



Maryland

Department of the Environment

Wes Moore, Governor
Aruna Miller, Lt. Governor

Serena McIlwain, Secretary
Suzanne E. Dorsey, Deputy Secretary

December 9, 2024

(Electronic mail)
Maryland Transportation Authority (MDTA)
C/o Brian Wolfe
Director of Project Development
8019 Corporate Drive, Suite F
Nottingham, MD 21236
bwolfe3@mdta.state.md.us

Re: Water Quality Certification, Francis Scott Key Bridge Rebuild, 24-WQC-0028, Agency Interest Number: 4229, Tracking Number: 202461017 (Reference: 24-WL-0757 / 24-NT-0163)

Dear Maryland Transportation Authority (MDTA):

Any federal license or permit that authorizes an activity that may result in a discharge to navigable waters requires a Water Quality Certification (Certification) issued by the Maryland Department of the Environment (MDE) under Section 401 of the Clean Water Act. Your project requires federal permits from both the U.S. Coast Guard (USCG), P(1-25-5), and the U.S. Army Corps of Engineers (USACE), NAB-2024-61017; therefore, your project requires a Certification. Additionally, your project requires a Wetlands License from the Maryland Board of Public Works (BPW) and a Letter of Authorization from the MDE Nontidal Wetlands Division, Wetlands and Waterways Protection Program (MDE WWPP). The Wetlands License decision will be sent to you by BPW's Wetlands Administrator. The Letter of Authorization decision will be sent to you by MDE WWPP. The federal permit decisions for your project are not attached. This project is located within Maryland's Coastal Zone and is therefore subject to federal consistency review under the Federal Coastal Zone Management Act of 1972 CZMA, as amended. The federal consistency determination for the project will be sent under separate cover from MDE WWPP.

After examination and consideration of the documents received and evidence in the file and record for the Rebuild of the Francis Scott Key Bridge Project, the Water and Science Administration has determined that the project meets the statutory and regulatory criteria necessary to grant an individual Certification (24-WQC-0028). The Certification for your project is attached.

USACE Permit:

Portions of your project qualify for authorization by the USACE under the *Maryland State Programmatic General Permit-6* (MDSGP-6); therefore, those activities (such as the geotechnical borings, temporary trestles, and temporary piles) are certified under the granted Certification for the *Maryland State Programmatic General Permit-6*, NAB-2020-00415, SPN-20-66 (20-WQC-0051). Portions of your project qualify under *Nationwide Permit 23*; however, these activities (such as the permanent fill for the bridge rebuild) are above the threshold for the *WQC Nationwide Permit Reissuance*, SPN-20-62

[20-WQC-0050(R1)], and those activities are therefore granted certification under the attached individual Certification (24-WQC-0028).

USCG Permit:

Portions of your project require authorization under a USCG permit (such as the construction of bridges over a federal navigation channel, including temporary bridges used for construction), and those activities are granted certification under the attached individual Certification (24-WQC-0028).

Please read and review the attached Certification for this project to ensure that you understand the limits of the certified project and all of the general and special conditions. The attached individual Certification (24-WQC-0028) is a final agency decision. Any person aggrieved by MDE's decision to issue this Certification may appeal such a decision in accordance with COMAR 26.08.02.10F(4). A request for appeal shall be filed with MDE within 30 days of publication of the final decision and specify in writing the reason why the final decision should be reconsidered. A request for appeal shall be submitted to: the Secretary of the Environment, Maryland Department of the Environment, 1800 Washington Boulevard, Baltimore, MD 21230. Any request for an appeal does not stay the effectiveness of the Certification.

You should not begin any work until you have obtained all necessary state, local, and federal authorizations. Notwithstanding the issuance of this Certification, the full environmental impact of the March 26, 2024 allision and collapse of the Key Bridge, and subsequent activities, remains subject to further investigation and ongoing litigation.

Please contact me at 410-537-3522 or tammy.roberson@maryland.gov, with any questions.

Sincerely,

Tammy Roberson

Tammy K. Roberson
Deputy Program Manager
Wetlands and Waterways Protection Program

(by electronic mail)

cc: Joe DaVia, USACE
Nicole Nasteff, USACE
Hal Pitts, USCG
Marie King, Compliance Program, MDE/WSA



STATE OF MARYLAND
DEPARTMENT OF THE ENVIRONMENT
WATER AND SCIENCE ADMINISTRATION
WATER QUALITY CERTIFICATION
24-WQC-0028



EFFECTIVE DATE: **December 09, 2024**

CERTIFICATION HOLDER: **Maryland Transportation Authority (MDTA)
C/o Brian Wolfe, Director of Project Development**

ADDRESS: **8019 Corporate Drive, Suite F
Nottingham, MD 21236**

PROJECT LOCATION: **Francis Scott Key Bridge
I-695 over the Patapsco River
Anne Arundel and Baltimore Counties Maryland**

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 (DEPARTMENT), WATER AND SCIENCE ADMINISTRATION (ADMINISTRATION) HAS DETERMINED THAT THE REGULATED ACTIVITIES DESCRIBED IN THE REQUEST FOR CERTIFICATION FOR THE TEMPORARY AND PERMANENT STRUCTURES ASSOCIATED WITH THE PROPOSED BRIDGE AS DESCRIBED IN THE ATTACHED PLAN SHEETS, DATED NOVEMBER 4, 2024, 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 CERTIFICATION HOLDER 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 U.S. ARMY CORPS OF ENGINEERS (USACE) AND U.S. COAST GUARD. THE CERTIFICATION HOLDER SHALL COMPLY WITH THE CONDITIONS LISTED BELOW.

PROJECT DESCRIPTION

Rebuild the Francis Scott Key Bridge along the same alignment within the Maryland Transportation Authority's (MDTA's) existing right-of-way (ROW), extending approximately 2.4 miles including approximately 1 mile over the Patapsco River. The bridge will be constructed to current design standards and will result in temporary and permanent impacts to State Tidal Wetlands, nontidal wetlands, the 25-foot nontidal wetland buffer, and nontidal waterways, including the 100-year nontidal floodplain. Activities in nontidal wetlands, buffers, waterways, and the 100-year nontidal floodplain may include erosion and sediment control placement, roadway demolition, bridge demolition, clearing, grubbing,

grading, pile driving, bridge construction, paving, roadway construction, constructing roadway drainage, stormwater management best management practices construction, seeding, and planting. Activities in tidal wetlands may include bridge demolition, pier demolition, dredging, temporary pile driving, production/permanent pile driving, tremie concrete pours for bridge foundation, bridge construction, temporary pile removal or cutting, barge spudding, marine loading, and off-loading.

A Certification Pre-Filing Meeting was requested on May 21, 2024, and the Certification Request was received on July 2, 2024. The Administration satisfied statutory and regulatory public notice requirements by placing this Certification on Public Notice from August 30, 2024, to October 1, 2024, on the Maryland Department of the Environment's Public Notice webpage and in the Maryland Register on August 9, 2024, the Baltimore Sun on August 29, 2024, the Capital Gazette on August 30, 2024, and the Dundalk Eagle on September 5, 2025. A public informational hearing was held on Tuesday, September 17, 2024, providing the public with the opportunity to provide comments in person.

SPECIAL CONDITIONS

- 1) The Certification Holder shall follow all Critical Area requirements and obtain all necessary authorizations from the Critical Area Commission (Commission). This Certification 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 vegetation. The Commission and MDTA have developed a Memorandum of Understanding (MOU) approving the Key Bridge Rebuild and requiring Commission review prior to buffer disturbance. In accordance with the MOU, any anticipated buffer disturbance shall be reviewed by the Commission per the requirements of linear projects in an Intensely Developed Area before the commencement of land-disturbing activity.
- 2) All work in tidal wetlands performed under this Certification 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 Department's Environmental Boards webpage.
- 3) To protect important aquatic species in tidal waters, pile driving activities are prohibited between February 15 and June 15 inclusive, of any year, unless specifically approved by the Wetlands and Waterways Protection Program (Program). If any in-water pile driving activities are requested during the restriction period the Certification Holder shall coordinate with the Program and the Maryland Department of Natural Resources (DNR) for avoidance and minimization measures, and shall receive approval from the Program prior to commencement of the activity. Upon approval by the Program, these measures shall become part of this Certification for the Project for the purposes of any federal license or permit.
- 4) To minimize disturbance to the wintering and staging waterfowl areas in tidal waters as depicted on Attachment I, in-water work is prohibited from November 15 through March 1 inclusive, of any year, unless specifically approved by the Program. If any in-water work is requested during the restriction period, the Certification Holder shall coordinate with the Program and DNR for avoidance and minimization measures and shall receive approval from the Program prior to the commencement of the activity.

- 5) To protect important aquatic species in nontidal waters, motor-driven construction equipment shall not be allowed within stream channels unless on authorized ford crossings. Activities within stream channels are prohibited as determined by the classification of the stream in the Code of Maryland Regulations (COMAR) 26.08.02.08 unless specifically approved by the Administration. Tributaries of the Patapsco River are Use I waterways with documented spawning activities of yellow perch. In-stream work may not be conducted from February 15 through June 15 inclusive, of any year, unless specifically approved by the Program.
- 6) If any mooring, pile driving, and in-water work overlap within the Fort Carroll Sensitive Species Project Review Area (SSPRA) as depicted in Attachment I, the Certification Holder shall coordinate with the Program and DNR's Environmental Review Program for minimization and avoidance measures and shall receive approval from the Program prior to commencement of the activity.
- 7) To protect Natural Oyster Bars (NOBs), the Certification Holder shall not conduct in-water work within 1,500 feet (500 yards) of the edge of NOBs located within the Fort Carroll SSPRA as depicted on Attachment I during the periods of June 1 through September 30 and December 16 through March 14 inclusive, of any year, unless specifically approved by the Program. If any in-water work is requested during the restriction period, the Certification Holder shall coordinate with the Program and DNR for avoidance and minimization measures and shall receive approval from the Program prior to the commencement of the activity.
- 8) Avoidance and minimization of impacts to tidal and nontidal wetlands, nontidal wetland buffers, and tidal and nontidal waters, shall be emphasized throughout the remainder of the design and construction process.
- 9) Tidal In-Water Construction Plan (TIWC Plan):

The Certification Holder shall ensure water quality standards are maintained during tidal in-water construction. No activity that impacts regulated tidal resources shall commence prior to the Program's approval of a TIWC Plan. The TIWC Plan shall be submitted for review and approval at least 30 days prior to the commencement of any work authorized under this Certification. The Certification Holder shall implement and comply with the TIWC plan in accordance with the approved plan. The TIWC Plan shall ensure consistency with these Certification conditions and water quality regulations. Upon approval, the TIWC Plan becomes part of these Certification conditions for the Project for the purposes of any federal license or permit.

 - a) The TIWC Plan shall include detailed support for the implementation of appropriate practices to protect water quality, marine life, and estuarine habitat, and mitigation/recovery plans for unavoidable/unexpected impacts, and address the following at a minimum:
 - i) The use of best management practices to protect water quality, marine life, and habitat during and after construction such as bubble curtains and other applicable best management practices;
 - ii) Pile driving shall be performed in a manner that allows for a zone of passage to exist in the river at all times to allow migrating, resting, or foraging fish to continue their behaviors while the project is ongoing.
 - iii) Time of work restrictions developed in consultation with the Program and DNR.
 - iv) Hold Points:
 - (1) The TIWC Plan shall stipulate conditions leading to "hold points," which would stop pile driving, or other in-water work injurious to marine life until coordination has occurred with DNR's Environmental Review Program if

any of the following is observed during or immediately (approximately 1 hour) after pile driving activity related to hammer activities:

- (a) Presence of dolphin, sea turtle, or sturgeon within the injury or behavioral modification zone (as shown in the TIWC Plan);
 - (b) One stunned or dead sturgeon and/or dolphin;
 - (c) Ten stunned or dead game fish or species considered to be in need of conservation per pile location, including all Striped Bass, Alewife, Blueback Herring, American Shad, and others as identified by DNR;
 - (d) 40 stunned or dead non-game fish per pile location.
- (2) The TIWC Plan shall include detailed provisions for the required monitoring of the presence of dolphins, sea turtles, and sturgeon and for documenting and reporting injury or death in accordance with the above requirements. If any of the above are observed, the Certification Holder shall contact the DNR Environmental Review Program within 1 business day for agency coordination and adaptive management.
- (3) The Certification Holder shall submit a weekly report to the Administration's Tidal Wetlands Division (Division) and DNR while in-water tidal construction activities are ongoing summarizing the work and documenting the total injured/killed fish, including species and size of all injured/killed fish, approximate location relative to where the pile driving or noise-generating activity was occurring, and time/date. A final report summarizing the fish kills associated with construction shall be submitted to the Division within 60 days of completion of the construction.
- (4) The TIWC Plan shall detail coordination and approval procedures for release of hold points.
- (5) Process for submission, agency review, and approval of in-water construction plans, revisions, and, if necessary, permit modifications.
- v) Noise management, including provisions for a “zone of safe fish passage,” and for the reduction of in-water noise.
- b) Construction plans for in-water work shall be submitted for review and receive approval from the Program prior to the start of construction for each plan set and shall follow the submittal requirements listed under Special Condition 15.
- c) The Certification Holder shall comply with all approved plans, best management practices, and avoidance measures, and the project shall comply with all relevant water quality standards listed in COMAR at all times.
- d) The TIWC Plan can only be modified upon approval by the Program. Approved modifications shall become part of these Certification conditions for the Project for the purposes of any federal license or permit.
- 10) The Certification Holder shall provide compensation for fish mortality. The Certification Holder shall provide payment into a Special Fund as designated by DNR. Monetary values associated with fish kills shall be evaluated in accordance with the Fish Mortality Mitigation Cost Table depicted in Attachment II.

11) Subaqueous Blasting Plan:

The Certification Holder shall ensure water quality standards are maintained during subaqueous blasting. The Certification Holder shall implement and comply with an approved Subaqueous Blasting Plan, and shall conduct any subaqueous blasting in accordance with the following:

- a) Prior to initiating any subaqueous blasting, the Certification Holder shall submit a Subaqueous Blasting Plan to the Program and DNR for review and approval.
- b) To protect fish species, blasting will only be permitted during specific times of the year as identified in the Subaqueous Blasting Plan and developed in consultation with the Program and DNR.
- c) All fish mortality resulting from blasting activities shall be documented. Following each blasting event, a search for injured/killed fish using an adequate number of netters and vessels shall begin immediately upon receiving the "all clear" and extend for at least 30 minutes. The search area shall include all surface waters within at least 150 meters of the center of the blast area, with at least one vessel beginning at the centroid. All individuals of each species shall be collected, identified, and enumerated. A report of the injury/mortality numbers following each blasting event, with a final report provided within 30 days of the last blasting event, shall be provided to the Program.
- d) For compensatory mitigation for fish kills, the Certification Holder shall provide payment into a Special Fund as designated by DNR. The cost associated with fish kills shall be evaluated in accordance with the Fish Mortality Mitigation Cost Table.

12) Water Quality Monitoring Plan (WQM Plan):

The Certification Holder shall ensure water quality standards are maintained during the duration of the Project.

- a) No activity that impacts tidal or nontidal regulated resources shall commence prior to the Program's approval of a WQM Plan. The WQM Plan shall be submitted at least 30 days prior to the commencement of any work authorized under this Certification. The Certification Holder shall implement and comply with the WQM plan in accordance with the approved plan. The WQM Plan shall ensure consistency with the conditions of this Certification. Upon approval, the WQM Plan shall become part of these Certification conditions for the Project for the purposes of any federal license or permit.
- b) The WQM Plan shall contain the water quality criteria and benchmarks for which the Project shall be monitored and documented to ensure consistency with the requirements of the Clean Water Act, COMAR 26.08.02, and conditions in this Certification, including, at minimum, applicable total suspended solids/turbidity, temperature, dissolved oxygen, conductivity, salinity, and pH criteria.
- c) The WQM Plan shall also contain monitoring methodology, monitoring locations, reporting schedule(s), quality assurance/quality control procedures, and corrective action plans.
- d) The WQM Plan can only be modified upon approval by the Administration. Approved modifications shall become part of these Certification conditions for the Project for the purposes of any federal license or permit.

13) Severe Weather and Flood Action Plan (SWFA Plan):

The Certification Holder shall ensure water quality standards are maintained during significant weather events.

- a) No activity that impacts regulated resources shall commence prior to the Program's approval of a SWFA Plan. The SWFA Plan shall be submitted at least 30 days prior to the commencement of any work authorized under this Certification. The Certification Holder shall implement and comply with the SWFA plan in accordance with the approved plan.

The SWFA Plan shall ensure consistency with these Certification conditions. Upon approval, the SWFA Plan becomes part of the Certification for the Project for the purposes of any federal license or permit.

- b) The SWFA Plan shall include the following:
 - i) Weather and the possibility of a rainfall/wind event shall be monitored on a daily basis, seven days a week through the National Oceanic and Atmospheric Administration. When a significant weather event is forecast, appropriate actions shall be taken to protect water quality including review and repair of erosion and sediment control measures, securing all equipment, addressing material storage and stockpile areas, and other sources of potential pollution. A significant weather event is a greater than 50 percent chance of 1 inch or more rainfall forecast during a 24-hour period within the watershed or probability of gale force winds.
 - ii) Storm surges: Identify and address areas susceptible to storm surge and make provisions to remove materials, equipment, and other potential contaminants prior to inundation.
 - iii) No equipment, construction materials, or hazardous materials, including fuel for equipment and pumps, shall be stored within the 100-year floodplain.
- c) The SWFA Plan can only be modified upon approval by the Program. Approved modifications shall become part of these Certification conditions for the Project for the purposes of any federal license or permit.

14) Prior to the start of construction, the Certification Holder shall retain a minimum of one qualified full-time Independent Environmental Monitor (IEM) who is independent of the Certification Holder, design consultants, and construction contractors working on the project. The Certification Holder shall retain an IEM(s) to assess compliance with all conditions of this Certification and other applicable permits and environmental regulations. The Certification Holder shall develop a project-specific IEM Manual detailing all IEM responsibilities and procedures and submit the manual to the Program for review and approval prior to implementation. The Program shall be provided the opportunity to review the qualifications of the IEM(s) proposed by the Certification Holder and provide concurrence that the candidate is qualified to perform the IEM role. More than one IEM may be needed to adequately staff the project depending on schedule and construction phasing. The IEM(s) shall

- a) Review design submittals and construction activities for compliance with all conditions of this Certification and other applicable permits and environmental regulations;
- b) Report findings directly and concurrently to the Program and the USACE, notifying them and the Certification Holder immediately of any reported or observed violations or noncompliance issues within the terms or conditions of this Certification, or approved plans and specifications;
- c) Assist with and verify Certification Holder's monitoring of potential impacts to aquatic life resulting from construction activities.
- d) Document impacts to regulated resources by developing and maintaining a detailed tracking list of impacted resources;
- e) Assist with the identification of ongoing opportunities for further avoidance and minimization of impacts to regulated environmental resources and protection of water quality;
- f) Assist with the identification of any injuries to marine life related to construction activities.

15) Construction Plan Submittals:

The Certification Holder shall submit plans and obtain the Program's concurrence with each plan impacting regulated resources before construction (regulated resources include tidal and nontidal

wetlands, nontidal wetland buffers, tidal and nontidal waterways, and the nontidal 100-year floodplain). Each plan submission shall include a brief summary of avoidance and minimization efforts, or, for plans that have been previously reviewed by the Program, a summary of plan changes related to regulated resources.

- a) Submittal Review: Thirty days prior to the start of work, develop and provide to the Program a submittal schedule indicating anticipated dates for submission of plans and reports, and update the schedule as required. No work that affects any regulated resource shall begin without written concurrence from the Program. The schedule shall determine which plans need to be reviewed and approved prior to the start of construction for each planset.
 - b) Stormwater Management (SWM) Plan Submittal: Submit the concept and final SWM Plans to the Program for review and obtain concurrence from the Program on the concept and final SWM Plans prior to beginning SWM construction activities. The final stamped plans, and any proposed modifications to those plans, shall be submitted to the Program for concurrence. Upon approval by the Program, these plans shall become part of this Certification for the Project for the purposes of any federal license or permit.
 - i) No SWM structures shall be placed in any tidal or nontidal wetland, nontidal wetland buffer, tidal or nontidal waterway, or 100-year nontidal floodplain unless specifically approved by the Program.
 - c) Erosion and Sediment Control Plan Submittal: Submit detailed construction plans and obtain Program concurrence prior to disturbing regulated resources.
 - i) Erosion and sediment control plans, including methods for protection of water quality, maintenance of stream flow, and dewatering, shall be submitted for concurrence prior to initiation of work in each phase. Work on each phase shall not begin until the Program has concurred with the applicable plans for that phase.
 - ii) Any proposed change(s) to approved erosion and sediment control plans shall be forwarded to the Program for concurrence. Work shall not begin that reflects the proposed changes until the Program approves the proposed change(s).
 - d) Approved Plans: Develop and maintain a searchable database of approved plans (including all revisions) for use by the Department and other agencies. The database must segregate the latest approved plans from previous versions so that reviewing personnel can reliably determine the most current plans.
- 16) A pre-construction meeting shall be held with the Program, the Department's Compliance Program, the USACE, MDTA, the IEM, other agency stakeholders as available, and MDTA's primary contractors and subcontractors to provide the opportunity for all to review and discuss the construction plans and license conditions. All meeting participants shall be notified of this meeting a minimum of 14 days prior to the date of the meeting.
- 17) The Certification Holder shall install appropriate hazard notification, visibility, and safety requirements on all temporary pilings, temporary structures, or monitoring devices in tidal waters.
- 18) The use of barges, trestles, or other structures and equipment by the Certification Holder shall not impede the free flow of navigation on the Patapsco River unless approved by the U.S. Coast Guard.
- 19) The Certification Holder shall not allow debris or construction material to enter any tidal or nontidal waterway. The Certification Holder shall implement best management practices and measures such as suspended netting, skip pans, and containment barges to minimize the quantity of material entering these waterways. The Certification Holder shall immediately remove all debris inadvertently introduced into waterways as a result of any construction activity. Debris shall

be disposed of at an upland (not tidal or nontidal wetland) disposal site and in a manner that does not adversely impact surface or subsurface flow into or out of tidal or nontidal wetlands or waterways.

- 20) The Certification Holder shall submit a General Discharge Permit application (Maryland General Permit No. 15-MM) to the Administration, Industrial Discharge Permits Division for review and approval, as determined necessary by the Department, prior to the commencement of work at the facility related to the use of any on-site concrete batch facility. The Certification Holder shall send confirmation to the Administration's Tidal Wetlands Division of the determination by the Department's Industrial Discharge Permits Division.
- 21) The Certification Holder shall obtain approval from the Administration's Tidal Wetlands Division or the Board of Public Works (BPW), as appropriate, for any proposed dredging activities prior to conducting any dredging.
 - a) When applying for authorization from the Administration for dredging, the Certification Holder shall provide detailed information on any proposed dredging method and locations including dredge area, volume of material, and proposed depths, to the Administration;
 - b) The biological, chemical, and physical characteristics of proposed dredging material and sites shall be evaluated and submitted to the Administration in a sampling plan for review and approval before starting dredging activities; and
 - c) Sealed "environmental" bucket(s) and watertight container(s) may be required for dredging operations to minimize sediment release into the water column during any dredging operations based on the Administration's evaluation of the dredging activities.
- 22) The Certification Holder shall ensure that all dredged material pipelines are installed, marked, and maintained in accordance with all requirements for navigational safety. The Certification Holder shall verify that all signage or markers on dredged material pipelines remain visible and conspicuous throughout the dredging operations. Dredge material pipelines and associated equipment shall be removed as soon as practicable, upon completion of activities authorized under this Certification.
- 23) If the Certification Holder transports dredged material by trucks, the trucks shall be watertight and no dredged material shall be discharged onto the roadways of the State.
- 24) In the event of any inadvertent returns resulting from the failure of any dredge material pipeline, container, and associated equipment, the Certification Holder shall cease operations immediately and shall:
 - a) Take steps to stop all dredged material from entering State waters; and
 - b) Notify the Departments's Compliance Program immediately at 410-537-3510.

The Certification Holder shall not resume dredging operations until receiving approval from the Department's Compliance Program.

- 25) The Certification Holder shall dispose of dredged material only at a Department approved dredge disposal site(s). Prior to the start of any dredging activities, the Certification Holder shall submit detailed information on any proposed dredged material disposal sites and receive approval from the Program.
- 26) The Certification Holder shall restore any dredged areas as required by the Program to natural bathymetry within 30 days following the completion of construction. The Certification Holder shall provide to the Program for approval: the means and methods for restoring the natural bathymetry, and the type and composition of the proposed fill.

- 27) The Certification Holder shall conduct a post-dredge bathymetric survey and forward to the Division within 45 days after the termination of any phase of approved dredging operations.
- 28) Mitigation is required for impacts related to the permanent fill placed in State tidal wetlands in accordance with COMAR 26.24. The Certification Holder shall submit the proposed mitigation plan to the Administration's Tidal Wetlands Division once the final design has been determined and the final permanent impacts have been identified for review and approval. The Certification Holder shall implement the mitigation plan in accordance with the approved plan and schedule. Upon approval, the mitigation plan shall become part of these Certification conditions for the Project for the purposes of any federal license or permit
- 29) Mitigation is required for all permanent impacts to nontidal wetlands in accordance with COMAR 26.23. The Certification Holder shall submit the proposed mitigation plan to the Administration's Tidal Wetlands Division, once the final design has been determined and the final permanent impacts have been identified for review and approval and implement the approved mitigation.
- 30) The Certification Holder shall remove all temporary structures from tidal wetlands, or cut at least two feet below the mudline, within 6 months following completion of construction.

GENERAL CONDITIONS

- 1) The Certification Holder shall meet all water quality-related performance standards and conditions required by the Department in any state-issued authorization for activities in tidal wetlands, nontidal wetlands, their 100-year floodplains, nontidal wetlands 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 any other water quality requirements of state law or regulation.
- 2) The Certification Holder shall avoid placing structures or conducting activities that entangle or interfere with the movement of aquatic life, fish, or other wildlife.
- 3) The Certification Holder shall prevent the spread of non-native species that may cause adverse effects on the aquatic ecosystem.
- 4) The Certification Holder shall implement and comply with all final approved plans, permits, and modifications that are approved by the State and/or the USACE, as applicable. The approved plans, permits, and modifications by the Department and/or the USACE are incorporated by reference into this Certification.
- 5) This Certification does not obviate the need to obtain and comply with required authorizations or approvals from other State, federal, or local agencies as required by law.
- 6) The Certification Holder shall obtain any other authorizations or approvals that the Department requires, including General Permits, and comply with all conditions of such authorizations or approvals.
- 7) The Certification Holder shall meet the requirements in Annotated Code of Maryland, Environment Article, Title 4 and COMAR 26.17.01, including obtaining and complying with an approved erosion and sediment control plan, and following the stabilization requirements set forth in COMAR 26.17.01.07 and the "2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control (2011 Standards)" as amended.

- 8) The Certification Holder shall minimize any disturbance to the bottom of waterways and prevent sediment transport into adjacent State waters.
- 9) The Certification Holder shall remove and dispose of all unused fill and construction materials in a manner that will prevent their entry into waters of this State.
- 10) The Certification Holder shall adhere to the construction time of year restrictions, unless waived or amended by the Department, as identified in a State authorization.
- 11) The Certification Holder shall construct the proposed project in accordance with the approved final plan by the Department, or, if Department approval is not required, the plan approved by the U.S. Army Corps (Corps) of Engineers, and its approved revisions.
- 12) The Certification Holder shall remove and dispose of all fill and construction materials not used in the project in a manner that will prevent their entry into the waters of this State.
- 13) The Certification Holder shall refrain from causing any injury to private property, invasion of rights, or infringement of federal, State, or local laws or regulations.
- 14) Inspection and entry. The Certification Holder shall allow the Department, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:
 - a) Enter upon the Certification Holder's premises where a certified activity or operation is located or conducted, or where records must be kept under the conditions of this Certification;
 - b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Certification;
 - c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Certification;
 - d) Sample or monitor at reasonable times, for the purposes of assuring compliance or as otherwise authorized by the Program, any substances or parameters at any location; and
 - e) Allow the Department's authorized representatives access to the Project during normal business hours to conduct inspections and evaluations of operations and records to verify compliance with this Certification.
- 15) The Certification Holder shall not stockpile any material in the Waters of the U.S. or state or private tidal wetlands.
- 16) The Certification Holder shall not locate temporary construction trailers or structures, staging areas, and stockpiles within tidal wetlands, nontidal wetlands, nontidal wetlands buffers, or the 100-year floodplain unless specifically included on the Approved Plans.
- 17) For projects that clear, grade, develop, or redevelop any land, the Certification Holder shall implement a Department-approved plan that provides stormwater management to control or manage runoff from such activities during and after construction, except as provided within the applicable *Maryland Stormwater Management and Erosion & Sediment Control Guidelines for State and Federal Projects*.

- 18) This Certification is valid for the project identified herein and the associated USACE Permit, NAB-2024-61017, and U.S. Coast Guard Bridge Permit, P(1-25-5), until such time as that federal approval expires or is not administratively extended.

CITATIONS AND STATEMENTS OF NECESSITY

- 1) Statement of Necessity for Special Conditions 1-30 and General Conditions 1-18: These conditions are necessary to ensure that water quality standards are met, and designated uses are maintained.

Citations: 16 U.S.C. § 703-712; 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

- 2) Statement of Necessity for Special Conditions 2 and 14: Expertise for conducting certain activities is required to ensure that there is no violation of water quality standards or interference with designated uses. This condition is necessary to ensure that discharges will be conducted in a manner that does not violate water quality criteria nor interfere with designated uses.

Citations: 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

- 3) Statement of Necessity for Special Conditions 3-5, 7, 9, 11-15, 17-30, and General Conditions 14-16: 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 the project completed according to terms of the authorization/Certification while allowing for review of in-field modifications that 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.

Citations: 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) Statement of Necessity for Special Conditions 3, 4, 6-9, 11-13, 21, and General Condition 8: Requirements for avoidance, minimization, and additional plans that include best management practices and monitoring are necessary to protect migratory and resident fish, mammals, and other aquatic life; and to ensure that limits, methods, and other requirements are met to ensure that water quality standards are met and designated uses are maintained.

Citations: COMAR 23.02.04.11A-D; COMAR 23.02.04.12B; COMAR 23.02.04.12E; COMAR 26.24.05.01B; COMAR 26.08.02.02.B(3); COMAR 26.08.02.03-3.C(2)d.(5); 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 9, Subtitle 3; Md. Ann. Code, Env. Article, Title 16; COMAR 26.08; COMAR 26.24

- 5) Statement of Necessity for Special Conditions 3 and 5: A time-of-year restriction is necessary to protect migratory fish species between February 15 and June 15 to find suitable spawning habitat. Access to the upper reaches of rivers and tributaries to habitat suitable for spawning is essential to support migrating fish populations. Disturbance during the closure period would interfere directly or indirectly with designated uses.

Citations: COMAR 26.08.02.02.B(3); COMAR 26.08.02.03-3.C(2)d.(5); 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 9, Subtitle 3; Md. Ann. Code, Env. Article, Title 16; COMAR 26.08; COMAR 26.24

- 6) Statement of Necessity for Special Condition 4: A time-of-year restriction is necessary to allow for wintering waterfowl to move from breeding areas to seasonally suitable winter habitats. Breeding and wintering habitat are both essential to support waterfowl populations. Significant mortality of chicks and/or eggs resulting from disturbance of the colony during the breeding season is a violation of the U.S. Migratory Bird Treaty Act. Disturbance may include nearby construction that causes abandonment of chicks by the adults. Disturbance during the closure period would interfere directly or indirectly with designated uses.

Citations: COMAR 26.08.02.02.B(3); COMAR 26.08.02.02.B(1)(d); COMAR 26.08.02.03.B(1)(b); COMAR 26.08.02.03.B(2)(e); COMAR 26.24

- 7) Statement of Necessity for Special Conditions 6 and 7: The area within the Sensitive Species Project Review Area (SSPRA) is specifically established, reserved, and protected from activities and impacts considered detrimental to rare, threatened, and endangered species. The area within NOBs is specifically established, reserved, and protected from activities and impacts considered detrimental to oyster populations or destruction of the bottom. Oysters spawn and subsequently set their spat during the period June through September in estuarine sections of rivers and the Bay. During this period, dredge units can entrain and destroy oyster eggs and larvae. In addition, sediments resuspended by dredging activities may affect oysters. Potentially, larval oysters could be starved by ingesting sediment particles that are the same size as prey organisms. Larval oysters could also delay metamorphosis to spat because the substrate is covered with loose sediments and is therefore unsuitable. Oysters also become inactive during the colder months of the year and are more liable to burial (inability to clear themselves of deposited sediment) during this period of reduced activity.

Citations: COMAR 26.08.02.02.B(3); COMAR 26.08.02.02-1; COMAR 26.08.02.02.B(1)(d) 3); COMAR 26.08.02.03.B(1)(b)(4); COMAR 26.08.02.03.B(2)(e)(5); COMAR 26.24

- 8) Statement of Necessity for Special Condition 9: A hold point for agency coordination, adaptive management, reporting, and compensation is necessary to protect migratory and resident fish, mammals, and aquatic life; and offset the loss of these species by providing compensation due to unavoidable impacts or alteration of the designated uses.

Citations: COMAR 23.02.04.11A-D; COMAR 23.02.04.12B; COMAR 23.02.04.12E; COMAR 26.24.05.01B; COMAR 26.08.02.02.B(3); COMAR 26.08.02.03-3.C(2)d.(5); 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 9, Subtitle 3; Md. Ann. Code, Env. Article, Title 16; COMAR 26.08; COMAR 26.24

- 9) Statement of Necessity for Special Conditions 9, 12-15, and 24: Unauthorized discharges may enter regulated waters as a result of activity or structural failure. A plan to address and monitor for unauthorized discharges will prevent or address further violations of water quality standards or failure of water to meet designated uses, including uses of growth and propagation of fish, other aquatic life, wildlife, as well as general water quality criteria that waters would not be polluted by substances in amounts sufficient to be unsightly or create a nuisance.

Citations: Md. Ann. Code, Env. Article § 9-303.1, § 9-313 - 9-316, § 9-319 - 9-325, § 9-327 and § 9-328; COMAR 26.08.02.01; COMAR 26.08.02.02; COMAR 26.08.02.03

- 10) Statement of Necessity for Special Conditions 9-11: Blasting and entry of materials into waters of the United States or waters of the State may interfere with designated uses and numerical criteria of water quality standards. The introduction of pollutants from blasting is an additional degradation to water quality not accounted for in the approved Total Maximum Daily Loads (TMDLs) for this water segment (Patapsco River Mesohaline). The time of year restriction for blasting is necessary to minimize potential further declines in meeting water quality standards for seasonal deep channel fish and shellfish use and deep channel refuge, migratory spawning and nursery use, shallow water SAV, and growth and propagation of fish. Documentation of fish kills and compensation is also necessary to offset losses and subsequently ensure that designated uses for seasonal deep channel fish and shellfish use and deep channel refuge, migratory spawning and nursery use, shallow water SAV and growth and propagation of fish, other aquatic life, and wildlife are met or not further reduced beyond TMDL requirements. Conditions are also necessary to meet numerical standards for turbidity and associated SAV restoration goals.

Citations: COMAR 26.08.02.02-1; COMAR 26.08.02.03B(1)-B(2); COMAR 26.08.02.02B(1)(d); COMAR 26.08.02.02B(3); COMAR 26.08.02.03-3A(5); COMAR 26.08.02.03-3C(5); COMAR 26.08.02.08K(2)(b); 26.08.02.07E(1)-E(3); COMAR 26.08.02.03-3C(5) & C(9)

- 11) Statement of Necessity for Special Conditions 13, 15, 19, 21 and General Conditions 4, 7-9, 12 and 15-17: Fill or construction material within or adjacent to regulated resources may cause discharges resulting in turbidity above 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.

Citations: 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 26.24; COMAR 26.08; COMAR 26.08.02.03B(1)-B(2); COMAR 26.08.02.10G(3); COMAR 26.08.02.06; COMAR 26.17.04; COMAR 26.23; COMAR 26.23.02.06; 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 9, Subtitle 3; Md. Ann. Code, Env. Article, Title 16; COMAR 26.08; COMAR 26.24

- 12) Statement of Necessity for Special Conditions 13, 15, 19, 21 and General Conditions 4, 7-9, 12 and 15-17: The discharge and deposition of material within or adjacent to regulated resources may result in discharges that result in impacts to water quality and designated uses.

Citations: COMAR 26.08.02.02.B(3); COMAR 26.08.02.03-3.C(2)d.(5)

- 13) Statement of Necessity for Special Conditions 17 and 18: Structures that are not clearly visible can interfere with designated uses for recreation. Temporary structures that are not properly marked can result in pieces of the structure discharging to navigable waters. The conditions are necessary to ensure that structures do not result in additional discharges that would violate water quality standards and designated uses for water clarity, turbidity, growth, and propagation of fish, other aquatic life, wildlife, and recreation. The condition is necessary to ensure that the discharge will not interfere with designated uses for water contact recreation and fishing nor create a nuisance.

Citations: 26.08.02.02B(1)(d); COMAR 26.08.02.02B(3); COMAR 26.08.02.03B; COMAR 26.08.02.01B(1) & B(2); COMAR 26.08.02.03B(1)(a); COMAR 26.08.02.03B(2)(d)

- 14) Statement of Necessity for Special Conditions 17, 18, 22, and General Condition 2: The conditions are necessary to ensure that the placement does not interfere with navigational safety and designated uses for water contact recreation and fishing, nor create a nuisance.

Citations: COMAR 26.08.02.01B(1) and B(2); COMAR 26.08.02.03B(1)(a); COMAR 26.08.02.03B(2)(d)

- 15) Statement of Necessity for Special Condition 20: The condition is necessary to ensure that water quality standards are met under circumstances for discharges relating to upland industrial activities so that designated uses of waters are maintained. Discharge of materials associated with cement production may enter waters of the United States or waters of the State and interfere with designated uses, including surface and groundwater flows necessary for support of drinking waters and growth and propagation of fish, other aquatic life, and wildlife.

Citations: 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 & 4; Md. Ann. Code, Env. Article, Title 9, Subtitle 3; Md. Ann. Code, Env. Article, Title 9, Subtitle 3; 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 26.17.04; COMAR 26.23; COMAR 26.24; COMAR 26.23.02.06, COMAR 26.08, COMAR 26.08.02.10E; COMAR 26.08.02.09C(3); COMAR 26.08.02.03B(1)(b); COMAR 26.08.02.03B(2); COMAR 26.08.02.03-3; COMAR 26.08.02.02B(2); COMAR 26.08.02.02B(4); COMAR 26.08.02.02B(6); COMAR 26.08.02.02B(8)

- 16) Statement of Necessity for Special Conditions 21 and 23: These conditions are necessary to ensure that dredged material is removed in a manner that prevents its re-entry into the waters of the United States or waters of the State, where its release may result in failure to meet turbidity standards and failure to meet designated uses. Discharge of dredged material may interfere with designated uses or support of estuarine and marine aquatic life and shellfish harvesting and may result in impacts to water quality, clarity, growth, and propagation of fish, other aquatic life, and wildlife.

Citations: 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, 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 26.24; COMAR 26.08.02.01B(2); COMAR 26.08.02.02B(1) COMAR 26.08.02.02B(3); COMAR 26.08.02.03B

- 17) Statement of Necessity for Special Conditions 21, 25, 26, and 27: The conditions are necessary to ensure that water depths and limits on the scope of dredging are appropriate post-dredging, to

support designated uses of fishing and water contact recreation and growth and propagation of fish, other aquatic life, and wildlife; and ensure that no discharges are unsightly, create a nuisance, change to an objectionable color or interfere with designated uses or would violate water quality standards for water clarity and turbidity.

Citations: COMAR 26.08.02.01B(2); COMAR 26.08.02.02B(1) COMAR 26.08.02.02B(3); COMAR 26.08.02.03B

- 18) Statement of Necessity for Special Conditions 28 and 29: Mitigation is required to ensure that waters continue to meet designated uses, as losses of wetlands or waterways result in water quality degradation. Wetlands provide essential habitat, water quality, food, and movement corridors for wildlife. Losses may result in discharges that interfere with designated uses, including the growth and propagation of fish, other aquatic life, and wildlife through loss of stream channel habitat and wetlands.

Citations: 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 9, Subtitle 3; 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 26.08.02.01; COMAR 26.08.02.02; COMAR 26.08.02.07; COMAR 26.08.02.10; COMAR 26.17.04; COMAR 26.23; COMAR 26.23.02.06; COMAR 26.24.

- 19) Statement of Necessity for General Condition 3: Nuisance or non-native species may spread and disrupt and dislodge native species, including fish or other aquatic life, from their habitat, leading to declines in distribution, density, growth, or propagation.

Citations: Md Ann. Code, Env. Article § 5-901 - 5-911; COMAR 26.23.02.06; COMAR 26.23; and COMAR 26.24.


- 20) Statement of Necessity for General Conditions 4, 5, 6, 11, and 13: The conditions are necessary to clarify the scope of this Certification to ensure compliance with water quality regulations, without limiting restrictions through other requirements.

Citations: 33U.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 26.08.02.10E; COMAR 26.23.02.06; COMAR 26.17.04; COMAR 26.23; COMAR 26.24

- 21) Statement of Necessity for General Condition 18: This condition is necessary to qualify the period of applicability of the terms and conditions of this Certification to be protective of Maryland water quality standards.

Citations: 33 U.S.C. § 1341(a), (b), & (d); 33 U.S.C. § 1251(b); 33 U.S.C. § 1370; 40 C.F.R. § 121; 15 C.F.R. § 930, 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 26.17.04; COMAR 26.23; COMAR 26.24

CERTIFICATION APPROVED



D. Lee Currey, Director
Water and Science Administration

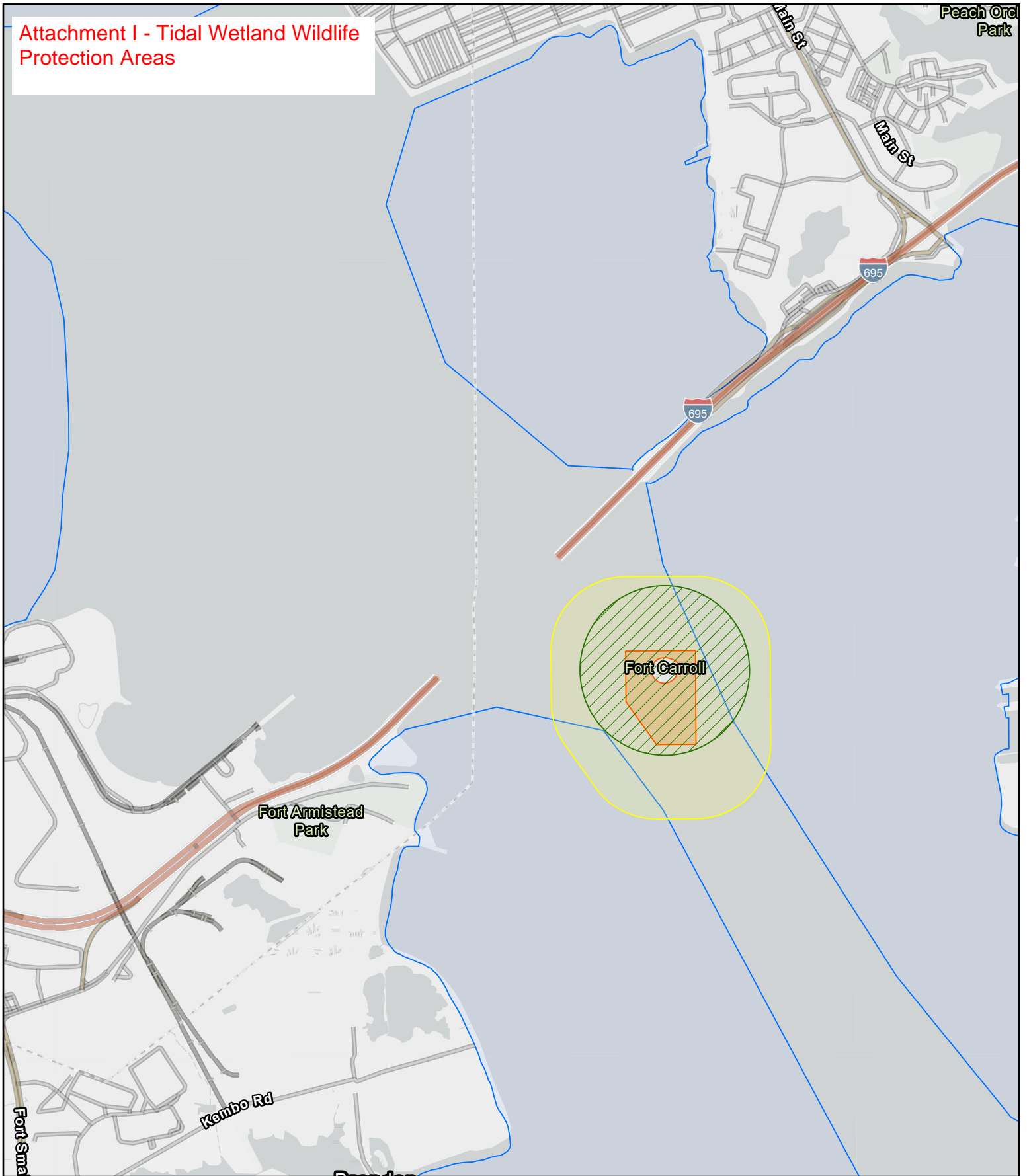
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
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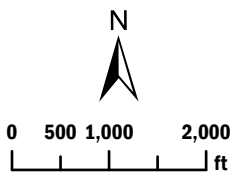
Att: Attachment I - Tidal Wetland Wildlife Protection Areas
Attachment II - Fish Mortality Mitigation Cost Table
Attachment III - Plan Sheets dated November 2024

cc: WSA Inspection & Compliance Program
Joe DaVia, U.S. Army Corps of Engineers (USACE)
Nicole Nasteff, USACE
Hal Pitts, U.S. Coast Guard

Attachment I - Tidal Wetland Wildlife Protection Areas



-  Sensitive Species Project Review Area
-  Fort Carroll Oyster Sanctuary
-  Oyster Sanctuary 1500ft Buffer
-  Waterfowl Areas



Francis Scott Key Bridge Rebuild
Tidal Wetland Wildlife Protection Areas

November 2024

Project Location Map



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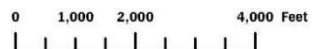


Proposed Project



Francis Scott Key Bridge Rebuild Project

Project Location





PEM Wetland 2WETD
Permanent Wetland
& Buffer Impacts for
Roadway Grading

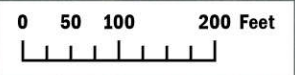
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Patapsco River

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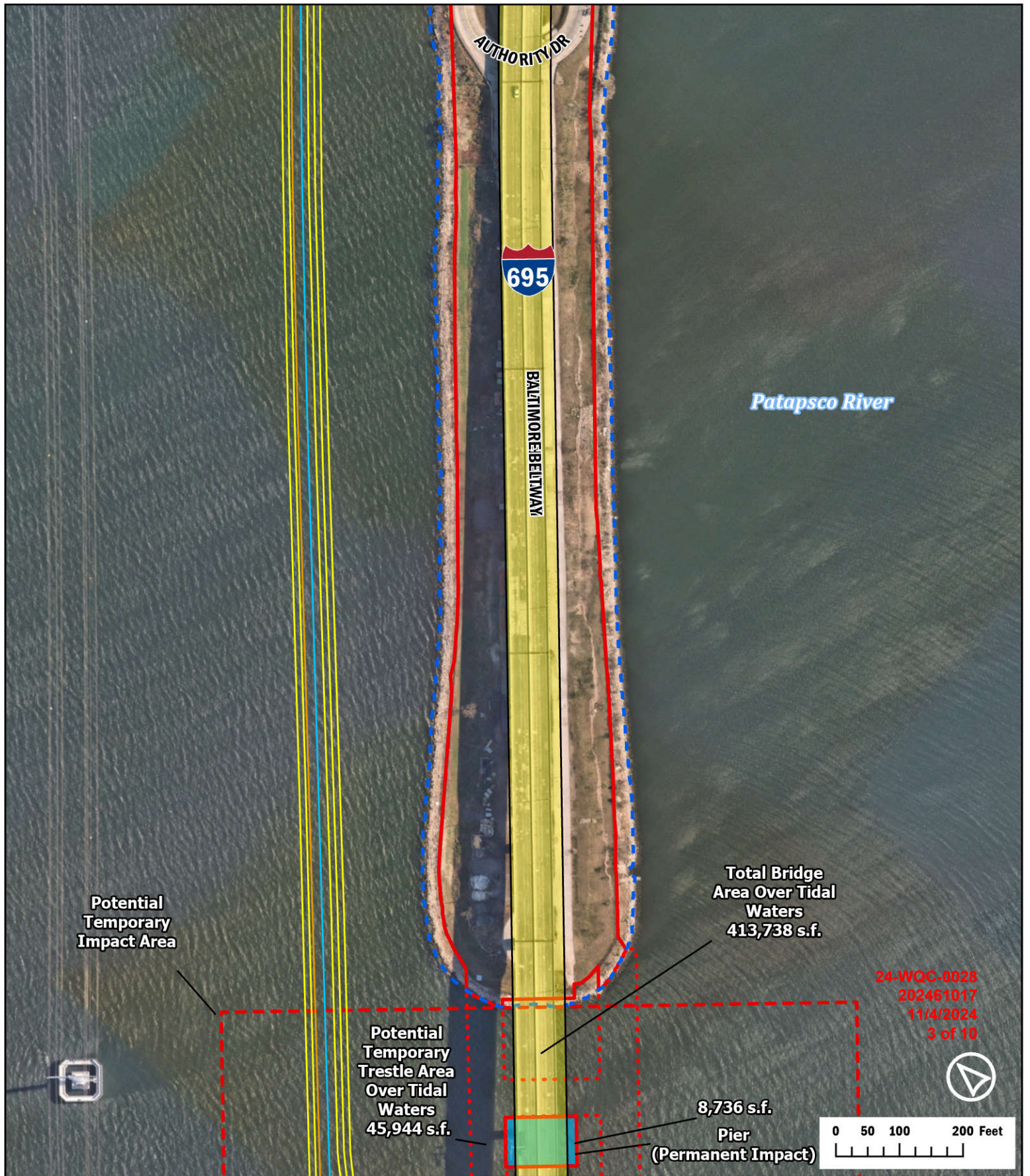


- ▭ Potential Limits of Disturbance
- ▭ Potential Temporary Pile Area
- ▭ Potential Temporary Trestle Area
- ▭ Proposed Bridge Area
- ▭ Navigation Channel Boundaries
- ▭ MHW Line
- ▭ Property Parcels
- ▭ Streams
- ▭ Wetlands
- ▭ 25ft Wetland Buffer
- ▭ Temporary Nontidal Waterway Impacts
- ▭ Permanent Tidal Waterway Impacts
- ▭ Permanent Emergent Nontidal Wetland Impacts
- ▭ Permanent 25ft Wetland Buffer Impacts
- ▭ Temporary Emergent Nontidal Wetland Impacts
- ▭ Temporary 25ft Wetland Buffer Impacts
- Utility Trench
 - ▭ Electric
 - ▭ Gas
 - ▭ Water



**Francis Scott Key
Bridge
Rebuild Project
Impact Plates**

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- ▬ Potential Limits of Disturbance
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- ▬ Potential Temporary Trestle Area
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- Utility Trench**
- ▬ Electric
- ▬ Gas
- ▬ Water



MDTA
 Maryland Transportation Authority

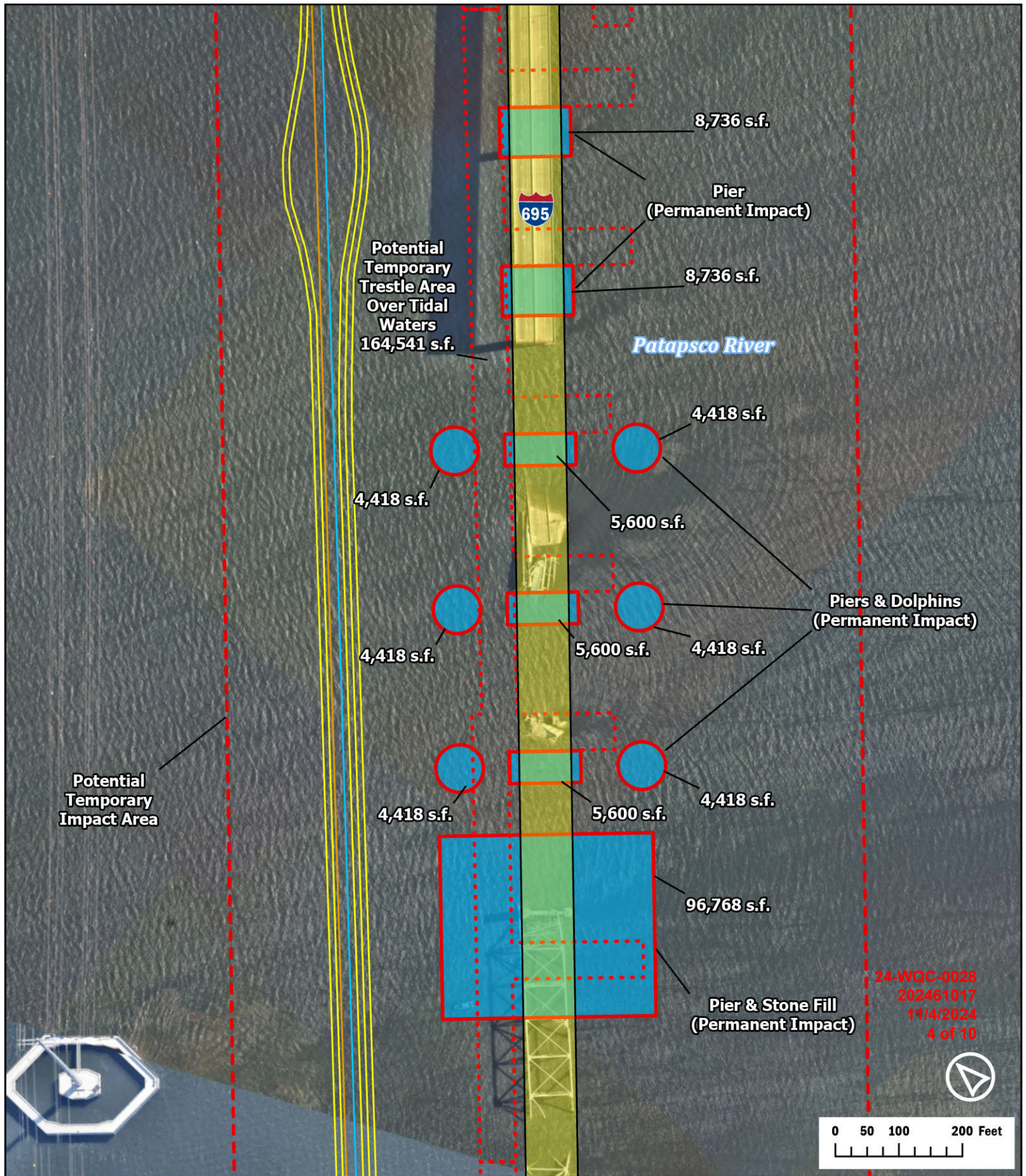
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 STATE HIGHWAY ADMINISTRATION

DEPARTMENT OF TRANSPORTATION
 FEDERAL HIGHWAY ADMINISTRATION

Francis Scott Key Bridge Rebuild Project

Impact Plates

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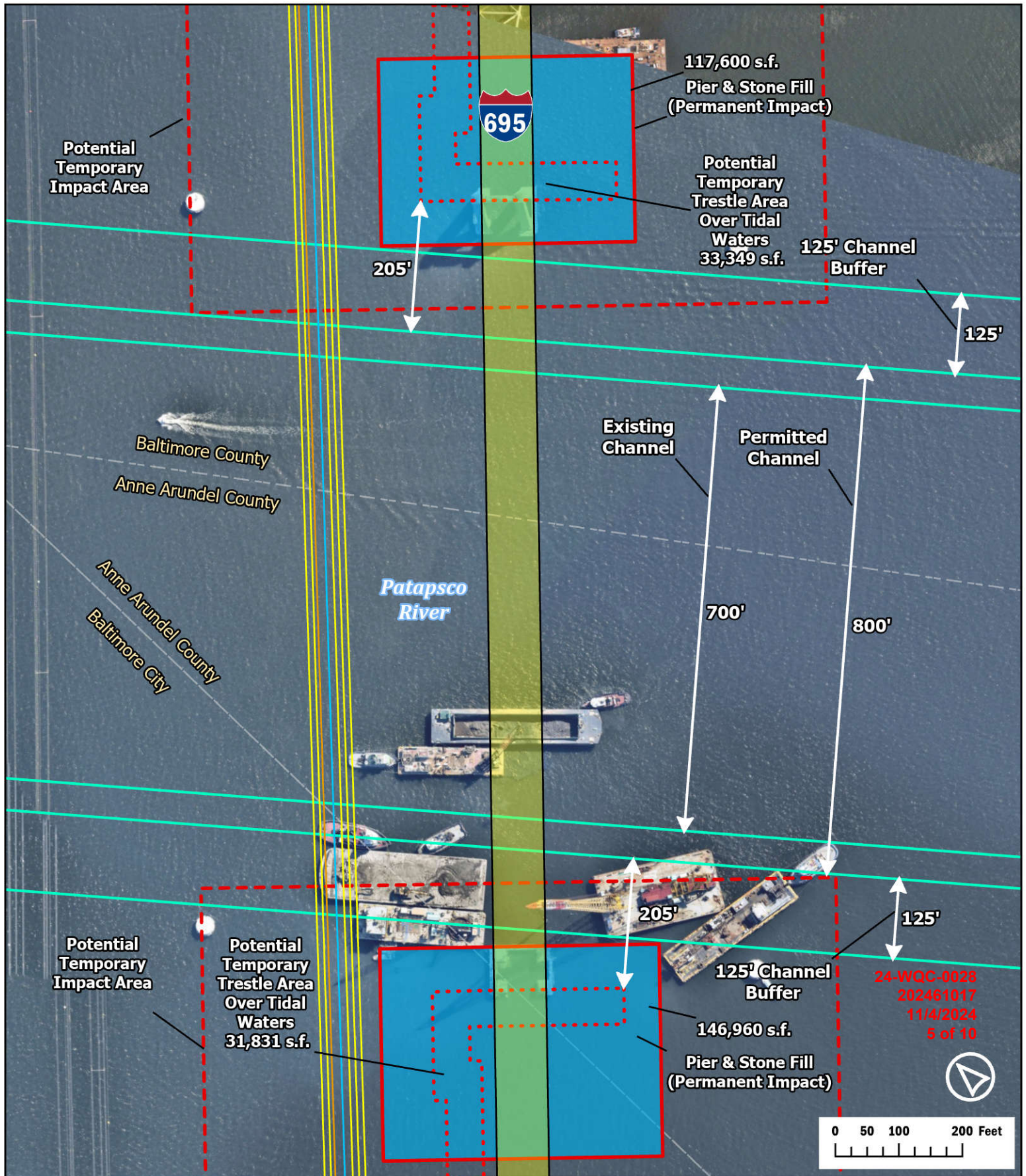


Potential Limits of Disturbance	Temporary Nontidal Waterway Impacts
Potential Temporary Pile Area	Permanent Tidal Waterway Impacts
Potential Temporary Trestle Area	Permanent Emergent Nontidal Wetland Impacts
Proposed Bridge Area	Permanent 25ft Wetland Buffer Impacts
Navigation Channel Boundaries	Temporary Emergent Nontidal Wetland Impacts
MHW Line	Temporary 25ft Wetland Buffer Impacts
Property Parcels	Utility Trench
Streams	Electric
Wetlands	Gas
25ft Wetland Buffer	Water



Francis Scott Key Bridge Rebuild Project
Impact Plates

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- ▭ Potential Limits of Disturbance
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- ▭ Water





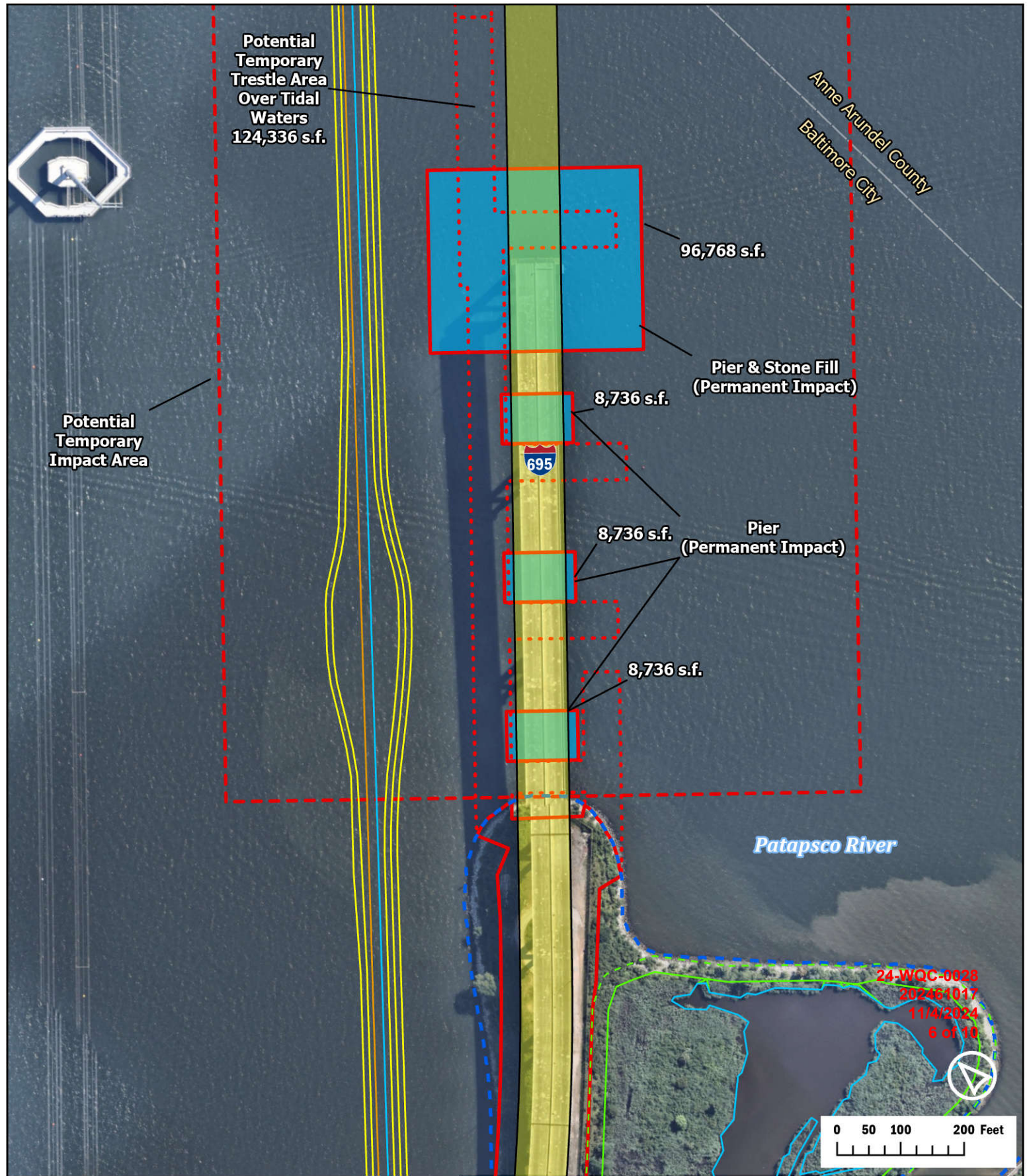
 Maryland Transportation Authority

 MARYLAND DEPARTMENT OF TRANSPORTATION
 STATE HIGHWAY ADMINISTRATION

Francis Scott Key Bridge Rebuild Project
Impact Plates

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- ▭ Temporary 25ft Wetland Buffer Impacts
- Utility Trench**
- ▭ Electric
- ▭ Gas
- ▭ Water




 MDTA
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 Transportation
 Authority

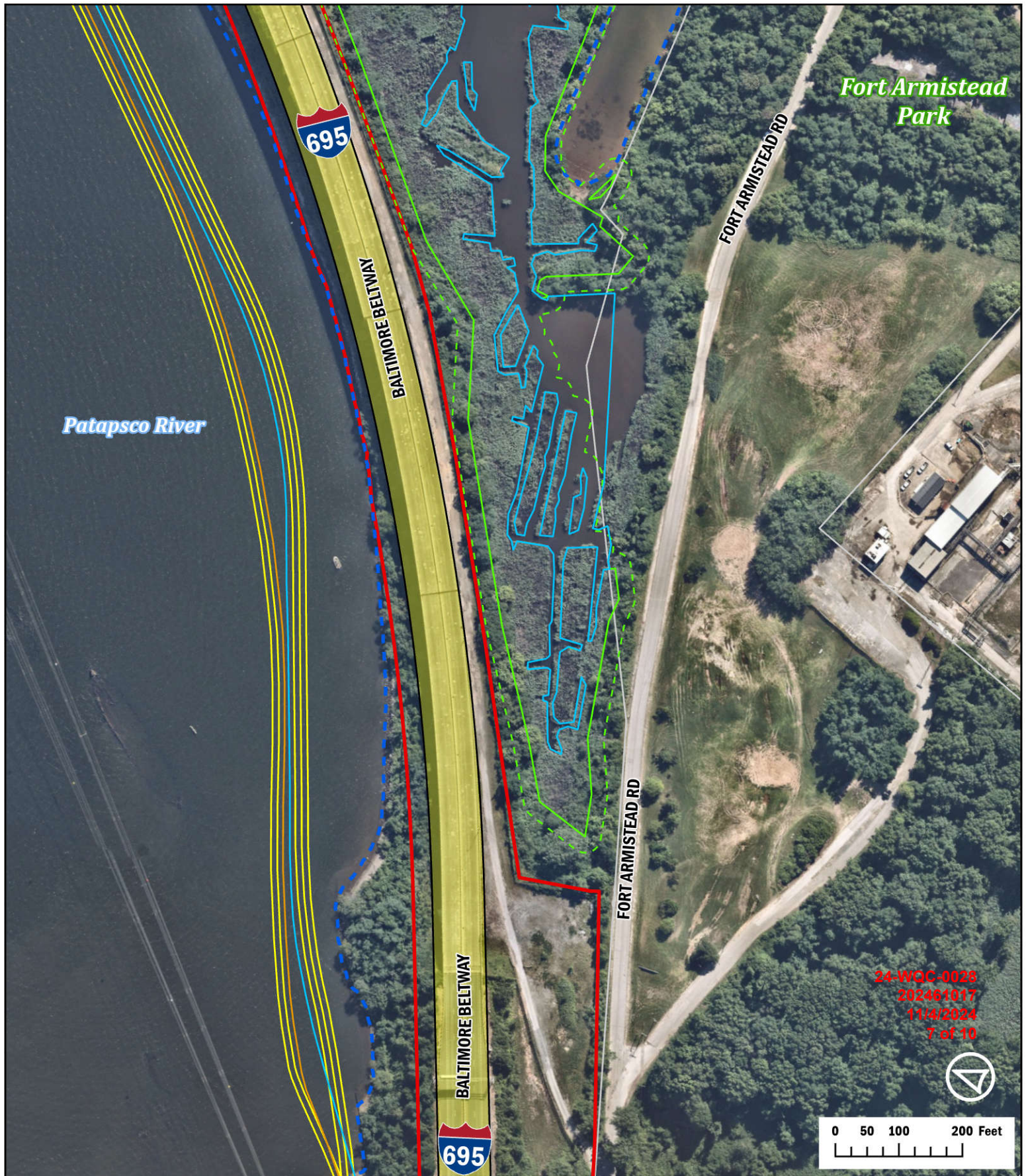

 MDT
 MARYLAND DEPARTMENT
 OF TRANSPORTATION
 STATE HIGHWAY
 ADMINISTRATION

Francis Scott Key Bridge Rebuild Project

Impact Plates

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Fort Armistead Park

Patapsco River

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BALTIMORE BELTWAY

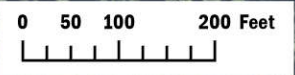
FORT ARMISTEAD RD

FORT ARMISTEAD RD

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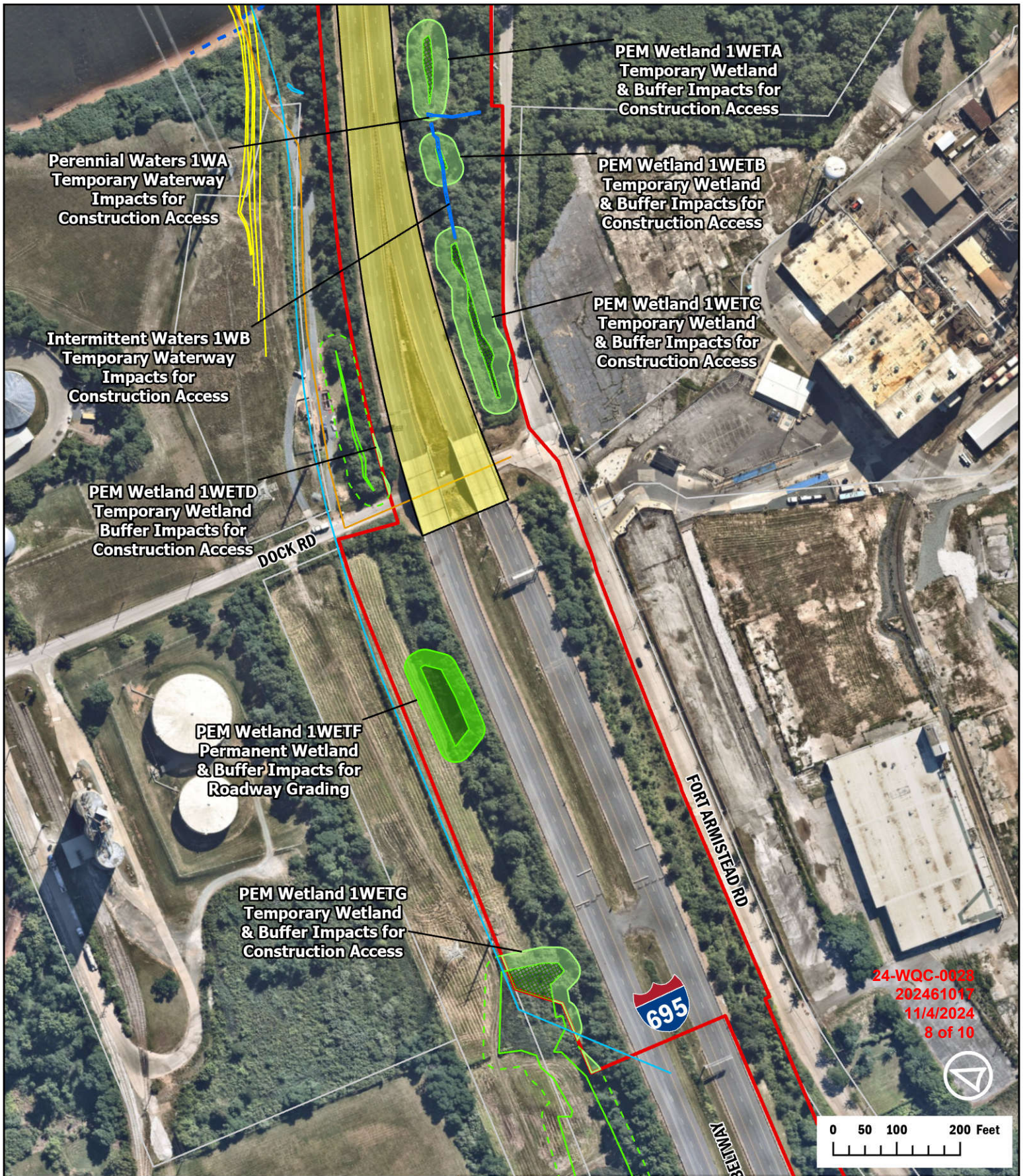


- ▬ Potential Limits of Disturbance
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- ▬ Permanent Emergent Nontidal Wetland Impacts
- ▬ Permanent 25ft Wetland Buffer Impacts
- ▬ Temporary Emergent Nontidal Wetland Impacts
- ▬ Temporary 25ft Wetland Buffer Impacts
- Utility Trench
 - ▬ Electric
 - ▬ Gas
 - ▬ Water



Francis Scott Key Bridge Rebuild Project
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|----------------------------------|---|
| Potential Limits of Disturbance | Temporary Nontidal Waterway Impacts |
| Potential Temporary Pile Area | Permanent Tidal Waterway Impacts |
| Potential Temporary Trestle Area | Permanent Emergent Nontidal Wetland Impacts |
| Proposed Bridge Area | Permanent 25ft Wetland Buffer Impacts |
| Navigation Channel Boundaries | Temporary Emergent Nontidal Wetland Impacts |
| MHW Line | Temporary 25ft Wetland Buffer Impacts |
| Property Parcels | Utility Trench |
| Streams | Electric |
| Wetlands | Gas |
| 25ft Wetland Buffer | Water |



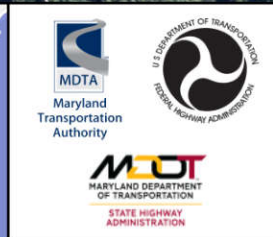
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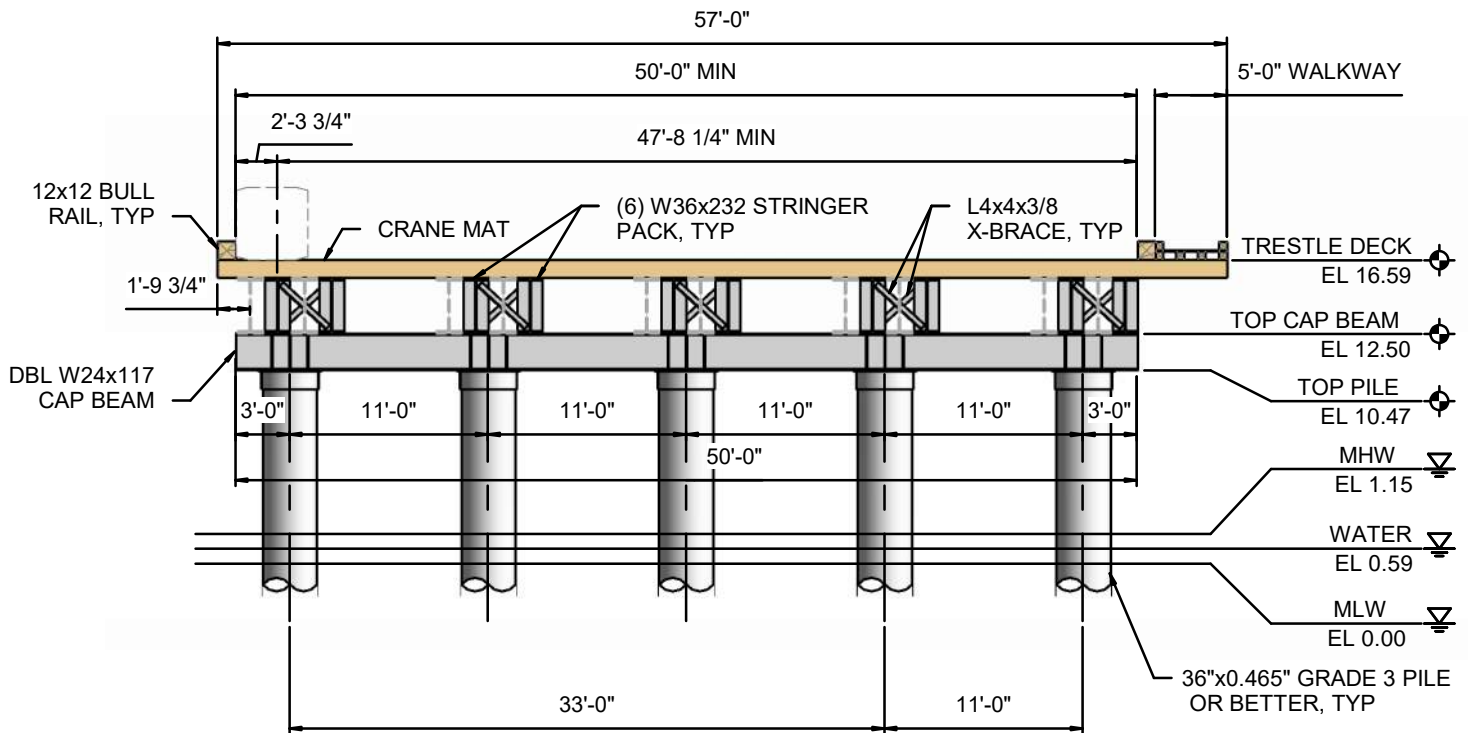
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Proposed Temporary Trestle



TYPICAL SECTION

SCALE: 3/32" = 1'-0"

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Maryland
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Authority

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