



Maryland

Department of the Environment

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

Ben Grumbles, Secretary
Horacio Tablada, Deputy Secretary

July 27, 2021

Airedele Road LLC
49944 Airedele Rd
Ridge, MD 20680

Re: Agency Interest Number: 112058
Tracking Number: 201960880
Tidal Authorization Number: 21-WQC-0320

Via email: nick@thelocaloyster.com
Erica.Schmidt@usace.army.mil

Dear Airedele Road LLC:

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 the 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.

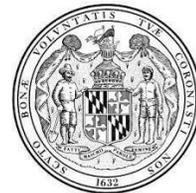
You should not begin any work until you have obtained all necessary State, local, and federal authorizations. Please contact Justin Berezna at justin.berezna@maryland.gov or 410-537-4053 with any questions.

Sincerely,

for Tammy K. Roberson, Chief
Tidal Wetlands Division



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



21-WQC-0320

EFFECTIVE DATE: **July 27, 2021**
CERTIFICATION HOLDER: Airedele Road LLC

PROJECT LOCATION: 49944 Airedele Rd
Ridge, MD 20680

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 AIREDELE ROAD LLC, 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

1) To fill, grade, and plant marsh vegetation along 505 feet of eroding shoreline with 1100 cubic yards of sand and a low profile, stone, sand containment sill emplaced within a maximum of 25 feet channelward of the mean high water line; 2) Emplace 20 feet of stone revetment within a maximum of 10 feet channelward of the mean high water line. 3) Emplace a 5-foot by 5-foot splash pad. 4) Install one, six inch diameter intake pipe with one bleed line and three, two inch

backup intake lines; 5) Install two, six inch diameter discharge pipes, all proposed pipes extending a maximum of 80 channelward of the mean high water line.

GENERAL CONDITIONS

1. 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 under unique circumstances for discharges which may otherwise qualify under the certified Nationwide Permits.

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

2. 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.

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 26.08.02.10E; COMAR 26.23.02.06; COMAR 26.17.04; COMAR 26.23; COMAR 26.24

3. 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

4. This Certification is valid for the project identified herein and the associated U.S. Army Corps of Engineers authorization 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

SPECIAL CONDITIONS

- A. The Certificate Holder shall construct the marsh establishment area in accordance with the following conditions:
1. The Certificate Holder shall use clean substrate fill material, no more than 10% of which shall pass through a standard number 100 sieve.
 2. The marsh establishment area shall be planted within one year following completion of the filling operation.
 3. The marsh establishment project shall be maintained as a wetland, with non-nuisance species' aerial coverage of at least 85% for three consecutive years. If 85% coverage is not attained, the reasons for failure shall be determined, corrective measures shall be taken, and the area shall be replanted.
 4. If the fill is graded hydraulically, the Certificate Holder shall use a turbidity curtain around the perimeter of the instream work.
 5. If the existing bank is to be cleared or graded:
 6. The Certificate Holder shall perform all work under and in accordance with an approved Soil Erosion and Sediment Control Plan from the applicable sediment and erosion control agency; and
 7. The Certificate Holder shall perform all work under and in accordance with the Critical Area requirements of the local jurisdiction in the form of an approved Buffer Management Plan.

Statement of Necessity for Condition: The above conditions are required to ensure that waters continue to meet designated uses. Use of fill material exceeding limits or losses exceeding limits may result in discharges which interfere with designated uses, including the support of estuarine and marine aquatic life, and the protection of shellfish harvesting, shallow water submerged aquatic vegetation, and migratory fish spawning and nurseries in tidal wetlands. Limits to fill material and loss limits will maintain the designated use. The discharge or deposition of material within or adjacent to regulated resources may result in discharges that result in impacts to water quality and designated uses. Issuance of water quality certification does not relieve the applicant of their responsibility to comply at all times with federal and State law.

Stabilization of the site with vegetation is required to ensure that waters continue to meet designated uses. Loss of substrate fill material may result in discharges which reduce water quality and interfere with designated uses, including the support of estuarine and marine aquatic life, and the protection of shellfish harvesting, shallow water submerged aquatic vegetation, and migratory fish spawning and nurseries in tidal wetlands.

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; Md. Ann. Code, Env. Article, Title 1, Subtitles 3 and 4; Md. Ann. Code, Env. Article, Title 9, Subtitle 3; Md. Ann. Code, Env. Article, Title 16; COMAR 26.08; COMAR 26.08.02.02.B.(3); COMAR 26.08.02.03-3.C.(2)d.(5); COMAR 26.08.02.03.A.(1)(b); COMAR 26.08.02.03.B.(1)-(5); COMAR 26.08.02.10.E.(2); COMAR 26.24

- B. The Certificate Holder shall accept the terms of the attached marsh maintenance plan by signing and returning the standard plan to the Water and Science Administration, Tidal Wetlands Division prior to commencement of any work authorized under this Certification. If the Certificate Holder wishes to propose an alternative marsh maintenance plan, the alternative plan must be submitted to and approved by the Tidal Wetlands Division, Water and Science Administration, prior to commencement of any work authorized under this Certification. Any alternative plan must provide assurances of success that are at least equivalent to those of the standard plan, in terms of the extent of native marsh plant coverage, elimination of invasive species and timeframe for plant establishment.

Statement of Necessity for Condition: Stabilization of the site with vegetation is required to ensure that waters continue to meet designated uses. Loss of substrate fill material may result in discharges which reduce water quality and interfere with designated uses, including the support of estuarine and marine aquatic life, and the protection of shellfish harvesting, shallow water submerged aquatic vegetation, and migratory fish spawning and nurseries in tidal wetlands. Loss limits will maintain the designated use.

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; Md. Ann. Code, Env. Article, Title 1, Subtitles 3 and 4; Md. Ann. Code, Env. Article, Title 9, Subtitle 3; Md. Ann. Code, Env. Article, Title 16; COMAR 26.08; COMAR 26.08.02.02.B.(3); COMAR 26.08.02.03-3.C.(2)d.(5); COMAR 26.24

- C. The Certificate Holder shall design and construct the stone revetment to prevent the loss of fill material to waters of the State of Maryland.

Statement of Necessity for Condition: Loss of fill material may result in violations of water quality due to turbidity and other alterations which interfere with designated uses as well as a designated use class for support of estuarine and marine aquatic life, and support of designated uses for growth and propagation of fish, shallow water submerged vegetation, other aquatic life, and wildlife. Loss limits will maintain the designation use.

Citations: 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 26.24; COMAR 26.08; COMAR 26.08.02.10G(3); COMAR 26.08.02.06; COMAR 26.17.04; COMAR 26.23; COMAR 26.23.02.06

- D. The Certificate Holder shall not use asphalt rubble in the revetment. Filter cloth shall be placed between the riprap and the soil. Prior to emplacement of the revetment, all rebar is to be cut off flush with the concrete. After emplacement of the revetment, any rebar exposed as a result of the concrete breaking during the emplacement is to be cut flush with the concrete. Except for the larger material placed along the leading edge of the revetment, the concrete shall be broken prior to emplacement so that random sized interlocking pieces are formed.

Statement of Necessity for Condition: Proper placement and alignment of the discharge material will maintain habitat and maintain designated uses for support of estuarine and marine aquatic life and support of designated uses for growth and propagation of fish, other aquatic life, and wildlife.

Citations: Md. Ann. Code, Env. Article, Title 1, Subtitles 3 and 4; Md. Ann. Code, Env. Article, Title 9, Subtitle 3; Md. Ann. Code, Env. Article, Title 16; COMAR 26.24; COMAR 26.08; COMAR 26.08.02.02B(1)(d); COMAR 26.08.02.02B(3); COMAR 26.08.02.03B(1)(b); COMAR 26.08.02.02B(2); COMAR 26.08.02.10E.(2); COMAR 26.24

- E. The Certificate Holder shall not perform any construction from November 15th through March 1st of any year to protect wintering waterfowl. The proposed project site is located in a Historic Waterfowl Concentration Area.

Statement of Necessity for Condition: A time of year restriction is necessary to allow for wintering waterfowl to move from breeding areas to seasonally use suitable winter habitat. Breeding and wintering habitat are both essential to support waterfowl populations. Breeding habitat would not sustain waterfowl during winter. Disturbance during the closure period would interfere directly or indirectly with designated uses.

Citations: 1) COMAR 26.08.02.02.B.(3) 2) COMAR 26.08.02.02.B.(1)(d) 3) COMAR 26.08.02.03.B.(1)(b) 4) COMAR 26.08.02.03.B.(2)(e) 5) COMAR 26.24

- F. The Certification Holder shall ensure that discharges from the constructed facility do not: (a) Violate water quality standards; and (b) Result in erosive flows or changes in turbidity downstream;

Statement of Necessity for Conditions: The condition is necessary to ensure that the discharge will not result in additional eroded sediment entering waters of the United States in amounts which interfere with designated uses and/or violate water quality standards for turbidity and clarity or general water quality criteria. Discharges from the facility may contribute additional concentrated pollutants, heated waters, and erosion to downstream waters without proper design of the facility. Effects of the discharge may result in waters failing to meet designated uses.

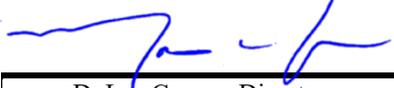
Citations: COMAR 26.08.02.02B(1); COMAR 26.08.02.02B(3); COMAR 26.08.02.03B; COMAR 26.08.02.03-3A; COMAR 26.08.02.03-3C B.

- G. The Certification Holder shall meet all water quality-related performance standards and conditions required by the Department in any state issued authorization for activities in tidal wetlands to ensure that any discharges will not result in a failure to comply with water quality standards in COMAR 26.08.02. or other water quality requirements of state law or regulation.

Statement of Necessity for Conditions: The condition is necessary to ensure that any discharges will not result in a failure to comply with water quality standards in COMAR 26.08.02. or other water quality requirements of state law or regulation.

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; Md. Ann. Code, Env. Article, Title 1, Subtitles 3 and 4; Md. Ann. Code, 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 26.24.

CERTIFICATION APPROVED

 7/27/21

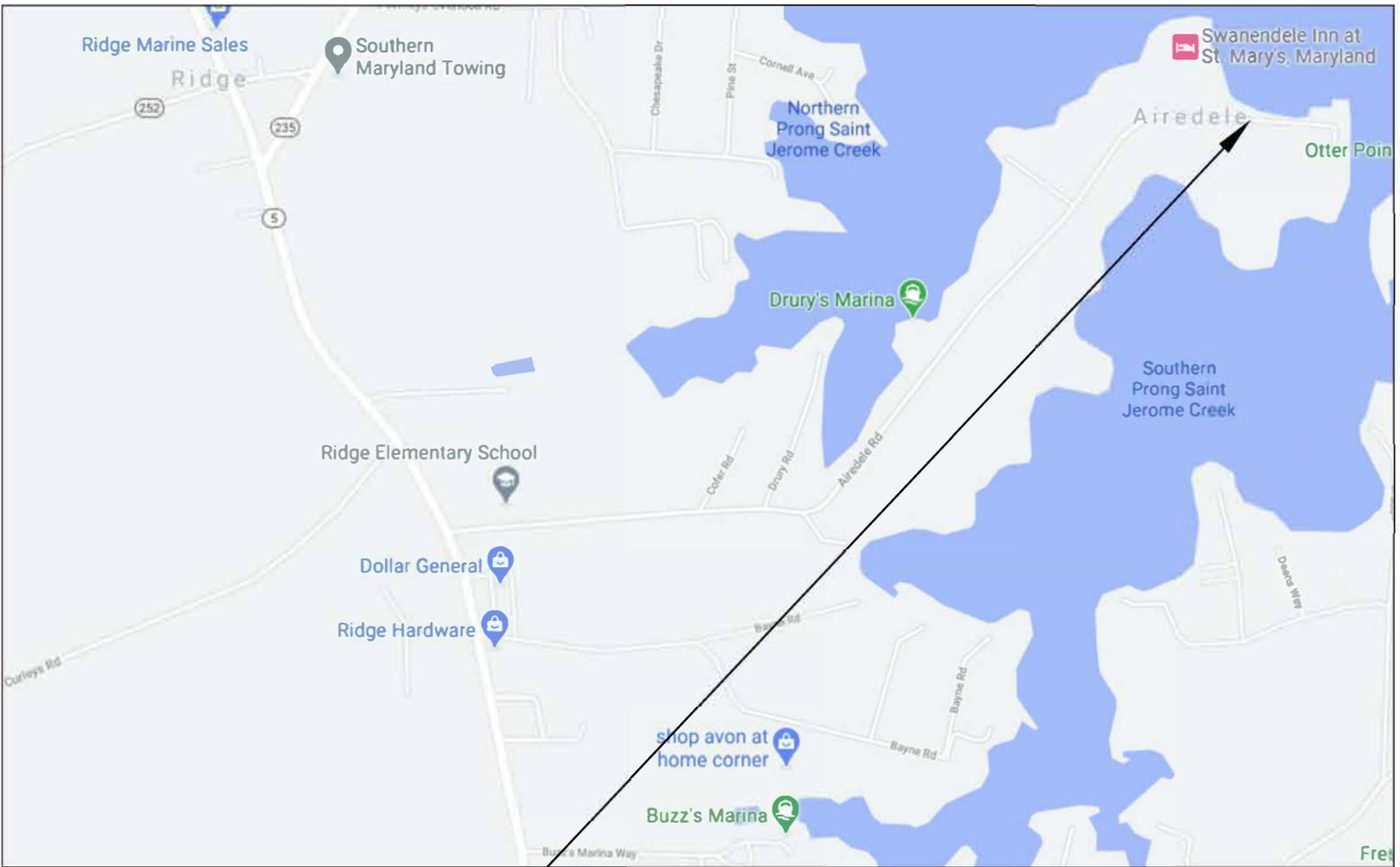
D. Lee Currey, Director	Date
Water and Science Administration	

Tracking Number: 202060802
Agency Interest Number: 168426

Effective Date: July 27, 2021

Enclosure: Final plan sheets

cc: WSA Inspection & Compliance Program
Army Corps of Engineers



49944 AIREDELE ROAD

20196880
 21-WQC-0320
 2/5/21
 1 of 3



Colliflower & Peterson
 Marine Contractors
 A DIVISION OF:
 RASCO, INC.
 1635-2 Woodside Drive
 Woodbridge, VA 22191
 301.994.2824

PROJECT: LIVING SHORELINE	TAX MAP: 71	DEED: 3973/14
OWNER: AIREDELE ROAD LLC	PARCEL: 57	LOT: 1
COUNTY: ST. MARYS	STREET: 49944 AIREDELE RD.	
WATERWAY: ST. JEROME CREEK	DATE: 2/5/2021	SHEET: MAP

PROPERTY OF:
 GERALD MEYERMAN
 49946 AIREDELE RD.
 RIDGE, MD 20680

PROPERTY LINE

2 DISCHARGE
 1 BLEED LINE
 3 BACKUP INTAKE
 1 MAIN INTAKE



PROPERTY OF:
 AIREDELE ROAD LLC
 209 GOODWOOD GARDEN
 BALTIMORE, MD 21210

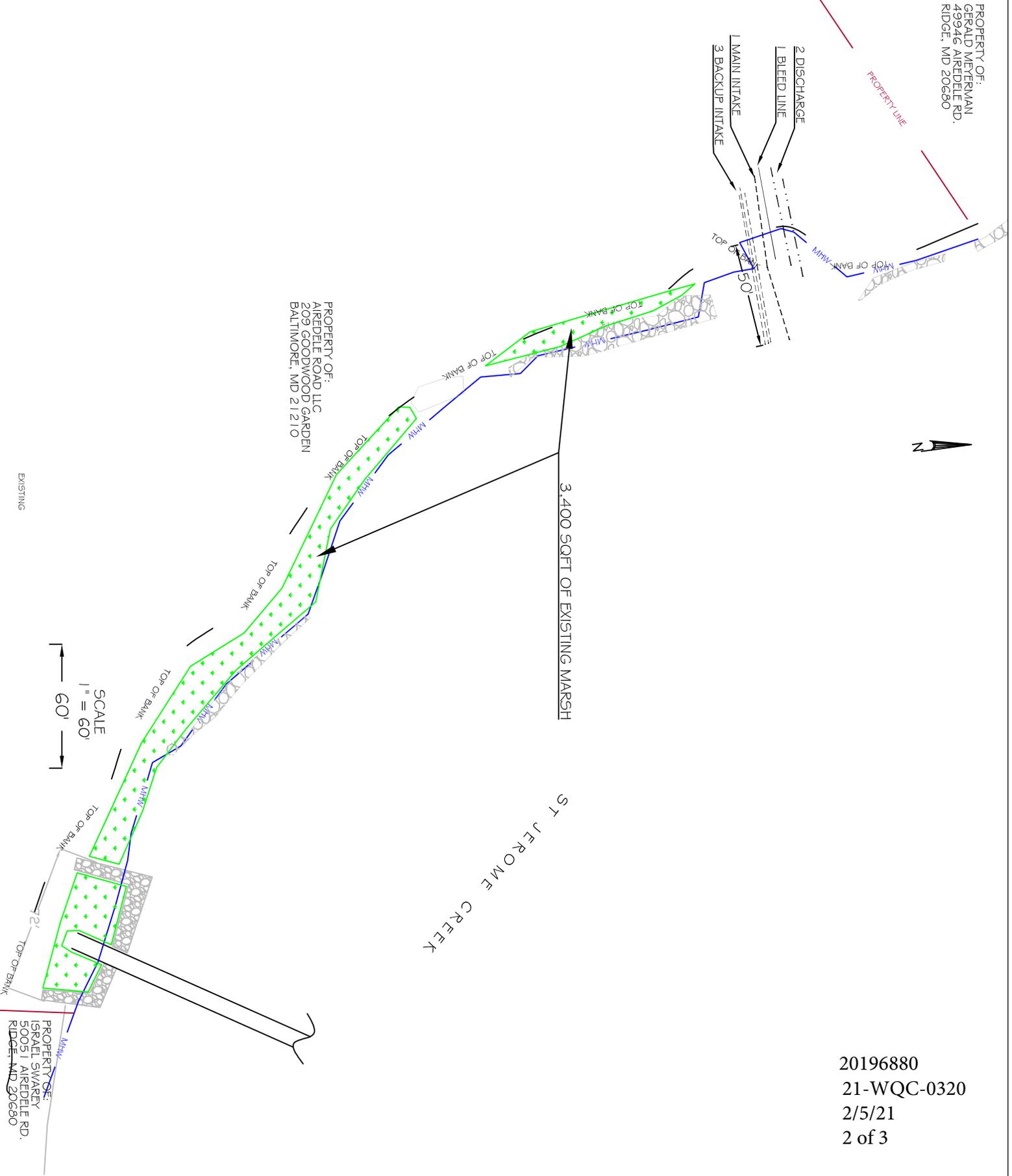
3,400 SQFT OF EXISTING MARSH

ST JEROME CREEK

20196880
 21-WQC-0320
 2/5/21
 2 of 3

EXISTING

SCALE
 1" = 60'



Colliflower & Peterson

Marine Contractors
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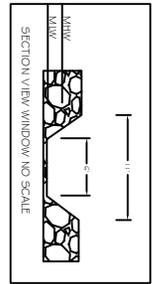
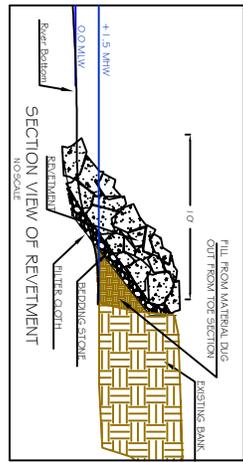
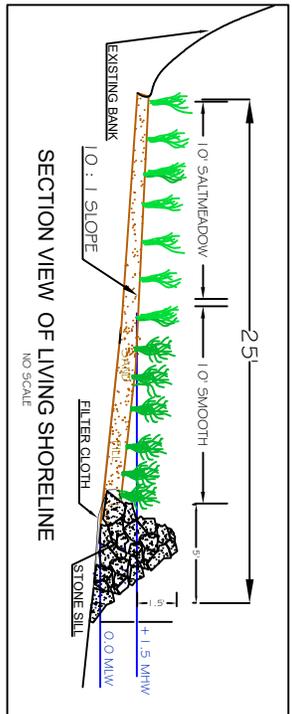
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SHEET: EXISTING

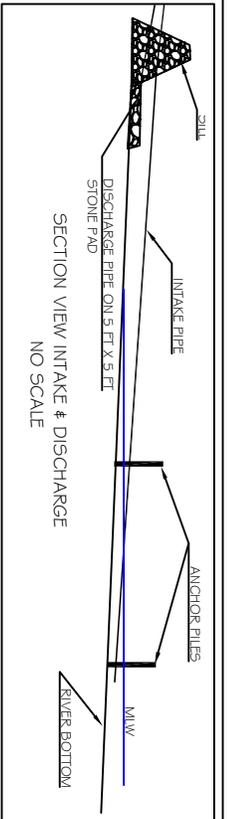
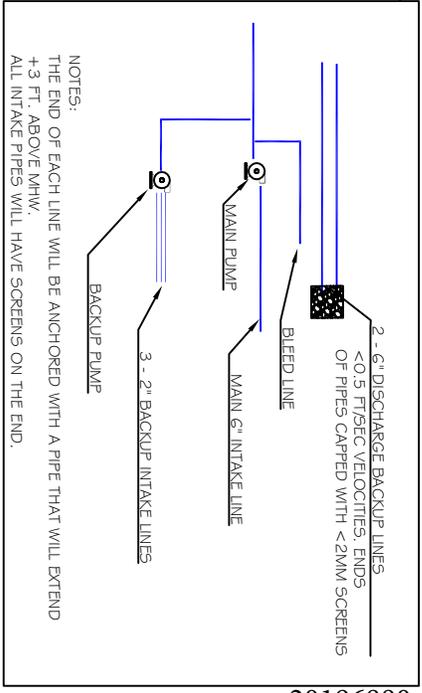
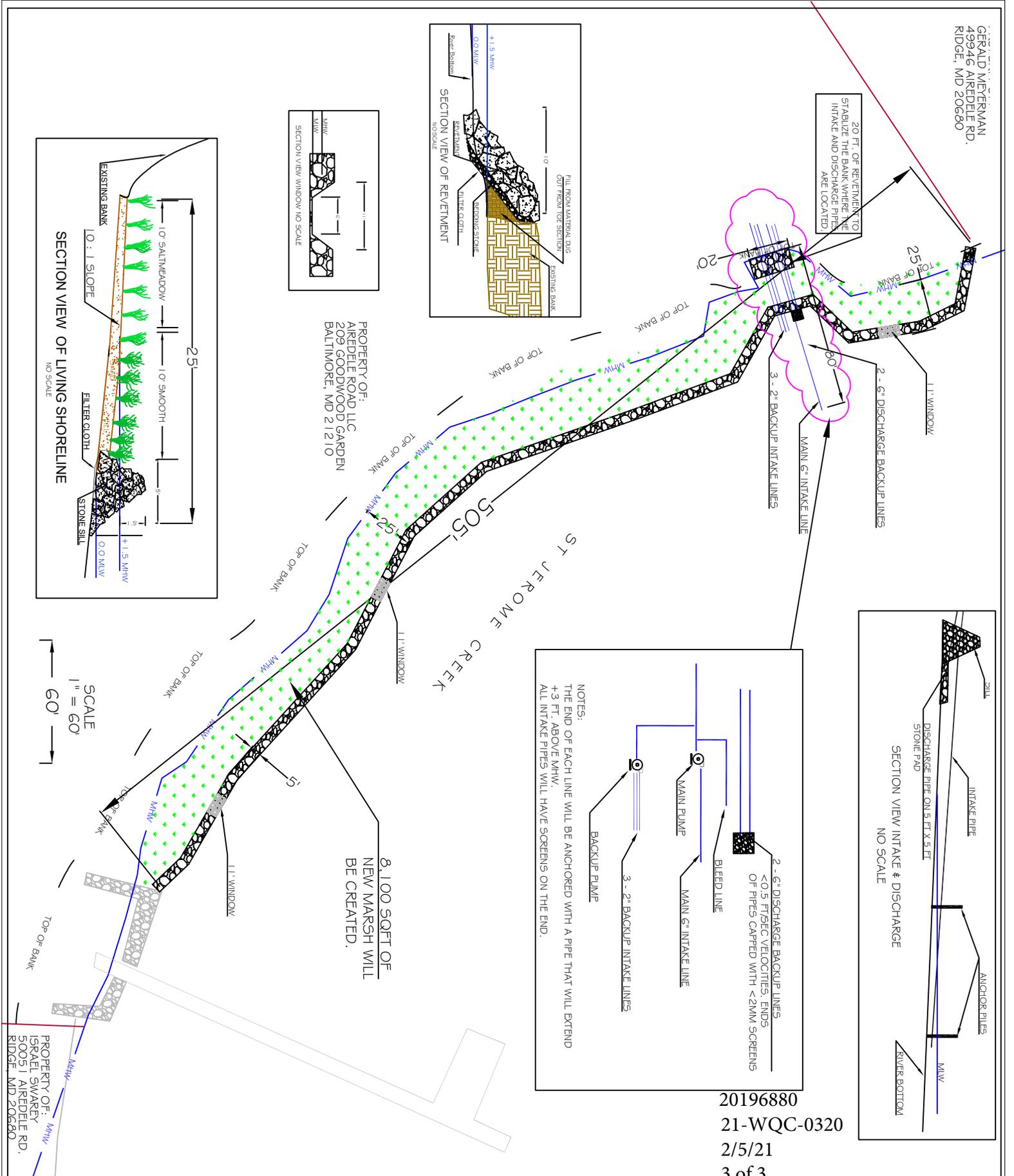
PROPERTY OF:
GERALD MEYERMAN
49946 AIREDELE RD.
RIDGE, MD 20680

PROPERTY OF:
AIREDELE ROAD LLC
209 GOODWOOD GARDEN
BALTIMORE, MD 21210

8,100 SQ FT OF
NEW MARSH WILL
BE CREATED.



SCALE
1" = 60'
60'



20196880
21-WQC-0320
2/5/21
3 of 3

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