

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

Ben Grumbles, Secretary Horacio Tablada, Deputy Secretary

February 12, 2020

Anne Arundel County Dept of Public Works c/o Chris Rager Bayland Consultants & Designers, Inc 7455 New Ridge Road, Ste T Hanover, MD 21076

Re:

Agency Interest Number: 163293

Tracking Number: 201861999

Tidal Authorization Number: 20-WQC-0003

Dear Anne Arundel County 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 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 410-537-3789 with any questions.

incerely,

Danielle Spendiff, Chief

Western Region

Tidal Wetlands Division



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



20-WQC-0003

EFFECTIVE DATE: February 13, 2020

EXPIRATION DATE: February 19, 2026

CERTIFICATION HOLDER: Anne Arundel County Dept of Public Works

ADDRESS: 2662 Riva Rd

Annapolis, Maryland 21401

PROJECT LOCATION: Lake Ogleton Entrance Channel 39.947840 -

76.462593

Annapolis, MD 21403

Lake Ogleton 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 THE ATTACHED PLAN SHEETS DATED October 2, 2019 AND/OR DESCRIBED IN STATE TIDAL WETLANDS LICENSE NUMBER 18-1185 WILL NOT VIOLATE MARYLAND'S WATER QUALITY STANDARDS, IF CONDUCTED IN ACCORDANCE WITH THE CONDITIONS OF THIS CERTIFICATION. A COPY OF THE PROJECT DRAWINGS DATED October 2, 2019, 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 Certification does not relieve the Certificate Holder from the responsibility of obtaining all necessary federal, State, and local government authorizations. The Certificate Holder shall obtain Wetlands License 19-1083 prior to the commencement of construction.

- B. Due to a Natural Oyster Bar, the Certificate Holder shall perform no in-water work from June 1 through September 30 AND December 16 through March 14 of any year.
- C. Because the project site is located in a Historic Waterfowl Concentration Area, the Certificate Holder shall not perform any construction from November 15 through March 1 of any year to protect wintering waterfowl.
- D. The Certificate Holder shall contact the Commander (0-2), Fifth Coast Guard District, Federal Building, 431 Crawford Street, Portsmouth, Virginia 23705 and obtain approval for the installation of the hydraulic dredge pipe along the proposed route.
- E. If Certificate Holder does not obtain approval from the U.S. Coast Guard, or the U.S. Coast Guard denies the Certificate Holder's application, the Certificate Holder may only proceed with mechanical dredging.
- F. If the U.S. Coast Guard's approval alters the proposed pipeline route, the Certificate Holder shall submit an application and revised plans to the MD Dept. of the Environment (MDE) for a modification to this Water Quality Certification.
- G. Dredged material pipelines shall be installed, marked and maintained in accordance with all U.S. Coast Guard requirements for navigational safety. Dredge material pipelines and associated equipment shall be removed as soon as practicable, upon completion of activities authorized under this Water Quality Certification.
- H. In the event of any inadvertent releases of dredged material into State tidal wetlands from a pipe breakage, all dredging operations shall immediately cease. The Certificate Holder shall take steps to stop all dredged material from entering State tidal wetlands and shall immediately notify MDE's Compliance Program of the pipe breakage. The Certificate Holder shall not resume dredging operations until receiving approval from MDE's Compliance Program.
- I. The Certificate Holder shall transport all dredged material in watertight trucks. No dredged material shall be discharged onto the roadways of the State.
- J. If hydraulic dredging is performed, the dredged material placement site (DMP) shall be constructed to limit turbidity in the discharge to waters of the State. A turbidity sample of the discharge water shall be performed every hour of active pumping to the DMP site at the Bay Ridge community beach or when there is an observed change in the clarity of the water. Turbidity in the discharge may not exceed 150 unity at any time or 50 units as a monthly average. Units shall be measured in Nephelometer Turbidity Units. A logbook of all turbidity monitoring shall be kept on site. The dredger shall have a person at the discharge point of the DMP in constant radio communication. If a problem is incurred, the dredging operation shall be immediately shut down until the reason for the problem can be ascertained and rectified. MDE's Water and Science Administration's Compliance Division shall be notified.
- K. The Certificate Holder shall conduct subsequent maintenance dredging within the scope of this Water Quality Certification in terms of authorized dredge area and authorized depths. The Certificate Holder shall:
 - 1. Dredge no more than 500 cubic yards of material at each maintenance dredging.
 - 2. Comply with all applicable conditions of this Water Quality Certification.
 - 3. Submit a detailed dredged material disposal plan to be approved by MDE's Water and Science Administration, Tidal Wetlands Division, prior to the start of dredging.

- L. The Certificate Holder shall stake the dredge area and receive approval from MDE's Water and Science Administration's Compliance Division prior to the start of dredging.
- M. The Certificate Holder shall conduct a post dredge bathymetric survey and forward to MDE's Water and Science Administration, Tidal Wetlands Division, within 45 days after the termination of any phase of dredging.

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 Water Quality Certification 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 Water Quality Certification, 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 Certificate Holder shall conduct the authorized work in accordance with Critical Area Commission requirements. This Water Quality Certification does not authorize disturbance in the Buffer. If authorized work will disturb the Buffer, the Certificate Holder 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.

- K. The Certificate Holder shall conduct the authorized work in accordance with the plans and drawings dated October 2, 2019, which are hereby incorporated into this Water Quality Certification.
- L. Until this authorized work is complete, the Certificate Holder shall have available at this site a copy of this Water Quality Certification including the plans and drawings.
- M. This Water Quality Certification constitutes Maryland's authorization to conduct the authorized work under the State Tidal Wetlands Law. This Water Quality Certification does not bestow any other federal, State, or local government authorization.
- N. The Certificate Holder shall have all proposed work above Mean High Water reviewed and authorized by the local county Department of Planning and Zoning or applicable agency.
- O. The Certificate Holder 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:
 - 1. start date at least five business days before beginning work; and
 - 2. completion date no more than five business days after project completion.
- P. The Certificate Holder may not fill, dredge, or otherwise alter or destroy tidal marsh or its vegetation unless this Water Quality Certification specifically authorizes the activity.
- Q. The Certificate Holder may not stockpile material in State tidal wetlands/State tidal waters of the U.S.
- R. The Certificate Holder shall allow unfettered public use of State wetlands/State tidal waters of the U.S.
- S. This Water Quality Certification does not transfer a property interest of the State.
- T. The Certificate Holder shall file a Miss Utility ticket for the proposed work at least 10 days before beginning work. Miss Utility: 800-257-7777
- U. The Certificate Holder 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.
- V. If the authorized work impacts more than 5,000 square feet or includes 100 or more cubic yards of fill, the Certificate Holder shall conduct the authorized work in accordance with a locally approved Soil Erosion and Sediment Control Plan.
- W. The Certificate Holder shall allow State officials and employees to make inspections at reasonable times and cooperate with those inspections.
- X. This Water Quality Certification is granted only to the Certificate Holder. The Certificate Holder may transfer the Water Quality Certification only with written approval from the Maryland Department of the Environment. If the Maryland Department of the Environment approves the transfer, the transferee is subject to all Water Quality Certification terms and conditions.

- Y. The Water Quality Certification 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 Water Quality Certification authorizes.
- Z. The Maryland Department of the Environment may modify, suspend, or revoke this Water Quality Certification in its reasonable discretion.
- AA. This Water Quality Certification expires February 19, 2026. If the authorized work is not completed by the expiration date, all activity must stop.
- BB.A Water Quality Certification may be extended prior to the expiration of the term. The Certificate Holder must request an extension in writing from MDE 14 days prior to the expiration of the term

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

2/28/2020

CERTIFICATION APPROVED

D. Lee Currey, Director
Water and Science Administration

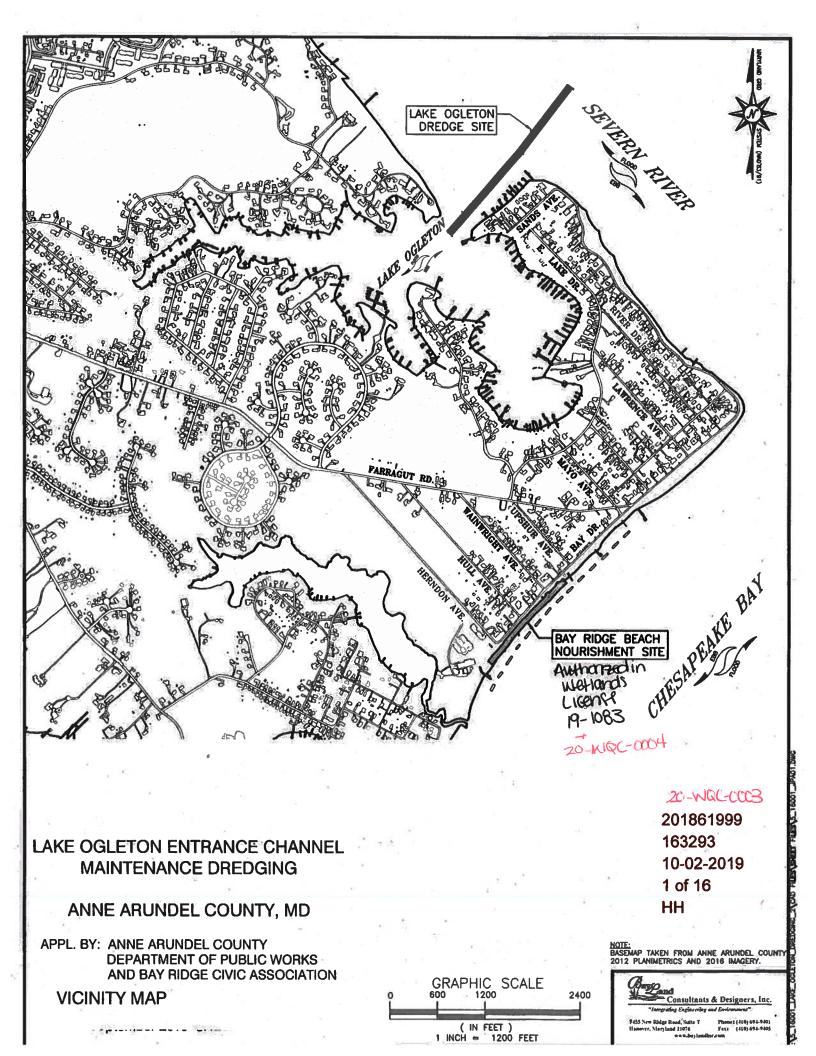
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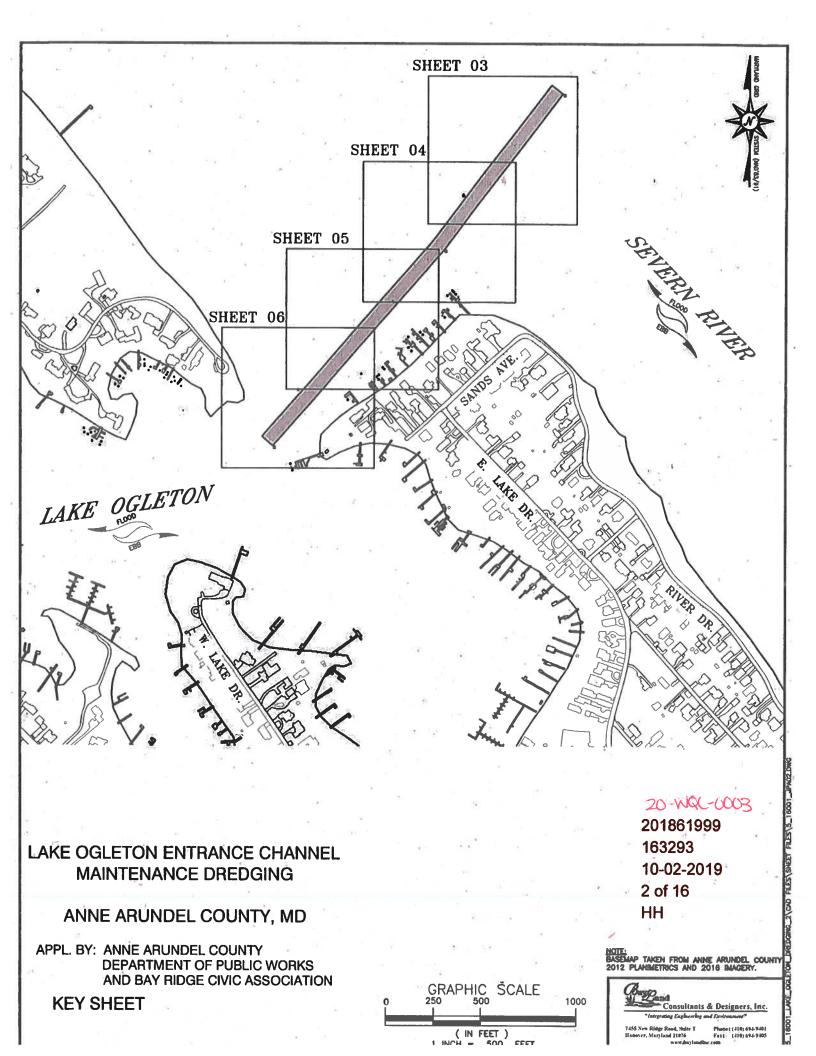
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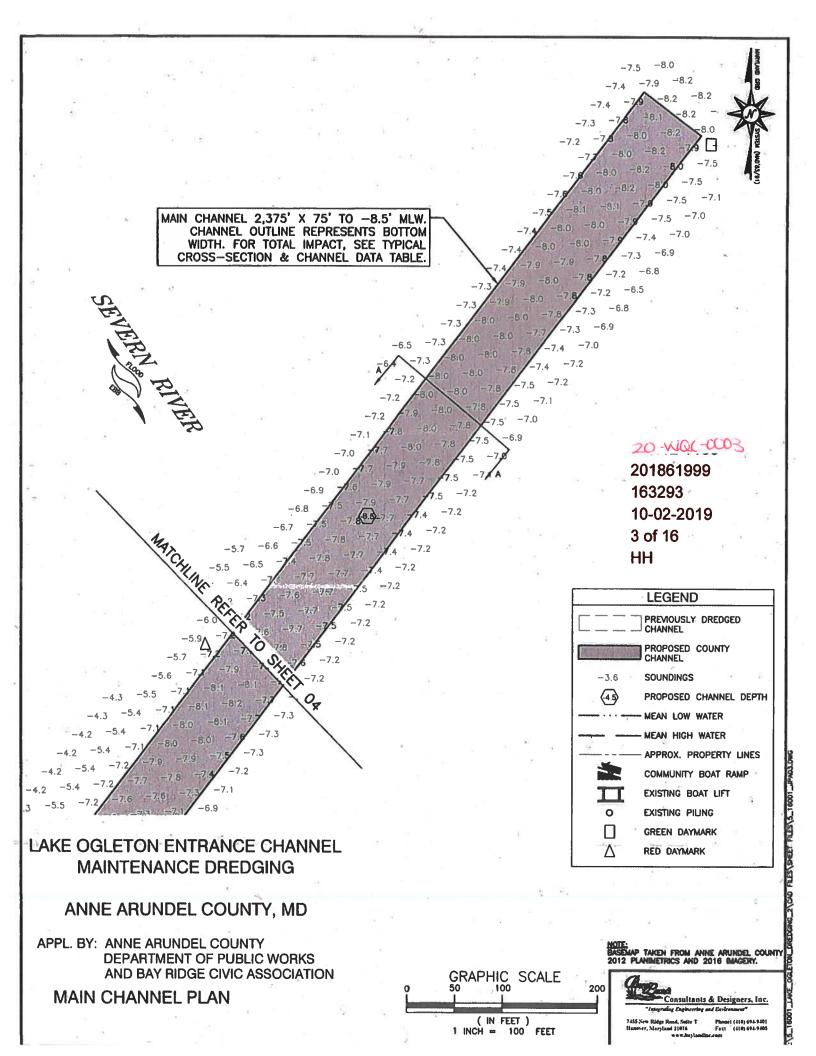
February 13, 2020

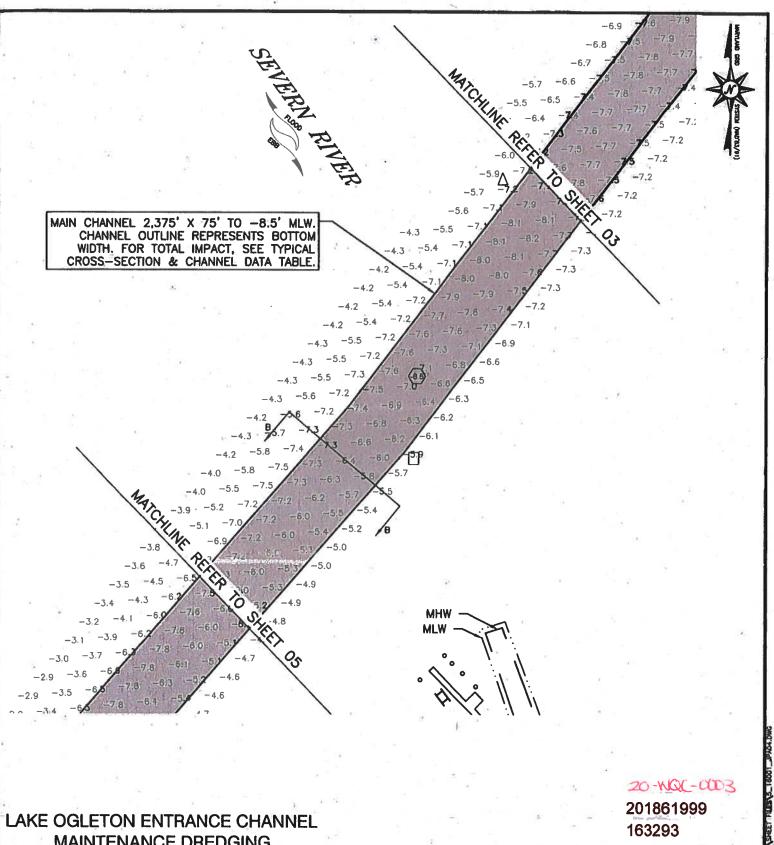
Enclosure: Plans dated October 2, 2019 with all attachments.

cc: WMA Inspection & Compliance Program









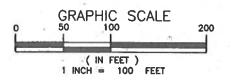
MAINTENANCE DREDGING

ANNE ARUNDEL COUNTY, MD

APPL. BY: ANNE ARUNDEL COUNTY

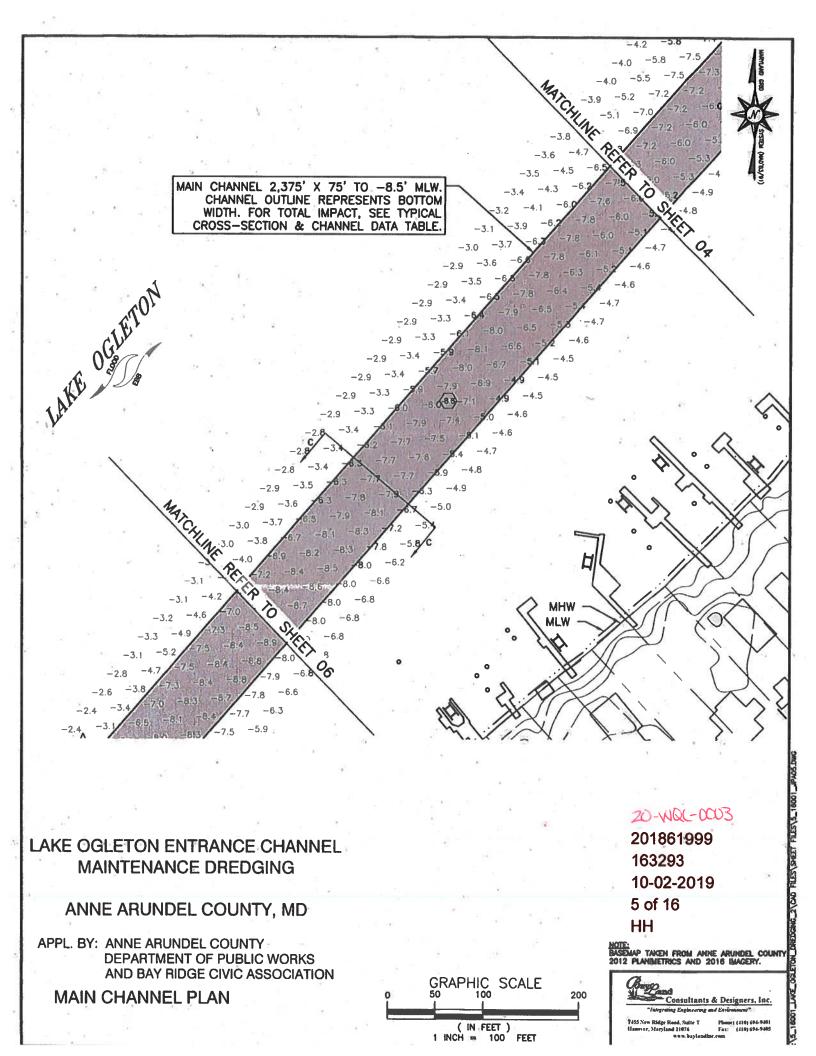
DEPARTMENT OF PUBLIC WORKS AND BAY RIDGE CIVIC ASSOCIATION

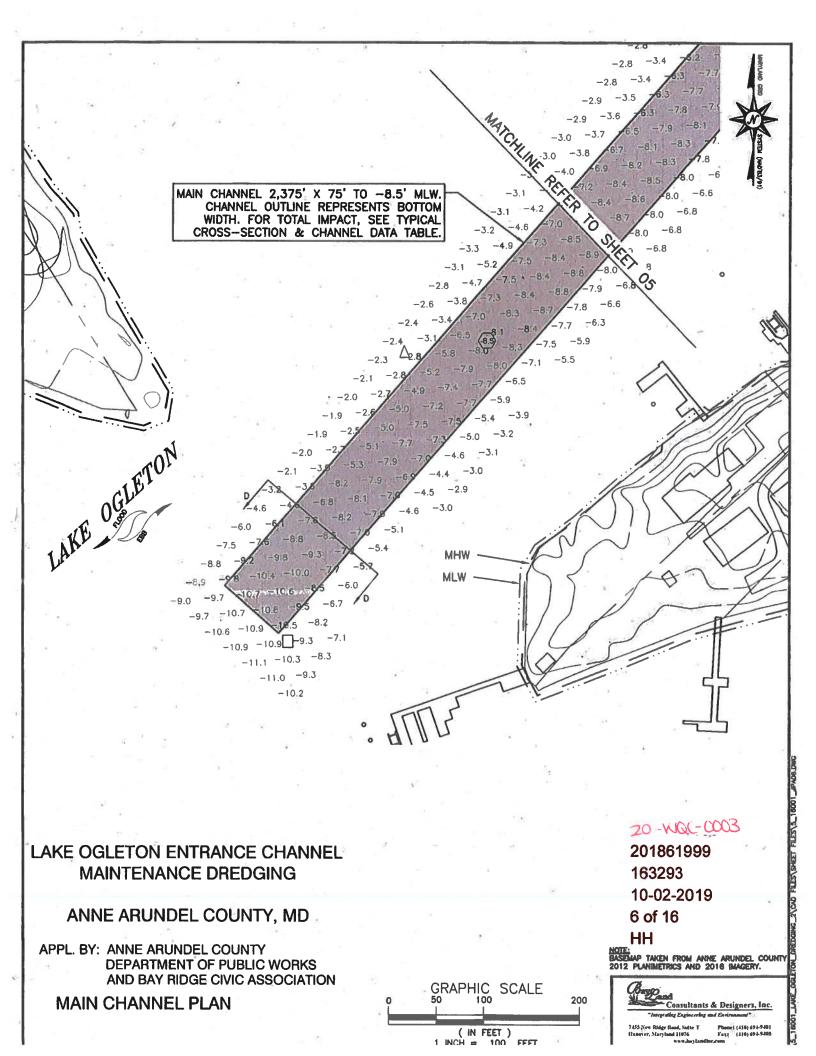
MAIN CHANNEL PLAN

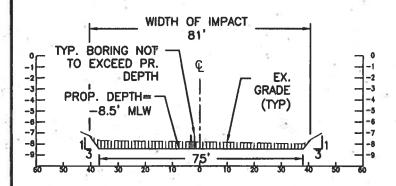


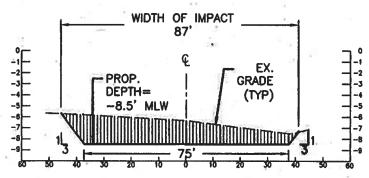
10-02-2019 4 of 16 HH









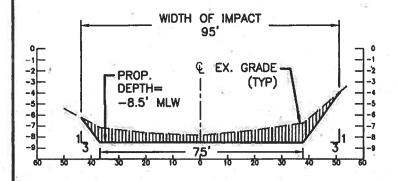


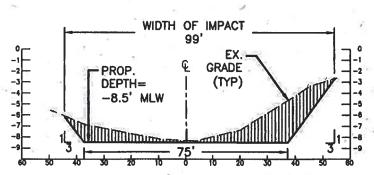
SECTION A-A

SCALE: NTS

SECTION B-B

SCALE: NTS





SECTION C-C

SCALE: NTS

SECTION D-D

SCALE: NTS

LAKE OGLETON ENTRANCE CHANNEL MAINTENANCE DREDGING

ANNE ARUNDEL COUNTY, MD

APPL. BY: ANNE ARUNDEL COUNTY

DEPARTMENT OF PUBLIC WORKS AND BAY RIDGE CIVIC ASSOCIATION

CHANNEL SECTIONS

20-WQC-003

201861999 163293

10-02-2019

7 of 16

HH



CHANNEL DETAILS			
LENGTH (FT)	WIDTH (FT)	DEPTH (FT)	VOLUME (CY)
2,375	75	-8.5	8,825
TOTAL MAIN CHANNEL LENGTH			2,375 LF
TOTAL MAIN CHANNEL VOLUME			8,825 CY
TOTAL MAIN CHANNEL AREA OF IMPACT			217,057 SF = 4.98 AC
TOTAL MAIN CHANNEL AREA OF IMPACT TO 2017 SAV			0 SF = 0 AC

NOTES:

- BASEMAP COMPILED FROM ANNE ARUNDEL COUNTY 2012 PLANIMETRICS AND 2016 IMAGERY.
- 2. TIDAL RANGE IS 0.97 FOOT.
- 3. BATHYMETRY FROM BAYLAND SURVEY DATED OCTOBER 19, 2018.
- 4. SOUNDINGS ARE IN FEET AND REFER TO MLW.
- 5. THESE ARE PERMIT DRAWINGS ONLY. DESIGN DRAWINGS WILL BE PREPARED SEPARATELY.

LAKE OGLETON ENTRANCE CHANNEL MAINTENANCE DREDGING

ANNE ARUNDEL COUNTY, MD

APPL. BY: ANNE ARUNDEL COUNTY
DEPARTMENT OF PUBLIC WORKS
AND BAY RIDGE CIVIC ASSOCIATION

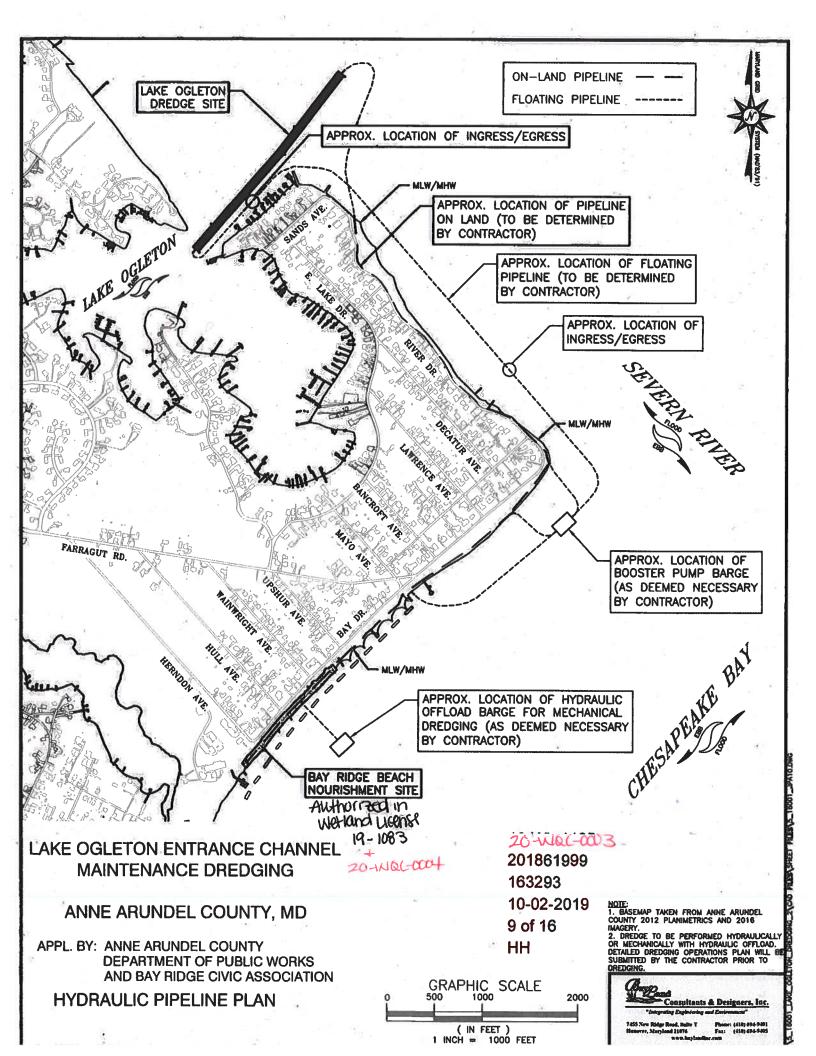
CHANNEL DETAILS

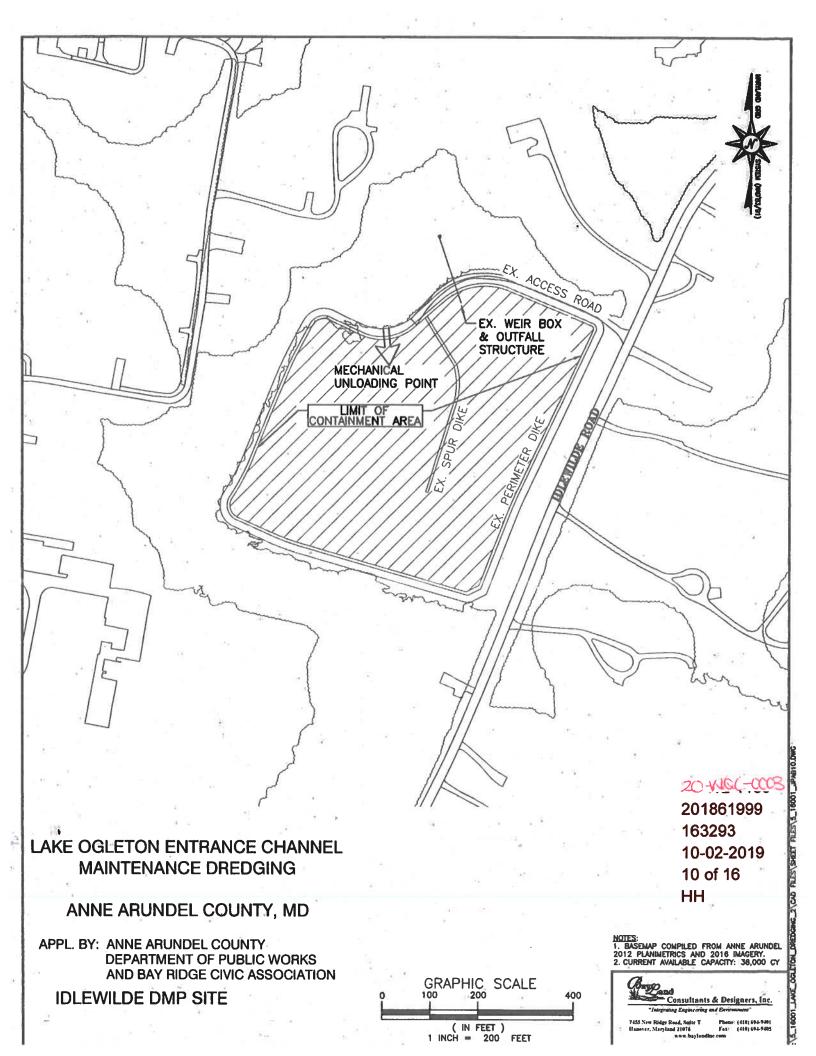
20-WQC-0003

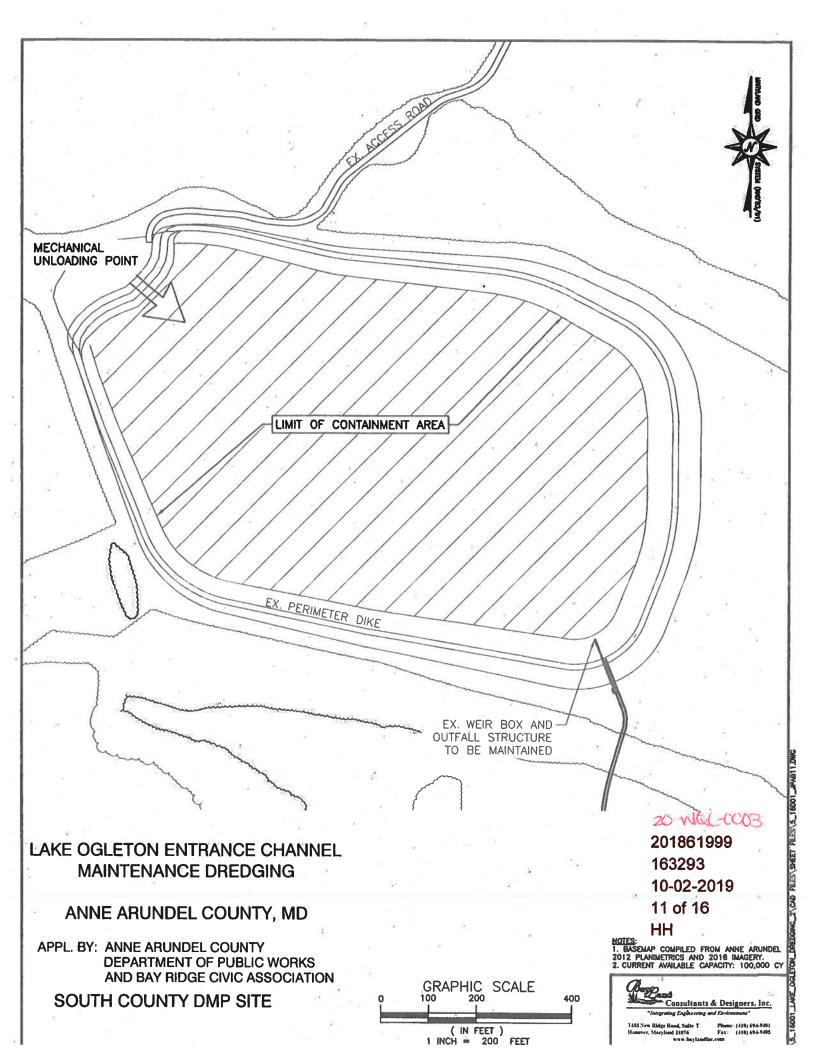
201861999 163293 10-02-2019 8 of 16 HH

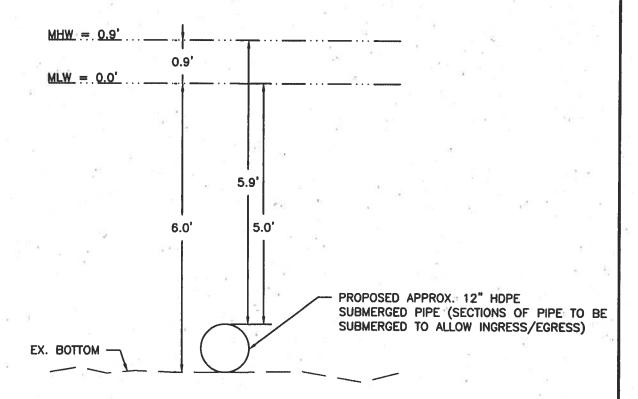


35 New Ridge Road, Soite T Phones (410) 694-948 nover, Maryland 21076 Faxt (410) 694-948









TYPICAL HYDRAULIC INGRESS/EGRESS PIPE SECTION

SCALE: NTS

LAKE OGLETON ENTRANCE CHANNEL MAINTENANCE DREDGING

ANNE ARUNDEL COUNTY, MD

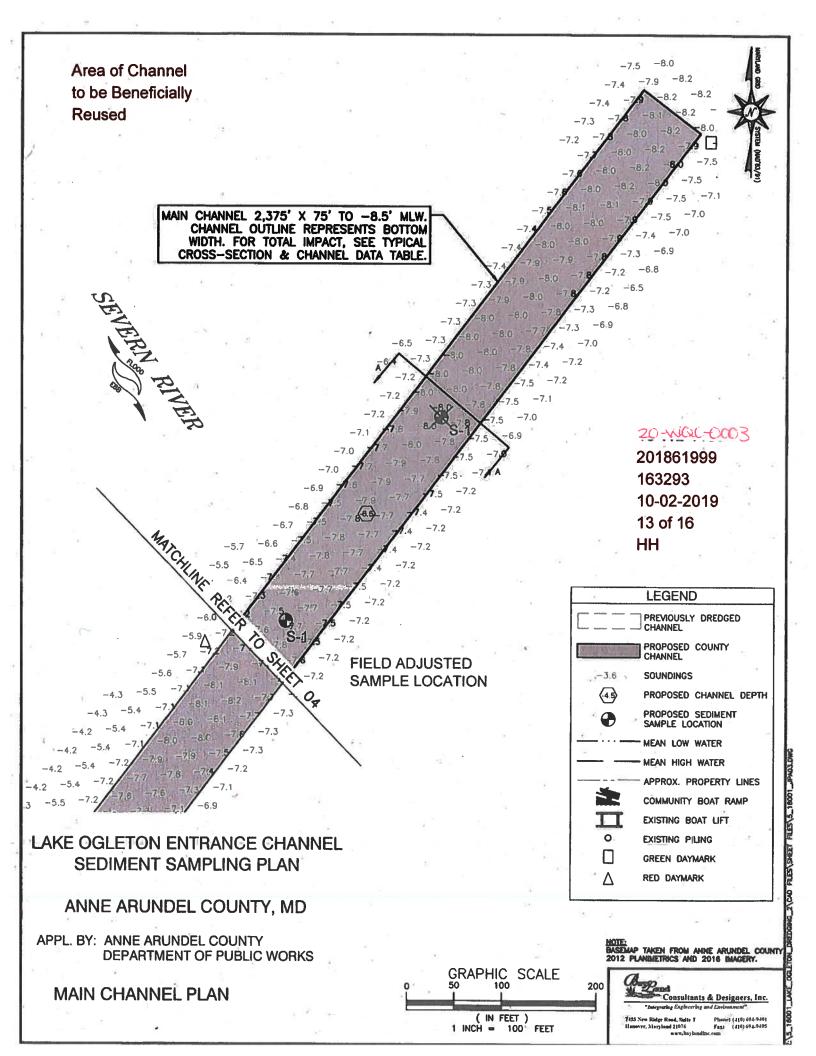
APPL. BY: ANNE ARUNDEL COUNTY
DEPARTMENT OF PUBLIC WORKS
AND BAY RIDGE CIVIC ASSOCIATION

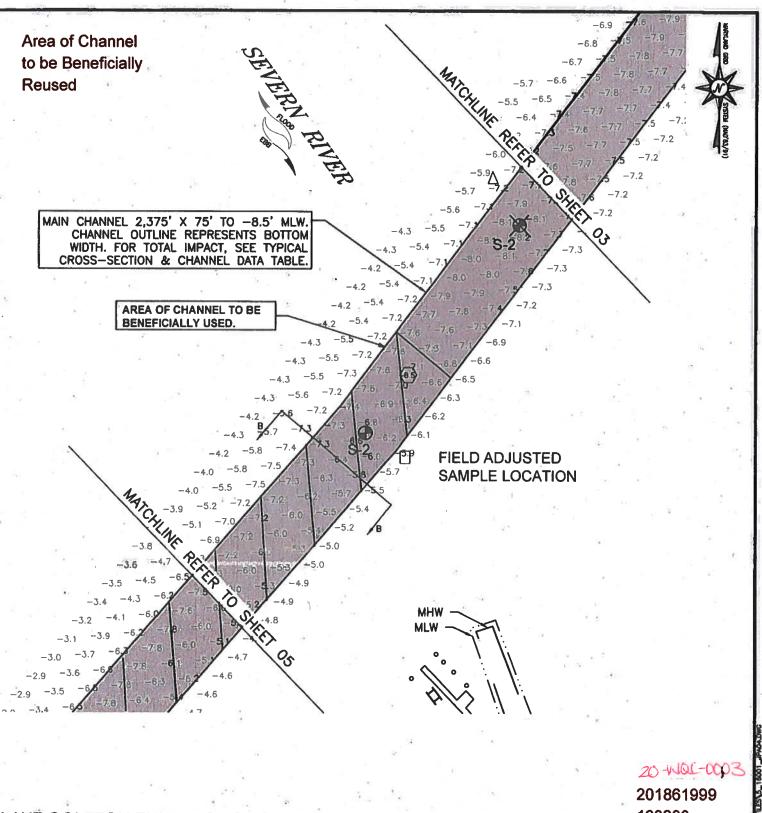
HYDRAULIC PIPELINE SECTION

20-VUQC-0003

201861999 163293 10-02-2019 12 of 16 HH







LAKÉ OGLETON ENTRANCE CHANNEL SEDIMENT SAMPLING PLAN

ANNE ARUNDEL COUNTY, MD

APPL. BY: ANNE ARUNDEL COUNTY
DEPARTMENT OF PUBLIC WORKS

MAIN CHANNEL PLAN

GRAPHIC SCALE

0 50 100 200

(IN FEET)
1 INCH = 100 FEET

201861999 163293 10-02-2019 14 of 16 HH

NOTE: BASEMAP TAKEN FROM ANNE ARUNDEL COUNT 2012 PLANIMETRICS AND 2016 BAGERY.



