



Maryland
Department of
the Environment

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

Horacio Tablada, Secretary
Suzanne E. Dorsey, Deputy Secretary

October 19, 2022

Anne Arundel County Dept of Public Works
c/o BayLand Consultants & Designers, Inc
Attention: Chris Rager
7455 New Ridge Road, Ste T
Hanover, MD 21076

Via email: crager@baylandinc.com

Re: Agency Interest Number: 170646
Tracking Number: 202160146
Tidal Authorization Number: 22-WQC-0033

Dear Anne Arundel County Dept of Public Works:

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 Heather Hepburn at heather.hepburn1@maryland.gov or 410-537-3789 with any questions.

Sincerely,

A handwritten signature in black ink that reads "Tammy K. Roberson".

Tammy Roberson, Chief
Tidal Wetlands Division



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



22-WQC-0033

EFFECTIVE DATE: **October 19, 2022**
CERTIFICATION HOLDER: **Anne Arundel County Dept of Public Works**
ADDRESS: **Attn: 2662 Riva Rd**
Annapolis, MD 21401
PROJECT LOCATION: **Gateway Dr 39.047950 -76.461019**
Arnold, MD 21012

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 AADPW DEEP CREEK CHANNEL AND AS DESCRIBED IN THE ATTACHED PLAN SHEETS DATED MAY 20, 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

1. Mechanically dredge a new main channel with the following sections:
 - a. **Segment A** includes a 633-foot long by 50-foot wide channel to a depth of 7.5 feet below MLW;
 - b. **Segment B** includes a 400-foot long by 30 to 50-foot wide channel to a depth of 5.5 feet below MLW; and
 - c. **Segment C** includes a 634-foot long by 30-foot channel to a depth of 5.0 feet below MLW.
2. Deposit approximately 3,197 cubic yards of dredged material at one of the three following upland disposal sites: Rock Creek Dredge Material Placement (DMP) Site at Water Oak Point Road, Pasadena, MD 21122, Idlewilde DMP Site at Idlewilde Road, Shady Side, MD 20764, or South County DMP Site at Sudley Road, West River, MD 20778.
3. Provide for periodic maintenance dredging for six years.

GENERAL CONDITIONS

1. All water quality-related performance standards and conditions required by the Department in any state issued authorization for activities in tidal wetlands, nontidal wetlands, their 100-year floodplains, nontidal wetlands buffers, or nontidal wetland expanded buffers to ensure that any discharges will not result in a failure to comply with water quality standards in COMAR 26.08.02 or any other water quality requirements of state law or regulation shall be met.
2. This Certification does not obviate the need to obtain required authorizations or approvals from other State, federal or local agencies as required by law.
3. All additional authorizations or approvals, including self-certifying General Permits issued by the Department, shall be obtained and all conditions shall be completed in compliance with such authorizations.
4. The proposed project shall be constructed in accordance with the approved final plan by the Department, or, if Department approval is not required, the plan approved by the U.S. Army Corps of Engineers, and its approved revisions.
5. 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.
6. 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.
7. Authorized representatives of the Department shall be provided 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.
8. No stockpiles of any material shall be placed in Waters of the U.S. or state or private tidal wetlands.
9. Temporary construction trailers or structures, staging areas and stockpiles shall not be located within tidal wetlands, nontidal wetlands, nontidal wetlands buffers, or the 100-year floodplain unless specifically included on the Approved Plan.
10. This Certification is valid for the project identified herein and the associated U.S. Army Corps of Engineers NAB-2021-60146, until such time as that federal approval expires or is not administratively extended.

SPECIAL CONDITIONS

1. Due to spawning anadromous fish and submerged aquatic vegetation, the Certificate Holder shall perform no dredging between February 15th and October 15th of any given year.
2. All Critical Area requirements shall be followed and all necessary authorizations from the Critical Area Commission (“Commission”) shall be obtained. This Certificate 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.

3. All work performed under this Water Quality Certificate 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. Licensing by MCLB shall occur prior to the beginning of construction activities. 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.
4. The issuance of this Certificate 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 Certificate Holder of the obligation to resolve any existing noncompliant structures and activities within tidal wetlands.
5. The Certificate Holder shall transport all dredged material in watertight trucks. No dredged material shall be discharged onto the roadways of the State.
6. The Certificate Holder shall dispose of dredged material only at the dredge disposal site approved by this Certificate. The Certificate Holder shall submit an application for modification of Tidal Wetlands License 21-WL-0102 to MDE for approval of any dredge disposal site not authorized within the Certificate.
7. The Certificate Holder shall conduct subsequent maintenance dredging within the scope of this certificate in terms of authorized dredge area and authorized depths. The Certificate Holder shall:
 - a. Dredge no more than 500 cubic yards of material at each maintenance dredging. Comply with all applicable conditions of this certificate.
 - b. Submit a detailed dredged material disposal plan to be approved by the Water and Science Administration, Tidal Wetlands Division prior to the start of dredging.
 - c. Notify and receive approval from the Water and Science Administration, Compliance Program a minimum of 10 days prior to the start of each maintenance dredging operation.
 - d. The Certificate Holder shall stake the dredge area and receive approval from the Water and Science Administration's, Compliance Division prior to the start of dredging.
8. The Certificate Holder shall conduct a post dredge bathymetric survey and forward to the Water and Science Administration, Tidal Wetlands Division within 45 days after the termination of any phase of dredging.
9. The Certificate Holder shall conduct maintenance dredging within the scope of this Certification in terms of authorized dredged area, volume of material and authorized depths.

CITATIONS AND STATEMENTS OF NECESSITY

1. Statement of Necessity for General Conditions 1, 2, 3, 4, and Special Conditions 2, 4: These conditions are necessary to ensure that water quality standards are met, and designated uses are maintained.

Citations: Federal and state laws which authorize this condition include but are not limited to: 33 U.S.C. § 1341(a), (b), & (d); 33 U.S.C. § 1251(b); 33 U.S.C. § 1370; Md. Ann. Code, Env. Article, Title 1, Subtitles 3 and 4; Md. Ann. Code, Env. Article, Title 5, Subtitles 5 and 9; Md. Ann. Code, Env. Article, Title 9, Subtitle 3; Md. Ann. Code, Env. Article, Title 16; COMAR 26.08; COMAR 26.08.02.10G(3); COMAR 26.23.02.06; COMAR 26.17.01; COMAR 26.23; COMAR 26.24

2. Statement of Necessity for General Conditions 5, 8, 9: Fill or construction material within or adjacent to regulated resources may cause discharges resulting in turbidity in excess of water quality standards and interfere with designated uses of growth and propagation of fish, other aquatic life, wildlife; and other designated uses; and fail to meet general water quality criteria that waters not be polluted by substances in amounts sufficient to be unsightly or create a nuisance.

Citation: 26.08.02.03B(1)-B(2); COMAR 26.23; COMAR 26.24; COMAR 26.17.04

3. Statement of Necessity for General Condition 6: This condition is necessary to clarify the scope of this certification to ensure compliance with water quality regulations, without limiting restrictions through other requirements.

Citation: Federal and state laws which authorize this condition include but are not limited to: 33 U.S.C. § 1341(a), (b), & (d); 33 U.S.C. § 1251(b); 33 U.S.C. § 1370; Md. Ann. Code, Env. Article, Title 1, Subtitles 3 and 4; Md. Ann. Code, Env. Article, Title 5, Subtitles 5 and 9; Md. Ann. Code, Env. Article, Title 9, Subtitle 3; Md. Ann. Code, Env. Article, Title 16; COMAR 26.08, COMAR 26.08.02.10E; COMAR 26.23.02.06; COMAR 26.17.04; COMAR 26.23; COMAR 26.24

4. Statement of Necessity for General Condition 7: Conditions of certification involve precise actions to comply with water quality standards. Site inspection may be necessary to ensure that limits, methods, and other requirements are met to ensure that water quality standards are met and designated uses are maintained. These conditions are necessary to ensure that the activity was conducted, and project completed according to terms of the authorization/certification, while allowing for review of in-field modifications which may have resulted in discharges to ensure that water quality standards were met. Designated uses include support of estuarine and marine aquatic life and shellfish harvesting and for growth and propagation of fish, other aquatic life, and wildlife

Citation: Federal and state laws that authorize this condition include but are not limited to: 33 U.S.C. § 1341(a), (b), & (d); 33 U.S.C. § 1251(b); 33 U.S.C. § 1370; Md. Ann. Code, Env. Article, Title 1, Subtitles 3 and 4; Md. Ann. Code, Env. Article, Title 5, Subtitles 5 and 9; Md. Ann. Code, Env. Article, Title 9, Subtitle 3; Md. Ann. Code, Env. Article, Title 16; COMAR 26.08; COMAR 26.08.02.03B(1)(b); COMAR 26.08.02.03B(2); COMAR 26.23.02.06; COMAR 26.23; COMAR 26.24; COMAR 26.17.04

5. Statement of Necessity for General Condition 10: This condition is necessary to qualify the period of applicability of the terms and conditions of this Certification to be protective of Maryland water quality standards.

Citations: Federal and state laws which authorize this condition include but are not limited to: 33 U.S.C. § 1341(a), (b), & (d); 33 U.S.C. § 1251(b); 33 U.S.C. § 1370; 40 C.F.R. 121, 15 C.F.R. 930, Md. Ann. Code, Env. Article, Title 1, Subtitles 3 and 4; Md. Ann. Code, Env. Article, Title 5, Subtitles 5 and 9; Md. Ann. Code, Env. Article, Title 9, Subtitle 3; Md. Ann. Code, Env. Article, Title 16; COMAR 26.08; COMAR 26.17.04; COMAR 26.23; COMAR 26.24

6. Statement of Necessity for Special Condition 1: A time of year restriction is necessary to maintain the designated use for support of estuarine and marine aquatic life and shellfish harvesting.

Citation: Federal and state laws which authorize this condition include but are not limited to: COMAR: 26.08.02.02B(1)(d); 26.08.02.02B(3); COMAR 26.08.02.02-16.

7. Statement of Necessity for Special Condition 3: Expertise for conducting certain activities is required to ensure that there is no violation of water quality standards nor interference with designated uses. This condition is necessary to ensure that discharges will be conducted in a manner which does not violate water quality criteria nor interfere with designated uses.

Citation: COMAR 26.08.02.02B(2)- B(4); COMAR 26.08 02.03B(2)(d) – (e); COMAR 26.08.02.03B(1)(b); 26.08.02.03B(2); COMAR 23.02.04.04

8. Statement of Necessity for Special Conditions 5, 6, 7 Unauthorized discharges may enter regulated waters as result of activity or structural failure. A plan to address inadvertent discharges will prevent or address further violations of water quality standards and failure of water to meet designated uses, including uses of growth and propagation of fish, other aquatic life, wildlife; and other designated uses; and fail to meet general water quality criteria that waters not be polluted by substances in amounts sufficient to be unsightly or create a nuisance.

Citation COMAR 26.08.02.02B(1)d; COMAR 26.08.02.02B(3); COMAR 26.08.02.03B(1) and B(2); 26.08.02.01B(2); 26.08.02.02B(1)

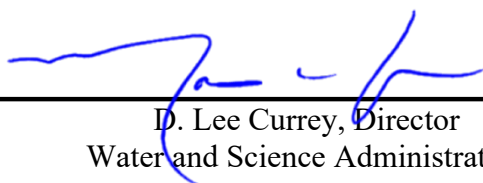
9. Statement of Necessity for Special Condition 8: The condition is necessary to ensure that the dredging results in water depths which are appropriate to support designated uses of fishing and water contact recreation and propagation of fish, other aquatic life and wildlife; and ensure that no discharges are unsightly, create a nuisance, change to an objectionable color or interferes with designated uses.

Citations: COMAR 26.08.02.01B(2); COMAR 26.08.02.02B(1); 26.08.02.02B(3); COMAR 26.08.02.03B

10. Statement of Necessity for Special Condition 9: The limits on the scope of maintenance dredging are necessary to ensure that no discharges would violate water quality standards and designated uses for water clarify, turbidity, growth and propagation of fish, other aquatic life, and wildlife; and water contact recreation

Citations: COMAR 26.08.02.02B(1)(d); COMAR 26.08.02.02B(3); COMAR 26.08.02.03B

CERTIFICATION APPROVED



D. Lee Currey, Director
Water and Science Administration

10/28/2022

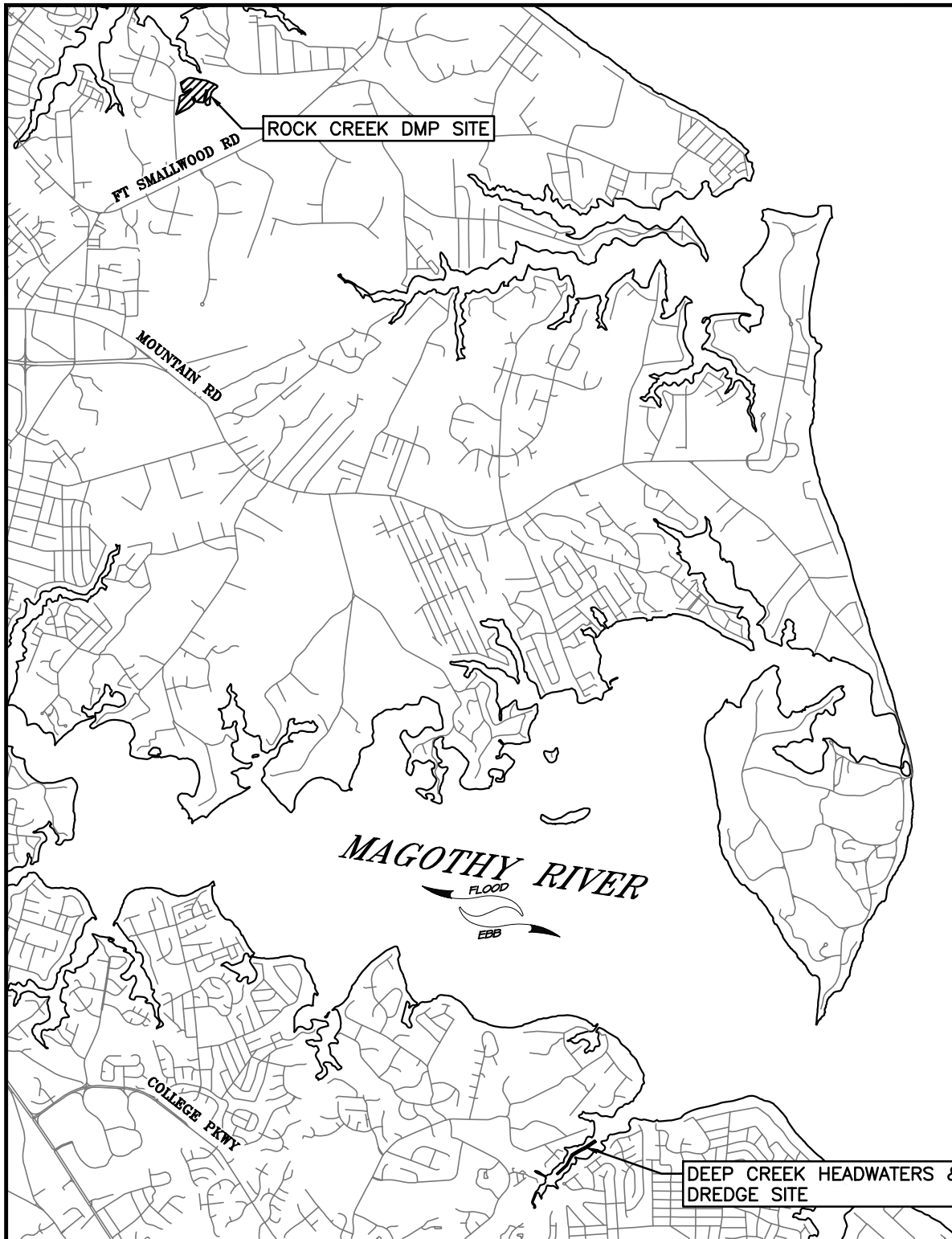
Date

Tracking Number: 202160146
Agency Interest Number: 170646

Effective Date: October 19, 2022

Enclosure: Plan Sheets dated May 20, 2022

cc: WSA Inspection & Compliance Program
Army Corps of Engineers



CHESAPEAKE BAY
 FLOOD
 EBB

MAGOTHY RIVER
 FLOOD
 EBB

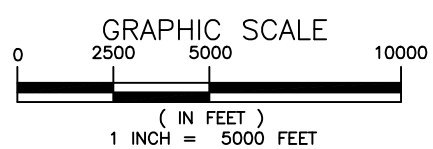
**DEEP CREEK HEADWATERS & COVE
 CHANNEL DREDGING**

ANNE ARUNDEL COUNTY

APPL. BY: ANNE ARUNDEL COUNTY
 DEPARTMENT OF PUBLIC WORKS

VICINITY MAP

**22-WQC-0033
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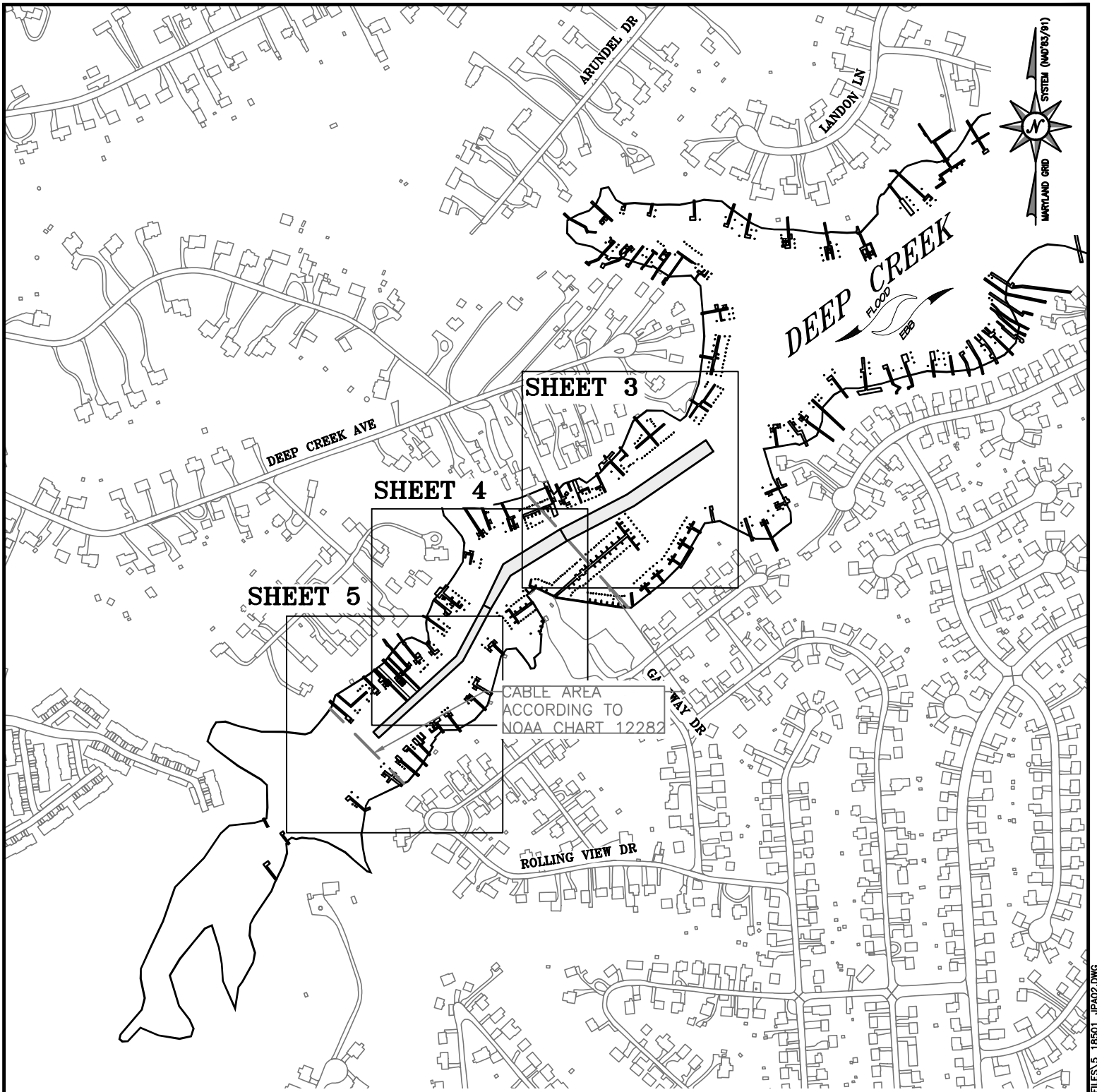


NOTE:
 BASEMAP TAKEN FROM ANNE ARUNDEL COUNTY
 2016 PLANIMETRICS AND 2017 IMAGERY.

Bay & Sand
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**DEEP CREEK HEADWATERS & COVE
CHANNEL DREDGING**

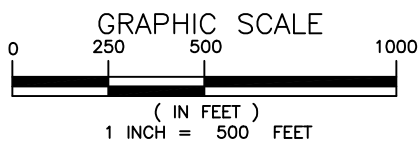
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KEY SHEET

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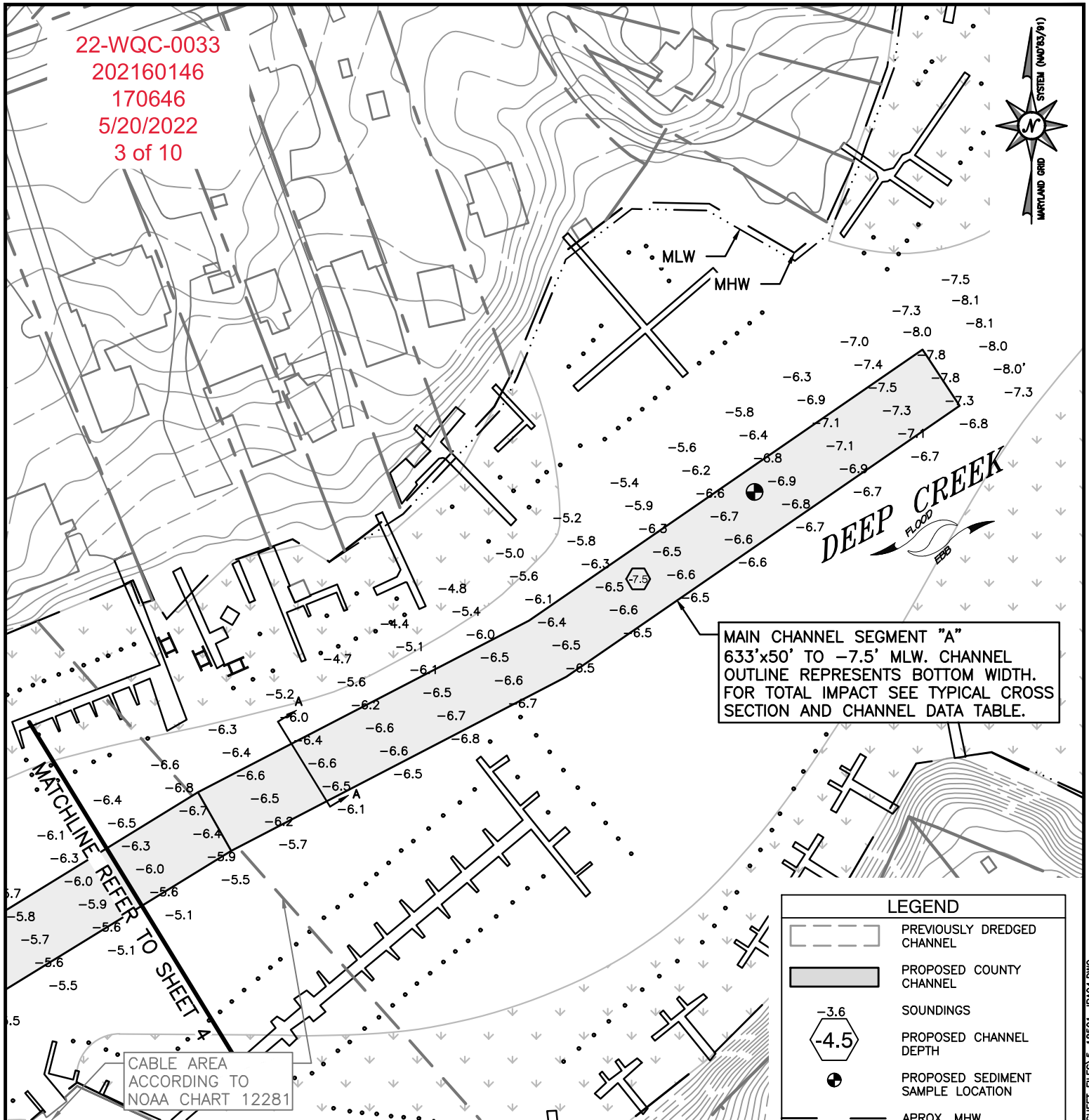
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MAIN CHANNEL SEGMENT "A"
 633'x50' TO -7.5' MLW. CHANNEL
 OUTLINE REPRESENTS BOTTOM WIDTH.
 FOR TOTAL IMPACT SEE TYPICAL CROSS
 SECTION AND CHANNEL DATA TABLE.

MATCHLINE REFER TO SHEET 4

CABLE AREA
 ACCORDING TO
 NOAA CHART 12281

LEGEND	
	PREVIOUSLY DREDGED CHANNEL
	PROPOSED COUNTY CHANNEL
	SOUNDINGS
	PROPOSED CHANNEL DEPTH
	PROPOSED SEDIMENT SAMPLE LOCATION
	APPROX. MHW
	APPROX. MLW
	APPROX. PROPERTY LINES
	COMMUNITY BOAT RAMP
	EXISTING BOAT LIFT
	EXISTING PILING

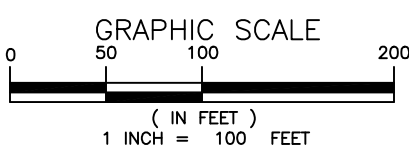
SAV LEGEND	
	COMPOSITE SAV BED FROM SPRING AND SUMMER SAV SURVEY 2020
	SPRING SURVEY DATE: MAY 14, 2020
	SUMMER SURVEY DATE: JULY 16, 2020

**DEEP CREEK HEADWATERS & COVE
 CHANNEL DREDGING**

ANNE ARUNDEL COUNTY

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MAIN CHANNEL PLAN



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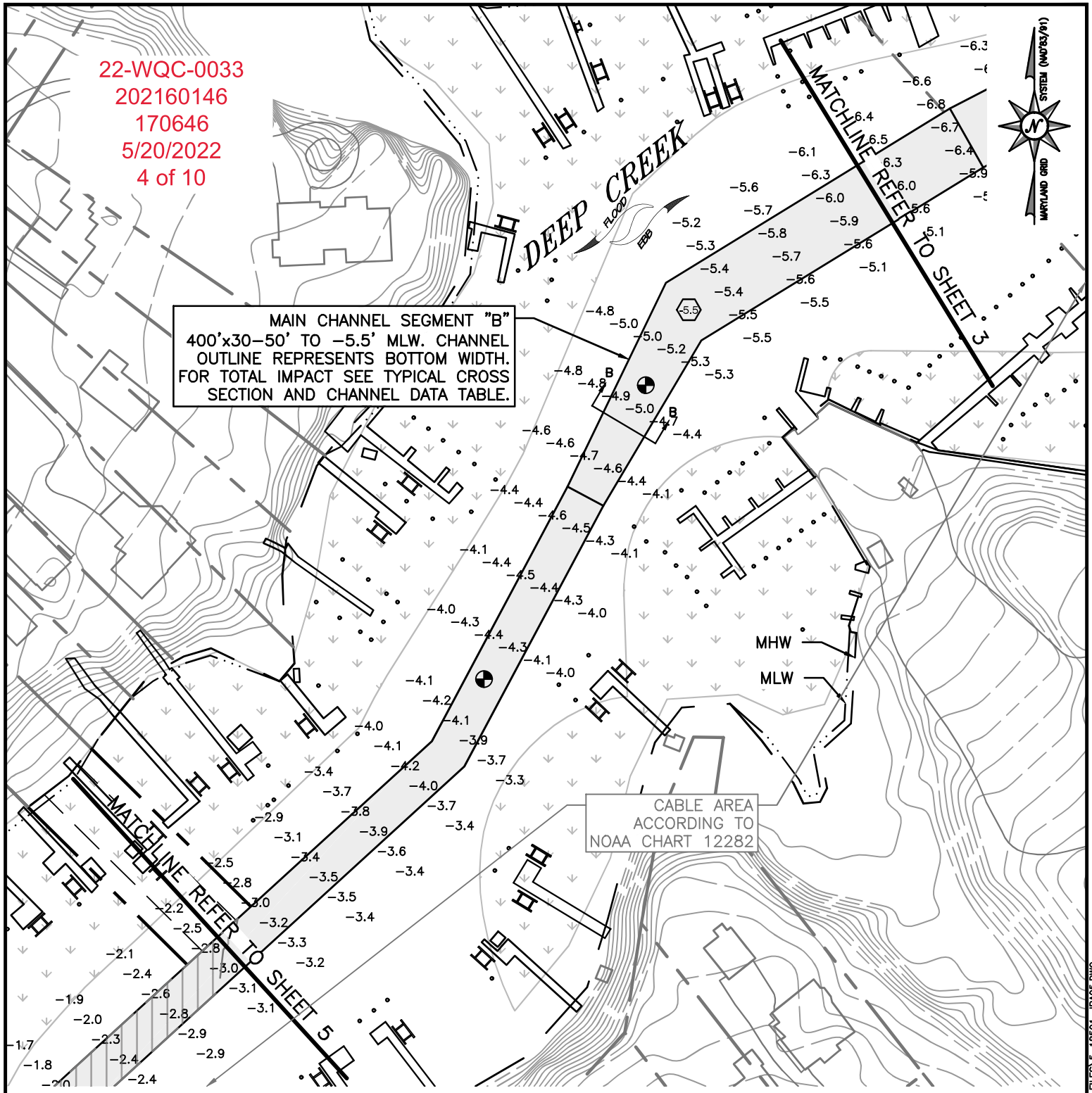
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MAIN CHANNEL SEGMENT "B"
400'x30-50' TO -5.5' MLW. CHANNEL
OUTLINE REPRESENTS BOTTOM WIDTH.
FOR TOTAL IMPACT SEE TYPICAL CROSS
SECTION AND CHANNEL DATA TABLE.

CABLE AREA
ACCORDING TO
NOAA CHART 12282



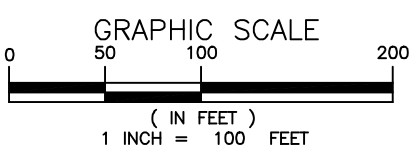
DEEP CREEK HEADWATERS & COVE CHANNEL DREDGING

ANNE ARUNDEL COUNTY

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DEPARTMENT OF PUBLIC WORKS

MAIN CHANNEL PLAN

NOTE:
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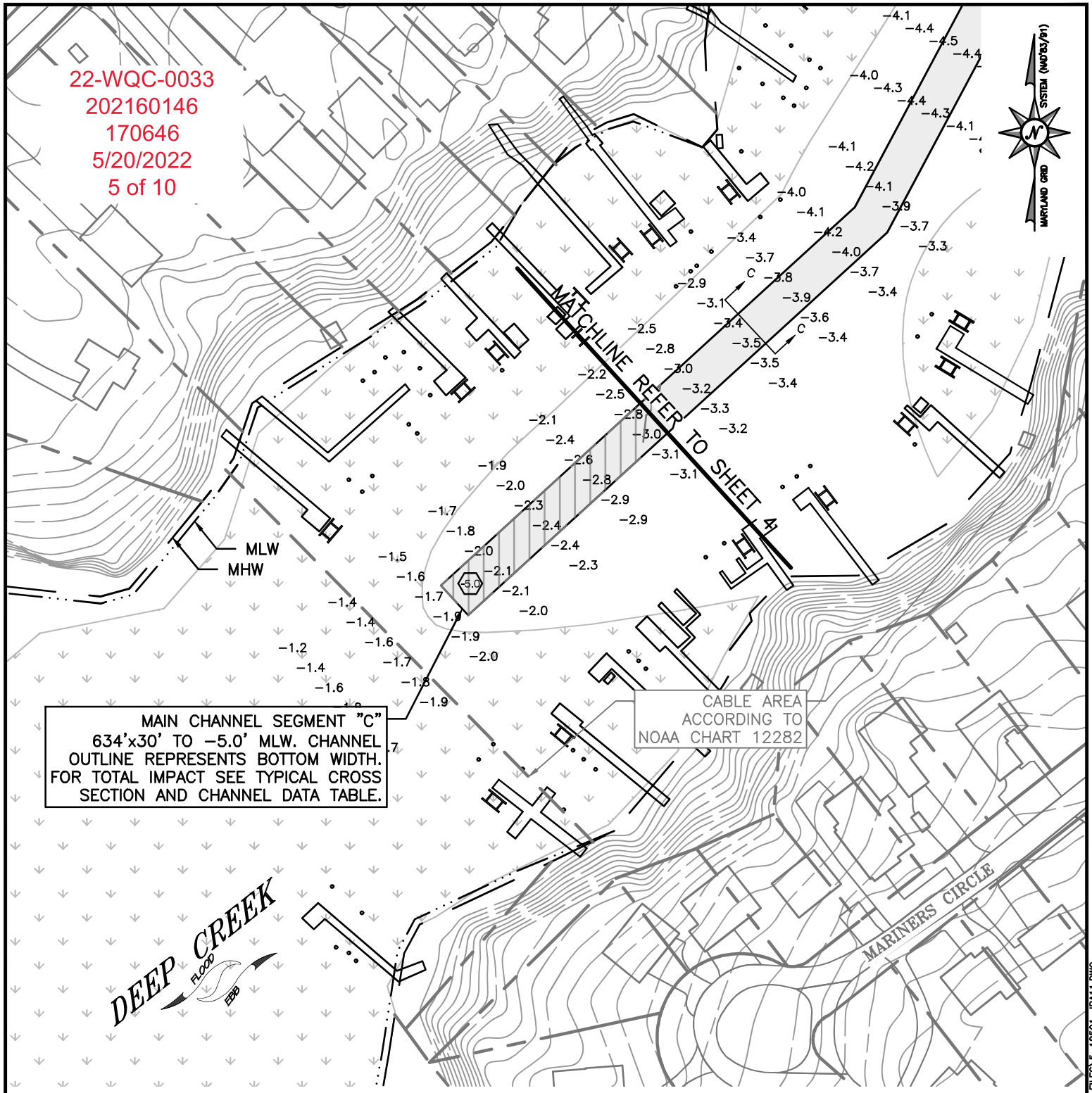


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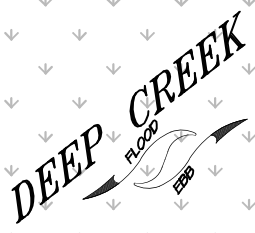
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MAIN CHANNEL SEGMENT "C"
 634'x30' TO -5.0' MLW. CHANNEL
 OUTLINE REPRESENTS BOTTOM WIDTH.
 FOR TOTAL IMPACT SEE TYPICAL CROSS
 SECTION AND CHANNEL DATA TABLE.

CABLE AREA
 ACCORDING TO
 NOAA CHART 12282

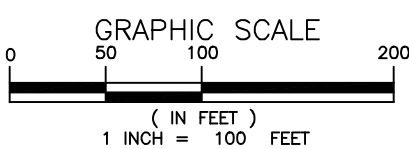


DEEP CREEK HEADWATERS & COVE
 CHANNEL DREDGING

ANNE ARUNDEL COUNTY

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 DEPARTMENT OF PUBLIC WORKS

MAIN CHANNEL PLAN



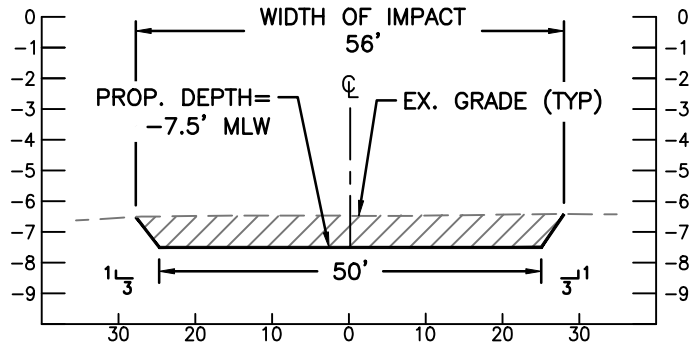
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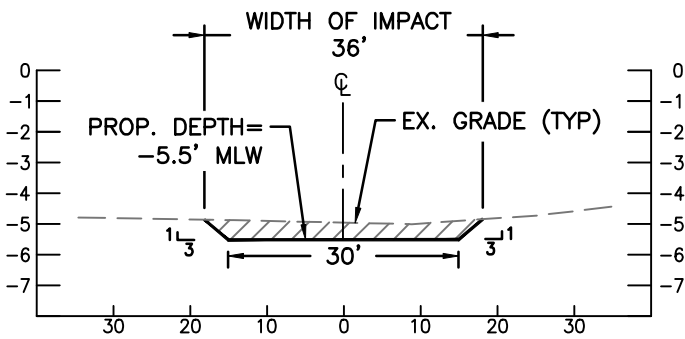
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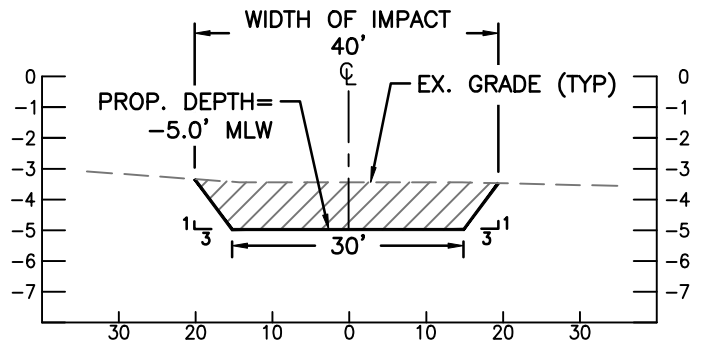
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SECTION A-A
 SCALE: NTS



SECTION B-B
 SCALE: NTS



SECTION C-C
 SCALE: NTS

DEEP CREEK HEADWATERS & COVE
 CHANNEL DREDGING

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CHANNEL SECTIONS

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CHANNEL DETAILS				
SEGMENT	LENGTH (FT)	WIDTH (FT)	DEPTH (FT)	VOLUME (CY)
A	633	50	-7.5	1267
B	400	30 - 50	-5.5	156
C	634	30	-5.0	1,774
TOTAL MAIN CHANNEL LENGTH				1,667 LF
TOTAL MAIN CHANNEL VOLUME				3197 CY
TOTAL MAIN CHANNEL AREA OF IMPACT				86,814 SF = 1.99 AC
TOTAL MAIN CHANNEL AREA OF IMPACT TO 2020 SAV				0 SF = 0.0 AC
TOTAL MAIN CHANNEL AREA OF IMPACT TO SHALLOW WATER HABITAT				9,377 SF = 0.22 AC
OVERLAPPING IMPACTS TO 2020 SAV AND SHALLOW WATER HABITAT				0 SF = 0.0 AC
COMBINED IMPACTS TO 2020 SAV AND SHALLOW WATER HABITAT*				9,377 SF = 0.22 AC

*COMBINED IMPACTS TO 2020 SAV AND SHALLOW WATER HABITAT INCLUDES THE OUTSTANDING TOTAL AREA OF IMPACTS THAT REQUIRES MITIGATION.

NOTES:

1. BASEMAP COMPILED FROM ANNE ARUNDEL COUNTY 2016 PLANIMETRICS AND 2017 IMAGERY.
2. TIDAL RANGE IS 1.0 FEET.
3. BATHYMETRY FROM BAYLAND SURVEY DATED NOVEMBER 16, 2020.
4. SOUNDINGS ARE IN FEET AND REFER TO MLW.
5. THESE ARE PERMIT DRAWINGS ONLY. DESIGN DRAWINGS WILL BE PREPARED SEPARATELY.

**DEEP CREEK HEADWATERS & COVE
 CHANNEL DREDGING**

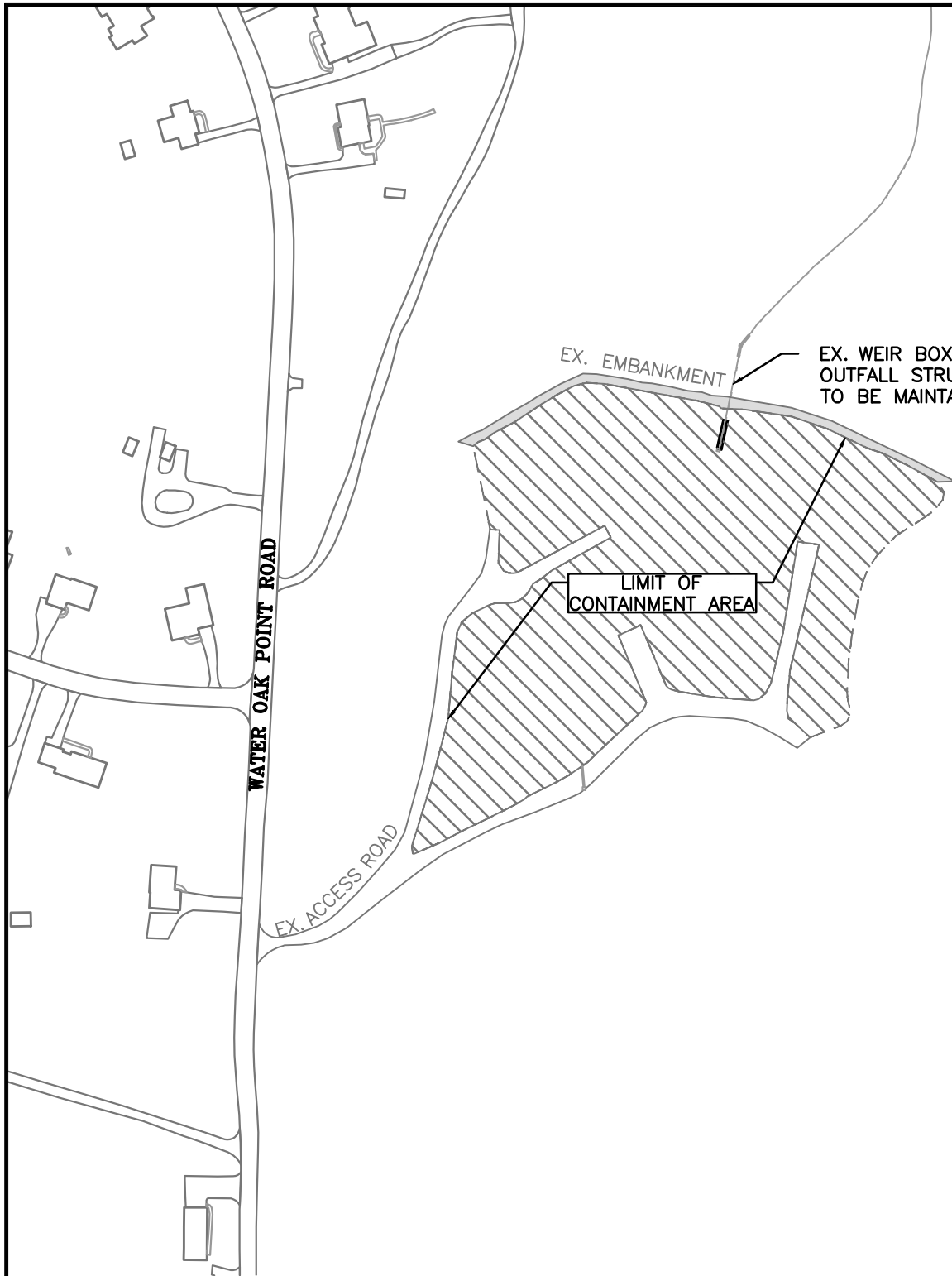
ANNE ARUNDEL COUNTY

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CHANNEL DETAILS



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DEEP CREEK HEADWATERS & COVE
CHANNEL DREDGING

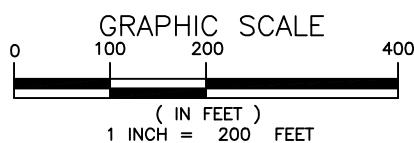
ANNE ARUNDEL COUNTY

APPL. BY: ANNE ARUNDEL COUNTY
DEPARTMENT OF PUBLIC WORKS

ROCK CREEK DMP SITE

22-WQC-0033
202160146
170646
5/20/2022
8 of 10

- NOTES:
1. BASEMAP COMPILED FROM ANNE ARUNDEL
2016 PLANIMETRICS AND 2017 IMAGERY.
2. CURRENT AVAILABLE CAPACITY: 28,000 CY



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www.bayandline.com



EX. ACCESS ROAD

MECHANICAL UNLOADING POINT

LIMIT OF CONTAINMENT AREA

EX. PERIMETER DIKE

EX. WEIR BOX AND
OUTFALL STRUCTURE
TO BE MAINTAINED

DEEP CREEK HEADWATERS & COVE CHANNEL DREDGING

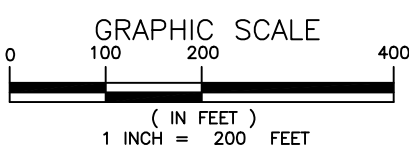
ANNE ARUNDEL COUNTY

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DEPARTMENT OF PUBLIC WORKS

SOUTH COUNTY DMP SITE

22-WQC-0033
202160146
170646
5/20/2022
9 of 10

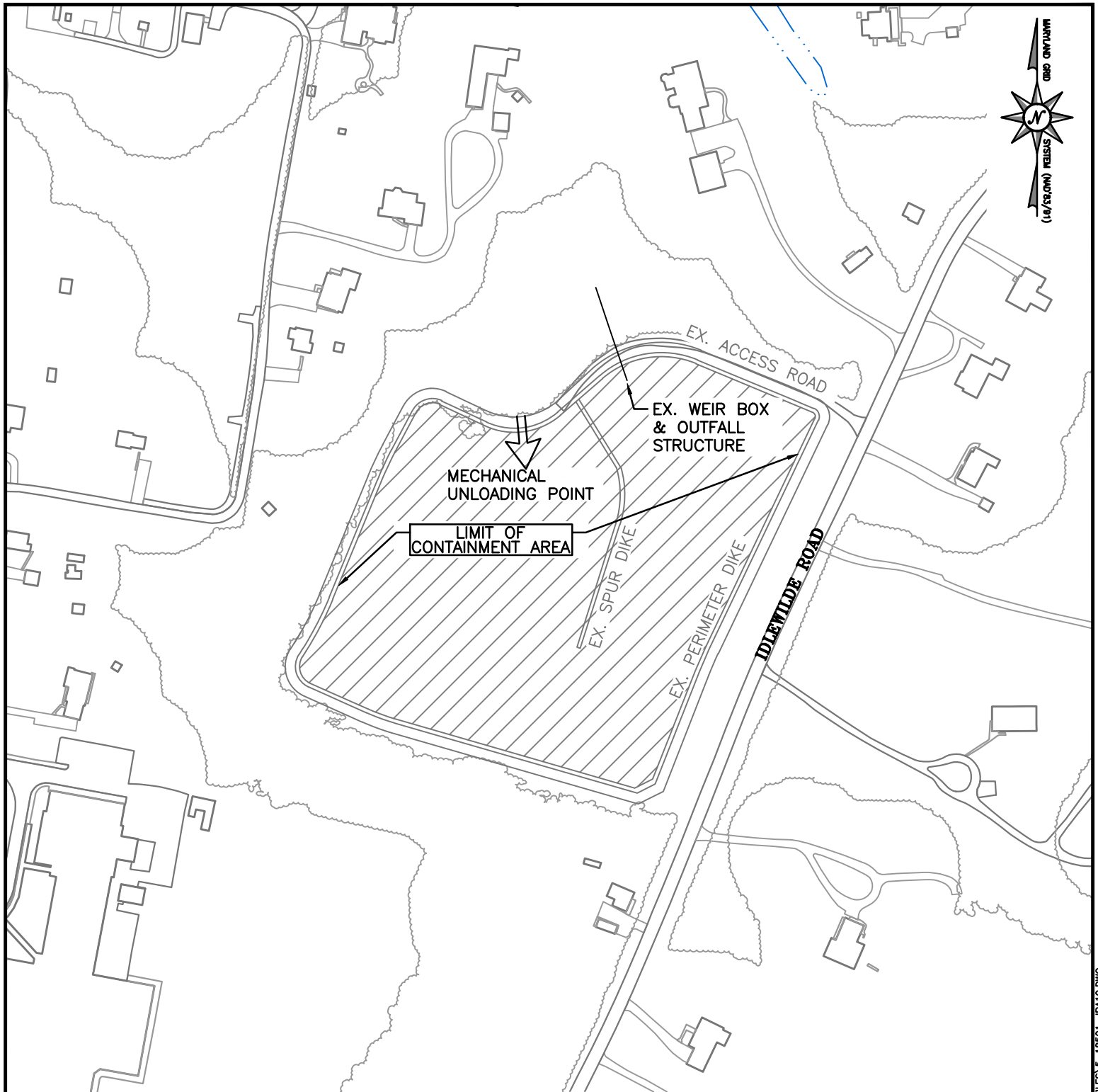
- NOTES:**
- 1. BASEMAP COMPILED FROM ANNE ARUNDEL 2012 PLANIMETRICS AND 2016 IMAGERY.
 - 2. CURRENT AVAILABLE CAPACITY: 100,000 CY



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**DEEP CREEK HEADWATERS & COVE
CHANNEL DREDGING**

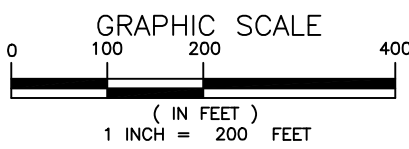
ANNE ARUNDEL COUNTY

APPL. BY: ANNE ARUNDEL COUNTY
DEPARTMENT OF PUBLIC WORKS

IDLEWILDE DMP SITE

**22-WQC-0033
202160146
170646
5/20/2022
10 of 10**

NOTES:
1. BASEMAP COMPILED FROM ANNE ARUNDEL
2012 PLANIMETRICS AND 2016 IMAGERY.
2. CURRENT AVAILABLE CAPACITY: 38,000 CY



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