



Maryland

Department of the Environment

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

Ben Grumbles, Secretary
Horacio Tablada, Deputy Secretary

March 17, 2022

Anne Arundel County Dept of Public Works
Mayo Beach Park
c/o Chris Rager
BayLand Consultants & Designers, Inc
7455 New Ridge Road, Ste T
Hanover, Maryland 21076

Via email: crager@baylandinc.com
pwharl45@aacounty.org

Re: Agency Interest Number: 102110
Tracking Number: 202161151
Tidal Authorization Number: 21-WQC-0335

Dear Ms. Melissa Harlinski:

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 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 or 410-537-4053 with any questions.

Sincerely,

Tammy K. Roberson
Division Chief
Tidal Wetlands Division



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



21-WQC-0335

EFFECTIVE DATE: **March 17, 2022**
CERTIFICATION HOLDER: **Anne Arundel County Dept of Public Works**
ADDRESS: **Attn: Melissa Harlinski Anne Arundel County**
DPW 2662 Riva Rd
Annapolis, MD 21401
PROJECT LOCATION: **4150 HONEYSUCKLE DR, MAYO BEACH**
PARK
Edgewater, MD 21037

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 MARYLAND DEPARTMENT OF THE ENVIRONMENT, WATER AND SCIENCE ADMINISTRATION HAS DETERMINED THAT THE REGULATED ACTIVITIES DESCRIBED IN THE REQUEST FOR CERTIFICATION FOR THE PROPOSED MAYO BEACH PARK SHORELINE AND AS DESCRIBED IN THE ATTACHED PLAN SHEETS DATED OCTOBER 25, 2021 AND ANY SUBSEQUENT MODIFICATIONS APPROVED BY THE DEPARTMENT WILL NOT VIOLATE MARYLAND'S WATER QUALITY STANDARDS, IF CONDUCTED IN ACCORDANCE WITH THE CONDITIONS OF THIS CERTIFICATION.

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.

PROJECT DESCRIPTION

Shoreline erosion control modifications to four existing breakwaters to construct 260 feet of 24-foot wide breakwater extensions at 2.5 feet above mean high water; to construct 100 feet of 32-foot wide breakwater extensions at 4 feet above mean high water; and for beach nourishment, fill and grade with 3727 cubic yards of sand along 943 feet of eroding shoreline. Also, the reconstruction and enlargement of an existing 50-foot long by 15-foot wide groin to a 60-foot long by 24-foot wide groin at 2.5 feet above mean high water; and fill and grade with 1143 cubic yards of sand along 280 feet of eroding shoreline and plant with 10,043 square feet of high marsh vegetation, all within a maximum of 170 feet channelward of the mean high water line.

GENERAL CONDITIONS

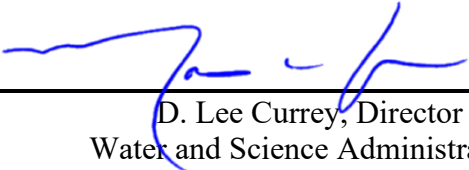
1. This Certification does not obviate the need to obtain required authorizations or approvals from other State, federal or local agencies as required by law.
2. This Certification does not authorize any injury to private property, any invasion of rights, or any infringement of federal, state, or local laws or regulations.
3. The Certification Holder shall allow authorized representatives of the Department access to the site of authorized activities during normal business hours to conduct inspections and evaluations of the operations and records necessary to assure compliance with this Certification.
4. This Certification is valid for the project identified herein and the associated U.S. Army Corps of Engineers authorization 202161151 until such time that it expires or is not administratively extended.

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 Certificate Holder 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 issuance of this license is not a validation or authorization by the Department for any of the existing structures depicted on the plan sheets on the subject property that is not part of the authorized work description, nor does it relieve the Licensee of the obligation to resolve any existing noncompliant structures and activities within tidal wetlands.
- E. The Certificate Holder 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 three 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.
- F. The Certificate Holder shall accept the terms of the marsh maintenance plan by signing and returning the standard plan to the Water and Science Administration, Tidal Wetlands Division prior to commencement of any work authorized under this License. If the Certificate Holder wishes to propose an alternative marsh maintenance plan, the alternative plan must be submitted to and approved by the Tidal Wetlands Division, Water and Science Administration, prior to commencement of any work authorized under this License. Any alternative plan must provide assurances of success that are at least equivalent to those of the standard plan, in terms of the extent of native marsh plant coverage, elimination of invasive species and timeframe for plant establishment.
- G. The Certificate Holder shall submit photographs on an annual basis for the first five growing seasons to the Tidal Wetlands Division, Water and Science Administration 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.

CERTIFICATION APPROVED



D. Lee Currey, Director
Water and Science Administration

3/17/2022

Date

Tracking Number: 202161151
Agency Interest Number: 102110

Effective Date: March 17, 2022

Enclosure: Plan Sheets dated October 25, 2022

cc: WSA Inspection & Compliance Program
Army Corps of Engineers