



DEPARTMENT OF
ENVIRONMENTAL PROGRAMS

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET, ROOM 1306
SNOW HILL, MARYLAND 21863
TEL: 410.632.1220 / FAX: 410.632.2012

LAND PRESERVATION PROGRAM
STORMWATER MANAGEMENT
SEDIMENT AND EROSION CONTROL
SHORELINE CONSTRUCTION
AGRICULTURAL PRESERVATION
ADVISORY BOARD

WELL & SEPTIC
WATER & SEWER PLANNING
PLUMBING & GAS
CRITICAL AREAS/FORESTRY
COMMUNITY HYGIENE

May 9, 2023

This notification is to advise you that the Department has received and is presently reviewing the following request for a shoreline construction project:

River Run Development Associates LLC – Request No. 2023-046 – Request to install 6'x151 LF pier bridge, 107lf over open water. This project is located at 11605 Masters Lane, Ocean Pines, also known as Tax Map 15, Parcel 126. Third Tax District of Worcester County, Maryland.

The Department in considering this application will make specific findings of fact with regard to the environmental impact, navigational impact, recreational potential, commercial benefit to Worcester County, impact of the proposed construction upon the surrounding neighborhood and upon property values therein, and any other pertinent issues. Approval from the Department does not guarantee approval from any other applicable regulatory agencies.

If you have an interest which may be adversely affected by the issuance of this permit, you are requested to notify this Department in writing within fifteen (15) calendar days which will end on May 24, 2023.

Sincerely,

Brandy Whitlock
Environmental Inspector

cc: Interested Parties
David Bradford, Deputy Director
File



WORCESTER COUNTY
SHORELINE CONSTRUCTION
APPLICATION

Request No.: 2023-046
Submission Date: 5-9-23

X Major Construction (\$300.00)

Minor Construction (\$150.00)

Written Description of Proposed Improvement (include channelward distance):

To construct a previously approved bridge over wetlands to access Eagle Island and associated utilities as denoted on the re-authorized MDE / BOPW and USACE Authorization attached to this application

Property Description:

Map: 0015 Parcel: 0126 Lot: _____ Section: _____ Block: _____ Tax District: 03-004899

Street Address: 11605 Masters Lane, Berlin MD 21822

Subdivision: River Run

Dwelling on lot: _____ Dwelling under construction: _____ Vacant: X Commercial: _____

Owner: River Run Development Associates LLC

Phone No. 516 747 0300

Mailing Address: 11605 Masters Lane, Berlin MD 21822

E-Mail Address: lmeltzer@meltzerlippe.com

Contractor: Not Chosen at this Time

Phone No.: _____

Mailing Address: _____

E-Mail Address: _____

Recorded Adjacent Property Owner: Blair Snyder

Property Address: 11146 Spring Branch Lane, Berlin MD 21811

Tax Map: 0016 Parcel: 0007 Lot: _____ Section: _____ Block: _____

Recorded Adjacent Property Owner: Holland Point Farm LLC

Property Address: 11750 Showell School Road, Berlin MD 21811

Tax Map: 0015 Parcel: 0189 Lot: _____ Section: _____ Block: _____

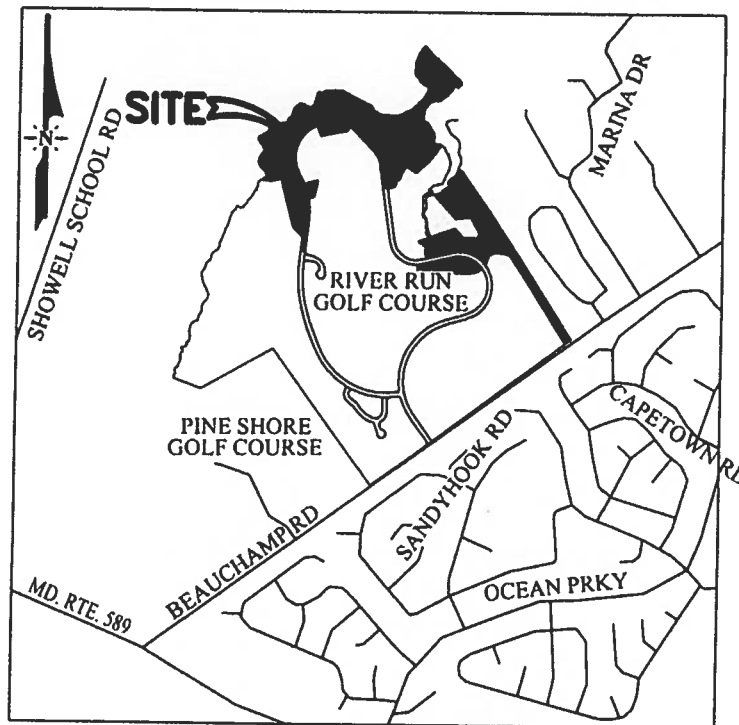
As the applicant, I attest that the information presented on this application, site plan and any written documentation attached hereto is known to be accurate. I understand that the proposed shoreline improvement will be constructed to meet or exceed minimum design standards adopted by the Department. Any deviation from these standards will require construction plans sealed by an engineer registered in the State of Maryland. I acknowledge that any falsification of information presented may result in revocation of this approval and of the subsequent Shoreline Construction Permit.

Chris McCabe - Agent 02/28/2023
Owner/Applicant's Signature Date

DEPT. USE ONLY:

Notification Distribution Date: 5/9/23 Public Comment Deadline: 5-24-23 (15 calendar days)

Department Approval Date: _____ Expiration: _____



VICINITY MAP

SITE DATA

PARCEL DESCRIPTION

TAX MAP 15, PARCEL 126
THIRD TAX DISTRICT
WORCESTER COUNTY, MARYLAND

PROPERTY OWNER

RIVER RUN DEVELOPMENT ASSOCIATES, LLC.
190 WILLIS AVENUE
MINEOLA, NY 11501
519-747-0300

PROPOSED USE

102 LOT SUBDIVISION WITH 12 SLIP COMMUNITY MARINA WITH CENTRAL COMMUNITY SEWER AND WATER SYSTEMS.

IMPACTS

NON TIDAL WETLAND IMPACTS (MDE) = 745± S.F.
NON TIDAL WETLAND BUFFER IMPACTS (MDE) = 14,642± S.F.
TIDAL WETLAND IMPACTS (MDE) = 1,250± S.F.
WETLAND IMPACTS (BRIDGE PILING, US ARMY CORPS OF ENGINEERS) = 30± S.F.

COMMUNITY MARINA

REMOVE 138LF EXISTING PIER

PROPOSED 6' x 151LF PIER BRIDGE; 107LF OVER OPEN WATER



DAVIS,
BOWEN &
FRIEDEL, INC.

ARCHITECTS ENGINEERS SURVEYORS

SALISBURY, MARYLAND (410) 543-9091
MILFORD, DELAWARE (302) 424-1441

APPLICANT: RIVER RUN DEVELOPMENT ASSOCIATES, LLC.
190 WILLIS AVENUE
MINEOLA, NY 11501
519-747-0300

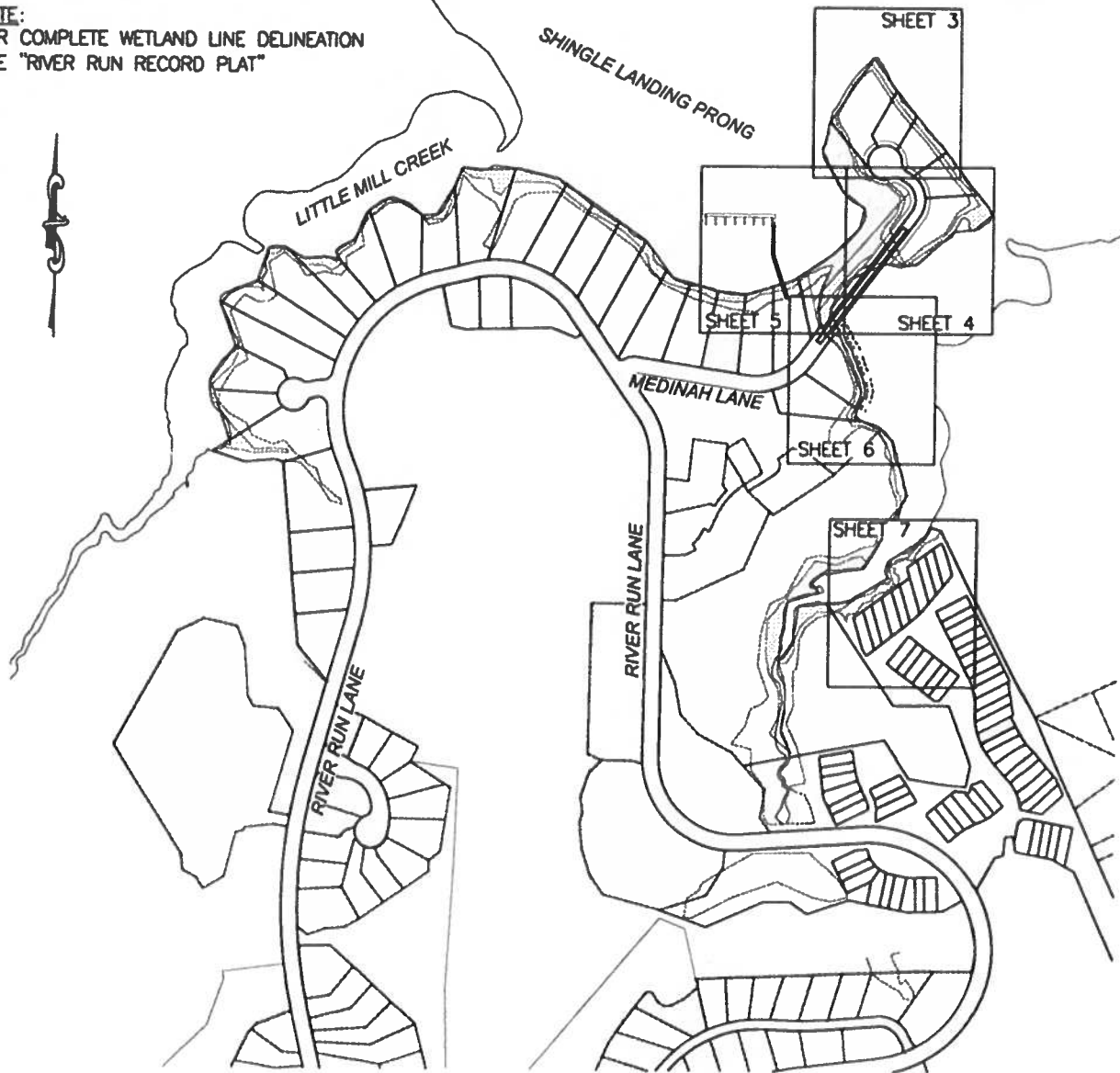
VICINITY MAP & SITE DATA

Date: 08/05/15

Scale: NONE

Sheet: 1 OF 12

NOTE:
FOR COMPLETE WETLAND LINE DELINEATION
SEE "RIVER RUN RECORD PLAT"



IMPACTS

NON TIDAL WETLAND IMPACTS (MDE) = 745± S.F.

NON TIDAL WETLAND BUFFER IMPACTS (MDE) = 14,642± S.F.

TIDAL WETLAND IMPACTS (MDE) = 1,250± S.F.

WETLAND IMPACTS (BRIDGE PILINGS, US ARMY CORPS OF ENGINEERS) = 30± S.F.

COMMUNITY MARINA

REMOVE 138LF EXISTING PIER

PROPOSED 6' x 151LF PIER BRIDGE; 107LF OVER OPEN WATER

**DAVIS,
BOWEN &
FRIEDEL, INC.** ARCHITECTS ENGINEERS SURVEYORS

SALISBURY, MARYLAND (410) 543-9091
MILFORD, DELAWARE (302) 424-1441

APPLICANT: RIVER RUN DEVELOPMENT ASSOCIATES, LLC.
190 WILLIS AVENUE
MINEOLA, NY 11501
519-747-0300

KEY SHEET & IMPACTS

Date: 08/05/15

Scale: 1" = 500'



Sheet: 2 OF 12



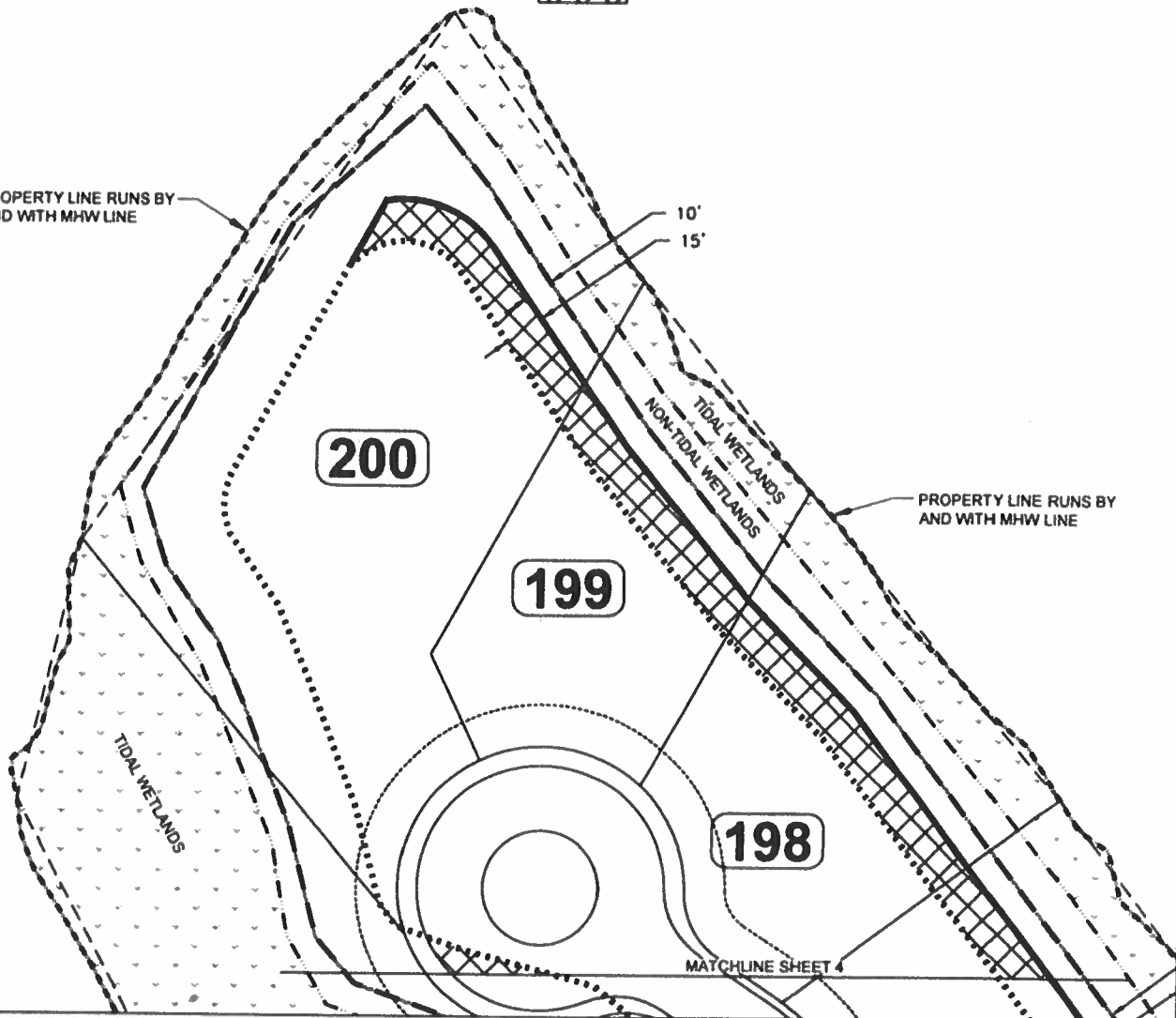
LEGEND

- MEAN HIGH WATER LINE
- TIDAL WETLAND LINE
- NON-TIDAL WETLAND LINE
- NON-TIDAL WETLAND BUFFER LINE

IMPACTS

-  NON TIDAL WETLAND IMPACTS = 0 S.F.
-  NON TIDAL WETLAND BUFFER IMPACTS = 5,840± S.F.

PROPERTY LINE RUNS BY
AND WITH MHW LINE



**DAVIS,
BOWEN &
FRIEDEL, INC.** ARCHITECTS ENGINEERS SURVEYORS

SALISBURY, MARYLAND (410) 543-9091
MILFORD, DELAWARE (302) 424-1441

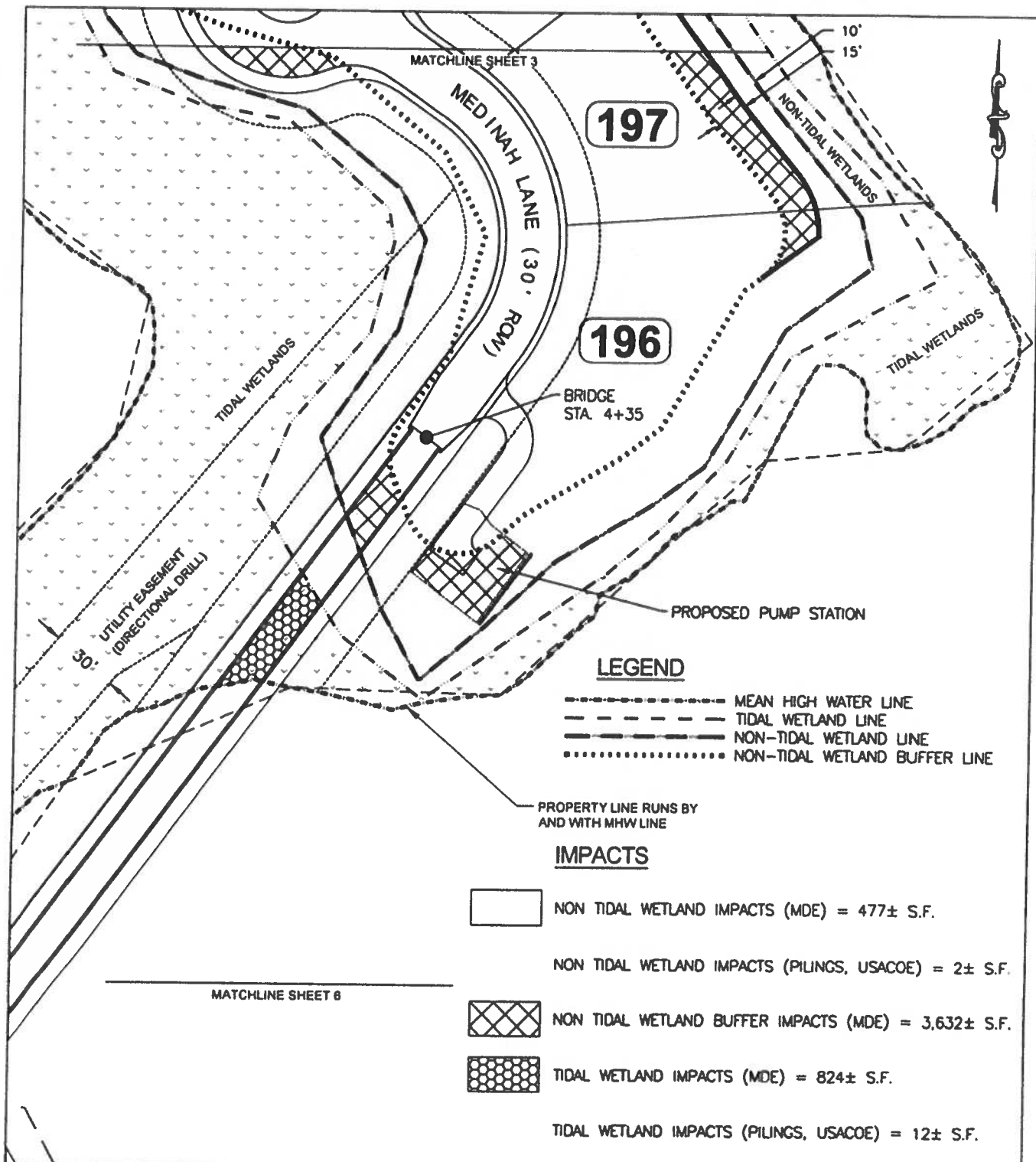
APPLICANT: RIVER RUN DEVELOPMENT ASSOCIATES, LLC.
190 WILLIS AVENUE
MINEOLA, NY 11501
519-747-0300

NON-TIDAL WETLAND & BUFFER IMPACTS

Date: 08/05/15

Scale: 1" = 60'

Sheet: 3 OF 12



DAVIS, BOWEN & FRIEDEL, INC. ARCHITECTS ENGINEERS SURVEYORS
 SALISBURY, MARYLAND (410) 543-9091
 MILFORD, DELAWARE (302) 424-1441

APPLICANT: RIVER RUN DEVELOPMENT ASSOCIATES, LLC.
 190 WILLIS AVENUE
 MINEOLA, NY 11501
 519-747-0300

NON-TIDAL WETLAND & BUFFER IMPACTS

Date: 08/05/15 Scale: 1" = 60' Sheet: 4 OF 12

IMPACTS



NON TIDAL WETLAND IMPACTS (MDE) = $220 \pm$ S.F.



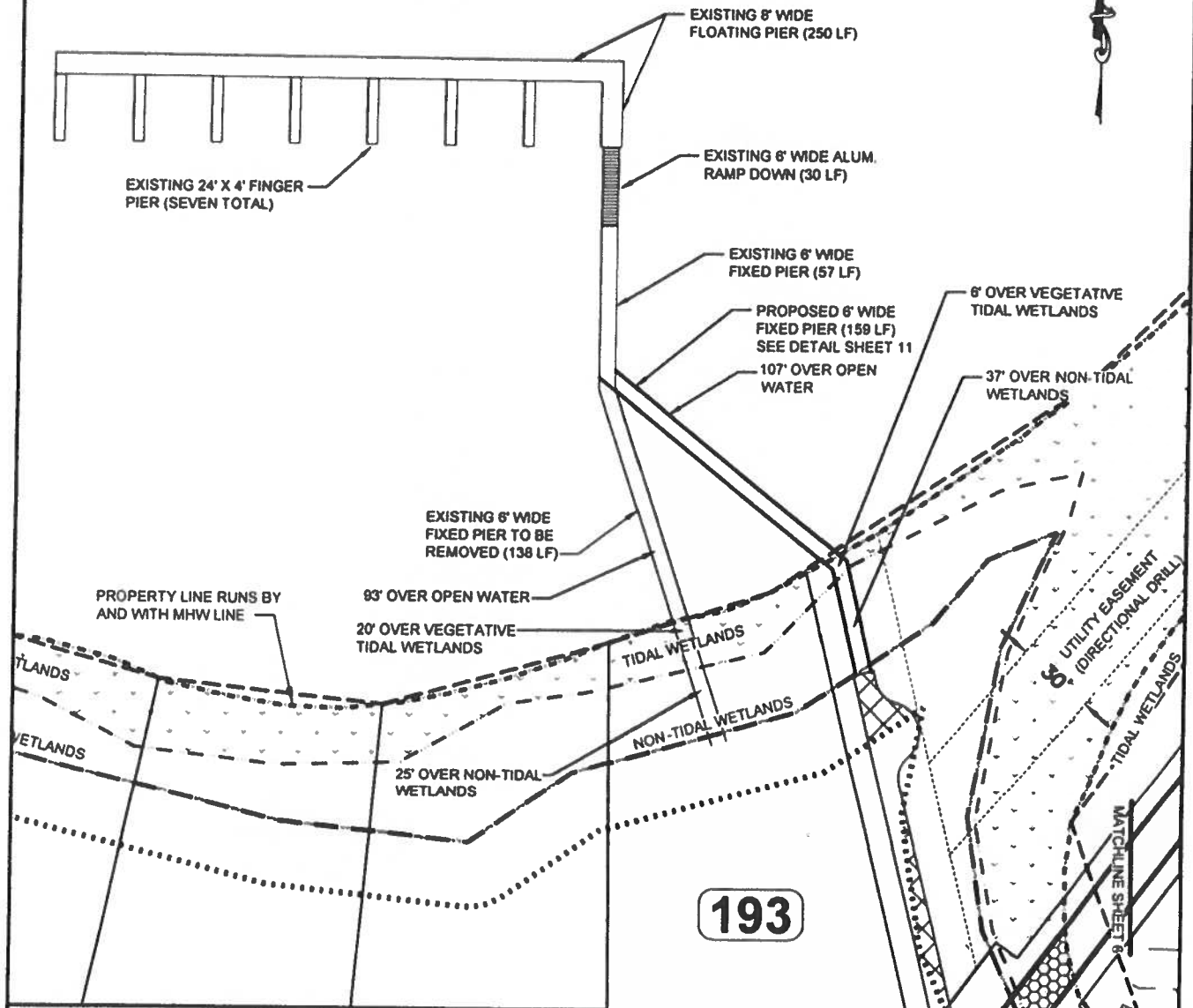
NON TIDAL WETLAND BUFFER IMPACTS (MDE) = $646 \pm$ S.F.

TIDAL WETLAND IMPACTS (MDE, USACOE) = 0 S.F.

NON TIDAL WETLAND IMPACTS (PILINGS, USACOE) = $12 \pm$ S.F.

LEGEND

- MEAN HIGH WATER LINE
- TIDAL WETLAND LINE
- NON-TIDAL WETLAND LINE
- NON-TIDAL WETLAND BUFFER LINE



DAVIS,
BOWEN &
FRIEDEL, INC.

ARCHITECTS ENGINEERS SURVEYORS

SALISBURY, MARYLAND (410) 343-9001
MILFORD, DELAWARE (302) 424-1441

APPLICANT: RIVER RUN DEVELOPMENT ASSOCIATES, LLC.
190 WILLIS AVENUE
MINEOLA, NY 11501
519-747-0300

NON-TIDAL WETLAND & BUFFER IMPACTS





Date: 08/05/15

Scale: 1" = 60'

Sheet: 5 OF 12

MATCHLINE SHEET 4

IMPACTS





-  NON TIDAL WETLAND IMPACTS (MDE) = $48 \pm$ S.F.
-  NON TIDAL WETLAND BUFFER IMPACTS (MDE) = $412 \pm$ S.F.
-  TIDAL WETLAND IMPACTS (MDE) = $426 \pm$ S.F.
-  MITIGATION AREA = $2,500 \pm$ S.F.
- TIDAL WETLAND IMPACTS (PILINGS, USACOE) = $2 \pm$ S.F.

TYPICAL
CROSS-SECTION
(SEE SHEET 12)

PROPOSED 10' WIDE MITIGATION
AREA, 250 LF. (± 50 C.Y. SANDY FILL)

PROPERTY LINE RUNS BY
AND WITH MHW LINE

LEGEND

-  MEAN HIGH WATER LINE
-  TIDAL WETLAND LINE
-  NON-TIDAL WETLAND LINE
-  NON-TIDAL WETLAND BUFFER LINE

93

BRIDGE
STA. 0+00

195

NON-TIDAL WETLANDS

TIDAL WETLANDS

194



**DAVIS,
BOWEN &
FRIEDEL, INC.** ARCHITECTS ENGINEERS SURVEYORS

SALISBURY, MARYLAND (410) 543-9091
MILFORD, DELAWARE (302) 424-1441

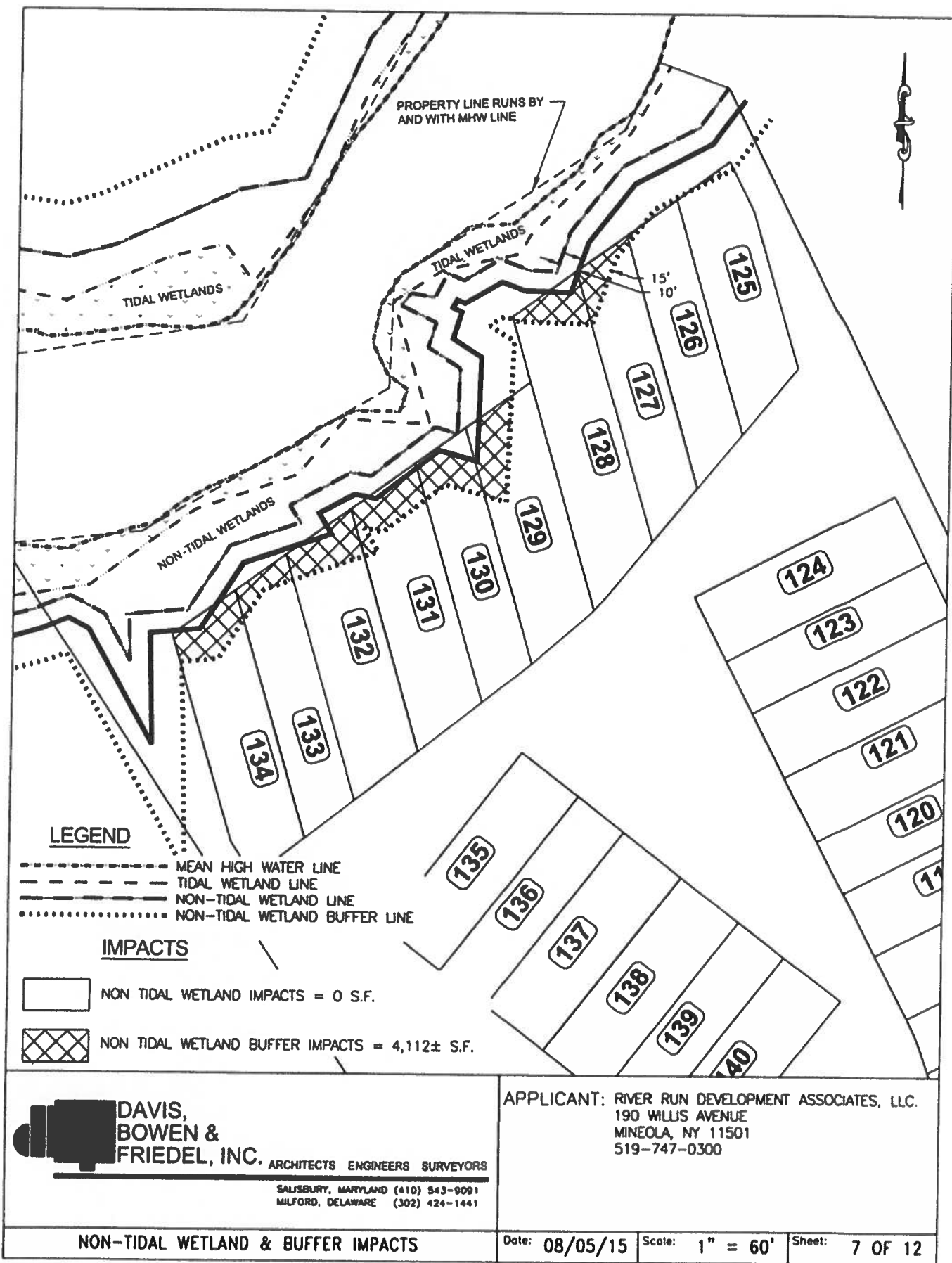
APPLICANT: RIVER RUN DEVELOPMENT ASSOCIATES, LLC.
190 WILLIS AVENUE
MINEOLA, NY 11501
519-747-0300

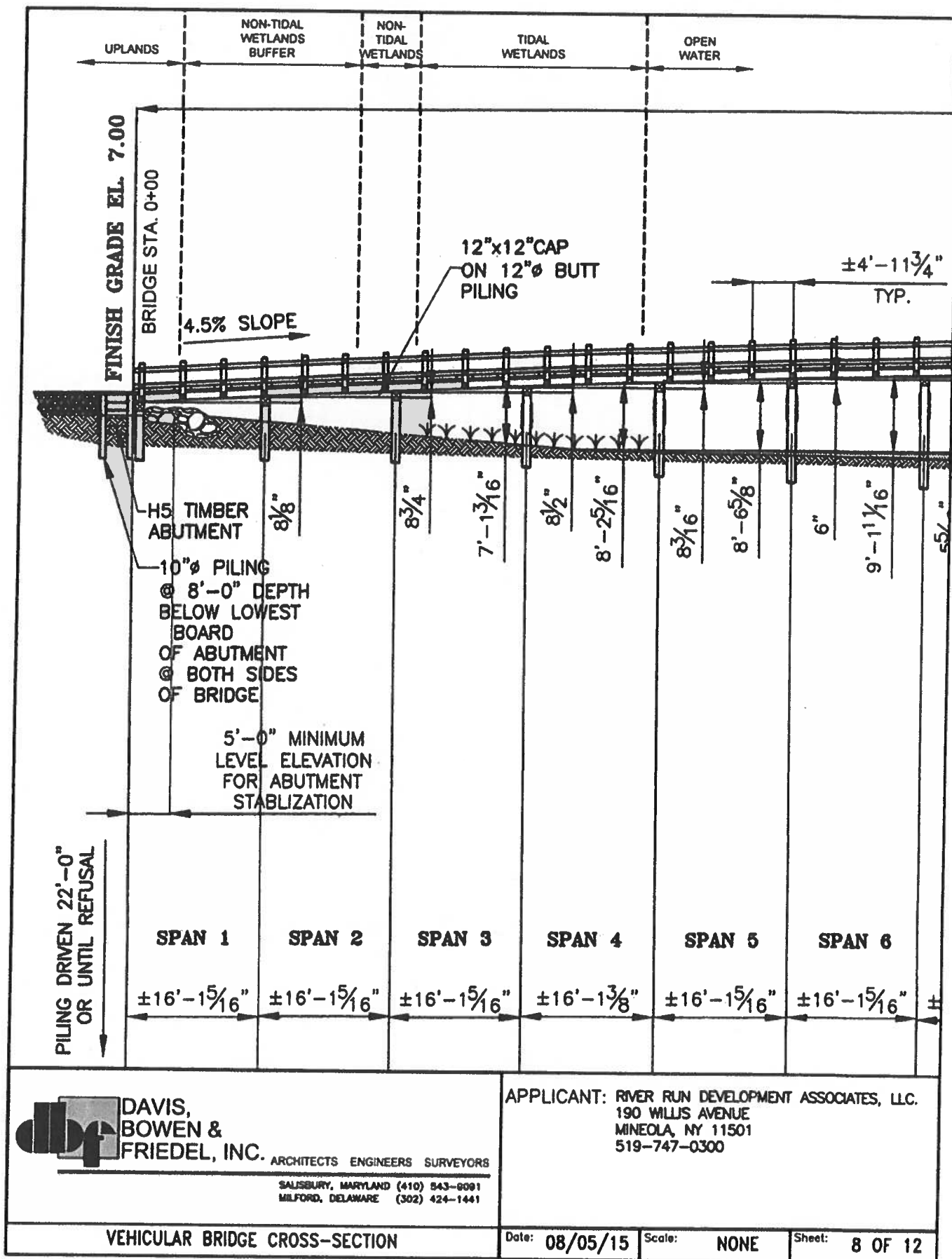
NON-TIDAL WETLAND & BUFFER IMPACTS

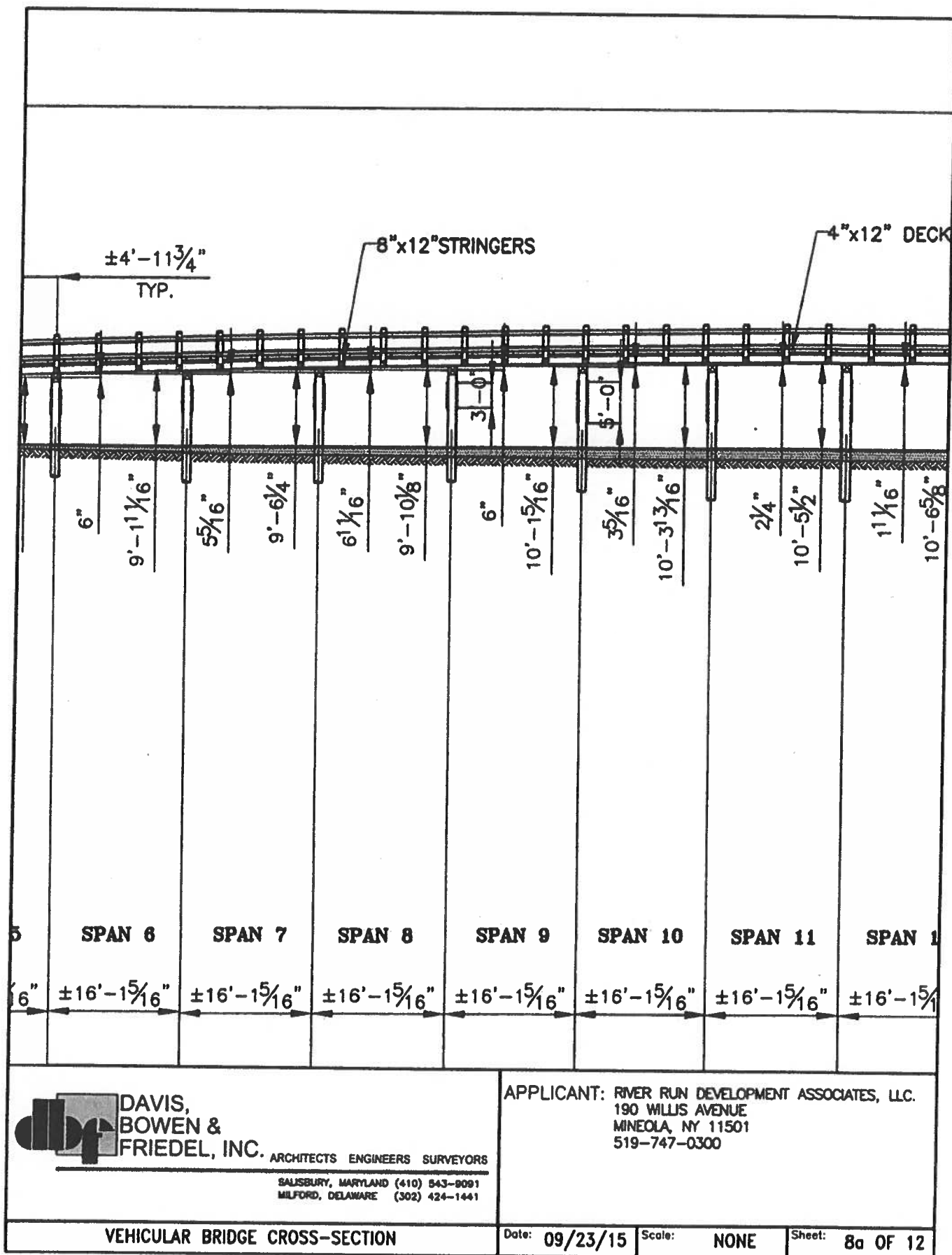
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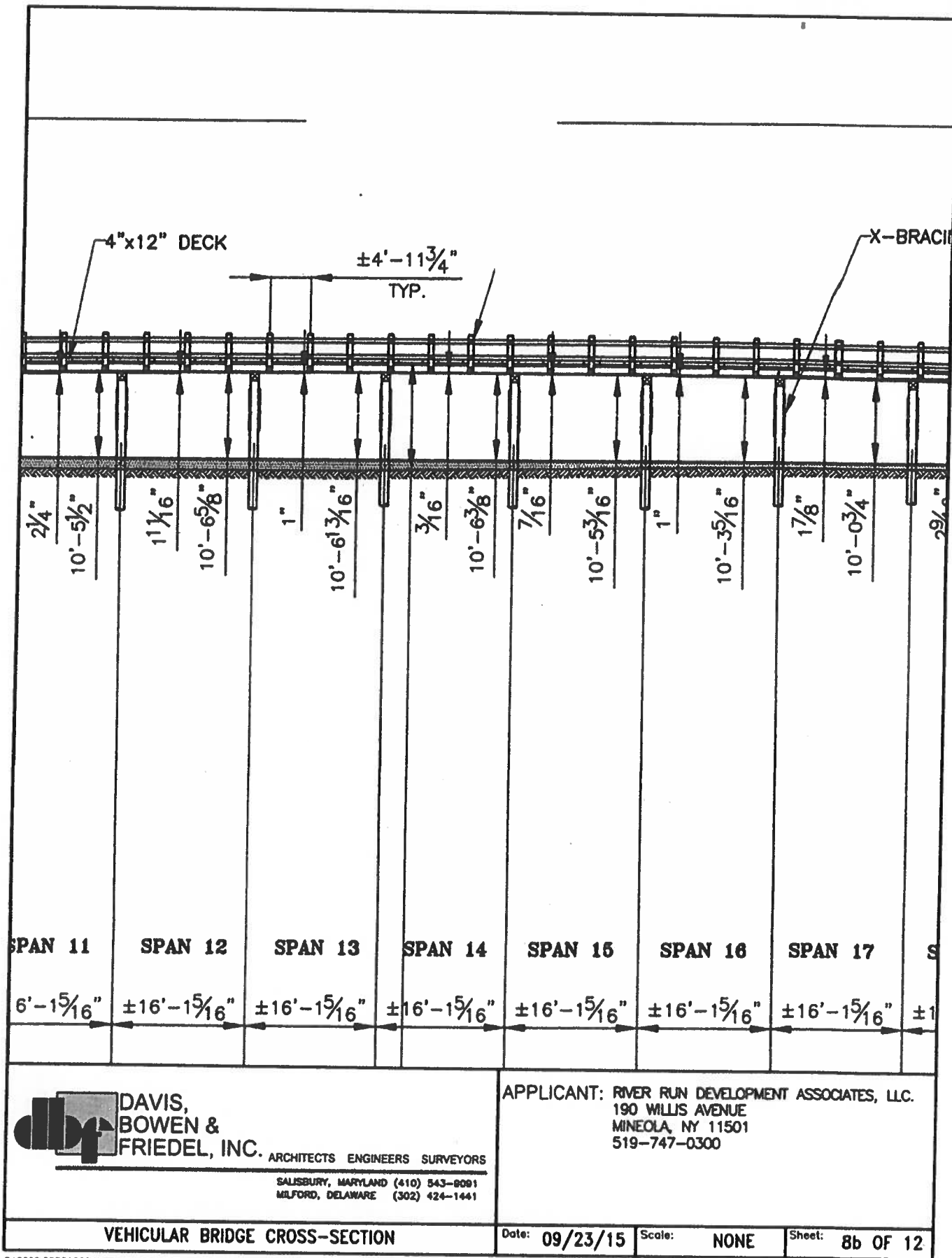
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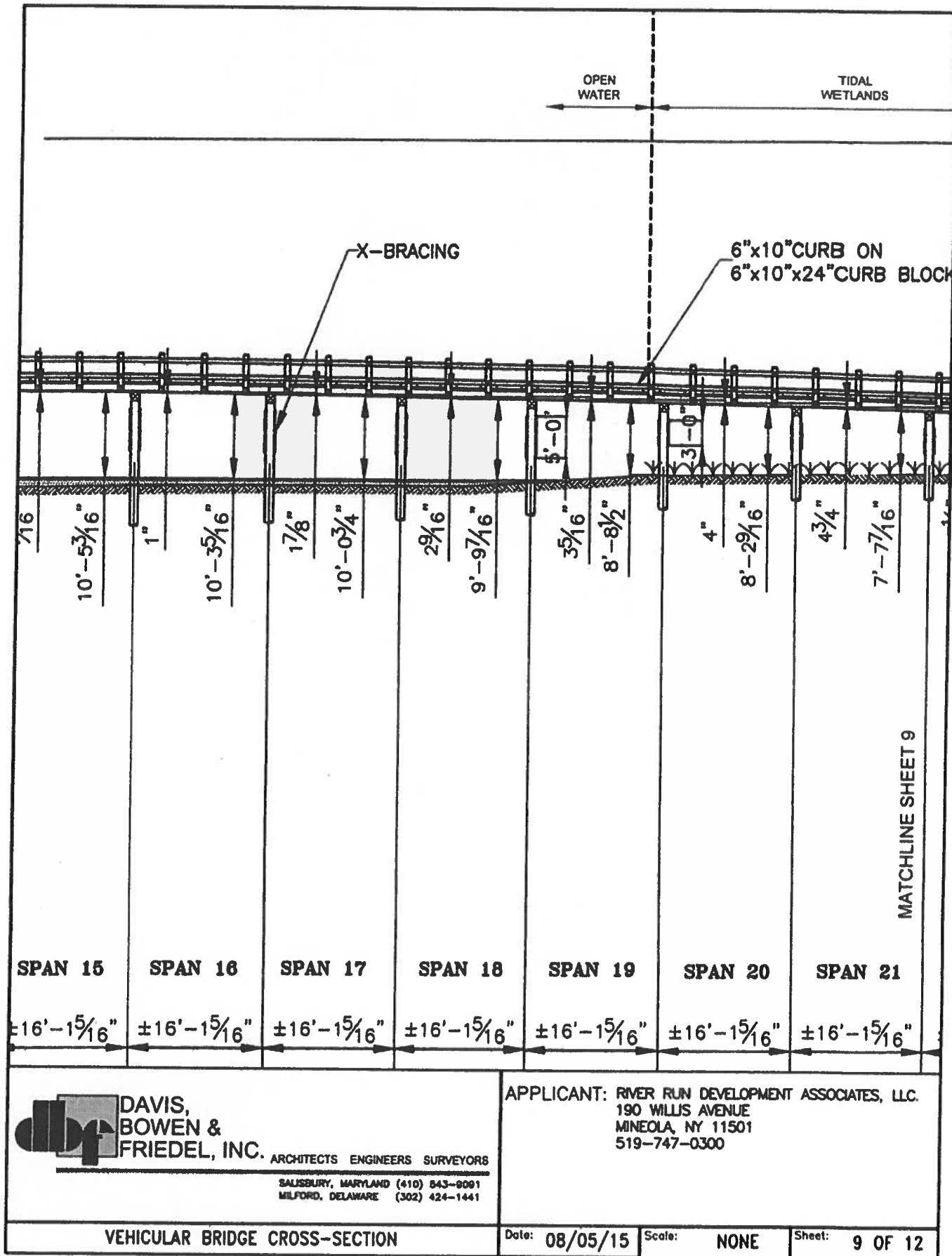
Sheet: 6 OF 12

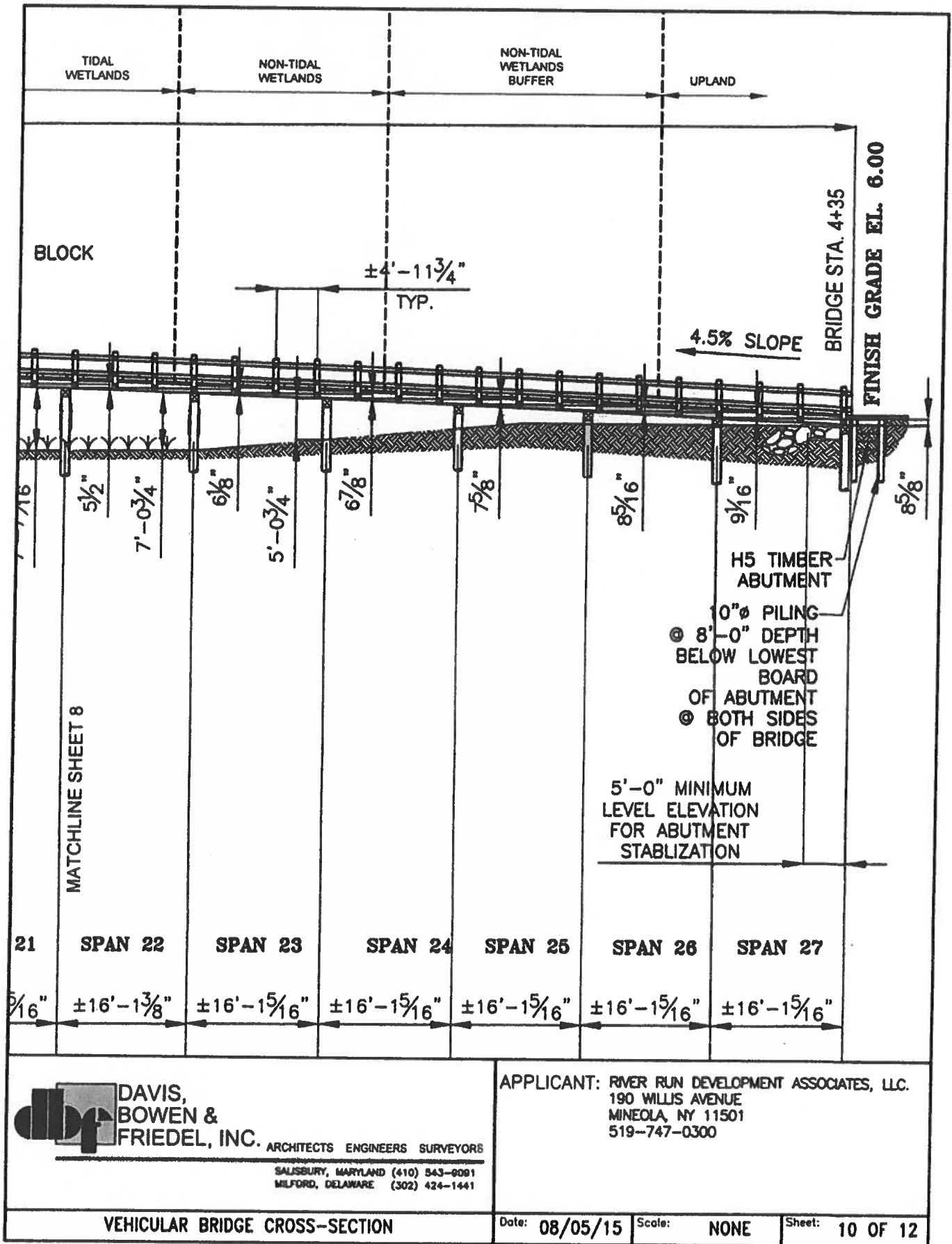












dbf DAVIS, BOWEN & FRIEDEL, INC. ARCHITECTS ENGINEERS SURVEYORS
 SALISBURY, MARYLAND (410) 543-9081
 MILFORD, DELAWARE (302) 424-1441

APPLICANT: RIVER RUN DEVELOPMENT ASSOCIATES, LLC.
 190 WILLIS AVENUE
 MINEOLA, NY 11501
 519-747-0300

VEHICULAR BRIDGE CROSS-SECTION

Date: 08/05/15

Scale: NONE

Sheet: 10 OF 12

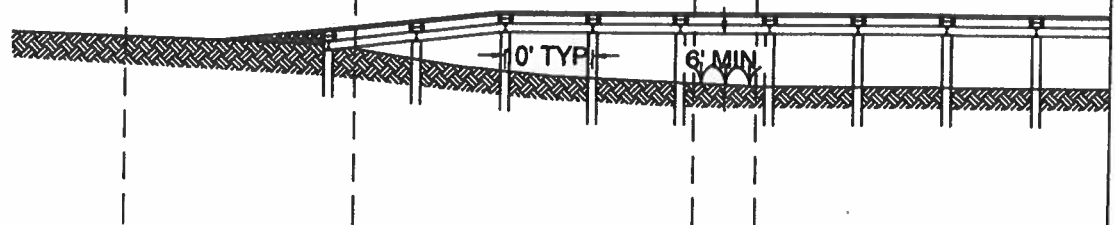
UPLANDS

NON-TIDAL
WETLANDS
BUFFER

NON-
TIDAL
WETLANDS

TIDAL
WETLANDS

OPEN
WATER



DAVIS,
BOWEN &
FRIEDEL, INC.

ARCHITECTS ENGINEERS SURVEYORS

SAUSBURY, MARYLAND (410) 543-9091
MILFORD, DELAWARE (302) 424-1441

APPLICANT: RIVER RUN DEVELOPMENT ASSOCIATES, LLC.
190 WILLIS AVENUE
MINEOLA, NY 11501
519-747-0300

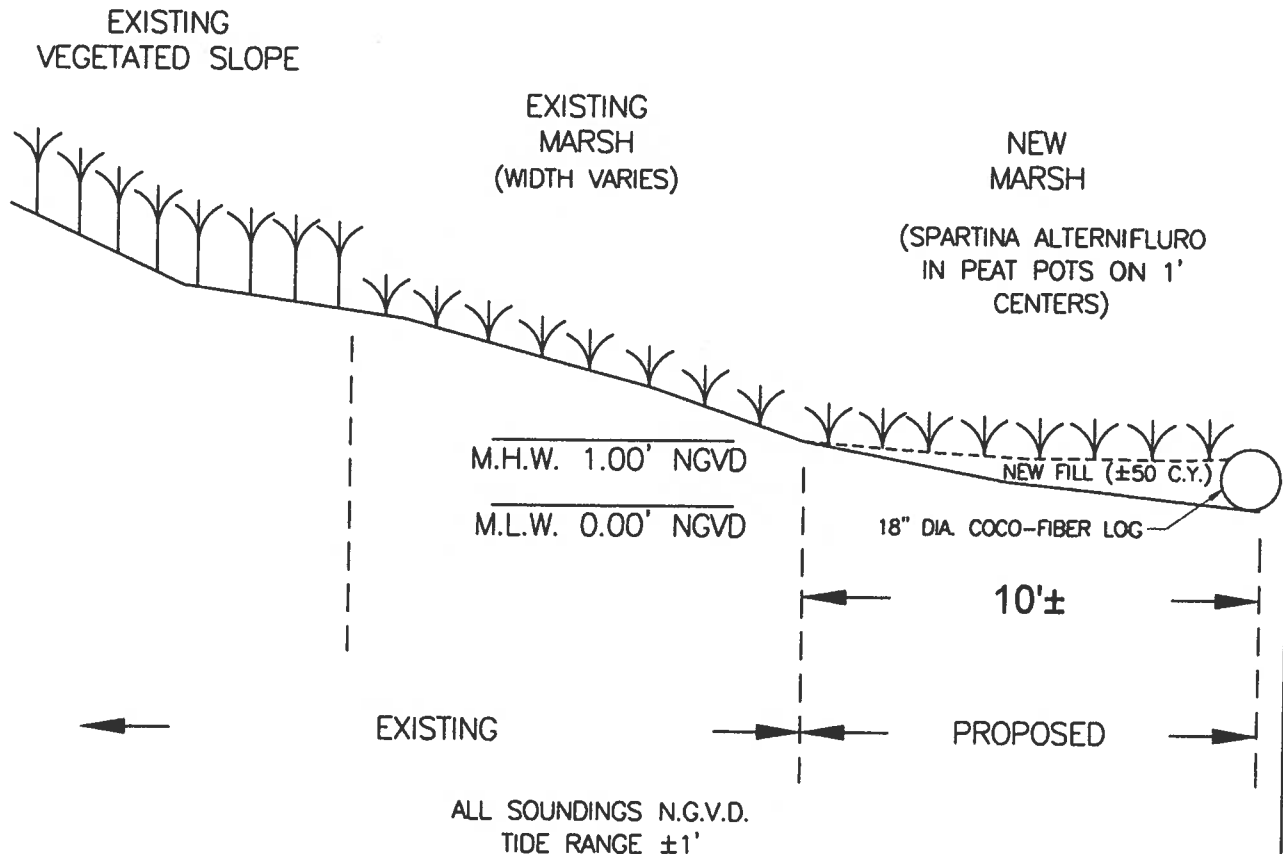
FIXED PIER CROSS-SECTION

Date: 08/05/15

Scale: 1" = 20'

Sheet: 11 OF 12

CROSS-SECTION A-A (SHEET 6)



NOTES:

1. NO MORE THAN 10% OF THE SANDY FILL SUBSTRATE SHALL PASS THROUGH A STANDARD NUMBER 100 SIEVE.
2. PLANTING TO BE DELAYED FOR AT LEAST ONE GROWING SEASON TO ENSURE SUBSTRATE HAS NOT APPRECIABLY SUBSIDED. IF SUBSIDENCE HAS OCCURRED, MORE FILL IS REQUIRED AND SITE SHOULD BE MONITORED FOR SUBSIDENCE FOR AN ADDITIONAL GROWING SEASON BEFORE PLANTING.
3. SUBSTRATE SURFACE TO BE STABILIZED BEFORE PLANTING WITH COCO-FIBRE MATTING STAPLED IN PLACE.
4. ALL WORK TO BE DONE FROM THE EXISTING SHORELINE/MARSH WITHOUT PERMANENT IMPACTS TO VEGETATION.

**DAVIS,
BOWEN &
FRIEDEL, INC.** ARCHITECTS ENGINEERS SURVEYORS
SAUSBURY, MARYLAND (410) 543-9091
MILFORD, DELAWARE (302) 424-1441

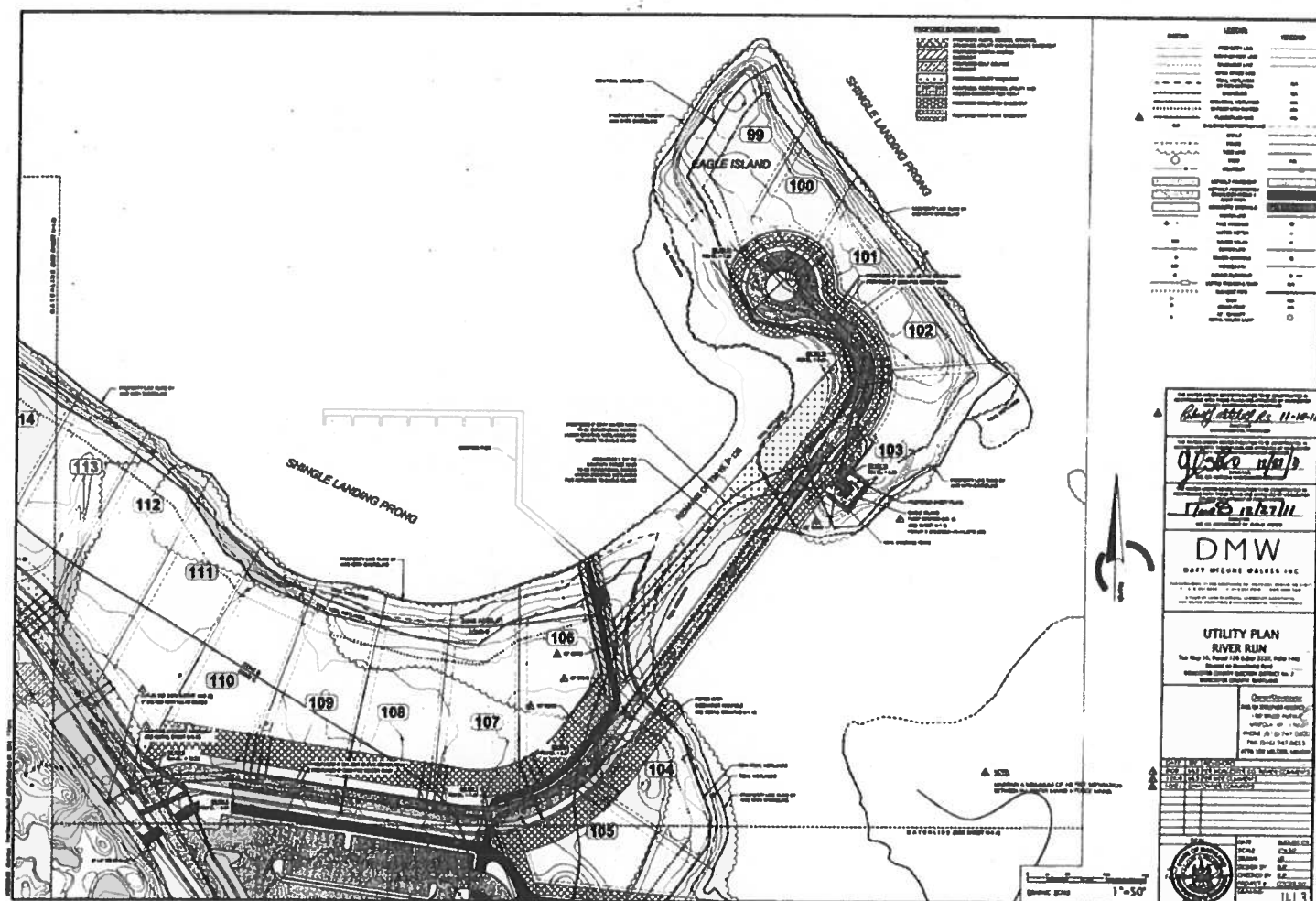
APPLICANT: RIVER RUN DEVELOPMENT ASSOCIATES, LLC.
190 WILLIS AVENUE
MINEOLA, NY 11501
519-747-0300

MITIGATION CROSS-SECTION

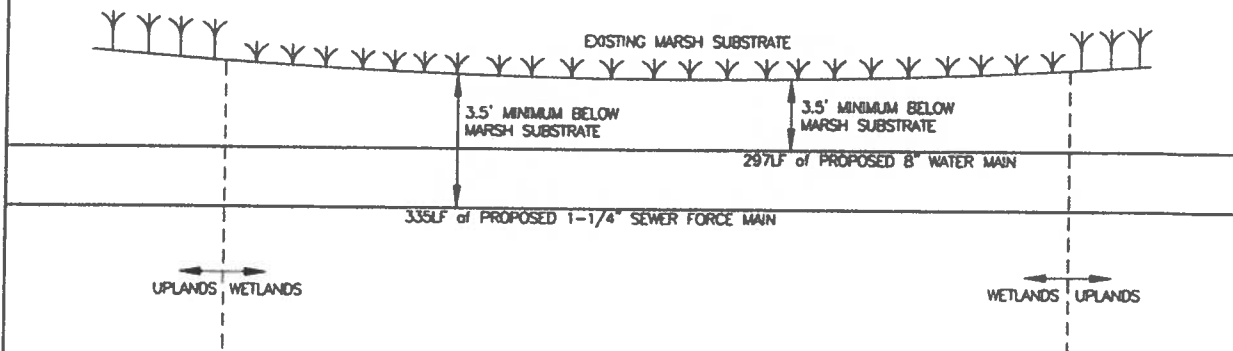
Date: 08/05/15

Scale: N.T.S.

Sheet: 12 OF 12



WETLAND DIRECTIONAL DRILL CROSS-SECTION EXHIBIT



NOTES

1. NO MANHOLES ARE PROPOSED TO BE BUILT IN ANY WETLAND AREAS.
2. NO CHANGE IN GRADE (CUT OR FILL) IS PROPOSED IN THE ABOVE REFERENCED WETLAND AREA.
3. PITS FOR DRILLING FLUIDS WILL BE LOCATED IN UPLAND AREAS.

DAVIS, BOWEN & FRIEDEL, INC. ARCHITECTS ENGINEERS SURVEYORS
SALISBURY, WETLAND (110) 343-8881
BALTIMORE, DELAWARE (302) 424-1641

APPLICANT:
RIVERVIEW DEVELOPMENT ASSOCIATES, LLC
1000 RIVERVIEW DRIVE
BALTIMORE, MD 21201
301-747-0000

Date: 02/25/16
Sector: H.T.S.
Drawn By: PAB
Proj No.: 0521A033
Drawn By:

1 of 1



William Morgante, PWS
Wetlands Administrator

State of Maryland
Board of Public Works
Wetlands Administration
80 Calvert Street, Room 117, Annapolis, Maryland 21401
410-260-7791

Larry Hogan
Governor

Dereck E. Davis
Treasurer

Peter Franchot
Comptroller

John T. Gontrum, Esq.
Executive Secretary

WETLANDS LICENSE NO. 19-0631(R1)
RIVER RUN DEVELOPMENT ASSOCIATES LLC

A minor modification (pursuant to COMAR 23.02.04.17.B.(1)) was made to the original license. Changes to original license language are shown with a strikethrough, and revisions shown with bold type.

The Maryland Board of Public Works authorizes you to:

- I. Construct a 16-foot wide by 210-foot long bridge over open water and marsh, impacting approximately 1,250 feet of vegetated tidal wetlands within a maximum of 105 feet channelward of the mean high water line.
- II. Relocate an existing 6-foot wide by 45-foot long walkway over vegetated wetlands and 6-foot wide by 93-foot long pier; and replace with a 6-foot wide by 6-foot long walkway over tidal marsh to a 6-foot wide by 107-foot long pier over open water, all extending a maximum of 90 feet channelward of the mean high water line.
- III. Construct a 250-linear foot low profile bio-log, sand containment sill, and fill and grade with 50 cubic yards of sand along 250 feet of eroding shoreline and plant with marsh vegetation approximately 10 feet channelward of an existing marsh/open water interface.
- IV. All of the above activities are depicted on the revised plans dated September 23, 2015.

St. Martin River at 11605 Master Lane, Berlin, Worcester County, Maryland

Issuance of this Tidal Wetlands License constitutes the State's determination that the 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 [16 U.S.C. §1456]. Accordingly, the State concurs with the Licensee's certification in the Joint Permit Application that the project complies with, and will be conducted in a manner consistent with the Maryland CZMP.

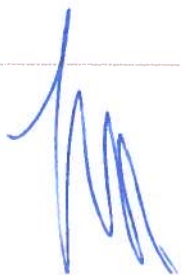
**THIS LICENSE AUTHORIZES YOU TO PERFORM THE WORK ONLY IF YOU
COMPLY WITH THE FOLLOWING SPECIAL CONDITION(S):**

- A. Licensee shall construct the marsh establishment area in accordance with the following conditions:
 - a. Licensee shall use clean substrate fill material, no more than 10% of which shall pass through a standard number 100 sieve.
 - b. The marsh establishment area shall be planted within one year following completion of the filling operation.
 - c. The marsh establishment project shall be maintained as a wetland, with non-nuisance species aerial coverage of at least 85% for three consecutive years. If 85% coverage is not attained, the reasons for failure shall be determined, corrective measures shall be taken, and the area shall be replanted.

- d. If the fill is graded hydraulically, Licensee shall use a turbidity curtain around the perimeter of the instream work.
- e. If the existing bank is to be cleared or graded;
 - i. Licensee shall perform all work under and in accordance with an approved Soil Erosion and Sediment Control Plan from the applicable sediment and erosion control agency; and
 - ii. Licensee shall perform all work under and in accordance with the Critical Area requirements of the local jurisdiction in the form of an approved Buffer Management plan.
- B. Licensee shall submit a detailed marsh maintenance plan and receive approval by Maryland Department of the Environment's (MDE) Tidal Wetlands Division, Water and Science Administration, prior to commencement of any work authorized under this License.
- C. Licensee shall accept the terms of the attached marsh maintenance plan by signing and returning the standard plan to the Maryland Department of the Environment's (MDE) Water and Science Administration, Tidal Wetlands Division, prior to commencement of any work authorized under this License. If the Licensee wishes to propose an alternative marsh maintenance plan, the alternative plan must be submitted to and approved by the Tidal Wetlands Division, Water and Science Administration, prior to commencement of any work authorized under this License. Any alternative plan must provide assurances of success that are at least equivalent to those of the standards plan, in terms of the extent of native marsh plant coverage, elimination of invasive species and timeframe for plant establishment.
- D. Marsh construction shall be completed prior to any bridge construction.

**THIS LICENSE AUTHORIZES YOU TO PERFORM THE WORK ONLY IF
YOU COMPLY WITH THE FOLLOWING STANDARD CONDITIONS:**

1. Licensee shall conduct the authorized work in accordance with the plans and drawings dated September 23, 2015, which are hereby incorporated into this License. Until the authorized work is complete, Licensee shall have available at the site a copy of this License including the plans and drawings.
2. This License constitutes Maryland's authorization to conduct the authorized work under the State Tidal Wetlands Law. This License does not bestow any other federal, State, or local government authorization.
3. Licensee shall have all proposed work above Mean High Water reviewed and authorized by the local county Department of Planning and Zoning or applicable agency.
4. Licensee shall notify MDE's Inspection and Compliance Program by phone (410-537-3510) AND in writing (MDE, Inspection and Compliance Program, 1800 Washington Boulevard, Baltimore, MD 21230) of the following:
 - start date at least five business days before beginning work; and
 - completion date no more than five business days after project completion.
5. If MDE has issued a Water Quality Certification with respect to the authorized work, Licensee shall comply with all conditions of that certification.
6. Licensee shall conduct the authorized work in accordance with Critical Area Commission requirements. This License does not authorize disturbance in the Buffer. If authorized work will disturb the Buffer, Licensee shall have a Commission-approved or locally-approved Buffer Management Plan before beginning the authorized work.



"Buffer" means the 100-foot Critical Area Buffer and any expanded area that is immediately landward of the mean high water line of the tidal waters or is immediately landward of tidal wetlands. The Buffer includes expanded contiguous area if the contiguous area includes steep slopes, hydric soil, or highly erodible soil, or otherwise meets the criteria of COMAR 27.01.09.01.E(7). "Disturbance" means any alteration or change to the land including any amount of clearing. Clearing includes vegetation removal, grading, and construction activity.

7. Licensee may not fill, dredge, or otherwise alter or destroy tidal marsh or its vegetation unless this License specifically authorizes the activity.
8. Licensee may not stockpile material in State tidal wetlands or State tidal waters of the U.S.
9. Licensee shall allow unfettered public use of State wetlands and State tidal waters of the U.S.
10. This License does not transfer a property interest of the State.
11. Licensee shall file a Miss Utility ticket for the proposed work at least 10 days before beginning work. *Miss Utility: 800-257-7777*
12. Licensee shall ensure that structures (for example, piers and piles) removed from the site are taken to an upland disposal facility approved by MDE's Inspection and Compliance Program.
13. If the authorized work impacts more than 5,000 square feet or includes 100 or more cubic yards of fill, Licensee shall conduct the authorized work in accordance with a locally-approved Soil Erosion and Sediment Control Plan.
14. If the authorized work is not performed by the property owner, all work performed under this Tidal Wetlands License shall be conducted by a marine contractor licensed by the Marine Contractors Licensing Board (MCLB) in accordance with Title 17 of the Environment Article of Annotated Code of Maryland. A list of licensed marine contractors may be obtained by contacting the MCLB at 410-537-3249, by email at *MDE.MCLB@maryland.gov* or by accessing the *Maryland Department of the Environment, Environmental Boards webpage*.
15. Licensee shall allow State officials and employees to make inspections at reasonable times and cooperate with those inspections.
16. This License is granted only to the Licensee. Licensee may transfer the license only with written approval from the Board of Public Works. If the Board of Public Works approves the transfer, the transferee is subject to all License terms and conditions.
17. Licensee shall indemnify, defend, and save harmless the State of Maryland, its officials, officers, and employees from and against any and all liability, suits, claims, and actions of whatever kind, caused by or arising from, the work this License authorizes.
18. The Board of Public Works or its Wetlands Administrator may modify, suspend, or revoke this License in its reasonable discretion.
19. This License expires ~~September 4, 2022~~ **September 4, 2025**. If the authorized work is not completed by the expiration date, all activity must stop **and the Licensee must apply for a new Wetland License authorization.**
20. Note: A three-year license may be renewed for one additional three-year term if the Licensee requests an extension before the expiration date and all other conditions are met. A six-year license may not be renewed; instead Licensee must reapply to MDE for a new license. Contact the Board of Public Works to determine if this License may be extended.
Board of Public Works: 410-260-7791



By the authority of the Board of Public Works:

**William
Morgante**

Digitally signed by
William Morgante
Date: 2022.10.05
14:56:47 -04'00'

**William Morgante
Wetlands Administrator**

Effective Date: September 4, 2019

Approved as: Secretary's Agenda Item 3

Board of Public Works Meeting Date: September 4, 219

Revised: September 26, 2022 (R1)

I accept this License and all its conditions. RIVER RUN DEVELOPMENT ASSOCIATES, LLC

Date

10/4/22

Licensee (Signature)

Lewis Meltzer

Name (Printed)

Lewis Meltzer

Title

Managing member

Email (To receive completed license.)



DEPARTMENT OF THE ARMY
U. S. ARMY CORPS OF ENGINEERS, BALTIMORE DISTRICT
ATTN: REGULATORY BRANCH
2 HOPKINS PLAZA
BALTIMORE, MARYLAND 21201-2930

February 27, 2023

Operations Division

River Run Development LLC
c/o Lewis Meltzer
190 Willis Avenue
Mineola, New York 11501

Dear Lewis Meltzer;

This is in reference to your application, NAB-2015-60946 (River Run Development LLC) reverification, dated January 24, 2023 wherein you requested a Department of the Army (DA) authorization to to remove approximately 93 linear feet of existing pier; to construct a 6-foot wide by 159-foot long pier connecting to the existing pier to be left in place and to a 6-foot wide by 43-foot long walkway over wetlands (6 feet and 37 feet over tidal and nontidal wetlands respectively), all extending a maximum of 244 feet channelward of the mean high water (MHW) shoreline; to temporarily install approximately 4,300 square feet of construction matting in wetlands for temporary construction access; to horizontally directionally drill approximately 297 linear feet of 8-inch diameter water main and 335 linear feet of 1 ¼-inch diameter sewer force main a minimum of 3.5 feet below the existing tidal wetland substrate; to deposit approximately 50 cubic yards of clean sand fill within a 10-foot wide by 250-foot long area to create approximately 2,500 square feet of tidal marsh stabilized with *Spartina alterniflora* to extend a maximum of 10 feet channelward of the marsh-open water interface; to install approximately 250 linear feet of 12-inch coir log to extend a maximum of 11 feet channelward of the marsh-open water interface; and to construct a 27 span 30-foot wide by 435-foot long bridge over approximately 245 linear feet of open waters, 70 linear feet of tidal wetlands, and 35 linear feet of nontidal wetlands. The bridge would be located a minimum of 7 feet above tidal wetlands. Clearance below the bridge over open water would vary from 7 feet to 10 feet 6 inches above the water's surface at MHW level. All work would occur in St. Martin River and adjacent tidal and nontidal wetlands at the terminus of 11605 Masters Lane, Berlin, Worcester County, Maryland.

The United States Army Corps of Engineers, Baltimore District, has determined that the proposed work, if accomplished in accordance with the enclosed plan(s) (Enclosure 1: Final Approved Plans), is authorized as an MDSPGP-6 Category A e(7) Temporary Construction Access; Category B a(3) Piers, f(2) Living Shorelines/Beach Nourishment, c(1) Utility Lines, d Linear Transportation Activities [All reverifications of MDSPGP-5] under the DA Maryland State Programmatic General Permit-6 (MDSPGP-6). This general permit was published in the Corps Special Public Notice #21-39 issued on September 30, 2021. This MDSPGP-6 verification is provided pursuant to Section 10 of

the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act .If any of the information contained in your application and/or plans is later found to be in error, the MDSPGP-6 authorization for your project may be modified, suspended, or revoked.

Please note that you must comply with the general conditions and activity-specific impact limits and requirements for MDSPGP-6 Category A e(7) Temporary Construction Access; Category B a(3) Piers, f(2) Living Shorelines/Beach Nourishment, c(1) Utility Lines, d Linear Transportation Activities at the following link:

<https://www.nab.usace.army.mil/Missions/Regulatory/Permits-MD/MDSPGP-6/>. If you are not able to access the conditions, please contact the project manager for a hard copy. In addition, you must also comply with the following special conditions:

1. In water work must not be conducted from 1 April to 30 June inclusive of any year.
2. Within 30 days of the date of this permit, the permittee must provide a copy of the building restriction lines approved by the county.
3. Within 30 days of completion of the work, the permittee must submit as-build plans to the Corps and notify the Corps to coordinate a compliance site visit.
4. The marsh creation area must be planted within one year following completion of the filling operation. The marsh creation areas must be maintained as marsh habitat, with non-nuisance species, aerial coverage of at least 85%, for three consecutive years. If 85% coverage is not attained, the reasons for failure shall be determined, corrective measures shall be taken and the area replanted. During this 3-year timeframe, the permittee must be responsible to submit an annual monitoring report which must document, with photos and narratives, the condition of the stone sill; the aggradation/degradation of the beach; the health of the plantings; and any other related monitoring information. Of particular interest to the Corps is the photo documentation of the extent of any storm damage following major storm events. Such photos should be included in the annual report. If the existing bank is to be cleared or graded, the permittee must obtain any required approvals of an erosion and sediment control plan from the applicable sediment and erosion control agency.
5. The permittee must not store chemicals, stockpile materials and equipment, or park vehicles within waters of the U.S., including jurisdictional wetlands.
6. The permittee must comply with the final "Drilling Fluid Contingency Plan for Directional Drilling." The Corps must be notified immediately if employment of the contingency plan is necessary.
7. In the event of a fracture of the bore hold within waters of the U.S., including jurisdictional wetlands, drilling activities must immediately cease, and the permittee must notify the Corps and Maryland Department of the Environment. The permittee must investigate the cause of the fracture and identify remedial steps to reduce the likelihood of a continued fracture. Any discharges of material must be contained and removed or

diluted by the permittee and the impacted area restored as necessary. The permittee must receive approval from the Corps to resume drilling activities.

Please note that you are required to submit a signed certification documenting completion of the authorized activity and implementation of any required compensatory mitigation. An example of the information that is required is posted on the Baltimore District webpage at: <https://www.nab.usace.army.mil/Portals/63/NAB-xxxx-xxxxx XXXX Universal CompCert Final.pdf>. The signed certification should be returned to the Regulatory Branch at the email address nab-regulatory@usace.army.mil within 60 days with NAB-2015-60946 (River Run Development LLC) the subject line following completion of the authorized work and any required mitigation. Your signature on the certification verifies your understanding that the work was completed in accordance with the terms and conditions associated with your DA permit.

Please be aware that the terms and conditions of this permit will continue to be binding on the new property owner(s) if structures or work authorized by this permit exist at the time of ownership transfer of the associated property. Although the construction period for work authorized by this MDSPGP-6 is finite, the permit itself, with its limitations, does not expire. To validate the transfer of this permit and the legal responsibility to comply with its terms and conditions, the transferee (new owner) must complete the transfer information below and email to nab-regulatory@usace.army.mil.

Please note that as of the date of this authorization, your project is in compliance with Section 7 of the Endangered Species Act. However, new species may be listed or additional populations found. Therefore, it is your responsibility to ensure that construction of the authorized work does not adversely affect any existing or newly listed federally endangered or threatened species. Information on threatened and endangered species and their critical habitat can be obtained from the offices of the United States Fish and Wildlife Service and National Marine Fisheries Service or their web pages at: <https://ecos.fws.gov/ipac> and <https://www.greateratlantic.fisheries.noaa.gov/protected/section7/guidance/maps/index.html> respectively.

Your DA MDSPGP-6 authorization is valid until September 30, 2026, unless the permit is modified, reissued, or revoked. You must remain informed of the changes to the MDSPGP-6. When changes to the MDSPGP-6 occur, a public notice announcing the changes will be issued.

Be advised that you have 12 months from the effective date of the MDSPGP-6s expiration, modification or revocation to complete the work under the present terms and conditions provided you have commenced construction or are under contract to commence construction of the authorized work.

In order for this authorization to be valid, you must obtain all required federal, state, and local permits.

A copy of this permit is being sent to Debbie Hinkle (MDE Non-tidal), Miles Simmons

(MDE Tidal) and Dane Bauer (Consultant) for information purposes.

If you have any questions concerning this matter, please contact me at (410) 207-9987 or megan.l.spindler@usace.army.mil.

Sincerely,

A handwritten signature in black ink, appearing to read "Megan Spindler". The signature is fluid and cursive, with the first name "Megan" being more prominent than the last name "Spindler".

Megan Spindler
Regulatory Project Manager
Regulatory Branch

Enclosure

DATE _____

TELEPHONE NO.

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