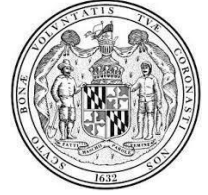




STATE OF MARYLAND
DEPARTMENT OF THE ENVIRONMENT
WATER AND SCIENCE ADMINISTRATION
WATER QUALITY CERTIFICATION

22-WQC-0044



EFFECTIVE DATE: **November 16, 2022**

CERTIFICATION HOLDER: **National Park Service – C&O Canal National Historical Park
142 W. Potomac Street
Williamsport, MD 21795
Attn: Joseph Reed**

PROJECT LOCATION: **Between Locks 21 and 23 along the C&O Canal,
Montgomery County**

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 THE REQUEST FOR CERTIFICATION FOR SEDIMENT REMOVAL WITHIN THE C&O CANAL AT SELECT LOCATIONS BETWEEN LOCKS 21 AND 23 ASSOCIATED WITH AUTHORIZATION 18-NT-3173 AND ITS MODIFICATIONS, 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 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

The purpose of this project is to restore the C&O Canal to a portion of its historic depth in order to allow for continued operation of mule-drawn canal boats for historic education and recreation. The National Park Service – C&O Canal National Historical Park is proposing to mechanically dredge the Chesapeake and Ohio Canal to depths ranging from 3.5 feet to 5 feet from design water surface elevation (plus one foot of over depth) for widths ranging between 30 feet and 60 feet along 5,390 feet of the canal, resulting in approximately 20,000 cubic yards of material consisting of accumulated alluvial sediment. Dredged material is proposed to be mechanically removed to a temporary upland dry-down location prior to final disposal at an upland placement site. The project also includes bank stabilization along 175 linear feet of the canal and repair of the Chesapeake and Ohio towpath between mile markers 16.64 and 22.15. The project will temporarily impact 217,000 square feet of stream and permanently impact 175 linear feet (1,080 square feet) of stream.

GENERAL CONDITIONS

- A. This Certification does not obviate the need to obtain required authorizations or approvals from other State, federal or local agencies as required by law.
Statement of Necessity for Condition: The condition is necessary to ensure that water quality standards are met.

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 26.08.02.10G(3); COMAR 26.08.02.06; COMAR 26.17.04; COMAR 26.23; COMAR 26.24; COMAR 26.23.02.06
- B. 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.
Statement of Necessity for Condition: The condition is necessary to clarify the scope of this certification to ensure compliance with water quality regulations, without limiting restrictions through other requirements.

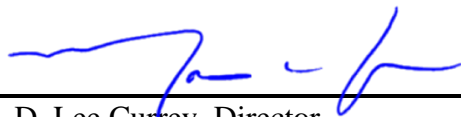
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- C. The Certification Holder shall allow authorized representatives of the Department access to the site of authorized activities during normal business hours to conduct inspections and evaluations of the operations and records necessary to assure compliance with this Certification.
Statement of Necessity for Condition: 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.

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 26.23.02.06; COMAR 26.23; COMAR 26.24; COMAR 26.17.04
- D. This Certification is valid for the project identified herein and the associated U.S. Army Corps of Engineers authorization 201861069 until such time that it expires or is not administratively extended.
Statement of Necessity for Condition: 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 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; 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 26.23.02.06; COMAR 26.23; COMAR 26.24; COMAR 26.17.04

CERTIFICATION APPROVED



D. Lee Currey, Director
Water and Science Administration

Date 11/18/2022

Tracking Number: 201861069

Agency Interest Number: 161382

Effective Date: November 16, 2022

cc: WSA Inspection & Compliance Program
U.S. Army Corps of Engineers