

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 6 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) CENAB-OP-RMS (Patuxent Greens Golf Course)
2017-01789

DATE January 29, 2018 (Revised per request of MDE on January 14, 2019)

1. APPLICANT INFORMATION:

APPLICANT NAME:

A. Name: Mr. Alan Cohen B. Daytime Telephone: 301-692-4000
C. Company: CS Patuxent Greens, LLC D. Email Address: acohen@csinvestors.com
E. Address: 6290 Montrose Road
F. City: Rockville State: Maryland Zip: 20852

A. Name: William F. Goddard III B. Daytime Telephone: 307-725-2252
C. Company: City of Laurel D. Email Address: ecd@laurel.md.us
E. Address: 8103 Sandy Spring Lane
F. City: Laurel State: Maryland Zip: 20707

AGENT/ENGINEER INFORMATION:

A. Name: Mr. Phil Hughes B. Daytime Telephone: 240-912-2163
C. Company: Rodgers Consulting D. Email Address: PHughes@RODGERS.com
E. Address: 1101 Mercantile Lane, Suite 280
F. City: Largo State: Maryland Zip: 20774

ENVIRONMENTAL CONSULTANT:

A. Name: Mr. Milton L. McCarthy B. Daytime Telephone: 301-627-7505
C. Company: Bay Environmental, Inc. D. Email Address: swamp.group@verizon.net
E. Address: 2661 Riva Road, Building 800, Suite A
F. City: Annapolis State: Maryland Zip: 21401

PRINCIPAL CONTACT:

A. Name: Mr. Milton L. McCarthy B. Daytime Telephone: 301-627-7505
C. Company: Bay Environmental, Inc. D. Email Address: swamp.group@verizon.net
E. Address: 2661 Riva Road, Building 800, Suite A
F. City: Annapolis State: Maryland Zip: 21401

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

To redevelop Patuxent Greens Golf Course to a residential use. Proposed construction on Patuxent Greens property will impact two City of Laurel parcels (District – 10, Account Number – 1073402 / Deed Reference: 06928/00439 & District – 10 Account Number - 1073444 / Deed Reference 06928/00439) where grading activities will take place.

3. **PROJECT LOCATION:**

a. **LOCATION INFORMATION:**

A. County: Prince George's B. City: Laurel C. Name of waterway or closest waterway Patuxent River

D. State stream use class designation: Class I

E. Site Address or Location: 14415 Greenview Drive, Laurel, MD 20708

F. Directions from nearest intersection of two state roads: See vicinity map

G. Is your project located in the Chesapeake Bay Critical Area (generally within 1,000 feet of tidal waters or tidal wetlands)?:
Yes X No

H. County Book Map Coordinates (Alexandria Drafting Co.); Excluding Garrett and Somerset Counties:
Map: 5169 Letter: F & G Number: 6 & 7 (to the nearest tenth)

I. FEMA Floodplain Map Panel Number (if known): 24033C0054E / 24033C0053E

J. 1. 39°05'08.77"N latitude 2. 76°50'20.42"W 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. <input type="checkbox"/> Tidal Waters | F. <input type="checkbox"/> 100-foot buffer (nontidal wetland of special State concern) | H. <input checked="" type="checkbox"/> 100-year floodplain (outside stream channel) |
| B. <input type="checkbox"/> Tidal Wetlands | G. <input type="checkbox"/> In stream channel | I. <input checked="" type="checkbox"/> River, lake, POND |
| C. <input type="checkbox"/> Special Aquatic Site (e.g., mudflat, vegetated shallows) | 1. <input type="checkbox"/> Tidal 2. <input type="checkbox"/> Nontidal | J. <input type="checkbox"/> Other (Explain) |
| D. <input checked="" type="checkbox"/> Nontidal Wetland | | |
| E. <input checked="" type="checkbox"/> 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 Golf Course

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. <input checked="" type="checkbox"/> Reduced the area of disturbance | B. <input type="checkbox"/> Reduced size/scope of project | C. <input type="checkbox"/> Relocated structures |
| | | D. <input type="checkbox"/> Redesigned project |

E. Other Only developing the Golf Course. The forest northeast of Bear Branch to remain undisturbed

F. Explanation The applicant is proposing to only redevelop the Golf Course

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

- | | | |
|---|--|---|
| G. <input type="checkbox"/> Cost | K. <input type="checkbox"/> Parcel size | N. <input type="checkbox"/> Safety/public welfare issue |
| H. <input checked="" type="checkbox"/> Extensive wetlands on site | L. <input type="checkbox"/> Other regulatory requirement | O. <input type="checkbox"/> Inadequate zoning |
| I. <input type="checkbox"/> Engineering/design constraints | M. <input checked="" type="checkbox"/> Failure to accomplish project purpose | P. <input type="checkbox"/> Other _____ |
| J. <input checked="" type="checkbox"/> 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. <input type="checkbox"/> No significant plant or wildlife value and wetland impact | B. <input type="checkbox"/> Repair existing structure/fill |
| 1. <input type="checkbox"/> Less than 5,000 square feet | C. <input type="checkbox"/> Mitigation Project |
| 2. <input type="checkbox"/> In an isolated nontidal wetland less than 1 acre in size | D. <input type="checkbox"/> Utility Line |
| E. Other (explain) _____ | 1. <input type="checkbox"/> Overhead |
| | 2. <input type="checkbox"/> 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. <input checked="" type="checkbox"/> 1 site | B. <input type="checkbox"/> 2 - 4 sites | C. <input type="checkbox"/> 5 or more sites |
| Alternative sites were rejected/not considered for the following reason(s): | | |
| D. <input type="checkbox"/> Cost | H. <input type="checkbox"/> Greater wetlands impact | L. <input checked="" type="checkbox"/> Other <u>National Golf Club in Tantallon, Prince George's County, lacks the necessary zoning to allow for residential development</u> |
| E. <input type="checkbox"/> Lack of availability | I. <input type="checkbox"/> Water dependency | |
| F. <input checked="" type="checkbox"/> Failure to meet project purpose | J. <input checked="" type="checkbox"/> Inadequate zoning | |
| G. <input checked="" type="checkbox"/> Located outside general/market area | K. <input type="checkbox"/> Engineering/design constraints | |

M. Explanation: National Golf Club has no underlying zoning compatible with residential development. Patuxent Greens Golf Course has been a Planned Unit Development since the mid-1980's which allows for residential development.

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. <input checked="" type="checkbox"/> Economic | C. <input type="checkbox"/> Health/welfare | E. <input type="checkbox"/> Other _____ |
| B. <input type="checkbox"/> Safety | D. <input type="checkbox"/> Does not provide public benefits | |
| F. Description <u>Increase tax base</u> | | |

8. OTHER APPROVALS NEEDED/GRANTED:

A. Agency	B. Date Sought	C. Decision		D. Decision Date	E. Other Status
		1. Granted	2. Denied		
City of Laurel Floodplain Study	Jan, 2018	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Jan. 12, 2018	
Maryland Historical Trust	Jan 12, 2018	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Feb. 2, 2018	
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____

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. Phase I Mitigation Plan has been submitted. All wetland mitigation will take place on site. In accordance with MDE stormwater regulations the proposed wetland mitigation site will receive stormwater only after it has been treated. The hydrologic calculations for the wetland mitigation are based on the compensatory floodplain elevations calculated by Rodgers Consulting and takes into account the removal of the water level control pumps.

b. Give a brief description of the proposed mitigation project. 4.53 acres of onsite planting

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 checked="" type="checkbox"/> Soil borings | D. <input type="checkbox"/> Field surveys | G. <input checked="" type="checkbox"/> Site plan |
| B. <input checked="" type="checkbox"/> Wetland data sheets | E. <input type="checkbox"/> Alternate site analysis | H. <input type="checkbox"/> Avoidance and minimization analysis |
| C. <input type="checkbox"/> Photographs | F. <input type="checkbox"/> Market analysis | |

I. Other (explain) MHT Submittal & Approval; Floodplain Study; Geotechnical Report; City of Laurel Floodplain Approval Letter; the Army Corps of Engineers Jurisdictional Determination will be provided under separate cover once received; MD DNR Letter; Certificate of Notification; Adjoining Property Owner Letters; USPS Certificate of mailing

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 Corps of Engineers Wetlands Delineation Manual (Wetlands Research Program Technical Report Y-87-1). 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: _____

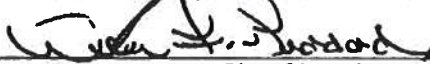


Dan D. Cohen, Manager

DATE: _____

1-17-19

LANDOWNER MUST SIGN: _____



City of Laurel

DATE: _____

1-17-19

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.**
- **SEVEN (7) 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.maryland.gov> FOR FURTHER INSTRUCTIONS.**

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 Corps of Engineers Wetlands Delineation Manual (Wetlands Research Program Technical Report Y-87-1). 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 must 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

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

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

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