



Maryland

Department of the Environment

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

Ben Grumbles, Secretary
Horacio Tablada, Deputy Secretary

March 24, 2021

Mr. Dan Swenson
USACE, Baltimore District
Regulatory Branch
2 Hopkins Plaza
Baltimore, MD 21201
via electronic mail: Daniel.P.Swenson@usace.army.mil

Re: Proposed Maryland State Programmatic General Permit, Water Quality Certification Request, Coastal Zone Management Act Determination, AI # 168223, 20-WQC-0051

Dear Mr. Swenson:

This is in response to the U.S. Army Corps of Engineers (ACOE), Baltimore District request for water quality certification (WQC) under Section 401 of the Clean Water Act and coastal zone consistency determination pursuant to Section 307(c)(3)(A) of the Federal Coastal Zone Management Act of 1972, as amended, (CZMA) for the reissuance of the Maryland State Programmatic General Permit (MDSPGP-6). The ACOE determined March 24, 2021 was a reasonable time for a decision to be made by Maryland for the WQC and CZMA requests.

Enclosed you will find Maryland's conditioned Water Quality Certification and CZMA determination. Please take a moment to read and review the WQC and CZMA determination to ensure that you understand the limits of the authorized work and all of the general and special conditions.

This Water Quality Certification is a final agency decision. Any person aggrieved by the Department's decision to issue this WQC may appeal such a decision in accordance with COMAR 26.08.02.10F(4). A request for appeal shall be filed with the Department within 30 days of publication of the final decision, and specify in writing the reason why the final decision should be reconsidered. A request for appeal shall be submitted to: Secretary of the Environment, Maryland Department of the Environment, 1800 Washington Boulevard, Baltimore, MD 21230. Any request for an appeal does not stay the effectiveness of this WQC.

In accordance with 15 C.F.R §930.4 a conditional CZMA determination is considered as an objection to the proposed activity if the aforementioned CZMA conditions are not acceptable to ACOE. Should ACOE object to these conditions and Maryland's consistency determination, it may administer procedures set forth in 15 C.F.R §930.43 and Subpart G.

Please contact me if you have any questions. I can be reached at 410-537-3528 or by email at hnelson@maryland.gov

Sincerely,



Heather L. Nelson, Manager
Federal Consistency Coordinator
Wetlands and Waterways Program
Water and Science Administration

Enclosure(s):

Water Quality Certification w/Attachment

Coastal Zone Management Act Consistency Determination w/ Attachments

cc: (via electronic mail)

Donald Bole, Regulatory Branch, USACOE Baltimore District

Alexis Kolarz, Regulatory Branch, USACOE Baltimore District

Joseph Abe, DNR