



Maryland

Department of the Environment

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

Ben Grumbles, Secretary
Horacio Tablada, Deputy Secretary

December 3, 2020

Town of Queenstown
c/o Isaac Wilding
580 Taylor Ave, D-2
Tawes State Office Bldg.
Annapolis, MD 21401
Via email: Isaac.wilding@maryland.gov

Re: Agency Interest Number: 102187
Tracking Number: 201960814
Tidal Authorization Number: 20-WQC-0043

Dear Isaac Wilding:

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 Mary Phipps-Dickerson at mary.phipps-dickerson@maryland.gov or 410-901-4033 with any questions.

Sincerely,

Jonathan Stewart, Chief
Eastern Region
Tidal Wetlands Division



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



20-WQC-0043

EFFECTIVE DATE: **December 3, 2020**
EXPIRATION DATE: **December 2, 2023**
CERTIFICATION HOLDER: **Town of Queenstown**
ADDRESS: **PO Box 4**
Queenstown, Maryland 21658
PROJECT LOCATION: **1st and 2nd Ave**
Queenstown, MD 21658
Queenstown Creek in Queen Anne's 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 STATE TIDAL WETLANDS LICENSE NUMBER 19-WL-0587 (“LICENSE”) 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 THE LICENSE. A COPY OF THE LICENSE, INCLUDING APPROVED PROJECT DRAWINGS AND OTHER ATTACHMENTS, IS ATTACHED HERETO AND IS HEREBY INCORPORATED BY REFERENCE.

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.

SPECIAL CONDITIONS

- A. The terms and conditions of Tidal Wetlands License No. 19-0587 are hereby incorporated, by reference, into this Water Quality Certification. The Certification Holder shall comply with these conditions to ensure that the authorized activities will not result in a violation of the State's water quality standards.

GENERAL CONDITIONS

- A. The proposed project shall be constructed in a manner which will not violate Maryland's Water Quality Standards as set forth in COMAR 26.08.02. The applicant is to notify this Department ten (10) days prior to commencing work. Verbal notification is to be followed by written notice within ten (10) days.
- B. The Maryland Department of the Environment has determined that the proposed activities comply with, and will be conducted in a manner consistent with the State's Coastal Zone Management Program, as required by Section 307 of the Federal Coastal Zone Management Act of 1972, as amended.
- C. If the authorized work is not performed by the property owner, all work performed under this Tidal Wetlands License 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. 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.
- D. The Certification Holder shall ensure the proposed project shall be constructed in accordance with the authorized plan and any authorized revisions.
- E. The Certification Holder shall ensure that 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.
- F. The Certification Holder shall notify the Water and Science Administration, Tidal Wetlands Division, in writing, upon transferring property ownership or responsibility for compliance with these conditions to another person. The new owner/operator shall request, in writing, transfer of this Water Quality Certification to his/her name.
- G. The Certification Holder shall allow representatives of the Maryland Department of the Environment to inspect the authorized activities.
- H. The Certification Holder shall ensure that a copy of this Permit, including the approved plans, is available at the site until the authorized work is complete.
- I. The Certification does not relieve the Certification holder from the responsibility of obtaining all necessary federal, State, and local government authorizations.
- J. The Certification Holder shall comply with all Critical Area requirements and obtain all necessary authorizations from local jurisdiction. This Certification 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.

Failure to comply with these conditions shall constitute reason for suspension or revocation of the Water Quality Certification, and legal proceedings may be instituted against the Certification Holder in accordance with the Annotated Code of Maryland. In granting this certification, the Department reserves the right to inspect the operations and records regarding this project at anytime.

CERTIFICATION APPROVED



D. Lee Currey, Director
Water and Science Administration

12/11/2020

Date

Tracking Number: 201960814
Agency Interest Number: 102187

Effective Date: December 3, 2020

Enclosure: Executed Tidal Wetlands License No. **19-0587** with all plans and attachments.

cc: WMA Inspection & Compliance Program



William Morgante, PWS
Wetlands Administrator

State of Maryland
Board of Public Works
Wetlands Administration
Post Office Box 1510 Annapolis, Maryland 21404
410-260-7791

Larry Hogan
Governor

Nancy K. Kopp
Treasurer

Peter Franchot
Comptroller

John T. Gontrum, Esq.
Executive Secretary

WETLANDS LICENSE NO. 19-0587

TOWN OF QUEENSTOWN

The Maryland Board of Public Works authorizes you to:

Perform maintenance dredging of two areas at the Queenstown Wharf by mechanical method as shown on plans dated May 20, 2020, and described below:

- I. Dredge a 1,650 square foot area at the end of First Street to -5.5 feet at mean low water and remove 95 cubic yards of material.
- II. Dredge a 13,896 square foot area at the end of Second Street to -5.5 feet at mean low water and a 1,325 square foot area to -3.5 feet at mean low water and remove 567 cubic yards of material.
- III. Transport the dredged material to the R.B. Baker & Sons Dredge Disposal Site located at 501 4H Park Road, Queenstown, Maryland.
- IV. Provide for periodic maintenance dredging for six years.

Queenstown Creek near First and Second Streets, Queenstown, Queen Anne's County, Maryland

Issuance of this Tidal Wetlands License constitutes the State's determination that the authorized activities are consistent with the Maryland Coastal Zone Management Program, as required by Section 307 of the Federal Coastal Zone Management Act of 1972, as amended [16 U.S.C. §1456]. Accordingly, the State concurs with the Licensee's certification in the Joint Permit Application that the project complies with and will be conducted in a manner consistent with the Maryland CZMP.

**THIS LICENSE AUTHORIZES YOU TO PERFORM THE WORK ONLY IF YOU
COMPLY WITH THE FOLLOWING SPECIAL CONDITION(S):**

- A. Licensee shall transport all dredged material in watertight trucks. No dredged material shall be discharged onto the roadways of the State.
- B. Licensee shall not fill, dredge, or otherwise alter or destroy any existing marsh vegetation.
- C. Licensee shall conduct subsequent maintenance dredging within the scope of this license in terms of authorized dredge area and authorized depths. Licensee shall:
 - a. Dredge no more than 500 cubic yards of material at each maintenance dredging.
 - b. Comply with all applicable conditions of this license.

- c. Submit a detailed dredged material disposal plan to be approved by Maryland Department of the Environment's (MDE) Water and Science Administration, Tidal Wetlands Division, prior to the start of dredging.
- d. Notify and receive approval from MDE's Water and Science Administration, Compliance Program, a minimum of 10 days prior to the start of each maintenance dredging operation.

**THIS LICENSE AUTHORIZES YOU TO PERFORM THE WORK ONLY IF
YOU COMPLY WITH THE FOLLOWING STANDARD CONDITIONS:**

1. Licensee shall conduct the authorized work in accordance with the plans and drawings dated and revised August 13, 2019, which are hereby incorporated into this License.
2. Until the authorized work is complete, Licensee shall have available at the site a copy of this License including the plans and drawings.
3. This License constitutes Maryland's authorization to conduct the authorized work under the State Tidal Wetlands Law. This License does not bestow any other federal, State, or local government authorization.
4. Licensee shall have all proposed work above Mean High Water reviewed and authorized by the local county Department of Planning and Zoning or applicable agency.
5. Licensee shall notify MDE's Inspection and Compliance Program by phone (410-537-3510) AND in writing (MDE, Inspection and Compliance Program, 1800 Washington Boulevard, Baltimore, MD 21230) of the following:
 - start date at least five business days before beginning work; and
 - completion date no more than five business days after project completion.
6. If MDE has issued a Water Quality Certification with respect to the authorized work, Licensee shall comply with all conditions of that certification.
7. Licensee shall conduct the authorized work in accordance with Critical Area Commission requirements. This License does not authorize disturbance in the Buffer. If authorized work will disturb the Buffer, Licensee shall have a Commission-approved or locally-approved Buffer Management Plan before beginning the authorized work.
 "Buffer" means the 100-foot Critical Area Buffer and any expanded area that is immediately landward of the mean high-water line of the tidal waters or is immediately landward of tidal wetlands. The Buffer includes expanded contiguous area if the contiguous area includes steep slopes, hydric soil, or highly erodible soil, or otherwise meets the criteria of COMAR 27.01.09.01.E(7). "Disturbance" means any alteration or change to the land including any amount of clearing. Clearing includes vegetation removal, grading, and construction activity.
8. Licensee may not fill, dredge, or otherwise alter or destroy tidal marsh or its vegetation unless this License specifically authorizes the activity.
9. Licensee may not stockpile material in State tidal wetlands/State tidal waters of the U.S.
10. Licensee shall allow unfettered public use of State wetlands/State tidal waters of the U.S.
11. This License does not transfer a property interest of the State.
12. Licensee shall file a Miss Utility ticket for the proposed work at least 10 days before beginning work. *Miss Utility: 800-257-7777*

13. Licensee shall ensure that structures (for example, piers and piles) removed from the site are taken to an upland disposal facility approved by MDE’s Inspection and Compliance Program.
14. If the authorized work impacts more than 5,000 square feet or includes 100 or more cubic yards of fill, Licensee shall conduct the authorized work in accordance with a locally-approved Soil Erosion and Sediment Control Plan.
15. If the authorized work is not performed by the property owner, all work performed under this Tidal Wetlands License 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. A list of licensed marine contractors may be obtained by contacting the MCLB at 410-537-3249, by email at *MDE.MCLB@maryland.gov* or by accessing the *Maryland Department of the Environment, Environmental Boards* webpage.
16. Licensee shall allow State officials and employees to make inspections at reasonable times and cooperate with those inspections.
17. This License is granted only to the Licensee. Licensee may transfer the license only with written approval from the Board of Public Works. If the Board of Public Works approves the transfer, the transferee is subject to all License terms and conditions.
18. Licensee shall indemnify, defend, and save harmless the State of Maryland, its officials, officers, and employees from and against any and all liability, suits, claims, and actions of whatever kind, caused by or arising from, the work this License authorizes.
19. The Board of Public Works or its Wetlands Administrator may modify, suspend, or revoke this License in its reasonable discretion.
20. This License expires September 2, 2026. If the authorized work is not completed by the expiration date, all activity must stop.
 Note: A three-year license may be renewed for one additional three-year term if the Licensee requests an extension before the expiration date and all other conditions are met. A six-year license may not be renewed; instead Licensee must reapply to MDE for a new license. Contact the Board of Public Works to determine if this License may be extended.
Board of Public Works: 410-260-7791

By the authority of the Board of Public Works:

 Digitally signed by
 John T. Gontrum
 Date: 2020.09.09
 10:27:29 -04'00'

John T. Gontrum
 Executive Secretary

Effective Date: September 2, 2020
 Approved as: Secretary’s Agenda Item 3
 Board of Public Works Meeting Date: September 2, 2020

I accept this License and all its conditions.

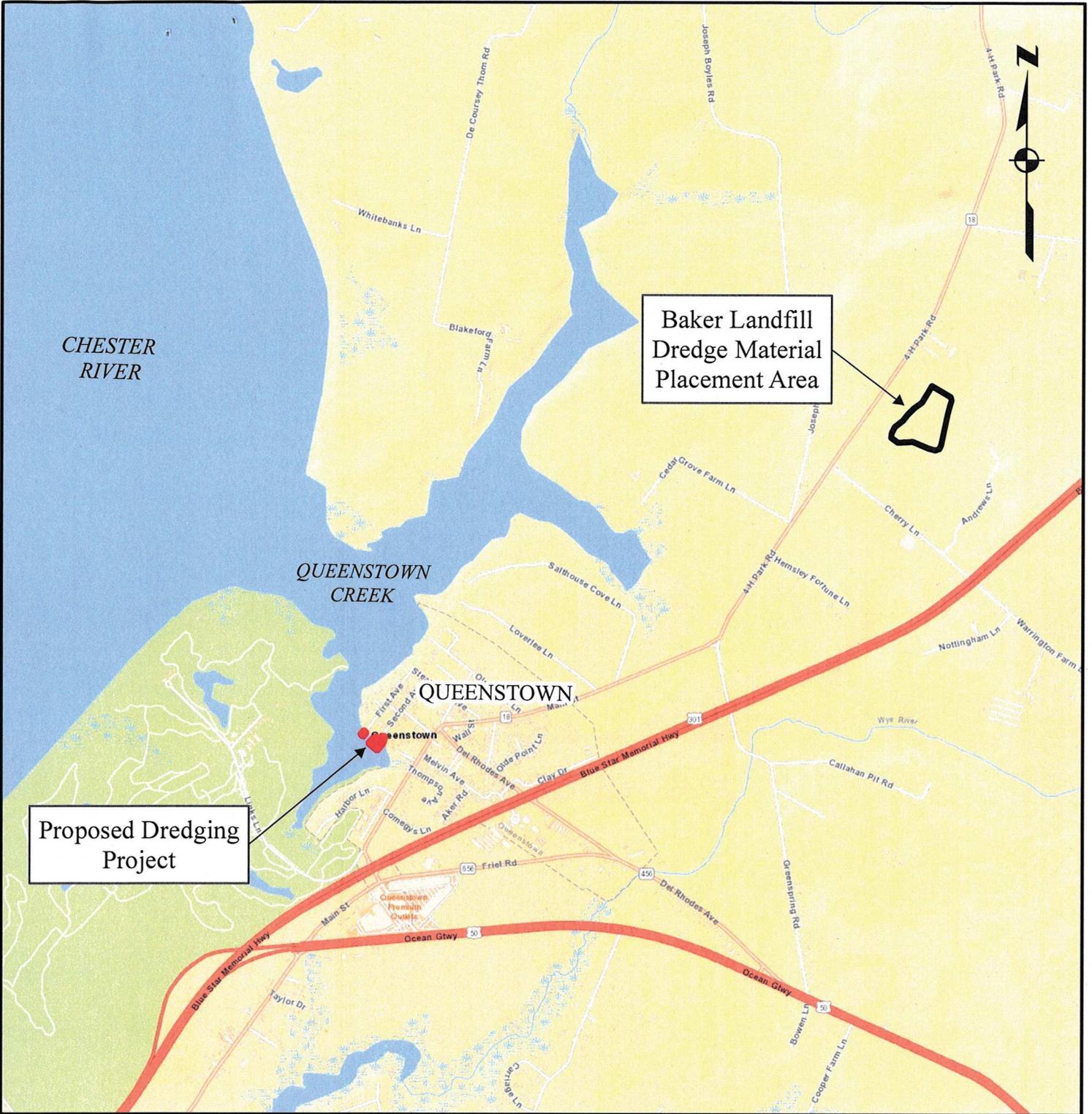
9.4.20
Date

Thomas B. Willis, Jr.
Licensee (Signature)

Thomas B. Willis, Jr.
Name (Printed)

President, Town Commissioners
Title

townoffice@Queenstown-Md.com
Email (to receive completed license)

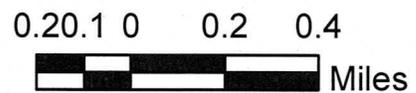


Proposed Dredging Project

Baker Landfill Dredge Material Placement Area

Proposed Dredging

VICINITY MAP



Queenstown Boat Slips
 Queen Anne's County, MD
 Appl. By: Town of Queenstown
 Date: May 2019 Rev. 8/13/19
 Sheet: 1 of 8



-  Potential Dredge Area
-  Baker Landfill



Proposed Dredge Areas

QUEENSTOWN

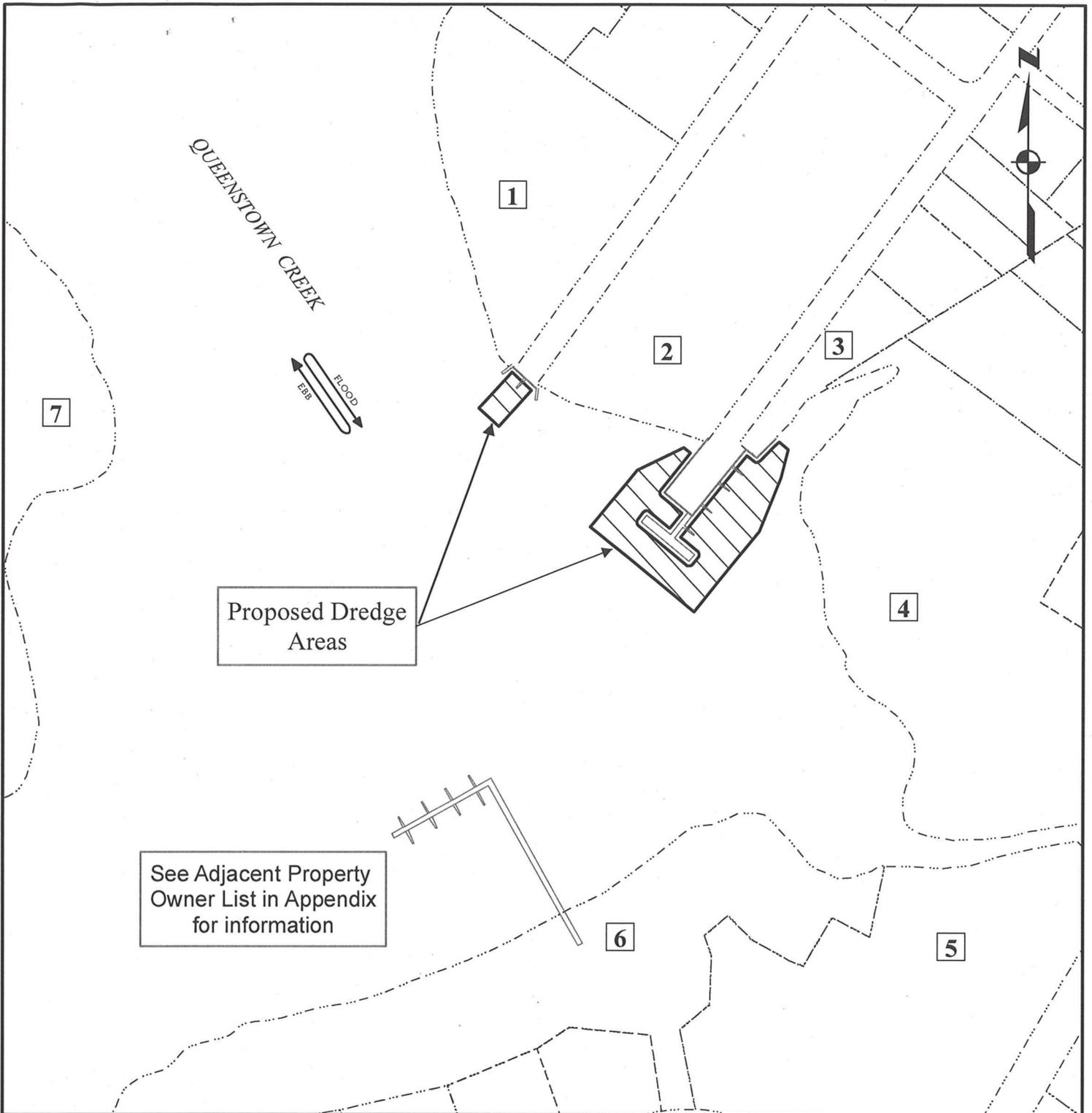
Proposed Dredging

Queenstown Boat Slips
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AERIAL IMAGE
OVERVIEW



 Potential Dredge Area

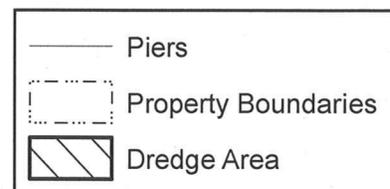


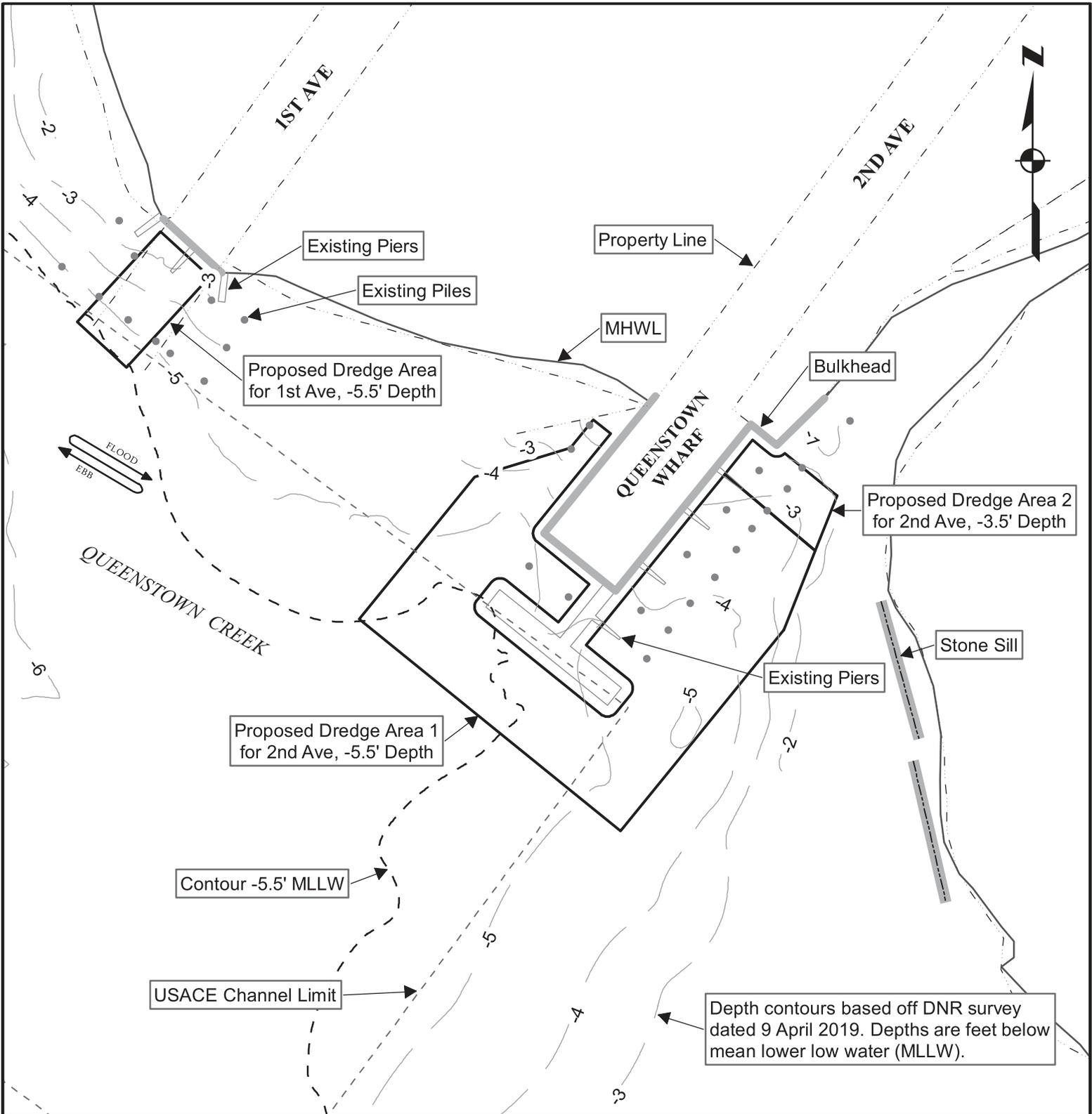
Proposed Dredging

PROPERTY MAP



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Depth contours based off DNR survey dated 9 April 2019. Depths are feet below mean lower low water (MLLW).

Proposed Dredging

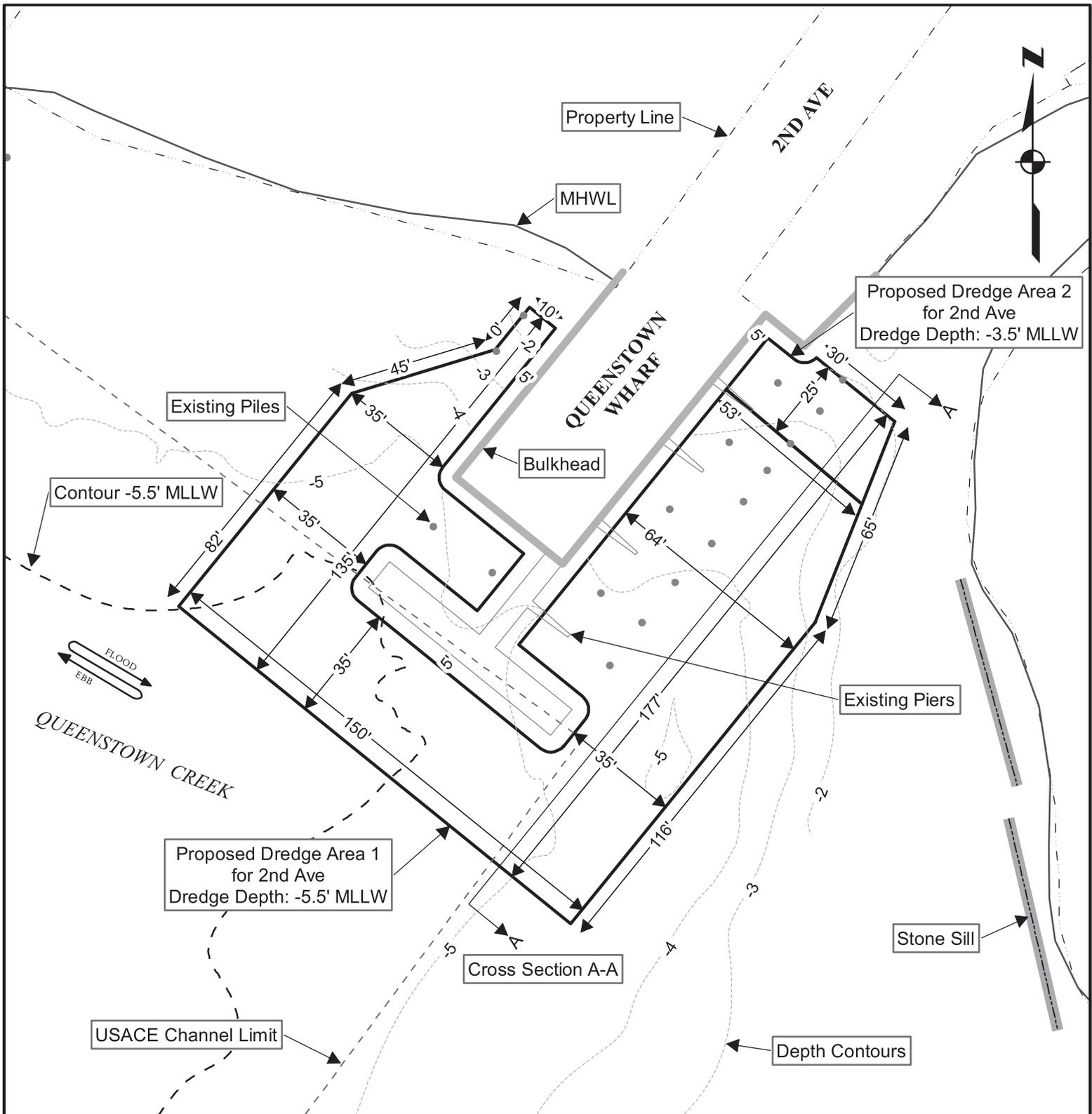
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EXISTING CONDITIONS

- Bulkhead
- Pilings
- Piers
- Stone Sill
- Mean High Water Line
- Depth Contour (ft MLLW)
- Dredge Area
- Property Boundaries
- USACE Queenstown Channel



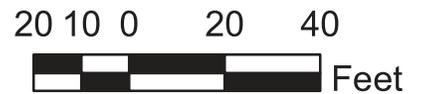
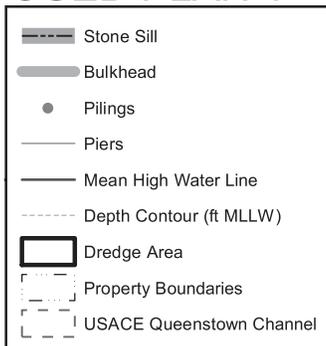
19-WL-0587
 201960841
 AI-102187
 May 20, 2020
 MPD

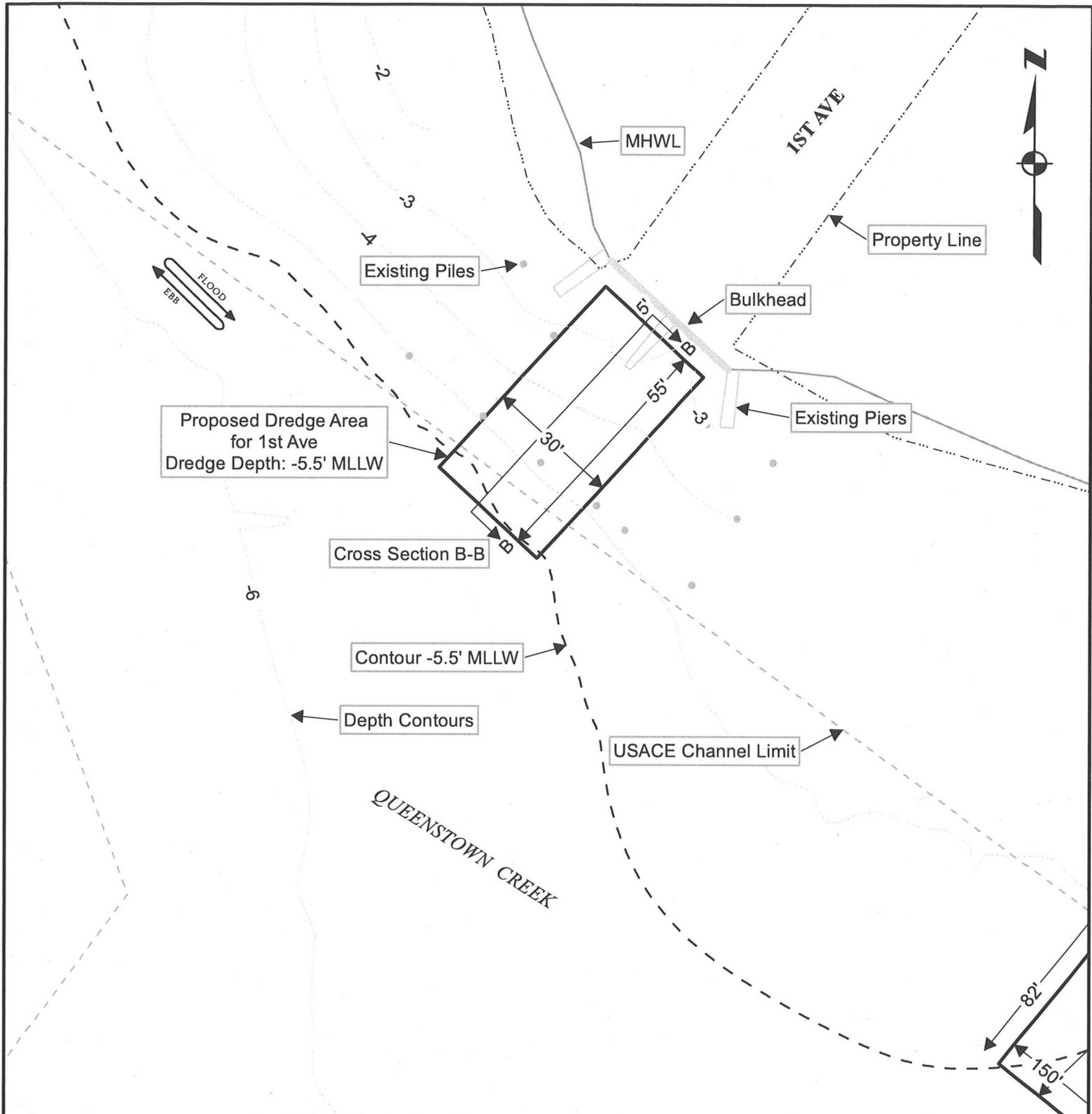


Proposed Dredging

Queenstown Boat Slips
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PROPOSED PLAN 1





Proposed Dredging

Queenstown Boat Slips
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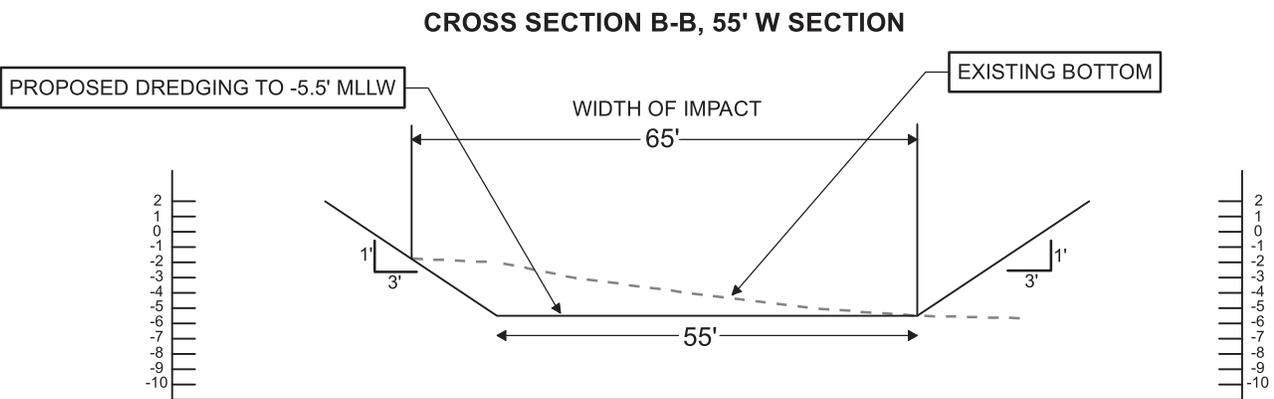
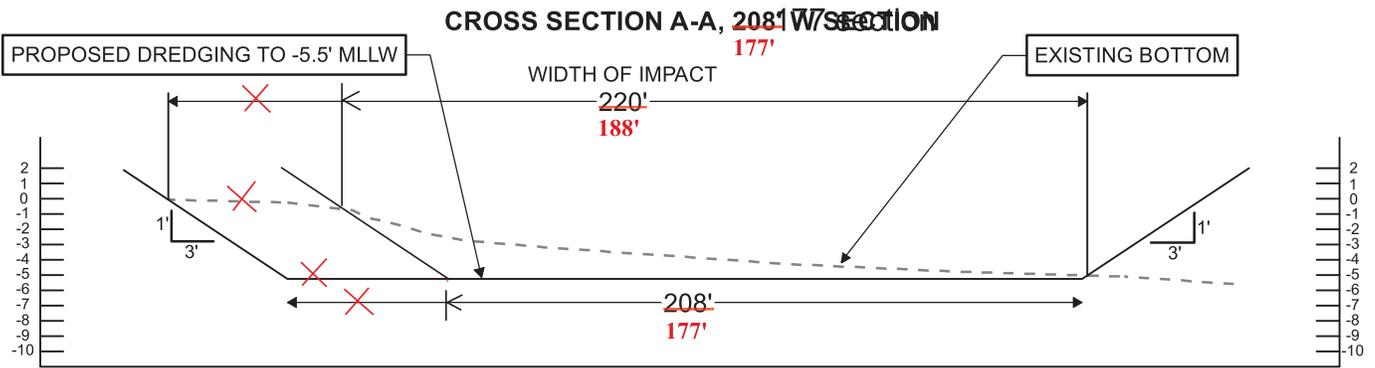
PROPOSED PLAN 2

- Stone Sill
- Bulkhead
- Piling
- Piers
- Mean High Water Line
- Depth Contour (ft MLLW)
- Property Boundaries
- USACE Queenstown Channel

1050 10 20



19-WL-0587
 201960841
 AI-102187
 May 20, 2020
 MPD



Proposed Dredging

CROSS SECTIONS

Queenstown Slip Dredging
 Queen Anne's County, MD
 Appl. By: Town of Queenstown
 Date: May 2019 ~~20~~
 Sheet: 7 of 8



PROJECT DETAILS:

CHANNEL LENGTH:	177 FEET
CHANNEL WIDTH:	35-150 FEET
TOTAL CHANNEL AREA:	18232 SQUARE FEET
DREDGE AREA:	16204 SQUARE FEET
SAV IMPACT AREA:	N/A
DREDGE MATERIAL QUANTITY:	662 CUBIC YARDS
MAX. PROPOSED DREDGE DEPTH:	-5.5 FEET BELOW MLLW
ADDRESS OF DMP SITE:	RB Baker & Sons 501 4-H Park Rd Queenstown, MD 21658 LAT: 39.004857 N LONG: 76.132030 W MDE Permit #95-SP-0490

PROJECT NOTES:

1. PROPOSED DREDGING OF QUEENSTOWN WHARF BOAT SLIPS.
1ST AVE:
55' L X 30' W X -5.5' DEPTH MLLW
DREDGE VOLUME: 95 CY
2ND AVE AREA 1:
177' L X 35-150' W X -5.5' DEPTH MLLW
DREDGE VOLUME: 532 CY
2ND AVE AREA 2:
53' L X 25' W X -3.5' DEPTH MLLW
DREDGE VOLUME: 35 CY
2. BASEMAP IMAGERY TAKEN FROM ARCGIS DATED AUGUST 2017.
3. PROPERTY LINE DATA TAKEN FROM QUEEN ANNE'S COUNTY GIS.
4. TIDAL RANGE IS 1.2 FEET.
5. 0.0' MEAN LOW WATER = +0.2' MEAN LOWER LOW WATER
5. BATHYMETRY IS FROM MARYLAND DEPARTMENT OF NATURAL RESOURCES SURVEY DATED JANUARY 2017 AND DECEMBER 2018.
6. SOUNDINGS ARE IN FEET BELOW MEAN LOWER LOW WATER (MLLW). TIDAL BENCHMARK USED IS TIDEBOARD LOCATED ON SIDE OF QUEENSTOWN WHARF BULKHEAD.
7. QUEENSTOWN SLIPS PREVIOUSLY DREDGED IN 1997 WITH MDE PERMIT #97-WL-1486.

Proposed Dredging

Queenstown Boat Slips
Queen Anne's County, MD
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CHANNEL DETAILS

