

APPENDIX A: COORDINATION AND CONSULTATION

This page left intentionally blank.



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
55 Great Republic Drive
Gloucester, MA 01930-2276

SEP 10 2013

Stantec Consultants, Inc.
Attn: Elizabeth Edelen Estes
6110 Frost Place
Laurel, MD 20707

Re: Kennedy Center Expansion Project—NMFS-Listed Species Request

Dear Ms. Estes,

Your letter, dated August 30, 2013, requested information about the presence of federally listed species in the vicinity of the Kennedy Center in Washington, DC, under the jurisdiction of NOAA's National Marine Fisheries Service (NMFS). We offer the following comments on the presence of listed species in the area you have inquired about.

Listed Species in the Action Area

The endangered shortnose sturgeon (*Acipenser brevirostrum*) and all five Distinct Population Segments (DPSs) of Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*) (Gulf of Maine—threatened; New York Bight, Chesapeake Bay, Carolina, and South Atlantic—endangered) are known to occur in the Potomac River.

Shortnose Sturgeon

Twelve shortnose sturgeon have been captured in the Potomac River since 1996. The shortnose sturgeon captured in the Potomac River and reported via the U.S. Fish and Wildlife Service (USFWS) reward program were documented in the following locations: six at the mouth of the river (May 3, 2000, March 26, 2001, two on March 8, 2002, December 10, 2004, May 22, 2005); one at the mouth of the Saint Mary's River (April 21, 1998); one at the mouth of Potomac Creek (May 17, 1996); one at River kilometer (rkm) 63 (March 22, 2006); one at rkm 57 (Cobb Bar; December 23, 2007); and, one at rkm 48 (March 14, 2008). Additionally, one adult female was captured by the United States Geological Survey (USGS) and National Park Service (NPS) researchers within the Potomac River (at rkm 103) in September 2005.

Investigations into the characteristics of the habitat in the Potomac River indicated that habitat suitable for spawning is located just downstream of Little Falls Dam and in the Fletchers-Chain Bridge reach. Bottom velocities, depth and substrate type were all consistent with areas in other rivers where shortnose sturgeon spawning has been confirmed. Kynard (2007) concluded that the wide range of acceptable velocity, the multiple sites with 1m/s velocity, and the widespread availability of a rocky bottom strongly suggest spawning conditions exist at many locations in the Fletchers-Chain Bridge area of the Potomac River.



Atlantic Sturgeon

The Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*) is a subspecies of sturgeon distributed along the eastern coast of North America from Hamilton Inlet, Labrador, Canada to Cape Canaveral, Florida, USA (Scott and Scott, 1988; ASSRT, 2007; T. Savoy, CT DEP, pers. comm.). Currently, Atlantic sturgeon are known to spawn in the James River; however, historic spawning habitat is thought to exist in the Potomac River, and Atlantic sturgeon have been recorded in the Potomac River in recent years.

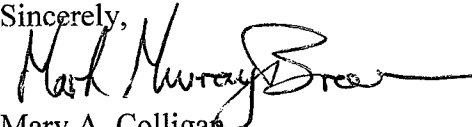
Conclusions

As you may know, any discretionary federal action, such as the approval or funding of a project by a Federal agency, that may affect a listed species must undergo consultation pursuant to Section 7 of the Endangered Species Act (ESA) of 1973, as amended. If the proposed project has the potential to affect listed species and it is being approved, permitted or funded by a Federal agency, the lead Federal agency, or their designated non-Federal representative, is responsible for determining whether the proposed action is likely to affect this species. The Federal agency would submit their determination along with justification for their determination and a request for concurrence, to the attention of the Section 7 Coordinator, NMFS Northeast Regional Office, Protected Resources Division, 55 Great Republic Drive, Gloucester, MA 01930. After reviewing this information, NMFS would then be able to conduct a consultation under section 7 of the ESA.

Should you have any questions regarding these comments, please contact Chris Vaccaro at 978-281-9167 or by email at Christine.Vaccaro@noaa.gov.

NMFS' Habitat Conservation Division (HCD) is responsible for overseeing programs related to Essential Fish Habitat (EFH) designated under the Magnuson-Stevens Fishery Conservation and Management Act and other NOAA trust resources. Please contact Chris Boelke of our HCD at 978-281-9131 or Christopher.Boelke@noaa.gov to discuss the proposed action and any Federal approvals or permits that you are pursuing in relation to EFH.

Sincerely,


Mary A. Colligan
Assistant Regional Administrator
for Protected Resources

GOVERNMENT OF THE DISTRICT OF COLUMBIA
STATE HISTORIC PRESERVATION OFFICER



August 6, 2013

Mr. Marcel Acosta
Executive Director, National Capital Planning Commission
401 9th Street, NW
North Lobby, Suite 500
Washington, DC 20004

Mr. Robert A. Vogel
Superintendent, National Mall and Memorial Parks
National Park Service
900 Ohio Drive, SW
Washington, DC 20024-2000

RE: Initiation of Section 106 Consultation for the Kennedy Center Expansion Project

Dear Mr. Acosta and Mr. Vogel:

Thank you for formally initiating consultation with the DC State Historic Preservation Office (SHPO) regarding the above-referenced undertaking(s) which we understand will consist of the federal approvals necessary to construct approximately 60,000 of additional program space for the Kennedy Center that will be housed in three pavilions. Two of the pavilions are proposed for construction in the open area to the south of the Kennedy Center while the third will be a floating facility in the Potomac River. We have reviewed the project information and are writing to provide our initial comments regarding effects on historic properties in accordance with Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR Part 800.

We concur that the draft Area of Potential Effect (APE) should be sufficient to include all direct and indirect effects of the undertaking(s), and that the historic properties in this area have been so well documented that additional survey should not be required. Further refinements to the APE and/or additional survey efforts can be carried out a later time, if warranted.

Our review of the conceptual studies included in your submittal leads us to concur with the NPS and NCPC determinations that the project has the potential to result in adverse effects on historic properties, including the Kennedy Center which was recently determined eligible for listing in the National Register of Historic Places. And like the Kennedy Center Potomac River Pedestrian Access Improvement Project that is still under review, the current expansion project may also have the potential to constitute an adverse effect on the Rock Creek & Potomac Parkway and other historic properties.

As indicated in your letter, a formal finding of effect can be made once additional consultation has been carried out regarding the various alternatives under consideration and their potential effects on historic properties. To that end, we note that an initial joint NEPA/Section 106 meeting was held on July 22nd, 2013. We would appreciate receiving copies of any comments that were provided during, or following that meeting. Unfortunately, we were not able to locate the draft list of consulting parties that was supposed to be attached to your letter, so we would appreciate receiving a copy of that list as well.

Mr. Marcel Acosta and Mr. Robert A. Vogel
Initiation of Section 106 Consultation for the Kennedy Center Expansion Project
August 6, 2013
Page 2

We look forward to consulting with all parties to complete the Section 106 review of this project. In the meantime, please contact me at andrew.lewis@dc.gov or 202-442-8841 if you should have any questions or comments regarding this matter. Thank you for providing this initial opportunity to review and comment.

Sincerely,

A handwritten signature in blue ink that reads "Andrew Lewis".

C. Andrew Lewis
Senior Historic Preservation Specialist
DC State Historic Preservation Office

13-451

cc: Claudette Donlon, Kennedy Center
Jennifer Hirsch, NCPC
Kristen Hamilton, NPS



Stantec

6110 Frost Place
Laurel, Maryland 20707

February 3, 2014

Attention: Dr. Ruth Troccoli

1100 4th Street SW, Suite E650
Washington, DC 20024

Reference: Kennedy Center Phase IA Archaeological Investigations

Dear Dr. Troccoli,

On behalf of the National Capital Planning Commission and the National Park Service and in cooperation with the Kennedy Center, we are providing a copy of the above-reference report for your review and comment. The report details the results of the Phase IA archaeological investigations for the proposed expansion to the John F. Kennedy Center for the Performing Arts. A pdf copy of the report has been submitted to you by email.

If you have any questions, please do not hesitate to contact me at 301.982.2866 or paul.kreisa@stantec.com.

Regards,

Paul P. Kreisa, PhD, RPA
Senior Archaeologist
Phone: 301.982.2866
paul.kreisa@stantec.com

Attachment: Report of Phase IA Archaeological Investigations

- c. Claudette Donlon, Kennedy Center
- Jennifer Hirsch, National Capital Planning Commission
- James Perry, National Park Service
- Judy Robinson, Robinson & Associates, Inc.
- Daria Gasparini, Robinson & Associates, Inc.
- Elizabeth Estes, Stantec Consulting Services Inc.

mj document2



National Park Service
U.S. Department of the Interior

National Mall and Memorial Parks



October 28, 2013

Ms. Tamara Francis
Cultural Preservation Director
Delaware Nation
P.O. Box 825
31064 State Highway #281
Bldg. 100
Anadarko, OK 73005

Re: Proposed Kennedy Center Expansion Project, Washington, D.C.

Dear Ms. Francis:

The John F. Kennedy Center for the Performing Arts (Kennedy Center), is proposing to expand the Kennedy Center to provide approximately 60,000 additional square feet of space to the existing Edward Durell Stone building. Because the proposal would require approval by National Capital Planning Commission (NCPC) and may affect land managed by the National Park Service (NPS), these two agencies are acting as co-lead agencies in cooperation with the Kennedy Center, to comply with Section 106 of the National Historic Preservation Act (16 U.S.C. §470) and its implementing regulations (36 CFR Part 800.3). The NPS, the NCPC, and the Kennedy Center request your assistance in identifying any known resources of concern to the Delaware Nation within the project area and any potential effects that the proposed undertaking may have on these resources. Your input will allow us to comprehensively address all potential impacts as the process moves forward.

The Kennedy Center, located on the Potomac River at the western edge of the District's monumental core, is a Congressionally designated national showcase for the performing arts and a living memorial to President John F. Kennedy. The center presents musical, dance, and theatrical performances, supports artists in the creation of new work, and serves the nation as a leader in arts and arts management education. Currently, the Kennedy Center has a critical shortage of dedicated facilities to serve its existing and expanding programs. It contains no dedicated classrooms or event areas, a limited number of rehearsal rooms, and insufficient administrative space.

The proposed expansion would be located south of the existing building on a site bounded by the Potomac Expressway and ramp to Roosevelt Bridge on the southeast, the Potomac River on the west, and the south terrace of the Kennedy Center on the north. As proposed, the project will include three pavilions. Two of the pavilions would be located on the south side of the Kennedy Center and would connect with the existing building underground and at-grade via the main plaza. The third pavilion, the

River Pavilion, would be located across Rock Creek and Potomac Parkway, on a floating platform on the Potomac River. The third pavilion would provide space for an interactive family-oriented education facility for children to learn about and experience the performing arts. The project would also create a public waterfront connection and provide safe pedestrian access between the Kennedy Center and the Rock Creek and Potomac Parkway Trail along the riverfront. Construction of the River Pavilion will require a Section 10 permit from the U.S. Army Corps of Engineers USACE.

There are three proposed methods for anchoring the River Pavilion, two of which include excavation into the riverbed of the Potomac River. The first anchoring method is the Telescoping Pile. The piles would extend straight down, within the footprint of the pavilion, into the riverbed. The preliminary design includes eight piles. The second method is the Seaflex Anchor. This is less intrusive than the telescoping pile and is currently the preferred option. The anchors into the riverbed consist of small augers that would attach a flexible line to the pier. The anchor points into the riverbed will extend beyond the footprint of the pavilion. Preliminary design indicates that 24 anchors and lines would be needed. The third anchoring method is the Stiff Arm. This consists of telescoping arms connecting directly from the pavilion to the bulkhead. This anchoring option does not involve excavation into the riverbed.

Conceptual studies of the proposed Kennedy Center Expansion Project are included in this package to provide preliminary information on the project components. In addition, attached please find a graphic illustration of the proposed Area of Potential Effects (APE). The proposed APE for this project includes the area from which the project site is readily visible, as well as resources that could be impacted due to changes in the character of the site. A preliminary list of historic resources within the APE includes the Kennedy Center itself, as well as the Georgetown Historic District, Old Naval Observatory, Potomac Annex Historic District, East and West Potomac Parks Historic District, Arlington Ridge Park, Rock Creek and Potomac Parkway, Watergate Complex, Lincoln Memorial and Lincoln Memorial Grounds, Arlington Memorial Bridge and Related Features, Memorial Avenue Corridor, Lady Bird Johnson Park, George Washington Memorial Parkway, and Theodore Roosevelt Island. These sites have been extensively documented; therefore, additional survey requirements on potentially affected historic resources are not anticipated.

The NPS and NCPC in cooperation with the Kennedy Center are preparing an Environmental Assessment (EA) to analyze potential impacts associated with the Kennedy Center Expansion Project in accordance with the National Environmental Policy Act (NEPA). Once complete, the EA document can be provided to you for review. The NPS and NCPC plan to coordinate the Section 106 process with NEPA per the National Historic Preservation Act and its implementing regulations (36 CFR 800.8).

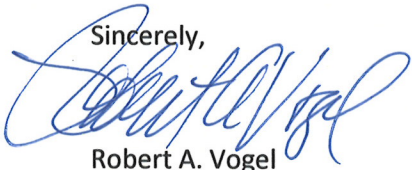
We are contacting you to invite the Delaware Nation to discuss cultural and historic places of interest to the Delaware Nation and to provide information about the historical, cultural and religious importance of any sites within the study area, which will be taken into consideration in the planning process.

Thank you for your help. If you have any questions, please do not hesitate to contact Ms. Claudette Donlon at:

Ms. Claudette Donlon, Executive Vice President
The John F. Kennedy Center for the Performing Arts
2700 F Street, NW
Washington, DC 20566

Ms. Donlon may also be reached by electronic mail at cdonlon@Kennedy-center.org, or by phone at (202) 416-8000.

Sincerely,



Robert A. Vogel
Superintendent
National Mall and Memorial Parks



Marcel Acosta
Executive Director
National Capital Planning Commission

Enclosures

cc: Joel Gorder, National Park Service
James Perry, Chief of Resource Management, NAMA, National Park Service
Jennifer Talken-Spaulding
Jennifer Hirsch, National Capital Planning Commission
Claudette Donlon, Executive Vice President, Kennedy Center
Jon Maas, Paratus Group
Elizabeth Edelen Estes, Stantec Consulting Services
Judith Robinson, Robinson & Associates



United States Department of the Interior



NATIONAL PARK SERVICE

National Mall & Memorial Parks
900 Ohio Drive, S.W.
Washington, D.C. 20024-2000

May 2, 2014

Ms. Tamara Francis
Cultural Preservation Director
Delaware Nation
P.O. Box 825
31064 State Highway #281
Bldg. 100
Anadarko, OK 73005

Re: Proposed Kennedy Center Expansion Project, Washington, D.C.

Dear Ms. Francis:

Thank you for meeting with representatives of the National Park Service (NPS), the National Capital Planning Commission (NCPC), and the John F. Kennedy Center for the Performing Arts (Kennedy Center) on November 25, 2013 to discuss the proposed expansion of the Kennedy Center in Washington, DC. As we discussed during the meeting and detailed in our October 28, 2013 letter the Kennedy Center is proposing to expand the existing Edward Durell Stone building to provide approximately 60,000 additional square feet of space. The Kennedy Center currently has a critical shortage of dedicated facilities to serve its existing and expanding programs, and the proposed project would provide additional space on-site for classrooms, large rehearsal rooms, additional office space, alternate spaces for special events, and a river pavilion to provide visitors greater access to the performing arts.

NPS and NCPC are working together in cooperation with the Kennedy Center to comply with Section 106 of the National Historic Preservation Act (16 U.S.C. §470) and implement regulations (36 CFR Part 800). The NPS and NCPC in cooperation with the Kennedy Center have prepared a draft Archaeological Site Assessment Study (Phase IA analysis) for the proposed undertaking. We request your review of and comments on the enclosed report.

The Archaeological Site Assessment Study has two goals: to determine whether archaeological resources are potentially present within the Kennedy Center project area, and to assess whether the proposed undertaking has the potential to cause adverse effects on those resources. While to date no archaeological resources have been located within the Kennedy Center project area, the study identifies those areas along the Potomac River as having a high potential for the presence of Native American and Historic period archaeological resources. Those resources, if present, are below significant levels of fill. Geotechnical borings and cut and fill analysis suggest that between 19 feet to 29 feet of fill covers the Kennedy Center project area. Grading associated with the proposed Kennedy Center undertaking will impact the initial 18 feet below the current land surface. This

indicates that grading activities will not extend below fill deposits and will not impact any potential archaeological resources. Driven pilings will extend below fill to a maximum of 64 feet below the current land surface.

The analysis of the river pavilion indicated that the proposed location has a low potential for the presence of archaeological resources. Prior studies have suggested that the location of the river pavilion is within the ancestral channel of the Potomac River. Native American archaeological resources are more likely to be present adjacent to, and not within, the ancestral channel of the river. As detailed in the enclosed report, databases on submerged resources such as shipwrecks indicate that no such resources are present in the vicinity of the proposed river pavilion.

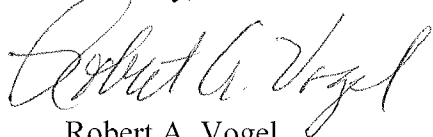
The NPS and NCPC in cooperation with the Kennedy Center request your review of and comments on the enclosed Archaeological Site Assessment Study by June 2, 2014. The report has been reviewed by the District of Columbia State Historic Preservation Office and they have concurred with its findings.

If you have any questions on the proposed expansion of the Kennedy Center, please do not hesitate to contact Ms. Claudette Donlon at:

Ms. Claudette Donlon, Executive Vice President
The John F. Kennedy Center for the Performing Arts
2700 F Street, NW
Washington, DC 20566

Ms. Donlon may also be reached by electronic mail at cdonlon@Kennedy-center.org, or by phone at (202) 416-8000. We look forward to hearing back from you.

Sincerely,



Robert A. Vogel
Superintendent
National Mall and Memorial Parks
National Park Service



Marcel Acosta
Executive Director
National Capital Planning Commission

Enclosures

cc: Joel Gorder, National Park Service
James Perry, Chief of Resource Management, NAMA, National Park Service
Jennifer Hirsch, National Capital Planning Commission
Mr. David Maloney, State Historic Preservation Officer, District of Columbia Historic Preservation Office
Claudette Donlon, Executive Vice President, Kennedy Center
Jon Maas, Paratus Group
Elizabeth Edelen Estes, Stantec Consulting Services
Judith Robinson, Robinson & Associates

From: [Canfield, Harry](#)
To: [Estes, Liz](#)
Subject: Fw: Kennedy Center Proposed River Pavilion
Date: Tuesday, October 29, 2013 5:23:04 PM

Liz:
USCG response is below.
Harry

----- Original Message -----

From: Grimes, Albert L CIV [<mailto:Albert.L.Grimes@uscg.mil>]
Sent: Tuesday, October 29, 2013 02:08 PM
To: Canfield, Harry
Cc: Johnson, Tiffany LT <Tiffany.A.Johnson@uscg.mil>
Subject: RE: Kennedy Center Proposed River Pavilion

Based on the information provided the Coast Guard will require each end of the proposed pavilion to be marked with an day/night obstruction marks. The night time optic will be a visible all around slow flashing white light with a minimum candela setting of 12. Please note that determination is based on the submitted information. The Coast Guard will be forwarded your entire package; by the ACE, for their review process.

-----Original Message-----

From: harry.canfield@stantec.com [<mailto:harry.canfield@stantec.com>]
Sent: Tuesday, October 29, 2013 3:01 PM
To: Grimes, Albert L CIV
Subject: Kennedy Center Proposed River Pavilion

Mr. Grimes:

I am working with the Kennedy Center in Washington DC and am following up with you concerning a proposed floating pavilion in the Potomac River adjacent to the Kennedy Center. The Kennedy Center had sent a letter to the USCG on July 2, 2013 but I am not sure that the letter reached you. It is my understanding that you are the correct USCG representative to contact regarding this type of project and I believe that you had discussed this project with the Kennedy Center in the Spring of 2013. Please let me know if you are not the correct contact.

We are seeking USCG comments on the proposed River Pavilion, including any USCG objections to the project, required aids to navigation, required USCG approvals, and any additional information that may affect the viability of the project. We are also coordinating with the US Army Corps of Engineers for necessary permits and approvals and we are preparing an Environmental Assessment to comply with NEPA.

I have attached the correspondence that was sent to the USCG, and I attached a vicinity map. I would greatly appreciate your review and comments. Feel free to provide any comments or information to me via email if that is easiest. Feel free to contact me if you have any questions.

Respectfully,

Harry Canfield

Associate

Stantec

810 Glen Eagles Court, Suite 300 Baltimore MD 21286-2237

Phone: 443-632-3073

Cell: 717-793-7495

Fax: 410-583-6704

harry.canfield@stantec.com <<mailto:harry.canfield@stantec.com>>

Stantec

Design with community in mind

stantec.com <<http://www.stantec.com>>

facebook <<https://www.facebook.com/StantecInc?v=wall&ref=sgm>>

twitter <<https://twitter.com/stantec>>

blog <<http://www.stantecinc.blogspot.ca/>>

google+ <<https://plus.google.com/112504287730358583553/posts>>

linkedin <<http://www.linkedin.com/company/stantec>>

youtube <<http://www.youtube.com/user/StantecInc>>

The content of this email is the confidential property of Stantec and should not be copied, modified, retransmitted, or used for any purpose except with Stantec's written authorization. If you are not the intended recipient, please delete all copies and notify us immediately.

ü Please consider the environment before printing this email.



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
BALTIMORE DISTRICT, U.S. ARMY CORPS OF ENGINEERS
P.O. BOX 1715
BALTIMORE, MD 21203-1715
APR 10 2013

Operations Division

The John F. Kennedy Center
for the Performing Arts
c/o Ms. Claudette Donlon
P.O. Box 101510
Arlington, Virginia 22210

Dear Ms. Donlon:

This is in reference to your request for coordination with the Baltimore District in a meeting on March 14, 2013. Your pre-application for a Department of the Army (DA) permit to install one floating pier pavilion and to construct two land-based pavilions all for renovations to the grounds of the John F. Kennedy Center for the Performing Arts has been assigned the number **NAB-2013-00607 (Kennedy Center South Side Pavilions DC)**. The Kennedy Center South Side Pavilions DC project is proposed in the Potomac River between F Street NW and the Theodore Roosevelt Memorial Bridge, in Washington DC.

The U.S. Army Corps of Engineers will be reviewing the permit application pursuant to Section 10 of the Rivers and Harbors Act and/or Section 404 of the Clean Water Act, so that a Corps permit decision can be rendered at the conclusion of the public interest review process.

The decision to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity and its intended use on the public interest. Among the factors that must be evaluated as part of the Corps public interest review include: conservation, economics, aesthetics, general environmental concerns, wetlands and streams, historic and cultural resources, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, energy needs, safety, food and fiber production, mineral needs, water quality, considerations of property ownership, air and noise impacts, and, in general, the needs and welfare of the people. Each of the Corps public interest factors that are relevant to this project must be evaluated comprehensively in the permit decision documentation. In addition the Corps will evaluate the project's compliance with Section 7 of the Endangered Species Act, Section 106 of the National Historic Preservation Act, Section 401 of the Clean Water Act, and the Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996 (Public Law 04-267) [essential fish habitat (EFH) assessment].

Enclosed for your use is a comprehensive project checklist. The information requested on the checklist exceeds the requirement for a complete DA application; however, this information will be helpful for pre-application coordination as well as reduce the necessity of data requests during the permit review process.

A copy of this letter will be furnished to Mr. Collin Burrell, District Department of the Environment and the National Park Service for informational purposes. If you have any questions concerning this matter, please contact Ms. Vera Jaffe at (410) 962-6144.

Sincerely,

A handwritten signature in dark ink, appearing to read "Kathy B. Anderson". The signature is fluid and cursive, with the first name "Kathy" being more prominent.

Kathy B. Anderson
Chief, Maryland Section Southern

Enclosure

Information

<<http://www.nab.usace.army.mil/Regulatory/>> - Baltimore District Regulatory Branch web site

<<http://www.mde.state.md.us/assets/document/permit/alter.pdf>> - permit application

Coordination with regulatory agencies may expedite the permit process.

Please coordinate with the following agencies regarding:

- ✓ For navigation, security, and safety issues
 - ✓ United States Department of Homeland Security United States Coast Guard
- ✓ For historic and cultural properties
 - ✓ District of Columbia State Historic Preservation Office
- ✓ For Wetlands of Special State Concern, threatened and endangered species, waterfowl concentration areas, shellfish trawling areas, fishing areas, and scientific study areas
 - ✓ District Department of the Environment – Fisheries and Wildlife Division
 - ✓ U.S. Fish and Wildlife Service
- ✓ For Essential Fish Habitat, anadromous fish, threatened and endangered species, and oyster bars (natural and leased)
 - ✓ National Marine Fisheries Service
- ✓ For existing and future infrastructure/corridor consideration
 - ✓ Department of Public Works
 - ✓ District Department of Transportation
 - ✓ Utility companies
- ✓ For parks restrictions
 - ✓ National Parks Service
 - ✓ U.S. Fish and Wildlife Service

Federal Contacts Information

- Environmental Protection Agency
 - Mr. Michael Mansolino 215-814-2794 Mansolino.Michael@epamail.epa.gov
- National Marine Fisheries Service
 - Mr. John Nichols 410-267-5675 john.nichols@noaa.gov
- U.S. Fish and Wildlife Service
 - Mr. Bob Zepp 410-573-4536 bob_zepp@fws.gov
- National Parks Service – National Capital Region – Right of Way Permits
 - Ms. Georgeann Smale 202-619-7276 Georgeann_Smale@nps.gov
- National Mall and Memorial Parks
 - Ms. Eliza Voigt 202-245-4694 Eliza_Voigt@nps.gov

- National Capital Parks – Central
Mr. Stephen Lorenzetti 202-485-9680 Stephen_Lorenzetti@nps.gov
- United States Coast Guard: bridge issues
Mr. Waverly Gregory 757-398-6222 Waverly.W.GregoryJr@uscg.mil
- U.S. Department of Homeland Security, United States Coast Guard: navigation, security and safety issues
Mr. Albert Grimes 757-398-6360 Agimes@lantd5.uscg.mil

Washington D.C. Contacts Information

- Government of the District of Columbia: District Department of the Environment: Water Quality Division: water quality
Mr. Collin Burell - 202-535-2255 collin.burell@dc.gov
- Government of the District of Columbia: District Department of the Environment: Fisheries and Wildlife Division: urban fish and wildlife conservation and protection; threatened and endangered species; waterfowl concentration areas; fishing areas; scientific study areas
Mr. Bryan King 202-997-9607 bryan.king@dc.gov;
- District State Historic Preservation Office: historic and cultural properties
Built environment: Mr. Andrew Lewis 202-442-8841 andrew.lewis@dc.gov
Ground disturbance: Dr. Ruth Trocolli 202-442-8836 ruth.trocolli@dc.gov

CHECKLIST

Following is a list of recommended items to include for a more complete permit application plan. Additional information may be necessary as determined during project evaluation.

- ✓ Provide 8 ½" x 11" plan sheets to incorporate the information requested. In addition, a large view overall plan sheet would be helpful in reviewing the project site relative to all the work existing and proposed.
- ✓ Provide a plat of the property, including shoreline and property lines with adjacent property owners' names and addresses
 - ✓ The list of adjacent property owners should be provided in electronic format for printing mailing labels for the public notice
- ✓ Provide a vicinity map
- ✓ Provide plans showing
 - ✓ the proposed dimensions of structures, described by square footage, acreage, and linear feet of waterway, within waters of the U.S., including wetlands, streams, tidal waterways, with typical drawing sections of the project in these areas,
 - ✓ Overlay the proposed project plans on aerial photography (source and date indicated)
 - ✓ the width of the waterway at the project site as well as indicate the distance from any in-water structures to the navigational fairway

- ✓ Cross section view relative to the constructed or mean high water (MHW) shoreline as well as the waterway bottom substrate. Include the proposed piling and/or anchoring system structures.
- ✓ Latitude and longitude at each corner of the channelward end of the proposed pier and along the edges of the project site
- ✓ The distance of the proposed project from any Federal channel
- ✓ Include the existing depths, at mean low water, within and beyond the proposed project area (landward to the shoreline structure and channelward to the existing navigational fairway channel, including its location and depth) relationship of project site to shoreline and fixed structures, such as piers, boat ramps, and other riparian facilities
- ✓ Describe purpose and need for the project, including public need and benefit, users, suppliers, any other supporting information
 - ✓ Provide a summary chart comparing estimated impacts for considered alternatives and of method of work to the waterway, parkland, and historic sites.
- ✓ Provide a letter from the proposed affected utility/agency stating that construction of the proposed work would be allowed at or near the location of any submarine cables, sewer pipes or other utility features.
- ✓ Describe on-site and off-site avoidance and minimization of impacts, including, if applicable, why impacts were not avoided
- ✓ Describe potential cumulative impacts relative to the purpose of the project and prospective for expansion
- ✓ Describe present use of land or waterway in vicinity of project
- ✓ Describe the vessels utilizing the waterway in the vicinity of the proposed project including type, length, width, and draft; the expected use of the proposed facility as it relates to navigational activity; and the historic use of the property and project area waterway
- ✓ Provide a timeline/schedule for the process of obtaining all authorizations for the proposed project and construction schedule

**JOINT FEDERAL/STATE APPLICATION FOR THE ALTERATION OF ANY FLOODPLAIN,
WATERWAY, TIDAL OR NONTIDAL WETLAND IN MARYLAND**

FOR AGENCY USE ONLY

Application Number _____	Date Determined Complete _____
Date Received by State _____	Date(s) Returned _____
Date Received by Corps _____	_____
Type of State permit needed _____	Date of Field Review _____
Type of Corps permit needed _____	Agency Performed Field Review _____

- +++++
- Please submit 1 original and 4 copies of this form, required maps and plans to the Wetlands and Waterways Program as noted on the last page of this form.
 - Any application which is not completed in full or is accompanied by poor quality drawings may be considered incomplete and result in a time delay to the applicant.

Please check one of the following:

RESUBMITTAL: _____ APPLICATION AMENDMENT: _____ MODIFICATION TO AN EXISTING PERMIT: _____
JURISDICTIONAL DETERMINATION ONLY _____ APPLYING FOR AUTHORIZATION _____
PREVIOUSLY ASSIGNED NUMBER (RESUBMITTALS AND AMENDMENTS) _____
DATE _____

1. APPLICANT INFORMATION:

APPLICANT NAME:

A. Name: _____ B. Daytime Telephone: _____
C. Company: _____ D. Email Address: _____
E. Address: _____
F. City: _____ State: _____ Zip: _____

AGENT/ENGINEER INFORMATION:

A. Name: _____ B. Daytime Telephone: _____
C. Company: _____ D. Email Address: _____
E. Address: _____
F. City: _____ State: _____ Zip: _____

ENVIRONMENTAL CONSULTANT:

A. Name: _____ B. Daytime Telephone: _____
C. Company: _____ D. Email Address: _____
E. Address: _____
F. City: _____ State: _____ Zip: _____

CONTRACTOR (If known): _____

A. Name: _____ B. Daytime Telephone: _____
C. Company: _____ D. Email Address: _____
E. Address: _____
F. City: _____ State: _____ Zip: _____

PRINCIPAL CONTACT:

A. Name: _____ B. Daytime Telephone: _____
C. Company: _____ D. Email Address: _____
E. Address: _____
F. City: _____ State: _____ Zip: _____

2. PROJECT DESCRIPTION

a. GIVE WRITTEN DESCRIPTION OF PROJECT:

Has any portion of the project been completed? _____ Yes _____ No If yes, explain _____

Is this a residential subdivision or commercial development? _____ Yes _____ No

If yes, total number of acres on property _____ acres

b. **ACTIVITY:** Check all activities that are proposed in the wetland, waterway, floodplain, and nontidal wetland buffer as appropriate.

- A. _____ filling D. _____ flooding or impounding F. _____ grading
B. _____ dredging water G. _____ removing or destroying
C. _____ excavating E. _____ draining vegetation
H. _____ building structures

Area for item(s) checked: Wetland _____ (sq. ft.) Buffer (Nontidal Wetland Only) _____ (sq. ft.)
Expanded Buffer (Nontidal Wetland Only) _____ (sq. ft.)

Area of stream impact _____ (sq. ft.)

Length of stream affected _____ (linear feet)

c. TYPE OF PROJECTS: Project Dimensions

For each activity, give overall length and width (in feet), in columns 1 and 2. For multiple activities, give total area of disturbance in square feet in column 3. For activities in tidal waters, give maximum distance channelward (in feet) in column 4. For dam or small ponds, give average depth (in feet) for the completed project in column 5. Give the volume of fill or dredged material in column 6.

	Length h (Ft.) 1	Width (Ft.) 2	Area Sq. Ft. 3	Maximum/Average Channelward Encroachment 4	Pond Depth 5	Volume of fill/dredge material (cubic yards) below MHW or OHW 6
A. _____ Bulkhead	_____	_____	_____	_____	_____	_____
B. _____ Revetment	_____	_____	_____	_____	_____	_____
C. _____ Vegetative Stabilization	_____	_____	_____	_____	_____	_____
D. _____ Gabions	_____	_____	_____	_____	_____	_____
E. _____ Groins	_____	_____	_____	_____	_____	_____
F. _____ Jetties	_____	_____	_____	_____	_____	_____
G. _____ Boat Ramp	_____	_____	_____	_____	_____	_____
H. _____ Pier	_____	_____	_____	_____	_____	_____
I. _____ Breakwater	_____	_____	_____	_____	_____	_____
J. _____ Repair & Maintenance	_____	_____	_____	_____	_____	_____
K. _____ Road Crossing	_____	_____	_____	_____	_____	_____
L. _____ Utility Line	_____	_____	_____	_____	_____	_____
M. _____ Outfall Construction	_____	_____	_____	_____	_____	_____
N. _____ Small Pond	_____	_____	_____	_____	_____	_____
O. _____ Dam	_____	_____	_____	_____	_____	_____
P. _____ Lot Fill	_____	_____	_____	_____	_____	_____
Q. _____ Building Structures	_____	_____	_____	_____	_____	_____
R. _____ Culvert	_____	_____	_____	_____	_____	_____
S. _____ Bridge	_____	_____	_____	_____	_____	_____
T. _____ Stream Channelization	_____	_____	_____	_____	_____	_____
U. _____ Parking Area	_____	_____	_____	_____	_____	_____
V. _____ Dredging	_____	_____	_____	_____	_____	_____

1. _____ New 2. _____ Maintenance 3. _____ Hydraulic 4. _____ Mechanical
W. _____ Other (explain) _____

d. **PROJECT PURPOSE:** Give brief written description of the project purpose:

3. PROJECT LOCATION:

a. LOCATION INFORMATION:

- A. County: _____ B. City: _____ C. Name of waterway or closest waterway: _____
- D. State stream use class designation: _____
- E. Site Address or Location: _____
- F. Directions from nearest intersection of two state roads: _____
- G. Is your project located in the Chesapeake Bay Critical Area (generally within 1,000 feet of tidal waters or tidal wetlands)?:
Yes _____ No _____
- H. County Book Map Coordinates (Alexandria Drafting Co.); Excluding Garrett and Somerset Counties:
Map: _____ Letter: _____ Number: _____ (to the nearest tenth)
- I. FEMA Floodplain Map Panel Number (if known): _____
- J. 1. _____ latitude 2. _____ longitude

b. ACTIVITY LOCATION: Check one or more of the following as appropriate for the type of wetland/waterway where you are proposing an activity:

- A. _____ Tidal Waters F. _____ 100-foot buffer (nontidal wetland of special State concern) H. _____ 100-year floodplain (outside stream channel)
- B. _____ Tidal Wetlands G. _____ In stream channel I. _____ River, lake, pond
- C. _____ Special Aquatic Site (e.g., mudflat, vegetated shallows) 1. _____ Tidal 2. _____ Nontidal J. _____ Other (Explain) _____
- D. _____ Nontidal Wetland
- E. _____ 25-foot buffer (nontidal wetlands only)

c. LAND USE:

- A. Current Use of Parcel Is: 1. _____ Agriculture: Has SCS designated project site as a prior converted cropland?
Yes _____ No _____ 2. _____ Wooded 3. _____ Marsh/Swamp 4. _____ Developed
5. _____ Other _____
- B. Present Zoning Is: 1. _____ Residential 2. _____ Commercial/Industrial 3. _____ Agriculture 4. _____ Marina 5. _____ Other
- C. Project complies with current zoning _____ Yes _____ No

THE FOLLOWING INFORMATION IS REQUIRED BY THE STATE (blocks 4-7):

4. REDUCTION OF IMPACTS: Explain measures taken or considered to avoid or minimize wetland losses in F. Also check Items A-E if any of these apply to your project.

- A. _____ Reduced the area of disturbance B. _____ Reduced size/scope of project C. _____ Relocated structures
- D. _____ Redesigned project
- E. _____ Other _____

F. Explanation _____

Describe reasons why impacts were not avoided or reduced in Q. Also check Items G-P that apply to your project.

- | | | |
|---|--|--------------------------------------|
| G. _____ Cost | K. _____ Parcel size | N. _____ Safety/public welfare issue |
| H. _____ Extensive wetlands on site | L. _____ Other regulatory requirement | O. _____ Inadequate zoning |
| I. _____ Engineering/design constraints | M. _____ Failure to accomplish project purpose | P. _____ Other _____ |
| J. _____ Other natural features | | |

Q. Description _____

5. **LETTER OF EXEMPTION:** If you are applying for a letter of exemption for activities in nontidal wetlands and/or their buffers, explain why the project qualifies:

- | | |
|--|---|
| A. _____ No significant plant or wildlife value and wetland impact | B. _____ Repair existing structure/fill |
| 1. _____ Less than 5,000 square feet | C. _____ Mitigation Project |
| 2. _____ In an isolated nontidal wetland less than 1 acre in size | D. _____ Utility Line |
| E. Other (explain) _____ | 1. _____ Overhead |
| | 2. _____ Underground |

F. _____ Check here if you are not applying for a letter of exemption.

IF YOU ARE APPLYING FOR A LETTER OF EXEMPTION, PROCEED TO BLOCK 11

6. **ALTERNATIVE SITE ANALYSIS:** Explain why other sites that were considered for this project were rejected in M. Also check any items in D-L if they apply to your project. (If you are applying for a letter of exemption, do not complete this block):

- | | | |
|---|---|--------------------------|
| A. _____ 1 site | B. _____ 2 - 4 sites | C. _____ 5 or more sites |
| Alternative sites were rejected/not considered for the following reason(s): | | |
| D. _____ Cost | H. _____ Greater wetlands impact | L. _____ Other _____ |
| E. _____ Lack of availability | I. _____ Water dependency | |
| F. _____ Failure to meet project purpose | J. _____ Inadequate zoning | |
| G. _____ Located outside general/market area | K. _____ Engineering/design constraints | |
| M. Explanation: _____ | | |

7. **PUBLIC NEED:** Describe the public need or benefits that the project will provide in F. Also check Items in A-E that apply to your project. (If you are applying for a letter of exemption, do not complete this block):

- | | | |
|----------------------|---|----------------------|
| A. _____ Economic | C. _____ Health/welfare | E. _____ Other _____ |
| B. _____ Safety | D. _____ Does not provide public benefits | |
| F. Description _____ | | |

8. OTHER APPROVALS NEEDED/GRANTED:

A. Agency	B. Date Sought	C. Decision		D. Decision Date	E. Other Status
		1. Granted	2. Denied		
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

9. MITIGATION PLAN: Please provide the following information:

- a. Description of a monetary compensation proposal, if applicable (for **state requirements** only). Attach another sheet if necessary. _____

- b. Give a brief description of the proposed mitigation project. _____

- c. Describe why you selected your proposed mitigation site, including what other areas were considered and why they were rejected. _____

- d. Describe how the mitigation site will be protected in the future. _____

10. HAVE ADJACENT PROPERTY OWNERS BEEN NOTIFIED?:

A. _____ Yes B. _____ No

Provide names and mailing addresses below (Use separate sheet, if necessary):

- a. _____ b. _____ c. _____

11. HISTORIC PROPERTIES: Is your project located in the vicinity of historic properties? (For example: structures over 50 years old, archeological sites, shell mounds, Indian or Colonial artifacts). Provide any supplemental information in Section 13.

A. _____ Yes B. _____ No C. _____ Unknown

12. ADDITIONAL INFORMATION: Use this space for detailed responses to any of the previous items. Attach another sheet if necessary:

Check box if data is enclosed for any one or more of the following (see checklist for required information):

- | | | |
|---|---|---|
| A. <input type="checkbox"/> Soil borings | D. <input type="checkbox"/> Field surveys | G. <input type="checkbox"/> Site plan |
| B. <input type="checkbox"/> Wetland data sheets | E. <input type="checkbox"/> Alternate site analysis | H. <input type="checkbox"/> Avoidance and |
| C. <input type="checkbox"/> Photographs | F. <input type="checkbox"/> Market analysis | minimization analysis |
| I. <input type="checkbox"/> Other (explain) _____ | | |
-

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 certify that all Waters of the United States have been identified and delineated on site, and that all jurisdictional wetlands have been delineated in accordance with the Federal Manual for Identifying and Delineating Jurisdictional Wetlands. 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 consistent with Maryland's Coastal Zone Management Plan. 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 landowner to sign the application will result in the application being deemed incomplete.

LANDOWNER MUST SIGN: _____ DATE: _____

WHERE TO MAIL APPLICATION

Maryland Department of the Environment
Water Management Administration
Regulatory Services Coordination Office
1800 Washington Boulevard, Suite 430
Baltimore, Maryland 21230
Telephone: (410) 537-3762
1-800-876-0200

BEFORE YOU MAIL... DON'T FORGET...

- **SIGN AND DATE THE APPLICATION. THE LANDOWNER MUST SIGN.**
- **FIVE (5) COPIES OF ALL DOCUMENTS (APPLICATION, PLANS, MAPS, REPORTS, ETC.) MUST BE RECEIVED TO BEGIN OUR REVIEW.**
- **INCLUDE FIVE COPIES OF A VICINITY MAP (LOCATION MAP) WITH THE PROJECT SITE PINPOINTED.**
- **SEND AN APPLICATION FEE OF \$750 ALONG WITH A COPY OF THE FIRST PAGE OF THE APPLICATION TO MARYLAND DEPARTMENT OF THE ENVIRONMENT, P.O. BOX 2057, BALTIMORE, MD 21203-2057. PLEASE REFER TO OUR WEBSITE <http://www.mde.state.md.us/wetlands> FOR FURTHER INSTRUCTIONS.**

**SAMPLE PLANS MAY BE OBTAINED BY PHONE (1-800-876-0200)
OR E-MAIL acunabaugh@mde.state.md.us.**

SUPPLEMENTARY INFORMATION TO BE INCLUDED ON PLANS, DRAWINGS, OR VICINITY MAPS

In addition to the information indicated on the previous pages, you should include the following on the 8 1/2 x 11 site plans and any blueprints you have submitted:

1. Delineation of any wetland buffers or expanded buffers, clearly marked and differentiated.
2. Location of mitigation area, if proposed on the same site as the project.

Note: If you are proposing a complex project you may wish to submit engineering blueprints of your project with the application form to expedite review.

Mitigation Location Map: If you are proposing that nontidal wetland mitigation be done at a different location than the proposed project, you should submit a map showing the location of the mitigation site in relation to the proposed nontidal wetland losses.

WETLAND DELINEATION

Wetlands should be identified according to methods described in the publication Federal Manual Identifying and Delineating Jurisdictional Wetlands. Copies of the manual may be obtained by calling the U. S. Government Printing Office at 202-783-3238 and requesting document #024-010-00-683-8 at a cost of \$7.50. Wetlands must be shown on all plans submitted with the application. All wetlands on site must be delineated and shown on the overall site plan. 8½ x 11 inch plans with topography showing relation of the wetlands and project impacts must be submitted. Copies of the wetland reports and data sheets used in making the determination be included with your application submittal.

Regulatory Agencies

Federal Permits

U.S. Army Corps of Engineers
Baltimore District
Attention: CENAB-OP-R
P. O. Box 1715
Baltimore, MD 21203-1715
Telephone: (410) 962-3670

State Authorizations

MD Dept. of the Environment
Water Management Administration
Tidal Wetlands Division
1800 Washington Blvd, Ste 430
Baltimore, MD 21230
Telephone: (410) 537-3837

Coastal Zone Consistency Statement

MD Dept. of the Environment
Water Management Administration
Wetlands and Waterways Program
1800 Washington Blvd, Ste 430
Baltimore, MD 21230
Telephone: (410) 537-3745

MD Dept. of the Environment
Water Management Administration
Nontidal Wetlands and Waterways
Division
1800 Washington Blvd, Ste 430
Baltimore, MD 21230
Telephone: (410) 537-3768