

stormwater management, and buffer offset funding. Additionally, as required by State law, and as a proposed condition of the wetland license, approval of the storm drainage system must be granted by the Department of Natural Resources and the Maryland State Board of Public Works prior to project commencement. Implementation of best management practices will be required for such approval.

The Department recommends that financial compensation be assessed for the private use of public property. The City of Baltimore has requested that such compensation be waived due to the fact that the developer has agreed to pay into the City's Critical Area Buffer offset program. Such payment is a requirement of the City's Critical Area Program when construction cannot be avoided within the buffer zone. Maintenance of the buffer or buffer offset funding is required in order to maintain and enhance the quality of the Chesapeake Bay and is distinct from the issue of State Wetland Compensation. Compensation to the State is being recommended solely for reasons of exclusive private use of State wetlands. This compensation would not transfer into private ownership any portion of the property.

In conclusion, the Department recommends that the project be approved as proposed. Furthermore, it is recommended that the license be conditioned to require annual financial compensation based upon the fair market value of an equal sized waterfront parcel in Baltimore City, and that state-of-the-art stormwater management practices be an integral part of the project design.

X. RECOMMENDATION:

The Department of Natural Resources recommends that a wetlands license be granted for the following work as depicted on the plans dated 6/28/89:

1. Construct and backfill a 550-foot long replacement bulkhead on an alignment approximating the mean high water line,
2. Remove two deteriorated piers, comprising 4500 and 5600 square feet,
3. Rebuild a 12,000 square foot pier by placing new pilings and structural supports, and a new deck, all within the original 200-foot long by 60-foot wide pier foot print, and construct a 62-foot long by 60-foot wide extension (3,720 square feet) to the pier in order to create a 15,720 square foot pier,