

## **SECTION 5 - CAPITAL IMPROVEMENTS PROGRAM**

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### **Relevant Law –**

- Annotated Code of Maryland, Education Article, Division III, Higher Education, Title 16 Community Colleges

### **Relevant Regulation –**

- Code of Maryland Regulations (COMAR), Title 13B Maryland Higher Education Commission, Subtitle 07 Community Colleges, Chapter 4 Construction Procedures, Regulation 03 Five-Year Capital Improvements Program/Annual Capital Budget Request Submission

### **Critical Due Dates –**

- Annual Five-Year Capital Improvements Program and Annual Capital Budget Request are due July 1

## **5.01 PURPOSE OF THE CAPITAL IMPROVEMENTS PROGRAM**

The purpose of the Five-Year Capital Improvements Program and Annual Capital Budget Request process is to identify the capital improvement needs by project and by year for the five-year period, to develop a statewide plan of action for community college capital improvements, and to establish priorities for the implementation of the plan.

All institutions shall submit, by July 1 of each year, a Five-Year Capital Improvements Program. The first year of the Program shall constitute the institution's Annual Capital Budget Request.

Projects identified in the Program shall be consistent with the approved Facilities Master Plan. Programs shall be updated annually to reflect actual capital appropriations and any changes affecting project priorities within the Program, as well as to add an additional year.

Each year, the Maryland Higher Education Commission shall review for endorsement the Maryland Association of Community Colleges (MACC) Project Prioritization Model to guide institutions in the development of the Five-Year Capital Improvement Program and the Annual Capital Budget Requests. The Commission shall assess requested projects using the endorsed Project Prioritization Model and the finalized Project Prioritization List submitted by MACC.

## **5.02 COMPONENTS OF THE FIVE-YEAR CAPITAL IMPROVEMENTS PROGRAM**

Institutions shall include updated space guideline calculation tables, a five year summary of projects, projects included in the annual budget request, and each project planned for the subsequent four years. A brief description and justification of each project is required.

The following Five-Year Capital Improvements Program forms are required by the Commission. They are included in Section 14 Attachments with instructions for their preparation.

Due July 1

- CBIS Part IIIA Report: Project Detail
- CBIS CEW Report: Cost Estimate Worksheet
- Project Impact Statement (MS Word) and Project Impact Table (MS Excel) – Summary and Justification of Each Project Requested in Budget
- CB Form B: Five-Year Capital Improvement Program, Summary of Project Requests (MS Excel)
- CB Form G: Equipment and Furnishings Request (if applicable)
- CC Form M: Letter of Intent
- CC Form N: Resolution
- CC Form O: Petition

- CC Tables 1-4 (MS Excel)
  - CC Table 1: Space Inventory by Building
  - CC Table 2: Total Existing Space Inventory – Net Assignable Square Feet
  - CC Table 3: Computed Needs in Net Assignable Square Feet
  - CC Table 4: Computation of Parking Allowance

### **5.03 REVIEW PROCESS FOR FIVE-YEAR CAPITAL IMPROVEMENTS PROGRAM**

A Part I/II program statement for each project which is included in the annual capital budget request section of the Five-Year Capital Improvements Program must be approved before the budget submission. By May 1, the institution shall submit for approval a Part I/project justification and scope for each project. The Commission and DBM shall review the Part I/project justification and scope.

The Part II/detailed project description and requirements must be submitted by May 1 of the year in which the design funds will be requested. Part II/detailed project description and requirements review shall be conducted by the Department of Budget and Management, the Department of General Services, and the Maryland Department of Planning.

Frequently, institutions combine the Part I and the Part II into one document. Facility Program (Part I and Part II) requirements are discussed in Section 4.

The MHEC review of the Part I/project justification shall focus on:

1. Project consistency with the institution's Facilities Master Plan.
2. Project justification with regard to the goals of the Statewide Plan, consistency with the institution's role and mission, the programmatic needs of the institution, the overall space needs of the institution, and the adequacy and physical condition of existing facilities.
3. Prioritization of the project within MHEC's Statewide Five-Year Capital Improvement Program.

By July 1, each institution shall submit to the Commission a Five-Year Capital Improvements Program approved by the Governing Board with all necessary supporting documentation.

As indicated above, the first year of the five-year capital improvement program constitutes an institution's annual capital budget request. The Commission shall rank all projects according to the endorsed MACC Project Prioritization List and compile a system-wide request and recommend an integrated annual capital budget to the Governor and the Legislature.

## 5.04 CAPITAL IMPROVEMENT DEFINED

The Department of Budget and Management has developed the material in this section to assist State agencies in determining those types of projects which are eligible for funding through the Capital Budget regardless of a fund source. This section also provides a definition of the terms most commonly used in conjunction with capital improvement projects.

The State Finance and Procurement Article, Subsection 8-127, Annotated Code of Maryland states that the useful life of a capital improvement shall be at least equal to the life of the bonds by which it is financed. By constitutional provision, general obligation bonds (GO bonds) must be amortized within a fifteen-year period. To qualify as a capital improvement, a proposed project or its equipment must have a useful life expectancy of 15 years or more.

## 5.05 PROJECTS AND ITEMS THAT QUALIFY AS CAPITAL IMPROVEMENTS

- A. **Real Property Acquisition** - acquisition of any freehold, fee, or leasehold interest in land, including improvements of any kind, structures, and fixtures located on the premises and appurtenances thereto.
  
- B. **Design and Preparation of Plans and Specifications:**
  - 1. Includes the physical design of a project, prior to bidding a construction contract, and services required of an architect/engineer during the construction and post-construction stages.
  
  - 2. Design funds are normally requested one year prior to the time the construction appropriation is to be requested. For projects whose total cost is expected to exceed \$10 million, the design funds should be requested two years before the construction appropriation. For very complicated projects, the design request must be phased over two years. In such cases, preliminary planning funds are requested the first year and detailed planning funds the second year. These terms are defined on the following page. Normally 45% of design funds for projects over \$10 million should be requested in the first year with 55% in the second year.
  
  - 3. Preliminary planning includes the preparation of design drawings showing a site plan, demolition identifying hazardous materials (if any), architectural, structural, permanent excavation measures (if applicable), mechanical and electrical systems. The design clearly defines the components of each of the systems and the materials intended to be used on the project, including cost estimates, areas-volume-efficiencies, and building code design data. For further details, see Chapter II, Section 10 (Phase I - Schematics) and Section 11 (Phase II – Design Development) of the current edition of the Department of General Services *Procedure Manual for Professional Services*.

4. Detailed planning includes the preparation of all contract documents such as detailed site plans, floor plans, excavations, specifications, etc., necessary for the construction of the project. For further details see Chapter II, Section 124 (Phase III – Construction Documents) of the current edition of the Department of General Services *Procedure Manual for Professional Services*.

**C. Construction Project** - a single undertaking involving construction applicable to one or more real property facility(ies)/structure(s). Construction includes all work necessary to accomplish a specific purpose and to produce a complete and usable new real property facility or a complete and usable improvement to an existing real property facility or structure and the associated architectural and other technical requirements. A construction project may include one or more of the following:

- Erection, installation or assembly of a new facility/structure.
- Addition to, alteration, conversion, expansion, relocation, renovation, or restoration of an existing facility or structure.
- Installation, extension, or replacement of utility systems.
- The fixed equipment installed and made a part of the facility.
- Site development and improvement

A construction project may include "self-help" projects accomplished using college employees under certain approved conditions and situations advantageous to the State. However, capital funds may not be used to pay any operating expenses associated with a self-help project, including wages and salaries of college employees.

The actual physical construction phase of a capital improvement project must be preceded by the preparation of both preliminary and detailed plans and specifications. Construction lasting more than one year may be split-funded and/or pre-authorized for future fiscal years.

Specialized categories of construction are defined as follows:

1. **Addition/Expansion/Extension** - The physical increase to a real property facility which adds to the overall external dimension of the facility.
2. **Alteration** - The work required to transform the interior space arrangement and other physical characteristics of an existing facility or relocation within a facility so that it may be more effectively utilized for

its presently designated functional purpose.

No facility should be considered for alteration until it has been in its intended use for at least 15 years, except when required to meet State or federal code, regulatory, or licensing requirements; when major priorities have been changed; or when new programs have been implemented.

3. **Conversion** - The work required to transform the interior arrangement and other physical characteristics of an existing facility so that it may be effectively utilized for a new functional purpose and includes utilities and fixed equipment installed on and made a part of the facility.

Adjustment of exterior space arrangement is typically considered to be an addition/expansion/extension and normally is not included in conversions. However, the addition of a small amount of circulation and/or mechanical space to the exterior of a building to meet code requirements is permissible with the approval of DBM and DGS.

4. **Relocation** - The movement from one site to another of a facility either intact or by disassembly and subsequent reassembly. A new foundation may be constructed at the new location as part of the project. This category includes movement of utility lines but excludes relocation of roads, pavements, or similar facilities.

When a facility is relocated on another site and the new facility consists primarily of new components, the project is considered a replacement rather than relocation.

Relocation of two or more facilities resulting in a single facility will be considered a single project.

5. **Renovation** - The work required to restore and modernize most or all of a facility or an existing building system(s) in order that the facility may be effectively utilized for its designated functional purpose or to comply with current code requirements.

Renovation normally is required as a result of general deterioration and obsolescence due to age, deferred maintenance, original faulty construction, or damage from natural disasters and may be funded as a capital improvement project in those cases when the cost of the project is \$100,000 or more and it cannot be accommodated in the operating budget.

A renovation differs from an alteration primarily in that an alteration involves significant modification to a facility's interior space arrangements while renovation does not.

Generally, no facility should be considered for renovation until it has been in its intended use for at least 15 years. Other considerations may be given where such work is necessary to meet State or federal codes, regulatory or licensing requirements, or to correct major basic faults originally incorporated into the facility.

6. **Replacement** - A complete reconstruction of a facility or a complete mechanical or utility system. The original building or mechanical or utility system must be beyond the point where it can be economically repaired or renovated and it can no longer be used for its designated purpose. Certain conditions, such as age, hazardous conditions, obsolescence, structural and building safety conditions, may contribute to the need to replace a building or system.

Reconstruction of minor components of a mechanical or utility system is not considered to be a replacement but maintenance or repair.

A facility should not normally be considered for replacement until it has been in use for at least 40 years.

Replacement will normally be allowed as a capital improvement project only when a facility cannot be cost effectively renovated or repaired.

7. **Restoration** - The work required to return a facility to its former or original state to the maximum extent possible. Normally, restoration will be accomplished only in conjunction with historic properties. In these cases, the Maryland Historical Trust should be consulted.

D. **SITE DEVELOPMENT AND IMPROVEMENTS** - Includes grading, drainage facilities, new roads, walks, parking areas, retaining walls, recreational areas, fences and similar improvements, standard and essential landscaping, street or other outdoor lighting.

E. **UTILITIES** - Includes the installation, extension, or replacement of systems for the provision of sewer, water, electrical service; power plant facilities and appurtenances; heating, ventilating, and air conditioning; elevators; fire escapes, sprinklers, and automatic fire alarms; and telecommunications; and associated control systems. Also, refer to Equipment Acquisition Guidelines.

F. **INITIAL EQUIPMENT AND FURNISHINGS**

1. Section 10 Equipment Acquisition Guidelines discusses this item in detail. Check the DBM website ([dbm.maryland.gov](http://dbm.maryland.gov)) for the most current equipment guidelines and procedures. Initial equipment and furnishings will be eligible for funding as a capital improvement project only if they meet the following general conditions:

- a. Have a life expectancy of at least 15 years with normal maintenance. Certain systems will be excepted if they are part of a project with a 15-year life expectancy.
  - b. Durable construction.
  - c. Be of sufficient size to preclude theft or easy removal from the facility by a single individual. It is necessary for the building to perform its programmed function.
  - d. For existing college uses, it is not intended to replace a similar item already on hand.
2. Initial equipment and furnishings shall include only those items that, after taking into account any and all usable equipment currently on hand, must be placed in the facility to accommodate the functions for which the facility has been designed and programmed. Those items more appropriate for outdoor use and that normally would not be used inside a facility are not eligible for funding as capital equipment. Durable outdoor furnishings may be considered eligible for capital funding.
3. The items must not be elaborate or extravagant. Review will be guided by the reasonableness of the cost of the item, by the durability and appropriateness for the intended level and type of use of the item, and by its utility. Maryland Correctional Enterprises (MCE) products must be specified whenever possible (State Finance and Procurement Article, Section 14-103, Annotated Code of Maryland).
4. If the project is a conversion of, or addition to, an existing facility, only those items of equipment and furnishings required to support the new or added function of the facility are authorized.
5. Initial equipment and furnishings associated with alteration, relocation, or renovation of an existing facility normally will not be eligible for capital funding. Since these types of projects are related to existing functions, it is expected that existing equipment will be utilized. Replacement equipment is not eligible for capital funding.
6. Generally, information technology items that are integral components of building systems (utilities, telecommunications) should be purchased as part of the construction contract, rather than as individual equipment and furnishings. These items should be shown as construction on the budget forms.
7. Certain other information technology equipment also is eligible for capital

funding. Examples include system control equipment that is located in a central control room and equipment and wiring located in wiring closets throughout the building. Information technology items purchased separately from the construction contract should be shown as equipment and must be part of a system to be eligible.

## 5.06 PROJECTS AND ITEMS THAT DO NOT QUALIFY AS CAPITAL IMPROVEMENTS

- A. **Master plans, feasibility studies, alternative project proposals, or the development of programs** required as a prerequisite to the authorizing of funds for the preparation of preliminary plans and specifications.
- B. **Payment of Salaries or Wages of College Employees** for work performed directly in conjunction with an authorized capital improvement project, including the preparation of plans and specifications.
- C. **Interim or temporary accommodations** (commonly referred to as surge or swing space) **or equipment** while another facility is being renovated. However, equipment may be pre-purchased if it is to be moved and reused in the renovated facility.
- D. **Maintenance/repair projects** as noted below:
  - 1. **Maintenance** is the recurrent day to day, periodic (i.e., weekly, monthly, annual) or scheduled work required to preserve or maintain a facility or system in such a condition that it may continue to be effectively utilized for its designated purpose during its life expectancy. Maintenance includes work undertaken to prevent damage to a facility or system which otherwise would be more costly to restore or work to sustain existing components of a facility or system. Construction of new maintenance sheds or buildings, and extension or expansion of utilities are excluded from this definition.
  - 2. **Repair** is the work required to restore a facility or system to such a condition that it may continue to be appropriately and effectively utilized for its designated purpose by overhaul, reprocessing, or replacement of constituent parts or materials which have deteriorated by action of the elements or wear and tear in use. Repairs also include the correction of conditions that adversely affect the use of the facility for its designated purpose due to non-conformance with prescribed standards and codes, except for major changes necessary to cover newly mandated accreditation or certification requirements.

### **The following are examples of maintenance/repair projects:**

- a. Painting, decorating, caulking, repainting, or treatment of masonry, and other surfaces.
- b. Replacement or repair of wall or floor tiles, shingles or siding, and roofs with possible exception of major roof replacements estimated as exceeding \$100,000. See Section 8.07 DGS Roofing Policy to

- determine eligibility.
- c. Sealing asphalt surfaces, ditching, replacement of gutters and curbs, patching or resurfacing roads.
  - d. Replacement or repair of sprinklers and automatic alarm systems (exceptions may be allowed for major projects).
  - e. Replacement or repair of components, elements, or units of an elevator or escalator.
  - f. Replacement or repair of plumbing, sanitary facilities, or the pre-heat, reheat, and chilled water coils or other components of heating, ventilating, and air conditioning systems (exceptions may be allowed for major projects).
  - g. Replacement or repair of components of lighting and electrical systems.
3. A project that involves alterations and improvements, but primarily comprises maintenance work, shall not be submitted as a capital improvement request nor shall such projects be combined so as to form an apparent sizable project.

## **5.07 GENERAL REQUIREMENTS CONCERNING CAPITAL PROJECT REQUESTS**

### **A. INTRODUCTION**

This section presents briefly some key requirements related to the submission of project requests to the Department of Budget and Management for consideration for inclusion in the annual capital budget and the five-year capital improvement program.

Forms must be filled out completely, in accordance with these instructions and with sufficient backup information to justify and support the project fully. Project requests may be returned as incomplete for the following reasons:

- 1. Incomplete form(s),
- 2. Inadequate project description(s),
- 3. Incorrect statistical data,
- 4. Calculation errors, and/or
- 5. Inconsistencies between forms pertaining to the same project.

**B. BASIC STATUTORY REQUIREMENTS FROM THE ANNOTATED CODE OF MARYLAND**

The Department of Budget and Management (DBM) prepares the State’s capital budget and five-year capital improvements program. [Note, the community colleges must submit their 5-year Capital Improvements Program and capital budget request to MHEC annually on or before July 1. MHEC reviews the submission and makes recommendations to DBM on or before August 15.] The basic statutory requirements are in the State Finance and Procurement Article, Subsection 3-602, Annotated Code of Maryland. The major statutory requirements are:

1. The community colleges shall transmit to MHEC such information as may be required for the preparation of the capital improvement program.
2. All requests for capital projects proposed for inclusion in the capital budget shall be submitted to MHEC not later than July 1 each year.
3. No capital appropriation shall be authorized for the design and preparation of preliminary plans and specifications unless the community college in question has submitted to the Department of Budget and Management, and received approval of, a Part I and Part II program describing in detail the purpose of the project for which the funds are being requested and providing adequate justification for it.

**C. SUBMISSION OF COMMUNITY COLLEGE PROJECT REQUESTS**

Note that Baltimore City Community College follows the State process.

To facilitate the filing of specific information and data on proposed capital projects, the Department of Budget and Management Office of Capital Budgeting (DBM) and the Maryland Higher Education Commission provide standard forms. The basic submission, which is due on July 1st of each year, will be organized into two parts:

1. Electronic submission of proposed capital project(s) through the DBM Capital Budget Information System (CBIS).
2. A copy of the CBIS Cost Estimate Worksheet (CEW) attached to the CBIS Part IIIA report, which is used to support the funding requested for a capital project.

The cost estimate for each project must be as reliable as possible and take into account market conditions, escalation, contingencies and other relevant factors.

2. A copy of CB Form B (MS Excel), summarizing all of the projects included in the five-year capital improvements program.
3. A copy of CB Form G, listing the furniture and equipment items requested to furnish the project, will be submitted the year in which the community college is requesting equipment funding.
4. A signed CC Form M, Letter of Intent, attached to each project requested in the upcoming budget year.
5. A signed CC Form N, Resolution, for each project requested.
6. A signed CC Form O, Petition, for each project requested.
7. A Project Impact Statement (MS Word) and Project Impact Table (MS Excel) for each project requested in the upcoming budget year. This form must include the Department of Planning Growth and Conservation mapping [A Better Maryland] component indicating the project's location and overlay(s).

The submission must include a letter signed by the community college head or designee, which states the total amount of the community college's annual capital budget request. The signature of the community college head is not required on the individual forms/reports, except for Form B. The forms/reports are summarized here. Copies of the forms with instructions are included in Section 14 Attachments.

#### CBIS Part IIIA Report: Project Detail

This report should be submitted for each project the requesting agency proposes to include in the five-year capital improvements program. The report indicates the amount(s) and purpose(s) of the request as well as the amount(s) and purpose(s) of prior appropriations and future-year requests, when relevant. Funding depends on the adequacy and soundness of the justification presented as part of this form. The precise need and usage of the proposed project should be indicated in the Comments section.

A separate CBIS Part IIIA report must be submitted for each project, but similar work to be performed in several buildings at the same location (e.g., removing architectural barriers; rewiring; or installing sanitary, heating or fire protection facilities) may be submitted as a single project request. When this is done, a detailed breakdown must accompany the request, showing the extent and cost of the proposed work in each building, and the total project cost for all buildings.

A CBIS cost estimate worksheet should be submitted with each CBIS Part IIIA

report. In addition, MHEC requires that the CC Form M (Letter of Intent) be attached.

#### CBIS CEW Report: Cost Estimate Worksheet

The Cost Estimate Worksheet (CEW) is used to support the funding requested for a project in the Capital Budget.

#### CB Form B: Five-Year Capital Improvement Program: Summary of Agency Project Requests.

This form summarizes projects requested in the capital budget for the next fiscal year and those projects planned for the four subsequent fiscal years. Projects should be listed on this form by fiscal year, and in order of priority. Projects requested in the annual capital budget should be listed first, followed by the projects planned for the following four years. This will result in a compilation of a proposed program of capital improvements for a five year period.

#### CB Form G: Equipment and Furnishings Request

This form is used to list items of capital and operating equipment needed to make a new or renovated structure fully functional.

#### CC Form M: Letter of Intent

The Letter of Intent, a statement confirming the local funding commitment for a project, is to be completed and signed by a local government budgeting official and must be submitted for each project included in the Annual Capital Budget Request.

#### CC Form N: Resolution

The Resolution is a formal request to the county by the Board of Trustees of the college to: approve the proposed plans for acquisition, design or construction of a project; file a petition with the Maryland Higher Education Commission (MHEC) for a State grant in a specified dollar amount; and, make available the necessary local funds for completion of the project. The Resolution is under the signature of the Secretary-Treasurer of the Board of Trustees of the college and must be submitted to MHEC along with the county's Petition (CC Form O).

#### CC Form O: Petition

At the request of the Board of Trustees of the college, the county files a Petition with the Maryland Higher Education Commission for a grant of State funds to be released from the available community college construction loan program. The Petition is under the signature(s) of the County Council Executive and Commissioners/Council

Members and includes a statement confirming the county's commitment to provide all the remaining funds necessary to complete the project.

CC Form P: Cash Flow Projection (MS Excel)

See Section 1.10 Quarterly Cash Flow/Status of Funded Projects Report for a complete discussion of this item. The Form P is submitted to the Maryland Higher Education Commission each fiscal quarter to report actual and projected cash flows related to active capital projects. These projections form the basis of the Commission's request for the issuance of bonds to support the payment of the State's share. Due dates are the third Friday of January, April, July and October.

For construction periods lasting longer than one fiscal year, a construction-based cash flow shall be submitted to DBM with the capital funding request.

Due July 1: CC Tables 1-4, Space Computations (MS Excel)

CC Tables 1, 2, 3 and 4 are prepared in a Microsoft Excel Workbook and distributed electronically each May by MHEC. Embedded formulas use data from CC Table 1 (existing facilities inventory), CC Table 2 (facilities inventory after construction of projects), CC Table 3 (enrollment projections and space needs), and CC Table 4 to automatically calculate current inventory and inventory in 10 years for both facilities and parking.

CC Table 1: Space Inventory by Building

This form is used to determine existing campus buildings space inventory, including temporary buildings.

CC Table 2: Total Existing Space Inventory – Net Assignable Square Feet

Transfer the HEGIS Total NASF from the Space Inventory by Building – CC Table 1 form to column 1, exclude temporary buildings or buildings not intended to be in use for 15 years. Include in the inventory, under the appropriate out-year, approved projects under design or construction and any proposed changes requested in the planned capital improvement program. An explanation of the projected space additions or deletions must be attached.

CC Table 3: Computed Needs in Net Assignable Square Feet

This form is used to show projected space requirements for the next 10 years as compared to projected inventories. Space requirements are based on projected enrollments endorsed by the Maryland Higher Education Commission.

#### CC Table 4: Computation of Parking Allowance

This form is used to determine the amount of parking space eligible for State financial participation.

#### **D. OTHER SUBMISSION REQUIREMENTS**

The following materials must be submitted as a part of the process for approving and financing capital projects, except those projects which consist solely of the acquisition of real estate. If the materials were not previously submitted with a Part I program, they must be included with a project request submitted for the first time for inclusion in the capital budget or five-year capital improvements program.

1. Each request must be accompanied by a copy of an environmental assessment form (EAF) and a copy of an environmental effects report. Once these forms have been submitted they do not need to be submitted each year, unless conditions change. Copies of these forms must also be submitted to the State Clearinghouse at the following address:

Maryland Department of Planning  
Maryland State Clearinghouse for Intergovernmental Assistance  
301 West Preston Street Suite 1101  
Baltimore MD 21201-2305  
Phone: 410-767-4490  
Toll Free: 877-767-6272  
Fax: 410-767-4480  
<http://www.mdp.state.md.us/OurWork/GrantResources.shtml>

2. Each request for a project that involves the disturbance of 40,000 square feet or more land area must be accompanied by the reforestation site review by the Department of Natural Resources (DNR). Contact information:

Maryland Department of Natural Resources  
Forest Service  
Tawes State Office Building E-1  
580 Taylor Avenue  
Annapolis MD 21401-2352  
Phone: 410-260-8531  
Toll Free: 877-620-8DNR (8367)  
Fax: 410-260-8595  
[www.dnr.maryland.gov/forests/](http://www.dnr.maryland.gov/forests/)

3. Each request for a project that will be located within a Chesapeake Bay Critical Area must be accompanied by: 1) proof of consultation with the Chesapeake Bay Critical Area Commission and of the fact that the agency

is considering Critical Area-related impacts as required under COMAR 27.02.05 of the regulations; and 2) a copy of the Commission comments and responses on the project. Commission approval will be needed for projects in the Critical Area prior to the stages noted in 27.02.05.2B of the regulations. Contact information:

Maryland Department of Natural Resources  
Chesapeake Bay Critical Area Commission  
1804 West Street Suite 100  
Annapolis MD 21401-3929  
Phone: 410-260-3460  
Fax: 410-974-5338  
[www.dnr.maryland.gov/criticalarea/](http://www.dnr.maryland.gov/criticalarea/)

4. Each request for a project that would affect the State's historical and/or cultural resources must be accompanied by the recommendations of the Maryland Historical Trust (MHT) regarding the potential for adverse effects on properties listed in or eligible for the Maryland Register of Historic Properties, or by a report on the status of the Trust's review of the project. Contact information:

Maryland Department of Planning  
Division of Cultural and Historical Programs  
Maryland Historical Trust  
Office of Preservation Services  
100 Community Place  
Crownsville MD 21032-2023  
Phone: 410-514-7629  
Fax: 410-514-7678  
[www.mht.maryland.gov](http://www.mht.maryland.gov)

5. Each request for a project that will result in the construction of a new facility or building must be accompanied by a copy of the Project Consistency Report filed with the Maryland Department of Planning (MDP) as required by the Planning Act of 1992 (State Finance and Procurement Article, Subsection 5-7A-02, Annotated Code of Maryland). Once these forms have been submitted they do not need to be submitted each year, unless conditions change. Contact information:

Maryland Department of Planning  
Plan and Project Review  
301 West Preston Street Suite 1104  
Baltimore MD 21201-2305  
Phone: 410-767-4490  
Fax: 410-767-4480  
[www.mdp.state.md.us](http://www.mdp.state.md.us)