



Maryland
Department of
the Environment

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

Horacio Tablada, Secretary
Suzanne E. Dorsey, Deputy Secretary

December 14, 2022

Town of Chestertown & Chestertown Marina
c/o Davis, Bowen & Friedel Inc
Attention: Ken Eaton
601 E Main St. Suite 100
Salisbury, MD 21804

Via email: keaton@dbfinc.com

Re: Agency Interest Number: 82504
Tracking Number: 202261610
Tidal Authorization Number: 22-WQC-0038

Dear Town of Chestertown:

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 Mel Throckmorton at mel.throckmorton@maryland.gov with any questions.

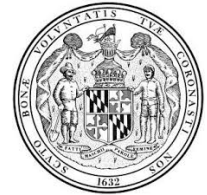
Sincerely,

A handwritten signature in black ink that reads "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-0038

EFFECTIVE DATE: **December 14, 2022**
CERTIFICATION HOLDER: **Town of Chestertown & Chestertown Marina**
ADDRESS: **118 N Cross St**
Chestertown, MD 21620
PROJECT LOCATION: **207 South Water St**
Chestertown, MD 21620

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 CHESTERTOWN MARINA DREDGE PROJECT AND AS DESCRIBED IN THE ATTACHED PLAN SHEETS DATED OCTOBER 5, 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

Mechanically maintenance dredge an irregular shaped area measuring 83,766 square feet to a depth of 6 feet at mean low water, removing 7,250 cubic yards of material which will be transported to a Dredge Disposal Site located at 25792 John Hanson Rd., Chestertown, MD 21620.

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 authorization NAB-2022-61610 (Chestertown Marina) until such time that it expires or is not administratively extended.

SPECIAL CONDITIONS

1. 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.
2. 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.

3. 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.
4. The Certificate Holder shall transport all dredged material in watertight trucks. No dredged material shall be discharged onto the roadways of the State.
5. The Certificate Holder shall dispose of dredged material only at the dredge disposal site approved by this Water Quality Certification. The Certificate Holder shall submit an application for modification of the Certificate to MDE for approval of any dredge disposal site not authorized within the Certificate.
6. The Certificate Holder shall not stockpile any material in State or private tidal wetlands.
7. 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 not perform any in water work from February 15th through October 15th of any year to minimize impacts to SAV and spawning anadromous and resident fish species.

CITATIONS AND STATEMENTS OF NECESSITY

1. Statement of Necessity for General Conditions 1, 2, 3, 4, and Special Conditions 1, 3: 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 and Special Conditions 5, 6: 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 2: 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

7. Statement of Necessity for Special Conditions 4, 5, 6: 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)

8. Statement of Necessity for Special Conditions 7, 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

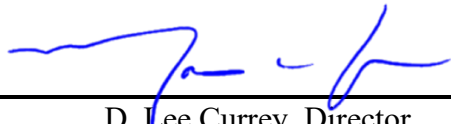
contact recreation and propagation of fish, other aquatic life and wildlife; and ensure that no discharges are unsightly, create a nuisance, change to an objectionable color or interferes with designated uses.

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

9. Statement of Necessity for Special Condition 9: 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.

CERTIFICATION APPROVED



D. Lee Currey, Director
Water and Science Administration

12/15/2022

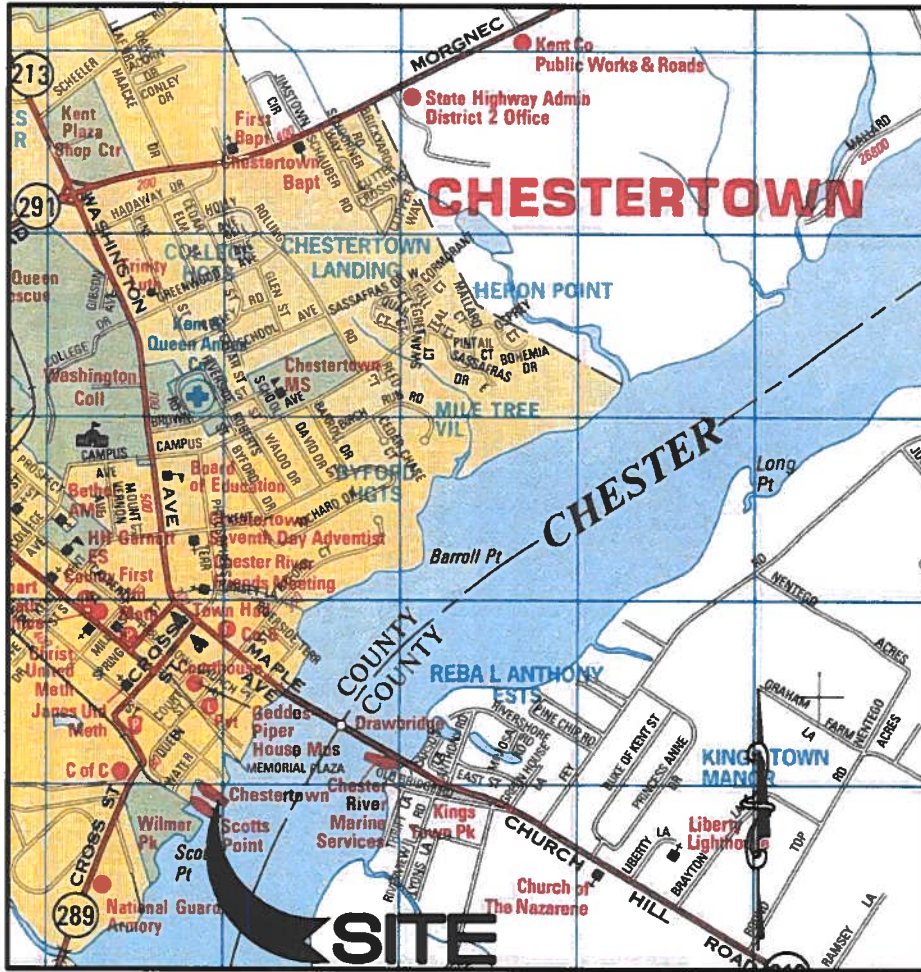
Date

Tracking Number: 202261610
Agency Interest Number: 82504

Effective Date: December 14, 2022

Enclosure: Plan Sheets dated October 5, 2022

cc: WSA Inspection & Compliance Program
Army Corps of Engineers

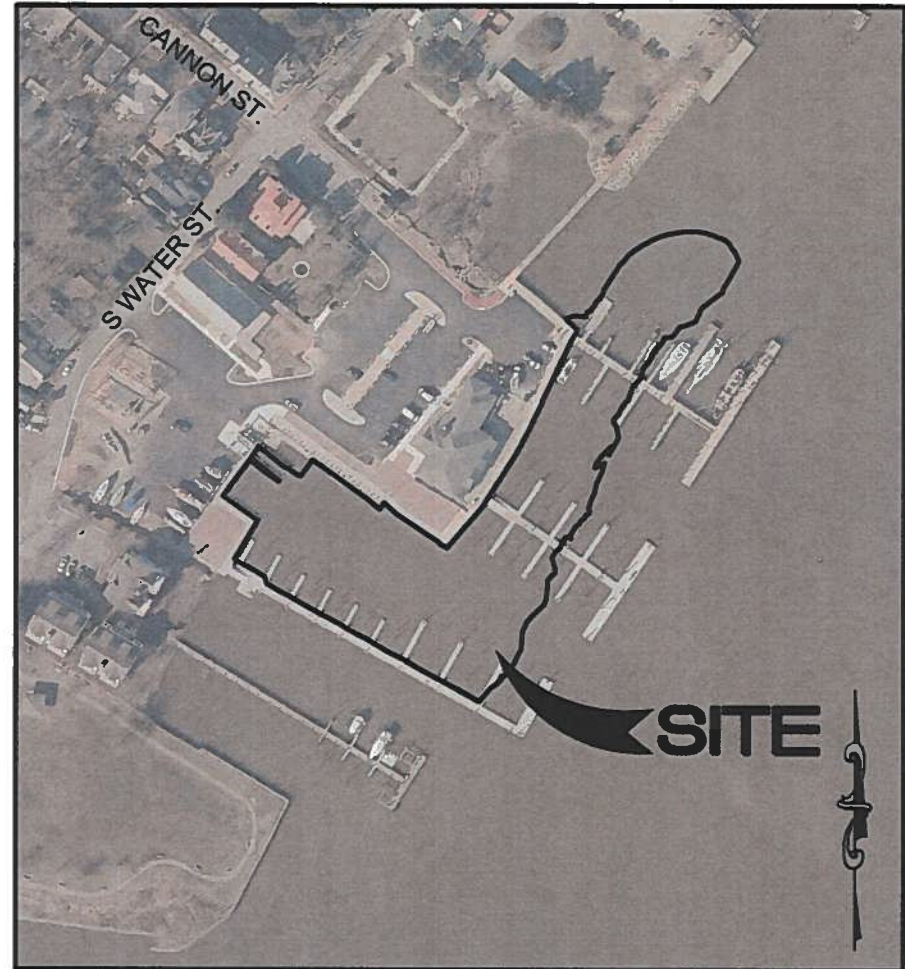


Dredge - Vicinity Map

SCALE : 1" = 2000'



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Dredge - Aerial Photo

SCALE : 1" = 200'



Orthomogery taken from
Maryland IMap, 2019

Proposed Dredging

IN: CHESTER RIVER
 NEAR: CHESTERTOWN, MARYLAND
 APPL. BY: TOWN OF CHESTERTOWN
 ATTN: KEES DE MOOY
 118 N CROSS STREET
 CHESTERTOWN, MARYLAND 21620
 DATE: MAY 2022

22-WQC-0038
 202260891
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 10/5/22
 1 of 10
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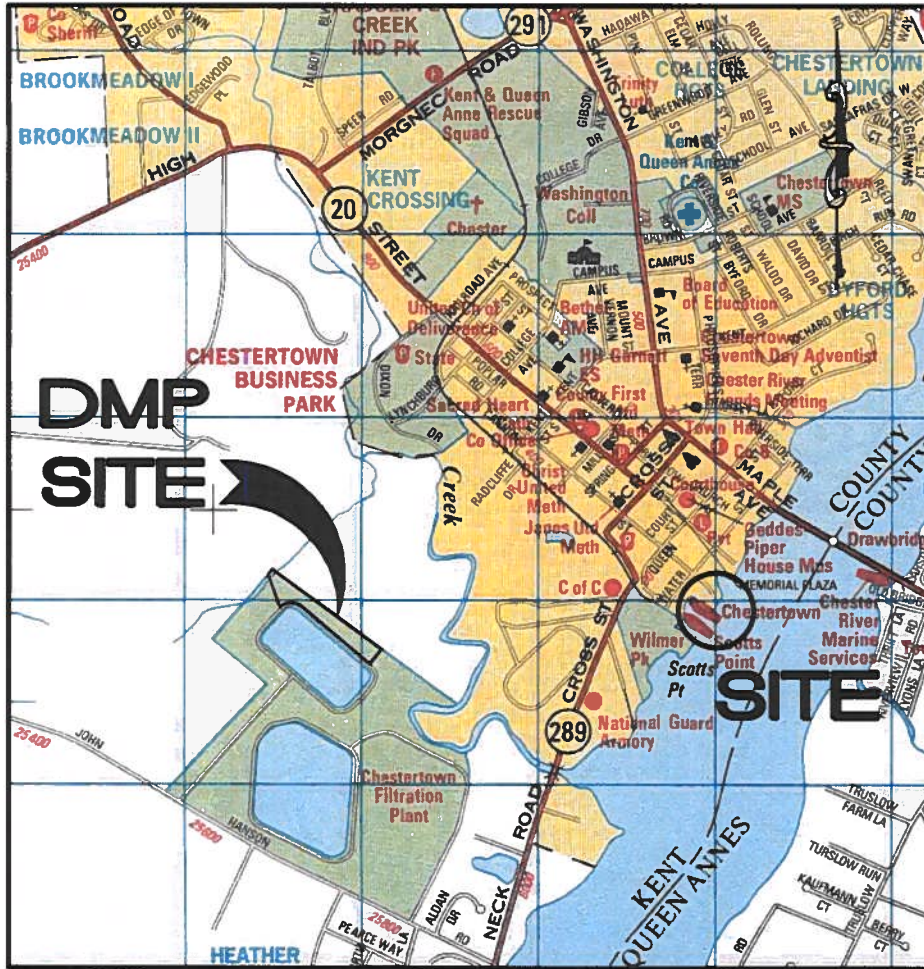


Andrews, Miller & Associates

A Division of: ARCHITECTS ENGINEERS SURVEYORS

**DAVIS,
 BOWEN &
 FRIEDEL, INC.**

EASTON, MARYLAND (410) 770-4744
 SALISBURY, MARYLAND (410) 543-9091
 MILFORD, DELAWARE (302) 424-1441

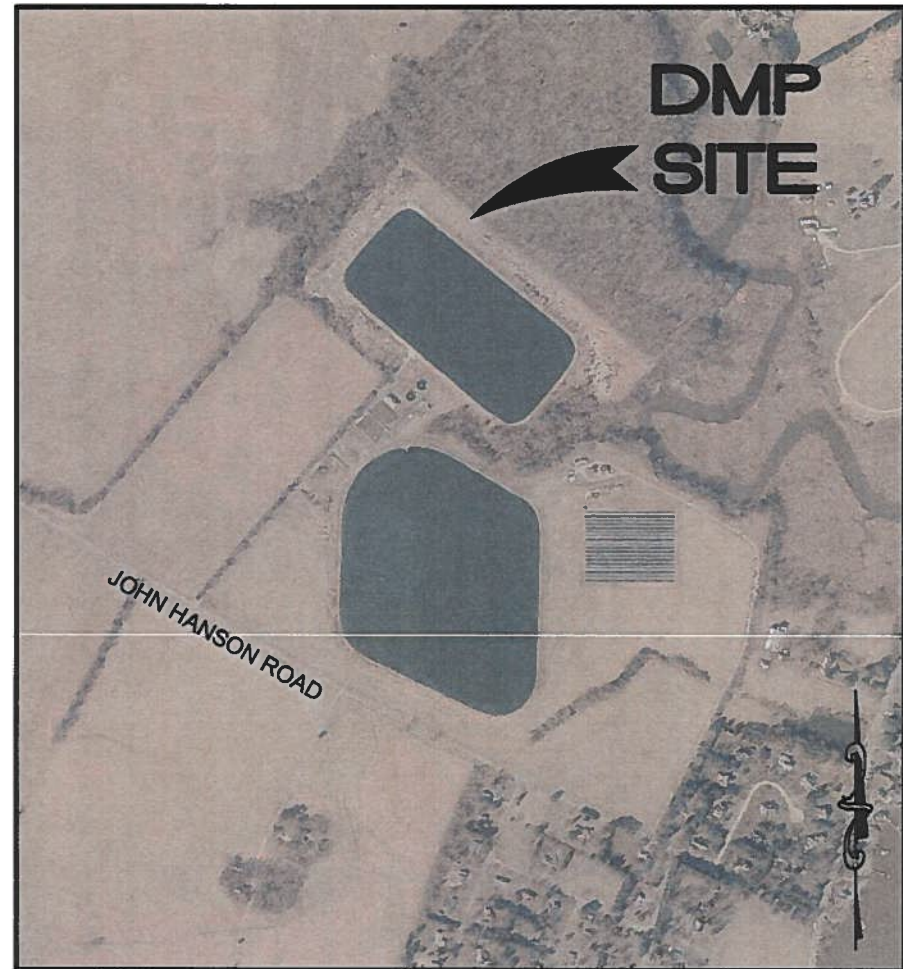


Dredge Material Placement Site - Vicinity Map

SCALE : 1" = 2000'



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Dredge Material Placement Site - Aerial Photo

SCALE : 1" = 200'

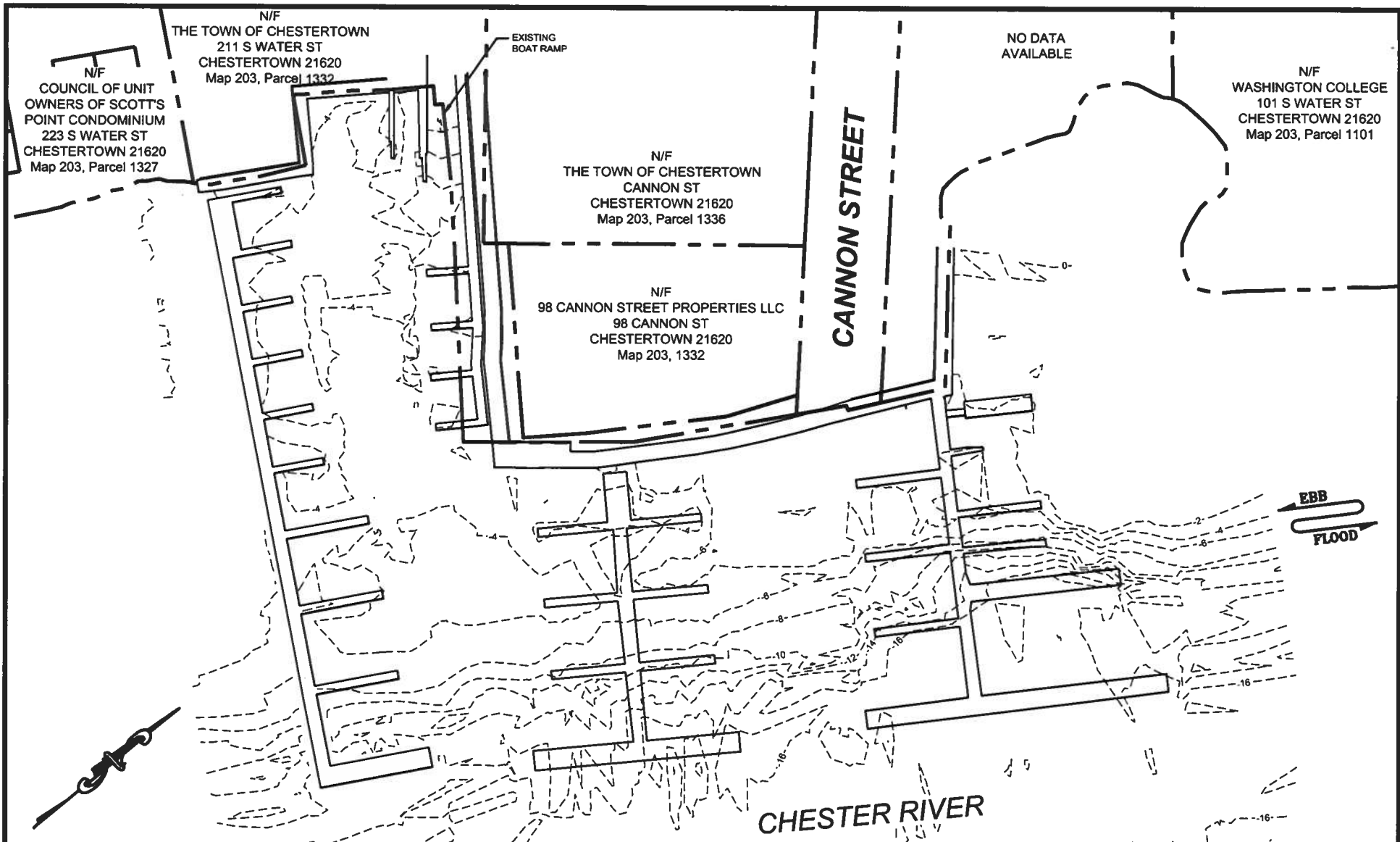


Orthimagery taken from
Maryland iMap, 2019

Proposed Dredging

IN: CHESTER RIVER
 NEAR: CHESTERTOWN, MARYLAND
 APPL. BY: TOWN OF CHESTERTOWN
 ATTN: KEES DE MOOY
 118 N CROSS STREET
 CHESTERTOWN, MARYLAND 21620
 DATE: MAY 2022

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Proposed Dredging

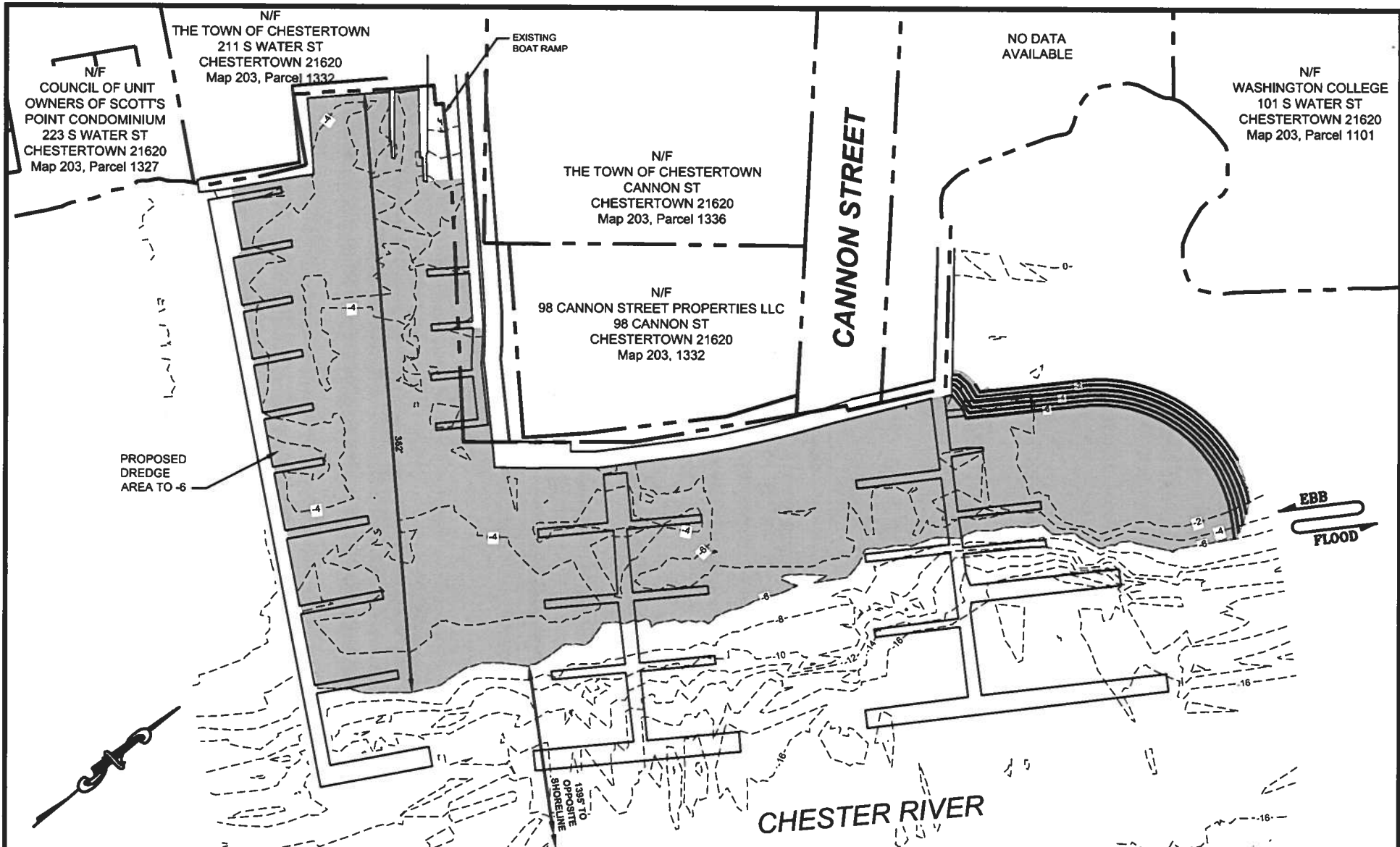
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 NEAR: CHAESTERTOWN, MARYLAND
 APPL. BY: TOWN OF CHESTERTOWN
 ATTN: KEES DE MOOY
 118 N CROSS STREET
 CHESTERTOWN, MARYLAND 21620
 DATE: MAY 2022

EXISTING CONDITIONS

22-WQC-0038
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 82504
 10/5/22
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 MT

SCALE : 1" = 80'





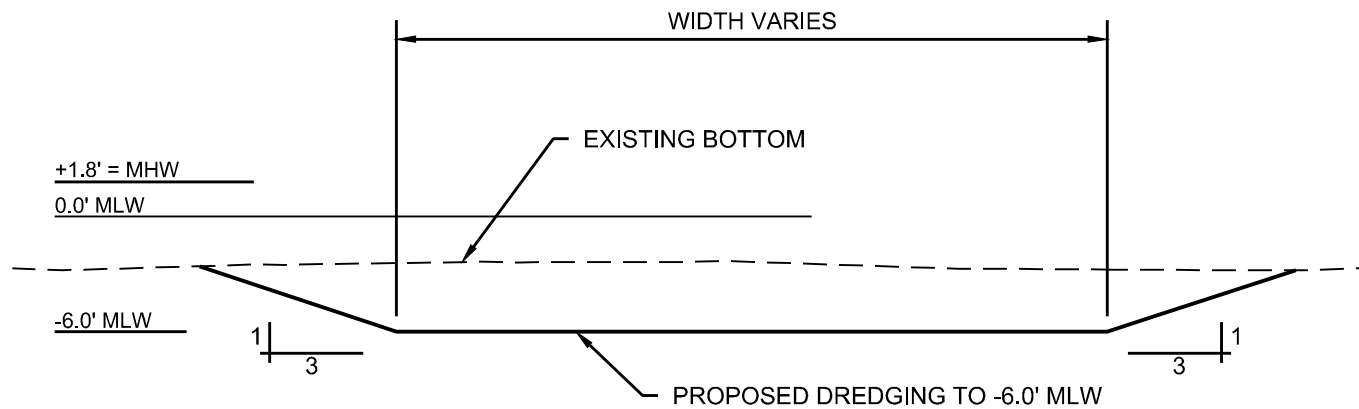
Proposed Dredging

IN: CHESTER RIVER
 NEAR: CHESTERTOWN, MARYLAND
 APPL. BY: TOWN OF CHESTERTOWN
 ATTN: KEES DE MOOY
 118 N CROSS STREET
 CHESTERTOWN, MARYLAND 21620
 DATE: MAY 2022

PROPOSED CONDITIONS

22-WQC-0038
 202260891
 82504
 10/5/22
 4 of 10
 MT

SCALE : 1" = 80'
 0' 80'



TYPICAL DREDGE SECTION

SCALE : 1" = 10'



SHEET 5 OF 5

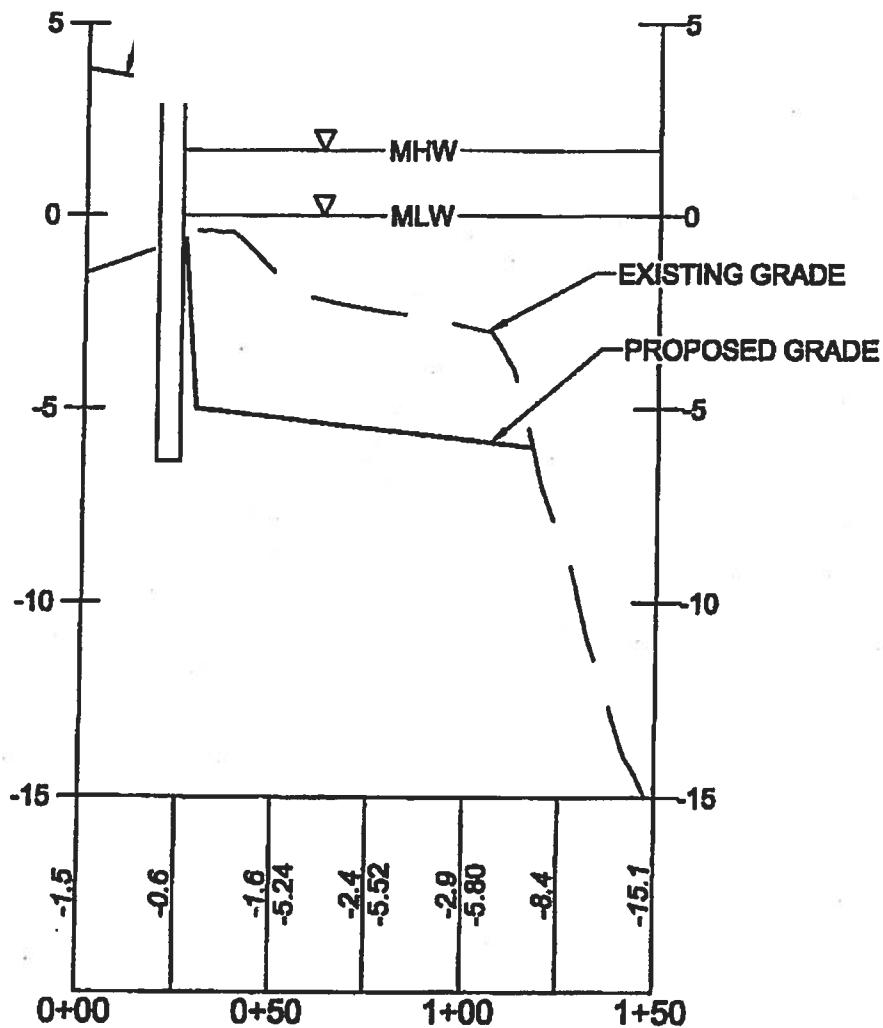
Proposed Dredging

IN: CHESTER RIVER
 NEAR: CHAESTERTOWN, MARYLAND
 APPL. BY: TOWN OF CHESTERTOWN
 ATTN: KEES DE MOOY
 118 N CROSS STREET
 CHESTERTOWN, MARYLAND 21620
 DATE: MAY 2022 - REV. OCTOBER 2022

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 202260891
 82504
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PROJECT NOTES:

DREDGE AREA:	83,766 SQUARE FEET
DREDGE MATERIAL QUANTITY:	7,250 CUBIC YARDS
PROPOSED DREDGE DEPTH:	6.0 FEET BELOW MLW
METHOD OF TRANSPORT:	WATER TIGHT TRUCKS
ADDRESS OF EXISTING DMP SITE:	25792 JOHN HANSON RD CHESTERTOWN, MD 21620 LAT: 39°12'19.76"N LONG: 76° 4'45.74"W



CROSS SECTION A-A

SCALE: HOR: 1" = 50'

VERT: 1" = 5'

22-WQC-0038
 202260891
 82504
 10/5/22
 6 of 10
 MT

———— MHW ————— = MHW 1.70' (AT BULKHEAD)
 ———— MLW ————— = MLW 0.00' (AT BULKHEAD)

PERMIT PLANS
 ON LANDS OF
CHESTERTOWN MARINA
 FOURTH ELECTION DISTRICT, KENT COUNTY, MARYLAND
 TAX MAP 203, PARCEL 1332
 PREPARED FOR TOWN OF CHESTERTOWN

McCRONE

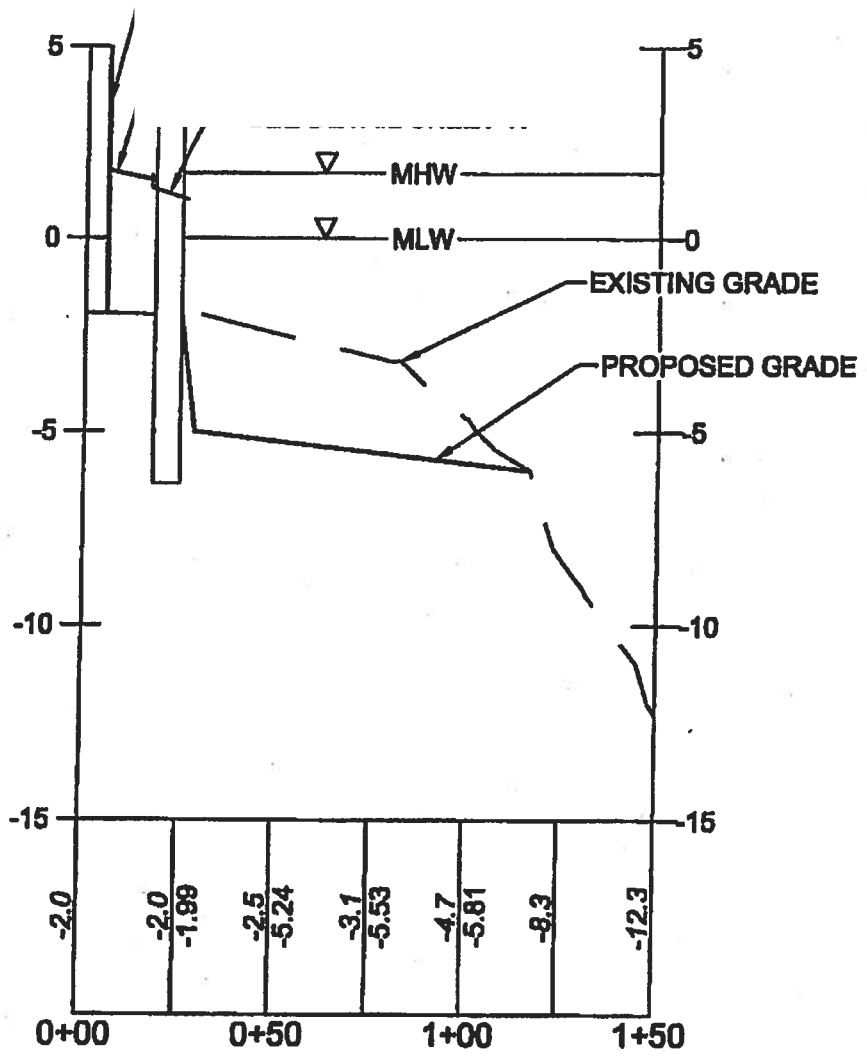
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 ● Construction Services ● Land Planning & Surveying

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JOB NUMBER: D1140024	DRAWN BY: JMA
2021	DESIGNED BY: PAO
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CROSS SECTION B-B

SCALE: HOR: 1" = 50'
 VERT: 1" = 5'

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 MT

———— MHW ————— = MHW 1.70' (AT BULKHEAD)
 ———— MLW ————— = MLW 0.00' (AT BULKHEAD)

PERMIT PLANS
 ON LANDS OF
CHESTERTOWN MARINA
 KURTH ELECTION DISTRICT, KENT COUNTY, MARYLAND
 TAX MAP 203, PARCEL 1332
 PREPARED FOR TOWN OF CHESTERTOWN

McCRONE

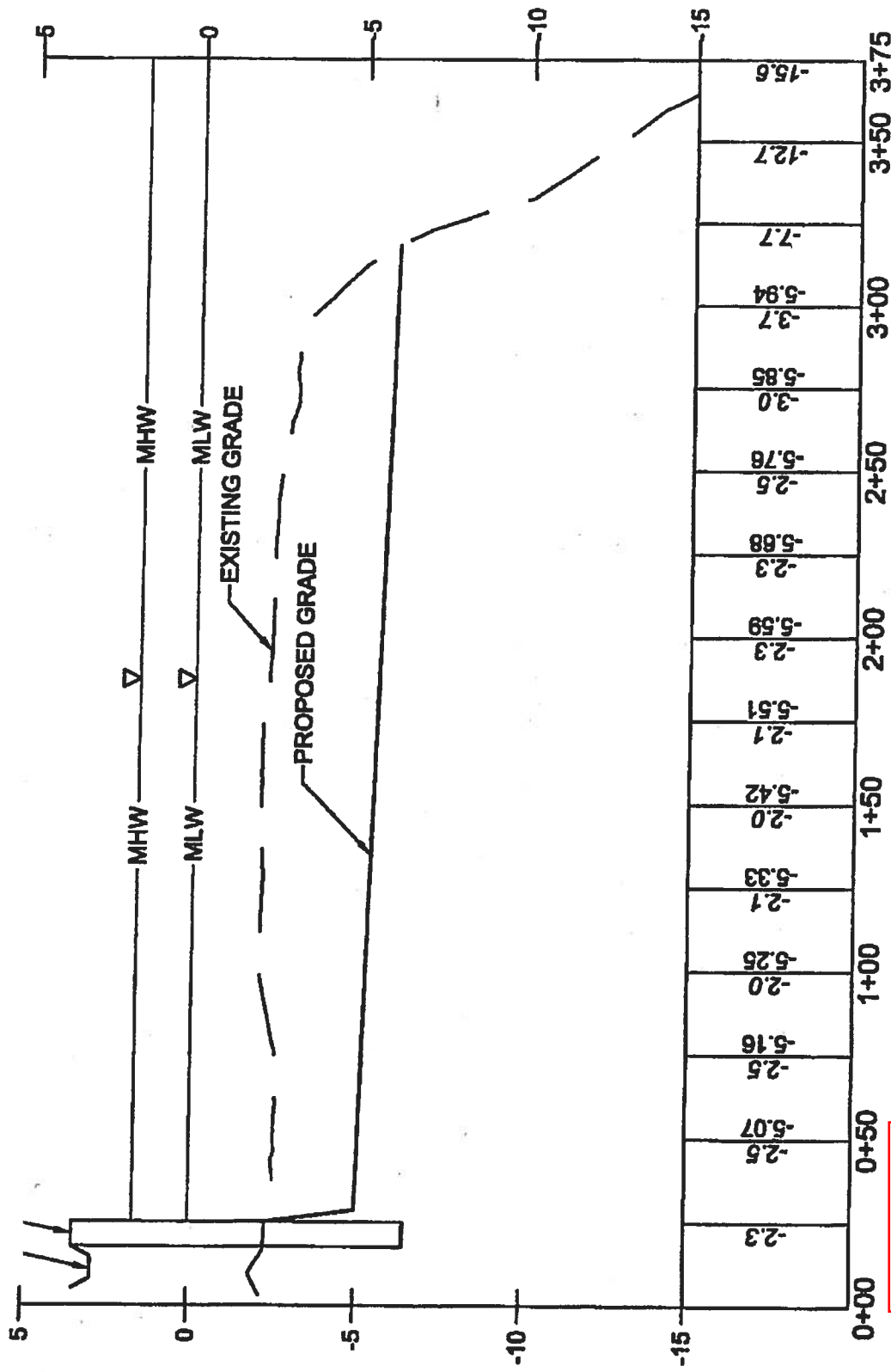
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JOB NUMBER: D1140024	DRAWN BY: JMA
2021	DESIGNED BY: PAO
	APPROVED BY: PAO



CROSS SECTION C-C

SCALE: HOR: 1" = 50'
VERT: 1" = 5'

— MHW — = MHW 1.70' (AT BULKHEAD)
— MLW — = MLW 0.00' (AT BULKHEAD)

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8 of 10
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PERMIT PLANS
ON LANDS OF
CHESTERTOWN MARINA
FOURTH ELECTION DISTRICT, KENT COUNTY, MARYLAND
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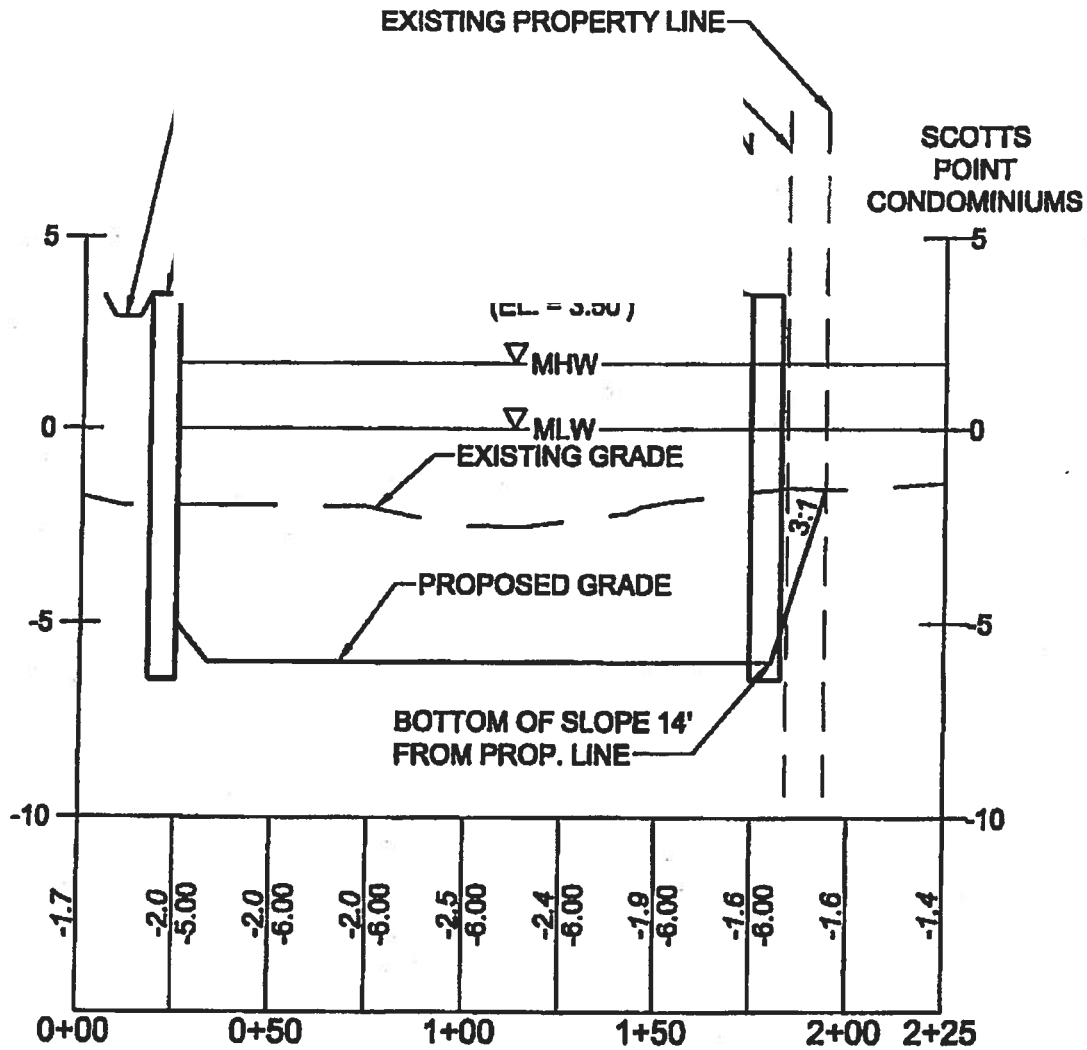
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JOB NUMBER: D1140024	DRAWN BY: JMA
2021	DESIGNED BY: PAO
	APPROVED BY: PAO



CROSS SECTION D-D

SCALE: HOR: 1" = 50'

VERT: 1" = 5'

22-WQC-0038
 202260891
 82504
 10/5/22
 9 of 10
 MT

———— MHW ————— = MHW 1.70' (AT BULKHEAD)
 ———— MLW ————— = MLW 0.00' (AT BULKHEAD)

PERMIT PLANS

ON LANDS OF

CHESTERTOWN MARINA

FOURTH ELECTION DISTRICT, KENT COUNTY, MARYLAND

TAX MAP 203, PARCEL 1332

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DATE:

JULY 2015

JOB NUMBER:

D1140024

2021

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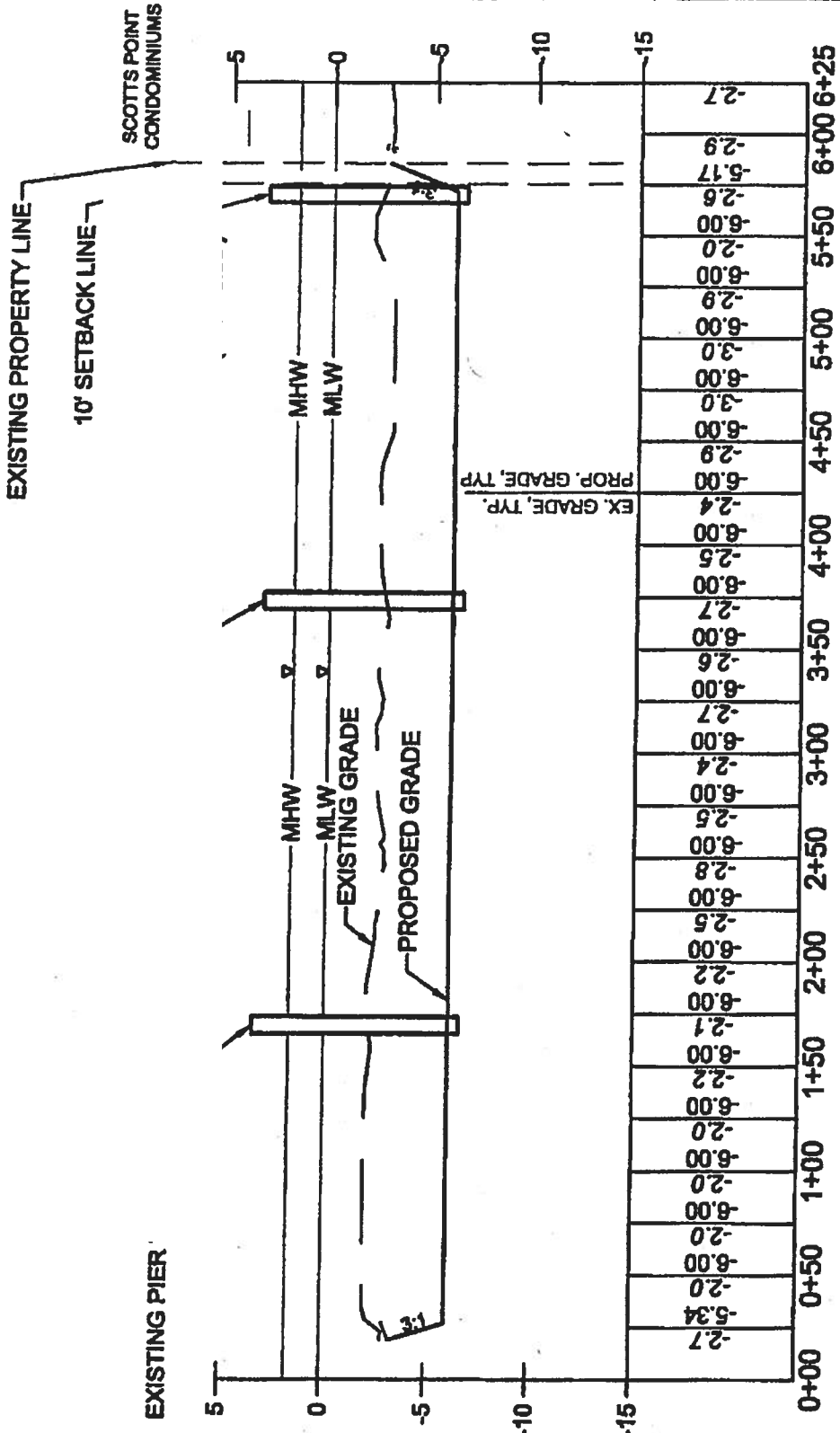
JMA

DESIGNED BY:

PAO

APPROVED BY:

PAO



CROSS SECTION E-E

SCALE: HOR: 1" = 80'
VERT: 1" = 8'

— MHW — = MHW 1.70' (AT BULKHEAD)
— MLW — = MLW 0.00' (AT BULKHEAD)

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202260891
82504
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PERMIT PLANS

ON LANDS OF

CHESTERTOWN MARINA

FOURTH ELECTION DISTRICT, KENT COUNTY, MARYLAND

TAX MAP 203, PARCEL 1332

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JULY 2015

JOB NUMBER:

D1140024

2021

SCALE:

AS SHOWN

DRAWN BY:

JMA

DESIGNED BY:

PAO

APPROVED BY:

PAO