

**WATER AND SCIENCE ADMINISTRATION
TIDAL WETLANDS DIVISION**

Wetland Report and Recommendation

State Wetlands Case No:

23-WL-0762

Applicant: Tradepoint TiL
Terminals (TTT) LLC
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Date Application Received: August 22, 2023 Public Notice Required? Yes

Comment Period Closing Date: February 10, 2025

Maryland Coordinates: 171578 x 444008

Book Map Coordinates: Baltimore City & Co. ADC Map Num: 0 Ed: Coord: 0 X

Location of Proposed Work: Coke Point Peninsula at Tradepoint Atlantic; 6995 Bethlehem Boulevard, Suite 100, Baltimore MD, 21219

Purpose of Proposed Work: To construct the Sparrows Point Container Terminal (SPCT), which will enhance the container capacity of the Port of Baltimore and provide an economic benefit to the State of Maryland.

- Purpose of the wharf: To provide ship-to-shore access and allow vessels to load and unload cargo.
- Purpose of the excavation and revetment: To stabilize the shoreline and prevent erosion.
- Purpose of the dredging: To provide navigable access for shipping to the SPCT.

Description of Authorized Work:

Excavation: Excavate approximately 133,361 cubic yards of upland material to create 6.37 acres (277,329 square feet) of tidal open water with depths ranging from mean high water to -52.22 MLW. The excavated upland material will be reused or disposed of on site or at appropriate upland facilities.

Dredging: Mechanically dredge a 135.68-acre (5,907,855 square foot) channel to a depth of 52.22 feet at mean low water; and to deposit approximately 4.2 million cubic yards (MCY) of dredged material at the following approved placement sites: a maximum of 350,000 CY of slag will be reused on site, a maximum of 1.7 MCY at the High Head Industrial Basin dredge material containment facility (DMCF), a maximum of 1.57 MCY at the Norfolk Ocean Disposal Site (NODS), and a maximum of 1.25 MCY at either Maryland Port Authority (MPA) Cox Creek DMCF or Masonville DMCF; and to provide for periodic maintenance dredging for six years.

Wharf Construction:

- Fill 0.29 acres (12,468 square feet) of open water;
- Construct 3,310 linear feet of stone or concrete revetment within a maximum of 171 feet channelward of the proposed mean high water line;
- Construct an 8.82-acre (384,000 square foot) marginal wharf, supported with one hundred and fifty-three (153), 30-inch diameter piles; and one thousand and sixty-one (1,061), 36-inch diameter piles along 3,000 linear feet of shoreline, extending a maximum of 128.5 feet channelward of the proposed mean high water line. The wharf will include nine Ship to Shore (STS) cranes with active cranes extending a maximum of 330 feet above the wharf platform and stored cranes extending a maximum height of 484 feet above the wharf platform. The wharf will also include rail and other accessory features required for the function of a marine container terminal.
- Construct three 60-inch diameter stormwater discharges with associated stone outfall structures:
 - Outfall 1: 626 square feet within 20 feet channelward of the mean high water line,
 - Outfall 2: 280 square feet within 23 feet channelward of the mean high water line;
 - Outfall 3: 800 square feet within 98 feet channelward of the mean high water line;
- The construction of these outfalls include the construction of temporary cofferdams that result in a total temporary impact of 2,479 square feet.

Temporary High Head DMCF Outfall:

- Construct a new 650-foot long temporary outfall for DMCF dewatering activity consisting of a 24-inch diameter feeder line pipe extending 550 feet channelward of the mean high water line with an associated 18-inch diameter multiport diffuser extending a maximum of 650 feet channelward of the mean high water line.

Waterbody: Patapsco River

Requires Water Quality Certification?: Yes, 24-WQC-00045 will be issued by MDE.

Qualifies for Maryland State Programmatic General Permit?: No. The United States Army Corps of Engineers (USACE) was designated as the lead agency under the National Environmental Policy Act (NEPA) and determined that the project will be reviewed under Title 41 of the Fixing America's Surface Transportation Act (FAST-41). This process results in a Final Environmental Impact Statement (FEIS), Record of Decision (ROD), and Individual Federal Permit.

Area of Vegetated Wetland Impacts Requiring Mitigation: 0 s.f.

Area of Open Water Tidal Wetlands Requiring Mitigation: 3.08 acres (134,116.5 square feet)

Mitigation is required for dredging in shallow water and the filling of open water related to revetment and pile installation beneath the wharf. The Department determined that mitigation will be requested for a total of 0.29 acres (12,468 square feet) for the fill placed in the open water, 0.08 acres (3,542 square feet) for the piles associated with marginal wharf, 1.48 acres (64,680 square feet) for dredging in shallow water habitat, 1.23 acres (53,426.5 square feet), which represents 50% of the total revetment channelward of 10 feet channelward of the mean high water line (mitigation reduction justification below). The total required mitigation equals 3.08 acres (134,116.5 square feet).

Justification for reduced mitigation: Per COMAR 26.24.05.01B(7), *Mitigation requirements may be reduced or eliminated: (a) For shore erosion control projects that meet all of the requirements of COMAR 26.24.04.01; or (b) If the proposed project provides a significant environmental benefit as determined by the Department.*

The Department received justification that the existing conditions, where revetment is proposed, contain a mostly hardened slag bottom with potential levels of contaminants in the substrate. Placement of stone or concrete will result in a similar hardened substrate material, and the removal of slag and sediments containing any levels of contamination (including heavy metals such as lead, arsenic, and cadmium) would result in an improvement in water quality. The Department accepted this justification and agreed to waive mitigation for the portion of the revetment that is not shaded by the wharf, and to reduce mitigation for the portion that is shaded by the wharf. The rationale is that the placement of revetment outside the shaded area would not result in a loss of State tidal wetlands or cause a significant change in wetland function that would warrant mitigation. The Department does not recommend mitigation for this area. For the area of revetment placed beneath the wharf, due to the combination of revetment and shading, there will be some loss of State tidal wetlands or a change in function. The Department is requesting mitigation at 50% for this area of impact, resulting in a required mitigation of 1.23 acres.

Area of Vegetated Wetlands Created: 0 s.f.

Was the Applicant's Original Project Modified?: Yes. The original JPA was submitted without final plans in order to begin the NEPA review process. This process explored many alternatives for dredging and dredge placement. Plans were resubmitted to the Department on December 3, 2024. These plans showed a reduction from a potential 100-acre DMCF to a 19.58-acre DMCF in the coal pier channel. This set of plans was publicly noticed and included in the hearings on the project. The applicants provided further avoidance and minimization and were able to eliminate the in-water DMCF. The Department received final plans on June 6, 2025, that included the removal of the in-water DMCF as well as other minor changes to the revetment and stormwater layout. This final plan set is represented as the preferred alternative in the DEIS and includes a combination of the High Head Industrial Basin DMCF, the Norfolk Ocean Disposal Site (NODS), and Maryland Port Authority (MPA) Cox Creek DMCF and/or Masonville DMCF as the placement options.

Department Comment:

As required by § 5-204 (b) of the Environment Article, the Department drafted and issued a public notice by posting the public notice on its WEB site from January 10, 2025 to March 21, 2025 and publishing the public notice for the proposed project in the Maryland Register on December 27, 2024; the Baltimore Sun on January 15, 2025; the Dundalk Eagle on January 16, 2025; and the Capital Gazette on January 15, 2025. In addition, the public notice was provided to adjacent property owners listed on Attachment A.

A pre-scheduled joint MDE-USACE public informational hearing was held on February 25, 2025, at the Sollers Point Multi-Purpose Center, 323 Sollers Point Road, Dundalk, MD 21222, and a virtual hearing was held on February 27, 2025.

The in-person hearing was attended by one person representing an elected official (Senator Van Hollen's Office), 157 members of the public, and two members of the press. The virtual hearing was attended by an additional 15 people (the virtual hearing did not have a sign-in function).

Thirty-three members of the public provided testimony at the in-person hearing, four members of the public provided testimony at the virtual hearing (three of those also spoke in person), and the Department received 66 comments via mail and email during the public comment period.

Statements and letters of support were received from Hon. Bill Ferguson, President of the Maryland Senate; Hon. Adrienne Jones, Speaker, Maryland House of Delegates; Sen Johnny Ray Salling; Delegate Robin Grammer; Delegate Richard Metzgar; Delegate Robert Long; the entire Baltimore County Council; former Baltimore County Executive Don Mohler, Maryland Chamber of Commerce, Greater Baltimore

Committee, Long Shoreman's Association; Electrical Workers Union (IBEU), East Baltimore Chamber of Commerce, Sparrows Point Country Club, Baltimore Port Alliance and Terminal Alliance, and several other businesses and organizations.

One person expressed opposition to the project. The reason she identified for her opposition was due to past environmental injustices experienced by Turner Station, and she requested data on testing at Sparrows Point and asbestos testing at Turner Station. She did not identify any specific concern related to the SPCT proposal.

The other commenters did not express opposition to the SPCT project but had concerns that included water quality and contamination, dredge material containment, increased truck and train traffic, concerns related to the potential loss of the Pleasant and North Point Yacht clubs, and proposed mitigation options that included open water creation in Jones Creek and Old Road Bay. The above list identifies the majority of the concerns, additional concerns related to best management practices, energy sourcing, air quality, and community outreach. The Department also received comments from the Baltimore County Department of Environmental Protection and Sustainability (DEPS), which also did not express opposition but had concerns and questions relating to the High Head Industrial Basin, Coal Pier Channel DMCF, Ocean Disposal, Potential Environmental Impact of Sediments, Mitigation, and other general concerns.

The Department reviewed all comments and questions, coordinated with the SPCT project team, compiled the concerns and questions into categories, and prepared a letter that includes answers to address all comments and concerns. The Department also prepared a separate letter to Baltimore County DEPS that responds to their questions. In both letters, the Department included responses and answers from the SPCT project team. These letters are attached to this R&R (Attachment B).

The Maryland Department of Natural Resources (DNR) reviewed the proposed project and determined that, due to the potential impact on anadromous fish, no dredging should occur between April 1 and October 1 of any year. This is included as Special Condition E. DNR also included questions about the discharge/disposal of the existing water at High Head Industrial Basin and comments on the potential mitigation projects. Additional information on the High Head Industrial Basin water is addressed in the comment responses. Mitigation is recommended for this project; however, the final mitigation package has not been received. The mitigation will be approved in a subsequent JPA or modification to the License if the proposal requires a tidal wetlands license. This is included as Special Condition X. More information on mitigation is described above (Area of Open Water Tidal Wetlands Requiring Mitigation) and below (Mitigation).

The Maryland Historical Trust reviewed the proposed project and determined that there are no historic properties affected by this undertaking.

Testing/Studies/Analysis: The SPCT team conducted various tests and analysis to determine the feasibility and impact of the proposed project. Tests and studies included: Geotechnical Investigation, Hydrodynamics, Groundwater, Surface water, Soils, Waterfowl, Bathymetry, Sediment chemistry, Dredged material characterization, Wetlands, Submerged aquatic vegetation (SAV), Fish, Benthos, Endangered Species Act (ESA) listed species, Recreation surveys, Air Quality, Navigation, Underwater noise modeling, Community noise modeling, Mitigation planning, Traffic, Socioeconomics/EJ, Aesthetics/Viewshed/Light, and Archeological. The results of these studies and analyses are publicly available in the draft environmental impact statement (DEIS) and will also be included in the Final Environmental Impact Statement (FEIS) when it is released.

Federal Permitting Timeline: The Official Notice of Availability of a Final EIS (FEIS) is expected to be completed by September 2025. The Federal Record of Decision (ROD) is expected to be made by December 2025.

Dredging footprint: The proposed channel is based on the existing Tradepoint Atlantic access channel. This channel is maintained from the Brewerton Channel to the terminal basin at 300 feet wide and between 42 and 47 feet deep. This proposal is considered new dredging because it widens and deepens this channel. The SPCT project team determined the minimum distances for channel width (450 feet), turning basin diameter (1,650 feet), and depth (52.22 feet MLW) to accommodate the vessels that will berth at the container terminal. The results of these studies and analyses are publicly available in the DIES and will also be included in the FEIS.

Existing substrate/contamination: The Department reviewed and approved a Sampling and Analysis Plan developed by the SPCT team to categorize the substrate and determine the level of contamination. The Plan divided the proposed channel and turning basin into 28 dredge units with 97 sample borings. The material was tested for various substances, including metals, VOCs, SVOCs/PAHs, PCB congeners, and others. The findings showed that approximately 89% of the dredged material from both the North and South Channel segments of the Sparrows Point Channel is classified as Category 1 (residential unrestricted use) or Category 2 (non-residential restricted use). The remaining 11% was classified as Category 3, which requires placement with capping. Exceedances were found in metals (aluminum, arsenic, iron), PAHs, and dioxin, which were classified as Category 3. However, VOCs and PCBs did not exceed screening criteria. The 15 dredging units in the South Channel met EPA ocean placement requirements for NODS. The 13 dredging units in the North Channel (Categories 1, 2, and 3) are suitable for onsite or offsite confined placement. The SPCT team plans to place all Category 3 material in the upland High Head Industrial Basin DMCF.

DMCF Alternatives: The original proposal was for a 100-acre DMCF off of Coke Point. This DMCF would have provided a single placement solution for the entirety of the dredged material, reduced costs associated with transporting dredged material to other placement options, and served as a cap for existing contaminated sediments. However, despite these benefits, a 100-acre DMCF will result in a permanent loss of State tidal wetlands. Thus, the project team explored other options to reduce the footprint of the DMCF. The project team then proposed a 19.58-acre DMCF in the Coal Pier Channel. While this represented a significant reduction in impacts to State tidal wetlands, following the public notice period, the project team continued exploration to reduce and minimize impacts to State tidal wetlands. In May 2025, the project team eliminated any in-water DMCF. Their analysis determined that all dredged material can be handled by a combination of the High Head Industrial Basin DMCF (1.7 MCY capacity), the Norfolk Ocean Disposal Site (NODS) (1.57 MCY capacity), and Maryland Port Authority (MPA) Cox Creek DMCF and/or Masonville DMCF (1.25 MCY capacity), and on-site reuse of slag (330,000 CY), for a total capacity of 4.85 MCY.

Dredged material from the southern segment of the Sparrows Point Channel was subjected to the Tier II (sediment and elutriate) testing and Tier III (ecotoxicological) testing required to assess the material's suitability for ocean placement at the NODS. Results of the testing indicated that approximately 1.57 MCY of material from the south segment of the channel met the Section 103 Marine Protection, Research, and Sanctuaries Act (MPRSA) requirements.

In addition to the High Head Industrial Basin DMCF, the Department is requiring the project team provide a copy of the EPA approval for ocean disposal at NODS prior to the start of dredging, and a copy of the MPA's acceptance of up to 1.5 MCY of dredged material at Cox Creek and/or Masonville DMCFs. This is included as part of Special Condition F.

DMCF Material Management and Containment: MDE Land Restoration Program (LRP) will be reviewing the plan for the DMCF at High Head Industrial Basin. The proposed High Head Industrial Basin DMCF is under Controlled Hazardous Substances (CHS)/Voluntary Cleanup Program (VCP) oversight, as well as EPA Resource Conservation and Recovery Act (RCRA) oversight. The High Head DMCF dike walls will be required to be capped because the SPCT project team plans to construct them out of slag, which is permissible with capping and land use restrictions. The DMCF will also need to be capped once dewatering activities are completed. This is included as Special Condition O.

Tradepoint Atlantic, the Permit holder for the current discharge permit, has submitted a modification notice to MDE Wastewater Pollution Prevention & Reclamation Program. The Wastewater Pollution Prevention & Reclamation Program will make a determination to modify the permit prior to beginning any discharge activities. This is included as Special Condition P.

Mitigation: This project will have a mitigation requirement based on a combination of dredging, fill in open water consisting of stone or concrete placement and piles associated with the wharf construction for the SPCT. The total impact requiring mitigation is 3.08 acres (134,116.5 square feet). The Department has not received the proposed mitigation package. However, the SPCT project team has identified multiple possible projects to mitigate this loss, which includes open water creation, tidal marsh enhancement and establishment, derelict crab pot removal, and oyster reef creation. These are included in the DEIS. Once the project team submits the mitigation package, the Department will conduct a thorough review and determine if a JPA is required. A public notice may be required for a proposed project or modification. Mitigation requirements are included as Special Condition X.

Economic Impact: The SPCT would increase the overall container capacity of the Port by 70%. The terminal would leverage the Howard Street Tunnel Vertical Clearance Improvement Project, which will provide the closest link for double-stacked rail cars from an East Coast port to the American Midwest. This link, along with the increased capacity that would be provided by the terminal, would give the Port of Baltimore a major competitive advantage over other regional ports along the Eastern Seaboard of the United States. Nearly \$1 billion would be invested in the terminal, with project development estimated to create more than 1,100 direct local jobs.

License Term: The Project team provided a timeline that shows excavation, dredging and dredge placement, and wharf construction to be completed within three years. The placement of the dredged material at the High Head DMCF will consolidate and dewater, requiring the DMCF discharge to be active for a maximum of nine years. At the completion of discharging activities, the High Head DMCF will be capped and the diffuser will be removed. To accommodate this timeline, the Department requests BPW grant a 10-year License to TTT.

The evaluation of this project has taken into account ecological, economic, recreational, developmental, and aesthetic considerations appropriate for this proposal, as well as other requirements set forth in the Code of Maryland Regulations. To ensure that impacts to resources are avoided and minimized to the maximum extent possible and to ensure that all work is performed in accordance with critical area and local regulations, the Department has recommended a number of special conditions. Provided all general and special conditions are adhered to, the work proposed will not cause significant deleterious impacts to marsh vegetation, submerged aquatic vegetation, finfish, shellfish, or navigation.

Project Justification: In consideration of the site characteristics and the nature of the proposed work, the Department concludes that the application represents a reasonable exercise of riparian rights.

SPECIAL CONDITIONS:

- A. The Maryland Department of the Environment has determined that the proposed activities comply with, and will be conducted in a manner consistent with, the State's Coastal Zone Management Program, as required by Section 307 of the Federal Coastal Zone Management Act of 1972, as amended.
- B. The Licensee shall comply with all Critical Area requirements and obtain all necessary authorizations from the local jurisdiction. This License 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 local jurisdiction in the form of a Buffer Management Plan.
- C. If the authorized work is not performed by the property owner or is not otherwise exempt from the licensing requirement, all work performed under this Tidal Wetlands License 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 and COMAR 26.30. The licensed marine contractor shall be authorized for the appropriate license category to perform or solicit to perform the activities within this authorization, if applicable. A list of licensed marine contractors and their license category 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 at <https://mde.maryland.gov/programs/water/WetlandsandWaterways/Pages/LicensedMarineContractors.aspx>.
- D. The issuance of this license is not a validation or authorization by the Department for any of the existing structures depicted on the plan sheets on the subject property that is not part of the authorized work description, nor does it relieve the Licensee of the obligation to resolve any existing noncompliant structures and activities within tidal wetlands.
- E. Due to the presence of anadromous fish, no dredging shall occur between April 1 and October 1 of any year.
- F. Dredge Material Disposal and Best Management Practice (BMP) Plan. No dredging activity can commence prior to the Tidal Wetlands Division's approval of the Dredge Material Disposal and BMP Plan. The Dredge Material Disposal and BMP Plan shall be submitted for review and approval at least 30 days prior to the commencement of any dredging authorized in this License. The Licensee shall implement and comply with the Dredge Material Disposal and BMP Plan, which will detail support for the implementation of appropriate practices to protect water quality, marine life, and estuarine habitat; and will include the criteria for when an environmental bucket for dredging and water-tight trucks and scows for transport will be used. The Dredge Material Disposal and BMP Plan shall also detail the sequence of dredging activity that includes DMCF construction, dredging schedule, placement approval letters from accepting facilities, and dredge transportation activities. The Dredge Material Disposal and BMP Plan can only be modified upon approval by the Tidal Wetlands Division.
- G. The Licensee shall conduct subsequent maintenance dredging within the scope of this license in terms of authorized dredge area and authorized depths. The licensee shall:
 - 1. Dredge no more than 500 cubic yards of material at each maintenance dredging.
 - 2. Comply with all applicable conditions of this license.
 - 3. Submit a detailed dredged material disposal plan to be approved by the Water and Science Administration, Tidal Wetlands Division prior to the start of dredging.

4. Notify and receive approval from the Water and Science Administration, Compliance Program, a minimum of 10 days prior to the start of each maintenance dredging operation.
- H. The Licensee shall demonstrate delineation of the dredge area and receive approval from the Water and Science Administration's Compliance Division prior to the start of dredging.
- I. The Licensee shall conduct a post-dredge bathymetric survey and forward it to the Water and Science Administration, Tidal Wetlands Division, within 45 days after the termination of any phase of dredging.
- J. The Licensee shall dispose of dredged material only at the dredge disposal site(s) approved by this Wetland License. The Licensee shall submit an application for modification of the License to MDE for approval of any dredge disposal site not authorized within this License.
- K. Pile Driving Best Management Practice (BMP) Plan. No pile-driving activity can commence prior to the Tidal Wetlands Division's approval of the Pile Driving BMP Plan. The Pile Driving BMP Plan shall be submitted for review and approval at least 30 days prior to the commencement of any pile driving activity authorized in this License. The Licensee shall implement and comply with the Pile Driving BMP Plan, which will detail support for the implementation of appropriate practices to protect water quality, marine life, and estuarine habitat, and include the use of zones of safe fish passage, soft starts, the use of a vibratory hammer, and the quantity of pile driving hours per day. The Pile Driving BMP Plan can only be modified upon approval by the Tidal Wetlands Division.
- L. The Licensee shall not allow debris to enter the waterway. The Licensee shall immediately remove all debris inadvertently introduced into the waterway as a result of any construction activity. Debris shall be reused where possible and approved by the Department or disposed of at an upland (non-wetland) disposal site and in a manner that does not adversely impact surface or subsurface waterflow into or out of tidal wetlands.
- M. Sediment and erosion control plans and stormwater management plans approved by MDE shall be submitted to MDE for approval prior to initiation of work in regulated areas. All work shall be performed in accordance with the required Soil Erosion and Sediment Control Plan as approved by MDE. Runoff or accumulated water containing sediment or other suspended materials shall not be discharged into waters of the State unless treated by an approved sediment control device or structure. Any proposed changes to approved sediment and erosion control plans or stormwater management plans during construction shall be forwarded to the approving authority for approval prior to implementation.
- N. If the project requires any on-site facility that requires a General Discharge Permit application, the Licensee shall apply to the Water and Science Administration, Industrial Discharge Permits Division, for review and approval, as determined necessary, prior to the commencement of work. The Licensee shall send confirmation to the Tidal Wetlands Division.
- O. The Licensee shall apply to the Land Management Administration, Land Restoration Program (LRP) for review and approval of the High Head Industrial Basin DMCF. The Licensee shall send the approved LRP Plan to the Tidal Wetlands Division prior to the commencement of construction.
- P. The Licensee shall apply to the Water and Science Administration, Wastewater Pollution Prevention & Reclamation Program for review and approval of a NPDES Permit modification as required, to include the discharge related to the High Head Industrial Basin DMCF. The Licensee shall send the approved LRP Plan to the Tidal Wetlands Division prior to the commencement of construction.

- Q. Turbidity Monitoring Plan: No work authorized in this License can commence prior to the Tidal Wetlands Division's approval of the Turbidity Monitoring Plan. The Turbidity Monitoring Plan shall be submitted for review and approval at least 30 days prior to the commencement of any work authorized in this License. The Licensee shall implement and comply with the Turbidity Monitoring Plan, which will detail support for the implementation of appropriate practices to protect water quality, marine life, and estuarine habitat, and include testing/monitoring turbidity related to dredging, shoreline stabilization activity, and outfalls. It will provide benchmarks and corrective actions if those benchmarks are exceeded. The Turbidity Monitoring Plan can only be modified upon approval by the Tidal Wetlands Division.
- R. The Licensee shall design and construct the stone or concrete revetment to prevent the loss of fill material to waters of the State of Maryland.
- S. The Licensee shall not use asphalt rubble in the revetment. Prior to the emplacement of the revetment, all rebar is to be cut off flush with the concrete. After emplacement of the revetment, any rebar exposed as a result of the concrete breaking during the emplacement is to be cut flush with the concrete. Except for the larger material placed along the leading edge of the revetment, the concrete shall be broken prior to emplacement so that random sized interlocking pieces are formed.
- T. A pre-construction meeting shall be held with the Maryland Department of the Environment Compliance Program, Maryland Board of Public Works, the US Army Corps of Engineers (Baltimore Regional Office), and other agency stakeholders to provide the opportunity for all to review and discuss the construction plans and conditions. All meeting participants shall be notified of this meeting a minimum of 14 days prior to the date of the meeting.
- U. A professional engineer (PE), registered in the State of Maryland and qualified in dike and design and construction, shall be designated as the Engineer in Charge (EIC) and supervise the construction of the dike walls for the High Head Industrial Basin DMCF.
- V. Prior to the DMCF operation and receipt of the dredged material, the EIC shall provide a completed "Dike Completion Report" to the Tidal Wetlands Division within sixty (60) days following construction of the DMCF dike to the final design elevation. The Report shall provide a project history, as-built drawings, and certify to the Tidal Wetlands Division that the dike is structurally sound and is ready to receive dredged material.
- W. Stormwater discharges shall have a velocity no greater than four feet per second for the two-year storm in order to prevent erosion in the receiving waterway or wetland.
- X. Mitigation Plan: Mitigation is required for 3.08 acres of impact related to the permanent fill placed in State tidal wetlands in accordance with COMAR 26.24. The Licensee shall submit a Mitigation Plan to the Tidal Wetlands Division within 90 days following approval of this State wetlands license. Upon approval of the Mitigation Plan, if the Tidal Wetlands Division determines that a Joint Permit Application (JPA) is required, the Licensee shall submit a JPA within 30 days following the Tidal Wetlands Division's determination. The Licensee shall implement the mitigation plan in accordance with the approved plan and schedule. The Mitigation Plan can only be modified upon approval by the Tidal Wetlands Division.
- Y. The Licensee shall remove the DMCF discharge structure, which includes the 24-inch diameter pipe extension and diffuser prior to the expiration of this License. If dewatering activity exceeds the

expiration date of this License, the Licensee shall submit a JPA to the Tidal Wetlands Division at least 30 days prior to the expiration of the License for the removal of the temporary structures.

DEPARTMENT OF THE ENVIRONMENT APPROVAL:



Matthew F Wallace, Natural Resource Planner
Tidal Wetlands Division

6/18/2025

DATE



Jonathan Stewart, Division Chief
Tidal Wetlands Division

June 18, 2025

DATE



D. Lee Currey, Director
Water and Science Administration

Jun 23, 2025

DATE

WETLANDS ADMINISTRATION CONCURRENCE:

William Morgante, Wetlands Administrator
Board of Public Works

DATE