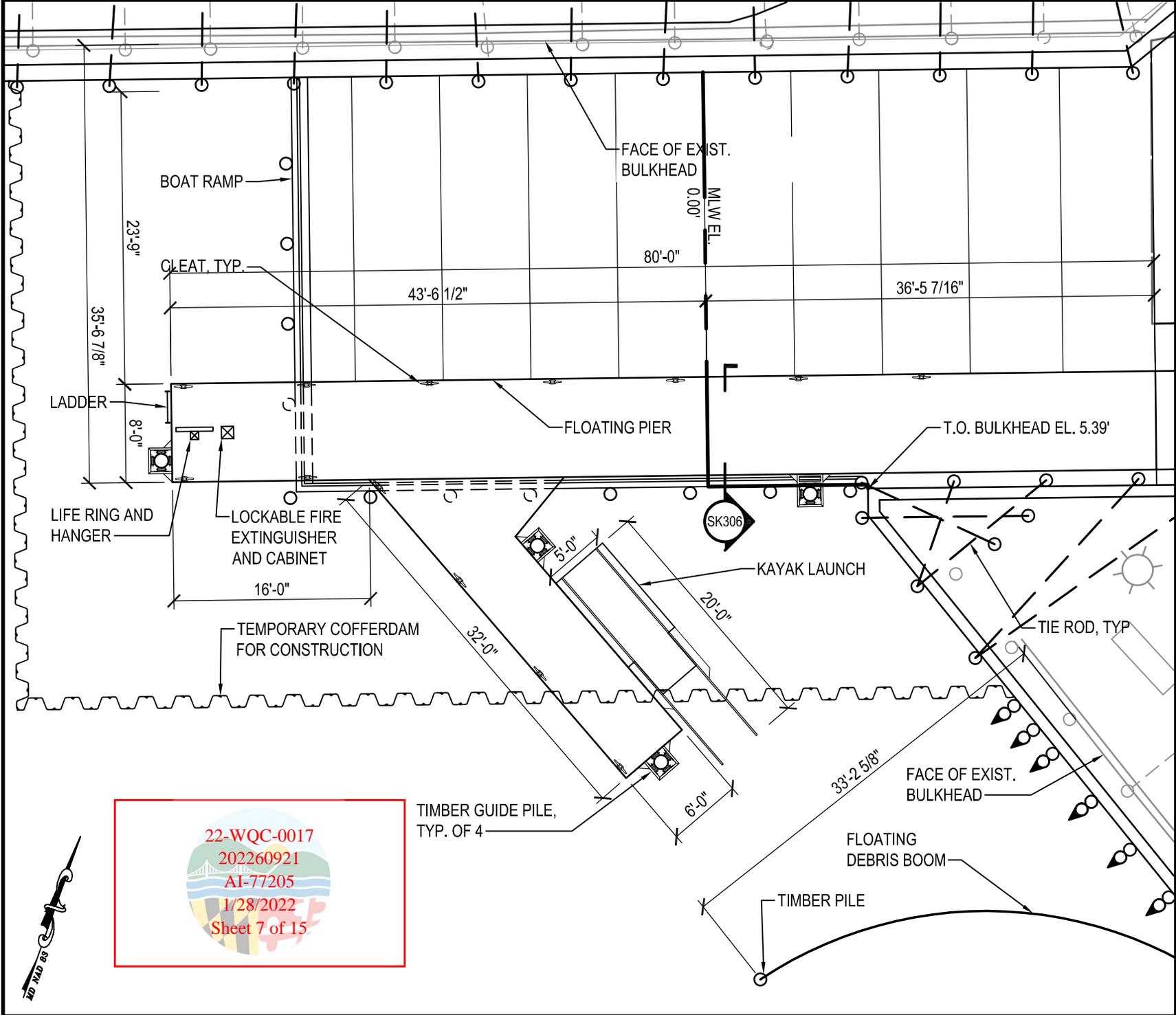
REPLACEMENT OF TIMBER BULKHEADS & PIER
 MARTINAK STATE PARK
 STATE OF MARYLAND DEPARTMENT OF GENERAL SERVICES
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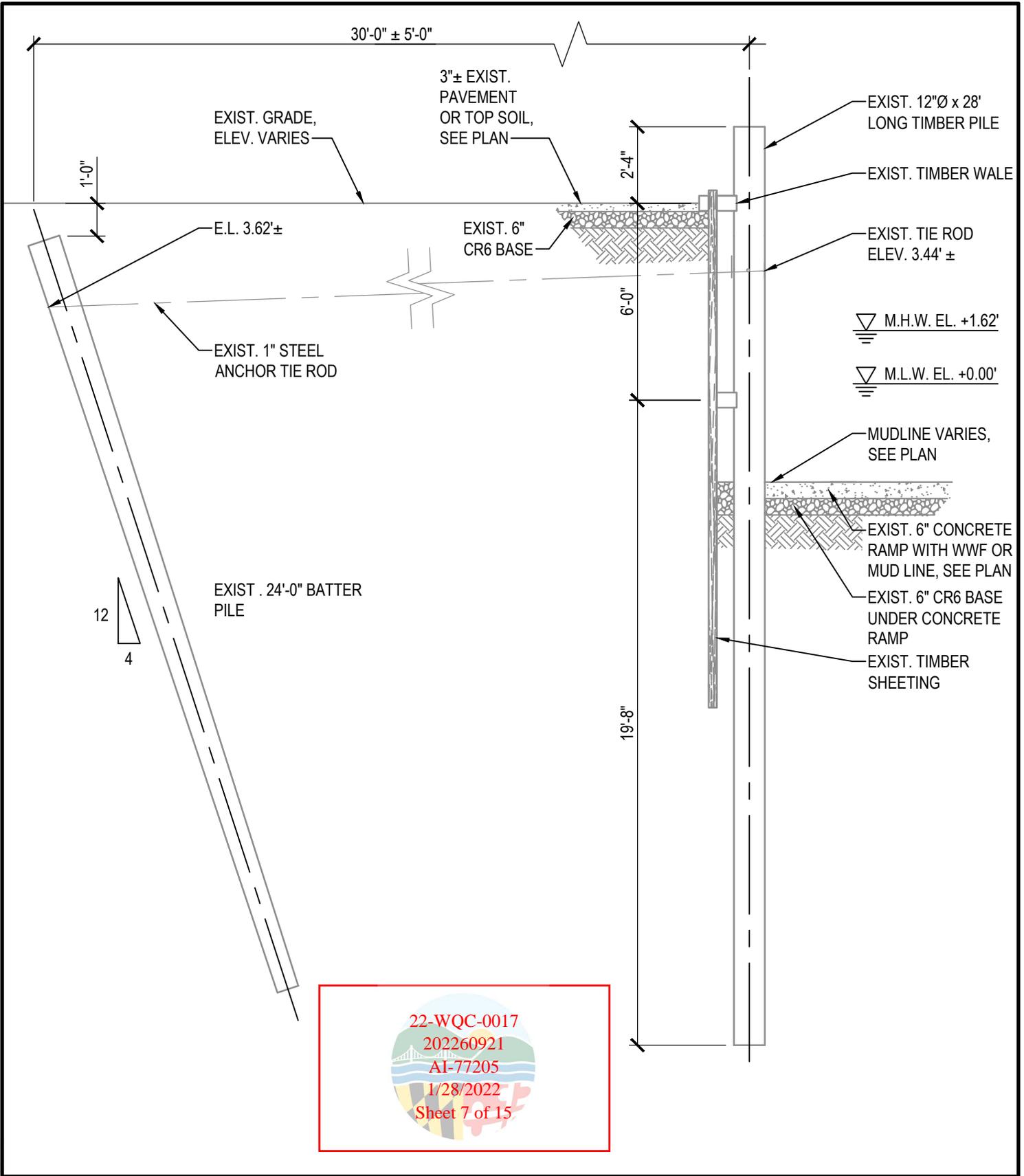
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SK202

PROPOSED PIER PLAN
REPLACEMENT OF TIMBER BULKHEADS & PIER
 MARTINAK STATE PARK
 STATE OF MARYLAND DEPARTMENT OF GENERAL SERVICES
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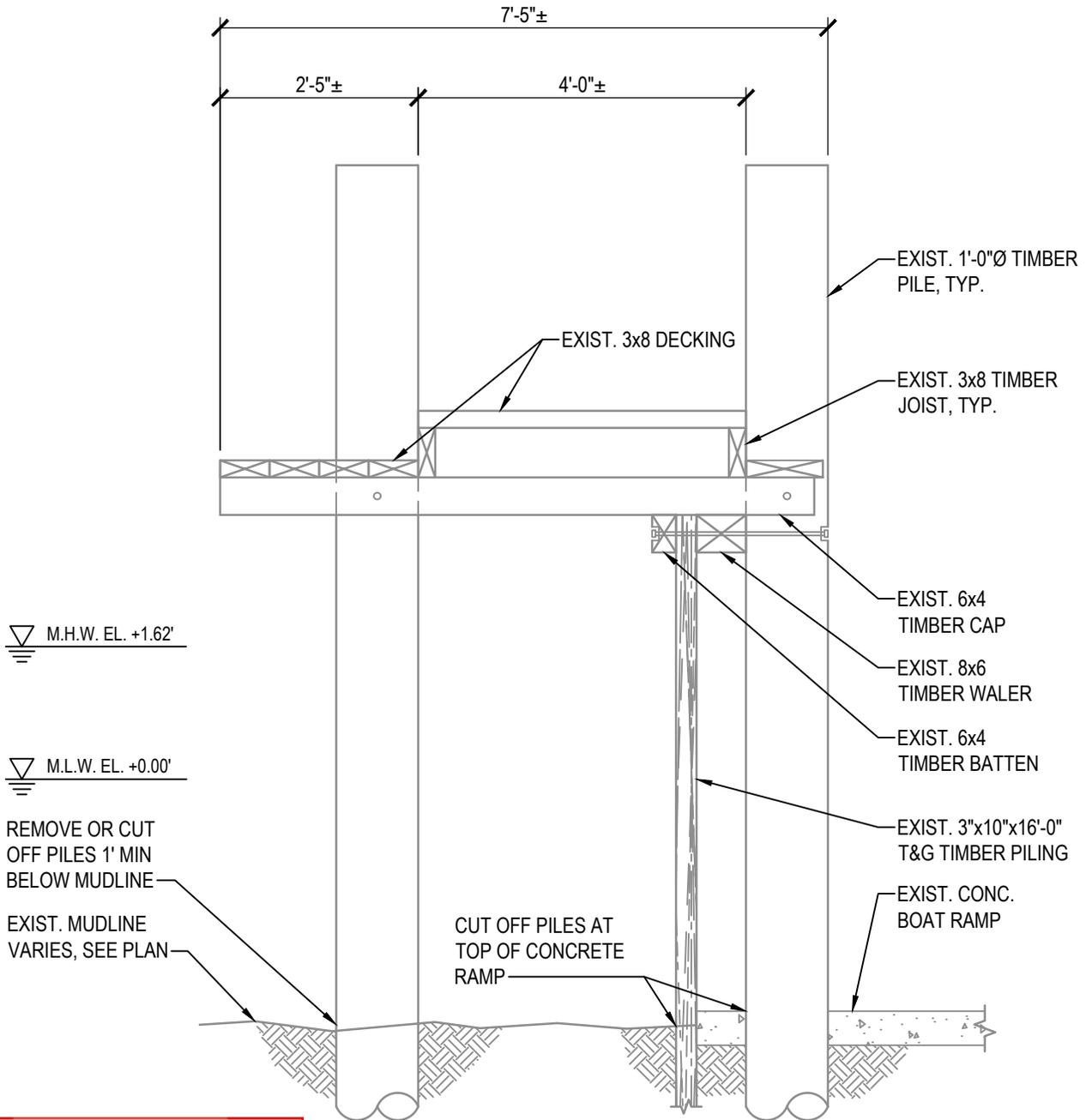
EXISTING BULKHEAD SECTION

REPLACEMENT OF TIMBER BULKHEADS & PIER
 MARTINAK STATE PARK
 STATE OF MARYLAND DEPARTMENT OF GENERAL SERVICES
 137 DEEP SHORE ROAD
 DENTON, MD 21629

DATE:
01/28/22

SCALE:
1/4" = 1'-0"

SK301



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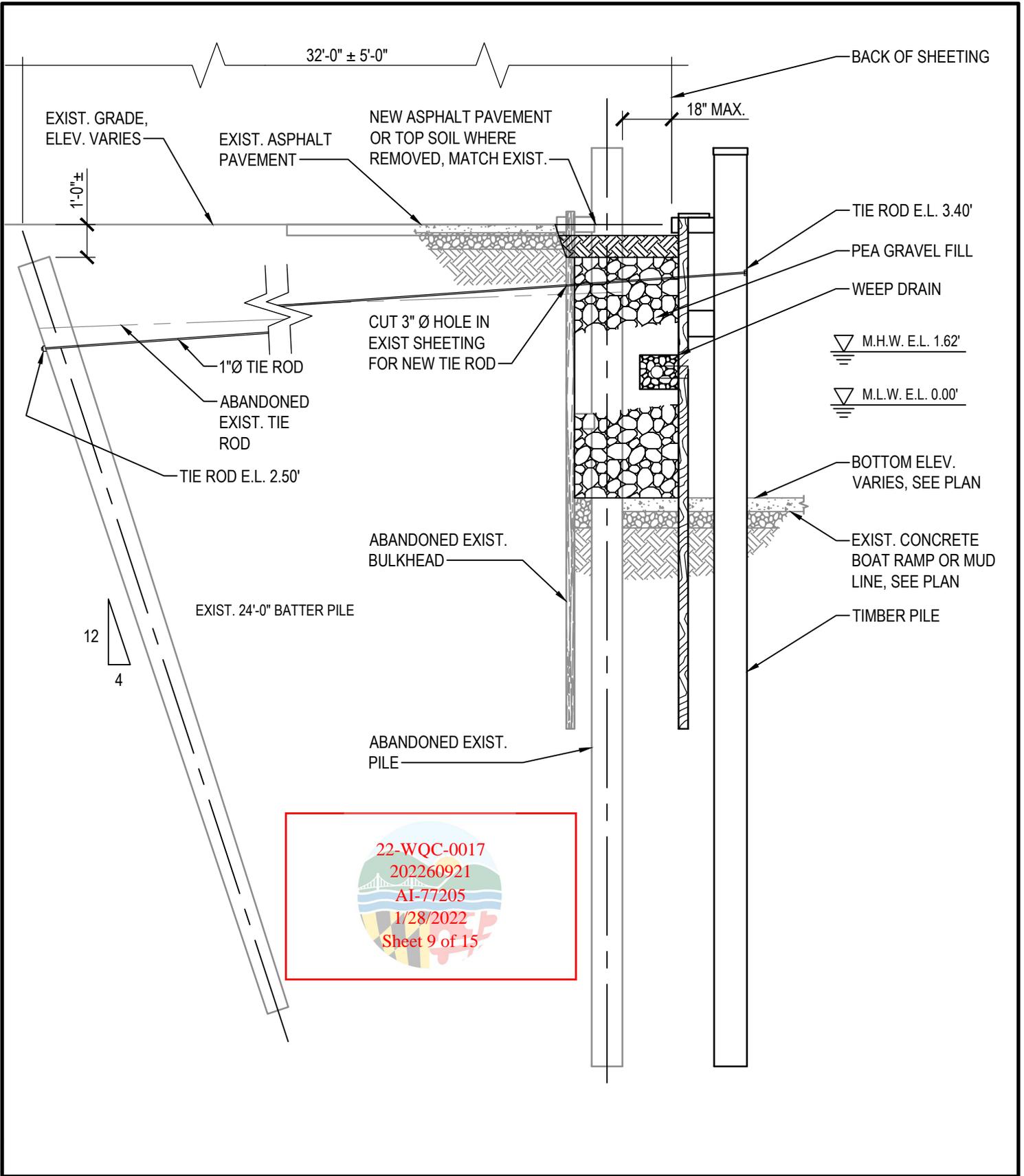
EXISTING PIER SECTION

REPLACEMENT OF TIMBER BULKHEADS & PIER
 MARTINAK STATE PARK
 STATE OF MARYLAND DEPARTMENT OF GENERAL SERVICES
 137 DEEP SHORE ROAD
 DENTON, MD 21629

DATE:
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SCALE:
1/2" = 1'-0"

SK302



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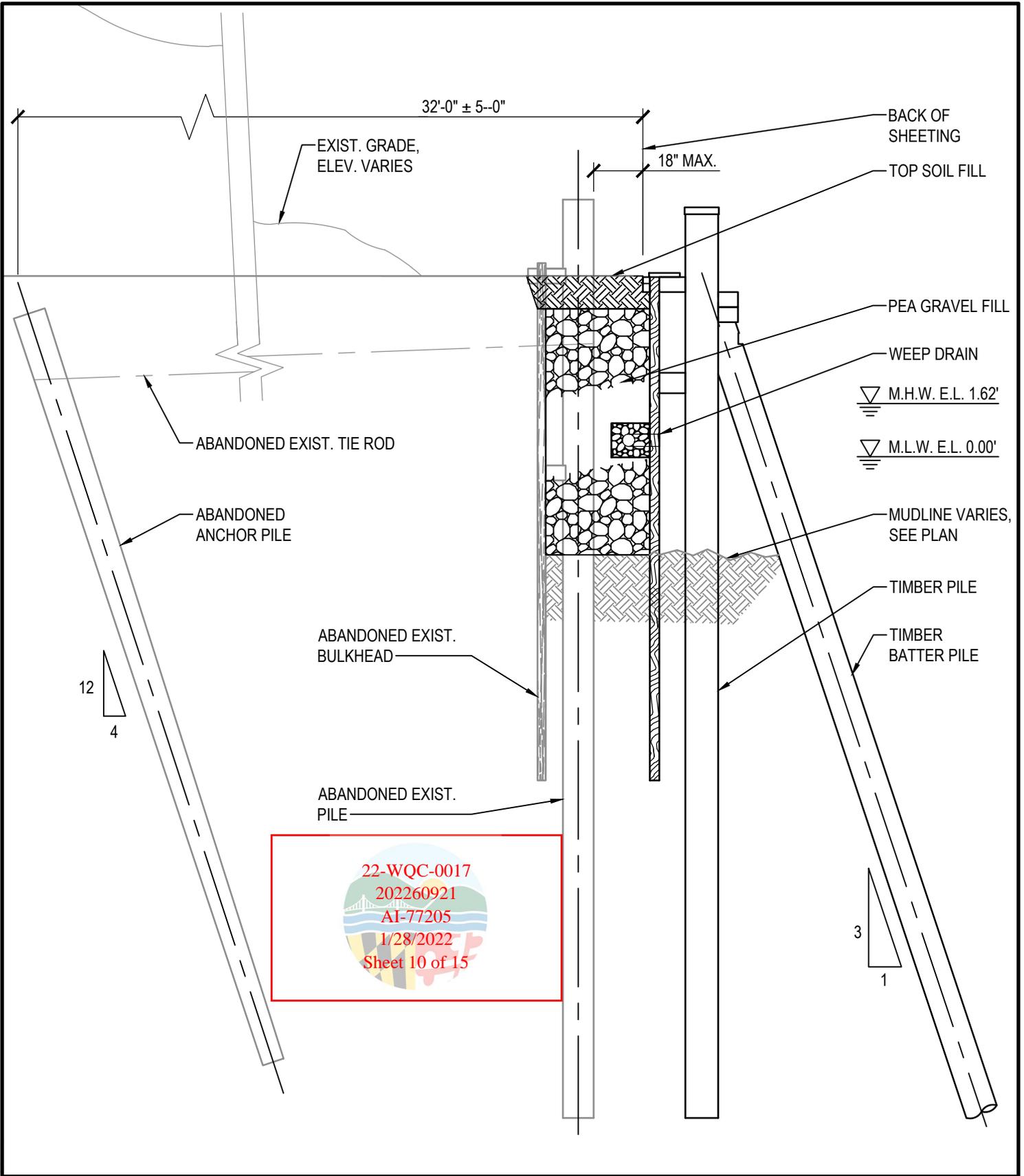
PROPOSED WEST BULKHEAD SECTION

REPLACEMENT OF TIMBER BULKHEADS & PIER
MARTINAK STATE PARK
STATE OF MARYLAND DEPARTMENT OF GENERAL SERVICES
137 DEEP SHORE ROAD
DENTON, MD 21629

DATE:
01/28/22

SCALE:
1/4" = 1'-0"

SK303



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PROPOSED EAST BULKHEAD SECTION

REPLACEMENT OF TIMBER BULKHEADS & PIER
 MARTINAK STATE PARK
 STATE OF MARYLAND DEPARTMENT OF GENERAL SERVICES
 137 DEEP SHORE ROAD
 DENTON, MD 21629

DATE:
01/28/22

SCALE:
1/4" = 1'-0"

SK304

FLOATING DOCK (SHOWN AT
100 YR FLOODPLAIN ELEV.)

CONICAL PILE CAP

FLOATING DOCK (SHOWN
AT EXTREME LOW TIDE
ELEV.)

TOP OF PILE ELEV. +9.00'

APPROX. TOP OF FLOATING DECK AT
FLOOD PLAIN ELEV. +8.57'±

100-YR FLOOD PLAIN ELEV. +6.90'

M.H.W. ELEV. +1.62'

M.L.W. ELEV. 0.00'

EXTREME LOW TIDE ELEV. -3.09'

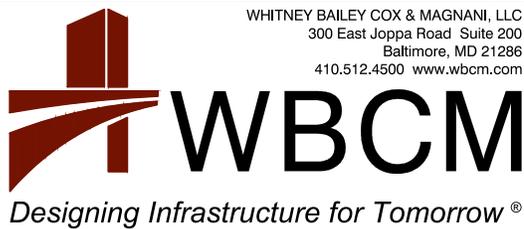
MUDLINE (VARIES) ELEV. -5.50'±

TIMBER PILE

BOTTOM OF PILE



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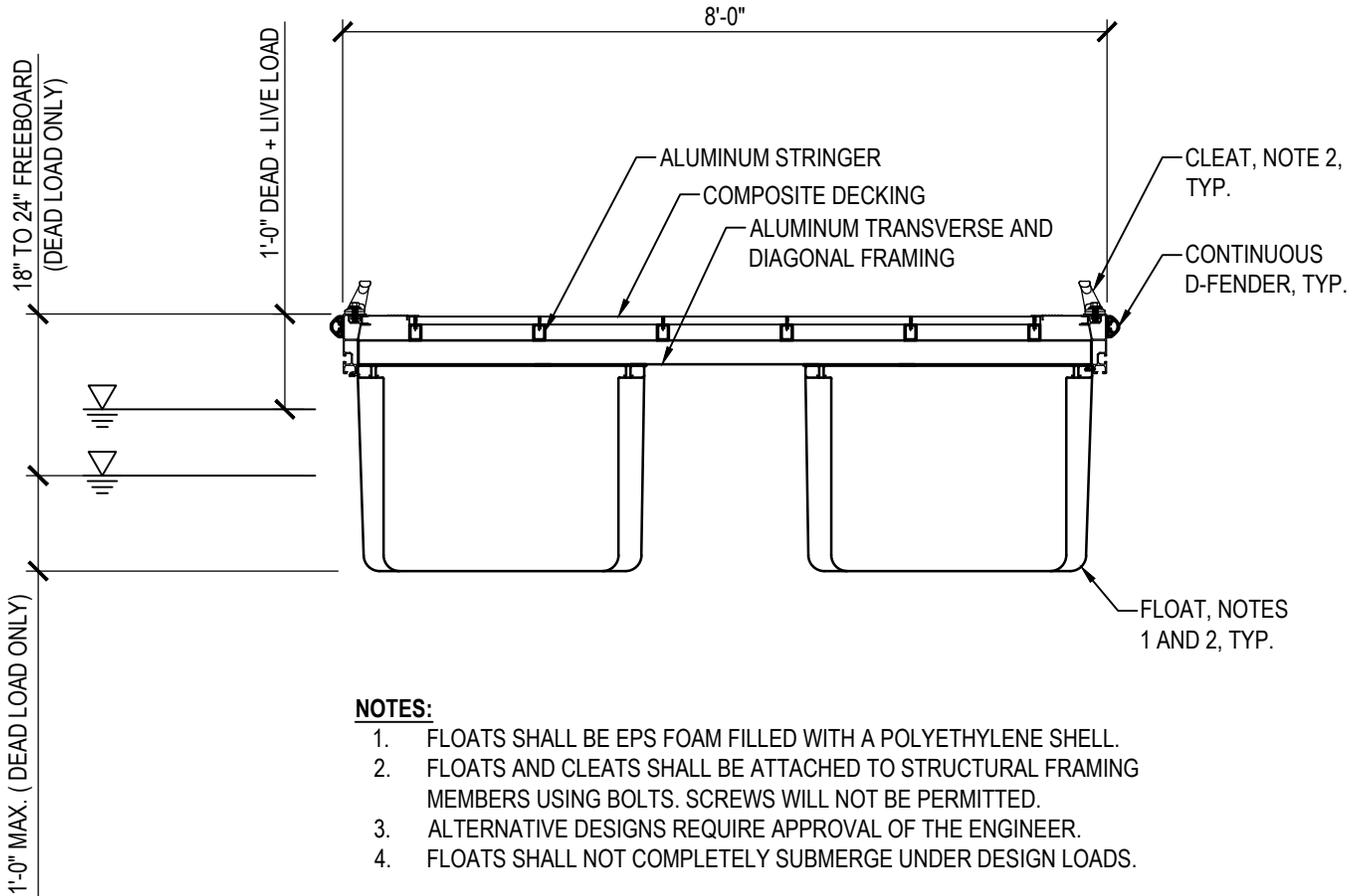
GUIDE PILE DETAIL

REPLACEMENT OF TIMBER BULKHEADS & PIER
MARTINAK STATE PARK
STATE OF MARYLAND DEPARTMENT OF GENERAL SERVICES
137 DEEP SHORE ROAD
DENTON, MD 21629

DATE:
01/28/22

SCALE:
1/8" = 1'-0"

SK305



ALUMINUM FLOATING PIER



SECTION

SCALE: 1/2" = 1'-0"



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ALUMINUM FLOATING PIER SECTION

REPLACEMENT OF TIMBER BULKHEADS & PIER
MARTINAK STATE PARK
STATE OF MARYLAND DEPARTMENT OF GENERAL SERVICES
137 DEEP SHORE ROAD
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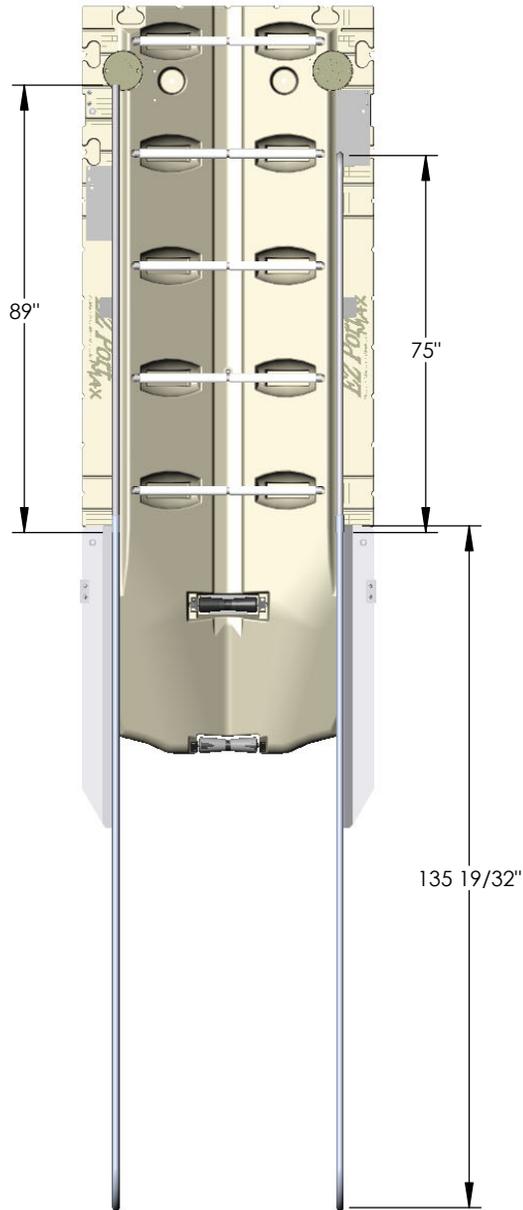
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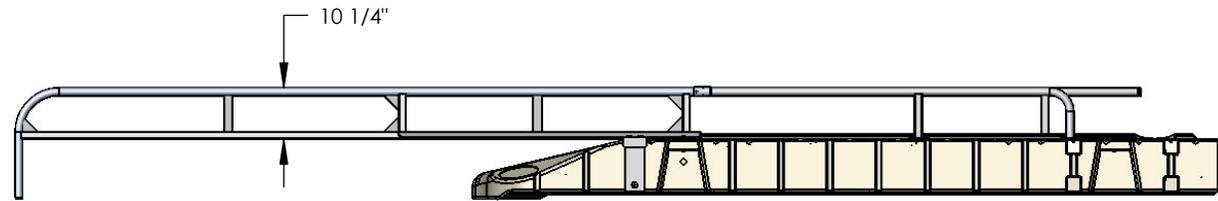
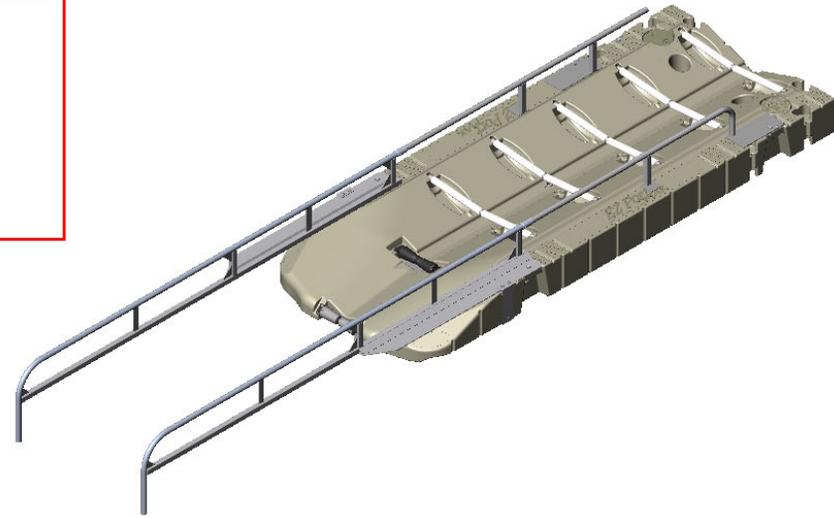
SK306

KAYAK LAUNCH

500900R



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TOLERANCES <small>(UNLESS OTHERWISE NOTED)</small>		 EZ Dock, Inc. 878 E. Highway 60 1-888-654-8168 Monett, MO 65708 FX 1-417-235-2232	
/ ±1° X ±0.125 X/Y ±0.063 X.XX ±0.031 X.XXX ±0.016	DESCRIPTION KIT, KAYAK LAUNCH SINGLE ENTRY SIDE RIGHT	WT LBS. 142.2	DWN BY: JWJ DATE: 3-31-09 CKD BY: DATE: FINISH SHEET: 1 OF 1
ALL BENDS 90° ALL BEND RADII EQUAL TO MATERIAL GAUGE	RAW MATL: BLANK SIZE	PART NO. 500900R	REV. A

NAME 500900R
 REVISION A
 VERSION
 CURRENT ECR
 CURRENT ECR
 RELEASE LEVEL



BRUTE BOOM

HEAVY DUTY CONTAINMENT BOOM

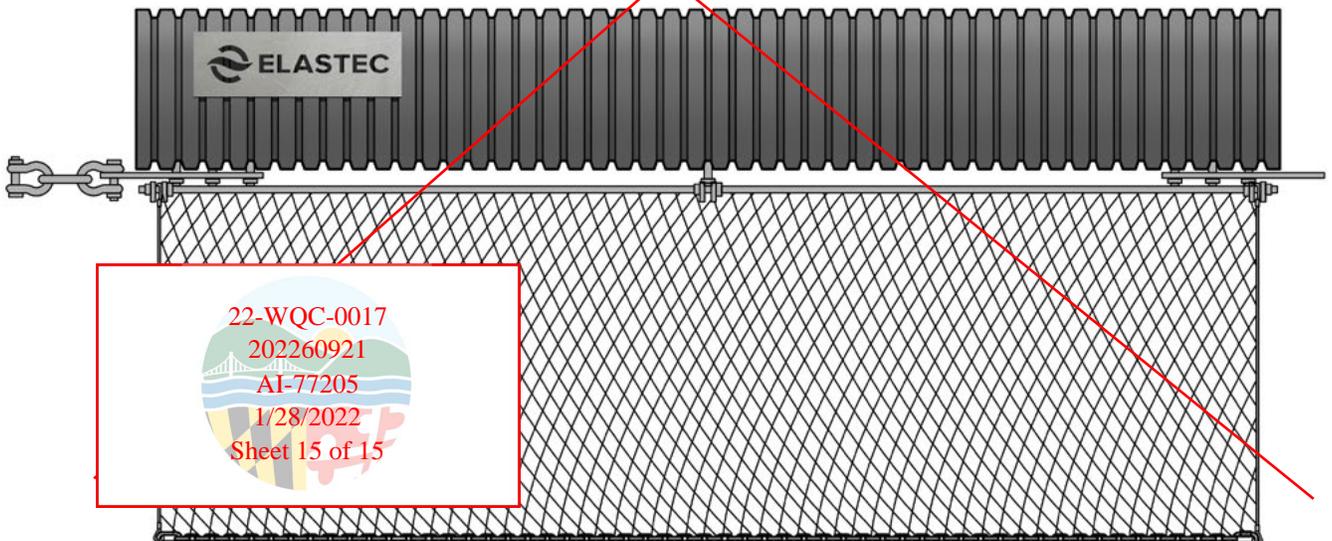
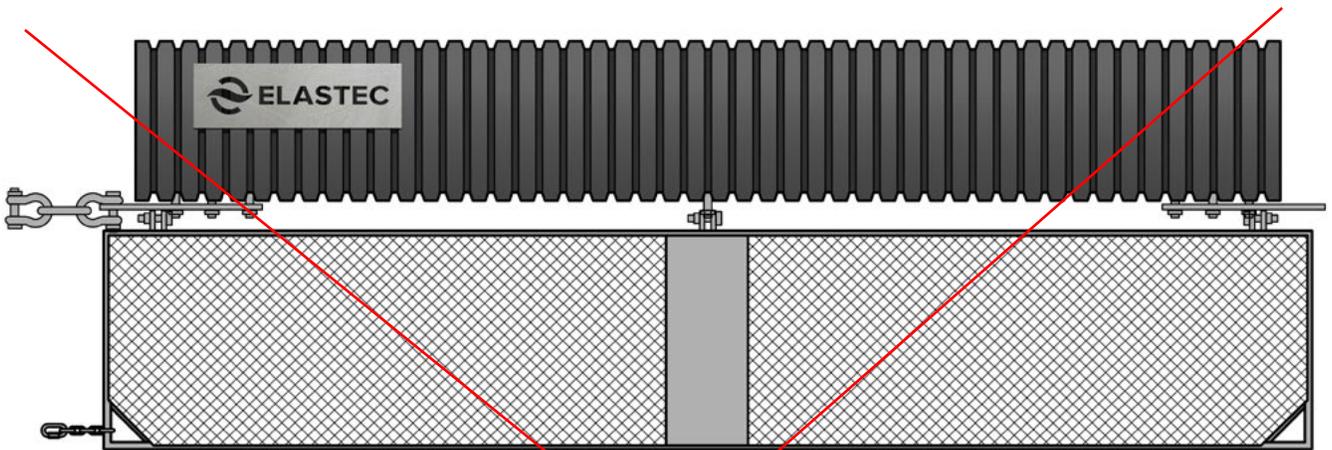
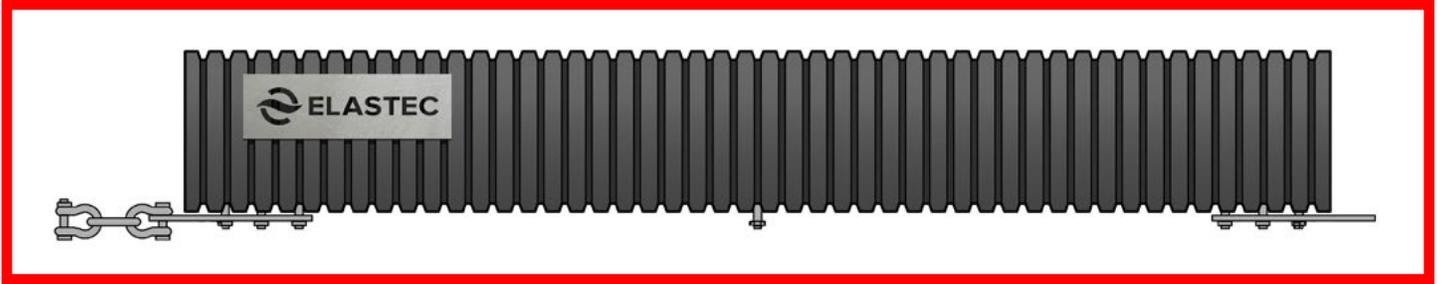
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The ELASTEC BruteBoom is a heavy duty floating barrier to contain surface and submerged trash, natural debris and large floating objects in rivers, reservoirs, oceans and lakes. BruteBoom's larger diameter float designs (18 inch / 0.4 m and 24 inch / 0.6 m) provide increased freeboard for optimal surface debris capture and visibility. The floats are coupled with rugged log connection hardware with a 4.75 ton working load limit (WLL). The heavy duty boom has been tested to a breaking strength of 60,000 lb / 27,216 kg. The system is engineered to maintain reserve buoyancy, even while supporting the optional debris screens.



FLOTATION LOG SECTION AND DEBRIS SCREEN SIZES

BruteBoom logs are available in 10 ft / 3m and 20 ft / 6m lengths and in 18 inch (16 inch sustainable freeboard) and 24 inch (22 inch sustainable free board) diameters. The cost per foot decreases significantly for 20 ft logs providing a more economical and efficient system. Galvanized and Stainless steel mesh panels, fabric net/mesh and custom-designed debris screens are also available in 10 ft and 20 ft lengths. Screen depth sizes can be customized based upon project requirements.



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