

**STATE OF MARYLAND**  
**DEPARTMENT OF THE ENVIRONMENT**  
**WATER MANAGEMENT ADMINISTRATION**  
**NONTIDAL WETLANDS AND WATERWAYS PERMIT**

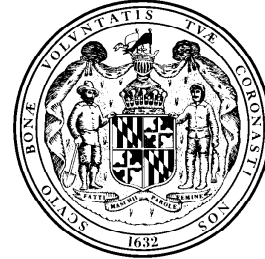
PERMIT NUMBER: **12-NT-0433/201261660**

PERMITTEE: Columbia Gas Transmission  
1700 MacCorkle Ave, SE  
Charleston, West Virginia 25314  
Attn: Jennifer Cannon

PERMIT EFFECTIVE DATE  
BEFORE REMAND: April 21, 2014-April 30, 2015

REISSUED PERMIT  
EFFECTIVE DATE: August 8, 2015

REISSUED PERMIT  
EXPIRATION DATE: December 31, 2019



IN ACCORDANCE WITH TITLE 5, SUBTITLES 5 AND 9 OF THE ENVIRONMENT ARTICLE, ANNOTATED CODE OF MARYLAND (2014 REPLACEMENT VOLUME), COMAR 26.17.04, 26.23.01, AND 26.08.02, THE ATTACHED GENERAL AND SPECIAL CONDITIONS, AND THE PLANS PREPARED BY **KCI Technologies** or **McCormick Taylor** APPROVED BY THE ADMINISTRATION ON **August 7, 2015** AND INCORPORATED HEREIN ("APPROVED PLANS"), **Columbia Gas Transmission** ("PERMITTEE"), IS HEREBY AUTHORIZED BY THE WATER MANAGEMENT ADMINISTRATION ("ADMINISTRATION") TO CONDUCT REGULATED ACTIVITIES IN NONTIDAL WETLANDS, BUFFERS, OR EXPANDED BUFFERS, AND/OR TO CHANGE THE COURSE, CURRENT OR CROSS-SECTION OF WATERS OF THE STATE, AS DESCRIBED BELOW:

For the Line MB Extension Project which involves the extension of an existing 26-inch diameter natural gas pipeline for approximately 21.1 miles from the Owings Mills Metering and Regulating Station located south of Owings Mills Road and west of Reisterstown Road in Owings Mills, Baltimore County, Maryland to the Rutledge Compressor Station located off of Rutledge Road in Fallston, Harford County, Maryland. The project also includes the construction of two 26-inch mainline valves (MLVs) along the Line MB extension to be installed parallel to the existing MLVs on Line MA, a new bi-directional pig launcher/receiver, with valves and fittings, to be installed at the Owings Mills Metering and Regulating Station, and a second bi-directional pig launcher/receiver to be installed at the Rutledge Compressor Station.

The Line MB Extension Project is being constructed in phases. Phase 1 extends approximately five miles from the Manor Road Metering and Regulating Station at Mile Post (MP) 16.1 to the Rutledge Compressor Station at MP 21.1. Phase 2 is approximately eight miles long, extending from MP 8.0 to MP 16.0 and has been divided into sub-phases: 2A, 2B, and 2C. Phase 3 extends approximately eight miles from the Owings Mills Metering and Regulating Station at MP 0.0 to MP 8.0.

As detailed below, some of the regulated activities were completed prior to the Circuit Court for Baltimore County remanding to the Administration the permit issued on April 21, 2014, and the remaining regulated activities are planned for 2015 and 2016. Phase 1 and Phase 2A impacts were completed prior to the remand, as was the construction of the mitigation project at First Mine Run.

Phase 1: Phase 1 activities included installation of a mainline valve at Manor Road (MP 16.1), the installation of a bi-directional pig launcher/receiver at the Rutledge Compressor Station, crossing Little Gunpowder Falls using the horizontal directional drill (HDD) method, and approximately 5 miles of pipeline installation. Phase 1 impacts were:

- Permanent:** 3,105 square feet (0.07 acres) of the 25-foot nontidal wetland buffer
- Temporary:** 5,772 square feet (0.13 acres) of nontidal wetlands  
14,166 square feet (0.33 acres) of the 25-foot nontidal wetland buffer  
489 linear feet (1,942 square feet) of stream  
13,008 square feet (0.30 acres) (0.00 cubic yards) of the 100-year floodplain
- Streams:** Little Gunpowder Falls (Use III)  
Yellow Branch and Unnamed Tributaries to Yellow Branch (Use III)  
Unnamed Tributaries to West Branch Winters Run (Use IV-P)

Phase 2A pipeline installation impacts were completed in 2015, and included approximately 0.6 miles of pipeline installation from MP 8.2 to MP 8.8 at Hayfields Golf Course. Phase 2A impacts were:

- Permanent:** None.
- Temporary:** 22,159 square feet (0.51 acres) of nontidal wetlands  
6,302 square feet (0.14 acres) of the 25-foot nontidal wetland buffer
- Streams:** None.

Mitigation is required for all permanent nontidal wetland impacts. The impacts from the construction of the mitigation project at First Mine Run were:

- Permanent:** None.
- Temporary:** 86 linear feet (452 square feet) of streams
- Streams:** Unnamed Tributary to First Mine Branch (Use III-P)

Restoration activities continue for Phase 1 and Phase 2A. Phase 2B, consisting of the installation of a mainline valve (MP 7.9) and the installation of approximately 5.7 miles of pipeline from MP 8.0 to MP 8.2, MP 8.8 to MP 10.6, and MP 12.4 to MP 16.0, is planned for 2015. Phase 2C, consisting of the installation of approximately 1.7 miles of pipeline from MP 10.6 to MP 12.4, is planned for 2016. Phase 3 is also planned for 2016. Phase 3 activities include the installation of approximately 8 miles of pipeline from MP 0.0 to MP 8.0 and the installation of a bi-directional pig launcher/receiver, with valves and fittings, at the Owings Mills Metering and Regulating Station (MP 0.0). The impacts for Phases 2B, 2C, and Phase 3 are:

- Permanent:** 32,439 square feet (0.75 acres) of nontidal wetlands  
24,325 square feet (0.56 acres) of the 25-foot nontidal wetlands buffer
- Temporary:** 170,480 square feet (3.91 acres) of nontidal wetlands  
122,773 square feet (2.82 acres) of the 25-foot nontidal wetlands buffer  
3,786 linear feet (43,444 square feet) of streams  
171,546 square feet (3.94 acres) (2,985 cubic yards) of the 100-year floodplain
- Streams:** Gwynns Falls and Unnamed Tributaries to Gwynns Falls (Use III)  
North Branch Jones Falls and Unnamed Tributaries to North Branch Jones Falls (Use III)  
Beaverdam Run (Use III-P)

Baisman Run and Unnamed Tributaries to Baisman Run (III-P)  
Unnamed Tributary to Oregon Pool (Use III-P)  
Oregon Branch and Unnamed Tributaries to Oregon Branch (Use III-P)  
Western Run and an Unnamed Tributary to Western Run (Use III-P)  
Gunpowder Falls and Unnamed Tributaries to Gunpowder Falls (Use III-P)  
Unnamed Tributaries to Carroll Branch (Use III-P)  
Unnamed Tributaries to Greene Branch (Use III-P)  
Parker Branch and Unnamed Tributaries to Parker Branch (Use III)

For the completed and uncompleted work, the project will result in the following total impacts to State-regulated resources:

**Permanent:** 32,439 square feet (0.75 acres) of nontidal wetlands [conversion of 31,678 square feet (0.73 acres) of Palustrine Forested (PFO) and 761 square feet (0.02 acres) of Palustrine Scrub-Shrub (PSS) to emergent nontidal wetlands]  
27,430 square feet (0.63 acres) of the 25-foot nontidal wetland buffer

**Temporary:** 198,411 square feet (4.55 acres) of nontidal wetlands [29,006 square feet (0.67 acres) of PFO; 443 square feet (0.01 acres) of PSS; and 168,962 square feet (3.88 acres) of PEM]  
143,241 square feet (3.29 acres) of the 25-foot nontidal wetland buffer  
4,361 linear feet (45,838 square feet) of streams (of which 86 linear feet (452 square feet) are impacts for wetland mitigation activities)  
184,554 square feet (4.24 acres; 2,985 cubic yards) of the 100-year floodplain

MD Grid Coordinates: 194331 x 419004



---

Amanda Sigillito, Chief  
Nontidal Wetlands Division

Attachments: Conditions of Permit

cc: MDE Compliance Program  
U.S. Army Corps of Engineers

**SPECIAL CONDITIONS:**

- A. **Independent Environmental Monitor (IEM).** Before beginning work, the Permittee shall, at its expense, hire an Independent Environmental Monitor (IEM), determined to be qualified by the Administration. The purpose of the IEM is to monitor construction activities to ensure that the Project complies with the Permit's authorized activities, general and special conditions, approved plans, and best management practices. The Permittee shall allow the IEM access to all construction areas where the activities authorized by this Permit are conducted. The Permittee shall timely address any concerns identified by the IEM, unless otherwise directed by the Administration's Compliance Program. The Permittee shall ensure that the IEM's services include the following:
- i. Attending all pre-construction meetings;
  - ii. Observing and monitoring construction in and around regulated areas (i.e., nontidal wetlands, nontidal wetland buffers, streams, and the 100-year floodplain) to ensure that the Project complies with the Permit's authorized activities, general and special conditions, approved plans, and best management practices;
  - iii. Notifying the Administration's Compliance Program immediately upon a determination of any noncompliance with the Permit's authorized activities, general and special conditions, approved plans, and best management practices;
  - iv. Generating and submitting daily reports to the Administration's Compliance Program, in a format acceptable to the Administration's Compliance Program, for each nontidal wetland, nontidal wetland buffer, stream, and 100-year floodplain impact authorized under this Permit;
  - v. As required by the Administration's Compliance Program, generating and submitting additional reports to the Administration's Compliance Program, which may include summary information, photos, compliance issues, follow-up actions, and post-rainfall inspection results.
  - vi. Proactively monitoring for unforeseen circumstances and changes in conditions that may arise that have the potential to affect regulated areas (i.e., nontidal wetlands, nontidal wetland buffers, streams, and the 100-year floodplain); and
  - vii. Conducting additional monitoring or assessments, as required by the Administration's Compliance Program.
- B. **Erosion and Sediment Control (ESC) Plans and Maintenance of Stream Flow (MOSF) Plans.** The Administration's Nontidal Wetlands and Waterways Program has ensured that the ESC plans and MOSF plans submitted by the Permittee incorporate all best management practices required under this Permit (see General Condition 11 and Special Conditions I, J, and K). For each phase of the project, the Permittee may not begin any nontidal wetland, nontidal wetland buffer, stream, or 100-year floodplain impacts authorized under this Permit until the Permittee obtains approval of the ESC plans from the applicable County Soil Conservation District and provides copies of the final MOSF plans and the County-approved ESC plans to the Administration's Nontidal Wetlands and Waterways Program and the Administration's Compliance Program (one full size plan set and one 11" x 17" plan set for each Program). The Permittee shall comply with the MOSF plans and County-approved ESC plans for all activities authorized under this Permit.
- The Permittee has provided the Administration with the MOSF plans and County-approved ESC plans for Phases 1, 2A, and 2B. The ESC plans for Phase 2C and Phase 3, which have been reviewed and approved by the Administration's Nontidal Wetlands and Waterways Program, are subject to further review and final approval by the Baltimore County Soil Conservation District, under its authority under the Maryland Erosion and Sediment Control Act and applicable Baltimore County regulations. The Permittee shall apply for a modification to this Permit if the County-approved ESC plans for Phase 2C or Phase 3 conflict with the plans that have been reviewed and approved by the Administration's Nontidal Wetlands and Waterways Program, where the County-approved ESC plans have removed any best management practices required under this Permit or modified any impact to nontidal wetlands, nontidal wetland buffers, streams, or the 100-year floodplain authorized under this Permit.
- C. **Pre-Construction Meeting.** At least two weeks prior to commencing work on Phase 2C and at least two weeks prior to commencing work on Phase 3 of the project, the Permittee shall hold a pre-construction meeting and invite representatives from the Administration's Compliance Program (410-537-3510), the U.S. Army Corps of Engineers (410-962-6080), the Maryland Department of Natural Resources' Integrated Policy and Review Division (410-260-8334), the Soil Conservation District for the County where the work is to occur, and Baltimore City's Department of Public Works (410-396-3500).
- D. **Time-of-Year Restrictions.** To protect important aquatic species, the Permittee is prohibited from conducting horizontal directional drilling or open cut trenching activities from October through April, inclusive, for natural trout waters (Use III and III-P waters) and from March through May, inclusive, for recreational trout waters (Use IV and IV-P waters). The stream classifications (COMAR 26.08.02.08) and time-of-year restrictions in effect for this project are as follows:
- Gwynns Falls Tributaries: Use III; October 1 through April 30, inclusive, of any year.
  - North Branch Jones Falls (mainstem) and tributaries: Use III; October 1 through April 30, inclusive, of any year.

- Beaverdam Run: Use III-P; October 1 through April 30, inclusive, of any year.
  - Baisman Run (mainstem) and tributaries: Use III-P; October 1 through April 30, inclusive, of any year.
  - Oregon Branch (mainstem) and tributaries: Use III-P; October 1 through April 30, inclusive, of any year.
  - Western Run (mainstem) and tributaries: Use III-P; October 1 through April 30, inclusive, of any year.
  - Gunpowder Falls (mainstem) and tributaries: Use III-P; October 1 through April 30, inclusive, of any year.
  - Carroll Branch tributaries: Use III-P; October 1 through April 30, inclusive, of any year.
  - Greene Branch tributaries: Use III-P; October 1 through April 30, inclusive, of any year.
  - Parker Branch (mainstem) and tributaries: Use III; October 1 through April 30, inclusive, of any year.
  - Little Gunpowder Falls (mainstem): Use III; October 1 through April 30, inclusive, of any year.
  - Yellow Branch (mainstem) and tributaries: Use III; October 1 through April 30, inclusive, of any year.
  - West Branch Winters Run tributaries: Use IV-P; March 1 through May 31, inclusive, of any year.
- E. **Horizontal Directional Drilling (HDD)**. To protect important aquatic resources and to avoid stream and/or wetland impacts, the Permittee shall use horizontal directional drilling (HDD) to cross Little Gunpowder Falls (MP 17.7). The Permittee shall comply with the "*Horizontal Directional Drilling Contingency Plan*" during this HDD stream crossing.
- F. **Open-Cut Stream Crossings**. As reflected on the Erosion and Sediment Control (ESC) plans and the Maintenance of Stream Flow (MOSF) plans reviewed and approved by the Administration's Nontidal Wetlands and Waterways Program (see Special Condition B), the Permittee shall complete all stream crossings, except for stream crossings required to be crossed by Horizontal Directional Drilling (see Special Condition E), in accordance with the "*Dry Open-Cut, Dam-and-Pump Crossing Method Description*." Before beginning stream crossing excavation work, the Permittee shall complete stream flow diversions and ensure that the work area within the stream channel has been properly dewatered. Whenever practicable, the Permittee shall undertake stream crossings during periods of no flow (intermittent or ephemeral streams) or low flow (perennial streams). The Permittee shall monitor the weather (e.g., using National Oceanic and Atmospheric Administration weather reports) for one to three days in advance of a planned stream crossing and shall schedule in-stream work around any forecasted storm events.
- G. **Trench Construction**. When trenches are constructed or backfilled through nontidal wetlands or streams, the Permittee shall ensure that the trenches do not drain waters of the State (e.g., backfilling with extensive gravel layers, creating a French drain effect). The Permittee may place clay plugs, impervious membranes, or other materials in the trenches to ensure draining does not occur.
- H. **Trench Backfill**. For trenches constructed in streams and nontidal wetlands, the Permittee shall backfill the top 6 to 12 inches of the trench with the top 6 to 12 inches of topsoil removed from the trench. Immediately after completion of construction of the pipeline through the stream or nontidal wetlands area, the Permittee shall dispose of excess excavated material in an upland area and stabilize the area with straw bales, silt fence, or other erosion and sediment control devices to prevent its reentry into waters of the State.
- I. **Best Management Practices For Work in Regulated Areas**. As reflected on the Erosion and Sediment Control (ESC) plans and the Maintenance of Stream Flow (MOSF) plans reviewed and approved by the Administration's Nontidal Wetlands and Waterways Program (see Special Condition B), the Permittee shall implement "*Best Management Practices for Working in Nontidal Wetlands, Wetland Buffers, Waterways, and 100-Year Floodplains*."
- J. **Enhanced Best Management Practices For Work in Regulated Areas**. As reflected on the Erosion and Sediment Control (ESC) plans and the Maintenance of Stream Flow (MOSF) plans reviewed and approved by the Administration's Nontidal Wetlands and Waterways Program (see Special Condition B), the Permittee shall implement the "*Enhanced Best Management Practices*" to provide additional protections to nontidal wetlands, nontidal wetland buffers, streams, and the 100-year floodplain during construction activities.
- K. **Advanced Best Management Practices for Work at Baisman Run**. As reflected on the Erosion and Sediment Control (ESC) plans and the Maintenance of Stream Flow (MOSF) plans reviewed and approved by the Administration's Nontidal Wetlands and Waterways Program (see Special Condition B), the Permittee shall implement the "*Advanced Best Management Practices*" for the authorized impacts to the mainstem of Baisman Run and the unnamed tributaries to Baisman Run to provide additional protections to this sentinel stream.
- L. **Forest Conservation (FC) Plans and Forest Buffer Protection (FBP) Plans**. For each phase of the project, the Permittee shall satisfy all applicable Forest Conservation Act plan requirements prior to beginning work on that phase. The Permittee shall provide copies of the Forest Conservation (FC) plans and Forest Buffer Protection (FBP) plans approved by Baltimore County, the FC plans approved by Harford County, and the FC plans approved by the Maryland Department of Natural

Resources (DNR) Forest Service, to the Administration's Nontidal Wetlands and Waterways Program. The Permittee shall comply with all County-approved FC and FBP plans and all DNR-approved FC plans.

The Administration has received and considered County-approved FC and FBP plans for Phases 1, 2A, 2B, and 2C (except for the Gunpowder Falls crossing). The plans for the remaining portion of Phase 2C (i.e., the Gunpowder Falls crossing) and Phase 3 have also been received and considered by the Administration and, while acceptable to the Administration for the purposes of this Permit, such plans are subject to further review and final approval by Baltimore County and DNR's Forest Service, under the Forest Conservation Act and local ordinance authority. The Permittee shall apply for a modification to this Permit if the County-approved or DNR-approved plans for Phase 2C or Phase 3 conflict with the plans that have been reviewed and considered by the Administration's Nontidal Wetlands and Waterways Program, where the County- approved or DNR-approved plans result in greater tree stand clearing or less stringent mitigation requirements than the plans provided to and reviewed by the Administration's Nontidal Wetlands and Waterways Program.

- M. **Didymo Plan.** To prevent the spread of the invasive microscopic alga *Didymosphenia geminata* (Didymo), the Permittee shall comply with the "*Invasive Species Control Plan for Didymosphenia geminata at Gunpowder Falls,*" approved by the Maryland Department of Natural Resources, and shall implement the methods in the plan for any gear or equipment that comes into contact with water from Gunpowder Falls.
- N. **Stream-Side Planting Plan.** To stabilize stream banks impacted during construction and to accelerate the growth of vegetative cover, the Permittee shall comply with the "*Stream-Side Planting Plan*" for all perennial and intermittent stream banks that are disturbed during construction, except for stream banks within 10 feet of Line MA or Line MB. The Permittee shall plant disturbed stream banks using live stakes within the area extending from the Ordinary High Water Mark up to the top of bank.
- O. **Maryland Biological Stream Survey (MBSS) Monitoring.** The Permittee shall conduct Maryland Biological Stream Survey (MBSS) monitoring, consisting of one benthic and one fish sample, before and after pipe installation across Little Gunpowder Falls (MP 17.7) at the following location: 39.523918 X, -76.498322 Y. The Permittee shall populate the excel spreadsheet, "*MDE BIO3,*" with the monitoring results and shall prepare an accompanying narrative report. Prior to submitting the data and narrative report, the Permittee shall contact MDE Science Services Administration (SSA) at 410-537-3818, in order to be directed to the appropriate party responsible for Antidegradation MBSS data submissions to SSA. By December 31, 2015, the Permittee shall submit the data and narrative report in hardcopy to the Administration's Compliance Program and to SSA.
- P. **Hydrostatic Testing Permit.** During disinfection or hydrostatic testing of new pipe, the Permittee shall comply with the requirements of "*General Permit for Discharges from Tanks, Pipes and Other Liquid Containment Structures at Facilities Other Than Oil Terminals,*" (Discharge Permit No. 11-HT, NPDES Permit No. MDG67). The water quality criteria limits for pH are 6.5 to 8.5 for all disinfection or hydrostatic testing discharges, as required by the Administration's Wastewater Permits Program. The Permittee is assigned Registration No. 11HT5175.
- Q. **Spill Response Plan.** To aid in the avoidance of spills of fuel, oil, or lubricants during construction, and to minimize impacts of spills should they occur, the Permittee shall comply with the "*Spill Response Plan.*"

#### **GENERAL CONDITIONS:**

1. **Validity:** Permit is valid only for use by Permittee. Permit may be transferred only with prior written approval of the Administration. In the event of transfer, transferee agrees to comply with all terms and conditions of Permit.
2. **Initiation of Work, Modifications and Extension of Term:** Permittee shall initiate authorized activities with two (2) years of the Effective Date of this Permit or the Permit shall expire. Permittee may submit written requests to the Administration for (a) extension of the period for initiation of work, (b) modification of Permit, including the Approved Plan, or, (c) not later than 45 days prior to Expiration Date, an extension of the term. Requests for modification shall be in accordance with applicable regulations and shall state reasons for changes, and shall indicate the impacts on nontidal wetlands, streams, and the floodplain, as applicable. The Administration may grant a request at its sole discretion.
3. **Responsibility and Compliance:** Permittee is fully responsible for all work performed and activities authorized by this Permit shall be performed in compliance with this Permit and Approved Plan. Permittee agrees that a copy of the Permit and Approved Plan shall be kept at the construction site and provided to its employees, agents and contractors. A person (including Permittee, its employees, agents or contractors) who violates or fails to comply with the terms and conditions of this Permit, Approved Plan or an administrative order may be subject to penalties in accordance with §5-514 and §5-911, Department of the Environment Article, Annotated Code of Maryland (2014 Replacement Volume).

4. **Failure to Comply:** If Permittee, its employees, agents or contractors fail to comply with this Permit or Approved Plan, the Administration may, in its discretion, issue an administrative order requiring Permittee, its employees, agents and contractors to cease and desist any activities which violate this Permit, or the Administration may take any other enforcement action available to it by law, including filing civil or criminal charges.
5. **Suspension or Revocation:** Permit may be suspended or revoked by the Administration, after notice of opportunity for a hearing, if Permittee: (a) submits false or inaccurate information in Permit application or subsequently required submittals; (b) deviates from the Approved Plan, specifications, terms and conditions; (c) violates, or is about to violate terms and conditions of this Permit; (d) violates, or is about to violate, any regulation promulgated pursuant to Title 5, Department of the Environment Article, Annotated Code of Maryland as amended; (e) fails to allow authorized representatives of the Administration to enter the site of authorized activities at any reasonable time to conduct inspections and evaluations; (f) fails to comply with the requirements of an administrative action or order issued by the Administration; or (g) does not have vested rights under this Permit and new information, changes in site conditions, or amended regulatory requirements necessitate revocation or suspension.
6. **Other Approvals:** Permit does not authorize any injury to private property, any invasion of rights, or any infringement of federal, State or local laws or regulations, nor does it obviate the need to obtain required authorizations or approvals from other State, federal or local agencies as required by law.
7. **Site Access:** Permittee shall allow authorized representatives of the Administration access to the site of authorized activities during normal business hours to conduct inspections and evaluations necessary to assure compliance with this Authorization. Permittee shall provide necessary assistance to effectively and safely conduct such inspections and evaluations.
8. **Inspection Notification:** Permittee shall notify the Administration's Compliance Program at least five (5) days before starting authorized activities and five (5) days after completion. For Allegany, Garrett, and Washington Counties, Permittee shall call 301-689-1480. For Carroll, Frederick, Howard, Montgomery and Prince George's Counties, Permittee shall call 301-665-2850. For Baltimore City, Anne Arundel, Baltimore, Calvert, Charles, and St. Mary's Counties, Permittee shall call 410-537-3510. For Caroline, Cecil, Dorchester, Harford, Kent, Queen Anne's, Somerset, Talbot, Wicomico and Worcester Counties, Permittee shall call 410-901-4020. If Permit is for a project that is part of a mining site, please contact the Land Management Administration's Mining Program at 410-537-3557 at least five (5) days before starting authorized activities and five (5) days after completion.
9. **Sediment Control:** Permittee shall obtain approval from the Baltimore County Soil Conservation District for an erosion and sediment control plan specifying soil erosion control measures. The approved erosion and sediment control plan shall be included in the Approved Plan, and shall be available at the construction site.
10. **Federally Mandated State Authorizations:**
  - X Water Quality Certification:** The Administration issued Water Quality Certification (WQC) Number 12-NT-0433/201261660 to the certification holder, NiSource/Columbia Gas Transmission LLC, on April 14, 2014. The WQC remains in effect for this project until December 31, 2019.
  - X Coastal Zone Consistency:** This Permit constitutes official notification that authorized activities are consistent with the Maryland Coastal Zone Management Program, as required by Section 307 of the Federal Coastal Zone Management Act of 1972, as amended. Activities within the following counties are not subject to this requirement: Allegany, Carroll, Frederick, Garrett, Howard, Montgomery, and Washington.
11. **Best Management Practices During Construction:** Permittee, its employees, agents and contractors shall conduct authorized activities in a manner consistent with the Best Management Practices specified by the Administration.
12. **Disposal of Excess:** Unless otherwise shown on the Approved Plan, all excess fill, spoil material, debris, and construction material shall be disposed of outside of nontidal wetlands, nontidal wetlands buffers, and the 100-year floodplain, and in a location and manner which does not adversely impact surface or subsurface water flow into or out of nontidal wetlands.
13. **Temporary Staging Areas:** Temporary construction trailers or structures, staging areas and stockpiles shall not be located within nontidal wetlands, nontidal wetlands buffers, or the 100-year floodplain unless specifically included on the Approved Plan.
14. **Temporary Stream Access Crossings:** Temporary stream access crossings shall not be constructed or utilized unless shown on the Approved Plan. If temporary stream access crossings are determined necessary prior to initiation of work or at any time during construction, Permittee, its employees, agents or contractors shall submit a written request to the Administration and secure the necessary permits or approvals for such crossings before installation of the crossings. Temporary stream access crossings shall be removed and the disturbance stabilized prior to completion of authorized activity or within one (1) year of installation.

15. **Discharge:** Runoff or accumulated water containing sediment or other suspended materials shall not be discharged into waters of the State unless treated by an approved sediment control device or structure.
16. **Instream Construction Prohibition:** To protect important aquatic species, motor driven construction equipment shall not be allowed within stream channels unless on authorized ford crossings. Activities within stream channels are prohibited as determined by the classification of the stream (COMAR 26.08.02.08). For Use III and III-P streams, time of year restriction is October 1 through April 30 inclusive of any year; for Use IV-P streams, time of year restriction is March 1 through May 31, inclusive, of any year.
17. **Instream Blasting:** Permittee shall obtain prior written approval from the Administration before blasting or using explosives in the stream channel.
18. **Minimum Disturbance:** Any disturbance of stream banks, channel bottom, wetlands, and wetlands buffer authorized by Permit or Approved Plan shall be the minimum necessary to conduct permitted activities. All disturbed areas shall be stabilized vegetatively no later than seven (7) days after construction is completed or in accordance with the approved grading or sediment and erosion control plan.
19. **Restoration of Construction Site:** Permittee shall restore the construction site upon completion of authorized activities. Undercutting, meandering or degradation of the stream banks or channel bottom, any deposition of sediment or other materials, and any alteration of wetland vegetation, soils, or hydrology, resulting directly or indirectly from construction or authorized activities, shall be corrected by Permittee as directed by the Administration.
20. **Mitigation:** As required by COMAR 26.23.04, a Phase II Mitigation Plan has been approved by the Administration's Mitigation and Technical Assistance Section (Section) through the Phase II Mitigation Plan Approval Letter and its associated exhibits (Approval Letter). In accordance with the Approval Letter, the Permittee shall mitigate for the permanent conversion of 761 square feet of scrub-shrub nontidal wetlands and 31,678 square feet of forested nontidal wetlands to emergent nontidal wetlands by creating the equivalent of at least 761 square feet of scrub-shrub nontidal wetlands and 31,678 square feet of forested nontidal wetlands. While the Permittee has completed the construction of the mitigation project, the Permittee continues to be subject to the project standards and other requirements specified in the Approval Letter and COMAR 26.23.04. The Permittee shall submit monitoring reports for the mitigation project to the Section as specified in the Approval Letter. If the Permittee, as stated in the Permit, changes, the Permittee must notify the Section. If the mitigation obligation is to be transferred to another party, the Permittee must notify the Section.

#### **PLANS AND MATERIALS REQUIRED BY THIS PERMIT**

The below-listed plans and materials are expressly incorporated into and made part of this Permit. Each document is available online at:

[http://www.mde.state.md.us/programs/Water/WetlandsandWaterways/Pages/Columbia\\_Nontidal\\_Permit12-NT-0433.aspx](http://www.mde.state.md.us/programs/Water/WetlandsandWaterways/Pages/Columbia_Nontidal_Permit12-NT-0433.aspx)

- Impact Plates
- Impact Tables
- Erosion and Sediment Control (ESC) Plans (Special Condition B)
- Maintenance of Stream Flow (MOSF) Plans (Special Condition B)
- Horizontal Directional Drilling (HDD) Contingency Plan (Special Condition E)
- Dry Open-Cut, Dam-and-Pump Crossing Method Description (Special Condition F)
- Best Management Practices for Working in Nontidal Wetlands, Wetland Buffers, Waterways, and 100-Year Floodplains (Special Condition I)
- Enhanced Best Management Practices (Special Condition J)
- Advanced Best Management Practices (Special Condition K)
- Forest Conservation (FC) Plans and Forest Buffer Protection (FBP) Plans (Special Condition L)
- Invasive Species Control Plan for *Didymosphenia geminata* at Gunpowder Falls (Special Condition M)
- Stream-Side Planting Plan (Special Condition N)
- MDE BIO3 (Special Condition O)
- General Permit for Discharges from Tanks, Pipes and Other Liquid Containment Structures at Facilities Other Than Oil Terminals (Discharge Permit No. 11-HT, NPDES Permit No. MDG67) (Special Condition P)
- Spill Response Plan (Special Condition Q)
- Phase II Mitigation Plan and Phase II Wetland Mitigation Plan Approval Letter (General Condition 20)



Hardcopies of these plans and materials are also available for inspection at the MDE office in Baltimore and the following public libraries on or after August 11, 2015.

Maryland Department of the Environment  
1800 Washington Boulevard  
Baltimore, MD 21230  
\* MDE Receptionist, during regular business hours\*

Baltimore County Public Library  
Reisterstown Branch  
21 Cockeyes Mill Road  
Reisterstown, MD 21136

Baltimore County Public Library  
Cockeysville Branch  
9833 Greenside Drive  
Cockeysville, MD 21030

Harford County Public Library  
Fallston Branch  
1461 Fallston Road  
Fallston, MD 21047

Baltimore County Public Library  
Hereford Branch  
16490 York Road  
Hereford, MD 21111

#### **U.S. ARMY CORPS OF ENGINEERS AUTHORIZATION**

The U.S. Army Corps of Engineers issued an Individual Permit (CENAB-OP-RMN (NiSource/Columbia Gas Transmission Line MB Extension Project) 2012-61660-M04) on April 30, 2014. That permit was modified on August 1, 2014 and remains in effect until December 31, 2019.