

## JOINT FEDERAL / STATE APPLICATION FOR THE ALTERATION OF ANY TIDAL WETLAND IN MARYLAND

- All applications must be accompanied by plan drawings which show the location and character of the proposed work. For specific information on what is required on the plans, refer to the instruction package. 8-1/2" x 11" black & white drawings are required for every application. Full construction plans are required for projects submitted to the Waterway Permits Division.
- Any application which is not completed in full or is accompanied by poor quality drawings may be returned and will result in a time delay to the applicant.
- If you need help understanding how to fill out the application form, please refer to the instruction booklet.

**APPLICATION NUMBER:**

(To be assigned by the agencies)

**1. APPLICANT INFORMATION:**

Name: \_\_\_\_\_ Telephone: (\_\_\_\_) \_\_\_\_\_  
 Address: \_\_\_\_\_ Email Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**2. AGENT / ENGINEER INFORMATION:**

Name: \_\_\_\_\_ Telephone: (\_\_\_\_) \_\_\_\_\_  
 Address: \_\_\_\_\_ Email Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**3. PRINCIPAL CONTACT, if not the applicant:**

Name: \_\_\_\_\_ Telephone: (\_\_\_\_) \_\_\_\_\_ Email Address: \_\_\_\_\_

**4. PROJECT DESCRIPTION:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**5. PROJECT PURPOSE:**

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Shore Erosion Control              | <input type="checkbox"/> Erosion/Sediment Control | <input type="checkbox"/> Storm Drain/Stormwater Management |
| <input type="checkbox"/> Utility Installation               | <input type="checkbox"/> Improve Navigable Access | <input type="checkbox"/> Marina                            |
| <input type="checkbox"/> Create Waterfowl Habitat           | <input type="checkbox"/> Improve Fish Habitat     | <input type="checkbox"/> Fill                              |
| <input type="checkbox"/> Temporary Construction             | <input type="checkbox"/> Stream Channelization    | <input type="checkbox"/> Bridge                            |
| <input type="checkbox"/> Beach Nourishment                  | <input type="checkbox"/> Maintenance/Repair       | <input type="checkbox"/> Dam                               |
| <input type="checkbox"/> Residential/Commercial Development | <input type="checkbox"/> Small Pond               | <input type="checkbox"/> Road                              |
| <input type="checkbox"/> Other: (describe) _____            |   | <input type="checkbox"/> Culvert                           |

**CERTIFICATION:**

I hereby designate and authorize the agent named above 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 grant permission to the agencies responsible for authorization of this work, 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 license if issued and will not begin work without the appropriate authorization. I also certify that the proposed works are not inconsistent with Maryland's Coastal Zone Management Plan.

**APPLICANT MUST SIGN:** \_\_\_\_\_ **Date** \_\_\_\_\_

PLEASE COMPLETE THE REVERSE SIDE

**6. PROJECT LOCATION:** This project is in  Tidal  Non-Tidal Waters. (Please Check One)

County: \_\_\_\_\_ Name of Waterway: \_\_\_\_\_

Site Address or Location: \_\_\_\_\_

Directions from nearest intersection of two state roads: \_\_\_\_\_

County Book Map (A.D.C.) Coordinates: Map: \_\_\_\_\_ Letter: \_\_\_\_\_ Number: \_\_\_\_\_

**7. TYPE OF PROJECT:**

| Work Proposed  | Overall Length<br>(in feet) | Average Width<br>(in feet) | Maximum Distance Channelward From Mean High<br>Water For projects in tidal waters (in feet) |
|--|-----------------------------|----------------------------|---|
| <input type="checkbox"/> Bulkhead  | _____                       | _____                      | _____   |
| <input type="checkbox"/> Revetment   | _____                       | _____                      | _____   |
| <input type="checkbox"/> Vegetative Stabilization  | _____                       | _____                      | _____   |
| <input type="checkbox"/> Gabions   | _____                       | _____                      | _____   |
| <input type="checkbox"/> Groins or Jetties   | _____                       | _____                      | _____   |
| <input type="checkbox"/> Boat Ramp   | _____                       | _____                      | _____   |
| <input type="checkbox"/> Pier  | _____                       | _____                      | _____   |
| <input type="checkbox"/> Breakwater  | _____                       | _____                      | _____   |
| <input type="checkbox"/> Road Crossing   | _____                       | _____                      | _____   |
| <input type="checkbox"/> Utility Line  | _____                       | _____                      | _____   |
| <input type="checkbox"/> Outfall Construction  | _____                       | _____                      | _____   |
| <input type="checkbox"/> Dredging  | _____                       | _____                      | _____   |
| <input type="checkbox"/> New <input type="checkbox"/> Maintenance  | _____                       | _____                      | _____   |
| <input type="checkbox"/> Hydraulic <input type="checkbox"/> Mechanical   | _____                       | _____                      | _____   |
| <input type="checkbox"/> Other: For other projects, please supply project dimensions including the area of disturbance (acreage), volume of fill (cubic yards), type of fill, and area (acreage) of wetlands to be impacted. | _____                       | _____                      | _____   |

**8. PROPOSED STARTING DATE:** \_\_\_\_\_

**9. CONTRACTOR'S NAME** (If Known): \_\_\_\_\_

**10. LAND USE:**

Current Use Is:  Agriculture  Wooded  Marsh/Swamp  Meadow  Developed  
Present Zoning Is:  Residential  Commercial  Agriculture  Other: \_\_\_\_\_

**11. OTHER PERMITS REQUIRED:**  Building Permit  Soil Conservation District  Other: \_\_\_\_\_

**12. NOTIFICATION OF ADJACENT PROPERTY OWNERS:**

The applicant/agent will be informed by the permitting agencies when notification of adjacent property owners is required.

**IMPORTANT:**

**PLEASE MAIL FIVE COPIES OF THE APPLICATION, SITE PLAN, AND VICINITY MAP (WITH PROJECT LOCATION PINPOINTED) TO:**  
MDE, WATER MANAGEMENT ADMINISTRATION  
REGULATORY SERVICES COORDINATION OFFICE  
MONTGOMERY PARK BUSINESS CENTER – ST 430  
1800 WASHINGTON BOULEVARD  
BALTIMORE, MD 21230-1708  
(410) 537-3762 OR 1-800-876-0200

**SEND AN APPLICATION FEE OF \$750 ALONG WITH A COPY OF THE FIRST PAGE OF THE APPLICATION TO:**  
MDE  
P.O. BOX 2057, BALTIMORE, MD 21203-2057.  
PLEASE REFER TO OUR WEBSITE  
<http://www.mde.state.md.us/wetlands> FOR FURTHER INSTRUCTIONS.

# NOTICE TO TIDAL WETLAND APPLICANTS

Certain projects involving tidal wetlands licenses and permits require that a description of the proposed project be published in a local newspaper. This advertisement is necessary to fulfill legal public notice requirements. Projects that require public notice include but are not limited to the following:

- Bulkheads greater than 300 feet long and 10 feet channelward of the mean high water line.
- Stone revetments greater than 500 feet long and 10 feet channelward of the mean high water line.
- Marsh creation projects greater than 500 feet long and 35 feet channelward of the mean high water line.
- Dredging projects that have a surface area greater than 1,500 square feet or result in the removal of more than 100 cubic yards of material.
- Jetties, breakwaters, and groins.
- All marina creation and expansion projects.

The Water Management Administration will advertise the project for you. However, as the applicant for the project you are responsible for paying the publishing costs. The publishers will bill you directly. In order for this process of public notice to occur, your approval is necessary prior to publishing. Please complete the form on the back of this page and return it to the Water Management Administration with your application so that your proposed project may be advertised without delay. Please make sure to sign the form. Processing of your application cannot continue until a signed form is received.

Please call the Tidal Wetlands Division at (410) 537-3837 if you have any questions. Thank you for assistance in this matter.

**Department of the Environment  
Water Management Administration  
Tidal Wetlands Division  
1800 Washington Boulevard  
Baltimore, Maryland 21230  
(410) 537-3837**

*"A Commitment to Excellence in Managing Maryland's Water Resources"*

**PUBLIC NOTICE BILLING APPROVAL FORM**

**I agree to pay all expenses associated with the publishing of a public notice for the wetland application of**  
\_\_\_\_\_ **(Applicant's Name) which is dated** \_\_\_\_\_.

\_\_\_\_\_  
**Applicant/Agent Signature**

\_\_\_\_\_  
**Printed Name of Signee**

**Billing Address:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Telephone No.:** \_\_\_\_\_

**Please provide the names and mailing addresses of the adjacent property owners:**

|       |       |       |
|-------|-------|-------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

# ATTENTION: PIER & PILING APPLICANTS

1. Please complete and sign the Joint Federal/State Application Form.
2. Please sign this Notification Form and submit it with your Joint Federal/State Application.

## State of Maryland Pier and Piling Notification Form

PRIVATE WATERFRONT PROPERTY OWNERS AND NON-MARINA COMMERCIAL WATERFRONT PROPERTY OWNERS are not required to obtain an authorization from the State of Maryland to construct and install structures in tidal waters of the State of Maryland provided that they agree to perform the activities in accordance with the special and general conditions described below and submit a Joint Federal/State Application.

If a proposal does NOT meet the conditions of this authorization, DNR will notify the project proponent within 10 days of receipt of application. IF YOU DO NOT HEAR FROM THE STATE WITHIN 10 DAYS AFTER YOU SEND IN YOUR SIGNED NOTIFICATION FORM YOU CAN ASSUME YOU MEET THE NOTIFICATION FORM CRITERIA.

### SPECIAL CONDITIONS

Private piers, boat hoists or lifts, mooring piles, and osprey poles that meet all of the following criteria are exempt from obtaining a license or permit directly from MDE where local authorization has been granted.

1. Only one pier, and four boat hoists or lifts per property;
2. Width of the main section of the pier is not greater than 6 feet;
3. Total area of all fixed and floating auxiliary platforms including T's, L's, and step down platforms does not exceed 200 square feet and are not located over vegetated wetlands;
4. Platforms are not constructed within the landward 50% of the main pier section;
5. Project does not include more than six mooring piles or create more than four boat slips;
6. Project does not include more than two osprey poles per property;
7. A maximum of two, 3-foot wide finger piers not exceeding 50 percent of the proposed slip length are constructed on the landward side of the end of a private pier;
8. Project meets the minimum extended property line setback requirements established by the local jurisdictions in which the activity is proposed;
9. In localities where there are no set back requirements, structure(s) is constructed in a manner so as not to obstruct ingress and egress from adjacent properties;
10. Piers over vegetated tidal wetlands are constructed a minimum of 3 feet above the wetlands;
11. Pier does not extend within 100 feet of a ski course approved by DNR;
12. Pier does not extend more than 100 feet channelward of the mean high water line and/or vegetated tidal wetlands; or a distance of 25 percent of the width of the waterway, which ever is less;
13. Project does not obstruct the flow of the tide; and
14. A signed copy of this notification with a completed Joint Federal/State Application including plans is sent to the Regulatory Services Coordination Office 10 days prior to the start of any construction.

### GENERAL CONDITIONS

1. Property owners must comply with all Federal, State and local requirements and regulations, including the State of Maryland's Chesapeake Bay Critical Area Criteria where applicable, pertaining to construction and installation of structure(s). Any structure(s) installed shall be constructed in such a manner to comply with local (County and or City) setback requirements, so as not to obstruct ingress and egress from adjacent properties.
2. A pier may be constructed in and over marsh areas to allow access provided that these areas are not disturbed. Piers shall be attached to uplands above the mean high water line so that shading of marsh and disturbance of fish and wildlife habitat are minimized. Mooring piles are not authorized in marsh areas for the purposes of boat moorings unless sufficient water depth allows mooring without alteration of the marsh. Heavy equipment utilized in pier construction over marshes shall be placed on mats or other suitable material to minimize damage to the marsh.

3. No structure(s) is allowed under this authorization if another similar type of structure(s) exists on the same property, unless the proposed work is an extension to an existing pier and the total resulting structure does not exceed the limits of this authorization, or unless the total number of auxiliary structures or Osprey poles will not exceed the limits of this authorization.
4. No petroleum dispensing apparatus may be placed or stored on piers or floating docks.
5. MDE reserves the right to determine whether or not a particular structure(s) qualifies for this authorization.
6. The shared use of piers, auxiliary structures and/or mooring piles by adjoining property owners is encouraged and strongly recommended wherever possible.
7. Mooring pile(s) allowed by this authorization will be used only for the purpose of mooring vessels by residential waterfront property owners and non-marina commercial property owners.
8. The property owner shall maintain the activity allowed by this authorization in good condition and in compliance with the terms and conditions of this authorization.
9. The property owner shall allow representatives from MDE to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of this authorization.
10. This authorization does not convey any public or private property rights. The land and water below the pier and the air above remain property of the State of Maryland.
11. This authorization does not allow any injury to the property or rights of others.
12. The State of Maryland does not assume any liability for the following:
  - a. Damages to the authorized project as a result of other permitted or unpermitted activities or from natural causes;
  - b. Damages to the authorized project as a result of current or future activities undertaken by or on behalf of the State of Maryland in the public interest;
  - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity allowed by this authorization;
  - d. Design or construction deficiencies associated with the authorized work; and
  - e. Damage claims associated with any future modification, suspension, or revocation of this authorization.
13. MDE may re-evaluate its decision on this authorization or any authority granted under it at any time circumstances warrant. Circumstances that could require a re-evaluation include, but are not limited to, the following:
  - a. The property owner fails to comply with the terms and conditions of this authorization;
  - b. The information provided by the property owner in the notification form is false, incomplete, or inaccurate; and
  - c. Significant new information becomes available which was not considered in reaching the original public interest decision.

Such a re-evaluation may result in a determination that it is appropriate to use the suspension, modification, revocation or enforcement procedures such as those contained in Title 9.
14. The property owner's use of the allowed activity must not interfere with the public's right to free navigation on all navigable waters of the State.

I have read and understand the criteria set forth in this Notification Form and will perform all work herein described in accordance with the conditions.

**SIGNATURE OF PROPERTY OWNER** \_\_\_\_\_

Address: \_\_\_\_\_

County: \_\_\_\_\_

Date: \_\_\_\_\_

**Contiguous Property Owner and Appropriate Local Official Notification  
Certification Form**

I have notified and provided plans of my proposal to perform work in tidal wetlands to all property owners contiguous to my property located at the address listed below.

In Person

By Certified Mail

I have notified and provided plans of my proposal to perform work in tidal wetlands to the Director of Planning in the County in which my project is located:

In Person

By Certified Mail

**Project Site Address**

\_\_\_\_\_  
*(Name of Property Owner)*

\_\_\_\_\_  
*(Project Site Street Address)*

\_\_\_\_\_  
*(City, State, Zip Code)*

Please list below all of the contiguous property owners notified. Attach additional pages if necessary.

Names

Addresses

|  |  |
|--|--|
|  |  |
|  |  |
|  |  |
|  |  |

\_\_\_\_\_  
*(Signature)*

\_\_\_\_\_  
*(Printed Name)*

**Sample Letter For Notifying Contiguous Property Owners  
or Projects in Tidal Wetlands**

*(Your Street Address)*  
*(City, State, Zip Code)*  
*(Phone Number)*

*(Date)*  
*(Contiguous Property Owner's Name)*  
*(Address)*  
*(City, State, Zip Code)*

Dear \_\_\_\_\_ :  
*(Contiguous Property Owner's Name)*

I am submitting an application to the Maryland Department of the Environment to obtain authorization to perform work in tidal wetlands at my property contiguous to yours. I propose to perform the following work:

*(Describe project)*

Please review the attached plan and call me if you have any questions. If you would like to provide comments to the Maryland Department of the Environment, please send a letter to them at the following address within 14 days of receipt of this letter.

Maryland Department of the Environment  
Tidal Wetlands Division  
1800 Washington Blvd  
Baltimore, MD 21230  
410-537-3837

Sincerely,

*(Your Signature)*

*(Your Printed Name)*

## Sample Letter For Notifying Appropriate Local Officials of Projects in Tidal Wetlands

*(Date)*

*(Your Street Address)*  
*(City, State, Zip Code)*  
*(Phone Number)*

Department of Planning  
*(Street Address)*  
*(City, State, Zip Code)*

Dear Planning Director:

I am submitting an application to the Maryland Department of the Environment to obtain authorization to perform work in tidal wetlands on my property located at \_\_\_\_\_ *(Project Address)*. I propose to perform the following work:

*(Describe project)*

Please review the attached plan and call me if you have any questions. If you would like to provide comments to the Maryland Department of the Environment, please send a letter to them at the following address within 14 days of receipt of this letter.

Maryland Department of the Environment  
Tidal Wetlands Division  
1800 Washington Blvd.  
Baltimore, MD 21230  
410-537-3837

Sincerely,

*(Your Signature)*

*(Your Printed Name)*