





U.S. Army Corps of Engineers Baltimore District In Reply to Application Number NAB-2019-60851 (MD State Highway Administration/Woodfield Mitigation Bank)

PN-19-45

Comment Period: July 18, 2019 to August 18, 2019

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC CONCERNING THE PROPOSED PROSPECTUS FOR DEVELOPMENT OF A PRIVATE COMMERCIAL MITIGATION BANK AND THE POTENTIAL OF THE PROPOSED MITIGATION BANK TO PROVIDE APPROPRIATE COMPENSATORY MITIGATION FOR ACTIVITIES AUTHORIZED BY DEPARTMENT OF THE ARMY AND STATE OF MARYLAND PERMITS.

We are requesting comments to determine if approval should be granted for the proposed Woodfield Mitigation Bank for the purpose of providing compensatory mitigation for unavoidable aquatic resource impacts, including wetlands, authorized by Department of the Army and Maryland Department of the Environment permits. At this time, no decision has been made as to whether or not a permit will be issued, or whether the proposed Woodfield Mitigation Bank site will be approved under Maryland Department of Transportation State Highway Administration's (MDOT SHA) Umbrella Mitigation Banking Instrument (UMBI).

A complete application for work in waters of the United States or Waters of the State to construct the Woodfield Mitigation Bank site was received on May 9, 2019. The application indicates that there are waters of the United States or Waters of the State, including wetlands within the project area. These areas may be regulated pursuant to Section 404 of the Clean Water Act, the Maryland Nontidal Wetlands Protection Act, and the Maryland Waterway Construction Act, and the work described below may require Department of the Army and Maryland Department of the Environment authorization. A preliminary review indicates that the proposed work may qualify for U.S. Army Corps of Engineers authorization under Nationwide Permit (NWP) #27 (Aquatic Habitat Restoration, Establishment, and Enhancement Activities). NWP #27 has undergone a full public interest review as required by Corps regulations (33 CFR 320.4(a)), and NEPA documentation has been prepared that addresses environmental considerations.

A copy of the UMBI Woodfield Mitigation Bank– Mitigation Site Plan is available at: http://www.nab.usace.army.mil/Missions/Regulatory/PublicNotices.aspx,

https://mde.maryland.gov/programs/Water/WetlandsandWaterways/Pages/Woodfield-Mitigation-Bank, and as an attachment to the electronic copy of this public notice. Those receiving a hard copy of this public notice who desire a copy of the proposed Mitigation Site Plan may either access the above website link or, may request a hard copy of the document by contacting Mr. Jack Dinne, Baltimore District, U.S. Army Corps of Engineers at 410.962.6005 (john.j.dinne@usace.army.mil) or Ms. Kelly Neff, Maryland Department of the Environment, Wetlands and Waterways Program at 410.537.4018 (kelly.neff@maryland.gov). The Mitigation Site Plan provides a summary of the information regarding the proposed mitigation banking instrument and the Woodfield Mitigation Bank site in accordance with the Department of Defense/Environmental Protection Agency Final Rule on Compensatory Mitigation for Losses of Aquatic Resources (33 CFR Parts 325 and 332 and 40 CFR Part 230). Oversight of this mitigation bank will be undertaken by the Maryland Interagency Review Team (IRT), which is comprised of Federal and State regulatory and resource agencies. The Baltimore District, U.S. Army Corps of Engineers serves as chair of the IRT, and the Maryland Department of the Environmental (MDE) as co-chair the IRT.

APPLICANT: Mr. Kevin Wilsey Maryland Department of Transportation State Highway Administration 707 North Calvert Street Baltimore, Maryland 21202

WATERWAY AND LOCATION OF THE PROPOSED WORK: The Woodfield Mitigation Bank is located in Great Seneca Creek west of MD 124 (Woodfield Road), approximately 0.21 mile south of the Watkins Rd/MD 124 intersection, in Montgomery County, Maryland (39.233816 N, -77.180934 W).

BANK DESCRIPTION: The proposed Woodfield Mitigation Bank would provide compensatory mitigation for unavoidable wetland impacts for Maryland Department of Transportation, State Highway Administration (MDOT SHA) projects authorized by a Section 404 Clean Water Act permit, a Maryland Nontidal Wetlands Protection Act permit and/or a Maryland Waterways Construction Act permit. The mitigation bank would be used to comply with required special conditions for compensatory mitigation of permitted projects by providing in-kind compensation for authorized aquatic resource impacts. The Woodfield Wetland Creation was initially constructed by MDOT SHA in 2013 to provide wetland and stream mitigation credits as part of the mitigation for the MD 200 toll road (Intercounty Connector-ICC). However, due to avoidance and minimization for the MD 200 project, only 1.5 acres at the Woodfield site are needed as mitigation. The site is now being further restored by proposing a stream restoration on Great Seneca Creek and its tributary. Great Seneca Creek, a perennial tributary, with oxbows, and adjacent wetlands would be impacted by the proposed work. The perennial streams are classified by the State of Maryland as Use IP: Water Contact Recreation, and Protection of Aquatic Life, and the project is occurring in the Seneca Creek watershed. The 2013 Woodfield Wetland Creation project and the proposed stream restoration project are comprised of approximately 5.279 linear feet of stream restoration, 21.84 acres of wetland creation, 3.46 acres of wetland enhancement, and 10.04 acres of wetland preservation within a 48.27 acre site owned by MDOT SHA and would have restricted covenants placed upon it following permit approval. The mitigation bank may only be used for future MDOT SHA projects after all appropriate and practicable steps to avoid and minimize adverse impacts to aquatic resources, including wetlands and streams, have been demonstrated.

The proposed geographic primary service area for the bank is the Middle Potomac-Catoctin Watershed (Federal 8 digit Hydrologic Unit Code (HUC) 02070008) and the secondary service area is the Piedmont ecoregion of the Monocacy watershed (HUC 020070009) and the Piedmont ecoregion of the Middle Potomac-Anacostia-Occoquan (HUC 02070010).

WORK REQUIRING DEPARTMENT OF THE ARMY AND MARYLAND DEPARTMENT OF

THE ENVIRONMENT AUTHORIZATION: A preliminary jurisdictional determination has been requested for the proposed mitigation bank site. The proposed work may temporarily or permanently impact jurisdictional waters of the United States and Waters of the State, including wetlands, and may qualify for Corps authorization under Nationwide permit (NWP) #27 and an MDE authorization. The stream restoration project would permanently impact approximately 0.0004 acres (19 square feet) of emergent nontidal wetlands, 0.04 acres (1,858 square feet) of nontidal open water, 0.56 acres (24,032 square feet) of forested nontidal wetlands, and 0.05 acres (2,749 square feet) of 25-foot nontidal wetland buffer. The project would also temporarily impact 0.45 acres (19,878 square feet) of emergent nontidal wetlands, 0.03 acres (1,666 square feet) nontidal open water, and 9.27 acres (404,174 square feet) of forested nontidal wetlands, 0.45 acres (19,429 square feet) of 25-foot nontidal wetland buffer, and 13.47 acres

(587,035 square feet) of disturbance in the 100-year floodplain. Impacts to 4,442 linear feet (81,933 square feet) of perennial streams will be classified as temporary impacts for MDE and permanent impacts for the U.S. Army Corps of Engineers. Any impact to jurisdictional streams and/or wetlands must be approved by the U.S. Army Corps of Engineers and MDE prior to commencing any regulated construction activities.

The final umbrella mitigation banking instrument does not provide ultimate Department of the Army or MDE authorization for specific future projects impacting waters of the United States or Waters of the State; exclude such future projects from any applicable statutory or regulatory requirements; or preauthorize the use of credits from the bank for any particular project. The Corps and MDE provide no guarantee that any particular individual or general permit will be granted authorization to use this Mitigation Bank to compensate for unavoidable aquatic resource impacts associated with a proposed permit, even though compensatory mitigation may be available within the defined service area.

The decision whether to approve this mitigation bank and issue a permit for the impacts to waters of the United States will be based on an evaluation of the probable impacts including cumulative impacts of the proposed bank on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects, thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, and, in general, the needs and welfare of the people.

The application screening form indicates that the proposed work would not affect listed species or their critical habitat pursuant to Section 7 of the Endangered Species Act, as amended. As the evaluation of this proposal continues, additional information may become available which could modify this preliminary determination.

The application screening form indicates that the proposed work would not affect any cultural resources. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or destroyed by the work to be accomplished under the requested permit for the mitigation bank construction. As the evaluation of this proposal continues, additional information may become available which could modify this preliminary determination.

The applicant must obtain any State or local government permits which may be required.

If you have any questions concerning this matter, or require a hardcopy of the Mitigation Site Plan, please contact Mr. Jack Dinne, Baltimore District, U.S. Army Corps of Engineers at 410.962.6005 (john.j.dinne@usace.army.mil) or Ms. Kelly Neff, Maryland Department of the Environment, Wetlands and Waterways Program at 410.537.4018 (kelly.neff@maryland.gov).

Requests to be included on the interested persons list must be sent by August 15, 2019 to the Maryland Department of the Environment, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland 21230 or to kelly.neff@maryland.gov or 410-537-4018. Any further notices concerning actions on the application will be provided only by mail to those persons on the interested persons list. Please refer to Subsection 5-907 of the Annotated Code of Maryland or the Code of Maryland Regulations 26.23.02 for information regarding the application process.

Please forward this information to any interested parties.

WRITTEN COMMENTS: Written comments concerning the activity described above must be submitted directly to the District Engineer, U.S. Army Corps of Engineers, Baltimore District, CENAB-OP-RMN Attn: Mr. Jack Dinne, 2 Hopkins Plaza, Baltimore, Maryland, 21201 and/or Attn: Ms. Kelly Neff, Maryland Department of the Environment, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland 21230-1708, or by email to john.j.dinne@usace.army.mil and/or kelly.neff@maryland.gov, within the comment period as specified above to receive consideration. This public notice is issued by the Chief, Regulatory Branch.

Umbrella Mitigation Banking Instrument Addendum 3: SC-19 Mitigation Bank Draft Prospectus Montgomery County, Maryland





STATE HIGHWAY ADMINISTRATION

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Interagency Review Team

U.S. Army Corps of Engineers Baltimore District-Chair Maryland Dept. of the Environment, Wetlands and Waterways Program-Co-Chair U.S. Environmental Protection Agency U.S. Fish and Wildlife Service National Marine Fisheries Service Maryland Department of Natural Resources Chesapeake Bay Critical Areas Commission Maryland Historic Trust February 2019

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- Appendix B.1 SC-19 2013 Wetland Creation Site Plans
- Appendix B.2 SC-19 Stream Restoration and Wetland Mitigation Design Site Plans
- Appendix C SC-19 Agreed Inquisition
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- Appendix G SC-19 Long Term Management Plan
- Appendix H SC-19 Cost Estimate
- Appendix I SC-19 Year 5 Monitoring Report

Table 1 - Summary of Proposed Stream/Wetland Mitigation Bank Site SC-19				
Bank Sponsor and Property Owner:	MDOT SHA			
Property Information				
Location	39°14′01″ N, 77°10′53″ W			
Basin	Potomac River (02-07)			
Sub-basin/Primary HUC Service Area	Middle Potomac-Catoctin (02-07-00-08)			
Secondary HUC Service Areas	Monocacy (02-07-00-09) Middle Potomac-Anacostia-Occoquan (02-07-00-10) (Piedmont physiographic region only)			
Drainage Area	8.900 Sq. Mi. (5,695.700 AC)			
Mitigation	Site Plan			
PFO Created Wetlands	1,060,470 SF (24.35 AC)			
PEM Created Wetlands	24,199 SF (0.56 AC)			
POW Created Wetlands	6,890 SF (0.16 AC)			
PFO Wetland Enhancement	147,776 SF (3.39 AC)			
PFO Wetland Preservation	417,194 SF (9.58 AC)			
PEM Wetland Preservation	61,619 SF (1.41 AC)			
Stream Restoration	5,009 LF			
Wetland Mitig	ation Credits			
PFO Creation (1:1)	1,060,470 SF (24.35 AC)			
PEM Creation (1:1)	24,199 SF (0.56 AC)			
POW Creation (1:1)	6,890 SF (0.16 AC)			
PFO Enhancement (4:1)	36,944 SF (0.85 AC)			
PFO Preservation (10:1)	41,719 SF (0.96 AC)			
PEM Preservation (10:1)	6,162 SF (0.14 AC)			
Existing Wetland in PFO Creation (-1:1)	28,812 SF (0.66 AC)			
Credit from ICC (-1:1)	65,340 SF (1.50 AC)			
Total Wetland Credits	1,082,232 SF (24.86 AC)			
Stream Mitigation Credits				
Great Seneca Creek Stream Restoration (1:1) - Proposed	3,003 LF			
Tributary 1 Stream Restoration (1:1) - Proposed	1,173 LF			
Oxbow (1:1) - Proposed	833 LF			
Total Stream Credits	5,009 LF			

1. Introduction

Maryland Department of Transportation (MDOT) State Highway Administration (SHA), the Bank Sponsor, proposes to establish the SC-19 Mitigation Bank within the Maryland State Highway Administration Umbrella Mitigation Banking Instrument (SHA-UMBI). The SC-19 Wetland Creation was initially constructed in 2013 to provide wetland mitigation credits, and stream enhancement through establishment of riparian plantings and live stakes. The site is being further restored to provide stream restoration of the mainstem and tributary 1 as the banks of the stream are laterally unstable. The Site is located in Montgomery County, Maryland, on Woodfield Road between Watkins Road and Rocky Road approximately 6 miles north of Gaithersburg, MD (Figure 1). The purpose of the SHA-UMBI is to provide compensatory mitigation for unavoidable impacts to streams and wetlands and their functions as a result of activities authorized under Section 401 and 404 of the Clean Water Act, Section 10 of the Rivers and Harbors Act, Maryland Nontidal Wetlands Protection Act, and the Maryland Tidal Wetlands Act, and Department of Army Permits provided such activities have met all applicable requirements and are authorized by the appropriate agencies. The SC-19 Mitigation Bank Site is the Third Bank Site to be added to the SHA-UMBI.

2. Phasing

The SHA-UMBI has been submitted and approved by the Interagency Review Team (IRT). The Mitigation Site Plan (MSP) for the SC-19 Mitigation Bank Site will be attached as an addendum to the existing SHA-UMBI and the Site will be deemed a component of the SHA UMBI. Credits will be released consistent with the schedule of credit availability in accordance with the final MSP and the SHA-UMBI. Credits released for this Bank Site will be accounted for in the overall Bank ledger for the SHA-UMBI.

3. Mitigation Bank

a. Project Goals and Objectives

The SC-19 Wetland Creation Site was initially constructed in 2013 as part of the mitigation for the MD 200 toll road or "Intercounty Connector" (ICC). The goals for the SC-19 Wetland Creation Site were wetland creation, wetland preservation, wetland enhancement, riparian buffer establishment and stream enhancement. The stream enhancement included bank stabilization at debris removal locations, live stake establishment, and the riparian buffer establishment. Due to avoidance and minimization only 1.5 acres of wetland credits from SC-19 Wetland Creation Site are needed for the ICC (See Figure 2). The goal of the SC-19 Mitigation Bank Site is to provide a self-sustaining, functional wetland and stream to replace the functions and values lost from adverse impacts to streams and wetlands due to various permitted SHA projects within its defined Service Areas. The SC-19 Mitigation Bank Site stream restoration goals are to provide functional uplift for hydraulics and geomorphology, and to improve in-stream habitat, while maintaining and further enhancing the restored wetlands. The SC-19 Mitigation Bank Site also serves to provide advanced functional replacement of future functional losses due to unavoidable impacts and thus serves to eliminate temporal loss that results from alternative mitigation approaches.

Wetland creation/restoration, groundwater recharge, sediment and nutrient reductions, flood flow storage and reduction, riparian buffer enhancement, and wildlife enhancement functions have fully or partially resulted from the SC-19 Wetland Creation project in 2013, and additional sediment and nutrient reductions are anticipated from the SC-19 Mitigation Bank Site, based on improving the lateral stability extent from nonfunctioning to functioning. Additionally, stabilization of banks will sedimentation, improving wildlife habitats in the stream and floodplain. The aesthetic value of the site will also be improved by stabilizing the banks and channel braid. The site currently provides fish passage; therefore, no change is anticipated.

b. Site Selection/Background

The SC-19 Site, shown in Figure 1, was originally selected as a compensatory mitigation site for impacts associated with the ICC construction project approximately 7 miles away. The Site is owned by MDOT SHA. The SC-19 Wetland Creation was designed to supplement water quality, hydrological, and biological functions in the watershed impacted by the ICC. These functions included filtering sediments, pollutants, and excess nutrients, reducing erosion, discharging and recharging groundwater, flood storage, providing wildlife habitat, and furnishing organic matter to the aquatic food web. The SC-19 Site is located on former pasture land that was mowed and baled for hay ~3 times per year, riparian coverage was extremely limited, and reed canary grass was prominent along the stream edges for an approximate 25' width along most of the channel. Large (~5'x5') concrete debris rubble with exposed 1-inch rebar was in the stream along the banks in several meander bends. The SC-19 Site lies within the floodplain of Great Seneca Creek and is contiguous with additional floodplains, wetlands, and protected riparian areas on Montgomery County and MNCPPC owned properties downstream from the site. The site protects, improves, and significantly increases the wetland footprint in the area and provides functions including a large amount of flood storage; sediment, pollutant and nutrient attenuation and transformation; groundwater recharge and discharge; and wildlife habitat. The wetlands and stream bank stabilization were constructed at the site in 2013 as part of the SC-19 Wetland Creation. The SC-19 Mitigation Bank Site, which includes the proposed stream restoration, is currently in the design phase.

Currently, the ICC project requires, from SC-19 Wetland Creation Site, 1.5 acres of wetland credits for compensatory mitigation (See Figure 2). SHA intends to construct the stream restoration (SC-19 Mitigation Bank Site) with the intent to make the site a mitigation bank for both stream mitigation and remaining wetland credits (See Table 2). The Site was selected as a Bank due to its large size, location adjacent to Great Seneca Creek within a large floodplain, and for the high quality of the created wetland areas. The functions provided by the wetland system will help to offset losses from the future development in the region and provide water quality benefits for the current agricultural and low-density development within the large drainage area of Great Seneca Creek to the Site. The site also extends the protected riparian zone to the southern properties owned by Montgomery County and MNCPPC. The riparian zone then extends approximately 24 miles to the Potomac River. The extension of protected areas and expansion of floodplain connectivity will allow increased protection from erosion downstream and will provide additional wildlife corridor connectivity. The Long-Term Management of this site includes provisions for assessing stream physical health and stability, so actions can be taken to protect the Site's wetlands and improve stream quality.

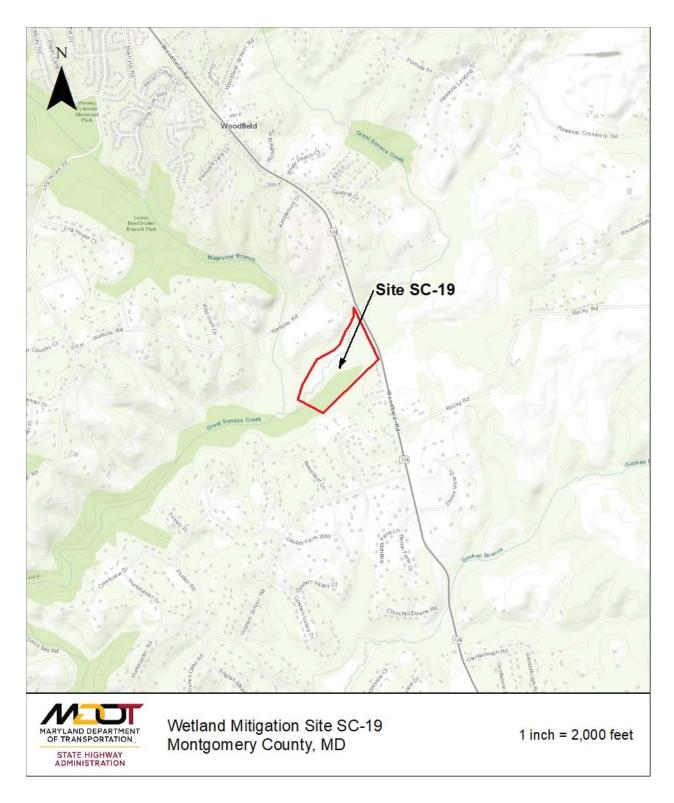
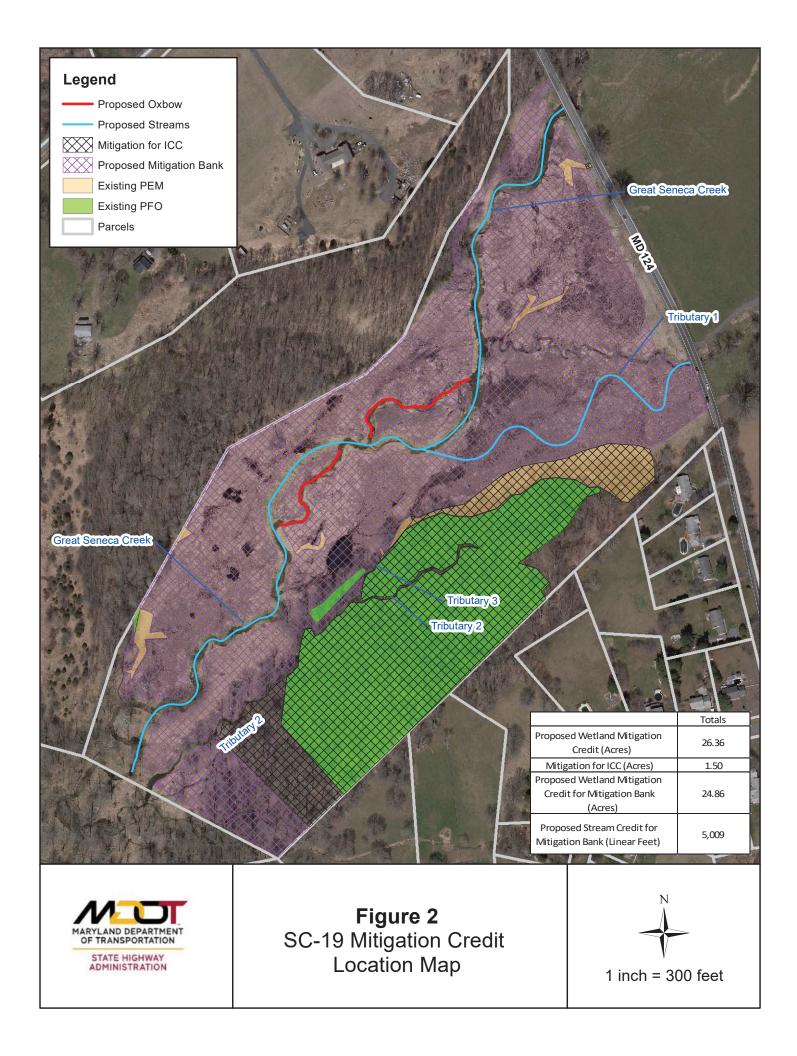


Figure 1 - SC-19 Site Location Map

Table 2 - Summary of SC-19 mitigation site proposed credits

Primary Service Area (HUC) Middle Potomac-Catoctin (02-07-00-08)				
Secondary Service Area (HUC)Monocacy (02-07-00-08)Middle Potomac-Anacostia-Occoquan (02-07-00-08)(Piedmont physiographic region only)		2-07-00-10)		
SC-19 Wetlands		Habitat Type		
	PFO	PEM	POW	Total
Wetland Creation (AC)	24.35	0.56	0.16	25.07
Wetland Enhancement (AC)	3.39	0.00	0.00	3.39
Wetland Preservation (AC)	9.58	1.41	0.00	10.99
Total Wetlands (AC)	37.32	1.97	0.16	39.45
SC-19 Stream Restoration				
Great Seneca Creek (LF) - Proposed	at Seneca Creek (LF) - <i>Proposed</i> 3,003			
Tributary 1 (LF) - Proposed	1,173			
Oxbow (LF)	833			
Total Stream (LF)	al Stream (LF) 5,009			
SC-19 Wetland Mitigation Credit	Habitat Type			Tatal
	PFO	PEM	POW	Total
Wetland Creation @ 1:1 (AC)	24.35	0.56	0.16	25.07
Wetland Enhancement @ 4:1 (AC)	0.85	0.00	0.00	0.85
Wetland Preservation @ 10:1 (AC)	0.96	0.14	0.00	1.10
Existing Wetland in Creation Areas (AC)	-0.18	-0.48	0.00	-0.66
Total Credit	25.98	0.22	0.16	26.36
SC-19 Stream Mitigation Credit	•			
Great Seneca Creek @ 1:1 (LF) - Proposed	3,003			
Tributary 1 @ 1:1 (LF) - <i>Proposed</i> 1,173				
Oxbow (LF) @ 1:1 833				
Total Credit 5,009				



The SC-19 Site consists of approximately 48.27 acres gently sloping northeast to southwest from an elevation of 426 feet above mean sea level to 416 feet above mean sea level, respectively, over about 4,077 linear feet of great Seneca Creek with sinuous flow through a floodplain valley running along the 2,200 linear feet of property. The existing level floodplain topography was ideal for creating the hydrology necessary for wetland creation. The 2011 wetland delineation is provided in Appendix A: SC-19 Wetland Delineation Report.

Ground work in 2013 consisted of grading to increase flood frequency from Great Seneca Creek and Tributary 1 on the Site and to create microtopography. Other work included removal of invasive species, riparian reforestation, woody plantings and seeding of native wetland species to create forested wetland, lowering the stream banks of Great Seneca Creek to improve floodplain connectivity, installing stone toe boulder protection and encapsulated soil lifts, and addition of woody floodplain roughness features.

To enhance the riparian buffer and maintain stream bank stability concrete with exposed rebar and other debris was removed from the stream channel, and stone toe boulders were placed at the concrete removal locations. The banks were planted with live stakes. Following a severe storm event in 2015 there was an almost complete loss of live stakes in the stream bank. Live stake replanting occurred in late 2017.

The fifth year of post-construction wetland monitoring at the site was completed in 2018. The monitoring data collected indicates that the SC-19 wetland construction has achieved its project goals (See Appendix J) for wetland creation. During the wetland monitoring, the stream instability and its impact on the restored wetlands were discussed as a potential source for degrading wetland hydrology through lateral or vertical instabilities in the existing stream. As a result of the wetland monitoring and an IRT field meeting in 2017, MDOT SHA added stream restoration of Great Seneca Creek and Tributary 1 to the project.

In 2017, MDOT SHA met with agency representatives to discuss the monitoring and crediting for the SC-19 Wetland Creation Site. At this meeting the agencies expressed concern about the stream instability and the potential future impacts of these instabilities on the created wetlands. Based on these concerns, MDOT SHA is further enhancing the Site through proposed stream restoration. A pre-application meeting for the SC-19 Mitigation Bank Site was held at the SC-19 site on December 11, 2018 with the Maryland Department of the Environment, Maryland Department of Natural Resources, MDOT SHA, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Services, Coastal Resources Inc., and WBCM, to discuss the design approach and selected alternative. For specific concerns and discussions refer to the meeting minutes from those two meetings, which were provided to attendees.

Currently the design phase of the stream restoration at the site is underway. The SC-19 Stream Restoration and Wetland Mitigation Design Site plans are found in Appendix I, while the original 2013 Wetland Creation site construction plans are found in Appendix B: SC-19 2013 Wetland Creation Site plans, as a reference to show present day conditions. Site baseline information and an aerial view of the SC-19 Site can be found in Section III D. The Geographic Service Area, both Primary and Secondary, are in accordance with the SHA-UMBI. A Service Area Map illustrating the Primary Service Area for the SC-19 Mitigation Bank Site is included in Section III M.

c. Site Protection Instrument

MDOT SHA purchased the SC-19 Site property on July 5th, 2012 from Betty Brown Casey, Trustee of the Eugene B. Casey Foundation through settlement following initiation of eminent domain proceedings (Appendix C: SC-19 Agreed Inquisition). The property consists of 48.27 acres of land in the Seneca Creek drainage area within the Middle Potomac-Catoctin sub-basin. No restrictive covenants have been documented for this site. Upon approval as a banking site, SHA will establish covenants in consultation with the IRT and append them to this document (Appendix D: SC-19 Covenants and Restrictions).

d. Baseline Information

The SC-19 site restores wetland presence within a pastured floodplain likely to have hosted wetlands in the past due to the proximity to Great Seneca Creek, the flat grade, and existing wetlands near and within the site. Prior to colonial settlement, the SC-19 Site likely consisted of wet deciduous forest. The Soil Survey of Montgomery County, published in 2016, shows the SC-19 site as primarily in the Codorus soil series of hydric class C in the upstream portion near Woodfield road and the Hatboro soil series of hydric class B/D at the downstream western portion (See Figure 3). The Site is surrounded by narrow upland forests to the north and south and Woodfield Road to the east with low density residential and agricultural land use beyond. The creation of forested wetlands at SC-19 extends the existing riparian forest corridor that continues almost uninterrupted to the Potomac River approximately 24 miles downstream of SC-19 Site. The Sc-19 Wetland Creation site was previously designed to intercept groundwater and precipitation and to provide floodplain storage/interaction.

Following acquisition, in 2013 the Site was graded to improve connectivity with the stream and to create conditions for wetland hydrology and hydric soil development. The overall elevation was lowered with microtopography added. Remaining existing channels and tributaries were augmented with log outlet structures to reduce future headcutting and to improve water retention. Concrete, trash, and debris was removed throughout the site including within the stream. Stone toe boulders and soil-lifts were installed to provide bank stability in the concrete removal areas. Approximately 2,700 wetland tree saplings were planted in 2017 throughout the forested wetland creation area with additional wetland species seeding applied to include the wetland enhancement areas. Additionally, approximately 8,000 live stake planting occurred in the riparian zone to ensure additional stability to the stream.

An assessment of the stream functions post-wetland construction and pre-restoration for Great Seneca Creek and Tributary 1 was conducted in 2018 for the hydrology, hydraulics, geomorphology, physicochemical, and biology functions. These are summarized below and included in Appendix E: SC-19 Monitoring Performance Standards as the pre-restoration condition.

The hydrology of the mainstem of Great Seneca Creek is functioning-at-risk both before and after the wetland restoration project was completed. This is based on the percentage of impervious surface within the drainage area as well as several locations of concentrated flow.

Hydraulics of the mainstem at SC-19 were functioning-at-risk trending towards not functioning prior to the wetland restoration construction. This is based on the entrenchment ratio and bank height ratio as documented during the wetland monitoring. Geomorphic cross section data from

2018 indicate that post-wetland construction hydraulics are functioning based on the entrenchment and bank height ratios being improved by the Sc-19 Wetland Creation project. Tributary 1's hydraulics were virtually unchanged when compared to pre and post-wetland restoration, as the banks were only lowered in a few locations. Cross sections from 2012 and 2018 indicate the hydraulics of Tributary 1 are functioning-at-risk trending towards not functioning based on the bank height ratio and entrenchment ratio.

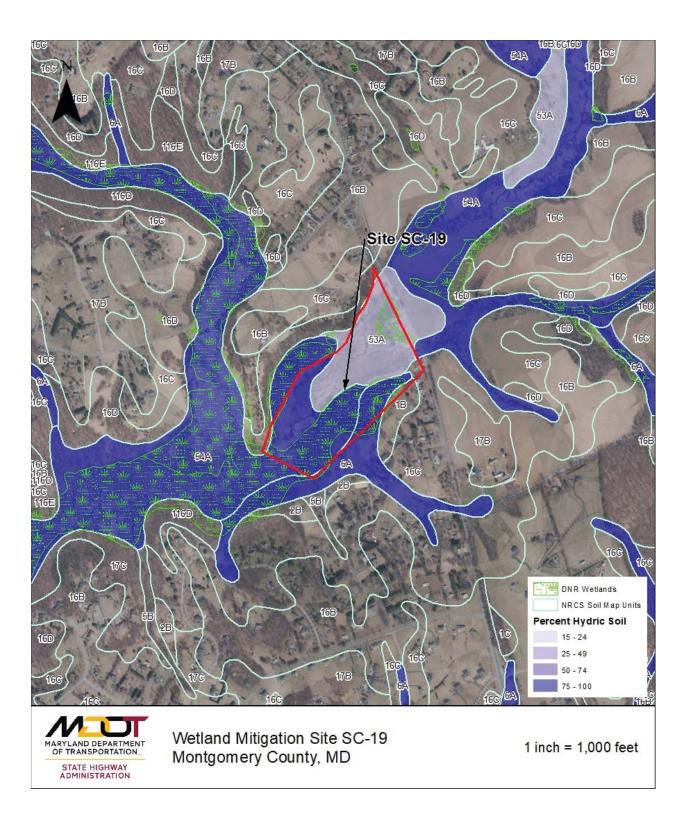


Figure 3 - SC-19 with DNR wetlands and NRCS soils

Geomorphology of the mainstem at SC-19 scored as not functioning both before and after the 2013 wetland creation construction based on a lateral stability score of not functioning. Geomorphology of Tributary 1 scored as not functioning both before and after the 2013 wetland creation based on not functioning pool to pool spacing as well as a not functioning dominant BEHI. The post-construction BEHI data was taken in 2018 and pre-construction BEHI data used survey contours and a modified method to conservatively summarize historic conditions. Geomorphology function was slightly improved in both Great Seneca Creek and Tributary 1 when comparing before and after wetland restoration conditions, due to an improved riparian buffer width; however, the overall geomorphology scores as not functioning for Great Seneca Creek and Tributary 1.

Physiochemical processes appear to be not functioning or functioning-at-risk in the mainstem, braid and Tributary 1 to Great Seneca Creek before and after the wetland restoration was completed. This is based on observed high turbidities at baseflow resulting in poor water clarity, cloudiness, and color. Upstream cattle grazing within the buffers of Great Seneca Creek and its Tributaries may have an impact on water clarity at the site. Performance standards for physiochemical uplift are not proposed; however, as an additional consideration the design increases biogeochemical process and interaction between the stream, floodplain and groundwater, and create diverse and diffusive flow paths with microtopography.

In-stream habitat creation is a project goal with no guarantee of functional uplift based on the watershed context. However, habitat features including enhanced riffles, highly oxygenated glides, wood components in riffles, toe wood/root wad features in pools are prominent in the stream design for the SC-19 Mitigation Bank Site, and benthic monitoring will be completed in Year-10 post-construction to provide additional data to develop a well-rounded evaluation of the functional uplift of the geomorph/habitat. The post-construction benthic macro sample results are not part of or held to any performance standards for this project. Pre-construction benthic sampling will be completed for the SC-19 Bank Site in Spring of 2019. This data will provide a baseline for comparing the post 2013 SC-19 Wetland Creation with the post SC-19 Mitigation Bank Site stream habitat conditions. No benthic was completed on-site by MDOT SHA prior to the 2013 SC-19 Wetland Creation.

Wildlife enhancements have been created because of the SC-19 Wetland Creation Site construction and they will be preserved in the stream restoration design and restored if impacted. These wildlife enhancements include pit and mound microtopography completed at multiple scales to provide diverse depths and sizes of habitat/water features on the floodplain. No specific species surveys were completed as part of the monitoring, but large and diverse numbers of amphibians and birds have been observed as well as river otter on the Site following the 2013 wetland construction. In addition to wildlife enhancement, the following wetland functions that did not exist or were very limited prior to 2013 have been created at the SC-19 site: groundwater recharge, sediment and nutrient reductions, flood flow storage and reduction, riparian buffer enhancement, and aesthetics. All of these functions will be preserved or further enhanced by the proposed SC-19 Mitigation Bank Site. Some functions may shift spatially due to the stream relocation and are anticipated to be replaced in-kind at the Site.

e. Determination of Credits

As per provisions proposed within the SHA-UMBI, credits for the SC-19 Mitigation Banks Site will be determined by area (acres) and wetland habitat type (PFO, PSS, PEM, etc.). Credits are proposed at a 1:1 ratio (1 ac. of required mitigation: 1 ac. of credit) for wetland creation, a 4:1

ratio for wetland enhancement, and a 10:1 ratio for wetland preservation. SC-19 proposes the following potential Bank credits: 25.98 ac. PFO, 0.22 ac. PEM, and 0.16 ac. POW. Wetland enhancement at the site resulted from the removal of invasive species and the planting of native woody wetland species. The cumulative total area of permitted wetland impacts allowed to use credits from the mitigation bank shall not exceed the total area of wetlands created and enhanced at this site. As noted previously, there are a total of 24.86 acres of potentially available mitigation credits at the SC-19 site after accounting for 1.50 acres of mitigation from the ICC (Figure 4 and Table 1). Wetland impacts during construction will be temporary impacts and will not affect the proposed credits. Wetlands will be improved by the stream restoration despite some temporary disturbance.

Additionally, 4,176 linear feet of stream restoration is proposed on Great Seneca Creek and Tributary 1. An oxbow will be created along 833 linear feet of stream on Great Seneca Creek. Stream restoration credits are proposed at 1:1 for a total of 5,009 linear feet.

SHA proposes that available credits can be withdrawn for future transportation projects requiring compensatory mitigation within the defined service areas and with approval of the IRT on a case-by-case basis.

f. Mitigation Work Plan

Since the SC-19 Wetland Creation is a Legacy site the 2013 wetland creation design is provided for reference in Appendix B: SC-19 2013 Wetland Creation Site Plans.

The concept design for the stream restoration for project is included in Appendix I: SC-19 Stream Restoration and Wetland Mitigation Design Site Plans. A pre-application meeting was held in December of 2018 to discuss three proposed design alternatives for the proposed stream restoration. The selected design alternative following the pre-application meeting includes restoration of Tributary 1 and the mainstem of Great Seneca Creek.

The mainstem restoration will include minor realignments, a proposed channel dimension of 12 to 20 square feet creating a sub-bankfull dimension to promote floodplain interaction, wetland hydrology, and wildlife enhancement. Regional curves predict a bankfull channel dimension of approximately 80 square feet. The proposed restoration will include installation of furnished channel material mixed with salvaged natural channel material for construction of riffle, glide and run features to provide functional vertical stability, bedform diversity, and enhance in-stream riffle habitats. Pools and eroding banks will be stabilized for lateral stability function by shifting or realigning the channel to improve radius of curvature, and by adding toe wood/root wad features. These woody features are anticipated to provide bank/toe protection and habitat as in-stream cover. The stream edge will be planted with live transplants, and soil lifts with woody planting are included to promote root mats in the stream, root penetration into the hyporheic zone, and shading over pools. Vanes will be utilized to reduce bank stress and maintain pool scour. Woody debris will be prominent in the stream channel for cover and carbon. Floodprone benches will be utilized where necessary to maintain the proposed range of channel dimensions, where the proposed channel dimension if too deep in relation to proposed channel invert and bank heights. Ox-bows are proposed in channel re-alignment locations to provide sediment storage, diffusive flow paths, and habitat.

The restoration of Tributary 1 will include re-aligning the stream to a lower valley position while maintaining or raising the channel invert to increase the groundwater elevation. This combination of realigning the stream to a lower part of the valley while maintaining or increasing the invert

elevation will be achieved by creating very low bank heights in the proposed channel that will closely match the existing floodplain elevation. In locations where the channel is more than 0.5' below the riffle invert, a floodprone bench is proposed. Riffle dimension range from 0.8 to 1.5 square feet to promote frequent interaction between the tributary and floodplain. Sediment transport through this baseflow channel is anticipated to be improved by increasing the channel slope despite the smaller cross sectional area. Furthermore, erosion from banks at the Site will be eliminated as a sediment source.

Riparian buffer plantings are proposed for any disturbed areas to meet or exceed current performance standards. Supplemental plantings needed to meet performance standards for areas outside the LOD will also be evaluated and included in the proposed planting plan for the SC-19 Mitigation Bank Site. Invasive Species will continue to be monitored and the contract may include specification for needed treatments if a maintenance contract is not in place at the time of construction.

g. Maintenance Work Plan

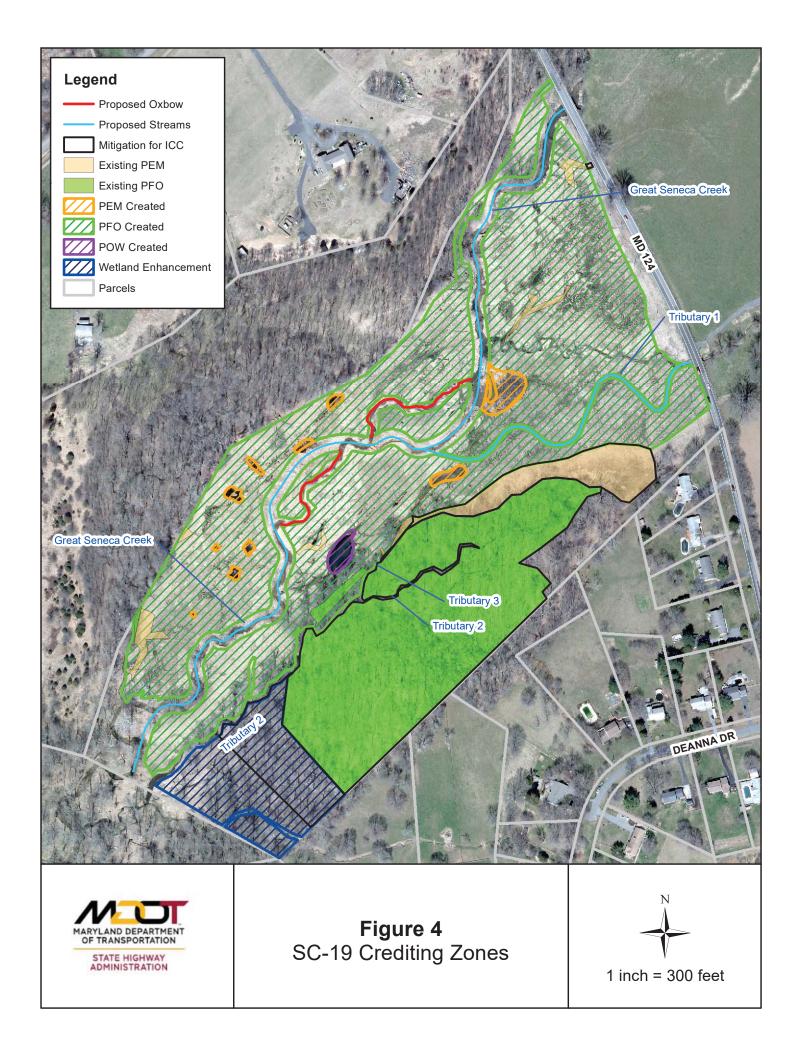
The Maintenance Work Plan will require Site visits for 10 years to observe conditions and ensure the continued viability of the resource once initial construction is complete. See Appendix H for the maintenance and monitoring cost estimate. Observations and maintenance will include but are not limited to:

- Condition of Site boundary and maintenance of boundary demarcation and signage.
- Condition of Site vegetation, survival rates, and management of invasive species.
- Woody vegetation survival and tree density.
- Condition of stream banks and stability assessment.

h. Performance Standards

The Mitigation Bank Site requires no special deviation from the April 20, 2018 revision to the performance standards as set forth within the SHA UMBI. In accordance with those Standards, sites shall conform to those performance standards by the end of the monitoring period.

The fifth year of post-construction wetland monitoring for the Sc-19 Wetland Creation Site was completed in 2018. The monitoring indicates that the SC-19 Wetland Creation Site has achieved its goals for wetlands. The current SC-19 Mitigation Bank Site is being designed to minimize the impacts to the existing created wetlands. MDOT SHA anticipates areas where monitoring has determined wetland creation to be successful, and that are outside of the proposed LOD, will potentially meet the performance standards at the time of approval, and be subject to the appropriate level of credit release.



Performance Standards for the stream restoration are not addressed in the SHA-UMBI and are included in Appendix E: SC-19 Monitoring Performance Standards as the function-based assessment tables. The function-based assessment tables show the pre-restoration condition and proposed condition of Great Seneca Creek and Tributary 1 based on A Function Based Framework for Stream Assessment and Restoration Projects (Starr 2013). The proposed improvements include improvements to maintain or improve the functional uplift rating for the hydraulics and geomorphology parameters. In-stream habitat creation is a project goal with no guarantee of functional uplift based on the watershed context. However, habitat features including enhanced riffles and glides, wood features in riffles, toe wood/root wad features in pools are prominent in the stream design for the SC-19 Bank Site, and benthic monitoring will be completed in Year-10 post-construction to provide additional data to develop a well-rounded evaluation of the functional uplift of the geomorph/habitat. The post-construction benthic macro sample results are not part of or held to any performance standards for this project. Floodplain habitats have been created because of the 2013 SC-19 Wetland Creation Site construction and they will be preserved in the stream restoration design and restored if impacted. The specific uplift parameter and associated performance standard for the stream restoration are provided in tabular format in Appendix E.

i. Monitoring Requirements

The SC-19 site has been monitored for 5 years, from 2014-2018 (See Appendix I: Year 5 Monitoring Report). Wetlands at the site will be monitored under the revised 2018 monitoring protocols as set forth in the SHA-UMBI to assess the accepted non-tidal wetlands performance standards.

Monitoring will proceed for 5 or 10 years, depending on the design and the outcome of the project, as required by the SHA-UMBI. Monitoring for wetlands and streams is generally **10 years, with the potential to be released after 5 years, if final year performance standards are met for 2 consecutive monitoring reports.** The site will defer to the Maintenance Work Plan until all credits have been used and the Bank is closed. At such time of Bank closure, the site will be subject to the provisions of the Long Term Management and Maintenance Plan (Appendix G: SC-19 Long Term Management Plan).

Stream restoration performance standards and the monitoring plan are included Appendix E: SC-19 Monitoring Performance Standards. The stream restoration and monitoring will be performed on the same schedule as the wetland monitoring and results will be included in the monitoring reports.

The stream restoration monitoring of the project will include a comparison of the pre- and postrestoration conditions to assess the project's success. No performance standards are proposed for hydrology based on the project scale and watershed context; however, flood flow alteration is a wetland function that has been created at the Site from the SC-19 Wetland Creation construction and may provide a hydrologic benefit for downstream receiving waters. Physicochemical uplift is not proposed to be monitored; however, physicochemical enhancement at the site is implicit based on the more frequent out of bank flood events from the bank lowering in the SC-19 Wetland Creation construction that created interaction between the floodplain and stream. This interaction between stream and floodplain will be further enhanced by the stream restoration. In addition, physicochemical uplift is presumed to be occurring because of the diverse and diffusive flow paths created by the pit and mound microtopography features on the floodplain and layers of intact organic material collecting in floodplain sediment deposits.

The hydraulics and geomorphology categories will be monitored based on the measurement methods displayed in the monitoring plan (See Appendix E: SC-19 Monitoring Performance Standards). Specific parameters, the associated performance standard, and the proposed measurement technique are indicated in the monitoring table. Bedform diversity features that mimic reference stream conditions and habitat features, such as pool to pool spacing, pool depth variability and percent riffle have been selected as measurable parameters to promote biological uplift for fish and macroinvertebrates.

In-stream biological enhancement is a project goal, but there is no guarantee of biological uplift. Specific stream design features to further promote biology include: highly oxygenated glides, enhanced riffles that include small and large wood pieces, toe wood/rootwad cover in pools, live tree transplants at the stream edge to provide live root mats, vanes to maintain pool scour, and overhanging vegetation for shading. Benthic macroinvertebrate sampling will be completed in Year-10 for informational purposes since there is no guarantee of biological uplift based on the watershed context.

j. Long Term Management and Maintenance Plan

The SC-19 Mitigation Bank Site requires no special deviation from the Long Term Management and Maintenance Plan set forth within the SHA-UMBI. (See Appendix G: SC-19 Long Term Management Plan).

k. Adaptive Management Plan

See SHA-UMBI for information related to the adaptive management plan. Any site issues beyond normal maintenance found through the implementation of the Maintenance Work Plan and subsequent Long-term Management Plan will be noted and brought to the attention of the IRT for consultation and determination of any remedial action, if deemed necessary.

I. Financial Assurances

As set forth in the SHA UMBI and the Financial Assurance letter provided therein, SHA is financially committed to its mitigation program and the management, monitoring, and maintenance required for maintaining viable, functioning wetlands. SHA will provide the necessary funds to carry out the SC-19 Stream Restoration and Wetland Mitigation Design Site Plans, Maintenance Work Plan and subsequent Long-Term Management and Maintenance Plan for the SC-19 Mitigation Bank Site. These funds include anticipated site management needs such as annual site visits, invasive species treatments, site boundary maintenance, and consulting and contractual services associated with the site assessments and site management. Should any substantial maintenance issue develop, or a catastrophic event occur, SHA will allocate funds from the Transportation Trust Fund to perform the maintenance/remediation activity. The cost/budget estimate is shown in Appendix H: SC-19 Cost/Budget Estimate.

m. Service Area

The SC-19 Mitigation Bank Site's primary service area is the Middle Potomac-Catoctin (8-digit HUC 02-07-00-08) in accordance with the SHA-UMBI. This HUC encompasses the southwestern

portion of Montgomery County and the Catoctin watershed in Frederick County. (See Figure 5). Major Maryland drainages within the Middle Potomac-Catoctin HUC include: Seneca Creek, Catoctin Creek, Cabin John Creek, Rock Run, Broad Run, Watts Branch, Sandy Branch, Muddy Branch, and Horsepen Branch. The SC-19 Site is located within Montgomery County in the Seneca Creek watershed.

The proposed secondary service areas for the SC-19 Mitigation Bank Site are those portions of the adjacent 8-digit HUC within the same river basin, Middle Potomac-Anacostia-Occoquan (02-07-00-10) and Monocacy (02-07-00-08), and within the same physiographic province as the Primary Service Area, i.e., the Piedmont Plateau. Utilization of the adjacent HUCs within the Potomac River Basin as secondary service areas is in accordance with the SHA-UMBI. The impacts within the secondary HUCs can be reasonably mitigated at the Bank to provide functional replacement and water quality benefits within the same river basin. No banks currently exist within the proposed secondary service areas of the SC-19 site.

n. Credit Release Schedule

The proposed credit release schedule combines the Nontidal Wetland Credit Release Schedule in the approved UMBI, with an accelerated schedule, as SC-19's 2013 Wetland Creation is a legacy site having been completed prior to the acceptance of this addendum. Comparing site conditions to the Performance Standards, MDOT SHA anticipates wetland areas that are outside of the proposed LOD of the proposed wetland and stream restoration, will be found acceptable for the habitat types supplied in this Addendum and as summarized in Table 1.

The schedule proposes an immediate release of the 2013 SC-19 Wetland Creation credits (those created at SC-19 Site but not impacted by the proposed stream restoration for the SC-19 Mitigation Bank Site) following the acceptance of this addendum with the final Mitigation Site Plan, implementation of Financial Assurances, recordation of the approved site protection mechanism, and the approval of the Long-Term Management Plan. The stream restoration and wetland creation/enhancement credits will be released over a ten-year schedule as outlined in Table 2, with the potential to be released after 5 years, if final year performance standards are met for 2 consecutive monitoring reports.

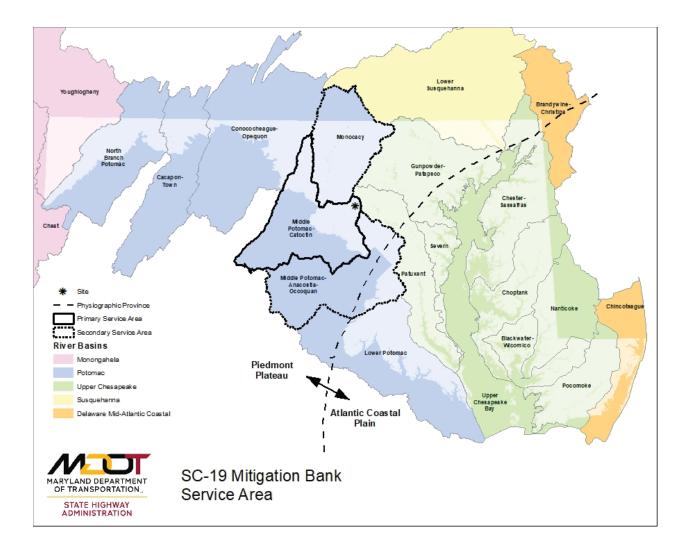


Figure 5 - SC-19 proposed geographic service area

Table 3 - SC-19 credit release schedule

Stage	2013 SC-19 Wetland Creation (Outside SC-19 Bank Site LOD)*	SC-19 Bank Site proposed wetlands and stream restoration	
At MBI and LTM approval and recordation of C&R	15%	15%	
Completed construction and As-Builts	15%	15%	
Year 2 Performance Standards met	20%	20%	
Year 3 Performance Standards met	10%	10%	
Year 5 Performance Standards met	15%	15%	
Year 7 Performance Standards met	10%	10%	
Year 10 Performance Standards met	15%	15%	
Total	100%	100%	
* 2013 SC-19 Wetland Creation (Outside SC-19 Bank Site LOD) may mee advanced performance standard and shall receive the appropriate credit re			

APPENDIX A – SC-19 WETLAND DELINEATION REPORT





MARYLAND STATE HIGHWAY ADMINISTRATION & MARYLAND TRANSPORTATION AUTHORITY INTERCOUNTY CONNECTOR

COMPENSATORY MITIGATION PROJECT SC-19

WETLAND DELINEATION REPORT



SHA Contract Number AX3785P60

November 2011

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Introduction

Intercounty Connector (ICC) Compensatory Mitigation Contract SC-B (Project Site SC-19) is a proposed wetland creation project designed to offset unavoidable impacts associated with construction of the ICC. The potential wetland creation area lies within a 50-acre parcel purchased by the Maryland State Highway Administration (SHA) within the floodplain of Great Seneca Creek. The site lies west of Woodfield Road and just south of Watkins Road on either side of Great Seneca Creek, in Montgomery County (**Attachment 1**). In addition to the nearly 21 acres of former hay fields that are proposed for wetland creation and riparian buffer enhancement, the site contains an approximately 12 acres of mostly forested wetlands along the southern boundary. This existing wetland system will be preserved as part of the mitigation provided by the site. This report details the wetland at the entire site area proposed for wetland creation as well as the large existing forested and emergent wetland system and the many functions and values provided by this system.

Site Description

Topography

The overall topography within the managed floodplain appears to be relatively flat, but with a general slope running with the slope of Great Seneca Creek, from east to west. The floodplain slope also tends to slightly dip away from the stream due to the presence of subtle berms located along the channel. Many shallow topographic depressions also exist within this portion of the floodplain.

Soils

The majority of the site contains hydric soils, according to Natural Resource Conservation Service (NRCS) Soil Data for Montgomery County. The soils series within the project area are listed in **Table 1** below and illustrated on **Attachment 2**).

Map Symbol	- Ivian Linit Nama	
	Codorus silt loam,	Ν
	Baile silt loam,	Y
	Hatboro silt loam,	Y

Table 1: Mapped Soils within SC-19

The site is largely Codorus and Hatboro silt loams, which form in alluvial materials on the floodplain. Codorus soils are deep, moderately well and somewhat poorly drained soils with a moderately high hydraulic conductivity. Hatboro soils are poorly drained with saturated hydraulic conductivity ranging from moderately low to moderately high. Both of these soils are included in the National Hydric Soils List.

<u>Floodplain</u>

As shown on FEMA Map Panel Numbers 24031C0180D and 24031C0185D, the majority of the project study area falls within the 100-year floodplain for Great Seneca Creek (**Attachment 3**).

Methodology

The site was field investigated in November of 2006 and again in October 2011 to identify and flag the boundaries wetlands within the project area. Wetland boundaries were flagged with pink wetland delineation survey ribbon labeled consecutively with an alphanumeric designation. Each wetland flag was then surveyed using a Trimble Global Position System (GPS). Watercourse were not delineated or surveyed using a GPS, as they are being traditionally surveyed and mapping will be updated accordingly. The locations of the identified wetlands and the approximate locations of the identified watercourses are shown on the detailed mapping provided in **Attachment 4**.

Prior to the field investigation, possible wetland areas were located using the United States Fish & Wildlife Service (USFWS) National Wetland Inventory (NWI) maps and the Maryland Department of Natural Resources (MDNR) wetland maps (**Attachment 5**) and the Soil Survey Report for Montgomery County, Maryland (Attachment 2). According to the NWI and MDNR mapping, the entire SC-19 project site consisted at one time of palustrine emergent (PEM), palustrine scrub/shrub (PSS), and palustrine forested (PFO) wetlands.

Wetlands were identified in accordance with the 1987 Corps of Engineers Wetlands Delineation Manual (USACE, 1987) and the Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Eastern Mountains and Piedmont Region (United States Army Corps of Engineers July 2010). These approaches are based on three parameters including hydrology, hydric soils, and hydrophytic vegetation. Soil color was identified using a Munsell Color chart (Munsell 2000). Each wetland was photo documented and the photos are provided in Attachment 6. Field data sheets are provided in Attachment 7.

All identified waters of the U.S., including wetlands, were classified according to *A Classification of Wetland and Deep-Water Habitats in the United States* (Cowardin et al.1979). The wetland indicator status of the observed vegetation was identified using the *National List of Plant Species That Occur in Wetlands: Region 1 – Northeast* (USFWS 1988).

A functions and values assessment, using the New England Method, was completed for any delineated wetland greater than one half acre in size. For these wetlands, the functions and values were recorded on a Wetland Function-Value Evaluation Form (Attachment 8). A formal functions and values analysis was not conducted for wetlands that were less than one half acre; however, observed functions and values were noted on the wetland field data sheets using best professional judgment. The functions and values assessed for these wetlands include recharge/discharge, groundwater floodflow alteration, fish and shellfish habitat. sediment/toxicant retention, nutrient removal, production export, sediment/shoreline stabilization, wildlife habitat, recreation, educational/scientific value, uniqueness/heritage, visual quality/aesthetics, and endangered species habitat.

Results

Great Seneca Creek is a perennial system, classified as a Use I-P waters (water contact recreation and protection of aquatic life, and public water supply), flows through the center of the project area. As a result of field investigations, seven wetlands were delineated within the project area, and within Wetland 1, two additional stream systems were identified. Refer to **Attachment 4** mapping for the location of each of these wetland and waters systems.

Wetland 1 begins approximately 200 feet west of MD 124 south of Great Seneca Creek and extends along the southern property boundary to the western property boundary. The wetland system is comprised of a series of seep drainages that begin at the toe of the southern valley wall of Great Seneca Creek and form into an unnamed tributary of Great Seneca Creek (WUS 7). The easternmost seep wetland is classified as a PEM1/2B, with persistent and non-persistent vegetation with a saturated water regime. At the time of the field investigation, water was three inches below the surface as measured from an on-site groundwater well. Nearly 10 percent of the plot was inundated with less than an inch of water. Oxidized root channels were another indicator of hydropresence observed during the site visit. Dominant vegetation included *Juncus effusus* (soft rush), *Lolium perenne* (perennial ryegrass), *Thelypteris thelypyeroides* (marsh fern) and *Symplocarpus foetidus* (skunk cabbage). Soils in this portion of the wetland are mapped as Baile silt loam, which is listed as hydric by the Natural Resources Conservation Service (NRCS). The hydric soil criteria were met within one and 12 inches of the soil profile with a matrix color of 10YR4/1 and 5/1 and mottle colors of 7.5YR3/4 and 4/6.

The remainder of this system is classified as a PFO1E, with broad-leaved deciduous vegetation and a seasonally saturated water regime. At the time of the field investigation, the wetland had shallow inundation and soils saturated to the surface. Other indicators of hydrology included water marks, drift deposits, water-stained leaves, and oxidized root channels. Dominant vegetation included *Acer rubrum* (red maple) in the canopy; *Ilex verticillata* (common winterberry), *Viburnum dentatum* (southern arrowwood), and *Lindera benzoin* (northern spicebush) in the shrub layer; and *Microstegium vimineum* (Nepalese browntop) and *Glecoma hederacea* (ground ivy) in the herbaceous layer. Soils within this portion of the wetland are mapped as Hatboro silt loam, which is listed as hydric by the NRCS. Soils met the Depleted Matrix (F3) hydric indicator under the *Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Eastern Mountains and Piedmont Region*. The hydric soil criteria were met within zero and ten inches of the soil profile with a matrix color of 10YR4/1 and mottle colors of 7.5YR3/4.

Wetland 2 is located on the southside of Great Seneca Creek and along the north bank of the unnamed tributary WUS 7. This wetland is supported by overland flow and groundwater seepage and discharges into the unnamed tributary. This wetland is classified as PFO1E with a seasonally flooded/saturated water regime. During the site visit the wetland was inundated with one inch of water, soils were saturated to the surface, and there was free water in the test pit at the surface. Other indicators of hydropresence included drift lines, sediment deposits, and drainage patterns. Dominant vegetation included *Quercus palustris* (pin oak), *Symplocarpus foetidus* (skunk cabbage), and *Glecoma hederacea* (ground ivy). Skunk cabbage is likely a dominant during the early part of the growing season, but was represented only by small spikes poking up through the soil during the early fall field assessment. Soils in this area are mapped as Hatboro silt loam. Hydric soil criteria were met within five inches of the surface with the sample exhibiting a matrix color of 10YR3/1 and mottle colors of 710YR3/6.

Wetland 3 is located on the north side of Great Seneca Creek. This wetland receives runoff from the adjacent agricultural field and some groundwater seepage; it connects to a small tributary via two narrow swales. This wetland is classified as PEM2E, with a seasonally flooded/saturated water regime. During the site visit approximately 20 percent of the wetland was inundated with one to three inches of water. Other indicators of hydropresence included saturated soils at the surface, free water in the test pit at the surface, drainage patterns, and

oxidized root channels. Dominant vegetation included *Echinochloa muricata* (rough barnyard grass) and *Panicum dichotomiflorum* (fall panic grass). Soils in this area are mapped as Hatboro silt loam. The hydric soil criteria were met within three and 12 inches of the soil profile with a matrix color of 2.5Y4/2 and mottle colors of 7.5YR4/6.

Wetland 4 is adjacent to Great Seneca Creek on the south side, approximately 150 feet south of Wetland 1. This area is an isolated depression that holds surface water from overland flow. This wetland is classified as PEM2C, with a seasonally flooded water regime. At the time of the field investigation, the area was inundated with seven inches of water. Dominant vegetation included *Panicum dichotomiflorum* (fall panic grass), *Polygonum* sp. and *Ludwigia palustris* (marsh seedbox). Soils in the wetland are mapped as Codorus silt loam, which is not listed as hydric, although these soils can have Hatboro silt loam inclusions, which are listed as hydric. The hydric soil criteria were met within five inches of the soil surface with a matrix color of 10YR4/2 and mottles of 7.5YR4/6.

Wetland 5 is located along the northwestern property boundary just north of Wetland 3. This drainage swale wetland receives runoff from the adjacent abandoned agricultural field. The wetland connects to an off-site unnamed tributary stream that drains to Great Seneca Creek. The system is classified as PEM2C, with a seasonally flooded water regime. At the time of the field investigation, no surface water was present, but soils were saturated to the surface and water was present within six inches of the surface in an unlined bore hole. Dominant vegetation included *Phalaris arundinacea* (reed canary-grass) and *Microstegium vimineum* (Nepalese browntop). Soils within the wetland are mapped as Hatboro silt loam. The hydric soil criteria were met within two and ten inches of the soil profile with a matrix color of 10YR4/2 and mottle colors of 7.5YR4/6.

Wetland 6 is located within a triangular shaped land area that lies between Great Seneca Creek and an unnamed tributary to Great Seneca Creek. The system is a shallow drainage swale that receives surface runoff and groundwater seepage and discharges to the unnamed tributary just upstream of the confluence with Great Seneca Creek. The wetland is classified as PEM2E, with a seasonally flooded/saturated water regime. Two inches of surface water was present within much of the wetland at the time of the field investigation. Dominant vegetation included *Agrostis stolonifera* (creeping bentgrass). Soils within this wetland were mapped Codorus silt loam, although these soils can have Hatboro silt loam inclusions. Soils met the Depleted Matrix (F3) hydric indicator under the *Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Eastern Mountains and Piedmont Region*. The hydric soil criteria were met between zero and twelve inches of the soil surface with a matrix color of 10YR4/2 and mottles of 7.5YR4/6.

Waters of the U.S. 7 (WUS 7) is an unnamed tributary stream that drains into Great Seneca Creek. The stream lies within the forested section along the southern portion of the property. The stream begins from a series of groundwater seeps and surface water runoff from the surrounding uplands. The stream is classified as riverine intermittent with a streambed substrate comprised of gravel, sand, and mud (R4SB3/4/5). The average channel width is about four feet. Channel depth averages about 1.5 feet. Approximately two inches of water was flowing within the channel at the time of the site visit. The channel substrate varies from mostly organic mud near the headwaters to mud, sand, and gravel farther downstream. Little in-stream habitat exists for fish. Habitat features include woody debris, leaf packs, and roots that likely support stream

macro invertebrates. Minor erosion was observed with no exposed banks evident. Forested vegetation occurs within the entire length of the stream, providing about 85% canopy coverage. Common vegetation along the stream includes red maple, *Fraxinus pennsylvanica* (green ash), *Quercus palustris* (pin oak), *Liriodendron tulipifera* (yellow poplar), *Lindera benzoin* (northern spicebush), and *Carpinus caroliniana* (American hornbeam).

Wetland 8 is located within the triangular shaped land area north and east of Wetland 6. The system is a drainage swale that results from runoff from a pasture area east of MD 124. The swale drains toward Great Seneca Creek, but has no surface connection to the stream. The wetland is classified as PEM2C, with a seasonally flooded water regime. Up to six inches of water was present within the swale during the site visit. Dominant vegetation included *Polygonum persicaria* (spotted ladysthumb) and *Echinochloa muricata* (rough barnyard grass). Soils within this wetland were mapped Codorus silt loam with Hatboro silt loam inclusions. Soils met the Depleted Matrix (F3) hydric indicator under the *Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Eastern Mountains and Piedmont Region.* The hydric soil criteria were met between zero and four inches of the soil surface with a matrix color of 10YR4/2 and mottles of 10YR4/6.

Waters of the U.S. 9 (WUS 9) is an unnamed tributary that drains north into the unnamed tributary labeled as WUS 7. The stream enters the property from the north near the western property boundary. The stream is classified as riverine intermittent with a streambed substrate comprised of gravel and sand (R4SB3/45). The average channel width is about four feet. Channel depth averages about 1.5 feet. Approximately one to eight inches of water was flowing within the channel at the time of the site visit. The channel substrate varies between sand and gravel. Little in-stream habitat exists for fish. Habitat features include woody debris and leaf packs. Minor erosion was observed in the form of bank scour. Forested vegetation occurs within the entire length of the stream, providing about 85% canopy coverage. Common vegetation along the stream includes *Acer rubrum* (red maple), *Fraxinus pennsylvanica* (green ash), *Liriodendron tulipifera* (yellow poplar), *Nyssa sylvatica* (blackgum), and *Viburnum prunifolium* (blackhaw).

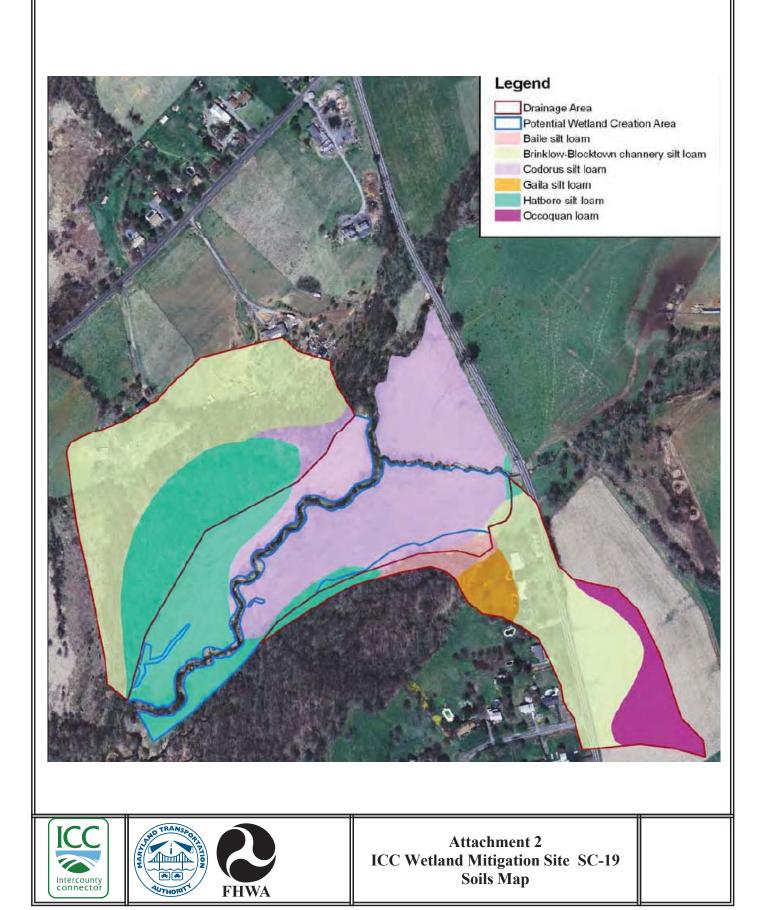
Conclusions

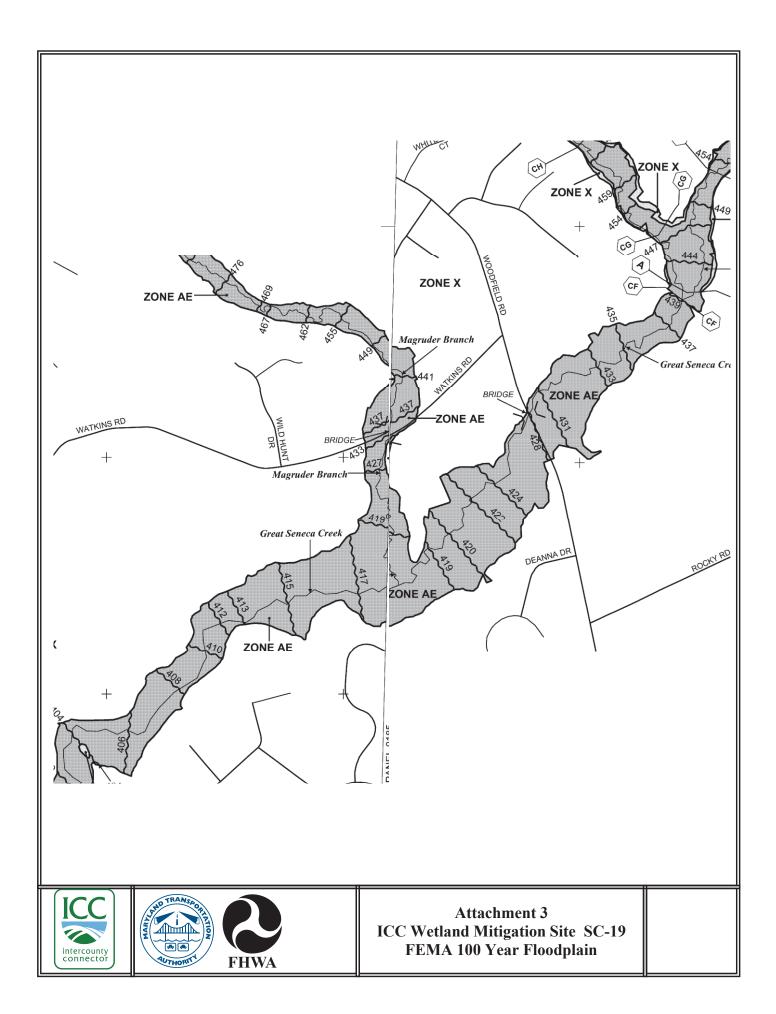
Seven wetlands and three watercourses were identified within the project area. Disturbances to these systems will require a permit from the U.S. Army Corps of Engineers (USACE) and the Maryland Department of the Environment (MDE). A jurisdictional determination (JD) was conducted on October 27, 2011 by the USACE and MDE.

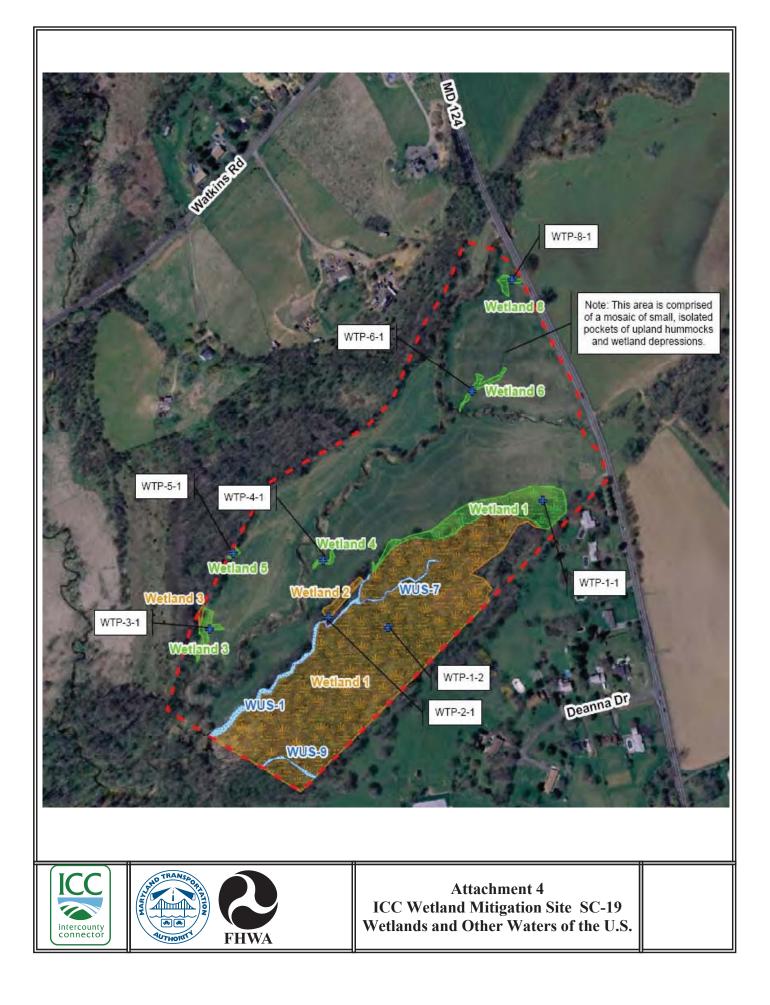
References

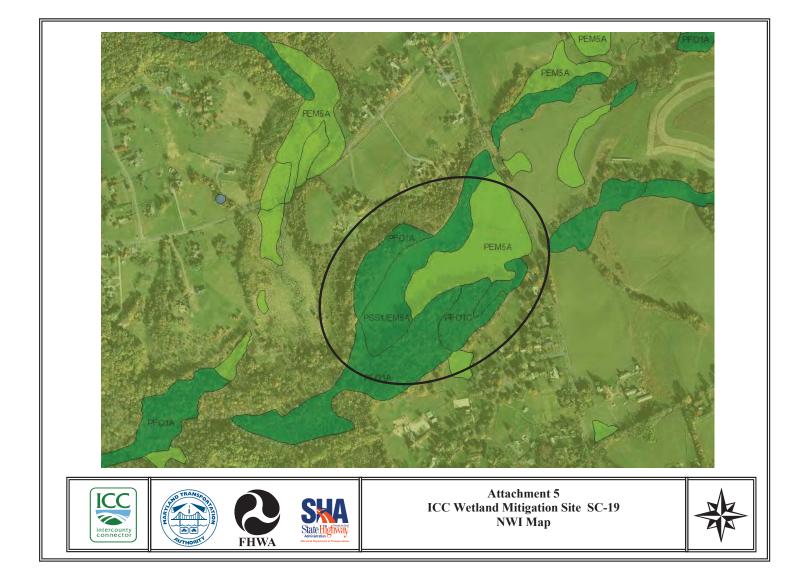
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Attachment 6 Photographs



Looking west at Wetland #1 PEM1/2B



Wetland #1 PFO1E



Looking northeast at Wetland #2 PFO1E



Looking at northeast at Wetland #3 PEM2E



Looking west at Wetland #4 PEM2C



Looking west at Wetland #5 PEM2C



Looking west at Wetland #6 PEM2E



Looking upstream at WUS 7 R4SB3/4/5



Looking north at Wetland #8 PEM2C

Attachment 7 Field Data Sheets

Data Form Routine Wetland Determination (1987 COE Wetlands Delineation Manual)

Project / Site :	SC-19		Date :	11/15/06
Applicant / Owner :	SHA		County :	Montgomery
Investigator :	DRS, HL, KR		State :	MD
Do Normal Circumstances	exist on the site?	Yes		
Is the site significantly distu	rbed? (Atypical Situation)?	No	Community ID :	PEM1/2B
Is the area a potential Prob	lem Area?	No	Transect ID :	<u>W1</u>
(If needed, explain below.)			Plot ID :	TP-1
Explanation:				

Vegetation

Dominant Plant Species	Stratum	Indicator	Dominant Plant Species	Stratum	Indicator	
1 <u>Juncus effusus</u>	<u>H</u>	FACW+	9			
2 <u>Lolium pratense</u>	<u>H</u>	FACU-	10			
3 Thelypteris thelypteroides	<u>H</u>	FACW+	11			
4 Symplocarpus foetidus	<u>H</u>	OBL	12			
5			13			
6			14			
7			15			
8			16			
Percent of Dominant Species that are OBL,	FACW or FA	C				
(excluding FAC-)			7			
l L	1	5%				
					.,	
Remarks: Visual estimation of dominance by noveboracensis. Some llex verticillata and A				oryzoides, Car	rex sp., Vern	onia

Hydology

Recorded Data (Describe in Remarks)	Wetland Hydology Indicators:
Stream, Lake, or Tide Gauge	Primary Indicators
Aerial Photographs	√ Inundated
√ Other	Saturated in Upper 12 Inches
No Recorded Data Available	Water Marks
	Drift Lines
Field Observations:	Sediment Deposits
Depth of Surface Water <1 (in.)	Drainage Patterns in Wetlands
	Secondary Indicators (2 or more required):
	✓ Oxidized root channels in Upper 12 Inches
Depth to Free Water in Pit: 3 (in.)	Water-Stained Leaves
	Local Soil Survey Data
Depth to Saturated Soil 0 (in.)	Fac-Neutral Test
、	Other (Explain in Remarks)
Remarks: Groundwater well measurement - water at 3 inch	es below surface. Approximately 10% of wetland is
inundated.	•••

Soils					
Map unit nam	е			Drainage	
(Series and P	hase):	Baile silt loam		class	poorly drained
Taxonomy (Si	ubgroup):	Typic Endoaquults		Field obser	vations confirm map type?
					Yes
Profile Descrip	otion:				
Depth		Matrix Color	Mottle Color	Mottle Abundance /	Texture, Concretions,
(Inches)	<u>Horizon</u>	(Munsell Moist)	(Munsell Moist)	<u>Contrast</u>	Structure, ect.
<u>0-1</u>	<u>Oi</u>				
<u>1-4</u>		<u>10YR4/1</u>	7.5YR3/4	common/distinct	Silty Clay Loam
4-12		10YR5/1	7.5YR4/6	many/distinct	Clay Loam w/coarse frag
					and rootlets
Hydric Soil Ind	dicators:				
·	Histosol			Concretions	
<u> </u>	Histic Epip	bedon		High Organic Content in	Surface Layer in Sandy Soils
	Sulfidic O	dor		Organic Streaking in	Sandy Soils
	Aquic Moi	sture Regime		Listed on Local Hydr	ic Soils List
	Reducing	Conditions		Listed on National H	ydric Soils List
	Gleyed or	Low-Chroma Soils		Other (Explain in Re	marks)
			_		,
Remarks:					
. comarito.					

Wetland Determination

Hydrophytic Vegetation Present? Wetland Hydrology Present? Hydric Soils Present?	Yes Yes Yes	Is this Sampling Point Within a Wetland?	Yes
Remarks:			

WETLAND DETERMINATION DATA FORM - Eastern Mountains and Piedmont

1

Project/Site: ICL SC-19	City/County: Montgomesy	Sampling Date: 6711, 2011
Applicant/Owner:	State: _/	Sampling Point: <u>LI 170-</u> 2
Investigator(s): D. Smith, D. Rodauss	_ Section, Township, Range:	
Landform (hillslope, terrace, etc.): 10 in grad i ent hill she Lo	ocal relief (concave, convex, none):	Slope (%): 1%
Subregion (LRR or MLRA): Lat:	Long:	Datum:
Soil Map Unit Name:	NWI c	lassification: <u>PF01E</u>
Are climatic / hydrologic conditions on the site typical for this time of y	/ear? Yes No (If no, expla	in in Remarks.)
Are Vegetation, Soil, or Hydrology significantl	iy disturbed? λO Are "Normal Circumstar	nces" present? Yes 🗸 No
Are Vegetation, Soil, or Hydrology naturally p	roblematic? \mathcal{ND} (If needed, explain any	answers in Remarks.)
		a sta inan suta ut for the use sta

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Hydric Soil Present? Wetland Hydrology Present?	Yes No Yes No Yes No	Is the Sampled Area within a Wetland?	Yes	No
Remarks:				

	Secondary Indicators (minimum of two required)
Primary Indicators (minimum of one is required; check all that apply)	Surface Soil Cracks (B6)
Primary indicators (minimum of one is required; check all that apply) Surface Water (A1)	 Sparsely Vegetated Concave Surface (B8) Drainage Patterns (B10) Moss Trim Lines (B16) Dry-Season Water Table (C2)
Field Observations:	
Surface Water Present? Yes Ves No Depth (inches):	
Water Table Present? Yes No Depth (inches):	
Saturation Present? Yes <u>Ves</u> No <u>Depth</u> (inches): <u>Depth</u> (inches	Wetland Hydrology Present? Yes <u>/</u> No
Describe Recorded Data (stream gauge monitoring well aerial photos, previous inspec	tions) if available:
Remarks: WHAT Than adetage late summar, last. DTUIDUS 48" hours.	

HYDROLOGY

VEGETATION (Four Strata) – Use scientific names of plants.

Sampling Point: 101.9FD

. \	Absolute	Dominant	Indicator	Dominance Test worksheet:
Tree Stratum (Plot size: 30' radis)		Species?		
1. ALL SUDEUM		Y	FAC	Number of Dominant Species 5 (A)
2. Fraxinus pennsylvanica			FACW	
2. Fladinos vernsylvanica	- 10			Total Number of Dominant /
3. Carpinus Lasoliniana	10		THE	Species Across All Strata: (B)
4. Nyssa Sylvatica			FAC	
5				Percent of Dominant Species That Are OBL, FACW, or FAC: <u>53</u> (A/B)
6				$\frac{11111}{100} = \frac{1000}{100} = 1$
				Prevalence Index worksheet:
7				Total % Cover of: Multiply by:
8				
	81	= Total Cov	er	OBL species x 1 =
Sapling/Shrub Stratum (Plot size:)	2	V		FACW species x 2 =
1. Ilex Vuticillata		1	FACW	FAC species x 3 =
2. Vibornum Scatation		Y	FAL	FACU species x 4 =
3. Linderon benzain	3	V	Infor)	UPL species x 5 =
			1 10,000	
4				Column Totals: (A) (B)
5				Prevalence Index = B/A =
6				
7				Hydrophytic Vegetation Indicators:
				Rapid Test for Hydrophytic Vegetation
8				2 - Dominance Test is >50%
9				$_$ 3 - Prevalence Index is $\leq 3.0^{1}$
10				
	9	= Total Cov	/er	4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet)
Herb Stratum (Plot size:)	1-	. /	~	Problematic Hydrophytic Vegetation ¹ (Explain)
1. Micsastlaium Vimineum	<u> 45</u>	<u> </u>	FAL	
2. Bochmetia allindrica	15		FACW	
3. Cleckoma heditacla	lip	- <u>y</u>	FARD	¹ Indicators of hydric soil and wetland hydrology must
		<u> </u>		be present, unless disturbed or problematic.
4. Polyanne Pissicatia	lph-		FILL	Definitions of Four Vegetation Strata:
5. Polyaprium awifolium	6		DBL	
6. BKIgonium Dunctatum	<u> 8</u>		<u>nBI</u>	Tree – Woody plants, excluding vines, 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of
7. Pilla Domila	10		OBL	height.
8. Caser 58,	2			noight.
9. Symplolasous fretidis			OBL	Sapling/Shrub – Woody plants, excluding vines, less
				than 3 in. DBH and greater than 3.28 ft (1 m) tall.
10. Collandium perfoliation	3		FAC	Herb - All herbaceous (non-woody) plants, regardless
11				of size, and woody plants less than 3.28 ft tall.
12. (
	181	= Total Cov	(or	Woody vine - All woody vines greater than 3.28 ft in
Woody Vine Stratum (Plot size:)	101	- 10(a) 00		height.
1				
2				
3				
4	_			Hadrack C.
5				Hydrophytic Vegetation
6				Present? Yes No
		= Total Co		
		= Total Co	/er	
Remarks: (Include photo numbers here or on a separate	sheet.)			

Profile Desc	ription: (Describe	to the dep	th needed to docur	ment the i	indicato	r or confirm	the absence	e of indicators.)
Depth	Matrix			x Feature	S			
(inches)	Color (moist)		Color (moist)	%	Type ¹		Texture	Remarks
0 - 10	104R4/1	85	7.54R3/4	15	<u> </u>	M. PL	Sic	
10+	10 YR 3/1	90	7.54R3/4	10	_ <u>C</u>	M	Sicl	w/organics
	,		/					
	• 117							
		·						
		·						
		·						
		·						
	oncentration, D=Dep	letion, RM	=Reduced Matrix, M	S=Maske	d Sand G	irains.		L=Pore Lining, M=Matrix.
Hydric Soil								ators for Problematic Hydric Soils ³ :
Histosol	· ,		Dark Surface					2 cm Muck (A10) (MLRA 147)
	pipedon (A2)		Polyvalue Be				, 148) (Coast Prairie Redox (A16)
	stic (A3)		Thin Dark S			147, 148)	,	(MLRA 147, 148)
	en Sulfide (A4) d Layers (A5)		Loamy Gley		(Г2)		'	Piedmont Floodplain Soils (F19) (MLRA 136, 147)
	uck (A10) (LRR N)		Redox Dark		F6)		F	Red Parent Material (TF2)
	d Below Dark Surfac	e (A11)	Depleted Da					Very Shallow Dark Surface (TF12)
	ark Surface (A12)	. ,	Redox Depr					Other (Explain in Remarks)
	/lucky Mineral (S1) (I	LRR N,	Iron-Mangar		es (F12)	(LRR N,		
	A 147, 148)		MLRA 13	-			2	
	Bleyed Matrix (S4)		Umbric Surfa					dicators of hydrophytic vegetation and
	Redox (S5)		Piedmont Fl	oodplain S	Soils (F19	9) (MLRA 14		wetland hydrology must be present,
	Matrix (S6) Layer (if observed):						1	unless disturbed or problematic.
Type:								
	ches):						Hydric Sol	il Present? Yes 🗸 No
Remarks:								
				· ~				

Data Form Routine Wetland Determination (1987 COE Wetlands Delineation Manual)

Project / Site :	SC-19		Date :	11/10/06
Applicant / Owner :	SHA		County :	Montgomery
Investigator :	DRS, HL, KR		State :	MD
Do Normal Circumstances	exist on the site?	Yes		
Is the site significantly distu	rbed? (Atypical Situation)?	No	Community ID :	PFO1E
Is the area a potential Prob	lem Area?	No	Transect ID :	<u>W2</u>
(If needed, explain below.)			Plot ID :	TP-2
Explanation:				

Vegetation

Dominant Plant Species	Stratum	Indicator	Dominant Plant Species	Stratum	Indicator	
1 <u>Quercu palustris</u>	<u>T</u>	FACW	9			
2 Symplocarpus foetidus	<u>H</u>	<u>OBL</u>	10			
3 <u>Glecoma hederacea</u>	<u>H</u>	FACU	11			
4			12			
2 <u>Symplocarpus foetidus</u> 3 <u>Glecoma hederacea</u> 4 5			13			
6			14			
7			15			
8			16			
Percent of Dominant Species that are OBL,	FACW or FA	AC				
(excluding FAC-)			-			
	6	67%]			
		D 44	C. I	4		
Remarks: Visual estimation of dominance b	/ aerial cove	r. Buttressed t	ree bases and crayfish mounds pre	esent.		

Hydology

Recorded Data (Describe in Remarks)	Wetland Hydology Indicators:		
Stream, Lake, or Tide Gauge	Primary Indicators		
Aerial Photographs	√ Inundated		
Other	Saturated in Upper 12 Inches		
√ No Recorded Data Available	Water Marks		
	√ Drift Lines		
Field Observations:	√ Sediment Deposits		
Depth of Surface Water 1 (in.)	√ Drainage Patterns in Wetlands		
	Secondary Indicators (2 or more required):		
	Oxidized root channels in Upper 12 Inches		
Depth to Free Water in Pit: 0 (in.)	Water-Stained Leaves		
	Local Soil Survey Data		
Depth to Saturated Soil 0 (in.)	Fac-Neutral Test		
	Other (Explain in Remarks)		
Remarks: Supported by overland flow and groundwater se	epage. Also recieves backwater from stream channel.		

Map unit name Drainage						
(Series and Phase): <u>Hatboro silt loam</u> class <u>poorly drained</u>						
Taxonomy (Subgroup): <u>Fluvaquentic Endoaquepts</u> Field observations confirm map	type?					
	Yes					
Profile Description:						
Depth Matrix Color Mottle Color Mottle Abundance / Texture, Concreti	ons,					
(Inches) Horizon (Munsell Moist) (Munsell Moist) Contrast Structure, ect						
0-5 10YR3/1 10YR3/6 few/faint Silty Clay w/coars	-					
<u>5-12</u> <u>10YR4/1</u> <u>Silty Clay Loan</u>						
w/coarse fragme	<u>ents</u>					
Hydric Soil Indicators:						
Histosol Concretions						
High Organic Content in Surface Layer in Sandy S	soils					
Aquic Moisture RegimeListed on Local Hydric Soils List						
Reducing ConditionsListed on National Hydric Soils List						
Other (Explain in Remarks)						
Remarks:						

Wetland Determination

Hydrophytic Vegetation Present? Wetland Hydrology Present? Hydric Soils Present?	Yes Yes Yes	Is this Sampling Point Within a Wetland?	Yes
Remarks:			

Data Form Routine Wetland Determination (1987 COE Wetlands Delineation Manual)

Project / Site :	SC-19		Date :	11/10/06
Applicant / Owner :	SHA		County :	Montgomery
Investigator :	DRS, HL, KR		State :	MD
Do Normal Circumstances	exist on the site?	Yes		
Is the site significantly distu	<pre>urbed? (Atypical Situation)?</pre>	No	Community ID :	PEM2E
Is the area a potential Prob	lem Area?	No	Transect ID :	<u>W3</u>
(If needed, explain below.)			Plot ID :	TP-3
Explanation:				

Vegetation

Dominant Plant Species	Stratum	Indicator	Dominant Plant Species	Stratum	Indicator	
1 Echinochloa muricata	<u>H</u>	FACW+	9			
2 Panicum dichotomiflorum	<u>H</u>	FACW-	10			
3			11			
4			12			
5			13			
6			14			
7			15			
8			16			
Percent of Dominant Species that are OBL,	FACW or FA	С				
(excluding FAC-)	40	200/	7			
	10	0%]			
Remarks: Visual estimation of dominance b	y aerial cover					

Hydology

Recorded Data (Describe in Remarks)	Wetland Hydology Indicators:		
Stream, Lake, or Tide Gauge	Primary Indicators		
Aerial Photographs	√ Inundated		
Other	√ Saturated in Upper 12 Inches		
√ No Recorded Data Available	Water Marks		
	Drift Lines		
Field Observations:	Sediment Deposits		
Depth of Surface Water 1-3 (in.)	√ Drainage Patterns in Wetlands		
	Secondary Indicators (2 or more required):		
	✓ Oxidized root channels in Upper 12 Inches		
Depth to Free Water in Pit: 0 (in.)	Water-Stained Leaves		
	Local Soil Survey Data		
Depth to Saturated Soil 0 (in.)	Fac-Neutral Test		
	Other (Explain in Remarks)		
Remarks: Approximately 20% of the wetland is inundated.	Receives runoff from hay field and is also groundwater fed.		
Loing stroom in 2 logations			

Joins stream in 2 locations.

Soils						
Map unit name Drainage						
(Series and	Phase):	Hatboro silt loam		class	Somewhat poorly drained	
Taxonomy	(Subgroup):	Fluvaquentic Endoa	quepts	Field observ	ations confirm map type?	
					Yes	
Profile Des	cription:					
Depth		Matrix Color	Mottle Color	Mottle Abundance /	Texture, Concretions,	
(<u>Inches)</u> <u>0-3</u>	<u>Horizon</u>	(Munsell Moist) 10YR4/2	<u>(Munsell Moist)</u>	<u>Contrast</u>	<u>Structure, ect.</u> <u>Silt Loam</u>	
<u>3+</u>		2.5Y4/2	7.5YR4/6	common/prominent	Silty Clay	
Hydric Soil	Indicators:					
i i yuno con	Histosol			Concretions		
Histic Epipedon			—		urface Layer in Sandy Soils	
	Sulfidic O		_	Organic Streaking in S		
	 Aquic Moi	sture Regime	_	Listed on Local Hydrid	5	
	Reducing	Conditions		Listed on National Hy	dric Soils List	
	Gleyed or	Low-Chroma Soils	_	Other (Explain in Rem	narks)	
Remarks:						

Wetland Determination

Hydrophytic Vegetation Present? Wetland Hydrology Present? Hydric Soils Present?	Yes Yes Yes	Is this Sampling Point Within a Wetland?	Yes
Remarks:			

Data Form Routine Wetland Determination (1987 COE Wetlands Delineation Manual)

Project / Site :	SC-19		Date :	11/15/06
Applicant / Owner :	SHA		County :	Montgomery
Investigator :	DRS, HL, KR		State :	MD
Do Normal Circumstances e	exist on the site?	Yes		
Is the site significantly disturbed? (Atypical Situation)?		No	Community ID :	PEM2C
Is the area a potential Probl	lem Area?	No	Transect ID :	W4
(If needed, explain below.)			Plot ID :	TP-5
Explanation:				

Vegetation

Dominant Plant Species	Stratum	Indicator	Dominant Plant Species	Stratum	Indicator	
1 Panicum dichotomiflorum	<u>H</u>	FACW-	9			
2 <u>Polygonum sp.</u>			10			
3 <u>Ludwigia palustris</u>	<u>Н</u> Н	OBL	11			
4			12			
5			13			
6			14			
7			15			
8			16			
Percent of Dominant Species that are OBL,	FACW or FA	С				
(excluding FAC-)	40	200/	7			
L	IC	0%	1			
Remarks: Visual estimation of dominance by	/ aerial cover					

Hydology

Recorded Data (Describe in Remarks)	Wetland Hydology Indicators:				
Stream, Lake, or Tide Gauge	Primary Indicators				
Aerial Photographs	√ Inundated				
Other	√ Saturated in Upper 12 Inches				
√ No Recorded Data Available	Water Marks				
	Drift Lines				
Field Observations:	Sediment Deposits				
Depth of Surface Water 7 (in.)	Drainage Patterns in Wetlands				
	Secondary Indicators (2 or more required):				
	Oxidized root channels in Upper 12 Inches				
Depth to Free Water in Pit: 0 (in.)	Water-Stained Leaves				
	Local Soil Survey Data				
Depth to Saturated Soil 0 (in.)	Fac-Neutral Test				
	Other (Explain in Remarks)				
Remarks: Perched depressional area adjacent to stream. H	lolds surface water from overland flow.				

Soils			
Map unit name		Drainage	
(Series and Phase): Codorus si	It loam	class	Somewhat poorly drained
Taxonomy (Subgroup): <u>Fluvaquen</u>	ts dystrochrepts	Field obse	rvations confirm map type?
			No
Profile Description:			
Depth Matrix C		Mottle Abundance /	Texture, Concretions,
(Inches) Horizon (Munsell I			Structure, ect.
<u>0-5</u> <u>10YR</u> 4		common/distinct	Silty Clay Loam
<u>5-12+</u> <u>2.5Y5</u>	<u>/2</u> <u>7.5YR4/6</u>	common/distinct	Silty Clay w/buried organics
Hydric Soil Indicators:		1	
Histosol		✓ Concretions	
Histic Epipedon		* *	Surface Layer in Sandy Soils
Sulfidic Odor		Organic Streaking in	3
Aquic Moisture Regin	le	Listed on Local Hyd	
Reducing Conditions	_	Listed on National H	
Gleyed or Low-Chron	ia Soils	Other (Explain in Re	marks)
Remarks:			

Wetland Determination

Hydrophytic Vegetation Present? Wetland Hydrology Present? Hydric Soils Present?	Yes Yes Yes	Is this Sampling Point Within a Wetland?	Yes
Remarks:			

WETLAND DETERMINATION DATA FORM ~ Eastern Mountains and Piedmont

Project/Site: ICC/SC-19	ity/County: Damascus/Mont Sampling Date: 9/29/11
Applicant/Owner: <u>SHA</u>	State: MD Sampling Point: 10TP-5-1
$\overline{\mathcal{D}}_{\mathcal{D}} = \overline{\mathcal{D}}_{\mathcal{D}}$	ection, Township, Range:
	I relief (concave, convex, none): <u>CONCAUE</u> , Slope (%): <u>0-2</u>
	Long: Datum:
Soil Map Unit Name: <u>CodorUS_SIH_loam</u>	NWI classification: PEM 2 (.
Are climatic / hydrologic conditions on the site typical for this time of year	
Are Vegetation, Soil, or Hydrology significantly di	isturbed? Are "Normal Circumstances" present? Yes No
Are Vegetation, Soil, or Hydrology naturally prob	
SUMMARY OF FINDINGS – Attach site map showing s	sampling point locations, transects, important features, etc.
Hydrophytic Vegetation Present? Yes No Hydric Soil Present? Yes No Welland Hydrology Present? Yes No Remarks: Image: Solid Science Scien	Is the Sampled Area within a Wetland? Yes No
HYDROLOGY	
Wetland Hydrology Indicators:	Secondary Indicators (minimum of two required)
Primary Indicators (minimum of one is required; check all that apply)	Surface Soil Cracks (B6)
Surface Water (A1) True Aquatic Plan	
High Water Table (A2) Hydrogen Sulfide	
	oheres on Living Roots (C3) Moss Trim Lines (B16)
Water Marks (B1) Presence of Red	
	uction in Tilled Soils (C6) Crayfish Burrows (C8)
Drift Deposits (B3) Thin Muck Surfac	
Algai Mat or Crust (B4) Other (Explain in	
Iron Deposits (B5)	\checkmark Geomorphic Position (D2)
Inundation Visible on Aerial Imagery (87)	Shallow Aquitard (D3)
Water-Stained Leaves (B9)	Microtopographic Relief (D4)
Aquatic Fauna (B13)	FAC-Neutral Test (D5)
Field Observations:	
Surface Water Present? Yes No Depth (inches); Water Table Present? Yes No Depth (inches);	
Water Table Present? Yes Ves No Depth (inches):	6
Saturation Present? Yes <u>Ves</u> No <u>Depth</u> (inches): (includes capillary fringe) Describe Recorded Data (stream gauge, monitoring well, aerial photos	Wetland Hydrology Present? Yes No
Remarks:	

VEGETATION (Four Strata) – Use scientific names of plants.

Sampling Point: WTP-5-1

	Absolute	Dominant Indicator	Dominance Test worksheet:
Tree Stratum (Plot size:)	% Cover	Species? Status	- Number of Dominant Species
1			That Are OBL, FACW, or FAC:
2			
			Total Number of Dominant
3			Species Across All Strata: (B)
4			Percent of Dominant Species
5			- That Are OBL, FACW, or FAC: _100 (A/B)
δ			-
7			Prevalence Index worksheet:
8			Total % Cover of: Multiply by:
		= Total Cover	OBL species x 1 =
Sapling/Shrub Stratum (Plot size:)			FACW species x 2 =
			FAC species x 3 =
1			
2			FACU species x 4 =
3			_ UPL species x 5 =
4			_ Column Totals: (A) (B)
5			
6			Prevalence Index = B/A =
			Hydrophytic Vegetation Indicators:
7			1 - Rapid Test for Hydrophytic Vegetation
8			2 - Dominance Test is >50%
9			\sim 3 - Prevalence Index is <3.0 ¹
10			
Herb Stratum (Plot size: 30' radius)		= Total Cover	 4 - Morphological Adaptations' (Provide supporting data in Remarks or on a separate sheet)
	70	Y FACIN	Problematic Hydrophytic Vegetation ¹ (Explain)
1. Phalaris arrindinacea			
2. Microstegium vinineum	<u>35</u>	Y FAC	Indicators of hydric soil and wetland hydrology must
3. Polygonich stig Hatun	15	OBL	- be present, unless disturbed or problematic.
4. Polygonum persicaria	3	FACU	Definitions of Four Vegetation Strata:
	1	OBL	Deminions of roor vegetation strata.
5. Polygonum punctation	-		Tree – Woody plants, excluding vines, 3 in. (7.6 cm) or
6			 more in diameter at breast height (DBH), regardless of
7			_ height.
8			- Sapling/Shrub - Woody plants, excluding vines, less
9			- than 3 in. DBH and greater than 3.28 ft (1 m) tall.
10			
11			Herb - All herbaceous (non-woody) plants, regardless
12			 of size, and woody plants less than 3.28 ft tall.
	104		Woody vine – All woody vines greater than 3.28 ft in
Woody Vine Stratum (Plot size:)	10-1	= Total Cover	height.
1			-
2			-
3			_
4			
5			Hydrophytic
6.			- Vegetation Present? Yes No
		= Total Cover	
Remarks: (Include photo numbers here or on a separate	sheet.)		

Sampling Point: WTP-5-1

Profile Desc	ription: (Describe to	the depth	needed to docum	nent the i	ndicator	or confirm	n the absence	of indicators.)
Depth	Matrix		Redo	x Feature	S			
(inches)	Color (moist)	%	Color (moist)	%	Type	Loc2	Texture	Remarks
0-2	104R3/2						51	many potlets
5,10	104R4/2		7.54R4/6	75	0	M	sid	
10 111			1.1			<u> </u>		
10-14	104R-5/1		7.54R3/4	45	<u> </u>	M	_[(
	,							
				·				
								х х
()								
							2	~
	oncentration, D≂Deple	lion, RM=I	Reduced Matrix, MS	5=Masked	sand Gr	ains.		L=Pore Lining, M=Matrix,
Hydric Soil								ators for Problematic Hydric Soils ³ :
Histosol			Dark Surface	- /				2 cm Muck (A10) (MLRA 147)
	pipedon (A2)		Polyvalue Be				, 148) (Coast Prairie Redox (A16)
	istic (A3)		Thin Dark Su	,		147, 148)		(MLRA 147, 148)
	en Sulfide (A4)		Loamy Gleye		(F2)		F	Piedmont Floodplain Soils (F19)
	d Layers (A5)		V Depleted Ma					(MLRA 136, 147)
	uck (A10) (LRR N)		Redox Dark		-			Red Parent Material (TF2)
	d Below Dark Surface	(A11)	Depleted Date					/ery Shallow Dark Surface (TF12)
Thick Da	ark Surface (A12)		Redox Depression				_ (Other (Explain in Remarks)
Sandy N	lucky Mineral (S1) (LF	RRN,	Iron-Mangan	ese Mass	es (F12) (LRRN,		
MLRA	A 147, 148)		MLRA 13	6)				
Sandy G	Gleyed Matrix (S4)		Umbric Surfa	ice (F13)	(MLRA 13	86, 122)	³ Inc	dicators of hydrophytic vegetation and
Sandy R	Redox (S5)		Piedmont Flo	odplain S	oils (F19)	(MLRA 14	48) V	vetland hydrology must be present,
Stripped	Matrix (S6)						6	inless disturbed or problematic.
Restrictive	Layer (if observed):							
Туре:								
Depth (in	ches):						Hydric Sol	Present? Yes V No
Remarks:								

WETLAND DETERMINATION DATA FORM - Eastern Mountains and Piedmont

Project/Site ICC/SC-19 City/Count	ly: Damascus/ Mont. Sampling Date: 9-29-11
Applicant/Owner:	State MD Sampling Point: LUTP-6-1
	ownship, Range:
Landform (hillstope, terrace, etc.): <u>Sachage channels</u> Local relief (c	
	Long: Datum:
Soil Map Unit Name: (oderus Sit Cam	NWI classification:
Are climatic / hydrologic conditions on the site typical for this time of year? Yes _	No (If no, explain in Remarks.)
Are Vegetation, Soil, or Hydrology significantly disturbed?	? Are "Normal Circumstances" present? Yes No
Are Vegetation, Soil, or Hydrology naturally problematic?	(If needed, explain any answers in Remarks.)
SUMMARY OF FINDINGS – Attach site map showing sampli	ng point locations, transects, important features, etc.
Hudda Call Oranaal ⁽³⁾	the Sampled Area thin a Wetland? Yes <u>No</u> No
HYDROLOGY	
Wetland Hydrology Indicators:	Secondary Indicators (minimum of two required)
Primary Indicators (minimum of one is required; check all that apply)	Surface Soil Cracks (B6)
Surface Water (A1) True Aquatic Plants (B14)) Sparsely Vegetated Concave Surface (B8)
High Water Table (A2) Hydrogen Sulfide Odor (C	C1) Drainage Patterns (810)
Saturation (A3) Oxidized Rhizospheres or	n Living Roots (C3) Moss Trim Lines (816)
Water Marks (B1) Presence of Reduced Iron	n (C4) Dry-Season Water Table (C2)
Sediment Deposits (82) Recent Iron Reduction in	
Drift Deposits (B3) Thin Muck Surface (C7)	Saturation Visible on Aerial Imagery (C9)
Algal Mat or Crust (B4) Other (Explain in Remarks	
Iron Deposits (B5)	Geomorphic Position (D2)
Inundation Visible on Aerial Imagery (B7)	Shallow Aquitard (D3)
Water-Stained Leaves (89)	Microtopographic Relief (D4) FAC-Neutral Test (D5)
Aquatic Fauna (B13)	PAC-Neutral Test (D5)
Field Observations:	
Surface Water Present? Yes No Depth (inches): 2'' Water Table Present? Yes No Depth (inches): 0	
Water Table Present? Yes <u>V</u> No Depth (inches): <u>U</u>	Wetland Hydrology Present? Yes No
Saturation Present? Yes / No Depth (inches):	Wetland Hydrology Present? Yes <u>12</u> No
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previou	s inspections), if available:
Remarks	
seepage channel network flows into incised single channel which flows into stream	s directly

VEGETATION (Four Strata) - Use scientific names of plants.

	Absolute	Dominant		Dominance Test worksheet:		
Tree Stratum (Plot size:)		Species?		Number of Dominant Species That Are OBL, FACW, or FAC:	1	(A)
1				That Are OBL, FACW, OF FAC.	-	- (~)
2				Total Number of Dominant Species Across All Strata:	1	(B)
4 5		_		Percent of Dominant Species That Are OBL, FACW, or FAC:	100	_ (A/8)
6				Prevalence Index worksheet:		
7				Total % Cover of:	Multiply by:	
8				OBL species x		
Sapling/Shrub Stratum (Plot size)		= Total Co	ver	FACW species x		
				FAC species x		
1				FACU species x		
2				UPL species x		
3				Column Totals: (A		
4)	(8/
5				Prevalence Index = B/A =		
6				Hydrophytic Vegetation Indica	tors:	
7				1 - Rapid Test for Hydrophyl		
8				2 - Dominance Test is >50%	i -	
				3 - Prevalènce Index (s ≤3.0	1	
70'		= Total Co	ver	4 - Morphological Adaptation data in Remarks or on a s	is ¹ (Provide si separate she∉	upporting et)
Herb Stratum (Plot size: 30 radius)	15		FACW	Problematic Hydrophytic Ve		
1. Phalaris anindinacea			1		,, <u>,</u>	,
2. Agrostis stoloniterg	15	4	FACW	¹ Indicators of hydric soil and wet	and hydrolog	must
3. Echinchlog muricata		-	FALW	be present, unless disturbed or p		y thoot
4. JUNCUS CHUSUS	1	-	FACW	Definitions of Four Vegetation	Strata:	-
5 Loluin pratense			FACU		(A	
6				Tree – Woody plants, excluding more in diameter at breast heigh		
7				height.	. (,	
8				Sapling/Shrub - Woody plants,	axeluding vin	ac locs
9				than 3 in. DBH and greater than		
10					1.1.1	0
11				Herb – All herbaceous (non-woo of size, and woody plants less th		
12			ī			
Woody Vine Stratum (Plot size:)	116	= Total Co	ver	Woody vine – All woody vines g height.	reater man 3.	.2011 131
1						
2						
3						
đ	-			Wudzonbuzia		
5				Hydrophytic Vegetation /		
6				Present? Yes	No	
		= Total Co	ver			
Remarks. (Include photo numbers here or on a separate	sheet.)					

Sampling Point: WTP 6-1

Profile Desc	ription: (Describe	to the dep	th needed to docum	nent the in	ndicator	or confirm	n the absence	of indicators.)
Depth	Mainx			x Features			_	
(inches)	Color (moist)	%	Color (moist)	_%	Type	Loc ²	Texture	Remarks
<u>D-5</u>	104R4/2	95	7.54R4/6	5		M	_51	
3-12	104R5/2	80	7.54R4/6	20	_ <u>C</u>	M	sich	
					_		-	
	-	e —						
	0 			-				11
12 0 0							2.	
Hydric Soil I		pletion, KM	Reduced Matrix, MS	s=masked	Sand G	ains.		_=Pore Lining, M=Matrix. ators for Problematic Hydric Soils ³ :
			D ^í ark Surface	(67)				
Histosol	(AT) bipedon (A2)		Dark Surface Polyvalue Be		n (SB) (I	A) DA 147		cm Muck (A10) (MLRA 147) Coast Prairie Redox (A16)
Black Hi			Thin Dark Su				, 148)	(MLRA 147, 148)
	en Sulfide (A4)		Xoamy Gleye			147, 140)	F	Piedmont Floodplain Soils (F19)
	Layers (A5)		Z Depleted Mal		-7			(MLRA 136, 147)
_	ck (A10) (LRR N)		Redox Dark :		6)		F	Red Parent Material (TF2)
	d Below Dark Surfac	e (A11)	Depleted Dar					/ery Shallow Dark Surface (TF12)
Thick Da	ark Surface (A12)		Redox Depre	ssions (F	3)		_ 0	Other (Explain in Remarks)
Sandy M	lucky Mineral (S1) (I	LRR N,	Iron-Mangan		es (F12)	(LRR N,		
	A 147, 148)		MLRA 13					
	bleyed Matrix (S4)		Umbric Surfa					ficators of hydrophylic vegetation and
	edox (S5)		Piedmont Flo	odplain S	oils (F19) (MLRA 14		vetland hydrology must be present.
	Matrix (S6) _ayer (if observed):					_	U	inless disturbed or problematic.
Type:								,
	ches):						Hydric Soil	Present? Yes No
Remarks							Hydric Son	
Remarks								

WETLAND DETERMINATION DATA FORM - Eastern Mountains and Piedmont

Project/Site: <u>JCC/SC-J9</u> City/Co	bunty: <u>Damascus/Mont</u> , Sampling Date: <u>10-6-11</u> State: <u>MD</u> Sampling Point: <u>WTP-8-1</u>
Applicant/Owner:	State: MD Sampling Point: WTP - 8 - 1
	n, Township, Range:
Landform (hillslope, terrace, etc.): <u>Flosdplain dep (Cstars</u> Local relie	
1 1	
Subregion (LRR or MLRA): Lat:	Datum: Datum:
Soil Map Unit Name: _ Codores silt loam	NWI classification: PEM2C
Are climatic / hydrologic conditions on the site typical for this time of year? Ye	
Are Vegetation, Soil, or Hydrology significantly disturb	Ded? Are "Normal Circumstances" present? Yes No
Are Vegetation, Soil, or Hydrology naturally problema	tic? (If needed, explain any answers in Remarks.)
SUMMARY OF FINDINGS – Attach site map showing sam	pling point locations, transects, important features, etc.
Hydrophytic Vegetation Present? Yes No Hydric Soil Present? Yes No Wetland Hydrology Present? Yes No Remarks: No No	Is the Sampled Area within a Wetland? Yes <u>No</u>
HYDROLOGY	
Wetland Hydrology Indicators:	Secondary Indicators (minimum of two required)
Primary Indicators (minimum of one is required; check all that apply)	Surface Soil Cracks (B6)
Surface Water (A1) True Aquatic Plants (I	
High Water Table (A2) Hydrogen Sulfide Odd	
Saturation (A3) Oxidized Rhizosphere Water Marks (B1) Presence of Reduced	
Water Marks (B1) Presence of Reduced Sediment Deposits (B2) Recent Iron Reduction	
Drift Deposits (B3) Thin Muck Surface (C	
Algal Mat or Crust (B4) Other (Explain in Ren	
Iron Deposits (B5)	Geomorphic Position (D2)
Inundation Visible on Aerial Imagery (B7)	Shallow Aquitard (D3)
Water-Stained Leaves (B9)	Microtopographic Relief (D4)
Aquatic Fauna (B13)	FAC-Neutral Test (D5)
Field Observations:	,
Surface Water Present? Yes No Depth (inches):	<u>6</u>
Water Table Present? Yes No Depth (inches):	
Saturation Present? Yes No Depth (inches): (includes capillary fringe) Describe Recorded Data (stream gauge, monitoring well, aerial photos, pre	
Describe Recorded Data (stream gadge, monitoring weil, aenai protos, pre	vidus inspections), il available.
Remarks:	
perched hydrology	
· · · · · ·	

VEGETATION (Four Strata) – Use scientific names of plants.

Sampling Point: WTP-8-1

	Absolute		Indicator	Dominance Test worksheet:	
Tree Stratum (Plot size:)	% Cover			Number of Dominant Species	
1				That Are OBL, FACW, or FAC:	(A)
2				Total Number of Dominant 2	
3				Species Across All Strata:	(B)
4				Percent of Dominant Species	
5					(A/B)
6					<u> </u>
7				Prevalence Index worksheet:	
8				Total % Cover of: Multiply by:	- 1
				OBL species x 1 =	.
Sapling/Shrub Stratum (Plot size:)		i otar oo	*01	FACW species x 2 =	.
1				FAC species x 3 =	_
2				FACU species x 4 =	
				UPL species x 5 =	
3				Column Totals: (A)	
4					_ (D)
5				Prevalence Index = B/A =	
6				Hydrophytic Vegetation Indicators:	
7					
8				2 - Dominance Test is >50%	
9					
10				3 - Prevalence Index is ≤3.0 ¹	
		= Total Co		4 - Morphological Adaptations ¹ (Provide supp data in Remarks or on a separate sheet)	orting
Herb Stratum (Plot size:)	15	Y	FACW	Problematic Hydrophytic Vegetation ¹ (Explain	ו)
1. Polygonum perskana	15				-
2. Echinochloa municata	- 15	7	FACW	¹ Indicators of hydric soil and wetland hydrology m	ust
3. Leevia oryzoides	10		OBL	be present, unless disturbed or problematic.	451
4. Polygonum punctation	7		FACW	Definitions of Four Vegetation Strata:	
5. Juncars effusus	2		FACW		
6. Fraxinus pennsielvanica	2		FACW	Tree – Woody plants, excluding vines, 3 in. (7.6 c	
7. Schedonomis pratensis	\$		FACU	more in diameter at breast height (DBH), regardle height.	ess of
				neight.	
				Sapling/Shrub - Woody plants, excluding vines,	
9				than 3 in. DBH and greater than 3.28 ft (1 m) tall.	
10				Herb – All herbaceous (non-woody) plants, regard	dless
11				of size, and woody plants less than 3.28 ft tall.	
12					e .
	_59	= Total Co	ver	Woody vine – All woody vines greater than 3.28 height.	ft in
Woody Vine Stratum (Plot size:)					
1					
2					
3					
4					
5				Hydrophytic	
				Vegetation Present? Yes No	
6		= Total Co			
Remarks: (Include photo numbers here or on a separate	sheet.)				
	,				

SOIL

	ription: (Describe	to the dept				or confirm	the absence	e of indicators.)
Depth (inches)	Matrix Color (moist)	%	Redo Color (moist)	x Features	_Type ¹ _	Loc ²	Texture	Remarks
<u>(inches)</u> () - 4	104R4/2	95	104R4/6	%		<u></u> M	Si	
11 12	104R5/6		10110110			<u> </u>		11/ coarse fragments
4-12	107K6/6							INT COURSE TRADITIONS
		· ·						
		·						
		· ·						
		· ·						
							-	
	ncentration, D=Dep	letion, RM=	Reduced Matrix, M	S=Masked	Sand Gr	ains.		PL=Pore Lining, M=Matrix.
Hydric Soil I								cators for Problematic Hydric Soils ³ :
Histosol			Dark Surface					2 cm Muck (A10) (MLRA 147)
Black His	ipedon (A2)		Polyvalue Be Thin Dark Se				148)	Coast Prairie Redox (A16) (MLRA 147, 148)
	n Sulfide (A4)		Loamy Gley			147, 140)		Piedmont Floodplain Soils (F19)
	Layers (A5)		Depleted Ma		,			(MLRA 136, 147)
	ck (A10) (LRR N)		Redox Dark					Red Parent Material (TF2)
	Below Dark Surfac	e (A11)	Depleted Da					Very Shallow Dark Surface (TF12)
	rk Surface (A12) ucky Mineral (S1) (I		Redox Depr					Other (Explain in Remarks)
	147, 148)	LKK N,	Iron-Mangar MLRA 13		85 (F12) (LKK N,		
	leyed Matrix (S4)		Umbric Surf	,	MLRA 13	6, 122)	³ In	dicators of hydrophytic vegetation and
	edox (S5)		Piedmont FI					wetland hydrology must be present,
	Matrix (S6)				-			unless disturbed or problematic.
	ayer (if observed)	:						
Туре:								
	hes):						Hydric So	il Present? Yes No
Remarks:								

Attachment 8 New England Functional Assessment Form

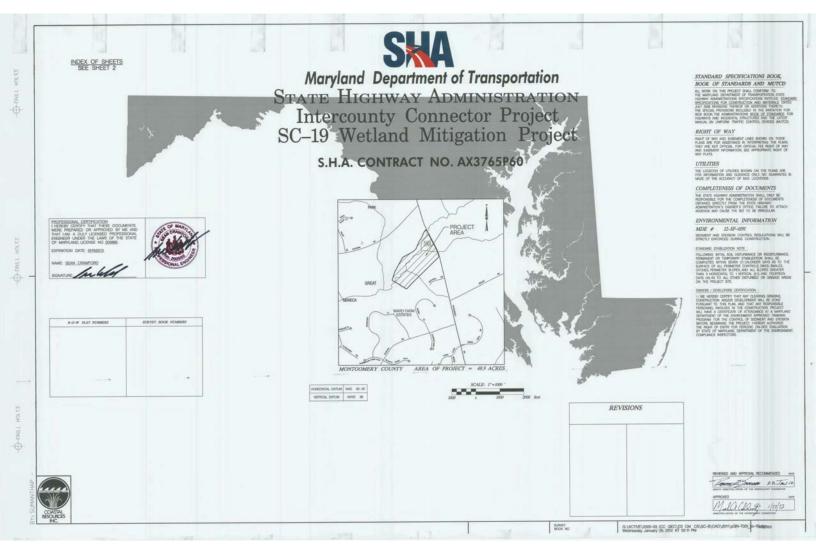
Wetland Function-Value Evaluation Form

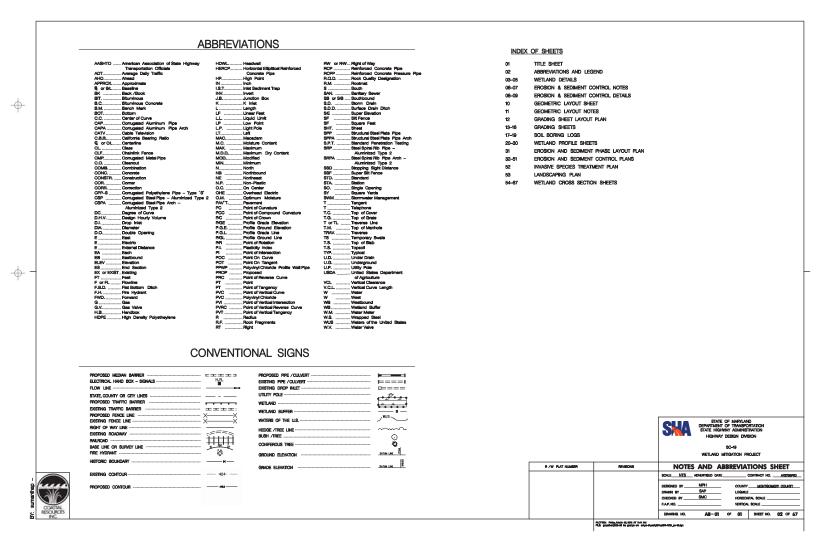
Total area of wetland Human made?	0		Viz	Wetland I.D. <u>2-19 - 1</u>
Total area of wetland Human made? //	<u></u> Is w	wetland part of a wildlife corridor?	100	LanudeLongitude
Adjacent land use Residential ab	or other development < 20 Prepared by: DR3. DR Date 29 Sept. 2DI			
Dominant wetland systems present \underline{PFO}		Contiguous undevelop	and have	Wetland Impact:
bommant wetrand systems present		Conliguous undevelop	ed bui	affer zone present Yes Type Area
Is the wetland a separate hydraulic system? N_0	2	If not, where does the wetland lie is	a the dr	drainage basin? Middle Evaluation based on:
How many tributaries contribute to the wetland?	D	Wildlife & vegetation diversity	/abund	odance (see attached list)
	- <u>-</u>			Corps manual wetland delineation completed? Y V N
	Suitab	oility Rationale	Princi	cipal
Function/Value	Y		Funct	ction(s)/Value(s) Comments
Groundwater Recharge/Discharge	1	5,7,9,10,13,15,		While body not meet criteria. First in proced & water Throug Light well.
Floodflow Alteration	1	1,2,3,5,6,7,8,9,13, 14,1	5,	Discharge present Niching serviced proved & wales throughout well. While bads not meet criteria, Function Occ. 153 while well occurs along objes of floodflain, its large size and relatively flat slope provide opport unity.
Fish and Shellfish Habitat	\checkmark	2,4,8,9,10,12,14,15,16,17		small fish objerved
Sediment/Toxicant Retention	\checkmark	2,3,4,7,8,9,10,11,13,14,15,	1	/ Devise soot mats, dense herbeccous Ver, and Dense woody de Vis; no opportunity, but it sediment, could fig. Futilizerand septic leakage possible
Nutrient Removal	\checkmark	1,3,4,5,7,8,9,11,12,13,14	1/	
I Production Export	\checkmark	1,2,3,4,5,8,10,12,13,	\checkmark	/ Rivolets transport Detritus to the aquatic system down- strum, vigetation provides Food sources to insects, birds, biddivert.
Sediment/Shoreline Stabilization	\checkmark	2,3,5,6,8,9,12,13,14,15		
🖢 Wildlife Habitat	\checkmark	1,3,4,5,6,7,8,9,10,13,14, 15,17,18,19,21,	1	Some minor human de b.Fis. some FIDS Species present, sed EDX, der, blades
- Recreation	1	4,5,7,11,		
🚝 Educational/Scientific Value	V	1 2,3,4,5,10,11,17;		
Uniqueness/Heritage	\checkmark	4,6,7,11,12,13,1+,15,16,17	1	Energent seef wetten) contains white totle lease energy contain Baltimose checkessot witherflies. This system
<づ Visual Quality/Aesthetics		1,3,4,6,7,8,11,12		is tikely one of the blot representations of its kind
ES Endangered Species Habitat	~	/		by M-NCPPC.
Other				

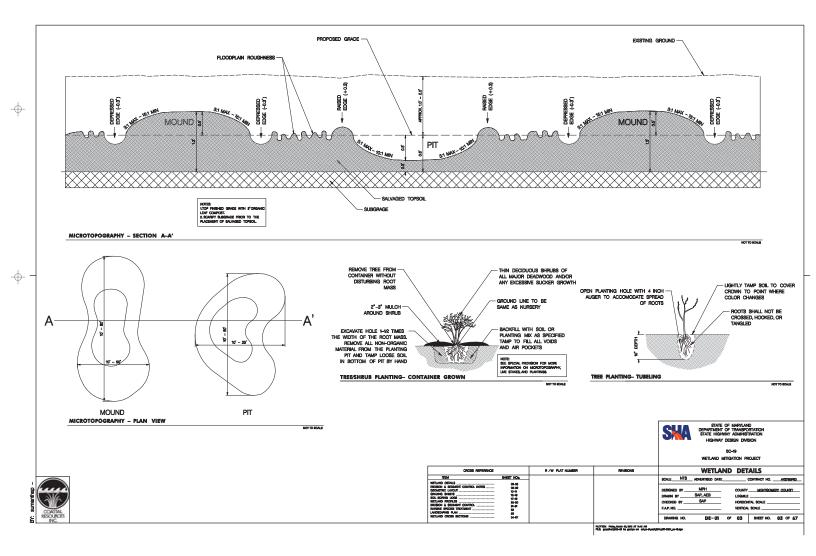
Notes:

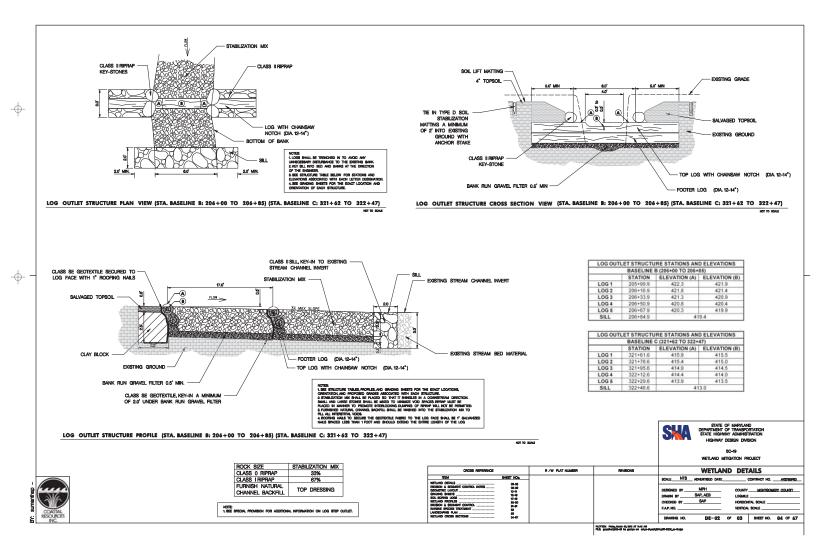
*Refer to backup list of numbered considerations.

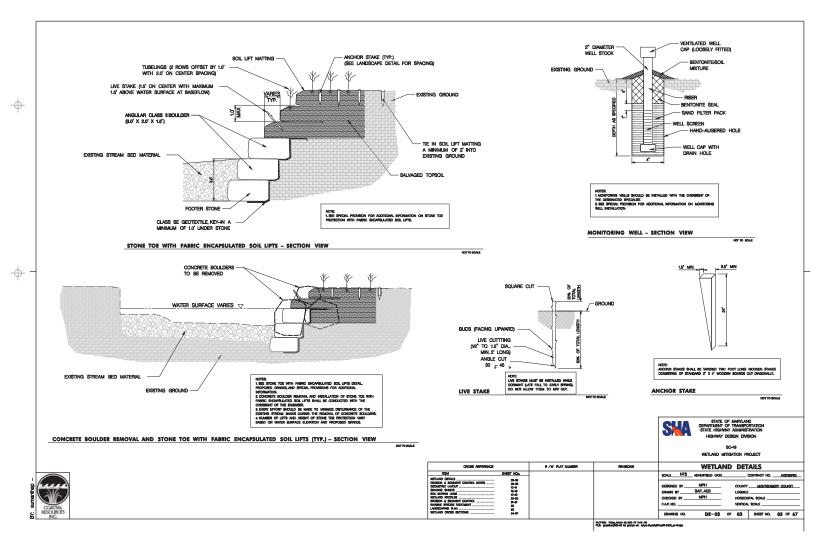
APPENDIX B.1 – SC-19 2013 WETLAND CREATION SITE PLANS











EROSION AND SEDIMENT CONTROL - GENERAL NOTES

1. MDE NOTIFICATION

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2. STANDARDS AND SPECIFICATIONS

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3. INGRESS / EGRESS CONTROLS PROTECT ALL POINTS OF CONTINUCTION INSPEED AND SIMILES TO PREVENT THE DEPOSITION OF MINITIPALE ON FUSICE ADDRS. INCOMPOSITIVE READER OF ADDRS STREET ON FUSICE FORCE MILITATION FE FLUIDING OF FORCE DEPOSITE ON FUSICE FORCE

TIPICALLY, CONTROL ALL NUREES AND EXPERIS POINTS THROUGH THE USE OF A "STANLET'S CONTROL ON ENVIRON".

4. INSPECTION INSPECT DALY ALL EXCERN AND SEDMENT CONTROL MEASURES AND MAINTAIN CONTINUOUSLY IN AN EFFECTIVE CREMATING CONDITION

5. SHUTDOWNS AND OR PENALTIES

TOTAL COMPLANCE WITH THE APPROVED EROSON AND SEDMENT CONTROL FRAM IS EXPECTED AT ALL TIMES IN CASES WHERE THE CONTROL TOTAL IS FORM TO BE IN KON-COMPLANCE SHA MAY THRE STIPPS TO AMPOSE BELIACIED OR TOTAL SHATCOMME AND IMPOSE LODIOXED DWARDE FOR NON-COMPLANCE.

THE DISTRICT ENGINEER OW IMPOSE A TOTAL OF PARTIAL SHUTDOWN # THE PROJECT MAY ADVERSELY IMPACT THE WAITING OF THE STATE.

6. RECORD KEEPING

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7. DEWATERING PRACTICES DEWATENNA PRACTICLE ANE CONSIDERED TO BE ELECTIVE IN NATURE LODGE AND ORENATE EXEMPTIENES PRACTICES IN A MAR TWAT DOES NOT DISCHARDE SEDMENT INTO ANY WATENNES. OD USBLE OWARDS TO STREAM CLARTY ARE PERMITED. 8. EROSION AND SEDIMENT CONTROL EXCAVATION PLACE SUT REMOVED FROM CONTROL DEVICES IN AN APPROVED INV SITE ETHEN ON ON ON THE INCLUCT MATERIAL BIORED ON SITE MAY BE RELIED DACE IT IS DIRED AND IT MEETS INV. RECURRENTS FOR EMMANANT ON ANY UNSERTISTIC NEED.

9. OFF-SITE UTILITY WORK FOLLOW THESE ADDITIONAL BEST MANAGEMENT SEDMEN CONTROL PRACTICES FOR UTLITY CONSTRUCTION IN MEAN OUTSIDE OF DESIGNED CONTROLS.

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10. SENSITIVE AREAS

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11. STANDARD STABILIZATION NOTE FOLIDING NITA, SOL DELYBARCE OR REDITINISACE, COMPLETE REMARKING OR TRANSVERT STABLIDTON KITHAL THEO DISLIDIAND ORD TAS TO THE SUPPORT OF ALL ITHRETER CORRIDAL DISLI, INVESTIGATES, FORMETIR BLORE, HICH ALL DISLIDIAN DISL, TO ALL OTHER, DISLIDIAN, HICH ALL DISLIDIAN DISLIDIANES, DISLIDIANES, DISLIDIANES DISLIDIANES STR.

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13. INCREMENTAL STABILIZATION REFER TO THE CLEWENT WARFLAND STANDARDS AND SPECIFICATIONS FOR SOL DROSON AND SEDMENT CONTROL FOR THE INCREMENTAL STABILITATION OF OLT AND FILLS.

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14. MODIFICATIONS BUBINT INCORRECTIONS TO THE ERCEICH AND SEDMENT CONTRY TO SHIR FOR APPROVIL AND SUBMESION TO MOR OPTION ALL APPROVILS FROM SHIR AND MOR PRIOR TO IMPLEMENTING ANY

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E RECEPT ANY NOMEDAL WETLANDS, NETLAND RUFFERS, INVERTIGATS, OR 105-1534 RUDOPLAN TEMPONARY MARCTED BY ANY CONSTRUCTION

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COUNTY MONTGOMETY COUNTY

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1. The contractor shall notify inde at 410-887-8810 at least seven (7) days Before any labo disturbing activity and hold a pre-construction meeting Between project representatives. 2.LOC.LOP.LOW, ACCESS FOURE, AND STAMING AREAS SHALL BE STAND AND REVENDED IN THE FIELD WITH THE SIGNEEN PRIOR TO CONSTRUCTION TO ALLOW FOR ADJUSTMENTS, ANY ADJUSTMENT MUST BE AVAILABLE AND MOR FROM TO CONSTRUCTION.

SC-10 SEQUENCE OF CONSTRUCTION:

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4 NO TREES GREATER THAN 5 INCH DEH SHALL BE REMOVED WITHOUT PRIOR APPROVAL FROM THE ENGINEER.

5. WHEN PLAP AROUND PRACTICES AND CLEAR WATER DIVERSION PARS ARE UTLEED, THE EVACT LOCATION OF THE PARS AND PLITER AND MAY BE INCORED IN THE RELD SASED ON DUSTING CONDITIONS. ANY ADJUSTMENTS MUST BE APPROVED IN THE FRAINARE AND INFE

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& ENOSION AND SEDMENT CONTROLS SHALL NOT BE REMOVED WITHOUT WRITTEN APPROVAL FROM NOE AND ADREEMENT OF THE ENGINEER.

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PHABE 3

SC-19 WORK AREA: BASELINE C

PHABE 3

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PHASE 5

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EROSION & SEDIMENT CONTROL NOTES

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PHABE 5

SC-19 WORK AREA: BASELINE B PHASE 1

PHAGE 2

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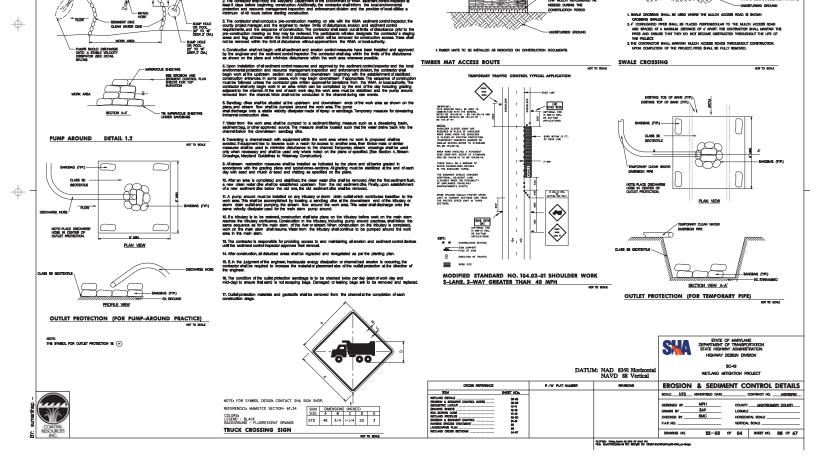
PHASE 5

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PHASE 4



16' - 24' TYP.

OR WELDED WIRE FENCE AS DIRECTED BY THE ENGINEER

4" MIN. THICK 2-PLY TIMBER CONSTRUCT MAT OR EQUIVALENT 18' - 24' TYP.

-4° 00 (T/P) - 6" MIN. THICK 3-FLY TIMBER CONSTRUCTION MAT OR EQUIVALENT

MIN. THICK LAYER O

MGWC 1.2: PUMP-AROUND PRACTICE

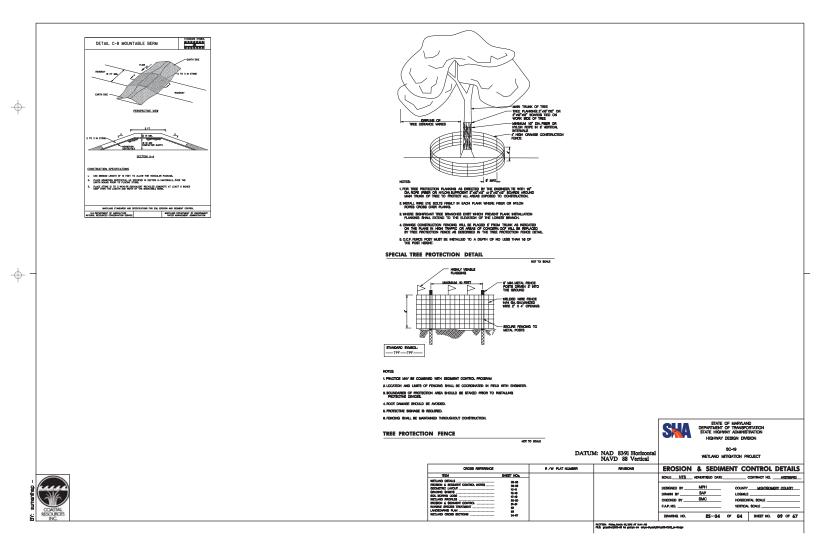
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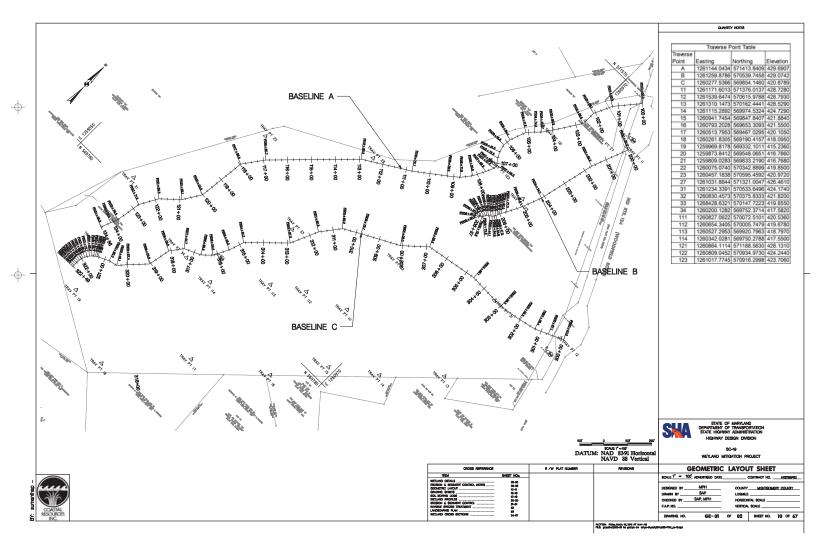
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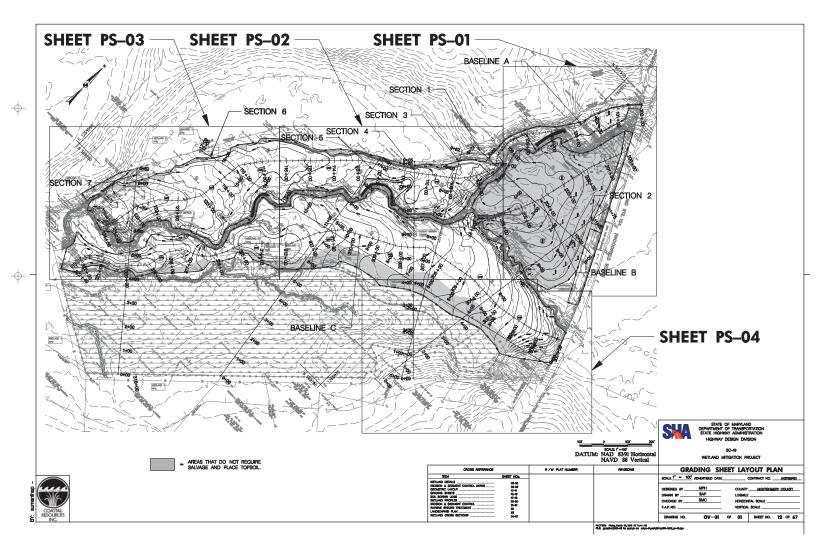
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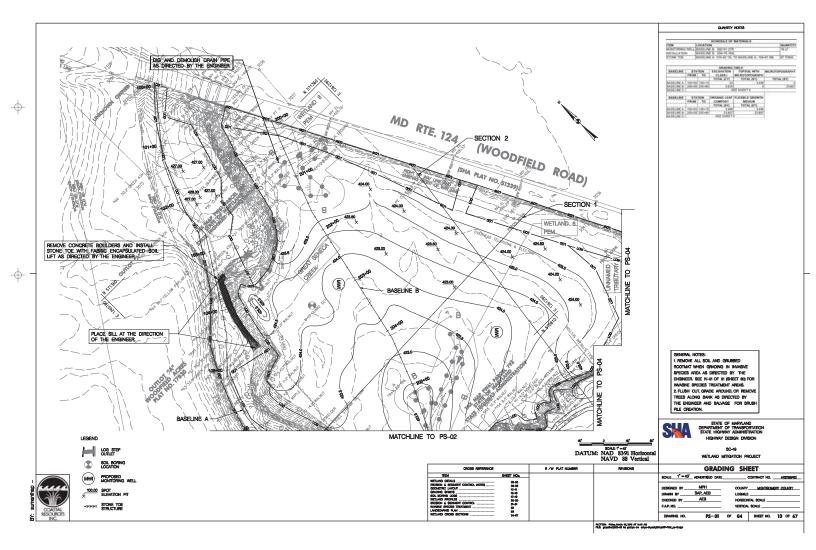
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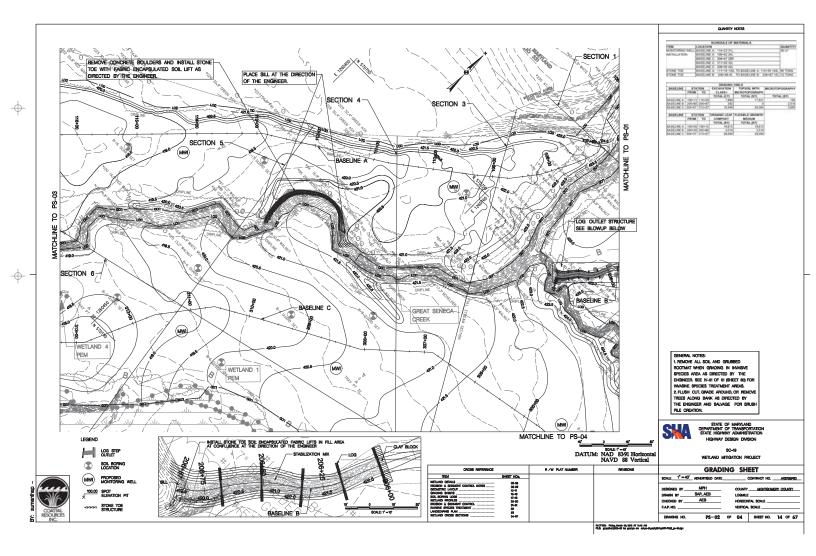


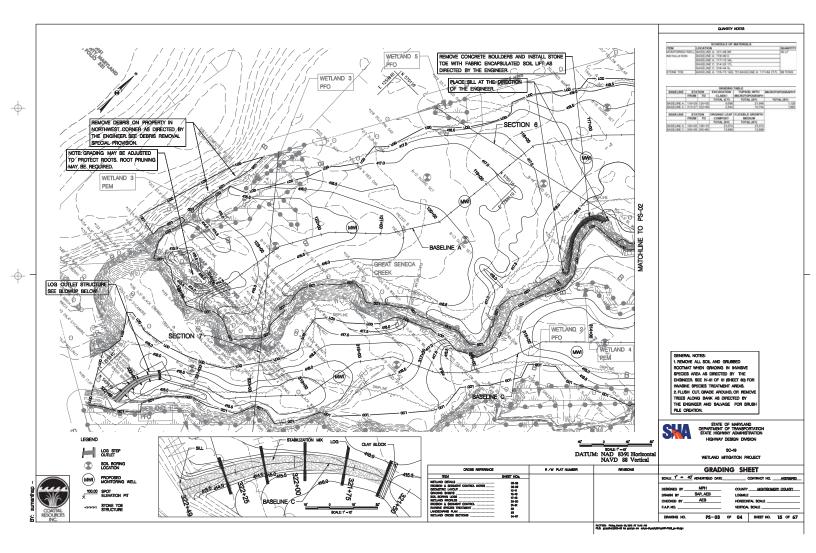


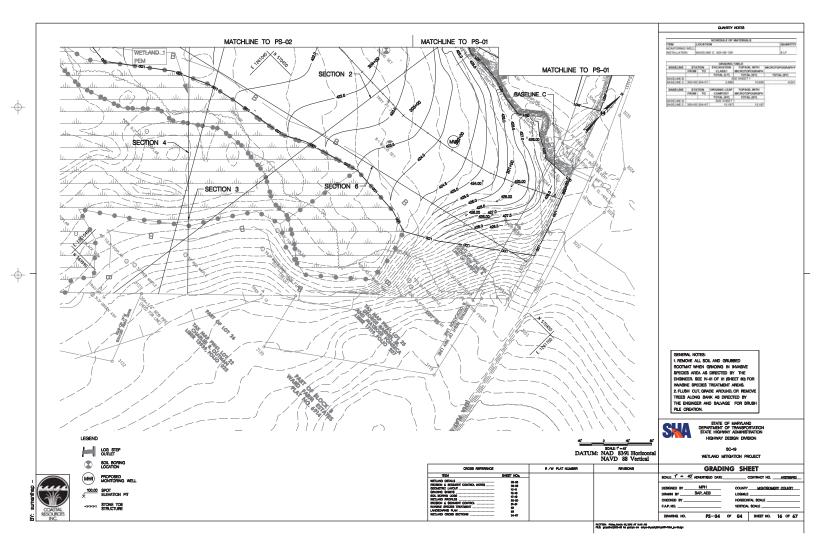
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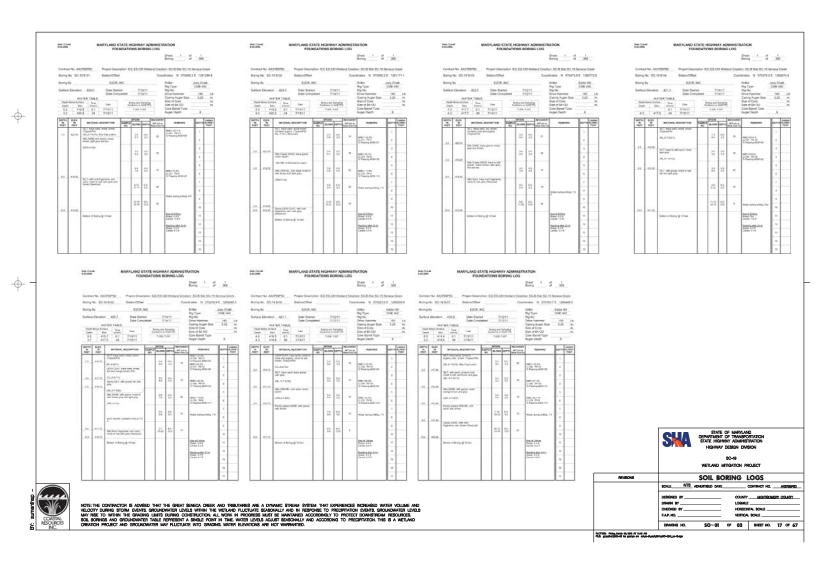






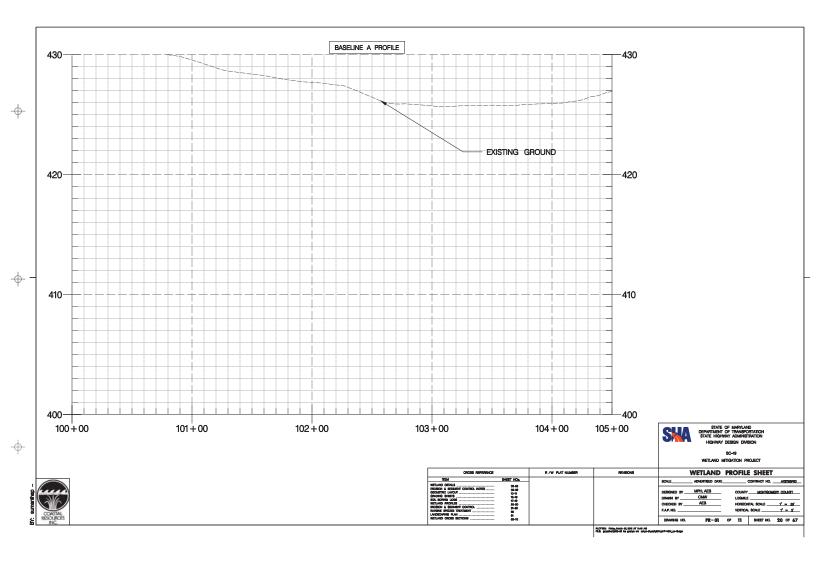


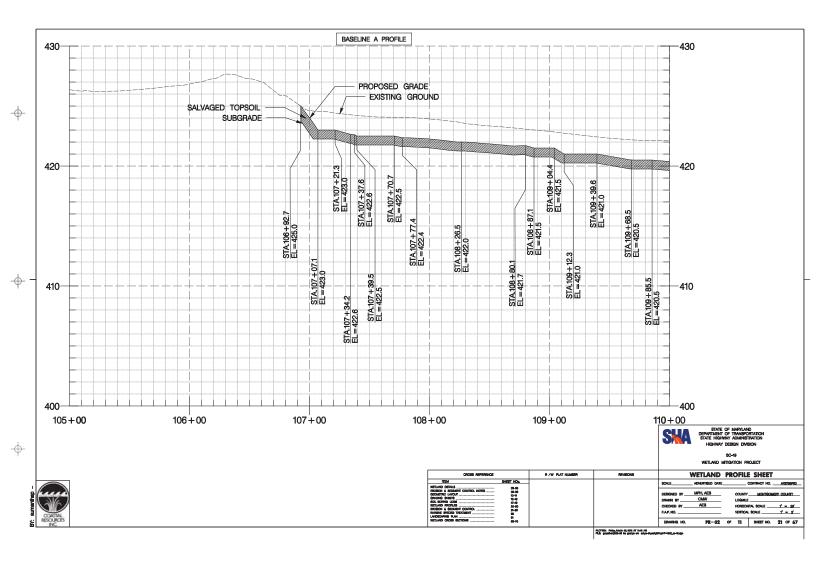


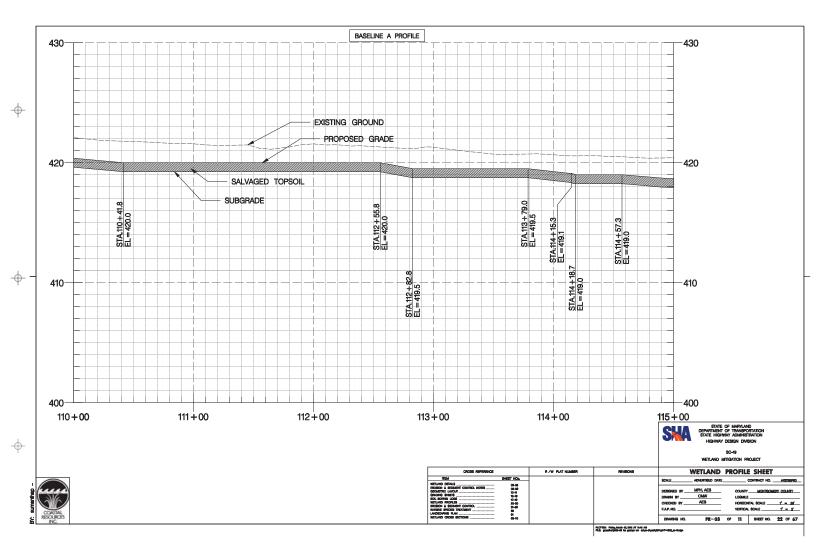


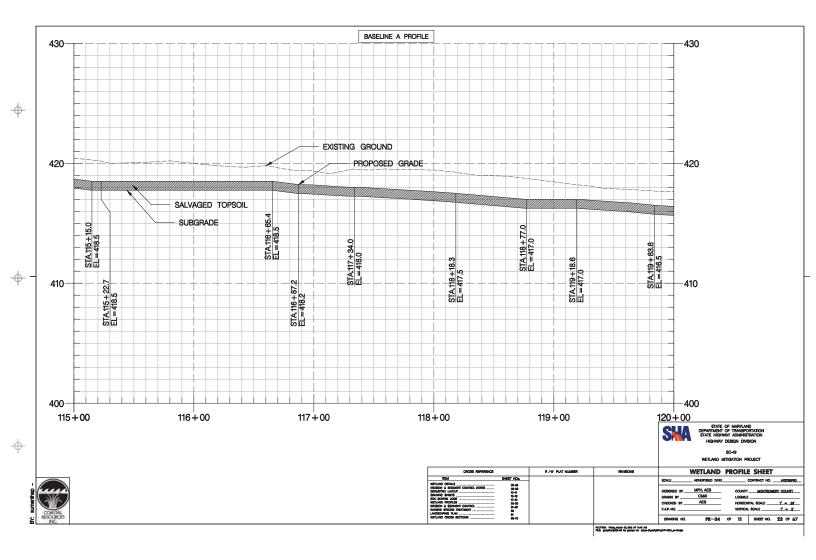
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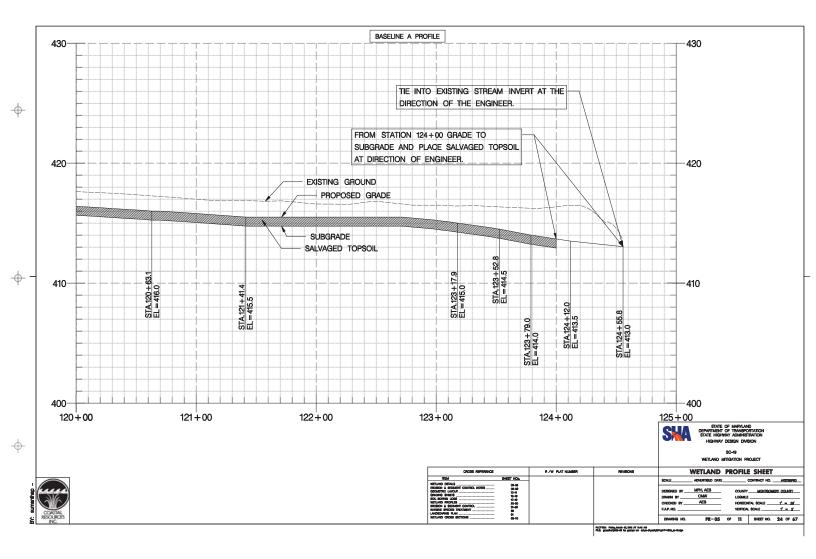
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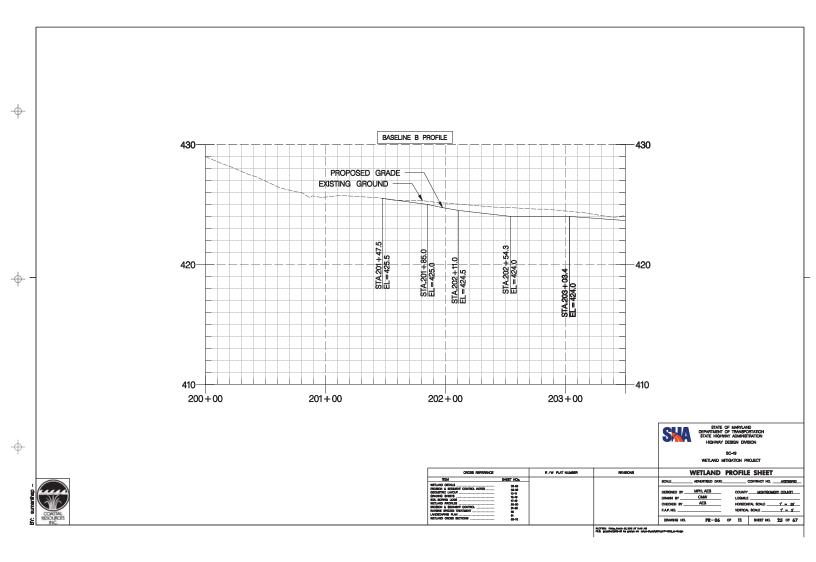


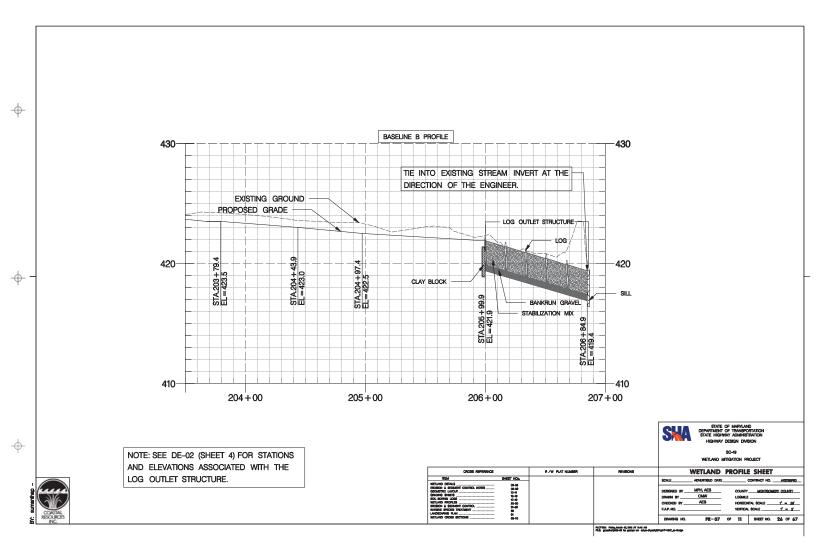


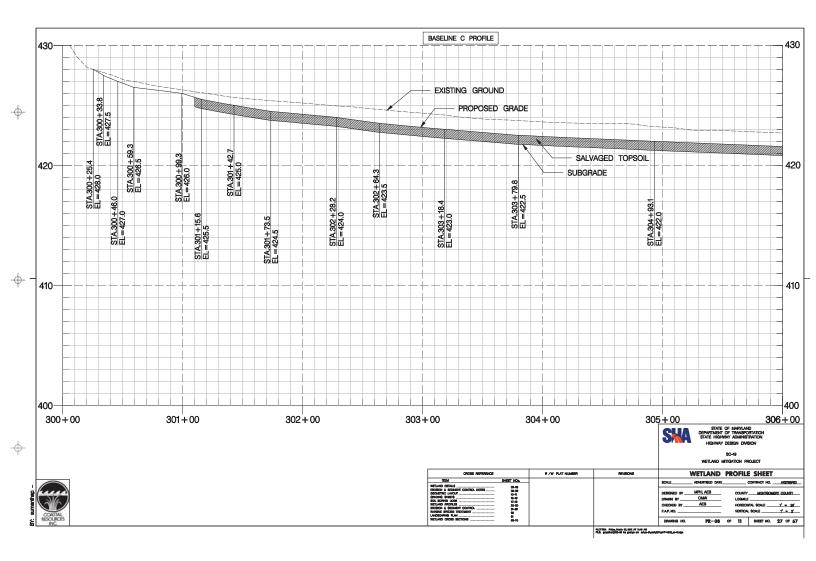


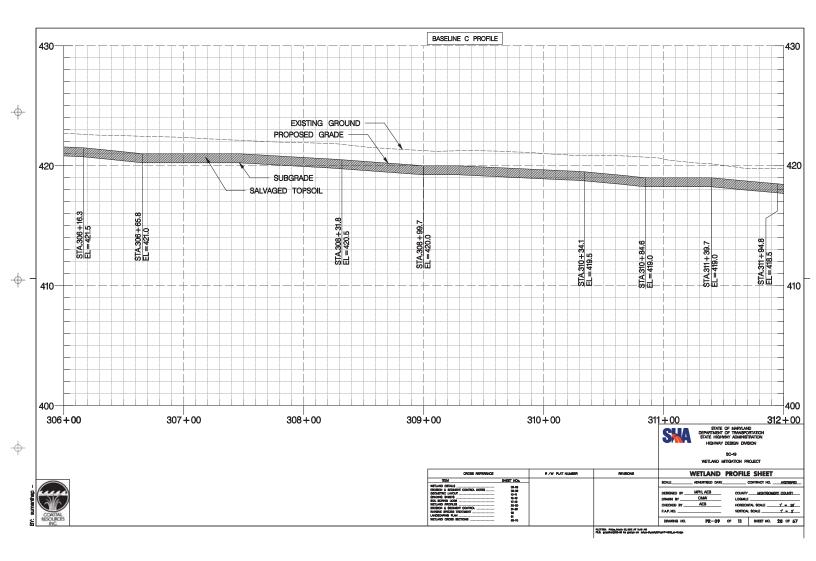


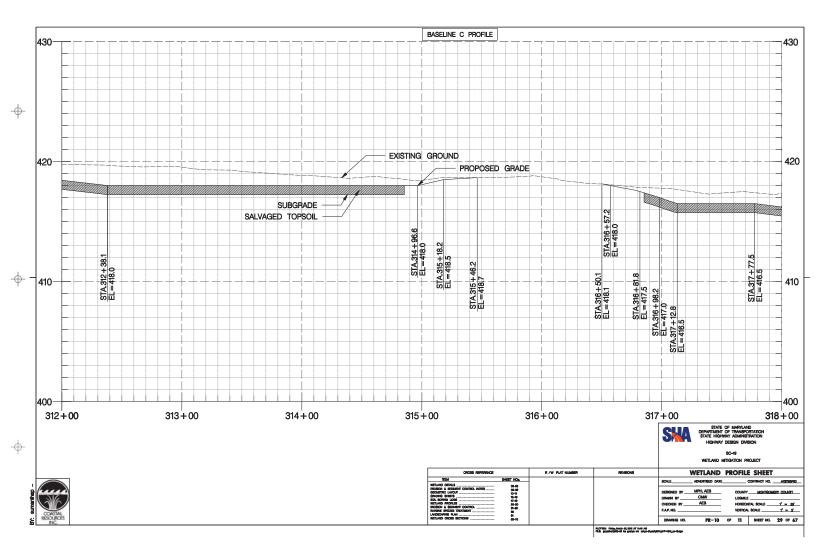


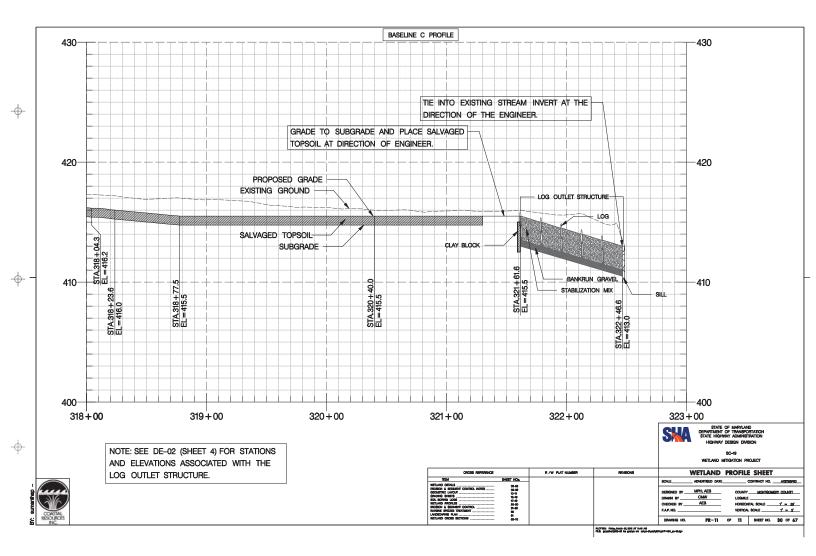


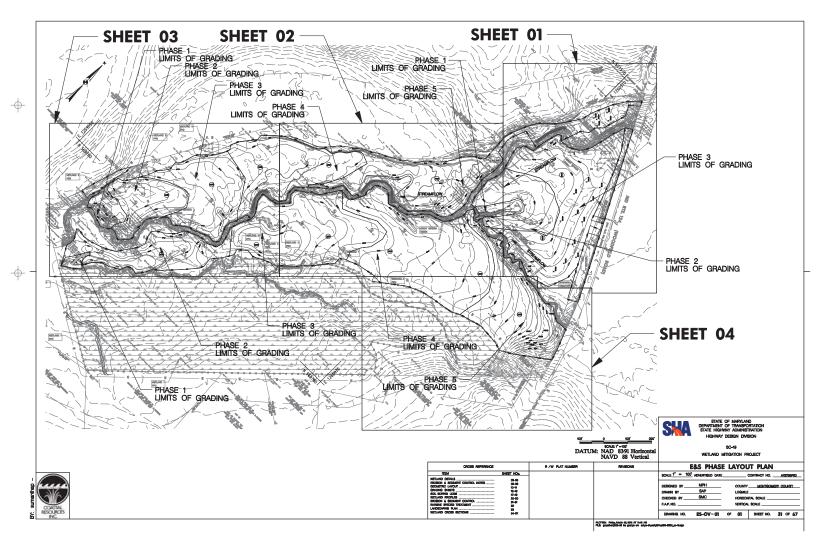


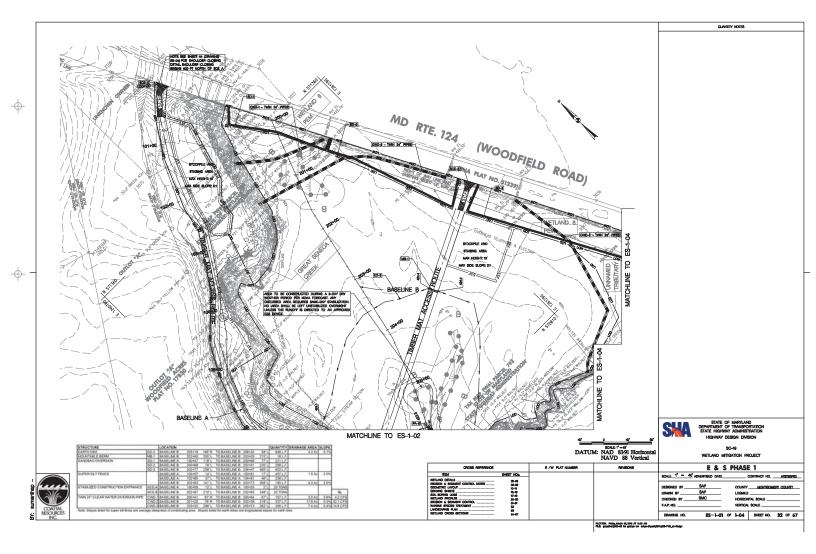


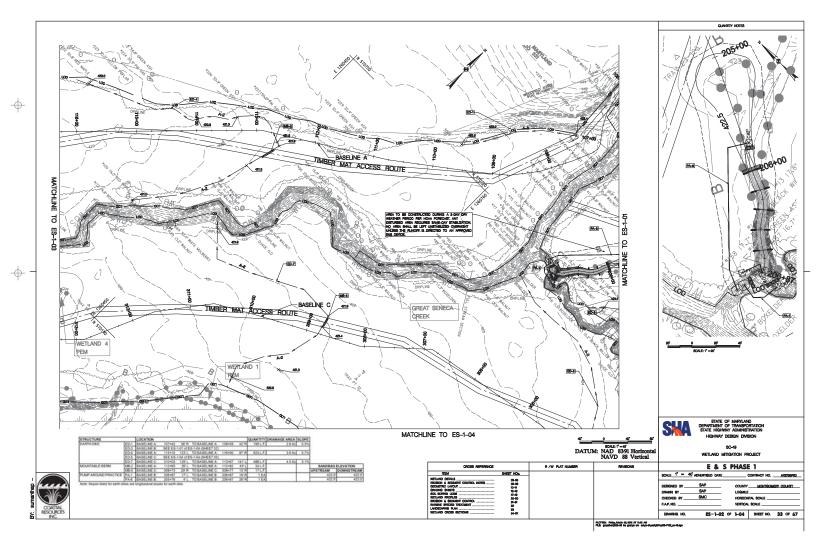


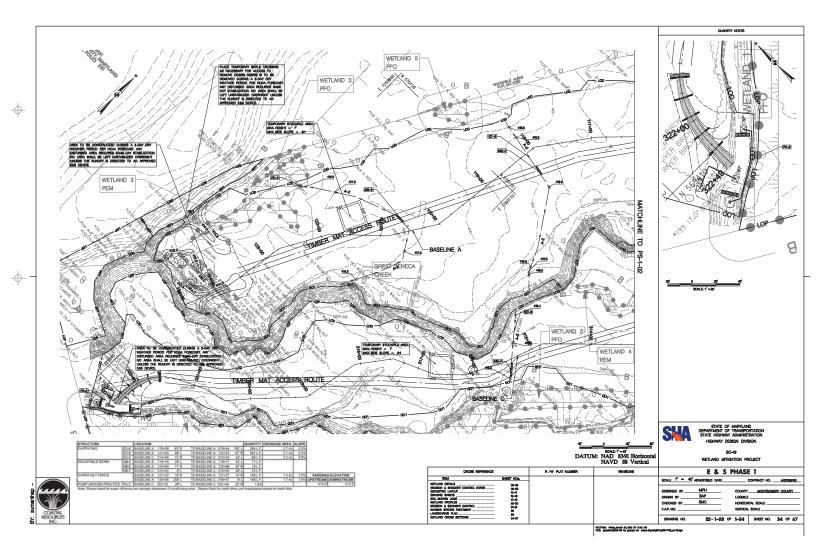


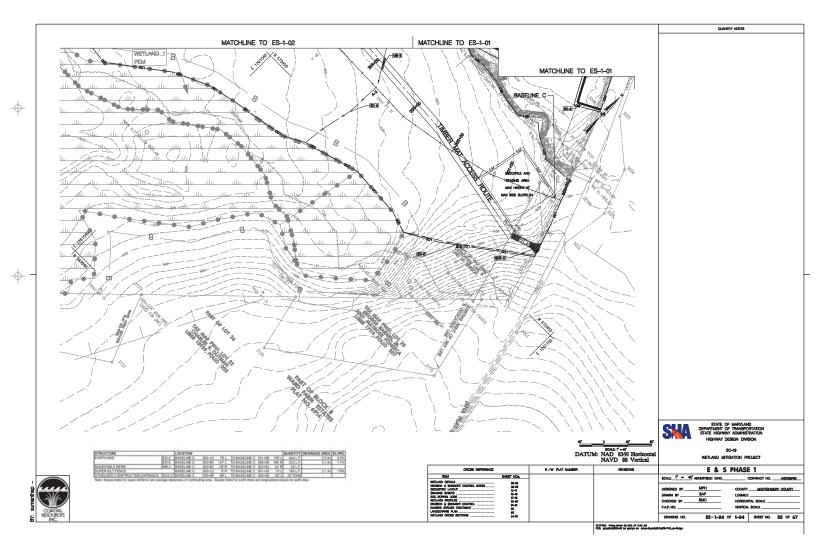


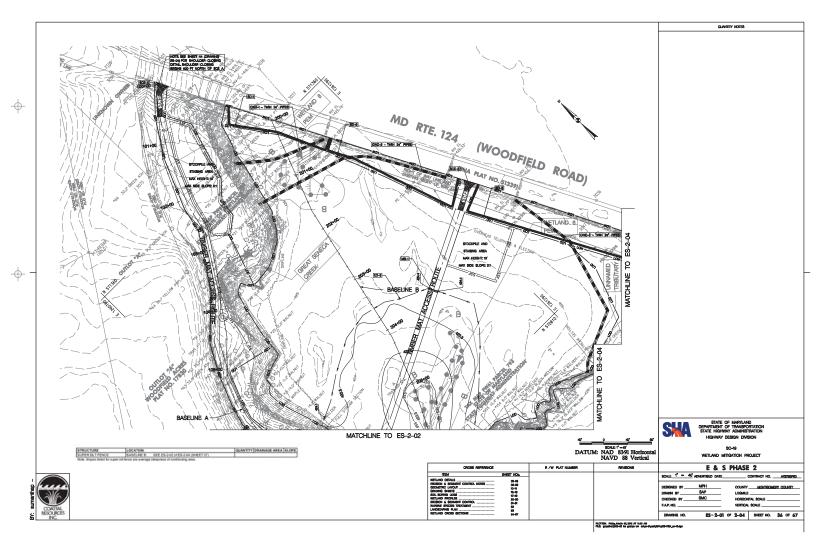


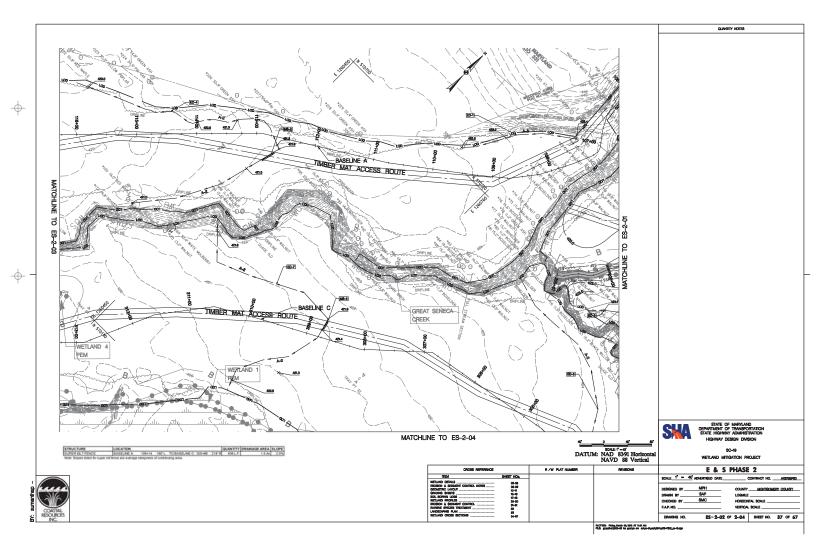


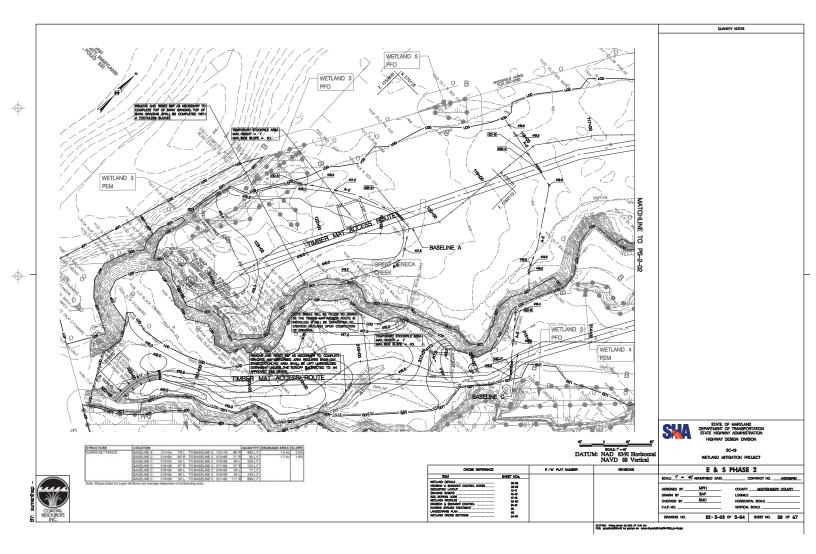


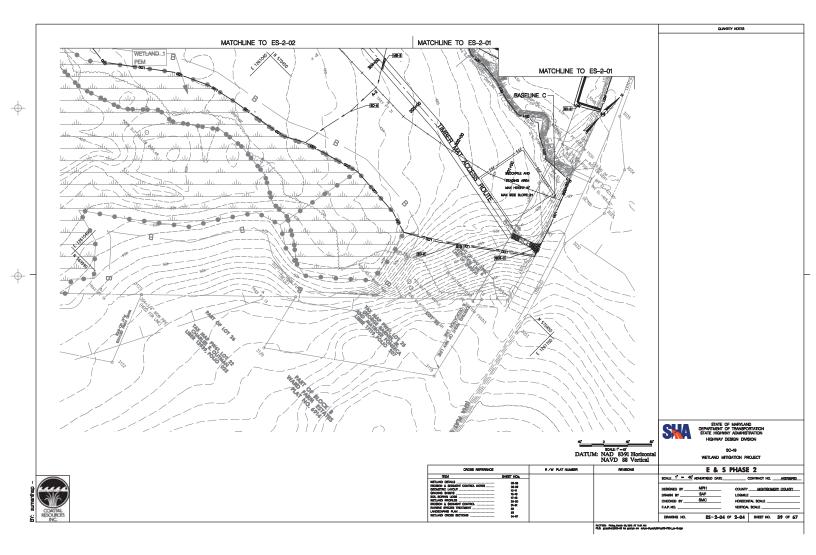


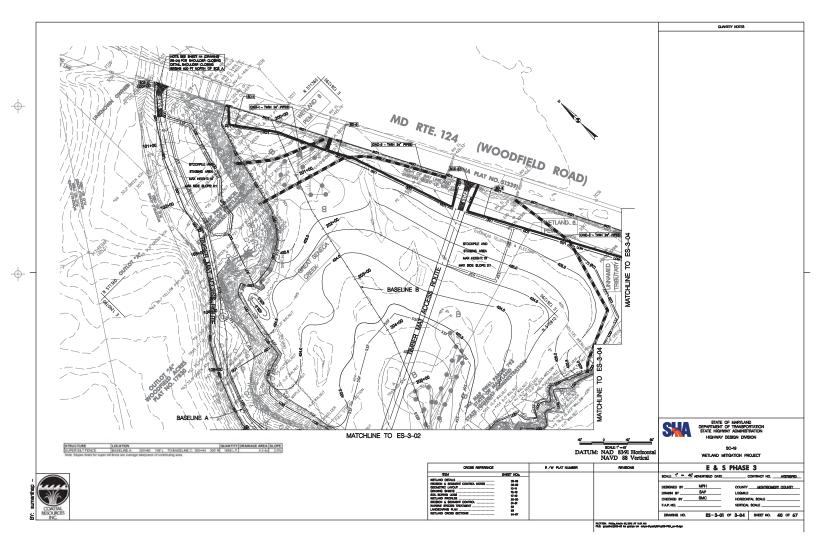


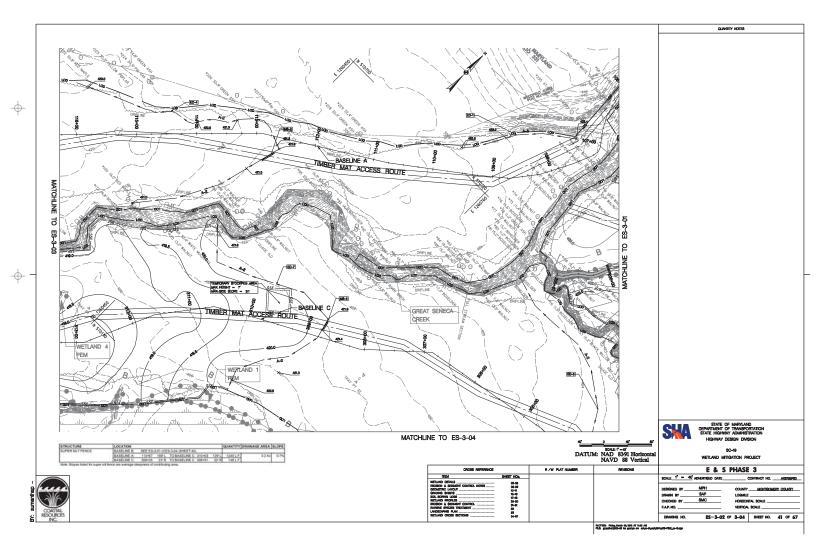


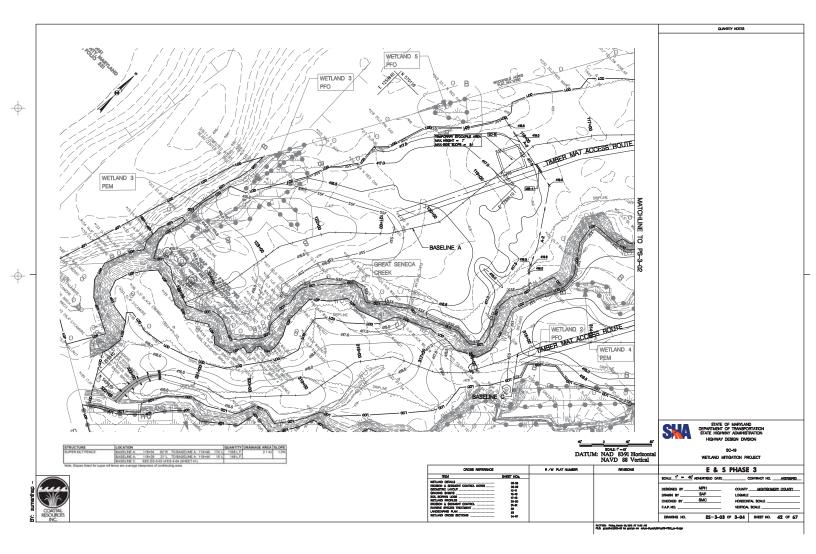


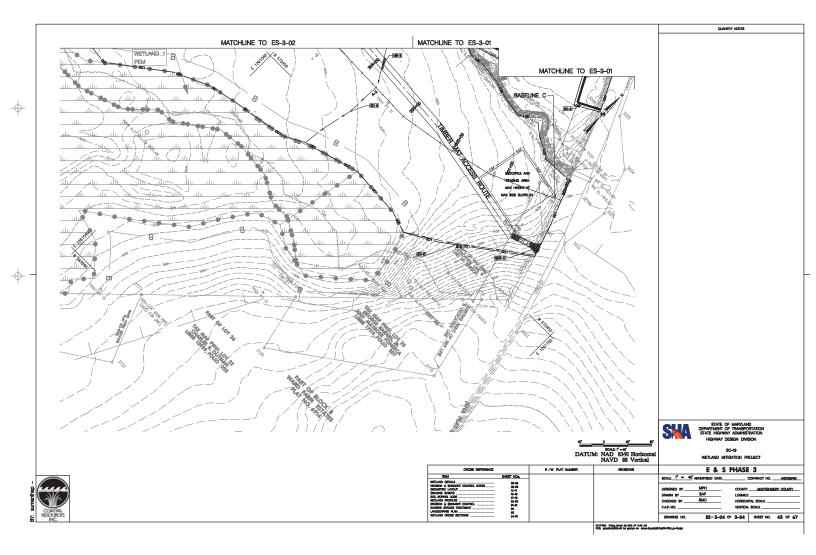


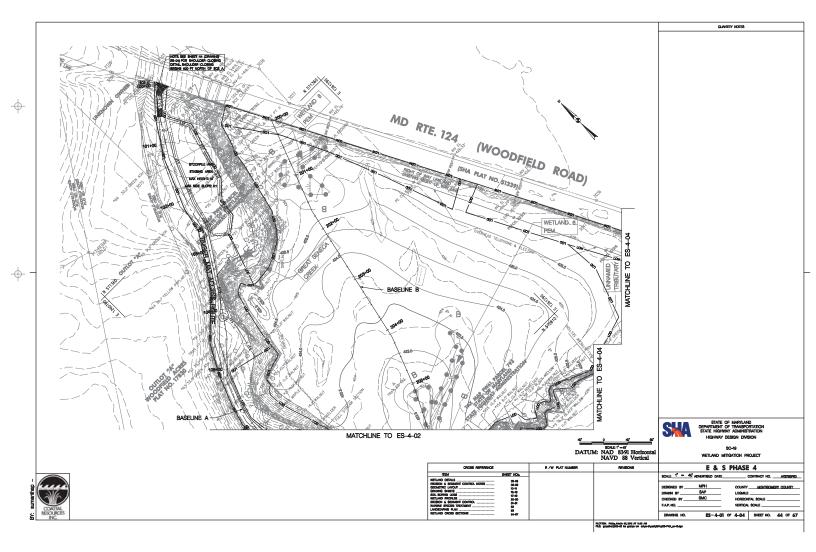


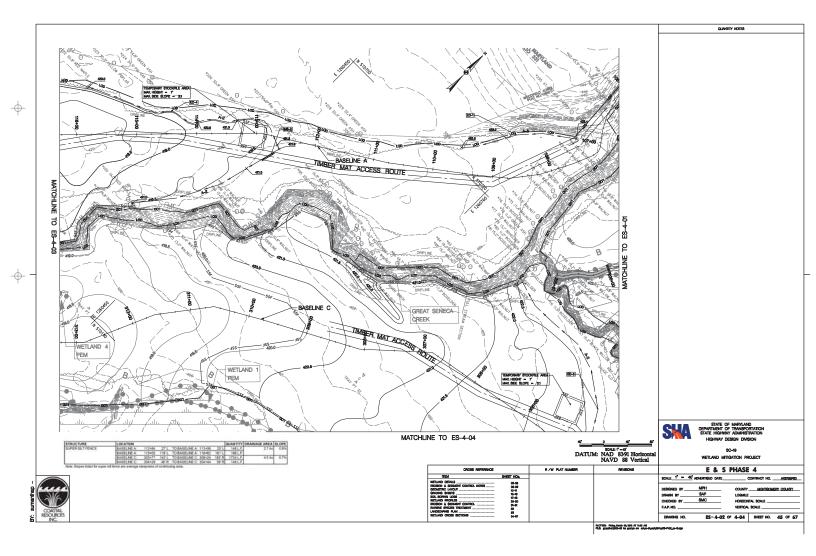


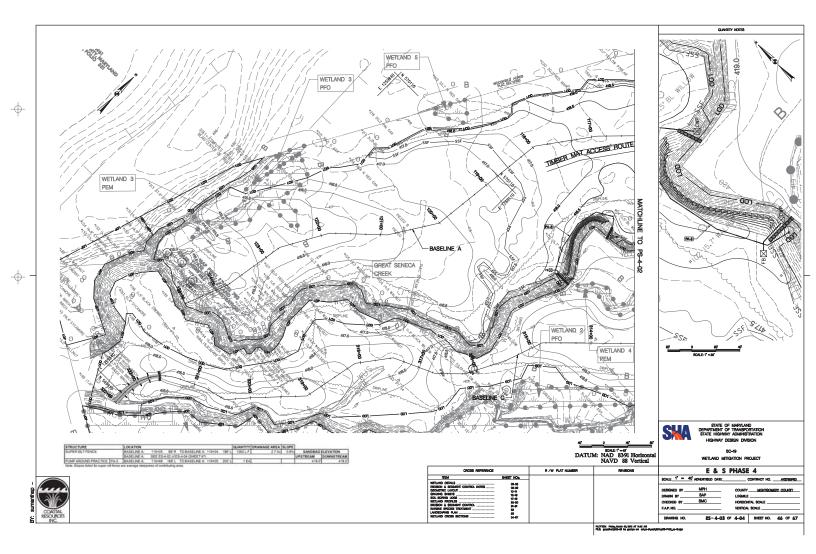


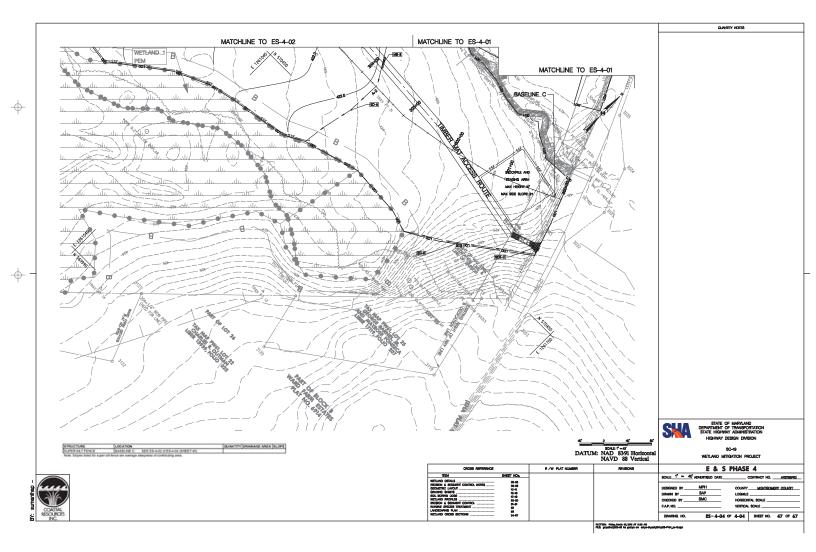


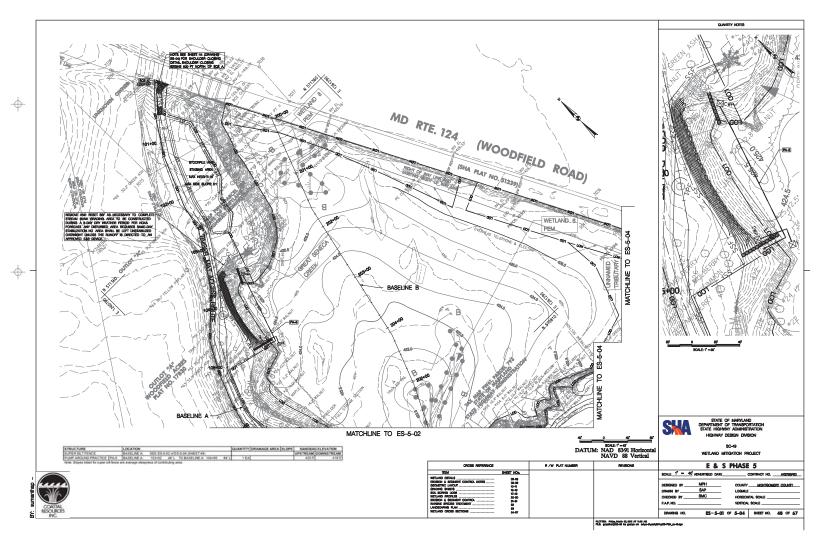


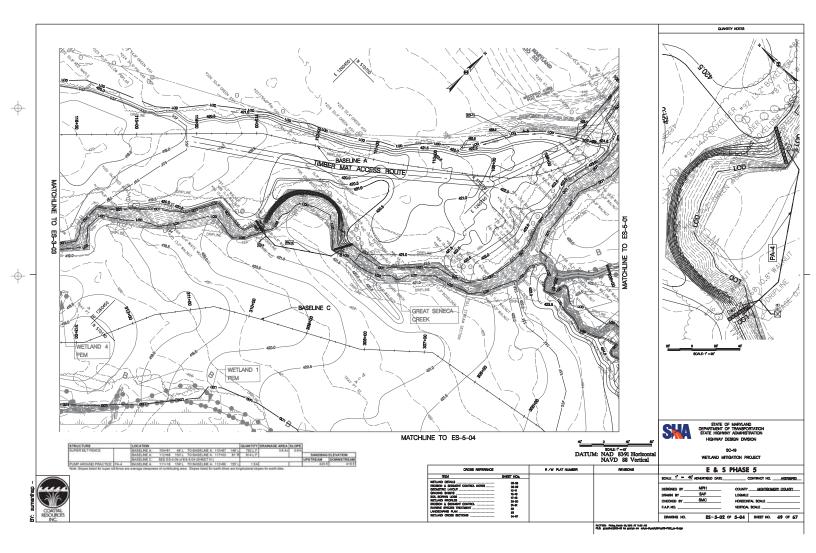


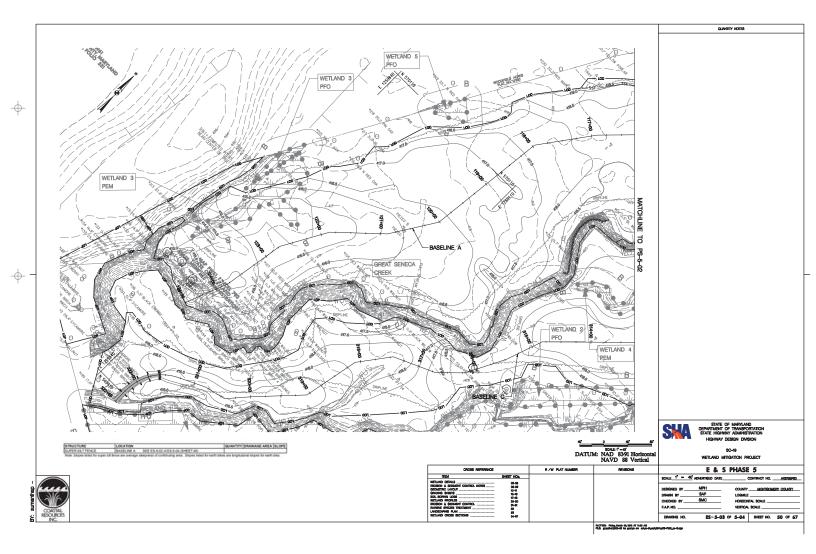


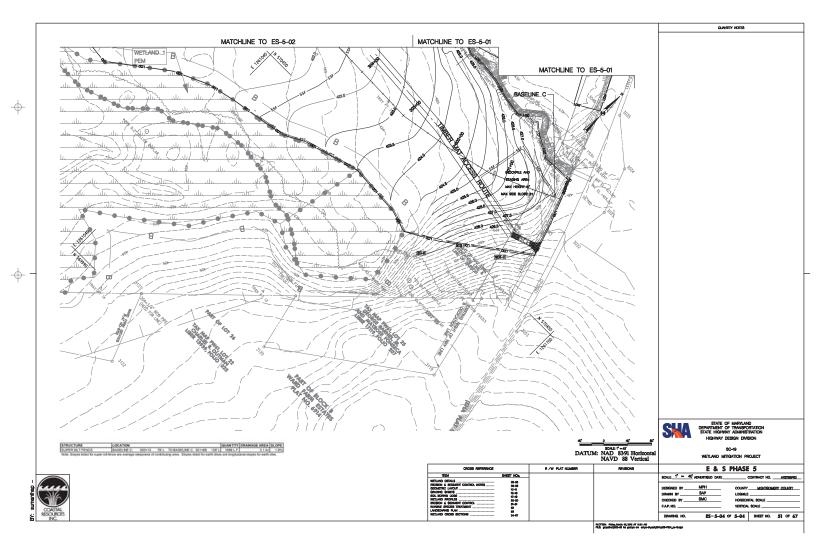


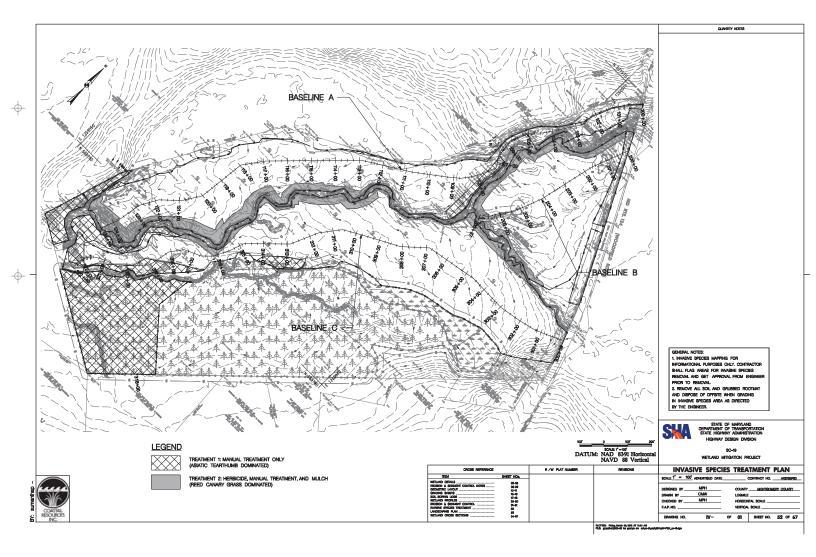


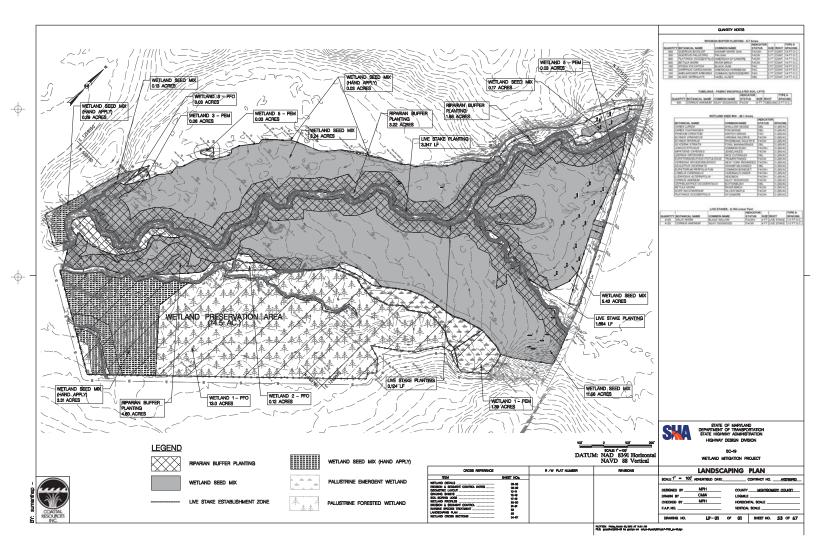


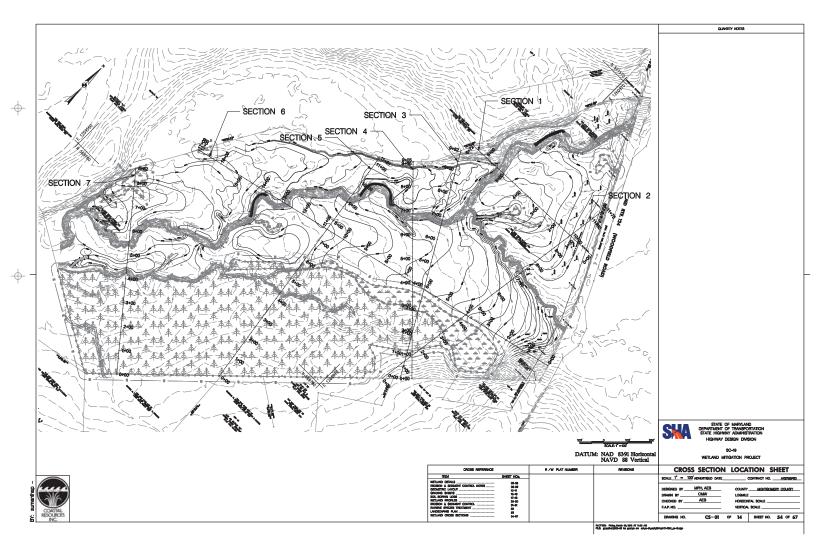


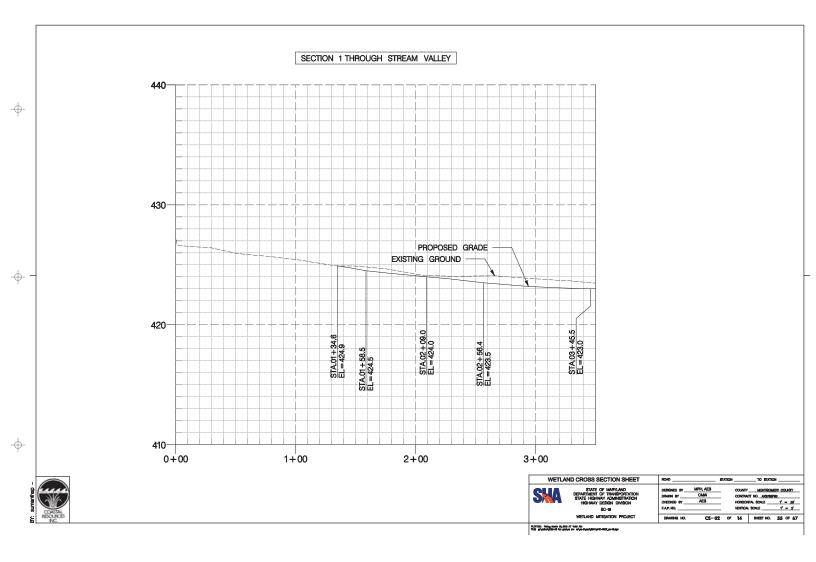


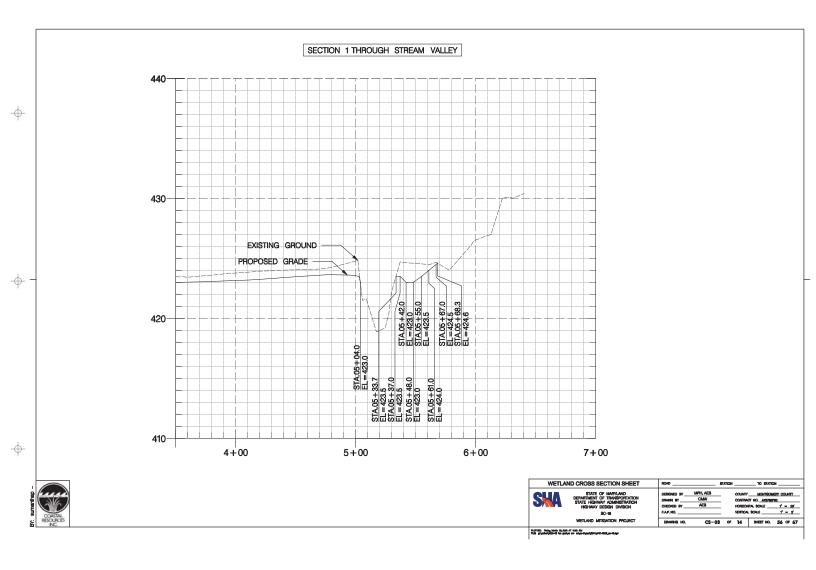


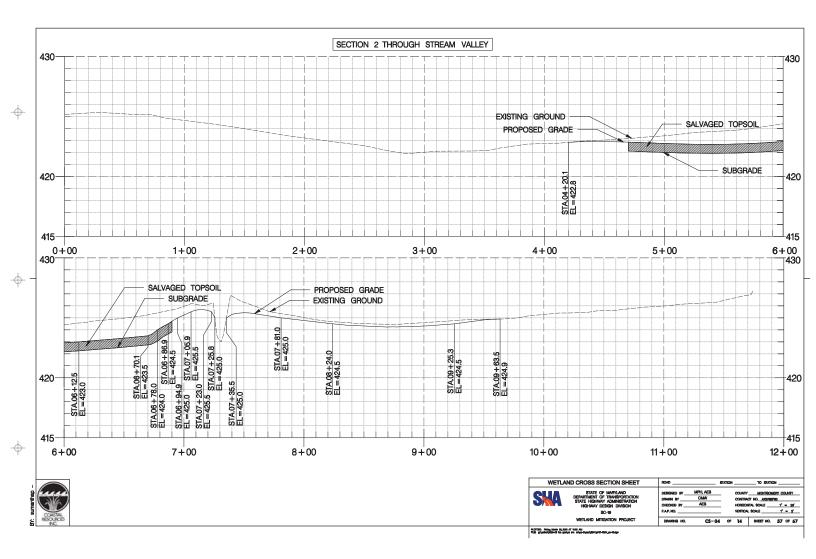


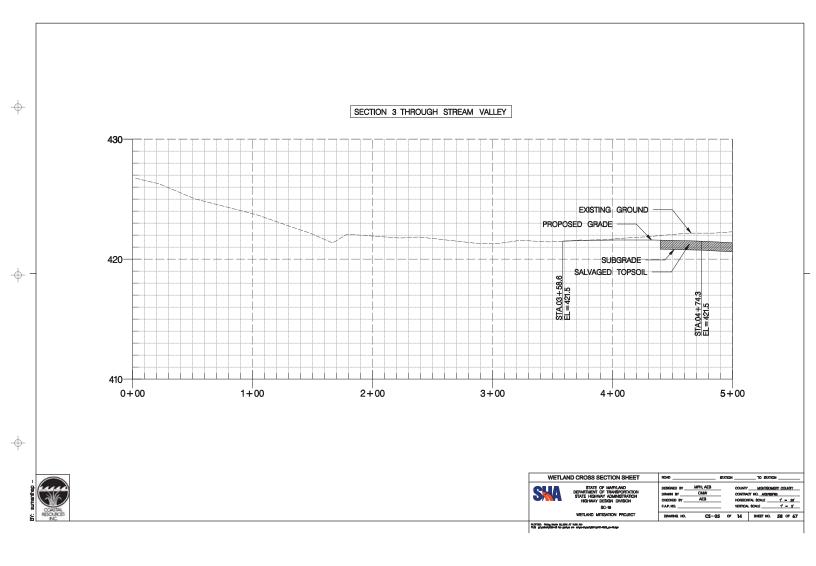


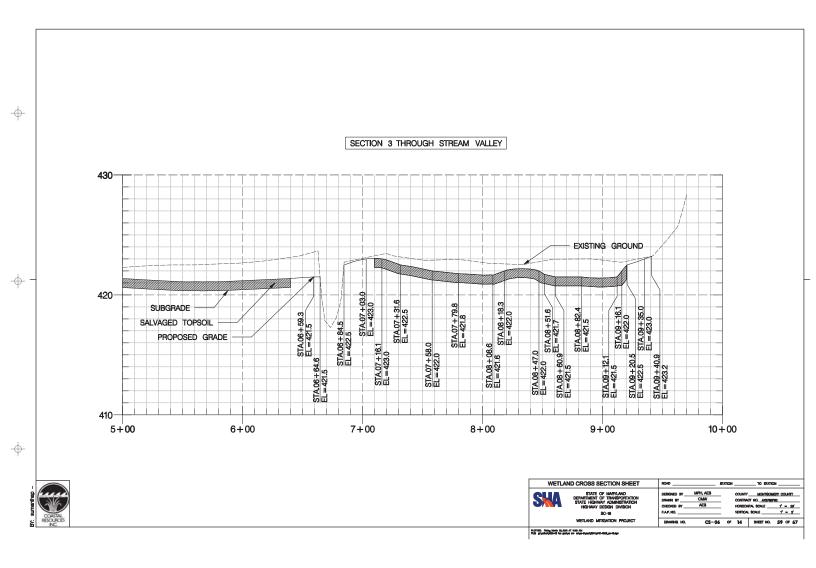


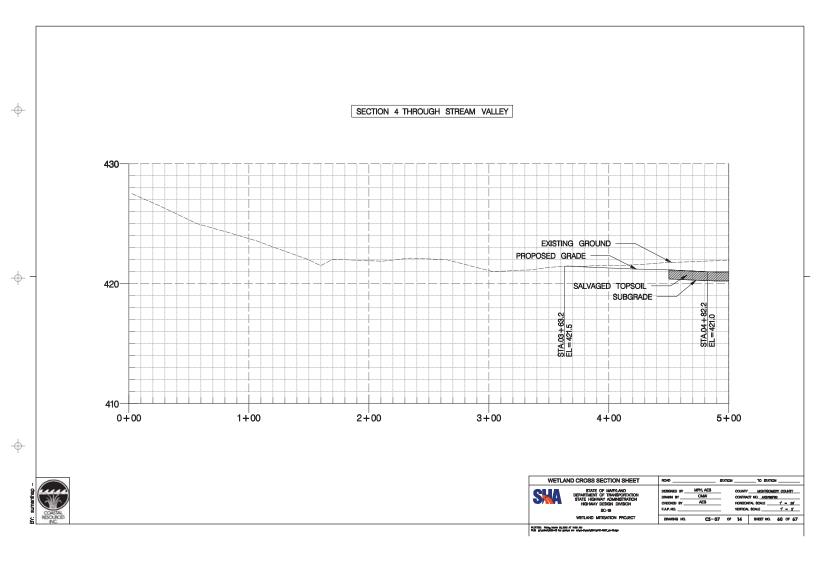


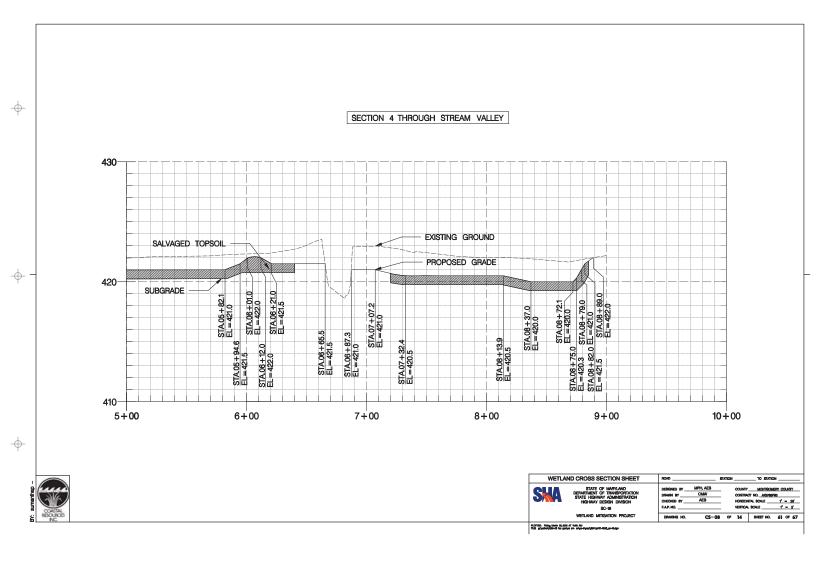


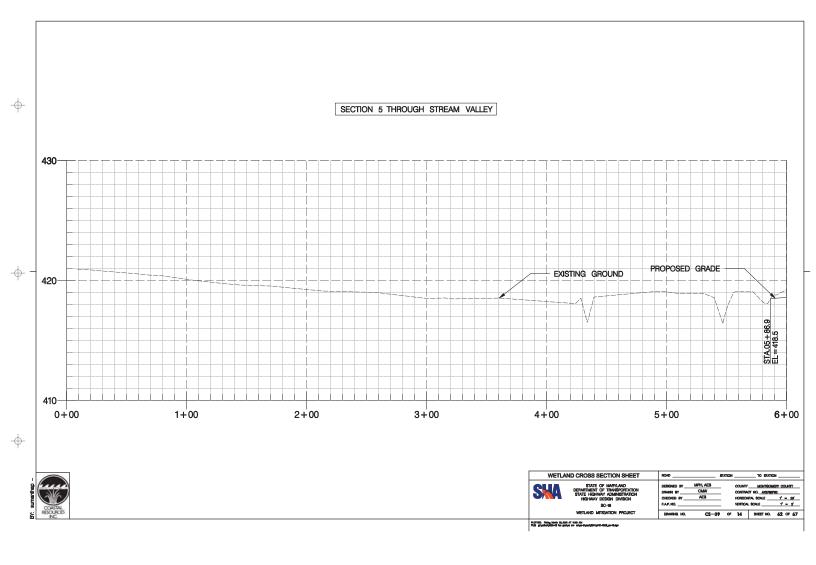


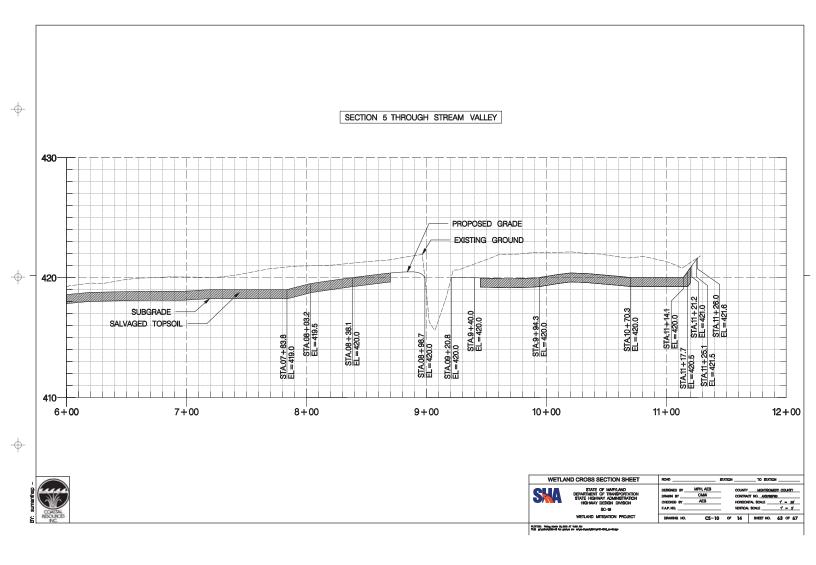


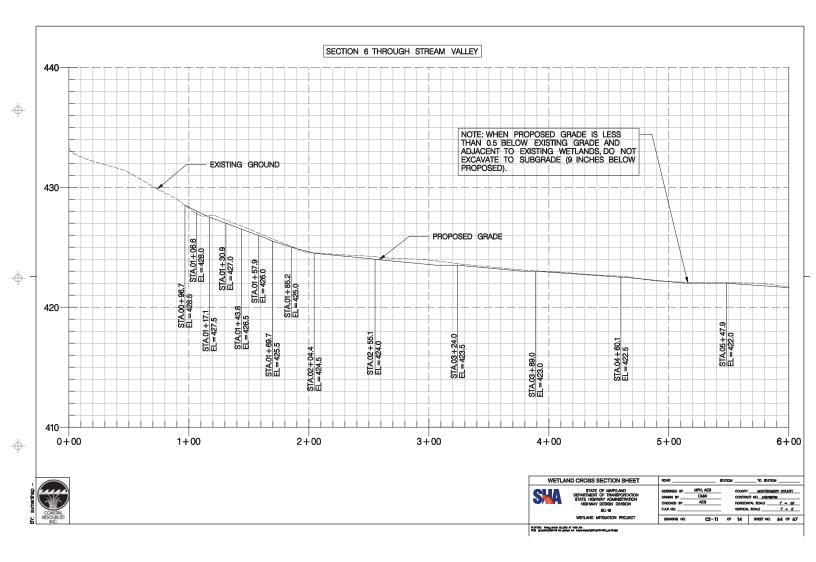


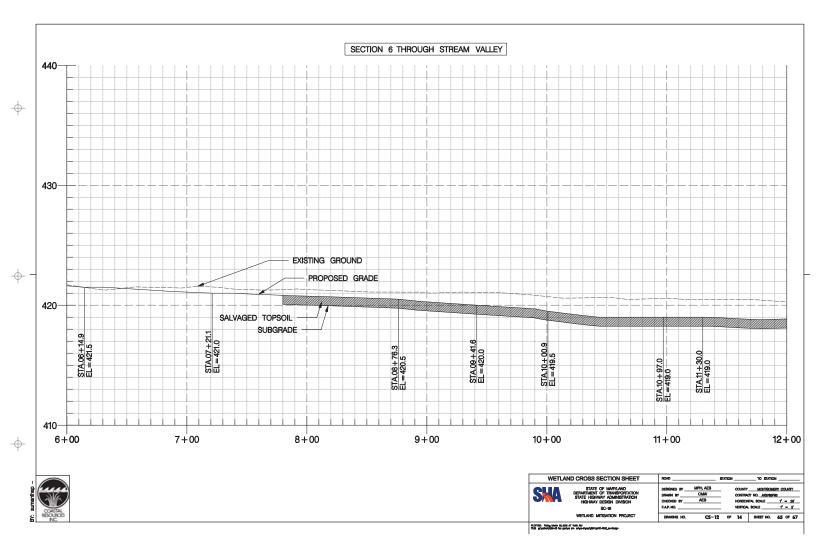


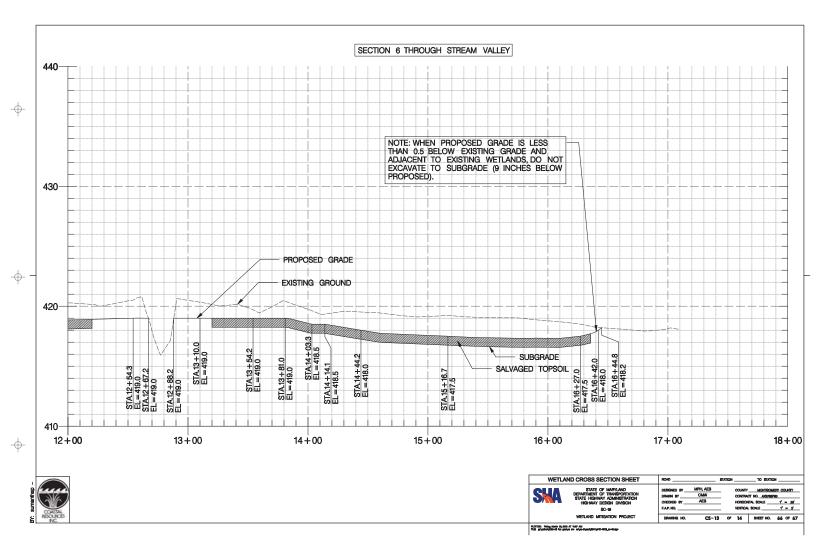


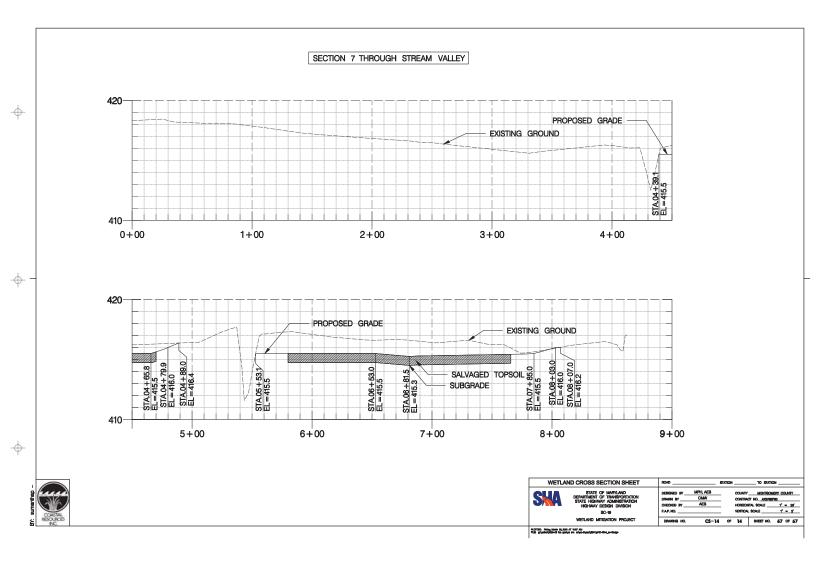


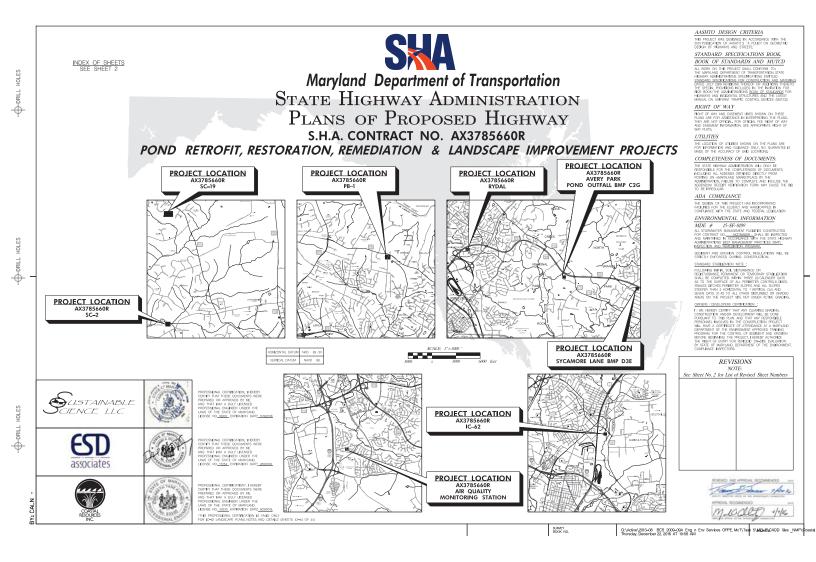


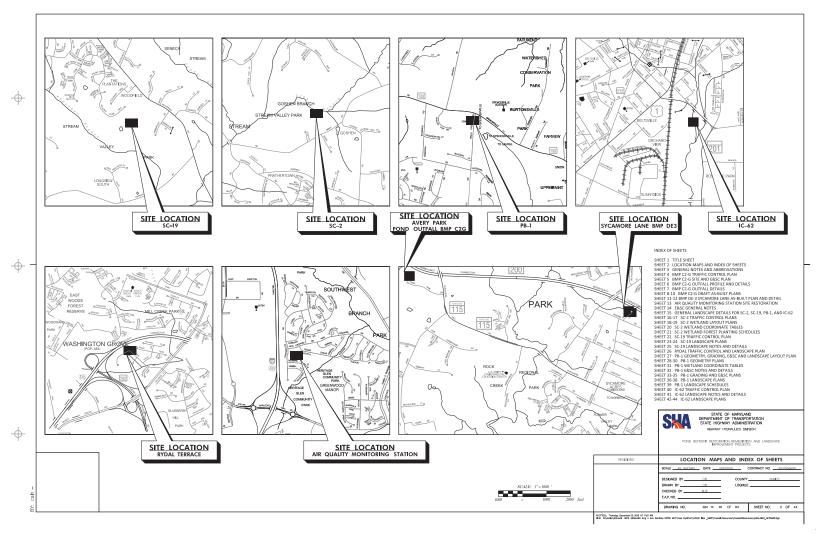


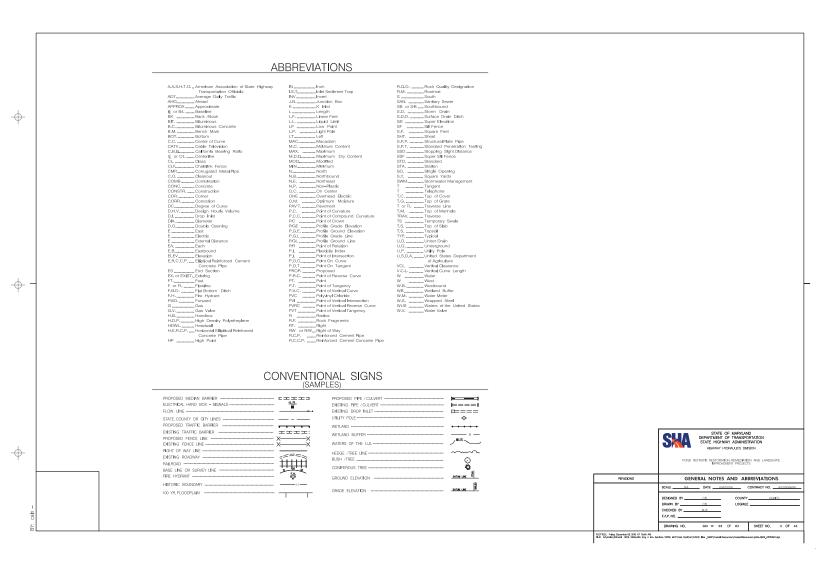


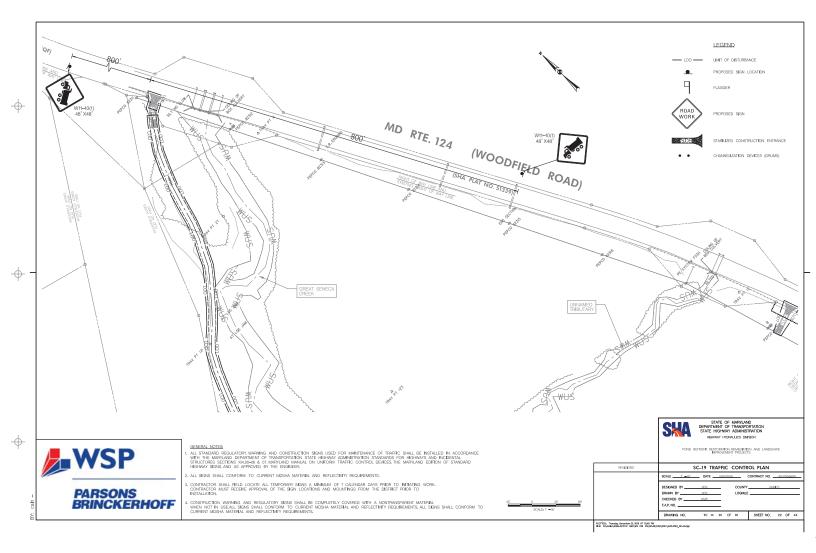


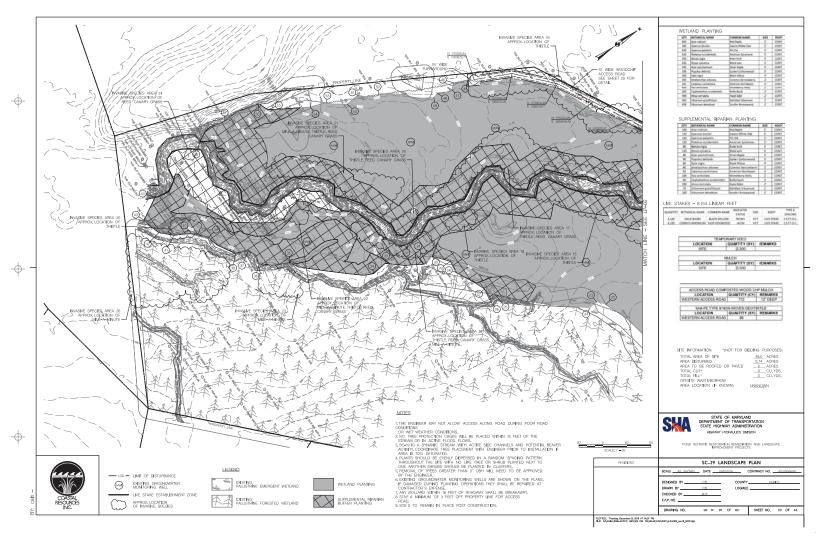


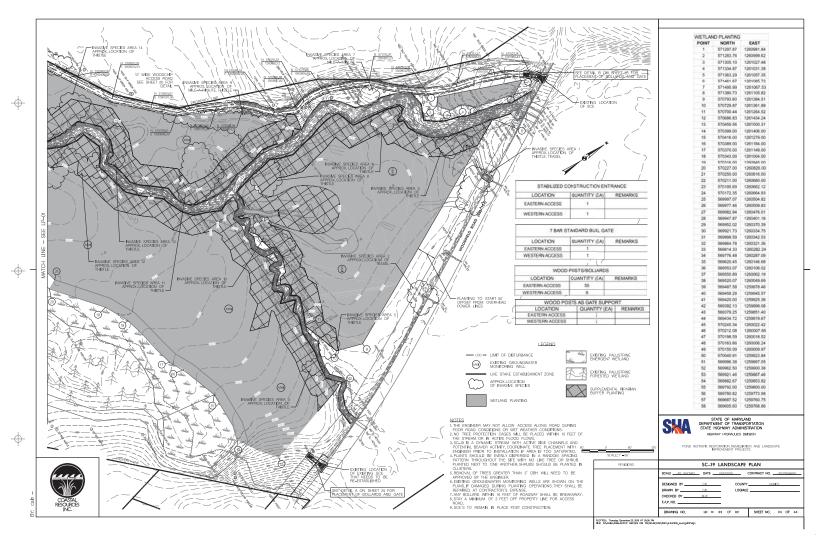


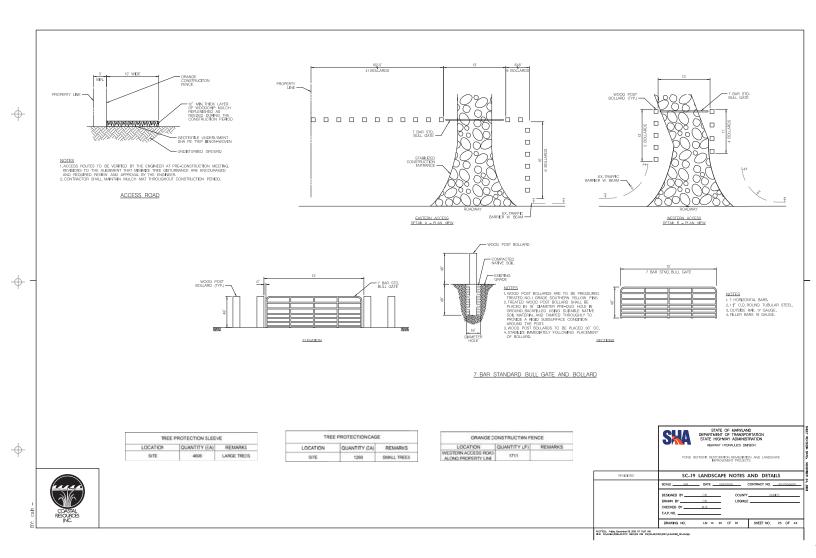




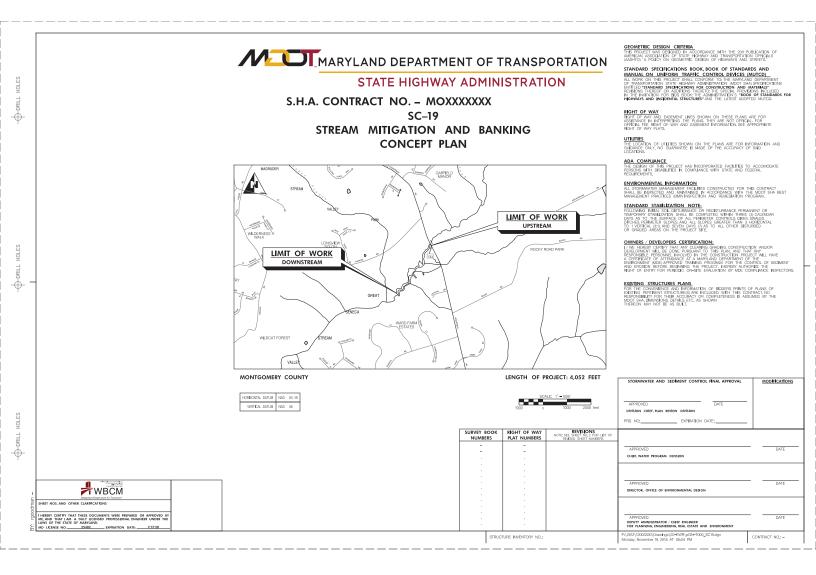


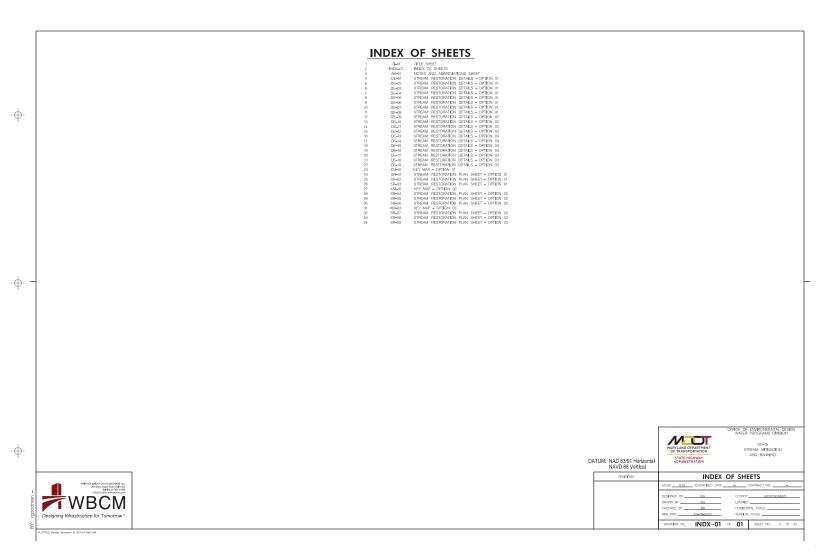






APPENDIX B.2 – SC-19 2013 WETLAND CREATION SITE PLANS





<section-header>

ABBREVIATIONS

GENERAL NOTES

- THE LOCATION OF THE UNDERGROUND AND SURFACE UTILITIES SHOWN ON THE PLANS ARE FOR INFORMATION AND GUIDANCE ONLY, NO GUIPAMITEE IS MORE AS TO THE ACCURACY OF SAD LOCATIONS CONTRACTOR SHALL CONTRACT MISS UTILITY AT 1-800-257-7777, 48 HOURS PROR TO EXCUMPTION FOR MARGING AND LOCATION OF UTILITIES.
- THE CONTRACTOR SHALL CHECK ALL DIMENSIONS AND ELEVATIONS PRICE TO CONSTRUCTION. ANY CONFLICTS CONCERNING THE CONSTRUCTION APOUND EXISTING OBSTRUCTIONS PER THESE PLANS SHALL BE RESOLVED BETWEEN THE CONTRACTOR AND THE ENGINEER. 2. з.
 - THE CONTRACTOR AND OTHERS SHALL PERFORM ALL WORK IN A MANNER THAT WILL ENSURE THE LEAST PRACTICAL OBSTRUCTION TO TRAFFIC PEDESTRIANS, BUSINESSES, RESIDENTS, AND BE CONSISTENT WITH SAFETY.
- 4. ALL INVERT ELEVATIONS ARE APPROXIMATE AND MAY BE MODIFIED TO MEET CONDITIONS ENCOUNTERED DURING INSTALLATION OF DRAINAGE STRUCTURES, EXCEPT STORMWATER MANAGEMENT FACILITIES.
- 5. THE CONTRACTOR SHALL VERIEV ALL PIPE LENGTHS AND SIZES IN THE FIELD BEFORE ORDERING ANY DRAINAGE STRUCTURES
- ALL BENCHMARKS AND COORDINATES SHOWN ON THE CONTRACT PLANS ARE "NAD83-81" AND "NAVD 86".
- ALL EXISTING UTILITY FRAMES AND GRATES WITHIN THE LIMITS OF CONSTRUCTION SHALL BE ADJUSTED TO FINISHED GRADE.
- THE CONTRACTOR WILL NOTEY PROPERTY OWNERS 72 HOURS PRIOR TO IMPACTS OR OBSTRUCTIONS OF ORNEWAY ENTRANCES.

CONVENTIONAL SIGNS (SAMPLES)

Rock Fragments

PROPOSED MEDIAN BARRIER		PROPOSED PIPE / CULVERT	
FLOW UNE		EXISTING DROP INLET	0====
STATE, COUNTY OR CITY LINES		UTILITY POLE	÷.
PROPOSED TRAFFIC BARRIER		WETLAND	A
EXISTING TRAFFIC BARRIER		WETLAND BUFFER	
EXISTING FENCE LINE	× ×	WATERS OF THE U.S	
RIGHT OF WAY LINE	19773	HEDGE /TREE LINE	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~
BASE LINE OR SURVEY LINE	ΠΠ	CONFEROUS TREE	ě.
FIRE HYDRANT	~ & `	GROUND ELEVATION	DATUM LINE
HISTORIC BOUNDARY	н	GRADE ELEVATION	DATUM LINE
WETLAND BOUNDARY			

OFFICE OF ENVIRONMENTAL DESIGN WATER PROGRAMS DIVISION MOT SC-19 STREAM MITIGATION AND RANKING ARYLAND DEPARTMEN STATE HIGHWAY ADMINISTRATION DATUM: NAD 83/91 Horizontal NAVD 88 Vertical NOTES AND ABBREVIATIONS SHEET REVISIONS RTISED DESIGNED BY _ COUNTY DRWIN BY ______RG CHECKED BY ______BN MDE/PRD ______XG#PR=XXXX LOGMLE ______ HORIZONTAL SCALE VERTICAL SCALE _____

AB-01 OF 01 SHEET NO. 3 OF 34

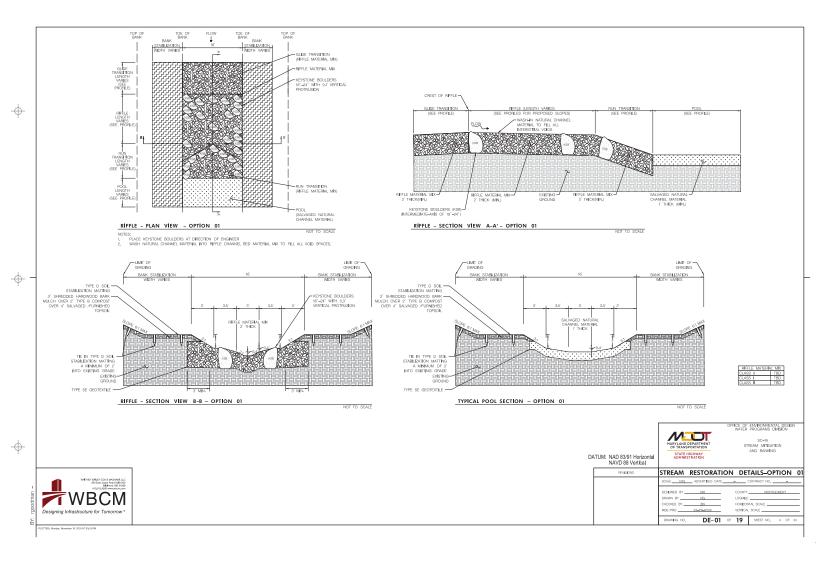
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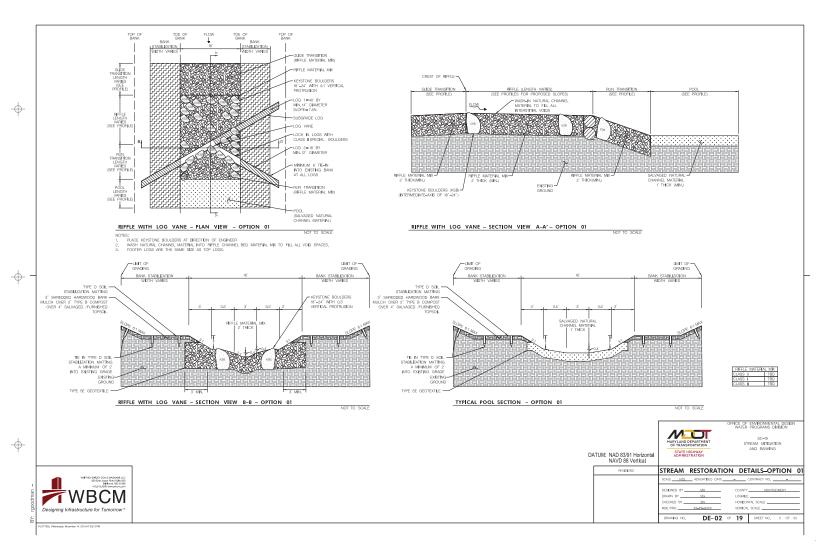
WHITNEY BALEY COX & MAGRINAL LLC 300 East Jopes Read Sale 300 Bill Hone, NO 21288 410,212,450 www.vbcrucom

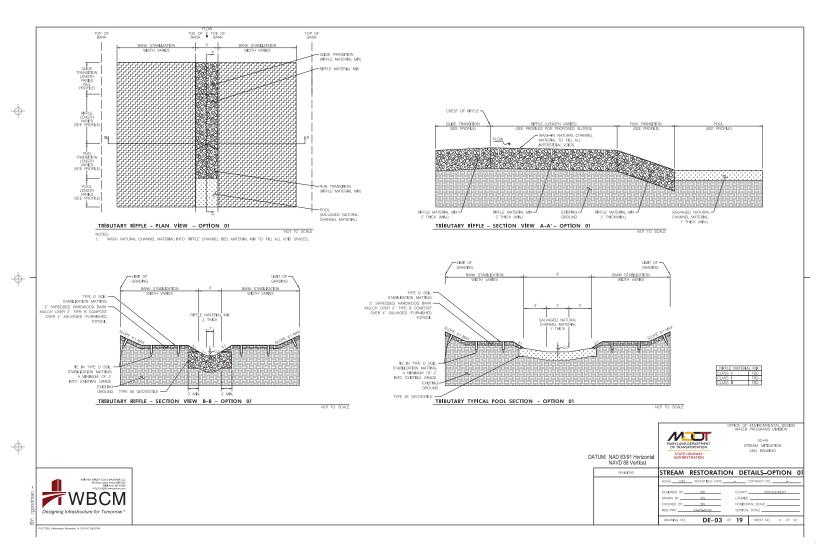
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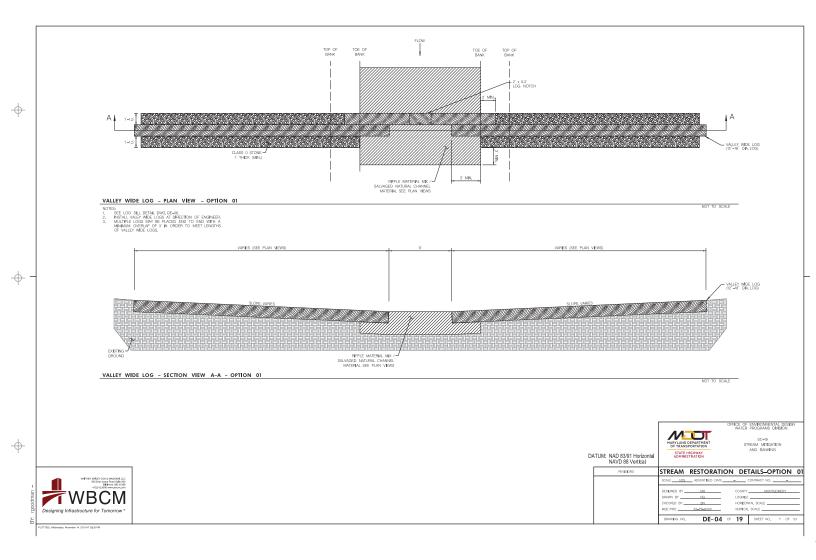
Designing Infrastructure for Tomorrow

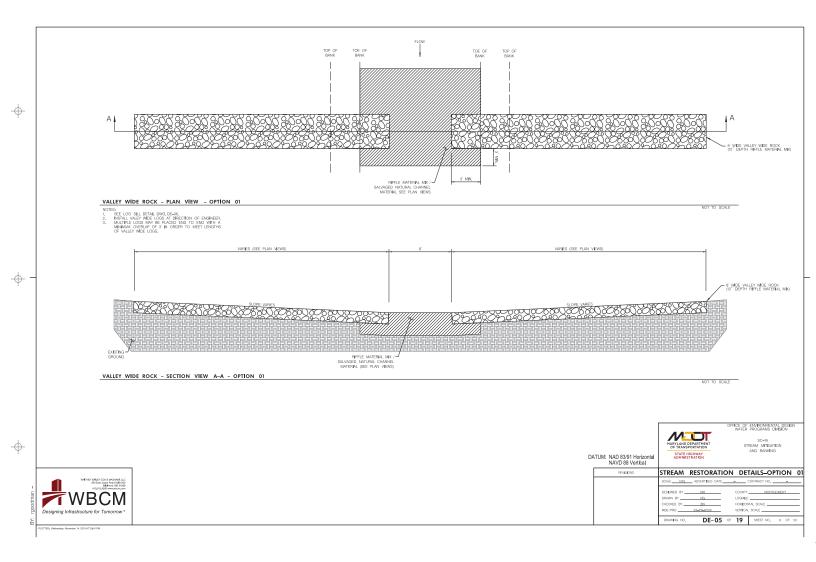
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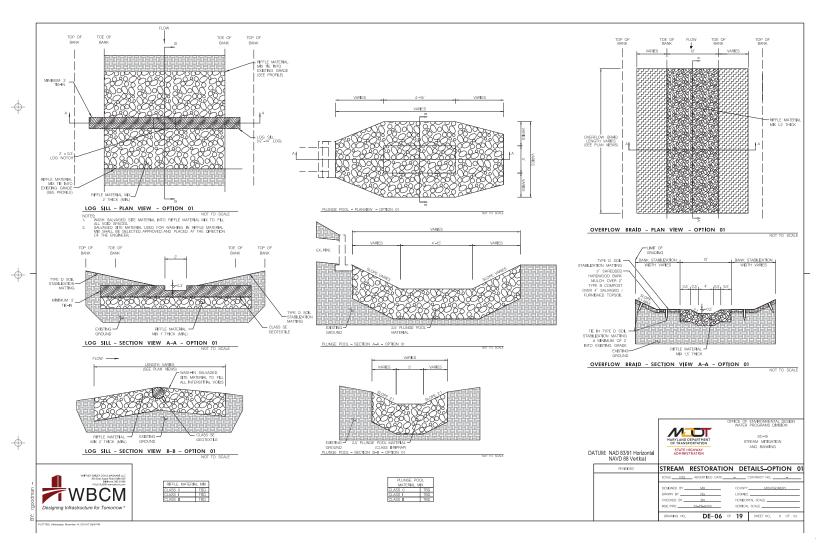


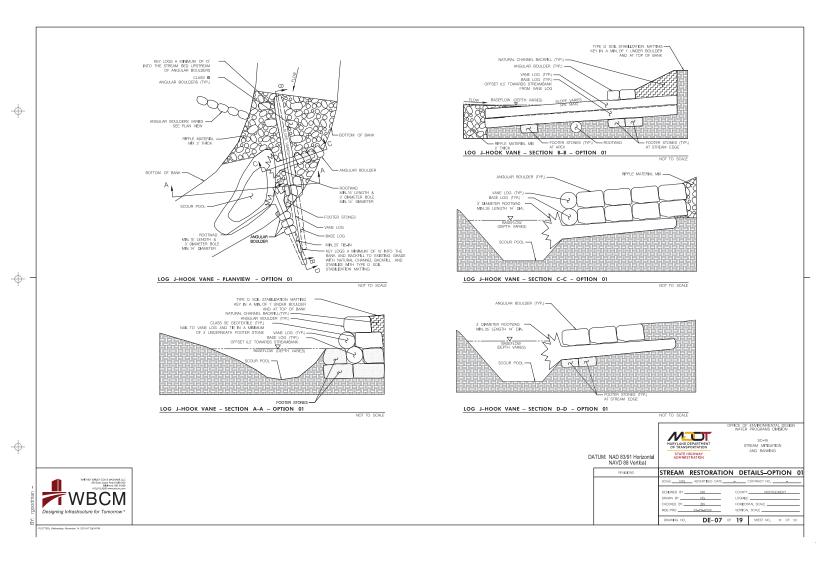


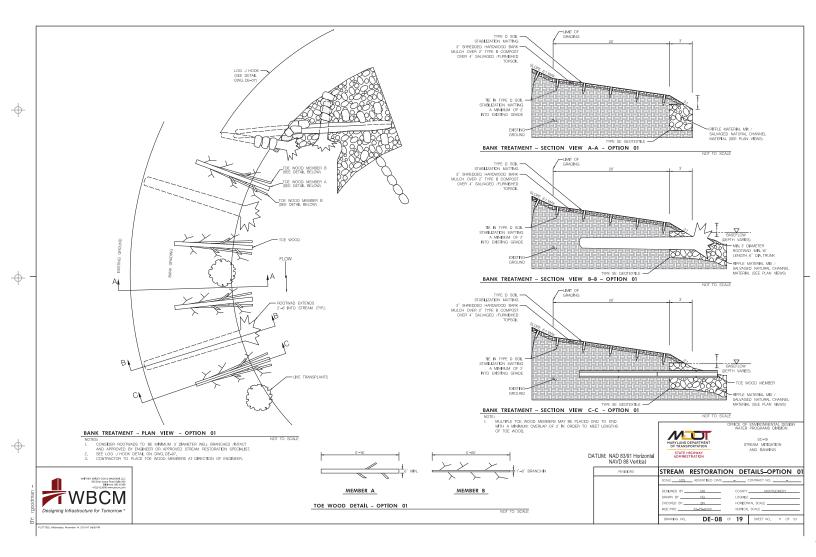


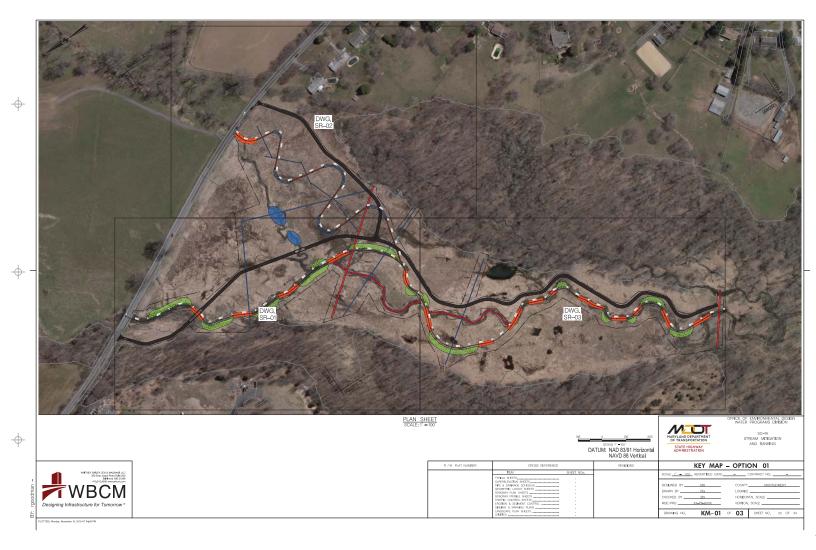


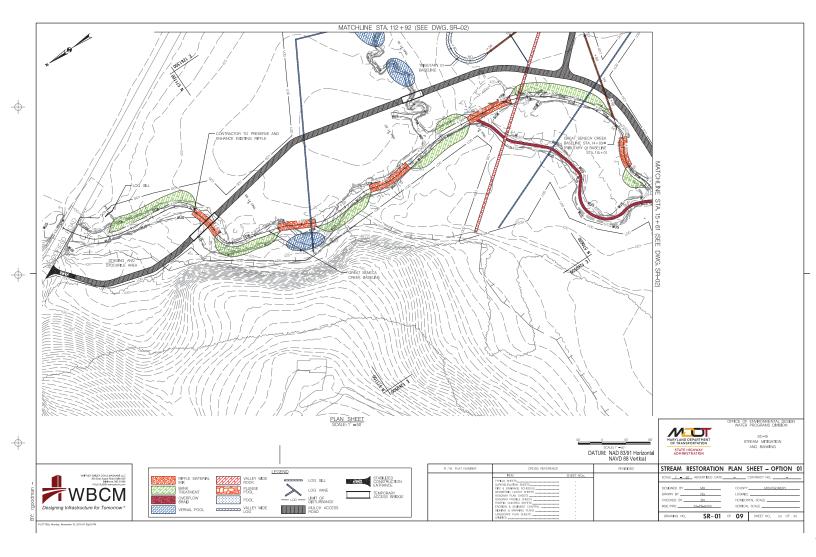


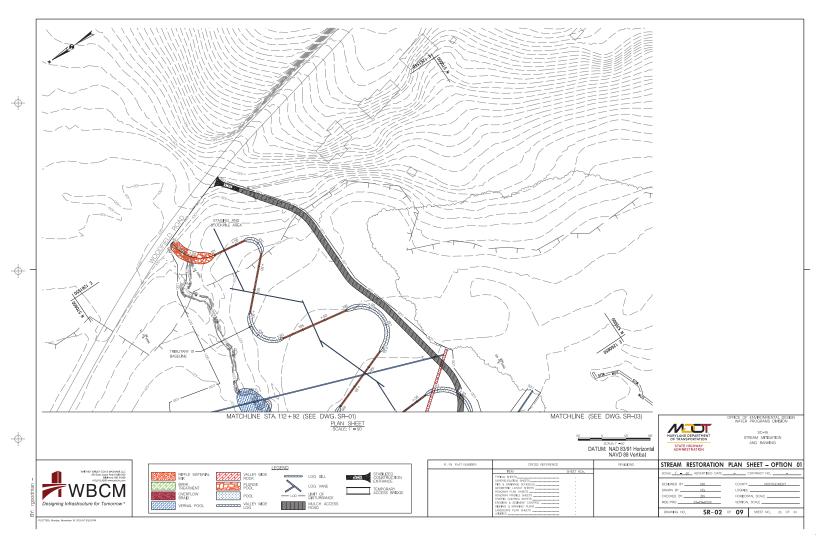


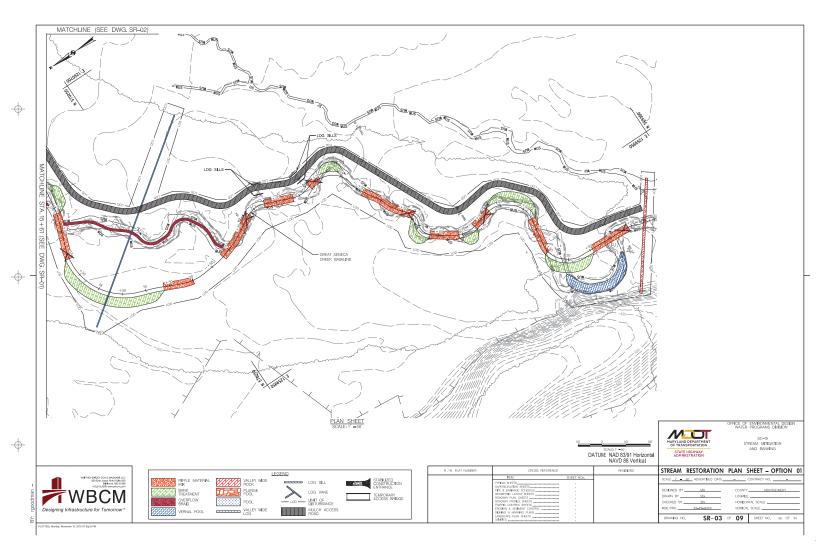












APPENDIX C – SC-19 AGREED INQUISITION

330 44305

LAND ACQUISITION PETITION OF:

STATE ROADS COMMISSION OF THE STATE HIGHWAY ADMINISTRATION Acting for and on behalf of the STATE OF MARYLAND

Plaintiff

v.

BETTY BROWN CASEY, TRUSTEE OF THE EUGENE B. CASEY FOUNDATION

Defendant

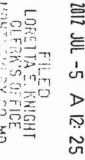
IN THE

CIRCUIT COURT

FOR

MONTGOMERY COUNTY

Case No. 26256-M



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Jul 05, 2012 12:26 FM

AGREED INQUISITION

THIS AGREED INQUISITION made and taken at bar in the Circuit Court for Montgomery County, in the matter of the petition of the State Roads Commission of the State Highway Administration v. Betty Brown Casey, Trustee of the Eugene B. Casey Foundation, Fee Simple Owner, Defendant; and the parties hereto, through counsel, having waived a trial by jury and a view by the Court of the property being acquired, and upon the consent and agreement of the parties being evidenced by their signatures or the signatures of their counsel hereto, the Court does hereby IMP FD SURE find and determine, witnesseth: RECORDING FEE TOTAL THAT Defendant declined to voluntarily transfer the property to Plaintiff and Plaintif LEK KAQ B1k#282

the right to condemn the property hereinafter mentioned; and

THAT Plaintiff has instituted this action to acquire the property, and in lieu of proceeding

with, and under threat of, condemna WONTGOMERY COUNTY, MDettlement of this action; and

APPROVED BY MAP

JUL 0 5 2012

RECORDATION TAX PAID TRANSFER TAX PAID ENTERED

MAY 02 2012 NS Clerk of the Circuit Court

Montgomery County, Md.

44305 331

THAT the parties have agreed on Six Hundred Thirty-Eight Thousand One Hundred Fifty-Nine and 00/100 Dollars (\$638,159.00), inclusive of pre-judgment interest, as the amount of damages which Defendant will sustain by the taking, use and occupation of the hereinafter described property; and

THAT the said property is situate in the First Election District of Montgomery County, in the State of Maryland, and more particularly described as follows:

ALL that property, consisting of a total of 2,103,045 square feet or 48.2792 acres of land, more or less, identified as <u>Parcel 1</u>, containing 2,086,482 square feet or 47.899 acres of land, more or less, as <u>Parcel 2</u>, containing 6,181 square feet or 0.1419 of an acre of land, more or less, as <u>Parcel 3</u>, containing 10,090 square feet or 0.2316 of an acre of land, more or less, and as <u>Parcel 4</u>, containing 292 square feet or 0.0067 of an acre of land, more or less, identified as Item No. 103198 and lying between the lines marked "Right of Way Line" on State Highway Administration Plat No. 58682 (Rev. 12/15/10), which is being taken in fee simple.

A reduced copy of State Highway Administration Plat No. 58682 (Rev. 12/15/10) is attached hereto and incorporated herein.

TOGETHER with any building and improvements thereon and the rights, alleys, ways, waters, roads, privileges, appurtenances and advantages to the same belonging or in anyway appertaining.

THAT the said property is now held under the provisions of a deed dated December 12, 1995 and recorded among the Land Records of Montgomery County, Maryland, in Liber No. 13830, folio 424.

THAT the purpose for which the said land and property above described is sought to be condemned is for the construction, reconstruction, improvement, maintenance and completion of



MAY 02 2012

Clerk of the Circuit Court

the State System of Roads and Bridges and designated as Intercounty Connector SC-19 Wetland Mitigation in Montgomery County, Maryland.

THAT on April 20, 2011, Plaintiff deposited a check in the amount of Three Hundred Thirty-Eight Thousand and 00/100 Dollars (\$338,000.00), payable to the Clerk of the Circuit Court for Montgomery County to the use of Defendant, pursuant to the Maryland Constitution, Article III, Section 40B; the Maryland Transportation Code Annotated, Sections 8-334 to 8-339; and the Maryland Real Property Code Annotated, Title 12. Thereafter, by an Order entered by the Court on June 10, 2011, Defendant withdrew the Three Hundred Thirty-Eight Thousand and 00/100 Dollars (\$338,000.00) that was deposited to her use.

THAT the balance of Three Hundred Thousand One Hundred Fifty-Nine and 00/100 Dollars (\$300,159.00) is due as of the date of this Agreed Inquisition; and

THAT Defendant has waived any post-judgment interest, provided that the balance is deposited into the Registry of this Court within thirty (30) days of the entry of judgment on the Agreed Inquisition; and

THAT the total payment per §10-912(b) of the Tax-General Article of the Annotated Code of Maryland is Six Hundred Thirty-Eight Thousand One Hundred Fifty-Nine and 00/100 Dollars (\$638,159.00); and

THAT the undersigned, Robert C. Park, Jr., Esquire, certifies under the penalties of perjury that the following is true to the best of his knowledge, information and belief, that in accordance with §10-912(d)(1)(i) of the Tax-General Article of the Annotated Code of Maryland, Defendant is a resident of the State of Maryland, that he is an agent of Defendant and he has the authority to sign this document on Defendant's behalf.



MAY 0'2 2012^{NS} Clerk of the Circuit Court Montgomery County, Md.

THAT as of the date of this Agreed Inquisition the title as described above to the property as described above shall be held and become vested in the State of Maryland, to the use of the State Roads Commission of the State Highway Administration, clear and discharged from any claims, liens or demands of the Defendant, and title is being transferred "as is, where is" and without any representations or warranties by Defendant.

IN WITNESS WHEREOF the Court has hereunto set its hand and seal this 2

, 2012.

Judge of the Circuit Court

for Montgomery County

CONSENT:

Laurie R. Hanig

Assistant Attorney General 707 North Calvert Street Baltimore, MD 21202 (410) 545-0040

Attorney for Plaintiff, **State Roads Commission**

Return Recorded Inquisition To: Chief **Records and Research Section** State Highway Administration 707 North Calvert Street, M-202 Baltimore, MD 21202 •*

t c. Par. Jr.

Robert C. Park, Jr. Linowes and Blocher LLP 7200 Wisconsin Avenue, 8th Floor Bethesda, MD 20814 (301) 961-5175

Attorney for Defendant, **Betty Brown Casey, Trustee** of the Eugene B. Casey Foundation

ENTERED

MAY 02 2012"5 Clerk of the Circuit Court Montgomery County, Md.