CAD BULLETIN

NUMBER 3 NOVEMBER 2024

CAD Bulletin Overview

This newsletter is designed to provide timely and accurate information about Confined Aquatic Disposal (CAD), upcoming meetings, and regulatory updates. For general information about CAD, visit the **website**. We hope you find this information helpful. If you have any questions, comments, or topics you'd like us to cover in upcoming issues, please contact, **Rachael Gilde at rgilde@marylandports.com**

LATEST NEWS

CAD Subcommittee Meetings Recap:

This newly formed CAD Subcommittee was established under the Bay Enhancement Working Group (BEWG) to explore technical aspects of a second CAD pilot project, including environmental impacts and benefits, location selection, associated regulations, and socioeconomic benefits and effects. The CAD subcommittee has successfully convened twice. The following topics have been reviewed and discussed:

- Committee goals and objectives
- Meeting frequency and role of members
- An overview of MPA's dredging and placement needs, long-range capacity planning, and a status update on the Innovative Reuse / Beneficial Use program
- A review of the 2016 CAD Pilot Project's scope, timeline, site selection rationale, permitting process, studies conducted, and outcomes
- Site selection process for a subsequent pilot project
- Identification of future topics for the subcommittee to consider, such as contingency planning, gathering community input, and the consensus process

For additional details, visit the **website.**

MEET THE CAD SPECIALIST

Mark Reemts
Principal Engineer at Anchor QEA

A Principal Engineer with more than 20 years of experience, Mark currently serves as an engineer and project manager supporting MPA's CAD program, including design review, construction, and post-placement monitoring during the previous 2016 CAD Pilot Project as well as management of investigations and engineering design for the current program. Throughout his career, Mark has performed design work and overseen the implementation of projects in major ports and water bodies on both coasts, the Gulf and the Great Lakes region, and supports projects through all phases of design and implementation.

CAD HAS THREE STAGES:

1. A depression (or cell) is excavated into the sand layer of the river bottom.
2. Excavated sand is used in a beneficial or innovative manner; such as wetland creation or structural fill
3. The depression is then filled in with dredged material

REGULATORY OVERVIEW

For projects like CAD that involve work in or near Maryland waters, both State and Federal permits and coordination are necessary. An overview of the permitting process includes:

- Initial consultations with the Maryland Department of the Environment (MDE) and the U.S. Army Corps of Engineers (USACE) to clarify which permits are necessary and ensure environmental impacts are minimized.
    - Completion of a Joint Permit Application addressing both State and Federal requirements, which includes:
    - **MDE Water Quality Certification:** A state permit that demonstrates compliance with state water quality standards, including environmental assessments and proposed mitigation measures.
    - **Tidal Wetlands License:** A state license with detailed project plans outlining potential impacts on tidal wetlands and strategies to minimize adverse impacts.
    - **USACE Clean Water Act Section 404 Permit:** A federal permit describing any discharges into U.S. waters, alternatives considered, and a plan to mitigate environmental impacts.
    - **USACE Section 408 Authorization:** A federal authorization required to alter or modify federal civil works projects, like navigation channels, levees, or dams, to ensure changes don't compromise structural integrity, project purpose, or public safety.
    - **Rivers and Harbors Act Section 10 Permit:** A federal permit required for any structures or work in navigable U.S. waters. It regulates construction, excavation, and material deposition to ensure projects don't impede navigation or alter water flow.
- A joint review by MDE and USACE of the applications listed above, conducting environmental, technical, and safety assessments. During this time, a public notice period is required, allowing for community input and possible project adjustments based on feedback.
    - When the Joint Permit Application for the Confined Aquatic Disposal is submitted to MDE, public notice will be made available on **MDE's website**, where you can also sign up for MDE's Wetlands and Waterways Public Notices.
    - The public can provide written or verbal comments at that time. MDE will respond to comments and resolve issues before final approval.
- After USACE reviews for consistency with federal laws, a determination is made on whether permits may be issued.
- At the state level, once a review a complete, MDE provides a report of recommendations to the Maryland Board of Public Works.
- The Maryland Board of Public Works (BPW) Wetlands Administration issues wetland licenses for projects over a certain threshold impacting State-owned tidal wetlands. The BPW review process starts with the Maryland Department of the Environment (MDE) providing a Report and Recommendation (R&R) to BPW: most commonly for shoreline stabilization, dredging, and pier construction projects. The Wetlands Administrator provides an independent report to the Board in addition to MDE's R&R. In cases where opposition is expressed, BPW contacts all opposers for further comments for 21 days, provides the R&R on its website, and reviews comments. The BPW provides a final determination to approve or deny requests for Tidal Wetland Licenses at one of its open bimonthly meetings. Further details are available on the **BPW Wetlands Administration website**.
- Federal and state permits are issued with conditions designed to minimize environmental impacts and may include conditions for monitoring and mitigation, if required. The USACE and MDE are responsible for enforcement of the conditions specified in the permits.

This integrated approach ensures that environmental and safety standards are comprehensively addressed. The thoroughness of this process, which was adhered to for the 2016 CAD Pilot Project, will be followed again if an additional CAD pilot project is pursued.

UPCOMING EVENTS

December 6
Dredged Material Management Program (DMMP) Annual Meeting

Join us as we discuss key initiatives and projects that will propel Maryland's ports to greater success. This public meeting is an opportunity to learn about what the DMMP has achieved in the past year, initiatives currently underway, and news about upcoming projects.
REGISTER HERE!

December 12
Bay Enhancement Working Group CAD Subcommittee Meeting
LEARN MORE

RECENT EVENTS

October 19 Cox Creek Open House
On Saturday, October 19, 2024, MPA hosted its annual Open House at the Cox Creek Dredged Material Containment Facility (DMCF). The event featured facility tours, educational and informational tables on MPA projects, and community resources beyond MPA projects, including the Department of Public Works, the Key Bridge Rebuild Project, the Anne Arundel Bird Club, and more. The Open House also included a groundbreaking ceremony for the Swan Creek Nature Trail, a 2-mile loop in the Cox Creek Forest Conservation Easement Area. With a 36% increase in attendance, this annual MPA event welcomed over 210 attendees from Anne Arundel County and Baltimore City who engaged with MPA project managers and enjoyed tours, educational games, snacks, and more!

October 10 BEWG CAD Subcommittee Meeting
This meeting recapped the 2011 CAD Pilot Project, including the recommendation, scoring, and site selection processes. The meeting addressed the community input process and facilitated open discussion from industry experts, scientists, and the community before adjourning.

September 25 Citizens Advisory Committee Meeting
The Citizens Advisory Committee (CAC) represents communities, local governments, recreational and commercial users of the Bay, and environmental interests. It is a communication link between the citizenry and MPA's Harbor Development staff. The CAC advises MPA and its DMMP partners on various dredging-related topics and issues, including CAD.

September 12 BEWG CAD Subcommittee Meeting
At this first meeting, invited organizations and their representatives introduced themselves; MPA reviewed the subcommittee's purpose and goals, dredged material capacity planning and needs, and findings from the 2016 CAD Pilot Project.

MPA CAD Outreach Project Manager:
Rachael Gilde
rgilde@marylandports.com

ADDENDUM

BPW'S ROLE IN THE REGULATORY PROCESS

Please see below for additional details to clarify Maryland Board of Public Works' role in the regulatory process.

The Maryland Board of Public Works (BPW) Wetlands Administration issues wetland licenses for projects over a certain threshold impacting State-owned tidal wetlands. The BPW review process starts with the Maryland Department of the Environment (MDE) providing a Report and Recommendation (R&R) to BPW: most commonly for shoreline stabilization, dredging, and pier construction projects. The Wetlands Administrator provides an independent report to the Board in addition to MDE's R&R. In cases where opposition is expressed, BPW contacts all opposers for further comments for 21 days, provides the R&R on its website, and reviews comments. The BPW provides a final determination to approve or deny requests for Tidal Wetland Licenses at one of its open bimonthly meetings. Further details are available on the **BPW Wetlands Administration website.**

Hosting an Information Session
Organizations around the region invite MPA to present information showcasing the most recent information about dredging in Maryland. If you'd like to schedule a session for your group, please complete the inquiry form **HERE.**

For More Information

- The most up-to-date information about CAD is available on the **MPA website.**
- **Stay connected and informed** about CAD by signing up to receive the CAD Bulletin. This newsletter provides information about CAD in Maryland and will keep you updated on the latest developments in the CAD program.
- **Sign up for the EcoPort Newsletter**, the MPA newsletter describing Port initiatives, environmental accomplishments, and progress.