APPENDIX 2: SELF-VERIFICATION FOR ACTIVITIES AUTHORIZED BY THE CHESAPEAKE BAY TOTAL MAXIMUM DAILY LOAD REGIONAL GENERAL PERMIT

GENERAL INFORMATION AND INSTRUCTIONS

The TMDL Regional General Permit (TMDL RGP) was established to authorize activities in Waters of the U.S. resulting in minimal adverse effects, with the specific purpose of reducing nutrient and sediment pollution in accordance with the Chesapeake Bay TMDL.

As described in Section V of the TMDL RGP, some work may qualify for Self-Verification, where an applicant is allowed to verify they meet the terms and conditions of the permit (a role typically performed by a project manager at the Corps). Activities authorized by the TMDL RGP, which may be Self-Verified include:

Activity A) The Retrofit of Existing Stormwater Management Facilities
Activity B) The Retrofit and Stabilization of Existing Outfalls
Activity *C) Nontidal Stream and Wetland Restoration*

To qualify for self-verification, a project must meet the General Conditions of the TMDL RGP and fall under the impact and conversion limits of Self-verifying activities (Outlined below and in Section IV of the TMDL RGP). The checklist below will assist in determining whether a proposed activity qualifies for Self-verification under the TMDL RGP. If a project does not meet the conditions for Self-Verification, it may still be eligible for Corps Verification under the TMDL RGP (see TMDL RGP Section IV and Appendix 3-Corps Verification) or authorization using an alternative permit.

APPLICABLE WATERS

The Bay TMDL RGP is applicable in nontidal waters and nontidal wetlands in the Chesapeake Bay watershed within the State of Maryland, District of Columbia, and Fort Belvoir, Fort Myer, and the Pentagon in Virginia.

HOW TO OBTAIN/APPLY FOR AUTHORIZATION

An applicant pursuing Self-Verification under the TMDL RGP should complete Appendix 2 and attach it to their joint permit application for the respective geographic area. *See Section VII of the TMDL RGP for detailed instructions as necessary.*

Activities authorized by the Bay TMDL RGP that are self-verifying may commence without written notification from the Corps after the permittee has:

- Confirmed that the activity will be conducted in compliance with the terms and conditions of the Bay TMDL RGP, which may include consultation with the Corps and/or outside relevant Federal and State agencies. Prospective permittees must refer to the terms and conditions of the Bay TMDL RGP to determine if the activity may be eligible for authorization under this Bay TMDL RGP. In addition, the applicant must make a determination whether the proposed activity is eligible for self-verification. All terms and conditions of the TMDL RGP still apply to self-verification activities authorized by this TMDL RGP, and

- Submitted this Self-Verification Appendix, correspondence from the SHPO if required (*See General Condition number 17 of the TMDL RGP*), correspondence from USFWS if required (S*ee General Condition number 21 of the TMDL RGP*), permit application using the established Corps of Engineers permit application procedures.

- Provided supplemental information for any proposed work meeting the description of the two activities below:

  Activity B) The Retrofit and Stabilization of Existing Outfalls

  The applicant must provide photographic documentation that the existing (pre-construction) outfall is in a degraded condition.

  Activity C) Nontidal Stream and Wetland Restoration Activities

  Documentation that the existing (pre-construction) stream reach is in a degraded condition using a Corps approved Functional or Conditional Assessment Methodology (FCAM) or BIBI Score in combination with geomorphic evidence of stream quality degradation. The applicant must also provide rationale for stream site selection and the proposed design approach using applicable evidence, prioritization tools, and literature.

- Obtained all required State and local authorizations.

IMPACT AND CONVERSION LIMITS FOR SELF-VERIFICATION ACTIVITIES

Activity A) Retrofits of Existing Stormwater Management Facilities: Permanent impacts may not exceed 1 Acre of nontidal wetlands and/or nontidal streams, or 2,000 linear feet of nontidal streams, rivers, and other open waters, or a combination thereof

Activity B) Retrofit and Stabilization of Outfalls: Permanent impacts may not exceed 5,000 square feet of nontidal wetlands and/or nontidal streams, or 200 linear feet of nontidal streams, rivers and other open waters, or a combination thereof

Activity C) Nontidal Streams and Wetland Restoration Activities: Permanent impacts may not exceed ½ acre of nontidal wetland and/or nontidal streams, or 1,000 linear feet of nontidal streams.

SELF VERIFICATION FOR THE TMDL RGP

1. BACKGROUND INFORMATION

Self-Verified Activity Summary	
Project Name:	Lat/Long (Dec degrees):
Applicant:	County:
	Proposed Activity:
Project Summary:	

2. BASIC REQUIREMENTS FOR USE OF THE BAY TMDL RGP

*If you answer **No** to any of the questions below your project does not qualify for the Bay TMDL RGP, and you must submit an application for processing under another permit type in accordance with the established Corps of Engineers permit application procedures for Maryland, Virginia, and the District of Columbia:*

a) Are the activities in waters of the U.S. part of an acceptable watershed strategy, such as a Chesapeake Bay Watershed Implementation Plan (WIP), whose purpose is to identify implementation activities needed to meet nutrient and sediment load reduction targets under the Chesapeake Bay TMDL? Select An Answer

b) Does the project comply with all of the TMDL RGP terms and conditions, including avoidance and minimization, aquatic life movements, endangered species, single and complete project, and cultural resources? Select An Answer

3. BASIC REQUIRMENTS FOR SELF-VERIFYING ACTIVITIES UNDER THE TMDL RGP

If you answer **Yes** to any question below, your project **does not** qualify for **Self-Verification** under the TMDL RGP, and you must submit an application for review and processing under another permit type (*See Section V of the TMDL RGP to explore the Corps Verified Activity options*).

a) Is work proposed in Use III, Use IV, or other cold water resources identified in mapped waterways (Code of Maryland Regulations (COMAR) *Section 26.08.02.02*?https://maryland.maps.arcgis.com/apps/webappviewer/index.html?id=dc5100c0266d4ce89df813f34678944a Select An Answer

b) Is work proposed in Tier II watersheds (*COMAR 26.08.02.04-1*)? Select An Answer

c) Does the U.S. Fish and Wildlife Service documentation indicate that federally listed Threatened or Endangered species may be affected by the proposed activity? Select An Answer

d) Does the State Historic Preservation Office documentation indicate that historic or cultural resources may be affected by the proposed activity? Select An Answer

e) Is your project located in or adjacent to a proposed or existing Federally authorized civil works project? Select An Answer

4. ACTIVITY A: RETROFIT OF EXISTING STORMWATER MANAGEMENT FACILITIES (*complete item 4 only if applicable*)

*If you answer **Yes** to any question below, your project **does not** qualify for **Self-Verification** under the TMDL RGP, and you must submit an application for review and processing under another permit type (See also Section IV of the TMDL RGP to explore the Corps Verified Activity options).*

a) Does proposed work include expansion of stormwater management facilities outside the existing as-built footprint? Select An Answer

b) Is the sole purpose of the proposed activity general maintenance of a stormwater management facility? Select An Answer

c) Do total permanent impacts exceed 1 acre of nontidal waters of the U.S. or more than 2,000 linear feet of nontidal streams, rivers, and other open waters or a combination thereof ? Select An Answer

5. ACTIVITY B: RETROFIT AND STABILIZATION OF OUTFALLS (*complete item 5 only if applicable*)

*If you answer **Yes** to any question below, your project **does not** qualify for **Self-Verification** under the TMDL RGP, and you must submit an application for review and processing under another permit type (See also Section VI of the TMDL RGP to explore the Corps Verified Activity options).*

a) Does work involve increasing or extending piping of an outfall in Waters of the US? Select An Answer

b) Do the total permanent impacts to nontidal waters of the U.S. (wetlands, streams, etc.) for the overall project exceed 5,000 square feet or 200 linear feet of streams, rivers, open waters, or a combination thereof? Select An Answer

c) Does the project result in more than 5,000 square feet of resource conversion (i.e. wetlands to streams) or 200 linear feet of streams, rivers and other open waters? See section IX of the TMDL RGP for a definition of “conversion.” Select An Answer

6. ACTIVITY C: NONTIDAL STREAM AND WETLAND RESTORATION ACTIVITIES (*Complete item 6 only if applicable*)

If you answer **Yes** to any question below, your project **does not** qualify for **Self-Verification** under the TMDL RGP, and you must submit an application for review and

processing under another permit type (See also Section IV of the TMDL RGP to explore the Corps Verified Activity options).

a) Do the total permanent impacts exceed ½ acre of nontidal waters and wetlands or 1,000 linear feet of nontidal streams, rivers, open waters, or a combination? Select An Answer

b) Does the discharge of fill result in loss or conversion of any type of waters of the U.S.? Select An Answer

If you answer **No** to any question below, your project **does not** qualify for **Self-Verification** under the TMDL RGP, and you must submit an application for review and processing under another permit type (*See also Section IV of the TMDL RGP to explore the Corps Verified Activity options*).

c) Are the existing aquatic resources on the site in a degraded condition? Select An Answer

Please describe how degradation was documented for each aquatic resource impacted *(See Sections IV.C.1.ii of the TMDL RGP and provide attachments if needed).*

_____
_____
_____
_____

d) Will the project provide "functional lift" as documented using an approved Functional or Conditional Assessment Methodology (FCAM)? Select An Answer

Please list the FCAM used and describe how conditions and/or functions are expected to change for each aquatic resource impacted on the site. Please attach the FCAM, functional lift forecast, resource evaluations, and resource map.

_____
_____
_____
_____

7.

Impact Table							
Resource Name	Resource Type	Proposed Activity	Latitude	Longitude	Impact Type	Area (sqft)	Length (ft)

Table describing project impacts. All aquatic resources in the project area should be identified on project plans and/or maps. "Resource type" may be (Tributary, PEM, PFO, etc), "Proposed Activities" include (fill, stream diversion, construction access, conversion to other resource type, relocation, restoration, enhancement). Coordinates should be provided in decimal degrees to the fifth decimal point. Impact type (Temporary or permanent). See Section IX Definitions for clarification. Length is only required for streams.

TMDL RGP SELF-CERTIFICATION

- *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 certify that I will provide to the Corps an As-built & Post Construction Report in accordance with General Condition 5 and 6 outlined in the TMDL RGP.*

- *I certify that I will provide an electronic written post-construction report to the Corps (NAB-Regulatory@usace.army.mil) by December 31 of project completion year. The post-construction report shall include: a) The application tracking number & State permit number; b) Location of the completed work (latitude and longitude); c) dates during which the work occurred; d) A point of contact name and contact information (email and phone) e) surveyed as-built drawings, to scale, with control (latitude/longitude) depicting the final work including the restoration of the temporary impacts; f) A set of geo-referenced photographs that show the pre-construction and post-construction conditions for the project; g)narrative describing how the project purpose and objectives were met.*

- *The activities proposed in waters of the U.S. are part of an appropriate watershed strategy such as a Chesapeake Bay Watershed Implementation Plan for the purpose of meeting nutrient and sediment load reduction targets in accordance with the Chesapeake Bay TMDL.*

- *The activity complies with the siting criteria and land use practice recommendations stated in Sections 1-3 of the Federal Aviation Administration Advisory Circular 150/5200-33. This document can be found at:http://www.faa.gov/documentLibrary/media/advisory_circular/150-5200-33B/150_5200_33b.pdf*

Your name and signature below, as permittee, confirms that your project: a) meets the self-verification criteria and b) that you accept and agree to comply with the applicable terms and conditions in the Regional General Permit for Chesapeake Bay TMDL Activities.

*Permittee Printed Name:*_____

*Permittee Signature:*_____
*Date:*_____