Appendix C: 20CP Antidegradation Checklist

For any portion of your construction site that is located with a watershed that is identified by the Department[1] or the EPA, as a Tier II for antidegradation purposes, you must perform an antidegradation review (COMAR 26.08.02.04-1). This Checklist [2]is acceptable for use in documenting your antidegradation review and ensuring protection of Tier II resources during construction. This completed form should either be uploaded with your NOI, or shared with the Industrial Stormwater Permits Division at the Maryland Department of the Environment.

Project Name: _____

General Permit Number (MD):_____ **OR, if not available,**

County ESC Plan Identifier:_____

County:_____ **Site Map #**_____ **Parcel #**_____

Applicant Signature: _____ **Date Complete:** _____

Do all Tier II watersheds impacted by the proposed activity HAVE assimilative capacity? If the proposed activity is to a stream segment which doesn't have assimilative capacity, you will need to consult with the Department's Tier II group on available options and list the findings in this antidegredation review. If this has occurred, provided comments. Comments: _____ _____ _____ _____	**Yes/No**
Were any waivers provided for stormwater controls?	**Yes/No**
Verify that a minimum You Will Meet the following Stabilization Criteria. After initial soil disturbance or redisturbance, permanent (2011 ESC Handbook Section B-4-5) or temporary (2011 ESC Handbook Section B-4-4) stabilization is required within: i. Three (3) calendar days as to the surface of all perimeter controls, dikes, swales, ditches, perimeter slopes, and all slopes steeper than 3 horizontal to 1 vertical (3:1); and ii. Seven (7) calendar days as to all other disturbed areas on the project site	**Yes/No**

[1] Use the interactive Tier II webmap located at: https://mde.maryland.gov/programs/Water/TMDL/WaterQualityStandards/Pages/HighQualityWatersMap.aspx to assist you. On the map, Tier II watersheds colored orange have NO assimilative capacity.

[2] Alternative forms may be approved by the Department, if they contain the information in this checklist.

except for those areas under active grading.	
Verify Increased Inspection Frequency for activity within Tier II Watershed. For any portion of the site that discharges to a water that is identified by the Department as Tier II for antidegradation purposes, you must conduct inspections in accordance with the following inspection frequencies: Once every four (4) calendar days.	**Yes/No**
Were there any exemptions to the requirements for Protections in the Stream Protection Zone below? Note: If exemptions were applicable make sure to include them in the plan. Comments: _____ _____ _____	**Yes/No**
Have you Verified your Stream Protection Zone Considerations below? All additional controls needed to meet these requirements in Tier II watersheds shall be clearly marked on the erosion and sediment control (E&SC) plan and approved by the appropriate approval authority pursuant to COMAR 26.17.01. You are required to document in your E&SC plan where the natural buffer width that is retained (where you are complying with alternative 1) and you must document the reduced width of the buffer you will be retaining and document the additional erosion and sediment controls you will use (where you will be complying with alternative 2). Comments: _____ _____ _____	**Yes/No**
Compliance Alternative 1: Provide and maintain an undisturbed natural buffer within the Stream Protection Zone (an average of 100 feet from edge of stream). Comments: _____ _____ _____	**Yes/No**
Compliance Alternative 2: Provide and maintain an undisturbed natural buffer that is less than an average of 100 feet and is supplemented by additional erosion and sediment controls. The acceptable additional erosion and sediment controls include, but is not limited to those listed in the 2011 ESC Handbook. Those controls are accelerated stabilization, redundant controls,	**Yes/No**

upgraded controls, passive or active chemical treatment, or a reduction in the size of the grading unit. These options are provided below, which are the controls that must be considered and once selected, implemented when construction activity occurs within these Stream Protection Zones. The local approval authorities may provide additional options that provide similar protection. Check each that apply below.

Comments: _____

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☐ ***a: Accelerated Stabilization Requirements***

Earth disturbance must be stabilized as soon as possible and as dictated by the approved plan (e.g., seed and mulch, soil stabilization matting, rip rap, sod, pavement):

- At a minimum, all perimeter controls (e.g., earth dikes, sediment traps) and slopes steeper than 3:1 require stabilization within three calendar days and all other disturbed areas within seven calendar days
- Accelerated stabilization (e.g., same day stabilization) may be required based on site characteristics or as specified by the approval authority

Comments: _____

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☐ ***b: Redundant Controls***

Runoff must pass through two sediment control devices in series. The following are examples of possible combinations:

- When dewatering sump areas or sediment traps or basins, discharge sediment laden water first to a portable sediment tank and then a filter bag
- Install parallel rows of a perimeter filtering control or a combination thereof of silt fence, super silt fence, and filter logs (e.g., two rows of parallel silt fence or a row of filter log parallel to a row of super silt fence)

Comments: _____

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☐ ***c: Upgrade Controls***

The following are examples of possible upgrades:

- Upgrade from silt fence to super silt fence
- Upgrade from temporary stone outlet structure to temporary gabion outlet structure
- Upgrade all sediment traps and basins to control additional storage volume; increase the required storage volume from 3,600 cubic feet/acre to 5,400 cubic feet/acre
- Upgrade standard inlet protection type A to type B and at grade inlet protection to gabion inlet protection

Comments: _____

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☐ ***d: Passive or Active Chemical Treatment***

The use of chemical additives requires permit coverage and considerations related to potential aquatic toxicity. https://mdewwp.page.link/ChemAddReview.

Comments: _____

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☐ ***e: Reduction in the Size of the Grading Unit***

- Require grading unit limitations to 10 acres of earth disturbance inside the Stream Protection Zone
- Require grading unit limitations to 20 acres for any earth disturbance that is adjacent to and contiguous with earth disturbances inside the Stream Protection Zone

Comments: _____

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☐ ***f: Prerogative of Approval Authorities***

The additional controls described above for projects in Stream Protection Zones are examples of accelerated stabilization, redundant controls, upgraded controls, passive or active chemical treatment, or a reduction in the size of the grading unit. Approval authorities may use these examples as a guide when approving projects, but may also apply further erosion and sediment control measures based on local site conditions and best professional judgement.

Comments: _____

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