



Maryland
Department of
the Environment

Wes Moore, Governor
Aruna Miller, Lt. Governor

Serena McIlwain, Secretary
Suzanne E. Dorsey, Deputy Secretary

February 12, 2024

Annapolis Department 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: 178539
Tracking Number: 202360790
Tidal Authorization Number: 23-WQC-0036

Dear Annapolis 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 Mel Throckmorton at Mel.Throckmorton@maryland.gov or 410-537-3559 with any questions.

Sincerely,

Tammy Roberson

Tammy K. Roberson
Chief
Tidal Wetlands Division



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



23-WQC-0036

EFFECTIVE DATE: **February 12, 2024**
CERTIFICATION HOLDER: **Annapolis Dept of Public Works**
ADDRESS: **Attn: Burr Vogel**
145 Gorman St, 2nd Fl
Annapolis, MD 21401
PROJECT LOCATION: **Tucker St**
Annapolis, MD 21401

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 TUCKER STREET PUBLIC BOAT RAMP AND AS DESCRIBED IN THE ATTACHED PLAN SHEETS DATED JANUARY 26, 2024, 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.

The Maryland Department of the Environment satisfied the statutory and regulatory public notice requirements by placing the WQC on Public Notice from September 15, 2023 to October 15, 2023 on Maryland Department of the Environment's Public Notice webpage and advertising in the Capital Gazette on September 21, 2023.

PROJECT DESCRIPTION

1. Remove an existing boat ramp; and,
2. Construct a 55-foot long by 22-foot wide concrete boat ramp with 101 linear feet of boulder flankwalls; and,
3. Construct a 42-foot long by 6-foot wide floating pier with a 24-foot long by 6-foot wide "L-head" floating platform, and a 15-foot long by 5-foot wide kayak launch; and,
4. All work extending within a maximum of 49 feet channelward of the mean high water line.

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. 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.
8. No stockpiles of materials 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-2023-60790 (Annapolis Department of Public Works – Tucker Street Boat Ramp) 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, to reduce any potential adverse effects to aquatic resources, shall construct and maintain a cofferdam or similar containment structure around and channelward of the boat ramp area prior to any excavation and backfilling along the shoreline through completion of any excavation and backfilling along the shoreline and concrete work.
5. The Certificate Holder shall have all work proposed above the mean high water line reviewed and authorized by City of Annapolis Department of Planning and Zoning.
6. The Certificate Holder shall remove an existing boat ramp and associated structures prior to the commencement of the construction of a new boat ramp.
7. The Certificate Holder shall install chocks, stoppers, bracing or similar devices to prevent the floating structure from resting on the bottom substrate during periods of low water.

CITATIONS AND STATEMENTS OF NECESSITY

1. Statement of Necessity for General Conditions 1, 2, 3, 4, and Special Conditions 1, 3, 4, 5, 6, 7: 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 Condition 5: 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

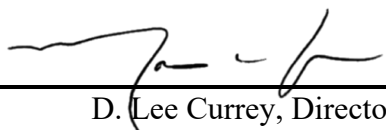
6. Statement of Necessity for Special Condition 2: Expertise for conducting certain activities is required to ensure that there is no violation of water quality standards nor interference with designated uses. This condition is necessary to ensure that discharges will be conducted in a manner which does 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 Condition 6: Damaged piers may result in pieces of the structure discharging to navigable waters. The condition is necessary to ensure that discharges related to removal and installation removal do not result in additional discharges which would violate water quality standards and designated uses for water clarity, turbidity, growth and propagation of fish, other aquatic life, and wildlife and recreation. The condition is necessary to ensure that the discharge will not interfere with designated uses for water contact recreation and fishing nor create a nuisance.

Citations: "26.08.02.02B(1)(d); COMAR 26.08.02.02B(3); COMAR 26.08.02.03B COMAR 26.08.02.01B(1) and B(2)COMAR 26.08.02.03B(1)(a); COMAR 26.08.02.03B(2)(d)

CERTIFICATION APPROVED



D. Lee Currey, Director
Water and Science Administration

2/19/2024

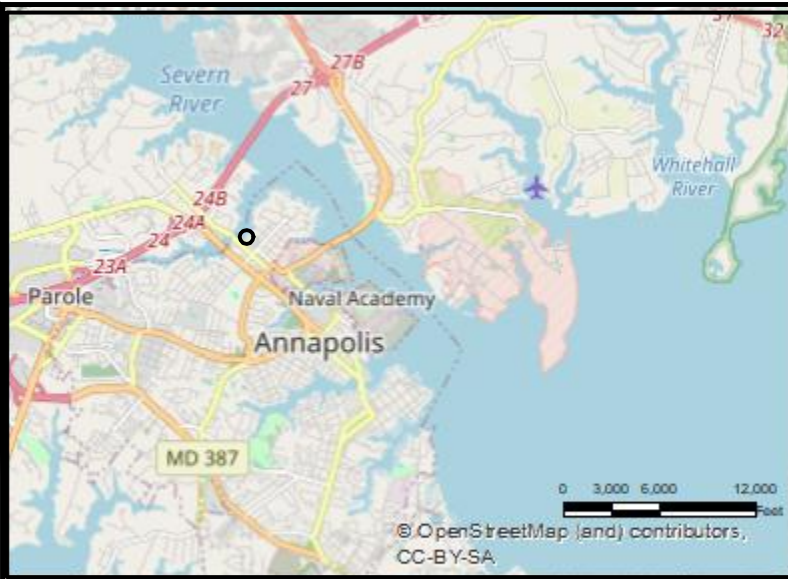
Date

Tracking Number: 202360790
Agency Interest Number: 178539

Effective Date: February 12, 2024

Enclosure: Plan Sheets dated January 26, 2024

cc: WSA Inspection & Compliance Program
Army Corps of Engineers



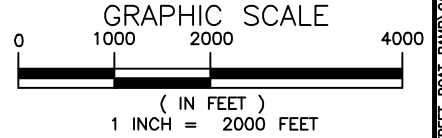
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**TUCKER STREET BOAT RAMP
 AT
 TUCKER STREET
 ANNAPOLIS, ANNE ARUNDEL COUNTY**

APPL. BY: CITY OF ANNAPOLIS DPW C/O BURR M. VOGEL

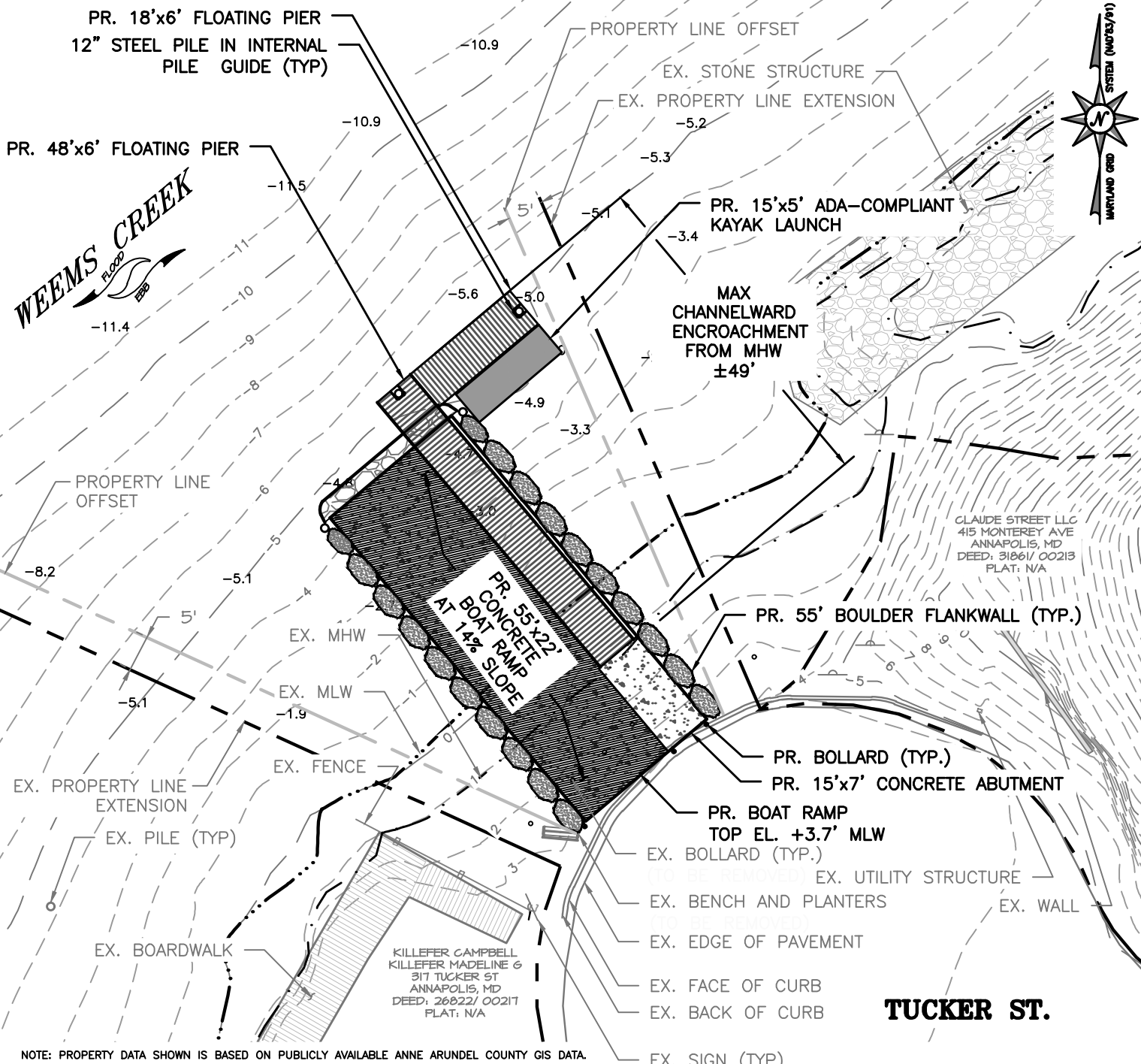
VICINITY MAP



Bayland
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NOTE: PROPERTY DATA SHOWN IS BASED ON PUBLICLY AVAILABLE ANNE ARUNDEL COUNTY GIS DATA.

TUCKER ST.

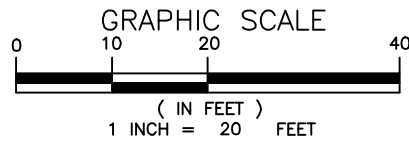
**TUCKER STREET BOAT RAMP
AT
TUCKER STREET
ANNAPOLIS, ANNE ARUNDEL COUNTY**

APPL. BY: CITY OF ANNAPOLIS DPW C/O BURR M. VOGEL

SITE PLANS

23-WQC-0036
202360790

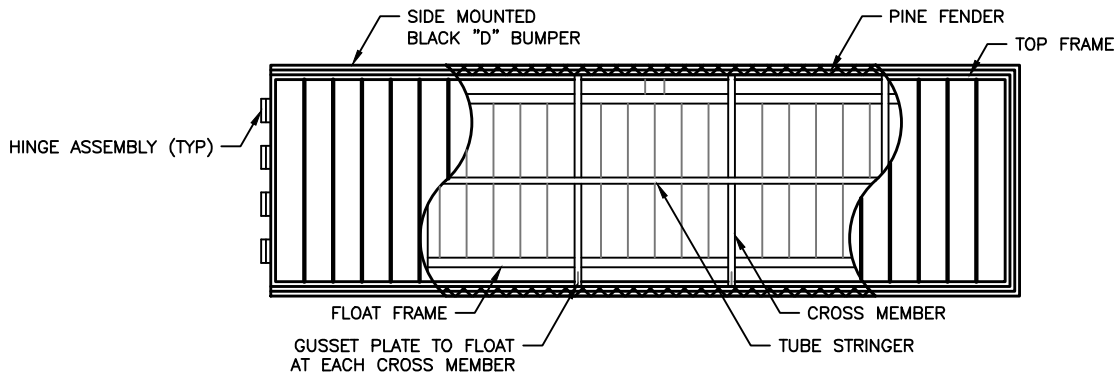
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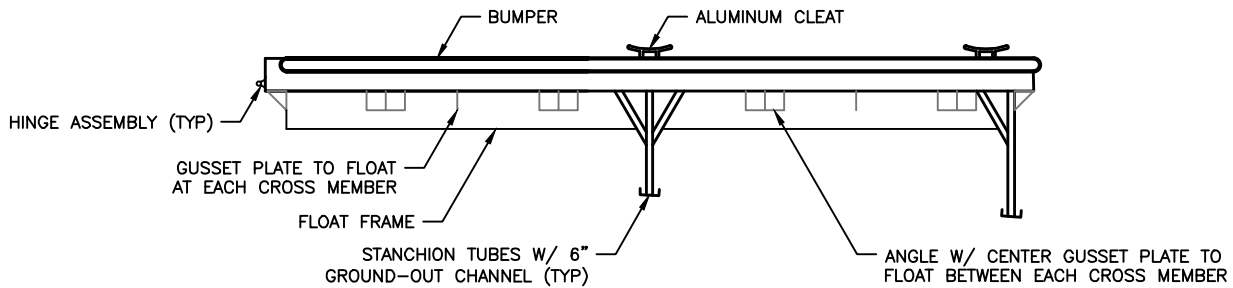
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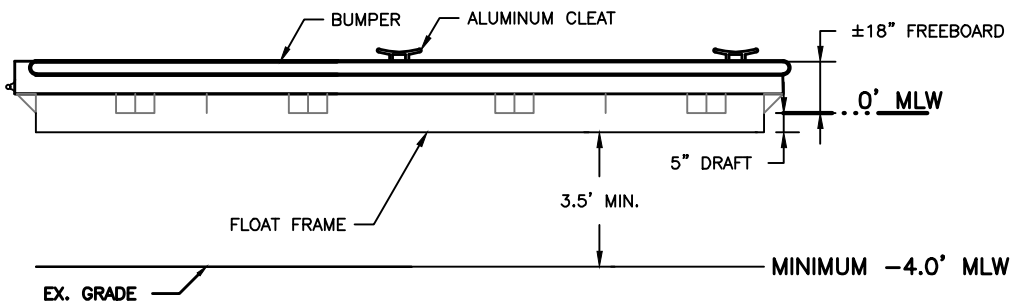
PLAN



PROFILE

TYPICAL FLOATING PIER AT BOAT RAMP DETAIL

SCALE: NTS



PROFILE

TYPICAL FLOATING PIER DETAILS

SCALE: NTS



PHOTO OF FLOATING KAYAK LAUNCH

SCALE: NTS

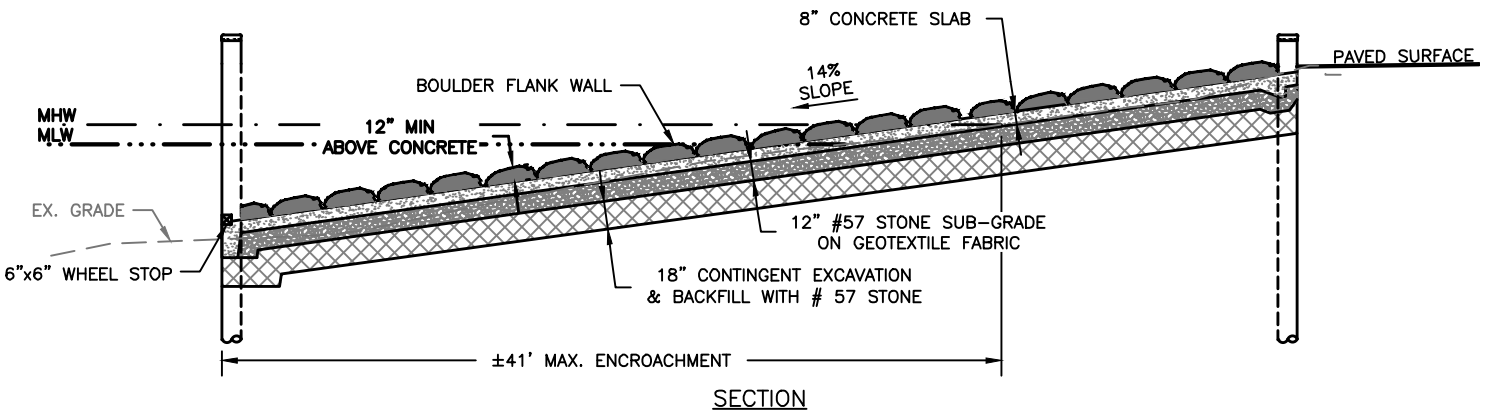
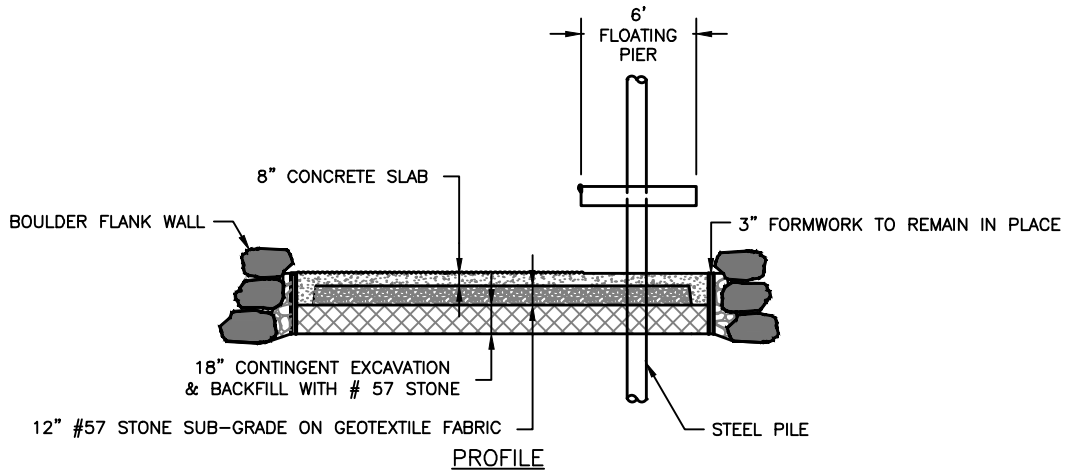
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TUCKER STREET BOAT RAMP
AT
TUCKER STREET
ANNAPOLIS, ANNE ARUNDEL COUNTY

APPL. BY: CITY OF ANNAPOLIS DPW C/O BURR M. VOGEL

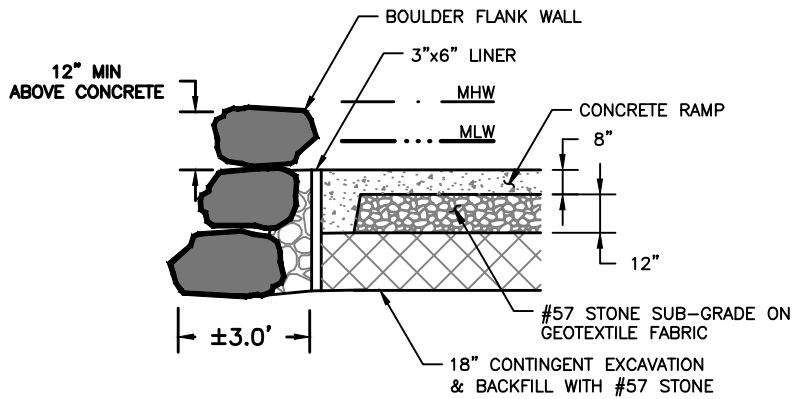
FLOATING PIER DETAILS

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TYPICAL BOAT RAMP DETAILS

SCALE: NTS



TYPICAL FLANK WALL SECTION

SCALE: NTS

TUCKER STREET BOAT RAMP
AT
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ANNAPOLIS, ANNE ARUNDEL COUNTY

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BOAT RAMP DETAILS & FLANK WALL SECTION

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