



William Morgante, PWS
Wetlands Administrator

State of Maryland
Board of Public Works

Wetlands Administration

80 Calvert Street, Room 117, Annapolis, Maryland 21401
410-260-7791

Larry Hogan
Governor

Derick E. Davis
Treasurer

Peter Franchot
Comptroller

John T. Gontrum, Esq.
Executive Secretary

WETLANDS LICENSE NO. 22-0268(EX)
DONJON-SMIT, LLC

The Maryland Board of Public Works authorizes you to:

Mechanically dredge an area of 131,945.2 ft² around the stern of the vessel, an area of 127,996.2 ft² around the starboard side of the vessel and 89,486.3 ft² around the port of the vessel resulting in a total of 349,427 sq. ft., to a depth of 40 feet at mean low water; and to deposit at minimum of 110,000 cubic yards of dredged material on an approved upland disposal site located at an upland placement cell at the Poplar Island Ecosystem Restoration Project.

Off Gibson Island, Chesapeake Bay, Anne Arundel County, Maryland

Issuance of this Tidal Wetlands License constitutes the State's determination that the authorized activities are consistent with the Maryland Coastal Zone Management Program (CZMP), as required by Section 307 of the Federal Coastal Zone Management Act of 1972, as amended [16 U.S.C. §1456]. Accordingly, the State concurs with the Licensee's certification in the Joint Permit Application that the project complies with and will be conducted in a manner consistent with the Maryland CZMP.

**THIS LICENSE AUTHORIZES YOU TO PERFORM THE WORK ONLY IF YOU
COMPLY WITH THE FOLLOWING SPECIAL CONDITION(S):**

- A. The issuance of this Emergency Wetlands License for the proposed activity does not relieve the applicant from the need to obtain a Wetlands License from the Board of Public Works. Within 14 days of the initial request for the Emergency Wetlands License, the applicant must complete and submit an application to the Department.
- B. The Licensee shall transport all dredged material in watertight trucks. No dredged material shall be discharged onto the roadways of the State.
- C. The Licensee shall stake the dredge area and notify the Water and Science Administration's, Tidal Wetlands Division prior to the start of dredging.
- D. The Licensee shall dispose of dredged material only at the dredge disposal sites approved by this Wetland License. The Licensee shall submit an application for modification of the License to MDE for approval of any dredge disposal site not authorized within this License.
- E. This License provides no justification or assurances for future dredging. All proposed dredging projects shall be evaluated on the biological and physical characteristics of the project site at the time an application is made.

- F. The Licensee shall conduct a post dredge bathymetric survey and forward to the Water and Science Administration, Tidal Wetlands Division within 45 days after the termination of any phase of dredging.
- G. Due to anadromous fish, the Licensee is recommended to deploy and maintain a turbidity curtain around the work area while dredging from April 1 to June 1 of any given year.
- H. Due to a Natural Oyster Bar (NOB 4-2), the Licensee is recommended to deploy and maintain a turbidity curtain around the work area while dredging from June 1 to September 30 of any given year.
- I. The Licensee shall assess the dredge and vessel grounding area for impacts to the NOB (NOB 4-2) and then provide a report on the findings within 30 days from completion of the vessel removal that describe the impacts to the NOB (NOB 4-2) to the Water and Science Administration, Tidal Wetlands Division.
- J. Any impacts to the Natural Oyster Bar (NOB 4-2) due to grounding of the ship and dredging that are determined to require mitigation will require a mitigation plan submission to the Department within 60 days from the notice of determination that mitigation is required.

**THIS LICENSE AUTHORIZES YOU TO PERFORM THE WORK ONLY IF
YOU COMPLY WITH THE FOLLOWING STANDARD CONDITIONS:**

- 1. Licensee shall conduct the authorized work in accordance with the plans and drawings dated as accepted by MDE on March 18, 2022, which are hereby incorporated into this License.
- 2. Until the authorized work is complete, Licensee shall have available at the site a copy of this License including the plans and drawings.
- 3. This License constitutes Maryland's authorization to conduct the authorized work under the State Tidal Wetlands Law. This License does not bestow any other federal, State, or local government authorization.
- 4. Licensee shall have all proposed work above Mean High Water reviewed and authorized by the local county Department of Planning and Zoning or applicable agency.
- 5. Licensee shall notify MDE's Compliance Program by BOTH phone AND in writing of the following:
 - (a) start date at least five business days before beginning work; and
 - (b) completion date no more than five business days after project completion.Central Division: 410-537-3510 1800 Washington Blvd, Baltimore, MD 21230
- 6. Licensee shall comply with any regulations, conditions, or instructions issued by MDE, including any Water Quality Certification issued with respect to the authorized work.
- 7. Licensee shall conduct the authorized work in accordance with Critical Area Commission requirements. This License does not authorize disturbance in the Buffer. If authorized work will disturb the Buffer, Licensee shall have a Commission-approved or locally-approved Buffer Management Plan before beginning the authorized work.

"Buffer" means the 100-foot Critical Area Buffer and any expanded area that is immediately landward of the mean high-water line of the tidal waters or is immediately landward of tidal wetlands. The Buffer includes expanded contiguous area if the contiguous area includes steep slopes, hydric soil, or highly erodible soil, or otherwise meets the criteria of COMAR 27.01.09.01.E(7). "Disturbance" means

any alteration or change to the land including any amount of clearing. Clearing includes vegetation removal, grading, and construction activity.

8. Licensee may not fill, dredge, or otherwise alter or destroy tidal marsh or its vegetation unless this License specifically authorizes the activity.
9. Licensee may not stockpile material in State tidal wetlands/State tidal waters of the U.S.
10. Licensee shall allow unfettered public use of State wetlands/State tidal waters of the U.S.
11. This License does not transfer a property interest of the State.
12. Licensee shall file a Miss Utility ticket for the proposed work at least 10 days before beginning work. *Miss Utility: 800-257-7777*
13. Licensee shall ensure that structures (for example, piers and piles) removed from the site are taken to an upland disposal facility approved by MDE's Compliance Program.
14. If the authorized work impacts more than 5,000 square feet or includes 100 or more cubic yards of fill, Licensee shall conduct the authorized work in accordance with a locally-approved Soil Erosion and Sediment Control Plan.
15. If the authorized work is not performed by the property owner, all work performed under this Tidal Wetlands License shall be conducted by a marine contractor licensed by the Marine Contractors Licensing Board (MCLB) in accordance with Title 17 of the Environment Article of Annotated Code of Maryland. A list of licensed marine contractors may be obtained by contacting the MCLB at 410-537-3249, by email at MDE.MCLB@maryland.gov or by accessing the Maryland Department of the Environment, Environmental Boards webpage.
16. Licensee shall allow State officials and employees to make inspections at reasonable times and cooperate with those inspections.
17. This License is granted only to the Licensee. Licensee may transfer the license only with written approval from the Board of Public Works. If the Board of Public Works approves the transfer, the transferee is subject to all License terms and conditions.
18. Licensee shall indemnify, defend, and save harmless the State of Maryland, its officials, officers, and employees from and against any and all liability, suits, claims, and actions of whatever kind, caused by or arising from, the work this License authorizes.
19. The Board of Public Works or its Wetlands Administrator may modify, suspend, or revoke this License in its reasonable discretion. Licensee shall promptly comply upon notice of any such action.
20. This License expires when the authorized work is completed. When the authorized work is completed, all activity must stop.
21. In conducting work authorized under this license, licensee may not cause injury to private property; invade the rights of others; or infringe any federal, state, or local laws or regulations.
22. Licensee shall maintain any authorize structure in good condition and perform the authorized activity in a workmanlike manner in accordance with this license.
23. In conducting work authorized under this license, licensee shall eliminate or minimize adverse effects on fish, wildlife, and the natural environment.

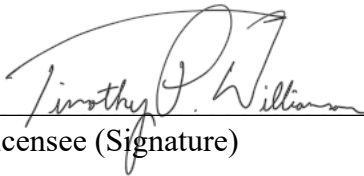
By the authority of the Board of Public Works:

William Morgante
Wetlands Administrator

Effective Date: March 19, 2022

I accept this License and all its conditions.

19 MAR 2022
Date



Licensee (Signature)

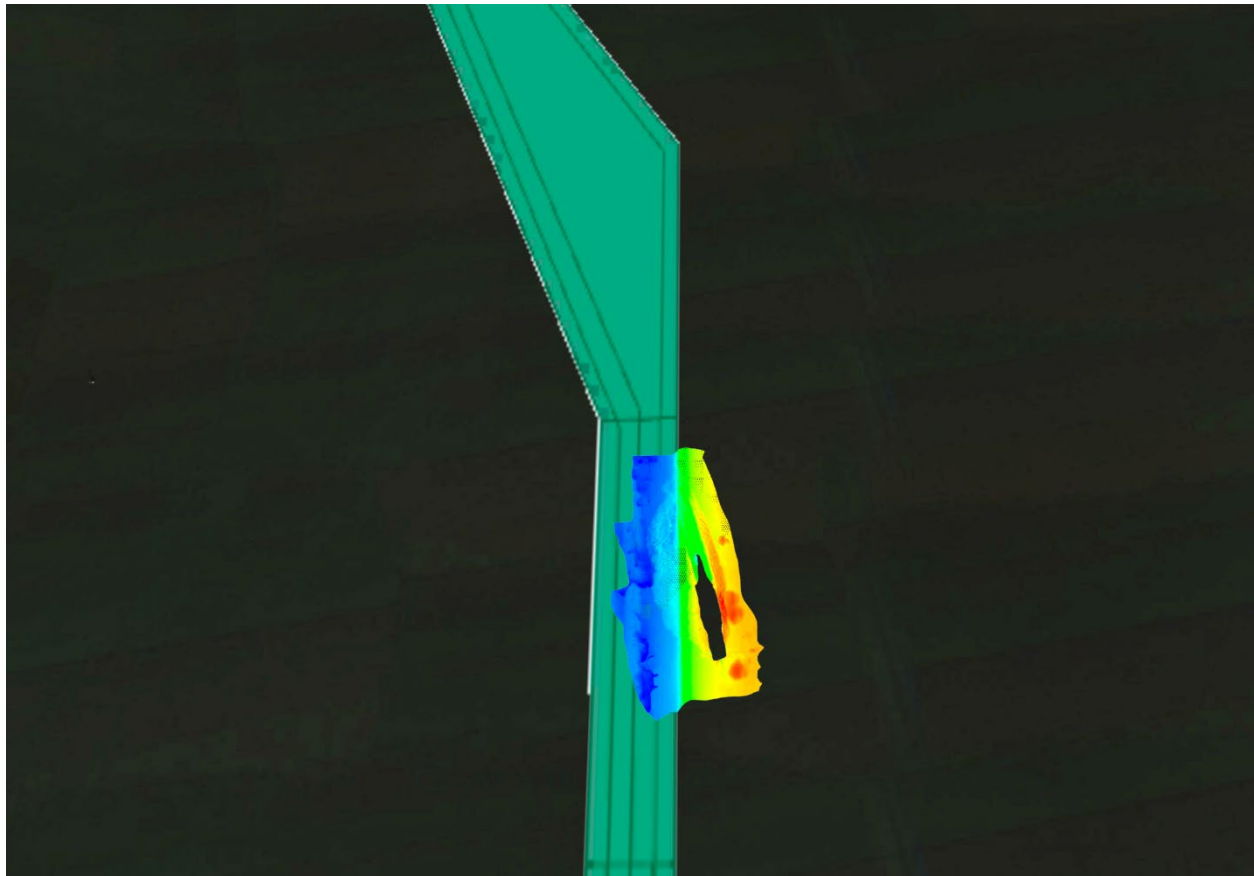
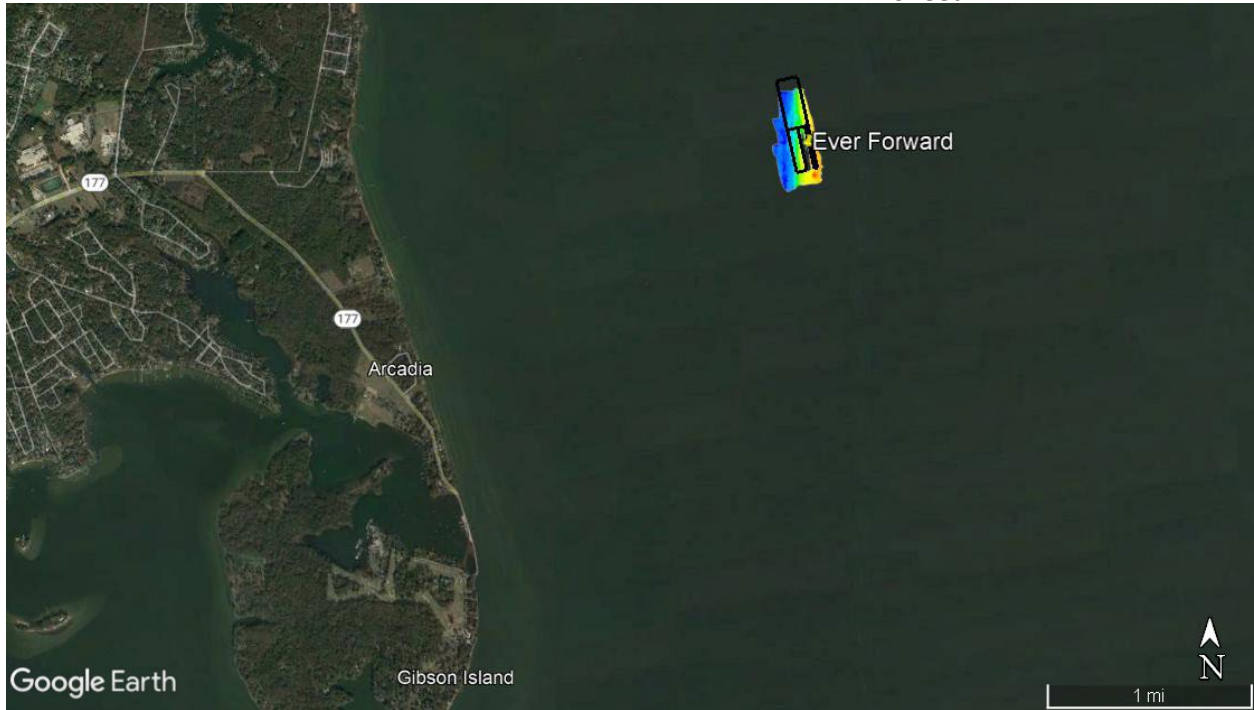
Timothy P. Williamson
Name (Printed)

Project Manager
Title

twilliamson@donjon-smit.com
Email (to receive completed license)

Emergency Tidal Wetlands License Request
Donjon-SMIT, LLC
Grounding of the MV EVER FORWARD

22-WL-0268EX
202260497
AI 174710
3/18/2022
TKR
Sheet 1



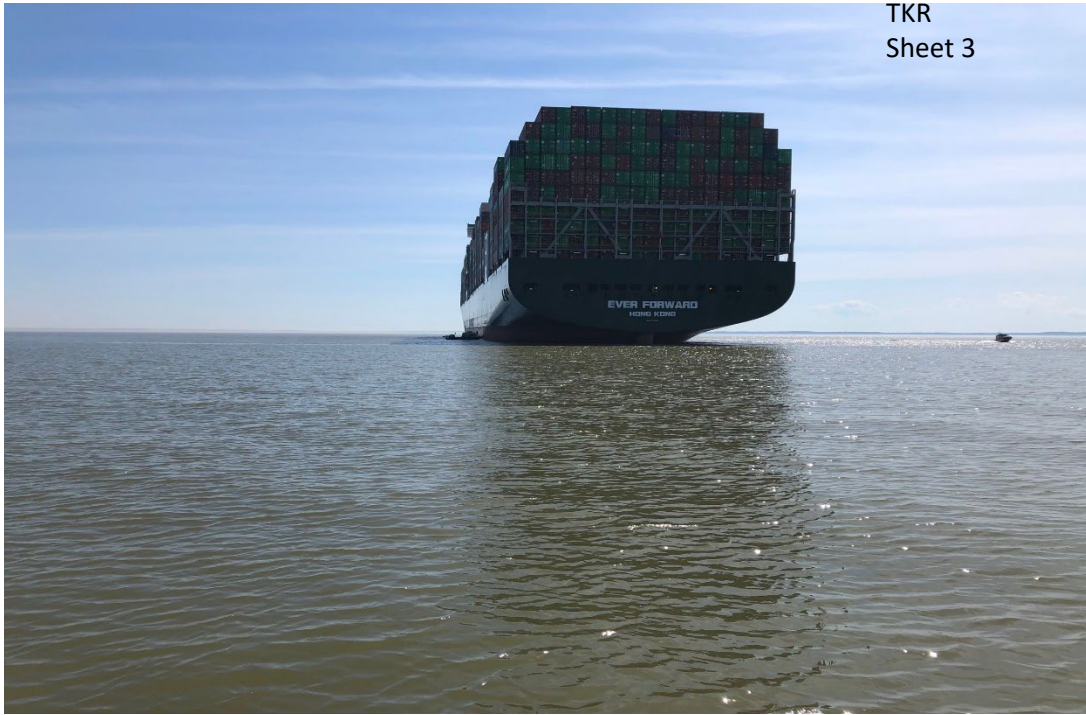
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Sheet 2



Emergency Tidal Wetlands License Request
Donjon-SMIT, LLC
Grounding of the MV EVER FORWARD

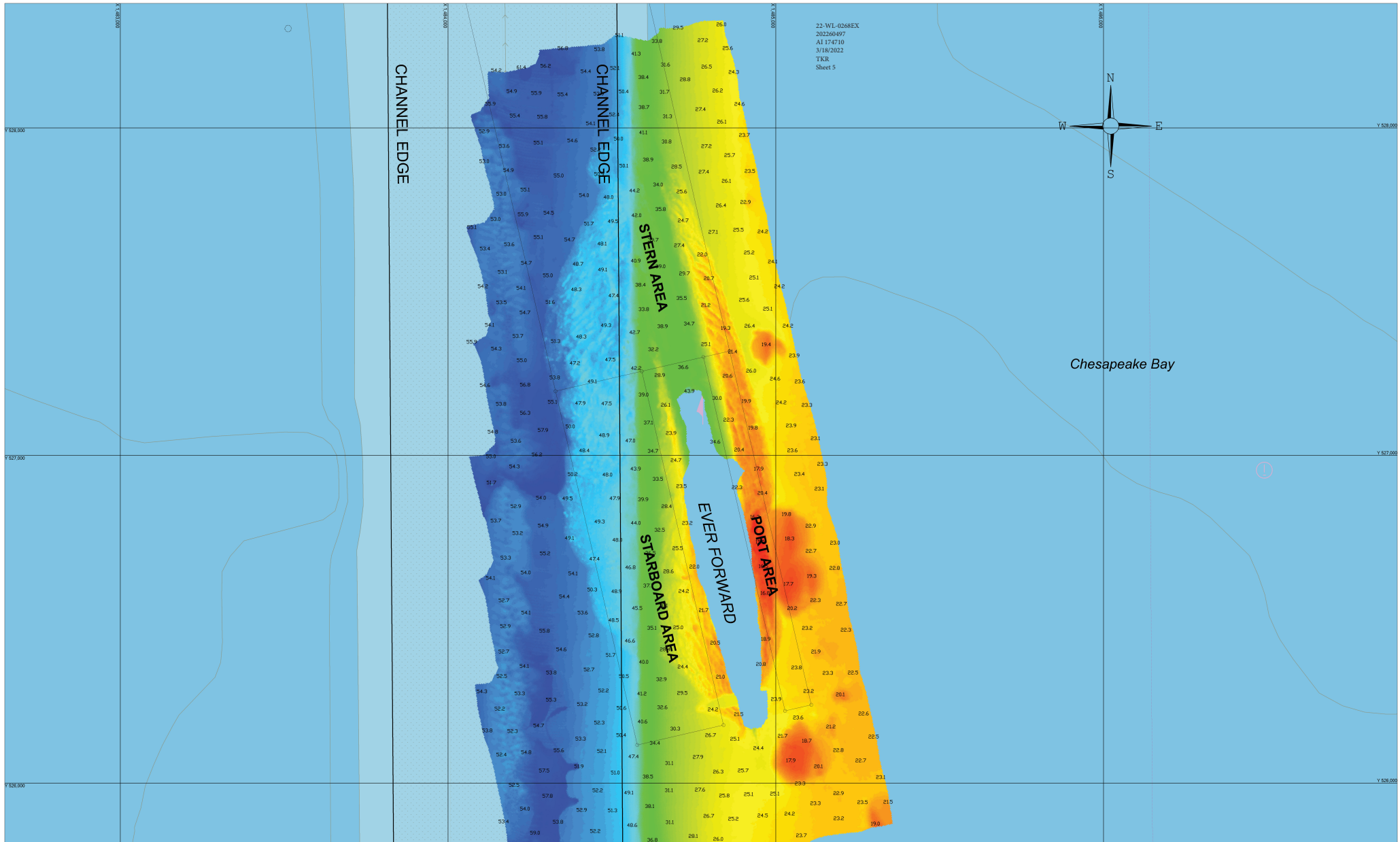
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Sheet 3



Emergency Tidal Wetlands License Request
Donjon-SMIT, LLC
Grounding of the MV EVER FORWARD

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Sheet 4





22-WI-0268EX
 202260497
 AI 174710
 3/18/2022
 TKR
 Sheet 5

Chesapeake Bay

DONJON MARINE CO., INC.
 100 Central Avenue
 Hillside, New Jersey 07205
 Phone: 908.964.8812
 Fax: 908.964.7426
 Web: www.donjon.com

Survey Note
 1. The information shown represents the results of a survey performed on the dates indicated and can only be considered as indicating the general conditions existing at that time.
 2. Soundings are in feet and fathoms and refer to the 1984 plane of Mean Lower Low Water (MLLW) which is 0.9 feet below MVD88 according to NOAA VDatum

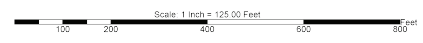
3. U.S. State Plane Coordinate System NAD83, Zone MD-1800 Maryland, US Survey Foot

4. Data collected with the survey vessel "Sea Explorer" utilizing a Bathy W/RTK multi-beam echosounder and Sparrow PCH MV inertial navigation system with RTK corrections obtained from the Topnet Live VRS network

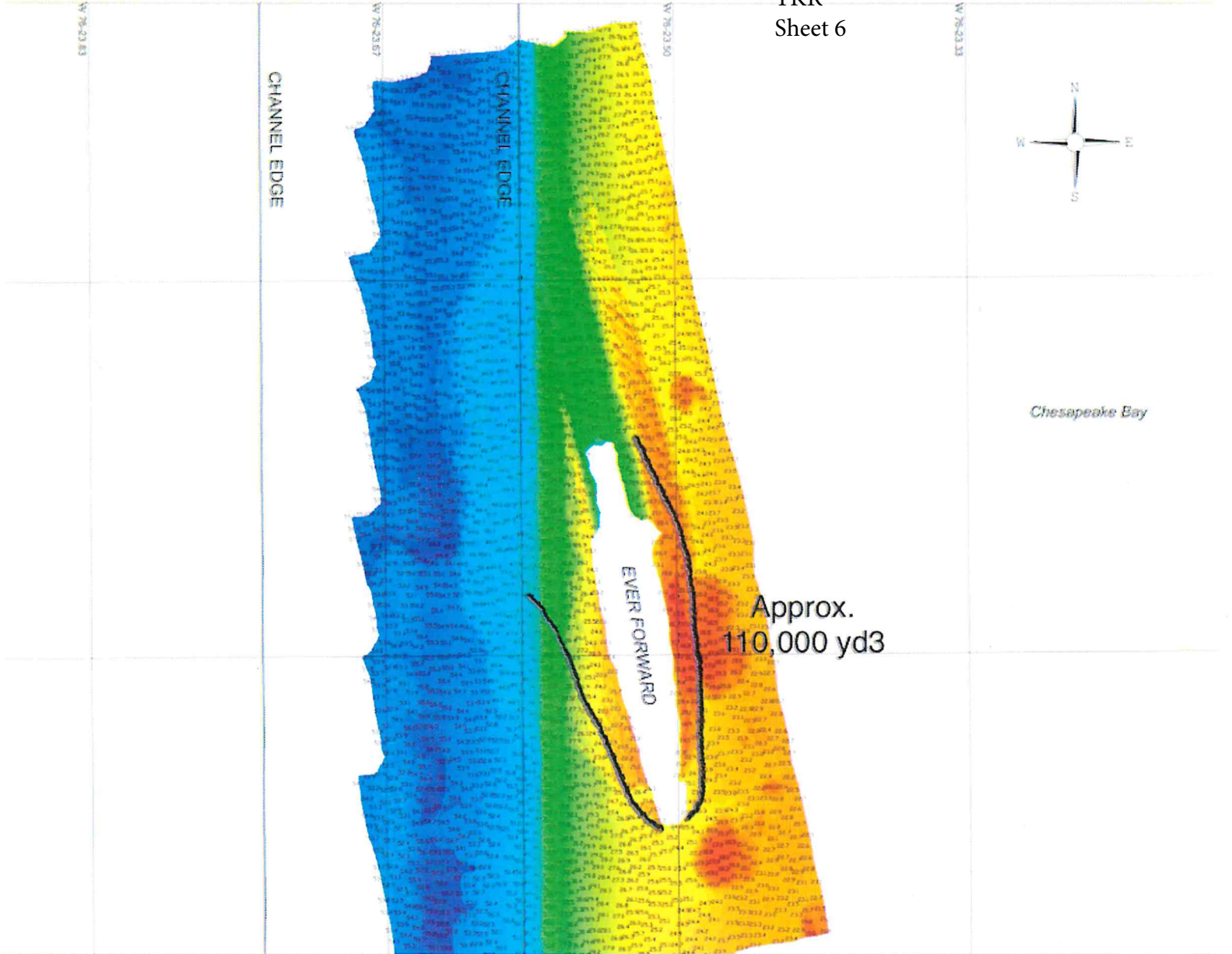
Project: MV Ever Forward Grounding Response

Area: Chesapeake Bay, Maryland, USA

Date(s) of Survey: 17 March 2022



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Sheet 6



1. US State Plane Coordinate System (NAD83) Zone 18 North
 2. Data collected with the following system: Sea Swath, Intergraph, Intergraph
 3. North: US State Plane Coordinate System (NAD83) Zone 18 North
 4. Vertical: Mean Sea Level (MSL) datum
 5. Horizontal: Intergraph, Intergraph, Intergraph
 6. Vertical: Mean Sea Level (MSL) datum
 7. Horizontal: Intergraph, Intergraph, Intergraph

Project: MV Ever Forward Grounding Response
 Area: Chesapeake Bay, Maryland, USA
 Date of Survey: 17 March 2022





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Sheet 7

Holly L. Miller
Deputy Director Maryland DOT
Maryland Port Administration
Office of Harbor Development

In response to your request for a dredge impact from DONJON/SMIT the salvage company in charge of the M/V Ever Forward recovery we shall follow the Federal Consistency (FC), as required by Section 307 of the federal Coastal Zone Management Act (16 USC 1451 et seq.) and Water Quality Certification (WQC) as required by Section 401 of the federal Clean Water Act (33 USC 1251 et seq. Specifically, the emergency dredging to assist with the removal of the Container Ship Ever Forward to their respective depths of -40 feet, mean lower low water plus one foot of over-dredge. The proposed emergency dredging involves the removal of approximately 110,000 cubic yards (CY) of material. This material will be loaded in sealed dump scows using a clam shell environmental bucket. The dredging shall be operated so as to control the rate of descent of the bucket so as to maximize the vertical cut of the clamshell bucket while not penetrating the sediment beyond the vertical dimension of the open bucket (i.e. overfilling the bucket). This will reduce the amount of free water in the dredged material, will avoid overfilling the bucket, and minimize the number of dredge bucket cycles needed to complete the emergency dredge portion to assist with removal of the container Ship Ever Forward. Donjon/SMIT shall use appropriate software and sensors (ADISS) on the dredging equipment to ensure consistent compliance with this condition during the entire dredging operation. ADISS Inc. shall monitor the operation of the software and sensors during the inspections to ensure compliance with all Federal, State, and Maryland Port Administration with all WQC regulations and conditions. Any malfunction of the software and sensors on the dredge equipment at any time shall be immediately reported to the Maryland Port Administration by the Donjon/SMIT and shall be immediately repaired to working order.

1. The closed clamshell environmental bucket shall be equipped with sensors to ensure complete closure of the bucket before lifting the bucket. Said sensors shall be operational during the entire dredging operation.
2. The closed clamshell environmental bucket shall be lifted slowly through the water, at a rate of 2 feet per second or less.
3. Dredged material shall be placed deliberately in the barge in order to prevent spillage of material overboard.
4. The discharge (i.e. "overflow") of water from the barge/scow into which dredged material is placed is prohibited.
5. All barges or scows used to transport sediment shall be of solid hull construction or be sealed.
6. The gunwales of the dredge scows shall not be rinsed or hosed during dredging except to the extent necessary to ensure the safety of workers maneuvering on the dredge scow.

Sincerely,

A handwritten signature in black ink, appearing to read 'Brian P. Henry'.

Brian P. Henry
Donjon/SMIT LLC.
100 Central Ave
Hillside, New Jersey 07205

DONJON-SMIT, an OPA 90 Alliance



MARYLAND PORT
ADMINISTRATION

Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor

James F. Ports, Jr.
Secretary

William P. Doyle
Executive Director

March 18, 2022

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Sheet 8

Mr. Brian Henry
Donjon Marine/SMIT LLC
100 Central Avenue
Hillside, New Jersey 07205

Dear Mr. Henry:

This letter is regarding the vessel, Ever Forward that has run aground in the Chesapeake Bay, near Gibson Island, Maryland. Per recent discussions, it is our understanding that the proposed vessel removal work will include the dredging of approximately 110,000 cubic yards of dredged material. The Maryland Department of Transportation Maryland Port Administration (MDOT MPA) has determined that it is acceptable for the dredged material associated with this project to be placed at the Poplar Island Ecosystem Restoration Project in a cell to be determined based on the material properties and through ongoing coordination.

Should you have any questions, please do not hesitate to contact me at (410) 385-4748 or at hmillers2@marylandports.com.

Sincerely,

Holly L. Miller

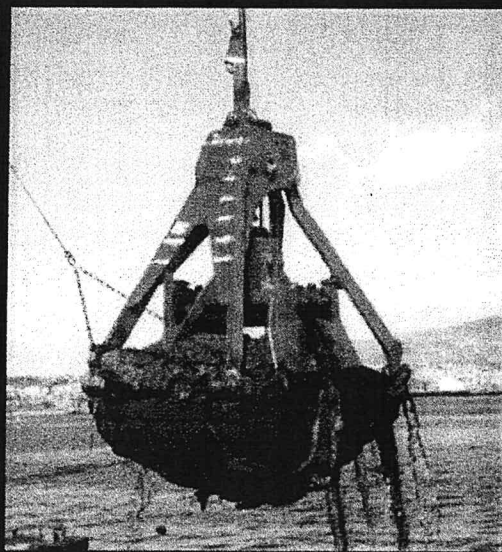
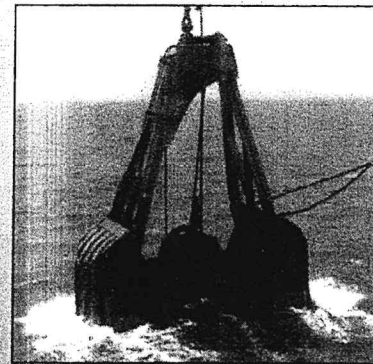
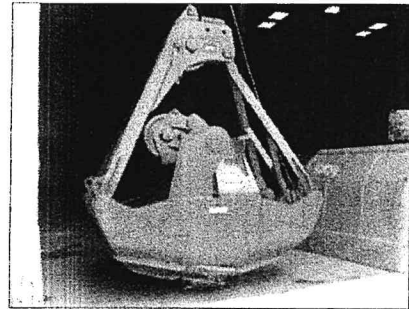
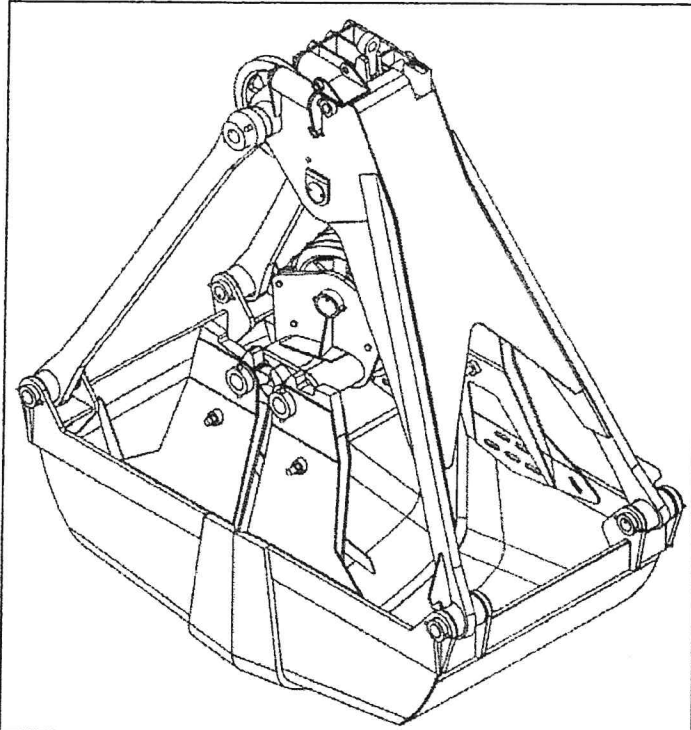
Deputy Director, Harbor Development
MDOT Maryland Port Administration

Cc:

Bob Munroe, MDOT MPA
Kristen Fidler, MDOT MPA
David Bibo, MDOT MPA
Kevin Brennan, CENAB
Graham McAllister, CENAB
Heather Nelson, MDE
Tammy Roberson, MDE

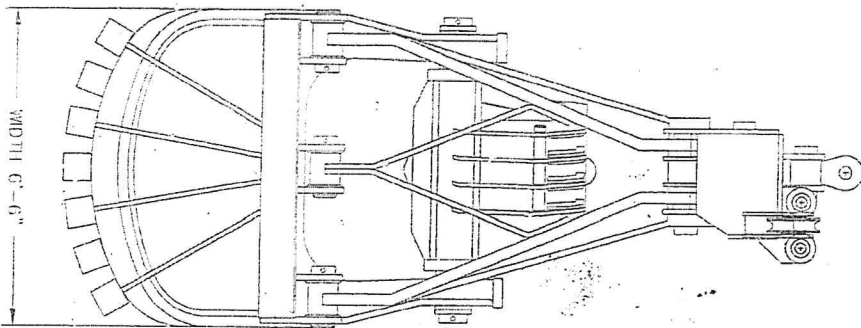
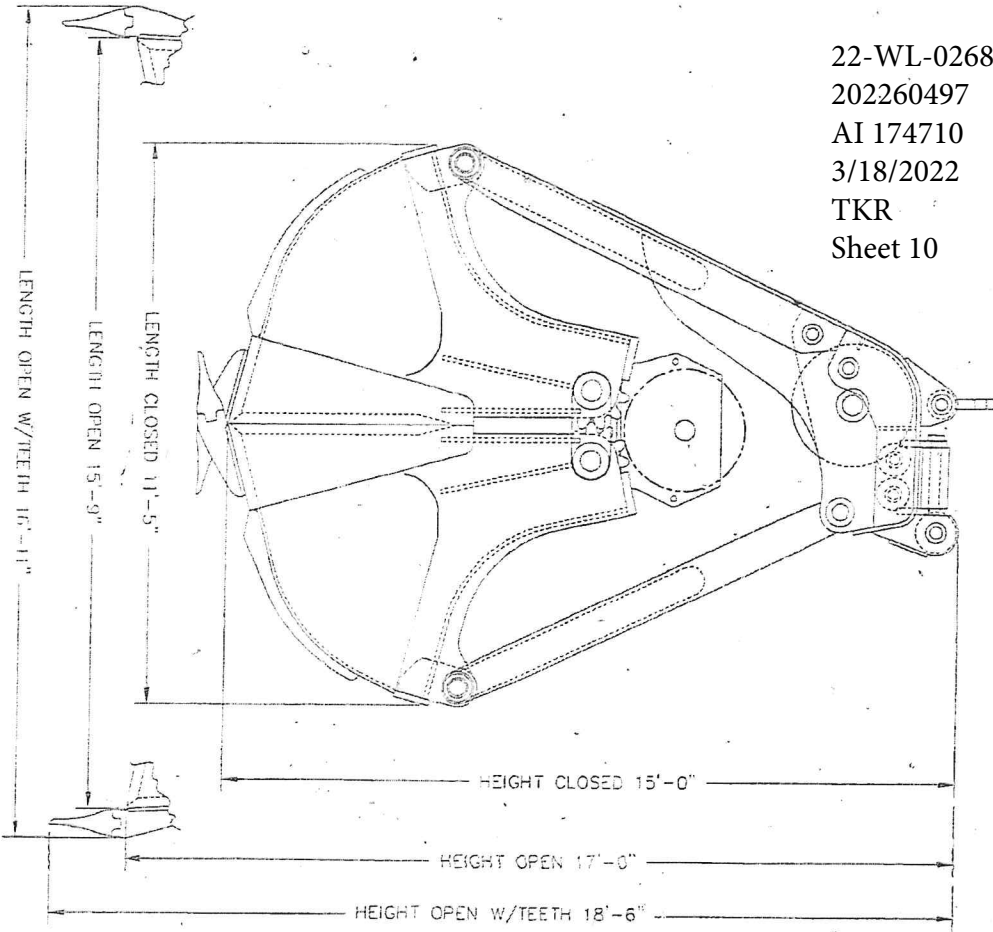


General Purpose Digging Bucket – Model GP
Round Nose Dredging Bucket - Model RN



- Narrow bowls give the bucket greater digging force
- Pins are precision machined from 4140 heat treated steel
- Dredging models have suction bars to reduce sticking
- Sheaves are bronze bushed for longer wear life in harsh conditions
- Guide rollers are chrome-moly alloy steel, heat treated and carburized to 470 Brinell
- Weld fabricated with 100,000 & 70,000 P.S.I. minimum yield wear resistance steel
- Lip and bowl plates are made of T-1 (A514) steel for greater wear resistance
- The leading edge of the lip is hard surfaced for longer wear life
- Teeth available in 1 piece bolt-on or 2 piece with replaceable point
- Models come in square nose or round nose design
- General purpose, heavy duty and extra heavy duty models available for different digging conditions

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 Sheet 10



NO.	DATE	DESCRIPTION	INIT.
REVISION			

TOLERANCES UNLESS SPECIFIED

FRACTIONAL	± 1/64
.00	± .01
.000	± .002
.0000	± .0005
ANGULAR	± 1/2°
FINISH	12/

DWG. STD. - ASME Y14.5m-1994
 MATERIAL

THIS DRAWING IS PROPERTY OF ANVAL ATTACHEMENT INC. LOANED TO THE RECIPIENT WHO AGREES THAT IT SHALL NOT BE GIVEN, COPIED OR DUPLICATED FOR THE USE OF ANOTHER, BUT THE PURPOSE OF RECEIVING FOR THE EQUIPMENT TO WHICH IT RELATES.

BY: CW 1/15/10
 CHK: MH 1/15/10

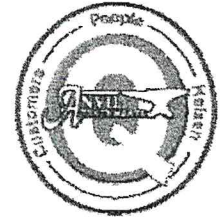
8 CU. YD. 2-ROPE XHD ROUND NOSE
 APPROVAL DRAWING



APPROVAL SIGNATURE: _____
 APPROVAL DATE: _____

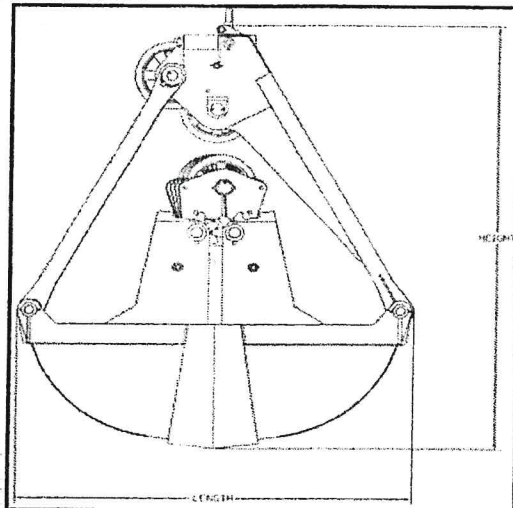
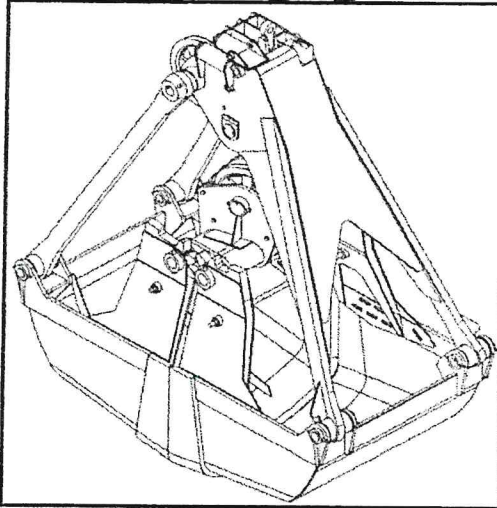
SPECIFICATIONS	
RATED CAPACITY	8 CU. YD.
DECK AREA	102 SQ. FT.
SHEAVE DIA.	30"
CABLE DIA.	1 1/2" Ø
CABLE TO REEVE	86'-0"
CABLE TO CLOSE	42'-0"
MAX. PARTS	6
NO. TEETH	9
WEIGHT ±.3%	33,500 LBS.

SCALE: NTS WEIGHT: B P10-003 REV: - SH: 1 OF 1



General Purpose Digging Bucket – Model GP

Round Nose Dredging Bucket - Model RN



Specifications

In accordance with our established company policies of constantly improving our products, we reserve our right to change or modify our product or specification at any time and without notice

Capacity (Heaped) Cu yd	Length Open	Length Closed	Height Open	Height Closed	Width	Sheave Diam. O.D.	Capacity (Plate lined)	Capacity (Water level)	Deck Area (Sq. Ft)	Cable to Reeve	Cable to Close	Gen. Pur	Weight Heavy	Extra Heavy
3/4	6' 7"	6' 2"	7' 0"	6' 1"	3' 1"	12"	21	18	20	51' 0"	28' 0"	2,800	3,200	4,200
1	7' 5"	6' 8"	8' 2"	6' 9"	3' 5"	12"	27	22	25	53' 6"	29' 4"	4,100	5,000	6,000
1 1/2	8' 6"	7' 3"	9' 7"	7' 7"	3' 10"	14"	41	34	32	55' 10"	30' 9"	5,500	6,900	8,500
2	8' 7"	7' 1"	10' 1"	8' 7"	3' 11"	16"	60	48	45	54' 0"	29' 0"	6,900	8,900	11,000
2 1/2	10' 7"	8' 8"	11' 6"	9' 5"	4' 6"	18"	70	58	47	65' 0"	42' 6"	7,800	9,800	13,400
3	10' 0"	8' 5"	12' 0"	10' 2"	5' 1"	20"	87	67	51	63' 6"	35' 0"	8,700	10,650	15,800
3 1/2	11' 7"	9' 6"	13' 2"	11' 0"	5' 9"	20"	115	91	67	69' 3"	39' 6"	10,500	12,500	17,700
4	11' 9"	9' 5"	12' 11"	11' 0"	5' 10"	20"	116	93	69	69' 0"	39' 0"	12,300	14,750	19,600
4 1/2	11' 9"	9' 5"	12' 11"	11' 0"	5' 10"	24"	122	97	69	70' 0"	41' 0"	14,200	15,000	22,100
5	12' 6"	9' 8"	13' 10"	12' 9"	6' 0"	24"	135	108	75	70' 0"	41' 0"	16,100	17,300	24,500
5 1/2	13' 2"	10' 7"	15' 9"	13' 8"	6' 3"	24"	149	119	82	72' 0"	42' 0"	17,100	18,600	26,200
6	13' 2"	10' 7"	15' 9"	13' 8"	6' 6"	30"	165	132	85	72' 0"	42' 0"	17,970	20,000	27,900
6 1/2	13' 2"	10' 7"	15' 9"	13' 8"	6' 6"	30"	175	140	87	74' 6"	44' 0"	19,200	21,100	29,600
7	15' 2"	11' 2"	15' 10"	14' 5"	6' 3"	30"	216	191	95	74' 6"	44' 0"	19,900	22,200	31,400
8	14' 4"	11' 7"	17' 1"	14' 8"	6' 9"	30"	227	180	100	78' 0"	47' 0"	22,000	24,050	35,000
9	15' 4"	12' 3"	17' 6"	15' 8"	7' 0"	30"	243	194	107	82' 0"	52' 0"	24,100	27,500	37,000
10	18' 6"	13' 4"	19' 3"	17' 3"	7' 6"	34"	274	227	130	87' 0"	54' 0"	36,400	32,000	39,000
12	17' 7"	14' 8"	20' 5"	17' 0"	7' 9"	34"	350	324	134	99' 8"	54' 11"	31,500	38,000	44,000
15	18' 10"	15' 3"	20' 0"	18' 0"	8' 3"	36"	405	350	155	115' 0"	55' 6"	37,200	45,000	50,000
18	21' 11"	15' 5"	21' 8"	19' 5"	8' 2"	36"	500	492	179	110' 0"	57' 0"	41,500	50,000	55,000
21	23' 21"	13' 3"	23' 5"	21' 3"	8' 8"	40"	617	570	201	130' 0"	70' 0"	47,500	55,000	60,000