

*******IMPORTANT ANNOUNCEMENT*******

**New State Procedures for Application Processing
Wetlands and Waterways Program
Water Management Administration
Maryland Department of the Environment**

Effective **August 1, 2011**, the Maryland Department of the Environment (MDE) will implement new procedures for application review and communication with applicants designed to improve and expedite permit application processing. These procedures are intended to clarify the steps in the review process, promptly communicate the need for specific additional information and add certainty to the permit process by adhering to published permit turn-around times. MDE's ability to meet these new turn-around times for permit decisions depends on the submission of a carefully prepared application and the provision of any additional information determined by MDE to be necessary to complete an application review and render a decision. Providing additional information when requested is critical to the success of MDE in rendering a timely permit decision.

What is the Current Procedure?

All applicants for a wetlands and waterways authorization currently receive a "45-day letter" notifying the applicant that the activity is either authorized to proceed, or that the additional information described in the letter is needed to complete the application and enable MDE to render a decision. Past practice has been to allow the applicant an indefinite period of time to provide this information, resulting in thousands of pending applications upon which MDE could take no action.

What is Changing as of August 1, 2011?

The new process provides only one opportunity for an applicant to supplement an application with additional information. This change in procedure, which is applicable to all applications received on or after August 1, 2011, places a deadline by which the additional information requested in the "45-day letter" must be provided to MDE. Since each "45-day letter" will include a deadline for the submission of requested information, it is important to maintain a dialogue with the project manager assigned to your project prior to responding.

What Happens If Applicants Do Not Provide Sufficient Information or MDE Fails to Meet Deadlines?

If an applicant fails to provide the additional requested information or if the information provided within the requested time frame is insufficient, MDE will deny the permit application due to insufficient information upon which to make a favorable decision. The applicant may re-apply as allowed under State law. Resubmission of a permit application is considered a new application and fees will be due and payable upon resubmission of the application. As is currently done, if the Department fails to request additional information in the 45-day letter, the application is considered complete and the review will continue.

Note: If an application meets certain criteria for requiring additional time for review, such as a scientific study requested by MDE, resolution of legal or local governmental matters or other factors beyond the control of the applicant or the Department, this new procedure will not apply. The applicant will be notified if the application meets these criteria in the 45-day letter.

How Can an Applicant Ensure an Expedited Review Process?

Applicants are advised to obtain information and guidance by calling 410-537-3745 or 800-633-6101. Another option is to schedule a pre-application meeting by filling out the Pre-Application Meeting Request Form available at the following email address:

<http://www.mde.state.md.us/programs/Water/WetlandsandWaterways/Documents/preAppMeetingRequest.pdf>

In addition to providing the information requested in the application, be sure to include all of the information discussed during the telephone call or at the pre-application meeting. It is advisable to delay submitting an application until all of the required information can be provided. For more information, please visit the program's website:

http://www.mde.state.md.us/programs/Water/WetlandsandWaterways/Pages/Programs/WaterPrograms/wetlands_waterways/index.aspx.

JOINT FEDERAL / STATE APPLICATION FOR THE ALTERATION OF ANY TIDAL WETLAND IN MARYLAND

- All applications must be accompanied by plan drawings which show the location and character of the proposed work. For specific information on what is required on the plans, refer to the instruction package. 8-1/2" x 11" black & white drawings are required for every application. Full construction plans are required for projects submitted to the Waterway Permits Division.
- Any application which is not completed in full or is accompanied by poor quality drawings may be returned and will result in a time delay to the applicant.
- If you need help understanding how to fill out the application form, please refer to the instruction booklet.

APPLICATION NUMBER:

(To be assigned by the agencies)

1. APPLICANT INFORMATION:

Name: _____ Telephone: (____) _____
 Address: _____ Email Address: _____
 City: _____ State: _____ Zip: _____

2. AGENT / ENGINEER INFORMATION:

Name: _____ Telephone: (____) _____
 Address: _____ Email Address: _____
 City: _____ State: _____ Zip: _____

3. PRINCIPAL CONTACT, if not the applicant:

Name: _____ Telephone: (____) _____ Email Address: _____

4. PROJECT DESCRIPTION: _____

5. PROJECT PURPOSE:

Shore Erosion Control	Erosion/Sediment Control	Storm Drain/Stormwater Management
Utility Installation	Improve Navigable Access	Marina
Create Waterfowl Habitat	Improve Fish Habitat	Fill
Temporary Construction	Stream Channelization	Bridge
Beach Nourishment	Maintenance/Repair	Dam
Residential/Commercial Development	Small Pond	Road
Other: (describe) _____		Culvert

CERTIFICATION:

I hereby designate and authorize the agent named above to act on my behalf in the processing of this application and to furnish any information that is requested. I certify that the information on this form and on the attached plans and specifications is true and accurate to the best of my knowledge and belief. I understand that any of the agencies involved in authorizing the proposed works may request information in addition to that set forth herein as may be deemed appropriate in considering this proposal. I grant permission to the agencies responsible for authorization of this work, or their duly authorized representative, to enter the project site for inspection purposes during working hours. I will abide by the conditions of the permit or license if issued and will not begin work without the appropriate authorization. I also certify that the proposed works are not inconsistent with Maryland's Coastal Zone Management Plan.

APPLICANT MUST SIGN: _____ **Date** _____

PLEASE COMPLETE THE REVERSE SIDE

6. PROJECT LOCATION: This project is in Tidal Non-Tidal Waters. (Please Ccheck One)

County: _____ Name of Waterway: _____

Site Address or Location: _____

Directions from nearest intersection of two state roads: _____

County Book Map (A.D.C.) Coordinates: Map: _____ Letter: _____ Number: _____

7. TYPE OF PROJECT:

Work Proposed	Overall Length (in feet)	Average Width (in feet)	Maximum Distance Channelward From Mean High Water For projects in tidal waters (in feet)
Bulkhead	_____	_____	_____
Revetment	_____	_____	_____
Vegetative Stabilization	_____	_____	_____
Gabions	_____	_____	_____
Groins or Jetties	_____	_____	_____
Boat Ramp	_____	_____	_____
Pier	_____	_____	_____
Breakwater	_____	_____	_____
Road Crossing	_____	_____	_____
Utility Line	_____	_____	_____
Outfall Construction	_____	_____	_____
Dredging New Maintenance Hydraulic Mechanical	_____	_____	_____

Other: For other projects, please supply project dimensions including the area of disturbance (acreage), volume of fill (cubic yards), type of fill, and area (acreage) of wetlands to be impacted. _____

8. PROPOSED STARTING DATE: _____

9. CONTRACTOR'S NAME (If Known): _____

10. LAND USE:

Current Use Is: Agriculture Wooded Marsh/Swamp Meadow Developed
Present Zoning Is: Residential Commercial Agriculture Other: _____

11. OTHER PERMITS REQUIRED: Building Permit Soil Conservation District Other: _____

12. NOTIFICATION OF ADJACENT PROPERTY OWNERS:

The applicant/agent will be informed by the permitting agencies when notification of adjacent property owners is required.

IMPORTANT:

PLEASE MAIL SEVEN COPIES OF THE APPLICATION, SITE PLAN, AND VICINITY MAP (WITH PROJECT LOCATION PINPOINTED) TO:
MDE, WATER MANAGEMENT ADMINISTRATION
REGULATORY SERVICES COORDINATION OFFICE
MONTGOMERY PARK BUSINESS CENTER – ST 430
1800 WASHINGTON BOULEVARD
BALTIMORE, MD 21230-1708
(410) 537-3762 OR 1-800-876-0200

SEND AN APPLICATION FEE OF \$750 ALONG WITH A COPY OF THE FIRST PAGE OF THE APPLICATION TO:
MDE
P.O. BOX 2057, BALTIMORE, MD 21203-2057.
PLEASE REFER TO OUR WEBSITE
<http://www.mde.state.md.us/wetlands> FOR FURTHER INSTRUCTIONS.

NOTICE TO TIDAL WETLAND APPLICANTS

Certain projects involving tidal wetlands licenses and permits require that a description of the proposed project be published in a local newspaper. This advertisement is necessary to fulfill legal public notice requirements. Projects that require public notice include but are not limited to the following:

- Bulkheads greater than 300 feet long and 10 feet channelward of the mean high water line.
- Stone revetments greater than 500 feet long and 10 feet channelward of the mean high water line.
- Marsh creation projects greater than 500 feet long and 35 feet channelward of the mean high water line.
- Dredging projects that have a surface area greater than 1,500 square feet or result in the removal of more than 100 cubic yards of material.
- Jetties, breakwaters, and groins.
- All marina creation and expansion projects.

The Water Management Administration will advertise the project for you. However, as the applicant for the project you are responsible for paying the publishing costs. The publishers will bill you directly. In order for this process of public notice to occur, your approval is necessary prior to publishing. Please complete the form on the back of this page and return it to the Water Management Administration with your application so that your proposed project may be advertised without delay. Please make sure to sign the form. Processing of your application cannot continue until a signed form is received.

Please call the Tidal Wetlands Division at (410) 537-3837 if you have any questions. Thank you for assistance in this matter.

**Department of the Environment
Water Management Administration
Tidal Wetlands Division
1800 Washington Boulevard
Baltimore, Maryland 21230
(410) 537-3837**

“A Commitment to Excellence in Managing Maryland’s Water Resources”

PUBLIC NOTICE BILLING APPROVAL FORM

I agree to pay all expenses associated with the publishing of a public notice for the wetland application of
_____ (Applicant’s Name) **which is dated** _____.

Applicant/Agent Signature

Printed Name of Signee

Billing Address: _____

Telephone No.: _____

Please provide the names and mailing addresses of the adjacent property owners:

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**Contiguous Property Owner and Appropriate Local Official Notification
Certification Form**

I have notified and provided plans of my proposal to perform work in tidal wetlands to all property owners contiguous to my property located at the address listed below.

In Person

By Certified Mail

I have notified and provided plans of my proposal to perform work in tidal wetlands to the Director of Planning in the County in which my project is located:

In Person

By Certified Mail

Project Site Address

(Name of Property Owner)

(Project Site Street Address)

(City, State, Zip Code)

Please list below all of the contiguous property owners notified. Attach additional pages if necessary.

Names

Addresses

_____	_____
_____	_____
_____	_____
_____	_____

(Signature)

(Printed Name)

**Sample Letter For Notifying Contiguous Property Owners
or Projects in Tidal Wetlands**

(Your Street Address)
(City, State, Zip Code)
(Phone Number)

(Date)
(Contiguous Property Owner's Name)
(Address)
(City, State, Zip Code)

Dear _____ :
(Contiguous Property Owner's Name)

I am submitting an application to the Maryland Department of the Environment to obtain authorization to perform work in tidal wetlands at my property contiguous to yours. I propose to perform the following work:

(Describe project)

Please review the attached plan and call me if you have any questions. If you would like to provide comments to the Maryland Department of the Environment, please send a letter to them at the following address within 14 days of receipt of this letter.

Maryland Department of the Environment
Tidal Wetlands Division
1800 Washington Blvd
Baltimore, MD 21230
410-537-3837

Sincerely,

(Your Signature)

(Your Printed Name)

Sample Letter For Notifying Appropriate Local Officials of Projects in Tidal Wetlands

(Date)

(Your Street Address)
(City, State, Zip Code)
(Phone Number)

Department of Planning
(Street Address)
(City, State, Zip Code)

Dear Planning Director:

I am submitting an application to the Maryland Department of the Environment to obtain authorization to perform work in tidal wetlands on my property located at _____*(Project Address)*. I propose to perform the following work:

(Describe project)

Please review the attached plan and call me if you have any questions. If you would like to provide comments to the Maryland Department of the Environment, please send a letter to them at the following address within 14 days of receipt of this letter.

Maryland Department of the Environment
Tidal Wetlands Division
1800 Washington Blvd.
Baltimore, MD 21230
410-537-3837

Sincerely,

(Your Printed Name) *(Your Signature)*

Wetlands and Waterways Program: Checklist for Floodplain, Waterway, Tidal or Nontidal Wetland Applications

- Processing Fee Enclosed
- Exempt from Processing Fee

- Applicant's name, mailing address, telephone number, email address and fax number
- Authorized agent's (or primary contact and other contact) names, mailing addresses, telephone numbers, email addresses and fax numbers
- Any existing authorization numbers or previously assigned numbers
- General description of project purpose and proposed activity.
- The name of the city or town, waterbody, and county where the project is located
- Clear directions to project site
- Latitude and longitude from a central location within the project limits

Wetland, Waterway/Stream, Buffer, Floodplain Description

- Itemized calculation of all permanent and temporary wetland, stream, buffer, floodplain impacts
- A delineation report of the area of all wetlands and buffers on the site and associated wetland data sheets. The report map should include the location of all streams, 100-year floodplains?, open water and other surface waters on the site the limits of Chesapeake Bay Resource Protection Areas (RPAs), Wetland types should be noted according to their Cowardin (USFWS-National Wetlands Inventory) classification or similar terminology.
- Description of How Impacts were Avoided or Reduced
- Mitigation Proposal, if applicable

Plans

- A detailed vicinity map of the project area, including the project boundary. The map should identify the project site, property boundaries, and adjacent property owners
- Plans showing distance of all proposed structures to all contiguous property lines and any appropriate County or State property line building restriction setbacks, right-of-ways and/or easements

A plan view depicting existing and proposed conditions and structures. All plan view sketches should include, but are not limited to: north arrow; existing and proposed contours and/or grades; limit of surface water areas; ebb and flow direction of all water bodies (e.g., streams, tidal waters); applicant name and address; all horizontal dimensions of all proposed structures and impacts, existing conditions of the project site which includes all existing structures at or near the project site including neighbors; existing areas of wetland vegetation or mapped wetlands and buffers; the project boundary and a boundary demarcating the limits of disturbance. A section view showing existing and proposed conditions and structures.

A description of construction access and methodology and a proposed construction schedule, with an estimated completion date

Description of stabilization for temporary impacts

ALL Tidal Projects

Plans on 8.5" x 11" paper; Plans are to be legible and not cluttered; usable written scale no smaller than 1" = 100', Dimensions of proposed structures must be represented.

Plan views should include Mean High Water Line (MHWL) and Mean Low Water Line (MLWL; referenced to 0.0'). *If MHWL or MLWL are to be altered during construction the proposed MHWL and MLWL should also be labeled*

Plan views should include water depths marked as either contours or spot depths that extend across the width of the waterway.

Plan view should include the maximum channelward extent beyond mean high water of all proposed structures and impacts

Plan view should include the distance across the waterway, perpendicular to the proposed worksite, to the opposite shoreline and maximum fetch for the project worksite; *include multiple bearings and/or summer-winter wind direction if possible*

Dredge material management plan (*for dredging projects only*) including type of dredging, location of dredged material placement site, handling and transport method for dredge material, the dimensions and detailed design of the proposed dredged material placement site including a plan and cross section drawing of dewatering area (*if proposed*), maximum volume of dredged material, and an acceptance letter from the operator of the dredged material placement site.

ALL Non-Tidal Projects: Large-sized impacts map (at a scale no smaller than 1" = 200'); use match lines if the entire site cannot fit on one sheet at this scale