



Living Shoreline Waiver Request **Maryland Department of the Environment** **Water and Science Administration**



INSTRUCTIONS

Shore erosion control projects must consist of nonstructural shoreline stabilization measures that preserve the natural environment (i.e. Living Shorelines or marsh creation) unless:

- A waiver is obtained from the Maryland Department of the Environment (MDE); or
- The project shoreline has been mapped by MDE as an area appropriate for structural shoreline stabilization measures (i.e. revetment, groin, bulkhead, etc.). These maps are available on [MDE's website](http://mde.maryland.gov/programs/Water/WetlandsandWaterways/DocumentsandInformation/Pages/wetlandtidalshoremeps.aspx):

<http://mde.maryland.gov/programs/Water/WetlandsandWaterways/DocumentsandInformation/Pages/wetlandtidalshoremeps.aspx>

In addition to the areas already mapped by MDE, certain sites will not be suitable for nonstructural shoreline stabilization measures due to site-specific characteristics. For example, at sites with excessive erosion, severe high energy conditions, extreme water depths, or a narrow waterway, a living shoreline may not be feasible and a property owner may be eligible for a waiver from the requirement to construct a nonstructural shoreline stabilization measure.

To Determine if your site meets these criteria and is eligible for a waiver:

1. Complete this Waiver Request Form.
2. Mail photographs of the project site along with the completed Waiver Request Form to:

Maryland Department of the Environment
Tidal Wetlands Division
1800 Washington Blvd.
Baltimore, MD 21230
Attention: *(Name of MDE Reviewer if Known)*
3. Complete a **Pre-Application Meeting Request Form** and submit the form by email or by mail with the completed Waiver Request Form and project site photographs to the above address.
4. After receiving all of the required information, MDE will contact the property owner or primary contact, if one is designated, to arrange a site visit. After the site visit, MDE will notify the property owner or primary contact, if one is designated, whether the Living Shoreline Waiver Request was approved.

Please be advised that for **ALL** shore erosion control projects, a property owner must obtain a State tidal Wetlands authorization and all other applicable federal, State, or local authorizations before beginning construction. A completed Living Shoreline Waiver Request Form is not authorization of your proposed project or authorization to begin work.

To obtain a State tidal wetlands authorization to construct a shore erosion control project, a property owner must complete the following documents and submit them to MDE:

- a) A **Joint Federal/State Application for the Alteration of any Tidal Wetland in Maryland**;
- b) A proposed **Critical Area Buffer Management Plan**;
- c) A **Critical Area Buffer Notification Form**; and
- d) If applicable, a **Living Shoreline Waiver** approved by MDE.

LIVING SHORELINE WAIVER WORKSHEET

Project Site Address: _____

City, State, Zip: _____

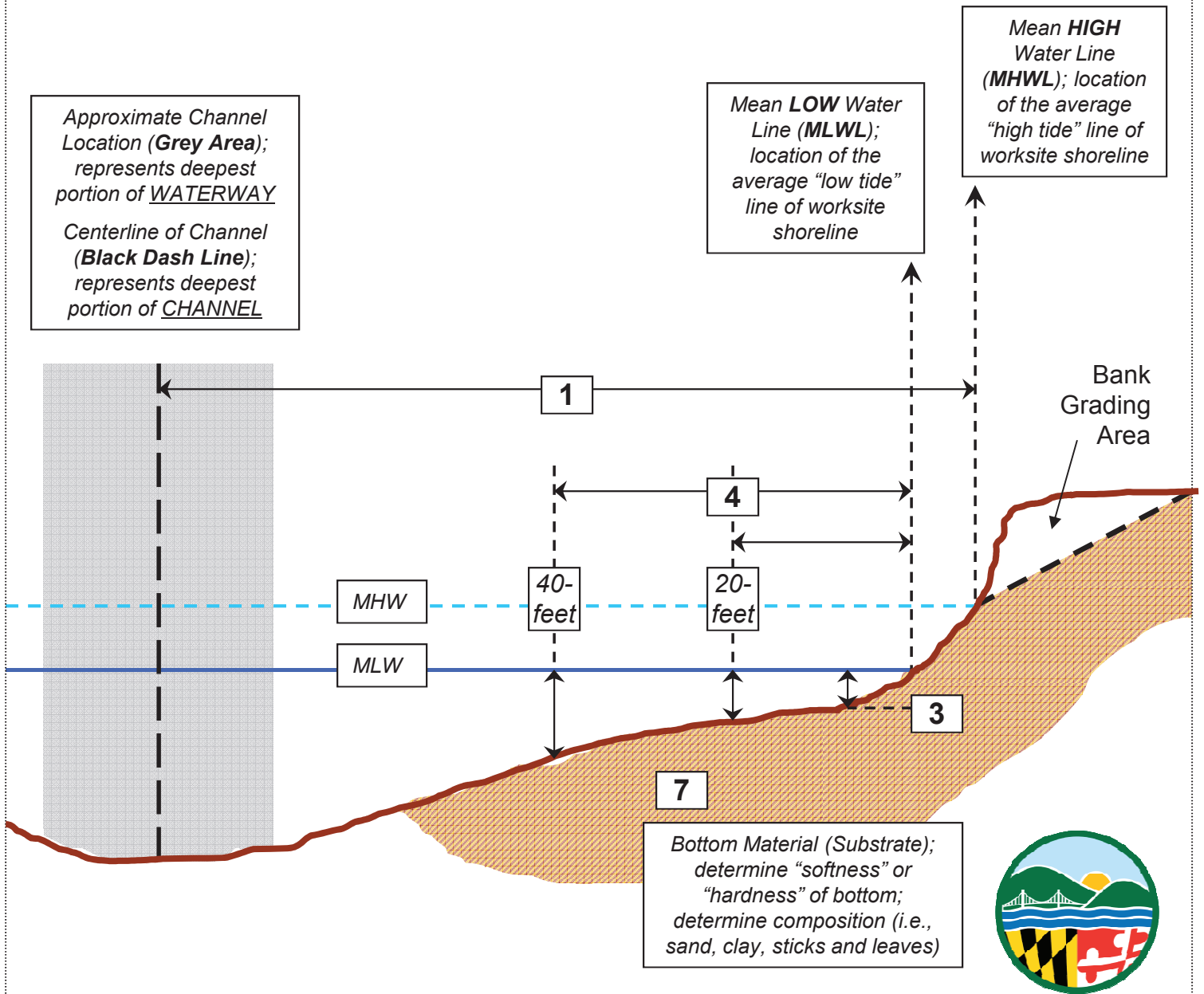
	Existing Structure	Is the proposed project a replacement of a previously authorized, functional structure i.e. replacement bulkhead? <u>If yes, then check the yes box and do not fill out the rest of the form.</u>	<input type="checkbox"/> Yes (Waiver)				
			<input type="checkbox"/> No				
	Mapped Shoreline	Is the applicant's proposed project's shoreline mapped by MDE as an area appropriate for structural shoreline stabilization measures? If unknown, leave this section blank. <u>If yes, then check the yes box and do not fill out the rest of the form.</u>	<input type="checkbox"/> Yes (Waiver)				
			<input type="checkbox"/> No				
1	Navigation	Distance in feet from the Mean High Water Line to the centerline of the closest mapped or unmapped navigable channel.					
2	Width of Waterway	Distance in feet from Mean High Water Line of proposed project's shoreline perpendicular across the waterway to the Mean High Water Line on the opposite shoreline.					
3	Depth at Toe of Bank	Depth of the water in feet from the Mean Low Water Line to the bottom or toe of the shoreline bank.					
4	Depth of Waterway	Depth of water in feet relative to the Mean Low Water Line at 20-foot and 40-foot channelward of the Mean High Water Line at the proposed project's shoreline.	<u>At 20 Ft.</u> <u>At 40 Ft.</u>				
5	Shoreline Orientation	A. Provide a compass direction perpendicular to the line of the proposed project's shoreline. Direction can be given as NE, SW, etc. or as a compass heading (i.e., 45°, 225°). B. Is Bank grading or tree trimming required to provide at least six hours of daily sunlight.					
6	Fetch	Provide four measurements (in feet) of maximum unobstructed distance over open water for each compass quadrant (i.e., NE, SE, SW, NW) centered on the proposed project's location on the applicant's shoreline.	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;"><u>NW</u></td> <td style="text-align: center;"><u>NE</u></td> </tr> <tr> <td style="text-align: center;"><u>SW</u></td> <td style="text-align: center;"><u>SE</u></td> </tr> </table>	<u>NW</u>	<u>NE</u>	<u>SW</u>	<u>SE</u>
<u>NW</u>	<u>NE</u>						
<u>SW</u>	<u>SE</u>						
7	Bottom Material	Firmness of bottom material in the proposed project's area of impact. Type of bottom material in the proposed project's area of impact.	<input type="checkbox"/> Hard <input type="checkbox"/> Soft <input type="checkbox"/> Muck <input type="checkbox"/> Silt <input type="checkbox"/> Sand <input type="checkbox"/> Clay				
	Sensitive Species	Will project construction adversely impact fish, plant, underwater vegetation, marsh, shellfish, wildlife habitat, or the area within 100 feet landward of the proposed project's shoreline? If unknown, leave this section blank.	<input type="checkbox"/> Yes (provide explanation and attach to this form) <input type="checkbox"/> No				
	Site Access	A. Can the proposed project be constructed from the water?	<input type="checkbox"/> Yes <input type="checkbox"/> No				
		B. Does the access to the site require any grading or trimming of vegetation?	<input type="checkbox"/> Yes <input type="checkbox"/> No				

I certify that the information on this form is true and accurate to the best of my knowledge and belief.

PROPERTY OWNER SIGNATURE: _____ DATE: _____

PROPERTY OWNER NAME (PRINT): _____

MDE LIVING SHORELINE WAIVER – EXHIBIT A (CROSS SECTION)



MHW Mean High Water

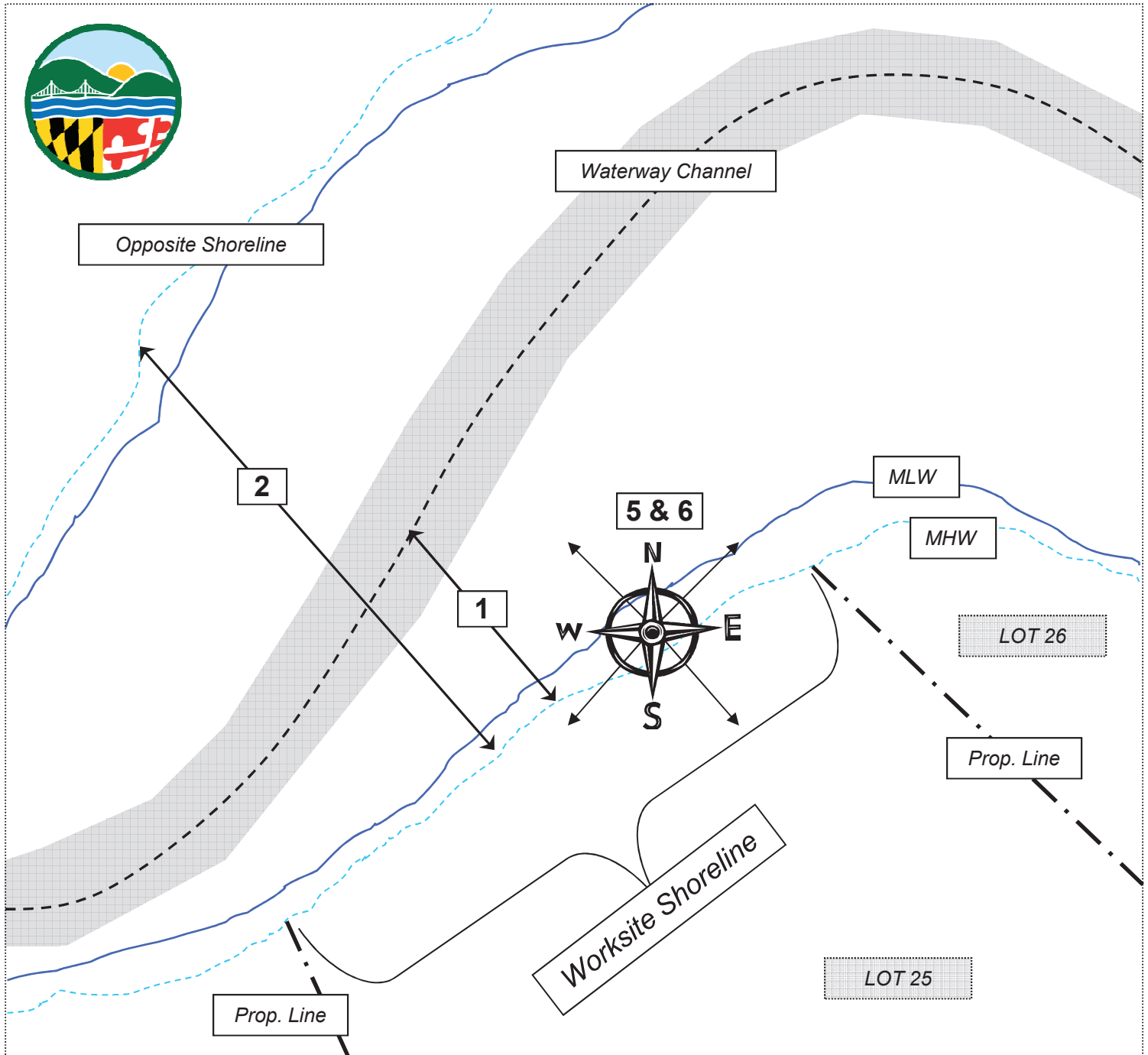
MLW Mean Low Water; referenced to **0.0 ft.**

3 Depth of Water at toe or bottom of bank

4 Measure water depth during low tide at approximately 20-foot channelward of the MLWL and at approximately 40-foot channelward of the MLWL

Map/diagram is for reference only; map/design elements are not drawn to scale; June, 2010
Map elements labeled with numbers correspond to the Living Shoreline Waiver Request and Worksheet

MDE LIVING SHORELINE WAIVER – EXHIBIT B (PLAN VIEW)



1 **Width of waterway**; measured between MHW line at the worksite shoreline and average distance to the approximate centerline of waterway channel

5 **Shoreline orientation**; compass direction perpendicular to average worksite shoreline

6 **Fetch**; Provide four (4) measurements of maximum fetch for each quadrant (e.g., NE, SE, SW, NW) centered on the worksite shoreline

Map/diagram is for reference only; map/design elements are not drawn to scale; June, 2010
 Numbers labeled with (x) correspond to the Living Shoreline Waiver Worksheet