



**STATE OF MARYLAND
DEPARTMENT OF THE ENVIRONMENT
WATER AND SCIENCE ADMINISTRATION**



WATER QUALITY CERTIFICATION

CERTIFICATION NUMBER: 21-WQC-0327

**ISSUED TO: Maryland Transportation Authority
300 Authority Drive
Baltimore, MD 21222
Attn: Mr. Jason Harris, PE**

EFFECTIVE DATE: July 5, 2022

**PROJECT LOCATION: Belvidere Road/I-95 overpass in Belvedere, Cecil County
Off-site Mitigation at 80 England Creamy Rd, North East,
Cecil County**

DESCRIPTION OF CERTIFIED PROJECT:

The work includes a new interchange along I-95 at the existing Belvidere Road overpass and includes: A new outer ramp (Ramp A) in the southeast quadrant of the interchange to provide access from Belvidere Road to northbound I-95; new loop ramp (Ramp B) in the southeast quadrant of the interchange to provide access from northbound I-95 to Belvidere Road; new outer ramp (Ramp C) in the northwest quadrant of the interchange to provide access from Belvidere Road to southbound I-95; new loop ramp (Ramp D) in the northwest quadrant of the interchange to provide access from southbound I-95 to Belvidere Road; reconstruction and widening of Belvidere Road, with a new bridge over I-95; realignment of Belvidere Road to the east of its existing alignment at the southern end of the project area; improvements along I-95 to include widening and separation barrier to prohibit access between the new interchange and the Chesapeake House Travel Plaza; construction of a culvert to carry the York Building Products conveyor system under the northbound I-95 ramps (Ramps A and B); and, additional work to include resurfacing of the existing roadway, signing and pavement marking upgrades, ITS features upgrades/ relocations/ reconstruction, and safety improvements. Onsite stream restoration and preservation provides compensatory stream mitigation, and off-site mitigation along a tributary of Little Northeast Creek provides for compensatory wetland mitigation by wetland creation/restoration and includes wetland and buffer enhancement. The project will result in permanent impacts to 10,177 square feet (0.23 acre) of forested nontidal wetlands, 4,518 square feet (0.10 acre) of scrub-shrub nontidal wetlands, 40,669 square feet (0.93 acre) of emergent nontidal wetlands, 165,660 square feet (3.80 acres) of 25-foot nontidal wetland buffer, 3,143 linear feet (14,560 square feet) of intermittent stream, and 1,572 square feet (net volume reduction of 12 cubic yards) of 100-year nontidal floodplain. The project will temporarily impact 10,187 square feet (0.25 acre) of forested nontidal wetlands, 652 square feet (0.01 acre) of scrub-shrub nontidal wetlands, 21,078 square feet (0.48 acre) of emergent nontidal wetlands, 47,971 square feet (1.10 acres) of nontidal wetland buffer, 690 linear feet (13,262 square feet) of perennial stream, and 1,535 linear feet (9,748 square feet) of intermittent stream. The project is located at the current Belvidere Road/I-95 overpass in Belvedere, Cecil County, with proposed mitigation in North East, Cecil County.

WATER QUALITY CERTIFICATION

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 CONSTRUCTION OF A NEW INTERCHANGE AT I-95 AT BELVIDERE ROAD AND ASSOCIATED DESIGN AND MITIGATION ELEMENTS WILL NOT VIOLATE MARYLAND'S WATER QUALITY STANDARDS, IF CONDUCTED IN ACCORDANCE WITH THE CONDITIONS OF THIS CERTIFICATION INCLUDING THE NWP REGIONAL PERMIT CONDITIONS AND NWP GENERAL PERMIT CONDITIONS.

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.

GENERAL CONDITIONS

1. If the Department determines that State water quality standards or other appropriate requirements of state law or regulation are not being met, or that State or federal law is being violated, or that further conditions are necessary to assure compliance with such standards, requirements, or laws, the Department may reevaluate and revise this Certification to include conditions appropriate to assure compliance with such standards, requirements, and laws.

Statement of Necessity for Condition: The condition is necessary to ensure that water quality standards are met and that designated uses of waters 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 & 4; Md. Ann. Code, Env. Article, Title 9, Subtitle 3; Md. Ann. Code, Env. Article, Title 9, Subtitle 3; 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 26.17.04; COMAR 26.23; COMAR 26.24; COMAR 26.23.02.06, COMAR 26.08, COMAR 26.08.02.10E

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.

Statement of Necessity for Condition: The condition is necessary to ensure that water quality standards are met.

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

3. 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

4. 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

5. The Certification Holder shall meet all performance standards and conditions required by the Department for activities in tidal wetlands, nontidal waterways, their 100-year floodplains, nontidal wetlands, nontidal wetland buffers, or nontidal wetland expanded buffers to ensure that any discharges which may enter waters of this State 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 Condition: The condition is necessary to ensure that water quality standards are met and that designated uses of waters 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 26.08.02.10G(3); COMAR 26.17.04; COMAR 26.23; COMAR 26.24; COMAR 26.08.02.10E; COMAR 26.23.02.06

6. The Certification Holder shall obtain any and all additional authorizations or approvals, including self-certifying General Permits issued by MDE, and shall comply with all conditions of such authorizations.

Statement of Necessity for Condition: The condition is necessary to ensure that water quality standards are met and to maintain designated uses of waters.

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 26.23.02.06; COMAR 26.17.01; COMAR 26.23; COMAR 26.24

7. 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 ACOE; and its approved revisions.

Statement of Necessity for Condition: The condition is necessary 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 26.08.02.10G(3); COMAR 26.08.02.02B(1); 26.08.02.03B(1)(b); 26.08.02.03B(2)(e); COMAR 26.23.02.06; COMAR 26.17.04; COMAR 26.23; COMAR 26.24; COMAR 26.23.02.06

8. This Certification is valid for the project identified herein and the associated U.S. Army Corps of Engineers authorization 202060551 until such time that it expires or is not administratively extended.

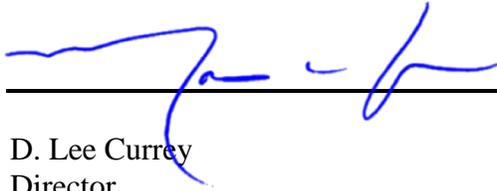
Statement of Necessity for Condition: This condition is necessary to qualify the period of applicability of the terms and conditions of this Certification to be protective of Maryland water quality standards.

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; COMAR 26.17.04

21-WQC-0327

CERTIFICATION APPROVED:

DATE:



7/6/2022

D. Lee Currey
Director
Water and Science Administration

Tracking Number: 20-NT-0180/202061123

Agency Interest Number: 168890

cc: WSA, Compliance Program w/file
U.S. Army Corps of Engineers