



**Maryland**  
Department of  
the Environment

Larry Hogan, Governor  
Boyd K. Rutherford, Lt. Governor

Ben Crumbles, Secretary  
Horacio Tablada, Deputy Secretary

March 5, 2020

Fishing Creek Farm Homeowners Association  
c/o Chris Rager  
Bayland Consultants & Designers, Inc  
7455 New Ridge Road, Ste T  
Hanover, MD 21076

Re: Agency Interest Number: 165811  
Tracking Number: 201961300  
Tidal Authorization Number: 20-WQC-0006

Dear Fishing Creek Farm Homeowners Association:

Your project did not qualify for approval under the Maryland State Programmatic General Permit (MDSPGP); therefore a separate review and issuance of the federal permit will be required by the U.S. Army Corps of Engineers. The federal permit is not attached.

Additionally, your project required a Wetlands License to be approved and issued by the Maryland Board of Public Works (BPW). The Wetlands License will be sent to you by the BPW's Wetlands Administrator.

A project that does not qualify for approval under the MDSPGP requires an individual Water Quality Certification (WQC) to be issued by the Maryland Department of the Environment, which is attached. Please take a moment to read and review your WQC to ensure that you understand the limits of the authorized work and all of the general and special conditions.

You should not begin any work until you have obtained all necessary State, local, and federal authorizations. Please contact Melissa McCanna at [melissa.mccanna@maryland.gov](mailto:melissa.mccanna@maryland.gov) or 410-537-4053 with any questions.

Sincerely,

Danielle Spendiff, Chief  
Western Region  
Tidal Wetlands Division



STATE OF MARYLAND  
DEPARTMENT OF THE ENVIRONMENT  
WATER AND SCIENCE ADMINISTRATION  
WATER QUALITY CERTIFICATION



20-WQC-0006

EFFECTIVE DATE: **February 19, 2020**  
EXPIRATION DATE: **February 18, 2023**  
CERTIFICATION HOLDER: **Fishing Creek Farm Homeowners  
Association**  
ADDRESS: **PO Box 3482  
Annapolis, Maryland 21403**  
PROJECT LOCATION: **1298 Cherry Tree Ln  
Annapolis, MD 21403  
South River in Anne Arundel**

**UNDER AUTHORITY OF SECTION 401 OF THE FEDERAL WATER POLLUTION CONTROL ACT AND ITS AMENDMENTS AND IN ACCORDANCE WITH §9-313 THROUGH §9-323, INCLUSIVE, OF THE ENVIRONMENT ARTICLE, ANNOTATED CODE OF MARYLAND, THE WATER AND SCIENCE ADMINISTRATION (“ADMINISTRATION”) HAS DETERMINED THAT THE REGULATED ACTIVITY DESCRIBED IN STATE TIDAL WETLANDS LICENSE NUMBER 19-WL-0803 (“LICENSE”) WILL NOT VIOLATE MARYLAND’S WATER QUALITY STANDARDS, IF CONDUCTED IN ACCORDANCE WITH THE CONDITIONS OF THIS CERTIFICATION AND WITH ALL TERMS AND CONDITIONS OF THE LICENSE. A COPY OF THE LICENSE, INCLUDING APPROVED PROJECT DRAWINGS AND OTHER ATTACHMENTS, IS ATTACHED HERETO AND IS HEREBY INCORPORATED BY REFERENCE.**

**THIS CERTIFICATION DOES NOT RELIEVE THE APPLICANT OF RESPONSIBILITY FOR OBTAINING ANY OTHER APPROVALS, LICENSES, OR PERMITS IN ACCORDANCE WITH FEDERAL, STATE, OR LOCAL REQUIREMENTS AND DOES NOT AUTHORIZE COMMENCEMENT OF THE PROPOSED PROJECT. A COPY OF THIS REQUIRED CERTIFICATION HAS BEEN SENT TO THE CORPS OF ENGINEERS.**

**THE CERTIFICATION HOLDER SHALL COMPLY WITH THE CONDITIONS LISTED BELOW.**

### **SPECIAL CONDITIONS**

- A. The terms and conditions of Tidal Wetlands License No. 19-WL-0803 are hereby incorporated, by reference, into this Water Quality Certification. The Certification Holder shall comply with these conditions to ensure that the authorized activities will not result in a violation of the State's water quality standards.

## **GENERAL CONDITIONS**

- A. The proposed project shall be constructed in a manner which will not violate Maryland's Water Quality Standards as set forth in COMAR 26.08.02. The applicant is to notify this Department ten (10) days prior to commencing work. Verbal notification is to be followed by written notice within ten (10) days.
- B. The Maryland Department of the Environment has determined that the proposed activities comply with, and will be conducted in a manner consistent with the State's Coastal Zone Management Program, as required by Section 307 of the Federal Coastal Zone Management Act of 1972, as amended.
- C. 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 e-mail at MDE.MCLB@maryland.gov or by accessing the Maryland Department of the Environment, Environmental Boards webpage.
- D. The Certification Holder shall ensure the proposed project shall be constructed in accordance with the authorized plan and any authorized revisions.
- E. The Certification Holder shall ensure that all fill and construction materials not used in the project shall be removed and disposed of in a manner which will prevent their entry into waters of this State.
- F. The Certification Holder shall notify the Water and Science Administration, Tidal Wetlands Division, in writing, upon transferring property ownership or responsibility for compliance with these conditions to another person. The new owner/operator shall request, in writing, transfer of this Water Quality Certification to his/her name.
- G. The Certification Holder shall allow representatives of the Maryland Department of the Environment to inspect the authorized activities.
- H. The Certification Holder shall ensure that a copy of this Permit, including the approved plans, is available at the site until the authorized work is complete.
- I. The Certification does not relieve the Certification holder from the responsibility of obtaining all necessary federal, State, and local government authorizations.
- J. The Certification Holder shall comply with all Critical Area requirements and obtain all necessary authorizations from local jurisdiction. This Certification does not constitute authorization for disturbance in the 100-foot Critical Area Buffer. "Disturbance" in the Buffer means clearing, grading, construction activities, or removal of any size of tree or vegetation. Any anticipated Buffer disturbance requires prior written approval, before commencement of land disturbing activity, from local jurisdiction in the form of a Buffer Management Plan.

Failure to comply with these conditions shall constitute reason for suspension or revocation of the Water Quality Certification, and legal proceedings may be instituted against the Certification Holder in accordance with the Annotated Code of Maryland. In granting this certification, the Department reserves the right to inspect the operations and records regarding this project at anytime

**CERTIFICATION APPROVED**



\_\_\_\_\_  
D. Lee Currey, Director  
Water and Science Administration

3/9/2020

\_\_\_\_\_  
Date

Tracking Number: 201961300  
Agency Interest Number: 165811

Effective Date: February 19, 2020

Enclosure: Executed Tidal Wetlands License No. 19-WL-0803 with all plans and attachments.

cc: WMA Inspection & Compliance Program

**WATER AND SCIENCE ADMINISTRATION  
TIDAL WETLANDS DIVISION**

**Wetland Report and Recommendation**

State Wetlands Case No:

19-WL-0803

**Applicant:** Fishing Creek Farm  
Homeowners Association  
PO Box 3482  
Annapolis, Maryland 21403

**Agent:** BayLand Consultants & Designers, Inc  
7455 New Ridge Rd, Ste T  
Hanover Maryland 21076  
410-694-9401

**Date Application Received:** July 23, 2019 Public Notice Required? Yes

**Comment Period Closing Date:** December 15, 2019

**Maryland Coordinates:** 139802 x 444582

**Book Map Coordinates:** Anne Arundel Co. ADC Map Num: 26 Ed: 26 Coord: 6 A

**Location of Proposed Work:** The proposed project is located near 1298 Cherry Tree Lane, Annapolis MD 21403 within the tidal waters on the Cherrytree Cove and the South River in Anne Arundel County.

**Purpose of Proposed Work:** The purpose of the project is to provide shoreline erosion control for the County's Total Maximum Daily Load program.

**Description of Authorized Work:** To construct, in total, living shoreline along 3,305 linear feet on the South River and Cherrytree Cove, to emplace approximately 12,200 cubic yards of clean sand, and plant approximately 91,197 square feet of marsh vegetation, all extending a maximum of 116 feet channelward of the existing mean high water line.

On the South River, the applicant proposes to construct four sets of sand containment structures with these dimensions: a) a 393-foot long by 12-foot wide segmented sill approximately 0.5 feet below mean high water with three vents; b) a 693-foot long by 18-foot wide segmented sill approximately 1.0 feet above mean high water with four vents; c) a 532-foot long by 20-foot wide segmented sill approximately 2.0 feet above mean high water with three vents; and d) 473-foot long by 19-foot wide segmented sill approximately 2.0 feet above mean high water with three submerged stone vents totaling of 125-foot long by 19-foot wide; all extending a maximum of 116 feet channelward of the existing mean high water line.

On Cherrytree Cove, the applicant proposes to construct a 691-foot long by 15-foot wide segmented sill approximately 1.5 feet above mean high water with six vents, extending a maximum of 88 feet channelward of the existing mean high water line; and to construct a 62-foot long by 20-foot wide armored storm drainage, extending a maximum of 35 feet channelward of the existing mean high water line.

**Waterbody:** South River and Cherrytree Cove

**Requires Water Quality Certification?:** Yes, WQC will be issued by MDE.

**Qualifies for Maryland State Programmatic General Permit?:** No, the United States Army Corps of Engineers alternate review and issuance of permit required.

**Area of Vegetated Wetland Impacts Requiring Mitigation:** zero square feet

**Area of Wetlands Created:** approximately 91,197 square feet of marsh vegetation

**Was the Applicant's Original Project Modified?:** No.

**Department Comment:**

As required by § 5-204 (b) of the Environment Article, the Department drafted and issued a public notice by posting the public notice on its WEB site from November 15, 2019 to December 15, 2019 and publishing the public notice for the proposed project in The Capital on November 16, 2019. In addition, the public notice was provided to adjacent property owners listed on Attachment A.

The Department received one inquiry from the public and no requests for a public informational hearing. The single inquiry was from Michael Huckaby, 1307 Beachview Road, 21403, 410-340-2045 an adjacent property that abuts the Cherrytree Cove section (Sheets 10 and 11 of 18). He called and left voice messages with no substantial comments on December 3 and 11, 2019. MDE was unable to conference with him until January 23, 2020. He supports the project but had some specific questions about it: 1. Will his property diminish in value as a result of the wide living shoreline obstructing his view of open water; 2. The *Phragmites* in the existing marsh between his property and the open water should be managed before and after the project installation, but especially before construction; and 3. Will the tidal outlet be vented correctly?

The Department's response was: 1. MDE explained that typically structural erosion control such as a living shoreline and sills, improves property value because there is a reduction in erosion. 2. The Department added a Special Condition requiring the applicant to create a control plan for the *Phragmites*. 3. The design engineer spoke with Mr. Huckaby to explain how the outlet is expected to function. Mr. Huckaby thanked the engineer and MDE for their time and explanations.

The Maryland Department of Natural Resources (DNR) reviewed the project and recommended a Time of Year restriction for wintering waterfowl.

The Maryland Historical Trust reviewed that proposed project and determined that there are no historic properties affected by this undertaking.

The evaluation of this project has taken into account ecological, economic, recreational, developmental, and aesthetic considerations appropriate for this proposal as well as other requirements set forth in the Code of Maryland Regulations. To ensure that impacts to resources are avoided and minimized to the maximum extent possible and to ensure that all work is performed in accordance with critical area and local regulations, the Department has recommended a number of special conditions. Provided all general and special conditions are adhered to, the work proposed will not cause significant deleterious impacts to marsh vegetation, submerged aquatic vegetation, finfish, shellfish, or navigation.

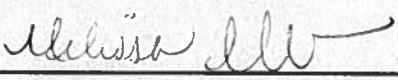
**Project Justification:** In consideration of the site characteristics and the nature of the proposed work, the Department concludes that the application represents a reasonable exercise of riparian rights.

### SPECIAL CONDITIONS:

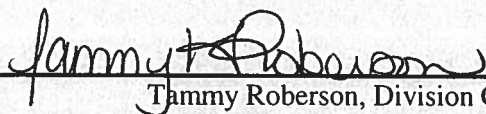
- A. The Maryland Department of the Environment has determined that the proposed activities comply with, and will be conducted in a manner consistent with the State's Coastal Zone Management Program, as required by Section 307 of the Federal Coastal Zone Management Act of 1972, as amended.
- B. The Licensee shall comply with all Critical Area requirements and obtain all necessary authorizations from local jurisdiction. This License does not constitute authorization for disturbance in the 100-foot Critical Area Buffer. "Disturbance" in the Buffer means clearing, grading, construction activities, or removal of any size of tree or vegetation. Any anticipated Buffer disturbance requires prior written approval, before commencement of land disturbing activity, from local jurisdiction in the form of a Buffer Management Plan.
- C. 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 e-mail at MDE.MCLB@maryland.gov or by accessing the Maryland Department of the Environment, Environmental Boards webpage.
- D. The Licensee shall not perform any construction from November 15<sup>th</sup> through March 1<sup>st</sup> of any year to protect wintering waterfowl. The proposed project site is located in a Historic Waterfowl Concentration Area.
- E. The marsh establishment area shall be planted within one year following completion of the filling operation. Maintenance planting and debris removal shall be performed as needed.
- F. The Licensee shall construct the marsh establishment area in accordance with the following conditions:
  1. The Licensee shall use clean substrate fill material, no more than 10% of which shall pass through a standard number 100 sieve.
  2. The marsh establishment area shall be planted within one year following completion of the filling operation.
  3. The marsh establishment project shall be maintained as a wetland, with non-nuisance species' aerial coverage of at least 85% for five consecutive years. If 85% coverage is not attained, the reasons for failure shall be determined, corrective measures shall be taken, and the area shall be replanted.
  4. If the fill is graded hydraulically, the licensee shall use a turbidity curtain around the perimeter of the instream work.
  5. If the existing bank is to be cleared or graded:
    - a. The Licensee shall perform all work under and in accordance with an approved Soil Erosion and Sediment Control Plan from the applicable sediment and erosion control agency; and
    - b. The Licensee shall perform all work under and in accordance with the Critical Area requirements of the local jurisdiction in the form of an approved Buffer Management Plan.

- G. The Licensee shall submit a detailed marsh maintenance plan and a *Phragmites* Control plan to be approved by the Water and Science Administration, Tidal Wetlands Division prior to commencement of any work authorized under this License.
- H. The Licensee shall obtain a Toxic Material Permit from MDE by calling 410-537-3619 prior to the application of any herbicide to eradicate *Phragmites*. Toxic materials use permits are required for any homeowner, farmer, local government or other person who wants to control aquatic life in ponds, ditches or waterways by the deliberate use of chemicals.
- I. The Licensee shall submit photographs on an annual basis for the first five growing seasons to the Tidal Wetlands Division, Water and Science Administration in order to document the success of the project in terms of the extent of native marsh plant coverage. Photographs shall be taken from at least two directions, as necessary to fully depict the living shoreline.

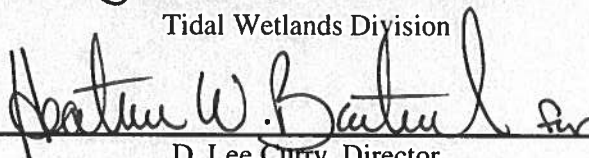
DEPARTMENT OF THE ENVIRONMENT APPROVAL:

  
 \_\_\_\_\_  
 Melissa McCanna, Natural Resource Planner  
 Tidal Wetlands Division

1/27/2020  
 \_\_\_\_\_  
 DATE

  
 \_\_\_\_\_  
 Tammy Roberson, Division Chief  
 Tidal Wetlands Division

1/28/2020  
 \_\_\_\_\_  
 DATE

  
 \_\_\_\_\_  
 D. Lee Curry, Director  
 Water and Science Administration

1/28/2020  
 \_\_\_\_\_  
 DATE

WETLANDS ADMINISTRATION CONCURRENCE:

\_\_\_\_\_  
 William Morgante, Wetlands Administrator  
 Board of Public Works

\_\_\_\_\_  
 DATE



**FISHING CREEK FARM**

**ADJACENT PROPERTY OWNERS**

NAME	PROPERTY ADDRESS	CITY	STATE	ZIP CODE	MAILING ADDRESS	CITY	STATE	ZIP CODE
Stephen & Edythe Alexander	1257 Cherry Tree Lane	Annapolis	MD	21403	1255 Cherry Tree Lane	Annapolis	MD	21403
James & Anne Shaffer	3440 Hidden River View Road	Annapolis	MD	21403	3440 Hidden River View Road	Annapolis	MD	21403
Mark Chiaramonte	3442 Hidden River View Road	Annapolis	MD	21403	135 Avenida Cota	San Clemente	CA	92672
Claire Wagner	3446 Hidden River View Road	Annapolis	MD	21403	5107 Moorland Lane	Bethesda	MD	20814
Claire Wagner & Cathie Chiaramonte	3448 Hidden River View Road	Annapolis	MD	21403	5107 Moorland Lane	Bethesda	MD	20814
Cathie Chiaramonte	3450 Hidden River View Road	Annapolis	MD	21403	363 Ocean Avenue	Marblehead	MA	1945
Michael & Teresa Huckaby	1307 Beachview Road	Annapolis	MD	21403	1307 Beachview Road	Annapolis	MD	21403
Christopher & Gabrielle Paucek	1309 Beachview Road	Annapolis	MD	21403	1309 Beachview Road	Annapolis	MD	21403
Clifford Walzer	1314 Beachview Road	Annapolis	MD	21403	1314 Beachview Road	Annapolis	MD	21403
Fishing Creek Farm Homeowners Association Inc.	1222 Cherry Tree Lane	Annapolis	MD	21403	1222 Cherry Tree Lane	Annapolis	MD	21403
BayLand Consultants & Designers, Inc.	7455 New Ridge Road Suite T	Annapolis	MD	21403	7455 New Ridge Road Suite T	Annapolis	MD	21403



ANNE ARUNDEL COUNTY ADC MAP COORDINATES:  
 MAP 26 GRID A-6 THRU A-7 & B-7

MAP COPYRIGHT UNIVERSAL MAP GROUP LLC,  
 PERMITTED USE NUMBER 20911186.

**LIVING SHORELINE  
 AT  
 FISHING CREEK FARM  
 ANNE ARUNDEL COUNTY, MD**

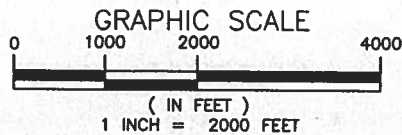


MDE #: 19-WL-0803  
 AI #: 165811  
 PLAN DATE: 11/8/19  
 SHEET 1 OF 18

APPL. BY: FISHING CREEK FARM  
 HOMEOWNERS ASSOCIATION INC.

**VICINITY MAP**

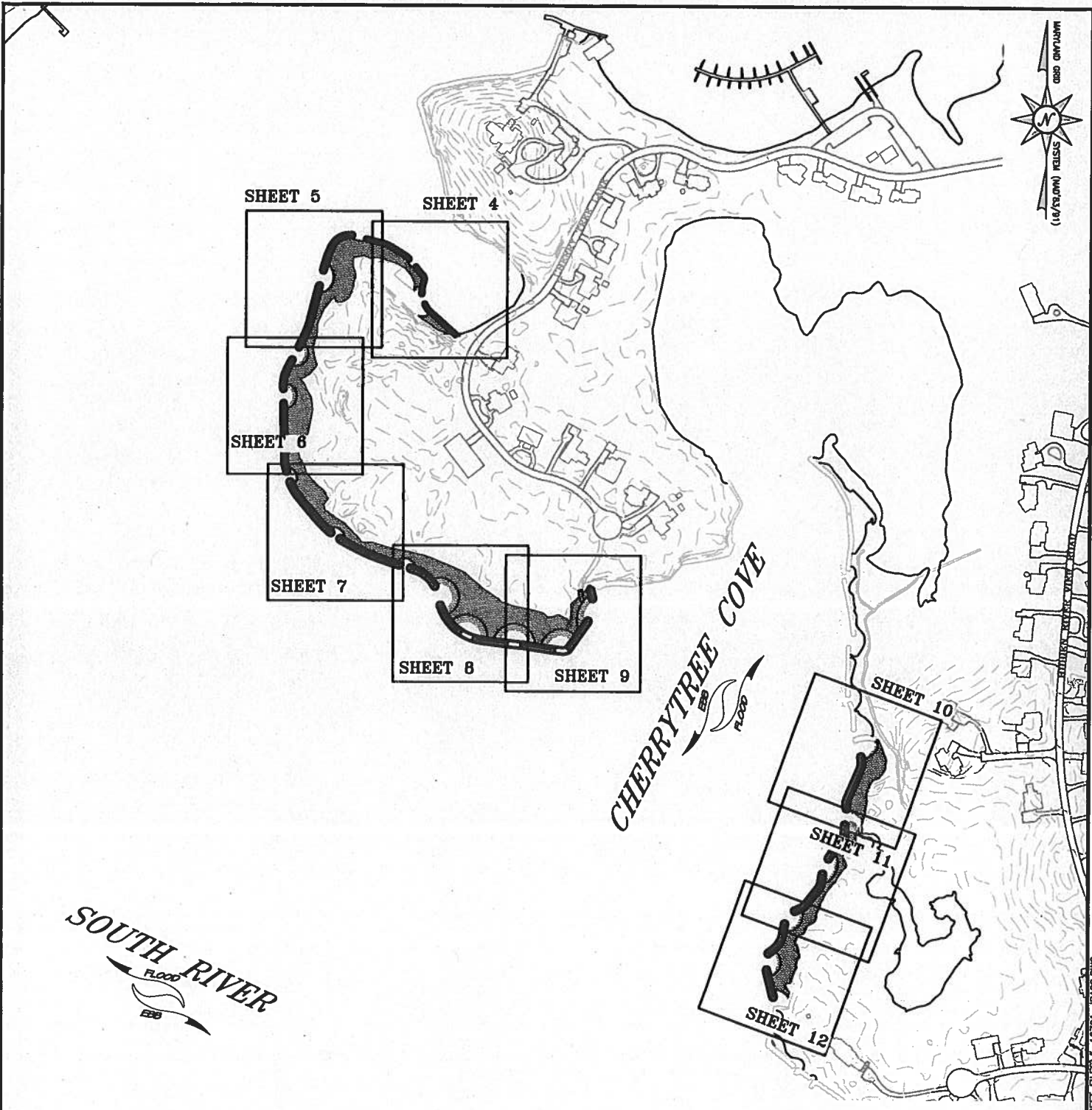
DATE: JULY.2019 SHEET 1 OF 18



**Bay and Land**  
 Consultants & Designers, Inc.  
*"Integrating Engineering and Environment"*

7455 New Ridge Road, Suite T Phone: (410) 694-9401  
 Hanover, Maryland 21076 Fax: (410) 694-9495  
 www.bayandland.com

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**SOUTH RIVER**  
 FLOOD  
 EBB

**CHERRYTREE COVE**  
 EBB  
 FLOOD

**LIVING SHORELINE  
 AT  
 FISHING CREEK FARM  
 ANNE ARUNDEL COUNTY, MD**



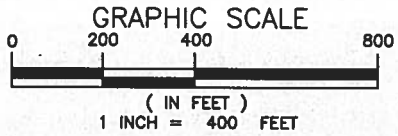
MDE #: 19-WL-0803  
 AI #: 165811  
 PLAN DATE: 11/8/19  
 SHEET 2 OF 18

APPL. BY: FISHING CREEK FARM  
 HOMEOWNERS ASSOCIATION INC.

NOTE:  
 BASEMAP FROM ANNE ARUNDEL 2016  
 PLANIMETRICS AND 2017 IMAGERY.

**KEY SHEET**

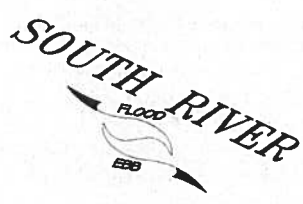
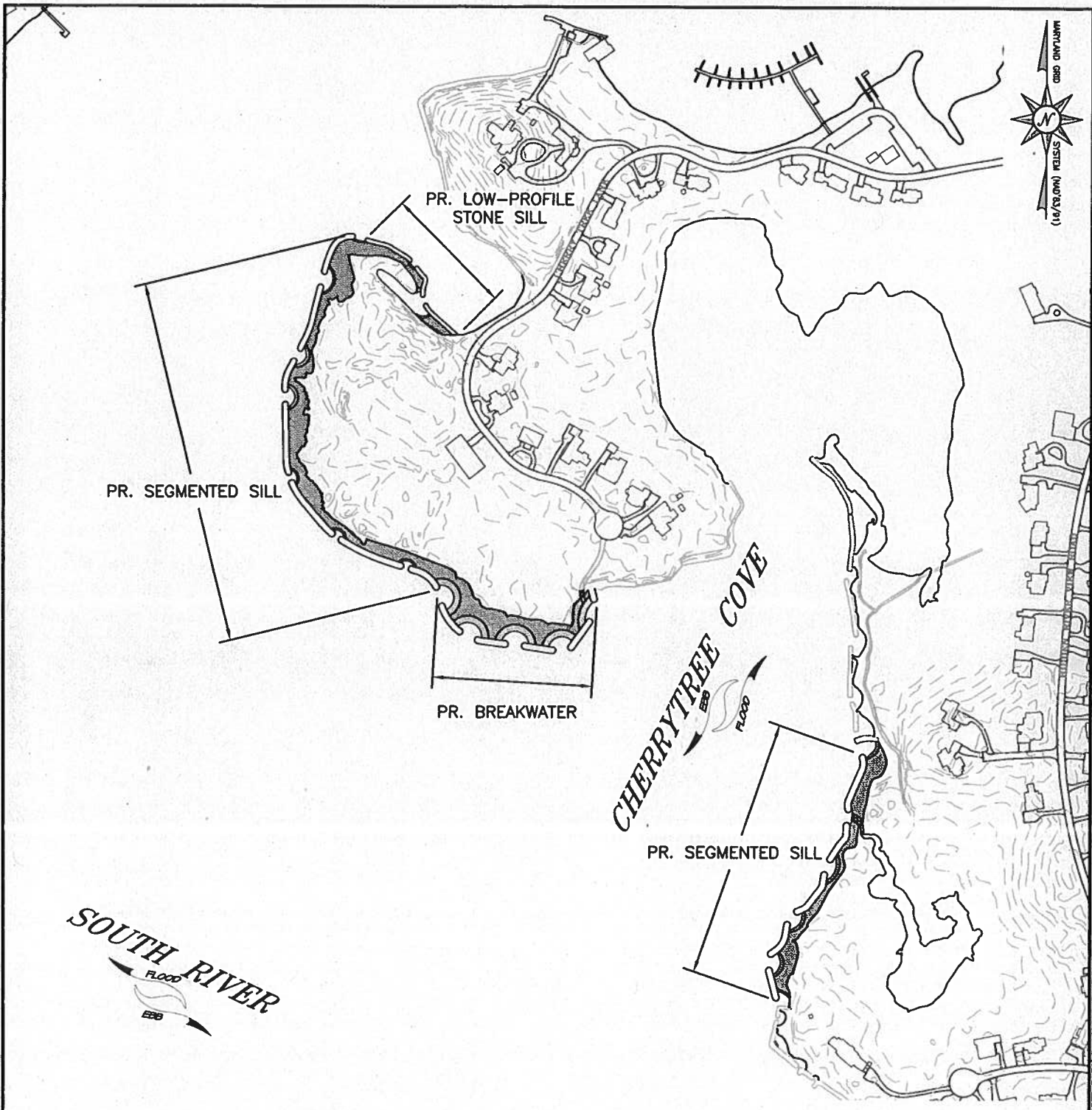
DATE: JULY 2019 SHEET 2 OF 18



**Bayland**  
 Consultants & Designers, Inc.  
 "Integrating Engineering and Environment"

1455 New Ridge Road, Suite T Phone: (410) 694-9461  
 Elanover, Maryland 21076 Fax: (410) 694-9465  
 www.baylandinc.com

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**LIVING SHORELINE  
AT  
FISHING CREEK FARM  
ANNE ARUNDEL COUNTY, MD**

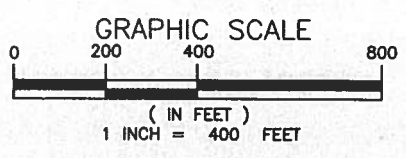


MDE #: 19-WL-0803  
AI #: 165811  
PLAN DATE: 11/8/19  
SHEET 3 OF 18

APPL. BY: FISHING CREEK FARM  
HOMEOWNERS ASSOCIATION INC.

**STRUCTURE KEY**

DATE: JULY 2019 SHEET 3 OF 18



**NOTE:**  
BASEMAP FROM ANNE ARUNDEL 2016  
PLANIMETRICS AND 2017 IMAGERY.

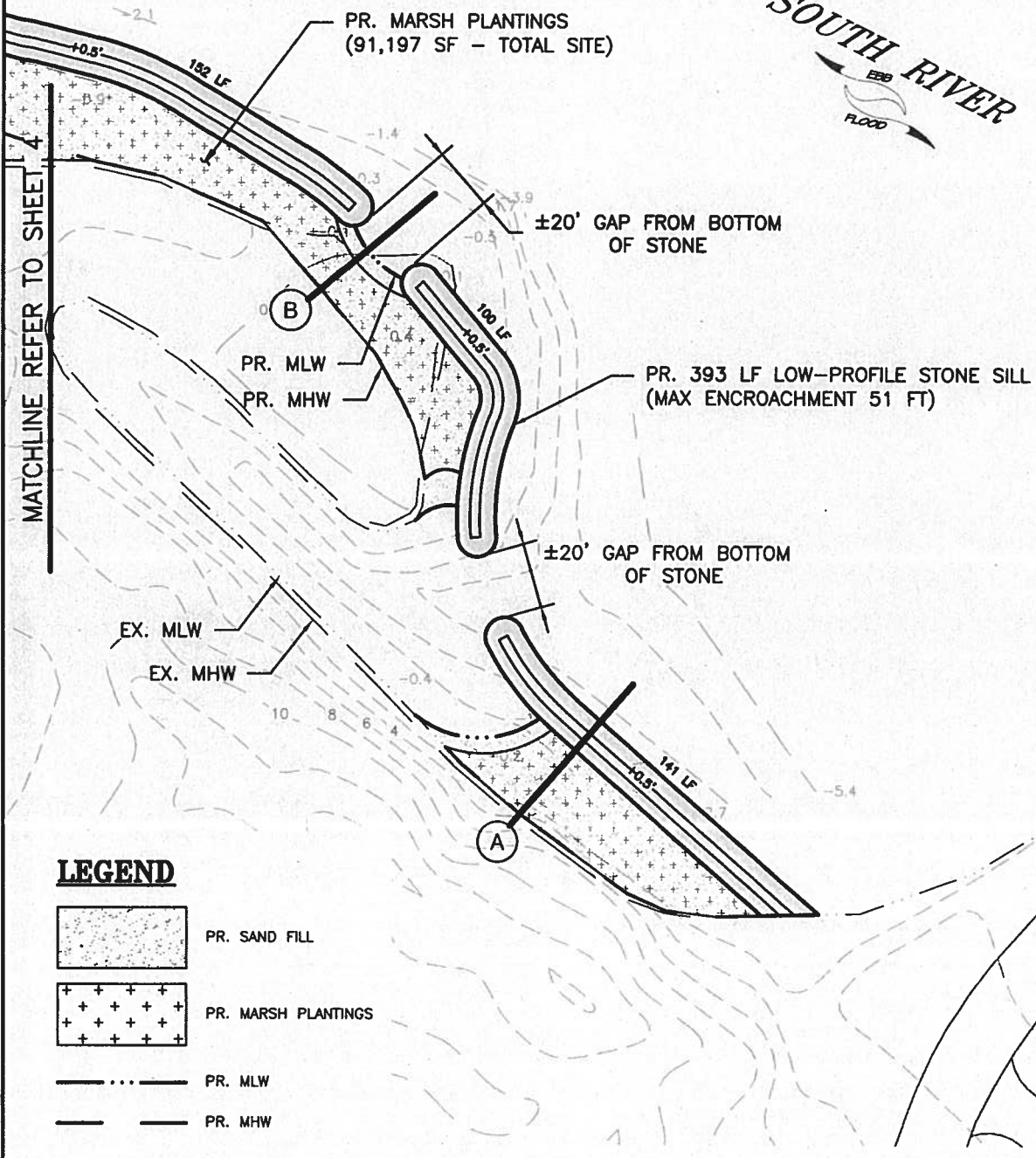
**BayLand**  
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7255 New Ridge Road, Suite T Phone: (410) 694-9481  
Havener, Maryland 21879 Fax: (410) 694-9485  
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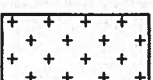
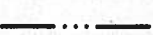



SOUTH RIVER  
EBB  
FLOOD



MATCHLINE REFER TO SHEET 4

**LEGEND**

-  PR. SAND FILL
-  PR. MARSH PLANTINGS
-  PR. MLW
-  PR. MHW

**LIVING SHORELINE  
AT  
FISHING CREEK FARM  
ANNE ARUNDEL COUNTY, MD**

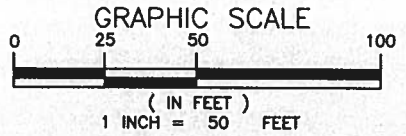


MDE #: 19-WL-0803  
AI #: 165811  
PLAN DATE: 11/8/19  
SHEET 4 OF 18

APPL. BY: FISHING CREEK FARM  
HOMEOWNERS ASSOCIATION INC.

**SITE PLAN**

DATE: JULY 2019 SHEET 4 OF 18



NOTE:  
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**SOUTH RIVER**  




PR. 383 SF LOW-PROFILE STONE SILL  
 (MAX. ENCROACHMENT 51 FT)

PR. MARSH PLANTINGS  
 (91,197 SF = TOTAL SITE)

±30' GAP FROM  
 BOTTOM OF  
 STONE

PR. 693 LF SEGMENTED SILL  
 (MAX. ENCROACHMENT 106 FT)

51' MAX.  
 ENCROACHMENT

±30' GAP FROM BOTTOM  
 OF STONE

PR. MLW

PR. MHW

MAX. ENCROACHMENT  
 106'


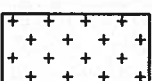


EX. MHW

EX. MLW

MATCHLINE REFER TO SHEET 3

MATCHLINE REFER TO SHEET 5

**LEGEND**

-  PR. SAND FILL
-  PR. MARSH PLANTINGS
-  PR. MLW
-  PR. MHW

**LIVING SHORELINE  
 AT  
 FISHING CREEK FARM  
 ANNE ARUNDEL COUNTY, MD**

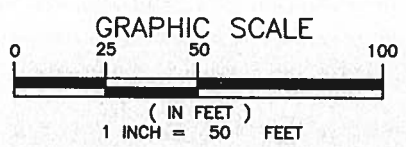


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 SHEET 5 OF 18

APPL. BY: FISHING CREEK FARM  
 HOMEOWNERS ASSOCIATION INC.

**SITE PLAN**

DATE: JULY 2019 SHEET 5 OF 18



NOTE:  
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 Hanover, Maryland 21076      Fax: (410) 694-9495  
 www.baylandinc.com

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**SOUTH RIVER**  


MATCHLINE REFER TO SHEET 4



±25' GAP FROM BOTTOM OF STONE

-2.8

-1.8

107 LF

+2.0'

PR. MLW  
PR. MHW

PR. MARSH PLANTINGS  
(91,197 SF - TOTAL SITE)

±25' GAP FROM BOTTOM OF STONE

PR. 693 LF SEGMENTED SILL  
(MAX. ENCROACHMENT 106 FT)

-3.0

(D)

217 LF


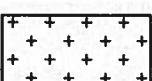


+2.0'

EX. MHW  
EX. MLW

-2.5

MATCHLINE REFER TO SHEET 6

**LEGEND**

-  PR. SAND FILL
-  PR. MARSH PLANTINGS
-  PR. MLW
-  PR. MHW

**LIVING SHORELINE  
 AT  
 FISHING CREEK FARM  
 ANNE ARUNDEL COUNTY, MD**

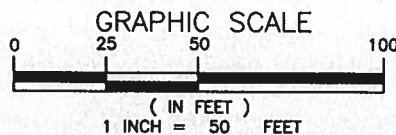


MDE #: 19-WL-0803  
 AI #: 165811  
 PLAN DATE: 11/8/19  
 SHEET 6 OF 18

APPL. BY: FISHING CREEK FARM  
 HOMEOWNERS ASSOCIATION INC.

**SITE PLAN**

DATE: JULY 2019 SHEET 6 OF 18



NOTE:  
 BASEMAP FROM ANNE ARUNDEL 2016  
 PLANIMETRICS AND 2017 IMAGERY.

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Z:\5-18701\FISHING\_CREEK\_FARM\_WQ\_IMPROVEMENTS\CAD\_FILES\SHEET\_FILES\5-18701\_IP005.DWG

MATCHLINE REFER TO SHEET 5



MATCHLINE REFER TO SHEET 7

-2.5

PR. 693 LF SEGMENTED SILL  
(MAX. ENCROACHMENT 106 FT)

±15' GAP FROM  
BOTTOM OF  
STONE

PR. MARSH PLANTINGS  
(91,197 SF - TOTAL SITE)

-2.4

210 LF

PR. 532 LF SEGMENTED SILL  
(MAX. ENCROACHMENT 80 FT)

±15' GAP FROM BOTTOM  
OF STONE

-2.6

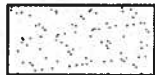
PR. MHW  
PR. MLW

EX. MLW  
EX. MHW

210 LF

SOUTH RIVER  
FLOOD  
EBB

**LEGEND**



PR. SAND FILL



PR. MARSH PLANTINGS



PR. MLW



PR. MHW

LIVING SHORELINE  
AT  
FISHING CREEK FARM  
ANNE ARUNDEL COUNTY, MD

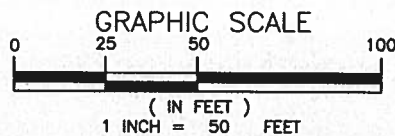


MDE #: 19-WL-0803  
AI #: 165811  
PLAN DATE: 11/8/19  
SHEET 7 OF 18

APPL. BY: FISHING CREEK FARM  
HOMEOWNERS ASSOCIATION INC.

SITE PLAN

DATE: JULY 2019 SHEET 7 OF 18



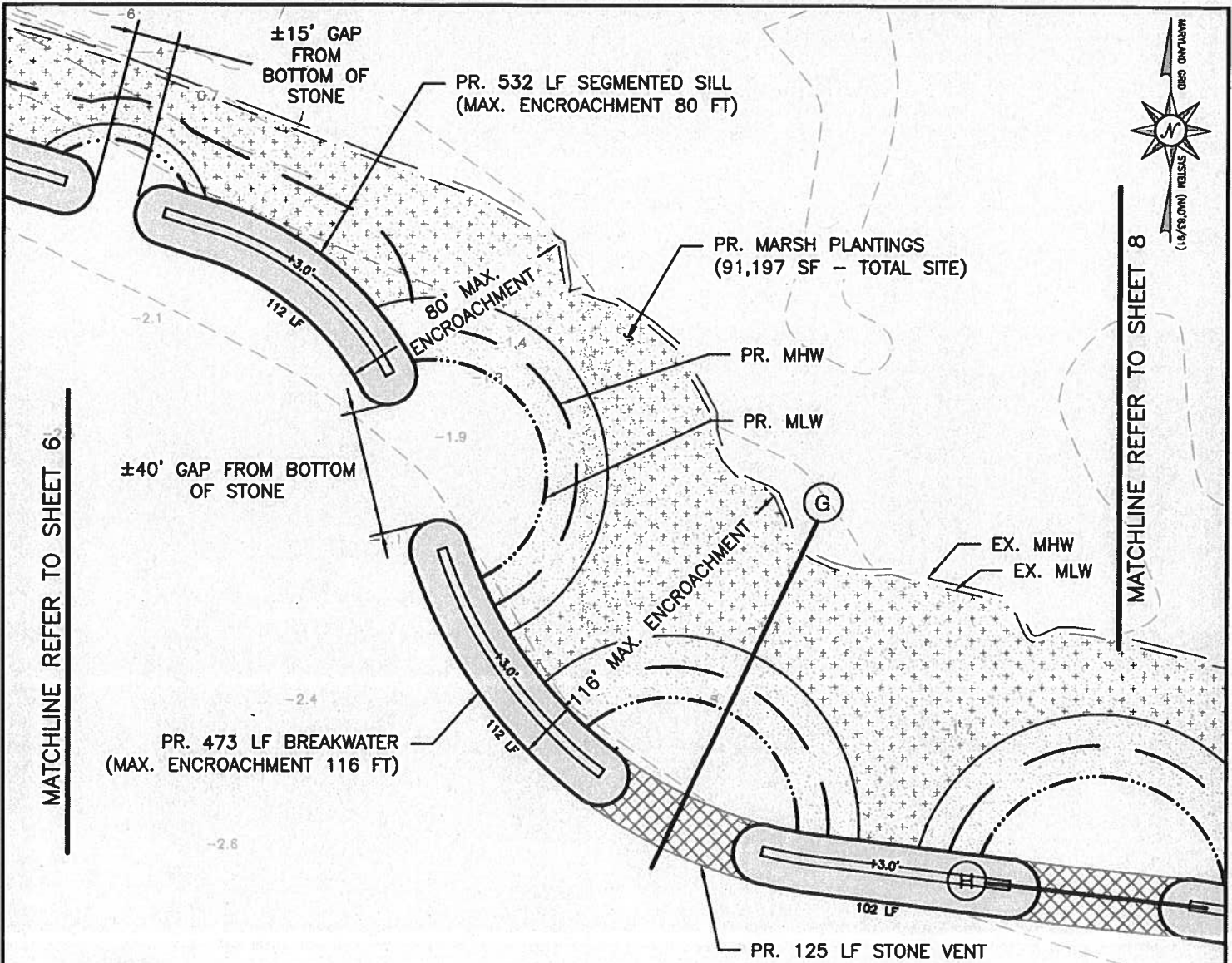
NOTE:  
BASEMAP FROM ANNE ARUNDEL 2016  
PLANIMETRICS AND 2017 IMAGERY.

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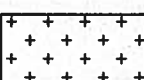






MATCHLINE REFER TO SHEET 6

MATCHLINE REFER TO SHEET 8

**LEGEND**

-  PR. SAND FILL
-  PR. MARSH PLANTINGS
-  PR. MLW
-  PR. MHW



**LIVING SHORELINE  
AT  
FISHING CREEK FARM  
ANNE ARUNDEL COUNTY, MD**

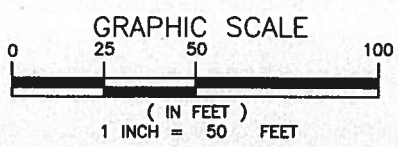


MDE #: 19-WL-0803  
AI #: 165811  
PLAN DATE: 11/8/19  
SHEET 8 OF 18

APPL. BY: FISHING CREEK FARM  
HOMEOWNERS ASSOCIATION INC.

**SITE PLAN**

DATE: JULY 2019 SHEET 8 OF 18



NOTE:  
BASEMAP FROM ANNE ARUNDEL 2016  
PLANIMETRICS AND 2017 IMAGERY.

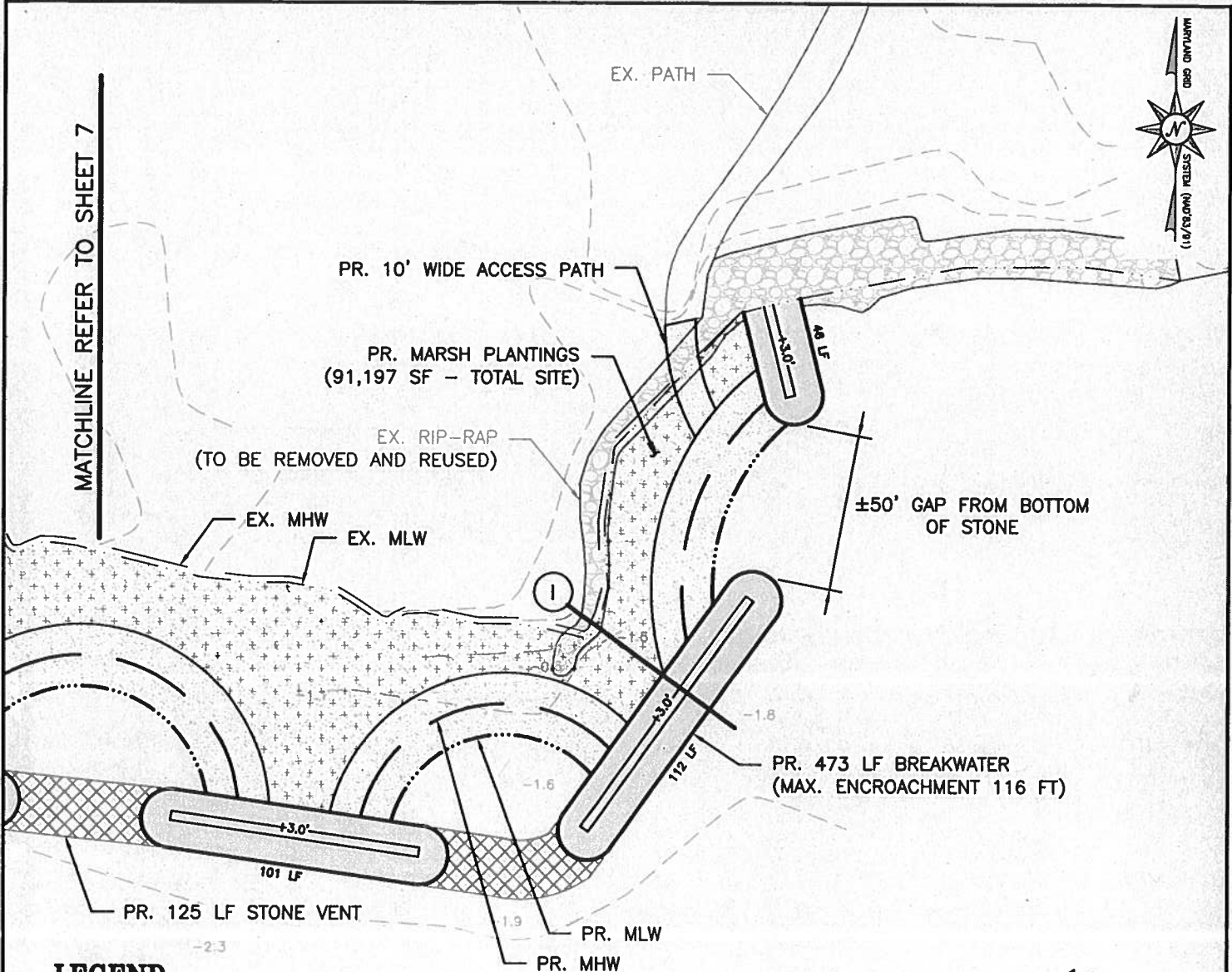
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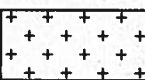


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MATCHLINE REFER TO SHEET 7



**LEGEND**

-  PR. SAND FILL
-  PR. MARSH PLANTINGS
-  PR. MLW
-  PR. MHW

**CHERRYTREE COVE**  
590  
FLOOD

**LIVING SHORELINE  
AT  
FISHING CREEK FARM  
ANNE ARUNDEL COUNTY, MD**

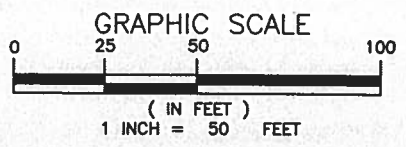


MDE #: 19-WL-0803  
AI #: 165811  
PLAN DATE: 11/8/19  
SHEET 9 OF 18

APPL. BY: FISHING CREEK FARM  
HOMEOWNERS ASSOCIATION INC.

**SITE PLAN**

DATE: JULY 2019 SHEET 9 OF 18







NOTE:  
BASEMAP FROM ANNE ARUNDEL 2016  
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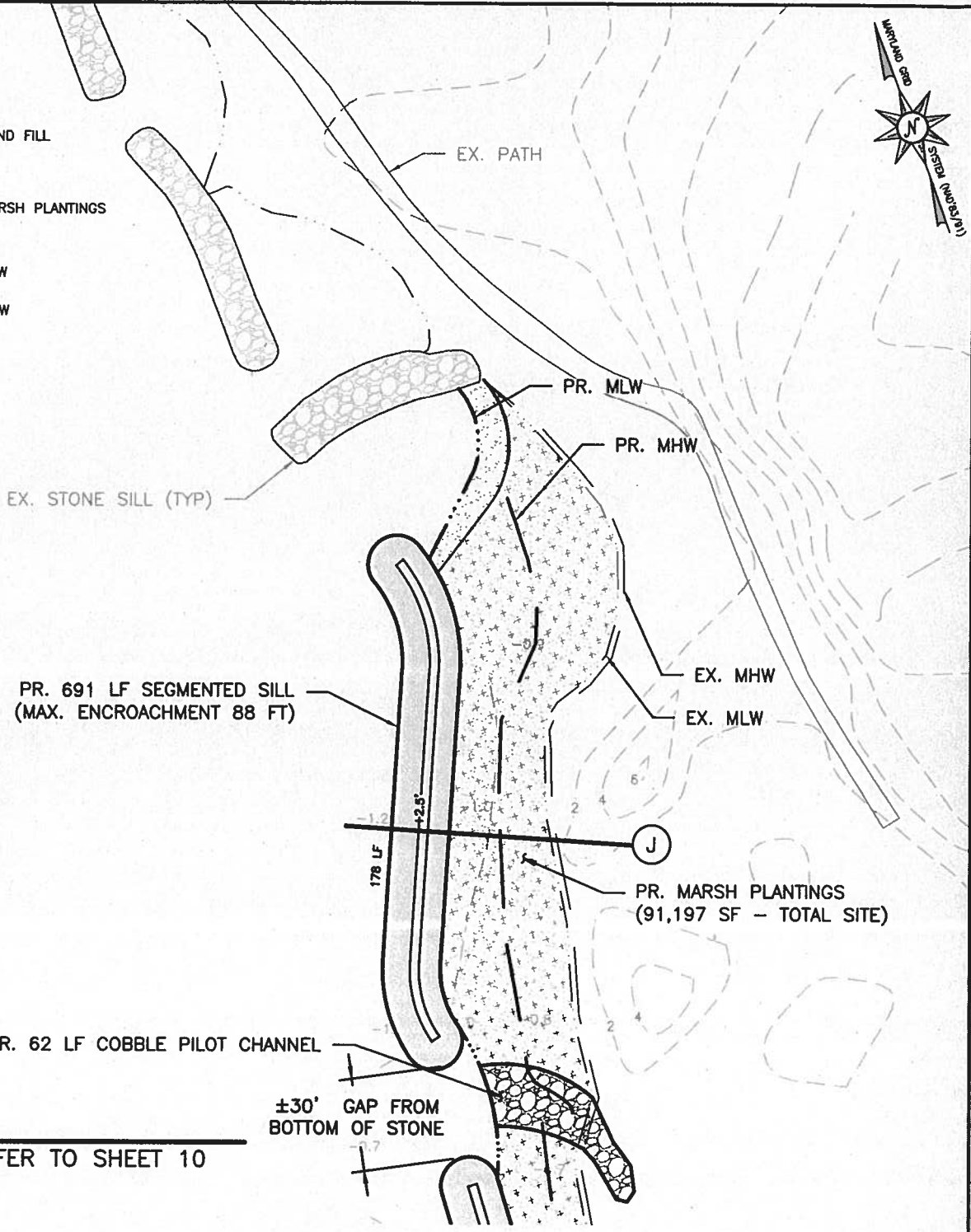
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**LEGEND**

-  PR. SAND FILL
-  PR. MARSH PLANTINGS
-  PR. MLW
-  PR. MHW



**CHERRYTREE COVE**  

MATCHLINE REFER TO SHEET 10

**LIVING SHORELINE  
 AT  
 FISHING CREEK FARM  
 ANNE ARUNDEL COUNTY, MD**

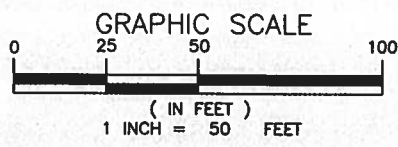


MDE #: 19-WL-0803  
 AI #: 165811  
 PLAN DATE: 11/8/19  
 SHEET 10 OF 18

APPL. BY: FISHING CREEK FARM  
 HOMEOWNERS ASSOCIATION INC.

**SITE PLAN**

DATE: JULY 2019 SHEET 10 OF 18



NOTE:  
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MATCHLINE REFER TO SHEET 9

±30' GAP FROM BOTTOM OF STONE

**SOUTH RIVER**  
EBB FLOOD

PR. 691 LF SEGMENTED SILL  
(MAX. ENCROACHMENT 88 FT)

131 LF

±2.5'

-1.2

-1.2

PR. MLW

PR. MHW

±30' GAP FROM BOTTOM OF STONE

-1.0

EX. MHW

EX. MLW

160 LF

±2.5'

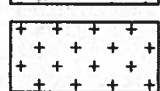
-1.4

PR. MARSH PLANTINGS  
(91,197 SF - TOTAL SITE)

**LEGEND**



PR. SAND FILL



PR. MARSH PLANTINGS



PR. MLW



PR. MHW

±30' GAP FROM BOTTOM OF STONE

MATCHLINE REFER TO SHEET 11

**LIVING SHORELINE**  
AT  
**FISHING CREEK FARM**  
ANNE ARUNDEL COUNTY, MD

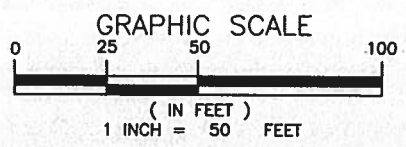


MDE #: 19-WL-0803  
AI #: 165811  
PLAN DATE: 11/8/19  
SHEET 11 OF 18

APPL. BY: FISHING CREEK FARM  
HOMEOWNERS ASSOCIATION INC.

**SITE PLAN**

DATE: JULY 2019 SHEET 11 OF 18



NOTE:  
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PLANIMETRICS AND 2017 IMAGERY.

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MATCHLINE REFER TO SHEET 10

±30' GAP FROM BOTTOM OF STONE

PR. 691 LF SEGMENTED SILL (MAX. ENCROACHMENT 88 FT)

PR. MARSH PLANTINGS (91,197 SF - TOTAL SITE)

EX. MHW

EX. MLW

±30' GAP FROM BOTTOM OF STONE

88' MAX. ENCROACHMENT

PR. MHW

PR. MLW



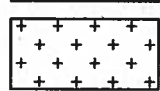
EX. BUILDING (TYP)

EX. SEGMENTED SILL (TYP)

**LEGEND**



PR. SAND FILL



PR. MARSH PLANTINGS



PR. MLW



PR. MHW

LIVING SHORELINE  
AT  
FISHING CREEK FARM  
ANNE ARUNDEL COUNTY, MD



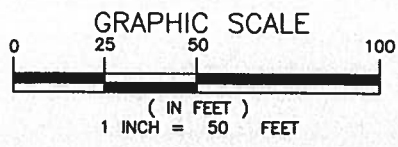
MDE #: 19-WL-0803  
AI #: 165811  
PLAN DATE: 11/8/19  
SHEET 12 OF 18

APPL. BY: FISHING CREEK FARM  
HOMEOWNERS ASSOCIATION INC.

NOTE:  
BASEMAP FROM ANNE ARUNDEL 2016  
PLANIMETRICS AND 2017 IMAGERY.

**SITE PLAN**

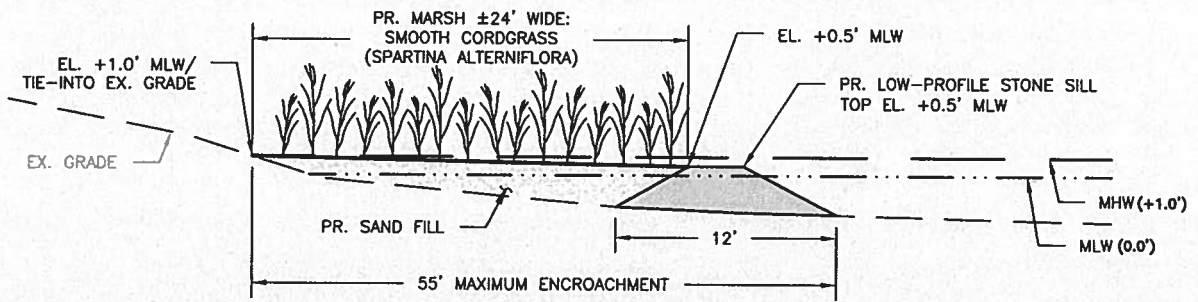
DATE: JULY 2019 SHEET 12 OF 18



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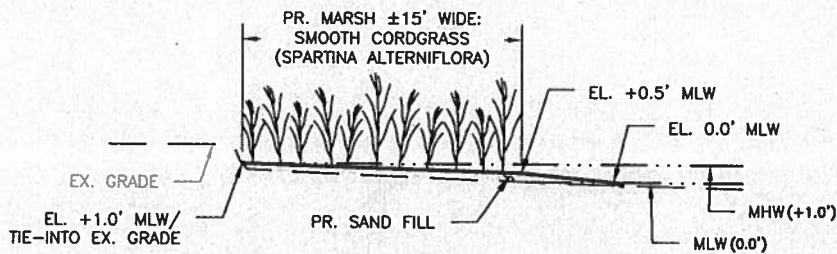
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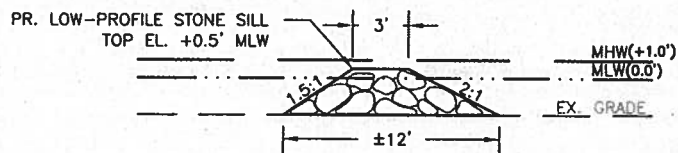
**SECTION "A" : LOW-PROFILE STONE SILL**

SCALE: 1" = 10'



**SECTION "B" : VENT**

SCALE: 1" = 10'



**TYPICAL LOW-PROFILE STONE SILL**

SCALE: 1" = 10'

LIVING SHORELINE  
AT  
FISHING CREEK FARM  
ANNE ARUNDEL COUNTY, MD



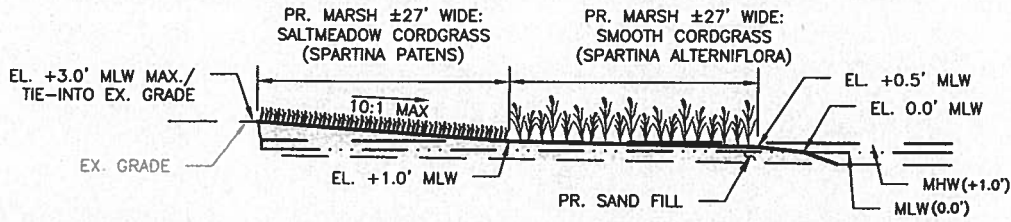
MDE #: 19-WL-0803  
AI #: 165811  
PLAN DATE: 11/8/19  
SHEET 13 OF 18

APPL. BY: FISHING CREEK FARM  
HOMEOWNERS ASSOCIATION INC.

**SITE DETAILS**

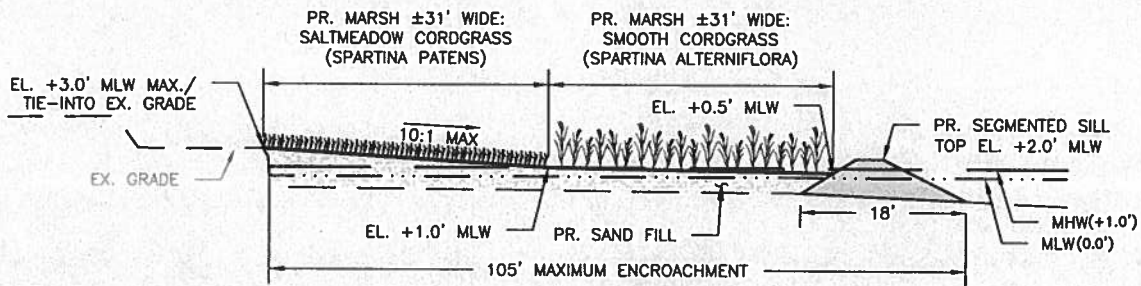
DATE: JULY 2019 SHEET 13 OF 18

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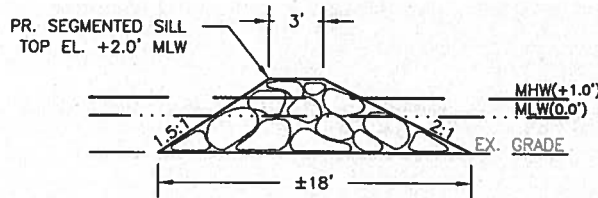
**SECTION "C" : VENT**

SCALE: 1" = 20'



**SECTION "D" : SEGMENTED SILL**

SCALE: 1" = 20'



**+2.0' TOP OF CREST SEGMENTED SILL**

SCALE: 1" = 10'

LIVING SHORELINE  
AT  
FISHING CREEK FARM  
ANNE ARUNDEL COUNTY, MD



MDE #: 19-WL-0803  
AI #: 165811  
PLAN DATE: 11/8/19  
SHEET 14 OF 18

APPL. BY: FISHING CREEK FARM  
HOMEOWNERS ASSOCIATION INC.

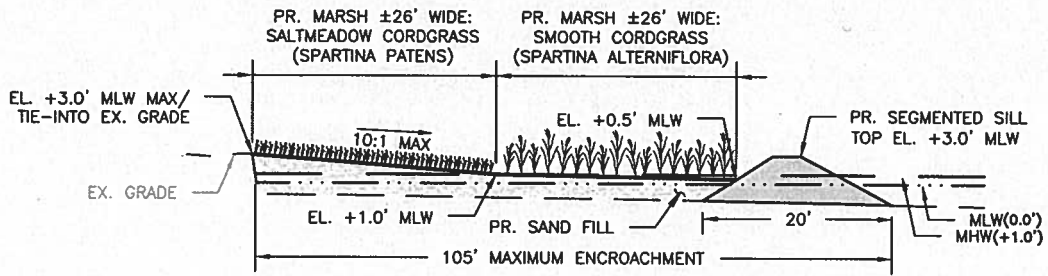
**SITE DETAILS**

DATE: JULY 2019 SHEET 14 OF 18

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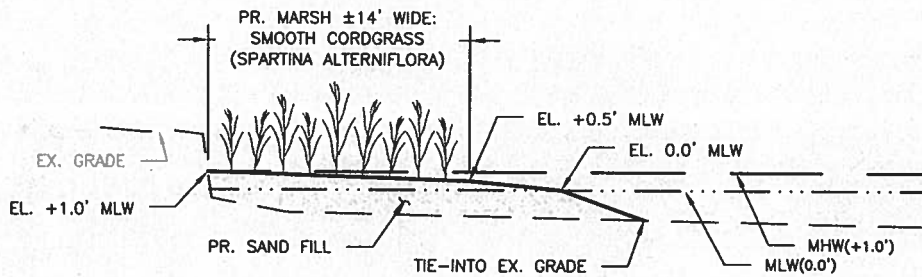
7455 New Ridge Road, Suite F Phone: (410) 694-9401  
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Z:\S\_18701\FISHING\_CREEK\_FARM\_WC\_IMPROVEMENTS\CAD\_FILES\SHEET\_FILES\S\_18701\_JPA13.DWG



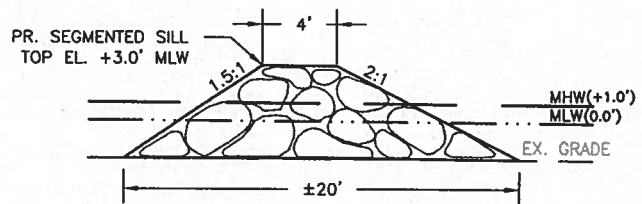
**SECTION "E" : SEGMENTED SILL**

SCALE: 1" = 20'



**SECTION "F" : VENT**

SCALE: 1" = 10'



LIVING SHORELINE  
AT  
FISHING CREEK FARM  
ANNE ARUNDEL COUNTY, MD

**+3.0' TOP OF CREST SEGMENTED SILL**

SCALE: 1" = 10'

APPL. BY: FISHING CREEK FARM  
HOMEOWNERS ASSOCIATION INC.



MDE #: 19-WL-0803  
AI #: 165811  
PLAN DATE: 11/8/19  
SHEET 15 OF 18

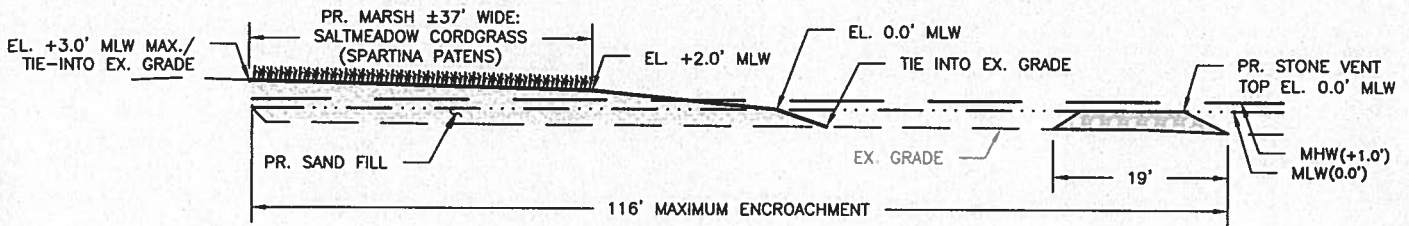
**SITE DETAILS**

DATE: July 2019 SHEET 15 OF 18

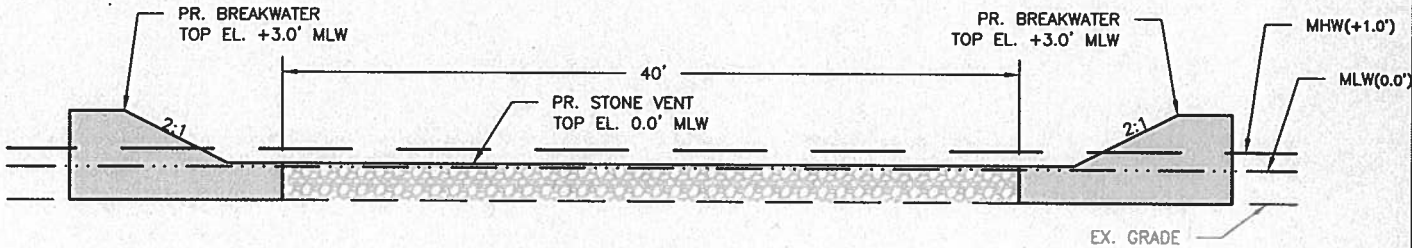
**Bayco Land**  
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Fax: (410) 694-9405  
www.baycolandinc.com

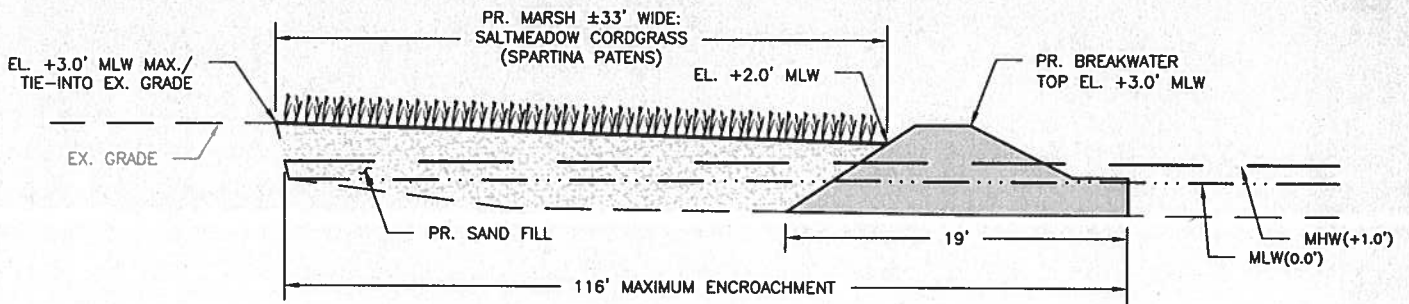




**SECTION "G" : STONE VENT**  
SCALE: 1" = 20'



**SECTION "H" : BREAKWATER**  
SCALE: 1" = 10'



**SECTION "I" : BREAKWATER**  
SCALE: 1" = 10'



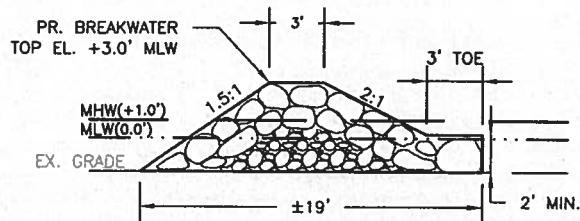
MDE #: 19-WL-0803  
AI #: 165811  
PLAN DATE: 11/8/19  
SHEET 16 OF 18

**LIVING SHORELINE  
AT  
FISHING CREEK FARM  
ANNE ARUNDEL COUNTY, MD**

APPL. BY: FISHING CREEK FARM  
HOMEOWNERS ASSOCIATION INC.

**SITE DETAILS**

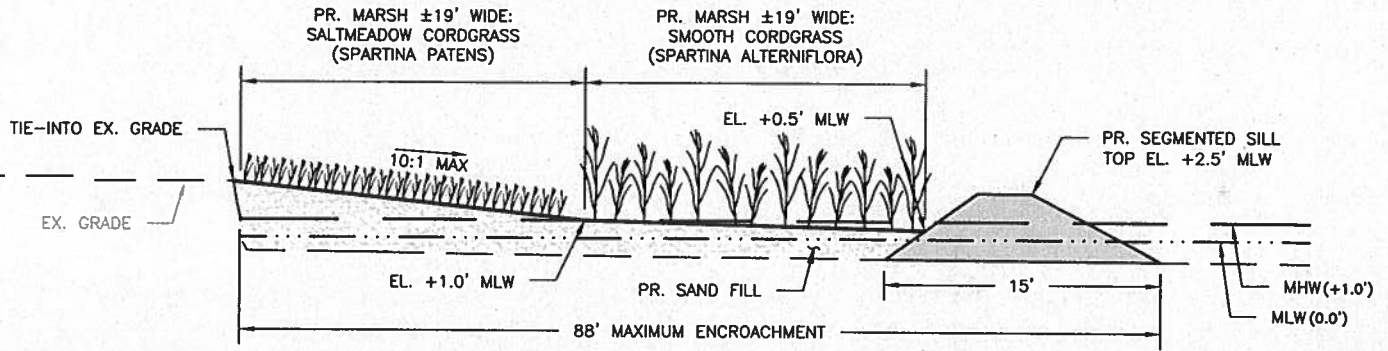
DATE: July 2019 SHEET 16 OF 18



**TYPICAL BREAKWATER**  
SCALE: 1" = 10'

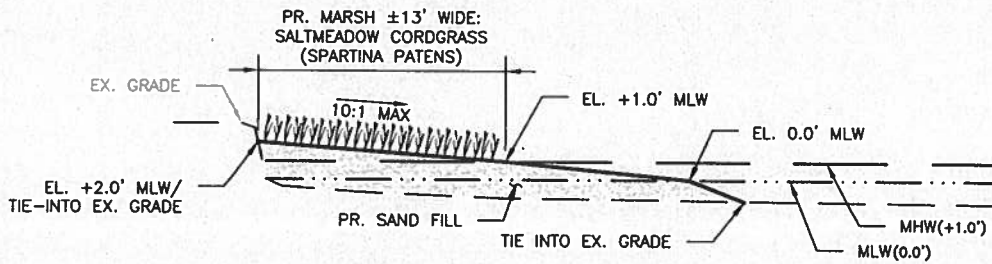
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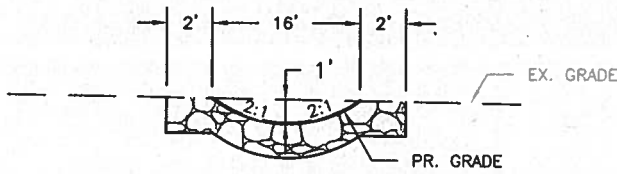
**SECTION "J" : SEGMENTED SILL**

SCALE: 1" = 10'



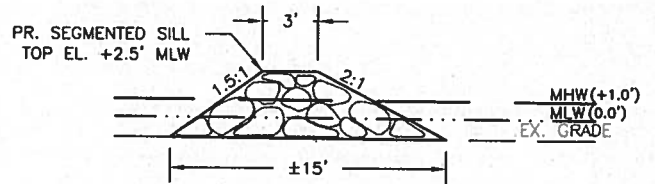
**SECTION "K" : VENT**

SCALE: 1" = 10'



**PILOT CHANNEL TYPICAL SECTION**

SCALE: NTS



**+2.5' TOP OF CREST SEGMENTED SILL**

SCALE: 1" = 10'

LIVING SHORELINE  
AT  
FISHING CREEK FARM  
ANNE ARUNDEL COUNTY, MD



MDE #: 19-WL-0803  
AI #: 165811  
PLAN DATE: 11/8/19  
SHEET 17 OF 18

APPL. BY: FISHING CREEK FARM  
HOMEOWNERS ASSOCIATION INC.

**SITE DETAILS**

DATE: JULY 2019 SHEET 17 OF 18

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## PROJECT SUMMARY

### PROPOSED STRUCTURES:

LOW-PROFILE STONE SILL - 393 LF; MAX. ENCROACHMENT 51 FT  
SEGMENTED SILL - 1,916 LF TOTAL; MAX. ENCROACHMENT 106 FT  
+2.0' MLW TOP OF CREST SEGMENTED SILL - 693 LF; MAX. ENCROACHMENT 106 FT  
+2.5' MLW TOP OF CREST SEGMENTED SILL - 691 LF; MAX. ENCROACHMENT 88 FT  
+3.0' MLW TOP OF CREST SEGMENTED SILL - 532 LF; MAX. ENCROACHMENT 80 FT  
BREAKWATER - 473 LF; MAX. ENCROACHMENT 116 FT  
STONE VENT - 125 LF; MAX. ENCROACHMENT 116 FT  
COBBLE PILOT CHANNEL - 62 LF; MAX. ENCROACHMENT 35 FT

TOTAL LENGTH OF STRUCTURES - 2,782 LF  
TOTAL LENGTH OF GAPS/VENTS - 515 LF

MARSH PLANTINGS - 91,197 SF TOTAL

SAND FILL - 109,643 SF TOTAL

TOTAL AREA OF IMPACT FROM MHW INTO TIDAL WATERS - 160,207 SF (3.68 ACRES)

## NOTES

1. BASEMAP COMPILED FROM ANNE ARUNDEL COUNTY 2016 PLANIMETRICS AND 2017 IMAGERY.
2. SOUNDINGS AND CONTOURS ARE IN FEET AND REFER TO MLW.
3. TIDAL RANGE ~1.0 FEET.
4. BATHYMETRIC SURVEY WAS PERFORMED BY BAYLAND ON 01/11/2018.
5. THESE ARE PERMIT DRAWINGS ONLY AND SUBJECT TO CHANGE DURING THE PERMIT PROCESS. DESIGN DRAWINGS ARE TO BE PREPARED SEPARATELY.

LIVING SHORELINE  
AT  
FISHING CREEK FARM  
ANNE ARUNDEL COUNTY, MD



MDE #: 19-WL-0803  
AI #: 165811  
PLAN DATE: 11/8/19  
SHEET 18 OF 18

APPL. BY: FISHING CREEK FARM  
HOMEOWNERS ASSOCIATION INC.

## SITE NOTES

DATE: JULY 2019 SHEET 18 OF 18

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20-WQC-0006

AI 165811

Melissa

January 9, 2020

MDE/WATER AND SCIENCE ADMINISTRATION  
REGULATORY SERVICES SECTION  
MONTGOMERY PARK BUSINESS CENTER – STE 430  
1800 WASHINGTON BOULEVARD BALTIMORE, MD 21230-1708<sup>b</sup>

RECEIVED

JAN 23 2020

Re: Fishing Creek Farm HOA (19-WL-0803)  
Water Quality Certification Request

Tidal Wetlands Division  
Wetlands and Waterways Program

To Whom it May Concern:

This request is being made on behalf of the applicant, Fishing Creek Farm Homeowners Association Inc. BayLand Consultants & Designers, Inc. (BayLand) will act as the agent for this project. Please direct all inquiries and send all correspondence concerning this project to BayLand. Our Joint Permit Application submitted on July 15, 2019 includes information regarding applicant, project description, etc. Supplemental information is provided below to assist in the Departments evaluation of our request.

- This project will affect the tidal waters of Duvall Creek, Cherrytree Cove and the South River
- Discharge activities are confined to the placement of clean sand and rocks/stones for the purpose of shore erosion protection, for the duration of the project (six months). Turbidity curtain will be used when operationally feasible to mitigate sediment discharge outside of the project areas.
- The use of turbidity curtain will occur during sediment causing activities, particularly during sand placement, where the curtain will mitigate fines from leaving the project area to the extent possible. Any upland activities will require proper sediment and erosion control practices to ensure clean discharge into tidal waters.
- Work is anticipated to begin March 1, 2020 and be completed by November 15, 2020.

If you have any questions, or require additional information, please contact me at (410) 694-9401 or via email, [crager@baylandinc.com](mailto:crager@baylandinc.com).

RECEIVED

JAN 23 2020

WATER AND SCIENCE ADMIN.  
REGULATORY SERVICES COORD.

Sincerely,



Christopher Rager  
Project Manager

CR

P:\15\_16701\_Fishing Creek Farm WQ Improvements\03 Federal & State Permitting\WQC\_Request.docx



label:projects-active\_apps-fishing-creek-farm-hoa-19-wl-0803

Compose

Inbox 731

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Important

Sent

Drafts 379

Categories

01\_Telecommuting 49

706A\_riverview\_torr... 1

## FISHING CREEK LIVING SHORELINE

Inbox x Projects/active\_apps/fishing creek farm HOA 19-WL-0803 x



**Kibby, James R CIV CENAB CENAD (US)**

to me

Hi Melissa,

Checking in with you about Fishing Creek and to see where you are with your review and if you could give the WQC for the project? I was going to try and issue it this week but will need the WQC before I do.

Anyway, hope all is well and let me know.

Thanks, Rich.



You are currently editing your reply in a separate window. Show your draft here.



Melissa Mccanr



Jon Stewart -MDE-

~~I was on the email~~



Justin Berezna -MDE-



Russell Kovach



Heather Nelson -MDE-



William Morgante, PWS  
Wetlands Administrator

State of Maryland  
**Board of Public Works**

Wetlands Administration  
Post Office Box 1510  
Annapolis, Maryland 21404  
410-260-7791  
Fax: 410-974-5240  
Toll Free: 1-877-591-7320

Larry Hogan  
Governor  
Nancy K. Kopp  
Treasurer  
Peter Franchot  
Comptroller  
John T. Gontrum  
Executive Secretary

**WETLANDS LICENSE NO. 19-0803**

**FISHING CREEK FARM HOMEOWNERS ASSOCIATION**

The Maryland Board of Public Works authorizes you to:

Construct, in total, living shoreline along 3,305 <sup>linear</sup> ~~linear~~ feet on the South River and Cherrytree Cove. Place approximately 12,200 cubic yards of clean sand, and plant approximately 91,197 square feet of marsh vegetation, all extending a maximum of 116 feet channelward of the existing mean high-water line.

On the South River:

- I. Construct four sets of sand containment structures with these dimensions:
  - a. A 393-foot long by 12-foot wide segmented sill approximately 0.5 feet below mean high water with three vents;
  - b. A 693-foot long by 18-foot wide segmented sill approximately 1.0 feet above mean high water with four vents;
  - c. A 532-foot long by 20-foot wide segmented sill approximately 2.0 feet above mean high water with three vents; and
  - d. A 473-foot long by 19-foot wide segmented sill approximately 2.0 feet <sup>above MHW</sup> extending a maximum of 116 feet channelward of the existing mean high-water line. <sup>with four vents</sup>

On Cherrytree Cove: 6A1

- II. Construct a ~~269~~-foot long by 15-foot wide segmented sill approximately 1.5 feet above mean high water with six vents, extending a maximum of 88 feet channelward of the existing mean high-water line.
- III. Construct a 62-foot long by 20-foot wide armored storm drainage, extending a maximum of 35 feet channelward of the existing mean high-water line.

*Cherry Cove and South River near 1298 Cherry Tree Lane, Annapolis, Anne Arundel County, Maryland 21403*

Issuance of this Tidal Wetlands License constitutes the State's determination that the authorized activities are consistent with the Maryland Coastal Zone Management Program, 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.



A1 105811  
Melissa Mccanna -MDE- <melissa.mccanna@maryland.gov>

**RE: [Non-DoD Source] Re: FW: FISHING CREEK LIVING SHORELINE**

1 message

**Kibby, James R CIV CENAB CENAD (US)** <Richard.Kibby@usace.army.mil>  
To: Melissa Mccanna -MDE- <melissa.mccanna@maryland.gov>

Fri, Feb 28, 2020 at 10:41 AM

Okay, great...thanks for the information. I'll wait to hear back from you after it's signed.  
Rich

-----Original Message-----

From: Melissa Mccanna -MDE- [mailto:melissa.mccanna@maryland.gov]  
Sent: Friday, February 28, 2020 10:24 AM  
To: Kibby, James R CIV CENAB CENAD (US) <Richard.Kibby@usace.army.mil>  
Cc: Danielle Spendiff -MDE- <danielle.spendiff1@maryland.gov>  
Subject: [Non-DoD Source] Re: FW: FISHING CREEK LIVING SHORELINE

Thanks, Rich.

We have been working on it this week. We are waiting for the applicant to sign the Board's license. I think it will all be done before the end of next week.

On Thu, Feb 27, 2020 at 4:04 PM Kibby, James R CIV CENAB CENAD (US) <Richard.Kibby@usace.army.mil <mailto:Richard.Kibby@usace.army.mil> > wrote:

Hi Melissa,  
When you get the chance, would you send over the WQC for the subject project if it's ready? If not when do you think it will be finalized?  
I have everything completed and my supervisor won't sign off until we have the WQC.  
Thank you, Rich

-----Original Message-----

From: Kibby, James R CIV CENAB CENAD (US)  
Sent: Tuesday, February 04, 2020 11:59 AM  
To: Melissa Mccanna -MDE- <melissa.mccanna@maryland.gov <mailto:melissa.mccanna@maryland.gov> >  
Subject: FISHING CREEK LIVING SHORELINE

Hi Melissa,  
Checking in with you about Fishing Creek and to see where you are with your review and if you could give me an idea as to when you could send over the WQC for the project? I was going to try and issue it this week but will need the WQC before I do.  
Anyway, hope all is well and let me know.  
Thanks, Rich.

--

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Melissa McCanna

Natural Resource Planner

Water and Science Administration

Maryland Department of the Environment

1800 Washington Boulevard

Baltimore, Maryland 21230

melissa.mccanna@maryland.gov <mailto:xxxxxx.xxxxxxx@maryland.gov>

410-537-4053 (O)

443-835-0953 (M)

Website <Blockedhttps://mde.maryland.gov/Pages/index.aspx> | Facebook <Blockedhttps://www.facebook.com/MDEEnvironment> | Twitter <Blockedhttps://twitter.com/MDEEnvironment>