



Maryland
Department of
the Environment

Wes Moore, Governor
Aruna Miller, Lt. Governor

Serena McIlwain, Secretary
Suzanne E. Dorsey, Deputy Secretary

September 25, 2024

Queen Anne's County Dept of Parks and Recreation
c/o Reggie Mariner
George, Miles, & Buhr LLP
206 W Main Street
Salisbury, MD 21801

Via email: rmariner@gmbnet.com

Re: Agency Interest Number: 179970
Tracking Number: 202361651
Tidal Authorization Number: 24-WQC-0021

Dear James Woods:

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 Matt Godbey at matt.godbey@maryland.gov or (410)-901-4033 with any questions.

Sincerely,

Jonathan Stewart
Chief, Eastern Region
Wetlands and Waterways Protection Program



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



24-WQC-0021

EFFECTIVE DATE: **September 25, 2024**
CERTIFICATION HOLDER: **Queen Anne's County Dept of Parks and
Recreation Attn: James Wood**
ADDRESS: **1945 4-H Park Rd
Centerville, MD 21617**
PROJECT LOCATION: **North end of Market Street
Crumpton, MD 21628**

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 QA PARKS & REC – MARKET ST BOAT RAMP AND AS DESCRIBED IN THE ATTACHED PLAN SHEETS DATED FEBRUARY 15, 2024 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. Construct and backfill 47 linear feet of replacement vinyl bulkhead within the footprint of the existing deteriorated bulkhead with no channelward encroachment;
2. Replace an existing boat ramp with a 48-foot long by 20-foot wide concrete boat ramp;
3. Construct a 50-foot long by 6-foot wide floating timber pier;
4. Extend existing boat ramp wing walls by 24 feet channelward;
5. Mechanically dredge a 38-foot long by 20-foot wide 1,340 square foot irregularly shaped area to a depth of 1.45 feet at mean low water; and to deposit approximately 105 cubic yards of dredged material on an approved upland disposal site located R.B. Baker and Sons located at 1945 4-H Park Road Centerville, Maryland 21617; and to provide for periodic maintenance dredging for six years.

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. This Certification does not obviate the need to obtain required authorizations or approvals from other State, federal or local agencies as required by law.
3. 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.
4. 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.
5. 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.
6. 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.
7. 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.
8. No stockpiles of any material shall be placed in Waters of the U.S. or state or private tidal wetlands.
9. 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.
10. This Certification is valid for the project identified herein and the associated U.S. Army Corps of Engineers authorization NAB-2023-61651-M53 QA Parks & Rec - Market St Boat Ramp until such time that it expires or is not administratively extended.

SPECIAL CONDITIONS

1. 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.

2. 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.
3. 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.
4. The Licensee 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.
5. The Licensee shall install chocks, stoppers, bracing or similar devices to prevent the floating structure from resting on the bottom substrate during periods of low water.
6. The Licensee, to reduce any potential adverse effects to aquatic resources, shall construct and maintain a cofferdam or similar containment structure around and channelward of the boat ramp area prior to any excavation and backfilling along the shoreline through completion of any excavation and backfilling along the shoreline and concrete work.
7. The Licensee shall deploy and maintain a turbidity curtain tightly around and channelward of the project area prior to the commencement of any excavation and backfilling along the shoreline through completion of any excavation and backfilling along the shoreline.
8. The Licensee shall transport all dredged material in watertight trucks or barges. No dredged material shall be discharged onto the roadways or into waters of the State.
9. The Licensee shall dispose of dredged material only at the dredge disposal site(s) approved by this Wetland License. The Licensee shall submit an application for modification of the License to MDE for approval of any dredge disposal site not authorized within this License.
10. The Licensee shall conduct subsequent maintenance dredging within the scope of this license in terms of authorized dredge area and authorized depths. The licensee shall:
 1. Dredge no more than 500 cubic yards of material at each maintenance dredging.
 2. Comply with all applicable conditions of this license.
 3. Submit a detailed dredged material disposal plan to be approved by the Water and Science Administration, Tidal Wetlands Division prior to the start of dredging.
 4. Notify and receive approval from the Water and Science Administration, Compliance Program a minimum of 10 days prior to the start of each maintenance dredging operation.
11. The Licensee shall stake the dredge area and receive approval from the Water and Science Administration's, Compliance Division prior to the start of dredging.
12. The Licensee shall conduct a post dredge bathymetric survey and forward to the Water and Science Administration, Tidal Wetlands Division within 45 days after the termination of any phase of dredging.

STATEMENT OF NECESSITY & CITATIONS

1. Statement of Necessity for General Conditions 1, 2, 3, 4, and Special Conditions 1, 3: These conditions are necessary to ensure that water quality standards are met, and designated uses are maintained.

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; 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

2. Statement of Necessity for General Conditions 5, 8, 9: 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: 26.08.02.03B(1)-B(2); COMAR 26.23; COMAR 26.24; COMAR 26.17.04

3. Statement of Necessity for General Condition 6: This 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 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; 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. Statement of Necessity for General Condition 7: 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 2: 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

7. Statement of Necessity for Special Conditions 4: Unauthorized discharges may enter regulated waters as result of activity or structural failure. A plan to address inadvertent discharges will prevent or address further violations of water quality standards and failure of water to meet designated uses, including 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 26.08.02.02B(1)d; COMAR 26.08.02.02B(3); COMAR 26.08.02.03B(1) and B(2);26.08.02.01B(2); 26.08.02.02B(1)

8. Statement of Necessity for Special Condition 5: The Certificate Holder shall install chocks, stoppers, bracing or similar devices to prevent the floating structure from resting on the bottom substrate during periods of low water.

Citation: COMAR 26.08.02.02B(1)(d); COMAR 26.08.02.02B(3); COMAR 26.08.02.03B COMAR 26.08.02.01B(1) and B(2) COMAR 26.08.02.03B(1)(a); COMAR 26.08.02.03B(2)(d)

9. Statement of Necessity for Special Conditions 6, 7: The discharge and deposition of material within or adjacent to regulated resources may result in discharges that result in impacts to water quality and designated uses.

Citation: Federal and state laws which authorize this condition include but are not limited to: COMAR: 26.08.02.02.B.(3); 26.08.02.03-3.C.(2)d.(5).

10. Statement of Necessity for Special Conditions 8, 9, and 10: Unauthorized discharges may enter regulated waters as result of activity or structural failure. A plan to address inadvertent discharges will prevent or address further violations of water quality standards and failure of water to meet designated uses, including 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 26.08.02.02B(1)d; COMAR 26.08.02.02B(3); COMAR 26.08.02.03B(1) and B(2); 26.08.02.01B(2); 26.08.02.02B(1)

11. Statement of Necessity for Special Conditions 11: The condition is necessary to ensure that no dredged material will result in a violation of water quality standards for turbidity and interfere with designated uses.

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; Md. Ann. Code, Env. Article, Title 1, Subtitles 3 and 4; Md. Ann. Code, 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 26.24; COMAR 26.08.02.03B(1)(b); COMAR 26.08.02.03B(2)

12. Statement of Necessity for Special Condition 12: The condition is necessary to ensure that the dredging results in water depths which are appropriate to support designated uses of fishing and water contact recreation and propagation of fish, other aquatic life and wildlife; and ensure that no discharges are unsightly, create a nuisance, change to an objectionable color or interferes with designated uses.

Citations: COMAR 26.08.02.01B(2); COMAR 26.08.02.02B(1); 26.08.02.02B(3); COMAR 26.08.02.03B

CERTIFICATION APPROVED



D. Lee Currey, Director
Water and Science Administration

Oct 1, 2024

Date

Tracking Number: 202361651
Agency Interest Number: 179970

Effective Date: **September 15, 2024**

Enclosure: Plan Sheets dated **February 15, 2024**

cc: WSA Inspection & Compliance Program
Army Corps of Engineers







24-WQC-0021 QA Parks & Rec - Market St Boat Ramp

Final Audit Report

2024-10-01

Created:	2024-09-30
By:	Jonathan Stewart (jon.stewart@maryland.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAxn_PjDVJrKdT1oPKh3ZK3l0WutuWV499

"24-WQC-0021 QA Parks & Rec - Market St Boat Ramp" History

-  Document created by Jonathan Stewart (jon.stewart@maryland.gov)
2024-09-30 - 4:23:30 PM GMT
-  Document emailed to mde.wsaepermits@maryland.gov for signature
2024-09-30 - 4:23:57 PM GMT
-  Email viewed by mde.wsaepermits@maryland.gov
2024-10-01 - 10:26:39 PM GMT
-  Signer mde.wsaepermits@maryland.gov entered name at signing as Matthew C. Rowe
2024-10-01 - 10:27:32 PM GMT
-  Document e-signed by Matthew C. Rowe (mde.wsaepermits@maryland.gov)
Signature Date: 2024-10-01 - 10:27:34 PM GMT - Time Source: server
-  Agreement completed.
2024-10-01 - 10:27:34 PM GMT