Maryland
Department of the Environment

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

Ben Grumbles, Secretary
Horacio Tablada, Deputy Secretary

April 5, 2022

Meera Shekar
c/o Chris Rager
BayLand Consultants & Designers, Inc
7455 New Ridge Road, Ste T Suite T
Hanover, Maryland 21076

Via email: mshekar@worldbank.org
crager@baylandinc.com
Nicole.M.Voelker@usace.army.mil

Re: Agency Interest Number: 137405
Tracking Number: 202161526
Tidal Authorization Number: 22-WQC-0002

Dear Ms. Shekar:

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

Tammy K. Roberson, Chief
Tidal Wetlands Division

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

22-WQC-0002

EFFECTIVE DATE:	**April 5, 2022**
CERTIFICATION HOLDER:	**Meera Shekar**
ADDRESS:	**1206 Southbreeze Ln** **Annapolis, MD 21403**
PROJECT LOCATION:	**1206 Southbreeze Ln** **Annapolis, MD 21403**

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 SHEKAR SHORELINE EROSION CONTROL AND AS DESCRIBED IN THE ATTACHED PLAN SHEETS DATED JANUARY 14, 2022 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

Construct a 55-foot long by 18-foot wide breakwater at 1.5 feet above mean high water to deposit approximately 277 cubic yards of clean sand onto 4035 square feet of eroding beach shoreline extending a maximum of 65 feet channelward of the mean high waterline; and re-fill and re-grade landward of the existing breakwaters with 133 cubic yards of sand along 3284 square feet (178 linear feet) of eroding shoreline and plant with 4,004 square feet of marsh vegetation, all within a maximum of 65 feet channelward of the mean high water line. One osprey pole is proposed within a maximum of 42 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 202161526 until such time that it expires or is not administratively extended.

SPECIAL CONDITIONS

A. The Certification Holder shall meet all water quality-related performance standards and conditions required by the Department in any state-issued authorization for activities in tidal wetlands to ensure that any discharges will not result in a failure to comply with water quality standards in COMAR 26.08.02. or other water quality requirements of state law or regulation.

B. The issuance of this Water Quality Certification 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 Certification Holder of the obligation to resolve any existing noncompliant structures and activities within tidal wetlands.

C. The Certification Holder shall construct the marsh establishment area in accordance with the following conditions:
   1. The Certification Holder 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 Certification Holder 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 Certification Holder 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 Certification Holder 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.

D. The Certification 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 the associated State Wetlands License. If the Certification 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 the State Wetlands 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.

E. All existing vegetated tidal wetlands areas must be maintained as vegetated tidal wetland and maintained to ensure 85% coverage of native tidal wetland species. Any existing vegetated tidal wetland vegetation to be disturbed must be transplanted immediately.

F. The Certification 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

4/4/2022
Date

Tracking Number: 202161526
Agency Interest Number: 137405

Effective Date: April 5, 2022

Enclosure: Plan Sheets dated January 14, 2022

cc: WSA Inspection & Compliance Program
Army Corps of Engineers