



DEPARTMENT OF THE ARMY  
BALTIMORE DISTRICT, CORPS OF ENGINEERS  
P.O. BOX 1715  
BALTIMORE MD 21203-1715

APR 08 2015

Operations Division

WRI West Land Development, Inc.  
2410 Evergreen Road, Suite 201  
Gambrills, Maryland 21051

Charles County Government  
P.O. Box 2150  
La Plata, Maryland 20646

APPLICANT'S EXHIBIT 4114/15  
# 10 DOCKET # 1325

Dear Sirs:

This is in reference to the status of your Department of the Army (DA) permit, CENAB-OP-RMS (WALDORF CROSSING-PROPERTY/WESTERN PARKWAY PHASE 2&3) 2007-66063. This office is in receipt of the signed copy of the permit indicating your acceptance of its terms and conditions and approved jurisdictional determination associated with the permit.

Enclosed is your permit that has been date stamped and validated with the appropriate District signatures. Also, enclosed is a yellow card, ENG FORM 4336, which must be conspicuously displayed at the site of work prior to commencement of construction.

You may proceed with the construction indicated therein, provided you have obtained all other required state and/or local authorizations.

A copy of this package is being furnished to Maryland Department of Environment, U.S. Fish and Wildlife-Annapolis, NOAA-Silver Spring, NMFS-Annapolis, NMFS-Gloucester, and EPA for informational purposes.

If you have any questions concerning this matter, please contact Mr. Steven Harman of this office at 410-962-6082.

Sincerely,

Kathy B. Anderson  
Chief, Maryland Section Southern

Enclosures



This notice of authorization must be conspicuously displayed at the site of work.

United States Army Corps of Engineers  
Baltimore District

APR 08 2015  
19

A permit to construct a mixed use development on a 140 acre property and  
construct a road extension.

at US 301 at MD 5, Waldorf, Charles County, Maryland

has been issued to WRI West Land Development, Inc APR 08 2015  
Charles County Government 19

Address of Permittee 2410 Evergreen Road, Ste 201, Ganbrills, Maryland  
P.O. Box 2150, La Plata, Maryland 20646 21051

Permit Number 2007-66063

*[Signature]*  
KATHY B. ANDERSON

Chief, MD Section Southern

for the **District Commander**

CENAB-OP-RMS (WALDORF CROSSING  
PROPERTY/WESTERN PARKWAY  
PHASE 2&3)



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

## DEPARTMENT OF THE ARMY PERMIT

Application Name and Permit Number: **CENAB-OP-RMS (WALDORF CROSSING PROPERTY/WESTERN PARKWAY PHASE 2 & 3) 2007-66063**

Issuing Office:

U.S. Army Engineer District, Baltimore  
Corps of Engineers  
P.O. Box 1715  
Baltimore, MD 21203

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description:

To construct a deceleration lane along southbound Crain Highway/U.S. Route 301 that would permanently impact approximately 12,319 square feet of forested non-tidal wetlands and 1,105 square feet of a jurisdictional pond (Impact sheet 1); to construct a Western Parkway road crossing by installing a 48-inch reinforced concrete pipe (RCP) under Western Parkway at the Mattawoman Drive interchange that will permanently impacting 1,074 square feet along approximately 268 linear feet of stream channel (Impact sheet 2); to construct a Western Parkway road crossing by constructing three 14-inch high by 23-inch wide horizontal elliptical reinforced concrete pipes (HERCP) with riprap scour pads upstream and downstream permanently impacting approximately 14,040 square feet of non-tidal wetlands and 330 square feet along 63 linear feet of stream channel (Impact sheet 4); to construct a Western Parkway road crossing by constructing two 3-foot high by 6-foot wide box culverts with riprap scour pads upstream and downstream permanently impacting approximately 11,235 square feet of forested non-tidal wetlands and 2,133 square feet along 214 linear feet of stream channel (Impact sheet 5); to construct an extension of Mattawoman Drive by installing a 48-inch RCP permanently impacting 983 square feet along 246 linear feet of stream channel (Impact sheet 6); to construct and unnamed interior road by installing a 48-inch RCP that will permanently impact 937 square feet of forested non-tidal wetlands and 781 square feet

along 195 linear feet of stream channel (Impact sheet 7); to install approximately 48 linear feet of 12-inch sanitary sewer pipe temporarily impacting approximately 871 square feet of forested non-tidal wetlands (Impact sheet 8); to replace an existing 8-inch high density polyethylene (HDPE) culvert with a 48-inch RCP permanently impacting 290 square feet along 94 LF of stream channel (Impact sheet 13); to complete the final portion of Phase 2 of the Western Parkway (adjacent to Holly Lane) by replacing and extending the existing 12-inch corrugated metal pipe (CMP) culvert approximately 14 linear feet and permanently impacting approximately 75 square feet along 25 linear feet of stream channel and 4,995 square feet of emergent non-tidal wetlands (Impact sheet 16).

To mitigate for the above impacts, two degraded/erosive stream channels will be restored/enhanced and approximately 0.66 acres of forested non-tidal wetlands will be created. Stream 1 will impact 6,271 square feet along approximately 1,030 linear feet of stream channel. Stream 2 will impact approximately 755 SF of non-tidal wetlands and 3,070 square feet along 155 linear feet of stream channel. In addition, approximately 1.45 acres of riparian buffer will be restored along stream 1 and approximately 0.3 acres of riparian buffer will be restored along stream 2. The combined total permanent impacts associated with the stream mitigation are approximately 755 square feet of forested non-tidal wetlands and 9,341 square feet along 1,185 linear feet of stream channel.

**Project Location:** The work is in jurisdictional wetlands and unnamed tributaries that drain to Mattawoman Creek, at the property known as Waldorf Town Center, located at the intersection of U.S. 301 at Maryland Route 5, Charles County, Maryland.

**Permit Conditions:**

**General Conditions:**

1. The time limit for completing the work authorized ends on December 31, 2020. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this

office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with conditions specified in the certification as special conditions to this permit.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

7. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

Special Conditions:

1. In addition to the general conditions, you must comply with the enclosed special conditions attached hereto and made a part hereof. (See Attachment #1).

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

( ) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

(X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

( ) Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law or to comply with the appropriate local critical area regulations.

- b. This permit does not grant any property rights or exclusive privileges.
- c. This permit does not authorize any injury to the property or rights of others.
- d. This permit does not authorize interference with any existing or proposed Federal projects.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or construction deficiencies associated with the permitted work.
- e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data. The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

- a. You fail to comply with the terms and conditions of this permit.
- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).
- c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of

legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

 3/2/15  
(PERMITTEE) (DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

Issued for and in behalf of Colonel J. Richard Jordan, III

 4-8-15  
Kathy B. Anderson Date  
Chief, Maryland Section Southern  
Regulatory Branch

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

\_\_\_\_\_  
(TRANSFEREE) (DATE)