

REQUEST FOR GENERAL PERMIT AUTHORIZATION FOR AGRICULTURAL BMP'S AND WETLAND RESTORATION

FOR AGENCY USE ONLY

MDE AI Number:		MDE Permit Number:		Tracking Number:		Tidal/Nontidal Project:	
Tidal Reviewer:		Nontidal Reviewer:		Waters Construction Reviewer:		County:	
<input type="checkbox"/> Major	<input type="checkbox"/> Minor	<input type="checkbox"/> 90-Day	<input type="checkbox"/> 240-day	<input type="checkbox"/> PN	Type of USACE Permit:	If MDSPGP, Category:	

Use Joint Federal/State Permit Application if any activities are proposed tidal waters or tidal wetlands.

Check one of the following:

- New Application
- Resubmittal
- Modification

Applicable General Permit:

- Ag BMP RLOA 12-NT-0044/201260247
- Wetland RLOA 11-NT-0440/201161728
- General Waterway Construction Permit

CWA Sec. 404 Applicable Permit/Exemption:

- CWA Sec. 404 Ag Exempt Activity*
- USACE Nationwide Permit No. 27

APPLICANT INFORMATION

Date: _____

Landowner Applicant

Name	Daytime Telephone
Address	
Email	

Landowner Applicant 2

Name	Daytime Telephone
Address	
Email	

Project Manager

Name	Daytime Telephone
Address	
Email	

Consultant

Name	Daytime Telephone
Address	
Email	

PROJECT LOCATION INFORMATION (also attach a vicinity map)

County	Project Lat/Long	Nearest Stream
Project Address		Directions from nearest intersection:

Waters and Wetland Resources Located within the Limits of Construction (check all that apply):

- | | |
|---|---|
| <ul style="list-style-type: none"> Nontidal wetlands Nontidal wetland buffer or expanded buffer Farmed Wetland (FW) or Farmed Wetland Pasture (FWP) Intermittent and/or perennial streams | <ul style="list-style-type: none"> 100-year floodplain Ephemeral stream Chesapeake Bay or Coastal Bays Critical Area Floodplain of a Maryland Scenic and Wild River |
|---|---|

Stream name: _____

Stream use class: _____

PROJECT INFORMATION (attach additional sheets if necessary)

Project Name	Project Objectives		
Project Description			
Methods of Construction			
Management Activities			
Existing Conditions		Historical Conditions	
Functional Improvements and Gains		Avoidance/Minimization of Impacts	
Describe any encumbrances within the project area (e.g. easement deed, utility ROW):		Monitoring Plan	

Impacts to Waters and Wetlands

Resource (existing)	Extent Before Project¹	Extent of Disturbance During Construction²	Extent After Project³	Functional Change, No Acreage Loss⁴ <i>Specify Extent and Change in Function</i>
Nontidal Wetland (AC or SF) (include Cowardin + HGM ⁵ type)				
Farmed Nontidal Wetland Pasture (AC or SF)				
Farmed Nontidal Wetland Cropland (AC or SF)				
Nontidal Wetland Buffer (AC or SF)				
Stream (LF and CY)				
100-year Floodplain (LF and CY)				

1/ Enter extent of waters and wetlands within project area prior to activities.

2/ Enter extent of disturbance to waters and wetland within project area during construction.

3/ Enter extent of waters and wetlands within project area after activities conducted.

4/ Enter extent and type of changes in waters and wetlands within project area after activities conducted (e.g. emergent wetland to shallow water wetland)

5/ Typical HGM classes are depression, mineral flat, headwater, floodplain.

CERTIFICATION

- I hereby designate and authorize the project manager named above, the USDA Natural Resources Conservation Service, and/or the Soil Conservation District to act on my behalf in the processing of this application and to furnish any information that is requested.
- I certify that the information on this form and on the attached plans and specifications is true and accurate to the best of my knowledge and belief.
- I understand that any of the agencies involved in authorizing the proposed works may request information in addition to that set forth herein as may be deemed appropriate in considering this proposal.
- I understand that this application is based on a preliminary determination of waters and wetlands, which assumes the location of regulated wetlands and waters based on natural resource and remote setting information, as well as the knowledge and experience of natural resource specialists. A preliminary determination may overestimate the extent of wetlands and waters.
- I grant permission to the agencies responsible for authorization of this work (including the Maryland Dept. of the Environment Water Management Administration and the U.S. Army Corps of Engineers), or their duly authorized representative, to enter the project site for inspection purposes during working hours.
- I will abide by the conditions of the permit or authorization if issued and will not begin work without the appropriate authorization.
- I understand that none of the information contained in the application form is confidential and that I may request that additional required information be considered confidential under applicable laws.
- I further understand that failure of the property owner to sign the application will result in the application being deemed incomplete.

Landowner(s) must sign and date below:

Landowner's Signature	Date
Landowner's Signature	Date
Landowner's Signature	Date

Attachments to Request for General Permit Authorization for Agricultural Bmp's And Wetland Restoration

- Vicinity Map
- Plan Map
- Design Drawings
- Job Sheet or Management Plan
- Monitoring Plan (if for a stream restoration project)

The design drawings should include the following:

- Landowner's name
- Topographic lines
- Location and cross-sections of existing stream channels and/or ditches
- Location of regulated waterways and wetlands
- Location of 100-year floodplain (if applicable)
- Location of proposed structural measures (water control structures, pipes, fords, etc.)
- Location of utility ROWs (if applicable)
- Limits of construction
- Sequence of construction
- Sediment and erosion control measures
- Seeding/planting specifications
- Statement on plans: "Construction supervision by NRCS/MDA/SCD personnel."
- Statement on plans: "Landowner's permission for MDE and COE inspection."

Reporting Notification and Other Requirements

- This permit can not be used for projects in the mainstem floodplain of a Maryland Scenic and Wild River as defined by Natural Resources Article 8-402.
- Projects can not create habitable structures or permanent obstructions that will affect the hydraulic characteristics of the 100-year floodplain.
- Provide written notice to MDE at least 30 days in advance, including proposed date to begin construction.
- Conduct cultural resources and endangered species screening and submit findings documentation with permit application.
- If MDE does not respond to the notification within 30 days, the project is considered approved by MDE.
- All in-stream construction activities are **prohibited** from:
 - October through April, inclusive, for natural trout waters (Use III)
 - March through May, inclusive, for recreational trout waters (Use IV)
 - March through June 15, inclusive, for all other waters of the State, including anadromous fish spawning areas.
 - March 15 through June 15, inclusive, for waters in Public Drainage Associations (PDAs)
- Must provide written notice to MDE and/or USACE within 30 days after project completion.
- "As-built" designs will be retained at the NRCS field office and will be available for review by MDE/USACE upon request.
- This streamlined application and review process can not be used if the project requires an Individual Permit Application by either MDE or USACE. If an Individual Permit Application is required, submit a Joint (Federal/State) Permit Application to MDE's Regulatory Services Branch.

Application Processing Instructions

The MDE General Waterway Construction Permit Regional Letters of Authorization (GWCP RLOA) were re-issued to NRCS recently (Wetland Restoration RLOA on 12/17/11 and Ag BMP RLOA on 2/16/12). **This Request for GWCP Authorization form is only for the use of NRCS and its conservation partners.** Applicants other than those working with NRCS and its partners should access MDE's website for general permit instructions and applications.

Special conditions 1(SC1) and 2 (SC2) in both RLOAs describe the notification process as a 2-step process. Step 1 (SC1) is required for endangered species and cultural resources screening. Although redundant to our NEPA and conservation planning process, MDE is required to do this for their own records.

The NRCS cultural resources and endangered species screening should be conducted prior to submitting a request for an RLOA to MDE. If the screening results in a "hit," you should follow procedures as appropriate to get clearance and/or avoid adverse effects on endangered species and cultural resources before submitting the RLOA request to MDE.

After you have conducted the screenings for all cultural resources and endangered species concerns and cleared the project, you should submit your documentation with your location map per SC1. All projects are required to be submitted to MDE for screening, regardless of whether the NRCS screening resulted in a "hit."

Step 1. Submit the screening documentation via email (preferred) in the form of a PDF file to Andi Cunabaugh at acunabaugh@mde.state.md.us, or by fax at 410-537-3751. Documentation should include the following:

- A return address for notification.
- A map showing the screening layers and the practices to be implemented. The map should include a legend identifying the practices shown, and clearly show the area of potential effect.
- If there is a "hit," the documentation should also include one or more of the following:
 - A letter or email from the Maryland Historical Trust (MHT) or DNR stating that the project is not likely to adversely affect; or,
 - An explanation of any planned actions to avoid adverse effects, including as appropriate those actions recommended in the NRCS programmatic consultation (i.e. MD NRCS Practice Effects);
 - An explanation of why the proposed action will not adversely affect cultural resources or listed species.

MDE will provide notification to you after they have received clearance from MHT and/or DNR. After the project is cleared, then you must submit documentation to MDE per SC2, using the "Request for MDE General Waterway Construction Permit" and supporting information.

Step 2. Submit 2 printed copies of the full application package to:

Attn: Amanda Sigillito
MDE, Water Management Administration
Nontidal Wetlands Division
1800 Washington Blvd., Suite 430
Baltimore, MD 21230

Although MDE is processing screenings for cultural resources and listed species, it does not remove the responsibility of NRCS, MDA, and District planners to ensure that planned actions are not adversely affecting either of these resources. In most cases, the planner is more aware of the potential effects because of their knowledge of the land and practices.

If you have any questions regarding the RLOA request process, please contact Steve Strano at 443-482-2928 or steve.strano@md.usda.gov.