



DEPARTMENT OF THE ARMY
BALTIMORE DISTRICT, CORPS OF ENGINEERS
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CENAB-OPR
Public Notice Number SPN16-05

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PUBLIC NOTICE
US ARMY CORPS OF ENGINEERS

CORRECTION TO PUBLIC NOTICE FOR THE DRAFT MARYLAND STATE
PROGRAMMATIC GENERAL PERMIT (SPN16-05)

On January 22, 2016, the Baltimore District Corps of Engineers, Regulatory Branch, issued a special public notice (SPN) #16-05 concerning the proposal to renew and revise the Maryland State Programmatic General Permit (MDSPGP). The purpose of this document is to incorporate corrections to SPN #16-05, including the proposed Maryland State Programmatic General Permit-5 (MDSPGP-5). The comment period will remain open until the close of business March 7, 2016.

The following corrections are made to the proposed MDSPGP-5:

Page 12: Activity a(3) Piers - The first sentence of the activity description is corrected to continue to provide for the authorization of commercial aquaculture piers and reads as follows: ***“This activity authorizes private and commercial piers (e.g., piers associated with aquaculture) that are not associated with marinas, and allows for the addition of boat lifts and personal watercraft lifts to an existing authorized boat slip. This activity does not authorize marina piers, community piers, publicly-owned piers, or governmental piers”.***

Page 16: Activity a(4) Marina/Community Piers Reconfiguration - Category B Impact Limits and Requirements (ii) - (v) are eliminated.

Page 28: Activity b(3) Bulkhead Replacement or Repair, Including Stone Toe Protection - Category B Impact Limits and Requirements (ii) is corrected and reads as follows: “The bulkhead repair or replacement, when using wood or corrugated sheeting must not extend more than 3 feet channelward of the existing structure, as measured from the channelward edge of the existing bulkhead piling to the inner-most face of the proposed bulkhead sheeting.”

Page 33: Activity c(1) Utility Lines – The following Category A conditions are corrected to read as follows:

“(a)(ii) This Category A activity does not authorize work in, over, or under navigable waters under Section 10 of the Rivers and Harbors Act of 1899, (e.g.,

Potomac River, Susquehanna River, Chesapeake Bay, all tidal tributaries, etc.) or tidal wetlands.”

“(a)(vii) All utility line activities, including access roads, constructed or installed in, over, or under navigable waters of the United States, including navigable nontidal Section 10 waters of the United States, and all tidal wetlands, require review under Category B or alternate Corps permit review procedures, as appropriate.”

Page 36: Activity c(2) Foundations for Overhead Utility Line Towers, Poles and Anchors – The following conditions are corrected to read as follows:

“(a)(ii) This Category A activity does not authorize work in, over, or under navigable waters under Section 10 of the Rivers and Harbors Act of 1899, (e.g., Potomac River, Susquehanna River, Chesapeake Bay, all tidal tributaries, etc.) or tidal wetlands.”

“(a)(iv) All utility line activities, including access roads constructed or installed in, over, or under navigable waters of the U.S., including navigable nontidal Section 10 waters of the United States, and all tidal wetlands, require review under Category B or alternate Corps permit review procedures, as appropriate.”

“(b)(ii) Where the proposed work is constructed or installed in, over, or under navigable waters of the United States, copies of the application and permit verification will be sent by the Corps to the National Oceanic and Atmospheric Administration (NOAA), National Ocean Service (NOS), for charting the utility line to protect navigation.”

Page 37: Activity c(3) Utility Access Roads – The following Category A conditions are corrected to read as follows:

“(a)(ii) This Category A activity does not authorize work in, over, or under navigable waters under Section 10 of the Rivers and Harbors Act of 1899, (e.g., Potomac River, Susquehanna River, Chesapeake Bay, all tidal tributaries, etc.) or tidal wetlands.”

“(a)(iv) All utility line activities, including access roads constructed or installed in, over, or under navigable waters of the United States, tidal waters, or in nontidal wetlands adjacent to tidal waters, require review under Category B or alternate Corps permit review procedures, as appropriate.”

The following correction is made to SPN #16-05:

Page 5, #15: IV.B.1.c(1). Pages 33 through 35, Utility Lines – Added the proposed MDSPGP-5 condition (c)(xiv) for Activity c(1) Utility Lines requiring submittal of a remediation plan for inadvertent returns of drilling muds from all directional drilling activities authorized by this Utility Line activity with the application.

All other information contained in Corps special public notice SPN #16-05 remains unchanged.

For further information please contact Ms. Beth E. Bachur of this office at 410-962-4336 or by email at beth.bachur@usace.army.mil.

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