

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

Ben Grumbles, Secretary Horacio Tablada, Deputy Secretary

October 16, 2019

Loch Haven Civic Association, Inc c/o Bray Hill LLC Attention: Colin A MacLachlan 10357 Whitewasher Way Columbia, MD 21044

Re:

Agency Interest Number: 79870

Tracking Number: 201861292

Tidal Authorization Number: 19-WQC-0011

Dear Loch Haven Civic Association, Inc.:

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 Heather Hepburn at heather.hepburn1@maryland.gov or 410-537-3789 with any questions.

Sincerely,

Tammy Roberson, Chief Tidal Wetlands Division



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



for WETLAND LICENSE 19-WQC-0011

WATER QUALITY CERTIFICATION NUMBER: 19-WQC-0011

EFFECTIVE DATE: October 16, 2019

EXPIRATION DATE: July 3, 2022

CERTIFICATION HOLDER: Loch Haven Civic Association, Inc

ADDRESS: PO Box 1815

Edgewater, Maryland 21037

PROJECT LOCATION: 3448 S River Ter

Edgewater, MD 21037

South River in Anne Arundel

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 ADMINSTRATION ("ADMINISTRATION") HAS DETERMINED THAT THE REGULATED ACTIVITY DESCRIBED IN STATE TIDAL WETLANDS LICENSE NUMBER 19-WQC-0011 ("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-WQC-0011 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

Lee Currey, Director

Water and Science Administration

10 21 9 Date

Tracking Number: 201861292 Agency Interest Number: 79870

Effective Date:

October 16, 2019

Enclosure: Executed Tidal Wetlands License No. 19-WQC-0011 with all plans and attachments.

cc: WMA Inspection & Compliance Program



State of Maryland **Board of Public Works**

Wetlands Administration Post Office Box 1510 Annapolis, Maryland 21404 410-260-7791 Fax: 410-974-5240

Toll Free: 1-877-591-7320

Larry Hogan Governor Nancy K. Kopp Treasurer Peter Franchot Comptroller Sheila C. McDonald Executive Secretary

WETLANDS LICENSE NO. 18-0777

LOCH HAVEN CIVIC ASSOCIATION, INC.

The Maryland Board of Public Works authorizes you to:

- I. Fill, and grade with approximately 1,075 cubic yards of sand along 240 feet of shoreline to replenish a historic beach area.
- Plant approximately 5,055 square feet of marsh vegetation in targeted areas for marsh II. establishment.
- III. Construct 220 linear feet of segmented breakwaters, all extending a maximum of 75 feet channelward of the mean high water line.
- IV. Provide stormwater management consisting of an infiltration basin planted with marsh vegetation, filled with approximately 224 square feet of cobble liners channelward of the mean high water line, and an 85-foot long cobble lined outfall for conveyance of stormwater.

South River at the Loch Haven Civic Association's community area adjacent to 3446 and 3448 South River Terrace, Edgewater, Anne Arundel 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 perform all works in accordance with the required Soil Erosion and sediment Control Plan as approved by the county Soil Conservation District for Anne Arundel County.
- B. Licensee shall have all work proposed above mean high water reviewed and authorized by the Anne Arundel County Department of Planning and Zoning.

C. Stormwater discharges from the infiltration basin and stormwater management outfall shall have a velocity no greater than four feet per second for the two-year storm in order to prevent erosion in the receiving waterway or wetland.

D. Licensee shall deploy and maintain a turbidity curtain tightly around and channelward of the project area prior to any excavation and backfilling along the shoreline through

completion of any excavation and backfilling along the shoreline.

E. If any fill material is placed below the mean high water line before final grading, then the Licensee shall grade any fill material delivered to the site within the same day.

- F. If Licensee is unable to grade any fill material delivered to th4 site within the same day due to unforeseen issues (e.g. storms or equipment failure), then the Licensee shall use all appropriate sediment and erosion control measures to prevent the loss of fill material into tidal wetlands. This includes, but is not limited to, the use of a silt fence.
- G. Marsh establishment:

a. Licensee shall use clean substrate fill material, no more than 10% of which shall pass through a standard number 100 sieve.

b. The marsh establishment area shall be planted within one year following

completion of the filling operation.

- c. 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.
- d. If the fill is graded hydraulically, Licensee shall use a turbidity curtain around the perimeter of the in-stream work.

e. If the existing bank is to be cleared or graded:

 Licensee 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

ii. Licensee 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.

H. Licensee shall accept the terms of the attached marsh maintenance plan by signing and returning the standard plan to the Maryland Department of the Environment's (MDE) Water and Science Administration, Tidal Wetlands Division, prior to commencement of any work authorized under this License. If the Licensee 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 License. Any alternative plan must provide assurances of success that are at least equivalent to those of the standards plan, in terms of the extent of native marsh plant coverage, elimination of invasive species and timeframe for plant establishment.

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 October 8, 2018, which are hereby incorporated into this License.

Until the authorized work is complete, Licensee shall have available at the site a copy of this License including the plans and drawings.

2. 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.

3. 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.

 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.

5. If MDE has issued a Water Quality Certification with respect to the authorized work,

Licensee shall comply with all conditions of that certification.

- 6. 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 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.

7. Licensee may not fill, dredge, or otherwise alter or destroy tidal marsh or its vegetation unless this License specifically authorizes the activity.

- 8. Licensee may not stockpile material in State tidal wetlands or State tidal waters of the U.S.
- 9. Licensee shall allow unfettered public use of State wetlands and State tidal waters of the U.S.
- 10. This License does not transfer a property interest of the State.
- 11. Licensee shall file a Miss Utility ticket for the proposed work at least 10 days before beginning work. Miss Utility: 800-257-7772
- 12. 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.
- 13. 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.

14. 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 contactors 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.

15. Licensee shall allow State officials and employees to make inspections at reasonable times and cooperate with those inspections.

16. 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.

17. 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.

18. The Board of Public Works or its Wetlands Administrator may modify, suspend, or revoke this License in its reasonable discretion.

19. This License expires July 3, 2022. If the authorized work is not completed by the expiration date, all activity must stop.

20. 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:

Sheila C. McDonald Executive Secretary

Effective Date: July 3, 2019

Approved as: Secretary's Agenda Item 6

Board of Public Works Meeting Date: July 3, 2019

I accept this License and all its conditions.

9/16/19

Licensee (Stignature)

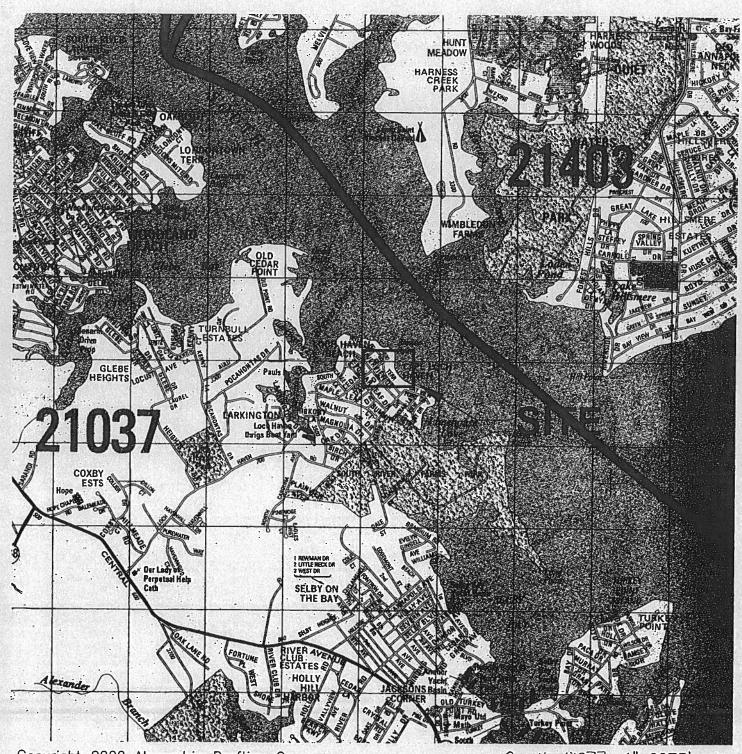
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Email (To receive completed license.)



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VICINITY MAP

LOCH HAVEN CMC ASSOCIATION, INC.
BEACH NOURISHMENT/BREAKWATER PROJECT
South River Terrace, Edgewater, Maryland
Anne Arundel County Tax Map 60, Grid 3,
Parcel 24, Sub 480





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2016-7 Aerial Photo w/ 1972 Shoreline





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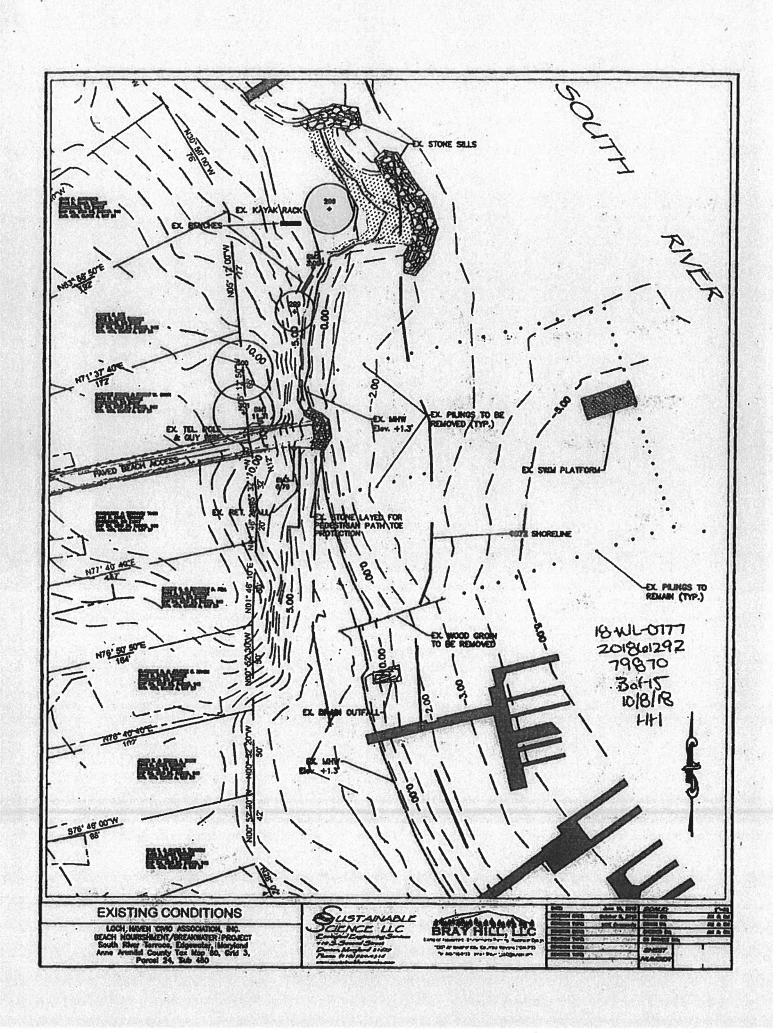
BRAY HILL, LLC Ecological Assessment - Environmental Panning - Restoration Design

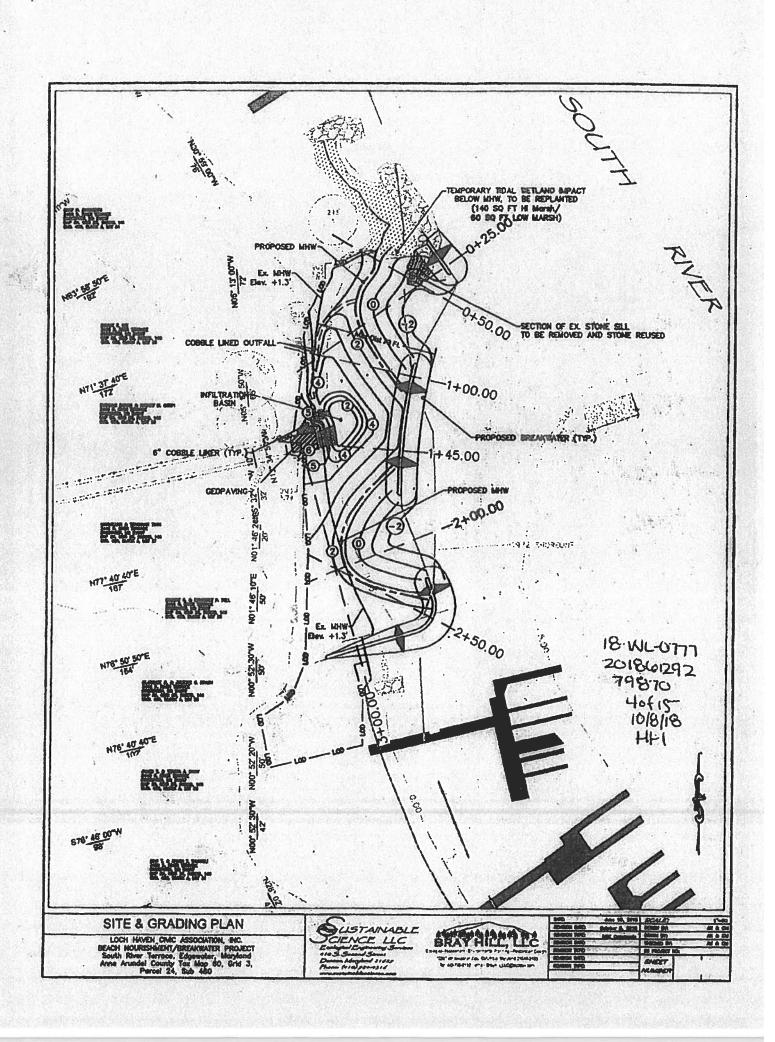
10357 Whitewasher Way • Columbia, MD 21044 Ph: 443-745-6133

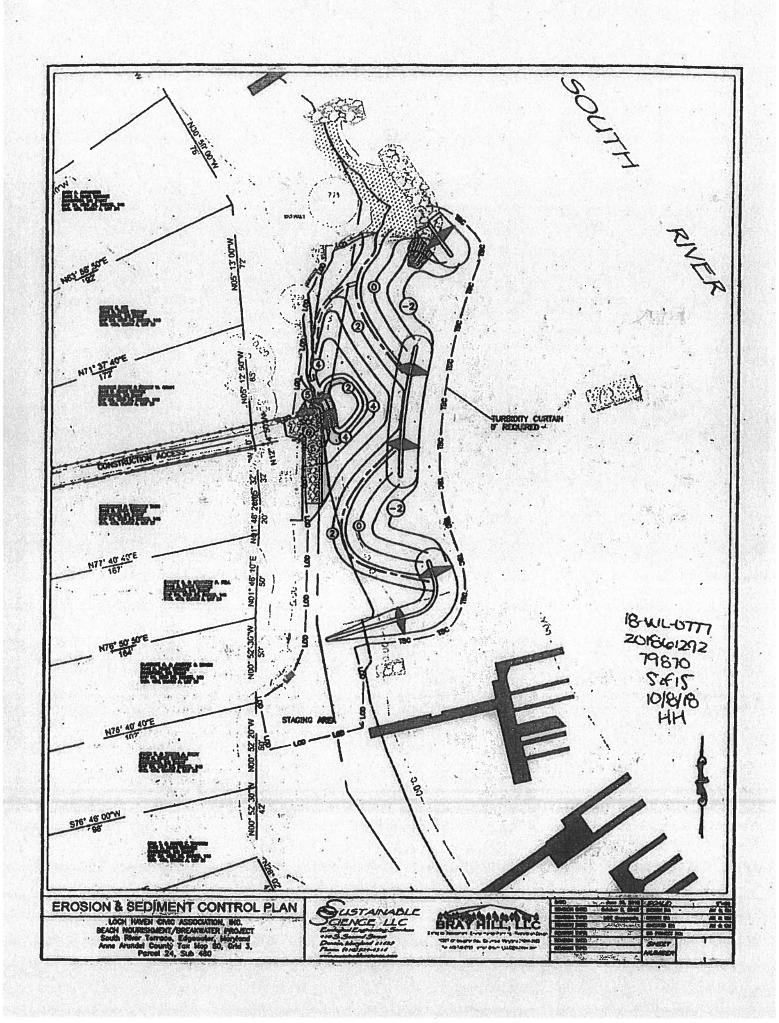
Email: BrayHill_LLC@outlook.com

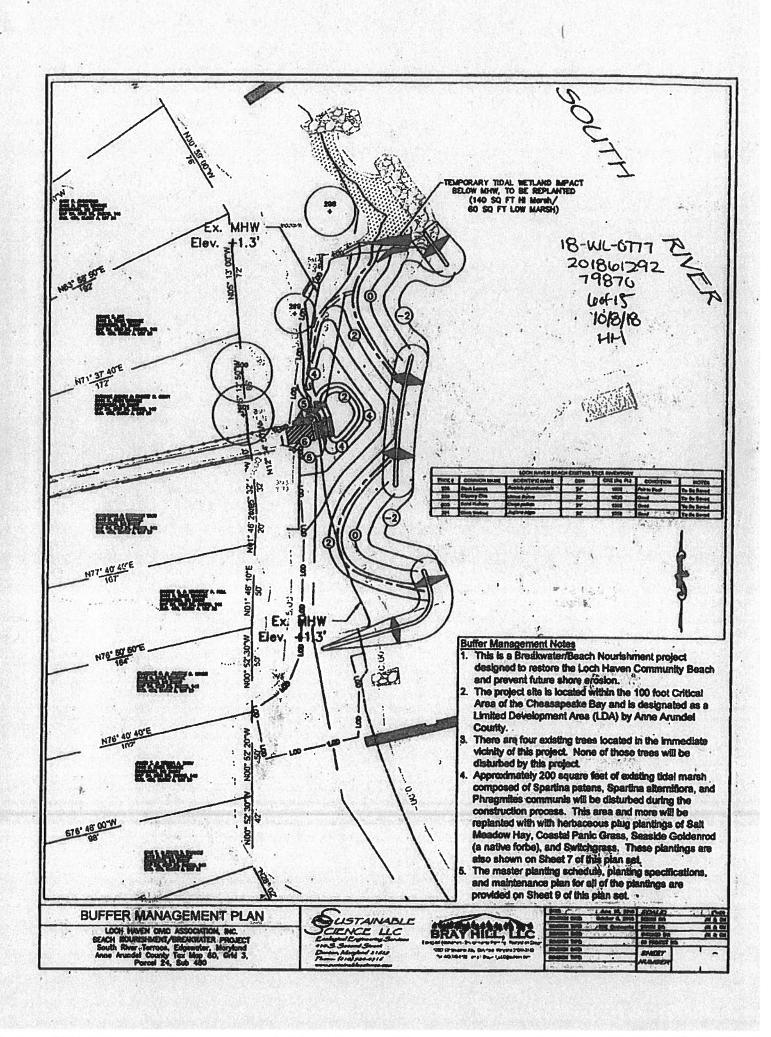
Loch Haven Civic Association Beach Nourishment/Breakwater 3448 South River Terrace

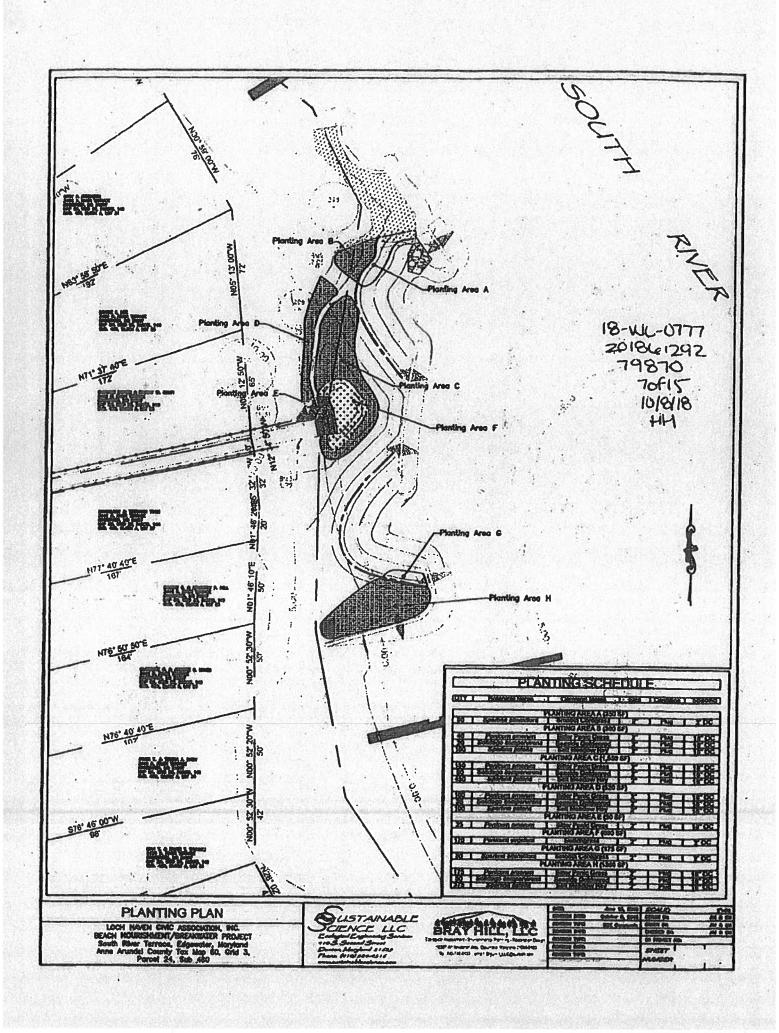
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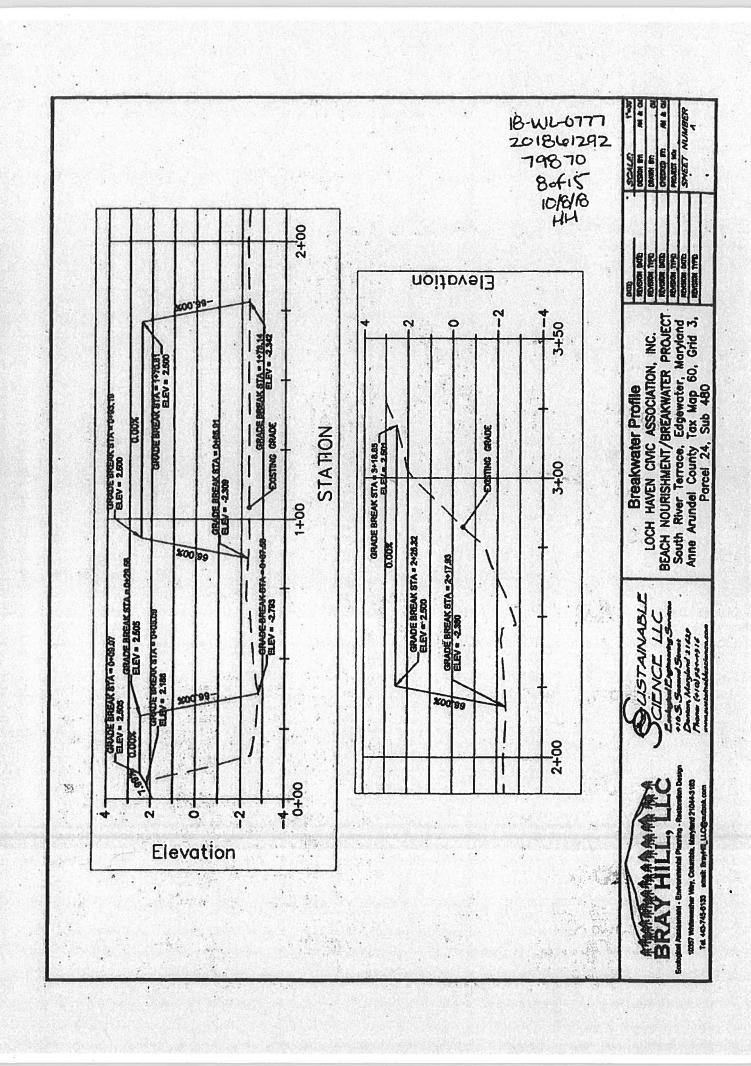


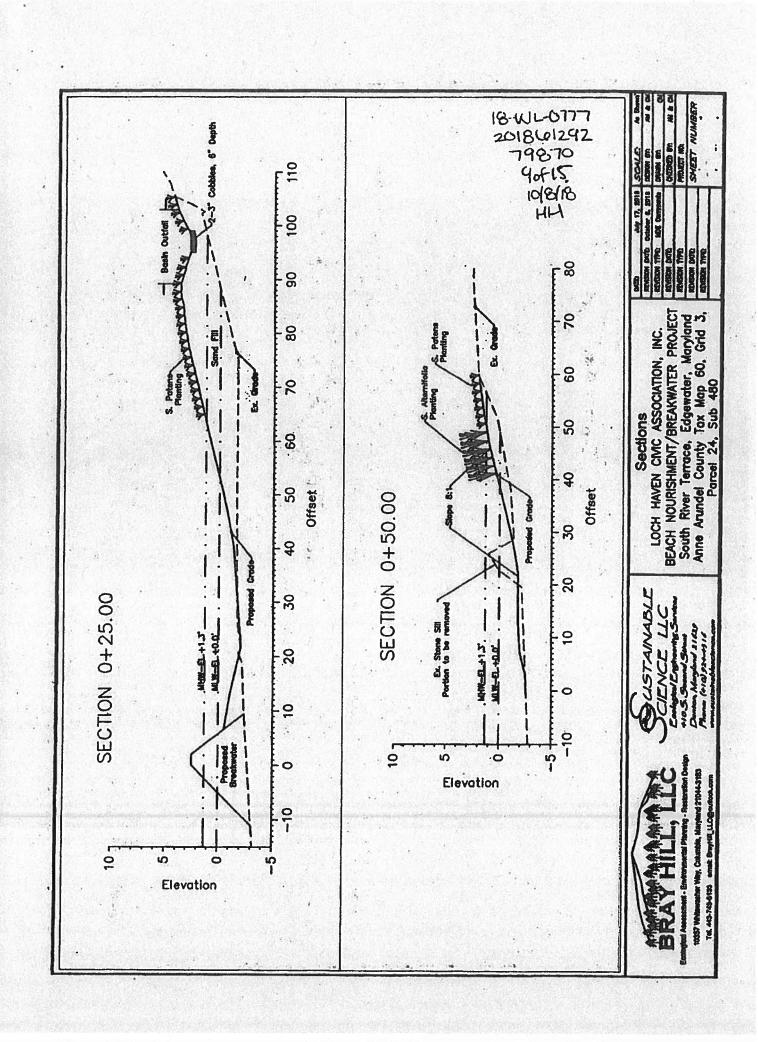


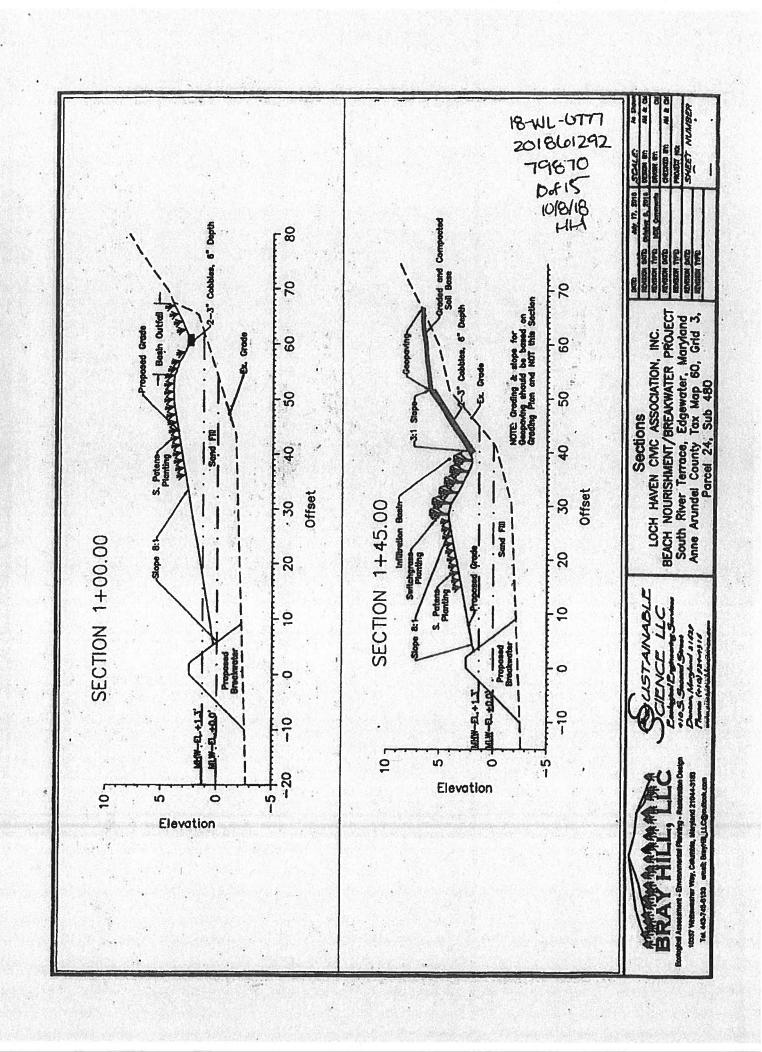


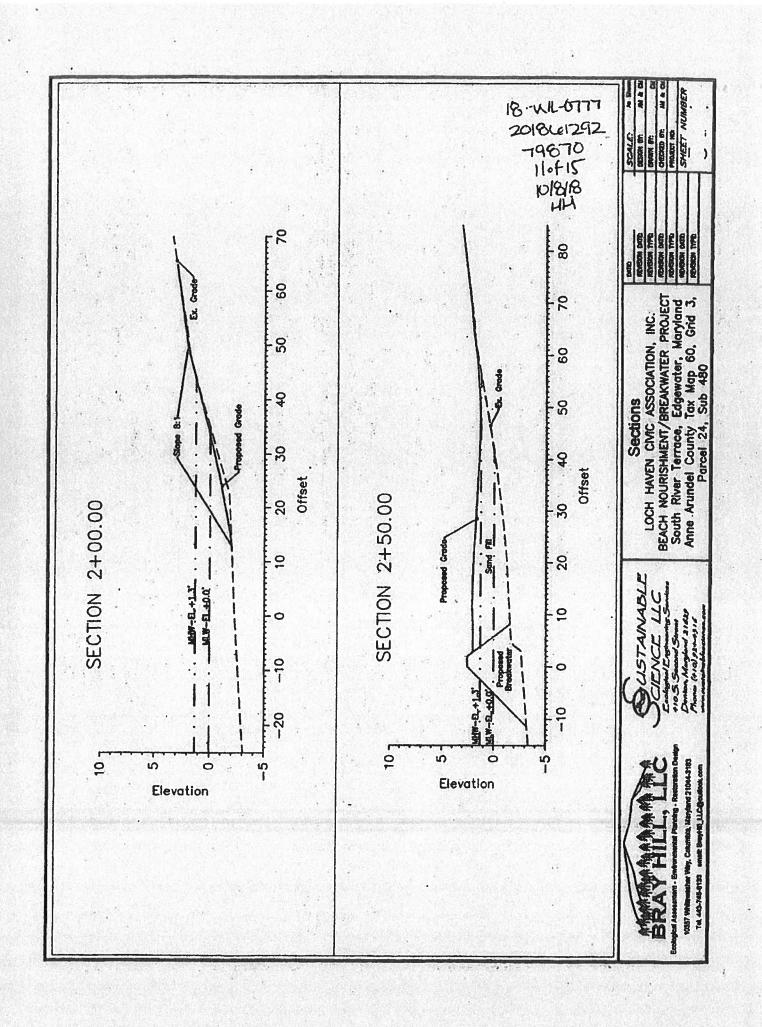


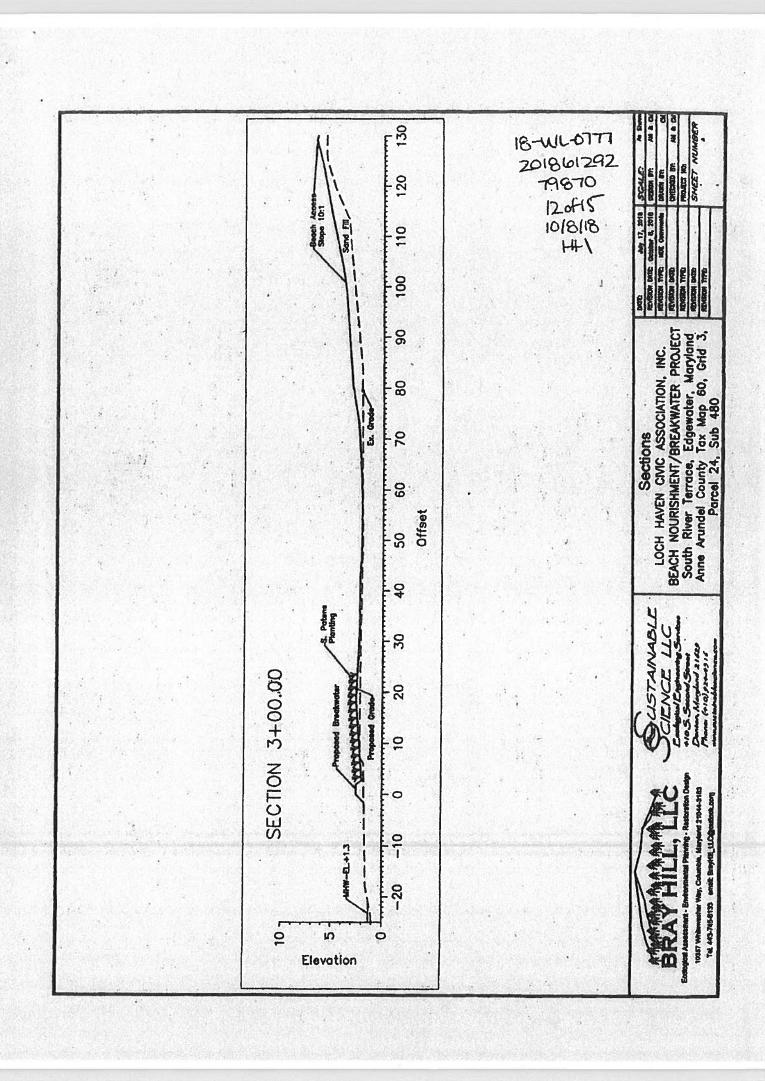


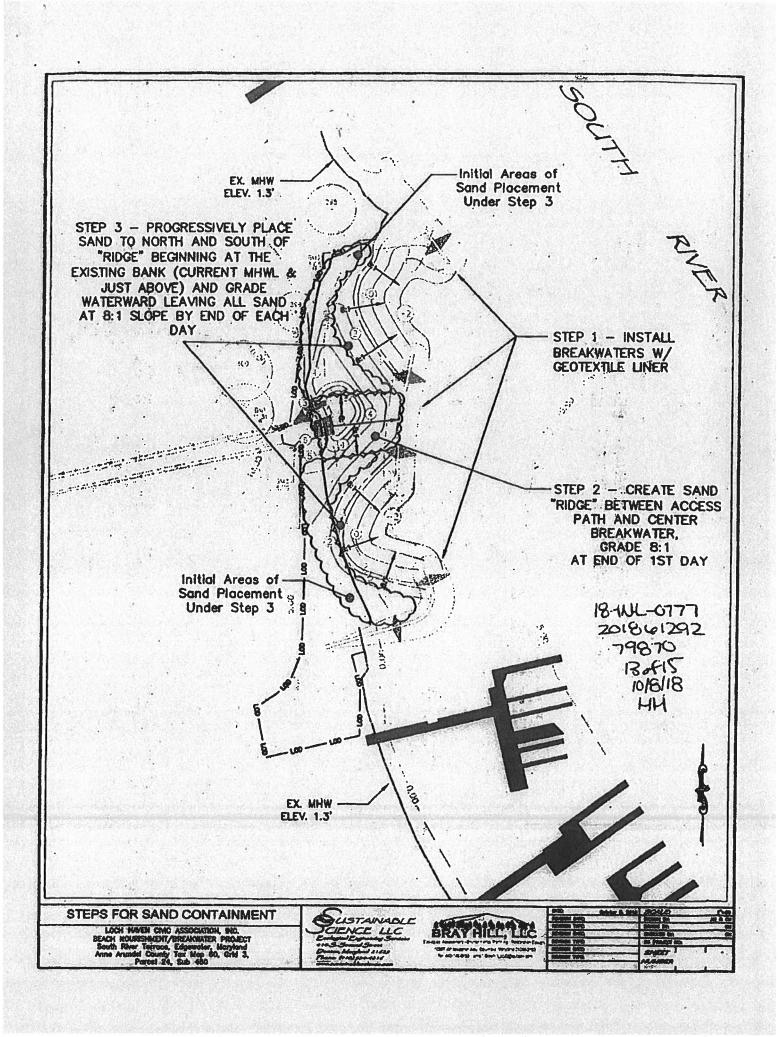


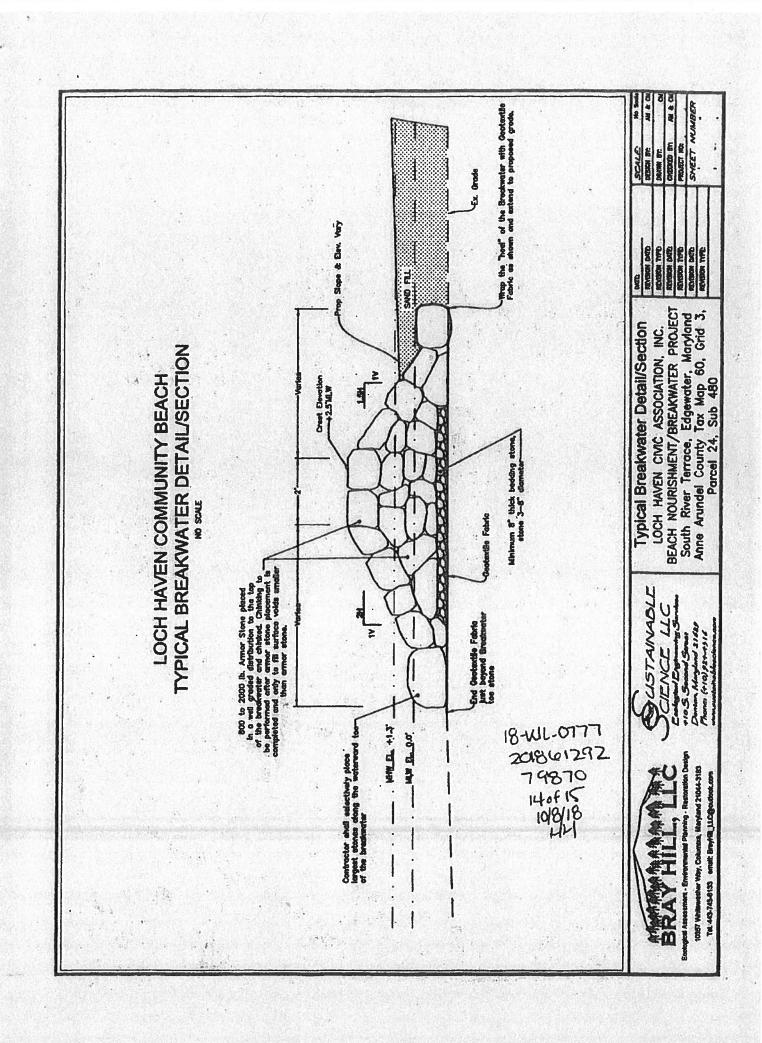












SITE ANA	ALYSIS
Total Site Area	0.48 AC/20,920 SF
Total Disturbed Area (above Existing MHW)	0.17 AC/7,375 SF
Proposed Fill Area Below MHW (Sand Fill and Breakwaters)	0.31 AC/13,545 SF
Sand Fill Volume	1,075 CY
Proposed Breakwater Volume	310 CY
Cut Volume	14 CY

Fill exceeds cut. All material will be used on site with no material leaving the location.

SUMMARY TABLE OF IMPACTS

WATERS OF THE US IMPACTS

	Control of the Contro		
Jurisdictional Class	Description	Impact Type	Area (sq.ft.)
Tidal Waters	Breakwaters and Sand Fill for Beach Nourishment	Permanent	13545
TOTAL PERENNIAL WATERS IMPACTS		13,545	
	TIDAL WETLAND IMPACTS		
Tidal Wetland	Sand Fill for Beach Nourishment	Temporary	230
	TOTAL TIDAL WET	LAND IMPACTS	230

Site Analysis and Impact Summary

LOCH HAVEN CMC ASSOCIATION, INC.
BEACH MOURSHAENT/BEEAKHATER PROJECT
South River Terroce, Edgewater, Maryland
Anne Arandel County Tox Map 80, Grid 3,
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