



Maryland
Department of
the Environment

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

Horacio Tablada, Secretary
Suzanne E. Dorsey, Deputy Secretary

December 12, 2022

The Wharf at Handys Point, Inc.
c/o Extreme Measures Surveying, LLC
Attention: Robert (Buck) Nickerson
23680 Ricauds Branch Rd
Chestertown, MD 21620

Via email: buck@extrememeasuresllc.com

Re: Agency Interest Number: 173138
Tracking Number: 202161809
Tidal Authorization Number: 22-WQC-0037

Dear The Wharf at Handys Point, 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 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 Robert M Simmons at robertm.simmons@maryland.gov or 410-901-4044 with any questions.

Sincerely,

Tammy K. Roberson, Chief
Wetlands & Waterways Protection Program
Tidal Wetlands Division



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



22-WQC-0037

EFFECTIVE DATE: **December 12, 2022**
CERTIFICATION HOLDER: **The Wharf at Handys Point, Inc.**
ADDRESS: **PO Box 817**
Farmingdale, NJ 07727
PROJECT LOCATION: **23150 Green Point Rd**
Worton, MD 21678

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 PROPOSED MARINA RECONFIGURATION AND AS DESCRIBED IN THE ATTACHED PLAN SHEETS DATED SEPTEMBER 20, 2021 AND ANY SUBSEQUENT MODIFICATIONS APPROVED BY THE DEPARTMENT WILL NOT VIOLATE MARYLAND'S WATER QUALITY STANDARDS, IF CONDUCTED IN ACCORDANCE WITH THE 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. Remove two existing fixed piers and associated structures
2. Construct a 98-foot long by 8-foot wide floating pier with two 25-foot long by 6-foot wide floating piers tapering from 8-foot wide at the point of connection to the main pier, six 25-foot long by 3-foot wide floating finger piers tapering from 8-foot wide at the point of connection to the main pier, one 12-foot long by 6-foot wide gangway, and six mooring piles all extending a maximum of 103.3 feet channelward of the mean high water line.
3. Construct a 101-foot long by 8-foot wide floating pier with two 40-foot long by 6-foot wide floating piers tapering from 8-foot wide at the point of connection to the main pier, four 40-foot long by 3-foot wide floating finger piers tapering from 8-foot wide at the point of connections one 12-foot long by 6-foot wide gangway, and four mooring piles, all extending a maximum of 105.7 feet channelward of the mean high water line.

4. Construct 72-linear feet of new bulkhead a maximum of 3 feet channelward of the mean high water line and backfill with 40 cubic yards of fill, and
5. Construct 329-linear feet of replacement bulkhead a maximum of 18 inches channelward of the mean high water line.

GENERAL CONDITIONS

1. All water quality-related performance standards and conditions required by the Department in any state issued authorization for activities in tidal wetlands, nontidal wetlands, their 100-year floodplains, nontidal wetlands buffers, or nontidal wetland expanded buffers to ensure that any discharges will not result in a failure to comply with water quality standards in COMAR 26.08.02 or any other water quality requirements of state law or regulation shall be met.
2. All additional authorizations or approvals, including self-certifying General Permits issued by the Department, shall be obtained and all conditions shall be completed in compliance with such authorizations.
3. 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 U.S. Army Corps of Engineers, and its approved revisions.
4. 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.
5. No stockpiles of any material shall be placed in Waters of the U.S. or state or private tidal wetlands.
6. Temporary construction trailers or structures, staging areas and stockpiles shall not be located within tidal wetlands, nontidal wetlands, nontidal wetlands buffers, or the 100-year floodplain unless specifically included on the Approved Plan.
7. This Certification does not obviate the need to obtain required authorizations or approvals from other State, federal or local agencies as required by law.
8. 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.
9. 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.
10. This Certification is valid for the project identified herein and the associated U.S. Army Corps of Engineers authorization NAB-2021-61809 until such time that it expires or is not administratively extended.

SPECIAL CONDITIONS

1. The Certification Holder shall complete construction of the bulkhead prior to filling behind the bulkhead. The bulkhead shall be designed and constructed to prevent the loss of fill material to waters of the State of Maryland. Only clean fill, which is free of organic, toxic, contaminated, or deleterious materials, shall be used.
2. The Certification Holder shall remove an existing pier and associated structures prior to the commencement of the construction of a new pier.
3. All Critical Area requirements shall be followed and all necessary authorizations from the Critical Area Commission (“Commission”) shall be obtained. This Certificate 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.
4. All work performed under this Water Quality Certificate 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. Licensing by MCLB shall occur prior to the beginning of construction activities. 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.
5. The issuance of this Certificate is not a validation or authorization by the Department for any of the existing structures depicted on the plan sheets on the subject property that is not part of the authorized work description, nor does it relieve the Certificate Holder of the obligation to resolve any existing noncompliant structures and activities within tidal wetlands.

STATEMENTS OF NECESSITY AND CITATIONS

1. Statement of Necessity for General Conditions 1, 2, 3,7, and Special Conditions 3,5: 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 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; 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 26.24

2. Statement of Necessity for General Conditions 4,5,6, and Special Conditions 1: Fill or construction material within or adjacent to regulated resources may cause discharges resulting in turbidity in excess of water quality standards and interfere with designated uses of growth and propagation of fish, other aquatic life, wildlife; and other designated uses; and fail to meet general water quality

criteria that waters not be polluted by substances in amounts sufficient to be unsightly or create a nuisance.

Citation: COMAR 26.08.02.03B(1)-B(2); COMAR 26.23; COMAR 26.24; COMAR 26.17.04

3. Statement of Necessity for General Condition 8 and Special Condition 2: 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 26.24

4. Statement of Necessity for General Condition 9: 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. These conditions are necessary to ensure that the activity was conducted, and project completed according to terms of the authorization/certification, while allowing for review of in-field modifications which may have resulted in discharges to ensure that water quality standards were met. Designated uses include support of estuarine and marine aquatic life and shellfish harvesting and for growth and propagation of fish, other aquatic life, and wildlife.

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 26.08.02.03B(1)(b); COMAR 26.08.02.03B(2); COMAR 26.23.02.06; COMAR 26.23; COMAR 26.24; COMAR 26.17.04


5. Statement of Necessity for General Condition 10: 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 which 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 26.17.04; COMAR 26.23; COMAR 26.24

6. Statement of Necessity for Special Condition 4: Expertise for conducting certain activities is required to ensure that there is no violation of water quality standards nor interference with designated uses. This condition is necessary to ensure that discharges will be conducted in a manner which does not violate water quality criteria nor interfere with designated uses.

Citation: COMAR 26.08.02.02B(2)- B(4); COMAR 26.08 02.03B(2)(d) – (e); COMAR 26.08.02.03B(1)(b); 26.08.02.03B(2); COMAR 23.02.04.04

CERTIFICATION APPROVED



D. Lee Currey, Director
Water and Science Administration

12/15/2022

Date

Tracking Number: 202161809
Agency Interest Number: 173138

Effective Date: **December 12, 2022**

Enclosure: Plan Sheets dated **September 20, 2021**

cc: WSA Inspection & Compliance Program
Army Corps of Engineers



VICINITY MAP
 OF THE LANDS OF
THE WHARF at HANDY'S POINT Inc.
 THIRD ELECTION DISTRICT, KENT COUNTY,
 MARYLAND
 TAX MAP 19, PARCEL 96

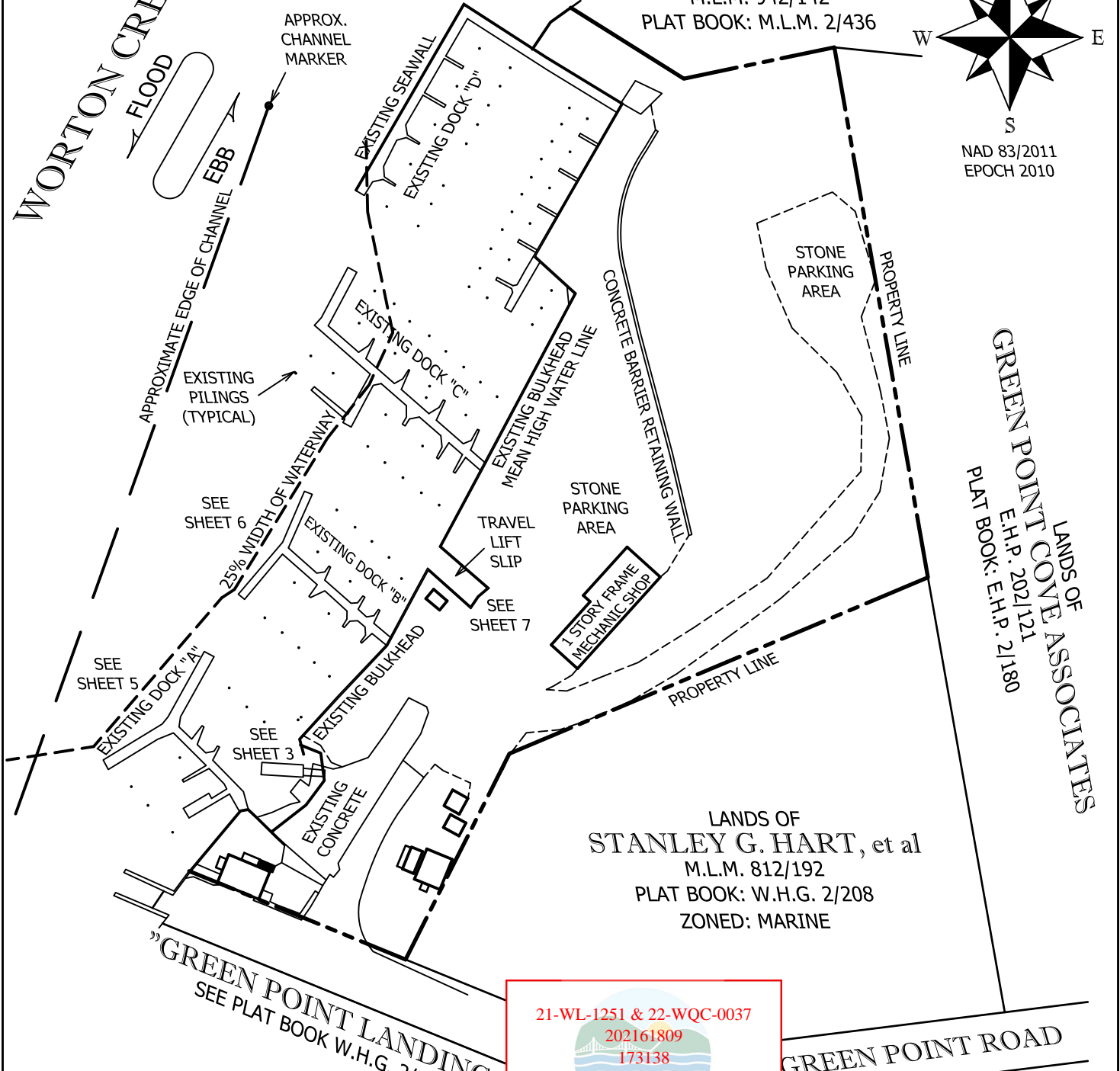
EXTREME
MEASURES
 LAND SURVEYORS

Chestertown, MD 21620 PHONE 410-778-0147
 www.extrememeasuresllc.com

SCALE
 NTS
 DRAWN BY
 RAN
 DATE
 9-20-21
 JOB NO.
 1221

WORTON CREEK
 FLOOD
 EBB

LANDS OF
JAY H. SHAH, et ux
 M.L.M. 942/142
 PLAT BOOK: M.L.M. 2/436



LANDS OF
GREEN POINT COVE ASSOCIATES
 E.H.P. 2021/121
 PLAT BOOK: E.H.P. 2/1180

LANDS OF
STANLEY G. HART, et al
 M.L.M. 812/192
 PLAT BOOK: W.H.G. 2/208
 ZONED: MARINE

"GREEN POINT LANDING"
 SEE PLAT BOOK W.H.G. 2/31

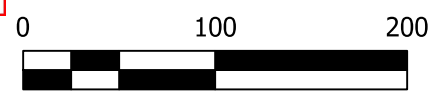
21-WL-1251 & 22-WQC-0037
 202161809
 173138
 09/20/2022
 RMS

PROPERTY ADDRESS: 23150 GREEN POINT ROAD
 WORTON, MD 21678

LAT: 39°16'58"
 LONG: 76°10'04"

WIDTH OF WATERWAY = 386'±
 DISTANCE TO CHANNEL = 140'±

64 EXISTING SLIPS (INCLUDING TRAVEL LIFT SLIP)
 64 PROPOSED SLIPS (TOTAL)

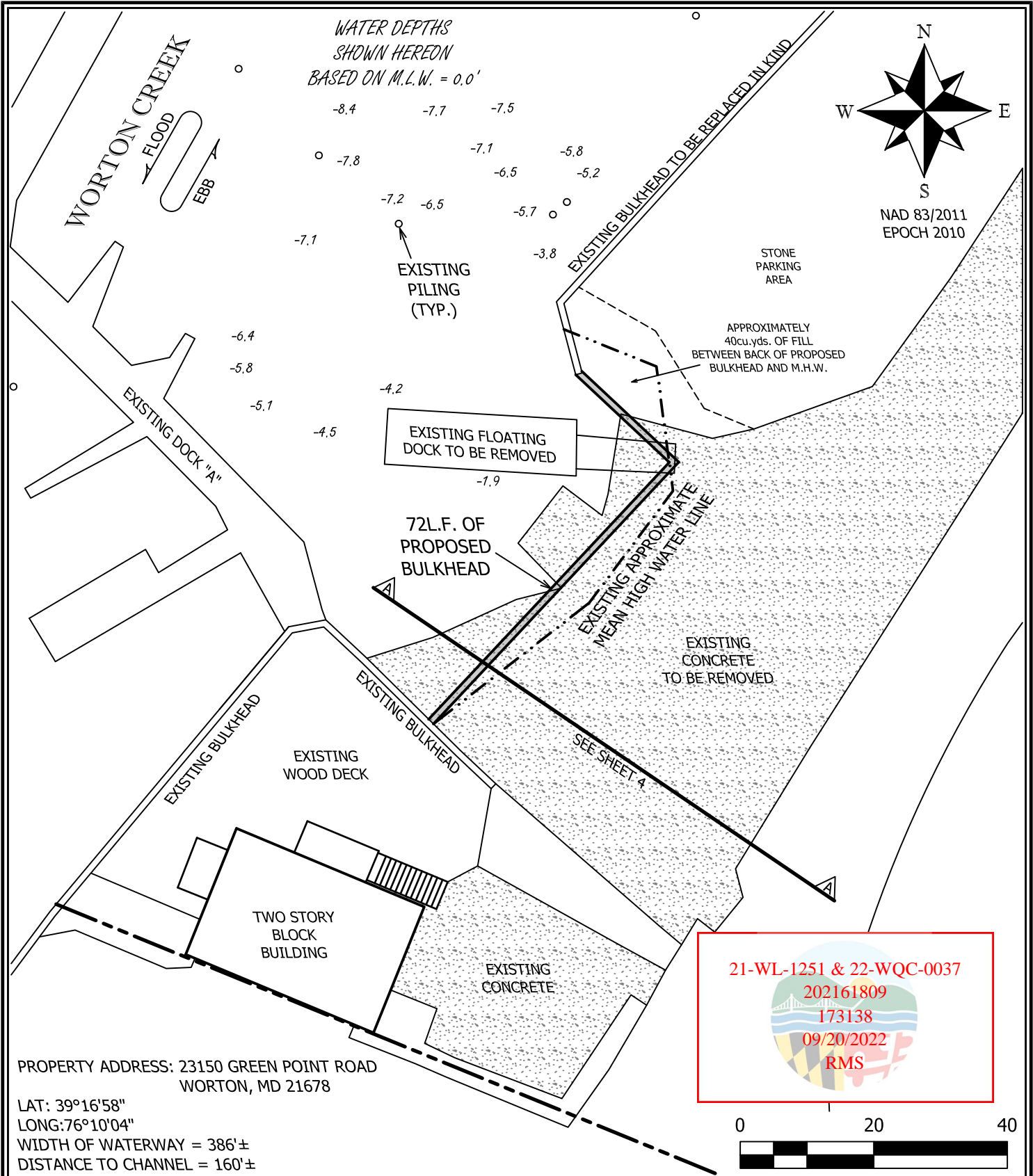


OVERALL EXISTING CONDITIONS
OF THE LANDS OF
THE WHARF at HANDY'S POINT Inc.
THIRD ELECTION DISTRICT, KENT COUNTY,
MARYLAND
TAX MAP 19, PARCEL 96

EXTREME MEASURES
 LAND SURVEYORS

Chestertown, MD 21620 PHONE 410-778-0147
 www.extrememeasuresllc.com

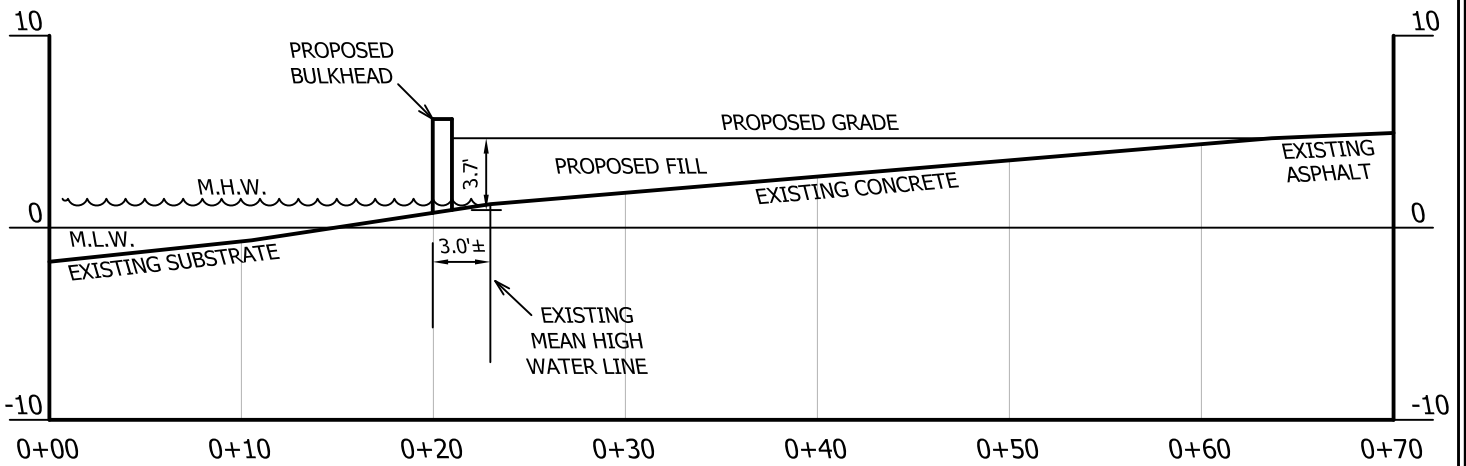
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DRAWN BY RAN
DATE 9-20-21
JOB NO. 1221



PROPOSED BULKHEAD
OF THE LANDS OF
THE WHARF at HANDY'S POINT Inc.
THIRD ELECTION DISTRICT, KENT COUNTY,
MARYLAND
TAX MAP 19, PARCEL 96

EXTREME MEASURES
LAND SURVEYORS
Chestertown, MD 21620 PHONE 410-778-0147
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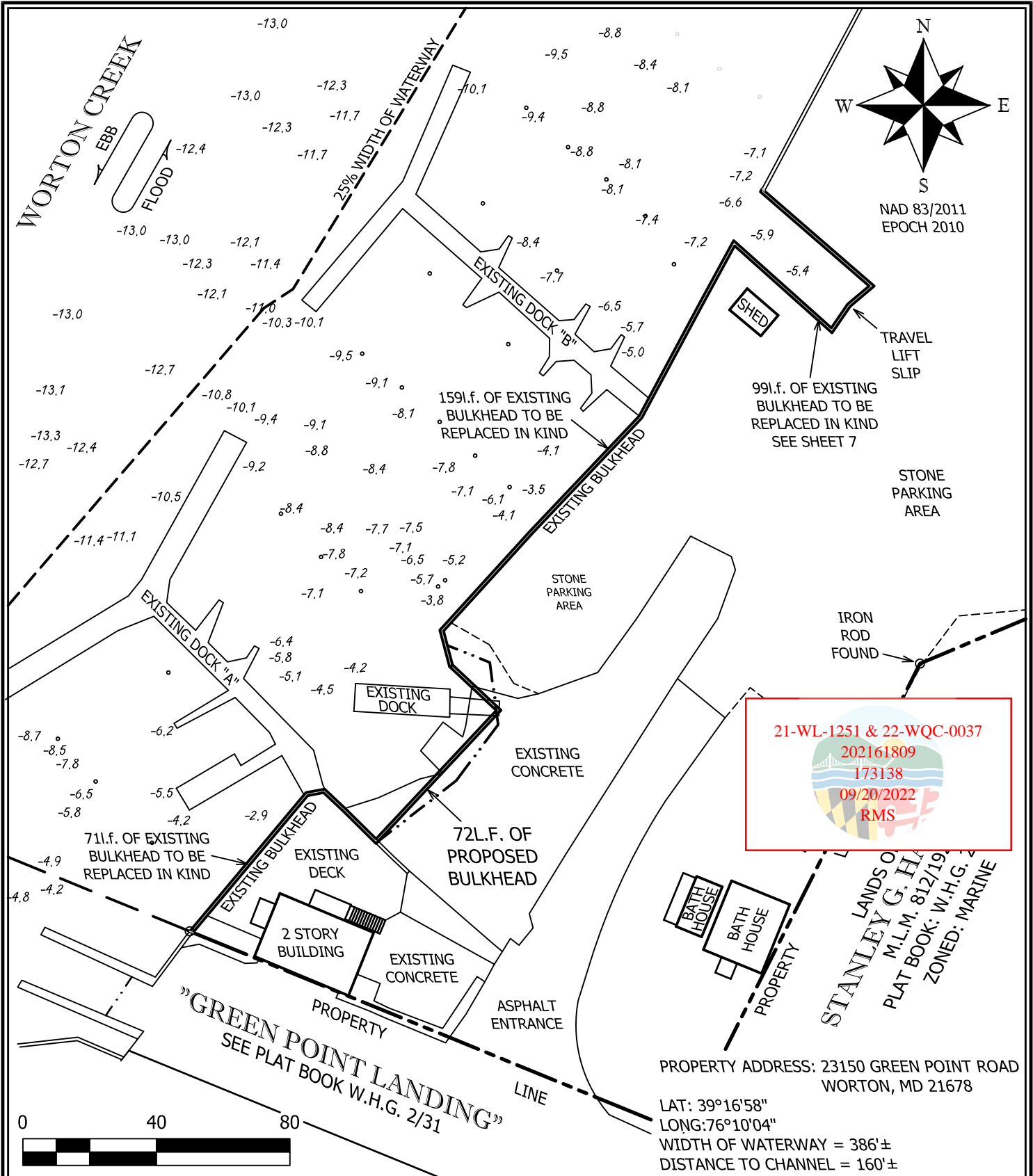
SCALE 1"=20'
DRAWN BY RAN
DATE 1-7-22
JOB NO. 1221



CROSS SECTION A-A
 HORIZONTAL SCALE 1"=10'
 VERTICAL SCALE = 1"=10'

21-WL-1251 & 22-WQC-0037
 202161809
 173138
 09/20/2022
 RMS

CROSS SECTION A-A	 CHESTERTOWN, MD 21620 PHONE 410-778-0147 www.extrememeasuresllc.com	SCALE 1"=10'
OF THE LANDS OF		DRAWN BY RAN
THE WHARF at HANDY'S POINT Inc.		DATE 1-7-22
THIRD ELECTION DISTRICT, KENT COUNTY, MARYLAND		JOB NO. 1221
TAX MAP 19, PARCEL 96		



21-WL-1251 & 22-WQC-0037
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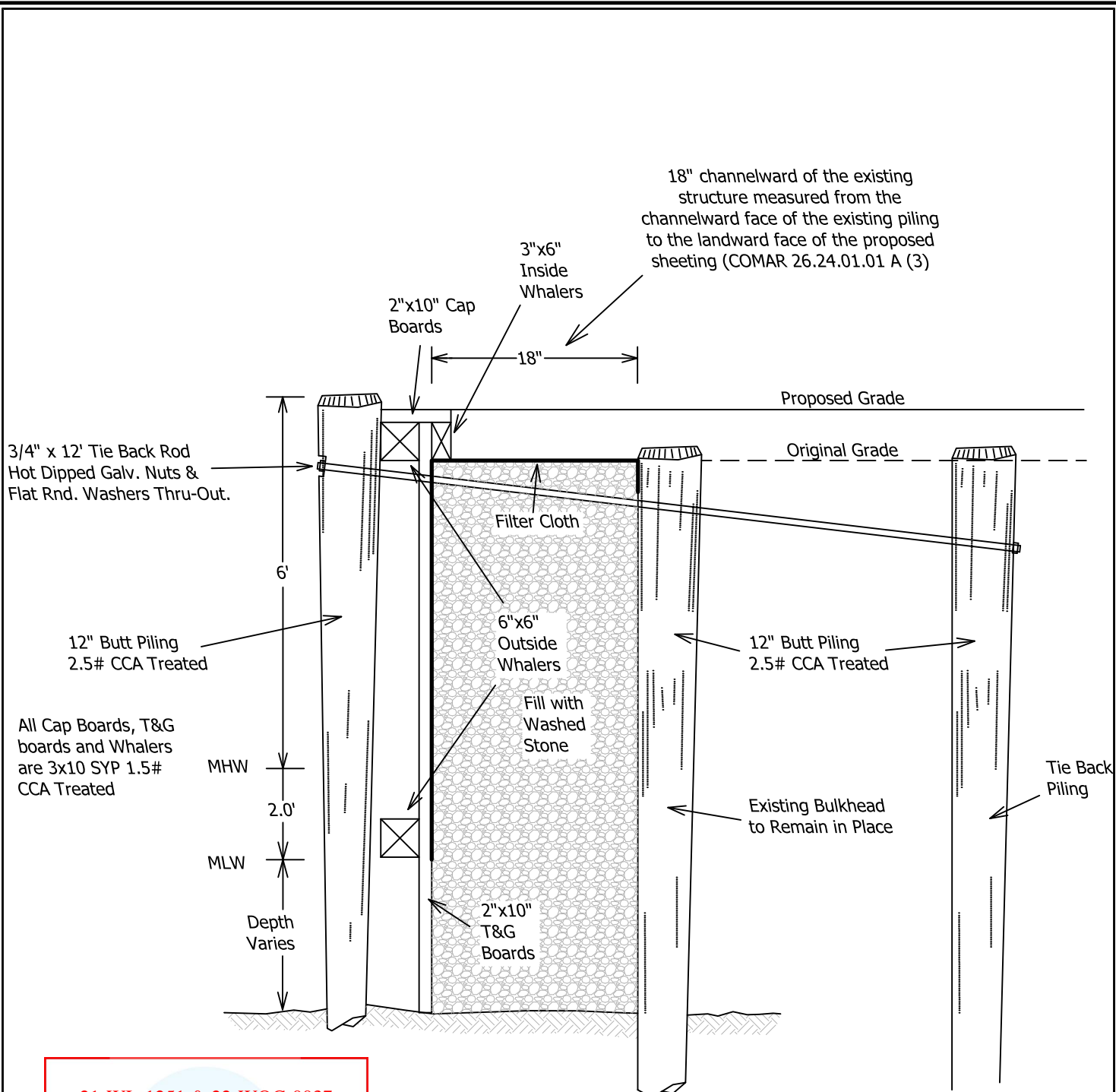
PROPOSED BULKHEAD
OF THE LANDS OF
THE WHARF at HANDY'S POINT Inc.
THIRD ELECTION DISTRICT, KENT COUNTY,
MARYLAND
TAX MAP 19, PARCEL 96

EXTREME MEASURES
LAND SURVEYORS

Chestertown, MD 21620 PHONE 410-778-0147

www.extrememeasuresllc.com

SCALE 1"=40'
DRAWN BY RAN
DATE 12-1-21
JOB NO. 1221



3/4" x 12' Tie Back Rod
Hot Dipped Galv. Nuts &
Flat Rnd. Washers Thru-Out.

12" Butt Piling
2.5# CCA Treated

All Cap Boards, T&G
boards and Whalers
are 3x10 SYP 1.5#
CCA Treated

MHW
2.0'
MLW
Depth
Varies

2"x10" Cap
Boards
18"
3"x6"
Inside
Whalers

18" channelward of the existing
structure measured from the
channelward face of the existing piling
to the landward face of the proposed
sheeting (COMAR 26.24.01.01 A (3))

Proposed Grade

Original Grade

Filter Cloth

6"x6"
Outside
Whalers

Fill with
Washed
Stone

2"x10"
T&G
Boards

12" Butt Piling
2.5# CCA Treated

Existing Bulkhead
to Remain in Place

Tie Back
Piling

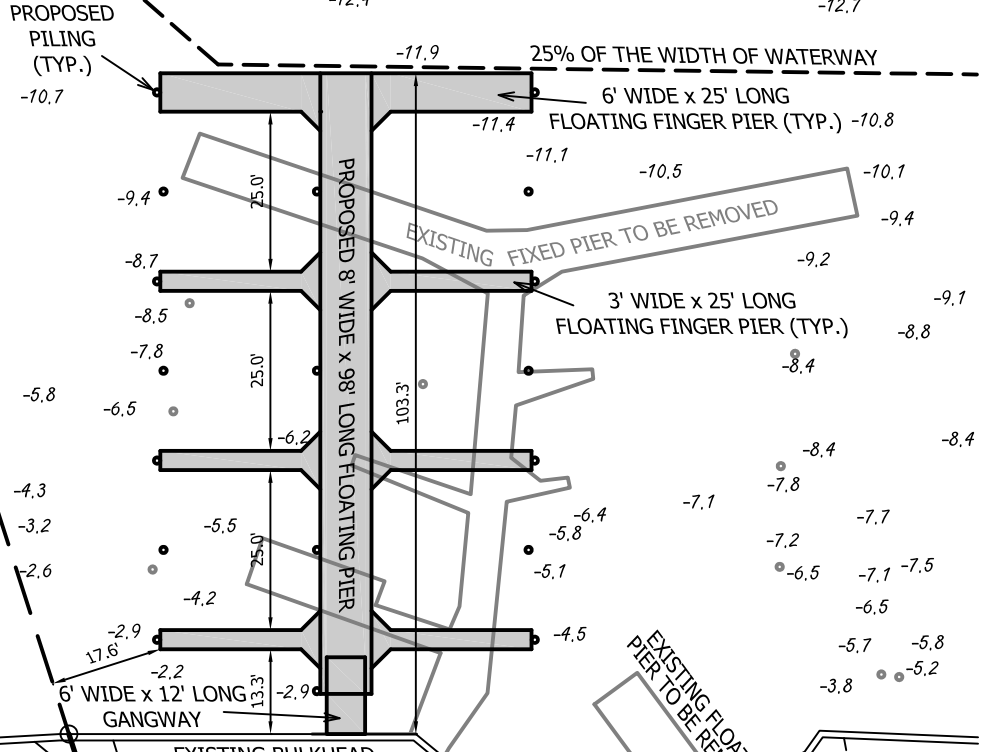
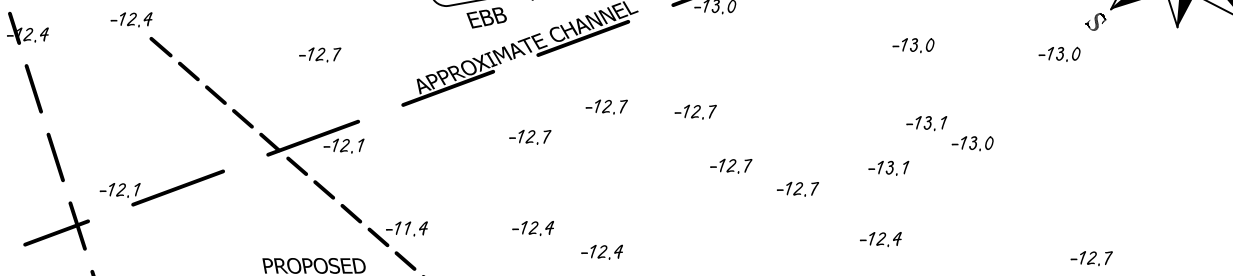
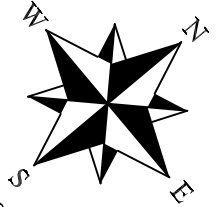
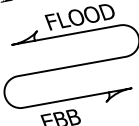
21-WL-1251 & 22-WQC-0037
202161809
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09/20/2022
RMS

BULKHEAD REPLACEMENT DETAIL
(Not to Scale)

<p>BULKHEAD DETAIL OF THE LANDS OF THE WHARF at HANDY'S POINT Inc. THIRD ELECTION DISTRICT, KENT COUNTY, MARYLAND TAX MAP 19, PARCEL 96</p>	<p>EXTREME MEASURES LAND SURVEYORS Chestertown, MD 21620 PHONE 410-778-0147 www.extrememeasuresllc.com</p>	<p>SCALE NTS DRAWN BY RAN DATE 9-20-21 JOB NO. 1221</p>
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WATER DEPTHS
SHOWN HEREON
BASED ON M.L.W. = 0.0'

WORTON CREEK



"GREEN"
PROPERTY LINE

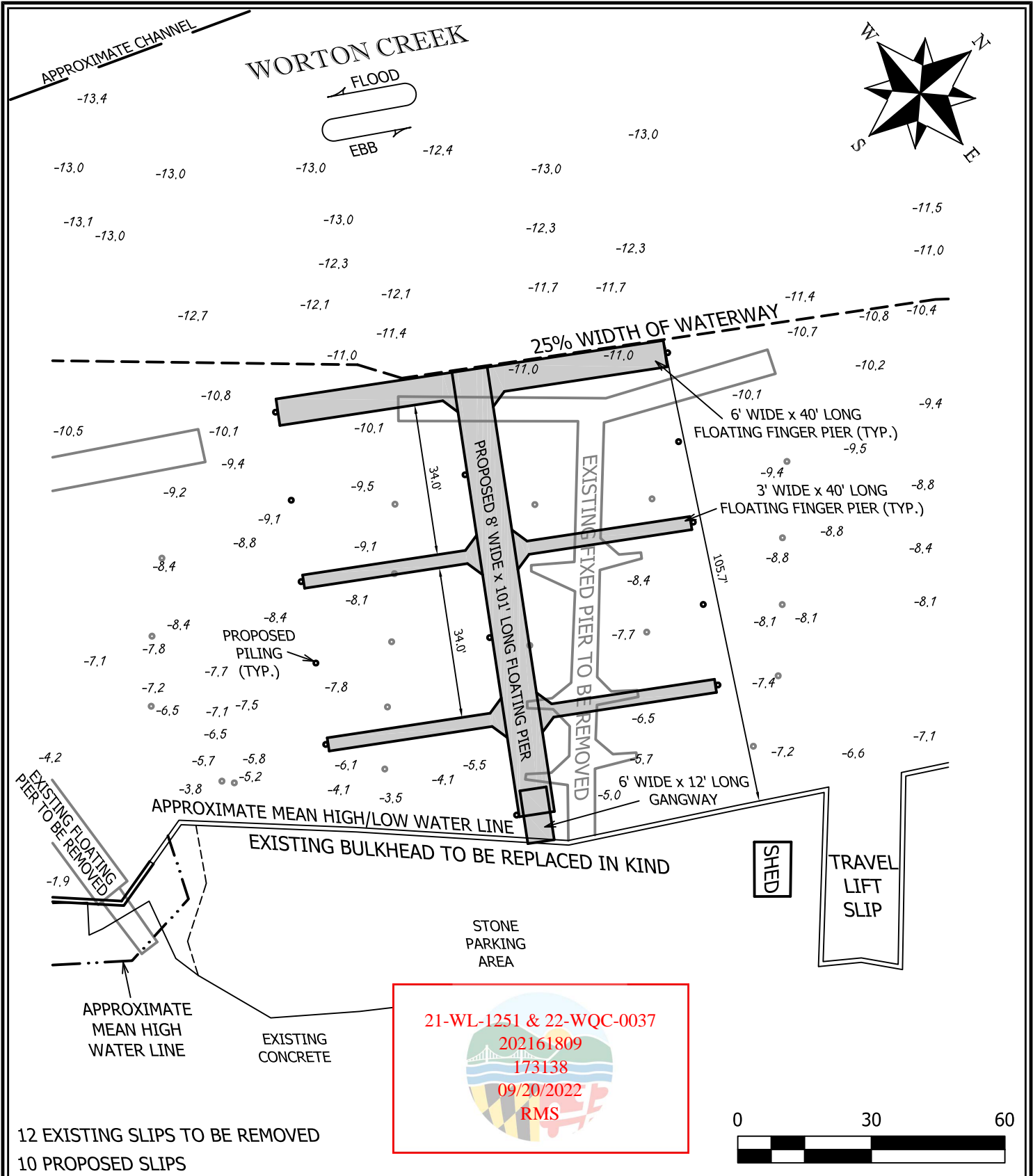
PROPERTY LINE

21-WL-1251 & 22-WQC-0037
202161809
173138
09/20/2022
RMS

12 EXISTING SLIPS TO BE REMOVED
14 PROPOSED SLIPS



PIER REPLACEMENT OF THE LANDS OF THE WHARF at HANDY'S POINT Inc. THIRD ELECTION DISTRICT, KENT COUNTY, MARYLAND TAX MAP 19, PARCEL 96		 Chestertown, MD 21620 PHONE 410-778-0147 www.extrememeasuresllc.com	SCALE 1"=30' DRAWN BY RAN DATE 9-20-21 JOB NO. 1221
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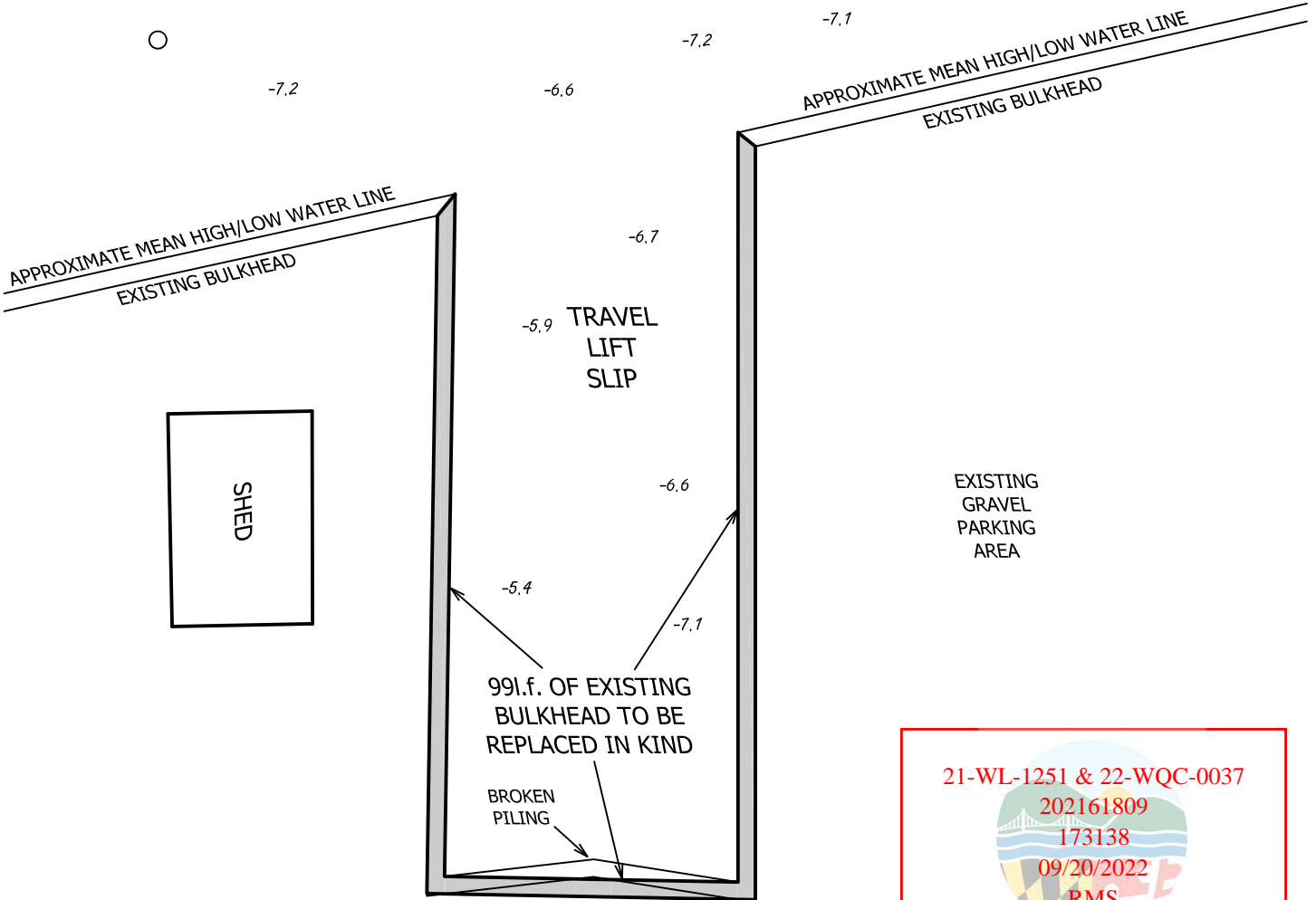
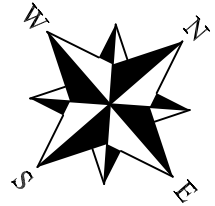
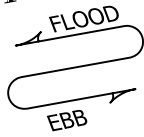


12 EXISTING SLIPS TO BE REMOVED
 10 PROPOSED SLIPS

<p>PIER REPLACEMENT OF THE LANDS OF THE WHARF at HANDY'S POINT Inc. THIRD ELECTION DISTRICT, KENT COUNTY, MARYLAND TAX MAP 19, PARCEL 96</p>	<p>EXTREME MEASURES LAND SURVEYORS Chestertown, MD 21620 PHONE 410-778-0147 www.extrememeasuresllc.com</p>	<p>SCALE NTS DRAWN BY RAN DATE 9-20-21 JOB NO. 1221</p>
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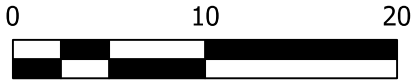
WATER DEPTHS
SHOWN HEREDIN
BASED ON M.L.W. = 0.0'

WORTON CREEK



21-WL-1251 & 22-WQC-0037
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RMS

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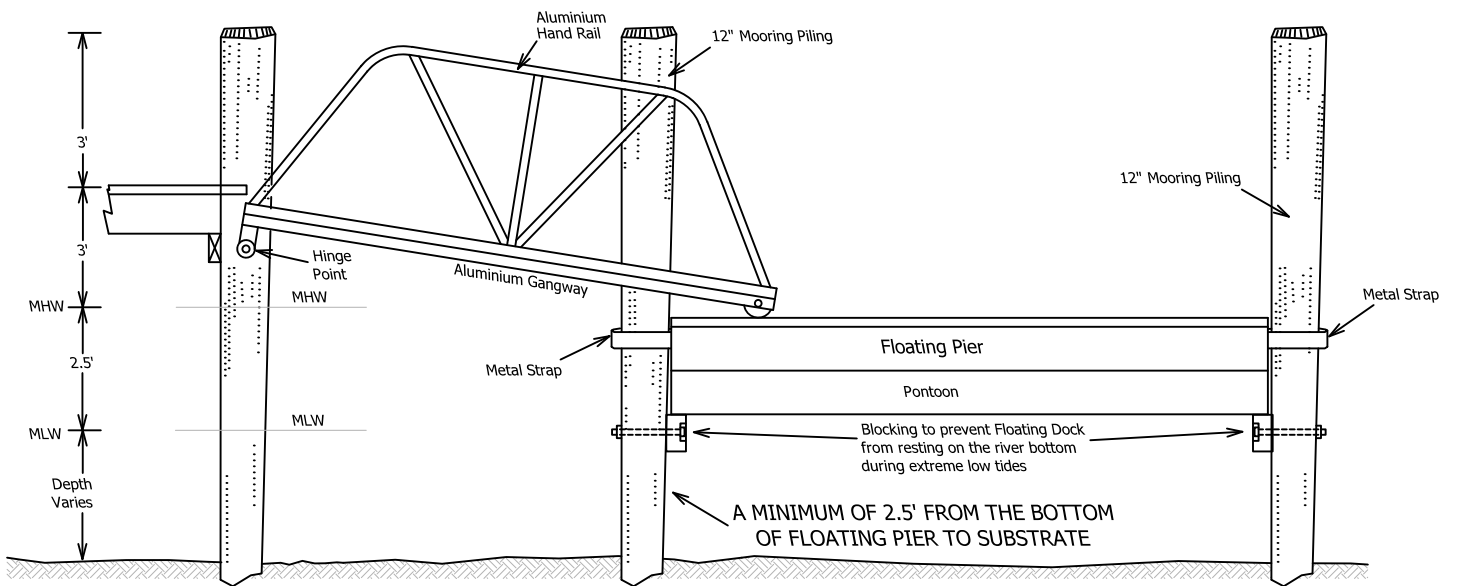


PROPOSED BULKHEAD
OF THE LANDS OF
THE WHARF at HANDY'S POINT Inc.
THIRD ELECTION DISTRICT, KENT COUNTY,
MARYLAND
TAX MAP 19, PARCEL 96

EXTREME MEASURES
LAND SURVEYORS

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www.extrememeasuresllc.com

SCALE 1"=10'
DRAWN BY RAN
DATE 9-20-21
JOB NO. 1221



TYPICAL DETAIL FOR GANGWAYS

21-WL-1251 & 22-WQC-0037
 202161809
 173138
 09/20/2022
 RMS

GANGWAY DETAIL
OF THE LANDS OF
THE WHARF at HANDY'S POINT Inc.
THIRD ELECTION DISTRICT, KENT COUNTY,
MARYLAND
TAX MAP 19, PARCEL 96

EXTREME
MEASURES
 LAND SURVEYORS

Chestertown, MD 21620 PHONE 410-778-0147
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SCALE NTS
DRAWN BY RAN
DATE 9-20-21
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