



State of Maryland
Board of Public Works
Post Office Box 1510
Annapolis, Maryland 21404
WETLANDS LICENSE NO. 84-106
CONNOLLEY DEVELOPERS, INC.

Harry Hughes
Governor
Louis L. Goldstein
Comptroller
William S. James
Treasurer
Sandra K. Reynolds
Secretary

This is in reference to an application for "Wetlands License," dated the 12th day of AUGUST, 1984. Upon the recommendation of the Wetlands

Hearing Examiner of the Board of Public Works, and pursuant to the provisions of Title 9, Natural Resources Article, Annotated Code of Maryland (1974), entitled "Wetlands and Riparian Rights," enacted to provide a State policy for the preservation of wetlands in the State, and to regulate the filling and dredging of wetlands; and for other purposes, you are hereby authorized by the Board of Public Works, for the State of Maryland to:

"dredge a 900-foot long by 50-foot wide (bottom width) channel to 4-foot depth at mean low water; and to deposit approximately 5000 cubic yards of dredged material on an approved upland site; as depicted on the revised plan dated November, 1983 - Mill Creek off the Magothy River near Arnold, Anne Arundel County."

This license is subject to general conditions and the following special conditions:

- A. That all works be performed in accordance with the Certification of Water Quality;
- B. That a soil erosion and sediment control plan be approved by the Anne Arundel Soil Conservation District;
- C. That detailed engineering spoil disposal plans be submitted to the Resource Protection Program, Water Resources Administration for review and approval prior to the dredging;
- D. That no dredging take place during the period March 1 to October 1 of the project year;
- E. That a turbidity curtain be deployed either completely around the area being dredged at any given time or completely across the creek downstream from the dredge area prior to any dredging. Such deployment must be inspected and approved by the Water Resources Administration;

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SPECIAL CONDITIONS CONTINUED:

F. That marsh fringe shall not be disturbed during the dredging and spoil deposition operations;

and is to be accomplished in accordance with the plans and drawings attached hereto, dated November, 1983.

This license is subject to the following general conditions and is revocable or subject to modification prior to the completion of the project as described above when such action is deemed to be in the State's interest.

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A judgment as to whether or not a suspension, modification or revocation is in the best interests of the State involves a consideration of the impact that any such action or the absence of any such action may have on factors affecting the public interest. Such factors include, but are not limited to: ecological, developmental, water quality, economic, aesthetic, and recreational values.

General Conditions

- a. That this instrument does not authorize any injury to private property or invasion of private rights, or any infringement of Federal, State or local laws or regulations, nor does it obviate the necessity of obtaining assent from other State or local agencies required by law for the structure or work authorized.
- b. That the structure or work authorized herein shall be in accordance with the plans and drawings attached hereto and construction shall be subject to the supervision and approval of the Water Resources Administration of the Department of Natural Resources.
- c. The licensee shall comply promptly with any lawful regulations, conditions, or instructions affecting the structure or work authorized herein if and when issued by the State Water Resources Administration, which has jurisdiction to abate or prevent water pollution. Such regulations, conditions or instructions in effect or hereafter prescribed by the State Water Resources Administration are hereby made a condition of this license.
- d. That a copy of this license and the plans and drawings attached hereto shall be available at the construction site.
- e. The licensee will maintain the work authorized herein in good condition in accordance with the approved plans.

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f. That this license may at any time be modified by the authority of the Board of Public Works, acting on its own or upon the recommendation of the Department of Natural Resources if it is determined that, under existing circumstances, modification is in the best interest of the State. The licensee, upon the receipt of a notice of modification, shall comply therewith as directed by the Board of Public Works or by its authorized representative.

g. That this license may be suspended or revoked by the authority of the Board of Public Works if the licensee fails to comply with any of its provisions or if the Board of Public Works, upon the recommendation of the Department of Natural Resources, determines that, under existing circumstances, such action is required in the best interest of the State.

h. That any modification, suspension or revocation of this license shall not be the basis for a claim for damages against the State of Maryland or any arm or agency of the State.

i. That the State of Maryland shall in no way be liable for any damage to any structure or work authorized herein which may be caused by or results from future operations undertaken by the State in furthering the interests of its citizens.

j. That no attempt shall be made by the licensee to forbid the full and free use by the public of all navigable waters at or adjacent to the structure or work authorized by this license.

k. That the licensee shall submit written notification to the Enforcement Division of the Water Resources Administration at least ten (10) days in advance of the time the construction or work will be commenced, and shall furnish written notification of the date of its completion.

1. That if the structure or work authorized herein is not completed on or before the 21st day of NOVEMBER, 1987, this license if not previously revoked or specifically extended, shall cease and be null and void

m. That the legal requirements of all State, Federal, and County agencies be met.

n. That all provisions of this license shall be binding on any assignee or successor in interest of the licensee.

o. That the licensee agrees to make every reasonable effort to prosecute the construction or work authorized herein in a manner so as to minimize any adverse impact of the construction or work on fish, wildlife and natural environmental values.

By the authority of the Board of Public Works:

Issued for and in behalf of
the Members of the Board

Sandra K. Reynolds

SANDRA K. REYNOLD
Secretary, Board of Public
Works

The terms and conditions of this license are hereby accepted.

Date 11-28-84

Connelly Development Inc.
John P. Connelly, Pres
Signature of Licensee

Effective date: November 21, 1984



